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BATTERED: Examining domestic violence

Caring eyes focus on domestic violence court

Volunteer watchers aid changes by observing cases

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They do their work in silence. They sit, watch, listen and write. When they speak up, their voices carry.

They are court-watchers, volunteers who observe domestic violence proceedings in hopes that their presence and their conclusions improve the way courts handle these sensitive cases.

Used in the Skokie branch of Cook County Circuit Court and DeKalb County, the watchers have unpaid jobs that look simple: Observe the actions and demeanor of court personnel and take careful notes.

But their influence is profound.

Volunteers with the DeKalb County Domestic Violence CourtWatch say they have seen a transformation in courtroom atmosphere since they began observing in 2003.

No longer do judges ask victims what they did to make their partners so angry. Judges are more patient and compassionate. On the rare occasions when they are not, DeKalb County Presiding Judge Kurt Klein responds swiftly, sometimes sending a judge to a training seminar on domestic violence.

"People act differently when they know they're being watched," said Barbara Samulowitz, the DeKalb group's president. "It's just human nature."

The court-watchers are evidence that although domestic violence may seem intractable, progress is possible and average citizens can make a difference.

The Chicago Metropolitan Battered Women's Network is so impressed that it is looking into starting a court watch in Cook County's domestic violence court in Chicago. But the task may be difficult.

The National Council of Jewish Women, which runs the successful 56-volunteer court-watch program at the Skokie branch, has twice tried but failed to expand to the main domestic violence court in Chicago. The group had trouble getting enough volunteers in Chicago. Most of its branch court-watchers live in the north suburbs.

And the Chicago court was not particularly welcoming, said Gloria Lippert of Flossmoor, a council court-watcher in Chicago for three years. "It must have taken six months till they allowed us in after we were trained. And some of the judges would not allow us to write," she said.

But Dawn Dalton, executive director of the Chicago Metropolitan Battered Women's Network, said she thinks her group carries enough weight in the court system that it could overcome such obstacles.

Cook County Circuit Chief Judge Timothy Evans said he would welcome the return of a court-watch program.

"They are extremely valuable—an independent, objective source of information," he said. "I think their presence [would help] us move in the direction we need to move to make sure the system is one that produces fair results."

Watchers don't always just observe. The DeKalb group offers suggestions for improvements and, in particularly complicated cases, interviews victims and meets with court personnel to discuss the cases.

The group was able to change the way orders of protection were written in the county. Judges had been writing in a clause requiring a 72-hour no-contact period in only 25 percent of the orders, CourtWatch found. After the group recommended that the no-contact clause be standard, it was put into all of them.

"They have convinced me, and I think they have convinced the other judges . . . that, if anything else, we need a cooling-off period," said Klein, who meets regularly with CourtWatch.

The Chicago-area programs are among as many as three dozen court watches that operate nationwide, said Dawn Dougherty, national project director for the Hennepin County (Minn.) WATCH, which three years ago created a National Association of Court Monitoring Programs to help other groups start court watches.

In 15 years, Dougherty said, the Hennepin County group has achieved small-scale successes, such as catching a clerical error that would have mistakenly released an accused batterer on bail, and broader ones: Its notes on cases where victims were choked—but charges were dismissed—led to Minnesota's enactment of a 2005 law making domestic-violence choking a felony.

In DeKalb, the court watch is tracking 25 particularly violent cases to see how long it

takes them to make it through the system and what causes delays.

For judges, court watches can be a valuable source of feedback. "I find their critiques very helpful," Klein said. "We are supposed to treat everybody fairly, but over time you may become insensitive because you hear case after case after case."

The court-watchers also hold a symbolic value—they show victims society cares about them. In DeKalb, victims feel so comforted by a watcher's presence they sometimes ask for them.

"Their presence made me a little more assured that there would be some validity behind what the judge was saying and that his ruling would be fair," said a woman who asked that her name be withheld to avoid antagonizing the judge hearing her case.

The 20 or so DeKalb watchers are, for the most part, retirees. One watcher, Norma Wiley, is a retired computer specialist—a skill that has come in handy: She uses the court's computer system to track how long it takes cases to be resolved.

Some volunteers initially were shocked at the cases they observed.

Volunteers see their hours in the courtroom rewarded when their observations become the basis for change.

"We're not trying to displace judges or tell them what to do," Samulowitz said. "All we want them to do is treat victims fairly in court."

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