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**MANAGING DOMESTIC VIOLENCE
ACROSS MULTIPLE COURT SYSTEMS**

Protecting Delaware's Children
Domestic Violence Track
March 2015

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LEARNING OBJECTIVES

By the end of this workshop, participants will be better able to:

- Recognize the different approaches different legal systems take to domestic violence
- Recognize the competing expectations different legal systems have of victims and perpetrators of domestic violence
- Manage professional expectations and responses to domestic violence across multiple court systems

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CASE STUDY

Facts:

- 7-year old boy calls 911 – his father is beating up his mother
- 911 operator can hear a commotion in the background
- Mother is yelling for help
- Son is upset and screaming at his father to stop

What is the Typical Criminal Justice Response?

- 911
- Law enforcement
- Prosecutor

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SAME FACTS...

Facts:

- 7-year old boy calls 911 – his father is beating up his mother in the kitchen
- 911 operator can hear a commotion in the background
- Mother is yelling for help
- Son is upset and screaming at his father to stop

What is the Typical Child Welfare Response?

- Intake
- Investigation
- Intervention

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AS TO...



Criminal Court **Child Welfare**

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INSTITUTIONAL GOALS & PRIORITIES

Criminal Justice = Public Safety	Child Welfare = Child Safety
Goals:	Goals:
• Hold criminals accountable	• Protect children
• Protect victims	• Achieve permanency
• Deter future harm	• Strengthen families
Priorities:	Priorities:
• Prove their case	• Establish a care plan
• Gain victim cooperation	• Monitor compliance
• Keep victim away from defendant	• Keep source of danger at bay

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BACK TO OUR CASE...

Facts:

- 7-year old boy calls 911 – his father is beating up his mother
- 911 operator can hear a commotion in the background
- Mother is yelling for help
- Son is upset and screaming at his father to stop

What is the Typical Civil Response?

- Protection from Abuse
- Child custody

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AS TO...

Protection from Abuse **Child Custody**

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INSTITUTIONAL GOALS & PRIORITIES

PFA = Victim Safety	Custody = Restructuring Family
Goals:	Goals:
<ul style="list-style-type: none"> • Protect victims • Provide relief to manage safety • Deter future harm 	<ul style="list-style-type: none"> • Establish parental access • Allocate parental decision-making • Foster post-separation stability
Priorities:	Priorities:
<ul style="list-style-type: none"> • Keep defendant away • Punish violations 	<ul style="list-style-type: none"> • Support parent-child relationships • Promote best interests of the child

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IN SUM...

Professionals tend to operate within one or two legal settings

- Sometimes, that is due to statutory authority and/or limits
- Sometimes, it is a matter of resource allocation
- Sometimes, it is just business as usual

Parties tend to bounce between and among different legal settings


- Sometimes, they are where they are by virtue of choice
- Sometimes, they are where they are due to circumstances beyond their control

Practitioners should endeavor to:

- Understand the complexity of managing safety across multiple systems
- Recognize and account for the competing demands on parties
- Develop coordinated responses that include PFA and custody interventions

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QUESTIONS AND COMMENTS



**BATTERED WOMEN'S
JUSTICE PROJECT**

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