



Court Process Workgroup: Victim Access Subgroup

Tuesday, August 16, 2022

8:00 AM- 9:00 AM

Zoom

Members Present: Judge Susan Stoney, Judge Jonathan Frieden, Nora Mahoney, Tina Spurlock, Stephanie Romonchuk, Kacey Kirkland, Renee Carrol-Grate, Mabel Prine, Bolivia Bustamante, Pamela Sejas, Angela Yeboah, Guests: Chief Magistrate Alyssa Emery, Cannon Han

Members absent: Ayaan Ali, Toni Zollicoffer, Sandra Guerrero Perez, Kristi Smith, Susan Madsen

I. Welcome and Electronic Script

Judge Stoney read the electronic meeting script. Nora Mahoney seconded a motion to ensure the voices of all members were audible to the other group members. Nora Mahoney also moved to verify that the state of emergency makes it unsafe to meet in person and that video conferencing technology should be utilized to conduct the meeting. Fazia Deen seconded the motion and it passed without objection. Nora Mahoney made a third motion that all matters discussed in the meeting are necessary to continue operations and the discharge of the Committee's lawful purposes, duties, and responsibilities. Fazia Deen seconded the motion and it passed unanimously.

II. Old Business: status of ongoing projects

Brittany Vera provided updates on the status on the language access interviews. Spanish interviews have begun but recruitment for participants is ongoing, especially for participants from General District Court. Arabic interviews will be beginning once the Arabic team has put the appropriate logistics in place. Participants will be given a \$25 gift card for participating in the interview.

Nora shared the Preliminary Protective Order packet is still awaiting approval of the packet from the judges and senior management. Judge Frieden reported that JDR judges will be reviewing the packet at their next meeting in September. He is reviewing it to give more guidance on it. Once the judges approve, Tina will take the packet to the Court Services Unit director and deputy director for approval.

III. Protective Order Informational Content: Review Progress

a. How to File an Emergency Protective Order

Chief Magistrate Alyssa Emery explained to the workgroup the contents of the “How to File an Emergency Protective Order (EPO)” document. The document detailed what an EPO can do, the addresses of the offices where the public can apply for an EPO, the documents or information someone should bring with them when filing and what they can expect when they go to file.

The document also explained that an adult acting in loco parentis can file on behalf of a juvenile for a next friend EPO. The document also detailed that once someone has an EPO they should plan to file a preliminary protective order (PPO) if they want the protection to continue beyond 72 hours, and that the EPO will not go into effect until it is served on the respondent.

Tina Spurlock asked about the possibility of someone filing an EPO against a juvenile. Magistrate Emery shared this was rare but does happen occasionally.

Angela Yeboah asked about the necessity of photo identification to be able to file. Magistrate Emery said that photo ID is helpful to have, but if someone doesn't have it, they will try to work with that person and find other ways to verify the identity of the petitioner.

Stephanie Romonchuk asked about the types of relief granted in the EPO and how magistrates make that determination. Magistrate Emery shared that the three types of relief that can be granted are no further assaultive contact, no contact, and restricting the respondent from entering the home. The magistrate will usually consult the police officer, if one is present, and ask what they recommend since the victim is not usually present in those circumstances.

b. How to File a Preliminary Protective Order

Pam explained and summarized the document containing the content included in this document. The document stated where petitioners should go to file, what they can expect to have happen when filing, what information they should bring with them, and the two ways in which filing can occur, either in an ex parte hearing or with a written affidavit.

Renee Carroll-Grate asked about including more information explaining the role of an advocate.

Brittany Vera pointed out that one challenge will be knowing how much information to include so it does not overwhelm the petitioner. Nora agreed and reminded the group that people who cause harm will also be able to access

this information and the group should be careful to ensure there isn't anything that could be used to manipulate the victim or the system.

Angela Yeboah raised the idea of having petitioners who have previously had experience with the system review the materials to ensure they are not too overwhelming but also provide enough information.

Nora pointed out that links to other websites can be included to explain a lot of different technical points.

Brittany pointed out that there is going to be a lot of information that is given to petitioners in different ways throughout the process and it will be a matter of ensuring that we don't provide so much information that it is overwhelming.

Nora pointed out that this is going to be public information and we don't want to be providing information in such a way that a possible offender might see it and try to do things like subpoenaing an advocate as a witness.

IV. Next Steps

The group discussed the next groups that will meet to create their material. The document about service for the PPO will meet. Leslie Sheehan from the Sheriff's office will be a part of that group and Pam Sejas volunteered to join the group. The document on the Firearm Surrender Process will include Angela Yeboah from the Firearm Surrender Workgroup, Leslie Sheehan, and hopefully someone from the JDR Clerk's office.

The document about how to prepare for the final hearing will be created by Nora and Mabel Prine. The document about language access has already been created by Sandra, Marwa Hajahmed from Domestic Relations, and Pam Sejas. Any documents created will be circulated for review before the next meeting.

V. Adjourn

Judge Stoney adjourned the meeting. The next date of September 20th conflicts with Judge Stoney's schedule but she encouraged the group to meet in her absence, so progress was not held up. Judge Stoney, Nora, and Brittany will confirm the next date and Brittany will confirm with the group.