



DOMESTIC VIOLENCE  
PROTECTIVE ORDER  
CASES IN KENTUCKY  
COURTS

# DEFINITION OF DOMESTIC VIOLENCE IN KY COURTS

(2) "Domestic violence and abuse" means:

(a) Physical injury, serious physical injury, stalking, sexual assault, strangulation, assault, or the infliction of fear of imminent physical injury, serious physical injury, sexual assault, strangulation, or assault between family members or members of an unmarried couple; or

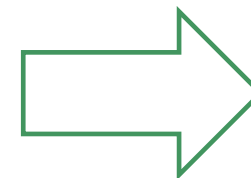
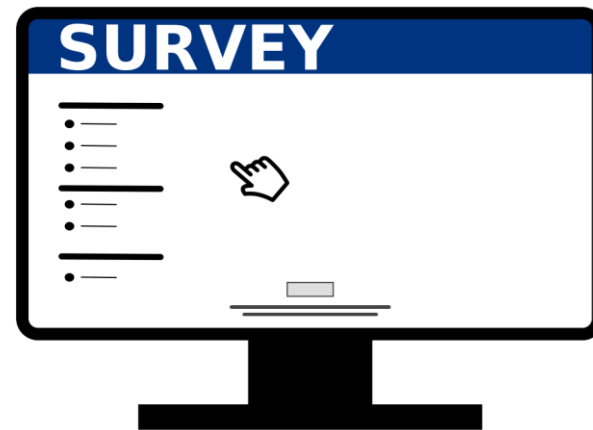
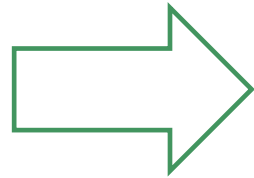
(b) Any conduct prohibited by KRS 527.020, 527.021, 527.022, or 527.023, or the infliction of fear of such imminent conduct, taken against a domestic animal when used as a method of coercion, control, punishment, intimidation,

or a threat against a domestic animal of a household or a household member or a couple who has a close bond of affection to the domestic animal;

(3) "Family member" means a spouse, including a former spouse, a grandparent, a grandchild, a parent, an adult sibling, a child, a stepchild, or any other person living in the same household as a child if the child is the alleged victim;

(6) "Member of an unmarried couple" means each member of an unmarried couple which allegedly has a child in common, any children of that couple, or a member of an unmarried couple who are living together or have formerly lived together;

# STUDY ONE: METHODOLOGY



## OVERALL NUMBERS

101 courtrooms;  
76 counties

23 urban  
courtrooms; 77  
rural courtrooms

1,148 cases

Average cases per  
docket: 11.48  
(range: 1-58)

Table 2. Legal Representation

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Petitioners...	23.89%
Urban	30.56%*
Rural	21.90%*
Respondents...	22.36%
Urban	24.77%
Rural	21.63%

\*\*\* p<0.01, \*\* p<0.05, \* p<0.1

ATTORNEY  
ACCESS



Table 3. Information Provision Prior to Court

Petitioners Receive Info About Advocates...	27%
Urban	48%**
Rural	22%**
Advocates Receive Info About Petitioners...	28%
Urban	43%**
Rural	22%**

\*\*\*  $p < 0.01$ , \*\*  $p < 0.05$ , \*  $p < 0.1$

ACCESS TO  
INFORMATION

Table 4. Docket Structures

% Dockets Closed...	24%
Urban	52%***
Rural	16%***
Virtual Court Availability...	22%
Urban	48%***
Rural	14%***
Family Court Availability...	70%
Urban	100%***
Rural	48%***

\*\*\* p<0.01, \*\* p<0.05, \* p<0.1

## DOCKET STRUCTURE

# JUDICIAL DISCRETION

Table 5. Use of Judicial Discretion

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% of Judges Excusing Petitioners Attendance	59%
Urban	81%**
Rural	49%**
% of Judges Entering Ancillary Orders	33%
Urban	36%
Rural	32%

\*\*\* p<0.01, \*\* p<0.05, \* p<0.1



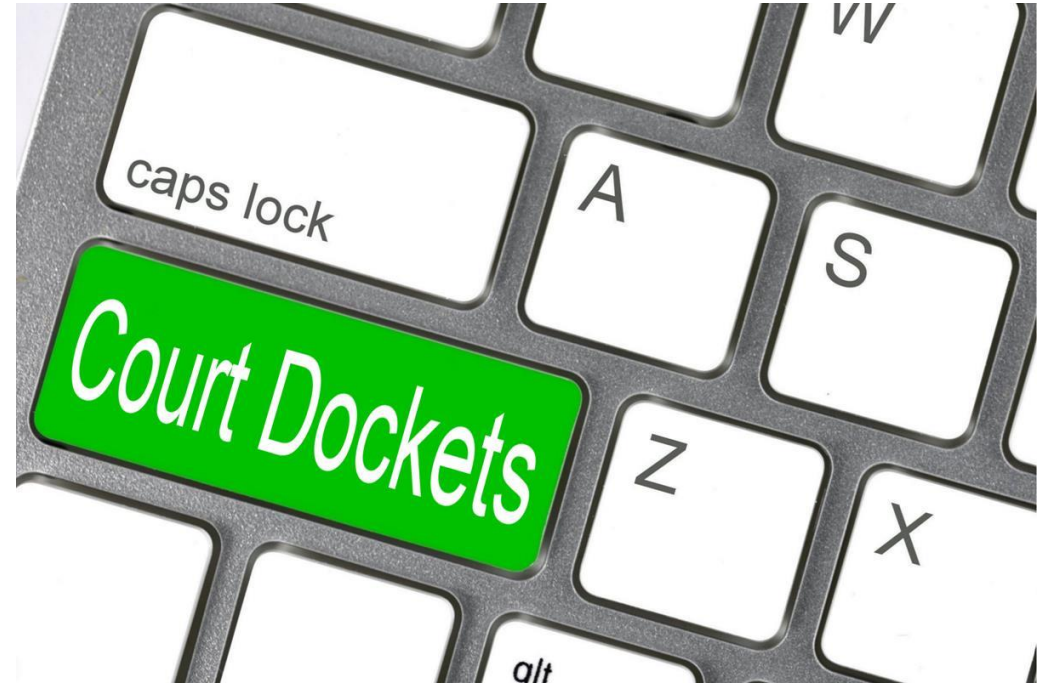


## KEY TAKEAWAYS

- Low levels of service (23% of cases continued because of lack of service)
- Low levels of representation for both petitioners and respondents regardless of location
- Low rates of ancillary orders on child support and child custody regardless of location
- Some key differences based on place
  - Less representation in rural areas
  - Less access to information about supportive services in rural areas
  - Key differences in docket structure (rural areas are less likely to have a family court, more likely to have hearings in open court, less likely to have access to virtual court)

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# METHODOLOGY: STUDY TWO



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# PRELIMINARY RESULTS

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- Average number of days from filing until a final order: 37.03
    - Urban: 39; Rural: 23
  - Average number of court hearings: 2.60
    - Urban: 3.31; Rural: 1.60
  - Petitioner represented by Legal Aid: 3%
    - No differences in urban and rural areas
  - Average travel time to legal aid: 36.64 minutes
    - Urban: 17.21; Rural: 51.75
  - Case dismissed at Petitioner's request: approximately 10%
    - Rural cases are more likely to be dismissed by the petitioner and more likely to be denied at initial review
  - Protective order granted by the court: approximately 25%

- Service of process continues to be a challenge
- There is uneven access to resources across counties
- Petitioners must often travel long distances to get to resources and court, and this may lead Petitioners to abandon their cases
- The structures we put in place in courts impact outcomes

## KEY TAKEAWAYS



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