

**REPORT ON THE
PREVENTION OF DOMESTIC VIOLENCE ACT**

JANUARY 1, 2006 - DECEMBER 31, 2006

**NEW JERSEY
JUDICIARY**



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**Prepared by:
Family Practice Division
Administrative Office of The Courts**

**Hon. Stuart Rabner, Chief Justice
Hon. Philip S. Carchman, Acting Administrative
Director of the Courts**

Submitted: December 17, 2007

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INTRODUCTION

To the Governor, the Legislature, and the Advisory Council on Domestic Violence: The New Jersey Administrative Office of the Courts submits this statistical report on the operation of the Prevention of Domestic Violence Act, N.J.S.A. 2C:25-17 through 2C:25-35. Submitted pursuant to N.J.S.A. 2C:33, the report covers the period from January 1, 2006 to December 31, 2006. It presents data from the Family Automated Case Tracking System (FACTS) and the Criminal Division Automated System (Promis/Gavel). Collection and analysis of accurate data regarding trends in domestic violence proceedings serves as an important resource for governmental agencies and service providers with regard to funding, report writing, grants, legislation, and policy recommendations.

The format of this annual report follows that used for previous reports in presenting data regarding domestic violence filings, dispositions of restraining orders, and forms of relief sought and granted. In addition, this report includes data on non-indictable contempt charges, which are processed in Family Court (N.J.S.A. 2C:29.9b); and data on violations of non-contact orders or other offenses requiring arrest and criminal charges, which are processed in the Criminal Division.

The total number of domestic violence complaint filings in calendar year 2006 was 40,866, compared to 43,413 in 2005. Additionally, in 2006, there were 8,746 domestic violence contempt filings, a decrease of 437 from the 2005 figure of 9183. Thus, there were fewer complaint filings and fewer contempt filings in calendar 2006 than in the previous year.

The New Jersey Judiciary continues to implement policies and procedures to enhance the protective process for victims of domestic violence and their families. These improvements are made possible in part through funding received by the Judiciary from the Federal STOP Violence Against Women Act (VAWA). The Domestic Violence Technical Assistance Team and Continued Domestic Violence Training are two of the VAWA subgrants administered by the Family Practice Division of the Administrative Office of the Courts. These projects provide technical assistance and coordination of training for judges, domestic violence staff members, and other court employees. The Continued Domestic Violence Training grant enables the Judiciary to continue the development of its video production library, which will provide domestic violence training on an immediate basis for newly hired or assigned court staff. The library will offer information on basic and advanced domestic violence topics via videotape, CD-ROMs and DVDs. This grant also enables the Judiciary to provide training for Family Court staff, Probation Officers who have a domestic violence caseload, court volunteers and others. The Judiciary continues to strive to promote uniform procedures, to implement best practices, and to provide a clear understanding of the dynamics of domestic violence and the Prevention of Domestic Violence Act to all Judiciary staff and court volunteers.

Training is a key element of the Judiciary's domestic violence efforts. Grant funding supports a number of essential training programs each year. Every year a mandatory Domestic Violence Conference is provided to all Family Division judges and staff. The Domestic Violence Team Leaders, Domestic Violence Hearing Officers, and the Backup Domestic Violence Hearing Officers also receive training throughout the year. All new judiciary employees receive training on the Dynamics of Domestic Violence and the Prevention of Domestic Violence Act. The Family Division also coordinates with the Municipal Court

Services Division to train Municipal Court Judges and Municipal Court Administrators regarding domestic violence processes and procedures. Without grant funding, much of this training would not occur.

The Family Practice Division continues the production of a set of five domestic violence training videos that will serve to train newly hired or assigned court personnel, consistent with the statutory training mandate. Once the training videos have been completed, copies of the set will be provided to the vicinages as a resource for a videotape library for judges and staff. The five training videos will cover the following: (1) the domestic violence event, (2) the TRO hearing conducted by the DVHO, (3) the FRO hearing (4), a contempt hearing, and (5) customer service. The Judiciary also is in the process of developing a series of training CD-ROMs for court personnel to provide information on advanced topics relating to domestic violence, such as mental health, substance abuse, cyber stalking, immigration, and cultural considerations. Further, the Judiciary is developing a third project in DVD format. This third project will further sensitize court staff to the issues faced by victims and their families. It will focus on such topics as victims and their history of domestic violence, families of victims where the victim was killed by the batterer, and a batterer's intervention program. Actors and domestic violence experts will role play in these DVDs.

New Jersey's domestic violence efforts also include the Statewide Domestic Violence Central Registry (DVCR) an important information tool that is available to law enforcement agencies as well as to the Family Courts. It contains up-to-date information on all Restraining Orders entered into the Family Automated Case Tracking System (FACTS), including out-of-state restraining order information. The DVCR is intended to serve as a database for law enforcement to facilitate enforcement of Temporary Restraining Orders (TRO) and Final Restraining Orders (FROs), thereby enhancing protection for victims, even when they relocate between municipalities and counties within the state. The Registry also provides vital information to law enforcement as part of the screening process for individuals who apply for firearms licensing. The Registry was made possible through Federal STOP VAWA funding and through inter-agency cooperation among the Judiciary, the Attorney General's Office, the New Jersey State Police, and local law enforcement agencies.

The Domestic Violence Hearing Officer (DVHO) Program continues to be a valuable component of the overall effort to ensure court access by victims. The quick availability of the DVHO reduces the need for judges to interrupt ongoing trials to handle applications for TROs. Extensive training continues to be a mainstay of the DVHO program in order to ensure the highest quality service to the public. The Judiciary is implementing an initiative to have designated Backup Domestic Violence Hearing Officers (BDVHOs) in place to hear requests for TROs when the regularly assigned DVHO is unavailable.

The effort to establish victim waiting rooms in every county courthouse has been an important ongoing issue. However even in those courthouses that still do not have such separate waiting rooms, every possible effort is being made to ensure the victim's safety and to separate plaintiffs and defendants while they await their court appearances.

The electronic TRO (e-TRO) program began on a pilot basis, has been approved for statewide rollout. The project has been a success. The Municipal Court Services Division will assume responsibility for the statewide roll-out. This project improves TRO data entry and quality, expedites the linkage of the TRO to the DVCR and FACTS to create a more comprehensive

TRO index, and expedites docketing of the TRO in the Family Courts.

The New Jersey Judiciary will continue to strive to improve the overall quality of services it provides to all. And we will maintain effective communication and interaction between internal and external organizations to ensure standardized practices throughout the state. Training of judges and staff will continue to be a critical component of our efforts in this area.

Philip S. Carchman, P.J.A.D.
Acting Administrative Director of the Courts

Date: December 17, 2007

SECTION ONE:

A. DOMESTIC VIOLENCE (FV) FILINGS - NEW COMPLAINTS, STATEWIDE FILINGS

1. NUMBER OF NEW COMPLAINTS FILED (MUNICIPAL COURTS, SUPERIOR COURT, TRANSFERS AND REOPENED TEMPORARY RESTRAINING ORDERS.)

In calendar year 2006, the overall number of new domestic violence filings decreased by 5.8 %

NUMBER OF FILINGS	2005 1/05-12/05	2006 1/06-12/06
Municipal Courts	17,487	16,746
Superior Court	22,904	20,947
Transfers	208	196
Reopened TROs	2,814	2,977
Total Filings	43,413	40,866

2. GENDER OF PARTIES*

In 2006, the large majority of *plaintiffs* filing domestic violence complaints continue to be female (78.5%) and the large majority of *defendants* continue to be male (77.8%).

Gender of Parties	2005	% of Total Filings (40,599)	2006	% of Total Filings (37,889)
Male Plaintiff	8,642	21.3%	8,155	21.5%
Female Plaintiff	31,961	78.7%	29,735	78.5%
Male Defendant	31,675	78.0%	29,458	77.8%
Female Defendant	8,921	22.0%	8,430	22.2%

(*Note: Based on total new filings and transfers in Municipal Court and Superior Court (37,889)

3. RELATIONSHIP BETWEEN PLAINTIFF AND DEFENDANT*

In 2006, the statistics indicating the relationship between plaintiff and defendant were essentially unchanged from the previous year.

Relationship of Parties				
Relationship of Parties	2005	%of Total Filings (40,599)	2006	%of Total Filings (37,889)
Spouse w/Children	9,333	23.0%	8,367	22.1%
Spouse w/o Children	3,268	8.0%	3,042	8.0%
Former Spouse w/Children	1,349	3.3%	1,299	3.4%
Former Spouse w/o Children	244	.6%	189	0.5%
Never Married w/Children	7,226	17.8%	6,914	18.2%
Never Married Expectant Parents	364	.9%	360	1.0%
Present Household Member	4,914	12.1%	4,669	12.3%
Dating Relationship	9,554	23.5%	9,176	24.2%
Former Household Member	4,347	10.7%	3,873	10.2%

(*Note: Based on total new filings and transfers in Municipal Court and Superior Court (37,889))

**4. LIVING ARRANGEMENTS OF PLAINTIFFS AND DEFENDANTS IN
NEW COMPLAINTS***

The statistics indicating living arrangements for plaintiffs and defendants filing new domestic violence complaints showed slight changes from the previous year.

Living Arrangements	2005	% of Total Filings (40,599)	2006	% of Total Filings (37,889)
Living Together	16,675	41.1%	15,073	39.8%
Previously Living Together	17,566	43.3%	16,625	43.9%
Never Living Together	6,358	15.7%	6,191	16.3%

5. TEMPORARY RESTRAINING ORDERS ISSUED

The Domestic Violence Summary shows the proportion of domestic violence cases in which TROs were issued.

TROs Issued	2005	% of Total Filings (40,599)	2006	% of Total Filings (37,889)
	33,562	83.6%	32,360	85.4%

TROs Denied (Final Hearing Scheduled)	2005	% of Total Filings (40,599)	2006	% of Total Filings (37,889)
	222	0.5%	19	0.05 %

TROs Denied (Complaint Dismissed)	2005	% of Total Filings (40,599)	2006	% of Total Filings (37,889)
	3,671	9.0%	3,439	9.1%

(*Note: Based on total new filings and transfers in Municipal and Superior Court (37,889))

B. COUNTY FIGURES

SECTION TWO:
DOMESTIC VIOLENCE TERMINATIONS (FVs)
NEW COMPLAINTS

A. STATEWIDE FIGURES

1. TRO DENIED/COMPLAINT DISMISSED (ALL COURTS)*

The percentage of cases disposed by the denial of a TRO and dismissal of the domestic violence complaint remains essentially unchanged from the previous year.

TROs Denied 2005	% of Total Filings (40,599)	TROs Denied 2006	% of Total Filings (37,889)
3,671	8.5%	3,439	8.4%

2. COMPLAINT WITHDRAWN BY PLAINTIFF*

The percentage of complaints withdrawn by the plaintiff increased slightly in 2006.

Complaint Withdrawn by Plaintiff 2005	% of Total Filings (40,599)	Complaint Withdrawn by Plaintiff 2006	% of Total Filings (37,889)
13,712	31.6%	13,553	33.0%

3. FAILURE OF PLAINTIFF TO APPEAR/COMPLAINT DISMISSED*

The percentage of cases dismissed due to failure of the plaintiff to appear increased marginally in 2006.

Dismissed Failure to Appear Plaintiff 2005	% of Total Filings (40,599)	Dismissed Failure to Appear Plaintiff 2006	% of Total Filings (37,889)
3,981	9.2%	3,890	9.5%

(*Note: Based on total new filings and transfers in Municipal Court and Superior Court (37,889))

4. **TRO APPEALED/COMPLAINT DISMISSED (FAMILY DIVISION)**

The number of cases in which emergent appeals were granted prior to the final hearing increased by 21 cases in 2006.

TRO EMERGENT APPEAL GRANTED (# of Cases)	
2005	94
2006	115

5. **RELIEF DENIED AT FINAL HEARING/COMPLAINT DISMISSED***

In 2006, the percentage of cases in which the final restraining order was denied and the complaint dismissed decreased marginally.

Year	FROs Denied	Total Filings	% Total Filings
2005	5,987	40,599	13.8%
2006	5,448	37,889	13.3%

6. **TRO EXTENDED***

A TRO can be extended indefinitely when attempts have been made to serve the defendant, but defendant cannot be located. In 2006, the percentage of such extended TROs increased marginally.

Year	Extended TROs	Total Filings	% Total Filings
2005	4,176	40,599	9.6%
2006	4,173	37,889	10.2 %

(*Note: Based on total new filings and transfers in Municipal Court and Superior Court (37,889))

7. **FINAL RESTRAINING ORDERS ENTERED/
SOME OR ALL RELIEF GRANTED**

In 2006, the percentage of Final Restraining Orders entered with some or all relief granted decreased.

Year	FROs Entered	Total Filings	% Total Filings
	10,697	40,599	26.3%
2006	9,219	37,889	22.5%

8. **TRANSFERRED TO ANOTHER COUNTY**

A case may be transferred from one county to another for any of four reasons: plaintiff or defendant works in Family Court in the original county of venue; there is an FM (Dissolution) or FD (Non-Dissolution) matter pending in the another county; the TRO and FRO were filed in the county where the act occurred but plaintiff or both parties reside in another county; or for other good cause shown. In 2006, the total number of such transfers remained essentially the same as in 2005.

DV Cases Transferred To Another County (# of Cases)	
2005	235
2006	227

A. STATEWIDE FIGURES

SECTION THREE:

FINAL RESTRAINING ORDERS RELIEF DISPOSITION STATISTICS

The percentage of relief sought (“% of all FROs”) represents the number of cases in which that relief was sought as a percentage of all cases.

The percentage of relief granted (“% granted”) represents the number of cases in which the relief was granted as a percentage of those cases in which that relief was sought.

B. COUNTY FIGURES

A. STATEWIDE FIGURES (SUPERIOR COURT)

In 2006, 24.3% of total domestic violence filings in the Family Division of Superior Court resulted in a granted Final Restraining Order (FRO). The percentage is down somewhat from the previous year.

Year	FROs Granted	Total Filings	% of Total Filings
2005	10,697	40,599	26.3%
2006	9,219	37,899	24.3%

1. PROHIBITION AGAINST FUTURE ACTS OF DOMESTIC VIOLENCE

This relief continues to be granted in the majority of Final Restraining Orders in which it is sought. (This relief was ordered in some cases in which it had not been requested; hence the greater than 100% granted figure.)

2006	
# of Times Relief Sought	% of All FROs
8,661	93.9 %
# of Times Relief Granted	% Granted
8,722	100.7 %

2. PROHIBITION AGAINST ANY CONTACT OR COMMUNICATION WITH VICTIM

This relief prohibits the defendant from any oral, written, personal, electronic, or other form of contact or communication with the victim by the defendant. This relief continues to be sought and granted in the majority of cases.

2006	
# of Times Relief Sought	% of All FROs
8,676	94.1 %
# of Times Relief Granted	% Granted
8,455	97.5 %

3. PROHIBITION AGAINST ANY CONTACT OR COMMUNICATION WITH OTHERS

This relief prohibits defendants from contacting or communicating with those “other” individuals specified in the FRO. This relief was sought in 54.8% of the cases and granted in 74.9 % of those cases.

2006	
# of Times Relief Sought	% of All FROs
5,051	54.8 %
# of Times Relief Granted	% Granted
3,783	74.9%

4. PROHIBITION AGAINST HARASSING COMMUNICATIONS TO VICTIM

This relief prohibits direct or indirect harassing communications to the victim. This relief was sought in 94.0% of the cases in 2006 and was granted in 100.6% of those cases. (This relief was ordered in some cases in which it had not been requested; hence the greater than 100% figure.)

2006	
# of Times Relief Sought	% of All FROs
8,662	94.0 %
# of Times Relief Granted	% Granted
8,718	100.6 %

5. PROHIBITION AGAINST HARASSING COMMUNICATIONS TO OTHERS

This relief prohibits direct or indirect harassing communications towards others. This relief was sought in 52.9% of the cases in 2006 and was granted in 72.8% of those cases.

2006	
# of Times Relief Sought	% of All FROs
4,874	52.9%
# of Times Relief Granted	% Granted
3,547	72.8 %

6. POSSESSION OF RESIDENCE TO PLAINTIFF

Granting exclusive possession of the residence to the plaintiff was sought 48.2% of the time and granted 86.3 % of the time it was requested.

2006	
# of Times Relief Sought	% of All FROs
4,442	48.2%
# of Times Relief Granted	% Granted
3,832	86.3 %

7. EMERGENT MONETARY RELIEF-VICTIM

Emergent monetary relief for the victim was sought in only a very small number of cases and was granted in only 6.6% of those cases.

2006	
# of Times Relief Sought	% of All FROs
183	2.0%
# of Times Relief Granted	% Granted
12	6.6%

8. EMERGENT MONETARY RELIEF-DEPENDENT(S)

Emergent monetary relief for dependents was sought in very few cases and was granted in only one case.

2006	
# of Times Relief Sought	% of All FROs
140	1.5%
# of Times Relief Granted	% Granted
1	0.7%

9. CHILD CUSTODY

Temporary custody of child(ren) was sought in 36.6% of the cases and was granted in 91.0% of those cases.

2006	
# of Times Relief Sought	% of All FROs
3,377	36.6%
# of Times Relief Granted	% Granted
3,072	91.0%

10. LAW ENFORCEMENT ACCOMPANIMENT OF DEFENDANT TO SCENE - RESIDENCE

This relief provides for the availability of a police escort for the defendant back to the scene or residence to gather personal belongings. In 2006, this relief was sought in 36.7% of the cases and was granted in 78.4% of those cases.

2006	
# of Times Relief Sought	% of All FROs
3,382	36.7%
# of Times Relief Granted	% Granted
2,653	78.4%

11. **LAW ENFORCEMENT ACCOMPANIMENT OF PLAINTIFF TO SCENE - RESIDENCE**

This relief provides a police escort for the plaintiff back to the scene or residence to obtain personal belongings. In 2006, this relief was sought in 13.5% of the cases, and was granted in 46.8% of those cases.

2006	
# of Times Relief Sought	% of All FROs
1,245	13.5%
# of Times Relief Granted	% Granted
583	46.8 %

The next three subsections (12, 13, 14) report as a combined category all “other appropriate relief” that may be granted depending on the individual circumstances of the parties involved, e.g., drug and/or alcohol screening, therapy for a child, or the release of important documents, such as birth certificates, passports, or immigration information.

12. **OTHER APPROPRIATE RELIEF - PLAINTIFF**

2006	
# of Times Relief Sought	% of All FROs
658	7.1%
# of Times Relief Granted	% Granted
579	88.0%

13. **OTHER APPROPRIATE RELIEF - CHILDREN**

2006	
# of Times Relief Sought	% of All FROs
329	3.6%
# of Times Relief Granted	% Granted
49	14.9%

14. **OTHER APPROPRIATE RELIEF-DEFENDANT**

2006	
# of Times Relief Sought	% of All FROs
1,848	20.0%
# of Times Relief Granted	% Granted
1,325	71.7%

15. INTAKE MONITORING OF CONDITIONS OR RESTRAINTS

Intake monitoring, which requires frequent contact with victims to determine if restraints are being observed, is rarely sought. In 2006, it was requested in only 1.8% of all cases and was granted in 10.6% of those cases. Limited availability of court staff to provide for the monitoring required by this relief may be the most likely reason for the low incidence of inclusion of this relief in FROs.

2006	
# of Times Relief Sought	% of All FROs
170	1.8%
% of Times Relief Granted	% Granted
18	10.6%

16. PROHIBITION AGAINST WEAPONS POSSESSION - FIREARMS

In 2006, prohibition against the possession of firearms was sought in 94.0% of all cases and was granted in 100.4% of those cases. (This relief was ordered in some cases in which it was not specifically requested.)

2006	
# of Times Relief Sought	% of All FROs
8,663	94.0%
# of Times Relief Granted	% Granted
8,695	100.4%

17. PROHIBITION AGAINST WEAPONS POSSESSION-OTHER

This relief prohibits possession of weapons other than firearms. In 2006, this relief was sought in only 12 cases and was granted in three of those cases.

2006	
# of Times Relief Sought	% of All FROs
12	0.1 %
# of Times Relief Granted	% Granted
3	25.0%

18. SEIZURE OF WEAPONS

In 2006, the seizure of weapons was ordered in 112 FROs.

2006
of Cases
112

19. PROHIBITION AGAINST STALKING - VICTIM

In 2006, prohibition against stalking the victim was sought in 93.9% of all cases and was granted in 100.7% of those cases. (This relief was ordered in some cases in which it had not been requested.)

2006	
# of Times Relief Sought	% of All FROs
8,657	93.9%
# of Times Relief Granted	% Granted
8,716	100.7%

20. PROHIBITION AGAINST STALKING - OTHERS

In 2006, prohibition against stalking “others” was sought in 51.5% of all cases and was granted in 72.1% of the cases.

2006	
# of Times Relief Sought	% of All FROs
4,751	51.5%
# of Times Relief Granted	% Granted
3,424	72.1%

21. CONDITIONS OF PARENTING TIME - FOR DEFENDANT

This relief defines the conditions for parenting time between the defendant and minor children while maintaining protection for the plaintiff. In 2006, this relief was sought in 27.5% of all cases and was granted in 95.6% of those cases.

2006	
# of Times Relief Sought	% of All FROs
2,531	27.5%
#of Times Relief Granted	% Granted
2,419	95.6%

22. RISK ASSESSMENT ORDERED

Risk Assessments are ordered when there is reason to believe that there may be a risk of harm to the child (ren) during parenting time. In 2006, this relief was sought in 4.9% of cases, and was granted in 63.4% of those cases.

2006	
# of Times Relief Sought	% of All FROs
451	4.9 %
# of Times Relief Granted	% Granted
286	63.4%

23. SUSPENSION OF PARENTING TIME - FOR DEFENDANT

Suspension of defendant's parenting time was sought in 25.7% cases and was granted in 33.3% of those cases.

2006	
# of Times Relief Sought	% of All FROs
2,366	25.7%
# of Times Relief Granted	% Granted
788	33.3%

24. **MONETARY COMPENSATION - EMERGENT SUPPORT**

Economic relief for victims and their children usually takes the form of interim and/or ongoing support. If a prior support order exists through a divorce or child support civil action, additional reliefs arising from the domestic violence action are likely to be treated as separate from the ongoing support order already in effect. This may account for the fact that emergent support continues to be requested or granted only rarely.

a. **VICTIM - EMERGENT SUPPORT**

Emergent support for victims ensures that victims are financially able to meet their daily needs. In 2006, this relief was sought in only 2.4% of all cases and was granted in 11.2% of those cases.

2006	
# of Times Relief Sought	% of All FROs
223	2.4%
# of Times Relief Granted	% Granted
25	11.2%

b. **DEPENDENT(S)-EMERGENT SUPPORT**

Dependent support is a relief available to ensure that minor children are financially supported while the FRO is in effect. In 2006, this relief was sought in only 3.4% of all cases, and was granted in just 3.8% of those cases.

2006	
# of Times Relief Sought	% of All FROs
318	3.4 %
# of Times Relief Granted	% Granted
12	3.8 %

c. **INTERIM SUPPORT - VICTIM-DEPENDENT(S)**

Interim support may be granted to the victim and dependents as part of the TRO and extended TRO process. Interim support can remain in effect until the FRO is issued. This relief was granted in only 22 cases as to the victim and 12 cases as to dependents.

2006
of Times Interim Support Granted- Victim
22
of Times Interim Support Granted- Dependents
12

d. **VICTIM - ONGOING SUPPORT**

Ongoing victim support is monetary relief to ensure that victims are able to attend to their financial needs. In 2006, this relief was sought in only 3.2% of cases and was granted in 50.3% of those cases.

2006	
# of Times Relief Sought	% of All FROs
298	3.2%
# of Times Relief Granted	% Granted
150	50.3 %

e. **DEPENDENT(S) - ONGOING SUPPORT**

Ongoing dependent support is monetary support of minor children after a Final Hearing has been held and when no other previous orders for support are in effect. In 2006, this relief was sought in 16.5% of all cases and was granted in 81.5% of those cases.

2006	
# of Times Relief Sought	% of All FROs
1,523	16.5%
# of Times Relief Granted	% Granted
1,241	81.5 %

ADDITIONAL ECONOMIC RELIEF:

The next six subsections (f-k) describe additional economic relief available to the plaintiff, dependents, or third parties as defined in the Prevention of Domestic Violence Act.

f. **VICTIM - COMPENSATORY DAMAGES**

Victims may be compensated by the defendant for property damages incurred during a domestic violence incident. In 2006, compensatory damages were sought in 2.3% of the cases and granted in 37.6% of those cases.

2006	
# of Times Relief Sought	% of All FROs
213	2.3%
# of Times Relief Granted	% Granted
80	37.6 %

g. VICTIM - PUNITIVE DAMAGES

Victims may seek monetary relief from defendant for injuries suffered during a domestic violence incident. In 2006, this was sought in less than one percent of the cases (43 cases) and was granted in just seven cases.

2006	
# of Times Relief Sought	% of All FROs
43	0.5%
# of Times Relief Granted	% Granted
7	16.3%

h. VICTIM - MEDICAL COVERAGE

Medical coverage for victims is available as a relief to ensure that any health benefits are continued, with the cost assessed to the appropriate party and/or available resources. In 2006, this relief was sought in only 2.0% of the cases and granted in 46.3% of those cases.

2006	
# of Times Relief Sought	% of All FROs
188	2.0%
# of Times Relief Granted	% Granted
87	46.3%

i. DEPENDENT(S) - MEDICAL COVERAGE

Medical coverage of dependents is available as a relief to ensure that dependent children can receive necessary treatment for medical conditions. In 2006, this relief was sought in 2.7% of the cases and was granted in 46.0% of those cases.

2006	
# of Times Relief Sought	% of All FROs
248	2.7%
# of Times Relief Granted	% Granted
114	46.0%

j. MONETARY COMPENSATION - THIRD PARTY

Compensation by defendant to a third party is available when there has been injury or loss of property affecting a third party as a result of an incident of domestic violence. In 2006, this relief was sought in less than 1% of the cases and was granted in only eight cases.

2006	
# of Times Relief Sought	% of All FROs
36	0.4%
# of Times Relief Granted	% Granted
8	22.2%

k. **MONETARY COMPENSATION - VICTIMS OF CRIME
COMPENSATION BOARD (VCCB)**

In 2006, only 3 defendants were ordered to pay fines to the Victims of Crime Compensation Board. This low number is consistent with prior years. In 2005, only 2 defendants were ordered to pay this fine.

2006
Of Times VCCB was Ordered
3

25. **PROFESSIONAL DOMESTIC VIOLENCE COUNSELING-DEFENDANT**

In 2006, professional domestic violence counseling for defendants was sought in 26.5% of all cases and was ordered in 61.6% of those cases.

2006	
# of Times Relief Sought	% of All FROs
2,446	26.5%
# of Times Relief Granted	% Granted
1,507	61.6 %

26. RENT OR MORTGAGE PAYMENTS

This relief is available to assist victims and their families in paying for all or part of their rent/mortgage obligations when a restraining order has been issued. In 2006, this relief was sought in 3.4% of the cases and was granted in 28.6% of those cases.

2006	
# of Times Relief Sought	% of All FROs
318	3.4%
# of Times Relief Granted	% Granted
91	28.6%

27. TEMPORARY POSSESSION OF PERSONAL PROPERTY - PLAINTIFF

This relief was designed to provide the plaintiff with immediate access to specified personal property (e.g., car, official documents). In 2006, this relief was sought in 9.4% of the cases and was granted 36.7% of the time it was sought.

2006	
# of Times Relief Sought	% of All FROs
864	9.4%
# of Times Relief Granted	% Granted
317	36.7%

28. TEMPORARY POSSESSION OF PERSONAL PROPERTY - DEFENDANT

This relief is available to assist defendants in retrieving personal property from the residence when a restraining order has been issued. In 2006, this relief was sought in 3.5% of all cases and was granted 57.5 % of the time it was sought.

2006	
# of Times Relief Sought	% of All FROs
322	3.5 %
# of Times Relief Granted	% Granted
185	57.5%

B. COUNTY FIGURES

SECTION FOUR:

POST-DISPOSITIONAL RELIEF

- (1) DV CRIMINAL CONTEMPTS (FOs)**
- (2) MODIFICATIONS/ENFORCEMENTS (FVs)**
- (3) REOPENED DV FROs/TERMINATIONS**
- (4) DV CONTEMPT SUMMARY**

SECTION FOUR
POST-DISPOSITIONAL RELIEF

Enforcement of domestic violence Temporary Restraining Orders or Final Restraining Orders can be pursued either through the criminal contempt process, N.J.S.A. 2C:29-9b or N.J.S.A. 2C:25-30, or through civil enforcement of litigant's rights under Rule 1:10-3. Under the criminal statute, violations of any restraints and certain reliefs and conditions of a restraining order require mandatory arrest and criminal prosecution. Violations of other reliefs and conditions are enforceable by the court pursuant to applicable court rules. The Family Division has jurisdiction over disorderly person's domestic violence contempt actions pursuant to N.J.S.A. 2C: 29-2b. This includes contempt charges that were initially indictable but have been downgraded by the Prosecutor's Office in the county of venue. The following section reports the data on those cases. It does not cover indictable contempts of the fourth degree and above, which are handled in the Criminal Division.

1. **DOMESTIC VIOLENCE CRIMINAL CONTEMPTS (FOs)**

A. **STATEWIDE FIGURES**

a. **FILINGS**

The Family Division processed 8,746 disorderly persons criminal contempts in 2006, a decrease of 437 (4.8%) from 2005.

Domestic Violence Contempts Filed 2005-2006			
Year	2005	2006	+/-
Filings	9,183	8,746	-4.76

b. **TERMINATIONS**

Total terminations include those cases in which defendants either entered a guilty plea or were found guilty of disorderly persons contempt charges, as well as those cases in which contempt charges were dismissed, either as part of a plea agreement to a lesser charge (e.g., harassment) at the victim's or prosecutor's request or after a trial and a finding of not guilty. In 2006, the number of contempt terminations decreased by 434 (4.7%) from 2005.

Domestic Violence Contempts Closed			
Year	2005	2006	+/-
Terminations	9,217	8,783	-4.70

B. COUNTY FIGURES

COUNTY FIGURES/DV CONTEMPTS (FILINGS)

	2005	2006
Atlantic	443	326
Bergen	519	431
Burlington	360	418
Camden	804	802
Cape May	252	230
Cumberland	419	381
Essex	729	701
Gloucester	502	446
Hudson	589	620
Hunterdon	76	45
Mercer	428	417
Middlesex	630	477
Monmouth	500	514
Morris	252	221
Ocean	785	702
Passaic	652	825
Salem	143	78
Somerset	281	288
Sussex	136	125
Union	547	584
Warren	136	115
TOTALS	9,183	8,746

COUNTY FIGURES/DV CONTEMPTS/(TERMINATIONS)

	2005	2006
Atlantic	474	330
Bergen	502	470
Burlington	363	397
Camden	790	818
Cape May	252	225
Cumberland	437	382
Essex	691	749
Gloucester	489	439
Hudson	580	645
Hunterdon	84	49
Mercer	411	443
Middlesex	633	500
Monmouth	539	522
Morris	272	197
Ocean	787	675
Passaic	664	745
Salem	158	88
Somerset	281	282
Sussex	128	122
Union	536	585
Warren	146	120
TOTALS	9,217	8,783

2. **MODIFICATIONS/ENFORCEMENT-FILINGS/(FV)**

A. STATEWIDE FIGURES

The subsections that follow contain detailed information concerning closed cases that were subsequently reopened for review or modification of a final restraining order (FRO), pursuant to a motion to enforce litigant's rights. In 2006, there were reopened domestic violence cases, a decrease of 869 cases (5%) from 2005.

Reopened Final Restraining Orders			
Year	2005	2006	+/-
Filings	16,816	15,947	-5.17

(1) **PROBATION SUPPORT ENFORCEMENT/MODIFICATION/REVIEW**

This table reflects those cases in which child/spousal support was ordered as part of an FRO payable through the Probation Department and a motion for modification or enforcement was requested by the plaintiff, the defendant, or the Probation Division.

2006	
# of Cases Motion for Probation Support Review	3,646
% of Total Post-Disposition Filings	22.9%

(2) **OTHER ENFORCEMENT/MODIFICATION/REVIEW**

The plaintiff or defendant may file for enforcement, modification, or review of a restraining order. A review could include issues such as custody, parenting time, child/spousal support issues, as well as other matters concerning compliance with the court's order.

2006	
# of Cases Other Enforc/Mod/ Review FRO	12,156
% of Total Post-Disp. Filings	76.2%

(3) **REACTIVATED**

Reactivated cases are cases in which parties had been unavailable for further court action for various reasons. The cases were reactivated and reopened when the parties became available.

2006	
# of Cases Reactivated	145
% of Total Post-Disp. Filings	0.9%

B. **COUNTY FIGURES**

3. **REOPENED DOMESTIC VIOLENCE FROs-TERMINATIONS**

The number of terminations of reopened FROs decreased by 805 (4.8%) from 2005.

TERMINATIONS OF REOPENED DOMESTIC VIOLENCE CASES		
Year	2005	2006
Terminations	16,752	15,947

a. **PROBATION SUPPORT ENFORCEMENT/ MODIFICATION REVIEW**

Plaintiffs or defendants can petition the court for review and modification of child/spousal support ordered in an FRO.

2006	
# of Cases Probation Support Review	3,646
% of Total Post- Disposition Terminations	22.9%

b. **OTHER ENFORCEMENT/MODIFICATION/ENFORCEMENT**

Parties may seek modification of custody and parenting time of a FRO.

2006	
# of Cases Other Enforcement Modification/Review	7,653
% of Total Post- Disposition Terminations	48.0%

c. **OTHER ENFORCEMENT/MODIFICATION/REVIEW/
FINAL ORDER/DISMISSED**

The plaintiff may request review/modification or dismissal of the FRO.

2006	
# of Cases Other Enforcement/Modification Final Order Dismissed	4,527
% of Total Post-Disposition Terminations	28.4%

d. **INACTIVATED**

Domestic Violence cases may be inactivated for specific reasons consistent with approved case processing standards. Cases may only be inactivated after a TRO has been issued.

2006	
# of Cases Inactivated	103
% of Total Dispositions	0.6%

4. **DOMESTIC VIOLENCE CONTEMPT/SUMMARY**

A. **STATEWIDE FIGURES**

In 2006, while the number of domestic violence contempt filings and dispositions both decreased just under five percent, more case were disposed than were filed.

Domestic Violence Contempt Summary			
Year	2005	2006	+/-
Total Filings	9,183	8,746	-4.76
Total Dispositions	9,217	8,783	-4.71

B. **COUNTY FIGURES**

COUNTY FIGURES

January 1, 2006 - December 31, 2006

SUPERIOR COURT-CRIMINAL PART
DOMESTIC VIOLENCE STATISTICAL REPORT
January 1, 2006 - December 31, 2006

