



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

# *Conciliation Court Fairness Study*

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## **Conciliation Court Fairness Study**

### *Acknowledgements*

This study would not have been accomplished without the help of a number of people. First and foremost, we would like to thank the Conciliation Court judges for cooperating with the survey process so that we could provide them with feedback to further improve the already high level of customer service they provide.

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***Hennepin County District Court  
Fourth Judicial District Court of Minnesota***

***Conciliation Court Fairness Report: 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. 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.

**Research Design**

- Visitors to Conciliation Court were interviewed just after their hearing was complete. Those with multiple cases were interviewed each time they appeared before a new Conciliation Court judge. They did not know how the Conciliation Court judge would decide their case at the time of the interview.
- The Conciliation Court clerks also completed a survey for each new Conciliation Court judge they worked with in Conciliation Court.
- Seven hundred eighty-nine surveys were conducted in Conciliation Court. The people surveyed included defendants, plaintiffs, attorneys, and Conciliation Court clerks.

**Results of Quantitative Analysis**

- Overall, respondents were satisfied with how they were treated by the Conciliation Court judges.
- Plaintiffs were more likely than defendants to feel that the Conciliation Court judge treated them fairly and that the Conciliation Court judge had good legal knowledge. Plaintiffs were also more satisfied than defendants with the hearing they participated in that day and they were more likely to rate the Conciliation Court judge's work as "excellent."
- Participants on the Mediation Calendar were more likely than those on the General Calendar to feel the Conciliation Court judge treated them fairly, spoke clearly, and listened to them.

**Results of Qualitative Analysis**

- When asked to tell us about their experience in Conciliation Court, a majority of respondents indicated that they felt the Conciliation Court judge had treated them fairly and that their experience with this court had been a positive one.
- When participants were asked to tell us how we could improve Conciliation Court, a large number of participants indicated no improvements were needed. Those who did offer suggestions for improvements, indicated that they would have liked more information about

the process (e.g., knowing where to go, knowing to bring copies, more information on the procedure) or to make the process easier and more efficient (e.g., not waiting 30 minutes for other parties to show, not waiting so long for their case to be heard).

- Respondents were asked to provide us with any other comments about the process. Again, their comments were mostly positive indicating they were happy with their experiences with Conciliation Court judges and mediators.

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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, non-felony calendars in our three suburban locations, the Payable Traffic Calendar, the Serious Traffic Calendar, and Housing Court. This particular report documents the results of the Conciliation Court Study.

## **Background of Conciliation Court Fairness Study**

The decision to study Conciliation Court came out of a request from the Civil Division. The study served as a development tool for the Conciliation Court judges by providing them with direct feedback about their performance from court visitors and staff. Additionally, the study provided Conciliation Court management with a “customer satisfaction” survey, as well as an assessment of fairness related to the Conciliation Court process.

### *The Conciliation Court Process*

Conciliation Court was designed to provide a way for plaintiffs and defendants to resolve their disputes that is less complicated and less expensive than the traditional courtroom environment. Cases that are heard in Conciliation Court typically include landlord/tenant disagreements (e.g., unpaid rent or non-returned damage deposits) or customer/business disputes (e.g., regarding the quality of repair or service, unpaid bills). Other cases include: unpaid wages, non-sufficient funds checks, damage to automobiles, and return of property. People can file a case with Conciliation Court either by mail or in person. Once the case has been filed, it is heard within six to eight weeks. The disputed dollar amount for cases heard in Conciliation Court cannot exceed \$7,500.00. Due to the more informal nature of Conciliation Court, both parties often appear without the assistance of an attorney. If one or both of the parties would like an attorney to be present at their hearing, they must seek permission from the Conciliation Court judge the day of the hearing.

*Conciliation Court Judges.*<sup>1</sup> There are 87 attorneys who serve as Conciliation Court judges. Attorneys who are interested in becoming a Conciliation Court judge can apply if they have met the requirement of working as an attorney for a minimum of five years. Along with their application, they must also submit a release of information allowing the court to check their criminal history, verify their license as an attorney, and verify that their continuing education requirements are up-to-date. After submitting an application, the attorneys go through a review process within which two judges from District Court (the Civil Division presiding judge and the Chief Judge) and an attorney from the Minnesota Bar Association decide who will serve on this panel. Once these attorneys have been selected to serve as Conciliation Court judges, they appear in court an average of three or four times a year. They continue to serve as long as they are interested in the position and no complaints have been filed against them. Compensation for their service is \$100.00 per day.

*Conciliation Court Calendars.* Individuals who file in Conciliation Court will be scheduled on one of the following calendars: the Mediation Calendar, the General Calendar, the Collections Calendar, or the Spanish Calendar. Individuals on the Mediation Calendar are required to meet with a mediator in an attempt to reach a settlement. If a settlement is reached, they present this agreement to the Conciliation Court judge. If they do not reach a settlement, they present the case to the Conciliation Court judge and the Conciliation Court judge makes a

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<sup>1</sup> Although most cases are heard by this panel of attorneys, there are some cases that are heard by a District Court judge on the Special Term Calendar. These cases include: vacating judgments, amending titles, request for an appeal after the time frame allowed has expired, immediate judgment for non-compliance, and payment plans. Litigants on this calendar were not interviewed for this study.

decision. If a settlement is reached and one of the parties does not comply, the other party can come back to court and seek a judgment against the non-complying party. The General Calendar handles cases involving automobile accidents. These cases cannot be mediated since the Conciliation Court judge needs to establish the percent of liability. The Collections Calendar includes cases where businesses (e.g., medical offices, credit card companies) are seeking a judgment against an individual for unpaid bills. For these cases, the plaintiff appears in court but the defendant rarely appears. The Spanish Calendar, held once a month, includes all cases where a Spanish interpreter is needed. Regardless of the calendar type, litigants do not receive the outcome of their hearing the day they appear in court, but rather in the mail several days after the hearing.

### *The Survey Process*

During the months of May and June, the Research Department conducted surveys for 34 of the 87 Conciliation Court judges (39%). These 34 Conciliation Court judges were the ones who were hearing cases during the time of our study. Researchers waited in the courtroom until the hearing was completed and they then followed the respondents out of the courtroom. Both parties to the case were approached and asked if they would like to complete a brief interview about their experience in Conciliation Court and provide feedback for the courts. The interview took about three minutes.

The first section 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 addressed how respondents felt the Conciliation Court judge treated court visitors, if they felt the Conciliation Court judge was knowledgeable, and if they were satisfied with the hearing in which they participated that day. The fairness questions were followed by basic demographic information about the respondents. The last three questions were “open-ended” and respondents were asked to provide their opinions of the court process, suggestions for improvement, and other comments they wanted to share with the court. (See Appendix A for a complete copy of the survey.)

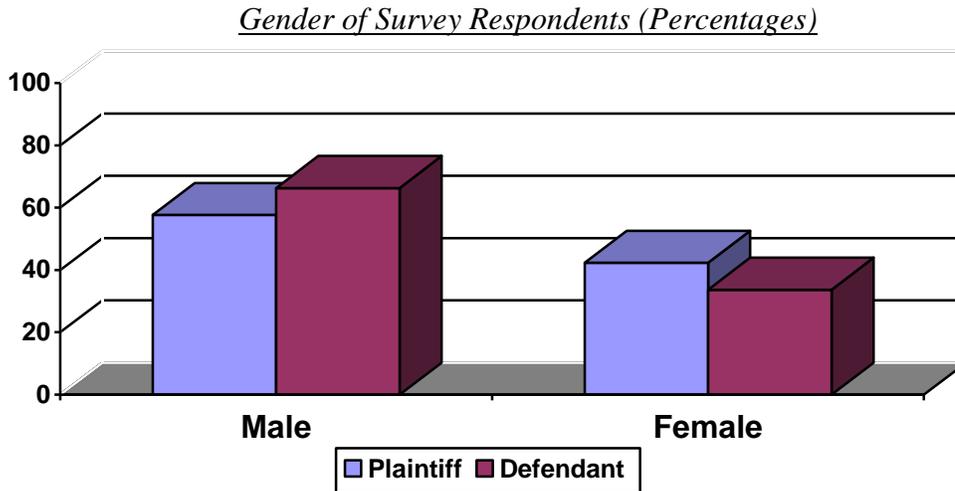
Seven hundred eighty-nine surveys were conducted in Conciliation Court. The survey participants included defendants, plaintiffs, attorneys, and Conciliation Court staff. Participants who appeared in Conciliation Court multiple times could complete the survey more than once, as long as the hearing(s) was with a different Conciliation Court judge. The Conciliation Court clerks completed a survey for each different Conciliation Court judge they worked with during the time of our study.

## ***Results of Quantitative Data Analysis***

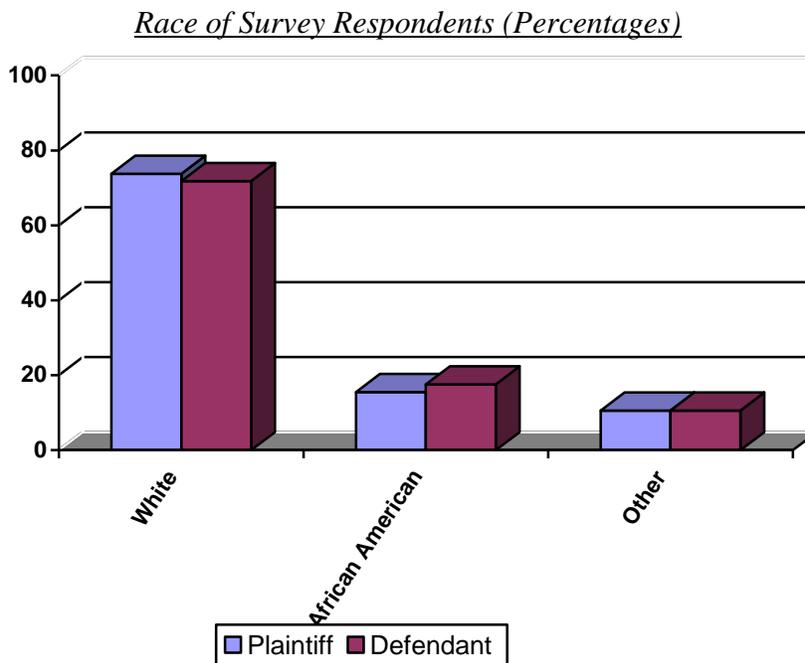
### *Demographics*

As noted above, we surveyed a total of 789 individuals. There were more men in this study 60.3% (458) than women 39.7% (302). This gender difference continues when comparing

plaintiffs (Males 57.7%, Females, 42.3%) and defendants (Males 66.3%, Females 33.7%), as shown in the graph below.

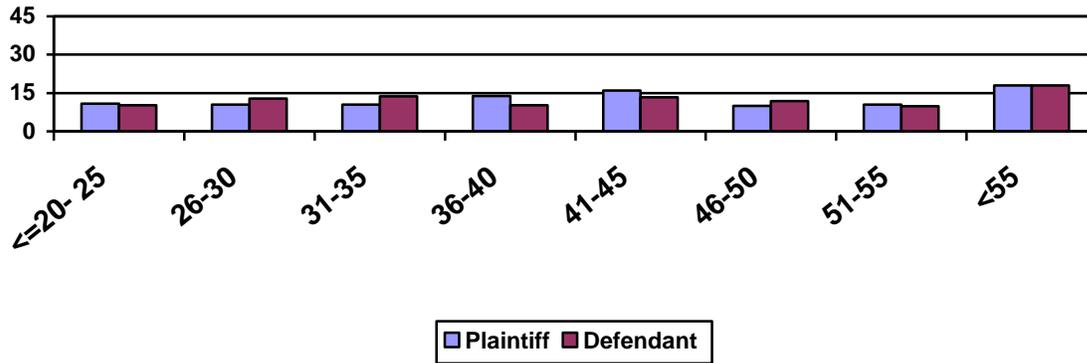


Most of those we interviewed were White (76%), a much smaller percentage (15%) were African American and the remaining 9% identified themselves as some other racial category. These percentages do not differ when examining race based on whether one is the plaintiff or the defendant. Regardless of race, 5% (39) of the individuals we talked to told us they were of Hispanic descent.



The age of those we interviewed ranged from 18 years to 85 years, with an average of 43 years. More than half (55%) of those who evaluated the Conciliation Court judges were 40 years or older. There were no differences in age between plaintiffs and defendants.

Age Distribution of Survey Respondents (Percentages)



More than half of the survey respondents (51%) had completed their college degree while another 25% had completed some college. Plaintiffs were more likely to have completed college (57%) compared to defendants (45%).

Education Level of Survey Respondents (Percentages)

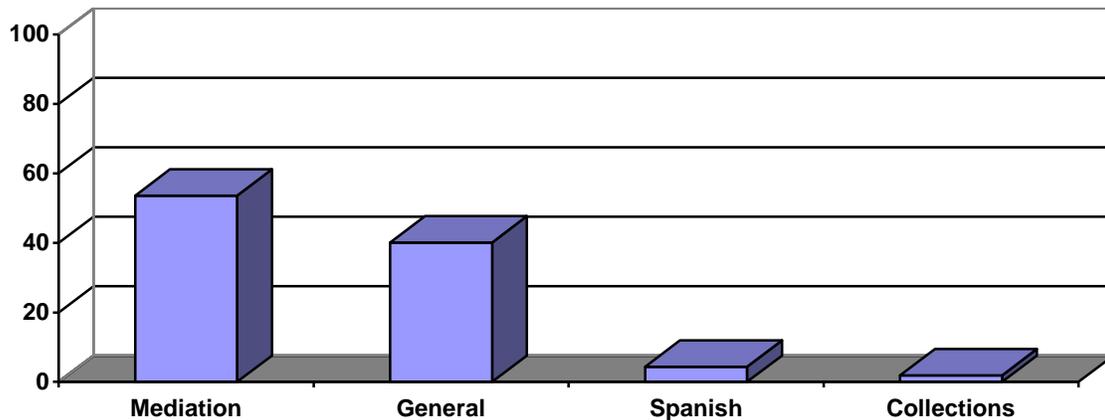
	Plaintiff	Defendant
<i>Did not complete high school</i>	15 3.7%	12 4.6%
<i>Earned diploma or GED</i>	58 14.2%	55 21.2%
<i>Some Trade school or Finished Trade school</i>	24 5.9%	15 5.8%
<i>Some college</i>	76 18.6%	60 23.1%
<i>Finished college degree</i>	236 57.7%	118 45.4%

Most respondents (90%) reported that they were employed. There were little differences in employment status between plaintiffs (90%) and defendants (89%). When compared with Hennepin County as a whole, those who visited the Conciliation Court were more educated and more likely to have a job. 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.

	Currently Employed	Not Currently Employed
Plaintiff	365 89.5%	43 10.5%
Defendant	233 89.3%	28 10.7%

Court Related Data

Case Types for Respondents (Percentages)



Most of the people we interviewed came to court for a case that was handled on the Mediation Calendar (54%), followed by cases from the General Calendar (40%). A much smaller percentage of respondents were interviewed from the Spanish Calendar (4%) and the Collections Calendar (2%). Since most cases that appear on the Collections Calendar are defaults and the interaction with the Conciliation Court judge is minimal, we decided to spend more time interviewing participants from the Mediation, General, and Spanish calendars. Therefore, the percentage of calendars in this study is not an accurate representation of their frequency in Conciliation Court. When examining the percentages of cases handled recently in Conciliation Court, most cases are handled on the Collections Calendar (35%) followed by the General Calendar (34%), the Mediation Calendar (30%), and the Spanish Calendar (1%).

Assessments of Fairness and Customer Satisfaction

The survey included 19 separate indicators of fairness. (See Appendix A for a copy of the survey.) Many of these questions are the same fairness questions that we have asked in other courts (e.g., Family Court, Juvenile Court, and the Suburban Courts); however, questions were added pertaining to the Conciliation Court judge’s legal knowledge and how participants rated the work of the Conciliation Court judge. Participants did not find out the outcome of their case

on the day it was presented to the Conciliation Court judge; therefore, we were not able to assess their satisfaction with their outcome. However, we did ask if they were satisfied with the overall quality of the Conciliation Court hearing(s) they participated in that day. Survey respondents were asked to rate their level of agreement with each of the seven statements on a nine point scale, where a 1 indicated strong disagreement, a 9 indicated strong agreement, and a rating of 5 indicated a neutral/no opinion rating. 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.<sup>2</sup>

Univariate Analysis

Before conducting bivariate analyses (i.e., did individuals of one group give higher or lower fairness ratings than individuals of another group?), we ran simple univariate analyses to get a sense of how the Conciliation Court judges 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 Conciliation Court judges. 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 above 7 for both plaintiffs and defendants.

Some examples are provided below:

<i>Survey Statement</i>	<i>Plaintiff</i>	<i>Defendant</i>
<i>The judge treated everyone fairly.</i>	8.72	8.48
<i>The judge listened to all participants.</i>	8.63	8.43
<i>I am satisfied with the Conciliation Court hearing I participated in today.</i>	8.34	7.81

Bivariate Analysis

The 19 statements were combined into the following six categories. (See Appendix D for a complete list of all the indicators that formed each category.) We analyzed the differences between groups for all six categories. The graphs indicate the means for each group we are comparing and the six categories were given the following labels:

1. **Efficiency** or the extent to which the survey respondents felt that their case was dealt with quickly.
2. **Procedural Justice (Judicial Conduct in Courtroom)** or the extent to which the survey respondents felt the Conciliation Court judge treated them fairly during their hearing.

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<sup>2</sup> Averages (i.e., means) and standard deviations for each individual indicator are presented in Appendix B.

3. **Procedural Justice (Courtroom Decorum)** or the extent to which the survey respondents felt the Conciliation Court judge made sure they understood the proceedings, spoke clearly, used simple language, and was neutral during their hearing.

4. **Knowledge of the law** or the extent to which the survey respondents felt the Conciliation Court judge was knowledgeable regarding the laws in Conciliation Court.

5. **Satisfaction** or the extent to which the survey respondents were satisfied with the hearing they experienced in Conciliation Court.

6. **Work of the Conciliation Court Judge** or the overall perception of the Conciliation Court judge’s level of “excellence.”

Average Fairness Ratings between Plaintiffs and Defendants

Although all the fairness scale scores were positive, there were significant differences between plaintiffs and defendants on all but two of the categories: efficiency and courtroom decorum. Plaintiffs were more likely than defendants to feel the Conciliation Court judge treated them fairly, believe the Conciliation Court judge had good legal knowledge, to be satisfied with the hearing they participated in that day, and to rate the Conciliation Court judge’s work as “excellent.”

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

**Fairness Scales by Type of Litigant**

	<b>Plaintiffs</b>	<b>Defendants</b>	<b>Statistical significance</b>
<b>Efficiency</b>	7.86	7.70	ns
<b>Judicial Contact</b>	8.72	8.58	*
<b>Courtroom Decorum</b>	8.67	8.57	ns
<b>Knowledge</b>	8.29	8.02	**
<b>Satisfaction</b>	8.34	7.81	***
<b>Work of the Conciliation Court judge</b>	8.45	8.25	*

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

Average Fairness Ratings based on Calendar Type

Litigants on the Mediation Calendar were more likely than those on the General Calendars to indicate the Conciliation Court judge treated them fairly, spoke clearly, and listened to them. However, there were no significant differences based on the type of calendar with regard to how quickly the case was handled, the Conciliation Court judge’s legal knowledge, satisfaction with the hearing, or how they rated the work of the Conciliation Court judge.

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

### Fairness Scales by Type of Calendar

	Mediation	General	Statistical significance
<b>Efficiency</b>	7.82	7.73	ns
<b>Judicial Contact</b>	8.67	8.52	*
<b>Courtroom Decorum</b>	8.62	8.48	*
<b>Knowledge</b>	8.12	8.12	ns
<b>Satisfaction</b>	8.03	8.11	ns
<b>Work of the Conciliation Court Judge</b>	8.38	8.20	ns

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

#### Additional Analyses

In the previous section, we 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, many demographic variables such as age, educational background, gender, employment status, and race were not related to perceptions of fairness. There were also no significant differences in satisfaction with Conciliation Court process based on whether the Conciliation Court judges were men or women.

#### Summary of Quantitative Analysis

Litigants in Conciliation Court reported very high levels of satisfaction, fairness, and Conciliation Court judges listening to them. There were no differences between litigants according to age, educational background, gender, employment status, or race. There were significant differences between plaintiffs and defendants. Plaintiffs were more likely than defendants to believe that the Conciliation Court judge treated them fairly and listened to them. Plaintiffs were also more likely than defendants to rate the Conciliation Court judge as knowledgeable and were more satisfied with their hearing. Plaintiffs also expressed more positive ratings of the Conciliation Court judge's work than defendants. Additionally, those who had cases on the Mediation Calendar were more likely than those on the General Calendar to feel the Conciliation Court judge treated them fairly, listened to them, and made sure they understood the proceedings.

#### Results of Qualitative Analysis

At the end of the survey, we included three questions which allowed litigants and staff to tell us, in their own words, about their experience in Conciliation Court. This section of the report summarizes those results. Appendix E includes all open-ended responses.

The first open-ended question read as follows:

*Say you had a friend who was coming to court before this judge, what would you tell your friend about your experience with this judge?*

The top three responses to this question were:

***“Conciliation Court judge was fair”*** (17%)

***“Good experience”*** (10%)

***Positive comments about the Conciliation Court judge*** (9%) (Such as, “good judge” and “seemed knowledgeable”)

The second question read as follows:

***Is there anything you think we can do to improve Conciliation Court?***

The top three responses to this question were:

***“No”*** (32%)

***Litigants wanting information about the process*** (5%) (Such as, “more detailed instructions”)

***Negative comments about Conciliation Court*** (4%) (Such as, “disruptive when people come in and out and clerk is making announcement” “never received in mail the court date”)

The third and final question read as follows:

***We asked litigants if they had other comments***

The top four responses to this question were:

***“Good experience”*** (9%)

***Positive comments about the mediator*** (8%) (Such as, “mediator program is a good addition”)

***Positive comments about the Conciliation Court judge*** (7%) (Such as, “I just really like that judge”)

***Negative comments about the Conciliation Court judge*** (7%) (Such as, “judge should refrain from making inappropriate comments on his personal opinion”)

### *Summary of Qualitative Analysis*

Survey respondents provided much positive feedback about their experience in Conciliation Court. Many litigants had positive comments about the Conciliation Court judge and reported they felt the Conciliation Court judge listened to them and was respectful. When asked what the courts could do to improve the Conciliation Court many respondents reported that no improvements were needed. Many also had positive things to say about their experience. Some litigants suggested making the process more efficient, as well as starting court on time. Frustration with the waiting time is a common criticism that we have seen in the studies we have completed in other areas of the court.

### **Overall Conclusions and Report Summary**

Overall, litigants and staff were satisfied with their experience in Conciliation Court and the treatment they received from the judge. This was demonstrated by the high agreement on all of the statements pertaining to the Conciliation Court judge treating everyone fairly, being knowledgeable, listening to litigants, and doing good work.

The majority of open-ended responses were overwhelmingly positive. Many visitors to Conciliation Court reported that they felt the Conciliation Court judge was fair, nice, respectful, and did a good job. When asked what the courts could do to improve Conciliation Court many respondents reported that no improvements were needed and many had positive things to say about their experience. Negative comments pertained mostly to clarifying the procedures in Conciliation Court and issues associated with the wait time.

*Appendix A: Conciliation Court Survey (on the following pages)*

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

Visitors were read the following statements and indicated their agreement or disagreement with each statement by providing the interviewer with a number ranging from 1 (strongly disagree) to 9 (strongly agree), with the mid-point being 5 (neutral). Below are the statements, followed by the means, and standard deviations based on whether they were the plaintiff or the defendant as well as the responses from everyone (plaintiffs, defendants, court staff, and attorneys).

Court began on time.

<b>Plaintiff</b>	<b>Defendant</b>	<b>All responses</b>
7.29 (2.36)	7.11 (2.56)	7.30 (2.42)

The judge made sure all participants understood the proceedings.

<b>Plaintiff</b>	<b>Defendant</b>	<b>All responses</b>
8.32 (1.36)	8.35 (1.35)	8.28 (1.38)

The judge handled the case in a timely manner.

<b>Plaintiff</b>	<b>Defendant</b>	<b>All responses</b>
8.44 (1.23)	8.27 (1.46)	8.29 (1.42)

The judge listened to all participants.

<b>Plaintiff</b>	<b>Defendant</b>	<b>All responses</b>
8.63 (0.92)	8.43 (1.38)	8.49 (1.19)

The judge used simple language.

<b>Plaintiff</b>	<b>Defendant</b>	<b>All responses</b>
8.72 (0.73)	8.57 (1.19)	8.61 (0.98)

The judge spoke clearly.

<b>Plaintiff</b>	<b>Defendant</b>	<b>All responses</b>
8.80 (0.58)	8.68 (0.95)	8.68 (0.86)

The judge gave proceedings a sense of dignity.

<b>Plaintiff</b>	<b>Defendant</b>	<b>All responses</b>
8.66 (0.80)	8.46 (1.23)	8.52 (1.10)

The judge had knowledge of relative substantive law.

<b>Plaintiff</b>	<b>Defendant</b>	<b>All responses</b>
8.13 (1.50)	7.85 (1.71)	8.00 (1.59)

The judge had knowledge of rules of procedure and evidence.

<b>Plaintiff</b>	<b>Defendant</b>	<b>All responses</b>
8.39 (1.25)	8.17 (1.41)	8.25 (1.38)

The judge was consistent in application of laws and rules.

<b>Plaintiff</b>	<b>Defendant</b>	<b>All responses</b>
8.33 (1.38)	8.07 (1.53)	8.20 (1.46)

The judge was respectful.

<b>Plaintiff</b>	<b>Defendant</b>	<b>All responses</b>
8.81 (0.59)	8.69 (0.94)	8.70 (0.86)

The judge was attentive.

<b>Plaintiff</b>	<b>Defendant</b>	<b>All responses</b>
8.79 (0.63)	8.69 (0.94)	8.70 (0.86)

The judge treated everyone fairly.

<b>Plaintiff</b>	<b>Defendant</b>	<b>All responses</b>
8.72 (0.85)	8.48 (1.43)	8.58 (1.15)

The judge was unbiased.

<b>Plaintiff</b>	<b>Defendant</b>	<b>All responses</b>
8.56 (1.13)	8.45 (1.42)	8.49 (1.26)

The judge refrained from making inappropriate jokes or comments.

<b>Plaintiff</b>	<b>Defendant</b>	<b>All responses</b>
8.81 (0.68)	8.71 (0.99)	8.72 (0.93)

The judge maintained appropriate control over the proceedings.

<b>Plaintiff</b>	<b>Defendant</b>	<b>All responses</b>
8.76 (0.78)	8.72 (0.90)	8.67 (0.99)

The judge conducted the courtroom in a neutral manner.

<b>Plaintiff</b>	<b>Defendant</b>	<b>All responses</b>
8.75 (0.74)	8.72 (0.90)	8.65 (1.01)

I am satisfied with the Conciliation Court hearing I participated in today.

<b>Plaintiff</b>	<b>Defendant</b>	<b>All responses</b>
8.34 (1.49)	7.81 (1.99)	8.08 (1.75)

Taking everything into account, how would you rate the work of this Conciliation Court Judge?  
(1 = poor and 9 = excellent)

<b>Plaintiff</b>	<b>Defendant</b>	<b>All responses</b>
8.45 (1.04)	8.25 (1.35)	8.30 (1.25)

## Appendix C: Survey Item Summary

### Conciliation Court Judges

The following statements were read to plaintiffs and defendants and they offered their opinions ranging from strongly disagree (1) to strongly agree (9).	Number of people that responded		Mean – Average	Median – 50%	Mode – Most Frequent Answer	Minimum	Maximum
	Valid	Missing					
<b>Procedural Justice—Judicial Conduct in Courtroom</b>							
The judge listened to all participants	774	15	8.4948	9.0000	9.00	1.00	9.00
The judge was respectful	781	8	8.7004	9.0000	9.00	1.00	9.00
The judge was attentive	779	10	8.6983	9.0000	9.00	1.00	9.00
The judge treated everyone fairly	775	14	8.5806	9.0000	9.00	1.00	9.00
The judge was unbiased	773	16	8.4903	9.0000	9.00	1.00	9.00
The judge refrained from making inappropriate jokes or comments	775	14	8.7187	9.0000	9.00	1.00	9.00
<b>Procedural Justice—Courtroom Decorum</b>							
The judge made sure all participants understood the proceedings	780	9	8.2808	9.0000	9.00	1.00	9.00
The judge used simple language	780	9	8.6115	9.0000	9.00	1.00	9.00
The judge spoke clearly	780	9	8.6795	9.0000	9.00	1.00	9.00
The judge gave proceedings a sense of dignity	776	13	8.5219	9.0000	9.00	1.00	9.00
The judge maintained appropriate control over the proceedings	779	10	8.6637	9.0000	9.00	1.00	9.00
The judge conducted the courtroom in a neutral manner.	775	14	8.6452	9.0000	9.00	1.00	9.00
<b>Knowledge of Law</b>							
The judge had knowledge of relative substantive law	721	68	8.0042	9.0000	9.00	1.00	9.00
The judge had knowledge of rules of procedure and evidence	761	28	8.2484	9.0000	9.00	1.00	9.00
The judge was consistent in application of laws and rules	734	55	8.1975	9.0000	9.00	1.00	9.00
<b>Efficiency</b>							
Court began on time	776	13	7.3041	9.0000	9.00	1.00	9.00
The judge handled the case(s) in a timely manner	777	12	8.2921	9.0000	9.00	1.00	9.00
<b>Satisfaction with the Conciliation Court hearings</b>							
I am satisfied with the Conciliation Court hearing(s) I participated in today	764	25	8.0812	9.0000	9.00	1.00	9.00
<b>Work of the Conciliation Court Judge</b>							
Taking everything into account, how would you rate the work of this Conciliation Court Judge?	770	19	8.3000	9.0000	9.00	1.00	9.00

*Appendix D: List of Indicators for Each Construct*

**Efficiency**

Plaintiffs	Defendants	All responses
7.86 (1.49)	7.70 (1.65)	7.80 (1.58)

- Court began on time
- The judge handled the case in a timely manner

**Procedural Justice**

Plaintiffs	Defendants	All responses
8.72 (0.60)	8.58 (0.99)	8.61 (0.85)

- *Judicial Conduct in Courtroom*
  - The judge listened to all participants
  - The judge was respectful
  - The judge was attentive
  - The judge treated everyone fairly
  - The judge was unbiased
  - The judge refrained from making inappropriate jokes or comments

Plaintiffs	Defendants	All responses
8.67 (0.59)	8.57 (0.87)	8.57 (0.80)

- *Courtroom Decorum*
  - The judge made sure all participants understood the proceedings
  - The judge used simple language
  - The judge spoke clearly The judge gave proceedings a sense of dignity
  - The judge maintained appropriate control over the proceedings
  - The judge conducted the courtroom in a neutral manner

**Knowledge of the Law**

Plaintiffs	Defendants	All responses
8.29 (1.17)	8.02 (1.40)	8.15 (1.30)

- The judge had knowledge of relative substantive law
- The judge had knowledge of rules of procedure and evidence
- The judge was consistent in application of laws and rules

**Satisfaction**

Plaintiffs	Defendants	All responses
8.34 (1.49)	7.81 (1.99)	8.08 (1.75)

- I am satisfied with the Conciliation Court hearing(s) I participated in today

**Work of the Conciliation Court Judge**

Plaintiffs	Defendants	All responses
8.45 (1.04)	8.25 (1.35)	8.30 (1.25)

- Taking everything into account, how would you rate the work of this Conciliation Court Judge?

*Appendix E: Frequencies of the Open-Ended Responses*

*Say you had a friend who was coming to court before this judge, what would you tell your friend about your experience with this judge?*

**Top three comments:**

**Conciliation Court Judge is fair (233)**

“He was fair.” “Very fair.”

**Good experience (126)**

“It was good.”

**Positive comments about the Conciliation Court judge (118)**

“Understands everyone’s arguments.” “You would be lucky to get him.”

**Judge listens (81)**

“Good listener.” “She listened.”

**Be prepared (54)**

“Be prepared.”

**Tell side/be honest (49)**

“Go up and state your business.” “Tell the truth.”

**It was quick (46)**

“Done quickly.” “Moves things along to save time.”

**Negative comments about the judge (44)**

“He’s very slow.” “Some of his tactics are unorthodox.”

**Everything was fine (41)**

“He’s fine.” “It was fine.”

**Judge is respectful (40)**

“Very respectful.” “Respectful.”

**No/nothing (37)**

“Nothing to say.” “Nothing really.”

**Have documents (33)**

“Have paperwork.” “Bring documents.”

**Judge is nice (30)**

“Very nice.” “Nice person.”

**Stay calm (24)**

“Be calm.” “Don’t worry.”

**Positive comments (21)**

“It was pleasant.” “Everything went well.”

**Judge is calm (20)**

“Calm manner.” “She was calm.”

**Judge is knowledgeable (17)**

“He is knowledgeable.” “Seems knowledgeable.”

**Don’t know (17)**

“No idea.” “Don’t know.”

**Judge is understanding/considerate (16)**

“Judge helpful in understanding each person’s point of view.” “He was considerate.”

**Judge is attentive (16)**

“Very attentive.” “Paid attention.”

**Neutral comments (15)**

“Neutral.” “Acceptable.”

**Easy process (15)**

“Easy.” “Simple.”

**Professional demeanor (14)**

“Very professional.” “Professional.”

**The judge is straightforward/direct (14)**

“The judge was straightforward.” “Concise.”

**Negative comments about Conciliation Court (11)**

“Nerve racking.” “Don’t come here.”

**Not intimidating (10)**

“Not intimidating.” “Non threatening.”

**Judge asked appropriate questions (10)**

“Asked appropriate questions.” “Gets to the meat of the matter by asking appropriate questions.”

**Judge is reasonable (10)**

“Seemed reasonable.” “She was very reasonable.”

**Judge is clear (9)**

“He was clear.” “Clear.”

**Judge is honest (9)**

“Honest.”

**Efficient process (9)**

“Efficient.”

**General mediator comments (8)**

“Mediator said to be precise and quick.” “Mediators are wonderful workers.”

**Be on time (8)**

“Show up on time.” “Be here on time.”

**Judge shows patience (6)**

“Very patient.” “His patience.”

**Judge looks at materials/evidence (6)**

“Pays attention to all evidence.” “Took all the parties’ evidence.”

**Judge was thorough (6)**

“Very thorough.” “Thorough.”

**Friendly demeanor(6)**

“Very friendly.” “Friendly.”

**Helpful judge (6)**

“Helpful.” “He was helpful.”

**I felt satisfied with experience (5)**

“I was satisfied.” “Satisfied.”

**Judge makes good decisions (5)**

“Gets all info to make decision.” “He’ll take time to make correct decisions.”

**I would like to know decision before leaving (5)**

“I would like to know judgment immediately.” “It’s hard because I haven’t seen outcome.”

**Judge is competent (4)**

“He’s perfectly competent.” “Very competent.”

**Judge follows the law (3)**

“It was all according to the law.” “Followed the law.”

**Answer the questions (3)**

“Answer questions.” “Be prepared to answer questions.”

**Litigant impressed with experience(2)**

“I was impressed.” “Was impressed.”

**Not fair (2)**

“Not fair.” “Very unfair.”

**Smooth process (2)**

“Smooth.” “Everything went smooth.”

**Other comments (44)**

“We settled beforehand.” “Don’t grow any dope.”

*Is there anything you think we can do improve Conciliation Court?*

**Top three comments:**

**No suggestions/nothing (307)**

“No.” “Nothing.”

**Litigants wanting information about the process (44)**

“Something when you get here telling you what to do.” “Some Pro Se litigants don’t understand you’re supposed to make copies of service papers.”

**Negative comments about Conciliation Court (35)**

“Disruptive when people come in and out and clerk is making announcement.” “Never received in mail the court date.”

**I don’t know (30)**

“I don’t know”

**Make process easier/more efficient (26)**

“Read in advance- throw out some cases before they get to court.” “Somehow scheduling dockets so they don’t overlap.”

**Start on time (23)**

“Start on time.” “All parties, including judge, should be ready to start on time.”

**Speed it up (23)**

“Nice for it to go faster.” “Get the hearings a little faster.”

**Good experience (21)**

“Great experience.” “I was completely satisfied.”

**Handle uncontested/defaults first (20)**

“Take default cases first.” “Do all defaults first.”

**Negative comments about mediation (19)**

“Mediation-joke-wasted an hour.” “Cut out mediation unless you want it.”

**It was good (19)**

“It’s pretty good.” “Good system.”

**Negative comments about the judge (18)**

“Have a judge that knew the law better and practiced law.” “Have the judge be on time.”

**Positive comments about mediation (17)**

“Mediator did a good job.” “I appreciate mediator.”

**Everything was fine (16)**

“It’s fine to me.” “Was fine.”

**Need more mediators (14)**

“Have more mediators.” “More mediation.”

**First time/not enough experience (14)**

“It’s my first time here.” “First time in 20 years I’ve been here.”

**Parking problems (14)**

“Parking was my biggest concern.” “Parking- make it more available.”

**Positive comments about the process (13)**

“Hennepin County runs it very well.” “Seemed good today.”

**Need more process instructions (13)**

“Comment in the papers that we need copy for defendants.” “More detailed instructions.”

**Wanting to know the decision same day (13)**

“I’d like to know the decision before I leave.” “By letting you know the decision immediately.”

**Negative comments about staff (12)**

“Little abrupt in main office.” “Have more informed people when you call in to ask questions.”

**Quick process (11)**

“It was quick.” “Very timely.”

**Don’t allow extra time for people to be late (11)**

“Don’t wait half hour- waited 8 months for him.” “Shouldn’t be allotted time if they don’t show.”

**General mediator comments (10)**

“Began by asking us to go to mediation.” “Mediation before court instead of day of court.”

**Improve waiting area (9)**

“Better seating.” “Benches are too close and are uncomfortable.”

**Positive comments about the judge (9)**

“This judge was dignified.” “Get more judges like this one.”

**Comparing Hennepin to other counties (8)**

“I wish some of the other counties went like this.” “Some of them (other counties) make you see a video about process.”

**It’s better than it used to be (8)**

“Such a massive improvement of what I have experienced before.” “Been here several times and this was the best.”

**Quicker court dates (8)**

“A faster court date.” “Get court date set up faster—had to wait two months.”

**Complaints about plaintiff (7)**

“Plaintiff didn’t have a case.” “Have judge stop plaintiff from humiliating defendant.”

**Certified mail issues (7)**

“Person refused envelope- I was never notified and I came to court and wasn’t on their list.”

“Seemed like no point in certified mail.”

**Day in court took too long (7)**

“Don’t know why it took so long.” “Too long.”

**Limit amount of time people can have to talk (6)**

“Limit time people have to present their case.” “Everyone took so long.”

**Have more interpreters ready (6)**

“Have interpreters there on time.” “More prepared with interpreters.”

**Don’t like sitting through other people’s cases (6)**

“Don’t want everyone sitting in on this case in the courtroom.” “Somehow find a way that people don’t have to sit in other people’s cases.”

**More consistent judges (6)**

“Just consistency among judges.” “More consistent judges.”

**More time to explain side of story (5)**

“Give more time to explain.” “My friend didn’t get to speak.”

**Fair experience (5)**

“It’s fair.”

**Post signs with information (4)**

“Sign to indicate if there is a room change.” “Have a sign posted outside of what will happen.”

**Help collect settlements (4)**

“Help with collections.” “Find ways to go after defendants and collect money.”

**Have snacks out for people (4)**

“Have donuts.” “Pass out coffee, donuts.”

**Clerk/staff positive comments (4)**

“Ladies in office phenomenal.” “Clerks were polite.”

**Experience was ok (3)**

“Everything was ok.” “It’s ok for me.”

**Efficient process (3)**

“Hennepin County most efficient.” “Efficient.”

**Directions to get here (3)**

“Give better directions.” “Put out a flyer how to get here.”

**Simple process (2)**

“Simple.” “Easy.”

**Better scheduling needed (2)**

“More specific scheduling.” “Scheduling of cases should be at time cases will be heard.”

**Other comments (65)** “All up to defendant” “Unlock meeting rooms before court for settlement discussions”

*Any other comments?*

**Top three comments:**

**Good job/good experience (20)**

“Good experience.” “It was good.”

**Positive comments about mediator (19)**

“Mediation process nice.” “Mediators program is a good addition.”

**Positive comments about the judge (16)**

“I just really like that judge.” “She did quite well in the conduct of that proceeding.”

**Negative comments about the judge (16)**

“Judge should refrain from making inappropriate comments on his personal opinion.” “Likes to make the clerks look foolish.”

**Negative comments about Conciliation Court (13)**

“Mailings got screwed up.” “So many continuances.”

**Positive comments about Conciliation Court (11)**

“I’m pleased with my court date.” “Liked encouraging settlement outside of court.”

**Quick process (11)**

“Quick.” “Timely.”

**Negative comments about opposing party (8)**

“Opponent was lying.” “I’m upset the people I took to court didn’t show up.”

**Comparing Hennepin County to other counties (7)**

“Better than Ridgedale.” “Compared to other counties courthouses, Hennepin Conciliation court is better.”

**Speed it up/more efficient (7)**

“Too much wasted time.” “Needs to be shorter.”

**Positive comments about staff (6)**

“Very professional by clerk.” “Clerk very articulate and knowledgeable.”

**Easy process (5)**

“Easy.” “Pretty simple.”

**It’s better than it used to be (4)**

“Better than normal.” “Sure better than it used to be.”

**Satisfied with experience (3)**

“I’m happy overall.” “Very pleased.”

**Professional staff (3)**

“All staff were professional.” “Professional.”

**Need more information on process (3)**

“Have the office tell you the hours.” “I would encourage others to go on a website and come sit in on a court case so they know how to present a case.”

**Help with collections (3)**

“I still don’t see how I can get my money.” “I hope I can find my defendant.”

**Give more time to tell side of story (3)**

“More time to discuss evidence.” “More time to express my side of the story.”

**Tell decision on same day (3)**

“Nice to get judgment right away.” “Judgment on same day.”

**Negative comments about the mediator (3)**

“I wasn’t impressed with the mediation process.” “Mediator- personal feelings got in the way somewhat.”

**Not a fair experience (2)**

“Not fair hearing in there.” “So many continuances, not fair to person filing complaint.”

**Other comments (33)**

“Take off the bench.” “Make things so landlords won’t be dragged into court over every little thing.”

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