

Legal Advocacy During a Pandemic
Ideas from ODVN Legal Advocacy Caucus 3-13-2020

The following are some ideas to keep in mind and strategies to help survivors during the Coronavirus pandemic specifically related to legal advocacy.

1. **Changes at Courts** - Find out what your courts are doing.
 - a. Will protection hearings be held and if so, will the court be doing them in person or by phone?
 - b. Will emergency custody hearings be held, and if so, in person or by phone?
 - c. Will your court be continuing hearings; if so which kinds have they decided to postpone? Many courts are encouraging people who may be ill to seek continuances. To see your local court rules around how continuances may be sought, you can see your local rules at: <https://www.supremecourt.ohio.gov/judsystem/trialcourts/>
 - i. Note: These are the adopted court rules and will not be adapted real-time for the pandemic. Instead, call the court and/or look to their websites for any adjustments being made for the current situation.
 - d. Make sure you know how to help survivors seek continuances. Contact ODVN if you need help.
 - e. Will your court let survivors participate in scheduled hearings by phone? ODVN will send out a model template to request to attend hearings by phone.
 - f. Talk to your court about how they will view delays in seeking protection orders for survivors who cannot get to the court due to quarantine, children at home, etc. We have to prove fear of imminent harm; will your court understand, for example, a 3 week delay in filing the CPO petition?
 - g. For state wide policy changes for courts, you can go to: <https://www.supremecourt.ohio.gov/> and watch the top right box for updates. If court changes are made by the Governor instead of the Supreme Court, updates can be found here: <https://governor.ohio.gov/wps/portal/gov/governor/>
2. **How Can Survivors Connect with Advocacy?** Based on changes at your court, let survivors know how to find you for support. Post something at the Clerk's office, prosecutor's office, or any place you would normally be found, if you will not be doing in person services.
3. **Using Technology** - Arrange for a safe phone you can use for phone based services. If you have to use your personal cell phone, remember to block your number before calling survivors (dial *67 before entering the number to call). You can set up a free separate phone # at Google Voice.
4. **Some things to keep in mind:**
 - a. *Trials* - Criminal defendants in jails and those who have not "waived time" are entitled to speedy trials, so their cases are the most likely to go forward.
 - b. *Jails* - Jails may become overcrowded and abusers who would normally not be released may be able to get out. There are groups advocating for the release of prisoners due to

the health risks of incarceration during this pandemic. While some are calling for releases of non-violent offenders, we may see more abusers released pretrial than we would normally. It may be more important for us to ensure that survivors are signed up for VINE and to also check the jail.

- c. *Closed Schools* - Ohio closed all schools and the Governor did this by specifically extending "Spring Break." Since Spring Break is a designated time in parenting time orders, whichever parent would have had them for one week will likely now have them for 3 weeks or so. It will be hard to get kids back sooner because of the way the Governor made the order.
- d. *Fleeing* - Survivors may be more likely to consider plans to leave the area and return to family or other safe places. Be ready to talk with survivors about the implications of doing this in relation to children, in cases where they are married, unmarried, have parenting time orders or no orders.
- e. *Food Insecurity/Hunger* - With children home for 3 weeks (at least) from school where many get essential food, consider there will be more needs for food assistance for sheltered and non-sheltered survivors. This comes at a particularly bad time, as the Trump administration rules go into effect which will kick about 700k families off SNAP (food stamps). See what your agency can do to support families with inadequate food.