
Family Court Enhancement Project Call for Proposals

The Family Violence and Domestic Relations Program (FVDR) of the National Council of Juvenile and Family Court Judges is now accepting proposals from family courts that make custody, visitation, and parenting time decisions to participate in the Family Court Enhancement Project (FCEP). *There is no direct funding available to participating sites. However, three selected sites will receive training, technical assistance, and support from expert staff and consultants.*

The Family Court Enhancement Project is funded by the Department of Justice Office on Violence Against Women (OVW). It is a collaborative project of OVW, the National Council of Juvenile and Family Court Judges (NCJFCJ), the Battered Women's Justice Project (BWJP), and the National Institute for Justice (NIJ).

Eligibility:

Applicants should be state, tribal, territorial, or local courts.

Letters of Intent:

To assist NCJFCJ in planning for the review process, letters of intent should be submitted to ebranch@ncjfcj.org by **June 14, 2012**. Please note, however, that letters of intent are optional. Interested applicants who do not submit a letter of intent by the deadline can still apply.

Deadline for Proposals:

10 p.m. PST on June 28, 2013.

Applicants will be notified of the selected FCEP courts by October 30, 2013.

OVW Family Court Enhancement Project

Background

Findings from the Centers for Disease Control and Prevention's (CDC's) 2011 National Intimate Partner and Sexual Violence Survey (NISVS) show that more than one in three women in the United States have experienced rape, physical violence, and/or stalking by an intimate partner in their lifetime¹ and a 2008 CDC study found that women experience two million injuries from domestic violence each year. Approximately one third of all incidents involving female victims take place in homes in which children ages twelve and under reside. More than fifteen million American children live in families in which domestic violence occurred at least once in the past year. Roughly half of these children live in families in which severe violence took place.²

Many of these families come before a family court, which makes custody, visitation, and other decisions that will have a significant long-term effect on these children and adults. In the past decade, family court personnel have become increasingly aware of domestic violence and have made improvements to court practices to address it. Yet many challenges remain. Children continue to be placed in unsafe environments because the system fails to adequately assess and address the impact of domestic violence on the children.

As a way to better inform the Office on Violence Against Women's work on this issue, OVW has held four roundtable discussions since 2008 to examine the intersection of domestic violence and custody. Meeting participants included subject-matter experts in the field, such as judges, attorneys, domestic violence advocates, researchers, child protection specialists and protective parents. These experts identified the following issues as barriers to safe outcomes for battered women and their children involved in custody proceedings:

- Failure to identify, understand, and account for domestic violence in court and in third-party assessments and recommendations;
- Structural and procedural barriers;
- Limited legal and advocacy resources; and
- Effects of race, class, and gender biases on outcomes.

The Family Court Enhancement Project was funded by OVW as an opportunity for three courts to work closely with national experts on domestic violence and court improvement to implement better ways for keeping domestic violence victims and their children safe through and beyond court proceedings.

Family Court Enhancement Project

The Family Court Enhancement Project (FCEP) will provide technical assistance (TA) and training to **three** courts to improve their handling of domestic violence cases in which custody and visitation

¹ Black, M. C., Basile, K. C., Breiding, M. J., Smith, S. G., Walters, M. L., Merrick, M. T., Chen, J., & Stevens, M. R. (2011). *The National Intimate Partner and Sexual Violence Survey (NISVS): 2010 Summary Report*. Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention.

² Centers for Disease Control and Prevention. (2008). Adverse health conditions and health risk behaviors associated with intimate partner violence--United States, 2005. *Morbidity and Mortality Weekly Report*, 57(5);113-117. Retrieved at <http://www.cdc.gov/mmwr/preview/mmwrhtml/mm5705a1.htm>.)

decisions are made. The goal of the project is to determine what family court procedures, practices, and structures related to custody and visitation can help keep victims of domestic violence and their children safe from further violence and trauma. This two-year project will support coordinated efforts that address:

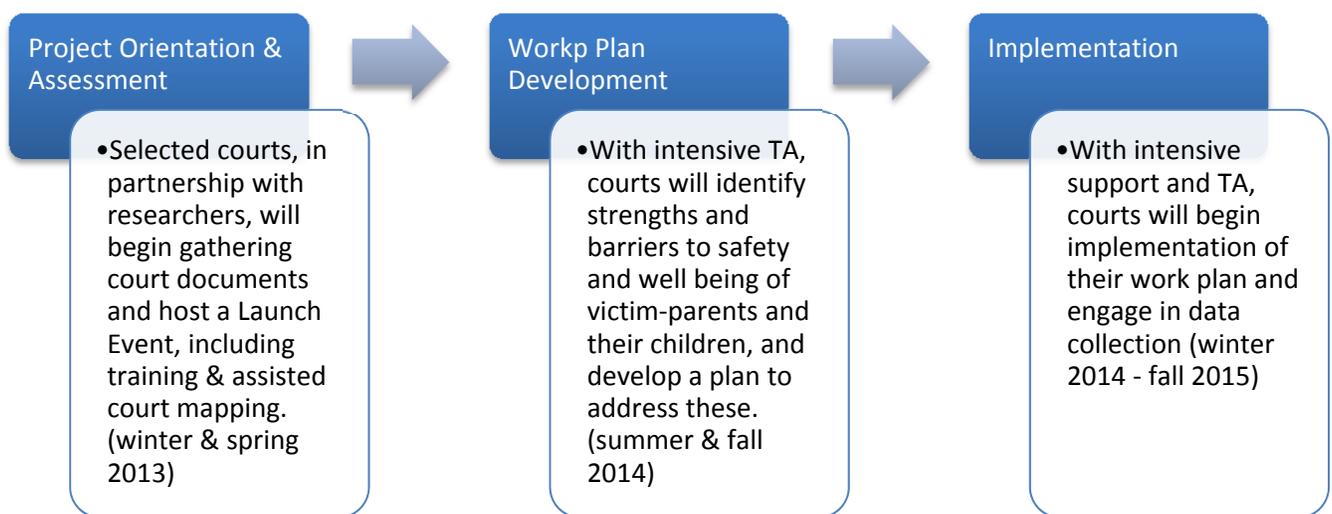
- Proper and consistent application of state laws pertaining to custody and visitation in cases involving domestic violence (e.g., best interests of the child, rebuttable presumption against custody by a batterer);
- The consideration of domestic violence in custody and visitation decision-making (how it is considered, when and by whom); and
- Safety for victims of domestic violence (both children and adults) within and outside the family court system.

The project will support the three selected sites with technical assistance, training, data collection, and a collaborative assessment of the changes made to family court systems in each community. OVW will partner with the National Institute of Justice (NIJ) to collect and analyze data from the selected sites.

The three sites selected to participate in the project will receive the following technical assistance and support:

- Access to national experts and consultants in areas such as domestic violence, court improvement, and judicial leadership;
- Opportunities to participate in national judicial training; and
- Assistance from research and data collection experts to document the court's participation in the project.

The graphic below depicts a general timeframe of the project:



Participants will first conduct a comprehensive scan of their court structures and processes around child custody and visitation decision-making. Assessments will look at the following elements:

- Are there systems or procedures established or tools available to help judges and other professionals identify domestic violence? If identified, what resources are in place to address domestic violence?

- Do judges and court personnel have access to domestic violence training? What training requirements exist for judges?
- What training requirements exist for third-party evaluators?
- What types of resources are available for pro se litigants? What resources are available for domestic violence victims and their children?
- What factors are associated with “best interests of the child” (according to the relevant state code) and how are they considered in actual cases?
- What is the efficacy of third-party evaluations (are they used and, if yes, what weight is given to them in the decision-making process? who pays for them? are there trends in the results of these evaluations?)?
- Is there a process by which children’s perspectives are meaningfully considered in court proceedings?

At the end of the assessment process, each site will be asked to identify the key barriers and gaps faced by domestic violence victims and their children in the family court system. Participating courts will develop a comprehensive, site-specific work plan to address the key barriers identified. Work plans will be tailored to each community’s needs and resources, but will likely include strategies like developing tools or protocols for screening, developing resources for pro se litigants, analyzing the use of parenting evaluators, and/or coordinating court and community services.

During the remainder of the project, sites will begin to implement their plan with support from the national partners and expert consultants.

The three courts selected to participate in this project are expected to assemble a Management Team (6-8 individuals who are willing to invest time and leadership in the project’s goals and processes, and who have both system’s insight and the capacity to influence change) and a Collaborative Workgroup (20-25 individuals/organizational representatives who work directly with victims and perpetrators of domestic violence, and their children, and who interact with families and the courts in the course of custody determinations). Courts will have access to national experts to assist them in assessing their court systems, and identifying and implementing improvements. NIJ will provide data collection and research support for this project. Courts are expected to work with NIJ to periodically collect and aggregate data. Applicants are encouraged but not required to identify a local research partner to assist in documenting the community’s participation, identifying and collecting performance measures, and/or analyzing outcomes.

Expectations of Selected Sites

In addition to active participation in the processes and objectives described above, selected FCEP sites are expected to do the following during the duration of the FCEP: :

- Participate in the Introductory Webinar.
- Host a Launch Event, which will consist of a one day training for the Collaborative Workgroup and a one day meeting of the Management Team to review baseline performance measures.
- Complete routine data requests.
- Host two on-site visits for technical assistance consultants, the National Institute of Justice and the Office on Violence Against Women.
- Travel to an “All-Sites” meeting (travel, lodging and M&IE will be paid for by NCJFCJ).

Informational Conference Calls

The national partners will host two informational conference calls before the application deadline. During these calls, the national partners will review the FCEP objectives and allow for a brief question and answer session. Participation in these calls is optional.

The conference calls are scheduled for:

June 5, 2013 from 10 a.m. – 11 a.m. P.T.

June 13, 2013 from 11 a.m. – 12 p.m. P.T.

Anyone interested in submitting a proposal for the FCEP may register to participate in the calls. The total number of participants for each call is limited to 20 individuals. To register, please send an email to ebranch@ncifcj.org and write “conference call registration” in the subject line of the email. Your registration must be received at least 24 hours prior to the start of the call.

Proposal Requirements

Proposals should be submitted by **10 p.m. PST on June 28, 2013**. Late proposals and proposals missing critical information may not be considered for selection.

Proposals will be scored on the following:

Cover Sheet (5 points)

The Cover Sheet should be one page and does not count toward the 10-page limit for the Project Narrative. Please provide the following information:

- Name, title, address, phone number, and e-mail address for the point-of-contact.
- Name of state, tribal, territorial or local court applying to participate in the Family Court Enhancement Project.
- The regional area(s) (city, town, tribal area, county, parish) within the court’s jurisdiction.
- Summary of current and recent OVW-funded projects and/or existing collaborations in the community(ies) where this project will be implemented (if applicable)

PROJECT NARRATIVE (85 points)

The project narrative must clearly demonstrate the applicant’s capacity and commitment to fully participate in the FCEP with the goal of improving its system for serving domestic violence victims and their children.

The Project Narrative should be double spaced, no smaller than 12-point font, and may not exceed 10 pages in length. Please number the pages of your narrative and include the following:

Capacity to Participate in the Initiative (45 points)

- Describe the structure of your court system (e.g., Dedicated Docket, Unified Family Court,

Integrated Domestic Violence Court).

- Describe the demographics of your jurisdiction (e.g., racial and ethnic composition, immigrant population, socio-economic factors).
- List all the individuals who are typically involved in a custody or visitation case (by title) and describe the role of each person (within and outside of the court).
- Identify whether supervised visitation services are available in your jurisdiction. Specifically, please note whether or not your court receives OVW Safe Havens: Supervised Visitation and Safe Exchange Program dollars.
- Identify whether your court participates in any coordinating councils or has strategic relationships with the bar association.
- Describe your court's strengths around addressing domestic violence and any barriers that prevent your court from addressing domestic violence in a meaningful way. Include information on how domestic violence is identified, what is done if it is identified, and what role domestic violence advocates may play in these cases.
- Describe the desired outcomes for participation in the project.
- Describe your ability to:
 - host a two-day Launch Event with community partners (training and systems mapping to take place);
 - participation in All Sites meetings, which will require Management Team members to attend a training and interactive meeting with expert consultants and Management Team members from the other FCEP sites;
 - gather and share performance metrics; and
 - share your work plans with other participating courts.
- Describe any previous or current attempts to address problems in the family court system related to domestic violence.

Who Will Implement the Project (20 points)

- Identify who is a part of your Collaborative Work Group (these are the individuals and organizations that have critical roles in custody determinations, including professionals from alternate dispute resolution, parenting evaluation, family law, supervised visitation and exchange, legal and community-based advocacy, and assessment of factors effecting children's safety and resiliency).
- Who will serve on your Management Team (these are the 6-8 individuals who will guide the project, committing time, and leadership to understanding and changing practice in their court. The Management Team will make decisions about the direction of the project as representatives of the Collaborative Workgroup, and as individuals with unique and deep experience with perpetrators and victims of domestic violence, and/or their children, and the professional communities that work with them.
- Describe the governance of the project. Identify your lead judge and leadership team (by name and affiliation). Include information on who will lead the project, who will participate in the project, and how decisions will be made regarding the project.
- Describe the history of collaboration around domestic violence in your community, and describe this court's leadership strengths.

Commitment to Participate (20 points)

- Describe the ability and willingness of the judiciary to thoroughly map the family court system, and engage in outcomes measurement with support from the national partners.
- Describe the desire and willingness of the judiciary to thoroughly assess the family court system, looking specifically for strengths and barriers the court presents to victim-parents and their children.
- Anticipate and describe barriers your community/court may have in participating in the project.
- Discuss why you would like to be considered for selection to participate in the FCEP.

LETTERS OF COMMITMENT (10 Points)

Proposals should include letters of commitment from key partners. A letter from the presiding judge is optional, though recommended.

Selection Criteria

Proposals will be assessed according to the criteria set forth in this Call for Proposals and the level of detail provided. The highest scoring proposals may receive an on-site visit from NCJFCJ and/or OVW staff as part of the selection process.

In selecting the three sites to participate in this project, the following elements will also be considered:

- The capacity of the jurisdiction to coordinate an effective Management Team, fully participate in the project, and promote good practices at the state and/or national levels.
- Whether the court demonstrates strong judicial leadership and history of coordinated community response around domestic violence and custody issues.
- Whether the court is a grantee under OVW's Court Improvement Program.
- Whether the target community receives funding from OVW's Safe Havens: Supervised Visitation and Safe Exchange Grant Program.
- Strength and effectiveness of systems advocacy efforts in the community.
- Whether diverse demographics are represented in the jurisdiction.