

POLICY ANALYSIS CHECKLIST FOR CUSTODY CASES

Policy Title:

A. Principles	
Does the policy ensure a response that:	How does this happen?
<input type="checkbox"/> Adheres to the principle of child and survivor safety and wellbeing.	
<input type="checkbox"/> Adheres to an approach that provides information on the nature, context and implications of abuse for parenting, co-parenting, and the best interests of the child.	
<input type="checkbox"/> Prioritizes information gathering about the full history of domestic violence, without restriction as to recency, potency, help-seeking, and/or prior court, law enforcement, or child protection involvement.	
<input type="checkbox"/> Adheres to the principle of party autonomy and self-determination.	
<input type="checkbox"/> Acknowledges the roles and functions that different system actors (judges, lawyers, mediators, guardians ad litem, advocates, court staff, mental health professionals, child protection workers, etc.) play in the custody process, the different goals and purposes of each system actor, and the limits of authority of each system actor within the custody process.	
<input type="checkbox"/> Recognizes the importance of collaboration among system actors and provides linkages among them to ensure that the system as a whole is effective.	
<input type="checkbox"/> Prioritizes swift action and consequences for violations of custody orders and provides a swift mechanism for modifying orders as permitted or required by law.	
<input type="checkbox"/> Prioritizes timely communication to enhance the parties' understanding of the system's response.	
<input type="checkbox"/> Is convenient, accessible and easily understood by a diverse group of individuals.	
<input type="checkbox"/> Reduces unintended consequences and disparate impact on victims, children, and offenders that can impair their ability to manage safety and economic security.	
<input type="checkbox"/> Relies on the most complete, relevant, accurate and up-to-date information to inform the system's response.	

<input type="checkbox"/> Conforms to the letter and spirit of the law.	
B. Procedures	
Does the policy ensure a response that:	How does this happen?
<input type="checkbox"/> References applicable laws, definitions and authority.	
<input type="checkbox"/> Accounts for how victims may use violence in response to battering by an abuser.	
<input type="checkbox"/> Provides mechanisms for documenting the nature, context and implications of abuse for parenting, co-parenting and the best interests of the child when and wherever possible.	
<input type="checkbox"/> Reinforces swift, timely response focused on victim and child safety and well-being.	
<input type="checkbox"/> Recognizes the ways in which abusers use children and ongoing custody and child support litigation to control adult victims of abuse.	
<input type="checkbox"/> Neither mandates nor prohibits participation in mediation by victims of domestic violence, but allows victims to opt in or opt out of mediation based on knowing, voluntary and informed consent.	
<input type="checkbox"/> Provides criteria and procedures for addressing the use, possession and control of firearms whenever it appears that restricting firearms may be in the best interests of the child.	
<input type="checkbox"/> Provides safeguards to ensure that interactions with other disciplines, including child protection, custody evaluators, Guardians ad litem, and others minimize intrusiveness into the lives of victims and children.	
<input type="checkbox"/> Optimizes information sharing and processing among system actors, including clear, concise, up-to-date documentation of all temporary, interim, emergency, permanent and foreign custody orders.	
<input type="checkbox"/> Includes mechanisms for monitoring special conditions of custody orders, including compliance with supervised visitation and exchange, parenting education, batterer intervention, and chemical dependency treatment.	
<input type="checkbox"/> Provides mechanisms to ensure safe engagement with the court, such as remote appearances or enhanced courtroom security.	

<input type="checkbox"/> Utilizes standardized forms that facilitate the issuance and enforcement of clear, consistent orders that are understandable by people of limited English proficiency.	
<input type="checkbox"/> Facilitates access to advocates for all court procedures including mediation.	
<input type="checkbox"/>	
C. Monitoring	
Does the policy ensure a response that:	How does this happen?
<input type="checkbox"/> Includes steps to ensure compliance and address non-compliance with custody and visitation orders.	
<input type="checkbox"/> Provides continuing education and training for court personnel on an on-going basis.	
<input type="checkbox"/> Allows for internal and external review of the custody system.	
<input type="checkbox"/> Includes multidisciplinary processes to periodically review and monitor policies and protocols to evaluate and address barriers to access, issuance, service and enforcement of custody orders, including emergency, temporary, interim, and final custody orders and modifications.	
<input type="checkbox"/> Includes mechanisms for monitoring and ensuring system actors' compliance with policies and protocols at all stages of the custody process.	
<input type="checkbox"/> Specifies how and under what time frame events in the custody process occur.	
<input type="checkbox"/>	
<input type="checkbox"/>	