

*Implementing an Integrated Domestic Violence Court:
Systemic Change in the District of Columbia*

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EXECUTIVE SUMMARY

This study addresses three interrelated components of the District of Columbia's Domestic Violence Project, which is a collaborative initiative of several government, university, and community agencies, departments, and service providers. These components include: a centralized intake unit, called the Domestic Violence Intake Center (DVIC), a specialized clerk's office unit, called the Domestic Violence Coordination Unit (DVCU), and dedicated domestic violence courtrooms and judicial assignments, called the Domestic Violence Unit (DVU). All three of these components are located in the Superior Court for the District of Columbia (DC Superior Court), but the DVIC is managed and staffed by three partners in the Domestic Violence Project (the Office of Corporation Counsel (OCC), the Emergency Domestic Relations Program of the Georgetown University Law Center Legal Clinic (EDRP), and the District of Columbia Coalition Against Domestic Violence (DCCADV)).¹

The study was conducted by the National Center for State Courts under a grant from the State Justice Institute (SJI-98-N-016), entitled "Evaluation of the District of Columbia Superior Court Domestic Violence Unit." The project began in January 1998 and concluded in June 2000.

Findings

Administrative data provided an historical context for files reviewed for the study period. *Case files* were reviewed for approximately 250 DVIC clients (and respondents named in their petitions) who provided consent to be interviewed and who completed at least an initial interview, as well as for an additional sample of 250 petitioners (and respondents named in their petitions) who used the services of the DVIC and the DVU between August and October 1998. *DVIC clients were interviewed* about their experiences with the DVIC and DVU and their feelings about the impact of the judicial process on their lives. Finally, *observations in the DVU*

¹ To reduce confusion caused by the use of acronyms, the Domestic Violence Coordination Unit of the clerk's office (DVCU) and the Domestic Violence Unit composed of the judges and courtroom staff exclusively assigned to domestic violence cases (DVU) are collectively called the DVU in this report. This designation is made to succinctly distinguish the components that are part of the DC Superior Court (DVCU and DVU) and the Domestic Violence Intake Center (DVIC), which is housed in the court but staffed and managed by other entities.

courtrooms over several days and *in-depth interviews with the system participants* from judges to prosecutors to intake center staff provide context and important themes for analysis and some future directions for the DVU and DVIC.

Caseload Trends from Administrative Data

Overall Caseload Size. Monthly total cases for disposition in the DVU were at an all-time high in October 1998 (1,884 cases). Civil Protection Order (CPO) *cases pending* and *new filings* remained at relatively constant levels throughout the study period.

CPO Adjudications. CPO *petitions withdrawn* numbered under 20 in any month during the period examined and were at their lowest ebb at the end of 1999. CPO *dismissals* varied between 100 and 180 per month between January 1998 and December 1999. *Consent CPOs* represent a consistent and significant proportion of total CPO activity.

DVIC Case Activity. Two sources of data on DVIC intake activity (OCC and DCCADV) indicated similar caseload trends but different numbers of clients served than data reported by the DVCU (clerk's office). These discrepancies suggest that a consistent measure of DVIC activity should be initiated and maintained, and that all staff in the DVIC should contribute to this effort.

Case File Review

The following findings reflect the sample of cases for which victims consented to be interviewed and completed at least one interview (250), as well as an additional sample of 250 cases drawn from the same time period (August through November, 1998). Analyses of the two separate samples showed no significant differences; therefore, data from the two samples are pooled for the following findings.

Party Demographics. Of the petitioners, 85% were female; 88% were black, 2% were white, and 6% were Hispanic. Forty-nine percent of the petitioners reported during their intake interview that they had children in common with the respondent. Of the respondents, 84% were male; 90% were black, 3% were white, and 6% were Hispanic.

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Temporary Protection Order (TPO) Process. Eighty percent of DVIC clients in the study requested a TPO. Of these TPO petitions, 94% were granted, and 25% of TPOs issued were extended at least once for various reasons.

TPO Remedies Granted. The nine TPO remedies granted in reviewed orders were distributed as follows, from highest to lowest proportion of TPOs granted (n=358): not to abuse, threaten, harass (100%); stay away (97%); no contact (95%); police assist with service of process (76%); temporary custody to one party, usually the petitioner (42%); police stand by while party vacates, usually the respondent (23%); one party to vacate, usually the respondent (22%); other relief as specified, usually some form of support (22%); and having police ensure party (usually the respondent) turns over keys (16%).

Representation in CPO hearings. Eighty-one percent of petitioners were not represented in CPO proceedings. OCC represented 10% of all DVIC clients who filed petitions, and represented 54% of petitioners who received representation from any source. Eighty-nine percent (89%) of the respondents in the study samples were not represented in CPO proceedings.

CPO Process. Twenty-four percent of cases had at least one *continuance* before the final CPO disposition. For those CPO petitions that proceeded to hearings, 45% were granted, 19% were dismissed at the petitioner's request, 31% were dismissed when the petitioner did not appear, and 5% were denied following the hearing. Finally, 75% of the CPOs were entered *by consent* of the parties (including consents with admissions and consents without admissions).

CPO Remedies Granted. For those cases that proceeded to a CPO order, the following remedies were most frequently ordered, from highest to lowest proportion of cases: not to abuse, threaten, harass (98%); stay away (82%); no contact (75%); temporary custody to one party, usually the petitioner (48%); respondent to enroll in domestic violence program (45%); visitation granted to one party, usually the respondent (36%); other relief specified by court, usually treatment for the respondent (26%); respondent to enroll in alcohol/drug abuse program (21%); one party (usually the respondent) to vacate home (15%). A variety of other remedies ordered in the reviewed files appeared in less than 15% of the cases.

Contempt Charges. Evidence of contempt charges was rare in the case files reviewed. A motion for civil contempt of a CPO was filed in only 6% of the cases in which a CPO had been issued, and contempt was found in very few of these cases. Criminal contempt of a CPO was filed in 4% of CPOs, and contempt was found in only one case among the 500 cases reviewed.

Related Criminal Case. Criminal charges were pursued in 22% of the reviewed cases in which CPO petitions were filed. All of these criminal cases stayed within the DVU (i.e., the court did not assign them to judges outside the DVU). The vast majority of the criminal cases were misdemeanors (96%), while 4% were felonies. The Public Defender Service represented the defendant in at least 64% of the cases. (Some of the case files did not clearly indicate the defendant's representation.) One year after these cases were filed, the dispositions were as follows: 32% nolle prosequi; 24% DWOP; 19% guilty verdict; 9% no papered (case not initiated).

Civil Case Histories of the Parties. An examination of the Superior Court's civil case information system (Intrafamily (IF) cases, divorce, custody, and support) revealed that in 52% of the study sample neither party had a previous civil case. In 38% of cases, both the petitioner and the respondent had at least one previous civil case. In another 6% of cases, only the petitioner had a previous case, and only the respondent had a case in 4% of the cases. In 19% of the study sample, the petitioner had filed at least one prior TPO against the respondent. However, few of these prior TPO cases had resulted in a CPO. A small number of study cases had a pending divorce, custody, or support petition at the time the DVIC client filed the petition that was the subject of this study.

Criminal Case Histories of the Parties. An examination of the Superior Court's criminal case information system indicated that in 35% of the cases neither party had a prior criminal charge. In 45% of the cases, the respondent had at least one prior charge. The petitioner had a prior charge in 4% of the cases, and in 14% of the cases both the petitioner and the respondent had at least one prior criminal charge on record.

To the extent possible, we tried to determine whether prior criminal charges were domestic violence related. The Superior Court's case information system indicated that 14% of the petitioners in the study sample had non-domestic violence charges, while 6% of the petitioners had prior domestic violence charges. In a search of the court's criminal information system for the respondents' prior records, we found that 53% of the respondents had non-domestic violence charges, and 23% had prior domestic violence charges.

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DVIC Victim Interviews

Why Victims Came to the DVIC. In the interviews with DVIC clients, 97% of the 250 individuals in the study sample reported coming to the DVIC to seek a protection order. At the time of the 1st interview, one quarter of the DVIC clients had received the CPO, one half were still interested in obtaining a CPO but had not yet received one, and one quarter of the clients were reluctant or no longer wanted to pursue the CPO.

DVIC Clients' Experience in the DVIC. The DVIC clients were asked to rate statements about their experience in the DVIC on a 5-point scale. The proportion of clients who rated items “mostly” or “very much” are as follows: DVIC staff really listened to my concerns (89%); DVIC staff helped me to understand what the process would be like (78%); DVIC staff expressed concern for my safety (79%); and DVIC staff helped me make decisions about what to do (67%).

Court Process Expectations. Victims were asked about their expectations of the effects of the court process in their lives. Over seventy percent (70%) of victim respondents engaged in civil, criminal, and child support proceedings reported that they expected the court process to “mostly” or “very much” make things better for them.

Interactions with Police. Of the 250 DVIC clients interviewed, 184 reported having interacted with the police related to the incident for which they sought redress through the DVIC. These DVIC clients were asked to rate statements about their experience with the police on a 5-point scale. The proportion of clients who rated items “mostly” or “very much” are as follows: the police were on my side (67%); the police treated me fairly (76%); the police gave me useful information about my options (73%); the police protected my safety (65%). Of those victims who contacted the police, 79% said they would be likely to contact the police again in a similar situation.

Helpful Elements of DVU. In open-ended questioning, the DVIC clients we interviewed identified a number of helpful elements of the DVIC. Among these were: talking to someone in the DVIC who really listened; receiving information in the DVIC about the entire protection order process; talking to other victims at the DVIC; and having the ability to obtain a TPO immediately within the courthouse, with the assistance of the DVIC staff and the judicial officers in the DVU courtrooms.

DVU System Interviews and Courtroom Observations

Physical Location and Layout of the DVU Components. The limited space in the current physical layout strains staff attempts to protect client confidentiality.

Staffing and Training. The DVIC and DVCU have been chronically understaffed since the first day of DVU operations. All staff in the Unit would benefit from discipline specific and interdisciplinary training and staffing opportunities.

Judicial Roles and Attendant Issues and Observations. Resources to insure more balanced civil representation for all parties would benefit perceptions of fairness of the DVU. Increased representation would also assist in allowing the judicial officers to perform as decision-makers rather than engaging in representation or information provision to petitioners and respondents before them. The reflections of judicial officers on their duties, as well as other staff upon the behavior of judges in the unit, indicate numerous opportunities for improvement and suggestions for change.

Recommendations

The development of the Domestic Violence Unit (DVU) at the DC Superior Court and the Domestic Violence Intake Center (DVIC) reflects the collaboration of many agencies working together to respond more effectively to family violence issues in the District of Columbia. Individuals who work with the courts, police, legal agencies, and various other public and private entities sought to join resources to create a vision for improving the community response to the complex and often conflicting issues raised by family violence. Any new venture experiences growing pains as the vision confronts reality, and the DVU and DVIC are no exceptions. What is exceptional, however, is that despite these stressors, there are continued high levels of personal and institutional commitment to improving the way family violence cases and their attendant issues are dealt with in the District of Columbia. The evidence of this dedication was clear throughout the course of this study.

While the District of Columbia's response to family violence continues to evolve, the time has come to assess the current operations of the DVU and the DVIC with an eye toward

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improving the system. Our numerous conversations with system participants repeated this theme: to best serve the needs of those suffering from family violence, it is incumbent upon the involved parties to continuously revisit the goals and define whose needs are being met. This report represents part of that effort. As considerable efforts were made to open the doors of the DVIC and the DVU, certain issues took precedence over others. It now makes sense to examine and address issues that have been either ignored or overlooked to the detriment of family violence victims seeking help from the justice system.

The study findings identify items that should be refined in order to improve the processing of cases and the services provided to DVIC clients. Key themes identified include:

- Create new and continue existing vehicles for inter-agency training and collaboration in the leadership of the DVU and the DVIC;
- Re-examine key participant roles and missions of the DVIC for sources of conflict between protecting the interests of adult victims and protecting the interests of child victims;
- Acquire software that allows for easy communication between the civil and criminal parts of Intrafamily cases;
- Develop consistent and uniform data collection within the DVU (clerk's office) and the DVIC; and
- Develop and implement multidisciplinary and discipline-specific ongoing training for all involved in the DVU.

OVERVIEW

This study addresses three interrelated components of the District of Columbia's Domestic Violence Project, which is a collaborative initiative of several government, university, and community agencies, departments, and service providers. These components include: a centralized intake unit, called the Domestic Violence Intake Center (DVIC); a specialized clerk's office unit, called the Domestic Violence Coordination Unit (DVCU); and dedicated domestic violence courtrooms and judicial assignments, called the Domestic Violence Unit (DVU). All three of these components are located in the Superior Court for the District of Columbia (DC Superior Court).² The DVU and DVCU are staffed with court employees, while the DVIC is managed and staffed by the three partners in the Domestic Violence Project:³ (the Office of Corporation Counsel (OCC), the Emergency Domestic Relations Program of the Georgetown University Law Center Legal Clinic (EDRP), and the District of Columbia Coalition Against Domestic Violence (DCCADV)).

The study examines case processing dynamics and system responses for approximately 500 petitioners for civil protection orders through the DVIC and the respondents in those cases. The sources of data for the study include: (1) administrative data on the DVIC from the Office of Corporation Counsel and the DC Coalition Against Domestic Violence, and on court filings from the DC Superior Court's Domestic Violence Coordination Unit; (2) case and data system files for these 500 cases; (3) telephone interviews with approximately 250 of the petitioners in these cases regarding their satisfaction with services provided by DVIC staff, court staff, and judges of the DVU and their feelings about the impact the justice system process has had on their lives; (4) observations in the DVU courtrooms to illustrate court tone and demeanor toward victims and

² To reduce confusion caused by the use of acronyms, the Domestic Violence Coordination Unit of the clerk's office (DVCU) and the Domestic Violence Unit composed of the judges and courtroom staff exclusively assigned to domestic violence cases (DVU) are collectively called the DVU in this report. This designation is made to succinctly distinguish the components that are part of the DC Superior Court (DVCU and DVU) and the Domestic Violence Intake Center (DVIC), which is housed in the court but staffed and managed by other entities.

³ The managing partners of the DVIC at the origin of the DVU and during the data collection and observation period of the study were OCC, EDRP, and DCCADV. In addition, an officer from the Metropolitan Police Department (MPD) was assigned to assist in the DVIC, and victim advocates from the U.S Attorney's Office (USAO) were often working with victims in the DVIC. Members of the supervisory council to the DVIC include representatives of OCC, MPD, USAO, EDRP, and DCCADV.

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accused batterers; and (5) in-depth interviews with the system participants, including intake center staff, judges, police, prosecutors, defense counsel, legal and advocacy service providers, and others to provide context and important themes for analysis and possible areas for re-examination and continued development. This study report discusses general challenges in processing domestic violence cases; the staffing needs of the DVIC, the clerk's office, and the courtrooms; and how to improve the services provided to families trying to stop domestic violence in their lives.

The development of the Domestic Violence Unit (DVU) at the DC Superior Court and the Domestic Violence Intake Center (DVIC) reflects the collaboration of many agencies working together to respond more effectively to family violence issues in the District of Columbia. Individuals who work with the courts, police, legal agencies, and various other public and private entities sought to join resources to create a vision for improving the community response to the complex and often conflicting issues raised by family violence. Any new venture experiences growing pains as the vision confronts reality, and the DVU and DVIC are no exceptions. What is exceptional, however, is that despite these stressors, there are continued high levels of personal and institutional commitment to improving the way family violence cases and their attendant issues are dealt with in the District of Columbia. The evidence of this dedication was clear throughout the course of this study.

Across a variety of disciplines including victim advocates, clerks, attorneys on both sides of the issue, judges, law enforcement and other court personnel, the refrain was consistent: we are committed to improving the way these cases are handled with the ultimate goal of reducing family violence. As one judge explained, a key goal is to “bring these efforts to parity with stranger crime.” This represents a marked shift in the commitment of both public and private agencies to respond to family violence. There have been conflicts and differences of opinion. But there has also been considerable dialogue between people with vastly different views to build consensus and to deal with the emerging problems associated with the DVU and DVIC. This stems from the commitment of various individuals to continuously improve and evaluate the services being provided to families seeking assistance from the DVU. What follows is an account of the successes of the DVU and DVIC in their current configuration as well as

recommendations for ameliorating some of the existing tensions with an eye toward improving service to those seeking redress through the justice system.

The establishment of the DVU and DVIC has affected the way cases are processed to the benefit of families experiencing family violence. Access to civil and criminal justice system remedies for victims is now located in the Superior Court. Before the institution of the DVU and DVIC, victims could be required to go to one building for initial intake and then to another building where the Superior Court is located to file court documents and to appear before a judicial officer. The judicial officer who heard petitions for temporary protection orders (TPOs) sat in monthly rotation as the “Judge in Chambers” who heard a variety of matters in addition to TPOs, including warrant requests. TPO petitioners might have to wait for several hours to appear before the Judge in Chambers. Furthermore, judges hearing petitions for permanent orders (CPOs) also sat in rotation to hear these matters and had no special training in domestic violence.

The current configuration of the DVU features courtrooms, judges, and clerk’s office staff dedicated to domestic violence matters, and the DVIC locates under one roof a number of services for victims of Intrafamily Offenses,⁴ including assistance in filing TPO and CPO petitions. The ability to access a range of services in one building greatly reduces the administrative logistics for victims and, in turn, improves the likelihood that a victim will stay engaged in the justice process. Co-locating multiple agencies within the DVIC is designed for the victims’ convenience, but an ancillary benefit is that case processing also becomes more streamlined, reducing wait time for processing across the board. In addition, the existence of a DVIC improves access to justice for both victims and respondents. Both are free to simply ask questions or obtain information from DVIC staff. A particular highlight of the DVIC is that its clients can learn about filing for Title IV-D child support and may initiate this process in the DVIC. The DVIC is the home base for an OCC attorney whose exclusive task is to appear on behalf of DVIC clients seeking child support. This service was deliberately located in the DVIC

⁴ DC Code §16-1001(5) defines an “intrafamily offense” as “an act punishable as a criminal offense committed by an offender upon a person (A) to whom the offender is related by blood, legal custody, marriage, having a child in common, or with whom the offender shares or has shared a mutual residence; or (B) with whom the offender maintains or maintained a romantic relationship not necessarily including a sexual relationship. A person seeking a protection order under this subparagraph shall reside in the District of Columbia or the underlying intrafamily offense shall have occurred in the District of Columbia.”

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because many domestic violence victims cite their need for financial support from their partners as a reason they stay in abusive relationships.

Another important benefit of co-locating agencies and functions within the Superior Court is that there is greater information sharing between the criminal and civil parts of a domestic violence case. While the need remains to improve the capacities of technology used in this critical information-sharing function, there have been great efforts to eliminate the vacuum that previously existed between the civil and criminal systems in order to render a more complete picture of the history of abuse. This information can be accessed and used by attorneys and others who make recommendations to judges and by judges as they try to tailor their decisions to address the needs of the involved parties.

Specialized case processing can enhance the ability of judges to issue consistent orders of protection. While the DVU has not yet adopted the ‘one judge-one family’ policy, there are greater efforts made among the judges in the DVU to review orders issued by colleagues to avoid issuing conflicting orders. In addition, the Domestic Violence Coordination Unit (DVCU) in the clerk’s office attempts to find all pending family matters (e.g., custody, visitation, divorce, and paternity) related to the parties to the domestic violence case and to provide these case files to the DVU judge. In many cases, the pending family matter and any new family matters filed while the domestic violence case is pending are joined to the domestic violence case.

While the District’s response to family violence continues to evolve, there is a need to resist complacency about the current operations of the DVU and the DVIC. One system participant expressed concern about this and cautioned: “People are resting on their laurels...they think this is a finished product and it isn’t.” Our numerous conversations with system participants repeated this theme: to best serve the needs of those suffering from family violence, it is incumbent upon the involved parties to continuously revisit the goals and define whose needs are being met. This report represents part of that effort. As another participant put it: “[by] tweaking a few pieces of this...we could really have something revolutionary.”

The study report has several sections. Following this overview, a discussion of the **Issues Related to Specialized Courts for Domestic Violence** provides a context for the establishment of this specialized court from the literature on domestic violence case processing and other issues. This is followed by a section entitled **Data Description and Methods** which outlines the components of the Domestic Violence Unit, the Domestic Violence Intake Center, the research

design and components of the study, case selection for the victim interviews and for court case file review, data sources and collection issues, and, finally, research questions this study does not address. The following **Findings** section outlines data findings from the several data sources, including administrative data, victim interview data, court case file data, and system interviews and courtroom observations. **Conclusions and Recommendations** round out the body of the report. A set of **Appendices** provides references to works cited in the report, all the relevant data collection protocols,⁵ and a selected set of data tables.

⁵ A full set of all interview and other protocols used in this study is available from the National Center for State Courts.

ISSUES RELATED TO SPECIALIZED COURTS FOR DOMESTIC VIOLENCE

The work of the Domestic Violence Unit at the DC Superior Court is as complex and multi-layered as the issue of domestic violence itself. The DVU is one of the first courts in the country to integrate specialized court processes designed to promote victim safety and batterer accountability. This bold challenge has been embraced by a range of individuals with enthusiasm, commitment, and focus. The specialized processes associated with the DVU represent the commitment of several agencies and disciplines to grapple with the myriad ways domestic violence affects our communities. A principle achievement of the DVU is how it orients victims to court procedures and often links them to court-related or community assistance programs. The current assessment of the DVU involves an examination of the implementation and operations of an integrated domestic violence court that has demanded significant human, political and fiscal resources. By all accounts, the work of the DVU has been demanding, challenging, disheartening and overwhelming at times, and rewarding throughout. Despite some significant internal obstacles that remain to be overcome, the level of commitment has only intensified to “get this right.”

Similar to any ambitious endeavor, emerging issues demand continuous, ongoing attention. In particular, the following areas could benefit from further discussion and problem solving: technology issues related to the sharing of information between criminal and civil courts; the need for legal representation of both parties in court proceedings; the special legal and service needs of families where both child abuse and spousal abuse may co-exist; mechanisms for monitoring compliance with orders of protection and exercising the court’s contempt power when orders are violated; and the potential merits of a non-adversarial model in domestic violence cases. This requires *involved* justice system personnel, especially attorneys and judges, to recognize the different issues presented in family violence and to adopt more appropriate resolutions than are available in more traditional criminal justice matters.

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Procedural Justice and Domestic Violence

The limits of the traditional criminal justice responses to family violence have led to the development of models that are less adversarial than many current configurations (Tsai, 2000; Fritzler and Simon, 2000; Wexler and Winnick, 1996). Part of the ongoing discussion about how to tailor the current response to family violence is a struggle to incorporate the principles of procedural justice into this paradigm, as others have struggled to modify traditional criminal justice models with this new justice concept. In the current study, the broader themes associated with both procedural justice and therapeutic jurisprudence pose a useful and practical framework within which to consider adjustments to the traditional justice system response to more fully reflect the needs of the involved participants including victims, batterers, attorneys, judges and other justice personnel.⁶ We use the concepts introduced here in procedural and therapeutic justice in order to further the need for continued consideration of alternative methods to craft solutions that promote the safety of victims and the accountability of batterers. In the brief discussion that follows, some key concepts associated with procedural justice are defined as well as additional points to consider when dealing with the batterer population. More specific ideas about applying therapeutic justice principles are then defined in greater detail as a possible way to deal more effectively with family violence in a court setting.

Proponents of procedural justice contend that the perceived fairness of procedures used in decision making assume great importance, and affect victim and offender outcomes, including compliance with orders and re-offending behaviors. A negative perception of the process will adversely affect compliance. According to Paternoster and his colleagues:

Having been treated in a way that indicates one's views are valuable, one is much more likely to view authorities positively and to support and comply with their decisions, even if the outcome is personally unfavorable (Paternoster et al., 1997).

The different nature of family violence presents a good opportunity to review this concept in particular and to emphasize the need to tailor orders of protection specifically to the

⁶ Paternoster et al. (1997) identify the key parts of procedural justice as: [1] **Representation** (did involved parties take part in the decision making process?); [2] **Consistency** (are people being treated in the same way? Is their experience similar to what they have already experienced in the system?); [3] **Impartiality** (people are more likely to comply with outcomes if they perceive that authorities have acted in an impartial and fair manner); [4] **Accuracy** (did authorities make competent, high quality decisions?); [5] **Correctability** (is there another governing body available to review complaints?); and [6] **Ethicality** (are people being treated with dignity and respect?).

needs of the involved parties and corresponding justice personnel. According to the principles of procedural justice, it follows that if batterers do not feel they are treated fairly, they are less likely to comply with a court's decision.

Yet how can batterers who typically have distorted views of their own activities and behaviors be expected to assess what is fair in an accurate way? Their behavior occurs in part because they believe they are entitled to act the way they do. When this belief system is disregarded, challenged or ignored, the outcome may vary. Given batterers' propensity to minimize their own behaviors, assuming they will acquiesce with prescribed court orders if they feel they were treated fairly may not be an appropriate goal for a systemic response to domestic violence. This is not to suggest that batterers should be treated unfairly, but rather that their assessment may not be wholly accurate. It should be a goal of system participants to ensure that fairness is achieved. Representation on both sides of the aisle and an informed judiciary can do much to support this goal.

Experience is a great teacher and this axiom remains true in the ongoing development of domestic violence courts and specialized processing as well. Reflecting on the recent experience of Vancouver, Washington and the challenges faced in their attempt to create a domestic violence court, Judge Randal Fritzler and Dr. Leonore Simon offer their recommendations (2000). Principles of therapeutic jurisprudence as defined below should only be applied where they do not violate other standards of good court performance.⁷ Effective domestic violence courts include the following key ideas (Fritzler and Simon, 2000):

- Do not use the drug court model to deal with domestic violence because drug courts focus on nonviolent offenders who want to change their behavior. In domestic violence cases, often neither party wants to be in court, albeit for different reasons. In domestic violence cases it is typical for both parties to minimize or outwardly deny the existence of abusive behavior.
- Exhibit appropriate judicial demeanor towards both parties to increase compliance with court orders and achieve therapeutic effects.
- Confront perpetrator's cognitive distortions that minimize their own behavior or blame the victim.

⁷ For a more in depth overview of the experience in developing a domestic violence court in Vancouver Washington, see Fritzler and Simon, 2000, which appears in an issue of *Court Review* that focuses on therapeutic jurisprudence, restorative justice and domestic violence.

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- Involve the defendant in crafting court orders as a way to give him voice and increase potential for compliance.
- Act on domestic violence cases quickly and maintain regular court contact; avoid continuances.
- Identify needs of children involved in these cases and use the opportunity to make appropriate referrals.
- Employ swift, not necessarily severe, sentencing options: get offender's attention, craft a proportional punishment
- Calendar routine post-sentencing reviews without cause; impose graduated sanctions when non-compliance occurs
- Increase judges' familiarity with the special evidentiary considerations repeatedly raised in domestic violence cases; this will allow for improved jury instructions.
- Coordinate domestic violence cases with other ongoing matters between the two parties including custody, divorce, abuse and neglect and criminal matters to decrease the issuance of conflicting or incompatible orders.

Many of these concepts reflect the current practices of the DVU while other items remain challenges for further improvements. This checklist serves as a reminder that important dimensions of effective practice for domestic violence courts are becoming institutionalized in court settings. Yet there are other concepts outlined in the Fritzler/Simon checklist that need bolstering if the needs of this special population are to be met in a way that maximizes batterer accountability and victim safety.

The Judicial Role

Judicial demeanor and knowledge of domestic violence dynamics play a significant role in improving the justice system response to these complex cases. There is the perception that specialized judges can lose their neutrality, or the appearance of neutrality, by becoming more educated to the effects of domestic violence and collaborating with the advocacy community. They also can experience judicial burnout from the constant flow of difficult and emotionally charged cases. Yet without specialized judicial knowledge and expertise, the batterer will continue to minimize his own behavior and try to convince court personnel that the problem does not warrant their intervention. Judges need to recognize at the outset that domestic violence cases differ from other crimes they are accustomed to seeing on the bench. Accordingly, their response must also differ. Once the system is involved, it is incumbent upon the judge to promote the integrity and fairness of the process and to remain interested in monitoring compliance with orders of protection issued by their court.

Domestic violence crimes differ from “stranger” crimes in several ways. For instance, by the time the court hears about a domestic violence incident, it is probably not the first time one has occurred. Stranger crime most typically occurs within a finite time period and is often limited to a single event. Domestic violence, in contrast, usually involves multiple incidents of threatened or actual violence that occur over time with varying degrees of severity involved. Indeed, the unpredictability of the violence can often be especially harrowing. Another key difference is that there is usually no contact afterwards in stranger crime events. Domestic violence often occurs between parties who share a home; and that home may also be where their children live, leading to considerably higher rates of ongoing contact between parties than is true after a stranger crime has occurred. Similarly, the rate of recidivism among batterers is quite high. It is likely they will batter again and it will probably be the same victim. Furthermore, the victim may be financially dependent upon her batterer, a powerful disincentive to press charges. For these reasons and others, it is critical that the judge recognize the effects their decisions are likely to have on the parties before them. It demands a different level of involvement and assessment than that used in other matters.

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The judicial officer may in fact be the first to challenge the batterer's cognitive distortions concerning his behavior. Judges routinely explain the tenacity with which batterers will pursue their victims and the manipulations they engage in to maintain their power over the abused party. Over time on the bench, a judge becomes sensitized to the more routine strategies batterers engage in for their personal gain. One judge in our study explained that he began his assignment to the DVU thinking that the US Attorney's Office policy of pursuing every case, regardless of victim wishes, was the right policy.⁸ After many months on the bench, however, he became more circumspect and had a greater appreciation for why some victims might prefer not to press charges. This underscores the ongoing debate associated with prosecutors who seem to ignore or act in opposition to the survivor's concerns about safety in her community.⁹ The judge's changed assessment is subtle but important, and has been usefully examined by James Ptacek in his 1999 publication *Battered Women in the Courtroom*. The power and control wheel model that has become a staple of domestic violence program initiatives is extended by Ptacek to provide a framework for judicial responses that empower battered women compared to those that reinforce women's entrapment (Ptacek, 1999).¹⁰

⁸ In the District of Columbia, the U.S. Attorney's Office is responsible for prosecuting most criminal matters. Its Domestic Violence Unit adopted an official 'no-drop' policy in 1996.

⁹ See Crenshaw, 1991; Epstein, 1999; Richie, 1996.

¹⁰ The Duluth "Power Wheel", as well as Ptacek's adapted figures from the 1999 publication are included in this report in Appendix I. The concepts included in all figures are summarized in our report Figure 1, which follows.

Figure 1. Judicial Responses and the Dynamics of Domestic Violence		
POWER and CONTROL WHEEL^a	JUDICIAL RESPONSES THAT REINFORCE WOMEN'S ENTRAPMENT^b	JUDICIAL RESPONSES THAT EMPOWER BATTERED WOMEN^b
Using Coercion and Threats	Neglecting women's fears <ul style="list-style-type: none"> • Ignoring women's fears • Lack of safe waiting areas in courthouse • Lack of coordination with police and probation • Inadequate training of court personnel 	Prioritizing women's safety <ul style="list-style-type: none"> • Asking about women's fears • Asking about weapons • Confiscating weapons • Training court personnel on battering • Making a safe space for women to wait for their hearings
Using Intimidation	Courtroom intimidation: <ul style="list-style-type: none"> • Inattention to the impact of a courtroom on victims • A bureaucratic and indifferent treatment of abused women • Failure to provide women with information about their legal options. 	Making court hospitable to abused women <ul style="list-style-type: none"> • Providing a separate restraining order office • Informing women of their legal options • Providing translators • Making the building handicap accessible
Using Emotion Abuse	Condescending or harsh demeanor <ul style="list-style-type: none"> • Patronizing displays of authority • Harsh or hostile remarks • Racist attitudes towards women of color • Bias against unmarried women 	Supportive judicial demeanor <ul style="list-style-type: none"> • Listening to abused women • Asking questions • Looking women in the eye • Recognizing the complexity of women's circumstances and choices
Using Isolation	Furthering women's isolation <ul style="list-style-type: none"> • Failure to provide advocates • Lack of resources for non-English speakers • Lack of resources for deaf and disabled women • Lack of coordination with community resources 	Connecting women with resources <ul style="list-style-type: none"> • Providing advocates for battered women • Developing relationships with shelters, batterers' programs and community services
Minimizing, Denying, and Blaming	Minimizing, denying and blaming <ul style="list-style-type: none"> • Mirroring batterers actions by making light of the abuse • Saying the abuse didn't happen; saying she caused it • Making her feel guilty • Saying it was just a "lover's quarrel" 	Taking the violence seriously <ul style="list-style-type: none"> • Communicating through words and actions that the court will not tolerate battering • Encouraging women to return to court if they need to
Using Children	Neglecting the needs of children <ul style="list-style-type: none"> • Failing to see how batterers manipulate women through their children • Lack of concern for safety of children • No space in the courthouse for children 	Focusing on the needs of children <ul style="list-style-type: none"> • Demonstrating concern for the safety of children • Making space in the courthouse for children • Recognizing effects of battering on children
Using Male Privilege	Colluding with violent men <ul style="list-style-type: none"> • Unwillingness to impose sanctions on batterers • Showing greater concern for defendants than for women seeking protection • Joking and bonding with defendants 	Imposing sanctions on violent men <ul style="list-style-type: none"> • Imposing sanctions for violating court orders • Refusing to joke and bond with violent men • Correcting institutional bias toward men
Sources: a. <i>Power and Control Wheel</i> . Reprinted with permission from Minnesota Program Development, Inc., Domestic Abuse Intervention Project. 202 East Superior Street, Duluth, MN, 55802. 218.772.2781. b. From <i>Battered Women in the Courtroom: the Power of Judicial Responses</i> by James Ptacek. Copyright 1999 by James Ptacek. Reprinted with the permission of Northeastern University Press.		

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These comparisons represent an excellent way to measure current court practices while also offering goals to work toward. Ongoing training and continuous examination of current practices will improve the services provided to families affected by partner violence. Given the fact that most people in court do not want to be in court, it is especially important that the system respond to the needs of those seeking assistance. Often these needs extend beyond the parameters of legal issues. Increasingly courts are becoming involved in the coordination of services (Casey, 1998). This necessitates that court personnel be familiar with existing legal and community resources. For example, many women seeking protection orders in the DC Superior Court apply to receive child support. They learn that they are eligible to do this by speaking with an advocate in the DVIC. An attorney devoted exclusively to this issue then acts on her behalf. Women seeking legal assistance can also access other wrap around resources like housing and counseling, all of which is facilitated by court staff who are familiar with existing legal and community resources and with the dynamics of domestic violence and needs of its victims.

Orders of Protection and Contempt

One characteristic of the DVU particularly beneficial to women who are abused is its streamlined routines for a victim's path to obtain an order of protection. Furthermore, there are advocates available to assist with explaining basic aspects of the court process and to address potential reluctance of victims to engage the system. In most situations, civil orders of protection are a more readily accessible remedy than are criminal sanctions. In addition, their remedies are often broader than criminal orders issued in conjunction with criminal proceedings and can often prohibit conduct that the police do not view as serious (Zlotnick, 1995). They become preventive in scope. A civil protection order brings the batterer and victim into the domestic violence system. Often the judge explains directly to both parties in court that the justice system is concerned about preventing further acts of abuse. Once the system becomes involved in promoting victim safety and batterer accountability, the integrity of that system also becomes a focal point of interest. A system with the goal of holding others accountable must diligently work toward preserving the integrity of its own processes. When issuing orders of protection, to maximize equality, fairness and integrity the trial court should clearly indicate how

compliance can be achieved and should take appropriate responsibility for the enforcement of its orders (Bureau of Justice Assistance, 1997).

Judges can promote the integrity of their orders by explaining to both parties at the time that the order is issued that the order's terms are to be adhered to regardless of the involved parties' wishes. That is, even if both parties agreed it was acceptable for one to visit the other, if this contradicts the terms of the order, it is the batterer who could potentially receive a sanction for contempt regardless of the circumstances. The judge must make it explicit that the terms of the order of protection are to be followed. Failing to cite batterers for contempt may contribute to continued minimizing of abusive behavior. If the court does not take this behavior seriously, why should the parties? Failing to issue contempt sanctions also sends the batterer the message that he continues to be entitled to behave in an abusive way.

This becomes especially true in dealing with batterers, whose tactics and characteristics differ in significant ways from other offenders. Batterers are known for the persistent pursuit of their victims. As one judge who was interviewed explained: Batterers "are some of the most sophisticated and manipulative people I've seen." Often, the existence of an order of protection does not curtail their abusive behavior. Women who are no longer living with their abuser and may be trying to legally separate or divorce are often at increased risk of abuse during this time of transition. Separation assaults are fairly common (Mahoney, 1992). Indeed, some women may first seek a protection order when she decides to end her relationship with her batterer. Given the high risks associated with this time, it is critical that the issuing court be vigilant in monitoring compliance with its orders of protection.

According to a National Center for State Courts study, 35% of people who receive an order of protection experience a violation of those terms within six months (Keilitz, et al., 1997). Another study indicated that 60% of those obtaining protection orders reported violations within one year (Buzawa and Buzawa, 1996). Indeed, most violations of protection orders leading to an arrest occurred within 90 days of the entry of the order (Buzawa and Buzawa, 1996). Yet, in the present study, contempt filings were rare.¹¹ It would be specious to conclude that the District

¹¹ In the present study, civil contempt was filed in 6% of cases, and criminal contempt was filed in 4% of cases. Court outcomes of these filed contempt charges (e.g. whether contempt was found or whether charges were dismissed) were difficult to discern in the files, much less whether they led to desired changes in respondent behaviors.

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of Columbia population experiences violations at a lower rate. Instead, what is likely is that the court is not being made aware of the violations or that when the court is aware of violations, it fails to exercise its authority to impose sanctions. As mentioned earlier, because orders of protection often prohibit otherwise legal acts, the police may not take the violation seriously. So two key players in the criminal justice system, the police and judges, may not be taking violations of the court order seriously. This impugns the integrity of the entire system's response. It may also underscore the need for more victims to have attorney representation.

For many victims of domestic violence, being stalked or repeatedly called at home or work have become routine. Without representation, women are unlikely to return to court in order to report that the order of protection has been violated. Again, this reaffirms the need for more women to have legal representation in cases involving orders of protection. When the batterer evades responsibility for his behavior after involving the justice system, the battered woman may blame herself for the violent behavior, and both parties minimize the acts of violence. The female victim's self-blame and the way the male batterer justifies his behavior contribute to the low incidence of reporting.

Failing to issue a contempt sanction when a protection order is violated undermines the progress made by issuing an order in the first place and may contribute to a woman's unwillingness to engage the justice system in future matters. It sends a powerful message to both batterer and victim that although the court knows about illegal activity, it will not do anything to sanction it. The system then minimizes the effect of the behavior in much the same way that the batterer and victim already do. While law enforcement officers, judges and attorneys and the public often wonder why they should intervene in these matters when neither side seems to want their help, this query is irrelevant. What matters is that an order has been violated. Contempt proceedings are about the relationship between the batterer and the judge. The judge, unlike the abused party, can demand that the abuse stop.

Rather than dwelling on the history of the relationship (such as the woman's decision to stay), a criminal contempt proceeding is primarily about the batterer and the judge. The court's narrow interest is in whether the contemnor did something that violated the court's outstanding order. This places the batterer on the defensive. Because of the existence of the order, and the often accompanying lecture of the issuing court to avoid situations that could lead to violations,

it is harder for the batterer to claim that the woman provoked him or instigated the confrontation (Zlotnick, 1995). While this may be true, it is possible that batterers will still retaliate against the victim for involving the court system at all. The use of contempt sanctions therefore should be weighed carefully and should consider numerous other factors.

This can be achieved by requiring compliance with the terms of the order and by swiftly responding to violations of that order. These are achieved through using criminal contempt sanctions to enforce civil protection orders. Violating a civil protection order is punishable as a misdemeanor, by civil or criminal contempt or by both sanctions. Forty-three states and the District of Columbia make violation of an order of protection against domestic violence a separate criminal offense. Even in states where there is no criminal penalty, violation of a court order of protection may be punished by a court finding of criminal contempt, which usually calls for misdemeanor-level penalties. Four states allow a violation of an order of protection to rise to the felony level. In eight states, repeat violations of a court order may constitute a felony. Three other states make an assault in violation of a protective order a felony.¹²

Some advocates feel that violating orders of protection should always be considered a criminal matter and see using the contempt sanction as “soft” (Zlotnick, 1995). Yet emphasizing the criminal dimension may backfire. Advocates and attorneys alike realize the continued difficulty in gaining victim cooperation in criminal prosecution matters. Employing a one-size fits all approach may not yield intended results. There must be a range of punishments available to punish violations of protection orders. A violation of a stay away order should necessarily warrant a different sanction than a violation involving a misdemeanor assault or a felony. It may not make sense to criminalize every violation. Increasing the number of cases in an already overburdened system will likely only lead to further delays; this, in turn, may undermine the perceived credibility of the justice system in the eyes of the victim. She may be more reluctant to engage a seemingly unresponsive system in the future.

Seeking criminal contempt sanctions can be done by prosecution through the state, by the battered women themselves, pro se, or with assistance of private counsel. Given the paucity of

¹² For an extended review of state statutory codes pertaining to domestic violence, mandatory arrest and court order violations, see *Domestic Violence Legislation Affecting Police and Prosecutor Responsibilities in the United States: Inferences from a 50-State Review of State Statutory Codes* by Neal Miller, 1997, Institute for Law and Justice. <http://www.ilj.org/dv/dvaw.html>.

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women represented by counsel in the DC Superior Court, the Intake Center may want to develop some sort of specific guidelines for *pro se* litigants to file contempt charges in court. Filing contempt motions is just one area that demands an increase in representation for women seeking protection orders.

Child Protection Issues

There is increasing attention being paid to the overlap between child maltreatment and woman battering (Edleson, 1999). Fantuzzo and Mohr's 1998 literature reviews suggest that between 45% and 70% of children exposed to domestic violence are also victims of physical abuse, and that 40% of child victims of physical abuse are also exposed to domestic violence (Fantuzzo and Mohr, 1998). Yet policies and laws tend to treat these issues separately instead of recognizing the complexity associated in responding to both child and woman abuse. Indeed, fear of losing her children can be a major deterrent to a victim accessing the system to obtain relief from the violence.

Failing to consider the experiences of abused mothers and their children can, in effect, contribute to the longevity and severity of ongoing abuse. According to Miccio, "Failure to protect provisions...transform domestic violence into a sword to sever the mother-child relationship, regardless of the mother's non-culpability... Thus the law treats battered mothers and battering fathers or paramours equally" (Miccio, 1999). Or put another way, "By focusing on the mother's conduct, the father's assaultive behavior is viewed in the context of what the mother failed to prevent. Accountability is defined and culpability assessed in terms of maternal failure thereby viewing assailant and survivor equally liable" (Miccio, 1999).

In effect, it appears that the state fails to intervene on behalf of abused women until such time as it can be shown that her children might also be being abused. It appears that some victims of abuse are worthy of state intervention while others may be held responsible for acts they could not prevent. Nowhere does the state focus on the illegal act of assault. The batterer and the state conveniently re-direct the focus onto the battered woman: for being battered in the first place and again for failing to protect. In no way is this to suggest that women who are abusing their children in addition to being battered are not culpable for their own behavior.

Rather, the needs of this population, mothers and children who are being abused, continue to present complex issues that demand greater attention.

Most parties involved in abusive relationships, batterers and those they abuse, are reluctant to enter the justice process. Both parties tend to minimize the abusive behavior. He may minimize his behavior because he believes his actions are appropriate while she may minimize her own abuse as a strategy to avoid increased abuse. Her reasons may not appear 'logical' to those who do not live with abusers but that is not the test. The fact that both parties minimize the abusive behavior makes it difficult for outsiders including those in the justice system to gain an accurate assessment of what is actually happening.

This crystallizes the existing tension that many communities are confronting. At the Domestic Violence Intake Center, in particular, there is an internal conflict created at the outset of the DC Domestic Violence Project. Specifically, one government agency, the Office of Corporation Counsel, is charged with representing the interests of abused children and battered women, who may also be mothers of abused children. In some cases OCC begins to represent the mother only to discover that she may also be abusing her child or that she has failed to protect her child from a violent abuser. If women come forward for assistance and learn that they may be found culpable, they are much less likely to involve the justice system at later intervals. This might mean that both she and her child will sustain further abuse at the hands of the perpetrator.

Exploring the applicability of justice models that work beyond the contours of a strictly adversarial system, attention to judicial practices in domestic violence cases, and discussions on how best to provide services for families where spousal and child abuse co-exist continue to provide potential for identifying improved ways for the justice system to respond to the problem of family violence. This discussion sees the justice response as part of a more integrated series of community efforts to address the problems associated with partner and child abuse. Yet there needs to be continued dialogue within and beyond the justice system towards fashioning appropriate efforts that will reduce the incidence of family violence in our communities. The efforts are ongoing and demand continued commitment from various individuals and agencies. Adjusting the dynamics of a systemic response requires ongoing reflection of what is working well and where adjustments need to be made. Interdisciplinary communication and direct

feedback from the involved parties will improve the community response to this complex and difficult problem.

DATA DESCRIPTION AND METHODS

This section provides descriptions of the components of the Domestic Violence Unit (DVU) at the District of Columbia (DC) Superior Court and the Domestic Violence Intake Center (DVIC), a description of the study research design, and details about case selection for victim interviews and court case file review. In addition, this section describes in some detail the multiple data sources and data collection issues confronted in the study. Finally, this section discusses research questions and issues not addressed in the present study but which may provide direction to future examinations of the DVU.

Components of the Domestic Violence Unit

The DVU at the DC Superior Court began operations in November 1996 under Administrative order 96-25 of the Chief Judge of the DC Superior Court. Under this order, the DVU hears all cases except for juvenile delinquency and abuse and neglect cases that involve an “intrafamily offense,” as defined in D.C. Code § 16-1001(5);¹³ all criminal misdemeanors where the defendant and the victim have an intrafamily relationship as defined by D.C. Code § 16-1001(5)(A) and (B); and all divorce, custody, and paternity and child support cases involving parties to cases in those two categories.

The DVU is part of the DC’s Domestic Violence Project, which is a collaborative initiative of several government, university, and community agencies, departments, and service providers. This study addresses the DVU and two other interrelated components of the Domestic Violence Project: a centralized intake unit, called the DVIC; and a specialized clerk’s office unit, called the Domestic Violence Coordination Unit (DVCU). All three of these components are located in the Superior Court for the District of Columbia (DC Superior Court).

¹³ D.C. Code §16-1001(5) defines an “intrafamily offense” as “an act punishable as a criminal offense committed by an offender upon a person (A) to whom the offender is related by blood, legal custody, marriage, having a child in common, or with whom the offender shares or has shared a mutual residence; or (B) with whom the offender maintains or maintained a romantic relationship not necessarily including a sexual relationship. A person seeking a protection order under this subparagraph shall reside in the District of Columbia or the underlying intrafamily offense shall have occurred in the District of Columbia.”

The DVU consists of the dedicated courtrooms, judges, hearing officers, and their staff in which cases involving domestic violence and related cases are heard. The staff include courtroom clerks and attorney negotiators. The Domestic Violence Coordination Unit (DVCU) is staffed by court processing clerks and other personnel who manage the “paper” side of the cases that come through the Domestic Violence Unit. The records and files of this portion of the DVU are public and available to researchers and the general public.¹⁴

The DVIC is composed of intake counselors, victim advocates, attorneys from the Office of Corporation Counsel, representatives from the U.S. Attorney’s Office, and other individuals who help victims to prepare their court documents to obtain Temporary Protection Orders (TPOs) and (permanent) Civil Protection Orders (CPOs). The records of the DVIC may be subject to subpoena and are not public. While judicial and clerk staff in the courtroom and coordination components of the DVU are employees of the Superior Court, none of the employees in the DVIC are court employees.

Treatment services provided to batterers and victims are not included within the organization of the DVU and are not discussed in this report.

Research Design

*Non-Experimental Impact Evaluation Design*¹⁵

The design of the present study is a *non-experimental impact evaluation* measuring the program involvement and changes in levels of risk or outcomes for study participants. This non-experimental design does not compare the outcomes for participants (or those who used the DVIC) to individuals or groups who did not receive the services of the DVIC, the DVU courtrooms, or the DVCU.

¹⁴ To reduce confusion caused by the use of acronyms, the Domestic Violence Coordination Unit of the clerk’s office (DVCU) and the Domestic Violence Unit composed of the judges and courtroom staff exclusively assigned to domestic violence cases (DVU) are collectively called the DVU in this report. This designation is made to succinctly distinguish the components that are part of the DC Superior Court (DVCU and DVU) and the Domestic Violence Intake Center (DVIC), which is housed in the court but staffed and managed by other entities.

¹⁵ The report authors are indebted in this section to the 1997 Urban Institute publication designed to assist recipients of S.T.O.P. formula grants under VAWA (Burt, Harrell, Newmark, Aron, Jacobs, et al., 1997) Of particular assistance to the authors was Chapter 6, “Choosing an Evaluation Design”.

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The design involves *cross-sectional descriptions* and some comparisons after the “treatment” (or use of the DVIC, DVCU, and the DVU courtrooms) has been delivered. The cross-sectional description and comparisons are based on surveys of project participants and other quantitative and qualitative data collection strategies. We use the data collected to estimate correlations between outcomes experienced by individuals and differences in the duration, type, and intensity of services received and time between case events. It should be noted that we will not draw definitive conclusions about what caused what in the interaction between victims served by the DVU components and in the various cases outcomes (e.g. whether a criminal case was brought against the respondent, or whether the victim remained throughout the court process to obtain an initial and permanent civil protection order).

The cross-sectional design provides only a segment of the response to the “dose” of “treatment” within the DVU, because it provides only estimates of the differences in impact related to differences in the services received. Full impact of the project on victims compared to no project (or no DVU) at all is *not* measured in this design.

In general, this study design is relatively easy and inexpensive to conduct. Our project, however, encountered several expensive hurdles that added to the costs and time frame of the project. Two major impediments were the court’s inability to implement a planned, fully automated civil and criminal case management system, and the late decision by the DVIC that it would prefer that the study did not rely upon its non-court DVIC case files for case data (which included useful and compiled case histories) but rather that the study research team utilize only public records available through the DVCU (court jackets and automated case information). One co-director and the manager of the DVIC expressed concerns about record confidentiality and the fact that the records may then be subject to subpoena. To accommodate these issues, the study agreed to use only public data files. This approach eliminated access to some victim level data maintained by the DVIC, required the assistance of court staff in the DVCU to obtain relevant court records, and consumed a long period of time.

Quantitative Methods

The research data collection strategy included quantitative and qualitative methods. Quantitative methods included data collection from public agencies, at the aggregate and individual case level, and systematic data collection directly from individuals in the form of telephone interviews.

- Interviews with two hundred and fifty (250) DVIC clients recruited between August and November 1998 (Informed Consent Form, Appendix C, and Initial Victim Interview and Second Victim Interview, Appendices D and E);
- Case file data (paper and electronic) for petitioners and respondents in the cases for which an interview was conducted with the petitioner and for another 250 cases from the same time period (Case File Data Form, Appendix F); and
- Aggregate data from pertinent DVU projects, components, and partners.

Qualitative Methods

Qualitative data collection strategies were used to obtain additional information about the experiences of petitioners and respondents in the courtrooms and reflections upon the operations of the DVU in its first three years of operation by professionals and interested individuals who have been involved in its inception and/or contemporary functioning. These qualitative methods involved semi-structured interviews, containing specific questions about particular issues or project dimensions. The semi-structured interview protocol allows for interview respondents to continue with answers of varying lengths, and the interviewer probes to clarify questions as appropriate. Observations of project activities (in our case, of courtroom procedures, judicial demeanor, and treatment of litigants in the courtroom) were conducted, and extensive process notes were maintained by researchers on meetings and activities observed while collecting data on the project.

- Courtroom observations; and
- Interviews with system professionals and participants with experience with the DVU, including judges, prosecutors, public agency legal representation (Office of Corporation

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Counsel), defense attorneys, private attorneys, attorney negotiators, police, DVIC staff, and advocates (see System Actor Interview General Questions, Appendix G).

Initial plans to interview batterers and explore their experiences were dropped in the fall of 1999, after careful consideration of researcher concerns about procedural justice and batterer experience with the DVU system, in order to focus the direction of the study and to conserve resources needed for the unexpectedly time intensive case file data extraction process.

Other Activities

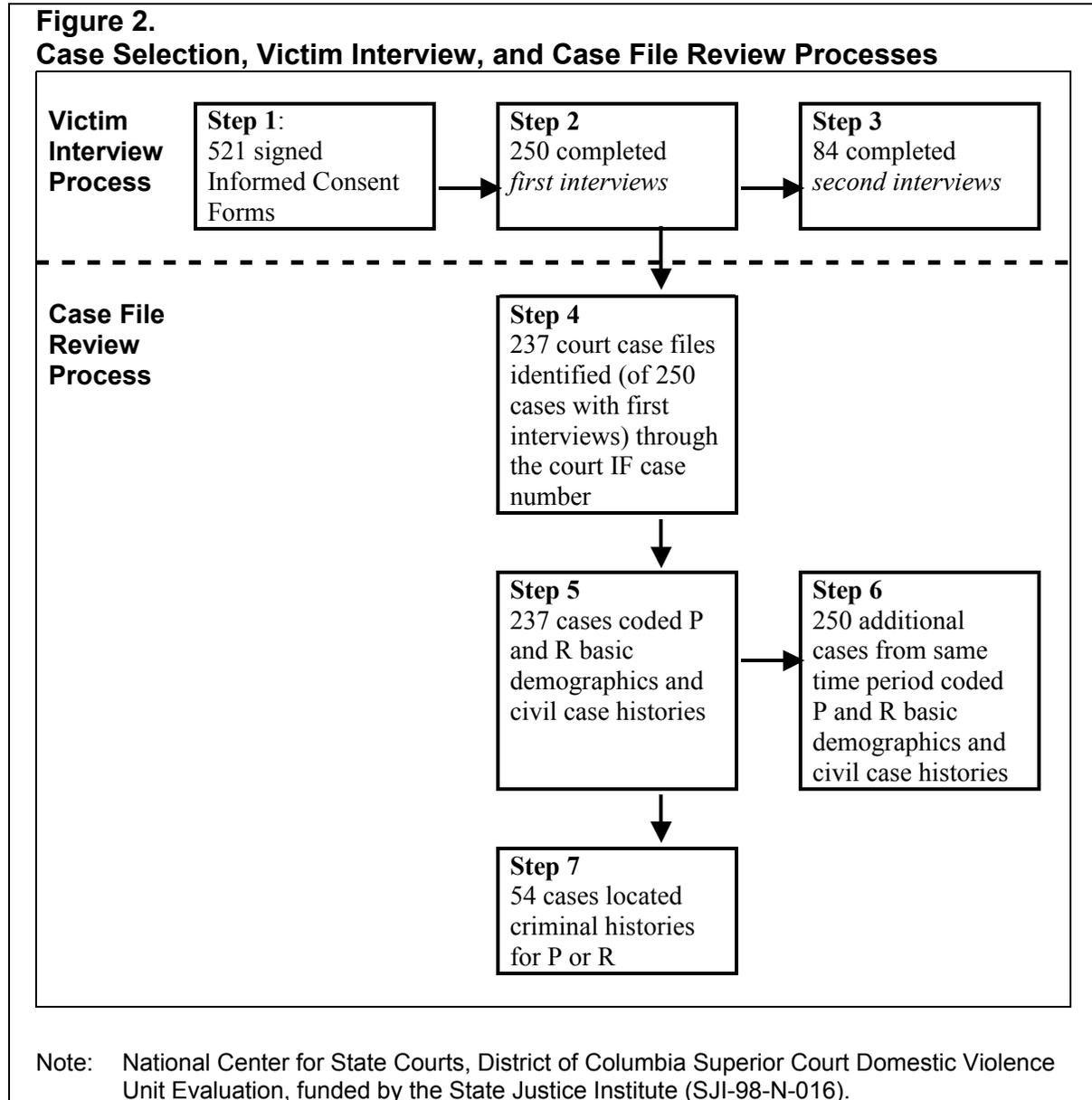
Project staff members remained in regular contact with the Domestic Violence Coordinating Council (DVCC) at the DC Superior Court throughout the life of the study, and provided monthly written project updates to the committee during the final phases of the project. Project staff presented initial findings from the first round of victim interviews in December 1998. Project staff attended all monthly DVCC meetings between September 1999 and March 2000 and provided monthly written project reports at these meetings. Project staff presented initial findings from the case file review process in January 2000, initial findings from the system actor interviews in March 2000, and briefed the committee on the final results of the study in May 2000. The DVCC provided important feedback to the project team throughout the study's final phase, and facilitated arrangements for the system actor interviews.

Case Selection for Victim Interviews and for Court Case File Review

All cases that fall within the purview of the District of Columbia Intrafamily Offense Act (84 Stat. 546, P. L. 91-358, D.C. Code Ann. §§ 16-1001 *et seq.*) are entered and tracked by the DVICU of the DC Superior Court. Most cases of intrafamily offenses start in the DVIC, and about one third of these cases are prosecuted by the U.S. Attorney's Office.

Five hundred twenty-one (521) individuals were recruited (and signed consent forms) for participation in the study during their visit to the DVIC between August and November 1998. Two hundred fifty of these individuals provided an "initial victim interview" (48%), the vast majority within one month of consenting to participation in the study. An additional one

hundred twenty-nine (129) individuals refused participation when approached at the DVIC, and did not sign a consent form. Among those not interviewed after providing consent, 15 were eliminated from the study because they were not in an intimate relationship with the case respondent, and 27 changed their minds when contacted for an interview by NCSC staff.



The cases of victims interviewed at least once by NCSC staff formed the first group of cases selected for case file examination. The data elements sought for each case included background characteristics, civil case histories of petitioner and respondent, and criminal case

histories of petitioner and respondent, as well as details of any criminal case stemming from the incident that prompted the petitioner to seek a protective order. In addition, another group of 250 cases were drawn from the same case filing period (August through November 1998) to provide a comparison group for some analyses and to broaden the pool of cases from which to generalize the case-level findings.

Data Sources and Collection Issues

Victim Interviews

This study focuses on a sample of cases that came through the DVIC in the late summer and early fall of 1998 (August through November 1998).¹⁶ Initial case selection began with the agreement of clients in the DVIC to be interviewed by study researchers (see Informed Consent Form, Appendix C). The consent forms were available in English and in Spanish and were initially presented to the victims as part of the intake process by the DVIC staff. As time proceeded, however, the task of recruiting clients for the study became too time-consuming for the already overburdened DVIC staff. Consequently, NCSC staff spent a series of days in the DVIC, recruiting clients for interviews. As noted above, the recruitment process resulted in a total of 521 signed consents.

Once consent for an interview was obtained, NCSC proceeded to conduct an initial telephone interview with 250 clients (see Initial Victim Interview, Appendix D). The interview instrument was translated into Spanish, and a native Spanish-speaker conducted interviews with Spanish-speaking study participants with limited English proficiency.

The study participants were contacted again between three and eight months after the first interview for a second, more detailed phone interview (see Second Victim Interview, Appendix E). This instrument was also translated into Spanish, and the interview was conducted by a native Spanish speaker where appropriate. Eighty-four (84) completed interviews were obtained by July 1999, and attempts to re-contact victims for second interviews were terminated at that

¹⁶ While the Intrafamily Offense Act applies to acts committed by an offender who is related to the victim by “blood, legal custody, marriage, having a child in common, or with whom the offender shares or has shared a mutual residence,” the study restricted cases to those person involved in an intimate relationship, excluding violence between siblings, parents or other adults and children, or persons who share a residence only.

time. The length of time between first and second phone interviews was in some cases problematic. Interviewers encountered an increased reluctance of victims to speak about the incident that at that time seemed to be in the far distant past. In addition, many victims failed to follow through with interview appointments. Interviewers indicated that a design with just one follow-up interview with a carefully selected set of case questions might better suit the elusive population of victims they encountered. Finally, budget constraints prevented the administration of a planned third victim interview, which would have provided a longitudinal perspective on key measures of well-being for the victims and on their perceptions of past events.

Interview Data Limitations. The recruitment procedures for selecting survey respondents and their attrition limits conclusions that can be drawn from this analysis. *Self-selection bias* is inevitably a part of any study with similar procedures. First, the DVIC clients were not randomly selected to participate in the study, but rather had to give consent due to safety considerations. Using a *convenience sample*, such as this, limits the extent to which the findings can be generalized to the larger population of individuals who seek a CPO in the DVIC. Also, the sample only included DVIC clients who had access to a telephone. Further, the attrition rate between the first and second surveys suggests a range of additional factors which may distinguish the participants in the second survey from the general population of individuals seeking CPOs in the DVIC.

Self-selection bias can pose a threat to the validity of findings in any similar study because it results in a *non-representative sample*. As a consequence, the female and male victims who initially agreed to participate in the study may possess characteristics or be in situations that are significantly different from those who chose not to participate in the interview process. The same is true for those that were available for the follow-up interview and those who were not available or chose not to participate for whatever reason. In a 1997 study of civil protection orders in three study sites, the NCSC analyzed the responses and known characteristics of the participants in the first and second rounds of interviews conducted with petitioners for protection orders to determine what characteristics may be related to non-participation in the second interview (Keilitz, et al., 1997). The only variable that distinguished the groups in all three study sites was the criminal history record of the batterer. Petitioners

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whose partner had an arrest record for violent crime were significantly less likely to be available for the follow-up interview. This suggests that the analysis may look overly optimistic without the data from petitioners who presumably were in more potentially dangerous situations and/or had less positive outcomes following a CPO.

Court Case File Data

Case-level data for individuals who entered the DVIC have been collected for 237 of 250 cases for which the initial victim interview was obtained, as well as for an additional sample of 250 cases from the same time period of case opening (August through November 1998). Information was collected from the Superior Court's civil and criminal electronic information systems and case files, including details of case processing and disposition, related civil cases involving the parties, criminal cases related to the case initiated in the DVIC, and criminal histories (See Case File Data Form, Appendix F).

The project's initial budgeted data collection plan contemplated research access to an integrated database that the DC Superior Court had planned to implement. This database would have allowed for simultaneous searches for the current related civil and criminal case files based on any incidents covered under the Intrafamily Offense Act. It also would have provided a simple mechanism to search for civil and criminal case histories. These reviews of paper case files (or case jackets) and electronic civil and criminal histories were key components of the research design and were budgeted as a task that a volunteer or hourly student could perform after training by project and court staff.

In February 1998, the Infresco Corporation announced that its multimedia authoring and application integration software named "Opal" would be used by the DC Superior Court as "part of an initiative to create an integrated and interrelated approach to processing domestic violence cases and related criminal misdemeanors, where the underlying issue is domestic violence."¹⁷ This Opal application created a "middleware" overlay over the existing antiquated Superior Court mainframe civil and criminal mainframe computer systems. The Opal overlay, in theory,

¹⁷ "Opal Assists DC Superior Court Domestic Violence Program: Application Integration Tool from CA Subsidiary Infresco Connects Disparate Court Applications", Press Release, Infresco Public Relations, February 24, 1998, http://www.cai.com/press/98feb/opal_dc_superior_court.htm.

provides the ability to simultaneously search multiple individual computer systems and to generate a limited set of list reports of located case components.

In practice, however, the Opal product that was designed for the DC Superior Court requires computer hardware and memory far beyond the equipment available to the users of the system in the DVCU and the DVIC. As a result, the Opal system is rarely used in the courthouse. More significantly to the operation of the DVCU, the Opal system is almost never used by the clerks who are now mandated to assemble petitioner and respondent civil and criminal case history information for the case decisionmakers.¹⁸ Further, the case file data collection component of the evaluation project changed from a simple task of reviewing victim and respondent civil and criminal case histories into a complex and time-consuming task that stretched over 5 weeks.

Between October and November 1999, researchers attempted to locate the civil court case files (the “jackets”) for all victims who had been interviewed to complete initial case data details needed (see Case File Data Form, Appendix F). For 13 persons who had been interviewed, a corresponding civil IF (IntraFamily) case file number assigned by the DVCU could not be identified or the case file was not obtained. This discrepancy could be due to inaccuracies in the name on the signed consent form, or it could reflect the fact that an official IF case was not pursued despite the fact that the DVIC clients agreed to be interviewed. Two hundred thirty-seven (237) IF case numbers for interviewed victims ultimately were identified by researchers, and the case jackets were available and provided by the clerk’s office. Within the typical case jacket, the following documents were located and reviewed:

- “Civil Protection Order Information Sheet” [which contained the date of birth, race and gender of petitioner and respondent, and whether the parties have children in common];
- “Petition and Affidavit for Civil Protection Order”, Form FD(3)-1429A/Mar 96;
- “Civil Protection Order”;
- praecipes of multiple types, including modifications of orders and attorney representation initial assignment or changes;

¹⁸ DRAFT “Rules Governing Procedures in the Domestic Violence Unit of the Superior Court of the District of Columbia”, Proposed Rule 2: “In any Criminal, Family, or Intrafamily case filed in the Domestic Violence Unit, the Clerk will identify (1) any other Civil, Family, Probate, or Intrafamily case involving the same parties, and (2) any other Criminal or Intrafamily domestic violence case involving either party.”

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- motions for civil or criminal contempt; and
- other case background information, including medical records, if submitted.

In addition, the electronic record in the civil system was examined for each identified case to verify selected case events. The civil electronic information system was searched on the names of both the identified petitioner and identified respondent for prior and subsequent cases, and selected information was entered on the civil case history grid (see Case File Data Form, Appendix F, page 5). The crotchety and potentially inaccurate automated DVU docketing and calendaring system suggests a great potential for the study's failure to capture the complete history of the study petitioners and respondents. The study researchers did conduct a search on each petitioner and respondent, and did review the electronic version of each of the study cases to verify data entry and to capture missing data for case files incompletely coded from the paper review. However, because there is no unique identifier for persons in the civil system (date of birth and social security number are entered infrequently for persons in this system), it is probable, especially if there has been a change in a listed address, that the study will fail to discern whether the multiple cases listed for common names, such as "Tom Smith" refer to a particular "Tom Smith".

Finally, the criminal electronic information system was searched for any criminal case filed related to the instant civil case and selected information from that search was entered (see Case File Data Form, Appendix F, page 7). The criminal electronic information system was searched for both the instant civil case's petitioner and respondent, and lists of charges under the individual's Police Department Identification Number (PDID) were printed and appended to the paper data collection form. Later, summary information from the civil case histories as assembled by researchers was coded (see Case File Data Form, Appendix F, page 6), and summary information of the criminal charge histories was coded (see Case File Data Form, Appendix F, page 8).

System Participant Interviews

Nineteen (19) interviews with system professionals and participants were conducted in early 2000. Each interview was at least one hour long, and some were as long as three hours. The researchers allowed for as much time as the system participants wanted to spend on the questions posed. Most interviews were with one participant, while a few included individuals who held similar positions, or had a similar role in relation to the DVU. Interviews include the perspectives of judges, prosecutors, defense attorneys, government representatives, police, DVIC staff, private attorneys, and victim advocates. These interviews provide key study themes, issues, and suggestions for program improvement or modifications.

Aggregate Administrative Report Data

Aggregate data from case information systems have been assembled from many sources including the DVU clerk's office (total filings and types of case file activity), DVIC activity from District of Columbia Coalition Against Domestic Violence (DCCADV) staff reports and from OCC summary reports (victim "intakes" into the DVIC), and the Victim Advocacy Program of the DCCADV [OCC, DCCADV, and EDRP manage the DVIC]. We have not received reports from the Emergency Domestic Relations Project (EDRP). These data will provide context for the study findings.

Court Observations

Observations of court hearings were conducted in December 1999 and January 2000 and provide important context to victim interview reports of courtroom experiences. Two project researchers visited the four DVU courtrooms on several days, selected to allow for observation of a set of judges with at least one year experience in the unit (observations in December 1999) and observations of both experienced judges and those newly assigned to the unit (observations in January 2000).

Research Questions Not Addressed in the Study Design

It is important at the outset of this report to provide our perspectives on issues that are not addressed by the research design and other items of interest to the reader that can assist in understanding the current study findings and planning for future research endeavors.

Case Context

The current study does not capture the context for some of the specific details of the event that brought the victim to the DVU that reside in the case files. For example, the study could have captured whether police were called to the scene, whether police arrested either of the parties at the scene, or specifics of the violence that is alleged. The study did not code the specific offenses alleged in the TPO/CPO petition; rather it coded only those protections and provisions that were granted in the resulting orders.

The study also does not track the family constellation or the relations among the household members, e.g. children in common, step children, other children, or other adults in the household. Note that the question in the Case File Data Form about petitioner and respondent “children in common” is based on information provided on the CPO petition and other details in the petition if the P or R chose to report them. It is possible for parties to have children in common, and even children in their households, and not report them in the files as maintained by the DVU because they were not asked about them or they were not at issue in the violence alleged.

Some files note the inability of a female petitioner to attend hearings due to child care issues, and the court may want to pursue this barrier to case processing and CPO finalization for some women.

Case Processing Dynamics

A future study focused more explicitly upon case processing dynamics will capture the essential detail of some cases, including repeatedly scheduled and continued hearings at which the petitioner appears and the respondent does not, to a final point several months out at which

the court dismisses the case without prejudice when neither the petitioner nor the respondent appears. These dynamics could be qualitatively different from a case that is continued for other reasons and then dismissed.

The study does not track petitioner or respondent motions to review commissioners' decisions (this occurs at least once among the files reviewed for this study). The effectiveness of the commissioners' role in the population of cases processed by the DVU could be a focus of a future study.

Service of Process

The study captures evidence of service only for the original TPO or CPO hearing. In the more complex cases with multiple TPO and CPO hearings and additional hearings on other issues (e.g. civil or criminal contempt), multiple attempts at service may be present in the files. Future studies should focus more specifically on this issue, including mapping service for each requested appearance for subsequent hearings.

In the study coding of “yes” (there is evidence) or “no” (there is no evidence) of service of process, the study includes in the “no” response both the situation where we actually could find no evidence AND where there is explicit evidence of failure to serve (often in a form as completed by the Metropolitan Police Department). During the file review, study personnel were struck by the frequency of notes in files that the MPD was not able to serve the respondent due to their overwhelming caseload (but we did not set up our instrument to capture this information). What might be important to understand is the effect on case dynamics of this failure to serve in a timely manner. For example, in cases without timely, or successful, service, are there more continuances? Controlling for other case variables, does the failure of service increase the odds that a victim will withdraw her petition or not appear at the CPO hearing?

The situations in which the petitioner is asked to serve the respondent are unclearly documented in the files. Further, it can be argued that it is problematic that the court has the petitioner take responsibility for providing service on the respondent at all. Future research should capture cases in which the court specifies "petitioner to arrange service". Unless a petitioner receives a TPO and explicitly asks as an element of the order that the MPD assist with

service, it appears that leaving service to the petitioners almost assures that service does not occur. The end result in these cases appears to be that the petitioner does not obtain a final CPO.

While it was a relatively rare event in our file review, the study does not capture the extent to which parties are served in other jurisdictions (e.g., Maryland and Virginia). The issue would be, of course, whether this would affect case processing to any degree. One study example shows a DC order that was dismissed while the court acknowledged that there was a valid Maryland order that should be enforced. Other cases provide other evidence that the petitioner or the respondent lives in another jurisdiction. For future work, a study could look for evidence of "full faith and credit" boilerplate or something similar in the files.

Judicial Decision-Making

The present study is not a study of judicial (or commissioner) decision-making, though perhaps this should be addressed. Each case in our study is seen as equivalent in this regard, other than its date of entry into the system.

The study does not record who the specific decision-makers are at any point of the process. We observed that there are often numerous different judges and commissioners involved in a case as it proceeds from TPO to CPO or directly to CPO or various TPO extensions. It might be important to note how many decisions-makers review the facts of a case, and the variation in processing styles among the decision-makers (including general courtroom demeanor and timeliness). For example, do some judicial officers grant continuances more than others? Do some order treatment and restitution of various types more than others? Do the consequences of violating orders of protection vary widely among the judges and commissioners?

Family Violence Link to Child Protection

The current study does not track the family violence link in these cases, as represented by evidence of opened Child Protective Services/child welfare cases or other mention of incidents in the CPO petition. Some of the study cases were riddled with evidence of Child Protective Services (CPS) involvement, or begged the question of whether CPS was involved.

The CPS-domestic violence nexus in some of the study cases is clear, and the dynamic nature of this connection is illustrated in cases where the TPO was "voided," but CPS appears to continue involvement in the cases. For several cases, in the petition and the affidavit for the CPO, situations were alleged in which minor children were harmed, at risk, or kidnapped by non-custodial parents or otherwise exposed to violence. The court's DV case files do not reveal whether CPS representatives are brought in (though margin notes may be present in the files to suggest open CPS cases).

In a related vein, our study was designed to address violence among adult intimate partners, involved by marriage or a current dating relationship, or who have a child in common, whether or not currently "intimate". This definition excluded several categories of "intrafamily" violence, including cases brought by adult parents on behalf of their minor children through the DVU rather than through the child protection system. These cases at the nexus of domestic violence and child protective services jurisdictions provide the basis for important work on the interplay of these two service system philosophies.

Representation

The study does not at all track changes in petitioner or respondent attorney representation. The study does document whether or not each party was represented in the CPO hearing and in what manner (i.e., by OCC, civil legal clinics at area law schools, private assistance programs, private attorneys, or other means). However, representation over the life of the case may not be adequately documented in the paper or electronic case files available for review.

Police Involvement

The study does not capture whether the police arrested the (alleged) perpetrator or whether they were called to the scene, though the victim/petitioner reports this information at the time of intake into the DVIC. In another study we might consider tracking this process (e.g.

from “incident” to “police called to scene” to “police arrest” to “charges made” to “ultimate disposition”).

Language and Other Barriers

The files provide evidence of interpreters of various types (Spanish language in many cases, and sign-language in at least one case file). Also, documents translated into Spanish exist in many of the files. Future studies may examine how the need for these various interpreters of the process affects the ultimate case outcome for victims.

Attorney Negotiators

The study does not track the involvement of attorney negotiators and the potential effects of their involvement on case outcomes. Some case files contain "Quick Reference Sheets" completed by the negotiators that stand as a form of evidence that a negotiation had taken place. It is unclear whether it is conventional to include these forms in the files in every instance in which such negotiations occur.

FINDINGS

Data Findings Introduction

This section of the report presents findings from a number of information sources that have been combined to provide a sense of the process, functions, and outcomes for the victims and for the court and other staff and personnel who work in and use the Domestic Violence Unit of the DC Superior Court. Administrative data, DVCU case file review, victim interviews, courtroom observations, and system actor interviews are all utilized to inform our analysis of the DVU. A summary section will provide themes and issues that cross the various data sources.

Administrative data prepared by several sources are used to estimate the extent of the problem of domestic violence in the District of Columbia, and to provide a historical context for the case processing information for files reviewed for the study period. Case files were reviewed for the victims who provided consent to be interviewed and who were reached at least once, as well as for an additional sample of petitioners who used the services of the DVIC and the DVU between August and October 1998. In addition, for all cases reviewed, select details were coded for related respondents. Victims were interviewed about experiences with the unit and their feelings about their lives, incorporating several accepted scales to measure the victim's exposure to abuse and physical pain, sense of life improvement, and perceptions of the justice system. Finally, themes have been extracted from numerous discussions held and observations of system participants. Observations in the DVU courtrooms over several days and in-depth interviews with the system participants from judges to prosecutors to intake center staff provide context and important themes for analysis and some future directions for the DVU.

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Process for Obtaining a Civil Protection Order in the District of Columbia¹⁹

The process for obtaining a CPO in the District of Columbia involves a range of staff and checkpoints for victims within the Superior Court courthouse. DVIC staff report that nearly three-quarters of CPO cases in the District appear before the judge without legal representation. Although the process is designed to allow people to file a petition without an attorney, it can nonetheless be a confusing and intimidating experience for many given the personal and potentially dangerous nature of the case. The purpose of the DVIC is make the process as accessible as possible.

All petitioners begin the CPO process at the intake center located in the DC Superior Court building. The receptionist conducts an initial screening to determine whether they are eligible to file for a protection order in the District.²⁰ If the individual is eligible to file a CPO petition, a civil intake counselor from OCC or EDRP assists them in completing the forms. A victim advocate from the USAO will get involved with the case if an arrest has made and there is potential for criminal charges. Advocates from the Victim Advocacy Project (VAP) meet with all petitioners to answer any questions, offer to accompany them to the TPO/CPO hearings if they are without representation and provide referrals for services and safety planning.

When filing for the CPO, petitioners have the option to request an immediate protection order valid for 14 days until the CPO hearing. The petitioner must appear before a judge to request the TPO. DVIC staff members report that the majority of petitioners request and are granted a TPO while waiting for the CPO hearing. After all initial paperwork has been completed, the Clerk's Office sets the CPO hearing date, typically two weeks later, and coordinates the process of serving the respondent with the TPO/CPO petitions. As in most

¹⁹ This section relies heavily on a recent summary of the process prepared by Michelle Waul in her Master's thesis project for Georgetown University using data from this study and in which she conducted logit analyses of both case file data and victim interview information. Results from her study are included at the end of this section, and in Appendix H, Table H-3 and Table H-4. Her study focuses on decision-making factors around continued participation through the civil protection order (CPO) process.

²⁰ DC Code §16-1001(5) defines an "intrafamily offense" as "an act punishable as a criminal offense committed by an offender upon a person (A) to whom the offender is related by blood, legal custody, marriage, having a child in common, or with whom the offender shares or has shared a mutual residence; or (B) with whom the offender maintains or maintained a romantic relationship not necessarily including a sexual relationship. A person seeking a protection order under this subparagraph shall reside in the District of Columbia or the underlying intrafamily offense shall have occurred in the District of Columbia."

jurisdictions, protection orders are not valid until the respondent has been served. In the District, the police department is responsible for serving the paperwork on the respondent.

VAP advocates attempt to contact all petitioners 3-4 days prior to the CPO hearing to remind them of the hearing and answer any questions they may have. According to DVIC staff, this policy is in recognition of the fact that many petitioners do not return to court to obtain the permanent order. In a 1997 study conducted prior to implementation of the DVIC, over 60 percent of the cases sampled did not return to court for the CPO hearing or requested that the petition be dismissed (Keilitz 1997). The authors suggest a centralized process and direct assistance may be important factors in encouraging people to return to court for the CPO hearing. A low return rate is not surprising given that the CPO hearing is perhaps the most intimidating step in the process. In the District, the petitioner and respondent meet with an attorney negotiator prior to appearing before the judge to determine whether the permanent order can be entered by consent of both parties. Although the parties are separated and the attorney negotiator is not meant to act as a mediator, this process may still dissuade some victims from returning to court. If the parties cannot agree on an outcome, which includes agreement on the CPO provisions, the case goes before a judge for a full hearing, in a formal and open courtroom. The VAP advocates try to accompany all victims to the CPO hearing to provide support.

The difficulty of estimating the extent of domestic violence in the country as well as in the District of Columbia is an on-going challenge to data and service delivery systems for men, women, and children who are victims of family violence. The domestic violence plan developed by the DVCC in 1995 provides no data to substantiate the problem (Denaro 1995). A more recent report of the District of Columbia's Commission on Violence Against Women (DCCVAW 1999) also contains little information to document the problem. Both reports noted that the lack of domestic violence data hampers efforts to plan effectively and measure progress. Both the police department and court system are currently working on initiatives to improve their case tracking and data collection capabilities. Based on the data we do have, however, it is clear that domestic violence is a serious problem, overwhelming scare justice system and community resources.

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According to the DC 1995 Domestic Violence Plan, an estimated 15-21 percent of all arrests in 1994 were for domestic violence related offenses (DCDVCC 1995). The report notes that it is difficult to ascertain a more accurate estimate because police officers do not routinely record the relationship between the victim and the offender. According to the 1998 MPD annual report, domestic violence arrests totaled 2,914 for the year down from a high of 4,646 in 1997. This dramatic decline may be partly explained by different definitions used for categorizing an arrest as a domestic call. Nonetheless, police reports are considered a conservative measure of the level of domestic violence due to the fact that many people do not call the police to report an offense.

The Domestic Violence Unit of the US Attorneys Office reported on January 1, 1998 there were 1,400 cases pending trial (DCCVAW 1999: 4), while there had been a total of 8,000 misdemeanor cases for prosecution within the unit during calendar year 1997. (DCCVAW 1999: 40). Each of the Unit's eight prosecutors has a caseload of 175 cases, and a conviction rate for domestic violence abusers between 65% and 70% across the Unit (DCCVAW 1999: 4).

According to the 1999 Commission report, the number of cases coming through the DVIC increased by 45 percent between the time it opened in late 1996 and August 1997. In 1997, 3,409 civil protection cases were filed averaging about 284 new cases per month. More recent numbers from July-December 1998 indicate that the DVIC average monthly case processing has increased by nearly 20 percent to an average of 347 cases per month. The following selection of more recent administrative data provides a longer term description of the status of domestic violence case processing in the District of Columbia.

Administrative Data

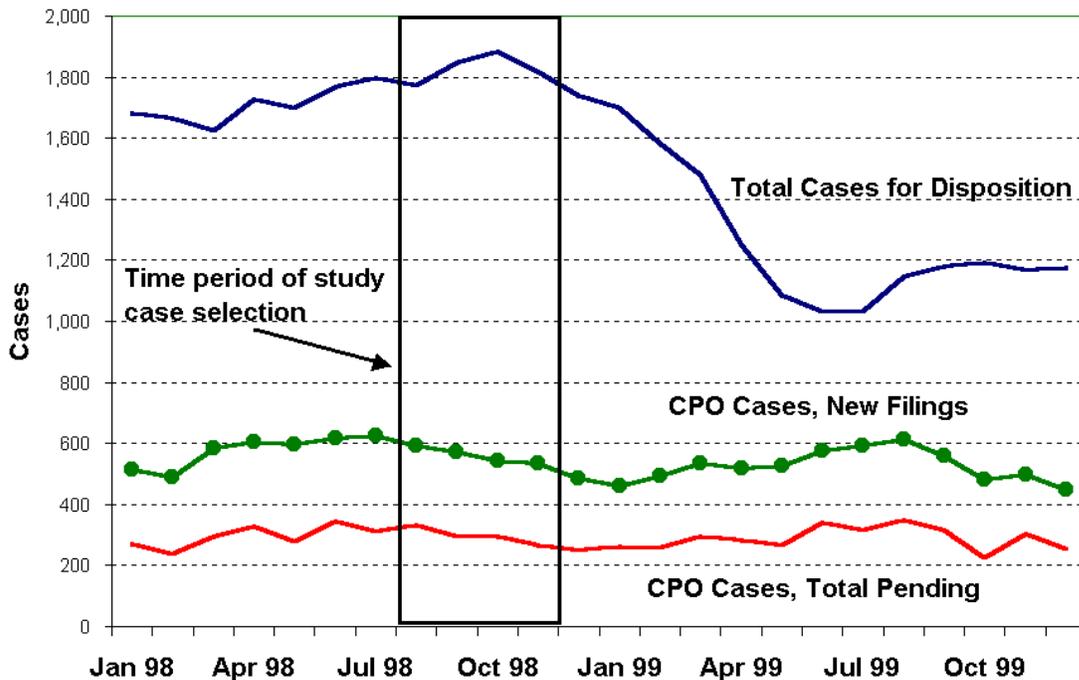
DVCU Caseload Trends

Figure 3 illustrates the overall trends of cases into and waiting for disposition in the DVCU.²¹ Between January and October 1998, the DVCU had the highest number of cases awaiting disposition per month, reaching a high of 1,884 during October 1998. Note the time period during which we contacted victims who came into the DVIC for their consent to be

²¹ Source data for Figure 3, Figure 4, and Figure 5 appear in Appendix H, Data Table H-1.

interviewed and from which court case files were reviewed falls within this time period (boxed area in the graph). From these data, the study period was the period of greatest overall activity for the DVU with pending cases for disposition, perhaps including some case backlog that may have been relieved with the addition of a new judge to the unit during this time period. The overall monthly trends for CPO new case filings and CPO total case during this 24-month time period were strikingly similar.

Figure 3.
DC Superior Court Domestic Violence Coordination Unit
Total Domestic Violence Case Volume Trends (Criminal and CPO
Misdemeanor) 1998-1999

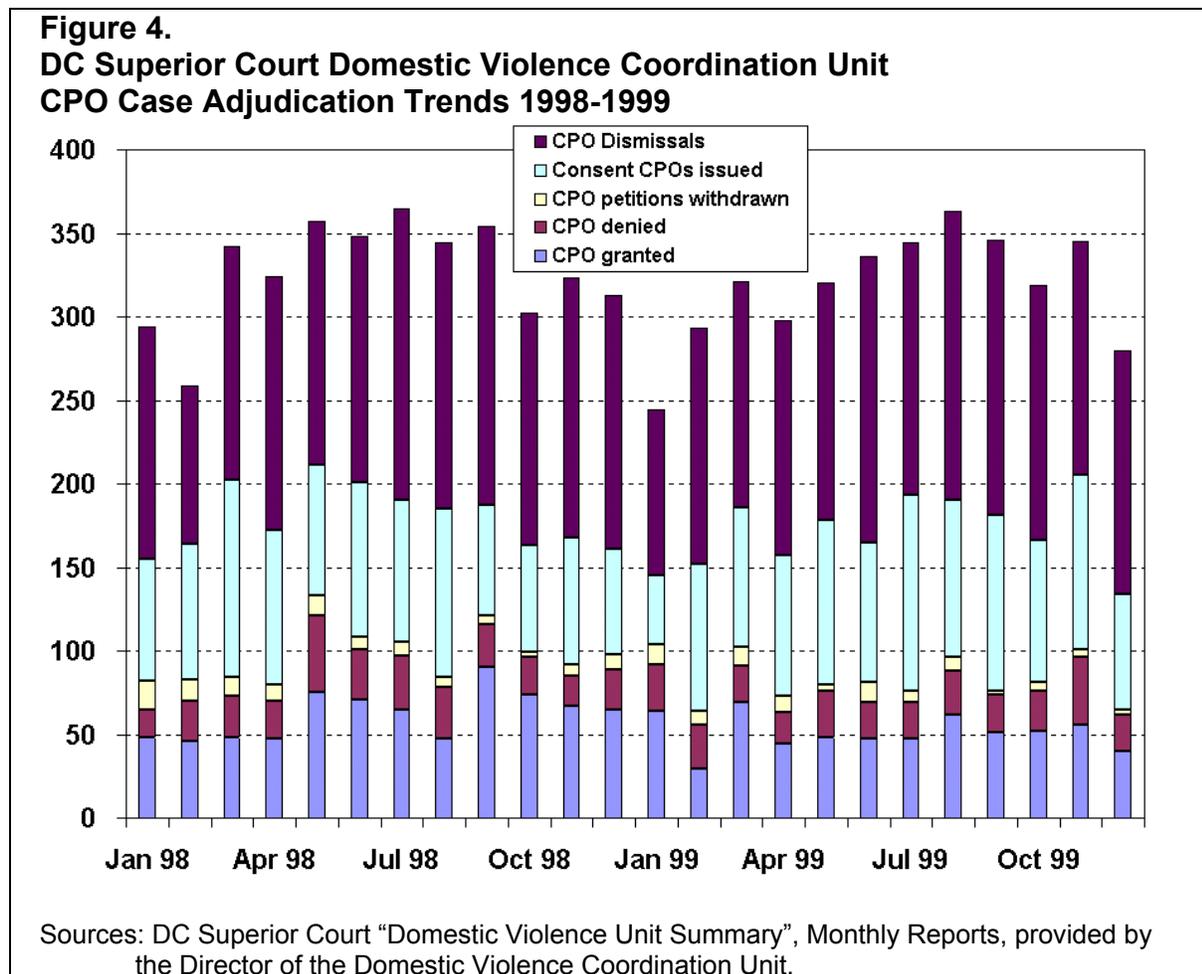


Sources: DC Superior Court “Domestic Violence Unit Summary”, Monthly Reports, provided by the Director of the Domestic Violence Coordination Unit.

DVCU Disposition Trends

Figure 4 illustrates that at least 50 percent of all cases filed in the DVCU are dismissed or withdrawn by the petitioner (Chart 2, middle and top stacked bar). Another 45 percent of all permanent orders are granted either following a hearing or by consent of the parties. Consistently

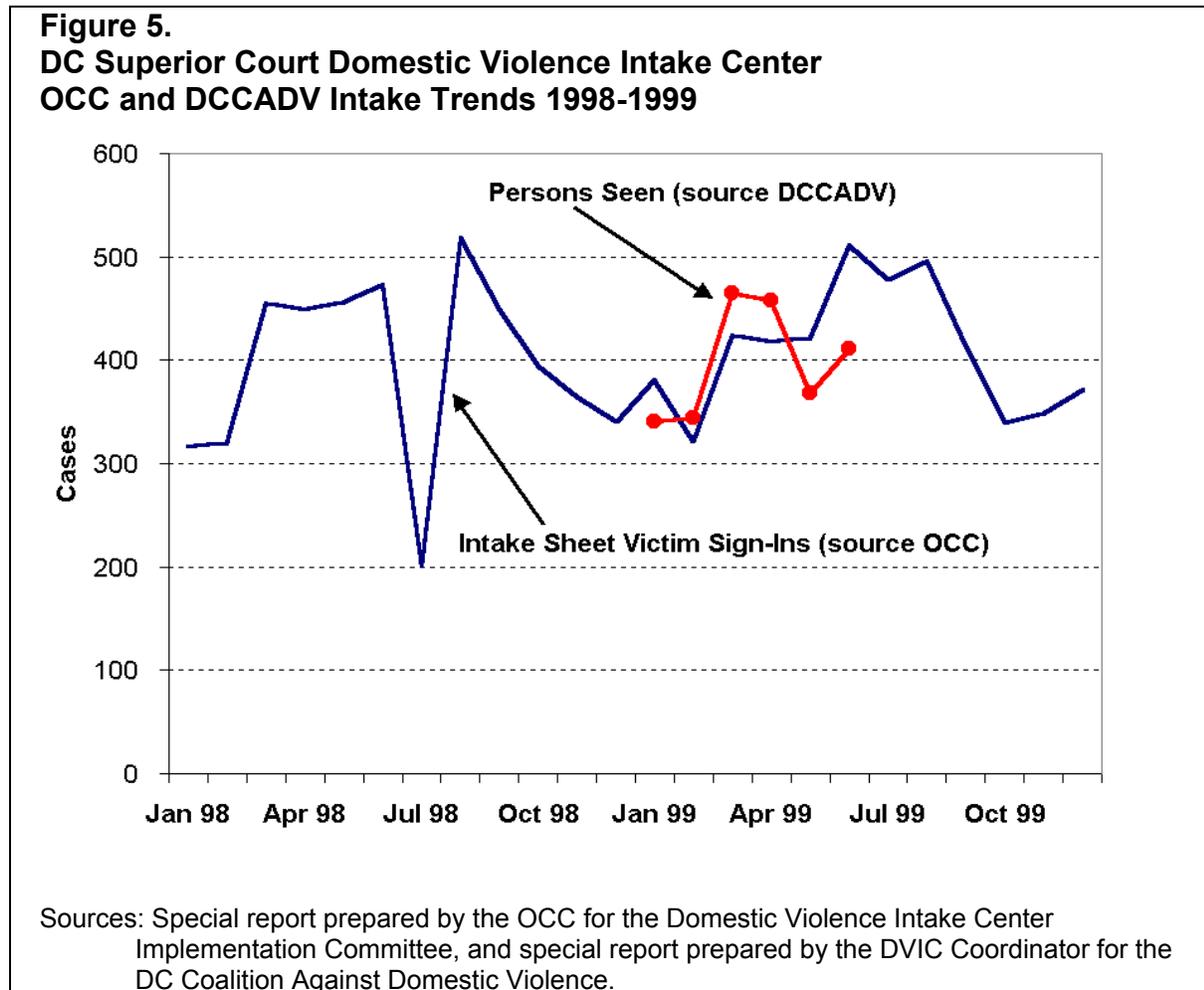
across the 24 months closely examined in **Figure 3** and **Figure 4**, a significant number of people do not complete the CPO process by requesting that the petition be withdrawn or not appearing at the CPO hearing.



DVIC Case Intake

Figure 5 illustrates the differing presentations of case activity within the DVIC with data maintained by two of the managing organizations: the DC Coalition Against Domestic Violence (DCCADV) and the DC Office of Corporation Counsel (OCC). The two data sources provide similar trends, but different numbers of victims “served”. Staff interviewed in the DVIC as well as from the OCC indicate that while the DVIC tracks those cases in which the victims are interviewed according to DVIC protocols, the OCC tracks victims who check-in at the main desk of the DVIC. A consistent measure of DVIC activity should be initiated, to which all staff in the

DVIC and partner organizations would contribute data in a consistent manner. Data from both sources indicate that the numbers of victims entering the DVIC are similar to the numbers of cases of “CPO Cases, New Filings” reported by the DVCU and represented in **Figure 3**.



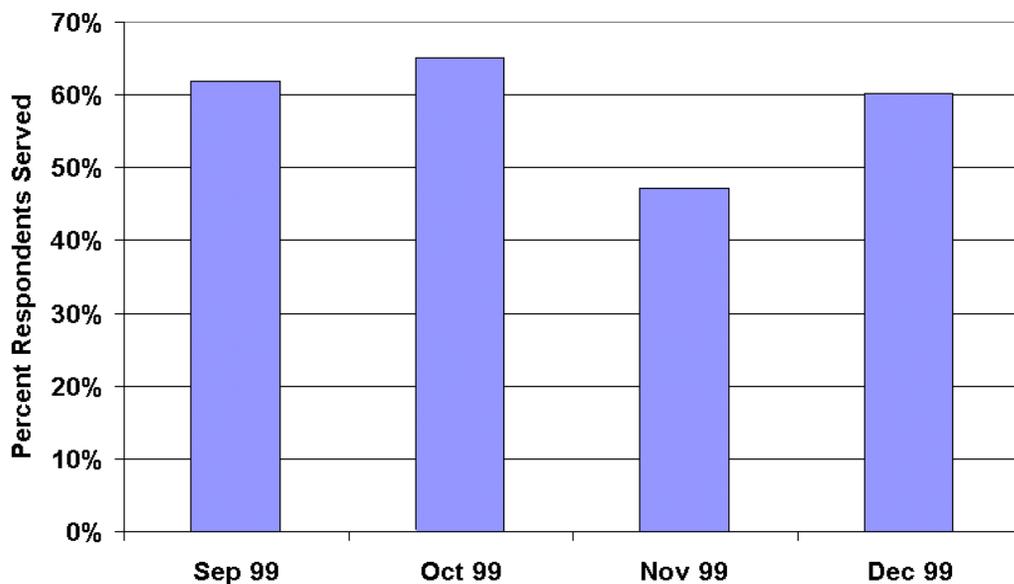
Service of Process Trends

Figure 6 illustrated data provided by the Director of the DVCU provide trends in service of process for the last months of 1999. According to several individuals interviewed during the study system interviews (see **Victim Interviews** section, below) and according to comments made during meetings of the Domestic Violence Coordinating Council attended by Project staff from October 1999 through May 2000, the District of Columbia has a chronic problem with the service of process in Intrafamily Offense cases. A Law Enforcement Block Grant that covered

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the period 1996 through September 1999 assisted with this on-going problem by providing additional funds for MPD staff time to serve respondents in a timely manner. A special focus of VAWA funds received by the District has been to address process of service, and these recent trends deserve attention in this regard.

Figure 6.
DC Superior Court Domestic Violence Coordination Unit
Service of Process Trends 1999



Source: Special report provided by the Director of the Domestic Violence Coordination Unit.
Note: December 1999 data reflect information through the 10th of the month.

Case File Data

For the 250 interviewed victims' cases and for an additional sample of 250 cases opened in the same time period, details were obtained from court case records about the TPO and CPO process, related criminal cases, and criminal histories. Data were drawn from case jackets as well as from the court's case management databases. This entailed a time-consuming search of the Intrafamily civil records and the criminal case records for each of the petitioners and respondents in the 500 cases examined. The following tables and charts illustrate details from paper and electronic case files for 250 interviewed petitioners and 250 non-interviewed petitioners who used the DVIC and DVICU for assistance between August and November 1998. The following tables include data for both interviewed and non-interviewed victims and their respondents where both sets of data exist (with a maximum n of 487, after accounting for various types of missing data).²² In some cases, only data for interviewed victims and their respondents were collected.

Demographics and Cross Petitions

The overwhelming majority of petitioners who used the DVIC during the study period are female and black. Of the petitioner files reviewed, 86% are female; are 88% black, 2% are white, and 6% are Hispanic. From a review of Intake Sheets completed by staff in the DVIC, forty-nine percent (49%) of the petitioners reported during their intake interview that they had children in common with the respondent.

The overwhelming majority of respondents in cases of petitioners who used the DVIC during the study period are male and black. Of the respondents in files reviewed, 84% are male; 90% are black, 3% are white, and 6% are Hispanic.

²² We analyzed study case file data to discern whether there were any significant differences between the two groups of cases (interviewed and non-interviewed, for the study period), on the coded variables, and significant differences were not identified between the two groups. We pooled information for tables and figures in this section. Results for the two groups are available from the National Center for State Courts, and selected items appear as Appendix H, Table H-2.

Civil Case Events

Temporary Protection Order (TPO) Process and Disposition.²³ Eighty percent of the victims who used the DVIC during the study period requested TPOs. Of the TPO petitions filed, 94% were granted, 3% were denied (13 cases), and 2% (9 cases) were dropped without prejudice. The TPO was extended in one-quarter of the cases reviewed.

TPO Remedies.²⁴ Among the reviewed cases with granted TPOs in which the orders were reviewed (n=358), over 75% of the orders included the following provisions: “Not abuse, threaten, harass” (100% of granted TPOs); stay away (97%); no contact (95%); and a request for police assistance with the service of process (76%).

Civil Representation and Service of Process.²⁵ Eighty-one percent of petitioners were *not* represented in CPO proceedings. The Office of Corporation Counsel represented 10% of victims who used the DVIC (50 cases among the study population), and OCC represented 54% of petitioners who received representation from all sources (a total of 93 cases among the study population). Eighty-nine percent of respondents were *not* represented in CPO proceedings. In our review of paper case files for evidence of service of process, we could locate this evidence in 61% of the study cases. Where evidence of successful service was found in the case file, service was made by a police office (MPD) in 52% of the cases. Additional records of unsuccessful service existed in the files, but were not tracked in this study.

CPO Process and Disposition.²⁶ The petitioner demonstrated a desire to withdraw from the effort to obtain a CPO in 22% of the cases reviewed. This figure includes petitioner requests to dismiss the case, withdraw the petition, or to vacate an order once granted. Twenty-four percent of the cases had continuances before the final CPO disposition. Among those cases that proceeded to disposition, 45% of the orders were entered, and 19% of petitions were dismissed at the petitioners request (this 19% is included in the 22% of cases indicated above). Thirty-one percent of the cases were dismissed when the petitioner did not show for the hearing, and 5% of cases were denied following the hearing. Seventy-five percent of entered CPOs were by consent of the parties.

²³ A complete data table for these findings combining interviewed and non-interviewed samples is included in Appendix H, Table H-3.

²⁴ For full data table, see Appendix H, Table H-3.

²⁵ For full data table, see Appendix H, Table H-4.

CPO Remedies.²⁷ Among the reviewed cases with granted CPOs in which the orders were reviewed (n=219), at least 75% of orders included the following provisions: “not to abuse, threaten, harass” (98% of granted CPOs); stay away (82%); and no contact (75%). Temporary custody was granted to one party in 48% of the orders. Among other terms commonly ordered were orders for the respondent to enroll in a domestic violence program (45%) and visitation to the respondent (36% of cases); in 25% of these cases visitation was ordered to be supervised.

Contempt.²⁸ Evidence of contempt charges was rare in the case files reviewed. In ten percent (10%) of reviewed cases in which a CPO was entered, civil or criminal contempt charges were filed. It was not always clear in the case files whether the petition was for criminal or civil contempt.

*Related Criminal Case Data Available On-Line*²⁹

A related criminal case was filed in 54 instances (or 22%) of case files reviewed for the interviewed sample. Criminal cases stayed within the DVU in almost all cases reviewed. Cases were 96% misdemeanor and 4% felony. Representation was provided to the defendant by the Public Defender Service in 64% of cases, but the source of representation sometimes was unclear in the records reviewed. One year after cases were filed (i.e. the time of electronic case review, dispositions included: 32% nolle prosequi, 24% dismissed without prejudice, 19% guilty verdict, and 9% no papered.

²⁶ For full data table, see Appendix H, Table H-5.

²⁷ For full data table, see Appendix H, Table H-6.

²⁸ For full data table, see Appendix H, Table H-6.

²⁹ For full data table, see Appendix H, Table H-7.

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*Civil Case History Summary*³⁰

Evidence of civil case histories for the petitioner or the respondent (i.e. record of civil cases under the Intrafamily Offense Act, or divorce, custody, or support matters) was identified in almost 50% of cases reviewed. In a general review of all civil cases among the petitioners and respondents in our study sample for civil case histories with all parties, 6% of petitioners had prior civil cases when the respondent did not; 4% of the respondents had prior civil cases when the petitioner did not, and 38% of petitioners *and* the respondents in their cases had prior civil cases. In a total of 52% of reviewed cases, neither party had prior civil cases identifiable in the court's computer system.

In nineteen percent of the cases reviewed, the petitioner and respondent had filed prior TPO petition(s), and 63% of these prior TPO petitions were granted (12% of all cases). In 9% of all reviewed cases, prior CPOs were entered between the petitioner and respondent. Domestic relations matters (divorce, custody, and support) were pending at the time of the petitioner's appearance in the DVIC in less than 10% of the cases reviewed. While not the subject of this study, a significant number of cases resulted in subsequent domestic relationship case activity.

*Criminal Case History Summary*³¹

Evidence of past criminal charges petitioner or the respondent was identified in 65% of cases reviewed. In a general review of all criminal charges among the petitioners and respondents in our study sample, 6% of petitioners had prior criminal charges when the respondent did not; 45% of the respondents had prior criminal charges when the petitioner did not, and 14% of petitioners *and* the respondents in their cases had prior criminal charges. In a total of 35% of reviewed cases, neither party had prior criminal charges identifiable in the court's computer system.

Among petitioner files reviewed, 14% of all had non-domestic prior charges, and 6% had evidence of charges that were identifiable as "domestic". Among respondent files reviewed,

³⁰ For full data table, see Appendix H, Table H-8.

³¹ For full data table, see Appendix H, Table H-9.

53% had charges that were “non-domestic” and 23% had charges that were identifiable as “domestic”.³²

Victim Interviews

Two hundred and fifty (250) victims were interviewed soon after their experience with the intake unit in the fall of 1998, and 84 of these victims were interviewed a second time within the following several months with questions about their experiences with the unit and their feelings about their lives, incorporating several accepted scales to measure the victim’s exposure to abuse and physical pain, sense of life improvement, and perceptions of the justice system.

Initial Interviews

Petitioners were recruited to participate in the study by DVIC intake staff during the period August 1998 through early November 1998. A total of 250 individuals were interviewed via telephone during the recruitment period out of 521 recruited (or 48%). One hundred twenty nine (129) individuals refused participation in our study at the DVIC and did not sign a consent form. Of those individuals who were not interviewed: fifteen (15) did not have an intimate relationship, so were dropped from survey group and twenty-seven (27) people changed their minds when initially contacted by NCSC staff. . The first interview consisted of a short 10-minute survey that gathered data on victim demographics, interaction with the police, prosecution and intake center staff.

Why Victims come the DVIC. Nearly all of the participants interviewed reported that they sought a protection order (either TPO or CPO) while at the Intake Center (97%).

Only thirteen percent (13% or 33) of the participants interviewed stated that they came to the Intake Center because the other party had been arrested or a warrant had been issued. An additional 27% (68) said they were interested in filing criminal charges. Nineteen percent (19%)

³² Whether or not charges were identifiable as “domestic” depended upon the charging practices of the U.S. Attorney and the charge labels as reviewed in the District of Columbia Superior Court mainframe Criminal Information System screens, including the “PDID summary” report located for each petitioner and respondent in the interviewed study sample.

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of these individuals (46), however, stated they did not know whether or not there currently was a criminal case. Of the 112 individuals who indicated there was (or might be) a criminal case now or in the near future, 26% stated they did not want the person to be prosecuted and 50% stated they definitely wanted prosecution. Of the 108 individuals who expressed an opinion about their desire to testify against the defendant, 56% said they would be willing to testify, but 31.5% said they did not want to testify in the case.

Twenty four percent (24% or 59) of the persons interviewed stated they filed for, modified, or enforced a separate child support petition while at the Intake Center, and 70% (54) said they felt strongly about going forward with the petition filed.

At the time of the first interview, of those who were seeking a CPO, 25% had received the CPO, 50% were still interested but had not yet received the CPO; and 25% were reluctant to pursue the CPO or no longer wanted one. The top reasons given for not returning for the final order were that the other party no longer was bothering the petitioner so a permanent order was not necessary, the couple was reconciling, or either the petitioner or respondent had moved. Thirteen percent (13%) of the individuals interviewed reported that they also had a protection order filed against them. Of those with these cross petitions, 55% of the cases were filed against them before coming to the Intake Center and 45% were filed after they visited the Intake Center.

Discussion of the Decision to Pursue the CPO. The decision whether to return to court to obtain the permanent order appears to be related to a range of factors. Harrell et al. (1993) looked at factors associated with returning to court for the permanent order. In this sample of 355 cases, 60 percent returned to court for the hearing on the permanent order. The researchers reported that only three factors were significantly related to the probability of completing the CPO process: the age of the woman (older women were more likely to return to court than younger women, perhaps reflecting a longer lifetime experience with and exposure to domestic violence that leads to less faith in the belief that the abuse will stop without intervention); race/ethnicity of the woman (White and Hispanic women were slightly more likely to pursue the permanent order as compared to other women, most of whom were black); and whether a copy of CPO was given to the police (women who provided the local police department with a copy of the temporary order were more likely to return to court for the permanent order). The authors suggest that this may be an indication of her desire for legal intervention. Other personal factors such as education, employment status, the presence of children, length of relationship with the

respondent and duration and severity of abuse were not significantly related to the decision to return to court.

Harrell (1993) also reported that, in general, the policies and practices of the police and court system such as whether an arrest was made prior to the TPO, complexity of the forms or a filing fee requirement had little impact on the decision to return to court. In a subsequent study conducted by the National Center for State Courts (Keilitz, et al., 1997), researchers compared two jurisdictions (Denver and the District of Columbia) in an attempt to determine whether centralized case processing had an impact on return rates. They found that Denver had a more coordinated case processing system and a corresponding higher rate of return as compared to the District of Columbia (61% compared to 44%). Furthermore, both studies reported that petitioners in a significant number of cases were unable to move forward with the process of obtaining the permanent protection order because the temporary order could not be served on the respondent. There seems to be some indication that court policies and practices could discourage a woman's efforts to obtain a permanent order.

Decision Not to Return to Court to Obtain the Permanent Order. To gain a better understanding of this decision-making process, researchers in both the Harrell (1993) and Keilitz (1997) studies asked women directly why they did not return to court for the permanent order hearing. The responses were fairly consistent across the two studies. The most common reason for not obtaining the permanent order cited by participants in both studies was that the respondent had stopped bothering them. Other frequently reported reasons included that the couple had reconciled and the temporary order was not served on the respondent. Nearly a third of the participants in the Harrell study reported that they were pressured by the respondent not to pursue the CPO compared to less than 5 percent of the participants in the Keilitz study.

A qualitative study conducted by Fischer and Rose (1995) of women filing for a protection order confirms some of these results and reveals more information on the motives of female petitioners in these cases. A common theme among several women who participated in the interviews was that the CPO process was a means for creating a public record of the abuse they had experienced. It was a way for them to break their silence and send a message to the batterer that his behavior would not be tolerated. Several women also indicated that filing a protection order allowed them to take some initial steps toward taking control of their lives. The

authors argued for a broader context for thinking about a battered woman’s decision-making process about leaving the relationship. Ending an abusive relationship is not typically a single decision, but rather a process that occurs over time. Therefore, dropping a CPO should not be seen as a failure of the system, but an opportunity to help the petitioner move one step closer to safety.

DVIC Experience. The participants were asked to rate their experience at the DVIC on several factors, using a 5-point scale (1=not at all, 2=very little, 3=somewhat, 4=mostly, 5=very much). The responses received from the majority of survey participants about the DVIC were positive, with particular emphasis on the fact that the Intake staff appeared to victims to be skilled listeners, and the victims who used the DVIC services felt that they were talking with someone who cared about what they had to say.

Table 1.
Participants’ Perceptions of Intake Center Experience* (n= 250)

<i>Intake Center staff:</i>	#	%
Really listened to my concerns	222	89
Helped me understand what the process would be like	195	78
Expressed concern for my safety	196	79
Helped me make decisions about what to do (<i>See note below</i>)	163	66.8

*Respondents who responded “very much” or “mostly”

Source: NCSC Evaluation of DC Superior Court Domestic Violence Unit, Initial Victim Interview.

Note: The responses to this question may be less positive because some survey participants did not feel it was the job of the Intake staff to make decisions for them (they had to make the decisions on their own). This interpretation of the question may explain the larger number of “not at all” responses to this question (18%) compared to the other questions.

Court Process Expectations. Study participants also were asked how much they expected the court process for the protection order, the criminal case, and the child support case to make things better for them. The results from their responses are included in the table below. Participants had high positive expectations for the effects of court processes on their lives.

Table 2.
Participants' Expectations about the Effects of Court Processes

<i>How much do you expect the court process to make things better for you?</i>	<i>Protection Order (n = 225)</i>		<i>Criminal Case (n = 84)</i>		<i>Child Support Case (n = 56)</i>	
	#	%	#	%	#	%
Not at all	26	12	13	16	8	14
Very little	7	3	1	1	1	2
Somewhat	31	14	8	10	7	13
Mostly	26	12	10	12	4	7
Very Much	135	60	52	62	36	64

Source: NCSC Evaluation of DC Superior Court Domestic Violence Unit, Initial Victim Interview.

Interactions with Police. Nearly 75% of the participants had talked to the police just before their most recent visit to the Intake Center. Most people talked to the police at the scene of the incident (78%). Other locations reported for this initial police contact included: police station (11%); hospital (2%); and other place (12%). Sixty-two percent interviewed victims reported that the police responded right away to their call, and 21% said the police responded after several calls. Of those who talked to the police, 65% were told by the police to come to the DVIC (34% were not told to come to the DVIC and 1% did not remember).

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Study participants were asked to rate their interactions with the police on several factors based on a 5-point scale (1=not at all, 2=very little, 3=somewhat, 4=mostly, 5=very much). The majority of participants who had interacted with the police had positive feelings about those interactions, particularly with regard to being treated fairly and the information police provided to them (see table below).

Table 3.
Participants' Positive Perceptions of Police Interactions* (n = 184)

The police:	#	%
were on my side	123	66.8
treated me fairly	140	76.1
gave useful information about my options	135	73.3
protected my safety	118	64.8

*Respondents who responded "very much" or "mostly"

Source: NCSC Evaluation of DC Superior Court Domestic Violence Unit, Initial Victim Interview.

Several participants reported very negative experiences with the police, especially on the question of police protection of their safety (see table below). Nevertheless, almost eighty percent (79.1%) reported that they would be very likely or mostly likely to contact the police again in a similar situation; however, 14% of the people (26) said they would not (or probably would not) contact the police again.

Table 4.
Participants' Negative Perceptions of Police Interactions* (n = 184)

The police:	#	%
were on my side	23	13
treated me fairly	15	8
gave useful information about my options	25	14
protected my safety	34	19

*Respondents who responded "not at all"

Source: NCSC Evaluation of DC Superior Court Domestic Violence Unit, Initial Victim Interview.

Helpful Elements of the DVU. The interview also included a series of open-ended questions to solicit more specific feedback about the elements of the intake process participants found most helpful and those aspects where some improvement is needed. Commonly identified areas in which the DVIC was helpful to respondents included: talking to someone in the DVIC

who really listened; receiving information in the DVIC about the entire protection order process; talking to other victims at the DVIC; and the ability to obtain a TPO immediately.

Areas for Improvement. Areas for improvement of the DVIC identified in open-ended questioning during the initial interviews included: improve explanation of the process; improve information on available community resources; shorten waiting and processing time in the DVIC and in the DVU; improve facilities (larger waiting area, more space and privacy for interviews); and increase assistance for service of orders within and outside DC.

Second Interviews

The study participants were contacted again between three and eight months after the first interview for a second, more detailed phone interview (see Second Victim Interview, Appendix E). This instrument was also translated into Spanish, and the interview was conducted by a native Spanish speaker where appropriate. Eighty-four percent completed interviews were obtained by July 1999, and attempts to re-contact victims for second interviews were terminated at that time. The length of time between first and second phone interviews was in some cases problematic. Interviewers encountered an increased reluctance of victims to speak about the incident that at that time could have seemed to be in the far distant past.

A follow-up interview was conducted three to eight months after the first interview with 84 of the 250 original respondents or 34% of the original sample. This 30-minute telephone interview asked more extensive questions about the nature of the victim's interaction with the criminal justice system and a series of questions on the length and severity of emotional and physical abuse within the relationship. While the response/retention rate of this second interview of victims from the initial sample is low, selected responses are important to record to document the experiences of the victims, in their own voice.

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Return for CPO and Reasons for Not Pursuing the CPO. Interview respondents were asked whether they returned to court for the CPO. Sixty percent (50) responded that they did, and 40% (34) responded that they did not. Respondents were asked to provide reasons for not pursuing the order. The most frequent response was that the person against whom the order was sought had stopped bothering the petitioner (40% of cases in which a CPO was not pursued).

Perceptions of System Professionals and Actors.³³ Respondents were asked about their experiences with various staff and professionals involved in the process of requesting and obtaining a protection order. As Table 5 illustrates, the experiences of the victims with professionals and staff associated with the DVIC were very positive.

Table 5.
Participants' Positive Perceptions of System Actors*

	%
Attorney (n=27)	
Really listened to me and heard my concerns	88.9
Helped me understand what the process would be like	92.6
Helped me make decisions about what to do	70.4
Expressed concern for my safety	85.2
Fairly represented interests at the hearing	81.5
Attorney Negotiator (n=36):	
Really listened to me and heard my concerns	86.1
Treated me fairly	91.6
Made me feel pressured to make an agreement**	80.6
I felt pressured to give up things I wanted in the order**	77.8
Judge (n=51)	
Really listened to my side of the story	82.4
Treated me fairly	80.4
Treated the other person fairly	90.0
Expressed concern for my safety	80.4
Took the violence seriously	84.3
Took concern for the children seriously	73.0
US Attorney's Office Victim Advocates (n=9)	
Really listened to my concerns	100.0
Helped me understand what the process would be like	100.0
Expressed concern for my safety	88.9
Helped me make decisions about what to do	75.0

*Respondents who responded "very much" or "mostly"

**Items reverse scaled; % reported for "not at all" on these items only.

Source: NCSC Evaluation of DC Superior Court Domestic Violence Unit, Second Victim Interview.

³³ For full data table, see Appendix H, Table H-10.

DCCADV Advocate and Safety Planning. Respondents were asked whether or not DC Coalition Against Domestic Violence advocates contacted them after they visited the DVIC (36% said yes), and whether they provided an additional assistance (almost 50% said yes). More than 80% of the victims responded that the DCCADV advocates were “helpful” or “very helpful”. Fifty-two percent of the victims said that they had a safety plan in place.

Child Support. An important and innovative element of the DVIC and the other elements of the DVU is the ability for a victim to initiate and pursue child support resources, either as an element of the CPO or by filing for federal child support. Among the study interview respondents, 65% never filed a child support petition, 7% filed but did not go to court, 18% did file, and 10% filed for child support and their case was still pending at the time of the interview.

History of Abuse and Physical Injury.³⁴ Petitioners were asked about the history of emotional and physical abuse and the extent of injuries they may have sustained from partner abuse. Scaled results are not presented here, but the proportions of responses in each response category on each item of each scale are provided in Appendix H, Table H-11. At least 50% of the petitioners interviewed indicated that their partner “frequently” or “very frequently” called them names, yelled or screamed at them, acted jealous or suspicious of their friends, blamed the petitioner for their own problems, or tried to make the petitioner “feel crazy”. More than 50% of petitioners indicated that due to injuries they sustained during an assault from their partner, they felt pain the next day, or that they had a sprain, bruise, or small cut.

Quality of Life.³⁵ Sullivan et al. (1992) adapted a scale modified from Quality of Life scales developed by Andrews and Withey (1976) to measure how satisfied domestic violence victims are with their lives in general. The overwhelming majority of petitioners in our study who participated in the second interview indicated as a group that they were “mostly satisfied”, “pleased”, or “extremely pleased” on the measures of life quality administered.

Final Victim Observations and Recommendations.³⁶ Petitioners who were interviewed felt strongly that their life had improved since visiting the DVIC (77%), and 95% indicated that they would seek the services of the DVIC again or would recommend it to a friend.

³⁴ For full data table, see Appendix H, Table H-11.

³⁵ For full data table, see Appendix H, Table H-12.

³⁶ For full data table, see Appendix H, Table H-12.

Suggestive Combined Findings

This section presents some suggestive findings from analyses conducted by Michelle R. Waul, a student at the Georgetown Public Policy Institute, for her Master's thesis utilizing a subset of the data from this study (Waul, 2000). Specific data tables related to the findings presented here are included in Appendix H, Table H-13 and Table H-14. For her work, Ms. Waul utilized a sample of the study data which included a selected set of variables of interest to her from the case file review and from the initial victim interviews for only those victims from whom a second interview was obtained. Her research questions focused on factors that may be related to a woman's decision to return to court for the permanent order hearing including demographic characteristics, relationship and abuse history, and perceptions of their experience at the DVIC.

Overall, 63 percent of the women in the Waul study sample (i.e., only those women who were located and agreed to a second interview) returned to court to obtain a permanent protection order. This is a significantly higher return rate than the 44 percent reported in a study of the protection order process at the DC Superior Court prior to implementation of the DVIC (Keilitz, et al., 1997). Waul's analysis looked at what factors are associated with the likelihood of returning to court for the CPO hearing including demographic characteristics, relationship and abuse history, and perceptions of the CPO process. Several factors identified in the logistic regression analysis were related to the probability of returning to court, including demographic characteristics, relationship and abuse history, and perceptions of their experience at the DVIC.

Petitioner Demographics. Only two demographic variables were significant determinants of completing the CPO process. Women who had at least some college education were significantly more likely to return to court to obtain the CPO than both those who had and had not completed high school. The likelihood of returning to court was also positively related to the number of children. The probability that a woman would return to court increased with the number of children she had. Women with fewer or no children were less likely to return to court.

Relationship and Abuse History. Consistent with a previous study on this question, most of the variables describing the relationship between the parties, such as length of the relationship, living arrangement, and children in common were not significant determinants of returning to court. The one relationship variable that was significant was the relationship type: women who

were either currently or formerly dating the respondent were significantly more likely to return to court than women who were either currently or formerly married to the respondent. This finding could be in part a product of the data as there was not a great deal of variation in the responses on this variable. Nearly three-quarters of the sample indicated that they were either currently or formerly dating the respondent. But this finding could merit further inquiry.

Criminal Charges. The criminal record (of charges) of the respondent also increased the likelihood of returning to court. Women whose partners' had a record of prior criminal charges with at least one domestic violence offense were significantly more likely to obtain a CPO than women whose partners' did not have a record of prior criminal domestic charges. Other research has found that cases involving offenders with a prior criminal record are most at risk for recurring violence (Harrell, et al., 1993; Klein, 1996; Keilitz, et al., 1997). This population of batterers is seemingly less deterred by involvement with the justice system than those without a prior criminal record (Klein, 1996).

Attorney Representation. The most significant predictor of obtaining a CPO was whether the victim was represented by an attorney at the CPO Hearing. Women who were represented by an attorney were more likely to return to court for the CPO hearing than those who did not have an attorney. This variable may also be a measure of the severity of the case. The DVIC houses attorneys through the Office of Corporation Counsel and Emergency Domestic Relations Project to represent petitioners at the CPO hearing, but resources are scarce and only the most severe cases are assigned an attorney. Only 16 (23 percent) of the 71 cases included in this sample were represented by an attorney. Most of these women were represented by a DVIC attorney. There are clear benefits for the petitioner of having an attorney, foremost of which is having someone to navigate the court hearing and speak on the petitioner's behalf. This may help make the process less intimidating thereby increasing the likelihood that the petitioner will remain engaged in the process.

Safety Planning. Women who indicated that they had a safety plan in place were less likely to return to court for the CPO hearing. The DVIC victim advocates attempt to do some safety planning with all petitioners filing for a protection order. It is difficult to ascertain how the respondents define safety planning. We do not know if they meant they had a formal safety plan in place or that they have a general idea of what they need to do to keep themselves safe in the

future. This finding may indicate that women who have an awareness of how to keep themselves safe are less likely to feel they need a permanent order. More study should be invested in this question.

Perceptions of the DVIC and CPO Process. Overall, the women in the sample gave high ratings to the DVIC on each the four questions about the quality and helpfulness of the services. Three of the four DVIC measures were significant determinants of the likelihood of returning to court. However, high scores were not necessarily positively related to the probability of returning to court.

Women who reported that the DVIC helped them understand the process were more likely to return to court. In other words, women who felt like they understood the process and what was expected from them may be less intimidated or fearful about returning for the CPO hearing. DVIC staff report that ensuring that the petitioner understands the process is one of their primary challenges. Many victims that come to the DVIC are still in crisis and must absorb a tremendous amount of information as they proceed through the CPO process.

The final two DVIC measures Waul examined, the extent to which the DVIC expressed concern for the petitioner's safety and helped with decision-making, were both negatively related to returning to court. Women who indicated that the DVIC expressed concern for their safety and assisted with decision-making were less likely to obtain a permanent protection order. This finding could be interpreted in a number of ways. First, it could be an indication that the DVIC is providing the petitioners with realistic information on the limitations of a protection order. Second, there is a body of literature that suggests that the level of a person's satisfaction with the justice system depends on whether they feel they have been heard. If we extend this to the CPO process, perhaps for some women just filing the order and feeling like someone heard and believed them was all that they wanted and needed. Researchers have noted in previous protection order studies that for some women a temporary order meets their needs by sending a message to the offenders and creating a record of the abuse.

Finally, women who indicated that they believed the CPO process would improve their situation were more likely to return to court for the CPO hearing.

System Interviews and Courtroom Observations

Observations in the DVU courtrooms over several days and in-depth interviews with the system participants from judges to prosecutors to intake center staff provide context and important themes for analysis and some future directions for the DVU. Individuals interviewed provided the perspectives of judges, prosecutors, defense attorneys, government representatives, police, DVIC staff, private attorneys, and advocates.

Over a period of eight days, project staff conducted nineteen interviews with a total of twenty-one individuals. Conversations ranged in length from 30 minutes to over three hours, depending upon the schedules of the participants and their eagerness to discuss the DVU. Individuals involved in these semi-structured interviews included: Ken Noyes, DVIC; Paul Roddy, DVCU; Helen Hall and Meshall Thomas, DVIC; Noel Johnson, OCC; Jonathan Rapping, Public Defender Service; Dan Cipullo, Director Superior Court Criminal Division; Charlotte Clarke, USAO, Witness Assistance; Thelma Brown, OCC; Deborah Epstein, EDRP; Honorable Stephen Milliken, DC Superior Court; Whitney Ellerman, USAO; Nancy Meyer, DCCADV; Caroline Nicholl, MPD; Honorable Reggie Walton, DC Superior Court; Dr. Cheryl Bailey, Executive Office, DC Courts; Julieanne Himelstein, USAO; Honorable Lee Satterfield, DC Superior Court; and Leigh Goodmark (CU), Lori Humphreys (AYUDA), and Suzanne Jackson, (AU), private bar attorneys for victims.

Respondents were asked to reflect on the events that led to the evolution of the DVIC and the DVU at the DC Superior Court, and to reflect and comment on the current status of the project. The semi-structured interview instrument is included as Appendix G. Priority for presentation of issues in this section was given to issues brought up by more than one respondent.

In general, most interviewees recalled the situation before the DVU opened in 1996, and commented that the DVU and the DVIC have improved the experience of victims in the court system. But general concerns ranged from needed technology to structural adaptations that were necessary to improve performance of the DVU and the DVIC and the quality of their services to victims. Issues and challenges to optimal performance of the DVU that were discussed included space and resources (and related issues, including confidentiality) and technology needs (email,

data tracking capacity both within the court and across organizations), and an inefficient and conflictual leadership structure that affects staff and victims in the DVIC. The interview participants were concerned about the real or apparent lack of balance in representation and information for both parties. As one individual said: “If we don’t get it right for everyone, we don’t get it right.” Interviews participants were concerned about the problems in service of process on the respondents in the civil proceedings. Each interviewee discussed the role conflicts felt by the OCC representatives who work in the Intake Center. The 1995 *Domestic Violence Plan* envisioned strains in the roles played by the OCC (i.e. counsel to victims as well as counsel in child abuse and neglect cases), and recommended that these roles be examined and procedures be developed to avoid any conflict. This conflict remains, and it is affecting the functioning of the DVIC. And finally, every interview participant mentioned the need for initial and ongoing training for everyone involved in the DVU: DVIC and DVU staff, judges, practitioners, and administrative and support staff.

The following sections provide summaries and discussions of interview comments in the following four general areas: *Physical Location and Layout of the DVU Components*, *Staffing*, *Training*, and *Judicial Roles and Attendant Issues and Observations*.

Physical Location and Layout of the DVU Components

A consistent refrain heard from virtually all participants was that the needs of victims and those who work in the DVIC would be better served by a larger space. The current configuration is small and teeming with an influx of those requiring service. On Mondays, there are up to fifty people seeking assistance in the DVIC. The waiting area is cramped; there are virtually no private spaces for intake workers to talk directly with victims. The physical layout is not conducive to encouraging people, many of whom were recently assaulted or worse, to freely discuss their concerns with an intake worker. For those who do openly discuss the details of their case, complex and volatile issues are being discussed within earshot of the entire office. People respond differently to their situations and the needs of people in immediate crisis vary widely. Improving the setting where victims are expected to disclose deeply personal and troubling issues may enhance the quality of information received and yield a higher rate of victim participation in subsequent stages of the justice process. It is extremely difficult for

workers and victims alike to discuss such events while in the midst of so many other people's crises. Indeed, seldom are victims of other crimes asked to describe the events in such a public setting.

Not only are both the DVIC and DVCU filled with office staff and those seeking assistance, but considerable floor space in both locations serves as 'storage' for DVCU (public) case files. Another year's worth of files are "archived" directly outside the DVIC and DVCU. One has to ask why such a prominent and high volume unit has such a small operating space. If the DVU is committed to true parity with stranger crimes as previously stated, efforts will be made to house the DVIC and DVCU in a more appropriate setting.

A related issue concerns the corridor immediately outside the dedicated DVU courtrooms where both petitioners and respondents wait in a relatively small space. The corridor on which the courtrooms are located on the first floor of the Courthouse is an area of high density and almost constant traffic. It also presents an opportunity for the respondent to attempt to get the respondent to drop out of the system. The court needs to better prevent petitioner and respondent from talking to one another while in the courthouse. The waiting time outside of the courtroom may seem unimportant to some, but the respondent may use this time to intimidate the petitioner or to convince her not to press charges. The petitioner's willingness to participate is often tenuous in the best of circumstances. It therefore may be counterproductive to have both parties wait in the same area.

Staffing

During the planning stage of the DVCU, it was intended that this unit be staffed with a Director and eight processing clerks to perform a variety of inter-related tasks. Staffing needs were determined based on an estimate of approximately 280-300 civil petitions each month and approximately 120 requests for criminal orders. These estimates do not reflect the approximately 50 modification requests per month that also generate paperwork and demand clerk staff time. In addition, the DVIC is currently processing approximately 260-280 criminal requests per month. The planning stage staffing vision has never been realized in the DVCU. At this time there are five processing clerks and one calendar clerk. A "bare bones" budget recently prepared by the

head of the DVCU requests an additional processing clerk and another calendar clerk to attempt to address these dramatic caseloads and would improve overall efficiency of the DVU. Staffing shortages mean that the director of the DVU spends much of his time in courtrooms filling in. This is not the best use of his time.

Currently, the DVU is organized as a separate unit within the District of Columbia Superior Court. When sick leave and holiday time reduce the already under staffed Unit, the Criminal Division provides backup clerk staff to DVU case files. Prior to the development of the DVU, Intrafamily Offenses were processed within the Criminal Division. One staff resource strategy might be to collapse the DVCU (the clerk function of the DVU only) back into the Criminal Division. This would streamline the existing coverage issues and allow both civil (Intrafamily Offenses) and criminal offenses to be processed within the Criminal Division umbrella. An ancillary benefit would be that there could be a single integrated data processing system set up specifically to deal with all domestic violence offenses, civil and criminal.

A related but somewhat different issue crosses all the disciplines involved within the functioning of the DVU, from entry level staff to judges. Across the board, the variety of individuals we spoke to expressed their concern about two things: the need for a professional staff at all levels and the need for all those dealing with domestic violence to receive ongoing training. The perceived lack of professionalism cuts across all disciplines: intake staff, clerks, attorneys, advocates and judges. Small items like failing to begin court sessions on time undermine the integrity of the DVU. (More discussion about the role and effect of the judge will follow in a later section). Judges and all others involved in the DVU must conduct themselves with a high level of professionalism at all times. There was considerable agreement that all participants could benefit from increased training and attention to their professional demeanor.

Another particularly contentious issue concerns the potential conflicts inherent in the organizational partners who staff the DVIC. The following quote was written several years ago to describe the intake process prior to the development of the DVIC, and this description continues to apply today.

Currently, the intake function is being provided, in part, by staff members from the Office of Corporation Counsel and the EDRP at Georgetown University Law Center in cooperation with the D.C. Coalition Against Domestic Violence... It is recommended that this intake function be continued and expanded, and that

general administration and coordination be provided by the Office of the Corporation Counsel and the EDRP.³⁷

The model for joining a public agency (the Office of Corporation Counsel) and a private enterprise (the Emergency Domestic Relations Project at Georgetown Law Center) to work together to respond to domestic violence predates the existence of the DVIC of the DVU in its present configuration. Surprisingly, the Plan did not discuss at length the issue of potential conflict between these two entities whose approaches to domestic violence differ in profound ways. An incidental footnote does indicate that the Plan authors saw the potential for debate on roles and responsibilities in executing the intake function for the new center.

The Office of Corporation Counsel performs multiple roles as victim advocate, legal counsel to the victim, and in some cases counsel in abuse and neglect cases. These roles should be examined and procedures developed to avoid any conflict.³⁸

This footnote succinctly describes an ongoing and as yet unresolved conflict facing child protection services and those who advocate on behalf of those abused by their partners: what happens when the abused parent is also an abusive or neglectful one? This dilemma occurs not just within in the District of Columbia but in fact, throughout the country.³⁹ There are vastly differing viewpoints on how best to deal with this problem. The conflict and divisiveness raised by this issue cannot be overstated: it looms large for both communities. While dialogue has begun, workable and satisfactory solutions remain unrealized to date. The interests of abused women AND abused children pose many challenges for the justice, protective and advocate communities.

Many battered women report that they were able to withstand the individual abuses inflicted by their partner but felt differently when their child became the abuser's target. Others, however, use violence towards their own children. In instances where the government learns that

³⁷ See Denaro (1995) page 63, footnote 48.

³⁸ Ibid, page 63.

³⁹ See the last section of "Issues Related to Specialized Courts for Domestic Violence" in this report focusing on child protection issues.

this has occurred, they have an affirmative duty to prevent future abuse. Therein lies the potential conflict for government lawyers working in the DVIC. Which party do they protect?

It is possible that a woman who comes to the DVIC to protect herself from violence may be told that her own violent actions towards her child are of more interest than those that are being inflicted upon her, depending upon whether her intake interview is conducted by representatives of OCC, EDRP, or other staff in the DVIC. This does not deal with the violence she has suffered herself but instead turns the spotlight onto her own use of violence. From all interviews and from the OCC representatives themselves, the OCC position is that child abuse trumps partner abuse. Who conducts the initial intake now matters even more to this woman. Without guidelines in place, intake is randomly assigned. If a client is interviewed by an OCC worker, her choices may look quite different than if she is seen by someone from EDRP. Now the DVIC becomes the place where a woman learns she may lose her children if she seeks their assistance. Understandably, this will have a chilling effect and likely deter her from seeking services again. Women often report that they do not disclose their abuse because their batterer tells them that if they do this, they will lose their children. The system has now confirmed the words of the batterer. This may lead her to retreat back into isolation and decrease the likelihood she will use the justice system to resolve her own problems. In effect, the abusive partner can continue battering both mother and child.

Therein lies the conflict associated with having a government agency such as OCC dealing so directly in the intake process at the DVIC. One possible solution would be for OCC to only handle cases of Intrafamily violence in which no children are involved. In the current configuration, from OCC estimates, the OCC provides civil representation to about 10% of clients seeking services at the DVIC. This number is reduced again once OCC must “conflict out” of those cases where the mother may be abusing her child. OCC believes that this actual number is relatively small. As such, OCC may want to reconsider its role at the DVIC given the potential conflict in this role. One possibility is for OCC to focus on issues of criminal contempt. These cases are increasingly complex and demonstrate the persistence of batterers in continuing their abusive behavior once the court has formally intervened and prohibited this kind of conduct. OCC could actively promote the integrity of the entire government system by enforcing the court’s orders. This might be an especially appropriate way to use government resources.

Another difficulty associated with having two different agencies (OCC and EDRP) conducting intake without common training and consistent philosophies is that there is inconsistency in information provided to clients. This has a deleterious effect on the overall service being given to victims. This underscores the need to standardize the process and to use paid staff in this capacity. While volunteers are an important part of this effort, their contribution may be more meaningful in an area other than intake.

Another related point underscores the need for well trained paid staff to conduct intake. Often clients show up at the DVIC when an offense has occurred other than a crime that fits under the Intrafamily Offense Act. Without an effective early screen for this fact, it is possible that people appear before the DVU judge without standing under the Interfamily Offense Act. This wastes time of the court, the DVIC, and the individual seeking relief. This experience may deter the victim from seeking further assistance for other issues as well.

The lack of standardized expectations for those working in the DVIC sends conflicting messages to both staff and victims seeking support and service. There is a genuine need to establish a clearly defined set of expectations for all who work in the DVIC. There has been considerable confusion and tension around defining these roles that impedes the provision of service to the victims who need it. Furthermore, when the victim senses the internal confusion, she may question her own decision to use these services. Many of these issues make the monitoring of the products being distributed to victims -- information, support, and service -- especially difficult. There needs to be greater attention to consistency and clarity for all involved in the DVIC. Without this, the confusion permeates and impedes the process. If victims are to believe their concerns are being taken seriously, that their family violence issues are just as serious as someone attacked by a stranger, then the message she hears from the system must be consistent at each juncture. The emergence of the DVIC represents a concerted effort on the part of many to close the gaps that too many batterers know how to exploit. As one judge noted: "Batterers are some of the most sophisticated and manipulative people I've seen." The mere existence of a DVIC, and DVICU, and the dedicated courtrooms is not enough to deter batterers from continuing to exploit and manipulate a system they have managed to avoid for too long. Continued training and attention to staffing needs must enhance and maintain the quality of the

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services being provided in the DVIC, in the DVCU, and by courtroom clerks and judicial officers in the dedicated DVU courtrooms.

An area where OCC has been enormously successful in meeting the goals of the DVIC and fulfilling its role as government attorney is the collection of child support. Assigning an attorney to deal exclusively with child support issues has been an important innovation of the DVU for many reasons. This component was part of the original design of the DVU and the DVIC and by all accounts, it has been universally well received and appreciated. Through the efforts of the Office of Corporation Counsel, the court now routinely engages in wage withholding and proactive enforcement in response to those who refuse to pay the court-ordered child support. As an attorney who provides this service noted: “Most people don’t have a problem paying some child support.” This individual sees his role as extending beyond the facilitation of child support orders for victims. He also uses his time with respondents as an opportunity to talk about abuse issues, to discuss the importance of responsible fatherhood, and to tell the respondent that he knows about his behavior and that he must comply with the court order to support his children. Hopefully this reinforces what the respondent has already heard from the judge.

There is a need to better capture how many Intrafamily child support cases are being processed. Available court mainframe information systems do not support these efforts at this time. The current OCC child support attorney has developed his own case tracking systems but they are ad hoc and not linked to other court information systems about the same individuals, creating redundancy and potential inaccuracy. Furthermore, there is a need for further staff support to this effort. Currently, the bulk of the child support attorney’s time is spent in court, leaving little time to do other things like establish policies and protocols, share information with other practitioners, or develop ideas for judicial training on issues related to child support.

Space is also an issue for this child support function. The office shared with the coordinator of the DVIC, originally intended for one, is stuffed with files on the floor and all around due to lack of storage space. In addition, there is a constant stream of interruptions from a variety of sources. While this underscores the importance of this work and that child support is an integral part of the DVIC, there needs to be an effort to obtain greater resources for this critical program. Women who appear tentative about utilizing the services of the DVIC consistently expressed a great interest in using the child support linkage service. This is an

opportunity to serve the women and children and to keep them engaged in the justice process. It sends the message that financial assistance is available and alerts her to the other possible resources available at the DVIC and within the community. The success suggests the value of this program. Its continued success depends upon staff and technological and fiscal support.

Training

There is apparently a considerable range in the level of training received by DVIC staff. The lack of a uniform policy with respect to conducting intake and a clear chain of command has created an inconsistent delivery of service to those seeking assistance. The lack of continuity compromises the quality of service being obtained; in addition, there are considerable variations in waiting time. This affects the entire case processing of the unit.

Staff should undergo training on the complex issues related to domestic violence including but not limited to the dynamics of domestic violence, different cultural aspects of domestic violence, the effects of trauma on the victims of domestic violence, and the needs of children who have witnessed violence. Knowledge of this information will allow staff to make appropriate referrals and to assist with the drafting of legal pleadings where necessary. Presently, the goal of the DVIC and the DVCU is to provide courteous, informed, professional, supportive information to people in crisis. In its current configuration, there is considerable variance in the type of assistance received at the intake level. This necessarily affects the remaining processes. There needs to be better training of all personnel involved in the DVIC. In addition, greater effort must be made to avoid having staff disagreements in front of potential or actual clients. Again, the lack of professionalism demonstrated when conflicts among staff occur in front of clients undermines the integrity and mission of the DVU in general. Several individuals interviewed mentioned that staff “blowups” were occurring in front of clients who are then expected to “disclose” their intimate problems to these same staff. This expression of dissonance within the unit is not conducive to serving the needs of the client.

The judges in the DVU were disappointed that the District’s VAWA monies were not allocated for judicial training. Their response was proactive: they have designed their own annual training to discuss case processing issues and to explore the complex issues raised by

these cases. While this training is by no means exhaustive, it does further demonstrate the commitment of the judiciary to this issue. These efforts seem to support one advocate's view that: "We don't have time for a judge to learn after the fact." The judges also want to be better prepared for their domestic violence caseloads. Yet as a judge pointed out, seeing the cases day after day does provide a form of education. An annual training is a good start but should be supplemented with other events throughout the year, e.g. speakers on child support, or a discussion on the effects on children who witness domestic violence. These training efforts need not be formal but there must be continuous opportunities to discuss and digest the complexities of this caseload. Judges who have sat in the DVU can mentor those that are new to the assignment in a range of ways. Their perspectives are invaluable.

Judicial Roles and Attendant Issues and Observations

Judicial interest and leadership have been critical to the development of the DVU. Indeed, the commitment from the District's highest judge paved the way for many of the current programs. Judicial leadership confers legitimacy and brings people to the table. Furthermore, in the instant case, once the Chief Judge decided to make the DVU a reality, many of the other pieces necessarily fell into place. In an effort to open the doors of the DVU (DVIC, DVCU, and the courtrooms) quickly, certain procedures and potential conflicts were minimized that now must be addressed. Some of those problems have already been discussed. Yet, without this commitment of judicial energy and resources, the project would have stood idle for much longer.

Administrative and professional support through the judiciary has also been a seemingly invisible benefit to the DVU. Judges in the DVU have examined other courts in an effort to devise their own system. In addition, early on there were discussions about including felonies in the DVU. The US Attorney's Office did not want to proceed in this direction at that time, but the issue is not closed. There is mutual agreement that the development of the DVU is a vast improvement over the previous response to domestic violence. The progress to date has benefited greatly from continued judicial commitment.

In conversations with several judges with experience in the DVU, all expressed their commitment to the issue and a willingness to continue to develop ideas in collaboration with other system participants. Issues of particular concern to judges were how to reduce wait time in

court and how to process cases more efficiently. As indicated above, the waiting time is a concern for petitioners waiting for intake in the DVIC itself.

In different ways, all judges demonstrated an interest in the research discussion in learning more about the issue of domestic violence and how to better respond to it in their courtrooms and in the decisions they make. As one judge of the DVU explained: “We are always open to suggestions.” As this judge reported, one important case processing innovation was suggested by a courtroom clerk. Judges saw this as a good idea and followed through accordingly. There needs to be greater dialogue among system participants and recognition that while no one has all the answers, everyone can offer suggestions. This can often be construed as just talk and yet, there is uniform agreement on the essential role of judicial support in the development of the DVU. Judges do not deal with the day to day workings of the DVIC, yet there is high level support for the work being done there. According to one judge: “I have a healthy respect for the advocates who do this work.”

The judiciary must confront a unique set of issues unlike those confronted by the other system players involved in the DVU. This report identifies only some of these broader themes. The high profile nature of judicial work makes them susceptible to criticism. At times this criticism is valid; in other instances that criticism is borne out of an incomplete understanding of the criminal justice system, including the rules of evidence or other legal issues. There continues to be a need for interdisciplinary information sharing. Learning how best to respond to domestic violence is a fluid and evolving challenge. Each judge confirmed that they had already learned a lot about the dynamics of domestic violence and how these cases differ from other more routine civil and criminal matters. As part of the continuing dialogue, these judges will be able to share their experiences with others. This needs to occur in both formal and informal ways.

The judges expressed a profound concern for how the court conducts its business in these cases. Despite the existence of the DVU, one judge remarked that “We still treat these cases in the same way...we haven’t adjusted our processes to the special requirements of the domestic violence cases.” This suggests an active and engaged judiciary. It also reinforces the need for continued collaboration. Judicial learning is happening, too. One judge explained that when he first came into the unit, he thought there should be more active prosecution of these cases and that it was acceptable to subpoena witnesses. After time on the bench, this judge is now more

circumspect and considers the issues facing the victim. He urged careful evaluation of the individual circumstances but also explained that he understood why the complainant would not want to proceed. This shows an appreciation for the particular circumstances a victim faces. It does not view her reluctance to participate as an impediment to effective case processing. Judges and prosecutors in particular have a difficult time understanding why victims are so reluctant to participate in the justice process. There is a more nuanced appreciation for those reasons now by members of the justice system that did not previously exist.

One particular concern expressed by judges was the lack of legal representation in court for both petitioners and respondents. According to one judge, more people being legally represented in court means that “you’ll get more just results.” When one side is not adequately represented in court, the judge is forced to ‘walk the petitioner through their case.’ This situation impedes the process and takes the judge out of the traditional role in hearings and trials. While judges in domestic violence cases do play a slightly different role than in other cases, their primary role is still to preside over cases and render decisions. This becomes more challenging and ultimately more confusing for all involved when the judge must spend time in a function better left to lawyers representing clients. While judges concede that “Doing these cases does require you stepping out of the traditional judge role,” they also note that “If we don’t get these cases right for everyone, we don’t get it right for anyone.” This sentiment is decidedly neutral though it may not appear to be so at first.

Throughout the comments summarized in this section and in the “Training” section above, the judiciary demonstrated an encouraging commitment to learning about the issue of domestic violence. This attitude reflects the successes and challenges of implementing the innovative DVU. A combination of direct interviews with these members and other system participants, as well as direct court room observations have provided a broad view of the work of the judiciary in these cases. It is clear that mechanical changes need to be made. For example, judges need to show up when they require others to be in their courtroom. Failing to do this sends an early sign that these cases are not important to the judge. Then there are other more substantive issues that need to be addressed. For example, when a judge speaks directly to a respondent in an effort to ‘fix’ him or to get him to listen to authority, his intentions may be admirable. Yet to the petitioner, the judge appears to be listening to only the respondent’s side of the case. The petitioner might try to interject her concerns in a manner that judges find

inappropriate, and this action may lead a judge to ask her to be quiet. To the petitioner, it looks like the judge is giving more time to the respondent and may be colluding with him. The petitioner sees her batterer charming a person in authority. She may believe the judge, like so many others, has privileged the respondent's version of events over hers. When it appears that the judge is attending more to the respondent's perspective, a petitioner may not want to continue in the system. In sum, judicial demeanor can profoundly affect the participation of all parties, and the balance of attention paid to the parties to a domestic violence case has important and specific effects.

Another example of the unintended effects of judicial behavior in these cases involved a woman who wanted to drop out of the protection order process. In this case, the woman was told in court by a judge "You'll be sorry." This judge may want her to stay engaged in the process because he understands that most batterers will at some point violate a court order, and the judge could then use his authority to sanction the violation. He is saying that he regrets losing this power to intervene on behalf of the petitioner in the future. However, telling a petitioner "she'll be sorry" may sound all too much like words the petitioner's batterer used to try to induce her to drop out of the process. The intent of the judge may be worthy but the effect of his acts does not enhance the participation of the victim and may instead encourage the petitioner to see the judge as an ally of the respondent. The judge also reveals a potential failure to consider that the petitioner might have a very good reason for dropping those charges, including threats by the respondent or the petitioner's inability to be away from her job to be in court.

Another woman returned to court only to be publicly scolded by a judge for not appearing at her last scheduled appointment. This was a woman who had apparently been engaged enough to make at least one prior court hearing and to show up for the current one. When she implored "But I'm here now!" the judge only reminded her of her most recent court absence and curtly dismissed her. This woman did not need to see the judge to leave her problems unresolved. She could have stayed home for that. The petitioner would be justified in concluding that the system seemed hostile to her needs.

Similarly, women who witness a judge call child protective services while she is in court to report of her abuse towards her child may not be willing to participate in the process. The threat of losing her children looms larger than her own self-preservation. While there may be

legitimate reasons to suspect the mother of abuse and neglect, focusing on that issue, instead of the reason she showed up at the DVIC, may have a chilling effect on her and others in the courtroom who may learn that appearing before a judge in the DVU may mean losing your child. Again, the intent of the judge may be to protect a child from abuse but the effect is to discourage victim participation. This reinforces what she has heard from the batterer: “if you go to court, I’ll get the kids.” Against this warning, she comes to court and learns that her batterer was right after all.

Conclusion

These cases are enormously difficult, draining, frustrating, challenging, and demanding. These cases are troubling and messy. Most people do not call the police or seek a restraining order the first or second time an act of abuse occurs, but rather in cases in which the pattern has become familiar and the threat or actual violence has likely increased. People may not conduct themselves with the usual comportment throughout an intake process or in a courtroom. Clerks and advocates provide the first signals to a petitioner about how the system will serve her. Judicial demeanor is extremely important as it sends a powerful message to the petitioner and respondent that the issue is serious and will be dealt with in a serious manner. But judges need to find time to support each other, to debrief, to share successes and challenges. And clerks, advocates, and others helping victims through the first stages of the process need similar guidance, structure, and support for their efforts.

CONCLUSIONS AND RECOMMENDATIONS

The implementation of an integrated domestic violence court in the District of Columbia and the systemic change that has occurred are the results of hard work, long hours, compromise and, most of all, the commitment from justice system and community members. Their efforts continue to ripple outward to improve lives touched by family violence in the District. In order to maintain and expand this effort, certain key areas demand sustained attention and willingness to seek creative solutions to emerging tensions. Information gained from victims who sought assistance at the DVIC, comments from justice system participants, and case file reviews created a new record of achievement by the Intake Center and DVU. These study findings also have clarified areas that merit further effort to truly close the systemic and societal gaps that perpetuate family violence.

Technology Improvements

Extensive case file review in the current study highlights how the current antiquated systems hinder staff in gathering existing civil and criminal case information in a complete and accurate way. Particularly in instances of family violence, where parties may have several cases pending in multiple courts, the need for an information system that easily and accurately retrieves information related to the involved parties is vital. Overall issues of efficiency are always a concern. Yet, without current and accurate information available on the system, decisions of great importance that directly affect the safety of individuals and the community are being made with incomplete and even distorted information. Family violence is rarely an isolated event, but instead is a pattern of behaviors over time. The context of past civil and criminal activity is critical to gain an accurate assessment of what is really happening and to craft an appropriate remedy.

Official information that is distorted or incomplete can have potentially lethal consequences for the involved parties. Consequently, serious effort must be made to improve the way information is gathered, maintained, and shared. The stakes are simply too great. In this era of technological advances one can think of few greater opportunities where effectively using technology can so profoundly affect people's everyday lives.

Basic access to internal email could also improve the information flow in the DVIC, and among all the collaborative partners. The volume of both people and paper dealt with in a single day demand a quick and easy way for staff to communicate about internal issues and specific tasks. Internet access would allow staff to stay apprised of how other communities are confronting similar problems. Indeed, the internet has proven an especially cost effective tool for nonprofit and government agencies. In addition, email could be used to great benefit to share information among the other collaborative partners who are not located at the court.

Facilities Improvements

Expanding the space of the DVIC and the DVICU is a critical need. The DVIC is cramped and provides little if any privacy for clients who are asked to tell their intimate stories

within earshot of many others. The records storage outside the DVCU is unacceptable. DVIC clients also need a larger waiting area while they are in the DVIC, and child care facilities should be expanded. Rather than staffing two separate child care areas for children (one while their parent is in court and one while she or he is at the DVIC), the court should consider creating one larger space where children can play while their parents are either in the DVIC or waiting in court. This would allow for parents to focus on their own needs and not their children's while making the ordeal of going to court less daunting for all parties.

In addition, there must be a concerted effort to separate the parties in the waiting area directly outside the DVU courtrooms. This hallway area is not monitored closely by deputies or other court personnel. One outcome is that the wait for a hearing becomes a time when the batterer may try to talk the victim out of obtaining a protection order or pressing other charges. It leaves her unprotected from contact with him; ironically this is the very thing she may be asking the court to prevent.

Another area that needs to be explored is the need for continued support of a secure and expanded supervised visitation center. Just as batterers can often harass their victims while they wait outside court, exchanging children on supervised visits can often be a potentially dangerous time for abused parents and their children. For this reason, every effort should be made to provide access to secure areas for parents to visit with the non-custodial parent. If the parents are bound by a no contact order issued by the court, in theory they should not see one another at all, even for the purpose of exchanging the children. The court must work to maintain the integrity of its orders and recognize that non-custodial parents may wish to visit with their children. Often, however, batterers use this time as an opportunity to harass their victim. Removing this opportunity by providing safe, secure visiting space should be a goal of any court system.

Another area where victims can potentially be confronted by their batterers is in the DVIC itself. Some batterers may be seeking to file cross-petitions while others may simply be seeking information about their next court date or other related items. Given that few respondents are represented by counsel and that court time with the judge passes rather quickly, there are few opportunities to ask questions of someone familiar with the court processes. Options for providing information to respondents frequently asked questions should be explored.

Improved Services for Victims

Victim assessments of their experience in the DVIC were generally favorable. Many felt they were “really listened” to for the first time. As users of a systemic response geared towards their needs, their impressions are critical to making improvements to the DVU as a whole. Their concerns focused on improving the initial explanation of the process of obtaining a civil protection order. Victims would like to spend less time waiting in court and at the DVIC to process the protection order. Victims must often repeat the details of their attack to multiple intake and service staff, in addition to the possibility they will have to do this in open court. Efforts should be made to limit the number of times a victim must tell her story. Because many women do not return to court for a permanent protection order after they receive a temporary order, the DVIC needs to maximize the time clients spend there to give victims as much information on community referrals as possible, including resources related to mental health counseling, housing, and legal services.

While services for victims have greatly improved since the opening of the DVIC, there remain many areas that demand ongoing attention. Staffing the DVIC with a multidisciplinary team is a particular strength that underscores the idea that no one agency bears total responsibility for responding to family violence. Rather, the effort must involve community and justice system personnel working together to pool resources and identify needs for families affected by partner abuse. A disadvantage of the diverse staffing of the DVIC, however, is the difference in ideological views that can appear to be at odds with one another.

During initial screening procedures in the DVIC, a victim may speak with an intake worker from one of two organizations with different training related to family violence: OCC, whose main mission is to respond to allegations of child abuse; and EDRP, whose main mission is to respond to the needs of domestic violence victims. These roles often become blurred and have led to internal conflicts related to OCC’s role. Yet it should be noted that across the country the tension between domestic violence advocates and child protection services continues to present very real problems for both communities. Some communities have begun the dialogue between these two groups to try to craft solutions that promote safe families. There are complicated legal and social issues to consider. The communities have become somewhat polarized over the issue of battered women who also abuse their children. More often, however,

are those cases where both the child and the spouse or partner are being abused by a single batterer. Too often, neither the child nor the partner receives any meaningful intervention from the justice system. Those who are most vulnerable and in greatest need are ignored by a system that fails to respond. In effect, when the child protection system and the advocates for battered women continue to see themselves at odds, the batterer is “allowed” to continue his violent behavior. He divides and conquers these communities and preserves his right to abuse.

Increased civil representation for victims also is urgently needed. As our study illustrates, a small number of petitioners and respondents are represented in TPO and in CPO proceedings in the DVU courtrooms. Analyses of the study data suggest that those victims who receive representation are more likely to continue with the legal process to obtain a permanent protection order. Attorneys, advocates, and judges with whom we spoke underscored the need for increased representation of all parties in these proceedings. System efforts and resources dedicated to the area of victim and batterer representation in court will promote the perception of the system as fair and balanced, which could enhance the probability that the batterer will comply with conditions and accept the judgment of the court. All of these benefits will then allow the judge to balance the facts of the case rather than confront the daunting task of taking on the responsibility personally to ensure that each of the unrepresented parties in the courtroom are fully informed of their options in the proceedings.

Improved Services for System Professionals

Training and adequate resources will assist the professionals who are attempting to run this system to be fully informed and feel supported in the hard work that they do. Ongoing training on the dynamics of domestic violence and the more common issues facing women who try to leave their abusive partners must occur in a continuous, ongoing way. Interdisciplinary trainings often provide a forum for professionals to gain a more complete sense of the multiple issues involved in these complex cases. For example, family law practitioners may learn about available community housing resources or children’s program during the course of a training that is not law specific. Clerk staff of the DVCU who process the court petitions and orders should be required to undergo training beyond that which is typical for their job description. Working

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with domestic violence differs from other assignments in the court system and the training should reflect this fact. Judges should attend cross-disciplinary trainings in addition to other sessions that may be more specifically tailored to their legal training. Judges with more experience in these matters should mentor those with less experience.

The burnout factor for all staff is high in these kinds of cases. Burnout can occur when a judge is reluctant to rotate off the domestic violence bench because s/he knows there is a shortage of judges who truly understand the complexities associated with domestic violence. And burnout can occur when intake workers and other court staff and advocates feel understaffed, overworked, and unsupported.

Ongoing information sharing is critical to the success of responding to family violence. Successes and failures can inform others about what is promising. Recognizing that the complexity of the issues associated with family violence demands vigilant and creative solutions crafted by professionals from a variety of fields. The staggering number of families that experience partner violence has begun to be counted in a systematic albeit incomplete way. Fashioning responses according to genuine needs remains a challenge that must be met by society; justice can lead in some important ways but it cannot accomplish the eradication of family violence on its own. The problem is simply too large and the power of the justice system too limited. Instead ongoing dialogues among community members within and external to the legal system must engage in collaborative problem solving.

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District of Columbia Superior Court DVU Study

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A-4 • Appendix A Implementing an Integrated Domestic Violence Court

District of Columbia Superior Court DVU Study

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Implementing an Integrated Domestic Violence Court APPENDIX B • B-1

Timeline for the District of Columbia's Domestic Violence Plan and District of Columbia Superior Court Domestic Violence Unit

date	event
1970	7/29/70: The District of Columbia Intrafamily (IF) Offense Act was enacted (84 Stat. 546, P. L. 91-358, D.C. Code Ann. §§ 16-1001 <i>et seq.</i>).
1971	The Citizen Complaint Center opened with capacity to assist in domestic violence (DV) cases.
1982	9/14/82: Amendments to the IF Offense Act included expansion of possible victim representation in CPO petitions beyond Office of Corporation Council (OCC) to other legal service providers and to petitioners proceeding pro se. (D.C. Law 4-144, § 4, 29 DCR 3131.)
1986	AYUDA began the Clinica Legal Latina to provide legal assistance for low-income Latinas and foreign-born persons in domestic violence, child support, child abuse, domestic relations, and immigration. [AYUDA was founded in DC in 1971.]
1989	OCC initiated exclusive assignment of one attorney to the domestic violence caseload.
1991	The District of Columbia Prevention of Domestic Violence Amendment Act was enacted, including the “mandatory arrest” law requiring arrest when there is probable cause that an Intrafamily Offense has occurred. (D.C. Code Ann. §§16-1031-34 (1991).)
1992	The Family Violence Task Force of the Medical Society of the District of Columbia was formed to investigate and report on the problem of family violence at the national and local level.
1993	Catholic University Columbus Community Legal Services added a special domestic violence project (clinic founded in 1978).
1993	The Domestic Violence Coordination Council was established (as named in DVPSR) “to improve interagency coordination in handling of domestic violence cases” (DVPSR, p. 58). Initial planning support was provided by a FY1993 Byrne subgrant entitled “Domestic Violence Case Management Program.”
1993	The DC Superior Court established a “treatment team” of trained Social Services Division probation officers who provide treatment for convicted batterers.
1994	Congress enacted Violence Against Women Act (VAWA), P.L. 103-322, 108 Stat. 1902 (1994). (USC. §§ 8, 16, 18, 28, 42.)
1994	The DC Superior Court requested assistance from American University’s Courts Technical Assistance Project for a system review study. Sharon Denaro was hired to conduct this study.
1994	The 1993 Byrne subgrant to DC “Domestic Violence Case Management Program” was expanded to a larger initiative. Sharon Denaro was hired as the Domestic Violence Project Coordinator with Byrne funds that were augmented with Superior Court resources.
1994	The Violence Prevention Center program was established at the George Washington University Medical Center Department of Emergency Medicine.
1994	The spring judicial training for the DC Courts included a presentation by the “City at Peace” youth theater group, dramatizing the court experience of a family experiencing family violence.
1995	The Metropolitan Police Department (MPD) was awarded 1996 VAWA grant funding to employ a contractor to design and develop a system to share information regarding temporary and final protection orders (TPOs) and CPOs) among DC, Maryland, and Virginia.
1995	Domestic Violence Unit of the DC United States Attorneys Office (USAO) opened.
1995	1/1995 Under the Domestic Violence Plan, the OCC Family Services Division, Domestic Violence Section, expanded DV services from one attorney to include a Chief, two attorneys, a paralegal, a receptionist, and interns.
1995	10/6/95: DC submitted a multi-year state plan outlining 24 initiatives to the then named Violence Against Women Act Grants Office.
1995	11/14/95: The <i>District of Columbia Domestic Violence Plan</i> was published
1995	12/12/95: The <i>District of Columbia Domestic Violence Plan</i> was signed and approved by the DC Superior Court. The participants in developing the plan included the Chief Judge, the Mayor, all affected criminal justice agency chiefs, , victim advocacy groups, area law schools, and community representatives.
1996	The DC USAO adopted a “no drop” prosecution policy.

B-2 • APPENDIX B Implementing an Integrated Domestic Violence CourtTimeline for the District of Columbia's Domestic Violence Plan and
District of Columbia Superior Court Domestic Violence Unit

date	event
1996	10/2/96: Mayor Barry established the Commission on Violence Against Women (COVAW) as an advisory body to recommend policy and program strategies for the reduction of violence against women in DC.
1996	10/31/96: The Chief Judge entered Administrative Order 96-25 to establish the Domestic Violence Implementation Committee, composed of the Presiding Judge of the Domestic Violence Unit (DVU) and designated administrators from the partner agencies in the Domestic Violence Plan.
1996	11/1996: The USAO hired one staff to facilitate coordinated DV victim witness efforts in the early stages of developing the Victim Witness Unit's Domestic Violence Unit. This unit gained 3 advocates in April 1997 and 2 more advocates in the summer of 1998.
1996	11/4/96: The Clerk's Office of the Superior Court's Domestic Violence Unit (DVCU) opened with a ribbon cutting ceremony and a press conference. Stephen Milliken was named the 1 st presiding judge of the DVU.
1996	11/4/96: The DC Superior Court Social Services Division established a Domestic Violence Supervision Unit. This unit monitors compliance with court orders and conditions of plans, assesses treatment needs of offenders, and makes referrals to treatment services.
1996	11/4/96: The MPD Paternity Warrant's Squad began serving all CPOs and Title IV-D petitions for paternity and child support when the petitioner also filed for a TPO and/or CPO.
1996	11/12/96: The Domestic Violence Intake Center (DVIC) opened on the 4 th floor of Superior Court. The DVIC is staffed jointly by the OCC, the Georgetown University Legal Clinic Emergency Domestic Relations Unit (EDRP), and the DCCADV (OCC: 3 attorneys, 1 paralegal, 1 receptionist; EDRP: 1 paralegal; DCCADV: 1 attorney; USAO: 3 victim witness advocates). The MPD also provides 1 officer.
1996	12/31/96: The National Center for State Courts submitted a report <i>District of Columbia Domestic Violence Information System Plan Project</i> . The report assessed the existing Superior Court information systems and provided options for automating the Domestic Violence Project.
1997	Women Empowered Against Domestic Violence (WEAVE) was founded to provide legal representation to victims of domestic violence.
1997	U.S. Department of Justice Violence Against Women Office funded a DC project "Children Who Witness Domestic Violence", with 3 components: service provision; training of front line child welfare workers and police officers; and broader conversations about DC system issues. Project activities began in 1998 and continued into 2000. The partners in the project included the USAO, OCC, and the Center for Child Protection and Family Support.
1997	2/20/97: <i>Domestic Violence Project Status Report [DVPSR]</i> , by Sharon Denaro, was submitted to the Domestic Violence Implementation Committee.
1997	3/1997: The DC Superior Court Social Services Division recruited additional counselors and treatment providers to accommodate the high use of batterer treatment services.
1998	The Domestic Violence Advisory Rules Committee was created pursuant to Administrative Order 98-11 to review existing Superior Court Intrafamily Rules and to create or to adapt rules to govern cases assigned to the Domestic Violence Unit. The Rules Committee decided to create new Domestic Violence Rules, and draft rules were developed in the fall of 1999.
1998	1/12/98: MPD General Order 304.11, Intrafamily Offenses, established policies and procedures for responding to and investigating Intrafamily offenses. Officers were directed to distinguish between the primary aggressor, who must be arrested, and a person who may have inflicted injury on another but did so in self-defense.
1998	2/25/98: The Superior Court announced that it would use Infresco Corporation's Opal "as part of an initiative to create an integrated and interrelated approach to processing domestic violence cases and related criminal misdemeanors, where the underlying issue is domestic violence." [from subcontractor Infresco's parent company's web site].
1998	Spring: Lee Satterfield became Presiding Judge of the Domestic Violence Unit.

Implementing an Integrated Domestic Violence Court APPENDIX B • B-3

Timeline for the District of Columbia's Domestic Violence Plan and
District of Columbia Superior Court Domestic Violence Unit

date	event
1998	Spring: Domestic Violence Unit of USAO takes on responsibility of prosecuting the vast majority of CPO violations. Prior to this policy change, the victim's recourse for CPO violations was to file a motion with the court for contempt and to gather and present evidence supporting the motion.
1998	7/1998: The Superior Court opened a Visitation Center in the Mediation Center, Building A, for use in IF cases for supervised visitation. The hours for visitation were limited, however, to times when Mediation Center programs were not operating.
1998	10/1998: <i>Report on the Mayor's Commission on Violence Against Women</i> was published.
1999	OCC Family Services Division, Domestic Violence Unit received the services of the Women's Law and Public Policy Fellow from Georgetown University Law Center.
1999	9/1999: VAWA funds to assist MPD in service of process were exhausted.
1999	1/1999: The DC Coalition Against Domestic Violence funds and staffs the position of Coordinator of the Domestic Violence Intake Center.
1999	9/99: The DCCADV hires a new Executive Director.
1999	10/1999: The DC Commission on Violence Against Women published <i>Violence Against Women: The District's Blueprint for the Millennium</i> .
2000	1/2000: Reggie Walton became the Presiding Judge of Domestic Violence Unit
2000	5/2000: The spring judicial training for the DC Courts focused on domestic violence.

Judges and Commissioners of the DVU

<u>DVU 1996-1997</u>	<i>DVU 1998</i>	<i>DVU 1999</i>	<i>DVU 2000</i>
Judges: Bush, Zoe Milliken, Stephen (PJ) Winston, Rhonda Reid	Judges: Edwards, Mildred Satterfield, Lee (PJ) Washington, Eric	Judges: Davis, Linda Edwards, Mildred Satterfield, Lee (PJ) Walton, Reggie	Judges: Davis, Linda Gardner, Wendell Lopez, Jose Walton, Reggie (PJ)
Commissioners: Harnett, Andrea Coburn, Evelyn	Commissioners: Melendez, Aida	Commissioners Byrd, Jerry Blackbrune-Rigsby, Anna Coburn, Evelyn	Commissioners: Coburn, Evelyn Melendez, Aida

<i>DVU Courtrooms</i>	<i>Activities</i>
101	Calendar Control
102	Civil Trials
103	Criminal Trials
104	Criminal Trials
110 (hearing room)	Paternity & Support, Uncontested Civil Protection Orders and Hearings

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Timeline for the District of Columbia's Domestic Violence Plan and
District of Columbia Superior Court Domestic Violence Unit

Sources for timeline:

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The memories of individuals who participated in the qualitative "system actor" interviews conducted in January and February 2000.

Informed Consent Form

I agree to participate in the National Center for State Courts' study of the District of Columbia Domestic Violence Project by talking to researchers twice in the next six months. I also agree to allow the researchers to take some information about my case from Intake Center, court, US Attorney's Office, and Office of Corporation Counsel files. I do not have to answer any questions that I do not want to answer and I can stop being in the study any time I want. The researchers will not use anyone's name in anything that is written about this study, and everything I tell the researchers is confidential. My address and telephone number will not be revealed to anyone. If I have questions about the study or need to change the time of an interview, I can call Susan Lee at (800) 877-1233.

Client's Signature

Client's Name (please print)

Date

Telephone number(s) where I can receive calls:

Home: _____ Best time to call: _____

Work: _____ Best time to call: _____

Other: _____ Best time to call: _____

Name and phone number of a friend or relative who will know how to contact me if my phone number changes:

1. _____

2. _____

[end of form]

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EVALUATION OF THE D.C. DOMESTIC VIOLENCE UNIT

Initial Victim Interview

SIGNED CONSENT: _____

CASE NUMBER: _____

ID NUMBER: _____

INTERVIEW DATE: _____

INTERVIEWER: _____

INTERVIEW TIME: _____

INTRODUCTION

Hello. My name is _____. I am calling from the National Center for State Courts about the study you recently heard about at the Domestic Violence Intake Center at the D.C. Superior Court. Thank you very much for agreeing to participate in our study. Is it safe for you to speak openly now? **If not, go to the safety code below.**

SAFETY PROTOCOL

If at any time during this call or later calls you need to get off the phone for your safety, say “I don’t use that kind,” say good-bye and hang up. Tell the person the call was a survey about laundry products. Then please call Susan Lee on our toll free number to let us know when and where we can call back. That number is 800-877-1233. If anyone threatens or abuses you after this call, please call one of the District’s 24-hour hotlines (202-529-5991 or 202-347-2777).

During this first telephone call, I would like to verify some information and to ask you a few questions about your most recent visit to the Intake Center and any contact you may have had with the police. This should take about 10 minutes to complete. Is now a convenient time for you to speak with me?

If not, make another appointment

OK. Before we get started, I want to remind you that the information you give me in this and future interviews will remain completely confidential and that you will not be identified in any way.

*First I’d like to verify the information you gave us on the consent form you signed.
(Verify phone numbers; ask if any have changed or if there are new/better ones to use.)*

Now I’ll get to the questions.

1. First, what is your present relationship with the person about whom you came to the Intake Center?

1. Married

5. Former boyfriend/girlfriend

2. Separated

6. No current or past relationship, explain:

3. Divorced

4. Boyfriend/girlfriend

2. What is your current living arrangement with the person?

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Study ID Number _____

District of Columbia Superior Court DVU Study

Initial Victim Interview Form

1. Living together
 2. Separated temporarily
 3. Not living together, but dating
 4. Not living together, not dating
3. Do you have children? Are they in common with the person about whom you came to the Intake Center?
(if pregnant, put “yes, in common or “yes, not in common)
0. No
 1. Yes, in common
 2. Yes, not in common
 3. Yes, some in common, some not in common
4. How many children do you have, and how many are in common with the person?
(if pregnant, count as one, or two if twins)
- Total: _____ In common: _____

Next, I have some questions about your experience with the police.

POLICE

5. Did you call or talk to the police just before your most recent visit to the Intake Center?
0. No (*go to Intake Center Services*)
 1. Yes
6. Where did you talk with the police?
1. At scene of incident
 2. Police station (*go to question 9*)
 3. Hospital
 4. Shelter
 5. Other: _____
7. Did the police come right away or after more than one call?
1. Right away
 2. Took a while, how long?
hrs. _____ *min.* _____
 3. After several calls
 4. Did not come (*go to Intake Center Services*)
8. ***If the police came after several calls***, how many calls? _____
9. Did the police officer tell you to go to the Intake Center?
0. No
 1. Yes
 2. Can't remember

I'd like you to answer the following questions about your experience with the police using a 5 point scale. You can respond 1,2,3,4, or 5. 1 means not at all, 2 means very little, 3 means somewhat, 4 means mostly, and 5 means very much.

	<i>(1= not at all; 5= very much)</i>				
	1	2	3	4	5
10. To what extent do you feel the police officer(s) was/were on your side?					
11. To what extent did the police officer(s) treat you fairly?					
12. To what extent did the police officer(s) give you useful information about your options?					
13. To what extent did the police officer protect your safety?					
14. How likely would you be to call the police again in a similar situation?					

INTAKE CENTER SERVICES

Now I have some questions about the reasons you went to the Intake Center.

CRIMINAL PROSECUTION

15. Were you at the Intake Center because the person about whom you came had been arrested or because you were interested in filing criminal charges?

- | | | |
|-------|-------------------------------|-------------------|
| 0. No | 1. Arrested or warrant issued | 2. Filing charges |
|-------|-------------------------------|-------------------|

16. Do you know if there is a criminal/domestic violence case against the person?

- | | |
|--------------------|---------------|
| 0. No case | 2. Yes |
| 1. Might be a case | 3. Don't know |

17. If there is a case, how much do you want the person to be prosecuted?

- | | |
|----------------------------|---|
| 1. Don't want it to happen | 4. Case has no criminal element |
| 2. Not sure | (e.g., child support, custody, CPO |
| 3. Want it to happen | modification) <i>(go to Protection Order)</i> |

18. If the person is prosecuted, how much do you want to testify against [him][her]?

- | | | |
|------------------|------------------|-----------------------|
| 0. Don't want to | 1. Maybe want to | 2. Definitely want to |
|------------------|------------------|-----------------------|

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Study ID Number _____

District of Columbia Superior Court DVU Study

Initial Victim Interview Form

PROTECTION ORDER

19. Were you at the Intake Center to seek a protection order, to modify a protection order, or to file a contempt motion for a civil protection order you already had?

- 0. No CPO action (*go to Child Support*)
- 1. Seek a TPO/CPO
- 2. Modify CPO
- 3. File contempt motion

20. How strongly do you feel about going forward with the [CPO] [modification] [contempt motion]? Do you feel...

- 1. very strongly
 - 2. are you still interested
 - 3. are you having second thoughts
 - 4. do you not want to do this anymore
 - 5. already obtained final order
- For 3 and 4: Why? _____

CHILD SUPPORT

21. Were you at the Intake Center to file for child support, modify a child support order, or enforce a child support order?

- 0. No (*go to Intake Center Experience*)
- 1. File
- 2. Modify
- 3. Enforce

22. How strongly do you feel about going forward with the child support case? Do you feel...

- 1. very strongly
- 2. are you still interested
- 3. are you having second thoughts
- 4. do you no longer want to do this
- 5. already obtained child support

INTAKE CENTER EXPERIENCE

Now I'm going to ask you some questions about your experience at the Intake Center. Please use the same 5-point scale for your answers, where 1 means not at all, 2 means very little, 3 means somewhat, 4 means mostly, and 5 means very much.

For questions 23 – 26: To what extent did people you talked to at the Intake Center:

- | | | | | | | |
|---|---|---|---|---|---|----------|
| 23. Really listen to your concerns? | 1 | 2 | 3 | 4 | 5 | |
| 24. Help you understand what the process would be like? | 1 | 2 | 3 | 4 | 5 | |
| 25. Express concern for your safety? | 1 | 2 | 3 | 4 | 5 | |
| 26. Help you make decisions about what to do? | 1 | 2 | 3 | 4 | 5 | (n/a) -8 |

Implementing an Integrated Domestic Violence Court APPENDIX D • D-5

Study ID Number _____

District of Columbia Superior Court DVU Study
Initial Victim Interview Form

27. How much do you expect the court process for the **protection order** to make things better for you? 1 2 3 4 5 (n/a) -8

28. How much do you expect the court process for the **criminal case** to make things better for you? 1 2 3 4 5 (n/a) -8

29. How much do you expect the court process for the **child support case** to make things better for you? 1 2 3 4 5 (n/a) -8

30. What was most helpful about the intake process? _____

31. What would you suggest to improve the intake process? _____

32. Had you ever come to the Intake Center before this time? 0. No 1. Yes

33. *If yes*, how many times? _____

34. Has the person about whom you came to the Intake Center ever filed a protection order petition against you?
0. No 1. Yes

35. *If yes*, was it:

- 1. Before your most recent visit to the Intake Center?
- 2. Since your most recent visit to the Intake Center?

36. Has the person about whom you came to the Intake Center bothered you since then?
(prompt with responses)

- | | |
|---|--|
| 0. No | 3. Hurt by slapping, grabbing, shoving |
| 1. Threatened to hurt me (no weapon) | 4. Beaten or choked |
| 2. Other emotional abuse
(name calling, harassing) | 5. Used or threatened to use a weapon |
| | 6. Other: _____
_____ |

Thank you again for agreeing to participate in this study. If you have any questions about your case or help you might need, you can call the Intake Center at 879-0152. Someone will be contacting you again in about a month to conduct another longer interview. When will be the best time to reach you? _____
_____ (date and time)

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Study ID Number _____

District of Columbia Superior Court DVU Study

Initial Victim Interview Form

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Evaluation of the D.C. Domestic Violence Unit

Second Victim Interview

CASE NUMBER: _____

ID NUMBER: _____

INTERVIEWER: _____

INTERVIEW DATE: _____

INTERVIEW TIME: _____

INTRODUCTION

*Hello. This is _____ from the National Center for State Courts. A few weeks ago someone called to interview you about your experience at the Domestic Violence Intake Center at the D.C. Superior Court. I am calling to conduct a second interview for this study. Is it safe for you to speak openly now? **If not, go to the safety code below.***

SAFETY PROTOCOL

*If at any time during this call you need to get off the phone for your safety, say **“I don’t use that kind,” say good-bye and hang up. Tell the person the call was a survey about laundry products. Then please call Susan Lee on our toll free number to let us know when and where we can call back. That number is 800-877-1233. If anyone threatens or abuses you after this call, please call one of the District’s 24-hour hotlines (202-529-5991 or 202-347-2777).***

During this telephone call, I would like to ask you some questions about what has happened with your case since you last talked to us as well as some more detailed information about your relationship with the person about whom you went to the Intake Center. This should take about 30 minutes to complete. Is now a convenient time for you to speak with me?

If not, make another appointment

OK. Before we get started, I want to remind you again that the information you give me in this interview will remain completely confidential and that you will not be identified in any way.

First I would like to update some information we obtained from you during the first interview:

1. What is your relationship now with the person about whom you went to the Intake Center?
(prompt from first interview)
 1. married
 2. married, but separated
 3. divorced
 4. boyfriend/girlfriend
 5. former boyfriend/girlfriend
 6. no current or past relationship, explain:

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Second Victim Interview Form

3. What is your current living arrangement with the person? (**prompt from first interview**)
1. living together (*go to Question 6*) 3. not living together, but dating (*go to Question 4*)
2. separated temporarily 4. not living together, not dating
4. Have you had any contact with the person since going to the Intake Center?
0. no (*go to Question 6*) 1. yes
5. What types of contact have you had with the person?
1. phone call 5. church
2. child visitation 6. court date
3. out in public (neighborhood/street) 97. other (**specify**): _____
4. store _____

5. *How many times has this happened in the last three months?*

GIVE NUMBER OF TIMES THIS HAPPENED

1. phone call _____
2. child visitation _____
3. out in public (neighborhood/street) _____
4. store _____
5. church _____
6. court date _____
97. other (**specify**): _____ _____
- _____

Now I want to ask you some questions about what has happened since we last talked with you.

PROTECTION ORDER (ask only if person had CPO action in first interview)

6. Did you go back to court for the hearing on the permanent (1 year) protection order?
0. no (*go to Question 9*) 1. yes
7. Did you have to go to court more than once?
0. no 1. yes (**ask number of times**): _____
- If yes, explain: _____
- _____
- _____

8. What was the final outcome when you went to court?
1. the court granted the permanent order (*go to Question 10*)
 2. the court denied the permanent order (*go to Question 10*)
 3. you withdrew the petition, no hearing
 4. you had a hearing and withdrew the petition at that time
 5. court granted the order, but now want to drop (*ask question 9 and continue CPO questions*)
 97. other: _____
9. I am going to list some possible reasons you [did not get a permanent order] or [dismissed or want to drop the order]. Please tell me which ones, if any, apply to you. If you had a different reason, please tell me. (**CIRCLE ALL THAT APPLY. READ OPTIONS IF NECESSARY TO PROMPT.**)
1. the person stopped bothering you -- at least temporarily
 2. you got back together
 3. the person went to counseling, other court order issued
 4. the person no longer lived around you (moved, deported, in jail)
 5. the person was arrested
 6. temporary order could not be served because the person could not be located
 7. the other person had an attorney and you didn't
 8. the other person filed an order against you, so why bother
 9. the person talked you out of it
 10. you were afraid the person would do something to hurt you or someone else
 11. the person threatened you
 12. the person actually hit or physically hurt you in some way
 13. the person forced way back into the home
 14. it was too much trouble
 15. it takes too much time
 16. you couldn't take time off work
 17. it costs too much
 18. you didn't realize that the first order was only temporary
 19. you forgot the date of the court hearing for the restraining
 20. you didn't think the permanent order would work
 21. the hearing was continued too many times
 22. you were too embarrassed to go to court
 23. you didn't think the judge would issue the order
 97. other: _____

GO TO CRIMINAL CASE (Question 37)

10. Were there specific things you asked for in the protection order but didn't get?
- _____
- _____
- _____
11. Under the terms of the permanent order, who was given temporary custody of the children?
(**verify from first interview whether children in common**)

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Second Victim Interview Form

- 1. yes
- 2. not sure (*go to Question 39*)

38. Has the case come up for trial?

- 0. no, case dismissed
- 1. no, case has not come up for trial yet
- 2. no, the person pled guilty
- 3. yes

39. How much do [did] you want the person to be prosecuted?

- 0. don't want it to happen
 - 1. not sure
 - 2. want it to happen
- (if person pled guilty, go to Question 41)**

40. How much are you [would you be] willing to testify against [him] [her]?

- 0. don't want to
- 1. maybe want to
- 2. definitely want to
- 3. already testified

U.S. ATTORNEY'S OFFICE VICTIM ADVOCATES

41. Did you meet with the U.S. Attorney's Office Victim Advocate?

- 0. no (*go to Question 46 if the case has come up for trial, otherwise go to Question 56*)
- 1. yes

Using the 5-point scale we used before, where 1 is not at all and 5 is very much.

To what extent did the U.S. Attorney's Office Victim Advocates

- | | | | | | |
|---|---|---|---|---|---|
| 42. Really listen to your concerns? | 1 | 2 | 3 | 4 | 5 |
| 43. Help you understand what the process would be like? | 1 | 2 | 3 | 4 | 5 |
| 44. Express concern for your safety? | 1 | 2 | 3 | 4 | 5 |
| 45. Help you make decisions about what to do? | 1 | 2 | 3 | 4 | 5 |

If the person pled guilty, go to Question 55; if the case has not come up for trial or it was dismissed, go to Questions 56

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Second Victim Interview Form

CHILD SUPPORT

57. Did you go back to court to obtain a separate child support order? (*NOTE: Not as part of the protection order*)

- | | |
|----------------------------------|-----------------------|
| 0. never filed petition | 2. yes |
| 1. filed, but didn't go to court | 3. case still pending |
- (*if 0, skip to question 62, if 2, go to question 59, if 3, go to question 61*)

58. If you didn't go back to court, why not? (*go to question 61*)

59. What was the final outcome of your child support case?

- 2. the court granted the child support order
- 3. the court denied the child support order
- 4. you withdrew the petition, no hearing
- 5. you had a hearing and withdrew the petition at that time
- 97. other: _____

60. Did the court grant you the amount of child support you requested?

- 1. court granted support as you requested
- 2. court increased the amount of support
- 3. court decreased amount of support

61. Can you suggest any ways that would have improved your experience with the child support case? _____

VICTIM SERVICES

(INTERVIEWERS: PLEASE USE CHART TO RECORD RESPONSES)

- 62. Were you referred to any services by the staff of the Intake Center? Which ones?
- 63. Did you contact or use any of these services? Which ones?
- 64. What other sources of support, assistance or help have you sought or received on your own?
- 65. Of the services you have used, how would you rate the helpfulness of the service, on a scale of 1 to 5, where 1 is not at all helpful and 5 is very helpful.

(Questions 62 – 65)

Service/Support	62. Referred by DVIC	63. Contacted or Used	64. Sought/ received on own	65. Rating of helpfulness				
1. Emergency Domestic Relations Project at Georgetown University Law Center	1	1	1	1	2	3	4	5
2. Ayuda	1	1	1	1	2	3	4	5
3. DC Corporation Counsel	1	1	1	1	2	3	4	5
4. Other no fee or low fee legal services	1	1	1	1	2	3	4	5
5. Domestic Violence Victim Assistance (US Attorney's Office)	1	1	1	1	2	3	4	5
6. Shelter Counseling Program	1	1	1	1	2	3	4	5
7. Private Mental Health Counselor	1	1	1	1	2	3	4	5
8. Court's Children's Counseling Program	1	1	1	1	2	3	4	5
9. Victim compensation	1	1	1	1	2	3	4	5
10. Shelter (emergency housing)	1	1	1	1	2	3	4	5
11. Other:	1	1	1	1	2	3	4	5
12. None	0	0	0					

66. Did the DC Coalition Against Domestic Violence contact you after you visited the Intake Center?

0. no (*go to Question 69*) 1. yes 2. not sure (*go to Question 69*)

67. Did the Coalition provide you with any additional assistance (e.g., accompany you to the protection order hearing)?

0. no 1. yes, (specify): _____

68. On a scale of 1 to 5 where 1 is not at all helpful and 5 is very helpful, how helpful was the DC Coalition Advocate? 1 2 3 4 5

PERCEIVED EFFECTIVENESS OF INTERVENTION

72. What kinds of problems, if any, have you had since you went to the Intake Center, including any further acts of physical or emotional abuse? **(CIRCLE ALL THAT APPLY; READ OPTIONS IF NECESSARY TO PROMPT)**

- 0. no problems
- 1. the person threatened to hurt you
- 2. the person threatened to get you into trouble
- 3. other emotional abuse (name calling/harassing)
- 4. hurt by slapping, grabbing, shoving
- 5. beaten or choked
- 6. used or threatened to use weapon
- 7. called at home or work when not supposed to
- 8. came to house when not supposed to
- 9. followed you or repeatedly left notes for you
- 10. bothered children
- 11. caused problems during exchange of children for visitation
- 12. didn't pick up children and didn't call to say he wouldn't
- 13. kept children beyond time allowed for visitation
- 14. threatened to keep the children
- 15. visitation: not conformed to agreement

97. other (specify): _____

[SKIP Question 73 if no physical abuse indicated in Question 72]

73. How does the level of the physically abusive behavior after you went to the Intake Center compare to what he/she did before you visited the Intake Center?

- 0. no physical violence
- 1. some continued physical violence, not as bad
- 2. physical violence as bad as before
- 3. physical violence worse than before

[SKIP Question 74 if no verbal/emotional abuse indicated in Question 72]

74. How does the level of the verbal/emotionally abusive behavior after you went to the Intake Center compare to what he/she did before you visited the Intake Center?

- 0. no verbal/emotional abuse
- 1. some continued abuse, not as bad
- 2. abuse as bad as before
- 3. abuse worse than before

75. **Have you returned to the Intake Center since I first talked to you about [2 months ago]?**

- 0. no (*go to Question 81*)
- 1. yes

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Study ID Number _____

Second Victim Interview Form

76. Why did you return to the Intake Center?

1. file a civil contempt motion
2. re-file for a protection order
3. modify the protection order
4. file a motion to drop the protection order
5. file for child support
6. meet with the US Attorney's Office Victim Advocate on a new Criminal Case (arrest or rearrest)
7. file a criminal contempt
97. other (**specify**): _____

I'd like you to answer some questions about your experience when you returned to the Intake Center. Please use the 5-point scale for your answers, where 1 means not at all and 5 means very much.

To what extent did the people you talked to this time at the Intake Center:

- | | | | | | |
|---|---|---|---|---|---|
| 77. Really listen to your concerns? | 1 | 2 | 3 | 4 | 5 |
| 78. Help you understand what the process would be like? | 1 | 2 | 3 | 4 | 5 |
| 79. Express concern for your safety? | 1 | 2 | 3 | 4 | 5 |
| 80. Help you make decisions about what to do? | 1 | 2 | 3 | 4 | 5 |

COORDINATED CASE PROCESSING

81. Do you have any other cases pending at the DC Superior Court such as a divorce or child support case? If so, what is it?

- | | |
|----------------------------|-----------------------------------|
| 0. no other cases | 4. criminal matter – other person |
| 1. divorce | 5. criminal matter – self |
| 2. paternity/child support | 97. other: _____ |
| 3. delinquency of a child | _____ |

LIFE IMPROVEMENT

Now I want to find out how you feel about various parts of your life. Please tell me the feelings you have now—taking into account what has happened in the last 6 months, and what you expect in the near future.

I'll be asking you about a list of things. After I ask you each question, please tell me what phrase gives the best summary of how you feel: either "extremely pleased," "pleased," "mostly satisfied," "equally dissatisfied and satisfied," "mostly dissatisfied," "unhappy," or "terrible," depending on how you feel about that part of your life.

If you feel that a question doesn't apply to you, just tell me. (Interviewers – review options as necessary as questions are asked)

82. First, a very general question. How do you feel about your life as a whole?

- | | |
|---|---------------------|
| 1. extremely pleased | 6. unhappy |
| 2. pleased | 7. terrible |
| 3. mostly satisfied | 8. (not applicable) |
| 4. mixed (equally satisfied and dissatisfied) | 9. no answer |
| 5. mostly dissatisfied | |

83. In general, how do you feel about yourself?

- | | |
|---|---------------------|
| 1. extremely pleased | 6. unhappy |
| 2. pleased | 7. terrible |
| 3. mostly satisfied | 8. (not applicable) |
| 4. mixed (equally satisfied and dissatisfied) | 9. no answer |
| 5. mostly dissatisfied | |

84. How do feel about your personal safety?

- | | |
|---|---------------------|
| 1. extremely pleased | 6. unhappy |
| 2. pleased | 7. terrible |
| 3. mostly satisfied | 8. (not applicable) |
| 4. mixed (equally satisfied and dissatisfied) | 9. no answer |
| 5. mostly dissatisfied | |

85. How do you feel about the amount of fun and enjoyment you have?

- | | |
|---|---------------------|
| 1. extremely pleased | 6. unhappy |
| 2. pleased | 7. terrible |
| 3. mostly satisfied | 8. (not applicable) |
| 4. mixed (equally satisfied and dissatisfied) | 9. no answer |
| 5. mostly dissatisfied | |

86. How do feel about the responsibilities you have for members of your family?

- | | |
|---|---------------------|
| 1. extremely pleased | 6. unhappy |
| 2. pleased | 7. terrible |
| 3. mostly satisfied | 8. (not applicable) |
| 4. mixed (equally satisfied and dissatisfied) | 9. no answer |
| 5. mostly dissatisfied | |

HISTORY OF ABUSE

Now I am going to ask you some questions about the abusive behavior that led you to come to the Domestic Violence Intake Center.

94. How long had emotional and/or verbal abuse been occurring before you went to the Intake Center? (in years, months, weeks or days)
 _____ years _____ months _____ weeks _____ days

Please answer the following questions using a scale of 1 – 5. 1 = Never, 2 = Rarely, 3 = Occasionally, 4 = Frequently, 5 = Very Frequently. (-8 = N/A)

How often, if ever, did your partner:

95. Call you names?	1	2	3	4	5	-8
96. Swear at you?	1	2	3	4	5	-8
97. Yell and scream at you?	1	2	3	4	5	-8
98. Treat you like an inferior?	1	2	3	4	5	-8
99. Monitor your time and make you account for your whereabouts?	1	2	3	4	5	-8
100. Use money or make important financial decisions without talking to you about it?	1	2	3	4	5	-8
101. Act jealous or suspicious of your friends?	1	2	3	4	5	-8
102. Accuse you of having an affair?	1	2	3	4	5	-8
103. Interfere in your relationships with other family members?	1	2	3	4	5	-8
104. Try to keep you from doing things to help yourself?	1	2	3	4	5	-8
105. Restrict your use of the telephone?	1	2	3	4	5	-8
106. Tell you your feelings were irrational or crazy?	1	2	3	4	5	-8
107. Blame you for his/her problems?	1	2	3	4	5	-8
108. Try to make you feel crazy?	1	2	3	4	5	-8

PHYSICAL ABUSE

109. How long had physical abuse been occurring before you went to the Intake Center? (in years, months, weeks or days)

_____ years _____ months _____ weeks _____ days

Now I am going to ask you about specific acts of physical abuse that might have occurred between you and the person about whom you went to the Intake Center. Please answer the questions based on the number of times, if ever, these things happened in the past year. If it didn't happen in the past year, but it has happened before, also let me know.

110. How often, if ever, did your partner throw something at you?

- 0. this has never happened
- 1. once in the past year
- 2. twice in the past year
- 3. 3-5 times in the past year
- 4. 6-10 times in the past year
- 5. 11-20 times in the past year
- 6. more than 20 times in the past year
- 7. not in the past year, but it did happen before

111. How often, if ever, did your partner push, grab or shove you?

- 0. this has never happened
- 1. once in the past year
- 2. twice in the past year
- 3. 3-5 times in the past year
- 4. 6-10 times in the past year
- 5. 11-20 times in the past year
- 6. more than 20 times in the past year
- 7. not in the past year, but it did happen before

112. How often, if ever, did your partner beat you up?

- 0. this has never happened
- 1. once in the past year
- 2. twice in the past year
- 3. 3-5 times in the past year
- 4. 6-10 times in the past year
- 5. 11-20 times in the past year
- 6. more than 20 times in the past year
- 7. not in the past year, but it did happen before

113. How often, if ever, did your partner slap you?
0. this has never happened
 1. once in the past year
 2. twice in the past year
 3. 3-5 times in the past year
 4. 6-10 times in the past year
 5. 11-20 times in the past year
 6. more than 20 times in the past year
 7. not in the past year, but it did happen before
114. How often, if ever, did your partner choke you?
0. this has never happened
 1. once in the past year
 2. twice in the past year
 3. 3-5 times in the past year
 4. 6-10 times in the past year
 5. 11-20 times in the past year
 6. more than 20 times in the past year
 7. not in the past year, but it did happen before
115. How often, if ever, did your partner kick, bite, or hit you with something?
0. this has never happened
 1. once in the past year
 2. twice in the past year
 3. 3-5 times in the past year
 4. 6-10 times in the past year
 5. 11-20 times in the past year
 6. more than 20 times in the past year
 7. not in the past year, but it did happen before
116. How often, if ever, did your partner threaten you with a knife or gun?
0. this has never happened
 1. once in the past year
 2. twice in the past year
 3. 3-5 times in the past year
 4. 6-10 times in the past year
 5. 11-20 times in the past year
 6. more than 20 times in the past year
 7. not in the past year, but it did happen before

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Study ID Number _____

Second Victim Interview Form

117. How often, if ever, did your partner use a knife or gun?

- 0. this has never happened
- 1. once in the past year
- 2. twice in the past year
- 3. 3-5 times in the past year
- 4. 6-10 times in the past year
- 5. 11-20 times in the past year
- 6. more than 20 times in the past year
- 7. not in the past year, but it did happen before

Please respond to the next series of questions with yes or no.

118. I felt physical pain that still hurt the next day because of a fight with my partner

- 0. no
- 1. yes

119. I had a sprain, bruise or small cut because of a fight with my partner

- 0. no
- 1. yes

120. I had a broken bone from a fight with my partner

- 0. no
- 1. yes

121. I passed out from being hit on the head by my partner in a fight

- 0. no
- 1. yes

122. I needed to see a doctor because of a fight with my partner, but I didn't

- 0. no
- 1. yes

123. I went to a doctor because of a fight with my partner.

- 0. no
- 1. yes

124. Do you know if this person is currently receiving batterer treatment and/or another kind of treatment? **(CHECK ALL THAT APPLY)**

- 0. no
- 1. don't know
- 2. batterer treatment
- 3. substance abuse treatment
- 97. other (**specify**): _____

125. Do you want the other person to participate in batterer treatment?

- 0. no
- 1. yes
- 2. not sure

126. If 0 or 2, why not? _____

DEMOGRAPHICS

Now I just have a few more background questions about you and the person about whom you went to the Intake Center.

127. How long did you have a relationship with the person about whom you came to the Intake Center (in years, months, weeks)?

_____ year(s) _____ month(s) _____ week(s)

128. Are you currently pregnant?

0. no 1. yes -8. n/a

129. Were you pregnant when you went to the Intake Center?

0. no 1. yes -8. n/a

130. Are you currently employed in a paying job?

- 0. not at all
- 1. part time
- 2. full time

type of job: _____

131. Are you currently receiving unemployment, disability, or welfare benefits?

0. no 1. yes

132. What is your monthly income (before taxes)? _____

133. Is the person about whom you came to the Intake Center currently employed in a paying job?

0. not at all 1. part time 2. full time

134. Does this person currently receive unemployment, disability, or welfare benefits?

0. no 1. yes

135. Did you rely on this person's income to help pay the bills?

0. no 1. yes

136. Do you have permanent housing (i.e., you are not staying in a shelter or other temporary housing)?

0. no 1. yes 2. will soon

137. Are you currently in school?

0. no 1. yes

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Second Victim Interview Form

138. What is the highest grade you completed in school?

- 0. 1-7 grade
- 1. junior high
- 2. partial high school
- 3. high school graduate
- 4. some college
- 5. college graduate
- 6. some postgraduate
- 97. other (trade, specialized training): _____

139. How old are you? _____

140. How would you identify your racial or ethnic background?

- 0. African American (black)
- 1. White/Caucasian
- 2. Hispanic American (Latino)
- 3. Asian American
- 97. other: _____

Thank you very much again for taking the time to participate in this study. Someone will be contacting you again in about 6 months to conduct a final interview, which will be much shorter than this one.

CASE NUMBERS AND PETITIONS

98IF (1998 Intrafamily) Case Number: _____

Cross CPO petition filed 0. No 1. Yes

Cross Petition Case Number: _____

Cross CPO petition granted 0. No 1. Yes

(note that this cross petition not included in civil case history section)

Petitioner PDID Number: _____

Respondent PDID Number: _____

PARTY DEMOGRAPHICS

P Race _____ P DOB ____/____/____ P Gender _____

R Race _____ R DOB ____/____/____ R Gender _____

Petitioner and respondent have children in common 0. No 1. Yes

CIVIL CASE EVENTS

Date petition filed ____/____/____

TPO Requested? 0. No 1. Yes

If Yes, disposition
1. Granted
2. Denied
3. DWOP (dismissed)
4. Other

Date TPO granted ____/____/____

TPO extended 0. No 1. Yes

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Study ID Number _____

District of Columbia Superior Court DVU Study

Case File Data Form

CIVIL CASE EVENTS (continued)

Petitioner requested dismissal/withdrawal/motion to vacate
0. No
1. Yes, pre-CPO hearing
2. Yes, at hearing
3. Yes, post hearing

Petitioner represented in CPO hearing(s) 0. No
[note if GAL appointed; if representation not clear indicate 'no'] 1. Yes, OCC
2. Yes, legal clinic
3. Yes, private counsel
4. Yes, other

Respondent represented in CPO hearing(s) 0. No 1. Yes

Continuances granted prior to CPO hearing? 0. No 1. Yes

Court disposition at CPO hearing
1. Order granted
2. Dismissed at P request
3. Dismissed, P no show
4. Dismissed, R never served
5. Denied following hearing

Date of disposition _____/_____/_____

If CPO granted, was it by consent? *[assume 'no' unless noted]* 0. No 1. Yes

CPO modification(s) requested: 0. No 1. Yes

Civil contempt charges filed by petitioner re TPO or CPO 0. No 1. Yes

Outcome of Charges
0. Contempt not found
1. Contempt found
2. Charges dismissed

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Study ID Number _____

District of Columbia Superior Court DVU Study

Case File Data Form

Specific remedies granted in CPO [code from order]

Not to abuse, threaten, harass petitioner/kids	0. No	1. Yes
Stay away from person, work, home, etc.	0. No	1. Yes
Not to contact by phone, in writing, other manner	0. No	1. Yes
Temporary custody of minor children	0. No	1. Yes
Visitation for respondent	0. No	1. Yes
Visitation supervised	0. No	1. Yes
Party to vacate home	0. No	1. Yes
Police accompany party recover belongings	0. No	1. Yes
Police ensure party turns over keys	0. No	1. Yes
Respondent to pay child support	0. No	1. Yes
Maintain health insurance policy	0. No	1. Yes
Respondent to provide financial assistance	0. No	1. Yes
Awarding possession and use of property	0. No	1. Yes
Respondent enroll in alcohol/drug abuse program	0. No	1. Yes
Respondent enroll in DV program	0. No	1. Yes
Respondent enroll in parenting program	0. No	1. Yes
Respondent enroll in other treatment program	0. No	1. Yes
Respondent to pay attorney's fees and costs	0. No	1. Yes
Other relief as specified by court	0. No	1. Yes

F-6 • Appendix F Implementing an Integrated Domestic Violence Court

Study ID Number _____

District of Columbia Superior Court DVU Study

Case File Data Form

CIVIL CASE HISTORY SUMMARY QUESTIONS

(Data coded from “Civil Case Histories” grid, previous page. Note that cross petitions for the current case are not included.)

Date petition filed (*copy from page 1*) _____/_____/_____

Civil Case Activity Found (*regardless of inclusion in categories below*)

- 0. neither party
- 1. petitioner only
- 2. respondent only
- 3. petitioner and respondent

Prior history of DV activity between study P and R

- a Prior TPO petition(s) filed? 0. No 1. Yes
- b Prior TPO petition(s) granted? 0. No 1. Yes
- c Prior CPO petition(s) granted? 0. No 1. Yes

Prior history of DV activity between study R and other parties

- a Prior TPO petition(s) filed? 0. No 1. Yes
- b Prior TPO petition(s) granted? 0. No 1. Yes
- c Prior CPO petition(s) granted? 0. No 1. Yes

Prior history of DV activity between study P and other parties

- a Prior TPO petition(s) filed? 0. No 1. Yes
- b Prior TPO petition(s) granted? 0. No 1. Yes
- c Prior CPO petition(s) granted? 0. No 1. Yes

Subsequent DV activity between study P and R

- a Subsequent TPO petition(s) filed? 0. No 1. Yes
- b Subsequent TPO petition(s) granted? 0. No 1. Yes
- c Subsequent CPO petition(s) granted? 0. No 1. Yes

Pending civil issues between P and R at time of P appearance in DVIC

- a Divorce complaint(s) filed? 0. No 1. Yes
- b Custody complaint(s) filed? 0. No 1. Yes
- c Support petition(s) filed? 0. No 1. Yes

F-8 • Appendix F Implementing an Integrated Domestic Violence Court

Study ID Number _____

District of Columbia Superior Court DVU Study

Case File Data Form

CRIMINAL CASE HISTORY SUMMARY QUESTIONS

(Data coded from DC Superior Court mainframe *Criminal Information System* PDID printed reports.)

Date petition filed (*copy from page 1*) _____/_____/_____

Criminal Case Activity Found (*regardless of inclusion in categories below*)

- 0. neither party
- 1. petitioner only
- 2. respondent only
- 3. petitioner and respondent

PETITIONER (other than study “related criminal case”)

Prior

Domestic criminal charges involving study R or other R(s) *prior* to the study event? 0. No 1. Yes

Non-domestic criminal charges involving study R or other R(s) *prior* to the study event? 0. No 1. Yes

Subsequent

Domestic criminal charges involving study R or other R(s) *after* the study event? (include violations of prior CPOs) 0. No 1. Yes

Non-domestic criminal charges involving study R or other R(s) *after* the study event? 0. No 1. Yes

RESPONDENT (other than study “related criminal case”)

Prior

Domestic criminal charges involving study P or other P(s) *prior* to the study event? 0. No 1. Yes

Non-domestic criminal charges involving study P or other P(s) *prior* to the study event? 0. No 1. Yes

Subsequent

Domestic criminal charges involving study P or other P(s) *after* the study event? (include violations of prior CPOs) 0. No 1. Yes

Non-domestic criminal charges involving study P or other P(s) *after* the study event? 0. No 1. Yes

INTRODUCTION AND STUDY DESCRIPTION

The National Center for State Courts, in collaboration with the Superior Court for the District of Columbia, has been evaluating the Domestic Violence Unit over the past 12 months. The final report of this evaluation will summarize some aspects of the experience of a sample of victims who have experienced the court and Intake Center's services, and will include qualitative information from people like you. To understand how the DVU operates to serve petitioners and respondents in domestic violence cases, we know that it is important to capture reflections on the events that led to the evolution of the center by the individuals who observed or participated in those events, and reflections of individuals who interact with the current domestic violence case processing routines of the court.

We are interested in the range of your responses to the development and operations of the Domestic Violence Unit and of the Domestic Violence Intake Center. We will ask you several general questions, but feel free to elaborate on any related issues that are of interest to you.

1. DVU HISTORY

Give us your impressions of the events that led up to the development of the DVU and key events during the DVU's first few years. We have prepared a draft timeline that incorporates events that we believe occurred and when they occurred. Does this capture the key events as you remember them? Are there any events that are omitted?

2. DVU AREAS OF CASE PROCESSING/SERVICE IMPROVEMENT

In what areas do you think case processing has improved since the implementation of the DVU and the Intake Center in 1996? Describe the positive effects of the DVU and DVIC.

3. DVU AREAS OF CONCERN

From your experience with the DVU and DVIC or from other sources, do you have any areas of concern about the manner in which they currently function?

4. JOB EFFECTS AND SATISFACTION

For individuals who have experience working with the cases processed through the DVU at the Superior Court: Has your job been affected by the implementation of the DVIC and the DVU? If so, in what ways?

For the new DVU judges and commissioner(s): What were your expectations before you became involved in the DVU? Do you feel that you were adequately trained to handle the types of cases you hear?

5. INTERPRETATIONS OF INTERVIEW AND CASE FILE REVIEW FINDINGS

I have presented to you some preliminary results from our review of the case files of victims from the fall of 1998. Do these results make sense to you? Are you surprised by what you see?

CLOSING

Thank you for participating in our study. if you have any other ideas you want to share, please contact us at the National Center for State Courts in Arlington @ (703) 841-0200, or at the Williamsburg office @ (757) 253-2000.

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Implementing an Integrated Domestic Violence Court Appendix H • H-1
 District of Columbia Superior Court DVU Study
 Data Tables

Table H-1.

DC Superior Court Domestic Violence Coordination Unit and Domestic Violence Intake Center

Selected Case Statistics, 1998-1999

	Jan 98	Feb 98	Mar 98	Apr 98	May 98	Jun 98	Jul 98	Aug 98	Sep 98	Oct 98	Nov 98	Dec 98	Jan 99	Feb 99	Mar 99	Apr 99	May 99	Jun 99	Jul 99	Aug 99	Sep 99	Oct 99	Nov 99	Dec 99	
DVU (DVUCU statistics)																									
Total Cases for Disposition	1,684	1,667	1,626	1,728	1,699	1,769	1,799	1,775	1,847	1,884	1,817	1,740	1,700	1,585	1,481	1,250	1,087	1,034	1,034	1,150	1,181	1,194	1,168	1,175	
CPO cases new filings	271	240	296	329	281	346	314	332	297	295	266	249	262	261	297	282	269	340	316	351	315	228	304	256	
CPO cases total pending	515	491	586	604	596	619	626	593	571	542	535	487	461	493	533	520	527	576	594	612	558	482	498	450	
CPO granted	48	46	48	47	75	71	65	47	90	74	67	65	64	29	69	44	48	47	47	62	51	52	56	40	
CPO denied	17	24	25	23	46	30	32	31	26	22	18	24	28	27	22	19	28	22	22	26	23	24	40	22	
CPO petitions withdrawn	17	13	11	10	12	7	8	6	5	3	7	9	12	8	11	10	4	12	7	8	2	5	5	3	
Consent CPOs issued	73	81	118	92	78	93	85	101	66	64	76	63	41	88	84	84	98	84	117	94	105	85	104	69	
CPO Dismissals	139	95	140	152	146	147	175	159	167	139	155	152	99	141	135	141	142	171	151	173	165	153	140	146	
CPO contempt motions filed	24	20	16	16	11	10	23	15	20	22	20	17	22	19	19	26	14	20	27	26	20	18	21	24	
CPO contempt motions total pe	70	56	40	46	33	34	41	39	38	44	49	42	41	49	40	50	39	39	56	53	48	45	53	44	
Paternity/Support new	30	17	35	32	32	30	38	43	34	27	22	12	28	38	32	22	10	33	30	27	46	35	34	20	
Paternity/Support total pending	161	133	159	168	167	171	164	153	171	154	140	124	123	139	145	134	103	120	124	125	131	121	129	107	
Paternity/Support granted	31	25	31	36	33	37	32	17	44	29	29	32	27	31	26	32	16	22	17	25	23	14	26	17	
DVIC (OCC statistics from DVIC Intake Sheets)																									
Intake Sheet sign-ins (OCC st	317	320	455	449	457	473	201	519	450	394	364	341	381	322	424	418	422	512	478	496	413	340	349	372	
Female													304	270	341	367	328	417	371	398	332	270	276	281	
Under 18													9	8	15	13	11	15	9	22	9	8	7	12	
Cross Petitions													29	19	22	24	21	38	46	26	23	24	29	36	
Left w/o being seen													31	10	39	40	35	68	28	43	39	36	27	18	
Child in Common													164	133	185	193	216	234	202	210	185	125	137	144	
Receive TANF													51	51	79	67	78	88	69	83	77	58	52	39	
Filing for Child Support													24	23	22	23	20	38	26	37	34	52	54	59	
Seen by USAO													74	75	91	30	91	67	94	86	74	76	67	75	
Private Attorney													2	1	0	0	2	1	1	1	0	1	0	2	
Non-IF Case													17	7	8	6	12	14	17	17	17	8	12	10	
DVIC (DCCADV statistics)																									
Persons Seen (DCCADV stats)													341	344	465	458	368	411							
Cross Petitions													25	25	23	14	34	30							
Persons who Left													21	23	31	34	15	68							
With Children in Common													165	165	193	186	170	101							
On Public Assistance													57	60	89	69	70	60							
Filing for Child Support													76	80	89	80	79	56							
CPO New Petitions													262	261	297	282	268	340							
Contempt Motions													22	19	19	26	14	*							

Sources: DC Superior Court "Domestic Violence Unit Summary", Monthly Reports, provided by the Director of the Domestic Violence Coordination Unit; special report prepared by the OCC for the Domestic Violence Intake Center Implementation Committee, and special report prepared by the DVIC Coordinator for the DC Coalition Against Domestic Violence.

H-2 • Appendix H Implementing an Integrated Domestic Violence Court

District of Columbia Superior Court DVU Study

Data Tables

Table H-2.

Case Review File Results

Selected Petition and Case Demographics for Interviewed Victims,

Non-Interviewed Victims, and Combined Study Samples

	total sample		interview sample		non-interview sample	
	n	%	n	%	n	%
<i>Cross Petition Filed</i>						
no	436	89.5	211	89.0	225	90.0
yes	51	10.5	26	11.0	25	10.0
total	487	100.0	237	100.0	250	100.0
<i>If Cross Petition, Granted?</i>						
no	30	58.8	15	57.7	15	60.0
yes	21	41.2	11	42.3	10	40.0
total	51	100.0	26	100.0	25	100.0
<i>Petitioner Gender</i>						
female	416	85.4	208	87.8	208	83.2
male	71	14.6	29	12.2	42	16.8
total	487	100.0	237	100.0	250	100.0
<i>Respondent Gender</i>						
female	76	15.7	33	14.0	43	17.3
male	408	84.3	202	86.0	206	82.7
total	484	100.0	235	100.0	249	100.0
<i>Petitioner Race/Ethnicity</i>						
black	393	87.5	184	84.8	209	90.1
white	11	2.4	5	2.3	6	2.6
hispanic	28	6.2	15	6.9	13	5.6
other	8	1.8	4	1.8	4	1.7
unknown	9	2.0	9	4.1	0	0.0
total	449	100.0	217	100.0	232	100.0
<i>Respondent Race/Ethnicity</i>						
black	404	90.0	190	88.0	214	91.8
white	10	2.2	6	2.8	4	1.7
hispanic	27	6.0	12	5.6	15	6.4
other	1	0.2	1	0.5	0	0.0
unknown	7	1.6	7	3.2	0	0.0
total	449	100.0	216	100.0	233	100.0
<i>Child(ren) in Common</i>						
no	247	50.8	122	51.7	125	50.0
yes	239	49.2	114	48.3	125	50.0
total	486	100.0	236	100.0	250	100.0

Sources: DC Superior Court Domestic Violence Coordination Unit case files; and District of Columbia Superior Court mainframe

DVU Case Docketing and Calendaring System viewed on-line.

Implementing an Integrated Domestic Violence Court Appendix H • H-3

District of Columbia Superior Court DVU Study
Data Tables

Table H-3.
Case Review File Results for Combined Study Samples
TPO Process and TPO Case Remedies

	total sample	
	n	%
TPO PROCESS		
<i>TPO Requested by Petitioner?</i>		
no	96	19.7
yes	391	80.3
<i>total</i>	487	100.0
<i>TPO Disposition</i>		
granted	368	94.1
denied	13	3.3
DWOP	9	2.3
other	1	0.3
<i>total</i>	391	100.0
<i>If TPO granted, was it extended?</i>		
no	282	75.8
yes	90	24.2
<i>total</i>	372	100.0
TPO REMEDIES		
[check all that apply, yes indicated, total n=358]		
not to abuse, threaten, harass	358	100.0
stay away	348	97.2
no contact	340	95.0
temporary custody to one party (p or r)	150	41.9
party (p or r) to vacate home	78	21.8
police stand by while p or r vacates home	81	22.6
police ensure p or r turns over keys	58	16.2
police assist with service of process	273	76.3
other relief as specified	80	22.3

Sources: DC Superior Court Domestic Violence Coordination Unit case files; and District of Columbia Superior Court mainframe
DVU Case Docketing and Calendaring System viewed on-line.

H-4 • Appendix H Implementing an Integrated Domestic Violence Court

District of Columbia Superior Court DVU Study

Data Tables

Table H-4.
Case Review File Results for Combined Study Samples
CPO Representation and Service of Process

	total sample	
	n	%
REPRESENTATION		
<i>Petitioner Represented in CPO Hearing(s)?</i>		
no	393	80.9
yes, OCC	50	10.3
yes, legal clinic	16	3.3
yes, private counsel	13	2.7
yes, other (includes Legal Aid)	14	2.9
<i>total</i>	486	100.0
<i>Respondent Represented in CPO Hearing(s)?</i>		
no	431	88.7
yes	55	11.3
<i>total</i>	486	100.0
SERVICE OF PROCESS		
<i>Evidence of Successful Service in Case File?</i>		
no	176	39.4
yes	271	60.6
<i>total</i>	447	100.0
<i>If evidence in file, service by whom?</i>		
MPD	141	52.4
court staff in "lock up" or arraignment court	77	28.6
process server	14	5.2
other means (includes clerk of court)	36	13.4
served by other jurisdiction	1	0.4
<i>total</i>	269	100.0

Sources: DC Superior Court Domestic Violence Coordination Unit case files; and District of Columbia Superior Court mainframe DVU Case Docketing and Calendaring System viewed on-line.

Implementing an Integrated Domestic Violence Court Appendix H • H-5

District of Columbia Superior Court DVU Study
Data Tables

Table H-5.
Case Review File Results for Combined Study Samples
CPO Process and Disposition

	total sample	
	n	%
PETITIONER WITHDRAWAL FROM PROCESS		
<i>Petitioner Requested Dismissal/Withdrawal/Motion to Vacate</i>		
no	376	77.5
yes, pre-CPO hearing	25	5.2
yes, at CPO hearing	71	14.6
yes, post-CPO hearing	13	2.7
<i>total</i>	485	100.0
CPO PROCESS		
<i>Continuances Granted Prior to CPO Hearing?</i>		
no	370	76.1
yes	116	23.9
<i>total</i>	486	100.0
<i>Court Disposition at CPO Hearing</i>		
order entered	218	44.8
dismissed, petitioner request	92	18.9
dismissed, petitioner no show	150	30.8
dismissed, respondent not served	1	0.2
denied following hearing	25	5.1
granted but order later vacated	1	0.2
<i>total</i>	487	100.0
<i>If CPO Granted, by Consent?</i>		
no	55	25.1
yes	164	74.9
<i>total</i>	219	100.0
<i>If CPO Granted, Modifications Requested?</i>		
no	174	79.5
yes	45	20.5
<i>total</i>	219	100.0

Sources: DC Superior Court Domestic Violence Coordination Unit case files; and District of Columbia Superior Court mainframe
DVU Case Docketing and Calendaring System viewed on-line.

H-6 • Appendix H Implementing an Integrated Domestic Violence Court

District of Columbia Superior Court DVU Study

Data Tables

Table H-6.
Case Review File Results for Combined Study Samples
CPO Remedies and Contempt

	total sample	
	n	%
CPO REMEDIES		
[check all that apply, 'yes' presented, total n=209]		
not to abuse, threaten, harrass	205	98.1
stay away	171	81.8
no contact	157	75.1
temprary custody to one party (p or r)	100	47.8
visitation for p or r	75	35.9
visitation supervised	18	8.6
party (p or r) to vacate home	32	15.3
policy to accompany p or r to recover belongings	21	10.0
police to ensure p or r turn over keys	3	1.4
respondent to pay child support	9	4.3
r to maintain health insurance policy	10	4.8
r to provide financial assistance	24	11.5
award possession and use of property	4	1.9
r to enrolled in alcohol/drug abuse program	44	21.1
r to enroll in DV program	93	44.5
r to enroll in parenting program	24	11.5
r to enroll in other treatment program	13	6.2
r to pay attorney's fees and costs	2	1.0
other relief as specified	55	26.3
CONTEMPT		
<i>Civil Contempt Charges Filed?</i>		
no	206	94.1
yes	13	5.9
<i>total</i>	219	100.0
<i>Outcome of Civil Contempt Charges</i>		
not found, or unknown outcome	8	3.8
contempt found	3	1.4
charges dismissed	2	1.0
<i>total</i>	13	100.0
<i>Criminal Contempt Charges Filed?</i>		
no	210	95.9
yes	9	4.1
<i>total</i>	219	100.0
<i>Outcome of Criminal Contempt Charges</i>		
not found, or unknown outcome	8	*
contempt found	1	*
charges dismissed	9	*

Sources: DC Superior Court Domestic Violence Coordination Unit case files; and District of Columbia Superior Court mainframe

DVU Case Docketing and Calendaring System viewed on-line.

Implementing an Integrated Domestic Violence Court Appendix H • H-7

District of Columbia Superior Court DVU Study

Data Tables

Table H-7.
Case Review File Results for Interviewed Sample Only
Related Criminal Case Filings and Case Details

		total sample	
		n	%
<i>Criminal Case Filed Related to CPO Incident?</i>			
	no	193	78.1
	yes	54	21.9
	<i>total</i>	247	100.0
<i>Criminal Case Filed Against</i>			
	respondent	52	96.3
	petitioner	2	3.7
	<i>total</i>	54	100.0
<i>Criminal Case Certified out of DVU?</i>			
	no	51	96.2
	yes	2	3.8
	<i>total</i>	53	100.0
<i>Respondent Representation in Criminal Case</i>			
	public defender	34	64.2
	3rd-year law student	1	1.9
	private counsel	1	1.9
	unknown/unclear	16	30.2
	no applicable	1	1.9
	<i>total</i>	53	100.0
<i>Criminal Case Type</i>			
	misdemeanor	52	96.3
	felony	2	3.7
	<i>total</i>	54	100.0
<i>Criminal Case Outcome</i>			
	no papered	5	9.3
	dismissed without prejudice [DWOP]	13	24.1
	nolle prosequi	17	31.5
	bench warrant issued	1	1.9
	deferred sentencing	3	5.6
	not guilty verdict	2	3.7
	guilty verdict	10	18.5
	continued [no verdict at time of file review]	3	5.6
	<i>total</i>	54	100.0
<i>Sentence</i>			
	probation only	0	0.0
	probation plus confinement	1	7.7
	confinement only	6	46.2
	deferred sentencing	1	7.7
	to be determined	4	30.8
	execution of sentence suspended	1	7.7
	<i>total</i>	13	100.0

Sources: DC Superior Court Domestic Violence Coordination Unit case files; District of Columbia Superior Court mainframe *DVU Case Docketing and Calendaring System* viewed on-line; and District of Columbia Superior Court mainframe *Criminal Information System* screens "Case Details", "Offense Details", and "PDID Summary" reports for located victim and respondent records.)

H-8 • Appendix H Implementing an Integrated Domestic Violence Court

District of Columbia Superior Court DVU Study

Data Tables

Table H-8.
Case Review File Results for Combined Study Samples
Civil Case History Summary

	total sample			
	n	%		
CIVIL CASE HISTORY (CASES EVER OPENED including IF, Divorce, Custody, or Support)				
Neither Party	254	52.2%		
Petitioner Only	29	6.0%		
Respondent Only	17	3.5%		
Petitioner and Respondent	187	38.4%		
<i>Total</i>	487	100.0%		
PRIOR CIVIL HISTORY ['yes' presented, total n=487 cases]				
<i>Prior History of Recorded Domestic Violence Activity Between Study Petitioner and Respondent</i>				
Prior TPO petition(s) filed?	91	18.7%		
Prior TPO petition(s) granted?	57	11.7%		
Prior CPO petition(s) granted?	42	8.6%		
<i>Prior History of Recorded Domestic Violence Activity Between Study Respondent and Other Parties</i>				
Prior TPO petition(s) filed?	25	5.1%		
Prior TPO petition(s) granted?	15	3.1%		
Prior CPO petition(s) granted?	16	3.3%		
<i>Prior History of Recorded Domestic Violence Activity Between Study Petitioner and Other Parties</i>				
Prior TPO petition(s) filed?	27	5.5%		
Prior TPO petition(s) granted?	12	2.5%		
Prior CPO petition(s) granted?	15	3.1%		
CONTEMPORARY/SUBSEQUENT CIVIL HISTORY ['yes' presented, total n=487 cases]				
<i>Subsequent Domestic Violence Activity Between Study Petitioner and Respondent</i>				
TPO petition(s) filed?	58	11.9%		
TPO petition(s) granted?	37	7.6%		
CPO petition(s) granted?	21	4.3%		
<i>Civil Domestic Relations Cases with Study Pet. and Resp. at Time of Pet. Appearance in DVIC</i>				
Divorce complaint filed?	11	2.3%		
Custody complaint filed?	33	6.8%		
Support petition filed?	8	1.6%		

Sources: DC Superior Court Domestic Violence Coordination Unit case files; and District of Columbia Superior Court mainframe

DVU Case Docketing and Calendaring System viewed on-line.

Implementing an Integrated Domestic Violence Court Appendix H • H-9

District of Columbia Superior Court DVU Study

Data Tables

Table H-9.
Case Review File Results for Interviewed Sample Only
Criminal Case History Summary

	total sample	
	n	%
CRIMINAL CASE HISTORY (CHARGES) FOUND		
Neither Party	82	34.7
Petitioner Only	15	6.4
Respondent Only	107	45.3
Petitioner and Respondent	32	13.6
<i>Total</i>	236	100.0
PETITIONER CHARGES [OTHER THAN STUDY-RELATED CRIMINAL CASE]		
[total n=236]		
<i>Prior History</i>		
Domestic criminal charge involving study R or other R(s) prior	15	6.4
Non-domestic criminal charges involving study R or other R(s) prior	33	14.0
<i>Subsequent Activity</i>		
Domestic criminal charge involving study R or other R(s) prior	4	1.7
Non-domestic criminal charges involving study R or other R(s) prior	5	2.1
RESPONDENT CHARGES [OTHER THAN STUDY-RELATED CRIMINAL CASE]		
[total n=236]		
<i>Prior History</i>		
Domestic criminal charge involving study R or other R(s) prior	55	23.3
Non-domestic criminal charges involving study R or other R(s) prior	126	53.4
<i>Subsequent Activity</i>		
Domestic criminal charge involving study R or other R(s) prior	30	12.7
Non-domestic criminal charges involving study R or other R(s) prior	34	14.4

Sources: DC Superior Court Domestic Violence Coordination Unit case files; and District of Columbia Superior Court mainframe *Criminal Information System* screens “Case Details”, “Offense Details”, and “PDID Summary” reports for located victim and respondent records.

H-10 • Appendix H Implementing an Integrated Domestic Violence Court

District of Columbia Superior Court DVU Study

Data Tables

Table H-10.
Petitioner Respondent Impressions of System Professionals and Actors
Second Victim Interview

	not at all	a little	inbetween	mostly	very much
	%	%	%	%	%
Attorney (n=27)					
Really listened to me and heard my concerns	3.7	0.0	7.4	0.0	88.9
Helped me understand what the process would be like	3.7	0.0	3.7	7.4	85.2
Helped me make decisions about what to do	14.8	7.4	7.4	7.4	63.0
Expressed concern for my safety	7.4	3.7	3.7	3.7	81.5
Fairly represented interests at the hearing	7.4	3.7	7.4	0.0	81.5
Attorney Negotiator (n=36):					
Really listened to me and heard my concerns	2.8	2.8	8.3	8.3	77.8
Treated me fairly	2.8	0.0	5.6	8.3	83.3
Made me feel pressured to make an agreement	80.6	5.6	2.8	0.0	11.1
I felt pressured to give up things I wanted in the order	77.8	11.1	2.8	0.0	8.3
Judge (n=51)					
Really listened to my side of the story	9.8	3.9	3.9	11.8	70.6
Treated me fairly	11.8	2.0	5.9	9.8	70.6
Treated the other person fairly	0.0	0.0	10.0	8.0	82.0
Expressed concern for my safety	11.8	3.9	3.9	9.8	70.6
Took the violence seriously	11.8	2.0	2.0	7.8	76.5
Took concern for the children seriously	21.6	0.0	5.4	5.4	67.6
US Attorney's Office Victim Advocates (n=9)					
Really listened to my concerns	0.0	0.0	0.0	11.1	88.9
Helped me understand what the process would be like	0.0	0.0	0.0	33.3	66.7
Expressed concern for my safety	11.1	0.0	0.0	22.2	66.7
Helped me make decisions about what to do	12.5	0.0	12.5	12.5	62.5

Source: NCSC Evaluation of DC Superior Court Domestic Violence Unit, Second Victim Interview.

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District of Columbia Superior Court DVU Study

Data Tables

**Table H-11.
Petitioner Respondent History of Abuse (Emotional), Physical Abuse, and Injury Items
Second Victim Interview**

	never*	rarely	occasionally	frequently	very frequently			
	%	%	%	%	%			
HISTORY OF ABUSE								
How often, if ever, did your partner:								
Call you names	10.8	18.1	19.3	21.7	30.1			
Swear at you	16.8	16.9	18.1	21.7	26.5			
Yell and scream at you	7.2	15.7	20.5	19.3	37.3			
Treat you like an inferior	22.9	9.6	20.5	16.9	30.1			
Monitor your time and whereabouts	35.0	10.8	9.6	16.9	27.7			
Use money	48.3	10.8	7.2	9.6	24.1			
Act jealous or suspicious of your friends	16.8	3.6	14.5	16.9	48.2			
Accuse you of having an affair	26.6	13.3	10.8	12.0	37.3			
Interfere in your relationships with family	42.3	12.0	8.4	9.6	27.7			
keep you from helping yourself	42.3	10.8	12.0	12.0	22.9			
Restrict your use of the telephone	71.1	7.2	7.2	1.2	13.3			
Say your feelings were irrational	26.8	11.0	17.1	19.5	25.6			
Blame you for his/her problems	24.1	6.0	15.7	12.0	42.2			
Try to make you feel crazy	21.7	8.4	6.0	19.3	44.6			
	never	once	twice	3-5x	6-10x	11-20x	more 20x	not this
		in year	in year	in year	in year	in year	in year	yr but before
	%	%	%	%	%	%	%	%
PHYSICAL ABUSE								
How often, if ever, did your partner:								
Throw something at you	56.0	11.0	11.0	9.8	3.7	1.2	0.0	7.3
Push, grab, or shove you	18.3	12.2	14.6	30.5	11.0	1.2	8.5	3.7
Beat you up	47.6	18.3	12.1	6.1	6.1	0.0	4.9	4.9
Slap you	53.7	15.9	11.0	8.5	1.2	1.2	2.4	6.1
Choke you	56.1	17.1	7.3	9.7	3.7	0.0	2.4	3.7
Kick, bite, or hit you with something	46.3	18.3	7.3	12.3	6.1	2.4	1.2	6.1
Threaten you with knife or gun	62.1	15.9	9.8	7.3	0.0	0.0	3.7	1.2
Use a knife or gun	87.7	3.7	4.9	1.2	0.0	0.0	0.0	2.5
	no	yes						
	%	%						
INJURY								
Because of a fight with my partner I:								
Felt physical pain the next day	35.4	64.6						
Had sprain, bruise, or small cut	46.3	53.7						
Had broken bone	97.5	2.5						
Passed out from hit on head	95.1	4.9						
Needed to see a doctor but didn't	78.0	22.0						
Went to see a doctor	76.8	23.2						

Source: NCSC Evaluation of DC Superior Court Domestic Violence Unit, Second Victim Interview.

Injury scale from Straus et al. (1995).

Note: Each item (n=82 or 83)

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District of Columbia Superior Court DVU Study

Data Tables

Table H-12.
Petitioner Respondent Quality of Life Scale
Second Victim Interview

	extremely pleased	pleased	mostly satisfied	mixed	mostly dissatisfied	unhappy	terrible
	%	%	%	%	%	%	%
QUALITY OF LIFE							
How do you feel about:							
your life as a whole	23.8	31.0	27.4	11.9	2.4	1.2	2.4
yourself, in general	36.9	28.6	15.5	11.9	4.8	2.4	0.0
your personal safety	25.0	23.8	29.8	13.1	4.8	2.4	1.2
the amount of fun and enjoyment you have	21.4	34.5	25.0	9.5	6.0	1.2	2.4
the responsibilities you have for your family	28.9	37.3	15.7	7.2	4.8	0.0	0.0
what you are accomplishing with your life	29.8	31.0	23.8	10.7	1.2	2.4	1.2
your independence or freedom	46.4	28.6	16.7	6.0	0.0	2.4	0.0
your emotional and psychological well-being	16.7	39.3	16.7	19.0	3.6	3.6	1.2
the way you spend your free time	19.0	33.3	23.8	13.1	6.0	2.4	1.2
	no	yes					
	%	%					
EFFECTS OF DVIC AND RECOMMENDATIONS							
Has your life improved since coming to DVIC	22.9	77.1					
Would you seek the services of the DVIC again or would you recommend it to a friend	4.8	95.2					

Source: NCSC Evaluation of DC Superior Court Domestic Violence Unit, Second Victim Interview.

Source scale items from Sullivan et al. (1992).

Note: Rows may not add to 100% due to rounding. Total n for all items 84.

Table H-13.
Waul Analysis Table 1
Selected Petition and Case Demographics for Interviewed Victims,
Non-Interviewed Victims, and Combined Study Samples

	Total Sample (n=71)	Obtained CPO (n=45)	No CPO (n=26)
Petitioner Demographics			
Mean Age	36	37.2	33.9
Black	58 (82%)	36 (80%)	22 (85%)
Some College	21 (30%)	14 (31%)	7 (27%)
Mean number of children	2.25	2.5	1.9
Employed	47 (66%)	30 (67%)	17 (65%)
Mean monthly income	\$1,201	\$1,269	\$1,084
Rely on respondent for income	12 (17%)	8 (18%)	4 (15%)
Relationship between Parties			
Currently or formerly dating	52 (72%)	33 (73%)	19 (73%)
History of Abuse			
Mean years of physical abuse	2.1 years	2.2 years	1.8 years
Prior TPO/CPO	9 (13%)	6 (13%)	3 (12%)
Prior criminal domestic charges	15 (21%)	10 (22%)	5 (19%)
Prior criminal non-domestic charges	31 (44%)	21 (47%)	10 (38%)
System Intervention			
Called police before coming to DVIC	55 (77%)	36 (80%)	19 (73%)
Petitioner was represented by attorney	16 (23%)	14 (31%)	2 (7%)
Safety plan	37 (52%)	23 (51%)	14 (54%)
Perception of System Intervention*			
DVIC staff listened to concerns	4.6	4.6	4.6
DVIC staff helped understand the process	4.3	4.4	4.2
DVIC staff expressed concern for safety	4.3	4.3	4.4
DVIC staff helped make decisions	3.7	3.6	3.8
Expectation that CPO can improve situation	4.1	4.2	3.8

* Mean score for a 5-point scale where 1 = not at all, 2 = very little, 3 = somewhat, 4 = mostly and 5 = very much.

Analyses by: Michelle R. Waul, Georgetown Public Policy Institute masters thesis, May 2000.

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District of Columbia Superior Court DVU Study

Data Tables

Table H-14.
Waul Analysis Table 2
Determinants of Participation in the CPO Hearing (LOGIT Results)

Variable	Beta Coefficient	Standard Error	Significance
Petitioner Demographics			
Age	.070	.047	.140
Black	-2.001	1.299	.123
College	2.495	1.246	.045
Number of children	.590	.283	.037
Employed	.762	.885	.389
Monthly income	.001	.001	.229
Reliance on respondent for income	.860	.910	.344
Relationship between Parties			
Currently or formerly dating	2.872	1.220	.019
History of Abuse			
Length of physical abuse	.000	.000	.414
Prior TPO/CPO	-.939	1.248	.452
Prior criminal domestic charge against respondent	1.709	1.053	.105
Prior criminal non-domestic charge against respondent	1.707	1.132	.132
System Intervention			
Called police before coming to DVIC	.690	.861	.423
Petitioner was represented by attorney	3.284	1.303	.012
Safety plan in place	-1.569	.936	.094
Perception of System Intervention			
DVIC staff listened to concerns	.295	.645	.648
Helped to understand the process	1.052	.565	.063
Expressed concern for petitioner safety	-.845	.518	.103
Helped petitioner make decisions	-1.247	.493	.012
Perception that CPO can help make situation better	1.164	.499	.020

Original Sources: D.C. Superior Court Domestic Violence Coordination Unit case files; District of Columbia Superior Court mainframe *DVU Case Docketing and Calendaring System* viewed on-line; and District of Columbia Superior Court mainframe *Criminal Information System* screens "Case Details", "Offense Details", and "PDID Summary" reports for located victim and respondent records

Analyses by: Michelle R. Waul, Georgetown Public Policy Institute masters thesis, May 2000.

Figure I-1.

Power and Control Wheel



Source: *Power and Control Wheel*. Reprinted with permission from Minnesota Program Development, Inc., Domestic Abuse Intervention Project. 202 East Superior Street, Duluth, MN, 55802

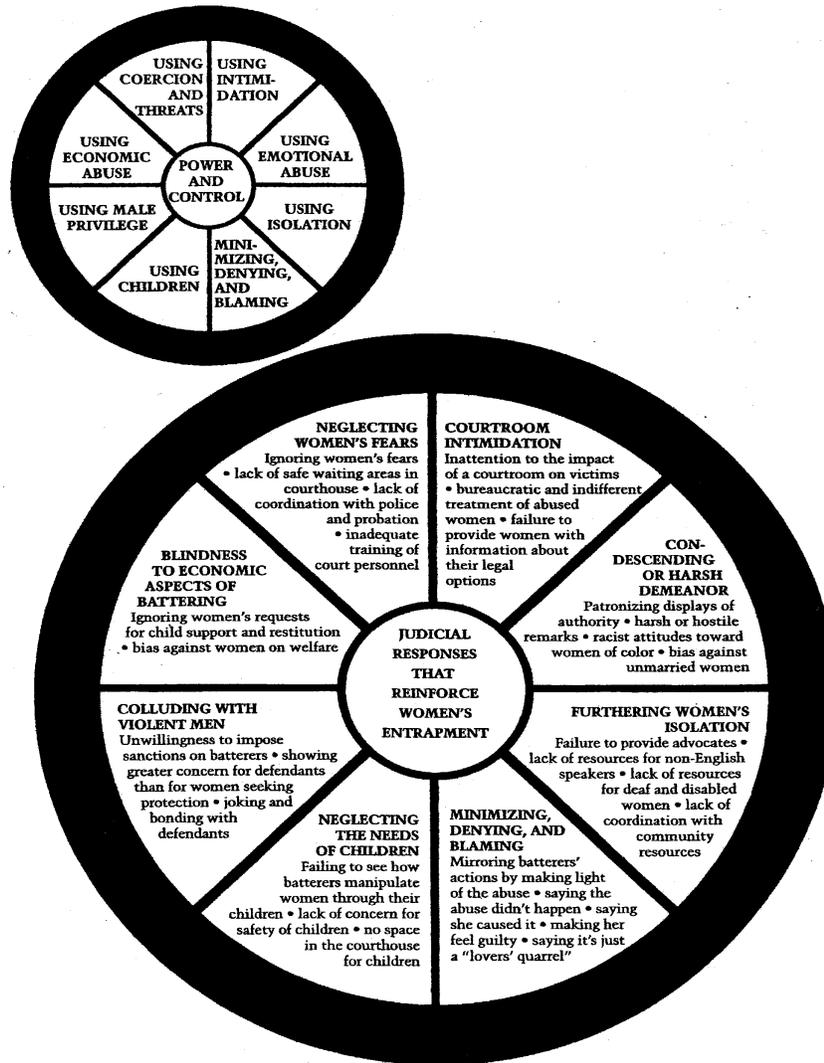
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District of Columbia Superior Court DVU Study

Power and Control Wheel and Adaptations

Figure I-2.

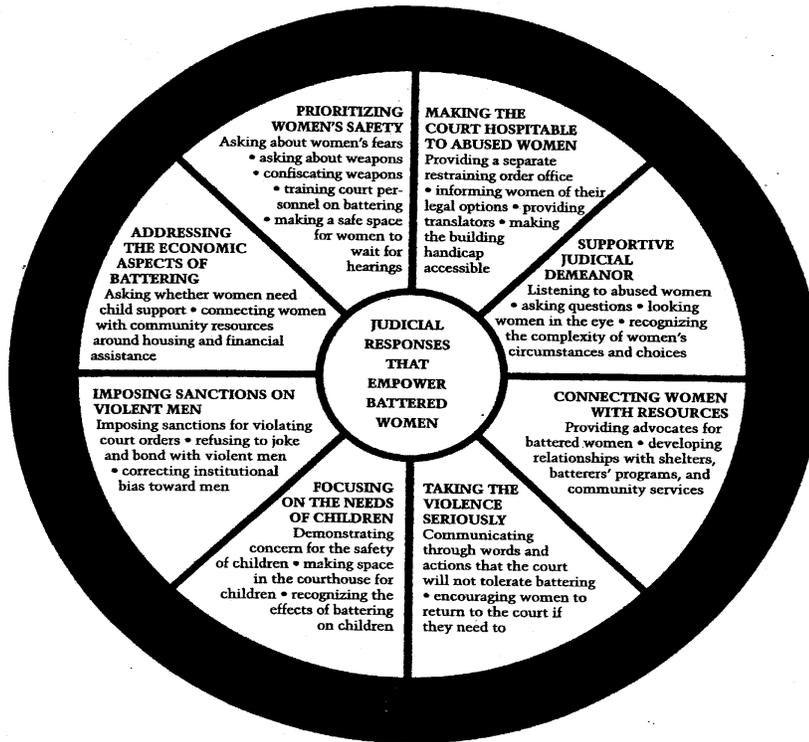
Judicial Responses that Reinforce Women's Entrapment



Source: From *Battered Women in the Courtroom: the Power of Judicial Responses* by James Ptacek (page 174, Figure 8.2). Copyright 1999 by James Ptacek. Reprinted with the permission of Northeastern University Press

Figure I-3.

Judicial Responses that Empower Battered Women



Source: From *Battered Women in the Courtroom: the Power of Judicial Responses* by James Ptacek (page 176, Figure 8.3). Copyright 1999 by James Ptacek. Reprinted with the permission of Northeastern University Press

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District of Columbia Superior Court DVU Study

Power and Control Wheel and Adaptations

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