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From: Groisser, Suzanne <sgroisser@JFSMETROWEST.ORG>
Sent: Friday, July 29, 2016 4:09 PM
To: Comments Mailbox
Cc: Rotman, Reuben; Halpern, Tara; Janet Coleman; Melanie Levitan; Sayovitz, Jayne

July 29, 2016

Honorable Glenn A. Grant, J.A.D.
Acting Administrative Director of the Courts
Comments: Ad Hoc Committee on Domestic Violence
Hughes Justice Complex, P.O. Box 037
Trenton, NJ 08625-0037

Email address: Comments.Mailbox@judiciary.state.nj.us

Re: Rachel Coalition's Comments on the June 2016 Report of the Supreme Court Ad Hoc Committee on Domestic Violence

Dear Judge. Grant,

Rachel Coalition, a division of Jewish Family Service of MetroWest, provides domestic violence victims and their families a wide array of services, including legal assistance and representation, counseling, support groups, and education and is a member of the New Jersey Coalition to End Domestic Violence. Since its inception in 1997, the Rachel Coalition has served thousands of victims/survivors of domestic violence. On a daily basis, our Director of Legal Services, pro bono attorneys, court advocates, and counselors witness the obstacles a victim must face when navigating the legal process in order to secure a protection order. On the basis of this first hand knowledge and experience, please accept our comments in strong opposition to Recommendation 27 and our particularly strong support for Recommendations 3, 5, 7, 9, 11, and 26.

Recommendation 27: Rachel Coalition **strongly objects** to Recommendation 27. Where a domestic violence restraining order exists, that FV judge, with full knowledge of the history and nature of the violence, must be the judge that determines custody and visitation. To allow a judge unfamiliar with the quality of the violence to decide custody and parenting would either (a) result in a dangerous and unfair parenting or custody order or (b) require a rehashing of the history of violence, thereby exposing which the victim to unnecessary reliving of the trauma, if the judge wishes to include the history of violence in his decision. (Paternity and child support are more objective in nature and therefore, we would not oppose those issues being determined in a non-dissolution hearing.)

Recommendation 3: Rachel Coalition strongly supports the development of court rules and procedures to allow victims in exceptional cases to testify remotely. Victims are already afraid for their safety. Facing the defendant in person can be a reason not to show for the hearing, which may result in a dismissal. The option to testify remotely may make a victim more likely to testify and secure her FRO.

Recommendation 5: Rachel Coalition strongly supports the provision to ensure that interpreting and translations services are provided to domestic violence litigants in both municipal and Superior Courts. Currently, the Plaintiff is too often ordered to bear the cost of translating the evidentiary material sent to her/him by the Defendant in a language other than English. The cost is particularly prohibitive to low income litigants whether they are pro se or represented by legal service programs and blocks their access to Justice. Our attorney has witnessed this problem first hand on several occasions in the past two years.

Recommendation 7: Rachel Coalition strongly supports the expansion of court ordered supervised visitation; however, we strongly recommend including a requirement that supervised visitation be conducted in English or that the supervisor present is fluent in the language spoken by the visiting parent and the child. Often, a parent uses the visitation to communicate through the child and does so in another language so as not be discovered.

Recommendation 9: Rachel Coalition emphatically supports an automatic callout to DVRT advocates. Volunteer DVRT members sign up knowing they will be called to the police department to potentially speak with a victim of domestic violence at all hours of the day.. Once face to face with a volunteer advocate, the victim is much more likely to speak to him or her to get necessary information, referral and support. Currently, too many municipalities are only asking the victim if they want to speak to an advocate once they are in the police station. This leaves the victim with the impression that a volunteer has to be woken up and that their time in the police station will be greatly delayed due to this. Victims benefit greatly from speaking with a DVRT member, especially for the referrals given for follow up safety and counseling services.

Recommendation 11: Rachel Coalition supports the exploration of issues of technology relating to domestic violence. We recommend investigating the possibility of electronic collection of evidence at the time of the TRO hearing. For example, a TRO judge can add any electronic text messages, videos, photographs, and documentary evidence on the victim's phone directly to the record so that the victim would not need to print out all the electronic evidence to present at the final hearing. Printing can be onerous and costs can be high. Additionally, at a time when the victim is vulnerable and navigating the legal system without the help of an attorney, this simplifies one step for the victim.

Recommendation 26: Rachel Coalition agrees that cyber-harassment and invasion of privacy should be added as predicate acts under N.J.S.A. 2C:25-19.

Recommendation 28: Rachel Coalition agrees and would extend the order for ongoing child support in both TROs and indefinite TROs.

Additional Recommendation: Rachel Coalition recommends including space on the restraining orders where an attorney appearance can be noted and thereby used should a plaintiff not be reachable at a future date.

Thank you again for the opportunity to comment on the Recommendations set forth by the Ad Hoc Committee and for your consideration. Should the Committee wish to include the Rachel Coalition in any further action or discussion, we would be more than willing to be involved. Please contact us at the address below, by phone at 973-765-9050 or by email at sgroisser@jfsmetrowest.org, should you have any questions or concerns.

Very truly yours,

Suzanne

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