

# UNDERSTANDING THE DOMESTIC ABUSE RESTRAINING ORDER PROCESSES IN MILWAUKEE COUNTY'S COURTS AFTER COVID-19

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When 'Safer-At-Home' is Not Actually Safe

**2023**

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The mission of IWL at Marquette University is to support and conduct cutting-edge gender research and build transformational experiences and relationships that empower women and advance women's leadership.

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The vision of IWL is to become the leading gender research institute in the nation—providing innovative, evidenced-based insights that create a more equitable and just society for all. As advocates for justice, we will engage, inspire, and transform students, staff, faculty, and community leaders.

## Acknowledgments

This paper results from the "When 'Safer-At-Home' Is Not Actually Safe" interdisciplinary community research project, led by primary investigator, Professor Andrea Kupfer Schneider, JD, and the co-PI Team: Sarah Camp, MCE; Heather Hlavka, PhD; Sameena Mulla, PhD; Erin Schubert, PhD (Sojourner Family Peace Center); Aleksandra Snowden, PhD; and Jennica Webster, PhD. For this paper, the research and editorial team also included IWL Leadership Development Coordinator Karalee Surface, PhD; and IWL intern Makayla McIntyre (MU '23). Our design team was led by Sarah Camp and included graphic designer Kate Niemer (MU '22) as well as IWL interns Olivia Qualls (MU '22) and Gabriella Santamaria (MU '22). The insights expressed in this paper are those of the authors and research team members.

We are grateful to the team of research assistants who dedicated their time, energy, and efforts to the completion of this project. Those individuals include, Emma Backe, MMA (PhD Candidate, GWU), Allison Bosley (MU '21), Casey Campos (MU Law '21), Ian Clark (MU Law '22), Naomie Kweyu (MU Law '21), Calista Lopez (MU '21), Veronica Lopez (MU '21), Bre Marchan (MU '20 & '22), Yaidelise Neris (MU '21), Andrea Ortiz Hernandez (MU '21), Olivia Possley (MU '21), Elizabeth Reinowski (MU Law '21), Olivia Russo (MU '21), Essence Scott (MU '21), and Sydney Shaffer (MU Law '22).

The research project from which this paper comes was generously supported by a *President's Challenge Grant* and the *Institute for Women's Leadership* at Marquette University. We appreciate the community collaboration with the Sojourner Family Peace Center and the Milwaukee County Court System.

For all who contributed to this project and especially the survivors in our community who elected to participate in this research, we are immeasurably grateful.

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### AUTHORS

**Heather R. Hlavka, PhD**

Marquette University

**Sameena Mulla, PhD**

Emory University

**Andrea Kupfer Schneider, JD**

Cardozo School of Law | Yeshiva University

**Erin Schubert, PhD**

Sojourner Family Peace Center

### EDITORIAL TEAM

**Sarah Camp, MCE**

IWL Coordinator, Marquette University

**Karalee Surface, PhD**

IWL Leadership Development Coordinator, Marquette University

### GRAPHIC DESIGN

**Kate Niemer, MBA (MU '22)**

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## EXECUTIVE SUMMARY

The process for accessing temporary and long-term restraining orders changed in many jurisdictions following the COVID-19 pandemic. This study evaluates the temporary and long-term restraining order processes in Milwaukee County, Wisconsin from the perspectives of service seekers and service providers. It focuses on changes beginning in March 2020 when “Safer-at-Home” orders restricted many residents to their homes, and forced services, such as restraining orders, to be offered remotely. This report examines the impact of the pandemic on domestic violence survivors’ access and use of court services, while also examining how domestic violence advocates and legal staff responded to these changes and challenges. Data show that:

- Fewer restraining orders overall were filed in the post-COVID period;
- The types of orders filed before and after COVID differed, with fewer domestic abuse orders being filed post-COVID compared to harassment orders;
- Fewer temporary and long-term restraining orders were granted during the post-COVID period;
- Those who filed restraining orders were less likely to have legal representation during the study period as compared to pre-COVID years;
- There was a higher no-show rate at injunction hearings for both petitioners and respondents post-COVID;
- Perspectives of service seekers were mixed: some preferred electronic filing processes over in-person, while others preferred in-person processes;
- Language barriers and community isolation remained significant impediments to help-seeking and access to legal services;
- Communication and advocacy support was critical when filing for temporary and long-term restraining orders against abusive partners;
- Reliance on e-mail and phone services can introduce delays in TRO filing; and
- Supporting service seekers both in-person and virtually requires increased resources, personnel, and infrastructure for the courts and for service providers.

## METHOD

### Data Collection and Procedures

Two populations were recruited for the study, categorized here as service seekers and service providers. Our first data set included a group of 92 service seekers who were English- or Spanish-speaking individuals over 18 years of age (See Appendix I for demographic information). This sample was recruited from service seekers utilizing Sojourner Family Peace Center’s (Sojourner hereafter) emergency shelter, 24/7 hotline, or filing a restraining order between June 20 and October 1, 2020. The 92 individuals in the study sample represented 1.8 percent of the total service seekers utilizing said services at

The **92** individuals in the study sample sought services from Sojourner for emergency shelter, 24/7 hotline, and/or filing a restraining order between June 20, & October 1, 2020.

28

of the

**92 PARTICIPANTS** filed temporary restraining orders (TROs) and shared their experiences working with the courts and related restraining order agencies.

Sojourner during that time. Participants completed phone surveys consisting of demographic questions, close-ended questions, Likert-scale measures, and short, open-ended interview questions. Out of the 92 participants, 28 responded that they had filed temporary restraining orders (TROs) and were then asked a set of follow-up questions related to their experiences working with the courts and related restraining order agencies. Participants were contacted three times between August 2020 and May 2022 (See Appendix II for detailed methods). In addition to survey and interview records, our second data set of service seekers included information from Sojourner and the Milwaukee County Court System that included restraining orders (ROs) filed

before and after the pandemic. These data on the entire population of restraining order petitioners during the study period allowed researchers to empirically investigate trends in filing that complement the perspectives collected from the 28 service seekers who provided data directly for this project.

The second study population included Milwaukee area service providers from domestic violence intervention organizations and legal and court personnel. A sample of 12 service providers, domestic violence advocates, and court commissioners completed in-depth, semi-structured interviews. Interviewees were asked to reflect on changes they had experienced across a range of topics since March 2020 (See Appendix III for measures).

**What background information about domestic and intimate partner violence helps us understand what has happened in the courts?**

Domestic violence (DV) is one of many terms used to characterize intimate partner violence (IPV).<sup>1</sup> It is also called domestic abuse and is related to family violence when the abusive dynamic impacts family members beyond the intimate partner. These terms are often used interchangeably. In 2018, Wisconsin law enforcement agencies reported 30,999 incidents of domestic violence, resulting in 21,960 arrests.<sup>2</sup> Many other incidents went unreported. In 2019, there were 52 domestic partner homicides in Wisconsin; 56 percent of these homicides were committed with a firearm.<sup>3</sup> Among all homicides, the percentage of combined DV and IPV homicides and shootings has increased annually, starting in 2019. In 2020, 60 partners were killed in DV/IPV-related homicide, though an additional 34 Wisconsin lives were lost to domestic violence homicide including family members and perpetrator suicide.<sup>4</sup> These deaths accounted for an average of over

1 Wisconsin statutes define domestic violence broadly going beyond intimate partner, including all adult family members, and any other non-related adult co-habitants.  
2 Wisconsin Department of Justice | "Domestic Abuse Data"  
3 Zusevics and Krall | *Wisconsin Domestic Violence Homicide Report: 2019 Homicides and a Review of 20 Years of Data*, 7-8  
4 Zusevics and Krall | *Wisconsin Domestic Violence Homicide Report*, 59

12 percent of all homicides from year to year and roughly 3 percent of nonfatal shootings. This amounts to one person killed every 3.9 days, 20 percent of whom were aged 18 or under. Nationally, abusers' access to firearms increases the risk of intimate partner murder by approximately 1,000 percent.<sup>5</sup> When firearms have been used in the most severe abuse incident, the risk increases 41-fold.<sup>6</sup> Sixty-five percent of all murder-suicides involve an intimate partner, and about 96 percent of the victims of these crimes are women.<sup>7</sup> Municipalities continue to analyze the rates of IPV- and DV-related homicides during the pandemic period. The *Milwaukee Journal Sentinel* reported on these elevated rates of domestic violence-related homicide in Milwaukee, Waukesha, and Ozaukee County in 2020.<sup>8</sup> In Wisconsin, 90 percent of the perpetrators of DV/IPV-related homicide were men in 2020, and homicides occurred in 17 different Wisconsin counties.<sup>9</sup>

**FINDINGS**

**What changed about restraining orders in Milwaukee County Pre- and Post-COVID-19?**

Due to the extensive risk of death or severe injury to victims of IPV, the courts offer restraining orders as a form of relief that can be accessed using a civil procedure. In Milwaukee County, filing and receiving a restraining order (RO) includes two steps: the initial application and receipt of a temporary restraining order (TRO), typically valid for 14 days, and an injunction hearing to determine receipt of a longer-term order. Clients who file an RO are termed *petitioners*, while the other parties named in applications are termed *respondents*.

**PETITIONERS:**

Individuals who file a Restraining Order (RO)

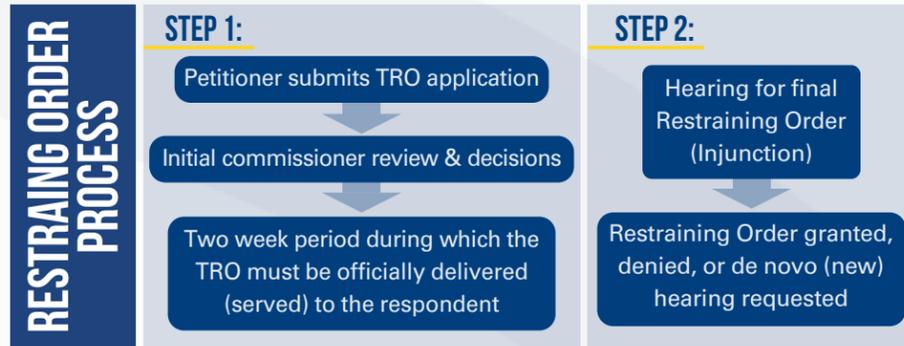
**RESPONDENTS:**

Other parties named in the Restraining Order application

Prior to March 24, 2020, Sojourner advocates met with clients in person on the seventh floor of the Milwaukee County Courthouse for the initial application for a TRO. Pre-COVID, the two- to three-

hour TRO process involved a Sojourner advocate conducting an in-person client intake, developing a safety plan for how to respond to future violence, connecting to resources, and assisting the client in completing paper application documents. After this intake process, clients met with a family court commissioner in person for a hearing. At this point, the request for a TRO would be granted or denied. If granted, a second hearing to evaluate the petitioner's request for a long-term restraining order (commonly called an *injunction*) was scheduled for approximately 14 days later. Between the granting of the initial TRO and the long-term injunction hearing, law enforcement agencies (typically the Milwaukee County Sheriff's Office) were responsible for serving the respondent, notifying them that an RO had been filed against them and informing them of the long-term injunction hearing date. During in-person hearings, both petitioners and respondents had the opportunity to answer questions from the court commissioner.

5 Spencer and Stith | "Risk Factors for Male Perpetration and Female Victimization of Intimate Partner Homicide: A Meta-Analysis," 527  
6 Campbell, *et al.* | "Risk Factors for Femicide in Abusive Relationships: Results from a Multisite Case Control Study," 1091  
7 Langley | *American Roulette: Murder-Suicide in the United States*, 2  
8 Reinwald | "Domestic Violence in Milwaukee Rose during COVID Stay-at-Home Orders"  
9 End Domestic Abuse Wisconsin | "End Domestic Violence Homicide Report: 2019 Homicides and a Review of 20 Years of Data," 6



In March of 2020, the Milwaukee County Courthouse closed. As of March 24, 2020, services at Sojourner and the Milwaukee County Courthouse were drastically altered. Given statewide shutdowns, “safer-at-home” orders,

and social distancing requirements, the courts and Sojourner advocates had to innovate new ways to deliver services. The Milwaukee County Court System **moved from in-person filing to exclusively using an eFiling system** through which petitioners were required to submit all requests for TROs via an online portal. Because the courthouse advocacy office that Sojourner staffed was closed, **petitioners were limited to receiving support from Sojourner and other domestic violence service agencies via phone.**<sup>10</sup>

Over the phone, advocates assisted petitioners in registering for e-mail addresses, setting up eFiling accounts with the court system, and filing TRO requests via the eFiling portal. It is important to note that petitioners could file electronically for a TRO without the assistance of Sojourner or other agencies, and, in practice, many did so. On average, the new eFiling process lasted approximately one hour per TRO application and included multiple screens and drop-down menus. Petitioners were required to choose the type of TRO—“domestic abuse order,” “harassment order,” “juvenile harassment order,” “individual at-risk order,” or “child abuse order.” Domestic abuse and harassment orders were the two most common.

**DE NOVO HEARING:**

“De novo” is Latin for “anew.” Following a court commissioner’s final decision on a restraining order (injunction), a petitioner or respondent may request that the case is heard “anew” in front of a judge.

TOTAL RESTRAINING ORDERS FILED	2019	2020	2021
DOMESTIC ABUSE	2,564	2,069	1,903
HARASSMENT	2,317	2,261	2,439

Table 1. Restraining Orders Filed (2019–2021)

Data Source: Milwaukee County Courts

From 2019 through 2021, data indicate an **overall lower number of TROs filed post-COVID compared to pre-COVID years.** The types of orders filed also looked different before and after COVID. Specifically, **while domestic abuse orders were more common pre-COVID, harassment orders were more common post-COVID.** In 2019, prior to COVID, harassment orders represented only 47.7 percent of the total TROs filed. After COVID, they represented 54.9 percent. Inversely, domestic abuse orders decreased from 52.3 percent of all orders filed pre-COVID, to only 45.1 percent of orders filed post-COVID.

<sup>10</sup> Some limited capacity for in-person assistance at Sojourner remained.

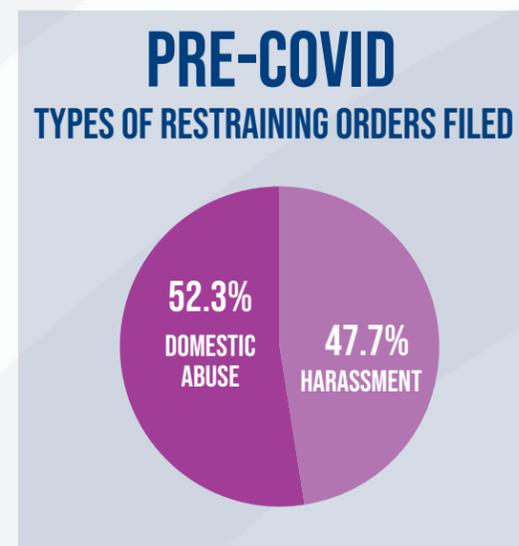


Figure 1. Pre-COVID Types of Restraining Orders Filed

Data Source: Sojourner Family Peace Center

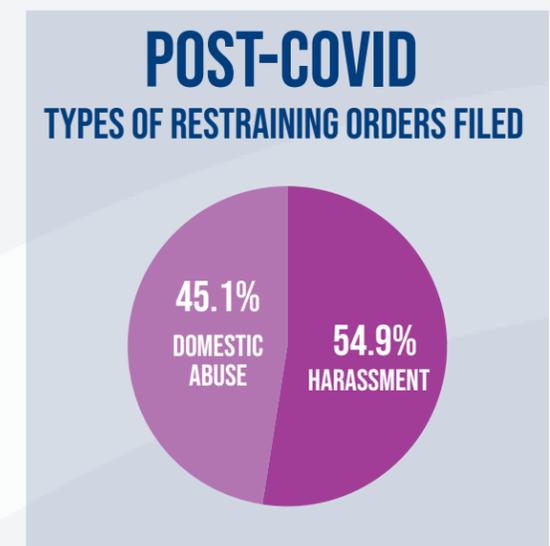


Figure 2. Post-COVID Types of Restraining Orders Filed

Data Source: Sojourner Family Peace Center



Figure 3. Total Temporary Restraining Orders (TROs) Filed

Data Source: Sojourner Family Peace Center

There was great demand for TRO support by telephone following “Safer-at-Home” orders in Milwaukee County. Callers reached out at all hours, and service seekers were unsure about newly implemented procedures and policies. In response, Sojourner advocates began staggered schedules in mid-August of 2020 to extend support beyond regular office hours, specifically having

advocates work from 8:00 AM–4:00 AM and 10:00 AM–6:00 PM on a rotating basis.<sup>11</sup>

**What happens after a petition is filed electronically?**

Following the eFiling process, commissioners reviewed all submitted materials and made a judgment to either grant or deny the TRO. Recognizing the urgency that often accompanies requests for TROs, court commissioners sought to quickly review and decide on filed cases. Petitioners could log on to the court’s eFiling system to read the commissioner’s decision. Petitioners would also be notified of long-term restraining order hearing dates. Those service seekers who had initiated their petitions through Sojourner’s advocacy services received additional follow-up via phone, text, or email to review the results of the petition and the next steps.

While Sojourner Family Peace Center (see Appendix IV) is one major domestic violence service provider in Milwaukee County, this research report notes that in Milwaukee County, IPV/DV survivors also seek advocacy from other local providers, such as Our Peaceful Home, Latina Women’s Resource Center, the Asha Project, and the Hmong American Women’s Association, among other providers. While some clients seek services from multiple agencies at once, others work exclusively with one agency. There is some coordination between agencies, and it should be noted that the client population served by each agency often requires different levels of intervention and advocacy.

Examining outcomes at the TRO phase for petitioners assisted by Sojourner, **initial petitions for restraining orders in the post-COVID period were slightly less likely to be granted.** While court data on TRO outcomes were not available for all petitioners, it stands to reason that the petitioners who were assisted by Sojourner had a higher likelihood of a TRO being granted due to the advocate’s assistance. We expect that if we ran the same analysis on all petitioners (assisted and unassisted), we would see even starker differences in the rates of TROs being granted in the post-COVID period. **More noticeably, hearings for a long-term injunction were far less likely to be scheduled in cases in which TROs were denied post-COVID.** That is, many pre-COVID petitioners although denied a TRO were granted a hearing to determine if a long-term order was appropriate. In the interim, petitioners had an opportunity to gather additional evidentiary support, seek additional advocacy support, and prepare for the long-term injunction hearing. This same opportunity was afforded to far fewer petitioners post-COVID.

Unlike the TRO step of the restraining order process (which was conducted virtually via eFiling during the pandemic), the injunction hearing to determine whether an approved TRO should become a long-term restraining order continued to occur in person. Petitioners and respondents were given a date for an in-person hearing no more than 14 days after a TRO filing. During those 14 days, law enforcement served respondents papers notifying them of the injunction and the date and time of the hearing. If a respondent was not successfully served in those 14 days, the injunction hearing did not proceed. The petition was either rescheduled or dropped without prejudice, and the petitioner could request a new restraining order hearing. Though no-shows at the long-term injunction hearing have always been common for both petitioners as well as respondents, **the no-show rate for both parties at the long-term injunction hearing worsened following COVID.**

<sup>11</sup> An award from Marquette University through the President’s Challenge Grant 2020 provided additional financial assistance to achieve the staffing levels required for this level of coverage.

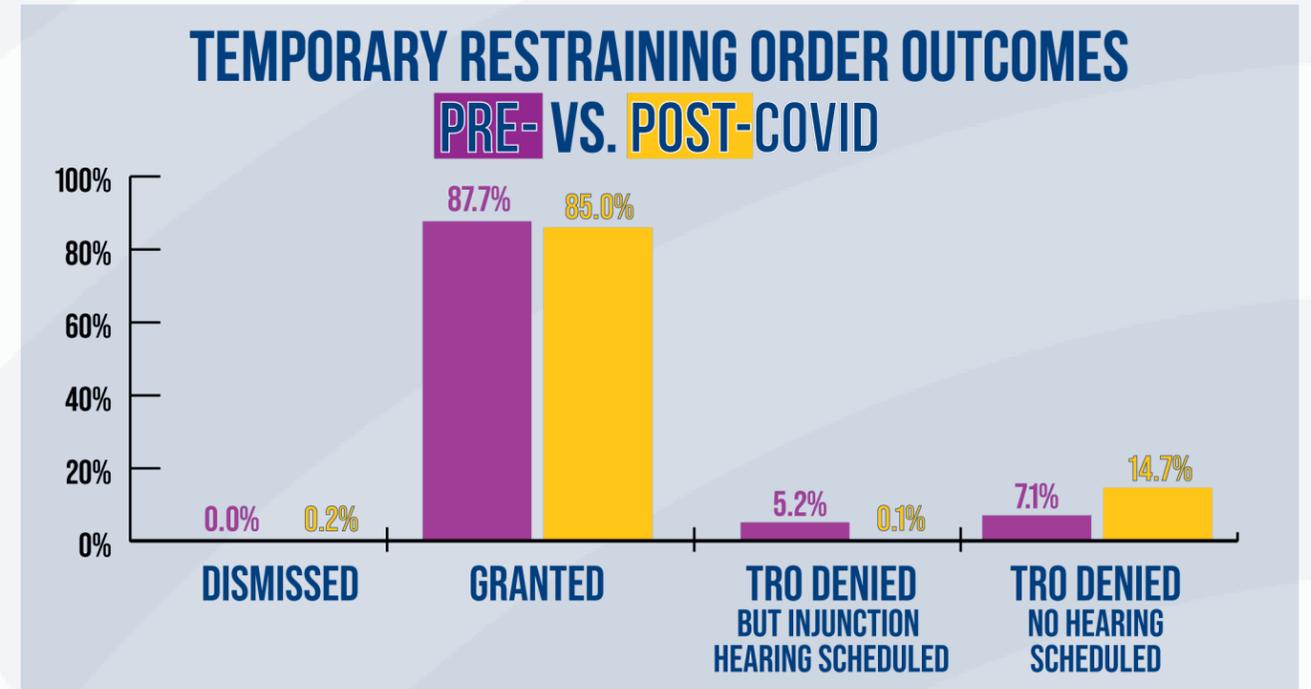


Figure 4. TRO Outcomes Pre- vs. Post-COVID  
Data Source: Sojourner Family Peace Center

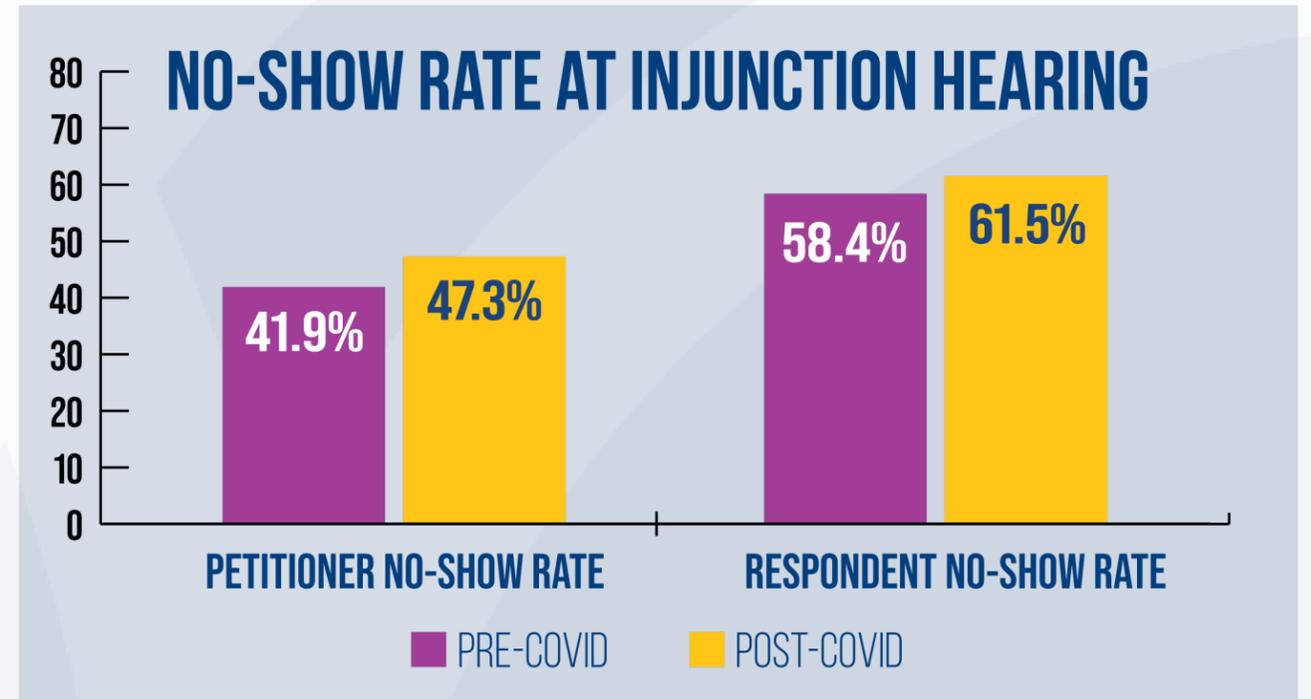
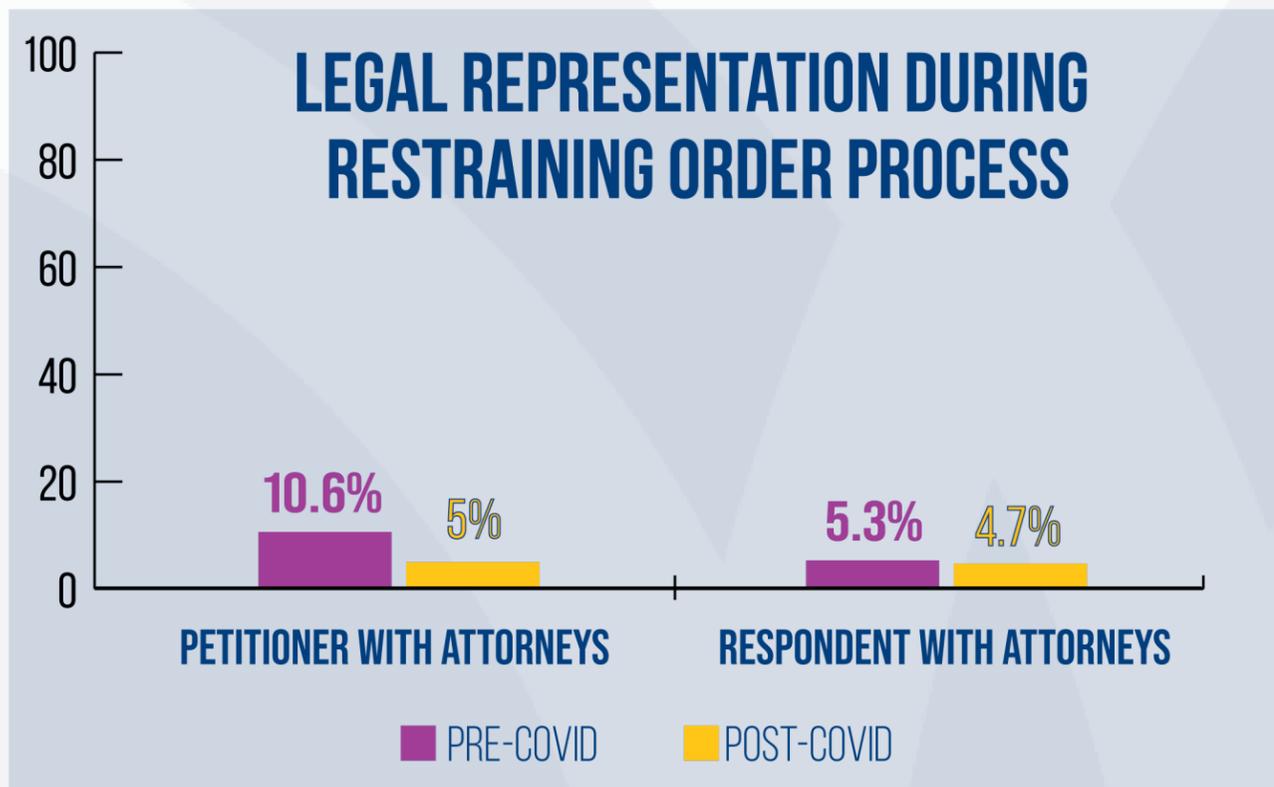


Figure 5. No-Show Rate at Injunction Hearing  
Data Source: Sojourner Family Peace Center

Before the pandemic, advocates were able to speak to petitioners in person prior to their hearing—offering moral support as well as tips and reminders about court procedures and legal statutes. Advocates were also available, if the petitioner desired, to sit next to them during court proceedings. This type of in-person support at a court hearing can be critical for a petitioner trying

to effectively navigate court proceedings *pro se*, as most service seekers are not represented by an attorney (95 percent in the post-COVID period, according to data from court records). Post-COVID-19, however, all support for restraining order injunction hearings was conducted via phone in the courthouse. Court staff, usually a deputy, provided a phone number for the petitioner to call before the hearing. During the hearing, court commissioners also offered petitioners the option to dial in an advocate for the proceedings, allowing advocates to attend virtually and listen to the hearing via phone. As of June 7, 2021, Sojourner resumed stationing one advocate at the Milwaukee County Courthouse office to provide in-person injunction court support. This advocate was available to talk with petitioners in-person prior to their hearing to offer support, tips, and reminders about court procedures and statutes. Advocates were also available to accompany petitioners to court and sit next to them during proceedings. The remaining Sojourner advocates either worked from home or from the Family Peace Center to assist petitioners in TRO eFiling.

In addition to advocacy support, some petitioners and some respondents have historically been represented by an attorney during the restraining order process. Given the high cost of legal representation and the relative dearth of free or low-cost options compared to need, many parties go through the process *pro se*, or without an attorney. In fact, based upon data gathered from court records, **petitioners were far less likely to be represented by an attorney in the post-COVID period.**



**Figure 6. Legal Representation during Restraining Order Process**  
Data Source: Sojourner Family Peace Center

Examining outcomes at the injunction phase for all petitioners, **long-term injunctions were less likely to be granted by default (e.g., the petitioner shows up to the hearing while the respondent does not) as well as less likely to be granted following a hearing post-COVID. Further, long-term injunctions were more likely to be denied following a hearing or dismissed (for several reasons) post-COVID.**

	PRE-COVID [% OF TRO APPLICATIONS]	POST-COVID [% OF TRO APPLICATIONS]	CHANGE
<b>GRANTED</b>	16.8 %	15.2 %	↓ 1.6
<b>DENIED</b>	15.9 %	16.7 %	↑ 0.8
<b>DEFAULT</b>	16.6 %	15.4 %	↓ 1.2
<b>STIPULATED INJUNCTION</b>	0.3 %	0.1 %	↓ 0.2
<b>DISMISSED</b>	50.4 %	52.5 %	↑ 2.1

**Table 2. Outcomes at the Injunction Phase for All Types of Petitions, 2019–2021.**  
Data Source: Milwaukee County Courts

**Did petitioners prefer eFiling to in-person filing?**

Out of the total Sojourner clients contacted by phone in the study (n=92), 28 said they had filed for a restraining order with the Milwaukee County Courts. Of those, 17, or slightly more than half, indicated that they connected with an advocate from Sojourner while filing. Fourteen of them spoke to an advocate by phone, and three came into the office in person. A total of 11 petitioners filed electronically without assistance. When asked about prior contact with the courts, 17 petitioners, a majority of the service seekers, were filing for a TRO for the first time, while 11 had previous experiences of filing TROs.

We asked those eleven petitioners with experiences of both filing in-person and eFiling how the TRO filing process during COVID-19 compared to the filing process pre-COVID. Overall, participant responses were mixed. Some petitioners much preferred to go through the process in person rather than over the phone or online with a Sojourner advocate, indicating issues with privacy when the abusive partner was in the home. Without the option of an office to travel to, they were unable to file for a TRO without their partner’s knowledge. Others were concerned or fearful that their partner had obtained or could obtain access to their phone and email messages. Technology access was also an issue. Some petitioners made calls to the Sojourner advocate from a friend’s phone if they did not have one of their own.

For some petitioners seeking a TRO, an eFiling process felt “too quick, almost unreal.” (Participant 1100) Many research participants shared how they had called Sojourner’s TRO hotline, left messages, and played phone tag with advocates. This back and forth created some delays in the filing process. As one research participant noted, “They’ve called back every so many days [ . . . ] and I don’t think they can help. I know they want to.” (Participant 2398) Some petitioners expressed their preference of talking in person rather than on the phone or virtually, not only with advocates but also with court commissioners. They reported feeling more comfortable in person, better able to express the seriousness of the matter, and to more accurately share concerns and have their needs addressed. When asked why they preferred in-person interactions, the following was a typical response: “When online, you cannot see how serious the matter is. It is important for the judge and higher authorities to see body language and expressions between both parties.” (Participant 1100)

Other research participants similarly added:

*The authorities get more of an understanding on what’s going on [when in person] and it is granted the same day rather than waiting three days online.* (Participant 1106)

*In-person, one would have the ability to ask more questions and have a better understanding of the process. Communication would have been better in person.* (Participant 1396)

*It would be better because I probably would have the restraining order already if it was in person. Trying to get a restraining order over the phone has been extremely difficult.* (Participant 1908)

**Communication would have been better in person.**

On the other hand, there were benefits that the research participants saw to remote services as well. Because Sojourner TRO advocacy was now accessible by phone call, some participants appreciated being able to call at any time instead of having to personally go to the courthouse. These clients appreciated that the online process was **more convenient** and **quicker**. Clients stated many reasons for this preference, including

- Not having to miss work to go to the courthouse in person,
- Not having to navigate childcare to go to the courthouse,
- Not having to juggle transportation issues,
- Not experiencing the fear and anxiety about facing one’s abuser in person,
- Not being potentially exposed to COVID-19, and
- Being able to file electronically at a time that was convenient instead of having to appear in person during business hours.

Children under 18 are not permitted in the Milwaukee County courtrooms, so in-person court appearances meant that many service seekers were required to secure childcare. Concerns about health and COVID-19 exposure were particularly pronounced among research participants who cited pre-existing conditions that made them more vulnerable to the virus. Several clients also shared that eFiling for the TRO had been more successful than their previous in-person attempts. In some long-term restraining order cases, hearings were held via Zoom. Remarkably, some research participants commented that they appreciated the court’s use of the “mute” function when they were being “interrupted by” or silenced by the respondent. For example, one participant noted: “My biggest concern was meeting with the person that was causing the

problems—the outbursts, the overtalking, but [the commissioner] was able to mute him online.” (Participant 1100)

### **What were service providers’ experiences of working remotely with petitioners filing for TROs?**

Researchers similarly asked domestic violence service providers across Milwaukee how the TRO eFiling process during COVID-19 compared to the in-person filing process pre-COVID. They were asked to share their own perspectives and experiences of the process as well as the feedback received from service seekers and petitioners. Service providers noted the similarities between the challenges they experienced in the filing process pre- and post-COVID. They also remarked on some of the newer challenges faced with the eFiling process. Significantly, many of their concerns mirrored those of service seekers.

Like petitioners, service providers saw the assets of an eFiling process, while also noting the strengths to maintaining an in-person presence. Among the strengths they named in the eFiling process were

- Increased legal access for those with transportation issues, mobility restrictions, childcare needs, and work-related constraints; and
- Opportunities for petitioners not to be forced to face petitioners in open court.

Further, service providers discussed how petitioners were differently impacted by the pandemic. They remarked on the strong relationship between marginalization, vulnerability, and success with legal processes. The shift to relying on phones, e-mail, and eFiling systems drew several immediate concerns among service providers. These concerns about remote services included Assessing whether petitioners had sufficient access to technology and reliable internet services; Negotiating new privacy issues associated with eFiling;

- Navigating language barriers for non-native English speakers, and the added complexity of relying on phone-based interpreter services;
- Assuring petitioners had adequate understanding of legal forms and language;
- Raising concerns about the effectiveness of the narrative composition of legal documents;
- Balancing the future staffing of both remote and face-to-face contact and support with petitioners, which required more resources and support; and
- Increasing risk of advocate burn-out amidst intensification of service provision without increased resources.

### **What concerns did service providers hear about regarding technology access and privacy?**

According to service providers, survivors often lacked access to computers, (reliable) internet service, email addresses, or private cell phones. Service providers reported having to plan for petitioners to use phones and computers at agency sites. The eFiling system worked on a range of devices including tablets, smartphones, and computers, but the interface was not equally convenient on all these devices. At least one service provider noted that a computer was preferable to a smartphone, as the small screen made the eFiling process unwieldy. Given the number of clients who came to her agency to use a computer, one service provider speculated that a frustrating interface may have been a deterrent for some clients. Even if eFilers had access

to devices, some had no email address—a requirement for the eFiling system. Service providers explained that they helped petitioners create email addresses and sometimes sought petitioner consent to check email accounts for court decisions.

**A frustrating interface may have been a deterrent for some clients.**

As noted by service providers, using the eFiling system took a significant amount of time, which made it risky for petitioners who were at home with their partners and other family members. Service providers were concerned that petitioners may be stuck at home and unable to call for services, leave a message, or find a safe place to talk about domestic abuse in the presence of others. In interviews, providers shared that they were especially aware that abusive partners were often resourceful and might track internet and/or cell phone usage, or demand or share passwords with the petitioner to access email accounts, putting the survivor in increased danger.<sup>12</sup> Service providers thought of creative ways to surmount these challenges. As highlighted in the graphic below, interviewed services providers offered suggestions for some potential solutions such as partnering with technology services to explore innovative strategies.

**Suggested Potential Solutions to Technological Challenges of eFiling**

<p><b>Implement chat-based or messaging-based hotline services to increase service seekers' privacy, particularly under public health orders that might keep IPV/DV victims near abusive partners and household members</b></p>	<p><b>Pair virtual advocacy clinics with in-person support</b></p>	<p><b>Compile specialized call-waiting logs and callback times for hotline services</b></p>	<p><b>Provide area technology hubs where service seekers can access computers, internet service, advocacy support, and/or file legal documents away from home (e.g., libraries, grocery stores, schools, salons, etc.)</b></p>
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**How did changes to TRO processes impact the experiences of non-English speakers?**

One of the hallmarks of advocacy in the legal system is to help survivors understand the process, explain the protocols and legal jargon, and assist clients through complicated court systems alongside support for their healing. The legal procedure is a formal interaction that relies upon specific legal claims often unfamiliar to laypeople. eFiling without advocacy removes the support often needed to interpret, understand, and complete the correct forms with accompanying requested evidentiary documents. Particularly marginalized and vulnerable groups, like immigrant or refugee populations, may be new to U.S. court systems and isolated in their communities. Service providers were concerned about newly arrived migrants experiencing DV, who had not yet had time to build connections with the community and local services. In one case, a recently arrived woman's mother contacted a Milwaukee agency from abroad and asked them to check on her daughter, whom she had not heard from for over three months. The mother provided her daughter's address so the agency could make an in-person home visit. Service providers were able to safely contact the daughter, who tearfully explained she was being abused and isolated by her husband. The agency put protocols in place for the daughter to receive support from an advocate, and to explore a TRO petition and other court actions.

12 Southwork and Tucker | "Technology, Stalking and Domestic Violence Victims," 667

In addition to the general isolation of particularly vulnerable community members, court personnel raised concerns that eFilers who did not have the benefit of working with an advocate were in danger of filing for the wrong type of TRO, potentially being confused between the harassment order and the domestic abuse order. The two orders required petitioners to submit different types of evidence, and so choosing the wrong order or checking the wrong item on a drop-down menu could result in a denial. Deciding what type of order to file is the type of support that Sojourner advocates offer to TRO petitioners who connect with them, but similar support is not available to petitioners who eFile without connection to domestic violence advocates.

With the additional burden of language or literacy barriers, many petitioners could have been discouraged, stressed, and confused, and therefore abandoned processes for seeking services. One service provider shared that

*the concern is that when you have to initially write the reasons why you need that TRO, you have to really assist clients to put those words together and to be able to be very clear about why they're seeking that. If they're doing it on their own, we're dealing with people who have very limited—maybe they can't read or they can't write in English and their literacy level is [low], so those are the concerns that people are having to file on their own or depend on somebody. (Service Provider 409)*

In Milwaukee County, language interpretation services were available by phone through an agency called LanguageLine Solutions. At times, service providers found the use of an interpreter by phone to be either cumbersome or inadequate, particularly when working with Burmese petitioners requiring interpretation of languages such as Karen or Rohingya. They reported greater confidence in language interpretation in Spanish or Arabic. One provider explained that she had witnessed things getting lost in translation when procedures were complicated by the petitioner speaking one language and the advocate speaking another when trying to file a petition. The process was slower and more complex as the court documents had to be filed in English, requiring the LanguageLine interpreter to interpret the petitioner's words for the advocate who would then record them in English for the eFiling. Noting how specific acts of violence might get lost in translation, one service provider observed that "there are many language issues that come up there" and in many cases, face-to-face advocacy was an important solution to these challenges.

*There is a lot to be said about being in person, or at least being able to see somebody face-to-face you know, like through video or something, to get an idea of those nonverbal cues and to make sure that everyone is on the same page with what the story is and what the events were, and those kinds of things. (Service Provider 402)*

Another service provider shared that

*depending on where a person comes from, and you know, their life experience and cultural experiences, even translating this system into their native tongue doesn't necessarily work or mesh right because 'injunction' doesn't exist in that language potentially, so that's definitely a challenge that we do our best to try to find ways to use a different language or find ways to explain things in different ways. (Service Provider 404)*

**There is a lot to be said about being in person, or at least being able to see somebody face-to-face.**

One of the service providers interviewed further expressed concern with interpretation services in the courts. She shared an experience of working with a non-English-speaking survivor who had previously worked with one of the local domestic violence agencies to bring criminal charges against her partner. The courts knew she needed an interpreter; however, the translator spoke the wrong language because assumptions had been made about the service seeker based on her nationality. At least three different languages were spoken in her country of origin, and the court had assumed the incorrect language. The error was not corrected once discovered, and the service seeker missed her next court case. The prosecutor then asked the judge to dismiss the charges. An attorney who was later retained and assigned to the case by the domestic violence service agency followed up, only to learn that the case involved very serious threats to the survivor's safety. When the attorney inquired with the prosecutor's office, they said the survivor missed the court date—but her attorney later discovered she missed the date because it had not been properly communicated by the interpreter who spoke the wrong language. The service seeker had not understood what was being said during the hearing. (Service Provider 402)

In interviews, the service providers discussed many potential solutions, including...

- Immediate expansion of language interpretation services and personnel,
- Reassessment of the eFiling documents for language and instructional clarity, and
- Establishment of inter- and intra-agency support and referral system.

Such a system might include...

- Extension and expansion of collaboration between Milwaukee area DV/IPV services to support a streamlined referral system, especially for clients needing language services, specialized knowledge, practice, and connection with ethnic communities and cultures (e.g., undocumented, immigrant, refugee populations, and especially communities who seek to avoid interactions with law enforcement);
- Referral of non-English speakers to appropriate services earlier in the process; and
- Continuation/extension of collaborative workshops and conferences among service providers for education, support, and coordination between agencies.

**Were there differences between TROs filed in person and those that were filed electronically? Did access to advocacy services impact service seekers' experiences?**

Analysis of data from Sojourner and the Milwaukee County Courts indicates that **fewer petitioners were connected to advocacy support in the post-COVID period**. Specifically, in the pre-COVID era, 95.3 percent of all domestic abuse petitioners in Milwaukee County were assisted by Sojourner and connected to ongoing advocacy and other support as needed, while in the post-COVID era, only 77.9 percent of all domestic abuse petitioners were connected to advocacy through Sojourner.

In addition to this quantitative difference in the number of petitioners connected to advocacy services, service providers expressed concern over potential qualitative differences between TRO petitions done with and without advocacy assistance. A central factor in TRO filings is the set of evidentiary requirements necessary to convince a court commissioner that the petitioner was abused or had a reasonable fear that abuse would occur at the hands of the respondent. Filing legal documents required following certain rules about narrative composition that dictated what could be written, by whom, how it was written, when it could be filed, and so forth. The petitioners could also file supplemental evidentiary documents like police reports, phone or medical records,

**PRE-COVID**

**95.3%**

of Domestic Abuse Restraining Order petitioners connected to Sojourner's domestic violence advocacy

**POST-COVID**

**77.9%**

of Domestic Abuse Restraining Order petitioners connected to Sojourner's domestic violence advocacy

pictures, and so on. The inclusion of clear, relevant information and supporting documents in the petitioner's narrative impacted whether a TRO was granted or not. Some service providers worried that without advocacy support, petitioners omit some essential points about what happened, when, where it happened, who was there, and other details that could be acquired if they were solicited in person. One advocate with legal expertise reflected that

*it seems like the domestic [abuse] restraining orders are kind of lacking in some of that detail that they might get when [somebody is] in person, which can be a safety issue: . . . if you're not granted that initial order it kind of complicates the process, now you are looking to either refile or have a hearing on that temporary order. (Service Provider 402)*

It is essential to understand that storytelling is often not a sequential process; narrating a story of abuse typically does not occur in chronological order. Rather, stories are shared, piece by piece, sometimes including dates and times, but often not. Advocates developed skills in interviewing, active listening, and understanding the narrative conventions of legal documents. Before COVID, nearly all (95.3 percent) petitioners were supported by a Sojourner advocate who understood these procedures and could help sequence petitioners' narratives for legal legibility. Far fewer (77.9 percent) are supported in this same way in the post-COVID era. Without advocate assistance, petitioners produced their own narratives and evidence during eFiling.

Service providers were also concerned that receiving advocacy services by phone could be unappealing for many survivors compared with in-person services. Thus, they had to think of ways to make good connections with service seekers they encountered by phone.

*The challenge for the advocate [. . .] is about how do you continue to engage people over the phone? You can't read someone over the phone like you can in person, right? I can't ease you, or see that you're anxious, or see that you're getting upset with the conversation or what's been going on with you. In person, you can manage all those things. Over the phone, that is a challenge that I think advocates have. How to engage every call so that it doesn't feel mechanical—that it doesn't feel like I'm just checking this person off my list. (Service Provider 406)*

When reaching out for advocacy support in filing restraining orders, service providers noted that service seekers expressed concerns over a wide array of issues. Many petitioners were

concerned about the potential consequences of filing for a restraining order and worried that the outcome would have an impact on their child support, access to transportation, food, and safe shelter. According to service providers, the broad array of concerns was more easily addressed in person when people would solve problems together. The phone support, in contrast, seemed more limited to the task of completing the eFiling process. Referrals for other services were often made over the phone, however, providers worried that perhaps service seekers may not record the information correctly due to overwhelming stress and an intimidating eFiling process. Prioritizing consistent access to advocacy support and referral structures during eFiling was a common theme in the interviews with service providers. When asked what future advocacy should look like, service providers suggested a wide array of solutions.

**Expert Suggestions for Future Advocacy & Support System Improvements:**

## POTENTIAL ADVOCACY SOLUTIONS

- ✓ Hybrid advocacy models: in-person, phone, and online options for advocacy/legal services so survivors have increased agency and choice of interaction
- ✓ Partnerships with local businesses on addressing DV-related workplace issues<sup>13</sup>
- ✓ Safe, subsidized housing and available private housing vouchers for survivors
- ✓ Safe, reliable, subsidized transportation (e.g., bus, car, rideshare programs)
- ✓ Stable, living wages in Wisconsin to promote financial independence
- ✓ Increased state and federal government resources to ensure survivors and their children have money and resources for essential living expenses such as food, safe shelter, transportation, and access to child education services
- ✓ Access to low-cost/no-cost/sliding-fee services for counseling, substance abuse programs, employment programs, and educational services and information for survivors and their children (e.g., special education, daycare, Pre-K)

<sup>13</sup> Snyder, et al. | *A Guide to Better Understanding and Supporting Domestic Violence Survivors in Our Workplaces: When 'Safer-At-Home' is Not Actually Safe*

### **How did court personnel experience the TRO filing processes before and after COVID-19?**

COVID-19 significantly impacted all aspects of the Milwaukee County Court System. “Safer-at-Home” orders sent most court personnel home in March 2020, while the rest remained in crisis-management mode. Sojourner closed their offices in the courthouse. Long-term restraining order hearings, however, remained in-person with a small number being held virtually via video conferencing. The Office of State Courts purchased approximately 500 Zoom licenses statewide, and the remaining staff worked on transitioning TROs to the eFiling system. In interviews, court staff told us that they initially experienced a lack of laptops for remote work, and employee access to high-speed internet to conduct Zoom meetings. Even as they adapted swiftly to the new technological demands of remote work, there was a steep learning curve. While the mandatory provision of eFiling as an option for TROs began rolling out county by county on July 1, 2016,<sup>14</sup> Milwaukee County was among the last counties to transition to an eFiling system for TROs. Within a week following March 15, 2020, all TROs moved to eFiling, and court commissioners began to review paperwork filed by petitioners and either grant or deny the request based on the online filing, replacing the in-person hearing. In some long-term restraining order cases, evidentiary hearings were heard on Zoom despite inadequate technology in the courtrooms.<sup>15</sup>

Overall, data collected and compiled by the Milwaukee County Court and by Sojourner Family Peace Center from all restraining order petitions demonstrate some trends at the TRO and injunction phases. Comparing pre- and post-COVID TRO filings for domestic abuse, data show a small but sustained decrease, with fewer clients filing for TROs post-March 2020. However, filing for harassment orders increased post-COVID. TRO eFiling increased over time, perhaps as the public grew more accustomed to the system. Judges and court commissioners interviewed by the WSAHINAS research team remarked on these variable increases and decreases in TRO filings, adding anecdotally that across all court divisions “people [were] showing up more so than ever before.” (Service Provider 403) Although the number of injunction no-shows increased during COVID, the establishment of virtual hearings with pre-set times and dates and a decrease in barriers to in-person hearings (e.g., transportation, childcare, work responsibilities) seemed to increase appearances overall and across multiple court divisions, from Small Claims to Family Court. Even still, judges and commissioners cited that technology is not accessible to all. Many families do not have computers or reliable internet access in their homes or do not have enough minutes on their phone plans to adequately access available technologies. Therefore, at the time of our interviews, Milwaukee County Courts were in the process of administering a pilot program in several Milwaukee County Libraries to increase computer access and create “Zoom rooms.”

There are two interrelated hypotheses to help situate the increase in harassment filings and the decrease in domestic abuse filings. First, the findings suggest a pattern of increasing harassment post-COVID, perhaps due to the increase in remote work and school; increased disagreements with neighbors; tenant-landlord disputes over rent and evictions; and stress and anxiety from the pandemic. Additionally, the findings might indicate that *pro se* eFilers misidentified the category-type of violence in the dropdown menu, selecting harassment rather than domestic abuse. This explanation fits with the concerns of advocates and the experiences of court personnel. It also fits with prior studies suggesting that domestic abuse is often unnamed when the abuser convinces

<sup>14</sup> eFiling is mandatory only for attorneys, not for *pro se* cases, who can still file on paper. (Wis. Stat. §801.18)

<sup>15</sup> Wisconsin Court System | “Circuit Court e-Filing”  
Wisconsin State Legislature | “Chapter 801: Civil Procedure, Commencement of Action and Venue—e-Filing”

the survivor that the relationship is not violent or abusive and further in legal proceedings that require specific statutory definitions and identifications.<sup>16</sup>

### **What were the specific concerns of court staff?**

Due to the very high volume of cases, Milwaukee County uses dedicated court commissioners to hear restraining order cases. Because commissioners rule on the cases, petitioners and respondents have the right to request a *de novo* hearing. *De novo* is a technical term for the request of a new hearing. In short, they can ask for the case to be reheard by a judge rather than a court commissioner. Procedurally, court personnel noted that in Milwaukee County, the statute allows a commissioner to deny a TRO if the petitioner does not meet the evidentiary burden on paper, but then grant an in-person hearing. However, the eFiling system does not allow for that contingency; there is no simple one-click way for commissioners to request a *de novo* hearing. Data show that *de novo* hearings decreased from 5.2 percent of cases pre-COVID to just 0.1 percent of cases post-COVID, virtually eliminating that path for petitioners.

Procedurally, once a TRO eFiling has been submitted, any changes to or the addition of an attorney require a separate hearing. This rule caused inefficiency in filing, especially when clients were referred between agencies. For example, in one case an agency initiated an eFiling on behalf of a client and then referred them to another agency for legal representation. Technically, attorneys were unable to add themselves to the file in progress and instead had to schedule a hearing that potentially delayed and complicated the TRO process. For this reason, some agency-based advocates expressed a preference to delay filing until an attorney was in place to help mitigate the labor, confusion, and stress of their clients and service providers alike. TRO and injunction hearings are typically *pro se* with either one or both parties lacking legal representation. Some service providers confirmed, however, that despite COVID-related budget constraints and unemployment, many abusive partners often had more resources and more legal representation than survivors navigating the courts. In fact, remote employment, or unemployment post-COVID may have increased time and schedule flexibility for many respondents. Court staff shared some ways of addressing these complex issues.

### **Areas Needing Improvement for Smoother Systems and Bettering the Welfare of Abuse Survivors:**

## **COURT STAFF SUGGESTED SOLUTIONS**

- ✓ Addressing resources, personnel, and infrastructure needs
- ✓ Developing a hybrid court model: in-person and online options for advocacy and legal services so petitioners and respondents have increased access to justice
- ✓ Addressing statutory requirements regarding the right to a TRO in-person hearing
- ✓ Partnering with Consolidated Court Automation Programs (CCAP), the online interface through which the public and the court staff access court information, to address technical capabilities

<sup>16</sup> Bonomi, *et al.* | “‘Meet Me at the Hill Where We Used to Park’: Interpersonal Processes Associated with Victim Recantation”

### **What did court commissioners and judges experience with the transition from in-person to eFiling of TROs post-COVID?**

Court personnel expressed the importance of face-to-face interactions during hearings. They were also growing more accustomed to eFiling, and seeing some of the benefits for petitioners, especially regarding decreasing barriers to in-person filing for many. Despite its clear benefits, a hybrid system of eFiling and in-person TROs would require extensive resources and conversations given the time, labor, interagency coordination, and continued COVID-related restrictions. The high volume of cases in Milwaukee County, across all divisions, creates obstacles, but not impossibilities. Reflecting on the importance of public safety and what has already been accomplished since March 2020, one commissioner noted,

*we should be able to say to people, look, if you really want to come into the courthouse physically and have your hearing because that's the easiest thing for you to do and that's the way you want access to justice, we should be able to do that. But if you want to stay eFiling because that's easier for you, we should be able to do that, too [ . . . ] and hybrid hearings, it's somewhat difficult but not necessarily not doable. We didn't think any of this was doable, but we've had to create an atmosphere of public safety with keeping the footprint low and keeping the pandemic out of the courtrooms to keep people safe. (Service Provider 403)*

Court personnel also commented on their perception of the rise of “reciprocal” cases in which both parties had filed restraining order cases against each other. Commissioners attributed this increase to the 24-hour access and ease of eFiling for some parties, noting that in some cases a single petitioner may have filed harassment order cases against multiple individuals. All these cases would hit the system at the same time. For example, one petitioner filed for harassment injunctions against multiple family members, and another against multiple neighbors. This phenomenon seemed relatively new to Milwaukee court personnel, and it stands to reason that when TROs were only completed in person, these types of filing anomalies might be contained or limited by either Sojourner advocates’ pre-filing guidance or court commissioners.

Court personnel also noted that the size of the files increased with eFiling. When submitting their requests, clients made evidentiary choices on their own without the assistance of an advocate. Petitioners submitted copious materials, ranging from nude pictures, text message transcripts, medical records, and even love letters. Commissioners noted that this change dramatically impacted the Office of the Clerk, and more staffing was needed for the increase in case file volume. Court commissioners and judges were also required to wade through the voluminous files to come to a decision. Sorting through these numerous materials proved challenging without the benefit of being able to ask the petitioner or the respondent specific questions in person. One commissioner shared that

*it's much easier as a judicial officer to make a decision about the validity of a restraining order when you have the petitioner in front of you. You can get some context. You can get some sense of credibility. You can flesh out what you need to know in order to make the best possible decisions. (Service Provider 407)*

On the other hand, the infrastructure in the injunction courts was not equipped for virtual hearings nor was there transcription personnel or software. In some cases of remote court appearances,

the petitioner appeared by phone and was thus unable to provide or show the commissioner additional evidentiary documents if requested.

**What are the most critical policy and practice implications based on this study?**

As noted above, COVID-19 significantly impacted all aspects of the Milwaukee County Court System. “Safer-at-Home” orders sent most court personnel home, while the rest remained in crisis-management mode. Sojourner closed their offices in the courthouse and the remaining staff worked on transitioning TROs to the eFiling system while faced with significant technological and resource-dependent burdens. COVID-19 has had devastating effects on many service seekers and service providers alike. Research consistently demonstrates that social isolation, unemployment, and financial instability are significant risk factors for domestic abuse, particularly for families who have already experienced violent incidences in the past.<sup>17</sup> Participants in our study confirmed these previous findings and described COVID-19 and “Safer-at-Home” orders as precursors to considerable financial and emotional stress which was often accompanied by violence. Judicial personnel overwhelmingly expressed concerns about the lack of face-to-face contact between petitioners, advocates, and family court commissioners and judges. Their concerns focused on procedural and statutory issues as well as efficiency and the quality of support provided. Access to the courts for TROs and other legal processes will likely remain hybrid for the foreseeable future. Court personnel, agency service providers, and service seekers alike desired to maintain and build up critical infrastructures to ensure that people in need of restraining orders have the support and care they need while filing for a TRO. Many service seekers rely both on nonprofits and the courts for support; thus, strengthening infrastructures and coordinating across nonprofits and the court system is essential. However, necessary support will only be effective if agencies are able to adequately staff both hybrid and in-person services. In navigating the future of TRO access, it is critical to draw on the perspectives of those who use these important services as well as those working both within the courts and in our communities.

**“Many service seekers rely both on nonprofits and the courts for support; thus, strengthening infrastructures and coordinating across nonprofits and the court system is essential.”**

<sup>17</sup> Spencer and Stith | “Risk Factors for Male Perpetration and Female Victimization of Intimate Partner Homicide”  
Campbell, *et al.* | “Risk Factors for Femicide in Abusive Relationships”  
Langley | *American Roulette*

## APPENDIX I: STUDY PARTICIPANTS SERVICE SEEKER DEMOGRAPHIC INFORMATION

DEMOGRAPHIC DIMENSION	CATEGORY	FREQUENCY	CATEGORY BREAKDOWNS
<b>GENDER (SELF-DISCLOSED)</b>	Women	79	85.9 %
	Men	13	14.1 %
<b>RACE/ETHNICITY (SELF-DISCLOSED)</b>	Black/African American	56	60.9 %
	White	17	18.5 %
	Hispanic/Latinx	11	12 %
	American Indian	1	1.1 %
	No Response	7	7.6 %
<b>MARITAL STATUS</b>	Single	64	69.6 %
	Married	11	12.0 %
	Married but Separated	7	7.6 %
	Divorced	7	7.6 %
	In a Relationship	2	2.2 %
	N/A	1	1.1 %
<b>PARTICIPANT LIVES WITH ABUSER</b>	No	80	87.0 %
	Yes	12	13.0 %

<i>DEMOGRAPHIC DIMENSION</i>	<i>CATEGORY</i>	<i>FREQUENCY</i>	<i>CATEGORY BREAKDOWNS</i>
<b>HIGHEST LEVEL OF EDUCATION</b>	6th Grade or Less	1	1.1 %
	9th Grade	2	2.2 %
	10th Grade	1	1.1 %
	11th Grade	6	6.5 %
	GED	2	2.2 %
	High School Diploma	19	20.7 %
	Associate Degree	13	14.1 %
	Bachelor's Degree	5	5.4 %
	Master's Degree	6	6.5 %
	PhD or Professional Degree	1	1.1 %
<b>CURRENTLY EMPLOYED</b>	Yes	56	60.9 %
	No	26	39.1 %
<b>WORK STATUS</b>	Full-time	38	41.3 %
	Part-time	18	19.6 %
	N/A*	36	39.1 %
<b>CONSULTED WITH SOJOURNER ASSOCIATE PRIOR TO OR AFTER FILING FOR A TRO?</b>	Yes	33	35.9 %
	No	13	14.1 %
	N/A	46	50.0 %

\*Indicates unemployed or data not collected

<i>DEMOGRAPHIC DIMENSION</i>	<i>CATEGORY</i>	<i>FREQUENCY</i>
<b>AGE</b>	Minimum	18.00
	Maximum	74.00
	Mean	36.57
	SD	11.40
<b>NUMBER OF CHILDREN IN HOUSEHOLD</b>	Minimum	0.00
	Maximum	9.00
	Mean	1.71
	SD	1.79

## APPENDIX II: METHODOLOGY AND HUMAN-SUBJECTS PROTECTION

### Methodology

Both service seekers (n = 92) and service providers (n = 12) who provided data participated in an oral consent procedure approved by the Institutional Review Board at Marquette University under protocol number HR-3639. Research assistants conducted the phone surveys with service seekers which, on average, lasted approximately 45 minutes to an hour. The informed consent protocol included language notifying participants about the requirement to break confidentiality in certain circumstances such as the disclosure of previously unreported child or elder abuse. No such reports were necessary at any time during the study. Participants received compensation for their participation at three intervals: \$20 for Survey 1; \$30 for Survey 2; and \$50 for Survey 3. Incentives were distributed as Wal-Mart gift cards.

Interviews with service providers were completed by study PIs between January 2021 and June 2021 and averaged approximately 60–90 minutes each. Due to COVID-19 restrictions, all but one of these interviews were virtual and transcribed using Microsoft Teams software. Service providers were not offered gift card compensation for their participation in the project, although agencies did allow service providers to be interviewed as part of their paid working hours.

### Human-Subjects Protections

To minimize the risk of psychological discomfort, our recruitment and informed consent procedures emphasized both transparency (*i.e.*, being clear about the subject of the study) and the voluntary nature of participation. All research staff completed human subjects–training as well as additional trauma-informed training on interviewing approaches and participant interactions. All researchers conducted phone surveys in private, closed rooms (*e.g.*, personal office or study space) where conversations could not be overheard. Participants’ responses were entered directly into a secure data collect form in Qualtrics located on Marquette’s secure VPN server. No data were saved on personal computers. If a participant demonstrated discomfort or distress during the phone survey, research staff ceased data collection and offered direct connection with Sojourner advocacy and/or additional local mental health services referrals. If research participants indicated they had any needs for follow-up or outstanding questions, they were appropriately referred to advocacy services.

Research assistants were also trained to prioritize and ascertain participants’ safety. No specific information was revealed about the study or its topic of DV/IPV until the client’s identity was confirmed. Research assistants then screened as to whether the abuser was present, and only if the client was safe, disclosed the purpose of the study. Researchers provided participants with options to call back later or not at all. To minimize the confidentiality/privacy risk, research assistants and participants were assigned a study ID. Once entered electronically, the study data was maintained in an electronic, encrypted, password-protected database on a secure server at the study institution. The ID/name key was maintained in a separate electronic, encrypted, password-protected database and destroyed after round three of data collection and cleaning.

## APPENDIX III: MEASURES

### Service Seekers Phone Survey and Interviews

Service seekers reported their demographics including their age, gender, race/ethnicity, marital status, residential zip code, number of adults and/or children in the household, educational attainment, household income, and questions about employment status. Additional short, open-ended questions were used to assess how COVID-19 had impacted participants. Specific open-ended survey questions focused on access and use of legal and help-seeking services and pre- and post-pandemic experiences filing TROs and/or injunctions either in person or online. If participants had experienced domestic violence recently, they were asked about the type of violence, to assess the frequency and severity of IPV after the onset of the pandemic.

### Service Providers Interviews

The team completed 12 in-depth interviews with local domestic abuse advocacy directors, advocates, legal advisors, court commissioners, judges, and attorneys working on interpersonal violence in Milwaukee County. Team members were interested in understanding how technological and legal alterations post–COVID-19 had impacted the daily operations and delivery of legal, court, and advocacy services in Wisconsin. The interviews provided experiential knowledge and on-the-ground insight into legal and supportive practices and advocacy that were dramatically altered following COVID-19. Interviewees were asked to reflect on pre- and post-pandemic services and interventions to get a clearer picture of the extent of interpersonal and domestic violence as well as its impact on clients, agencies, and systems. Two scripts were used, one for court personnel and one for agency personnel. The interview instruments are on the following few pages:

### Interview Guides

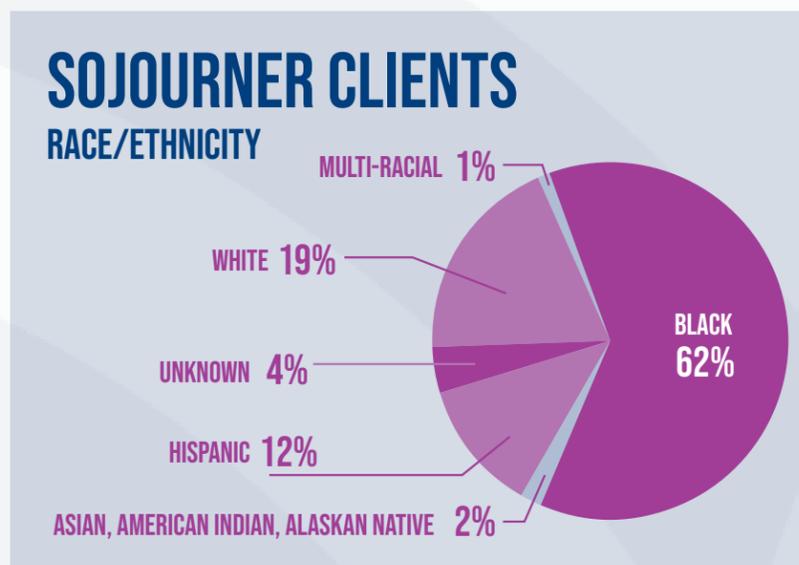
BACKGROUND	
ADVOCATES/DIRECTORS/ATTORNEYS	COURT COMMISSIONERS
<p>What role do you play in TRO/injunction filings? What brought you to this work? [<i>e.g.</i>, education, description of and time in current position, previous related work]</p> <p>Comparing your experiences before and after March 2021, how has your role in the process of working with clients seeking Temporary Restraining Orders (TRO) shifted as the process moved from in person to online? Technical comparisons [<i>e.g.</i>, technology, interface, access, confidentiality, ability] Technical support for staff, advocates [<i>e.g.</i>, trainings, resources]</p>	<p>Can you first tell me about your background? What is your current role in the injunction court and how did you come to have this role? [<i>e.g.</i>, education, description of and time in current position, previous related work]</p> <p>Since March 2021, how has the COVID-19 pandemic changed your daily practices or responsibilities? Technical issues [<i>e.g.</i>, technology, interface, access, confidentiality, ability] Technical support for self, staff [<i>e.g.</i>, trainings, resources] Physical/emotional issues and support [<i>e.g.</i>, in-person requirements during pandemic, mask wearing and other pandemic protocols, job responsibility changes, illness, family/childcare, transportation, employment changes]</p>

EXPERIENCES	
ADVOCATES/DIRECTORS/ATTORNEYS	COURT COMMISSIONERS
<p>Now, thinking about your client's experiences as you've worked with them, what feedback have clients given you about their experiences with online filing?</p> <p>How have clients interacted with the online interface? Easy or difficult to access and navigate? Concern about or barriers to access?</p> <p>How have your connections with clients been impacted? [e.g., support services from staff, understanding legal terminology and process of filing, connection to helpful resources/support services to file online and in person, supportive services to assist after the filing process]</p> <p>How, if at all, has COVID-19 impacted access and availability to the TRO-seeking process?</p> <ul style="list-style-type: none"> <li>Barriers to filing a TRO online?</li> <li>Barriers to filing a TRO in person?</li> <li>Specific client concerns?</li> <li>Access to support services from agencies?</li> </ul> <p>What types of concerns have clients described about their experiences getting permanent injunctions at in-person hearings at the courthouse since March 2021?</p> <p>[e.g., pandemic, missing work, facing the abuser, time, support, children needing care]</p> <p>What types of concerns do clients express about the future as it relates to their experiences of domestic, interpersonal violence and harassment?</p> <p>[e.g., pandemic, continued filing of injunctions in court or online, missing work, facing the abuser, time, support, children needing care]</p> <p>What, if any, concerns about confidentiality do you or your clients have about filing TROs online</p>	<p>In your experience, how has the COVID-19 pandemic impacted petitioners' requests for Temporary Restraining Orders (TROs) and/or injunction hearings?</p> <p>Barriers to filing a TRO/injunction online?</p> <p>Barriers to in-person filings? [e.g., illness, childcare, employment, transportation, access to support services, other access issues?]</p> <p>How has the pandemic affected TROs/injunctions for respondents?</p> <p>Barriers to in-person court appearances? [e.g., illness, care/childcare, employment, transportation or other access issues like technology, confidentiality, other]</p> <p>What are some benefits of moving to the eFiling system for TRO filings?</p> <p>Access [e.g., online, confidentiality, ability, transportation, childcare]</p> <p>Efficacy [e.g., confidentiality, rates of granted TROs, support for survivors/petitioners]</p> <p>In your experiences with petitioners and respondents during the pandemic thus far, what are some of your concerns about adoption of the eFiling system?</p> <p>Technical [e.g., access, ability, interface, confidentiality, data collection/reporting, other]</p> <p>Legal [e.g., language and terminology, confusion, legal statutes, confidentiality, other]</p> <p>Support services [e.g., access to support from advocates, support from courts, preparation for hearings, understanding of procedures, other]</p>

RESOURCES NEEDED	
ADVOCATES/DIRECTORS/ATTORNEYS	COURT COMMISSIONERS
<p>What factors do you think contribute to a client's decision to pursue a permanent injunction or not?</p> <p>What sorts of resources are needed to continue online and in-person access to TRO filing?</p>	<p>Since the COVID-19 pandemic, Milwaukee has seen a decrease in domestic abuse TRO and injunction filings, as well as a decrease in court commissioners granting injunctions. How would you interpret this data? [e.g., reporting issues, filing issues, data collection and reporting issues, determinants of granting or denying injunctions]</p> <p>What sorts of resources are needed to continue serving petitioners and respondents both online and in person?</p> <p>What would you like to see to increase access to the courts?</p> <p>What would you like to see to increase efficacy in the courts?</p>
FUTURE CONSIDERATIONS	
ADVOCATES/DIRECTORS/ATTORNEYS	COURT COMMISSIONERS
<p>What would you like to see to increase access and efficacy for your clients?</p> <p>In a perfect world, what do you need to serve your clients? [e.g., resources, support, law]</p> <p>Additional comments and concerns you hear from clients that are not addressed yet?</p> <p>Additional comments and/or concerns you have as a practitioner or advocate that have not been addressed yet?</p>	<p>In a perfect world, what sorts of changes would you like to see happen in the future for TRO and injunction filings and hearings? [resources, support, personnel, legal changes]</p> <p>Additional comments and concerns you have or that you hear from your colleagues that we have not addressed yet?</p>

## APPENDIX IV: SOJOURNER FAMILY PEACE CENTER

Sojourner has provided domestic violence advocacy and support services in Milwaukee since 1975. In November 2015, Sojourner’s offices moved to a 72,000-square-foot facility shared with 13 other co-located agencies including Advocate Aurora Health; Children’s Hospital Wisconsin Behavioral Health Clinic; Children’s Hospital Wisconsin Community Health programs; Children’s Hospital Wisconsin’s Milwaukee Child Advocacy Center; Children’s Hospital Wisconsin’s Project Ujima; Core El Centro; Goodwill; Jewish Family Services; Legal Action of Wisconsin; Milwaukee Police Department–Sensitive Crimes Division; Milwaukee County District Attorney Office–Domestic Violence Unit; Milwaukee Public Schools, Milwaukee County WrapAround. Agencies are co-located for the purpose of working more effectively together to collaboratively serve families impacted by violence, allowing them to get multiple service needs met in a single location.



In 2020, Sojourner made 61,902 contacts with 9,907 women, children, and men in Milwaukee County. Of these contacts, 15,089 calls came through the 24-hour hotline. Police officers, community members, and survivors initiated these calls to the hotline. Sojourner provided 13,314 nights of shelter to 625 people leaving domestic violence environments (a 21 percent increase from the previous year). Additionally, 3,564 people seeking restraining orders received support; 619 survivors received help visiting the District Attorney’s office and navigating the criminal court system; while

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**Figure 7. Sojourner Clients’ Race and Ethnicity**  
Data Source: Sojourner Family Peace Center

4,618 people seeking safety via law enforcement received follow-up support from a Sojourner advocate. There was an 8 percent increase in the number of DV/IPV survivors served by advocates who were co-located at police districts throughout Milwaukee in 2020. Nearly 80 percent of clients reported an annual household income of less than \$15,000.<sup>18</sup> The year 2020, as noted above, was also a critical year with a high number of domestic violence–related deaths.<sup>19</sup> In addition to adult clients, Sojourner supported 442 children who were impacted by family violence in child-specific group programming and summer camps. As of January 2020, Sojourner began sheltering men for the first time.

<sup>19</sup> Sojourner Family Peace Center, *2020 Annual Report: A Year in Review, Stronger Together*  
<sup>20</sup> Zusevics and Krall | “End Domestic Violence Homicide Report: 2019 Homicides and a Review of 20 Years of Data”

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This research project was generously supported by a  
President's Challenge Grant at Marquette University.



[iwl@marquette.edu](mailto:iwl@marquette.edu)

[marquette.edu/womens-leadership](http://marquette.edu/womens-leadership)