

How Can Judicial Leadership Make a Difference for Victims?

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Judicial leadership is not a new concept. It has been almost nine years since the National Council of Juvenile and Family Court Judges (NCJFCJ) adopted the resolution, **Regarding Judicial Leadership in the Juvenile and Family Courts**, but its message rings just as true today. Juvenile and family court judges are charged with administering justice for victims and with that comes a calling to do more than just hear evidence, weigh facts, apply the law and issue rulings in individual cases. We all know that a judge doesn't have to hear many individual cases to see the common challenges that seem to arise time and again. It can be extremely frustrating when judges want to make the right decisions to support victims, but instead hit roadblocks such as a lack of available services. This is the point at which juvenile and family court judges face the true challenge of judicial service – a judge can either pretend that systemic issues are beyond their control, or they can look at the big picture and answer the call of judicial leadership.

Here are five tips for judicial leadership and how it can make a difference for victims:

- (1) **Become more “Data-Driven”** – We've all heard the adage that, “Unless you know where you are you can't know where you're going.” Judges should work to improve their data-collection capabilities and analyze this data with an eye for how well the system is serving victims. There is no limit to the questions you can ask. For example: How many children in your jurisdiction are placed with relatives? On average, how much time do child victims spend in non-relative placements? Are the placements close enough to enable visits with parents or relatives, when appropriate? What can your data tell you about the legal case outcomes? If you ask these questions and are not satisfied with the answers, you know where you need to spend some time and energy to try to make a difference.
- (2) **Embrace “Trauma-Informed Thinking”** – When judges consciously spend time learning about trauma and considering the court process through a trauma-informed lens, they are better able to stand in the shoes of victims. A judge who focuses on making the court process less traumatic for victims can help foster an atmosphere of healing and can inspire others to do the same in their practice.
- (3) **Make “Collaboration” a New Way of Doing Business** – Judicial leaders understand that collaboration with social services, agency attorneys, attorneys for parents and children, CASA advocates and others can promote a “problem solving atmosphere” and result in better service to children and families. Many of these key individuals probably

already spend a great deal of time in your courtroom – why not invite them to sit down and talk about systemic issues on a monthly basis? Collaboration should also extend beyond the core group of individuals who routinely appear in your courtroom. Judges should build and maintain problem-solving relationships with school authorities, community service providers, law enforcement officials, legislators, and others. These collaborative relationships will enable courts to better serve children and families.

(4) **Give “Evidence-Based Practices” a Try** – A fundamental tenant of judicial leadership is having the courage to try doing things differently. It’s not enough, though, for judges to act on unsubstantiated hunches or dedicate ourselves to our own pet projects. In using our resources most judiciously to serve victims as best we can, we should look to scientific research and clinical expertise to identify the most promising practices for our court. Evidence-based practices are usually substantiated by clinically relevant research. If you can’t find much of this in an area of interest, consider partnering with a university or interested research institution to develop and implement a pilot project with a research and reporting component.

(5) **Encourage the Development of Needed Community Services and Resources** – Because of their experience on the bench, judicial leaders have a unique perspective on the needs of victims. When judicial leaders identify what appears to be a pervasive service challenge or community need, they should bring it to the attention of collaborative partners and others in the community and work with them to consider the problem and potential solutions. In my court, we have issued letters to the community identifying a need for such things as transportation resources and parent education services. Judges should use any tools available to them, including the media when necessary.

Since the first entry of the **NCJFCJ’s Victim Series** was released, the NCJFCJ has passed two landmark resolutions that address the needs of victims within our justice system: one that supports a policy to stop the presumptive **shackling of children in juvenile court**; and the other, urging **juvenile and family courts to be more trauma-informed**.

Judicial leadership takes courage and a lot of extra time and effort off the bench, but it can make a world of difference to the children and families we serve.