

AT A GLANCE

Location of Court

Cleveland, Ohio

Type of Court

Civil Domestic Violence Court

Project Goals

- Provide access to justice for victims filing for a domestic violence civil protection order
- Partner with community stakeholders to protect the safety and security of victims of domestic violence who encounter the court
- Increase language access, efficiency of process, and enforcement of protection orders for all litigants engaged with the protection order process

CUYAHOGA COUNTY DOMESTIC RELATIONS COURT, DOMESTIC VIOLENCE DEPARTMENT

The Domestic Violence Department of the Cuyahoga County Domestic Relations Court provides individualized on-site advocacy services and legal assistance to litigants requesting civil protection orders, and runs a dedicated docket staffed by two dedicated, specially trained hearing officers who handle all domestic violence civil protection order cases authorized under Ohio statute.



**Center
for
Court
Innovation**

520 Eighth Avenue, 18th Floor
New York, New York 10018
p. 646.386.3100
www.courtinnovation.org

This fact sheet is part of a series describing Domestic Violence Mentor Courts. Selected by the Office on Violence Against Women, Mentor Courts share their expertise and assist other domestic violence courts in implementing promising practices and procedures, and building the capacity of state court systems to respond effectively to these difficult cases.

COURT STAFF

- **Domestic violence magistrates:** two dedicated hearing officers who have been trained in the dynamics of domestic violence, sexual assault, and stalking hear every domestic violence civil protection order case filed in Domestic Relations Court
- **Domestic violence department director:** handles day-to day operations as well as grant management, the development and implementation of policies, procedures, and safety measures.
- **Domestic violence department coordinator:** conducts screenings and intakes with all litigants who are filing domestic violence civil protection orders; ensures that each litigant is in the proper court, screens for jurisdiction and competing court orders, and walks litigants through the procedural steps to initiate a case
- **Domestic violence advocates:** located within the Domestic Violence Department and are employed by the Domestic Violence and Child Advocacy Center, the comprehensive, community-based domestic violence agency in Cleveland providing comprehensive advocacy services to victims filing for domestic violence civil protection orders
- **Case manager:** as an employee of the Domestic Violence Department, manage general day to day operations within the Domestic Violence Department and specifically are responsible for meeting with litigants who want to come up with a consent civil protection order instead of going to trial; the case manager will sit down with both the petitioner and respondent (separately) to go over legal rights and try to work out a specific safe and appropriate consent civil protection order for the case

CASE MANAGEMENT

Types of cases: The Domestic Violence Department hears all domestic violence civil protection order cases filed in Cuyahoga County, handling approximately 800 initial filings and 200 post-decree filings each year.

Case identification, screening, and transfer: Each petitioner is screened by a member of the Domestic Violence Department at the initial stage of the process to ascertain if the case is being filed in the correct court and if other court orders are in place which could affect filing. Once jurisdiction is determined, the domestic violence advocate meets confidentially with each victim to administer a lethality assessment, conduct initial safety planning, and discuss the issues that led them to seek a domestic violence civil protection order. A staff member then explains the court process, completes the initial intake, and provides procedural information about the next hearing.

When the paperwork is completed, a member of the Domestic Violence Department files the paperwork and the petitioner is accompanied by the justice system advocate to the ex-parte hearing before the magistrate. If the domestic violence civil protection order is granted, the petitioner leaves the court with certified copies.

Information sharing: The Domestic Violence Department works with Cleveland's Juvenile Court, Municipal Court, Common Pleas Court and all surrounding municipalities to check and see if there

are parenting orders, temporary protection orders from a criminal case, civil stalking protection orders or no contact orders. This process allows the court to ensure there are not duplicative or conflicting orders. The State of Ohio is not a unified court state. Consequently, there is no centralized mandatory authority for initiatives on domestic or intimate partner violence. Neither is there a unified local court system. Due to this, Domestic Relations Court staff have reached out to each court in Cuyahoga County to create processes and protocols, including creating memorandums of understanding, identifying points of contact in each court and protocols for checking internal databases. This information is gathered by Domestic Relations Court staff and shared with the hearing officers as part of the court paperwork.

Schedule: The Domestic Violence Department is open during regular court hours, from 8:30 am to 4:30 pm Monday through Friday. All ex-parte hearings are handled on a first-come, first-served basis. All ex-parte hearings occur on the same day in which a case is filed. All full hearings are scheduled within seven to ten court days of the ex-parte hearing.

COMMUNITY STAKEHOLDERS

Frequency of stakeholder meetings: Monthly

List of stakeholders: Primary partners include the Domestic Violence and Child Advocacy Center, Cleveland Rape Crisis Center, Legal Aid Society of Cleveland, and Witness/Victims Services. Additionally, representatives from the Office of Child Support Services, Clerk of Courts, Cuyahoga County Sheriff's Department, and other agencies often participate in the monthly meetings.

VICTIM SAFETY

Court security: Space has been allocated within the Domestic Violence Department to ensure victim safety within the courthouse. The safe waiting area is monitored by staff at all times. This physical separation eliminates the ability of abusive partners or their friends and family to engage with the victims outside of a monitored courtroom proceeding. All petitioners are escorted by either their justice system advocate or a court staff member to and from the waiting area to the magistrates' courtrooms for their hearings. Respondents are instructed to wait in the hallway directly outside each magistrate's hearing room, which is monitored by a bailiff.

Victim services: The domestic violence advocates meet with every victim prior to filing to assess their individual needs and confidentially listen to the history of abuse. If the victim is self-represented, the justice system advocate attends both the ex-parte and full evidentiary hearings to support the victim and to address any safety concerns. The level of risk and potential referrals for additional services are discussed with each victim, who is then provided with contact information for the justice system advocate.

Risk assessment: Domestic violence advocates administer Dr. Campbell's Danger Assessment, a validated domestic violence lethality assessment, upon meeting with each victim. The domestic violence advocates use the results of the Danger Assessment to talk through safety options with

the victim and to inform the victim's statements to the court. Additionally, the results can trigger an offer of extended safety services, such as placement in the emergency shelter or a referral to Legal Aid for representation.

OFFENDER ACCOUNTABILITY

Every respondent is given the opportunity to speak with a case manager at the time of their initial appearance in court. This gives each litigant the chance to be told their rights, understand their options, and ask questions the hearing officer would not be able to address on the record. In addition, respondents may be enrolled in batterer intervention programming and/or parenting classes as part of a consent civil protection order and may be granted parenting time in those orders. Review hearings are held in these cases to ensure compliance with offender treatment and the continued appropriateness and safety of parenting time arrangements. Most review hearings are held within the first three to six months an order has put in place. The review hearings most often require the respondent to provide proof of parenting classes, mental health treatment or consistent attendance at a supervised visitation center or no reported violations of the consent civil protection order during unsupervised parenting time. The parties both attend the review hearing and changes can be made to the consent civil protection order based on progress by the respondent, this usually takes the form of additional parenting time.

LEGAL SERVICES

Staff from the Domestic Violence Department are available at full hearings to work with parties on consent civil protection orders. The case managers meet with each party separately and negotiate safe and appropriate terms of a consent civil protection order. This allows a victim to have a fully enforceable order without going through a full trial. Approximately 85% of the litigants who come through the Domestic Violence Department do not have legal representation. Case management services allow for litigants to be told their rights by someone besides the hearing officer and work towards a civil protection order that accounts for their specific situation.

TRAINING

Every employee of Cuyahoga County Domestic Relations Court has been trained on the dynamics of domestic violence, the laws surrounding protection orders, and sexual assault and strangulation within intimate partner relationships. This training is held on a semi-regular basis to ensure all new court employees receive timely training on these topics.

Additionally, the judge, the Domestic Violence Department director, and Legal Aid staff have trained others locally and nationally on the Domestic Violence Department model, appropriate parenting plans when domestic violence is present, and enforcement of protection orders.

This project was supported by Grant No. 20 15-TA-AX-K023 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication are those of the author(s) and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women.

Special thanks to the Cuyahoga County Domestic Relations Court, Domestic Violence Department staff for their assistance in creating this publication.