

Settlement Services and Domestic Violence

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Settlement services

Domestic violence

Developing protocols

Availability of Services

Settlement assistance should be available throughout a case to assist parties in resolving all or a portion of their cases. However, these services should not limit a party's right to a full and fair hearing with a judicial officer of any issues in dispute.

Timing

Settlement opportunities should be provided to litigants prior to mediation or litigation and information about those opportunities should be provided to parties and their attorneys.

Voluntariness

Education regarding settlement opportunities should make clear the importance of making settlements or agreements voluntarily and through an informed process.

The courts should balance support for settlement with recognition that many litigants come to family court seeking protection and have concerns regarding adult or child safety that may prevent or interfere with the development of voluntary and informed agreements

Domestic Violence

The court, in referring or ordering litigants to settlement processes, must consider whether domestic violence is an issue in the case and ensure that such orders include provisions for meeting separately with litigants so as to provide safe and appropriate services


RULES

1. YOU CAN...
2. YOU CAN'T...
3. YOU CAN...
4. YOU CAN...


Abusers decide the rules



You may not separate



You may not tell



I'm entitled to obedience, service, attention, and loyalty









Do you have any concerns about meeting in the same room together with your spouse/partner without an advocate?

Are you fearful of your spouse/partner for any reason?

Violence or fear of violence generally results in recommendation against joint session; **Identifying does not mean proving**

