

Ada County Domestic Violence Court

- 1) What kind of court does your community have? (ie: criminal domestic violence court, civil domestic violence court, or integrated domestic violence court)
 - a) The Ada County Domestic Violence Court (“DVC”) is located in Boise, Idaho. Our DVC is an accelerated criminal domestic violence court that includes a permanent civil protective order hearing docket with a separate family law judge. Currently, the DVC’s docket is overseen by Judge Carolyn Minder and Judge John Hawley. The permanent civil protective order hearing docket is overseen by Judge Andrew Ellis. Furthermore, Judge Carolyn Minder’s oversees the child protection docket. In the event a child protection case includes parties in the DVC, the child protection case is reassigned to Judge Minder. We are not sure of the definition of an “integrated” court, but our dockets incorporate the above. Lastly, the DVC is not a problem solving court, the DVC does not engage in any ex parte communications or decision making. The model is based on due process and procedural fairness. At this time, the DVC docket’s is up to a 50% caseload of high risk offender felony remands that are actively reviewed for compliance.

- 2) What were some of the goals in developing the court?
 - a) The DVC desired to meet the following goals:
 - i) Fast Track Docket - create a fast tracked judicial docket which holds offenders accountable for their actions. On average, the timeline goal for an offender’s arraignment to case disposition is within 65 days.
 - ii) Offender Accountability – ensure offenders are held accountable for their actions. after a guilty or pled disposition. Regular review hearings are held in DVC and Probation Officers are assigned dedicated DVC caseloads. Offenders will complete their post-sentencing guidelines or a probation violation will be filed.
 - iii) Committed Group - the DVC wanted to focus on a dedicated group of professionals who work in a committed setting – two Ada County Magistrates in one shared full-time judicial role, one Ada County Prosecutor, one Ada County Public Defender, one Boise City Prosecutor, victim witness coordinators, two Probation Officers, and one Court Coordinator.
 - iv) Organizational Support – the DVC built a strong network of support within the Ada County Prosecutor’s Office, the Boise City Attorney’s Office, Ada County Public Defender’s Office, and Misdemeanor Probation to ensure all elements of the court existed to run a successful docket. Within the courts, an administrative judge created the permanent civil protective order hearing docket to support the need for consistency in hearings, provide the need for training, and educational opportunities and victim services. The strong network extends to community partners as well. The DVC’s relationships with the Women’s and Children’s Alliance, FACES, Family Justice Center, Idaho Coalition Against Sexual and Domestic Violence, and local independent advocates enforces the DVC’s goals on reducing domestic violence within the community.
 - v) Victim Service Access – the DVC has consistently sought out volunteers and grant opportunities to provide DVC victims and their families access to resources. As an OVW grant recipient, the DVC has been able to provide civil legal services, case management / victim advocacy, victim and/or child counseling, referrals to

- community programs – such as food stamp assistance, temporary housing, and FACES, Family Justice Center.
- vi) Offender Services Access – through grant resources, the DVC has helped provide offenders subsidized access to court-ordered domestic violence evaluations, domestic violence treatment, and individual counseling services. In addition, the DVC permits pre-trial release via GPS and/or alcohol monitoring as supervised by the Ada County Sheriff's Office. This option gives offenders an opportunity to not be incarcerated during the legal process, reduces taxpayer costs for incarceration, and provides offenders the chance to show good compliance. The DVC also offers GPS monitoring as a post-sentencing probation opportunity for qualifying offenders. To promote compliance and accountability, all supervised probationers must sign a two-page notice that outlines that conditions and responsibilities of supervised probationers.
 - vii) Reduce Community Health and Financial Impacts – with the creation of the DVC, a large goal is to reduce domestic violence in our local community. By reducing domestic violence, victims' health and safety are protected and valuable resources are not consumed. Medical expenses, housing transitions, loss of income, disruption of the family, moving expenses, and many more costs are reduced to the victim and the community when domestic violence does not happen between two individuals.
 - viii) Utilize Effective Risk Assessments – the DVC promotes the use of the Idaho Risk Assessment of Dangerousness (IRAD) by both prosecutors to assess an offender's level of dangerousness in a pre-trial setting. In addition, law enforcement officers utilize the IRAD to determine a victim's status at the time of investigation. In a post-trial setting, a variety of risk assessments are utilized to assess an offender's stability, whether h/she is in need of treatment, odds of reoccurrence, mental health, substance abuse potential, and many other factors. Probation Officers utilize the Proxy, LSI-R, GAIN-SS, and the ODARA is incorporated into domestic violence evaluations.
 - ix) Cross-Training of Family Law Judges – the DVC aims to ensure longitudinal education on domestic violence issues for the 5.5 judges assigned to the family law division. On-going education is offered through the DVC's judicial handbook and grant-funded on-site trainings. In addition, the DVC shares its lists of approved domestic violence treatment providers and evaluators, substance abuse treatment providers / evaluators, and counselors.
 - x) Ensure Document Access via SharePoint – the DVC has access to a state-funded online website called SharePoint. SharePoint ensures the access of probationers' information in domestic violence treatment with uploaded treatment notes. Probation Officers have the ability to review treatment notes and provide the DVC regularly weekly updates on a probationer's status in treatment. One of the many benefits of SharePoint is immediate access. The immediate access of the information can show when an offender fails to comply and gives the Probation Officer and Prosecuting Attorney the ability to quickly respond with either discretionary jail time and/or an arrest warrant. The DVC's quick response time helps promote victim safety. With discretionary jail time, the DVC also provides the defendant the opportunity for a quickly set hearing if the defendant wants to contest the usage of discretionary jail time.

- xi) Language Access – the DVC has incorporated language access for offenders and victims of domestic violence via grant funded resources available outside of court. Offenders and victims can utilize grant funded language access resources for counseling, domestic violence treatment and evaluations, and victim advocacy / case management. The grant funding ensures Title IV compliance and ensures victims and offenders are not limited in accessing any resources. In addition, grant funding also funds interpreters’ mileage to make sure access is not restricted due to geographic location in the Treasure Valley.
- 3) What types of cases does the court hear?
 - a) The DVC hears misdemeanor domestic violence cases and Rule 11 felony plea case matters that are reduced to misdemeanor domestic violence offenses. Currently, the docket is assigned over 1,000 offenders annually. With the absorption of a permanent civil protective order docket, roughly 1.5 years ago, the assigned family law judge hears all permanent civil protective orders on a weekly basis.
 - 4) How are cases identified, screened, and transferred?
 - a) The Boise City Attorney’s Office and Ada County Prosecutor’s Office independently identify, screen, and transfer cases into the Domestic Violence Court. For applicable family law cases, the two judges are given the opportunity absorb applicable cases, if their schedules permit. Family Court Services and the Court Coordinator have the ability to identify cases to be screened and transferred. Within the permanent civil protective order docket, cases are identified after petitioner files a petition and attends a temporary hearing. If the temporary civil protective order is granted, a hearing date is set within 14 days for the permanent civil protective order.
 - 5) For courts that aren't integrated, how is information shared between courts?
 - a) Ada County’s DVC has involved the criminal bench in general and the family law judges, who are using our provider list for DV evaluations and treatment. DVC has provided and will continue to provide training to other judges who handle criminal and family law dockets. Several of these judges are also holding regular review hearings to monitor the progress of offenders in their courts. Last year our horizontal education provided two days of domestic violence training to these judges (presented by Sherrill Ellsworth a frequent moderator for domestic violence training through the National Judicial College). In August 2016, DVC is sponsoring a two day LGBTQ DV Training with the NYC Anti-Violence Project and Detective Michael Crumrie. The first day will be devoted solely to educating judges. The second day will be open to advocates, treatment providers, law enforcement, the legal community and court staff.
 - 6) Where is the court located? (city, county, state)
 - a) Boise, Ada, Idaho
 - 7) How many judges oversee the court? Is it one dedicated judge or multiple judges?
 - a) There are two dedicated judges that share one full-time docket. The two judges rotate every other week.

- 8) When are cases heard?
 - a) Every single day of the week.

- 9) Who are the staff that comprise the court and what are their roles?
 - a) Ada County Magistrate – Judge Carolyn Minder
 - b) Ada County Magistrate – Judge John Hawley, Jr.
 - c) Ada County DVC Coordinator – Rebecca Kulaga
 - d) Ada County Deputy Prosecutor – Elizabeth Sonnichsen
 - e) Ada County Victim Witness – minimum of three advocates at all times
 - f) Ada County Public Defender – Dylan Orton
 - g) Boise City Deputy Prosecutor – Conchita Vogt
 - h) Boise City Victim Witness – Lisa Norton
 - i) Ada County Misdemeanor Supervisor – Keri Anderson
 - j) Ada County Misdemeanor Probation Officer – Mike Percuoco
 - k) Ada County Misdemeanor Probation Officer – Melissa Bishop

- 10) What legal services are available for litigants?
 - a) All offenders have access to private defense counsel and public defenders, when their financial means cannot afford private defense counsel. For civil legal services – victims used to have access to grant funded civil legal services for all applicable needs that arose from the domestic violence incident, such as custody, divorce, and/or landlord / tenant. As the DVC waits for a new grant, the DVC utilizes their Women’s and Children’s Alliance case manager / victim advocate referral services to direct victims to the court assistance office and the Idaho Volunteer Lawyer’s Project within the Idaho State Bar.

- 11) Does the court use risk assessments and if so, how are they used?
 - a) Yes, please reference the answer above in 2(viii).

- 12) Does the court have compliance reviews and how are they scheduled?
 - a) Yes, the DVC regularly schedules compliance reviews. Compliance reviews (aka review hearings) are set at each prior hearing to ensure proper legal notice for the offender and to set it in place before offender leaves their current hearing. Review hearings can be set as frequently as every two weeks up to 120 days, depending on an offender’s progress in the post-sentencing period. In addition, the Probation Officer has the ability to notify the Court in-between hearings of an offender’s progress or lack thereof, to ensure an offender is held accountable for non-compliance. This usually happens in the form of a probation violation processed by the appropriate prosecuting agency.

- 13) What features are in place to ensure victim safety at your courthouse?
 - a) Victims have full access to their Victim Witness Coordinators to be advised of hearing notices. Upon entry in the courthouse, all persons must clear security. In addition, the Women’s and Children’s Alliance have advocates available to accompany victims to civil legal matters to promote safety and confidence during the hearings. At the end of a DVC hearing matter, the Ada County Marshall’s Office ensures that the victim leaves at a separate time than the offender to ensure a lack of conflict in and outside of the courthouse.

- 14) Who are the stakeholders that the court regularly meets with and how often do those meetings take place?
- a) The DVC meets monthly with all team members – please reference #9 above. Grant service stakeholders are contacted on a monthly / semi-monthly basis by the Court Coordinator to ensure grant services are staying on track. Current grant service stakeholders include the Women’s and Children’s Alliance (case manager / victim advocate), private counselors (7 of them), domestic violence treatment provider (Good Relationships Counseling), and domestic violence evaluators (3 of them). A private defense attorney is invited to attend monthly DVC team meetings. In addition, the DVC keeps in contact with the FACES, Family Justice Center and the Idaho Coalition against Sexual and Domestic Violence regarding future projects which serve our community.
- 15) What services are available for abusive partners and how are they connected to those services?
- a) Offender services are available via grant funding and state funding sources. Abusive partners (aka offenders) have access to grant subsidized domestic violence treatment, evaluations, and counseling. State funding provides offenders access to substance abuse treatment and domestic violence evaluations. To connect to the grant services and/or state funded resources, the referral process is facilitated by the Probation Officers and the Court Coordinator. In addition, offenders can reach out to Family Court Services to access pro se legal documents and attend Idaho State Bar public legal clinics. Offenders can learn of these services via their Public Defender, the Court Coordinator, Family Court Services (within the Courthouse), and the Idaho State Bar. Lastly, the Ada County Misdemeanor Probation has built a strong connection with the Department of Labor (“DOL”). After implementing exit surveys of successful and unsuccessful probationers, one main recurrent element was successful probationers typically have access to employment opportunities and obtaining gainful employment. Thus, the Misdemeanor Probation Office and Domestic Violence Court arranged to have a Department of Labor (“DOL”) employee work directly with probation clients to help support successful outcomes in probation. The DOL employee meets with eligible clients at the Misdemeanor Probation Office. The DOL employee spends weekly time working with individuals on job searches and assessing whether the DOL could provide eligible clients skills training, on the job training, work experience, or obtaining their GEDs. After the DOL employee evaluates a client, he provides information to the client on the following information: what are available employer incentives, how to discuss criminal offense history with a future employer (Letter of Explanation), provide guidance on writing a resume and cover letter, discuss the Idaho Career Information Systems and an applicable assessment to help explore future job opportunities, and discusses the Ex-Offender Re-Entry Services Guide. Lastly, the DOL employee evaluates a client’s need for clothing, transportation – such as a bicycle, and their living situation. When applicable, the DOL employee offers resources, assistance, and referrals.
- 16) What services are available for victims and how are they connected to those services?
- a) Victims and their children have access to grant funded resources and many advocacy groups in the community. Grant funded resources are victim and child counseling, civil

legal services (funding has extinguished), and case management / victim advocacy through the Women's and Children's Alliance. The case manager / victim advocate (Ms. Danielle Swerin) takes direct referrals from the prosecutors' Victim Witness Coordinators. Danielle can meet with victims directly or visit over the telephone. Danielle then provides resource information to the victim. Victims can then choose what resources of interest to them. Danielle also provides community referrals to CATCH (a temporary financial support for housing); FACES Family Justice Center – a justice center which has numerous resources such as victim Empowerment Classes that includes safety planning, child care, and a safe environment; referrals to the Department of Health and Welfare to assist victims in enrolling in financial support for food and in need of child support legal assistance; and lastly, Danielle will direct victims to the Women's and Children's Alliance where victims can obtain clothing vouchers at second hand clothing stores, diapers and formula for infants, shelter housing, basic toiletries for personal hygiene, counseling, and civil legal assistance via the Micron Foundation volunteer pro bono attorneys. Lastly, victims can seek out legal assistance from the Idaho Volunteer Lawyer's Program for civil legal services in divorce, custody, guardianship, and much more.

17) What specialized programming or training has your court done?

- a) The DVC was created in 2006. A lot of training has been completed. For a more abbreviated list, the DVC will list all trainings completed with OVW grant funding since 2013.
 - i) 2013, 2014, & 2016 - OVW New Grantee Orientation for Court Training Improvement awardees and Mentor Court awardees,
 - ii) 2014, 2015, 2016 - Two Days in June – as sponsored by the Idaho Coalition against Sexual and Domestic Violence,
 - iii) 2015 – CCI Brooklyn NYC Mentor Court Training
 - iv) 2015 – Enhancing Judicial Skills in Domestic Violence Cases Workshop
 - v) 2015 – 15th Annual International Family Justice Center Conference
 - vi) 2015 – Annual Training Institute by the American Probation & Parole Association
 - vii) 2015 – Ada County Domestic Violence Court Interpreter Training
 - viii) 2015 – Ada County Domestic Violence Court Judicial Training
 - ix) 2015 MRT Domestic Violence Training by Correctional Counseling
 - x) 2015 – Driving Change Conference by Jeanne Geiger Crisis Center
 - xi) 2016 – End Violence Against Women International Conference
 - xii) 2016 – CCI Seattle Mentor Court Interpreter Open House
 - xiii) Pending August 2016 – LGBTQ Domestic Violence Training with the NYC Anti-Violence Project, Detective Michael Crumrine, and the U.S. Attorney's Office for 4th District Judicial Officers on Day 1 and victim advocates, treatment providers, law enforcements, legal community, and court staff on Day 2.