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.
The public remains more optimistic about the work of the state courts than in 2012...

**FIGURE #1**

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

A 2015 NCSC Public Opinion Survey
FIGURE #2

…but opinions have softened (slightly) in the last year.

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
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?”

2015

- 70% Yes
- 25% No
- 5% Don’t Know

(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)

…and job performance numbers are up.

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

2015

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

2014

- 53% Fair / Poor
- 45% Excellent / Good
- 2% Don’t Know
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), 69% (African Americans)
- Large corporations: 79% (Overall), 76% (African Americans)

Who is Treated Worse?

- African Americans: 49% (Overall), 79% (African Americans)
- Divorced Fathers: 45% (Overall), 50% (African Americans)
- The Poor: 59% (Overall), 80% (African Americans)
Race impacts perceptions of fairness…

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

- Treat people with dignity and respect: 66% (Overall), 50% (African Americans)
- Are unbiased in their case decisions: 54% (Overall), 35% (African Americans)
- Listen carefully to those appearing before them: 62% (Overall), 45% (African Americans)
- Take the needs of people into account: 59% (Overall), 43% (African Americans)
- Committed to protecting individual and civil rights: 69% (Overall), 54% (African Americans)
- Serve as an appropriate check on other branches of government: 60% (Overall), 43% (African Americans)

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

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

- Fair and impartial: 60% (Overall), 42% (African Americans)
- Provide equal justice to all: 57% (Overall), 32% (African Americans)

*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%

Court System 31%

Don’t Know - 5%
Even after adding more information, 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

A 2015 NCSC Public Opinion Survey
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.

**Change Statement A**
State courts operations need a complete overhaul.

- 43% vs. 49%
- 6% Don’t Know

**Change Statement B**
State courts should explore new technologies to improve current conditions.

- 33% vs. 60%
- 7% Don’t Know
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.”

<table>
<thead>
<tr>
<th>Agree</th>
<th>Disagree</th>
<th>Don't Know</th>
</tr>
</thead>
<tbody>
<tr>
<td>56%</td>
<td>41%</td>
<td>3%</td>
</tr>
</tbody>
</table>

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

8% 29% 63%