

ICPSR 33969

**National Survey of the Court's  
Capacity to Provide Protection  
Orders to Limited English  
Proficient (LEP) Battered Women,  
2003-2006**

Description

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## **Bibliographic Description**

ICPSR Study No.: 33969

Title: National Survey of the Court's Capacity to Provide Protection Orders to Limited English Proficient (LEP) Battered Women, 2003-2006

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## **Scope of Study**

Summary: The primary goal of the research project was to collect national-level information on the provision of protection orders for non-English speaking applicants. There were six objectives: (1) To determine the extent of Limited English Proficient (LEP) women seeking protection orders on a national scale with documentation of languages represented and geographic distribution; (2) To assess current policies and procedures regarding LEP requests for protection orders; (3) To estimate the courts' current level of language services and assistance to LEP women seeking protection orders; (4) To identify and assess court collaborations with local community-based organizations; (5) To examine budget, staffing, and coordination issues that facilitate delivery of services to LEP clients; and (6) To develop national service and delivery models based on promising local practices. The multi-method study design included a national survey of courts, an intensive survey of a select group of courts

and community-based organizations within their jurisdictions, and the assessment of selected sites that can serve as national models. The national survey, based on a systematic sample of counties stratified by population and state resulted in a nationally representative sample of courts. The overwhelming majority of courts were general jurisdiction courts that handled a variety of criminal, civil, and/or family matters. The national survey was followed by an intensive survey of a subset of courts, and local community-based organizations (CBOs) that served domestic violence victims. Courts selected for this phase had promising practices, such as language assistance plans in civil cases and the use of certified interpreters. The intensive survey included telephone interviews of court and CBO representatives and a fax survey for CBOs. Finally, three case studies were conducted to develop promising practices. The Part 1 (Phase I Data) data file contains 158 cases and 203 variables. The Part 2 (Phase II Quantitative Data) data file contains 81 cases and 81 variables. Part 3 (Phase II Qualitative Data) contains 123 interviews.

Subject Term(s): bilingualism, community organizations, courts, domestic violence, language, restraining orders, violence against women

Smallest Geographic Unit: county

Geographic Coverage: United States

Time Period: • 2003 - 2006, All Parts

Date(s) of Collection: • 2004, Part 1 (Phase I Data)  
• 2004 - 2005, Part 2 (Phase II Quantitative Data)  
• 2005 - 2006, Part 3 (Phase II Qualitative Data)

Unit of Observation: Part 1 (Phase I Data): Courts, Part 2 (Phase II Quantitative Data): Community-based organizations, Part 3 (Phase II Qualitative Data): Courts and Community-based organizations

Universe: Part 1 (Phase I Data): All courts in the United States in 2003.

Part 2 (Phase II Quantitative Data) and Part 3 (Phase II Qualitative Data): All courts in the United States in 2003 and community-based organizations serving the Limited English Proficient population in 2003.

Data Type: machine-readable text

survey data

Data Collection Notes: Part 3 (Phase II Qualitative Data) contains 123 interviews with courts and community-based organizations (CBOs) while the technical report mentions that 124 total were interviewed. The principal investigator thought this discrepancy was likely due to one of the CBOs providing responses for two different courts and the two interviews being combined.

A third phase for this study involved three case studies conducted to develop promising practices. These data were not made available to ICPSR. Results from the case studies are discussed in the study's final technical report.

Publicly downloadable data files are available for Parts 1 (Phase I Data) and 2 (Phase II Quantitative Data).

## Methodology

Purpose of the Study: The primary goal of the research project was to collect national-level information on the provision of protection orders for non-English speaking applicants. There were six objectives: (1) To determine the extent of Limited English Proficient (LEP) women seeking protection orders on a national scale with documentation of languages represented and geographic distribution; (2) To assess current policies and procedures regarding LEP requests for protection orders; (3) To estimate the courts' current level of language services and assistance to LEP women seeking protection orders; (4) To identify and assess court collaborations with local community-based organizations; (5) To examine budget, staffing, and coordination issues that facilitate delivery of services to LEP clients; and (6) To develop national service and delivery models based on promising local practices.

Study Design: Part 1 (Phase I Data): The survey was administered by research staff from the National Center for State Courts, using the court as the initial entry point. The administration of the survey included the following steps: (1) jurisdictional mapping, (2) identifying key contacts, and (3) conducting the survey.

Jurisdictional mapping was essential to identify the appropriate contacts at each selected site. For example, in some counties, a general jurisdiction court was responsible for handling a variety of civil and criminal matters, including protection orders. In other counties, a municipal court, justice of the peace court, and/or family court handled protection orders depending on the type of case. In addition, larger counties sometimes had specialized domestic violence courts with jurisdiction over all protection orders. Therefore, the first step in survey administration was jurisdictional mapping. The source of jurisdictional mapping information was derived from state and county-based Internet Web sites and other resources.

In localities served by multiple limited jurisdiction courts, research staff searched for data on the number of protection orders filed in each court to identify the courts with the highest volume of cases. Where no data was available, staff made calls to the courts serving larger populations to inquire about the number of protection order filings. The research team selected, at most, the three highest volume courts in counties served by multiple courts. Ultimately, 207 courts from 161 counties were selected for inclusion in the phase I survey.

Each court had a court administrator or manager to oversee operations. Research staff contacted each court administrator at the selected courts, by email and/or telephone, to seek his or her participation in the survey and to direct the research staff to the most appropriate respondent. Because each court differed in structure, the type of respondent varied occupationally and included judges, court administrators, court clerks, court interpreter managers, and domestic violence court staff. The surveys were administered by email or fax, with frequent follow-up reminders to improve the response rate.

Part 2 (Phase II Quantitative Data) and Part 3 (Phase II Qualitative Data): The research team contacted those individuals from each of the 43 selected courts who had previously completed the national survey. Potential respondents were asked to participate in a telephone interview and were faxed or emailed a copy of the court interview protocol. The research team arranged personal interviews with each respondent and sent reminders to increase the likelihood that the interview would be completed as scheduled.

Community-based organizations (CBOs) were not contacted until a commitment from the court was secured. The CBOs were contacted by email or telephone and asked to initially complete a fax-back survey. Research staff then arranged for a telephone interview with the appropriate CBO representative. CBO representatives were contacted at least five times before they were considered a non-respondent. The telephone interviews, on average, were completed in 30 to 40 minutes.

Sample: Part 1 (Phase I Data): Three steps were used to draw a stratified sample representative of the population distribution in the United States: (1) Counties were stratified into four tiers based on population; (2) Within each tier, the counties were grouped by state and sorted by descending population; and (3) Every nth county was selected, with greater representation from the most populous counties. The sampling technique assured geographic representation within each population tier. While three of the tiers were strictly based on population, one tier included an additional geographical dimension (tier one consisted of the most populous county in each state). In addition, members of a national advisory board represented by judges, court staff, linguistic experts, government officials, and community-based service providers were asked

to nominate additional counties for inclusion in the survey. As a result, only one county was added to the sample.

Phase I used a sample of 161 counties, which allowed the project to be manageable while maximizing the representativeness of the sample. While the inclusion of state population centers assured representation from each state, the overall sample favored highly populated states (e.g., California, Texas, and Florida). In addition, the sample was weighted to more heavily represent metropolitan areas, where the greatest percentage of the Limited English Proficient (LEP) population resides. The sample also included a sufficient number of rural counties to ensure that language issues affecting less-populated jurisdictions are represented.

Part 2 (Phase II Quantitative Data) and Part 3 (Phase II Qualitative Data): The sample selection was based on objective criteria as well as subjective assessment. Three steps were taken to select a diverse sample of courts. First, only a subset of courts was eligible for this portion of the study based on their responses to selected items from the national survey. Second, no more than one court was selected to represent a single county. Third, a qualitative assessment of responses from the national survey was undertaken to determine the final sample selection.

Eligibility was determined by examining responses from the national survey on four items: (1) existence of a language assistance plan in civil cases; (2) use of certified interpreters; (3) use of language identification cards; and (4) posting signs in the courthouse informing the public of interpretation services. The four items are indicative of court practices favorable to LEP petitioners. However, two of these practices (use of language identification cards and posting signs) were seldom marked by responding courts. Research staff used a combination of these four criteria to select courts eligible for inclusion in the Phase II survey. The result was a sample of 58 courts in 49 counties.

Seven counties had two or more courts meet the eligibility criteria. To maintain geographic representation, the next step was to select a single court from each county. Results from the national survey, and the volume of protection orders handled by each court, were used to select the court that appeared to have the most promising practices. For instance, if one court had a language assistance plan, used qualified interpreters, posted signs, and provided data, it would be selected over another court in the same county that could not provide data and did not post signs. In cases where multiple courts from a single county were drawn, a comparison of the court responses to the national survey clearly distinguished a court that was more pro-active in the LEP area than others. This exercise resulted in an eligibility list of 49 courts.

Finally, the survey responses from each eligible court were reviewed. Two factors (completeness of the national survey and the number of

protection orders) were used to select the final sample. In total, six courts were precluded from selection because either they handled fewer than five protection orders on an annual basis or their responses to the national survey included a high proportion of missing information. The final sample used for the intensive survey was 43 courts, with over-representation from the population centers and metropolitan courts.

The selection of courts for the intensive survey was followed by the identification and selection of community-based organizations that served in the courts' jurisdictions. Four sources were used to initially identify domestic violence and ethnic/culturally-based organizations. First, many of the courts provided contact information for local CBOs when responding to the national survey. Second, the National Immigrant Victim Service Provider Resource Director, housed at the Legal Momentum Web site, was used to identify additional local resources. Third, CBO representatives who participated in the interviews were asked to identify other organizations in their community that assisted domestic violence victims. Fourth, research staff conducted an Internet search to identify additional CBOs operating in the selected localities. While this strategy resulted in a long list of eligible organizations, only those CBOs that provided direct assistance to individuals seeking protection orders were included in the final sample. A total of 133 CBOs were initially contacted. Forty of those CBOs were excluded because they did not provide direct services to protection order petitioners or did not work in the court's jurisdiction. A final count of 93 CBOs were asked to participate in the telephone interviews.

Mode of Data Collection: mail questionnaire

telephone interview

web-based survey

Description of Variables: Part 1 (Phase I Data): Background information was collected in the survey and included requests for type of court, filing and assistance with protection order applications, languages spoken by those seeking protection orders, court practices and services, language resources, interpreter and translator qualifications, language assistance plans, and strengths and challenges.

The survey also focused on court relationships with community-based organizations (CBOs). Courts were asked to identify specific areas in which they worked with local CBOs and to provide contact information for local domestic violence organizations. In addition, the courts were asked to provide data on the number of civil temporary and permanent protection orders filed and issued and number of requests for language assistance.

Part 2 (Phase II Quantitative Data): The closed-ended fax-back survey for CBOs was designed to screen out CBOs that did not provide direct services and to gather background information on the types of organizations that responded to the survey and their activities.

Part 3 (Phase II Qualitative Data): The interview protocols for courts and CBOs had similar formats. Both protocols had four parts, with questions refined for the type of respondent. Part I included questions on court or organizational structure and language issues, and sought to gain a general overview of processes and practices. Part II addressed the provision of services and focused on how services might differ based on whether the language of the petitioner was commonly or less commonly encountered by the court (or organization). Part III solicited information on court and community coordination. Part IV included items to capture information on the successes and challenges the court faced in the provision of language services in protection order cases.

Response Rates: Part 1 (Phase I Data): The response rate for the survey was 76 percent (158 of 207 courts completed the survey).

Part 2 (Phase II Quantitative Data): The response rate for the survey was 96 percent (81 of 84 community-based organizations that were interviewed returned the fax-back survey).

Part 3 (Phase II Qualitative Data): The response rate for the survey for the courts was 93 percent (40 of 43 courts completed the survey). The response rate for community-based organizations (CBOs) was 90 percent (84 of 93 CBOs completed the survey). Combined, the response rate was 91 percent (124 out of 136).

Presence of Common Scales: none

Extent of Processing: Created variable labels and/or value labels.

Standardized missing values.

Checked for undocumented or out-of-range codes.

## **Access and Availability**

Note: A list of the data formats available for this study can be found in the [summary of holdings](#). Detailed file-level information (such as record length, case count, and variable count) is listed in the [file manifest](#).

Some instruments administered as part of this study may contain contents from copyrighted instruments. Reproductions of the instruments are provided solely as documentation for the analysis of the data associated with this collection. Please contact the data producers for information on permissions to use the instruments for other purposes.

**Restrictions:** A downloadable version of data for this study is available however, certain identifying information in the downloadable version may have been masked or edited to protect respondent privacy. Additional data not included in the downloadable version are available in a restricted version of this data collection. For more information about the differences between the downloadable data and the restricted data for this study, please refer to the codebook notes section of the PDF codebook. Users interested in obtaining restricted data must complete and sign a Restricted Data Use Agreement, describe the research project and data protection plan, and obtain IRB approval or notice of exemption for their research.

**Original ICPSR Release:** 2012-09-26

**Dataset(s):**

- DS1: Phase I Data
- DS2: Phase II Quantitative Data - Fax Back Survey of Background Characteristics of Participating Community-Based Organizations (CBOs)
- DS3: Phase II Qualitative Data - Responses from 40 Courts and 83 Participating Community-Based Organizations (CBOs)

## **Publications**

**Final Reports and Other Publication Resources:** A list of publications related to, or based on, this data collection can be accessed from the study's download page on the NACJD Web site or through the ICPSR Bibliography of Data-Related Literature at <http://www.icpsr.umich.edu/ICPSR/citations/index.html>. The list of citations includes links to abstracts and publications in Portable Document Format (PDF) files or text files when available.

Final reports and other publications describing research conducted on a variety of criminal justice topics are available from the National Criminal Justice Reference Service (NCJRS). NCJRS was established in 1972 by the National Institute of Justice (NIJ), an agency of the U.S. Department of Justice, to provide research findings to criminal justice professionals and researchers. NCJRS operates specialized clearinghouses that are staffed by information specialists who supply a range of reference, referral, and distribution services. Publications can be obtained from NCJRS at NIJ/NCJRS, Box 6000, Rockville, MD, 20849-6000, 800-851-3420 or 301-519-5500. TTY Service for the Hearing Impaired is 877-712-9279 (toll-free) or 301-947-8374 (local). The URL for the NCJRS Web site is:

<http://www.ncjrs.gov/>

## **NIJ Data Resources Program**

About the DRP: The National Institute of Justice Data Resources Program (DRP) makes datasets from NIJ-funded research and evaluation projects available to the research community and sponsors research and training activities devoted to secondary data analysis. Datasets are archived by the National Archive of Criminal Justice Data (NACJD) at the Inter-university Consortium for Political and Social Research (ICPSR) at the University of Michigan.

The NACJD maintains a World Wide Web site with instructions for transferring files and sending messages. Criminal justice data funded by the Department of Justice are available via the Internet at this site at no charge to the user. NACJD may be contacted at NACJD/ICPSR, P.O. Box 1248, Ann Arbor, MI, 48106-1248, 800-999-0960. The URL for the NACJD Web site is:

<http://www.icpsr.umich.edu/NACJD/>