

Have Justice—Will Travel

Ending the Generational Cycle of Violence



NEWS

FALL 2017

Answering Calls From Teenagers Keeping 16 and 17 year olds safe, thriving, and in school.

By Wynona I. Ward, Esq., Founding Director, HJWT

Have Justice—Will Travel (HJWT) has been facing numerous legal issues this year when answering calls from teenagers 16 years of age and older who want to or have already requested a protective order against a parent who has abused them. These young clients who want what society expects parents to provide, safety and an education, find it necessary to seek protection from the Courts.

Once a teen has been granted a relief from abuse order against his or her parent(s) what happens? If no contact has been ordered, the teenager can no longer live at home. If he or she does not have an adult relative or another adult who steps forward, where is home for that teen? With only a few exceptions, the law requires that all minors must have a parent or legal guardian. Most school districts require a minor to be legally supervised by an adult and live within the school district boundaries. Does this mean the teen must change schools? What about living expenses? Who is going to house and feed the child? Most family's household budgets run with little funds to spare. Can they afford to take on the expense of another child?

Until recently, Vermont law did not allow minors to request a relief from abuse order on their own—a parent or legal guardian needed to petition the court for them. That changed on July 1, 2016 when modifications passed by the legislature about the relief from abuse statute were implemented.



Wynona I. Ward, Esq. with Senator Patrick Leahy and Marcelle Leahy at the Women's Economic Opportunity Conference sponsored annually by Senator and Mrs. Leahy in Randolph, Vermont.

During the 2015-2016 Legislative Session the Vermont House and Senate passed H.95 (Act 153), "An act relating to jurisdiction over delinquency proceedings by the Family Division of the Superior Court." It was signed into law by then Governor Shumlin on June 1, 2016

H. 95 was first introduced in the House by Representative Willem Jewett of Addison County, Representative Maxine Grad

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Celebrating Women Making a Difference

Honoring Women in Orange and Windsor Counties.

By Wynona I. Ward, Esq., Founding Director, HJWT



Shirley Jefferson, Associate Dean for Student Affairs and Diversity at Vermont Law School

Affairs and Diversity at Vermont Law School and Ann Reynolds who is a political activist and community volunteer in addition to her long and distinguished career practicing and teaching clinical psychology.

The brochure handed out at the event stated that, “Across Vermont, ‘ordinary’ women are making an impact and improving the lives of thousands of Vermonters in the process. The Vermont character of people helping one another stands out distinctively in these individuals who tackle seemingly intractable problems. In Windsor and Orange counties alone, women have made substantial contributions through their work in our communities and beyond. These women, often in the absence of a role model to guide them, gained expertise necessary to respond to the challenges they’ve accepted. They have effected change, one individual at a time, and made a difference in the lives of countless others.”

Wynona was recognized for founding HJWT and for dedicating herself to ending the generational cycle of abuse in rural families. Wynona, of course, has known Shirley Jefferson from her time at Vermont Law School, but was intrigued to find out that as a young girl, Shirley had met Dr. Martin Luther King, Jr. and at the age of 17, she integrated her high school in Selma, Alabama. There were many Vermont Law School professors and staff in attendance who enjoyed visiting with both Shirley and Wynona.

It was also wonderful for Wynona to meet Ann Reynolds who has been a tireless advocate for universal health care and has worked many years on behalf of children by serving in hospitals, schools, and private practice. Many of Ann’s family members were present to congratulate her and to enjoy the scrumptious meal served by the Thyme Restaurant.

The Windsor and Orange Democratic Committees, who promote educational forums, monthly meetings and outreach to voters hope this sell-out event will become an annual affair.

Stories from the HJWT Client Files

HJWT was contacted by a woman who had recently escaped a long term (20 year) marriage. HJWT was able to represent the client in a fully contested divorce trial. Our client had experienced severe control and physical abuse. The Defendant had held our client under a showerhead with a washcloth over her face. He strangled her until she passed out on multiple occasions. She was able to gathered evidence of the Defendant’s dishonesty in his lying on his application for services from the Public Defender in a criminal case against him. He, in fact, had reportable income. She was also able to gathered evidence of the Defendant working under the table as a plumber.

HJWT was able to present evidence at the trial of abuse and convinced the court of the credibility of our client’s testimony in spite of the Defendant’s pleading down his criminal charges of domestic assault. There were specific findings of abuse which influenced the Judge’s decision that our client had become permanently disabled in part due to Defendant’s abuse and therefore awarded spousal maintenance for a period of 20 years for the HJWT client.

In another story, HJWT assisted the Plaintiff in obtaining a protective order and then helped her complete and file Parentage paperwork. The Defendant is a former US Marine and suffering from serious PTSD. The Plaintiff was the victim of numerous physical attacks as well as psychological intimidation.

The main issue for the Plaintiff was Defendant’s contact with their minor child. The Defendant refused any treatment for any of his conditions and is obviously seriously affected. However, the Defendant could not accept that he poses any risk to the child, even when he would constantly yell at the Plaintiff whenever the child would make noise or disturb him in any way.

In addition, the Defendant’s self-medication for his mental conditions was to smoke marijuana every day. Plaintiff did not think this was effective for him or safe for the child.

The court determined that the Defendant should start with supervised visitation. The Defendant has so far refused to participate in supervision. Rather, engaging in blaming the Plaintiff for his inability to see the child while he continues to engage in risky and reckless behavior. The Court, in a case such as this, puts the child’s safety first.



The HJWT Staff gathers in Bennington for a Staff Meeting. From Left to right: Katie Jayne, Robin Goodrum, Wynona Ward, John Lamson and JohnnieMae Doyle.

Work Continues in Bennington and Rutland Counties

By John B. Lamson, Esq. and Katie Jayne, Client Coordinator and Office Administrator



John and Katie hard at work in the HJWT Bennington County Office

HJWT is very proud to announce that we have received funding under the 2017 Rural Domestic Violence, Sexual Assault and Stalking Grant program. This program is funded through the US Department of Justice's Office on Violence Against Women (OVW).

In 1994 Congress passed the Violence Against Women Act (VAWA) in recognition of the severity of crimes associated with domestic violence, sexual assault, and stalking. This Act emerged from the efforts of a broad, grassroots coalition of advocates and survivors who informed the work of Congress. In the two decades prior to VAWA, a movement had grown within the United States to respond appropriately to violent crimes against women. Rape crisis centers and women's shelters were established in localities, and state and local laws had changed. However, the progress had been uneven around the country. VAWA was borne out of the need for a national solution. This Act enhances the investigation and prosecution of violent crimes against women.¹

¹ <https://www.justice.gov/ovw/about-office>

Created in 1995, OVW administers financial and technical assistance to communities across the country that are developing programs, policies, and practices aimed at ending domestic violence, dating violence, sexual assault, and stalking.²

HJWT first received federal grant funding to assist victims in southern Vermont in 2001. HJWT has successfully renewed this funding 7 times and will have provided high quality legal services in Bennington, Windham and Rutland Counties for 19 years at the end of this grant cycle.

As supporters and affiliates of HJWT you know very well the importance of the work we do. Below are two statements of support from a local Domestic and Sexual Violence support agency and a county prosecutor's office.

"Civil legal cases stemming from domestic and/or sexual violence often become complicated and intimidating. It is often difficult for victims who have lived with fear, threats and coercion to articulate their concerns, needs and interests, especially when the batterer is present. Victims deserve an experienced attorney that can best represent their needs. We are fortunate in Bennington County to have HJWT as a partner to provide this essential service." - Linda Campbell, Executive Director; Project Against Violent Encounters

"In Rutland County, our office works with victims of domestic and sexual violence daily, multiple times per day. Often, in the aftermath of such violent crimes, victims are left with an array of legal problems that are not easily solved within the criminal justice system alone. That is why Have Justice—Will Travel is so valuable to us. We regularly refer victims for legal services in family court for assistance with Relief from Abuse orders, divorce, custody and visitation concerns. Having this resource available to the prosecutors and victim advocates of our office assists us to serve victims in a way that meets their needs and guides them through an often confusing and foreign legal system. Have Justice--Will Travel is an organization that we greatly appreciate working with and supporting the work we do in Rutland County." - Rose Kennedy, Rutland County State's Attorney.

² Ibid.

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 Legal Empowerment Assistance Program (LEAP)

Answers Calls From All Over the State of Vermont

By E. Robin Goodrum, Paralegal and Coordinator of LEAP



E. Robin Goodrum, Coordinator of the Legal Empowerment Assistance Program meeting a client at her home.

Have Justice – Will Travel, Inc. (HJWT) again this year received many more requests for an attorney from confused, frightened, and sometimes-desperate Vermonters then it could provide with full representation by an attorney.

From July 1, 2016 through June 30, 2017, 832 calls came into the office. Of those calls, 156 became Legal Empowerment Assistance Program (LEAP) clients and 53 received attorney representation by HJWT or a private attorney.

Although the majority of the cases were for relief from abuse, divorce, parentage and guardianship issues, LEAP also handled cases complicated by arson, annulment, criminal charges, disability, divorce pre-nuptials, fraud, homelessness, immigration, landlord/tenant, interstate and international jurisdiction issues, kidnapping, small claims and wills.

Throughout these challenging cases, Ms. Goodrum worked very closely with Attorney Wynona Ward, and many agencies and organizations around the state that she has developed and nurtured valuable relationships with, to provide these *pro se* Vermonters with hours of hands on legal services.

She coordinated efforts with advocacy groups and court staff, other attorneys, victim's advocates for the state attorney's office, police, therapists, and mediators, to name a few, to most effectively wrap LEAP clients with the support, knowledge and skills necessary to address paralleling legal issues.

Along with the hands on legal services she provided in conjunction with others, she offered these agencies, organizations and professionals extensive information about LEAP and the depth of services available to their clientele through LEAP, as well as training on best practices for the most effective collaborative outcomes.

Due to distance and expense as well as scheduling conflicts, Ms. Goodrum also provided over the phone education regarding LEAP services, the necessary contact information, new client intake protocol and working successfully via fax, email and telephone.

Over the course of the last twelve months Ms. Goodrum has been able to maintain the quality and depth of LEAP services to all counties in part due to an

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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

awareness of and attention to staff turnover. She understands and consistently addresses the need for continually weaving them into the collaborative relationship through which LEAP is able to reach and provide direct legal assistance to their clients.

Ms. Goodrum dedicated time during these trainings with agencies and organizations to discuss their experience with the current delivery of LEAP services and brainstorm improvements that might benefit our joint clients.

A consistent concern raised is that of finding *pro bono* (free) or at least *low bono* (reduced cost) representation for those LEAP clients who are unable to present their case in the courtroom. The realization that they must face their opposing party and/or an attorney the opposing party retained at the last minute can be crippling for them: it can sometimes render them unable to even enter the courthouse.

Over the past two years Ms. Goodrum has made a concentrated effort to locate attorneys in each county that would be willing to step in and present a LEAP client's case. Vermont law allows an attorney to enter what is known as a "limited notice of appearance" for a *pro se* (to represent yourself) litigant: to appear and "act as counsel for a particular hearing or court event," after which the attorney may withdraw. This rule prevents an attorney from being locked into a long drawn out family court case for no fee. In her effort to achieve this goal she has worked with advocates in the various counties in hopes that they might be able to identify and persuade local attorneys to become involved.

Ms. Goodrum was invited to present at the Vermont Inns of Court meeting in March 2017. The American Inns of Court meetings attended by judges, lawyers, law professors and students; are designed to improve skills, professionalism and ethics of the bench and bar.

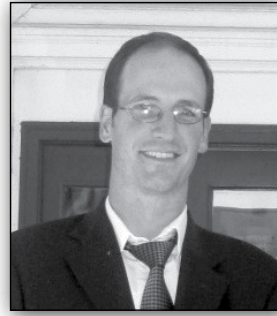
This meeting provided a great opportunity for Ms. Goodrum to educate many attorneys about LEAP. She explained the great need for *pro bono* attorney assistance at crucial times in some of the LEAP cases and the past successes of entering a "limited notice of appearance," to present in court either the case that LEAP has prepared or a case they prepare on their own.

Ms. Goodrum was encouraged by the attorneys' engagement in discussion about the information she shared and plans to build on that interest over the coming months. (It was enlightening to discover how unaware many attorneys are of the rule that allows them to enter a "limited notice of appearance" to participate in addressing such a crucial need.)

LEAP is proud of the work it has accomplished over the past year and looks forward to finding additional creative ways to respond to the unrelenting calls HJWT receives requesting legal assistance. Despite a shortage of staff, HJWT and LEAP have continually adapted to meet the need by exploring new ways to increase and improve the availability of LEAP services when HJWT cannot provide an attorney.

Advancing the Knowledge and Professionalism of HJWT

By John B. Lamson, Esq., HJWT Staff Attorney



John B. Lamson, Esq.,
HJWT Staff Attorney
who Manages the HJWT
Bennington/Rutland Office

Staff Attorney John Lamson applied for and was selected to attend the Advanced Custody Litigation Institute sponsored by the American Bar Association in Washington, DC, May 9-12, 2017. Mr. Lamson was among 24 participants selected from across the country. The training is designed specifically for attorneys with at least five years of litigation experience in the area of domestic and sexual violence and custody.¹

The Institute covered advanced topics such as Direct and Cross Examination, Child Sexual Abuse and Children as Witnesses, Immigration Consideration, Standing Issues, Enforcement Issues and Interstate Jurisdictional Issues among others. HJWT applauds Mr. Lamson for advancing his legal education in this way and is very pleased that he will be continuing as one of the most experienced attorneys HJWT has had.

Mr. Lamson was admitted to the Vermont Bar in 2007 and has worked for HJWT as a staff attorney since that time. Mr. Lamson exhibits a high degree of knowledge in the field of Abuse Prevention Order law and Custody based on his experience and education. Mr. Lamson often provides trainings for local Domestic and Sexual Violence agencies and speaks to community organizations. Mr. Lamson was recognized as the 2012 Pro Bono Service Award winner by the Vermont Bar Association and the Glenn Remington Award Winner in 2014 for service to the Court System by the Bennington County Bar Association.

A 2003 study published in the journal *Contemporary Economic Policy* found that finding effective legal representation is the most determinative factor in whether victims are able to escape domestic violence.² HJWT believes that providing the service of a highly experienced attorney will increase the chances that a victim will be able to break the cycle of violence and not be re-traumatized by the legal system or the manipulation of an ex-spouse or partner.

¹ Mr. Lamson was admitted to the Vermont Bar in 2007 and has worked for HJWT as a staff attorney since his admission.

² Amy Farmer & Jill Tiefenthaler, Explaining the Recent Decline in Domestic Violence, 21 *Contemp. Econ. Pol'y* 158 (2003).

Answering Calls From Teenagers, continued from page 1

of Washington County, Representative Barbara Rachelson of Chittenden County, and Representative Gary Viens of Orleans County in January 2015. At that time the bill mostly concerned revisions and modifications to the Vermont Statutes relating to juvenile proceedings in Family Court.

In early 2016, the Senate Committee on Judiciary, which is chaired by Senator Richard Sears of Bennington County, began hearing testimony on H. 95. It was during this time that the Senate Judiciary Committee heard testimony from various interested parties including the Vermont Network Against Domestic & Sexual Violence (Network), which is the federally recognized domestic and sexual violence coalition in Vermont. Known statewide for its support for victims and survivors, the Network engages in public policy advocacy, training, technical assistance and social change.

In testimony on March 31, 2016, the Network asked the Senate Judiciary Committee to consider modifying the section of Vermont law that controls who can request a relief from abuse order from Family Court. It recommended the following sentence be added to 15 V.S.A. §1103 Requests for Relief and 15 V.S.A. §1104 Emergency Relief: A minor 16 years of age or older, or a minor of any age who is in a dating relationship, as defined in subdivision 1101(2) of this chapter, may file a complaint under this chapter seeking relief from abuse on his or her own behalf.

In testimony, the Network noted that during the 2015 calendar year of the 4,030 reliefs from abuse requests filed, 339 requests were filed on behalf of a minor since at that time minors were not allowed to file on their own behalf. In addition, the Court allows only a parent or legal guardian to file for the minor, not a sibling, an aunt or uncle, or a grandparent.

It was pointed out by the Network that many teens do not attempt to seek a protective order when they realize they must ask a parent to do it for them. Have Justice---Will Travel (HJWT) agrees, especially when the abuser is the parent.

In one case a 16 year old requested a protective order against her father. The temporary order was granted and the Court requested that HJWT be willing to represent the teen in order to have the temporary order finalized. When HJWT entered the case, the teen daughter was living temporarily with a teenage friend, but could not live there on a permanent basis. It also would mean that it would be necessary for her to change schools.

After interviewing the teen, HJWT was able to talk with the Vermont Department of Children and Families, with the school districts involved, and with some of the teen's extended family. Fortunately, a permanent home was found with an aunt who lived in the same school district and who was willing to take on the

expense of raising the teen. Eventually, a final relief from abuse order was agreed upon by the parties, which ordered the abuser to not have any kind of contact and to stay 300 feet away.

In a different case, a 14-year old teen was denied a relief from abuse order because his older adult brother filed the petition asking for an order for his brother. The court denied this request even though the affidavit clearly stated that the teen was being abused in his home. It was denied because it was not a parent or a guardian that was requesting the order. With advise from HJWT, the brother filed for a guardianship of the teen in Probate Court where HJWT represented the teen.

It was demonstrated to the Probate Court that the teen's parents were not only abusive to the son, but were not providing subsistence, education, medical, or other care necessary for the child's well-being. The Court ordered that the brother be given legal guardianship, that the teen be able to live with his brother, and the parents have no contact with him. The teen did need to change schools, but he was willing to do that as long as he could live with his brother.

HJWT continues to have children's and teenager's cases referred by victim advocacy groups, by Courts, and by medical and educational personnel. It is very rewarding to provide free legal and social services so that these teens are safe, receive a good education, and can mature into adults who will become active and contributing citizens in our communities.

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 website, www.havejusticewilltravel.org, or please make your check payable to: **Have Justice–Will Travel, Inc.** • 9580 VT Route 113, Vershire, VT 05079

A Story of Collaborative Success

By E. Robin Goodrum, *Guardian ad Litem*

Over the past year, Ms. Goodrum worked as a volunteer Guardian ad Litem, collaboratively with a variety of agencies to successfully turn around the life of one very angry, hostile and unmanageable young man.

He came into juvenile court on truancy and delinquency charges after months of efforts to support him without legal intervention had failed. The court placed him in the Vermont Department of Children and Families (DCF) custody, which in retrospect made his turnaround possible.

He was a child within a deeply dysfunctional family, that all told you one thing but thought and did another, and he bore emotional as well as physical scars resulting from years of domestic violence. He was rebellious and unmanageable. He rarely went to school and when he did he disrupted the classroom and threatened, sometimes assaulted, other students as well as staff. All prior efforts to address these behaviors outside DCF custody had collapsed. The lack of success was largely attributed to his parents and the school because his parents were unable to hold him responsible for his choices and actions, enforce rules or effectively advocate for him at school. However, once a diverse team of professionals with very different perspectives, skills and talents came together it became clear that he was misunderstood and thus not receiving the support he truly required.

Previous strategies had not address his deep underlying scars, fears and rage, which drove his delinquent behaviors. It also became apparent that his parents, a crucial part of the remedy equation, required support as well as their son.

Once DCF had custody, the school, the local mental health organization, the child's primary care provider, the local police, the child's legal advocate, and the Guardian ad Litem came together to identify and analyze the layers of difficult issues driving this young man, as well as why original efforts might have failed. We slowly gained information about his sexual involvement with an older woman, drug addiction, and theft charges.

The group designed a plan that considered the additional knowledge and its impact on his behaviors. It was intended to



From left to right Wynona Ward, Robin Goodrum, and JohnnieMae Doyle working together on a juvenile matter.

offer him a sense of understanding and wraparound support, as well as adequately monitor his compliance with expectations and swiftly but fairly respond to any non-compliance.

This young man was not in the habit of talking about himself or being held accountable for his behavior and initially defiantly resisted all help. He refused to engage in programming and attempted to run away. However, the more his outrageous behaviors were met with respectful listening, therapeutic support, fair consequences and goals, one-on-one peer companionship, and predictable consistency he began to respond.

To date, the bright, sensitive soul we all felt was trapped under his nasty, hardened, protective front is beginning to shine. He is still in programming that has offered an environment that allows him to feel safe, respected and offers opportunity for him to consider and explore his true self and abilities.

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Have Justice—Will Travel

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Break the Cycle (BC) is a national nonprofit organization whose mission is to educate and empower youth to build lives free from domestic and dating violence. In 2010 when BC released their State Law Report Cards, VT received a “B”. Now VT law has been improved (See Page 1 Story) perhaps today it would receive an “A”.

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HJWT comes to you once again as it begins its 19th year and asks: **Can you reach out once again to help the families we serve?**



These families are made up of mothers, children, and sometimes include fathers, who literally have no resources and no support system. Most of the families we serve have only the bare minimum amount of food, clothing, and shelter to survive from day to day. When you add physical or sexual abuse to their lives, surviving, never mind providing a good family life, can seem insurmountable.

HJWT’s dedicated staff provides free legal services for protective orders, divorce, parentage, custody, visitation, and child support. When abuse no longer occurs in the home, parents and children can move their lives forward as individuals, build healthy families, and become contributing members of society. **We almost always see children blossom when abuse no longer occurs in their home.**

As HJWT moves into 2018, I ask that you once again open your hearts and your pocketbooks to help continue making HJWT an organization that not only saves lives, but gives families a chance to live without fear and abuse, so they can overcome the odds and obstacles, which confront them.

**To each and every one of you, thank you for all you have done for HJWT.
Wynona I. Ward, Esq., Founding Director, Have Justice—Will Travel**

