

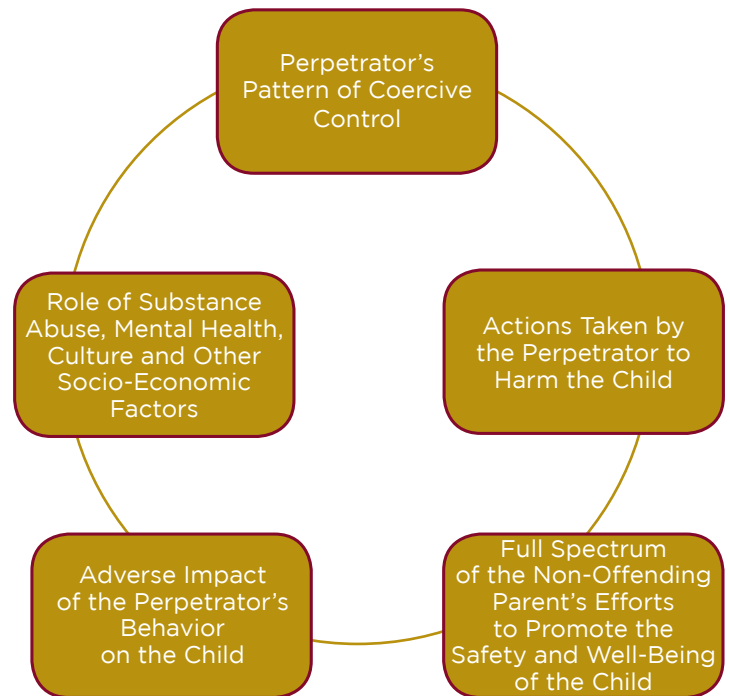


ASSESSING ALLEGATIONS OF DOMESTIC VIOLENCE IN CHILD ABUSE CASES

Juvenile courts and their justice partners are tasked with safeguarding the well-being and welfare of children.

Experts agree that experiences with domestic violence pose short- and long-term risks for children, including their becoming targets of abuse themselves. To examine how domestic violence affects children and determine whether the parents, regardless of their own experience with domestic violence, may provide a nurturing, protective environment for their children to flourish, judicial officers should expect meaningful information from child protective services agencies (CPS). Many Ohio CPS agencies have incorporated the Safe and Together™ model into their practices (*See right*). This model assesses the capacity of parents to act as parents when allegations of intimate partner violence are made. Additionally, its emphasis on patterns of coercive control may be useful as an assessment lens in other family violence cases.

Safe and Together™ Critical Components



Other Resources

National Council on Juvenile and Family Court Judges (NCJFCJ)

- [Reasonable Efforts Checklist for Dependency Cases Involving Domestic Violence](#) (2008)
- [Preliminary Protective Hearing Bench Card](#) (2010)
- [Checklist to Promote Perpetrator Accountability in Dependency Cases Involving Domestic Violence](#) (2011)

Supreme Court of Ohio

- [Planning for Parenting Time: Ohio's Guide for Parents Living Apart](#) (2012)
- [Domestic Violence & Allocation of Parental Rights and Responsibilities Court Guide](#) (2016)

[Practice Guides for Family Court Decision-Making in Domestic Abuse-Related Child Custody Matters, Battered Women's Justice Project](#) (2015)

[The Impact of Batterers on Children: An Ohio Model Community Response Protocol, The Ohio IPV Collaborative](#) (2015)

[Safe & Together™](#), David Mandel & Associates, LLC (2015)

Seven Questions Every Juvenile Court Should Ask the CPS Agency

1. What were the domestic violence perpetrator's specific actions and behaviors that harmed the children, including patterns of coercive control?
2. How have the perpetrator's behaviors affected the functioning of any children and the family? What are the agency's concerns for the future based on the perpetrator's past behaviors?
3. When the child abuse case involves other issues (e.g., substance abuse), how has the domestic violence perpetrator's behavior caused or exacerbated those other issues? Does the case plan adequately address both the domestic violence and other issues?
4. Has the domestic violence perpetrator interfered with the family's access to services?
5. Were reasonable efforts made to reach each parent?
 - Based on CPS's stated concerns about the domestic violence perpetrator's behavior, how will the agency's plan improve the functioning of any children and the family?
 - What has been done to partner with the non-offending parent?
 - Was the case plan for each parent developed in collaboration with the parent and tailored to the parent's specific needs?
 - What types of interventions have CPS used to address the domestic violence perpetrator's behaviors?
6. Are each child's basic needs being met? How are they being met? Who is providing for these needs?
7. What is the non-offending parent doing to provide for each child's safety and well-being?

Juvenile courts should expect to find the following information in the CPS agency's reports:

- A description of the perpetrator's specific violent, abusive, and controlling actions and their impact on functioning of any children and the family.
- Avoidance of statements, such as "The family has a history of domestic violence" or "The couple has engaged in domestic violence" or "[The non-offending parent] allowed a child to be exposed to the violence."
- A wide range of protective efforts by the non-offending parent, especially informal efforts.
- A description of how the domestic violence perpetrator's behavior contributed to other issues, such as any child's behavioral problems, housing instability, or substance abuse relapse.
- Case plans for the non-offending parent that are appropriate for the perpetrator's pattern of abuse, and the parent's socio-economic context (i.e., those that have a reasonable chance of successful implementation).
- Case plans for the perpetrating parent that focus on behavioral changes that promote family functioning, including safety for all family members, child stability, and healing from trauma.

Assessing Allegations of Domestic Violence in Child Abuse Cases was prepared by the Domestic Violence Program in collaboration with the Family and Youth Law Center and David Mandel & Associates as a service to Ohio's courts. The points of view in this piece are those of the authors and may not represent the official policies or positions of the Supreme Court of Ohio.