Domestic Violence Judicial Education – Components of an Effective Program

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First and foremost, domestic violence education for Judges must be mandatory, both at the inception of a judicial career as well as annually for all judges.

In New Jersey, N.J.S.A. 2C:25-20b(1) requires the Administrative Office of the Courts to "develop and approve a training course and curriculum on the handling, investigation and response procedures concerning allegations of domestic violence. Additionally, [t]he Administrative Director of the Courts shall be responsible for ensuring that all judges and judicial personnel attend initial training within 90 days of appointment or transfer and annual inservice training[.]" N.J.S.A. 2C:25-20b(2). The statute further enumerates the following components of such an educational program:

1. Information concerning the impact of domestic violence on society;
2. The dynamics of domestic violence;
3. The statutory and case law concerning domestic violence;
4. The necessary elements of a protection order;
5. Policies and procedures as promulgated by the Attorney General or the Supreme Court; and
6. The use of available community resources, support services, available sanctions and treatment options.

[N.J.S.A. 2C:25-20b(3).]

The Administrative Director of the Courts and the Supreme Court charged the Supreme Court, Judicial Education Committee, with the task of developing a judicial education program that would meet this statutory mandate. The approach by the Judicial Education Committee was to develop the program as a joint effort of the Supreme Court Statewide Domestic Violence Working Group; the Supreme Court Family Practice Committee; the Conference of Presiding Family Court Judges; and the Family Court staff within the Administrative Office of the Courts.

The Statewide Domestic Violence Working Group consists of Family Court judges; Family Court staff; Family Court practitioners; representatives of the Attorney General, County Prosecutors, Public Defender, and Law Guardian; and Domestic Violence Service Providers. All issues involving domestic violence are referred to the Working Group for analysis and report directly to the Supreme Court.

The Family Practice Committee consists of Family Court judges; Family Court staff; Family Court practitioners; and representatives of the Attorney General, Public Defender, and Law Guardian. That Committee issues a report to the Supreme Court every two years, and also has a specific Judicial Education subcommittee.

The Conference of Presiding Family Court Judges consists of the Presiding Judge of the Family Court of each vicinage (the State is broken down into 15 vicinages, or districts), which Conference meets monthly and directs policy within the Family Court, subject to the approval of the Administrative Director of the Courts and the Supreme Court.

The Administrative Office of the Courts has a Family Practice section headed by an Assistant Director and has a support staff of approximately 15 lawyers and administrative personnel. The Administrative Office also has a separate Judicial Education and Training section headed by another Assistant Director, which section arranges for the logistics of all judicial and staff training.

As a first step, spearheaded by the Statewide Domestic Violence Working Group, a Domestic Violence Procedures Manual was developed and jointly adopted by the Supreme Court and the Attorney General. This manual prescribes specific procedures to be followed by law enforcement personnel and by court personnel (including Judges) in the handling and processing of domestic violence matters.

With the cooperation of the various committees, the Judicial Education Committee has developed a mandatory educational program for all Family Court Judges that has six components:

1. Comprehensive Judicial Orientation Program (CJOP);
2. Judge Mentoring Program;
3. Annual Judicial Orientation Program;
4. Annual Domestic Violence Judicial Training Program;
5. Annual Family Court Retreat; and
6. Annual Judicial College.

1. The CJOP Program is administered to all newly-appointed Superior Court Judges who are assigned to the Family Court prior to the Judge hearing any Family Court case, and is usually administered between the New Jersey Senate confirmation of the Governor's appointment and the Judge's actual swearing-in ceremony. This program is also administered to all Superior Court Judges who are being reassigned from another Division of the Superior Court (Civil or Criminal) to the Family Court, prior to that Judge sitting on any Family Court matters.

   The CJOP Program has nine (9) modules, including Domestic Violence, which includes all of the training components set forth in N.J.S.A. 2C:25-20b(3). The other modules are Dynamics of Family Court; Children in Court; Custody and Parenting Time; Child Support Guidelines; Dissolution; Support Enforcement; UIFSA; Juvenile Delinquency; and Application of Statutory, Rule and Case Law Factors in Deciding Family Court Cases.

The Judicial Education Committee has, with the assistance of national educational experts, developed a cadre of Judge Trainers to administer the various components of the CJOP Program. There are now over 20 Judges who are qualified to participate as trainers in CJOP. The CJOP Program is given over a period of 5 of 6 days and one day is entirely devoted to domestic violence.

2. Following administration of the CJOP Program, the Judge is assigned a Mentor Judge, an experienced Family Court Judge, to monitor, guide and assist the newly-assigned Family Court Judge.

3. The Annual Judicial Orientation Program is conducted each September and October over the course of eight (8) days. All Judges who have been sworn in as a Superior Court Judge during the previous year or who have been re-assigned during the previous year must attend certain components of this Orientation Program. As to Judges who have been appointed or reassigned to the Family Court during the previous year, they must attend the Family Court components of the Program, which includes a half-day program on domestic violence, taught by a team of an experienced Family Court Judge, a Service Provider, and an experienced Family Court staff member in the domestic violence unit.

4. All Family Court Judges must attend the Annual Domestic Violence Training session, which is an all-day program conducted in April each year. It is also attended by Domestic Violence Hearing Officers and Domestic Violence Unit staff. The program, which includes dynamics of domestic violence, recent case law, procedures, and other issues, is developed each year by the Judicial Education Subcommittee of the Conference of Presiding Family Court Judges in conjunction with the Supreme Court Judicial Education Committee and the Administrative Office of the Courts. The keynote speaker is usually a person of national reputation in the area of domestic violence, such as Sarah Buel.

5. The Annual Family Court Retreat is usually held in June, consisting of two full days on various Family Court issues, and always includes a course on domestic violence. It must be attended by all Family Court Judges and all Domestic Violence Hearing Officers.

6. The Annual Judicial College is held on the Monday, Tuesday and Wednesday in November each year prior to the Thanksgiving recess. Although all Judges must attend, their course election is optional. However, there are always one or more courses on domestic violence issues, as well as a Family Law Update course.

In New Jersey, we believe that this approach to domestic violence education for Superior Court Judges is comprehensive and has been effective. It should also be noted that Municipal Court Judges and Family Court staff also receive mandatory annual training on domestic violence issues administered by the Administrative Office of the Courts, with Superior Court Judges and service providers participating.