



CEDV Court Process Workgroup Meeting

August 23, 2023

Zoom

In Attendance: Ashley Coleman, Nora Mahoney, Jenna Sands, Amanda Wallace, Ann Thayer, Judge Abejuela, Leigh Taylor, Stacy Ziebell

I. Introductions

II. Approval of May Meeting Minutes

- Motion to approve by Ann Thayer.
- 2nd Motion to approve by Nora Mahoney.
- May Meeting Minutes approved.

III. GDC PO Paperwork Update

Nora ran through the changes made in the form. We are waiting for the packet to be approved at the next GDC Judges' meeting but were unsure when that takes place.

We received permission from GDC Judges on the GDC PO packet workgroup and GDC Clerk Susan Madsen to add a statement regarding the confidential nature of the information provided on the "Confidential Information Sheet." We also received permission from the same group to have the "Confidential Information Sheet" available in all GDC courtrooms. Judge Abejuela gave permission for the same document to be available in all the JDR courtrooms as well.

Nora previewed for the group the reformatted "Confidential Information Sheet." Everyone seemed happy with adding the language, "This form is CONFIDENTIAL and will be sealed with the court. That means that no one is allowed to see this form other than court staff." Nora will continue to work on the formatting so that we can submit it to this group for their approval at our August meeting before giving it to the GDC Judges and Clerk Madsen for their final approval.

Jenna Sands raised the fact that each GDC Judge has their own policy and procedure regarding if and how they will issue a civil PO in a criminal case. Specifically, she said that Judge Snee does not like issuing civil POs in criminal cases and requires the prosecutor to go to the clerk's office to fill out a Petition for a PO.

We agreed that we need a uniform process to be used by all the Judges. Before our August meeting, we will reach out to the GDC Judges and Clerk Madsen to determine this process and how to get all of the Judges on the same page.

Jenna Sands had to leave the meeting early. Jenna Sands has been appointed as the new Chief Deputy at CWA's office.

IV. Plan for Next Steps

During the rest of the meeting, Ashley raised a concern that some violations of PO cases are getting dismissed in JDR because the CWA does not have a certified copy of the PO and wanted to figure out how we can address this issue.

Judge Abejuela and Det. Wallace indicated that if a detective/officer is assigned to the case, they usually retrieve a certified copy of the PO to provide to CWA. The group discussed what do we do if that is not happening? Ann reminded us that the discovery rules state that all discovery materials must be provided to defense counsel 10 days before trial.

Proposed fix: Now that Jenna is Chief Deputy and CWA's office seems to have more internal trainings, the group could approach Jenna about providing a training to the prosecutors about the evidence that is needed to successfully prosecute a Violation of PO case (need a certified copy of the PO with proof of service on Respondent) and the need to get it early in the case so that it can be provided in discovery?

Could this training also be relevant for Assault and Battery Against a Family Member- 3rd Offense cases where the prosecutor has to obtain certified copies of 2 previous convictions for Assault and Battery Against a Family Member and submit them as evidence in a successful prosecution of that case?

Next Steps:

- Get an update on approval status of GDC PO packet.

- Finalize the formatting of “Confidential Information Sheet.”
- Talk to GDC Judges and Clerk Madsen about a uniform procedure for a prosecutor to request a civil PO in a criminal case that all Judges and clerks will find acceptable.
- Propose an internal training in CWA’s office regarding obtaining certified copies of POs and prior convictions to successful prosecute Violation of PO cases and A&B-Family 3rd cases.

V. Adjourn