



MINNESOTA
JUDICIAL
BRANCH

COMMUNITY DIALOGUE

The Fourth Judicial District serving Hennepin County conducted a community listening session on April 30, 2015 at North Community High School in Minneapolis.

“Tell It to the Judge: A Community Listening Session with Hennepin County Judges” was designed for citizens to talk to judges in a small group setting. The listening session was facilitated by 32 judges and staff from Hennepin County District Court.



Photo courtesy of Susan Love

FOURTH DISTRICT REPORT

INTRODUCTION

To further the Court’s dialogue about racial and ethnic fairness in the courts, “Tell It to the Judge: A Community Listening Session with Hennepin County Judges” was held at a convenient location for citizens, North Community High School, 1400 James Ave. N., Minneapolis, MN 55411 on April 30, 2015, 6:30-8:30 p.m. Invitations and flyers were distributed to several key community organizations that are known for their community involvement and support. This was the second of two community listening sessions planned by the Equal Justice Committee for north Minneapolis. The committee and the court as a whole have held other listening sessions in other areas of the district in past years.

Community Dialogue Plan

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

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

Fourth District Session Details

Moderator: Professor Nekima Levy-Pounds

Judges: 21 (representing all areas of the court)

Staff: 11 (from criminal, civil, family, juvenile and housing courts and self-help center)

Facilitators: Kari Jenson Thomas, Shoree Pierce, Sy Huff, Roxanne O’Brien, Greta Johnson

Community Representation: Turning Point – Treatment Organization, Hope Community, Juxtaposition Arts, Neighborhoods Organizing for Change, Minneapolis Public Schools

SUMMARY OF THE FOURTH DISTRICT SESSION

The intention of the session was:

- To provide an opportunity for community members to share thoughts, concerns, and experiences with the Hennepin County Courts
- To hear from people who have interacted with the court system directly, or have friends/family who have interacted with the court system
- To hear what is and isn’t working in terms of user-friendliness, quality of service and perception of fair treatment
- To use what is learned to help the courts ensure citizens’ needs are met and that rights are respected when interacting with the Hennepin County court system

An estimated 26 people, mostly clients of Turning Point, Inc., an African American social services organization, attended the listening session. The 1:1 ratio provided a rare opportunity for citizens to be heard. The notes from the 12 small groups captured some common themes and a few singled-out issues. The attendees were highly engaged and eager to take advantage to speak about their concerns.

For the Court, this was a valuable and worthwhile experience to hear firsthand about attendees' point of view and observations. Afterwards, judges commented that they were "changed" by the experience and that they would be able to be better listeners while on the bench.

Judges' comments included, "The conversations were great and honest and truthful." "Our moderator was very good, I thought. The discussion was heartfelt and constructive, with many ideas for us to take back, discuss, and transform into tangible improvements that we can implement in our court. It was also just helpful for us to hear the genuine concerns of those whom we serve and for them to know we care and sincerely want to reduce the intimidation and confusion so many experience."

Major Themes of the Session

Ten (10) major themes provided in the notes by the 12 small groups:

JURY

Jury Pool

- Lack of diversity in the pool
 - Consider other sources for summoning other than registered voters
 - Understanding the modern-day concept of a "jury of your peers"
 - Intimidation in the selection process
- Lack of representative juries

COURTROOM

How attendees feel they are treated in court

- Naïve, intimidated, small, hope someone will lead you through
- Didn't speak in court, said I had to go
- Scared, didn't know what was going to happen
- If you don't have a lawyer, feels like you're pushed to get a lawyer
- Used free legal services in Housing Court mostly good, felt misled, short time to talk
- Compassion missing
- Empathy, holistic story
- Least respected, looking down from up high
- Don't fit in one size fits all box
- Too rushed, feel like have to resolve
- Too long and people give up rather than tell their stories
- People want to be served with compassion
- Understand
- One experience can affect your opinions for life
- Not feeling heard "My life on the line"
- How can reduce anxiety?

- Intimidating/scary
- Appearance went well, routine, at disadvantage with no lawyer, felt like trying to swim—lots of documentation
- (Most respected) Empathetic judges looking holistically at people’s story and all the dynamics (least respected)
- (Turning Point) Best think ever happened black judge was empathetic gave opportunity to change rather than sent to jail

How attendees understand the court process

- Make sure parties/customers understand the process, be able to communicate to judge what they needed to know
- Not sure why/how the decision was reached
- Impact statements vs. victim impact statements, and how it impacts judge’s decision
- Too rushed to make a good and informed decision
- Confusing process and ramifications
- People in court may not understand and don’t ask questions
- Communicate what to expect next
- Referee said you need to go to library and read up on this
- Punishment doesn’t always fit the crime
- Letting people speak for themselves, “their side of the story”
- Concern about racial disparity
- Have other stakeholders present
- “We are all criminals” program to humanize all
- More treatment options

JUVENILE

- Consideration of backgrounds for out-of-home placements
- Checking on and more site visits of out-of-state placement sites (run like a business)
- Intimidation of court atmosphere
- Resources and program designs (specifically for girls)
- Center for juvenile complaints in the courthouse re safety in out-of-home placement (Guardian ad Litem program visits), community coach/representation
- More oversight of juvenile facilities
- Kids should be able to tell their side (the lawyers didn’t share my story)

FINES AND FEES

- Fees and representation are expensive
- Can’t afford attorney, fees, not in poverty and court isn’t accessible
- \$500 in fees, if would have known, would not have gone to court
- Turn Yourself in Day, wipe your slate clean if you have numerous fines, etc.

MENTAL HEALTH

- More psychological evaluations in criminal cases
- Ctr responsive to Rule 25
- Mental health issues the system won’t often look at, unable to get jobs and ending up in the underground market or black market
- Mental health needs not met

- Identity - When defendants never gets mental evaluations, the cycle will continue
- Unless lawyers or PDs identify their client's mental status, the judges and court can only go by what they see on paper

PROBATION

- Unfair probation sanctions
- Probation—disconnect—overcrowding technical violations, probation admin rules
- Terms of probation can be difficult to follow
 - Jobs, housing situation, color code
 - Challenging to break the cycle

LEGAL RESOURCES

- More time with public defender (feel like you have to take the 'deal')
- Legal resources for next steps

CULTURAL/INTERPRETERS

- Cultural differences with interpreters

EDUCATION

- Elementary school intervention
- Can't teach what you don't know (young parents)
- Resources for parents
- Implementing mentoring programs for juveniles (accountability), role models, parenting programs with families in need—assistance/mentorship
- “dig deeper” into children's home, parent sentencing and resources made available, holding parents accountable “help the parents help the kids”
- Partner with organizations for mentoring, community service with purpose
- Judicial education opportunities on probation and probationary issues - Uniform violations without items left up to interpretation or decision of one (or group decisions)
- Community education on judicial officers up for election
- Mentorships/education
- Resources into education does not equal system
- Mentoring/shadowing
- System should help individuals re-tool, re-enter

JUSTICE CIRCLES

- Wipe slate clean
- “justice circles” restorative justice for non-violent crimes
 - Understanding impact on their community
 - Held accountable by justice circle, not judicial system
 - Successful end in expungements

SUMMATION

The 10 identified themes fall into two major groups, 4 are managed by the Judicial Branch and 6 are

controlled by other branches of government or agencies.

Judicial Branch	Executive / Legislative Branch or agency
Jury	Fines and Fees
Courtroom	Probation
Juvenile Court	Legal Resources
Mental Health	Cultural / Interpreter
	Education
	Justice Circles

Within Hennepin County District Court’s circle of influence, the following specific tasks were identified to actively respond to the issues identified by attendees.

Proposed Suggestions for Improving the Court System

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

1. Training for Judges
2. Probation Q&A
3. Drug Court and Mental Health Court Referral

These suggestions will be reviewed by the Committee for Equality and Justice and the Fourth District EJC and will be used to inform the priorities and actions of each group. The following are the most commonly shared suggestions from the pilot session. The Committee and/or the Fourth District EJC will determine whether or not to implement some or all of them.

TRAINING FOR JUDGES

Judges present at the listening session suggested that providing training about how to communicate better would be valuable, especially with their interactions with probationers. Learning how to ask open ended questions to evoke better responses may improve how people feel they are treated in court. The goal is to focus specifically on procedural fairness and how to listen effectively.

PROBATION Q&A

Many of the concerns expressed by the attendees involve probation. EJC recommends that the bench have the opportunity to learn more about how Probation operates so that judges can impose probation conditions that are most effective without overly burdening defendants. In addition, the bench will obtain additional information about recommended programs for adults and juveniles, including whether programs are evidence-based and how Probation determines which programs to recommend for a given defendant. Probation meetings are recommended to convey information from probationers and to suggest appropriate improvements.

The EJC chair volunteered to contact the presiding judge over Criminal Court to suggest a Q&A session with the probation manager. The EOD manager suggested soliciting questions beforehand so that probation would be able to prepare their responses and present them at a future Criminal Committee meeting. Areas suggested include frequent UAs and lab work, setting probationary review hearings, setting review dates with defendant, informal status of defendant, and what is the bench doing that is difficult for probation to do their jobs well?

DRUG COURT AND MENTAL HEALTH COURT REFERRAL

This question was posed by one of the judges upon reflecting on her small group discussion, “Could someone who has a felony revocation matter that demonstrates a use problem be referred to Drug Court?” The response is, in a word, “yes,” Drug Court accepts defendants from the felony revocation calendar. The probation revocation judge may order RANT and Rule 25 assessment to start the process.

The presiding judge over Drug Court clarified that the basic profile of the Drug Court participant is high risk/ high need. High risk means significant likelihood of failure on traditional probation and recidivism based on criminal record and past failures at treatment or probation, as well as social factors like age of onset of drug use and crime, and housing and employment instability. High need means a moderate or severe substance use disorder.

This information will be communicated to the full bench and may be implemented as needed. Judges will receive additional training on when it is appropriate to make referrals to these problem-solving courts.

Suggestions for Future Community Dialogue Sessions

Attendance was impacted by several other important community events on the same day. EJC recommends moving the next listening session to the fall and to have two listening sessions per year. Another suggestion to encourage increased attendance is to conduct the listening session in conjunction with an existing community meeting. The small group facilitation guideline worked well. A greater effort will be made to start and end on time. Finally, better use of social media to get the word out will be utilized.

Attendees were impressed that feedback from prior listening sessions has helped the court implement improvements. The following improvements were communicated to the group:

- Electronic boards, similar to what you see at the airport or a train station, were installed at all court locations. Beginning at 7:30 each morning, the electronic boards list the names of the parties and the courtrooms assigned to the cases.
- One-stop shop for people representing themselves without a lawyer is available at the Self Help Centers located in the Government Center and the Family Justice Center. Both centers include multi-lingual staff.
- Court summons and other documents were changed so they are easier to understand by writing them in plain language instead of legal speak.
- Security measures were enhanced to improve the perception and reality of safety for those who visit court buildings.
- A centralized call center and web chat will improve access and court user service.
- Tuesday night Hearing Office appointments are available so people do not have to take time off from work to resolve a ticket.
- Hennepin County started a Citizens Academy that is offered each spring and fall. On average, there are 35 graduates per session. This program educates the public on the justice system and county programs.
- Staff diversity recruitment has improved with job postings shared via the MN Association of Black Lawyers, Lavender Bar, Hispanic Bar, and MN Asian Pacific American Bar Association, Hispanic Bar, Somali community centers, Brian Coyle Community Center and local technology colleges.

- In the past year, more than 15 different training topics related to diversity were offered to judges and court staff.
- Privacy for parties in the courtroom was improved by adding static over the judge's microphone when lawyers approach the bench to talk with the judge about a case.

ADDITIONAL INFORMATION

Attached:

Flyer

Feedback Form

Results from the Feedback Form

Facilitation Outline

Tell It to the Judge:

A Community Listening Session with Hennepin County Judges

WHEN

Thursday, April 30, 2015
From 6:30 p.m. To 8:00 p.m.
Light Refreshments will be served.

WHERE

North Community High School
1400 James Ave North
Minneapolis, MN 55411



WE WANT TO HEAR FROM YOU!

Please Join the Judges in Small Group Discussions

- Voice Your Concerns and Suggestions About Coming to Court
- Share Your Ideas about Improving the Quality of Service in Court
 - Help Better the Court's Understanding of Your Experience

Sponsored by the Hennepin County District Court

Fourth Judicial District Mission:

To provide justice through a system that assures equal access for the fair and timely resolution of cases and controversies.

Fourth District - Law Day Listening Session ***FEEDBACK FORM***

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

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

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

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

Any other comments you'd like to share?

Please circle the number that best reflects your response to each question below:

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
I felt like I could share my thoughts openly and honestly.	1	2	3	4	5
I felt respected by the people involved in this session.	1	2	3	4	5
Judges and small group facilitators listened well to the thoughts shared at my table.	1	2	3	4	5
Small group facilitators made sure everyone got a chance to speak and be heard.	1	2	3	4	5
The overall structure of the meeting worked well.	1	2	3	4	5
The overall meeting was well facilitated.	1	2	3	4	5

Results from the Feedback Form

Tell It to the Judge Listening Session

April 30, 2015

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

- *Everybody was very open-minded and patient.*
- *Productive dialogue.*
- *Great engaging conversations.*
- *Open communication with judges.*
- *Hearing real, open, honest feedback coming together as a community. We're all residents here we work best together.*
- *Respect and good intentions.*
- *Group session, everyone had a chance to speak.*
- *Open conversations with no judgment.*

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

- *I can't really think of anything.*
- *People making it specific – too specific.*
- *Some redundancies in presentations.*
- *Unfortunately feedback session. Will we get feedback on what has been implemented from last meeting and this meeting?*
- *Great stories from everyone, but some people went off topic/said too much.*
- *Cannot testify to that—all went well!*
- *--*
- *N/A*

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

- *More about children's rights and voices.*
- *Good resources for ongoing assistance—we all talked about it no one gave a solution.*
- *Civil damages to otherwise poor people that 'linger' in your life long-term.*
- *n/a*
- *Get more people involved. Consider 5-8 p.m. (need more time). Do this more than once per year, different locations.*
- *We only had 2 hours.....*
- *Mental health issues and mass incarceration.*
- *--*

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

- *More time.*
- *Bringing more departments to the table.*
- *Consolidated presentation via larger group discussions with voluntary topic assignments.*
- *Limit presentations, some got way too long.*
- *Have public defenders/city attorneys next year.*

- *Regular monthly meetings in different locations/courts.*
- *Let's add the public defenders and prosecutors.*
- *Having more members and levels of the Judicial present.*
- *Better time management.*
- *Public defender attorney.*

Any other comments you'd like to share?

- *It was very nice 😊*
 - *Sensitivity training for clerks and security (sheriffs).*
 - *I love this! Keep doing it!*
 - *Great job.*
 - *We all have good hearts here all trying to fix a faulty system!*
 - *--*
 - *--*
 - *Awesome job!!! Thanks!*
-

Feedback Tally:

I felt like I could share my thoughts openly and honestly.

17 strongly agree or agree, 3 strongly disagree*

I felt respected by the people involved in his session.

17 strongly agree or agree, 3 strongly disagree

Judges and small group facilitators listened well to the thoughts shared at my table.

17 strongly agree or agree, 3 strongly disagree*

Small group facilitators made sure everyone got a chance to speak and be heard.

16 strongly agree or agree, 1 response was neutral, 3 strongly disagree

The overall structure of the meeting worked well.

15 strongly agree or agree, 2 responses were neutral, 3 strongly disagree*

The overall meeting was well facilitated.

17 strongly agree or agree, 3 strongly disagree*

**It could be that the "strongly disagree" ratings were given in error as some of the comments were quite positive.*

Fourth District – Law Day Listening Session

FACILITATION GUIDE

**Thursday, April 30, 2015 | 6:30 – 8:00 p.m.
North Community High School | 1400 James Ave North Minneapolis**

Judicial Officers and Facilitators: Please Arrive by 6:00 p.m.

Goals:

- To provide an opportunity for community members to share thoughts, concerns, and experiences with the Hennepin County Courts.
- To hear from people who have interacted with the court system directly, or have friends/family who have interacted with the court system;
- To hear what is and isn't working in terms of:
 - user-friendliness;
 - quality of service; and
 - perception of fair treatment.
- To use what is learned to help the courts ensure citizens' needs are met and that rights are respected when interacting with the Hennepin County court system.

Schedule (*times are plus or minus 5 minutes, depending on the crowd*)

6:30 - 6:35 p.m. – Welcome and Getting Settled

Judges (6-10) & Co-Facilitators (6-10)

- Before participants arrive, take a moment to put your mind in a place of welcome, calm and openness. Frustration and anger are emotions you will likely encounter; prepare yourself to meet those emotions with calm and compassion.
- At 6:30 p.m., judges and co-facilitators should sit down at their tables and prepare to greet participants as they sit down.
- When people arrive at your table, encourage them to have a seat, thank them for coming, and ask them write their first name on a nametag.
- Engage in small talk with participants right away (don't wait until the session begins). If they start to dig into the set topics for discussion, hear them out a bit but gently interrupt to say that you would like them to share more about their concern once the session begins; when we're really ready to focus and take notes.

NOTE:

- *Start with 6 judges seated at tables. Ideally, there will be 2-4 judges and facilitators available in the wings, prepared to have separate listening sessions as needed. Tables or other space for these conversations should be located in close vicinity to the security staff.*
- *The full group facilitator will be watching for participants who are expressing a very high level of frustration or anger, to the point where they are taking over the small group or are threatening to the judge, and will intervene at escalating levels as required.*
- *The full group facilitator will keep time during small group discussion.*

Greeters (2-3)

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

6:40 – 6:45 (5 min.) Convening and Overview

- Full-group facilitator will let the room know that it's time to begin and will go over:
 - Why we are having this session;
 - What we hope to result from it – examples of previous sessions leading to specific outcomes); and
 - Area of focus (the courts – not the police, not other county programs/services), bring participants' attention to the handout.
 - The core questions that will be asked at each table
- Lead moderator will welcome participants and reinforce the area of focus for the discussions.

6:45 - 7:35 (50 min.) Small Group Discussion (plain bold text is for volunteer facilitators;
italicized bold text is for judges)

- **Welcome, I'm (first and last name) and I am a volunteer facilitator for this small group. My job tonight is to make sure we hear from each person at this table – I'll be asking questions and listening to your thoughts and ideas. It's also my job to keep us focused during the time we have together.**
 - ***And I'm (first and last name) and I am a judge in Hennepin County. I'll be listening and taking notes to make sure your thoughts and ideas are shared with all the other Hennepin County judges and court staff so that we can make improvements based on what we learn from you.***
- **Let's go around the table and say our first names – I know that you wrote out nametags with your first name on them, but I just want to make sure I say your name the right way.**
- **(Point out "expectations" table tent). Finally, I want to remind everyone that we want to have a meaningful, respectful conversation, so I encourage us all to support these expectations and to help others do the same.**
- **Let's get started with the questions on your handout. We have about 45 minutes for our discussion, so that's about 10 minutes per question, and I really want to make sure we hear from everyone.**
- **I'd like you each to take a notecard, write the number 1 in the corner, and take just a minute of quiet time to write out a thought or a few words that come to mind in response to the first question. I'll let you know when that minute is up. Then we'll go around the table hearing what each person noted, and then hear more of your thoughts on this question. (Repeat this process with questions 2-4; not needed for question 5.)**
 - 1) Try to remember the first time you dealt with court staff or a judge. What was the situation and how did it make you feel? (follow-up once all participants have read their statements, asking the full small group: what do you think the staff or judge could have done differently in these situations?)**

2) When have you felt most like your needs have been met by the people involved in the courts? When have your needs not been met?

3) When have you felt most respected by the people involved in the courts? When have you felt least respected?

4) What about after you were interacting with the court system? How well did the support or resources you received for next steps meet your needs? If support or resources were not provided, what do you think would have been helpful?

5) Are there any other concerns or thoughts that you came here to share with us today related to the courts? How do you think your concerns might be addressed?

7:35-7:50 p.m. Small Group Reporting

- Large-group facilitator will reconvene everyone as a large group.
- Judges at each small group will be asked to share one or two themes that emerged from their small groups – 1-2 min per table

7:50 – 8:00 p.m. Closing

- Full-group facilitator will close out the session, letting participants know the next steps of what will be done with the input from this session, and directing participants to complete the feedback forms.
- Full-group facilitator will thank participants for coming and adjourn.