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FINAL RESEARCH REPORT:
**AN EVALUATION OF COURT SYSTEM BEST PRACTICES FOR DOMESTIC VIOLENCE
PROTECTIVE ORDERS**

2014-IJ-CX-0028

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ABSTRACT

Intimate Partner Violence Against Women is both widespread, and linked to negative physical and mental health consequences. Domestic Violence Protective Orders are one of the few interventions that show promise for primary and secondary prevention of intimate partner violence against women. To date there has been no research examining the extent to which DVPO best practices have been implemented in court systems. Our project, we which named **Courts Applying Solutions to End Intimate Partner Violence (CASE IPV)** sought to address these gaps by documenting the implementation and results of the DVPO process in North Carolina.

CASE IPV used an observational design to describe and assess court system processes and products as they are actually implemented and produced. The goals of this study were to: 1) describe the processes and procedures followed during DVPO hearings; 2) describe the findings and provisions contained in the DVPOs granted at DVPO hearings; and 3) identify factors that are associated with denying DVPOs at the DVPO hearing. In addition, we conducted exploratory analyses to identify differences between consent orders and orders granted following evidentiary DVPO hearings, and factors that predicted an order going to a full hearing versus being granted as a consent order.

We conducted observations in a representative statewide sample of DVPO hearings in 2016-2017, and abstracted data from the corresponding DVPO case files for a total of 347 cases. We conducted univariate and bivariate analyses to describe characteristics of DVPO litigants, hearings, and outcomes, and compared the conditions contained in consent orders, versus DVPOs granted after a full hearing. We used multivariable logistic regression to model the odds of: 1) a DVPO being denied at a full evidentiary hearing, and 2) a case proceeding to a full hearing, versus being granted as a consent order.

We found that, overall, the types and frequencies of the conditions were similar for orders granted following a full evidentiary hearing versus those granted as consent orders. However, full orders were significantly more likely than consent orders to have the provisions checked that ordered the defendant to surrender their firearms and ammunition to the Sheriff's Office. On the other hand, consent orders were significantly more likely to order the defendant to stay away from the plaintiff's workplace and to specify that the defendant should stay a certain distance away from the plaintiff.

For the model of DVPO denial, when the defendant was present at the hearing (OR 5.07; 95% CI 1.94-13.25), and when he had retained legal counsel (OR=4.14; 95% CI 1.15,4.90), the odds that the order would be denied increased. When the plaintiff and defendant were both pro se, there were lower odds of the order being denied (OR .269; 95% CI .90-.79). Finally, when the plaintiff mentioned that she was afraid of the defendant in her testimony, this was protective against having the DVPO denied (OR=.35; 95% CI=.31-1.71).

Results from the multivariable logistic regression model predicting whether the case went to a full evidentiary hearing (i.e. a consent order was not issued) indicated that cases where the defendant was present in the courtroom had lower odds of going to a full hearing (OR = 0.11; 95% CI= 0.04-0.31), and when neither litigant had legal counsel, the order had significantly higher odds (OR = 3.23; 95% CI= 1.177-8.874) of going to a full hearing. Finally, the litigants shared minor children, the hearing had nearly two times the odds of going to a full hearing, rather than a consent order being issued (OR = 1.79; 95% CI= 1.10-2.91). When the plaintiff noted that there was physical abuse in her paperwork requesting a DVPO, the order had lower odds of the case going to a full hearing (OR = 0.55; 95% CI= 0.31- 0.99).

Our findings revealed characteristics of the DVPO litigants, court processes, case files, and judicial behaviors that have implications for policy, practice, and research pertaining to domestic violence protective orders both within North Carolina and in other states. To that end, we suggested a series of strategies to advance the DVPO research, policy and practice agendas, in the hope that improved implementation and evaluation will lead to increased safety for people who apply for DVPOs and their families.

RESEARCH REPORT

Project Description

Overview

Due to the widespread use and established effectiveness of domestic violence protective orders (DVPOs) for secondary prevention of intimate partner violence (IPV), many states have established DVPO “best practices,” or recommended policies and procedures for court systems to implement before, during, and after DVPO hearings, as well as guidelines for the content, conditions, and provisions to be included in DVPOs resulting from those hearings. Despite these guidelines, there remains substantial heterogeneity within and among states regarding court processes, judge and litigant interactions, rates of DVPO denials, and the conditions and provisions included in issued DVPOs. In addition, to date there has been no research examining the extent to which these DVPO best practices have been implemented in court systems, nor any studies evaluating whether fidelity to court system best practices results in greater proportions of DVPOs granted, higher quality DVPOs, or increased safety for DVPO plaintiffs. These gaps in our knowledge limit the ability of criminal justice program and policy makers to develop and refine appropriate interventions, practices and policies designed to reduce and prevent IPV.

Our study sought to address these gaps in the criminal justice research evidence base by using an observational design that allowed us to use field-tested measurement tools to assess court system processes and outcomes as they were actually implemented and produced, yielding “practice-based evidence”¹ that has implications for improving justice and social programs, processes, and policy. Our mixed methods study triangulated primary and secondary data from multiple sources to: 1) describe the processes and procedures followed during DVPO hearings; 2) describe the findings and provisions contained in the DVPOs granted at DVPO hearings; and 3) identify factors that are associated with denying DVPOs at the DVPO hearing.

Additionally, given that our findings indicated that in over a third (37.6%) of DVPOs granted were issued as consent orders rather than as a result of a full evidentiary hearing, we also conducted exploratory analyses to identify factors that were associated with DVPOs being granted as consent orders, and compared the conditions contained in consent orders versus orders granted after a full hearing.

The results of this work will contribute to the improvement of justice system responses to intimate partner violence (IPV) against women by providing needed empirical data about how a variety of factors are associated with the outcome of DVPO hearings and the content of DVPOs. This information can guide future legislation, judicial training, court advocacy programs, and development of evidence-based models of court processes and practices.

Background

Prevalence and Consequences of Intimate Partner Violence

Intimate partner violence (IPV), also known as domestic violence, is defined by the Centers for Disease Control and Prevention (CDC) as physical violence, sexual violence, stalking, and psychological aggression (including coercive tactics) by a current or former intimate partner.² In the United States, over half (55.3%) of female homicide victims were killed by current and former intimate partners³, and approximately 36% of adult women report having been raped, physically assaulted, or stalked by an intimate partner.⁴⁻⁵ IPV has deleterious long- and short-term physical and mental health consequences, including injuries, trauma-

specific and generalized pain, unwanted pregnancies, sexually transmitted infections (including HIV), and a variety of mental health problems, including depression, anxiety and post-traumatic stress disorder (PTSD).^{5, 7-9} Moreover, experiencing IPV is associated with a variety of chronic health conditions, including arthritis, asthma, having a body mass index of greater than 25, and heart disease, as well as higher reported health risk behaviors, such as smoking, binge drinking, and HIV risk behaviors.^{5,7-9}

IPV affects survivors' economic productivity, contributes to employee absenteeism and turnover, and compromises their ability to be effective parents.⁹⁻¹¹ Women who have experienced IPV in the previous 12 months are significantly more likely to report food and housing insecurity than women who have not been victimized.¹² IPV also inflicts an economic burden on communities that includes costs due to medical and mental healthcare, victim work loss, victim services, criminal justice system response, and perpetrator treatment. The Centers for Disease Control and Prevention estimated that the direct medical and mental healthcare services related to IPV exceeds \$4.1 billion annually.¹³ Additionally, a recent (2018) study estimated that the IPV lifetime cost was \$103,767 per female victim and \$23,414 per male victim, which resulted in a population economic burden of \$3.6 trillion.¹⁴

While both men and women may experience IPV, when women are victimized they are much more likely to suffer from significant physical injuries.¹⁵ Even in the cases with bilateral violence (i.e. both partners have engaged in some violent behavior), it is more common for men to be the primary perpetrators; women often perpetrate IPV in the context of defending a child, attempting to leave the relation, or attempting self-protection.^{16,17} While there are, of course, exceptions to this pattern, the larger trend is important to take into account when designing policy interventions.

DVPOs as Interventions for Secondary Prevention of Intimate Partner Violence

Many women experiencing intimate partner violence seek protection through the legal system. All 50 states, territories, and the District of Columbia have enacted legislation that mandates civil protective orders specifically for victims of IPV, and most states treat violation of a protective order as a criminal offense.¹⁸ DVPOs are the most widely-used IPV-related legal intervention in the United States; over a million of them are issued every year.¹⁸ Nearly a quarter (22%) of IPV victims in the National Intimate Partner and Sexual Violence Surveillance Survey (NISVS) reported that they needed legal services due to their abuse.⁴ Women who seek protective orders often do so after being subjected to severe and chronic violence.¹⁹⁻²³ In a review of the domestic violence research literature, Klein (2008) notes that IPV victims seek protective orders "after failing to stem the abuse through other means," including previous attempts to leave the abuser, calling the police, obtaining counseling, and calling a domestic violence hotline.²³

There is emerging evidence that DVPOs are effective for secondary prevention of IPV, and that DVPO provisions and enforcement play a critical role in their effectiveness.^{19-21,24} A prospective cohort study by Holt et al. (2002) of 448 Seattle women, found that women with Civil Protection Orders (CPOs) had a significantly decreased risk of contact with the abuser, threats with weapons, and injury when compared to women who did not have CPOs.²⁰ Similarly, a Michigan study by Logan et al (2012) that retrospectively assessed two propensity-score-based matched groups of "police-involved" female IPV victims found that those with protective orders had fewer police incidents and emergency department visits both during and after the order, compared to those without orders.²¹ Finally, Carlson et al. (1999) found a significant decrease in the likelihood of physical assault following receiving a DVPO.²¹ Evidence also suggest that DVPOs improve a survivor's sense of safety, security, and quality of life.^{25,26}

DVPOs reap societal benefits as well. One study found that protective orders can save taxpayers the equivalent of \$85 million in a single year, due to decreased 911 calls, fewer arrests, less work time lost, lower mental health service utilization, and decreases in other health costs.¹⁴ Using individual-level survey data, Dugan (2003) found that families living in states with more “aggressive” statutes regarding the issuance and enforcement of DVPOs had lower probabilities of experiencing IPV,²⁵ and several studies have linked legislation restricting access to firearms among DVPO defendants to lower intimate partner homicide rates.²⁸⁻³¹

DVPOs have several advantages that may account for their widespread use. The decision to seek a protection order is initiated by the victim, and she is able to request that a variety of provisions be included in the order. DVPOs require a lower evidentiary standard of proof than criminal cases, which is particularly important given that IPV often takes place in the home, away from public scrutiny. Emergency ex parte hearings are usually held immediately and without the presence of the defendant, providing survivors with timely temporary protection, and the civil procedures involved are less time-consuming than a criminal trial. Additionally, the criminal sanctions for violating a DVPO may have a deterrent effect on the defendant’s behavior.^{32,33}

Judges who preside over DVPO cases are bound by existing statutes, however they have a great deal of autonomy and discretion as to whether they grant or deny DVPOs, and how they organize and preside over DVPO hearings, including the amount and types of interactions they have with litigants. Judges also have discretion to specify injunctive relief for DVPO plaintiffs, including orders for the defendant to refrain from any contact with the plaintiff, vacate the domicile, and pay child support and/or restitution. The judge issuing the order may also give exclusive use of shared property (e.g. cars) to the plaintiff, grant temporary custody of minors, and deny or limit the defendant’s visitation rights to minor children.^{22,33-36}

When deciding whether to grant or deny a DVPO, judges must weigh all available evidence presented in case files, testimonies, and tangible evidence, such as audio recordings, text messages, and photographs. However, previous studies have indicated that information available to judges in DVPO hearings is limited.^{23,33,34-38} IPV survivors may not accurately or fully describe their IPV experiences in their filings or via testimony during hearings due to confusion over what to report, or the effects of trauma, and judges may not have sufficient time to review information in DVPO case files prior to the hearings. Results from our previous research indicate that the decisions judges make in DVPO cases may be influenced by the: 1) availability of case information, 1) judges’ engagement level with litigants, and 3) judges’ perception of litigant credibility.³⁶⁻³⁸

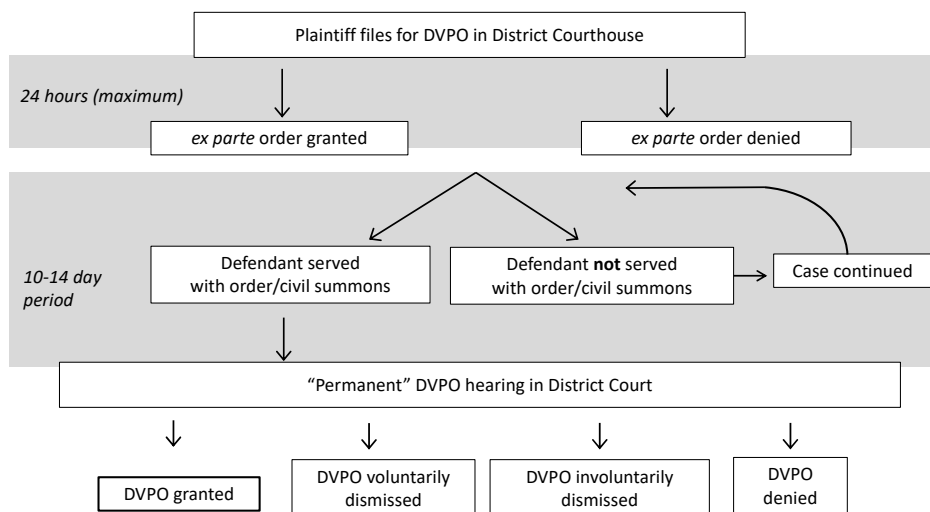
The DVPO Process

Figure 1 illustrates the two-stage DVPO process in North Carolina, a process that is similar to DVPO processes in most states.

In North Carolina (NC), DVPOs are sometimes referred to as 50Bs, referring to Chapter 50, section B of the North Carolina General Statutes, the legislation that describes and defines them.³⁹ A person may file for a DVPO without an attorney (pro se) by requesting the necessary forms from the Clerk of Court at the District Courthouse that corresponds to their county of residence. If she and/or her children are clearly in danger of harm or threat of harm, an emergency ex parte order is granted by a District Court Judge or authorized magistrate who specifies the conditions of the order. A full hearing before the District Court or a specialized domestic violence court is scheduled for 10-14 days from the date of

issuance. These proceedings, called the “10-day,” “50b,” or “DVPO” hearings, are attended by the plaintiff and the defendant (as well as their attorneys, if any), and the presiding judge decides whether to: grant a final or “permanent” DVPO; deny the order; or dismiss the order (either voluntarily or involuntarily). Final or permanent DVPOs are granted for specified time periods, not to exceed one year, though they may be renewed for up to two years under certain circumstances. Violating a DVPO is a Class A1 misdemeanor criminal offense in North Carolina and evokes mandatory arrest under state law.³⁹

Figure 1. DVPO Process in North Carolina.



North Carolina’s 100 counties are organized into 43 judicial districts, each with a Chief District Court judge who exercises administrative and supervisory authority within that district (See Appendix 1 for a map that depicts the configuration of judicial districts in North Carolina at the time of the study). There are approximately 280 District Court judges in North Carolina who are required to serve full time and are forbidden from practicing law privately. Each district has from two to seventeen judges, depending on population and geography. District Court judges are elected to four-year terms in non-partisan elections. In addition to ex parte and permanent DVPO cases, civil cases such as divorce, custody, child support and cases involving less than \$10,000 are heard in District Court, along with criminal cases involving misdemeanors and infractions, including domestic violence-related misdemeanors. The District Court also hears juvenile cases involving children under the age of 16 who are delinquent and children under the age of 18 who are “undisciplined, dependent, neglected or abused.”³⁴ The North Carolina Chief Justice appoints one judge in each district to serve as Chief District Court Judge, whose responsibilities include assigning and scheduling all of the judges in their district to court sessions and creating system-level norms and procedures for the district.⁴⁰

The manner in which DVPO cases are scheduled and processed varies among districts. A few of the more populous counties (e.g., Mecklenburg, Durham, Wake) have specialized “Domestic Violence Court,” where DVPO are held on certain or all days of the week and by specially designated judges. Other districts schedule DVPO hearings during certain time slots during the week (e.g. Monday, Wednesday, and Friday mornings), or place them first on the docket. Still others hear all civil cases together in the same courtroom.

According to data from the North Carolina Administrative Offices of the Courts (NC AOC), in North Carolina in FY 2016-2017, 34% of DVPOs were granted; 32% were involuntarily dismissed, 24% were voluntarily dismissed, 9% were denied, and 1% have “Other” dispositions.³⁵ However, the distribution of DVPO dispositions varies substantially by county. For example, in North Carolina, the proportion of DVPOs that are denied ranges from $\leq 1\%$ to 33%,³⁵ and the differences among counties cannot be accounted for by sociodemographic or other ecological factors.

Final granted DVPOs typically order the defendant to refrain from assaulting, threatening, abusing, following, harassing, or otherwise interfering with the plaintiff. Final DVPOs can also include other provisions, such as evicting the defendant from a shared residence or restricting a defendant’s access to firearms. If a judge determines that the case does not meet the state’s statutory requirements for a DVPO, the judge will deny the order.

In 2013, Chapter 50b of the North Carolina General Statutes was amended to include a new section, GS 50B-3(b1), that mandated: “A consent order may be entered pursuant to this Chapter without findings of fact and conclusions of law if the parties agree in writing that no findings of fact and conclusions of law will be included in the consent protective order. The consent protective order shall be valid and enforceable and shall have the same force and effect as a protective order entered with findings of fact and conclusions of law.”³⁹ The North Carolina Administrative Office of the Court (NC AOC) form AOC-CV-306 was also amended to include language and signature lines to allow litigants to sign, indicating that they were acknowledging a consent judgment without findings of fact. This portion of the form must be completed in order for the consent DVPO to be valid without the conclusion ‘defendant committed an act of domestic violence.’ Consent orders are issued without an evidentiary hearing, i.e. litigants do not testify, and the judge does not rule that specific acts of domestic violence occurred. Consent orders may contain conditions and stipulations (e.g. granting sole possession of residence), and are considered enforceable under North Carolina law. Proponents of consent orders argue that these orders save court time and benefit litigants, who often are appearing without legal representation (pro se), by sparing them from the stress of testifying, alleviate the uncertainty of the DVPO outcome, and allow them the opportunity to create orders that will best meet their needs. To date, however, no research has examined the predictors of obtaining a consent order versus a DVPO following a full hearing, nor whether consent orders differ in terms of their conditions and stipulations.

DVPO “Best Practices”

The Violence Against Women Act (VAWA) enacted in 1994 and reauthorized in 2000, 2005, 2009, and 2013, brought about expansions to federal regulations concerning DVPOs, including barring firearm possession by individual subject to a permanent DVPOs.⁴² In addition, the Lautenberg Amendment to the Gun Control Act of 1968, effective 30 September 1996, made it a felony for those convicted of misdemeanor crimes of domestic violence to ship, transport, possess, or receive firearms or ammunition. The Amendment also made it a felony to transfer a firearm or ammunition to an individual known, or reasonably believed, to have such a conviction.⁴³

States have endeavored to bring their IPV-related statutes in compliance with VAWA, and have sought some level of inter-state uniformity for this type of legislation. The Family Violence Department of the National Council of Juvenile and Family Court Judges and the National Center on Full Faith and Credit developed “principles and strategies” for issuing and enforcing DVPOs.³⁷ Included among the general principles and strategies were to: include in protection orders the broad relief under state law; refrain from issuing mutual orders; present relief options to victims; support victims’ choices about specific

relief requested; and to eliminate barriers such as English language fluency, physical access, or economic barriers to obtaining DVPOs.⁴⁴

In 2010, the North Carolina Administrative Office of the Courts (NC AOC) distributed the *N.C. Domestic Violence Best Practices Guide for District Court Judges* to all NC AOC and court employees.⁴⁵ The guide was intended to “provide a statewide standard for civil and criminal domestic violence cases and to offer guidance to both experienced and newer district court judges handling those cases.”⁴⁵ In addition to the creation of the *Best Practices Guide*, a training curriculum based on these practices was completed in October 2011. In 2012, the NC AOC created a *Judicial Strategies for Domestic Violence Courts Benchcard*, a companion single page (front-back) quick reference guide based on the *Best Practices Guide* that could be used by District Court judges from the bench. This benchcard was revised and re-issued in 2018, to reflect statutory changes in the state (the current benchcard is included in Appendix 2), and the *Best Practices Guide* was retired. In addition, the NC AOC revised several of the required forms for DVPO filing so that the forms contain specific questions and checkboxes that prompted the plaintiff to supply information about the relationship between the defendant and the plaintiff (including whether they have children together); the nature of violence or threat of violence experienced by the plaintiff or her minor children; an inventory of the firearms and other weapons the defendants have access to; and the specific conditions and provisions sought/granted.

Summary and Project Goals

Domestic Violence Protective Orders are one of the few interventions that show promise for primary and secondary prevention of intimate partner violence against women. However, despite the widespread emphasis on identifying and implementing DVPO best practices for court systems, the effectiveness of these best practices has not been established empirically, perhaps due to the inherent difficulties of conducting studies utilizing experimental designs in court settings. To date there has been no research examining the extent to which DVPO best practices have been implemented in court systems, nor any studies evaluating whether fidelity to court system best practices results in greater proportions of DVPOs granted, higher quality DVPOs, or increased safety for DVPO plaintiffs. These gaps in our knowledge limit the ability of criminal justice program and policy makers to develop and refine appropriate interventions, practices and policies designed to reduce and prevent IPV.

Our project sought to address these gaps by documenting the implementation and results of the DVPO process in North Carolina. Our hope is that the findings of our study will contribute useful information for criminal justice policy makers and practitioners to guide policy development, training initiatives, and future applied research in this important arena.

Scope and Methodology

Overview

We created a study name and acronym, **Courts Applying Solutions to End Intimate Partner Violence (CASE IPV)** and a study logo in order to “brand” the study and study activities with our stakeholders.

CASE IPV used an observational design to describe and assess court system processes and products as they are actually implemented and produced, yielding “practice-based evidence”⁴⁴ that has implications for improving criminal justice programs, processes and policy. We triangulated primary and secondary data from multiple sources to address the study aims, which were to:

- 1) describe the processes and procedures followed during DVPO hearings;
- 2) describe the provisions and conditions contained in the DVPOs granted in DVPO hearings; and

3) identify factors associated with DVPO denials at the DVPO hearing.

Research questions associated with our study aims and the data sources used, are included in Table 1.

Table 1. CASE IPV Study Aims, Research Questions, and Data Sources.

Research Question	Data Source
Aim 1: Describe the processes and procedures followed during DVPO hearings	
RQ-1.1 In what proportion of DVPO hearings do judges inquire about the defendant’s previous abuse of the plaintiff?	DVPO Hearing Observation Form
RQ-1.2 In what proportion of DVPO hearings do judges inquire about the defendant’s abuse of minor children in the household?	DVPO Hearing Observation Form
RQ-1.3 In what proportion of DVPO hearings do judges inquire about the defendant’s access to firearms?	DVPO Hearing Observation Form
RQ-1.4 In what proportion of DVPO hearings do judges inquire about previous DVPOs?	DVPO Hearing Observation Form
RQ-1.5 For DVPO hearings, what policies and procedures do district courts have in place regarding plaintiff safety?	Courtroom Procedures Form
RQ-1.6 For DVPO hearings, what policies and procedures do district courts have in place regarding scheduling DVPO hearings?	Courtroom Procedures Form
RQ-1.7 For DVPO hearings, what policies and procedures do district courts have in place regarding considering temporary child custody?	Courtroom Procedures Form
RQ-1.8 For DVPO hearings, what policies and procedures do district courts have in place regarding collaborating with domestic violence agencies?	Courtroom Procedures Form
RQ-1.9 For DVPO hearings, what policies and procedures do district courts have in place regarding issuing consent orders?	Courtroom Procedures Form
RQ-1.10 For DVPO hearings, what policies and procedures do district courts have in place regarding requiring defendant to complete abuser treatment program?	Courtroom Procedures Form
Aim 2: Describe the provisions and conditions contained in the DVPOs granted in DVPO hearings	
RQ-2.1 What proportion of granted DVPOs include granting the plaintiff possession of residence, vehicle, and other property?	Case File Abstraction Form
RQ-2.2 What proportion of granted DVPOs include awarding temporary child custody to the plaintiff	Case File Abstraction Form
RQ-2.3 What proportion of granted DVPOs include supervised child visitation or exchange?	Case File Abstraction Form
RQ-2.4 What proportion of granted DVPOs include prohibiting the defendant from owning or possessing firearms, ammunition, or concealed carry permits?	Case File Abstraction Form
RQ-2.5 What proportion of granted DVPOs include stay away orders?	Case File Abstraction Form
RQ-2.6 What proportion of granted DVPOs include ordering the defendant to attend abuser treatment?	Case File Abstraction Form
Aim 3: Identify factors associated with DVPO denials at the DVPO hearing.	
What factors are associated with DVPO denials?	Merged data from DVPO Hearing Court Observation Form and Case File Abstraction Form

In addition, because we discovered that a considerable proportion (36.7%) of granted DVPOs were issued as consent orders, we conducted exploratory analyses to identify: 1) differences between consent orders and orders granted following evidentiary DVPO hearings, and 2) factors that predicted a DVPO being granted as a consent order.

This study was reviewed by the University of North Carolina at Chapel Hill's Office of Human Ethic's Institutional Review Board (IRB) on February 16, 2016 and deemed to be "exempt from further review according to the regulatory category cited above under 45 CFR 46.101(b)." The exemption categories noted were "2) Survey, interview, public observation and 4) Existing data, public or de-identified."

Study Population

Inclusion criteria and sampling strategy

The study's primary target population was adult women (age 18 and older) seeking relief and protection from a current or former intimate partner (male or female) through filing a civil action under NC Statute Chapter 50B in North Carolina between June 28, 2016 and July 31, 2017. We chose to restrict eligibility to female plaintiffs given that women experience IPV at greater rates than men, suffer more severe consequences from the abuse, and because the dynamics of IPV differ by gender.^{4,5,15} According to the North Carolina Administrative Office of the Courts (NC AOC) Domestic Violence Coordinator, the CASE IPV eligibility criteria encompass over 80% of DVPO hearings in North Carolina.

We used a three-staged clustered sampling design to identify time periods during which to conduct DVPO hearing observations in each county. In the first stage, we selected counties with certainty to ensure that all counties in the state contributed data to the sample. Given small numbers of DVPO hearings in some NC counties, it would have been inefficient and impractical to conduct observations in these low-volume counties. We thus eliminated from the sampling frame counties that had fewer than 2 DVPO filings per 2-week period (n=20) based on NC AOC annual data from 2015. Each of the excluded counties is part of a multi-county judicial district that is proportionately represented in the dataset.

In the second stage, we randomly selected one two-week period during the year in for each county. We used SAS SURVEYSELECT⁴⁶ to select the sample of county by time clusters, and excluded weeks containing major holidays (e.g. Thanksgiving, Christmas, and July 4th) from the sampling frame. This enabled us to observe cases over the course of a little over a calendar year, which ensured that we had a random means of identifying which counties to visit over time, allowed our sample to be representative of one year of DVPO cases, and controlled for any seasonal variation in DVPO hearings.

In the final stage, trained data collectors attempted to observe all eligible DVPO cases in each courthouse in the county (see the following section on data collection for details). Given a selection with certainty in the first stage, an equal probability random selection in the second stage, and a selection with certainty in the third stage, the sample is a self-weighting Equal Probability of Selection Method (EPSEM) design.⁴⁷

We also abstracted data from the associated DVPO case files for the observed DVPO hearings, focusing on the forms used for DVPO filing and the issuance of ex parte orders and DVPOs. These data are all public record, and the files reside in the District courthouses where we conducted DVPO hearing observations.

Data Sources and Instrument Development

We triangulated primary and secondary data from several sources to create our study database. These data sources and our instrument development process are described in the following sections.

DVPO Hearing Observations

We developed several data collection forms for observations of DVPO hearings that met our study criteria, i.e. in which the plaintiff was female; age 18 or older; and filing a DVPO against a defendant who was a current or former intimate partner. Our study team spent approximately nine months developing, pilot testing, and revising instruments to capture these observational data, going through six rounds of feedback via key informant interviews, meetings of our Community Advisory Board (CAB), and solicited reviews from content experts. Our 16-member Community Advisory Board was made up of stakeholders from the judicial, court, and law enforcement systems, as well as representatives from domestic violence agencies, statewide coalitions, and IPV survivors.

We began pilot testing our DVPO hearing observation and case file abstraction tools in five judicial districts in January 2016, and made a series of revisions to both instruments prior to the CAB feedback. After incorporating suggestions from the CAB, we pilot tested the revised the instruments again in May and June 2016. Based our experience in the courtroom, we determined that electronic data collection during the DVPO hearings was not feasible, and committed to paper-and-pencil data collection, followed by data entry into the electronic study database via Qualtrics shortly thereafter. This decision was based on several factors, including: 1) electronic devices, including tablets, were often not allowed in courtrooms; 2) progress through the court calendar and individual hearings was almost always non-linear, and necessitated a lot of back-and-forth on the data collection instrument; and 3) the large volume of anecdotal information, quotes, and unanticipated circumstances of interest that warranted documentation.

During pilot testing, we also identified need for additional data collection instruments for the DVPO hearing observations. In addition to the DVPO hearing observation form for eligible hearings, we developed a form to describe and tally all types of cases observed during each observation date, and a tool for recording courtroom procedures for each observed court session. In response to guidance provided by our CAB, we expanded the form for recording courtroom procedures form to include more detailed information about the presence and role of domestic violence advocates, more detailed information about the length of each court session and recesses, and memorable quotes and anecdotes to animate our quantitative data.

Study data collection began in June 28, 2016. During our first month of data collection, two data collectors observed each of the scheduled court observations in order to assess the inter-rater reliability of the observation tools, and to identify any remaining issues with the instruments. Copies of the final data collection instruments for the DVPO Hearing Observations are included in Appendix 3 (Cover Form), Appendix 4 (Court Observation Form), and Appendix 5 (Court Procedures Form).

DVPO Case File Abstraction

In addition to the collecting primary observational data from a statewide random sample of DVPO hearings, we abstracted archival data from the DVPO case files that corresponded with each of the DVPO hearings we observed.

The case files are stored at the district courthouses where the hearings occur, and contain a variety of forms, including: Complaint and Motion for Domestic Violence Protective Order (AOC-CV-303, Rev.

5/12); Ex Parte Domestic Violence Protective Order and Notice to Parties (AOC-CV-304, Rev. 5/13); Identifying Information About Defendant Domestic Violence Action (AOC-CV-312, Rev. 6/2000); Notice of Hearing on Domestic Violence Protective Order (AOC-CV-305, Rev. 6/2000); and Domestic Violence Protective Order and Notice to Parties/Consent Order (AOC-CV-306, Rev. 12/15). Some files contained the following additional forms: Motion to Renew/Set Aside Domestic Violence Protective Order Notice of Hearing (AOC-CV-313, Rev. 10/17); Order Setting Aside Domestic Violence Protective Order (AOC-CV-314 Rev. 6/14); Notice of Voluntary Dismissal (AOC-CV-405, Rev. 11/02); Order Continuing Domestic Violence Hearing and Ex Parte Order (AOC-CV-316, Rev. 12/04); Application and Order to Appoint Guardian Ad Litem in Action for Domestic Violence Protection Order (AOC-CV-318, New 06/00); Motion to Return Weapons Surrendered Under Protection Order (AOC-CV-320 Rev. 2014). The forms are available electronically from the NC Administrative Office of the Courts (<https://www.nccourts.gov/documents/forms>), and from the clerks of court in the district courthouses. The initial forms are available in English, Spanish, and Burmese, although they must be completed in English.

We determined that the best mode for abstracting case file data was to scan or photocopy the relevant forms from the case file and enter the data directly into an electronic database via tablet (see description of case file abstraction, below). We created data entry templates in Qualtrics to capture the information of interest to the study that was contained on the forms, including: demographic information about the plaintiff and defendant; the relationship between the plaintiff and defendant; number of children under 18 in common; incident prompting the DVPO motion, DVPO conditions requested by the plaintiff; ex parte conditions granted, including firearm-related restrictions; details of DVPO hearing (e.g. date, presence of attorneys), disposition of the permanent DVPO; and conditions of the granted DVPO, if granted. Each case was assigned a unique identifier, which corresponded to the Civil District (CVD) number for that case, so that we could link the abstracted case file data to the information collected in our DVPO hearing observations.

We pilot tested the data abstraction form with all of our data collectors (n=8), assigning the same three case files to all of them and comparing the resulting abstracted data. We also developed a codebook to guide data abstraction.

Data Collection

Court observations

As noted previously, North Carolina counties were randomly assigned to a 2-week period, during which our team attempted to observe all court sessions with DVPO hearings. The project manager contacted the clerk of court for each scheduled county approximately two weeks before the scheduled data collection period to request a copy of the court dockets for each of the court sessions during the data collection period to ascertain whether the sessions contained potentially eligible cases. If there were potentially eligible cases noted on the docket, a Case IPV research assistant would travel to the county to observe that session and collect data on eligible cases. The court docket was a critical data management tool, as it allowed the observer to link each litigant to a CVD number, a case type (50b, 50C, etc.), and to identify the counsel for each litigant, if they had retained counsel. Such information generally is not discussed or announced during court. We discovered that decisions about whether to conduct a hearing (rather than to continue, set aside, etc.) are conducted at a brisk pace. Observers often took extensive notes next on docket and subsequently transferred information to observation form for cases that proceeded to a hearing or consent order.

Immediately, or as soon as possible following the court session, we entered the data from our paper-and-pencil court observation forms into an electronic database using Qualtrics, a web-based survey research software package that includes capability to: incorporate complex skip patterns and branching; allow respondents to stop during data entry and resume later where they left off; and download data to spreadsheet, SPSS, or other file formats. Qualtrics is completely browser-based, so it could be accessed from any location with internet access, and it has been approved by the UNC Information Security Office for collecting and storing data, including private health information (PHI) and other sensitive data. Data entry took approximately 1.5 hours per completed eligible observation.

DVPO Case File Abstraction

As we were pilot testing our data abstraction form for the DVPO case files that corresponded to our completed observations, we discovered that the files usually had not been completed or returned to the clerk of court until 2-4 weeks after the DVPO hearing. This required us to make a second (and sometimes third) trip into the field to each of the counties where we had collected data in order to retrieve and copy the data from the DVPO case files. In order to maximize the efficiency of our travel time and data collection efforts, we scheduled trips to collect case files in multiple contiguous counties on the same day or cluster of days.

As with the DVPO hearing observations, we contacted the clerk of court in the relevant counties to let them know that study personnel would be arriving for data collection and we requested access to specific case files in advance. DVPO case files are public information; however, they are generally stored in areas of the county court house where access is restricted to court personnel. We were fortunate to have extensive cooperation from court personnel across the state, which greatly facilitated our access to these files.

At the courthouse, we photocopied or scanned the relevant forms within the case file, and trained research assistants abstracted the data in our CASE IPV project office at UNC Chapel Hill. Each file took 1-2 hours to abstract. The research assistants conducting the data abstraction flagged any coding or abstraction questions or irregularities, and these were resolved at regularly scheduled data collection meetings with project staff. We also stored the scanned data for each file so as to have access to the raw data for verification, data entry (for qualitative and other data that we did not enter due to lack of resources), or re-coding.

Study Variables

Dependent variable: DVPO Disposition

We used abstracted information from the DVPO case files to determine the disposition of the DVPO. We grouped the DVPO outcomes into two categories that correspond to the “issue order codes” used by the Clerks of Court when reporting information about DVPOs to the North Carolina Administrative Office of the Courts (AOC); granted and denied. DVPOs were considered granted if an order (form AOC-CV-306) was contained in the case file that indicated that the case had been heard in District Court, and that the judicial official (usually a District Court judge) had checked the box indicating that “this domestic violence protective order is necessary to bring about a cessation of acts of domestic violence.” DVPOs were considered denied if an order (form AOC-CV-306) that was contained in the case file indicated that the case had been heard in District Court, and that the judicial official had checked the box indicating that, “the plaintiff has failed to prove grounds for a domestic violence protective order.”

Dependent variable: Full Hearing

As with the DVPO observation data, we differentiated between DVPOs that went to a full evidentiary hearing from those that did not go to a full hearing and were issued instead with the written agreement of the litigants (“consent orders”). We considered a granted DVPO to be a consent order without having gone to a full hearing if the box at the top of form AOC-CVD-306 marked “Consent Order” was checked. The multivariable model included in this report examines what factors are associated with higher or lower odds of a case going to a full evidentiary hearing. In some of our descriptive statistics, we differentiate between DVPOs that were granted after a full evidentiary hearing, and those that were issued as consent orders.

DVPO Litigant Characteristics

We used data from both the DVPO hearings and the case file abstraction files to obtain information about litigant characteristics. We obtained information about the plaintiffs’ and defendants’: observed gender (item #8 and #21: woman, man, don’t know); race (items #16 and #29: African-American/Black, White, Other); ethnicity (items #16 and #29: Hispanic/Latinix, Other); disability status (items #11a and #24a: yes/no with checkboxes for types of disability observed); English language proficiency item (items #12 and #25: fluent, limited, little/none); presence in the courtroom (items #3-4 and #18-19: yes/no, but represented, no); and legal representation status (items #4 and #19: yes/no, don’t know); from the DVPO Hearing Observation cover form, included in Appendix 4.

From the DVPO case file abstraction file, we used the following data to describe our study population. For litigant race, we used the corresponding information checked on the DVPO forms, i.e., Black/African American, White, American Indian Asian/Pacific Islander, or Other). Although there was no place on the forms to indicate plaintiff or defendant ethnicity (i.e. Latinix versus non-Latinix) we coded whether the Spanish version of the “Complaint and Motion” form was completed. The DVPO files also contained information about the relationship between the plaintiff and defendant (checkboxes for married, divorced, cohabitating, current or former dating relationship), and the number of children the plaintiff and defendant had in common.

DVPO Hearing Characteristics

We obtained information for variables of interest pertaining to the DVPO hearing characteristics primarily from the DVPO Hearing Observation and Cover forms (Appendix 4 and 5), including whether the litigants had minor children together (yes/no); whether a DV Advocate interacted with the plaintiff (item #6 on Cover Form: yes/no); pros se status (Cover form items #4 and #19: yes/no); and whether the litigants testified (items #41 and # 70 from the DVPO Observation form: yes/no and four level-variable reflecting testimony status). We also examined variables related to the content of the testimony (item #44), and whether the judge inquired about specific aspects of the plaintiff’s experience, such as whether she were afraid of the defendant and whether the defendant had access to firearms (items #102, #104,#105,#107: yes/no).

We used information from the case file abstraction form (Appendix 6) to characterize the relationship between the litigants (current or former spouses; yes/no) and whether they had minor children in common (yes/no).

Court-Level Variables

We used data from the Courtroom Procedures form (Appendix 5) to indicate court-level variables related to litigant safety and court-level processes. Variables related to litigant safety included whether: at least one law enforcement officer was present during the hearing (item #5: yes/no); a DV advocate was present (item #3: yes/no); there was separate seating for plaintiffs and defendants (item #4:

yes/no); there was visible security in hallways and other areas outside the courtroom (item #8: open-ended and coded for yes/no); and whether an officer stood between litigant tables in pro se hearings (item #7: yes/no). Variables related to court processes included whether: the judge read the court calendar aloud (item #14: yes/no); there was an electronics ban for the courthouse and/or courtroom (item #1: yes/no); other types of cases were heard during the court session (item #13; coded to yes/no); and the bailiff gave instructions about courtroom behavior (item #9; coded to yes/no).

Granted DVPO Content and Conditions

We were interested in the content and conditions contained in granted DVPOs, and obtained information for these variables from the abstracted data from form AOC-CV-306A contained in the DVPO case files (see the Qualtrics Data Abstraction Form in Appendix 6). We created the following variables related to the judge's findings: the defendant committed acts of domestic violence against the plaintiff (item 145, Box 1: yes/no); the defendant committed acts of domestic violence against minor children (item #146, Box 2: yes/no); there is danger of serious and immediate injury to plaintiff (item #147, box 3: yes/no); and there is danger of serious and immediate injury to minor children (item #211, box 3: yes/no).

In order to capture the conditions included in the granted orders we created variables to indicate that the DVPOs stipulated that the defendant: shall not assault, threaten, abuse, follow, harass, or interfere with the plaintiff (item #154, box 1: yes/no); shall not assault, threaten, abuse, follow, harass, or interfere with the minor children (item #154, box 2: yes/no); shall not threaten a members of the plaintiff's family or household (item #154, box 3: yes/no); shall not cruelly treat animals owned by parties (item #154, box 4: yes/no); is prohibited from possessing or receiving a firearm (item 163: yes/no); shall stay away from the plaintiff's residence or place of temporary shelter (item #158, box 7: yes/no); shall stay away from plaintiff's workplace (item #160, box 8a; yes/no); shall stay away from where children receive daycare (item 160, box 8c: yes/no); shall stay away from any school children attend (item #160, box 8b). Finally we created variable to capture whether: the plaintiff was granted possession of the shared residence (item #200; yes/no); and plaintiff was granted possession of vehicle (item #200, box 9). We were also interested in whether temporary custody had been granted to the plaintiff, and whether custody was considered during the hearing, and if so, whether temporary custody was granted to the plaintiff or defendant (items # 208; 169-171).

Analyses

Once the data from the courtroom-level, court observation, and case file abstraction data sets were checked for valid responses and appropriate adherence to skip patterns, we created SAS³⁹ datasets for each, and the court observation and case file abstraction data sets were matched using three criteria; a) their CVD numbers, b) the county where the hearing was observed, and c) the date that the hearing took place. This allowed us to create a merged data set. We performed some additional data cleaning and coding at this point, for example we converted two of the demographic variables into dichotomous variables, namely number of children in common (none versus any) and partner status (marital versus non marital).

Our unit of analysis was the DVPO hearing. These hearings were nested within counties and within 10-day periods (i.e. the two-week observation periods). Due to clustering associated with the county by time sample design, we used SAS SURVEYFREQ and SURVEYLOGISTIC to analyze the data, and to correct for the loss of information inherent in the clustered design.^{46,47} The SAS survey tools use the Taylor series (linearization) method to estimate sampling errors of complex survey designs such as the design we used to select our sample of DVPO cases. To estimate the proportion of orders that were denied and

the associated statistics, we needed to control for clustering at the county level. Similarly, we controlled for clustering in our model predicting cases going to a full hearing. Therefore, we used county as our first stage cluster variable (PSU) in all analyses.^{46,47}

For univariate analyses, data were described using frequencies and associated percentages for categorical variables, and means and associated standard deviations for continuous variables. We tested bivariate relationships between independent and dependent variables in a manner consistent with clustered study designs by computing Rao-Scott Chi Square tests for dichotomous variables and Cochran-Mantel-Haenszel Nonzero Correlation Chi-Square statistics when one of the categorical variables had more than two non-ordered groups.^{47,48}

To begin model building, we tested the bivariate relationships between key predictor variables with our two outcomes of interest; whether or not the full hearing resulted in the DVPO being granted or denied (Denial Model, $n = 242$ cases that went to full hearings) and whether the case went to a full evidentiary hearing (Full Hearing Model, $n = 347$) versus being granted as a consent order. Table 2 describes every predictor that was tested for bivariate significance ($p < .1$) for the respective models. An “X” signifies that the bivariate relationship was significant at $p < 0.1$ and was retained for the multivariate model, a “0” signifies that the bivariate relationship was tested for that model but not significant at $p < .1$ (and therefore not included in the multivariate model). A blank suggests the variable was not used or tested for that model, though it might have been used or tested for the other model.

The variables on physical IPV perpetrated by the defendant against the plaintiff were obtained in two ways. We measured physical abuse using a set of indicators from the DVPO hearing observation data (e.g. “Plaintiff mentioned during the hearing that she was afraid of the defendant”), and also using indicators from the abstracted case file data (e.g. checked “Plaintiff mentioned in her written request for the DVPO that she was afraid of the defendant”). In other words, the physical abuse data from the observation dataset reflect the observers’ documentation of mention during the DVPO hearing of physical IPV experienced by the plaintiff during, while the physical abuse variables from the abstracted case files reflect what the plaintiff noted about her experiences of physical abuse by the defendant on the forms when she filed for a DVPO. As noted in the methods section, our case file abstraction template mirrored the key NC AOC forms used for DVPOS in North Carolina. In addition, designed the case file abstraction form to mimic questions about the plaintiff’s experience of physical abuse that are contained in the hearing observation form. We did this because our previous qualitative research indicated that judges may not always have time to, or are in constrained in other ways from, reviewing the DVPO case files prior to the hearing, and therefore may be basing their decisions solely or primarily on information presented during the DVPO evidentiary hearing. Therefore, we could not assume that the judge was aware of information contained in the DVPO case file.

The data about the plaintiffs’ experience of physical abuse from the DVPO hearing observations were used in the Denial Model, because observation data on the content of testimony were available for many cases that went to a full hearing (i.e. the cases in which the plaintiff testified), and the absence of testimony would be theoretically relevant to whether or not the case was granted or denied.

For the model examining whether or not the case went to a full hearing versus being issued as a consent order, however, by definition, plaintiff testimony data would not be available for those cases that were issued as consent orders. Therefore, we used abstracted data from the DVPO case files on the nature of abuse the plaintiff experienced instead of observation data. Table 2 includes the variable names, operational definitions, type, response options, and data sources for our multivariable analyses.

Table 2. Variable names, definitions, response options, data source, and model structure.

Variable Name	Definition	Response Options	Data Source		Model	
			DVPO Observ	DVPO Case Files	Denial n=242)	Full hearing n=347
Outcome variables						
DVPO Outcome	Outcome of DVPO hearing	Granted/ Denied		X	X	
Full hearing	Case went to a full hearing	Yes/ No		X		X
Litigant Demographics - predictor variables						
Plaintiff Race	Race of the plaintiff	White/ Black/ Other	X	X	0	0
Plaintiff ethnicity	Ethnicity of the plaintiff	Hispanic/Not Hispanic	X		0	0
Defendant Race	Race of the defendant	White/ Black/ Other	X	X	0	0
Defendant ethnicity	Ethnicity of the defendant	Hispanic/Not Hispanic	X		0	X
Litigant representation – predictor variables						
Litigant Rep	Litigants have legal counsel or are pro se	Both are pro se/ Only plaintiff has legal counsel present/ Only defendant has legal counsel present/ Both have legal counsel	X		X	X
Hearing – predictor variables						
Defendant presence	Defendant was present for the hearing	Yes/ No	X		X	X
DV Advocate	Plaintiff interacted with a DV advocate	Yes/ No	X		0	0
Children in Common	Litigants have at least one minor child	Yes/ No		X	X	X
Litigant Relation	Litigants are current or former spouses	Yes/ No		X	0	0
Plaintiff Testimony	Plaintiff provided testimony during the hearing	Yes/ No	X		0	
Defendant Testimony	Defendant provided testimony during the hearing	Yes/ No	X		X	
Alleged abuse – predictor variables						

Variable Name	Definition	Response Options	Data Source		Model	
			DVPO Observ	DVPO Case Files	Denial n=242)	Full hearing n=347
Fear	Plaintiff alleged that she was afraid of the defendant. During the hearing	Yes/No	X		X	
	...in the written request for a DVPO			X		0
Physical abuse	Plaintiff alleged that she experienced physical abuse at the hand of the defendant. During the hearing	Yes/No	X		0	
	...in the written request for a DVPO			X		X
Weapon	Plaintiff alleged that defendant used a weapon or threatened to use a weapon. Mentioned during the hearing.	Yes/No	X		X	
	...In the written request for a DVPO			X		
Forced sex	Plaintiff alleged that defendant spied on her or stalked her. Mentioned during the hearing.	Yes/No	X		0	
	...In the written request for a DVPO			X		0
Spying/ stalking	Plaintiff alleged that defendant forced her to have unwanted sex. Mentioned during the hearing.	Yes/No	X		0	
	...In the written request for a DVPO			X		0
Harm to children	Plaintiff alleged that the defendant harmed a child or that the defendant threatened to harm the child(ren). Mentioned during the hearing.	Yes/No	X		0	
	...In the written request for a DVPO			X		0

As discussed above, we built our models in several stages. First, we examined the bivariate associations between the independent variables of interest (i.e. those that had been found to be associated with DVPO outcomes in previous research, and/or were consistent with recognized DVPO best practices) and the dependent variable DVPO DENIED. We retained variables that were found to be significantly associated with a p-value of .1 or lower. We did the same for our model on the full hearing, using the dependent variable FULL HEARING.

We then checked for collinearity among potential correlates. Multicollinearity in logistic regression models is a result of strong correlations between independent variables. The existence of multicollinearity inflates the variances of the parameter estimates, and may result, particularly for small and moderate sample sizes, in lack of statistical significance of individual independent variables while the overall model may be strongly significant, or in incorrect signs and magnitudes of regression coefficient estimates, and consequently, in incorrect conclusions about relationships between independent and dependent variables.⁴⁸ We used the multicollinearity diagnostic statistic (VIF TOL in SAS) and regressed our dependent variable DVPO DENIED on the independent variables of interest. We then examined the Tolerance and Variance Inflation Factor (VIF) for each variable. Values of VIF exceeding 10 are often regarded as indicating multicollinearity, but in weaker models, which is often the case in logistic regression, values above 2.5 may be a cause for concern.^{46,48} Accordingly, we examined our results, looking for VIFs of 3 or higher. Finally, we computed an adjusted logistic regression model predicting judges denying a DVPO at a full DVPO hearing to calculate adjusted odds ratios of the relationship between litigant and court-level factors and DVPO denial. Analyses were conducted using SAS version 9.3. All statistical tests were two-tailed, using an alpha of 0.05.⁴⁸

For both models, we used the -2 log likelihood model fit test to assess model fit.⁴⁸ All statistics were considered statistically significant in the multivariate model at the alpha = 0.05 level.

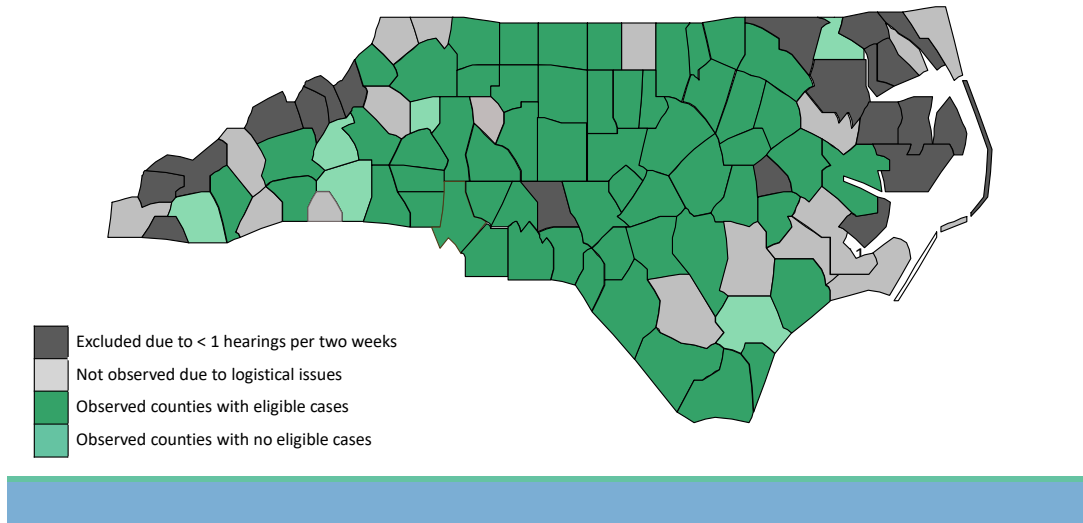
Detailed Findings

Description of the Study Sample

Between June 28, 2016 and September 30, 2017, a total of 8 CASE IPV project staff observed 197 court sessions in district courthouses across the state of North Carolina. During those sessions, there were a total of 4,021 cases on the dockets, and 2,742 (68.2%) of these were DVPO hearings. Of these, 417 (15.2% of DVPO hearings and 10.4% of cases on the docket) met the study inclusion criteria. The remainder were ineligible because they were continued to another date, involved a male plaintiff, involved litigants who were not current or former intimate partners, or involved a plaintiff who was under 18 years old.

We conducted these 417 DVPO hearing observations in a total of 58 counties that made up 38 judicial districts. In an additional 6 counties, we were present for the scheduled court sessions, but no eligible cases were heard during the assigned observation period. As noted previously, 20 counties were excluded due to historically low (<1 per 2 weeks) numbers of DVPO hearings. Sixteen eligible counties were not observed due to travel (e.g. flooding), or administrative barriers (unable to contact clerk of court), or lack of DVPO hearings on the docket during the scheduled data collection period. Figure 2 illustrates the distribution of our data collection efforts across the state.

Figure 2. Data Collection for CASE IPV Study



The hearings we observed were presided over by 110 different North Carolina District Court judges. Nearly two-thirds (62%) of the presiding judges were male, 79% were white, and 20% were African-American. Table 2 describes the characteristics of the study sample of DVPO hearings, for the 347 cases for which we had both observation and DVPO case file data.

Table 3. Characteristics of the CASE IPV Study Sample of Observed DVPO Hearings, n=347.

Characteristic	n	Range	Mean # of observations (SD)
Counties	53	1-31 observations	6.56 observations per county (5.93)
Judicial Districts	37	1-31 observations	9.38 observations per district (6.60)
Judges	100	1-16 observations	3.47 observations per judge (2.63)
Observers	8	8-87 observations	43.38 observation per observer (24.5)

DVPO Litigants

Table 4 describes the sociodemographic characteristics of the DVPO litigants in the 347 DVPO hearings we observed and for which we had matched abstracted case files. As required by our study inclusion criteria, all of the plaintiffs were female. Nearly all (n=98.5%) of the defendants were identified as male in the DVPO hearing observation dataset. The case file abstraction data indicated that (57.3%) of the plaintiffs and a little over a third (36.0%) of defendants identified as white, and 28.2% and 25.9% of plaintiffs and defendants were identified as African-American/Black, respectively. Note that these percentages may not add up to 100% because race was constructed as a check-all-that-apply variable. Additionally, 8.9% of plaintiffs and 6.9% of defendants were identified by the observers as having limited English proficiency (Table 4). Official interpreters were available in 81% (18/22) of the cases where the plaintiff had limited English proficiency, and in 87.5% (14/16) of cases where the defendant was identified as having limited English proficiency (data not shown.)

All but one of the plaintiffs were present in court during their hearings, while a quarter of the defendants were neither in court nor had anyone representing them in court. Plaintiffs were more than twice as likely (37.5% versus 16.7%) than defendants to have legal representation during the hearing.

Table 4. Characteristics of Litigants in CASE IPV Study Sample of DVPO Hearings, n=347.

Characteristic	Plaintiff		Defendant	
	n	%	n	%
Observed Gender				
Male	0	0%	338	98.5%
Female	347	100%	5	1.5%
Race				
African-American/Black	98	28.2%	90	25.9%
White	199	57.3%	125	36.0%
Other (Native American/American Indian, Asian, Other)	31	8.9%	24	6.9%
Hispanic/Latinx				
Yes	31	8.9%	24	6.9%
Present in Court				
Yes	346	99.7%	251	72.3%
No, but has counsel there representing them	0		2	0.6%
No, and no one is there representing them	0		88	25.4%
Any Legal Representation (all or part of the hearing)				
Yes	130	37.5%	58	16.7%
No	217	62.5%	289	83.3%
Any Disability Noted				
Yes	20	5.8%	27	7.8%
No	327	94.2%	310	92.2%
English Language Proficiency				
Proficient	325	93.7%	331	95.4%
Limited or No Proficiency	22	6.3%	16	4.6%

In addition, abstracted data from the DVPO case files (n=347) indicate that 41% (n=142) of the litigants were current or former spouses, while 59% (n=205) were current or former non-marital partners, and 34.6% (n=120) had at least one minor child together.

Characteristics of the DVPO Hearings

Table 5 describes the characteristics of the 347 DVPO hearings we observed and for which we had matched abstracted case file data. Observers noted that domestic violence advocates interacted with the plaintiff in 12.7% of the cases (Table 5), and that an advocate was present in an additional 26.2% of the hearings observed (n=91), though the advocate was not seen interacting with the plaintiff (data not shown).

Some member of our Community Advisory Board (CAB) were particularly interested in the whether the litigants had legal representation during the DVPO hearing. The observation data indicate that both litigants had representation in 11.8% of cases overall. In over half (57.6%) of the cases, both litigants were pro se, without legal representation (Table 5). Additionally, as noted above, plaintiffs were more like to have legal representation than defendants were; in fact, in a quarter of the hearings (25.6%) only the plaintiff had counsel.

Litigant testimony is an occasion for information about the dangerousness of the litigants' situation to be shared, as well as an opportunity for the judge to inquire about certain factors that amplify risk (e.g. presence of firearms), and to clarify information present in the DVPO filing documents. Note that for this

data, it is more relevant to examine the proportion of the time this came up for cases that went to full hearing and was either denied or granted. During the full DVPO hearings that we observed, plaintiffs provided testimony 89.7% of the time, both in cases that resulted in a denial and those that resulted in a granted order. For full DVPO hearings that resulted in a denial, defendants testified 64.7% of the time, while in full DVPO hearings that resulted in the order being granted, defendants testified in only 38.5% of cases (Table 5). Note, however, that the defendants were absent in 26% of observed CASE IPV cases overall (Table 4).

Table 5. Characteristics of DVPO Hearings in CASE IPV Study, n=347.

Hearing Characteristic	All cases n=347		Went to Full Hearing n=242				Consent Order Issued without Full Hearing n=105	
			Denied n=68		Granted n=174			
	N	%	N	%	N	%	N	%
DV Advocate Interacted with Plaintiff								
Yes	44	12.7	7	10.3	20	11.5	17	16.2
No/Not Observed	303	87.3	61	89.7	154	88.5	88	83.8
Litigant Legal Representation								
Both litigants had representation	41	11.8	10	14.7	8	4.6	23	21.9
Only Plaintiff had representation	89	25.6	9	13.2	47	27.0	33	31.4
Only Defendant had representation	17	4.9	9	13.2	2	1.1	6	5.7
Neither litigant had representation (pro se)	200	57.6	40	58.8	117	67.2	43	41.0
Plaintiff Testified								
Yes	225	64.8	61	89.7	156	89.7	8	7.6
No	122	35.1	7	10.3	18	10.3	97	92.4
Defendant Testified								
Yes	114	32.8	44	64.7	67	38.5	3	2.9
No	233	67.1	24	35.3	107	61.5	102	97.1
Litigant Testimony								
Neither litigant testified	120	34.6	6	8.8	18	10.3	96	91.4
Only plaintiff testified	113	32.6	18	26.5	89	51.1	6	5.7
Only defendant testified	2	0.6	1	1.5	0	0.0	1	.9
Both litigants testified	112	32.3	43	63.2	67	38.5	2	1.9

Table 6 describes the content of the plaintiff's testimony during the DVPO hearing, for all cases that went to a full hearing (n = 242), whether the DVPO was granted or denied. The plaintiff said that she was in fear of the plaintiff in well over 40% (41.7%) of the cases. Physical abuse was the most commonly-cited form of IPV noted (46.7%), followed by spying or stalking (24.0%), weapon use (13.6%) and forced sex (3.7%). The abuse and threats described most commonly occurred during the incident that immediately preceded the plaintiff filing for the DVPO, though abuse that occurred outside of the precipitating incident was cited in a substantial minority (2 - 11.6%) of cases.

Table 6. Content of Litigant Testimony during DVPO Hearing, in Cases that Went to Full Hearing n=242.

Testimony Content*	N	%
Plaintiff Stated She was in Fear of Defendant		
Yes	101	41.7%
No	141	58.3%
Plaintiff Stated She Experienced Physical Abuse		
Yes	113	46.7%
No	129	53.3%
Timing of Physical Abuse		
Never	129	53.3%
Prior to DVPO Incident Only	28	11.6%
During DVPO Incident Only	53	21.9%
Both Prior to and During DVPO Incident	32	13.2%
Defendant Weapon Use		
Yes	33	13.6%
No	209	86.4%
Timing of Defendant Use Weapon Use		
Never	167	83.9%
Prior to DVPO Incident Only	9	4.5%
During DVPO Incident Only	19	9.5%
Both Prior to and During DVPO Incident	4	2.0%
Plaintiff Stated She Experienced Forced Sex		
Yes	9	3.7%
No	233	96.3%
Plaintiff Stated She Experienced Spying/Stalking		
Yes	58	24.0%
No	184	76.0%
Timing of Spying/Stalking		
Never	139	70.9%
Prior to DVPO Incident Only	4	2.0%
During DVPO Incident Only	23	11.7%
Both Prior to and During DVPO Incident	30	15.3%

Note. Content categories are not mutually exclusive.

Table 7 describes the content of the plaintiff’s testimony during the DVPO hearing, for all cases that went to a full hearing when there was shared minor children between litigants (n = 91 cases). In over a quarter of those cases (27.5%), the plaintiff stated that the defendant had either harmed or threatened to harm her children. In over a third (39.6%) of the cases where the plaintiff and defendant shared a minor children and the case went to full hearing, the plaintiff stated that their child had witnessed the alleged abuse.

Table 7. Child-related Content of Litigant Testimony for Cases where the Litigants Shared a Minor Child and the Case Went to Full Hearing. n=91.

Testimony Content*	N	%
Plaintiff Stated Defendant Harmed or Threatened to Harm Children		
Yes	25	27.5%
No	66	62.6%
Timing of Harm or Threats of Harm to Children		
Never	66	72.5%
Prior to DVPO Incident Only	8	8.8%
During DVPO Incident Only	9	9.9%
Both Prior to and During DVPO Incident	8	8.8%
Plaintiff Stated that Children Witnessed Abuse		
Yes	36	39.6%
No	55	60.4%

Findings by Study Aim

Aim 1: Describe the processes and procedures followed during DVPO hearings

Research questions 1.1-1.4 address judges' behavior making inquiries during DVPO hearings. These queries could take place during any part of the DVPO hearing, including, but not limited to during the plaintiff's testimony. Judges most frequently inquired about the history of abuse in the relationship, followed by the defendant's access to firearms. However, this information was far less likely to be shared when the DVPO was issued as a consent order, presumably because the litigants did not have the option of providing testimony, as they would if the DVPO had been granted as a result of a full hearing.

Table 8. Content and Frequency of Case Characteristics and Judges' Inquiries, n=347.

Information	All Cases, n=347		Cases that went to full hearing, n=242		Consent orders without a full hearing, n= 105	
	Mentioned	Judge Inquired	Mentioned	Judge Inquired	Mentioned	Judge Inquired
History of IPV in the relationship	155 (46.3)	51 (14.7)	148 (62.7)	49 (20.2)	7 (7.1)	2 (2.0)
Litigant's Access to Firearms	77 (23.1)	33 (9.5)	69 (29.2)	29 (12.0)	8 (8.2)	4 (4.8)
Litigants' Previous DVPOs (n=403)	55 (16.4)	15 (4.3)	50 (21.1)	13 (5.4)	5 (5.1)	2 (2.0)
Defendant's Abuse of Minor Children in the Household	45 (13.0)	7 (5.8)	6 (6.6) ^a	8 (8.8) ^a	1 (1.0)	1 (1.0)

Note. Content categories are not mutually exclusive.

^a Of the cases that went to full hearing (n=242) where the litigants had at least one minor child in common (n=91).

Research questions 1.5-1.10 examine courtroom-level factors that may affect DVPO hearings, particularly those that may affect plaintiff safety. We observed 197 individual court sessions in district courthouses across the state of North Carolina during our yearlong observation period. During those hearings, we observed a variety of processes, and those processes varied considerably from courthouse to courthouse. Table 9 describes court-level factors of interest.

We found that at least one uniformed officer was present in the courtroom in nearly all (89%) of the hearings, and that an officer was situated between pro se litigants in 8% of the court sessions. However, observers noted identifiable security measures in the hallways and outside the courtroom itself in only 18% of the sessions. At least one identifiable DV Advocate was identified in 45% of the sessions (Table 9).

Judges read out the court session docket over three quarters of the time (79%), and bailiffs made announcements about expected courtroom behavior and other instructions about half of the time (51%). Courtroom and/or courthouse bans on cellphone and other electronics were noted in 69% of the sessions (Table 9).

Table 9. Court-Level Factors Observed, n=197 Court Sessions.

Court-Level Factor	n	%
Plaintiff Safety		
Law Enforcement Officer Present in Courtroom at all Times (n=194)	172	89
DV Advocate Present in Courtroom	78	45
Separate Seating for Plaintiffs and Defendants	50	26
Clearly Identifiable Security in Courthouse Hallways	35	18
Officer Located between Counsel Tables for Pro Se Litigants (n=190)	15	8
Courtroom Policies and Procedures		
Judge Read Docket Aloud During Court Session (n=192)	152	79
Cell Phone Ban in Courthouse or Courtroom (n=196)	136	69
Cases other than DVPOs Heard in Courtroom (n=192)	113	58
Bailiff Provides Instructions or Announcements about Courtroom Behavior and/or Procedures	101	51

Aim 2: Describe the findings and provisions contained in the DVPOs resulting from DVPO hearings.

We used data from the CASE IPV case file abstraction forms (n=347) to describe the findings and provisions contained in the DVPOs that were granted, either following a full hearing, or as consent orders. Of the 347 DVPO hearings for which we abstracted data from the case files, a total of 279 (80.4%) were granted, either following an evidentiary hearing (n=174; 62.4% of granted orders) or as consent orders (n=105; 37.6% of granted orders).

Table 10 describes what the judges checked on the DVPOs granted following a full hearing (i.e. not including consent orders) under the item on AOC-CV-306 that reads, “Based on these facts, the Court makes the following conclusions of law.” We did not include consent orders because judges are not required by statute to include conclusion of law in consent orders.

In nearly all (n=150; 86.2%) of the orders, the judge checked that the defendant had committed acts of domestic violence against the plaintiff, and in 67.8% of the orders, the judges found that there was “danger of serious and imminent injury to the plaintiff.” Similar finding for minor children were less frequent. (Table 10.)

Table 10. Findings Contained in DVPOs Granted Following a Full Hearing, n=174.

Judges' "Conclusions of Law" ^a	n	%
Defendant has committed acts of domestic violence against the plaintiff	150	92.6
Defendant has committed acts of domestic violence against minor children	27	15.5
There is danger of serious and immediate injury to Plaintiff	118	67.8
There is danger of serious and immediate injury to minor children	21	12.1

Note. Does not include DVPOs granted as consent orders.

^a Conclusions of Law are not mutually exclusive.

We were also interested in knowing what conditions were included in the granted DVPOs, including both orders granted following a full hearing, and consent orders, and whether those conditions varied by the type of order. Table 11 includes details about these provisions and conditions, as indicated by checked boxes on the AOC-CV-306 form.

In all of the orders, both full and consent, the presiding judge had checked that the defendant “shall not assault, threaten, abuse, follow, harass, or interfere with the Plaintiff,” and 90% of the orders had a similar prohibition for members of the plaintiff’s family or household. In addition, nearly all (96% of full orders and 94% of consent orders) had the “no contact” provisions checked. Other provisions were less frequently checked. For example, defendants were court-ordered to attend approved abuse treatment programs in only about 11% of orders.

Overall, the types and frequencies of the conditions were similar for orders granted following a full evidentiary hearing versus those granted as consent orders. However, there were a few notable differences. Full orders were significantly more likely than consent orders to have the provisions checked that ordered the defendant to surrender their firearms and ammunition to the Sheriff’s Office while the DVPO was active ($\chi^2=7.11$, $p<.05$). On the other hand, consent orders were significantly more likely to order the defendant to stay away from the plaintiff’s workplace ($\chi^2=19.157$, $p<.0001$) and to specify that the defendant should stay a certain distance away from the plaintiff ($\chi^2=7.762$, $p<.01$)

Table 11: Conditions Included in the Granted DVPOs, n=279.

Condition	“Full” Orders, n=174 n (%)	Consent Orders, n=105 n (%)	Total Granted Orders, n=279 n (%)
Defendant shall have no contact with the Plaintiff.	163 (96.1)	101(93.7)	264 (94.6)
Defendant shall not assault, threaten, abuse, follow, harass, or interfere with plaintiff	173 (100)	105 (100)	278 (99.6)
Defendant shall not assault, threaten, abuse, follow, harass, or interfere with minor children*	79 (45.7)	44 (41.9)	123 (44.1)
Defendant shall not assault, threaten, abuse, follow, harass, or interfere with members of plaintiff’s family or household	157 (90.8)	97 (92.4)	254 (91.0)
Defendant shall stay a certain distance away from the plaintiff	41 (16.9)**	32 (30.5)**	73 (21.0)
Defendant shall not cruelly treat animals owned by parties	14 (8.1)	15 (14.3)	29 (10.4)
Plaintiff is granted possession of parties’ residence	55 (32.0)	35 (33.3)	90 (32.3)
Defendant is evicted from the shared residence	33 (19.2)	19 (18.1)	52 (18.6)
Plaintiff is granted possession of parties’ vehicle	21 (12.1)	8 (7.8)	29 (10.4)

Condition	“Full” Orders, n=174 n (%)	Consent Orders, n=105 n (%)	Total Granted Orders, n=279 n (%)
Defendant shall stay away from plaintiff’s workplace	151 (62.4)**	91 (86.7)**	242 (86.7)
Defendant shall stay away from children’s day care ^a	40 (23.0)	17 (16.2)	57 (20.4)
Defendant shall stay away from schools attended by plaintiff’s children ^a	32 (18.4)	7 (6.7)	39 (14.0)
Defendant’s access to firearms restricted in some capacity	133 (76.4)	74 (70.5)	207 (74.2)
Defendant ordered to surrender firearms	100 (57.5)**	41 (39.1)**	141 (50.5)
Defendant restricted from purchasing or possessing firearms	128 (73.6)	73 (69.5)	201 (72.0)
Defendant shall complete an abuser treatment program	19 (11.0)	4 (3.8)	23 (8.2)
Temporary custody granted ^a	41 (23.6)	26 (24.8)	67 (24.0)

^aIn 36.8% (n=102) of the hearings for which we had abstracted data, the plaintiff and defendant had a minor child in common.

* Proportions are significantly different (p< .05)

** Proportions are significantly different (p< .01)

There were no data available that indicated whether judges had reviewed the DVPO case files prior to the hearing. Given that, to be conservative in our assumptions about judges’ knowledge about the plaintiffs’ accounts of experiencing abuse from the defendant, we used information on abuse based on indicators that were recorded during the observed hearing, (i.e., we did not use abuse information from the abstracted case files) to determine how plaintiffs’ experience with abuse affected judicial decisions to grant or deny a DVPO. Our assumption in these cases was that the judges were only aware of the plaintiffs’ accounts of abuse if information about abuse were revealed during the hearing.

Aim 3: What factors at the litigant, judge, and courtroom levels are associated with denying DVPOS at the DVPO hearing?

DVPO Denial Model

In order to build our predictive model of DVPO denial, we limited our sample to cases that went to a full evidentiary hearing (n = 242), so that we could examine what factors of the full hearing were associated with the odds that the DVPO would be denied. We examined bivariate associations between DVPO DENIED and defendant presence, plaintiff race, defendant race, plaintiff ethnicity, defendant ethnicity, litigant legal representation (4-level variable), plaintiff interacting with a DV advocate, whether litigants had a child in common, whether the plaintiff testified, whether litigants were current/former spouses, and a number of variables based on the testimony that occurred during the full hearing. These included whether the plaintiff: said that she was afraid of the defendant; noted physical abuse by the defendant; described stalking by the defendant; said the defendant had forced her to have unwanted sex; mentioned weapon use by the defendant; or noted that the defendant had harmed or threatened to harm their children.

Of these, defendant’s presence at the DVPO hearing ($\chi^2=27.16$; $p<.0001$); litigant representation ($\chi^2=36.08$; $p<.0001$); children in common ($\chi^2=2.99$; $p<.09$); defendant testified ($\chi^2=16.51$; $p<.0001$); plaintiff noted she was afraid of the defendant ($\chi^2=3.0$; $p<.08$) were significantly associated with the DVPO being denied at the bivariate level.

We examined the tolerance (TOL) and variance inflation factor (VIF) multicollinearity diagnostic statistics produce by SAS to assess multicollinearity among our independent variables. There were two VIF values above 3, the plaintiff having legal representation (VIF=3.34) and both litigants being pro se (VIF=3.68) indicating a slight chance of multicollinearity among the litigant representation variables. There were no tolerance values below .35, indicating a low likelihood of multicollinearity overall.

Table 13 describes the final adjusted multivariable model for a DVPO being denied during a full evidentiary hearing. In cases where just the defendant had legal counsel, the DVPO had over four times the odds of being denied (OR= 4.14; 95% CI= 1.15- 4.90) compared to both litigants having legal counsel, while controlling for all other predictors in the model. Cases in which just the plaintiff had legal representation, compared to both litigants having legal counsel, had lower odds of being denied (OR= 0.25; 95% CI=0.07-0.83). DVPO hearings in which the defendant was present had five times the odds of resulting in a denial (OR=5.07, 95% CI = 1.94-13.25) compared to cases where the defendant was not present. Cases in which the plaintiff noted that she was afraid of the defendant had lower odds of being denied (OR=0.35, 95% CI = 0.15, 0.85) compared to cases where the plaintiff did not mention that she was afraid of the defendant, and cases where the plaintiff mentioned in her testimony that the defendant used or threatened to use a weapon had lower odds of being denied (OR = 0.73; 95% CI= 0.31- 1.71).

In sum, after controlling for all predictors in the model, when the plaintiff mentioned that she was afraid of the defendant in her testimony, this was protective against having the DVPO denied. Defendant presence at the hearing, on the other hand, increased the odds that the order would be denied. When only the defendant had legal counsel, compared to both litigants having legal counsel, there was also higher odds that the order would be denied. When only the plaintiff had legal counsel or neither party had counsel, i.e. both of the litigants were pro se, compared to both having legal counsel, there were lower odds of the order being denied.

Table 13. CASE IPV Adjusted Model for DVPO Denial, n=347.

Variable	Adjusted Odds Ratio	95% CI	P-Value
Legal Representation			
Neither Plaintiff nor defendant	0.269	(0.09, 0.79)	0.0182
Just Plaintiff	0.25	(0.07, 0.83)	0.0244
Just Defendant	4.14	(1.15, 4.90)	0.0304
Both Plaintiff and Defendant	Ref	Ref	Ref
Minor Child(ren) in Common	1.52	(0.75, 3.11)	0.2422
Defendant Testified	1.56	(0.77, 3.16)	0.2127
Defendant Present	5.07	(1.94, 13.25)	0.0014
Plaintiff Noted Fear	0.35	(0.15, 0.85)	0.0217
Plaintiff Noted Weapon Use/Threat	0.73	(0.31, 1.71)	0.4559

Note. Ref= referent group

Note. Logistic regression results are presented as adjusted odds ratios and 95% confidence intervals.

Note. **Bold** text indicates that the proportions are significantly different (p< .05)

-2 log likelihood model fit test $\chi^2=9.01$; $p<.0001$; $df=48$

Full Hearing versus Consent Order Model

We followed a similar process in our exploratory analyses of the predictors of whether a case went to a full evidentiary hearing versus being granted as a consent order. For this model, we used all of the cases (i.e. DVPO hearings) in the sample (n = 347). We examined the bivariate associations between the

dependent variable FULL HEARING and: defendant presence, plaintiff race, defendant race, plaintiff ethnicity, defendant ethnicity, litigant legal representation (4-level variable), plaintiff interacting with a DV advocate, whether litigants had a child in common, whether the plaintiff testified, whether litigants were current/former spouses, and a number of variables based on the alleged abuse as reported in the in plaintiff's paperwork requesting a DVPO including whether the plaintiff; said she was afraid of the defendant; noted physical abuse by the defendant; described stalking by the defendant; said the defendant had forced her to have unwanted sex; mentioned weapon use by the defendant; or noted that the defendant had harmed or threatened to harm their children.

In this model, we used data about the presence or absence of the plaintiffs' experiences of different types of abuse from the case file abstraction dataset rather than from the observation data, despite the advantages of the observation data that we noted previously. By definition, in cases in which the DVPO was issued as a consent order, neither litigant had the opportunity to testify, therefore we were limited to the data available in the case files. However, we do not know whether or how thoroughly the judge reviewed the case files prior having a full evidentiary hearing or granting the consent orders. Only variables that were significantly associated with the outcome of interest at $p < 0.1$ were entered into the multivariable model. The predictors that were associated with the order going to a full hearing through bivariate analysis included: defendant presence ($x^2 = 25.94$; $p < .0001$), defendant ethnicity ($x^2 = 6.98$; $p < .01$), litigant legal representation ($x^2 = 14.51$; $p < .01$), having shared children ($x^2 = 4.45$; $p < .05$), and the plaintiff noting physical abuse in her DVPO paperwork ($x^2 = 3.28$; $p < .1$).

The results of the multivariable logistic regression model predicting whether the case went to a full evidentiary hearing (i.e. a consent order was not issued) are displayed in Table 14. Results from the multivariable model indicated that cases where the defendant was present in the courtroom had lower odds of going to a full hearing (OR = 0.11; 95% CI= 0.04-0.31), controlling for all other predictors in the model. When neither litigant had legal counsel, compared to both having legal counsel, the order had significantly higher odds (OR = 3.23; 95% CI= 1.177-8.874) of going to a full hearing, and when the litigants shared minor children, the hearing had nearly two times the odds of going to a full hearing, rather than a consent order being issued, compared to cases where the litigants did not share minor children (OR = 1.79; 95% CI= 1.10-2.91). Finally, when the plaintiff noted that there was physical abuse in her paperwork requesting a DVPO, the order had lower odds of the case going to a full hearing (OR = 0.55; 95% CI= 0.31- 0.99).

As with our model predicting DVPO denials, we examined the tolerance (TOL) and variance inflation factor (VIF) multicollinearity diagnostic statistics produced by SAS to assess multicollinearity among our independent variables. There were no VIF values above 3, nor any tolerance values below .35, indicating a low likelihood of multicollinearity.

Table 14. Adjusted Model for the Case Going to Full Evidentiary Hearing (i.e. a consent order was not issued), n=347.

Variable	Adjusted Odds Ratio	95% CI	P-Value
Legal Representation			
Neither Plaintiff nor defendant	3.23	(1.18, 8.87)	0.024
Just Plaintiff	1.35	(0.48, 3.80)	0.567
Just Defendant	1.96	(0.36, 10.67)	0.430
Both Plaintiff and Defendant	Ref		Ref
Defendant Present	0.11	(0.04, 0.31)	<.0001
Defendant Hispanic/LatinX	0.93	(0.41, 2.09)	0.852
Minor Child(ren) in Common	1.79	(1.10, 2.91)	0.020
Plaintiff Noted Physical Abuse	0.55	(0.31, 0.99)	0.047

Note. Ref= referent group

Note. Logistic regression results are presented as adjusted odds ratios and 95% confidence intervals

-2 log likelihood model fit test $\chi^2=7.78$; $p<.0001$; $df=52$

Discussion and Implications

Discussion

The goals of this study were to: 1) describe the processes and procedures followed during DVPO hearings; 2) describe the findings and provisions contained in the DVPOs granted at DVPO hearings; and 3) identify factors that are associated with denying DVPOs at the DVPO hearing. In addition, we conducted exploratory analyses to identify differences between consent orders and orders granted following evidentiary DVPO hearings, and factors that predicted an order going to a full hearing versus being granted as a consent order.

In our statewide sample, which was limited to DVPO hearings in which the plaintiffs were adult women, nearly all (98.5%) of the defendants were men. This is not surprising, given that the North Carolina statutory definitions of “personal relationship” between plaintiff and defendant includes current and former spouse; persons of opposite sex who live together or have lived together; parents of a minor child/children, and “persons of the opposite sex who are in a dating relationship or have been in a dating relationship.” Although population-based research indicates that IPV occurs between same sex current or former partners⁴ LGBTQ survivors may be reluctant to engage with the court system due to stigma, or they may incorrectly believe that they are not eligible for a DVPO due to the statutory definitions.

Our sample also contained a relatively low proportion (6.3%) of limited English Proficiency (LEP) litigants given the demographic composition of the state. However, the sample was restricted to cases that proceeded to hearings or were granted as consent orders on the observation date, and did not include cases that were continued (postponed) to a later court date on the day we observed. The study observation team reported numerous occurrences of cases in which one or both litigants were LEP, and the hearing was continued due to a lack of an interpreter, which may indicate an unmet need in this area. Excessive continuances of DVPO hearings are problematic, as they require litigants to come to court multiple times, often necessitating time away work and/or childcare expenses. Fortunately, in the observed cases that involved LEP litigants that were heard in court, over 80% had official interpreters. Further examination into whether cases in which one or both litigants in LEP experience more

continuances than non-LEP litigants, and whether lack of interpreter services contributes to continuances may elucidate this finding.

We were somewhat surprised to note that we observed domestic violence advocates interacting with plaintiffs in only 12% of the cases, though we noted their presence in an additional 26% of the hearings. There are a number of possible explanations for these findings. In terms of advocate presence, we only noted the advocates as being present if it were clearly evident that they served in that capacity, for example, if they were wearing a nametag, or were pointed out by court personnel. It is thus possible that advocates were in court and we were not aware of their presence. Another possibility is that the neither the local domestic violence service provider nor the county had the capacity to provide court advocates in those locales on a consistent basis. As for advocate interactions with plaintiffs, in some cases, the advocates may have interacted with plaintiffs prior to the hearing, and/or in some counties they could be prohibited from interacting with plaintiff during hearing. Regardless, visibility of DV advocates who are present during court sessions is advantageous, as it may be a signal to IPV survivors and others in the courtroom that the community supports survivors. In addition, advocates' visible presence in the courtroom may cue IPV survivors and their friends and family members to learn about and/or access IPV-related services in their communities. The relatively sparse presence of advocates in court during our observation may also be a symptom of inadequate resources for IPV-related services in some communities. Given that many, if not most, agencies providing IPV prevention and support services are non-profit organizations often on a shoestring budget, providing resources at the county or judicial district level to augment court advocacy service could be beneficial, particularly for pro se litigants.

At the courtroom and courthouse level, we noted several factors that could promote or inhibit litigant safety, particularly the plaintiffs' safety. Law enforcement officers were a consistent and visible presence in the courtroom, with at least one officer present at all times in nearly all (89%) of the sessions we observed. A visible security presence outside the courtroom was less frequent, however, particularly in the hallways and parking lots. Given the potential for serious, even lethal, violence in IPV situations, a visible security presence inside and outside the courthouse is warranted. In addition, law enforcement officers positioned themselves between pro se litigants during the hearing in a small minority of cases (8%), thus not providing a buffer between the plaintiff and defendant, and opening up the potential for defendant to intimidate the plaintiff during the hearing, including when she is responding to the judge's queries.

Some sort of cell phone or electronics ban was enforced in 69% of the courthouses or courtrooms, though it was sometimes not evident until arriving on the courthouse doorstep, and seeing a sign announcing the ban on the door. It is understandable that judges and other court personnel would want to limit the distraction of electronic devices during hearings. However, if litigants are not aware of these policies before arriving in court for their hearings, it could hinder their ability to present evidence during testimony that is stored on their phones or other electronic devices. This is particularly relevant to the 57% of litigants who are pro se, and would not be advised of these restrictions by their attorneys. Clearly communicating courthouse and courtroom electronics policies early in the DVPO hearing process, for example noting it in the civil summons, and in the DVPO paperwork, would allow litigants to make contingency plans if they need their electronic devices to provide evidence in their cases. For example, in one case we observed, the plaintiff had printed out dozens of pages of threatening text messages sent to her by her former partner, and those print-outs were entered as evidence.

We found that a large majority of cases (80.4%) that proceed to hearings resulted in DVPOs being granted, either following a full evidentiary hearing (62.4% of granted DVPOs), or as consent orders (37.6% of granted DVPOs) with the written agreement of both litigants. This is a promising finding, given the documented effectiveness of DVPOs for secondary prevention of IPV. However, there is a substantial proportion of cases in which the plaintiff files for a DVPO and the case is subsequently voluntarily or involuntarily dismissed, leaving the plaintiff without enforceable legal protection against IPV from her current or former partner. NC AOC data indicate that, statewide, 32% of DVPOs filed are involuntarily dismissed, often because the plaintiff does not return to court after obtaining an ex parte order, and another 23% are voluntarily dismissed. Consequently, over half of plaintiffs who file for DVPOs do not make it to the stage where they could participate in a hearing at all. Indeed, when conducting our observations of DVPO hearings across the state, our team often found that court dockets that appeared to contain numerous eligible (for CASE IPV) cases yielded only a few, or none at all, due to involuntary dismissals, continuances, or voluntary dismissals. In fact, only 15% of the DVPO hearings on District Court dockets during the year-long data collection period met our study criteria, in the majority of cases because they were not heard that day (albeit in some cases ineligibility was due to litigant or relationship characteristics). There are myriad reasons why plaintiffs do not return to court for their hearings. Plaintiffs may have changed their minds, reconciled with the defendants, or may be unable to secure time off from work, find childcare or access transportation. Further, plaintiffs may be intimidated by the court process, or have been coerced by the defendant to dismiss the order, or not return to court for the DVPO hearing, resulting in the case being dismissed. Further research into the reasons behind voluntary and involuntary DVPO dismissals could shed light on unmet needs for these plaintiffs, as well as potential areas for intervention to avoid DVPO dismissals that are not desired by the plaintiffs.

Among the DVPOs that were granted, both as consent orders and following a full hearing, all of them prohibited further harassment or abuse, and nearly all included “no contact” provisions, ordering the defendant to stay away from the plaintiff in general. Though there was variability in the proportion of the other DVPO provisions included in the final orders, few of these proportions varied significantly by whether the DVPO was a consent order, or granted following a full evidentiary hearing, with one notable exception, defendant firearm surrender. Consistent with federal statute, in three quarters (74%) of DVPOs defendants were prohibited from “purchasing or possessing firearms.” However, defendants were ordered to surrender their firearms in only half (50.5%) of DVPOs overall, and only 39% of DVPOs granted as consent orders, as compared to 56% of DVPOs granted following an evidentiary hearing. This is concerning, given that a recent study found that state laws that both prohibited the possession of firearms by persons subject to a DVPO and required these defendants to surrender their firearms were associated with intimate partner homicide (IPH) rates that were 9.7% lower, and firearm-related IPH rates that were 14.0% lower than in states without these laws. However, laws that prohibited the possession of firearms by DVPO defendants but did not require them to surrender firearms already in their possession were not significantly associated with lower IPH rates.³¹ North Carolina law mandates firearm surrender in qualifying DVPO cases, thus it was disturbing to find only half of granted DVPOs contained that condition. The reason for the lower proportion of consent orders containing the surrender provision is unclear, given that other restrictive firearm provisions did not vary significantly. It may be that defendants are less willing to agree to a consent order that includes firearm surrender, and thus that restriction is not included, whereas in a full hearing, the defendant has no say over what conditions a judge includes in the DVPO. Research on factors associated with inclusion of various types of DVPO conditions would elucidate the reasons for these variations.

In a little over one third (35%) of the cases, the litigants had at least one minor child together, and the need for temporary custody agreement often came up during the hearing. Yet temporary custody was granted in only about a quarter of the cases, regardless of whether the DVPO was granted as a result of a full hearing, or issued as a consent order. In our previous research we have found that judges presiding over DVPO hearings are reluctant to address custody and visitation issues,^{35,36} preferring that these issues be addressed in Family Court or as part of a divorce hearing. While these sentiments are understandable, the finding that a large proportion of DVPOs do not include provisions regarding access to minor children is troubling, given that unresolved custody and visitation issues may leave IPV survivors and their families at risk of further abuse.

We found DVPOs were more likely to be denied following an evidentiary hearing if the defendant were present at the hearing, when only the defendant had legal counsel, and when both litigants had legal counsel. Conversely, if both litigants were pro se, the DVPO was less likely to be denied. The fact that DVPOs were five times more likely to be denied when defendants were present rather than absent from the hearing is not surprising, and likely reflects the defendant taking the opportunity provided by his testimony and judges' questioning to refute the plaintiffs' accounts of abuse.

Plaintiffs' accounts of their experiences were also important. A DVPO was less likely to be denied when the plaintiff mentioned that she was afraid of the defendant, although interestingly, plaintiffs' accounts of experiencing physical abuse was not associated with a decreased risk of DVPO denial. Taken together, these findings suggest that litigant engagement during the DVPO hearing, and the information provided, is important. This is consistent with findings from our previous qualitative research with district court judges that found that judges felt that information they needed in order to ascertain whether a case rose to the statutory criteria for granting a DVPO often did not surface during litigant testimony, and thus judges sometimes needed to question litigants more than they would like. Judges also indicated that they did not always have time to thoroughly review the case file prior to the hearing.^{13,14} Providing litigants with clear guidance about what to expect from DVPO hearings, and what type of information is critical to provide, could facilitate more efficient and equitable hearings, and ensure that plaintiffs whose experiences indicate continued threat of IPV receive protective orders with the appropriate provisions.

We aren't sure what to make of the findings regarding litigant legal representation, which indicate that when litigants have legal counsel the DVPO is more likely to be denied. This finding may reflect underlying characteristics of cases in which counsel is retained versus cases which involve pro se litigants; judges differing interactions with pro se litigants compared to litigants with legal representation (e.g. judges may be more "by the book" with represented litigants and engage less); or an artifact of how we measured this variable. In addition, legal representation could be confounded with another variable, perhaps one that is not measured. Finally, we did find an indication of mild collinearity among litigant representation variables, which may have affected the observed relationships between the legal representation variables and DVPO denial. Further investigation to untangle the nature of the relationship between legal representation and DVPO denial would be helpful in order to provide guidance to attorneys who represent litigants in DVPO cases.

Our exploratory analyses of consent orders revealed that they are commonly awarded (37% of the time) in lieu of cases proceeding to an evidentiary hearing, after which a DVPO could be granted or denied. We found that content of consent orders were fairly similar to those resulting from a full hearing except that they were less likely to contain the condition that the defendant surrender his firearms. As noted previously, this difference is concerning, given the potentially lethal combination of firearms and IPV.

Several factors predicted a case going to a full hearing, rather than being issued as a consent order, including when both litigants were pro se, and when the litigants had a minor child or children in common. These findings are unsurprising, given that pro se litigants may not know that consent orders are an option, and that judges and/or litigants may be reluctant to forgo a full hearing there are children involved. A puzzling finding was that cases in which the plaintiff noted that she had experienced physical abuse in her paperwork requesting a DVPO, the case had lower odds of a full hearing (i.e. was more likely to be issued as a consent order). Perhaps plaintiffs who noted physical abuse in their paperwork were disinclined to go through with a full hearing, fearing having to testify in open court about their abuse. These plaintiffs might also assume that a consent order is more of a “sure bet” than going to a full hearing, which could result in the DVPO being denied. However, given that there may be questions about the enforceability of consent orders (despite statutory language that indicates that they are “fully enforceable”), it is concerning that plaintiffs noting physical abuse (which may be a proxy for more severe abuse) have elevated odds of receiving consent orders. Longitudinal research on the effectiveness of consent orders, versus those granted following a full hearing is warranted.

Less puzzling was the finding that finding that when defendants were present, the case had lower odds of going to a full hearing, as defendants may be reluctant to agree to a consent order because they see it as an admission of guilt, despite the fact that consent orders do not include findings of fact.

Limitations

As is always the case, the study findings should be viewed within the context of the study’s limitations. First, our relatively small sample size (n=347 matched DVPO hearing observations and case file abstractions) limited our statistical power to conduct some types of multi-level and multivariable analyses. Thus, we were not able to include courtroom level factors in our explanatory models, and may have missed some important predictors.

Second, given that one of our data sources was a secondary source (the DVPO case files), we had no control over the quantity and quality of the available data from that source. The case files varied widely in terms of the amount and type of information they contained. These sources give us only partial information about litigants—which highlights another limitation. Although we collected primary observational data of the DVPO hearings, we did not interact with, or collect data from, the litigants themselves to gauge their perceptions and experiences of the DVPO process.

Finally, although our sample of DVPO hearings was representative of DVPO hearings in North Carolina, our findings may not be generalizable to other states, particularly states with different demographic characteristics and/or legislation pertaining to DVPOs. However, many states have similar court structures and DVPO processes to those in North Carolina, and all must be compliant with VAWA regulations. Therefore, some of our findings could be relevant to stakeholders in other states.

Despite these limitations, our findings revealed characteristics of the DVPO litigants, court processes, case files, and judicial behaviors that have implications for policy, practice, and research pertaining to domestic violence protective orders. We have summarized our suggestions for future research, policy and practice efforts, all of which were noted in the discussion of the results, in the following text.

Suggestions for Future Research Policy and Practice

Our findings revealed characteristics of the DVPO litigants, court processes, case files, and judicial behaviors that have implications for policy, practice, and research pertaining to domestic violence protective orders both within North Carolina and in other states. To this end, we suggest the following list of strategies to advance the DVPO research, policy and practice agendas, in the hope that improved implementation and evaluation will lead to increased safety for people who apply for DVPOs and their families.

Suggestions for Research

Future research should include:

- examination into whether cases in which one or both litigants are LEP experience more continuances than non LEP litigants, and, if so, the reasons for those continuances;
- assessment of how thoroughly judges review DVPO case files, how case file information influences their initial impressions and ultimate decisions, and how they use the information in the case file during the hearing;
- investigation into the reasons behind voluntary and involuntary DVPO dismissals;
- evaluation of strategies to enhance compliance of DVPO conditions;
- examination of how the conditions of DVPOs are communicated in court and litigant's understanding of those conditions, as well as their understanding of the consequences for violating them;
- examination for how DVPO court proceedings and outcomes differ for vulnerable groups (e.g. mothers, immigrants or litigants with low English literacy, minorities, litigants with mental health diagnoses); and
- longitudinal research on the enforceability and effectiveness of consent orders.

Suggestions for Policy

Legislation and other policies regarding DVPOs should include:

- resources to establish and/or maintain a statewide protective order database that include current information on the status and conditions of the orders;
- expanding the statutory definitions to be inclusive of non-married same-sex current or former intimate partners; and
- guidelines for judges to grant temporary custody and mandate visitation conditions in DVPOs;
- mechanisms for reporting and monitoring court DVPO procedures, and providing feedback to the courts.

Suggestions for Practice

- DV advocates should be visible and readily recognizable in court;
- provide litigants with clear guidance about what to expect from DVPO hearings, and what type of information is critical to provide;
- ensure that DVPO court processes and DVPO conditions are in accordance with the 50B statute, for example with restricting firearms;
- secure the support of law enforcement leadership for full enforcement of DVPOs;
- monitor implementation of DVPO procedures and provide timely feedback;
- Now that consent orders have been an option for several years in NC, convene a multi-sector task force or a review board to consider the implications for widespread granting of consent orders, as opposed to sending the order to a full hearing. This should involve a wide range of stakeholders including advocates, judges, clerks, survivors, and law enforcement; and

- Courthouses should include:
 - visible security presence inside and outside the courthouse
 - clear communication regarding courthouse and courtroom electronics policies early in the DVPO process; and
 - positioning law enforcement officers between pro se litigants during DVPO hearings;

There is strong public and legislative support for granting and enforcing DVPOs that protect IPV survivors and their families, as demonstrated by the large number of state statutes that enhance federal provisions. Future research, policy initiatives, and enhanced practices are needed to increase the safety of IPV victims and their families.

REFERENCES

1. Green, L.W. (2006). Public health asks of system science: To advance our evidence-based practice, can you help us get more practice-based evidence? *American Journal of Public Health, 96*(3), 406-409.
2. Centers for Disease Control and Prevention. (2017). Intimate partner violence definitions. Retrieved from URL: <https://www.cdc.gov/violenceprevention/intimatepartnerviolence/definitions.html>
3. Petrosky, E., Blair, J.M., Betz, C.J., Fowler, K.A., Jack, S.P.D, Lyons, B.H. (2017). Racial and ethnic differences in homicides of Adult woman, and the role of Intimate Partner Violence—United States, 2003-2014. *Morbidity and Mortality Weekly Report, 66*(28), 741-746.
4. Breiding, M. J., Smith, S. G., Basile, K. C., Walters, M. L., Chen, J., & Merrick, M.T. (2014). Prevalence and characteristics of sexual violence, stalking, and intimate partner violence victimization—National Intimate Partner and Sexual Violence Survey, United States, 2011. *Morbidity and Mortality Weekly Report, 63*(SS08), 1-18.
5. Black, M.C. (2011). Intimate partner violence and adverse health consequences: Implications for clinicians. *American Journal of Lifestyle Medicine, 5*, 428-439.
6. Dillon, G., Hussain, R., Loxton, D., & Rahman, S. (2013). Mental and physical health and intimate partner violence against women: A review of the literature. *International Journal of Family Medicine, 2013*, Article ID 313909, <http://dx.doi.org/10.1155/2013/313909>
7. Crofford L. J. (2007). Violence, Stress, and Somatic Syndromes. *Trauma Violence Abuse, 8*(3): 299-313.
8. Jordan C.E. (2007). The health implications of violence against women: untangling the complexities of acute and chronic effects: a two-part special issue. *Trauma Violence Abuse, 8*:87-89.
9. Reeves, C., & O'Leary-Kelly, A.M. (2007). The effects and costs of intimate partner violence for work organizations. *Journal of Interpersonal Violence, 22*(3), 327-344.
10. Swanberg, J. E., Logan, T., & Macke, C. (2005). Intimate partner violence, employment, and the workplace: Consequences and future directions. *Trauma, Violence & Abuse, 6*(4), 286-312.
11. Chiesa, L., Kallechey, B., Harlaarc, N.C., Rashaan, F., Garridod, E.F., Bettse, W.R., & Maguiref, S.(2018). Intimate partner violence victimization and parenting: A systematic review. *Child Abuse and Neglect, (80)*: 285-300.
12. Rick, J. L., Cochran, S.D., Arah, O.A., Williams, J.K., & Seeman, T.E. Food insecurity and intimate partner violence against women: results from the California Women's Health Survey. *Public Health Nutrition: 19*(5), 914–92. doi:10.1017/S1368980015001986

13. National Center for Injury Prevention and Control.(2103). Costs of intimate partner violence against women in the United States. Atlanta, GA: Centers for Disease Control and Prevention; 2003.
14. Peterson, C., Kearns, M.C., McIntosh, W.L., Estefan, L.F., Nicolaidia, C., McCollister, K.E., Gordon, & Florence, F.(2018). Lifetime economic burden of intimate partner violence among U.S. adults. *American Journal of Preventive Medicine*, 55(4):433-444.
15. Whitaker, D. J., Haileyesus, T., Swahn, M., & Saltzman, L. S. (2007). Differences in frequency of violence and reported injury between relationships with reciprocal and nonreciprocal intimate partner violence. *Am J Public Health*, 97(5), 941-947. Retrieved from <https://www.ncbi.nlm.nih.gov/pubmed/17395835>. doi:10.2105/AJPH.2005.079020
16. Stuart, G. L., Moore, T. M., Hellmuth, J. C., Ramsey, S. E., & Kahler, C. W. (2006). Reasons for intimate partner violence perpetration.
17. Swan, S. C., & Snow, D. L. (2006). The development of a theory of women’s use of violence in intimate relationships. *Violence Against Women*, 12(11), 1026–1045. doi:10.1177/1077801206293330
18. DeJong, C., & Burgess-Proctor, A. (2006). A summary of personal protection order statutes in the United States. *Violence Against Women*, 12, 68-88. doi:10.1177/1077801205277720
19. Kothari, CL, Rhodes, KV, Wiley, JA, Fink, J, Overholt, S, Dichter, M, et al. (2012). Protection Orders against assault and injury: A Longitudinal Study of police-Involved women victims of intimate partner violence. *Journal of Interpersonal Violence*, 27:2845-2868.
20. Holt, V.L., Kernic, M.A., Lumley T., Wolf, M.E., & Rivara, F.P. (2002). Civil protection orders and risk of subsequent police-reported violence. *Journal of the American Medical Association*, 288: 589-94.
21. Logan, T., Walker, R., & Hoyt, W. (2012). The economic costs of partner violence and the cost-benefit of civil protective orders. *Journal of interpersonal violence*, 27(6), 1137-1154. doi:10.1177/0886260511424500
22. Moracco, K.E., Andersen, K., Buchanan, R.M., Espersen, C., Bowling, J.M., & Duffy, C. (2010). Who are the defendants in domestic violence protection order cases? *Violence Against Women*, 16(11), 1201-1223.
23. Klein, A. R. (2008). *Practical implications of current domestic violence research, part III: Judges*. National Institute of Justice. Retrieved from http://209.198.129.131/images/PracticalImplicationsofDVResearch_Judges_4-08.pdf
24. Logan, T., & Walker, R. T. (2010). Civil protective order effectiveness: Justice or just a piece of paper? *Violence and Victims*, 25, 332-348. doi:10.1891/0886-6708.25.3.332

25. Carlson, M.J., Harris, S.D., & Holden, G.W. 1999. Protective orders and domestic violence: risk factors for re-abuse. *Journal of Family Violence*,14:205-226.
26. Benitez, C. T., McNiel, D. E., & Binder, R. L. (2010). Do protection orders protect? *Journal of the American Academy of Psychiatry and the Law*, 38, 376-385.
27. Dugan, L. (2003). Domestic violence legislation: Exploring its impact on the likelihood of domestic violence, police involvement, and arrest. *Criminology and Public Policy* 3:2:283-311.
28. Frattaroli S., & Vernick, J.S. (2006). Separating batterers and guns: A Review and analysis of gun laws in 50 States. *Evaluation Review*,30(3):296-312.
29. Vigdor E., & Mercy, J.A. Do laws restricting access to firearms by domestic violence offenders prevent intimate partner homicide? (2006). *Evaluation review*, 30(3):313-346.
30. Sivaraman, J.C., Ranapurwala, S.I., Moracco, K.E., & Marshall, S.W. (2018). Association between state firearm safety legislation and intimate partner homicide in women. In press, *American Journal of Preventive Medicine*.
31. Diez C., Kurland, R.P., Rothman, E.F., et al. State intimate partner violence-related firearm laws and intimate partner homicide rates in the United States, 1991 to 2015. (2017), *Annals of Internal Medicine*, 167(8):536–543.
32. Lewis R., Dobash, R.E., Dobash, R.P., & Cavanagh, K. Law's progressive potential: The value of engagement with the law for domestic violence. (2001). *Social & Legal Studies*, 10:105-130.
33. Klein, A.R. (2009). *Practical implications of current domestic violence research: For law enforcement, prosecutors, and judges*. NIJ Special Report. Office of Justice Programs. U.S. Department of Justice. Washington, D.C.
34. Nichols-Hadeed, C., Cerulli, C., Kaukeinen, K., Rhodes, K. V., & Campbell, J. (2012). Assessing danger: What judges need to know. *Family Court Review*, 50, 150-158. doi:10.1111/j.1744-1617.2011.01436.x
35. Person C.J., Moracco, K.E., Brune, C.A., Bowling, J.M. (2018). “I don’t know that I’ve ever felt like I got the full story”: A qualitative study of courtroom interactions between judges and litigants in Domestic Violence Protective Order Cases. *Violence Against Women*, 24(12) 1474–1496. <https://doi.org/10.1177/1077801217738582>
36. Brune, C.A., Moracco, K.E., Person, C.J., & Bowling, J.M. (2017). Domestic Violence Protective Orders: A Qualitative examination of judges’ decision-making processes. *Journal of Interpersonal Violence*, 32 (13): 1921-1942 . DOI 10.1177/0886260515590126.
37. Zoellner, L.A., Feeny, N.C., Alvarez, J., et al. (2000). Factors associated with completion of the restraining order process in female victims of partner violence. *Journal of Interpersonal Violence*,15:1081-1099.

38. Kafka, J.M.*, Moracco, K.E., Barrington, C., & Mortazavi, A.L (2018). Judging domestic violence from the bench: A narrative analysis of judicial anecdotes about Domestic Violence Protective Order (DVPO) Cases. In press, *Qualitative Health Research*. Available online at: <https://doi.org/10.1177/1049732318821691>
39. North Carolina General Statutes. Retrieved from: https://www.ncleg.net/EnactedLegislation/Statutes/HTML/ByChapter/Chapter_50B.html
40. North Carolina Administrative Office of the Courts. (2007). *The Judicial System in North Carolina*. Raleigh, North Carolina: Administrative Office of the Courts; 2007:23.
41. NC AOC Data. Retrieved from: <https://www.nccourts.gov/documents/publications/civil-issue-filingsorder-results>; accessed November 1, 2018.
42. Violence Against Women Act. Pub. L. No. 103-322, Title IV, 108 Stat. 1902-55 (codified in scattered sections of 8 U.S.C.A., 18 U.S.C.A., & 42 U.S.C.A.). (1994).
43. Lautenberg Amendment to the Gun Control Act of 1968, Pub. L. No. 104-208 (1996).
44. National Council of Juvenile and Family Court Judges. (2005). *A Guide for Effective Issuance and Enforcement of Protection Orders*. Reno, NV: National Council of Juvenile and Family Court Judges:147.
45. Parker, S., & Smith, J. (2012). *North Carolina Domestic Violence Best Practices Guide for District Court Judges*. Retrieved from: <http://www.nccourts.org/Citizens/CPrograms/Victims/Documents/DVBestPracticesGuide.pdf>
46. SAS Institute Inc. 2015. SAS/IML® 14.1 User's Guide. Cary, NC: SAS Institute Inc.
47. Rao, J.K, & Wu, C.J. (1985). Inference from Stratified Samples: Second-order analysis of three methods for nonlinear statistics. *Journal of the American Statistical Association*, 80:620–630.
48. Rothman KJ, Greenland S. *Modern Epidemiology, 2nd Edition*. Philadelphia, PA: Lippincott-Raven; 1998.

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