

CourTools |



Trial Court Performance Measures

TM1

Access and Fairness

Supplement for Attorneys and Staff

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Supplement to Measure 1 for Attorneys and Staff

Measure 1 (M1) is designed to measure access and fairness from the perspective of the **court user**. It is also useful to understand perceptions of access and fairness to those that may be more familiar with the court: attorneys and staff (such as law enforcement or probation). Minor changes, as outlined here, can be made to the existing survey to measure accessibility, fairness, equity, and respect as experienced by attorneys and various staff members during their interactions with the court.

To include responses from attorneys and staff, you can follow the same Steps 1 through 5 as outlined in the M1 description. The changes will apply to the administration of the survey (Step 3) — specifically, the recruiting of participants — and the wording of the questions (Step 5/Questionnaire), as explained below.

Recruiting Survey Participants:

For attorneys and various staff, it may be easiest to distribute the survey by email. Using a distribution list to attorneys, law enforcement, probation, social services staff, and court staff with a link to the survey is an easy way to recruit participants.

Addressing concerns about anonymity and confidentiality among attorneys and staff may be even more important, as they likely work regularly with the court and will want to ensure their responses do not impact their future interactions. These concerns can be addressed in an email invitation and with the use of an anonymous survey link.

The invitation can ask for responses if they interacted with the court (in person or remotely) at any time during the survey period, or the survey could include an additional question at the beginning of the survey asking for the date they last interacted with the court. Another possibility is the distribution of QR codes to attorneys and staff by the bailiff or other member of the court staff.

Changes to Survey:

The wording of some of the survey questions and response choices must change for a survey to attorneys and staff. There are two approaches to making these changes and administering the survey. One option is to create two separate surveys: one for the court user and one for attorneys/staff. The second option is to create a branching question asking if the respondent is an attorney or staff, or a court user. The response to this question then directs the respondent to a specific set of questions. While it is technically only one questionnaire, this second option makes the analysis of results more complicated. Regardless of the approach chosen, changes can be made in the existing [M1 Qualtrics template](#).

The suggested survey questions for an M1 survey for attorneys and staff are listed below. Changes from the M1 Court User Survey are indicated in **orange text**. There may be response categories included in the M1 Court User Survey that are not included in this version.

Introductory Questions

Suggested changes to response categories for questions 1 and 3 from M1 Court User survey.

1. Please select the category below that best describes you:

- ☐ Attorney representing the state
- ☐ Attorney representing a client
- ☐ Allied Legal Professional
- ☐ Guardian ad litem
- ☐ Law enforcement
- ☐ Probation staff
- ☐ Social services staff
- ☐ Court staff
- ☐ Other:

2. How did you access court services on your most recent visit?

- ☐ Face-to-face at the courthouse
- ☐ Remotely (videoconference, phone, internet, or court kiosk)

3. What business did you need to get done on your most recent visit to the court?

- ☐ Participate in a hearing or trial
- ☐ Observe or view a hearing or trial
- ☐ Attend meeting with court or probation staff
- ☐ Meet with client
- ☐ Search court records
- ☐ File papers or forms
- ☐ Make a payment
- ☐ Get legal information
- ☐ Other

Access Questions

No suggested changes from M1 Court User survey.

Similar to the M1 Court User survey, the **bolded text** should reflect the selected court venue (in person or remote, respectively).

Rate on a scale from 1 (Strongly Disagree) to 5 (Strongly Agree)*

1. **Finding the courthouse / Joining the proceeding** was easy
2. **I easily found the courtroom or office I needed / I was able to focus on the proceeding without distraction**
3. The forms I needed were clear and easy to understand
4. I felt safe **in the courthouse / participating in the remote hearing or court activity**
5. I was able to get my court business done without **physical / technology**, communication, or language barriers
6. I was able to get my court business done in a reasonable amount of time
7. Court staff paid adequate attention to my needs
8. I was treated with respect
9. The court's website was useful
10. The court's hours of operation made it easy for me to do my business

Fairness Questions

These questions are optional for attorneys and staff. If you choose to ask them, the suggested changes are included below. Like the M1 Court User Survey, these questions are relevant only for respondents that participated in a hearing or trial.

Rate on a scale from 1 (Strongly Disagree) to 5 (Strongly Agree)*

1. The way **the case I participated in** was handled was fair
2. I had a chance to **give my contributions to the case** before my case was decided
3. I was treated the same as everyone else
4. I could follow what was happening in the proceeding
5. I was comfortable enough to say what I really thought about things
6. As I leave **the court / the remote hearing**, I know what **is happening next in this case**

Case Questions

Questions 1, 2, and 3 remain the same from the M1 Court User Survey.

1. How could you have been better served on your most recent court visit?

2. What type of case were you meeting about on your most recent visit?

_ *[List of case types relevant to the specific court]*

[For those who selected “Participate in a hearing or trial”]

3. Did you have a choice as to whether your hearing took place remotely or in person?

_ Yes: it was my choice whether we had a remote hearing or an in-person hearing

_ No: I did not have a choice

4. Eliminate this question.

Technology Questions

Suggested changes to the response categories from the M1 Court User Survey.

1. What type of device did you use to access the hearing or trial?

- ☐ Desktop computer
- ☐ Laptop computer
- ☐ Tablet
- ☐ Smartphone
- ☐ Cell phone that isn't a smartphone
- ☐ Landline phone
- ☐ Other

2. Where did you participate in the remote hearing from?

- ☐ My home or home office
- ☐ A friend's or family member's home
- ☐ At work and/or in my office
- ☐ A court kiosk, self-help center, or other court facility
- ☐ Another public location (e.g., parking lot, library, public hotspot, coffee shop, park)
- ☐ Travelling (for example, an airplane, hotel room)
- ☐ Jail, prison, or detention facility
- ☐ Other

Demographic Questions

No suggested changes from M1 Court User Survey.

1. What is your age?

- ☐ 18-19 years
- ☐ 20-29 years
- ☐ 30-39 years
- ☐ 40-49 years
- ☐ 50-59 years
- ☐ 60-69 years
- ☐ 70-79 years
- ☐ 80+ years

Demographic Questions *(continued)*

2. How do you identify your race? (Check all that apply)

- ☐ American Indian or Alaska Native
- ☐ Asian or Asian American
- ☐ Black or African American
- ☐ Latino/Latina/Latinx/Latine or Hispanic
- ☐ Middle Eastern or North African
- ☐ Native Hawaiian or other Pacific Islander
- ☐ White
- ☐ I prefer to self-describe

3. How do you identify your gender?

- ☐ Man or Male
- ☐ Woman or Female
- ☐ Non-binary or Genderqueer
- ☐ I prefer to self-describe

4. What is your highest level of education?

- ☐ Less than a high school diploma
- ☐ High school diploma or GED
- ☐ Some college, but no college degree
- ☐ Associate's degree
- ☐ Bachelor's degree
- ☐ Graduate degree

5. Did you request any disability accommodations on this visit?

- ☐ Yes
- ☐ No, but that would have helped me
- ☐ No, I didn't need any accommodations

6. Did you request any language translation services on this visit?

- ☐ Yes
- ☐ No, but that would have helped me
- ☐ No, I didn't need any accommodations

