



DOMESTIC VIOLENCE COURTS

INTEGRATED DOMESTIC VIOLENCE COURTS: KEY PRINCIPLES

This fact sheet is one in a series to support the development of domestic violence court initiatives. For other documents in the series, please visit www.courtinnovation.org/domesticviolencecourt.html

Under many state court structures, a single family dealing with issues of domestic violence may have to appear in several different courts involving multiple judges, attorneys, and a myriad of different court-related agencies and service providers at the same time. As a result, each court learns only a piece of the story of the involved family. Decisions are made without all relevant information. And there is the potential for judges to issue inconsistent or conflicting orders. Moreover, each additional action in separate courts creates inefficiencies for both the court system and the litigants. Ultimately, this system often produces piecemeal resolutions that may foster dangerous situations while not effectively addressing a family’s needs.

Building upon the principles embodied in domestic violence courts, more than sixty counties in New York have implemented an Integrated Domestic Violence (IDV) Court; this approach—sometimes referred to as a “One Judge, One Family” model—places all the issues involving a single family before one judge. This innovation offers an opportunity to address inter-related family problems in a comprehensive manner, provide integrated service delivery and improve both court efficiency and informed judicial decision-making.

IDV Courts are specifically designed to promote: victim safety and defendant accountability; informed judicial decision making; consistent handling of all matters involving the same family; efficient use of court resources; and a concentration of social services that include domestic violence and child victim advocacy agencies.

1 One Courtroom for All Related Cases

A single judge with jurisdictional authority over civil and criminal cases presides over the “One Family, One Judge” IDV Court. By handling all the related cases pertaining to a single family, the judge gains comprehensive information and can impose court mandates that are consistent and designed to address all issues in the case, including orders of protection, bail conditions and sentences, support, visitation and custody orders, divorce, treatment mandates and services for children.

2 Comprehensive Resources for Families

Families in the IDV Courts are in crisis. Frequently each member of the family needs some type of service. A unique feature of the IDV Court is that it treats the



entire family—referring adult and child victims to supportive services while holding the offender accountable through mandated programs.

From the onset of planning through implementation, the Bronx IDV Court worked with local providers to ensure that services for each person within the family are coordinated and available to IDV litigants. A court-employed staff person serves as resource coordinator. In that capacity, she or he is liaison between the court and community agencies and creates a resource list for the court, including tools for making speedy referrals and sharing appropriate information. This enables the court to refer each family member to appropriate services and to hold programs accountable for the services they provide.

3 Compliance Monitoring

Frequent court appearances—relying on increased communication and coordination between the court and service providers—is key to improving accountability. In New York State, a court-employed resource coordinator refers defendants to programs and services, including batterers' programs and substance abuse treatment, ensures that they appear at the programs, and obtains regular reports on their compliance and progress. This information is then referred to the judge before each compliance appearance. This enables the judge to have all the information needed to make swift and consistent decisions if the offender has failed to comply.

Typically, IDV Courts hold compliance review calendars once a week. A representative from probation, defense, the District Attorney's office, and batterers' program are present at each compliance review. The resource coordinator is able to refer offenders to a multitude of programs, including substance abuse treatment, parenting classes and batterers' programs. The coordinator also receives reports from programs prior to court appearances so that the judge knows if the offender has been non-compliant. Having representatives from the mandated programs present allows the judge to ask any additional information she or he may need in order to make the most informed decision regarding compliance. The presence of defense bar and the district attorney representatives enables the court to hold hearings and swiftly respond to non-compliance.

4 Advocacy for Domestic Violence Victims

Increased victim safety is a central goal of the IDV Courts. With that in mind, IDV Courts work with the independent victim service providers in their jurisdictions to ensure that coordinated services are available to every victim.

In most IDV courts, a dedicated victim advocate is present at the court to provide domestic violence victims with safety planning, counseling and access to services. The advocate communicates with the resource coordinator to ensure that domestic violence victims and their children receive coordinated services. The victim advocate also ensures that victims know the status of their cases and is available to escort victims to meetings with the district attorney or other social service agencies. Victims face additional hurdles due to isolation, limited transportation and resources. Having a dedicated victim advocate enables the court to provide a crucial link to safety and ensures that important services are being delivered.

5 Judicial Training

Judges presiding in IDV Courts receive special training, both in legal areas and in domestic violence issues. These trainings cover not only operational and legal matters pertaining to the IDV Court but also educate judges on the dynamics of domestic violence and the impact of domestic violence on children.

Judges and court personnel from all of the IDV Courts who are in the planning stage meet at the Judicial Institute in White Plains, NY. For two days, judges and court staff learn from their peers in operational IDV Courts, meet in small groups to discuss their unique issues and strategies for planning and implementation, as well as learn about the dynamics of domestic violence through multi-media presentations and scenarios. Additional training is offered to each new court on specific legal issues as they pertain to IDV cases. Such training opportunity increases the ability of New York State's IDV Courts to handle related legal matters more consistently, comprehensively, efficiently and sensitively through increased knowledge and training in a range of complex and diverse areas.

6 Community Partner Involvement

An IDV Court works closely with community agencies that have a stake in the court system. These stakeholders include the police, probation, district attorney, defense counsel, civil attorneys, victim service agencies, batterers' program staff, mental health and substance abuse treatment providers, children's services and lawyers for children. It is critical that the court provide continuing forums for communication through regular meetings after implementation.

In Brooklyn, for example, the court hosts stakeholder meetings quarterly. Due to the large numbers of service providers and partners involved in the IDV Court, the stakeholder

meetings are an important avenue for information sharing and “checking in” with each other. Operational issues are addressed and new staffing announced. Brooklyn decided to have these meetings be a venue for education as well. At each meeting some aspect of domestic violence is addressed through speakers or presentations by local experts. This allows for on-going education of the integral partners of the IDV Court.

7 Honoring the Integrity of Each Case Type

Although one judge hears the criminal and civil matters pertaining to one family, all cases are treated individually and all of the evidentiary rules that apply to each case type are upheld. To ensure that there is no appearance of consolidation of cases, many IDV judges call three separate calendars (criminal, family and matrimonial). The cases are heard individually and the lawyers involved stand up only on the cases that they are participating in (i.e. prosecutor does not stand up on the Family Court cases). Careful planning and training with court personnel and judges ensures that informed decisions are being made while still preserving fundamental due process rights and evidentiary rules.

8 Outcomes

The active and ongoing collection and analysis of data – measuring outcomes and process, costs and benefits – are crucial tools for evaluating the effectiveness of operations and encouraging continuous improvement. Public dissemination of this information can be a valuable symbol of public accountability. The Center for Court Innovation has developed a performance measure tool for IDV Courts that helps to evaluate outcomes in the areas of enhancing victim safety, case processing, offender accountability and interaction with community agencies.

FOR MORE INFORMATION

Visit the Center for Court Innovation’s National Domestic Violence Technical Assistance Program at

[www.courtinnovation.org/
domestic-violence-
technical-assistance](http://www.courtinnovation.org/domestic-violence-technical-assistance)

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