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**SPECIAL ISSUE ARTICLE**

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# Justice metamorphosis: Moving from reactive to proactive strategies to remotely protect families from intimate partner violence

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**Abstract**

The pandemic accelerated the adoption of remote access to courts through e-filing and virtual hearings. Concurrently, courts experienced an increase in intimate partner violence cases due in part to heightened stress during the pandemic. Virtual technology became crucial for individuals seeking relief from harm when traditional support systems were limited. However, remote proceedings lack the personal connection found in-person, making it challenging to handle complex cases involving parenting and intimate partner violence. Courts must strike a balance between protecting parents and children from abuse and ensuring due process and appropriate parenting time for the accused party. Some courts have considered the user experience in intimate partner violence and parenting cases, but as remote justice become the norm, it is essential for all courts to evaluate and refine the tools, policies, and procedures put in place during the emergency response to the pandemic to be more proactive in supporting court users. State courts in Kansas, North Carolina, and Arizona are cited as examples for efforts to enhance remote justice efficiency and quality in these cases involving intimate partner violence and parenting. Further research is recommended to explore the challenges and possibilities of using virtual technology in these situations.

**KEYWORDS**

access to justice, court reform, intimate partner violence

**Key points for the family court community**

1. Virtual technology holds great promise for parents seeking protection from harm, but the form requires more than just translation to on-screen presence.
2. Consideration of procedural justice and the user experience is needed to render quality justice.
3. Jurisdictions using virtual technology for parents and partners came together to identify effective practices during "Critical Conversations" in 2022.
4. Three states present examples of effective practices. Kansas implemented a virtual e-filing/portal system in consultation with community partners. Arizona worked with local shelters to enable parties and their minor children to file for protection orders from safe locations. North Carolina is working with the University of North Carolina–Chapel Hill to evaluate the impact of e-filing on persons experiencing harm.

## AUTHOR BIOGRAPHIES



**Alicia Davis, J.D.**, is the Project Director for the Cady Family Justice Reform Initiative, under the auspices of the Conference of Chief Justice and Conference of State Court Administrators, and a Principal Court Management Consultant at the National Center for State Courts with special expertise in child d family law. At NCSC, Ms. Davis has provided assistance in child and family law to at least 30 state jurisdictions as well as to tribes and other countries. Ms. Davis has conducted operational assessments, facilitated participatory evaluations, and designed standard operating procedures for numerous family law and child welfare efforts that have resulted in measurable improvements. It is Alicia's work in high-performance courts that particularly equipped her to oversee the Cady Family Justice Reform Initiative, an effort that draws upon national data of domestic relations cases and evidence-based practices to develop improvements to domestic relations case management. Prior to NCSC, Ms. Davis oversaw child and family programs in the administrative offices of the courts in Colorado and Utah. She represented children and parents in truancy, delinquency, and child welfare proceedings several years before entering court administration. Ms. Davis received her H.D. from the S.J. Quinney School of Law at the University of Utah in 1999 and is a certified mediator. She is fluent in Spanish and English.



**Sarah Vandenberg Van Zee, LMSW**, is a Court Management Consultant at the National Center for State Courts. While working at NCSC, Ms. Vandenberg Van Zee has supported innovative projects focusing on children and families, IPV, and elder issues. Prior to working at NCSC, she helped to manage and implement programs related to improving how Iowa courts handle IPV cases, access to justice issues, etc. Her experience includes establishing non-legal court navigators, assessing court buildings and processes for accessibility, providing training to court staff and community regarding IPV dynamics, and improving coordinated community responses from a court perspective. Ms. Vandenberg Van Zee has an

MSW from the University of Iowa.



**Conor Geiger, MEd**, is a Project Associate for projects focused on improving child welfare and IPV services. They have assisted in the evaluation of courts' IPV triage processes and supported experts in the production of a model intake process to safely and efficiently evaluate needs, risk, and lethality in family court cases. They have also compiled resources to assist courts in developing triage processes.