



MIDDLESEX DISTRICT ATTORNEY'S OFFICE DOMESTIC VIOLENCE PRO BONO ATTORNEY PROGRAM

Program Description

Created in the fall of 2008, the Domestic Violence Pro Bono Attorney Program is a first-of-its-kind public/private partnership that aligns high-risk victims with free legal representation for restraining order hearings. Since restraining orders are civil matters, the District Attorney's Office has no legal standing, even in instances where there is a related criminal case. After recognizing that fewer than 50% of domestic violence victims returned to court to extend temporary restraining orders, the MDAO reached out to the private bar to seek assistance in accompanying victims to court. The program matches victims with free attorneys from eleven major Boston Law Firms: Proskauer Rose LLP; Cooley Manion Jones LLP; Brody Hardoon Perkins & Kesten LLP; Weil Gotshal & Manges LLP; Melick Porter LLP; Robinson & Cole LLP; Rich May PC; Holland & Knight LLP; Greenberg Traurig LLP; Wilmer Cutler Pickering Hale & Dorr LLP; and Fish & Richardson P.C.

Goals of the Domestic Violence Pro Bono Attorney Program

- To provide victims of domestic violence with meaningful and effective legal assistance at restraining order hearings
- To protect victims through legal advocacy
- For victims to leave and remain out of abusive relationships

How does the Domestic Violence Pro Bono Attorney Program work?

Although high-risk victims experience little difficulty obtaining temporary restraining orders at the initial hearing, the thought of appearing without an attorney at the subsequent *contested* hearing to request an extension of the order, can be overwhelming. The prospect of having to testify in front of the abuser adds additional fear and anxiety to what victims of abuse already experience, especially when the abuser has an attorney. Many victims cannot afford to hire an attorney due to economic deprivation, stemming from the abuser's control over finances and assets. Victims who do not fall within 125% of the poverty threshold or, in some cases, 250% of the poverty threshold, are not eligible for free legal assistance programs in Massachusetts. The Domestic Violence Pro Bono Attorney Program, however, ensures that victims who cannot afford an attorney will have the same right to representation as low income victims and guarantees that the abuser is not the only represented party at a restraining order hearing.

Cases are identified by Victim Witness Advocates from the District Attorney's Office and then referred to the firms after an internal assessment has been conducted. Victims are then paired with attorneys from participating firms who provide representation at restraining order hearings in the various District Courts of Middlesex County. Extensive training is offered through the District Attorney's Office. A team of highly-experienced family law and domestic relations attorneys, representing various organizations and legal service programs, serve as guest trainers.

In its first five years, the program represented over 100 victims in court with a 93% success rate.