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Violence Against Women Act Formula Grant Program Funds for Courts

Results of a Survey to State Court Administrators

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Highlights

The STOP (Services, Training, Officers, and Prosecutors) Violence Against Women Formula Grants Program is a formula grant program to states to develop and strengthen the justice system's response to violence against women and to support and enhance services for victims. Under the reauthorization of the Violence Against Women Act, each state and territory must allocate at least five percent of the state STOP monies to courts-based programs or initiatives.

In June 2003, NCSC surveyed state court administrators to determine how these funds were being used. Responses were received from 37 states, the District of Columbia, Guam, and Northern Mariana Islands (see appendix A). Of the 40 respondents, 28 (70 percent) had a designated point person in the Administrative Office of the Courts (AOC) on family violence issues (see appendix B). Three key findings are highlighted below.

1. **The majority of state court administrative offices agreed that the state courts were receiving the mandated set-aside from the Violence Against Women Act.**

The majority of state court administrative offices responding to this survey indicated that they were receiving the five percent set-aside from the STOP program; however, a significant number of administrative offices noted that the courts were not receiving all of the 5 percent set-aside (7 states/territories) or were simply not sure (8 states/territories). Additionally, a number of states noted that the competitive bidding process created challenges in meeting the mandate, as few courts were applying for STOP funds.

2. **Perceptions of the effectiveness of the state's current mechanism for distribution of STOP grants were influenced by the role of the AOC in the decision-making process.**

Approximately half of the respondents felt that the state's current mechanism for distributing the STOP funds to courts was effective in meeting the needs of the courts. But perceptions of the effectiveness of the STOP program were tempered by the role of the AOC. Of the 40 respondents, 15 AOCs (38 percent) indicated that they had no role in the identification of court needs and priorities for the STOP program. Only 3 of those 15 respondents (20 percent) perceived the state's current mechanism for distribution of grants to courts as effective in serving the needs of the courts, compared to 18 of the 25 respondents (72 percent) from states where the AOC had some role in the distribution of STOP funds to courts.

3. **Judicial and court staff training are the most common usage of STOP funds and the areas in greatest need of technical assistance.**

STOP funds were used for judicial training in 31 of 40 states/territories (78 percent) and for court staff in 26 states/territories (65 percent). The greatest needs in the area of technical assistance were in training for judges and court staff. Other training needs included technology acquisition/data collection; involving courts in coordinated community responses; developing judicial resource guides; and developing specialized courts or dockets.

Distribution of STOP Grants

The majority of respondents (25 states/territories) agreed that their courts received the entire 5 percent set-aside required by the Violence Against Women Act. As Exhibit 1 shows, 15 respondents (38 percent) did not concur that the courts were receiving the 5 percent set-aside or were simply not sure.

Exhibit 1: Distribution of STOP Funds for Courts

Question: Are the courts receiving all of the 5 percent set-aside designated for the courts in your state?

Yes	25 states/territories	63 percent
No	7 states/territories	18 percent
Not Sure	8 states/territories	20 percent
	40	

The seven states/territories reporting that the courts were not receiving the 5 percent set-aside were Arkansas, Georgia, Minnesota, Oklahoma, Virginia, Wisconsin, and Wyoming.[1] There was a general uncertainty regarding the amount of STOP funds allocated to the courts. A number of respondents also indicated that few courts were applying for funds—a factor that made it difficult for state agencies to distribute funds to the courts on a competitive basis (e.g., Arkansas, Georgia, Minnesota, Oklahoma).

States varied considerably in how STOP grants were being awarded to the courts. Nearly half the responding states/territories (19) reported that grants were awarded through a competitive proposal process. A handful of states reported that funds were distributed according to an allocation formula or some criteria other than competitive bidding. Almost half of the responding states (18) reported that STOP grants were awarded to the AOC and individual courts based on some other distribution mechanism. Comments revealed that the distribution mechanism was not very well known in a number of states. For example, the Arkansas AOC stated they were not aware of the distribution mechanism or if the funds were being sent to the courts.

The AOC's role in the distribution of STOP grant funds also varied across states. Thirty-eight percent of respondents (15 states/territories) stated that the AOC had no defined role in the distribution of STOP grants designated for the courts. In nine of the responding states/territories (23 percent), the AOC submits a single STOP application for the courts and distributes the STOP funds for statewide projects and to local courts. In addition, nearly one-fourth of respondents identified the AOC's role as 'other,' which often included a combination of roles. For instance, in West Virginia, the AOC submits a single STOP application for the courts and manages the STOP funds for statewide training projects that are planned by the AOC and the state's STOP Advisory Group. In Oregon, the Office of State Court Administrator provides some coordination of applications from local courts and has also submitted applications on behalf of the statewide court system itself. Exhibit 2 shows the most common role of the AOC offices.

[1] Wyoming reported a higher percentage of funds spent on courts because the figures included probation.

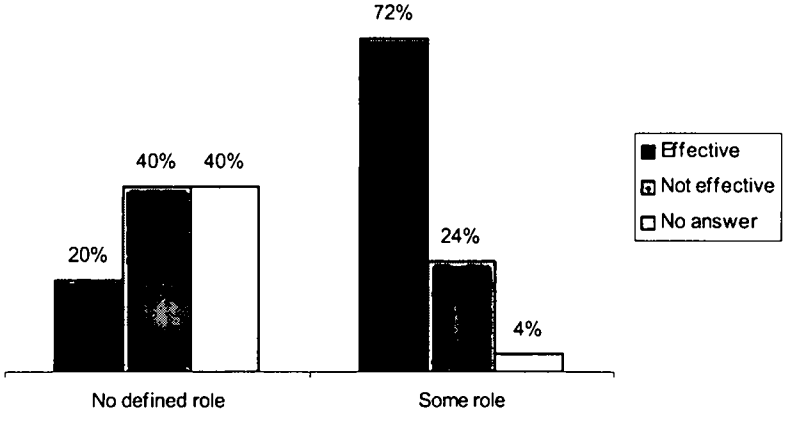
Exhibit 2: AOC Roles in Distribution of STOP Funds

Question: What is the AOC's role in STOP grant distribution and the identification of court needs and priorities?

	No. of States	Percentage
1. The AOC has no defined role	15	38
2. The AOC submits a single STOP application for the courts and distributes the STOP funds for statewide projects and to local courts.	9	23
3. Other	9	23
4. The AOC serves an advisory role to the state agency that makes the distribution decisions.	5	13
5. The AOC coordinates the local court STOP applications, but has no role in the distribution of funds.	2	5
	40	

State court administrators were asked if the state's current mechanism for distribution of STOP grants to courts was effective in serving the needs of the courts. Approximately half of the respondents (21) stated that the current mechanism was effective. Twelve states indicated that the state's current mechanism was not effective. Respondents from seven states did not provide an answer to this item. Exhibit 3 shows a strong relationship between the AOC's role in the distribution of STOP grant funds and perceptions of effectiveness. Of the 15 state respondents who stated that the AOC had no defined role in the distribution of grant funds to courts, 20 percent perceived the state's current mechanism to be effective, compared to 72 percent of AOCs that had some role in the distribution process.

Exhibit 3: AOC Roles in Distribution of STOP Funds and Perceptions of Effectiveness



Question: What is the AOC's role in STOP grant distribution and the identification of court needs and priorities?
[n=15 respondents with no defined role; 25 respondents with some role]
Question: Is the state's current mechanism for distribution of STOP grants to courts effective in serving the needs of the courts?

Use of Funds and Technical Assistance Needs

The state courts use STOP funds for a variety of purposes. Rankings for the most popular use of funds are displayed in Exhibit 4 (respondents could check multiple items).

Exhibit 4: Use of STOP Funds for State Courts

Question: Generally, how are the VAWA funds used by the state courts in your state?

	No. of States	Percentage
1. Training for Judges	31	78
2. Training for Court Staff	26	65
3. Developing judicial resource guides (e.g., "benchbooks")	14	35
4. Supporting programs for victims	13	33
5. Supporting specialized courts or dockets	12	30
6/7. Technology acquisition and/or data collection	11	28
6/7. Supporting court participation in coordinated community responses	11	28
8/9. Review/assessment of policies and procedures	10	25
8/9. Hiring court staff	10	25

In addition to the rankings by specific topics, a number of states indicated that STOP funds were used for additional purposes. In Arizona, funding was used to develop video-conferencing between selected courts and shelters/family advocacy centers for protection order cases. Montana used STOP funds to conduct a legal needs study to determine groups of people that may currently be underserved and to conduct a pilot study to test the feasibility of electronic submission of Orders of Protection forms. In Missouri, STOP grant funds were used to automate the filing of protection orders over the Internet on a pilot basis in the Kansas City area. In Oregon, STOP supported the interpretation and translation of court forms and information into Spanish, Russian, Vietnamese and Korean.

The area in greatest need for technical assistance was judicial and court staff training. Exhibit 5 shows the most commonly identified areas of need for technical assistance.

Exhibit 5: Courts' Needs in Technical Assistance

Question: What are the courts' needs in terms of technical assistance in regard to the STOP program?

	No. of States	Percentage
1. Training for Judges	26	65
2. Training for Court Staff	24	60
3. Technology acquisition and/or data collection	22	55
4. Involving courts in coordinated community responses	19	48
5. Developing judicial resource guides (e.g., "benchbooks")	18	45
6. Developing specialized courts or dockets	16	40
7. Creating policies and procedures	12	30
8. Developing offender-based programs	11	28
9/10. Addressing security issues	9	23
9/10. Establishing pre-trial services	9	23

In addition to the need for technical assistance noted in Exhibit 5, individual states cited needs in the following areas: evidence-based standardized treatment programs for batterers (Montana); assistance in translating documents and orders into Spanish, Vietnamese and Hmong (Kansas); and experimenting with unified family courts, establishing best practices and procedures, program monitoring projects, and coordinated community responses (California).

Promising Practices

Finally, respondents were asked to identify STOP-funded projects in their states/territories that appear to be most promising in their approach to addressing violence against women. Appendix C provides a list of promising practices by state/territory. Generally, promising practices fell into the following categories:

- Judicial training programs (Alaska, California, New York, Oklahoma, Oregon, Utah, Washington, West Virginia)
- Training for support staff (Hawaii, Oregon, Utah)
- Automated protection order registries (Arizona, Missouri, North Dakota)
- Improvement of services/advocacy to victims (District of Columbia, Maryland, Massachusetts, South Carolina, South Dakota)
- Assessment of domestic violence court processes (Florida, Montana)
- Coordinated community responses (Georgia, Northern Mariana Islands, Wisconsin)
- Development of "benchbooks" or protocols (Michigan, New Hampshire, Washington, Wyoming)
- Hiring dedicated court staff (Nevada, New Mexico)
- Development of specialized court (Texas)

Appendix A

Responding States and Territories

Alaska	Hawaii	Nebraska	Pennsylvania
Arizona	Idaho	Nevada	South Carolina
Arkansas	Kansas	New Hampshire	South Dakota
California	Kentucky	New Mexico	Texas
Colorado	Maryland	New York	Utah
Delaware	Massachusetts	North Dakota	Virginia
District of Columbia	Michigan	Northern Mariana Islands	Washington
Florida	Minnesota	Ohio	West Virginia
Georgia	Missouri	Oklahoma	Wisconsin
Guam	Montana	Oregon	Wyoming

Appendix B

Responding States and Territories with Points of Contact in the AOC on Family Violence Issues

Alaska	Georgia	Missouri	Oregon
Arizona	Guam	Montana	South Carolina
Arkansas	Idaho	Nebraska	Utah
California	Kansas	Nevada	Virginia
Delaware	Maryland	New York	Washington
District of Columbia	Massachusetts	Ohio	West Virginia
Florida	Michigan	Oklahoma	Wyoming

Appendix C

Promising Practices

Question: Which STOP-funded project in your state appears to be most promising in its approach to addressing violence against women? Please explain.

State/Territory	Promising Practice
Arizona	The enhancement of the Court Protective Order Repository (CPOR). The courts enter data from protective orders into CPOR which is a data warehouse housed at the Administrative Office of the Courts (AOC). The CPOR data will be made available to the Department of Public Safety (DPS) for enforcement and transfer of the information to NCIC. We are currently in the process of testing the link between AOC and DPS.
California	In general, one of our most significant goals this year was to expand educational opportunities for judicial officers and create incentives. We need to increase the number of judicial officers who attend educational programs in these crucial areas. One of our most successful programs involved an interdisciplinary judicial education program on domestic violence. Courts that received other funding from the AOC were strongly encouraged to send representatives to this event and we reached many judicial officers who might otherwise not attend. Thus, we linked attendance at relevant educational programs as a condition (or a strong suggestion) of receiving other funding. We also are developing a protective order bench manual that will be available to judicial officers on demand via a secure web site.
District of Columbia	The establishment of a Domestic Violence Intake Center which provides a one-stop center where domestic violence victims can receive services, including assistance in completing petitions for protection orders, safety planning and social service agency referrals. There are now two intake centers, one is located in the courthouse and the other is located in the community.
Florida	Domestic Violence Court Assessment
Georgia	DV ALERT - a comprehensive response to Domestic Violence in Douglas County.
Hawaii	Training in the basics of domestic violence, primarily for support staff, i.e., clerks, bailiffs, receptionists, deputy sheriffs, etc. New staff, including judges and probation officers, also are invited to this training, which is provided in the circuit requesting the training.
Kansas	Since there has not been a thorough needs assessment it would be premature to identify either of the two Kansas programs as a promising approach. Both are good programs but there may be higher needs in the state.

State/Territory	Promising Practice
Maryland	The Governor's Office of Crime, Control & Prevention receives the STOP funds for their STOP Violence Against Women Formula Grant Program. The AOC applies to GOCCP and has received a grant to fund a Protective Order Advocacy and Representation Project in Baltimore County Circuit Court, which provides advocacy and representation to victims of Domestic Violence.
Massachusetts	STOP funded projects that provide advocates for all aspects of court proceedings are extremely helpful. These include domestic violence(civil restraining orders, criminal, domestic relations) as well as civilian advocates working with police departments.
Michigan	Michigan has developed 2 benchbooks: one on law and procedure in cases involving domestic violence and one on law and procedure in cases involving sexual assault. The books are a resource for all court staff and a training guide for new court employees. Both books are available on line via the Supreme Court website.
Missouri	Automated reporting of adult protection orders - This allows law enforcement to have immediate electronic notification of the existence of an adult protection order.
Northern Mariana Islands	I believe the interagency Task Force that includes all agencies involved in victim, mental health, and legal services.
Montana	The STOP-funded project for a statewide evaluation of domestic violence court cases appears to be the most promising. Through this project, a written survey instrument has been developed, face-to-face and telephone surveys have been conducted with judges, clerks of court, and victim advocates across the state, criteria has been established to analyze the results, and recommendations will be formulated based on that criteria. This information will be invaluable in assessing statewide needs and developing responses to those needs.
Nevada	S-T-O-P funds were used by the Las Vegas Justice Court to hire a law clerk dedicated to domestic violence. The law clerk keeps the justices' of the peace abreast of sentencing guidelines, legislative changes that may affect domestic violence cases and has provided training for the justices'. (This response was given to the AOC by the Nevada Attorney General's Office.)
New Hampshire	Funding for the NHDOJ on behalf of the NH Governor's Commission on Domestic and Sexual Violence. All multidisciplinary protocol development goes through the Commission.
New Mexico	Funding for compliance officers in the magistrate system
New York	We have funding to conduct critically needed domestic violence training for local magistrates that hear the majority of domestic violence misdemeanors. There are 2,000 such local magistrates who operate mostly on their own with limited knowledge/access to information about domestic violence.
North Dakota	Automated Protection Order processing from petition to final order.
Oklahoma	Intensive 3 day training programs for Judges identified as needing this training.

State/Territory	Promising Practice
Oregon	In 2001, funds were used to hold five regional statewide trainings for judges and court staff. These were "advanced" DV trainings with a theme on how to provide a consistent response to DV in juvenile, criminal, domestic relations and restraining order dockets.
South Carolina	Programs which offer services for follow-up/outreach programs for battered women.
South Dakota	The hiring of two domestic violence coordinators to assist victims through the protection order and court process.
Texas	In Dallas County, a project was funded that creates a specialized domestic violence court. Staffing consists of one judge, one court coordinator, one public defender, four clerks, two bailiffs, two assistant district attorneys, one district attorney investigator, and one court assistant. In an effort to improve the delivery of justice to victims of domestic violence, this court was established to hear domestic violence cases only. The court handles the following misdemeanor cases: domestic violence, stalking, violation of court protective orders, and harassment. By centralizing responsibility for all domestic violence offenses, there will be continuity in rulings and application of law. All agencies providing support services to victims coordinate through the judge and court coordinator to provide continuity of care for victims and their families.
Virginia	Have seen no program evaluations distinguishing promising versus not promising programs. By "addressing" it, do you mean stopping domestic violence?
Washington	Several local projects are promising: (1) Whatcom County designed a comprehensive, specialized, domestic violence justice administration program. "The Whatcom County Judicial Guidelines for Domestic Violence" was produced and distributed to all the judges in the superior, district and municipal courts; (2) Tacoma Municipal Court developed a 1-day training for attorneys who sit as pro-tem judges.
Wisconsin	Judicial Oversight Initiative in Milwaukee. A multi-system, unified response to domestic violence operated by the Chief Judge.
West Virginia	Because the West Virginia Legislature recently changed the manner in which domestic violence cases are handled in the court system, we've experienced a great need for training judicial officers in the basics of domestic violence. In the past, our magistrates heard the emergency petition, as well as the final hearing. Now, the magistrates continue to hear the emergency petition, but the final hearing is held before a family court judge with appeals going to the circuit judges. The training that we've been able to provide through our STOP grant has been a tremendous help. This spring we held our first ever multi-judicial level (circuit, family and magistrate) Domestic Violence Institute. It was an opportunity for the officers from the different courts to express their views and learn from one another. The development of the Domestic Violence Benchbook is still in the draft stage, but has been well received by those judicial officials who have reviewed it.
Wyoming	Our 2004 funds will be used to develop a benchbook, which we believe will be beneficial.