

***Other Surveys: Jurors, Court Users, Attorneys, Judicial Officers, and Staff***

The five highest and five lowest rated questions of each of the four survey groups are presented below. Also included are the average ratings of the four survey groups on other key survey questions such as confidence level, satisfaction level, overall opinion of Florida’s courts, and overall court performance. A brief summary of the open-ended questions is provided at the end of this section including: (1) barriers to taking matters to court; (2) challenges facing Florida’s courts; and (3) suggestions for improving Florida’s courts. Finally, results of the public opinion telephone survey in the aforementioned areas also are shown in this section.

***Performance of the Courts – Highest and Lowest Rated Areas***

- Highest rated performance areas: participants in the public survey gave the highest ratings on court performance to the following areas: (1) providing translation/interpretation for those involved in court matters that have difficulty with English; (2) ensuring that facilities are accessible and adequate; and (3) ensuring that juries are representative of the local community. On average, they rated these areas slightly better than the midpoint of the rating scale, indicating that courts do these things “less than well, but slightly better than acceptable.”
- Lowest rated performance areas: public survey participants rated Florida’s courts the lowest in the following areas: (1) educating the public about the courts and the services they provide; (2) concluding cases in a timely manner; and (3) informing the public of the courts’ accomplishments. Generally, they rated these areas below the midpoint of the rating scale. The ratings reflect slightly “less than acceptable” performance in these areas.
- On eleven of the twelve performance measures, people with court experience gave lower ratings to the courts than those without court experience.

***Highest Rated Performance Areas***

- Jurors gave the highest ratings to the following aspects of court performance: respectful treatment by court staff and judicial officers; receiving clear jury instructions; judicial officers treating all parties equally; and understanding the jury system after receiving the explanation in the jury room. Jurors on average rated the courts higher in these areas than the other survey groups. On average, jurors “agreed/strongly agreed” with statements in these areas.
- Court users’ rated the following aspects of court performance as highest or most positive: the usefulness of information on courts’ websites; judicial officers seeming knowledgeable about law and procedures; understanding what is ordered by judicial officers; and judicial officers explaining their rulings to all parties. Overall, court users “agreed somewhat” with these statements.

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- Attorneys gave their highest ratings to: the respectful treatment of court users by court staff; the usefulness of information on courts’ websites; judicial officers providing attorneys with an adequate opportunity to present their cases and represent their clients’ views; judicial officers being knowledgeable about law and procedures; and overall level satisfaction level of the court in which they appear most frequently. Attorneys generally “agreed/agreed somewhat” with statements pertaining to these areas.
- Judicial officers and court staff rated the following the highest: judicial officers are knowledgeable about law and procedures; the respectful treatment of court users by court staff; judicial officers applying the court’s procedures fairly; the fair rulings of judicial officers; and judicial officers treating all parties equally. Judicial officers and court staff provided the second highest ratings on average in these areas. Judicial officers and court staff on average “agreed” with these statements.
- Consistency in Opinions: There is considerable overlap in the most highly rated survey questions among these groups. Specifically, there are several questions that are ranked among the top five most highly rated questions for two or more of the survey groups. For example, (1) the respectful treatment of court users by court staff is rated among the most positive survey responses for jurors, attorneys, and judicial officers/court; and (2) judicial officers being knowledgeable about the law and procedures is among the most positive survey responses for court users, attorneys, and judicial officers/court staff.

### *Lowest Rated Performance Areas*

- Jurors gave the lowest, least positive ratings to: maintaining business hours that are convenient for working people; the reasonableness of the time it takes to either be dismissed or selected for jury service; concluding cases in a timely manner; assisting self-represented litigants; and educating the public about the courts and services they provide. On average, jurors rated each of these areas slightly better than “acceptable” and “agree somewhat.”
- Court users gave the lowest ratings to: concluding cases in a timely manner; assisting self-represented litigants; educating the public about the courts and services they provide; maintaining business hours that are convenient for working people; informing the public about the accomplishments of courts; and their overall opinion of Florida’s courts. Court users on average rated these areas below the midpoint of the rating scale. They rated them as slightly less than “acceptable.”
- Attorneys gave the lowest ratings to: educating the public about the courts and the services they provide; informing the public of courts’ accomplishments; maintaining business hours that are convenient for working people; concluding cases in a timely manner; and making it easier to do business with the courts over the Internet or from remote locations. Attorneys on average rated these areas below the midpoint of the rating scale; they rated them as less than “acceptable” but better than “fair.”
- Judicial officers and court staff rated the following aspects of court performance as the lowest: educating the public about the courts and the services they provide; informing the public about the accomplishments of courts; providing assistance and services to court users (e.g., child care, self-help centers, forms in plain English and multiple languages, etc.); making it easier to do business with the courts over the Internet or from remote locations; and maintaining business hours that are convenient for working people. Judicial officers and court staff on average rated these areas as “acceptable.”

- Consistency in Opinions: a number of the lowest, least positively rated areas are the same for the four groups. For example, all four groups rated as lowest: (1) maintaining business hours that are convenient for working people; and, (2) educating the public about the courts and the services they provide.

***Confidence, Satisfaction, Overall Performance, and Overall Opinion***

This section presents comparisons across the five survey groups on confidence, satisfaction, overall performance, and overall opinion of Florida’s courts. Findings and observations are as follows.

- Confidence Level: jurors had the highest confidence level in the courts by far. Specifically, jurors were somewhat more confident after having a recent experience with the court whereas the experiences of courts users and attorneys had no effect on confidence levels – no better or worse. Respondents to the public opinion survey indicated they were “somewhat confident” in Florida’s courts. However, the net effect on confidence levels for members of the public who had experience with the courts was negative. Specifically, a few members of the public gained confidence in the court system as a result of their experiences. A larger proportion of the public who had court experience, however, lost confidence following their experiences. Other findings from the various surveys include:
  - Jurors, by far, feel the most confident about the court system after their experiences, while defendants and parties to lawsuits are left feeling much less confident about the system.
  - Among the general public, older individuals express greater confidence in the court system than do younger people, as do individuals born outside of the United States when compared to those who are native-born.
  - By far, the largest factor affecting confidence in the courts is perceived case outcome. Those who reported a favorable case outcome had a positive net effect on confidence levels, whereas those that reported an unfavorable case outcome reported a significantly lowered level of confidence.
- Satisfaction Level: court users were neither satisfied nor dissatisfied based on their recent experiences at court. Attorneys were slightly more satisfied with the courts in which they appeared more frequently. Judges and court staff thought that the recent experiences of court users would have only a slight, positive effect on satisfaction levels.
- Overall Performance: jurors, judges, and court staff gave Florida’s courts the highest average rating on overall performance. Jurors rated the overall performance of Florida’s courts as nearly good and judges and court staff rated it slightly better than “acceptable.” Court users and attorneys rated overall performance as “acceptable.”

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- Overall Opinion: by far, jurors had the highest opinion of Florida’s courts. They gave Florida’s courts a nearly “good” rating. Attorneys rated Florida’s courts as “acceptable.” Court users rated Florida’s courts slightly less than “acceptable” (but better than “fair”). Participants in the public opinion survey had a “less than good/slightly better than fair” overall opinion of Florida’s courts. Additional findings include:
  - Members of the public who have been involved in a court matter in the last five years expressed less favorable opinions of the courts than residents at large.
  - Court users who were involved with a circuit family matter, as opposed to those involved in other types of court cases, had the most negative opinion of the courts.
  - As noted above, perceived case outcome is a very important indicator. Nearly 75 percent of court users who reported an unfavorable case outcome also expressed a negative opinion of the Florida court system.

### *Barriers to Taking Matters to Court*

The most frequently mentioned reasons why people might not take matters to court were as follows:

- Costs associated with going to court, the complexity of the court system, and a lack of trust in the court system were mentioned most frequently as barriers to taking matters to court for all five survey groups.
- The time it takes to resolve cases/legal matters and the time required away from home and work also were mentioned as barriers.
- The most frequently mentioned barriers by all five survey groups were similar. In short, there is considerable agreement across all survey groups on why people might not take matters to court.
- Those with a matter in county court – whether criminal or civil – were much more likely to mention cost as an issue than those with other types of court cases.

### *Challenges Facing Florida’s Courts*

The most frequently mentioned challenges facing Florida’s courts are summarized below.

- Inadequate funding and burgeoning workloads were mentioned most frequently by all survey participants. Participants noted the adverse effects of budget cuts, increasing workloads, and inadequate staffing levels on the courts.
- Specifically, they noted the inability to move cases expeditiously, the negative effect on ensuring due process, the inability to serve the public at high levels, the inability to provide needed assistance and services such as pro se and treatment services, and the lack of funding for court programs.

*Suggestions for Improving Florida’s Courts*

Survey participants provided many suggestions for improving Florida’s courts. The most frequently mentioned suggestions are summarized below:

- Sufficiently fund the court system. The funding provided to Florida’s court system is woefully inadequate given the needs and expectations of court users and the public as well as the internal needs of judicial officers and staff. More funding is needed to provide the highest quality of services to the citizens of Florida.
- Improve and expand court services and programs. Many services and programs need to be improved and expanded throughout the Florida court system. For example, the courts should make internal changes to achieve greater efficiencies and more pro se, diversion, alternatives, and treatment services and programs are needed.
- Improve and simplify family matters/proceedings. Many improvements are needed in family matters to better serve court users. Processes and proceedings needs to be simplified, family matters need to be resolved expeditiously, the number of hearings should be reduced, families need more assistance, and a greater understanding of family dynamics is needed.
- Inform and educate the public about the courts. The Florida court system should do more to inform and educate the public about the courts.
- Improve access to the courts. Florida’s courts should be more accessible, understandable, and user-friendly. For example, enhancing access electronically (e.g., electronic filing, electronic case conferencing), improving physical access to all courthouses, ensuring compliance with the American’s with Disabilities Act (ADA), and expanding court hours are needed.

*Public Forums*

The issues discussed at the nine public forums included a wide range of matters such as the value of drug, mental health, and other specialty courts; concerns over fairness and accountability in guardianship cases; the need for more assistance and services for self-represented litigants; equal access and services for persons with disabilities; the implementation of technology in the courts; and the need for more public information and education. The most frequently mentioned concerns were as follows:

- Increasing need for alternatives and specialized courts. Many people mentioned the increasing need for alternatives and diversions such as partnering with other agencies, decriminalization of certain offenses, collaborative law, mediation, pre-trial programs, and broad-based approaches to reduce incarceration rates. They also mentioned the need for more specialized courts including drug courts, teen courts, mental health courts, etc. (n=32)
- Inadequate court funding. Many attendees spoke to the adverse impact of the budget cuts and overall lack of funding on the Florida court system. The insufficient funding, staff reductions/turnover, low salaries, and increasing workloads are having an enormous adverse effect on the courts’ abilities to move and resolve cases in a timely manner. A stable and dedicated funding stream is needed for the judicial branch. (n=24)

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- Guardianship/Probate Issues. Attendees discussed several problems related to the processing and outcomes of guardianship and probate cases. Major issues raised included unscrupulous attorneys/guardians, incompetent judges, potential for fraud, cumbersome processes, and the need for increased regulation and oversight. (n=19)
- Efficiencies and Other Needed Improvements. Attendees discussed numerous efficiencies and improvements needed throughout Florida’s courts. They included: (1) increasing the use of law clerks; (2) streamlining and simplifying court processes; (3) upgrading judicial facilities; (4) better coordination and partnering with system partners; (5) sharing information with other criminal justice system partners (e.g., law enforcement); (6) eliminating depositions in 3rd degree felonies; and (7) increased responsiveness. (n=17)

### *Justice System Partners Meeting*

This section summarizes the issues discussed at the justice system partners meeting, including the significant trends and conditions affecting partner organizations and the courts over the next 3 to 5 years.

### **Trends and Conditions**

The issues, trends, and conditions identified and discussed by participants at this meeting are listed below; the relative placement of items on this list does not signify priority, prevalence, or importance of the items listed.

- Increasing workloads/dockets. Larger dockets increase the need for information, more time is spent waiting (e.g., law enforcement officers), and scheduling is complicated and requires more coordination (e.g., of witnesses). The volume of cases also affects the quality of judging. Other parts of the system also are overloaded with work (e.g., public defenders, state attorneys).
- The need for more and better education of internal players as well as the public/community about the court system. Judicial officers need continued judicial education. Additionally, smaller circuits are not able to specialize; they need knowledge and expertise in all areas. Finally, more information sharing and public education are needed with the public and community about the justice system as well as court users about community resources.
- The need for more collaboration, cooperation, and communication among partner organizations across Florida. Albeit challenging, it is important to develop statewide strategic partnerships throughout the state. Additionally, (1) interagency interaction and information sharing are complicated by technological limitations; (2) many local coordinating councils are inactive and/or ineffective and some task force efforts are defunct (e.g., the Task Force on Treatment-Based Drugs); and (3) there is a high need for more statewide coordination.
- Legal representation issues. It is important to unbundle services, avoid cases opting for private judging, and provide pro bono services. A two tiered system is/may be evolving – one for people with lawyers and one for people without lawyers.
- Sentencing issues. Matters mentioned here included incarcerating the mentally ill and drug-addicted; mandatory sentencing will have the effect of fewer pleas and more trials; sentencing is/may be influenced by costs.
- Corrections issues. There are many correctional issues that need to be addressed such as sex offender restrictions, civil commitments, enforcement of probation violators, electronic monitoring, and in-court probation personnel to name a few.

- Justice system funding and resources. The respective state/county responsibilities for funding the courts/other programs are still unsettled and in conflict. Additionally, there are revenue restrictions on the counties. There continue to be new crimes and sanctions without additional resources. Finally, access to justice is impeded by an increased reliance on fees.
- The need to critically review, improve, and, if appropriate, expand programs and services. Justice system organizations need to reduce/eliminate duplication. The essential services of organizations should be determined. Additionally, improved and expanded services are needed in many areas (e.g., for pro se litigants especially in family, evictions, foreclosures).
- Diversion and alternative programs. The efficacy of diversion and alternative programs should be evaluated.
- Policy making. Legislative term limits result in a loss of institutional knowledge about the justice system and a lack of long-term thinking. Additionally, more system feedback is desirable/should be provided when making policy and/or passing legislation. More objective research is needed into policy outcomes and impact statements are needed for new legislation.
- Technology. Technology governance and legacy systems are archaic. Additionally, technology funding is inadequate leading to inefficiencies and fractured systems. More electronic filing and uses of other technology are on the rise.