



**North Carolina Commission on the Administration of Law and Justice
Committee on Public Trust and Confidence**

Meeting Minutes / December 15, 2015

MEETING DATE	October 8, 2015
TIME	10:30 a.m. – 2:00 p.m.
LOCATION	NCJC, 901 Corporate Center Drive, Raleigh NC, 27607

Attendees

Chair: J. Bradley Wilson

Members: Dean Martin H. Brinkley, Sheriff Earl Butler, Douglas Clark, Juan Flores Jr., Frank B. Holding, Jr., John Hood, Senator Floyd B. McKissick Jr., Robert C. Stephens; Dean Suzanne Reynolds, Dean Michael R. Smith (Ex-Officio), and Representative Sarah Stevens (Ex-Officio).

NCCALJ Staff: Will Robinson and Emily Portner

Reporters: Jon Williams (Chief Reporter), Andrew Atkins, and Mildred Spearman.

Administrative Matters

The committee members unanimously approved the meetings from the November 17, 2015 minutes.

Discussion

1. Public Confidence in the North Carolina State Courts: Recent Survey Results

Emily Portner, Research Assistant for the NCCALJ, gave a presentation on the recent results from surveys conducted by High Point University and Elon University, which included questions suggested by the NCCALJ. Details of that presentation can be found within the presentation materials and the survey results.

The committee discussed the possibility of conducting a similar survey on a recurring basis. It was noted that some tweaks may need to be made to the existing questions for such a recurring survey. It was agreed that the existing questions provided a good indication of public perception surrounding certain issues, though it was noted that some answers may be driven by a lack of information and/or based on individuals' negative experiences as losing defendants. Some questions could include specific action items geared at determining exactly what would improve public trust.

In addition to measuring public opinion, the committee discussed the need to better reach the public to influence their perception of the courts. The committee also briefly discussed judicial selection, and its influence on the public perception. The merits of various selection processes was briefly discussed before it was noted that the committee would invite presentations on that topic in future meetings.

2. CourTools: Measuring Performance in North Carolina State Courts

Brad Fowler, Administrator of NCAOC Research and Planning, gave a presentation on CourTools, a set of standards adopted by the National Center for State Courts, and North Carolina's ability to measure court performance standards. The details of that presentation are available in the presentation materials.

3. Strategies for Dealing with Implicit Bias in the Judicial Process

James C. Drennan, Professor of Public Law and Government at the University of North Carolina School of Government gave a presentation addressing how the issue of implicit bias could be addressed. This was a follow-up presentation to the one given by Judge Trosch at the November 17, 2015 meeting. The details of the presentation can be accessed in the presentation materials.

4. Discussion

After the presentations, the committee members moved into a time for discussion of the presentations and other relevant issues. It was noted that the committee was tasked with putting together actionable recommendations.

Related to implicit bias, acknowledgement of the issues and education was discussed. A recurring curriculum for judges would be one way to ensure court actors are promoting a fair environment.

Docket control was also discussed. Traditionally, the administrative judge is responsible, so North Carolina is in the minority. Judges and District Attorneys do not appear to want change to the established system. While change is possible, there would likely need to be a change in infrastructure as well.

Public perception and the data shows that the courts are slow in reaching resolution. The question was posed whether there were too few judges, but it was determined that was not the case. Distribution of judges and specialization was discussed as possible resolutions.

NCCALJ staff was directed to come up with five data sources related to public trust that they think would be useful. They were also instructed to describe what measuring those items would yield. It was suggested that measuring disparities related to implicit bias would be useful.

The committee identified a dual purpose. The committee plans to suggest changes that will result in better performance, but central to the committee's mission is suggesting better methods of communication to inform the public of good performance by the courts.

The committee concluded by discussing the February 2016 meeting, which will focus on judicial selection. The committee wanted to hear about what other states are doing related to the selection process, term length, etc. It also wants to understand how public trust is impacted by certain systems.

Next Meeting

Date: Friday, January 29, 2016

Time: 10:30 a.m. to 3:30 p.m.

Location: UNC School of Government, 400 South Rd, Chapel Hill, NC 27514