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FACT SHEET

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Trust and Confidence in the California Courts: Phase II

In 2005, the Judicial Council of California undertook a statewide survey of the public and of practicing attorneys to determine current levels of trust and confidence in the state courts, and to obtain information concerning expectations and performance of the state courts. The survey, phase I of a recently completed trust and confidence assessment, reached over 2,400 members of the public and over 500 practicing attorneys.

Phase II

The Judicial Council of California's landmark 2005 study *Trust and Confidence in the California Courts: A Survey of the Public and Attorneys* was the foundation for phase II of the council's trust and confidence assessment. In 2006, phase II of the study delved more deeply into key issues raised by stakeholders. Using focus groups and interviews, the researchers Public Agenda (New York, NY) and Doble Research Associates (Englewood Cliffs, NJ) sought direct information from court users—new information to yield specific, effective strategies for addressing customer concerns identified by the 2005 survey. Mirroring the findings of phase I, court users in the phase II focus groups indicated that they hold generally high levels of confidence in the state's courts and have an especially high regard for judges. The focus groups also confirmed that having a sense of procedural fairness—that court procedures are made through court processes that are fair—is the strongest predictor by far of whether members of the public approve of or have confidence in the California courts.

In addition, the phase II researchers solicited input from two previously untapped stakeholder groups—judicial officers and court administrators—to yield an insiders' perspective on the California courts as well as identify possible means of improving the delivery of justice. These judicial branch members say that improved communication with the public as well as with others on the bench will allow the courts to better serve the public.

Areas of Focus

The following six thematic areas that emerged from the 2005 survey results were explored in phase II. Some highlights of key findings from phase II are identified below. Recommendations for the courts are included in the final report, *Trust and Confidence in the California Courts, Phase II: Public Court Users and Judicial Branch Members Talk About the California Courts*.

Receiving and seeking court information

Court users and judicial branch members in the phase II focus groups overwhelmingly favored having more self-help centers inside the courthouse, with court users also favoring newsletters and mobile self-help centers in key community locations. As noted in phase I, relatively few court users in the phase II focus groups had used court websites, but those who had were very positive about the content and helpfulness of these sites.

Experience in a court case: Incidence and consequences

Californians who use some of the highest volume courts, such as family or traffic court, often report feeling stress and confusion. These court users were more likely to give the courts a less favorable rating. On the other hand, although some wanted more information, most of those with jury experience gave the courts high ratings. Further, they appreciated changes in the jury system that have made jury duty more convenient.

Barriers to taking a case to court

As in phase I, the phase II focus groups cited finding a good, affordable attorney as the main barrier preventing Californians from taking a case to court. One consequence of this barrier has been the rise in the number of litigants who represent themselves in court. This increase in self-representation has led to court delays and a drain on the court system's resources, according to judicial branch members.

Diversity and the needs of a diverse population

California's diverse population creates many challenges for the courts in meeting the needs of court users. Language and interpretation issues are becoming increasingly prevalent in the courts, and court users and branch members agreed that the courts need more interpreters. Court users, community leaders, and judicial branch members alike believe that more diversity on the bench would strengthen confidence in the courts among minorities.

Fairness in procedures and outcomes

On three of the four essential elements of procedural fairness—respect, trust, and neutrality—the majority of Californians say the courts do an outstanding job, according to both the phase I survey and the phase II focus groups.

On the fourth element of procedural fairness—voice, or the sense that those in authority listen to the people involved in a court case—Californians are less likely to say that the courts are doing a good job. Self-represented litigants, Latinos, and African Americans are especially likely to feel this way.

Expectations and performance

In both the phase I survey and the phase II focus groups, the unmet expectation identified most often by Californians was the desire for the courts to be accountable to the public. Increased contact between the public and the courts may make it easier for the public to assess and provide feedback on the performance of the courts while enabling the courts to better understand and communicate with various communities.

How Will the Information Be Used?

The phase II report, *Trust and Confidence in the California Courts, Phase II: Public Court Users and Judicial Branch Members Talk About the California Courts*, is available online (see “Additional resources” below). Preliminary phase II results were delivered in June 2006 and helped inform the Judicial Council’s 2006–2012 strategic planning cycle, including its reassessment of the branchwide strategic plan. The phase II results can also assist the AOC and trial courts in establishing a course of direction and in improving training, public education, and community outreach. As a helpful reference, a companion DVD was also developed to accompany the phase II report. The DVD includes key findings from the phase II report and video clips from the public focus groups showcasing court user comments about the courts.

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Additional resources:

The phase I and phase II trust and confidence documents are available at
www.courts.ca.gov/5275.htm

Highlights of the phase I survey results are described in a companion fact sheet entitled
Trust and Confidence in the California Courts: Phase I, available at
www.courts.ca.gov/7338.htm