



CHICAGO METROPOLITAN
BATTERED WOMEN'S NETWORK
Working Together to End
Violence Against Women

Court Watch Report

July 2010–June 2012

THE COURT WATCH MISSION

- Increase public awareness of domestic violence and domestic violence related laws
 - Encourage community involvement in the judicial system
 - Promote accountability, transparency, and adherence to the Illinois Domestic Violence Act
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The data included in this report is not a scientific rendering by legal experts; rather, it is a qualitative representation of the observations made by a committed group of community members concerned with the accountability, transparency, and adherence to the Illinois Domestic Violence Act by the domestic violence court and its specialized personnel. The bulleted items below each heading on the following pages are the Court Watch volunteers' own words. A glossary of common abbreviations and terms is included on the final pages of the report.

This report reflects the work of approximately 170 volunteers who collected data and made observations throughout hundreds of court sessions held between July 2010 and June 2012. During this time period, volunteers observed more than 11,700 cases. Over 6,500 cases were observed in the criminal courtrooms. Another 5,200 cases were observed in the civil courtrooms. Volunteers were asked to provide objective data on individual cases. Volunteers were also asked to share their assessment of the courtesy, respect, and attitudes displayed by representatives from the various court departments. Finally, volunteers were asked to provide feedback on the court's preparedness and timeliness in serving the public.

Dear Friends:

I am excited to share with you the Chicago Metropolitan Battered Women's Network's (The Network) newest Court Watch Report! In it you will find valuable insight on domestic violence court proceedings, gleaned over a 24 month period, by our Court Watch volunteers. These volunteers are a dedicated group of community members who desire a legal process where victim safety and offender accountability remain paramount. Allow me to provide you with some helpful background information on the Court Watch Project.

In October 2005, Cook County centralized its standing Chicago-based domestic violence courts into one state-of-the-art building located at 555 West Harrison Street, Chicago, Illinois. This innovative court brought with it the anticipation by many in the Chicago community that a new facility would in time result in more effective handling of domestic violence cases. However, we learned by way of an article published by the Chicago Tribune in 2008 that the conviction rate of domestic violence cases in Cook County remained poor (17%).

Through its strong history of advocacy work within the domestic violence community, The Network was already attuned to the lack of progress at the court. Therefore, when the Illinois Department of Human Services offered The Network the opportunity to create an AmeriCorps VISTA volunteer position charged with developing and implementing a Domestic Violence court watch program, we gladly accepted.

Court Watch went on to develop a partnership with Loyola University Chicago's Center for Urban Research and Learning (CURL) that was in keeping with CURL's mission to promote equality and improve people's lives through cultivating collaborative research and education efforts. This vital urban university works with the Court Watch Project to enter, synthesize, and analyze data collected by the Courtwatchers. It was through this work that we produced the first Court Watch Report in October 2010.

It is also important to note that in January 2010 Chief Judge Evans created a new Domestic Violence Division of the Cook County Circuit Court. This new Division combined the efforts of both the civil and criminal courts hearing domestic violence cases. Under the Division, on-going efforts are underway to enhance our system's response to this specialized crime.

As a critical part of the effort to inform a more effective judicial response to domestic violence, the Court Watch Project recognizes the need to obtain additional court data to more fully demonstrate the outcomes of the court system. In partnership with Loyola's CURL, we are pursuing the possibility of gathering administrative data from the court to help identify the impact of the legal response on domestic violence in Chicago. It is our hope that this data, supplemented by the Court Watch volunteers' keen observations, will play an integral role in developing informed recommendations and identifying the steps we must take to hold abusers accountable and keep families safe.

In peace,



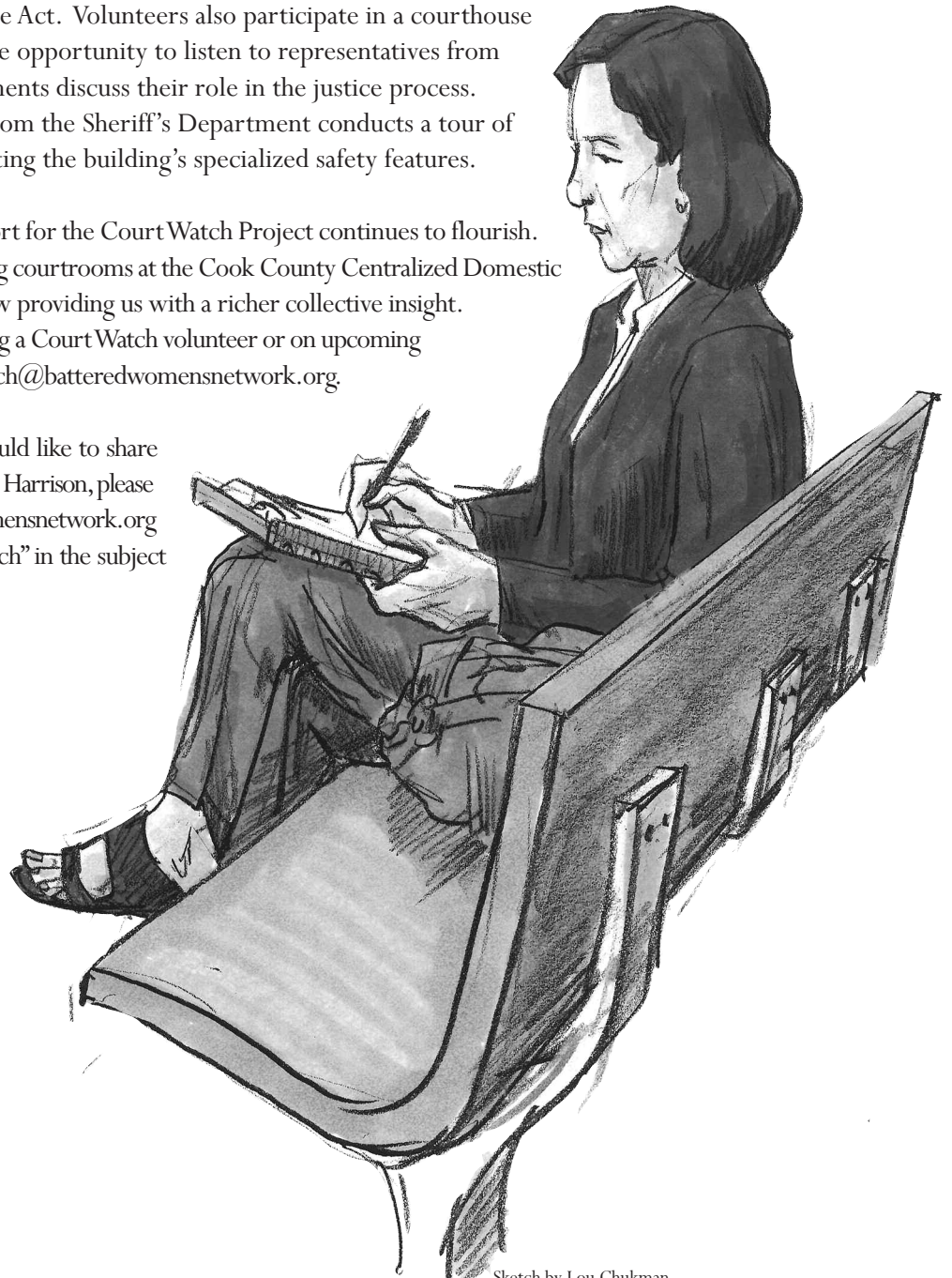
Dawn Dalton
Executive Director

INTRODUCTION

The Court Watch Project is staffed by a group of volunteers who record their observations of domestic violence proceedings using guided forms. From the outset, volunteers are apprised that their observations are captured for inclusion in a public report of recommendations. The Court Watch Project volunteers range from psychology students to practicing attorneys to retired persons- all with an interest in impartially assessing the efficiency and effectiveness with which domestic violence cases are handled by the judicial system. In preparation to observe proceedings at the Cook County Centralized Domestic Violence Court, volunteers participate in a full-day training session focusing on the dynamics of domestic violence and the relevant laws and legal processes as they pertain to the Illinois Domestic Violence Act. Volunteers also participate in a courthouse orientation, where they have the opportunity to listen to representatives from each of the courthouse departments discuss their role in the justice process. Additionally, a representative from the Sheriff's Department conducts a tour of the courthouse facility highlighting the building's specialized safety features.

Interest in and community support for the Court Watch Project continues to flourish. The pool of volunteers monitoring courtrooms at the Cook County Centralized Domestic Violence Court continues to grow providing us with a richer collective insight. For more information on becoming a Court Watch volunteer or on upcoming trainings, please contact courtwatch@batteredwomensnetwork.org.

If you have an experience you would like to share regarding the court process at 555W.Harrison, please write to courtwatch@batteredwomensnetwork.org and be sure to include "Court Watch" in the subject line.



Sketch by Lou Chukman

UPDATES ON 2010 RECOMMENDATIONS

RECOMMENDATION 1: The court should utilize a full day to adequately serve the public. Balancing a prepared caseload between morning and afternoon calls will result in fewer breaks of indeterminate length and permit more attention and time to be devoted to each case, and will lighten the load on all court personnel.

UPDATE 1: In January 2011, the courtrooms hearing civil cases in the morning moved the start time from 9:30 to 9:00 a.m. The start times for courtrooms hearing civil and criminal cases in the afternoon have not changed, with those hearing civil cases beginning at 2:00 p.m. and those hearing criminal cases beginning at 1:30 p.m.

RECOMMENDATION 2: Develop coordinated communication between law enforcement and the courts so that expectations for Petitioners are clear. Publicize fantastic existing resources such as the children's advocacy clinic, the victim waiting rooms with corresponding intercom system, and the victim safe elevator.

UPDATE 2: No progress.

RECOMMENDATION 3: Encourage collaboration between the criminal and civil courts. Facilitate a protocol whereby a complaining witness in a criminal matter can retain her Order of Protection even if the State elects to terminate the criminal case.

UPDATE 3: Pursuant to a March 2011 court order signed by then-Presiding Judge of the Domestic Violence Division Grace Dickler, complaining witnesses were to be permitted to retain an Order of Protection even when the State elects to terminate a case.

RECOMMENDATION 4: Increase number of interpreters. Implement a method to station interpreters in one courtroom (or on one floor) on a rotating basis so that coverage is maximized.

UPDATE 4: No progress.

RECOMMENDATION 5: Require basic training on domestic violence dynamics. All court staff needs to be held to a standard that shows the seriousness of the cases coming into the court.

UPDATE 5: As of September 30, 2011 over 90 Assistant State's Attorneys, 55 Victim Witness Specialists, and 10 Investigators from the State's Attorney's Office completed a 40-hour domestic violence training course conducted by the Chicago Metropolitan Battered Women's Network. In the upcoming year, an additional 110 Assistant State's Attorneys will participate in a 20-hour domestic violence training course offered by The Network. As of October 2012, approximately 130 officers and case managers from the Adult Probation Department completed a full-day training course on increasing victim sensitivity and safety, also conducted by The Network. Finally, nearly 200

Updates on 2010 Recommendations continued...

individuals from the Chicago Police Department participated in a one-day “train-the-trainer” course designed to equip Sergeants and Domestic Violence Liaison Officers with the tools and resources they need to implement successful domestic violence trainings for law enforcement first responders.

RECOMMENDATION 6: Require extensive training on the Illinois Domestic Violence Act including qualifying relationships, types of relief available, situations where each type of relief best addresses the parties’ needs, and effective consequences for violations of Orders of Protection.

UPDATE 6: A Domestic Violence Division Judicial Training on domestic violence took place in October 2011 conducted by the National Council of Juvenile and Family Court Judges.

RECOMMENDATION 7: Implement a process to efficiently screen cases from outset. Utilize emergency orders where appropriate, but direct cases that are better suited for plenary hearings elsewhere (i.e. probate and guardianship matters) so they do not exhaust valuable court resources and ensure litigants are being heard by the courts best equipped to address their concerns. Mimic the approach used with Domestic Relations cases, and consolidate matters before they reach the plenary hearing stage.

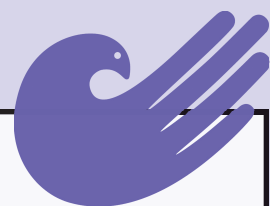
UPDATE 7: No progress.

RECOMMENDATION 8: Communicate expectations to Petitioners and Respondents alike. Petitioners and Respondents must know in advance what the process requires of them- from the minor details (ensuring their case is not dismissed or a default order is not entered against them) to the major concerns (what level of proof is needed and what types of evidence will be relevant and admissible). Advise what items may not be brought to the courthouse as well as what resources may be available for them while they are there so they may plan in advance. This may be done by mailing information out along with Notices to Appear and/or other court correspondence.

UPDATE 8: No progress.

RECOMMENDATION 9: Start at the beginning of the process of filing for an Order of Protection by better guiding Petitioners. Provide assistance to help shape their requests by creating educational materials that illustrate the types of relief available for Petitioners under the IDVA. Create a simple, easy-to-follow guide to assist Petitioners who do not have one-on-one assistance. Provide model completed forms. Show examples of incorrectly filled out forms. Devote energy and resources to securing more help for Petitioners in the beginning stages of the process by stationing well-trained advocates, lawyers, and volunteers in the court’s screening area.

UPDATE 9: In January 2011, a pilot project was implemented, and has since been permanently added as a feature of court offerings, using the services of law students and pro bono attorneys to assist pro se litigants in the completion of their paperwork.



**CURRENT
FINDINGS &
RECOMMENDATIONS**

FINDING 1: The Cook County Centralized Domestic Violence Court must make full use of existing resources, as unprepared courtrooms and frequent unannounced breaks of indeterminate length tell victims their requests are not important.

CHALLENGES:

Civil Court

- There were two cases, duplicate OPs (one of which is 2 years old). DCFS [Department of Children and Family Services] is involved. The case had to be postponed; court is too busy today to have this hearing.
- I found nothing going on in criminal court. I came to Courtroom 202 at about 2:15, but court was not in session. However, there were many people in the courtroom and outside on the bench. I was unsure if the Judge was in the courtroom yet. At 2:45 she came into the courtroom, but the clerk and deputy were not there. She left to find them.
- I want to note that the court I was supposed to observe was cancelled. This is the second time I have been scheduled for afternoon court and both times there were no cases for afternoon sessions.

Criminal Court

- The Judge did not explain things clearly, and left for breaks without specifying the amount of time.
- Complaining Witness filed papers prior to 11 a.m. Case files did not arrive in the courtroom until 12:10 pm, causing the Judge to take a break to wait for the files. At this point it was discovered that there's a problem with the OP paperwork. Complaining Witness told to come back at 2 p.m.
- Each case was given plenty of time but too many breaks. Why are the mornings so busy and the afternoons so slow?
- Court was a little unorganized because ASAs never talked to people before hand.
- Set for trial today but another status date set. ASA can't find police report.



Sketch by Lou Chukman

OBSERVATIONS WORTH COMMENDING:

- The clerk checked in with everyone during the break to make sure they were all checked in. She handed out orders of protection to people waiting while others were having hearings. I think they kept everything moving smoothly.
- Advocate met with clients on time to review cases which made for timely, efficient and informed courtroom decisions.



- ASA was preparing/looking over cases before court started – they were ready when cases were called and knew cases well – extremely prepared.
- At the first break, Judge explained that they needed some time to let attorneys talk to Defendants and Complaining Witnesses, and court would resume in 20 minutes. He came back in 20 minutes.

RECOMMENDATION 1: As stated in the 2010 Court Watch Report, the court should utilize a full day to adequately serve the public. Balancing a prepared caseload between morning and afternoon calls will result in fewer breaks of indeterminate length and permit more attention and time to be devoted to each case.

**Note regarding volunteer comments: Any text included within parentheses or underlined is the wording of the volunteer providing the commentary; whereas any text included in brackets is that of the report's authors to provide clarity.*

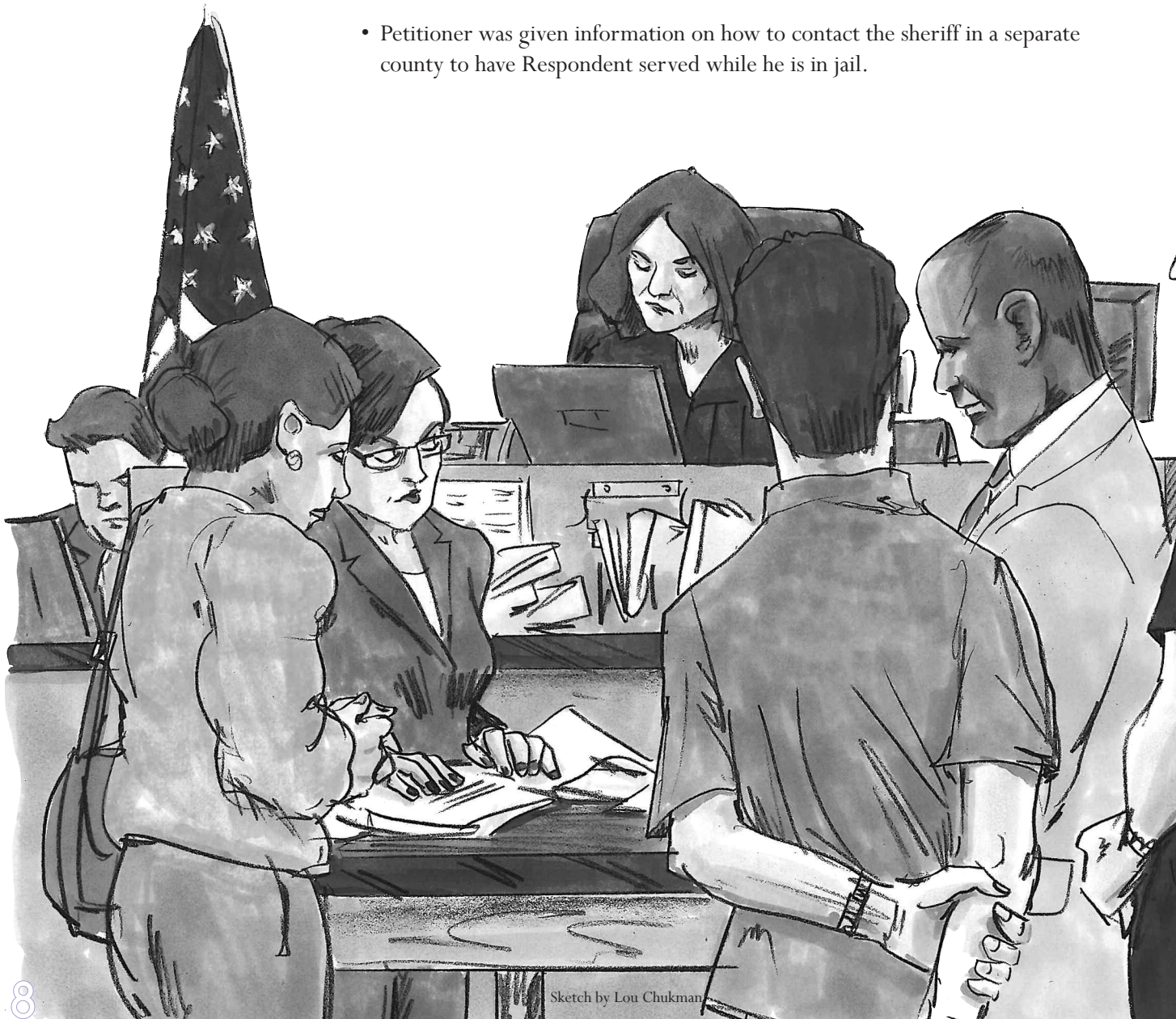
FINDING 2: Despite the creation of a new division combining civil and criminal domestic violence cases, court departments and individuals are not yet united in their efforts. Existing resources remain uncoordinated, unused, or selectively available.

CHALLENGES:

Civil Court

- There should be separate waiting areas for Petitioners and Respondents. While waiting for court to start, both Petitioner and Respondent were right by each other. The Respondent walked in front of Petitioner and kept giving the Petitioner very mean, threatening looks. There were no deputies around, so it was a bit nerve wracking and dangerous for the Petitioner.

- Petitioner was given information on how to contact the sheriff in a separate county to have Respondent served while he is in jail.



- Petitioner wants to modify OP and says Respondent violated OP. Judge told her to go to State’s Attorney’s office, transferred Petitioner up to another Judge. The first Judge had checked two contradictory boxes on OP form – and the second Judge wanted the issued resolved by original Judge.
- Petitioner said Respondent is running and hiding from service. Judge explained process. Petitioner got upset and asked what she has to do about her job since she keeps having to take off work for it. Judge said it should only be two more times.

Criminal Court

- A public defender was appointed a case and was supposed to meet with Defendant today. She [Assistant Public Defender] was in the courtroom and never met with him [defendant]. His case was recalled over two hours later and rescheduled.
 - Set for trial today, but the police officer could not be here (on furlough). Two witnesses who were subpoenaed are here; case continued.
 - Judge encouraged CW to call police if he violates the OP again. She said he laughs at her when she calls the police and then after the police leave, he always comes back. Judge and then ASA explained that because of her warrant [requested by State and issued by Judge for defendant], he will be arrested for this behavior. CW was still understandably anxious.
 - Child endangerment charge. Police officer absent. [Case] dismissed?!

OBSERVATIONS WORTH COMMENDING:

- Judge thanked each petitioner for her/his patience and courtesy during the process and was very respectful to all involved. When a petitioner thanked him graciously for granting his order, the judge also thanked the advocates, interpreters, and all other court employees for their hard work! Respect not only for petitioners, but also co-workers! I thought that was very nice and encouraged a mutually respectful court environment!
- Everything went smoothly. Because parties were still contentious when leaving the courtroom, the court arranged to stagger exits from building and alerted security.

RECOMMENDATION 2: In accordance with the unification of civil and criminal courts under the Domestic Violence Division, the court must take ownership of the behind-the-scenes tasks and provision of up-to-date information. The onus of these administrative tasks currently falls on victims, who are often in a state of crisis and should not be obligated to navigate convoluted court processes, resulting in duplicate proceedings, unnecessary paperwork, and confusion.



FINDING 3: A diverse, multi-lingual public uses this courthouse without adequate staff to meet their needs.

CHALLENGES:

Civil Court

- People were sent back repeatedly out into the hallway to look at their line number before the clerk would acknowledge them as ‘checked-in’... people who do not speak English will not understand what a line number is when asked to look it up on the call sheet.
- Had to wait on interpreter because there were not enough apparently.
- Petitioner’s son interpreted. There should have been court appointed interpreter. Not clear if Petitioner received unbiased communication.
- A Petitioner requested an interpreter, but the Judge continued anyway. Although his English was okay, he requested one and I feel like his wishes should have been granted or the Judge could have at least said “Do you understand everything?” The Respondent hasn’t been served.

Criminal Court

- Only two interpreters for all courtrooms. Case delays until interpreter is available. This case was scheduled. Should have had an interpreter available.
- The case involved a domestic battery. The Complaining Witness asked to dismiss case. Translator does not translate all of the Judge’s questions.
- Defendant did not understand any English and no interpreter was used. Even though his case was dismissed, there probably should have been an interpreter there to explain what happened and why.
- Interpreter needed, but no one knew what dialect was needed. Chinese interpreter was called, but did not respond. Passed for 1:30pm, then for June 1st court date. ‘We don’t know if it’s Mandarin or not. He lives in Chinatown.’

OBSERVATIONS WORTH COMMENDING:

- Judge was sensitive to the needs of the non-English speaker or limited English speaker. The Petitioner did understand but took more time to process what was being said. The Judge recognized it and spoke slower to the Petitioner. Then he ordered a Farsi speaker/interpreter for the next court date.



Sketch by Lou Chukman

- Good: called all cases that needed interpreter together.
- Defendants brought in and out very quickly. When Spanish interpreter here, made sure to call all defendants who needed him.

RECOMMENDATION 3: As stated in the 2010 Court Watch Report, the court must increase the number of interpreters, and should implement a method to station interpreters in one courtroom or on one floor on a rotating basis so that coverage is maximized.



FINDING 4: In a system that requires a specialized response, court personnel demonstrate a lack of foundational knowledge, skill sets, and sensitivity that serve to negatively impact a victim’s experience accessing the judicial system.

CHALLENGES:

Civil Court

- The Judge asked “Why are you seeking an order of protection if you are not planning on ending the relationship?”
- The Judge said she was done with the “he said-she said” childish acts.
- Small talk, conversations are distracting and inconsiderate during Petitioner’s emotional testimony. Appears disrespectful to the rape survivor.



- During a hearing, the Judge was trying to keep things short. Respondent kept asking the Petitioner the same questions. The Judge asked Petitioner why it took so long for him to come in if Respondent has been harassing Petitioner for 3 years. The Judge seems very irritated.

Criminal Court

- The court clerk made exaggerated facial expressions during Complaining Witness's testimony. I felt this could be upsetting to a Complaining Witness who was emotional during testimony.
- The deputy never looked up from his desk. It seemed strange that he didn't pay attention to what was going on in the courtroom. I understand it's a little slow, but it still seemed strange that he never looked up.
- During recess, two deputies talked by defense table sharing various stories of unruly individuals they have dealt with in courtroom. Deputies were laughing and joking about these incidents, using foul language in retelling the stories (eg. "Beat you're a--," and "F---king stupid.") There were several of us waiting for court to resume sitting in the courtroom, and we could clearly hear their conversation. This seemed very inappropriate.

OBSERVATIONS WORTH COMMENDING:

- After this case was over, the Petitioner was very emotional and still expressing concern for her safety. The deputy called for an advocate and the advocate went into one of the conference rooms to speak with her.
- Personal conversations went on when courtroom was empty, but as soon as a Petitioner entered, the conversation stopped and was professional.
- When an attorney says "this is a particular serious issue," the Judge always reminded the courtroom that all cases in DV court involve serious issues.
- When a Defendant did not comply with his/her probation the Judge was firm, but very direct. He would say "time is running out, this court case is not going away. You will complete your classes or do time. See you then!"

RECOMMENDATION 4: As stated in the 2010 Court Watch Report, to adhere to the commitment to a specialized response, all court staff needs to be held to a standard that reflects the seriousness and urgency of the cases heard within the Domestic Violence Division.



FINDING 5: Departments and individuals who work within the Domestic Violence Division are not fully utilizing the range of carefully crafted remedies available under the IDVA.

CHALLENGES:

Civil Court

- For line 13, the case was extended so the parties could retain counsel. The Petitioner expressed fear for her safety and that respondent could come into her home. The judge told her to change the locks.
- Petitioner wants Respondent to get counseling, but Judge explained that is not something she can order. Both sides decide to get attorneys.
- Judge denies OP, but grants stay away order – suggests marriage counseling.
- Judge orders OP for 2 years – which does not apply to their daughter. Judge told lawyers that he does not deal with issues that should be heard in divorce/parentage court – I have heard these comments from a lot of Judges.

Criminal Court

- Father pushed her down front porch stairs – she had 4 surgeries after the incident resulting from her shattered leg – state’s attorney is pursuing criminal charges against her father – Judge said she doesn’t see an emergency because of lack of contact but she does see a reason to file the charges and set court date.
- The combination of zealous PDs, inept ASAs and blasé Judge leads to imbalance – good results for Defendants and over looking rights of Complaining Witnesses.

OBSERVATIONS WORTH COMMENDING:

- Judge is clear that the woman’s safety is the most important thing. She lets the woman decide, and gives her time to think. Judge took time to explain the custody and visitation decisions of the OP and what language meant... [Judge] explained OP and addresses and how they are served and what the difficulties are.
- Judge realized Petitioner was of age (57) when she could add exploitation (additional remedy) to OP.
- Respondent punched Petitioner causing facial injuries. Children present at the time. There is a history of violence while Petitioner was pregnant. Sister and children part of order. Temporary custody of children granted, visitation reserved.
- Respondent is threatening to damage home. Respondent allegedly broke Petitioner’s jaw when she was pregnant a year ago. Respondent charged with physical abuse, harassment, and intimidation of a dependent. Respondent ordered to have no contact, no visitation with children.

- Defendant claims Complaining Witness is violating her own OP. Judge explained that this isn't possible, only the Defendant can violate the OP.

RECOMMENDATION 5: The judges presiding over cases heard within the Domestic Violence Division, and the Assistant State's Attorney's charged with litigating those cases, should receive training on how to effectively utilize the full range of remedies available under the IDVA. When the IDVA is implemented in its full capacity, in the way it was thoughtfully intended by the legislature, it has the potential to provide comprehensive protections for victims of domestic violence.



Sketch by Lou Chelman

FINDING 6: Victims need a more transparent process as well as accessibility to attorneys and advocates for court proceedings.

CHALLENGES:

Civil Court

- Cases were too quick, and the Judge didn't make sure that the Petitioners understood the outcomes.
- The Petitioner seems frustrated because the Respondent has not been served – the Judge provides little help or explains action to her about the process and just keeps telling her to call the police.
- Case was already dismissed after a hearing at an earlier date. Now there is a new harassment incident. Judge told Petitioner “this case is not available for reinstatement” and “you need to file a new case,” then denied the motion. Petitioner seemed confused and didn't understand process.

Criminal Court

- Introduction to court was recited quickly with no details, using a low voice. The person next to me said to another person next to them, “I don't know what is going on.”
- I would have liked it if the Judge explained the consequences of violating an OP/ misdemeanor. Not sure Defendant understood.
- I don't understand why advocates were not present for CW's.



Sketch by Lou Chukman

OBSERVATIONS WORTH COMMENDING:

- The Judge did a great job in directing a Petitioner to speak to an advocate about criminal proceedings. The Petitioner was confused about the process and needed help.



- Deputy reminded Respondents to sign in if they haven't - that's good because some people don't know to do that.
- Advocate was helpful in assisting the elderly petitioner to try and help him understand the judge's words.
- Judge gave a speech about court proceedings and services, as well as how to get a lawyer. Gave proceedings of how the court works, and how it's different from criminal court. Gave a review of terms used in court in relation to orders of protection. Speech lasted 5 minutes.

RECOMMENDATION 6: As stated in the 2010 Court Watch Report, communicate expectations to litigants so that they know in advance what the process requires of them- from ensuring their case is not dismissed or a default order is not issued against them to the hurdles of effectuating service or the consequences of violating an Order of Protection.

FINDING 7: Parties and claims make it through the screening process, despite factors that indicate certain cases would be better served by other courts.

CHALLENGES:

Civil Court

- Landlord requesting OP against tenants. Hearing held. Plaintiff is landlord, asking for OP against two tenants renting her basement... Landlord broke into rented unit. Judge finds this is a landlord/tenant issue, not enough for an OP.
- This case was a request to consolidate with a probate court case regarding guardianship. The next two cases are just like it.
- Public guardian shared concerns for Petitioner's capacity and indicated the parties are waiting for a doctor's report. Many family members involved and appear to have different opinions about who should be power of attorney and who should be Social Security payee. Neighbor shared concerns about neglect... Judge continued case to a later date, awaiting a doctor's report. Judge amended OP so brothers can have contact.

Criminal Court

- He tried to force sex on his pregnant ex-girlfriend, then committed Domestic Battery.
- Domestic Battery. Victim wouldn't have sex with defendant. Defendant threw her at fridge (she's pregnant).

OBSERVATIONS WORTH COMMENDING:

- Temporary Order of Protection continued. Judge patiently explained to petitioner what this court house can do. Petitioner appeared a bit confused. Judge explained divorce proceedings happen at Daley Center.

RECOMMENDATION 7: The court must implement a reliable process to efficiently screen cases from the outset in an effort to reserve valuable court resources and ensure cases are being heard in the most appropriate venue. It is also imperative that pro se litigants receive consistent, informed assistance from the outset in order to be directed to the court best equipped to address their concerns at the hearing stage.

GLOSSARY

Advocate:

Any person who has undergone a minimum of forty hours of training in domestic violence and who provides information, referral, crisis intervention, and advocacy services to victims through a domestic violence program.

Alias Summons:

Court document that extends the time period in which a Defendant/ Respondent may be legally served.

Assistant State’s Attorney (ASA):

The attorney who represents the State as the prosecutor in criminal proceedings.

Call sheet:

A roster of cases to be called during a court session.

Complaining Witness (CW):

The survivor/victim on whose testimony the state relies to bring its case.

Courtwatcher:

A volunteer who observes the courthouse experience for both civil and criminal court proceedings and records key information for use in a report made available to the public.

Defendant:

The individual defending charges brought by the State.

Domestic Violence:

A pattern of physical and psychological abuse, threats, intimidation, isolation, or economic coercion used by one person to exert power and control over another person in the context of a dating, family, or household relationship.

Illinois Domestic Violence Act (IDVA):

The IDVA protects domestic violence victims who have or had a “family or household.” Family or household members include those related by blood or present or prior marriage; current or former boyfriends or girlfriends; parents of the victims’ children; current or former roommates; and persons residing or employed at a private home or public shelter.

GLOSSARY CONTINUED...

Order of Protection (OP):

A court order that prohibits unwanted/ abusive contact by an abuser and is only available to those with qualifying relationships identified in the IDVA. An **Emergency Order of Protection (EOP)** can be obtained ex parte (without notice to the other party), and is effective for no fewer than 14 days and no more than 21 days.

Consequences for violating an Order of Protection: Violating an order of protection is a Class A misdemeanor, and if found guilty, the defendant could go to jail for up to 364 days and pay a fine. A second violation of an order of protection (or a violation after conviction of a serious crime against a family or household member) can be charged as a felony. If an abuser commits a second violation of an order of protection, and is found guilty, courts must sentence the abuser to 24 hours jail time and order abuser to pay a \$100 domestic violence fine, unless the increased fine will impose undue harm on the victim of domestic violence.

Petitioner (sometimes referred to as “victim” in the observations):

The individual seeking an order of protection in a civil case.

Pro Bono:

Free legal services.

Pro Se:

An individual who is accessing the court system without legal representation.

Public Defender (PD):

An attorney employed by the county government to provide free defense services to those who are charged with a crime and cannot afford a private attorney.

Respondent:

The individual who is named as the offending party against whom the petitioner is seeking an order of protection.

Service:

The process where a person is officially notified of a pending lawsuit and/or judicial order.

TO VIEW THE IDVA IN ITS ENTIRETY, PLEASE VISIT:

www.ilcadv.org/dv_law_in_il/idva_booklet_1-2009.pdf

CHICAGO METROPOLITAN BATTERED WOMEN'S NETWORK

Dawn Dalton
Executive Director

COURT WATCH PROJECT

Lillian Cartwright
Court Watch Project Coordinator

Court Watch is grateful for the many dedicated volunteers who choose to share their time and talents with the Court Watch Project in an effort to improve the justice system's response to those impacted by domestic violence. Without their commitment, this project would not be possible.

Special thanks to Loyola
University Chicago's Center for
Urban Research and Learning



Preparing people to lead extraordinary lives

The Network is grateful to Megan V. Rose, the Court Watch Project's previous Coordinator, for her hard work, dedication, and significant contribution to the writing of this report.

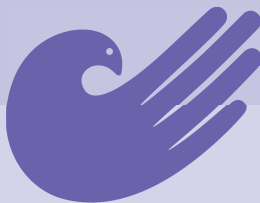
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