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**IDVAAC Courts Webinar: Cultural Responsiveness
& Cultural Competence In The Courts**

Thursday - July 11, 2013

11:30AM-1:00PM Central / 12:30-2:00PM Eastern

Cultural Responsiveness in the Court



Dr. Oliver J. Williams, Professor of Social Work
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Community

Oliver J. Williams, Ph.D., Executive Co-Director of the Institute on Domestic Violence in the African American Community, and a Professor in the School of Social Work at the University of Minnesota, in St. Paul. He is also the Director of the Safe Return Initiative that addresses the issues of prisoner reentry and domestic violence. He has worked in the field of domestic violence for more than thirty years. Dr. Williams has been a clinical practitioner; working in mental health, substance abuse, child welfare, sexual assault, and domestic violence. He has worked in battered women's shelters, developed curricula for batterers' intervention programs and facilitated counseling groups in these programs. He has provided training across the United States and abroad on research and service-delivery surrounding partner abuse. He has been appointed to National Advisory Committees and task forces for the Center for Disease Control, US Department of Justice, US Office on Women's Health, and the US Department of Education. He has been a board member of various domestic violence and human service organization including shelter programs and National Domestic violence Hotline. In 2000, he was appointed to the National Advisory Council on Domestic Violence by the US Secretary of Health and Human Services and US Attorney General. In 2009 participated in a Roundtable with the US Attorney General on issues related to fatherhood and domestic violence and participated in a Whitehouse Roundtable on Fatherhood and issues related to Domestic Violence. He has conducted training for the US Military Family Advocacy programs both in the United States and Abroad. Dr. Williams' extensive research and publications in scholarly journals and books have centered on creating service delivery strategies to reduce violent behavior. Dr. Williams received a bachelor's degree in social work from Michigan State University; a Masters in Social Work from Western Michigan University; a Masters in Public Health and a PH.D in Social Work both from the University of Pittsburgh.

The issue of Cultural Competence

United Nations report spoke about the issue of cultural responsiveness in court rooms across the country associated with diverse battered women. They noted several issue that need to be address but among them was training o judge an court sta around th issu the needs of these diverse population. We began to examine these issue through interviews wit African American and Latina battered women and also a group of diverse judges that had domestic violence courts . Dr. Shonda Craft and Dr. Esther Jenkins will report on the findings that will offer guidance about the issue of cultural responsiveness, training an th courts

Battered Women's Experiences of Cultural Competence in the Court System: What African American and Latina Women Have to Say

Shonda M. Craft, Ph.D., LMFT
University of Minnesota



Shonda M. Craft, PhD, LMFT is an Assistant Professor in the Department of Family Social Science at the University of Minnesota. Dr. Craft completed her doctoral degree in the Couple and Family Therapy program at The Ohio State University in 2006. Her clinical and research interests include health inequity, particularly in the areas of sexual health and family violence, and marginalized family systems. She has co-authored several scientific publications regarding men and women with HIV, on topics such as pregnancy decisions, sexual behaviors, and intimate partner violence. She is a member of the editorial board for the *Journal of Couple and Relational Therapy* and holds professional memberships in the American Association for Marriage and Family Therapy (AAMFT) and the National Council on Family Relations (NCFR). She is a Licensed Marriage and Family Therapist in Minnesota, and an AAMFT Approved Supervisor.

Background

- * Intimate partner violence (IPV) has been described as activities between two people in a close relationship that cause physical, sexual, or psychological harm (Salzmann, McMahon, & Shelley, 2002).
- * The duration of these activities may vary from a single incident to more continuous battering.

Background

- * Tjaden and Thoennes (2000) estimated that 1.3 million women are physically assaulted by an intimate partner annually.
- * An interesting finding of the Tjaden and Thoennes (2000) study was that, in general, there were no significant differences in the prevalence of IPV between White women and non-White women; lifetime prevalence rates ranged from 51 to 54%.

Background: Racial group differences

- * However, when racial minorities were examined separately, much higher rates were found among American Indian/Alaska Native women (61.4%) than African American (52.1%) or White (51.3%) women.

Background: Racial group differences

Although these findings suggest that there are racial differences in the prevalence of IPV between racial minorities and White women, it is important to consider the salient contextual factors which may impact how women respond to victimization and perceive options for recovery and resilience.

Background: Racial group differences

- * and/or ethnic minority groups engage with the criminal and civil court systems.
- * “[S]tereotypes of women of color, lack of trust of outsiders and public officials, and fear of reporting due to the potential for discriminatory treatment and further violence are all reasons that women of color have given for why services should be culturally grounded...” (Bent-Goodley, 2009, p. 263)

What is cultural competence?

- * Cultural competence is a concept with that was introduced by Cross and colleagues (1989).
- * In general, this concept refers to **values, behaviors, attitudes, and policies that allow organizations and service providers to effectively bridge across and within cultural differences.**

What is cultural competence?

Cultural competence is thought to be achieved not only through an examination of perceived differences, but also in delineating a process for respecting differences and recognizing the value that difference may represent in a larger structure.

Research gaps

While many levels of organizational structures have placed an increased emphasis on cultural competence, there is a paucity of research that has specifically examined how these efforts actually impact consumers or recipients of services.

Service gaps

Seeking assistance can be an intimidating, confusing, and time-consuming process, so it is important for women to feel that 'the system' is on their side.

- * Thus, court systems need to be able to recognize and respond to the myriad differences among battered women, particularly those with a racial or ethnic minority background.

Women of Color and the Legal System

Durfee and Messing (2012) found that 32% of women eligible to obtain a protection order (PO) had actually ever had a PO; less than half of these women had a current order.

- * The likelihood of having a PO currently in place increased with income and education, the presence of children, and when the perpetrator was a former spouse.
- * African Americans were found to be 33% less likely to obtain a PO than White women.

Women's satisfaction with courts

Several researchers (Bell, Perez, Goodman & Dutton, 2011; Fleury, 2002; Fleury-Steiner, Bybee, Sullivan, Belknap, & Melton, 2006; Hare, 2010, Rhodes, Dichter, Kothari, Marcus, & Cerulli, 2011) have found that female victims of IPV are generally satisfied with their treatment in the court system.

Women's satisfaction with courts

However, some racial differences have also been observed in criminal court interactions.

- * Fleury (2002): women of color were significantly less likely than White women to report being satisfied with the outcome of their cases.
- * Hare (2010): 5.6% of women who were opposed to going to trial cited perceptions of racism or victim-blaming from court officials as a contributing factor.

Gap in current research

To date there has been little research to examine the specific features of how courts can provide a more culturally competent atmosphere.

- * Most research regarding the experiences of women of color has been comparative in nature, which may obscure important cultural factors that play a role in women's perceptions and actual experiences.

Purpose of the current study

- * The intent of this study was to quantitatively examine the court experiences of African American and Latina women who have experienced intimate partner violence.

Characteristics of the sample

Women for this project were recruited from domestic violence shelters in two Midwestern cities.

- * The sample included African American (n=5) and Latina women (n=8) between the ages of 21 and 59 who had used the court system and not lived within the shelter for the past year. No other specific demographic information was collected for the safety of the participants.

Themes from the African American focus group

How do you define cultural competence or cultural responsiveness and what does that look like?

- * In discussing culture, some women discussed it as the overarching factor, while others talked about place of residence, values, and customs as being most definitive of culture.
- * Definitions of competence were brief, and included ideas such as self-esteem, education about one's race, and possessing racial pride.

How do you define cultural competence or cultural responsiveness and what does that look like?

- * *...I don't think culture has anything to do with race per se, I think it's where you live. Cause I can be somewhere with and live around a group of Caucasian people and that be my culture because that's where I live. You what I'm saying? So I don't know, I don't think it has anything to do with race. It has to do with where you live and how you live, and what you believe, and like that."*

Did you ever have a case dealing with domestic violence where you were in front of a judge?

. our of the five women had been in court to obtain a personal protection order (PPO) against either an ex-husband or a current boyfriend.

- * Another commonality among the women was their experiences of feeling confused by the court processes, and unsure if the PPO would ensure them the safety that they needed.

Did you ever have a case dealing with domestic violence where you were in front of a judge?

Gia: “I was in a relationship for about seven years with a guy and, he came over my house one day after we had broke up, and um, he wouldn’t leave. He was threatening to kill me, and um, police had to come, they had to arrest him. And I had to go down to the domestic violence place, I don’t even know where it’s at – it was so all so confusing to me, because I didn’t understand. But had to go down there and had to, you know, not press charges or whatever, cause I know, you know, he be scared I was scared, and I told them not to press charges.”

Did you ever have a case dealing with domestic violence where you were in front of a judge?

... few of the women reported feeling sorry for the perpetrator, and refused to press charges against him because of how that would impact his life, their lives, or their children's lives.

Have you ever been in a courtroom addressing domestic violence where you believe the judge was not helpful to you because of your race or culture?

None of the women reported feeling as if their race or culture was a barrier in their domestic violence cases when working with judges.

Have you ever been in a courtroom addressing domestic violence where you believe the judge was not helpful to you because of your race or culture?

Autumn: "I don't think culture played a factor. Um, I think that when you're sincere and you're telling a story it comes out, and if you are a judge that takes heart in what you're doing, you can tell. And I'm not saying that every judge does that, but I think I was lucky enough to have a judge, who, did (laughs)... she was trying to make sure that the protection that, um, I needed I received."

Have you ever been in a courtroom when you felt like the court staff was not helpful to you because of your race or culture?

Nearly all of the women talked about negative experiences with court staff. Interestingly, race and culture were not identified as the culprit in these interactions.

- * The women felt that court reporters and administrative staff were overwhelmed with their jobs. The result was that women felt as if they were unimportant, that their situation was mundane and did not warrant any feelings of warmth or positive regard from the staff.

What do you believe makes some judges more culturally competent than others? What do you believe would help a judge be more responsive to race or culture in domestic violence cases?

There was a consensus among the women that judges who take the time to educate themselves about the lives and experiences of diverse people so they can make more informed decisions in the court tend to be more culturally competent.

- * The women suggested that judges who take the time to interact with people within their own community will have a deeper knowledge and understanding of people with a race or culture which is different from their own.

What do you believe makes some judges more culturally competent than others? What do you believe would help a judge be more responsive to race or culture in domestic violence cases?

Autumn: "...it would be wonderful if they would get more involved; I'm not saying that all of them are not, because some of them are. Um, but, yes, they should have, they should dedicate more time to the community and be more active when it comes to, uh, especially the cases that they see every day. So if you're, if you're doing domestic violence or PPO, if you sit and do PPOs all day, why, why so many? Find out and help and get more involved in the community."

What do you believe would help the court staff to be more responsive to your race or culture in domestic violence cases?

The women suggested that court staff receive more training about domestic violence in order to develop more empathy and sensitivity for the situations of the women who are seeking the service of the court on a daily basis.

- * Most women discussed the need for the staff to look beyond the repetitiveness of their jobs and to see the people behind the paperwork.

What do you believe would help the court staff to be more responsive to your race or culture in domestic violence cases?

"...because, you don't know who's coming in to the court filing a PPO, you don't know who's in front of you. So you have to be trained to, and have that, I guess, instilled in yourself as well to treat everyone with, first, respect, as soon as they walk up to you. Not, um ok, I'm tired and this is the hundredth person today; you don't know who that hundredth person is."

What types of barriers might there be for an African American woman who's going through the court system going through a domestic violence case?

There were four prominent themes regarding barriers to engaging in the court system:

- * lack of education,
- * lack of access to legal resources,
- * lack of protection, and
- * the presence of children.

What types of barriers might there be for an African American woman who's going through the court system going through a domestic violence case?

African American women may lack the formal educational preparation needed to successfully navigate the complex court system.

- * Several of the women talked about having to rely on information gathered from friends and family, shelter staff, or law enforcement about what steps they should take and where they should go next.

What types of barriers might there be for an African American woman who's going through the court system going through a domestic violence case?

While having access to good legal counsel would be ideal, due to the financial and familial strains placed on women by the perpetrator, many women do not have the means to retain such representation.

- * Although some women reported receiving some legal assistance through the shelter **the supply of competent and affordable legal resources for women who have experienced domestic violence hardly matches the demand.**

What types of barriers might there be for an African American woman who's going through the court system going through a domestic violence case?

Carmen: *"That's a barrier too, not having the proper legal support that you need. Like I find it odd that you can have a, uh, a ticket, a traffic ticket, and when you go to court they have a public defender there for you to beat the ticket. But when you go for domestic violence, there's no public defender there.... But you're hoping that once you are in contact with legal aid they're able to take your case cause they're so overwhelmed with case already."*

What types of barriers might there be for an African American woman who's going through the court system going through a domestic violence case?

All of the women shared the perception that **survivors' safety does not seem to be important to the courts. Physical safety before, during, and after court hearings was a major concern.**

- * While much of this concern centered on the enforceability of the PPO in public spaces, some women also experienced moments of intense fear while waiting for a court hearing.

What types of barriers might there be for an African American woman who's going through the court system going through a domestic violence case?

Carmen: “ was sittin’ in the hallway with him. I didn’t even see him, but he was, like, verbally attacking me. And, but, I’m like, I can’t believe he’s out here, with me and there’s no one out here and there’s no one out here, and I have a PPO, like, what if he gets up and strangles me?”

- * Autumn: “Yeah, it’s like the PPO doesn’t exist in that building.”

What types of barriers might there be for an African American woman who's going through the court system going through a domestic violence case?

Four of the five women in the group reported having children. While they often felt that judges were more sympathetic to their cases when children were involved, **all of the women also agreed that the court is not a proper place to bring the children.**

What types of barriers might there be for an African American woman who's going through the court system going through a domestic violence case?

Leslie: *"one time I did have my children with me. And as we were waiting in the uh, hallway, the court's, um, the security was like really rude for another courtroom. She was like "if you can't keep your children quiet out here, um, the judge say you need to leave". And then so I'm already under pressure, I'm there and confused, and that was like an easy was to say "let me just leave, that's my excuse, ooh, I can't, I ain't got nobody to watc m kids".*

What types of barriers might there be for an African American woman who's going through the court system going through a domestic violence case?

Several women also suggested that sharing children with the perpetrator not only hampered their ability to attend court hearings, but also posed other issues even after the domestic violence case has been resolved.

What types of barriers might there be for an African American woman who's going through the court system going through a domestic violence case?

...slie: "You don't wanna tell them why you in court or, um, or "daddy hit me", you know, cause you don't know how it's gonna happen, you don't know what's goin' through that little head and that mind, and then you don't want your child, ending, ending up in the same thing. Girl, my kids said, "but Mommy, he said he's sorry. Could you please let Daddy in? He said he's sorry". And I was like, oh my God, why should they even know?"

What kind of support do you need from the court?

The women in this group strongly suggested that courts need to attend to women's needs for emotional and physical wellness.

- * All of the women suggested that the court should provide escorts (e.g., volunteer bodybuilders or persons with permits to carry concealed weapons) for women while they are on court property and while they walk from the court to their cars.

What kind of support do you need from the court?

Leslie: “[i]n foster care they have parent support as you go through court. You know, they have parent partners. You never had a domestic partner, you know. And then, your pride, your self-esteem, you barely wanna tell you family he done knocked you out. You know what I’m sayin’? And then you don’t wanna tell your girlfriends, cause then your girlfriends gonna gossip about, you know, about you. It’s like you need a confidential support team, or either somebody, um, from the courts that can, uh, follow up, like, uh “are you okay, is everything going ok”.

Themes from the Latina focus group

How do you define cultural competence or cultural responsiveness and what does that look like?

The women in the group provided a comprehensive definition of culture, which included knowing where you come from, the traditions that are similar and different among people, and acknowledging one's ancestry.

- * The women also emphasized that Hispanic culture is heterogeneous, so it is important to recognize that regional differences do exist.

Did you ever have a case dealing with domestic violence where you were in front of a judge?

All of the women indicated that they had appeared in front of a judge for a domestic violence case. However, they did not provide any additional details about the purpose of those cases in response to this question; instead, they provided more depth about their experiences in when speakin about the context of their court experiences.

Have you ever been in a courtroom addressing domestic violence where you believe the judge was not helpful to you because of your race or culture?

All of the women reported an experience with some form of discrimination from a court judge which they attributed to their cultural background.

- * For this group, there was also a confluence with immigration status, and how perceived, or actual differences between the statuses of the woman and her partner explicitly influences the judges' decisions.

Have you ever been in a courtroom addressing domestic violence where you believe the judge was not helpful to you because of your race or culture?

Sara: "Now I'm in my divorce court, I'm waiting... this I mean destroyed my life. And it was because they didn't put much interest, I think because we were Latinos against Latinos."

Have you ever been in a courtroom addressing domestic violence where you believe the judge was not helpful to you because of your race or culture?

The women in this group also talked about needing to prove the impact of the violence to the judge, and how this was difficult because most of the damage was psychological or financial in nature.

Have you ever been in a courtroom when you felt like the court staff was not helpful to you because of your race or culture?

One woman reported feeling harassed by a clerk sitting in the courtroom, while another woman reported having an overall negative experience in the court that included the judge and the staff.

Have you ever been in a courtroom when you felt like the court staff was not helpful to you because of your race or culture?

...happened to me with one clerk, that is because there. He would look at me, as if with contempt, as if I was less than, as if I didn't have to be there. But I kept telling myself I have nothing to do with him. Or like, I was focused in what we were doing here. But he would look and look at me from top to bottom with rage. And I felt like, he was looking at me in a despicable way."

What do you believe makes some judges more culturally competent than others? What do you believe would help a judge be more responsive to race or culture in domestic violence cases?

...men emphasized exposure to other cultures as being key to developing cultural sensitivity.

- * Judges who are able to recognize and understand the similarities and the differences that exist among people from the same culture are likely to be regarded as being the most culturally competent.

What do you believe makes some judges more culturally competent than others? What do you believe would help a judge be more responsive to race or culture in domestic violence cases?

... addition, a judge who is in touch with his/her humanity is able to see past the race or gender of the person standing before them in the court, and be attuned to the experience, the compelling story instead.

What do you believe makes some judges more culturally competent than others? What do you believe would help a judge be more responsive to race or culture in domestic violence cases?

Unfortunately, as in everything, there are bad and good judges, right? But if there is and they don't need to be living with other cultures to understand because we are at the end we are all humans, we are hurting persons, persons that need their help and that is what they are there for."

What types of barriers might there be for a Latina woman who's going through the court system going through a domestic violence case?

Many of the women shared stories which delved deeper into the myriad layers of power differentials they had experienced not only in their abusive relationships but also in the court system.

- * **Specific barriers included the citizenship status of their spouses; the blending of religious values and beliefs with the opportunities afforded by living in the United States; lack of legal knowledge; and the presence of children.**

What types of barriers might there be for a Latina woman who's going through the court system going through a domestic violence case?

...ria: " am married to a man that i not an American citizen but he lived all his life here. He knows the rules and his mother ingrained them as if he had been an American citizen. So he knows all the rules....I don't know all the rules here. Then I'm afraid that he already know all of the rules here or the laws, he will keep my children and that's why I don't, I am still with him."

What kind of support do you need from the court?

... of the most important kinds of support mentioned was not directly connected to their own healing. Instead, the women suggested that **courts make more mindful decisions about the types of punishments given to their perpetrators: namely, the use of deportation.**

What kind of support do you need from the court?

...abela: "On thing tha I think this country is doing wron i t ge ri o th people tha ha harmed women, is get rid of them and send them to their country of origin instead of doing jail time here. I mean, giv the justic i th place wher the commi the crime. Because they leave without a care in the world and the story continues with another person, there. So, wha goo i th punishmen i the ar sen t another place wher they can har others?"

What kind of support do you need from the court?

- * cognizant of the differences in legal knowledge possessed by perpetrators and survivors of domestic violence.
- * Overall, the major type of support suggested by these women was to offer words of comfort to each other. **Women encouraged each other to be open to help, to seek therapy, to speak up, and to have faith in God.**

What kind of support do you need from the court?

- * Sofia: *“God gave me the opportunity to be here in this country. And in this country there is much help for you for the woman, don’t be afraid, please. Because now... But you’re, are going to fight, that is what I want to, to exhort you to fight. Don’t stay with the problem. Try to solve it. Ask for help... Please fight for your children, fight for yourselves, you are not alone.”*

Summary of Findings

- Safety: all women expressed concern for the safety of their families, particularly their children. However, only the African American women mentioned obtaining protection orders through the court.
- * Court experiences: African American women may lack sufficient financial resources or formal education to navigate the legal system, but their responses did not indicate that they had experienced significant racial or cultural discrimination once there.

Summary of Findings

Court experiences: Latina women perceived themselves as having few sources of tangible assistance due to their language and citizenship disenfranchisement.

- * Spirituality: a consistent source of emotional support for Latina women while the African American women seemed more ambivalent its role in their lives

Summary of Findings

Culturally competent courts: both groups of women agreed that judges and court staff need to have greater exposure to and education about other races and cultures than their own. Community engagement and participation were seen as primary ways to obtaining this real-world knowledge.

Judges' Recommendations for Improving Courts' Cultural Responsiveness

Esther J. Jenkins, Ph.D.



Esther Jenkins is Professor Emeritus of Psychology at Chicago State University and a former member of the Steering Committee of the Institute on Domestic Violence in the African American Community (IDVAAC). Her research interests have focused on various aspects of violence in the African American community. She is a consulting editor of *Psychology of Violence* and on the editorial board of *Journal of Child and Adolescent Trauma*, where her most recent article on black children and grief is in press. She received her undergraduate degree from Northwestern University and her doctorate in social psychology from The University of Michigan.

Speaker's Bio

Professor Emeritus, Chicago State University
Research Consultant and past steering committee
member, Institute on Domestic Violence in African
American Community

Presentation

- * Shares the results from a focus group of six judges of color discussing their views on cultural responsiveness in the court system and how that can be improved.

Introduction

Minority and immigrant women are disproportionately victimized by domestic violence^{1,2}.

Often poor and possibly non-English speaking, many of these women will seek redress in courts that are headed and staffed by individuals with whom they have little in common.

¹ Black, M.C., Basile, K.C., Breiding, M.J. et al., (2011). *The National Intimate Partner and Sexual Violence Survey (NISVS): 2010 Summary Report*. Atlanta.GA. CDC

² www.futureswithoutviolence.org/userfiles/file/Children_and_Families/Immigrant

Issues Addressed in Study

How do courts respond to African American, Latina and immigrant women?

- * Do these victims have needs that are different from those of the general population?
- * How do the courts address those needs?
- * How can this treatment be improved?

Study's Method

A day-long group discussion with six (6) judges of color

- * three African American women
- * Latina
- * Korean-American woman
- * African American male
- * Judges had been on the bench for 5–30+ years
- * Group, followed by 15–20 min individual interviews

Issues Addressed

- defining features of cultural responsiveness
- * Factors that can enhance court's cultural responsiveness
- * Promising practices
- * Barriers to delivery of culturally responsive services
- * Special issues for different cultural and immigrant groups

What is Cultural Competency?

“The realization that you are not... that you have to really listen to what people have to say and to accept them for who they are as opposed to who you think they are.”

Cultural Competency vs. Cultural Responsiveness

- * *Cultural responsiveness*
 - * understanding of and appropriate responses to individuals from other cultures and is achievable by anyone
- * *Cultural competency*
 - * implies proficiency that may be difficult to attain without being a member of that culture.
- * Judges preferred cultural responsiveness

Defining Features of Cultural Responsiveness

Avoid stereotypes

- * “You can’t assume that someone with a last name of Martinez is Hispanic [nor] that that person is going to have immigration or language issues.”
- * Treat each person as an individual
- * Listen
 - * Be open to hearing what the person has to say
 - * get as much information as possible

Becoming Culturally Responsive

Value other cultures

- * Create friendly environments
- * Be respectful
- * Gather and use data

Valuing other cultures

- Courts must
 - * Be open to learning about other cultures
 - * Believe learning about other cultures is important and worthwhile
 - * Appreciate cultures other than ones own

How can we create courts that are welcoming to all cultures?

Courteous security staff
Friendly clerks
Diverse staff
Warm volunteers
Respectful judges
All of the above

Creating a Culturally (and User) Friendly Environment

- * Make the courthouse experience more welcoming and less intimidating
 - * Friendly and patient staff
 - * Judges, staff, security staff, volunteers – everybody that comes into contact with a client
 - Diverse staff
 - * In terms of race and ethnicity, age, able-ism, religion
 - * sends message that differences are valued
 - * Staff from other racial and ethnic communities can be a source of information for their colleagues “around the table in the lunchroom”.

* Be respectful

- * May be more important to women of color who are often treated as though ‘invisible’.

A Female Jurist on the Importance of Respect....

- * “A lot of time people just want to know they are being heard, and respected. ... We can’t always make everybody happy – but you do want them to be able to say ‘ I was heard, I was respected, and I understand the outcome [and] what you said to me and ... it was a decent process that I went through’”.

Other Aspects of Welcoming and User Friendly Environments

- * Good signage
- * Translated materials
- * Well trained and available translators

Gather and Use Data

“Ask women what they need... In order for us to solve problems, you’ve got to really know what the problem is”.

- * Needs assessments
- * Satisfaction surveys
- * Exit interviews
- * Research provides a baseline to assess impact
- * Research needs to be presented in a usable form
- * Use court-university partnerships

Promising Practices

- * Mandatory training of judges and court staff
- * Court DV advocates and cultural liaisons
- * Judicial Outreach
- * Experience with diversity as a criteria in hiring
- * Dedicated courts and service centers

Mandatory Training of Judges and Court Staff

- * On specific cultures/groups and on cultural sensitivity in general
- * On-going, part of regular mechanism, part of CE requirements, part of work load

Court Advocates and Cultural Liaisons

- * Cultural liaisons (individuals from these linguistically and ethnically distinct communities)

What do cultural liasons do?

- * Help victims from that cultural community understand the judicial system
- * Help court to understand that cultural community
- * Participate in judicial education of immigrant/cultural community
- * All of the above

Role of Cultural Liason

Helps establish links between courts and immigrant communities

- * Participates in the education of immigrant communities
- * Helps victims to understand judicial system
- * help courts to understand victims

Judicial Outreach

- * Understand the community, be visible and accessible
- * Meet with groups, understand their culture
- * Educate immigrant groups about U.S. laws
- * Establish relationships of trust with immigrant and minority communities

Examples of Judicial Outreach

- * Use of controlled substances
- * Laws regarding marriage of minors and number of wives

Importance of Judicial Outreach

“Some people think that the only responsibility they have is to call balls and strikes and when they get off the bench they are done.

Importance of Judicial Outreach

“Others of us think that we are supposed to be out there, actually getting in peoples’ faces, saying ‘you can’t do that here’. And giving them the information they need to ... understand why the law is the way it is and how they fit into the scheme of things.”

Experience with Diversity a i Hiring Criteria

- * Identify and select staff who are culturally sensitive
- * Consider experience with diverse groups when hiring
- * Have staff reflect on personal experiences as a minority

Dedicated Courts and 'One-Stop Shops'

- * Provide more personalized services
- * Allows additional help in understanding and negotiating the court process
- * Has specially trained staff, advocates

Which of these are barriers to the court's delivery of culturally responsive services

- * Time
- * Money
- * Court's commitment
- * All of the above

Barriers to Delivery of Culturally Responsive Services

- * Time
 - * Hearings often must move quickly
 - * Judges have little control over their schedules
- * Money
 - * Fewer staff, including advocates
 - * Fewer training dollars
- * Court Commitment
 - * May be improved by considering issue as one of access to justice

Black Women

- * Often perceived as “difficult”
- * Anger rooted in past mistreatment, mistrust
- * May be concerned about impact of court on black men
- * Anger and aggressive behavior may compromise woman’s ability to present her side, her claim to victimhood

Female Judge’s Comment on Black Women and Victimhood

- * *“... players in the system make assumptions about African American women that detract from them as victims. ... a lot of that has to do with the misperception that there’s no way they could be a victim, because they can give as good as they get... It’s as if all of a sudden, when they raise their voice ... they lose whatever claim they had to being a victim...”*

Latin and Immigrant Women

Critical need for competent, impartial translators

Judge's Comment on Need for Qualified Interpreters

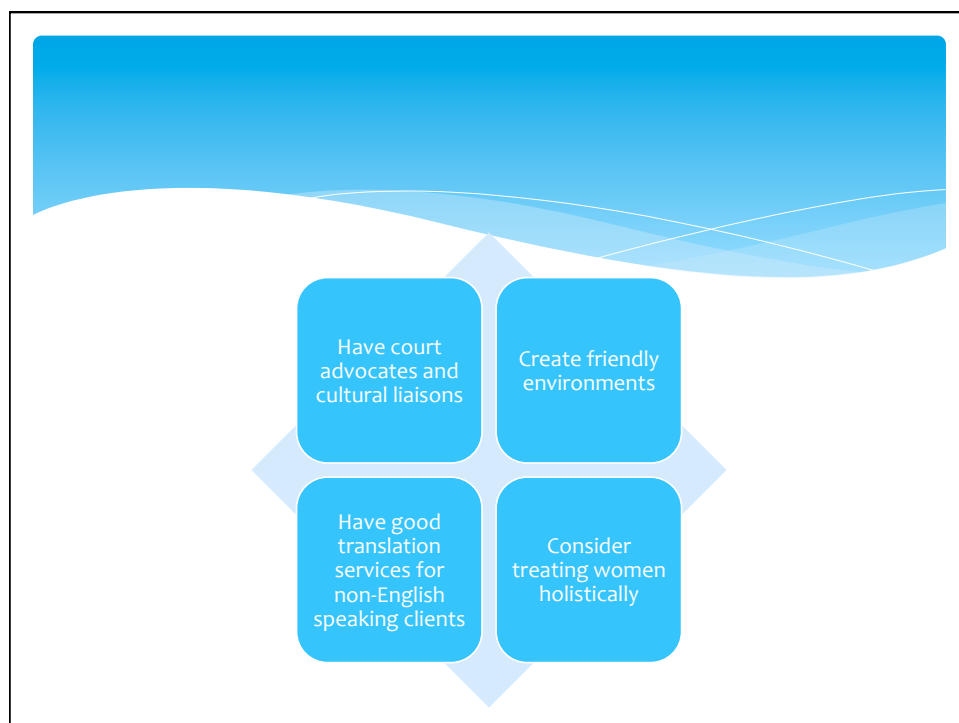
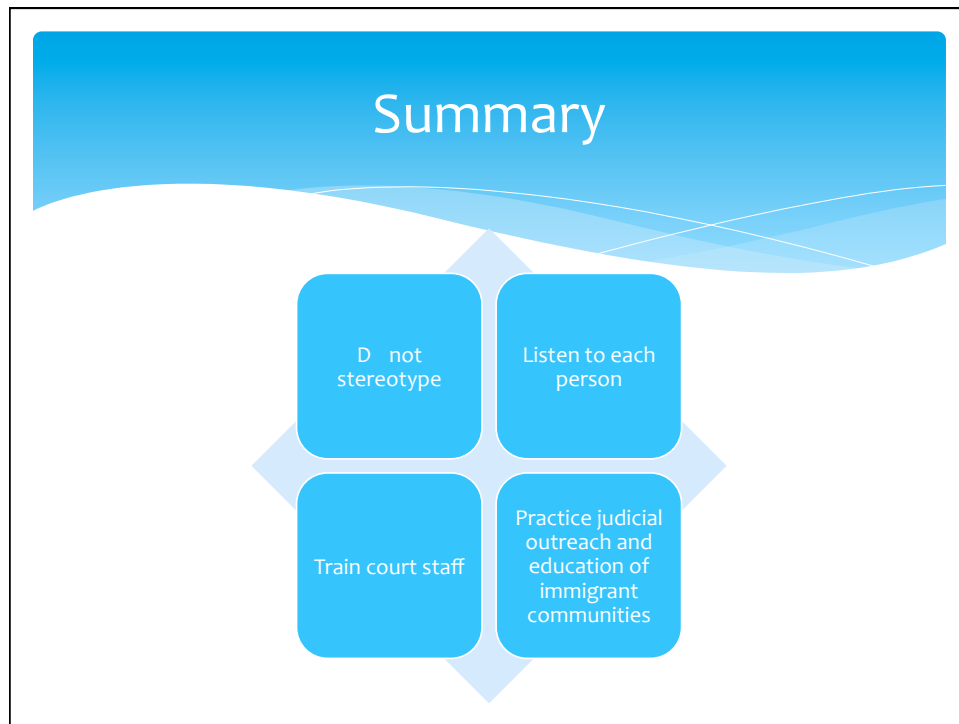
* “Interpretation is not just knowing the language and being proficient at a minimal level. In order to be a qualified interpreter, someone needs to be to the level of a native speaker who is educated. And that’s a lot more than being able to order a drink at a bar. You have to know the nuances of the language and the legal terminology and the interpretation behind it.”

Immigration Issues

- * Judges may assume that there are immigration issues, when there are not
- * Bringing up immigration issues may frighten women into not pursuing case
- * Concern about male's deportation may decrease sentence, reduce accountability.

Asian Families

- * Often issues of privacy and shame



Conclusions

Everyone who works in the court system can be culturally responsive, with the right motivation and training.

Furthermore, culturally responsive services are not an “add on” but are essential to making sure that all individuals who come before the court are treated fairly and have equal access to justice.

Please Consider

How can we further enhance the court’s cultural responsiveness to immigrant and women of color?