

**REPORT ON THE  
PREVENTION OF DOMESTIC VIOLENCE ACT**

**(N.J.S.A. 2C:25-17 to N.J.S.A. 2C:25-33)**

**For the Period**

**JANUARY 1, 2000 - DECEMBER 31, 2000**

**ADMINISTRATIVE OFFICE OF THE COURTS**

**Submitted by:**

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**Date: October 30, 2001**

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## INTRODUCTION

The Administrative Office of the Courts presents this statistical report on the operation of the Prevention of Domestic Violence Act, N.J.S.A. 2C:25-17 through 2C:25-33. This is the fourteenth such report since 1981 to the Governor, the Legislature, and the Advisory Council on Domestic Violence. This report, submitted pursuant to N.J.S.A. 2C:25-33, covers the period from January 1, 2000 to December 31, 2000.

Collection and analysis of accurate data regarding trends in domestic violence filings is essential to New Jersey's efforts in reducing incidents of domestic violence. This report provides governmental agencies and victims' service providers with the data they need in their work to eliminate domestic violence.

The Administrative Office of the Courts collects comprehensive data reflecting a detailed picture of domestic violence filings, dispositions, and granted reliefs. Data elements such as gender of parties, relationship of parties and living arrangements provide critical information to the court and other public and private agencies working to assist domestic violence victims and their families.

The format of this annual report is consistent with that of previous reports in presenting data regarding domestic violence filings, dispositions of restraining orders, and violation of restraining orders. In addition, pursuant to N.J.S.A. 2C:29-9b this report includes data on non-indictable contempt charges, which are processed in Family Court, and on violations of non-contact orders or other offenses that require arrest and criminal charges, which are processed in the Criminal Division. Civil complaints, collected as part of the Family Automated Case Tracking System (FACTS), are contained in the main body of the report. Criminal data related to domestic violence, collected as part of the statewide Criminal Division automated system (Promis/Gavel), are contained in a separate section of the report.

The data for 2000 show that domestic violence complaint filings have remained relatively stable during the past six years, experiencing only slight fluctuations in volume since the record high of 63,465 in 1995. While initial filings increased slightly in 1999, every other year between 1996-2000 has shown a slight decline. Domestic violence contempt filings also declined slightly between 1999-2000, down from 10,593 in 1999 to 10,361 in 2000.

New Jersey's Statewide Domestic Violence Central Registry is now fully operational. The registry makes available to law enforcement agencies up-to-date information on all Temporary and Final Restraining Orders entered into FACTS in all counties since 1993. The registry is a valuable tool for law enforcement in protecting victims throughout the state. It was made possible through funding

from the federal Prevention of Violence Against Women's Act (VAWA) and through inter-agency cooperation among the Judiciary, the Attorney General's Office, the New Jersey State Police, and local law enforcement. The capability of FACTS to record out-of-state domestic violence orders, providing further protection for victims who have relocated to New Jersey, was also made possible through VAWA funding.

VAWA funding also made possible the continued work of the Domestic Violence Technical Assistance Team. In 2000 this team, comprised of a judge and professional staff, visited each county to conduct an on-site detailed analysis of the county's domestic violence operation from intake to final disposition. As part of each such site visit, the team met with the Assignment Judge, Family Presiding Judge, and staff to ensure uniform compliance with domestic violence laws and the Domestic Violence Procedures Manual, and to discuss any needed improvements in operations. The team also met with each county's local Domestic Violence Working Group in their role as collaborative forums to address domestic violence issues at the community level.

The Domestic Violence Hearing Officer (DVHO) Program, operational in all fifteen vicinages, continues to be a valuable part of the overall effort to combat domestic violence. As quasi-judicial court personnel, the Hearing Officers, by handling applications for temporary restraints as expeditiously as possible, significantly supplement the judicial resources available for domestic violence matters. Extensive ongoing training continues to be a mainstay of the DVHO program in order to ensure the highest quality of service to the public.

The Judiciary continues to seek to implement policies and procedures that enhance the protective process for victims of domestic violence and their families. Efforts remain underway to establish a statewide protocol for screening and prosecution of domestic violence contempt cases. The Domestic Violence Technical Assistance Team will continue to provide technical assistance to the vicinage domestic violence teams throughout the coming year. Further, the necessary technological enhancements to fully implement the automation of domestic violence forms for law enforcement and the courts is scheduled to be completed in the next year.

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Richard J. Williams, J.A.D.  
Administrative Director of the Courts

Date: October 30, 2001



**SECTION ONE:  
DOMESTIC VIOLENCE (FV) FILINGS - NEW COMPLAINTS**

## A. STATEWIDE FILINGS

### 1. NUMBER OF NEW COMPLAINTS FILED (INCLUDES NEW COMPLAINTS AND TEMPORARY RESTRAINING ORDERS (TROs) THAT WERE EXTENDED INDEFINITELY AND ARE NOW BEING REOPENED.)

Total domestic violence filings continue to remain essentially at the same level with only slight fluctuations since 1996. Calendar year 2000 showed a slight decrease in total filings as compared to 1999. The number of transfers increased slightly. The number of reopened TROs also showed a slight increase from the previous year. New complaints filed in Municipal Court showed a nominal decrease for calendar year 2000; Family Court showed a slight increase in new complaints for the same time period. Calendar year 2000 continued the trend of acceleration for reopened TRO's in Family Court.

FILINGS	1999 1/99-12/99	2000 1/00- 12/00	+/-	+/-%
Municipal Courts	19,390	19,268	-122	-0.6%
Family Division	21,772	21,884	+112	+0.25%
Transfers	129	166	+37	+0.38%
Reopened TROs	2,047	2,314	+267	+.067%
Total Filings	43,338	43,632	+294	+.067%

### 2. GENDER OF PARTIES (ALL COURTS-DOES NOT INCLUDE TRANSFERS OR REOPENED TROs)

In 2000, the vast majority of plaintiffs filing domestic violence complaints continued to be female and the vast majority of defendants continued to be male.

Gender of Parties	1999	% of Total Filings (43,338)	2000	% of Total Filings (43,632)
Male Plaintiff	8,568	20.7.%	8,636	20.9%
Female Plaintiff	32,724	79.3%	32,682	79.1%
Male Defendant	32,519	78.8%	32,457	78.6%
Female Defendant	8,771	21.2%	8,861	21.4%

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3. RELATIONSHIP OF PLAINTIFF-DEFENDANT (ALL COURTS)

For 2000, the statistics regarding the relationship between plaintiff and defendant remained essentially consistent with the statistics of the previous year.

Relationship of Parties				
Relationship of Parties	1999	% of Total Filings (43,338)	2000	% of Total Filings (43,632)
Spouse w/Children	10,038	24.3%	10,177	24.6%
Spouse w/o Children	3468	8.4%	3,435	8.3%
Former Spouse w/Children	1,145	2.8%	1,173	2.8%
Former Spouse w/o Children	228	0.6%	207	0.5%
Never Married w/Children	6,826	16.5%	6,733	16.3%
Never Married Expectant Parents	262	0.6%	235	0.6%



Relationship of Parties	1999	% of Total Filings (43,338)	2000	% of Total Filings (43,632)
Present Household Member	5,434	13.2%	5,275	12.8%
Dating Relationship	9,138	22.1%	9,364	22.7%
Former Household Member	4,752	11.0%	4,719	11.4%

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4. LIVING ARRANGEMENTS OF PLAINTIFF AND DEFENDANTS IN NEW COMPLAINTS

The living arrangement percentages for plaintiffs and defendants in new domestic violence complaints were unchanged between 1999 and 2000.

Living Arrangements	1999	% of Total Filings	2000	% of Total Filings
Living Together	17,517	42.4%	17,536	42.4%
Previously Living Together	17,999	43.6%	18,017	43.6%
Never Living Together	5,775	14.0%	5,765	14.0%

5. TEMPORARY RESTRAINING ORDER ISSUED

The Domestic Violence Summary reflected a 3.7% increase in the number of TROs issued between 1999 and 2000. Additionally, the data shows a slight increase in the number of TROs denied and a final hearing scheduled as well as a 1.6% increase in the number of TROs denied and complaint dismissed.

TRO'S Issued	1999	% of Total Filings	2000	% of Total Filings	+/- %
	34,698	80.1%	36,071	79.6%	+3.7

TROs Denied (Final Hearing Scheduled)	1999	% of Total Filings (43,338)	2000	% of Total Filings (43,632)	+/- %
	501	1.15%	738	1.69%	+0.5%

TROs Denied (Complaint Dismissed)	1999	% of Total Filings (43,338)	2000	% of Total Filings (43,632)	+/- % 1999-2000
	2,906	6.7%	3,620	8.3%	+1.6%

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6. DOMESTIC VIOLENCE FILINGS SUMMARY

Total new filings in 2000 were down by a small percentage. This small change was the result of a decrease in reopened cases and an increase in extended TROs.

	1999	% of Total Filings	2000	% of Total Filings	+/- % 1999-2000
New/TRO Extended	43,338	71.2%	43,632	72.1%	+0.06%
Reopened Post-Disposition	17,553	28.8%	16,922	27.9%	-3.7%
Total Filings	60,891		60,554		-0.5 %



## **B. COUNTY FIGURES**

**SECTION TWO:  
DOMESTIC VIOLENCE TERMINATIONS (FVs)  
NEW COMPLAINTS**

**A. STATEWIDE FIGURES**

**1. TRO DENIED, COMPLAINT DISMISSED (ALL COURTS)**

The number of cases disposed by the denial of a TRO and dismissal of the domestic violence complaint increased slightly between 1999-2000.

TROs Denied 1999	% of Total Filings	TROs Denied 2000	% of Total Filings
2,906	5.6%	3,620	8.2%

**2. COMPLAINT WITHDRAWN BY PLAINTIFF**

The number of cases falling into this category slightly decreased in 2000. Withdrawal of complaints by plaintiffs has remained relatively constant over the last four years, averaging 34-35 percent of new filings.

Complaint Withdrawn by Plaintiff (1999)	% of Total Filings	Complaint Withdrawn by Plaintiff (2000)	% of Total Filings
15,125	34.3%	15,415	35.0%

**3. FAILURE OF PLAINTIFF TO APPEAR: COMPLAINT  
DISMISSED**

The number of cases dismissed for failure of the plaintiff to appear has steadily decreased over the last three years. Calendar year 2000 continued this decline from calendar year 1999.

Dismissed Failure to Appear Plaintiff (1999)	% of Total Filings	Dismissed Failure to Appear Plaintiff (2000)	% of Total Filings
4,587	10.4%	4,144	9.4%

4. TRO APPEALED: COMPLAINT DISMISSED (FAMILY DIVISION)

The number of cases in which emergent appeals are heard prior to the final hearing showed a slight increase between 1999 and 2000. When the court determines that all matters can be addressed at the final hearing, appeals that are granted to defendants are statistically captured in the "relief denied at final hearing" category.

TRO EMERGENT APPEAL GRANTED	
1999	143
2000	180

5. RELIEF DENIED AT FINAL HEARING: COMPLAINT DISMISSED

Calendar year 2000 showed a slight increase in the number of cases in which all relief was denied and the complaint dismissed following a final hearing.

Year	FROs Denied	% of Total Filings
1999	4,735	10.7%
2000	5,133	11.7%

6. TRO EXTENDED

A TRO can be extended indefinitely when the defendant cannot be located for service of a TRO or when the plaintiff cannot appear (i.e., unavailable for medical reasons, child care, or relocation) for the final hearing. In 2000, extended TROs constituted 7.8% of total filings, representing a slight increase over the previous year.

Year	Extended TROs	% of Total Filings
1999	3,283	7.4%
2000	3,437	7.8%

7. SOME OR ALL RELIEF GRANTED: FRO ENTERED

The number of Final Restraining Orders declined between 1999-2000, with the decline corresponding to the decrease in total filings and the increase in the number of extended TROs. In 2000, Final Restraining Orders (FROs) represented 27.1% of total filings.

Final Restraining Orders		
Year	FROs Entered	% of Total Filings
1999	13,181	29.9%
2000	11,951	27.1%



8. TRANSFERRED TO OTHER COUNTY

The small number of cases transferred to another county has remained essentially constant over the years compared to the total number of domestic violence complaints filed.

DV Cases Transferred To Another County	
1999	154
2000	168

## **B. COUNTY FIGURES**

### SECTION THREE

#### FINAL RESTRAINING ORDERS RELIEF DISPOSITION STATISTICS

[The percentage of relief sought in each column represents the percentage of cases in which that relief was sought. The percentage of relief in each granted column represents the percentage of cases in which the relief sought was granted.]

## **B. COUNTY FIGURES**

**The following subsections contain detailed information about the specific types of relief sought by victims and the frequency with which these types of reliefs were granted as part of a Final Restraining Order [FRO].**

**A. STATEWIDE FIGURES (FAMILY DIVISION)**

For Calendar year 2000 27.3% of new domestic violence filings in the Family Division resulted in a Final Restraining Order (FRO). These statistics represent a slight, but consistent, decline in the number of FROs issued by Family Court in 1999 (29.9%) and 1998 (30.4%).

Year	FROs Granted	Total Filings	% of Total Filings
2000	11,951	43,632	27.1%

**1. PROHIBITION AGAINST FUTURE ACTS OF DOMESTIC VIOLENCE**

This relief continues to be ordered in the majority of Final Restraining Orders when this relief is sought.

2000	
# of Times Relief Sought	% of FROs
11,514	96.3%
# of Times Relief Granted	% Granted in FROs
11,154	96.9%

**2. PROHIBITION AGAINST ANY CONTACT OR COMMUNICATION WITH VICTIM**

The 1994 amendments to the Prevention of Domestic Violence Act provide for the restraint against contact by the defendant personally or through an agent including verbal and written communication, with the plaintiff or others under the protection of a TRO or FRO. The statutory definitions of "contact" and "harassing communication" were clarified in the 1994 amendments. This relief continues to be sought and granted in the majority of cases.

2000	
# of Times Relief Sought	% of FROs
11,490	96.1%
#of Times Relief Granted	% Granted in FROs
11,222	97.7%

3. PROHIBITION AGAINST ANY CONTACT OR COMMUNICATION WITH OTHERS

This relief, which prohibits defendants from contacting or communicating with those individuals specified in the Final Restraining Order (FRO), is intended to further minimize the opportunity for ongoing abuse, harassment, coercion or duress. It was requested in approximately half the number of cases in which final orders were entered and was granted in over sixty percent of these cases.

2000	
# of Times Relief Sought	% of FROs
6,290	52.6%
# of Times Relief Granted	% Granted in FROs
4,150	66.0%

4. PROHIBITION AGAINST HARASSING COMMUNICATIONS TO VICTIM

The 1994 amendments to the Prevention of Domestic Violence Act provide for prohibitions against direct or indirect harassing communications towards victims. It was sought in 96.1% of the cases in 2000 and was granted 97.2% of the time it was requested.

2000	
# of Times Relief Sought	% of FROs
11,482	96.1%
# of Times Relief Granted	% Granted in FROs
11,175	97.2%

5. PROHIBITION AGAINST HARASSING COMMUNICATIONS TO OTHERS

The 1994 amendments to the Prevention of Domestic Violence Act provide for prohibitions against direct or indirect harassing communications. It was sought in 51.8% of the cases in 2000 and was granted in 65.0% of those cases.

2000	
# of Times Relief Sought	% of FROs
6,194	51.8%
# of Times Relief Granted	% Granted in FROs
4,025	65.0%

## 6. POSSESSION OF RESIDENCE TO PLAINTIFF

Temporary sole possession of the residence to the victim continues to be granted by the court in the majority of domestic violence TROs.

2000	
# of Times Relief Sought	% of FROs
7,001	58.6%
# of Times Relief Granted	% Granted in FROs
6,323	90.3%

## 7. EMERGENT MONETARY RELIEF-VICTIM

The statistics for calendar year 2000 regarding emergent monetary relief closely parallel the statistics reported in previous years. Emergent monetary relief is sought and awarded in a very small number of cases. This could either reflect that support has previously been established through a prior or companion civil action or that the victim does not wish to request monetary support.

2000	
# of Times Relief Sought	% of FROs
390	3.3%
# of Times Relief Granted	% Granted in FROs
125	32.1%

## 8. EMERGENT MONETARY RELIEF-DEPENDENT(S)

The calendar year 2000 statistics also reveal that emergent monetary relief for



dependents continues to be sought and awarded in a very small number of cases. This would also suggest that dependent support has previously been established through a companion civil action or that the victim does not wish to request monetary support.

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2000	
# of Times Relief Sought	% of FROs
427	3.6%
# of Times Relief Granted	% Granted in FROs
75	17.6%

#### 9. CHILD CUSTODY

In Calendar year 2000, 52.0% of domestic violence complaints were filed by plaintiffs who had children or were expecting a child in common with the defendant. Forty percent (40.5%) of those plaintiffs sought custody of children as a relief. Custody to the plaintiff was granted in 90.6% of the FROs issued.

2000	
# of Times Relief Sought	% of FROs
4,844	40.5%
# of Times Relief Granted	% Granted in FROs
4,388	90.6%

10. LAW ENFORCEMENT ACCOMPANIMENT OF DEFENDANT TO SCENE- RESIDENCE

In spite of the 1994 amendments to the Prevention of Domestic Violence Act specifically outlining the availability of police escort for the defendant back to the scene or residence, this relief has not been frequently requested. Nonetheless, judges did order it in 75.2% of Final Restraining Orders during calendar year 2000.

2000 Law Enforcement Escort/Defendant	
# of Times Relief Sought	% of FROs
3,664	30.7%
# of Times Relief Granted	% Granted in FROs
2,757	75.2%

11. LAW ENFORCEMENT ACCOMPANIMENT OF PLAINTIFF TO SCENE-RESIDENCE

The 1994 amendments to the Prevention of Domestic Violence Act also provided for the availability of police escort for the plaintiff back to the scene of residence. It was granted in 69.8% of the FROs issued in 2000.

2000 Law Enforcement Escort/Plaintiff	
# of Times Relief Sought	% of FROs
1,320	11.0%
# of Times Relief Granted	% Granted in FROs

# of Times Relief Sought	% of FROs
922	69.8 %

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The next three subsections describe various reliefs that may be granted through judicial discretion as they relate to individual circumstances of the parties involved in domestic violence cases. For instance, a judge may order drug and alcohol screening for the defendant or therapy for a child. Judges also have granted additional relief in a number of cases supplementary facts and information were revealed to the court.

12. OTHER APPROPRIATE RELIEF-PLAINTIFF

2000	
# of Times Relief Sought	% of FROs
313	2.6%
#of Times Relief Granted	% Granted in FROs
690	220.4%

13. OTHER APPROPRIATE RELIEF-CHILD[REN]

2000	
# of Times Relief Sought	% of FROs
442	3.7%
#of Times Relief Granted	% Granted in FROs
208	47.1%

14. OTHER APPROPRIATE RELIEF-DEFENDANT

2000	
# of Times Relief Sought	% of FROs
1,739	14.6%
#of Times Relief Granted	% Granted in FROs
1,106	63.6%

15. INTAKE MONITORING OF CONDITIONS OR RESTRAINTS

Intake monitoring, which requires frequent contact with victims to determine if restraints are being observed, is rarely requested and infrequently granted. Limited availability of court staff to monitor this relief is the barrier most frequently cited.

2000	
# of Times Relief Sought	% of FROs
443	3.7%
% of Times Relief Granted	% Granted in FROs
109	24.6%

16. PROHIBITION AGAINST WEAPONS POSSESSION-FIREARMS

Since the enactment of the federal Violence Against Women Act in 1994 and the Brady Handgun Violence Prevention Act (Pub.L.103-159) of 1993, the courts have been particularly sensitive to the relationship between acts of domestic violence and the purchase and possession of firearms. In 2000, orders including this relief were entered in 92.8% of the cases coming before the court.

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2000	
# of Times Relief Sought	% of FROs
8,651	72.4%
# of Times Relief Granted	% Granted in FROs
8,024	92.8%

#### 17. PROHIBITION AGAINST WEAPONS POSSESSION-OTHER

This relief addresses the availability of all potential weapons (other than firearms) that increase the risk of harm and injury to a victim. Therefore, prohibitions against possession of all other possible weapons continue to be addressed by the court through FROs. In calendar year 2000 82.8% of FROs included prohibitions against weapons possession.

2000	
# of Times Relief Sought	% of FROs
6,645	55.6%
# of Times Relief Granted	% of FROs
5,504	82.8%

#### 18. SEIZURE OF WEAPONS

Family Court judges ordered the seizure of weapons in 330 cases during 2000.

This number, however, does not include those cases in which weapons were seized by the police at the scene of a crime of domestic violence.

2000
# of Cases Weapons Seized
330

19. PROHIBITION AGAINST STALKING-VICTIM

Prohibition against stalking continues to be one of the most requested reliefs in domestic violence complaints. In calendar year 2000, it was requested 95.6% of the cases and was included in 96.8% of the FROs issued.

2000	
# of Times Relief Sought	% of FROs
11,430	95.6%
# of Times Relief Granted	% Granted in FROs
11,063	96.8%

20. PROHIBITION AGAINST STALKING-OTHERS

Protecting "significant others" as a relief has been sought and granted in a significant percentage of cases over the years. In calendar year 2000 such relief was granted 61.8% of the time it was requested in Final Restraining Orders.

2000	
# of Times Relief Sought	% of FROs
6,058	50.7%
# of Times Relief Granted	% Granted in FROs
3,746	61.8%

**21. CONDITIONS OF VISITATION FOR DEFENDANT**

This relief defines the conditions for visitation between the defendant and minor children while maintaining protection for the plaintiff. It continues to be granted even more often than sought. In calendar year 2000 showed this relief was granted in FROs in 652 more cases than requested.

30

2000	
# of Times Relief Sought	% of FROs
2,418	20.2%
#of Times Relief Granted	% Granted in FROs
3,070	127.0%

**22. RISK ASSESSMENT ORDERED**

This relief continues to be sought sparingly by plaintiffs filing domestic violence complaints. However, in cases in which danger to children was indicated, the relief was granted in the majority of the cases in which it was requested.

2000	
# of Times Relief Sought	% of FROs
668	5.6%
#of Times Relief Granted	% Granted in FROs
603	90.3%

**23. CONDITIONS OF VISITATION FOR DEFENDANT**

Suspension of visitation or requests that certain conditions be placed on visitation between the defendant and minor children was sought in 24.9% of the total filings. The relief was granted more times than requested (34.8%) in FROs during calendar year 2000.

2000

# of Times Relief Sought	% of FROs
2974	24.9%
#of Times Relief Granted	% Granted in FROs
1034	34.8%

31

#### 24. MONETARY COMPENSATION-EMERGENT SUPPORT

Economic relief for victims and their children usually takes the form of interim or ongoing support when it is addressed as part of a restraining order. If a prior support order exists through a divorce or child support civil action, additional reliefs arising from the domestic violence action are likely to be treated as separate from the ongoing support already in effect. This may account for the fact that emergency support continues to be rarely requested and is usually not granted. In calendar year 2000 this relief was sought by 3.1% of the plaintiffs and was granted in 26.2% of the FROs issued.

##### a. VICTIM-EMERGENT SUPPORT

Emergent support for victims is a relief available to the court to ensure that victims are able financially to maintain their daily needs after a domestic violence incident and between the time of the TRO hearing and the final hearing stage. In calendar year 2000 this relief was sought by 3.1% plaintiffs and was granted in 26.2% of the time it was requested.

2000	
# of Times Relief Sought	% of FROs
367	3.1%
# of Times Relief Granted	% of FROs
96	26.2%

##### b. DEPENDENT(S)-EMERGENT SUPPORT



**Dependent support is a relief available to the court to ensure that minor children are financially supported after the traumatic experience of domestic violence. In calendar year 2000 this relief was requested by 5.3% and was granted 18.1% of the time it was requested.**

32

2000	
# of Times Relief Sought	% of FROs
637	5.3%
# of Times Relief Granted	% Granted in FROs
115	18.1%

c. INTERIM SUPPORT - VICTIM-DEPENDENT(S)

Interim support may be granted to the victim and dependents as part of the TRO and extended TRO process. Interim support can remain in effect until a final restraining order (FRO) is issued.

2000
Interim Support Granted-Victim
33
Interim Support Granted-Dependents
17

d. VICTIM-ONGOING SUPPORT

Support of victims is a relief available to the court to ensure that victims are able to attend to their financial needs if other means for support has not been

2000	
# of Times Relief Sought	% of FROs
550	4.6%
# of Times Relief Granted	% Granted in FROs
339	61.6%

33

e. DEPENDENT(S)-ONGOING SUPPORT

Ongoing dependent support is the relief used to continue support of minor children after a Final Hearing has been held and when no other civil action of support has been identified. In 2000, this relief was granted more times than it was sought.

2000	
# of Times Relief Sought	% of FROs
1,943	16.3%
# of Times Relief Granted	% Granted in FROs
2,015	103.7%

The next six subsections describe additional economic relief and compensatory damages available under the Prevention of Domestic Violence Act. The court may compensate victims for injuries suffered or property damage resulting from a domestic violence incident.

f. VICTIM-COMPENSATORY DAMAGES

2000
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# of Times Relief Sought	% of FROs
454	3.8%
# of Times Relief Granted	% Granted in FROs
360	79.3%

g. VICTIM-PUNITIVE DAMAGES

Punitive damages can be awarded to the victim as determined by the court for events or circumstances not covered through the normal relief process.

34

2000	
# of Times Relief Sought	% of FRO's
152	1.3%
# of Times Relief Granted	% Granted in FROs
58	38.2%

h. VICTIM-MEDICAL COVERAGE

Medical coverage for victims is available as a relief to ensure that any medical benefits or coverage necessary for the health and well-being of a victim are continued , with the cost assessed to the appropriate party and/or available resources.

2000	
# of Times Relief Sought	% of FROs
350	2.9%

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# of Times Relief Sought	% of FROs
# of Times Relief Granted	% Granted in FROs
242	69.1%

I. DEPENDENT(S)-MEDICAL COVERAGE

Medical coverage of dependents is available as a relief to ensure that children can be treated for medical conditions as necessary after the occurrence of domestic violence.

2000	
# of Times Relief Sought	% of FRO's
445	3.7%
# of Times Relief Granted	% Granted in FROs
332	74.6%

35

j. MONETARY COMPENSATION-THIRD PARTY

Compensation to a third party is available when there has been injury or loss of property affecting a third party during an incidence of domestic violence.

2000	
# of Times Relief Sought	% of FROs
125	1.0%
# of Times Relief Granted	% Granted in FROs
46	36.8%

k. MONETARY COMPENSATION-VIOLENT CRIMES  
COMPENSATION BOARD (VCCB)

During 2000, only two defendants were ordered to pay fines to the Violent

2000
VCC BOARD FINES 2

**25. DOMESTIC VIOLENCE COUNSELING-DEFENDANT**

There has been a steady increase in professional counseling for defendants as a relief sought. In 1998 it was requested by 16.8% plaintiffs; in 1999, 20.1%; and in 2000, 25.9%. The court granted the relief 57.1% of the time in was requested in 1998; 62.1% in 1999; and, 71.8% in 2000.

2000	
# of Times Relief Sought	% of FROs
3,090	25.9%
# of Times Relief Granted	% Granted in FROs
2,220	71.8%

**26. RENT OR MORTGAGE PAYMENTS**

This relief is available to assist in the financial support of victims and families when a restraining order has been issued and separate maintenance is required.

2000	
# of Times Relief Sought	% of FROs
650	5.4%
# of Times Relief Granted	% Granted in FROs
455	70.0%

27. TEMPORARY POSSESSION OF PERSONAL PROPERTY-  
PLAINTIFF

This relief was designed to provide the plaintiff with immediate access to specified personal property (e.g., car, official documents) until long term possession determinations are made in subsequent proceedings. In calendar year 2000 it was granted in 41.6% of those cases in which it was sought and a Final Restraining Order was issued.

2000	
# of Times Relief Sought	% of FROs
1,604	13.4%

<b># of Times Relief Sought</b>	<b>% of FROs</b>
<b># of Times Relief Granted</b>	<b>% Granted in FROs</b>
<b>668</b>	<b>41.6%</b>

**28. TEMPORARY POSSESSION OF PERSONAL PROPERTY-  
DEFENDANT**

This relief is available to assist defendants in retrieving personal property from the residence when a restraining order has been issued. In calendar year 2000 this relief was sought by 4.8% of the plaintiffs and was granted 51.3% of the time it was requested.

<b>2000</b>	
<b># of Times Relief Sought</b>	<b>% of FROs</b>
<b>573</b>	<b>4.8%</b>
<b># of Times Relief Granted</b>	<b>% Granted in FROs</b>
<b>294</b>	<b>51.3%</b>

## **B. COUNTY FIGURES**



**SECTION FOUR**  
**POST-DISPOSITIONAL RELIEF**  
**DISORDERLY PERSONS CONTEMPTS [FOs]**  
**AND MODIFICATIONS/ENFORCEMENTS [FVs]**

**INTRODUCTION**

Enforcement of TROs or FROs can be pursued through either the criminal contempt process, N.J.S.A. 2C:29-9b or N.J.S.A. 2C:25-30 or through the civil enforcement of litigant's rights, Rule 1:10-3. Under the criminal statute, violations of any restraints and certain reliefs and conditions of a restraining order require mandatory arrest and criminal prosecution. Violations of the other remaining reliefs and conditions are enforceable by the court pursuant to applicable court rules, particularly through enforcement of litigant's rights proceedings under Rule 1:10-3.

The Family Division has jurisdiction over disorderly persons contempt actions, pursuant to N.J.S.A. 2C:29-2b. This includes contempt charges that were initially indictable but have been downgraded by the Prosecutor's Office in

the county of venue. The following section reports the data on those cases. It does not cover indictable contempts of the 4<sup>th</sup> degree, which are heard by the Criminal Division.

## A. STATEWIDE FIGURES

### 1. DOMESTIC VIOLENCE CRIMINAL CONTEMPTS [FOs]

Of the statewide filings of disorderly persons criminal contempts, 10,102 were processed by Family Court in 2000. This represented a decrease of 491 such filings from the previous year.

#### a. FILINGS

Domestic Violence Contempts Filed 1999-2000			
Year	1999	2000	+/-%
Filings	10,593	10,102	-4.6%

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#### b. TERMINATIONS

Total terminations include those cases in which defendants either pleaded guilty or were found guilty of disorderly persons contempt charges, as well as those cases in which contempt charges were dismissed, either as part of a plea bargain to a lesser charge, e.g., harassment, at the victim's or prosecutor's request, or after a trial and a finding of not guilty. The number of terminations in 2000 represented a decline of 647 terminations compared to the previous year.

Domestic Violence Contempts Disposed
--------------------------------------

Year	1999	2000	+/- %
Terminations	11,008	10,361	-5.88%

## **B. COUNTY FIGURES**

### **FILINGS DOMESTIC VIOLENCE CONTEMPTS**

1999

2000

Atlantic	466	435
Bergen	751	640
Burlington	581	400
Camden	1,221	1,180
Cape May	211	239
Cumberland	446	360
Essex	623	723
Gloucester	477	482
Hudson	742	645
Hunterdon	43	38
Mercer	557	493
Middlesex	715	673
Monmouth	624	570
Morris	493	556
Ocean	863	876
Passaic	457	533
Salem	148	96
Somerset	317	341
Sussex	117	115
Union	618	562
Warren	123	145
TOTALS	10,593	10,102

51  
TERMINATIONS  
DOMESTIC VIOLENCE CONTEMPTS

1999                      2000

Atlantic	488	434
Bergen	811	645
Burlington	590	489
Camden	1,240	1,175
Cape May	224	237
Cumberland	527	368
Essex	599	707
Gloucester	458	551
Hudson	762	628
Hunterdon	56	46
Mercer	653	434
Middlesex	811	727
Monmouth	562	697
Morris	487	565
Ocean	961	883
Passaic	407	543
Salem	179	79
Somerset	329	338
Sussex	116	109
Union	607	555
Warren	142	151
TOTALS	11,008	10,361

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#### A. STATEWIDE FIGURES

##### 1. CIVIL MODIFICATIONS/ENFORCEMENT-POST DISPOSITIONS

**(FV)**

The subsections that follow contain detailed information concerning those cases that were disposed but subsequently reopened for review or modification of the existing order, or a motion to enforce litigant's rights (Rule 1:10-3). Some of these reviews involve weapon forfeiture proceedings in which weapons were seized pursuant to a TRO or FRO, or a motion either by the prosecutor or defendant for review of the matter.

In 2000, there were 16,922 reopened domestic violence cases. This represented a decline of 631 (-3.75 %) cases reopened for modifications/enforcement/post dispositional review as compared to the previous year.

Reopened Domestic Violence Cases			
Year	1999	2000	+/- %
Filings	17,553	16,922	-3.75 %

a. **PROBATION SUPPORT ENFORCEMENT/MODIFICATION/REVIEW**

This data reflects those cases in which support was ordered as part of an FRO, payable through the Probation Department, and a motion for review was requested by either the plaintiff, defendant, or Probation for enforcement.

2000	
Motion for Probation Support Review	3,362
% of Total Post-Disposition Filings	19.9%

**b. OTHER ENFORCEMENT/MODIFICATION/REVIEW**

Any party may file for an enforcement/modification/review of an active restraining order during the life a case. Review of reliefs could include custody/parenting time or support issues as well as other matters concerning compliance with the court's order.

2000	
Other Enforc/Mod/ Review FRO	12,721
% of Total Post-Disp. Filings	75.2%

**c. WEAPONS FORFEITURE**

Weapons forfeiture hearings can take place post-dispositionally when a restraining order has been dismissed but weapons were seized prior to the dismissal, or a hearing for forfeiture has been filed by the prosecutor to determine whether weapons will be or will not be returned to the owner.

2000	
Weapons Forfeiture	632
% of Total Post-Disp. Filings	3.7%

**d. REACTIVATED**

Reactivated cases are cases in which parties were unavailable for further court action for various reasons and the case was then placed in an inactive status. Cases are reopened when the parties become available and the matter can proceed.

2000	
Reactivated	207



% of Total Post-Disp. Filings	1.2%
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## 2. REOPENED DOMESTIC VIOLENCE FROs-TERMINATIONS

The number of Final Restraining Orders reopened for review has remained relatively stable.

TERMINATIONS OF REOPENED DOMESTIC VIOLENCE CASES			
Year	1998	1999	2000
Terminations	16,971	17,641	17,205

### a. PROBATION SUPPORT ENFORCEMENT/ MODIFICATION REVIEW

Plaintiffs or defendants can petition the court for review and modification of support matters ordered during an FRO hearing.

2000	
Probation Support Review	3,357
% of Total Post-Disposition Terminations	19.5%

### b. OTHER ENFORCEMENT/MODIFICATION/ENFORCEMENT CONT.

Parties may seek modification of custody and visitation arrangements as long as a Final Restraining Order is in effect.

2000	
Other Enforcement Modification/Review	7,789
% of Total Post-Disposition Terminations	45.3%

c. OTHER ENFORCEMENT/MODIFICATION/REVIEW/ FINAL ORDER  
DISMISSED

At anytime the plaintiff my request review/modification or dismissal of the Final restraining order.

2000	
Other Enforcement/Modification Final Order Dismissed	5,081
% of Total Post-Disposition Terminations	29.5%

d. WEAPONS HEARINGS/FINAL ORDER DISMISSED

When a final order is dismissed the court may return weapons to the owner at the conclusion of a weapons hearing.

2000	
All Weapons Returned	242
% of Total Terminations	1.4%
Some/All Weapons Forfeited	162
% of Total Terminations	0.9%

e. WEAPONS HEARING/OTHER

Any party may make application to the court to have a seized weapon returned. At the discretion of the court, all weapons can be forfeited, returned, partially forfeited, or partially returned.

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2000	
All Weapons Forfeited	177
% of Total Post- Disposition Terminations	1.0%
Some Weapons Forfeited	16
% of Total Post- Disposition Terminations	0.1%
All Weapons Returned	75
% of Total Post- Disposition Terminations	0.4%

f. INACTIVATED

Domestic Violence cases may be inactivated for specific reasons consistent with approved case processing standards, such as pending enforcement/modification/review, medical incapacitation, pending weapons forfeiture hearings, or if a bench warrant has been issued. Cases may only be inactivated after a TRO has been issued.

2000	
Cases Inactivated	306
% of Total Terminations	1.8%

3. DOMESTIC VIOLENCE CONTEMPT/SUMMARY

Contempt filings for violations of domestic violence restraining orders showed a small decline in filings and dispositions between 1999 and 2000.

Domestic Violence Contempt Summary			
Year	1999	2000	% Change
Total Filings	10,593	10,102	-4.64 %
Total Dispositions	11,008	10,361	-5.88%

## COUNTY FIGURES

January 1, 2000 - December 31, 2000

**SUPERIOR COURT-CRIMINAL PART**  
**DOMESTIC VIOLENCE STATISTICAL REPORT**  
**January 1, 2000 - December 31, 2000**

**SUPERIOR COURT-CRIMINAL PART**  
**DOMESTIC VIOLENCE STATISTICAL REPORT**  
**January 1, 2000 - December 31, 2000**