

## Evidence Based Family Justice

*World Justice Forum, Working Session, May 1, 2019 15:30 - 17:00 pm*

*Coordinated by Hague Institute for Innovation of Law (Hiil)*

*Hague Humanity Hub, Fluwelen Burgwal 58, The Hague*

**Towards evidence based family justice** | The [Task Force on Justice](#) and the [OECD](#) issued landmark reports calling for people centred, evidence based approaches. They urge the justice sector to focus on what works to solve the issues people experience in their lives. The framework for this is people-centred service design and delivery that can be applied to the entire legal and justice chain.

But how to implement this mantra of evidence based, people-centred justice journeys?

In this working session, we will explore this. The starting point will be a concrete example of evidence based practice.

**Guidelines approach inspired by health care sector** | Hiil, in partnership with the Uganda justice sector and practitioners, [developed](#) a first version of a [Family Justice Catalogue](#). Following the steps guidelines are being created in the medical sector, the guideline contains 21 recommendations for parents and justice workers who have to deal with justice issues around separation/divorce.

The topics for recommendations have been prioritized by focus groups of justice workers in Uganda on the basis of a [mapping of access to family justice](#) in Uganda. Each recommendation is based on a literature review. For each topic justice workers in Uganda also shared their best practices, which are often in line with research results.

The approach is different from existing guidelines dealing with family justice issue. Family Court guidelines, guidelines for police or prosecution and guidelines for youth professionals exist. Usually, these guidelines are written from the perspective of one particular profession or organization dealing with family justice issues. The Family Justice Catalogue takes the perspective of parents and children needing assistance. It aims to describe what works, independently from one particular provider and combining knowledge from different disciplines.

**Standard-setting by courts** | Courts, overseeing the delivery of family justice, feel a special responsibility for the quality of interventions. In the US, they have taken the lead in making the practice of family justice more evidence based. The [Family Justice Initiative](#) (a partnership between IAALS and other national organizations, including the Conference of Chief Justices whose membership is comprised of the Chief Justice of every state court in the country). The Initiative recently released a set of [Principles for Domestic Relations](#)

[Reform](#). The Principles have much in common with the Uganda Family Justice Catalogue (a focus on problem-solving, mediation, intake and triage practices, etc.). The Principles are accompanied by a [Pathways](#) document that further details the triage system of sorting and matching cases/families to services. Also related to this issue of triage, the National Center for State Courts (the research arm of the US state court system and partner in the FJI project), has a [webpage dedicated to triage](#) that includes a triage tool they developed and evaluated.

Development of the Principles and Pathways was preceded by a national study of domestic relations dockets. The [Landscape of Domestic Relations](#) study compiled data from 11 urban court systems—a first-of-its-kind effort. (The [Executive Summary](#) is quite easy to digest.) The quantitative picture provided by the Landscape study is nicely complemented by qualitative research in the Court Compass project, which consisted of design sprints involving self-representing litigants and other court stakeholders, with the goal of identifying family justice process improvements. IAALS is currently analyzing the sprint data, and has recently published a [guide for courts on how they might replicate this design sprint approach](#) in order to continuously engage self-represented litigant feedback. As part of this Court Compass project, we also published late last year a guide for courts detailing how [various technology solutions can better serve self-represented litigants](#) – in all cases, not just family cases.

### **Working session goals**

During the session, experts will reflect on these methods to support evidence based working in the justice sector.

The session will focus on the following issues:

1. How will practitioners and family-members see the benefits of working evidence based, assisted by an interdisciplinary, user-centered guideline?
2. How can family court best practices and court oversight be combined with such a user-centered guideline?
3. What are other expected effects? Is this a scalable approach? What needs to be improved?