

Domestic Violence Court

Domestic Violence Court was created in September 2002 because the Court recognizes that domestic violence is a serious problem in our society. Preventing domestic violence and protecting the victims of domestic violence are priorities for the Court.

In developing this court program, Superior Court officials also worked with the Adult Probation Department's Domestic Violence Unit, the Public Defender's Office and the County Attorney's Office. Defendants assigned to Domestic Violence Court already have been sentenced to probation, but are exhibiting behavioral problems. Domestic Violence Court team members work together to address the defendant's misconduct, and develop ways to change unacceptable behavior.

Domestic Violence Court strives to:

- Enhance safety of victims and their children
- Enhance accountability of offenders through effective intervention and regular monitoring
- Provide opportunities for offender counseling and treatment with the goal of these individually successfully completing probation and becoming productive, nonviolent members of the community

Probation Violation Review Hearings

Probation officers in the Domestic Violence Unit of the Adult Probation Department take the first step in bringing a client to court because of his or her poor attitude or behavior problems. The probation officer advises the judge of the situation and requests a Review Hearing, which is usually scheduled within two weeks.

The Review Hearing in Domestic Violence Court is used to get the probationer's attention, so he or she understands the bad behavior must be changed or the alternative can be include imprisonment.

Early on the day of the hearing, the judge, probation officer, prosecutor, defense lawyer, treatment counselor, and victim advocate meet to discuss the circumstances of the case. Each team member discusses the probationer's behavioral problems and recommends solutions. After a thorough review, a plan is developed to best address the probationer's unique situation. The plan may include counseling, treatment, increased supervision and jail time.

During the Review Hearing, a record is made of the probationer's alleged probation violations. The judge details the requirements of the plan and advises the probationer that further consequences may be imposed if he or she does not fulfill the court order. The judge may impose additional sanctions, adding

another level of accountability. The Court provides the opportunity for the victim to have input during the course of review hearings. Additional Review Hearings may be scheduled so the Domestic Violence Court judge can closely monitor progress on fulfilling the Court's orders.

Continued violation of probation may result in the defendant's arrest. The probation officer may file a petition to revoke probation

with the Domestic Violence Court. A hearing will be set and the judge will review the allegations against the defendant and the defendant's behavior, performance on probation, criminal history. Safety of the victim and other factors will also be reviewed to determine the best resolution for the case.

Inappropriate Behavior that can lead to a Review Hearing includes:

- Drug and alcohol use
- Failure to maintain employment
- Failure to participate in treatment
- Unapproved victim contact
- Poor attitude
- Inappropriate behavior toward probation staff
- Safety concerns regarding the victim or the community

Goals of Judicial Intervention in Domestic Violence Cases

Provide fair and impartial justice

Stop the violence

Protect the Victim

Protect the children and other family members

Protect the Public

Hold the perpetrator accountable

Rehabilitate the perpetrator

Provide restitution for the victim

Convey to the public that domestic violence will not be tolerated

Objectives of Domestic Violence Court

Justice

Fairness

Accountability

Victim Safety

Prevention of Family Violence

Timely Case Processing

Information Sharing

Increased Sensitivity and Awareness

Protective Order CenterThe Center for



Domestic Violence Court

A Court within the
Superior Court
Criminal Department

Treatment Versus Punishment



SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY