

# The Pulse of the Community: San Joaquin County Superior Court Public Report 2000

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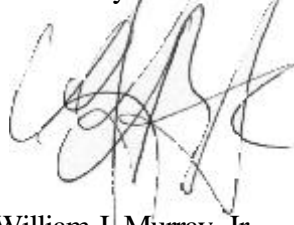
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During the latter half of 1999, the San Joaquin County Superior Court sought comments and opinions from the public as part of the court's community-focused planning effort. This booklet contains a summary of that public comment. The public's comments and opinions served as a basis for the goals and strategies outlined in the San Joaquin County Superior Court Long-Range Strategic Plan submitted to the California Judicial Council on December 15, 1999.

The court thanks all members of our San Joaquin County community who participated by attending focus group sessions or by filling out survey questionnaires. Your input was the single most important component of our planning activities. Your valuable input will enable us to better serve our community, and we look forward to engaging in additional community dialogue in the future as we continue our ongoing program of community-focused court planning.



William J. Murray, Jr.  
Judge of the Superior Court  
Chair, Community-Focused Planning Team

The year 1998 was a year of historic changes for California's courts. Three changes will have profound effects for the quality of justice in San Joaquin County and in the rest of the state.

On January 1, 1998, the Trial Court Funding Act of 1997 took effect. As a result of this long-discussed change, local courts now have single-source funding. Prior to the Act, California's trial courts depended on two separate sources of funding, the state and county governments. Neither source of funding was fully responsible. The quality of justice varied substantially in California's counties, depending on the financial health of the county. In San Joaquin County, the courts were subject to the same cutbacks experienced by county departments in the early 1990s.

Under the Trial Court Funding Act counties are now obligated to fund trial courts at their FY 1994-1995 levels, and the state provides additional funding to California's trial courts for operating costs and future growth on a more equitable basis. Budgets for local trial courts are now being set by the governing body for California courts, the California Judicial Council. Thanks to state funding, your local court has added much needed staff, improved records storage, increased technology capabilities, and will provide enhanced security to the outlying branches. Moreover, state funding has enabled the court to extend clerk's office hours from 4:00p.m. or 4:30p.m. to 5:00p.m. in all branches.

*In San Joaquin County, the three municipal court districts and the superior court voted unanimously for the merger only six days after the passage of Proposition 220. There is now only one trial court in San Joaquin County, the San Joaquin County Superior Court.*

The Trial Court Funding Act was followed by the passage of Proposition 220 in June of 1998. Proposition 220 enabled the superior and municipal courts in each county to merge into one superior court. After approval by the voters, the initiative required the judges in each court to approve the merger by majority vote. The merger represents a fundamental and unprecedented change in the structure and operation of California's trial courts. It resulted in a more equitable distribution of workloads and increased efficiencies in the delivery of justice. 55 of California's 58 counties have voted to merge their trial courts. In San Joaquin County, the three municipal court districts and the superior court voted unanimously for the merger only six days after the passage of Proposition 220. There is now only one trial court in San Joaquin County, the San Joaquin County Superior Court.

1998 also marked the beginning of the California Judicial Council's program of Community-Focused Court Planning. Spearheaded by California Supreme Court Chief Justice Ronald George, the program is designed to enhance community access to the courts and outreach by the courts to the community. Also, local court planning must take into account the desires and perceived needs of the community. Added to the rules that govern California courts were rules outlining this new philosophy.<sup>1</sup>

— **The Planning Team:** The local community-focused planning effort began in February of 1999. Each county court system was required to establish a planning team. Since that time, the Planning Team evolved into a permanent court-community advisory board of 33 people, including 12 of the Court's 28 judicial officers, 5 court administration personnel, 5 members of county and city government, and 11 members of the public.<sup>2</sup> Through the planning process, the Planning Team was organized into four subcommittees, the Focus Group Subcommittee, the Publications Subcommittee, the Survey Committee, and the Youth and Education Subcommittee. Currently, the Planning Team is organized into three subcommittees, the Community Liaison Subcommittee, the Publications Subcommittee, and the Youth and Education Subcommittee.<sup>3</sup>

— **The Planning Process:** As part of the community-focused planning program, the Judicial Council has required each California trial court to write and implement a Long-Range Strategic Plan which reflects the purposes of community-focused court planning. In formulating the plan,

local trial courts were to take into account the desires and perceived needs of the community. Each local court was given discretion in determining the best way to take the pulse of the communities they served. The deadline for submitting a draft of the plan was December 15, 1999.

Grant funds from the Judicial Council did not become available to hire a consultant to assist us in putting together our plan until April of 1999. Because our court lacked dedicated monies to hire our own consultant and because the grant monies were not substantial enough to allow us to do so, the San Joaquin County Superior Court entered into a joint funding agreement with other valley counties.

Over the next several months, opinion survey forms were created by the consultant and the court executive officers of Amador, Butte, Calaveras, Merced, San Joaquin, Solano, and Stanislaus counties. Thereafter, the forms were redesigned to be tabulated in a scantron machine. These forms were completed in August and early September of 1999. To take the pulse of our community, we used surveys designed to target: 1) the general public, 2) court users, and 3) jurors.

*In San Joaquin County, as in the rest of the state, community-focused court planning is an on-going process. The initial Long-Range Strategic Plan required by the Judicial Council is just the beginning of a work in perpetual progress.*

Prior to attending a statewide meeting in June of 1999 involving all of the planning teams around the state, our local team had decided to conduct a single countywide community forum. We tentatively scheduled this community forum for mid-July, but we postponed our plans after learning of the June meeting.

After returning from the June meeting, our team decided to conduct multiple focus groups with representatives of different segments of the community instead of a single community forum. In August of 1999, the Focus Group Subcommittee of the Planning Team identified specific groups and began to schedule focus group meetings. It was our hope that by meeting with these specific groups during this initial phase of our community-focused court planning program, we might establish important relationships and start a dialogue which could be ongoing. We recognized that this benefit could not be as easily achieved by holding a countywide community forum.

The draft of our long-range strategic plan was submitted on time to the Judicial Council. A brochure outlining the plan in bullet-point fashion can be obtained by contacting Terry Costa, Lead Judicial Secretary, at (209) 468-2827 or by submitting a written request to her at San Joaquin County Superior Court, 222 East Weber Avenue, Stockton California 95202, or by submitting a written request by fax at (209) 468-0539.

In San Joaquin County, as in the rest of the state, community-focused court planning is an on-going process. The initial Long-Range Strategic Plan required by the Judicial Council is just the beginning of a work in perpetual progress. Our local planning team and the San Joaquin County Superior Court are committed to making the process work now and in the future for the betterment of our local justice system and for the benefit of the community the system serves.

## *Taking the Pulse of the Community*

Two methods of taking the pulse of the community were used, focus group sessions and survey questionnaires.

— **Focus Groups:** Focus group meetings were conducted with 12 different groups designated by the Planning Team. With the exception of the focus group sessions with the Latino community, each focus group session was facilitated by volunteers from the Mediation Center of San Joaquin County. Designated Planning Team members attended each of the meetings.

The third focus group meeting was sponsored by the Council for the Spanish Speaking. They provided the facilitators for each of five separate breakout groups as well as lunch. A joint press release was sent out publicizing this meeting, and the media attended and reported on this meeting.

— **Focus Group Questions:** Each focus group was asked essentially the same questions. Additionally, with the exception of those who attended the Law Enforcement and Former Juror focus group sessions, each focus group participant was asked to fill out a general public questionnaire. Those who attended the Law Enforcement focus group session were asked to fill out a court user survey form. Those who attended the focus group session for Former Jurors were asked to fill out the juror survey form.

The following questions were asked:

*What are your expectations of the courts?*

*What do you like about the courts?*

*What don't you like about the courts and what do the courts need to improve?*

*What trends do you think the courts should know about that might affect how your community does business with the courts in the next five years?*

*What information about the courts would you like?*

Many of the comments blended into more than one question. For example, in response to the first question about their expectations of the courts, many participants responded with their comments about what needed improvement in the courts. Those responses have been reported below under the third question concerning perceived needed improvement. In response to the fifth question about information participants desired to have about the courts, many participants responded with suggestions about how that information might be presented. Those suggestions have been reported below under the fifth question.

*Summoned Jurors: It was felt that this group represents a good random sampling of our general public and would provide us with a good idea of how the general public feels about the courts.*

— **Survey Questionnaires:** Because the survey questionnaires were created for use in several counties without regard to how they would ultimately be distributed in those counties, the questionnaires included response categories that would not necessarily have been included if we had the funds to create our own questionnaires. In other words, the questionnaires were generic in nature. Nevertheless, it appears that the surveys have given us a good idea of areas of concern on which we should focus our efforts.

— **General Public Survey:** As noted above, the members of all but two of the focus groups were asked to fill out the general public survey form. These surveys were combined with other general public surveys distributed as described below. The Planning Team felt that summoned jurors represent a good random sampling of our general public and would provide us with a good idea of how the general public feels about the courts. This is so because our juror source lists consist of the following: 1) Those residents in the county who are over 18 years of age and who are on the Department of Motor Vehicles list of licensed drivers; 2) Those residents in the county who are over 18 years of age and who are on the Department of Motor Vehicles list of California identification card holders; and 3) The list of registered voters in the county.

For a four week period between September 13 and October 8, 1999, the general public questionnaires were distributed to jurors summoned to serve in the Stockton branch. Potential jurors were invited to complete the surveys in the Jury Assembly room before they were assigned to a courtroom.

For a three week period between September 27 and October 15, 1999, the general public questionnaires were distributed at clerk counters at each of our branches. We had planned to keep these surveys at the counters for a longer period of time, but for much of September and October of 1999, there had been the threat of a labor action by employees in our clerks offices

and other county employees in their bargaining unit.

— **The Court User Survey:** The court user survey was intended for those individuals who use the courts on a regular basis. Copies of this questionnaire went out with the September issue of “Across the Bar,” the publication of the San Joaquin County Bar Association. A copy was also posted on the Superior Court web site. Additionally, these questionnaires were distributed to the attorneys and staff in the offices of the District Attorney, the Public Defender, and the County Counsel. From September 13 to October 8, 1999, these questionnaires were also distributed to regular court users who frequent clerk’s office counters at each of our branches.

— **Juror Survey:** These questionnaires were mailed to jurors who served in trials along with the judge’s thank-you letters for a three-week period between September 13 and October 8, 1999. Additionally, 995 questionnaires were mailed to former jurors who served in trials which took place from June 1, 1999 to September 10, 1999.

## Focus Group Responses

jurors were asked to fill them out before being sent to a courtroom.

The following are summaries of the focus group responses to our five focus group questions. The focus groups are listed below alphabetically.

For the most part, the responses concerning the likes and dislikes of the focus group participants relate to several areas. Listed alphabetically, these areas are:

- *Case and Calendar Management*
- *Communications - Phones*
- *Customer Service*
- *Dispute Resolution Alternatives*
- *Facilities*
- *Interpreter and Language Issues*
- *Jury Duty*
- *Race - Culture - Gender - Economic Bias*
- *Sentencing*
- *Small Claims*
- *Technology*
- *Traffic Court*

Accordingly, we have listed the likes and dislikes under these categories. Miscellaneous responses are noted under the category, “Other.” If the category is not listed below, it means that no comments were made in that category by that focus group. Generally, the comments of the focus group participants have been paraphrased and are not verbatim quotes.

### African-American Community

— The focus group meeting with representatives of the African-American community was held during the evening of August 30, 1999 at the University of the Pacific. Eight people attended. Also in attendance was a retired Superior Court judge who is African-American. The attendees were divided into two breakout groups to answer the focus group questions.<sup>4</sup> Two invitees who did not attend provided written comments to the court. Those written comments are included below as well.

*What are your expectations of the courts?*

- Courts should make attorneys accountable to insure that the defendant is aware of the court process and consequences
- Equitable application of rules
- True cultural and ethnic representation of the community in court's personnel and juries
- Fair trials and hearings
- Sensitivity and understanding of the cultural background of defendants
- Appreciate and accommodate differences in the schedule of people in providing access to the court
- Visibility of judges in the community
- Training for court personnel in cultural diversity and socioeconomic sensitivity
- More compassion
- That courts develop a better rapport with the community
- Public Defender should have more time to review cases
- Courts should be fair and impartial
- Clarify the reasoning in court decisions
- Make independent decisions
- Lawyer preparation/qualifications
- Appropriate bail
- Equal treatment on all levels
- Better racial equality in judges
- Want justice in all aspects from the point of walking into the building to going to court
- Equal punishment for equal crime no matter who you are
- Apply law evenly to all individuals regardless of economic status, race, color, or creed.
- Justice should be the overriding consideration - sometimes law and justice are two entirely different things

*What do you like about*

- *Case and Calendar Management*
  - Like swiftness of proceedings
- *Customer Service*
  - Like accessibility of judges
  - The public likes when judges are present within the community
- *Dispute Resolution Alternatives*
  - Drug Court is a good program
- *Facilities*
  - Location of Courthouse in Stockton and appearance is good
- *Race~Culture~Gender~Economic Bias*
  - Like the feeling that there is potential for justice (the bad is we don't often get it)
  - Having a Black judge gives more connection to African-Americans
  - There is more representation of diversity in the personnel of the clerk's office
- *Sentencing*
  - Criminals are removed from the street
- *Other*
  - Court gives venue to resolve problems
  - Courts are there for all who know how to access them
  - A lot of judges are locally bred
  - Courts are finally asking for community input
  - Courts provide opportunity to participate and monitor

*What don't you like  
about the courts and  
what do the courts need  
to improve?*

— *Case and Calendar Management*

- Don't like the court-appointed attorney system
- Defendants are not educated in knowing all their options
- Public Defenders not adequately prepared and they don't understand the culture of their clients, resulting in unfair treatment
- Bail is not proportionate to defendants' financial level
- Inflexible schedule of court hearings

— *Customer Service*

- Need more signs/directions

— *Facilities*

- Smoking at the entrances of the courthouse in downtown Stockton is unhealthy
- Courthouse in downtown Stockton has limited access
- Don't allow visible contact with inmates as they are being transported to the courthouse

— *Jury Duty*

- Jury makeup is not representative of community
- Jury system makes it too easy to avoid service. Avoidance of jury duty should be tightened.
- Create a revised jury summons, placing more emphasis on the importance of serving
- Elevate public awareness of importance of jury duty through professionally developed media and educational ads
- Express appreciation on court stationery to all persons who have completed service
- Need more realistic compensation for jury service
- Find new ways of selecting persons to the jury pool that will reflect the racial and ethnic diversity of this county
- Make the jury room a more pleasant and inviting place to wait
- Expectation of fair jury pay
- Maybe there should be some voluntary system for serving
- How many African-Americans are passed over for jury service by being dismissed by the telephone call-in process?

— *Race~Culture~Gender~Economic Bias*

- There is not true representation of the community in the courts
- No recruiting of potential judges of color
- Not enough Black judges and lawyers
- Don't like attitudes and stereotypes by the courts toward minorities
- There is a lack of respect for Black youth
- Racial inequality still exists, especially against African-American women
- Familial associations should not be held against defendants; courts should be neutral
  
- "Old Stockton families" of stature in community get more weight in court - should be a neutral factor
- People expect the courts to be fair and deliver justice, but don't get it - hard to block out the past, history and memories
- Lady Justice is not blind when dealing with all individuals
- Need for money to get justice
- People with money and influence seem to get preferential treatment. They are able to afford the best attorneys and get better treatment in sentencing if found guilty to some degree.
- Often the law is served, but justice is not
- Minorities seem to be more vigorously prosecuted than non-minorities in the District Attorneys Office

— *Sentencing*

- Don't like plea bargaining process, especially for African-Americans
- There is discriminatory sentencing by the court
- There must be equal punishment for equal crime no matter who you are
- Don't like extreme disparity in sentencing
- Plea bargains that happen more frequently to blacks than others that cause a defendant to seek the earliest release
- There is a perception of "dealing" cases behind closed doors in chambers
- Judges need to leave their prejudices out of sentencing
- Sentencing is looked at as retaliation

— *Technology*

- Televising some court proceedings to give the general public a better awareness

— *Other*

- Need term limits for judges
- Public image of the courts is negative
- Courts are reactive rather than proactive
- Involve the "grass roots" community input, not just leaders in the planning process
- Like any institution, courts represent the symbol of law and justice but are flawed in how they are applied.
- Courts need to participate in prevention of crime

*What trends do you think the courts should know about that might affect how your community does business with the courts in the next five years?*

- Need drug treatment - trend is that the system is taking young people out of the community
- Putting children in the court's system charged with adult crimes
- Treatment of substance abuse as opposed to incarceration - use intervention
- The cost of justice excludes those who cannot afford top attorneys
- Better communications with clients for understanding the system
- Decentralizing court proceedings - bring court proceedings to the community
- Managed legal care
- Private prisons
- White corporations owning prisons
- Revitalization of slavery
- Ombudsmen in the courts
- Less respect for the courts
- Creating more propensity for crime
- Automatic sentencing
- Courts should set a trend of more racial diversity
- Lack of rehabilitation in prisons is creating rising numbers of illiterate and untrained community members
- Police targeting community members with the court's support
- "Gang" concept as understood in the past is disappearing
- More treatment alternatives will be needed
- Political return to segregation, i.e. socially, educationally, employment, financial
- Courts need to educate school officials so that codes are not used as tools against children
- The courts will have less influence on what goes on in the streets in the future
- There is and will continue to be no black community in Stockton, because blacks live in all areas of town now
- There is a decline of African-Americans in overall numbers in this county. African-Americans have the lowest birth rates and highest infant mortality. This will result in a direct long term effect on the number of African-Americans in the jury pool

*What information about the courts would you like?*

- Demystify the Grand Jury process
- Explain indictment process
- Sentencing record of judges by race and gender
- Community information brochure about the courts
- Mentor program for African-American youth
- How does a high school or college student apply for internship?
- Why aren't clients better educated as to their rights and options?
- Why do the courts feel the need to have an "assembly line" mentality? They need to go through the steps of the process with adequate time and attention
- Provide statistics about types of cases and resolutions
- Jury summons should explain civil/criminal cases
- How are settlements determined?
- Explain the complaint process
- Why aren't all records kept together?
- What are the processes for small claims?
- Sentencing criteria
- Does the court system have a clear understanding of institutional racism?
- Explanation of processes for students and community, such as a videotape
- Information about procedures to complain about judges and staff and how those will be handled and what can happen to the person complained about
- Televising some court proceedings to give the general public a better awareness
- Information about the court's personnel breakdown, classifications, work force profile, etc.

### Business Community

— The focus group meeting with the Business community was held during the evening of November 2, 1999 at the University of the Pacific. An earlier session had been planned for October 12, 1999, but was canceled because of a significant number of scheduling conflicts. 16 people attended the November 2, 1999 meeting. The attendees were divided into two breakout groups to answer focus group questions.

*What are your expectations of the courts?*

- That the court should be run like a business. It should be efficient, cost-effective, and well-run
- That the court realizes that the public are its clients - need to avoid the "public agency syndrome"
- All people are treated equally and there is a presumption of innocence - not a presumption of guilt
- Judges will be neutral
- Decisions will be based on the law and not the subjective opinion of judges. They will exercise critical and ethical thinking in making decisions
- Jurors will be fairly representative of the community
- Fairness in interpreting laws
- Judges should be able to interpret laws outside case law
- Criminal sentencing should be hard, but fair
- Impartiality
- Timely operation - no waste or delays
- Friendly, accessible, respectful
- We are clients - listen to us as we do our customers
- More funding

*What do you like about the court?*

- *Customer Service*
- Clerks are courteous

— *Dispute Resolution Alternatives*

- Like the fact that the Mediation Center helps settle cases before they get to court, which helps relieve the court system

— *Jury Duty*

- Like the jury questionnaire

— *Small Claims*

- Court personnel are friendly and want to be helpful - more time is taken explaining procedures.
- Judges in small claims are courteous - they explain the process

— *Other*

- Judges even get personally involved - one assisted in getting housing for a defendant
- Most businesses appreciate the court's impact on improvements and more business
- Many judges doing community outreach
- Objectivity of judges

*What don't you like about the courts and what do the courts need to improve?*

— *Case and Calendar Management*

- The courts should not be an 8 to 5 operation, business is not. Have night court and Saturday court for traffic and small claims, to accommodate those people who can't make it to court during normal hours due to hardship
- There are too many delays in having cases resolved. Calendaring appears to be a problem - too many continuances. The courts should be a timely operation
- Justice should be swift - one day trials

— *Customer Service*

- Court officers need to be more informative
- Need more personnel to deal with the increase in population and cases filed. Service needs to be timely
- Attitude of court bailiffs is terrible. They appear to be categorizing of parties. They do a lot of talking amongst themselves during court
- The court should be "one-stop-shopping."
- Courts need to advertise that they are "user-friendly"

— *Dispute Resolution Alternatives*

- Parties should be required to use arbitration or mediation prior to actually going to trial

— *Facilities*

- Consider building a new courthouse
- Establish satellite courts in various parts of Stockton
- Need more parking
- The metal detectors are a headache and inconvenience
- Governmental staff, sheriffs and police take up parking spaces for the public

— *Jury Duty*

- Jury fees of \$5.00 per day
- Jury selection - waste of time if case settled out of court
- Don't like having to prove prior service by keeping jury identification tag - should be in the computer
- Should have young people on juries, but there should be a minimum age for experience to help make intelligent decisions
- Court personnel could talk to jury candidates about the court process in general

- Jury call-in system is terrible. Should have a definite date to serve. Require call-in only once per week
- Receive summons two or three times within a few months after already having served
- Employers frustrated not knowing if an employee will be in until 8:15 A.M. Should have 2 days advance notice
- Jury duty doesn't meet the needs of anybody
- Have trials start later. Provide reserved parking for jurors
- Professionals cannot schedule patients and clients if on jury duty
- There are more small employers who cannot afford to subsidize jurors
- Consider having jurors serve once per year and allow them to select the date
- Jury selection is not balanced - all rich, all poor - not cross-cultural
- Pay jurors whether or not they are selected to serve
- Provide video on juror responsibility in jury assembly room before court
- Let jurors be excused immediately if they have reason to be exempted.
- Judges do appear to be understanding and flexible regarding possible excuses from service
- Be paid by employers for jury duty

— *Race / Culture / Gender / Economic Bias*

- There should be more racial diversity in the courts, from judges down to the clerks

— *Sentencing*

- Make use of community service time and drug court as alternative sentencing
- Need more community programs, such as in the areas of mental health, drugs, and health care
- Index fines based on income to take into account low income people or those who have language difficulties
- Follow the letter of the law, but judges should be able to use their discretion to craft a sentence or penalty

— *Small Claims Court*

- Do not like use of pro tems in small claims court - they make lippy comments and are arrogant. They should decide the case based on law and not private interpretation
- Case should be decided by a real judge

— *Technology*

- Provide internet access to court. Provide on-line court directory, with background of judges; how to pay tickets; checking status of case; small claims use; local rules; information about child support issues; allowing jurors to check in by computer
- Get forms by computer or fax so it isn't necessary to go to the courthouse
- Allow on-line filing of documents
- Make better use of the available technology

— *Traffic Court*

- Traffic school should be used as an alternative to reducing fines/penalties for good driving record for 20 years
- The \$250.00 penalty if not registered with a traffic citation - is the full fine mandatory?

— *Other*

- Law library should be more available to assist parties in finding statutes, laws, and forms when they are trying to represent themselves - need more staff
- Judges could get more involved in the areas of the community to understand the various ethnic and cultural needs
- It appears that when a citizen is suing a public agency, courts are reluctant to award fees and costs to the citizen if he wins
- Consider creating an Advisory Board or Committee of community representatives to

assist the courts and give input on community concerns

- There should be community based policing. Laws at the state level should be altered to fit the community
- Before a Public Agency enforces a new law, they should be required to show that it has been properly publicized within the community.
- Have judges spend more time ghosting in business. Have them spend a day in the business to see the impacts of certain laws, such as. sexual harassment and discrimination
- Hate police ticketing for jay walking
- Courts appear to project the illusion of omnipotence
- Judges putting themselves above the people they represent
  
- There will be a greater challenge in the future as there will be more people moving into the county from various countries and ethnic communities. There will be language and custom considerations
- There will be more single-parent households in the future
- Judges appear to be more community oriented and are involved in community outreach
- Youth bring sophistication to the courts and this changes the atmosphere
- Better technology
- More smaller employers who can't subsidize jurors
- Need for more parking in downtown Stockton
- Downtown Stockton will be changed by 2002 - this will change the image held by jurors
- Larger population will increase number of cases
- Increased community diversity

*What trends do you think the courts should know about that might affect how your community does business with the courts in the next five years?*

*What information about the courts would you like?*

- Post hours and days of court operation in "The Record" and on the courthouse doors
- Since the first thing a clerk often says is: "I can't give legal advice; I'm not a lawyer", need a handout about procedures and how the court system works, particularly small claims
- People need to know if both Superior and Municipal court judges are qualified to handle cases under the court merger system
- There needs to be an annual report from the courts to publish statistics about the number of cases handled, a cost breakdown, demands on judges' time. As a part of that report the courts should publish their own goals for the next year, and report on the success of dealing with the prior year's goals. People want to know where their money is going - what does the system cost - facilities, judges, support staff.
- Are there pricing pressures within the system to generate money through fines, filing fees, etc.? Is there police pressure to raise fines to fund police activities?
- Need to get to the kids in community centers so they can receive the same type of education on the court systems as those in the schools
- Need to improve the community perception of the courts. Hold community forums to explain the system. Have judges spend time educating the business people on the laws that may affect them and the system itself.
- Courts are not user friendly. Need to do a better job of educating the public on the over-all system. The atmosphere in the courthouse is cold and not a friendly environment
- Inform the public about how courthouse offenses involving court staff occur.
- Provide sentencing statistics for similar crimes; what minorities are receiving prison, probation, county time and in what percentages
- De-mystify the court system
- Web page
- Cost of trials - staff and facilities
- Scheduling of jurors
- Publish goals - report if goals are not met

- How often do cases get reversed on appeal?
- Breakdown on how money is spent

### Cambodian Community

— Two meetings were held with the Cambodian Community, one during the evening of August 16, 1999 and the other during the evening of October 20, 1999. Both meetings were held at the Community Center of the Park Village apartment complex in Stockton. Sovanna Kouert, Executive Director of the Asian Pacific Self-Development Residential Association (APSARA), joined the Planning Team after our first meeting with the Cambodian community.

A second meeting was held with the Cambodian community because there were a number of problems associated with the first meeting. Attendance was tremendous. Approximately 50 people attended portions of the meeting. However, the meeting was not well planned, and the Planning Team failed to adequately communicate the reason for the meeting to those who summoned the attendees. Those in attendance were led to believe we were there to answer their questions about the justice system when we were actually there to ask them questions. Nevertheless, significant information was obtained in this first meeting. The second meeting was attended by 10 leaders in the Cambodian community.

*What are your expectations of the courts?*

- Treat people fairly
- Justice to people
- Neutral and independent
- Understand culture, social and linguistic factors of clients they serve
- Gender neutral - men can take care of children
- Give enough information to understand what court is about
- Comprehend psychology and background of people appearing in court
- Work cohesively with law enforcement
- Respect
- Make system simple, easy to understand
- Don't take the other party's side
- No racial discrimination
- Equal opportunity
- Let Cambodians speak - let them give their side

*What do you like about the courts?*

- *Case and Calendar Management*
  - Like that courts are organized and in order
  - Like that time is used wisely
- *Customer Service*
  - Like payment options
- *Facilities*
  - Like the facility
  - Feel safe because of security
  - Comfortable
- *Interpreter / Language Issues*
  - Like that courts provide translators
- *Jury Duty*
  - Like that citizen participation is solicited
- *Other*
  - Like professionalism

- Best court system in the world
- Judges are knowledgeable about what they are doing
- Like that people have a right to speak
- Like that system protects human rights

*What don't you like about the courts and what do the courts need to improve?*

— *Case and Calendar Management*

- Court is an absolute power environment, too formal, makes people scared
- People feel out of place in court
- Judges don't let people speak - tell their side

— *Customer Service*

- Should be more friendly
- Staff should make Cambodian court users feel more comfortable
- Don't know who to ask
- Liaison is needed

— *Facilities*

- Don't like trying to find courtrooms
- Parking meters around courthouse are a problem, need free parking

— *Interpreter / Language Issues*

- Don't like having to come to court only to be told we don't have an interpreter and come back on another day - should be a way to provide notice that translator is needed in advance
- Interpreters cannot necessarily be trusted, need better quality assurance against both incompetence and being deliberately inaccurate
- Need program to qualify certified interpreters
- Interpreters should not tell defendants what to do
- Interpreters should not be related to anyone involved in the case
- Interpreters should not twist what the defendant or witness says
- Mailed documents should be translated

— *Race / Culture / Gender / Economic Bias*

- There is racial and cultural bias in the courts
- Courts need to understand the education/psychological background of persons
- We are born and raised in a culture that fears the court system
- Improve on cultural understanding
- Sometimes there is a gender bias against men, women always given custody of children even though the man may be the best parent

— *Other*

- Police need to come into the community and do what the courts are doing
- Can't communicate with Public Defender - can't get through on the phone and there are translation problems
- Public Defenders don't ask questions of their Cambodian clients, but private attorneys do

*What trends do you think the courts should know about that might affect how your community does business with the courts in the next five years?*

- New immigrant children coming into this country being negatively influenced by more experienced immigrant children and being used by those children - deliberately getting the new kids in trouble or caught doing a crime
- Residents who have been here longer
- Children taking control over parents and using laws as a form of blackmail over their parents. Children have gained power from knowledge about laws and CPS always believing them

- False domestic violence claims by women. Women using the system to gain power over spouses
- Increased number of divorce cases as women become more empowered
- Increased belief by teenagers that police are disrespectful, acting as strongmen, dictatorial, overly authoritative and not sensitive - very negative feelings toward the police increasing
- Elder and parental abuse by children as children and adults get older. Children will take advantage of the fact that parents don't know the law and cannot communicate with outside world

*What information about the courts would you like?*

- How the court works
- Need education on court process before one goes to court
- Get citizens' (like jurors) participation, in learning system and educating others
- Ignorance can create fear, need a leadership program - leadership training on the court system.
- Community needs translated materials, group meetings, etc. to help understand and better explain system
- Get a collaborative effort to put a translated pamphlet about the court system together, and use children in writing because they are the ones who translate - write to 5th grade level
- Have a liaison person from the community to the court
- Community connection booth one or two times a week
- More information on what a parent can do when a minor runs away and their liability for what the minor does
- Information on crimes and their punishment
- Domestic violence issues and sentencing
- Court documents (including subpoenas and summonses) simplified and translated
- Education about the whole system, e.g. a "Courts as the Third Branch of Government" class for adults
- Updates on new laws that come out each year
- Pictures of judges, and names and information and phone numbers in the phone book on government page
- Handbook that is precise, addressing particulars such as basic rights and what to do when arrested - include children in writing
- Parental education on how to control children within the laws of this country
- Parent hotline
- Handbook on parent's rights and elder abuse
- Ramifications for parents of habitual truant students
- Fish and game - punishment / licensing

Disabled Community

— Held during the afternoon of August 9, 1999, this was the first of our focus group sessions. It was held at the offices of the San Joaquin Independent Living Center at 4555 Precissi Lane, Suite 2 in Stockton. Invited by the Independent Living Center, 11 people representing the disabled community participated in this session.

*What are your expectations of the courts?*

- Large print on court documents - for example, print on general public survey form is too small
- Braille for court documents or recorded formats
- Make readers available
- Provide information ahead of time so people can know what to expect
- Identify someone who would be available to consult regarding accommodations for the disabled.

- Reasonable accommodations/accessibility needed
- Protect public safety
- Court will do what the law says it will do
- Provide Due Process for all

*What do you like about the courts?*

- *Case and Calendar Management*
  - Courtrooms run smoothly (could be different from judge to judge)
  - People are given enough time in family court
- *Facilities*
  - Court does well with security
- *Jury Duty*
  - For jury summons, calling-in procedure is wonderful.

*What don't you like about the courts and what do the courts need to improve?*

- *Case and Calendar Management*
  - Cases appear to be called in alphabetical order, regardless of how long they will take, then you have to wait all day for the case to be called
  - Justice should be swifter and there should be shorter time frames for cases
  - Swift movement through the calendar - should not have to expect to spend all day for a traffic court hearing
  - Reduce the long wait
- *Communications - Phones*
  - Should be TDD devices at public phone booths
- *Customer Service*
  - All forms, printed info. etc. should be available to all people - Large print, Braille, recorded format, etc.
  - Create systems that allow for independence for disabled people
  - Need to know who to speak to at courthouse about accessibility needs
- *Facilities*
  - Individuals in wheelchairs get delayed at the entrance because of the security and it makes the person feel like they are holding everybody else up. This causes them to feel uncomfortable and embarrassed about coming into the building
  - Seating in courtrooms is cramped
  - Jury boxes and witness stand need accessibility
  - Elevators should indicate the floors audibly and have Braille
  - Need more handicapped parking
  - Need to deal with safety and accommodation of people with disabilities
  - ADA compliance for future remodels needs to be considered
  - Talk to people with disabilities when remodeling as they can save you money and give you a lot of valuable, practical advice. For example, do not put toilet paper way across disabled stall where no one can reach it or make toilet seats too high to be used
  - Need fire alarms that flash lights off and on for the hearing impaired
  - Need emergency evacuation plan for wheelchair bound and other disabled people who might be in the courthouse
  - Need training for court staff concerning safety issues for the disabled
- *Interpreter / Language Issues*
  - Need to educate the public regarding availability of interpreters for the deaf and blind individuals prior to court hearings so they know what is available
  - Closed-caption media should be used in court so deaf people can know what the judge

is saying as they are saying it. Many deaf people prefer to read rather than have someone sign

- Readers should be available to courthouse users who are vision impaired
- On one occasion, a blind or deaf person was not provided an interpreter.
- Should have a headset system for language interpreters

— *Jury Duty*

- Telephone on-call 1 ½ hours notice is not enough time, especially if you are using public transportation
- Accommodations should be made for jurors who cannot physically take notes
- Need more accommodation for sight impaired jurors

— *Sentencing*

- People do not get the sentences they are supposed to get for committing crimes. This affects the level of public trust in the court system. Plea-bargaining prevents sentencing as it is supposed to be.
- Court should apply the law as written, like with death row inmates--why do they stay on death row for years after being sentenced to death? They do not get put to death.

— *Other*

- Courts do bureaucracy pretty well

*What trends do you think the courts should know about that might affect how your community does business with the courts in the next five years?*

- Crime is going up and courts have to deal with more criminals
- ADA compliance and accessibility
- People with disabilities are becoming more mobile and more independent
- Will need more handicapped parking

*What information about the courts would you like?*

- Jury duty - understanding it
- Where does the money go?
- How can you visit courtrooms and watch court proceedings?
- The criminal justice process
- Community-focused public comment report should be in an accessible format
- Educational information can be communicated by TV
- Leave a copy of the report at the Independent Living Center, Brochures, Information booth
- Use video with closed captioning
- Where is all the money for courts spent?
- Court needs to be aware of community resources that are available, i.e., non-profits, etc.
- Someone needs to educate the public about the steps required for going to court
- What happens if you are arrested?
- What happens if you are arrested and you have a disability?
- Does the court/jail provide for a medical kit and/or food when needed? Such as for diabetics who must take insulin or eat regularly or become very ill

Filipino Community

— The focus group session with the Filipino community was held during the evening of October 19, 1999 at the University of the Pacific. Seven members of the Filipino community attended.

*What are your expectations of the courts?*

- Fair, unbiased
- Prompt
- Be a place to go to redress grievances
- Justice regardless of race, creed or color

*What do you like about the courts?*

- Same information given to everyone
- *Case and Calendar Management*
  - The unification of the courts
  - That courts are in one building
  - Judges are courteous and professional
  - Drug Court
  - Court is a forum to challenge injustice
- *Facilities*
  - The courthouse provides security for the public
- *Interpreter / Language Issues*
  - The court supplies competent interpreters for everyone going through the system
- *Jury Duty*
  - Judges explain things to jurors
- *Race / Culture / Gender / Economic Bias*
  - Mixture of ethnicity and gender among the bench
- *Other*
  - Public education with pamphlets and outreach to schools to teach about court process

*What don't you like about the courts and what do the courts need to improve?*

- *Case and Calendar Management*
  - Court environment is intimidating especially for limited or non-English speaking
  - Judges should solicit input from accused and families of parties
- *Customer Service*
  - Do not like separate lines for counter service. When one line is long and no one is in the other, staff should help
  - Should only use trained staff at the counter
  - Security and Information Booth people give bad directions - need persons with more knowledge giving directions in lobby area in Stockton.
  - Courthouse directory board by main elevators is not good
  - Need possible television type monitor with information in lobby of courthouse in Stockton
  - Need directory boards by elevators on the 2<sup>nd</sup> and 3<sup>rd</sup> floors of the courthouse
  - Look at hours the court does business - more flexible schedule for working people
  - Most judges are courteous, one (unnamed) wasn't
- *Facilities*
  - Change parking meters around the courthouse to allow for more time
- *Jury Duty*
  - Summons process seems unfair and not random
  - Dislike jury selection process
  - Need to increase compensation for jury service
  - DMV records include non-citizens, waste of time and money to summon them
  - Dislike that lawyers are allowed to excuse jurors
  - Dislike jury room in basement, claustrophobic
  - Need more reading material in the jury room
- *Other*

*What trends do you think the courts should know about that might affect how your community does business with the courts in the next five years?*

- Want whole justice system improved
- Trend of people not becoming citizens so as not to have to serve on jury duty
- Increase in hate crimes which are getting closer to our community, especially in churches
- More commuters will cause need to expand hours courts operate and make them more flexible
- No respect for ethnic differences
- Increase in Hispanic, Indo-Chinese and other populations and need to communicate with them and accommodate them
- As social issues addressed by Drug Court and D.V. Court increase, there will be a need for more collaboration between courts, probation, D.A., to address the issues and solve the problem
- Age of offender going down, more serious crimes by youth
- Changes in immigration laws resulting in more deportations and more immigrants in court
- INS deportation center coming to county could affect the courts

*What information about the courts would you like?*

- Immigration laws and consequences
- Pamphlet explaining court processes, criminal and civil, offenses and penalties
- Pamphlets on court programs like Drug Court and Domestic Violence Court distributed to the departments that deal with those who may need the services such as public assistance and mental health agencies
- Speaking programs to adults and civic groups like civic duties, domestic violence and driving under the influence, etc.
- Public Information Officer for the courts
- Publications, articles, programs on Media One by judges about areas of the law
- Information on judicial ethics and process - Commission on Judicial Performance
- How the grand jury is selected
- Use Media One to educate

### Hmong Community

— The focus group session with representatives of the Hmong community was held during the evening of October 28, 1999 at the University of the Pacific. In attendance were 8 members of the Hmong community. Five were leaders of their clans. One was an attorney who grew up in Stockton. She served as an interpreter for the clan elders who did not speak English. In addition to the oral comments we received during the session, this group also provided us with written answers to the focus group questions. Those written comments are summarized below along with the oral comments.

*What are your expectations of the courts?*

- Fairness
- Treat people equally - this is not the feeling now
- For court to listen to them, so they can tell what happened
- Treat people with dignity
- Provide those who appear in court with an understanding of what is happening in court - courts go too fast
- Understanding cultural issues

*What do you like about the courts?*

- *Facilities*
- Security and metal detectors - feel safe in courthouse
- Likes that doors open to the public on east and west, as sun goes

What don't you like about the courts and what do the courts need to improve?

— *Interpreter / Language Issues*

- The fact that the court provides interpreters
- Interpreter cases are called first when interpreter is there
- Higher interpreter pay
- In general, there is improvement in interpreters

— *Other*

- We appreciate that courts are having focus group sessions

— *Case and Calendar Management*

- People are rushed through the courts. Judges do not take enough time for defendants or interpreters and defendants are not given chance to speak. Please slow down the proceedings
- Give criminal defendants a chance to explain
- Judges need to improve their communication with Hmong defendants. When granting formal probation, judge needs to tell the defendant to report to Probation Department, where to report and when to report. Over and over again, we see numerous cases in which a Hmong defendant is deemed to have violated his probation not because he refused to follow the required procedures, but because he did not understand that he must go and sign up with the Probation Office. Courts need to make sure defendants understand the terms of probation, that they must report to the Probation Office, and that they need to follow directions of probation officer just like a judge. This concept is often not understood. What most Hmong defendants who receive formal probation understand is that they must not get in trouble with the law again.
- In civil cases, judges should support arbitrators and force settlement at settlement conference - make an insurance adjuster be present at settlement cases involving Southeast Asian plaintiffs.
- In divorce cases fathers should be considered for custody more. When fathers are not given custody this presents a problem in a culture where the father is the provider and leader of family
- Don't like arbitration in civil cases - want mediation

— *Interpreter / Language Issues*

- Police should have interpreters for traffic accidents. When the police investigate a traffic accident involving an English speaking person and a non-English speaking Hmong person, they only get the English speaking person's version of what happened. This occurs even when the English person is at fault and even when it was the Hmong person who called the police. The English person's version becomes the official version. When the case goes to the courts, the judge is given an inaccurate picture of what happened just because the police never took a statement from the Hmong party. The Hmong community feels that perhaps in major traffic accident cases or crimes an interpreter should be provided for the Hmong speaker so he can tell his side of the story.

— *Jury Duty*

- Our experience in the past has shown us that Hmong as well as other Asians have been greatly disadvantaged by the jury system, especially traffic accident cases. We believe the white community as a whole in San Joaquin is not very tolerant and is very prejudiced. We call upon the courts to help us.

— *Race / Culture / Gender / Economic Bias*

- Racial disparity in sentencing, no justice in some cases. An example - *People v Jackson* and *People v. Li*. In *People v. Jackson*, a Caucasian man killed a Hmong youth. The youth was shot and killed after he was chased down by Jackson, whose car had been vandalized by the youth and his friends. He was sentenced to probation.

In *People v Li*, a Caucasian man was killed by a Hmong man because the Caucasian man had repeatedly vandalized the Defendant's home. In that case, he was sentenced to 15 years to life. We see this as unjust and also as a sign the legal system, particularly the court in connection with the District Attorney's Office, has turned its back on us.

- A Caucasian man pointed gun at one of the focus group participants during robbery and was arrested. He was later released and no charges filed by D.A. This would not have happened if the victim was white and the gunman Asian
- People are being treated differently because of color
- Jurors prejudiced against southeast Asians, preconceived ideas of how Asians drive and act
- Statutory rape cases - girls may marry at 16 or 17 and that results in prosecution of young Hmong men for an act not done out of vice. This is especially confusing when they can get married in Nevada, but California will not respect the marriage. The fact that government allows a marriage certificate says to Hmong couples that its okay. No official of the District Attorney's Office or other governmental official has ever explained this law to the Hmong community.
- Police do not take time to investigate what happened when called to domestic incidents with Hmong. They simply move the wife or children out and arrest husband. Husbands do not get their story told. Women are using law as a means of blackmail over men because they know how the police will react.

*What trends do you think the courts should know about that might affect how your community does business with the courts in the next five years?*

— *Sentencing*

- Concern for youth, too many young men in jail
- Need education for young people in jail to improve themselves
- Kids fourteen and under should not go to adult court
- There is a variation of sentences given to youths. Why is it that if a group of youths are found to have committed a crime, all the youths will receive different sentences? For example, the driver would receive a harsher sentence than the actual shooter in a drive-by shooting.

— *Other*

- Parents are unable to discipline kids and then are held responsible for them later
- Concern that they have seen police officers not tell the truth in court
- Many disputes involving youth are being taken to the courts instead of being solved by family - youth are using police to avoid parental discipline by threatening to call the police and make false reports. They know that parents are vulnerable because they do not speak English and because they do not understand the justice system or the American culture.
- There are more and more divorces in the Hmong community now than ever before. The Hmong community wants the court to consider the father and not only the mother when the court looks at who should get custody of the children. Many fathers find that they are not given custody of their children. This is difficult for a culture in which fathers are the provider and leader of the family.
- Women are also using the system in the same way - no problem solving techniques being used as clan leaders had used in Laos.
- More divorce and separation of family because no leader to go to in order to solve problems, want to keep families together. In Laos, clan leader can tell cheating spouse they are wrong and mediate the situation
- Statutory rape cases will increase
- Reports of domestic problems and violence will increase.
- Families using statutory rape laws as a threat between parents when wedding plans fall apart - courts should be suspicious of delayed report cases

*What information about the courts would you like?*

- Basic information on government and laws - back in old country people knew what is expected. That is not so here
- Jury duty and the jury system and juror bias against Hmong.
- Statutory rape laws and why they are on the books
- Domestic violence laws
- Deportation laws and proceedings
- Laws on child discipline and liability for misbehavior by children - truancy, crimes
- Alternative dispute resolution alternatives, information about the Mediation Center

Jurors

— During the evening of October 26, 1999, a focus group session was held at the University of the Pacific with five people who served as jurors on trials in 1999. The Planning Team had hoped for the participation of more former jurors. Letters were mailed to the 995 people who served on jury trials between June 1, 1999 and September 3, 1999, inviting them to attend. Of these people, only 2 agreed to attend. We had hoped for a focus group of 15 to 20 people. Because we felt it essential to speak to people who had recently actually served as jurors, contact was made with several other jurors. These were jurors who had previously responded to their judge's invitation to comment on their experience contained in the judge's thank-you letter.

Each of the 995 jurors who received focus group invitations also were sent a juror survey questionnaire. While the response to participate in the focus group session was disappointing, approximately 10% did return completed questionnaires.

*What are your expectations of the courts?*

- Uphold the law
- Take care of cases
- Educate jurors
- Prompt handling of cases - courts are doing poorly on this
- Fair treatment of people - justice
- Balanced time afforded to both sides
- Carry out intent of the law, not necessarily letter
- Respect for jurors and parties
- Friendliness and human qualities
- Provide a level playing field for the parties
- Judges should not feel they are better than other people
- Reach out to the community
- Want respect for jurors and human interaction from court, including friendliness and professionalism

*What do you like about the courts?*

- *Case and Calendar Management*
  - Support staff and judges are great
- *Customer Service*
  - The professionalism of court staff - they noticed when things go wrong
  - The ability to laugh and joke and relieve stress and friendly atmosphere
  - The high standards and ability of staff for difficult jobs
  - The consideration given to jurors
  - Questions were answered clearly, judge translated legalese into everyday language
  - Everything. It was a very positive experience
  - Learned about system, given understanding of what happened
- *Jury Duty*
  - All jurors felt that judge treated jurors as equals and that they did not have the attitude of being better than others
  - The letter thanking jurors for service and evaluation/questionnaire - that kind of follow

up makes you walk away with a positive feeling

- Jury duty is very stressful and jurors appreciated court taking stress off of them by appropriate use of humor and being responsive to their needs
- Appreciated judge's taking time to explain things in simple terms - a great learning experience

— *Other*

- Like the fact that courts are reaching out to community - people don't understand about judges and how decisions made

*What don't you like about the courts and what do the courts need to improve?*

— *Case and Calendar Management*

- Need equitable time and treatment of cases
- Need better scheduling and more efficient use of juror's time - felt my time was wasted a lot
- Seems like frivolous cases are not weeded out and time is wasted
- Should set reasonable time limits on the presentation of cases
- Too many breaks and lunches are too long - 1 hour lunch is enough

— *Facilities*

- Jurors do not feel safe when walking to far away parking lot after dark
- Snack room needs more snacks to accommodate jurors - needs to be open longer in the afternoon
- Seated jurors should have designated, convenient, close and safe parking. Need reserved parking for seated jurors because seated jurors who are asked to appear for morning jury trial sessions at 9 - 10 A.M. have to compete for available parking with summoned jurors who are in the building by 8:30 A.M.
- Hallway outside courtroom is uncomfortable, need pads for hard benches
- Use jury room more for juror's comfort
- Jurors feel uncomfortable in the hallway mingling in close proximity to family members, witnesses, attorneys, etc. Jurors feel uncomfortable around these people because they talk about the case and look at jurors. Jurors must then move away to a less convenient place to wait. Need a place to wait where jurors can be insulated from this
- Need more accommodations for jurors during long lunches
- Jurors cannot hear some of mumbling witnesses; need more microphones and better acoustics in the courtroom

— *Jury Duty*

- Some jurors had a very difficult time understanding even simple things because of lack of education
- Average reading level of jurors is third grade level and reading and comprehension was a problem apparent with a lot of them
- Employers and businesses need to consider paying for jury service
- If employers paid employees, then we would see the apathetic attitude reduced
- Businesses should not have to pay for jury service. It should be the government who pays for jury service
- We'd probably get a lot of jurors if they knew what jury service was all about - education is needed
- Some of the apathy is the result of parents' negative comments to their children about jury duty
- People find loop-holes and way out of jury duty because they do not feel civic duty
- Serving on two hung juries was very frustrating - still hoping to see justice served
- Some jurors seem to milk jury duty to get out of work if they are paid, even holding up deliberations
- Alternate did not like that he was made to wait in jury assembly room during deliberations instead of being placed on-call.

- \$5 per day should be done away with, it is a joke and insult - make it no pay with employers required to pay employees for jury service
- Jurors should donate the \$5 per day back
- Hear more outside the box, e.g. wanting to get out on Friday and finding loopholes

*What trends do you think the courts should know about that might affect how your community does business with the courts in the next five years?*

- More jurors having trouble understanding simple things because of lack of education and reading and thinking ability
- Less patience on part of jurors for questioning by attorneys because of lack of education
- More employers not paying for jury service, businesses need to help
- More self-employed people really hurt by serving
- Apathy
- Impact of technology - more rapid communication and tapping into it to make the system more rapid

*What information about the courts would you like?*

- Celebrate the court's successes so the public knows how well you are doing - use statistics
- Need to educate kids in school now and give them hands-on experience. Too many kids get negative impressions of courts
- People need to understand that judge is doing what law prescribes must be done
- Civics
- Jury duty pamphlet
- Recommendations or synopsis of what come out of focus group sessions and public report should be put on public access T.V.

Latino Community

— The focus group session with the Latino community was held in Stockton during the morning of August 20, 1999 at the Prevention Services Building on San Joaquin Street. This was the largest of our focus group sessions. 50 members of the San Joaquin County Latino community attended. The session was sponsored by the Council for the Spanish Speaking and was conducted on their regular meeting date. The Concilio provided lunch after the session.

Five separate breakout groups were formed and met in different parts of the building to answer the five focus group questions. Each group was facilitated by Concilio staff. The Concilio also provided the recorders for each group.

*What are your expectations of the courts?*

- The court is to conduct its business in a fair, courteous and impartial manner without regard to race, gender, wealth
- Don't give more weight to the position of governmental agencies over individuals
- Provide support services for all
- Courts should be more sensitive to the cultures being served. The perception is that the courtroom is filled with ethnic groups, but inside the bar it is primarily white
- Bilingual representation at all levels
- Law will be applied by the statutes and not based on color or economics
- More diverse representation within the system by having more Latino attorneys, judges, and public defenders
- A reasonable explanation of rulings and procedures in lay terms
- Culturally competent in areas that affect behavior
- Nonsubjective
- Consistency
- Keep blindfold on

*What do you like about the courts?*

- Case and Calendar Management
  - Court unification is a good thing - less bureaucracy and better access - in court sooner
  - Having judges assigned to a special calendar (e.g. Domestic Violence) makes some rulings more predictable. It is easier to figure out who to see
  - Court and clerks do great job keeping track of files and when cases will be called
  - The Drug Court alternative appears to be working well and is liked
  - Domestic Violence Court is a good program
  
- *Customer Service*
  - They are professional and friendly, as is the staff at Juvenile Justice Court
  - Clerk's Office has improved considerably
  - Clerks very professional
  - Telephones answered promptly
  - Helpful explanations without giving legal advice
  - Calling to remind customers they forgot a form
  
- *Dispute Resolution Alternatives*
  - Civil Harassment mediation is a good program
  
- *Facilities*
  - With the new court numbering system, people have a better idea of where the courtrooms are located within the courthouse
  - The fact the Juvenile Court is in a separate location than the downtown court is a positive situation
  - Need another entrance
  
- *Jury Duty*
  - Courts do good job of explaining the role of jurors and hardships. Many people are not aware that judges give a live juror orientation speech
  - Thank-you letters are good; they really mean something
  - Chairs are comfortable with user friendly atmosphere
  - Call-in system is good - don't have to put life on hold as in Sacramento County
  - Judges take hardship into consideration
  - Serving as juror is an opportunity for the public to make a difference
  
- *Sentencing*
  - Lots of treatment options for drug offenders
  
- *Other*
  - Cooperation with community based organizations.
  - The presumption of innocence until proven guilty.
  - Youth education component
  - The courts started organizing tours for schools
  - Having public defenders
  - Court does its best
  - Court system is fine - its individuals who have a problem
  - Anyone can have their day in court
  - Courts are doing a good job
  - Courts try to be as objective as possible
  - It is fair
  - Availability of an appeal system
  - Appreciate opportunity to give our views
  - The court library
  - Our system seems to clean up what society has failed

*What don't you like about the courts and what do the courts need to improve?*

— *Case and Calendar Management*

- The perception is that the Public Defender is less important than private attorneys since private attorney cases are called first
- Courts are too busy and not as fair as they should be; decisions take too long
- More personnel needed
- There is a hurry up and wait atmosphere
- Cumbersome process - frustrated with delays
- Due process takes too long - especially in appeals

— *Customer Service*

- Court hours should be extended to include evenings and Saturdays to accommodate those who cannot attend during the day due to work
- Need an ombudsman who can tell you what you need to know as it relates to your case and explain how to get your case through the system
- Information booth needs improvement - bilingual person to staff it
- Need docents or volunteers to work in the courthouse
- There is a general feeling that there are not enough personnel in the court system to provide the needed assistance and service to the public
- Forms should be available in different languages - the reading level of forms is too high
- List of cases outside each courtroom is in small print
- More available hours - Stay open longer, Saturdays and Sundays
- Be more user friendly
- Forms are not at a reading level clients can understand

— *Dispute Resolution Alternatives*

- Should be an alternative to courts taking time on family law issues. Do we want courts to spend time determining our personal lives or should there be an alternative?

— *Facilities*

- People appear happy with the West entrance to the court being open, but feel there should be more door access - open Main Street entrance
- People feel safer with the security provided, however, there are times when there is a lengthy delay getting through existing security checks which may cause people to be late for court

— *Interpreter / Language Issues*

- Options of Spanish voice mail; portable cassette recording of explanations
- Spanish speaking people are lost in the courthouse - no one to give directions in Spanish - no Spanish signs; no brochure explaining basic procedure
- Place a Spanish speaking guard at metal detector
- Have someone available to translate written materials
- Interpreters do not have enough time - they are rushed - need to slow down process
- Interpreters seem intimidated by judges - they are afraid to ask judges to repeat themselves because of past reactions to such requests - judges need to be more patient with interpreters
- Court cooperation with Concilio about use of their interpreters
- Interpreters other than in Spanish are not good
- Judges need to explain that litigant can ask questions if they do not understand
- Allow more leniency on certification requirement in small claims and family law
- Not enough interpreters
- Interpreters are not always accurate and correct
- Have court orders in both Spanish and English
- Allow more leniency on interpreter's certification in small claims and family law matters
- Amateur interpreters can badly misinterpret or practice law

— *Jury Duty*

- Juries are 90% white; jury room is 90% white - need more diversity. Bring percentage down to 70% white
- There is not 30% Latino representation on the juries
- Jury system is not color blind
- The wait is negative - need to explain why jurors have to wait
- People, not the courts, are 100% responsible for showing up. Jurors have too many excuses for not serving
- Uncomfortable sitting in jury room with other jurors who are talking about “hang this guy” or are unhappy about being there
- Improve atmosphere in jury assembly room to get people in a better mood to serve - calm music
- Parents should not make negative comments about jury duty in front of kids
- Parking is a problem
- Employers give people a bad time about being on jury duty
- Daycare problems make it difficult for parents with children to serve
- The perception is that you have to spend a couple weeks away from work if you report for jury service
- Instead of imposing fines, find out why people do not report and try to fix that
- Remind jurors to wear name tags in court and nearby restaurants - this will keep court personnel and others from creating mistrial by talking too loud in their presence
- Judges need to explain why attorneys cannot talk to jurors before or during trial
- Need jury summons in English and Spanish
- Need more juror parking
- Juries should be representative of population
- Need higher pay for jurors
- Jury questionnaire is overstepping - people won't respond because they think it is none of the court's business
- Need constant expression of appreciation
- Not right to require people to send a copy of their alien card to prove they are not a citizen

— *Race / Culture / Gender / Economic Bias*

- Provide more public defenders for low income people and people of different cultures
- Need to be culturally sensitive and culturally competent in areas affecting behavior
- More diverse representation within the system by having more Latino judges, attorneys and public defenders - courts need to be more culturally balanced
- Cultural sensitivity training and bias training should be mandated as it is for other agencies
- Should be a civilian review board to review racial and economic discrimination by judges
- A person with little money will not get off as easy as a person with lots of money. A person with little money who has the public defender usually feels they have to settle. A person with lots of money feels safe because they can usually hire an expensive attorney and they will have a better chance
- Should be more women in top positions, judges, district attorneys, public defenders
- The courts need to realize that the Latino population is probably the highest population interacting in the courthouse and for this reason the courts should be more sensitive when dealing with Latinos

— *Sentencing*

- Juvenile Court sentencing seems inconsistent; suggest more counseling for youth
- Due to overcrowding in jails, there should be more alternatives to sentencing
- Drug laws are not enforced fairly against poor people. Poor people are receiving long term prison time for drug issues and there is not enough treatment being offered or given.
- Due process not respected - District Attorney and Public Defender cut deals.

— *Small Claims Court*

- The \$5,000.00 jurisdictional limit is too low
- Not user friendly
- No way to collect judgment
- Need a facilitator for assistance

— *Technology*

- Use electronics to better inform people unfamiliar with the system, such as: telephone tapes, walkabout recordings, kiosk with headsets, finding court locations

— *Other*

- Have an ad hoc committee that meets on a quarterly basis
- Public defender's case load is too high to adequately represent their clients. Sometimes they don't even know who their clients are. Not enough time to spend with their clients
- Judicial review needed
- Improper treatment of innocent in the process of trying to convict the guilty
- False claims consume time
- Need more judges appointed so cases can move more rapidly
- Some judges have their mind made up and even though the jury convicts, the judge overturns their decision
- More accessibility - Courts should come to the same level as the people they are serving
- Need uniformity of laws in every state
- Courts are more reactive than proactive
- Expect quality public defenders
- Try to get younger judges
- Judges should be given the opportunity to be judges and not have to make their decisions because of the law
- Courts are not community based

*What trends do you think the courts should know about that might affect how your community does business with the courts in the next five years?*

- More and more people being impacted by the law without competent representation
- Highest percentage of youth 16 to 22 who are incarcerated are Latino
- More people will be representing themselves
- Courts here are the best in the world, but the world is changing and the courts have to change also
- Need more judges to reduce the caseload to shorten time to get to court
- More interpreters needed because of increased diversity in population
- There should be more focus on schools and education. They need to know about the system and its procedures at a young age
- More Latinos and women will have higher education and will be judges and lawyers
- Need more community outreach and education about the court system
- Look for more alternatives to sentencing options rather than locking everyone up
- People unable to use courts during business hours - extend hours
- Growing population of seniors as victims
- Dramatic influx of Sureno gang members in Norteno territory
- As LA clamps down on gangs, they are moving into our area and some good citizens are moving to escape gangs elsewhere
- Hispanic population is a lot younger than the general population
- Elders are not respected because of lack of experience with US customs and language
- More intervention for first time offenders
- The public getting more involved in what goes on in the community
- Minority population will grow resulting in more people not being accustomed to dealing in positive way with the police
- Use of alcohol earlier in life

*What information about the courts would you like?*

- Politics in Mexico affecting immigration
- Plea bargaining - why does this happen? Is it fair? Do attorneys get tired of case?
- The public needs more information on just what the courts do
- Pro Pers need more information
- Written material should be in plain language at a newspaper reading level
- Make a video or film for school students explaining courts and the good things they do. Consider a portion focusing on or depicting minorities in the justice system
- Some people are intimidated by the system - they don't understand procedures. It may be worthwhile to have a mock court meeting with the various communities to allow court personnel to explain procedures
- Pamphlet concerning sentencing on three strikes for schools and community
- Consider writing a column for the newspaper - have a legal question of the week in the newspaper
- Make use of cable channel - make sure there is a Spanish interpreter
- Provide information on the responsibility of the community in the process
- Have quarterly town hall meetings to keep communication open
- There is a perception that you need a college degree to figure out the process
- Use community based organizations to get information to the grass roots, such as what is a typical arraignment, preliminary exam
- Domestic violence information - the general population is better informed than minorities
- Access by telephone to short explanations of procedures
- Need more information on the juvenile system and more information for parents
- Information for students on avoiding gang activity
- Have a court fair open to the public
- More information about available programs
- More information on how the jury works and why they have to wait so long in the jury room

#### Law Enforcement Community

— The focus group session with the law enforcement community took place during the afternoon of September 13, 1999 at the San Joaquin County Sheriff's Office. 15 people attended, representing each of the law enforcement agencies in the county except the Ripon Police Department.

*What are your expectations of the courts?*

- Court calendars should be scheduled with the schedules of officers in mind
- Use Penal Code section 872 hearsay exception to avoid officer overtime
- Be more decisive on family feud civil harassment cases - determine who was at fault so the person who is at fault knows what's right and wrong.

*What do you like about the courts?*

- *Case and Calendar Management*
  - The idea that judges assigned to outlying branch courts reside in communities they serve - they have a vested interest in the community
  - The Drug Court program
  - The Domestic Violence Court program
- *Customer Service*
  - The people in the system, from clerks to judges, are more friendly and helpful than in other counties
  - Judges are more accessible in this county than in other counties
- *Sentencing*

*What don't you like about the courts and what do the courts need to improve?*

- The courts are sensitive to the jail population issues
- Traffic Court
  - Like the traffic court in Manteca
- Case and Calendar Management
  - Need pre-preliminary hearing settlement mechanism in Stockton and Manteca branches
  - Manteca Police Department - 50% of officers subpoenaed do not testify. Overtime has two costs - budgetary and physical fatigue to officers which creates an officer safety issue. \$35,000 spent during 3 month period in first part of 1999 for officers who did not testify = 15% of overtime budget
  - Sheriff's Office - \$47,000 per year spent for officers who did not testify
  - Stockton Police Department - During the first six months of 1999, of the 1,805 who were subpoenaed and appeared for preliminary hearings, 1,513 did not testify (84%) - Total overtime spent for these officers = \$105,437 for the first six months of 1999
  - Stanislaus County has a pre-preliminary hearing settlement program that is successful
  - There is a pre-preliminary hearing settlement process already in place in Lodi and Tracy branches. However, when done on the same morning as the preliminary hearing, the officer overtime issue is not resolved
  - Need a task force to study pre-preliminary hearing settlement procedures
  - Courts should prevent shotgun approach to subpoenaing officers
  - Courts should notify the DA whenever a case gets added on
  - When judges fill in from other branches, they should follow the informal rules established by the sitting judge concerning scheduling of officers, e.g. if the sitting judge has allowed witnesses to be on-call, the visiting judge should not require the officer to be present and waiting in court for the case to start
  - Neighborhood feuds and harassment cases - Judges are not "breaking the tie." Ongoing disputes never get resolved and cases keep going back to court because the judge will not say which side is wrong
  - Felony cases should stay in outlying branch courts and not be transferred to Stockton for trial
  - Outlying branch courts should schedule proceedings such as preliminary hearings for more than just one day of the week
  - Trailing or continuing special circumstance cases previously set so judge can finish some other case causes scheduling and subpoena problems for police and civilian witnesses
  - Set up an arraignment court at the jail for adult offenders - this would also be beneficial to the public who might wish to attend because there is an abundance of parking at the jail
  - Institute video arraignment
  - TRO's in family and civil harassment disputes should be handled in the branch courts in the area where the parties reside
- Customer Service
  - Probation deals with victims of juvenile crime abruptly when they try to find out the status of the case - this is a recurring problem
- Jury Duty
  - Unavailability of nearby parking deters people from coming to downtown Stockton to serve
  - Provide shuttles to and from the underpass parking lot
- Race / Culture / Gender / Economic Bias
  - People in the community perceive the courts as being biased and unfair

— *Traffic Court*

- Because traffic cases for adults and minors are handled by different judicial officers, there is a loss of continuity and consistency that local judges can give to these cases
- Locating juvenile traffic court in French Camp has an adverse impact on parents, especially when both parents work. Have a judicial officer handle juvenile traffic matters on designated days in the outlying branch courts
- Establish a night court in outlying branch courts, especially for traffic matters
- In Stockton, defendants do not have to come to court on days that their traffic trial is scheduled. They take the chance that the officer will not show up. If officer shows up, bail will be forfeited. If officer does not show up, bail is returned or matter is dismissed.
- Cases are transferred from courtroom to courtroom - by the time the officer finds the case, it has been dismissed.
- The waiting time for traffic trials is increasing - officers wait hours just to testify in traffic trials
- Fines on traffic matters are too high and this results in cycling people through the criminal justice system and the jail that would not occur if fines were set at level people could realistically pay
- Need night court for juvenile traffic matters in outlying branches

*What trends do you think the courts should know about that might affect how your community does business with the courts in the next five years?*

- The use of civil bench warrants are increasing, and there is nowhere to house those who arrested on civil arrest warrants - private litigants must pay \$1,500 up front for housing.
- Trend toward sentencing people to community service for most misdemeanors should continue
- Automation and technology and use of the Internet - Courts should provide ways to have court customers do business through these new technologies
- More people will be freed up from jobs and become available for jury service as baby boomers retire
- Baby boom echo
- Elderly population is second largest growing demographic group - this will mean more elderly defendants and more elderly victims. Increase in number of elderly victims will result from increase in financial fraud related crimes
- Technologically savvy young people will result in increase of white collar crime
- Methamphetamine availability continues to increase locally
- Availability of methamphetamine will have a long range impact on youth

*What information about the courts would you like?*

- Victims of juvenile crime need a way to find out about their case. Confidentiality would not seem to be an issue when they know the perpetrator and are simply concerned about watching their back if the perpetrator is released back into the community
- Victims of juvenile crime need information on why they cannot be told about what is going on with their case
- Civilians need education about the criminal justice system and how it works
- Law enforcement needs information on how to access AMOS

**Neighborhood Associations  
and Community Based  
Organizations**

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— During the evening of October 5, 1999 we met with 20 individuals who represented neighborhood associations and community based organizations. Using a list provided to us by several neighborhood associations, we sent invitation letters to the presidents of every neighborhood association of which we were aware in the county. It was felt that the leadership of neighborhood organizations could articulate the feelings of those who reside in their neighborhoods. It was further felt that we should meet with representatives of community based organizations who represent or serve various segments of our community.

*What are your expectations of the courts?*

- Fair
- Follow through
- Efficient, timely
- Prompt resolution
- Compassion
- Longer hours and better hours
- Considerate of juror's time and people's time
- No plea bargaining
- Don't allow attorneys to waste time in court during trials
- Respect everyone involved
- Considerate of victims
- Shorter lunches
- Experienced judges
- Courteousness
- Professional
- Timely, efficient scheduling
- Justice - swift, sure and fair
- Rules - what happened to the Municipal Court Rules, i.e. Appeals and procedure?
- Cost effectiveness
- Simple language
- Equal treatment under the law

*What do you like about the courts?*

- *Case and Calendar Management*
  - Drug Court
  - Domestic Violence Court
  - Restorative justice programs
  - Court consolidation - things are less confusing
  - Like judges making sure people understand better
- *Facilities*
  - Like central location
  - General housekeeping of facilities is good
- *Jury Duty*
  - Improvements relating to educating jurors
  - The fact that parking is closer and designated for jurors
  - The fact that jurors are told who the potential witnesses might be in the trial
  - That you can call in and don't need to go down unless really needed
  - Judicial instructions are efficient, clear and concise, and to the point
  - Judges seem more humane and participate with jurors
- *Sentencing*
  - The Sheriff's Alternative Work Project
- *Other*
  - More experienced judges are valuable
  - General openness of courts
  - Courts are there when you need them
  - Judges are more humane
  - Like court's new focus on youth
  - Like having judges listen to citizens/neighbors concerns and demystifying the process

*What don't you like about the courts and what do the courts need to improve?*

- *Case and Calendar Management*
  - Need Family Law Center where all cases (juvenile delinquency and dependency, family

law and adult criminal cases involving the family) are handled together so that information does not get lost and the right hand knows what the left is doing

- Hate calendar splits
- Don't like scheduling of cases - a person can show up for court at 8:30 and their case is not called until 11:30 - scheduling should be better
- Instead of taking cases with lawyers first, run a separate court for lawyers
- Too many continuances - things do not get resolved in a reasonable period of time
- There is no consideration for time of those who appear in court. If the medical profession can schedule appointments, so can the court
- Should have night court
- Create TV Court
- Should have family court service in branch courts, e.g. temporary restraining orders
- Need more pro-active juvenile programs
- Inconsistent follow-through from judge to judge, especially in juvenile
- Courts need to pay more attention to time frames for property offenders when cleanup/repairs are needed

— *Jury Duty*

- Not enough minorities
- Should reconsider how juries are selected - some people are always excused by the lawyers, peremptory challenges are not fair

— *Race / Culture / Gender / Economic Bias*

- Minorities are discriminated against
- Not enough minority judges - if none available locally, you should go get some and bring them here
- People are not treated equally regardless of race
- Should be sensitivity training - race and economic status
- Judges should spend some time with a person addicted to drugs, in a poor community, a night in prison, in a mental institution
- Minority defendants get felony three strikes - non-minority defendants get misdemeanor sentences for the same offense
- Three strikes is applied against minorities more than non-minorities
- Court system has been terrible against minorities

— *Sentencing*

- Inconsistency in following through on previous judge's promises on sentencing and what would happen if the defendant strays
- Fines are too high - court expects us to give what we don't have
- Three strikes needs to be re-examined - it is unfair
- Statutory rape is unfair for eighteen-year-olds who continue to have sex with their girlfriends who might be younger than them - Also, shouldn't have to register as a sex offender for this offense
- Economically advantaged defendants can get sentenced to a mental institution, e.g. DuPont
- Defense attorneys start out plea bargaining instead of trying to prove innocence
- Sentence for crack cocaine should not be higher than sentence for powder cocaine
- Same time should be given for same crime
- Judges should be more compassionate in sentencing

— *Small Claims Court*

- Need clear information concerning scheduling, especially in civil and small claims - waited two hours only to be told court is out of time - make appointments
- Too long of delay in decisions
- Decisions not explained
- Don't like calendar splits

— *Traffic Court*

- There is confusion in the traffic court clerk's office - everybody is out to lunch at the same time
- No clerks available at the counter in traffic court clerk's office, yet clerks are in the background lallygagging and eating when they could be helping someone
- Clerks in traffic clerks office should be more professional

— *Other*

- Shouldn't have to go to court for something as minor as jaywalking
- Need more judges
- Need more juvenile judges - biggest problem, but not that many more judges
- Want judge's name more legibly written on dockets
- Judges should be home grown in the community
- Term limits for judges - need younger judges - age limits for judges
- Remove judicial appointments from the political arena
- People who come to court feel intimidated
- People who have no money get the public defender and public defender does not have time, or is not interested - overworked
- There should be peer review for judges
- Pro-active interrelations with courts, youth and families needed

*What trends do you think the courts should know about that might affect how your community does business with the courts in the next five years?*

- Putting courts on public access TV - court having their own channel
- Treatment for drug addicted defendants - follow up should be more strict
- Population of poor families will increase - there will be a need to disseminate legal information to these people and an increased need for legal aid
- Criminal punishment established by the law - judges losing discretion
- More unfair sentences for minorities
- Legal aid is getting worse - people will not be able to afford attorneys
- More Commissioners to handle caseloads
- More prepaid legal services
- Lack of jobs and housing for drug addicted people who go through treatment - courts could be instrumental in encouraging programs
- Middle/upper class kids abusing drugs - drugs are used everywhere, transcend all economic levels
- Crimes are more random
- Judges going out to schools to help educate youth - this is something judges have to do
- Domestic Violence is rising or more incidents are being reported
- More youth getting into trouble at a younger age
- Younger parents being absent - babies having babies
- Community is becoming balkanized with little enclaves
- High rate of domestic violence and a link with juvenile law - work on dealing with whole families
- Retaliation against accusers is scary and happening
- Need for entry level jobs
- Schools are not kept up - they are in bad condition and kids do not want to be there, the environment needs to be fixed and courts can help emphasize code enforcement
- More use of Small Claims Court by neighbors and associations to enforce CC&Rs and improve conditions
- Internet use - can be used as a medium for questions, answers, and information
- Aging population and demographics will impact the courts
- High School Peer Courts - is there education from real courts to assist this effort?
- More mediation services used

*What information about the courts would you like?*

— *Jury Duty*

- How attorneys pick juries
- Provide something in writing concerning the sentence one would expect to get for certain offenses
- How individual judges are assigned cases
- Bankruptcy
- Self-help information for those who handle their own case, besides family law e.g. bankruptcy, civil - this would help to keep cases out of court arena
- Clear information concerning rules on policy and procedure - how to file, where, forms
- Information presenting the courts effectiveness - what are courts actually doing? How many hours does a judge really spend daily? More statistics

Religious Community

— During the morning of August 20, 1999, we met with 21 members of the religious community. We sent invitations to all members of the Ministers and Community United and to a number of other religious leaders in the county. Hosted by Reverend James Dunn, the meeting took place at the First Baptist Church on El Dorado Street in Stockton. The focus group questions were answered in two separate break-out groups. The Planning Team sought to meet with these religious leaders because it was felt that they would represent the points of view of the general public that make up their congregations.

*What are your expectations of the courts?*

- I'm expecting not to be treated fairly when I go to court, but I go
- The public expects to be treated fairly, regardless of race, gender, religion
- Treat victims more fairly and treat offenders more appropriately so they get the punishment that they deserve. The courts should make the punishment fit the crime and not let criminals loose
- Greater restitution from criminals. Without restitution, we do not have justice
- Consistent and equitable treatment of criminals. Plea bargaining is unfair - for example, where one defendant testifies against another and gets a break in his sentence for doing the same crime
- Judges need to be accountable to the public for their actions, to support the fairness of their decisions and actions
- It is the court's responsibility to see the sentence is carried out as it was imposed
- Basic human kindness and respect is expected
- Treat public with dignity.

*What do you like about the courts?*

— *Customer Service*

- Good customer service

— *Facilities*

- The security at the Stockton branch is good - participant feels safe in the Stockton Courthouse.
- Considering that there is no underground parking, the parking in Stockton is currently satisfactory.

— *Jury Duty*

- The phone call-in system for jury service
- The power given to the jury
- The checks and balances of the jury system because sometimes the D.A. and police can railroad you to a jail sentence that you do not deserve and the court has the final word

— *Race / Culture / Gender / Economic Bias*

- Participant likes diversity of court system (ethnic, not gender)

— *Other*

*What don't you like about the courts and what do the courts need to improve?*

- The court's outreach program
- Never seen unprofessional conduct in any courtroom by the judges
- Being able to pick between a court trial and jury trial
- Standards of training
- Our system is better than other countries
- System is very sound overall
- That everyone has a right to legal representation
- Children are treated differently for the most part

— *Case and Calendar Management*

- We should have more speedy trials
- More time and availability for all participants to handle each case
- Has the court considered night court for shorter trials so that some people who work during the day and can't serve jury duty could do it at night for a few hours instead? This would broaden the number of jurors who could serve

— *Customer Service*

- Courts and all employees need to adopt a customer service mentality with training for all personnel in kindness, dignity, and respect. Periodic personnel check for integrity and honesty

— *Dispute Resolution Alternatives*

- A greater push for binding arbitration. Judges should require it
- Mental health status and social problems of defendant should be investigated and declared prior to proceedings (information to judge) up to age 35

— *Facilities*

- Court facilities need to be improved
- Why doesn't the court provide their own security instead of bringing in private security officers? Private security officers do not always treat everyone as nicely as they should and this reflects on the court

— *Jury Duty*

- Some people never get called and others get called all the time (3 times per year!). How come some never get called?
- Court should solicit potential jurors to see why they do not want to serve. For example, they don't get paid, daycare, transportation issues. Then court can address these problems
- Once a jury trial starts, it should be finished and the parties should not be permitted to settle the case. It's like they are wasting everyone's time when settlement occurs before the jury has made a decision. All plea-bargaining should be done in advance
- There is an incredible waste of time from the jurors and witnesses point of view. This is not so much a problem before the trial starts as it is after the jury is chosen. If the court would at least explain the delay, it would help. Seems like jurors are at the "whim" and will of the system
- Hardships are not dealt with consistently. Some judges let people off for a medical appointment but then don't let someone off who has a more serious hardship at work. There seems to be some inequity in dealing with similar groups of people
- Seems like anyone with any religious background is automatically excused from jury service
- Would like information on when one will be required to serve or schedule people to serve jury duty well in advance
- Call different people to jury - don't recycle the list
- Jurors want more say if they are being called to jury service
- Improve the procedure and selection process

- Teachers have a hardship during school year - need to prepare lesson plans
  - Need fairness in professions and excuses
- *Race / Culture / Gender / Economic Bias*
- Need to study the Lodi Court to see whether minorities are being treated fairly as there is widespread belief that minorities are not treated fairly in Lodi Court, including civil court
  - Defense attorneys should have a sense of defendant's community and a sense of fairness, or declare they don't, regardless of race
  - System needs to improve equalization of justice between rich and poor
  - Need empathy for the preservation of ethnic and socio-economic groups
  - Money influences court
- *Sentencing*
- Don't throw adult sentences at children - community should be accountable for children gone wrong
  - Need to give judges more discretionary powers
  - Need to abolish determinate sentencing laws and go back to indeterminate sentencing
  - Need to eliminate disparities
- *Traffic Court*
- Public doesn't like it when court appears to already have its mind made up
  - The defendant should get a chance to talk and tell their side before the court makes up its mind
  - Court appears to automatically take officer's word over that of other witnesses; some judges have a preconceived opinion formed
  - Officers should have the same status in court as a regular person and it seems like in traffic court, there is clearly an assumption of guilt
- *Other*
- Provide better information to the defendant - more clear information throughout the process
  - Somebody in the court system should try to keep families together
  - Seems like more and more often courts are looked at unfavorably in the media; especially T.V. which shows courts in a bad light
  - Some police officers mistreat the public. The public then sees the court act friendly to this officer and accept their word without question - this has a negative impact on the public's impression of the courts
  - Need to take fear out of the system
  - Eliminate loopholes in the law
  - Rules can distort the truth
  - System gets carried away with technicalities and not about justice
  - Need review team of courts
  - Perception of fairness needs to be improved
  - Put more money into courts and justice and less into jails
  - Need attorneys to do more pro bono work
- 
- Seems like there is an increase in violence and hate crimes - vandalism directed toward the community and religious targets is increasing
  - Lower socioeconomic status individuals seem to get penalized by marriage. For example, when a woman with 7 kids marries a man, she goes off welfare and he has to pay for her 7 kids and he can't afford it
  - Various social issues are dividing society - Homosexuality debate, guns, abortion. The U.S. is becoming two separate groups of strongly opinionated, polarized groups - conservatives v. liberals. There is no forum to bring them together to solve these

*What trends do you think the courts should know about that might affect how your community does business with the courts in the next five years?*

issues they're discussing

- Child custody issues seem to get into court. Whites adopting blacks and visa-versa. Surrogate parenting more common now and these always get into the courts
- Problem is kids are not getting disciplined at home properly and are becoming out of control youths. Parents are afraid of being charged with child abuse if they discipline the kids. The court should look at the situation differently when a parent who was only trying to discipline their kids is charged with a crime. If the parents are not allowed to discipline their kids, then the police later will beat them into compliance as adults.
- Because of no fault divorce, there is a trend that one can get away with anything. This denies the importance of marriage in our society
- Use of the Internet - pay fines by computer
- Single parent homes make jury duty rough - especially for \$5 per day
- People trying to get out of jury duty
- Society getting less Anglo - courts need to reflect community more
- Population increase in the county. Planning for this increase is essential, especially outside Stockton. There is a need to become less Stockton-focused
- More people who are challenged educationally and this affects their ability to serve as jurors
- Socio-economics - large number of people in jail and an inability to provide for and support their children
- People looking at the system in a hostile way. The system is bad, the enemy
- Terrorism and safety - stay on top of it
- People taking the system into their own hands
- Increase in the adult male prison population
- Pressure to throw people into prison

*What information about the courts would you like?*

- Give information to offenders - they need to be aware of what might happen to them
- Sheriff and police need to hold similar forums to let public redress their concerns about those departments
- Public needs information on the jury selection process. How come some people get called all the time and others never get called?
- Court should do something to educate the public about problems in the system that need to be changed through legislation, like raising fee that jurors are paid per day for service
- Courts should educate the public regarding the costs of child support per the Dissomaster program
- Courts need to have an outreach program into the schools regarding the court system and justice system; possibly even educate the community at large as well
- Mock trials would be a good way for students and possibly parents to learn about the system
- New immigrants who become citizens are very frightened of jury duty. Court needs to get educational materials out to this group so that they are not excluded from the process
- Presumption of innocence is now a joke because people look at defendants as guilty first. This causes courts to move cases to other counties so people can get a fair trial. Public needs more information on this

### Vietnamese Community

— During the evening of September 21, 1999, we met with 7 representatives of the Vietnamese Community at the offices of the Vietnamese Voluntary Foundation on Pershing in Stockton.

*What are your expectations of the courts?*

- Fairness
- Sensitive to cultures and ethnic groups
- Defend law and justice
- Not be confusing and intimidating

- Public should be able to trust courts
- More access, pamphlets and education
- Quality Interpreters - permanent and more of them
- Courts should not be influenced by politics and money

*What do you like about the courts?*

— *Jury Duty*

- Jury system, peer judgment is good

— *Other*

- That evidence can be presented in court and testimony of people can be taken
- The courts protect and provide human rights
- Courts are the only place to get settlement of case, fairness - but courts can be intimidating
- Need for evidence is good - decisions are based on evidence and testimony

*What don't you like about the courts and what do the courts need to improve?*

— *Case and Calendar Management*

- System treats criminals better than victims
- System takes too long, wastes a lot of money
- Court process is intimidating and confusing
- 

— *Interpreter / Language Issues*

- Tapes used in arraignments and written documents such as guilty pleas and rights forms are not easy for interpreters to use. Have arraignment tapes script and plea and rights forms translated into different languages
- Need quality Interpreters - permanent and more
- Willing to help organize and train interpreters
- Court should provide more interpreter training

— *Jury Duty*

- Need for more jurors of Vietnamese peers - look at the method of jury selection
- Encourage youth to participate in jury system

— *Race / Culture / Gender / Economic Bias*

- Respect for ethnic communities will earn trust from those communities
- Better communication with communities needs to occur
- Focus more on cultures and understanding cultural differences - People in the Vietnamese community are willing to provide courts training on cultural issues
- There is a bad perception of poor vs. the wealthy
- There is a cultural distrust of anything public, including public defender
- Need more focus groups to build respect and trust, better communication and understanding of cultural issues

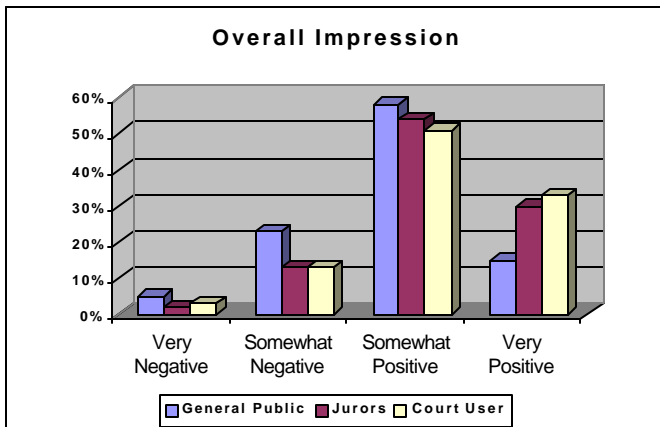
— *Other*

- There is no trust in Public Defender representation
- Courtrooms are confusing to Asian people
- Lineup and mug shot procedures are a violation of privacy rights because witnesses are shown pictures of people in the Vietnamese community they know, but are not involved in the crime.
- The influence of the media concerning the courts has been negative

*What trends do you think the courts should know about that might affect how your community does business with the courts in the next five years?*

- More Vietnamese lawyers, attorneys, judges and interpreters
- More Vietnamese people using the court system as they become more assimilated
- Courts will/should be less influenced by politics

- Should be more education and encouragement of community
- Courts will be more accessible to public and media
- Vietnamese people will speak more English and there will be less of a language barrier. The language barrier leads to mis-communication



- Youth are going against their culture and family values - there is more assimilation to the American culture, which will result in more criminal activity by younger Vietnamese people
- There is an ongoing conflict between adults and youth in career choices - sciences, engineering, medicine vs. law and social sciences. With encouragement and exposure and overcoming the negative cultural implications about being involved with the law, more will go into law
- There will be more use of civil and family courts by the Vietnamese community
- Basic legal rights - due process, self-incrimination,

*What information about the courts would you like?*

- presumption of innocence, bail, right to attorney
- Give legal updates for new laws
- Domestic violence laws
- Child abuse laws
- Statutory rape laws
- Victim resources
- Bail system
- More access to courts, pamphlets and education
- Change the perception of quality of defense by the Public Defender. The Public Defender is seen as a government agent, therefore connoting substandard representation as opposed to having a private attorney
- Train trainers for individual communities on the court process
- Create a video orientation of the court process in different languages or with English subtitles for people in the ethnic communities to view

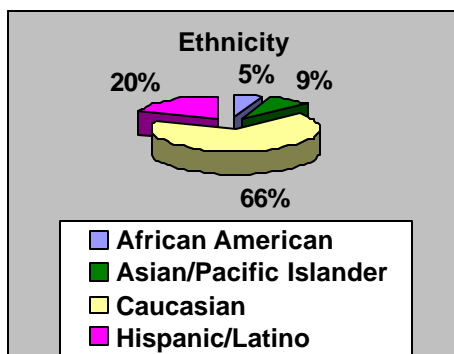
We have reported some key results of our survey analysis below. A total of 1,213 survey questionnaires were collected and analyzed. Cross-tabulation was performed by court staff using the WINKS computer program.<sup>5</sup>

**Survey Results**

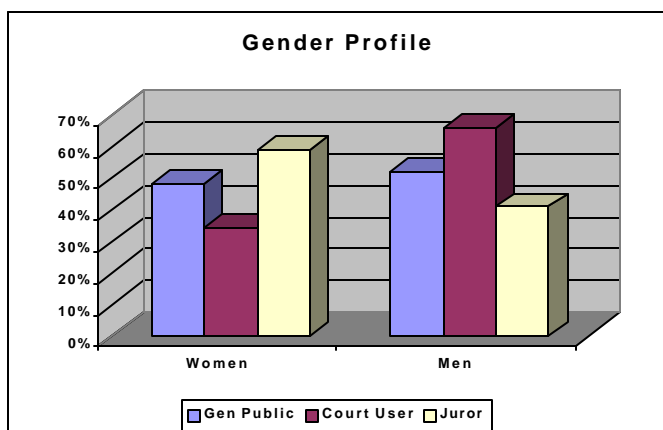
Each of the questions had a response option that equated to no response. These options were "no opinion", "not applicable", and "no response". Additionally, whenever a respondent failed to adequately darken the bubble on the survey form or did not select any answer, the response registered as the applicable no-response type option. Where noteworthy, the percentage of the total respondents who registered a no-response answer is noted. In determining the percentages reported below for each of the other possible responses, the responses of "no opinion," "not applicable," and "no response" were dropped and the other responses divided by the remainder. Consequently, the reported results represent the percentages of those people who actually had an opinion about the subject of the question.

We realize there may have been flaws in the questionnaires and sampling. However, we believe the survey analysis gives us good general information about areas of concern where the court should focus many of its efforts. Further, we have certainly learned from this first effort at

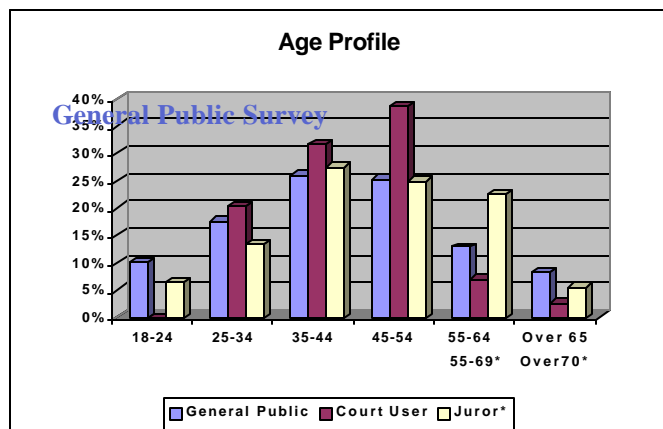
conducting such surveys, and the experience will help us in future attempts to take the pulse of the community.



*Overall Impressions:* Each questionnaire posed a question designed to elicit each respondent’s overall impression of the court. The results are reported in the adjacent graph. Combining the ratings for the two positive and negative response options to calculate the overall positive and negative ratings, it is apparent that the general public rates the court less positively than those who actually participate in the justice system; jurors and court users. The overall positive impression ratings from the General Public survey is 73%, and only 15% of those who responded gave the court a rating of “Very Positive”. Jurors who responded gave the courts an overall positive rating of 84%, with 30% giving a rating of “Very Positive”<sup>6</sup> Likewise, court users gave an overall positive rating of 84%, with 33% giving a rating of “Very Positive”. While the overall positive rating on each of the surveys was high, the court realizes that the majority of those who rated the court positively in each survey gave a rating of only “Somewhat Positive”, and 27% of those who responded on the General Public survey gave the court a negative rating.



*Gender:* More men participated in the Court User Survey than did women. On the other hand, more women participated in the Juror Survey than did men. The percentage of men and women who participated in the General Public Survey appears to be closer to percentage of men and women in the County. The estimated percentage of males and females in San Joaquin County is 50.7% and 49.3% respectively. The gender profile of the General Public Survey was 52% men, and 48% women. However, 12% of the total General Public respondents either left this item blank or their responses were unreadable.



*Age:* 51% of those who responded to the General Public Survey question concerning age were between the ages of 35 and 54 years-old. 71% of the Court User Survey were between those ages. 53% of the Juror Survey were between those ages.

— The general public surveys filled out by the focus group participants, the summoned jurors, and the counter customers were all combined for purposes of our analysis. We have not reported the responses of the individual focus groups separately because, with the exception of the Latino focus group, it was felt the smaller groups were too small to draw statistically valid inferences. This is particularly true where a large percentage of the focus group had “no opinion” as to certain items. We have, nevertheless, cross tabulated some of the responses to give us an idea of what areas should be addressed. A total of 820 general public survey questionnaires were analyzed.<sup>7</sup>

— **General Public Survey-Demographics:**

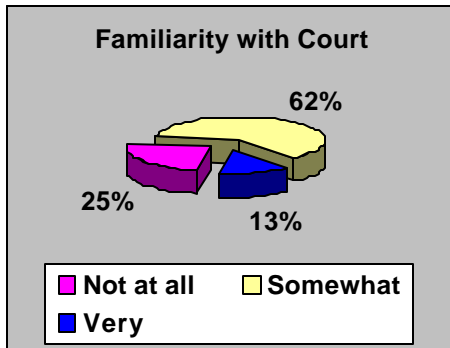
— *Ethnicity:* 11% of the total respondents either “declined to state” their ethnic background or did not respond to this question. Because this “decline to state” category was included, it is unclear how close we came to reflecting the estimated percentages of population for each ethnic group in San Joaquin County.

— “How Familiar are you with the Court?”

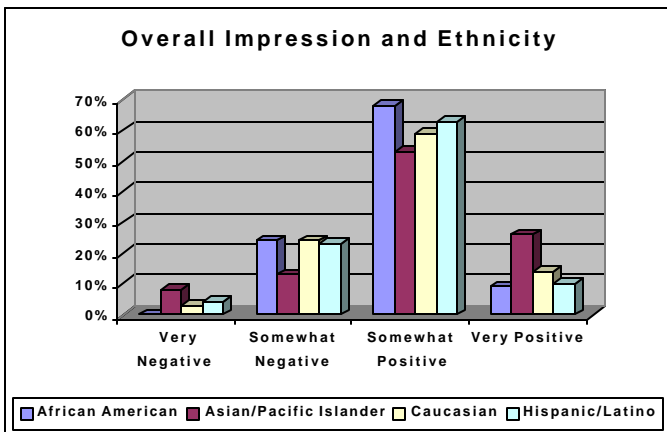
The majority of respondents felt they were somewhat familiar with the court.

— **General Public - Overall Impressions: Ethnicity** - Somewhat surprisingly, when cross-tabulated to determine the opinion of the major ethnic groups, the opinion of those African-Americans and Asian/Pacific Islanders surveyed was higher than the impression of all other groups, including Caucasians. Latino respondents registered the lowest rating. The African-American result on this category is in stark contrast to the opinions registered on the questions related to fairness issues discussed below.

— **General Public - Top Five / Lowest Five Responses:** In calculating the top five highest ratings, the percentages of the two positive response options were combined to give total positive rating. Likewise, the two negative response options were combined to give the total negative ratings. Some of the general public survey questionnaire questions offered the responses of “never,” “sometimes,” “often,” “always” and “no opinion.” We are concerned that the line between “sometimes” and “often” may not have been clear. We are of the opinion that the results may have been clearer if the term “seldom” was used instead of “sometimes.” Nevertheless, the questions for which these choices were offered are all questions where, ideally, the response would be “always.” With this in mind, we have included the response, “sometimes” as a negative rating in determining the lowest five scores.



Top Five Positive Ratings



— **“Jurors are an important part of our legal system”** - 92% of those who responded agreed with this statement. On the other hand, 42% of the total respondents responded “no opinion.”

— **“Counter service personnel are professional and courteous”** - 91% of those who responded agreed with this statement.

— **“Counter service personnel are efficient”** - 90% of those who responded agreed with this statement.

— **“Courtroom personnel are efficient”** and **“Courtroom personnel know answers to questions”** - 89% of those who responded agreed with these statements.

— **“Judges and commissioners are professional and courteous when communicating”** and **“Courtroom personnel are professional and courteous”** - 88% of those who responded agreed with these statements.

Top Five Negative Ratings

— **“The media (TV, radio, newspaper) accurately reports court proceedings”** - 74% of those who responded gave the answer “never” or “sometimes.”

— **“The Court handles cases within a reasonable amount of time”** - 61% of those who responded gave the answer “never” or “sometimes.”

— **“The public can easily obtain case information”** - 50% of those who responded disagreed with this statement. On the other hand, 65% of the total respondents had no opinion about this statement.

— *“Availability of food and beverages”* - 49% of those who responded answered “poor” or only “fair.”

— *“In general, the court decisions are easy to understand”* - 48% of those who responded answered either “never” or only “sometimes.” On the other hand, 48% of the total respondents had no opinion about this statement.

— **General Public - Fairness Issues**

— *“The Court treats individuals fairly”* - As is apparent in the above table, the general public has doubts about whether the court “always” treats individual fairly. Only 17% of those who responded believed this to be the case. Likewise, every ethnic group has doubts about whether the court “always” treats individuals fairly. However, 29% of the total respondents held no opinion.

— *“The Court strives for justice for all”* - Those who responded exhibited doubts

Fairness issues:	Never	Sometimes	Often	Always
<b>Treats individuals fairly--all</b>	2%	34%	47%	17%
--African-American	0%	50%	35%	15%
--Asian/Pac. Islander	0%	14%	43%	43%
--Caucasian	2%	32%	51%	16%
--Hispanic/Latino	1%	45%	47%	8%
<b>Strives for justice--all</b>	4%	26%	39%	30%
--African-American	35%	35%	29%	0%
--Asian/Pac. Islander	0%	3%	38%	59%
--Caucasian	3%	25%	43%	29%
--Hispanic/Latino	5%	34%	32%	29%
--Women only	4%	22%	42%	32%
--Men only	5%	29%	37%	28%
	<b>Strongly Disagree</b>	<b>Somewhat Disagree</b>	<b>Somewhat Agree</b>	<b>Strongly Agree</b>
<b>Fair jury trial--all</b>	21%	17%	35%	27%
African American	55%	18%	27%	0%
Asian/Pac. Islander	0%	57%	43%	0%
Caucasian	19%	15%	38%	28%
Hispanic/Latino	22%	22%	28%	28%
<b>Treats people fairly--all</b>	23%	18%	29%	30%
--African-American	41%	27%	23%	9%
--Asian/Pac. Islander	12%	18%	27%	42%
--Caucasian	19%	16%	32%	33%
--Hispanic/Latino	32%	24%	24%	21%
<b>Impartial rulings all</b>	5%	11%	45%	39%
--African-American	4%	14%	68%	14%
--Asian/Pac. Islander	0%	7%	28%	66%
--Caucasian	4%	9%	45%	42%
--Hispanic/Latino	7%	13%	45%	35%

about whether the court “always” strives for justice. However, 44% of the survey respondents had no opinion. Each ethnic group also had doubts about whether the court always strives for justice. Less than a third of the Latino and Caucasian respondents felt the court “always” strives for justice for all. Of the registered responses, not one African-American was of the opinion that the court “always”

strives for justice for all, and over a third of the African-Americans thought that the court either “never” strives for justice or only does so “sometimes.”

With one exception, we have not reported the fairness ratings for gender above. These ratings were very close to the overall general public rating on most of the fairness questions, with men rating the court only slightly higher than women on all questions except on the question “*The court strives for justice for all*”. Here, women gave the court a higher combined positive rating than men.

— **“Anyone can receive a fair jury trial in this county”** - It appears that a significant number of the respondents have doubts about whether anyone can receive a fair jury trial in San Joaquin County. Aside from 38% of those who responded by disagreeing with the idea that anyone can receive a fair jury trial, 60 % of the total number of respondents actually had no opinion on whether this is true.

Less than a third of the Caucasian and Latino respondents “strongly agree” that anyone can receive a fair jury trial in this county. None of the African-American or Asian/Pacific Islander respondents “strongly agree.” Indeed, according to the survey a large percentage of each group disagrees, either “strongly” or “somewhat”, that anyone can receive a fair jury trial. 73% of the African-American respondents disagree, with 55% “strongly” disagreeing.

— **“The Court treats people fairly, regardless of economic level”** - 41% of those who responded disagree with this statement and believe that economics play a part in how the court treats people who appear before it. However, 47% of the total respondents had no opinion.

Large percentages of the respondents in all ethnic groups disagree with the idea that the court treats people fairly, regardless of economic level. 68% of African-American respondents, 56% of the Latino respondents, and 35% of the Caucasian respondents indicated disagreement.

— **“Judges and Commissioners are impartial when giving rulings”** - 84% of those who responded gave the court a positive rating on this item. However, 50% of the total respondents indicated they had no opinion.

The court received higher ratings on this fairness item from most ethnic groups than on the other fairness items. 82% of the African-Americans who responded gave the court a positive rating. 94% of the Asian/Pacific Islanders gave the court a positive rating with 66% strongly agreeing. 87% of the Caucasians and 80% of the Hispanics who responded agreed.

#### — **General Public - Some other Observations**

— **“Counter Service Personnel are professional and courteous”** - As seen in the table on the next page, counter staff received a combined positive rating of 88%.

— **Supervised Play Area** - The table reflects that the overwhelming majority of those people surveyed indicated that they were “not at all likely” to use “a supervised play area for children in the court facility” if one was available. While this is significant, the court recognizes that there are many people the survey did not reach. Some of these people, particularly summoned jurors who did not appear, may have stayed home because of child care problems. Nevertheless, given the lack of requests for childcare services from focus group participants and the above results, the court will not focus its efforts on establishing a drop-in supervised

Other issues:	Strongly Disagree	Somewhat Disagree	Somewhat Agree	Strongly Agree
Counter service staff -- Professional & courteous	2%	10%	40%	48%
Supervised play area	72%		13%	15%
Cases handled in reasonable time all resp	10%	51%	26%	12%
-- Not at all familiar	6%	58%	23%	13%
--Somewhat familiar	12%	53%	24%	11%
--Very familiar	7%	36%	34%	22%
Media accurately reports	12%	62%	23%	3%
Adequate office hours	4%	13%	37%	46%
Adequate resources	17%	14%	44%	25%
Finding parking space	13%	18%	29%	40%

childcare area at this time.

— *“The Court handles cases within a reasonable amount of time”* - As noted above, the court’s second highest negative rating from the general public relates to the statement, “The Court handles cases within a reasonable amount of time.” On the other hand, 48% of the total respondents had “no opinion” about this statement.

When cross-tabulated against the frequency of use, it appears that the same opinion is not necessarily held by those people who use and are most familiar with the court. This is also seen below in the Court User Survey results. 56% of those who felt they were “very familiar” with the court believed the court “often” or “always” handled cases in a reasonable amount of time. 36% of those who were “not at all familiar” with the court and 35% of those who were only “somewhat familiar” with the court believed that cases are handled in a reasonable amount of time.

— *“The media (TV, radio, newspaper) accurately reports court proceedings”* - As noted above, the highest negative rating relates not to the courts, but rather to the media. On the other hand, 43% of the total respondents had “no opinion” about this statement. Also, the court recognizes that the line between “sometimes” and “often” could have been particularly fuzzy in this question.

— *“The clerk’s office hours are adequate”* - 83% of those who responded agree with this statement. On the other hand, 48% of the total number of respondents had no opinion about the clerk’s office hours.

However, many people suggested during the focus group sessions that clerks hours should be expanded in the areas of traffic and small claims. The results of the survey may be a function of the survey not reaching those who desire the longer hours. The court intends to do additional surveys on these issues with a view toward expanding hours where the demand actually exists and the court’s budget permits.

— ***“The Court has adequate resources to do its job”*** - A little over two-thirds of those who responded agreed that the court has “adequate resources to do its job.” On the other hand, nearly a third disagree. More telling, 67% of the total number of respondents had “no opinion.” Further, as noted below, this item received one of the top 3 negative ratings in the court user survey. 50% of the court users, people who are most familiar with the system, disagree with this statement.

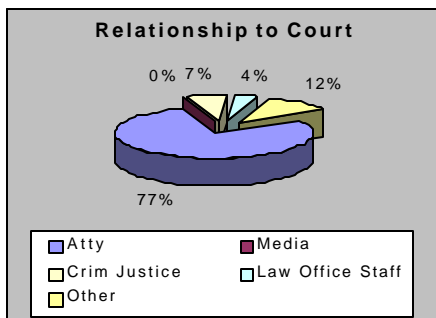
— ***“Finding a parking space near the Court facility”*** - 31% of those who responded feel that finding parking near the courthouse is “very” or “somewhat difficult.” As seen below, jurors have a similar complaint.

## Court User Survey

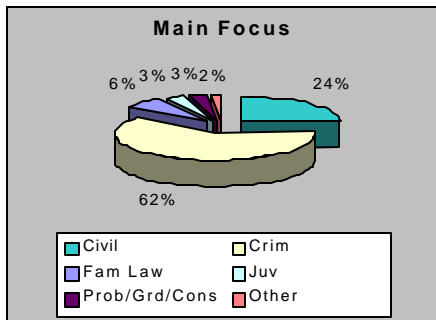
— The Court User survey questionnaires filled out by private attorneys, members of the District Attorney’s Office, members of the Public Defender’s Office, members of the Office of County Counsel, law enforcement focus group participants, and court users who frequent the clerks counters have all been combined for purposes of analysis. A total of 146 Court User questionnaires were collected and analyzed.

### — Court User Survey - Demographics

— ***Relationship to the Court:*** As can be seen from the adjacent chart, most respondents were attorneys.

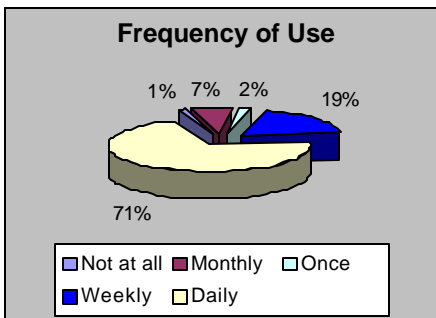


— ***Main Focus:*** The main focus of the majority of the respondents is criminal law. However, the question did not distinguish between the various groups who might be involved in criminal law. The respondents involved in criminal law include prosecutors, public defenders, other members of the criminal defense bar, and police officers. Unfortunately we have no way of knowing how many in each group responded, and the views of these various groups are, no doubt, very different. Had each group been more clearly defined in the survey, cross-tabulation analysis comparing the opinions of these groups might have been meaningful.



— ***“Approximately how often have you used the Court in the last 12 months?”***

As depicted in the adjacent chart, most of the respondents in this survey use the courts on a daily basis.



— ***Court User - Top Positive and Negative Ratings/Ratings of “Poor”:*** To determine the top 5 positive ratings, we have combined the ratings of the two positive response options for each question. To determine the top 3 negative ratings we combined the ratings of the two negative response options. Since some of the questions had only one negative response option of “poor,” we have also listed the top 3 “poor” ratings for questions where the response options were “poor,” “fair,” “good,” and “excellent.” As you will note, the top three negative and “poor” ratings related to court facilities and resources and not to court performance.

### *Top Five Favorable Ratings*

— ***“Finding the Court facility”*** and ***“Finding the courtroom you need”*** - 98% of those who responded ranked finding the courthouse and courtrooms as easy.

— ***“Courtroom personnel are professional and courteous”*** - 94% of those who responded agreed with this statement.

- *“Judges and Commissioners give me or my attorney adequate time to state my case”* - 92% of those who responded agreed with this statement.
- *“Judges and Commissioners are professional and courteous”* - 89% of those who responded agreed with this statement.
- *“Courtroom personnel are available to answer my questions”* - 88% of those who responded agreed with this statement.

*Top Three Negative Ratings*

- *“Speak privately (i.e., confer with a client/lawyer)”* - 61% of those who responded found this difficult.
- *“The Court has adequate resources to do its job”* - 50% of those court users who responded disagreed with this statement.
- *“The Court facility is user friendly”* - 47% of those court users who responded disagreed with this statement.

*Top Three “Poor” Ratings*

- *“Availability of food and beverage”* - 39% of those who responded gave this a rating of “poor.”
- *“Restrooms”* - 28% of those who responded rated the restrooms as “poor.”
- *“Overall building condition”* - 22% of those who responded gave this a rating of “poor.” Very few court users rated any items concerning court facilities as excellent. The court facilities item which received the highest percentage rating of “excellent” was the 7% score received for “Temperature.”

<b>Fairness issues:</b>	<b>Strongly Disagree</b>	<b>Somewhat Disagree</b>	<b>Somewhat Agree</b>	<b>Strongly Agree</b>
<b>Treats individuals fairly</b>	4%	14%	34%	48%
<b>Impartial rulings</b>	13%	17%	23%	46%
<b>Hearings conducted fairly</b>	3%	20%	40%	37%

— **Court User - Fairness Issues**

- *“The Court treats individuals fairly”* - As seen in the table above, those who use the court system on a regular basis appear to rate the courts much higher in this category than do members of the general public. Combining the responses for “somewhat agree” and “strongly agree”, the courts received an 82% positive rating from court users on its treatment of individuals.
- *“Judges and Commissioners are impartial when giving rulings”* - The court users who responded to this question have a higher opinion of the court’s impartiality than does the general public, but a lower opinion than do jurors. Only 69% gave the courts a positive rating and 30% disagree that the court gives impartial rulings. On the other hand, 44% of the total court user respondents did not respond to this question.
- *“Court hearings are conducted fairly”* - 77% of the court users who responded

agreed “somewhat” or “strongly” with this statement. 40% of the total court users

Other issues:	Strongly Disagree	Somewhat Disagree	Somewhat Agree	Strongly Agree
Adequate office hours	6%	14%	44%	35%
Adequate resources	22%	28%	38%	12%
Access info via Internet	Not at all Likely		Somewhat Likely	Very Likely
	23%		29%	48%
Get court info by phone	Very Difficult	Somewhat Difficult	Somewhat Easy	Very Easy
	Civil	7%	24%	41%
Non-civil	9%	44%	32%	15%

gave no response to this question, however.

– Court User - Some Other Observations

– “The Clerk’s Office hours are adequate” - As seen in the table above, 79% of the court users who responded agreed the Clerk’s Office hours are currently adequate.

– “The Court has adequate resources to do its job” - 50% of the court users who responded do not believe the court has adequate resources to do its job. Of the 50% who do agree the court has adequate resources, only 12% “strongly agree.”

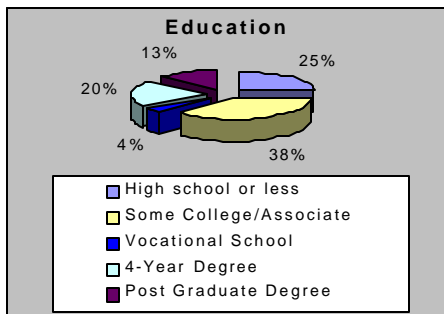
– “If court information was available via the Internet, how likely would you be to access it?” - The majority of court users indicated they would use the Internet to access court information.

– “Getting information from the Court by telephone and Searching for information at the Court.” - Civil practitioners believe it is easier to get information from the court over the phone and in person than do court users involved in the criminal justice system.

**Juror Survey**

– All Juror Survey questionnaires were combined for analysis. A total of 247 of these surveys were collected and analyzed.

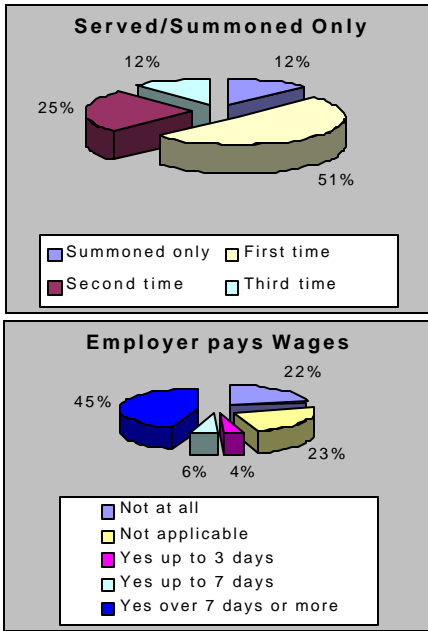
This survey form included a response of “not applicable” for many of the questions. Of the three surveys, this “no response” option was most problematic in the juror survey. In San Joaquin County, we decided to distribute these surveys to people who had either been jurors or who were prospective jurors.<sup>8</sup> Consequently, nearly all of the items on the questionnaire should have been “applicable” to the people we sampled.



– Juror Survey - Demographics

– Education: The overwhelming majority of those who responded were educated beyond high school. 33% had either a 4-year or post-graduate degree.

– “Served on a Trial vs. Summoned Only” - The overwhelming number of jurors sampled in this survey were people who actually went through the entire process of reporting for jury service, going through jury selection, being selected, and serving on a trial. Only 12% of those who responded to this question were



summoned but not selected to sit on a trial. However, 11% of the total respondents gave no response to this question for some reason. The response option for people who had never actually served on a trial was “summoned only,” and those who failed to respond to this question may not have realized they should check that response if they had not served.

— *“My employer pays my wages while I am on jury duty”* - The information gathered here was not as helpful as we would have liked. We had recommended to those who wrote the final draft of the survey form that the last two categories be “Yes, up to 10 days” and “Yes, over 10 days” instead of the 7 day limit. Our experience locally is that 10 days is the highest limitation placed on jury service by employers who are inclined to set a limit. Consequently, we expect that the majority of the people who responded that their employer pays them for over 7 days are actually limited to 10 days. Additional surveys on this question may be conducted in the future. Nevertheless, the survey did reveal that 22% of those who responded were not compensated by their employers at all.

— *Length of Jury Duty:* Of those who responded, 42% reported that their trials lasted no more than 3 days. 50% reported that their trials lasted no more than 4 days. 63% reported that their trials lasted no more than one week.

— **Juror Survey - Top Positive and Negative Ratings / Ratings of “Poor”:** To determine the top 5 positive ratings, we have combined the percentages of the two response options. To determine the top 3 negative ratings we combined the percentages of the two negative response options. Since some of the questions had only one negative response option of “poor,” we have also set forth the top 3 “poor” ratings for questions where the rating options were “poor,” “fair,” “good,” and “excellent.”

*Top 5 Positive Ratings*

— *“Judges and commissioners are professional and courteous when communicating”* - 98% of the jurors who responded agreed.

— *“Judges and commissioners are impartial when giving rulings,” “Jury service personnel are available to answer my questions” and “Courtroom staff are professional and courteous”* - 97% of the jurors who responded agreed.

— *“Jury service personnel know the answers to my questions”* - 96% of the jurors who responded agreed.

— *“Courtroom personnel are available to answer my questions” and “Courtroom personnel know the answers to my questions,”* - 95 % of the jurors who responded agree. *“Ease Of Use: Finding the jury assembly room”* - 95% of the jurors who responded indicated that finding the jury assembly room is easy.

— *“Jury service personnel are efficient,” “Courtroom personnel are efficient,” and “Judges and commissioners give orders/instructions that are easy to understand”* - 94% of the jurors who responded agree. *“Ease of Use; Finding the court facility”* and *“Ease of Use: Finding a public restroom in the court facility”* - 94% of the jurors who responded indicated that finding the courthouse and restrooms was easy.

*Top Three Negative Ratings*

— *“Ease of Use: Parking space”* - 44% of the jurors who responded indicated that finding parking was difficult. 18% of these jurors gave a rating of “very difficult.”

- **“Getting information from the court by telephone”** - 26% of the jurors who responded indicated this was difficult.
- **“I understand that the time I spent waiting in the jury assembly area was necessary.”** - 25% of the jurors who responded disagreed with this statement.

*Top Three “Poor” Ratings*

- **“Availability of food and beverages”** - 23% of the jurors who responded indicated the availability of food and beverage was “poor.” Another 42% gave a rating of only “fair.”
- **“Restrooms”** - 18% of the jurors who responded rated the restrooms “poor.” Another 33% gave a rating of only “fair.”
- **“Call-in procedure”** - 18% of the jurors who responded gave a rating of “poor.” However, 68% gave the call-in procedure a rating of either “good” or “excellent.” 15%

Juror experience:	Very Dissatisfied	Somewhat Dissatis.	Somewhat Satisfied	Very Satisfied
Satisfied with experience	7%	12%	50%	32%
How interesting	Not at All		Somewhat	Very
How educational	8%	10%	40%	53%
How positive	10%	11%	45%	45%
Service changed opinion	More Negative		No Change	More Pos
	12%	11%	50%	39%

rated it “fair.”

- **“Postponement procedures”** - 13% of the jurors who responded rated postponement procedures as “poor.” However, 68% gave a rating of either “good” or “excellent.” 15% rated postponement procedures “fair.”

— **Juror Survey - The Jury Experience**

- **“How satisfied are you with your overall experience as a juror?”** - As seen in the table above, 82% of the jurors who responded were satisfied with their jury experience.
- **“How interesting was your overall experience as a juror?”** - 93% of the jurors who responded found their jury experience to be interesting.
- **“How educational was your overall experience as a juror?”** - 90% of the jurors who responded found their jury experience to be educational.
- **“How positive was your overall experience as a juror?”** - 89% of the jurors who responded found their jury experience to be positive.
- **“Has serving as a juror changed your opinion about the legal system? Is your opinion more positive or more negative than before?”** - A large percentage of the jurors who responded had a more positive opinion of the justice system after serving.

— **Juror Survey - Some Other Observations**

— **“Restrooms”** - A greater percentage of men found the restrooms to be “poor” and “excellent” than did women. However, 36% of all respondents gave the answer, “not applicable.” Based on the strong comments we received at our focus group sessions and the comments received on a daily basis at the Jury Assembly Room in our Stockton branch, the percentage of “not applicable” responses could be the result of people simply not using the restroom facilities because of their condition.

— **“If childcare were provided in the Court facility, would you use the service?”** - As in the General Public survey, the overwhelming majority of those who responded indicated that they would not use a childcare center.

— **“Seating, in terms of comfort”** - Only 7% found the seating to be poor. However, this question did not distinguish between seating in the jury assembly facility and the courtroom. The fact that only 7% of the respondents found the seating to be poor might relate to fact that the overwhelming majority of respondents actually sat on trials and in responding to this question, they had in mind their seats in the courtroom and not the jury assembly facility seating.

— **“Advance notice”** - 83% of those who responded to this question rated the advance notice provided by the court to be either “good” or “excellent.”

<b>Other issues:</b>	<b>Poor</b>	<b>Fair</b>	<b>Good</b>	<b>Excellent</b>
<b>Restrooms</b>	18%	33%	38%	11%
<b>Seating comfort</b>	7%	21%	56%	13%
<b>Advance notice</b>	5%	11%	61%	19%
<b>Would use childcare</b>	73% <b>No</b>		27% <b>Yes</b>	

1. See Appendix A.
2. See Appendix B.
3. See Appendix C
4. We had expected a larger turnout. 17 people were invited. Consequently, we had enough facilitators, recorders, and Planning Team members to conduct the session in two breakout groups. A number of other African-Americans were invited to and participated in the Religious, Neighborhood Associations/Community Based Organizations, and Business focus group meetings.
5. Total percentages may add up to 99% or 101% due to rounding.
6. The overall impression question was posed somewhat differently in each of the three questionnaires. In the General Public Survey questionnaire, the question was posed as follows: "Please give your overall impression of the court?" In the Court User Survey questionnaire, the following question was asked: "How would you rate your overall impression of the court?" In the Juror Survey questionnaire, the question was posed as follows: "How would you rate your overall impression of the court process?" Thus, the question posed to jurors involved the "court process" and not just the courts. It is difficult to say whether the responses would have been different had the question not included the "process." Based on the response to the juror experience questions below, an argument could be made that the overall impression rating would have actually been more positive if the "process" was not part of the question.
7. The questionnaires filled out by those who attended the focus group session for representatives of the Religious community were not included because an error occurred in handling these questionnaires. The first batch of general public survey forms were not readable by the scantron because of a printing defect. Because new forms were not available until after our focus group sessions with the Disabled, Latino, Religious, and African-American communities, we went ahead and used the defective survey forms for those focus groups. Our plan was to copy the responses onto the readable forms when they became available. Ultimately, court staff copied the responses from the defective forms filled out by the focus group participants in the Disabled, Religious, and African-American meetings. Staff from the Council for the Spanish Speaking did the same for those forms filled out by the participants in the Latino focus group sessions. However, when the results were initially run for the Religious Community's focus group participants, obvious discrepancies appeared which indicated that a mistake had been made in the copying process. For example, the initial analysis of the Religious focus group showed that only 11 forms were filled out when 21 people had attended the meeting. The analysis also showed that everyone who filled out the forms were African-Americans when the group was actually of fairly diverse ethnic heritage. Because the original forms filled out by the participants had been discarded by court staff, we were unable to make another attempt at duplicating the responses onto scantron readable forms. Consequently, we have not included those forms filled out by those who attended the focus group session for the Religious Community.
8. One reason this category was included was to accommodate the varied distribution and sampling plans of the several county court systems who planned to use the questionnaire. There was no agreement on a uniform distribution and sampling plan for any of the surveys. Some of the counties involved in putting the survey together contemplated giving these questionnaires to the general public, many of whom may have never been summoned for jury service. Consequently a generic survey mandated the inclusion of this "no response" category.

As with the other surveys, we realize the results on some of the questions may have been different had these no response-type options not been available. The results may have reflected more positive or negative opinions on some of the questions. This was a significant drawback to using the generic survey forms created for use in multiple counties. However, because of lack of funding we were not in a position to create San Joaquin County specific questionnaires.

## **APPENDIX A**

### **California Rules of Court**

The governing body of California courts, the California Judicial Council, promulgated the following rules which became effective July 1, 1999.

#### ***Judicial Standard of Administration 39***

Judicial participation in community outreach activities should be considered an official judicial function to promote public understanding of and confidence in the administration of justice. This function should be performed in a manner consistent with the California Code of Judicial Ethics. The judiciary is encouraged to:

- (a) Provide active leadership within the community in identifying and resolving issues of access to justice within the court system;
- (b) Develop local education programs for the public designed to increase public understanding of the court system;
- (c) Create local mechanisms for obtaining information from the public about how the court system may be more responsive to the public's needs;
- (d) Serve as guest speakers, during or after normal court hours, to address local civic, educational, business, and charitable groups that have an interest in understanding the court system but do not espouse a particular political agenda with which it would be inappropriate for a judicial officer to be associated; and
- (e) Take an active part in the life of the community where the participation of the judiciary will serve to increase public understanding and promote public confidence in the integrity of the court system.

#### ***California Rule of Court 205***

The presiding judge shall

- (7) prepare an orderly plan of . . . participation in community outreach activities, using the overriding principles in section . . . 39 of the Standards of Judicial Administration. . . ;
- (14) support and encourage the judiciary to actively engage in, within the parameters of the California Code of Judicial Ethics, community outreach to increase public understanding of and involvement with the justice system and to obtain appropriate community input regarding the administration of justice within the jurisdiction, consistent with section 39 of the Standards of Judicial Administration;
- (15) ensure that the court regularly and actively examines access issues, including but not limited to any physical, language, or economic barriers that impede the fair administration of justice;
- (16) when appropriate, meet with or designate a judge or judges to meet with any committee of the bench, bar, news media, and community to review problems and to promote understanding of the administration of justice.

#### ***California Rule of Court 207***

In courts having an executive officer or court administrator selected by the judges of the court and under the direction of the presiding judge, the officer or administrator shall

- (7) support and encourage court participation in community outreach activities to increase public understanding of and involvement with the justice system and to obtain appropriate community input regarding the administration of justice, consistent with section 39 of the Standards of Judicial Administration.



David Wooten, Deputy County Counsel

**APPENDIX C**  
**Community-Focused Planning Team Sub-Committees**

