



Court Watch Project Report

November 2023 – May 2024
22nd Judicial Circuit in Missouri

THE COURT WATCH PROJECT

The mission of the Court Watch Project is to make the justice system more effective and responsive in the handling of domestic violence cases and to create a more informed and involved public.

For over 20 years, the Court Watch Project has been sending trained volunteers to the St. Louis Circuit Courts to observe and collect data for adult order of protection hearings. Over the past decade, it has been an effective way to advocate for change and build partnerships between the courts and community agencies.

Since the Fall of 2016, the Court Watch Project produced 17 reports highlighting the observations of over 300 order of protection dockets in both the 21st and 22nd St. Louis Circuit Courts. Recommendations focused on increasing safety and security practices, so victims feel safe coming to court, on enhancing accessibility of information and support, on improving language access for non-English speaking litigants, and on the transparency of the process, especially for pro-se litigants. The reports have been shared with the presiding judges, area family violence councils, other Family Court judicial officers, and the community at large.

The Court Watch Project is an integral part of the systems advocacy work of St. Louis Ending Domestic and Sexual Violence Network (SLEDVSN), the community of domestic and sexual violence victim service providers in our region. Saint Martha's serves as the lead agency coordinating the volunteer activities, trainings, and general oversight of the Project.

The intention of our continued dedication to the project is to strive to work as a partner and build a more coordinated community response to domestic and sexual violence adult abuse cases. In doing so, the Project has developed and coordinated several trainings for judicial officers and court staff and community agencies continue to serve on the St. Louis City Family Violence Council and its committees as needed. Victim service providers and community stakeholders are committed to continued discussions on ways to improve our region's response to domestic violence survivors and their children, and to increase offender accountability and responsibility in learning and adopting non-violent response options.

HISTORY OF THE COURT WATCH PROJECT IN THE ST. LOUIS CITY FAMILY COURT

For over twenty years, the Court Watch Project has periodically observed multiple divisions and judicial officers conducting civil order of protection dockets. After receiving the Office of Violence Against Women's Justice for Families grant in 2015, the Project consistently began observing Division 14, where the majority of intimate partner domestic violence order of protection cases were being heard. From the fall of 2016 to the spring of 2020, the Project observed six different judges assigned to that division and produced five separate reports.

Recommendations consistently focused on increasing court room safety and security practices for victims and others in the court room, enhancing the accessibility of the courts, improving language access for non-English speaking litigants and transparency of the process especially for pro-se (without an attorney) litigants. It was also recommended in the Court Watch Project Spring 2018 report that continued training be provided to deputies, court staff and judicial officers. Members of the Court Watch Project Advisory Team met with several of the family court judges to discuss on-going trainings including a judicial training conducted by the National Council of Juvenile and Family Court Judges in the Spring of 2019.

There were some noticeable changes to security procedures and the increased use of judicial opening remarks during that time. There were several judges who embraced the use of opening remarks to improve transparency of the process for pro se litigants. With the practice of annual rotation of judicial officers through divisions in the 22nd Circuit Court, it was an obstacle for long-standing changes to transpire. The Court Watch Project paused in March of 2020 due to the Covid-19 pandemic.

During that same time, the Court Watch Project asked representatives from community organizations who worked with the Family Court as Guardians ad Litem, attorneys, and victim services providers to begin networking and exchange information relative to those they were serving in the adult abuse dockets. With the encouragement of the Family Court Administrative Judge at the time, representatives from Family Mediation and the Pro Se Court Manager to join the conversations. The group of Community Stakeholders supported the Crime Victim Center's Justice for Families Grant application which enhanced the advocacy services within the adult abuse office and related dockets. This group has been an essential piece of communication among service providers for over three years and is committed to assist in the Court in establishing the enhancement of services to domestic violence victims and their children.

Recently, the Court has taken steps in developing a separate compliance docket for orders of protection cases where the Respondent was ordered to attend batterers intervention classes or comply with other specific orders of the court. This was a recommendation made

in the Spring of 2017 by the Court Watch Project. They have expanded this docket to include criminal domestic violence cases in coordination with the Circuit Attorney's Office. The community commends the Court judicial staff and personnel involved in its development.

METHODOLOGY OF THE COURT WATCH PROJECT REPORT

The Court Watch Project uses a transparent process when monitoring the order of protection proceedings. The project shares all monitoring practices and areas of focus with judges and court administrators in advance. Victim service providers and the group of Community Stakeholders are also provided an opportunity to offer any input. This provides all with a clear understanding of the monitoring process and objectives. The forms are continuously revised to ensure more key elements of procedural justice: voice, respect, neutrality, understanding, and helpfulness are observed and addressed.

The Court Watch Project monitors and documents a docket utilizing the Courtroom Protocol form. Factors assessed are efficiency of courtroom proceedings; safety and security of court personnel, petitioners, and respondents; transparency of the legal process; and availability of courtroom victim advocates and interpreters. For each docket observed, a single Courtroom Protocol form is completed for that docket. A docket generally includes multiple cases.

The monitor is encouraged to provide clarifying comments and additional narrative observations regarding testimony or other observations. The narrative observations provide a more comprehensive perspective of the courtroom, the staff, and the proceedings and fill in any gaps the standardized questions cannot capture. The Project Coordinator reviews each form as it is turned in to ensure forms were completed accurately and with objectivity.

Annually, the Court Watch Project Advisory Team reviews the forms to ensure the assessments are relevant and the data collected is valid, and to identify ways to improve the forms and process for the next cycle. The Advisory Team also provides an opportunity for judicial leadership to provide input on data they would like to collect or suggest adjustments to the forms.

It should be noted that the presiding judge in Division 16 continues to have the first appearances virtually followed by the contested, in-person hearings. The monitors observed only the 10:30am dockets that were in-person.

For this cycle of data collection, the Advisory Team chose to focus solely on Transparency, Safety and Security and Litigant Support.

SAMPLE SIZE

Courtroom Protocol Forms - *Sample size – 11 individual monitors attended 18 separate dockets. For most dockets, only one monitor observed and was accompanied by either the Project Coordinator or an experienced monitor. Monitors' narrative comments are notated in italic blue.*

TRANSPARENCY

Most litigants – petitioners and respondents – represent themselves without the assistance of an attorney. Self-represented (“pro se”) individuals are often confused by court procedures and how to access information about the next steps. The court experience itself can be overwhelming, causing petitioners to not pursue the process especially when they are unaware of what the next steps or options may be. When petitioners and respondents understand the process and judge’s communication, the likelihood increases of them utilizing the court in the future, abiding by the order, or internalizing the judge’s views and recommendations.¹ The Court Watch Project assesses the transparency of the legal process and the judge’s comments and rulings by considering if relevant information is provided in a straightforward open way and can be easily and fully understood by all the parties.

For this cycle of reporting, Court Watch monitors documented if the judge gave an explanation to the parties on the court process or what to expect before the docket was called. In 76% of the dockets observed, Court Watch monitors reported that no explanation was provided. In contested hearings, the judge did give a brief explanation of how the hearing would proceed before the parties’ testimony. As in past Court Watch Project reports, it is recommended that more information be readily available to parties either as they arrive or through a detailed introduction by the judge. Comments from monitors include:

Some explanation was provided, but petitioner was clearly confused.

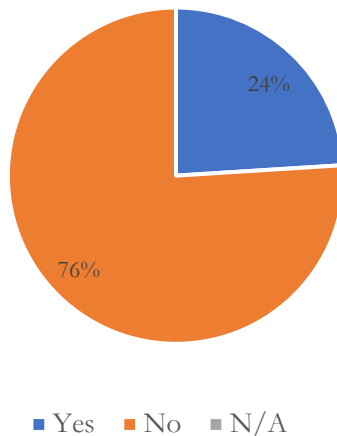
Judge provided explanation only when questions arose.

Judge did explain a bit more before each hearing was heard.

Seemed to be some information was given but was rushed and abbreviated.

¹ Malangone, D. (2015). Integrating Procedural Justice in Domestic Violence Cases: A Practice Guide.

Did the Judge explain the court process or what to expect before the docket was called?



Much of what occurs in the courtroom may seem confusing and intimidating to someone not familiar with its process. Ensuring understanding is a key component of integrating procedural justice into domestic violence courts. It would be beneficial to provide more detailed opening instruction regarding the court process, the meaning of commonly used legal terms involved during the dockets, as well as information about the safety of the Petitioners and general FAQs.

Many of the litigants are self-represented and lack information about the court process, how to present their case, or what information is admissible. It is not uncommon for those without representation to leave court without a clear understanding of how to access resources to ensure their safety. Observations from monitors indicate it may be helpful to provide more general information to assist parties through the docket's proceedings.

Judge stated "off record" then called next case. Litigants from previous hearing looked confused on where they should go and what was happening next with their case. It was difficult to keep up with what is happening.

Judgements/orders are given using terminology and lingo that seemed to require legal expertise.

Judge called the parties forward and asked the respondent "do you want to just agree to stay away?" before they were seated and in front of her. The petitioner's attorney was there and asked for a continuance (again before anyone was out of their seats and in front of judge.)

Judge had respondent write a memo that he would stay away. Petitioner had given testimony and asked for full order. Petitioner raised hand several times to ask question about the memo, but judge was addressing respondent and did not get to question.

Several times, Court Watch monitors noted the judge directed the clerk to provide the contact information for Fathers & Families Support Center (FFSC) to respondents who are needing additional legal assistance for child custody or support. When needed, the judge also encouraged conversations with petitioners and the advocates so that more information and resources could be provided.

A respondent's thorough understanding of the conditions of an order and the consequence of violating that order increases the likelihood of compliance and reinforces the court's expectations that he/she assumes responsibility and accountability for his/her actions.²

Judge Colbert-Botchway would clearly state the final ruling and the length of the order when granted. The judge read through each piece of the final order regarding what the respondent could or could not do. She also took time when the respondent was present to review each area of the order that he/she should abide.

Judge read through order on what respondent could and could not do.

Multiple 5-year orders granted.

Use of firearm was noted in the assault and judge indicated on full order and on record that Respondent cannot possess firearm.

LITIGANT SUPPORT

Victims may not trust the court system due to past experiences with the court and concerns the court will not understand their responses to abuse. Factors that further breakdown trust and contribute to a negative experience include multiple continuances; proceedings that are unexplained or difficult to understand; discourteous or disrespectful court staff; vague court orders; and court orders requiring the victim's cooperation or regular personal contact with the abuser. For pro-se litigants in domestic violence cases, having a voice and being acknowledged by the judicial officer is especially important. For victims who may have had other professionals ignore or minimize their traumatic experiences, they may perceive the court to be an unhelpful place. For perpetrators, they may feel being heard ensures the proceedings' fairness, which increases the likelihood they will ultimately comply with the order, as research has shown.³

Litigants may have no representation, may be represented by an attorney, and may have the assistance of an interpreter and/or the support of a court or community advocate. Without assistance and going through the legal process alone can be confusing, anxiety-producing,

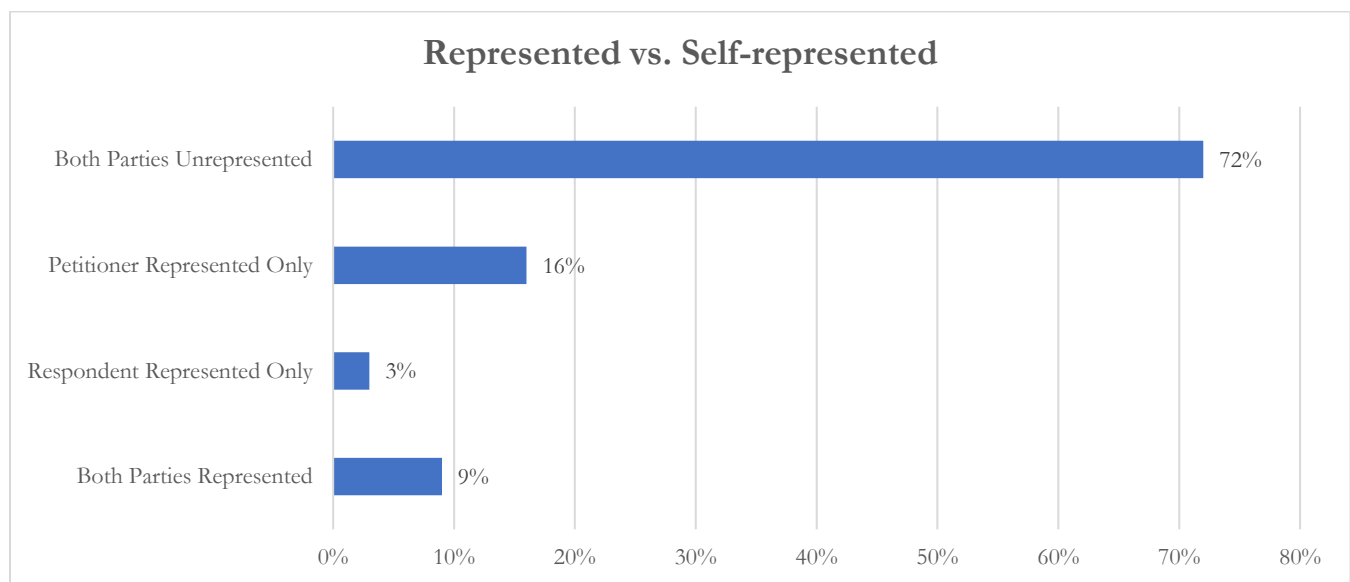
² Assisting Self-Represented Litigants in Domestic Violence Cases: Recommended Strategies. 2018. Mitchell, D. and Wurmfeld, K. Center for Court Innovation.

³ Assisting Self-Represented Litigants in Domestic Violence Cases: Recommended Strategies. 2018. Mitchell, D. and Wurmfeld, K. Center for Court Innovation.

and counterproductive. The Court Watch Project assesses litigant support by considering if the litigants are represented, by whom, and if their representatives are readily available, prepared, attentive, and responsive. In addition, they assess if the litigants have access to additional support such as an interpreter or advocate.

Self-Representation

It should be noted that many of the cases for which parties are represented by an attorney are often continued due to other related pending family court cases. In other cases, a full hearing is not necessary as the respondent readily enters a consent to the order without admitting to the allegations. Information collected by Court Watch monitors is only for cases that continue to a full hearing – a default or contested hearing. A default hearing is one for which the respondent does not appear. A contested hearing is one for which the respondent does appear but is unwilling to consent to an order. In 72% of the observed contested hearings, petitioners and respondents were self-represented. In 9% of the observed contested hearings, both parties were represented. In five contested hearings where a petitioner was represented, the respondent was not represented. There was only one case for which the respondent was represented but the petitioner was not.



One case where Respondent was given a chance to consent and chose a hearing. Judge didn't have Respondent respond to Petitioner's testimony and made a finding of domestic violence.

GAL was asking Petitioner questions to help her tell her history of abuse.

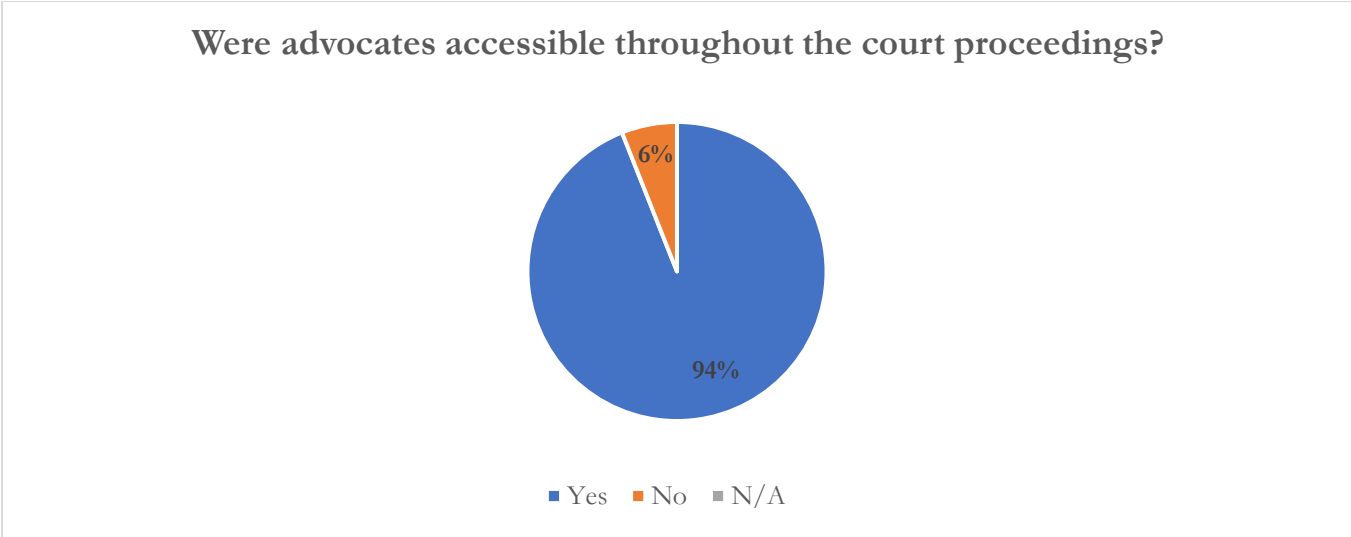
Court Advocates

In 2010, the National Council of Juvenile and Family Court Judges developed the *Civil Protection Order Guide: A Guide to Improving Practice*. The Guide stressed advocates are an essential resource for victims in navigating the complex system of obtaining protection

orders. Advocates are the primary source of information and resources for victims. Advocate interventions or “check-ins” should regularly occur throughout the process.

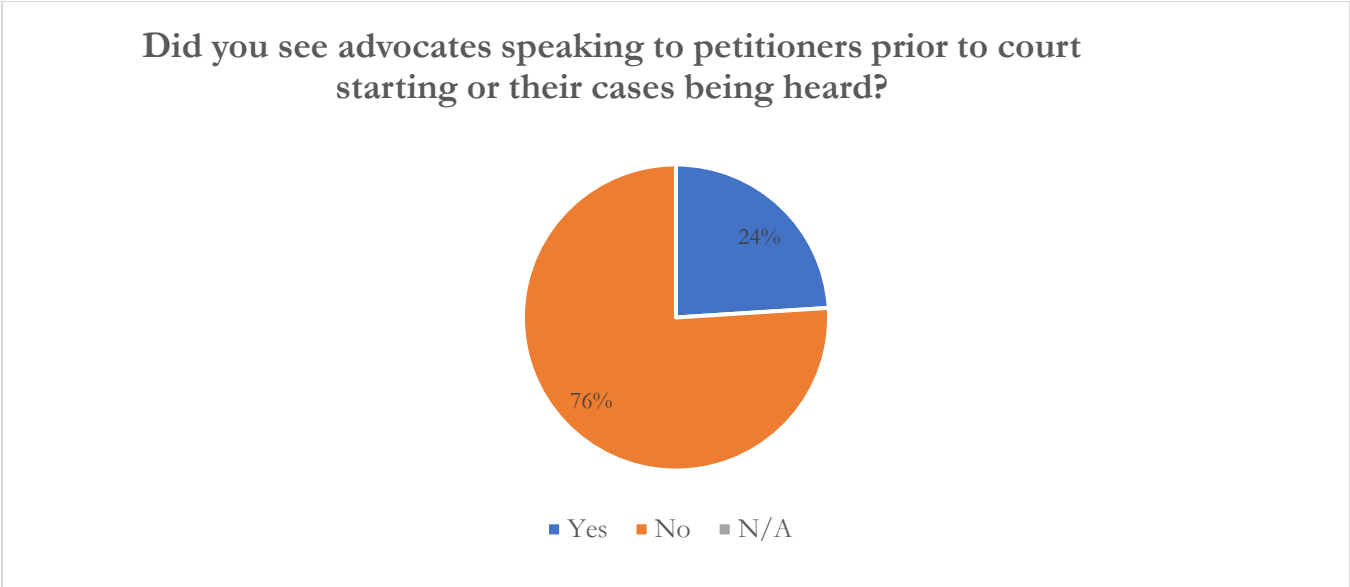
For the last 25 years, the Crime Victim Center (CVC) has housed an advocacy program at the Civil Courts building. The CVC has focused on assisting survivors with the order of protection process. Due to capacity issues, advocacy resources became limited, and advocates were not available to meet the growing demand for services. Recently, after acquiring a Justice for Families (JFF) grant from DOJ’s Office on Violence Against Women (OVW), the CVC organization has enhanced its advocacy program by providing more front facing conversations with petitioners at the time of the order of protection filing and by increasing the availability of more advocates in dockets. This grant funding benefits closer partnering with the court and increased collaborative efforts.

For 94% of observed dockets, an advocate was readily available during the court proceedings. A few dockets had additional interns or advocates available in court. However, in 76% of the observed dockets monitors did not see advocates speaking to petitioners prior to court starting or their cases being heard. Generally, court advocates did not appear in the courtroom until shortly before the docket was called. It should be noted that the CVC Program Director indicated in conversation that advocates do reach out to the petitioners via phone, when possible, prior to the docket. Court Watch monitors noted they observed advocates meeting with petitioners mostly after their hearing.



The role of an advocate in domestic violence cases is vital. Advocates can reduce the trauma and intimidation factor in the courtroom and hearing process for victims by providing clarity, understanding and basic information before the proceedings. Practices and procedures should be reviewed to ensure they are congruent with the needs of the victims. For example, interactions with petitioners did not occur until after the petitioner went in front of the judge during these observed dockets. Observed conversations with advocates after the hearings were often brief in nature, and information was provided via flyer with resource numbers or

pamphlet. Promoting helpfulness and ensuring understanding of the process are key elements of procedural justice and advocates play a major role in providing this to victims.



Information regarding Court Watch observations was provided directly to the CVC Executive Director and Program Director.

GAL spoke to petitioner before hearing. Advocate only spoke after.

Respondent became very agitated. Judge tried to maintain order. Petitioner sat next to GAL and asked for an escort out of court. Advocate did not meet with Petitioner at all.

SAFETY AND SECURITY

In any courtroom, safety and security are important considerations. However, in domestic violence cases for which abuse is the basis for the filing of an order of protection, safety and security are paramount. Victims appearing before the court have reported abuse in the form of physical and sexual assault, attempts to assault, threats, and stalking or harassing behaviors.

The Court Watch Project assesses safety and security by considering if litigants are physically separated in the courtroom, if the time between the petitioner and respondent leaving the courtroom is staggered, and the degree to which the courtroom is controlled, particularly when it appears tensions are escalating, the potential for violence exists or a litigant appears to be irrational or under the influence.

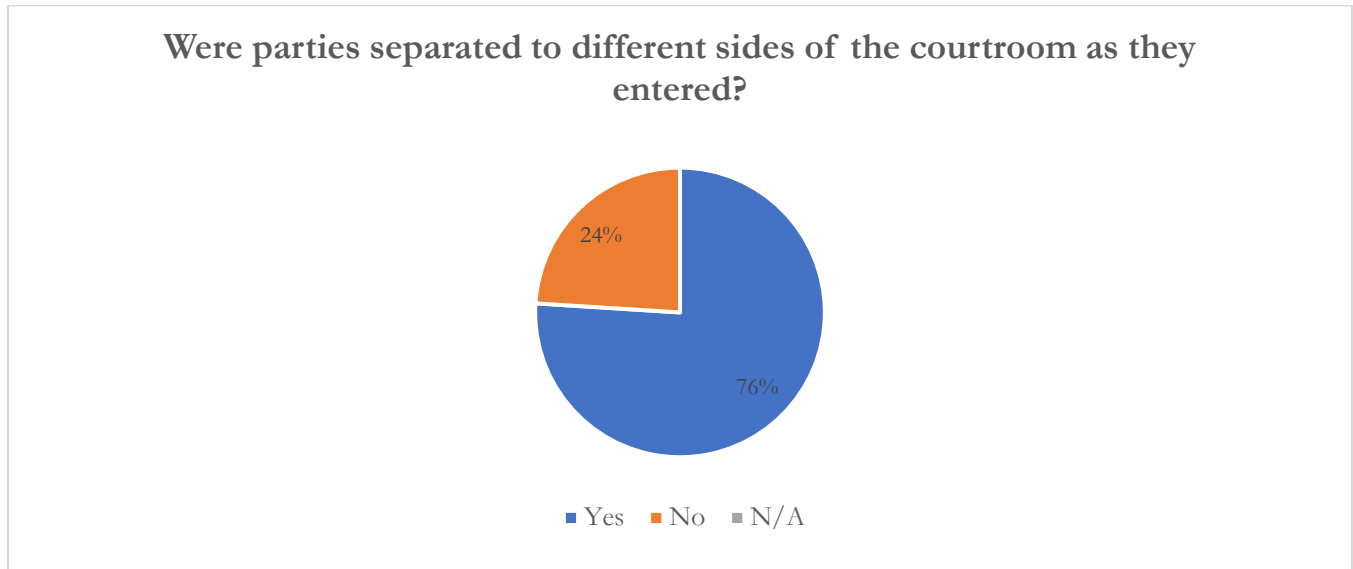
Signs were clearly posted on the back of each bench which indicated the side the petitioners and respondents should sit. Confusion did arise when individuals were unclear as to what

that terminology (petitioner versus respondent) means, or when there are mutual orders, and an individual is technically a petitioner in one case and a respondent in a second case.

Signs are posted and clear but no enforcement or direction.

Family mediator helped separate parties. Deputy was a not the regular judge's deputy.

Both parties in hallway at the same time.



Minimizing a victim's contact with the abuser is critical. Half of domestic violence victims show one or more symptoms of Post-Traumatic Stress Disorder (PTSD).⁴ Contact magnifies the fear and trauma a victim may experience. Victims cannot be expected to come to court if they are not protected from their abusers. A deputy's presence makes the court room a safer and more approachable place. It assures a victim he/she will be protected from unwanted contact with the abuser or his/her family or friends. Data shows that in 76% of the dockets observed, precaution was taken to ensure separation as the parties entered the courtroom. This data accounts for interactions with the deputy as parties entered the courtroom to ensure they were sitting on the correct side.

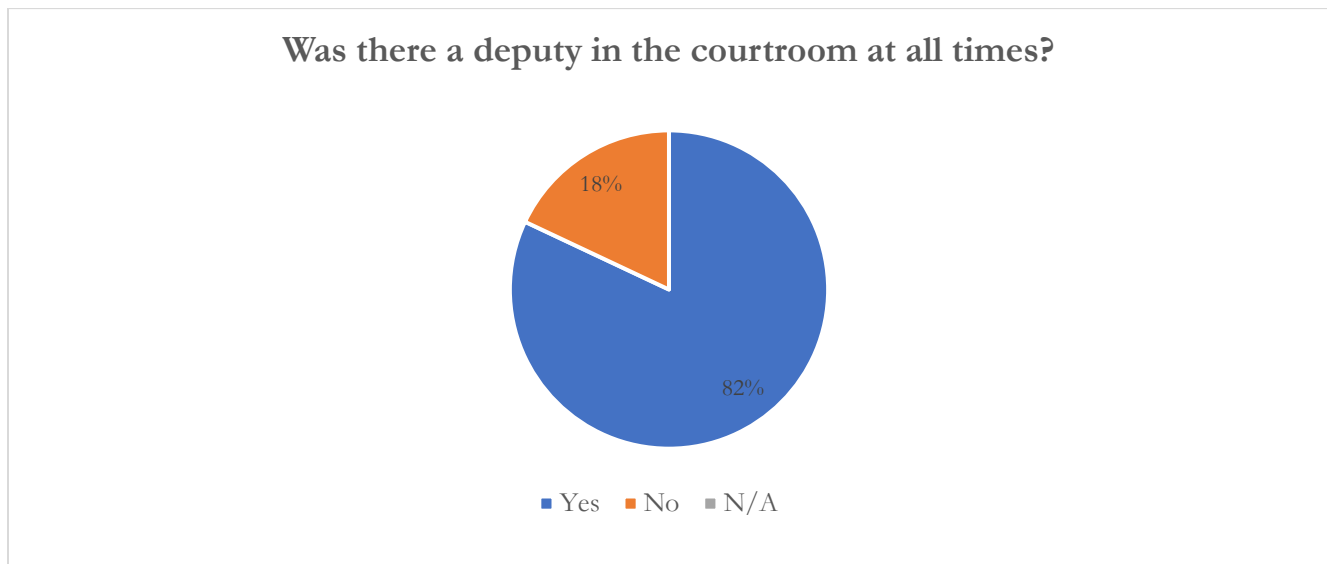
On average, Court Watch monitors observed one deputy per docket. Given the many responsibilities of the deputy, there were times the deputy had to leave the courtroom to escort someone out or address hallway activities. In one in five dockets there were times a deputy was not available in the courtroom and per monitors comments, flair ups were not uncommon from respondents during proceedings. When security is not present or attentive,

⁴ Bureau of Justice Statistics Special Report: Violence Against Women: Estimates from the redesigned survey (NCJ-154348), August 1995, p. 4.

an abuser may seize the opportunity to intimidate simply by staring, sitting directly behind, or attempting to talk with the victim.

Parties were talking to each other in court not to the judge when the judge asked them what they wanted to do.

The substitute deputy was slow to intervene when the respondent threw down his bag and shouted. Another respondent was sitting in the back trying to talk to the petitioner. Deputy had respondent move to correct side of the courtroom but did not intervene further when he continued to talk to petitioner.

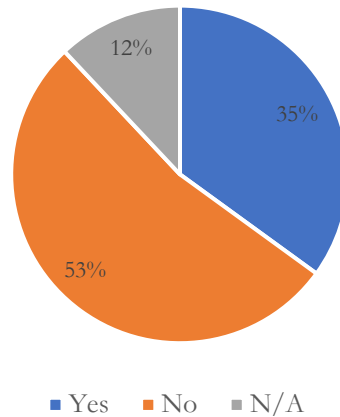


Deputy had to leave room twice.

Two deputies were present for most of proceedings. This has not been consistent with past observations.

An additional security practice is staggering the respondents' and petitioners' exits. It may reduce potential threats outside of the courtroom by giving the petitioner (victim) the opportunity to leave first and to distance herself/himself from the abuser. This practice was observed periodically, often at the direction of the judge, clerk, family mediator or Guardian ad Litem (GAL). In only 35% of the observed dockets, Court Watch monitors noted cases where respondents were held back from exiting the courtroom at the same time as the petitioner and 53% of the contested hearings observed, respondents were not held back. There are also no deputies in the hallway outside the direct courtroom where altercations have occurred between parties or family members.

Were Respondents held 15 minutes?



Respondent was held after GAL requested it.

Respondent was asked to stay, and deputy did talk to him, but he left well before the 15 minutes mark and the deputy did not stop him.

Clerk told respondent to wait "like 5 or 10 minutes" to leave.

There was one case with both respondent and petitioner present, and they left together.

RECOMMENDATIONS

Recommendation 1: The Sheriff's Department and Judicial Leadership should establish recommended safety protocols specific to adult abuse dockets.

Coming to court can often be an increased risk for victims and provide an opportunity for abusive partners to further manipulate or intimidate. Deputies and court staff should be trained on the techniques abusers often use and any possible safety risks for victims.

Below are a few suggestions for recommended safety protocols for any Deputies attending to adult abuse dockets.

1. Staggered exits for Petitioners and Respondents.

It is essential that victims feel safe not only in the courtroom but as well as coming and going from court. As noted above, only 35% of the Respondents were held in the courtroom after hearings allowing little time for victims to get to their cars safely.

- Ensure Respondents are held in the courtroom for an additional 15 minutes after hearings to allow Petitioners to leave safely.
- Announce this procedure at the beginning of each session for transparency.

2. Consistent separation of Petitioners and Respondents before, during and after hearings.

The Court has multiple signs posted on each side of the courtroom on where individuals should sit. However, monitors noticed that when asked, litigants were either unsure if they were the Petitioner or Respondent or because of a mutual filing they were considered both.

- Deputies should check in all persons entering the courtroom and ensure parties are seated on their designated sides. For mutual filings, the deputy should ensure parties are not seated on the same side of the courtroom.
- Judges should call petitioners up to the bench first, with a brief pause before calling respondents, to avoid confrontations.
- After hearings, hold either the petitioner or respondent briefly at the bench until the other party has taken their seat to prevent simultaneous release.

3. Monitoring of courtroom for any signs of intimidation or harassment.

- One deputy available always within the courtroom before and during the proceedings. If that deputy needs to step out for any reason an additional deputy be called to relieve them.
- Instruct parties on behavioral expectations both in the courtroom and in hallways, including no talking between parties and no staring.
- Parties should be directed to look only at the judge during testimony to avoid intimidation.
- Similar instructions should be given for behavior while waiting for their case to be heard.

Recommendation 2: Provide litigants with a more transparent process, specifically regarding an explanation of the court proceedings, expectations of behavior while at court, and consequences of violating the order.

As stated previously, in only 24% of the dockets did monitors observe information shared with parties prior to the docket on the court process, how to present their case, or what information is admissible. While some information is provided to petitioners when they apply for the order, not everyone responds or comprehends information in the same manner, especially after a traumatic event. Respondents are also more likely to comply when they feel the process has been fair and have a clear understanding of the parameters of the order.

In addition, the court experience may be a safety concern to some Petitioners. For example, it would be useful for Petitioners to know that if they felt unsafe getting to their mode of transportation after a hearing, they can request a deputy to escort them. Expectations on behavior during the docket, only one party in the hallway at a time and respondents waiting to leave after petitioner can also create a sense of control and safety within the courtroom.

A more standardized explanation would provide litigants with a clearer understanding of the court and seriousness of the matter. Suggestions to improve transparency are below.

1. Information and Education for Litigants:

- A verbal introduction by the judge with how the docket will proceed, options of consent and what information is important for the judge to hear should be included.
- Expectations of behavior while in court.
- Deputies hold respondents 15 minutes to allow time for petitioner to safely leave the courthouse.
- Roles of the different players in the courtroom i.e. advocates, clerk, purpose of GALs and the family mediators if present.

2. Plain Language Explanations:

- Explain court decisions and expectations in plain language to ensure comprehension, especially for those without legal representation.
- Clearly outline conditions of court orders to prevent confusion and promote compliance.

These recommendations aim to empower self-represented individuals with the knowledge and resources they need to navigate the legal process effectively, while also ensuring their safety and understanding of court proceedings, particularly in sensitive cases like adult abuse.

Recommendation 3: The Court should review ways to enhance and support self-represented individuals seeking relief from the Family Court.

The Court can play a vital role in providing resources and information for pro se litigants to make the process more accessible and supportive. When victims enter the courts seeking orders of protection or custody arrangements, the process can seem overwhelming and complicated. By providing resources such as self-help centers, a user-friendly website with available forms and legal information, or on-site community partnerships the Court can support self-represented litigants through the complex processes.

Because many individuals try to obtain information regarding the legal system before ever going to court, readily available information via a user-friendly website could be a first

step in enhancing services for self-represented litigants. The website should include information about the processes of custody, divorce, and orders of protection. Forms should be accessible with easy-to-follow instructions, relief available through the courts, and how if at all, domestic violence may impact a case. Contact information for community resources such as domestic violence agencies, Fathers and Families Support Center and free legal assistance programs should be listed.

The Center for Justice Innovation recently published a guidebook outlining ways courts can assist self-represented litigants throughout the court process. From simple multi-lingual signage in the courthouse to collaboration with community legal resources to establish a self-help center for litigants, *Assisting Self-Represented Litigants in Domestic Violence Cases (2018)* provides many examples of what other jurisdictions from across the country have developed.

- Utilize the court’s website to offer a comprehensive, user-friendly guide to the court process for self-represented parties.
- Make sure forms, handouts, and brochures are easily accessible and understandable.

Recommendation 4: Provide orientation, specialized trainings, and promote consistency among judicial officers and court staff.

The Center for Court Innovation designed a guide to help courts better understand how to respond to domestic violence cases risk factors in civil protection order cases. The *Implementation Manual: Domestic Violence Risk Factor Guide for Civil Court Project (2017)* has several tools to assist judges, advocates and civil attorneys with articulating and assessing risks in matters of adult abuse.

Assessing risk can be difficult in domestic violence cases for a multitude of reasons because situations tend to fluctuate. First, victims of domestic violence often minimize the abuse, especially in front of their abuser. In many situations, the abuse and control tactics can be so normal for them throughout their lives that the victims themselves have difficulty providing details or have the language to represent a true picture of what is happening. Trauma from abuse can also make remembering specific details even more difficult.

A victim’s focus at court may be on protecting their children or property, despite the original assault that brought them to file an order in the first place. Because, for them, that immediate crisis is over. This can make testimony difficult, and details needed for the Judge to decide are often too watered down or not disclosed unless the Judge is familiar with specific risk factors or questions to assist in capturing more information specific to the abuse. Ethically or safely gathering information regarding risks can also be challenging for judges.

1. Promoting Consistency and Efficiency:

- **Longer Rotations:** Consider extending judicial rotations beyond one year to promote continuity and allow judges to develop expertise in handling domestic violence cases.

2. Tools and Resources:

- **Bench Cards and Practice Manuals:** Provide judges with practical tools such as bench cards that outline procedural guidelines, safety practices, and resources available for victims.

3. Orientation Process:

- **Create a comprehensive orientation program tailored for incoming judicial officers and court staff.** First and foremost, ensure that the orientation includes specifics of the Missouri Domestic Violence Act (Chapter 455 of the Missouri Revised Statutes). This program should also be designed to familiarize them with:
 - Best practices for protection order dockets, including introductory remarks, safety practices and efficiency of dockets.
 - Custody and visitation addressed within orders of protection,
 - Local law enforcement response to protection orders, the experience of victims when reporting to law enforcement, and the criminal justice response of the Circuit Attorney's Office.
- **Understanding the cycle of violence and dynamics of abusive relationships.**
 - Recognizing lethality factors and risk assessment tools.
 - Ethical considerations and sensitivity in dealing with domestic violence survivors.
 - Impact of domestic violence on children and how to provide safety to the non-offending parent while also establishing visitation schedules.

4. Trauma-Informed Approach:

- **Ensure all judges receive training in trauma-informed practices to better understand how trauma impacts victim behavior and testimony in court.**
- **Sensitive Questioning:** Equip judges with skills to ask sensitive questions that can elicit crucial details from victims, even when they may initially minimize abuse or struggle to articulate their experiences.

4. Enhancing Victim Safety and Offender Accountability:

- **Risk Assessment Tools:** Introduce tools and guides (such as the Center for Court Innovation's Domestic Violence Risk Factor Guide listed in the resources below) to assist judges in articulating and assessing risks in civil protection order cases.

By implementing these recommendations, the 22nd Circuit Court can improve its response to domestic violence cases, enhance judicial decision-making, promote victim safety, and increase the overall efficiency of adult abuse dockets. These steps aim to create a more supportive and informed environment for all parties involved in these sensitive legal proceedings.

Recommendation 5: Convene a discussion committee focused on the development of a specialized domestic violence court responding to civil order of protection dockets for the 22nd Circuit Court. This committee should include a diverse group of community stakeholders.

There are many strengths of the 22nd Circuit Court that Judicial Leadership should strongly consider developing a specialized domestic violence court focused on the order of protection process for parties. Currently, there are strides being made for compliance of the civil orders and criminal misdemeanor cases. It is important to expand these efforts to include the full scope of the order of protection process from application to final order. This initiative underscores the Court's commitment to addressing domestic violence and supporting survivors within the community.

A committee should meet regularly and consist of stakeholders within the Court and community who would be invested in the development of a specialized domestic violence docket. The committee of representatives who can provide guidance and support for implementing changes should include:

1. Judicial Leadership
2. Court Personnel involved in handling domestic violence cases, including clerks, bailiffs, and administrative personnel.
3. Sheriff's Deputies involved in serving protection orders and responding to domestic violence incidents.
4. Members from the Circuit Attorney's Office, the Public Defender's Office, and family law attorneys who handle domestic violence cases, both civil and criminal.
5. Family Court Professionals including Family Court Mediation Unit, Guardians ad Litem (GALs), and other professionals who work directly with families and victims in the court system.
6. Representatives from domestic violence victim advocates, abusive partner intervention programs, and organizations involved in supporting survivors and preventing domestic violence.

A specialized Domestic Violence Court would focus specifically on victim safety and offender accountability by providing a more accessible court to self-represented parties,

specialized training to judicial and court staff, resources for both victims and offenders, and community involvement. Specific goals are identified below:

1. Establishing specialized procedures tailored to handling civil order of protection dockets, ensuring streamlined processes from application to final order.
2. Implementing practices that prioritize victim safety and hold offenders accountable, potentially including stricter monitoring and enforcement of protective orders.
3. Improving transparency for self-represented parties by providing clearer guidelines, resources, and support throughout the legal process.
4. Developing standardized practices and protocols across divisions to ensure consistent application of safety measures, procedural guidelines, and victim support resources.
5. Ensuring that resources are available in multiple languages to accommodate the diverse cultural and linguistic backgrounds of individuals within the jurisdiction.

Resources

Civil Protection Orders: A Guide for Improving Practice is available on-line at:

http://www.ncjfcj.org/images/stories/dept/fvd/pdf/cpo_guide.pdf

Implementation Manual: Domestic Violence Risk Factor Guide for Civil Courts Project. Center for Court Innovation, 2017. - This manual provides tools for judges, advocates and self-parties to respond to domestic violence risk factors in order of protection cases.

<https://www.courtinnovation.org/sites/default/files/documents/Risk Factor Guide.pdf>

Assisting Self-Represented Litigants in Domestic Violence Cases. Center for Court Innovation, 2018. - A guide for civil courts to use when evaluating and improving ways to assist self-represented litigants through the system.

<https://www.courtinnovation.org/publications/assisting-srl-dv-cases-recommended-strategies>

ACKNOWLEDGMENTS

The St. Louis Ending Domestic and Sexual Violence Network and Saint Martha's is grateful for its many dedicated Court Watch Project volunteers who choose to devote their time and energy to improve how our justice system responds to those harmed by domestic violence. Without their steadfast commitment, this project would not have been possible.

Saint Martha's fully funds the Court Watch Project. The advisory team is comprised of multiple advocates from the domestic violence community:

Carla Maley, Saint Martha's
Jessica Woolbright, Saint Martha's
Katie Dalton, Crime Victim Center
Christina Holmes, community volunteer
Pam Peigh, community volunteer