

“You are my eyes and ears”: Ethnography of Court Watch Volunteers in Domestic Violence Court

A Dissertation Proposal Presented to
the Faculty of the Heller School for Social Policy and Management
Brandeis University, Waltham, Massachusetts

By
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Despite great advances in legislation addressing domestic violence, 1.5 million people annually are victims of domestic violence yet only 20% have orders of protection. This gap between legislative intent and the reality survivors face led to the development, implementation, and promulgation of court watch programs. Court watch programs place volunteers in courtrooms to observe, take notes, and report on courtroom proceedings including: judicial implementation of legislation, efficiency, and courtroom culture all of which contribute to the success or failure of the criminal justice system in addressing the problem of domestic violence. To date, there have been no studies of court watch programs, though there are approximately 40 in operation across the United States. Two such programs operate in Cook County, Illinois, one in suburban Skokie and the other in the City of Chicago. The Illinois Domestic Violence Act (IDVA), considered one of the most progressive pieces of DV legislation nationwide, offers 18 remedies to those seeking orders of protection.

The study goal is to examine the role of court watch volunteers in domestic violence courtrooms and to begin to determine in what ways such programs can improve the success of the judicial system in providing safety to victims of domestic violence. Using ethnographic methods of participant observation, formal and informal interviews, virtual ethnography, and document review, this study will be guided by the Extended Case Method. It will draw on theories of feminist jurisprudence, therapeutic jurisprudence, Goffman's theory of dramaturgy, and civic engagement. Data, including interview transcripts and field notes, and analytical memos will be managed and coded with the aid of Atlas ti software. This study has the potential to influence the implementation of legislative directives within the courtroom as well as informal courtroom culture, making it more responsive to the needs of victims as well as defendants.

This research will explore two court watch programs' attempts to address the gap between our society's legal imperative, and the failure to eradicate domestic violence in our society. First, a detailed understanding of the interplay between the court watch volunteer and the courtroom processes and personnel will shed light on the efficacy of this advocacy strategy. Second, it may provide inspiration and guidance for the development or improvement of other court watch programs in both domestic violence and other criminal justice courtrooms. Third, it may aid in making the justice system more responsive to the needs of DV victims. Fourth, it may encourage the development of other opportunities for civic engagement within our judicial system. Fifth, it may help to guide the implementation of other legislative directives by detailing how these directives play out in courtroom culture and identifying possible points of intervention to improve implementation. Finally, it may increase the use of court watch programs as a vehicle for additional advocacy and community engagement in changing the societal culture which still allows domestic violence.

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