

IN AND FOR LEE COUNTY FLORIDA

**CASE NO: 15-031538DR N
DIVISION: DOMESTIC VIOLENCE**

Frederic A Blum
Petitioner

VS.

Randy Scott
Respondent

**NOTICE OF MOTION TO APPOINT COUNSEL
AND MOTION TO APPOINT COUNSEL**

Respondent requests the Court to appoint counsel for all subsequent jurisdictional matters before the court so equal access to the courts can be had on all matters.

On September 13, 1994 President William Jefferson Clinton signed into law Violent Crime Control and Law Enforcement Act of 1994. This law provide for funding for purported victims of domestic violence to get the support to bring their cause before the court. The support comes through the funding that establishes 20th Judicial Circuit Domestic Violence Unit.

On October 26, 1994 the Honorable Chief Judge of the 20th Judicial Circuit established the domestic violence court to provide those well funded services under the Violent Crime Control and Law Enforcement Act of 1994. The order of the Chief Judge states the purpose of the domestic violence unit is to assist the

petitioner and handle “inquiries from respondent”. (attached)

The Unit will assist petitioners in the filing of petitions for injunction for protection against domestic violence and repeat violence, civil motions for contempt, other related motions and applications for orders. The unit will also handle inquiries from the petitioner and the respondent.

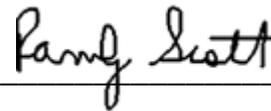
The United States Attorney General Report called the 2014 Biennial Report to Congress on the Effectiveness of Grant Programs Under the Violence Against Women Act it is shown that the federal government has provided funding for civil legal advocacy/court accompaniment: 62,912 times in 2014 for purported victims of domestic violence (attached). The same report indicates as part of its executive summary “Legal advocacy and representation in civil and criminal matters, which help victims navigate the legal system and obtain favorable outcomes in their cases” (attached).

The statute before this court is a criminal statute enforced by a civil actor who has the legal support and guidance funded by the federal government grants and the direction of the 20th Judicial Administrative order to “assist the petitioner(s)”. The opposing side has an attorney who also received the benefit of the self help unit as shown in the notice of limitation of service (attached) and in the transcript (attached). The respondent has met with significant barriers of filing documents. Some of those barriers include required notaries on filings. Access to the eportal (since corrected), not having computer access to the clerks documents. Respondent does not have the benefit of the “court admin” to guide him as the

opposing counsel had(attached). Respondent being told by your honor when asked “what can I and cant I do” that the court responded “does not give legal advice” (attached). Since the government is subsidizing the petitioners access to this court through the resources of the 20th Judicial Circuit Domestic Violence Unit I respectfully request that an attorney is appointed for my continuing representation that will give equal access to the continuing jurisdictional matters before this court.

September 14, 2015 .

Respectfully,



Randy Scott
343 Hazelwood Ave S
Lehigh Acres, Florida 33936
2393007007

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy was served by filing in the Florida eportal system with the correct parties indicated and delivered at Ms. Gutmore email of record.

IN THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR THE STATE OF FLORIDA
LOCAL RULE IX

IN RE: ESTABLISHMENT OF DOMESTIC VIOLENCE COURT

Pursuant to Article V, section 7, Florida Constitution and section 43.30, Florida Statutes, there is created within the Twentieth Judicial Circuit a Domestic Violence Court. This court is created to hear all criminal domestic violence cases, as well as all civil injunctions for protection against domestic violence and injunctions for protection against repeat violence. The Court is initially established in Lee County, but may be expanded to other counties in the circuit if caseloads and budgets permit by Order entered by the Chief Judge of the Twentieth Judicial Circuit.

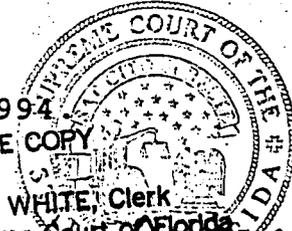
A Domestic Violence Unit is also established under the aegis of the Domestic Violence Court. The Unit shall consist of a domestic violence coordinator, a clerk, and such other personnel as are deemed necessary by the Chief Judge of the Twentieth Judicial Circuit and the Court Administrator. The Unit will assist petitioners in the filing of petitions for injunction for protection against domestic violence and repeat violence, civil motions for contempt, other related motions and applications for orders. The unit will also handle inquiries from the petitioner and the respondent. The domestic violence coordinator will appear at all court proceedings and will assist the court by monitoring all civil court orders.

The Chief Judge of the Twentieth Judicial Circuit is also authorized to enter such other orders as may be necessary to effectuate the intent and purpose of this rule.

This rule shall be effective upon approval by the Supreme Court in accordance with Florida Rules of Judicial Administration 2.050(e)(1).

Approved by the Supreme Court on October 26, 1994.

A TRUE COPY
Attest:
SID J. WHITE, Clerk
Supreme Court of Florida
By Julia A. ...
Chief Deputy Clerk



IN THE CIRCUIT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR LEE COUNTY, FLORIDA

Frederic A. Blum
Petitioner

CASE NO. 15-31538-DR N

And
Randy Allen Scott
Respondent

NOTICE OF LIMITATION OF SERVICES PROVIDED

The personnel in the Domestic Violence Division, a self help program, are not acting as your lawyer or providing legal advice to you.

Self-Help personnel are not acting on behalf of the court or any judge. The presiding judge in your case may require amendment of a form or substitution of a different form.

The personnel in this self-help program cannot tell you your legal rights or remedies are or represent you in court or tell you how to testify in court.

Self help services are available to all persons who are or will be parties to a family case.

The information that you give and receive from self-help personnel is not confidential and maybe subject to disclosure at a later date. (Please Note: Information concerning Confidential Addresses cannot be disclosed by a self-help personnel as required by Florida Law)

If another person involved in your case seeks assistance from the self-help program, that person will be given the same type of assistance that you receive.

In all cases, it is best to consult with your own attorney, especially if your case presents significant issues regarding children, child support, alimony, retirement or pension benefits assets or liabilities.

I CAN READ ENGLISH
 I CANNOT READ ENGLISH. THIS NOTICE WAS READ TO ME BY
(NAME) _____ IN (LANGUAGE) _____

[Signature]
Signature of Party
7/16/15
Date

[Signature]
Signature of Non Lawyer
7/16/15
Date

Jennifer S. Gutmore
Print Name of Party

Carlos E. Valverde
Print Name of Non Lawyer

Attorney for Petitioner
FL Bar # 40078

1 That's all I can say. That's all I can do.

2 MR. SCOTT: Your Honor?

3 THE COURT: I'm done, D-O-N-E, done.

4 MR. SCOTT: What can I and can't I do?

5 THE COURT: I don't give legal advice. I just
6 grant or deny petitions. I granted it.

7 MR. SCOTT: Thank you, Your Honor.

8 THE COURT: What's up?

9 (Transcription concluded.)

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1 they're not being directly emailed to the
2 petitioner.

3 THE COURT: Huh? Say that again. Additional
4 pages -- well, let me see. Let me read this
5 motion. You're right. Let me see this motion.

6 MR. SCOTT: Your Honor --

7 THE COURT: Wait a minute. I'm reading your
8 motion.

9 MR. SCOTT: Just for the record, I didn't get
10 the exhibits from the opposing counsel until
11 July 21st, so that motion was submitted without the
12 full exhibits that we're now discussing.

13 MS. GUTMORE: That's correct, Your Honor.
14 Part of the reason behind that, it was the express
15 request of the court admin when I went to go file
16 the actual petition to hang on to those exhibits.

17 THE COURT: Well, yeah, it's evidence; it's
18 evidence. You don't put evidence with a petition.

19 MS. GUTMORE: And in an abundance of caution,
20 I did file a copy or provide a full copy of all of
21 those exhibits --

22 THE COURT: To him.

23 MS. GUTMORE: -- in advance of today's hearing
24 to the petitioner -- or to the respondent.

25 THE COURT: Look, okay, I just read his

Types of Victim Services

Arrest Program grantees provide an array of services to victims of sexual assault, domestic violence, dating violence, and stalking. These services include victim advocacy (actions designed to help the victim obtain needed resources or services), crisis intervention, and helping victims navigate the legal system. Victims of sexual assault, domestic violence, dating violence, and stalking often need a variety of services, including help with material goods and services, health-related issues, school-related issues, financial and transportation needs, employment, and legal issues. Women with children also need assistance with childcare, counseling, and other matters related to their children.

All victims receive safety planning, referrals, and information as needed.

Grantees reported that the following services were provided most frequently (not a complete list) to victims over the four 6-month reporting periods: ¹¹⁹

- ▶ Victim advocacy: **132,566**
- ▶ Crisis intervention: **98,814**
- ▶ Criminal justice advocacy/court accompaniment: **79,636**
- ▶ Civil legal advocacy/court accompaniment: **62,912**
- ▶ Counseling services/support group: **47,746**

Without Arrest Program funding we would not be able to have a victim advocate dedicated to providing comprehensive services and assistance to domestic violence victims. . . . [H]aving the victim advocate housed at the Police Department with the detectives allows her to respond to the initial call of a domestic violence incident to provide on-scene crisis intervention and immediate support at the most critical time for a victim.

—City of Gainesville, Florida

The most significant achievement of the Sexual Assault Response Project has been the development of local Medical Forensic Exam programs . . . in 8 new project sites and at least 5 rural, non-project sites. [This] has significantly improved victim access, victim response, and enhanced relationships between law enforcement, advocates and medical professionals.

—Colorado Division of Criminal Justice

¹¹⁹ Victims were reported once for each category of service received in each reporting period. However, victims may have received multiple services in the same reporting period and the same service(s) in multiple reporting periods. Only the most frequently reported categories of services are presented.

Snapshots of the impact of VAWA funds on criminal justice systems

- ✘ In Michigan, VAWA funding supports the state’s Cold Case Sexual Assault Unit, which investigates and prosecutes cold cases that were not thoroughly investigated by law enforcement when they were first reported.
- ✘ Austin, Texas used VAWA funds to hire a prosecutor for strangulation cases. The prosecutor increased the number of cases brought before a grand jury, and indictments were issued in all 106 cases from the first three months of the grant reporting period.
- ✘ In Mobile, Alabama, where—before funding—domestic violence offenses were not tracked across municipal court systems, a VAWA grant was used to expand the courts’ database to include 20 counties in southern Alabama.
- ✘ The Virginia Department of Criminal Justice used VAWA funds to develop a data collection tool and database for Virginia's domestic violence fatality review teams that will track and analyze a set of 120 data points at the local and state levels.
- ✘ The Washoe Tribe of Nevada and California used VAWA funds to hire law enforcement officers specifically to respond to domestic violence calls.
- ✘ The Women’s Crisis Center in Hebron, Kentucky reported that VAWA funds were used to work with three rural counties’ Sheriffs’ Departments to establish policies for responding to sexual assault.
- ✘ In rural Kennebec and Somerset Counties in Maine, a VAWA-funded Sexual Assault Forensic Examiner (SAFE) program provides forensic medical services at four hospitals, reducing the distance a victim has to travel for an exam.

- ✘ Supervised offenders who violated protection orders or did not attend mandatory batterer intervention had their probation revoked more than half (**54 percent**) of the time.

Services for Victims and Families

VAWA grant funds are used to provide services to victims and their families as they cope with the immediate and long-term impact of violence in their lives. These services help victims stay safe and establish independence after leaving an abusive relationship, and they connect victims with resources to support their recovery and, if they choose, pursuit of justice. Direct services funded through VAWA include:

- ✘ **Crisis intervention** to help victims deal with their immediate needs after being victimized, find resources, and plan for safety in the aftermath of violence;
- ✘ **Legal advocacy and representation** in civil and criminal matters, which help victims navigate the legal system and obtain favorable outcomes in their cases;