



**INFORMATION FROM THE  
CONNECTICUT JUDICIAL BRANCH  
HOW THE FAMILY COURT RESPONDS  
TO INTIMATE PARTNER VIOLENCE  
PANEL DISCUSSION  
JULY 18, 2019**



July 18, 2019

## Contents

Executive Summary.....	2
First Prong: Domestic Violence Training.....	3
Judges’ Education on Domestic Violence-Related Topics.....	3
Family Relations Counselors’ Education on Domestic Violence-Related Topics .....	3
Domestic Violence Training for Courthouse Staff.....	3
Judicial Marshal Training in Domestic Violence Awareness and Response.....	4
Additional Training Offered to Judicial Branch Employees through the Office of Victim Services .....	4
Second Prong: Family Court Process.....	5
Expedited Divorce Procedures.....	5
Individual Calendaring .....	6
The Numbers.....	6
Third Prong: Services .....	8
Orders of Protection .....	8
Criminal Protective Orders.....	8
Temporary Restraining Orders.....	10
Cases Involving Custody and Access Disputes .....	11
Family Civil Triage/Intake Project .....	11
Programs Offered to Families .....	11
Conclusion.....	14
Appendices.....	15
Appendix A – Connecticut is Recognized as a National Leader .....	15
Appendix B - Judges’ Education - Domestic Violence-Related Education .....	16
Appendix C – Job Titles Completing an Overview of Domestic Violence .....	28
Appendix D - Court Support Services Division’s Family Services Unit .....	29

## Executive Summary

The Connecticut Judicial Branch utilizes a three-pronged approach to address family cases, including cases involving domestic violence.

The first prong is training. Comprehensive and current training is necessary for any trauma informed court. The Judicial Branch requires all judges and employees who work in the family court system, including judicial marshals, court staff, family relations counselors and judges, to be trained in domestic violence. Other training includes: Prison Rape Elimination Act, emergency and security procedures, workplace violence, sexual harassment awareness, Americans with Disabilities Act, addressing individuals who are Limited English Proficient, ethics, cultural competency and implicit bias.

The second prong involves the family court process. The Connecticut Judicial Branch has created processes that allow non-complex cases to be disposed of early and efficiently, which frees up resources that can be focused on the more complex cases, including those cases involving domestic violence. A varied judicial process is essential to adequately and efficiently meet the needs of the wide variety of families who find themselves in family court. The Judicial Branch has a diversified array of processes to meet divorcing families' needs, having moved away from the outdated "one size fits all" approach. A diversified process provides a benefit to all family court users. Parties who have few or no issues in dispute may obtain a dissolution of marriage quickly and efficiently, in some cases without the need to appear before a judge, allowing resources to be targeted to those cases needing more judicial and family relations interventions. The Connecticut Judicial Branch is recognized as a national leader with regard to family court reform and this triage approach. (Please see Appendix A.)

The third prong involves having capabilities to assess and provide a variety of services that meet the particular needs of families, which is vital to lasting resolutions for families post dissolution. The Judicial Branch has placed highly skilled and trained Court Support Services Division (CSSD) family relations counselors in all family courts across the state. The Judicial Branch's CSSD is a national leader in providing two validated screening tools. By use of these tools, family relations counselors are able to screen cases for level of conflict and domestic violence. In all aspects of the work, if a family relations counselor suspects an individual is being impacted by domestic violence, the counselor will provide information regarding how to connect with a Connecticut Coalition Against Domestic Violence (CCADV) advocate or the Hotline for assistance. In addition to its screening capabilities, family relations counselors utilize a number of services to assist parties to resolve their cases such as: Court Negotiations; Mediation; Conflict Resolution Conference; Evaluation (Comprehensive and Issue-Focused); and General and Intensive Case Management. Its newest service, the Early Intervention Program, entails family relations counselors meeting with parties at the initial court appearance for an early assessment and diversion to a resolution service.

The Judicial Branch utilizes this three-pronged approach in family cases, including those involving domestic violence. The Judicial Branch is committed to assisting victims of domestic violence within the parameters of its core function, which is to decide cases in a fair and impartial manner.

## **First Prong: Domestic Violence Training**

### **Judges' Education on Domestic Violence-Related Topics**

Judges receive extensive domestic violence training from national experts that begins with the Pre-Bench Orientation Program for new judges and continues throughout the judge's career. Much of this training has been provided by renowned national and international experts. All judges -- including those assigned to hear family, criminal, civil and juvenile matters -- receive training on domestic violence, including intimate partner violence; risk and lethality factors; victims' rights; continued incidents of violence (verbal and nonverbal); hidden injuries; the impact on witnesses (especially children); and the mindset of the offender. Training programs have been both cross-divisional and division specific. (Please see Appendix B for a complete listing of the extensive training program that judges receive.)

### **Family Relations Counselors' Education on Domestic Violence-Related Topics**

All family relations counselors are trained to work in both the adult criminal and family court settings, and required to complete a minimum of 40 hours of training each year. The majority of Family Services staff are assigned docket coverage and cases from both courts on a routine basis. Family relations counselors are specifically trained to recognize intimate partner violence and conduct risk assessments. This training is beneficial in their handling of both criminal and family cases.

Calendar year 2019 offerings related specifically to domestic violence include:

- Psychology of the Sexual Aggressor
- Lethality Assessment Program
- Dominant Aggressor Legal Update
- Stalking and Strangulation in Domestic Violence Cases

Additionally, a recent all-day mandatory training program on stalking via technology and risk assessment research was conducted by the Judicial Branch's Court Support Services Division (CSSD) for its family relations counselors. Advocates from CCADV were also invited to attend the training. It is important to note that CCADV has invited CSSD staff to participate in many of its trainings, which is appreciated, and is well-attended.

### **Domestic Violence Training for Courthouse Staff**

The Judicial Branch requires all employees who work in the family, criminal, juvenile and civil courts, and who interact daily with litigants, members of the public, jurors and attorneys, as part of their job duties, to be trained in domestic violence. When making the determination about which employees should participate in the training, the Judicial Branch is overinclusive. Additionally, the training is open to all other employees of the Judicial Branch. This domestic violence training provides an overview of domestic violence in criminal and family courts, including the function of the Family Violence Intervention Unit, and the use of criminal protective orders and family restraining orders. (A full list of job titles that have received this training to date is located in Appendix C.)

## **Judicial Marshal Training in Domestic Violence Awareness and Response**

Judicial marshal education and training in *Domestic Violence Awareness and Response* is based on the template set by the Police Officer Standards and Training Council (POSTC), which was developed in conjunction with CCADV for all law enforcement personnel in the State of Connecticut.

The goal of the training is for judicial marshals to gain an understanding of Connecticut domestic violence laws and Connecticut General Statutes while increasing awareness of the roles and responsibilities of judicial marshals as peace officers in recognizing, responding to and investigating incidents of domestic violence.

The objectives include:

- Understand how the Connecticut General Statutes apply to peace officers;
- Define “Family violence,” “Family or household member,” and “Family violence crime;”
- Recognize and identify characteristics of the abuser and victim in cases of domestic violence;
- Understand the different types of domestic abuse;
- Review and understand the roles and responsibilities of a judicial marshal when responding to incidents of domestic violence in the performance of his/her duties as a judicial marshal.

## **Additional Training Offered to Judicial Branch Employees through the Office of Victim Services**

The Office of Victim Services within the Judicial Branch provides in-person training to judicial marshal trainees, adult and juvenile probation officers, intake assessment and referral specialists, law librarians and jury clerks. The training lasts several hours and covers a variety of topics, including:

- The function of the Office of Victim Services, including benefits available to victims of crime and notification services
- The availability of community-based advocates
- Information on the dynamics of victimization, including the physical, financial and emotional impact of crime, trauma and its impact on the brain, and challenges faced by victims following a traumatic event
- A summary of victims’ legal rights in the U.S. and Connecticut
- An explanation of the types of orders of protection available to victims and where applicants can receive assistance filling out such orders
- Guidance for working directly with victims, including exercises and role play designed to get participants familiar and comfortable with interacting with crime victims (with specific emphasis on victims of domestic violence and sexual assault)

## Second Prong: Family Court Process

The Judicial Branch has been working to enhance how it manages family cases for many years, and is continuing to refine this initiative. The goal of this type of case management is to provide processes by which parties who have an agreement can have their case disposed quickly and efficiently, thereby, freeing up valuable resources for cases in which the parties have not reached an agreement. This approach also frees up judges and family relations counselors to devote more time and attention to cases involving domestic violence. There are a variety of such expedited divorce procedures.

### Expedited Divorce Procedures

#### *Nonadversarial Divorce*

Nonadversarial Divorce is a simplified divorce process that permits eligible parties to obtain a divorce within 35 days without having to come to court and appear before a judge. The benefits of this process include:

- Obtain a divorce in much less time, as compared to the regular process
- No need to come to court
- Move on with your life more quickly

To be eligible for a Nonadversarial Divorce, both parties must agree on the terms of their dissolution, waive the right to seek alimony, and meet the following criteria:

- Married nine years or less
- Neither party is pregnant
- No children were born to the parties or adopted by them before or during the marriage
- Neither party has any interest or title in any real property
- The total value of all property owned by the parties is less than \$80,000
- Neither party has a defined benefit pension plan
- Neither party has a pending bankruptcy
- There is no other action for dissolution of marriage pending
- There are no restraining or protective orders between the parties

#### *Waiver of the 90-Day Statutory Waiting Period*

If parties do not qualify for a Nonadversarial Divorce, they can still get divorced quickly and easily if there is an agreement on all issues or if the other spouse has not filed an appearance by filing a motion with the court.

Connecticut requires a 90-day waiting period to get divorced. However, if parties have an agreement as to all issues, they may ask the court to waive the 90-day waiting period that is otherwise required for divorces. Also, in cases where a spouse has not filed an appearance after 30 days from the return date, the spouse initiating the divorce can also ask the court to waive the waiting period. The benefits of this process include:

- Obtain a divorce sooner, subject to the court's availability, as compared to the regular process, which takes at least three months
- Move on with your life more quickly

### ***Request for Approval of Temporary Agreement without Court Appearance***

By virtue of a minor amendment to C.G.S. §46b-66 and development of a new form, JD-FM-263, parties, at any point, in any phase of litigation, may submit to the court an agreement, without any need to come to court, so long as the agreement is temporary in nature and related to a pending motion. In all cases, the parties must return to court for a hearing in order for the judge to enter final orders.

This process, which alleviates the need to come to court, reduces the pressure on the family court's busy dockets. Effective in November 2017, this initiative continues the Judicial Branch's pursuit to reduce time spent in court, cost and conflict in family court.

#### ***Eligibility Criteria***

- Parties must complete and file form JD-FM-263, *Request for Approval of Temporary Agreement without Court Appearance*
- Agreement must be related to a pending motion or a relevant motion must be submitted contemporaneously with the parties' agreement
- Both parties must have current appearances on file or submit an appearance form with their paperwork
- Both parties must submit signed, notarized financial affidavits with their agreement if there are any financial orders
- Both parties must submit a Worksheet for the Connecticut Child Support and Arrearage Guidelines with their agreement if there are child support orders

Parties are not permitted to utilize this process, and must still appear before the court for agreements, in temporary restraining order files.

### **Individual Calendaring**

The Judicial Branch is continuing its efforts to reduce the time spent in court, the costs associated with family court cases and the conflict. As such, the Judicial Branch has been piloting a program in Norwich since 2015, by which a family court judge has been assigned to hear a family case from the beginning to the end of the case. We continue to explore different models and from our experience and the experience of different court systems throughout the country, individual calendaring works well with a particular sub-set of cases. We are closely monitoring the progress of the Early Intervention Program (which is discussed later in the report) and will continue to explore the possibility of utilizing individual calendaring in conjunction with the Early Intervention Program.

### **The Numbers**

The chart on the next page shows the number of divorce case filings and the number of motions filed in each case from July 1, 2018 through June 30, 2019. As you will see, the vast majority of cases (over 92%) had between 0 and 25 motions filed in the case. Only .03% of the cases had more than 200 motions filed. It is worth noting that of the cases in which there were more than 200 motions filed, 52% were filed by the plaintiff and 48% were filed by the defendant.

Additionally, we compared this information with data from five years ago. Today, 93% of the cases are resolved with 25 or less filings compared to 89% five years ago.

# Average Number of Pleadings



## Dissolution\*

### Family Cases (F00 - Dissolution)

Disposed Cases (7/1/18 to 6/30/19)		
Filings by Plaintiff /Defendant	Cases	Percentage
0-25	10,432	92.70%
26-50	633	5.62%
51-75	107	0.95%
76-100	46	0.41%
101-200	33	0.29%
201 +	3	0.03%
<b>Grand Total</b>	<b>11,254</b>	<b>100.00%</b>

\* Includes F05 Non Adversarial Dissolution

The data in the chart below clearly demonstrates that the Judicial Branch’s efforts to streamline the family court process is yielding some positive results. Over 90% of divorce cases that are filed each year are: 1) disposed of within a year; and 2) with less than 25 filings (which pleadings include mandatory documents like the complaint, the case management agreement, the financial affidavits, the appearances and the final dissolution documents).



## Dissolution & Non Adversarial Dissolution

### Family Cases (F00 - Dissolution & F05 - Non Adversarial Dissolution)

	Time Frame* to Initial Disposition				Disposed Cases	Percentage of Cases within timeframe			
	less than 3 months	3 to 6 months	6 months to 1 year	over 1 year		less than 3 months	less than 6 months	less than 1 year	over 1 year
Ansonia-Milford	217	160	120	62	559	39%	67%	89%	11%
Bridgeport	287	467	159	130	1,043	28%	72%	88%	12%
Danbury	172	206	146	60	584	29%	65%	90%	10%
Hartford	625	826	298	115	1,864	34%	78%	94%	6%
Litchfield	101	216	99	20	436	23%	73%	95%	5%
Meriden	124	151	56	20	351	35%	78%	94%	6%
Middlesex	104	219	122	37	482	22%	67%	92%	8%
New Britain	356	365	158	45	924	39%	78%	95%	5%
New Haven	345	509	249	230	1,333	26%	64%	83%	17%
Norwich**	337	330	216	50	933	36%	71%	95%	5%
Stamford	317	360	184	124	985	32%	69%	87%	13%
Tolland	201	184	124	37	546	37%	71%	93%	7%
Waterbury	258	375	132	34	799	32%	79%	96%	4%
Windham	124	143	113	35	415	30%	64%	92%	8%
<b>Statewide</b>	<b>3,568</b>	<b>4,511</b>	<b>2,176</b>	<b>999</b>	<b>11,254</b>	<b>32%</b>	<b>72%</b>	<b>91%</b>	<b>9%</b>

\*Time frame measured from Writ Entry Date to Initial Disposition Date

\*\*Includes KNL

## Third Prong: Services

Now, turning to the third prong in the Judicial Branch's approach to address family cases, including domestic violence cases.

The Judicial Branch is fortunate to have 131 family relations counselors statewide. These are Judicial Branch employees who work in both the criminal and family courts. Family relations counselors and supervisors assist the court and clients in the fair and timely resolution of family and interpersonal conflicts and family violence criminal cases through a comprehensive program of appropriate services. (Please see Appendix D for additional information about the role of family relations counselors.)

In the family civil court, Family Services assists the litigants and the court by offering a wide range of programs, including Negotiation, Mediation, Evaluation and Case Management in each Judicial District. Family relations counselors utilize a standardized screening process to identify the appropriate service to best resolve a matter referred by the court. The role of Family Services is to assist families to address parenting disputes, lessen the impact of conflict on children, and help facilitate the efficient movement of matters through the court system.

In the adult criminal court, Family Services staff completes a comprehensive intake process for every family violence arrest, utilizes two validated and predictive risk assessments, conducts thorough assessments on cases referred with the goal of identifying offender and victim needs, and offers pre-trial supervision with a continuum of evidence-based interventions that reduce recidivism. The role of Family Services is to enhance the safety of victims, hold offenders accountable, and recommend interventions that lessen the likelihood of future violence.

## Orders of Protection

Criminal courts may issue protective orders in cases where the defendant has been charged with certain crimes. Additionally, victims of domestic violence may apply for a temporary restraining order, which is a civil action that is heard in family court. Family relations counselors conduct risk assessments for both types of orders of protection.

### Criminal Protective Orders

Criminal courts may issue protective orders in cases where a defendant has been arrested for crimes involving assault, threatening, stalking, harassment, sexual assault or risk of injury to a child. Protective orders may tell the defendant not to restrain, threaten, harass, assault, molest or sexually assault the victim; not to go into the victim's home; and not to hurt or threaten to hurt any animal that the victim owns. There are also no contact provisions for victims that require this level of protection. Protective orders stay in force until the criminal case is finished or the order is terminated by the court.

Additionally, criminal courts can issue standing criminal protective orders in cases where a defendant has been convicted of certain crimes, including the crimes that would allow the court to issue protective orders, family violence crimes and, if the court finds a reason why it is necessary, any other crime committed against the victim by a family or household member. Like protective orders, standing

criminal protective orders may tell the defendant not to restrain, threaten, harass, assault, molest, sexually assault or attack the victim, or may tell the defendant not to go into the family home or the victim's home. Additional conditions may also be ordered by the court. Standing criminal protective orders will stay in force for a time period determined by the court unless the court decides later that the order should be modified or terminated.

## **Risk Assessment**

### ***Family Violence Risk Assessment Project - Domestic Violence Screening Instrument-Revised (DVSI-R)***

Family relations counselors utilize the Domestic Violence Screening Instrument-Revised (DVSI-R) to assess risk on every family violence offender prior to the defendant's arraignment in criminal court. The Connecticut Judicial Branch was one of the first states to develop a validated risk assessment instrument (in 2002) and to use it to screen all incoming family violence offenders prior to judges issuing court orders.

Dr. Kirk Williams, who was instrumental in developing the risk assessment tool in 2002, has completed several recidivism studies. The purpose of the recidivism project was to further determine, to estimate the predictive validity of the DVSI-R, and to establish the continuum of risk scores for the State of Connecticut. The research revealed that the higher the DVSI-R risk score, the greater probability of family violence recidivism, the increased potential of seriousness of offending, and the increased probability of non-compliance with court orders. A significant finding was that higher DVSI-R total risk scores are associated with higher predicted probability of non-compliance with a pre-trial referral to Family Services. The information and research gathered from this initiative will lead to more informed decision making by the family relations counselors regarding the necessary level of protective order and intensity of intervention at arraignment, and at various stages of the court process. The Connecticut Judicial Branch has received numerous requests from other states to use this tool.

### ***Lethality/Supplemental Risk Indicator Project***

In addition to the DVSI-R, the Judicial Branch has been collaborating with two leaders in the field of risk assessment to expand and further refine the assessment of risk in estimating the potential for life-threatening intimate partner violence. The introduction of Supplemental Risk Indicators (SRI) was developed after working with Dr. Kirk Williams and Dr. Jacquelyn Campbell. Dr. Campbell has done extensive research and is the foremost expert in determining dangerousness in domestic violence situations.

Five specific questions have been formulated and drawn from the Danger Assessment developed by Dr. Campbell that have the highest predictability of identifying those domestic violence situations that are at greatest risk of potentially escalating to intense violence. These questions will be incorporated into the Family Services Arraignment Assessment Report and recommendations, alerting the court to the potential danger within a case. Dr. Williams has just completed the initial validation study on the SRI with the promising results regarding the predictive validity of the tool to be published in the near future.

## Temporary Restraining Orders

“Any family or household member . . . who has been subjected to a continuous threat of present physical pain or physical injury, stalking or a pattern of threatening, including, but not limited to, a pattern of threatening . . . by another family or household member may make an application to the Superior Court for relief . . .”<sup>1</sup> Restraining orders are civil orders that the court can issue without the accused person being arrested. A restraining order may tell the person to whom the order applies not to restrain, threaten, harass, assault, molest, sexually assault or attack the victim; not to go into the family home or the victim’s home; and not to hurt or threaten to hurt any animal owned by the victim. The court may also extend these orders to protect the victim’s minor children. The court will decide how long the restraining order should last, and it may stay in force for up to one year. If the victim thinks that the restraining order should last longer, he or she can apply for more time, and the court can extend the time that a restraining order covers the victim if the court thinks more time is necessary.

Prior to 2016, when deciding whether to issue a restraining order, judges could consider only the affidavit, the testimony of the parties and relevant court records if the records were available to the public from a clerk of the court or on the Judicial Branch’s website. The judges were not permitted to receive or consider a risk assessment.

Pursuant to Public Act 16-105, judges may now consider:

- any existing or prior order of protection obtained from the protective order registry
- information on any pending criminal case or past criminal case in which the respondent was convicted of a violent crime
- any outstanding arrest warrants for the respondent
- the person’s level of risk based on a risk assessment tool utilized by the Court Support Services Division

Family relations counselors utilize the same two validated and predictive risk assessments that are used as part of the criminal process to assess risk in restraining orders in family cases.

Family relations counselors prepare a report for the judge at the time of the restraining order hearing. This report includes a summary of the criminal and civil records outlined in Public Act 16-105, as well as the results of a risk assessment utilized by family relations counselors. The report submitted as part of the process is also provided to the applicant and the respondent. The judge has the discretion to consider the information gathered by the family relations counselors when determining whether to extend a restraining order.

## Risk Assessments

Family relations counselors utilize the same two risk assessments that are used as part of the criminal process to assess risk in cases involving restraining orders in family cases.

---

<sup>1</sup> Connecticut General Statutes Section 46b-15.

### ***Family Violence Risk Assessment Project - Domestic Violence Screening Instrument-Revised (DVSI-R)***

As with criminal cases involving cases where a defendant has been arrested for crimes involving assault, threatening, stalking, harassment, sexual assault or risk of injury to a child, family relations counselors utilize the Domestic Violence Screening Instrument-Revised (DVSI-R) to assess risk in cases involving temporary restraining orders.

### ***Lethality/Supplemental Risk Indicator Project***

In addition to the DVSI-R, the Judicial Branch will be incorporating five specific questions into its assessment report provided to judges in cases involving restraining orders to provide additional information about the potential danger within each case of intimate partner violence.

### **Cases Involving Custody and Access Disputes**

Family relations counselors also play a role in assisting judges to resolve custody and access issues. The involvement of Family Services in family court begins with pre-trial settlement negotiations subsequent to a party filing a motion and their case appearing on a docket. If the parties are unable to reach an agreement regarding a custody or access issue, a family relations counselor will make recommendations to the litigants and the court regarding a direct service to resolve the on-going parenting dispute. Prior to making a recommendation, the family relations counselor will complete a screening process to determine the most appropriate service. Direct Services include Mediation, Conflict Resolution Conference and Evaluation (Issue-Focused and Comprehensive.) Family Services also offers three Case Management options (General, Early Intervention and Intensive.)

### **Family Civil Triage/Intake Project**

The Judicial Branch's Family Services staff, along with a team of national experts, developed the first formal civil/intake screening tool in the country. The instrument is designed to assist the Family Service staff with identifying the level of conflict and complexity of issues. It also screens for domestic violence. This facilitates the matching of appropriate intervention(s) in accordance with evidenced-based practices, and enhances differentiated case management. Statewide roll out was completed in January 2005 and currently every Family Services office participates in the Civil Triage/Intake Project.

The screening includes questions about:

- level of dangerousness
- complexity of parenting issues
- level of conflict between the parents
- amount of communication and cooperation between the parents

### **Programs Offered to Families**

Based on the results of the Family/Civil Triage/Intake Project, family relations counselors may recommend one or more of the following services:

### **Pre-trial Settlement Negotiations**

Family relations counselors conduct pre-trial and final judgment settlement conferences with attorneys and parties in conjunction with their attendance at Family Short Calendar and other Family Civil Court dockets.

### **Mediation**

Family relations counselors mediate custody and access disputes for up to three two-hour sessions. These efforts are geared toward assisting parents in resolving differences in a self-determining, non-coercive and confidential manner.

### **Conflict Resolution Conferences**

This is a confidential, directive process utilizing negotiation and mediation techniques to resolve the primary issues of custody and access. Parents and attorneys participate in the conferences and information from professional sources may be included. The family relations counselor may offer recommendations to the parents at the conclusion of the process if the parties are unable to resolve their dispute. These recommendations are not provided to the court.

### **General Case Management**

A family relations counselor will be assigned distinct responsibilities to assist parties in resolving their parenting issues with a report back to the court. Some components include gathering specific information regarding the family, monitoring compliance with court orders, facilitating settlement conferences to develop parenting plans, conducting home visits or completing other court-ordered tasks.

### **Intensive Case Management**

This service offers litigants in the early stages of post-judgment court involvement the opportunity to enhance collaboration between the parents and formulate mutual decisions regarding the well-being/care of their children. The role of the family relations counselor is to work with the parents as needed to reduce conflict, offer skills for enhanced communication, reinforce positive parenting and report progress to the court.

### **Issue-Focused Evaluation**

This is a non-confidential process of assessing a limited issue impacting a family and/or parenting plan. The goal of an Issue-Focused Evaluation is to explore the defined parenting dispute, gather information regarding only this issue and provide a recommendation to the parents and the court. This evaluation format is limited in scope, involvement and duration.

### **Comprehensive Evaluation**

This is an in-depth, non-confidential assessment of the family system by the family relations counselor. The information gathered by the counselor, the assessment of the family and the resulting recommended parenting plan is shared with the parents and attorneys. This recommendation may be used to form the basis of an agreement. At the conclusion of the process, a report with recommendations is filed with the court.

## **Early Intervention Program**

This is a new program that emphasizes prevention strategies to proactively assist litigants at the beginning of the court process when child-related motions are first filed. The goals of the program are to:

- Ensure that parents have access to educational opportunities regarding the court process and the impact of separation/divorce on children
- Provide families with a structured intervention with case management and the short-term stabilization of parenting interactions

As part of the program, family relations counselors:

- Conduct meetings and follow-up telephone/email communication with the parents
- Facilitate dispute resolution throughout the process
- Develop specific objectives for parents as part of a needs assessment
- Provide on-going case coordination and monitoring of court orders
- Assist in the development of parenting plans
- Report interim and/or final agreements to the court

Anticipated outcomes:

- Significant reduction in the time parents spend in the court system
- Decline in the number of incorrect or reactive filing of child-related motions
- Lower re-litigation rates post-program completion
- Less emotional stress and feeling overwhelmed with the process for parents
- Decrease in the overall negative impact on children

The Judicial Branch is seeing positive results from this program and will consider exploring the possibility of combining the Early Intervention Program with individual calendaring.

## **Parenting Education Program**

In 2012, the Request for Proposal for the Judicial Branch's Parenting Education Program was significantly modified to infuse best practices as it relates to family violence within the curriculum requirements and within all aspects of program operations. To support these modifications, the Judicial Branch offered training for all Parenting Education Program agencies and facilitators regarding the dynamics of family violence. The specific offerings and presenters included:

- **November 21, 2013** – Topic: “Exploring the Dynamics of Domestic Violence;” Presenter: Dr. Derrick Gordon
- **December 5, 2014** – Topic: “Engaging Parents Regarding the Impact of Stress, Conflict and Violence on Children;” Panel members: Jill Davies, Maxine Varenko, Doug Edwards and Mimi Donegan
- **December 2, 2016** – Topic: “How Conflict Impacts Children;” Presenter: Denise Parent, LMFT - University of Connecticut
- **May, 30, 2018** – Topic: “The Impact of Child Abuse;” Presenter: Dr. Nina Livingston - Connecticut Children’s Medical Center

## Conclusion

As previously stated in the Executive Summary, the Judicial Branch utilizes a three-pronged approach to address family cases, including cases involving domestic violence. The first prong is training. The second prong is a triaged case management methodology, which allows more resources to be devoted to the more complex cases, including domestic violence cases. The third prong involves targeted and specific resources.

The Judicial Branch is exploring the possibility of making further changes to its current family civil court practice by introducing the concept of “triage” within the family court system. The Judicial Branch plans to continue to receive guidance from the National Center for State Courts and has applied for a grant from the State Justice Institute to continue to implement this concept. The Judicial Branch will look to (1) continue to modernize the family court process; (2) require a mandatory triage conference with family relations counselors within 30 – 45 days of the filing of a case; and (3) have one judge and one family relations counselor assigned to each complex family matter, including cases involving domestic violence, for the duration of the proceeding. The goal of the triage model is to treat cases differently and to assist parties who have agreements to get their matter resolved as quickly as possible, without the need to come to court, if possible; to provide services to those parties who may need assistance resolving one or two issues; and to provide the bulk of the resources and interventions to those complex cases where the parties can agree on very little.

The Judicial Branch is acutely aware of its responsibilities regarding domestic violence and is committed to assisting victims of domestic violence within the parameters of its core function, which is to decide cases in a fair and impartial manner.

## Appendices

### Appendix A – Connecticut is Recognized as a National Leader

**NATIONAL ASSOCIATION FOR PRESIDING JUDGES AND COURT EXECUTIVE OFFICERS IN PARTNERSHIP  
WITH THE NATIONAL CENTER FOR STATE COURTS**

**Fourth Annual Court Leadership Academy and Leadership Conference**

***Situational Leadership and Power Team-Building and Leading  
Loosely-Coupled Courts and Justice Systems***

**August 18 – 21, 2019**

***Speakers***

The Family Justice Initiative: Keeping Pace with Modern Families in the Nation’s Trial Courts

Alicia Davis, J.D., Family Justice Project Director, National Center for State Courts

Hon. Elizabeth Bozzuto, Deputy Chief Court Administrator, Connecticut Judicial Branch

Joseph DiTunno, Deputy Director, Court Support Services Division, Connecticut Judicial Branch

Teri Deal, M.Ed., Evaluator, National Center for State Courts

***Topic***

Today, 50-70 percent of marriages will end in divorce and many more couples are choosing not to marry. Nevertheless, they will have parenting and property disputes that require resolution by a court. Currently, contested and uncontested cases take the same amount of time and the vast majority of parties are self-represented. The challenges presented by the disintegration of the modern family led the National Center for State Courts to spearhead an effort to study the current landscape of domestic relations case management and identify real-world solutions to improve case outcomes, party satisfaction and to support judges and court executives overseeing these cases.

One of the states that helped formulate the Family Justice Initiative (FJI) principles and pioneered a triage approach in working with families is Connecticut. In doing so, they introduced the “Family Civil Intake Screen” in 2004, a comprehensive, standardized assessment instrument that identifies parenting conflicts early in the court intake process and matches the needs of families to the correct service options leading to improved outcomes for all. Connecticut is now working to utilize the FJI principles to provide timelier proceedings, avoid caseflow churn, and reduce multiple frivolous motions that antagonize parties and elongate the adjudication process. This session will explore the current challenges in working with families and offer useful, proven approaches in managing cases involving parenting and property disputes.

## Appendix B - Judges' Education - Domestic Violence-Related Education

Domestic violence training begins with the Pre-Bench Orientation Program for new judges and continues throughout the judge's career. Much of this training has been provided by renowned national and international experts. All judges -- including those assigned to hear family, criminal, civil and juvenile matters -- receive training on domestic violence, including intimate partner violence; risk and lethality factors; victims' rights; continued incidents of violence (verbal and nonverbal); hidden injuries; the impact on witnesses (especially children); and the mindset of the offender. Training programs have been both cross-divisional and division specific.

### *New Judges – Pre-Bench Orientation Program*

All new judges receive approximately 14 days of intensive training prior to taking the bench. Of the 14 days, approximately four days are devoted to domestic violence-related topics. Listed below are the sessions that relate to domestic violence:

#### ***Domestic Violence***

- General overview of domestic violence, including intimate partner violence, the major characteristics of domestic violence, understanding perpetrator behavior, and the goal of judicial intervention in domestic violence cases
- Issues specific to victims of domestic violence, including the effect of domestic violence on adult and child victims, the effect of domestic violence on childhood development, behavior characteristics unique to victims of domestic violence, and assessing the level of risk and danger to victims
- Review of domestic violence legislation and forms
- Role of substance abuse
- The effect of domestic violence on parenting
- Review of diversionary and offender programs
- The role of criminal judges in addressing domestic violence
- Risk and lethality factors
- Lethality, risk and safety assessments,
- Firearms
- Advisement of rights when presiding over domestic violence cases
- Domestic violence sentencing considerations
- Domestic violence case scenarios
- An interactive, role playing exercise in which participants assume the position of an adult domestic violence victim with varying backgrounds and resources and decide how to handle escalating incidents and threats of domestic violence<sup>2</sup>

---

<sup>2</sup> The exercise has been adapted from the National Council of Juvenile and Family Court Judges (NCJFCJ). The goal of the exercise is to identify the complex reasons why an adult victim might remain in, or return to, an abusive relationship by highlighting a victim's barriers to safety, limited monetary resources, limited support of family and friends, employment status, need to protect one's children, cultural differences, and varying religious perspectives.

### ***Victim Services Training***

- An overview of the constitutional rights of victims
- Information on programs to assist domestic violence victims
- Specific training on the mindset of victims

### ***Temporary Restraining Orders***

- Who is entitled to relief
- What the applicant must allege
- Others who may be named on the restraining order
- The contents of an application
- Firearms
- Suggested approaches to ex parte restraining order applications
- Suggested approaches to restraining order hearings
- Minor applicants
- Risk assessments
- Types of relief that can be granted
- Suggested approaches when considering what relief to grant
- Duration of orders
- Temporary financial support
- Case scenarios

### ***Introduction to Family Court***

- Consideration of domestic violence in custody and visitation determination
- Emergency ex parte custody orders
- Emergency situations requiring immediate appointment of GAL/AMC
- Mandatory scheduling of hearings on restraining order applications

### ***Managing the G.A. Docket***

- A portion of this training includes canvassing defendants on protective orders, canvassing defendants when ordering participation in a domestic violence program, victims' rights, and misdemeanor crimes involving domestic violence.

### ***Warrants***

- A portion of this training includes exercises on the issuance of arrest warrants in domestic violence situations.

### ***Introduction to the G.A. and Sentencing***

- A portion of this training includes the issuance and types of protective orders, noncompliance with protective orders, and surrendering of firearms.

### ***Civil Emergency Orders***

- A portion of this training includes the statutory requirements, issuance and considerations given when issuing a civil order of protection, as well as the differences between a civil order of protection, a criminal protective order and a civil restraining order.

### ***Diversionary Programs and Alternatives to Incarceration Programs***

- Half-day training on the programs that are available for offenders, including those that are available for domestic violence offenders (i.e. Family Violence Education Program, EXPLORE and EVOLVE programs).

### ***Judges' Continuing Education***

Domestic violence has been at the forefront of judicial education for more than 15 years. Substantial and comprehensive training on domestic violence has been provided through Academic Programs, the annual Connecticut Judges' Institute, and Roundtable Discussions. These trainings are conducted by nationally recognized experts in their field and/or judges with expertise on the topic. The training is extensive and evolving. Past training programs and courses have included, but are not limited to, the following.

#### ***Academic Programs***

##### **(April 2017) Domestic Violence Program**

*Guest Speakers: Linda Baker, Ph.D. & Derrick Gordon, Ph.D.*

In April 2017, the Judicial Branch sponsored a full-day domestic violence program for Superior Court judges. The judges were trained by Dr. Linda Baker, a dynamic and international speaker and expert on the impact of domestic violence on children and adults. Dr. Baker is the Learning Director at the Centre for Research & Education on Violence Against Women & Children at Western University in London, Ontario, Canada. She has co-authored numerous publications/resources related to intimate partner violence exposed children and families, and, since 2000, she has been a frequent faculty member for the U.S. National Council of Juvenile and Family Court Judges (NCJFCJ) and Futures Without Violence program.

Dr. Baker provided training on children's exposure to domestic violence and its effect on child development. Dr. Baker summarized the growing clinical research in this area, emphasizing the prevalence of child victimization in domestic violence situations, children's inability to adjust by internalizing/externalizing difficulties, and how potential compromises are made to children's neurophysiological development. Dr. Baker walked the judges through the impact of domestic violence

at each developmental stage, e.g., preschool, latency, adolescence and teenage years. She also addressed situations in which children have been killed in the context of domestic violence and the continuum of aggression and abuse. Dr. Baker concluded by setting forth the following guiding principles for judges when resolving custody disputes: protecting children who are victims of domestic violence; protecting the safety and supporting the well-being of victim parents; respecting the rights of adult victims to direct their own lives; holding perpetrators accountable for their behavior; and allowing children access to both parents.

Dr. Gordon, an Assistant Professor of Psychiatry (Psychology Section) at Yale University School of Medicine and the Director of the Program on Male Development in the Division of Prevention and Community Research of the Department of Psychiatry, presented a segment on the three court-mandated family violence programs: Family Violence Education Program (FVEP), EXPLORE and EVOLVE. The segment addressed the clinical research associated with each of these programs, including the completion rates and outcomes (e.g., arrest rates) of individuals who have participated in the programs.

Judge faculty presented a detailed segment on factors that contribute to a family being at risk for episodes of domestic violence, risk factors for intimate partner violence and intimate partner homicide, a comparison between risk of recidivism and risk of lethality, and the use of lethality and risk assessments.

### **(November 2015) Domestic Violence Program**

*Guest Speaker: Jacquelyn C. Campbell, Ph.D.*

In November 2015, Superior Court judges were trained by Dr. Jacquelyn Campbell, a nationally renowned leader in research and advocacy in the field of domestic violence. She holds the Anna D. Wolf Chair at the Johns Hopkins University School of Nursing and is the National Program Director of the Robert Wood Johnson Nurse Faculty Scholars Program. Dr. Campbell, who is the foremost expert in determining dangerousness and lethality in domestic violence situations, provided training for the judges on lethality factors and the practical application of a lethality assessment when ruling on restraining orders, protective orders and civil orders of protection in family, criminal and civil courts. Dr. Campbell discussed intimate partner violence and the prevalence of femicide, in which women become fatal victims of domestic violence, and how children are either accompanying fatal victims or are exposed to femicide. She also addressed the impact of victim and/or perpetrator weapon ownership, male victimization and its negative correlation with improved domestic violence laws and available resources, and issues and obstacles unique to immigrant victims of domestic violence (e.g., language barriers, deportation). Judges were provided with a bench guide on recognizing dangerousness in domestic violence cases.

Following Dr. Campbell's presentation, judges engaged in interactive learning exercises. One lengthy, interactive learning exercise, adapted from the National Council of Juvenile and Family Court Judges (NCJFCJ), required participants to role play a series of chronological events from a victim's perspective. With the exception of those who previously participated in the exercise, all judges assumed the position of an adult victim with varying backgrounds and resources. Those who had previously participated in

the exercise as an adult victim assumed the role of either the child victim or perpetrator. Based on their character's circumstances, judges were to decide how to handle escalating incidents and threats of domestic violence. The goal of the exercise was to identify the complex reasons why an adult victim might remain in, or return to, an abusive relationship by highlighting a victim's barriers to safety, limited monetary resources, limited support of family and friends, employment status, need to protect one's children, cultural differences, and varying religious perspectives. After the exercise, judges engaged in an open and candid discussion as to how it "felt" to be in the shoes of a victim of domestic violence. The judges who assumed the position of an adult victim discussed having to weigh different costs in evaluating limited options. The discussion also addressed the position of child victims and the emotional impact of the mother's situation and actions on them, stressing the sentiments of helplessness and inability to control the domestic violence situation. Overall, the compelling exercise enhanced judges' understanding of the multi-faceted considerations that may result in a victim remaining in an abusive relationship. (Members of the bench were provided with the opportunity to participate in this interactive learning exercise again in April 2016.)

In the next interactive learning exercise, also adapted from the National Council of Juvenile and Family Court Judges (NCJFCJ), judges were assigned the roles of probation officer, child protective services worker, judge, guardian ad litem (GAL), law enforcement officer, and employee from other state agencies. After reading a series of case facts, judges determined the level of overall risk, e.g., low, medium or high, to the victim of domestic violence. This exercise focused on missed opportunities; system failure to communicate; and the lack of education about domestic violence and dangerousness among court, probation, GAL, law enforcement and other services. Overall, the exercise enhanced judges' understanding of the need to improve communication and collaboration among system professionals in order to better assist victims of domestic violence.

### ***Connecticut Judges' Institute***

#### **(2019) How to Recognize, Understand and Proceed in Cases Involving Adults and Children Who Suffer from Emotional Trauma**

*Guest Speaker: Steven Marans, MSW, Ph.D.*

Dr. Steven Marans, a nationally recognized expert in issues regarding children exposed to trauma, the director of the National Center for Children Exposed to Violence, and founder of the Child Development-Community Policing Program, presented a course on emotional trauma and how it affects the behavior of individuals, including their self-regulation and control. The presentation included a segment emphasizing the importance of involving mental health experts from the outset of a child experiencing trauma, including trauma resulting from domestic violence. Dr. Marans also provided judges with practical information and tools to recognize when individuals who suffer from emotional trauma are before the court, and how to effectively address and process cases involving such individuals, including cases involving minor children.

#### **(2019) Speak to the Wounds: Unpacking Racial Trauma and Developing Healing-Centered Criminal Justice Responses for Boys and Men of Color**

*Guest Speaker: Wisdom Powell, Ph.D.*

Dr. Wisdom Powell, Director of the Health Disparities Institute and associate professor of Psychiatry at UConn Health, presented a course on racial trauma and developing healing-centered criminal justice responses for boys and men of color. Dr. Powell noted the issue of the detrimental consequences of witnessing domestic violence for boys and men of color.

### **(2019) Character and Other Misconduct Evidence in Criminal Trials: Making Informed Decisions**

Judge faculty presented a course on certain evidentiary issues in criminal cases, including the admissibility of character and misconduct evidence in domestic violence cases. Judge faculty reviewed significant cases on the topic and provided attendees with practical tips on how to handle these evidentiary issues in domestic violence cases.

### **(2018) Restraining Orders: Best Practices and Procedures**

Judge faculty presented a course on best practices and procedures for handling restraining orders at each stage: ex parte, hearing and post-hearing. Specific topics included review of the initial application, defining the statutory requirements, issues unique to minor applicants and/or respondents, conducting the hearing, risk assessments, agreements to dismiss/withdraw, questioning and/or cross-examination of self-represented parties, entering proper orders, assessing the implications of the order, and motions to extend restraining orders.

### **(2017) The Intersection of Intimate Partner Violence and Substance Abuse**

*Guest Speakers: Dr. Susan DiVietro, Dr. Rebecca Beebe, Garry Lapidus (PA-C, MPH)*

This course addressed the impact that intimate partner violence and substance abuse can have on a child's health and safety, as well as the role that the father plays in the family dynamic. The judges were trained by Dr. Susan DiVietro, a medical anthropologist and research scientist at the Injury Prevention Center at Connecticut Children's Medical Center; Dr. Rebecca Beebe, also a medical anthropologist research scientist at the Injury Prevention Center at Connecticut Children's Medical Center; and Garry Lapidus (PA-C, MPH), a national leader in injury prevention research, education and training, community based programs, and public policy. Dr. Beebe's doctoral research examined the effects of violence exposure on the mental and behavioral health of boys at a detention center in Hartford.

The speakers addressed the complexities of handling intimate partner violence and substance abuse issues and presented new approaches to treatment focusing on the father. The speakers reviewed the correlation between substance abuse and intimate partner violence, risks for non-offending parents, the long-term and short-term effects of domestic violence on child development, types of aggression to which children are exposed, how victimized caregivers (e.g., mothers) are likely to exhibit harsh and nonoptimal parenting, and services and treatment programs available to fathers.

### **(2017) Judicial Interaction with Victims of Trauma**

This course assisted judges in interacting with victims in a manner that reduces victim re-traumatization when appearing in court. Faculty defined trauma, its effect on victims, and ways the court could reduce re-traumatization. Victims of domestic violence and applicants for restraining orders were included in the discussion.

### **(2016) Growing Up in a Controlling and Coercive Family - The Adverse Impact Domestic Violence Can Have on Children**

*Guest Speaker: Kristen L. Selleck, MSW*

This course addressed the impact of domestic violence on children, child safety and planning, and where the court's focus should be with respect to parents. Kristen L. Selleck (MSW), an adjunct professor at Western Connecticut State University, addressed: 1) the verbal, emotional, social and/or financial harm inflicted by domestic violence on its intended and unintended victims; 2) the adverse impact of domestic violence on a child; 3) behavioral issues and presentations often seen in children exposed to domestic violence; 4) ways to accurately and timely identify domestic violence and assess risk; and 5) the distinction between physical safety planning and intervention that supports a child remaining in the care of the non-offending parent while attempting to modify the batterer's behavior.

### **(2016) Properly Identifying Domestic Violence and Entering Appropriate Orders Ex Parte and at a Hearing**

This course focused on practical ways in which judges may properly identify subtle threats of domestic violence in applicants seeking a restraining order and appropriately inquire of self-represented parties. Judge faculty reviewed the nuts and bolts of restraining orders, including possible new legislative factors to consider in ex parte applications, as well as the types of relief available and factors the court should consider when entering orders ex parte and at a hearing. Faculty also discussed symptoms of abuse that may be present in domestic violence situations, characteristics unique to victims of abuse, and reactions of domestic violence victims.

### **(2015) Accidental vs. Intentional Injuries to Children: Risk Factors in the Home**

*Guest Speaker: Kirsten A. Bechtel, M.D.*

This course assisted judges in discerning whether fatalities and injuries to children are intentional (e.g., result of abuse) or accidental. Dr. Kirstin Bechtel, an Associate Professor in the Department of Pediatrics at Yale School of Medicine and the Co-Chair of the Child Fatality Review Panel, discussed the differences between risk factors specific to injuries and fatalities of children who are exposed to domestic violence, and those that are specific to injuries and fatalities resulting from nonviolent conditions in the home (e.g., sleeping conditions).

### **(2014) Protective Orders and Restraining Orders: Making Informed Decisions**

This course reviewed the statutory provisions that apply to protective orders and restraining orders and specific factors to consider when making a determination. Judge faculty addressed the procedural steps that are typically followed before these orders are presented for a judge's review, certain issues that affect decision making, the interplay between protective orders and restraining orders (specifically in situations in which both orders have been issued), and the way these orders can or may affect other legal proceedings. A discussion of recent legislation concerning these types of orders was also provided.

### **(2013) Evidence-Based Trauma-Informed Treatment Approaches in Child Protection Matters**

*Guest Speaker: Robert P. Franks, Ph.D.*

This course addressed issues raised in juvenile court when facing children and families with extensive mental health and substance abuse issues resulting from early exposure to trauma in the form of domestic violence; sexual abuse; and chronic, severe neglect. Dr. Robert Franks, director of the Connecticut Center for Effective Practice and vice president of the Child Health & Development Institute of Connecticut, discussed current research on evidence-based, trauma-informed mental health treatment approaches. He reviewed the effect of trauma on children who are exposed to domestic violence, the long-term consequences of untreated trauma, the risk and protective factors for common childhood problems, and models of resiliency. Judges had an opportunity to consider how their orders and decisions directly or indirectly impact children and their ability to benefit from mental health treatment.

### **(2012) Effective Enforcement of the Victims' Bill of Rights**

This course identified rights afforded to victims and the extent to which the court may enforce those rights. The course included a discussion of rights afforded to victims of domestic violence crimes.

### **(2010) Danger Assessment When Fashioning Protective or Restraining Orders**

*Guest Speaker: Jacquelyn C. Campbell, Ph.D.*

Dr. Jacquelyn Campbell (see *November 2015 Domestic Violence Program* for biographical information) trained the judges on risk and lethality factors. She discussed how to identify situations that may be prone to fatal victimization and provided training on the practical application of a lethality assessment when ruling on restraining orders and protective orders in family and criminal courts.

### **(2007) Domestic Violence and Its Effect on Children**

*Guest Speaker: Peter G. Jaffe, Ph.D., C. Psych.*

This course provided new and experienced family, juvenile and criminal judges with an understanding of the dynamics of domestic violence and its effect on its victims. Dr. Peter G. Jaffe, an internationally recognized authority on domestic violence and a Professor in the Faculty of Education and Academic Director of the Centre for Research on Violence Against Women and Children at the University of

Western Ontario, trained judges in assessing the lethality of batterers; the psychological and emotional impact of domestic violence; understanding the response of victims to such violence; and entering appropriate treatment and dispositional orders in sentencing, custody and visitation matters. Dr. Jaffe was joined by a panel of Connecticut judges who facilitated a discussion of the important issues raised in his presentation.

### ***Roundtable Discussions***

#### **(2016) Civil Protective Order Spring Roundtable**

This program provided judges who are handling applications for civil protection orders and/or hearings on those applications to share their experiences and discuss topics of interest.

#### **(2014, 2013, 2011) Domestic Violence Roundtable**

This program consisted of an ongoing opportunity for judges to discuss domestic violence issues arising in family and criminal proceedings.

Additional training topics have included:

- General Overview of Domestic Violence and Intimate Partner Violence
  - Definition of Family Violence
  - Victim and Offender Behavior
  - Factors that Increase Risk of Intimate Partner Violence
  - Distinguishing Between Accidental and Intentional Injuries to Children
  - Domestic Violence and its Effect on Children
  - Risk Assessments and Lethality Factors
- Civil Orders of Protection
- Criminal Protective Orders (including Standing Criminal Protective Orders)
- Temporary Restraining Orders (Ex Parte and After a Hearing)
  - Application Process
  - Hearing Process
  - Types of Relief Available
  - Interplay with Pending Family Matters
  - Temporary Custody Orders
  - Financial Orders
  - Violations of Restraining Orders
- Statutory Criteria for Protective Orders, Restraining Orders and Civil Orders of Protection
- Factors to Consider Before Granting a Temporary Restraining Order or an Order of Temporary Custody
- Availability of, and Access to, Relevant Information When Facing Protective Orders, Restraining Orders and Civil Orders of Protection
- Differences Between Restraining Orders and Civil Orders of Protection
- Duration of Orders
- Complexity of Issuing and Modifying Protective Orders When There are Criminal Cases Pending in Other Jurisdictions
- Practical and Legal Impact of Protective Orders and Restraining Orders

- Due Process Rights of the Respondent
- Victims' Rights
- Firearm Restrictions
- Applicant Confidentiality
- Challenges Faced by Self-Represented Parties
- Judicial Resources Available to Assist Judges in Their Decision-Making
- Role of Family Relations and Victim Advocates
- Guardian ad Litem and Attorney for Minor Children
- Dealing with Sensitive Witness Issues (focusing on lethality factors and testimony from witnesses of domestic violence)
- CSSD Resource Primer for the Trial Judge (including domestic violence screening)
- Goals and Benchmarks for Specialized Domestic Violence Dockets
- Ongoing Legislative Updates
- Domestic Violence Program Standards Applicable to Domestic Violence Counseling
- Overlap Between Sex Trafficking, Prostitution and Domestic Violence
- Entering Appropriate Orders Ex Parte and at a Hearing
- Identifying Subtle Threats of Domestic Violence and Appropriately Inquiring of Self-Represented Parties While Remaining Within the Confines of C.G.S. §46b-15
- Domestic Violence Screening Instrument, Risk and Lethality Assessments
- Evidentiary Issues in Cases Involving Domestic Violence

Judges have also been provided with bench reference cards and additional domestic violence resources, including the National Council of Juvenile and Family Court Judges (NCJFCJ) Domestic Violence Self Training Tool and the National Center for State Courts (NCSC) Domestic Violence Resource Guide. In September 2018, judges were provided with a newly revised manual, *Child Protection in Families Experiencing Domestic Violence*, developed by the U.S. Department of Health & Human Services. In September 2016, all judges were provided a bench reference card detailing the procedural overview of the restraining order application process and materials explaining the new amendments to C.G.S. §46b-15. In November 2016, the materials were reviewed at the family division training program. In June 2016, all judges were provided with a copy of the *Connecticut Domestic Violence Offender Program Standards*, prepared by the Domestic Violence Offender Program Standards Advisory Council per Public Act 15-211.

### ***Other Programs***

In early October 2015, five Superior Court judges with expertise in the area of domestic violence traveled to Atlanta, Georgia to participate in an “*Enhancing Judicial Skills in Domestic Violence Cases Workshop*” offered by the National Council of Juvenile and Family Court Judges (NCJFCJ). On October 27, 2015, representatives from the NCJFCJ traveled to Connecticut and met with the Chief Court Administrator, the Chief Administrative Judges of each division, the Chairpersons of the Education Committee, the judges who had participated in the NCJFCJ workshop earlier in October, and other senior Judicial Branch personnel. The meeting demonstrated that the Judicial Branch provides Connecticut Superior Court judges with extensive domestic violence training that compares favorably with training provided in other jurisdictions.

In July 2015, two Superior Court judges attended the NCJFCJ 78th Annual Conference, a four-day event in Austin, Texas. The conference offered multiple workshops on topics relating to domestic violence, such as the importance of addressing domestic violence and trauma in family and drug courts, immigration issues affecting victims of domestic violence, the mindset of the offender, the effects of domestic violence on children, civil protection orders, and the use of risk assessments.

In December 2016, four Superior Court judges attended the conference *Changing the Culture: The Violence Against Women Act in 2016*, hosted by the United States Attorney's Office, District of Connecticut. The forum focused on the prevention of violence against women, and included panel discussions on college campus violence, as well as domestic violence and sexual assault cases in professional sports.

In early August 2016, the Chief Administrative Judge for Juvenile Matters attended a national conference offered by the Child Welfare League of America in partnership with Children and Family Futures. The conference included segments on the intersection of substance abuse and intimate partner violence, as well as integrated treatment approaches for fathers struggling with concurrent issues of intimate partner violence and substance abuse.

### *Transitioning from One Divisional Assignment to Another*

Each September, and whenever the needs of the court system dictate, some judges are reassigned to different courthouses and to different divisions.

- Each time a judge is reassigned to the family division, the Chief Administrative Judge for the Family Division provides up to a full-day of training on a variety of topics, including a segment on restraining orders, which reinforces what the judges learned as part of the Pre-Bench Orientation Program.
- Each time a judge is reassigned to the criminal division, the Chief Administrative Judge for the Criminal Division or the Presiding Judge in the district assesses the training needs of each reassigned judge and provides one-on-one training. A portion of this training is devoted to a discussion on family violence protective orders.
- Each time a judge is reassigned to the civil division, the Chief Administrative Judge for the Civil Division provides up to a full-day of training on a variety of topics, which includes a discussion on civil protection orders.

### *Divisional Training and Meetings*

Annually or semi-annually, the Chief Administrative Judges of each division (family, criminal, juvenile and civil) and the Chief Family Support Magistrate facilitate training programs on issues of importance, including the implementation of any new legislation. Domestic violence is frequently a topic that is addressed during these training sessions.

As recently as November 2018, the Family Division program included a segment on the initial validation analysis of the risk assessments used in the restraining order process.

In September 2018, the Criminal Division program included a segment on the state's response to child abuse. Guest speakers addressed the various services offered by victim advocacy programs, such as

domestic violence intervention, risk assessments, and safety planning; the role, purpose, and goal of state multidisciplinary teams and child advocacy centers; and forensic interviews and medical evaluations of children. Guest speakers included Paula Schaeffer, Program Coordinator of Child Abuse Programs and Co-Chair of MDT Evaluation Committee of the Governor's Taskforce on Justice for Abused Children; Monica Vidro Madigan, Forensic Interviewer at Yale-New Haven Hospital; Dr. Lisa Pavlovic, Medical Director at the Yale Child Abuse Clinic; and Peggy Pisano, Director of Victim Services, Rape Crisis Center of Milford.

In November 2017, the Family Division program included segments on the use of risk and dangerousness assessments and the overlapping evidentiary issues in criminal and family courts when facing restraining orders or protective orders. In addition to the divisional trainings and meetings, the Chief Administrative Judges provide ongoing updates on matters relating to domestic violence.

In April 2016, the Family Support Magistrate program included a half-day interactive training session on domestic violence, including promoting awareness of special considerations, problems and issues faced in handling such matters. The Family Support Magistrates addressed and discussed topics and issues relating to domestic violence that could arise in Family Support Magistrate court.

In September 2012, the Criminal Division program included a segment on risk and lethality assessments, which addressed the development of the Domestic Violence Screening Instrument-Revised (DVSI-R), the development and administration of the Supplement Risk Indicators, and the implementation of the risk assessments.

In November 2010, the Family Support Magistrate program included a panel discussion on the state's domestic violence laws and corresponding strategies for Family Support Magistrate court. Panel speakers included judge faculty; Erika Tindill, the Executive Director of Connecticut Coalition Against Domestic Violence; Jennifer Lopez, Advocacy Program Director; and Phyllis Cummings-Teixeira, Family Services Supervisor.

In 2009, the Family Division Fall Program focused primarily on domestic violence and the most current research on family violence issues. Dr. Philip Stahl, a licensed psychologist and Board Certified in Forensic Psychology by the American Board of Professional Psychology, discussed the dynamics of domestic violence and its ramifications regarding custody, visitation/access orders, and developing practical and effective parenting plans for families in which children have been exposed to domestic violence.

## Appendix C – Job Titles Completing an Overview of Domestic Violence

### **Court Support Services Division**

Adult Probation Officer  
CSSD Intake Assistant  
IAR Specialist  
Lead IAR Specialist  
Supervising IAR Specialist  
Information Technology Analyst  
Program Manager  
Administrative Secretary  
Family Relations Counselor  
Family Services Supervisor  
Family Relations Counselor Trainee

### **Court Operations**

Administrative Assistant  
Administrative Secretary  
Court Officer, Judicial District  
Information Technology Analyst  
Program Manager  
Caseflow Management Specialist  
Court Planner  
Deputy Director  
Assistant Clerk, JD/GA  
Desktop Application Specialist

Microcomputer Specialist  
Caseflow Coordinator Trainee  
Caseflow Coordinator  
Judicial District Chief Clerk  
Administrative Clerk  
Temp. Paralegal  
Temp. Assistant Clerk I - Non Accredited  
Temp. Assistant Clerk I - Accredited  
Court Operations Assistant  
Deputy Chief Clerk for JD Matters  
Mediation Specialist  
Mediation Specialist / Housing  
First Assistant Clerk JD  
Deputy Clerk, GA/Juvenile Matters  
Deputy Chief Clerk For GA Matters  
Deputy Chief Clerk For Housing Matters  
Office Clerk  
Accounting Assistant  
Assistant Jury Administrator  
Administrative Services Coordinator Ii  
Court Services Officer - Juvenile Matters  
Supervising Law Librarian  
Court Recording Monitor

## Appendix D - Court Support Services Division's Family Services Unit

### Family Services Staffing Pattern

Year	Family Relations Counselors
2013	96
2014	114
2015*	128
2016	118
2017	100

*\*Family Court Re-Engineering Initiative resulted in the hiring of 32 family relations counselors over two years*

***Note:** Thirty-one family relations counselor trainees were hired near the end of 2018 to fill significant vacancies*

#### Family Civil Court Services

- **Negotiation** - Family Services staff conduct pre-trial and final judgment settlement conferences within Family Short Calendar and other Family Civil Court dockets.

***Family Services completes approximately 22,000 negotiations per year with an 80% agreement rate.***

#### Direct Services

- **Mediation** - Family relations counselors mediate custody and access disputes with the goal of assisting parents in resolving differences in a self-determining, non-coercive and confidential manner.
- **Conflict Resolution Conference** is a confidential, directive process utilizing negotiation and mediation techniques to resolve the primary issues of custody and access. The family relations counselor may offer recommendations to the parents at the conclusion of the process.
- **Issue-Focused Evaluation** is a non-confidential process of assessing a limited issue impacting a family and/or parenting plan. The goal is to explore the defined parenting dispute, gather information regarding only this issue and provide a recommendation to the parents and the court.
- **Comprehensive Evaluation** is an in-depth, non-confidential assessment of the family system by the family relations counselor. The information gathered, the assessment of the family, and the resulting recommended parenting plan is shared with the parties. At the conclusion of the process, a report with recommendations is filed with the court.

***Family Services conducts approximately 1,200 direct services each year with a 65% agreement rate.***

### **Case Management Services**

- **General Case Management** - Family Services is assigned tasks to assist parties in resolving parenting issues with a report back to the court. Some components include gathering specific information for the court, monitoring compliance with parenting plans, or completing other duties to resolve the contested issues.
- **Intensive Case Management** - This service offers litigants in the early stages of a post judgment case the opportunity to enhance parental collaboration and formulate mutual decisions regarding the well-being of their children. The role of the family relations counselor is to work with the parents to reduce conflict, offer skills for enhanced communication, and report progress to the court.

***Over 900 referrals are made to General Case Management each year. In terms of effectiveness, over 80% of the contested issues are resolved by Family Services as a result of program participation.***

***Approximately 125 families are referred to Intensive Case Management per year. Internal Court Support Services Division (CSSD) research demonstrated that program completion had a significant impact on the number of subsequent child-related motions filed by the parties-***

- **(NEW April 2019) Early Intervention Program** - Family Services will implement a program emphasizing strategies to assist litigants at the early stage of the court process. To meet this objective, a two-pronged approach will be utilized with the goal of 1) ensuring parents have access to educational opportunities regarding the court process and impact of separation/divorce on children; and 2) providing families with a structured intervention centering on case management and the short-term stabilization of parenting interactions.

### **Adult Criminal Court Services (Family Violence)**

- **Arraignment Proceedings** - Family relations counselors conduct pre-arraignment family violence intake assessments and screen all family violence arraignment cases. Family Services utilizes two validated risk assessments as part of the process.

***Each year Family Services conducts approximately 24,000 family violence intake assessments.***

- **Case Assessments** - Family relations counselors assess all cases that are referred to Family Services subsequent to the arraignment process. The assessments include in-depth interviews of the victim and the defendant leading to a detailed case assessment and recommendation to the court.

**Family Services completes over 12,500 case assessments per year.**

- **Pre-Trial Case Management Services** - Family relations counselors oversee diversionary programs for cases referred to Family Services. This includes administrative monitoring of court-ordered conditions and compliance reporting.

**Over 80% of defendants referred successfully complete Pre-Trial Case Management with Family Services. In terms of subsequent recidivism rates, only 10% are re-arrested for family violence 12 months post completion.**