



# SAFeR

# Practitioner's Manual



© 2020 Battered Women's Justice Project, Minneapolis, MN. This project is supported by Award 2020-TA-AX-K012 from the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed herein are those of the author(s) and do not necessarily reflect the views of the U.S. Department of Justice.

# Table of Contents

A SAFER Approach to Decision-making: Overview.....	Pages 3-9
Screening Guides: Overview.....	Page 10
Initial Domestic Abuse Screening Guide.....	Pages 11-12
Domestic Abuse Interview Guide.....	Pages 13-19
Using the Worksheets: Overview.....	Page 20
Screening Worksheet.....	Page 21
Assessing the Nature and Context Worksheets.....	Pages 22-27
Focuses on the Effects Worksheets.....	Pages 28-31
Responding Worksheets.....	Pages 32-33
Mediation Discussion Guide.....	Pages 34-35
Notes.....	Pages 36-40

## A SAFeR APPROACH TO DECISION-MAKING IN DOMESTIC VIOLENCE-RELATED CHILD CUSTODY DISPUTES

Gabrielle Davis

### INTRODUCTION

Child custody decision-making in the context of intimate partner violence (“IPV”) allegations can be controversial, unpredictable, and challenging. The family court system struggles to protect the safety and wellbeing of children and their battered parents in IPV- related child custody cases.<sup>1</sup> It is also concerned about protecting the rights and interests of parents who are accused of IPV and/or unjustifiably estranged from their children.<sup>2</sup> This document describes a four-pronged approach to decision-making in IPV-related parenting cases known as “SAFeR.”<sup>3</sup> The SAFeR approach is designed to produce safer, more workable outcomes for battered parents and their children.

The SAFeR approach to child custody decision-making consists of four parts: (1) **screening** for IPV; (2) **assessing** the full nature and context of IPV; (3) **focusing on the effects** of IPV on parenting, co-parenting and the best interests of the child; and (4) **responding** to the lived experience of IPV in all family court recommendations, decisions, and interventions.

<sup>1</sup> See Kaur, M., Melara, S., Scott, E. & Vasan, A. (2013). *Family Law Remedies for Domestic Violence Across California: A Survey*. California Partnership to End Domestic Violence; Dragiewicz, M. (2012). *Gender Bias in Courts: Implications for Battered Mothers and their Children*. *Family and Intimate Partner Violence Quarterly*, 5(1):13-35.

<sup>2</sup> See Jocelyn Elsie Crowley, *Adopting ‘Equality Tools’ from the Toolboxes of their Predecessors: The Fathers Right Movement in the United States*, in *FATHERS’ RIGHTS ACTIVISM AND LAW REFORM IN COMPARATIVE PERSPECTIVE* 81 (Richard Collier & Sally Sheldon eds., 2006).

<sup>3</sup> Many of the ideas expressed herein were developed under Award 2009-TA-AX-K025 from the Office on Violence Against Women, U.S. Department of Justice and are more fully explored in Gabrielle Davis, (2015). *A Systematic Approach to Domestic Violence-Informed Decision Making in Family Law Cases*, *Family Court Review*, 53(4):565-577. The opinions, findings, conclusions and recommendations expressed herein are those of the author and do not necessarily reflect the views of the U.S. Department of Justice.

SAFeR helps survivors—and attorneys and advocates who work with them—to decide for themselves which options make the most sense under the circumstances and in light of any current crises.

The **SAFeR** approach seems intuitive, but its implementation requires attention to information that is too often ignored. In many instances, family court professionals take shortcuts. They often skip over the intermediate steps of the **SAFeR** approach (attending to the nature, context and effects of IPV) and come to quick and seemingly simple conclusions. In reality, the intermediate steps are the most crucial, yet frequently overlooked, elements of the **SAFeR** analysis.

The strength of **SAFeR** is that it steers practitioners away from making unfounded assumptions about IPV and people's experience of it. Practitioners must not assume that IPV is an issue in every custody dispute. Instead, they need to find out if that is the case. Practitioners mustn't assume that every IPV case involves serious physical harm or a long history of coercive controlling abuse. Rather, they need to explore what is actually going on. Practitioners mustn't assume that the presence of IPV always has a negative effect on children or parenting. Instead, they need to determine whether that is so. And, practitioners mustn't assume that every IPV case ought to result in some predetermined outcome. Rather, they must craft outcomes that address the full nature, context and implications of IPV, whatever they may be. **SAFeR** guides this work.



**SAFeR** guides practitioners to understand how people responsible for IPV might use the pandemic, economic downturn, or racial unrest to further their abuse.

## Screening for IPV.

The first element of SAFeR is to screen for IPV. It calls on family court professionals to identify whether domestic abuse is or may be an issue in the case. Like other screening functions in non-court settings, the goal of this first step is simply to explore whether there is reason to take a closer look at IPV. This first element is somewhat akin to airport security. Before entering the gate area, all passengers must pass through a metal detector or body scanner to uncover whether they might pose a threat to airline safety. Most people pass through security without incident. Sometimes, a passenger trips an alarm. The alarm might go off because that passenger left keys in his pocket, or has a metal pin in his knee – or, much less frequently, because he has a bomb stuffed down his pants. The screening device can't tell the difference. Rather, it signals to the security agent that she needs to take a closer look. It's not the screening device, but this closer look, that tells the security agent what she really needs to know. It's the same with IPV. The screening protocol (which is represented by the first element of SAFeR) merely tells the family court professional that he has to do a more thorough IPV assessment.

### Assessing the Nature and Context of IPV.

The second element of SAFeR represents this more thorough IPV assessment. It calls on family court professionals to explore the full nature and context of any potential IPV that is detected during the screening process. The assessment is important because IPV is not a fixed or uniform condition. It is carried out and experienced differently by different people in different relationships and even at different times within the same relationship. Consequently, it's not enough to know that IPV has occurred or has been alleged. Family court practitioners need to know what is actually going on in people's real lives. They have to know, for instance, whether the IPV they have detected is an isolated incident or part of a larger pattern or history of abuse. They need to know whether the IPV is designed to instill fear or compliance with unilateral and self-proclaimed rulemaking authority – or whether it represents resistance to violence that has been perpetrated against that partner. Family court

SAFeR builds and supports a wide range of critical activities, including interviewing, counseling, and negotiation, pleading and motion practice, report writing, trial practice, judicial decision making, and judgment drafting.

SAFeR helps practitioners understand and address the impact of IPV on children, parenting, and co-parenting.

practitioners need to know whether the abuse they have detected includes markers of lethal danger – and/or whether it is associated with other life stressors, such as major mental health problems or substance abuse. In short, family court professionals must attempt to gain a full and complete understanding of IPV in context – to discern who is doing what to whom and why. Otherwise, they'll end up treating everything and everybody the same, and that can endanger children and battered parents, embolden abusers, and undermine effective interventions.

### **Focusing on the Effects of IPV.**

The third element of SAFeR is focusing on the effects of IPV. Here, practitioners are directed to explore what the experience of abuse means for the parties and the children – both in the broadest and most narrow sense. In the broadest sense, this means discovering what it is like to live in an environment of IPV, to parent and to be parented in an atmosphere of abuse. The framework directs family court professionals to consider how IPV shapes everyday life and communication, daily responsibilities and authority in the home, and general parenting beliefs, attitudes and practices. It guides family court professionals to discern the relative needs and interests of the children and parents, to determine whose needs are satisfied and whose interests are protected. In the more narrow sense, the third element of SAFeR asks family court professionals to determine why IPV matters – how it is relevant to the decision or action at hand and how it is connected to the standards by which the decision or action that must be taken is to be made.

In this way, the third element of SAFeR dictates a differential analysis that seeks to assess the impact of IPV in different ways depending upon what the practitioner is trying to do. If, for instance, the practitioner is trying to decide what sort of access arrangement is appropriate, the pertinent implications of IPV revolve around such things as the physical and emotional safety of the child, the capacity of the abuser-parent to recognize and respond to the child's individual needs, the degree to which the abuser-parent takes responsibility for past abuse or continues to use the child as an instrument of abuse, the extent to which the child and the victim-parent trust the abuser-parent's parenting, and so forth.

If, on the other hand, the practitioner is trying to decide the parents' competence to make joint parenting decisions, the relevant implications of IPV include slightly different considerations, such as the ability of the parents to communicate in a direct, civil, constructive and child-focused manner, the willingness of the abuser-parent to support the parental authority of the victim-parent, and the abuser-parent's ability to separate his role as parent from his role as partner, among other things. Just as the standards for decision-making differ depending upon the issues to be decided, so too does the task of determining the effects of IPV.

### **Responding to the Lived Experience of IPV.**

The fourth element of SAFeR is responding to the lived experience of IPV. This is especially important because research indicates that even when IPV is detected, cases often proceed to resolution without regard to safety, power differentials, and other effects of abuse.<sup>4</sup> The goal of this last element is to respond directly to – and to correct, if possible – the harm resulting from IPV, whatever it is, and to minimize the opportunity for ongoing abuse and future unwelcomed intrusion into the lives of battered parents and children. By way of illustration, suppose a custody evaluator performs an initial IPV screen pursuant to the first element of SAFeR and learns that one of the parents has been emotionally abused by the other parent. This signals to the evaluator that she should take a closer look, pursuant to the second element of SAFeR, to figure out what is actually going on.

<sup>4</sup> Mary Kernic, Daphne Monary-Ernsdorff, Jennifer Koepsell & Victoria Holt (2005). *Children in the Crossfire: Child Custody Determinations Among Couples with a History of Intimate Partner Abuse*, *Violence Against Women*, 11(8):991-1021; James Bow (2006), *Review of Empirical Research on Child Custody Practice*, *Journal of Child Custody*, 3(1):23-50.

SAFeR can help courts assess the kind and level of resources needed in cases involving IPV.

**SAFeR** calls on professionals to:

**Screen** for IPV in every case.

**Assess** the full nature and context of any IPV detected.

**Focus on the effects** of IPV.

**Respond** to people's lived experience of IPV.

The evaluator investigates further and discovers that the emotionally-abusive parent is intentionally withholding necessary and available financial support in order to punish the victim-parent for leaving the relationship. The evaluator also learns that the child does not want to spend time with the emotionally-abusive parent. The evaluator proceeds to the third element of **SAFeR** to determine why and how that matters. Upon inquiry, the evaluator learns that the child's basic needs are not being met, the victim-parent is anxious and depressed about finances, the child feels resentful of the abuser-parent for not supporting him, and the child feels betrayed by the victim-parent for breaking up the family. Equipped with this knowledge, the evaluator must figure out how to craft a parenting recommendation that accounts for the nature, context and effects of IPV pursuant to the fourth element of **SAFeR**. The evaluator might consider incorporating terms into the parenting recommendation that set clear and enforceable financial obligations for the abuser-parent, impose some form of financial oversight to ensure those obligations are being satisfied on a consistent basis, support the victim-parent's health and economic self-sufficiency, and restore the child's trust in both of his parents.

When put this way, the methodology outlined above makes perfect sense. Yet, it is neither widely practiced nor self-executing. Although **SAFeR** is intuitive and easy to understand, it can be very challenging to implement. Consequently, BWJP has developed a compendium of worksheets and practice guides to operationalize the **SAFeR** approach. The compendium includes an initial IPV screening guide, an IPV-informed interview protocol, a tool for assessing parenting in the context of IPV, a best interest analysis, case planning guides, IPV assessment guides for mediation and early neutral evaluation, and a co-parenting assessment guide

## CONCLUSION

SAFeR is designed to transform a family court system that is poorly organized to respond to IPV into one that produces safer, more workable outcomes for battered parents and their children. The key to that effort is to follow an approach that effectively identifies if and when IPV is an issue in the case; explores the full nature and context of any abuse that is detected; examines the real-life implications of the abuse that is or has been occurring; and accounts for IPV in all parenting recommendations, decisions and interventions – all in a way that facilitates the family court practitioner’s ability to act in the best interests of the child living with IPV.

## Where to Begin: Screening Guides

The following screening guides are designed to help you identify domestic abuse and coercive controlling behaviors in family law cases. It is a simple screen that attempts to detect whether domestic abuse is or may be an issue in the case. It is not a comprehensive assessment guide like the Domestic Abuse Interview Guide that appears later in this compilation. You may use this guide to conduct an initial domestic abuse screen, or you may go directly to the Domestic Abuse Interview Guide for a more comprehensive screening and assessment protocol.

Whether you start with this screening guide or the more comprehensive Domestic Abuse Interview Guide, you should systematically screen every adult who plays a parenting role in the case, or who has a significant relationship with a parent in the case, regardless of gender, marital status, sexual orientation, or parenting status.

### **Before you begin, you should explain to the person you are working with:**

- (1) That the professional standards that guide your work require you to look into certain issues in every case, including domestic abuse, and that knowing about any history of abuse will help you carry out your functions and fulfill your professional responsibilities;
- (2) What your specific role and function is in relation to the case, including:
  - What you were appointed, hired or referred to do;
  - What steps you plan to take to carry out your functions;
  - What you will and won't share with the court, the opposing party, and others; and
  - Whether the information will appear in the record and/or a pleading or report.
- (3) The scope and/or limits of confidentiality and your duty to report suspected child abuse and certain serious crimes.

### **If a person discloses domestic abuse, you should:**

- (1) Obtain as much information as possible in order to fully understand the context and implications of the abuse;
- (2) Conduct a thorough domestic abuse risk assessment or refer the person to a qualified risk assessment specialist; and
- (3) Refer the person to a qualified domestic abuse advocate for safety planning assistance.

Remember that risk from domestic abuse is never static, that it is difficult to predict, that it can fluctuate over time, *and that it often escalates once it has been disclosed and/or the parties separate*. Consequently, screening for domestic abuse is not a one-time event, but should occur periodically over the course of your involvement in the case.



## INITIAL DOMESTIC ABUSE SCREENING GUIDE

### Basic Screening Questions:

### What to Listen For:

**How comfortable are you interacting with \_\_\_\_\_ now?**

- Do you have any concerns, fears or anxieties that I should be aware of?
- What worries you most?

#### Personal Interactions

Comfortable	↔	Uncomfortable
Safe/Secure	↔	Fearful/Anxious
Self-Ruled	↔	Controlled
Connected	↔	Isolated
Respected	↔	Disparaged
Self-Reliant	↔	Dependent
Supported	↔	Undermined

**When you look back over time, how were practical, everyday decisions made in your relationship?**

- How did you arrive at that arrangement?
- Are you comfortable with that?
- What happened when disagreements arose?

#### Everyday Decision-Making (food, shelter, finances, children)

Equal	↔	Dominating
Cooperative	↔	Coercive
Responsible	↔	Irresponsible
Fair	↔	Manipulative

**Is there anything that gets in your way of doing the things you want or need to do in your daily life, like:**

- Managing your daily affairs
- Meeting your basic needs
- Meeting the basic needs of the children
- Fulfilling your everyday responsibilities
- Making your own decisions
- Interacting with other people

#### Control of Everyday Life

Self-Directed	↔	Controlled
---------------	---	------------

**Has there ever been any physical violence between you and \_\_\_\_\_? If so, can you tell me about that?**

#### Physical Violence

Very rare	↔	Every day
Very minor	↔	Very severe
No harm	↔	Severe injury

**Have you ever felt so ashamed, humiliated, embarrassed or fearful by something you or \_\_\_\_\_ said or did to the other that you didn't want anyone else to know about it? If so, can you tell me about what that was like for you (without revealing specifics)?**

#### Emotional Well-being

Safe/Secure	↔	Fearful/Anxious
Self-Respect	↔	Humiliation
Autonomous	↔	Controlled

**Have you or \_\_\_\_\_ ever forced the other to do sexual things the other didn't want to do or insisted on having sex when the other didn't want to? If so, can you tell me about that?**

#### Sexual Autonomy

Voluntary	↔	Forced
Respectful	↔	Degrading



Have you or \_\_\_\_\_ ever been concerned that the other was going to physically or psychologically harm the other, the children, or pets? If so, please explain.

**Fear of Physical or Psychological Harm**  
(self, children, pets, others)

Not fearful ←————→ Very fearful

How are parenting time arrangements currently being worked out?

- How did you arrive at that arrangement?
- Are you comfortable with that?
- Any concerns about children or fears for their safety?

**Parental Decision-Making**

Equal ←————→ Dominating  
 Cooperative ←————→ Coercive  
 Responsible ←————→ Irresponsible  
 Child-Focus ←————→ Self-Focus  
 Fair ←————→ Manipulative

Physical/Sexual Abuse	Emotional Abuse	Control of Daily Life	Economic Abuse
<input type="checkbox"/> Hold, pin, restrain <input type="checkbox"/> Kneel on or sit upon <input type="checkbox"/> Tie up, bind, gag <input type="checkbox"/> Push, shove, shake <input type="checkbox"/> Grab  <input type="checkbox"/> Scratch, pull hair, <input type="checkbox"/> Shave <input type="checkbox"/> Twist arm  <input type="checkbox"/> Bite <input type="checkbox"/> Spit on <input type="checkbox"/> Urinate upon  <input type="checkbox"/> Slap <input type="checkbox"/> Hit or punch <input type="checkbox"/> Kick or stomp <input type="checkbox"/> Strike or throw object  <input type="checkbox"/> Choke or strangle <input type="checkbox"/> Burn <input type="checkbox"/> Poke, stab, cut  <input type="checkbox"/> Withhold food <input type="checkbox"/> Withhold medicine <input type="checkbox"/> Disable medical equip.  <input type="checkbox"/> Forced sex	<input type="checkbox"/> Insult you/put you down <input type="checkbox"/> Ridicule you in public <input type="checkbox"/> Purposely humiliate you <input type="checkbox"/> Play mind games  <input type="checkbox"/> Intimidate you <input type="checkbox"/> Yell or scream at you <input type="checkbox"/> Act aggressively to you <input type="checkbox"/> Get jealous/possessive <input type="checkbox"/> Accuse you of infidelity  <input type="checkbox"/> Interfere with: <input type="checkbox"/> work/school life <input type="checkbox"/> social life <input type="checkbox"/> sleep <input type="checkbox"/> healthcare/medication  <input type="checkbox"/> Threaten to: <input type="checkbox"/> kill you or the children <input type="checkbox"/> kill him/herself <input type="checkbox"/> harm you or the children <input type="checkbox"/> harm person you care for <input type="checkbox"/> harm or kill pets  <input type="checkbox"/> Destroy things you care for <input type="checkbox"/> Threaten you w/ weapon <input type="checkbox"/> Put your life in danger <input type="checkbox"/> Disable your car <input type="checkbox"/> Drive recklessly to scare you	<input type="checkbox"/> Follow or stalk you <input type="checkbox"/> Often check up on <input type="checkbox"/> Examine mail/email <input type="checkbox"/> Check phone calls  <input type="checkbox"/> Hack into email <input type="checkbox"/> Grill you <input type="checkbox"/> Time activities <input type="checkbox"/> Use others as spies <input type="checkbox"/> Invade privacy <input type="checkbox"/> Misuse social media  <input type="checkbox"/> Physically restrain <input type="checkbox"/> Forbid you to leave <input type="checkbox"/> Punish you for disobeying  <input type="checkbox"/> Arrive unannounced <input type="checkbox"/> Make unwanted contact <input type="checkbox"/> Leave things to scare you  <input type="checkbox"/> Make you do things you don't want to do	<input type="checkbox"/> Deny money <input type="checkbox"/> Refuse to pay bills <input type="checkbox"/> Empty bank <input type="checkbox"/> Hide assets  <input type="checkbox"/> Destroy your credit <input type="checkbox"/> Deny credit access <input type="checkbox"/> Run up debt <input type="checkbox"/> Forge papers <input type="checkbox"/> Refuse to pass title  <input type="checkbox"/> Destroy property <input type="checkbox"/> Steal your property <input type="checkbox"/> Sell your property  <input type="checkbox"/> Shut off utilities <input type="checkbox"/> Fail to pay insurance <input type="checkbox"/> Cancel insurance <input type="checkbox"/> Cancel credit cards  <input type="checkbox"/> Refuse to work <input type="checkbox"/> Refuse to let you work <input type="checkbox"/> Try to get you fired  <input type="checkbox"/> Hide bills <input type="checkbox"/> Hide financial info.  <input type="checkbox"/> Constantly return to court



## DOMESTIC ABUSE INTERVIEW GUIDE

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:
<p><b>A. Let's start by talking about your current relationship with _____.</b></p> <p><b>B. How comfortable are you interacting with _____ now?</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Being alone together</li> <li><input type="checkbox"/> Meeting face-to-face</li> <li><input type="checkbox"/> Talking by phone</li> <li><input type="checkbox"/> Emailing or texting</li> <li><input type="checkbox"/> Public encounters</li> </ul> <p><b>C. Do you have any concerns, fears or anxieties that I should be aware of?</b></p> <p><b>D. What worries you most?</b></p>	<ol style="list-style-type: none"> <li>1. Quality of interactions               <ol style="list-style-type: none"> <li>a. Ability to express views</li> <li>b. Trust in other's judgment</li> <li>c. Reliance on other's word</li> <li>d. Cost of disagreement</li> <li>e. Post-separation changes</li> </ol> </li> <li>2. Prior separations</li> <li>3. Snapshots               <ol style="list-style-type: none"> <li>a. Happiest moments</li> <li>b. Most worrisome moment</li> <li>c. Scariest moments</li> </ol> </li> <li>4. Decision-making history</li> <li>5. Stressors               <ol style="list-style-type: none"> <li>a. Abuse</li> <li>b. Alcohol/drugs</li> <li>c. Physical/mental health</li> <li>d. Criminal activity</li> <li>e. Poverty</li> </ol> </li> </ol>	<p style="text-align: center;"><b>Personal Interactions:</b></p> <p>Safe ↔ Dangerous</p> <p>Secure ↔ Fearful</p> <p>Autonomous ↔ Controlling</p> <p>Respectful ↔ Offensive</p> <p>Honest ↔ Deceptive</p> <p>Reliable ↔ Unreliable</p> <p>Consistent ↔ Volatile</p> <p>Supportive ↔ Damaging</p> <p>Cooperative ↔ Coercive</p> <p>Equal ↔ Dominant</p> <p>Trusting ↔ Suspicious</p> <p>Open ↔ Isolating</p>
2. Access to Resources	Discussion Areas:	What to Listen For:
<p><b>A. I'd like to get a sense of your economic wellbeing.</b></p> <p><b>B. Do you have access to your own resources, like money, bank accounts, food, housing, transportation and healthcare?</b></p> <p><b>C. Who decides how you spend money and manage your financial affairs?</b></p>	<ol style="list-style-type: none"> <li>1. History/detail</li> <li>2. Ability to meet basic needs</li> <li>3. Ability to meet obligations</li> <li>4. Recent changes</li> </ol>	<p style="text-align: center;"><b>Economic Well-being:</b></p> <p style="text-align: center;">Resources      Not</p> <p>Accessible ↔ Accessible</p> <p style="text-align: center;">Decisions</p> <p>Cooperative ↔ Controlling</p> <p style="text-align: center;">Finances</p> <p>Secure ↔ Insecure</p> <p style="text-align: center;">Needs</p> <p>Always Met ↔ Never Met</p>



3. Children/Parenting	Discussion Areas:	What to Listen For:
<p><b>A. Let's talk about your children.</b></p> <p><b>B. Do you have any concerns about your children or fears for their safety?</b></p> <p><b>C. How are parenting time arrangements currently being worked out?</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Division of duties</li> <li><input type="checkbox"/> Parenting skills/capacities</li> <li><input type="checkbox"/> Parenting concerns/conflicts</li> <li><input type="checkbox"/> Children's adjustment</li> <li><input type="checkbox"/> Access/exchange issues</li> <li><input type="checkbox"/> Satisfaction with the plan</li> </ul> <p><b>D. Has _____ ever used or threatened to use the children to manipulate, control, or monitor you?</b></p> <p><b>E. How are your children doing now?</b></p>	<ol style="list-style-type: none"> <li>1. What worries you most?</li> <li>2. Capacity for joint decisions               <ol style="list-style-type: none"> <li>a. Common beliefs/values</li> <li>b. Parental involvement</li> <li>c. Trust in parental judgment</li> <li>d. Support of other parent</li> <li>e. Respect for other parent</li> <li>f. Nurture/support of kids</li> <li>g. Conflict resolution skills</li> <li>h. Developmental stage(s)</li> </ol> </li> <li>3. Interference with care</li> <li>4. Undermining authority</li> <li>5. Threats to:               <ol style="list-style-type: none"> <li>a. Take children away</li> <li>b. Harm children</li> <li>c. File CPS reports</li> <li>d. Deport</li> <li>e. Evict</li> </ol> </li> <li>6. Post-separation changes</li> </ol>	<p><b>Abuser's Parenting:</b></p> <p>Safe ↔ Dangerous</p> <p>Secure ↔ Erratic</p> <p>Supportive ↔ Neglectful</p> <p>Child focus ↔ Self-focus</p> <p>Skilled ↔ Not skilled</p> <p>Protective ↔ Destructive</p> <p><b>Children's Well-Being:</b></p> <p>Developmental + ↔ -</p> <p>Behavioral + ↔ -</p> <p>Emotional + ↔ -</p> <p>Cognitive + ↔ -</p> <p>Social + ↔ -</p> <p>Physical + ↔ -</p> <p>Economic + ↔ -</p> <p><b>Co-parenting:</b></p> <p>Communication + ↔ -</p> <p>Judgment + ↔ -</p> <p>Boundaries + ↔ -</p> <p>Support + ↔ -</p>



4. Control of Daily Life	Discussion Areas:	What to Listen For:
<p><b>A. I'd like to get a sense of how much freedom you have in your everyday life.</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> To come/go as you please</li> <li><input type="checkbox"/> To manage your own time</li> <li><input type="checkbox"/> To make own decisions</li> <li><input type="checkbox"/> To set your own priorities</li> <li><input type="checkbox"/> To interact with others</li> </ul> <p><b>Can you talk a little about that?</b></p> <p><b>B. Is there anything that gets in your way of doing the things you want or need to do?</b></p> <p><b>C. Has _____ ever:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Followed you</li> <li><input type="checkbox"/> Often checked up on you</li> <li><input type="checkbox"/> Examined your mail/email</li> <li><input type="checkbox"/> Examined phone records</li> <li><input type="checkbox"/> Hacked into email/accounts</li> <li><input type="checkbox"/> Grilled you/timed activities</li> <li><input type="checkbox"/> Used others to spy on you</li> <li><input type="checkbox"/> Invaded your space/privacy</li> <li><input type="checkbox"/> Misused social network sites</li> </ul> <p><b>D. Has _____ ever physically restrained you, forbidden you from leaving, made you do things you didn't want to do, or punished you for defying his/her wishes?</b></p> <p><b>E. Has _____ ever shown up unannounced, contacted you against your will, or left something for you to find to scare or intimidate you?</b></p>	<ol style="list-style-type: none"> <li>1. Detail</li> <li>2. Frequency</li> <li>3. Severity</li> <li>4. Intent of other's behavior</li> <li>5. Meaning of behavior to you</li> <li>6. Effect on:               <ol style="list-style-type: none"> <li>a. Interactions</li> <li>b. Relationships</li> <li>c. Communications</li> <li>d. Self/children</li> <li>e. Parenting skills/capacities</li> </ol> </li> <li>7. Change:               <ol style="list-style-type: none"> <li>a. Over time</li> <li>b. Pre/post pregnancy</li> <li>c. Pre/post separation</li> </ol> </li> </ol>	<p style="text-align: center;"><b>Control of Daily Life:</b></p> <p>Autonomy ↔ Control</p> <p>Freedom ↔ Constraint</p> <p>Support ↔ Obstruction</p> <p>Trust ↔ Jealousy</p> <p>Cooperation ↔ Coercion</p> <p>Privacy ↔ Intrusion</p> <p>Predictability ↔ Instability</p> <p>Equality ↔ Dominance</p> <p>Safety ↔ Fear/Dread</p> <p>Open ↔ Isolating</p> <p>Letting Go ↔ Stalking</p> <p>Compromise ↔ Rulemaking</p> <p style="text-align: center;"><b>Risk Factors:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Access to firearms</li> <li><input type="checkbox"/> Use/threat of weapon</li> <li><input type="checkbox"/> Threat to kill</li> <li><input type="checkbox"/> Stepchildren</li> <li><input type="checkbox"/> Control of daily activities</li> <li><input type="checkbox"/> Violent or constant jealousy</li> <li><input type="checkbox"/> Threatened/attempted suicide</li> <li><input type="checkbox"/> Threat to harm children</li> <li><input type="checkbox"/> Belief in capacity to kill</li> </ul>



5. Sexual Abuse	Discussion Questions:	What to Listen For:
<p><b>A. While it is uncomfortable to talk about these kinds of things, it's very important for me to know if ____ ever pressured or forced you to do sexual things that you did not want to do or that made you scared, uncomfortable, or ashamed. Has anything like that ever happened?</b></p> <p><b>B. Has ____ ever interfered with your decisions about birth control, pregnancy, and/or safe sex?</b></p> <p><b>C. Has ____ ever used your image, or forced or pressured you to use your own image, to engage in sexting or pornography?</b></p> <p><b>D. Is there anything else you think I should know about ____'s sexual behavior towards you?</b></p>	<ol style="list-style-type: none"> <li>1. Detail</li> <li>2. In front of whom?               <ul style="list-style-type: none"> <li><input type="checkbox"/> Children</li> <li><input type="checkbox"/> Family</li> <li><input type="checkbox"/> Friends</li> <li><input type="checkbox"/> Co-workers</li> <li><input type="checkbox"/> Public</li> <li><input type="checkbox"/> Nobody – just in private</li> </ul> </li> <li>3. Frequency</li> <li>4. Severity</li> <li>5. Intent of other's behavior</li> <li>6. Meaning of behavior to you</li> <li>7. Effect on:               <ol style="list-style-type: none"> <li>a. Interactions</li> <li>b. Relationships</li> <li>c. Communications</li> <li>d. Self/children</li> <li>e. Parenting skills/capacity</li> </ol> </li> <li>8. Change:               <ol style="list-style-type: none"> <li>a. Over time</li> <li>b. Pre/post pregnancy</li> <li>c. Pre/post separation</li> </ol> </li> <li>9. Injuries</li> <li>10. Medical attention</li> <li>11. Hospital visits</li> <li>12. Calls for help/to police</li> <li>13. Arrests</li> <li>14. Convictions/sanctions</li> <li>15. Orders for protection</li> <li>16. Protection order violations</li> </ol>	<p><b>Intimate Relationship:</b></p> <p>Safe ↔ Harmful</p> <p>Consensual ↔ Forced</p> <p>Mutual ↔ Dominating</p> <p>Respectful ↔ Degrading</p> <p>Trusting ↔ Jealous</p> <p>Voluntary ↔ Coercive</p> <p>Secure ↔ Anxious</p> <p><b>Risk Factors:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Use/threat of weapon</li> <li><input type="checkbox"/> Threat to kill</li> <li><input type="checkbox"/> Forced sex</li> <li><input type="checkbox"/> Attempted strangulation</li> <li><input type="checkbox"/> Violent jealousy</li> <li><input type="checkbox"/> Assault during pregnancy</li> <li><input type="checkbox"/> Threat/attempted suicide</li> <li><input type="checkbox"/> Threat to harm children</li> <li><input type="checkbox"/> Belief in capacity to kill</li> <li><input type="checkbox"/> Stalking</li> <li><input type="checkbox"/> Illegal drug use</li> <li><input type="checkbox"/> Alcohol dependency</li> </ul> <p><b>Response to Sexual Abuse:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Fight</li> <li><input type="checkbox"/> Flight</li> <li><input type="checkbox"/> Freeze</li> </ul>



6. Physical Abuse	Discussion Areas:	What to Listen For:
<p><b>A. Let's turn to your personal safety, both now and in the past. Has ____ ever used or threatened to use physical force or abuse against you or the children?</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Hold, pin down, restrain</li> <li><input type="checkbox"/> Kneel, stand or sit upon</li> <li><input type="checkbox"/> Tie up, bind, gag</li>   <li><input type="checkbox"/> Push, shove, shake, grab</li> <li><input type="checkbox"/> Scratch, pull hair, shave hair</li> <li><input type="checkbox"/> Twist arm</li>   <li><input type="checkbox"/> Bite</li> <li><input type="checkbox"/> Spit on</li> <li><input type="checkbox"/> Urinate upon</li>   <li><input type="checkbox"/> Slap</li> <li><input type="checkbox"/> Hit or punch</li> <li><input type="checkbox"/> Kick or stomp</li> <li><input type="checkbox"/> Strike w/ or throw object at</li>   <li><input type="checkbox"/> Choke, strangle</li> <li><input type="checkbox"/> Burn</li> <li><input type="checkbox"/> Poke, stab, cut</li>   <li><input type="checkbox"/> Withhold food/medication</li> <li><input type="checkbox"/> Disable medical equipment</li> </ul> <p><b>B. What's the worst thing ____ has ever done to you?</b></p> <p><b>C. What's the scariest thing ____ has ever done to you?</b></p>	<ol style="list-style-type: none"> <li>1. Detail</li> <li>2. In front of whom? <ul style="list-style-type: none"> <li><input type="checkbox"/> Children</li> <li><input type="checkbox"/> Family</li> <li><input type="checkbox"/> Friends</li> <li><input type="checkbox"/> Co-workers</li> <li><input type="checkbox"/> Public</li> <li><input type="checkbox"/> Nobody – just in private</li> </ul> </li> <li>3. Frequency</li> <li>4. Severity</li> <li>5. Intent of other's behavior</li> <li>6. Meaning of behavior to you</li> <li>7. Effect on: <ol style="list-style-type: none"> <li>a. Interactions</li> <li>b. Relationships</li> <li>c. Communications</li> <li>d. Self/children</li> <li>e. Parenting skills/capacity</li> </ol> </li> <li>8. Change: <ol style="list-style-type: none"> <li>a. Over time</li> <li>b. Pre/post pregnancy</li> <li>c. Pre/post separation</li> </ol> </li> <li>9. Injuries</li> <li>10. Medical attention</li> <li>11. Hospital visits</li> <li>12. Calls for help/to police</li> <li>13. Arrests</li> <li>14. Convictions/sanctions</li> <li>15. Protection orders</li> <li>16. Protection order violations</li> </ol>	<p style="text-align: center;"><b>Physical Violence:</b></p> <p>Very rare    <math>\longleftrightarrow</math>    Every day  Very minor   <math>\longleftrightarrow</math>    Very severe  No harm      <math>\longleftrightarrow</math>    Major injury</p> <p style="text-align: center;"><b>Risk Factors:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Increase frequency/severity</li> <li><input type="checkbox"/> Access to firearms</li> <li><input type="checkbox"/> Use/threat of weapon</li> <li><input type="checkbox"/> Threat to kill</li> <li><input type="checkbox"/> Avoidance of arrest for DV</li> <li><input type="checkbox"/> Forced sex</li> <li><input type="checkbox"/> Attempted strangulation</li> <li><input type="checkbox"/> Violent jealousy</li> <li><input type="checkbox"/> Assault during pregnancy</li> <li><input type="checkbox"/> Threat/attempted suicide</li> <li><input type="checkbox"/> Threat to harm children</li> <li><input type="checkbox"/> Belief in capacity to kill</li> <li><input type="checkbox"/> Stalking</li> <li><input type="checkbox"/> Illegal drug use</li> <li><input type="checkbox"/> Alcohol dependency</li> </ul> <p style="text-align: center;"><b>Response to Physical Abuse:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Fight</li> <li><input type="checkbox"/> Flight</li> <li><input type="checkbox"/> Freeze</li> </ul>



7. Emotional Abuse	Discussion Areas:	What to Listen For:
<p><b>A. Let's talk more about how you and _____ relate to one another. Can you describe how _____ treats you as a person?</b></p> <p><b>B. Does _____ ever:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Insult you or put you down</li> <li><input type="checkbox"/> Ridicule you in public</li> <li><input type="checkbox"/> Purposely humiliate you</li> <li><input type="checkbox"/> Play mind games</li> </ul> <p><b>C. Does _____ ever:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Intimidate you</li> <li><input type="checkbox"/> Yell or scream at you</li> <li><input type="checkbox"/> Act aggressively toward you</li> </ul> <p><b>D. Does _____ ever:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Get jealous or possessive</li> <li><input type="checkbox"/> Accuse you of infidelity</li> </ul> <p><b>E. Does _____ ever interfere with:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Your work/school life</li> <li><input type="checkbox"/> Your social life</li> <li><input type="checkbox"/> Your sleep</li> <li><input type="checkbox"/> Your healthcare/medications</li> </ul> <p><b>F. Has _____ ever threatened to:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Kill you or the children</li> <li><input type="checkbox"/> Kill him/herself</li> <li><input type="checkbox"/> Harm you or the children</li> <li><input type="checkbox"/> Harm someone you care for</li> <li><input type="checkbox"/> Harm or kill pets</li> </ul> <p><b>G. Has _____ ever:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Destroyed your property</li> <li><input type="checkbox"/> Threatened w/ weapon</li> <li><input type="checkbox"/> Put your life in danger               <ul style="list-style-type: none"> <li><input type="checkbox"/> Disabled car/equipment</li> <li><input type="checkbox"/> Driven recklessly to scare</li> </ul> </li> </ul>	<p>1. Detail</p> <p>2. In front of whom?</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Children</li> <li><input type="checkbox"/> Family</li> <li><input type="checkbox"/> Friends</li> <li><input type="checkbox"/> Co-workers</li> <li><input type="checkbox"/> Public</li> <li><input type="checkbox"/> Nobody – just in private</li> </ul> <p>3. Frequency</p> <p>4. Severity</p> <p>5. Intent of other's behavior</p> <p>6. Meaning of behavior to you</p> <p>7. Effect on:</p> <ul style="list-style-type: none"> <li>a. Interactions</li> <li>b. Relationships</li> <li>c. Communications</li> <li>d. Self/children</li> <li>e. Parenting skills/capacities</li> </ul> <p>8. Change:</p> <ul style="list-style-type: none"> <li>a. Over time</li> <li>b. Pre/post pregnancy</li> <li>c. Pre/post separation</li> </ul>	<p><b>Emotional Relationship:</b></p> <p>Safe ↔ Fearful</p> <p>Respectful ↔ Degrading</p> <p>Hopeful ↔ Hopeless</p> <p>Supportive ↔ Undermining</p> <p>Honest ↔ Manipulative</p> <p>Caring ↔ Cruel</p> <p>Secure ↔ Traumatic</p> <p>Protective ↔ Exploitive</p> <p><b>Risk Factors:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Access to firearms</li> <li><input type="checkbox"/> Use/threat of weapon</li> <li><input type="checkbox"/> Threat to kill</li> <li><input type="checkbox"/> Stepchildren</li> <li><input type="checkbox"/> Forced sex</li> <li><input type="checkbox"/> Attempted strangulation</li> <li><input type="checkbox"/> Control of daily activities</li> <li><input type="checkbox"/> Violent jealousy</li> <li><input type="checkbox"/> Assault during pregnancy</li> <li><input type="checkbox"/> Threat/attempted suicide</li> <li><input type="checkbox"/> Threat to harm children</li> <li><input type="checkbox"/> Belief in capacity to kill</li> <li><input type="checkbox"/> Stalking</li> <li><input type="checkbox"/> Illegal drug use</li> <li><input type="checkbox"/> Alcohol dependency</li> </ul> <p><b>Response to Emotional Abuse:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Fight</li> <li><input type="checkbox"/> Flight</li> <li><input type="checkbox"/> Freeze</li> </ul>



## Implications of Domestic Abuse for Safety and Parenting:

### Immediate Safety Concerns:

*See Risk Assessment Factors and Questions 1(A)-(D), 3(B), 4(E), 5(A), 6(A)-(C), 7(A)-(D)*

### Immediate Economic Concerns:

*See Questions 2(A)-(C), 4(A)*

### Immediate Parenting Concerns:

*See Questions 1(A)-(C), 2(A)-(C), 3(A)-(E), 4(A)-(E), 5(A)-(D), 6(A)-(C), 7(A)-(G)*

### Long-Term Concerns:

### Risk Assessment Factors:

- Increase in frequency/severity
- Access to firearms
- Recent separation
- Unemployment
- Use/threat to use lethal weapon
- Threat to kill
- Avoidance of arrest for DV
- Stepchildren
- Forced sex
- Attempted strangulation
- Illegal drug use
- Alcohol dependency
- Control of daily activities
- Violent or constant jealousy
- Assault during pregnancy
- Threatened/attempted suicide
- Threat to harm children
- Belief in capacity to kill
- Stalking
- Major mental illness

# Continuing your SAFeR Approach: Using the Worksheets

SAFeR is an approach to gather information about a client, their family, and their court matter. The worksheets are tools to help gather that important information. Remember: the more in depth information you gather, the better you will be able to tailor your report and recommendations to the decision-maker, whether that is a court judicial officer, or the client during a mediation or settlement negotiation.

**Screening Worksheet:** This tool is best used to synthesize information from the more in-depth screening guides featured on pages 11-19.

**Assessing the Nature and Context Worksheets:** These tools offer guidance for assessing the nature and context of intimate partner violence. Detailed worksheets offer a focus on abuse of victim; interference with victim; child(ren)'s experience of intimate partner violence; and parenting by the perpetrating parent.

**Focusing on the Effects Worksheets:** These tools offer guidance to applying the nature and context of the intimate partner violence to the reality of how it impacted the victim and his/her family. Detailed worksheets offer a focus on risk of harm and lethality; victim's safety and well-being; child(ren) and intimate partner violence; and best interests of the child.

**Responding Worksheets:** This two-page tool offers an overview of all of the information you have gathered, and provides you a chance to put all of it together in order to craft a tailored response that is responsive to the lived experience of the victim-survivor and their child(ren). Keep in mind that while this tool gives plenty of examples, it does not provide you with all of the options available to the family.

**Mediation Discussion Guide:** The SAFeR Mediation Discussion Guide is designed to help survivors, advocates, attorneys, mediators, judges, and others talk about whether a case is appropriate for mediation and, if so, how mediation can be structured to account for the nature, context, and effects of IPV.

Often different practitioners use these worksheets in various ways: before a client interview to prepare, during an interview to guide the conversation, after an interview to document the information gathered. How you use the worksheets is up to you and your practice. Remember: You will not need to use every worksheet for every case and every client.

Is IPV an issue?

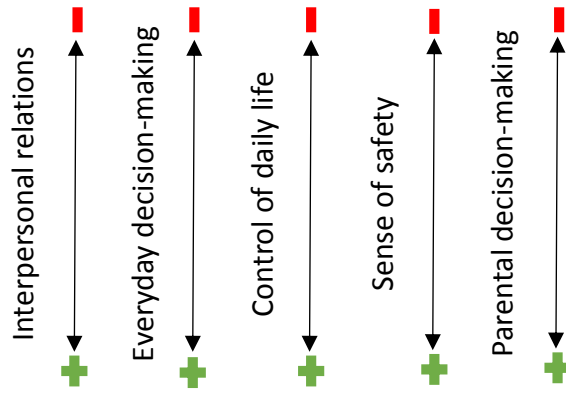
What is the abuser doing?

What's the effect on...?

What can be done about it?

## Daily Interactions

## Forms of IPV



Physical abuse

Sexual coercion

Emotional abuse

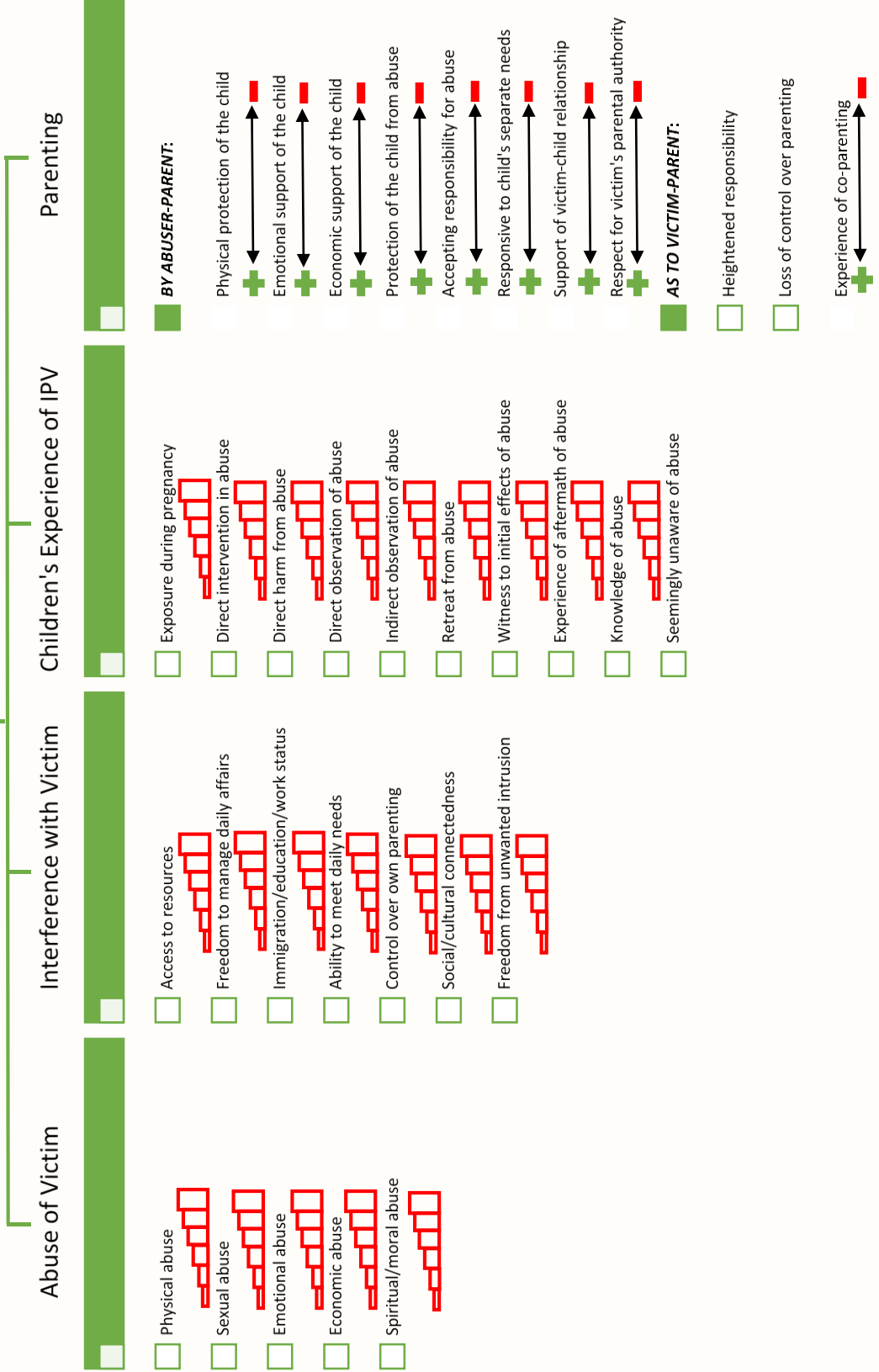
Economic abuse

Spiritual/ethical abuse

Coercive control

## ASSESSING THE NATURE & CONTEXT OF IPV

- Is IPV an issue?
- What is the abuser doing?
- What's the effect on...?
- What can be done about it?



Physical/Sexual Abuse	Emotional Abuse	Economic Abuse	Spiritual/Ethical Abuse
<input type="checkbox"/> <b>Harm to the victim's physical safety and bodily integrity</b> <input type="checkbox"/> <b>ASSAULT</b> Pushing, shoving, shaking, grabbing, scratching, pulling, twisting, slapping, hitting, punching, kicking, choking, strangling, burning, stabbing <input type="checkbox"/> <b>FORCE OR RESTRAINT</b> Holding down, pinning, kneeling on, sitting upon, tying up, binding, gagging, forcing sex, trafficking, compelling pornography, exploiting labor <input type="checkbox"/> <b>DEPRIVATION</b> Withholding food, medicine, shelter, sleep, necessities, etc. <input type="checkbox"/> <b>SABOTAGE</b> Disabling vehicles, tampering with utilities, setting traps, interfering with birth control, disabling medical equipment	<input type="checkbox"/> <b>Harm to victim's emotional safety, security, or wellbeing</b> <input type="checkbox"/> <b>DEGRADATION</b> Name calling, ridiculing in public, insulting, demeaning, humiliating, dehumanizing <input type="checkbox"/> <b>INTIMIDATION</b> Yelling and screaming, acting aggressively, displaying weapons, driving recklessly, making unfounded accusations, destroying things <input type="checkbox"/> <b>THREATS</b> Threats to kill or harm victim, children, self, or others; threats to destroy reputation, things of value, immigration or work status, relationships, etc. <input type="checkbox"/> <b>DISRUPTION</b> Creating unpredictability, chaos, or confusion; crazy making; obsessive jealousy; interrupting plans, work, or relationships	<input type="checkbox"/> <b>Harm to victim's financial security, stability, standing, or self-sufficiency</b> <input type="checkbox"/> <b>REFUSAL TO SUPPORT</b> Denying money, refusing to pay bills, refusing to pass title, failing to pay premiums, withholding access to credit <input type="checkbox"/> <b>HIDE OR DISSIPATE ASSETS</b> Emptying bank accounts, hiding assets, stealing or selling property, cancelling insurance or credit cards, hiding bills or financial information <input type="checkbox"/> <b>DAMAGE CREDIT/STANDING</b> Destroying credit, running up debt, taking out loans, forging papers, hacking into accounts, identity theft <input type="checkbox"/> <b>UNDERMINE OPPORTUNITY</b> Refusing to work or to let victim work, trying to get victim fired, refusing to sign papers, lying to immigration, filing false claims, constantly returning to court	<input type="checkbox"/> <b>Harm to victim's religious values or deeply held beliefs</b> <input type="checkbox"/> <b>MISUSE OF RELIGIOUS AUTHORITY</b> Using sacred text to justify abuse, citing scripture to gain compliance, turning religious community against victim, insulating victim within faith community, restricting help-seeking to faith community <input type="checkbox"/> <b>MORAL CORRUPTION</b> Forcing victim into prostitution or pornography; forcing victim to use or sell illegal drugs; forcing victim to steal or pass bad checks; engaging in criminal activity over victim's objection; exposing children to negative influence

## Abuse of Victim Detail

© 2017 Battered Women's Justice Project, Minneapolis, MN

### Interference with Resources

- Do you have access to your own resources, like money, bank accounts, food, housing, transportation, and healthcare?
- Who decides how you 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 your own decisions, set your own priorities, interact with other?



### 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, pursuing a career or education, or succeeding at work or school?
- Is there anything that gets in the way of your immigration status?



### Interference with Ability to Meet Daily Needs

- Is there anything that gets in your way of eating, sleeping, keeping and maintaining a home, getting from place to place, providing for yourself, exercising, seeking medical attention when you need it, keeping up with medications, having time to yourself, 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 with Social or Cultural Connections

- Is there anything that gets in your way of keeping in touch with your friends and family, connecting with your religious and cultural communities, practicing your faith, staying true to your cultural values and beliefs, or getting together with people who matter to you?



### Unwanted Intrusion

- Has the other ever followed you, constantly checked up on you, opened your mail, examined your phone records, hacked into your email, grilled you or timed your activities, used others to spy on you, invaded your space or privacy, misused social network sites, reported you to authorities without reason or cause?



## Interference with Victim Detail

© 2017 Battered Women's Justice Project, Minneapolis, MN



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 uses 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 pleas 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 but not limited to:

- blood, bruises, and other injuries; ambulances and emergency vehicles; a 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 routines



Knowledge of IPV

The child is told about (or overhears) conversations regarding IPV by:

- parents, extended family members, police, child protection workers, judges, lawyers, guardians ad litem, teachers, therapists





Physical/Sexual Abuse of Child	Emotional Abuse of Child	Economic Abuse of Child	Use of Child as Tool of IPV
<input type="checkbox"/> <b>Harm to the child's physical safety, security, and wellbeing</b>	<input type="checkbox"/> <b>Harm to child's emotional safety, development, security, or wellbeing</b>	<input type="checkbox"/> <b>Unnecessary harm to the child's economic stability or security</b>	<input type="checkbox"/> <b>Use of child to control, manipulate, threaten or harm the other parent</b>
<input type="checkbox"/> <b>ASSAULT</b> Pushing, shoving, shaking, grabbing, slapping, hitting, punching, kicking, choking, strangling, burning, stabbing, having sexual contact	<input type="checkbox"/> <b>DEGRADATION</b> Name calling, mocking, shaming, criticizing, blaming, rejecting, humiliating, morally corrupting	<input type="checkbox"/> <b>DENIAL OF SUPPORT</b> Refusing to pay child support, failing to pay bills or insurance premiums, withholding access to insurance cards, trading money or support for visitation	<input type="checkbox"/> <b>THREATS &amp; HARASSMENT</b> Threatening to harm or take the child, using custody to harass other parent, using visitation to access other parent, disrupting visitation schedule to punish other parent, using child to spy or tell on other parent
<input type="checkbox"/> <b>FORCE OR RESTRAINT</b> Abducting, sexually exploiting, using child in pornography, sex or labor trafficking, forcing child to have sex with others, keeping child from leaving	<input type="checkbox"/> <b>INTIMIDATION</b> Yelling and screaming, acting aggressively, displaying weapons, driving recklessly, destroying things, demanding affection or loyalty, inducing fear or terror	<input type="checkbox"/> <b>DISSIPATION OF ASSETS</b> Emptying bank accounts, hiding assets, stealing or selling property, cancelling insurance or credit cards	<input type="checkbox"/> <b>MANIPULATION</b> Pitting child against other parent, encouraging or rewarding child to disrespect other parent, using child to bargain with other parent, using child to coerce or harass the other parent, degrading other parent to child, neglecting child on visits
<input type="checkbox"/> <b>DEPRIVATION</b> Withholding food, medicine, shelter, sleep, necessities, etc.	<input type="checkbox"/> <b>DENIAL AND THREATS</b> Withholding support or affection; refusing to meet child's emotional needs; isolating child from friends; threatening to kill or harm child, self, others; threatening to leave	<input type="checkbox"/> <b>INTERFERENCE</b> Denying other parent access to information or resources; shutting off utilities; taking or disabling vehicles; cancelling insurance; interfering with other parent's work	
<input type="checkbox"/> <b>SABOTAGE</b> Interfering with child's healthcare, education, privacy, recreation, exercise, diet, gender expression, etc.	<input type="checkbox"/> <b>DISRUPTION</b> Creating unpredictability, chaos, or confusion; disrupting structure or routines; fluctuating involvement; breaking promises; violating boundaries; missing visits		

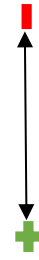
## Parenting by Abuser-Parent

© 2017 Battered Women's Justice Project, Minneapolis, MN  
 The opinions, findings, conclusions and recommendations expressed herein are those of the author(s) and do not necessarily reflect the views of the U.S. Department of Justice.



### Denying Impact of IPV on Child

#### Failure to acknowledge and repair damage from one's own abuse



- Justifying or excusing abuse
- Blaming others 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 efforts to care for/protect child

### Ignoring Child's Separate Needs

#### Failure to distinguish child's needs or identity separate from one's own



- Putting one's own needs above child's
- Thinking child's needs are identical to own's own
- Believing child thinks or feels the same way as oneself
- Believing one exclusively knows what's best for the child
- Obsessively attaching to child
- Seeing no value in other parent's contact, absent cause
- Believing, without cause, child is being poisoned by other parent
- Believing, without cause, child is just mirroring other parent
- Believing, without cause, child and other parent are conspiring

### 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 illnesses
- Refusing to agree to rules or structure
- Making false claims to authorities
- Under- or over-medicating child
- Using new partner as a replacement parent
- Disparaging other parent in front of child

### 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 unannounced
- Sabotaging other parent at every turn

FOCUSING ON THE EFFECTS OF IPV



Risk of Harm/Lethality	Victim's Parental Wellbeing	Children's Safety/Wellbeing	Best Interests
<input type="checkbox"/> Escalating violence	<input checked="" type="checkbox"/> Economic stability	<input checked="" type="checkbox"/> Physical safety	<input type="checkbox"/> Parent's wishes
<input type="checkbox"/> Threats to kill	<input checked="" type="checkbox"/> Housing stability	<input checked="" type="checkbox"/> Emotional wellbeing	<input type="checkbox"/> Wishes and concerns of children
<input type="checkbox"/> Strangulation	<input checked="" type="checkbox"/> Employment stability	<input checked="" type="checkbox"/> Economic security	<input type="checkbox"/> Parents' mental and physical health
<input type="checkbox"/> Abuse during pregnancy	<input checked="" type="checkbox"/> Immigration status	<input type="checkbox"/> Developmental issues	<input type="checkbox"/> Parent more likely to facilitate contact
<input type="checkbox"/> Sexual assault	<input checked="" type="checkbox"/> Health and wellbeing	<input type="checkbox"/> Behavioral issues	<input type="checkbox"/> Continuous/willful denial of contact
<input type="checkbox"/> Stalking	<input checked="" type="checkbox"/> Personal autonomy	<input type="checkbox"/> Emotional issues	<input type="checkbox"/> Children's interactions and interrelationships
<input type="checkbox"/> Access to firearms		<input type="checkbox"/> Cognitive issues	<input type="checkbox"/> Children's adjustment to home, school and community
<input type="checkbox"/> Child abuse		<input type="checkbox"/> Relationship/social issues	<input type="checkbox"/> History of family violence
<input type="checkbox"/> Animal abuse		<input type="checkbox"/> Health issues	<input type="checkbox"/> Other [Risk]
<input type="checkbox"/> Controlling behaviors		<input type="checkbox"/> Economic issues	<input checked="" type="checkbox"/> <b>As to shared parenting:</b>
<input type="checkbox"/> Excessive jealousy/obsession			Ability to cooperate/communicate $\updownarrow$
<input type="checkbox"/> Abuser's mental status			Ability to support love and affection $\updownarrow$
<input type="checkbox"/> Avoidance of consequences			History/potential for abuse $\updownarrow$
			Geographical proximity $\updownarrow$

NATURE & CONTEXT OF IPV

Abuse of Victim-Parent

- Physical abuse
- Sexual abuse
- Emotional abuse
- Economic abuse
- Spiritual/moral abuse

Interference with Victim

- Access to resources
- Freedom to manage affairs
- Immigration/work status
- Ability to meet daily needs
- Social/cultural connection
- Freedom from intrusion

Parenting by Abuser

- Physical protection of child
- Emotional support of child
- Economic support of child
- Protection of child from IPV
- Accepting responsibility
- Responsive to child's needs
- Support of victim-child rel'p
- Respect for parental authority

Child's Experience of IPV



Co-Parenting Relationship

- 

EFFECTS OF IPV ON.....

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 jealousy or obsession, abuser's mental state, avoidance of consequences

Economic Stability

**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.

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

Immigration Status

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.

Personal Autonomy

**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.

Child's Safety & Wellbeing

See Worksheet on Children and IPV

Victim's Health & Wellbeing

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

Is IPV an issue? What is the abuser doing? What's the effect on...? What can be done about it?

NATURE & CONTEXT OF IPV

Abuse of Victim-Parent



Interference with Victim



Child's Experience of IPV

Exposure during pregnancy



Direct intervention



Direct harm



Direct participation



Observation of IPV



Retreat from IPV



Witness initial effects of IPV



Experience aftermath

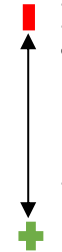


Knowledge of IPV



Parenting by Abuser

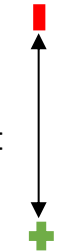
Physical protection of child



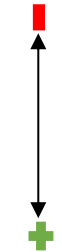
Emotional support of child



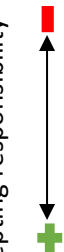
Economic support of child



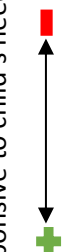
Protection of child from IPV



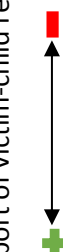
Accepting responsibility



Responsive to child's needs



Support of victim-child rel'p



Respect for parental authority



Co-Parenting Relationship



EFFECTS OF IPV ON.....

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 jealousy or obsession, abuser's mental state, avoidance of consequences

Child's Emotional Wellbeing

**Look for:** Anxiety or restlessness, fear of being alone, nightmares or sleep disruptions, inability to focus, lack of 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 care for younger children, etc.

Child's Health

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 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 Thinking & Perception

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

Child's Relationships

Empathy, trust, aggression, manipulation

NATURE & CONTEXT OF IPV

Abuse of Victim-Parent



Interference with Victim



Child's Experience of IPV

- Exposure during pregnancy
- Direct intervention
- Direct harm
- Direct participation
- Observation of IPV
- Retreat from IPV
- Witness initial effects of IPV
- Experience aftermath
- Knowledge of IPV

Parenting by Abuser

- Physical protection of child
- Emotional support of child
- Economic support of child
- Protection of child from IPV
- Accepting responsibility
- Responsive to child's needs
- Support of victim-child rel'p
- Respect for parental authority

Co-Parenting Relationship



Child's Wellbeing

- Physical safety
- Emotional wellbeing
- Economic security
- Developmental issues
- Behavioral issues
- Cognitive issues
- Relationship issues

Victim's Parental Wellbeing

- Safety
- Economic stability
- Housing stability
- Employment stability
- Immigration status
- Health & wellbeing
- Personal autonomy

Risk of Harm/Lethality



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

Best Interests of the Child

- Parent's wishes
- Wishes and concerns of child
- Mental and physical health
- Parent most likely to facilitate contact
- Child's interactions/interrelationships
- Adjustment to home, school, etc.
- History of domestic violence
- Capacity to provide care
- Ability to assure basic needs are met
- Willingness to accept responsibility
- Need to promote continuity/stability
- Relative quality of parent/child rel'ps
- Parental decision-making history
- Other \_\_\_\_\_

EFFECTS OF IPV ON....

RESPONDING TO IPV

- Is IPV an issue?
- What is the abuser doing?
- What is the effect on...?
- What can be done about it?

Nature/Context of IPV

Abuse of Victim?

Interference with Victim?

Children's Experience of Abuse?

Abuser Parenting Deficits?

Abuser Co-Parenting Problems?

Implications of IPV

Risk of Harm/Lethality?

Victim's Parental Wellbeing

Children's Safety/Wellbeing

Best Interests of the Child

Shared Parenting

Options & Interventions

Limit/prohibit access to victim

Limit/monitor access to children

Limit abuser's decisionmaking

Establish self-executing terms

Support victim's efforts to protect

Strengthen child's support system

Monitor abuser's compliance

Set benchmarks for modification

Other \_\_\_\_\_

Parents' wishes

Wishes and concerns of children

Parents' mental and physical health

Parent more likely to enable contact

Continuous/willful denial of contact

Child's interactions/relationships

Adjustment to home, school, etc.

History of family violence

Ability to cooperate/communicate

Ability to support love & affection

History/potential for abuse

Geographical proximity



**LIMIT OR MONITOR ABUSIVE PARENT'S ACCESS TO CHILD OR VICTIM PARENT:**

- Limit methods of communication (no in-person, telephonic or social media contact)
- Prescribe frequency and methods of communication (email only, text only, etc.)
- Restrict length and/or content of communication (1-page, 10-minutes, scope, etc.)
- Limit access to sensitive information (addresses, account numbers, SSNs, records)
- Issue and enforce no contact orders and orders for protection
- Require neutral exchange locations (school, place of business, etc.)
- Require third party exchanges (professional, friend, family member, etc.)
- Restrict visitation to designated location (grandparent's home, public park, church)
- Restrict visitation to a geographical area (25-mile radius, in town, state, or country)
- Condition visitation on having third party present (professional, friend, family)
- Restrict what can happen during visitation (no alcohol or drugs, no weapons, etc.)
- Establish benchmarks for unsupervised access (no abuse, no threats, no violations)
- Condition access on compliance with established terms (sobriety, BIP, car seat, etc.)
- Appoint a post-visitation safety monitor to ensure visits are safe and go as planned
- Periodically monitor and conduct risk and danger assessments
- Define consequences for non-compliance with access restrictions
- Other:

**LIMIT ABUSIVE PARENT'S RULEMAKING OR DECISION-MAKING AUTHORITY:**

- Grant sole legal custody to victim parent, with or without specified exceptions
- Grant parallel legal custody, with or without specified exceptions
- Appoint a parenting consultant to confer with abuser on all major decisions
- Appoint a parenting monitor to oversee and periodically assess abuser's parenting
- Limit abuser's ability to dispose of real or personal property or to dissipate assets
- Appoint a special master to monitor and effectuate property allocations
- Other:

**SUPPORT VICTIM PARENT'S EFFORTS TO PROTECT CHILD:**

- Link parental decision-making authority to parental responsibility for child's care
- Designate victim parent as the custodian of records
- Secure documents victim needs to care for and protect the child
- Secure immigration documents
- Secure health insurance for victim and child
- Provide victim parent with information about available community-based resources
- Facilitate victim parent's access to available community-based resources
- Establish self-executing parenting plan enforcement mechanisms
- Allow direct and expedited access to parenting plan enforcement mechanisms
- Establish automatic bill-paying processes for abuser's financial obligations
- Delineate reasonable house rules
- Limit grounds upon which abuser may object to the victim's parenting decisions
- Permit the victim to relocate with the child in accordance with the law
- Make relationship findings (age, existence of marriage, parent-child relationships)

**MONITOR AND ENFORCE ABUSIVE PARENT'S COMPLIANCE WITH PARENTING PLAN:**

- Conduct review hearings
- Establish schedule for abusive parent to demonstrate compliance with plan
- Set automatic consequences for non-compliance with parenting plan
- Appoint a compliance monitor at abusive parent's cost
- Hold abusive parent accountable for unjustified, unexcused, intentional violations
- Other:

**REQUIRE ABUSIVE PARENT TO PARTICIPATE IN REMEDIAL INTERVENTIONS AND/OR SERVICES:**

- Refer abusive parent to batterer intervention for assessment and proper services
- Refer abusive parent to parenting after violence for assessment/proper services
- Other:

**STRENGTHEN CHILD'S SYSTEMS OF SUPPORT:**

- Ensure that parenting plan accommodates child's interests, activities and supports
- Provide sufficient parenting time flexibility to adapt to child's age and social needs
- Structure parenting time to maintain access to child's support system
- Connect child and victim parent to available community-based resources

EFFECTS OF IPV ON.....

**Autonomy**

Freedom from undue pressure, duress, threats, manipulation, and/or intimidation

How comfortable are you saying what you think, raising difficult topics, disagreeing with the other person, and standing up for what matters to you?

**Good faith/fair dealing**

Adherence to ground rules, respect for others' needs and interests, full disclosure of relevant information, willingness and ability to explore options and share decision making, commitment to honor agreements

How confident are you that both of you will: (1) follow the rules; (2) share important information; (3) hear each other out; (4) cooperate; (5) stand by promises and agreements; and (6) not undermine the process?

**Judgment**

Parenting capacity and judgment, commitment to shared decision-making, willingness & ability to attend to children's needs

How well can you rely on the other person to make good decisions when it comes to the children, prioritize the children's needs, and share parental responsibility?

**Information**

Understanding of rights, issues, and options; access to technology and relevant information; knowledge of personal & community resources

How well do you understand this process, your legal rights and options, technology, and the things you need to know to fully and effectively participate?

**Safety/Risk Assessment**



- Stalking
- Sexual assault
- Abuse during pregnancy
- Threats to kill
- Strangulation
- Controlling behaviors
- Access to weapons
- Increased frequency/severity
- Child abuse
- Animal abuse
- Excessive jealousy/obsession
- Abuser's mental status
- Denial of responsibility for IPV

*Is there anything about this process that makes you concerned for your own safety or for the safety of your children? If so, please say more.*

PROCEDURAL RESPONSES

- Expert co-mediator
- Legal or advocacy support
- Technology support
- Best interest monitor
- Document production
- Mediation prep support
- Pre-set substantive issues
- Pre-set procedural rules
- Remote spaces/platforms
- Judicial findings or orders
- Trial period agreements
- Suspend/delay mediation
- Do not attempt mediation

# Mediation Discussion Guide

4-16-20

SCREENING AND ASSESSMENT	NOTES	NOTES
<p><b>Abuse of Victim-Parent</b></p> <p><input type="checkbox"/> Physical violence</p> <p><input type="checkbox"/> Sexual coercion</p> <p><input type="checkbox"/> Emotional abuse</p> <p><input type="checkbox"/> Economic abuse</p> <p><input type="checkbox"/> Spiritual/ethical abuse</p> <p><b>Control of Victim's...</b></p> <p><input type="checkbox"/> Access to resources</p> <p><input type="checkbox"/> Freedom to manage affairs</p> <p><input type="checkbox"/> Immigration/work status</p> <p><input type="checkbox"/> Parenting decisions</p> <p><input type="checkbox"/> Social connectedness</p> <p><b>Children's safety/wellbeing</b></p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p> <p><b>Abuser's parenting</b></p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p><i>Provide notes on the nature and context of abuse here:</i></p>	<p><i>Provide notes on safety concerns and other effects of abuse here:</i></p> <p><b>SAFETY:</b></p> <p><b>AUTONOMY:</b></p> <p><b>GOOD FAITH/FAIR DEALING:</b></p> <p><b>JUDGMENT:</b></p> <p><b>INFORMATION:</b></p>

Notes:

Notes:

Notes:

Notes:



© 2020 Battered Women's Justice Project, Minneapolis, MN. This project is supported by Award 2020-TA-AX-K012 from the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed herein are those of the author(s) and do not necessarily reflect the views of the U.S. Department of Justice.