

Fourth Judicial District of the State of Minnesota Fourth Judicial District Research Division

Suburban Hearing Offices Fairness Study

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Suburban Hearing Offices Fairness Study

Acknowledgements

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Fourth, we would like to acknowledge the help of Professor Larry Heuer (Psychology Department, Barnard College, Columbia University), who helped design the surveys, and consulted with us through the entire process.

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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 Suburban Hearing Offices were interviewed just after meeting with a Hearing Officer.

Results of Quantitative Analysis

- ➤ Overall, respondents were satisfied with how they were treated by Hearing Officers.
- ➤ The most significant differences in perceptions of fairness were related to the amount of time respondents had to wait to see a Hearing Officer.

Results of Qualitative Analysis

➤ Most responses to the open-ended questions were positive and many respondents indicated a high level of satisfaction with the Hearing Office and the Hearing Officers.

- ➤ Negative comments mostly had to do with waiting time and only having one Hearing Officer in each suburban office.
- ➤ Immediate process improvements have already begun at the suburban Hearing Offices based on responses to the open-ended and process related questions.
 - Added night-time appointments at Ridgedale once a week on Tuesday evenings from 5:30-8:30.
 - Went to appointment only in December, 2004, based on the information received from these surveys that indicated 85% of visitors to the Hearing Office would have made an appointment if that option were available.
 - o Initial responses to these new improvements have been very positive.

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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.

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: 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 (both in our downtown location and three suburban locations), the Domestic Abuse calendar in Family Court, Delinquency calendars in Juvenile Court, and the Criminal calendars in our suburban courts. This particular report documents the results of the Hearing Office study in our three suburban courts: Brookdale, Ridgedale, and Southdale.

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. After completing this survey in our downtown location last year, it was requested that we conduct the same survey in the three suburban locations.

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, 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 to dispute the citation.

At the time of our study, appointments were not available at the suburban locations; therefore, all visits were on a "walk-in" basis. Upon arrival, the receptionist gives Hearing Office visitors a number and gathers information about their citation so that she may provide it to the Hearing Officer. There is one Hearing Officer for each suburban location. The Hearing Officer's job is to make a decision when someone comes to court to contest their citation, and negotiate a settlement.

The suburban Hearing Offices handled approximately 50,120 citations during 2003. Nearly 20% 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

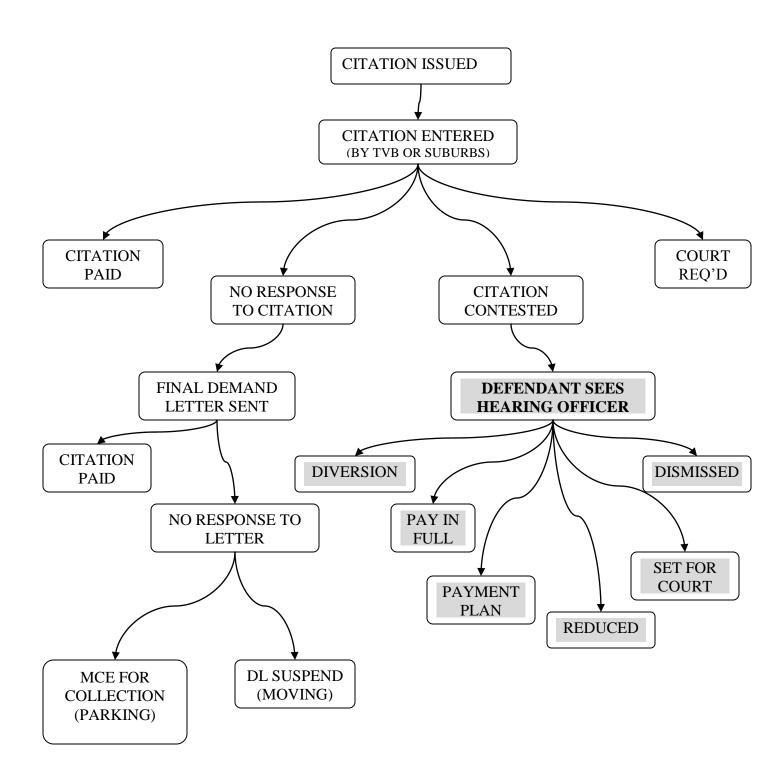
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¹ Court required offenses are typically more serious misdemeanors. Many fall into the conduct and community violations categories, although there are many lower level drug and alcohol offenses, some more serious moving violations (e.g., hit and run, 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.

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:²

² Provided by the Fourth Judicial District Traffic and Violations Bureau Hearing Office.



The Survey Process

Research staff members were stationed outside the Hearing Office at a least one of the suburban locations for most of the day during a five week period. Upon arrival, the research staff would introduce themselves to the Hearing Officer and ask that he or she notify the individuals of our presence and ask them to speak to us afterwards about their experiences. 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 consisted of 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 their responses to specific ideas for improving the suburban locations (e.g., availability of evening hours and appointments, community service options in lieu of fines). Finally, the last four questions were "open-ended," meaning that participants answered these questions in their own words. They were asked to provide their opinions of the Hearing Office process, further suggestions for improvement, what expectations they had before coming to the Hearing Office, and whether what happened during their visit was similar or different than their expectations. (See Appendix A for a complete copy of the survey).

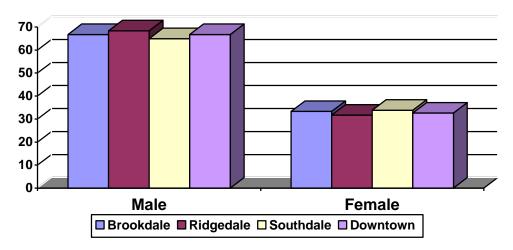
We interviewed 63 people from Ridgedale, 69 from Brookdale, and 74 from Southdale, totaling 206 individuals agreed who to speak with us regarding their Hearing Office experience.

Results of Quantitative Data Analysis

Demographics

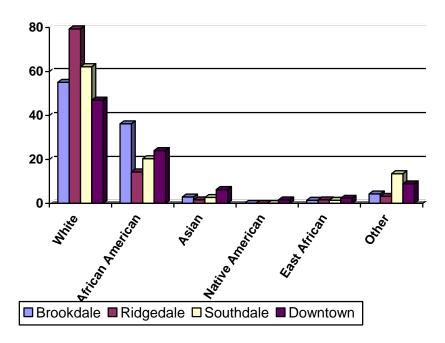
As noted above, we surveyed a total of 206 individuals. This number does not, however, represent separate cases. Individuals may have come to the Hearing Office to handle more than one case at the same time (e.g., multiple parking tickets), and they also may have visited the Hearing Office multiple times 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 of the people we interviewed were male, and one-third was female. This gender breakdown is very similar across all suburban locations, as well as the downtown location. Individual breakdowns for each location are listed in the graph on the following page.

Gender of Survey Respondents (Percentages)



The Hearing Office serves citizens from a variety of different racial and cultural backgrounds. Over half (65%) of the Hearing Office survey respondents from all suburban locations were white and a quarter (23%) were African American. These demographics are relatively similar to those in the downtown location; however, Ridgedale seemed to have the largest numbers of whites (79%) and Brookdale had the largest number of African Americans (36%). Additionally, Southdale had the largest number of individuals who indicated their race fell into the "other" category, (14%). Most of these respondents indicated they were of Hispanic ethnic background. Regardless of race, 5% (11) of the individuals we talked to told us they were of Hispanic descent, and 2% (5) told us they had a Middle Eastern background.

Race of Survey Respondents (Percentages)

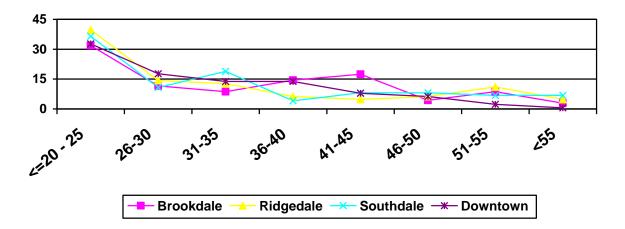


Race of Survey Respondents

	White	Asian	American	Black/	East	Other	Total
			Indian	African-	African		
				American			
Brookdale	38	2	0	25	1	3	69
	55.1%	2.9%	0%	36.2%	1.4%	4.3%	100%
Ridgedale	50	1	0	9	1	2	63
	79.4%	1.6%	0%	14.3%	1.6%	3.2%	100%
Southdale	46	2	0	15	1	10	74
	62.2%	2.7%	0%	20.3%	1.4%	13.5%	100%
Downtown	200	27	7	137	10	38	429
	47.0%	6.3%	1.6%	32.0%	2.3%	8.9%	100%

Most people who visited the Hearing Office, regardless of location, were disproportionately young. About half (48%) of those interviewed at the suburban locations were thirty years old or younger. Nearly 22% were between the ages of 31 and 40, and the remaining 28% were over the age of 40.

Age Distribution of Survey Respondents (Percentages)



Across all suburban locations, more than one-third (36%) of the survey respondents were college educated, this percentage is slightly lower than those we interviewed at the downtown location (46%). Many (31%) reported having attended some college.³ Most (81%) were employed at the time we interviewed them and more than half (57%) 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.

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³ 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.

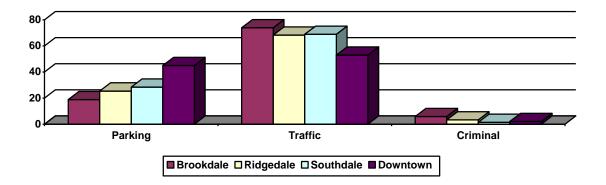
Education Level of Respondents

Level Completed	Brookdale	Southdale	Ridgedale	Downtown
Less than high	0	0	0	5
school	0%	0%	0%	1.2%
Some high school	5	2	4	15
	7.2	2.7%	6.3%	3.5%
Earned diploma	18	12	13	84
or GED	26.1%	16.2%	20.6%	19.6 %
Trade school	9	2	3	12
	13%	2.8%	4.8%	2.8%
Some college	19	25	19	116
	27.5	33.8%	30.2%	27.0%
Finished college	18	33	24	195
degree	26.1%	44.6%	38.1%	45.5%
No answer	0	0	0	2
	0%	0%	0%	1.0%

Hearing Related Data

The majority of the people we interviewed came to the suburban Hearing Offices for a traffic dispute (70%). Another sizeable percentage (24%) saw a suburban Hearing Officer about a parking ticket. Only seven people (3%) saw a Hearing Officer regarding a criminal matter. This is different than the case type breakdown in the Downtown Hearing office where a larger percentage of cases are parking ticket disputes.

<u>Types of Citations for Survey Respondents (Percentages)</u>

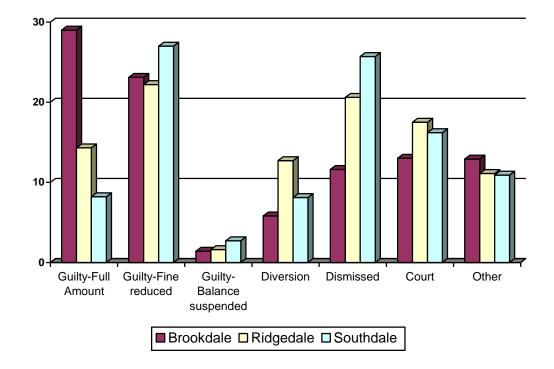


Unlike the survey for the downtown location, we asked suburban respondents to tell us the outcome of their case. The most common outcomes were having their fine reduced (24%) followed by having the case dismissed (19%), paying the full amount (17%), requesting a court date (16%), and diversion (9%) Additionally, 16% requested a court date. The remaining outcomes fell into the "other" category (15%) including outcomes such as, balance suspension, not pleading with STS pending, and no plea with no action taken.

These percentages are slightly higher than the actual outcomes reported in the Hearing Office reports based on court records. Based on Hearing Office reports over the last year, 18% were reduced, 14% were dismissed, 11% paid the full amount, and 10% requested a court date. The remainder includes diversion, court-required citations and other type of dispositions (broken meter, mismatched numbers on citations, etc.)

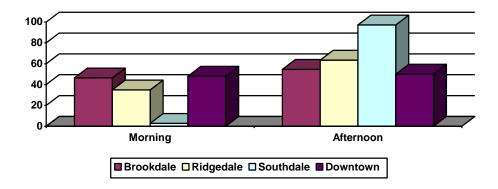
Although the number of those who said they paid the full amount at Brookdale is higher than other locations, the difference in actual outcomes based on court records is not as extreme as the differences we found in our respondents. The people we interviewed at Brookdale were twice as likely to report they had paid the full amount; however based on the actual reports, 13% of Brookdale visitors paid the full amount compared to 11% at Southdale and 8% at Ridgedale. This discrepancy between what respondent's reported and real dispositions is also true for dismissals. Therefore, the reported outcomes by those who visited the Hearing Office and participated in our survey do not exactly match the objective data from court records.

Types of Reported Outcomes for Their Case (Percentages)



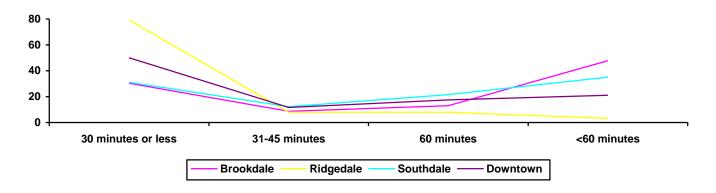
Because we suspected there might be differences in the responses to questions based on the time of day we conducted interviews, we made sure to do surveys at various times throughout the day. A majority of the surveys (72%) were done in the afternoon and nearly a third of them were done in the morning (27%). Additionally, since this study was done concurrently with the criminal calendars at the suburban locations, more of these surveys were conducted in the afternoon because most, if not all, of our survey staff were stationed in the courtrooms in the mornings preparing to interview defendants from the criminal calendars.

<u>Time of Day when Visitors were Interviewed (Percentages)</u>



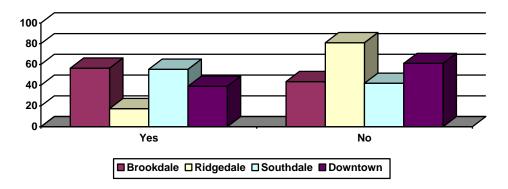
Although anecdotal reports indicated that defendants were waiting several hours to see a Hearing Officer, the data indicate that nearly half (46%) of those who visited the Hearing Office waited thirty minutes or less and less than one-third (30%) waited longer than one hour. Waiting time for the Ridgedale location differed from other locations—nearly 80% of respondents waited less than thirty minutes.

Wait Time Reported by Survey Respondents (Percentages)



Approximately 44% of visitors across all locations felt their wait was too long. This percentage is slightly higher than those visiting the downtown location (39%). Although there was little difference between Brookdale (57%) and Southdale (55%) on the perception of waiting too long, only 18% of visitors from the Ridgedale location reported that their wait was too long. This is not surprising given the finding reported above, that nearly 80% of visitors to Ridgedale indicated that their wait was 30 minutes or less.

<u>Do You Feel like the Time You Had to Wait Today Before Seeing</u> <u>the Hearing Officer Was Too Long?(Percentages)</u>

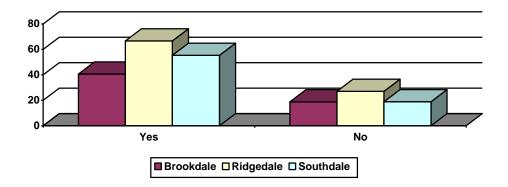


Issues addressed Only in the Suburban Courts

The individuals we interviewed responded favorably to the idea of contesting parking or equipment related citations online, were that option available.⁴ Fifty-four percent (111) of survey respondents indicated that they would have gladly used the internet rather than coming into the Hearing Office in person. These responses seemed consistent across all locations, except those from the Brookdale location. They appeared to be less likely to respond favorably to this option (41% compared to over 50% at other locations).

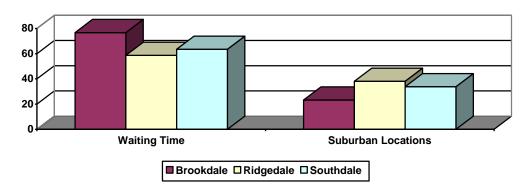
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⁴ Preference of using the internet to contest parking or equipment related citations was not recorded on 51 of the surveys; however, this question was added after the first day of surveys.



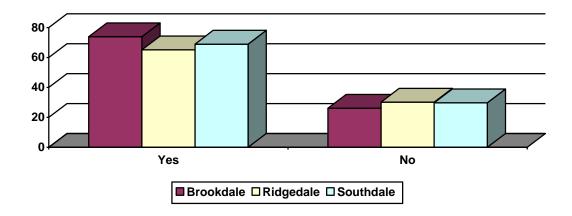
We asked survey respondents what mattered most to them—the amount of time they had to wait or having the suburban locations available, and we found that waiting time was the primary concern (67%), over the availability of suburban locations (32%). This was consistent across all locations.

What is Most Important to You? (Percentages)



At the time of our survey, evening hours were not available at the suburban locations; however, visitors from all locations (69%) seemed enthusiastic about being able to visit the Hearing Office during the evening.

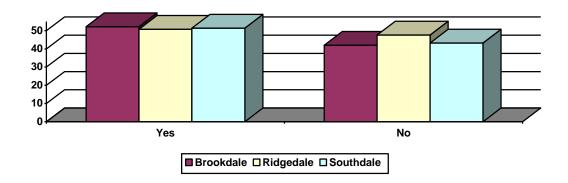
If You Could have Visited the Hearing Office During the Evening, Would You Have Done So? (Percentages)



Unlike the downtown location, the suburban locations did not have appointments available at the time of our survey. We asked respondents if they would have made an appointment if that option were available. There was overwhelming support for this option across all three locations, 85% (175) of respondents indicated they would have made an appointment. In addition, 67% (137) of respondents indicated they would have made their appointment via the internet if that option were available.

We asked visitors to the Hearing Office if they would be willing to complete community service in lieu of paying a fine if that option were available to them. Across all locations, more than half (52%) responded that they would.

If You Could Have Completed Community Service in Lieu of Paying a Fine Today, Would You Have Done So? (Percentages)



Assessments of Fairness and Customer Satisfaction

The survey included 24 separate indicators of fairness. (See Appendix A for a copy of the survey.) These are the same statements that were used for the downtown Hearing Office survey; however, one additional question was added about visitors' satisfaction with the service they received at the check-in counter. Survey respondents were asked to rate their level of agreement with each of 24 statements. Visitors 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 9.⁵

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.

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⁵ Averages (i.e., means) and standard deviations for each individual indicator are presented in Appendix B.

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:

Survey Statement	Brookdale	Ridgedale	Southdale	Downtown
The Hearing Officer helped you				
understand your options.	8.16	8.16	7.72	7.26
The Hearing Officer spoke clearly.	8.67	8.82	8.65	8.59
The Hearing Officer treated you with				
respect.	8.54	8.62	8.47	8.28
The Hearing Officer maintained eye				
contact with you.	8.09	7.95	7.84	7.11

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:

Survey Statement	Brookdale	Ridgedale	Southdale	Downtown
The Hearing Officer explained the reasons				
for delays to people in the waiting area.	4.44	5.00	4.96	4.02
The courts in Hennepin County are				
excellent.	5.64	6.18	5.38	4.88
You have confidence in the Hennepin				
County courts.	6.60	6.64	6.08	5.44

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. **Demeanor** or the extent to which the survey respondent felt the Hearing Officer behaved politely and appropriately.
- 3. *Efficiency* or issues of time and waiting in the Hearing Office.
- 4. *Satisfaction with the Courts* or the extent to which the survey respondent has faith in the 4th Judicial District courts.
- 5. *Fine Amount* or the extent to which the survey respondent felt they received a "good deal" or did not have to pay a high amount.

The remainder of statistical analysis employed these five constructs as representations of fairness. These analyses and the reported averages are for all three suburban courts combined (for averages specific to each location, see Appendices B and C).

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⁶ The new question pertaining to satisfaction with the check-in counter was not included in the factor analysis.

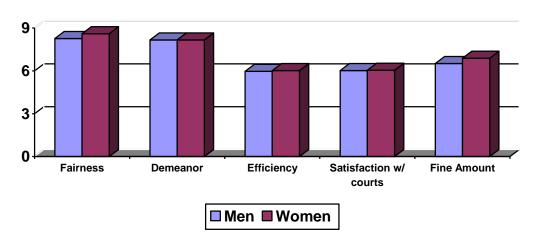
⁷ Although these five constructs are similar to those created for the downtown Hearing Office Fairness Report, some of the statements within each construct differ slightly from the original report. For a list of each statement and its corresponding construct, please see Appendix C.

Bivariate Analysis

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

We found significant differences between male and female respondents only in regards to their opinions regarding the fairness construct. Women reported a significantly higher average on the fairness construct than men who used the hearing office. 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.

Average Fairness Ratings between Men and Women



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

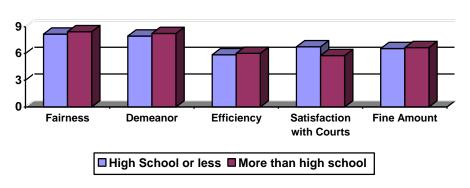
	Fairness	Demeanor	Efficiency	Satisfaction	Fine
				w/courts	Amount
Men	8.27	8.16	5.97	6.02	6.52
Women	8.60	8.16	6.02	6.05	6.89
Statistical significance	*	ns	ns	ns	ns

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

Average Fairness Ratings based on Educational Background

Although there were no significant differences for one's level of education in the downtown location, we found that suburban respondents with less education were less likely to have a positive view of the courts compared to those with more education.

Average Fairness Ratings based on Education



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

	Fairness	Demeanor	Efficiency	Satisfaction	Fine
				w/courts	Amount
High school or less	8.16	7.95	5.85	6.75	6.55
More than high school	8.45	8.24	6.02	5.77	6.66
Statistical significance	ns	ns	ns	**	ns

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

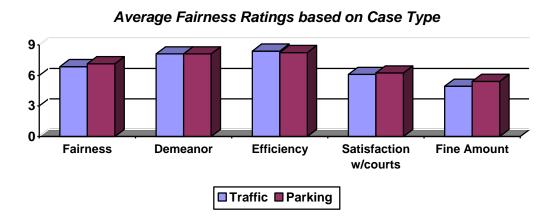
Average Fairness Ratings based on Case Type⁸

Survey respondents who came to the Hearing Office to negotiate a parking ticket felt more positively about the amount they had to pay than those who came to negotiate a traffic ticket. This is not surprising since the amount involved in a traffic ticket is higher than a parking

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⁸ 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.

ticket. It is interesting that none of the other scales showed a significant difference based on case type.



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

	Fairness	Demeanor	Efficiency	Satisfaction	Fine
				w/courts	Amount
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

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. Court users who felt the wait was too long also rated the court lower on demeanor of the Hearing Officer, efficiency of the court, overall satisfaction with the court process, and their satisfaction with the amount they ended up paying.

Average Fairness Ratings based on Perceptions of Wait Time



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

	Fairness	Demeanor	Efficiency	Satisfaction w/courts	Fine Amount
Wait not too long	8.43	8.30	6.78	6.54	7.10
Wait too long	8.31	7.98	5.12	5.48	5.97
Statistical significance	ns	*	**	**	***

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

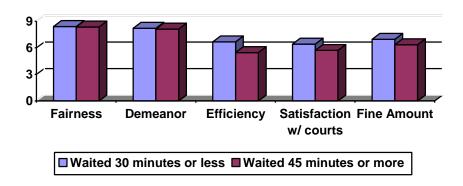
Average Fairness Ratings based on Actual Reported Wait Time

The findings from the above charts prompted us to investigate 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. Interestingly, the results for actual wait time hardly differed from the results for perceptions of excessive wait time.

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⁹ 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):

	Fairness	Demeanor	Efficiency	Satisfaction	Fine
				w/courts	Amount
Waited 30 minutes or	8.41	8.21	6.67	6.43	6.97
less					
Waited 45 minutes or	8.35	8.12	5.46	5.71	6.35
more					
Statistical significance	ns	ns	***	*	ns

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

Although there were various Hearing Office outcomes, we conducted analyses on the more prevalent outcomes: paying the full amount, paying a reduced amount, setting a court date, and having the case dismissed. There were differences for only two factors: Fairness and Amount.

Fairness. There were significant differences on the fairness indicator between those who paid the full amount and those whose cases were dismissed. Those whose cases were dismissed had more positive ratings regarding procedural fairness compared to those who had to pay the full amount.

Amount. Additionally, there were significant differences for all outcomes in regards to the amount indicator. As expected, those whose cases were dismissed had the most favorable views of the amount they had to pay. Those who paid a reduced fine were more likely to believe the

amount they paid was not very high compared to those who paid the full amount and those who went to court. Those who set a court date after visiting the Hearing Officer had the most negative ratings regarding the amount they had to pay. This is not surprising given that those who are taking their case to court are probably charged with a higher fine. Comments during the survey process indicated that those who did set a court date felt frustrated with the time it took to visit the Hearing Officer only to come back again to resolve the matter—often involving time off of work for these multiple visits.

	Fairness	Demeanor	Efficiency	Satisfaction	Fine
				w/courts	Amount
Guilty-Pay full amount	8.12	8.17	5.90	6.23	5.69
Guilty-Pay reduced	8.42	8.03	5.58	5.59	6.74
amount					
Set a court date	8.32	8.14	6.23	5.60	4.31
Dismissed	8.69	8.31	6.52	6.77	8.69
Statistical significance	**	ns	ns	ns	**

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

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. Survey respondents who had a job were no more or less likely to give high fairness ratings than the unemployed. Comparing age groups of those over 30 years and those under, there were no significant differences. And finally, there were no significant differences between the three suburban locations, nor the time of day when the person was interviewed.¹⁰

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¹⁰ Due to the low numbers of individuals who indicated they were of Hispanic background or from the Middle East, we were not able to do analyses with these two groups.

Summary of Quantitative Analysis

For visitors to the Hearing Office, perceptions of fairness appear to be related to certain demographic characteristics (e.g., gender, education) but not others (e.g., race, age, employment). There were also no differences for between those who visited the Hearing Office in the morning and those who visited the Hearing Office in the afternoon. The outcomes of visitors' cases were related to their perceptions of fairness. Those whose cases were dismissed reported greater satisfaction with their visit to the Hearing Office than those who had to pay the full amount. Additionally, those who had to set a court date were less satisfied than those who pled guilty since it indicates another court appearance is necessary to resolve the case. 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. These findings are similar to the results from the downtown location.

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 is easiest to solve. At the close of this research, evening appointments were added to one of the suburban locations, within a few months of this research the criminal division had instituted an "appointment only" service for Suburban Hearing Officer cases. Initial responses to these changes have been very favorable, not just for the customer, but for the employees also. Employees report that they are better able to structure their own day, can handle more cases, and that customers are not walking into their meeting mad from a long waiting period.

Results of Qualitative Analysis

At the end of the survey, we included four 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?¹¹

The three most common response categories to this question were:

Positive Comments about Hearing Officer 26%

The waiting time 22%

"No Problem" 11%12

Other comments included the best times to visit the hearing office and advised others to bring something to do or eat. Additional positive comments included that the Hearing Officers would help you resolve your case and that the Hearing Officers were fair. Similar to responses from those who visited the downtown location, 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:

"Hire more Hearing Officers" 31%

"No" or " Nothing" 21%

The waiting time 18%

¹¹ A complete description of the responses to the open-ended questions is included in Appendix D.

¹² Over one-third (39%) of the responses for this question fell into the "other" category, meaning that their responses did not fit into any category; however, these responses were too varied to create additional categories. For exemplars

of all categories, please see Appendix D.

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Other comments included procedural changes such as the option of having appointments

available and screening or prioritizing cases based on case type or severity. Visitors to the

Hearing Officer also noted that the seating areas could be improved. Also, individuals noted that

there could be more signs indicating where to go and how to proceed during their visit. Some

comments had nothing to do with the Hearing Office, such as having voter registration materials

available.

The third open-ended question read as follows:

What expectations did you have before coming to the Hearing Office today?

The three most common response categories to this question were:

"None" 21%

"Get it taken care of" 13%

"Have my charges dropped" 13%

Many people listed expectations relevant to their case—having to pay a lot or having

their fine reduced. People also reported that they expected a long wait. Additionally, people

expected to be able to tell their side of the story and have the Hearing Officer listen to them.

The fourth and final open-ended question read as follows:

Was your experience similar or different than what you expected?

The three most common response categories to this question were:

"Similar" 45%

"Different" 33%

35

"Took a long time" 18% 13

Visitors also mentioned they had been there before and knew what to expect. Positive expectations included a good experience and that the Hearing Officer was understanding and listened to them.

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 These findings mirror those from the downtown Hearing Office.

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. During the course of our study, more signs have been placed in the suburban locations providing specific information regarding the end of the business day. Additionally, evening appointments have been added to the Ridgedale location.

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. Additionally, the majority of open-ended responses were overwhelmingly positive, with the exception of comments regarding wait time.

¹³ Similar to the "what would you tell a friend?" question, over one-third (36%) of the responses for this question fell into the "other" category, meaning that their responses did not fit into any category; however, these responses were too varied to create additional categories. For exemplars of all categories, please see Appendix D.

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.

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.

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. 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, 22% of the responses to the first open-ended question, 18% of the responses to the second open-ended question, and 18% of the fourth open-ended question had to do with wait time.

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¹⁶ For the second question, 31% of these comments requested 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.

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

All suburbs	Ridgedale	Brookdale	Southdale	Downtown
7.96 (1.70)	8.13 (1.48)	7.97 (1.81)	7.81 (1.78)	7.44 (2.15)

The Hearing Office kept cases moving promptly.

All suburbs	Ridgedale	Brookdale	Southdale	Downtown
7.35 (2.06)	8.02 (1.57)	6.94 (2.31)	7.18 (2.08)	7.09 (2.20)

The Hearing Office explained the reason for delays to people in the waiting area.

All suburbs	Ridgedale	Brookdale	Southdale	Downtown
4.79 (2.91)	5.00 (3.17)	4.44 (2.66)	4.96 (2.93)	4.02 (2.67)

The Hearing Officer helped you understand your options.

All suburbs	Ridgedale	Brookdale	Southdale	Downtown
8.00 (1.86)	8.16 (1.69)	8.16 (1.62)	7.72 (2.17)	7.26 (2.45)

The Hearing Officer made inappropriate comments or jokes.

All suburbs	Ridgedale	Brookdale	Southdale	Downtown
1.05 (0.38)	1.05 (0.21)	1.01 (0.12)	1.08 (0.59)	1.41 (1.49)

The Hearing Officer helped to resolve your case and the issues involved.

All suburbs	Ridgedale	Brookdale	Southdale	Downtown
7.91 (2.04)	7.98 (2.13)	7.65 (2.27)	8.08 (1.71)	7.60 (2.33)

The Hearing Officer gave you a good deal.

All suburbs	Ridgedale	Brookdale	Southdale	Downtown
7.34 (2.28)	7.66 (2.06)	7.15 (2.38)	7.25 (2.37)	6.75 (2.83)

The Hearing Officer used words you understood.

All suburbs	Ridgedale	Brookdale	Southdale	Downtown
8.65 (1.27)	8.68 (1.13)	8.62 (1.23)	8.65 (1.08)	8.69 (1.02)

The Hearing Officer seemed to treat you differently than others according to your race.

All suburbs	Ridgedale	Brookdale	Southdale	Downtown
1.21 (0.82)	1.22 (0.78)	1.09 (0.51)	1.32 (1.04)	1.85 (1.90)

The Hearing Officer gave reasons for his/her decision.

All suburbs	Ridgedale	Brookdale	Southdale	Downtown
7.50 (2.18)	6.81 (2.76)	7.91 (1.58)	7.68 (2.02)	6.50 (2.83)

The Hearing Officer spoke clearly.

All suburbs	Ridgedale	Brookdale	Southdale	Downtown
8.71 (0.79)	8.82 (0.46)	8.67 (0.91)	8.65 (0.90)	8.59 (1.20)

The Hearing Officer did not seem like s/he was paying attention to what you had to say.

All suburbs	Ridgedale	Brookdale	Southdale	Downtown
1.63 (1.79)	1.61 (1.57)	1.57 (1.85)	1.72 (1.93)	2.21 (2.32)

The Hearing Officer made sure you understood the decision.

All suburbs	Ridgedale	Brookdale	Southdale	Downtown
8.48 (1.27)	8.67 (0.88)	8.59 (1.03)	8.22 (1.65)	8.02 (1.79)

The fine you have to pay is higher than what you expected.

All suburbs	Ridgedale	Brookdale	Southdale	Downtown
4.14 (3.39)	3.78 (3.20)	4.84 (3.53)	3.74 (3.35)	3.98 (3.23)

The Hearing Officer treated you with respect.

All suburbs	Ridgedale	Brookdale	Southdale	Downtown
8.54 (1.19)	8.62 (0.93)	8.54 (1.29)	8.47 (1.30)	8.28 (1.63)

The Hearing Officer seemed to be a caring person.

All suburbs	Ridgedale	Brookdale	Southdale	Downtown
8.17 (1.63)	7.95 (1.81)	8.46 (1.32)	8.08 (1.72)	7.13 (2.37)

The Hearing Officer seemed knowledgeable about the law, policies, and process.

All suburbs	Ridgedale	Brookdale	Southdale	Downtown
8.30 (1.34)	8.48 (1.07)	8.23 (1.51)	8.23 (1.39)	7.72 (1.89)

The Hearing Officer was impolite.

All suburbs	Ridgedale	Brookdale	Southdale	Downtown
1.19 (0.67)	1.23 (0.69)	1.07 (0.31)	1.26 (0.87)	1.73 (1.80)

You understand what the Hearing Officer told you to do to resolve this matter.

All suburbs	Ridgedale	Brookdale	Southdale	Downtown
8.62 (1.00)	8.67 (0.88)	8.36 (1.40)	8.72 (0.73)	8.61 (1.03)

The Hearing Officer maintained eye contact with you.

All suburbs	Ridgedale	Brookdale	Southdale	Downtown
7.96 (1.77)	7.95 (1.61)	8.09 (1.80)	7.84 (1.89)	7.11 (2.43)

You were satisfied with the service you received from the check-in counter.

All suburbs	Ridgedale	Brookdale	Southdale	Downtown
7.85 (2.09)	7.98 (2.02)	8.16 (1.54)	7.44 (2.49)	*

The courts in Hennepin County are excellent.

All suburbs	Ridgedale	Brookdale	Southdale	Downtown
5.68 (2.41)	6.18 (2.44)	5.64 (2.28)	5.38 (2.49)	4.88 (2.43)

Hearing Officers seem to be well-trained for their jobs.

All suburbs	Ridgedale	Brookdale	Southdale	Downtown
8.12 (1.42)	8.27 (1.29)	7.96 (1.64)	8.17 (1.29)	7.43 (1.93)

You have confidence in Hennepin County courts.

All suburbs	Ridgedale	Brookdale	Southdale	Downtown
6.42 (2.57)	6.64 (2.47)	6.60 (2.44)	6.08 (2.76)	5.44 (2.73)

^{*} This question was not asked in the downtown Hearing Office survey.

Appendix C: List of Indicators for Each Construct

Outcome/Procedural Fairness

All suburbs	Brookdale	Ridgedale	Southdale
8.38 (0.94)	8.31 (1.14)	8.49 (0.65)	8.35 (0.91)

- The Hearing Officer used words you understood.
- The Hearing Officer spoke clearly.
- The Hearing Officer made sure you understood the decision.
- The Hearing Officer treated you with respect.
- The Hearing Officer seemed to be a caring person.
- 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.
- Hearing officers seemed to be well-trained for their jobs.
- The Hearing Officer helped to resolve your case and the issues involved.
- The Hearing Officer maintained eye contact with you.

Demeanor

All suburbs	Brookdale	Ridgedale	Southdale
8.16 (1.14)	8.36 (0.91)	8.02 (1.25)	8.09 (1.24)

- The Hearing Officer helped you understand your options.
- 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 Hearing Officer was impolite. (reverse coded)

Efficiency

All suburbs	Brookdale	Ridgedale	Southdale
5.97 (2.12)	5.56 (2.09)	6.40 (2.04)	6.04 (2.18)

- 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

All suburbs	Brookdale	Ridgedale	Southdale
6.03 (2.34)	6.14 (2.10)	6.31 (2.42)	5.73 (2.50)

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

Amount one pays

All suburbs	Brookdale	Ridgedale	Southdale
6.63 (2.45)	6.17 (2.55)	7.07 (2.30)	6.71 (2.43)

- The Hearing Officer gave you a good deal.
- The fine you have to pay is higher than you expected. (reverse coded)

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

- The Hearing Office allowed an appropriate amount of time for each case.
- The Hearing Office seemed to treat you differently than others according to your race.
- The Hearing Officer made inappropriate comment or jokes.
- You were satisfied with the service you received from the check-in counter.

Appendix D: Frequencies of the Open-ended Responses

Say 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?

191 cases (number of people who actually said something)

Coding Agreement Average: .82

Number of perfect agreements: 134 (70%)

Top Three Comments:

Staff—positive comments (50) "None"

The waiting time (42) "Expect a long wait."

No problems (21) "I had no problems." "It went fine."

Nothing (2) "Nothing"

Don't know (6) "Don't know"

No problems (21) "I had no problems." "It went fine."

Don't worry (6) "Don't be nervous." "Don't be scared."

What times to come (20) "Come early in the morning." "Not to come here on Fridays."

Expect to wait (42) "Expect to wait." "Took awhile."

Short wait (20) "It was quick and fast." "You won't have to wait very long."

They can help you resolve it (5) "They will help you." "easily resolved."

Your fine will be reduced (3) "Willing to reduce tickets." "Something can always be taken off."

Be polite (4) "Be nice to her." "Be courteous."

Be honest (7) "Tell them the truth." "Be honest."

Tell your side (17) "Tell the officer your side of the story." "Always talk to the Hearing Officer."

Bring something to do/eat (11) "Bring a bag lunch." "Bring a book."

Staff-positive comments (50) "He seems to be understanding." "They seem sympathetic."

"They were polite."

Staff-neutral (1) "Hearing Officer was not impolite"

Staff-negative (1) "Hearing Officer was not friendly."

Don't come (8) "Do not go to this Hearing Office, wasn't quicker than Hennepin." "Write a check and don't go."

Hearing Officer was fair (11) "It was fair."

Bring evidence (4) "Bring some proof." "Be ready to explain why you shouldn't pay fine, i.e., explanations, evidence."

Good experience (18) "Good place to come." "Very good." "Excellent."

Go to the Hearing Office (9) "Just do it." "Go talk to them." "I'd say it's worth doing."

Other (74) "Talk to a lawyer." "Be reasonable with the man." "I learned a lot." "It wasn't as bad as I expected." "Phone problems." "Some things were harsh." "Better experience in Minneapolis."

Uncodeable (2) "The cities and counties are who they are." "Pass on that question."

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

193 cases (number of people who actually said something)

Coding Agreement Average: .85

Number of perfect agreements: 140 (73%)

Top Three Comments:

No or Nothing (63) "Nothing"

Hiring more Hearing Officers (60) "Add more Hearing Officers."

The waiting time (35) "Not have to wait so long."

No (63) "None" "No expectations"

I don't know (2) "Don't know"

Hearing Officer-Positive (4) "He was a nice guy."

Hearing Officer-Neutral (1) "Hearing Officer was fine."

Hearing Officer-Negative (1) "Need to attitude adjustment for some Hearing Officers."

Hiring more Hearing Officers (60) "Add more Hearing Officers." "Have more than one Hearing Officer."

Give the Hearing Officer more authority (3) "Hearing Officer should be able to make more decisions than she can without sending people to court."

The waiting time (35) "Not have to wait so long." "Oh yeah, have the wait shorter."

Positive experience (13) "It was perfect." "Did a good job."

Make it easier to get a court date (4) "Why bother, why can't I go straight to court?" "Go back to phone appt. call in and get a court date."

Waiting area improvements (10) "Chairs are uncomfortable and they're dirty." "Better seating in the waiting area."

Staff was rude (4) "Realize that the workers in the check-in window work for the taxpayers—they were rude at the window."

Have appointments available (15) "Nice if there were appointments."

Make the internet option available (4) "Internet access could allow people who have proof to send it to the Hearing Officer so that a decision could be made without requiring a person to come in."

Phone issues (8) "348-2040-same in the phone book- message center Minnetonka only ask for an extension." "I had a cut and dry case and I wish they would have been told that on the phone." **Screen cases for severity (3)** "People working need to prioritize cases that would take less time." "Take lesser offenses first—separate them."

Reduce fines more (4) "You could let more fines go and give more warnings." "Dismiss all the charges."

Better signs and information (8) "More signs." "Explain more with signs on first floor so that people know exactly where to be."

Other (57) "Place voter registration materials in area."

Uncodeable (4) "No cops too!"

What expectations did you have before coming to the Hearing Office today?

192 cases (number of people who actually said something)

Coding Agreement Average: .89

Number of perfect agreements: 157 (82%)

Top Three Comments:

None (41) "None"

Have matter resolved (24) "Get it taken care of"

Have charges cleared (24) "Have my charges dropped"

None (45) "None" "No expectations"

I don't know (4) "Don't know"

Have matter resolved (24) "Thought I could have gotten it taken care of"

To pay the fine (16) "Pay full amount"

Fine reduced (13) "50% reduction"

Charge cleared (24) "Hoping to get out of ticket" "That everything would be waived"

Tell my side of the story (7) "Just to be listened to"

Court appearance (4) "We would schedule first appearance"

Long wait (20) "That it would be a long wait"

Short wait (12) "Much quicker"

Unfair treatment (0)

Fair treatment (6) "Fairness" "To be treated fairly"

Good experience (5) "Things will be okay" "They would help me out"

Bad experience (13) "Hearing Officer to be more rigid and not as personable"

What I expected (4) "Same as received"

Other (60) "Continuance for dismissal" "I didn't know who I could meet of if they'd even talk to me"

Uncodeable (7) "But thought these wasn't decision making power"

Was your experience similar or different than what you expected? How So?

174 cases (number of people who actually said something)

Coding Agreement Average: .80

Number of perfect agreements: 108 (62%)

Top Three Comments:

Similar (79) "It was similar."

Different." (57) "Different."

Took a long time (32) "I knew I would be visiting a while." "Had to wait

awhile."

None (3) "No expectations." "I didn't expect anything."

Similar (79) "It was similar."

Different (57) "Different."

Better (12) "Better than I thought." "More pleasant."

Worse (4) "Didn't work out so well."

Hearing Officer—Positive (28) "I got to talk to someone and they were respectful." "Hearing Officer seemed to understand and was on my side."

Hearing Officer—Negative (2) "He did scold me." "Officer aggressive."

Didn't get ticket dismissed (3) "Didn't waive ticket." "It was not dismissed."

Took a long time (32) "I knew I would be visiting a while." "Had to wait awhile."

It was quick (8) "Wait wasn't long." "A little quicker."

Didn't know what to expect (3) "Didn't know what to expect."

Good experience (17) "Very positive." "Good experience."

Been here before (11) "I've talked to this Hearing Officer before." "I've been here before."

I was listened to (6) "He listened to me." "I didn't expect someone who could listen to me."

Charges were dismissed (11) "Gave me a warning instead of paying fine." "He dismissed the case due to an error on the webpage."

Paid less than I thought (13) "Thought he would get a 50% reduction." "Fine was reduced."

Paid full amount (1) "I ended up being stuck with full amount."

Have to come back/go to court (11) "Couldn't resolve it and had to come back." "Have to go before a judge."

I got it resolved (11) "I was happy we could get a resolution today."

I had to pay money (9) "I have to pay a lot of money for stupid shit." "Had to pay double the fine, late fees."

Other (63) "Why can't I just go straight to court?" "You always hope for the best, but expect the worse." "I knew I had a couple options."

Uncodeable (2) "Too personal." "I didn't get he was a good person."

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