

TRAUMA, DOMESTIC VIOLENCE AND THE COURTS

*WORKSHOP FOR STATE COURT
VAW Points of Contact
National Center for State Courts
Williamsburg, Virginia*

*Maureen Kiehm, Judiciary, State of Hawaii
October 27, 2015*

The Focus on Trauma

- Definition of trauma
- Attention prompted by research and **voices of survivors.**
- The Adverse Experience (ACE) Study
- Other research, resources:
 - National Center on Domestic Violence, Trauma & Mental Health
 - Substance Abuse and Mental Health Services Administration (SAMSHA)/SAMSHA's National Center on Trauma –Informed Care (NCTIC)
 - Many others

Trauma and IPV Victims

- Experiences and consequences of trauma in IPV victims
 - Physical
 - Emotional
 - Psychological
 - Social
 - Employment
 - Relationships with institutions (criminal/civil justice systems, human services (child welfare services), etc.
- Effects on children, adolescents
- Effects on others: family, co-workers, neighbors, friends, etc.

The Importance of Understanding Trauma for the Courts

- Understanding the parties in family court, criminal courts, civil courts (all levels), specialty courts (adult/juvenile drug courts, family drug courts, girls courts, veterans courts, d.u.i. courts, mental health courts, etc.)
- Multiple filings/cases opened/closed not uncommon.
- Involvement of victims in multiple systems.
- History of trauma can be tracked, if data is still retained.

Effects of Trauma for the Courts

- Vicarious trauma of judges and staff (probation, specialty courts, support staff, etc.) now recognized and acknowledged.
- Effects on case flow management.

Strategies for the Courts in Understanding and Responding to Trauma

- Three pronged approach.
- Training on multiple levels for judges and staff, primarily probation officers.
- Training for domestic violence service providers.
- Adopting a trauma informed approach in programs, policies and practices.
- Incorporating a trauma informed approach into the Request for Proposals of all domestic violence services procured by the courts for victims, children and batterers.

Family Court Mission Statement

“Mission of the Family Court of the First Circuit is to provide every family, child and individual under its jurisdiction with equal access to fair, efficient, culturally aware and timely justice. It is a court committed to therapeutic and restorative justice within the parameters of the law.”

Among the 12 components of the mission statement are:

“1. To be a place of healing for children and families.”

“10. To be a team committed to implementing and creating efficient, effective, evidence-based, gender-responsive, and innovate programs and services for children and families in our community.”

Note: The Family Courts in the state of Hawaii are unified courts. Jurisdiction for the Family Courts in each circuit covers all matters relating to families and children, including domestic violence.

Hawaii Family Court Symposiums

- A Family Court Symposium is held for three days annually for all family court judges, statewide, and selected administrative staff. The annual Symposium is normally opened by the Chief Justice.
- Content: the judges have determined that the priority areas for the Symposium will be domestic violence, juvenile justice and child welfare services.
- Funding: STOP OVW grants to the Judiciary, the Judiciary's Spouse and Child Abuse Special Account, and funding from the Court Improvement Project grants (DHHS).
- Training challenges for an island state: additional costs for air /ground transportation, lodging and per diem for neighbor island participants. This averages over \$10,000 each year. Also, per diem judges to cover essential dockets of the attending judges is another major cost.

Family Court Symposiums 2013 and 2014

- Primary focus was on understanding trauma in victims in the context of domestic violence and sexual assault.
- Funded by a STOP OVW FY 2011 grant
- (Project No. 11-WF-10)
- 2013 keynote speakers: Honorable Ramona Gonzalez (Wisconsin) and Olga Trujillo, J. D. through the National Council of Juvenile and Family Court Judges.
- 2014 keynote speaker: Olga Trujillo, J.D.
- Secondary focus was on recognizing vicarious trauma and the promotion of wellness, healing and self-care for judges and staff.

Family Court Judges, State of Hawaii



Olga Trujillo and Senior Judge R. Mark Browning



Feeding the Mind, Soul and Body



What Does Trauma Informed Care Look ?

- Target group
- Outcome/s desired
- Who, what do you need?
- Buy-in, commitment, resources.
- Action plan, timeframe.
- Start with realistic steps, goals.

Implementing Trauma Informed Care

- Community model – Hawaii Women’s Correctional Facility, Department of Public Safety
- Envisioned and implemented by Warden Mark Patterson
- Pat Clough, Creative Writing Instructor for the Prison Monologues
- The women inmates
- Some results

Value of Trauma Training for Judges

- “recognizing trauma” was most helpful to me.
- “Context for “Understanding Trauma in Victims and Responding to Trauma in Victims” was helpful.
- Incorporation of concepts and principles for the vision statement of Family Court, First Circuit.

Court Implementation

- Continued education and training of the Judiciary.
- Continued education and training of service providers, other community stakeholders.
- Incorporation of trauma informed care principles in programs, policies and practices for both the Adult Criminal Justice and Juvenile Justice Systems.
- Continued emphasis on wellness and self care of everyone.

Impact of Trauma Informed Care for IPV Victims

- *“So here I was, in front of this judge, asking for a restraining order against (someone) who was also going to show up in that courtroom, and I was actively hearing voices. I was having a very hard time expressing what I needed to say to get the job done....What the judge did was pretty incredible. He asked me to come forward. It created a sense of privacy... and he was able to hear what he needed to hear. ...**this judge changed my life in that one simple act.**”*

Trauma Survivor

You are an Instrument of Change