

Task Force to Study the State-wide response to Minors Exposed to Family Violence

MEETING MINUTES

Tuesday, October 6, 2015

10:00 AM in Room 2A of the LOB

The meeting was called to order at 10:00 AM by Karen Jarmoc,

The following task force members were present:

Karen Jarmoc (Co-Chair); Garry Lapidus (Co-Chair); Donald Frechette; Cindy Mahan; Linda Harris; Damion Grasso; Stephanie Janes; Chris Rapillo; Steve Grant; Dr. Nina Livingston; Faith Vos Wenkel; Cheryl James; Mary Painter and Jennifer Celentano

Karen Jarmoc brought the meeting to order at 10:00 AM. She noted that the task force had a very full agenda and that the task force appreciated people coming in from various areas of practice to present..

Judge Paul Knierim gave his presentation on the role of the probate court in domestic violence cases. He noted that probate courts do not have jurisdiction over the criminal aspect of these proceedings, and take on cases assigned by the legislature to help Connecticut's most vulnerable citizens. The probate court also handles areas of incapacity, or situations where individuals are unable to care for themselves, and the probate court's role is to determine the degree to which an incapacitated individual needs assistance. Probate courts also deal with various miscellaneous issues that can be related to domestic violence, such as name changes and restoration of federal firearms rights. Probate courts also deal with removal of parental rights and appoint guardians of minors when a parent is unable to care for their child. Judge Knierim also noted that DCF is often involved in various aspects of the probate court—in the voluntary services programs, issues concerning child protection, Regional Children's Probate Courts and other areas of Probate Court jurisdiction dealing with children and families. Probate Courts and Juvenile Courts of the Superior Court share jurisdiction in a number of matters and work together to determine which court is the best venue to hear the case.

Judge Beverly Streit-Kefalas thanked the Co-Chairs for inviting her to speak to the task force. She noted that often times, families come into the probate court with proposed solutions to problems they are facing. She noted that the probate courts often deal with substance abuse issues and restraining orders obtained from the superior court. Often times, an aunt or other relative will petition for protective orders and for custody of a minor child through the superior court if a parent has been arrested. In these cases, the child is immediately appointed their own attorney, and the probate court and superior court determine where the case would be best heard. She added that encountering domestic violence perpetrators in these cases is of significant concern, as the probate courts are housed in municipal or commercial buildings and don't have marshals staffing the court systems. In these cases, the courts work diligently to ensure the safety

of parties involved in the proceedings of the case. In these cases, an attorney is appointed by the court to represent the desires of the child and the courts order therapeutic services for minor children.

These court-appointed attorneys advocate the position of children involved in the case, even if this is not always in the best interest of the child. The courts will also appoint Guardians ad Litem to represent the best interests of the child. These individuals have psychiatric, psychological and other child development expertise and training. Under the Guardian ad Litem program, courts are able to determine the best outcome for the child, sometimes leading to the appointment of a long-term guardian.

Stephanie Janes discussed her role at the New Haven Regional Children's Probate Court. There, she addresses domestic violence as well as intergenerational patterns. In her role, she looks at histories of violence or trauma and works to ensure the safety of parents and children. The probate court connects the family to various therapies in different scenarios to help them process traumatic events and respond responsibly when confronted with dangerous situations. The court also develops a case plan and collaborates with different departments.

Judge Keyes, the Administrative Judge of the New Haven Regional Children's Probate Court discussed the significant impact of domestic violence on the relationship between parents and children. He highlighted the importance of case workers having the proper training in dealing with children involved in domestic violence cases. He stated that there is a need for clearer protocols on how to handle these cases, and advocated that children need representation from attorneys at every level of these cases. Judge Keyes also pointed out that oftentimes, perpetrators can increase their sense of empathy through counseling, and that courtroom dynamics are altered significantly when victims and perpetrators are in the same room. He also expressed that children should be able to petition for restraining orders so they can protect themselves even when a mother and father have restored their relationship.

Judge Knierim noted that Judges Streit-Kefalas and Keyes had postulated that in probate court proceedings, a minor child is provided with an attorney and sometimes a Guardian ad Litem, which are both paid for through the probate court funds. He noted that this poses significant costs to the probate court system and that there is a greater need for funding for these attorneys. He also noted that it is not always directly apparent that domestic violence is an issue in every case, and that it's important that the interests of a child are adequately represented in court. He noted that there have been several efforts made to ensure that children have access to attorneys, and that the judges often collaborate on children's issues so that specialists are working together and developing best practices in these situations. The Regional Children's Probate Courts have specialized social workers called Probate Court Officers that have backgrounds in social work and marriage and family therapy, and probate courts will appoint an officer to conduct case conferences with the family. The probate court system also funds kinship and respite grants and in cases where necessary, directs children into DCF care.

Karen Jarmoc noted that she had many questions, but would defer to other members of the task force first.

Cynthia Mahon asked whether the probate courts have access to the protective order registry in their locations.

Judge Knierim responded that he administers the central office for probate courts, and they have access to the registry.

Cynthia Mahon also asked about the role of marshals and other protective officers in these courts. She expressed concern over how these courts handle individuals with a history of violence, noting that there aren't always metal detectors in these buildings.

Judge Streit-Kefalas stated that in the New Haven Regional Children's Probate court, there is a security officer who separates parties from perpetrators and also escorts people to their vehicles for protection purposes. She noted that local courts handle this on a case-by-case basis. She also noted that much of the demands of the court on the security officers go beyond the qualifications of the security officer, and that the vulnerability of local courts was something that needed to be addressed.

Cynthia Mahon asked Judge Knierim how probate courts handle cases where there is an overlap of a case with the juvenile court.

Judge Knierim responded that the probate courts work with the superior courts to determine what aspect of the cases should proceed first, as the courts don't want to have inconsistent results. Typically, probate courts will dismiss cases that have already been filed in juvenile court. In instances where a case is subsequently filed in juvenile court, the courts will work together to determine which venue is most appropriate.

Cynthia Mahon asked whether there was a mechanism that dictated whether there are two concurrent cases for the same individual.

Judge Knierim responded that the probate courts will rely on parties for this information. He added that legally, there could be an electronic database where this could be set up, but the funds for a project like this haven't become available.

Mary Painter asked about workforce development and the training of staff on domestic violence issues. She asked if there was a standard training that the presenters would recommend. She also asked about the protocols that the courts use to recognize domestic violence.

Judge Knierim responded that the probate court system dedicates enormous resources to continuing education, and that they have resources for judges and staff. The courts frequently bring in experts from other disciplines to discuss domestic violence with court staff. He added that the probate courts were looking for input from community providers on what kinds of training would be most effective for those case workers in the probate courts.

Mary Painter also asked about specific recommendations for protocol..

Judge Knierim pointed out that Judge Streit-Kefalas was speaking with regards to restraining orders, and noted that currently there are guidelines for judges to address these issues. He also noted that he had information to share regarding the safety of the courts, and that the courts tend to rely on local police departments for additional support in these cases.

Donald Frechette asked about the divergent interests between court-appointed attorneys for children and Guardians ad Litem. He asked what standards were in place to address this issue.

Judge Knieirm responded that the probate court had specific procedures for these issues, and that all children are appointed an attorney but not always a separate Guardian ad Litem. In some cases, a child may be so young that they don't have strong wishes, and it is the job of the attorney to determine the wishes of the child and present these in the context of the child's best interest. If there appears to be a conflict between the stated wishes of the child and the best interests of the child, the court will appoint a Guardian ad Litem.

Garry Lapidus asked Judge Keyes about the dynamic of having a domestic violence perpetrator and a victim in the same room, and asked whether courts could structure this interaction differently.

Judge Keyes responded that the courts had attempted to use different structures, but noted that the rules for adjusting these dynamics need to be agreed upon by both parties.

Garry Lapidus asked if other states had tried different measures for this.

Judge Keyes responded that the superior court has tried to do electronic hearings in the case where confrontation is an issue, but that the probate courts hadn't yet started doing this.

Karen Jarmoc asked whether both parties needed to agree to the format of the court proceedings.

Judge Keyes responded that yes, both parties needed to agree.

Faith Vos Wenkel asked about the role of substance use in these cases, and noted that often domestic violence crops up as a co-occurring factor with substance use. She asked if there were statistics kept on this.

Judge Keyes responded that there were not statistics kept on this specific issue.

Faith Vos Wenkel asked about the presentation and the number of cases where domestic violence leads to homicide or murder where children are left with one deceased parent and another that is incarcerated. They asked if these cases come to the probate courts as well.

Judge Keyes responded that there were many cases where the mother is killed by the father and that this leads to a very complicated family situation.

Judge Streit-Kefalas noted that she had a case a few years ago where a father murdered the mother while she was driving. The father was incarcerated and the daughters went into the care of grandparents and have received substantial therapy and counseling, but have still opted to live with the father after his incarceration. She noted that the courts can't stop things like this from happening, and that in this case there had been a long family history of substance abuse and violence.

Laura Daleo asked about a previous situation mentioned where a parent petitions for guardianship of a child. They asked about what the statistics were when parents come to probate courts pro se versus being represented by an attorney. They asked about possible barriers when a pro se family member comes forward on behalf of a minor child.

Judge Knierim responded that he didn't have immediate data on this, but noted that the vast majority of these cases are self-represented, and noted that probate courts frequently assist parties who are self-represented. The chief justice and judicial branch have made significant efforts in developing pro-bono attorneys for exceptional cases. He noted that probate courts have entry fees to initiate matters, but in the vast majority of cases, these fees are waived because the petitioner doesn't have the available financial resources.

Dr. Nina Livingston asked about the role of probate court officers. She asked what type of domestic violence training probate court officers receive and the kinds of caseloads they have. She asked whether there was adequate time for probate court officers to handle the multiple aspects of their cases and whether probate courts have family violence victim advocates with the specific role of addressing family violence within the courts.

Stephanie Janes responded that with regards to domestic violence, all probate court officers bring in a wealth of experience and background in various areas of family therapy and social work, so they have experience in addressing domestic violence. She also noted that the probate courts have trainings on domestic violence where they train with a consultant from DCF, and noted that because of the experience that probate court officers have, they need more advanced training in handling domestic violence. She stated that case loads can vary, but probate court officers can have as many as 30 active cases at one time, and that they do have jurisdiction over these cases until the child reaches the age of maturity or until the parents have been reinstated as guardians. Cases can have a range of intensities, and probate court officers will vary their involvement depending on the severity of the case. Probate court officers will also collaborate with social service providers and other professionals involved in the case and ensure that judges are aware of the sensitivity of domestic violence in these cases. Probate court officers will stress preserving the parent-child relationship in the safest way possible.

Linda Harris asked about fees associated with having an attorney represent a minor, and which entity pays this fee.

Judge Knierim responded that the attorneys are compensated at \$50 per hour, but that there are also daily caps on this amount. Additionally, professionals are only compensated in the case that courts have statutory authorization to do so. He added that the courts don't have statutory authorization to have attorneys do anything outside of the probate court system.

Jennifer Celentano asked whether attorneys file restraining orders on behalf of minors and do we need legislation authorizing the attorney to file this restraining order because they are not the guardian.

Judge Knierim responded that sometimes the parent or guardian can't file a restraining order because of the complicated dynamics of the case. Attorneys can also petition on behalf of a minor child parallel to the framework of the superior court. Probate Courts lack jurisdiction to impose a restraining order. The petitioner would have to file for a restraining order in Superior Court even if their case is being heard in a Probate Court.

Cheryl Jacques asked about the mental health trauma in these cases and noted that this work is being done with a base in developmental trauma. They noted that Judge Keyes highlighted that a child should have an attorney at every level of the process, and asked how he visualized this.

Judge Keyes responded that in the court's process, when someone applies for a restraining order, an attorney is generally required to be appointed to execute this restraining order.

Karen Jarmoc asked the judges to provide the group with any data that would be helpful in this process. She asked what kinds of volumes they were experiencing, and noted that the cases were very complex. She asked if there was any way to understand the volume of cases the judges were basing their decision around.

Judge Knierim responded that the probate courts can try to collect this data, and noted that presently the probate courts don't systematically collect data. He stated that they could work with probate court officers to get some better information. He also noted that they would have to collect this data from courts that have probate court officers, and offered to take this beyond the anecdotal data presented in the meeting and have the probate court officers work together to provide information that is more quantitative.

Karen Jarmoc added that she only wanted this data if it would be authentic and helpful, and noted that she wanted to know how prevalent domestic violence cases were in the current probate system.

Stephanie Janes stated that she believed there is a high incidence of domestic violence in probate court cases.

Karen Jarmoc asked about the costs of domestic violence on the probate court system, and noted that it would be meaningful if the group could capture the cost of domestic violence as a state so that we could identify opportunities to make wiser investments.

Judge Streit-Kefalas noted that they often see domestic violence arise out of conservatorships; in the context of name changes; and in DCF voluntary services where a child is being treated for psychiatric issues and the family has a history of violence that is causing the trauma. She stated that having statistics in children's cases is helpful, but domestic violence is expressed in many cases that deal with family matters.

Karen Jarmoc stated that she was glad that the judges touched on training. She noted that on October 27th, the task force would be hosting the national judicial institute on domestic violence to present a training initiative that they conducted. They're a federally-funded institute that trains on family violence. She wasn't sure if this was open to probate courts and that if it is, it would be helpful for the judges to attend the training. She noted that there was an opportunity to have stronger lines of communication between the probate court and other aspects of the system. She asked what tools the probate courts were utilizing around family violence matters.

Stephanie Janes responded that when their probate court officers conduct family violence assessments, there are at least two family conferences, which are used to work with a family to develop a plan for placement of a child and assessing the family history. Probate court officers are not using an actual assessment tool, but do come with clinical skills in various arenas and so are able to work with families.

Karen Jarmoc asked about cases where it may be better to not have the child around either parent, or if the probate court stressed the preservation of the parent-child relationship.

Judge Streit-Kefalas responded that the probate court system stresses the reunification of a child or children with their parent or parents in a safe, healthy relationship and that the court works to preserve this relationship.

Karen Jarmoc thanked the judges for their time and presentation and added that the task force would continue to reach out as they drafted their recommendations. She then welcomed the next presentation by Suzanne and Lillian Ankrah from the Greenwich YWCA.

Kelly Anelli presented on the programs offered by the Greenwich YWCA. Specifically, she highlighted the work that child advocates do in her program and in the shelter that she helps manage. She elaborated on the specific qualifications of child advocates as well as the various duties these advocates take on as part of their work. These advocates are certified domestic violence counselors and advocate for families in court. Child advocates have a set of standards for best practices and work to develop age-appropriate information for children and youth. There are several programs that the Greenwich YWCA offers to help combat the cycles of violence these families are exposed to. These programs are heavily reliant on fundraising for support, as the state only supplies a portion of the salaries for family advocates. She added that family and child advocates attend many trainings to ensure that they're using the most up-to-date methods for various therapies.

Karen Jarmoc thanked Kelly for her presentation and added that the on-the-ground view that she presented was very valuable to the task force.

Kelly Anelli stated that she had been working in domestic violence for 15 years, and that child advocates work with every aspect of the system. She stated that Lillian was one of her hardest-working employees who works with everyone involved in the various cases from supporting children in shelter to accessing community resources for families. She stated that CCADV did a wonderful job of training child advocates to work on long-term counseling and other services.

Karen Jarmoc asked about the scope of what Lillian was witnessing in the field.

Lillian Ankrah responded that there were many examples, but that she had been working with one particular family where the mother had chosen not to go to the police after a violent incident with the father, and the mother had a hard time supporting her family. Lillian helped the family find host homes and was eventually able to get the family into public housing in Greenwich and help the mother find stable housing. She

noted that the children are now doing very well and have been able to handle their feelings and the situation in a very mature manner.

Karen Jarmoc asked about the relationship between the Greenwich YWCA and other agencies and how the task force might make these connections stronger and better.

Suzanne Adam responded that all of the systems work very well together. She noted that employees at the shelter all worked together to help different families. She also noted that one of the issues they had faced was that collaborative efforts aren't always easy because not everyone working on certain cases have an understanding of domestic violence. She noted that it was very important for counselors to have an understanding and sensitivity to domestic violence and that this was what the collaborative effort could take away.

Karen Jarmoc asked how support is offered to children and families that come into shelter given the constraints of being in a shelter.

Jennifer Celentano also asked about how the shelter handles situations where the mother isn't addressing the needs of the children and what is done when there is a problem with a parent in the shelter.

Lillian Ankrah responded that the shelter is a mandated reporter to DCF.

Suzanne Adam noted that there is a lot of counseling and that shelter can be a stressful situation for a family because there can be many parents in a shelter, and each family is reacting to a traumatic experience. She added that there are a lot of intersecting dynamics and that the shelter works to reconnect the parenting relationship and gives the parent their authority. She noted that the shelter works very closely with DCF and other service providers.

Garry Lapidus asked how children are assessed for behavioral and mental health needs in shelter.

Suzanne Adam responded that the job of the shelter is not to diagnose these problems but work holistically with the family and keep them safe. She added that they do a danger assessment for adults.

Lillian Ankrah stated that she is a certified art therapist and she works with a certified play therapist, and children frequently reveal things through their art and their play in terms of their fears and worries.

Suzanne Adam stated that children experience their life through play, and it's beneficial for her to work through metaphor. She added that the shelter does a few assessments that focus on resilience and protective factors, and that negative factors will decrease over time.

Mary Painter asked what kinds of data the shelter collected and about the standards used for children, youth and families.

Karen Jarmoc noted that data is very important, and stated that they collected this through Efforts to Outcomes. She asked what kind of data Ms. Painter was looking for.

Mary Painter asked how the shelter demonstrates unmet need and noted that there was probably a considerable amount of work the shelter couldn't do because of limited resources.

Karen Jarmoc added that the task force can try to break down some of the data

Suzanne Adam stated that the shelter kept statistics and standards. She noted that there needed to be more training on domestic violence, as the shelter couldn't carry the child through the whole process, and case workers down the line needed to be better trained in domestic violence. She noted that pediatricians and other community providers don't always experience things through the lens of domestic violence.

Karen Jarmoc asked about the role of teachers as first responders, and asked who provides this training for teachers and whether this training is adequate.

Lillian Ankrah responded that the shelter doesn't play a role in this, but that there is someone in her agency that provides training to the board of education. She noted that teachers are first responders because they work with children during the day.

Cheryl Jacques asked if this is part of the teacher training in the educational system and in the educational process itself.

Karen Jarmoc noted that this topic had been on the agenda for years, and stated that family violence is among the topics that school systems can train educators on, but that it is not funded, as there is a list of things that can be selected from to do trainings on, but family violence is not a required training, as this would make it a mandate.

Suzanne Adam noted that there is a strong program across the state, and lots of teachers are inviting programs into their schools, but we don't have a statewide systemic response.

Cheryl Jacques noted that she represented DMHAS and that the organization had done collaborative training with DCF on trauma, as family violence is very specific, and not always in the same context as general trauma.

Suzanne Adam noted that the perception of trauma may be different, and that there tend to be a lot of myths and stigma around domestic violence.

Cheryl Jacques asked if there was a recommended curriculum.

Suzanne Adam said that there are many curricula that are based on research and that she would get back with regards to curriculum outcomes.

Cheryl Jacques said that this would be helpful, and added that there is often an over-saturation of training, which can be overwhelming.

Suzanne Adam stated that there are screening tools that can be used by age, and agreed that there can be an over-saturation of training on this issue. She offered to help the task force navigate through the different trainings.

Karen Jarmoc noted that unless educators have the background, it can be difficult to understand what to do when there may be a positive screen, or what tools may be helpful.

Cheryl Jacques asked about nurses providing treatment in the school system and where they refer children in the case of positive screening results.

Karen Jarmoc stated that from training, they would have the capacity to build on this. She stated that she had developed a 3-phase approach with domestic violence providers.

Damion Grasso asked about the shelter's approach to treatment of domestic violence victims in terms of trauma and other psychological issues, such as PTSD and anxiety.

Suzanne stated that her shelter uses several assessment tools that focus on domestic violence as it relates to other psychological issues.

Damion Grasso asked how often the shelter works with other agencies and how they could reach out to these agencies to better prepare them for working with domestic violence victims.

Lillian Ankrah responded that they often work with outside agencies that provide private psychiatric therapies.

Damion Grasso asked if Lillian did work ahead of time regarding referrals and CBT.

Lillian Ankrah responded that they did a lot of psychoeducation around relationships and stressed that the family build a strong relationship with their care takers at the shelter, and use this as a template for building future healthy relationships.

Suzanne Adam noted that they do have staff trained in CBT and DBY and that typically their clients are looking for housing and schools. She stated that the shelter makes significant efforts to connect these families with long-term care and community-based resources. She stated that the shelter works to provide resources from both ends of the spectrum.

Karen Jarmoc thanked the shelter presenters for bringing up the assessment piece, but noted that the shelter is not a clinical situation. She asked if it would be better to address shelter situations from a clinical perspective, and noted that there were meager resources for child advocates, so this type of setting would not be feasible. She also noted the difference between screening and assessment and that this required extra work on the part of providers.

Kelly Anelli followed up with Mary Painter's question about standards. At the shelter, every aspect of the child's well-being is woven into their standards and best practices.

Karen Jarmoc noted that on October 27th, the task force would be meeting with the National Council for Juvenile and Family Court Judges. On November 6th, the task force would be hearing from DCF regarding their response to family violence.

A motion was duly made and seconded to adjourn the meeting.

The meeting was adjourned at 12:02 PM.

Sara LeMaster

Task Force Administrator