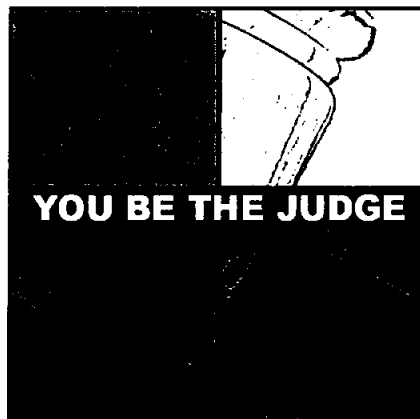


**Mesa County Justice Center
Public Access and Fairness Survey Pilot Project**



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Colorado Judicial Branch

**Planning and Analysis Division
Attention: Steven Vasconcellos or Julie Lambert
1301 Pennsylvania Street, Suite 300
Denver, CO 80203
(303) 861-1111**

Introduction

The trial court leadership in the 21st Judicial District expressed their interest in soliciting public feedback on how court business is conducted in Mesa County. They agreed to become the first pilot district for a statewide CourTools Access and Fairness Survey effort beginning in Colorado. The Access and Fairness Survey was conducted at the Mesa County Justice Center, with assistance from staff at the State Court Administrators Office, Division of Planning and Analysis, starting at noon on Tuesday, June 12th 2007, and continuing through noon on Thursday, June 14th 2007.

Survey proctors and court staff were stationed at the only exit point of the Justice Center and approached each public member as they were leaving the building. Phrases like “would you like to be the Judge today” were used to catch the public’s attention. The volunteers would then explain more about the anonymous survey and offer participants candy and a pen for completing it. The information gathered through the Access and Fairness Survey was overwhelmingly positive. However the survey results did indicate areas of greater disapproval from the public than others. Those areas included:

- The court’s hours of operation, specifically the clerks office
- Scheduling for the first appearance center
- Getting court business done in a reasonable amount of time

These areas may be improved through exploring some suggested changes. These suggestions can be adopted wholly or in part, as resources permit, and do not have to be implemented simultaneously to be effective. The following suggestions for the Mesa County Justice Center are based on the Survey results (additional detail for each suggestion is located at the end of the report):

Suggestion #1: The District should explore extending the Clerk’s office hours to better accommodate the public.

Suggestion #2: The District should team up with the District Attorneys office to explore alternative scheduling practices for the First Appearance Center to determine the most efficient scheduling practice that will best accommodate the public.

Suggestion #3: Continue to develop improvements to existing case management practices for Judicial Officers and for the First Appearance Center that will aid the ability of the public to get their court business done in a reasonable amount of time.

The Mesa County Justice Center trial court leadership and court staff should be lauded for being the first in Colorado to take this proactive approach to soliciting public feedback on how court business is conducted. The Access and Fairness Survey results show that the public’s perception of how court business is conducted in Mesa County is overwhelmingly positive. The few suggestions mentioned in this report are intended to build on those positive perceptions and make them stronger.

The 21st Judicial District, Mesa County Justice Center serves a population of around 120,000 in Mesa County. The Mesa County Justice Center currently has five District Court Judges and 3 County Court Judges on the bench. In Fiscal Year 2006 (July 1, 2005 through June 30th, 2006), the 21st Judicial District received 6,263 new district court case filings and 16,477 new county court filings.

Survey Instrument and Project Overview

The survey instrument used for the Mesa County Justice Center project was developed and tested by the National Center for State Courts as part of their CourTools performance measures. CourTools are a set of ten trial court performance measures that were created to help local courts improve their current practices and measure outcomes considered valuable to the work of the courts. The Access and Fairness Survey, which is the first CourTools measure identified, is a tool used to obtain citizens' perspectives on the court's accessibility and how they were treated in court in terms of fairness, equality and respect. Research indicates that matters of procedural fairness and process are equally important, and in some cases more important, than outcomes for most public consumers. This especially applies to the justice system when examining how court users perceive their experience in the courthouse, not just the outcome of their case. The Access and Fairness Survey provides valuable information and feedback regarding the court users experience with the court, which can help courts to improve their management practices.

The 21st judicial district identified three days that would be considered typical days in the Justice Center. They chose to use two half days and one full day as their timeframe for conducting the survey.¹ The Access and Fairness Survey was implemented in the manner suggested by the National Center for State Courts—an exit survey approach. Everyone exiting the Justice Center was asked to fill out the brief self-administered survey. The volunteers were stationed at the only exit point of the Justice Center and approached each person as they were leaving the building. Phrases like “would you like to be the Judge today” were used to catch the public's attention. The volunteers would then explain more about the anonymous survey and offer participants candy and a pen for completing it. The Access and Fairness Survey was available in both Spanish and English languages.

Survey Results and Analysis

The information gathered through the Access and Fairness Survey was overwhelmingly positive. The National Center for State Courts recommends focusing on the results of any questions with a twenty percent or greater disapproval rating. For Grand Junction, the Access and Fairness Survey results showed a range of disapproval ratings between 5.17% and 21.71%. We feel that the low disapproval rate strongly validates the high

¹ The National Center for State Courts recommends choosing “a typical day” to conduct the Access and Fairness Survey. Feedback from other states who have conducted this survey suggests that one day is not enough and that two days of conducting surveys would be more beneficial. Thus, the Colorado SCAO recommends to interested districts a two day period for conducting the Access and Fairness Survey. Grand Junction elected to use two half days and one full day, which complied with that recommendation.

quality of services being delivered to the Grand Junction community by the Mesa County Justice Center Judicial Officers and Staff.

Overall, the 21st Judicial District had a high response rate for this pilot Access and Fairness Survey project². A total number of 634 surveys were collected over the three day period with a total response rate of 43%³. The response rate on the first day of the survey was over 60%. Often times, survey projects considered to be a success yield around a 25% - 30% response rate. In comparison, this was a successful method to obtain the information the Mesa County Justice System was hoping to gather.

Demographics

The Access and Fairness Survey was filled out by a total of 634 respondents over a three day period. The pattern of responses show an equal proportion of respondents answered the survey on each day – that is, roughly twice as much data was collected on the full day of data collection as on the two half-days (see Table 1). Forty-three percent (273) of the respondents self-identified that they were female, while thirty-eight percent (244) indicated that they were male. The other eighteen percent (117) left the item blank.

Table 1: Data Collection Rate

Session	Frequency	Percent
June 12 – ½ Day	176	27.8
June 13 – Full Day	335	52.8
June 14 – ½ Day	123	19.4
Total	634	100.0

In general, respondents varied in annual household income (with the largest percentage indicating an income between \$25,001 and \$50,000) and education level (with the largest percentage indicating at least some college or trade school). The respondents were overwhelmingly white (70.4%).⁴

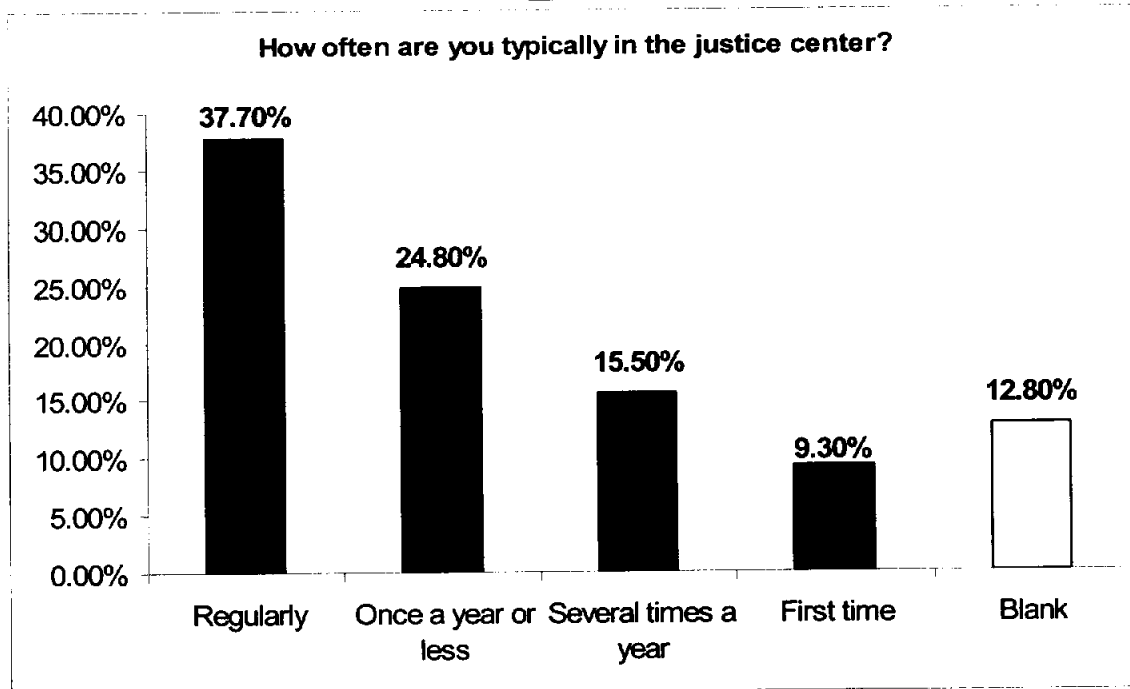
A large percentage of respondents said that they were in the justice center often; with over 50% indicating that they were in the building either “several times a year” or “regularly” (see Figure 1).

² In order to obtain a response rate, SCAO staff counted the total number of people who exited the Justice Center over the entire three day period the Access and Fairness Survey was being implemented.

³ Due to the high number of repeat court users and employees that were counted as they exited the Justice Center on the second and third days of the project, it is estimated that the actual response rate may be a higher rate than the rate presented.

⁴ The bulk of the demographic information can be found in the figures in Appendix C.

Figure 1



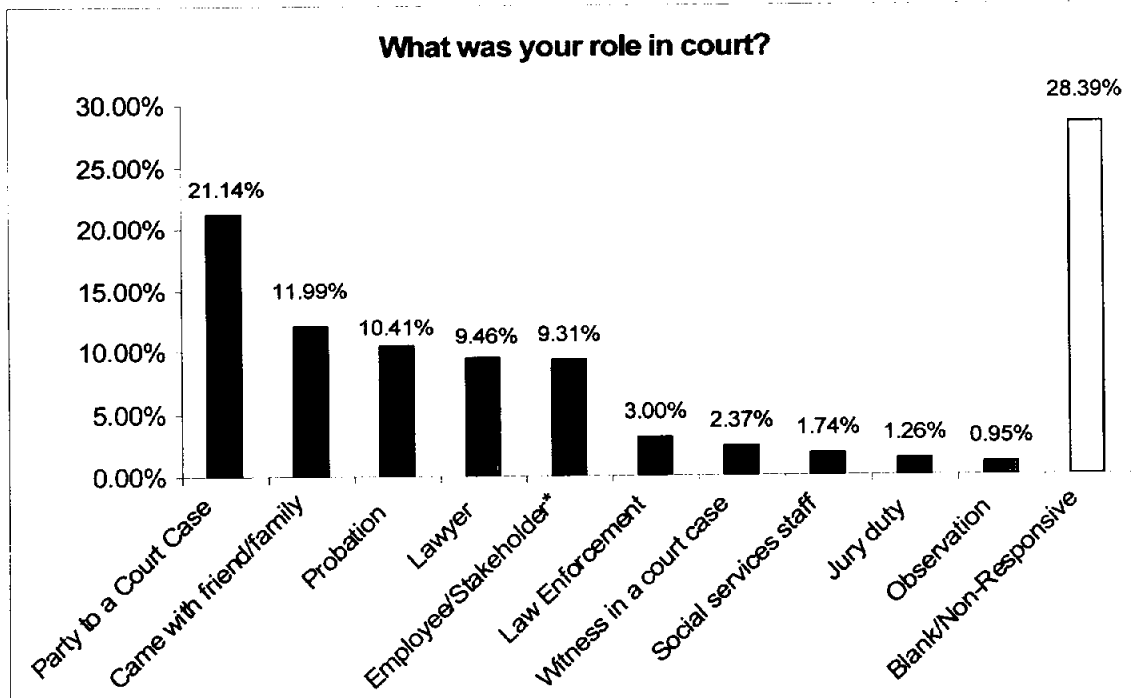
This suggests that a large number of respondents were professionals whose business often takes them to the Justice Center⁵. And, in fact, this appears to be the case: a large number of respondents to the question “What was your role in court?” indicated that they were lawyers, law enforcement, probation, or indicated “Other,” and then wrote a response indicative of a court professional or other stakeholder (see Table 2). As a result, these “Others” were recoded as the category, “Employee/Stakeholder” in the data (see Figure 2).

**Table 2: Re-Classification of “Other” Responses,
“What was Your Role in Court?”**

Work in Building	19	16.67%
Attorney or Other Professional	14	12.28%
Volunteer	4	3.51%
Attend Mediation	4	3.51%
Total	41	35.96%
Other Responses	73	64.04%
Grand Total	114	100.00%

⁵ Those who worked in the trial courts were asked not to respond to the survey. Employees working in probation, law enforcement, the district attorney’s office, and the public defender’s office were free to complete the survey.

Figure 2



Note: The classification "Employee/Stakeholder" did not appear as a survey item, but was created based on the large number of respondents who indicated in the space for "Other," that they were either employees, court professionals or volunteers whose responsibilities took them to the Justice Center often.

It must be noted that a large number of respondents (28.3%) left this item blank, making it somewhat difficult to utilize the "role in court" item in further data analysis.

For those respondents in the justice center for a specific case, the majority (39%) indicated they were there for an adult criminal matter (felony, traffic, or misdemeanor), while other respondents were relatively spread out among the other case types (see Appendix C).

Opinion Items

There were 15 opinion items in the survey, grouped into two areas of court operations:

- Ten items on access to court services, and
- Five items related to procedural fairness (generally aimed at those who were party to a legal proceeding).

Opinions could be expressed on a five point scale from "Strongly Disagree" to "Strongly Agree," with a "Not Applicable" choice available (a copy of the survey, including response choices, can be found in Appendix B of the report). Tables showing the frequency of responses for each item can be found in Appendix C.

The Access and Fairness survey items are designed to be amenable to the creation of performance goals. In all cases, agreement with the items indicates a positive evaluation of the court, therefore counting the percentage of responses receiving a rank of "Neither Agree Nor Disagree," "Agree," or "Strongly Agree" can be a useful gauge of positive court performance.⁶

In the following sections, the Access and Fairness Survey opinion items will be examined. Given that an exhaustive analysis of each item in relation to the other items of the survey and the demographic information would not be enlightening, analysis will focus on those items that indicate a lower level of performance than the other items in the survey.

Section I: Access to the Court

The ten access items in the survey were:

- Finding the Justice Center was easy
- The forms I needed were clear and easy to understand
- I felt safe in the Justice Center
- The court makes reasonable efforts to remove physical and language barriers to service
- I was able to get my court business done in a reasonable amount of time.
- Staff paid attention to my needs
- I was treated with courtesy and respect
- I easily found the courtroom or office I needed
- The court's web site was useful
- The court's hours of operation made it easy for me to do my business

For each survey, responses of "Neither Agree Nor Disagree," "Agree," and "Strongly Agree" were converted into a general "agreement response." By measuring the percentage of all surveys where an agreement response is given, a general picture of the respondents' attitudes can emerge.

⁶ Counting the "Disagree" and "Disagree Strongly" responses to each item can accomplish the same goal. In both cases, it is assumed that adequate-or-better performance is indicated by avoiding "disagreement" items.

Figure 3

Agreement Percentage: Access Questions

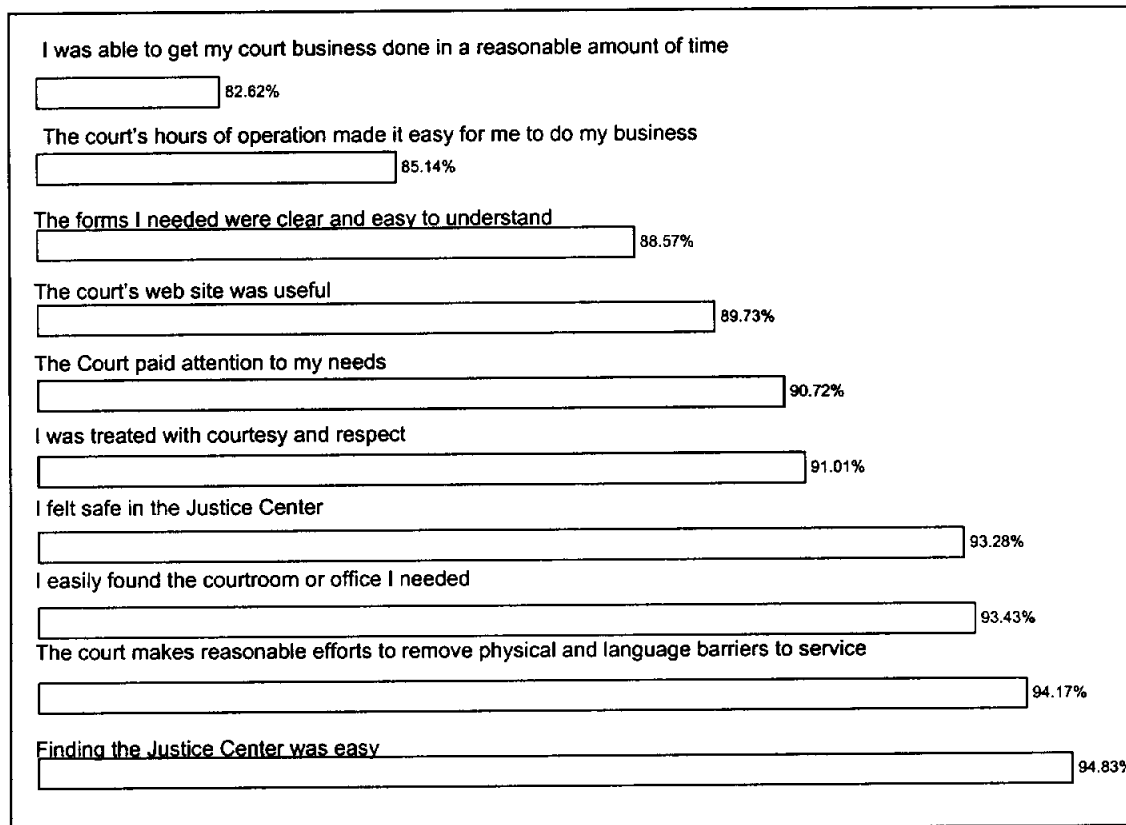


Figure 3 shows the percentage of total responses with an agreement response. As can be seen in Figure 3, agreement percentages were high: No item had less than 80% positive responses. **There is no objective criterion for determining what constitutes a “high-performing court” based on this survey data.** Such decisions are subjective, although the National Center for State Courts suggests in its CourTools literature that an 80% approval rating on each item might be considered a high-end performance goal.

Two issues that might be used to set the criteria for “satisfactory” or “high” performance at the local level include:

- The local court manager’s view of each item, considering the specific issues involved in the operation of their court.
- The holistic impression of those who administered the surveys to the respondents. Survey proctors often are able to detect overall themes or specific issues based on conversations with respondents.

The survey proctors received feedback from survey participants regarding the courts hours of operation and the waiting time for the first appearance center. Responses to the access questions pick up on this theme: the two lowest approval percentages are for the

items “The court’s hours of operation made it easy for me to do my business,” (85.14% approval) and “I was able to get my court business done in a reasonable amount of time” (82.62% approval). Therefore, some additional analysis will be performed on these items.

Hours of Operation: A Closer Look

A breakdown of responses to the item concerning hours of operation can be found in Table 3. The most noticeable facet of this breakdown is that a solid majority of responses are, in fact, positive. It is only in contrast with the highly positive scores throughout the access section, coupled with the observations of survey proctors that these values seem notable.

Table 3
The court's hours of operation made it easy for me to do my business

	Frequency	Valid Percent
Strongly Disagree	37	6.47%
Disagree	48	8.39%
Subtotal, Disagree	85	14.86%
Neither Agree nor Disagree	66	11.54%
Agree	218	38.11%
Strongly Agree	203	35.49%
Subtotal, Agree	487	85.14%
Total	572	100.00%
Not Applicable/Missing	62	
Total	634	

An important note about the distinction between “percent” and “valid percent” is in order: The percent values here are calculated by dividing the frequency of a response by the total number of surveys completed (634). “Valid percent,” on the other hand, is calculated by dividing the frequency of a response from the total number of responses to that specific item, not including the “Not Applicable” responses and missing (blank) items (in this case, there were 572 responses to the question on hours of operation). **The valid percent is a more accurate view of the proportion of positive and negative scores, and will be used throughout this analysis.**

When performing planned comparisons between items, it is perhaps most revealing to focus on those respondents who were negative – indicating “Disagree” or “Strongly Disagree” rather than those who indicated other responses. Table 4 isolates those who disagreed with the item on hours of operation (whether choosing Disagree or Strongly Disagree) and breaks them down by the location in the Justice Center they were visiting.⁷

⁷ Although 572 respondents answered the item concerning hours of operation, however only 549 out of the 572 respondents answered both that question and the question concerning the office they visited. This difference – between the total number that answered an opinion item and the subset that also answered individual items in the demographic section – occurs throughout the data presented in this report.

Table 4

The court's hours of operation made it easy for me to do my business

What Did You Visit?	Total Disagree†	All Other Responses	Total Responses	% of total
First Appearance Center	11	36	47	23.40%
Collections	4	14	18	22.22%
Judicial Officer*	38	191	229	16.59%
Clerk's Office	17	110	127	13.39%
Probation Office	7	60	67	10.45%
DA's Office	6	55	61	9.84%

*Judge and Magistrate

†The frequency of "Disagree" and "Strongly Disagree" combined.

As can be seen in Table 4, the most common location being visited by those who disagreed with the hours of operation item was a judicial officer/courtroom. However, of all of those who responded to the item, the respondents with the highest proportion (percent of the total) of negative responses visited the FAC – 23.4% of all of those who visited the First Appearance Center and answered the hours of operation question gave a negative response.

There is also something of a question as to whether respondents knew they were visiting the First Appearance Center – survey proctors indicated that a large number of respondents came from the FAC (which was open on the second day of data collection), but may have indicated that they visited the clerk's office or DA's office based on their interactions at the FAC, rather than correctly identifying the unique nature of the First Appearance Center. If this is indeed the case, the proportion of the total indicating a negative response to the hours of operation question visiting the FAC may be higher.

Reasonable Amount of Time: A Closer Look

The other access item that bears additional analysis also concerns hours of operation: the item "I was able to get my court business done in a reasonable amount of time."

Table 5

I was able to get my court business done in a reasonable amount of time.

	Frequency	Valid Percent
Strongly Disagree	46	7.92%
Disagree	55	9.47%
Subtotal, Disagree	101	17.38%
Neither Agree nor Disagree	58	9.98%
Agree	205	35.28%
Strongly Agree	217	37.35%
Subtotal, Agree	480	82.62%
Total	581	100.00%
Not Applicable/Missing	53	
Total	634	

Table 6 isolates those who disagreed with the item on “getting court business done” (whether choosing Disagree or Strongly Disagree) and breaks them down by the location in the Justice Center they were visiting.

Table 6
I was able to get my court business done in a reasonable amount of time.

What did you visit?	Total Disagree†	All Other Responses	Total Responses	% of total
First Appearance Center	18	29	47	38.30%
Clerk's Office	5	13	18	27.78%
Judicial Officer*	54	188	242	22.31%
Collections	3	13	16	18.75%
Probation	11	53	64	17.19%
DA's Office	9	53	62	14.52%

*Judge and Magistrate

†The frequency of "Disagree" and "Strongly Disagree" combined.

As with the previous analysis, the most common location being visited by those who disagreed with the “getting court business” done item was a judicial officer/courtroom. However, of all of those who responded to the item, the respondents with the highest proportion (percent of the total) of negative responses visited the FAC – 38.3% of all of those who visited the First Appearance Center and answered the getting court business done question gave a negative response.

In addition to these analyses, items from the general comment’s box at the end of the survey were examined. This last section of the opinion part of the survey, entitled, “What suggestions do you have that could help us improve our service.” Sixteen percent of the comments in this section concerned timeliness and court hours. Comments included:

- *We need hours after 4:30/5:00 when the court facilities are open for the public. Judges need to be more accessible to the public.*
- *When going in alphabetical order invite ABC early, HIJ later, and PQR after lunch depending upon cases to be heard for FAC and court.*
- *Better scheduling for appearance room*
- *Maybe to extend the hours of operation at least one day a week.*
- *Eliminate the two appearances we had to make in the first appearance center. It made us feel like cattle.*

It is only within the generally positive scores in access items that the “hours of operation” and “reasonable amount of time” items appear to be negative. Having said that, the pattern of the results from the planned comparisons, the items in the comments section, and the experience of the survey proctors seem to suggest that the issue of court hours appears significant enough to warrant an examination by court managers.

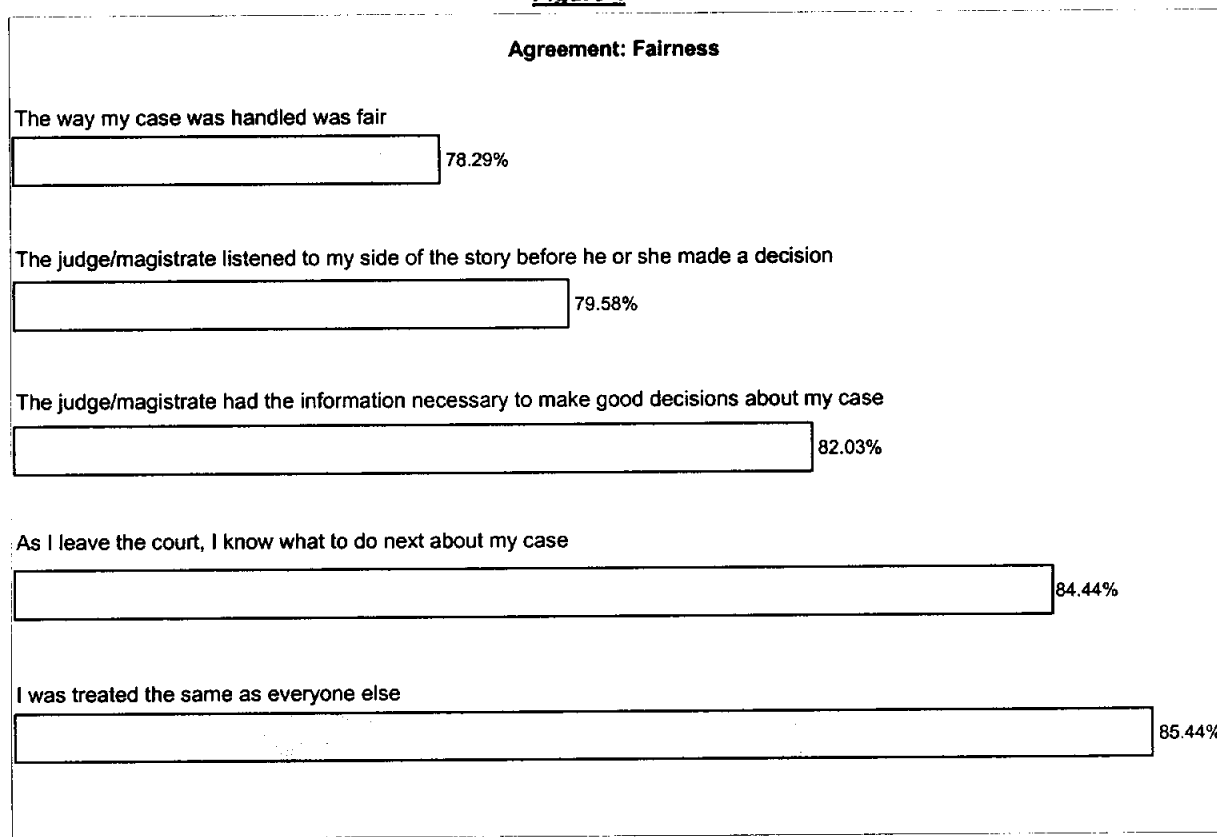
Section II: Fairness

There were five fairness items identified on the Access and Fairness Survey. Generally, these items are related to perceptions of active court cases. The fairness items are:

- The way my case was handled was fair
- The judge/magistrate listened to my side of the story before he or she made a decision
- The judge/magistrate had the information necessary to make good decisions about my case.
- I was treated the same as everyone else.
- As I leave the court, I know what to do next about my case.

As with the access items, the agreement percentage was calculated for each of the fairness items, and appears in Figure 4 (below).

Figure 4



As can be seen in Figure 4, fairness items tend to score lower in agreement compared to access items. This is to be expected, given the subjective nature of "fairness." The two items that fall below the 80% criteria are "The way my case was handled was fair," and "The judge/magistrate listened to my story before he/she made a decision." These two questions will be analyzed in more detail below.

The Way My Case Was Handled Was Fair: A Closer Look

A breakdown of this fairness item appears below in Table 7. It is worth noting that in this instance, the difference between the valid percent and overall percent is much higher, owing to the fact that 44.8% of all respondents left this item blank or indicated “Not Applicable.” Obviously, a large number of respondents were not at the Justice Center to deal with a specific case, or not their own case, and therefore did not feel comfortable answering this fairness question.

Table 7

The way my case was handled was fair

	Frequency	Valid Percent
Strongly Disagree	45	12.86%
Disagree	31	8.86%
Subtotal, Disagree	76	21.71%
Neither Agree nor Disagree	50	14.29%
Agree	101	28.86%
Strongly Agree	123	35.14%
Subtotal, Agree	274	78.29%
Total	350	100.00%
Not Applicable/Missing	284	
Total	634	

As before, planned comparisons focused on those respondents indicating “Disagree” or “Strongly Disagree” rather than those who indicated other responses.

The first question to be examined is what respondents were comparing when indicating their dissatisfaction with the “fairness” exhibited in their case. If they have no other court experience, they may not have a sound basis to form a judgment about fairness in court. Table 8 contrasts those who indicated “Disagree” or “Strongly Disagree” to the fairness item and how often they were in the Justice Center.

Counter to expectations, the responses were relatively even across the board – those who gave negative responses to the fairness item were about evenly represented among the answer choices for “How often are you typically in the Justice Center?” Those who had never been in the Justice Center before were not any more likely to be negative toward the fairness item than those with more experience in the Justice Center – in fact, just the opposite was the case.

Table 8

The way my case was handled was fair

How often are you typically in the justice center?	Total Disagree	All Other Responses	Total Responses	% of total
Several times a year	13	49	62	20.97%
Once a year or less	19	72	91	20.88%
Regularly	20	85	105	19.05%
First time in the Justice Center	6	33	39	15.38%