

Memorandum of Understanding
Safe Haven's Consulting Committee

The New York State Office for the Prevention of Domestic Violence (OPDV), Safe Horizon, Oswego County Opportunities(OCO) and the state and local court systems have joined in a collaboration to plan and develop visitation and exchange services for victims of domestic violence, child abuse and child sexual abuse, sexual assault, and stalking.

WHEREAS, Safe Horizon, the Office of Court Administration, the Mayor's Office to Combat Domestic Violence, New York City Family Justice Center, Brooklyn, Administration for Children's Services, Sanctuary for Families, New York Legal Assistance Group, New York State Chapter of the Supervised Visitation Network, and the Children's Law Center have come together to collaborate in convening a Safe Havens Consulting Committee; and WHEREAS, the programs herein desire to enter into a Memorandum of Understanding setting forth the responsibilities of the Consulting Committee.

Description of Partners/Partner Agencies:

Safe Horizon offers a range of services at nearly 70 sites across the five boroughs of New York City that help more than 250,000 victims of violence each year. Safe Horizon is the main gateway to the New York City domestic violence shelter system, operating a 24-hour domestic violence hotline and shelters for battered woman in all five boroughs. Safe Horizon has staff stationed throughout the NYC criminal and family courts, and runs four Child Advocacy Centers, one of which is in Brooklyn. Staff are sought out as experts on issues of violence and victimization by programs around the country.

Esther M. Morgenstern Esther M. Morgenstern is a Justice of the Supreme Court, Kings County. She presides over the Integrated Domestic Violence Court which provides an opportunity to address the myriad of inter related family issues that bring a family into the court system in a comprehensive manner while providing integrated service delivery and improving both court efficiency and informed judicial decision making. Judge Morgenstern was elected in 1995 and presided over the Domestic Violence Court in Criminal Court and the custody/visitation/family offense Part in Family Court. She was re-elected in 2005 and was instrumental in creating the protocol for the Model IDV Court.

The **Office of Court Administration** is the administrative arm of the court system, functioning under the auspices of the Chief Administrative Judge, who is responsible for supervising the administration and operation of the trial courts. OCA has taken a strong role in addressing domestic violence through the development of Domestic Violence Courts and Integrated Domestic Violence Courts. OCA hosts a workgroup through its Committee on Women and the Courts, on the judiciary's needs regarding supervised visitation.

The Mayor's Office to Combat Domestic Violence, New York City Family Justice Center, Brooklyn

In November 2001, New York City voters approved an amendment to the City Charter to make the Commission to Combat Family Violence (established by Executive Order in 1994) into a permanent office of City government, headed by a Commissioner. OCDV formulates policies and programs, monitors the citywide delivery of domestic violence services, and works with diverse communities to increase awareness and coordination with regard to the City's provision of services to victims of domestic violence. CDV has a history of working with diverse groups of domestic violence victims, healthcare providers, nonprofit and government victim advocates, legal service providers, and faith leaders.

The operations of the New York City Family Justice Center (FJC) in Brooklyn are managed by OCDV through an Executive Director and other FJC administrative staff members. The objective of the FJC is to provide effective delivery of services to domestic violence victims in order to eliminate the barriers victims face when seeking services. At the FJC, essential advocacy, case management, and criminal and civil legal assistance to domestic violence victims are provided under one roof. The services are all provided by onsite partner agencies, including victim advocacy organizations, City and State agencies, and faith-based organizations. The range of services currently available at the FJC include: criminal prosecution; civil legal advice for immigration, divorce, and Family Court matters; police and probation services; access to emergency shelter; counseling for children; advocacy with housing applications; childcare; safety planning; crisis and long-term counseling; services for the elderly/disabled; emergency food, baby, and clothing supplies; language interpretation; and voluntary spiritual support.

On January 10, 1996, **Administration for Children's Services (ACS)** was created by Mayoral Executive Order. ACS became a permanent mayoral agency through a charter revision approved by New York City's voters in November 2001. ACS is the first NYC agency devoted solely to serving children and their families; its mission is to ensure the safety and well being of New York City's children. To fulfill this mission, ACS protects children by investigating more than 50,000 reports of abuse or neglect each year; helps families in need through counseling, referrals to drug rehabilitation programs and other preventive services; recruits and trains foster parents and caregivers to provide safe, temporary homes for approximately 27,000 foster children; assures that children in foster care find safe, permanent homes as quickly as possible, either with their birth or adoptive parents; assists older children in foster care in making the transition to adulthood through Independent Living programs; provides family day care and center-based child care, as well as Head Start programs; and ensures that non-custodial parents provide financial support. ACS has established the Office of Clinical Practice, Policy and Support, within the Office of Child and Family Health, which works across all program areas of the agency to ensure a coordinated and cohesive response to families affected by domestic violence, through policy and program development as well as staff training.

Sanctuary for Families is the leading nonprofit in New York State dedicated exclusively to serving domestic violence victims, sex trafficking victims, and their children. Each

year, Sanctuary helps thousands of victims and their children build safe lives by offering a range of high quality services to meet their complex needs. These services include clinical, legal, shelter, children's and economic empowerment services. Sanctuary also works to end domestic violence and its far-reaching impact through outreach, education, and advocacy.

New York Legal Assistance Group (NYLAG) is a nonprofit civil legal services agency serving domestic violence victims, immigrants, seniors, families facing foreclosure, renters facing eviction, consumers, those in need of government assistance, children in need of special education, persons with disabilities, patients with chronic illness or disease, members of the LGBT community, and others in need of free legal services. Founded in 1990, NYLAG works to empower individuals, protect fundamental legal rights, and promote access to justice among vulnerable New Yorkers. NYLAG provides direct representation, advocacy and consultation to domestic violence victims on contested and uncontested divorces, including maintenance and equitable distribution, child custody and visitation, family offenses and immigration matters.

The New York State Chapter of the Supervised Visitation Network (NYSSVN), is a multi-national, non-profit, membership organization, started in 1995 at a meeting of the New York Society for Ethical Culture in New York City. Its purpose is to give supervised visitation providers an opportunity to share ideas with the goal of assuring that children can have safe, conflict-free access to parents with whom they do not reside.

The **Children's Law Center (CLC)** is a nonprofit law firm funded by the New York State Office of Court Administration which provides representation to children in custody/visitation, domestic violence, and guardianship cases. The Mission of CLC is to give a child a strong and effective voice in a legal proceeding that has a critical impact on his or her life. The core values of the organization include: representation of high quality; respect for a child and advocacy of his or her wishes and interests in legal proceedings; specialized and enhanced representation that is sensitive to the psychological and emotional impact of a legal proceeding on a child.

II) History of Relationship

All of the named partners have been working collaboratively to enhance services to victims of domestic violence and their children, by participating in joint task forces, committees, and special projects. The organizations are represented in regular Brooklyn-based and city-wide work groups and task forces, including the Lawyers Committee Against Domestic Violence, Family Justice Center meetings and the Criminal Court Task Force Against Domestic Violence.

Beginning in the summer of 2010, the Consulting Committee was formed and Committee members have met at least once a quarter. The Committee is committed to the project goals of supporting the creation of safe places for visitation and exchanges; supporting a borough-wide conversation regarding how to ensure safe visitation and exchanges and providing recommendations regarding long-term sustainability as an essential component of a coordinated community response to domestic violence, child abuse and sexual

assault. The members are committed to participating in coordination meetings and assisting, as practicable, with the development of practice standards.

III) Development of Application

The development of the Brooklyn Family Court Consulting Committee began in the summer of 2010 when Safe Horizon reached out to potential members of the Committee. Outreach was made to providers of legal and social services to children and families, court representatives, and supervised visitation experts. The membership list was finalized and meetings were subsequently scheduled and held.

IV) Roles and Responsibilities

NOW, THEREFORE, it is hereby agreed by and between the partners as follows:

Safe Horizon will develop and operate a supervised visitation program in Brooklyn, New York, modeled on Safe Havens Principles. Safe Horizon will provide staff members to provide supervised visitation and/or monitored exchanges five days per week. Safe Horizon will take the lead in developing policies and procedures for the supervised visitation program, coordinate consulting committee meetings to seek the advice of partners regarding program policies and procedures, and be responsible for the daily operation and functioning of the supervised visitation program.

Esther M. Morgenstern is a Justice of the Supreme Court, Kings County who presides over the **Integrated Domestic Violence Court (IDVC)**. Judge Morgenstern attends and participates in Consulting Committee meetings and uses her expertise to assist in the development of protocols and to enhance the supervised visitation and safe exchange programming. Judge Morgenstern works collaboratively with the Consulting Committee members to enhance services to victims of domestic violence and their children. The IDVC views supervised visitation as an important option to have available for all parties and will make referrals in appropriate domestic violence cases. Judge Morgenstern will give input regarding the referral and reporting process and court procedures.

The **Office of Court Administration (OCA)** is the administrative arm of the court system. OCA will work cooperatively to ensure safety at the supervised visitation program. A representative from OCA attends and participates in Consulting Committee meetings and provides expertise related to the safety of all parties in the supervised visitation and safe exchange programming. OCA works collaboratively with the Consulting Committee members to enhance services to victims of domestic violence and their children by participating in joint task forces and committees.

The **Mayor's Office to Combat Domestic Violence (OCDV), New York City Family Justice Center (FJC), Brooklyn** formulates policies and programs, monitors the citywide delivery of domestic violence services, and works with diverse communities to increase awareness and coordination with regard to the City's provision of services to victims of domestic violence. A representative from the FJC attends and participates in Consulting Committee meetings and provides expertise related to the safety of victimized parents and children to enhance supervised visitation and safe exchange programming.

The FJC works collaboratively with the Consulting Committee members to enhance services to victims of domestic violence and their children by participating in joint task forces, committees, and special projects. The FJC supports the creation of safe places for visitation and exchanges and participates in borough-wide conversations regarding safe visitation and exchanges and provides recommendations regarding long-term sustainability as an essential component of a coordinated community response to domestic violence, child abuse and sexual assault.

Administration for Children's Services (ACS) is the NYC agency devoted solely to serving children and their families. A representative from ACS attends and participates in Consulting Committee meetings and provides expertise related to the safety of children to enhance supervised visitation and safe exchange programming. ACS works collaboratively with the Consulting Committee members to enhance services to victims of domestic violence and their children by participating in joint task forces, committees, and special projects. ACS supports the creation of safe places for visitation and exchanges and participates in borough-wide conversations regarding how to ensure safe visitation and exchanges and provides recommendations regarding long-term sustainability as an essential component of a coordinated community response to domestic violence, child abuse and sexual assault.

Sanctuary for Families (SFF) is a nonprofit organization dedicated exclusively to serving domestic violence victims, sex trafficking victims, and their children. A representative from SFF attends and participates in Consulting Committee meetings, assists in the development of protocols, and provides expertise related to the safety of victimized parents and children to enhance supervised visitation and safe exchange programming. SFF works collaboratively with the Consulting Committee members to enhance services to victims of domestic violence and their children by participating in joint task forces, committees, and special projects. SFF supports the creation of safe places for visitation and exchanges and participates in borough-wide conversations regarding safe visitation and exchanges and provides recommendations regarding long-term sustainability as an essential component of a coordinated community response to domestic violence, child abuse and sexual assault.

New York Legal Assistance Group (NYLAG) is a nonprofit civil legal services agency serving domestic violence victims, immigrants, seniors, families facing foreclosure/eviction and others in need of free legal services. A representative from NYLAG attends and participates in Consulting Committee meetings, assists in the development of protocols, and provides expertise related to the safety of victimized parents and children to enhance supervised visitation and safe exchange programming. NYLAG works collaboratively with the Consulting Committee members to enhance services to victims of domestic violence and their children by participating in joint task forces, committees, and special projects. NYLAG supports the creation of safe places for visitation and exchanges and participates in borough-wide conversations regarding safe visitation and exchanges and provides recommendations regarding long-term sustainability as an essential component of a coordinated community response to domestic violence, child abuse and sexual assault.

The New York State Chapter of the Supervised Visitation Network (NYSSVN) is a multi-national, non-profit, membership organization whose purpose is to give supervised visitation providers an opportunity to share ideas with the goal of assuring that children can have safe, conflict-free access to parents with whom they do not reside. A representative from SVN attends and participates in Consulting Committee meetings and provides expertise related to the safety of victimized parents and children to enhance supervised visitation and safe exchange programming. SVN supports the creation of safe places for visitation and exchanges and participates in borough-wide conversations regarding safe visitation and exchanges and provides recommendations regarding long-term sustainability as an essential component of a coordinated community response to domestic violence, child abuse and sexual assault. SVN is committed to participating in coordination meetings and assisting, as practicable, with the development of practice standards.

The **Children's Law Center (CLC)** is a nonprofit law firm funded by the New York State Office of Court Administration which provides representation to children in custody/visitation, domestic violence, and guardianship cases. A representative from CLC attends and participates in Consulting Committee meetings and provides expertise related to the safety of victimized parents and children to enhance supervised visitation and safe exchange programming. CLC works collaboratively with the Consulting Committee members to enhance services to victims of domestic violence and their children by participating in joint task forces, committees, and special projects. CLC supports the creation of safe places for visitation and exchanges and participates in borough-wide conversations regarding safe visitation and exchanges and provides recommendations regarding long-term sustainability as an essential component of a coordinated community response to domestic violence, child abuse and sexual assault.

The roles and responsibilities described above are contingent on the receipt of the funds requested for this project in the DOJ/Safe Havens grant application. The beginning and end dates of this collaboration would coincide with the grant period, anticipated to be 2010 through 2013.

V) Timeline

Responsibilities under this Memorandum of Understanding would coincide with the grant period, anticipated to be 2010 through 2013.

VI) Commitment to Partnership

- 1) The undersigned organization representatives of the Safe Havens Consulting Committee are committed to the following proposed goals of the project:
 - The Committee members agree to collaborate and participate in the Safe Havens Consulting Committee, which includes reviewing supervised visitation guidelines, participating in quarterly meetings and contributing to the development of guidelines for safe and supervised visitations between children and their non-custodial parents.

- The Committee Members will assist in developing recommendations regarding the program's long-term sustainability as an essential component of a coordinated community response to domestic violence.

VII) Relationship of the Parties

- 1) Each party to this M.O.U. is an independent entity and this M.O.U. does not constitute a joint venture, partnership, or other relationship between the parties.

VIII) Affiliation

- 1) Nothing in this M.O.U. shall limit the right of either party to affiliate or contract with other service providers.

IX) Financial Obligations

- 1) A party receiving services, or utilizing the other party's facilities, shall not thereby incur any financial obligation to the party providing such services or facilities.

X) Termination

- 1) This M.O.U. may be terminated by either party upon at least 30 days advance notice to the other.

We, the undersigned have read and agree with this M.O.U. Further, we have reviewed the proposed project and approve it.

By _____

Title, Organization, Date Chief Executive Officer, Safe Horizon, Inc. 3/6/13

By _____

Title, Organization, Date Ass Commissioner, ACS 3/20/13

By _____

Title, Organization, Date Justice Aquino Court 4/9/13

By _____

Title, Organization, Date Director, Family Law, NYLAG 4/16/13

By _____

By Louise Wood

Title, Organization, Date Co-Chair, Supervised Visitation Network,
NYS Chapter 3/8/13

By Hilaine Chacker

Title, Organization, Date Co-Director, Brooklyn Office
The Children's Law Center 4/25/13

By Judith King

Title, Organization, Date Manager, The Forensic Sanction
Programs 5/1/2013

By Lucy

Title, Organization, Date Sanctuary for Families, Executive Director
May 10, 2013

By _____

Title, Organization, Date _____