

A Holistic Court Response to Domestic Violence



Erie County Integrated Domestic Violence Court:
Working Together to Build a Better System

Faculty

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Session Goals

- Introduce the New York Integrated Domestic Violence Court Model
 - Key principles
 - Goals and Objectives
- Team roles
- Strengths and Obstacles
- Outcomes



What is the Center for Court Innovation?

- The Center for Court Innovation is a unique public-private partnership dedicated to testing new ideas in court reform
 - Office on Violence Against Women Targeted Technical Assistance Provider
 - National Institute of Justice: "Portrait of Domestic Violence Courts"

Track Record

- New York has implemented over 60 Domestic Violence & Integrated DV Courts in rural, urban and suburban jurisdictions
- The Center and the Erie County IDV Court have also worked with courts in other states and countries to develop DV & IDV models

Why are we here?



"One possible judicial response [i]s 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?"

Judith S. Kaye and Susan Knipps, *Western Law Review*

Why we planned IDV Courts: Orchid G.'s Story

"In five years in the court system, I had 14 separate cases in seven different courtrooms before seven different judges. I am not only a victim of domestic violence, I am a victim of a court system that is confusing, unfriendly and dangerous to victims."

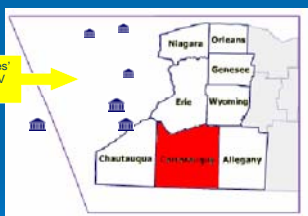
Other models?

- Unified Family Courts
- Combined criminal and civil orders
- Domestic Violence Criminal Courts
- Other "Problem-solving" Courts

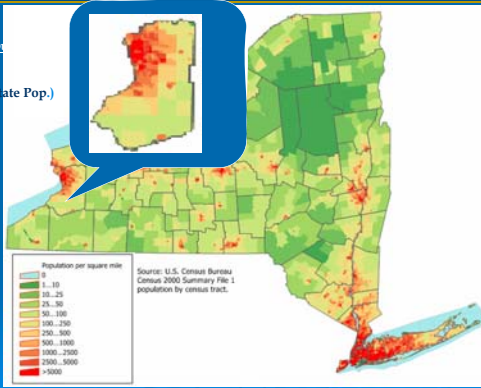


8th Judicial District Erie County, NY

Judge Haendiges' Erie County IDV Court



Erie County Pop.
New York State:
Erie County:
(4.732% of NY State Pop.)



GEOGRAPHIC MAKE-UP OF ERIE COUNTY'S COURTS



- Courts of Erie County:
- Supreme Court
 - Felony Criminal matters
 - Matrimonial matters
 - Civil matters
 - County Court
 - Felony Criminal matters
 - Family Court
 - Family matters
 - City and Town and Village Courts
 - Misdemeanor and violation level criminal matters

Erie County IDV Data

- Over 1300 families been served by Erie IDV Court; Average 4.7 cases per family
- Handled over 6500 cases; currently 1620 open cases
- Nearly all victims have contact with victim advocates



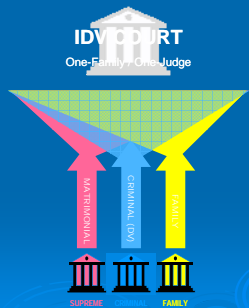
Mission Statement

➤ Handle all related cases pertaining to a single family where the underlying issue is domestic violence; provide complete information about family issues to aid in the judicial decision-making; and concentrate comprehensive resources and services in one court to address the multiple needs of these families.

Provide comprehensive approach to:

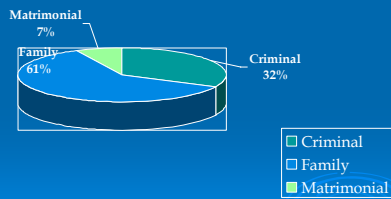
- Increasing offender accountability;
- Ensuring victim safety;
- Integrating the delivery of social services and;
- Eliminating inconsistent and conflicting judicial orders.

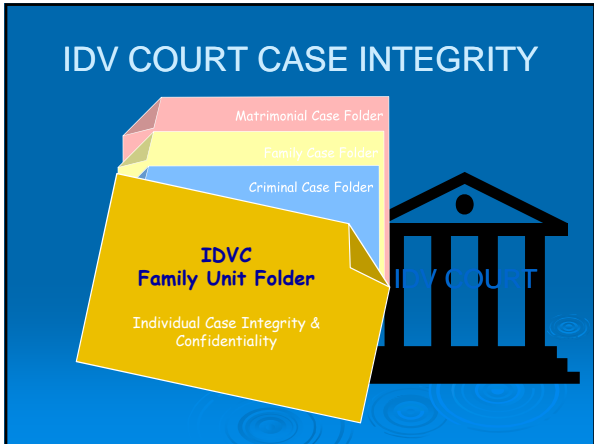
IDV Court Case Eligibility

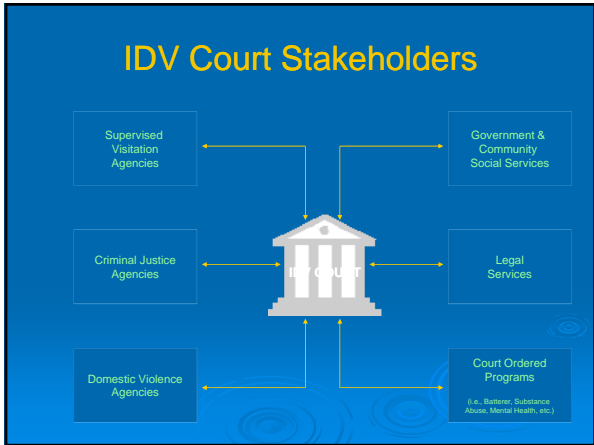


ERIE COUNTY IDV COURT

Year-to-Date Caseload Activity Summary by Case Type







- ## Key IDV Implementation Areas
- Jurisdiction: All cases or some? Not opt in
 - Case calendaring:
 - On separate days? Sequentially?
 - Ensuring victim choice
 - Due process/burdens of proof
 - Expanding and maintaining partnerships
 - Technology
 - Evaluation

Techniques to Enhance Offender Accountability

- Single Presiding Judge
- Increased communication between agencies
- Compliance reviews
- Use of programs as monitoring tool



Strategies to Enhance Victim Safety

- Victim advocates in the courthouse
- Immediate response to violations
- Increased information flow to the court
- Including Child Support in Order



Strategies to Respond to Abuse/Manipulation of Children

- visitation schedules designed to protect safety of non-abusive parent and children
- educate offenders about impact of DV on children
- Include children & their schools on protective conditions and orders as appropriate

Questions for the Panel

- IDV Challenges
- IDV Strengths/Successes

- Impact of the IDV on:
 - Your role
 - Your clients
 - The community

Benchmarks & Evaluation

- Collection of data regarding:
- Access to services;
 - Increased efficiencies;
 - Tracking of civil and criminal remedies;
 - Impact on recidivism;
 - Monitoring offender compliance

Reduced burden on litigants

- Erie: 2.01 average fewer trips to court
- New York Dunne Commission Study findings: \$502 million savings



Other Results

- Over 17,000 families; 90,000 cases (60k civil; 30k criminal)
- Compliance Reviews: E.g. Sept-Dec 2005, 18 IDV Courts monitored 1019 defendants, held 1968 compliance review hearings
- Queens IDV: 2007 Interviews with domestic violence survivors documented support for IDV
- A comparison study from 2005 showed: Erie: 62% conviction in IDV; 34% in non-IDV
- Bronx IDV: 2004 data showed that at 1 year post-disposition, 9% of IDV defendants had been rearrested at least once for domestic violence
- Bronx IDV: 95% of litigants represented by civil attorney in IDV, cooperated with criminal proceedings

Technical Assistance Available

- On-site consultation
- Site visits to New York
- Planning assistance
- Tool kit
 - aldrichl@courtinnovation.org
