

**The Minnesota Difference:
The Minnesota Court System and the Public**

REPORT OF FINDINGS



**MINNESOTA
JUDICIAL
BRANCH**

Prepared by
Decision Resources, Ltd.

2007

EXECUTIVE SUMMARY

Purpose of the Study

This survey is a result of the interest by Minnesota Judicial Branch leaders in monitoring the success of several long-standing outreach and communications efforts, as well as to assess the current state of opinion of Minnesota residents toward the judiciary. The study, conducted in the fall of 2006, is a follow-up to a study of public attitudes toward the courts conducted for the Minnesota Supreme Court in 1999. In this follow-up study, the Minnesota Judicial Branch leadership wished to learn about the following:

- Respondents' confidence in the Minnesota state courts.
- Respondents' perceptions of the court system, including courts' ability to handle different types of cases, perceived bias and discrimination, accessibility, effectiveness, and how respondents receive information about the court system.
- Comparisons to results of a 1999 survey of Minnesotans conducted by Anderson, Niebuhr, & Associates, Inc. to ascertain changes in perceptions and opinions.
- Minnesotans' attitudes on sentencing, and comparisons to a 2006 nationwide survey, "National Center for State Courts Sentencing Attitudes Survey," conducted by Princeton Survey Research Associates International.
- Differences in respondents' replies based on past experience with the courts, age, income, political ideology, education, household composition, area of residence, race and gender.

Survey Methodology

The study was conducted by Decision Resources, Ltd., a full-service survey research firm located in Minneapolis, Minnesota. Founded in 1983, the company is a leading Minnesota-based opinion firm in public policy and political process.

The study discusses the results of a survey administered to 800 randomly selected households across the State of Minnesota. Professional interviewers conducted the survey by telephone between October 29th and November 5th, 2006. The typical respondent took 23 minutes to complete the questionnaire. The non-response rate was 5.2%. The results of the study are projectable to all adult Minnesota residents within ± 3.5 % in 95 out of 100 cases.

Major Findings

Public Confidence in the Court System is High and has Improved.

Statewide, 80% of respondents report they have confidence in the Minnesota state courts. A similar 77% report confidence in the Minnesota Supreme Court.

Perceptions of the courts' treatment of various demographic groups have improved since 1999 for Caucasians, middle class, and wealthy people. There has been little change with respect to perceptions about how people of color are treated by the courts, as well as non-English speaking people and poor people.

Negative ratings about aspects of the judicial process have decreased during the past seven years. In 1999, 48% agreed with "courts are out of touch with what's going on in their communities." In this study, only 24% agreed with the statement, a drop of 50%.

Seven years ago, 72% disagreed with the statement "court cases are resolved in a timely manner." Today, 52% disagree, a significant improvement in respondents' perceptions of court efficiency.

Similarly, in 1999, 46% disagreed with the statement "the court system efficiently handles cases from filing the case to settlement or trial." In 2006, 26% disagree, another significant decline in negative rating.

Minnesota courts also get high marks for the responsiveness and friendliness of court staff. Eighty-five percent of respondents said they believe "people who work for the court, such as court clerks, are helpful." And, 84% think "people who work for the court, such as court clerks, are courteous."

Judges Receive High Marks

Compared to the 1999 Minnesota study, significantly more respondents believe judges are fair (81% versus 69%), treat people with respect (87% versus 77%), and give enough attention to each case (59% versus 45%).

There is considerable congruence between those qualities respondents said would be most important in a judge who was trying their case, and what qualities best describe Minnesota judges.

Respondents reported the five most important characteristics in a judge are: "fair", "honest", "impartial", "listens to the facts", and "knowledgeable of the law".

By comparison, the descriptions of Minnesota judges which have the greatest levels of agreement are almost exact matches: “qualified” (94%), “dedicated to facts and law” (90%), “honest and trustworthy” (88%), “fair” (87%), and “impartial” (82%).

Concern About Influence of Politics

Minnesota residents are split on the impact of political forces on judges. Ninety-one percent believe “the courts are supposed to play a unique role in our democratic system and should be free of political pressures.”

While 49% think “since Minnesota judges are expected to be fair and impartial, judicial candidates should not be identified on the ballot by party affiliation,” 43% agree with “like other elective officials, Minnesota judicial candidates should be identified on the ballot by party affiliation.”

Minnesotans are split on the impact of contributions to election campaigns for judges, who must stand for election every six years. Sixty-two percent agree with the statement: “judges, who must run for election in Minnesota, are influenced by having to raise campaign funds.” By a narrower margin, respondents think “individuals or groups who give money to judicial candidates in Minnesota get favorable treatment.”

Alternatives to Prison Favored

Respondents said the top priority in the criminal justice system for dealing with crime should be “prevention, such as youth education programs.” Their second choice, “enforcement, such as putting more police officers on the streets,” was followed closely by “rehabilitation, such as job training and education for offenders”. The results mirror national findings.

By a decisive 70% to 23% margin, respondents preferred spending tax dollars on “funding programs that try to prevent crime by helping offenders find jobs or get treatment for their problems” over “building more prisons so that more criminals can be locked up for longer periods of time.”

REPORT OF FINDINGS

Gauging Public Trust in the Courts

Respondents were asked about their level of confidence in seven public institutions. The table below summarizes the percentage of respondents reporting either “a great deal or some confidence” or “a little or no confidence at all:”

	Great Deal/Some	A Little/None
The Medical Profession	96%	4%
The Public Schools	91%	9%
The Minnesota State Courts	80%	16%
The Minnesota Supreme Court	77%	11%
The Media	64%	36%
The Minnesota State Legislature	54%	43%
The Governor	48%	49%

Both Minnesota State Courts and the Minnesota Supreme Court receive high confidence ratings, exceeding 75% in both cases. The following discussions of group differences throughout this report are determined from cross tabulations of the responses to the question with the answers to demographic background questions in the survey.

<p><i>Confidence ratings in both cases are higher among:</i></p> <ul style="list-style-type: none"> Respondents with jury service Respondents never a defendant or a plaintiff Respondents never testifying as a witness 2004 election voters Over 55 year olds Conservative Home owners College graduates Members of households earning more than \$75,000 yearly Caucasians West Metro suburban residents 	<p><i>Confidence ratings are lower among:</i></p> <ul style="list-style-type: none"> Past defendants and/or plaintiffs Past witnesses in a court proceeding 2004 election non-voters Liberals Renters High school or less well-educated Members of households earning less than \$35,000 yearly Persons of Color Minneapolis and Saint Paul residents
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Knowledge of the Court System

Fifty-five percent of those surveyed report they know “a lot” or “some” about the court system. Forty-four percent indicate they know only “a little” or “nothing at all,” about the same as in the 1999 study.

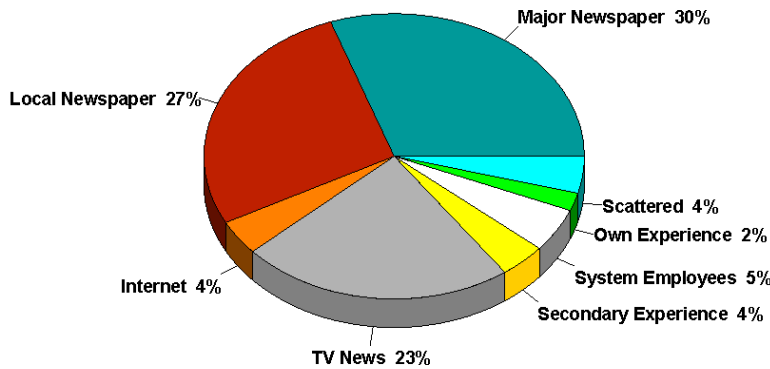
<i>Knowledge levels are higher among:</i>	<i>Knowledge levels are lower among:</i>
Respondents having had jury service Past defendants and/or plaintiffs Past witnesses in a court proceeding 2004 election voters 35-54 year olds Conservative Home owners College graduates Members of households earning more than \$75,000 yearly	Respondents never having served on a jury Respondents never a defendant or a plaintiff Respondents never testifying as a witness 2004 election non-voters 18-34 year olds Moderates Renters High school or less well-educated Members of households earning less than \$35,000 yearly Persons of Color

Main Source of Information on the Courts

Print media dominates the sources of information relied upon by the public. Thirty-five percent of respondents use “major newspapers” and 27% use “local newspapers.” “Television news” is used by 23%. No other source of information informs more than five percent. Sixty-two percent believe “the media’s portrayal of the courts is mostly accurate, while 32% disagree.

Main Source of Information

2006 Minnesota State Courts Survey



Decision Resources, Ltd.

Fairness in Treatment of Different Groups

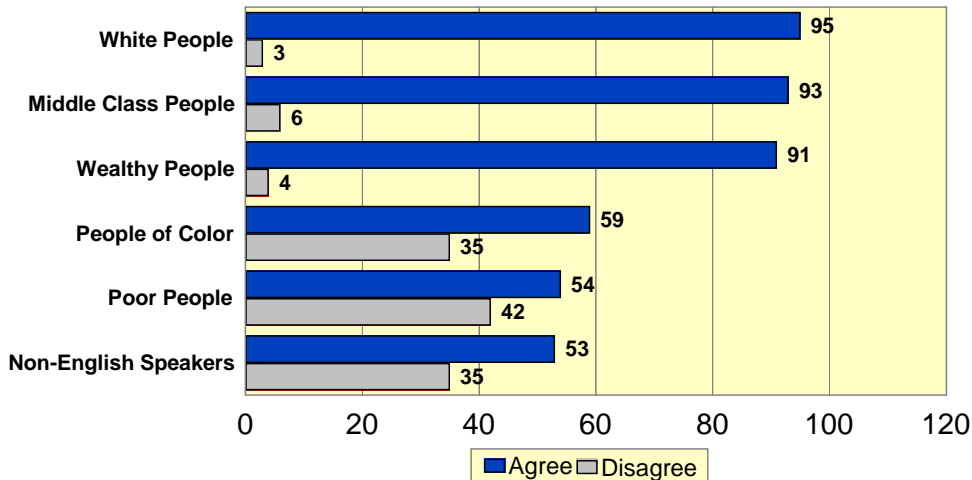
Respondents were asked whether each of six groups is treated fairly by the courts. In each case, a majority indicate the group is treated fairly. The table below summarizes the percent of respondents who feel the indicated group is treated fairly or unfairly by the courts:

<i>Group Considered in Question</i>	<i>2006 Study</i>	<i>1999 Study</i>
	Percentage Agree	Percentage Agree
Caucasian people	95%	88%
People of color	59%	62%
Non-English speaking people	53%	57%
Poor people	54%	53%
Middle class people	93%	82%
Wealthy people	91%	73%

Fifty-nine percent of all respondents think that “people of color” are treated fairly by the courts. But, there are differences among ethnic groups. Fifty-six percent of Caucasian respondents agree, while only 23% of African-Americans feel similarly. Other ethnic groups, including Hispanic-Latino, Asian-Pacific Islander, and Native Americans, post a 43% agreement level. These subgroup differences were found in the cross tabulations of the responses to the question with the answers to demographic background questions in the survey.

Court Treats Group Fairly I

2006 Minnesota State Courts Survey



Decision Resources, Ltd.

A solid 88% majority believe “courts protect people’s constitutional rights.” Disagreement, though, increases among people of color, Minneapolis and Saint Paul residents, and East Metro suburban residents.

Accessibility of Minnesota Courts

While 56% agree with “people involved in court cases understand the court’s rulings,” 39% disagree.

<i>Agreement levels are higher among:</i>	<i>Disagreement increases among:</i>
Respondents who have never testified in court 2004 voters Conservatives Home owners College graduates Caucasians Residents of suburban and exurban growth areas	Past witnesses in a court proceeding Moderates Liberals Renters Respondents with high school or less education Persons of Color.

As they did in our 1999 study, Minnesotans complain about the cost of a court case. Seventy-one percent disagree with “most people can afford to bring a case to court.” This is a slight improvement over the 1999 study, where 81 percent expressed disagreement. Agreement levels are higher among respondents having had jury service, 2004 voters, conservatives, home owners, college graduates, members of households earning \$35,000-\$75,000 yearly, Caucasians, men, and East Metro suburban residents.

Sixty-six percent disagree with “courts are out of touch with what’s going on in their communities;” twenty-four percent agree with that statement. Agreement is higher among past witnesses in court proceedings, respondents with high school or less education, African-Americans, and Minneapolis and Saint Paul residents.

<i>Agreement levels are higher among:</i>	<i>Disagreement increases among:</i>
2004 voters Conservatives College graduates Caucasians Men Metropolitan Area suburban residents	2004 non-voters Liberals Women People of Color Southern Minnesota residents

Perceptions of the Court System

Seventy-five percent award positive ratings to the overall performance of courts in their community – “excellent,” “very good,” or “good.” Nineteen percent are more critical and rate them as “only fair” or “poor.” Only six percent are unsure.

<i>Higher ratings are posted by:</i>	<i>Lower ratings are posted by:</i>
Respondents having had jury service 2004 election voters Conservatives Home owners College graduates Members of households earning \$35,000- \$75,000 yearly Caucasians	2004 election non-voters 18-34 year olds Liberals Households containing children Renters High school or less well-educated Members of households earning less than \$35,000 yearly Persons of Color

Seventy-six percent think “courts are in-touch with what’s going on in their communities;” sixteen percent disagree.

<i>Agreement is higher among:</i>	<i>Disagreement is higher among:</i>
2004 voters Conservatives Home owners Caucasians Southern Minnesota residents	2004 non-voters 35-54 year olds Liberals Households containing children Renters Persons of Color Minneapolis and Saint Paul residents

Many Minnesotans remain concerned about how long it takes to resolve a matter through the courts. 52% disagree with “court cases are resolved in a timely manner.” It is worth noting, however, that this is a significant improvement over the 1999 findings, when 72 percent held the same view.

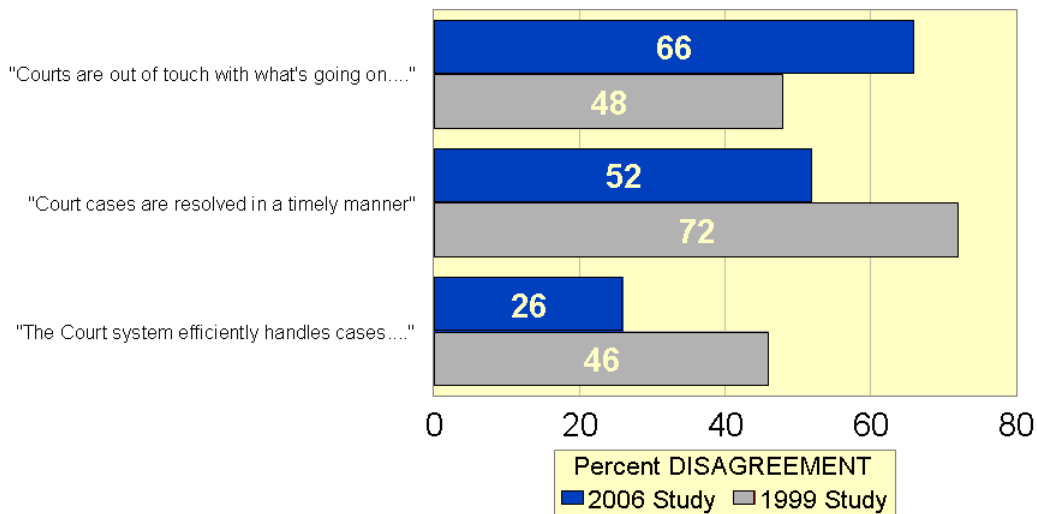
<i>Agreement is higher among:</i>	<i>Disagreement increases among:</i>
Respondents with past jury service 2004 voters Conservatives College graduates Members of households earning \$35,000- \$75,000 yearly Caucasians Men	Past defendants and plaintiffs Non-2004 voters Liberals Respondents with high school educations or less Persons of Color

Sixty-eight percent agree with “the court system efficiently handles cases from filing the case, to settlement or trial;” twenty-six percent disagree with this assertion.

<p>Agreement levels are greater among:</p> <ul style="list-style-type: none"> 2004 voters Conservatives Home owners College graduates Members of households earning \$35,000-\$75,000 yearly Caucasians 	<p>Disagreement increases among:</p> <ul style="list-style-type: none"> Respondents with past jury services Past witnesses in court proceedings Non-2004 voters Liberals Renters Respondents with high school or less education Persons of Color Minneapolis and Saint Paul residents
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Positive Perception Changes II

2006 Minnesota State Courts Survey

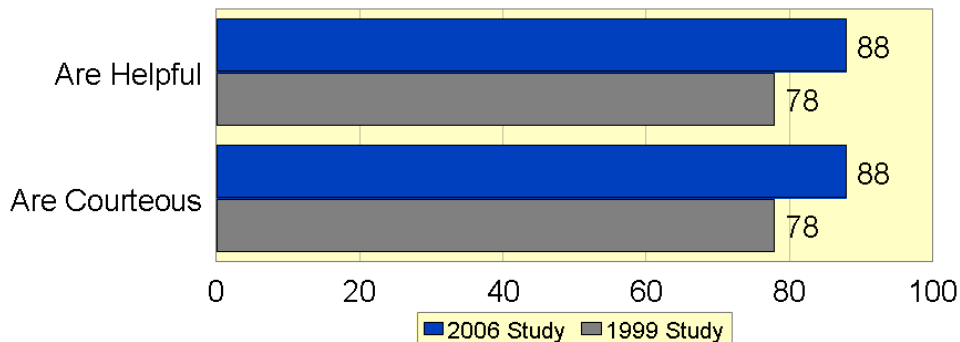


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Court employees generally are rated highly by survey respondents. A solid 85% believe “people who work for the court, such as court clerks, are helpful;” only six percent disagree. A similarly impressive 84% think “people who work for the court, such as court clerks, are courteous,” with only seven percent differing with that perception.

People who Work for the Court, such as Court Clerks,.....

2006 Minnesota State Courts Survey



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Perceptions of Judges

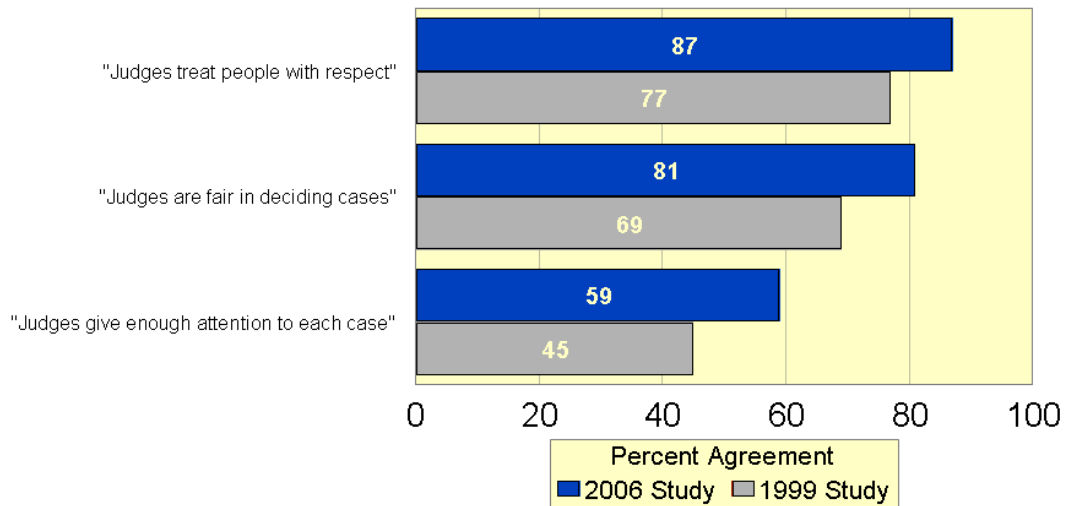
Judges are very well-regarded on two dimensions. A high 87% agree with “judges treat people with respect;” only 10% disagree. Eighty-one percent believe “judges are fair in deciding cases,” while 14% hold the opposite view. In 1999, 77% agreed with the first statement, and 69% agreed with the second.

Fifty-nine percent think “judges give enough attention to each case,” and 33% disagree.

<i>Agreement is higher among:</i>	<i>Disagreement is higher among:</i>
Respondents having prior jury service	Past defendants or plaintiffs
2004 voters	Past witnesses in court proceedings
Conservatives	Non-2004 voters
Home owners	Moderate
College graduates	Liberals
Caucasians	Non-college graduates
West Metro suburban residents	Members of households earning less than \$35,000 yearly
	African-Americans

Positive Perception Changes I

2006 Minnesota State Courts Survey



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Qualities of Judges

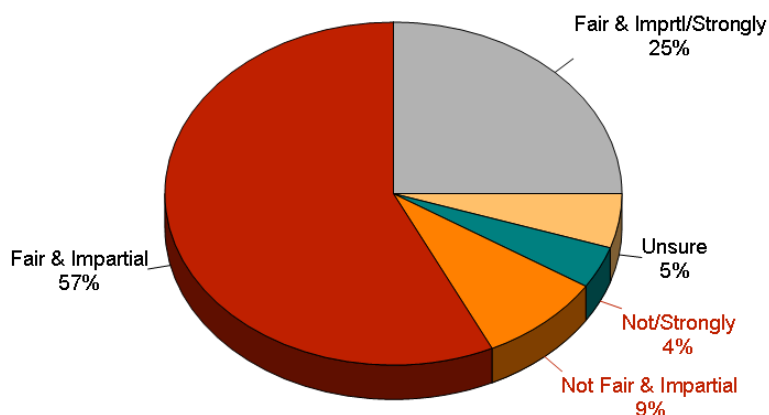
There are five key qualities respondents said they would like to see possessed by a judge they appeared before.

<i>Qualities of a Judge</i>	<i>Most Important</i>	<i>Accurate Description</i>
Fair	58%	87%
Honest	39%	88%
Impartial	35%	82%
Listen to Facts	15%	90%
Knowledgeable of the Law	14%	NA

“Fair” is most important to 58% of the respondents. “Honest” is critical to 39%, while 35% think the same way about “impartial.” “Listen to facts” is most important to 15%, and “knowledgeable of the law” proves important to 14%. After that, “open-minded,” “not racist,” “compassionate,” “qualified,” and “experienced” are each key to a smaller percentage of the sample.

Minnesota Judges are

2006 Minnesota State Courts Survey



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In assessing judges, over 75% agree Minnesota judges possess five characteristics: “qualified,” “dedicated to facts and law,” “honest and trustworthy,” “fair,” and “impartial.” “Share your values” is viewed as an accurate description by 72%. But, majorities also characterize Minnesota judges as: “political,” (58%); “favor campaign donors,” (54%); and, “controlled by special interests,” (52%). In each case, between 30% and 35% do not see these terms as descriptive of state judges.

Judges and Politics

Seventy-one percent know judges in Minnesota are elected. Seventy percent think Minnesota judges must periodically seek election. The connection between the judiciary and the electoral process is well-known.

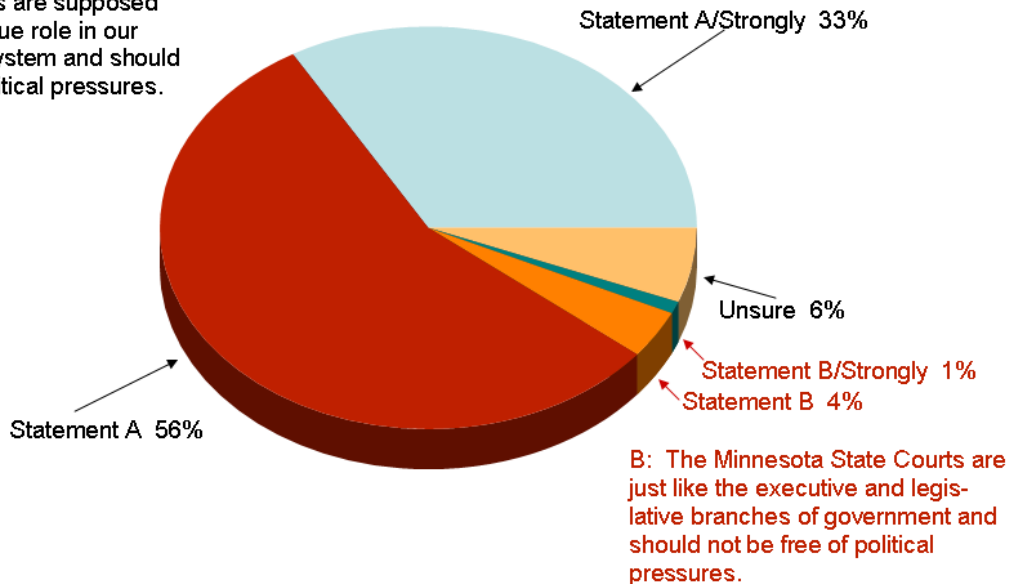
Eighty percent think “Minnesota judges make decisions based more on facts and law;” Only 16 % believe “Minnesota judges make decisions based more on politics and pressure from special interests.” Similarly, 82% believe “Minnesota judges are fair and impartial.”

Ninety-one percent think “the courts are supposed to play a unique role in our democratic system and should be free of political pressures;” only five percent believe “the Minnesota State Courts are just like the Executive and Legislative branches of government and should not be free of political pressures.”

Role of the Courts

2006 Minnesota State Courts Survey

A: The courts are supposed to play a unique role in our democratic system and should be free of political pressures.



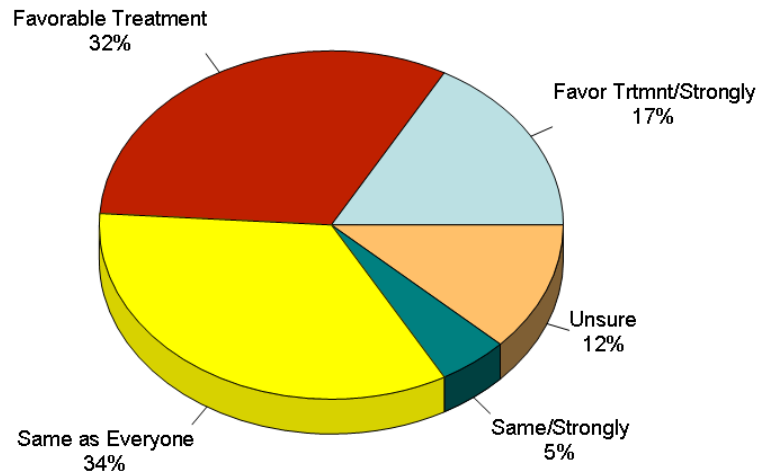
Decision Resources, Ltd.

Respondents split on whether contributors to judicial campaigns are given favorable treatment. Forty-nine percent think “individuals or groups who give money to judicial candidates in Minnesota get favorable treatment.” Thirty-nine percent, though, believe “individuals and groups who give money to judicial candidates in Minnesota are treated the same as everyone else.”

<i>Groups more apt to think favorable treatment is awarded include:</i>	<i>Groups more likely to think contributors are treated the same include:</i>
Liberals	2004 voters
Respondents with high school education or less	Conservatives
African-Americans	Home owners
Minneapolis and Saint Paul residents	College graduates
	Caucasians

Individual or Group Contributors ...

2006 Minnesota State Courts Survey



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Sixty percent feel “judges’ decisions are influenced by the political parties in power.”

<i>Agreement is higher among:</i>	<i>Disagreement increases among:</i>
Liberals	Past defendants or plaintiffs
Members of households earning \$35,000-\$75,000 yearly	2004 voters
African-Americans	Over 55 year olds
Minneapolis and Saint Paul residents	Conservatives
West Metro suburban residents	College graduates
	Caucasians

Sixty-two percent think “judges, who must run for election in Minnesota, are influenced by having to raise campaign funds.” 20% disagree with this assertion. Agreement is higher among liberals. Disagreement is higher among respondents serving on juries in the past, over 55 year olds, conservatives, college graduates, and Southern Minnesota residents.

Similarly, 68% disagree with “Minnesota courts are free from political influence,” while 22% agree with the statement.

<p><i>Agreement levels are higher among:</i></p> <p>2004 voters Over 55 year olds Conservatives College graduates Caucasians</p>	<p><i>Disagreement increases among:</i></p> <p>35-54 year olds Liberals Home owners Members of households earning more than \$75,000 yearly</p>
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Respondents also split on the wisdom of political party identification of judges on the ballot. Forty-three percent think “like other elective offices, Minnesota judicial candidates should be identified on the ballot by party affiliation;” but, 49% believe “since Minnesota judges are expected to be fair and impartial, judicial candidates should not be identified on the ballot by party affiliation.”

<p><i>Groups more apt to support party designation on the ballot include:</i></p> <p>Liberals Renters Minneapolis and Saint Paul residents</p>	<p><i>Groups more likely to oppose party designation include:</i></p> <p>Past defendants and plaintiffs in a court case Witnesses in a court proceeding 2004 voters Conservatives Home owners Southern Minnesota residents</p>
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A 50% majority express “a lot of concern” when told “in some states, many Supreme Court cases involve individuals who have given money to one or more of the judges hearing the case.” Twenty-two percent regard this as “a little” concern in Minnesota, and another 22% are “not concerned.” Groups expressing the greatest concern include liberals, members of households earning over \$75,000 yearly, and African-Americans.

Confidence in the Criminal Justice System

Minnesota respondents award high ratings to five groups of officials in the criminal justice system. The table below summarizes the ratings for each group among Minnesotans and compares them with national ratings.

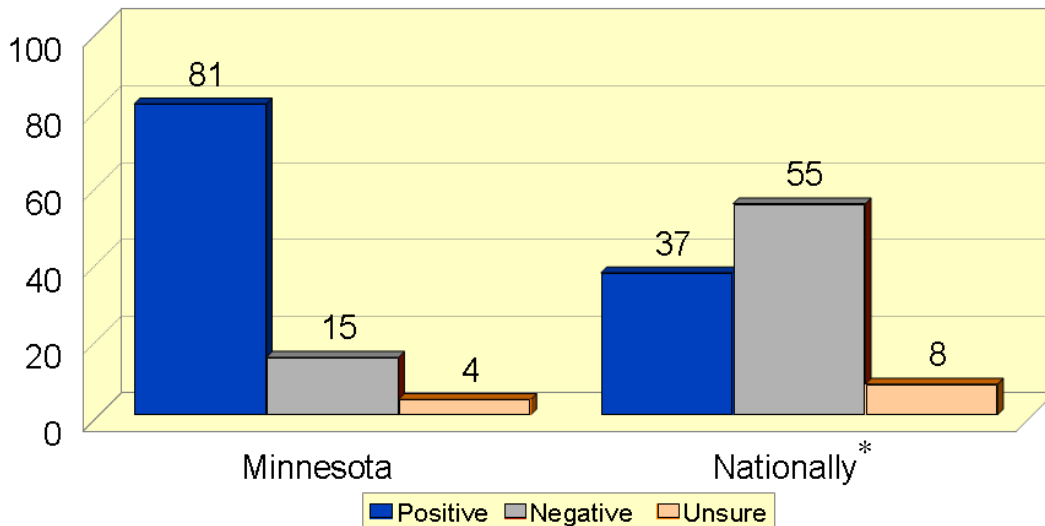
	<i>Minnesota</i>		<i>National**</i>	
	Positive	Negative	Positive	Negative
Elected officials who write laws	65%	32%	15%	80%
Police and law enforcement	78%	22%	58%	40%
Prosecutors, defense and county attorneys*	75%	21%	32%	57%
Corrections and probation authorities*	68%	18%	25%	60%
Judges	81%	15%	37%	55%

* Wording of these questions is not identical.
 ** The NCSC Sentencing Attitudes Survey: A Report on the Findings, July 2006

The average positive rating in Minnesota for the five groups is 73.5%, compared with the national average of 33.4%. The Minnesota average, then, is more than twice as high as the national average.

Job of Judges in Serving the Public

2006 Minnesota State Courts Survey



* The NCSC Sentencing Attitudes Survey: A Report on the Findings, July 2006

Decision Resources, Ltd.

The main reasons for rating judges negatively in Minnesota include “not impartial,” “biased against people of color,” making decisions before hearing all the facts,” and “political favoritism.”

<p><i>Higher positive ratings of judges are posted by:</i></p> <p>2004 voters Over 55 year olds Conservatives Home owners College graduates Members of households earning over \$75,000 yearly Caucasians</p>	<p><i>Higher negative ratings are posted by:</i></p> <p>2004 non-voters Liberals Renters Respondents with high school or less education Members of households earning less than \$35,000 yearly Persons of Color Minneapolis and Saint Paul residents</p>
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Alternatives to Prison Popular

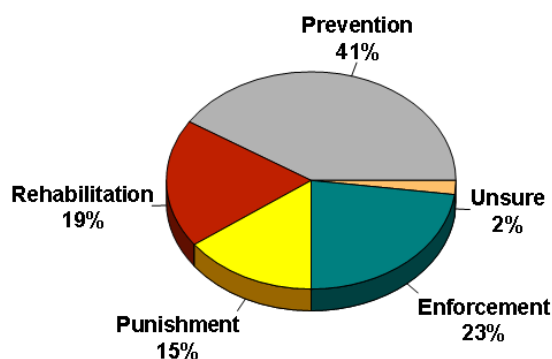
Respondents said the top priority of the criminal justice system for dealing with crime should be “prevention, such as youth education programs.” At 41%, it outdistances the second choice at 23% for “enforcement, such as putting more police officers on the streets.” “Rehabilitation, such as job training and education for offenders” ranks next at 19%, followed by “punishment, such as longer sentences and more prisons,” at 15%. These results are consistent with national findings.

By a decisive 70% to 23% margin, respondents preferred spending tax dollars on “funding programs that try to prevent crime by helping offenders find jobs or get treatment for their problems” over “building more prisons so that more criminals can be locked up for longer periods of time.” This split is similar to national findings.

By a convincing 74%-22% margin, respondents think “given the right conditions, many offenders can turn their lives around and become law-abiding citizens.” This finding mirrors national surveys.

Top Priority of Criminal Justice System

2006 Minnesota State Courts Survey



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Narrowly, Minnesota residents endorse laws requiring a prison sentence for all who are convicted of certain crimes. Fifty-one percent think mandatory sentences are a “good idea.” But, 46% feel judges should have “more leeway” in deciding what the punishment should be. Nationally, only 36% think mandatory sentences are a “good idea,” while 56% would give judges “more leeway.” (Source: *Sentencing Attitudes Study, National Center For State Courts, 2006.*)

<p><i>Support for mandatory sentences is higher among:</i></p>	<p><i>Support for more judicial discretion is found among:</i></p>
<p>2004 voters Conservatives Home owners Caucasians</p>	<p>Moderates Liberals Renters African-Americans Minneapolis and Saint Paul residents</p>

Respondents were asked to consider five proposed changes in current sentencing policies. The table below shows the percentage of residents considering that change “very important,” either “very important or somewhat important,” and “not important:”

	Very Important		Overall Importance		Not Important	
	<i>State</i>	<i>National*</i>	<i>State</i>	<i>National*</i>	<i>State</i>	<i>National*</i>
Do more to ensure fairness and equality in sentencing for all groups of offenders	76%	69%	96%	91%	3%	6%
Do more to make sure the punishment fits the crime	75%	81%	96%	96%	5%	2%
Keep those convicted of VIOLENT crimes in prison longer	75%	72%	95%	92%	5%	5%
Put more NON-VIOLENT offenders into treatment and job and education programs instead of prison	48%	61%	83%	90%	14%	8%
Reduce the size of the overall prison population	29%	38%	66%	71%	28%	23%

* *The NCSC Sentencing Attitudes Survey: A Report on the Findings, July 2006*

Respondents placed a high priority on “doing more to ensure fairness and equality in sentencing for all groups of offenders.”

Increase Emphasis in Elementary and Secondary Schools

Eighty-four percent think a greater emphasis should be placed on the courts and the judicial system in elementary and secondary grades civics education in Minnesota. Only six percent disagree with this policy.

Conclusions

On nearly all of the dimensions of evaluation in this study, Minnesota courts and judges fare far better with their constituency than courts and judges do across the nation. A particularly striking result is that Minnesota judges receive a positive rating on their roles in the criminal justice system; nationally, judges are given a negative rating for their job performance. Similarly, the increases in positive ratings and the decreases in negative ratings of the effectiveness and efficiency of Minnesota courts and judges during the past seven years suggest that extensive efforts at outreach and public education since 1999 have been beneficial.

But, there is also a consistent cleavage among Minnesota residents as they consider the state court system.

<p><i>Respondents who are the most satisfied with the court system and its operation in all respects are most often:</i></p> <p>2004 voters Over 55 years old Conservatives Home Owners Members of households earning over \$75,000 yearly</p>	<p><i>Respondents expressing the most intense dissatisfaction with the court system in nearly all respects tend to be:</i></p> <p>2004 non-voters Liberals Renters Less well-educated Persons of Color Residents of Minneapolis and Saint Paul</p>
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Part of the problem appears that many residents generalize what they read about other states and the federal courts to the Minnesota environment. A clear communications challenge for the Minnesota Judicial Branch will be to differentiate themselves from other state and federal courts.

Also, a lack of consensus appears on the issues of campaign finance and partisan designation in judicial elections. While residents substantially support the uniqueness and independence of the state judiciary, they are split on both issues. Not surprisingly, residents who are most unhappy with the state court system also tend to support these changes in judicial elections. At this point, a more detailed and extensive public discussion will be required to catalyze any kind of a majority on election reform.

The results of this study are, in general, a very positive report on the state of public trust and confidence in Minnesota’s judicial system. Communication and outreach efforts, though, need to be retained, if not enhanced, to build on this very solid foundation.

Complete details of the study results can be found at www.mncourts.gov.

