



# JUST A PLACE OR A JUST PLACE? DOMESTIC VIOLENCE, THE URBAN-RURAL DIVIDE, AND ACCESS TO JUSTICE

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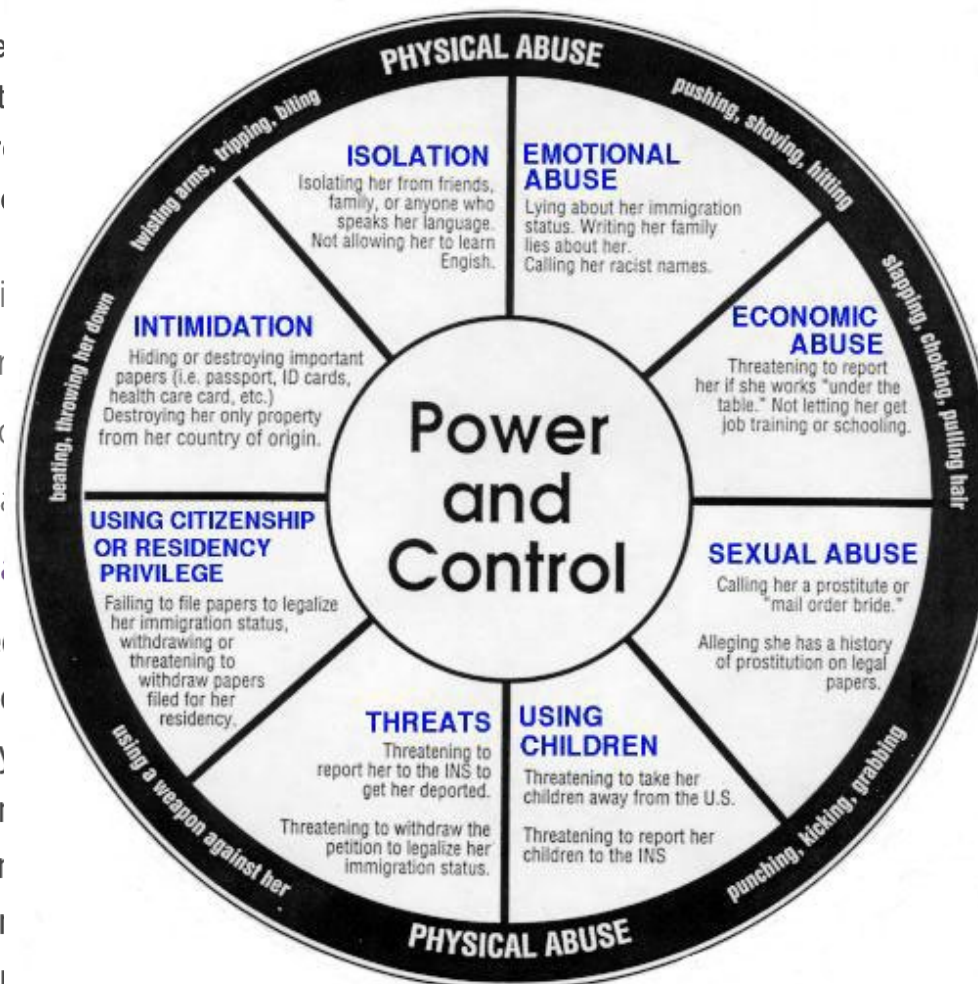


# DEFINING DOMESTIC VIOLENCE

Domestic violence is a pattern of behavior used by one partner to gain or maintain power and control over another intimate partner through physical, psychological, or economic actions or threats within an intimate partner relationship. This includes but is not limited to physical violence, sexual violence, psychological abuse, or other abusive behavior as defined by state law.

Domestic violence is the wider part of a systematic pattern of behavior that includes physical violence, sexual violence, psychological violence, and economic violence. Domestic violence can vary dramatically in severity and frequency. It is one partner's consistent efforts to maintain power and control over another person.

**Domestic abuse**, also called intimate partner violence, is any relationship that is used to gain or maintain power and control over another person. This includes any form of physical, sexual, psychological, or economic abuse and someone. Domestic abuse can happen to anyone of any age, race, ethnicity, and background, including couples who are in a relationship of all socioeconomic



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# LEGAL DEFINITIONS VARY FROM STATE TO STATE

(2) "Domestic violence and abuse" means:

(a) Physical injury, serious physical injury, stalking, sexual assault, strangulation, assault, or the infliction of fear of imminent physical injury, serious physical injury, sexual assault, strangulation, or assault between family members or members of an unmarried couple; or

(b) Any conduct prohibited by this chapter, chapter 26A, chapter 26B, or chapter 26C, or the infliction of fear of such imminent conduct, taken against a domestic animal when used as a method of coercion, control, punishment, intimidation,


or a threat against a domestic animal by a person who has a close bond of affection to the domestic animal;

(3) "Family member" means a spouse, including a former spouse, a grandparent, a grandchild, a parent, an adult sibling, a child, a stepchild, or any other person living in the same household as a child if the child is the alleged victim;

(6) "Member of an unmarried couple" means each member of an unmarried couple which allegedly has a child in common, any children of that couple, or a member of an unmarried couple who are living together or have formerly lived together;

# THE URBAN-RURAL DIVIDE?





Who has  
counsel?

Specialized  
court?

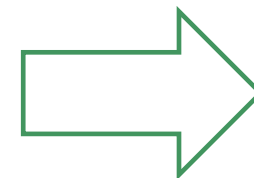
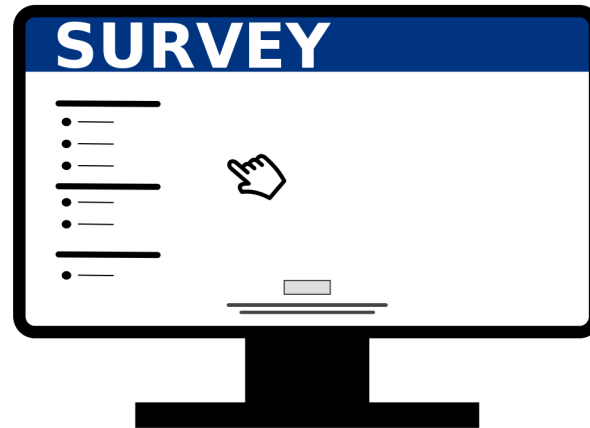
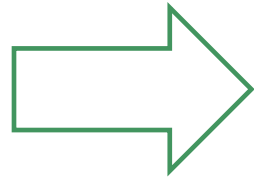
What's the role  
of discretion?

What  
supportive  
resources are  
available?

Access to  
virtual  
technology?

Who is in the  
courtroom?

# METHODOLOGY



# ACCESS TO JUSTICE METRICS

- Attorney Representation: Who Has Counsel?
  - Petitioner and Respondent
- Access to Information/Services: Who Has Information?
  - Victims who get info
  - Advocates who get info
- Docket Structures: Who's In, Who's Out, Who's Online?
  - Open dockets
  - Virtual court
  - Family court or not
- Judicial Discretion: How is it Used Systematically?
  - Service of process
  - Ancillary orders on child support/custody

## OVERALL NUMBERS

- 101 courtrooms; 76 counties
- 23 urban courtrooms; 77 rural courtrooms
- 1,148 cases
- Average cases per docket: 11.48 (range: 1-58)



# ATTORNEY ACCESS

Table 2. Legal Representation

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Petitioners...	23.89%
Urban	30.56%*
Rural	21.90%*
Respondents...	22.36%
Urban	24.77%
Rural	21.63%

\*\*\*  $p < 0.01$ , \*\*  $p < 0.05$ , \*  $p < 0.1$

# ACCESS TO INFORMATION



Table 3. Information Provision Prior to Court

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Petitioners Receive Info About Advocates...	27%
Urban	48%**
Rural	22%**
Advocates Receive Info About Petitioners...	28%
Urban	43%**
Rural	22%**

\*\*\*  $p < 0.01$ , \*\*  $p < 0.05$ , \*  $p < 0.1$



# DOCKET STRUCTURE

Table 4. Docket Structures

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% Dockets Closed...	24%
Urban	52%***
Rural	16%***
Virtual Court Availability...	22%
Urban	48%***
Rural	14%***
Family Court Availability...	70%
Urban	100%***
Rural	48%***

\*\*\* p<0.01, \*\* p<0.05, \* p<0.1

# JUDICIAL DISCRETION

Table 5. Use of Judicial Discretion

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% of Judges Excusing Petitioners Attenc	59%
Urban	81%**
Rural	49%**
% of Judges Entering Ancillary Orders	33%
Urban	36%
Rural	32%

\*\*\* p<0.01, \*\* p<0.05, \* p<0.1



# KEY TAKEAWAYS

- Low levels of representation for both petitioners and respondents regardless of location
- Low rates of ancillary orders on child support and child custody regardless of location
- Some key differences based on place
  - Less representation in rural areas
  - Less access to information about supportive services in rural areas
  - Key differences in docket structure (rural areas are less likely to have a family court, more likely to have hearings in open court, less likely to have access to virtual court)

# POLICY—WHAT'S NEXT FOR VIRTUAL COURT ACCESS?





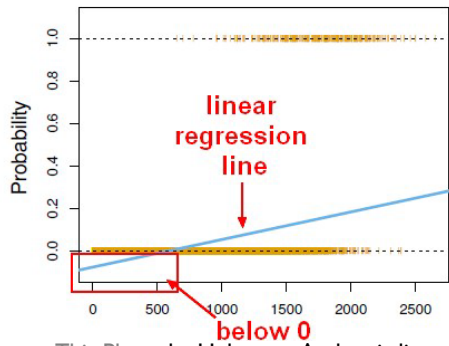
WHAT ELSE IS ON THE POLICY AGENDA RELATED TO  
TECHNOLOGY?



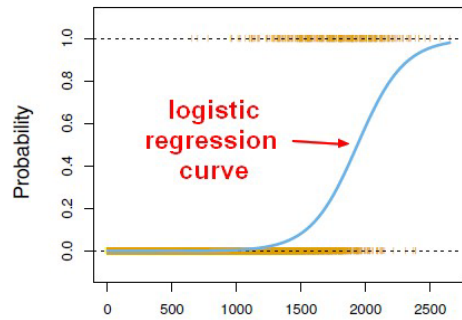
WHAT'S  
NEXT?



# NEXT STEPS



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