The State of State Courts 2015 Poll
National Center for State Courts
SURVEY ADVISORY COMMITTEE MEMBERS

Chief Justice Mark Cady
Iowa

Laurie Dudgeon
Kentucky

Stephanie Hess
Ohio

David Rottman
NCSC

Jesse Rutledge
NCSC
METHODOLOGY

WHAT: NCSC nationwide telephone survey
WHO: Conducted by GBA Strategies
WHEN: October 26–29, 2015
POLLED: 1,000+ Registered Voters (plus African American oversample)
STATS: MOE +/− 3.1% 19 times out of 20
Support for the courts is stronger than in the heart of the recession, but shows signs of softening.

Concerns about inefficiency and unfairness are deep-seated and real.

Such concerns may be making the public enthusiastic about alternatives to traditional dispute resolution.

African Americans express significantly less faith in the courts than the population as a whole.

A 2015 NCSC Public Opinion Survey
The public remains more optimistic about the work of the state courts than in 2012...

Q: “Do the following words or phrases describe the state courts very well, well, not very well or not well at all?”

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fair &amp; impartial</td>
<td>57%</td>
<td>44%</td>
<td>60%</td>
<td>63%</td>
</tr>
<tr>
<td>Provide good customer service</td>
<td>54%</td>
<td>53%</td>
<td>55%</td>
<td>55%</td>
</tr>
<tr>
<td>Provide equal justice to all</td>
<td>54%</td>
<td>57%</td>
<td>62%</td>
<td>57%</td>
</tr>
<tr>
<td>Represent a good investment of tax $</td>
<td>49%</td>
<td>52%</td>
<td>54%</td>
<td>54%</td>
</tr>
</tbody>
</table>

A 2015 NCSC Public Opinion Survey
…But opinions have softened (slightly) in the last year.

**FIGURE #2**

Q: “Do you agree or disagree with the following statements about state courts?”

<table>
<thead>
<tr>
<th>Statement</th>
<th>2012</th>
<th>2014</th>
<th>2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Treat people with dignity &amp; respect</td>
<td>65%</td>
<td>71%</td>
<td>66%</td>
</tr>
<tr>
<td>Are unbiased in their case decisions</td>
<td>55%</td>
<td>57%</td>
<td>54%</td>
</tr>
<tr>
<td>Listen carefully to those appearing before them</td>
<td>60%</td>
<td>66%</td>
<td>62%</td>
</tr>
<tr>
<td>Take the needs of people into account</td>
<td>56%</td>
<td>63%</td>
<td>59%</td>
</tr>
</tbody>
</table>

Percent saying well or very well.

*A 2015 NCSC Public Opinion Survey*
Figure #3

Procedural fairness is seen as a strength 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?”

(N=842 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)

2015

- Yes: 70%
- No: 25%
- Don’t Know: 5%

...but confidence in the courts remains soft.

Q: “How would you rate the job being done by courts in (state)?”

2015

- Excellent / Good: 50%
- Fair / Poor: 48%
- Don’t Know: 2%

2014

- Excellent / Good: 45%
- Fair / Poor: 53%
- Don’t Know: 2%
Key findings from 2014 were replicated in the 2015 survey.

- Courts remain the most trusted branch of government.
- Respondents who reported direct contact with the courts give lower ratings on customer service and job performance.
- Courts are not seen as doing enough with technology to improve customer service.
- Concerns persist about the influence of politics and personal beliefs in case decision making.
Beliefs in unequal justice are deep-seated and widespread.

**Q:** “Tell me whether you believe that group is treated the same as other groups by the (court/justice) system, or whether you believe they are treated differently than others by the (court/justice) system.”

**Who is Treated Better?**
- The wealthy: 68% (Overall) vs. 79% (African Americans)
- Large corporations: 69% (Overall) vs. 76% (African Americans)

**Who is Treated Worse?**
- African Americans: 49% (Overall) vs. 79% (African Americans)
- Divorced Fathers: 45% (Overall) vs. 50% (African Americans)
- The Poor: 59% (Overall) vs. 80% (African Americans)
Race impacts perceptions of fairness...

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

<table>
<thead>
<tr>
<th>Perception</th>
<th>Overall</th>
<th>African Americans</th>
</tr>
</thead>
<tbody>
<tr>
<td>Treat people with dignity and respect</td>
<td>66%</td>
<td>50%</td>
</tr>
<tr>
<td>Are unbiased in their case decisions</td>
<td>54%</td>
<td>35%</td>
</tr>
<tr>
<td>Listen carefully to those appearing before them</td>
<td>62%</td>
<td>45%</td>
</tr>
<tr>
<td>Take the needs of people into account</td>
<td>59%</td>
<td>43%</td>
</tr>
<tr>
<td>Committed to protecting individual and civil rights</td>
<td>69%</td>
<td>54%</td>
</tr>
<tr>
<td>Serve as an appropriate check on other branches of government</td>
<td>60%</td>
<td>43%</td>
</tr>
</tbody>
</table>

...and less than a third of African Americans believe courts provide equal justice.

Q: “How well does each of the following describe state courts?”**

<table>
<thead>
<tr>
<th>Description</th>
<th>Overall</th>
<th>African Americans</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fair and impartial</td>
<td>60%</td>
<td>42%</td>
</tr>
<tr>
<td>Provide equal justice to all</td>
<td>57%</td>
<td>32%</td>
</tr>
</tbody>
</table>

*Percent saying agree or strongly agree.  **Percent saying well or very well.
Not surprisingly, Americans express a personal preference to avoid taking their disputes to court.

Q: “Would you prefer to use the (STATE) court system or alternative dispute resolution?”

Alternative Dispute Resolution 64%

Don’t Know – 5%

Court System 31%
Even after adding more information about courts, voters gravitate to ADR.

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

**Statement 1**
“The court system is the best way to resolve disputes, because it protects individual rights and is accountable to the rule of law.”

**Statement 2**
“Alternative ways to resolve disputes, like mediation, are faster, cheaper, and more responsive to the needs of the people they serve than the court system.”

Don’t Know
The public is not happy with customer service, but will give the courts a chance to improve before calling for an overhaul.

**Status Quo Statement**
State courts should continue to operate as they do now.

<table>
<thead>
<tr>
<th>Change Statement A</th>
<th>Change Statement B</th>
</tr>
</thead>
<tbody>
<tr>
<td>State courts operations need a complete overhaul.</td>
<td>State courts should explore new technologies to improve current conditions.</td>
</tr>
</tbody>
</table>

49% vs. 60%
First steps: Improve self-help options.

Self Service Society

“If at all possible, I would prefer to handle a problem myself rather than have a lawyer represent me.”

Agree: 56%
Disagree: 41%
Don’t Know: 3%

Statement 1
“(State) courts are effectively providing information and assistance so that individuals can navigate the court system without hiring an attorney.”

Statement 2
“(State) courts are not doing enough to empower regular people to navigate the court system without an attorney.”

Don’t Know

A 2015 NCSC Public Opinion Survey