

Agency Policies / Roles / Things that Surface



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NATIONAL CENTER
on Domestic and Sexual Violence
training • consulting • advocacy

Policy Considerations

- * Agency
- * Individual
- * Protocol
- * Recommended Checklist

The following presentation is drawn from
“Designing Agency Policies,” developed by
Sarah M. Buel, Noël Bridget Busch-
Armendariz, Toby Myers, Aaron Setiff and
Debby Tucker for the *Establishing Expertise as
an Expert Witness – Experts and Lawyers
Collaborating to Help Victims* Conference,
August 2-3, 2007, Austin, Texas.

General Agency Considerations

- * Is it consistent with the mission of the agency to bolster the credibility of a victim by providing Expert Witnesses?
- * Can the agency commit to serving victims by providing fact or Expert Witnesses in court?
- * Is this a part of community education?

General Agency Considerations

- * Resource Considerations

- * Time

- * Financial

- * Availability of qualified and trained personnel

- * Cultural competence as a consideration



Agency *vs.* Individual Professional Considerations

- * Similarities and differences in development of protocols
 - * Agency guidelines for staff
 - * Professional acting in individual capacity

Overall Agency Considerations

* Fees?

- * If, and when do you charge?
- * Who charges — agency or individual expert?
- * How much?



* Are there community resources to serve as experts?

- * University/college, human service professionals
- * Former agency staff
- * State coalition staff
- * Others

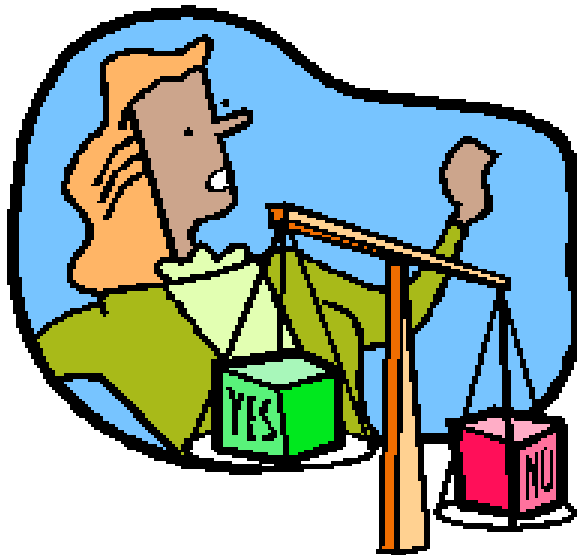
Protocol Considerations

- * Deciding about cases / case-by-case review
 - * Base on facts — is the case meritorious?
 - * Where do you get the facts (interview, attorney, other documentation, etc.)?
 - * Not gathering facts when testifying as Expert Witness
 - * Is the case in the purview of your expertise?
 - * Is the court asking for a written report?
 - * Time and training to prepare
 - * Implications for testimony



Protocol Considerations

- * Those who used shelter/services only or all victims?
 - * Implications for victim served by the agency
 - * Implications for victims not served by the agency
- * Batterers?
- * Circumstances to a case?



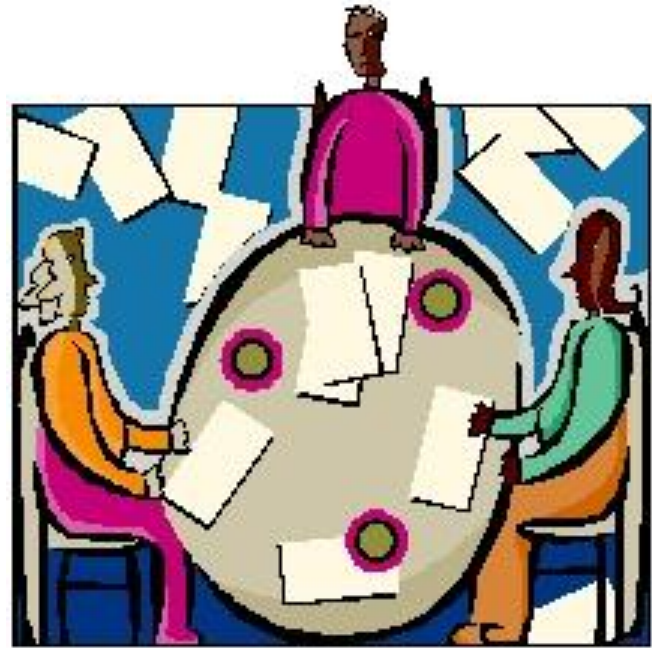
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Protocol Considerations

- * Using consultation
 - * Mentorship, supervision, etc.
- * Are other professionals working on the case?
 - * Collaboration *vs.* independence
 - * Pros and cons of psychological assessments

Developing an Agency Policy

- * Gather information
 - * Needs of battered women
 - * How to best help
 - * Balancing all issues
- * Staff discussion
 - * Ethical considerations
 - * Pros and cons
- * Ensure policy is congruent with Agency's mission



Recommended Checklist



- ✓ Staff testifying
- ✓ Fees
 - Yes? No? Negotiable?
 - Who keeps?
- ✓ Procedure for accepting and rejecting cases
- ✓ Contract / Letter of Understanding
 - Who drafts?
- ✓ Training requirements
- ✓ Subpoenas

Recommended Checklist

- ✓ Confidentiality issues
- ✓ Types of cases
 - “Internal”
 - “External”
 - Generic
 - Specific
 - Civil, criminal, personal injury, licensing boards, immigration
- ✓ Record keeping: Rule of Thumb
- ✓ Agreement is with whom? Client or Attorney



Recommended Checklist

- ✓ Agency attorney
 - Advise
 - Raise issues of potential trouble
- ✓ Approval from Board of Directors
- ✓ Development of an Agency Expert Witness Policy
- ✓ Working with victims / survivors who are incarcerated / jailed
- ✓ Working with batterers



Recommended Checklist

- ✓ As issues not covered in the policy surface, be sure to address them.
- ✓ Include in the policy how the resolution process will unfold.
- ✓ Regularly review the policy, perhaps annually for needed updates, preferably with a Board member to assist.
- ✓ Consider bringing in advisors from the community to discuss the experiences over the last year.

Input from the Group

↔ Thoughts on the State Coalition's role

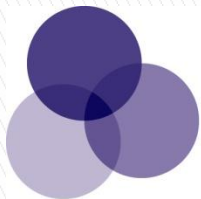
↔ More???



Comments

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