

COMMITTEE REPORT

Committee: Committee on Systems Improvement (CSI)

Date of Meeting: 10/20/2020

Start Time: 2:15 PM

End Time: 3:15 PM

Called to order by: Rachelle Neshkes

Discussion/Action Steps

Pallavi reported that victims are having trouble getting reports for violations of restraining orders, in part due to Covid, not being able to get into the stations, and not being able to get through over the phone to the front desk. The other committee members confirmed that this has historically been a big problem, not just for violations of ROs but also for violations of other court orders. Marie and Ria have sent out department-wide emails on this topic and they will inform the front desk people to consistently check their station emails. They would like to have specific examples so that they can target training at the individual police stations. Rachelle will contact Deputy Cliver to find out if these types of criminal reports can be made with LASD online.

One DVC Member reached out to Rachelle due to multiple EWs contacting this member to investigate good cause claims, contrary to It's WIC § 11477.04 subsection (d). A declaration of abuse is sufficient evidence to claim good cause not to cooperate with CS. No one else present had seen this issue. We may need to elevate this to Lola or her successor to let her know that EWs are doing their own investigation into whether or not a DV Survivor can claim good cause in that (those?) particular DPSS Offices asap so that they can train the particular DPSS offices on this law.

We strategized about appearing by LACourtConnect on audio and video. Rachelle discussed her experiences bringing ex partes and needing to file these the day prior, calling the clerk's office to get the hearing set for the following day, and then scheduling with LACourtConnect. Amanda recommended emailing evidence out a day or two in advance, stating that OP needs to bring their own copies to court if they want hard copies, and having messenger service drop off courtesy copies to the courtroom. The backup is to share your screen. We talked about strategies for allowing OPs to introduce evidence into the record that they haven't served on us in advance. For evidence like an email which can be read into the record, it's not as critical to see in advance as a photo. There are huge problems with using interpreters that could be solved by having the client on a separate call with the interpreter so that simultaneous interpretation can be used rather than the consecutive interpretation that is happening remotely at this time. Now, the interpreter needs to be on CourtConnect (we have had bad experiences with the microphones not picking up the interpreter otherwise), and they can only interpret a few words at a time. You need to keep reminding the judge to stop every few words to ensure that the interpretation can be given correctly. There's a concern about not being able to get in all the arguments because the hearings take at least twice as long and some judges will lose patience.

Marie and Ria reported that they have made progress in drafting an Officer's Guide to EPOs, like the one LASD published in 2017. They expect to have a draft by our next meeting. Marie will look into how to collect data from LAPD re: length requested for EPOs and compare to length granted. She will discuss this in the next meeting they have with Deputy Cliver and Eve.

Alyson Messenger will contact Chanel to determine whether DART services are being provided in-person and will ask Ebony from the Mayor's office if other DART teams can track the above information about EPO length for future use.

Gail will reach out to Suzie Ferrell to see if she can get information about who obtained EPO Statistics in the past. Rachelle messaged Gail a reminder about this.

Worked on wordsmithing the sample civil standby orders proposed by Malika Kaur. Rachelle will take the suggestions back and provide an updated draft next month.

Reviewed and shared the MC-410 for reasonable accommodations,
<https://www.courts.ca.gov/documents/mc410.pdf>

E-Service

Committee Members reviewed the Washington State Guide and saved it. We will discuss the policies behind the guide at our next meeting once people have a chance to consider it. Judges currently have the authority to order alternate service currently under FL 6340, via the DV-117, upon a finding that the OP is evading service. However, the only types of alternate service specified in the statute are publication, which is costly, and service by mail. Other types of alternate service may be used, including electronic service, but we don't know if judges would feel comfortable authorizing that. We discussed that many survivors are unable to obtain ROAHs because of inability to serve the paperwork and the current law provides a good framework for those cases. Asking to serve by email offers an additional method to give notice to OP.