


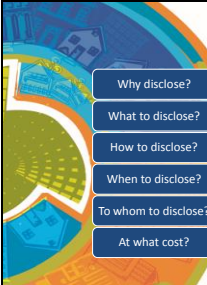
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Risk Factors

- Increased frequency/severity
- Access to firearms
- Recent separation
- Threat to kill/commit suicide
- Avoidance of arrest for DV
- Forced sex
- Attempted strangulation
- Obsessive jealousy
- Stalking
- Control of daily activities
- Assault during pregnancy

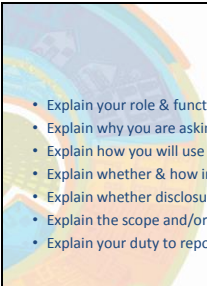
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Deciding Whether to Disclose

Why disclose?	• What do I hope to gain by disclosing? • Is disclosure likely to get me what I need?
What to disclose?	• What does this person need to know? • What happens if they don't know it?
How to disclose?	• What is the best way to convey this information? • Should it come from me or somebody else?
When to disclose?	• Is now the time to disclose? • What happens if I wait? What happens if I don't?
To whom to disclose?	• Does this person need to know and can I trust him/her? • What will s/he do with the information?
At what cost?	• What will the likely effect(s) of disclosure be? • Can negative effects be mitigated and, if so, how?

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Strategies for Safe & Informed Disclosures

- Explain your role & function in the case.
- Explain why you are asking about domestic abuse.
- Explain how you will use the information.
- Explain whether & how information will be shared.
- Explain whether disclosure will be part of the record.
- Explain the scope and/or limits of confidentiality.
- Explain your duty to report.

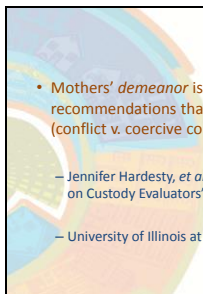
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More Research

- Evaluators' *beliefs* are more closely associated with their parenting recommendations than the actual nature, context and severity of abuse they observe.
- Daniel G. Saunders, *et al.*, Custody Evaluators' Beliefs About Domestic Abuse in Relation to Custody Outcomes, National Institute of Justice (2011).
- <https://www.ncjrs.gov/pdffiles1/nij/grants/238891.pdf>

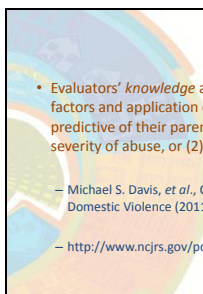
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Yet Another Study:

- Mothers' *demeanor* is more closely associated with evaluators' recommendations than the severity (mild v. severe), type (conflict v. coercive control), or documentation of violence.
- Jennifer Hardesty, *et al.*, The Effect of Domestic Violence Allegations on Custody Evaluators' Recommendations (2011)
- University of Illinois at Urbana Champaign

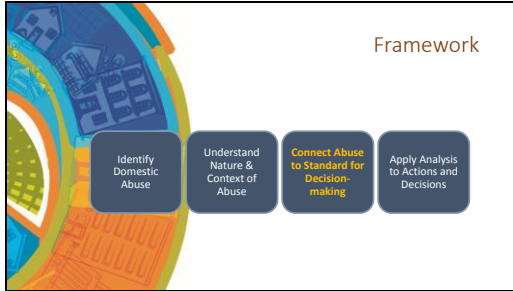
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And Another Study:

- Evaluators' *knowledge* about domestic violence (awareness of risk factors and application of a power and control model) is more predictive of their parenting recommendations than: (1) the severity of abuse, or (2) the thoroughness of their investigations.
- Michael S. Davis, *et al.*, Custody Evaluations When There are Allegations of Domestic Violence (2011).
- <http://www.ncjrs.gov/pdffiles1/nij/grants/234465.pdf>

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Standards for Decision-Making

- Nature of the process
 - Readiness to Mediate
 - Safe participation
 - Knowing and voluntary participation
 - Good faith and fair dealing
 - Autonomous decision-making
 - Appropriateness of Early Neutral Evaluation
 - Safe involvement
 - Knowing and voluntary participation
 - Appreciation of relevant facts and applicable law
 - Ability to articulate facts and legal arguments
 - Autonomous decision-making


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Standards for Decision-Making

- Nature of the Issue
 - Capacity to Co-Parent
 - Safe parental involvement
 - Secure parent-child relationships
 - Low parental conflict
 - Effective parental communication
 - Clear boundaries between partner & parental roles
 - Access to the Child
 - Safety for the child and victim-parent
 - Mastery of basic parenting skills
 - Competent parental decision-making
 - Age and developmentally appropriate engagement

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Framework

- Identify Domestic Abuse
- Understand Nature & Context of Abuse
- Connect Abuse to Standard for Decision-making
- Apply Analysis to Actions and Decisions

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Research

Even when IPV is detected, cases often proceed without accommodations for safety or power differentials.

Kernic, Moriarty-Emsdorff, Koopff, & Holt, 2005; Bow, 2006

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Priorities

Johnson, 2000; LaFle, Johnson, Crooks & Bell, 2008; Van Stough & Dalton, 2008

- Protect children
- Support the safety and wellbeing of the victim parent
- Respect the right of adult victims to direct their own lives
- Hold perpetrators accountable for their abuse
- Promote the least restrictive parenting arrangement

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Recap

Identify Domestic Abuse

Understand Nature & Context of Abuse

Connect Abuse to Standard for Decision-making

Apply Analysis to Actions and Decisions

What is actually going on?

What is to be done about it?

Is abuse an issue here?

Why does it matter?

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Comments & Questions



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