

## **IMPROVING PUBLIC TRUST AND CONFIDENCE**

*- Responding to the Results -*

Minnesota's public trust and confidence survey results can be broken down into four main categories:

- **Understanding** – How much do people know about the court system and its operations, and is the information they have accurate?
- **Access** – The time, cost and ease of utilizing the court system
- **Fairness** – Does the court system treat all groups of people equally and fairly?
- **Accountability** – The court's performance, ability to handle cases and the independence of the judiciary

Over the course of the last two years, the judiciary has carefully considered the results and worked to achieve consensus about the most effective ways to improve the public's trust and confidence. In many areas, strategies for specific reform have been incorporated into the judiciary's systemic priorities through its strategic plan. This ensures that the survey will be more than a snapshot of perceptions, it will be a detailed blueprint for long-term goals.

What follows are survey results in each of the four categories, along with strategies to improve public trust and confidence that are already underway or planned for the future.

**UNDERSTANDING – how much do people know about the courts?**

| SURVEY RESULTS   | STRATEGIES UNDERWAY/PLANNED FOR  |
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| <p><b>Statewide, 40% know little or nothing about the court system. 50% of people of color claim to little or nothing about the court system. 48% believe that courts are out of touch with their communities.</b></p> | <p><b>Constitution Day</b> – 10/13/00 more than 200 volunteer judges and attorneys visited a middle school or high school in their area, played an educational videotape about the court system and answered students' questions. Between 6,000-7,000 students learned about the judiciary from a judge or attorney on this one day. Constitution Day will become an annual event we hope to expand on.</p> <p><b>Supreme Court outreach expanded</b> – In addition to the Court's traveling oral arguments twice a year in high schools around the state, the Chief Justice and other Justices visit two different judicial districts every year. In addition to meetings with the local bench and bar, the Chief Justice visits with a cross-section of community organizations and typically attends a community dinner where she outlines the challenges facing the judiciary and answers the public's questions about the work of the courts.</p> <p><b>Expand Outreach to Communities of Color</b> – The judiciary is working with the Multicultural Implementation Committee and a group of minority organizations to identify meaningful outreach opportunities and discussion forums for judges and people of color. In addition, all judges will be provided with a manual listing communities of color organizations throughout the state for use in setting up speaking engagements.</p> <p><b>Community Outreach Manual</b> – The State Court Information Office is preparing a comprehensive manual for judges and court staff that will contain dozens of practical lesson plans, speech topics and exercises for use in speaking with students, community groups and the public at large.</p> <p><b>Orientation of New Judges</b> – Orientation will include expanded programming for new judges on effective community outreach.</p> <p><b>Outreach through the Conference of Chief Judges (CCJ)</b> – CCJ has established an outreach committee to promote outreach statewide. In addition, there is a standing policy for judges to use up to two days per year per judge to build up system support for outreach activities.</p> |

**ACCESS – Time, Cost and Ease of Utilizing the Court System**

| SURVEY RESULTS  | STRATEGIES UNDERWAY/PLANNED FOR   |
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| <p><b>60% disagree with the statement "The court system is easy to use."</b></p> <p><b>81% disagree with the statement "Most people can afford to bring a case to court."</b></p> | <p><b>Translating Court Forms into Plain English</b> – The Forms and Procedures Task Force is working to translate more court forms into easy to understand, legalese-free, plain English. The new forms will help improve communication between litigants and the courts. There are plans underway to begin making many of these plain English forms available on the state court system website in 2002.</p> <p><b>Jury Reform Task Force</b> – following an evaluation by the National Center for State Courts, the Chief Justice has convened a task force to look at a variety of issues impacting jurors, including hardship, note-taking during trial, voir dire, "one day, one trial" models and other concepts that may improve citizens' jury service experience.</p> <p><b>Greater Use of State Court System Website</b> – is planned to improve customer service. (*See also under "Understanding")</p> <p><b>Pro Se Projects</b> – Several counties (including Minnesota's largest, Hennepin) have set up Self Help Centers for self-represented litigants and the public at large. These centers provide materials, forms, informational videos and referrals to other legal services. In 1999 in Hennepin County, the Self Help Center assisted more than 3,200 litigants who filed in that county.</p> <p><b>Alternative Dispute Resolution</b> – Under rules set forth by the MN Supreme Court, judges</p> |

**72% do not believe court cases are resolved in a timely manner**

**Continue to monitor case processing in critical areas** – The Chief Justice has just launched an initiative to move child protection cases through the system more efficiently. (See “Children’s Justice Initiative” under “Accountability” below). Beginning March 1, 2000, the Court of Appeals began expediting opinion releases in all juvenile protection appeals. The Court of Appeals also expedites the scheduling of oral arguments or non-oral submission of cases that involve child custody or parental rights termination. Over the last year, Hennepin County Courts have launched initiatives to speed up case processing for DWI and Juvenile Court cases.

**Disseminate more accurate information about case processing** – According to an evaluation of the district courts by the Office of the Legislative Auditor, the case clearance rates for Minnesota were superior for criminal cases and comparable for civil cases in 1998 compared to states with court systems similar to Minnesota. According to the American Bar Association, Minnesota’s appellate courts meet and exceed most time standards for case processing.

**FAIRNESS – The courts’ treatment of different groups of people**

**SURVEY RESULTS**

**All respondents, but especially respondents of color, are less likely to believe that courts treat Native Americans, African Americans, Hispanics, Non-English speaking people and poor people fairly. Conversely, they are more likely to believe that the courts treat white people, men, women, middle class people and wealthy people fairly.**

**Respondents of color are less likely to believe that juries are representative of the community where the court is located, that judges treat people with respect and that judges are fair in deciding cases.**

**STRATEGIES UNDERWAY/PLANNED FOR**

**Statewide race data collection** – Early in 2001, the court system launched a statewide initiative to collect self-reported race data in all criminal, juvenile and traffic court proceedings. The effort stems from recommendations in the 1993 Race Bias Task Force Report, which urged data collection to identify where bias in the court system may be occurring. The results of this collection will be made public and will be evaluated by the judiciary on a regular basis.

**Ensure Eliminating Race Bias Continues to be a Priority** – The release of a Task Force report in 1993 on bias in the judiciary included 144 recommendations for eliminating bias. 104 of the 144 recommendations were within the court’s discretion or control. To date, 94 of those recommendations have been implemented across the following broad categories:

- Training of judges, court personnel and attorneys - e.g. judges and court personnel in all 10 judicial districts have received diversity training
- Court Processes - e.g. All districts now monitor the racial composition of jury pools
- Court Interpreters - e.g. A court interpreter training and certification program has been created and it maintains a statewide roster of court interpreters
- Employment – e.g. Human Resource personnel throughout the judicial system have received training on hiring, promoting and retaining a diverse work staff
- Data Collection – e.g. The aforementioned race data collection project.

The judiciary has been working on this issue in earnest since 1993 and will continue to do so to ensure justice is blind and all groups of people are treated fairly.

**Expand Outreach to Communities of Color** – The judiciary is working with the Multicultural Implementation Committee and a group of minority organizations to identify meaningful outreach opportunities and discussion forums for judges and people of color. In addition, all judges will be provided with a manual listing of communities of color organizations throughout the state for use in setting up speaking engagements. (\*See also “Understanding”)

**ACCOUNTABILITY -performance, ability to handle cases and independence of the judiciary**

**SURVEY RESULTS**

**STRATEGIES UNDERWAY/PLANNED FOR**

**Respondents feel the court is least capable of handling cases that deal with the family.**

**33% rated the handling of juvenile cases as poor.**

**29% rated the handling of child protection cases as poor.**

**25% rated the handling of family cases as poor.**

**Children's Justice Initiative** – The Chief Justice, in collaboration with the Department of Human Services, just launched a new statewide initiative to improve the child protection system's handling of cases and move children alleged to have been abused or neglected into permanent homes faster – either through reunification or permanent placement. An initial 12 counties will participate in the first wave of improved case processing and the delivery of services to maltreated children, followed by three waves of 25 counties each. The goal of this five-year initiative is to meet state and federal timelines for permanency.

**New child protection rules** – Last year the judiciary updated court rules on child protection cases (those involving children alleged to have been abused or neglected) to ensure the appointment of a Guardian ad Litem (court-appointed advocate for the child's best interest) in every case of alleged maltreatment, to clarify greater responsibility for the courts in case management, to provide clearer definitions of terms and procedures, and to outline shorter permanency timelines.

**New child support rules** – Administration of the state's child support system has been shifted from the Executive Branch to the Judicial Branch in the wake of a 1998 MN Supreme Court decision. The judiciary has set forth new court rules outlining the process for expedited child support hearings. Child support hearings are now heard by a Magistrate rather than an Administrative Law Judge. Throughout the shift, the courts have worked to ensure a very efficient and effective system for all parties. According to the Minnesota Supreme Court Expedited Child Support Process Interim Evaluation Report of February 2001, 98.4 percent of the state's expedited child support cases were resolved within the six-month federal timelines, and 99.9 percent of cases were resolved within one year.

**GAL volunteers** –40% of the children who have been alleged to be abused or neglected have no Guardian ad Litem (GAL) to represent their interests in the court proceedings that determine their fate, even though a GAL is required by law. Last year, the Chief Justice issued a "pro bono challenge" to local law firms, encouraging attorneys in the Twin Cities to become GAL volunteers as part of their yearly pro bono work. 128 attorneys initially responded to the challenge to help fill the gap of GAL's in Hennepin and Ramsey County.

**Juvenile Justice Services Task Force** – The Minnesota Supreme Court established this task force in 1999 to look more closely at the services offered and ordered for juveniles who come before the juvenile court. Issues examined by the task force include:

- How well is the existing juvenile justice system working to provide services for juveniles?
- What are the unmet needs of youth, families, victims of juvenile crime and the community?
- What more can be done to improve service coordination and effectiveness?

The task force has submitted its final report and recommendations, which are available on the state court system website, [www.courts.state.mn.us](http://www.courts.state.mn.us).

**Advisory Committee on Juvenile Court Rules** – The Supreme Court has established this committee to assure the ongoing examination and updating of procedures and rules governing juvenile cases.

**Teen/Peer Courts** – continue throughout the state. These courts are aimed at being more effective with the juvenile offender. Teen courts typically put the juvenile offenders in front of a jury of their teen peers, who then recommends sentences that often include community service, drug or alcohol counseling and jury service in Teen Court. Recidivism rates for juvenile offenders have been shown to be lower with the Teen Court approach.

**“Technology Initiative”** – The court’s existing technology is out-of-date, poorly integrated and difficult to use. Updating and integrating our information would greatly improve the accountability of the judiciary. Right now, the state’s 1,100 separate criminal justice computer systems cannot communicate with each other. As a result, judges often do not know if the people in front of them are lifelong criminals or first-time offenders. In addition, nearly 100,000 felony and gross misdemeanor convictions are missing from the state’s criminal history database, so many offenders slip through the cracks of the system, unnoticed. Designs are underway for a new computer system called MNCIS – the MN Court Information System – that will bring the judiciary’s technology into the 21<sup>st</sup> century and help us communicate effectively with other agencies and units of government. The court’s technology initiative is one of four strategic priority areas for the judiciary.

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| <p><b>68% believe that elected judges are influenced by having to raise campaign funds.</b></p> <p><b>62% believe that judges' decisions are influenced by the political parties in power.</b></p> | <p><b>Protect the Independence of the Judiciary</b> – Over the last year, the Chief Justice, the Minnesota State Bar Association and many others have highlighted the importance of maintaining an independent judiciary – not for the sake of the judges, but for the sake of the people judges serve. Citizens must have an expectation that the judge they will appear before is a neutral arbiter who has not made any pledges on how he or she will rule. Everyone is entitled to have their day in court before a judge who will consider <i>only</i> the law and facts of the case, as presented by each side.</p> |
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