



FAMILY COURT ENHANCEMENT PROJECT

This project was supported by Grant No. 2014-TA-AX-K001 awarded by the Office on Violence Against Women, US Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this program are those of the author(s) and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women.

- What is FCEP?
- Our challenges and strategies
- Specific activities/projects
- Your questions!

Today

- **Our Family Court**

- 38 elected Judges - 14 hear Family, Juvenile, Criminal-DV cases (10 Judges, 4 Referees)
- One Family, One Judge policy – After Judge hears case for one hour or more, all current and new cases regarding that family go to that Judge-in all family law cases
- Busy dockets. Intricate rotations. Booked several months in advance.
- Multnomah County has a multi-decade history (since mid-1980's) of community collaboration, in which Court has a leadership role.



About our court

- Demonstration grant from the Office on Violence Against Women
- 4 sites chosen nationally-initially for a technical assistance grant-decided to offer noncompetitive grants to the sites
- Goal: To improve the family court response in 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.

Family Court Enhancement Project (FCEP)

Management Team

- Chief Family Law Judge, OJD
- Legal Advocacy Coordinator, Home Free
- FCEP Coordinator, OJD
- Program Manager of Family Court Services, Mult. Co.
- Juvenile Court Improvement Coordinator, Mult. Co.
- Coordinator, Mult. Co DV Coordinator's Office
- Sr. Research Assistant, Portland State University
- Custody Evaluator, Private Practice
- Supervisor, Safety First Supervised Visitation Program
- Deputy Trial Court Administrator, OJD
- Attorneys, Legal Aid Services of Oregon and Oregon Law Center
- Director, Gateway Center for DV Services

About our team

Collaborative Workgroup (FVCC)

- Family Law Judges, OJD
- Law Enforcement, Portland Police Bureau, MC Sheriff's Office, Gresham
- Multnomah County District Attorney's Office
- Numerous Nonprofit DV/SA Services Providers
- Numerous Culturally Specific Nonprofit DV/SA Services Providers
- Batterers Intervention Providers
- Aging and Disability Services
- CASA
- Therapists
- Mediators, Custody Evaluators
- Attorneys, Legal Aid and OR Crime Victim's Law Center, Public Defenders
- Multnomah County Parole and Probation
- DHS

About our team

- Families facing DV and those that assist them often lack the information and support they need to seek and secure services and legal relief that protect their emotional and physical well-being and that of their children
- Custody and parenting time decisions often do not adequately account for the implications of domestic violence and do not protect the emotional and physical well-being of victimized parents and their children.
- Litigants with DV as a primary issue in their custody or parenting time case don't feel understood, respected, or treated fairly and the courts lack both institutionalized methods to receive feedback from DV survivors about their experience and the opportunities to enhance community perceptions of respect and procedural fairness

Our problem areas

- Limited resources (money and time)
 - Still recovering from budget cuts
 - Lack of time to dedicate to “extras”
- Some Judges feel overly focused on DV
- Buy-in from professionals not usually part of domestic violence conversations

About our challenges

- Procedural fairness “hot” issue
- Courts have history of dedication to DV work
- Multnomah County is good at collaboration

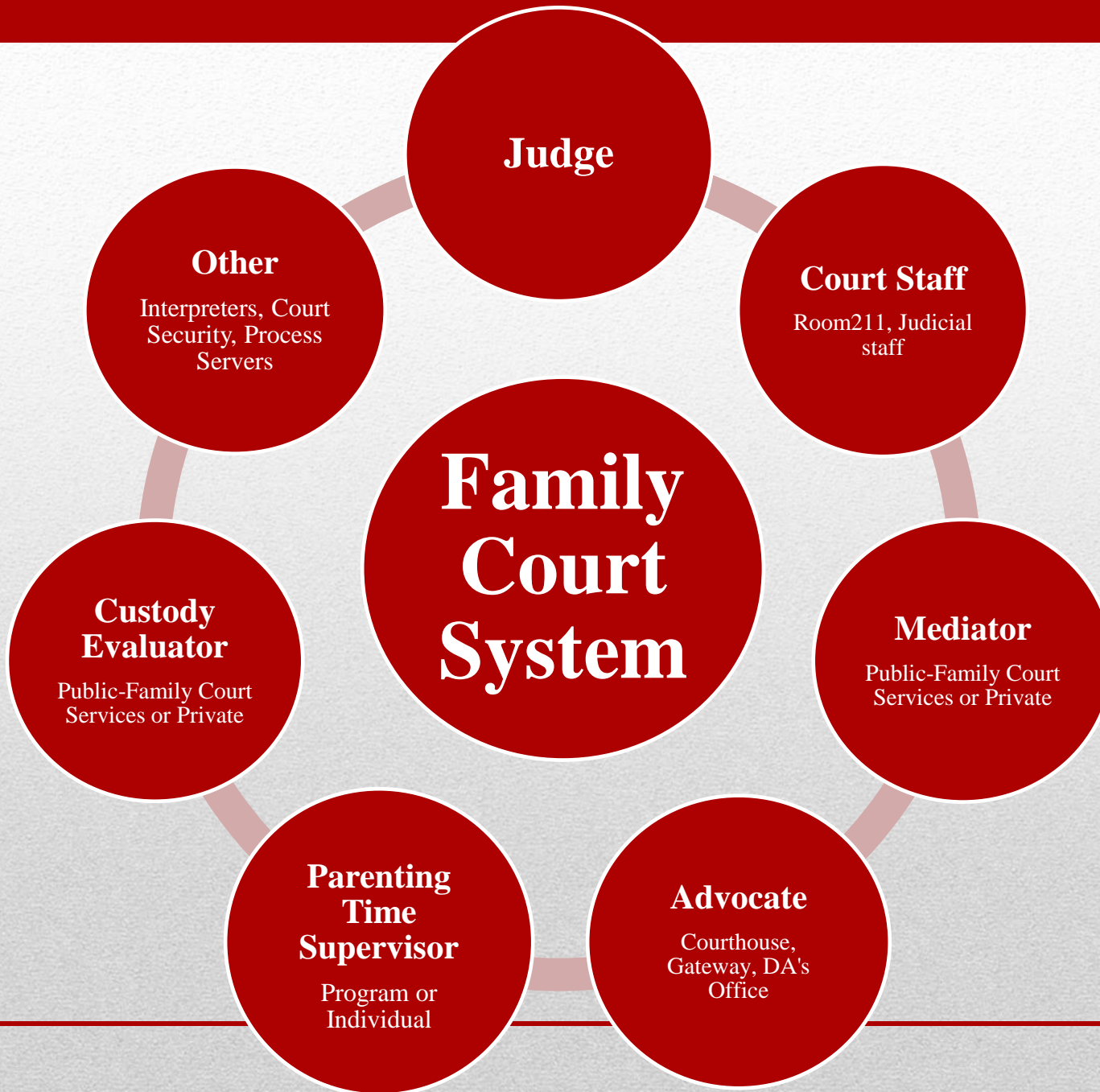
About our strengths

- Create subcommittees with diverse membership
- Strategizing with court administrators to best utilize time
- Invited private practitioners to the Management Team and subcommittees
- Providing constructive feedback to judges and courts
- Actively engaging other professionals

Strategies

- 7 focus groups with 30 survivors, most were women of color/immigrants or refugees
- 4 groups were in languages other than English
- Conducted 11 one-on-one interviews with survivors
- 2 focus groups with 9 attorneys
- 3 interviews with Custody Evaluators
- 3 interviews with attorneys representing children

Focus Groups & Interviews



The identified problem areas aligned with survivors' and practitioners' concerns about the family court system

- Everyone needs shared definition of DV
- Need more resources for litigants
- Judges are perceived as biased
- There is not enough opportunity to have children's voices heard in the process.
- Non English speaking women, almost all reported having a bad experience with an interpreter.
- For women of color-definite concerns about racism in the courts

What did we learn?



ACTIVITIES

- Created and hired a Court Navigator to help self-represented litigants (SRL) with DV issues navigate their family law case by helping them with things like:
 - Start case, explain processes
 - Prepare for court
 - Issue spot when they have stalled in their family law case
 - Create a safety focused parenting plan

Court Navigator

- We did not work hard enough to integrate Navigator into current court structure
- Hard identifying the group we wanted to target
- More focused on contested FAPA proceedings
- Learned what litigants actually want/need
- Significant community outreach

Challenges and Success

- Create dialogue with Judges regarding comments and feedback from survivor focus groups
- Create long lasting feedback mechanisms for litigants to get info to the courts
- Train court staff about issues of procedural fairness
- Create and administer a survey to litigants to gather baseline information that can be repeated after the FCEP grant ends, based on research

Procedural Fairness



Do you agree or disagree with the following statements?

Strongly Agree

Agree

Disagree

Strongly Disagree

No Opinion

The people who work in the courthouse were respectful to me.

Court staff explained things to me in ways I could understand.

When I left, I understood what the next steps in my case were.

I felt safe while in the courthouse.



**If you appeared in a court hearing today,
please respond to these additional statements:**

Strongly Agree

Agree

Disagree

Strongly Disagree

No Opinion

At the start of the hearing, the Judge explained how the hearing would proceed.

The Judge listened to me when I was speaking.

I was able to share with the Judge the information I felt was important. (Or the Judge told me why he or she could not consider information I wanted the Judge to know about).

The Judge conducted the hearing in a neutral manner.

I understood what the Judge's decision was.

The Judge explained the reasons for his or her decision.

The Judge and staff in the courtroom were respectful to me.

- Hard to make folks want to look critically at their own behavior
- Lack of understanding why PF is important
- Have trained a number of court staff, judges, and attorneys on Procedural Fairness

Challenges and Success

- Created a tool with suggested guidelines for universal DV screening by family law professionals
- Court Staff:
 - basic Trauma Training
 - Domestic Violence Training
 - Procedural Fairness Training
- Domestic Violence Advocates about family law process
- Multi-disciplinary training-mostly family law attorneys
- Brown-bag series-for attorneys, specifics about children
- Upcoming:
 - Training for Custody Evaluators
 - Court Interpreters

Tools and Trainings

- Training very well received
- Have pulled in those not usually part of DV conversations
- Creating cross discipline conversations
- Great tools/training available (like BWJP Practice Guide)
- Creating a tool, a long process...lots of interested parties

Challenges and Success

- Designated grant funding for videos
 - Evidence in custody trials
 - How to serve papers
 - How to start a family law case
- One page handouts on specific topics
 - Information for respondents in protective orders
 - Information about contesting restraining orders (both sides)
 - Guardianship
 - Info on Temporary orders
 - Comparison poster and hand outs for protective orders

Materials for SRL's

- Video procurement-long/complicated process
- Difficult to create plain language materials based on complicated legal topics
- Will have materials translated
- Working with State Family Law Advisory Committee and local Bar groups

Challenges and Success

- Our efforts to survey and conduct focus groups has lead to a lot of education on the issues.
- Anecdotally, we are hearing that practitioners know more about DV and are thinking about the implications on their cases.
- We will know more from survivors as time goes on

Are things Improving?

- We want the positions to continue
- Regular conversations about DV in family court-perhaps with our FVCC subcommittees

Sustainability

Other questions?

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