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BWJP

Listening Sessions on Supporting Asian, Asian American and Pacific Islander Domestic Violence Survivors in the Legal System

2025

BWJP

Listening Sessions and this Findings Report were held and drafted in collaboration with the National Center on Protection Orders and Full Faith & Credit (NCPOFFC), a center of BWJP, and the Asian Pacific Institute on Gender-Based Violence (API-GBV).

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Thank you to all who participated in the 2024 BWJP & API-GBV Listening Sessions.

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EXECUTIVE SUMMARY

Civil protection orders (CPOs) are an important tool for increasing survivor safety and autonomy, reducing future violence and holding abusers accountable. Yet a survivor's access to a CPO is shaped by numerous factors, including cultural norms, immigration status, available interpretation and translation services, and how the legal system can respond to their needs. Without an understanding of the distinct barriers facing specific communities, survivors' well-being is at risk.

Although research does exist on how civil protection orders impact survivors in the U.S. overall, there is a notable lack of information about the experiences of Asian, Asian American and Pacific Islander (AAPI)¹ survivors, particularly those who navigate the civil protection order system as immigrants. In response to this gap in data, BWJP and API-GBV started planning for and held two listening sessions in 2024 with advocates and attorneys who support AAPI survivors of domestic violence, particularly those considering or pursuing CPOs. To better understand the day-to-day realities of CPO access for AAPI survivors, it was essential to center the insights of those working most closely with survivors. These sessions were designed to gather insights about the legal, cultural and practical challenges survivors from this community face, especially those who are AAPI immigrant survivors.

While many of the themes raised may resonate with other immigrant groups, this report focuses specifically on the experiences shared in relation to AAPI survivors. It also recognizes that the AAPI community is not monolithic. The participants were direct service providers who work with a wide range of ethnic and linguistic backgrounds and not all survivors discussed were immigrants.

The insights from our listening sessions revealed complex and often overlapping obstacles for AAPI survivors. Unfamiliar legal systems, inadequate interpretation and translation, community or familial norms all inform a survivor's experience of the CPO system and process. Despite these realities, many survivors expressed that obtaining a CPO led to a greater sense of safety when paired with adequate support and clear direction from the court system.

The findings in this report aim to inform efforts to make the civil protection order processes more equitable and effective for AAPI survivors, especially those whose needs and experiences have been often overlooked in research, policy and practice.

Note: For clarity and consistency, this report refers to individuals who have experienced domestic violence as “survivors” and those who have caused the abuse as “abusers.”

METHODOLOGY

In October 2024, BWJP and API-GBV issued a national call inviting direct service organizations that provide legal advocacy to Asian, Asian American, and Pacific Islander (AAPI) survivors of domestic violence, particularly those assisting survivors in pursuing or considering civil protection orders (CPOs), to participate in two virtual listening sessions. From the submissions, eight organizations were selected to ensure a geographically and culturally diverse representation of AAPI communities.

The first session was held on November 6, 2024, and lasted one hour. The second session took place on December 18, 2024, and lasted 90 minutes. During both sessions, facilitators asked a series of structured, open-ended questions to better understand how survivors interact with the CPO process, what barriers they face, and what promising practices have emerged. The following questions were posed across both sessions:

- Can you walk us through a typical case where a survivor is seeking or being recommended to pursue a civil protection order?
- Describe your organization's and the courts' interpretation and translation capabilities.
- What are some specific challenges AAPI survivors face when obtaining CPOs?
- What common myths or misconceptions exist about CPOs within the AAPI community, and how are they addressed?
- How can we make the CPO process more culturally responsive?
- For survivors who successfully obtain a CPO, what factors contribute to their success?
- Did obtaining a CPO help the survivors achieve safety?

This project followed a participatory action research approach² in its findings report. After drafting the report, BWJP and API-GBV shared the draft with listening session participants and invited them to review the statements and themes for accuracy, clarity and alignment with their intended messages. All participants were also given the option to remain anonymous or to opt in to being named in the report. This step was designed to validate the findings and ensure a respectful representation of the communities involved.

LISTENING SESSION PARTICIPANTS

Maitri (Santa Clara, CA)

KAN-WIN (Chicago, IL)

Daya (Houston, TX)

Karen Society of Buffalo (Buffalo, NY)

Embarc (Des Moines, IA)

Asian Services in Action (Cleveland, OH)

Tapestri (Tucker, GA)

API Chaya (Seattle, WA)

LIMITATIONS

Although this report centers on AAPI survivors, that term encompasses a wide range of cultures, languages, and countries of origin. The breadth of lived experiences within the Asian and Pacific Islander diaspora in the U.S. makes it difficult to fully capture every perspective or to generalize these findings across all subgroups. The perspectives shared here should be viewed as a snapshot of key issues, not a comprehensive account of every Asian and Pacific Islander survivor's journey.

While the participating organizations serve a broad AAPI population, the majority of insights gathered during the listening sessions reflected the experiences of Asian or Asian immigrant communities. Specific perspectives from Pacific Islander survivors were not surfaced during these discussions. Although some participating organizations do serve Pacific Islander communities, future listening sessions may be helpful in more intentionally exploring the distinct needs and experiences of Pacific Islander survivors.

Additionally, experiences with CPOs also vary significantly by jurisdiction. Factors such as the perspective of local law enforcement and judges, availability of interpretation and translation service, and differences in state or local laws all play a critical role on how survivors engage with the legal system. These differences underscore the importance of tailoring interventions and policy solutions to the specific legal and community contexts in which survivors seek protection.

FINDINGS AND RECOMMENDATIONS ³

Finding 1: The decision to pursue a civil protection order (CPO) is complex and often requires holistic support.

When deciding whether to pursue a CPO, immigrant survivors must often navigate unfamiliar legal systems, language differences, and potential risks like the deportation of their former partner or loss of financial support. Many do not fully grasp the implications of certain legal processes and may sign paperwork without understanding what they are agreeing to.

For example, one advocate described a survivor who, during a time of crisis, signed legal documents without fully understanding their implications. The legal outcome that followed was not what she had intended, and she left feeling abandoned by the very system she had turned to for help. This kind of outcome underscores how a survivor's primary goal (safety) can be undermined by unintended legal outcomes, leaving them feeling betrayed by the very system meant to protect them. These accounts highlight the need for trauma-informed processes that clearly communicate potential outcomes and provide holistic support, such as housing, childcare, mental health support, tailored to the survivors' lived realities.

Participants noted that seeking a CPO can sometimes escalate the situation, prompting the abusive partner to file for divorce, initiate other legal actions in the country of origin, or pursue a cultural or religious divorce. Fear of these retaliatory actions can deter survivors from seeking a CPO in the first place. As such, safety planning must consider legal, cultural and transnational dynamics beyond the CPO itself.

Recommendations for Finding 1:

1. On-site legal clinics: One participant highlighted how the county district attorney's (DA) office brings its team directly to the organization's office, making it easier for survivors to seek help without traveling to a courthouse or downtown government building. Because the community-based organization is already a trusted resource, its partnership with the DA's office helps establish the DA as a credible ally, which can be particularly important given that government agencies are often viewed with skepticism or fear in many immigrant communities. This approach not only builds trust but reduces logistical and psychological barriers to accessing legal support.

2. Direct referrals: Other organizations noted that law enforcement officers distribute handouts listing culturally specific agencies for survivors so that they know exactly whom to call. Providing survivors with a direct number and organization rather than a generic hotline can increase the likelihood that survivors will access appropriate services.

3. Safety planning beyond the CPO: Many survivors, particularly AAPI survivors, often require tangible support such as housing, employment assistance, and counseling to achieve both short- and long-term safety. The risk of retaliatory actions by the abusive partner, such as those described above, reinforces the need for proactive, trauma-informed safety planning that considers potential legal, cultural and transnational repercussions survivors may face after seeking a CPO.

Finding 2: Translation and interpretation services remain inconsistent

AAPI survivors often encounter significant barriers to accessing civil protection orders because of inadequate or inconsistent language support. Courts in some jurisdictions rely on telephonic interpreters, which prevents interpreters from observing important nonverbal cues from survivors and may affect the quality of interpretation. In other jurisdictions, there were reports that qualified interpreters were unavailable for certain languages or dialects. Participants reported that some survivors are being forced to pay for their own interpreters as a result.⁴

The lack of interpreter resources leaves survivors vulnerable to signing documents, listening to court proceedings, or testifying about their experiences, without fully comprehending the content or having their statements accurately interpreted. These gaps can erode trust in the legal system, delay court proceedings and leave survivors feeling unheard and misunderstood. Inadequate interpretation and translation may even result in appeals or retrials, which could retraumatize survivors and place additional strains on an already overburdened court system.

Instead of addressing this issue head on, some courts have reportedly placed an undue and heavy reliance on bilingual advocates -- who are not court employees and whose primary role is to support survivors, not to serve as neutral language interpreters. Putting bilingual advocates in this position can compromise both the quality of interpretation and the advocate's ability to fully support the survivor.

Recommendations for Finding 2:

1. Consistent use of qualified interpreters: Courts must ensure that survivors have access to certified or professionally trained interpreters who are fluent in their specific dialect and have received training in domestic violence dynamics. Free interpretation in court proceedings is a legal right rather than a privilege.

2. Translated legal forms and materials: To improve survivor's comprehension of the legal proceedings, both system actors and community-based professionals should work towards providing CPO forms, instructions, and other documents in commonly spoken languages beyond English.

Finding 3: Cultural stigma and family/community pressures are cultural realities that victims navigate

Many AAPI survivors come from collectivist cultures that place a strong emphasis on familial reputation. They may face disapproval or pressure from their family or the larger community who often discourage legal involvement and view domestic violence as a private matter unsuitable for public intervention. Participants reported that, in some cases, parents of underage survivors refused to assist in filing CPOs out of fear for the family's standing or perceptions of "honor on the family's name."

In some communities, there may be culturally preferred methods for dealing with family conflicts or harm resolution, such as involving elders, clan leaders, or faith leaders as mediators or arbiters. These practices can create additional expectations, such as prioritizing family unity or preserving the family's reputation over the survivor's individual safety or autonomy. Survivors who seek solutions outside of those norms might be stigmatized or ostracized. These dynamics can discourage survivors from seeking legal remedies, such as a CPO, especially if doing so risks alienation from their family or community.

Participants emphasized the importance of designating an advocate or trusted community liaison who shares the survivor's cultural or linguistic background. Such individuals are often better equipped to navigate familial or community pressures in a culturally responsive way, building trust and understanding that outsiders of the community may lack. Without these culturally informed interventions, survivors may remain in unsafe situations rather than seeking help.

Recommendations to Finding 3:

1. Designate Culturally Matched Advocates: Direct-service organizations serving Asian and Pacific Islander communities should strive to employ advocates who share their cultural or linguistic backgrounds. This approach can foster quicker trust-building and improve disclosure within the limited timeframe that organizations often must intervene and address the violence in the relationship or home.

2. Community Outreach and Engagement: Community and faith leaders should collaborate with system actors and community organizations in a coordinated community response to develop survivor-centered strategies that reduce stigma around seeking help. Educational sessions and open dialogues can demystify the CPO process and validate survivors' decisions to pursue safety. At the same time, advocates should be mindful when identifying partners, as some community or faith leaders may inadvertently perpetuate harm by siding with the abuser, prioritizing family unity over survivor safety or discouraging seeking help. Survivor trust and cultural nuance should guide these partnerships.

Finding 4: Myths and misconceptions can hinder survivors' willingness to petition for a CPO

AAPI survivors frequently cite concerns that civil protection orders will automatically trigger undesired outcomes such as deportation, job loss, or loss of child custody. Such fears stem from past experiences or community anecdotes and could be lacking a complete understanding of the legal context, which can discourage survivors from seeking protection based on potentially faulty or inaccurate information. One participant highlighted that some survivors assume pursuing a CPO automatically triggers criminal charges or loss of employment for the abuser, outcomes that many survivors hope to avoid.

Recommendations for Finding 4:

- 1. Plain-language translated FAQs:** Develop culturally tailored resources that use plain language to explain the purpose and limitations of a civil protection order, including myth-busting information that clearly distinguishes civil from criminal processes.
- 2. Info Sessions:** Host group sessions in community spaces or places of worship, to address misconceptions about the difference between civil and criminal proceedings, and the civil legal process in general.

Finding 5: CPOs can increase survivors' safety, yet critical gaps remain

According to the participants, most survivors feel safer once they have a CPO in place, particularly when they do not face immigration concerns or have significant financial dependence on the abuser. However, cultural norms and the limited availability of culturally specific batterer intervention programs (BIPs) can influence whether a CPO effectively prevents future violence. For example, some communities are unfamiliar with CPOs because they do not exist in the survivors' and abusers' country of origin. The abuser may not understand the meaning or parameters of the order. As a result, violations may occur almost immediately, not necessarily out of defiance, but out of lack of comprehension.

In addition to post-CPO challenges, survivors also face significant barriers during the application and court process itself. In some jurisdictions, survivors are required to show physical signs of abuse to qualify for a CPO, which may involve removing a hijab or other religious covering, causing distress to the survivor. Participants also noted that survivors often feel pressure to defer to judges or court staff, whom they view as authority figures. This deference can prevent them from asking questions, fully understanding the process, or asserting their needs. Together, these gaps, both procedural and post-CPO, can undermine the accessibility and effectiveness of CPOs for Asian and Pacific Islander survivors.

Recommendations for Finding 5:

1. Culturally Responsive Intervention and Facilitating Comprehension of Court Orders:

Courts should incorporate culturally and linguistically responsive batterer intervention programs (BIPs) into protection order relief provisions to ensure that abusers understand expectations and are held meaningfully accountable. In the absence of culturally specific BIPs, courts can partner with trusted faith and community leaders to support participation in traditional programs and help reinforce the legitimacy of the order.

To further support effective enforcement, courts should ensure that protection orders are read aloud to the parties involved—particularly the respondent—with the assistance of a certified interpreter. This reading should include all required notices and a clear explanation of the conduct that would constitute a violation of the order. Where feasible, key sections of the order, especially those related to firearm possession and removal, should be translated into commonly spoken languages within the jurisdiction. These measures are essential for improving comprehension, promoting compliance, and enhancing survivor safety.

2. Trauma-informed and Culturally Sensitive Court Procedures: Courts should implement trauma-informed practices that respect survivors' cultural and religious identities. This can include offering private accommodations for those observing religious dress, using plain language during hearings, and training court personnel to create an environment where survivors feel respected, heard and empowered to participate fully in the process. These adjustments can reduce barriers for survivors and improve their engagement with the CPO process.

Endnotes

1 The communities and languages represented through these sessions included:

South Asian communities from Bangladesh, India, Bhutan and/or communities with languages including Bengali, Gujarati, Hindi, Kannada, Malayalam, Marathi, Marwari, Punjabi, Sindhi, Tamil, Telugu, and Urdu. East and Southeast Asian communities, with languages including Cantonese, Mandarin, Japanese, Korean, Indonesian, Nepali, Malay, Laotian, Vietnamese, and Thai.

Burmese communities, including Karen, Burmese, Chin, Karenni, and Rakhine.

Additional communities from various Pacific Islander populations.

2 In qualitative studies, sample sizes are typically smaller. It is also more flexible. Saturation is the guiding principle for sample size in qualitative research. This concept was developed in 1967 as part of Glaser and Strauss's work on grounded theory. Saturation determines that the data collected has captured the diversity, depth and nuances of the issues being studied. Content determines validity. The sample size has to be appropriate for the research question and the research has to address the reason for the sample size. Sample sizes vary from 6-10 participants for interviews to 2-4 for focus groups and approximately 30 for in depth interviews. Hennink, M and B.N. Kaiser. 2022. Sample sizes for saturation in qualitative research: A systematic review of empirical test. Vol 292, January 2022 <https://doi.org/10.1016/j.socscimed.2021.114523>; Glaser, B and A. Strauss. 1967. The Discovery of Grounded Theory: Strategies for Qualitative Research. Chicago, IL: Aldine.

3 All findings and recommendations are based on the insights shared by listening session participants and informed by the expertise of NCPOFFC and API-GBV.

4 Requiring individuals with limited English proficiency to pay for their own interpreters is a violation of Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d et seq.

For more information, visit www.fullfaithandcredit.org, contact the NCPOFFC at ncffc@bwjp.org or call 1.800.903.0111, prompt 2.

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