

The Impact of Integrated Domestic Violence Courts on Case Outcomes

Results for Nine New York State Courts

2006 and 2007 Cases

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EXECUTIVE SUMMARY

In the past two decades, many have endorsed the idea of unified family courts in which a single judge hears all of a family's cases (American Bar Association 1993, 1998). The New York State Unified Court System has implemented more than 40 integrated domestic violence courts across the state. Where there is an underlying domestic violence allegation, these courts place family, criminal, and matrimonial cases involving the same family members before a single judge. Much like unified family courts, integrated domestic violence (IDV) courts seek to achieve more informed judicial decision-making, fewer conflicting orders, improved service delivery to victims and their children, and a more efficient and comprehensible case processing system (Fund for Modern Courts 2005).

About the Study

The present study examines the impact of the IDV court model on basic quantitative outcomes related to case processing, dispositions, subsequent case filings, and re-arrests. The family court analysis pools data from cases filed in nine New York State counties: Broome, Chautauqua, Dutchess, Niagara, Oneida, Orange, Oswego, Rockland, and Steuben. The criminal court analysis pools data from six of these nine counties (omitting Dutchess, Niagara, and Steuben for reasons of sample size). Both analyses compare outcomes of IDV court cases to similar cases that were processed in traditional family and criminal courts. A notable qualification is that the comparison group for the criminal court analysis consists of cases that were processed in a specialized criminal domestic violence court; hence, any hypothesized advantages of the IDV court model that are generic to a specialized court approach rather than specific to an integrated approach that places cases from multiple jurisdictions before a single judge cannot be tested in the criminal court portion of this study. The current study supplements several others, including process and impact evaluations of two of New York's largest IDV courts in Suffolk and Erie Counties (Cissner, Picard-Fritsche, and Puffett 2011; Picard-Fritche, Cissner, and Puffett 2011); a survey of litigant perceptions in the Yonkers IDV Court (Picard-Fritche 2011); and in depth interviews with 14 victims whose cases were handled in the Queens IDV Court (Levy, Ross, and Guthrie 2008). This study is unique in focusing primarily on smaller and more rural jurisdictions and in pooling data to produce multi-site estimates of IDV court impacts.

Family Court Results

The family court analysis included cases filed from IDV court inception (2006 or early 2007 depending on the site) through May 2007. To ensure a sample definition for which we could identify a suitable comparison group, we limited the analysis to (a) family offense cases and (b) custody/visitation cases among families that also had a family offense case. Analyses controlled for a small number of characteristics on which the samples initially differed. Key results include:

- Subsequent Family Court Filings: Over a one-year period after initial case filing, less than 10% of the parties were involved in a subsequent filing, with no difference between those who initially had an IDV or comparison court case.

- Case Resolutions: IDV cases were significantly more likely to be settled or withdrawn than comparison cases (58% v. 34% in family offense and 31% v. 22% in custody/visitation cases). This may indicate that the IDV court was more likely to craft a mutually acceptable resolution. In contrast, IDV cases were significantly less likely to be dismissed (15% v. 29% in family offense and 4% v. 17% in custody/visitation cases).
- Case Processing Time: IDV cases took longer to reach disposition than comparison cases (136 v. 70 days), a finding that stemmed partly from the average elapsed time of 37 days between case filing and formal transfer of IDV cases to the specialized court.
- Court Appearances: IDV cases involved significantly more court appearances than comparison cases (6.1 v. 3.1). The difference stemmed largely from the average of 2.4 appearances that *preceded* the formal transfer of IDV cases from the traditional family to the specialized IDV court. Despite this increase, other research has found that the same-day scheduling of family, criminal, and matrimonial matters consistently leads IDV court litigants to average fewer trips to the courthouse (Cissner et al. 2010; Picard-Fritsche et al. 2011; Mennerich et al. 2005).

Criminal Court Results

The criminal court analysis also included cases initiated from court inception through May 2007. The comparison sample was drawn from similar cases processed in a specialized *criminal* (i.e., not integrated) domestic violence court located in one of the same six counties as the IDV court sample. The initial samples varied on a fairly large number of baseline characteristics (demographics, criminal history, and charges). However, a propensity score matching strategy was implemented that successfully eliminated these differences. Key results include:

- Criminal Contempt Re-Arrests: IDV court defendants were significantly more likely than comparison defendants to be re-arrested in cases that included criminal contempt charges (24% v. 17%), implying a violation of a previous protection order. IDV court defendants were also more likely to be re-arrested on criminal contempt charges in cases where no *additional* charge was attached, implying that the sole criminal behavior was the protection order violation (15% v. 8%). These findings suggest that IDV courts may be particularly effective in detecting ongoing (and forbidden) contact with the victim.
- Case Resolutions: IDV and comparison cases did not differ in their dispositions or sentences, apart from the greater use of probation (21% v. 7%) and the commensurately lesser use of “time served” sentences (7% vs. 21%) in the IDV court
- Overall Re-Arrests: Approximately one-third of both samples were re-arrested, and approximately one-quarter were re-arrested on a domestic violence charge, with the samples not demonstrating a significant difference.
- Case Processing Time: Similar to family matters, criminal court cases took longer to reach disposition than comparison cases (256 v. 219 days). However, the difference fell just inside the study’s margin of error and, as in the family court analysis, it stemmed largely from the elapsed time of 47 days between the arrest and IDV court transfer.

I. INTRODUCTION

In the past two decades, many have endorsed the idea of unified family courts and a “one family-one judge” system of adjudication in which a single judge hears all of a family’s cases (American Bar Association Commission 1990; American Bar Association 1993, 1998). Unified family courts come in a variety of forms, but are generally conceived of as a separate court focused on resolving family law issues “effectively and efficiently so that the families make the fewest possible court appearances” (Babb 2008).

The national movement towards unified family courts dovetails with efforts by the New York State Unified Court System to develop an Integrated Domestic Violence Court (IDV) model. In New York State, families with domestic violence cases may have related cases in family, criminal, and matrimonial court. The effects of a family having cases spread throughout multiple court jurisdictions can include conflicting court or protective orders, conflicting decisions and prolonged time spent traveling to numerous court hearings. To address these issues, integrated domestic violence courts apply a “one family-one judge” model, in which a single judge hears all a family’s related cases (criminal, family and matrimonial). The goals include improving court efficiency, allowing for more informed judicial decision-making, promoting greater victim safety, eliminating conflicting orders, and improving service delivery to domestic violence victims and their children (The Fund for Modern Courts 2005).

In 2001, then New York State Chief Judge Judith Kaye announced the introduction of the state’s first IDV courts and a plan to make such courts available statewide in the ensuing years. There are currently more than 40 IDV courts in operation statewide, and New York’s IDV courts have handled more than 80,000 cases and served more than 15,000 families since their inception (see New York State Unified Court System 2009).

The existing research on IDV courts is limited. In 2005, the Center for Court Innovation and the Urban Institute assessed the cost-effectiveness of a proposed restructuring of the New York State court system. Because restructuring was to incorporate an expansion of the one family-one judge model, the study included an examination of the Bronx and Erie County IDV courts, specifically focusing on case processing, litigant trips to court, case resolutions and criminal recidivism. This study found that IDV families had significantly more appearances on family court cases (i.e., family offense, custody/visitation) than families processed in traditional family court. However, because court appearances spanning multiple jurisdictions were scheduled to take place on the same day, the study found that under the IDV model, litigants had to make significantly fewer trips to court. The IDV court did not produce reductions in criminal recidivism, but did result in fewer supplemental family court filings and significantly increased favorable dispositions on family court cases (settled or withdrawn) (Mennerich et al. 2005).

The Vera Institute of Justice recently completed a qualitative study examining the impact of the Queens IDV Court on victims of domestic violence. The results indicated that the 14 victims interviewed found the IDV court more efficient than the traditional court system. Positive court experiences appeared to result from a positive relationship between victims and their attorneys and a feeling that the judge was responsive to victim concerns. The physical layout of the court and the presence of victim advocates led to a greater sense of safety; victims indicated a high

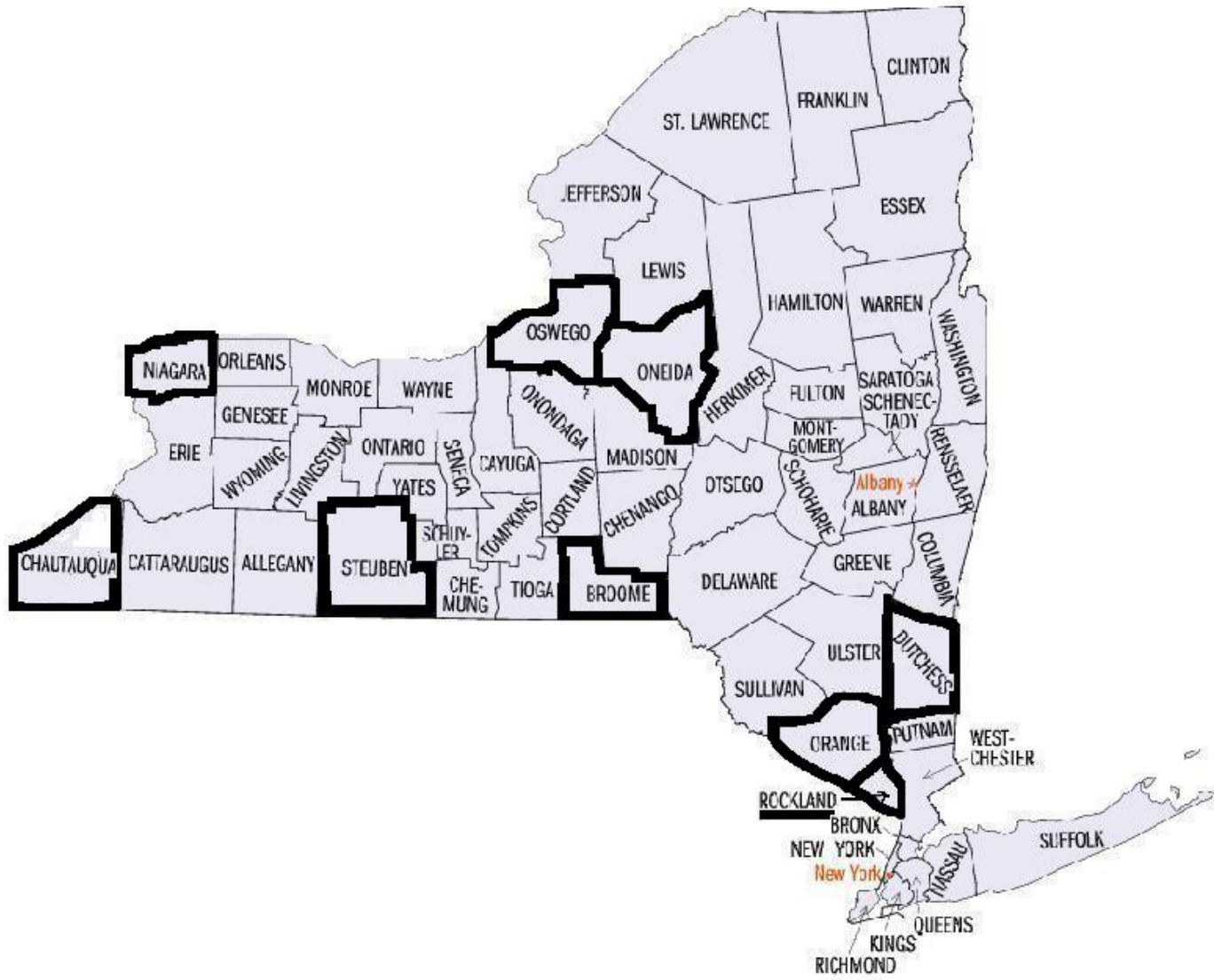
level of coordination between the court and local service providers and rated the victim advocates highly. However, some victims were discouraged when batterers were not always sanctioned for retaliatory actions and some also felt that the court did not place enough emphasis on securing child support payments, although this matter is beyond the court's formal jurisdiction (Levy, Ross, and Guthrie 2008).

Several other studies have been published over the past year. These include process and impact evaluations of two of New York's oldest IDV courts, located respectively in Erie and Suffolk Counties (Picard-Fritsche, Cissner, and Puffett 2011; Cissner, Picard-Fritsche, and Puffett 2011). These studies generally confirm the earlier research finding that, due to same-day scheduling of cases from multiple jurisdictions, IDV families make fewer total trips to court than comparison families. These studies also find that family court cases were more likely to be settled or withdrawn and less likely to be dismissed in the IDV court, possibly indicating that IDV courts produce case resolutions that are mutually acceptable to both parties. Focusing exclusively on civil protection motions in matrimonial cases heard in New York City and two suburban counties, a third quantitative study found that these motions take longer to resolve in IDV courts, but that the outcomes do not significantly differ (Rickard 2011).

A final recent study concerns the litigant experience in the Yonkers IDV Court. The study finds that about half of all litigants (victims and defendants) felt that their case was handled fairly in the IDV court and more than half of all litigants felt that the IDV court judge listened to their side of the story. Overall, litigants reported that having all of their cases in one court made getting to and from court logistically easier (Picard-Fritsche 2011).

The current study examines nine IDV courts representing a diverse set of jurisdictions across New York State, as shown in the accompanying map (Figure 1.1, study sites indicated with bolded borders). Comparison samples are drawn from the same nine jurisdictions. Details on the nine sites and on sample selection are documented in the next section.

Figure 1.1 The Nine IDV Court Sites



II. RESEARCH DESIGN AND METHODOLOGY

The study compares outcomes between family and criminal court cases processed in an IDV court with those processed respectively in a traditional family court and a traditional criminal court. The family court samples include IDV and comparison cases filed from court inception through May 2007 in nine counties across New York State: Broome, Chautauqua, Dutchess, Niagara, Oneida, Orange, Oswego, Rockland, and Steuben. For reasons of low sample size, it was only feasible to include six of these same counties in our analysis of criminal court cases: Broome, Chautauqua, Oneida, Orange, Oswego, and Rockland. Most of the courts under examination are located in upstate New York, with one suburb of New York City (Rockland). Table 2.1 provides background census information on the nine counties.

The IDV Court Samples

All eligible cases were processed by one of the selected IDV courts from court inception (2006 or early 2007) through May 2007. In the family court analysis, eligible cases were limited to family offense cases and custody/visitation cases where families also had a family offense case.¹ Eligible IDV cases were identified using the Integrated Domestic Violence Application (IDV Application), the case management system used to track cases transferred to IDV courts throughout New York State.

For each of the sampled family court cases, data from the IDV Application was merged with data from the Universal Case Management System (UCMS), a management information system for tracking family court cases throughout New York State. UCMS data includes defendant identifiers (name, date of birth, New York State identification number); family court litigant information (respondent and petitioner names and roles in the case); petition type; information on family court orders; court appearance information (dates, courtrooms, and judges); and final dispositions. In addition, we obtained from UCMS data on any subsequent court actions filed within one year of the initial IDV court case (through May 2008).

For each of the sampled criminal court cases, data from the IDV Application was merged with criminal records data from the New York State Division of Criminal Justice Services (DCJS). The DCJS data includes defendant demographics (age, race, sex, and place of birth), charges, dispositions, sentences, and re-arrest data up to one year after the outset of the initial IDV case.

The Comparison Samples

All eligible family court cases processed in one of the nine select counties but *not* processed in the IDV court from the date of IDV court inception through May 2007 were included in the comparison sample. Eligible family court cases included all family offense cases and custody/visitation cases in families that also had a family offense case (same criteria as the IDV sample). Eligible cases were identified using UCMS, and equivalent data was obtained as described above for the IDV sample.

¹ While custody/visitation cases without an overlapping family offense case may be IDV eligible in some courts (as long as there is also an overlapping criminal domestic violence case), we limited our samples to overlapping custody/visitation and family offense cases so that we could ensure an underlying domestic violence incident in the comparison sample.

Table 2.1. Comparative Demographics for All Sites

	United States	New York State	Broome County	Chautauqua County	Dutchess County	Niagara County	Oneida County	Orange County	Oswego County	Rockland County	Steuben County
Total population	281,421,906	18,976,457	200,536	139,750	280,150	219,846	235,469	341,367	122,377	286,753	98,726
New York State Judicial District	-	-	6th	8th	9th	8th	5th	9th	5th	9th	7th
County Seat	-	-	Binghamton	Mayville	Poughkeepsie	Lockport	Utica	Goshen	Oswego	New City	Bath
IDV Court Opening Year	-	-	2006	2006	2007	2006	2007	2006	2006	2007	2007
Demographics											
Race											
White	75%	68%	91%	94%	84%	91%	90%	84%	97%	77%	96%
African-American	12%	16%	3%	2%	9%	6%	6%	8%	1%	11%	1%
Other	13%	16%	6%	4%	7%	3%	4%	8%	2%	12%	3%
Hispanic (any race)	13%	15%	2%	4%	6%	1%	3%	12%	1%	10%	1%
High school degree or higher ¹	80%	79%	84%	81%	84%	83%	79%	82%	80%	85%	83%
Bachelor's degree or higher ¹	24%	27%	23%	17%	28%	17%	18%	23%	14%	38%	18%
Individuals living in poverty	12%	15%	13%	14%	8%	11%	13%	11%	14%	10%	13%
Median household income	\$41,994	\$43,393	\$35,347	\$33,458	\$53,086	\$38,136	\$35,909	\$52,058	\$36,598	\$67,971	\$35,479
Percentage of homes that are owner-occupied	66%	53%	65%	69%	69%	70%	67%	67%	73%	72%	73%
Percentage of households made up of married-couple families	51%	47%	48%	51%	56%	51%	49%	58%	53%	63%	52%

American Community Survey Profile 2000, U.S. Census Bureau

¹Of residents 25 years or older.

Eligible criminal court cases were obtained from the IDV Application, which also includes data on all cases processed in specialized *criminal* (i.e., not integrated) domestic violence courts throughout New York State. Hence, the comparison group with respect to criminal matters consisted of cases processed utilizing a specialized court approach, but did not include cases handled with the additional resources and statewide policy coordination that characterizes New York's *integrated* courts (see Cissner et al. 2011; Picard-Fritsche et al. 2011). Nonetheless, it is critical to underline that any hypothesized advantages of the IDV court model that are generic to a specialized court approach cannot be tested in the criminal court portion of this study, given that the criminal court comparison sample is also drawn from specialized courts. The specific criminal domestic violence courts from which comparison cases were drawn were as follows: Broome County: Binghamton City Domestic Violence Court; Chautauqua County: Jamestown City Domestic Violence Court; Oneida County: Utica City Domestic Violence Court; Orange County: Newburgh City Domestic Violence Court; Oswego County: Oswego City Domestic Violence Court; and Rockland County: both the Clarkstown Domestic Violence Court and Spring Valley Domestic Violence Court.

An additional study limitation is that, in contrast with other IDV impact evaluations (Mennerich et al. 2005; Cissner et al. 2011; Picard-Fritsche et al. 2011), families included in the various comparison samples were not required to have overlapping cases in multiple jurisdictions (family, criminal, and/or matrimonial). Eliminating this requirement made it unnecessary to locate and match specific individuals across both family and criminal court data files, a process that had proven to be exceptionally arduous and labor-intensive in the aforementioned prior studies. Hence, this project benefitted from a streamlined sampling process, while incurring the disadvantage of utilizing comparison samples whose total family situation may not always have been comparable to that which applied to IDV court litigants. However, as discussed below, we made attempts to control for key background characteristics of the litigants in both samples (IDV and comparison), a step that we believe was critical in minimizing the potential for producing biased results.

Analysis Plan

Analyses were conducted to measure differences between the IDV court sample and the comparison samples on four key outcomes: case processing, case dispositions, subsequent case filings (in the family court analysis), and re-arrests (in the criminal court analysis). In the family court analysis, results are further broken down by case type (i.e., family offense and custody/visitation). For the IDV court sample only, we further broke down case processing time into two periods: the period prior to IDV transfer and the period following IDV transfer. This enabled us to examine whether differences in processing time were attributable to the IDV court, to a lengthy pre-IDV transfer period, or to some combination of the two.

In the family court research, background differences between the two samples were controlled through inclusion in all analyses of a small number of covariates on which the two samples initially differed. Background differences included the other types of cases each eligible family has (i.e., family offense only or family offense combined with custody/visitation), the total number of family court cases per family, and the period during which the initial case was filed (to ensure that the results for each sample reflected outcomes during a comparable time period).

In the criminal court research, the samples were initially found to differ across numerous background characteristics, including age, race/ethnicity, multiple measures of prior criminal history, and charges on the instant offense. To correct for these differences, a propensity score adjustment was implemented (see Rempel and Farole 2011; Rosenbaum and Rubin 1983; Rubin 1973). The propensity model included measures of age, race/ethnicity, 13 separate criminal history measures, and four separate measures related to the charge on the instant offense. (For instance, the 13 criminal history measures spanned prior misdemeanors, prior felonies, prior domestic violence cases, and prior bench warrants for not appearing for scheduled court dates on past cases.) The model included 321 IDV court and 2,166 potential comparison cases. After obtaining propensity scores—a summary score reflecting multiple background characteristics—for each case, we matched each of the IDV court cases to the single comparison case with the nearest score. Thus, our final samples consisted of an identical 318 IDV court and 318 comparison cases. (We eliminated three cases from the initial pool of 321 IDV court cases due to missing data on multiple background characteristics that were needed for the propensity model.)

Table 2.2 demonstrates the effect of our propensity score adjustment in yielding balanced final criminal court samples. From the two left-most columns of the table, it is clear that the initial samples significantly differed on numerous characteristics—in fact, on almost all of the characteristics that were measured. However, from the right-most columns, our final samples did not significantly differ on a single one of the same set of background characteristics. In all of our actual criminal court impact analyses, we thus utilized these final post-matching samples.

All impact analyses were conducted on pooled data across all nine sites in the family court and all six sites in the criminal court analyses. Low sample sizes within individual sites led site-specific impact analyses to be unfeasible. (See the Appendix for the number of cases included in the IDV and comparison samples in each site.) However, exploratory analyses conducted within each site served to confirm that none of the findings reported below reflect an inordinate influence of merely one or two sites, as opposed to a general trend.

Table 2.2. Comparison of Baseline Sample Differences: Pre- and Post-Matching

	INITIAL SAMPLES		MATCHED SAMPLES	
	IDV Courts	Comparison Courts	IDV Courts	Comparison Courts
Number of Cases	321	2,166	318	318
DEMOGRAPHICS				
Age	33.25**	31.02	33.25	33.69
Female	19%	20%	19%	20%
Race/Ethnicity	***			
Black/African-American	18%	31%	18%	14%
White	76%	63%	76%	78%
Hispanic/Latino	4%	5%	4%	6%
Other	2%	1%	2%	2%
CRIMINAL HISTORY				
Prior arrests	2.90***	4.78	2.86	2.47
Prior misdemeanor arrests	2.03***	3.22	2.01	1.77
Prior felony arrests	0.87***	1.55	0.85	0.70
Prior domestic violence arrests	1.04**	1.56	1.03+	,77
Prior cases with bench warrant issued	0.30***	0.82	0.28	0.27
Any prior arrest	62%**	70%	61%	59%
Any prior misdemeanor arrest	55%**	64%	55%	54%
Any prior felony arrest	35%***	49%	35%	32%
Any prior domestic violence arrest	41%*	47%	40%	37%
Any prior case with bench warrant issued	20%***	37%	19%	19%
Prior convictions	1.93***	3.35	1.89	1.56
Any prior conviction	53%***	64%	53%	51%
Any prior domestic violence conviction	31%**	40%	31%	27%
CURRENT ARREST CHARGES				
Assault charge	24%**	34%	24%	24%
Menacing charge	11%	9%	10%	11%
Harassment charge	53%***	43%	53%	50%
Criminal contempt charge	38%***	14%	38%	36%
Felony level arrest charge severity	19%+	15%	19%	18%

+p<.10, *p<.05, ** p<.01, ***p<.001.

III. RESULTS: FAMILY COURT IMPACT ANALYSIS

This section reports all results for the comparison of IDV family cases with comparable cases handled outside of an IDV court. Table 3.1 displays the background characteristics at both the family- and case-level for the IDV court and comparison samples. The breakdown of cases by type (family offense versus custody/visitation) was statistically identical in the two samples. In particular, 87% of the cases in both samples involved family offense matters, whereas 13% involved custody/visitation. From the perspective of the families who were included in the analysis, a higher percentage of families included in the comparison sample (38% v. 29%) had family offense cases only, without any custody/visitation matters; although suggestive ($p < .10$), this difference was not statistically significant. Additionally, the average number of cases per family did not differ significantly between the two samples (the combined average was between three and four individual cases per family).

Of final note, we examined three timeframes within our larger time period to account for any changes in practice that may have occurred as the IDV courts became entrenched. The time periods were: January through May 2006, June through December 2006, and January through May 2007. More cases were routed through the IDV court during the two later time periods, which might indicate increased accuracy in identifying IDV-eligible cases. However, since this increase was accompanied by an increase in eligible comparison cases during the same time period, a more likely explanation is that there were simply more eligible family court cases during this period. As noted in the prior section, all impact analyses employ analysis of variance (ANOVA) techniques, which involve producing average outcomes only after controlling for the small number of characteristics indicated in Table 3.1 on which the samples differ.

Table 3.1. Background Characteristics

	IDV Court	Comparison Group
<i>Total Number of Families</i>	179	4,465
<i>Total Number of Cases</i>	266	6,412
Case Type		
Family Offense	87%	87%
Custody/Visitation	13%	13%
Case Type by Family		
Families with Family Offense Case Only	29%	38% ⁺
Families with Family Offense and Custody/Visitation Cases	71%	62% ⁺
Average Number of Cases Per Family		
Family Offense	1.3	1.2
Custody Visitation	2.0	2.6
Number of Cases by Time Period		
January 2006-May 2006	21%	28%**
June 2006-December 2006	38%	42%
January 2007-May 2007	41%	30%**

⁺ $p < .10$ ^{*} $p < .05$ ^{**} $p < .01$ ^{***} $p < .001$

Case Processing Impacts

Table 3.2 presents key case processing outcomes. The table presents results for all case types combined and further breaks the results out by case type (family offense or custody/visitation).

The results indicate that cases processed in the IDV court lasted more than twice as long from case filing to final disposition (136 days v. 67 days). During this longer time period, IDV cases were also calendared for twice as many court appearances (6.1 v. 3.1). On average, IDV cases took just over a month (37 days) to be transferred to the IDV court; during this time, cases were calendared for an average of 2.4 appearances. In other words, the court appearances and time that elapses from the initial filing of a case to its transfer to the IDV court account for a substantial portion of the differences on the preceding case processing measures, but does not account fully for these differences. For instance, even when excluding this pre-IDV transfer period from total case processing time, cases in the IDV court still average significantly more days to reach a disposition (104 v. 67 days).

Comparable patterns are in evidence regarding family offense cases and custody/visitation cases specifically: that is, those cases processed in the IDV court took significantly longer to reach a final disposition and were calendared for significantly more pre-disposition court appearances. Even when excluding pre-IDV transfer time (35 days), family offense cases in the IDV court took longer to reach final disposition than comparison cases ($p < .001$). However, once pre-IDV time was excluded from custody/visitation case processing time, the difference between the two samples was no longer significant, though it still reached nearly two weeks.

Table 3.2. Case Processing Time

	All Cases		Family Offense Cases		Custody/Visitation Cases	
	IDV Court	Comparison Group	IDV Court	Comparison Group	IDV Court	Comparison Group
<i>Total Number of Cases</i>	266	6,347	232	5,567	34	713
Time from Case Filing to IDV Transfer (Days)	37	-	35	-	47	-
Number of Appearances from Case Filing to IDV Transfer	2.4	-	2.4	-	2.1	-
Time from Case Filing to Disposition (Days)	136	70***	135	64***	146	85***
Time from IDV Transfer to Disposition (Days) ¹	104	70***	104	64***	102	85
Number of Appearances from Case Filing to Disposition	6.1	3.1***	6.2	3.0***	5.6	3.4***

* $p < .05$ ** $p < .01$ *** $p < .001$

Note: Results control for case combination (either Family Offense only or both Family Offense and Custody/Visitation cases) or family, and the time period in which the initial case was filed.

¹Time from case filing to disposition for comparison sample.

Predictors of Case Processing Time

Table 3.3 presents the results of a multivariate analysis examining the predictors of case processing time from case filing to final disposition. We were particularly interested in examining whether a lengthy pre-IDV transfer time was responsible for the overall longer case processing time (filing to final disposition) in the IDV court. As illustrated in Model 1 (and above in Table 3), IDV court cases spent significantly longer from case filing to disposition than comparison cases. Model 2 further reveals that, while cases with a longer pre-IDV court transfer period last significantly longer overall, IDV cases continue to take longer to reach disposition even once this pre-IDV time is controlled statistically. The fact that the beta coefficient for the IDV sample status declines substantially from .212 to .122 across the two models does indicate, however, that transfer time plays a great role in leading IDV cases to take longer overall.

Table 3.3. Predictors of Time to Case Disposition

	Model 1	Model 2
Total Sample Size	6,678	
IDV Cases	266	
Comparison Cases	6,412	
F	315.411***	187.599***
Adjusted R Square	0.045	0.053
O.L.S. Beta Coefficients:		
IDV Court Case	.212***	.122***
Days from Case Filing to Transfer (for IDV cases)		.127***

+ p<.10 *p<.05 **p<.01 ***p.001

Case Disposition Impacts

Table 3.4 presents final case dispositions for family offense and custody/visitation cases.

Family Offense Dispositions. Family offense cases processed in the IDV court were significantly more likely to be settled or withdrawn than cases in the comparison sample (58% v. 34%). This may indicate that parties in the IDV court are more likely to come to a mutually acceptable agreement than parties in traditional family court. In contrast, IDV cases were significantly less likely to result in a dismissal (15% v. 29%) or a final protective order (19% v. 27%).

Custody/Visitation Dispositions. Half or nearly half of the custody/visitation cases in both the IDV court and the comparison group were disposed with a final order of custody/visitation (50% v. 46%, difference not significant). IDV court cases appeared more likely to be settled or withdrawn (31% v. 22%)—again, possibly indicating more mutually acceptable case resolutions. However, this difference too was not statistically significant. Finally, IDV custody/visitation cases *were* significantly less likely to end in outright dismissal (4% v. 17%), which duplicates a comparable finding with family offense cases.

Table 3.4. Family Court Case Dispositions

	Family Offense Cases		Custody/Visitation Cases	
	IDV Court	Comparison Group	IDV Court	Comparison Group
<i>Total Number of Cases</i>	222	5,528	32	707
Family Court Disposition				
Final Order Issued ¹	19%	27%***	50%	46%
Petition Dismissed	15%	29%***	4%	17%**
Petition Settled	2%	1%	11%	7%
Petition Withdrawn	58%	34%***	31%	22%
Transferred	2%	8%***	4%	8%
Other ²	4%	1%	0%	0%

*p<.05 **p<.01 ***p<.001

Note: Results control for case combination (Family Offense and Custody/Visitation cases) per family, the number of cases per family, and the time period in which the initial case was filed.

¹ Final Order is Order of Protection in Family Offense cases and Order of Custody or Visitation in Custody/Visitation cases.

² Includes dispositions of Suspended Judgement (n=22) and Prior Order Vacated (n=31).

Impacts on Subsequent Case Filings

Table 3.5 presents subsequent court filings for both family offense and custody/visitation cases. These subsequent filings represent cases filed within one year of the initial filing and may be interpreted as an indicator that one or both of the parties were not satisfied with the initial case disposition or that one or both of the parties were not compliant with the initial case disposition. An identical proportion (7%) of IDV and comparison families filed subsequent actions on family offense cases. While it took slightly less time for IDV families to file a subsequent family offense action (86 v. 119 days), this difference was not significant.

Similarly, a nearly identical proportion of IDV and comparison families had subsequent filings on custody/visitation cases (5% v. 4%, difference not significant). Although it took almost two months longer (123 vs. 183 days) for comparison families to file a subsequent custody/visitation action, this finding was not statistically significant.

Table 3.5 Family Court Subsequent Filings

	Family Offense Cases		Custody/Visitation Cases	
	IDV Court	Comparison Group	IDV Court	Comparison Group
<i>Total Number of Families</i>	177	4,373	9	119
Families with Subsequent Filings	7%	7%	5%	4%
Average Number of Subsequent Filings				
All Families	0.21	0.15	0.23	0.24
Of Families with at least 1 Subsequent Filing	1.05	0.94	1.16	1.33
Time from 1st Filing to 1st Subsequent Case Filing (Days)	86.37	118.93	123.40	182.51

†p<.10 *p<.05 **p<.01 ***p<.001

IV. RESULTS: CRIMINAL COURT IMPACT ANALYSIS

This section reports all results for the comparison of IDV criminal cases with comparable cases handled in specialized criminal domestic violence courts.

Table 4.1 displays a select number of background characteristics for both samples. As noted previously, following the implementation of propensity score matching procedures, the samples did not significantly differ on these or any other observable characteristics. The results show that the IDV court criminal defendants average 33 years of age. Although mostly male, 19% of the defendants are female. Reflecting the demography of our mostly upstate New York sites, more than three-quarters (76%) of the defendants are white, with 18% black/African-American, and 6% other races or ethnicities.

Table 4.1. Select Sample Background Characteristics

	IDV Courts	Comparison Courts
Number of Cases	318	318
DEMOGRAPHICS		
Age	33.25	33.69
Female	19%	20%
Race/Ethnicity		
Black/African-American	18%	14%
White	76%	78%
Hispanic/Latino	4%	6%
Other	2%	2%
CRIMINAL HISTORY		
Prior arrests	2.86	2.47
Prior convictions	1.89	1.56
Any prior arrest	61%	59%
Any prior domestic violence arrest	40%	37%
Any prior conviction	53%	51%
Any prior domestic violence conviction	31%	27%
CURRENT ARREST CHARGES		
Assault charge	24%	24%
Menacing charge	10%	11%
Harassment charge	53%	50%
Criminal contempt charge	38%	36%
Felony level arrest charge severity	19%	18%

The IDV court defendants averaged 2.86 prior arrests and 1.89 prior convictions. Most were previously arrested at least once (60%), and 40% had a previous arrest on a typical domestic violence charge. (New York State does not have specific domestic violence charges, but several charges are likely to reflect an underlying domestic violence incident. They are assault, menacing, harassment, and criminal contempt.) On the current offense, the most common charges were assault (24%), harassment (53%), and criminal contempt (38%), and the top charge in 19% of the IDV court cases were at the felony level. (Individual charge totals can exceed 100%, since multiple charges can be attached to each case.)

Impacts on Case Processing and Outcomes

Table 4.2 compares the two samples on case processing time, dispositions, and sentences. The results indicate that IDV court cases take slightly longer to process (256 v. 219 days), although the difference is not statistically significant ($p < .10$). Interestingly, IDV court cases average 43 days from arrest to first court appearance within the IDV court, suggesting that most of the overall difference in processing time stems from time that elapses prior to IDV court transfer.

Dispositions are virtually identical between the two samples. Just over half of all cases end in a conviction (55% v. 54%), with the remaining dispositions split between dismissals (16% vs. 22%) and ACD dispositions (29% vs. 24%). (None of the small differences in these percentages are statistically significant.)

Among cases ending in a conviction, the distribution of sentences significantly differs. The difference is essentially reflected in a greater use of probation sentences (21% vs. 7%) and a commensurately lesser use of time served sentences in the IDV courts (7% vs. 21%). The two samples do not differ in the use of jail or any other types of sentences. Similarly, the average jail sentence length does not differ between the samples. (A slightly higher percentage of cases are sentenced to jail in the IDV court, whereas, of those sentenced to jail, sentences average slightly longer in the comparison courts, but none of these differences are significant.)

Impacts on Re-Arrests

Table 4.3 compares the two samples on re-arrests over a one-year period from the outset of the initial case. In general, the results point to slightly higher rates of re-arrest among those in the IDV than the comparison court sample, although most of the differences were not significant. Overall, approximately one third of both samples were re-arrested at least once over the one-year tracking period (36% vs. 32%), and about a quarter of both samples were re-arrested on domestic violence-specific charges (28% vs. 24%). A significantly higher percentage of IDV court defendants were re-arrested on criminal contempt charges in particular (24% vs. 17%), which can be interpreted to suggest a domestic violence crime involving the same victim as the initial offense. Finally, almost twice as many IDV court defendants were re-arrested *exclusively* on criminal contempt charges (15% vs. 8%), implying that the defendant violated an order of protection that was imposed on the initial case without also engaging in other criminal conduct.

Table 4.2. Case Processing, Disposition, and Sentencing Outcomes

	IDV Courts	Comparison Courts
CASE PROCESSING	(n = 244)	(n = 234)
Number of days, arrest to disposition	256+	219
Number of days, arrest to IDV Court transfer	43	
DISPOSITIONS	(n = 301)	(n = 302)
Pled guilty/convicted	55%	54%
Dismissed/acquitted	16%	22%
Adjourned in contemplation of dismissal (ACD)	29%	24%
SENTENCES		
<i>Sentence Type***</i>	(n = 141)	(n = 151)
Jail	12%	9%
Jail/probation split	6%	9%
Straight probation	21%	7%
Time served	7%	21%
Fine, conditional discharge, or other non-custodial sentence	53%	54%
<i>Jail Sentence Length</i>		
All convicted cases	(n = 141)	(n = 151)
Days sentenced to jail	54.13	74.05
All cases sentenced to jail	(n = 50)	(n = 40)
Days sentenced to jail	152.56+	279.55

+p<.10, *p<.05, **p<.01, ***p<.001.

Note: Sample sizes vary slightly across the analyses represented in Table 4.2. This is unrelated to missing data but has simply to do with whether a case is appropriate for a given analysis. For instance, analyses of case processing time or of dispositions requires the case actually to have been disposed and not still pending as of the date that data was received; and analyses of sentencing outcomes requires a case to have been convicted and sentenced.

Table 4.3. One-Year Re-Arrest Outcomes

	IDV Courts	Comparison Courts
Number of Cases	318	318
Number of re-arrests	0.64+	0.50
Number of domestic violence re-arrests	0.45+	0.34
Number of criminal contempt re-arrests	0.37*	0.26
Number of criminal contempt-only re-arrests ¹	0.20	0.11
Any re-arrest	36%	32%
Any domestic violence re-arrest	28%	24%
Any criminal contempt re-arrest	24%*	17%
Any criminal contempt-only re-arrest ¹	15%*	8%

+p<.10, *p<.05, **p<.01, ***p<.001.

¹ Criminal contempt-only re-arrests involve no other charge besides criminal contempt, implying a violation of the order of protection issued on the initial case without an additional domestic violence crime attached.

Either by forging closer relationships between victims and victim advocates or by engaging in closer judicial monitoring of the offenders, it is possible that IDV courts are particularly effective at detecting protection order violations. If so, the increased frequency of criminal contempt re-arrests among IDV court defendants may reflect greater *detection* of forbidden contact with the initial victim more than a greater occurrence of the behavior in itself. This dynamic may explain the greater overall incidence and prevalence of re-arrests among those in the IDV court sample (shown in Table 4.3). Accordingly, the analyses reported in Table 4.4 represent an effort to control for this dynamic by only comparing the samples on re-arrests that involve a new criminal incident other than a violation of a protection order; that is, the data in Table 4.4 omit all criminal contempt-only re-arrests from consideration. These results indicate nearly identical re-arrest outcomes across all measures examined. Hence, it is plausible to conclude that IDV courts neither increase nor reduce re-offending per se, but they do increase the likelihood and frequency with which domestic violence offenders are re-arrested for violations of a protection order.

Table 4.4. One-Year Re-Arrest Outcomes: Re-Arrests Involving a Charge Other Than Criminal Contempt

	IDV Courts	Comparison Courts
Number of Cases	318	318
Number of re-arrests	0.44	0.39
Number of domestic violence re-arrests	0.25	0.23
Number of criminal contempt re-arrests ¹	0.17	0.14
Any re-arrest	21%	23%
Any domestic violence re-arrest	14%	15%
Any criminal contempt re-arrest ¹	9%	9%

+p<.10, *p<.05, ** p<.01, ***p<.001.

¹ Although the data does not include criminal contempt-only arrests, any re-arrests involving a criminal contempt charge in addition to at least one other are reflected here.

V. CONCLUSIONS

This study examined the impact of the integrated domestic violence court model in nine sites located primarily in upstate New York. Data was pooled across these sites to produce average estimates of the IDV impact. Outcomes included basic measures of case processing, case outcomes, and new court filings (meaning re-arrests in a criminal court context).

Major Findings in Family Court Cases

- **Case Processing:** When handled in the integrated domestic violence (IDV) court, family court cases averaged more court appearances and a longer time from filing to disposition. This finding is partly—although not fully—explained by the average of 37 days (and 2.4 court appearances) that elapsed before IDV court-eligible cases were actually transferred over to the specialized court. Other research has found that, despite this effect on individual court appearances, the same-day scheduling of family, criminal, and matrimonial matters consistently leads IDV court litigants to average fewer total trips to the courthouse (Cissner et al. 2010; Picard-Fritsche et al. 2011; Mennerich et al. 2005).
- **Case Outcomes:** Across both family offense and custody/visitation matters, IDV court cases were more likely to be settled or withdrawn and less likely to end in a dismissal. These findings are again consistent with previous research (Cissner et al. 2011; Picard-Fritsche et al. 2011; Mennerich et al. 2005). The results related to settled/withdrawn cases may signify that a greater percentage of IDV court litigants achieve a mutually acceptable resolution for the family without a court-imposed decision.
- **Subsequent Family Court Filings:** IDV families do not differ significantly from the comparison group in the number of subsequent family filings made within one year of the initial filing. The overall prevalence of subsequent filings was low in both the IDV court and comparison samples (less than 10%, both where the initial case was a family offense matter and where it involved custody/visitation).

Major Findings in Criminal Court Cases

- **Case Processing:** Similar to family matters, criminal court cases appeared to take longer to process in the IDV than comparison courts. In criminal court, however, the difference was not statistically significant and was almost identical to the 43 days that elapsed on average between arrest and transfer of an IDV-eligible court case to the specialized court.
- **Case Outcomes:** IDV and comparison cases did not differ in their dispositions or sentences, apart from the greater use of probation (21% v. 7%) and commensurately lesser use of time served sentences (7% vs. 21%) in the IDV court.
- **Re-Arrests:** Approximately one-third of both samples were re-arrested, and approximately one-quarter were re-arrested for domestic violence. The results trend towards greater re-arrests in the IDV court sample (with some findings reaching statistical significance). These differences are fully explained by the significantly greater

incidence and prevalence of “criminal contempt-only” re-arrests in the IDV court sample; in other words, defendants who were initially processed in an IDV court were more likely to have order of protection violations detected—and to have those violations result in a re-arrest—but otherwise, the samples did not differ regarding the prevalence of new criminal charges (whether assault, harassment, or other non-domestic violence charges).

Study Limitations

This study examined the impact of IDV courts on several easily measurable quantitative outcomes. The study did not examine several other hypothesized benefits of the IDV model, including its effect on the use of program mandates, post-conviction judicial oversight, judicial satisfaction, judicial perceptions of their capacity to render informed decisions, victim services, satisfaction and convenience, and victim confidence in the justice system. In addition, among their goals, IDV court planners often seek to increase access to legal representation, particularly for domestic violence victims in their family and matrimonial cases. Systematic data on legal representation could not be obtained. Study findings should not therefore be interpreted to comprise a comprehensive evaluation of the IDV court model. Rather, this evaluation concerns a specific set of quantitative outcomes that are of some interest to courts and other stakeholders.

The study carries the advantage of examining the IDV court model without, as in most previous research, limiting site selection to high-volume urban centers. At the same time, our avoidance of high-volume sites led our sample size—particularly within sites—to be relatively small. Low sample size may be partially attributable to the fact that four of the nine sites only opened in 2007. Since our initial sample drew cases from court inception through May 2007, this resulted in a maximum of five months of IDV intake in Dutchess, Oneida, Rockland, and Steuben counties. In the criminal court analysis, unacceptably low sample size caused us to eliminate three sites (Dutchess, Niagara, and Steuben) that were included in the family court analysis. Finally, the low sample size within each site meant that the results needed to be pooled; reliable site-specific estimates were not possible. In results not shown, we did, however, explore each outcome within each site and confirmed that obvious site-specific anomalies (limited to one or two sites) did not exert an undue influence on the pooled findings.

Finally, given available information in New York State court databases, sampling in the family court analysis was limited to family offense cases and custody/visitation cases of families with an overlapping family offense case. This decision was made out of the necessity to limit the comparison sample to cases in which (lacking a clear flag in the data), we could presume that there was an underlying domestic violence allegation (i.e., a family offense case). To ensure that our samples were comparable, we also limited inclusion in the IDV sample to this criterion, leading us to cut a meaningful number of *actual* IDV cases from the IDV court sample.

In the criminal court analysis, also for reasons of data availability, we drew our comparison group from cases processed in criminal domestic violence courts from the same counties. Hence, we tested how IDV courts differed from criminal domestic violence courts but did not, per se, test the impact of a specialized relative to a non-specialized court approach. Also, to streamline sampling, we did not require the comparison group to have cases in multiple jurisdictions. This limitation comprises a notable threat to internal validity—although we did take careful steps to control for other individual differences between our final IDV court and comparison samples.

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APPENDIX: SAMPLE SIZE BY SITE

Family Court Analysis

Appendix A. Sample by Site

IDV Court	Instant Cases		Subsequent Cases	
	Family Offense	Custody/Visitation	Family Offense	Custody/Visitation
Broome County IDV	20	6	10	10
Chautauqua County IDV	12	3	0	6
Dutchess County IDV	10	0	2	0
Niagara County IDV	30	0	2	0
Oneida County IDV	14	3	0	3
Orange County IDV	91	11	6	10
Oswego County IDV	13	6	1	4
Rockland County IDV	37	4	15	5
Steuben County IDV	5	1	1	3
Total IDV Court Cases	232	34	37	41
Comparison Court				
Broome County	701	180	128	224
Chautauqua County	132	48	5	54
Dutchess County	1,339	89	278	103
Niagara County	549	30	23	43
Oneida County	765	136	94	197
Orange County	826	120	77	132
Oswego County	250	66	16	56
Rockland County	771	97	185	125
Steuben County	246	67	45	91
Total Comparison Cases	5,579	833	851	1,025

Criminal Court Analysis

	IDV Courts	Comparison Courts
Number of Cases	318	318
Broome County	22	65
Chautauqua County	52	108
Oneida County	23	29
Orange County	117	43
Oswego County	53	6
Rockland County	51	67