



Fourth Judicial District of the State of Minnesota

Hearing Office Fairness Study

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Hearing Office Fairness Study

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Second, we would like to thank Kate Fogarty, Administrative Supervisor of the Hearing Office and Deb Kempf, Criminal Division Manager for assisting us in the planning of the survey, and for immediately implementing process improvements based on our results.

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Executive Summary

Background

- Prior research tells us that satisfaction with the court process has more to do with fair treatment than with favorable case outcomes (Tyler, 1984; 1989). In addition, prior research tells us that litigant satisfaction leads to viewing court authority as legitimate, which in turn leads to increased compliance with court orders (Tyler, 1990).
- Citizens who receive a citation that can be resolved by paying a fine but who would like to pursue a possible reduction/dismissal come to see a Hearing Officer to present their case.
- Discretion to reduce or dismiss a citation by the Hearing Officer is based upon the policies of the Hennepin County Bench and the local city prosecutors.

Research Design

- Visitors to the Hearing Office were interviewed just after meeting with a Hearing Officer.
- 634 court users were approached and 429 agreed to be surveyed.
- Half of those interviewed visited the Hearing Office in the morning and half in the afternoon.

Results of Quantitative Analysis

- Overall, respondents were very satisfied with how they were treated by Hearing Officers.
- Court users visiting the Hearing Office for parking tickets were more satisfied than those visiting for moving violations or low level criminal offenses.
- Older respondents rated the Hearing Officers higher on each scale compared to those 25 and younger.
- Over half of those surveyed had waited less than 30 minutes to see a Hearing Officer and only 20% thought they had to wait too long
- Those who thought they waited too long rated the Hearing Officers lower on every scale than those who felt their wait time was appropriate.

Results of Qualitative Analysis

- Most responses to the open-ended questions were positive.
- Negative comments mostly had to do with waiting time.
- Immediate process improvements were made to the Hearing Office based on responses to the process questions and to the open-ended questions.
 - Added a fast-track parking calendar for the fastest case types
 - Added a specific Somali and Spanish calendar with scheduled interpreters
 - Increased the number of possible appointments
 - Advertised appointments – particularly in the suburban courts
 - Added evening appointments in Ridgedale one night a week
 - Shifted our staff work hours to accommodate anyone who walked in the door by 4:30 pm (this reduced the number of return visits necessary)
 - Added a television to the waiting room in the Government Center
 - Added STS (Sentence to Service) in lieu of fines for those with limited income

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Introduction to the Study of Fairness

In March 2003, the Fourth Judicial District embarked upon a study of fairness in the courts. The study was largely based on nationally recognized research by three social psychologists – Larry Heuer (Barnard College, Columbia University), Tom Tyler (New York University), and Steven Penrod (John Jay College of Criminal Justice) – who have spent many years studying the relationship between individuals’ perceptions of fairness and satisfaction, as well as subsequent compliance with the orders of those in authority. They have studied these concepts in other justice settings, but never as a justice *experiment* in a trial court.

Prior Research

The results of prior studies have shown that while the actual outcome of a case can explain 30-40% of the variance in litigants’ level of satisfaction with the court, perceptions of whether or not litigants feel they have been treated fairly by the court (specifically the judicial officer) can explain 60-70% of the variance. (Tyler, 1984; 1989). In other words, perceptions of fairness are approximately twice as important as case dispositions when it comes to measuring litigant satisfaction with the court. This finding has been labeled “one of the most robust findings in the justice literature” (Brockner et al., 2000). Furthermore, increased justice (procedural fairness) has been shown to be related to increased compliance with court orders, ultimately reducing the rate of “repeat business” for the court and its justice partners (Tyler, 1990).

A number of more recent studies have corroborated the findings of Tyler and his colleagues. Many have found that individuals are satisfied with authority figures if they feel the procedures followed by the authorities have been fair, even if the outcome adversely affects the individual (see Tyler and Smith, 1998, for a review). Another way of saying this is that people are prone to say that even unfavorable outcomes are fair if they have been treated with respect (Skitka and Crosby, 2003). More recent studies, however, are exploring whether procedural justice matters more in some situations than in others (Skitka and Crosby, 2003). It may in fact be, for example, that for certain types of courtroom experiences the procedural fairness piece is less relevant because contact with the judge is minimal. Procedural fairness may also matter more to some types of individuals than others, depending on what groups the individuals identify themselves with (Tyler and Blader, 2003). Regardless, issues of procedural justice and fairness are dynamic, and should be studied with methods that allow for analysis beyond simple correlations.

The Fourth Judicial District of Minnesota: Four Different Fairness Studies

To measure fairness in the courts, the Research Division of the Fourth Judicial District developed litigant surveys, in conjunction with Heuer, Tyler, and Penrod, to be used in several different areas of the court: Drug Court, the Traffic and Violations Bureau Hearing Office, the Domestic Abuse calendar in Family Court, and Delinquency calendars in Juvenile Court. This particular report documents the results of the Hearing Office study.

Background of Hearing Office Fairness Study

The decision to study the Traffic and Violations Bureau Hearing Office came out of a request from the criminal division. This study took the form of a “customer satisfaction” survey, as well as an assessment of fairness related to the Hearing Office process.

The Hearing Office Process

When someone receives a citation (for a parking or traffic violation, or a petty misdemeanor criminal matter), they immediately have two choices. If the citation is not for a “court required” offense,¹ defendants can either choose to pay the fine (through the mail, over the phone, on-line, or in-person at the Traffic and Violations Bureau counter), or they can contest the citation at the Hearing Office. Individuals who choose to contest their citation must call or stop into the Hearing Office within 21 days of the offense date in order to be eligible for an appointment. Appointments are set Monday through Thursday in fifteen minute increments. Defendants who have an appointment are seen at their appointment time.

Many visitors to the Hearing Office, however, are walk-ins, meaning that they choose to see a Hearing Officer on the same day they come in. If this is the case, the receptionist gives them a number and gathers information about their citation so that she may provide it to the Hearing Officer. There are six Hearing Officers at the downtown location.² The Hearing Officer’s job is to make a decision when someone comes in to contest their citation, and generally negotiate some type of settlement.

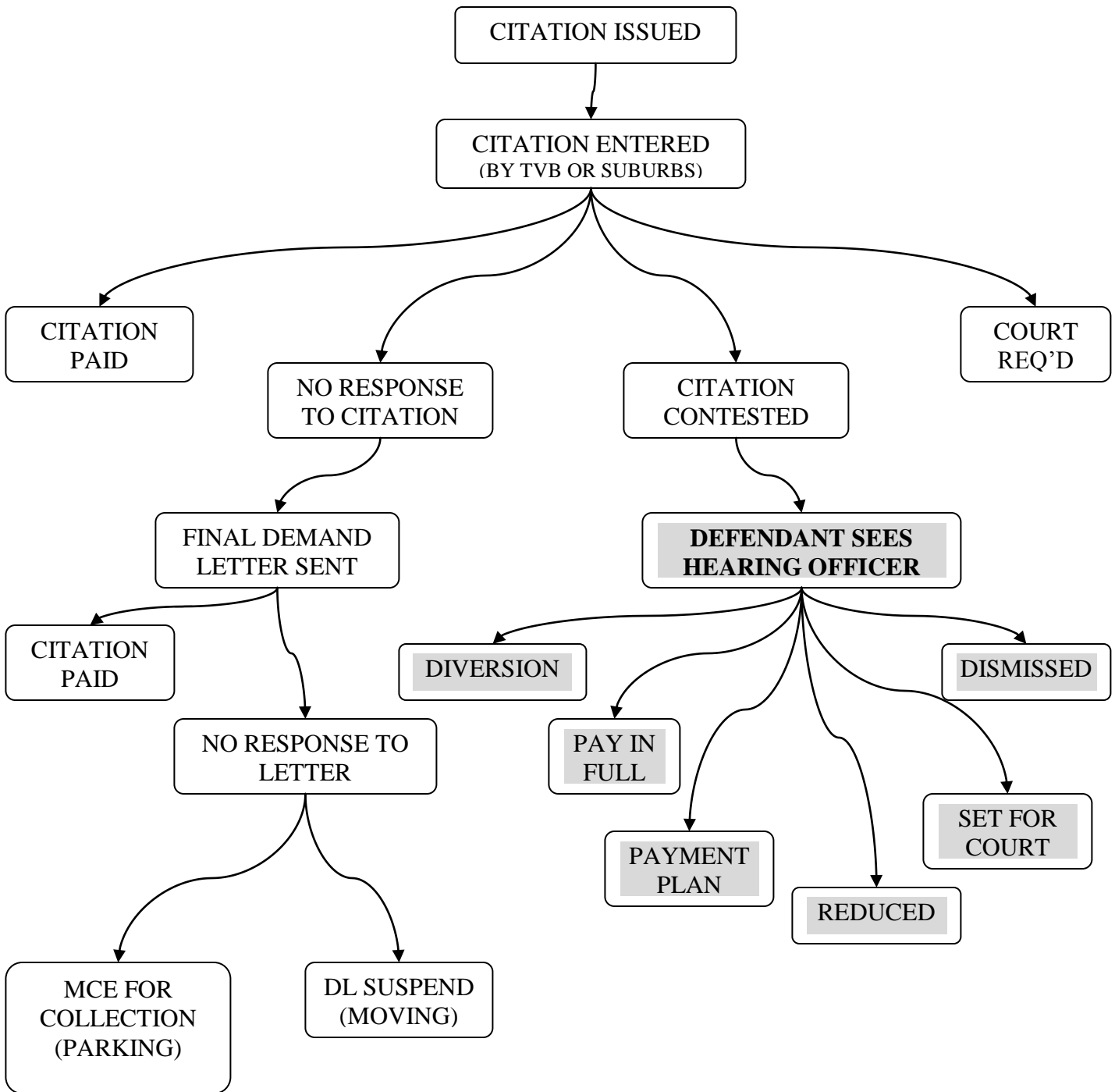
The downtown Hearing Office handles approximately 95,000 citations per year. About a third of the defendants who contest their citations at the Hearing Office receive a reduction to their fine amount, often because they have a clean driving record, and sometimes due to financial hardship or other factors. Many defendants are eligible for a payment plan where their due date for payment is extended based on financial hardship issues. Average hearing time is approximately 10 minutes.

The following flow chart shows the process by which a citation ends up at the Hearing Office, and the possible outcomes:³

¹ Court required offenses are typically more serious misdemeanors. Many fall into the conduct and community violations categories, although there are many lower level drug and alcohol offenses, some more serious moving violations (e.g., hit and run, DWI, reckless driving), as well as lower level theft and prostitution charges, among others. The determination of whether an offense is court required or payable is defined by the Minnesota Conference of Chief Judges and by local judicial decisions as well.

² There are also three other Hearing Officers, one at each of District Court’s three suburban locations. This particular study focused only on the downtown Hearing Office. However, at the time of this writing, District Court Research is in the process of conducting the same customer satisfaction survey with suburban Hearing Office defendants.

³ Provided by the Fourth Judicial District Traffic and Violations Bureau Hearing Office.



The Survey Process

Research staff members were stationed outside the Hearing Office for most of the day during a two month period. Approximately once every hour, one of the researchers would enter the Hearing Office waiting area and announce the survey to the people seated there, asking for their participation on their way out. Researchers then approached individuals as they left the Hearing Office to solicit their cooperation. After verifying that the individuals did meet with the Hearing Officer and that their case was complete, the surveyors asked these individuals if they would like to complete a brief survey about their Hearing Office experience and provide feedback for the courts.

The survey was administered out loud by the research staff person, usually seated at a table either next to or across from the survey respondent, or sometimes standing next to him/her. The person being surveyed was usually able to read the questions as they were being read. Each survey lasted no more than five minutes.

The survey began with some basic demographic information about the respondent. Much of the remainder of the survey were the questions regarding fairness, which asked survey respondents to rate their level of agreement with each statement based on a 9 point scale, where a rating of 1 indicated strong disagreement with the statement, a rating of 9 indicated strong agreement with the statement, and a rating of 5 indicated a neutral feeling about the statement. These questions all addressed how respondents felt they were treated by Hearing Office staff and perceptions of the Fourth Judicial District court system in general. Following the fairness questions, we asked individuals about their waiting time, and familiarity with other Hearing Office options (e.g., scheduling appointments, suburban locations, etc.). Finally, the last two questions were “open-ended,” and asked to provide opinions of the court process and suggestions for improvement in their own words. (See Appendix A for a complete copy of the survey).

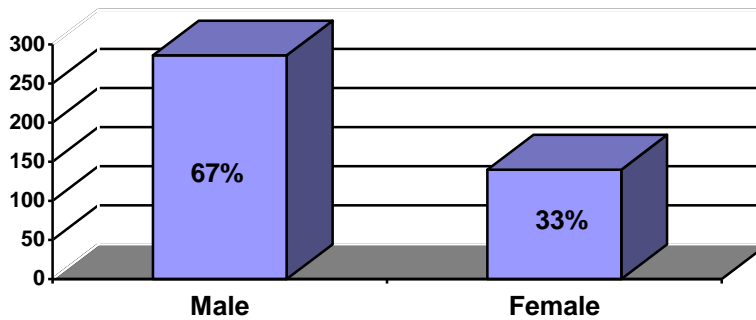
We approached 634 individuals. Four hundred twenty-nine surveys were completed and 205 people refused to participate resulting in a 68% response rate.

Results of Quantitative Data Analysis

Demographics

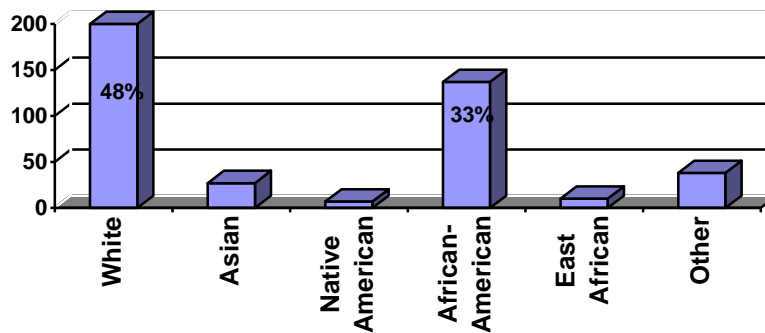
As noted above, we surveyed a total of 429 individuals. This number does not, however, represent individual cases. Individuals may have come to the Hearing Office to handle more than one case at the same time (e.g., multiple parking tickets), and they also may have visited the Hearing Office multiple times during our study period. Generally, however, people told us if they had already taken the survey and we made every effort not to survey people more than once. Two-thirds (286) of the people we interviewed were male, and one-third (140) were female.

Gender of Survey Respondents



The Hearing Office serves citizens from a variety of different racial and cultural backgrounds. About half (200) of the Hearing Office survey respondents were white and a third (137) were African American. Regardless of race, 8% of the individuals we talked to told us they were of Hispanic descent, and 4% told us they had a Middle Eastern background.

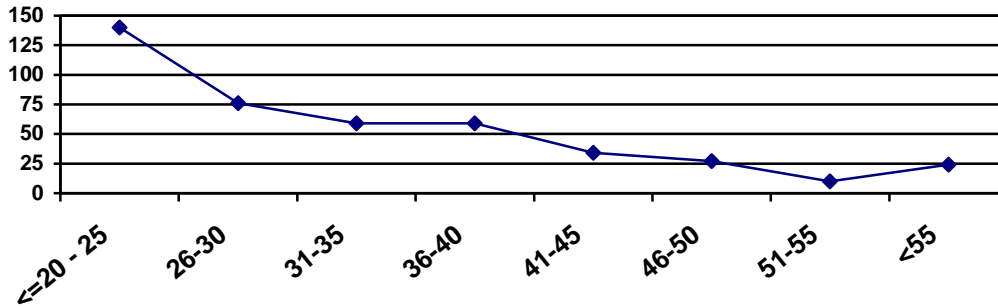
Race of Survey Respondents



<i>No answer</i>	<i>White</i>	<i>Asian</i>	<i>American Indian</i>	<i>Black/African-American</i>	<i>East African</i>	<i>Other</i>	<i>Total</i>
10 2.3%	200 46.6%	27 6.3%	7 1.6%	137 31.9%	10 2.3%	38 8.9%	429 100.0%

The population of individuals visiting the Hearing Office were disproportionately young. About half of those interviewed were thirty years old or younger. About 28% were between the ages of 31 and 40, and the remaining 21% were over the age of 40.

Age Distribution of Survey Respondents



Nearly half (46%) of the survey respondents were college educated. Another half (50%) had at least a high school diploma, and many (27%) reported having attended some college.⁴ Most (83%) were employed at the time we interviewed them and most (71%) of those who were employed reported having a full-time, permanent job. As a comparison to Hennepin County as a whole, the Hearing Office users were similarly educated and employed. About 82% of the Hennepin County adult residents were employed in the 2000 Census and 54% had some college but had not received a degree or less.

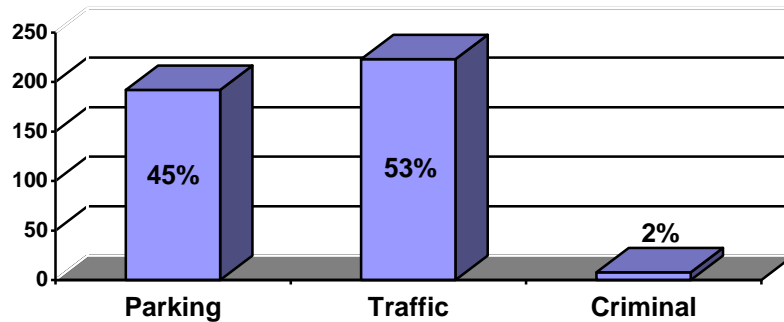
Education	
<i>Less than high school</i>	5 1.2%
<i>Some high school</i>	15 3.5%
<i>Earned diploma or GED</i>	84 19.6 %
<i>Trade school</i>	12 2.8%
<i>Some college</i>	116 27.0%
<i>Finished college degree</i>	195 45.5%
<i>No answer</i>	2 <1%
Employment	
<i>Currently employed</i>	354 82.5%
<i>Not currently employed</i>	74 17.2%
<i>Don't know/no answer</i>	1 <1%

⁴ These are higher education levels than we have seen with other studies. In the Family Court Fairness study, for example, only about 20% of survey respondents had graduated from college.

Hearing Related Data

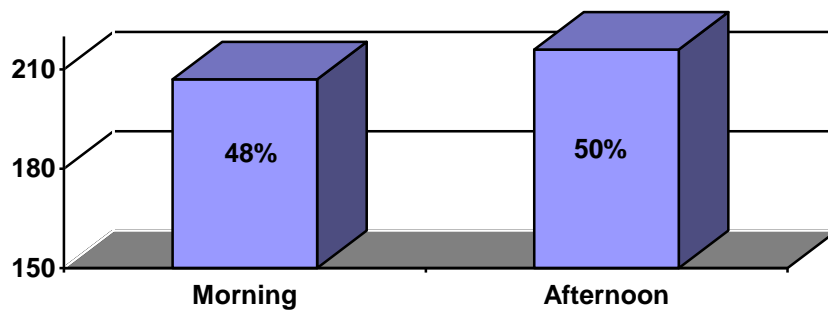
The majority of the people we interviewed came to the Hearing Office for a traffic dispute (53%, or 223 people). Another sizeable percentage (45%, or 192 people) saw a Hearing Officer about a parking ticket. Only eight people (2%) were there regarding a criminal matter. This is comparable to the percentage breakdown of cases typically seen by the Hearing Office.

Types of Citations for Survey Respondents



Because we suspected there might be differences in the responses to questions based on the time of day we conducted interviews, we made sure to do surveys at various times throughout the day. The following graph shows the distribution of interview times, and shows us that interviews were fairly evenly distributed between morning (207) and afternoon (216).⁵

Time of Day when Visitors were Interviewed



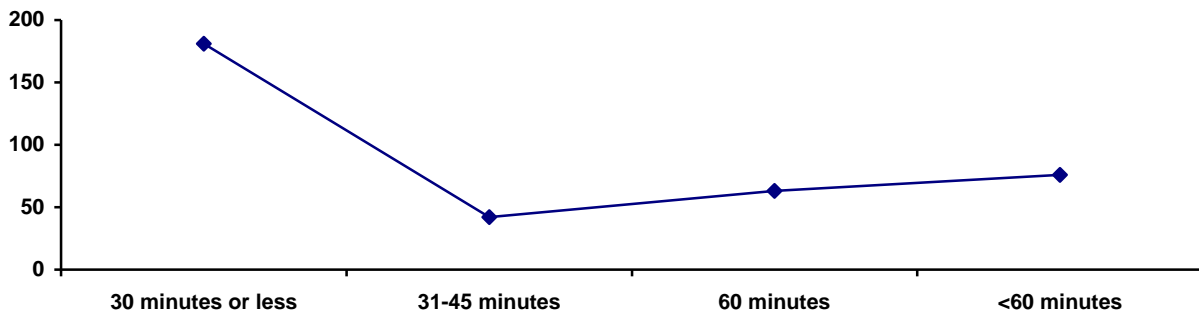
One of the first procedural recommendations that came out of this study was to increase awareness about the different options available to Hearing Office defendants. For example, only 20% of the people we spoke with had a pre-scheduled appointment with the Hearing Officer, and most of the 80% who did not, were not aware that they could have made an appointment and greatly reduced the time they had to wait

⁵ Time of day was not recorded on six of the surveys.

to see a Hearing Officer.⁶ In addition, only 44% of survey respondents were aware that there are suburban Hearing Offices as well as downtown, which may be more convenient locations for many.

We interviewed 362 people who identified themselves as “walk-ins.” Although anecdotal reports were that walk-in defendants were waiting hours to see a Hearing Officer, the data indicates that half (52%) of the walk-ins to the Hearing Office waited thirty minutes or less. Only 76 people (21%) reported waiting longer than one hour. Approximately 39% of respondents felt their wait was too long.

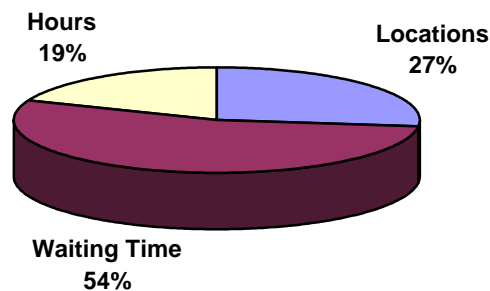
Wait Time Reported by Survey Respondents



The individuals we interviewed responded favorably to the idea of settling the citation over the internet, were that option available. 68% of survey respondents indicated that they would have gladly used the internet rather than coming into the Hearing Office in person.

We asked survey respondents which of the Hearing Office services mattered most to them, and we found out that waiting time was the primary concern, over locations and office hours. The pie chart below depicts how these options are distributed among survey responses.

What Hearing Office Services Matter Most to Survey Respondents?



⁶ We gave this feedback to criminal division management, who implemented changes immediately which increased the number of appointments made with Hearing Officers. See section entitled “Process Improvements to Hearing Office Based on Fairness Study Results.”

Assessments of Fairness and Customer Satisfaction

The survey included 23 separate indicators of fairness. (See Appendix A for a copy of the survey.) Survey respondents were asked to rate their level of agreement with each of 23 statements according to a nine point scale, where a rating of 1 indicated strong disagreement, a rating of 9 indicated strong agreement, and a rating of 5 indicated a neutral/no opinion rating. Litigants were encouraged to choose any number on the scale from 1 to 9 (i.e., not simply 1 or 9). If litigants responded to the statements with a comment such as “yes” or “I agree,” research staff reminded them that they needed to choose a number between 1 and 9.⁷

Some of the indicators were worded positively (e.g., “The Hearing Officer spoke clearly”) whereas others were worded negatively (e.g., “The Hearing Officer was impolite”). For the purposes of analysis, the responses on the negatively worded statements were recoded to make them positive. In other words, the higher the score on any statement, the more positive the litigant felt about the court experience. Another way of saying this is that the closer the averages for each individual indicator get to 9, the more fair litigants perceive the Hearing Officers.

Univariate Analysis

Before grouping the fairness indicators into logical theoretical constructs so that we could conduct bivariate analysis (i.e., did individuals of one group give higher or lower fairness ratings than individuals of another group?), we ran simple univariate analysis to get a sense of how the Hearing Officers were rated by people who met with them during this time frame.

Perhaps the most undisputable outcome of the entire study is that individuals gave mostly positive ratings to the behavior of the Hearing Officers. On the 1 to 9 scales described above, where 9 would be a perfect score (meaning every respondent “strongly agreed” to any given question), most average scores were between 7 and 8. Some examples are provided below:

<i>Survey Statement</i>	<i>Number of Responses</i>	<i>Average Score</i>	<i>Standard Deviation</i> ⁸
<i>The Hearing Officer helped you understand your options.</i>	428	7.26	2.45
<i>The Hearing Officer spoke clearly.</i>	429	8.59	1.10
<i>The Hearing Officer treated you with respect.</i>	417	8.28	1.63
<i>The Hearing Officer maintained eye contact with you.</i>	415	7.11	2.43

The items that had the lowest average scores had to do with Hennepin County Courts in general, with the exception of the lowest average score on the question that related to the frustration with waiting time:

⁷ Averages (i.e., means) and standard deviations for each individual indicator are presented in Appendix B.

⁸ Standard deviation is a statistical measure that shows how spread out individual scores are from the average. The lower the standard deviation, the more individual scores are clustered around the average. The higher the standard deviation, the more skew in the data and the less meaningful the average. The standard deviations reported in this table are relatively low.

<i>Survey Statement</i>	<i>Number of Responses</i>	<i>Average Score</i>	<i>Standard Deviation⁹</i>
<i>The Hearing Officer explained the reasons for delays to people in the waiting area.</i>	422	4.02	2.67
<i>The courts in Hennepin County are excellent.</i>	422	4.88	2.43
<i>You have confidence in the Hennepin County courts.</i>	424	5.44	2.73

Factor Analysis

Analysts typically try to find ways to reduce their data when they have as many independent indicators as we did in these data. Data reduction makes the data more useful, by consolidating a large number of separate statements into a few theoretical constructs. To do this, we ran a statistical procedure known as factor analysis, which shows how the indicators “cluster” with other indicators. The results of the factor analysis were used to consolidate the 23 statements into five different theoretical constructs for the purposes of analysis. (See Appendix C for a complete list of all the indicators that formed each theoretical construct.) In short, the 23 fairness indicators consolidated into scales which represented the following five concepts:

1. ***Outcome/procedural fairness*** or the extent to which the survey respondent felt that their case was dealt with fairly and the extent to which they felt they were treated fairly by the Hearing Officer and/or were satisfied with the outcome of their case.
2. ***Clarity*** or the extent to which the survey respondent felt the Hearing Officer was understandable.
3. ***Demeanor*** or the extent to which the survey respondent felt the Hearing Officer behaved politely and appropriately.
4. ***Efficiency*** or issues of time and waiting in the Hearing Office.
5. ***Satisfaction with the Courts*** or the extent to which the survey respondent has faith in the 4th judicial district courts.

The remainder of statistical analysis employed these five constructs as representations of fairness.

Bivariate Analysis

Average Fairness Ratings between Male and Female Visitors to the Hearing Office

We found significant differences between male and female respondents on opinions regarding demeanor of the Hearing Officer as well as on overall satisfaction with the courts. Below we present the average scores for each of the five theoretical constructs listed above, by whether the survey respondent was a man or a woman.

⁹ Standard deviation is a statistical measure that shows how spread out individual scores are from the average. The lower the standard deviation, the more individual scores are clustered around the average. The higher the standard deviation, the more skew in the data and the less meaningful the average. The standard deviations reported in this table are relatively low.

Average Fairness Ratings between Men and Women



Average scores for each scale (on a scale of 1-9):

	<i>Fairness</i>	<i>Clarity</i>	<i>Demeanor</i>	<i>Efficiency</i>	<i>Satisfaction w/courts</i>
Men	6.90	8.08	8.23	6.14	5.34
Women	7.26	8.23	8.57	6.28	4.83
Statistical significance	ns	ns	*	ns	*

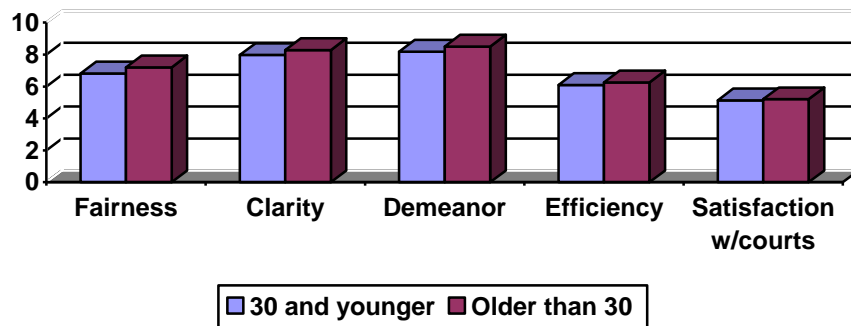
*Significance levels: ns=not significant *p<.05 **p<.01 ***p<.001*

The differences between men's and women's averages on the demeanor and satisfaction with court scales are statistically significant at the p<.05 margin. This means that there is less than a 5% probability that the observed differences occurred by chance. The differences between the averages on the other scales were not statistically significant.

Average Fairness Ratings based on Age of Respondents

The age of survey respondents appears to have some impact on assessments of fairness. Older visitors to the Hearing Office gave higher ratings on fairness, the clarity of the Hearing Officer, and the demeanor of the Hearing Officer.

Average Fairness Ratings based on Respondent's Age



Average scores for each scale (on a scale of 1-9):

	<i>Fairness</i>	<i>Clarity</i>	<i>Demeanor</i>	<i>Efficiency</i>	<i>Satisfaction w/courts</i>
30 and younger	6.81	7.97	8.19	6.10	5.13
Older than 30	7.20	8.28	8.50	6.26	5.20
Statistical significance	*	**	*	ns	ns

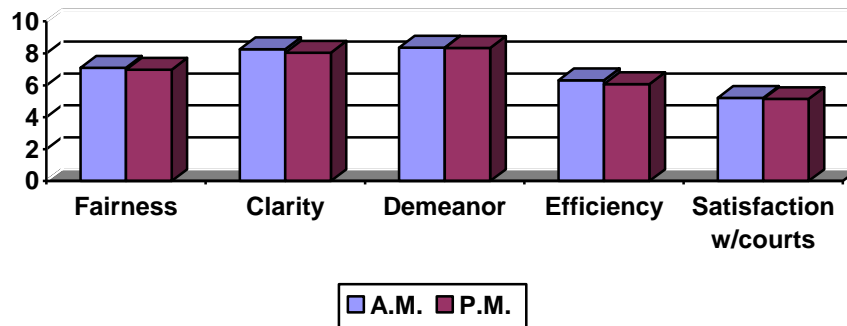
Significance levels: ns=not significant * $p < .05$ ** $p < .01$ *** $p < .001$

The differences on the fairness, clarity and demeanor scales were statistically significant.

Average Fairness Ratings based on Time of Day Respondents Visited Hearing Office

People who visited the Hearing Office in the morning gave significantly higher “clarity” ratings than those who visited in the afternoon. In short, survey respondents felt that Hearing Officers and their decisions were easier to understand in the morning. There were no other statistically significant differences on the scales between morning and afternoon visits to the Hearing Office.

Average Fairness Ratings based on Time of Day



Average scores for each scale (on a scale of 1-9):

	<i>Fairness</i>	<i>Clarity</i>	<i>Demeanor</i>	<i>Efficiency</i>	<i>Satisfaction w/courts</i>
A.M.	7.09	8.26	8.36	6.31	5.21
P.M.	6.98	8.04	8.35	6.07	5.14
Statistical significance	ns	*	ns	ns	ns

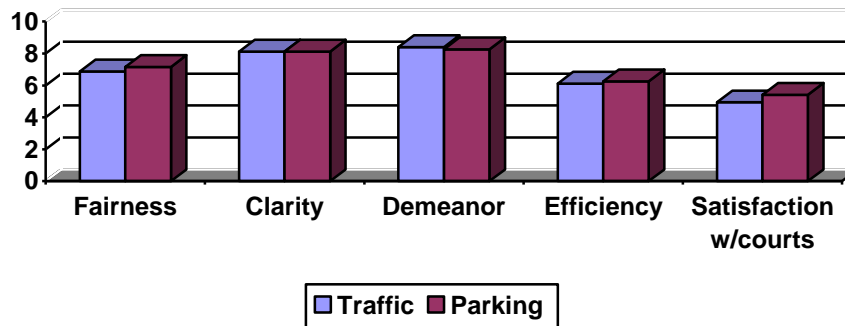
Significance levels: ns=not significant * $p < .05$ ** $p < .01$ *** $p < .001$

The difference on the clarity scale was statistically significant.

Average Fairness Ratings based on Case Type¹⁰

Survey respondents who came to the Hearing Office to negotiate a parking ticket felt more positively about Fourth Judicial District courts in general than those who came to negotiate a traffic ticket. This may have something to do with the severity of the offense, and the corresponding severity of the penalty. It is interesting, however, that none of the other scales showed a significant difference based on case type.

Average Fairness Ratings based on Case Type



Average scores for each scale (on a scale of 1-9):

	<i>Fairness</i>	<i>Clarity</i>	<i>Demeanor</i>	<i>Efficiency</i>	<i>Satisfaction w/courts</i>
Traffic	6.87	8.12	8.40	6.11	4.94
Parking	7.15	8.12	8.26	6.25	5.42
Statistical significance	ns	ns	ns	ns	*

*Significance levels: ns=not significant *p<.05 **p<.01 ***p<.001*

The difference on the satisfaction with courts scale was statistically significant.

Average Fairness Ratings based on Whether Visitors Felt Wait Was Too Long

This piece of analysis is perhaps the most informative in terms of what shapes people’s attitudes towards the Hearing Office. As we were conducting the surveys, we noted that many survey respondents’ perceptions of fairness seemed to be related to whether or not they felt that they had waited too long to be seen.¹¹ The quantitative data below corroborates this anecdotal observation.

¹⁰ Because so few of our survey respondents visited the Hearing Office on a criminal matter, we based the analysis for these charts only on those with traffic and parking cases.

¹¹ In analyses for other Fairness Study reports, we split the Fairness construct into Outcome Fairness and Procedural Fairness constructs. However, we had significantly fewer fairness indicators on the Hearing Office survey. We did analyze the differences for this particular piece of analysis regarding wait time, to see whether outcome fairness or procedural fairness, or both, were affected by lengthy wait times. We found that differences were significant for procedural fairness (p<.001) but not for outcome fairness. In other words, people who thought their wait was too long were less likely to think the H.O. treated them fairly, but the wait did not affect their feelings about the outcome of their cases. This could be indicative of the fact that people blame Hearing Officers, at least in part, for the length of time they have to wait to be seen.

Average Fairness Ratings based on Perceptions of Wait Time



Average scores for each scale (on a scale of 1-9):

	<i>Fairness</i>	<i>Clarity</i>	<i>Demeanor</i>	<i>Efficiency</i>	<i>Satisfaction w/courts</i>
Wait too long	6.40	7.85	8.13	5.20	4.58
Wait not too long	7.39	8.3	8.49	6.70	5.44
Statistical significance	***	***	*	***	**

*Significance levels: ns=not significant *p<.05 **p<.01 ***p<.001*

The differences on all scales were statistically significant.

Average Fairness Ratings based on Actual Reported Wait Time

The findings from the above charts prompted us to see whether the same differences held if we looked at actual wait times reported by survey respondents, rather than perceptions of whether or not they felt the wait was too long. While we realize that reported wait time is still subject to interpretation of respondents, we thought it to be a more objective measure than the perception of whether or not the waiting time was excessive.¹² Interestingly, the results for actual wait time hardly differed from the results for perceptions of excessive wait time.

¹² We did not collect any objective measures of wait time. To do so would have required someone to check in each Hearing Office visitor noting their arrival time, and then record the exact time that they were called in to see a Hearing Officer. Because of the heavy volume of the Hearing Office and our limited research staff, this was not feasible.

Average Fairness Ratings based on Actual Reported Wait Times



Average scores for each scale (on a scale of 1-9):

	<i>Fairness</i>	<i>Clarity</i>	<i>Demeanor</i>	<i>Efficiency</i>	<i>Satisfaction w/courts</i>
Waited 30 minutes or less	7.31	8.31	8.50	6.79	5.39
Waited 45 minutes or more	6.68	7.93	8.20	5.46	4.82
Statistical significance	**	**	*	***	**

Significance levels: ns=not significant * $p < .05$ ** $p < .01$ *** $p < .001$

The differences on all scales were statistically significant.

Additional Analyses

In this section, we have only reported on the independent variables that have a statistical relationship with the fairness constructs. We ran additional analyses which did not produce statistically significant results. For example, the race of survey respondents does not appear to be related to assessments of fairness, nor does having a Hispanic or Middle Eastern background. Survey respondents who had a job were no more or less likely to give high fairness ratings than the unemployed, and those with post-secondary education were no more or less likely to give high fairness ratings than those who did not. And finally, those with pre-set appointments did not have significantly higher scores on fairness than “walk-ins.”

Summary of Quantitative Analysis

For visitors to the Hearing Office, perceptions of fairness appear to be related to certain demographic characteristics (e.g., gender, age) but not others (e.g., race, education, employment). The time of day that people visit the Hearing Office appears to make a difference in terms of perceived fairness, with those who come in the morning being more positive than those in the afternoon. Case type also appears to make a difference, as those with parking tickets are more favorable to the Hearing Office than those with traffic violations.

Overall, however, the most compelling results had to do with the amount of time visitors had to wait to have their cases heard. From a process improvement standpoint, this finding was not unexpected. It

does, however, add another dimension to what we already know about procedural justice. Most research on procedural justice and fairness suggests that fair treatment by an authority figure supersedes case outcomes when we measure overall satisfaction with the court process. The question then becomes, why would the time that visitors to the Hearing Office have to wait apply to their perceptions of treatment by Hearing Officers? We contend that visitors to the Hearing Office would likely place at least some of the blame for lengthy waits on Hearing Officers, rather than looking beyond the individual to more systemic issues. Thus, it makes sense that perceived wait time and procedural fairness would be closely correlated.

Results of Qualitative Analysis

At the end of the survey, we included two questions which allowed litigants to tell us, in their own words, about their experience at the Hearing Office. This section of the report summarizes those results.

The first open-ended question read as follows:

If you had a friend who was coming to the Hearing Office for the same reason you just came, what would you tell your friend about your experience here?¹³

The three most common response categories to this question were:

Positive comments about the staff (e.g., “See the person I saw” or “The Hearing Officer was great”)

25%

Positive comments about the overall experience (e.g., “It’s worth coming down”)

20%

“Expect a long wait”

16%

Other responses ranged from logistical information (“go upstairs, turn right, tell them you want to see a Hearing Officer”) to poor legal advice (“rip ticket up”) to frustrations with the parking situation downtown. Many voiced their opinions of how to have the best possible interactions with the Hearing Officer, including being honest, being respectful, and bringing along all necessary documentation.

The second open-ended question read as follows:

Is there anything else you think we can do to improve the Hearing Office?

The top three responses to this question were:

“No” or “nothing” 29%

“Reduce waiting time” 15%

“Hire more Hearing Officers” 15%

¹³ A complete description of the responses to the open-ended questions is included in Appendix D.

Process Improvements to Hearing Office Based on Fairness Study Results

Prior to analyzing the quantitative data, we reported the answers to the open-ended questions to Hearing Office and Fourth Judicial District Criminal Division managers. Based on these results, the following changes were implemented immediately:

- ✓ Staggered Hearing Officer work hours so that customers walking into the Minneapolis Hearing Office by 4:30 PM can be seen by a Hearing Officer that day. Previously, walk-in customers in the Minneapolis office were frequently turned away between 3:00-3:30 PM due to long wait lines. This reduced the number of defendants turned away due to lack of Hearing Officer availability from 14 defendants per day to 1 defendant per day or a 92% decrease.
- ✓ Reduced wait time by scheduling more appointments with newly developed database and by dedicating one Hearing Officer to handle all parking citations which require less time to resolve than other citations.
- ✓ Implemented new phone system that directs customers how to contest a citation, including the option to visit the suburban Hearing Office locations.
- ✓ Average wait time for Minneapolis Hearing Office decreased from an average of 102 minutes to an average of 64 minutes for moving violations and misdemeanor charges (37% decrease), with the wait time commonly 20 minutes for parking citations.
- ✓ Implemented option of Sentence to Service in lieu of fines which helps persons with limited financial resources to resolve citations.
- ✓ Installed a television in the waiting room area of the Hearing Office to help pass the time.

Summary of Qualitative Analysis

Survey respondents provided much positive feedback about their experience in the Hearing Office. By far, the most negative comments had to do with the wait time, which corresponds with what the quantitative data shows.¹⁴

One of the benefits of doing this study was being able to provide immediate feedback to Hearing Office management, which enabled them to make procedural changes which have already greatly enhanced the experience of visitors to the Hearing Office.

¹⁴ Interestingly, this also corresponds with the open-ended comments we received doing the Fairness Study in Family Court. The most negative comments from Family Court survey respondents had to do with time spent waiting for hearings to begin.

Overall Conclusions and Report Summary

Overall, visitors were satisfied with their Hearing Office experience and the treatment they received from Hearing Office staff. This was demonstrated by the high scores on at least four of the five fairness scales.¹⁵ Additionally, the majority of open-ended responses were overwhelmingly positive, with the exception of comments regarding wait time.

The frustration with the waiting time to see a Hearing Officer came up in a number of ways during the survey process. First, we found that the most important feature of the Hearing Office was the amount of time they had to wait to see a Hearing Officer (54%, see page 8). Second, we found that fairness scores were highly related statistically to both perceived wait time (whether or not it was perceived as “too long”) and actual reported wait time (30 minutes or less v. 45 minutes or more). In both of these quantitative analyses, the averages on the fairness scales were significantly higher for those respondents who felt they had a shorter wait time. Finally, 16% of the responses to the first open-ended question and 30% of the responses to the second open-ended question had to do with wait time.¹⁶ Contributing to these frustrations was a general lack of information among Hearing Office visitors; many survey respondents (56%) were not aware of the suburban locations and nearly everyone (80%) we spoke with did not have an appointment.

The good news is that we have already witnessed changes in the areas the survey identified as areas of concern, because management made immediate process improvements based on these results. Waiting times have been reduced by 37%; the problem of having to turn people away at the end of each day (because there was not enough time to see them) was nearly eliminated; many more appointments are being made; more people are visiting the suburban offices; and the Hearing Office waiting room is a more pleasurable environment to be in since visitors can watch television while they wait for their hearing.

¹⁵ The satisfaction with courts scale scores were typically lower than the others, but this taps into survey respondents’ experiences with other areas of the court besides the Hearing Office.

¹⁶ For the second question, half of this 30% were comments requesting that more Hearing Officers be hired. When we probed respondents for more information, they typically told us that if there were more Hearing Officers people would not have to wait as long to be seen by one.

Appendix A: Hearing Office Survey (on following pages)

Appendix B: The Averages of Visitors' Responses to the Survey Items

Visitors were read the following statements and asked to indicate their agreement or disagreement with each statement by providing the interviewer with a number ranging from 1 (strongly disagree), 5 (neutral), to 9 (strongly agree). Below are the statements, followed by the means and standard deviations.

1. The Hearing Office allowed an appropriate amount of time for each case ($M = 7.44, SD = 2.15$)
2. The Hearing Office kept cases moving promptly ($M = 7.09, SD = 2.20$)
3. The Hearing Office explained the reasons for delays to people in the waiting area ($M = 4.02, SD = 2.67$)
4. The Hearing Officer helped you understand your options ($M = 7.26, SD = 2.45$)
5. The Hearing Officer made inappropriate comments or jokes ($M = 1.41, SD = 1.49$)
6. The Hearing Officer helped to resolve your case and the issues involved ($M = 7.60, SD = 2.33$)
7. The Hearing Officer gave you a good deal ($M = 6.75, SD = 2.83$)
8. The Hearing Officer used words you understood ($M = 8.69, SD = 1.02$)
9. The Hearing Officer seemed to treat you differently than others according to your race ($M = 1.85, SD = 1.90$)
10. The Hearing Officer gave reasons for his/her decision ($M = 6.50, SD = 2.83$)
11. The Hearing Officer spoke clearly ($M = 8.59, SD = 1.20$)
12. The Hearing Officer did not seem like s/he was paying attention to what you had to say ($M = 2.21, SD = 2.32$)
13. The Hearing Officer made sure you understood the decision ($M = 8.02, SD = 1.79$)
14. The fine you have to pay is higher than you expected ($M = 3.98, SD = 3.23$)
15. The Hearing Officer treated you with respect ($M = 8.28, SD = 1.63$)
16. The Hearing Officer seemed to be a caring person ($M = 7.13, SD = 2.372$)
17. The Hearing Officer seemed knowledgeable about the law, policies, and process ($M = 7.72, SD = 1.889$)
18. The Hearing Officer was impolite ($M = 1.73, SD = 1.802$)
19. You understand what the Hearing Officer told you to do to resolve this matter ($M = 8.61, SD = 1.029$)
20. The Hearing Officer maintained eye contact with you ($M = 7.11, SD = 2.431$)

21. The courts in Hennepin County are excellent ($M = 4.88, SD = 2.426$)
22. Hearing officers seemed to be well-trained for their jobs ($M = 7.43, SD = 1.93$)
23. You have confidence in the Hennepin County courts ($M = 5.44, SD = 2.734$)

Appendix C: List of Indicators for Each Construct

Outcome/Procedural Fairness (scale=fairness)

Mean=7.00, s.d.=1.85

- The Hearing Officer helped you understand your options
- The Hearing Officer helped to resolve your case and the issues involved
- The Hearing Officer gave you a good deal
- The Hearing Officer gave reasons for his/her decision
- The Hearing Officer did not seem like s/he was paying attention to what you had to say (reverse coded)
- The fine you have to pay is higher than you expected (reverse coded)
- The Hearing Officer seemed to be a caring person

Clarity (scale=clarity)

Mean=8.12, s.d.=1.13

- The Hearing Officer used words you understood
- The Hearing Officer spoke clearly
- The Hearing Officer made sure you understood the decision
- The Hearing Officer seemed knowledgeable about the law, policies, and process
- You understand what the Hearing Officer told you to do to resolve this matter
- The Hearing Officer maintained eye contact with you

Demeanor (scale=demeanor)

Mean=8.34, s.d.=1.34

- The Hearing Officer made inappropriate comments or jokes
- The Hearing Officer seemed to treat you differently than others according to your race
- The Hearing Officer was impolite

Efficiency (scale=efficiency)

Mean=6.18, 1.81

- The Hearing Office allowed an appropriate amount of time for each case

- The Hearing Office kept cases moving promptly
- The Hearing Office explained the reasons for delays to people in the waiting area

Satisfaction with Courts (scale=satcrt)

Mean=5.16, s.d.=2.41

- The courts in Hennepin County are excellent
- You have confidence in the Hennepin County courts

Not used in any scale (did not load with any other individual factors)

- The Hearing Officer treated me with respect
- Hearing Officers seem to be well-trained for their jobs

Appendix D: Frequencies of the Open-ended Responses

*First, if you had a friend who was coming to the hearing office for the same reason you just came.
What would you tell your friend about your experience here?*

434 cases (number of people who actually said something)

Top Three Comments:

Positive Staff (108)
Positive Experience (85)
Long Wait (70)

Miscellaneous Comments (207 total):

- **Other** “Not to get in line go up and check in right away” “Go upstairs, turn left, tell them you want to see a Hearing Officer to appeal a ticket” “Depends on the officer you get” (58)
- **Try it and see** “worth a shot” “talk to them before you pay” “try for a reduction” (50)
- **Don’t bother** “don’t waste your time” (26)
- **Uncodeable** “Don’t drink a big coffee” “Rip ticket up/get the white guy” “You all need to collect money” (17)
- **Parking issues** “no where to park” “parking costs too much” (12)
- **Go to suburban locations** “Go to the ‘Burbs” “go to suburban location” (12)
- **“Nothing”** (9)
- **Stay out of trouble**—“don’t speed” “don’t break the rules” (8)
- **Get it over with**—“just get it over with” “gotta do it” “hurry up and take care of it” (7)
- **Bring money** (4)
- **“I don’t know”** (3)
- **Racial issues** “I was the only white person in there with all you hear about racial profiling it was disheartening” (1)

The Wait (190 total):

- **Long wait** “expect a long wait” (70)
- **Appointment** “make an appointment” (45)
- **Short wait** “timely” “quickly” (29)
- **Come early** (25)
- **Activities** “bring something to do” “bring snacks” “bring a book” (14)
- **Have patience** “be patient” (7)

Experiences (149 total):

- **Positive Experience** “it was good” “I enjoyed it” “it’s worth coming down” (85)
- **Neutral Experience** “it was okay” (26)
- **Positive Outcomes**—“I got my fine reduced” (23)
- **Negative Experience** “frustrating” “disappointing” (8)
- **Negative Outcomes**—“I still had to pay” (7)

The Staff (136 total):

- **Staff—positive comments** “see the person I saw” “H.O. was great” (108)
- **Staff—negative comments** “wouldn’t listen to me” “wouldn’t hear my side” (25)
- **Give hearing officers more authority** (3)

How they were treated (26 total):

- **Fair** “I was treated fairly” (26)
- **Unfair** “not fair” (0)

Interacting with the Hearing Officers (59 total):

- **Truth and Honesty** “be honest” “tell the truth” (18)
- **Respect and Politeness** “be polite” “be respectful” (16)
- **Explain yourself/your case/your side** “state your case” “State your reason for being there” (14)
- **Bring necessary documentation/paperwork** “Bring all documents” (11)

Is there anything you think we can do to improve the Hearing Office?

411 Responses

Top Three Comments:

“No”/ “Nothing” (120)
 Waiting Time (62)
 Hire more officers (61)

Miscellaneous Comments (337 total):

- **“No”/ “Nothing”** (120)
- **Other** “Different lines for different cases” “when ordered tabs online—send them to the correct address” “Have an amended system by offense history” (66)
- **Make the internet option a reality** “handle over internet it will be easier” (19)
- **Communicate information better** “like how to make an appt.” or “where there are other locations” (14)
- **Eliminate checking in upstairs** “Don’t send people back and forth just to check in” (13)
- **More convenient hours** “later hours” “the hours—change them” (13)
- **More accessible parking** “designated parking area” “better parking” (13)
- **Uncodeable** “Pay tickets for people” “T.V.s would be nice, or beds for those who want to sleep” (11)
- **Police issues** “investigate police” “don’t know why cop stopped him” (10)
- **Make it easier to get an appointment** “make appointments over the phone” “allow appointments regardless of how long ago the ticket was issued” (9)
- **Procedural Issues** “don’t wait to enter citation” “send tabs to correct address” “don’t let interpreters ahead of the line” (9)
- **“I don’t know”** (8)
- **More locations** (7)
- **Answer the phone** “getting through on the phone” “they never answer 348-4020” (7) [*This is the phone number to the Violation’s Bureau not the Hearing Office*]

- **Make check-in procedure clearer** “put a sign on 2nd floor saying you need to check-in” “make announcements about check-ins” (7)
- **Racial issues** “get rid of the race question they ask” “racial profile survey should be explained” “ticket white people as much as colored people” (6)
- **Waiting Room** “Bigger waiting area” “More room, more seats, more space” (5)

The Wait (141 total):

- **Waiting Time** “Cut down the waiting time” (62)
- **Hire more officers** “Get more hearing officers”(61)
- **Efficiency** “speed it up” “make it faster” (18)

The Staff (42 total):

- **Inappropriate Staff** –said inappropriate things or did inappropriate things (flossing teeth) or was rude. “They should not assume that respondents lie!” H.O. in this case said, “I’m not here to be nice!” (20)
- **Have Hearing Officers listen better** (8) “let the person finish their story” “listen to explanation”
- **Better training for officers** (6) “better training for Hearing Officers on mediation and respect”
- **Take financial status into consideration** (4) “Adjust the fines for people’s incomes”
- **Have some Hearing Officers for walk-ins and some for appts.** (2)
- **Explain options in advance** (2)

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