



Court Process Workgroup: Victim Access Subgroup
Tuesday, July 19, 2022
8:00 AM- 9:00 AM
Zoom

Members present: Judge Stoney, Nora Mahoney, Tina Spurlock, Angela Yeboah, Stephanie Romonchuk, Bolivia Bustamante, David Steib, Cannon Han, Mabel Prine, Sandra Guerrero Perez, Ayaan Ali

Members absent: Judge Frieden, Fazia Deen, Luis Nieto, Kacey Kirkland, Susan Madsen, Marcus Medina, Toni Zollicoffer

I. Welcome and Electronic Script

Nora seconded motion to ensure each member's voice could be heard electronically. Nora Mahoney made a motion to certify that the state of emergency makes it unsafe for the committee to physically assemble and it's unsafe for the public to attend and to further certify the committee agrees to conduct the meeting virtually. The motion was seconded by Mabel Prine and approved unanimously. Nora Mahoney further moved that matters addressed on the agenda were necessary to continue operations and discharge of the committee's duties. Angela Yeboah seconded the motion, and it was approved unanimously.

II. Old Business: status of ongoing projects

Brittany shared that the work of the language access focus groups continues to move forward. The team of interviewers are working on continuing to interview participants who speak Spanish. A team to begin interviews for Arabic speaking participants will begin meeting shortly to plan. The team is still trying to recruit participants from General District Court.

Nora shared that she sent the PPO Packet to Judge Frieden, who was going share the packet at the next judges' meeting. She has not heard back from them yet. The next step would be for Tina Spurlock to take the packet to be approved by senior court management.

III. Protective Order Informational Content: Review Progress

Nora explained that three initial groups have been formed to begin to develop content for three parts of the protective order (PO) process. Brittany reminded the group of the purpose of the project, which was to create a map of the entire protective order process with relevant information a victim might need to know. The information will be written at an eighth grade reading level without legal terms to make it easy to understand. The finished product will live on the CEDV's website.

a. “What is a PO?”

Nora Mahoney, Tina Spurlock, and Mabel Prine developed the “What is a PO” section of the process. Nora explained the group made every effort to keep the content developed consistent with other materials, like the protective order packet. This section explains what a PO is and what it can accomplish. This section did not address issues around jurisdiction or the definitions of family abuse under the code.

Tina wondered about including the “health” wording of the definition of the PO, versus safety, however Nora said it was in the code. Judge Stoney thought it would be prudent to include some language about jurisdiction so people would not be frustrated trying to file if the jurisdiction wasn’t appropriate. Nora acknowledged that there was language from the PPO Packet that could easily be included.

Judge Stoney also wondered about explaining this was a multi-step process so people wouldn’t think it was a one-step process. Brittany acknowledged this was a question considered by other groups and the consensus for her group was that it would be helpful to have an overview of the process. Judge Stoney agreed once more content was created we would know where to put the overview.

Angela suggested using womenslaw.org which is a website that succinctly lists all the different POs in different states and the types of POs available. It might be a helpful resource for trying to simplify content.

Judge Stoney acknowledged the difficulty of conveying information in a succinct way and knowing what basic information is needed. Brittany suggested that the group will hopefully be able to solicit feedback of the finished drafts from survivors who have previously been through the PO process. This will help gauge where there is too much or too little information. Nora suggested using subpages online to hold more information that explains things in more detail so that there is minimal information initially provided. Angela acknowledged this is what the Women’s Law website does.

Tina wondered about including information about defining child protective orders for cases of abuse and neglect, not next friend POs. Nora agreed this might be helpful because there is a lot of confusion between the two and also thought it might be helpful to define imminent risk protective orders.

The next task for this group might need to start considering what goes on a main page of content and what goes on a subpage, and other groups can be thinking similarly.

b. How to File a Preliminary Protective Order

This group has not yet met but will be meeting soon to get the process started.

c. Next Friend Protective Orders

The Protective Order Relief Workgroup began the process of developing content. This will likely be a subgroup of the larger “What is a PPO” category. Tina explained the different circumstances and why someone might file a next friend PO.

Tina walked the group through the content of the section, explaining this a frequent occurrence. A parent usually is the one filing on behalf of the child against the other parent, or against another juvenile when they got into a fight at school, or juvenile dating partners. Other concerned adults are also allowed to file on behalf of the child.

There is a lot of confusion for petitioners about when to file a “regular” family abuse protective order where it is one adult filing against the other or if they want to file a next friend PO. Many clients who are unsuccessful with one type of PO might try to file the other type. The goal is to explain what the next friend PO involves and how it differs from a typical PO.

Tina noted that a separate section would be created for service of the PO with involvement from the Civil Service Division for the Sheriff’s office.

Tina also noted that one section that needs more work is the section that discusses whether or not to bring the child to testify in the ex parte hearing for the PPO. Judge Frieden will be asked for any feedback from the bench on this topic.

Judge Stoney recognized that a lot of the information is how to prepare for a hearing and it will also be relevant in other places. Judge Stoney noted the helpfulness of not worrying about the final product and put all information you think is important before whittling down the information.

Angela Yeboah asked about explaining walk-ins and the availability of those appointments. Tina shared that the group decided to frame the language for what was preferred and to remove language about walk-ins. Domestic Relations is trying to urge clients to at least call and let them know they are coming. The reality is that intake officers will always try to accommodate a walk-in, but it’s not preferred. This is critical for providers to understand and convey to potential petitioners. They don’t want to overpromise and have clients be disappointed. There is also triaging that take place if there are multiple clients needing appointments.

Angela recognized the importance of this and there also might be clients who do not have the option of calling safely but can pretend they need to go to the grocery store. Brittany suggested adding language acknowledging clients could come directly to Domestic Relations if they could not safely make a phone call with the understanding same-day appointments might not be available or they may not be able to see a judge the same day.

Tina also noted other areas where there are difficulties with clients navigating the process, especially around hearings. The group also discussed creating a glossary of terms.

IV. Next Steps

Judge Stoney asked about the other groups that will focus on, especially the “How to File” group.

Nora asked about GDC process and how to differentiate from JDRDC. Judge Stoney thought that it would need to be its own separate process because the relief and process is so different. Information that might apply can be pulled from the JDRDC process. Brittany suggested possibly having a starting page based on who a petitioner might be filing against.

Judge Stoney requested to have the information for other groups distributed ahead of meetings to have a more robust discussion at the next meeting.

Brittany noted other groups have been formed and will be meeting soon. The language access group has been formed, as has the group focusing on the emergency protective order process, and the firearms surrender process. Once those groups have finished their work, the next groups can form to develop content for later in the process.

Judge Stoney felt like the next section to focus on would be "How to File the PPO." Brittany confirmed the group was identified and was prepared to meet before the next meeting.

V. Adjourn

The group confirmed they would be available for the meeting August 16th. The focus of the meeting will be the section on "How to File" the PPO.

Next meeting: August 16, 2022, at 8am