



Perseverance in the Face of Challenges to Access to Justice

Lessons Learned from the Family Court Enhancement Project



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The Family Court Enhancement Project

The Family Court Enhancement Project (FCEP or Project) was a demonstration initiative funded by the U. S. Department of Justice, Office on Violence Against Women (OVW). The Project's goal was to improve the family court response to custody cases and parenting decisions involving domestic violence so that resulting parenting arrangements protect the emotional and physical well-being of victimized parents and their children. The four demonstration court sites- located in Cook County, Illinois (Chicago), the State of Delaware (all three counties), Hennepin County, Minnesota (Minneapolis), and Multnomah County, Oregon (Portland)- received technical assistance provided by the National Council of Juvenile and Family Court Judges (NCJFCJ) and its partners, the Battered Women's Justice Project (BWJP), and the Center for Court Innovation (National Partners).

Common theme: Access to justice for survivors of domestic violence

The four sites identified challenges (areas where survivors and system players lacked important information or resources) in their systems and strategized how to address those challenges and improve outcomes for domestic violence survivors and their children. Some challenges were specific to a court or community, and strategies to address gaps in information and resources were as unique as the jurisdictions from which they came. Other challenges were common across the sites. A commitment to improve litigants' access to justice emerged as a goal for all four FCEP sites.

Challenges along the way

Changing complex systems is difficult work. Every person working on the FCEP knew this from the start. In planning the activities, myriad challenges were expected: resource constraints, difficulties in engaging necessary partners and stakeholders, bureaucratic delays, and even statutory and court rule restrictions. In seeking to improve the system, the teams at each site anticipated some challenges and were surprised by others.

Perseverance

As challenges arose, the sites' leadership teams, with assistance from the national partners, decided how to meet them. Together, they revised plans, adjusted processes, found new or previously unknown resources, and formed new relationships. The sites remained committed to the FCEP's goals of improving safety for survivors and their children, regrouped, and persevered.

Four stories of change that are making a difference

The FCEP team has developed several documents about the lessons learned through the project that reflect meaningful results: descriptions of successes, examples of resources, and information about changed policies and processes that are helping survivors. But many of these successes were hard-won, and some ended up looking very different than first envisioned. The FCEP sites engaged in a variety of activities to address the needs at each site, many of which are described in other documents. FCEP documents are available at <http://familycourtenhancementproject.org>. Here, we tell the story of challenges that confronted the sites and how they met and overcame them to increase access to justice for domestic violence survivors in their courts.

Multnomah County, Oregon



Victims 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.

An unacceptably high number of custody cases were being dismissed based on a self-represented litigant's failure to comply with procedural requirements. Often, the failure was based on simple legal ignorance—litigants were not adequately informed of what they needed to prepare (or how). Judicial officers expressed frustration that, even when they suspected a case may involve domestic violence, self-represented litigants lacked a sufficient knowledge of court procedures to present such information in a way that satisfied evidence rules.

The site looked for ways to ensure that self-represented litigants had the information they needed to present their cases effectively.



VISION

A court navigator who can guide litigants through their case, helping them meet procedural requirements and prepare for court appearances and other key proceedings (such as mediation) and linking them to other services and resources as appropriate.

The site created a court-based staff position called the “navigator.” The navigator would be someone familiar with court processes and requirements but also knowledgeable about domestic violence dynamics and available services and resources. As the name implies, the navigator would help litigants navigate their court cases, helping to ensure requirements such as attendance at parenting classes and filing mandatory forms were met. The navigator could also help litigants prepare for court hearings or other proceedings by letting them know what to expect, how to behave, and the information the litigants would be expected to present. The navigator would not provide legal advice but would provide information about the process to help litigants successfully pursue their case. They would also provide referrals to available services and resources, depending on the litigant’s family situation and needs. This assistance, the site believed, would improve outcomes by equipping litigants with the knowledge they needed.



CHALLENGES AND RESPONSE

Finding a person with the right mix of qualifications—knowledge of court processes and understanding of domestic violence—proved to be more difficult than anticipated. At first, the site decided the knowledge of court processes should be emphasized, and the first person hired reflected this decision, having a thorough knowledge of court processes but not as much training on or understanding of domestic violence. This proved to be a poor fit—without a solid grounding in domestic violence, the navigator didn’t understand survivors’ concerns around safety or how to counter abusive and coercive tactics, both during court processes and in the relief to be requested from the court.

- The site was planning to provide additional training when the first person accepted another position. When looking to fill the vacancy, the site kept this in mind and found someone who had been both a domestic violence advocate and had worked in the court system. This proved to be a much better fit for helping survivors.

The site overlooked the importance of getting support from key staff who would be working alongside the new position. In terms of court staff structure, the navigator position was to be part of the court clerk's office. While a high-level member of the clerk's office staff was part of the FCEP's Management Team, no effort had been made to engage front-line staff in the discussions of the position or how it was to be integrated into the clerk's office's existing duties. During planning, the position had essentially been treated as if it could operate completely independently from the rest of the clerk's office. This was unrealistic, and clerk's office staff were left unprepared for how to interact with this new position.

- The lull between the departure of the first navigator and hiring the next proved an opportune time to build bridges with the front-line staff and include their perspective in refining some aspects of the position. When the new person began work, the relationship was much improved. Also, the staff found it helpful to be able to refer appropriate cases to the navigator.

New employees were hired for a position with many duties that overlapped some of the navigator's duties, but the new positions were more restricted in what they could do. This caused unexpected resentment. Several years before the Project began, the court had staff called facilitators who were available to help self-represented litigants complete forms for their family court case. While the Project was ongoing, the court received funding to bring back these positions, and three facilitators were hired. They worked alongside the navigator and saw that the navigator had much greater flexibility in how to address clients' needs. They began pushing for the same flexibility.

- Expanding the ability of facilitators to assist with other court requirements besides forms completion had clear advantages for both litigants and the court, so the facilitators received training to allow them to assist litigants in a variety of ways.

One person simply could not help everyone, and some questions came up again and again. The navigator received multiple requests for information on certain things, most commonly about service of the initial petition and how to prepare for a hearing. The site already had written materials, but clearly this wasn't enough.

- The site decided to develop a series of videos to address the most common questions that arose. The site created five videos (<https://www.courts.oregon.gov/courts/multnomah/go/Pages/family.aspx>), that addressed how to begin a custody proceeding, focusing on completion of the initial paperwork; how to complete service; how to prepare for

hearings; how to account for safety considerations in parenting plans; and family abuse prevention.

Sustainability following the end of the FCEP award was a great concern to the leadership team. The navigator position was funded entirely through the FCEP award, and efforts to obtain other funding for the position were unsuccessful. In light of how helpful the services were, though, the site did not want to give up. They explored other ways to provide the same services with existing resources.

- Exercising creativity, the site took a multi-pronged approach. The expansion of the facilitators' role was a key part. Also, the court found funding to add one more facilitator, for a total of four. In addition to their existing training, they received training in domestic violence. Next, keeping in mind its early experience, the site worked with community partners and reached an agreement with a domestic violence program to house an advocate at the court. The facilitators could provide assistance with survivors' court cases, but with a better understanding of domestic violence issues, and the advocate could provide services such as safety planning and linking survivors to other resources and services.



OUTCOME

The court navigator position itself ended with the FCEP. However, the assistance to survivors has continued. Four facilitators are now trained in domestic violence and have expanded their role from merely helping with forms to helping with other aspects of the court case. An on-site advocate is available to help with safety planning and to link survivors to other services and resources. The videos and improved self-help resources provide additional information. When combined with procedural justice measures the site implemented as part of the FCEP, these efforts help ensure that the information the survivors are now prepared to share is heard respectfully and considered fairly.

Hennepin County, Minnesota



NEED

Survivors are often encouraged or pressured to participate in alternative dispute resolution (ADR) even if the process is inappropriate for them, and they may be pressured to settle custody disputes in ADR processes, even though the settlement may not protect the safety and well-being of the survivor or their children.

The court had been encouraging mediation and another ADR method called early neutral evaluation (ENE). Parties were encouraged—and sometimes pressured—by courts, attorneys, and others to participate in the ADR processes. Limited information was provided to parties about options other than ENE or mediation or ways to make the ADR processes safer and/or less intimidating. ENE and mediation providers were not trained in domestic violence and many did not screen adequately. If the parties had attorneys, the evaluators relied on the attorneys to identify domestic violence and notify them if there were related issues or process modifications needed. However, most attorneys also lacked training on how domestic violence could affect the efficacy of ADR and many did not screen for domestic violence beyond a cursory effort (consisting mostly of checking for a related order for protection). Further, they conducted virtually no screening for self-represented litigants. Consequently, survivor parents were participating in processes that were not helpful, the ADR processes often lacked safeguards that were available and appropriate, and the parenting plans reached through this process did not account for domestic violence and its effect on parenting.



VISION

All communications by courts to parties about dispute resolution would reflect the possibility that domestic violence would impact the efficacy of ADR. All ADR providers and family lawyers would practice universal screening to identify when domestic violence is an issue. These practitioners would also uniformly assess (with fully-informed parties) whether the ADR process was appropriate and whether process modifications would be needed. If ENE or mediation would be appropriate, the process would implement appropriate safeguards, and any resulting agreements would account for how domestic violence may have affected each party's parenting as well as the effect on the children.

Screening that is universal and systematic, rather than based on a professional's intuition, would be an essential first step. Next, parties (particularly self-represented parties who must proceed without benefit of counsel) would be entitled to full information about the processes and their options, including any available modifications to the process to ensure that participants were safe and not subject to intimidation by the other party. ADR providers must be trained in domestic violence dynamics, not only to identify when it is present but also to recognize when, even with safeguards, ADR is not appropriate. Evaluators would recognize survivors' autonomy to choose the safest and best option, without coercion and with their full

consent after receiving complete information. Similarly, any agreements would be reached without coercion or pressure from the ADR provider or the other party, would be only with the parties' fully informed consent, would account for how domestic violence impacted the parenting of each party and its effect on the children, and would ensure the safety of the survivor and children.



CHALLENGES AND RESPONSE

Many professionals believed that they adequately identified domestic violence without conducting systematic screening. The site formed a subcommittee of attorneys, judicial officers, ADR providers, and advocates and explored how to encourage better screening for intimate partner violence (IPV). For almost three years, the subcommittee studied various domestic violence screening and mediation screening tools and risk assessment tools measuring the risk of serious repeated domestic violence or fatalities. At the same time, the subcommittee received more evidence that while family lawyers and ADR providers believed they were effectively screening for family violence, cases would commonly get into and out of ADR before domestic violence was alleged or uncovered. Many professionals believed that they did not need to follow a particular tool or process. Some private ADR providers were reluctant to commit to universal screening because (1) they did not want to charge parties for the time it took to screen, and (2) they felt they could rely on the attorneys representing the parties to tell them if there were domestic violence-related process concerns.

- The site and its technical assistance team persisted, and slowly the site came to conclude that the BWJP Mediation Discussion Guide was the approach they thought would maximize the ability of practitioners to have productive, informative discussions with parties on the potential use of ADR processes in the context of domestic violence. A small group agreed to conduct a pilot test for a period of six weeks.

Screening in every case takes too long; it will hardly ever be present anyway, so it is a waste of time. A key part of the resistance to employing a universal screening process was some professionals' belief that screening would take too long, be awkward and intrusive, and would result in little if any additional cases of domestic violence being identified. The private practitioners are paid on an hourly basis, and they objected to engaging in a process that they believed would increase expenses for clients for little benefit.

- During the three years of meetings, the site team determined that the BWJP method of screening did not take long—usually only five to ten

minutes if no issues were raised. The pilot conducted by the evaluators confirmed this estimate. The practitioners that participated in the pilot also reported to the rest of the ADR subcommittee that they had detected significantly more impediments to ADR and more need for process modifications than they expected or would have otherwise detected.

Professionals know when a party is being coerced into an agreement and do not need any additional safeguards to the process. Many ADR providers believed that they could reliably detect when one party was intimidating or coercing the other, so additional safeguards were unnecessary.

- The site team provided extensive training, both multidisciplinary and to specific professional groups, on domestic violence dynamics, victim and perpetrator behavior, and the implications domestic violence can have for mediation. The importance of providing full information to parties about how the process worked, what contact, if any, a survivor might have with the other parent, and how any agreement would be reached was emphasized. Combined with their experience piloting the screening tool and process, the practitioners engaged in more thoughtful consideration of when ADR might be inappropriate and to allow the case to be resolved via another process if it were likely to result in more safe and workable outcomes.

There are many professionals who were not part of the ADR Subcommittee's discussion, the site's management team, or the two pilots of the BWJP Mediation Discussion Guide but still needed to be encouraged to use the screening tool and process. After a consensus was reached about what these professionals should be doing to screen, the team needed a way to memorialize that expectation and to spread the word to the rest of the community's attorneys and mediators.

- The site team, together with input and feedback from the site's ADR subcommittee, developed a guidance document, setting forth the expectation that all ADR providers and lawyers screen for domestic violence (in separate conversations with each party). For more information see <http://familycourtenhancementproject.org/category/hennepin-county-mn/>. The screening conversation drives the exploration of the five ways that domestic violence and other confounding circumstances could have implications for ADR: safety, autonomy, good faith/fair dealing, level of understanding of the consequences of choosing ADR, and the presence or absence of parenting judgment. The conversation should improve the likelihood that a good decision is made about whether ADR is appropriate, what safeguards might be needed

depending on the specific situation, and when ADR is not a suitable way to resolve the case. It is now a helpful reference and a resource for communities interested in this work.



OUTCOME

The resulting ADR guidance document established and outlined the expectations courts and practitioners have of each other. Agreement on the guidance was reached after many spirited and thoughtful discussions. It is used for every new case at family court services, and it informs trainings of attorneys and ADR providers in Hennepin County and beyond. The site successfully applied for a grant under OVW's Justice for Families program, allowing it to continue and reinforce the principles underlying the guidance document through ongoing stakeholder engagement and training. Universal screening, full and complete information about the process and all litigant options for case resolution, and recognition of survivors' autonomy in deciding which process works best in their case allows their full participation without coercion. Moreover, when ADR is offered under these conditions, it can help create parenting plans that protect the safety and wellbeing of the survivor and children.

State of Delaware



NEED

When a group of court professionals from the site's management team walked through their own systems, observing and participating as if they were survivors, they identified a number of issues with the protection order process, which was confusing and stressful. Hearings were limited to one day each week, resulting in wait times for litigants of between four and eight hours. During that wait, litigants received little to no information about what to expect, how to prepare, or how to disclose their needs safely.

Problems identified during the walkthrough included misleading signage, an unwelcoming physical environment, and written resources that were not clear, accurate, or available in languages other than English. Staff in the resource centers experienced lines of litigants that they struggled to assist without giving legal advice. On the day protection orders were heard, the safety of the litigants was a concern due to the number of people waiting for their hearing in a limited space. Confused litigants received inconsistent information, litigants waited a long time to have their case addressed by the court (even when one party failed to appear), and litigants sometimes got

lost during the day if they failed to check in properly or left their designated area. Finally, the mediation process used in both protection orders and custody petitions lacked standardized information for litigants, and mediators seemed uncomfortable with a parenting arrangement other than the standard visitation guidelines that emphasize shared placement.



VISION

The court would present a safe, welcoming environment with clear signage directing litigants to the court resource center. Materials distributed would be in plain language, provide clear information about the law and court processes, and be available in multiple languages. Mediators would be trained both in mediation skills and in domestic violence dynamics, and determination of which cases should be mediated would include consideration of survivors' wishes. Resulting parenting plans would not be based on a single template but would consider safety needs and the family's specific situation.

The site team, together with the national partners, developed an ambitious plan to address the myriad issues they had identified. First, the environment would be as welcoming as possible: clean, orderly, in friendly colors, and adorned with nature-based decorations. It would be reconfigured using trauma-informed principles and incorporating safety considerations like multiple exits and nearby security. Clear signage would direct litigants to the court resource center. Second, materials for litigants would be clear, at an appropriately accessible reading level for the general public, and in multiple languages, including Spanish, Haitian Creole, Chinese, and Turkish. They would be easily available and would include both posters and infographics on the walls as well as written materials that the litigants could take with them. Having litigants sit with staff while being helped would give more sense of a private interaction. A system that allowed litigants to browse materials while waiting rather than standing in line would both promote a welcoming environment and protect privacy by avoiding the likelihood of those in line overhearing the interaction. Third, a second hearing day would relieve congestion and allow matters to be heard in a way that would not require litigants to spend the entire day at the court. On-site advocates and legal aid or volunteer attorneys would be available on hearing days to provide support and legal assistance. Fourth, mediators would receive training on the law, mediation skills, and domestic violence, and full information about the process would be provided to litigants. A litigant's choice whether to engage in mediation would be recognized, and appropriate safety measures would be implemented when necessary.

Child-related relief would be the result of a truly voluntary process and would incorporate both safety principles and the needs of the specific family.



CHALLENGES AND RESPONSE

Changes to the docket to eliminate the identified barriers and problems for litigants would require buy-in from the bench, court staff, and community partners. Having all protection orders heard on one day resulted in confusion, stress, and long hours for everyone involved, with hearings frequently extending past 5:00 p.m. To ease the congestion would require an additional hearing day, but this needed support from the bench and court staff as well as community partners that provided assistance.

- Relaying the experience of those who participated in the walkthrough was the first step in building consensus. The site team also formalized its recommendations in a thorough report, setting forth its recommendations and reasoning in a clear, logical manner. Finally, the team met with the court to allow full discussion and refining of the plans. One judicial officer agreed to serve as a pilot for the new schedule. The effects of the pilot testing convinced the rest of the bench and staff.
- Also, legal aid and domestic violence advocates provided assistance on protection order hearing days, so expanding to an additional day affected them as well. The Delaware FCEP Management Team sought their input based on their experience and impact on their clients and collaborated with them when making the reforms.

Materials for self-represented litigants were full of legal jargon, too long, and missing information on critical topics. Forms and information packets were available for several types of matters but not for protection orders. The family law packet did not include information on the overlap between domestic violence and custody. Copies of statutes, court rules, and court forms were provided, but no plain language materials, designed to be easily accessible to non-lawyers, were available to explain how to complete the forms or how to navigate the court process. At one location, the materials were in a separate room that was locked when insufficient staff were available.

- The site team developed a core document to serve as the basis for self-represented litigant materials. From this document, the team created posters, infographics, and written materials, all at recommended reading levels for self-represented litigants and in multiple languages. The materials were posted on the court's website and available at court resource centers as well as other key locations.

During the walkthrough, the team observed that litigants appearing for court on hearing days for protection orders received little guidance as to what was expected of them, resulting in confusion and exacerbating an already stressful situation.

- One judicial officer developed an introduction that provided an overview of the protection order process and described what was expected of litigants. The introduction was then formalized into a script. It was further refined and standardized for all protection order hearings and recorded as a video, played at the beginning of all hearings and ensuring that litigants receive consistent guidance about their hearing regardless of which judicial officer might be presiding.

Mediators were well-intentioned but lacked necessary knowledge and training. Delaware allows protection orders to be entered by consent, whereby the respondent agrees to no-contact and other terms, often including parenting time provisions, but with no finding or admission of domestic violence. Delaware also utilizes mediation as part of both the protection order and custody petition processes. Mediators were not required to have training in domestic violence, to know how to identify it, or to know how to address coercive control dynamics.

- Mediators received training on domestic violence dynamics, victim and perpetrator behavior, and how to assess and account for the effects of violence on parenting and the children. Modifications to the mediation process to ensure that it was safe, such as separate waiting areas, more flexibility about when and how many sessions would be held, and allowing a party to end a session if they felt unsafe, were implemented when appropriate. Also, survivors could opt out of mediation if they believed it was not safe or appropriate for them, and barriers to having the matter heard by the judge were reduced, such as eliminating the requirement that a parenting class be completed before a matter could go before the judge. Finally, mediators received training on incorporating safety measures in any agreement, including use of supervised visitation and exchange services when appropriate, setting rules and restrictions on contact, and modifying mediation guidelines to remove the suggestion that shared placement was a presumption. These important steps led to a safer process.



OUTCOME

The site began with a vision of making the court experience better for those it serves. In determining how to do that, the site worked on a number of fronts. Expanding the days of the protection order docket greatly reduced stress, confusion, and the time litigants had to spend at court. Guidance and support from advocates and legal aid during the protection order process,

as well as more user-friendly information provided by Resource Centers that are more accessible, resulted in more informed litigants. Better training for mediators for both protection order and custody matters resulted in truly voluntary and safe agreements, when made. Committed judicial leadership, at several levels, has continued the FCEP activities beyond the grant period, including an upcoming convening of the FCEP Management Team and Collaborative Workgroup to evaluate the progress that has been made and determine what still needs to be done. This leadership, together with cooperation among court and community stakeholders, will ensure continued efforts to improve access and safety for survivors.

Cook County, Illinois



NEED

Although child-related relief, including custody and visitation provisions, is available in protection orders issued by the Domestic Violence Division, the court rarely granted such relief. The court and community culture regarding child-related relief favored orders that wholly eliminated contact with abusive parents, and few petitioners sought orders that included safe visitation provisions, even if they desired them.

At the outset of the FCEP, the domestic violence division perceived issues related to custody and access to children by the abusive parent as inappropriate matters to address in a protection order. Numerous factors contributed to this perception and practice, including lack of time and judicial resources to assess and respond adequately to custody and visitation and a prevailing belief among key stakeholders, including judges, advocates, and attorneys, that visitation is almost always inappropriate and, even if desired by victims, not likely to be safe. Over time, information gleaned from victim focus groups and further discussion persuaded the FCEP partners to test a new program in the domestic violence division. In this program, a child relief expediter worked with parents to negotiate a mutually acceptable, safe visitation order through a carefully designed process that accounts for the effects of domestic violence, including coercive controlling abuse, on the parties' ability to engage in such a facilitation process.



VISION

A voluntary, safe, and effective process, managed by the child relief expediter, to help parties craft custody and visitation provisions in protection orders that are safe, feasible, and tailored to the specific safety,

economic, and other needs and circumstances of the parties and their children.

The site convened a series of meetings to design the process, with meaningful participation by judges, court administration, victim advocates and attorneys representing victims, and experienced mediation staff from the domestic relations division of the Cook County Circuit Court. The design team resolved a series of complex concerns about the process, including how to ensure that the process engaged victims in a fully informed, voluntary, and safe manner and did not unintentionally provide an additional tool of coercive control to abusers. In addition, the design team committed to helping all stakeholders understand the expediter's processes and role in the protection order system. Ultimately, the process incorporated forms, policies, and procedures to achieve all of those critical goals.



CHALLENGES AND RESPONSE

Achieving buy-in from all key stakeholders, including judges, advocates, attorneys, and court staff: Many stakeholders expressed their initial reluctance to create a process that made it more likely that protection orders would include custody and visitation provisions, rather than simply including no-contact provisions and granting all physical custody of children to victims. Advocates and attorneys who worked with abused parents also voiced their concerns that a facilitated settlement process would create unacceptable risks for such parents, including that the process would be unsafe and that as a result of coercion, duress, and other abuser-imposed factors the resulting orders would be unsafe, unworkable, and would not include all desired relief to which victims are entitled under the law and the facts.

- Obtaining victims' perspectives regarding child-related relief through focus groups with both those who used the protection order system and those who opted not to was a key to motivating skeptical stakeholders to consider trying a process like the one implemented by the child relief expediter. Victims frequently expressed the desire to provide parenting time to respondents, provided it could be safe and not jeopardize the well-being of victims and children.
- The process was designed to incorporate specific required elements to minimize the risks described above, including risk assessment by the court, a scripted judicial referral, screening by the expediter, separate physical spaces for the parties and shuttle negotiation, and other elements. Attorneys and advocates were welcome to participate in the process with their clients and thus were able to experience it first hand and provide feedback about any concerns they had.

Addressing judicial concerns related to timing and confidentiality of the

process: The design team considered confidentiality of the process to be an important element, with limited exceptions (related to disclosures of child abuse or imminent risks of harm). During implementation of the expedition process, however, judges found that when a case came back before them they sometimes had questions about the facts to which the expediter became privy during the process. This was especially true where the judge had significant safety concerns. In addition, judges had anticipated that the process would be completed quickly so that matters could be closed and orders issued the same morning of the referral. However, ensuring safety and the integrity of the process as designed often took extended periods of time and created challenges for court calendars.

- The expediter and the court administrator addressed the confidentiality concerns by engaging in a series of individual meetings with the judges and a larger meeting involving those judges and the presiding judges of the domestic violence and domestic relations divisions. These conversations yielded greater judicial appreciation for the benefits of confidentiality and helped establish greater clarity around the exceptions to confidentiality.
- Judges, court staff, and the expediter used creativity and flexibility to overcome scheduling challenges that allowed the expediter sufficient time with the parties to implement the process as designed while allowing the judges and court staff to track cases that were unable to be concluded shortly after the referral. A shared understanding of the purposes of the program, including the intention that it serve victims' and families' needs first, and court efficiency second, helps all stakeholders to work together to overcome these types of obstacles.

Evolving to meet the real needs of victims and families: Despite careful planning and the involvement of a diverse set of front-line stakeholders in the design process, until a program becomes operational it is impossible to predict the range of unique issues and needs survivors may present, or how to structure safe and effective child-related relief to meet these needs.

- Because the child relief expediter process is implemented by a professional with considerable expertise in domestic violence, trauma, and the experience of families struggling with both, the program evolved over time to serve participant families better. The expediter and court remained flexible to adjust the program to meet families' needs, for example:
 - ▶ Judges are much more willing to build status checks into their calendar to monitor the child-related issues. Previously if child-related relief was entered, it was understood that most modifications and ongoing work with the family should happen in domestic relations court. The judges now understand that clients sometimes need to build in status

checks to assess the parenting plan. For example, a family may decide to start with supervised visits and then build in a status date for a follow up session with the expediter six months out to see if adjustments to the parenting agreement are needed.

- ▶ Through FCEP efforts, it was determined that the site needed to develop closer partnerships with the supervised visitation centers and work with the centers to provide a more enhanced, supportive model of supervised visitation. Therefore, Apna Ghar, a supervised visitation provider, became a funded partner under the grant, and they began working in partnership with Inspire Action for Social Change to adapt their model of monitored visits to a more enhanced model that really engages the family.
- ▶ The site learned that there is a great desire for respondent services, especially in civil court. The desire for such services was expressed by the petitioner, the respondent, and the judges. The site began exploring how services for respondents (such as a partner abuse intervention plan, or PAIP) could be adapted to the civil court setting to meet the needs of families better. In general, the site learned that to address child-related relief, families also needed to be connected to the services that they needed (whether batterers' intervention, mental health services, substance abuse treatment, etc.).
- ▶ One unexpected happening was use of the expediter at the emergency stage. The process had been designed for use in conjunction with hearings on plenary orders, but some survivors requested assistance even at the emergency stage.

Sustainability following the end of the grant period: All court and non-court stakeholders in Cook County agreed that the expediter program was a success, and further, reached consensus on the need to embed it permanently in the court. As the FCEP grant funding was coming to an end, a new source of financial support was crucial.

- The court turned to the Cook County Board for ongoing support of the program, a successful effort aided by letters of support from a diverse group of community stakeholders.
- The child relief expediter is now a fully funded item in the court's budget.



OUTCOME

The child relief expediter remains a vital and much-utilized resource in the domestic violence division. An OVV-funded research study of the program's impact is underway, but feedback to date from litigants, attorneys, advocates, and judges has been uniformly positive. Litigants have indicated that they find

the resulting agreements to be safe, workable, and effective, and that the process overall felt fair and able to meet their needs. The expediter has connected many litigants to community services, including advocates, legal services, counseling, and supervised visitation providers. Judges continue to refer appropriate cases in large numbers; they have been impressed with the agreements reached by the parties and they notice a positive change in litigants' demeanor when they return to court.



CONCLUSION

Despite wildly different resources and strategies, the four FCEP sites found that by increasing access to justice and help for self-represented litigants, they improved the court experiences for domestic violence survivors and their children. While systems change is challenging, these sites demonstrated it is possible. Survivors in these communities now have safer and more trauma-informed processes, more and better-informed choices, more community and court support, and a clearer path to a safe future for themselves and their children.

We, the national partners, thank the teams at each site for their vision, dedication, and perseverance. We are proud and grateful to have worked with them and to have been a part of this Project.

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