

CIRCUIT COURT OF COOK COUNTY
COMMITTEE ON DOMESTIC VIOLENCE COURT

FINAL RECOMMENDATIONS

June 9, 2022

BACKGROUND

The Circuit Court of Cook County Committee on Domestic Violence Court was reestablished by Chief Judge Timothy C. Evans on October 6, 2021, after being dormant for approximately a decade, to “review practices and procedures governing the hearing of domestic violence matters throughout the court, and review the organization and efficiency of Domestic Violence Division operations at all courthouses where domestic violence matters are heard.”¹ The Committee, under Chair Judge Grace G. Dickler’s leadership, was charged with making recommendations to the Chief Judge on additional improvements needed to help protect the safety of victims of domestic violence and the rights of those accused after its examination of the current operations.² Further, the Committee and other stakeholders were directed to work with the Chief Judge’s Office to establish after-hours court operations in which on-call judges are available to hear petitions for emergency protective orders during the weekdays outside of regular court hours, on weekends, and over holidays.³ Since the Committee’s reestablishment in October, the Committee met numerous times to identify issues, discuss solutions, and solidify its recommendations.

As of the drafting of these final recommendations, the Committee on Domestic Violence Court consisted of the following members: Chief Judge Timothy C. Evans, *ex officio*, Judge Grace G. Dickler, Committee Chair (Domestic Relations Division); Judge Judith Rice (Domestic Violence Division); Judge Tom Cushing (Domestic Violence Division); Judge Megan Goldish (Domestic Violence Division); Judge Marina Ammendola (Domestic Violence Division); Judge Jeanne Wrenn (Domestic Violence Division); Judge Mary Trew (Domestic Relations Division); Judge Jennifer Payne (Child Protection Division); Retired Judge Sharon Sullivan; Commissioner Alma Anaya (7th District); Commissioner Deborah Sims (5th District); Superintendent Christina Graf (Civil Division – Civil Process Unit); Superintendent Kelley Eldridge (Domestic Violence Division); Amanda Pyron (The Network); Benna Crawford (Legal Aid Chicago); Bridget Healy Ryan (Army Civilian Corps); Carmen Navarro Gercone (Office of the Clerk of the Circuit Court); Danita Ivory (Public Defender’s Office); Denice Wolf Markham (Life Span); Don Schiller (Schiller, DuCanto & Fleck); Elizabeth Monkus (Chicago Appleseed Center for Fair Courts); Iris Rivera (Juvenile Probation Department); Jose Guerra (Office of Interpreter

¹ Press Release, Office of the Chief Judge of the Circuit Court of Cook County, Chief Judge Timothy C. Evans forms committee to review practices and procedures governing the hearing of domestic violence matters; plans 24/7 service for domestic violence victims (October 6, 2021), *available at* <https://www.cookcountycourt.org/MEDIA/View-Press-Release/ArticleId/2876/Chief-Judge-Timothy-C-Evans-forms-committee-to-review-practices-and-procedures-governing-the-hearing-of-domestic-violence-matters-plans-24-7-service-f>.

² *Id.*

³ *Id.*

Services); Joyce Coffee (Family Rescue); Kate Nolan (Office of the Chief Judge); Lanetta Haynes Turner (Office of the Cook County Board President); Margaret Duval (Ascend Justice); Melanie MacBride (Chicago Bar Foundation); Monique Patterson (Public Defender's Office); Katie Danko (Sheriff's Office); Sarah Toney (The Toney Law Firm); Tene McCoy Cummings (State's Attorney's Office); Teri Ross (Illinois Legal Aid Online); Darice Goodwin (Office of the Clerk of the Circuit Court). Domestic Relations Division Attorney Brianna Steger served as staff support to the Committee.

At the direction of Committee Chair Grace G. Dickler, seven subcommittees were formed to address certain areas of improvement, including: Budget Subcommittee (Chair: Kate Nolan); Volunteer Recruitment Subcommittee (Chair: Judge Judith Rice); Organization of Court Subcommittee (Chair: Mary Trew); Communications Subcommittee (Chair: Margaret Duval); Litigant Services Subcommittee (Chair: Benna Crawford); 24/7 Process and Procedure Subcommittee (Chair: Judge Grace G. Dickler); Fitness Diversion Subcommittee (Chair: Judge Jeanne Wren). The subcommittees were comprised of members of the Committee on Domestic Violence Court and other relevant stakeholders. Each subcommittee made specific recommendations on improvements they concluded are necessary to protect the safety of victims and the rights of the accused as it relates to their subject area. The reports of each subcommittee, in their final form as adopted by the Committee, are attached hereto as appendices to provide detailed reasoning for each recommendation set forth by the Committee below.

FINAL COMMITTEE RECOMMENDATIONS

In summary, the Committee is recommending that the court increase staffing in the Domestic Violence Division for regular operations and after-hours operations, increase litigants' access to assistance and information, facilitate communication and data sharing with stakeholders and the general public, reorganize caseloads across existing and new court calls in the Domestic Violence Division, transfer out cases not involving domestic violence to other divisions, add a Mental Health Diversion call in the Domestic Violence Division, and advance utilization of technology by litigants and court personnel.

I. Court Organization

Under current operations, the Domestic Violence Division is overwhelmed with cases and unable to conform to the legislative strictures of the Illinois Domestic Violence Act (IDVA), which provides that, "Any action for an order of protection is an expedited proceeding."⁴ Without adequate staffing, reorganization, and resources expansion of the Division's operations to provide after-hours availability will continue to exacerbate the delay in addressing a backlog of pending cases and the increasing amount of new cases filed daily.

⁴ See 750 ILCS 60/213(b).

With this in mind, the Committee recommends the establishment of two additional civil courtrooms in the Domestic Violence Division as set forth in the 24/7 Process and Procedure Subcommittee Report (**Appendix A**, p. 12). These additional courtrooms should be sufficiently staffed by judges, coordinators, interpreters, court reporters, sheriffs, clerks and advocates as needed.

The Committee also recommends the establishment of an entirely remote emergency call in the Domestic Violence Division as set forth in **Appendix A** (p. 12) to alleviate and allow for better management of the caseloads of domestic violence judges while mitigating the need for additional courtroom space. This additional court call should be sufficiently staffed by judges, coordinators, interpreters, court reporters, clerks and advocates as needed.

As for the after-hours operations, the Committee recommends the court follow the process explained in **Appendix A** (pp. 9-15) and mapped in **Appendix A-1** (p. 16) and limit the process to Emergency Orders of Protection and Emergency Civil No Contact Orders, with the option to expand to other types of orders if warranted.

Further, the Committee recommends the establishment of extended regular court hours in one to two courtrooms two days per week as set forth in **Appendix A** (pp. 13-14) to accommodate higher volume times (directly after regular business hours) and alleviate the caseloads of regular and after-hours calls. These additional courtrooms should be sufficiently staffed by judges, coordinators, interpreters, court reporters, sheriffs, clerks and advocates as needed.

Under the reasoning fully set forth in the Organization of Court Subcommittee Report (**Appendix B**, pp. 17-19), the Committee recommends that Stalking No Contact Order (SNCO) cases that do not involve issues akin to domestic violence issues (i.e., landlord/tenant issues, neighbor disputes) be transferred to the Municipal Division, which is better suited to handle the disputes. This transfer would lighten the very heavy caseloads of the Domestic Violence Division judges, allowing them to solely focus on cases involving issues that are similar in nature to those in domestic violence cases (i.e., gender-based violence, unrequited love, etc.). The Domestic Violence Division judges are in the best position to decide whether the case belongs in the Division, so the Domestic Violence Division should remain the original Division wherein emergency petitions for SNCO are filed. For those SNCO cases remaining in the Division, one or more dedicated court calls should be established to exclusively handle these cases or, in the alternative, civil judges in the Division should set aside a designated time to hear only these cases, as explained in **Appendix B** (pp. 17-18). The Center for Conflict Resolution (CCR) should be present remotely or in person on these calls to initiate intake for mediation in proper SNCO cases as described in **Appendix B** (pp. 17-18). CCR should also be involved in SNCO cases transferred to other divisions and initiate mediation where appropriate. This issue is also being more specifically addressed with details by separate letter to the Chief Judge and the Presiding Judge of the First Municipal District.

Currently, litigants can file petitions for orders of protection on domestic relations cases (D cases) at 555 W. Harrison or suburban courthouses. Due to the increased availability of remote operations, the Committee recommends the court provide adequate technology at 555 W. Harrison and the Domestic Relations Division establish appropriate procedures so the Domestic Violence Division may no longer need to hear cases involving parties with existing domestic relations cases, except in situations where the Domestic Relations Division judge assigned to the D case is not available, as discussed in **Appendix B** (p. 18). This will require coordination between Office of the Chief Judge and Clerk's Office staff at 555 W. Harrison, the Daley Center and the suburban courts.

The Committee recommends that the court establish a Mental Health Diversion call in the Domestic Violence Division developed with input from the advocacy community as described in the Fitness Diversion Program Subcommittee Report (**Appendix G**, p. 43).

The Committee encourages the court to prioritize same day services for victims of domestic violence in both civil and criminal cases as set forth in the Litigant Services Subcommittee Report (**Appendix D**, pp. 35-36).

II. **Staffing**

a. Judges

Considering the recommendations set forth above, the Committee recommends the assignment of six additional judges to the Domestic Violence Division to handle cases during regular court hours and during after-hours operations. As recommended in **Appendix A** (pp. 12-14), these judges should be assigned to two newly established civil courtrooms, one entirely remote emergency call, coverage for after-hours operations (either covering the regular call of the judge on-duty or being on duty themselves), and coverage for extended-hours operations (either covering the regular call of the judge on-duty or being on duty themselves) in the Domestic Violence Division. Judges not assigned to a designated call, but participating in the rotations, can be used as floater judges when not on duty, covering for absent judges at 555 W. Harrison.

The Domestic Violence Division cannot begin after-hours operations until at least two additional judges are assigned to the Division, pending the addition of the remaining four. If the Division is going to simultaneously operate after-hours operations and extend regular court hours on specified days of the week, as recommended by the 24/7 Process and Procedure Subcommittee in **Appendix A** (pp. 12-14), the Division needs at least four additional judges assigned to begin, rather than two, pending the addition of the remaining two.

b. Clerks

The Committee recommends that the Clerk's Office assign designated clerks to the two newly established civil courtrooms and one new emergency call, recommended in **Appendix A** (p. 12).

The Committee recommends the Clerk's Office hire eight additional court clerks to staff the after-hours operations under the plan set forth in **Appendix A** (pp. 9-15). These clerks should work remotely. Two new shifts should be created and staffed, one from 4:30p.m. to 12:30a.m. and another from 12:30a.m. to 8:30a.m. during the weekdays. Additional staff should also be assigned to the bond court clerk shifts over the weekend to staff the after-hours domestic violence rotation.

The Committee further recommends that the Clerk's Office assign designated clerks to the extended regular hours call(s) as described in **Appendix A** (pp. 13-14).

c. Sheriffs and LEADS Entry

The Committee recommends that the Sheriff's Office adequately staff the two newly established civil courtrooms, recommended in **Appendix A** (pp. 12-13).

The Committee recommends the Sheriff's Office use existing staff on an on-call basis to enter protective orders into LEADS expeditiously during after-hours operations as set forth in **Appendix A** (p. 11), as entry into LEADS is imperative to providing meaningful relief. If the volume becomes unmanageable for existing staff, the Committee recommends the Sheriff's Office hire additional LEADS clerks to ensure expedient entry of protective orders issued during after-hours operations.

The Committee further recommends that the Sheriff's Office adequately staff the extended regular hours call(s) as described in **Appendix A** (pp. 13-14).

d. Court Reporters

The Committee recommends that the Office of Official Court Reporters make court reporters available to staff the two newly established civil courtrooms and one new emergency call recommended in **Appendix A** (p. 12) as needed.

The Committee recommends that the after-hours operations utilize the recording feature on Zoom to record the protective order hearings rather than utilizing a live court reporter as explained in **Appendix A** (p. 13). A designated staff member in the Domestic Violence Division's Presiding Judge's Office should be responsible for saving these recordings in a designated location. If a transcript is requested by a party or attorney, the Office of Official Court Reporters should assign a court reporter to do the transcription from the Zoom recording.

The Committee further recommends that the Office of Official Court Reporters make court reporters available during the extended regular hours call(s) as described in **Appendix A** (pp. 13-14).

e. Interpreters

The Committee recommends that the Office of Interpreter Services make interpreters available to staff the two newly established civil courtrooms and one new emergency call recommended in **Appendix A** (p. 12) as needed.

The Committee recommends the court utilize Language Line to offer interpreting services during after-hours operations as described in **Appendix A** (p. 14).

The Committee further recommends that the Office of Interpreter Services make interpreters available during the extended regular hours call(s) as described in **Appendix A** (pp. 13-14).

f. Court Coordinators

The Committee recommends the court assign a court coordinator to each of the two newly established civil courtrooms and the new emergency call recommended in **Appendix A** (p. 13).

g. Advocates and Litigant Assistance

As explained in further detail in **Appendix A** (p. 13), the Committee recommends the court staff one or more advocates at Stroger Hospital through the RFP process to assist litigants with filling out and submitting petitions after-hours in person and remotely. Until the RFP process is complete, the Committee recommends the court support CAWC in providing assistance to litigants filling out and submitting petitions after-hours. Further, the court should staff one elder and one disability advocate through the RFP process to assist elderly and disabled litigants at the courthouse. The Budget Subcommittee Report (**Appendix F**, p. 41) contains detailed information on the budgetary needs of these programs.

The Committee recommends the court hire a communications staff member responsible for maintaining and managing the court's website so that it provides updated, clear and accessible communication to all court users as described more fully in the Communications Subcommittee Report (**Appendix C**, p. 22).

The Committee recommends that the Domestic Violence Division designate a current member of court staff to answer the phone at 555 W. Harrison during regular court hours to provide general information about court operations and procedures at the suggestion of the Communications Subcommittee in **Appendix C** (p. 22).

As the positions are explained in **Appendix D** (pp. 29-33), the Committee recommends the court hire six Litigant Services Associates and one Litigant Services Supervisor to assist self-represented litigants at the courthouse and manage court resources.

Under the reasoning set forth in **Appendix D** (pp. 33-35), the Litigant Services Subcommittee recommends the court hire an additional Child Relief Expeditor to assist only in the suburban district courts to increase suburban litigants' access to child related remedies. Similarly, the Committee recommends that Domestic Relations Hearing Officers be made available to assist with temporary child support in cases assigned to the Domestic Violence Division. If the caseload is unmanageable, the Subcommittee recommends that a Hearing Officer be hired specifically for the Domestic Violence Division. Although this is the recommendation of the Subcommittee and Presiding Judge Dickler and Acting Presiding Judge Rice understand the rationale, both are concerned that resources may not be available for the Domestic Violence Division to get further involved in establishing, modifying, and enforcing child support.

As has already begun under the leadership of Domestic Violence Division Acting Presiding Judge Judith Rice, the Committee recommends that the Domestic Violence Division establish and maintain partnerships with local law schools and law firms to offer volunteer-based services as set forth in the Volunteer Recruitment Subcommittee Report (**Appendix E**, pp. 39-40).

III. **Communication**

The Committee recommends the court contract with an outside vendor to overhaul its website to adhere to the best practices and principles identified and explained by the Communications Subcommittee in **Appendix C** (pp. 20-21) at all points identified in **Appendix C-1** (pp. 24-27).

To ensure accessibility for those in the courthouse, the Committee recommends the court create and make visible additional signage and written materials for self-represented litigants as described in **Appendix C** (pp. 21-22).

The Committee recommends the court make certain data, specifically identified in **Appendix C-2** (p. 28), available to stakeholders and the public to the extent possible to inform external efforts to improve court access and increase transparency.

The Committee recommends the court conduct outreach with the public and law enforcement personnel about the after-hours availability of protective orders as set forth in **Appendix A** (p. 15).

The Committee recommends the Domestic Violence Division's Acting Presiding Judge's Office create a listserv for communication of changes in court procedures and personnel, available to stakeholders and members of the public who choose to "opt-in" to the emails, and that the Domestic Violence Division's Acting Presiding Judge's Office host regular stakeholder meetings as described in **Appendix C** (p. 23) to foster increased sharing of information.

IV. Technology

To ensure all information necessary for proceeding is included in the documents submitted to the after-hours duty judge, and in consideration of the lack of legal assistance available outside of regular business hours, the Committee recommends the court fund the build out of Illinois Legal Aid Online's (ILAO) online guided interview platform for efficient use by litigants during regular court hours and after-hours operations to fill out and submit petitions for protective orders and corresponding documents, as fully described in **Appendix A** (pp. 9-10).

To facilitate smooth communication between necessary personnel working remotely during after-hours operations, the Committee recommends the court and Clerk's Office provide after-hours duty judges and clerks proper technology and equipment identified in **Appendix A** (pp. 10-11), including Adobe Pro licenses, Zoom licenses, laptops, cell phones and mobile hotspots. Operating remotely ensures access while considering staffing and security challenges. With the same interests in mind, the Committee recommends that the Office of the Chief Judge designates a member or members of its IT staff to be on-call during after-hours operations to assist with any technology issues that arise.

CLOSING

The Committee on Domestic Violence Court is grateful to Chief Judge Evans for his consideration of these recommendations and welcomes any requests for further information or discussion.

APPENDIX A

24/7 Process and Procedure Subcommittee Report

The 24/7 Process and Procedure Subcommittee of the Committee on Domestic Violence Court was charged with developing recommendations for a plan to allow survivors of domestic violence to obtain a protective order at all hours of the day.

The Subcommittee found it important that the after-hours process mimic the process during regular court hours as much as possible, with active participation by the judiciary, the Clerk's Office, and the Sheriff's Office, while considering staffing and security challenges. Further, the Subcommittee prioritized establishing a central place for survivors to access advocate assistance in filling out their petition and getting in front of a judge to ensure equitable and efficient access to the court.

Under the plan recommended in detail below and mapped in **Appendix A-1**, litigants fill out petitions and corresponding documents using the Illinois Legal Aid Online (ILAO) Easy Form, accessed online, with or without advocate assistance at the litigant's discretion. ILAO's platform generates a complete packet for filing, which is submitted directly to the Clerk's Office for processing, via email in the short term and eventually through the Odyssey E-filing system. A designated on-duty clerk will process the documents and forward them to the on-call judge along with the case number, calendar assignment, and any information about pending cases between the parties. The litigant will be provided Zoom information via email by the Clerk's Office to appear in front of the judge within a half-hour of filing the petition. This Zoom information will also be available on the court's website and the documents received from ILAO will contain information pointing litigants to the website. The judge will open the Zoom courtroom to hold a hearing and may communicate directly with the litigant about any next steps on the Zoom call. The Zoom call will be recorded using the feature on Zoom for transcription by the Court Reporter's Office at a later time if requested by a party or attorney. If an interpreter is required, the court will utilize the telephone based LanguageLine service, which operates 24/7. Any order entered will be emailed from the judge back to the clerk for processing. The clerk will be responsible for delivering a stamped copy to the petitioner via email and transmitting a copy to the Sheriff's Office for processing into LEADS via email to a designated email address set up by the Sheriff's Office.

The Subcommittee recommends that only Emergency Orders of Protection (EOPs) and Civil No Contact Orders (CNCOs) be available after-hours at this time. These orders should last 14-21 days, as do those issued during regular operations. Stalking No Contact Orders (SNCOs) are only available in cases where there are repeated incidents over time, and such a pattern can reasonably be established and presented within regular court hours. Limiting the after-hours process to EOPs and CNCOs will allow for a more manageable volume necessary for the reduced operations during those hours. If the court eventually finds that there would be a benefit in expanding to include SNCOs in the future, accommodations for that additional volume would have to be made.

These recommendations were drafted with the assumption that the after-hours volume will remain fairly small. Should this assumption be incorrect, the Subcommittee may need to reconvene and discuss further necessary recommendations to accommodate a greater volume of cases. This should run as a pilot program and be closely monitored to measure overall effectiveness and case volume, and to identify any pain points not previously foreseen. A standing Committee should be formed to check-in at least every six months until that Committee feels the check-ins are no longer necessary.

I. Remote Accessibility & Technology

Illinois Legal Aid Online (ILAO) is a widely used and longstanding resource for litigants that provides information about a variety of legal topics and partners with LawHelp Interactive to generate certain legal documents using guided interview questions.

The Subcommittee recruited ILAO to develop a program guiding litigants through specific interview questions, recognizing that the ability to receive live assistance in filling out documents outside of regular business hours is very limited. The information provided is plugged into the applicable sections of the statewide Petition for Emergency Order of Protection, Summons, Certification for Exemption from E-Filing, and proposed Emergency Order of Protection forms and the Cook County Domestic Violence Cover Sheet and Sheriff's Information Sheet. Domestic violence advocates reviewed the guided interview questions to ensure they are updated and accessible. Questions were included to screen for litigants with cases in other divisions or courts. Certain fields were flagged as mandatory, requiring the litigant to input information before proceeding. This is intended to ensure that all information necessary for proceeding (i.e. jurisdictional requirements, petitioner's contact information, minimum of one incident of abuse, etc.) is included in the documents submitted to the judge.

After completion of the forms, which is estimated to take around 20-40 minutes, the petitioner will select the email address of the courthouse they seek to appear in. For submissions during regular court hours, the Clerk's Office established email addresses for each of the districts. For submissions after-hours, there is a single designated after-hours email address. The on-duty after-hours clerk will monitor all addresses in case the petitioner selects the wrong address during after-hours operations. Eventually, ILAO will be able to program their software to submit all documents filed after 4:30p.m. directly to the after-hours email address, eliminating the need for the Clerk's Office to monitor all addresses during after-hours operations.

The Clerk's Office should utilize Adobe Pro, which should be loaded onto the laptops designated for after-hours use by on-duty clerks, to attach a case number and other required processing information to the documents prior to forwarding copies to the judge and the litigant. Eventually, in phase two of the ILAO program build out, the forms generated through ILAO will go directly through Odyssey for e-filing and the on-duty clerk would instead just be responsible for accepting or rejecting the documents, notifying, and forwarding the documents to the judge, and providing hearing information.

The duty judge should also use Adobe Pro, which should be loaded onto laptops designated for on-duty judges, to fill out orders. All relevant form orders should also be preloaded onto the laptops for easy retrieval. Eventually, in phase two of the ILAO program build out, ILAO can transmit the proposed order as a fillable form rather than a flattened pdf, and the judge will be able to use the fillable feature to fill out the order. In either scenario, the duty judge should log into their own Adobe account on the duty laptop at the beginning of their on-duty shift. The duty judge's Adobe account should be preloaded with their individual electronic signature. The ILAO program can auto-fill certain information on the proposed order, namely the biographical information of the petitioner, respondent, and any other protected parties, so the judge does not have to expend unnecessary time doing it himself or herself.

To ensure smooth communication, both the on-duty clerk and the on-duty judge should be provided with designated cell phones. The phone numbers for these phones should be easily accessible to those on-duty. The clerk should be responsible for calling the judge at that phone number to notify them of any petition that has come in and set a time for the hearing. The clerk should also use the designated phone to call the litigant to follow up on receipt of the petition, notify them of the Zoom information that should be contained in the follow up email with the stamped documents and relay the hearing time provided by the judge. The Zoom information should be specific to the after-hours call so it remains consistent no matter which duty judge is assigned.

The on-duty clerk and judge should also be provided a mobile hotspot for easy internet access in any location.

Judges should be assigned one week at a time to cover all after-hours shifts during that week, including over the weekend. Upon completion of their assignment, on Monday morning, the judge should deliver the duty laptop, cell phone and mobile hotspot to a designated staff member in the Domestic Violence Division's Presiding Judge's Office for redistribution.

The Domestic Violence Division should provide the Clerk's Office with an updated schedule of on-duty judges and the Clerk's Office should provide the Domestic Violence Division an updated schedule of on-duty clerks. The on-duty judges should also be provided an updated Zoom contact information list for both the Domestic Violence Division and the Domestic Relations Division to input the information in the return date section.

The Sheriff's Office should establish a designated email address for the Clerk's Office to transmit the orders for LEADS entry immediately. The on-duty LEADS clerk should also have a designated phone. That phone number should be provided to both the Clerk's Office and the duty judges. The phone number for the communications supervisor, who will be responsible if the on-duty clerk has any emergency issue, should also be provided. All necessary phone numbers should be pre-programmed into the duty phone(s).

There should be a member of the Office of the Chief Judge's IT staff on-call in case of technology issues. That person's contact information should be provided to the Clerk's Office staff, Sheriff's Office staff, and the judges.

II. Court Staffing

Expanding to all-hours access requires that the court staff an additional 128 hours of worktime per week. This includes judges, Clerk's Office staff, Sheriff's Office staff, Court Reporter's Office staff, Interpreter's Office staff, and court support staff.

Judges: Six additional judges must be added to the Domestic Violence Division to effectively run the after-hours rotation and daytime operations. The after-hours rotation cannot begin until the Division has a minimum of two additional judges. A total of four additional judges is required to operate both an extended regular hours rotation (discussed below) and an after-hours rotation. With assignment to the Domestic Violence Division, these judges will be specifically trained in domestic violence issues and will gain consistent experience working with the same.

Like the rotation in the probable cause and warrant unit of the First Municipal District, each judge should take a week at a time on after-hours duty, staffing the overnight shifts during the week and the entirety of the weekend shift, and another judge should be assigned to handle their daytime call during that time. Only those judges assigned to 555 W. Harrison should participate on the rotation, while those in the suburban districts should not.

Two additional civil courtrooms should be added to the Domestic Violence Division to reduce the caseloads of the current courtrooms, allowing for speedier disposal of cases.

An additional emergency judge should also be added to allow judges time to handle existing cases on their calls. This judge could handle an entirely remote call so that additional courtroom space is not needed.

Judges not assigned to a designated call but participating in the after-hours and extended-hours rotations can be used as floater judges when not on duty, covering for absent judges at 555 W. Harrison.

The Domestic Violence Division should increase utilization of available spaces a 555 W. Harrison.

Clerk's Office: Eight additional court clerks are required to run the after-hours rotation and daytime operations. These clerks should work remotely. Two new shifts should be created and staffed during the weekdays, one from 4:30p.m. to 12:30a.m. and another from 12:30a.m. to 8:30a.m. Additional staff should also be assigned to the bond court clerk shifts over the weekend to staff the after-hours domestic violence rotation.

Until they are prepared to train court clerks to staff the after-hours program, only chiefs, assistant chiefs and managers should staff the after-hours rotation. Those that have staffed the rotation should be responsible for training the designated after-hours court clerks when they are hired.

During both daytime and after-hours operations, transmittal to LEADS by clerks should be as immediate as possible so as to restrict any delays or backups in the process.

Sheriff's Office: As LEADS entry is imperative to completing the process and making the ordered relief meaningful, LEADS clerks should be available after-hours to enter any orders

issued into LEADS. If the volume becomes unmanageable for existing staff, additional LEADS clerks should be hired to ensure entry is not delayed.

Court Reporter's Office: A court reporter does not need to be present after-hours. The judge should record the Zoom hearing using the record feature in the Zoom application. These recordings should be downloaded and saved in a shared file accessible on both duty laptops by a designated staff member in the Domestic Violence Division's Presiding Judge's Office. A court reporter should be assigned to transcribe the Zoom recording of the hearing during regular court hours if requested by an attorney or party.

Office of Interpreter Services: The court can use the on-demand phone interpreter service provided by LanguageLine Solutions, the county's current language services vendor, available 24/7, in any after-hours cases involving a Limited English Proficient (LEP) individual as needed.

Court Support Staff: An on-duty coordinator may be required to assist with contacting the judge and litigant and to troubleshoot any issues on the judge's behalf.

III. Advocate Assistance

One advocate should be stationed in person at Stroger Hospital during after-hours operations to assist litigants in person with filling out the ILAO Easy Form. Stroger Hospital is in a central location, already has full-time security in place, and allows advocates to assist elsewhere if no litigants are coming in. Advocates could also assist with petitions coming in remotely, acting as a coordinator between the petitioner and the judge. More than one advocate may be necessary depending on the volume of the call. The Office of the Chief Judge should staff this program through an RFP within 18 months of this report.

Beginning May 2, 2022, Connections for Abused Women and their Children (CAWC) should be on-call to remotely assist petitioners in filling out the ILAO form. Funds originally allocated for the Stroger Hospital advocate should be diverted to CAWC while they run the assistance program as a sole source partner. New position(s) should be created to solely handle these calls. CAWC's contact information should be provided on the ILAO form, with a statement requesting that the petitioner attempt to fill out the form on his or her own before reaching out for assistance to control volume. The CAWC advocate will ask the petitioner questions and fill out and submit the form on their behalf. The CAWC will facilitate remote hearings in-person for those litigants physically at the shelter. The CAWC advocate will also be a point person for coordination with the litigant as needed. Once a contract is secured for the Stroger advocate through the RFP process, that advocate(s) should take over these responsibilities

IV. Extended Regular Court Hours

Regular court hours should be extended two days per week to accommodate higher volume times and alleviate the caseload of regular and after-hours calls. One or two courtrooms can handle the extended regular hours shifts in person. The courtrooms must be sufficiently staffed by sheriffs, clerks, advocates, judges, interpreters, court reporters and coordinators, as needed. The court

during extended regular hours should hear filings submitted prior to 7:00p.m. on the designated days, with anticipated courthouse closure at 8:00p.m.

The Sheriff's Office must be provided a minimum 10-day notice of the start of extended regular court hours to notify the police union of anticipated schedule changes.

V. Outreach

Outreach should be conducted to inform the public about the availability of the court after-hours. The court should make the process map available to the public for transparency on its website.

Law enforcement should be trained to provide information about the option to obtain an emergency protective order after-hours and the option to participate in criminal screening during regular court hours.

Law enforcement should continue to be trained on proper short-form notification so service may be completed as timely as possible.

Addendum

Due to limitations of election cycles and judicial appointments, additional judges are not expected to be available for assignment to the Domestic Violence Division until approximately January 2023. With the original recommendation as the ultimate goal, in order to begin implementation of the after-hours process on a pilot basis, Presiding Judge Dickler and Acting Presiding Judge Rice propose the following:

Utilizing the existing trained and skilled judges of the Domestic Violence Division, after-hours court will be available per the schedule proposed below and outlined in **Appendix H** (pg. 46).

After-hours court will be available to litigants for six (6) hours Monday through Friday, from 9:00p.m. to 3:00a.m. and for five (5) hours Saturday and Sunday, from 1:00p.m. to 6:00p.m. Expanding to accommodate this access requires that the Court staff an additional 40 hours of worktime per week, as compared to the 24/7 projection of 128 hours per week.

Judges will be assigned one week at a time to cover all pilot after-hours shifts during that week, including over the weekend. A judge not assigned to a designated call but participating in the after-hours rotation will be used as a floater judge when not on duty, covering for absent judges at 555 W. Harrison.

This pilot is possible *only* in conjunction with the concurrent recommendation, previously set forth in this **Appendix B** (p. 17), that certain SNCO cases are transferred to the First Municipal District for contested hearing in order to reduce the volume of existing court calls at 555 W. Harrison. Cases recommended for transfer are those deemed by a Domestic Violence Division judge to not involve issues that are similar to those in domestic violence cases.

Two on-duty court coordinators must be assigned to assist with contacting the judge and litigant and to troubleshoot any issues on the judge's behalf.

The Clerk's Office would be required to staff at minimum two additional clerks to run this rotation and otherwise meet the recommendations set forth thus far.

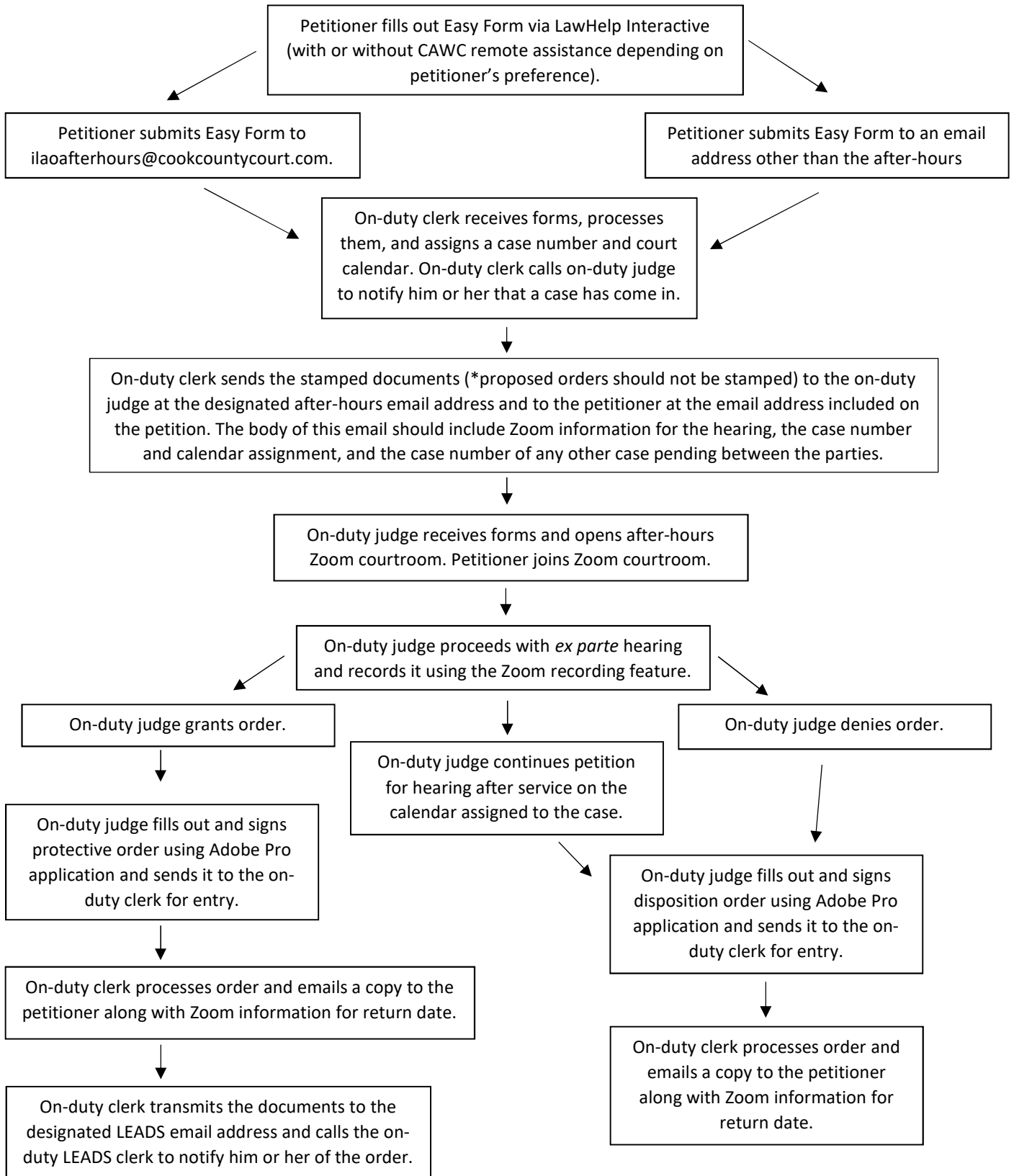
Advocate assistance, as detailed throughout the recommendations, would be available during these abbreviated hours.

For the purposes of this pilot, all other implementation details and recommendations for 24/7 access apply as previously set forth. This includes recommendations for the duties of the Sheriff's Office, Court Reporter's Office, Office of Interpreter Services, and with regards to outreach.

As of the drafting of these final recommendations, the 24/7 Process and Procedure Subcommittee consisted of the following members: Judge Grace G. Dickler, Subcommittee Chair; Judge Judith Rice; Judge Tom Cushing; Judge Megan Goldish; Superintendent Christina Graf; Superintendent Kelley Eldridge; Katie Danko; Carmen Navarro Gercone; Darice Goodwin; Tene McCoy Cummings; Robyn Page; Benna Crawford; Sarah Toney; Danita Ivory; Monique Patterson; Deirdre Harrington; Teri Ross; Amanda Pyron.

APPENDIX A-1

After-Hours Process for Obtaining an EOP or CNCO



APPENDIX B

Organization of Court Subcommittee Report

The Organization of Court Subcommittee was charged with answering two inquiries: (1) what cases should be heard in domestic violence court and what may be the impact of removing or not removing certain case types, and (2) how many judges, staff, and courtrooms are needed to accommodate all cases remaining in domestic violence court.

I. Case Types

Cases heard in the Domestic Violence Division historically have been, as the name implies, those involving domestic violence – both civil and criminal. In determining which cases should be heard, the Subcommittee assessed that many Stalking No Contact Order (SNCO) cases do not involve domestic violence and are taking up a great deal of the judges' time. Instead, they often involve disputes between people such as landlords and tenants and/or neighbors. Initially, the Subcommittee thought that those cases should be removed from the Domestic Violence Division entirely. However, where they should go is unclear. If there is a pending case in another division with the same parties, the SNCO case should be consolidated into that case and transferred. However, the most likely scenario is that there will not be another pending case. The Subcommittee suggests that the Domestic Violence Division remain the division wherein petitions for emergency orders in SNCO cases are heard, but domestic violence judges should transfer cases not deemed to involve issues that are similar to those in domestic violence cases (i.e., not involving perceived intimate relationships where one does not exist or not involving gender-based violence, etc.) for return in the Municipal Division as it is more properly suited to handle the dispute.

This Subcommittee recommends that the Domestic Violence Division consolidate SNCO cases to one or more dedicated court calls. The Presiding Judge of the Domestic Violence Division will determine when and where the call(s) may be heard. One option is to use the Branch 46 courtroom for SNCO cases, with the judges sharing that call on a rotating basis. Another option is for each of the civil judges in the division to set aside one half-day per week to schedule their own dedicated SNCO call. For the reasons stated below, either option would increase the number of SNCO's being mediated.

Currently, the Center for Conflict Resolution (CCR) mediates SNCO cases if the cases do not involve serious safety concerns (e.g., do not involve physical violence or threats of gun violence). Significant time is lost, however, in the current intake process during which CCR staff attempt to contact parties after court. Last year, for example, almost half of the SNCO cases referred to CCR were never mediated because the parties would not answer or respond to CCR's phone calls. Of the cases that did result in mediation, however, over 50% were fully resolved. According to CCR, a 50% success rate is considered a very successful mediation program. Per CCR, SNCOs are ideal cases to send to mediation, and CCR has the capacity to take on more of

them. Streamlining the intake process would result in more referrals getting to a completed mediation.

With a dedicated court call(s) for SNCOs, CCR could monitor the call and begin the intake process that day (in a Zoom breakout room or in person). Allowing CCR to monitor an SNCO call would serve to bypass the current intake problems. CCR can monitor up to two courtrooms at one time, and CCR has the current capacity to monitor up to one full day or two half-days per week. Having one dedicated SNCO call or having two pairs of civil judges designate time to hear SNCO cases on his or her own docket would enable CCR to monitor the calls, streamline the intake process, and result in more SNCO cases being mediated.

Also, the Subcommittee determined that the State's Attorney's Office discontinuing in-person criminal screening intake for cases where no arrest had been made by the Chicago Police Department (a remote screening practice was initiated during the COVID-19 pandemic) was greatly increasing the caseload of the civil judges. In other words, due to the delay in initiating criminal proceedings through remote screening, if they were initiated at all, the victim was proceeding in civil court first, or instead of, criminal court. This resulted in a large increase of the number of petitions for civil orders of protection. As of March 8, 2022, in person criminal screening has resumed, making any further recommendations moot. It is the hope of this Subcommittee that this resumption of in-person intake will reduce the increase in cases on the civil side.

Domestic Violence Division judges have also been hearing civil emergency orders of protection from other divisions with pending cases, most commonly the Domestic Relations Division, which has increased case volume. As much as possible, Domestic Relations Division cases (D cases) involving the same parties should not have an emergency petition heard by the Domestic Violence Division. Historically, this was done to prevent victims from bouncing around the city. 555 W. Harrison provided a centralized location where emergency relief could be granted prior to the case being consolidated into the D case and transferred for the return date. Now, with the increasing accessibility of Zoom in the courthouses, someone with an existing D case would be able to proceed remotely on their emergency petition with their domestic relations judge that day. This saves the Domestic Violence Division judges time and resources, and actively prevents forum shopping.

II. Court Needs

The Subcommittee discussed the availability of current resources and staffing, and the possibility of solutions such as courtroom sharing, Zoom calls without the need of an actual courtroom, and other innovations. However, given the fact of the increase in cases overall, it appears that the most pressing issue is that more staff, including judges, are required. Acquiring additional clerks is especially paramount. More support staff for self-represented litigants on the civil side is also needed.

Although the Subcommittee is aware of budget concerns, it is strongly suggested that as many resources as possible be dedicated to the work of the Domestic Violence Division. This area of the law is one where service to the public is probably the most important and should be prioritized accordingly. The Subcommittee recommends the addition of at least six new judges to this essential division with the corollary staff to support them.

As of the drafting of these final recommendations, the Organization of Court Subcommittee consisted of the following members: Judge Mary Trew, Subcommittee Chair; Judge Jennifer Payne; Judge Tom Cushing; Judge Megan Goldish; Benna Crawford; Kate Nolan; Denice Wolf Markham; Yolanda Durkin; Melanie MacBride; Carmen Navarro Gercone.

APPENDIX C

Communications Subcommittee Report

The Communications Subcommittee was charged with developing recommendations as to how the Domestic Violence Division can improve the way that it communicates with a diverse group of stakeholders including large numbers of self-represented litigants and concerned members of the public, as well as attorneys and domestic violence advocates.

Expectations for public communications, which have been evolving since the inception of the Division, have radically shifted in the past two years. The COVID-19 pandemic and the associated shift to remote court access has required courts to communicate both the most basic and the most detailed logistics to court users not physically present at the courthouse. Thus, the court's website has become one of the most vital components of real access to justice. Given the centrality of the website to both access to justice and court function in an era of remote access, this Subcommittee recommends that the court invest in a complete overhaul of its website, with a focus on accessibility, usability, and accuracy.

While the website is (and will likely remain) the hub for court communications, the court could make relatively minimal changes to on-site communications to improve efficiency and court users' experience. Clear, welcoming signage as well as more detailed materials available in hard copy or through a QR code could guide court users through the process and potentially lighten the workload of on-site employees. However, the development and implementation of the communications plan we are recommending will require dedicated staff. A new member of the staff of the Office of the Chief Judge should oversee communications with the public, with a focus on making communications accessible to self-represented litigants.

Finally, the Subcommittee's recommendations include a detailed list of data the court should strive to make available to the public, as well as suggestions for ways the leadership of the Domestic Violence Division can engage with stakeholders on topics ranging from immediate procedural changes as well as the longer-term goals of the Division.

I. Website

The Circuit Court's website has the potential to be its most efficient, effective means of communication with court users. The website's importance has grown over the past two years. The pandemic has caused multiple, rapid changes to court procedures and access. Court users required access to information when travel to the courthouse was unsafe or impractical.

Even as public health restrictions recede, court users will continue to expect the court's website to serve as the primary source for logistical and procedural information about access to the courts. With the needs of diverse court users in mind, the Communications Subcommittee adopted several principles to serve as a lens through which the site would be evaluated:

- Is it in plain language? In other words, does the site use language that is tailored for legal professionals or for laypeople? Experts in court communications recommend that court websites use a reading level of fifth grade or below.
- Is it findable / accessible? Is basic information easy to locate? Can a screen reader translate the text and is it optimized for translation?
- Is it up to date? The court has a responsibility to ensure that the website reflects current procedures and that legal information is up-to-date and accurate.
- Can you find adequate, consistent language on both the court and clerk websites?
- Does it help users answer their questions? Does the site address court users' most common questions?
- Are questions at all points on the process map addressed? With regard to the Domestic Violence Division, at a minimum, does the site address the issues related to the entire process of litigating and enforcing protective orders?

This Subcommittee performed a thorough review of the website's information related to the Domestic Violence Division and found that it does not meet these standards. Unfortunately, pages related to the Division were rife with out-of-date information, broken links, and court orders with no plain language explanation.

As such, this Subcommittee recommends that the court contract with an outside vendor to overhaul the website. The vendor should have deep experience in creating websites that are accessible, dynamic and engaging. If possible, the development process should engage diverse court users to determine priorities for the site and test usability. **Appendix C-1** delineates the minimum information that should be included regarding the Domestic Violence Division.

Ensuring that the site's information is accurate and accessible will benefit all court users, especially self-represented litigants, and will relieve pressure on stressed and stretched court staff who serve as the alternative sources of information.

II. Signage

While the court's website should serve as the primary source of information for court users, visitors to the courthouses require adequate signage to direct them to the appropriate location or resources. Currently, the signage is inadequate or confusing. For instance, at the Domestic Violence Courthouse, court users encounter a jumble of taped-up notices at the entrance, but few (if any) signs to invite them to the computer work stations that are intended for use by self-represented litigants. **Appendix C-1** lists the points of information that should be covered by signage at the Domestic Violence Courthouse. All new signage should be user tested for accessibility, in terms of ADA compliance, readability, and plain language.

III. **Written Materials**

Like signage, thorough and accurate written materials are an important supplement to an updated website. **Appendix C-1** includes suggestions for points in the litigation process which could benefit from a written handout for users to consult at their leisure. Again, these materials should be user-tested for readability and should be available in English and Spanish, with additional translations to be developed. In addition to budgeting for printing hard copies on (at least) an annual basis, the court should consider creating QR codes to be displayed at key locations in the courthouse that would link users to online versions of the written materials.

IV. **Personnel**

Given the magnitude of these tasks, as well as the need to steward the investment in internet communications, we recommend that the court add communications staff to maintain the website and manage communication with court users. The court should add one new member of its communications staff to take responsibility for clear, accessible communication to all court users. This person should have experience with website design, administering sophisticated social media and communication with the public. They would be responsible for managing the overhaul of the court's current website as well as creating and administering a system that ensures the website contains accurate, up-to-date information that is accessible, in plain language, and meets the needs of court users, including self-represented litigants. Experience in the legal field and ability to distinguish between legal information and legal advice would be helpful.

In addition to the principles articulated by this Subcommittee, this staff member should be responsible for ensuring that maintenance of the site adheres to best practices, including a regular schedule for review and updates, clear accountability for the accuracy of information on the site and decentralized ability to update and correct errors in a timely way.

The Communications Subcommittee also supports the recommendation of the Litigant Services Committee and actions already taken by the Acting Presiding Judge to augment staff in her office. This Subcommittee recommends that the court dedicate staffing resources to ensure that the general information regarding court operations and procedures is available over the phone. Specifically, a member of the court staff should be available to answer the general phone line for the Domestic Violence Division during normal operating hours.

V. **Data**

Transparent communication of data related to court operations will build trust and create a foundation for continued efforts to improve court access. A list of data requested by this Subcommittee is attached as **Appendix C-2**. Effective July 1, 2022, and thereafter on a quarterly basis, this data should be shared in the aggregate (division-wide) and separated by district. Data should be shared no later than 30 days after the conclusion of the quarter, with quarters ending

March 31, June 30, September 30 and December 31. In addition, the Domestic Violence Division should share historical data for quarters beginning on July 1, 2019 no later than September 30, 2021. The Division should make the data available (at a minimum) to The Network: Advocating Against Domestic Violence and to the extent possible to the public on the court's website.

The Subcommittee recognizes that some of the data listed in **Appendix C-2** may fall outside of the scope of the court's current internal reports; however, the data requested has been chosen because it adds to the community's understanding of court operations and contributes to ongoing efforts to improve efficiency and access to justice.

In order to augment the community's understanding and provide context for court data, the court should engage with stakeholders who provide services to litigants within the Division to identify types of data that will be useful to the court and current sources of aggregate data such as InfoNet that could be used to inform the court.

VI. Intra-Division Communication

In addition to clear, accurate communication with the public, communication among the Division's stakeholders is fundamental to the health of its functioning. This Subcommittee recommends implementation of two forms of intra-Division communication:

1. The Domestic Violence Division Presiding Judge's Office should create an email listserv for rapid communication of changes in court procedures and personnel. The Subcommittee can provide a list of stakeholders for initial inclusion, but also recommends that the court website include a place to opt-in to email updates.
2. The Domestic Violence Division Presiding Judge's Office should collaborate with The Network to host regular, inclusive stakeholder's meetings to facilitate sharing of information related to the functioning of the Division and crafting collaborative responses to challenges.

These meetings should be facilitated by The Network or the court's Senior Attorney and should include stakeholders from the following groups: legal aid attorneys, domestic violence advocates, members of the private bar, the State's Attorney's Office, the Public Defender's Office, clerks, pro bono leaders (from firms and law schools), funding community, and others designated by the court. The group should develop priorities that require or would benefit from input or contributions from diverse stakeholders, articulate issues that require regular group updates, and choose metrics for regular reports by the court. The meetings should be held quarterly, with subcommittees / working groups that may meet more frequently as necessary.

As of the drafting of these final recommendations, the Communication Subcommittee consisted of the following members: Margaret Duval, Subcommittee Chair; Elizabeth Monkus; Cesar Rolon; Benna Crawford; Carmen Navarro Gercone.

APPENDIX C-1
Domestic Violence Division Communications Needs

Summary: This chart delineates needs for communication at each step in civil litigation within the Domestic Violence Division. (The Communications Subcommittee did not fully evaluate the need for communications for people involved in the criminal process.) The column at the left describes the step in the litigation process, while the remaining columns list the types of communication the court should undertake at each phase in the process, ranging from inclusion on the court’s website, signage within the courthouses, written materials that can be distributed as hard copies or via email, and staff who are available to answer questions.

While the Communications Subcommittee undertook a thorough review of the communication needs at each step, its work ultimately revealed the need for an even closer look at each step. Further examination of the process should include input from diverse stakeholders and take place under the direction of the new member of the communications staff recommended in our report.

| Process Step | Website | Signage | Written Materials | Staff assistance |
|-------------------------|---|---|---|---|
| Before Arrival at Court | <ul style="list-style-type: none"> • How to get to court(s): <ul style="list-style-type: none"> • CTA stops • Accessibility information • Detailed parking information • Items prohibited by security • Availability of childcare • Days / hours that entry is permitted • Filing deadline • Interpreting options • How to file remotely • How to make a remote court appearance in existing case | N/A | N/A | Point person on PJ staff to answer the phone to take general questions about court process |
| Security checkpoint | N/A | <ul style="list-style-type: none"> • Welcome • List of prohibited items | Pocket card for (UPDATED) court website and The Network hotline | Uniform script for sheriff to clarify their role (which questions they can and can’t answer, directing most questions to court / clerk personnel) |

| | | | | |
|-------------------------|--|--|--|--|
| Court Triage | <ul style="list-style-type: none"> Types of Petitions <ul style="list-style-type: none"> OP SNCO CNCO Option to file criminal charges (and how to initiate) What you need to file a civil petition (could be listed as a “Before You Begin” on ILAO) <ul style="list-style-type: none"> Respondent’s DOB Addresses for service School addresses | Clearly marked steps in process at different locations: <ul style="list-style-type: none"> Check in at help desk Complete pleadings File pleadings Attend hearing | FAQs: <ol style="list-style-type: none"> Descriptions of types of orders Overview of criminal charges vs. civil orders | |
| Preparation of petition | <ul style="list-style-type: none"> Preview of forms Options for remote filing Information about e-filing exemption for litigants and SRLS filing protective orders E-filing <ul style="list-style-type: none"> What you need to e-file: credit card, email address Instructions: All under one envelope there should be at least two filings: <ol style="list-style-type: none"> Filing Type: <u>Complaint/Petition</u> (Listed below are the forms that should be included this filing) <ul style="list-style-type: none"> DV Coversheet (CCDV 0601) Petition for Order of Protection (Form CCG 0807, CCG 0812 or OP-P 403.1) Proposed Emergency Order of Protection (Form CCG 0806, CCG 0813 or OP-E 404.2) Filing Type: <u>Summons Issued and Returnable</u> (Listed below is the form that should be included in this filing) Summons (Form SU-502.2) <p>If any Exhibits or Affidavits need to be filed, they should be filed under the same envelope.</p> <ul style="list-style-type: none"> Exhibits will be filed under filing type <u>Exhibits Filed</u> Affidavits will be filed under filing type <u>Affidavits Filed</u> | If ILAO forms can be filed directly, need: Large general signage that says something like “Use these computers to file for a Protective Order” Computers should be queued up to link to ILAO and each terminal should have a small sign with FAQs/filing steps and information | Instructions are included in pleadings. It may be helpful to have a short handout at this point that previews the filing and hearing steps | Multiple court staff members to assist with completion of pleadings and filing |

| | | | | |
|-----------------------------------|---|---|---|--|
| | <p>The Sheriff's Office Confidential Protective Order Information Sheet (Form CCCR 100) should NOT be e-filed. After the filer has received their file stamped documents from our office, this completed form, along with the other file stamped documents, should be emailed to the OCJ's 555dv.courthouse@cookcountyil.gov email account to receive remote court information.</p> <ul style="list-style-type: none"> • <u>Link</u> • Filing with ILAO - link • Fill out forms at home and file in-person (link back to Before Arrival at Court) | about who to ask if you need help) | | |
| Emergency Hearing – incl. outcome | <p>Information to prep litigants on what to expect at emergency hearing, potential outcomes of emergency hearing</p> <p>Links to materials on preparing for court (ILAO? Supreme Court?)</p> <ul style="list-style-type: none"> • Clickable links for launching zoom for each courtroom. | Clear signs of where to go with questions post-hearing. | <p>Handouts (that can be emailed) that cover:</p> <ol style="list-style-type: none"> 1. petition is granted 2. petition is dismissed 3. No emergency, petition only <p>Network Hotline Info</p> <p>What to expect next:</p> <ul style="list-style-type: none"> • Service • Hearing | Court staff to provide handouts, connections to resources, answer logistical questions |
| Service | <ul style="list-style-type: none"> • Service requirements for protective orders • Link to Sheriff's website to check on service. • Short explanation of what to expect based on whether there is service or not. • Instructions (including links to forms) with how to request leave to serve via publication | | Form affidavit to fill out with details on service attempts, last known addresses, exhaustion of due diligence to submit along with request for leave to publish. (To be created) | Court staff to direct litigants to website, written materials on serving respondent |
| Return date(s) | Date/time/Zoom code for each calendar | N/A | | |

| | | | | |
|-----------------|---|--|---|---|
| Hearings | <p>Information to prep litigants (petitioners and respondents) on what to expect at hearing, potential outcomes</p> <p>Date/time/Zoom code for each calendar</p> <ul style="list-style-type: none"> • AOIC statewide forms link • DV Division phone & email | | <ul style="list-style-type: none"> • "What to expect" summaries • How Do I?" section should include more practical information (what to bring, where to go, when to talk) | <ul style="list-style-type: none"> • Should be available to respond to logistical Qs • Need information about where to go/who to talk to/type of case to file (which division) if you still need child support, safe exchange plan, divorce, immigration assistance |
| Enforcement | <p>Practical steps on enforcement</p> <ul style="list-style-type: none"> • When is the order enforceable? • Can it be enforced against a petitioner? • Who should receive copies of the order? • What to do if you have an order and it's been violated? <p>Need: Information for respondents about when a public defender is available to them</p> | | <ul style="list-style-type: none"> • Resource card explaining enforcement • Referrals to other services (housing, economic assistance) • Information for respondents about when a public defender is available to them | |
| Other resources | | | Judges/probation need better information about rehabilitative services for respondents | Court staff to provide referrals to other services (housing, economic assistance, etc.) |

APPENDIX C-2

List of data requested by the Communications Subcommittee

- Number of litigants requiring interpreter, language requested
- The number of petitions filed for Orders of Protection, Stalking No Contact Orders, Civil No Contact Orders, Workplace Restraining Orders and Firearms Restraining Orders
 - Whether petitions were filed in person or through remote access
 - Dispositions of these cases
 - Median length of time from filing to disposition
 - Median length of time from filing until service
 - Median length of time from service to disposition
 - Relationship
 - Children in common?
 - Type(s) of abuse alleged
 - Type(s) of relief requested
 - Type(s) of relief granted
 - # Referred to mediation (classified by type of petition)
 - # Resolved in mediation (classified by type of petition)
 - Linkage to services
 - Same parties with litigation in another Division (which Division?)
- The number of walk-ins who have a pending criminal case (arrest) and need an OP
- The number of walk-ins who want to speak with the SAO about charges
- The number of cases charged
 - Number of misdemeanors
 - Number of felonies
 - Break out VOOPs?
 - The disposition of every DV case
- Initial charge versus the disposition (i.e. cases being pled down)
- Sentencing
 - Incarceration - amount of time?*
 - Supervision (probation / conditional discharge)*
 - Assigned to classes*, community service*
- The number of cases where an OP is issued in bond court
- The number of cases where charges and an OP are issued the same day

APPENDIX D

Litigant Services Subcommittee Report

Over 13,000 litigants come through the Domestic Violence Division each year – the vast majority without the assistance of an attorney or advocate. These litigants come to the court in crisis, many seeking potentially lifesaving protection. Navigating the courts can be challenging for any unrepresented litigant, but for those experiencing abuse, the experience is all the more daunting. A central theme of the larger Committee on Domestic Violence Court meetings has been the lack of sufficient personnel available at the domestic violence courthouse to assist litigants complete their initial petitions.

This Subcommittee's recommendations strive to support the Domestic Violence Division's efforts to provide litigants accessible same day services and judges the tools to provide survivors with all the remedies available to them under the Illinois Domestic Violence Act (IDVA) and any other acts under which a petition may be brought in the Domestic Violence Division. To this end, this Subcommittee recommends the creation of six new positions (5 Litigant Services Associates and 1 Litigant Services Supervisor) to assist litigants in all types of Domestic Violence Division cases as they navigate the court process. We also recommend leveraging and expanding existing court resources to assist survivors seeking child-related remedies in obtaining relief available under Illinois law.

This Subcommittee strongly supports other Subcommittee's recommendations to use guided interviews to generate court forms and improve information sharing and communication with the public. The work of this Committee provides an exciting opportunity to transform the Domestic Violence Division of the Circuit Court of Cook County into a nationwide model for supporting survivors of domestic violence and sexual assault.

I. Litigant Services Associates

A. Background

Well-drafted complete petitions reduce unnecessary expenditure of court resources and increase the likelihood of litigants obtaining the remedies to which they are entitled. Historically, the court has relied on volunteers and outside organizations to assist litigants in completing their initial petitions. While advocates provide an essential service to survivors of domestic and sexual violence, they are constrained by their own agency priorities and staffing. Volunteers tend to have high turnover and require significant support and infrastructure from non-profits. A survey of other jurisdictions demonstrates that the court can and should provide its own staffing to meet this need.

This Subcommittee recommends hiring five Litigant Services Associates (LSAs) and an LSA Supervisor. These positions are public-facing court employees, intended to manage court resources by serving as a central point of contact and assistance for self-represented litigants. In addition to administrative duties, the LSAs will provide practical assistance to self-represented litigants in using self-guided forms, including in assembling complete petition packets. They will

provide guidance on court processes and timelines and offer referrals to additional available services.

A 2014 ABA survey of court-based self-help centers found that although the services work closely with legal aid and attorney volunteers, the centers rely heavily on court staff to assist self-represented litigants. The majority of courts employ up to 6 staff in their self-help centers—only 17% of self-help centers surveyed employ no full-time staff.⁵ Over 80% of court-based self-help centers provide document assistance to self-represented litigants.⁶

The National Center on State Courts maintains the Justice for All (JFA) resource center to help courts improve access to justice amid a striking rise in self-representation in courts.⁷ In its guidance, the JFA initiative recommends self-help centers with court staff to facilitate.⁸ The resources for the initiative start from the assumption that courts—and their staff—have an important role in assisting self-represented litigants navigate the court. Strong governance for self-help is key in improving access to justice for people without an attorney, and it is this Subcommittee’s recommendation that the governance flow from the court.⁹

We do not believe any concerns about the unethical provision of legal advice are implicated by these positions. The line is generally well-defined that court staff may provide appropriate forms and instructions for those forms, while answering questions about those forms (i.e. completeness). Court staff may not advise about content or language to use in court filings or in court. Court staff may not advise a course of action nor speculate on an outcome. The LSA position is written to facilitate the former and avoid the latter.

B. Litigant Services Associate Proposal

The proposed five LSA positions sit easily within this well-established tradition of court-based litigant assistance. Proposed job descriptions for the LSAs and their supervisor are attached to this report as **Appendix D-1**. It is this Subcommittee’s recommendation that the LSA supervisor be a licensed attorney or someone with substantial domestic violence experience. A survey of other jurisdictions demonstrates an industry standard of employing an attorney in their self-help centers. In addition, an attorney supervisor will be most qualified to spot and suggest solutions to systemic issues.

The proposed duties of the LSAs and their supervisor align with the best practices for court-based self-help centers. Among those best practices are clearly defined roles, as well as clearly defined criteria for when cases or litigants must be referred to other services, and provision of a variety of services from initial assessment, one-on-one forms assistance, and the use of technology to guide litigants through document preparation. It is imperative that the role be

⁵American Bar Association Standing Committee on the Delivery of Legal Services, *The Self-Help Center Census: A National Survey*, p. 5 (2014), available at <https://www.srln.org/node/379/report-self-help-center-census-national-survey-aba-2014>.

⁶*Id.* p. 12.

⁷National Center for State Courts Justice for All Initiative, <https://www.ncsc.org/jfa> (last visited April 1, 2022).

⁸National Center for State Courts Justice for All Initiative, *NCSC Justice for All Initiative Guidance Materials*, pp. 24-25 (November 2019), available at https://www.ncsc.org/__data/assets/pdf_file/0021/25464/pdf-jfa-guidance-materials.pdf.

⁹National Center for State Courts Justice for All Initiative, *Lessons from the Field*, <https://www.ncsc.org/jfa/guidance-and-tools/lessons-from-the-field> (last visited April 1, 2022).

integrated into the Division and the community of service providers and participate in regular evaluations of how the center is functioning and serving both the court and the community.

Division staff specifically assigned to the coordination of self-help services will ease some burdens on legal aid capacity, as well as improve the process for both judges and petitioners who proceed without an attorney or non-attorney advocate. The LSAs and their supervisor will bring continuity and clarity to self-help resources in the Division.

C. Models from Other Jurisdictions

Below, are examples of court systems where court staff—and in some cases attorneys employed by the court—assist self-represented litigants in selecting and completing the correct forms, as well as ensuring petitions are complete and comprehensible for the court.

Washington, District of Columbia

The DC Superior Court (the trial court in the District of Columbia, which hears civil and criminal matters) maintains a family law self-help center with dedicated space within the courthouse.¹⁰ The center is staffed with a receptionist, director and two paralegals, who are court employees. The court staff supervises the volunteers and law students at the self-help center.

Staff, volunteers and law students help people fill out forms, assist with process issues and make referrals. On average, staff spend 15 to 45 minutes with each person. Staff collect some demographic information and, even in the pandemic, help 5,000-6,000 people a year. Like all self-help center staff, court employees provide referrals to legal aid and other resources, if litigants need assistance beyond what staff can ethically or reasonably provide.¹¹

Cuyahoga County, Ohio

Cuyahoga County, Ohio has a Domestic Violence Department within the courthouse staffed with a director, coordinator, two community-based advocates, and a case manager.¹² Court staff are supervised by a court-employed attorney. They assist self-represented litigants primarily with forms-based guidance.¹³ In addition to providing instructions on how to complete court forms, they review filled-out forms for completeness and adequacy, then follow up to ensure all paperwork is ready for the final hearing. In addition to providing information about court processes, practices, and procedures, court staff are able to explain options available through the court and provide notary public services. The self-help center exists as a court office to make justice accessible to all by helping individuals navigate through the court process more easily. In its first year, 2017-2018, the center helped more than 8,700 people.

¹⁰ District of Columbia Courts, *Self-Help Center*, <https://www.dccourts.gov/services/family-matters/self-help-center> (last visited April 1, 2022).

¹¹ Information on the DC Court family law self-help center comes through informal conversations with staff.

¹² Center for Court Innovation & Cuyahoga County Domestic Relations Court, Domestic Violence Department, *Domestic Violence Mentor Court Fact Sheet* (July 2018), available at <https://www.courtinnovation.org/sites/default/files/media/documents/2018-07/cuyahoga.pdf>.

¹³ Cuyahoga County Court of Common Pleas, Division of Domestic Relations, *New Help Center for Self-Representeds Opens in Cuyahoga County Domestic Relations Court* (May 1, 2017), available at https://domestic.cuyahogacounty.us/pdf_domestic/en-US/Press%20Releases/Help%20Center%20Press%20Release%20final.pdf.

Bronx Family Court

The Bronx family court has a designated private room for people to use LawHelp Interactive self-guided forms for petitions for orders of protection. Both pro bono attorney and court clerks are assigned to this room to review petitions before they are filed for completeness. Additionally, clerks in the room are available to explain the process, assist in opening a petition and referral to legal aid.¹⁴

Following the 2010 creation of a Task Force to ensure low-income New Yorkers' access to legal representation in civil matters involving housing, personal safety and other basic necessities, New York state courts improved their self-help centers. Counties vary in what staff they employ and what services they offer, as well as the extent to which they partner with legal aid agencies, law schools or pro bono attorneys. However, the state courts focus on technology solutions and forms assistance. To that end, court staff are regularly trained in assisting self-represented litigants with self-guided computerized forms and in guiding self-represented litigants through the process of initiating a case.

California Family Law Facilitator

The court-based litigant services in California are among the most expansive we have seen.¹⁵ In 1996, California passed the Family Law Facilitator Act (FLFA), intended to address issues with access to justice in the domestic relations courts, in response to significant increases in the number of litigants who are unable to afford representation, but who do not meet income-guidelines for traditional legal aid services. The FLFA established county-based mandates for domestic relations court facilitators to ease burdens on the court, promote fair access to justice, and reconnect court services with the communities they serve. California's FLFA Offices are estimated to serve nearly 400,000 persons a year. Eighty-two percent of the clients earn less than \$2,000 per month, while 67% earn less than \$1500 per month.

Each county implements the statute in a manner that serves their court and community. In 2017, San Diego County's FLFA program employed seven attorneys, two legal assistants, and six clerks, and conducted two daily workshops for filing family law cases. Alameda County employed two attorneys and four legal assistants to provide in-court services five days a week in three courthouses. The Alameda program offers a three-prong service model: (1) a phone intake system which also serves as a traditional legal services helpline; (2) workshops for paperwork assistance; and (3) in-court assistance to both the court and litigants for settlement facilitation and drafting of agreements, stipulations, and orders.

Smaller counties offer fewer services, but generally, FLFA offices employ attorneys, paralegals, and other professionals to offer forms assistance, guidance in court processes, and general help in navigating a court case without an attorney. Assistance can be in the form of workshops intended to walk litigants through their forms, educate them on the process, and send them from the

¹⁴ Pro Bono Net, *Tech Pilot in Bronx Family Court Dramatically Increases Court Efficiency* (February 17, 2014), <https://www.connectingjusticecommunities.com/tech-pilot-in-bronx-family-court-dramatically-increases-court-efficiency/2014/02/>.

¹⁵ Information on the California FLFA program was gathered by Kirkland & Ellis pro bono attorneys, Baker MacKenzie pro bono paralegals and Chicago Appleseed staff through a series of interviews and conversations with court staff in California. Reports of those conversations are available on request.

workshop with completed viable domestic relations petitions, or through less-intensive forms instruction.

Beyond ensuring that *pro se* filings meet legal standards, attorneys with the FLFA Office assist the court directly by offering in-court assistance with calendaring, explaining procedural rules and calculating support payments. These duties are not contemplated under our recommendations for Litigant Services Associates.

The expansive services under the FLFA program—case assessment, workshops, referrals to additional services, case management and integration with court administration—embody the best practices for court-based self-help centers.¹⁶ The more modest proposal from the Litigant Services Subcommittee is aimed at high quality forms and process guidance that is integrated into the Division to ensure continuity of service and information.

II. Increasing Access to Child Related Remedies

This Subcommittee encourages the court to give judges in the Division additional resources to assist them in granting litigants economic child-related remedies when requested and where parentage is established. These steps are necessary to realize the purpose of the IDVA to “address any related issues of child custody and economic support, so that victims are not trapped in abusive situations by fear of retaliation, loss of a child, financial dependence, or loss of accessible housing or services.” For litigants who share children in common with their abusers, the issuance of an order of protection without these remedies is often unsustainable.

The Illinois Department of Healthcare & Family Services (HFS) and Domestic Relations Division Presiding Judge Dickler have announced their intention to transfer the agency child support grant to the Domestic Violence Division to create a second Child Relief Expediter position. In addition, HFS has committed to staffing a child support administrative hearing officer will be in the Domestic Violence courthouse one day a week.

The presence of HFS at the domestic violence courthouse will be beneficial in several ways. First, litigants granted temporary child support in their order of protection can enroll that order on site for enforcement. Second, litigants wanting child support but unable to demonstrate the appropriate amount can apply for services and initiate a separate child support case. However, litigants requesting temporary child support in their petition for order of protection with sufficient information for the court to order child support should be granted that temporary support as part of their order of protection and should not be directed to a separate administrative or court process. This practice is an inefficient use of court resources and a violation of the IDVA.

This Subcommittee commends the steps already taken but recommends the court make Domestic Relations Hearing Officers available to cases in the Domestic Violence Division when a litigant

¹⁶ National Center for State Courts, State Justice Institute, & Self-Represented Litigant Network, *Best Practices in Court-Based Programs for the Self-Represented: Concepts, Attributes, Issues for Exploration, Examples, Contracts, and Resources*, p. 8 (2008), available at <https://www.srln.org/system/files/attachments/SRLN%20Best%20Practices%20Guide%20%282008%29.pdf>.

requests temporary child support. In addition, this Subcommittee recommends additional resources be added to extend the success of the Child Relief Expeditor to the suburban district courts.

A. Child Support

Judges in the Domestic Violence Division can, and do, grant temporary child support when requested by the litigant and accompanied by appropriate evidence. However, the process of evaluating sometimes complex finances and calculating support can be time consuming. Providing judges additional support to do those calculations preserves judicial resources and decreases the likelihood of litigants being directed to another division at the outset of the case. Judges' ability to refer cases to the Child Relief Expeditor has increased the number of orders of protection with detailed parenting time schedules that are workable for families. Similarly, giving judges the ability to refer cases to Hearing Officers to calculate child support will increase the number of orders that include financial support necessary to allow litigants to maintain their separation from their abuser.

The placement of a Hearing Officer in the Domestic Violence Courthouse would be a simple, effective way to resolve temporary child support issues. Often, determining child support is legally simple and ripe for same-day resolution when utilizing a Hearing Officer who can spend additional time with parties. The use of Hearing Officers, particularly when working with self-represented litigants, saves the courts substantial time and unnecessary logistical burdens. Judges in the Domestic Relations Division already report that Hearing Officers streamline routine issues, drafting orders that free up judges to spend time on more legally complex issues or issues involving violence or abuse. Their use in the Domestic Violence Courthouse would be a natural extension of their current work.

Using Hearing Officers in the Division dovetails nicely with the presence of HFS at the Domestic Violence Courthouse. Judges can refer litigants to the Hearing Officers to determine support amounts and draft proposed orders. After the entry of these orders, litigants can be directed to HFS on site to enroll those child support orders for enforcement. This will provide litigants with the financial remedies they need without further straining the Division resources with calculation, order drafting, or enforcement of the support orders entered.

The Domestic Relations Division Hearing Officers currently serving in Cook County are already funded through the county budget. The Hearing Officers have a proven track record of quickly, accurately, and effectively resolving child support issues particularly with self-represented litigants. Domestic Relations Hearing Officers routinely aid in expediting court proceedings, avoiding unnecessary delays, and provide support and hearings that litigants report as fair and helpful.

Therefore, this Subcommittee adopts the recommendation from Chicago Appleseed Center for Fair Courts that a county-funded Domestic Relations Hearing Officer also be assigned to the domestic violence courthouse and recommends the court leverage technology to make this resource equally available to litigants at the domestic violence courthouse and the suburban district courts.

Should the volume of referrals to the existing Domestic Relations Hearing Officers from the Domestic Violence Division exceed their capacity, it is the recommendation of this Subcommittee that an additional Hearing Officer be allocated specifically to the Domestic Violence Division.

B. Parenting Time

The Subcommittee recommends the Division hire an additional Child Relief Expeditor (bringing the total number of positions to 3) to focus solely on the suburban district courts. The benefits of the Child Relief Expeditor in expanding the issuance of detailed parenting plans in Domestic Violence Division cases have been limited solely to litigants at 555 W. Harrison. Similar requests for relief in the suburban district courts continue to be denied and referred to the Domestic Relations Division. Recently, a judge sitting in the domestic violence courtroom in one of these suburban courthouses shared that she would be happy to grant child-related relief if she had access to a Child Relief Expeditor. The availability of remedies under the IDVA should be uniformly available throughout the county and cannot be limited based on location.

Litigants referred to Stephanie Senuta, the Child Relief Expeditor at 555 W. Harrison, are scheduled for an appointment on a future date and time. During the pandemic, Ms. Senuta has been holding these sessions remotely, via Zoom. The success of this remote, appointment-based process means that it can easily be expanded, with the appropriate staffing, to the suburban districts.

III. An Ongoing Commitment to Same Day Services

One of the lessons of the pandemic is how important it is that both the court and its stakeholders commit to same day services for survivors in both civil and criminal cases. Same day services benefit not only survivors but also the court, as prolonged case processing necessarily causes duplicated efforts and wasted staff time.

This Subcommittee recommends the court recommit to ensuring that:

- Petitions for orders of protection in independent civil cases and those in conjunction with criminal cases can be filed remotely and heard the same day;
- A survivor whose abuser was arrested is able to access a comprehensive order of protection in conjunction with the existing criminal case on the same day she requests it; and,
- A survivor seeking criminal charges is able to have the merit of those charges evaluated, a complaint sworn out if there is clear merit, and a warrant issued all in the same day (with an accompanying order of protection).

Pre-pandemic, the above-mentioned same day services in conjunction with criminal cases were available to survivors who came to 555 W. Harrison before 1:30 p.m. but were not available to

suburban survivors or survivors who came to 555 W. Harrison later in the day. Same day services in conjunction with criminal cases have been unavailable in the two years since the pandemic began. Ideally, like the civil services, these same day services would be available both in-person and remotely. This Subcommittee recommends that the court and its stakeholders recommit to ensuring these same day services remain available to the litigants who need them.

As of the drafting of these final recommendations, the Litigant Services Subcommittee consisted of the following members: Benna Crawford, Subcommittee Chair; Elizabeth Monkus; Turyia Clay; Margaret Duval; Melanie MacBride; Iris Rivera.

APPENDIX D-1

Proposed Domestic Violence Division Staff Job Descriptions

Litigant Services Associate Supervisor

- **Qualifications:**
 - Minimum 5 years of demonstrated supervisory experience strongly preferred
 - Experience and demonstrated understanding of domestic violence, sexual assault, and stalking strongly preferred
 - 40 hour trained or ability to complete training with 12 weeks of hire
 - Ability to work in a fast paced environment
 - Highly collegial and demonstrated ability to collaborate with multiple stakeholders and culturally diverse populations
 - Spanish fluency strongly preferred
- **Responsibilities include:**
 - Supervision of the 5 Litigant Services Associates.
 - In coordination with the Court Administrator and Division Attorney,
 - create and regularly update packets for litigants after their court dates detailing next steps and providing information and resources;
 - develop and implement plans for distribution of standardized litigant brochures, packets, forms, and other documents; and,
 - create and regularly update forms and form letters for self-represented litigants.
 - Develop, implement, and monitor ways to increase the use of technology for petition creation in a way that is user friendly to self-represented litigants.
 - In coordination with the Presiding Judge, Court Administrator, and Division Attorney, develop, implement and monitor protocols to ensure Litigant Services Associates are not providing any legal advice that could be perceived as ex parte communication by the court.
 - Attend Division or Community Stakeholder meetings as required to ensure services are consistent with best practices and meeting identified needs
 - Other duties as assigned.

Litigant Services Associate

- **Qualifications:**
 - Strong preference for this position to be filled by a non-attorney to avoid any perception of legal advice
 - Experience and demonstrated understanding of domestic violence, sexual assault, and stalking
 - 40 hour trained or ability to complete training with 12 weeks of hire
 - Spanish language fluency strongly preferred
 - Demonstrated ability to work with culturally diverse populations

- **Responsibilities include:**
 - Assist self-represented litigants with completing their petitions for filing using ILAO Easy Forms or subsequent computer programs.
 - Provide post-petition services to self-represented litigants including, but not limited to, assistance with filing and placing alias summons for service, motion practice, and effectuating out of county service.
 - Collect data and feedback from litigants on how to make the use of technology in petition preparation more user-friendly.
 - Other duties as assigned.

APPENDIX E

Volunteer Recruitment Subcommittee Report

The Domestic Violence Division has seen a dramatic increase in civil case filings in recent years. This includes filings for all matters under the Illinois Domestic Violence Act (IDVA), the Stalking No Contact Order Act, and the Civil No Contact Order Act. Workplace Violence Act matters are also filed as civil cases by local employers. According to records provided by the Clerk of the Circuit Court, there has been a 42.4% increase in civil filings in all cases from 2014 to 2021. Of all the in-person filings, only 24% of litigants had the assistance of advocates, and only 141 cases in 2021 were filed by attorneys.

There are many resources located in the domestic violence courthouse to assist litigants in filing petitions and obtaining orders of protection. The court houses several agencies that provide advocates to assist victims of domestic violence as well as a non-profit legal clinic (Ascend Justice) which employs attorneys who assist victims with civil orders of protection and other related matters. Due to the high volume of litigants and limitations of each of these agencies, however, the vast majority of litigants go unrepresented in court cases. It is well accepted that litigants that have assistance in preparing their petitions and affidavits have better court outcomes than those who are self-represented. Incidents giving rise to the need for a civil order of protection can be organized and described in a more complete and detailed fashion and the petition documents can be neatly typed and submitted to a judge if prepared by professionals used to working in this area of law. In many cases domestic violence petitioners do not have the resources to hire attorneys to represent them.

As such, the Volunteer Recruitment Subcommittee was tasked with finding ways to promote volunteer services within the domestic violence courthouse. In previous years, the court formed partnerships with local area law schools to provide law student volunteers to assist litigants in preparing petitions for emergency orders of protection. Somehow those activities had gone dormant in recent months. The Subcommittee reached out to several local area law schools (DePaul, Loyola, UIC-JMLS and Northwestern) to request student volunteers. With the assistance of our non-profit legal clinic (Ascend Justice) and one of our retired Committee members (Denice Wolf Markham), we have been able to quickly reestablish a student volunteer program through DePaul University Law School. Currently, law student volunteers come one day per week to assist litigants in filing emergency petitions online. The students concentrate on using the online ILAO form to help litigants get used to this tool provided by the courts. Ascend Justice attorneys were able to provide training to all of the students on domestic violence in a two-day class setting. The volunteer Committee member provides supervision to each of the students. Northwestern Law School has committed to providing student volunteers as well, but the court will need to discuss student supervision before bringing them onboard.

Additionally, The Domestic Violence Division has started the interview process for summer law school externs through DePaul, Loyola, UIC, and Kent. These law students will come through

the Office of the Chief Judge and receive class credit for the work that they do on behalf of litigants. Summer externs will be managed by the Division's law clerks and legal staff throughout the summer. The law student volunteers create a win-win situation for the courts. Self-represented litigants get much needed support and assistance and the law students learn about an important and difficult area of the law that they may become interested in focusing on in future years. Many students develop an interest in practicing family law from time spent in the domestic violence courthouse.

The Volunteer Recruitment Subcommittee also focused on reenergizing a commitment by the legal community to provide pro bono legal assistance to self-represented litigants. Committee members from the court, Ascend Justice and the Chicago Bar Foundation submitted a draft letter (prepared primarily by Ascend Justice) to Chief Judge Evans for review. The letter should be sent to the pro bono officer of each area law firm and to local bar associations requesting that they provide attorneys to assist self-represented litigants in civil domestic violence cases from beginning to end. Lawyers can help litigants to file initial petitions and represent the victim through all court proceedings including hearings until a plenary order of protection is issued. This program would give local area attorneys needed pro bono credit as well as allow young associates to gain courtroom and trial experience. The court or domestic violence community should create some recognition for the law firm that steps up to provide the most volunteer hours for domestic violence survivors. The court has recently hired a Senior Division Attorney that can manage the attorneys volunteering for this program.

As of the drafting of these final recommendations, the Volunteer Recruitment Subcommittee consisted of the following members: Judge Judith Rice, Subcommittee Chair; Denice Wolf Markham; Margaret Duval; Bob Glaves; Carmen Navarro Gercone.

APPENDIX F

Budget Subcommittee Report

The Budget Subcommittee was tasked with identifying and tracking budgetary requirements of both Domestic Violence Division redesigned daily operations and 24/7 expansion operations.

The Budget Subcommittee worked with members of the advocacy community and Cook County Board Commissioners to prepare an Office of the Chief Judge Budget Amendment during the county budget process. In November 2021, the County Board voted to adopt the Budget Amendment as submitted. The Budget Amendment included funds earmarked for hiring advocates for 24/7 operations as well as disability and elder advocates for daytime operations. Budgeted amounts were also included for hiring additional court coordinators and law clerks, and to provide technology assistance to advocates both for daytime and 24/7 operations.

The Budget Subcommittee has set up a master tracking document across all subcommittees to track budget requests in anticipation of recommended needs. The spreadsheet as of the drafting of these final recommendations is attached as **Appendix F-1**.

The Budget Subcommittee has been working with the advocate community to identify agencies in position to provide advocacy services during 24/7 and daytime operations. Connections for Abused Women and their Children (CAWC) has been identified as a source of advocacy support during the 24/7 pilot period. Using sole source status, CAWC will provide remote and in person advocacy support out of their 24/7 shelter operation with the intention of shifting or expanding access to Stroger Hospital pending completion of an RFP process within 18 months. Advocacy support will include assistance remotely and/or in person to petitioners seeking after-hours access to the court. Advocates will assist petitioners in completing and filing emergency orders of protection and will assist petitioners in participating in after-hours remote court hearings. Access to appropriate referral and support services will also be provided to after-hours petitioners.

The Budget Subcommittee will continue to assist with placing both an elderly and disability advocate at the 555 W Harrison courthouse to assist elderly and disabled litigants with access to the courthouse. Metropolitan Family Services has been identified as a sole source of advocacy support for a fixed period pending completion of an RFP process within 18 months. Advocacy support will include assistance to disabled and elderly petitioners in completing and filing of petitions and assistance in participating in any scheduled court hearings. Access to appropriate referral and support services will also be provided.

The Budget Subcommittee master tracking document (**Appendix F-1**) provides additional detail across all subcommittees.

As of the drafting of these final recommendations, the Budget Subcommittee consisted of the following members: Kate Nolan, Subcommittee Chair; Commissioner Alma Anaya; Jose Guerra; Anibal Negron; Amanda Pyron; Carmen Navarro Gercone

APPENDIX F-1

Budget Subcommittee Master Tracking Document

| TYPE | DESCRIPTION | BUDGET AMOUNT | TARGET COMPLETION DATE | RESPONSIBLE PARTY | SUBCOMMITTEE ORIGIN | STATUS |
|--|---|----------------------|-------------------------------|----------------------------|-----------------------------|--|
| Suburban Court Administrator | Perform administrative functions associated with the establishment and coordination of the DV Division as part of the OCJ assigned to the Presiding Judge's staff. | TBD | TBD | OCJ | Litigant Services | |
| DV Division Attorney (2) | Research services and judicial support. Community liaison. Training | TBD | TBD | OCJ | Litigant Services | |
| Litigant Services Associate Supervisor | Supervise 5 Litigant Services Associates | TBD | TBD | OCJ | Litigant Services | |
| Litigant Services Associate (5) | Assist self-represented litigants in completing petitions. Collect data and feedback from litigants. | TBD | TBD | OCJ | Litigant Services | |
| CAWC Information Counselor Advocates (2) + CAWC Supervisor | Assist self-represented litigants in filing emergency petitions on site at CAWC Shelter and remotely through hotline. | \$140,000-\$150,000 | 5/2/22 | OCJ | 24/7 | Submission of Sole Source Application to County Procurement 3/2022. Will submit RFP for long-term contract. |
| CAWC Technology support | Technology supports for advocates | Up to \$5,000 | 5/2/22 | OCJ | 24/7 | |
| Disability Advocate | Assist litigants at 555 W Harrison needing disability services or accommodations. Communicate with litigants about available services and refer litigants to eligible programs/services. | \$60,000 | TBD | OCJ | | Metropolitan Family Services will provide advocates pending RFP process approval. Sole Source Justification in progress 3/2022 |
| Elder Advocate | Assist litigants at 555 W Harrison needing elder services or accommodations. Communicate with litigants about available services and refer litigants to eligible programs/services. | \$60,000 | TBD | OCJ | | Metropolitan Family Services will provide advocates pending RFP process approval. Sole Source Justification in progress 3/2022 |
| Communication Staff | Responsible for clear and accessible communication to all court users. Responsible for managing the overhaul of the court's current website as well as creating and administering a system that ensures that the website contains accurate, up-to-date information that is accessible | TBD | TBD | OCJ | Communications | |
| Signage | Remove and replace courthouse signage | TBD | TBD | OCJ | Communications | |
| Litigant Handouts | Printed handouts for litigants. | TBD | TBD | OCJ | Communications | |
| Website | Court website overhaul with aim towards accessibility | TBD | TBD | OCJ through outside vendor | Communications | |
| Judicial Staff | 6 additional DV judges with corresponding support staff. | TBD | TBD | OCJ, Clerk | Organization of Court; 24/7 | |
| Technology | Laptops for advocate use | \$40,000 | TBD | OCJ | | |

APPENDIX G

Fitness Diversion Program Subcommittee Report

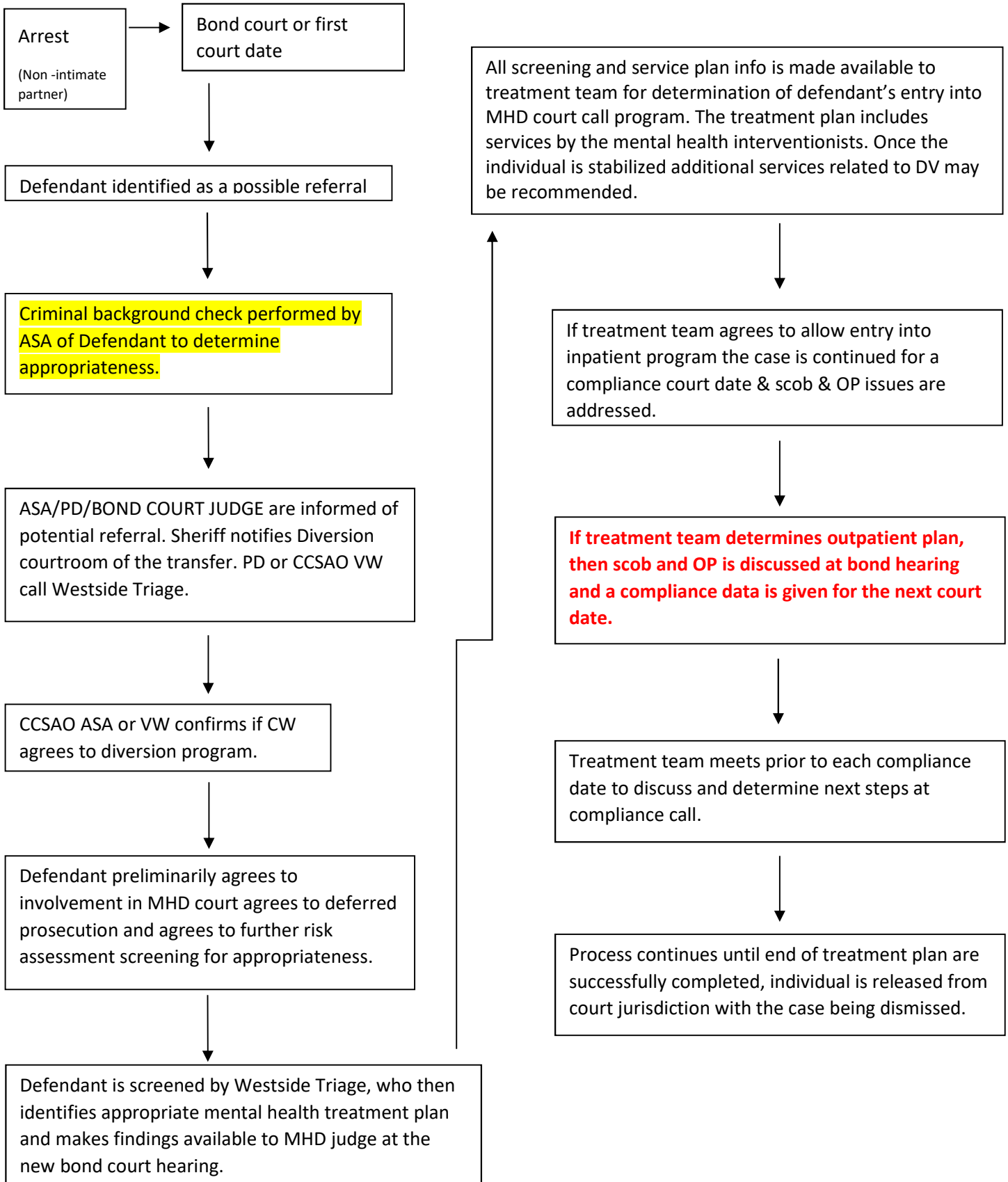
The Fitness Diversion Program Subcommittee was formed in January 2022 and continues to work on formulating a plan for the implementation of a Domestic Violence Mental Health Diversion call. This program will be modeled off the Fitness Diversion Project currently operating in the misdemeanor branch courts, with appropriate adjustments necessary in cases involving domestic violence and in conjunction with the advocacy community. The Subcommittee's proposed process flowchart is attached to this report as **Appendix G-1**.

The Subcommittee aims to begin the program in July 2022. The Subcommittee's proposed timeline is attached to this report as **Appendix G-2**.

As of the drafting of these final recommendations, the Fitness Diversion Program Subcommittee consisted of the following members: Judge Jeanne Wrenn, Subcommittee Chair; Judge Megan Goldish; Amanda Pyron; Danita Ivory; Monique Patterson; Tene McCoy Cummings; Emily Cole; Elizabeth Monkus.

APPENDIX G-1

Mental Health Diversion, Domestic Violence Division Process Flowchart



APPENDIX G-2

Mental Health Diversion, Domestic Violence Division Proposed Timeline

April 2022

- Finalize the process flow chart for administering these cases
- Set up new branch court number for this calendar
- Establish how cases will be identified and transferred to specialized call
- Westside Triage hires new staff & provides training for new staff
- Determine appropriate name for this call

May/June 2022

- Create training for DV Judges, ASAs/VW, PDs, PTS, Sheriffs & Clerks
- Work with clerks to create proper key/code entries for these cases
- Identify work station @ 555 W. Harrison for Westside Triage to work from
- Provide another in person tour of the courthouse to Westside Triage partners

July 2022 – July 2023

- Begin 12-month pilot DV Mental Health Diversion program
- Work with Matt Epperson to identify evaluation criterion for tracking cases (substantive and timing check points): 3 months, 6 months, 9 months and 1 year
- Identify grant funding for sustaining this type of call; if after evaluation, continuing the call is deemed worthwhile

APPENDIX H

Proposed Schedule for Pilot After-Hours D.V. Court

Each current DV Judge would take the after-hours shift on a rotating basis while a floater judge fills the on-duty judge’s regular weekday schedule.

| | | | | |
|--|---|---|--|--|
| <u>Monday</u> 9:00pm – 3:00am (6 Hours) | <u>Tuesday</u> 9:00pm – 3:00am (6 Hours) | <u>Wednesday</u> 9:00pm – 3:00am (6 Hours) | <u>Thursday</u> 9:00pm – 3:00am (6 Hours) | <u>Friday</u> 9:00pm – 3:00am (6 Hours) |
| <u>Saturday</u> 1:00pm – 6:00pm (5 Hours) | | <u>Sunday</u> 1:00pm – 6:00pm (5 Hours) | | |

Total: 40 Hours

A DV Judge is On-Duty Seven Days Per Week

- After-hours D.V. Court is presently unstaffed
- Assign one current DV judge as the after-hours floater judge
- Assign 2 *additional* court coordinators for after-hours duty