

THE BRIEF



Information for Texas Municipalities about Texas Municipal Courts (October 2018)

Recent Studies Provide Insights into Public Perception of Texas Courts

Public Trust and Confidence Study

Is public support and respect for courts and the legal profession weakening? This was the focus of a recent study commissioned by the Texas Office of Court Administration (OCA). The goal of the Public Trust and Confidence Study was to gather baseline information about Texans' view of the courts and legal system in their state. The results of the study, which were published in September, will help inform recommendations the Texas Judicial Council makes to the Legislature for systemic changes to the court system and provide a baseline for future research.

Highlights of the study's findings:

- In 2018, six in ten (60%) indicated an overall positive impression of the Texas court system, while only 28 percent had a negative impression. Overall, 72% of respondents who have been in a Texas court were satisfied with the process they observed. The vast majority (80%) were satisfied with the judges that they observed in the Texas courts.
- About seven in ten (68%) report having been in a Texas courtroom for any reason. Of those who have been in a courtroom, 27% were there in the last year.
- The number one reason for visiting a courtroom was because of jury duty. The number two reason was being accused of a traffic-related offense.
- Municipal and justice courts were visited more than any other type of Texas court.
- In general, respondents felt that judges and court staff are courteous and respectful to the public (80% felt this way about judges and 76% about court staff). Respondents 18-34 were more likely to strongly agree that judges are courteous and respectful than those 65 or older, 87% vs. 70% respectively.
- Almost three fourths of respondents (74%) agree that citizens' rights are well protected by the courts.
- Most respondents agree (68%) that the Texas courts adequately accommodate persons with disabilities.
- One third (33%) agree with the statement that the average person can afford court costs and filing fees.
- African American (83%) and Hispanic respondents (65%) are more likely than Caucasian respondents (37%) to say that court cases are concluded in a timely manner.
- Respondents reporting an education level of high school or less (57%) are significantly more likely to agree that judges are too lenient with criminals vs. respondents with some college (32%) and college degrees or higher (33%).
- Slightly more than three quarters (78%) agree that if they had a case pending in a Texas court they would be treated fairly.
- Almost two-thirds agree that Texas courts adequately accommodate people with special language needs.
- 74% of respondents believe that courts should offer technology that allows people to interact with the courts without going to the courthouse.
- More than half (66%) disapprove of jailing a defendant who owes court fines or fees when the defendant cannot afford to pay them.
- 58% agree that low-risk criminal defendants should be released from jail while awaiting trial without paying money to be released.

While most of the results of the OCA study were encouraging, some were concerning.

- The majority of females (58%) surveyed believe that it is true that in a criminal trial it is up to the person accused of the crime to prove his or her innocence. This is significantly higher than males (46%).
- Less than half (47%) of respondents said they were familiar with the Texas courts. (Females were more likely than males to say they were not familiar with the Texas courts (56% vs 45%)).
- Slightly less than three in ten (29%) agree that Texas courts treat people alike regardless of socio-economic status.
- Respondents reporting an education level of high school or less (15%) were more likely to indicate a very overall negative impression of the Texas court system, compared to those with at least some college (5%).
- The majority of respondents (73%) agree that Texas courts are overworked.

Public Perception of Municipal Courts

OCA's public trust and confidence study examined the entire Texas judicial system. What about public perception of municipal courts in Texas? In 2017, the Texas Municipal Courts Education Center (TMCEC) and the National Center for State Courts (NCSC) examined defendants' and other public members' perceptions of how they were treated in municipal courts throughout Texas, and whether they believed they were treated fairly. The survey also evaluated from the perspective of defendants whether municipal courts in Texas are perceived by defendants as demonstrating fairness, respect, equal treatment, and concern in the imposition of fines.

While most of the respondents in the OCA study were jurors, 81% of the respondents in the TMCEC/NCSC survey were defendants accused of traffic offenses. Only two percent were jurors.

Roughly 60% reported their visit to municipal court was their first to a courthouse.

Areas of high public satisfaction:

- The way their case was handled (86%)
- The level of information provided by the municipal court with regard to next steps in their case (90%)
- Equal treatment being provided to those before the municipal court (89%)
- Communications with the municipal judge (82%)
- Treatment by the municipal judge (81%)

Additional areas of high public satisfaction:

- Ability to find the location of the municipal court, courtroom, and necessary information (92%)
- Amount of time municipal court business required (90%)
- Amount of respect shown by municipal court staff (96 %)

An area for improvement: 33% of those surveyed did not agree that the court's website was useful.

Conclusion

The OCA Public Trust and Confidence study and TMCEC/NCSC public perception survey come at a time in which some continue to publicly question the integrity of Texas courts, including municipal courts. While more research is needed, both the OCA study and the TMCEC/NCSC survey offer some evidence that public perception of Texas courts (generally) and municipal courts (specifically) is actually more positive than court critics would have the public believe.

The Brief is a periodic briefing for Texas mayors, city council members, and other local officials highlighting issues and increasing awareness and understanding of municipal courts in the Lone Star State. For more information visit: www.tmcec.com.

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