Victim or Perpetrator?

Courtroom and Custody Considerations



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Agenda

- Brief overview of Juvenile Court
- How do IPV issues play out in Juvenile Court?
- What happens when a case switches divisions & how are IPV issues handled differently in Adult Family Court?
- Case Examples
- Suggestions for Advocates

What is Juvenile Court?



Source: https://ocfcpacourts.us/children/courtroom-guide/age-13-18-courtroom-guide/

What IPV advocates should know when Child Welfare is involved



All parents have a right to legal representation!



OCYF Caseworkers *do not* maintain confidentiality with families – advise victims accordingly!



The court and other systems participants (OCYF, Children's Lawyers, Guardians ad Litem, other service providers) often have a simplistic approach to IPV. We must find ways to introduce nuance – your testimony can help!

Legal Representation for Parents in Juvenile Dependency Cases

WHO: Juvenile Court Project at 412-391-4467

WHEN: Monday – Friday, 8:30 a.m. – 5:00 p.m. or leave a message and it will be returned the following business day.

HOW: Intake can be completed over the phone and usually takes less than 10 minutes. Potential clients will be required to provide information about their household composition and income source(s) to determine financial eligibility. They will also be required to provide the names and dates of birth of all of their children, as well as the names of the child(ren)'s other parent to ensure a comprehensive conflict check can be completed. All information is kept confidential.

WHAT HAPPENS: Clients will be accepted as a client for JCP and assigned an attorney or, if a conflict for JCP, will be assigned conflict counsel through either Neighborhood Legal Services or a court-appointed attorney.

Contrasting courtroom perspectives on IPV between the divisions

Case Examples

Example #1 – Kristen

32 years old
Mother of three children – ages 12, 9, and 4
Father of two eldest children is deceased; opioid overdose
Currently in a relationship with Steve, father to the youngest child
History of verbal abuse in the relationship as well as some instances of physical abuse
One prior PFA filing, ultimately withdrawn
OCYF investigation initiated in response to child's report of hunger at school

Example #2 – Lindsay

39 years old
Mother of two children – ages 11 and 13
History of IPV by Father against Mother, related to mental health issues
Custody litigation, ultimately resolved
Father died by suicide; Mother's relationship with Father's family is contentious and escalating, relationship with children deteriorating
Mental health crisis and suicide attempt by Mother, resulting in voluntary admission
OCYF files application for emergency protective custody

Example #3 – Shayla

31 years old
Mother of five children – ages 3, 5, 6, 11, and 14
In a cyclical abusive relationship with Sean, father to the two youngest children
History of verbal, physical, and systems abuse
Involvement from all courts – Adult Family, Juvenile, Criminal
Several PFA filings by Sean; One by Shayla, not yet resolved
Various ICCs filed by Sean, criminal case against Shayla recently resolved, and dependency case related to Shayla's oldest child

Suggestions for Advocates



USE YOUR NETWORK!



Contact a subject matter expert when you find that you are not one

Thank you!

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