



MINNESOTA  
JUDICIAL  
BRANCH

## COMMUNITY DIALOGUE

The Fourth Judicial District serving Hennepin County conducted a community listening session on November 16, 2015 at Minneapolis Urban League.

“Tell It to the Judge: A Community Listening Session with Hennepin County Judges” allowed community members to talk to judges in a small group conversations. The listening session was attended by 25 judicial officers and staff from Hennepin County District Court.

A white sign with a house-shaped top, featuring the word "Welcome!" in large, black, handwritten-style letters. Below the sign is a small flyer titled "Tell It to the Judge: A Community Listening Session with Hennepin County Judges".

Welcome!



## FOURTH DISTRICT REPORT

### INTRODUCTION

“Tell It to the Judge: A Community Listening Session with Hennepin County Judges” was held at Minneapolis Urban League, 2100 Plymouth Avenue North, Minneapolis, MN on November 16, 2015, 6:30-8:00 p.m. Invitations and flyers were distributed to several key community organizations soliciting their involvement and support. This was the fourth community listening in as many years planned by the Equal Justice Committee serving Hennepin County. Previous listening sessions were held in Minneapolis’ Powderhorn community, Minneapolis Urban League and North High School.

The goal of the session was to create a public forum for community members to describe their experiences and discuss ideas for advancing equality and fairness regarding race, gender, ethnicity, age, disability, socioeconomic status, religion, sexual orientation and any other status protected by law.

#### Community Dialogue Plan

The Community Dialogue Plan provides a template for the Committee for Equality and Justice and each Judicial District Equal Justice Committee (EJC) to work together to achieve equitable treatment for all individuals in the court system. The Community Dialogue Plan’s stated purpose is to:

Create a public forum for community members to describe their experiences and discuss ideas for advancing equality and fairness regarding race, gender, ethnicity, age, disability, socioeconomic status, religion, sexual orientation, and any other status protected by law.

#### Fourth District Session Details

Moderator: Steven Belton, Minneapolis Urban League Interim President

Judges and Referees: 20 (Judges Alexander, Benson, Bernhardson, Bransford, Browne, Cahill, Carruthers, Cutter, Engisch, Fisher, Hoyos Karasov, Koch, Moore, Norris, Scoggin, Quaintance, Wahl, Referees Harris and Hutchison)

Administrative Staff: 5 (Dana Bartocci, Kate Fogarty, Nancy Peters, Andrew Pieper and Shoree Pierce)

Community Representation: More than 40 community groups were invited to the listening session, including all north Minneapolis neighborhood groups.

### SUMMARY OF THE FOURTH DISTRICT SESSION

The goals of the session were:

- To provide an opportunity for community members to share thoughts, concerns, and experiences with the Hennepin County Courts
- To learn what is and isn’t working from the perspective of the users of the courts: accessibility, quality of service and perception of fair treatment

- To use what is learned to make changes to ensure that court users' needs are met and that rights are respected when interacting with the Hennepin County court system

An estimated 70 people attended the listening session. At each table an average of five participants met with two judges. The notes from the 15 small group table captured some common themes and issues. The discussions were lively and covered a range of topics relating to criminal court, family court, juvenile court, pro se litigants; and civil judgments Two-thirds of the participants requested a copy of this report which will be sent via email.

It was valuable for the judges and court administrative staff to hear directly about the experience of their customers. The Court will review the notes from each table to select new goals from the small group discussions.

### Major Themes of the Session

Ten (10) themes emerged from the 15 small group discussions:

#### 1. ACCESS

Participants voiced skepticism about whether poor and self-represented defendants get equal access and outcomes compared to wealthier individuals represented by private counsel. Concern was also expressed about those who do not qualify for the public defender but also cannot afford private counsel. People complained about the high cost of transcripts and fees and fines. They also voiced a need for education about the court process and advocated for court hearings in the community.

#### 2. BAIL

Some were of the opinion that bail settings seem to favor white defendants and that there is a lack of consistency in setting bail. Some felt that and that bail and / or fines may be excessive in some cases.

#### 3. DIVERSITY

Several small group raised the need for more diverse juries that reflect the race of the person standing trial. People advocated for more judges of color in Family Court, increased minority attorney involvement in bar associations, and increased minority participation in a justice system whose employees are perceived as disproportionately white. Also identified was the need for more adult males from diverse backgrounds to advocate for men or boys of color who are navigating the court system.

#### 4. COURTROOM

Groups echoed one another's comments regarding courtroom demeanor. Comments fell into two broad categories: How participants feel they are treated in court and whether participants understand the court process.

#### 5. FAMILY, JUVENILE AND MENTAL HEALTH COURTS

- Small discussion groups voiced concerns that Family Court decisions could be inappropriately influenced by pleas in Criminal Court, OFPs and chemical dependency.
- Participants suggested a need for parents or parental figures from the community to be present to advocate for kids in Juvenile Court.
- It was suggested that routing appropriate cases to Mental Health Court and accessing appropriate mental health resources is needed.

#### 6. REFEREES

Some expressed concern about the accountability and fairness or perception of fairness of referees who are not elected, but rather appointed.

## 7. CHILD PROTECTION / SUPPORT

People commented that child protection staff needed to better represent the ethnicity of the clients. They advocated the use of culturally appropriate treatment facilities. The experience level and cultural competence of Guardians ad Litem were questioned. The multiple barriers in achieving a secure and stable lifestyle (after factoring in paycheck deductions for child support costs) need to be addressed.

## 8. CRIMINAL JUSTICE SYSTEM

Various small group discussions remarked that the legal system sometimes does not have a process to right some wrongs (i.e., false use of other's name as an alias), and that laws and logic sometimes conflict, frustrating the attempt to get a satisfactory or fair outcome.

## 9. LAW ENFORCEMENT

It was suggested that police officers somehow be held accountable for false testimony and that there needs to be a mechanism for police to apologize when they do wrong. People expressed concern that the jail may not take proper care of inmates' medical needs, and that complaints about treatment in the jail are not taken seriously.

## 10. PROBATION

Participants would like to see coaching on how to succeed on probation, as it seems that defendants are often set up to fail. Probation officers should be more like case managers, defendants require structure, need social system support, housing, employment, etc.

## SUMMATION

The ten identified themes fall into two major groups, 6 are managed by the Judicial Branch and 4 are controlled by other branches of government or agencies.

Judicial Branch	Executive / Legislative Branch or agency
Access	Child Protection / Support
Bail	Criminal Justice System
Courtroom Demeanor	Law Enforcement
Diversity	Probation
Family, Juvenile and Mental Health Courts	
Referees	

Within Hennepin County District Court's circle of influence, the following specific suggestions were identified to actively respond to the issues identified by attendees in the first six categories.

### **Proposed Suggestions for Improving the Court System**

Many helpful suggestions for improving the court system at the listening session were received. In follow-up meetings, the proposed suggestions for improving the court system are:

1. Improve communication between the judge and the defendant at court appearances.
2. Provide judicial officers with an in-depth understanding of the impact of probation on defendants.
3. Inform customers of existing organizations, programs and services that may be helpful.
4. Explain to customers in a way they can understand what to do when they leave court.
5. Clarify the bail evaluation process.

These suggestions will be reviewed by the Committee for Equality and Justice and the Fourth District EJC to determine next steps. The Committee and/or the Fourth District EJC will determine whether or not to implement some or all of them.

**1. Improve Communication**

- Video judges on the bench and critique videos.
- Invite community members to speak at judicial retreat to hear directly from customers.
- Instruct clerks at check in and in custody to update contact information (address and phone number).

**2. Probation Impact on Defendants**

- Conduct a simulation exercise about following conditions for probation to see how difficult it is to be successful on probation.
- Invite national speaker to talk about improvements/reform.

**3. Helpful Organizations, Programs and Services**

- Reach out to resource organizations, such as United Way, for a more coordinated, cohesive way to loop in customers to services available.

**4. Understand What To Do After Court Appearance**

- The Minnesota Judicial Branch will conduct the Statewide Access to Justice Survey in 2016.
- Spread the word about the Self Help Centers using KMOJ radio, libraries, social media, etc.

**5. Bail Evaluation Process**

- Post a blank bail evaluation form on the public website so that the public knows what the court uses.

**Suggestions for Future Community Dialogue Sessions**

The support of The Minneapolis Urban League location and its communication network (including social media, posting flyers and email) were invaluable to spreading the word and providing a safe and welcoming venue for this discussion. KMOJ radio interviewed Judge Tanya Bransford and Referee JaPaul Harris in connection with this listening session.

A good ratio of judges-to-participants facilitated lively discussion. The revised small group facilitator's guide worked well. For future sessions, it was suggested that a judge's contact information be made available for any follow up questions in preparing this report. One-on-one conversations between judges and participants resulted from the complementary refreshments provided. The court was invited to return next year to Minneapolis Urban League for a follow-up listening session.

**Changes Resulting from Community Listening Sessions**

Attendees appreciated hearing from Interim President Belton that feedback from prior listening sessions has helped the court implement improvements such as:

- Training for judicial officers on procedural fairness and how to listen effectively in court.
- Judicial training by Probation in October to learn more about Evidence Based programming and which probation conditions are most effective.
- Judicial officers were updated over the past six months about appropriate referral of high risk/high needs probationers to Drug Court or Mental Health Court, including in response to

probation violations.

- Electronic directories, similar to those used in airports, were installed at all court locations. Beginning at 7:30 each morning, the electronic boards list the names of the parties and the courtrooms assigned to the cases.
- The Self Help Centers located in the Government Center and the Family Justice Center provide one-stop shop assistance to self-represented litigants. Both centers employ multi-lingual staff.
- Court summons and other documents have been revised to plain English, eliminating legal jargon in order to make them easier to understand.
- Security measures have been enhanced to help people feel safe in court buildings.
- A centralized call center was established in May 2008 and web chat in May 2015 to improve access and court user service.
- Tuesday evening appointments are available so people do not have to take time off from work to resolve a traffic ticket.
- A Citizens' Academy that is offered by Hennepin County each spring and fall to educate the public about the justice system and county programs.
- Job postings in the Fourth Judicial District are shared via the MN Association of Black Lawyers, Lavender Bar, Hispanic Bar, and MN Asian Pacific American Bar Association, Hispanic Bar, Somali community centers, Brian Coyle Community Center and local technology colleges with the goal of improving diversity in hiring.
- Diversity training offered to judges and court staff.
- Privacy concerns regarding sensitive information about defendants and victims was addressed by adding white noise to cover conversations between lawyers and judges the bench.

Some of the suggestions offered at the listening session are already implemented in the Fourth Judicial District. These accomplishments include eNoticing, eHearings, public defender kiosks, BoldChat, forms translated into other languages, hearing office appointments and walk-in service, expansion of payable list, city prosecutors with expanded authority (except Edina), bail/bond clarification, payment plan by phone, brochures, workhouse video hearings, payable traffic calendar in all court locations and STS return calendar.

## ADDITIONAL INFORMATION

Attached:

Flyer

Feedback Form

Results from the Feedback Form

Guide for Facilitators, Note Takers and Moderator

# Tell It to the Judge:

## A Community Listening Session with Hennepin County Judges

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### WHEN

Monday, November 16, 2015

6:30 p.m. – 8:00 p.m.

*Light refreshments will be served.*

### WHERE

Minneapolis Urban League

Community Room

2100 Plymouth Avenue North



### *Meet with Judges in a Small Group Discussion*

- Voice your concerns and suggestions about coming to court
- Share ideas about improving the quality of service in court
- Help the court better understand your experience

## WE WANT TO HEAR FROM YOU!



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**Co-sponsors:** Hennepin County District Court • Minneapolis Urban League

Walk-ins welcome, reservations appreciated, please email [LAnderson@mul.org](mailto:LAnderson@mul.org)

For more information contact [Nancy.Peters@courts.state.mn.us](mailto:Nancy.Peters@courts.state.mn.us)

## Community Listening Session

Please indicate your level of agreement with the following statements:

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree
I felt like I could share my thoughts openly and honestly.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I felt respected by the people involved in this session.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Judges and small group facilitators listened well to the thoughts shared at my table.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The overall structure of the meeting worked well.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The overall meeting was well facilitated.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

What one or two things went most well in this listening session?

What one or two things went least well in this listening session?

What was not covered that you would have like to have seen addressed?

What would you suggest be done differently in future listening sessions?

Do you have any additional comments?

## Evaluation Summary for Community Listening Session Minneapolis Urban League • November 16, 2015

Please indicate your level of agreement with the following statements:

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree
I felt like I could share my thoughts openly and honestly.	3			5	<b>12</b>
I felt respected by the people involved in this session.	2		3	5	<b>10</b>
Judges and small group facilitators listened well to the thoughts shared at my table.	3		2	5	<b>10</b>
The overall structure of the meeting worked well.	2	1	1	<b>9</b>	6
The overall meeting was well facilitated.	2	2	1	7	<b>8</b>

### What one or two things went most well in this listening session?

- Segregate people by problems or “concerns” so there are not duplicates at the tables
- Just open talk. Felt listened to.
- Talk point across
- Introductions
- Just that listening
- Drove home points – intervention for gateway crimes is needed
- Facilitator led meeting well—kept it going
- Felt heard
- Participants were able to share their stories, having Judges Alexander and Tanya Bransford at the table to explain legal terms and processes.
- The fact that it was a small group helped each voice to be heard. A community stakeholder helped to mediate and deescalate high emotion
- Had a robust discussion about different issues relating to reforming the criminal justice system changing record retention
- Had a robust discussion
- Felt listened to
- The judges listened to everyone and took notes
- The judicial officers were respectful and approachable to everyone at the table and relayed statements that were assessable by the varied levels of knowledge represented.

### What one or two things went least well in this listening session?

- Openness by the judge felt valued
- Answers to imbalance of representation

- Black attorneys struggle with become attorneys in Hennepin County
- Nothing really
- Would like more time – next time
- None
- One person took a great deal of the group time so everyone was not able to really speak as a result.
- I enjoyed the listening session. It was a very informative discussion.
- Is the oversized notepad with marker as effective as pen—which might be easier to write with for more detailed notes.
- Perhaps the report from the April listening session could have been referred to via a link as part of the invite or mentioned during the meeting. It would also show that the results are played forward.

**What was not covered that you would have like to have seen addressed?**

- Citizens Review Board
- Nothing
- Revolving door for criminals
- Police brutality
- I want a budget for all the wonderful recommendations.
- District Court judges being more empathetic to a person childhood and traumatic events that has happened in an individual life that has contributed to that individual committing crime and living a criminal lifestyle.
- The topics were driven by the table participants, which was good.

**What would you suggest be done differently in future listening sessions?**

- Not at this time.
- Bring a prosecuting attorney with judges
- Nothing – more time
- 3 hours
- No
- Limit comments at the group level (timed commentary) and provide a budget for recommendation.
- I hope there will be more community listening sessions like this listening session this evening because it gives the community a chance to share their experiences and issues, and share fresh ideas.
- Tables with several specific topics—I am interested in how kid/adults with FASD will be processed fairly
- Perhaps announce if certain judges are criminal or family—or rather put one of each per table
- Perhaps pairing different judges with experience in specialty courts with people that have interest in that specific focus.

**Do you have any additional comments?**

- Change is due. See human beings and justice
- I do not

- Lots – [phillip@phillipmurphy.com](mailto:phillip@phillipmurphy.com)
- Very interesting, intro topics
- Great Job Excellent! Place to begin to fix our legal system that is horribly broken.
- I am anxious to read the final report—I want to hear all the conversations
- Thank you for having this process. I am amazed by the turnout of judges/referees. They are busy and I appreciate their coming.
- A big thank you and kudos to the bench for coming out, especially given the emotionality of the events.

**Hennepin County District Court Community Listening Session**  
***Guide for Moderator, Facilitators and Note Takers***  
**November 16, 2015**

Minneapolis Urban League Community Room | 2100 Plymouth Avenue North, Minneapolis, MN 55411

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**Goals:**

**1. Information Gathering**

- Provide an opportunity for community to share ideas, concerns, and experiences about HCDC
- Hear personal (or family/friend's) stories about the court
- Hear about court experiences in terms of:
  - Taking care of the party's court business in a reasonable amount of time
  - Court staff's attention to the party's needs with courtesy and respect
  - The party thought they were treated respectfully and fairly

**2. Next Step**

- Take lessons learned tonight to help HCDC ensure citizens' needs are met and that rights are respected when they come to court
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**Pre-agenda:**

- 6:00 PM Training for facilitators (judicial officers), note takers (judicial officers), moderator (Steve Belton) and greeters (court/MUL).
- 6:25 Group Photo
- 6:30 Facilitators and note takers are seated, ready to welcome participants to their tables. (Before participants arrive, take a moment to put your mind in a place of welcome, calm and openness. Frustration and anger are emotions you will likely encounter; prepare yourself to meet those emotions with calm and compassion.)
- Start with **6 facilitator/note taker pairs** seated at tables. Ideally, there will be 2-4 judges and facilitators available in the wings, prepared to have separate listening sessions as needed. Tables or other space for these conversations should be located in close vicinity to the security staff.
  - The **moderator** will be watching for participants who are expressing a very high level of frustration or anger, to the point where they are taking over the small group or are threatening to the judge, and will intervene at escalating levels as required.

- The **moderator** will keep time during small group discussion.
  - **One or two greeters** meet participants as they come in, thank them for coming, give them a handout with an overview of the session goals and the focus of the session. Generally direct attendees to small-group tables.
  - Another **greeter** is focused on making sure there is a relatively even distribution of participants at the small group tables. If people arrive in groups of less than 6, DO NOT attempt to redistribute them to multiple tables (they will want to stay together and splitting them up could create unnecessary conflict).
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## Agenda:

### 6:30 – 6:40 Welcome and Getting Settled – Facilitators and Note Takers

- When people arrive at your table, encourage them to have a seat, thank them for coming, and ask them write their first name on a nametag.
- Engage in small talk with participants right away (don't wait until the session begins). If they start to dig into the set topics for discussion, hear them out a bit but gently interrupt to say that you would like them to share more about their concern once the session begins; when we're really ready to focus and take notes.

### 6:40 – 6:45 Welcome and Introduction – District Court (Chief Judge Cahill)

#### Convening & Overview – Moderator (Steven Belton)

- **Moderator** will let participants know that it's time to begin and review:
  - Purpose of the listening session;
  - What we hope to learn from it, provide examples of previous sessions resulting in specific outcomes;
  - Area of focus is the courts, not others from public safety such as the police, probation, other county programs/services, etc., (bring participants' attention to the handout).
  - The questions that will be asked at each table

### 6:45 - 7:35 Small Group Discussions – Facilitators and Note Takers

- **Facilitator:** Welcome, I'm (      first and last name      ) and I am a volunteer facilitator for this small group. My job tonight is to make sure we hear from each person at this table – I'll be asking questions and listening to your thoughts and ideas. It's also my job to keep us focused during the time we have together.
- **Note Taker:** My name is (      first and last name      ) and I am a judge in Hennepin County. I'll be listening and taking notes to make sure your thoughts and ideas are shared with all the other Hennepin County judges and court staff so that we can make improvements based on what we

learn from you.

- **Facilitator:** Let's go around the table and say our first names – I know that you wrote out nametags with your first name on them, but I just want to make sure I say your name correctly.

*Refers to "expectations" table tent.*

Finally, I want to remind everyone that we want to have a meaningful, respectful conversation, so I encourage us all to support these expectations and to help others do the same.

Let's get started with the questions on your handout. We have about 45 minutes for our discussion, and I really want to make sure we hear from everyone.

**1. Why did you come today?**

**2. How can I (or the court) do a better job?**

**7:35-7:50 Small Group Reporting – Moderator (Steven Belton)**

- **Moderator** will reconvene everyone as one large group.
- The **note taker** at each small group will be asked to share the top three themes that emerged from their small groups

**7:50 – 8:00 Close-out – Moderator (Steven Belton)**

- **Moderator** concludes the session with a brief summary "I heard at your tables..."
  - **Moderator** describes the next steps about what will be done with the input from this session
  - **Moderator** asks participants to complete the feedback forms
  - **Moderator** thanks participants for attending and adjourn
-