

Domestic Relations Court Judges Survey

The Family Court Enhancement Project

A collaborative project of the National Council of Juvenile and Family Court Judges (NCJFCJ), the Department of Justice's Office on Violence Against Women (OVW), the Battered Women's Justice Project, and the National Institute for Justice

- Research conducted by: Dr. Christine George
- The Center for Urban Research and Learning (CURL) at Loyola University Chicago

As a domestic relations judge, you are being asked to participate in a survey as a part of the planning phase of the Family Court Enhancement Project. This survey is administered by the Center for Urban Research and Learning at Loyola University Chicago.

The goal of the Family Court Enhancement Project is to improve the family court response to custody cases involving domestic violence so that resulting parenting and co-parenting arrangements protect the emotional and physical well-being of victimized parents and their children.

The data gathered from this survey will help us assess the information made available to judges managing child-related remedies in orders of protection in the Domestic Relations Division. From this survey, we ultimately hope to identify the information made available to judges hearing orders of protection, the information judges believe necessary for properly adjudicating child-related remedies, and any possible difficulties obtaining this information.

This survey should take **approximately 30 minutes**. Please make every effort to answer each question carefully and with thorough consideration. This survey is completely anonymous, and it does not record your name. There are no identifying pieces information that can be traced back to participants of this survey.

If you have any questions regarding this survey, please contact Dr. Christine George, Research Associate Professor at the Center for Urban Research and Learning at Loyola University Chicago, at 773-508-8533 or cgeorg@luc.edu.

For this survey, please keep in mind the following parameters

"Always" indicates an action completed **above 70%** of the time

"Sometimes" indicates an action completed **between 70% and 50%** of the time

"Rarely" indicates an action completed **between 50% and 30%** of the time

"Never" indicates an action completed **below 30%** of the time

Thank you!

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3. Is it available to you at final hearing?

Always Usually Sometimes Never

4. What are the sources of this information?

1. Litigant testimony and pleadings? Yes _____ No _____

How informative is that source? **Always, Usually, Sometimes, Never**

2. Documentary evidence introduced by the parties? Yes _____ No _____

How informative is that source? **Always, Usually, Sometimes, Never**

3. Testimony by police officer, school personnel, other family members?

Yes _____ No _____

How informative is that source? **Always, Usually, Sometimes, Never**

4. Information/reports or testimony provided by DCFS? Yes _____ No _____

How informative is that source? **Always, Usually, Sometimes, Never**

5. Court Information regarding case outcomes in pending or prior cases involving the parties? Yes _____ No _____

How informative is that source? **Always, Usually, Sometimes, Never**

6. Other (please explain) _____

How informative is that source? **Always, Usually, Sometimes, Never**

• Law enforcement interventions involving the parties

1. Do you think this information is needed?

Always Usually Sometimes Never

2. Is it available to you at an emergency hearing?

Always Usually Sometimes Never

3. Is it available to you at a final hearing?

Always Usually Sometimes Never

4. What are the sources of this information?

1. Litigant testimony and pleadings? Yes _____ No _____

How informative is that source? **Always, Usually, Sometimes, Never**

2. Documentary evidence introduced by the parties? Yes _____ No _____

How informative is that source? **Always, Usually, Sometimes, Never**

3. Documentary Evidence/Testimony offered by police officer, school personnel, other family members? Yes _____ No _____

How informative is that source? **Always, Usually, Sometimes, Never**

4. Information/reports or testimony provided by DCFS? Yes _____ No _____

How informative is that source? **Always, Usually, Sometimes, Never**

5. Court Information regarding case outcomes in pending or prior cases involving the parties? Yes _____ No _____

How informative is that source? **Always, Usually, Sometimes, Never**

6. Testimony of the minor child? Yes _____ No _____

How informative is that source? **Always, Usually, Sometimes, Never**

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7. Other (please explain) _____
How informative is that source? **Always, Usually, Sometimes, Never**

• Past and current involvement of DCFS

1. Do you think this information is needed?
Always Usually Sometimes Never

2. Is it available to you at an emergency hearing?
Always Usually Sometimes Never

3. Is it available to you at a final hearing?
Always Usually Sometimes Never

4. What are the sources of this information?

1. Litigant testimony and pleadings? Yes _____ No _____
How informative is that source? **Always, Usually, Sometimes, Never**

2. Documentary evidence introduced by the parties? Yes _____ No _____
How informative is that source? **Always, Usually, Sometimes, Never**

3. Testimony by police officer, school personnel, other family members?
Yes _____ No _____
How informative is that source? **Always, Usually, Sometimes, Never**

4. Information/reports or testimony provided by DCFS? Yes _____ No _____
How informative is that source? **Always, Usually, Sometimes, Never**

5. Court Information regarding case outcomes in pending or prior cases involving the parties? Yes _____ No _____
How informative is that source? **Always, Usually, Sometimes, Never**

6. Testimony of the minor child? Yes _____ No _____
How informative is that source? **Always, Usually, Sometimes, Never**

7. Other (please explain) _____
How informative is that source? **Always, Usually, Sometimes, Never**

• Existence of past or current orders of protection involving parties

1. Do you think this information is needed?
Always Usually Sometimes Never

2. Is it available to you at an emergency hearing?
Always Usually Sometimes Never

3. Is it available to you at a final hearing?
Always Usually Sometimes Never

4. What are the sources of this information?

1. Litigant testimony and pleadings? Yes _____ No _____
How informative is that source? **Always, Usually, Sometimes, Never**

2. Documentary evidence introduced by the parties? Yes _____ No _____
How informative is that source? **Always, Usually, Sometimes, Never**

3. Testimony by police officer, school personnel, other family members?
Yes _____ No _____

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How informative is that source? **Always, Usually, Sometimes, Never**

4. Information/reports or testimony provided by DCFS? Yes ___ No ___

How informative is that source? **Always, Usually, Sometimes, Never**

5. Court Information regarding case outcomes in pending or prior cases involving the parties? Yes ___ No ___

How informative is that source? **Always, Usually, Sometimes, Never**

6. Testimony of the minor child? Yes ___ No ___

How informative is that source? **Always, Usually, Sometimes, Never**

7. Other (please explain) _____

How informative is that source? **Always, Usually, Sometimes, Never**

3. In your experience as a domestic relations judge are child related remedies in an Order of Protection ever sought or granted as a preliminary matter in a divorce or paternity action?

Yes _____ NO _____

If yes,

What background information is provided to you when hearing a *petition for an OP involving children in common*?

- Pending cases involving parties

5. Do you think this information is needed?

Always Usually Sometimes Never

6. Is it available to you at an emergency hearing?

Always Usually Sometimes Never

7. Is it available to you at a plenary hearing?

Always Usually Sometimes Never

8. What are the sources of this information?

1. Litigant testimony and pleadings? Yes ___ No ___

How informative is that source? **Always, Usually, Sometimes, Never**

2. Documentary evidence introduced by the parties? Yes ___ No ___

How informative is that source? **Always, Usually, Sometimes, Never**

3. Testimony by police officer, school personnel, other family members?

Yes ___ No ___

How informative is that source? **Always, Usually, Sometimes, Never**

4. Information/reports or testimony provided by DCFS? Yes ___ No ___

How informative is that source? **Always, Usually, Sometimes, Never**

5. Court Information regarding case outcomes in pending or prior cases involving the parties?

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Yes ___ No ___

How informative is that source? **Always, Usually, Sometimes, Never**

6. Testimony of the minor child? Yes ___ No ___

How informative is that source? **Always, Usually, Sometimes, Never**

7. Other _____

How informative is that source? **Always, Usually, Sometimes, Never**

- **Prior criminal involvement of either party**

5. Do you think this information is needed?

Always Usually Sometimes Never

6. Is it available to you at an emergency hearing?

Always Usually Sometimes Never

7. Is it available to you at a plenary hearing?

Always Usually Sometimes Never

8. What are the sources of this information?

1. Litigant testimony and pleadings? Yes ___ No ___

How informative is that source? **Always, Usually, Sometimes, Never**

2. Documentary evidence introduced by the parties? Yes ___ No ___

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3. Testimony by police officer, school personnel, other family members?

Yes ___ No ___

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4. Information/reports or testimony provided by DCFS? Yes ___ No ___

How informative is that source? **Always, Usually, Sometimes, Never**

5. Court Information regarding case outcomes in pending or prior cases involving the parties? Yes ___ No ___

How informative is that source? **Always, Usually, Sometimes, Never**

6. Other: _____

How informative is that source? **Always, Usually, Sometimes, Never**

- **Law enforcement interventions involving the parties**

4. Do you think this information is needed?

Always Usually Sometimes Never

5. Is it available to you at an emergency hearing?

Always Usually Sometimes Never

6. Is it available to you at a plenary hearing?

Always Usually Sometimes Never

4. What are the sources of this information?

1. Litigant testimony and pleadings? Yes ___ No ___

How informative is that source? **Always, Usually, Sometimes, Never**

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2. Documentary evidence introduced by the parties? Yes ___ No ___
How informative is that source? **Always, Usually, Sometimes, Never**
3. Testimony by police officer, school personnel, other family members?
Yes ___ No ___
How informative is that source? **Always, Usually, Sometimes, Never**
4. Information/reports or testimony provided by DCFS? Yes ___ No ___
How informative is that source? **Always, Usually, Sometimes, Never**
5. Court Information regarding case outcomes in pending or prior cases involving the parties? Yes ___ No ___
How informative is that source? **Always, Usually, Sometimes, Never**
6. Testimony of the minor child? Yes ___ No ___
How informative is that source? **Always, Usually, Sometimes, Never**
7. Other (please explain) _____
How informative is that source? **Always, Usually, Sometimes, Never**

• Past and current involvement of DCFS

4. Do you think this information is needed?
Always Usually Sometimes Never
5. Is it available to you at an emergency hearing?
Always Usually Sometimes Never
6. Is it available to you at a plenary hearing?
Always Usually Sometimes Never
4. What are the sources of this information?
 2. Litigant testimony and pleadings? Yes ___ No ___
How informative is that source? **Always, Usually, Sometimes, Never**
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How informative is that source? **Always, Usually, Sometimes, Never**
 6. Testimony of the minor child? Yes ___ No ___
How informative is that source? **Always, Usually, Sometimes, Never**
 7. Other (please explain) _____
How informative is that source? **Always, Usually, Sometimes, Never**

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- Existence of past or current orders of protection involving parties
 4. Do you think this information is needed?
Always Usually Sometimes Never
 5. Is it available to you at an emergency hearing?
Always Usually Sometimes Never
 6. Is it available to you at a plenary hearing?
Always Usually Sometimes Never
 4. What are the sources of this information?
 1. Litigant testimony and pleadings? Yes _____ No _____
How informative is that source? **Always, Usually, Sometimes, Never**
 2. Documentary evidence introduced by the parties? Yes _____ No _____
How informative is that source? **Always, Usually, Sometimes, Never**
 3. Testimony by police officer, school personnel, other family members?
Yes _____ No _____
How informative is that source? **Always, Usually, Sometimes, Never**
 4. Information/reports or testimony provided by DCFS? Yes _____ No _____
How informative is that source? **Always, Usually, Sometimes, Never**
 5. Court Information regarding case outcomes in pending or prior cases involving the parties? Yes _____ No _____
How informative is that source? **Always, Usually, Sometimes, Never**
 6. Other _____
How informative is that source? **Always, Usually, Sometimes, Never**

4. Which, if any, of the following things represents a primary concern that may limit your ability to make a decision on child related issues on a case?

- One parent is represented while the other is not
- Lack of witnesses
- Lack of sufficient documentary evidence to meet the burden of proof
- The ability to accommodate the needs of the child including all aspects of care
- Other (please explain) _____

5. Do you know if an order of protection from the Domestic Violence Division originated from a criminal case?

Always Usually Sometimes Never

If yes, how are you made aware of that fact? _____

6. When addressing or ultimately crafting child related remedies, what would help you when OPs are transferred to you from the DVD?

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- Having temporary child related remedies granted with designation of possible modification from domestic relations judge
Always Usually Sometimes Never
- Having all child related remedies reserved
Always Usually Sometimes Never
- Having children named as protected parties with physical care and possession awarded but issues of visitation and custody reserved
Always Usually Sometimes Never
- Other (please list) _____
Always Usually Sometimes Never

7. If you believe visits or access to children represent a threat of harm, what restrictive provision of your order might you include if that threat is:

- To children

- To the petitioner

- To both petitioner and child

8. Do you require an affidavit from anyone who is supervising child exchange or visits? Yes ___ No ___

If yes, what must/should it address?

9. Feel free to offer any additional insights or comments below including but not limited to an indication of what other information you would like to have to make child related decisions

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