



# Equal Justice Foundation

www.ejfi.org

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Domestic violence against men — www.dvmen.org

## Court Watcher and Child Protective Service Evaluation Form

Date of trial or hearing: 11/14/2002 Continuation 1/9/07

### Court information

Case Number: 06M002561 (usually available on courtroom door or on posted docket)

Case Name: People v. Robert Alvarez

Trial or hearing held by Magistrate/Judge/Commissioner/Special Master (circle only one):

Their name: Barney Suppa Sex: Male Female

Location of courthouse: El Paso County

Room/Department: 3035

County: El Paso State: CO

Circle all the issues that apply to this case:

- Divorce
- Child Custody  Revocation of Probation
- Child abuse and/or child protection services
- Other (please specify): \_\_\_\_\_
- Spousal support
- Protection Order  isolation
- Sexual assault or related
- Visitation
- Domestic Violence
- Attorney's Fees

### Case information

1. Were you denied admittance into the courtroom?

Yes \_\_\_\_\_ No

If Yes, what was the given justification, if any?

2. Were all parties and their attorneys (if applicable) present in court?

Yes  No \_\_\_\_\_

2a. If no, who was not present (check all who were absent)?

Defendant/Petitioner's attorney \_\_\_\_\_ Defendant/Petitioner \_\_\_\_\_ Sex Male Female  
 Prosecution/Respondent's attorney \_\_\_\_\_ Accuser/Respondent \_\_\_\_\_ Sex Male Female  
 Guardian Ad Litem \_\_\_\_\_ C.P.S worker \_\_\_\_\_ Other \_\_\_\_\_

What reasons were given for any parties to not be present?

2b. Was the hearing or trial delayed or continued?

Yes  No

Was the right to a speedy trial an issue if delayed or continued?

Yes \_\_\_\_\_ No

Robert Fisher  
Atty

Fisher did not show for PPD hearing so order was made permanent.

If Yes to 2b what reason was given for the delay or continuance?

3. Did either party attempt to speak to the Magistrate/Judge/Commissioner/Special Master and was denied?

Yes \_\_\_\_\_ No

3a. If yes, who was denied?

Defendant/Petitioner's attorney \_\_\_\_\_ Defendant/Petitioner \_\_\_\_\_ Sex Male Female

Prosecution/Respondent's attorney \_\_\_\_\_ Accuser/Respondent \_\_\_\_\_ Sex Male Female

If Yes to either, what was the given justification, if any?

4. Did either party offer evidence that the Magistrate/Judge/Commissioner/Special Master refused to admit?

Yes \_\_\_\_\_ No \_\_\_\_\_ Did not offer evidence \_\_\_\_\_

4a. If yes, which side was refused?

Defendant/Petitioner's attorney \_\_\_\_\_ Defendant/Petitioner \_\_\_\_\_ Sex Male Female

Prosecution/Respondent's attorney \_\_\_\_\_ Accuser/Respondent \_\_\_\_\_ Sex Male Female

If Yes to either, what was the given justification, if any?

5. Were there any meetings in the magistrate's/judge's/commissioner/special master's chambers off the record?

Yes \_\_\_\_\_ No

If Yes to 5, what was the given justification, if any?

5a. If yes to 5, were ALL parties and their attorneys invited into that meeting?

Yes \_\_\_\_\_ No \_\_\_\_\_ N/A \_\_\_\_\_

5b. If no to 5a, who was not invited into the chambers (check all that apply)?

Defendant/Petitioner's attorney \_\_\_\_\_ Defendant/Petitioner \_\_\_\_\_ Sex Male Female

Prosecution/Respondent's attorney \_\_\_\_\_ Accuser/Respondent \_\_\_\_\_ Sex Male Female

Guardian Ad Litem \_\_\_\_\_ C.P.S worker \_\_\_\_\_ Other \_\_\_\_\_

If No to 5a, what was the given justification, if any?

6. Did either party attempt to introduce testimony from a witness or other evidence and was refused?

Yes \_\_\_\_\_ No  Did not attempt \_\_\_\_\_

6a. If yes, which side was refused?

Defendant/Petitioner's attorney \_\_\_\_\_ Defendant/Petitioner \_\_\_\_\_ Sex Male Female

Prosecution/Respondent's attorney \_\_\_\_\_ Accuser/Respondent \_\_\_\_\_ Sex Male Female



If Yes to 6a, what was the given justification, if any?

\_\_\_\_\_

What evidence or testimony was refused?

\_\_\_\_\_

7. Was either party denied the opportunity to cross-examine a witness?

Yes \_\_\_\_\_ No  Did not attempt \_\_\_\_\_

7a. If yes, which side was denied?

Defendant/Petitioner's attorney \_\_\_\_\_ Defendant/Petitioner \_\_\_\_\_ Sex Male Female  
Prosecution/Respondent's attorney \_\_\_\_\_ Accuser/Respondent \_\_\_\_\_ Sex Male Female

If Yes to 7a, what was the given justification, if any?

\_\_\_\_\_

8. Did the magistrate/judge/commissioner/special master appear to show favoritism or undue familiarity with or toward any of the parties?

Yes \_\_\_\_\_ No \_\_\_\_\_

8a. If yes, toward which party (check all that apply)?

Defendant/Petitioner's attorney \_\_\_\_\_ Defendant/Petitioner \_\_\_\_\_ Sex Male Female  
Prosecution/Respondent's attorney \_\_\_\_\_ Accuser/Respondent \_\_\_\_\_ Sex Male Female  
Guardian Ad Litem \_\_\_\_\_ C.P.S worker \_\_\_\_\_ Other \_\_\_\_\_

In what ways was favoritism or undue familiarity, e.g. use of first names, shown?

\_\_\_\_\_

9. Did the magistrate/judge/commissioner/special master appear to show prejudice or discriminate against one of the parties or their counsel?

Yes  No \_\_\_\_\_

9a. If yes, against which party?

Defendant/Petitioner's attorney \_\_\_\_\_ Defendant/Petitioner \_\_\_\_\_ Sex Male Female  
Prosecution/Respondent's attorney \_\_\_\_\_ Accuser/Respondent \_\_\_\_\_ Sex Male Female

In what ways was prejudice or discrimination shown?

*Jan Bien DV provider not allowed to testify on her opinion as to Alvarez's progress. Deps were summoned at beginning of 2<sup>nd</sup> hearing. Arrest & conviction were pre-judged.*

10. Were any unusual or other comments of interest made by the magistrate/judge/commissioner/special master?

*DV provider did not feel Alvarez was making progress.*

*Prosecution not asked to question witnesses. Judge told witnesses to step down w/o cross examination*

11. What was your overall opinion of the magistrate/judge/commissioner/special agent's performance in court.

Destructive of Alvarez, his children, and occupation.

1 year in jail - 2 counts - serve concurrently

12. Any additional comments or supplemental information?

Jan Bier + ADHD - Alvarez BS  
DV Treatment provider

Therapeutic benefit to jail

Jail would make Alvarez more resistive

Only 10 meetings with Alvarez at 1<sup>st</sup> hearing

Bier apparently resents any refutation of her opinions

Juppa continued hearing for 6 weeks with consideration continued to January 9<sup>th</sup> 1500

January 9, 2007 Juppa hostile to defense attorney 8 sessions 14 group 4 individual - 2<sup>nd</sup> hearing no absences

Jennifer Bier - DV treatment provider  
Required Alvarez to read Dworkin

Juppa reclined with eyes closed during defense presentation but was apparently aware of proceedings.

Watcher's Contact Information

Printed Name: Charles Cory Date: 11/14/06

Mailing address (business, or other address, and this information will be kept confidential):  
EJF

Phone Number: (714) 520-1089

E-mail address (optional) ccory@ejfi.org

Signed name: \_\_\_\_\_