

Resolution 11 In Support of Reauthorization of the Violence Against Women Act

WHEREAS, the Conference of Chief Justices and the Conference of State Court Administrators have, in previous resolutions, expressed their support for efforts to address the problem of violence against women in our society; and

WHEREAS, the Conferences, by bringing together chief justices and court administrators, have contributed to the implementation of the Violence Against Women Act (VAWA) by supporting educational programs, technical assistance, and information sharing that meets the needs of individual states; and

WHEREAS, over the years, the Congress authorized and appropriated federal funds to assist states in implementing the VAWA provisions; and

WHEREAS, the Congress has specifically recognized the important role of courts in addressing domestic violence through the following actions:

? In the Violence Against Women Act of 2000, Congress added ?State and local courts? as eligible grantees for the Services - Training - Officers - Prosecutors (STOP) grant program and for grants to Encourage Arrest Policies and Enforcement of Protection Orders, and

? When VAWA was reauthorized in 2001, a set-aside of at least 5% of the STOP grant was established for state courts, and

? The Violence Against Women Act Court Training and Improvements Act of 2005 created a new grant program, and in FY 2009 funds were appropriated to support the new grant program; and

WHEREAS, in spite of these positive steps, the following examples highlight the difficulties that state courts have had in accessing funds authorized by Congress:

? State courts have been prohibited from directly applying for some competitive federal grant programs because ?courts? are not included in the definition of ?state and local units of government? in the Omnibus Crime Control and Safe Streets Act of 1968, and

? Some state courts have had difficulty in accessing the set-aside of at least 5% of the STOP grant funds either because the STOP administering agency: (1) has dictated how the state courts must use the funds, (2) has awarded funds to non-court entities for projects that the state executive agency has deemed would benefit the courts without consultation with state court leaders, or (3) has used the funds for non-court related projects;

NOW, THEREFORE, BE IT RESOLVED that the Conference of Chief Justices and Conference of State Court Administrators urge the Congress to reauthorize the Violence Against Women Act and provide sufficient federal funding to support the goals and objectives of the Act; and

BE IT FURTHER RESOLVED that the Conferences support (1) continuation of the 5% set-aside within the STOP grant to assist state courts to address domestic violence cases more effectively and (2) annual appropriations for the Court Training and Improvements grants program; and

BE IT FURTHER RESOLVED that the Conferences urge the Congress to amend the definition of ?state and local units of government? in the Omnibus Crime Control and Safe Streets Act

of 1968 to include state and local courts; and

BE IT FURTHER RESOLVED that the Conferences request that the Congress require that state executive branch agencies administering VAWA funds meaningfully consult with state court leaders on the use and distribution of such funds, clarify the entities eligible to apply for the court set-aside of at least 5% of the STOP funds, and require executive branch agencies contemplating awarding the state court set-aside funds to non-court entities for the ?benefit of courts? to secure a statement of support for the proposed project from state court leaders.

Adopted as proposed by the CCJ/COSCA Courts, Children and Families Committee at the 2010 Annual Meeting on July 28, 2010.