



Court Process Workgroup: Victim Access Subgroup
Tuesday, January 17, 2023
8:00 AM- 9:00 AM
Zoom

Members present: Judge Susan Stoney (Chair), Nora Mahoney (Co-chair), Tina Spurlock, Ayaan Ali, Renee Carroll-Grate, Pam Sejas, Mabel Prine, Susan Madsen, Stephanie Romonchuk, Bolivia Bustamante, Kacey Kirkland, Angela Yeboah, and Brittany Vera.

Members absent: Judge Jonathan Frieden, Toni Zollicoffer, Kristi Smith, Sandra Guerrero Perez, Fazia Deen

I. Welcome and Electronic Script

Judge Stoney read the script required for electronic meetings. Judge Stoney moved to ensure the voices of all members were audible to the other group members and Nora Mahoney seconded the motion and it passed without objection. Nora Mahoney 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. Brittany Vera 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. Brittany Vera seconded the motion and it passed unanimously.

II. PO Process Material Review: Ex parte hearing to final hearing

Nora Mahoney explained that she compared what the group had written for this part of the process to the newly revised protective order packet so the information aligned as much as possible.

Nora shared the contents of the document with the group. The first section of the document included the process scheduling the final hearing for the protective order. Nora then explained the process of service of the preliminary protective order. Workgroup members made suggestions to simplify and clarify this section. The section on service will be linked to this section.

Nora explained the section about safety planning and talking with a domestic violence advocate. The group discussed edits that should be made to include information for the Domestic Violence Action Center and its ability to connect survivors to other services. Tina Spurlock also suggested stating that advocacy services are optional and not required should someone not want to work with an advocate. The Domestic Relations Intake officers try to be clear that there are required steps and optional steps.

Nora shared the section of the document about consulting with an attorney, suggestions were made to clarify that a fee might be associated with seeking advice from an attorney associated with the Lawyer Referral Service and providing information about other attorney referral programs.

Nora explained the section that covers evidence that can be used for the trial. The group discussed whether to include specific apps that can be used for collecting and storing evidence and whether or not a link can be provided for the National Network to End Domestic Violence's tech safety website. Brittany Vera explained the County will have rules about what types of websites it can link to from the County website. An alternative may be to use language encouraging victims to search for the website via Google.

Brittany wondered if language needed to be included about custody and visitation. Tina suggested that a lot of people are confused if there is an existing custody order in place. She wondered about including a separate section, but it could get complex to distinguish between including them in the protective order as protected parties versus asking for custody or visitation as relief. There is also a need to specify that petitioners should file for custody and visitation separately from the protective order. Tina felt this would fit better under the section on relief that can be sought or what to do after the final hearing. Nora pointed out that a petitioner can only restrict contact in the protective order.

Tina asked about information to subpoena documents. The group agreed about how complex some of these processes are and the importance of keeping it simple and providing an overview and only detailing the most common evidentiary issues, like the use of pictures.

Kacey asked about subpoenaing the custodian of records through the hospital. The group discussed how this is not always helpful or relevant and agreed to leave it out of the document.

The group discussed the details of the sections related to what happens the day of court. The group agreed make it clear that advocates and other county staff cannot watch children during court and advocates cannot usually help locate child care. The group agreed to delete the bullet point about appropriate dress. Nora also explained the content regarding what to do if someone misses the hearing or if they want to nonsuit the case. Nora acknowledged that much of this content might belong in a different section pertaining to what happens after court.

Brittany shared that she received confirmation that the county will link to the NNEDV website.

III. Full Court Process Workgroup Meeting update/reminder

Brittany reminded the group that there will be a meeting of the full Court Process Workgroup on Wednesday, January 25th at 8am. Judge Stoney explained the purpose is to review what the two groups have accomplished and what they are working on for their goals. Judge Stoney acknowledged a big goal of the Victim Access Workgroup was to finalize the content and publish it to the website, but we also want to be thinking beyond that step.

Tina asked a question about putting page numbers in the PPO packet. The consensus of the group was that they were not needed to keep things simple. Tina is working to figure out the languages in which the packet will be translated.

IV. Next categories to develop

Brittany asked the group about the next sections to develop. Nora will need to be heavily involved in them because of the involvement of the legal process. Nora thought the sections would not be that difficult to write. Tina suggested asking having someone from the Clerk's office to help write the sections on the modification and extension of the protective order. Brittany stated she would work on finding someone from the Clerk's office. Tina and Nora acknowledged how complex this could be.

Brittany let the group know the next meeting will be Tuesday, February 28 at 8am and she will send a reminder.

V. Adjourn

The meeting was adjourned without further discussion.

Next meeting: February 28, 2023 at 8am