

**COMMITTEE ON THE IMPACT OF DOMESTIC VIOLENCE AND THE COURTS  
MINUTES**

November 14, 2007  
10:00 AM –2:00 PM  
State Courts Building,  
1501 W. Washington St., Room 345 A/B

**MEMBERS PRESENT**

Barbara Appenzeller, CPA  
Lt. Mark Carpenter  
Dr. Jennifer J. Casaletto  
Honorable Anita Escobedo  
Cdr. Larry Farnsworth  
Joan Fox, DDS  
Tracey Hannah, Esq.  
Honorable Ronald I. Karp  
Patricia Klahr  
Honorable Michelle Lue Sang  
Honorable Dennis Lusk  
Honorable Wendy Million  
Honorable Mark Moran  
Paul O'Connell (Cindy Roup)  
Honorable William O'Neil, Chair  
Doug Pilcher  
Robert Roll  
Catherine Shugrue-Schaffner  
Honorable Benjamín Zvenia

**MEMBERS ABSENT**

Kristen Hoffmeyer, Esq.  
Bridget Humphrey, Esq.  
Cheryl L. Karp, Ph.D.  
Honorable Sherry L. Geisler  
Sheri Lauritano, Esq.  
Jerold Monahan  
Honorable Carolyn Passamonte  
Honorable Jack Peyton  
Kim Van Nimwegen, MSW  
Tracey Wilkinson

**STAFF**

Kay Radwanski  
Lorraine Nevarez

**Guests**

Leah Meyers, GOCYF/DFW  
Jami Cornish, Community Legal Services  
Chris Groninger, AZFLSE  
Natasha Ter-Grigoryan, Public  
Richard Shugrue, Esq., Ph.D

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**I. CALL TO ORDER**

**A. Welcome and Opening Remarks**

Judge O'Neil, chair, called the November 14, 2007, meeting of the Committee on the Impact of Domestic Violence and the Courts to order at 10:05 a.m. Judge O'Neil welcomed the members.

**B. Approval of Minutes from September 5, 2007**

Minutes of the September 5, 2007, meeting of the Committee on the Impact of Domestic Violence and the Courts were presented for approval.

**MOTION: Motion was made and seconded to approve the September 5, 2007, meeting minutes. Motion passed unanimously.  
CIDVC-07-006**

## **II. Morrison Institute Report**

William Hart and Richard Toon, research and policy analysts at Arizona State University's Morrison Institute, reported on their recently released report, "System Alert: Arizona's Criminal Justice Response to Domestic Violence." Mr. Hart shared their findings on surveys completed by judges, prosecutors, victims, victim advocates, and probation officers regarding domestic violence. Their research has indicated that many find the judicial system needs to improve in some areas regarding victims' needs, level of victim involvement in the prosecution of DV offenders, and expanded domestic violence training for criminal justice professionals. Their recommendations to the criminal justice system are geared toward establishing a more efficient and effective reaction to domestic violence.

Judge O'Neil advised the committee that the Chief Justice has charged CIDVC with reviewing the "System Alert" report and making recommendations to bring about change. He urged members to think about the question, "If there were nothing in place, what would we put in place?"

## **III. DV Historical Perspective**

Judge O'Neil presented a power point on domestic violence and the response by the Arizona courts, including the formation of CIDVC and its many accomplishments since its inception. He identified the community needs that call for a judicial response to domestic violence and how the judicial branch has addressed those needs.

## **IV. Training-Arizona Rules of Protective Order Procedure**

Staff reported that the Supreme Court adopted the Arizona Rules of Protective Order Procedure (ARPOP) in September and the Rules will become effective January 1, 2008. The Project Passport forms are in the process of rolling out to the AZTEC courts, and the non-AZTEC courts also are in the process of implementing them. Also, a compact disc was produced to provide training information on ARPOP and the new protective order forms. The CD will be mailed to all presiding judges and training coordinators, and they may duplicate the training materials as necessary.

## **V. DV Rules Committee-Next Steps**

The DV Rules Committee has completed its charge. Judge O'Neil, chair of the Domestic Violence Rule Committee, will be making a presentation to the Arizona Judicial Council (AJC) regarding the Committee's recommendation for domestic violence training. Judge O'Neil also discussed the possibility that a committee might be formed by the Supreme Court for the purpose of reviewing the rules as any issues with them arise.

## **VI. Workgroup Reports**

- A. DV Forms Workgroup (Commissioner Passamonte, Chair) -- No update at this time.
- B. DV Benchbook (Hon. Wendy Million, Chair) – Judge Million advised that she has been working with Education Services to update the civil benchbook, including incorporating the ARPOP into it. Future updates of the benchbook will be handled by the Publications Committee, of which she is now a member. She also suggested

combining the DV Benchbook and Criminal Benchbook workgroups and changing the workgroup to a reference book workgroup. She noted that there is a need for a reference book for court staff, who rely on the benchbook for information about court procedure. Judge O'Neil delegated the reference book workgroup task to the current Criminal Benchbook workgroup to develop a reference book for staff and to also coordinate with the Publication Committee.

**MOTION: Motion was made and seconded to approve the new Reference Book Workgroup. Motion passed unanimously.  
CIDVC-07-007**

Judge Million also suggested establishing two new workgroups to begin acting upon the recommendations from the Morrison Institute's "System Alert" report. The workgroups would be a batterers' program workgroup and a victims' barrier workgroup. After further discussion, it was decided that one workgroup would study domestic violence courts and victims' barriers and another would study offender accountability issues.

As a result of this discussion, Judge O'Neil established three new workgroups: (1) Best Practices Workgroup (Judge Million, Chair); (2) DV Resource Book Workgroup (Judge Moran, Chair), and (3) Batterers' Treatment Policies & Programs Workgroup (Tracy Hannah, Esq., Chair).

- C. DV Criminal Benchbook (Hon. Mark Moran, Chair) – Judge Moran updated the material in the criminal benchbook and forwarded it to Paul Julien, judicial education officer. Like the civil benchbook, future updates of the Criminal Benchbook have become the responsibility of the Publication Committee and Education Services.
- D. DV Education Workgroup (Hon. Mark Moran, Chair) – The workgroup provided an education video to the Maricopa Association of Governments to incorporate into their existing teen education program. The workgroup has developed a preliminary plan proposal for the Judicial Conference next year. He noted that both Judge Lue Sang and Judge Million are members of the Judicial Conference Planning Committee. Tentative plans call for a two-part presentation, one of which will focus on the Morrison Institute report and the other to discuss the behavior of DV offenders in the courtroom and how judicial officers should deal with those behaviors.
- E. Legislative Workgroup (Hon. Benjamin Zvenia, Acting Chair)—Judge Zvenia reported that the workgroup has little activity as the Legislature is not in session at present.
- F. CPOR Policy/Technology Workgroup (Robert Roll, Chair) — Still coordinating with non-AZTEC courts in regard to the protective order forms and getting data into CPOR. Work continues with the Phoenix Municipal Court on providing limited access to CPOR so that the court's Pre-Trial Services Unit can provide relevant information in pre-sentencing reports.

## **VI. Announcements**

Because of schedule conflicts, Judge O'Neil changed the CIDVC meeting day from Wednesday to Tuesday for the next year. Meeting dates for 2008 are:

- February 12
- May 6
- September 9
- November 4

He reminded members that anyone serving as proxy must be from outside the committee. Also, a proxy may not carry multiple proxies. In addition, a member appearing telephonically must be present for the whole meeting to be included in the quorum.

Judge Zvenia reported on the North American Indian Courts Conference and gave accolades to Judge O'Neil for his efforts in steering Project Passport. Judge Zvenia noted that a number of tribes have adopted the Project Passport protective order forms. Judge O'Neil informed the members that he has been appointed to the State and Federal Tribal Forum. He noted that while not all Arizona tribes have adopted the forms, a number of them are using the Project Passport model.

## **VII. Call to the Public**

No public members addressed the committee.

## **VIII. Adjournment**

The meeting was adjourned at 1:35 p.m.

### **Next Meeting:**

Wednesday, February 12, 2007

10:00 a.m. – 2:00 p.m.

State Courts Building, Conference Room 345 A/B