



2024 Court Watch Project Report Summary  
22<sup>nd</sup> Judicial Circuit Court St. Louis City  
November 2023 – May 2024

This is a summary of the 2024 Court Watch Project report to the 22<sup>nd</sup> Judicial Circuit Court. Volunteers observed specifically Division 16, which hears intimate partner Adult Abuse civil cases. Recommendations presented to the Court are listed in this summary. The full report with supporting data is attached.

## RECOMMENDATIONS

**Recommendation 1:** The Sheriff's Department and Judicial Leadership should establish recommended safety protocols specific to adult abuse dockets.

Coming to court can often be an increased risk for victims and provide an opportunity for abusive partners to further manipulate or intimidate. Deputies and court staff should be trained on the techniques abusers often use and any possible safety risks for victims.

Below are a few suggestions for recommended safety protocols for any Deputies attending to adult abuse dockets.

1. Staggered exits for Petitioners and Respondents.

It is essential that victims feel safe not only in the courtroom but as well as coming and going from court. As noted above, only 35% of the Respondents were held in the courtroom after hearings allowing little time for victims to get to their cars safely.

- Ensure Respondents are held in the courtroom for an additional 15 minutes after hearings to allow Petitioners to leave safely.
- Announce this procedure at the beginning of each session for transparency.

2. Consistent separation of Petitioners and Respondents before, during and after hearings.

The Court has multiple signs posted on each side of the courtroom on where individuals should sit. However, monitors noticed that when asked, litigants were either unsure if they were the Petitioner or Respondent or because of a mutual filing they were considered both.

- Deputies should check in all persons entering the courtroom and ensure parties are seated on their designated sides. For mutual filings, the deputy should ensure parties are not seated on the same side of the courtroom.
- Judges should call petitioners up to the bench first, with a brief pause before calling respondents, to avoid confrontations.
- After hearings, hold either the petitioner or respondent briefly at the bench until the other party has taken their seat to prevent simultaneous release.

### 3. Monitoring of courtroom for any signs of intimidation or harassment.

- One deputy available always within the courtroom before and during the proceedings. If that deputy needs to step out for any reason an additional deputy be called to relieve them.
- Instruct parties on behavioral expectations both in the courtroom and in hallways, including no talking between parties and no staring.
- Parties should be directed to look only at the judge during testimony to avoid intimidation.
- Similar instructions should be given for behavior while waiting for their case to be heard.

**Recommendation 2:** Provide litigants with a more transparent process, specifically regarding an explanation of the court proceedings, expectations of behavior while at court, and consequences of violating the order.

As stated previously, in only 24% of the dockets did monitors observe information shared with parties prior to the docket on the court process, how to present their case, or what information is admissible. While some information is provided to petitioners when they apply for the order, not everyone responds or comprehends information in the same manner, especially after a traumatic event. Respondents are also more likely to comply when they feel the process has been fair and have a clear understanding of the parameters of the order.

In addition, the court experience may be a safety concern to some Petitioners. For example, it would be useful for Petitioners to know that if they felt unsafe getting to their mode of transportation after a hearing, they can request a deputy to escort them. Expectations on behavior during the docket, only one party in the hallway at a time and respondents waiting to leave after petitioner can also create a sense of control and safety within the courtroom.

A more standardized explanation would provide litigants with a clearer understanding of the court and seriousness of the matter. Suggestions to improve transparency are below.

#### 1. Information and Education for Litigants:

- A verbal introduction by the judge with how the docket will proceed, options of consent and what information is important for the judge to hear should be included.
- Expectations of behavior while in court.
- Deputies hold respondents 15 minutes to allow time for petitioner to safely leave the courthouse.
- Roles of the different players in the courtroom i.e. advocates, clerk, purpose of GALs and the family mediators if present.

## 2. Plain Language Explanations:

- Explain court decisions and expectations in plain language to ensure comprehension, especially for those without legal representation.
- Clearly outline conditions of court orders to prevent confusion and promote compliance.

These recommendations aim to empower self-represented individuals with the knowledge and resources they need to navigate the legal process effectively, while also ensuring their safety and understanding of court proceedings, particularly in sensitive cases like adult abuse.

**Recommendation 3:** The Court should review ways to enhance and support self-represented individuals seeking relief from the Family Court.

The Court can play a vital role in providing resources and information for pro se litigants to make the process more accessible and supportive. When victims enter the courts seeking orders of protection or custody arrangements, the process can seem overwhelming and complicated. By providing resources such as self-help centers, a user-friendly website with available forms and legal information, or on-site community partnerships the Court can support self-represented litigants through the complex processes.

Because many individuals try to obtain information regarding the legal system before ever going to court, readily available information via a user-friendly website could be a first step in enhancing services for self-represented litigants. The website should include information about the processes of custody, divorce, and orders of protection. Forms should be accessible with easy-to-follow instructions, relief available through the courts, and how if at all, domestic violence may impact a case. Contact information for community resources such as domestic violence agencies, Fathers and Families Support Center and free legal assistance programs should be listed.

The Center for Justice Innovation recently published a guidebook outlining ways courts can assist self-represented litigants throughout the court process. From simple multi-lingual signage in the courthouse to collaboration with community legal resources to establish a

self-help center for litigants, *Assisting Self-Represented Litigants in Domestic Violence Cases (2018)* provides many examples of what other jurisdictions from across the country have developed.

- Utilize the court’s website to offer a comprehensive, user-friendly guide to the court process for self-represented parties.
- Make sure forms, handouts, and brochures are easily accessible and understandable.

**Recommendation 4:** Provide orientation, specialized trainings, and promote consistency among judicial officers and court staff.

The Center for Court Innovation designed a guide to help courts better understand how to respond to domestic violence cases risk factors in civil protection order cases. The *Implementation Manual: Domestic Violence Risk Factor Guide for Civil Court Project (2017)* has several tools to assist judges, advocates and civil attorneys with articulating and assessing risks in matters of adult abuse.

Assessing risk can be difficult in domestic violence cases for a multitude of reasons because situations tend to fluctuate. First, victims of domestic violence often minimize the abuse, especially in front of their abuser. In many situations, the abuse and control tactics can be so normal for them throughout their lives that the victims themselves have difficulty providing details or have the language to represent a true picture of what is happening. Trauma from abuse can also make remembering specific details even more difficult.

A victim’s focus at court may be on protecting their children or property, despite the original assault that brought them to file an order in the first place. Because, for them, that immediate crisis is over. This can make testimony difficult, and details needed for the Judge to decide are often too watered down or not disclosed unless the Judge is familiar with specific risk factors or questions to assist in capturing more information specific to the abuse. Ethically or safely gathering information regarding risks can also be challenging for judges.

1. Promoting Consistency and Efficiency:

- **Longer Rotations:** Consider extending judicial rotations beyond one year to promote continuity and allow judges to develop expertise in handling domestic violence cases.

2. Tools and Resources:

- **Bench Cards and Practice Manuals:** Provide judges with practical tools such as bench cards that outline procedural guidelines, safety practices, and resources available for victims.

### 3. Orientation Process:

- **Create a comprehensive orientation program** tailored for incoming judicial officers and court staff. First and foremost, ensure that the orientation includes specifics of the Missouri Domestic Violence Act (Chapter 455 of the Missouri Revised Statutes). This program should also be designed to familiarize them with:
  - Best practices for protection order dockets, including introductory remarks, safety practices and efficiency of dockets.
  - Custody and visitation addressed within orders of protection,
  - Local law enforcement response to protection orders, the experience of victims when reporting to law enforcement, and the criminal justice response of the Circuit Attorney's Office.
- **Understanding the cycle of violence and dynamics of abusive relationships.**
  - Recognizing lethality factors and risk assessment tools.
  - Ethical considerations and sensitivity in dealing with domestic violence survivors.
  - Impact of domestic violence on children and how to provide safety to the non-offending parent while also establishing visitation schedules.

### 4. Trauma-Informed Approach:

- **Ensure all judges receive training in trauma-informed practices** to better understand how trauma impacts victim behavior and testimony in court.
- **Sensitive Questioning:** Equip judges with skills to ask sensitive questions that can elicit crucial details from victims, even when they may initially minimize abuse or struggle to articulate their experiences.

### 4. Enhancing Victim Safety and Offender Accountability:

- **Risk Assessment Tools:** Introduce tools and guides (such as the Center for Court Innovation's Domestic Violence Risk Factor Guide listed in the resources below) to assist judges in articulating and assessing risks in civil protection order cases.

By implementing these recommendations, the 22nd Circuit Court can improve its response to domestic violence cases, enhance judicial decision-making, promote victim safety, and increase the overall efficiency of adult abuse dockets. These steps aim to create a more supportive and informed environment for all parties involved in these sensitive legal proceedings.

**Recommendation 5:** Convene a discussion committee focused on the development of a specialized domestic violence court responding to civil order of protection dockets for the 22<sup>nd</sup> Circuit Court. This committee should include a diverse group of community stakeholders.

There are many strengths of the 22<sup>nd</sup> Circuit Court that Judicial Leadership should strongly consider developing a specialized domestic violence court focused on the order of protection process for parties. Currently, there are strides being made for compliance of the civil orders and criminal misdemeanor cases. It is important to expand these efforts to include the full scope of the order of protection process from application to final order. This initiative underscores the Court's commitment to addressing domestic violence and supporting survivors within the community.

A committee should meet regularly and consist of stakeholders within the Court and community who would be invested in the development of a specialized domestic violence docket. The committee of representatives who can provide guidance and support for implementing changes should include:

1. Judicial Leadership
2. Court Personnel involved in handling domestic violence cases, including clerks, bailiffs, and administrative personnel.
3. Sheriff's Deputies involved in serving protection orders and responding to domestic violence incidents.
4. Members from the Circuit Attorney's Office, the Public Defender's Office, and family law attorneys who handle domestic violence cases, both civil and criminal.
5. Family Court Professionals including Family Court Mediation Unit, Guardians ad Litem (GALs), and other professionals who work directly with families and victims in the court system.
6. Representatives from domestic violence victim advocates, abusive partner intervention programs, and organizations involved in supporting survivors and preventing domestic violence.

A specialized Domestic Violence Court would focus specifically on victim safety and offender accountability by providing a more accessible court to self-represented parties, specialized training to judicial and court staff, resources for both victims and offenders, and community involvement. Specific goals are identified below:

1. Establishing specialized procedures tailored to handling civil order of protection dockets, ensuring streamlined processes from application to final order.
2. Implementing practices that prioritize victim safety and hold offenders accountable, potentially including stricter monitoring and enforcement of protective orders.

3. Improving transparency for self-represented parties by providing clearer guidelines, resources, and support throughout the legal process.
4. Developing standardized practices and protocols across divisions to ensure consistent application of safety measures, procedural guidelines, and victim support resources.
5. Ensuring that resources are available in multiple languages to accommodate the diverse cultural and linguistic backgrounds of individuals within the jurisdiction.

## Resources

*Civil Protection Orders: A Guide for Improving Practice* is available on-line at:  
[http://www.ncjfcj.org/images/stories/dept/fvd/pdf/cpo\\_guide.pdf](http://www.ncjfcj.org/images/stories/dept/fvd/pdf/cpo_guide.pdf)

*Implementation Manual: Domestic Violence Risk Factor Guide for Civil Courts Project. Center for Court Innovation, 2017.* - This manual provides tools for judges, advocates and self-parties to respond to domestic violence risk factors in order of protection cases.

[https://www.courtinnovation.org/sites/default/files/documents/Risk\\_Factor\\_Guide.pdf](https://www.courtinnovation.org/sites/default/files/documents/Risk_Factor_Guide.pdf)

*Assisting Self-Represented Litigants in Domestic Violence Cases. Center for Court Innovation, 2018.* – A guide for civil courts to use when evaluating and improving ways to assist self-represented litigants through the system.

<https://www.courtinnovation.org/publications/assisting-srl-dv-cases-recommended-strategies>

## ACKNOWLEDGMENTS

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Saint Martha's fully funds the Court Watch Project. The advisory team is comprised of multiple advocates from the domestic violence community:

Carla Maley, Saint Martha's  
 Jessica Woolbright, Saint Martha's  
 Katie Dalton, Crime Victim Center  
 Christina Holmes, community volunteer  
 Pam Peigh, community volunteer