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| **Topic Overview** |

**Module Number:** 2

**Module Title:** System’s Response

**Section Number:** 1

**Section Title:** Orders of Protection

**Total Time Estimate:** 90 Minutes

**FVCC Protocol Location:**

**DV Protocol:** Ch. 2: Pgs. 39-52, Ch. 3; pgs. 34-52, Ch. 5; pgs. 35

**Law Enforcement PWD-OA Protocol**: Ch. 3; 27-31

**Prosecutor PWD-OA Protocol:** Ch. 2

**Learning Tools/Resources Needed:**

**PowerPoint Title:** Orders of Protection

**PowerPoint File Name:** POWERPOINT: Orders of Protection

**Facilitator Guide Title:** Order of Protection

**Facilitator Guide File Name:** FACILITATOR GUIDE; Order of Protection

**Activity Packet Title:** Order of protection: It’s just a piece of paper

**Activity Packet File Name:** ACTIVITY: It’s just a piece of paper

**Resource Packet Title:** Order of Protections

**Resource Packet File Name:** A Guide to Illinois Protective Orders

**Resource Packet File Name:** A Guide to Illinois Protective Orders (Spanish)

**Resource Packet File Name:** RCPD IDVA form

**Handouts:**

* Domestic Violence Order of Protection Petition
* Civil No Contact Petition
* Stalking No Contact Order Petition
* Full Faith and Credit Advocate Guide
* Illinois Constitution Victims Bill of Rights
* Illinois Legal Aid Resources
* Sample Safety Plan
* Side by Side Order of Protection Comparison

**Other Tools/Resources:**

* Model Protocols <http://www.icjia.state.il.us/ifvcc/projects>

**Presentation Outline:**

1. IDVA: Illinois Domestic Violence Act of 1986
2. Order of Protection Introduction
3. Types of protective orders

a. Domestic Orders of Protection

* Emergency OP
* Interim OP
* Plenary, Remedies, and Protections (Final OP)

b. Civil No contact Order

* Emergency CNCO
* Plenary, Remedies, and Protections CNCO (Final)

c. Stalking No Contact Orders

- Emergency CNCO

- Plenary, Remedies, and Protections CNCO (final)

3. Community Response

- Law Enforcement responsibilities

- Circuit Clerk

- Sheriffs’ responsibility

- Court/Judicial responsibility

4. Risk Assessments and safety planning

**Learning Objectives:**

1. Differentiate between Orders of Protection and types of No Contact Orders.
2. Describe the remedies available through Orders of Protection and No Contact Orders in Illinois
3. Understand violations and enforcement of Orders of Protection
4. Identify PWEH considerations for safety and Coordinated Community Response tactics

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| **DETAILED FACILITATION PLAN** |

**Introduction**

* + **PowerPoint Slides:** 1-2
  + **Time Estimate:**  5 minutes
  + **Learning Method(s) & Facilitation Notes**

Methods: PPT presentation and Lecture notes

Facilitation Notes: Use PPT notes for Introduction

Virtual: Test that any handouts or activities can be posted in the chat. Assign a person before the training that can monitor and post in the chats.

In-Person: Have all handouts and activities readily available for the training. Assign a moderator if necessary, to help with handouts and/or activities.

* + **Content**

Welcome, introductions with ice breaker activity

* Introduce the speaker(s)
* Discuss training format
* Introduce those facilitating the small groups and their role
* Technology check

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**Topic #1**: IDVA: Illinois Domestic Violence Act of 1986

* + **PowerPoint Slides:** 3-7
  + **Time Estimate:** 5 Minutes
  + **Learning Method(s) & Facilitation Notes**

Methods: Slides 3-5, discuss the definitions of IDVA. Slide 6-7

* + **Activity Packet (if applicable):**
  + **Handouts: (if applicable):**
  + **Application Questions:**

1. Where/when have you experienced any confusion about who is/is not considered a household member (ie, are there times when it is difficult to determine if the relationship qualifies as household- I’m no expert so I don’t know if this occurs or is productive) If so, what can you do to clarify?
2. When we say “an OP does not require compliance by the petitioner”- what are potential circumstances when the officer of PWEH may be confused? And how could you respond?

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**Topic #2:** **Types of protective orders**

* + **PowerPoint Slides:** 8-9
  + **Time Estimate:** 10 minutes
  + **Learning Method(s) & Facilitation Notes**

Methods: PPT and Lecture on the types of Protective Orders.

Facilitation Notes: There are three types of orders addressed in topic 2. They will be bullet pointed as a,b,c in this section.

Slide 8-9, discuss the three types of protective orders. The slides will provide a more extensive overview of each type of order including issuance, duration and remedies and violations. Reference handout on slide 9. Pass out to participants for their reference.

Virtual: Check to make sure you can pull up handout in the next section if virtual. You may also attach the handout in the chat function of the platform you are using.

In-Person: Have handouts ready to pass out to participants.

* + **Handouts:** Side-by-Side OP Comparison on slide 9

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**a. Domestic Orders of Protection**

* + **PowerPoint Slides:** 10-23
  + **Time Estimate:** 20 minutes
  + **Learning Method(s) & Facilitation Notes**

Facilitation Notes: Slide 11 explains who is eligible to receive an OP. Discuss the eligibility and the timeframe of abuse, this usually occurs 24-72 hours to qualify for an emergency OP. Follow the slides for this section which details each provision of the Domestic Order of Protection.

* **Emergency OP:** Read slide 14 detailing an emergency OP.
* **Interim OP:** Read slide 15 detailing an interim OP
* **Plenary, Remedies, and Protections (final):** Slide 16, Plenary explains the final OP process. All remedies can be court ordered at the Plenary.

Use slides 17-23 to discuss court and police enforcement of the OP.

Slides 17-18 explains the remedies and protections. Remedies in OPS are more inclusive and involved due to the significant relationship status between the parties. This remedies and protection will differ from each individual OP depending on their situation.

Slide 18 explains the Full Faith and Credit. This allows the OP, whether temporary or final injunction, protective order, or restraining order properly issued by a state court be given full faith and credit by courts in every other state.

Slides 20-23 discusses Violation of an Order of Protection. The prosecution, first time offenders and how an Order of protections are enforced.

* + **Handouts:** Full Faith and Credit advocate guide (can be handed out or used as a reference sheet)
* **Application Questions:** Do we need application questions after each protective order or at the end after all the Types of orders are discussed?

1. Don’t have to do after each order and going over that much material. Facilitators don’t need to use ALL OF the questions.
   1. Remedies...Courts strive to create/craft remedies in language that is clear and will address issues. Sometimes this can be difficult. How can you support the PWEH if you are working with someone and the stated remedies need adjustment (because of difficult to enforce, new information obtained that create a different picture of the circumstances, etc.?
   2. Full Faith. Might ask (and be ready to talk about) What difficulties occur when you are being asked to enforce out of state orders?
   3. Violations. Is whether an OP been violated always clear? What complication arise and how can different professions/roles best respond?
   4. Evidence. What have you noticed is some of the best evidence to collect? What is the most difficult to collect?
2. Assuming processing at end of section only:
   1. Which remedies and protections do you find most effective when enforcing an OP? Which are most challenging to enforce and why? What remedies do you think might be underutilized
   2. What do you think the system (all of us) can do to better collect evidence of violations?

**b: Civil No Contact Orders**

* + **PowerPoint Slides:** 24-32
  + **Time Estimate:** 10 Minutes
  + **Learning Method(s) & Facilitation Notes**

Facilitation Notes: Use the PPT notes on each slide if applicable.

slides 25-26, discuss who is protected under a CNCO.

* **Emergency CNCO:** Slide 27 explains the Emergency CNCO
* **Plenary CNCO**, **remedies, and protection** (final): Use notes on slides 28 -29 to discuss a default order if the respondent does not appear to court.

On Slides 30-32, explain when a person commits a violation of the CNCO.

* + **Handouts: (if applicable):** Civil no contact petition handout
  + **Application Questions:**

1. Do you ever see confusion on whether a OP or a CNCO is best? When might a CNCO be created when an OP would be more appropriate? IF this occurs, what can you do to assist PWEH?
2. What is considered a “RECENT” incident? Is there a time when it is too late to report non-consensual sexual contact?
3. If a person must “knowingly commit an act which was prohibited” to be considered a violation- what challenges arise determining “knowingly”? What can be done when the potential violator denies knowledge?

**c. Stalking No Contact Orders**

* + **PowerPoint Slides:** 33-40
  + **Time Estimate:** 10 Minutes
  + **Learning Method(s) & Facilitation Notes**

Facilitation Notes: Use slides 34-35 to describe stalking and who is eligible.

* **Emergency SNCO:**  Slide 36, Discuss Issuance and the duration of a SNCO.
* **Plenary SNCO, Remedies, and Protection (final):** Slides 37-39, discuss the issuance and duration of SNCO.

Use slides 39-40 to explain the violations and enforcements of a SNCO.

Slide 41 has an activity. Use the Activity coversheet for directions. Directions are also available in the notes on this slide.

**Virtual:**  Use breakout rooms and assign a facilitator if needed

**In person:** White board or flip chart is needed.

* + **Activity Packet:** It’s Just a Piece of Paper.
  + **Handouts:** 1. Stalking No Contact Order Petition handout

2. It’s Just a Piece of Paper handout activity

* + **Application Questions:**

1. Not notifying the responded until having a summons/notice of hearing served is designed to protect the PWEH. The stalker may guess what is going on. How else can we protect PWEH until the hearing? What advice would you give the PWEH if the respondent confronts him/her about the hearing?
2. What were some new insights you gained from the discussion?
3. Was there anything that surprised you?
4. If the victim does not express concerns but you sense they are present, what can you do?
5. If a professional indicates they don’t believe OPs work, what can you say or do to change their mind? What can you do if pointing this out to the professional is ‘not your place’? What actions can you take to promote and support a cultural shift?

**Topic #3 Community Response**

* + **PowerPoint Slides:** 42-51
  + **Time Estimate:** 10 minutes
  + **Learning Method(s) & Facilitation Notes**

Methods: PPT and Lecture

Facilitation Notes: Use notes on slides when applicable.

Slides 43-46 discuss the responsibilities of Law Enforcement when called out to a domestic violence scene. Slide 47 discusses responsibilities of the Circuit Clerk. Slides 48-50 explain the responsibility of the Sherriff’s office. Slides 49-50 discuss the responsibility of The Judicial system.

* **Application Questions:**

1. What about orders of protection works well in your community?
2. How do professionals in your community work together in responding to OPs?
3. Where do you see opportunities to improve how community members work together to improve OP related activities?

**Topic #4 Risk Assessment and Safety Planning**

**a. Risk Assessment**

* + **PowerPoint Slides:** Slides 52-54, use the PPT notes when applicable.

* + **Time Estimate:** 5 minutes
  + **Learning Method(s) & Facilitation Notes**

Methods: PPT and Lecture

Facilitation Notes: Slides 52 use handout, A guide to Illinois Protective Orders. There is a Spanish guide available too.

* + **Handouts: (if applicable):** A Guide to Illinois Protective Orders (English and Spanish)

**b. Safety Planning**

* + **PowerPoint Slides:** 55-61
  + **Time Estimate:** 10 minutes
  + **Learning Method(s) & Facilitation Notes**

Facilitation Notes: Use PPT notes on each slide. Slide 58 has a sample safety planning handout. Pass this to the participants and have a discussion. Slides 59-60 gives suggestions for connecting PWEH to local, state, or national resources. Slide 61 has the handouts for all the protective orders.

* + **Handouts: (if applicable):** Sample Safety Plan handout
  + **Application Questions:**

1. What resources are available in your community? Is everyone equally aware of the various resources? What can you do to help ensure all professionals are informed and able to support each other and PWEH?
2. Is your community using risk assessments? Is information being collected at risk assessment being used when OPs are created and informing enforcement? What would be an appropriate next step to continue to refine your communities’ effectiveness with risk assessments and connecting those processes to OPs? How effective are your safety planning activities? What are the benefits of OPs?

**Training Wrap-Up**

* + **PowerPoint Slides:** 62
  + **Time Estimate:** 5 minutes
  + **Learning Method(s) & Facilitation Notes**

Methods: Lecture and Q & A.

Facilitation Notes: Ask participants if they have questions. Keep slide 61 up.

* + **Content**
* Thank You and housekeeping items
* Evaluation (if applicable)
* Information/Updates on FVCC
* Closing