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Your host today:



Alexia Peters, J.D.
Managing Attorney
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www.familyjusticecenter.org





"Local Services, Global Reach"

**Thank you to the US Department of Justice,
Office on Violence Against Women
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Webinar Recording and PowerPoint Presentation Download Reminders

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Your presenters today:



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NYC

**Mayor's Office
to Combat
Domestic Violence**



Providing Civil Legal Services at a Family Justice Center: Benefits, Challenges and Lessons Learned

Presenters:

**Jennifer DeCarli, Esq., LMSW, Executive Director
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**South Brooklyn Legal Services,
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New York City Family Justice Center Initiative – Basic Overview

- The Mayor of the City of New York through the Commissioner of the Mayor's Office to Combat Domestic Violence has created three New York City Family Justice Centers.
- New York City Family Justice Center, Brooklyn (BKFJC)
 - Opened July 2005
 - Serves borough of Brooklyn (2.5 million residents)
 - Client must have some connection to Brooklyn
 - Initially funded as part of the Department of Justice, Office on Violence Against Women President's Family Justice Center. It is now sustained through public and private funding.
- New York City Family Justice Center, Queens (QFJC)
 - A second Center opened in July 2008 in Queens (2.3 million residents)
- New York City Family Justice Center, Bronx (BXFJC)
 - A third Center opened in April 2010 (1.3 million residents)
- Multiple Centers help us to address the needs of the entire population of New York City and transient clients.

New York City Family Justice Center in Brooklyn (BKFJC)

- New York City Family Justice Center Administration: The Mayor's Office to Combat Domestic Violence manages the overall administration of the centers, including funding, personnel, and government and nonprofit partnerships. Partner agencies, both government and nonprofit, deliver direct services to clients.
- District Attorney's Offices in Kings County (KCDA) is the co-lead partner agency with OCDV and their DV Bureau part of the Center
- 17 community nonprofit agencies are on-site with either full or part-time staffing
- 4 civil legal providers are on-site with full or part time staffing – South Brooklyn Legal Services (SBLS), Sanctuary for Families (SFF), Urban Justice Center (UJC), and Jewish Association for Services for the Aged (JASA).
- 6 government agencies are on-site with full or part-time staffing including KCDA, New York City Police Department, Probation, Human Resources Administration (public assistance), Department of Information Technology and Telecommunications and Department for the Aging
- Access to wide range of information, options and services with one visit – “domestic violence information hub”

Operations/Governance

- The BKFJC Executive Director reports directly to the Commissioner of the Mayor's Office to Combat Domestic Violence
- BKFJC Executive Director meets with supervisors from the on-site partner agencies every other month to discuss day-to-day operations at the Center
- Monthly team meetings with all front line staff from the partner agencies directs the day-to-day running of the Center
- Bi-Monthly Civil Legal Coordination meetings with all on-site civil legal partners
- 25+ hours of CORE Training is required for all on-site partner staff (curriculum includes: DV 101/Risk Assessment, Orientation, Immigration 101, Family Court 101, Criminal Justice 101, Self-Sufficiency, Shelter and Housing Options and Cultural Competency)
- Individual yearly meetings with on-site partners to discuss challenges and successes of partnership

Who are the Clients at the BKFJC?

1. DV ARREST CASES

- An arrest has been made for intimate partner violence or elder abuse
- District Attorney's Office contacts victim ("complainant" or "CW") to come to the BKFJC and meet with a DV prosecutor

2. UNEXPECTED CLIENTS

- "Walk-ins" come to the BKFJC for help without an appointment
- Can be referred by police, Family Court, child welfare agencies, community organizations, etc.

3. EXPECTED COMMUNITY APPOINTMENT CLIENTS

- Clients who have appointments with on-site partner agencies

Basic Client Flow at BKFJC

- At the BKFJC's special lobby desk, a trained security guard checks for an appointment with DA's office or nonprofit partner
 - If no appointment (walk-in) there is a check for an open criminal DV case in Brooklyn
- Screening of walk-in and DA referred clients is done by city-contracted Front Line Staff
 - They provide an overview of the BKFJC, assess basic needs via a client needs sheet and obtain demographic information from client
 - This is a 5-10 minute meeting
- They find an available case manager via the "Client assignment Instant Message (IM)"
 - Case manager from the nonprofit partner is the client's point person at the BKFJC
 - Case manager does a safety plan and assists client in creating a service plan at the BKFJC
- Client Satisfaction Survey

Services Provided at the BKFJC

- Safety planning
- Risk Assessment
- **Civil legal advocacy and representation**
- Prosecution of domestic violence crimes
- Assistance with filing police and probation reports
- Counseling for adult victims
- Children's activities
- Children's counseling
- Support groups
- Services for the elderly and/or disabled
- Shelter/housing advocacy
- Language interpretation
- Voluntary spiritual support
- Self-Sufficiency services
- On-site ESL, Financial Literacy and Literacy Classes
- Financial Counseling
- Practical Assistance

Specific Civil Legal Services Provided by On-Site Partners

- **Family and Matrimonial Law** – South Brooklyn Legal Services (SBLS) is contracted by the City to provide Family Court representation at the BKFJC. SBLS and Urban Justice Center (UJC) and Sanctuary for Families (SFF) provide consultations and representation in Family Court order of protection (OP) filing, custody, visitation, divorce, and child support matters. JASA provides legal assistance to elder clients (60+) at the Center.
- **Immigration Law** –SFF, contracted by the City to provide immigration legal assistance at the BKJFC provides consultations and representation on U visas, self petitions, battered spouse waivers and work permits.
- **Disability Project**– A SBLS fellow works specifically with clients who have mental health disabilities and need representation in Family Court.
- **Elder Temporary Order of Protection Program** - JASA staff draft petitions for Family Court OP's and coordinate with Family Court to cut down on wait time for elders.
- **Family Court OP petition drafting** –OP petitions are drafted by case managers and attorneys and submitted electronically to Family Court.
- **Court Room Advocates Project (CAP)** - Lawyers and law students assist clients filing for OPs in Family Court – clients referred directly from BKFJC.
- **LGBTQ Initiative** - Legal advocacy and assistance to LGBTQ clients by specially trained SBLS, UJC and SFF attorneys and on-site community partner the New York City Anti-Violence Project (AVP).

How are Clients Referred to the On-Site Civil Legal Partners?

- Based on the required training at the BKFJC, the case managers assess for the client's civil legal needs.
- Case managers then refer clients to the civil legal screener of the day – see the next slide for the specifics of the civil legal screener's role.

The Role of the BKFJC Civil Legal Screener

- Designated civil legal screeners from four on-site partner agencies meet with BKFJC clients referred to them by their case manager to review their civil legal needs.
- Legal screeners triage for urgent legal needs (a filing deadline about to be missed, an immediate need to go to court, an irrevocable legal event that is about to occur– i.e. deportation, custody writ) and consult with the on-site attorneys as needed.
- Screeners make future appointments with on-site legal partners for immigration and family law issues via a shared Microsoft outlook calendar, and direct expedited referrals to off-site civil legal partners as necessary.
- Screeners are highly knowledgeable about the array of civil legal options and the eligibility requirements of each civil legal agency.
- Screeners orient clients to the legal systems and explain the options and any limitations of various legal remedies.

The Role of the On-Site Civil Legal Attorneys

- Meet daily with clients who were scheduled for a future consultation appointment by the civil legal screeners.
- Represent BKFJC clients in Family Court, Supreme Court and Immigration Court matters.
- Are available as much as possible for emergency issues that arise daily.
- Are available as much as possible to answer legal questions from on-site partner staff.

Benefits of Providing Civil Legal Services at a Family Justice Center

- Client receives civil legal services from specially trained attorneys who can work in close coordination with the client's case manager, counselor, assistant district attorneys etc.
- Civil legal staff have immediate access to criminal justice information when needed (filing of and copies of police reports, probation and parole information, U Visa certifications).
- The co-location of a wide array of criminal justice, civil legal and social services allows the civil legal attorney to focus primarily on the civil legal needs and often places the client in a better position with the civil legal case.
- Cultural Competency – Immediate access to language line and the ability to collaborate with on-site nonprofit partners who specialize in working with specific cultural groups.
- It maximizes the resources of each civil legal agency and allows for informed referrals to other civil legal partners.
- Enhanced coordination and training: bi-monthly civil legal coordination meetings at the BKFJC enhance teamwork and allow the agencies to address on-going needs by developing new, creative programming.
- On-going training of on-site partner staff members enhances their ability to identify a client's civil legal needs and manage client expectations.

Success Story

- SW, a 48 year old woman, came to the BKFJC through the District Attorney's Office (KCDA). Her husband had been arrested twice within a period of 3 months for assaulting her and violating a criminal court order of protection. SW's husband has become physically, verbally, and emotionally abusive almost immediately after their marriage. The last incident occurred after SW informed her husband that she was leaving him. He punched her in the face and, while brandishing a knife, threatened to kill her. SW fled the marital home and was living in her car. SW received SSI for mental health issues and had a Section 8 housing voucher which paid for her housing.
- On-site at the BKFJC, SW initially met with a KCDA social worker who specializes in working with victims with mental illnesses. SW was also referred to a case manager to assist her with housing needs. Additionally, an SBLS attorney met with SW to discuss her interest in obtaining a divorce. After meeting with SW and discussing her current situation and assessing her safety risks, SBLS decided to wait to file her divorce until SW had stable, confidential housing.
- SW worked with her case manager and was able to obtain permission to transfer her Section 8 housing voucher to a new, safe location. Her husband pled guilty and was sentenced to jail time.
- After obtaining new housing, SW was represented by SBLS for her divorce. SBLS worked in collaboration with NYPD and KCDA on site to help substantiate the grounds for divorce through the previous police reports and DA complaints. SBLS successfully filed a divorce action for SW and obtained the court's permission for SW to have a confidential address throughout the proceedings. SW's husband defaulted in the divorce and a judgment of divorce was granted to SW.

Challenges

- Confidentiality: Use protocols that facilitate information sharing between legal service providers and social service providers while always respecting and maintaining client confidentiality.
 - Examples : Appt. scheduling protocol via the Microsoft outlook calendar, office locations.
- Different Professional Obligations:
 - Example: A social worker who becomes aware of child abuse is a mandated reporter whereas a lawyer may be prevented from disclosing that information.
- Due to the volume of clients at the BKFJC, managing a client's expectations and the expectations of on-site partner staff can be challenging:
 - BKFJC records 1,500-1,800 client visits (new and repeat visits) a month
 - Approximately 40% of clients request civil legal services
 - Can't represent every client who is in need!
 - There are waits for consultation appointments – we now ask for a client's written permission to remind them of upcoming legal appointment.
 - Because on-site partner staff have immediate access to civil legal attorneys, it can be challenging to always be available for quick consultations with case managers, clients, screeners, while also handling a high volume of cases.

Case Scenario

- JW was a pregnant, mentally ill woman who was unable (due to her pregnancy) to take her psychotropic medication. JW and her abuser had one child in common. After JW became pregnant, the abuser left the home. He then filed for custody of the child alleging that JW was unfit to care for the child due to her mental illness.
- JW came to BKFJC seeking representation in the on-going custody case. JW also filed for custody of their child and sought an order of protection. SBLS agreed to represent JW and referred her to an on-site partner agency that specializes in working with victims who have mental health needs. JW began seeing a social worker at that agency and allowed that therapist to be in consistent contact with the SBLS attorney. The SBLS attorney relied heavily on the expertise of the therapist in working with JW. This understanding of her client's mental illness allowed her to clearly communicate with her about the court case.
- As JW's pregnancy progressed, her mental health began to deteriorate. She began hallucinating and developed severe paranoia. She revoked permission for the SBLS attorney to speak with her therapist, thereby ending any channels of communication between vital service providers.
- A few weeks before giving birth, JW expressed to the SBLS attorney that she was feeling depressed and had serious thoughts of suicide. The SBLS attorney was contacted by the therapist who also expressed concerns about JW. Eventually, because the therapist was so concerned about JW, she called the New York City Lifenet Mobile Crisis Unit, which sent a team of professionals to JW's home to assess the situation. JW was deemed mentally fit. After that experience, JW ceased all communication with the therapist and began questioning the SBLS attorney about her role in possibly hospitalizing her.

Lessons Learned and Moving Forward

- The previous scenario is very challenging – not routine. However, more common challenges with client confidentiality occur often.
- To combat these challenges, we have learned you must focus on team building and educating staff about each other's roles and responsibilities in order to establish mutual trust and respect. You need to constantly work on relationship building at an FJC.
- The previous scenario again highlights the importance of: continued training for all BKFJC partner staff and off-site partner agencies to reinforce protocols, and regularly scheduled civil legal coordination meetings to ensure a continued dialogue and address issues that arise in an expeditious manner.
- To address client volume:
 - Continue to manage expectations of clients and on-site partner staff
 - Regularly review off-site agencies' capacity to take referrals from the BKFJC.
 - The Mayor's Office to Combat Domestic Violence continues to identify both private and public funds to offer civil legal services to clients at all three New York City Family Justice Centers.

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www.nyc.gov/domesticviolence

www.sbls.org

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*Thank you for joining today's
presentation*



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