

Domestic Violence and the Child Protection Court
By the Honorable Leonard Edwards

I have been a judge presiding over child welfare cases for 20 years – cases involving abused and neglected children as well as parents with a myriad of problems ranging from substance abuse to mental health to poverty. Child protection cases are complex because they involve the entire family – father, mother, the children, relatives, social workers and attorneys for almost everyone. Cases are governed by federal and state laws that mandate that the court system address child safety, family preservation and permanency for children in a timely fashion, usually within a year.

One of the most dramatic developments within the last five years has been the realization by all of the professionals associated with the child welfare system that domestic violence is a factor in most child protection cases. It had always been there, but for a variety of reasons, we had not noticed it, or neglected to ask about it, or thought it was a family matter of little significance. But we have learned that domestic violence can take a terrible toll on the lives of the children that we seek to protect and the families we try to preserve. It is, therefore, an issue we must address if we are to have an effective child protection system.

One reason for the attention to the overlap of child maltreatment and domestic violence has been a national project led by a group of professionals who approach the problem from three different perspectives: domestic violence advocacy, child protection and the courts. This group met for two years, eventually compiling a book identifying best practices and policies for instances where child maltreatment and domestic violence overlap and where cases come before the child protection court. The book, *Effective Intervention in Domestic Violence & Child Maltreatment Cases: Guidelines for Policy and Practice*, has come to be known as “The Greenbook.”

The book has already had a major impact on policy and practice in the United States. Six jurisdictions have received federal funding to implement its recommendations (El Paso County, Colorado; Grafton County, New Hampshire; Lane County, Oregon; San Francisco County, California; Santa Clara County, California; and St. Louis County, Missouri). Many other communities are trying to implement the recommendations and are seeking technical assistance. Indeed, a federal court has singled out the Greenbook as containing the best practices for cases involving child maltreatment and domestic violence.

Here in Santa Clara County, the Greenbook implementation project has brought a number of significant changes. Social workers, attorneys and judges have been trained in the dynamics of domestic violence. Domestic violence advocates have come to the child protection court to support victims of violence whose children are before the court. We have developed protocols with law enforcement, child protection and domestic violence advocates for responses to emergencies in the community when domestic violence and child maltreatment are co-occurring. The family and children’s service agency has revamped its policies and practices regarding cases involving domestic violence. We

have all learned much more about the impact of domestic violence on children and have developed creative responses. These include special treatment programs for children exposed to violence, and a class for parents entitled "Parenting Without Violence." And we have worked with our victim-witness center to ensure that funding is available for all persons, adults and children, exposed to violence.

We have learned that there is much more to be done, and we continue to meet and to seek technical assistance to improve our response to child maltreatment cases involving domestic violence. We recognize that many communities across the country will be making similar changes in the years to come and know that our experience and that of the other model sites may be helpful to them.

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