

FCEP IDENTIFICATION AND ASSESSMENT LESSONS LEARNED

<http://familycourtenhancementproject.org/lessons-and-products/fcep-identification-and-assessment-lessons-learned/>

Underlying Principles

- The purpose of the identification/assessment lessons learned is to organize the work of family court practitioners so that survivors have access to the kind of full and accurate information that enables them to make choices and exercise their autonomy. While the focus of these lessons is on *enabling the survivor to make informed decisions*, an additional important benefit will be improved family courts' ability to understand what is going on in the family so they can respond effectively.
- The underlying assumption is that survivors and others (abusers, children, witnesses, collateral sources) need to understand why they might choose to disclose domestic violence and the implications of disclosing and describing it (e.g., with whom the information may be shared and how it may be used).
- The family court system (both dispute resolution processes and the forms of relief available) must be understood by survivors before they engage with the family court system and make disclosures.
- For family courts, identifying domestic violence as an issue should not dictate any particular response other than triggering a further assessment and, thereafter, a differentiated response.
- Regardless of how the family courts come to know that domestic violence is an issue in a case, the family courts have an obligation to assess the violence and its effects further before responding.
- Procedures for screening and assessment of domestic violence should account for cultural and linguistic issues and differences.
- Each interaction between practitioners and parties should be a trauma-informed response to the possible and actual effects of trauma upon parties and children.

Basic Screening and Assessing Considerations

The presence of domestic violence can have major implications for child custody decision-making in any family court case. Therefore, it is critical that each family court practitioner maximize the likelihood that survivors make informed and safe disclosures of any abuse. It is also important that each practitioner fully assess the nature and context of the abuse and its effects before responding.

SCREENING

Survivors, perpetrators, witnesses, collateral sources, and children may not, for many reasons, disclose the existence of domestic violence or describe fully (or perhaps even understand) its nature, context, and effects. As survivors make decisions about whether, when, and to whom to disclose any domestic abuse, they are weighing the potential dangers of disclosure against the potential benefits. The dangers related to disclosure of domestic violence can include:

- (1) not being believed;
- (2) being blamed for staying in the relationship;
- (3) causing their children to be placed in unsafe custody arrangements;
- (4) triggering unwanted interventions such as child protective services or criminal court; and
- (5) triggering retaliation by their abusers, including reports to CPS, immigration problems, interference with employment, and serious or lethal violence against them, their children, or other family members and friends.

A party's decision about

- (1) whether to disclose any domestic abuse;
- (2) when to make any disclosures; and
- (3) how much to disclose

should be ***informed and voluntary***.

What helps a survivor to make an *informed* and *voluntary* decision on whether to disclose, when/how to disclose, and in what level of detail to disclose?

Every initial contact with any party in any case should include a screening conversation that is designed to improve the likelihood that a survivor would make a safe, informed, and voluntary decision about disclosing the abuse. The screening protocol must be used even if the practitioner has no reason to believe that abuse is an issue. The screening must be done outside the presence or hearing of the other party.

When screening for domestic violence, practitioners must ensure that parties understand how any information about the domestic violence would be useful, how it could be used and by whom, who would determine how it would be used, and whether anyone else could access the information. One tool for doing this systematic screening for domestic violence is the Initial Domestic Violence Screening Guide developed by the Battered Women's Justice Project (<https://www.bwjp.org/assets/compiled-practice-guides-may-2018.pdf>). This Screening Guide helps the practitioner raise the issues in a way that maximizes the likelihood that the survivor will make informed and safe disclosure of any domestic violence.

It is critical that the practitioner listen for and track the kinds of domestic violence issues that are raised. There is a tool that can help the practitioner (1) track issues that need a deeper assessment, and (2) identify issues that remain unexplored: the BWJP Screening for Intimate Partner Violence (IPV) Worksheet: <https://www.bwjp.org/our-work/projects/safer/safer-worksheets.html>.

It is one of several in a suite of worksheets that the practitioner can employ as the domestic violence is further examined and assessed. All FCEP sites have engaged in the training of family law practitioners on how to screen for and assess any domestic abuse.

Any intake questionnaires or forms should offer clients the opportunity to disclose any abuse on that document or in later communications directly with the practitioner. But because many survivor parents will not disclose a history of abuse (or certain details, including sexual abuse) until a high degree of trust is established, a party's failure to disclose victimization on an intake form should not be taken as evidence that abuse is NOT an issue.

Effective screening for domestic violence must account for the likelihood that the person has been traumatized by the domestic violence or by other forms of trauma in the past. Creating a safe environment for survivors requires practitioners to distinguish themselves from abusers. Because an abuser can be unpredictable, untrustworthy, forceful, and manipulative,

practitioners must be deliberate in (1) creating and increasing predictability for the survivor, (2) providing transparency of the process and potential outcomes, and (3) giving the survivor the ability to choose what they share and don't share, while acknowledging how what they share or don't share can influence outcomes. Practitioners should inform themselves about trauma-informed interviewing and be prepared to respond to a domestic violence disclosure in a way that is validating, compassionate, and that centers the survivor's needs first and foremost. For additional information, see:

<http://www.nationalcenterdvtraumamh.org/2018/04/new-resource-tools-for-transformation-becoming-accessible-culturally-responsive-and-trauma-informed-organizations/>.

Culture - and cultural differences - can have implications for the process of screening for domestic violence. Language, terminology, demeanor, and other components of communication can complicate the conversation. Furthermore, survivors who have a history of problematic responses by courts, governments and institutions may be very reluctant to share information with family court practitioners. Practitioners and courts should be aware of the cultural issues that need to be addressed in order to engage in effective and respectful screening conversations.

Screening for domestic violence should not be a one-time event: Disclosures of abuse are commonly delayed until the survivor client believes that *failing to disclose* would be more dangerous than *disclosing* the abuse. Therefore, the practitioner should intermittently offer the client the opportunity to revisit the issue and to fill out the picture of any abuse that has been disclosed or become apparent.

Of course, the practitioner may become aware that domestic violence is an issue in the case by means other than interviewing. Other sources of information include pleadings and pending criminal or civil court proceedings.

ASSESSING THE NATURE, CONTEXT, AND EFFECTS OF THE ABUSE

Family court practitioners may learn that abuse is an issue in the case from a party, a child or a witness, from a filing for or issuance of a protection order, or from other court filings or cases. But no matter how the abuse is raised as an issue, once it has been raised the practitioner must develop a full understanding of the abuse and its effects by assessing the full range of behaviors the abuser is using, including

- (1) the abuse of the victim parent;
- (2) interference with or coercive control over the victim parent;
- (3) the child's experience of the abuse of a parent, either directly or indirectly;
- (4) how the abuser parent is engaging directly with and parenting the child; and
- (5) the abuser parent's history of co-parenting with the survivor parent.

In addition to assessing the nature and context of the abuse, the practitioner must explore the effects the abuse has had or is having on the adult survivor, the child, and on co-parenting.

The Domestic Abuse Interview Guide, developed by BWJP, can assist any practitioner in this full interviewing and fact-gathering process: <https://www.bwjp.org/assets/compiled-practice-guides-may-2018.pdf>. The related SAFeR worksheets, can be useful to a practitioner in tracking the issues raised, facts gathered, and matters needing further exploration. Click here for the Assessing the Nature and Context of Abuse worksheet: <https://www.bwjp.org/our-work/projects/safer/safer-worksheets.html>.

If it appears that each parent has been using violence against the other, the nature, context, and effects of the abuse by each parent must be assessed separately.

Even if the practitioner has been involved in one case (such as a CPO or a child protection matter), it is critical that the abuse be further assessed in light of any separate case or legal context. This is especially the case if the survivor is in need of permanent and more comprehensive child-related relief from the family court. A full assessment of the nature and context of the abuse and its effects is a necessary step in the process of obtaining that comprehensive and long-term relief.

Practitioner-Specific Guidance on Screening and Assessing

The following are points at which each of the listed practitioners could (1) encourage safe, informed disclosures of domestic violence, and (2) assess the nature and context of the violence and its effects in order to ensure that their responses promote safe and workable parenting arrangements.

Attorneys and Legal Aid Organizations

Intake Questionnaires and Initial Consultation/Interviews

Many survivors do not really understand the parameters and meaning of such concepts as attorney-client privilege and mandatory reporting, and few will know that disclosing domestic violence might enable the attorney to advocate better for safe and workable parenting arrangements. Because the risks associated with disclosure are high and the possible benefits to disclosure not clear, intake procedures should reflect and address these realities.

In Cook County, the Domestic Violence Legal Clinic (on-site legal service provider) conducts interviews for case acceptance in order of protection cases; as a result of FCEP, a greater emphasis has been placed on issues related to child safety and that of the child's parent related to shared children in order of protection cases. Previously, these concerns often were not a focus of the interview.

Client counseling, decisions about requests for relief, strategy for proceeding

In order to advise a client competently and to help the client decide on the forms of relief needed, the attorney must develop a full understanding of the abuse and its effects. This assessment is necessary regardless of which party the attorney is representing.

To counsel a client competently, the attorney must assess the full range of behaviors the abuser is using, including (1) abuse of the victim parent, (2) interference with or coercive control over the victim parent, (3) how the child may be experiencing the abuse of the parent, either directly or indirectly, (4) how the abuser parent is engaging directly with the child, and (5) the abuser parent's history of co-parenting with the survivor parent. Regardless of which party the attorney is representing, the attorney must fully explore with the client the full nature and context of the abuse.

The Domestic Abuse Interview Guide developed by BWJP (<https://www.bwjp.org/our-work/projects/safer.html>) and several other related worksheets (including the Assessing the Nature and Context of Abuse worksheet) can assist the attorney in the interview process. The worksheets can be useful to the attorney seeking to track the issues raised, facts gathered, and matters needing further exploration.

For an attorney representing a client who already has a civil protection order (screening is unnecessary - the attorney knows domestic violence is an issue in the case) but is in need of permanent and more comprehensive child-related relief from the family court, a full assessment of the nature and context of the abuse and its effects is a necessary step in the process of obtaining that relief.

All FCEP sites have provided training on this very critical aspect of client counseling and on how to incorporate these tools into the practice of family law.

In Hennepin County, Central Minnesota Legal Services (CMLS) now has a dedicated attorney present at each order for protection (OFP) hearing in order to advise any OFP petitioners who show up for their hearings and need advice or representation on custody and parenting time matters. The attorney will guide survivors in preparing for their hearings and actually represent them in some cases. CMLS now takes on full representation of some OFP petitioners (especially those whose partners have attorneys or have special immigration status) who need permanent child-related relief or have divorces or other family court actions pending.

Advising clients about how the domestic violence might have implications for Alternative Dispute Resolution (ADR) choices

Domestic abuse can have major implications for the choice of dispute resolution process. The assumptions upon which mediation is founded (that mutual self-determination is best, and that working things out together is something separating parties can learn to do and is in the interests of their children, for example) can be inapplicable in domestic abuse cases. Survivor parents can, as a direct result of the abuse, be coerced or threatened into agreeing to parenting arrangements that are not in the best interests of the children. Abuser parents can subvert the process by negotiating in bad faith, focusing on harassing the victim parent instead of exploring the best interests of the child. As a result of the fact that ADR can be quite problematic in domestic violence cases, the attorney must engage with the client in a careful exploration of the connections, if any, between the abuse (and its effects) and the features of any ADR process under consideration.

The BWJP Mediation Discussion Guide (<https://www.bwjp.org/resource-center/resource-results/safer-mediation-discussion-guide.html>) can be used by attorneys to explore systematically how any domestic violence might affect the ability and willingness of parties to participate in mediation, the

extent to which process modifications and interventions could address their concerns, and whether a court process or dispute resolution process other than mediation should be considered.

Site Examples

In Hennepin County, a subcommittee on ADR worked to respond to these issues (identified by the family court community): (1) victim parents were being pushed into ADR even when they knew that the process would not lead to safe and workable outcomes; and (2) while participating in mediation or Early Neutral Evaluation, victim parents were feeling coerced into agreements that were not safe and workable. The FCEP ADR Subcommittee, which consisted of private ADR providers, private family lawyers, court services mediators and evaluators, legal services attorneys, advocates and judicial officers, had many wide-ranging conversations about the best way to meet this challenge. The final product of these deliberations is this ADR guidance document which lays out the expectations of ADR providers, family lawyers, and the judiciary to engage in the type of screening and assessment conversation with each party that addresses the five areas that can be affected by domestic violence as laid out in the BWJP Mediation Discussion Guide: (1) autonomy; (2) good faith and fair dealing; (3) parenting judgment; (4) access to good information; and (5) safety:

<https://www.bwjp.org/resource-center/resource-results/safer-mediation-discussion-guide.html>.

In Cook County, legal aid lawyers are aware of the child relief expediter (CRE) program and explain it, as appropriate, to their clients. Presently, these lawyers are letting the expediter know in advance that they may be asking the judges to send the case to her. These lawyers sometimes participate in the session with the expediter depending on the circumstances of the case but other times they do not:

<http://familycourtenhancementproject.org/cook-county-il/help-with-parenting-time-in-protection-orders/>.

Assisting survivors in gathering evidence in support of their requests for relief

Hennepin: Central Minnesota Legal Services (CMLS) now has a dedicated attorney present at each OFP hearing in order to advise any OFP petitioners who show up for their hearings and need advice or representation on custody and parenting time matters. The attorney will

guide survivors in preparing for their hearings and will actually represent them in some cases.

Mediator

Written descriptions of ADR processes which the practitioner provides

In order to ensure that parties, especially domestic violence survivors, can make informed choices about what dispute resolution to choose, ADR providers should have clear and detailed explanations of their ADR processes and should provide access to these descriptions on their websites or in other material that is used to inform and solicit clients.

Initial intake forms

Intake questionnaires or forms should offer new clients the opportunity to disclose any abuse on that document or in later communications directly with the ADR provider.

A survivor's decision about

- (1) whether to disclose any domestic abuse;
- (2) when to make any disclosures; and
- (3) how much to disclose

should be ***informed and voluntary***.

Initial screening/orientation conversation

Hennepin County:

The ADR guidance for mediators, ADR providers, and family lawyers was developed over four years by a committee of mediators, advocates, family lawyers, and judicial officers:

<http://familycourtenhancementproject.org/category/hennepin-county-mn/>.

It creates the expectation that all ADR providers and family lawyers engage in a screening/assessment discussion with each party (or attorneys with their clients) regarding any impediments to mediation (as reflected in the

BWJP Mediation Discussion Guide) that may be associated with domestic violence:

<https://www.bwjp.org/resource-center/resource-results/safer-mediation-discussion-guide.html>.

The expectation is that this screening and assessment process will allow parties to make more informed decisions about whether to mediate and whether any process modifications need to be put in place to make the process and outcome safe and workable. Mediators, ADR providers, family lawyers, and advocates are reporting that this Discussion Guide has greatly improved their ability to work with survivors to choose and adapt dispute resolution processes to meet their needs and improve outcomes for their children.

Communication with any lawyers about mediation conditions or process modifications

Prior to any ADR process, the mediator or other ADR provider should inquire of any attorney involved in the case whether the domestic violence is an issue in the case and whether there any modifications to the process are needed as a consequence. This inquiry should be in addition to the separate pre-ADR screening and assessment that the provider should engage in.

Hennepin County's guidance expects mediators to conduct a pre-ADR conversation with the attorney and verify that the attorney has completed the screening/assessment discussion addressing the five areas in the BWJP Mediation Discussion Guide:

<http://familycourtenhancementproject.org/category/hennepin-county-mn/>.

Family Court Services/Court-based ADR services

Accurate and full written (or other media) descriptions of ADR processes offered

Cook County: The child relief expediter provides a written explanation/description of the process before beginning any session. This explanation follows the verbal explanation offered by the judge (using a script) before litigants' referral to participate on a voluntary basis. The description is available in English and Spanish here:

<http://familycourtenhancementproject.org/category/cook-county-il/>.

Initial intake forms

Cook County: The child relief expediter uses written intake forms that outline the parameters of the program as well as the confidentiality exceptions. She also uses a screening tool completed individually by both parties and reviewed by the expediter before moving forward with a session.

Hennepin County: Family Court Services' new intake form includes space for and request information on domestic violence.

Initial screening/orientation conversation

In Cook County, the services of the child relief expediter (who after a judicial finding of abuse and that parenting time will be safe and appropriate) may be requested to help settle the details of the parenting schedule. The child relief expediter works with petitioners to help them figure out how much information they want to share with the other party during the process, how that information may be used, the pros/cons of sharing information, and what the potential safety risks may be of disclosing information. In shuttle negotiation the CRE constantly checks with parties to see what they do/don't want her to share with the other party. For example, if a petitioner is requesting supervised visits the respondent often wants to know why supervised visits are being requested. This leads to a variety of questions to the petitioner to help that person determine what (if anything) is appropriate and safe to share in terms of their reasoning. The CRE also uses this strategy during the emergency phase sessions where the respondent is not in agreement with the order itself, so it will be set for a plenary hearing. The CRE in that setting helps petitioners think through what they may or may not want to share during the hearing, how they want to express that to the judge, and what the impact may be on their safety depending on the outcome of the hearing.

In Cook County, trauma-informed practices are utilized in the work of the child relief expediter, who, because it can be re-traumatizing for survivors to tell their stories repeatedly to different intervenors and practitioners, utilizes the petition/affidavit to help get as much background on the situation as possible. The CRE then lets petitioners know upfront that they don't have to re-tell their entire stories (assuming there was significant detail in the petitions), and simply asks specific follow-up questions, especially as they relate to the children and safety of the petitioner with regards to visits, exchanges, and communication. The CRE also lets

petitioners know that they don't have to answer any questions that they are not comfortable answering. If they have not yet had a hearing (on the emergency stage cases), the CRE also helps petitioners think through what they feel like they can/can't share with the judge while standing in front of the person who harmed them. The CRE also helps petitioners think through the impact it will have on them to have various forms of communication or contact with the other parent. This is usually a huge relief for the petitioner and minimizes any additional trauma.

Hennepin County Family Court services uses an initial screening process for each new party coming in, regardless of which service (mediation, early neutral evaluation (ENE), custody evaluation) they are coming in for. Dedicated intake screeners are trained in and use the BWJP mediation guide questions in addition to those which had been used pre-FCEP, and they address other issues as well. If domestic violence is identified as an issue on a written intake sheet or in the interview, the screener conveys that information and detailed notes to the practitioners (mediator, ENE provider, custody evaluator) so that the ADR provider or evaluator can address them with the parties before the process is commenced. The intake worker may also contact the ADR provider in person to explain further the concerns or issues raised during intake. ADR providers also engage in their own, additional screening conversation as part of the orientation segment of the process. It is the mediator's responsibility to review the documentation and work with the clients to determine if any further adjustments are needed to provide the service safely. The scheduling system highlights ADR cases scheduled that require shuttle-style meeting and those cases are given more time to complete the service.

Pre-service conferences/orientation

Hennepin County: Hennepin County Family Court Services' staff meet with each party separately before they commence any ADR process. As part of the orientation/pre-service conference, the facilitator/mediator reviews with the party the information conveyed by the screener and further assesses the domestic violence and its effects with the party to determine whether mediation or ENE can proceed and what process modifications should be made to account for the implications of the domestic violence for the process.

Court Administration/Court Clerks

Written descriptions of relief available and procedures for requesting relief

All FCEP sites have sought to help survivors, especially those without attorneys, to decide whether to disclose the domestic violence and how to describe fully the abuse, its nature, context, and effects.

Cook County: All litigants without attorneys or advocates check into the Domestic Violence Division's Help Desk. The Help Desk provides a handout (in English and Spanish) that explains the process and the remedies available. There are additional handouts given to people who share a child in common with the person alleged to have been doing the harm that speak to the specific remedies with an order of protection regarding children.

In Cook County, the court provides written information to parties who are considering whether to request a protection order. These information sheets describe what forms of relief are available:

<http://familycourtenhancementproject.org/category/cook-county-il/>.

Hennepin County: Despite the fact that Native Americans are a very significant percent of the population of the county, few Native Americans were seeking child-related relief and protection orders, and order for protection petition forms were amended to allow parties to note their ethnicity. The data so gathered is enabling the courts to track their progress in responding to that community's needs and to allow courts to tailor relief in a way that is more culturally relevant.

In addition, the family court now offers handouts specifically designed to address Native American concerns and misapprehensions about the court process. Judicial officers are periodically visiting Native communities for judicial listening sessions, where community members are encouraged to offer their thoughts about and experiences with the court system. Through the FCEP, the district appointed a Native tribal/state court liaison whose responsibility is to bridge the gap between the Native community and the district's family court. The liaison meets with both individuals and community organizations, and provides education, training, and outreach to both stakeholders in the legal system and in the Native community. This outreach includes going to Native resource fairs, pow wows, and other events in the community, rather than merely waiting for Native American community members to come to the court and say why they do not utilize family court.

These sessions have revealed that the Native American community faces a lack of access, whether it is access to information about where and how to seek domestic violence help, access to the court's website, or access to

legal representation. Some were also afraid that seeking relief for domestic abuse could result in intervention by child protective services, while others expressed frustration with prior attempts to enforce orders for protection they had already obtained. By recognizing these barriers, acknowledging the historical trauma that Native Americans routinely associate with family court, and implementing new practices and policies in response, the district has already observed a 38% increase in the number of Native American survivors of domestic violence seeking assistance in family court in 2016 and 2017. This is a trend the district hopes to foster through continued outreach.

Written descriptions of forms of dispute resolution available

Suggested practices for providing written descriptions of ADR forms available include understanding exactly what you are providing, describing it well, trying to stay consistent with the description, and providing information to victims about what to do if the practices are not working out for them.

Cook County: The child related relief handouts include an explanation of the child relief expediter program as well as the services provided by supervised visitation centers in Cook County.

Video or other on-line material on the above – directed at self-represented litigants, in particular

Cook County: Respondents who have been denied access to their children as part of an order of protection watch a video developed by the court that explains what constitutes domestic violence and what constitutes a violation. The accompanying brochure provides information about visitation centers that can be accessed if the order does not permit unsupervised contact with the parties' children and also offers referrals for respondent counseling services.

Courthouse Environment

Most sites received training on how to account for trauma experienced by parties so that survivors would not be discouraged from disclosing abuse or describing it in pleadings or with court personnel. All sites made changes to courthouse environs to improve staff's ability to be trauma informed and responsive.

Hennepin County: In order to improve their responsiveness to survivors, content on trauma was incorporated into training exercises for court personnel. At several of the court-wide and system-wide trainings, practitioners participated in comings and goings, an interactive exercise designed to help develop a first-hand understanding of the lives of victims and the decisions they have to make when seeking safety. An example of how this has been put into practice is Hennepin County's Family Justice Center's monitored waiting area (MWR). Parties scheduled for a domestic abuse hearing wait in the MWR until they are directed to the courtroom by the attendant. The MWR can be busy and chaotic at times, and parties are often stressed out and nervous about their upcoming hearing. Through exercises such as comings and goings, MWR attendants who are confronted with a party that appears to be uncooperative have come to understand that this behavior may reflect traumatization and may require more patience and consideration.

Multnomah County: Multnomah County determined that litigants spend more time interacting with court staff than with the judge, and many never see the judge at all. Court staff, however, had previously received no training on domestic violence or how trauma can affect a person's behavior at the counter, on the phone, or in other court staff-litigant interactions. Trauma and empathy training was offered, with sessions repeated to maximize the number of staff who could attend. Almost immediately, improved morale among court staff was noted, with staff members expressing more understanding for the people they served:

<http://familycourtenhancementproject.org/multnomah-county-or/training-2/>.

Judicial Officers

Pre-trial hearings and case management

Hennepin County: Judicial officers conducting initial case management hearings (early in the management of a divorce or parenting case in family court) no longer assume that abuse is not an issue if it has not been raised. Instead, they explicitly inform parties that if domestic violence is an issue, it might have implications for the whether any ADR process would be helpful or appropriate. A script is available for judicial officers to use as they address the parties at this early stage of proceedings:

<http://familycourtenhancementproject.org/category/hennepin-county-mn/>.

Cook County: Judges are informed if there is or was a past domestic relations case between the parties as this is checked by the clerk when the

petition is filed. The clerk also checks for any current orders of protection involving the parties and provides the information to the judge.

Pretrial forms requesting information on issues to be resolved, etc.

Hennepin County: The court has adapted the form that parties are required to submit before the initial case management conference in a divorce or parenting case so that it now provides parties the opportunity to disclose that domestic violence is an issue in the case. This practice is improving the likelihood that the court knows that a referral to ADR might be problematic. It also allows the judicial officer to address any noted concerns when helping the parties to make case management decisions:

<http://www.mncourts.gov/district/4#tab06Forms>.

During hearings on CPOs (especially where the petitioner is self-represented)

Cook County: During both *ex parte* (temporary) and final (plenary) order hearings, judicial officers (who have been trained on the SAFeR approach) ask questions of self-represented litigants in particular when the information they need is not reflected fully or at all in the petition.

During hearings in other family court proceedings (whether or not domestic violence is already identified as an issue)

Judicial officers hearing non-CPO cases should remain alert to the possibility that the case may involve undisclosed domestic abuse. And in CPO cases where child-related relief is being requested, judicial officers should attend to any evidence that will help them assess the nature, context, and effects of the abuse. Judicial officers in all sites were trained on the SAFeR approach to screening for and assessing domestic violence and use the bench guides or BWJP worksheets when hearing testimony or writing findings and orders:

<https://www.bwjp.org/our-work/projects/safer/safer-worksheets.html>.

Advocate (non-lawyer)

Initial conversation with survivor

Cook County: Post-FCEP project, advocates and other professionals trained in the use of SAFeR tools emphasize child-related relief in conversations with clients. Greater judicial and system focus on child-related relief provides assurances that such relief will be given

consideration through a domestic violence lens. (<https://www.bwjp.org/our-work/projects/safer.html>)

Hennepin County: Advocates from the Domestic Abuse Service Center and the many non-profit advocacy and shelter programs in Hennepin County have been trained in the use of the SAFeR worksheets (<https://www.bwjp.org/our-work/projects/safer/safer-worksheets.html>) and interview guide, and they routinely use them in working with survivors as they assess the nature and context for the abuse as well as its effects on their children. They also use the SAFeR worksheets to help survivors explore options and do safety planning.

Informing the survivor as she decides on whether to engage with family court, chooses dispute resolution processes, and explores legal and other options.

Cook County: Advocates are aware of the child relief expediter program and explain it where appropriate to their clients. Advocates are permitted to accompany their clients to the expediter's sessions.

Hennepin County: Advocates from the Domestic Abuse Service Center (the court's self-help center for order for protection cases) and the many non-profit advocacy and shelter programs in Hennepin County have been trained in the use of the SAFeR worksheets (<https://www.bwjp.org/our-work/projects/safer/safer-worksheets.html>) and interview guide and routinely use them in working with survivors to explore options, prepare petitions for orders for protection, and gather evidence in support of their requests for relief in family court custody hearings.

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