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FACT SHEET

January 2004

Violence Against Women Education Project

Domestic violence, sexual assault, and stalking are critical issues facing family, criminal, and juvenile courts in California. The Violence Against Women Education Project (VAWEP) is an initiative designed to provide the courts with information, educational materials, and training on the court's role in responding to cases involving these issues. VAWEP is a project of the Administrative Office of the Courts' (AOC) Center for Families, Children & the Courts (CFCC) and is being implemented in collaboration with the AOC Education Division/Center for Judicial Education and Research (CJER). The project is currently funded by the Governor's Office of Homeland Security/Office of Emergency Services (OHS/OES) with resources from the federal Office on Violence Against Women (OVW). The project's planning committee, composed of judicial officers, attorneys, victim advocates, and other experts, guides the project staff in identifying key training issues and developing appropriate educational programming. Major efforts for the development and augmentation of educational events and curricula related to domestic violence, sexual assault, and stalking are currently under way.

Project Goals

The goals of VAWEP are to:

- Identify primary educational and information needs of the courts on domestic violence, sexual assault, and stalking issues;
- Initiate new and enhance existing judicial branch educational programming pertaining to domestic violence, sexual assault, and stalking, including the delivery of regional training events;
- Develop and compile useful information for the courts on domestic violence, sexual assault, and stalking issues that relates specifically to California law;
- Institutionalize inclusion of domestic violence, sexual assault, and stalking issues in all relevant judicial branch education curricula, programs, and publications;
- Create incentives designed to increase attendance and participation in judicial branch education relating to domestic violence, sexual assault, and stalking; and
- Increase communication among courts regarding emerging promising practices for responding to cases involving domestic violence, sexual assault, and stalking.

Educational Events

Planned events include the following:

Decision Making in Sexual Assault Cases, Winter Continuing Judicial Studies Program (CJSP) (January 2004)

A day-long course on sexual assault will be convened at the Winter 2004 CJSP, a forum designed to provide basic education to judicial officers in core curriculum subjects. The program will be based in part on a national curriculum, *Understanding Sexual Violence: The Judicial Response to Stranger and Nonstranger Rape and Sexual Assault*, developed by the National Judicial Education Program (NJEP). Issues that will be covered during the program include voir dire and jury selection, evidence, the use of expert witnesses, offender characteristics, and special considerations for victims of sexual assault. The content of this program will be adapted as a fundamental element in a basic curriculum and teaching guide on sexual assault issues that will be developed by the project in 2004.

Forum on Sexual Assault Issues (Spring 2004)

The purpose of this forum is twofold: to collect information about the courts' response to sexual assault cases and to inform the courts about how that response may be improved. Justice system professionals and experts from other fields (including victim advocates, prosecutors, defense attorneys, law enforcement, medical personnel, probation, and treatment providers) will be invited to the forum to discuss issues related to their interactions with the court in these cases. Judicial officers will then have the opportunity to ask specific questions of practitioners in each discipline in order to better understand their respective roles. The project committee members will analyze the information provided and identify ways to improve court practice and procedure in this subject area. This interactive forum will allow for sharing of ideas from many different disciplines, and its results will be used to develop future training events and written publications that address the greatest identified needs.

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Domestic Violence Programs, Spring Continuing Judicial Studies Program (CJSP) (April 2004)

Two day-long courses on domestic violence issues will be convened at the Spring 2004 CJSP. The first session will be an advanced course that addresses the family courts' response to victims in domestic violence cases. This session will explore issues identified in a previously conducted forum on strategies to improve the family courts' response to litigants in these complex cases. The second session will focus on full-faith-and-credit requirements and firearms restrictions in domestic violence cases. Judicial officers and substantive experts serve as faculty for these events.

Forum on Advanced Domestic Violence Issues (May 2004)

Building upon a prior event that included experts from across the state, judicial officers, victim advocates, family court professionals, and attorneys will meet to discuss the critical issues of safety and accountability in cases involving domestic violence. Based in part on recommendations that emerged from the earlier forum, the discussion will focus on practices within one local court system and differences in practice within that region. The forum's goal is to address crucial and controversial issues relating to victims of domestic violence and their experience with the courts.

Broadcast for Court Employees on Domestic Violence Issues (May 2004)

This broadcast will focus on the particular information needs of court employees who provide court services to parties in domestic violence cases. This session will be scheduled as part of an ongoing series of broadcasts designed specifically for court employees, including clerks and bailiffs, who have frequent contact with litigants in domestic violence cases. Court employees from up to 200 downlink sites around the state will have access to these training events. The broadcast will serve as an interactive venue for the delivery of training on these important issues. Ideas for future broadcasts will also be generated from feedback on the broadcast.

Domestic Violence and Sexual Assault Courses, Judicial College (June 2004)

Courses on issues of both domestic violence and sexual assault will be delivered as part of the nationally recognized B. E. Witkin Judicial College of California, a program providing comprehensive education for all new superior court judges, commissioners, and referees. The courses will provide background information on domestic violence and guidance for judicial decision making in sexual assault cases.

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Regional Training on Domestic Violence Issues (July 2004)

The project will adapt a national interdisciplinary curriculum developed by the National Council of Juvenile and Family Court Judges and the Family Violence Prevention Fund and will present one regional training session based on the curriculum. Modeled on an earlier statewide event, the program will include workshops on fact-finding, judicial officers' roles in a community response to domestic violence, fairness and cultural issues in domestic violence cases, decision-making skills and enforcement, victim behavior, and perpetrator behavior. The program will also include sessions designed to engage judicial officers in practical courtroom exercises addressing the complexity of domestic violence cases and the specific issues facing California courts.

Regional Training Session on Sexual Assault Issues (July 2004)

Depending on the needs of the region where the training will be held, the project will offer a two-day training session on issues of sexual assault. The curriculum will be modeled on aspects of the basic and advanced training sessions delivered earlier in the year. The training session will be tailored to address the problems facing the individual courts that participate in the session, but it will at a minimum include topics such as evidentiary issues, expert witnesses, jury selection and voir dire, special protection for victims in these cases, and sentencing issues.

Advanced Sexual Assault Program and Domestic Violence Program, Summer Continuing Judicial Studies Program (CJSP) (August 2004)

Two programs will be offered at the Summer 2004 CJSP. The first will be a day-long advanced course on sexual assault that will expand on and add to concepts covered in the basic course on sexual assault offered during the Winter 2004 CJSP session. Likely topics include a more in-depth treatment of voir dire and jury selection, evidence, the use of expert witnesses, offender characteristics, and special considerations for victims of sexual assault, as well as sentencing considerations and other emerging issues in the field. The second course will focus on immigration issues and the additional complexities immigration status can add to domestic violence cases.

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Family Violence and the Courts Conference (September 2004)

This event marks the 10th anniversary of the first Family Violence and the Courts Conference. The conference's goal is to create a blueprint for enhancing the court's response to domestic violence cases. At this team-based event, courts will be encouraged to develop action plans based on preconference and conference activities. Ideally, court teams will include the presiding or assistant presiding judge, the court's executive officer, and other involved court representatives (such as judicial officers hearing domestic violence cases, family court services representatives, and other key court staff.) Courts will be asked to meet with key representatives in their communities in advance of the conference to begin working on their action plans; use conference workshops to gather information and resources needed to move forward with their action plans; and, after the conference, develop specific objectives and strategies to improve the courts' response to domestic violence cases that will be implemented at the local level. Conference results and a statewide strategic plan to enhance the courts' response to domestic violence will be published after the event.

Curriculum Development and Publications

VAWEP is developing the following curricula, publications, and other resource materials:

Stalking

Given the risk of danger to battered women who are also victims of stalking, the project will develop a bench handbook that focuses on the information judicial officers need about the issues, case law, and statutes related to stalking in the context of domestic violence cases. The handbook will explain the legal issues related to stalking and help judicial officers make effective and appropriate orders and decisions in these cases. The handbook will be published, distributed to all judicial officers, and posted on a Web site designed for judicial officers.

Immigration

This bench handbook will focus on issues related to immigration and the unique experience of immigrants who become victims of domestic violence. The handbook will explain the legal issues related to immigration law and help judicial officers understand the complex legal requirements related to immigration and the way in which they may affect judicial decisions in domestic violence cases. The handbook will be published, distributed to all judicial officers, and posted on a Web site designed for judicial officers.

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Full Faith and Credit

This bench handbook will delineate issues related to federal full faith and credit requirements, which were designed to protect victims in cases where the victim may flee to another state for safety. It will explain the background and directives of these requirements and help judicial officers comply with the complex requirements set forth in the full faith and credit provisions. The handbook will be published, distributed to all judicial officers, and posted on a Web site designed for judicial officers.

Firearms

This bench handbook will focus on issues related to firearms laws and how they affect domestic violence cases and protective orders. It will serve as a reference tool for judges seeking a quick and easily accessible guide to firearms restrictions in a variety of cases. The handbook will be published, distributed to all judicial officers, and posted on a Web site designed for judicial officers.

Course Outline and Teaching Guide on Sexual Assault Issues

The project will develop a comprehensive course outline and teaching guide that address the complex issues of sexual assault cases. The course and guide will be based in part on previously developed program materials and relevant national curricula adapted for a California audience. The guide will be distributed as needed to those who serve as faculty for programs that deal with sexual assault issues. It will be used for future statewide, regional, and local programs, delivered to live audiences and by distance learning delivery methods.

Annual Report and Fact Sheet

Project staff will develop an updated annual report and fact sheet that will highlight key efforts the project has undertaken and judicial and court responses to those efforts. These documents will be distributed to provide project information to judicial branch professionals and the public. As educational tools, they will highlight best practices and innovative approaches.

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Further Information

For additional information about VAWEP activities, please contact:

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