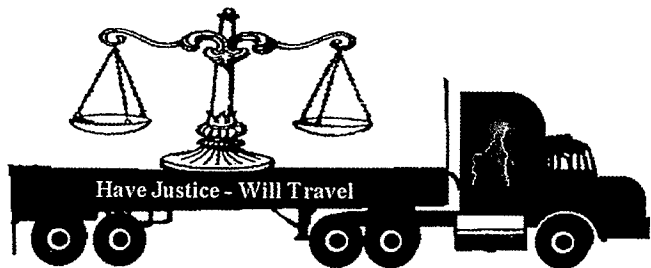


Have Justice—Will Travel

Ending the Generational Cycle of Violence



NEWS
FALL 2015



HJWT Central Vermont Office Staff: Johnnie Mae Doyle, Administrative Manager;
E. Robin Goodrum, Paralegal; Wynona I. Ward, Executive Director; and Hannah Elle Myers, Staff Attorney

Serving One of Society's Most Valuable Assets: Children

By Wynona I. Ward, Esq.

In the last year Have Justice—Will Travel attorneys have provided counsel, advice and representation for children involved in various family, juvenile, and probate court cases who have never before had legal representation. These attorneys have served as the child's voice before the court and have allowed the children to have as active a role as possible in making decisions about their own destiny.

HJWT is very thankful that in addition to receiving individual donations for supporting children with their legal cases there have been grants received from several organizations including: The Byrne Foundation, The Hope Foundation-Hypertherm, The Couch Family Foundation, Mascoma Savings Bank Foundation, and the Mill Foundation.

Attorney Wynona Ward spent 25% of her time during the last year providing free legal representation for ten children, five from Orange County and five from Windsor County. These children ranged in age from 8 months to 15 years. There were four high conflict divorce/parentage cases and one case that involved child physical abuse in family court. There were two juvenile cases that involved three children where the Vermont

Department of Children and Families (DCF) was involved, and one probate case that involved a grandmother having guardianship of an infant.

Legal services provided for these cases included telephone and in-person interviews with children, parents, grandparents, daycare providers, teachers, doctors, therapists, law enforcement, DCF social workers, Guardians ad litem, and other attorneys. Legal documents filed included motions and modification requests for parental rights and responsibilities, parent child contact, and or child support. Motions for testimony by telephone, requests for relief from abuse hearings, recommendations for parenting plans and final orders, and findings of fact were also filed. Subpoenas were issued for expert witness testimony including DCF social workers, supervised visitation staff, medical doctors, and police officers.

There were a variety of positive outcomes for each of the children represented by Wynona. Most importantly the child's voice was heard in the courtroom without necessarily having the child testify or be present. In the high conflict divorce cases the children did not become caught in the middle or need

continued on page 2...

Most Valuable Assets: Children, continued from page 1

to choose which parent they wanted to live with or visit. Each child's everyday life was improved since they were able to concentrate on themselves, their schooling, and extra-curricular activities rather than worrying about their parents or if it would be necessary to testify in court.

In one family court case DCF advised the father of a two year-old child to file a relief from abuse request against the mother since their daughter was found to have a broken arm and bruises when she was taken to a hospital emergency room by the father who had just picked her up for a weekend visit. The request was immediately granted by the court, giving temporary custody to the father and shortly after the court requested that HJWT represent the child. In this case the mother had an attorney, but the father did not.

Over a period of four months Wynona was able to interview mom, dad, grandparents, DCF social workers, the emergency room doctor, police officer, and a well-known expert pediatrician about the child's injuries—all who were called to testify during a three day court hearing. In addition, the two attorneys were required to submit a Findings of Fact and Conclusions of Law Memorandum to the Family Court Judge after all evidence was presented. These documents call for a substantial number of hours spent on legal research and writing. Wynona spent a total of approximately 80 hours on this one case. Using a hypothetical billing rate of \$150.00 per hour the cost to the court or the parents would have been \$12,000!

The outcome of the case was a very favorable safe one for the child. It was demonstrated for the Court that the mother had left the child with her boyfriend who either physically abused the child or allowed her to be abused. It was extremely concerning in that it was also shown from medical records and from the expert medical testimony that the toddler had suffered with the broken arm for three to five days and the mother was unaware of it. The court did find that the child had been neglected and custody of the child was turned over on a permanent basis to the father. The mother was ordered to have supervised visits and to participate in parenting classes.

Attorney Hannah Elle Myers represented two young teenage clients from the Northeast Kingdom area that had been sexually abused by older teenage boys. Both girls had a wonderful rapport with Hannah. These were difficult cases for the young teenage victims and it was fortunate that both cases were handled in

juvenile court. All juvenile cases are confidential, the courtroom is closed to the public, and no identifying information is released.

Protective orders were gained for both clients and fortunately they attended different schools than the perpetrators. In addition, Hannah coordinated both victim advocacy services and community support for her clients. The parents were very supportive of their daughters and established long-term counseling for them.

In addition to her job as the Coordinator of the HJWT Legal Empowerment Assistance Program, E. Robin Goodrum also serves as a Guardian ad Litem for children in juvenile cases. These children and youth need an adult to advocate for their best interests during court proceedings since they may be victims of abuse or neglect or may have witnessed domestic violence in their homes. Some have been placed in foster care in order to have a safe home. These children's lives can be filled with doubt about things most children take for granted such as a loving family, food, clothing, and friends.

In one recent case, Robin, who raised two sons of her own, met with one adolescent who was having many difficulties at school and was often absent. This young man originally came into DCF custody due to truancy and explosive anger problems. As it turned out, there were many complicating factors driving his behavior; outside of the school setting he had been the subject of sexual assault and within the school setting the subject of much unaddressed bullying and inadequate classroom and academic accommodations to address his specific needs.

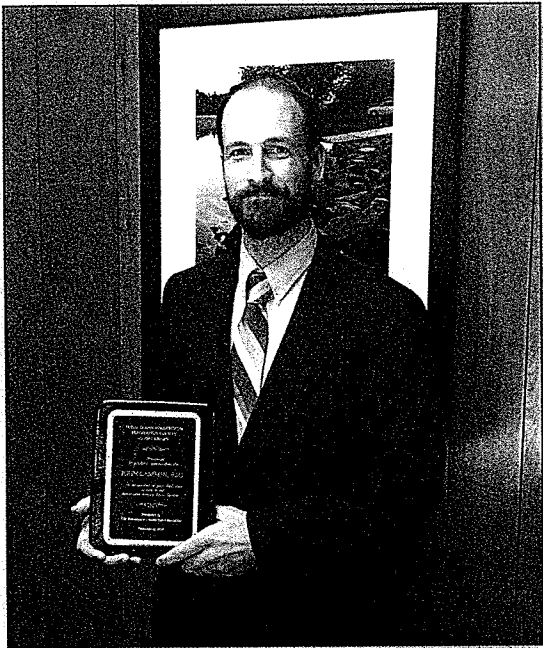
Robin worked closely and consistently with him, DCF, the school, the behavioral specialist, counselor, and parents to identify this young man's sense of victimization and day-to-day struggles as well as implement strategies to support his future success. After months of careful attention to what triggered him and quick help with those expected bumps in the road, this intelligent, talented, kindhearted student is succeeding at school, home and in the community.

HJWT is very proud that its attorneys and staff are able to provide legal and social services for children and, therefore, are working to stop the generational cycle of abuse in Vermont.

The mission of *Have Justice—Will Travel, Inc. (HJWT)* is to end the generational cycle of abuse in rural families by bridging the legal, cultural, geographical, psychological, and economic gaps that exist for victims of domestic abuse. *HJWT* provides legal and supportive services for battered, low-income women and their children. Wynona I. Ward, Esq., the founder and director of *HJWT*, created an innovative, mobile, multi-service program that **assists victims of domestic abuse through the legal process, from the initial interview and relief from abuse order through self-sufficiency and independence.** This holistic multi-service approach to assisting rural victims often is the key to women first escaping the abuse and then moving forward to improving the quality of their lives and their children's lives. Since 1998, *HJWT* has been serving women in the State of Vermont and is expanding to assist women who live in rural areas throughout the United States.

HJWT Bennington Office Continues Serving Families in Southern Vermont.

By John B. Lamson, Esq. and Katie Jahne, Paralegal



In December 2014, Attorney John Lamson was awarded the Bennington County Bar Association's Glen Remington Award for his dedication and service to the Bennington County court system.

The Southern Vermont office of Have Justice—Will Travel (HJWT) has been hard at work assisting victims under its renewed grant from the Department of Justice's Office on Violence Against Women. Rutland County has continued to see a high number of Abuse Prevention Order (APO) proceedings with nearly 400 complaints being filed so far for 2015. John continues appearing at Court on APO day to assist and represent victims in these hearings. We continue working closely with other organizations including Project Against Violent Encounters (PAVE) and the Rutland County Women's Network and Shelter (RCWN&S) to make sure that clients receive support from all available resources.

HJWT was able to send advocates from MOU Partners RCWN&S, Bennington County State's Attorney's Office and the Rutland County State's Attorney's Office to attend the Deepening Our Roots National Conference in New Orleans, Louisiana from June 9-11, 2015. This national conference brought together advocates working in rural communities from across the country to explore ideas and discuss strategies for providing services to rural survivors of sexual assault. Workshop topics included: working with immigrant and refugee survivors, providing support groups, working with male survivors, child and teen advocacy, rural vicarious trauma, and collaborating with other agencies. Participants learned how to use their strengths to organize plans to confront sexual violence in their communities. One attendee commented, "The presenters were a breath of fresh air."



Katie Jahne, Paralegal

Interstate custody cases present complicated legal issues, particularly when a party is fleeing abuse. John has been practicing law for eight years and has handled interstate cases for at least the last four adding an important expertise to HJWT's legal services.

One client, Allison, who was involved in an interstate case, was referred to HJWT from a local domestic violence shelter because her abusive husband had filed an out of state divorce and was refusing to allow Allison to visit with their three year-old child. Allison had left the relationship after the father threatened to smash the child's TV with a crowbar if she did not go to sleep. He had also been physically abusive to Allison. HJWT assisted Allison in filing for a relief from abuse order and obtaining a temporary order awarding her custody under the Uniform Child Custody Jurisdiction and Enforcement Act.

HJWT then helped Allison file for divorce in Vermont and request that the venue be transferred to Vermont. Since the parties had lived in Vermont most of their relationship and the child had many ties to the state, the other state approved the transfer. The father, however, continued to press the issue through litigation in Vermont and attempted to use the Court system to further his abuse. During hearings the father insisted that he had never been abusive and that the mother had been neglectful in her care of the child. He spoke of the mother in a demeaning way during the hearings in spite of being represented by counsel.

Not only did the Court find that father's assertions were unfounded, but was very concerned about his continued denials after he had been found to be abusive months before in the relief from abuse proceeding. The Court determined that father's failure to take responsibility for his actions warranted a limitation of his contact with his child until he could show he had taken remedial action. Allison was grateful to the Court and to HJWT for recognizing the seriousness of the situation and believing in her. HJWT brought her from having no contact with her daughter to have full legal custody and limiting father's contact by Court Order.

In another case, John assisted a young mother obtain a protective order to escape an abusive relationship. The father attempted to gain leverage in the case by immediately filing for custody in another state. John represented the client in multiple pleadings and proceedings to finally have the case heard in Vermont given the history of domestic violence.

continued on page 4...

The father then hired a Vermont attorney and accused the mother of neglecting the child based on the child's poor dental conditions. Mother, through counsel, argued that the child's condition was a sad fact and that rather than blaming mother, father should have taken an active role in the child's medical treatment. In fact, mother testified, and the Court found credibly, that she had done everything she could to address the issue, but this condition was likely due to genetics.

The mother was not opposed to a reasonable schedule of visitation, but the father adamantly insisted that it should be 50/50. Mother disagreed, due to the father's inability to recognize his limitations and the long distance between the households. The Court ruled entirely in favor of the mother finding her proposal to be extremely reasonable given the circumstances. HJWT is still engaged in litigation in this case as the father now opposes paying the court ordered child support amount.

John and Katie worked with a Brazilian woman who is in the process of naturalization through her marriage. Unfortunately, the client's husband turned out to be very emotionally controlling and abusive and had not disclosed his sex offender status. As this mother became more aware of her husband's history she became very concerned for their five year-old daughter's safety. The man she married had a daughter, now 30 years old, who disclosed to our client that her father had repeatedly sexually assaulted her starting when she was six years old. Once our client found this out she sought legal help through HJWT to obtain a protective order and then a divorce.

Attorney Lamson assisted this mother in first obtaining a protective order, then agreeing to a temporary arrangement for supervised contact. When the father was not able to follow through with a family-member supervising contact, HJWT asked the Court to order supervised contact through a visitation center. Still, the husband violated the condition of no contact with the mother and was clearly not respecting the boundaries of the Court's order. HJWT, therefore, argued at a contested hearing that the father should have no contact until he engaged with treatment and/or counseling. The husband argued that he had been through treatment and that he was fully rehabilitated.

Upon questioning by Attorney Lamson, the husband could not identify a single specific thing that he had learned from treatment, nor could he identify "triggers" that he, alleged he was avoiding. The Court granted mother's request and noted husband's apparent lack of understanding or appreciation for the gravity and consequences of his past sexual offenses.

It is after completing successful matters like those described above that John feels very fortunate that he has Katie's assistance in preparing for court hearings.

Have Justice— Will Travel, Inc.

Legal Services

Representation in court for:
Relief from Abuse hearings
Child support needs
Divorce and Parentage issues
Custody and Visitation hearings

Social Services

Safety planning/Shelter referrals
Financial advice/Creditor Plans
Assess financial needs of family
Referral for continued education
Referral for driver's license
Agency referrals/Support services
Assist/Obtain subsidized housing

In-home consultations

Transportation to:

Court hearings
Social Service appointments
Supervised visits
Doctor's appointments
Women's group

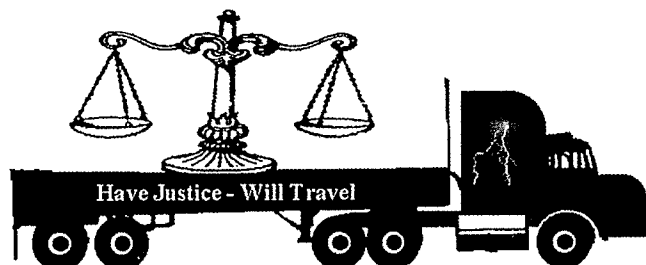
National toll free phone line

Women in Transition

Women's Mentoring Group
Life skills mentoring
Job and Parenting skills
Child Care Ideas/Assistance
Psychological support
Education about Violence

Supervised Visitation

Referrals for:
Supervised Visits
Exchanges
Parenting classes
Counseling Arrangements



Representing Domestic Violence Victims in the Northeast Kingdom Area and Transportation in the Northeast Kingdom

By Hannah Elle Myers, Esq.



After serving clients for two years, HJWT is sad that Hannah has resigned, but excited for her that she is now working for the Vermont Commission on Women—Congratulations Hannah!

protective services, schools, mental health agencies, therapists, employers, and past clients.

Many clients' stories share common themes and have very similar underlying currents of abuse, power and control, and manipulation through similar avenues. It is staggering the number of clients in the NEK, due to the lack of access to transportation, who are effectively unable to make progress financially, obtain employment, further their education, or even just get to the store to buy groceries or pick up prescriptions. In rural Vermont, access to transportation is as fundamental of a need as a home, running water, and food.

The majority of NEK clients who are not presently employed want to be employed. They want to further their education. They want to be positive role models for their children. They want to be able to make ends meet on their own. This is only possible for those who are able to get to a job reliably, get to a grocery store that offers reasonable prices, and get to a nearby laundromat. They need to be able to transport their children and themselves to doctor and dental appointments, to buy school clothes, and get to school events.

In the NEK, public transportation is extremely limited. St. Johnsbury and Lyndonville, as well as Newport, do have some public transportation. There is a bus from St. Johnsbury to Montpelier in the morning, and a return trip in the evening,

From January 1 to November 1, 2015, there were 89 cases handled by Have Justice—Will Travel (HJWT) from the Northeast Kingdom area (NEK) of Vermont, which is made up of Caledonia, Essex, Lamoille, and Orleans Counties. The 85 women and 4 men included in these numbers had a total of 156 children. Victim advocacy groups, Umbrella, Aware, and the Clarina Howard Nichols Center referred over seventy percent of these matters. Other referrals came from the courts, law enforcement, private attorneys, Vermont Legal Aid, probation and parole, child

for commuters. It stops almost exclusively at park and ride locations. There is another bus that runs 5 times per day between St. Johnsbury and Lyndonville, and one from Derby Line to Newport City, which runs 4 times per day, but does not even accommodate a 9-5 working schedule. There are 5 additional shopping routes that run 2-4 times per month. These bus services are helpful for people who only need to go to the grocery store and back alone, or need to go to work and back, or who work typical day jobs in St. Johnsbury or Lyndonville and live within walking distance of the bus route.

The problems arise for everyone else. Many working mothers of young children need to get their children to day care before they go to work. A bus schedule with trips departing once every ninety minutes makes that impossible. Many mothers of young children have no choice but to take their children on errands with them. Sadly, they aren't able to carry more than a few bags of groceries or one bag of laundry with their children on the bus. Also many more Vermonters live well beyond the covered bus routes, or have disabilities that prevent them from accessing the bus system.

Access to transportation is certainly not an issue that only impacts victims of domestic violence, but domestic violence often creates additional barriers to accessing transportation, and not having access to transportation makes leaving an abusive situation much more challenging and more dangerous. Many of our clients have been isolated to the point where they have very few, if any, people who they are connected enough with and who live close enough to ask for help. Some of our clients have anxiety and PTSD that prevents them from being able to stay on a crowded bus full of strangers. Some of our clients can't access the bus because the only subsidized housing available is many miles away from the bus system. Without access to transportation, a job, or means to get their children to school, victims of abuse are even more dependent on their abuser.

There are some local organizations that can help provide funds to repair vehicles, and some others that help provide vehicles to those without them, but the process can take months or even years, and the number of vehicles available is extremely limited. HJWT clients who have no means of transportation are extremely grateful that HJWT attorneys are willing to meet with them at home and can transport them to and from court.

Have Justice—Will Travel, Inc.

is a nonprofit organization that operates exclusively on grants, fellowships, and private contributions. If you wish to make a tax-deductible donation, you can use your credit card on our Web site, www.havejusticewilltravel.org, or please make your check payable to: **Have Justice—Will Travel, Inc.** • 9580 VT Route 113, Vershire, VT 05079

IDVD and LEAP – A Winning Combination

By E. Robin Goodrum.

As introduced in the Fall 2014 News, Have Justice–Will Travel, Inc. (HJWT) became a stakeholder in the newly developed Integrated Domestic Violence Docket (IDVD) in Windham County in September 2014. The project provides a holistic collaborative approach for plaintiffs and defendants who are in family or criminal court rather than using the traditional litigation model. The IDVD is structured so relief from abuse, criminal domestic assault misdemeanors, violation of relief from abuse orders, and certain related family cases are all reviewed, discussed and heard the same day in front of one judge.

Attorneys meet with clients, attempt to negotiate resolutions, and conference with the judge to discuss and triage the cases. If a contested hearing is needed, both parties have access to attorney representation. Jessica A. Smith, Esq., a contract attorney for HJWT, continues representing plaintiffs in these cases. E. Robin Goodrum, a paralegal and the Coordinator for the HJWT Legal Empowerment Assistance Program (LEAP), assists Jessica each week.

This new venture greatly enhances the ability of LEAP to benefit *pro se* litigants in Windham County and has offered a wonderful opportunity for HJWT to strengthen its collaborative efforts with many resources its clients access in Windham: the Women's Freedom Center, the State Police, the Brattleboro Police, the State's Attorney, the Victim's Advocate for the State's Attorney, the Department of Corrections, the local batterers intervention program manager, VT Legal Aid, the Windham County Sheriff's Department and representatives from Health Care and Rehabilitative Services (HCRS), the local mental health provider.

This one year-old program has greatly improved the court experience and outcomes for victims of domestic violence by providing the availability of: legal representation for both the victim and the abuser on the day of the final relief from abuse hearing if the person chooses; access to HCRS services for mental/emotional support; and greatly improved security systems to protect their safety.

Robin's role through LEAP remains that of helping Jessica navigate the busy, sometimes hectic IDVD day court process. Along with identifying the plaintiff's that request legal representation, getting preliminary information about their desired outcome for the day, gleaning extended information about their legal status, assisting with the relay of information between Jessica and the defendant's attorney, Robin also helps these folks understand their legal rights and the legal options available to them beyond the relief from abuse order. When appropriate, she educates victims about the divorce and parentage process and helps them fill out paperwork. If necessary, she connects them with (and often accompanies them to) the police station and/or state's attorney's office for follow-up on violations of the relief from abuse order or reports on the original incident, and introduces them to the victim's advocate. If requested, Robin attends meetings with clients and often follows up with them in



Jessica A. Smith serves as a Contract Attorney for HJWT.



E. Robin Goodrum is the Coordinator of HJWT LEAP.

the weeks following to support their success going forward.

The IDVD court and LEAP services provided far exceed the former experience these traumatized, scared and confused individuals typically endured that particular day and going forward in their effort to protect themselves and/or their children.

A young woman who attended an IDVD day to support her friend clearly articulated the improvements between what her friend was experiencing and her personal experience just weeks before the IDVD court was implemented. She spoke through tears and explained how she had been to this same court just two months earlier in need of a relief from abuse order. She had become extremely frightened and intimidated by the intermingling of the plaintiffs and defendants, and when she realized she had to go in the courtroom where the abuser would also be sitting, she became so crippled she just ran out of the building. She still feared for herself everyday due to no order to keep him away. She was physically shaking and unable to stop crying just from re-entering the environment.

This woman wanted me to know, however, the big differences she was experiencing that day as opposed to the day of her final relief from abuse hearing. She spoke of the compassion, support, understanding, and legal information and nurturing guidance she was witnessing her friend receive through the IDVD court model. She was deeply impressed with and grateful for the improvements in her friend's court experience that supported her, and made it possible for her to get a desperately needed final relief from abuse order.

Many of the plaintiffs seeking a final relief from abuse order need to next pursue a case in family court. Although a final relief from abuse order addresses any children involved in the relationship, the court prefers parental rights and responsibilities and parent child contact to be controlled under a more permanent order such as a final parentage or divorce order. Through LEAP, Robin has been able to help many of these IDVD clients attain and fill-out necessary courts forms, and is providing on-going legal assistance to support their successful navigation through the family court process.

Statistics from the 2014 State of Vermont Domestic Violence Fatality Review Commission Report:

- Between 1994 and 2014, 125, 50% of all Vermont homicides were domestic violence related.
- Of these homicides, 47 children were present at the crime scene or were aware of the crime scene immediately before or after.
- 57% of Vermont's domestic violence related homicides were committed with firearms and 80% of suicides associated with homicides (i.e. murder/suicides) and domestic violence are committed with firearms.
- All domestic violence related homicides of adults occurred in residences.
- Approximately 65% of violent crime occurs in Vermont residencies making the home the most frequent location for violent criminal incidents.
- In 2012, of the 13 homicides of adults, 4 were deemed domestic violence related. Of the 4 adult domestic violence related homicides, 1 was committed with a firearm and 3 involved blunt traumas. 3 of the cases involved family members residing together who were elderly with ages ranging from 71 to 99. 1 case involved estranged intimate partners and 1 of the cases was a murder/suicide tragedy.

Statistics from the 2014 Vermont Department of Children and Families Report on Child Protection:

- 365 cases of child sexual abuse and 128 cases of risk of child sexual abuse cases were substantiated.
- Of the substantiated cases of child sexual abuse, 75% were girls and 25% were boys.
- The age percentages of victims of child sexual abuse were:
 - <1 – 4 years = 10%
 - 5 – 9 years = 25%
 - 10 – 14 years = 37%
 - 15 – 17 years = 28%
- Relationship of abuser to victim of child sexual abuse was:
 - 33% neighbor/friend
 - 13% other relatives
 - 10% other known
 - 9% sibling
 - 9% unspecified
 - 9% stepparent/parent's partner
 - 8% parent
- Child sex abusers were 93% male and 7% female.

Board of Directors

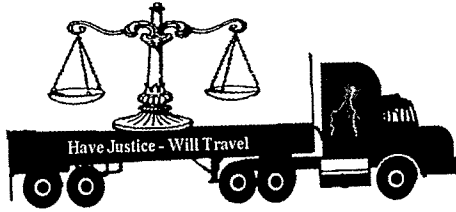
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A Search Committee has been formed to fill the 5th Board Member position.



Have Justice—Will Travel

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Most cases of domestic violence are not reported to the police. In 2013 in Vermont, police responded to 1,426 (44%) incidents of violent crime involving violence against intimate partners, their children or family members; the total incidents of violent crime reported to police were 3,222. Those 1,426 incident calls to police resulted in 1,537 total victims of domestic violence of which 73% were female.

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United to serve children in the HJWT Central Vermont Office: Hannah Elle Myers, Esq., Staff Attorney; Wynona I. Ward, Esq., Senior Attorney; E. Robin Goodrum, Guardian ad Litem.