

A SAFeR Approach

WHEN CHILDREN ARE EXPOSED TO DOMESTIC VIOLENCE ABUSERS

Disclaimer

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publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women.

Objectives

Identify the elements of the SAF^eR approach to decision-making in determining the impact of children's exposure to DV offenders

Develop case strategies that account for the full nature, context and effects of IPV.

Understand how GALs can utilize SAF^eR tools to better understand and communicate the nature and extent of DV

What is the impact of children's exposure to domestic violence offenders?

AND HOW CAN GALS INTEGRATE THIS IMPACT IN DECISION MAKING AND RESPONSE?

Decision's that rely on knowing the impact of children's exposure

Family Court (DVPO, Parenting Plans, Divorce proceedings, The rebuttable presumption that 50/50 custody is in the best interest of children)

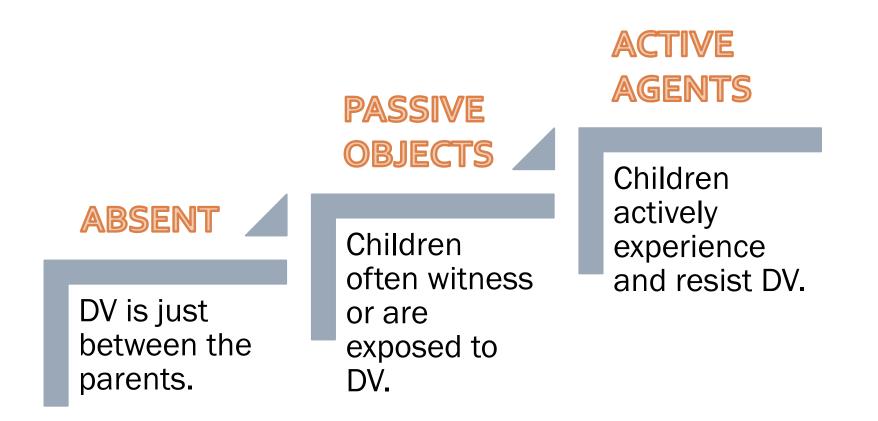
Child Protection (Intake, case planning, safety/protection planning, improvement plans, TPR)

The Problem

People's Experience of IPV

Institutional Responses to IPV

Evolving Concepts



Emerging Themes

Ill-defined terminology

Inconsistent assessments/assumptions

Lack of reliable information

Poorly informed decision-making

Disconnected interventions and services

All DV cases are not the same

Children are impacted differently

Impact on children doesn't stop when parents separate

Research

Practitioners' knowledge, assumptions, and beliefs about IPV (*and* other concepts like alienation, gatekeeping, and high conflict) are more closely associated with their approach to (and outcomes of) these cases than what's going on in the real life of the parties.

- Saunders, et al.; Hardesty, et al.; Davis, et al. Many of these concepts are being applied even though there's widespread disagreement in the field about what they mean and why they matter.

Screen for IPV Assess the Nature & Context of IPV PV Assess the Nature & Context of IPV PV PV PV PV PV PV PV

Closing the gap between people's experience of IPV and institutional responses to it.

Collaboration



NATIONAL COUNCIL OF JUVENILE AND FAMILY COURT JUDGES

United States Department of Justice Office on Violence Against Women

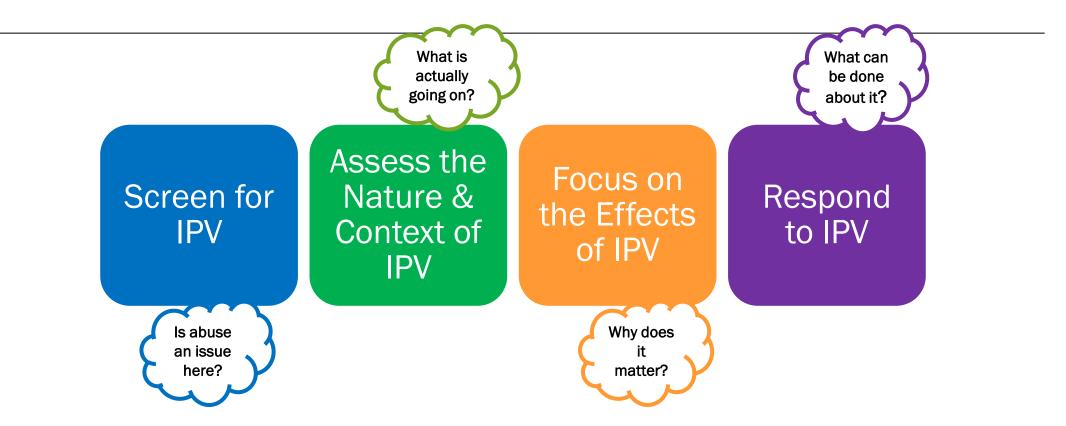
Working Together to End the Violence



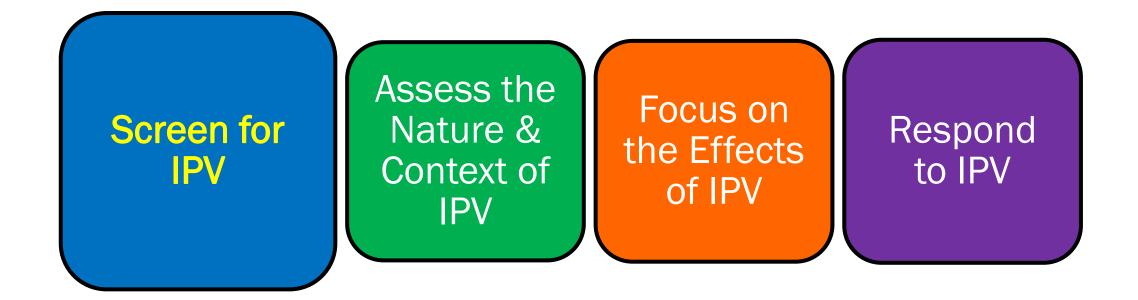




SAFeR (Children and Domestic Violence – BWJP)



SAF^eR



Screening Research

 Screening for physical violence alone is insufficient to detect coercive controlling abuse.

• Beck & Raghavan, 2010.

What is DV Screening?

Screen for IPV

A routine process for identifying a potential problem

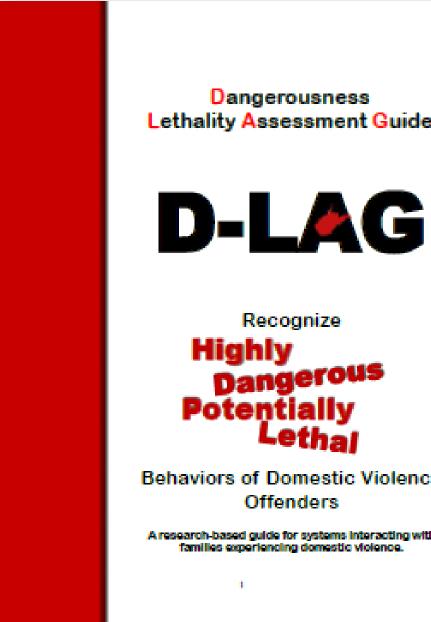
• It's tentative (not a judgment, ruling or diagnosis)

• A way to find out if there is reason to take a closer look

Distinct from an assessment

"Given the prevalence of domestic violence and potential consequences on a client's case, all attorneys, regardless of their areas of practice, should screen their clients for domestic violence."

- A Lawyer's Handbook: Volume 2 - The Impact of Domestic Violence on Your Legal Practice, 3rd Edition



Dangerousness Lethality Assessment Guide

Recognize Highly Dangerous Potentially Lethal

Behaviors of Domestic Violence Offenders

A research-based guide for systems interacting with families experiencing domestic violence.

Highly Dangerous/Potentially Lethal Behaviors

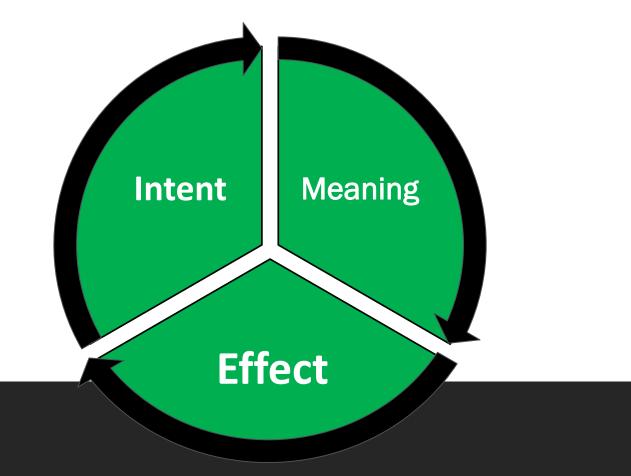
- Possession, access and use of weapons
- Direct threats to kill
- Victim perceives that offender might kill her/him
- Stalking behavior
- Strangulation

- Intrusive coercive control
- Forced sex
- Victim has left or is attempting to leave the relationship
- Offender is unemployed Victim has a child that is not the offender's biological child
- Violence is escalating
- Substance abuse may exacerbate

SAF^eR

Screen for
IPVAssess the
Nature &
Context of IPVFocus on
the
Effects of
IPVRespond
to IPV

Who is doing what to whom and with what impact?





Context

- Patterned
- Intimidation
- Dominance
- Entitlement

Coercive Controlling Abuse Produced and shaped by coercive controlling abuse

Violent Resistance No power and control tactics at work

Abuse Unrelated to Coercive Control

SAF^eR

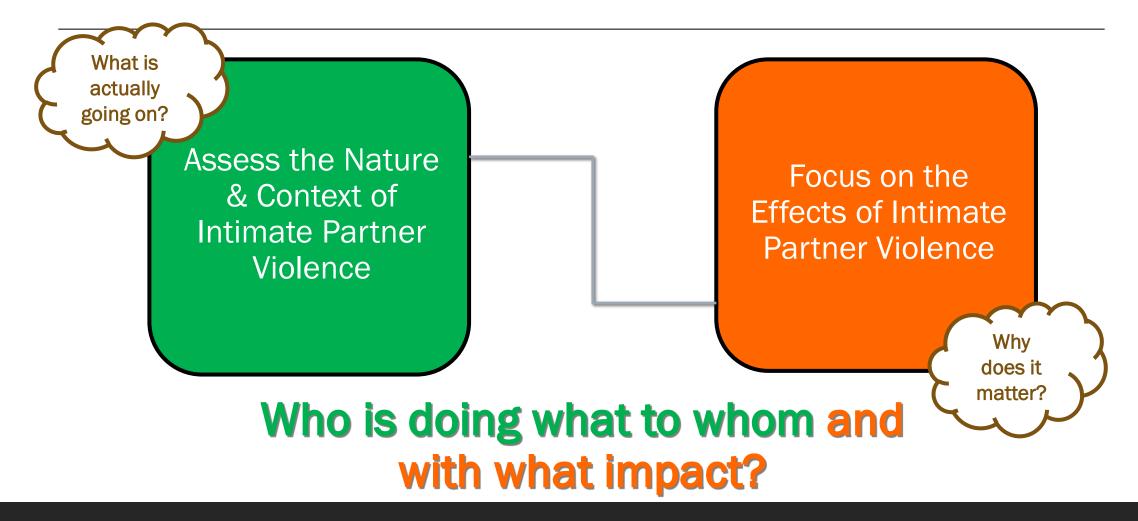
Screen for IPV

Assess the Nature & Context of IPV

Focus on the Effects of the IPV

Respond to IPV

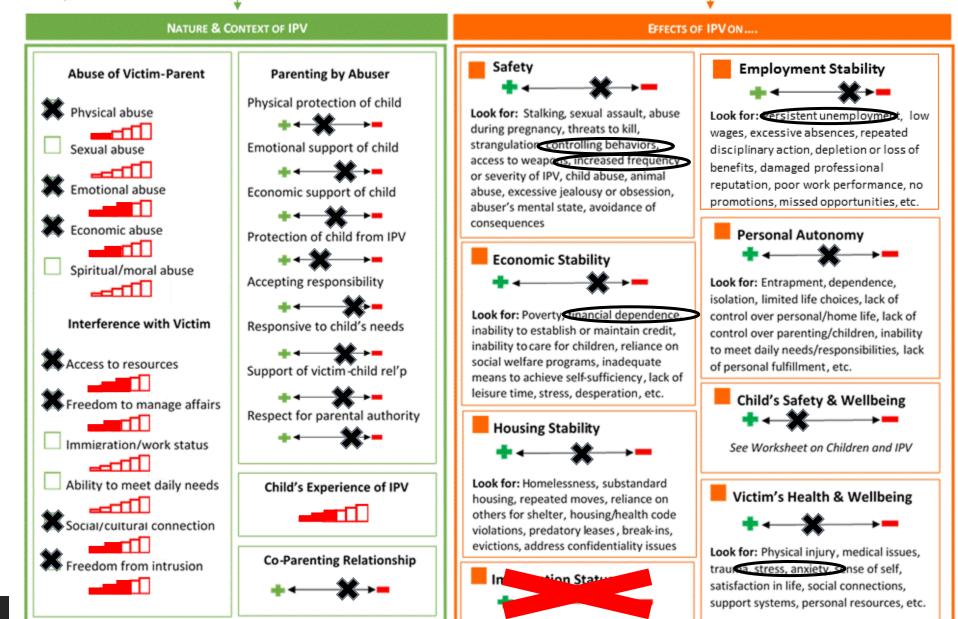
LINKAGE



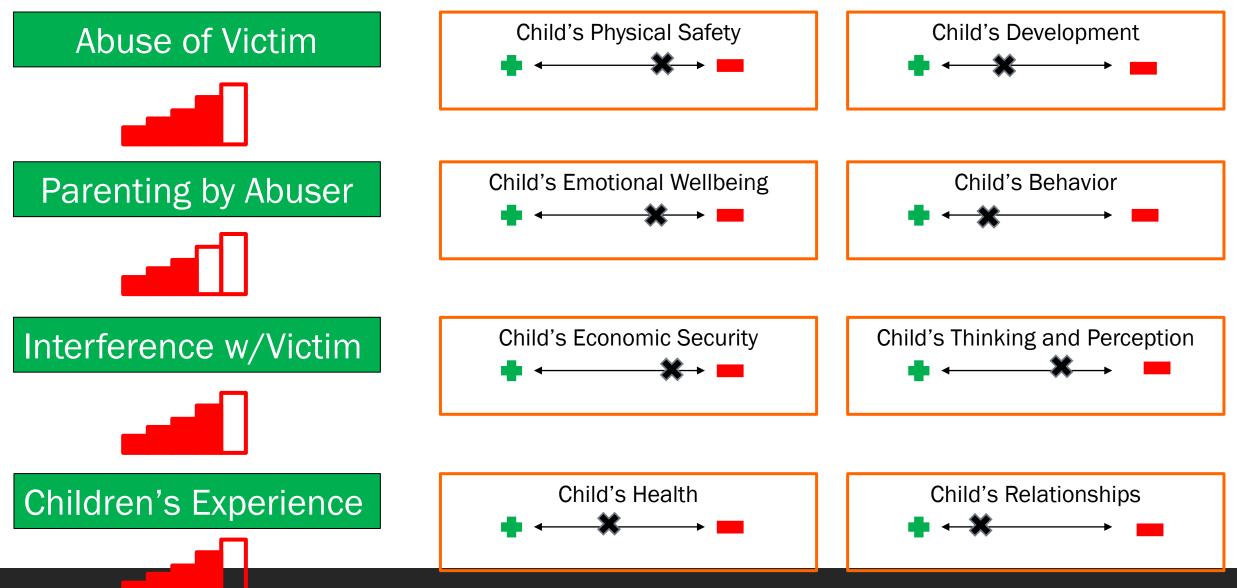








Effects of IPV on Children



SAF^eR

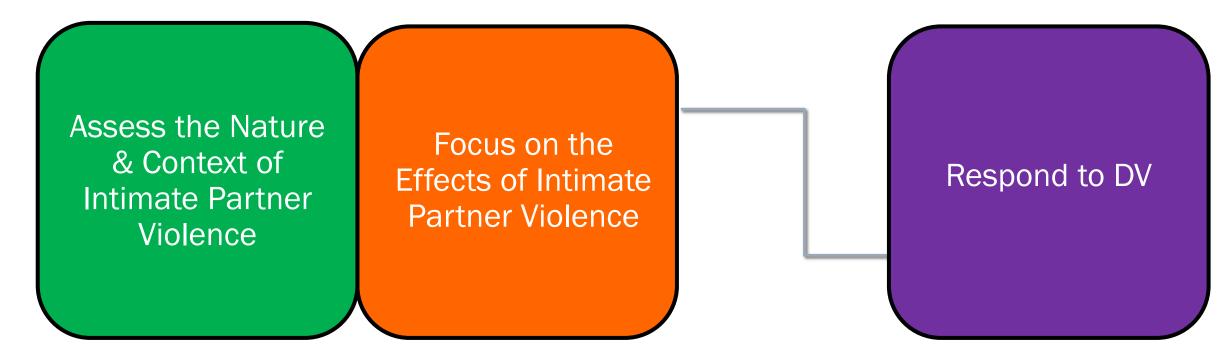
Screen for IPV

Assess the Nature & Context of IPV

Focus on the Effects of IPV

Respond to IPV

LINKAGE



Decisions based on Who is doing what to whom and with what impact?

Who can provide SAF^eR Assessments?

SAF^eR Toolkit can be found at: <u>Children and Domestic</u> <u>Violence – BWJP</u>

GALs

Custody Evaluators

DV Specialists (CPS & custody/visitation cases)

GALs and the SAFeR Model

Use SAF^eR <u>Interview Guides</u> to:

- Structure the pertinent questions to ask and to guide the GAL in understanding the implications of responses.
- Understand the individualized nature and context of the abuse and its impact on the children and victim parent

GALs and the SAFeR Model

Use SAF^eR <u>Worksheets</u> to:

- Structure connections between the nature and extent of the domestic violence and it's impact on each child and the victim parent.
- Connect recommendations to the determined impact
- Structure report and testimony to the court

GALs and the SAFeR Model

Use DV Specialists SAF^eR Summary and Recommendations

- Request a SAF^eR assessment from a DV Specialist may need a court order
- DVS SAF^eR Assessments are conducted with victim parents only
- Some DVS can provide expert witness testimony
- Contact DVS for referral process



Co-located advocates

Licensed domestic violence agency and DHHR offices

Confidential interviews, resources, referrals, and safety planning

Support victim-parent and child(ren)

Domestic Violence Specialist Program







Advisor for child welfare

Apply policy to victim's needs, DLAG, batterer accountability task



Participants in CCR team Survivors With Children Workgroup through WVCADV

Assess impact of dv on each family member Confidential interviews, SAFeR Model, DLAG Domestic Violence Specialist Programs



Domestic Violence Specialists

Berkeley: Ashley Wego – <u>dvspecialist2@swinc.org</u> – 304-263-8522

Morgan: Sara Gromling – <u>mcadvocate@swinc.org</u> – 304-258-1078

Logan: Larissa Fraley – <u>Ifraley.tvrs@gmail.com</u> – 304-752-7174

Marion: 304-367-1100

Mason: Nicole Bailey – <u>bailey@branchesdvs.org</u> – 304-675-4968

Mercer: Susie Reed (<u>mercersusie@yahoo.com</u>), Kim Testerman (<u>kimberly515@outlook.com</u>) – 304-425-8738

Greenbrier: Katlyn Johnson (katlynj@familyrefugecenter.org) – 304-772-5005

Randolph: Emaline Metheny – <u>dvspecialist@wvcav.org</u> – 304-636-8443

Monongalia: Hannah Rhea – <u>hannahr@rdvic.org</u> – 304-292-5100

DVS and the SAFeR Model

Use SAF^eR Interview Guides with every survivor

- Understand the individualized nature and context of the abuse and its impact on the children and victim parent
- Provide individualized safety planning and services for survivors and their children
- Collect aggregate data on abuse and impact to monitor program and improve services

Use SAF^eR Summary & Recommendations for Some Survivors

- Survivor Attorneys
- GAL
- CPS Worker
- Expert Witness Testimony (Family & Circuit Court)

When using SAF^eR Summary & Recommendations, DVS must adhere to strict confidentiality standards:

- Survivor release
- Court Order (see recommended Court form order)



SAF^eR <u>Summary & Recommendations</u> can include:

- A summary of the nature and extent of the abuse including lethality indicators
- An assessment on whether the victim parent <u>knowingly allowed</u> according to CPS Policy
- An assessment of how the abuse impacts the children and victim parent
- Recommendations for safety services for victim parent and children
- Recommendations for safety and accountability measures with offender

Knowingly Allows

"If the worker finds the presence of domestic violence, s/he <u>cannot</u> find that the non-abusive parent "knowingly allowed" the abusive behavior unless the non-abusing parent did not take <u>any</u> steps to protect the child that were <u>reasonable</u> given the threat posed by the batterer to the <u>non-abusing parent</u>."

(See CPS Policy 4.34 Family Functioning Assessments Involving Domestic Violence and 3.15 Reports involving Domestic Violence.)

Knowingly Allows

What was the threat posed by the batterer to the adult victim's physical, emotional, and/or economic security?

- Death
- Losing Children
- Threats toward family
- Legal/Law Enforcement Involvement
- Loss of House
- Loss of Job
- Loss of Transportation
- No way to support children

What steps did the adult victim take to protect the child?

• Stay

- Get/Drop DVP
- Send child to family member/friend
- Plan with child for safety measures
- Go along with the abuse
- Shield child from abuse
- Limit access to abuser
- Start safety planning

Were the steps <u>reasonable</u> considering the threat of harm to the adult victim?

DVS and the SAF^eR Model

An assessment on whether the victim parent.

lethality indicators

offender

according to CPS Polic

· A summary of the nature and extent of the abuse - including

 An assessment of how the abuse impacts the children and victin parent
 Recommendations for safety services for victim parent and children
 Recommendations for safety and accountability measures with

- Yes
- No

Referrals to DVS- Other referral sources

- Judges Family or Circuit Court (see form order)
- GAL
- Court Personnel (i.e. Family Court Case Coordinator, brochures in courts, etc.
- Law Enforcement
- Other community agencies



Thank You!

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Samuel White, WVCADV Legal Services Coordinator <u>swhite@wvcadv.org</u>

INTIMATE PARTNER VIOLENCE INTERVIEW GUIDE 4.17.18

Adapted from Client Screening to Identify Domestic Abuse Victimization, Domestic Abuse Committee of the Family Law Section of the Minnesota State Bar Association, 2010; Holtzworth-Munroe, Beck & Applegate (2010), Mediator's Assessment of Safety Issues and Concerns; and Janet Johnston, et al., IN THE NAME OF THE CHILD (2d ed.), Springer Publishing Co., 2009.

1. Personal Interactions	Discussion Areas:	What to Listen For:
A. Let's start by talking about your current relationship with B. How comfortable are you interacting with ? Being alone together Being face-to-face Talking by phone Emailing or texting Public encounters	 Quality of interactions Ability to express views Trust in other's judgment Reliance on other's word Cost of disagreement Post-separation changes Prior separations Snapshots Happiest moments Most worrisome moment Scariest moments Decision-making history 	Personal Interactions:SafeDangerousSecureFearfulAutonomousControllingRespectfulOffensiveHonestDeceptiveReliableUnreliableConsistentVolatileSupportiveDamagingCooperativeCoercive
C. Do you have any concerns, fears or anxieties that I should be aware of? D. What worries you most?	 5. Stressors a. Abuse b. Alcohol/drugs c. Physical/mental health d. Criminal activity e. Poverty 6. Anything else? 	Equal \longleftrightarrow Dominant Trusting \longleftrightarrow Suspicious Open \bigstar Isolating Identified needs:

GALs and the SAF^eR Model

Use SAF^eR Interview Guides to:

- Structure the pertinent questions to ask and to guide the GAL in understanding the implications of responses.
- Understand the individualized nature and context of the abuse and its impact on the children and victim parent



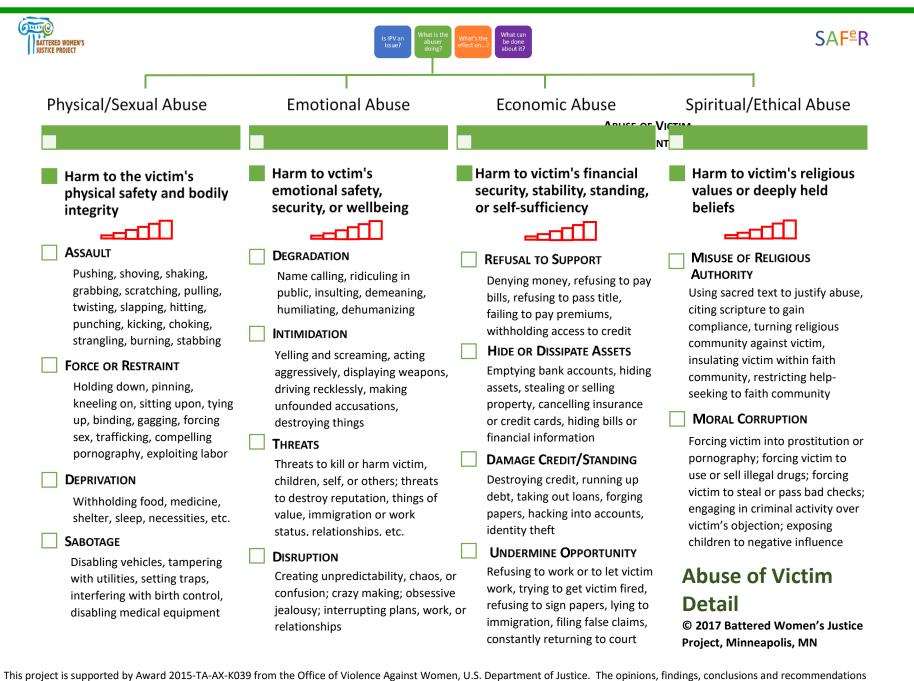




NATURE & CONTEXT OF IPV EFFECTS OF IPV ON Safety **Employment Stability** Abuse of Victim-Parent Parenting by Abuser Physical protection of child Physical abuse Look for: Stalking, sexual assault, abuse Look for: Persistent unemployment, low during pregnancy, threats to kill, ____ wages, excessive absences, repeated strangulation, controlling behaviors, Emotional support of child Sexual abuse disciplinary action, depletion or loss of access to weapons, increased frequency benefits, damaged professional _____ or severity of IPV, child abuse, animal reputation, poor work performance, no Emotional abuse Economic support of child abuse, excessive jealousy or obsession, promotions, missed opportunities, etc. abuser's mental state, avoidance of consequences Economic abuse Personal Autonomy Protection of child from IPV ____ Economic Stability Spiritual/moral abuse Accepting responsibility Look for: Entrapment, dependence, ____ isolation, limited life choices, lack of Look for: Poverty, financial dependence, control over personal/home life, lack of Interference with Victim Responsive to child's needs inability to establish or maintain credit, control over parenting/children, inability inability to care for children, reliance on to meet daily needs/responsibilities, lack social welfare programs, inadequate Access to resources of personal fulfillment, etc. Support of victim-child rel'p means to achieve self-sufficiency, lack of -----leisure time, stress, desperation, etc. **Child's Safety & Wellbeing** Freedom to manage affairs Respect for parental authority Housing Stability **▲ ------>=** Immigration/work status See Worksheet on Children and IPV ____ Look for: Homelessness, substandard Ability to meet daily needs Child's Experience of IPV Victim's Health & Wellbeing housing, repeated moves, reliance on ____ others for shelter, housing/health code Social/cultural connection violations, predatory leases, break-ins, _____ evictions, address confidentiality issues Look for: Physical injury, medical issues, **Co-Parenting Relationship** Freedom from intrusion trauma, stress, anxiety, sense of self, Immigration Status satisfaction in life, social connections, support systems, personal resources, etc.

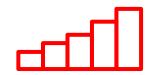
GALs and the SAF+R Model

Use BAPHR Worksheets to: • Structure connections between the nature and extent of the domsetic volence and it's impact on each child and the victim parent. • Connect recommendations to the determined impact • Structure report and testimory to the court



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Abusers Interference with Victim



How does the abuser interfere with the victim (needs, Daily Task, Etc.)

Interference with Resources	 Do you have access to your own resources, like money, bank accounts, food, housing, transportation, and healthcare? Who decides how to spend money and manage your financial affairs?
Interference with Daily Affairs	• How much freedom do you have in your everyday life to come and go as you please, manage your own time, make you own decisions, set your own priorities, interact with others?
Interference with Work, School, Immigration Status	 Is there anything that gets in your way of getting to work or school, doing your work or studying without interruption, pursing a career, or education, or succeeding at work or school? Is there anything that gets in the way of your immigration status?

Abusers Interference with Victim



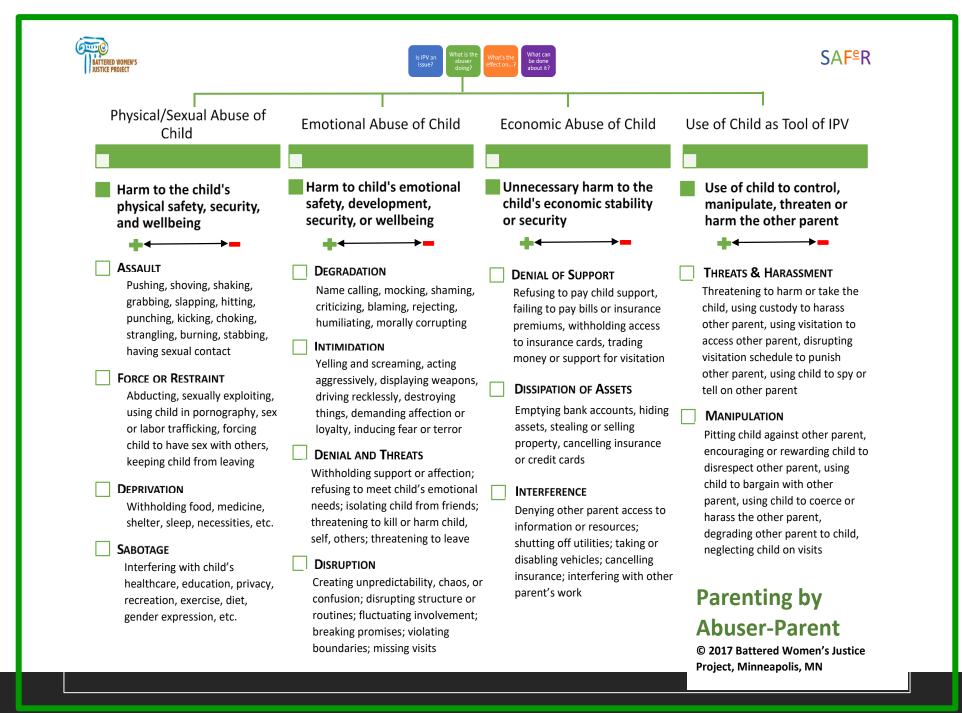
Interference	 Is there anything that gets in your way of eating, sleeping, keeping and maintaining a
with Ability to	home, getting from place to place, providing for yourself, exercising, seeking medical
Meet Daily	attention when you need it, keeping up with medication, having time to yourself,
Needs	keeping current on your bills and obligations?
Interference with Parenting	 Is there anything that gets in your way of protecting and caring for your children? Do you have any concerns about your children or fears for their safety? Has the other ever used or threatened to use the children to manipulate, control, or monitor you?
Interference	 Is there anything that gets in the way of keeping in touch with your friends and family,
with Social or	connecting with you religious and cultural communities, practicing your faith, staying
Cultural	true to your cultural values and beliefs, or getting together with people who matter to
Connections	you?
Unwanted Intrusion	 Has the other ever followed you, constantly check up on you, opened your mail, examined your phone records, hacked into your email, grilled you or timed your activities, used other to spy on you, invaded your space or privacy, misused social network sites, reported you to authorities without reason or cause?

of IPV

How is the child experiencing the abuse?



IPV During Pregnancy	 The developing fetus experiences abuse in utero, where, for instance, the abuser: kicks, punches, terrorizes, or sexually assaults a pregnant partner; deprives a pregnant partner of food, sleep or prenatal care
Direct Intervention in IPV	 The child takes affirmative steps to make the abuse end, such as: pleading with the abuser to stop, calling for help, blocking abuser's access to victim-parent, pulling the abuser off the victim
Direct Harm from IPV	 The child suffers verbal, physical, or emotional harm during the course of IPV, as when: the child gets caught in the crossfire, is blamed for IPV, is ridiculed for crying, is told they're next, is punished for intervening
Direct Participation in IPV	 The child joins in the IPV, due to force, coercion, identification with abuser, or self-preservation: abuser used child to spy, taunt, or assault victim; abuser rewards child for participating in IPV, child goes along to stay safe
Observation of IPV	The child sees or hears IPV, either directly or indirectly, where, for instance, the child: watches an assault, observes coercive power, hears threats or please for mercy, observes degradation, sees intimidation
Retreat from IPV	 The child takes cover from IPV by: running away from home, hiding under the bed, using alcohol or drugs, locking him/herself in the closet, tuning out the world
Witness Initial Effects of IPV	 The child observes the immediate effects of IPV, including by not limited to: blood, bruises, and other injuries; ambulances and emergency vehicles; parent being arrested; damaged property; trauma
Experience aftermath of IPV	 The child faces life-altering change as a result of IPV, including but not limited to: parental anxiety, separation or relocation, broken social ties, breakdown in trust, chaos, uncertainty, disruption to routine
Knowledge of IPV	 The child is told about (or overhears) conversations regarding IPV by: parents, extended family members, police, child protection, judges, lawyers, guardians ad litem, teachers, therapist



enying Impact of IPV on Child	Į	gnorin
ilure to acknowledge and repair damage from one's own abuse	Fail	lure to di identity
Justifying or excusing abuse Blaming other for abuse Demanding respect for abuse Refusing to get help for abuse Refusing counseling for child Interfering with child's care Being intolerant of criticism Disregarding child's needs Refusing to apologize for abuse Forcing unwanted child contact Interfering with other parent's effort to care for/protect child		Putting above Thinki identic Believ feels t onese Believ known child Obses child Seeing parent cause Believ child is other p Believ child is parent Believ child is parent

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Failu

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g Child's Separate Needs listinguish child's needs or spate from one's one

- ig one's own needs child's
- ing child's need are cal to one's own
- /ing child thinks or the same way as elf
- ing one exclusively ns what's best for the
- ssively attaching to
- g no value in other it's contact, absent
- /ing, without cause, is being poisoned by parent
- /ing, without cause, is just mirroring other nting
- /ing, without cause, and other parent are Diring

Undermining Other's Parenting Relationship Interference with other parent's relationship or parental authority

- Refusing to follow established rules
- Violating established parenting agreements
- Withholding information concerning the child
- Disrupting child's schedule or routine
- Disrespecting other parent's new partner
- Ignoring child's allergies or structure
- Making false claims to authorities
- Under-or over-medicating child
- Using new partner as a replacement parent
- Disparaging other parent in from of children



Relentless Harassment

Disruption of everyday life and creation of persistent instability

- Constantly disrupting child's schedule and routine
- Engaging in harassing litigation
- Repeatedly filing false reports to authorities
- Fluctuating involvement with child
- Constantly raising "technical arguments"
- Purposefully missing visits and appointments
- Constantly changing rules or expectations
- Stalking other parent or child
- Routinely cancelling and rescheduling appointments
- Habitually showing up announced
- Sabotaging other parent at ever turn

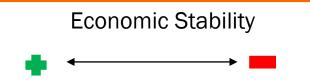
Parenting by Abuser-Parent

How does the abuser parent the child?

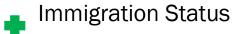


Safety

Look for: Stalking, sexual assault, abuse during pregnancy, threats to kill, strangulation, controlling behaviors, access to weapons, increased frequency or severity of IPV, child abuse, animal abuse, excessive jealously or obsession, abuser's mental state, avoidance of consequences



Look for: Poverty, financial dependence, inability to establish or maintain credit, inability to care for children, reliance on social welfare programs, inadequate means to achieve self-sufficiency, lack of leisure time, stress, desperation, etc.



Employment Stability

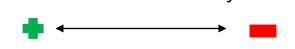
Look for: Persistent unemployment, low wages, excessive absences, repeated disciplinary action, depletion or loss of benefits, damaged professional reputation, poor work performance, no promotions, missed opportunities, etc.

Housing Stability

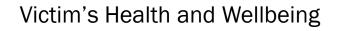
Look for: Homelessness, substandard housing, repeated moves, reliance on others for shelter, housing/health code violations, predatory leases, break-ins, evictions, address confidentiality issues

Child's Safety and Wellbeing





Look for: Entrapment, dependence, isolation, limited life choices, lack of control over personal/home life, lack of control over parenting/children, inability to meet daily needs/responsibilities, lack of personal fulfillment, etc.





Look for: Physical injury, medical issues, trauma, stress, anxiety, sense of self, satisfaction in life, social connections, support systems, personal resources, etc.

Effects of IPV on Parental Victim's Wellbeing

See Worksheet on Children and IPV

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Child's Physical Safety

Look for: Stalking, sexual assault, abuse during pregnancy, threats to kill, strangulation, controlling behaviors, access to weapons, increased frequency or severity of IPV, child abuse, animal abuse, excessive jealously or obsession, abuser's mental state, avoidance of consequences

Child's Emotional Wellbeing

Look for: Anxiety or restlessness, fear of being along, nightmares or sleep disruptions, inability to focus, lack on interest, exaggerated startle response, difficulty separating from parents, etc.

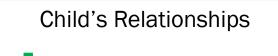


Child's Economic Security

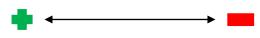
Look for: Poverty, homelessness, social isolation, exclusion from higher education or extracurricular activities, increased responsibility to work or case for younger children, etc.

Child's Behavior

Look for: Self-harm, delinquency, running away, physical aggression or bullying, hyperactivity, truancy, unregulated temper, defiance of authority, regressive behaviors (baby talk, crying spells, fear of the dark, clinginess), promiscuity



Child's Development



Look for: Failure to meet physical or emotional milestones, maladaptive stress responses, poor sleep/awake functioning, emotional detachment, negative feelings about being loved, confident, and safe to explore the world, etc.

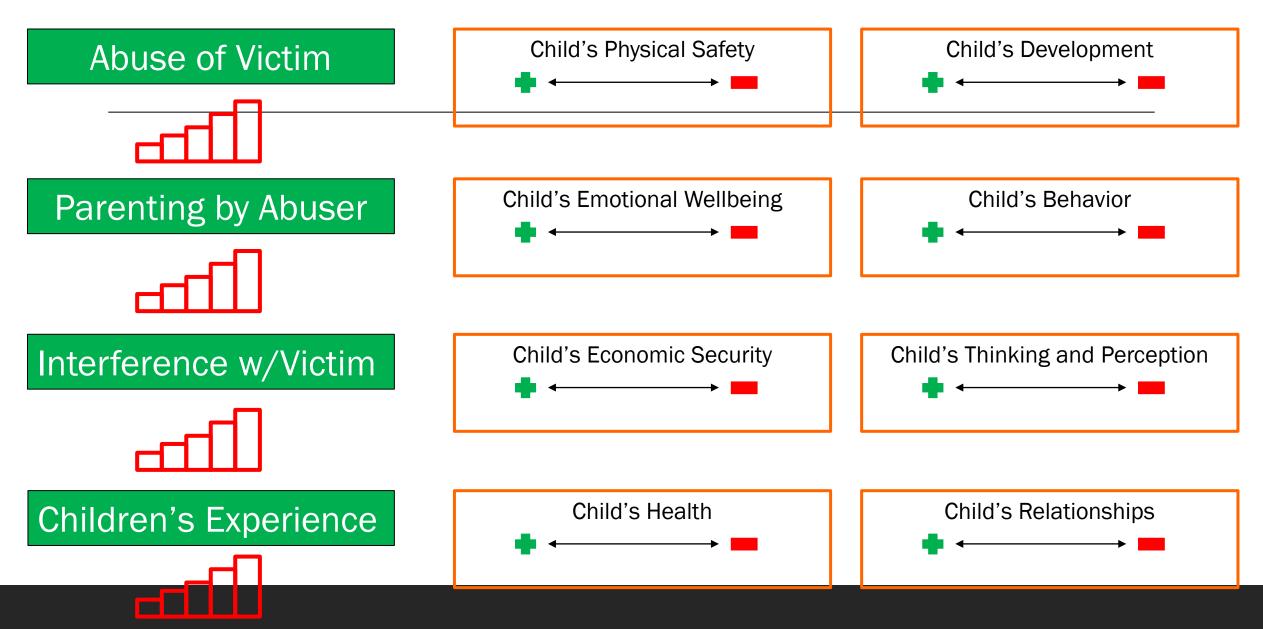
Child's Thinking and Perception



Look for: Poor verbal, analytic, or motor skill development, academic under-achievement, distorted memory, trouble concentrating, thinking, learning, or processing information

Effects of IPV or Children

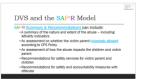
Children







Domestic Violence Against Adult Victim	Lethalit	y Factors	
Indicate all forms of domestic violence that have been detected against the adult victim and their relative severity:	Identify and discuss lethality indicators and express heightened concern for victim and child safety. Indicators for adult victims are also indicators for substantial risk of harm to children.		
Physical abuse	Possession/access/use of weapons	Forced sex	
Sexual abuse	Direct threats to kill	Recent or attempted separation	
Emotional abuse	Victim believes offender may kill them	Unemployment	
Economic abuse	□ Stalking	□ Step-child	
Spiritual/ethical abuse	□ Strangulation	Escalating violence	
Coercive control	□ Intrusive coercive control	□ Substance abuse	
Did the adult victim "knowingly allow?"			
"If the worker finds the presence of domestic violence, s/he cannot find that the non-abuse parent 'knowingly allowed' the abusive behavior unless the non-abusing parent did not take any steps to protect the child that were reasonable given the threat posed by the batterer to the non-abusing parent." (Policy 4.36 and 3.17) 1. What was the threat posed by the batterer to the adult victim's physical, emotional, and/or economic security? 2. What steps did the adult victim take to protect the child? 3. Were the steps reasonable considering the threat of harm to the adult victim? Immediate and Long-Term Concerns Potential Responses to Identified Concerns			
Immediate and Long-Term Concerns Immediate safety, economic, and parenting concerns:	As to the offending parent:	As to the victim parent:	
	 Limit access to adult victim/child Restrict communication with adult victim Initiate child support 	 Support efforts to protect Identify safety resources Refer to support services 	
Long-term concerns:	 Initiate other financial support Refer to remedial interventions/services Strengthen parenting skills 	□ Initiate co-petition	
	□ Monitor compliance with court orders		



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Further Detail of Potential Responses to Identified Concerns:			
As to the offending parent:	As to the victim parent:		
Limit access to the adult victim	Support efforts to protect		
\Box Ask the maltreating parent of DV to leave the home	\Box File petition in Magistrate Court if victim is agreeable (Policy 4.34)		
□ Initiate no contact provisions for duration of parenting plan	□ Suggest address confidentiality program (Rule 152CSR37)		
□ Monitor no contact orders			
Limit access to the child	Identify safety resources To contact CPS if adult maltreating parent violates protection plan		
\Box Ask the maltreating parent of DV to leave the home			
□ Initiate no contact provisions for duration of parenting plan			
Recommend supervised visitation			
Recommend suspended visitation	Refer to support services		
□ Terminate parental rights (Policy 7.8 and 7.28)	Local domestic violence program		
Restrict communication with the adult victim	Counseling/mental health services		
Limit methods of communication			
Prescribe frequency and methods of communication	Initiate co-petition		
□ Restrict length and/or content of communication			
□ Limit access to sensitive communication	Other:		
Refer to remedial interventions and/or services			
Licensed BIPPS program			
Parenting after violence program			
Monitor compliance with court orders			
Conditions of bond			
Magistrate court order			
Family court orders			

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