

**Mesa County Justice Center
Public Access and Fairness Survey
Summer 2008**



October 21, 2008



Colorado Judicial Branch

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Introduction

By participating in the statewide CourTools Access and Fairness Survey for the second year in a row, the trial court leadership in the 21st Judicial District continued to express its interest and support in soliciting public feedback on how court business is conducted in Mesa County. 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. The survey was conducted on Wednesday, July 23rd 2008 and Thursday, July 24th 2008.

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. The information gathered through the Access and Fairness Survey was generally positive and consistent with last year's results¹ and will be discussed in later sections. The lower scoring areas in the 2008 survey are identical to the lowest scoring answers of last year's survey and include:

- The court's website
- Getting court business done in a reasonable amount of time
- The court's hours of operation

After evaluating the results from the 2007 Access and Fairness Survey, the 21st Judicial District implemented the following changes:

- Increased hours from 8am - 4pm to 7:30am – 4:30pm
- Moved “attorney drop off folders” to the main lobby for accessibility between 7am-5pm and also eliminated the need for security screening
- Moved “after hours filing cabinet” to eliminate the need for security screening
- Added an additional morning to the First Appearance center docket
- Administered a well received all- employee customer service training for the entire staff of the 21st Judicial district

Although these changes were implemented before the second and most recent survey, the areas of greatest disapproval in the survey results have not changed. But overall, survey results improved since last year. The following suggestions for the Mesa County Justice Center take into account the changes which were recently implemented and strive to build upon them.

- The 21st Judicial District should consider improvements in what is “useful” on both their local website and their section of the state website by soliciting opinions of court users to see how to serve them best. With recent changes in

¹ Methodological updates have been applied to Mesa County's 2007 Agreement scores. The updates revised the scores downward. However, the revised 2007 scores are now comparable to other Agreement scores as the methodologies are consistent.

the state court website, local judicial districts have been given greater control to update and expand their content on the state website.

- Court users' access to drop off boxes is perceived favorably as it enables court transactions outside of prescribed court clerk hours and security screening. The District should research ways to expand other services to be similarly accessible so court users more easily do court business.
- In light of the recent hiring freeze, the option to hire staff to keep the court open for longer hours is not realistic. However, consideration should be given to staggering existing staff schedules so that the customers can access the court at a larger range of time.

The Mesa County Justice Center trial court leadership and court staff should be lauded for initiating changes and their continued proactive approach in 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 consistently positive and even improving. The suggestions mentioned in this report are intended to build upon recent policy changes to continue the public's positive perceptions and make them stronger.

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 is a set of ten trial court performance measures 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 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 two days that would be considered typical days in the Justice Center.² 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

² 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 beneficial. Therefore, the Colorado SCAO recommends that interested districts choose a two day period for conducting the Access and Fairness Survey.

person as they left the building. The Access and Fairness Survey was available in both Spanish and English languages.

Survey Results and Analysis

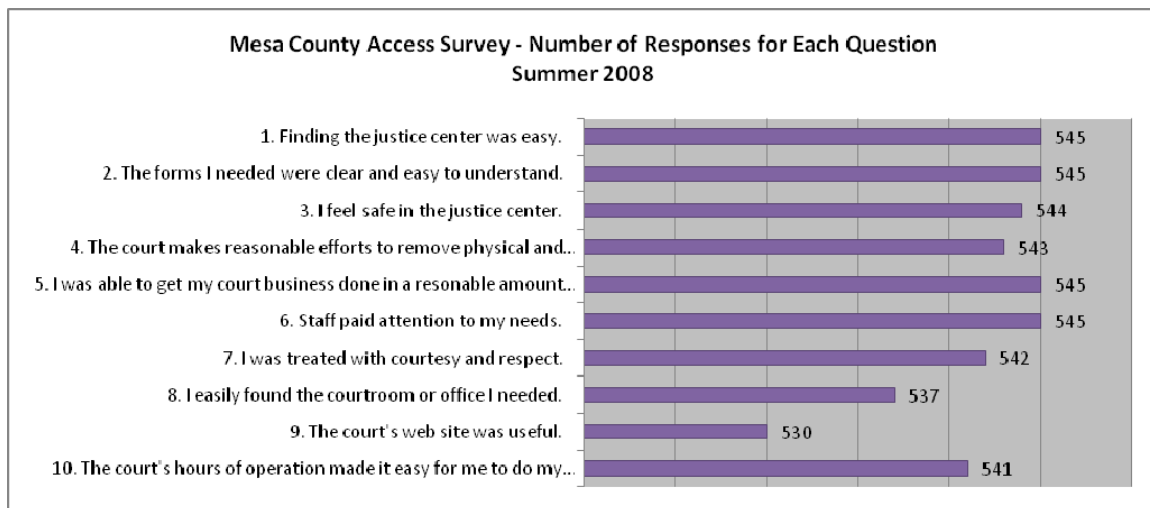
The survey itself, included in Attachment A, consists of three sections: 1) Access to the Court; 2) Fairness; and, 3) Background Information. The information gathered in the first two sections provides feedback on court-user experiences. The information obtained in the background section allows for further analysis of potential causes or commonalities among responses and respondents. This report does not include all of the data generated by the survey; additional data is available upon request.

Response Rates

Overall, the 21st Judicial District had a high response rate for this Access and Fairness Survey project³. A total number of 546 surveys were collected over the two day period with a total response rate of 69%⁴. 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.

The number of respondents for each question is provided in the following charts. As seen in Figure 1 and Figure 2, more respondents answered the access questions than the fairness questions.

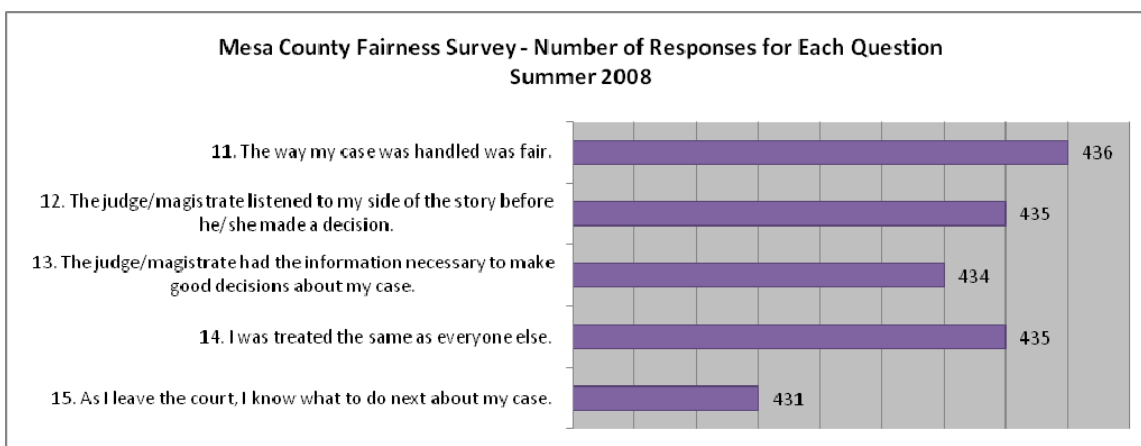
Figure 1



³ In order to obtain a response rate, SCAO staff counted the total number of potentially eligible people who exited the Justice Center over the entire two day period the Access and Fairness Survey was being implemented.

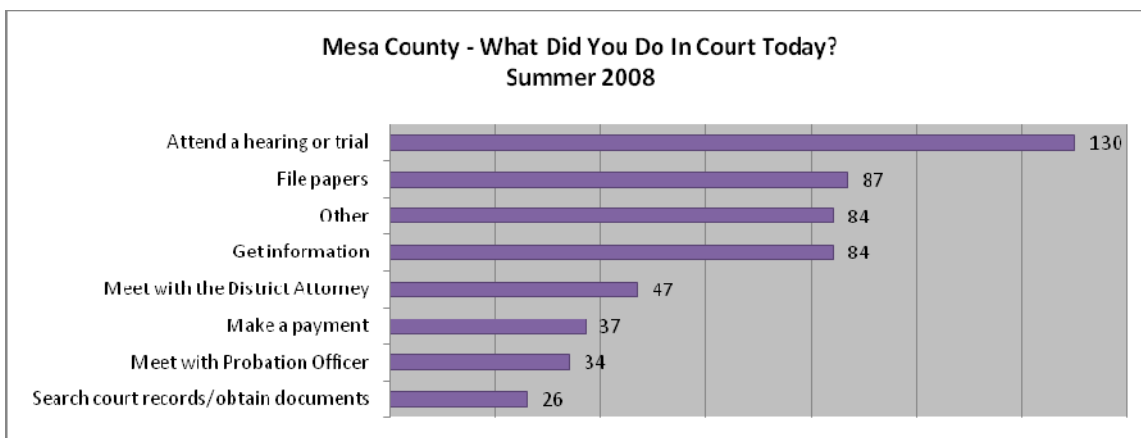
⁴ Due to the high number of repeat court users and employees that were counted as they exited the Justice Center on the second day of the project, it is estimated that the actual response rate may be a higher rate than the rate presented.

Figure 2



There are several potential reasons for the lower number of respondents in the fairness portion of a survey. Because the fairness questions tend to address a hearing before a judge, some respondents may simply have felt that these set of questions were not applicable to them and did not proceed further in the survey. For instance, respondents may have accompanied another party to a case, or were simply in the court house to obtain forms. Additionally, some respondents simply may not have felt comfortable answering the fairness questions even if they had appeared before a judge. The following chart illustrates what respondents did at court on the days of the survey.

Figure 3

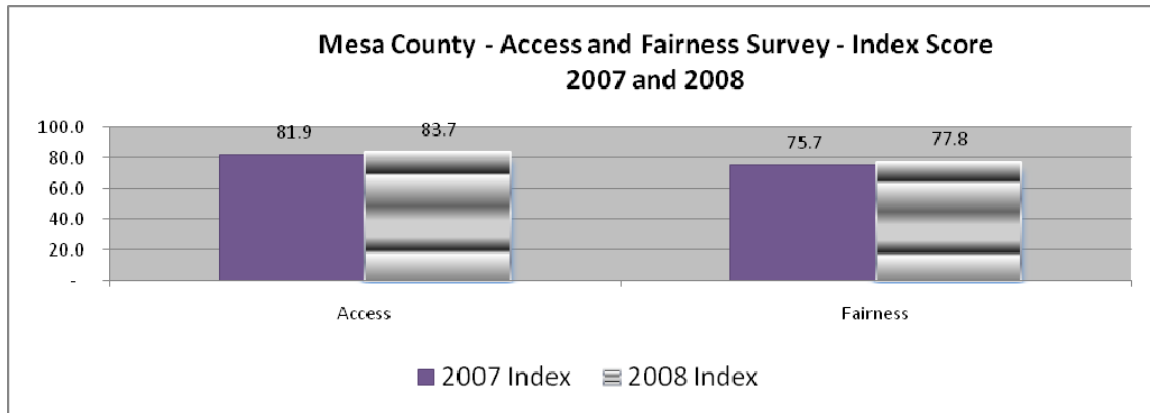


Index Scores

The Access and Fairness Survey measures several aspects of a court user’s experience. These are all important and will be discussed individually later in the report. However, the immediate question for many in the courts is, “How are we doing?” The quickest way to answer that question is to create a single score that reflects how the court was rated in terms

of access and, separately, fairness. This is called the Index Score and is shown on the chart below⁵.

Figure 4



The first ten questions of the survey address access issues, and respondents gave the court a rating of 83.7%. The next five questions address fairness, and respondents gave the court a rating of 77.8%. The court did not establish its own performance goals for this survey. However, the National Center for State Courts recommends a standard goal of 80%. If these responses are measured against this standard, they indicate that the parties surveyed over the two-day period rated the court above this standard in terms of access and just below the standard in terms of fairness. Compared to access scores, lower fairness scores are to be expected given the subjective nature of “fairness”.

Opinion Items

The fifteen opinion items in this survey are 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 can be expressed on a five point scale from “Strongly Disagree” to “Strongly Agree,” with a “Not Applicable” choice available. 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 “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.

⁵ The index score is created by taking the average score for each section and using a multiplier to place it on a 100-point scale.

⁶ This differs slightly from the methodology used for the 2007 data. In 2007, “Neither Agree or Disagree” responses were also counted as positive responses when calculating agreement scores. In 2008, only “Agree” or “Strongly Agree” responses were counted in agreement scores. The 2007 data referenced in this report was recalculated using the current methodology.

Section I: Access to the Court

During 2008, the Access Index Score for this court is 83.7%. This is above the general recommendation of the National Center for State Courts. The data indicates that the court scored well in this category and even improved from the 2007 score of 81.9%. The ten survey questions which assess Access to the courts are:

- 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 “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 assessment can be made in regards to the respondents’ attitudes.

Figure 5

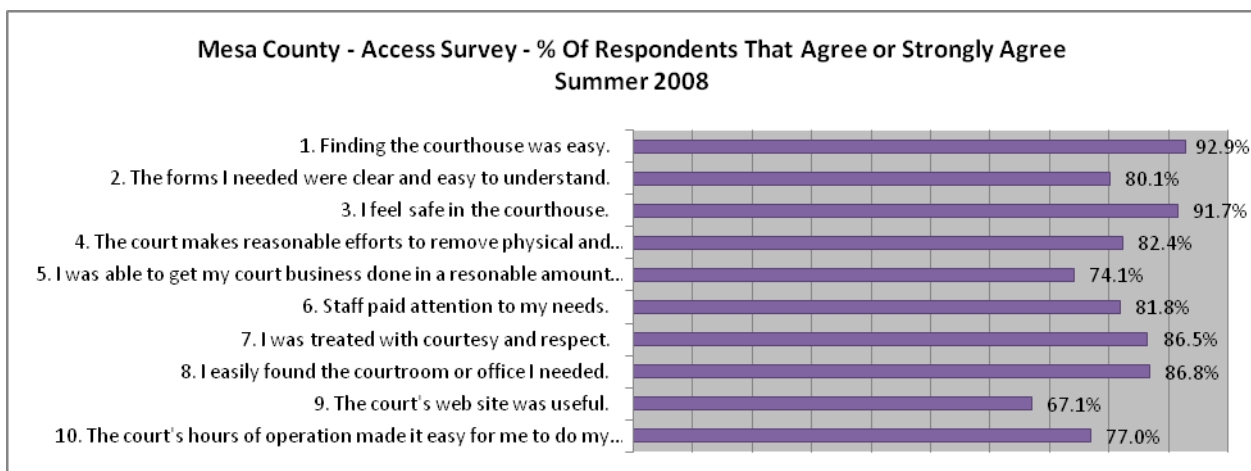


Figure 5 shows the percentage of total agreement responses. With the exception of three questions, the scores were over 80%. **There is no objective criterion for determining what constitutes a “high-performing court” based on this survey data.** Such

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.

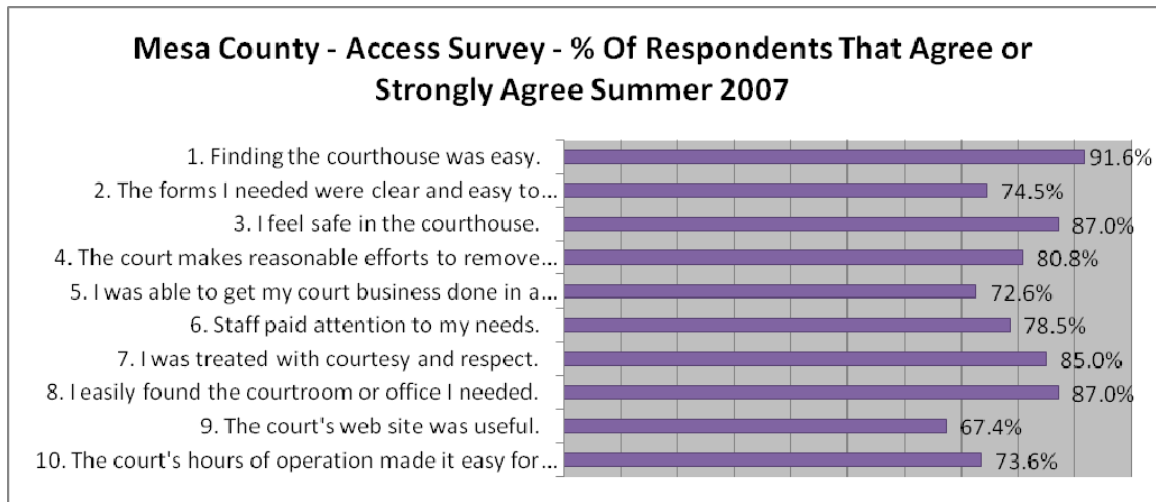
The court scores particularly well in finding the court and its various locations within the court house, having a feeling of security in the courthouse, and being treated with courtesy and respect. The questions that fall below an 80% approval rating are Question 5, Question 9, and Question 10.

Question 5 asks whether or not respondents feel they completed their court business in a reasonable amount of time. Over the two years this survey was conducted, the responses have been consistent. This year, 74% of respondents indicated that they agreed to this statement. Last year, 73% of respondents indicated that they agreed to this statement. If most people must travel long distances to take care of court business at the 21st Judicial District and/or are unfamiliar and confused with court business in general, this response could consistently have the same agreement rating. The District may want to examine if it can offer additional court services by mail or internet. However, a significant step to improving this area is directly related to how well prospective court users know what to do with court business which could be improved with proactive communication. For example, the local website for the 21st District provides a procedural flowchart for domestic relations cases so prospective court users can understand what to expect in these cases. Procedural flowcharts for other types of cases could be created and posted on the internet to further educate court users about what to expect.

Question 9 asks whether or not the court's website was useful. Like Question 5, the results are consistent over the two years of the survey. For both this year and last year, 67% of respondents indicated agreement with this question. It is important to note that the 21st Judicial District website contains links to the state website and it is quite possible that respondents might mistake the actual state website as that of the 21st Judicial District. As a result, this measure may pick up effects of state website evaluation rather than that of the 21st Judicial District. To increase this score, the District may want to evaluate the substance of website related concerns and their source (local or state website) so a plan can be formulated to improve web content. Local jurisdictions now have more control of their state website content, and the 21st Judicial District may want to evaluate and modify their state website content as well.

Question 10 asks whether or not the court's hours made it easy for respondents to do their business. This year, 77% of respondents indicated agreement to this question, which is up from 74% last year. The increase in the agreement score is likely the result of the District expanding their hours from 8am – 4pm to 7:30 am – 4:30 pm.

Figure 6



It is interesting to note that the 2008 access scores are higher overall in comparison to the 2007 access scores. This is likely an indication that changes made from the last survey made a positive difference.

Section II: Fairness

The Fairness Index Score for this court was 77.8%. This is just below the standard recommendation of the National Center for State Courts but is arguably a good score for such a subjective concept as fairness.

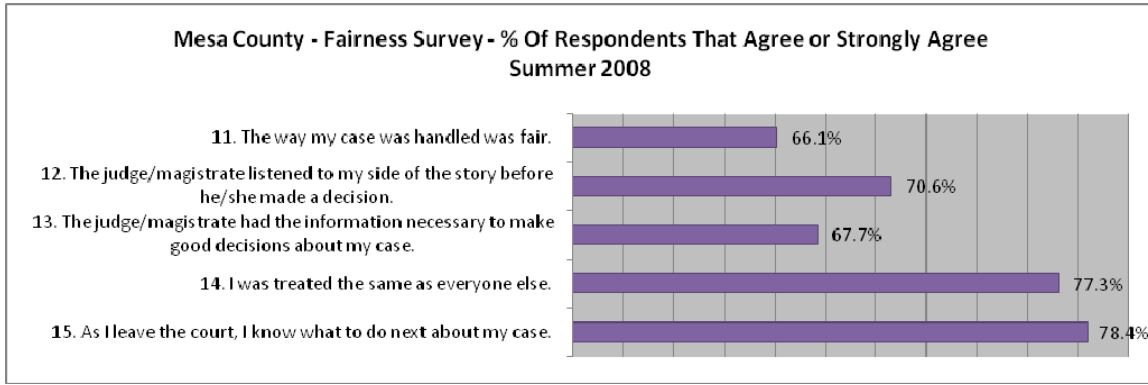
There were five fairness items identified on the Access and Fairness Survey. Generally, these items are related to perceptions of active court cases. The fairness items are:

- 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 in Section I, for each question in this section of the survey, participants were asked to indicate their agreement with each of the statements. Responses were on a five-point scale of agreement, with “1” being Strongly Disagree and “5” being Strongly Agree. A “Not

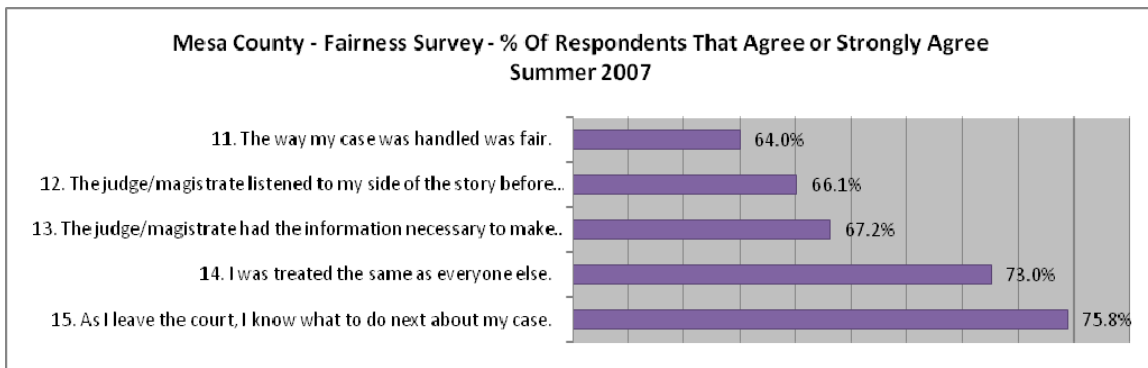
Applicable” response was allowed. The chart below shows the percentage of respondents that either Agree or Strongly Agree with each of the statements.

Figure 7



As was the case last year, average responses in this section are largely consistent with each other. And when comparing 2008 fairness scores with 2007 fairness scores, they are higher overall. Like the access portion of the survey, this overall increase may also be a result of the changes made since the last survey.

Figure 8



Suggestions

The results of the 2008 CourTools Access and Fairness Survey validate the results of the last survey: the 21st Judicial District does not only continue to be a high- performing court, it is improving as well—suggestions for further improvement should be taken in this context. The survey items related to access that were consistently low from last year to this year should be examined more closely to see where changes can be made. Based on analysis of the survey data, it is recommended that the 21th Judicial District consider the following suggestions for follow-up:

Set Local Performance Goals. This is the second survey conducted at the district and local performance goals were not established prior to the survey process. It is recommended that the district discuss and determine reasonable goals for this court. As stated previously, the 80% goal is a good, general starting point.

It is recommended that goals for each question be considered within the context of the resources and priorities of the court and the local community. Locally-established goals will be much more meaningful when a follow-up survey is conducted.

Consider Further Expansion of Operating Hours. Since the last survey, the 21st Judicial District expanded its operating hours from 8am-4pm to 7:30am-4:30pm. Because responses on hours of operation continue to be among the lowest scoring items, the District should consider further inquiry of ideal hours among its users to see how it might best meet their needs within given constraints. Due to the recent hiring freeze, it may be difficult to accommodate customers' ideal operating hours; however, it may also be possible to stratify existing personnel work shifts to accommodate customer needs.

Website Improvements. The usefulness of the court's website is one of the three areas receiving lower ratings in the access section of the survey. The District may want to conduct a more in depth analysis of concerns about their web content, including whether the concerns are based on the local website or the State Judicial website, so a plan can be formulated to improve web content. The SCAO has recently updated the state court website. One of the benefits of the update is that local districts now have greater control over their content in the state website. At a local level, the District should also consider how it might increase the usefulness of the local website to better engage court users so they are better prepared when they appear at the courthouse.

Consider More Areas of Open Public Access: The District has taken considerable steps to move folders and filing cabinets into non-security screened public areas so that court users can access them between 7am-5pm. While the District's score regarding users being able to conduct their business in a reasonable amount of time improved slightly, this remains a low scoring area relative to other compared to the other Mesa Access scores. The District might consider exploring whether additional options exist for "drop off" business in either non-security screened areas or within the secured area of the court.

Implementation Plan and Technical Assistance

The State Court Administrator's Office is available upon request to discuss or present this report in greater detail with court administration, judicial officers, court staff, and/or key stakeholders. Staff are also available to assist in developing an implementation plan or provide technical assistance required to implement any of the report suggestions. Technical assistance could include, but is not limited to, holding training and workshops with court leadership and key stakeholders, providing materials to help the court draft a district plan, setting up timeliness guidelines for case processing events, and/or returning on a yearly basis to measure the impact of any changes the district would like to implement.


Conclusion

The Mesa County Justice Center trial court leadership and court staff should be lauded for their continued interest and support in soliciting public feedback on how court business is conducted. The Access and Fairness Survey results continue to show that the public's perception of how court business is conducted in Mesa County is very positive. The results validate the views of court leadership in the 21st Judicial District that high quality services are being delivered to the Mesa County community by the Mesa County Justice Center. The few suggestions mentioned in this report may continue to build on those positive perceptions and make them stronger.

Acknowledgements

We would like to take this opportunity to thank Judy Vanderleest and Chief Judge David Bottger for their leadership and for providing the location and necessary materials to help make this project a success. We would like to thank the judicial officers and the court employees that donated their time and enthusiasm to this project, which was a significant contributor to the overall success of this project. We would like to extend a special thank you to court staff and to Jeannette Finlayson who helped with translating for the Spanish speaking population. We would also like to thank the Mesa County Sheriff's Officers that provided security at the Justice Center for their enthusiasm and willingness to work with us. Any errors of omission or interpretation are those solely of the authors of this report.

Appendix A

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<p>Access and Fairness Survey</p> <p>Section I: Access to the Court</p> <p><i>Circle the Number.</i></p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 65%;"></th> <th style="width: 8%; text-align: center;"><i>Strongly Disagree</i></th> <th style="width: 8%; text-align: center;"><i>Disagree</i></th> <th style="width: 8%; text-align: center;"><i>Neither Agree or Disagree</i></th> <th style="width: 8%; text-align: center;"><i>Agree</i></th> <th style="width: 8%; text-align: center;"><i>Strongly Agree</i></th> <th style="width: 8%; text-align: center;"><i>Not Applicable</i></th> </tr> </thead> <tbody> <tr> <td>1. Finding the courthouse was easy.</td> <td style="text-align: center;">1</td> <td style="text-align: center;">2</td> <td style="text-align: center;">3</td> <td style="text-align: center;">4</td> <td style="text-align: center;">5</td> <td style="text-align: center;">n/a</td> </tr> <tr> <td>2. 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I was treated with courtesy and respect.	1	2	3	4	5	n/a	8. I easily found the courtroom or office I needed.	1	2	3	4	5	n/a	9. The court's Web site was useful.	1	2	3	4	5	n/a	10. The court's hours of operation made it easy for me to do my business.	1	2	3	4	5	n/a	11. The way my case was handled was fair.	1	2	3	4	5	n/a	12. The judge/magistrate listened to my side of the story before he or she made a decision.	1	2	3	4	5	n/a	13. The judge/magistrate had the information necessary to make good decisions about my case.	1	2	3	4	5	n/a	14. I was treated the same as everyone else.	1	2	3	4	5	n/a	15. As I leave the court, I know what to do next about my case.	1	2	3	4	5	n/a
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9. The court's Web site was useful.	1	2	3	4	5	n/a																																																																																																										
10. The court's hours of operation made it easy for me to do my business.	1	2	3	4	5	n/a																																																																																																										
11. The way my case was handled was fair.	1	2	3	4	5	n/a																																																																																																										
12. The judge/magistrate listened to my side of the story before he or she made a decision.	1	2	3	4	5	n/a																																																																																																										
13. The judge/magistrate had the information necessary to make good decisions about my case.	1	2	3	4	5	n/a																																																																																																										
14. I was treated the same as everyone else.	1	2	3	4	5	n/a																																																																																																										
15. As I leave the court, I know what to do next about my case.	1	2	3	4	5	n/a																																																																																																										
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Appendix A

Section III: Background Information

What did you do at the court today? (check all that apply)

- File papers
- Get information
- Make a payment
- Search court records/obtain documents
- Attend a hearing or trial
- Meet with the District Attorney
- Meet with Probation Officer
- Other _____

How do you identify yourself? (check all that apply)

- American Indian or Alaska Native
- Asian
- Black or African American
- Hispanic
- Native Hawaiian or Other Pacific Islander
- White
- Mixed Race
- Other: _____

Your role in court today:

- A party to a court case
- Came with a friend or family member
- Jury duty
- Witness in a court case
- Lawyer
- Law enforcement
- Probation
- Social services staff
- Other _____

Are you currently being represented by a lawyer in your case? Yes No

If yes, was the lawyer:

- Hired by you
- Appointed by the Court

If you were conducting business in a courtroom today, who did you appear before?

- Judge
- Magistrate
- Family Court Facilitator

Did you use the 17th Judicial District Website for information about court business?

- Yes
- No

What type of case brought you to the courthouse today?

- Traffic
- Felony Criminal
- Misdemeanor
- Civil matter
- Divorce, child custody or support
- Juvenile Delinquency matter
- Juvenile D&N matter
- Other Juvenile matter
- Probate
- Small Claims
- Other: _____

How often are you typically in this courthouse? (choose the closest estimate)

- First time in the courthouse
- Once a year or less
- Several times a year
- Regularly

Your Gender?

- Female
- Male

What is your approximate annual household income?

- Less than \$10,000
- \$10,001 to \$25,000
- \$25,001 to \$50,000
- \$50,001 to \$75,000
- \$75,001 to \$100,000
- \$100,001 or more

What is your primary language?

- English
- Spanish
- Other _____

What is your education level?

- Actively in middle/ high school
- Non high school graduate
- High school graduate/GED
- College or trade school graduate or attended some college or trade school
- Post graduate degree or some post graduate work