



421 SW Oak St., Suite 230
Portland, OR 97204

CONTESTED RESTRAINING ORDER COURTWATCH PROJECT

The Multnomah County Family Violence Coordinating Council is sponsoring a courtwatch of contested restraining order hearings in Multnomah County. The courtwatch project will use trained volunteers to observe individual hearings in order to gain an understanding of the environment, court process, and outcomes for contested restraining orders. The goal of the courtwatch is to increase victim safety and offender accountability by observing the contested hearing process and outcomes and identifying strengths, gaps and opportunities for increased effectiveness in the court process and in related coordinated community responses to domestic violence.

Timeline: The FVCC civil court subcommittee and volunteers will observe hearings between September 2008 and April 2009 in order to observe most of the judges who preside over these hearings. The results will be reviewed and compiled in the spring and summer, and the committee will report back to the Executive committee with findings and recommendations in late fall of 2009.

Observers: Volunteer observers will be recruited from Portland State University Criminology Program, Lewis & Clark Law School, domestic violence victim service agencies, and FVCC member agencies. Observers will be trained on domestic violence dynamics, Oregon's Family Abuse Prevention and Elderly and Persons With Disabilities Abuse Prevention restraining order laws, and courtroom etiquette. Two to three volunteers will be present in the courtroom each Monday and Thursday to observe the hearings. They will be identifiable by their red clipboards.

Objectives: The contested restraining courtwatch project will examine the following areas:

Process:

- Does judge explain to the parties what to expect?
- How many contested hearings are requested, and how many actually take place?
- How complex are these hearings? (Attorneys, witnesses, interpreters, etc.)
- Is enough time allowed on the docket? Do hearings have to be sent to other courtrooms?

Environment:

- Safety issues in the hallway
- Safety issues in the courtroom – separating the parties, delaying the respondent, etc.
- Presence of deputy
- Presence of children
- Size of courtroom compared to number of people

Outcomes:

- What issues are commonly contested?
- How many orders are vacated at the hearing and for what reasons?
- How many orders are upheld at the hearing?
- What specific protections are requested or discussed at the hearing?
- What are typical custody and parenting time outcomes at the contested hearing?
- Is firearms dispossession addressed in the contested hearing?
- Is emergency monetary relief addressed in the contested hearing?
- Are there other trends of increased/decreased restrictions following a contested hearing?

Coordinated Community Response:

- Are there training needs related to community partners' understanding of restraining orders?
- Are there gaps in services or trends in other system responses that impact the court's restraining order process?