

# Domestic Violence Backlog Lab

# Report

October 23, 2023



Post-pandemic court backlogs remain a pressing concern, especially in cases affecting public safety. These backlogs persist, partly due to insufficient and unreliable data, limiting courts' ability to address the issue effectively. In domestic violence cases, where lives hang in the balance, the need for high-quality data is paramount. Thus, as the world returned to normal operations, courts increased their attention to case management and backlog prevention. Funding provided by the State Justice Institute was the conduit for technical assistance for various court efforts including efforts to improve data qualities and to build tools like backlog dashboards.

In the Spring of 2023, the National Center for State Courts (NCSC) received inquiries from several courts regarding Domestic Violence. While acknowledging that their current data was inconclusive, these courts stated concerns that given the increase in filings and adjustments in case processing, that more attention should be directed to cases involving domestic violence to ensure that they were heard timely and received the attention needed. A collaborative platform for a diverse cadre of jurisdictions was formed including Orange County, California; Puerto Rico; Delaware; and Illinois, to consider backlog in domestic violence, and to share experiences and resources to improve data quality and build tools to prevent cases from accumulating. Participating courts were asked to assemble a multi-disciplinary team comprised of judicial leadership, data capacity, and domestic violence subject matter expertise so that the recommendations developed from the Lab would be broadly applicable to courts.

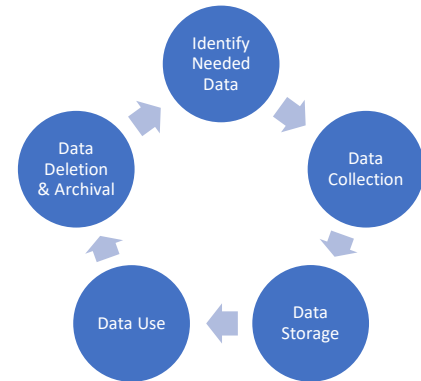
During pre-Lab conversations, it became clear that a conversation regarding Domestic Violence Backlog needed to begin with consideration of Data Quality. While it is true that that no court has all the data needed for case management, and that data presents a challenge in all case types, this is particularly true for Domestic Violence. Insufficient data quality can place survivor safety at risk by obstructing law enforcement's capacity to enforce protective orders, impeding educational institutions and nursing homes from recruiting staff with no history of abuse or neglect allegations, and preventing courts from creating orders customized to the needs of survivors. To sharpen focus, the Lab participants agreed that the effort should study the handling of protection orders.

Participants reviewed the entire data lifecycle of protection order cases, with the aim of uncovering ways to improve data quality and processes. The participating courts examined their data: collection, quality, and management, as well as challenges and bottlenecks in

case processing. Lab participants worked to identify gaps in data collection and strategize ways to bridge those gaps.

Over four sessions, participants:

**Defined the breadth and depth of backlog** recognizing challenges related to both backlog and data quality. These challenges included insufficient resources, technological limitations and integration issues, incomplete data elements, and ongoing problems with data quality such as inconsistent definitions and errors in data entry.



**Mapped data processes** to pinpoint areas of backlog by conducting a homework exercise to assess their court data using the recently developed Domestic Violence Extension to the [National Open Court Data Standards](#) (NODS). This process revealed that certain crucial elements were not being collected but were of significant importance: Parties Present, specifics about Continuance/Postponement (Requesting Party and Reason for Request), and Identifiers such as an anonymized series of characters that identify the same individual within the court system (across cases and courts within the state). Judicial officers, court process experts, and data process experts were seen as essential contributors to the improvement of data quality and technology, aiming to ensure that the data and technology solutions catered effectively to the requirements of all personnel within the court system.

**Considered methods for improving data** by studying best practices in data collection. Recognizing data's lifecycle, discussions focused on enhancing accessibility to aid case processing and improve services for equitable justice. Participants recognized the importance of data availability, in terms of timing, format, recipient, and quantity. Data clarity, such as standardized definitions for consistency and quality among staff, was also prioritized. Courts were urged to regularly assess and enhance their data to align with these criteria, ensuring existing data meets standards and identifying additional data elements when necessary. During the review of their current data elements and processes, participants identified the following areas for improvement:

- Improving case management systems' ability to 'talk' to related systems
- Engaging in case and data management system development and maintenance
- Facilitating data collection and quality in the middle stages of the process
- Identifying consistent data definitions (dictionary, training, resources)
- Tracking common data quality issues



**Identified next steps** for improving their data collection and quality, such as:

- Improving data definition consistency by developing a data dictionary and providing training to judicial officers and court staff.
- Establishing partnerships with internal and external stakeholders to collect data outside of the court's purview and gather more qualitative information that may be helpful for courts.
- Simplifying processes and forms for precision and clarity
- Incorporating the Domestic Violence extension of NODS and lessons learned from this Lab into new/updated e-filing/case management systems and other data improvement efforts.

Based on these identified next steps, participants learned more about NCSC resources that could support them in these endeavors, such as [CourTools](#), [Workload Assessments](#), [Caseflow Management/Triage Approaches](#), the [Court Backlog Reduction Simulator](#), and the [Court Statistics Project](#).

Upon the Lab's conclusion, all participants were invited to debrief their experience and their plans as well as to recommend next steps. Lab participants almost uniformly celebrated the opportunity to problem-solve with peers and reported that they were using the Domestic Violence Extension to the National Open Data Standards (NODS) in their jurisdiction to consider necessary data elements. Each jurisdiction formed an individual plan for data improvement, some reporting significant policy or procedural advances in data improvement within weeks of the Lab's conclusion.

Illinois was selected to participate in research to promote data-informed case management in domestic violence and protection order cases. Through data assessments, site visits, stakeholder interviews, and consultations with a survivor advisory board, the project is expected to identify key case management processes that can improve the handling of domestic violence cases nationally. Funded by the U.S. Department of Justice, Office on Violence against Women, work under this \$449,880 grant award will begin November 2023 and run through September 2026. Lessons learned from this effort will be disseminated broadly at NCSC's [vawaandthecourts.org](http://vawaandthecourts.org).

### **National Recommendations and Future Lab Topics**

Deeper study into data concerning Continuances/Postponements, especially information about the Requesting Party and Reason for Request was requested. Several participants stated that this would be a valuable resource for courts to discern patterns and offer transparent explanations for backlogs. This data would aid discussions with decision-makers and facilitate conversations with related agencies about delayed cases, such as legal aid providers, victim service providers, corrections/probation/parole, etc.

Creating case management systems centered on the courts users, as opposed to isolated case events, would be a significant step forward in the management of cases involving domestic violence. This could help courts in avoid conflicting orders. This approach would

also empower judicial officers by providing information about an individual's involvement in other cases (in accordance with due process).

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