

RECOMMENDATIONS OF THE TASK FORCE ON DOMESTIC VIOLENCE CASES

							Key Code:					
Charge 1 Recommendations	<p>1.1: The Administrative Council of the Judicial Branch should designate a standing branch Domestic Violence Committee to recommend ongoing improvements to the branch's response to domestic violence cases, as set forth above, and make public reports, similar to the Language Access Committee.</p>	<p>1.2: The Circuit Court, through its existing protocol working group, should continue its review and revision of the domestic violence protocols, including its practice of seeking meaningful feedback from a range of stakeholders from outside the Judicial Branch.</p>	<p>1.3: Court staff should continue to refer all who file a petition for a domestic violence order of protection to the applicable crisis center for safety planning.</p>	<p>1.4: An information sheet or brochure should be created by legal services agencies and/or crisis centers about their services, including safety planning, to help plaintiffs understand the measures that can be taken to enhance their safety before and after the defendant has been served with the protective order. The sheet should include the contact information for the local crisis center and could include the contact information for other community resources helpful to survivors.</p>	<p>1.5: NHJB should seek additional state funding for training judicial and non-judicial staff at all court levels on DV issues and trauma-informed practices and ensure that reg. training opportunities are provided. Requests may include funding for add'l staff positions to ensure sufficient staff are available to process emergency filings while reg., ongoing professional development takes place. All CC judges should have the opportunity to attend the NJIDV Enhancing Judicial Skills program.</p>	<p>1.6: Because some courthouses lack private conference rooms available for parties to meet with their attorneys or advocates, the Judicial Branch should continue exploring the possibility of setting up locations for those without home computers or with travel or other restrictions to access remote hearings and/or meet with their attorneys remotely.</p>			Internal			
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<p>Charge 2 Recommendations</p>	<p>2.1: Representatives of the Judicial Branch should establish a working group to include criminal defense attorneys, county attorneys, and attorneys representing parties in civil protection order cases to discuss how best to streamline a criminal case and a civil domestic violence case involving the same parties.</p>	<p>2.2: The Judicial Branch should seek additional funding to continue the work of the Office of Mediation and Arbitration and the Circuit Court, in partnership with the Battered Women's Justice Project, to improve safety and accountability for litigants with a history of domestic violence who are also involved in family law matters.</p>	<p>2.3: The Judicial Branch should seek additional funding such that more educational opportunities are available and judicial and clerical caseloads are sufficiently reduced to allow for additional time to be devoted to education.</p>	<p>2.4: A stakeholder group with expertise in the area of domestic violence should review existing New Hampshire statutes regarding domestic violence and determine whether any of the areas of review, set forth above, should be advanced through the legislative process.</p>							
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<p>Charge 4 Recommendations</p>	<p>4.1: Stakeholders should create a flowchart that helps plaintiffs decide whether to file a petition for a domestic violence protective order or a civil stalking protective order and provide those materials to survivors directly or, if appropriate, leave them at court locations.</p>	<p>4.2: Court forms should be more easily accessible on the Judicial Branch’s website. Currently, a plaintiff has to know in what court a petition needs to be filed in order to find a form.</p>	<p>4.3: The final order of protection should clearly and visibly include the deadline for filing a motion to extend the order. Information about renewing orders of protection should be included in the Branch’s website, brochures, and videos to assist litigants in DV and stalking cases.</p>	<p>4.4: The Superior Court should notify the defendant, at the time of arraignment, of the consequences of a domestic violence criminal conviction in relation to the possession and ownership of firearms.</p>							
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<p>Charge 5 Recommendations</p>	<p>5.1.1: The Judicial Branch should publicize the availability of “NH Law About” guides prepared by the New Hampshire Law Library regarding domestic violence protective orders. The guides are available on the Judicial Branch’s website and at the law library.</p>	<p>5.1.2: Legal services organizations and law schools should explore whether it is feasible to create a program in which law students, supervised by attorneys, help survivors complete domestic violence petitions. Perhaps there is a way for law students to work with survivors at crisis centers, with phone access to attorneys.</p>	<p>5.1.3: 603 Legal Aid should explore whether projects similar to DOVE could be created to enable volunteer attorneys help survivors draft domestic violence petitions and to represent them on appeal. Perhaps, the North Country pilot program to provide unbundled legal assistance to domestic violence survivors could be reinstated and expanded.</p>	<p>5.1.4: The Judicial Branch should explore the impact and feasibility of regularly allowing volunteer attorneys in domestic violence order of protection cases to appear remotely.</p>	<p>5.1.5: The Access to Justice Commission should continue its efforts to increase the pro bono participation of the private bar, particularly in domestic violence, stalking, restraining order cases, and related appeals.</p>	<p>5.1.6: Victim witness advocates should direct survivors in criminal domestic violence cases to the local crisis center for safety planning with a confidential advocate and to 603 Legal Aid for assessment regarding their civil legal needs.</p>	<p>5.1.7: NH Legal Assistance, in consultation with other stakeholders, including the NHJB, should create a “What You Need To Know” Fact Sheet for survivors of DV that informs them of the burden of proof necessary to obtain a protective order, the factors that the court considers, a definition section for relevant terms, and an outline of the basic process, with a sample form showing what goes where. The sheet should be available in court locations around the State.</p>	<p>5.1.8: New Hampshire Legal Assistance, with help from other stakeholders, should seek increased appropriations from the state for legal services to be embedded within crisis centers.</p>	<p>5.2.1: The staffing levels and volunteer base for crisis centers should be increased so that there is an advocate trained to provide court-accompaniment available at each Circuit Court location. Even if an advocate could not be at a courthouse full-time, courts and crisis centers should endeavor to identify ways to maximize availability, perhaps by allowing plaintiffs to have remote, direct access to crisis center advocates while at the courthouses.</p>	<p>5.2.2: Local police departments should be encouraged to hire victim witness advocates and to apply for federal grant money to fund those positions. Local police departments with victim witness advocates should be encouraged to partner with the relevant local crisis center to provide services to domestic violence survivors.</p>	<p>5.2.3: Crisis center brochures should be made available in court locations around the state as appropriate.</p>
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