

# CONFERENCE OF CHIEF JUSTICES

## Resolution 32

### *Safety and Accountability: State Courts and Domestic Violence*

WHEREAS, the Conference of Chief Justices recognizes that domestic violence endangers human lives and requires an extraordinary response by the courts; and

WHEREAS, the Conference of State Court Administrators' White Paper, *Safety and Accountability: State Courts and Domestic Violence*, examined the unique and complex challenges that domestic violence matters present to judges, attorneys, court administrators and other professionals; and

WHEREAS, the White Paper also identified the following principles common to new approaches to domestic violence cases:

- Families in crisis can easily access courts and are provided with services that can assist litigants in negotiating the court process;
- Judges need comprehensive information on prior court orders and any history of violence in the family;
- The needs of victims for immediate safety, housing, financial support and services for their children are attended to;
- Domestic violence is met with a meaningful judicial response and the respondents/defendants are held directly accountable to the judge; and
- Judges are catalysts to enhance the interagency collaboration; and

WHEREAS, the White Paper further examined current issues facing the courts and provided examples from across the country that indicate that court systems and partner agencies can improve both victim safety and offender accountability; and

WHEREAS, the White Paper concluded with the following seven recommendations to state court leaders:

- Analyze the current response to domestic violence cases;
- Designate a domestic violence single point of contact for the state court system;
- Adopt and promote essential elements or standards for domestic violence courts that may lead to a model domestic violence court;
- Plan for an integrated, multi-jurisdictional response to domestic violence;
- Dedicate sufficient resources to handling domestic violence cases;

- Ensure that both judicial and non-judicial personnel are trained on domestic violence, cultural competency issues, and the impact of violence on children; and
- Provide judges with the support they need to participate in, and lead, multi-agency partnerships to combat domestic violence;

NOW, THEREFORE, BE IT RESOLVED that the Conference endorses the White Paper and asks the President of the Conference and the President of the Conference of State Court Administrators to assign the White Paper to the appropriate committees to implement the recommendations; and

BE IT FURTHER RESOLVED that the Conference hereby agrees to establish the following national action plan:

- Forge a closer partnership with the Office on Violence Against Women of the U. S. Department of Justice;
- Seek federal funding to conduct a nationwide survey of current responses by courts to domestic violence cases and to establish a single point of contact within each state's court system;
- Seek funding for a national conference to identify the essential elements or standards for an effective response to domestic violence based on the results of the nationwide survey;
- Develop and promote judicial leadership at the state level for improving the response by state courts to cases involving domestic violence;
- Monitor and evaluate reform efforts by the courts annually; and
- Initiate a national research agenda to evaluate and identify court interventions that prevent domestic violence, protect victims and hold offenders accountable.

Adopted as proposed by the Board of Directors of the Conference of Chief Justices at the 28<sup>th</sup> Midyear Meeting on January 26, 2005.