

The Office of Court Improvement Office of the State Courts Administrator

Assessing the Scene: The Domestic Violence Action Report 2014

"This project was supported by Contract No. LN967 awarded by the state administering office for the STOP Formula Grant Program. The opinions, findings, conclusions, and recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the state or the U.S. Department of Justice, Office on Violence Against Women."

Introduction

During the current fiscal year, 2013-14, the Office of Court Improvement's Domestic Violence Unit has endeavored to identify and prioritize domestic violence issues in the Florida State Courts System and to develop a long range plan to address those issues. Domestic violence civil injunction cases require courts to communicate and coordinate with each other and with other domestic violence stakeholders to provide any measure of relief. This system is incredibly complex, making efforts to stay abreast with current and newly developed practices a priority.

Sorting through the various issues requires input from various perspectives including, but not limited to, law enforcement officers, judges, state attorneys, public defenders, court staff, advocates, probation officers, and other professionals in the domestic violence field. To best achieve a truly in-depth and meaningful understanding of the current situation in Florida, the Office of Court Improvement engaged in a multi-pronged approach to assessment, engaging in such activities as court observations, a widely dispersed set of surveys, a lively and well-qualified advisory group comprised of professionals in different domestic violence capacities throughout the state, and focus groups with various domestic violence professionals.

As a result of the foregoing approach, the Office of Court Improvement obtained a true wealth of information about the state of domestic violence courts in Florida. This report is the product of an incisive look at the information Florida domestic violence professionals provided. It outlines a very ambitious approach to the coming years, offering truly innovative solutions to the current issues facing Florida's domestic violence courts and suggesting a variety of projects for the STOP Violence against Women federal grant to the courts.

Action Item 1: The Florida Judicial Institute on Domestic Violence

Description:

The Florida Judicial Institute on Domestic Violence (FJIDV) is intended to be the “go to” source for the most comprehensive and current information on all matters relating to domestic violence cases in Florida. Comprising of a number of different training mediums, a document library for current research, and case law updates from within Florida and around the United States, the FJIDV will be the premier hub for domestic violence education and research in Florida.

Rationale:

The Office of Court Improvement (OCI) engaged in a number of different assessment methodologies, surveying the state of domestic violence education among judges and court staff throughout Florida. One common theme that arose in every assessment was the need for more training, both general training and court or circuit-specific training. Further, the nature of the court’s exposure to domestic violence education and research is one of piecemeal and segmented developments, which makes for much confusion and inefficiency when any effort is made to examine new strides in the field of domestic violence. The FJIDV is the OCI’s response to this need.

Components:

- 1.1 Judicial training events.
The OCI will work with expert judicial educators to develop and host at least six (6) one-and-one-half-day regional judicial training events throughout Florida. These training events will focus on the fundamentals of domestic violence cases, providing education from intake through a final injunction and enforcement. One of the six training events will be recorded and hosted on the FJIDV training portal.
- 1.2 Follow-up visits.
The OCI will work with the judicial educators to engage in “post-training reviews” with those circuits or jurisdictions that desire additional, jurisdiction-specific training.
- 1.3 Website.
The OCI will work with appropriate technical experts to develop and host the FJIDV website and education hub.
- 1.4 Article/research portal.

The OCI will work with nationally-recognized publications to provide some form of access to the most current and timely articles and research in the field of domestic violence. These articles will be linked or hosted in some fashion on the FJIDV research portal.

- 1.5 Develop an online library for Florida-specific domestic violence training videos. In addition to the regional training that will be hosted on the FJIDV training portal, the OCI will develop an online video library of previous and current trainings, webinars, and brown bag lunch-and-learns that pertain to the field of domestic violence. This library of resources will be made available to all Florida domestic violence stakeholders.
- 1.6 Develop and maintain a dynamically updating streaming news feed of current domestic violence news articles.
The OCI will work with appropriate technical staff to develop a dynamically updating news feed, ensuring that domestic violence stakeholders are kept abreast of the most current domestic violence issues in the news around the country.
- 1.7 Case law updates.
The OCI will continue its practice of providing comprehensive case law updates on the newest monthly Florida domestic violence cases. Additionally, the OCI will expand this update service to include cases from around the USA that discuss issues that are not currently addressed in Florida statute or case law.

Action Item 2: Domestic Violence Civil Injunction Procedure

Description:

The OCI will take a lead role in researching, developing, and disseminating a host of topically specific articles, promising practices guides, and other informative documents that address a number of issues critical to the safe, efficient, and economic civil domestic violence injunction process.

Rationale:

The OCI has always taken a role in educating and informing Florida courts and court staff about issues of importance for efficient process of domestic violence cases. During the evaluative process mentioned above, the OCI solicited numerous opinions about any procedural issues that demanded significant attention and or specific guidance. Based on input from judges, domestic violence coordinators, clerks, public defenders, victims' advocates, shelter employees, batterers' intervention program managers, and other domestic violence stakeholders, the OCI has compiled a still-growing list of action items to enhance court procedure and promote overall domestic violence case processing.

Components:

- 2.1 Enhanced online form visibility.
The OCI will work with clerks' offices, sheriffs' offices, shelters, and other first-access locations to enhance the visibility of the online forms and the online form-filling process.
- 2.2 Promising practices guide to intake procedures.
The OCI will work with court staff throughout Florida to develop a promising practices guide for petition intake. This guide will discuss such issues as office safety, access to appropriate forms and information, and general domestic violence case procedures.
- 2.3 Batterers' Intervention Program enforcement guide.
The OCI will work on promoting the promising practices guide it developed during the 2012-13 fiscal year, as well as the newest OCI video, "Get Psych'd About Batterer Compliance," which discusses enforcement and compliance with orders to successfully complete a Batterers' Intervention Program.
- 2.4 Emotion in the courtroom.
DV proceedings can be very emotional. The OCI will work with court staff, court judges, and mental health professionals to develop a guide on emotion management techniques to be used in the courtroom.

- 2.5 Safety in the courtroom.
The OCI will work with bailiffs and other court security officers to develop a guide on minimum safety standards for courtrooms, courthouses, and court parking lots.
- 2.6 Injunctions and finances.
The OCI will work with family court staff and judges to develop an informational guide to the financial aspects of domestic life that can become entangled in a domestic injunction – alimony and child support in particular.
- 2.7 The new stalking injunction.
The OCI has registered a high volume of concern regarding the new stalking injunction. To address this pressing issue, the OCI will develop a procedure packet that assists courts in navigating this new form of protection.
- 2.8 Promising practices guide to continuing v. vacating injunctions.
The OCI will work with court staff and other domestic violence stakeholders to develop a promising practices guide on the topic of continuing injunctions, detailing the issues that a court may consider as well as case law that has begun to more narrowly define the range of circumstances in which continuing an injunction is acceptable as opposed to vacating the injunction.
- 2.9 Quick Reference Guide for Injunctions.
The OCI will work with various court staff and clerks' offices to develop a quick reference checklist for the types of injunctions for which Florida provides petitions. This checklist will be made available for use at the various points of petition intake, to assist in the efficient processing of petitioners' needs.

Action Item 3: Further Training and Education

Description:

The OCI will further the educational opportunities through Florida, providing technical assistance and funding for those projects that enhance the provision of justice in Florida domestic violence dockets.

Rationale:

In addition to its role as an educational content provider, the OCI has always supported the efforts of Florida jurisdictions to take their education into their own hands. While engaged in discussions with the advisory group and several meeting break-out sessions, the OCI discovered that these initiatives were very strongly supported by stakeholders throughout Florida. To that end, the OCI has resolved to use STOP grant funds to encourage the following action items.

Components:

- 3.1 Update the Florida Domestic Violence Benchbook.
The OCI will continue to ensure that the Florida Domestic Violence Benchbook is current and up-to-date, including new cases, concepts, and issues that judges may confront on the domestic violence bench.
- 3.2 Brown bag initiative.
The OCI is committed to ensuring a strong atmosphere of education throughout Florida jurisdictions. To that end, the OCI will provide technical assistance, support, and other aid as needed to help Florida jurisdictions host regular brown bag lunch-and-learns.
- 3.3 Continue the Domestic Violence Webinar Series.
The OCI will continue the webinar series begun in the 2012-13 STOP grant cycle, providing at least four (4) webinars on current domestic violence issues. These webinars will be recorded and uploaded to the training portal on the FJIDV hub.
- 3.4 Domestic violence summit.
The OCI has heard a high volume of requests for additional, cross-stakeholder training opportunities. To that end, the OCI will plan, fund, and host a domestic violence summit, geared toward open communication and cross-training opportunities. This summit will be made available to all Florida domestic violence stakeholders.
- 3.5 Produce and distribute a semi-annual newsletter.

The OCI will continue its long tradition of creating and distributing two domestic violence newsletters during the next STOP grant cycle, soliciting articles and information from the Florida domestic violence community.

3.6 Domestic violence advisory group.

The OCI will continue to meet with a multi-stakeholder domestic violence advisory group, in an effort to retain open lines of communication and strengthen the educational opportunities in Florida.

3.7 Presentation at the Florida Annual Conference for Mediators and Arbitrators.

The OCI will submit a presentation request to the Dispute Resolution Center's Annual Conference for Mediators and Arbitrators, in an effort to continue the educational outreach that has been established in previous STOP grant cycles.

3.8 Provide technical assistance and research as requested.

The OCI will continue to be a destination for research and technical assistance requests from Florida domestic violence stakeholders.

3.9 Coordinate and provide scholarships for Florida judges to attend national training events.

The OCI has received a number of positive responses to the judicial education scholarship program. As such, the OCI will continue to offer the program in an expanded capacity, thereby ensuring that Florida judges receive the highest quality education and training that we can possibly provide.

Conclusion

Domestic violence cases involve many different groups. A coordinated community response is crucial for the system to operate effectively, to ensure victim safety, to protect the due process rights of all parties, and to hold perpetrators accountable. Stakeholders, judges, and court staff must be knowledgeable of all of the pieces of the puzzle and work together to assist families in obtaining resources and navigating through the court system. The priorities, issues, and recommendations contained within this plan are intended to provide vital guidance in planning and improving the effectiveness of Florida's courts in handling domestic violence cases.