



Domestic Violence AWARE Project: Helping Courts Implement Protocols for DV Analysis, Warning, Action, Recovery, and Engagement

Blueprint for DV AWARE Leadership Teams

A brief project guide on how to assemble and direct a DV AWARE Leadership Team and use the DV AWARE curriculum and online toolkit

About the DV AWARE Project¹

The National Council of Juvenile and Family Court Judges (NCJFCJ) designed the DV AWARE Project to address gaps in the training, tools, and resources available to juvenile and family court systems faced with potential threats posed by domestic violence perpetrators. While security efforts are common for criminal courts, few resources exist for family courts, which typically seek to create a family-friendly setting.

The acronym AWARE represents three stages around which the DV AWARE materials are organized and by which we recommend courts prepare for and respond to dangerous incidents:

- Analysis and Warning content will help leaders provide and affirm security and domestic violence education among court staff, address courthouse design from a safety perspective, explore distinctions between spontaneous “affective” violence and planned “targeted” violence, and encourage development of specific communication strategies among courthouse partners regarding high-risk litigants;
- Action content will support leaders to prepare court staff to respond to active emergencies in various court settings, to deescalate dangerous situations, and minimize risk; and
- Recovery and Engagement content will enable leaders to support court and community leadership in developing protocols and agreements necessary to address the needs of courthouse personnel and impacted community members with competence, sensitivity, and efficiency.

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NCJFCJ convened a team of experts in security, threat assessment and management, court administration, domestic violence, and juvenile and family court practices to develop guidance, materials, and resources—Guiding Principles, this Blueprint, a multidisciplinary curriculum, and an online toolkit—that courts need to empower a multidisciplinary team to improve safety in accord with DV AWARE’s three-stage approach. Their vision is that communities around the country will anticipate dangerous incidents in their courts associated with domestic violence and respond in a manner that prevents and mitigates these tragedies. This vision requires that court staff have the knowledge, skills, and resources to anticipate and prevent domestic violence-related threats in their courts, to respond quickly and safely to these emergencies when they take place, and to recover from violence in their courts with trauma-informed, healing strategies.

Guiding Principles

The Guiding Principles set forth below reflect the shared values of the multidisciplinary Advisory Committee for this project, and they served as a touchstone for the materials generated by this project. Developed through extensive discussion and review, and focused on the values and behaviors we want to encourage, we recommend that the Guiding Principles similarly guide the work of courts forming DV AWARE Leadership Teams.

DV AWARE Guiding Principles

Juvenile and family court-centered collaboratives will effectively address the risks and harm posed to courts and communities by perpetrators of domestic violence when they:

- 1) Proactively collaborate with key stakeholders, including representatives of those who have direct contact with litigants at the courthouse and in the course of their family law cases, as well as those who are responsible for safety of the court and its people, to coordinate safety protocols and prioritize safe access to justice.
- 2) When crafting strategies, practices, and policies to ensure safe access to justice, consider the history of litigants’ and the public’s experiences with and trust in the justice system, including intersectional oppression and the availability of full, safe access for those who have been traditionally underserved or harmed by the courts.
- 3) Think systemically and operationalize safety protocols, including stakeholder education, risk assessment, risk reduction, and communication.

- 4) Introduce and practice safety protocols consistently, beginning before a security incident occurs and continuing in the aftermath, revising and refining protocols according to lessons from any such incidents.
- 5) Promote gathering of data on safety threats and the cases in which they arise, to inform development and refinement of protocols for risk assessment, risk reduction, safety, and response.
- 6) Approach systems improvement informed by the impact of trauma on families and the impact of trauma on court staff, taking appropriate steps to avoid or mitigate retraumatization and linking to helpful resources.
- 7) Respect the expertise, limitations, and opportunities inherent to the role of various stakeholders and seek to support their leadership and identify who holds decision-making authority.

What Is the Blueprint for DV AWARE Leadership Teams?

This Blueprint is for courts and communities across the country that are interested in implementing improvements in their handling of potential threats arising from cases involving domestic violence. **It is intended to provide a brief guide that local leadership teams can use to form a DV AWARE Leadership Team and to guide that Team in their development of training, policies, and procedures.** The following recommendations represent the thinking of the national DV AWARE Advisory Committee and recommended practices on the topic discussed. Specific communities may find they need to modify their approach to address the needs of their own communities.

Creating and Sustaining Leadership Teams

The following sections of the DV AWARE Blueprint focus on the practicalities of introducing and sustaining DV AWARE principles and protocols in a local jurisdiction.

Identify and Engage

A multidisciplinary approach is crucial to ensure that multiple perspectives are included as plans, policies, and protocols are developed. Many agencies and professionals are involved in family law cases and contribute to victim safety and offender accountability; these same agencies and professionals are impacted when a violent or even lethal incident occurs. Including diverse voices on the Leadership Team maximizes the odds that local Teams will improve their policies and protocols and encourages full participation as those policies and protocols are implemented.

Engaging Leadership Team members should start with consistent messaging: this is a project about making everybody (security, judges, and all employees serving court functions, as well as litigants) safer.

Ideally, a Leadership Team would include those with high levels of authority and responsibility to ensure impact and continuity. For a court-centered project like DV AWARE, the Leadership Team should include a judge, court manager (perhaps even the chief judge or administrative judge with responsibility for overseeing court operations), and representative from court security. In addition to influencing the culture and priorities of the court, judges have the power to convene stakeholders around a common goal, and their leadership can help ensure the participation necessary for a successful project. Court administrators, who have familiarity with and authority over court operations, have a unique capacity to lead improvements to communication and collaboration. And court security has expertise and training that is critical to prevention, de-escalation, and intervention.

Determining which additional stakeholders to invite should be a careful and thorough process. Domestic violence advocates, attorneys, and other court-related professionals, especially those who spend time with litigants and may therefore notice warning signs of violence, are also critical to include. Stakeholders with a role in promoting access to justice may help identify when a measure intended to increase safety instead poses a barrier to access or could be a trigger for traumatized litigants or court staff. The Leadership Team should be actively informed by representatives of all departments, agencies, and services located in the courthouse, whether court-employed or contracted, and representatives of those who spend time with litigants regarding their family law cases, even if not located in the courthouse itself. Depending on the court's size and structure, inclusion of everyone may be unwieldy. If so, consider a structure with a core leadership team and an expanded advisory team.

If you believe that it could support your sustained efforts, you may consider including representatives from agencies and offices who may financially support your efforts. (e.g., the state legislature or county commission) on the Leadership Team. If those representatives do not participate at a practical level in policy development and training coordination, we recommend you include them in your messaging and communication, so they are aware of the project's importance and your priorities.

Seek members of stakeholder groups with a genuine interest in the topic and an appropriate role to represent that group's interests and perspective. Although domestic violence competence on the Leadership Team will be critical, the Curriculum will include some introductory training on domestic violence, so lack of domestic violence training should not be a reason to exclude needed leaders. Be transparent about the commitment you are requesting while being respectful of the possible constraints (e.g., ethical duties, confidentiality, etc.) of certain members.

Encourage members to seek approval from their organization, if needed, of the time commitment.

Finally, we recommend that the Leadership Team be very clear with members that the ultimate goal of this project is not to assign blame for any previous incidents but rather to improve safety for everyone, court staff, court affiliated professionals, and court-involved families.

Meetings and Collaboration

At the first meeting or two, agree on common goals and values, respective roles on the Leadership Team, and allocation of decision-making authority. The goals and values should be consistent with the goals of the DV AWARE project and the Guiding Principles, with safety as the ultimate aim. Roles on the Leadership Team should take advantage of each person's background, knowledge, and expertise, as well as the time they are able to commit. For example, a court security officer will have expertise in security issues, while a domestic violence advocate will have knowledge of perpetrator behavior. In particular, be clear about who has the final say in key decisions (which may not be the same person for all decisions). Identification of the decision-maker should be consistent with their role and associated responsibilities, including ethical duties.

Mutual respect for the expertise and roles of all stakeholders is essential. Recognize what each stakeholder brings and understand why that perspective is necessary for the project to succeed. Spend some time in the initial meetings learning about each other. Ask Leadership Team members to define their respective roles and responsibilities as to the following topics, so other members understand their perspective, knowledge, duties, and what they bring to the Leadership Team:

- information and ability to communicate about families/possible threats;
- knowledge of court security policies and protocols;
- knowledge of domestic violence;
- responsibilities for court security protocols; and
- responsibilities to survivors, families, and children.

While some friction can be expected when combining a group of diverse people with varying roles and interests, Leadership Team members must be able to rise above the inevitable personality clashes, political and philosophical differences, and territorial turf wars that will emerge. You want people who can “agree to disagree” on certain issues and focus on the project's goals: improved safety for court staff, litigants, and the communities that surround them. Microaggressions (indirect or subtle discriminations) or being dismissive of a member's

profession, background, or viewpoint will damage the Leadership Team’s capacity to achieve the desired improvements. When disruptions occur, remind members of the primary concern—safety—and facilitate respectful reconciliation of those involved.

As the Leadership Team develops and begins to implement its plans, assign responsibility for tasks, and have a plan for follow-up to ensure tasks are completed. The chairs or co-chairs will ultimately be in charge of this oversight, but another person could be designated (or if funding permits, even hired) to monitor and coordinate administrative tasks for the Leadership Team.

Regular communication is key to maintaining a successful collaboration, so establish and use routine communication protocols for the Leadership Team’s everyday use (as well as an emergency communication plan). Incorporate existing communication protocols for the various stakeholder groups, including chain of command and confidentiality duties, into the Leadership Team’s communication plan. This will avoid conflict and ease use of the Leadership Team’s communication plan for members. The Leadership Team may also wish to rely on existing collaborations whenever possible (e.g., coordinated community response teams, multidisciplinary teams, bench-bar committees, task forces), to leverage existing working relationships and shared information.

One of the Leadership Team’s first collaborative endeavors should be to plan and conduct the DV AWARE Curriculum for the Leadership Team and key stakeholders as soon as possible. The Curriculum provides a thorough grounding in the knowledge necessary for the project to succeed and significant portions of the Curriculum are dedicated to facilitating focused, informed, collaborative planning. Having all Leadership Team members participate ensures that they have a common frame of reference. Using the tools, samples, and resources in the Toolkit, the Leadership Team will be equipped to develop and implement a well-designed and effective plan to improve safety.

Systems Change

The DV AWARE Project is focused on supporting effective systems change. While the court security system itself will be most impacted, other systems will certainly be affected. Before beginning intensive plan development, a review and analysis of the current systems will be essential. Mapping the current systems involved at the courthouse and in family law cases, including practices, protocols, services, and resources, will provide necessary information to consider in developing a court security plan. The diverse backgrounds of the Leadership Team will come into play during this process, as each member will have a different perspective and may have different information on how these systems work as well as strengths that can be built upon and safety gaps that must be addressed.

The sheer complexity of obtaining participation and consensus from multiple agencies and stakeholders can make systems change daunting. Experienced leaders in collaboration anticipate the time required for relationship-building and negotiation that this will take and value the stability created by broad commitment to a project. (Some community stakeholders may need compensation for their time in order to fully participate.)

If the community has endured a violent incident (or perhaps narrowly avoided one), information about that event should be gathered and considered in planning for prevention and mitigation of future incidents. Some Leadership Team members will likely have important observations and perspective about the incident; the Leadership Team may wish to speak to others with insight, remembering that the focus must be on learning, and if possible, improving systems for a safer future.

Systems change can be a daunting term, prompting visions of large-scale overhaul of existing structures, policies, and protocols. But change often starts small. A successful DV AWARE strategy may start with identifying manageable, inexpensive, and efficient ways to make improvements. Modest accomplishments often lead to support for more complex systems changes. The Curriculum and Toolkit support the development of simple improvements as well as efforts that are more ambitious. Efficiency may also be found in learning from courts and communities that have done similar work. By using and adapting existing examples of policies and protocols, infrastructure changes, or other steps in the plan, the Leadership Team can move forward without spending unnecessary time and energy. The Toolkit has many resources to assist in this endeavor.

Sustainability

For long-term success, the Leadership Team must plan for sustainability. Funding considerations, continuity of operations, adaptation to changing circumstances, and periodic assessment must therefore be part of the Leadership Team's ongoing planning.

Most funders, including legislatures and county commissions (and even local and federal grant funders) like to see that projects seeking funds are “evidence-based.” To provide this evidence, the plan must emphasize data-gathering and dissemination. Data collection efforts might include:

- reliable identification of when domestic violence is involved in a case,
- when and how a threat or risk was identified and communicated, whether safety protocols regarding the risk were followed and with what results, data on the outcome of any incidents, and
- information regarding remedial efforts—after a violent incident—needed for property repair and healing measures needed for staff, litigants, and the public.

Data also provides a way to evaluate whether the work is furthering the project's goals. Numerous methods are available to assess change and impact, including community and staff surveys, crime statistics, community response, and statistics on cases. While evaluations often include anecdotal stories, empirical data can be more effective in documenting progress. Based on the data, the Leadership Team can adjust the focus of their objectives and activities, and better inform broader messaging to the public.

Team planning for sustainability should include continuity planning to account for departures from the Leadership Team (particularly for those serving as chair or co-chairs or in other leadership roles). A continuity plan may include steps to take within key stakeholder agencies/offices, so they are ready to designate another member when needed, especially for those core stakeholders most involved in court security and operations. For example, the Leadership Team may wish to ask core members to ensure that participation on the Leadership Team is included in their job description or otherwise documented in their organizations to facilitate passing the duty on to someone else when needed.

Long-term planning must include steps to account for future, unpredictable changes. Organizations, laws, leadership, policies, resources, and the community will all change as time goes on. The Leadership Team must be ready to adapt planned improvements to changing circumstances, or even to revisit and revise those made in the past that no longer serve their purpose. The Curriculum and Toolkit both have useful information and resources to help Leadership Teams incorporate this into their planning.

DV AWARE Resources

Other initiatives to develop and enhance court security are available² but are not specifically focused on (1) juvenile and family courts; (2) the risks posed by perpetrators of domestic violence to court staff; or (3) the need for accessible, interactive training and technical assistance to meet the needs of unique courts and communities. We endeavored to fill that gap through various resources, including the DV AWARE Curriculum (Curriculum), the Online Toolkit (Toolkit), and the DV AWARE webpage where these (and other) resources can be found:

<https://www.ncjfcj.org/dv-aware/>

² See, e.g., Hall, Nathan W., *Courts Continuity of Operations (COOP) Planning Guide and Template*, National Center for State Courts (2021), available at <https://ncsc.contentdm.oclc.org/digital/collection/facilities/id/254/rec/1>; Hall, Nathan W., *Steps to Best Practices for Court Building Security*, National Center for State Courts (2016), available at <https://ncsc.contentdm.oclc.org/digital/collection/facilities/id/170/rec/2>; *Court Security Guide*, National Association for Court Management (2005), available free to members or for purchase at https://online.nacmnet.org/nacmssa/ccsshop.show_product_detail?p_session_serno=&p_mode=detail&p_product_serno=3&p_cust_id=

The Curriculum was designed for adult learners, and includes PowerPoint slides, discussion and exercise guides, handouts, program evaluations, and links to key video content. A faculty team of national experts may be available to deliver the Curriculum, enriching and broadening your communities' knowledge. Some communities may benefit from including local experts who are diverse, aware of their own biases, and skilled in engaging adult learners. The Curriculum explores many topics, including: Domestic Violence Dynamics; Analysis and Warning: Risk Awareness and Communication; Action: Responding Effectively to Targeted Violence; and Recovery and Engagement: Community Healing.

The Toolkit is the result of the project team's work to research, collect, and curate existing resources for courts, specifically to meet the needs of DV AWARE Leadership Teams (Leadership Teams). The Toolkit has six sections: 1) Analysis and Warning; 2) Action; 3) Recovery and Engagement; 4) Sustainability; 5) Judicial Safety and Security Resources; and 6) State-Specific Resources. Information and links for articles, checklists, tools, templates, handbooks and manuals, reports, and multimedia resources in each of these areas have been collected and are available to assist courts and communities implement DV AWARE.

Other Resources

A multitude of resources is available on the DV AWARE webpage, <https://www.ncjfcj.org/dv-aware/>. A few useful ones are highlighted here:

- *Recommended Court Security Measures for Cases Involving Domestic Violence: A Guide for Courts* (2021) (authored by Nathan Hall, published by Center for Court Innovation) https://www.courtinnovation.org/sites/default/files/media/document/2021/Guide_DV_Court_Security_03292021.pdf
- *Protection Order Repositories, Web Portals, and Beyond: Technology Solutions to Increase Access to Enforcement* (2020) (a collaboration between the Center for Court Innovation, the Battered Women's Justice Project, and the National Center for State Courts) <https://ncsc.contentdm.oclc.org/digital/collection/tech/id/947/>
- National Center for State Court's (NCSC) *Courthouse Violence in 2010-2012* describes four key lessons derived from review of six tragic incidents of violence (2013) (one incident was domestic violence-related, one related to sexual assault, and three related to visitation and child support) <https://ncsc.contentdm.oclc.org/digital/collection/facilities/id/182>
- NCSC's *Court Security Resource Guide* (2019) offers links to a variety of web-based resources addressing court security, court facility planning, and emergency planning and security <https://ncsc.contentdm.oclc.org/digital/collection/facilities/id/223/rec/1>

For questions or requests for technical assistance, please contact the National Council of Juvenile and Family Court Judges via the information and links at <https://www.ncjfcj.org/dv-aware/>. Other sources of assistance, including the National Center for State Courts and the National Association of Court Managers, are listed on the DV AWARE webpage.