

# Addressing Domestic Violence in Rural Communities

## Best Practices for Criminal Courts

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by Liberty Aldrich, Robyn Mazur, Danielle Pugh,  
and Brittany Davis

Center  
for  
Court  
Innovation

## Authors

Liberty Aldrich

Robyn Mazur

Danielle Pugh

Brittany Davis

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For more information, training, and/or technical assistance, contact us at: [dvinfo@courttinnovation.org](mailto:dvinfo@courttinnovation.org).

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# Introduction

Over the last 20 years, communities across the country have implemented specialized courts and dockets in their jurisdictions to help strengthen their legal system's response to domestic violence. Courts have opened in a variety of settings from urban centers to smaller rural towns. Rural jurisdictions in particular often face challenges in responding to incidences of domestic violence due to geographic isolation and a lack of resources in the area. Additionally, poverty; cultural values such as strong allegiance to community, kinship ties, and traditional gender roles; and the increased availability of firearms and other weapons make it difficult for rural victims to leave abusive relationships. These challenges are alarming considering that the rate of domestic violence in rural areas is high. Studies indicate that rural women are exposed to as much or more domestic violence than their urban counterparts, and some evidence suggests that rural women experience physical abuse at a greater frequency and severity.<sup>1</sup>

Since rural women have traditionally perceived the legal system as less helpful when compared to urban women,<sup>2</sup> rural communities must continue to strengthen their response to domestic violence. The Center for Court Innovation, a technical assistance provider for the U.S. Department of Justice's Office on Violence Against Women, provides support to dozens of jurisdictions. Several key principles—survivor safety and well-being, abusive partner engagement and accountability, and court and community collaboration, have emerged from the Center's work as effective strategies to address domestic violence. The following best practices are rooted in these key principles for use in rural jurisdictions.

# Community Collaboration

Rural communities can come together to prevent and respond to intimate partner violence through an approach called a Coordinated Community Response (CCR).

Establishing a CCR is the most effective way to ensure victim safety and defendant accountability. There are many actors involved in a community's response to domestic violence, including: police, probation, prosecution, defense counsel, lawyers for children, victim service agencies, children's services, abusive partner intervention programs, mental health services, healthcare professionals, and substance abuse treatment providers. The following are useful practices to ensure that community stakeholders' voices are heard and that effective collaboration occurs.

- 1. Create strong partnerships within existing structures**

Oftentimes, many of the same actors are working collaboratively on other issues. Some of these same actors feel strapped for staff time and energy to create or participate in a CCR. In these circumstances, some rural areas could consider adding an intimate partner violence subcommittee to an already existing coalition group.

- 2. Think creatively and use the resources you have**

Hon. H. Lee Chitwood, the judge presiding over domestic violence cases in Pulaski, Virginia noted that rural communities should “not be intimidated by a lack of money or resources.” He encourages rural communities to sit down with court actors and community stakeholders and think about how practices can realistically be

« *Rural communities should “not be intimidated by a lack of money or resources.*

— Hon. H. Lee Chitwood of Pulaski, Virginia  
Juvenile and Domestic Relations District Court

changed to improve the court’s response to domestic violence. For example, local probation departments can often help supervise defendants and provide progress reports to the court, local nonprofits may be able to provide victim advocates and training for the court, and educational institutions in the area can provide space for trainings. Invite representatives from local credit unions and auto mechanics to explore partnerships to support service providers in meeting the transportation and financial hurdles victims face. It is critical to think creatively when enhancing the court’s response to domestic violence.

## Survivor Safety and Well-being

Survivor safety is paramount in domestic violence cases. Victim-survivors from rural communities often have unique needs and concerns, but their ability to seek help is limited due to geographic isolation and a lack of resources. The following are useful practices to ensure that victims remain safe and are connected to appropriate services.

**3. Consider safety measures in and around the courthouse**

Physically accessing the court can be a stressful and unsafe event for victims. Many rural courts do not have the infrastructure or staffing needed to ensure safety in and around the courthouse. Court administrators and judges should consistently evaluate safety precautions at the courthouse. Examples from rural courts are scheduling hearings when there is court security present, using available spaces to keep litigants separated rather than allowing them to wait in the same area, and keeping the defendant behind and show a video that explains the conditions of a protection order to allow petitioner enough time to leave the courthouse. Please refer to [“Supporting Domestic Violence Survivors’ Safety During the Court Process: A Checklist of Recommended Practices”](#)

« Incorporate housing, transportation, and job representation into your coordinated community response. [These factors] are often forgotten, but when working in rural communities, these things are key and can help change [victims’] lives. Meet their needs, whatever that need is—assistance with cold weather, transportation, child care, finding a job, child visitation exchange.

— Deb Baer, Minnesota 9th District Domestic Violence Courts and Coordinated Community Response Teams (Beltrami and Roseau Counties)

and “[Recommended Court Security Measures for Cases Involving Domestic Violence: A Guide for Courts](#)” for more information on this issue.

#### 4. **Schedule cases promptly and consistently**

Victims in many rural communities report long wait times and lack of case coordination. The longer a victim must wait for legal action, the longer they remain at risk and are more susceptible to a defendant’s manipulation of the court process (e.g., convincing the victim not to participate with prosecution in the criminal case). Though smaller courts may struggle with scheduling cases promptly

### **COMMUNITY HIGHLIGHT**

Pulaski, Virginia

The Juvenile and Domestic Relations District Court in Pulaski, Virginia implemented several initiatives to enhance victim safety in their community.

#### **Educational Video**

The court requires defendants to watch a 12-minute video on protective orders after their appearance. During this time, advocates escort victims out a separate door so they can leave the courthouse safely without risking contact with the defendant.

Listen to [this podcast](#) to learn more about the innovative work happening in Pulaski.

because court is only in session a few times per month, this is an important factor to consider. Additionally, scheduling cases for a consistent date and time is helpful and can ensure that appropriate stakeholders, such as advocates, are available to attend the court session and can immediately link victims to needed resources.

#### **5. Enhance technology infrastructure**

Transportation in rural communities is often limited, making it difficult for individuals to access the court and services. Barriers to reliable transportation include lack of public transit, travel costs (gas, insurance, license fees, fares, vehicle maintenance), harsh weather conditions, and/or large geographic region to travel. To address these barriers, some courts have focused on enhancing their technological options. Videoconferencing has become commonplace in courthouses as a result of the COVID-19 pandemic, with staff reporting decreases in failures to appear and advocates reporting that many victims feel safer online than in person with their abusive partner. Having virtual hearings poses additional challenges in rural communities.

#### **FILLING THE DIGITAL DIVIDE**

In an attempt to remedy the technological divide in Okanogan County in Washington, the District Court judge partnered with various community organizations in several towns to create or use current computer terminals to enable residents to connect with the court.

Many rural areas have unreliable access to 1) high speed internet; 2) cell service; and 3) actual devices such as smart phones, computers, and/or tablets.

To address these barriers, courts may partner with various community organizations in their jurisdiction to create or use current computer terminals with stable internet to connect residents with the court. Courts can also provide information of where mobile hotspots are located to enable people to use WiFi for court hearings. Thus, court users can go to the nearest town or mobile Hotspot rather than travel to the courthouse. Remote terminals can be located in community resource centers, municipal courts, city hall, non-profit organizations, and for-profit entities. In addition to decreasing the technological divide in an immediate and cost-effective manner, such partnerships will also promote and foster greater collaboration among community stakeholders. These remote terminals can be shared so that individuals can access telehealth services, community advocates, defense attorneys, civil legal aid attorneys, prosecutors, abusive partner intervention providers, educators, and others.

**6. Use E-filing to increase victim safety and court access**

Electronic filing of protection orders can help increase victim access to the courts in rural communities. E-filing can help mitigate some of the barriers victims in rural counties face such as access to reliable transportation, child care, and time off from work. Victims can electronically file with the assistance of a domestic violence advocate without having to go to the courthouse first. The domestic violence e-filing process enables victims

to file the petition, be heard by the judge, and receive signed orders and notification regarding service on the defendant all while they are in a secure, remote location. While matters are conducted electronically and through videoconferencing with judges, clerks, attorneys, sheriff's deputies, and other system players, victims can receive services such as safety planning, housing, and workforce support from the domestic violence agency.

**7. Frontload social services**

Advocates should “frontload” social services, making immediate linkages to relevant services based on victims’ needs (e.g., counseling, healthcare, job training, immigration assistance, children’s services, civil legal services). Studies show that when victims receive assistance early and understand the court process, they are much more likely to remain active, engaged participants in their cases. At the Beltrami County Domestic Violence Court, for example, an advocate is present during court and is available to connect victims to relevant services. In rural communities where staffing and resources are limited, having a dedicated domestic violence docket can help to ensure advocates are available during those hours to link victims to services.

## **Abusive Partner Engagement and Accountability**

Holding people who cause harm through intimate partner violence accountable is essential for domestic violence court initiatives. Effective engagement and accountability

with abusive partners will further enhance a victim’s safety. The following are useful practices to ensure that courts appropriately monitor defendants’ progress.

**8. Consider virtual abusive partner program intervention programs**

Rural communities often struggle to attract and sustain quality brick and mortar abusive partner intervention providers (APIPs) in their community. Additionally, indigent defendants in rural areas are unable to afford programming and struggle to find transportation to attend treatment when such programs exist. Yet, these programs can be effective in holding the abusive person accountable for the harm caused. Courts should consider virtual APIP services as an option to address the dearth of quality programs in rural areas. Judicial officers and court administrators can research viable virtual programs and create partnerships with these programs to send defendants. Please refer to [“10 Things Courts Should Know About Their Local Intervention Programs for Abusive Partners”](#) and [“Adaptation of the European Network Guidelines for Working Responsibly with Perpetrators](#)

**VIRTUAL PARTICIPATION**

To meet the needs participants in APIP programs, Washington State revised its Administrative Code Section 110-60A-0345 to allow a person to attend via live video feed if a hardship exists with attending an in-person program.

[of Domestic Violence During the COVID-19 Pandemic for Consideration by United States Perpetrator Programs”](#) for more information on APIP programming. Additionally, court leaders need to work with local officials to identify and get support for funding for indigent defendants. It is important to familiarize local officials on the need and why funding for APIP services are not as regularly available as substance use disorder treatment or mental health treatment.

**9. Explore realistic methods of judicial monitoring**

If your court cannot institute a separate compliance calendar or schedule frequent domestic violence review hearings, you can explore other methods of following up with defendants. Some ideas include ankle monitoring, phone check-ins, remote hearings, curfews, or case conferencing with probation departments who may be able to provide information regarding offender compliance and local victim services providers who can help identify system gaps.

**10. Require training**

In order to effectively monitor domestic violence cases, judges presiding over domestic violence courts or dockets should receive special training on the legal matters related to domestic violence, the dynamics of domestic violence and its impact on victims and children, and emerging innovative research-informed practices on abusive partner intervention and engagement. Court personnel, such as clerks and court security, should also attend training to ensure that everyone who interfaces with victims and defendants are aware of the dynamics that might

influence the case. Contact victim service providers in the community and nearby areas to see if they could provide a free training. Find out who in your county may receive federal grant funding from the Office on Violence Against Women (such as law enforcement and prosecutors) who may have access to free technical assistance providers and trainers. Neighboring counties or statewide offices may have their own resources in this area.

## Endnotes

1. Davies, J. & Lyon E. (2014). The risks victims face. In Domestic violence advocacy: Complex lives, difficult choices (pp. 19-58). Thousand Oaks, CA: SAGE; Peek-Asa, C., Wallis, A., Harland, K., Beyer, K., Dickey, P., & Saftlas, A. (2011). Rural disparity in domestic violence prevalence and access to resources. *Journal of Women's Health*, 20(11), 1743-1749.
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Center  
for  
Court  
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520 Eighth Avenue

New York, NY 10018

p. 646.386.3100

[courtnnovation.org](http://courtnnovation.org)