

## **Community of Practice for Family Law Attorney's Representing Immigrant Survivors of Domestic Violence and Sexual Assault**

**Emerging Challenges for Family Law Attorneys  
due to the COVID-19**

**March 30, 2020**

# Next COP Calls

- **April 21, 2020 at 1pm EST**  
Discussion: Helping Victims of Human Trafficking Courts Encounter in Juvenile Dependency, Child Welfare and Other Family Court Proceedings
- **May 19, 2020 at 1pm EST**



How are you and your office handling the new challenges we are facing with the COVID-19 health crisis?

How can NIWAP and  
our technical assistance  
support you during this  
time?

# Duties to Our Clients

- Communicate
  - Telephonically or video teleconferencing with clients
    - Challenges with accessing technology for immigrant survivors, LEP, older life, and clients with limited abilities
- Have access to client files
  - Are you able to access your office?
  - Electronic files

Are your Courts  
open for essential  
hearings ?

# What might be considered essential hearings?

- Department of Family and Protective Services Child Removal hearings
- Temporary restraining orders, protective orders and
- Decided on a case by case basis enforcement actions or any final matter that would pose a serious financial or dire consequence

# Response from Family Courts

- Suspending in-person, non-emergency hearings
  - Uncontested dockets have been cancelled
- Reduced court staff, encourage to E-file and email or call before going in person
- Use of virtual hearings
  - Learning Zoom, GoTOMeeting
- Continuances (postponements) should be readily granted



# Agreements and Negotiations

- Consider submitting agreed upon and non-evidentiary matters that do not require a record directly to the court
  - Per your State's Rules of Civil Procedure

# Importance of Safety Planning with Immigrant Victims of Domestic Violence, Sexual Assault, and Stalking in times of Stay at Home Orders

What are some of the ways COVID-19 affects safety planning?

# Discussion of Issues to Address in Light of Stay at Home Orders

- Impact on custody and visitation (possession and access) orders
- If parent is diagnosed or believes they have Covid-19 what should courts order
  - Shall communicate with the other parent and discuss procedures to protect the health of the child

What are emerging issues  
with custody or visitation  
related to COVID-19?

How might challenges  
presented by COVID-19  
impact your ability to meet  
grant deliverables?



# Next COP Calls

- **April 21, 2020 at 1pm EST**  
Discussion: Helping Victims of Human Trafficking Courts Encounter in Juvenile Dependency, Child Welfare and Other Family Court Proceedings
  - With judicial faculty
- **May 19, 2020 at 1pm EST**

