

## **COMMUNITY COURT WATCH II PROJECT (1995)**

### **EXECUTIVE SUMMARY**

Above all things, the Community Court Watch Project is an instrument of change. Observation, recommendation and action have been blended together to impact positively the way in which domestic violence cases are addressed in court. The links among the past, the present, and the future as reflected in Court Watch I, Court Watch II and plans for Court Watch III, speak to the interactive and essential nature of this community service.

In 1992 the Family Division of the Bergen County Court system became the observation point of the Community Court Watch project after an in-house restraint was imposed on a man who then brutally beat his wife to death. Court Watch I did three things: channeled the fear and anger that ensued from this case, provided an impetus for change, and then gave birth to Court Watch II. The common threads running through each study are the desire to strengthen enforcement of existing law within the court system and the desire to strengthen protection for victims of domestic violence.

With the technical assistance of the Administrative Office of the Courts in Trenton and the cooperation of Bergen County service providers in Bergen County, the original data instrument was revised and refined to reflect the concerns and issues specific to Bergen County prior to use in the court room.

Court Watch II was conducted Between January 6, 1994 and May 19, 1994. Two hundred sixty-four (264) proceedings comprised of Emergent, Final, Modification/Enforcement and Review Hearings were observed in seven courts. Of these cases, 65% were Final Hearings. Documented court proceedings ranged from two to 150 minutes with an average of 20.02 minutes. This is an increased of 14.27 minutes from the 5.75 minutes reported in Court Watch I. Protective orders were denied in 8% of the cases despite the fact that only 5% of the cases resulted in a finding of *no domestic violence*. This is an improvement over Court Watch I with comparative figures of 19% and 2.5% respectively.

Recurring themes were outlined in the Prevention of Domestic Violence Act, included types of alleged abuse and confiscated weapons reported in Table 12, relief granted in Table 9 (TRO) and Table 11B (FRO), pending divorce actions in Table 8B, and familial relationships with and without children in Tables 6 and 7. Statistics for the types and frequency of relief granted in final hearings appear in Table 11B.

Table 11C is a comparison of data regarding comparable reliefs addressed in Court Watch I and II for Emergent (TRO) and Final (FRO) hearings. While relief granted in cases involving children and referral to community resources improved over Court Watch I, documented observations suggest that relief is still significantly under-addressed in all cases. In 16% of the cases observed in Court Watch II, divorce actions were pending as compared to the 11% observed in Court Watch I.

Recommendations for improving domestic violence prevention and intervention include:

- the establishment of a drop-in child care center within the Justice Center,
- the “best interest of the child” inclusive of child support, risk assessment, counseling and treatment services should be a mandatory component of the judicial disposition.
- a reassertion of the Court Watch I recommendation that the Administrative Office of the Courts require judges to attend one or more courses on core attitudes and values,
- information about the protection to which victims are entitled under the Prevention of Domestic Violence Act should be made available in written form (booklet/pamphlets) and in an alternate format such as video.
- improved effectiveness of judicial intervention in order to reduce recidivism and increase victim trust in the system, and
- improved coordination and information sharing among all systems involved in domestic violence intervention.

The recommendations resulting from this study are attainable. Cooperation, collaboration and leadership are integral components for the interactive and integrated improvement of a system established for the protection of all victims of domestic violence -- the abused, the abusive and their children.