

Effective Protection Orders For Immigrant Survivors

Webinar
August 17, 2023

Faculty



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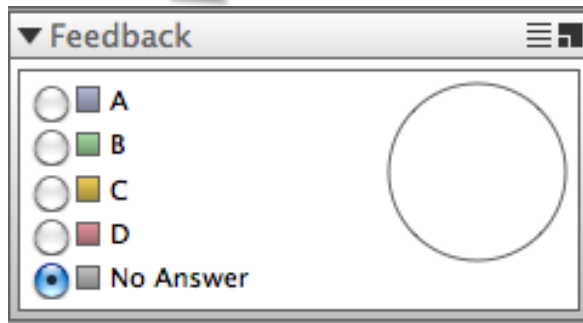
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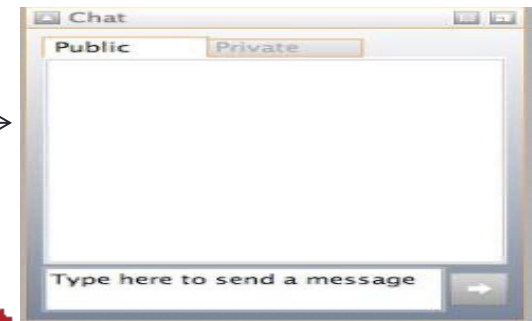
Poll 1: Who Has Joined Us on This Webinar?

Answer on
the left



- A. Judge/court staff
- B. Domestic violence/Family law attorneys
- C. Victim/Child Advocates
- D. Other

Other write
in chat box



Learning Objectives

By the end of this workshop, you will be better able to:

- Apply legally accurate information about the intersection of state civil protection orders & federal immigration laws
- Issue/seek protection orders with remedies that most effectively protect immigrant victims and their children
- Obtain Special Immigrant Juvenile Status findings and U/T Visa certifications in protection order cases
- Know the role that no unlawful contact protection orders play for immigrant victims
- Improve enforceability of protection orders by issuing Padilla warnings and understanding the immigration consequences of protection order violations findings

What Research Tells Us About Abused Immigrants Seeking Protection Orders

Abuse Suffered By Immigrant Survivors

- Immigrant seeking protection orders
 - 79% – physical and sexual abuse
 - 45% – stalking
 - 31% – dating violence
 - 25% – child abuse
- Survivor's children
 - 39% – child abuse
 - 30% – battery and child abuse
 - 30% – physical and sexual abuse
 - 19% – stalking
- Ammar, Orloff, and Couture-Carron, Immigrant Victims of Interpersonal Violence and Protection Orders, in Civil Court Responses to Intimate Partner Violence and Abuse (2020)

For Survivors Whose Immigration Cases Have Not Progressed to Work Authorization

- Many stay in abusive homes
- And seek protection orders to curb abuse they experience daily, weekly, or monthly:
 - Battering and sexual assault – 50%
 - Stalking – 29%
 - Dating violence 29%
 - Child abuse 18%

Ammar, Orloff, and Couture-Carron, Immigrant Victims of Interpersonal Violence and Protection Orders, in Civil Court Responses to Intimate Partner Violence and Abuse (2020)

NIJ Funded CPO Study Found

With support, immigrant victims will use and benefit from justice system assistance

- 60.9% did not know about CPOs
- With safety planning and advocate/attorney support 81% got CPOs including -
 - Those experiencing high levels of abuse
- 96% found them helpful
- 68.3% of violations: immigration related abuse

Ammar, Orloff, Dutton, and Hass, Battered Immigrant Women in the United States and Protection Orders : An Exploratory Research Criminal Justice Review 37:337 (2012)

When Courts Act in Ways Welcoming to Immigrants

- More immigrant survivors seek CPOs from courts that:
 - Provide language access
 - Sign U visa certifications
 - Issue Special Immigrant Juvenile Status findings
 - Outreach to immigrant communities
 - Rule against abusers who raise the victim's immigration status in CPO or custody cases

Rodrigues, Husain, Couture-Carron, Orloff, & Ammar, Promoting access to justice for immigrant and limited English proficient crime victims in an age of increased immigration enforcement: Initial report from a 2017 national survey. (2018)

Immigrant Protection Order Eligibility

Immigrants and Protection Orders

- Courts have jurisdiction and all persons are eligible to receive civil protection orders without regard to the immigration status of any party or child
 - Chapter on jurisdiction in materials
- Immigrant victims and their children often need creative protection order remedies using the state catch all provisions

Domestic Violence Definitions Under State Law and Federal Immigration Laws

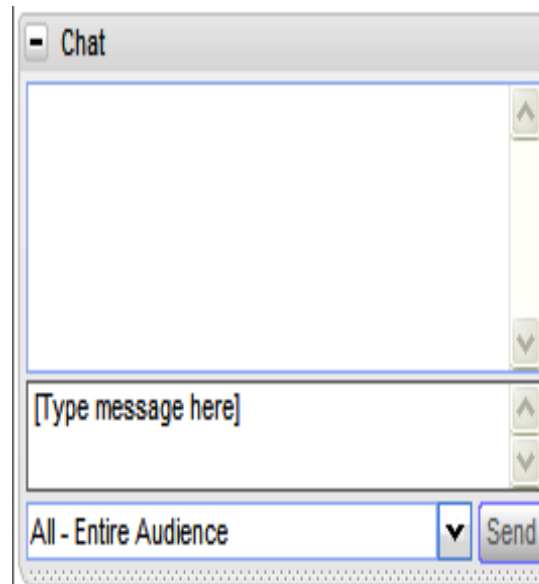
Immigration Law Domestic Violence Definition

- Is broader and more inclusive than all state
 - Protection order laws, and
 - Criminal laws
- Immigration law definition
 - "Battery or Extreme Cruelty"

“Battery or Extreme Cruelty”

- Includes
 - All forms of abuse covered in state civil protection order statute
 - All forms of abuse that constitute domestic violence under state criminal laws
 - Includes threats and attempts
 - Plus – Forms of abuse that are extreme cruelty
 - No physical harm or crime required

Name some factors that are included in the immigration law definition of “extreme cruelty.”



Immigration Law Definition of Battering or Extreme Cruelty

- “Being the victim of any act or a threatened act of violence, including any forceful detention, which results or threatens to result in physical or mental injury. Psychological or sexual abuse or exploitation, including rape, molestation, incest (if the victim is a minor) or forced prostitution shall be considered acts of violence. Other abusive actions may also be acts of violence under this rule. Acts or threatened acts that, in and of themselves, may not initially appear violent may be part of an overall pattern of violence” 8 C.F.R. §204.2(c)(1)
- Based on what state family courts have consider to be extreme cruelty in divorce, alimony, support and custody cases

What kinds of findings can judges make on CPO cases that could help prove battering or extreme cruelty in the victim's immigration case?



Immigration Law's Domestic Violence Definition “Battering *or* Extreme Cruelty”

- Includes but is not limited to
 - Emotional abuse
 - Economic abuse
 - Using children
 - Deportation threats and immigration-related abuse
 - Intimidation
 - Social isolation
 - Degradation
 - Possessiveness
 - Harming pets
 - Coercive control

CPO Findings on These Criminal Activities Help Survivors

- Domestic violence (battery or extreme cruelty)
 - Sexual assault
 - Rape
 - Incest
 - Prostitution
 - Torture
 - Felonious assault
 - Manslaughter
 - Murder
 - Female genital mutilation
 - Kidnapping
 - Abduction
 - Trafficking
 - Involuntary servitude
 - Slave trade
 - Being held hostage
 - Fraud Foreign Labor Contracting
 - Peonage
 - False Imprisonment
 - Blackmail
 - Extortion
 - Witness tampering
 - Obstruction of justice
 - Stalking
 - Similar Activities
 - Hate Crimes
 - Child/Elder/Disabled Abuse
 - Aggravated Robbery
 - Video voyeurism
 - Parent perpetrated
 - Child abuse
 - Child neglect
 - Child abandonment
- Attempt, conspiracy or solicitation to commit any of these crimes or any similar activity**

Involuntary Servitude in a Domestic Violence Relationship

<https://www.uscis.gov/policy-manual/volume-3-part-b-chapter-2>

- Violates federal & state anti-trafficking laws
- Forced to work by use/threat of
 - physical restraint or physical injury
 - Coercion through law or legal process
- Goal of abuser to subject victim to a condition of servitude

Trafficker Control Victim's Liberty To Create a Condition of Servitude

- An expectation that the victim's life fulfills the orders of the trafficker
 - E.g., demand from the trafficker to perform domestic labor at an unreasonable level, including unreasonable working hours, and/or constant availability to labor regardless of health or energy;
- Lack of control over the victim's own wages (or not paid) despite laboring under the trafficker's demands; or
- The imposition of unequal living arrangements as part of the campaign of force, fraud, and coercion
 - E.g., unequal sleeping arrangements, living arrangements, or access to nourishment

PROTECTION ORDER ENFORCEMENT



Poll 2: True or False?

Issuance of a protection order is a deportable offense ?



True



False

Immigrants and Protection Orders

- Protection order issuance = no effect on immigration status
- A conviction *or finding* of violation of the “*protection against abuse provisions*” of a protection order is a deportable offense

Protection Orders and Immigration Considerations

- Violation of a protection order is a deportable offense
 - Can lead to loss of lawful permanent residency and other immigration consequences for the perpetrator
 - A finding of violation of the protective provisions of a protection order in any context can trigger deportation including findings in civil contempt cases and admissions for diversion
- Victims should not be charged with violation of orders issued for their own protection

Findings of Certain Protection Order Violations = Deportable Offenses

- Even if no criminal prosecution or conviction
- Deportable Offense =
 - An immigrant “enjoined under a protection order issued by a court and whom **the court determines has engaged in conduct that violates the portion of a protection order that involves protection against credible threats of violence, repeated harassment, or bodily injury to the person or persons for whom the protection order was issued is deportable.**”
 - 8 U.S.C. § 1227(a)(2), INA § 237(a)(2)(E)(ii) (emphasis added).

Immigration Law Definition of “Protection Order” for Deportable Offense Purposes

- The term “protection order” means any injunction issued for the purpose of preventing violent or threatening acts of domestic violence, including temporary or final orders issued by civil or criminal courts (*other than support or child custody orders or provisions*)
 - 8 U.S.C. § 1227(a)(2), INA § 237(a)(2)(E)(ii) (emphasis added).

Poll 3: Which of the following is a deportable offense?



- A. Domestic violence criminal conviction
- B. Finding in a custody case that a protection order was violated by further abuse of the victim
- C. Criminal conviction for violating a protection order
- D. Agreeing to diversion in a protection order enforcement case where upon violation diversion turns into a conviction
- E. All of the above

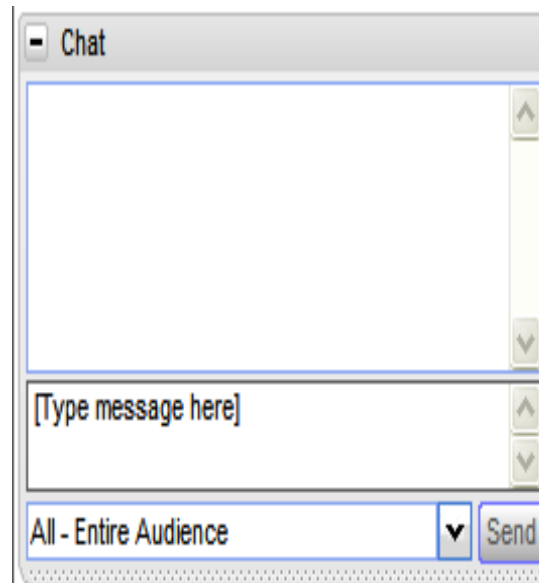
Best Practices

- Issue Padilla advisals in protection order cases
- In cases in which parties seek protection orders against each other
 - When one party is pro se and the other is represented consider appointing counsel for the unrepresented party

Race to the Courthouse -- Protection Orders Issued Against Immigrant Victims Are Particularly Harmful



What are the dangers of issuing a protection order against a domestic violence victim?



Effect of Protection Order Issued Against Victims

- Increases perpetrator's power and coercive control
- Harmful to victims and their children
- Can lead to the perpetrator gaining custody of children
 - Impact of domestic violence on child's brain development
- This can pose serious safety concerns for victims

Why might issuance of a protection order against an immigrant victim be particularly harmful?



Effect of Protection Order Issued Against *Immigrant Victims*

- Victim is one step away from deportation
- A violation of a protection order is a deportable offense
 - Findings enough – conviction not required
- Perpetrators who are successful in convincing courts to issue protection orders are often also successful in obtaining findings that the victim violated the order

Harms When a Victim Has a Protection Order Issued Against Them

- Having an order of protection issued against a non-citizen could prevent them from establishing good moral character that is a requirement for immigration relief - Examples:
 - VAWA self-petition
 - VAWA cancellation of removal
 - Naturalization

How Immigrant Victims End Up As Respondents In Protection Order Proceedings

Police arrive at domestic violence incident, perpetrator speaks English

- Perpetrator speaks to and/or interprets for the police
- Outcome A
 - Police see victim's injuries but take no action and advise both parties about protection orders
 - Perpetrator files for a protection order against the victim
 - Victim is served and then also seeks a protection order
- Outcome B
 - Perpetrator convinces the police to arrest the non-English speaking victim

Importance of Self-Defense and Primary Aggressor Determinations

- Importance of determining who is the primary aggressor and whether one party may have been acting in self-defense
 - When the party against whom a protection order is sought may be the victim
 - This is particularly important for immigrant victims

Elements of Self-Defense

- Person using force had a reasonable belief that he/she was at risk of bodily harm
- Risk of harm was actual or imminent
- The force used was the force reasonably necessary to prevent or stop the infliction of bodily harm
- If self-defense, no need to conduct predominant aggressor assessment

Determining Predominant Aggressor

- History of violence
- Offensive vs. defensive wounds
- Statements
- Severity, extent of injuries
- Each party's ability to do what is alleged
- Likelihood of future injury
- Force, violence used to retaliate, punish
- Size and strength of the parties

What can a court that suspects a person seeking a protection order is the predominant perpetrator of abuse in the relationship do?



Steps courts can take

- Look for facts that are related to a race to the courthouse
- Make primary aggressor determinations
- Carefully review the pleadings
- What can the courts see about the criminal record of either party?

Importance of Findings in Cases of Immigrant Survivors

When Perpetrators Are Willing to Consent Only to “No Findings” Protection Orders

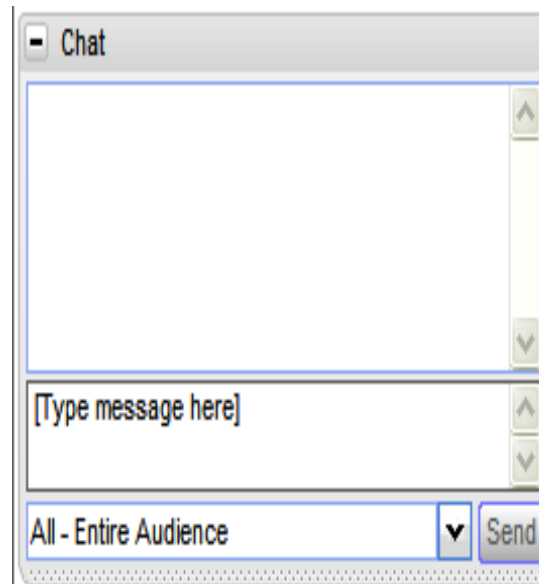
- Effects of “No Findings” Protection Orders
 - Jurisdictionally not enforceable
 - Can allow the abuser to keep his firearms
 - Increase danger to a survivor and her children
 - Undermine state laws regarding domestic violence and custody

Beneficial Findings to Include When Issuing Protection Orders

- In contested cases findings of:
 - Physical and sexual abuse, stalking, extreme cruelty, & human trafficking against
 - The immigrant survivor, their child, and/or their step-child
- In all cases showing existence of:
 - Parent/child relationship
 - Spousal relationship
 - Stepparent/stepchild relationship
- Include creative remedies

Traditional Protection Order Remedies For Immigrant Survivors

What traditional protection order remedies have you found most useful for your immigrant clients?



The Majority of Immigrant Victims Stay With Their Abusers ...

- Until the victim receives work authorization as part of their immigration case or their case is approved
- Percent who leave before receiving work authorization or approval
 - VAWA self-petitioners 33.9%
 - U Visa victims 30.1%

Victims Who Stay: No Unlawful Contact Protection Orders

- No state's protection order statute requires separation of the parties
- Provisions
 - No abuse
 - No unlawful contact
 - Batterer's treatment

Custody - Protecting Immigrant Mothers Protect Children

- For immigrant victims who receive help, including immigration relief, child abuse likelihood drops significantly (77% to 23%).
- Children of help-seekers are 20% less likely to have abuser threaten them
- One third less likely to have abuser threaten to take them away from their mother

Ammar, Orloff, Hass and Dutton, "Children of Battered Immigrant Women: An Assessment of the Cumulative Effects of Violence, Access to Services and Immigrant Status." (September 2004)

<http://niwaplibrary.wcl.american.edu/pubs/co-occurencedvchildabuse/>

State Law Allow Custody To Be Included In Protection Orders

- In all U.S. jurisdictions except
 - Arizona
 - Oklahoma
 - Wisconsin

Why is it best practice for judges to address custody and visitation in protection orders?



Is Immigration Status Relevant to Custody?

- Relevant to: Immigrant crime victim presents evidence of immigration related abuse, power and control suffered
 - Either not filing or withdrawing immigration papers
 - Threats to turn victim in for deportation
 - Part of history of violence
- Not relevant to:
 - Core primary caretaker determination
 - Evaluation of parenting skills
 - Best interests of the child determination
 - Requirements regarding custody awards to non-abusive parent



Myth vs. Fact: Parents without Legal Immigration Status

Myth

1. Deportation is imminent
2. Parent is likely to flee U.S. with child
3. The parent has no livelihood

Fact

1. DHS policies prevent detention/removal of immigrant parents who are crime victims
2. US citizens and lawful permanent residents are more likely to flee with children, especially when
 - There have been threats of kidnapping children
 - They are dual nationals
 - They travel freely to and from U.S.
3. Abused immigrant parents in family court
 - Have a path to immigration relief, work authorization & some benefits
 - Can receive economic relief as part of the protection order

Poll 4: Why are economic CPO remedies particularly important for immigrant survivors?



- A. May have to wait 1-5 years to get work authorization
- B. Cannot purchase health insurance on the exchanges
- C. Have limited access to public benefits
- D. All of the above

What are examples of economic remedies you have ordered in protection order cases?

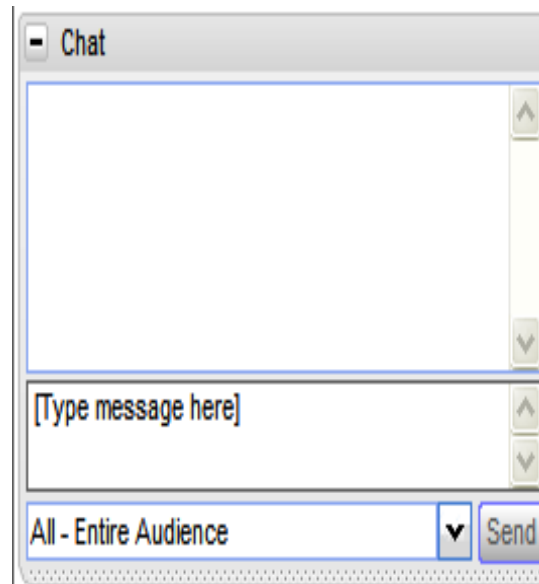


Creative Protection Order Remedies

Creative Protection Order Remedies

- Catch all provisions in civil protection order statutes, opportunity to offer relief designed to help:
 - Curb future abuse, harassment
 - Interfere with abuser/perpetrators ability to exert power and/or coercive control
 - Offer victim remedy-relief for past abuse
 - Help victim overcome victimization and build new post abuse life
- Nexus with victimization
- Opportunity for courts to counter immigration related abuse and order culturally helpful remedies

What creative protection order remedies have you awarded or sought for abused immigrants?



Creative Remedies Helpful to Immigrant Survivors Designed to...

- Stop immigration related abuse
- Protect victims still living with their abusers
- Obtain documents the victim needs for an immigration case or for care of child
- Deter parental kidnapping
- Child/Spousal support (Affidavit of support)
- Provide financial relief
- Maintain health insurance coverage

Using Catch-all Provisions to Stop Immigration Related Abuse

- Defendant must obtain prior court approval before contacting any government agency (immigration officials, CPS, IRS, Welfare, etc.) concerning the petitioner except
 - Police emergency
 - Subpoena
- Cooperate in and not withdraw any case that has been filed for petitioner with immigration authorities (e.g. work visa holders, I-130s)

Provisions that Deter Parental Kidnapping

- Not remove the children from the court's jurisdiction
- Turn over passports of parties and/or children
- Sign statement that no visa or passport should be issued to children absent court order
- Supervised visitation
- Bond

Remedies That Help a Victim's Immigration Application

- Turn over documents/evidence in abuser's control needed for the victim's immigration case.
- What might some of those documents be?



Helpful Evidence

Evidence of Legal Marriage

- Marriage certificate
- Wedding/family pictures
- Health insurance

Good Faith Marriage

- Children birth certificates
- Love letters, cards, text, emails
- Copies of joint leases/utility bills
- School records
- Letters and other mail addressed to the victim and to the abuser at the same address

Evidence of Abuse or Extreme Cruelty

- Police, medical, court documents about the relationship
- Protection order
- Affidavits of neighbors, relatives, friends

Evidence of Abusers Legal Status

- Abuser's green card or passport
- Copy of I-130 petition
- Social security number

Important Economic Provisions

- Maintain medical, car, house insurance, mortgage, rent, utility and/or debt payments
- Child support and spousal support
- Enforce Affidavit of Support
- Injunctions against third party institutions not to respond to acts by the abuser that would harm her (banks, retirement funds, utility companies)

Important Economic Provisions

- Maintain and/or pay for health care for victim and children
- Provide one-time emergency monetary relief
 - Money to repair locks or broken windows
 - Obtain an unlisted telephone number
 - Relocation assistance
- Pay house insurance, mortgage, rent, utility and/or debt payments
- Taxes
 - Turn over income tax statements
 - Respondent ordered to pay victim ½ of refund
 - Victim named trustee for receipt of tax return funds
 - Respondent ordered to sign over check
 - Victim awarded exclusive right to claim children as tax exemptions

Protection Order Courts Granting Custody Can Issue Special Immigrant Juvenile Status (SIJS) Judicial Determinations

Raise Your Hand Exercise

- Raised you hand if you have sought SJIS judicial determinations ...
 - The children of your abused immigrant clients
 - For abused immigrant children
 - From a protection order judge



SIJS Eligibility

- Under 21 years of age on date of filing SIJS petition with DHS
- Unmarried through adjudication of SIJS petition
- Physically present in the U.S. through adjudication of SIJS petition
- Jurisdictionally valid juvenile/family court order with required findings and conclusions of law regarding:
 - Dependency or custody
 - Parental reunification
 - Best interest

SIJS Judicial Determinations Can Be Issued When CPO Judge Awards Custody

- Child is dependent on a juvenile court or legally committed *to or placed under the custody of* an agency or department of State, or *an individual* or entity appointed by a State court.
- Reunification with one or both parents is not viable due to abuse, neglect, abandonment, or a similar basis under state law.
- Child's best interest would not be served by being returned to his or her country of origin.

8 U.S.C. § 1101(a)(27)(J)

SIJS Judicial Determinations Can Be Issued in CPOs

- When the protection order awards custody to non-abusive parent
 - In part to protect the child from the abuse
- Non-viability of reunification with abuser
 - For duration of CPO is sufficient
 - Filing through adjudication of SIJS case \approx 6 months

SIJS Judicial Determinations in CPO Cases Are

- SIJS Judicial Determinations
 - Are a Required prerequisite to child filing an SIJS case
 - Do not grant immigration status
 - Provide evidence for the child's immigration case
 - Give the child's abused parent a path to legal immigration status

Best Practices to Address in SIJS Orders

- Make findings as to
 - The age of the child and the evidence relied upon
 - The child's parentage, naming each parent specifically
 - That the parent's identity is unknown (e.g., rape)
 - Details of who the court awarded custody to and why
 - Include no-contact and other protective provisions
- Cite state law
 - Best interest
 - Jurisdiction
 - Definitions of abuse, abandonment, neglect, similar basis

U/T Visas Promote Trust and
Access to Justice:
U & T Visa Certification By Judges

U Visa Requirements

Victim (Certification)

- Qualifying criminal activity
- Possesses information about the crime
- Criminal activity occurred in U.S. or violated U.S. law
- Admissible to US or granted waiver

Helpful (Certification)

- Has been, is being, or is likely to be
- Detection, investigation, prosecution, conviction, or sentencing

Harm (Victim's Application)

Substantial physical or mental harm as a result of having been a victim of criminal activity

Qualifying Criminal Activity

Abduction	Hostage	Sexual Assault
Abusive Sexual Contact	Incest	Sexual Exploitation
Blackmail	Involuntary Servitude	Slave Trade
Domestic Violence	Kidnapping	Stalking
Extortion	Manslaughter	Torture
False Imprisonment	Murder	Trafficking
Felonious Assault	Obstruction of Justice	Witness Tampering
Female Genital Mutilation	Peonage	Unlawful Criminal Restraint
Fraud in Foreign Labor Contracting	Perjury	Prostitution
Rape	Attempt, conspiracy or solicitation to commit crime or similar activity	
	These are general categories, and not specific crimes or citations to a criminal code.	

Types of Qualifying Criminal Activity

- Conviction of criminal activity is not required
 - Also includes attempt, conspiracy, or solicitation to commit any of the above and other related crimes.
- Qualifying criminal activity includes any similar activity where the elements of the crime are substantially similar. Examples:
 - Hate crimes
 - Video voyeurism
 - Elder abuse/abuse of adults with disabilities
 - Child abuse
 - Robbery or aggravated robbery could be similar to felonious assault depending on the evidence and state law definition

Part 6. Certification

I am the head of the agency listed in **Part 2**, or I am the person in the agency who was specifically designated by the head of the agency to issue a U Nonimmigrant Status Certification on behalf of the agency. ~~Based upon investigation~~ of the facts, I certify, under penalty of perjury, that the individual identified in **Part 1**, is or was a victim of one or more of the crimes listed in **Part 3**. I certify that the above information is complete, true, and correct to the best of my knowledge, and that I have made and will make no promises regarding the above victim's ability to obtain a visa from U.S. Citizenship and Immigration Services (USCIS), based upon this certification. ~~I further certify that if the victim unreasonably refuses to assist in the investigation or prosecution of the qualifying criminal activity of which he or she is a victim, I will notify USCIS.~~

1. Signature of Certifying Official (sign in ink)



2. Date of Signature (mm/dd/yyyy)

3. Daytime Telephone Number

4. Fax Number

Judges can amend the form

Examples: Based upon ...

- My findings of fact or ruling in [name type of proceeding]
- Probable cause
- My issuance of a protection order
- My sentencing of the defendant
- My having presided over a criminal case

REMEMBER: This is a certification that you believe the applicant was a victim of a crime.

Certification provides evidence to DHS.

DHS adjudicates and decides whether to grant the victim immigration relief.

T Visa for Trafficking Victims

- A victim of a severe form of trafficking in persons
- Victim is physically present in the U.S. on account of trafficking
- Victim must comply with reasonable requests for helpfulness in investigating or prosecuting trafficking. Exceptions:
 - Under age 18
 - Physical or psychological trauma impede helpfulness/cooperation
- Removal from the U.S. would cause extreme hardship
- Can include certain family members

Sex Trafficking

22 U.S.C. § 7102; 18 U.S.C. § 1591

Process -Act

- Recruits
- Entices
- Harbors
- Transports
- Provides
- Obtains
- Advertises
- Maintains
- Patronizes
- Solicits
- Benefits, financially or by receiving anything of value

Means

- Force
- Fraud
- Coercion

- **Proof of force, fraud, or coercion not required for sex trafficked children under 18.**

Purpose-End

- **Commercial Sexual Activity**

- **A commercial sex act is any sexual act for which something of value is given or received**
 - Money
 - Drugs
 - Food
 - Shelter
 - Clothing
 - Transportation

Labor Trafficking

22 U.S.C. § 7102; 18 U.S.C. § 1590

Process-Act

- Recruits
- Harbors
- Transports
- Provides
- Obtains
- Benefits, financially or by receiving anything of value

Means

- Force
- Restraint
- Threats of harm
- Abuse or threatened abuse of the legal system
- Any scheme, plan, or pattern intended to cause the person to believe that if they did not perform labor, they would suffer serious harm or restraint
- **No federal exception for minors**

Purpose-End

- Involuntary servitude
- Peonage
- Debt Bondage
- Slavery

Which Judicial Officers Can Certify?

- Federal, state, & local
 - **Judges, Magistrates, Commissioners, Judicial Referees, Masters, Alderman, ALJs, Surrogates, Chancellors**
 - Others with delegated decision-making authority
- Judges detect criminal activity and observe the victim's helpfulness in CPO cases
- U/T Visa certification is an administrative function of the court in closed cases

Poll 5: Why would a victim seek a certification from a protection order judge?



- A. Only justice system contact civil protection order case
- B. No language access to police when victim called for help
- C. Judge observed victim's attendance and participation in protection order case
- D. All of the above

What helpfulness
do judges
observe?



What Helpfulness do Judges See?

- Certification based on helpfulness to courts
 - Detection(family/juvenile/civil/criminal)
 - Pleadings
 - Testimony
 - Attending court
 - Seeking orders
 - Working with police/prosecutors
 - Conviction/Sentencing
 - Criminal cases
 - Contempt proceedings

Family/Civil Case Examples: Evidence of Helpfulness

- Filed and/ or appeared at hearing for full protection order
- Pleaded and or testified about abuse or sexual assault in the protection order case
- Evidence in the CPO case that victim called the police for help, made a police report, or cooperated in a criminal or EEOC investigation
- Serving the perpetrator with notice of a protection order containing sworn statements regarding:
 - domestic violence, sexual assault, stalking, child abuse, human trafficking/involuntary servitude, or other U Visa criminal activities

When victims seek protection orders
how are they being helpful to judges?



Join NIWAP's Communities of Practice

- To register for:
 - *Family law community of practice*
<https://www.surveymonkey.com/r/TVGDCCV>
 - *Victim Advocate community of practice*
<https://www.surveymonkey.com/r/BBHR3X3>
 - *Roundtable for Law Enforcement, Prosecutors and System-based Advocates*
<https://www.surveymonkey.com/r/LERoundtable>
 - *National Judicial Network: Forum on Human Trafficking and Immigrants in State Courts (Judicial Officials only)*
<https://www.surveymonkey.com/r/VGY9VJM>

Resources

- Bench cards and manual chapters on immigrant survivors and protection orders
 - Includes examples of creative CPO remedies
- New state-by-state tool on trafficking victim access to protection orders
- U and T visa judges certification toolkit
- SIJS bench book with chapter on SIJS judicial determinations in CPO cases

Technical Assistance and Materials

- NIWAP Technical Assistance:
 - Call (202) 274-4457
 - E-mail info@niwap.org
 - Web Library:
www.niwaplibrary.wcl.american.edu
- Materials for this Workshop:
 - <https://niwaplibrary.wcl.american.edu/njn-webinar-protection-orders-aug-17-2023>
- Contact NIWAP to provide training for your jurisdiction