

## **AT A GLANCE**

### **Location of Court**

Pulaski, VA

### **Type of Court**

Civil & Criminal

### **Project Goals**

Hire a mentor court coordinator who will coordinate all the training, technical assistance, site visits and other activities.

Develop a “Mentor Court Orientation & Resource Manual for Rural Courts” for courts visiting Pulaski.

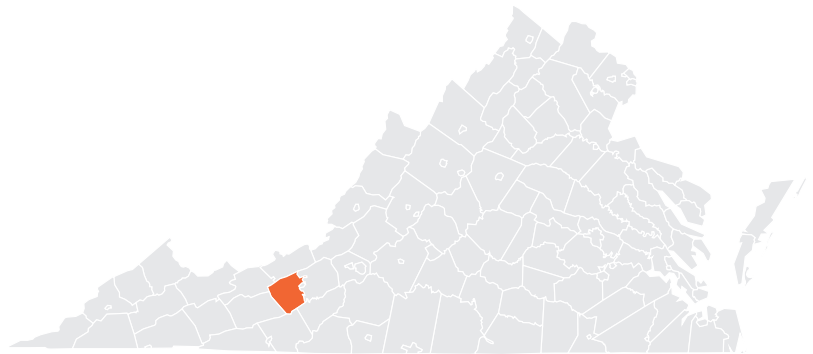
Develop a feedback tool for all court teams who visit Pulaski in order to improve practice.

Update the DV Docket Policy and Procedure document, outlining all the domestic violence procedures by each domestic violence stakeholder.

Strengthen relationships with the local domestic violence stakeholders and the Pulaski Co. Domestic Violence Best Practice Committee.

# **PULASKI JUVENILE AND DOMESTIC RELATIONS COURT**

Pulaski Juvenile and Domestic Relations Court handles all criminal cases involving intimate partner violence, family violence, sexual assault where either party is a minor, and civil protection orders. Located in a small rural county in Virginia, this court also handles all cases involving custody, support/visitation, child abuse or neglect, juvenile delinquency, and status offenses (those acts that are unlawful only because they are committed by a minor).



## **COURT STAFF**

- **Judge:** one judge adjudicates all hearings in the court
- **Clerk of Court:** handles all the documents and files that are produced by the cases on the DV docket and protective order dockets. Also supervises clerks who handle the additional documents and files from remainder of cases heard in the J&DR District Court.

This fact sheet is part of a series describing Domestic Violence Mentor Courts. Selected by the Office on Violence Against Women, Mentor Courts share their expertise and assist other domestic violence courts in implementing promising practices and procedures, and building the capacity of state court systems to respond effectively to these difficult cases.

- **DV Mentor Court Coordinator:** serves as a point of contact for project partners and liaison between court and stakeholders.

## CASE MANAGEMENT

The Pulaski Juvenile and Domestic Relations District Court meets five days per week and hears custody, visitation, child and spousal support, delinquency, dependency, protective orders, crimes against children, all crimes between family or household members, and child in need of services and child in need of supervision petitions.

**Case identification, screening, and transfer:** Pulaski County has one juvenile and domestic relations court, and Judge Chitwood is the only judge in that court. The Court therefore does not “transfer” cases as is done in larger jurisdictions with multiple judges and different assignments. The Clerk does identify the case type, such as assault and battery or protective order, and assign it to the appropriate date and time on the court’s docket. The Court has multiple specialized dockets that group similar cases.

**Information sharing:** In order to share information amongst all the stakeholders, Pulaski holds a community Domestic Violence Best Practices meeting quarterly. We use this time to discuss current issues in the community, issues that have arisen from the dockets, and other concerns related to domestic and sexual violence different agencies are experiencing in Pulaski. We also brainstorm and problem solve, as well as identify gaps in service that need to be addressed, including training ideas. Judicial leadership in developing community relationships has been key to our success, garnering community buy in and demonstrating a commitment to revolving problem solving. Without the resources of larger communities, these relationships and judicial commitment have been integral in implementing a variety of low or no cost solutions to problems that have arisen from the specialized dockets.

Data performance measures are another form of information sharing regarding how the courts operates. Currently, Pulaski County receive generalized data about the Juvenile and Domestic Relations court from the Supreme Court. However, we are looking to expand the data we collect locally on our dockets to include more direct performance measures and explore impacts on our policies and procedures.

**Schedule:** The Pulaski Juvenile and Domestic Relations District Court meets five days per week (8:30am-4:30pm) and hears custody, visitation, child and spousal support, delinquency, dependency, protective orders, crimes against children, all crimes between family or household members, and child in need of services and child in need of supervision petitions.

Three domestic violence dockets operate in Pulaski, including a daily protective order docket, a domestic violence compliance review docket, and a domestic violence docket. The Judge uses the three separate bench cards he developed to ensure uniformity in the handling of domestic violence cases, including the domestic violence compliance docket, the handling of preliminary and full protective orders, and motions to amend or dissolve protective orders. The Clerk flags protective orders for the use or presence of weapons.

Information sharing: The Prosecutor references the results of the LAP (lethality assessment program) at bond hearings, and the Judge considers this assessment for bond purposes; the advocates manually screen cases to identify which advocate will handle the case, notes are made in the case file about victim input, and information is shared by victim advocates to commonwealth attorney the day of court.

## **COMMUNITY STAKEHOLDERS**

**Frequency of stakeholder meetings:** Quarterly

**List of stakeholders:** Women's Resource Center (court advocate, victim services), Commonwealth Attorney's Office (victim witness, prosecutor), Defense Bar (public defender's office), Department of Social Services, Legal Aid, Blue Ridge Counseling (Batterer's Intervention program), Virginia State Police, Pulaski Co Sheriff's Office, Town of Pulaski Police Department, Town of Dublin Police Department, Court Services Unit (protective order intake), Magistrate's office, New River Community Corrections (probation)

## **VICTIM SAFETY**

The Women's Resource Center employs two full-time victim advocates who work directly with victims prior to onsite legal advocacy and safety planning. These victim advocates are present in the courtroom 1) for the daily protective order docket, 2) for the compliance docket where defendants come back to court at regular intervals to meet with the Judge and 3) for the Wednesday criminal domestic violence docket. On other days, the advocates serve in different courts around the adjacent counties and use non-docket time to notify victims of upcoming court appearances, assist the commonwealth attorney with cases, and explain the legal process to victims.

Women's Resource Center also provides community-based victim services post-final adjudication and connects victims with appropriate community resources. The Commonwealth Attorney's office also has a victim witness representative who handles cases on the DV criminal docket that involve any sort of restitution or involves family members who are not intimate partners. A representative from each organization is present in the courtroom for the domestic violence docket. Both agencies work collaboratively to ensure all victims have an advocate, are

aware of the court proceedings, and ensure victim safety the day of court by utilizing alternative entrances and exits, waiting spaces, and escorting victims to their cars when appropriate. For victim safety, the LAP is used at the point of initial law enforcement interaction. The Judge requires respondents in protective order cases to watch Pulaski's 13-minute video, "Protective Orders in Virginia" to allow victims to leave the courthouse safely.

## OFFENDER ACCOUNTABILITY

**Compliance reviews:** In the compliance reviews, the Court takes first offense assault and battery charges under advisement for two years, places the offender on supervised probation, orders the offender to complete an accredited batterer intervention program, and monitors compliance with periodic hearings until completion. Compliance reviews are used to ensure defendants who are on a deferred disposition track for a domestic/sexual violence charge are following through with the requirements of the deferral in order to have the charges dismissed at the end of the two-year sentence. The compliance review offers the Judge an opportunity to meet with the defendant, their probation officer, and others as necessary to review the defendant's status.

**Offender services:** In cases where the order is granted after a final protective order hearing is held, the respondent is required to watch a video entitled Protective Orders in Virginia. This helps the respondent get a better understanding of what it means to be the subject of a protective order and what the requirements entail.

## LEGAL SERVICES

Legal Aid attorneys are made available to victims in civil cases regarding protective orders, and custody/visitation cases if they meet the financial threshold. In criminal cases, the Commonwealth Attorney will meet with the victim prior to the case (if requested) and will prosecute the case. Defendants are appointed an attorney if they meet the financial threshold through the Public Defender's office. If the court assigns the defendant to participate in a batterer's intervention program, defense counsel ensures the defendant understands their responsibilities in full, including the cost, the number of sessions, and the requirements of supervised probation. Additionally, if the defendant receives a deferred disposition, counsel will explain to their client the Court's review process, including the mandatory 60-day review.

## TRAINING

Because of limited resources in our rural community, many agencies are unable to afford to send staff, with moderate levels of turnover, to receive training on the best practices in domestic and sexual assault procedures. As such, we have made it a priority to offer free trainings to multidisciplinary audiences of professionals in our surrounding localities. To fund these events, we have partnered with local agencies, applied for grants, utilized free and low-cost technical assistance providers, and asked for in-kind donations from the local community college to offer comprehensive trainings at no cost to individuals. Trainings offered to community stakeholders in Pulaski:

- “Understanding and Responding to Children Exposed to Domestic Violence”
- “Civil Protection Orders: Improving Practice”
- “Domestic/Sexual Violence Intervention, Effective Investigation, Community Collaboration and Response”
- “Probation: Working with Victims”
- “Strangulation Training for Domestic and Sexual Violence Cases”
- “Domestic Violence 101: Understanding the Basics”
- “Stalking: The Hidden Crime”
- “Understanding Non-Stranger Sexual Assault”
- “Risk Assessment”
- “DV/Sexual Assault in Underserved Populations”
- “Strangulation: The Final Warning Shot”
- “Animal Abuse and the Link with Intimate Partner Violence”

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