

10 Things Courts Should Know About Their Local Intervention Programs for Abusive Partners

Civil and criminal courts often include programming for abusive partners in case dispositions. Probation and child protective services also routinely recommend such programs as part of domestic violence case management mandates. While most states have statutes regulating curriculum, facilitator training, and class length and size, programs vary widely across different jurisdictions and agencies.

This can make it difficult for courts to ascertain important information about the programs. The Center for Court Innovation and the Battered Women's Justice Project encourage courts to meet with their local intervention programs for abusive partners to establish a better understanding of the expectations that the court and the programs have of each other, and to enhance offender accountability and

victim safety. Below is a list of some of the most important questions courts should ask, along with some general information based on national best practices. This tool can be a starting-point for further conversations and collaboration among courts, programs, and other criminal justice stakeholders seeking to enhance their collaborative responses to domestic violence cases.

1. Is the program monitored by any state agency or is the program certified?

Most states have an agency tasked with overseeing and certifying programs in line with standards on facilitator training, curriculum, class size, and collaboration with victim advocates. Some states require a program be certified to receive referrals from a court or probation. In states where certification is mandated, the court can review the standards in operation. In states without certification requirements, the court can ask individual programs about issues such as facilitator training and expertise.

2. How long is the program?

Most programs run between half-a-year to a year, with length primarily governed by state standards. Programs may also recommend

additional time based on ongoing risk assessments or program-defined progress.

3. What type of curriculum does the program use and how does it address intimate partner violence?

Programs can vary widely in their use of curricula. Most use educational, cognitive-behavioral, trauma-informed, and/or psycho-educational strategies to address coercive control, the impact of violence on children, and sexual abuse, and to provide skill-building exercises to facilitate healthy intimate partner relationships. Programs should not use couples or individual counseling or any model that blames the victim. Research shows that cognitive-behavioral curricula reduce recidivism in the general criminal population. The program should share its written curriculum with the court.

4. What are the costs for attending and does the program take insurance or use a sliding scale?

Program costs can range from \$15 to \$50 per class and often require an additional intake fee. Many programs have sliding scales and some accept community service for indigent clients. If state standards permit, some programs accept insurance to help minimize participation costs.

5. Does the program collaborate with victim advocates?

The program should have victim safety as its primary goal. It should also have a strong working relationship with a community-based survivor service organization and/or advocates and have protocols governing contact and victim safety.

6. Does the program have a contract the participant must sign?

The program should share its contract with the court to allow the judge and court staff to understand expectations and collaborate on improving compliance.

7. Does the program assess for risk of lethality and/or conduct more generalized risk assessments?

Programs may conduct a validated lethality assessment or ask detailed questions regarding the risk of lethality during the intake process. The program should share its intake form and any risk tools with the court to ensure the court understands what information the program has about the defendant. Risk assessments may be

conducted throughout the duration of the program to ensure accurate assessment. Research shows that programs that respond to risk and needs are more effective in reducing recidivism.

8. Does the program meet regularly with other criminal justice stakeholders?

The program should be part of a community's domestic violence taskforce if it exists and/or meet regularly with referring agencies and survivor services. The program should also work closely with other programs to which their clients may be referred, such as those addressing mental health or substance use. Research shows that programs that work collaboratively with criminal justice stakeholders reduce recidivism.

9. Does the program allow observations?

Programs should allow community members, court staff, and other stakeholders to observe the program to better understand the curriculum and the nature of the interactions between facilitators and defendants. Currently, most programs encourage such visits.

10. What kind of compliance information can the program share?

Most programs gather data about participants and compliance. The program should be willing to send regular compliance reports to the judge or court staff. Some programs have the capacity to send staff to compliance hearings. Information on compliance should be shared with courts in a timely fashion.

The Center for Court Innovation and the Battered Women's Justice Project's Technical Assistance

With support from the Office on Violence Against Women, the Center and the Battered Women's Justice Project provide a variety of technical assistance services, including:

- Assistance building successful, multi-disciplinary planning teams.
- Intensive, on-site work with individual domestic violence courts in all stages of planning and implementation.
- Practitioner-to-practitioner guidance, in which staff from the Center and the Battered Women's Justice Project draw on their extensive experience to help jurisdictions learn from each other.

- Site visits to domestic violence courts and enhanced criminal justice projects (including Office on Violence Against Women-designated mentor courts).
- Guidance with creating strong judicial compliance reviews, promoting victim safety, and developing effective partnerships with other agencies.
- Model documents, assessment and evaluation tools, and publications of special interest to a domestic violence court audience both nationally and internationally.

In partnership with other Office on Violence Against Women Training and Technical Assistance providers, the Center and the Battered Women's Justice Project have worked with several jurisdictions to increase collaboration between courts and programs for abusive partners. To learn more about how courts and stakeholders can collaborate with these programs to increase offender accountability and victim safety, please contact the Battered Women's Justice Project at technicalassistance@bwjp.org, or Rebecca Thomforde Hauser at the Center for Court Innovation at thomforr@courtinnovation.org.