



## Doing the Right Thing for Battered Women<sup>1</sup>

By Linda A. Osmundson<sup>2</sup>

It takes a whole community to stop domestic violence. Neighbors make about 60% of calls to the police to report domestic violence. Wouldn't it be great if a battered woman could get help and referrals from her attorney, physician, rabbi or minister? It would be even better if she could learn about resources that could help her from her mechanic, veterinarian, the bail bondsman or perhaps from her mail person, grocery store clerk or beautician.

Attorneys may encounter battered women in their practice without realizing it. Some attorneys may quickly realize their client is a battered woman. It is important to provide access to information on domestic violence that the attorney may think is beyond their responsibility. Family law attorneys who deal with marriage and custody matters are certainly most familiar with domestic violence. However, criminal defense attorneys, tax attorneys, bankruptcy attorneys, attorneys who prepare wills and many others, may also encounter battering victims.

Why may it be important for an attorney to know if their client is being battered? If you are dealing with marriage or custody matters or a criminal case, this information is crucial to your case. You will want to know if your client is safe right now. In some cases, you may also want to take special precautions for your own safety in your office or the safety of a judge in the courtroom. You may need to make appropriate referrals to an agency like CASA. You may also want to consult with CASA staff about providing an expert witness and developing strategy for your case. The CASA 24-hour crisis line (727-898-3671) is not only available for victims but for those who may be attempting to assist victims. If your client lives outside of Pinellas County, there is a statewide, toll free crisis line (1-800-500-1119).

It is recommended that attorneys routinely screen for domestic violence during their initial appointment. A few simple questions may be asked such as, "Are you afraid to go home to your spouse or partner?" "Has your spouse or partner ever threatened to hurt you or your children physically for any reason?" "Has your partner or spouse ever hit, punched or kicked you?" "Has your partner ever assaulted you sexually or forced you to have sex in a way or time when you did not want it?" Victims will generally give an honest, straightforward answer when asked simple, direct questions. Of course, victims must be asked in private and not in front of others. Victims will be honest if they believe they can trust you to listen without judgment.

The easiest way to provide general information for many clients is to leave brochures from CASA in your lobby, waiting room or restrooms. Restrooms provide safe, easy access to information that a client may be reluctant to pick up in a waiting room for fear

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<sup>1</sup> About 90% to 95% of domestic violence victims are female so I will use a generic "she" throughout this article when speaking of victims. This is not meant to discount the men who are battered by other men or women.

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someone will see her. CASA can supply a quantity of brochures and information booklets.

Many professionals, including attorneys, are reluctant to learn too much about the domestic violence affecting their client because they do not want to become involved. However, the attorney is unwittingly involved the minute he or she agrees to take the case. Victims who have never hired an attorney before may begin to see counsel also as their counselor. CASA provides crisis intervention, case management, information and referrals, shelter, support groups, children's programs, 911 cell phones, assistance in applying for injunctions for protection, accompaniment of victims to court and many additional services. At CASA Collection Thrift Shoppe (612 ML King St. N, St. Petersburg, ph.# 727-823-2507) we can assist your client in finding affordable and appropriate clothing for court appearances. CASA provides The Visitation Center (ph. # 727-897-9204) where the court may order supervised visits or monitored exchanges so that the children are protected from a potentially dangerous parent and prevented from witnessing their mother being beaten by their father or father figure.

One of the most important services CASA provides is safety planning. We will assist the attorney and the client to make a plan for her safety while the legal matters are being discussed and settled. The most dangerous time for a victim occurs when she takes some sort of action such as leaving the home, applying for an injunction for protection, filing for divorce or custody. Developing a thoughtful safety plan is vital at this time for the client's safety. It may even save her life. It may save your life, too.

This year a Fatality Review Team was formed as a committee of the Pinellas County Domestic Violence Task Force. The Team is reviewing domestic fatalities in the county to determine if there are trends or anything that we can learn to prevent a similar fatality in the future. In one case, a victim of a domestic-related homicide had hired a divorce attorney. This appears to be her only contact with a system that might have saved her. We did not know if the attorney was aware of the domestic violence. We wondered if the attorney made a referral to CASA. If the attorney had asked CASA to discuss safety planning with her, would she be alive today? We will never know.

In order to do the right thing for battered women, attorneys should routinely screen for domestic violence, provide information and make referrals to CASA. A battered woman can do much to save her own life, if she is informed by her attorney or anyone else in the community who cares. Attorneys play an important role in helping a battered woman make good decisions. Attorneys are an essential part of the coordinated community response to prevent domestic violence and domestic homicides.<sup>3</sup>

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