METHODOLOGY

**WHAT:** NCSC nationwide telephone survey

**WHO:** Conducted by GBA Strategies

**WHEN:** November 14–17, 2016

**POLLED:** 1,000 Registered Voters

**STATS:** MOE +/- 3.1% 19 times out of 20
There are signs of positive momentum in public trust—but innovation and technology concerns persist.

A glaring lack of understanding about court funding is reflective of misperceptions about government spending generally.

If courts lead on fines and fees reform, the public will follow.

The public believes that the ethnicity of a judge may impact fairness.
FIGURE #1

Positive momentum on core public trust questions vs. 2015 data.

Q: “Do you agree or disagree with the following statements?”*

- **+10%** Treat people with dignity and respect
- **+4%** Are unbiased in their case decisions
- **+4%** Listen carefully to those appearing before them
- **+7%** Take the needs of people into account
- **+6%** Committed to protecting individual & civil rights
- **+7%** Serve as an appropriate check on other branches

*Percentage “swing” from 2015 survey. Percentages represent gap between “Agree” and “Disagree” from same questions in 2015 survey.*
Procedural fairness is a hallmark of the court system.

Q: “Regardless of the outcome, were you satisfied with the fairness of the process in your dealings with the court system?”

Percent who reported feeling satisfied with their experience.

(68% in 2012, 70% in 2014, 72% in 2015, 78% in 2016)

(N=725 who reported they had been party to a family matter; or had been to court for a traffic or parking ticket; or had been involved in any way in a criminal case; or had filed a case, or had had one filed against them)
Courts continue to face their own innovation imperative.

Q: “Which statement comes closer to your own view?”

**Statement 1**
“Just like any business, (STATE) courts must change with the times to meet the needs of their customers and to keep up with new innovations.”

**Statement 2**
“(STATE) courts are not a bank or a department store—the court system is the ultimate protector of our constitutional rights and shouldn’t significantly change the way it does business.”

Don’t Know
FIGURE #4

Americans are not familiar with government spending priorities...

Q: “On which of the following do you believe the federal government spends the most/least on an annual basis?”

12% answered correctly

$7 BILLION Federal courts

$50 BILLION Foreign aid

$102 BILLION Education

$160 BILLION Veterans benefits

$229 BILLION Interest on national debt

32% answered correctly

A 2016 NCSC Public Opinion Survey
Q: “What percent is the current official unemployment rate in the U.S.?”

Correct answer at time of survey = 4.9%.

FIGURE #4, cont’d

…Or the unemployment rate.

A 2016 NCSC Public Opinion Survey
FIGURE #5

Americans think state courts are funded at much higher levels than they are.

Q: “If you had to guess, what percent of the state budget do you believe is spent on the state court system?”

<table>
<thead>
<tr>
<th>Percentage</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>&lt;3%</td>
<td>6%</td>
</tr>
<tr>
<td>3-7%</td>
<td>12%</td>
</tr>
<tr>
<td>&gt;7%</td>
<td>53%</td>
</tr>
<tr>
<td>Don’t Know</td>
<td>29%</td>
</tr>
</tbody>
</table>

Respondents most knowledgeable about levels of court funding give lower ratings on job performance.
Voters want judges focused on fairness and ethics, not fines and fees.

Q: “Please tell me whether you agree or disagree with each of the following statements?”

<table>
<thead>
<tr>
<th>Statement</th>
<th>Somewhat Agree</th>
<th>Strongly Agree</th>
<th>Total Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Code of conduct for all</td>
<td>15%</td>
<td>78%</td>
<td>94%</td>
</tr>
<tr>
<td>Salaries not from fines/fees</td>
<td>24%</td>
<td>50%</td>
<td>74%</td>
</tr>
<tr>
<td>Performance based on fairness</td>
<td>27%</td>
<td>60%</td>
<td>87%</td>
</tr>
<tr>
<td>Performance based on collecting fines/fees</td>
<td>20%</td>
<td>14%</td>
<td>34%</td>
</tr>
</tbody>
</table>

A 2016 NCSC Public Opinion Survey
FIGURE #7

There is strong distaste for so-called “Debtors’ Prisons...”

Q: “Do you approve or disapprove of imprisoning a defendant who is poor due to an inability to pay court fines and fees?”

Approve 26%

Disapprove 71%

Don’t Know 3%
...And strong support for alternatives to incarceration.

Q: “Would you support or oppose (STATE) courts exploring each proposal as an alternative to prison for individuals who are unable to pay court fines and fees?”

<table>
<thead>
<tr>
<th>Proposal</th>
<th>Support Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community service</td>
<td>93%</td>
</tr>
<tr>
<td>Court-mandated training/certification</td>
<td>93%</td>
</tr>
<tr>
<td>Allow judges to modify/waive</td>
<td>79%</td>
</tr>
<tr>
<td>Set fines/fees based on income</td>
<td>76%</td>
</tr>
</tbody>
</table>

Percent saying somewhat or strongly support
The public believes that the ethnicity of a judge may impact fairness.

Q: “Do you believe the race or ethnicity of a judge has a major impact, minor impact, or no real impact on how they decide cases before them?”

The majority see an impact...

- 57% Major to Minor
- 39% None
- 4% Don’t Know

...but that impact is primarily viewed as minor.

- 74% None to Minor
- 4% Major
- 22% Don’t Know

A 2016 NCSC Public Opinion Survey
Moving from the abstract to the concrete, respondents perceive a greater impact.

Q: “Do you think that a young (African American/white) male would be more likely or less likely to receive a fair trial if the judge were (white/African American)?”

A 2016 NCSC Public Opinion Survey
The State of State Courts

For more information, visit: ncsc.org/2016survey