

MEMORANDUM

To: Harvard Women's Law Association and the Harvard Gender Violence Clinic

From: Cari Simon, WLA President and Gender Violence Clinical Student

Re: Domestic Violence Court Watch Project at Harvard Law School

HARVARD LAW SCHOOL DOMESTIC VIOLENCE COURT WATCH PROJECT

COURT WATCH PROJECT OVERVIEW

In order for the hard-fought domestic violence legal reforms to have real meaning and impact on victims, proper enforcement of those reforms is required. The judges, court personnel and attorneys in the courtroom are on the front lines of that enforcement.

The Harvard Law School Domestic Violence Court Watch Project provides an opportunity for Harvard Law students and community partners to monitor the justice system's response to and handling of domestic violence cases in the Boston metro area. The improved accountability created by the Court Watch Project will place pressure on attorneys and judges to do their utmost to serve, protect and respect domestic violence victims. At the same time, volunteers can learn first hand about the challenges and strategies involved in domestic violence court proceedings.

The Harvard Women's Law Association (WLA), the largest student organization at Harvard Law School, will launch the Court Watch Project in January 2011 at the Roxbury District Court.

The Court Watch Project has two primary goals. First, to gather valuable data which will be used to draft recommendation to improve domestic violence court proceedings. Second, to foster student's life-long engagement in domestic violence issues.

Why now? Often, victim advocacy is spurred by a tragedy. We'd rather not wait for a woman to be killed. The Court Watch Project is a proactive initiative.

GOALS

1. Monitor the Courts and Gather Data. Information volunteers will track include:

- When danger assessments are utilized
- When GPS tracking sought
- Why protection orders are denied
- How broken protection orders are handled
- Treatment of victims by judges and attorneys

2. Accountability

- Ensure judges, attorneys and court personnel are aware that the public is watching and recording domestic violence cases.
- Compiled data will be turned into recommendations for the court.

3. Raise Awareness

- Volunteers first-hand experience watching domestic violence cases will foster student volunteers' long-term engagement in with the domestic violence.

HARVARD WOMEN'S LAW ASSOCIATION

The WLA is uniquely situated to successful conduct the Court Watch Project. First, the WLA is the largest student organization at Harvard Law School with nearly 500 members from which to recruit volunteers. Second, the WLA's association with Harvard Law School lends credibility to the project which in turn increases the accountability the projects seeks to create. Third, the projects goal is not only to impact the courts but to impact the volunteers and WLA members are all future leaders. Fourth, the WLA can continue the Project semester after semester focusing on new courts in the Boston area. Finally, the WLA can create a model program that other women's law associations can follow nation-wide.

ROXBURY DISTRICT COURT

According to a former Roxbury District Court victim's advocate, the domestic violence makes up the vast majority of crime victims that come through the court system. Court Watch volunteers will watch the arraignment courtroom and the trial courtroom.

LOGISTICS

The Team:

The Volunteer Committee of the WLA will be the team that manages the court watch project. The Committee members are: Rebecca Lake '12, Kamillah Willgham '11, Laura Wolf '13, Elizabeth Hague '13, and Rachel Gart '13.

Court Watch:

The Project will take place for ten weeks over the course of the Spring Semester. Student volunteers will be **watch** the Roxbury District Court two **to** days a week on a weekly basis in four hour blocks. Each student volunteer will be trained, and will commit to conducting five court watches throughout the semester. This will require approximately fifteen court watch volunteers including the Volunteer Committee members.

Volunteers will watch in pairs and together fill out the Court Watch Project survey for each domestic violence case they observe. Should the volunteers observe a victim in danger, they will connect her to our partnering organizations including Passageway.

Court Watch Report:

Following the completion of the court watch, the Volunteer Committee and WLA President will draft a report compiling their findings and proposing recommendations to improve court room proceedings. The report will be distributed to court room personnel and other appropriate targets identified by the Volunteer Committee.

Court Watch Preparation:

During January 2011 (Harvard Law School's J-term) and prior to initiating official court watch visits, the Volunteer Committee will attend Roxbury District Court proceedings to test the usefulness of the survey and make necessary adjustments.

The Volunteer Committee will also inform relevant actors about the Project. First, the team will continue to reach out to and seek partnership from local domestic violence service providers and advocates. Second, The team will contact the court clerk to inform them of our intention to conduct the Court Watch Project, and to request information about the courtroom schedule.

Finally, the Volunteer Committee will recruit volunteers to participate in the Court Watch Project. To do so, the Committee will send an announcements to the following group listservs: the WLA, BLSA, APALSA, OPIA, 1L Sections, CYA, JLG, JLSA, and ACS. We will request from Professor Diane Rosenfeld that her Gender Violence Clinical students can earn clinical hours and valuable experience by participating in the Court Watch Project.

SURVEY

The following pages are a draft of the survey volunteers will use to track the court's handling of domestic violence cases.

COURT WATCH SURVEY - HARVARD LAW SCHOOL GENDER BASED VIOLENCE CLINIC

Volunteer:	Date:	Judge:	Court: (add)
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<p>Petitioner: Sex: M/F Race: Home Town (add) Did Petitioner Appear in Court? Y / N If No, what action did the court take? Describe: _____ _____ _____ Attorney Present for Petitioner? Y / N If Yes, attorney's name _____ Victim Advocate Present? Y / N</p>	<p>Respondent: Sex: M/F Race: Home Town (add) Did Petitioner Appear in Court? Y / N If No, what action did the court take? Describe: _____ _____ _____ Attorney Present for Respondent? Y / N If Yes, attorney's name _____</p>
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What is the relationship between the Petitioner and Respondent?

Purpose of Hearing?

- ___ Temporary Restraining Order
- ___ Restraining Order Continuance
- ___ Danger Assessment Hearing

--- Other (describe)

Witness Testimony - Describe any Witness Testimony

1. Witness name and relation to case:

Testimony:

2. Witness name and relation to case:

Testimony:

3. Other Witness Names and Testimony:

Evidence

___ Was a Dangerousness Assessment presented
___ Was Medical Evidence Presented (describe)

___ Where Children involved in the incident

Ages: (add)

Court Ruling/Action

___ Denied/Dismissed Petition. (describe reason)

___ Issued Protective Order. Duration of Order _____

___ Protective Order Continued. Duration of Order _____

___ Found Respondent in Contempt of Court for violating order (describe sentence and sanctions)

___ Other (describe)

Conditions of Order

___ GPS ordered

___ No Contact or Communication

___ No Further acts of violence

___ Weapons confiscated

___ Respondent ordered to leave the shared premises

___ Other (describe)

Children

Temporary custody awarded to ___ Petitioner ___ Respondent

Temporary child support ordered to ___ Petitioner ___ Respondent

Visitation ordered (describe conditions)

Attitudes and Treatment of the Petitioner and Respondent

Was the Petitioner given the opportunity to speak? Y / N

Was the Petitioner lectured or disrespected? (describe)

Were stereotypical views about domestic violence expressed? (describe)

Did the court take all of the Petitioner's concerns and experiences seriously?

Was the Respondent Given the Opportunity to Speak? Y / N

Was the Respondent lectured or admonished? (describe)

Judge's

Comments:

Other

Volunteer

Comments
