

Executive Summary

This survey is in response to the Minnesota Supreme Court's involvement with the National Conference on Building Public Trust and Confidence.

In 1996, a National Center for State Courts survey of state court leaders found that "there is no greater challenge to the state courts than strengthening our relationship with the public we serve."

The findings of this report, along with the results from similar studies conducted in other states, will be used in conjunction with a national strategic plan surrounding the issue of public opinion of the courts. In addition to the national strategic plans, the results of this study have been used to develop a statewide plan for building public trust and confidence in the Minnesota court system. Since the survey was conducted in the spring of 1999 (with additional analysis performed in 2000), the judiciary has carefully considered the results and worked to achieve consensus about the most effective ways to improve the public's trust and confidence. In the areas where improvement is needed, strategies for specific reform have been incorporated into the judiciary's systemic priorities through its strategic plan. This ensures that the survey will be more than a snapshot of perceptions, but rather a detailed blueprint for long-term goals.

Through this study, the Minnesota Supreme Court wished to learn about the following:

- ◆ Respondents' experiences with the Minnesota court system
- ◆ Respondents' confidence and trust in public institutions including the Minnesota state courts
- ◆ Respondents' perceptions of the court system, including its ability to handle different types of cases, bias and discrimination in the system, costs associated with going to court, accessibility of the courts, effectiveness of the courts, and how respondents receive information about current events
- ◆ Ascertain areas of significant differences between a statewide sampling of residents and residents of color, as well as differences between urban, Greater Minnesota urban, and rural respondents
- ◆ Ascertain differences between those respondents who have had experiences with the courts and those who have not
- ◆ Identify differences in respondents based on age, income, education, and gender.

OVERALL FINDINGS

◆ Statewide, about three-quarters of respondents have trust (79%) and confidence (78%) in the court system. This is similar to the results of national surveys conducted by the National Center for State Courts (75%) and the American Bar Association (75%).

◆ Overall, statewide respondents have many positive perceptions of the courts. Most believe judges are fair, qualified, and treat people with respect. More than three-quarters also believe that the courts protect people's constitutional rights and that juries are representative of the community where they live. Respondents also believe the court system does an average or better job in handling most case types.

◆ However, many believe the courts can be difficult to use, litigation can be costly and court processes can take too long.

◆ Both whites and minorities are concerned that the courts treat people of color, the poor and those who don't speak English less fairly.

◆ Respondents feel the court is least capable of handling cases that involve juvenile delinquency, child protection and the family.

Trust and Confidence in the Court System

◆ Statewide respondents were asked their levels of *confidence* and *trust* in the Minnesota State Courts; more than three-quarters have a great deal or some confidence and trust in the Minnesota State Courts.

◆ Statewide respondents expressed a good deal of confidence overall in their institutions. The local police received the highest rating (89%), followed by the medical profession (87%) and the U.S. Supreme Court (78%).

◆ On the question of trust, statewide respondents expressed the most trust for the medical profession (90%), followed by the local police (89%) and public schools (87%).

◆ All respondents expressed the least amount of institutional trust and confidence in the media.

◆ The study found that as respondents' level of education increases, so does confidence and trust in the Minnesota Court System. Additionally, those with an annual income of \$70,000 or more a year have more trust in the Minnesota State Courts than do respondents earning less.

Court Performance

◆ Statewide respondents feel the courts are most capable in the following areas:

- ⇒ Criminal cases (47% good or excellent)
- ⇒ Civil cases (45% good or excellent)
- ⇒ Small claims cases (42% good or excellent)

◆ Although statewide respondents gave the courts a rating of average, good or excellent at least 61% of the time in every case type, respondents feel the court is least capable of handling cases that deal with the family such as:

- ⇒ Juvenile delinquency cases (33% poor)
- ⇒ Child protection cases (29% poor)
- ⇒ Family relations cases (25% poor)

◆ As respondents' level of education increases so does their perception of the court's ability to handle criminal cases.

◆ Respondents of color are significantly more likely than Caucasian respondents to rate the court's ability to handle child protection cases as excellent, while Caucasian respondents are more likely to rate the court's ability to handle these types of cases as poor.

Fairness in the Courts and the Treatment of Different Groups of People

◆ Statewide respondents believe: (*strongly agree or agree*)

- ⇒ Courts protect people's constitutional rights (84%)
- ⇒ Judges treat people with respect (77%)
- ⇒ Judges are fair when deciding cases (69%)
- ⇒ Even without an attorney, people are able to have a fair court hearing (63%)

◆ More than three-quarters of statewide respondents believe people who work for the courts, such as court clerks, are helpful and courteous.

◆ However, there are significant differences between Caucasian respondents and respondents of color regarding issues of fairness and treatment. Caucasian respondents are more likely to agree with the following:

- ⇒ Juries are representative of the community where the court is located (78% of Caucasians vs. 58% of all other races *strongly agree/agree*)
- ⇒ Judges treat people with respect (78% Caucasian vs. 64% all other races)
- ⇒ Judges are fair in deciding cases (70% Caucasian vs. 48% all other races)

◆ All respondents, regardless of race, believe that the court system treats the following groups of people fairly:

	%Strongly Agree/Agree	
	Statewide Respondents	Minority Respondents
White people	88%	85%
Men	84%	74%
Middle class people	82%	70%
Women	79%	66%
Wealthy people	73%	78%

◆ All respondents, but especially respondents of color, are less likely to believe that the following groups are treated fairly

	%Strongly Agree/Agree	
	Statewide Respondents	Minority Respondents
Native Americans	64%	41%
African Americans	63%	31%
Hispanics	61%	39%
Non-English speaking people	57%	34%
Poor people	53%	34%

◆ In addition, respondents with graduate degrees are less likely to believe that people of color are treated fairly by the court. These respondents are also more likely to *strongly agree or agree* that white people and middle class people are treated fairly by the courts.

Access to the courts

◆ Overall, most statewide respondents believe that:

⇒ Courts try to ensure that individuals have access to an attorney (91%)

⇒ Courthouses are safe (82%)

⇒ Courts are conveniently located (80%)

◆ However, most statewide respondents disagree with the statement “The court system is easy to use.” (60%)

◆ More than one-third (38%) of statewide respondents feel that not enough court proceedings are open to the public. More than half (54%) of respondents of color feel that not enough court proceedings are open to the public.

◆ A vast majority (81%) of statewide respondents disagreed with the statement “Most people can afford to bring a case to court.”

◆ Respondents were asked to rate how much four different factors contributed to the cost of going to court. These four factors were:

⇒ the cost of a lawyer,

⇒ the amount of personal time required (missing work or being away from home),

⇒ the time between when monetary award is granted by the court and actually

receiving the money, and

⇒ court fees.

◆ Most statewide respondents (83%) believe the cost of a lawyer contributes *a lot* to the cost of going to court. This is followed by the amount of personal time required such as missing work or being away from home (58%). The smallest percent of statewide respondents (28%) believe the cost of court fees contributes *a lot* to the overall cost of going to court.

◆ Caucasian respondents are more likely than respondents of color to believe the cost of a lawyer contributes *a lot* to the overall cost of going to court. Respondents of color are more likely than Caucasian respondents to believe court fees contribute *a lot* to the cost of going to court. Additionally, Caucasian respondents are more likely than respondents of color to **disagree** that most people can afford to bring a case to court.

Other Perceptions of the Courts

⇒ ◆ Statewide Minnesota respondents *strongly agree* or *agree* that:
Judges have the skills they need to do their job well (80%)

⇒ ◆ However, statewide respondents also agree that:
⇒ Elected judges are influenced by having to raise campaign funds (68%)
⇒ Judges' decisions are influenced by the political parties in power (62%)
⇒ Legal technicalities often allow guilty people to go free (80%).

⇒ ◆ Statewide respondents' agreement with the following is mixed. For each statement below, less than half of the respondents *strongly agree* or *agree*:

⇒ Courts are out of touch with what's going on in their communities (48%)

⇒ Courts make sure their orders are enforced (47%)

⇒ Judges give enough attention to each individual case (45%)

⇒ People involved in court cases understand the court's rulings (42%)

◆ Almost three-quarters of statewide respondents do not believe court cases are resolved in a timely manner (72% disagree/strongly disagree) and almost half do not agree that the court system efficiently handles cases from filing the case to settlement or trial (46%).

Knowledge of and Experience with the Court System

◆ Nearly 40% of statewide respondents claimed they knew little or nothing about the court system. Nearly half of the respondents of color claimed they knew little or nothing about the court system.

◆ Less than 20 percent of statewide respondents have served as jury members and about one-quarter have been plaintiffs or defendants in a court case. Fewer than one in five statewide residents have testified as a witness in a court proceeding.

◆ Statewide respondents with some type of court experience are more likely than

respondents with no experience to state they know *a lot* or *some* about the court system.

- ◆ Experience with the court system has both positive and negative effects on respondents' perceptions of the courts. For example, respondents with jury experience (vs. respondents with no court experience) are more likely to *agree* that:
 - ⇒ Courts try to ensure that individuals have access to an attorney (87% vs. 80% with no court experience)
 - ⇒ People who work for the courts, such as court clerks, are courteous (82% vs. 71% with no court experience)
- ◆ However, respondents with court experience are also more likely to strongly disagree that:
 - ⇒ Judges treat people with respect (6% vs. 1% with no court experience)
 - ⇒ The court system is easy to use (17% vs. 7% with no court experience)
 - ⇒ The court system efficiently handles cases from filing the case to settlement or trial (9% vs. 3% with no court experience)
- ◆ Respondents with court experience are more likely to rate the court's ability to handle family relations and juvenile delinquency cases as *poor*.

Information Sources

- ◆ Statewide respondents receive information most often by watching the news on television, reading newspapers, and listening to the news on the radio. However, only four in 10 respondents *strongly agree* or *agree* that the media's portrayal of the courts is mostly accurate.
- ◆ Caucasian respondents are significantly more likely than respondents of color to read the newspaper and listen to the radio on a daily basis, while respondents of color reported that they are more likely to watch "reality-based" television programs and court-related television dramas.

The Supreme Court retained the independent market research firm of Anderson, Niebuhr, & Associates, Inc. to conduct this research.