



HOPE'S  
DOOR  
Embracing Life Free  
From Domestic Abuse

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Thank you to the Senate Standing Committee on the Judiciary and the Assembly Standing Committee on the Judiciary for the opportunity to submit testimony regarding the consolidation of the New York State trial courts.

I am the Director of Legal Services at Hope's Door, a non-profit organization that seeks to end domestic violence and to empower survivors to achieve safety, independence, and healing from the trauma of abuse. We have served victims of domestic violence since 1980, touching the lives of more than 11,000 persons last year. Our services are provided at no cost and include legal assistance and representation, shelter, hotline, counseling, support groups, advocacy, information and referral, and an extensive school and community-based education and awareness program. At Hope's Door, services are survivor-centered, empowerment-based, and affirm the inherent dignity and worth of each individual.

Hope's Door services victims in offices in Hawthorne, Ossining, White Plains, and at our confidential shelter location in Northern Westchester. During the past year, we responded to 801 hotline callers in crisis; provided 5,560 days of safety in our shelter; provided counseling and advocacy services to 358 women, 37 men, and 61 children; overcame vocational barriers for 64 participants in our Next Step program; provided 110,488 units of empowering service to 459 victims; empowered 8,862 young people with potentially life-saving information about abuse; and provided legal guidance or representation to more than 150 survivors.

We serve a diverse population, which includes 36% Latino, 31% Caucasian, 13% African American, and the remaining % are from various demographics.

Violence in intimate relationships is a pattern of coercive tactics that can include physical, psychological, sexual, economic and emotional abuse and is perpetrated with the goal of establishing and maintaining power and control. To stop violence, the community must act in concert to end abuses of power and to hold perpetrators accountable. This includes our court system – courts must be consolidated in order to address domestic violence. Courts are an integral part of protecting victims and holding perpetrators accountable.

As a former domestic violence prosecutor in Kings County, one of the largest in the State, and now as Director of a civil legal service program within a nonprofit domestic violence agency, I have seen firsthand how difficult our complicated court structure is, and its impact on victims of domestic violence. Victims of domestic violence and sexual assault already have to deal with a tangled web of issues before they even enter the complicated court system, which is supposed to assist them in untangling their pressing legal concerns.

As a prosecutor, the victims I worked with were often confused by multiple court dates that were before different judges. They were represented by more than one attorney because of the nature

of the cases and were often exhausted from the process which further exacerbated their ability to follow through with what I needed to properly prepare for the prosecution.

Consistent with victims across the State, many clients at Hope's Door have legal matters pending in more than one court. They may have a custody case and family offense petition in Family Court, a child support hearing in front of a support magistrate, a divorce case commenced in Supreme Court, and they may be a witness in a criminal case pending against their abuser in a local justice or town court, and even possibly a housing or consumer matter as a direct consequence of their abuse.

They have inconsistent orders of protection issued by different judges saying different things. Deciphering it all is overwhelming even with the assistance of an attorney.

The creation of the Integrated Domestic Violence Courts was a game-changer for those victims with cases in both criminal and family court – civil legal service attorneys could strategize easily and share evidence with prosecutors to ensure maximum relief - but the IDV is limited in scope and breadth. The IDV is reflective of the many efforts of OCA has made to attempt to remedy the fractured system and is reflective of their good faith in this process. However, in Westchester County the IDV only hears cases from 2 cities in Westchester County - White Plains and New Rochelle. This does not include most of the areas where my clients live. The IDV also doesn't have jurisdiction over housing, consumer or child protective cases, many of which come up in cases where there is domestic violence. None of the IDVs have capacity to take all the cases where there are concurrent family and criminal cases.

Victims are repeatedly admonished by Judges during court appearances when an issue is raised that is germane to why they are in court in the first place (custody, child support, order of protection), that this is not the proper place to address that or that the judge does not have jurisdiction over the issue they have raised. If there was a unified system wherein one judge had the jurisdiction to issue a divorce at the same time as he/she was hearing the custody or family offense case victims would not have to repeat their harrowing testimony over and over. Victims are re-traumatized by the courts all the time.

This fractured system is so hard to explain to a lay person when the issues are so entwined, and it makes no sense to professionals - or even lawyers - to break it up the way our court system does. Simplification is a sorely needed remedy.

Travel throughout the county is not easy for many Hope's Door clients. Some live in remote towns in the northern part of Westchester County with limited mass transit options. Even those with cars face barriers, as driving is not always a safe alternative. Many abusers prevent use of family owned vehicles as a means to control their victims or place tracking devices in their cars and monitor miles to keep tabs on their victim's whereabouts. Car service is very costly, in addition to childcare expenses, which are needed often since most clients do not want to take their children with them to court, particularly where childcare in the courts is either non-existent or limited.

Losing time from work is another pressing concern for my clients, and even with the passage of laws that allow victims of domestic violence to miss work for court appearances, this is just a band aid to the bigger problem, which is requiring them to appear in court so frequently on matters that could and should be heard in one proceeding before one judge.

For many clients, having to see their abuser repeatedly in the court on different dates in different courtrooms is stressful and frightening and often puts their safety at risk since court appearances often escalate the abusive behavior of the offenders when judicial rulings are perceived by the abuser to benefit the victim. It also gives abusers additional opportunities to stalk or further abuse the victim.

Abusers are also easily able to manipulate and use our convoluted court structure as another vehicle to harass their victims. Abusers use the judicial system by filing multiple petitions and motions in different courts to maintain power and control. A simplified structure would shut down this type of litigation abuse.

In addition, victims are often required to repeat their history of abuse over and over in front of different judges. I have been told time and time again by clients how traumatic this experience is for them and for many of them it has been the reason they have chosen not to pursue legal action. Later, these same clients may be blamed for not getting an order of protection.

Consolidating the Courts to allow the same Judge to hear most if not all the issues in a domestic violence victim's case would be life-changing for her. The time, money, and emotional expense would be cut down immensely.

Critically, the chance of being able to resolve the matters more expeditiously increases tenfold. The impact not only on the victim but her children is tremendous. This would enable victims to move forward with their lives and become survivors and reduce the length of time these cases occupy the multiple dockets of courtrooms throughout our justice system.

Equalizing the resources in high-volume courts like the Family Court with the resources in Supreme Court would necessarily mean cases get heard faster. Courts no longer will have to vie for interpreters and will have the same number of court attorneys to assist them with more evenly divided case loads. While access to Family Court is sometimes easier than Supreme, Hope's Door is confident that a unified court would offer the same if not better access.

Hope's Door urges the Legislature to pass the proposal submitted by the Chief Judge in its entirety and looks forward to working with the Legislature and the Office of Court Administration during the five-year implementation period to ensure equal access to justice for all.

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