



SECURITY: A MODEL FAMILY COURT ESSENTIAL ELEMENT

Family Court Security Resource Guide (March 2017)

The Florida Supreme Court has identified security as one of the twelve essential elements of a model family court and determined that it is incumbent upon Florida's courts to create a safe and secure atmosphere for the individuals who are entering family courts in ever growing numbers. An individual's experience and attitude about family court is likely to be shaped by the physical impressions and feelings he or she may have while in the courthouse. Further, it is extremely important that children are made to feel safe upon entering the courthouse, since this often sets the tone for the child's experience in the hearing room. The former Florida Supreme Court's Family Court Steering Committee on Families and Children in the Court (FCSC) defined security as:

The provision of adequate and sufficient security personnel and equipment to ensure that family courts are safe environments for judges, non-judicial staff, and the public.

Thus, proper provision of security measures is a critical component to ensure safe and effective operations of a family court.

SCOPE

Details regarding court security are, by necessity, a local matter. Security measures will vary from circuit to circuit based on geographic and demographic characteristics, as well as financial resources. Chief Judges, court administrators, and local law enforcement agencies are uniquely suited to make security decisions based on a wide variety of local conditions and considerations.

RECOMMENDATIONS

Staff from the Office of the State Courts Administrator (OSCA) researched other states' materials on courthouse security and developed the following recommendations, which were approved by the FCSC. The FCSC recommended that this security guide be used solely as an advisory resource. Although this security guide refers to family courts and family court staff, it is not intended to imply that other court divisions would not benefit from or require similar security measures.

1. Prepare a Written Security Plan

Security in family courts is essential; improving and maintaining security should be a key objective!

Written security plans and safety procedures appear to be an imperative for all courts, regardless of division or resources; however, written security plans and

safety procedures that are specific to family courts also appear to be beneficial. Security plans specific to family courts can be a part of the overall court security plan or as a separate resource. This information should be produced as a safety manual that is provided to all family court judges and personnel, as well as be reviewed and revised on a continual basis, as revisions and updates are necessary in order to maintain consistency with potential changes in courthouse structure, or any other presenting circumstances.

Issues to be considered when developing a security plan are the degree of security necessary to ensure the effective operation of the family court; and the resources needed to establish and maintain adequate security.

During the development phase, it is critical that the family court foster a collaborative atmosphere to allow all key stakeholders in the family court process an opportunity to express safety concerns and issues. This can be accomplished through questionnaires, surveys, and staff meetings, all of which provide judges and front-line family court personnel opportunities to voice concerns regarding personal safety and courthouse security.

2. Security Issues Addressed in the Written Security.

Strategies for Security Emergencies. The way in which each circuit handles security emergencies can vary, but it is extremely important that standard procedures be established for publication in the safety manual, and that family court staff, courthouse security personnel, and court administration be made aware of them.

At a minimum, a family court's security plan should advise family court personnel on how to handle 1) persons who exhibit violent behavior; 2) persons who may be under the influence of drugs and/or alcohol; 3) harassing, obscene, and threatening phone calls; and 4) bomb threats, all of which can occur during the daily operations of a family court.

Staff should also be instructed on how to recognize the need for additional back-up assistance from local law enforcement, and the specific procedures to follow in order to request such assistance. In addition to training staff to immediately deal with security emergencies, a protocol for incident reporting and debriefing should be established.

3. Documentation of Security Incidents

Documentation of security incidents is key to planning necessary safety measures.

Incident Reporting Protocol. An incident reporting protocol will inform line staff, supervisory staff, and court administration of high risk areas and potentially dangerous situations experienced by staff in the performance of assigned duties. It

will also provide documentation for use by court administration and court security personnel in planning necessary safety measures.

Incident Reporting. Family court staff should be specifically instructed on how to report events that occur during the course of their official duties, which represent an actual threat to the safety of judges, court employees, and/or the public. In the event of a safety incident, whether threatened or actual, the appropriate persons as indicated in the security plan should be notified immediately. The employee should then report the incident on a designated form and submit it to his/her immediate supervisor within an appropriate time-frame, as determined by each circuit. The immediate supervisor would inform court administration and courthouse security of the event, and develop a plan with the involved staff to provide necessary security during subsequent contacts with the involved persons. A designated staff person should be responsible for maintaining a file of all incident reports submitted by family court employees.

Incident Debriefing. Supervisory staff should be instructed on how to respond to incidents that compromise, or potentially compromise, staff safety by ensuring that employee needs, both physical and emotional, are met after involvement in a safety related incident. Court administration should then take steps to minimize the recurrence of such incidents.

Immediately upon receiving a verbal report of a safety incident, the supervisor is responsible for determining the employee's physical and emotional state for possible referral for further assistance. The supervisor ensures through medical documentation that the employee has received necessary medical assistance. If necessary, the supervisor also ensures that a police report has been made of the incident, and that a copy of such is contained in the incident file.

Circuits are encouraged to meet quarterly to review any reports of threatening incidents and to refine security policies and procedures as needed.

4. Personal Safety in the Courthouse

Fear for personal safety in the courthouse can prevent domestic violence victims from seeking relief through the court system.

Proceedings Involving Domestic Violence. The plan should provide specialized instructions for proceedings involving parties with a history of domestic violence. Family court personnel are aware that individuals who enter family courts may be seeking protection from highly abusive and dangerous situations. It is extremely important that these individuals be able to seek relief without having to confront the person from whom they are seeking protection. Confrontations between the domestic violence victim and perpetrator can occur in the parking lot of the courthouse, the hallways and stairways of the courthouse, as well as in the courtroom. During family proceedings where domestic violence is a factor, court security officers should always be present in the courtroom, and constantly monitoring the waiting areas, hallways and stairways. Security guards that provide

perimeter security for the courthouse should also be alert for threatening incidents that could occur in the parking lot and surrounding grounds.

“ ...given limited resources, intelligence and forewarning are of immense value in security programs.”

Security Director, Massachusetts Trial Court

Family court staff should provide court officers with, at a minimum, a one day advanced notice of potentially violent individuals who are scheduled to appear before the court. This will allow the court officers to coordinate and organize the movements of petitioners and respondents to ensure that the domestic violence victim does not become subject to intimidation, threats or harm. For example, the security officer can provide for special seating arrangements in the courtroom, and/or escort the victim in and out of the courthouse.

In order to ensure a safe exit from the courthouse, the court should allow the victim of a domestic violence dispute to leave the courthouse fifteen minutes before the respondent, and direct the respondent to remain in the courtroom upon conclusion of the hearing. This will allow the victim to exit the building without fear of confronting the respondent.

Courthouse Security Diagram. The safety manual should contain a diagram that depicts where the courthouse security office and security stations are located throughout the building. It should also highlight the safest and most convenient evacuation routes should an emergency arise. Staff should also be provided with emergency contact numbers, and directed to place them near their telephones in a visible location.

Security Issues Outside of the Courthouse. In addition to the orders courts can enter to specifically provide for the protection of a family member or child, family courts frequently refer or order families and children to service providers within the community, i.e.: private mediators, custody evaluators, parenting course providers, and supervised visitation centers. While family courts cannot be responsible for providing security for programs not operated by the court, family court judges and staff should be aware of the security issues that may arise. One way that family courts can assist community providers in this area is to meet with them on a regular basis to determine how the court can assist with ensuring family safety. Some examples include:

- in a dissolution of marriage involving domestic violence, the court could order (and inform the provider) that the parents not attend the parenting class at the same time;
- developing a screening protocol to identify families with a history of domestic violence prior to referring them to mediation;
- in cases where there is a high level of hostility between the parties, courts could provide a room in the courthouse for private mediators to use; and

- in order to provide for the safety of the parents and children, supervised visitation program staff need specific information regarding the reason supervised visitation was ordered and what activities should not be permitted during the visit. Supervised visitation programs are often confronted with threats from irate program participants and there have been instances where children have been re-victimized due to the fact that the visitation supervisor was not aware of the specific allegations and in turn did not recognize certain behaviors as harmful. The Clearinghouse on Supervised Visitation, FSU School of Social Work, can provide specific information on the need for security precautions in supervised visitation settings and what courts can do to help. For more information, visit <http://familyvio.ssw.fsu.edu/>.

Once a circuit has developed a family court security plan and safety manual, it is imperative that court administration and the courthouse security office be willing to implement the necessary policies and procedures. Everyone plays a role in maintaining a safe and secure working environment; it is a team effort.

5. Provide For Family Court Security Personnel

The presence of uniformed officers is critical to ensuring the safety of family courts.

Every court proceeding has the potential to become violent. This is especially true for family court proceedings, due to the emotional nature of the issues being deliberated. The presence of an adequate number of trained uniformed court security personnel can act as a deterrent for violent outbursts in the courthouse, providing that they are equipped with monitoring and communication equipment, which allows for quick response to alarming incidents.

Family court staff should be encouraged to establish open communication with court security personnel. On days when litigants who have the potential to become violent or be under the influence of drugs or alcohol are scheduled to appear before the court, family court staff should feel comfortable in alerting security that these individuals may require extra security attention. Security personnel should also be made aware of all family court programs located in the courthouse, as well as any security issues that can arise during the programs' daily operations. Security personnel should be made aware of potentially dangerous situations, so that planning for necessary safety measures can be executed.

Court security personnel may include: security guards, who are primarily responsible for monitoring access into the courthouse, as well as its surrounding grounds; and court officers, or bailiffs, who have primary responsibility within the court, specifically, the courtroom and judges' chambers.

Family courts should be staffed with an adequate number of security officers to provide:

- a. screening and monitoring services at the entry of the family court;
- b. monitoring all waiting rooms, corridors, and stairways; and,

- c. a presence during all hearings conducted in the courtroom and judges' chambers.

6. Implement Model Family Court Design Specifications

Accessing justice begins with getting in and out of the courthouse safely.

Following are model safety design specifications that every family court should strive to implement and utilize in order to ensure the safety of the litigants it serves.

Security Screening Stations. Safety in family courts begins with being able to enter the building safely. This can be accomplished through having reliable, full-time security screening at the entrance to ensure that no weapons or other potentially dangerous paraphernalia are brought into the courthouse. Screening can be performed by using airport-style x-ray scanners and metal detectors, or by physical bag/briefcase searches.

Security Badges. Security badges should be mandatory for all family court staff. These badges with the employee's picture will allow the employee to gain access into the courthouse, as well as into the "staff only" area of the courthouse.

Panic Buttons and Alarms. Panic buttons, placed at the family court receptionist desk located at the entrance of the family court, in the judges' chambers, in all family court staff offices, and in all waiting areas and conference rooms can be very helpful. When activated, these panic buttons will sound an alarm to notify court officers to the need for assistance.

Separate and Secure Waiting Rooms. Separate and secure waiting rooms for petitioners and respondents will provide domestic violence victims with a sense of security by minimizing the frequency of contact with the other party. Waiting rooms should be located near a main security checkpoint of the family court where security officers are stationed and readily available. Waiting rooms should also be equipped with panic buttons and remain locked when not in use.

Conference Rooms. Litigants may feel intimidated by having to speak with their attorneys or fill out forms in the presence of others. A conference room will provide private meeting space for litigants to consult with their attorneys and advocates, and to fill out forms. Conference rooms should also be located near a security checkpoint for close monitoring, as well as be equipped with panic buttons, and remain locked when not in use.

7. Conduct Periodic Security Assessments

Detection of potential security problems is critical!

The regular assessment of your local security policies and procedures reduces the risk of security emergencies, as well as provides a yardstick by which their effectiveness can be measured.

Family court staff are strongly encouraged to request their courthouse security specialist to conduct periodic security assessments to identify areas of potential risk, and where security may be inadequate. Information obtained from an assessment is vital when there are:

- suspicions that explosives may be used against the courthouse;
- concerns that weapons are being brought into the courthouse;
- violent outbreaks in family courtrooms, halls, and waiting areas; or
- strangers loitering in places they shouldn't be.

8. Provide Security Training Opportunities

Training begins with getting people to think security.

Once a security plan has been developed, and safety procedures and policies are in place, it is important that family court personnel are provided training opportunities that will promote optimal personal safety. This will minimize the frequency of events that jeopardize staff and public safety.

For example, safety awareness seminars can often be coordinated through a circuit's local law enforcement agency. These seminars provide staff with the skills necessary to identify security problems before they occur, and what measures to take should they occur. Family courts may wish to consider providing self-defense training, which can also be coordinated through local law enforcement.

