

## **AT A GLANCE**

### **Location of Court**

Brooklyn, New York

### **Type of Court**

Integrated Domestic Violence Court

### **Project Goals**

- Improve informed judicial decision-making based on comprehensive and current information on criminal, family, and divorce matters
- Use court resources more efficiently, with reduced number of trips to court and speedier dispositions
- Link to social services, immigration assistance, and other resources to comprehensively address family needs
- Promote victim safety by eliminating conflicting orders and decisions
- Increase confidence in the court system by reducing inefficacy for litigants

## **KINGS COUNTY INTEGRATED DOMESTIC VIOLENCE COURT**

The Kings County Integrated Domestic Violence (IDV) Court is dedicated to the idea of “one family-one judge,” allowing a single judge to hear related cases involving domestic violence victims and their families. This judge hears the criminal, family, and matrimonial cases to serve families in crisis comprehensively.



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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

In the IDV Court, cases are heard by a dedicated **judge** who adjudicates criminal cases, family cases (visitation, custody, paternity, guardianship, and family offense petitions), matrimonial proceedings, and oversees compliance for families who have experienced domestic violence. Court staff include a **resource coordinator** who serves as the liaison to criminal justice agencies and service providers to ensure that reports concerning parties are available to the court prior to each court appearance; **three clerks** and **one supervising clerk** who administer and supervise court appearances, keep records, and coordinate the transfer of eligible cases; and **three sergeants** who supervise the **three designated court officers** who are trained in domestic violence dynamics and proactively keep litigants from communicating or intimidating one another in the courtroom and courthouse. Attorneys vary between criminal and civil cases, although many are cross-trained on criminal defense and family law. Court staff also include:

### Criminal Cases

- **District attorney:** prosecutes domestic violence cases
- **Defense lawyer:** represents the offender

### Civil Cases

- **Civil attorneys:** provide civil legal services for each litigant
- **Attorney for the child:** advocates for children who are most affected by decisions regarding custody, parenting time, and child support

## CASE MANAGEMENT

**Types of cases:** The IDV Court hears criminal misdemeanor and felony cases; family court custody, visitation, and family offense petitions; and matrimonial/divorce cases.

**Case identification, screening, and transfer:** Cases are eligible to be transferred to the IDV Court when there is a domestic violence case in Kings County Criminal Court and an additional matter pending in family court or matrimonial court. After an identification of eligible cases the IDV Court will issue a transfer order and notify the parties and counsel of the new date to appear in the IDV Court.

**Schedule:** Cases are heard Monday through Friday.

## COMMUNITY STAKEHOLDERS

**Frequency of stakeholder meetings:** Quarterly

**List of stakeholders:** A dedicated IDV support magistrate to handle all child support and spousal support petitions. the Assigned Counsel Panel, The Children's Law Center, Kings County District Attorney's Office, The Legal Aid Society, Brooklyn Defender Services, South Brooklyn Legal Services, The New York Legal Assistance Group, Sanctuary for Families, Safe Horizon's Law Project, Safe Horizon's Supervised Visitation Programs, the New York Society for the Prevention of

Cruelty to Children's Supervised Visitation Programs (NYSPCC), Urban Justice Center, Comprehensive Family Services (CFS), various local batterer intervention programs, substance abuse and mental health providers, and probation.

## VICTIM SAFETY

**Court security:** The courthouse is a modern facility with state-of-the-art technological equipment. There is security screening before entering the court building, metal detectors in the lobby of the building, dedicated court officers present in the courtroom, and continuous training for court officers on security protocols and domestic violence dynamics.

The courthouse has secure waiting areas for litigants and confidential interview rooms for attorneys to meet with clients. There is an on-site day care center with security personnel and protocols on who can pick up a child.

**Risk assessment:** The court considers prior criminal court history; it reviews the Domestic Violence Registry, strangulation, and stalking allegations as risk assessors.

**Victim services:** One of the goals of the IDV Court is to promote linkage to social services and other resources to comprehensively address the needs of family members. The IDV Court has identified and incorporated local service providers to develop and maintain a community-based integrated response to domestic violence issues. The IDV resource coordinator assists the court in referring victims to services. The Brooklyn Family Justice Center is available to victims as a "*one stop shop*" to access a wide range of services including: prosecution; legal representation for immigration, housing, and family court matters; shelter and housing information; public benefits; childcare; safety planning; trauma-informed counseling for victims and children; support groups; and other services.

The IDV Court partners with local supervised visitation centers to provide court-ordered visitation services for families in a secure clinically supervised environment designed to ensure the physical and emotional safety of the children, while also providing services to both the custodial and non-custodial parent.

**Parenting Classes:** The IDV Court also works with local services to provide parenting classes for the non-custodial parent in cases involving domestic violence.

## OFFENDER ACCOUNTABILITY

**Compliance Reviews:** An effective IDV Court requires close judicial monitoring to reduce repeat instances of domestic violence and to ensure compliance with judicial mandates. The IDV Resource Coordinator ensures that the IDV judge receives all reports prior to scheduled compliance conferences and appearances. Compliance dates are determined on a case-by-case basis, taking into consideration the seriousness of the allegations. Initially, offenders return to the

courtroom at least once a month for compliance reviews. Offenders who are sentenced to probation also return to court for monitoring and compliance.

**Offender services:** Offenders are mandated to counseling and intervention strategies as part of their criminal or family court matter. These strategies may include but are not limited to batterer intervention programs, substance abuse programs, mental health assessments and treatment, and parenting skills programs. The IDV Court has partnered with local service providers to develop a system wherein these services are available to offenders. The IDV resource coordinator is the liaison to these services and programs.

**Onsite Mental Health Evaluation & Substance Screening:** The courthouse has the capacity to perform mental health evaluations as well as drug and alcohol screenings onsite. When applicable, IDV Court will order onsite screening and/or testing prior to the issuing of any orders of protection and/or orders of visitation.

## LEGAL SERVICES

Dedicated and cross-trained attorneys from various legal service agencies are present in the courtroom ready to accept assignments from the court. In New York State, all eligible litigants have a right to assigned counsel in family law cases.

## TRAINING

Training hosted by the IDV Court for court staff and stakeholders includes:

- *The Impact of Interpersonal Violence on Children*
- *Cultural Competency in Domestic Violence Response*
- *Special Education Law & Procedures in Domestic Violence Cases*
- *Victims of Intimate Partner Violence & the Courtroom*
- *Battered Women Defendants: Evaluating the Context of Women's Violence*

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