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Support for this publication was provided by the California Governor's Office of Emergency Services (Cal OES) through Grant Award Number CW13121535, awarded to the Administrative Office of the Courts. Points of view in this document are those of the author and do not necessarily represent the official position or policies of Cal OES.

FACT SHEET

March 2014

Violence Against Women Education Project

Domestic violence, sexual assault, stalking, and teen dating violence are critical issues facing family, criminal, and juvenile courts in California. The Violence Against Women Education Project (VAWEP) is an initiative designed to provide tribal and state courts with information, equipment, technical assistance, educational materials, and programs on the role of the courts in responding to cases involving these issues. VAWEP is a project of the Center for Families, Children & the Courts (CFCC) of the Judicial and Court Operations Service Division, Administrative Office of the Courts, the administrative agency for the Judicial Council of California. The project is being implemented in collaboration with the Office of Education/Center for Judiciary Education and Research (CJER) and is funded by the California Governor's Office of Emergency Services (Cal OES) with resources from the federal Office on Violence Against Women (OVW). The project's planning committee, composed of a tribal court judge, who also serves as a liaison to the Tribal Court-State Court Forum (forum), and state judicial officers, prosecutors, defense attorneys, attorneys with expertise in the field of domestic violence, victim advocates, and other experts, guides the project staff in identifying key areas of focus and developing appropriate educational programming. The statewide domestic violence needs assessment, conducted as part of the Native American Communities Justice Project, also informs the work of VAWEP.

Project Goals

The goals of VAWEP are to:

- Identify primary educational and informational needs of the courts on domestic violence, sexual assault, stalking, and teen dating violence issues;
- Initiate new judicial branch educational programming pertaining to domestic violence, sexual assault, stalking, teen dating violence, human trafficking, and elder abuse issues, including the delivery of regional training events and the enhancement of existing programming;

- Develop distance learning opportunities for judicial officers and court staff relating to court procedure and policy in the areas of domestic violence, sexual assault, stalking, and teen dating violence;
- Develop and compile useful information for the courts on domestic violence, sexual assault, stalking, and teen dating violence issues that relates specifically to California state and tribal law and federal Indian Law;
- Institutionalize inclusion of domestic violence, sexual assault, stalking, and teen dating violence issues in all relevant judicial branch education curricula, programs, and publications;
- Create incentives to increase attendance and participation in judicial branch education relating to domestic violence, sexual assault, stalking, and teen dating violence;
- Increase communication among state and tribal courts about best practices in domestic violence, sexual assault, stalking, and teen dating violence cases;
- Provide jurisdiction-specific technical assistance on domestic violence, sexual assault, stalking, and teen dating violence issues of greatest importance to local courts;
- Create educational tools that aid in the administration of justice for self-represented litigants in domestic violence cases;
- Purchase computer or audio visual equipment for court-specific domestic violence-related projects; and
- Support efforts to enhance access to and improve the administration of justice for Native American victims of domestic violence, sexual assault, stalking, and teen dating violence.

Judicial Education on Domestic Violence

Effective January 1, 2010, the Judicial Council adopted rule 10.464 of the California Rules of Courts to provide for education on domestic violence for state court judges, commissioners, and referees. The rule:

- Requires participation in appropriate education on domestic violence issues by each judicial officer who hears matters in criminal, family, juvenile delinquency, juvenile dependency, or probate court, and in addition, for

those with primary assignments in these areas, participation in periodic updates; and

- Requires inclusion of domestic violence issues in courses at the Judicial College and in primary assignment courses for both new and experienced judicial officers.

The VAWEP project provides live statewide programs, local programs, and distance-learning opportunities so that judges, commissioners, and referees have diverse ways to fulfill the requirement of the rule.

The forum makes recommendations to the project's planning committee about content on federal Indian law and its impact on state courts. To promote the collaboration between the project's planning committee and the forum, a tribal judge, who is a forum member, serves as liaison between the two groups.

Educational Events and Technical Assistance

[Please note that when workshops or programs have been planned, course descriptions are provided. For some events, descriptions are not yet available.]

Beyond the Bench Conference (December 2013)

The project features a series of domestic-violence related courses at the Beyond the Bench Conference. This is a multidisciplinary conference of judicial officers, court professionals, mediators, attorneys, evaluators, probation officers, mental health workers, Court Appointed Special Advocates, social workers, Child Custody Recommending Counselors, self-help staff, educators, psychologists, practitioners, youth, and others working with families and children coming to court to address and discuss problems affecting the populations served.

Workshops include:

Youth Violence in the Home: Building Respectful Family Relationships. Youth violence against parents, grandparents, and other care providers is an increasing problem in juvenile court. How can the juvenile court intervene in these cases in a way that protects victims, youth, and families and improves outcomes? This workshop explores the limited research on this issue, identifies ways in which the issue arises in court proceedings, and covers possible successful interventions.

Domestic Violence & the Teen Brain: Maximizing Toward Complexity. This workshop provides an overview of the rapid changes that are occurring in adolescent brains, explores how teens' neurobiology may be impacted by

exposure to domestic violence in their families, and identifies parental behaviors and family environments that may increase or decrease risk for the intergenerational transmission of violence.

Avoiding Conflicting Services and Orders in Domestic Violence Cases. This workshop provides an overview of the various branches of law and jurisdictional issues related to domestic violence cases to facilitate understanding of the various systems and avoid conflicting orders and underscores the importance of networking with courts in other counties and with key service providers to identify and utilize available resources effectively.

Domestic Violence in Dependency Matters: Insights into Decision Making. This course, a two-part seminar, permits participants to attend either or both sessions. The first session outlines recent research findings on how child welfare professionals screen for and assess the impact of domestic violence on children in California. The second session analyzes recent cases in which exposure to domestic violence was alleged as being harmful to a child, and current best practices for responding to these cases.

Turning Trafficking Victims into Survivors. This session provides resources for judges, social workers, community advocates, and attorneys to identify and help victims of sex trafficking in California. San Mateo Superior Court Judge Elizabeth Lee, chair of the juvenile working group of the California Collaborative Justice Advisory Committee, provides a brief introduction to the topic and the panel, and panelists discuss their work with victims of sex trafficking and how stakeholders can assist trafficking victims in their capacity. Although several types of trafficking occur in California, this panel focuses on sex trafficking.

*Plenary Speaker. Carissa Phelps, Author, **Runaway Girl: Escaping Life on the Streets, One Helping Hand at a Time**, Chief Executive Officer, Runaway Girl, FPC.* This session was designed to provide information on the existence and implications of sex trafficking and to identify contributing factors to the rise of sex trafficking in the United States. Ms. Carissa Phelps, the featured speaker, graduated with both a law degree and MBA from UCLA. She shares her personal experience of being a twelve-year old homeless runaway forced into prostitution. The session also features a short documentary about Carissa's journey.

Commercially Sexually Exploited Children in California: Strategies to Support and Serve Our Most Vulnerable Youth. Children are targeted and sold for sex by exploiters and pimps each night in California. Often these children go

unnoticed by lawyers, judges, social workers, and probation officers. This workshop explores the dynamics of exploitation, outlines risk factors and warning signs, provides strategies to engage exploited youth, and introduces promising prevention and intervention models to better serve and support our most vulnerable children.

Primary Assignment Orientation Courses, Criminal Assignment Courses, and other Related Events

VAWEP develops, staffs, and sponsors a series of in-depth courses on domestic violence, sexual assault, stalking, teen dating violence, and elder abuse issues that are integrated into these showcase programs of CJER.

Primary Assignment Orientation Courses

The AOC offers week-long programs in family law, juvenile law, criminal law, and probate designed for judicial officers new to the relevant assignment. The Primary Assignment Orientation courses are designed to satisfy the content-based requirements of rule 10.462(c)(1)(B) of the California Rules of Court applicable to new judges and subordinate judicial officers. The courses also satisfy the expectations and requirements of rule 10.462(c)(4) applicable to experienced judges and subordinate judicial officers new to, or returning to, an assignment. The VAWEP project has developed components on domestic violence issues for each of these programs. Generally the Family Law Primary Assignment Orientation includes components on the effects of domestic violence on children and an overview of domestic violence law. The Criminal Law Primary Assignment Orientation includes a segment on criminal procedure in domestic violence cases. The Juvenile Law Primary Assignment Orientation includes a course on the effects of domestic violence on children in dependency and delinquency proceedings. The Probate Law Primary Assignment Orientation offers a segment on civil protective orders for elderly adults. The following orientation courses are offered during the grant cycle:

January 2014	Criminal Law Primary Assignment Orientation Family Law Primary Assignment Orientation Probate Law Primary Assignment Orientation Juvenile Law Primary Assignment Orientation (Delinquency) San Francisco
June 2014	Criminal Law Primary Assignment Orientation Family Law Primary Assignment Orientation Long Beach

September 2014 Criminal Law Primary Assignment Orientation
Family Law Primary Assignment Orientation
Juvenile Law Primary Assignment Orientation (Dependency)
San Francisco

Continuing Judicial Education: Criminal Assignment Courses

CJER develops and implements programming designed to satisfy the content-based expectations of California Rules of Court, rule 10.462(c)(4) for experienced judges returning to a criminal assignment and to others seeking hours-based continuing education under rule 10.452(d). The following courses will be offered during the grant cycle:

March 2014 Handling Sexual Assault Cases
San Francisco
Sexual assault cases require the judge to be familiar with a unique body of substantive and procedural law that is not necessarily applicable in other criminal cases. The judge must also be aware and understand the dynamics of sexual assault cases, the needs of the victim and specially mandated accommodations, and myths and misconceptions about sexual assault victims and offenders. This two-day course emphasizes these key issues and guides the judge through managing a sexual assault trial from arraignment to sentencing and postsentencing procedures.

June 2014 Domestic Violence and Immigration
Long Beach
This course focuses on the special problems related to immigration issues in criminal, family, and juvenile domestic violence cases. Immigration issues increasingly affect judicial decision making, the nature of the information presented to the court, and safety issues in domestic violence cases. The course provides a broad overview of the elements of immigration law that may affect decisions in these cases and an understanding of the challenges facing victims of domestic violence as a result of the immigration concerns and status of the parties.

Judicial Institutes (October, April-May, and May-June 2014)

VAWEP courses are included as part of the Probate and Mental Health Institute in October 2013, the Criminal Law Institute in April-May 2014, and the Cow County

Judges Institute in May-June 2014. These institute trainings and educational events provide information specific to target audiences.

Probate and Mental Health Institute (October 2013)

The Probate and Mental Health Institute serves as the primary venue for judicial education on probate matters, including decedents' estates, probate conservatorships and guardianships, trusts, elder abuse, and mental health proceedings. A description of the workshop follows:

Elder Abuse. This course is designed to enhance judicial officers' skills and abilities to respond to issues involving physical, emotional, and financial abuse of elders. The primary focus of the course will be probate and conservatorship issues in elder abuse cases. The course will cover forms of abuse of older adults, the characteristics of victims and perpetrators, family dynamics, undue influence, selected restraining order issues, and accommodating the needs of elders in court.

Criminal Law Institute (April-May 2014)

The Criminal Law Institute is designed to meet the needs of both judges and judicial officers new to a criminal law assignment, and those with greater experience. A series of workshops for this audience will be presented at the institute.

Cow County Judges Institute (May-June 2014)

The Cow County Judges Institute provides an opportunity to present courses to rural judges in an environment that allows for discussion of substantive and procedural law and their unique features in a rural setting. A series of workshops for this audience will be presented at the institute.

Ethics and Self-Represented Litigants in Domestic Violence Cases (January 2014)

This 1.5-day course focuses on general judicial ethics issues that arise in domestic violence cases such as disqualification, disclosure, ex parte communication, and community outreach, as well as application of the canons of ethics in the context of the increasing numbers of self-represented litigants that judicial officers are seeing in domestic violence cases. The course provides an opportunity to demonstrate and practice demeanor and communications skills during a videotaping and feedback session. A workshop on the nuts and bolts of California restraining order law precedes the course.

Domestic Violence Judicial Institute (May 2014)

The project uses an interdisciplinary curriculum developed by the National Council of Juvenile and Family Court Judges and Futures Without Violence (formerly the Family Violence Prevention Fund) to present an educational institute based on the curriculum. The institute includes workshops on fact-finding, judicial officers' roles in a community response to domestic violence, fairness and cultural issues in domestic violence cases, decision-making skills and enforcement, victim behavior, and perpetrator behavior. The institute also includes sessions designed to engage judicial officers in practical courtroom exercises addressing the complexity of domestic violence cases and the specific issues facing California courts.

The project offers a pre-institute workshop to address the “nuts and bolts” of California law in domestic violence cases. The pre-institute workshop provides a judge new to a criminal or family law assignment with the basics of domestic violence cases, focusing on common errors, unique features, and “hot spots.” Issues arising in criminal domestic violence cases include emergency protective orders, pretrial release and bail, criminal protective orders issued both pretrial and as a mandatory condition of probation, sentencing, review hearings, and probation violations. Issues related to family law include statutory requirements for restraining orders, firearms issues, and cross-over issues such as avoiding conflicting orders.

Domestic Violence: What Everyone New to the Bench Should Know, Judicial College (August 2014)

A course on issues of domestic violence is part of the nationally recognized B. E. Witkin Judicial College of California, a program providing comprehensive education for all new superior court judges, commissioners, and referees. The course provides background information on domestic violence and is mandatory for all program participants as required by Government Code section 68555. A description of the course follows:

Domestic Violence: What Everyone New to the Bench Should Know. By the time any judge completes five years on the bench, he or she will have presided over several cases involving domestic violence issues. Many judges will have handled dozens of these cases; some daily, some weekly, some yearly. This course explores the complexities confronting judicial officers handling domestic violence cases and promotes an understanding of victim and perpetrator dynamics, recanting witnesses, effects of domestic violence on children, and ways to assess risks of dangerousness and lethality. Judges will acquire knowledge of the varying legal standards and technical requirements in different case types, including criminal law, family law, juvenile law and

occasionally other proceedings. Faculty will present information and conduct interactive discussions to better prepare the judicial officer new to the bench for these difficult and important cases.

Domestic Violence Safety Partnership Program (Ongoing in 2013-2014)

Under the auspices of the Domestic Violence Safety Partnership (DVSP) project, VAWEP provides targeted, local technical assistance to applicant courts that have an identified need for training. DVSP distributes a self-assessment tool that enumerates required procedures and recommended practices and provides training and technical assistance based on the issues identified. In the past, VAWEP has received many requests from courts about specific information needs, which can range from understanding warning signs for lethality in domestic violence cases to improving communication between the many types of courts that may be involved in a particular case. To date, DVSP has provided to trial courts more than 88 instances of technical assistance or local educational support.

The project provides experts whose specialties vary based on the need of the specific court. This assistance is accomplished by delivering a substantive expert to speak to the issues at hand, providing speakers at AOC trainings with expertise in issues related to violence against women, or facilitating a peer-mentoring meeting in which courts come together to learn about individual best practices. Recipients of this assistance are asked to evaluate what they have received. Assistance can also include purchasing audio visual and technological equipment that courts may use to enhance the administration of justice in domestic violence and related cases.

Collaboration with the AOC's Office of Education on Local Training and Distance Learning

The project continues to join with the AOC's Office of Education/Center for Judiciary Education and Research (CJER) to offer local judicial education on domestic violence, sexual assault, stalking, teen dating violence, human trafficking, and elder abuse. In 2010 CJER launched an initiative to enhance the ability of local courts to provide high-quality judicial education for bench officers. Courts can locally host judicial education classes simply by selecting the course from the course catalog. The courses range in duration from 1.5 to 3 hours. Local education minimizes time away from the bench and eliminates most travel expenses. The catalog currently contains twenty-one domestic violence related courses, including the following titles:

- Handling Elder Abuse Issues
- Restraining Orders in Elder Abuse Cases
- Adjudication of Stalking Cases

- Stalking in Cyberspace: What a Judge Needs to Know
- Batterer Intervention Programs: What We Know and What We Need to Know
- Beyond the Basics: An Overview of Domestic Violence Cases and Protective Orders
- Domestic Violence and Ethics
- Domestic Violence and Fairness Issues
- Domestic Violence and Tribal Communities Cross-Jurisdictional Issues
- Evaluating the Effects of Domestic Violence on Children
- Immigration Issues in Criminal Domestic Violence Cases
- Restraining Orders in Multiple Court Settings
- Assessing Dangerousness in Criminal Domestic Violence Cases
- Domestic Violence and Custody—Assessing the Risk
- Domestic Violence Issues in Family Law Cases
- Domestic Violence Issues in Juvenile Cases
- Ethics and Self-Represented Litigants in Domestic Violence Cases
- Handling Sexual Assault Cases
- Reasonable Efforts in Dependency Cases Involving Domestic Violence
- Science of Aging
- Stalking Cases and Court Security

Curriculum Development and Publications

VAWEP distributes the following curricula, publications, and other resource materials:

Update Existing Bench Guides, Publications and Other Resources (Ongoing in 2013-2014)

The project plans to draft revisions and post online a revised edition of the Judges Guide to Domestic Violence Cases, the Domestic Violence in Dependency Cases: A Judges Guide, and update other existing guides, manual, bench books, and resources as appropriate.

Judges Guide to Domestic Violence Cases—(To be revised in 2014)

VAWEP updates the judges' guide as needed. This practical judges' handbook covers the following components:

- Emergency Protective Order (EPO) Quick Reference Guide
- California Protective Orders
- Firearms and Full Faith and Credit
- Immigration and Domestic Violence
- Stalking

The five components of this guide have been consolidated into one volume for easy reference and accessibility. They can also be used separately and are updated separately. Each component focuses on the information, case law, and statutes that judicial officers need to know in the relevant subject area. Revisions to any component of the guide are posted on a Web site designed for judicial officers. The project plans to revise the Emergency Protective Order (EPO) Quick Reference Guide, California Protective Orders, and Firearms and Full Faith and Credit components of the Judges Guide to Domestic Violence Cases.

Domestic Violence in Dependency Cases: A Judges Guide (To be revised in 2014)

This guide provides judges with a reference tool on the impact of domestic violence in dependency cases and includes a detailed discussion of juvenile court protective orders. The guide addresses the effect of domestic violence on children, how domestic violence may affect parenting, safety considerations for the court, "reasonable efforts" requirements, and the interaction between juvenile court protective orders and those issued by other courts. The project plans to revise this bench guide during the grant year.

New -Judges Guide on Handling Elder Abuse Cases (Ongoing in 2013-2014)

The project plans to post on-line three modules of a stand-alone bench guide for judges on elder abuse cases, based on an outline completed during the last grant year. The modules will explain the legal issues related to elder abuse and will help judicial officers make effective and appropriate orders and decisions in these cases. One chapter will focus on tribal elder abuse and cross-jurisdictional issues. The bench guide will prove especially helpful because the law in this area is particularly complex and judicial officers have noted a need for more information in this area.

Annual Report and Fact Sheet

Project staff develops an updated annual report and this fact sheet to highlight key efforts the project has undertaken as well as judicial and court responses to those

efforts. These documents are distributed to provide project information to judicial branch professionals and the public. As educational tools, they focus on suggested practices and innovative approaches.

Tribal/State Activities

In response to the recommendations to the AOC to share educational resources between the state judicial branch and the tribal justice systems and to incorporate content on federal Indian law and its impact on state courts into judicial education institutes, multi-disciplinary symposia, distance learning, and other educational materials, the AOC implements the following tribal/state projects relating to domestic violence and elder abuse cases:

Educational Programs

Cross-Court Educational Exchanges (Ongoing in 2014)

The project plans to continue the dialogue started as part of the Native American Communities Justice Project (NACJP) by conducting two cross-court educational exchanges. The exchanges, judicially led by the host judges (one tribal court judge and one state court judge), are conducted on tribal lands. At the exchanges, judges utilize a checklist of problems and solutions identified by the NACJP participants to discuss and problem-solve together local justice systems' concerns relating to domestic violence, sexual assault, stalking, teen dating violence, and elder abuse. The host judges invite tribal leadership and local county and tribal professionals who work in the fields of child welfare, juvenile and criminal law, education, mental health, probation, social services, victim and other supportive services.

P.L. 280 Training (March 4, 2014)

The forum cochairs plan to conduct an all-day course open to all tribal and state court judges in California. The training will provide a better understanding of the impact of this federal law on state courts, an overview of ways to identify barriers facing native victims when trying to leave an abusive relationship, information about tribal justice system approaches to perpetrators, an exploration of inter-jurisdictional issues relating to recognition and enforcement of tribal protective orders, and a presentation on models of information-sharing and inter-court collaboration.

**Improving Access to Tribal and State Courts in Domestic Violence Cases
Confronting Ethical Issues and Unveiling Differences (March 2014)**

This workshop at the California Conference on Self-Represented Litigants compares what court self-help and other staff can and cannot do to assist self-represented litigants in tribal and state courts. It also explores how tribal communities look to intervention strategies that are designed to keep victims safe and assist native perpetrators through facilitators who have been trained by cultural mentors who have cultural knowledge and expertise in customs, traditions, spirituality and lifeways of their specific tribal nation. Topics also include information about tribal and non-tribal services for respondents in domestic violence cases and an exploration of ethical issues and positive and negative group biases that includes a discussion of case scenarios. The course assists participants to improve access to the court and court and court-connected services.

Elder Abuse Projects (Ongoing in 2013-2014)

Adapt Judicial Council Forms Relating to Elder Abuse for Use by Tribal Courts

In response to requests from tribal courts, the project shares forms so that tribal courts can adapt them for their use. If tribal courts are willing to share their adapted forms, the project makes them available online for state and tribal courts.

New Chapter on Tribal Elder Abuse for Judicial Benchbook

The project plans to develop and post on-line one new chapter of a bench guide for judges on elder abuse cases. The chapter will explain the legal cross-jurisdictional issues related to tribal elder abuse and will help judicial officers make effective and appropriate orders and decisions in these cases.

Adapt the “Comings and Goings” exercise produced by the National Clearinghouse on Elder Abuse in Later Life to Explore the Dynamics of Elder Abuse in Tribal Communities

The project plans to develop a new exercise designed for a judicial audience that can be used with tribal and non-tribal professionals working in elder abuse/adult protective services, aging services, social services, justice, and health care.

Consult on the Uniform Adult Guardian and Protective Proceedings Jurisdiction Act (UAGPPJA)

The project plans to work with the California Law Review Commission staff to assist them in understanding the cross-jurisdictional issues relating to the UAGPPJA. This project provides assistance in drafting revisions to address the unique jurisdictional

challenges faced by tribal courts and state courts in California. The objective of this project is to help ensure that the legislative proposal submitted to the California Legislature meets the needs of tribal elders who may have conservatorships issued in both tribal and state courts in California.

Further Information

For additional information about VAWEP activities, please contact:

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