# Building Bridges: Strategies for Engaging with the Courts

Center for Justice Innovation

**Acknowledgments**

This project is supported by grant 15JOVW-24-GK-03039-MUMU awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this program are those of the authors and do not necessarily reflect the views of the U.S. Department of Justice.

**November 2026**

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# Overview

This document is designed as a guide for professionals seeking to train courts from outside the court system, especially intimate partner violence advocates, coalitions, or supervised visitation and safe exchange centers. Designed with the busy overextended staffer in mind, this resource aims to help explain the court environment and how to engage with court partners effectively. It includes actionable advice on identifying key stakeholders within the court system, approaches for building initial relationships, establishing credibility and trust, and strategies for ongoing court engagement. This document will facilitate a deeper comprehension of the key components of the court system and aid in creating more effective and informed training materials.

## Initial Contact Strategies to Build Credibility and Trust

Some tips for effectively approaching and engaging court partners:

1. **Grasping Court Needs**: Establish credibility and trust by demonstrating a willingness to understand the court's roles and objectives. This is key to fostering an equitable partnership.
2. **Put on Your Court Glasses**: Consider the court's viewpoint, principles, roles, and language to promote a sense of respect and consideration. While stakeholders outside the court may have good intentions in their communications, it's important to ensure that language and examples used avoid situations where courts might feel excluded or uncomfortable.
3. **Craft Your Message**: Be deliberate in your communication to effectively convey your vision, keeping your goals and objectives (above) in mind. Emphasize your achievements and articulate clear, concrete goals that resonate with stakeholders, facilitating their engagement and support for your training project.

## Understanding the Landscape

Understanding the landscape is foundational to effectively engaging with the court system, particularly for those seeking to make a meaningful impact through training. This process begins with an in-depth exploration of the key components of the court system, which includes identifying and understanding key stakeholders, their roles, and their needs.

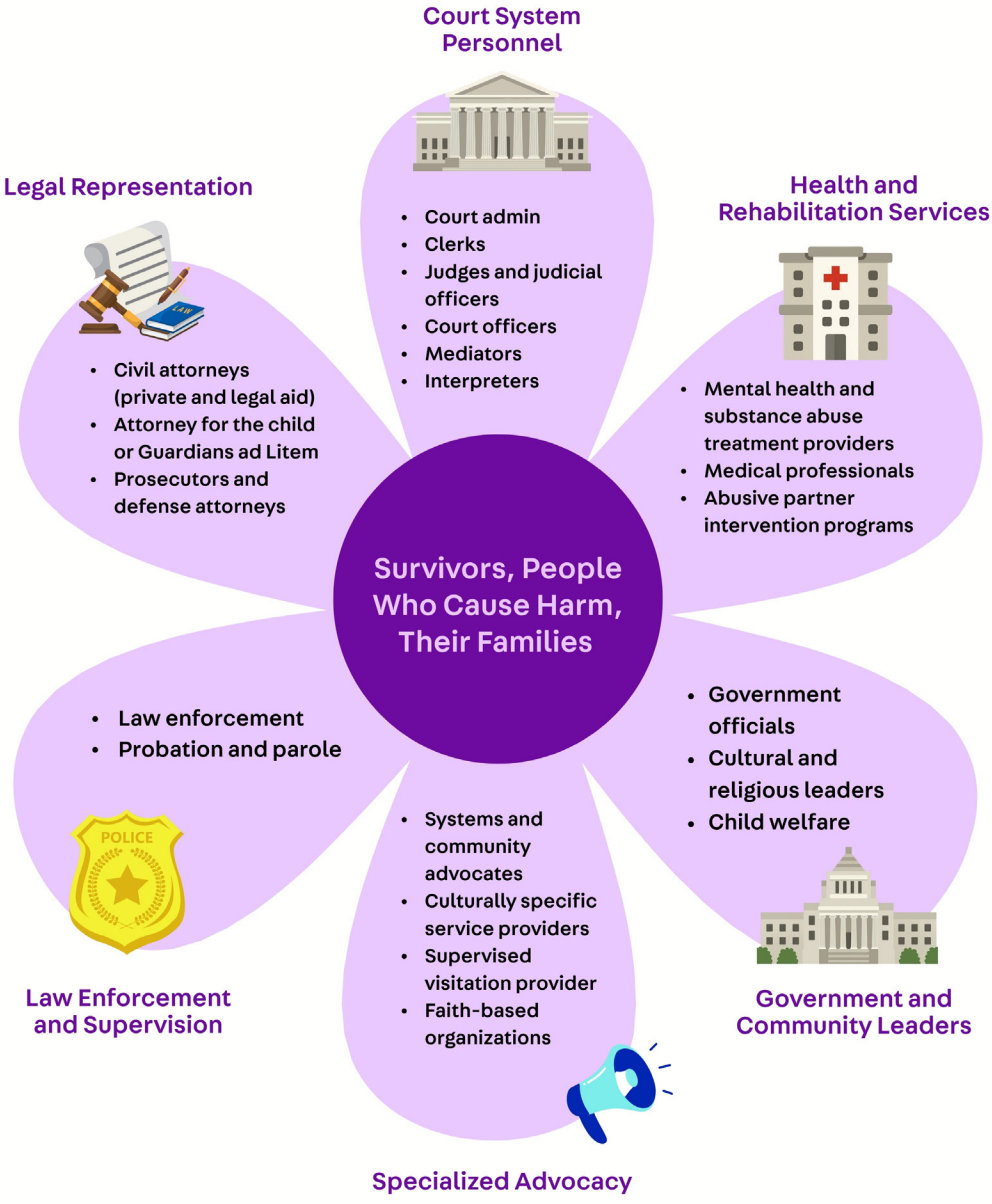
### Identifying Stakeholders and Their Needs

Identifying key stakeholders and their respective roles within the context of intimate partner violence cases is essential for laying the foundation for effective and informed engagement strategies, including training initiatives.

## GETTING STARTED: IDENTIFYING COURT SYSTEM STAKEHOLDERS

As you're thinking about ways to partner with the courts, reflect on the actors and agencies who interact with litigants of intimate partner violence, people who cause harm, and their families. More often than not, this list goes beyond the justice system. Stakeholders in the court system can range from the people working in the courts, such as judges and court administrative staff, to the communities and individuals who are ultimately served by the justice system.

**Which stakeholders are you looking to engage when you are thinking about the court system?**



# How Courts Think

Let's first examine the courts, which operate under unique principles that can sometimes appear opaque or different from the roles and goals of other stakeholders. Below are some of the key tenets that guide the courts, court personnel, and judges.

## Public Servants

The role of public servants in the courts means that judges, clerks, and other court staff serve the public, aiming to administer justice efficiently and respectfully, and ensuring that the legal system is accessible and equitable for all citizens.

## Independence and Separation of Powers

Courts maintain independence from political influence and uphold the separation of powers, ensuring checks and balances within the government and safeguarding the judiciary's ability to interpret and apply the law impartially.

## Neutrality, Impartiality and Fairness

The terms neutrality, impartiality and fairness are highly regarded in the judiciary context. These terms guide how court actors engage with community and system stakeholders. The court, itself, must be neutral and impartial. Court employees, including clerks, bailiffs, and other personnel, are obligated to treat all parties equally and provide the same access to court resources and facilities regardless of a person's background, status, or case.

The court needs to consider both the public trust and the individual litigant of a case when thinking about impartiality and fairness. The public needs to view the court system and the court as a neutral and impartial venue. Whereas litigants need to view the judge and court personnel as being neutral and impartial in their particular case. Judges have an additional legal and ethical obligation to remain impartial and objective, making decisions based solely on the facts presented and the laws applicable to those facts, without personal or external influences.

## Adherence to Judicial Canons

This involves the court strictly following established rules and ethical guidelines set out in the judicial canons, which govern the professional conduct of judges and lawyers to uphold the integrity and legitimacy of the legal profession. In the United States, each state typically has its own set of judicial canons, which are often adopted by the state's highest court or judicial oversight body. Additionally, the American Bar Association (ABA) has developed model codes of judicial conduct that serve as influential guidelines for many states.

# Viewing Intimate Partner Violence Cases Through Different Lenses: Stakeholder Perspectives

The lenses through which courts receive information are shaped in part by these principles, all of which guide how they assess and respond to cases. This often differs from the lenses of other stakeholders. For example, while a victim advocate focuses primarily on the safety and recovery of the survivor, the court must navigate these concerns alongside the legal rights of the accused and the broader public interest. Similarly, judges may not always fully understand the working environment of service providers, and those who provide services may not fully understand how and why a judge handles case management and decision making in the courtroom. Differences in approach can lead to frustrations, misunderstandings, and miscommunications. Grasping the court's underlying principles and mandates can improve your advocacy effectiveness through respectful and informed interaction with the judiciary, which is critical for advancing the rights and safety of survivors of intimate partner violence.

## Understanding Other Stakeholders

Another critical step in effectively engaging with stakeholders, including the courts, involves gaining insights into where these stakeholders are coming from in terms of their specific roles and objectives within the context of cases involving intimate partner violence. It is essential to recognize that all stakeholders bring unique perspectives, guiding principles, priorities, and mandates to the table. Understanding these viewpoints and the underlying motivations that drive stakeholders allows for more tailored and effective approaches when engaging them, facilitating collaboration, and enhancing the overall effectiveness of interventions, including trainings.

Let's take another look at the community stakeholders. For each stakeholder, consider their specific roles and objectives in handling cases involving intimate partner violence. While we've offered some initial examples in chart below, it's important for you to reflect on these roles and objectives through the lens of your community's unique perspectives and experiences. Pay particular attention to the distinct roles and objectives you might have, whether as an advocate, supervised visitation provider, or another key participant in these scenarios.

## SAMPLE CHART

### Instructions

Go through this chart within your organization first and then do it collaboratively with stakeholders and compare where differences might show up.

List the role that you are considering under each heading and then jot down some of their responsibilities and objectives of that profession as it relates to domestic violence, sexual assault, dating violence, or stalking. Then, work on this chart with other stakeholders to see where similarities and differences might show up.

| **Legal Representation and Advocacy** | **Law Enforcement and Supervision** | **Health and Rehabilitation Services** | **Specialized Advocacy** | **Government and Community Leaders** |
|---|---|---|---|---|
| **Role: Prosecutors**<br>Responsible for presenting the case against the accused in court<br>Must also consider the safety of the victim | **Role: Police Officers**<br>First responders<br>Arrest the perpetrator when warranted<br>Ensure the immediate safety of the victim | **Role: Abusive partner intervention programs**<br>Designed to work directly with individuals who have caused harm<br>Aimed at accountability and changing the behaviors and attitudes | **Role: DV Advocates**<br>Act as liaisons between survivors and legal/social systems<br>Provide emotional support, guide through legal systems, help access services, etc. | **Role: Religious Leaders**<br>Often serve as trusted figures and counselors within their communities<br>Provide spiritual support, moral guidance, and often, practical advice<br>Address the ethical aspects of behavior |

| **Objectives** | **Objectives** | **Objectives** | **Objectives** | **Objectives** |
|---|---|---|---|---|
| Hold the perpetrator accountable while ensuring justice and safety for the victim<br><br>Uphold public trust in the legal system's ability to protect victims and punish offenders | Protect the victim and prevent further harm<br><br>Deter future violence | Prevent the recurrence of violence by addressing the root causes of abusive behavior<br><br>Enhance the safety and well-being of survivors by reducing the likelihood of future abuse | Ensure the safety and well-being of survivors<br><br>Empower survivors with tools and resources<br><br>Advocate for systemic change | Foster a safe and supportive environment<br><br>Provide healing and reconciliation where possible and appropriate<br><br>Educate |

# Building Initial Relationships with the Court and its Actors

Building relationships with the courts is integral to the work of grantees. It enhances the effectiveness of advocacy, promotes systemic change, secures judicial support for new initiatives, bridges understanding gaps, and provides opportunities for mutual learning, including through training. These relationships are foundational in advancing the rights and safety of survivors of intimate partner violence and ensuring that the legal system adequately supports their needs.

## Building Bridges

Many sites experience barriers in bridging relationships between the court system and community-based agencies. A critical first step in engaging stakeholders is to identify existing gaps in collaboration and get clear on what you hope to achieve through court partnerships. As with the role and objectives chart, it is encouraged to go through this chart within your organization and then with stakeholders.

| **Identifying Collaboration Gaps and Benefits** | **Goal Setting** | **Clarifying Objectives and Expected Outcomes** |
|---|---|---|
| Reflect on the current relationship between your organization and the court system. What barriers exist? What benefits could a stronger partnership bring, especially in supporting survivors? | List specific goals for partnering with the court, including but not limited to your training objectives. These could involve enhancing understanding of intimate partner violence, improving case outcomes, or other strategic objectives. Go beyond simple referrals to consider communication around system responses broadly. | For each goal, define clear objectives and expected outcomes. How will these contribute to your mission and the betterment of the services provided to survivors? |

### Effective Networking Strategies for Judicial Engagement

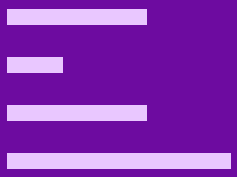
- Observe court proceedings and shadow court staff
- Talk to court personnel and judges to understand procedural nuances and personal experiences, including challenges they face
- Survey court personnel and judges about training topics they would like to learn more about
- Participate in court-sponsored trainings
- Engage with court staff and legal professionals through networking events
- Partner or hold discussions with other stakeholders to come up with ways that they can help the courts and the families they serve more effectively
- Provide informational resources and training materials to judges and court personnel to increase awareness of the services and support available
- Host educational workshops

# Conclusion

With an understanding of the court's needs and key components, including its actors and guiding principles, you are establishing the foundation for cultivating strong, effective partnerships with the courts for training initiatives and beyond.

For additional guidance, email the Center for Justice Innovation: dvinfo@innovatingjustice.org.

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