

# What Makes a Domestic Violence Court Work?

## Lessons from New York

By Robyn Mazur and Liberty Aldrich

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The 1990s witnessed a sea change in the criminal justice response to domestic violence. For centuries, domestic violence had been perceived as a private affair—a personal matter between disputants. Courts did not handle domestic violence cases in large part because domestic or family violence often was not illegal. It took years of hard work from advocates to change this situation.

Even after statutes and case law had made it clear that domestic vio-

lence was against the law, many judges, police officers, and other criminal justice professionals believed that legal intervention was a waste of resources. Many simply didn't take domestic violence seriously—an attitude that was reinforced when many victims dropped charges and returned, seemingly voluntarily, to the arms of the accused batterer.

What was missing from the system was an understanding of the complexities of domestic violence, especially the powerful social and economic ties that bind victims to their abusers. And, to be fair, there was not a large body of knowledge to build on in the field—no one knew what worked with these difficult cases. While the reasons for the criminal justice system's failures could be subtle, the consequences were plain as day: in all too many instances, either perpetrators were never brought to court or their cases were quickly dismissed. And domestic violence continued unabated. The FBI estimates that a domestic violence crime is committed at a rate of once every fifteen seconds.<sup>1</sup> According to conservative estimates, one million women are battered by an intimate partner annually.<sup>2</sup> Other sur-

veys say the number assaulted each year is as high as four million.<sup>3</sup>

These staggering numbers and the consciousness-raising efforts of domestic violence advocates have led, during the last twenty years, to significant changes in the criminal justice response to such offenses. Perhaps the greatest changes occurred in the 1990s, with the passage of the federal Violence Against Women Act and the infamous O.J. Simpson trial, which focused national attention on domestic violence. This increased attention on domestic violence resulted in, among other things, the passage of mandatory arrest laws, an increase in funding for services for victims, and the creation of special domestic violence prosecution and police units. At the same time, there was a parallel movement taking place within state court systems. More and more judges and attorneys became frustrated with seeing the same litigants before them time and time again. These system insiders began to search for new tools, strategies, and new technologies that could help them address difficult cases where social, human, and legal problems collide. The result was the creation of "problem-solving courts," a

reform effort designed to improve case outcomes for those involved with the justice system and their communities. It should come as little surprise that domestic violence advocates and problem-solving court innovators were both attracted to the idea of creating a specialized court to address domestic violence. Today, there are more than 300 courts nationwide that have special processing mechanisms for domestic violence cases.<sup>4</sup>

As domestic violence courts spread across the country, many jurisdictions are beginning to wrestle with questions about how to administer these courts effectively. In New York, under the leadership of Chief Judge Judith S. Kaye, the state court system has developed or is planning sixteen domestic violence courts, including six recently-launched “integrated domestic violence courts,” in which the presiding judges handle all issues—both criminal and civil—affecting a single family.

This document is designed to communicate the basic lessons of domestic violence courts in New York. The goal is to provide judges, attorneys, court administrators, and others with the benefit of New York’s experience—experience that has run the gamut from densely populated urban communities to suburban and even rural settings and from courts dedicated exclusively to handling felonies to high-volume courts that handle up to 3,000 misdemeanors a year. Each of New York’s courts has also experimented with different ways of monitoring defendants and providing services to victims. Through consultation with partner agencies and experts in the field, as well as through trial and error, New York’s domestic violence courts have developed and field-tested techniques that have helped improve victim safety and enhance defendant accountability.

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## **Confronting the Challenge of Domestic Violence**

The number of domestic violence crimes in New York is overwhelming. It is estimated that approximately 200,000 New Yorkers are victimized by physical violence each year.<sup>5</sup> And, in New York City alone, Safe Horizon, a victim-assistance agency, helps more than 900 people per month obtain orders of protection.<sup>6</sup>

The resulting domestic violence cases constitute about 20 percent of all cases that enter the criminal court system.<sup>7</sup> This load of cases has led the state’s judicial leadership to search for new responses. As the state’s chief judge, Judith S. Kaye, has written:

One possible judicial response to the current situation is to continue to process domestic violence cases as any other kind of case, and to continue to observe systemic failures. Another response, however—the problem-solving response—is to try to design court programs that explicitly take into account the special characteristics that domestic violence cases present. If domestic violence defendants present a particular risk of future violence, then why not enhance monitoring efforts to deter such actions? If victims remain in abusive situations due to fear for their own and their children’s well being, then why not provide links to services and safety planning that may expand the choices available to them? If cases are slipping between the cracks of a fragmented criminal justice system, then why not work together to improve coordination and consistency?<sup>8</sup>

As Kaye makes clear, domestic violence is not like other crimes: it does not involve violence between strangers, like a barroom brawl, but violence between intimates. Victims, under the influence of their abuser even after an arrest, are often isolated and reluctant to prosecute. The abuser may reinforce these feelings through additional threats and abuse, which may make the victim reluctant to take steps to protect herself. These simple facts make it more difficult to prevent and prosecute crimes of domestic violence. Any effort to break

this dangerous cycle must stress both intensive victim service provision and defendant accountability.

## **The New York State Model**

New York’s domestic violence courts were designed from the beginning to take this challenge head-on. The first domestic violence court in the state opened in Brooklyn in 1996, handling felony-level domestic violence cases. The model was designed to overturn the “business as usual” approach to domestic violence. The court featured a single presiding judge, a fixed prosecutorial team, and enhanced staffing to monitor defendant compliance and provide assistance to victims.

The court also sought to change the way the criminal justice community viewed domestic violence. Through education and partnerships, the court sought to stimulate a more coordinated response to domestic violence. For example, the court established a “court partners” meeting, which includes judges, court personnel, victim advocates, prosecutors, defense attorneys, probation and parole officers, representatives from batterers programs, and a variety of social service agencies. Convened every six weeks, the partners meeting allows the various agencies to exchange information and ideas on the most effective way to respond to domestic violence. New ideas have led to new action. Discussions at partners meetings revealed that many offenders were leaving prison and did not know that the terms of their original order of protection were still in effect. In order to ensure that the offenders could no longer plead ignorance, the domestic violence court instituted a procedure that required parolees to come back to the court for a formal review of the terms of their order of protection.

There are encouraging signs that the Brooklyn court model is making a difference. Dismissals have been cut in half since the court’s opening—from 8 percent to 4 percent.<sup>9</sup> The court has offered intensive services, such as housing, job training, and safety-plan-

ning, to virtually every victim with a case pending. Independent researchers from the Urban Institute concluded that “victim services are clearly expanded under the specialized court, in that all victims are assigned an advocate and receive a protection order.” It also found that “the District Attorney’s Office [is] more likely to indict cases with less severe police charges in order to bring the enhanced defendant monitoring and victim services resources to these cases.” And while conviction rates didn’t change under the domestic violence court, the method of reaching disposition did: “Convictions by guilty pleas were more common and trials were less common . . . Even when accounting for other relevant factors (such as factors relating to evidence), plea bargaining is more likely to result from use of the court model itself. This represents a cost-savings to the court system.”<sup>10</sup>

Guided by the success of the Brooklyn model, the New York State Unified Court System subsequently developed domestic violence courts in several other counties. To date, there are domestic violence courts in operation or in the planning stages in ten jurisdictions in both felony and misdemeanor courts, and both urban and suburban jurisdictions. The inclusion of misdemeanors has added an important dimension to the model, testing the efficiency of a high-volume court where judges cannot leverage substantial jail time to enforce compliance.

In addition to the domestic violence felony and misdemeanor court models, the state court system is also piloting “integrated” domestic violence courts. These multijurisdictional courts are dedicated to the idea of “one family—one judge.” They allow a single judge to oversee criminal cases, orders of protection, custody, visitation, and divorce matters for one family. From a practical perspective, these courts simplify the court process for families in distress, creating an environment where litigants no longer have to navigate multiple court systems simultaneously

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and reducing the risk that they will receive conflicting orders.

## Principles

Based on the collective experience of the New York State domestic violence courts—misdemeanor, felony, and integrated—several core principles have emerged. While each domestic violence court must address the needs of its own community, this list highlights the building blocks of a successful domestic violence court: victim services, judicial monitoring, accountability, and coordinated community response.

## Victim Services

Complainants in domestic violence cases have unique needs and concerns. Unlike typical assault victims, they are often dependent on their assailant for economic assistance, have children together with him, or are even living with his family.<sup>11</sup> They may also be threatened by the defendant or his family during the course of a case. These factors and others greatly complicate domestic violence cases and make the prompt and effective provision of social services to victims of paramount importance.

• **Provide victims with immediate access to advocates.** Victim safety is the true cornerstone of domestic vio-

lence courts. Every victim should be given immediate access to an advocate who can provide safety planning and explain court procedures. Comprehensive victim advocacy should include long-term services as well as access to counseling, job training, immigration services, child services, and other programs aimed at improving self-sufficiency. A victim should remain paired with her advocate throughout the pendency of the case (i.e., from police response through post-disposition).

At the Brooklyn Felony Domestic Violence Court, advocates are drawn from two sources: the district attorney’s office and Safe Horizon, an independent victim advocacy organization. Both have offices in the courthouse, giving them easy access to victims and court staff. Their services are not exactly the same, however: advocates from a district attorney’s office may be compelled to give victim information to the prosecutor—even if the victim does not want the information to be shared. Independent victim advocates, on the other hand, have greater flexibility to keep information confidential. In Brooklyn, complaining witnesses may choose to see an independent advocate if they are uncomfortable with the district attorney’s advocate. This arrange-

ment takes advantage of the strengths of both systems without sacrificing victim confidentiality.

- **“Frontload” social services.**

Advocates should make linkages with social service agencies, emergency shelter, food, and civil legal services. This makes sense in human terms (providing people in crisis with help as soon as possible) and in terms of improving court outcomes. Studies have shown that when victims receive assistance early in the court process, they are much more likely to remain engaged in their cases. Victims are more likely to follow through with a case when they clearly understand the legal process.

- **Keep victims informed.** In addition to providing general information and referrals, advocates should provide victims with up-to-date information on their cases. This reduces the burden on the victim to constantly reappear in court to find out the status of her case, and ultimately reduces her chances of being placed in further danger. It also gives the victim the feeling that the system cares about her welfare; this may, in turn, persuade the victim to do all she can to participate in the prosecution.

- **Schedule cases promptly.**

Another way to enhance victim safety is to schedule domestic violence cases promptly so that victims can get an order of protection quickly. The longer the victim must wait for legal action, the longer she is at risk. The sooner a case can be heard, the sooner assistance can be provided. In Westchester County, for instance, felonies are transferred immediately to the domestic violence court after the initial filing of an indictment. This allows for the rapid issuance of orders of protection, and sends the message to defendants that the case is being taken seriously. It also allows the court to link victims to services as early in the process as possible. Experience indicates that delays give the batterer more time to convince the victim to become uncooperative.

- **Create “safe places” within the courthouse.** Court planners should rec-

ognize the need for victim safety and provide security and comfort for victims accordingly. Design elements can include providing private space to speak with advocates and separate waiting areas near the victim services office. The Bronx Misdemeanor Domestic Violence Court, in fact, has a separate safe waiting area in the victim services office. The waiting area is staffed by victim advocates; victims are escorted to and from the courtrooms when they need to testify.

### **Judicial Monitoring**

Domestic violence courts seek to take advantage of the coercive and symbolic authority of judges. There is good reason for this: research indicates that ongoing judicial monitoring may be the most effective technique to reduce domestic violence recidivism.<sup>12</sup> Monitoring ensures that repeat offenses will not be tolerated and ensures that the full weight of the judge’s authority is directed at stopping the violence.

- **Assign a permanent judge.**

Assigning a single judge to handle criminal domestic violence cases from arraignment through sentence and compliance helps ensure consistency. It also helps the judge become well-versed in responding to the special issues presented by domestic violence. Having a single judge preside from the beginning to the end of a case also helps the judge make more informed decisions. The judge’s ability to hold a defendant accountable is compromised when the defendant has more information than the court and can “play” the system.

- **Supervise defendants continuously.** Domestic violence courts should use intensive judicial supervision from arraignment through disposition. For defendants whose sentences include probation, judicial monitoring should continue post-disposition as well. Intensive monitoring can come in many forms. In felony-level cases, a judge can require defendants to appear in court every two weeks while a case is pending to ensure that they have enrolled in a batterers treatment program (often a

condition of bail) and to ensure that they are refraining from contact with the victim. Later, judges can use similar techniques to ensure compliance with the sentence. Frequent reporting means that if a violation of a sentence does occur, the court is in a position to respond immediately.

- **Explore new methods of judicial monitoring.** Courts should always look for ways to enhance judicial monitoring. Curfews, phone check-ins, and ankle monitors are all techniques that courts have explored. For example, the Brooklyn Domestic Violence Court established a partnership with the New York State Department of Parole that requires new parolees to appear before the judge upon their release from prison. During their appearance, the judge carefully goes over the conditions of their release, with particular attention focused on the stipulations contained in the order of protection. Thus, the court found a new way to expand the role of the judge in monitoring offenders.

- **Dedicate additional staff and resources for monitoring.** Judges can’t do it alone. In New York’s domestic violence courts, judges rely on case managers to keep track of victim needs and violations by defendants. Case managers can assist the judge by staying in constant contact with off-site partners and tracking defendant compliance with court orders.

- **Create a separate compliance docket if there is high volume.** Particularly in busy courthouses, it may make sense to create a separate “compliance courtroom” in which a judge is assigned to monitor offenders’ compliance after imposition of the sentence. The compliance judge can quickly identify violations and refer the case back to the sentencing judge as necessary. In the Queens Misdemeanor Domestic Violence Court, for example, the volume is so high that a separate compliance courtroom was established in order to adequately address each case and get reports on each defendant in a timely manner.

## Accountability

It is common for both the complaining witness and the defendant in a domestic violence case to believe that the victim brought the violence on herself. The court can respond to this by making sure that defendants understand that they are directly accountable to the judge for their behavior towards the complainant and their compliance with court orders. Domestic violence courts can encourage another kind of accountability as well, holding government and nonprofit partners accountable for serving victims and monitoring defendants in the most effective manner possible.

• **Build strong relationships with service providers.** Information is crucial to any effort to promote accountability. Strong relationships with service providers, such as batterers intervention programs and substance abuse treatment providers, ensure that when a defendant is noncompliant, the court is notified right away and can act accordingly. In Buffalo, service referrals are made through a clinical center located right in the courthouse, ensuring that information flows smoothly both from and to the court.

• **Hold batterers programs accountable.** Judges and case managers should research local batterers programs to determine which ones will reinforce the court's message to defendants. Additionally, the court needs to work together with batterers programs so that they know what they have to tell the court and why. One batterers intervention program in Brooklyn, not accustomed to being accountable to the court, reported as a matter of course that all offenders sentenced to the program were in compliance even if they were not. When the court realized this, it stopped referring defendants to that program. This example highlights the need for constant communication with off-site programs.

• **Think creatively.** In many jurisdictions the local probation department can provide the court with specialized domestic violence officers to help

supervise offenders. Probation and parole departments can monitor offenders even when they are no longer being monitored directly by the court. And local nonprofits can pitch in as well. In Queens, the domestic violence court has a representative from a local batterers intervention program sitting in the courtroom in order to conduct an immediate intake for each sentenced offender. This process eliminates a step from the process—sending the offender off-site to participate in an assessment interview—and thus improves efficiency and accountability.

• **Use technology to enhance access to information.** Computer technology can streamline the information process and ensure that relevant information flows continuously, quickly, and reliably to all dedicated personnel. Dedicated domestic violence courts use technology to help avoid contradictory rulings and to make more informed decisions about sentencing. New York has developed a specialized domestic violence technology application to allow judges, case managers, district attorneys, defense attorneys, probation officers, and community partners to have immediate access to important information regarding each domestic violence case.<sup>13</sup>

## Coordinated Community Response

To combat domestic violence, all segments of a community have to work together to send a consistent message that violence is not acceptable. Domestic violence courts can play a critical role in raising public consciousness and convening disparate partners to improve interagency communication.

• **Create strong linkages with a wide range of partners.** Because of its complexity, domestic violence inevitably involves a variety of local systems, agencies, and individuals. Recognizing this, domestic violence courts should aspire to expand the range of organizations that are involved in the court's efforts. Partnerships between the domestic

violence court and the many agencies that provide victim assistance/advocacy and defendant monitoring help to strengthen the message to the defendant—and to the community—that domestic violence is not tolerated.

• **Convene regular meetings with criminal justice and social service partners.** Interagency collaboration is crucial to ensuring communication, consistency, and continuing education about the court and domestic violence. The domestic violence judge can be a catalyst, providing leadership to the collaboration. Judges should invite all of the court's partners—representatives from the prosecutor's office, the defense bar, court officers, victim advocates, resource coordinators, batterers intervention programs, and probation—to participate in regular meetings. The meetings create an opportunity to clarify and understand the court's expectation of everyone's roles. Partner meetings can also focus on strengthening outreach to underserved communities and devising preventive education models. Partners, meetings in Westchester County, for example, frequently draw representatives from as many as fifty agencies to share new strategies and form new linkages.

• **Provide court personnel and partners with domestic violence education and training.** Domestic violence courts can continually educate and update staff and partners by scheduling regular court-sponsored trainings. In New York's domestic violence courts, trainings have been held on a variety of topics featuring a wide range of both local and national experts. Trainings have ranged from "Domestic Violence 101" presentations held during Domestic Violence Awareness month to more in-depth day-long presentations focused on specific issues such as the overlap of child maltreatment and domestic violence. The goals of these trainings are really twofold—to provide ongoing support and reinforcement on domestic violence issues to court personnel and partners as well and to highlight the court's commitment to

handling domestic violence cases in an educated and serious manner.

### Obstacles

Creating a domestic violence court is not without its challenges, of course. A domestic violence court is, by its nature, a collaborative enterprise requiring the buy-in of numerous agencies including court administrators, judges, prosecutors, victim advocates, and, where possible, the defense bar. Each of these stakeholders will have their own concerns. Addressing as many of these issues up front will help prevent problems down the road.

• **Defense objections.** Defense counsel opposition often focuses on the court's use of intensive judicial monitoring and predisposition conditions of release. Planners can help address this issue by including defense counsel in all aspects of court development and implementation. New York domestic violence courts have discovered that there are in fact issues related to domestic violence that engage the defense bar (i.e., battered women defendants, defendants with mental illness) and have used these topics as a catalyst to encourage their participation. These issues are worthy of special attention because both defense counsel and victim advocates agree that these cases present unique difficulties (e.g., battered women defendants are themselves victims of domestic violence and defendants with mental illness are hard to place within current criminal justice sanctioning schemes) and might be better solved through a domestic violence court. Defense counsel have also objected that referring to a court as a "domestic violence court" is inherently prejudicial. They felt that the label "domestic violence" presupposes the guilt of all court participants. In response to these concerns, the Brooklyn court removed all signage from the courtroom, although the court part is still officially known as the Brooklyn Felony Domestic Violence Court, and remains dedicated to responding to the issues of domestic violence. Through inclusion of defense

counsel in meetings as well as by taking pains to preserve due process protections, domestic violence courts can work to mollify the defense bar's concerns.

• **Judicial objections.** Judges may feel that their involvement in a specialized court will compromise their objectivity. Some judges have expressed the opinion that domestic violence trainings force them to be too closely aligned with the victim's perspective and that additional information from case managers could be considered ex parte communication. New York Chief Judge Judith S. Kaye has mandated that all judges that hear family-related cases participate in domestic violence training. Understanding the dynamics of domestic violence does not mandate any particular finding in any individual case. And judges who have presided over domestic violence courts have not found their objectivity impaired. After spending three years in the Bronx misdemeanor domestic violence court, Judge Ethan Greenberg has seen firsthand the benefits of domestic violence courts. "I am able to make better decisions with the enhanced training and information that I am given," he said.

• **Partner objections.** Criminal justice professionals (i.e., attorneys, police, probation officers) may claim with good reason that they are too short-staffed to provide additional scrutiny to domestic violence cases. Arranging for a site visit to an operational court can help mollify these concerns. Agencies with experience working with domestic violence courts in New York have often found that their additional efforts pay off in savings down the road. For example, prosecutors may have to redeploy personnel in order to provide a dedicated team to the part. Although difficult at first, this arrangement may save staff time in the long run by minimizing adjournments. Additionally, partner agencies should be encouraged to work together to look for additional funding opportunities that will help fill gaps in staffing.

• **"Burnout."** After months of planning and implementation, the realities

of handling a caseload consisting solely of domestic violence can take its toll on the front-line judges and attorneys in a domestic violence court. Burnout is a widespread problem for professionals who work with domestic violence victims and perpetrators. The cases are highly emotional and, in many situations, the parties return to court repeatedly. Burnout can affect everyone from the judge to the victim advocate to the case manager. Domestic violence courts should not be shy about seeking out professional assistance, providing staff with the tools they need to prevent "secondary trauma."

### Defining Success

Many domestic violence advocates are hesitant to embrace the idea that domestic violence courts are "problem-solving courts." There are substantial differences between domestic violence courts and other problem-solving courts. Many of these differences stem from how success is measured and to whom services are offered. Drug courts can easily look to see whether defendants are successfully completing their court-mandated drug-treatment programs. But domestic violence courts are not targeted at "rehabilitating" defendants. Indeed, services are offered primarily to help victims achieve independence. The primary "service" offered to defendants is batterers programs. But in New York domestic violence courts, batterers programs are used by domestic violence courts primarily as a monitoring tool rather than as a therapeutic device. This approach is based on the research about batterers programs, which is extremely mixed. It is unclear whether these programs have any impact at all in deterring further violence.

Other methods of measuring recidivism present substantial challenges. First, one might turn to the victims to track re-offending. After all, they are not defendants—they aren't fingerprinted and the court has no legal hold on them. Moreover, many victims are loath to "re-live" their victimization by

participating in follow-up studies. As a result, it is often difficult to track victims over the long haul. For the same reasons, it can also be difficult to find out whether domestic violence courts are meeting victims' service needs.

Without victim information, researchers may be forced to use official records, which track only arrests and not unreported offenses, to try to understand the courts' impact on recidivism. Additionally, court records have other problems. Official records rarely record whether an offense is committed against the same victim, and sometimes not even whether a rearrest is a domestic assault or "regular" assault.

Domestic violence courts in New York keep track of case numbers, dispositions, and the number of victims linked to services in order to assess their progress. This information is collected quarterly and distributed to the judges, court administrators, and clerks. But more is needed. Because it is difficult to identify a single standard for defining success, it has been difficult to show whether or not these specialized courts are making a difference. This debate echoes the debate over whether or not batterers programs have an impact on either recidivism or safety. As more research is being done in this area, domestic violence courts will have to modify their procedures to ensure that they are consistent with the best practices in the field.

### Funding

Finding funding, both initially and for ongoing support, has proven to be an obstacle to wider implementation of domestic violence courts. Although the federal government provided a tremendous incentive to launch these specialized courts, they cannot be expected to provide funding over the long term.

As with all courts, resource allocation is always a challenge. Dollars for the extra resources necessary for a domestic violence court are often hard to come by. However, domestic violence courts do have the potential to attract funding from an array of

sources—they do not have to rely exclusively on state judicial budgets. Fundraising efforts should capitalize on the courts' ability to increase victim safety and improve community well-being. Planners should seek out partnerships with community-based organizations in order to strengthen applications both to government and private funders who may be interested in issues like women's health, families, and other topics related to domestic violence.

### Conclusion

While these obstacles should not be minimized, domestic violence courts have been able to change the way that the criminal justice system approaches domestic violence cases. Domestic violence is a unique crime that demands innovation from the entire criminal justice system. The progressive nature of domestic violence crime—which tends to become more and more violent—underscores that courts cannot look only at individual cases. They must look for broader system outcomes, seeking to reduce recidivism, increase safety for victims, and improve inter-agency collaboration.

Domestic violence courts alone cannot eliminate family violence, but they can play an important role, increasing accountability for defendants and safety for victims. This is the lesson of New York's experience with domestic violence courts.

### Notes

1. N.Y. STATE OFFICE FOR THE PREVENTION OF DOMESTIC VIOLENCE, DOMESTIC VIOLENCE DATA SHEET (2001).

2. Judith S. Kaye and Susan K. Knipps, *Judicial Responses to Domestic Violence: The Case for a Problem Solving Approach* [herein after *Judicial Responses*], 27 W. ST. U.L. REV. 3 (1999-2000).

3. *Id.*

4. SUSAN KEILITZ, NATIONAL CENTER FOR STATE COURTS, SPECIALIZATION OF DOMESTIC VIOLENCE CASE MANAGEMENT IN THE COURTS: A NATIONAL SURVEY (2000).

5. N.Y. STATE OFFICE FOR THE PREVENTION OF DOMESTIC VIOLENCE, *supra* note 1.

6. SAFE HORIZON, HELP IN THE COURTS FACT SHEET (2000).

7. Amy Waldman, *Striking Back*, N.Y. TIMES, June 28, 1998.

8. Judith S. Kaye and Susan K. Knipps, *Judicial Responses* 5, 6.

9. LISA NEWMARK ET AL., URBAN INSTITUTE JUSTICE POLICY CENTER, SPECIALIZED FELONY DOMESTIC VIOLENCE COURTS: LESSONS ON IMPLEMENTATION AND IMPACTS FROM THE KINGS COUNTY EXPERIENCE (Oct. 2001).

10. *Id.*

11. It is worth noting that domestic violence is not limited to male-female relationships and is not always perpetrated by men. This document uses "she" in order to refer to the complainant/victim and "he" to refer to the defendant for simplicity and in order to reflect the results of studies that show approximately 95 percent of domestic violence victims are female.

12. EDWARD GONDOLF, PENN. COMM. ON CRIME AND DELINQUENCY, THE IMPACT OF MANDATORY COURT REVIEW ON BATTERER COMPLIANCE: AN EVALUATION OF THE PITTSBURGH MUNICIPAL COURTS AND DOMESTIC ABUSE COUNSELING CENTER (1998).

13. See PAMELA YOUNG, CENTER FOR COURT INNOVATION, AN INFORMED RESPONSE: AN OVERVIEW OF THE DOMESTIC VIOLENCE COURT TECHNOLOGY APPLICATION AND RESOURCE LINK (2001).