

ACCOUNTING FOR ABUSE IN ORDERS FOR PROTECTION

WHAT IS THE NATURE & IMPACT OF ABUSE?



What is the nature of the abuse?

What is the effect of the abuse on you?

What can be done about it?

What is the effect of the abuse on you?

What can be done about it?

Abuse of Petitioner

What is respondent doing to petitioner?

- Physical abuse
- Sexual abuse
- Emotional abuse
- Economic abuse
- Spiritual/moral abuse
- Interfering with resources
- Intruding into daily affairs
- Interfering with work/school
- Interfering with immigration status
- Interfering with parenting
- Isolating from social/cultural ties
- Stalking, monitoring, surveilling

Exposure of Child(ren)

What is respondent doing to child?

- Exposing developing fetus in utero
- Permitting child to witness IPV
- Prompting child to intervene in IPV
- Exposing child to aftermath of IPV
- Physical/sexual abuse or neglect
- Emotional abuse or neglect
- Economic abuse or neglect
- Using child as a tool of abuse
- Refusing to take responsibility
- Failing to respond to child's needs
- Interfering with petitioner's help
- Undermining petitioner's authority

Children & Parenting

What is the impact of abuse on...

- Impact of Abuse on Children:**
 - Developmental problems
 - Behavioral problems
 - Emotional problems
 - Cognitive problems
 - Relationship problems
 - Health problems
 - Economic problems
- Impact of Abuse on Petitioner's....**
 - Ability to care for child
 - Ability to protect child
 - Control over own parenting

Daily Life

What is the impact of abuse on...

- Safety**
 - Access to guns/weapons
 - Abuse during pregnancy
 - Controlling behaviors
 - Escalating violence
 - Excessive jealousy
 - Abuser's mental state
 - Avoidance of consequences
- Economic stability**
- Housing stability**
- Employment stability**
- Social/cultural connectedness**
- Personal individuality & autonomy**
- Health and wellbeing**
- Immigration status**

WHAT CAN BE DONE ABOUT IT?

What is the abuse or threat?

What is the abuser doing?

What is the effect of the abuse or threat on you?

What can be done about it?

LIMIT OR MONITOR RESPONDENT'S ACCESS TO CHILD OR PETITIONER:

Custody/decision-making:

- Suspend contact with child
- Award temporary legal custody to petitioner
- Suspend respondent's decision-making
- Limit respondent's decision-making

Parenting time:

- Suspend visitation
- Refer to professional supervised visitation center
- Institute non-professional supervised visitation
- Refer to professional supervised exchange
- Institute non-professional supervised exchange
- Appoint a third party visitation/exchange monitor
- Require neutral exchange locations (school, place of business, etc.)

Additional limitations and monitoring (especially if visitation is not supervised)

- Limit methods of contact (no in-person, telephonic or social media contact)
- Prescribe frequency and methods of communication (email only, text only, etc.)
- Restrict length and/or content of communication (1-page, 10-minutes, scope)
- Limit access to sensitive information (addresses, account numbers, SSNs, records)
- Restrict visitation to designated locale (grandparent's home, public park, church)
- Restrict visitation to a geographical area (25-mile radius, in town, in state, etc.)
- Restrict what can happen during contact (no alcohol or drugs, no weapons, etc.)
- Establish benchmarks for unsupervised contact (no abuse, threats, violations)
- Condition contact on compliance with defined terms (sobriety, BIP, car seat, etc.)
- Appoint post-visitiation safety monitor to ensure visits are safe and go as planned
- Define consequences for non-compliance with access restrictions
- Other:

REQUIRE RESPONDENT TO PARTICIPATE IN REMEDIAL INTERVENTIONS AND/OR SERVICES:

- Refer respondent to batterer intervention for assessment and proper services
- Refer respondent parent to parenting after violence program
- Other:

RESTRICT RESPONDENT'S ACCESS TO FIREARMS

- Prohibit respondent from using, possessing, or purchasing firearms
- Order surrender or seizure of firearms

SUPPORT PETITIONER'S EFFORTS TO PROTECT CHILD:

- Link parental decision-making authority to parental responsibility for child's care
- Designate petitioner as the custodian of records
- Facilitate petitioner's access to available community-based resources
- Allow direct and expedited access to enforcement mechanisms
- Establish automatic bill-paying processes for respondent's financial obligations
- Delineate reasonable house rules
- Grant petitioner possession of home, vehicles and personal property
- Limit respondent's ability to dispose of or dissipate assets
- Establish temporary child support

STRENGTHEN CHILD'S SYSTEMS OF SUPPORT:

- Ensure that parenting plan accommodates child's interests, activities and supports
- Provide sufficient parenting time flexibility to adapt to child's age and social needs
- Structure parenting time to maintain access to child's support system
- Connect child and petitioner to available community based resources

MONITOR AND ENFORCE RESPONDENT'S COMPLIANCE WITH ORDER:

- Conduct review hearings
- Establish schedule for respondent to demonstrate compliance with order
- Set automatic consequences for non-compliance with protection order
- Appoint a compliance monitor at respondent's cost
- Hold respondent accountable for unjustified, unexcused, intentional violations
- Other: