

Lessons Learned: Community Engagement



“It takes ongoing persistent persuasion to bring people and move them forward. You’ve got to stick to it. You can’t give up, because people’s lives depend on it. As long as you stick with it, things will change.”¹

The Family Court Enhancement Project (FCEP), an initiative funded by the U. S. Department of Justice, Office on Violence Against Women (OVW), is a multi-year demonstration project designed to build the capacity of court systems and partner stakeholders to improve child custody decision-making in cases involving domestic violence. In 2013, four project sites began to assess and strengthen their responses to domestic violence in custody and child-related relief cases: Cook County, Illinois (Chicago); the State of Delaware (all three counties); Hennepin County, Minnesota (Minneapolis); and Multnomah County, Oregon (Portland).

The FCEP enabled the project sites to explore, implement, and assess new and innovative court and non-court procedures and practices designed to improve custody and parenting time decision-making and overcome existing barriers identified during the assessment phase of the project.

From the beginning of the Family Court Enhancement Project (FCEP), the National Partners and community based stakeholders alike understood their work to include documenting, reflecting, and sharing the ideas, innovations, and lessons generated by their FCEP work. Over the course of the project, each of the pilot courts designed and implemented strategic approaches to improving custody outcomes for domestic violence victims and their children.²

In collaboration with the FCEP sites, the National Partners (Battered Women's Justice Project, the National Council of Juvenile and Family Court Judges, and the Center for Court Innovation) articulated the Values and Guiding Principles underlying the FCEP work.³ Community engagement is woven through each of those values and occurred at all four sites, though it was often implemented in ways unique to each site’s community and needs. This document provides an overview and links to resources for projects addressing family courts’ use of community engagement as part of their response to domestic violence and child custody and focuses on the importance of engagement and the considerations court teams may use to ensure the community informs their work and is committed to their success. Many of the resources mentioned in this document can be found at the FCEP website <http://familycourtenhancementproject.org/>

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1. Interview with Judge Susan B. Carbon conducted by NCJFCJ staff at the NCJFCJ Annual Conference, Orlando, Florida, July 29, 2019.
 2. A list of the pilot courts’ activities and the resources developed, along with descriptions as well as materials and tools can be found at <http://familycourtenhancementproject.org/resources/>
 3. View the values and guiding principles for the FCEP’s pilot courts at <http://familycourtenhancementproject.org/values> and <http://familycourtenhancementproject.org/guiding-principles/>.
 4. Interview with Judge Janice Rosa conducted by NCJFCJ staff at the NCJFCJ Annual Conference, Orlando Florida, July 29, 2019.
 5. Considerations for Family Courts’ Response to Domestic Violence, Family Court Enhancement Project, available at http://familycourtenhancementproject.org/wp-content/uploads/2019/07/NCJFCJ-FCEP_Considerations-doc.pdf.
 6. See supra note 1.
 7. Interview with Justice Anne McKeig conducted by NCJFCJ staff at the NCJFCJ Annual Conference, Orlando, Florida, July 29, 2019.
 8. Multnomah County Site Profile, available at <http://familycourtenhancementproject.org/wp-content/uploads/2016/06/profile-multnoma-county.pdf>.

Frequently Asked Questions

“We learned really quickly, from some of the work that our sites did, what litigants really needed.”⁴

Why should courts and judges engage with the community?

Community outreach and engagement can inform and improve court responses to the community; it can also enhance the community’s understanding of and support for the court (and judicial officers). Judicial leadership in community outreach and education regarding family court processes is an effective strategy for enhancing safety and well-being for victims and their families who seek relief from the court.⁵ Judge Janice Rosa (Retired, Buffalo NY) who worked with judicial officers at each of the four sites, describes community outreach as a way to learn what litigants really need as opposed to what court systems *think* those litigants need.⁶ Justice Anne McKeig (Minnesota), who served previously as a family court judge at the Hennepin County pilot site, described learning from public listening sessions about the ways in which domestic violence victims’ lack of understanding of court functions and processes prevented them from seeking help and as a consequence prevented the court from helping them.⁷

To whom should courts reach out?

There is no one definition of “community” and each of the FCEP’s pilot sites reached out to and engaged with different groups that interact with the courts, including groups defined by their ethnicity, culture, and profession (such as victim advocates). Multnomah County used focus groups, interviews, and surveys with survivors, family law attorneys, custody evaluators, and other court users in order to learn about a range of experiences with the family court, with families impacted by domestic violence, and with perceptions of the court’s functions and fairness.⁸ Hennepin County held “listening sessions” within the local community both generally and with underserved populations within that community in order to create a public forum for community members to describe their experiences directly to judges and offer their ideas for improvement of court response.⁹ Delaware held what it called “affinity group conversations,” which included various court professionals as well as survivors and a range of questions designed to help determine where changes were most needed and how best to improve the court’s handling of child custody cases involving domestic violence.¹⁰ It also conducted “court walk-throughs” in which judges engaged with their court system in the shoes of litigants in order to learn how families perceived court processes.¹¹ Cook County convened focus group conversations, in English and in Spanish, with victim-parents who had obtained a civil protection order from the court and those who did not seek an order.¹² The information was shared with judges and other stakeholders involved in planning and implementing project activities.

9. See e.g., Native Listening Session Report – 9.29.2017 (2017), Minnesota Judicial Branch, Fourth Judicial District, 2, available at http://familycourtenhancementproject.org/wp-content/uploads/2016/07/9.28.17_Report_Native-Community-Judicial-Listening-Session-Report.pdf. For more information about Hennepin County’s and other sites’ listening sessions see FCEP Lessons Learned: Listening Sessions. For more information about reaching out to underserved communities see FCEP Lessons Learned: Engagement with the Native American Community. Hennepin County’s Fourth Judicial District Family Court also serves as a “mentor court” and additional information on their programs, including their community stakeholders, can be found at <https://www.courtinnovation.org/sites/default/files/media/documents/2018-07/hennepin.pdf>.

10. For information on Delaware’s activities and the products it developed, see <http://familycourtenhancementproject.org/delaware/comprehensive-data-collection/>.

11. Id.

12. See <http://familycourtenhancementproject.org/wp-content/uploads/2016/06/profile-cook-county.pdf>.

13. See supra note 6.

14. Id.

15. See supra note 8.

16. For more information on Cook County’s products and tools for helping self-represented litigants, see <http://familycourtenhancementproject.org/wp-content/uploads/2016/08/Help-Desk-Personnel.pdf>.

How can “conversations” with the community be started and/or sustained?

As with a courts’ definition of community, strategies for starting and sustaining engagement with communities is dependent on each court’s characteristics and needs, its priorities for systems change, and its strategies for enhanced decision-making and outcomes.¹³ Courts increase access to justice by developing and implementing tools, strategies, and guidance to assess and meaningfully respond to litigants’, professional stakeholders’, and the public’s perceptions of the custody process, including regarding procedural justice.¹⁴ Those resources can assist with starting and sustaining community engagement efforts. Multnomah County used focus groups and interviews with survivors about their experiences with family court as part of their outreach strategy, conducting additional recruitment for interviewees to ensure they were speaking with a diverse population. Justice McKeig describes starting community outreach in Hennepin County as going out and meeting with community members within their community, including reaching out to offenders at local batterers’ intervention groups and meeting with victims (and their advocates) at local victim advocacy centers.¹⁵ Cook County sustains its contact with community in part through a self-help desk that includes a constant presence to greet and direct individuals seeking assistance, both in English and Spanish.¹⁶

“Understand that you just have to imagine a different future and anything ... that is put in the way as a stopper, you have to just say that can’t be the stopper, how can we get around that? And then invite people to use their imaginations about what it might look like.”¹⁷

What are the strategies FCEP sites use to educate/learn from their communities?

All of the project sites engaged in a similar process to better understand their unique challenges and shared priorities and to implement strategies to address those challenges. Multnomah County’s strategy was to seek information from certain stakeholders through the use of flyers, focus groups, and interviews.¹⁸

They sought help in identifying participants from local partners, including local domestic violence advocacy groups and professional associations such as the state and local bar associations. The Court learned through this process that survivors lacked the information they needed to make informed choices as well as the support they needed to secure services and legal relief. It designed and implemented a strategy to educate and inform survivors as well as provide support through the process that includes the creation of a court ‘navigator’ position, guidance for judges in communicating with litigants, and self-help documents to educate litigants on court processes.¹⁹ To learn more about litigants’ needs, the help they received, and the outcome of their civil protection order cases, Cook County implemented an “alert card” system in which petitioners at the court’s intake center received the card if they indicated a need for child-related relief.²⁰ The alert card traveled with the petitioner through the process to indicate to service providers and agencies within the court that further exploration of the issue was warranted.

17. Interview with Judge Katherine Tennyson conducted by NCJFCJ staff at the NCJFCJ Annual Conference, Orlando, Florida, July 29, 2019.

18. See <http://familycourtenhancementproject.org/multnomah-county-or/data-collection-2/>.

19. See <http://familycourtenhancementproject.org/multnomah-county-or/help-for-self-represented-litigants/>.

20. See <http://familycourtenhancementproject.org/courts/cook-county-illinois/>.

What results did FCEP sites see from such engagement?

Justice McKeig describes the community listening sessions held by Hennepin County courts as critical to building trust and respect between the court and the communities it serves, and she credits the sessions with mending and sustaining a relationship with victim advocates.²¹ Delaware's court walk-throughs gave judges a litigant's-eye view of the court and led to a focus on improvements in accessibility, signage, demeanor, and transparency.²² In Cook County, the court and court-based agencies, including the State's Attorney's Office, legal services providers, and victim advocacy organizations, learned about the extent to which victims needed child-related relief in the civil protection order context and whether they were obtaining such relief. By increasing communication, awareness, knowledge and access, the courts created processes that allow for assessing, on an ongoing basis, whether existing court processes, forms, and practices in custody cases are necessary, are understood by the community, and that the courts' perception of its services match the services actually provided.

Readers should keep in mind that this document highlights examples that were tailored to each community's particular characteristics and needs, and the goals of policy priority areas may be met through different strategies not described in this document.

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