

# PUBLIC TRUST & CONFIDENCE IN THE NORTH CAROLINA STATE COURTS

October – November 2015 Survey Results

December 15, 2015

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LAW AND JUSTICE

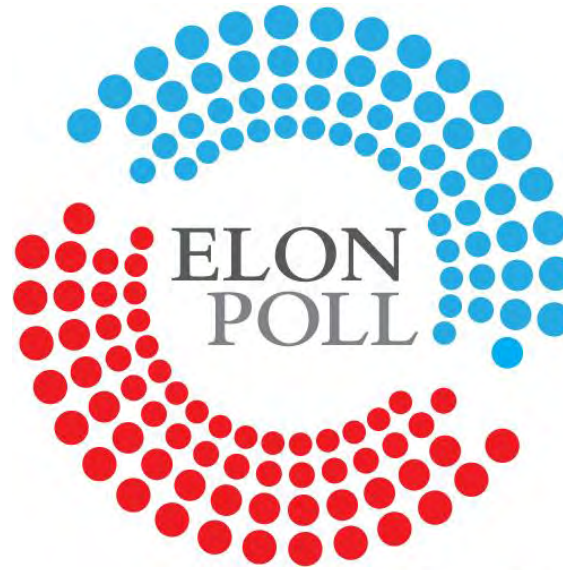
# DESIGN & METHODOLOGY

# SURVEY DESIGN

- Survey gauging current public opinion of North Carolina Court System ranked highly on Committee members' list of priorities
  - No other large-scale polls conducted on public trust and confidence in the NC courts
  
- NCCALJ staff, National Center for State Courts (NCSC) identified potential survey questions based on:
  - Questions found in other state and national public opinion surveys
    - ◆ Why?: Pre-screened for bias & respondent understanding, provide points of comparison
  - Questions designed to capture other Committee-identified areas of inquiry

# SURVEY DESIGN

- Partnered with Elon University Poll & High Point University Survey Research Center to conduct live caller phone survey
- Selected ten (10) questions from NCCALJ proposed list
- Small wording changes made to few questions during pre-testing
  - Clarify question being asked
  - Reduce ambiguity/invalidity of results



HIGH POINT UNIVERSITY



SURVEY RESEARCH CENTER

# SURVEY METHODOLOGY

## Where do the phone numbers come from?

- Survey Sampling International (SSI) provides Elon University and High Point University polls with representative telephone number samples
- SSI's Landline Sample:
  1. From database of all currently listed North Carolina telephone numbers;
  2. Identify “blocks” of 100 consecutive numbers where there are 3+ listed numbers (i.e. (919) 255-4200 – (919) 255-4299);
    - a. Highest likelihood of capturing unlisted numbers
  3. Stratify all numbers in blocks by NC demographics (e.g. zip code, county, congressional district, rural/urban); to
  4. Provide Elon & HPU with a representative sample of NC households.
- SSI's Wireless Sample:
  1. Select all wireless numbers with North Carolina area codes from Telcordia database; to
  2. Provide Elon & HPU with a representative sample of NC wireless numbers stratified by area code, activity status, and usage patterns.



# SURVEY METHODOLOGY

What do Elon and HPU do with SSI sample?

- Random Digit Dialing (RDD) Selection Method
  - Used by both polls
  - Promotes randomization, avoids selection bias
  - Polls utilize survey assistance software
    - ◆ Randomly assigns number for live caller to dial
  - Strive to call all numbers provided by SSI
  - Attempt each number up to 5 times before settling for non-response



# SURVEY METHODOLOGY

## ELON UNIVERSITY POLL

- Date: ■ October 29 – November 2, 2015
- Method: ■ RDD landline and cellular telephones
- Interviewer: ■ Live caller
- Sample Size: ■ 1,234 adults in North Carolina
- Weighting: ■ Relative to U.S. Census 2014 estimates for age, race, gender
- Margin of Sampling Error: ■ +/- 2.79%

## HIGH POINT UNIVERSITY POLL

- November 7 – 12, 2015
- RDD landline and cellular telephones
- Live caller
- 610 adults in North Carolina
- Relative to U.S. Census 2014 estimates for age, race, gender
- +/- 4.00%

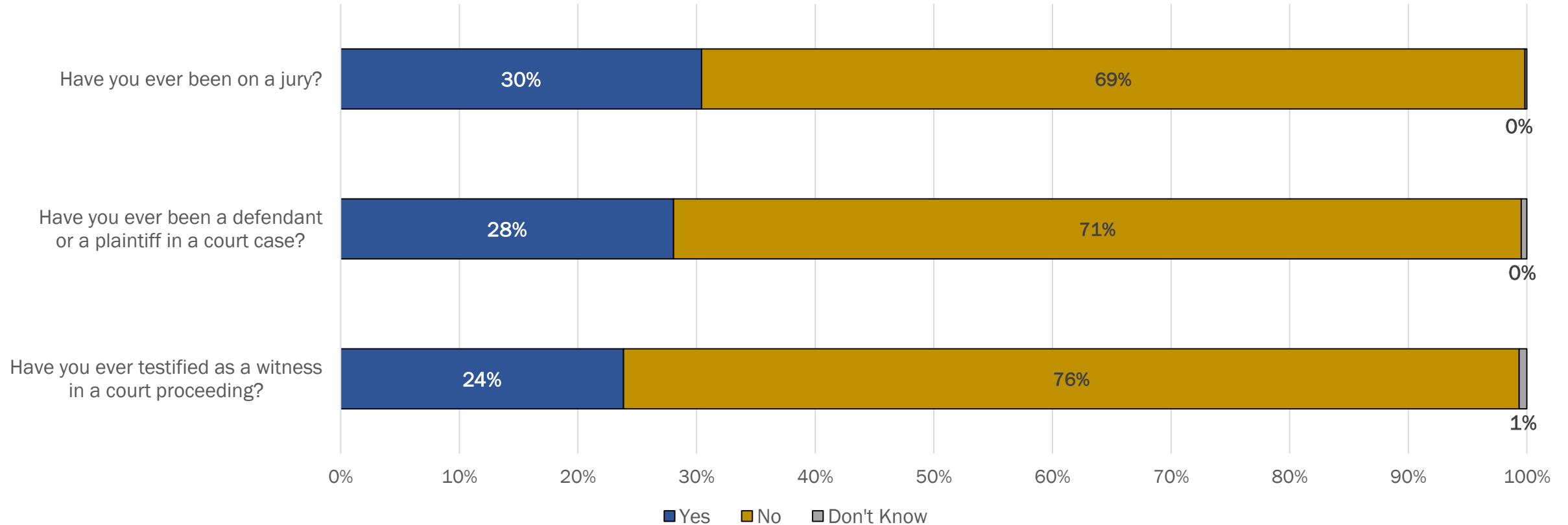
# RESULTS

## EXPERIENCE & KNOWLEDGE



# EXPERIENCE WITH THE NORTH CAROLINA COURT SYSTEM

*I'd like to ask you some questions about your personal experiences with the North Carolina State Court System...*



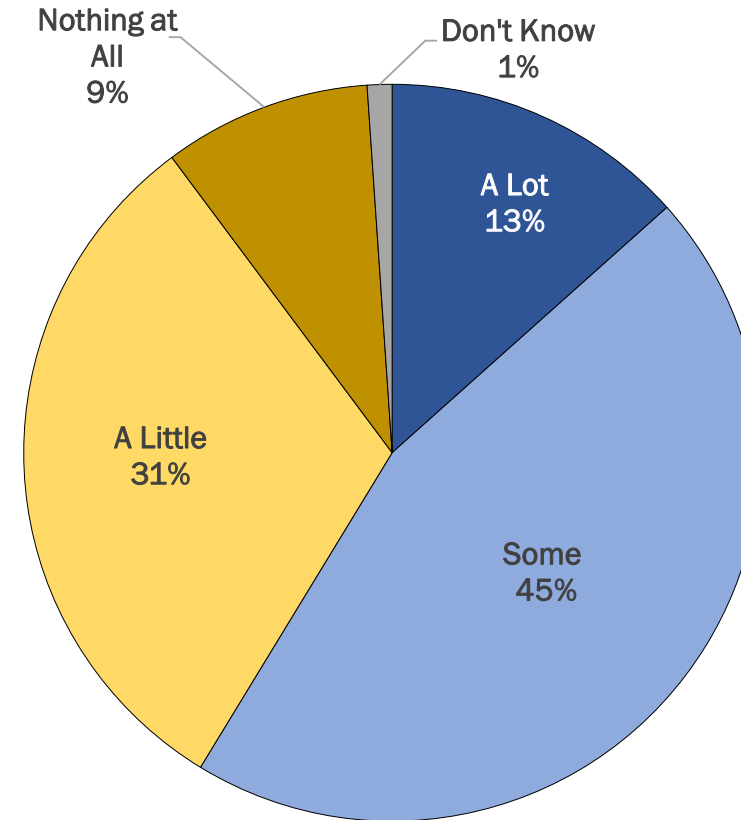
Source: Elon University

# KNOWLEDGE OF THE NORTH CAROLINA COURT SYSTEM

## TAKEAWAYS:

- Very little direct exposure
  - Jury service most common experience
- Most respondents knew “some” information about the NC court system
  - 13% claimed to be well-versed
  - Over 1/3 (40%) know “a little” or “nothing at all”

*How much would you say you know about the court system in North Carolina?*



■ A Lot ■ Some ■ A Little ■ Nothing at All ■ Don't Know

Sources: Elon University & High Point University

# RESULTS

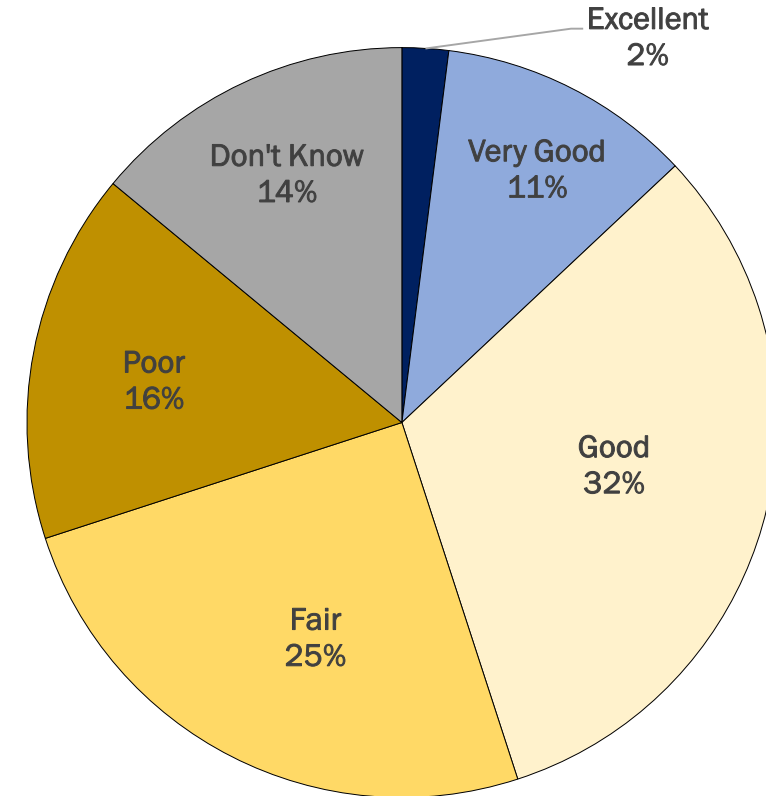
## OVERALL QUALITY & CONFIDENCE

# OPINIONS OF QUALITY

## TAKEAWAYS:

- North Carolinians divided on perceptions of state court quality
  - Most common response was “good”
  - 13% feel trial courts are performing “excellent” or “very good”
  - Over one-third (41%) feel they are “fair or poor”

Overall, what is your opinion of your local courts?

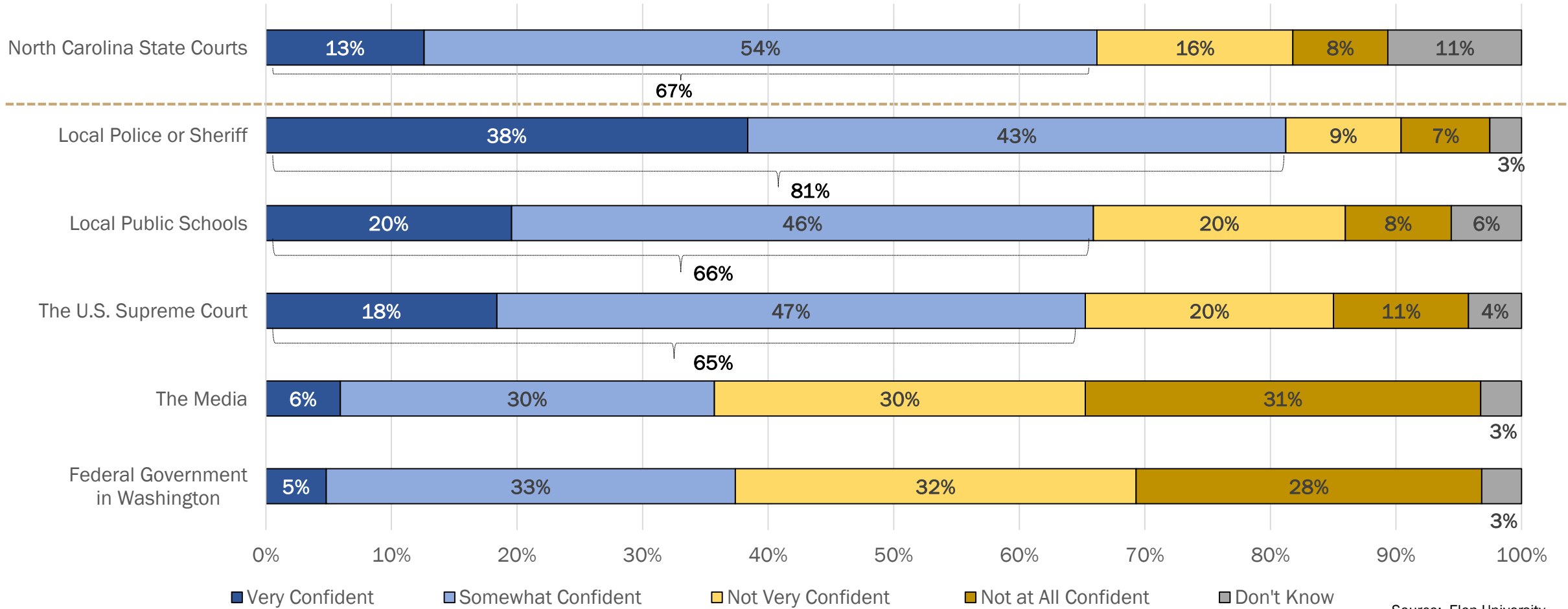


■ Excellent ■ Very Good ■ Good ■ Fair ■ Poor ■ Don't Know

Source: High Point University

# OVERALL CONFIDENCE

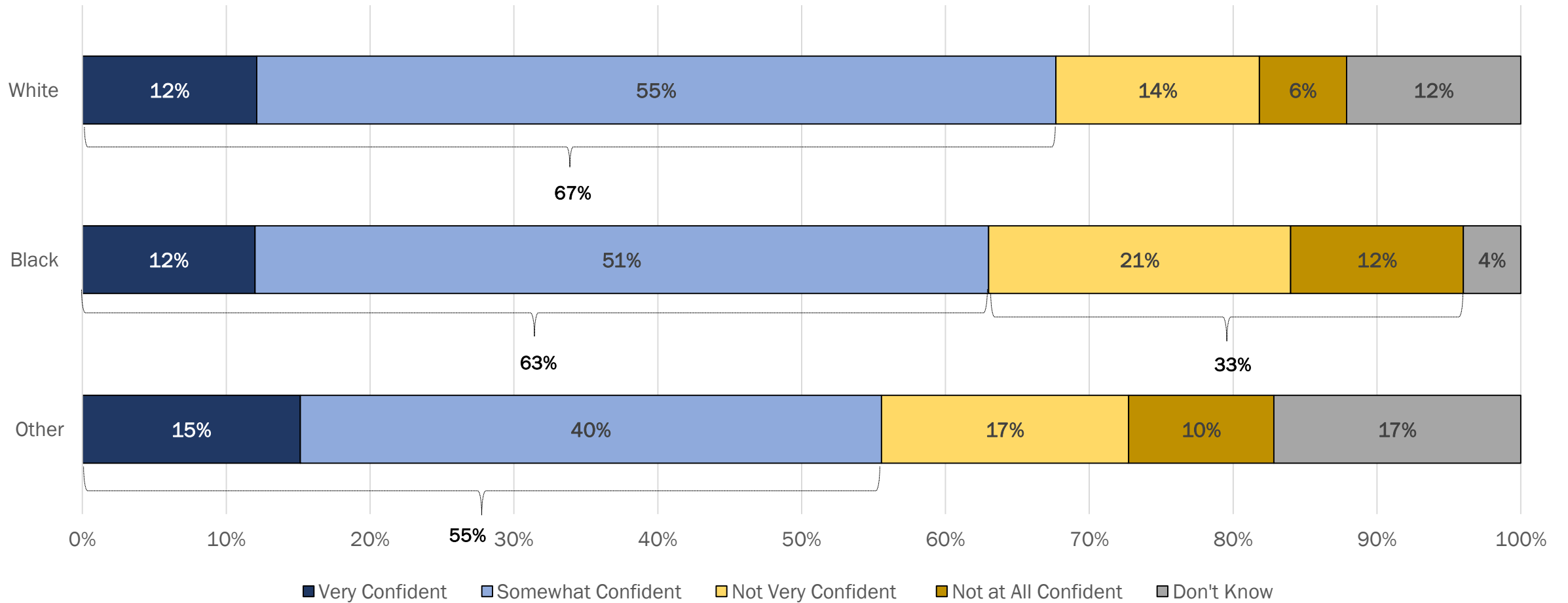
*I'd like to know how much confidence you have in the following public institutions...*



Source: Elon University

# CONFIDENCE VARIES BY RESPONDENT RACE...

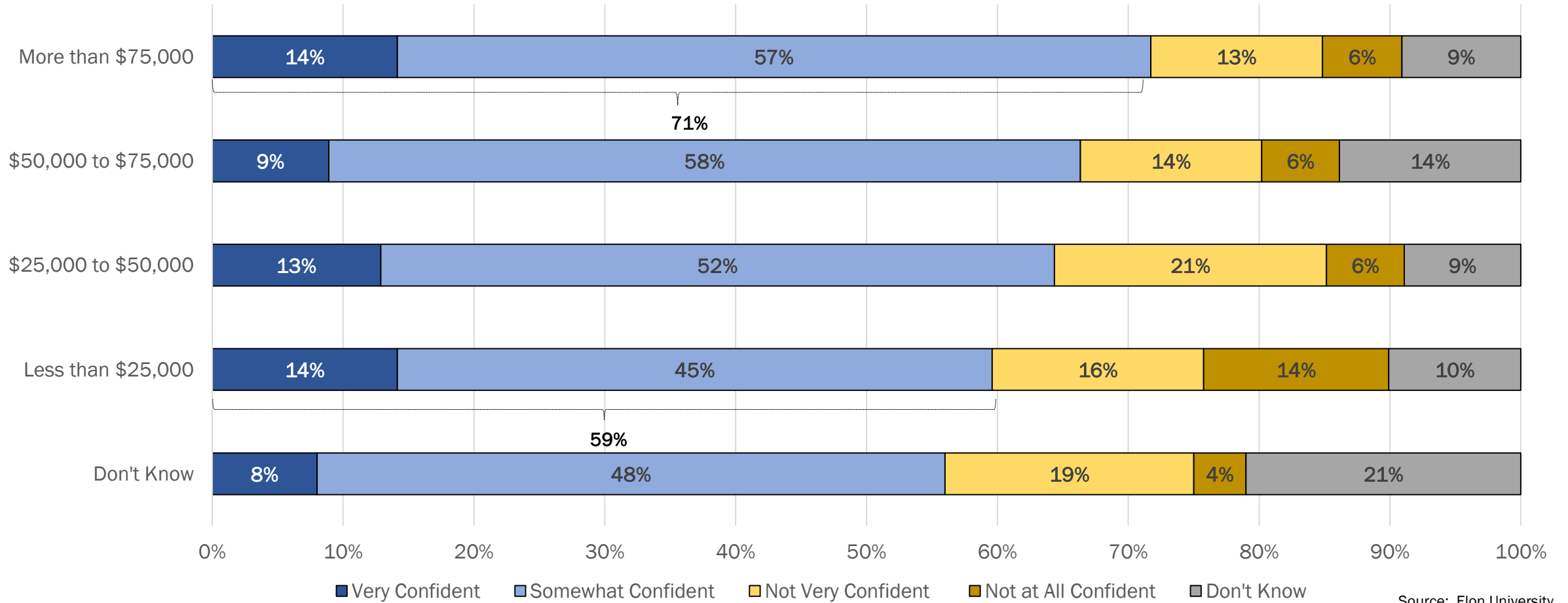
Confidence in North Carolina State Courts by Race of Respondent



Source: Elon University

# ... BY INCOME LEVEL...

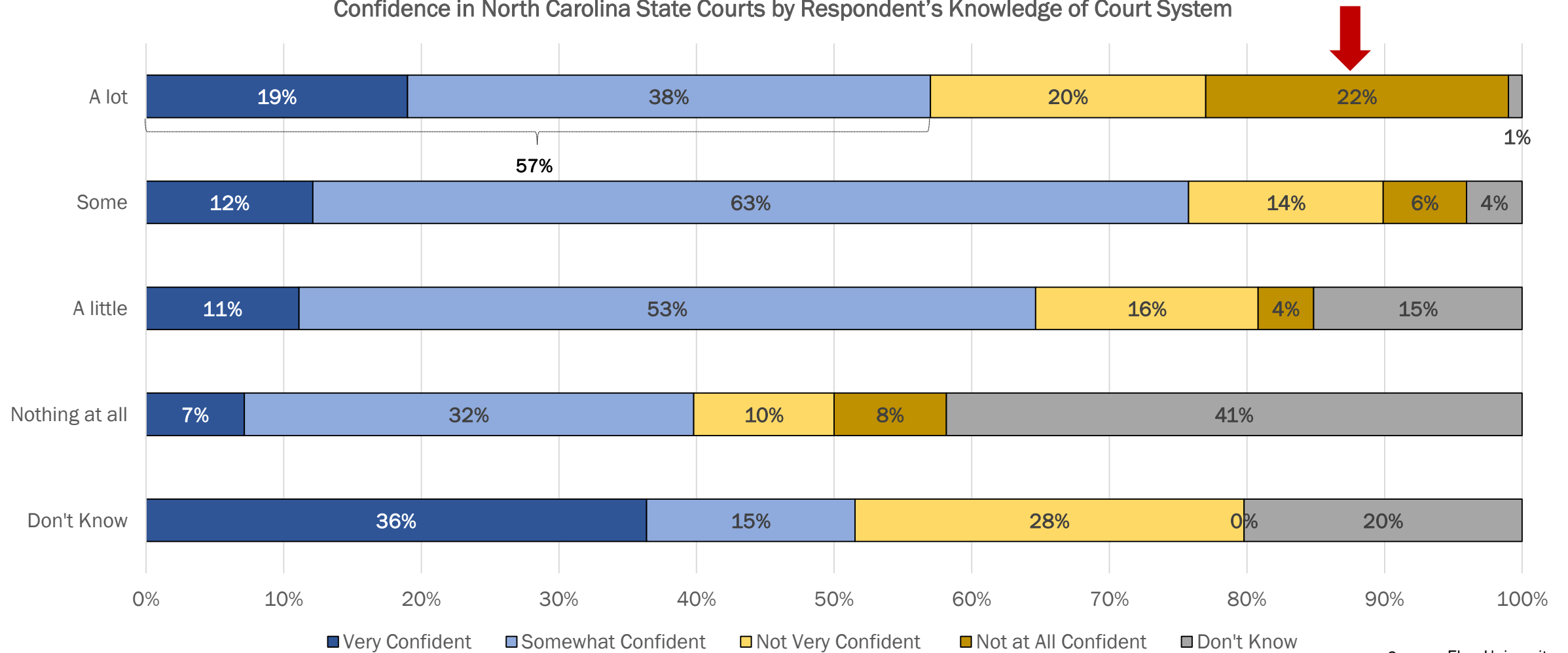
Confidence in North Carolina State Courts by Income Level of Respondent



Source: Elon University

# ... AND BY KNOWLEDGE OF THE NC COURT SYSTEM

Confidence in North Carolina State Courts by Respondent's Knowledge of Court System



Source: Elon University



# CONFIDENCE IN NORTH CAROLINA STATE COURTS

## TAKEAWAYS:

- Two-thirds of North Carolinians “very confident” or “somewhat confident” in state court system
  - Slightly less confident than 2015 NCSC national measure of confidence (71%)
  - On par with local public schools, US Supreme Court
  - Very confident in local law enforcement agencies
  - Least confident in media
  
- Confidence in NC Courts varies by respondent characteristics
  - Demographics: higher among white, wealthy respondents
    - ◆ Consistent with 2015 NCSC national survey results
  - Knowledge: highest percentage of low confidence by respondents who know “a lot”
    - ◆ Highest confidence from respondents who know “some” or “a little”
    - ◆ *Why?*

# RESULTS

## FAIRNESS OF OUTCOMES

# NORTH CAROLINA JUDICIAL BRANCH MISSION STATEMENT

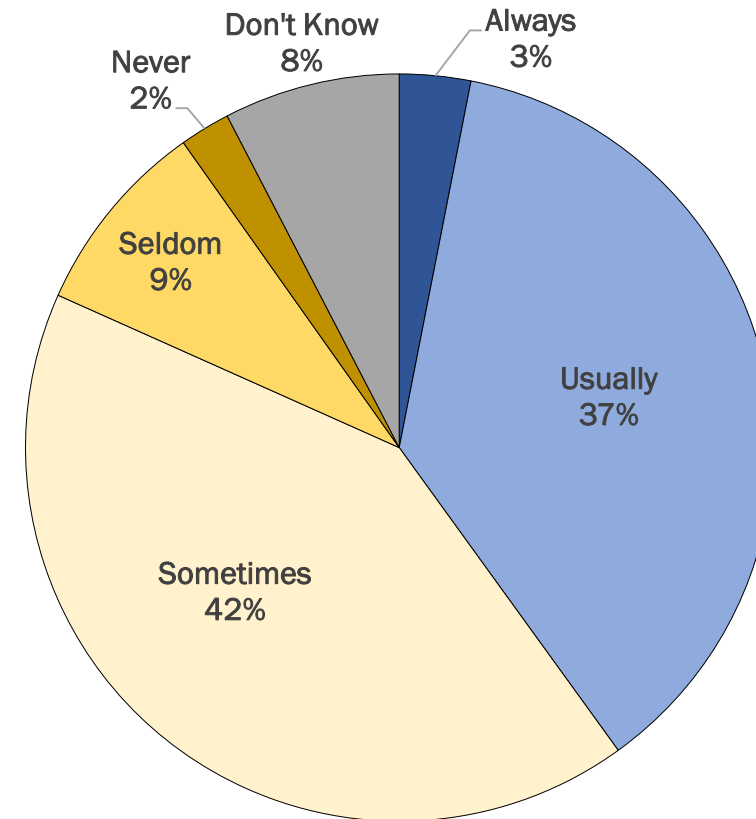
*“To protect and preserve the rights and liberties of all the people, as guaranteed by the Constitutions and laws of the United States and North Carolina, by providing a fair, independent, and accessible forum for the just, timely, and economical resolution of their legal affairs.”*

# OVERALL PERCEPTIONS OF FAIRNESS

How often do people receive fair outcomes in the North Carolina State Courts?

## TAKEAWAYS:

- North Carolinians view state courts as providing reasonably fair outcomes
  - 40% feel outcomes are “always” or “usually” fair
  - Over half (53%) feel that outcomes are fair only some of the time, or not at all
- *What could be affecting this?*



■ Always ■ Usually ■ Sometimes ■ Seldom ■ Never ■ Don't Know

Source: Elon University

# OVERALL PERCEPTIONS OF FAIRNESS

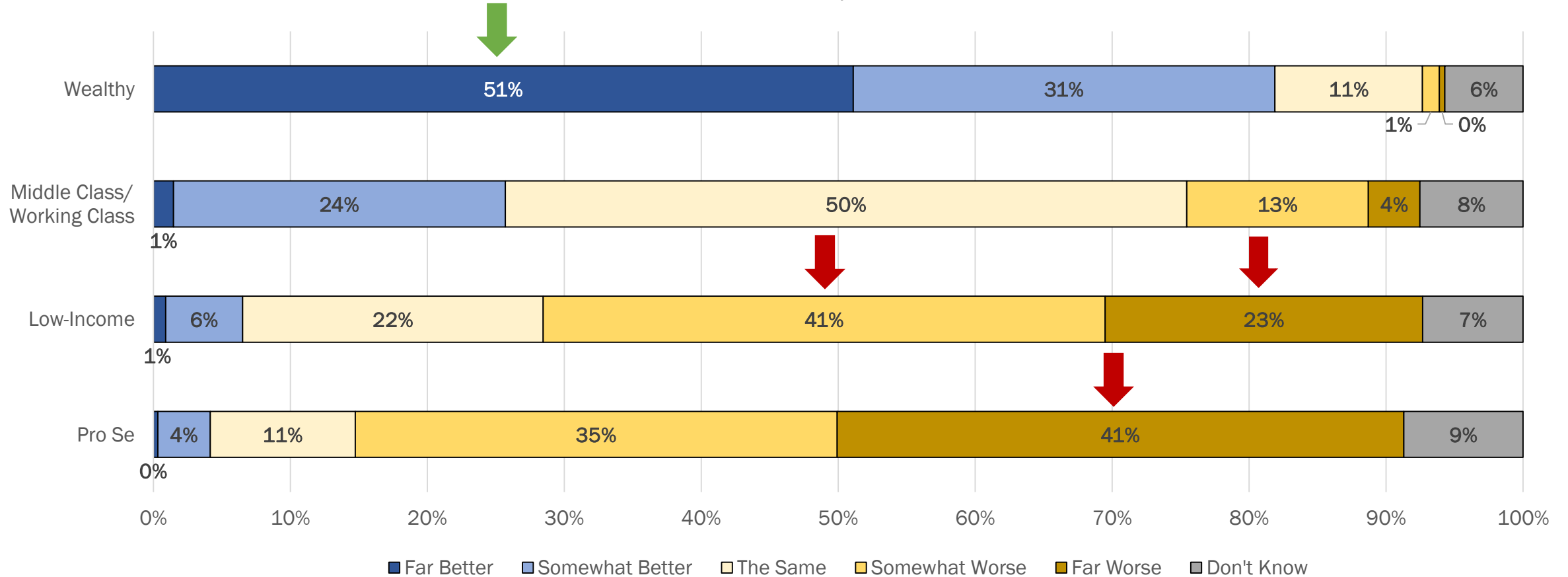
## FAIRNESS OF OUTCOMES BY RACE OF RESPONDENT

	Always	Usually	Sometimes	Seldom	Never	Don't Know	TOTAL
White	2%	44%	38%	7%	1%	8%	100%
Black	6%	17%	53%	13%	4%	6%	100%
Other	6%	20%	48%	14%	4%	8%	100%

Source: Elon University

# ARE ALL GROUPS TREATED EQUALLY?

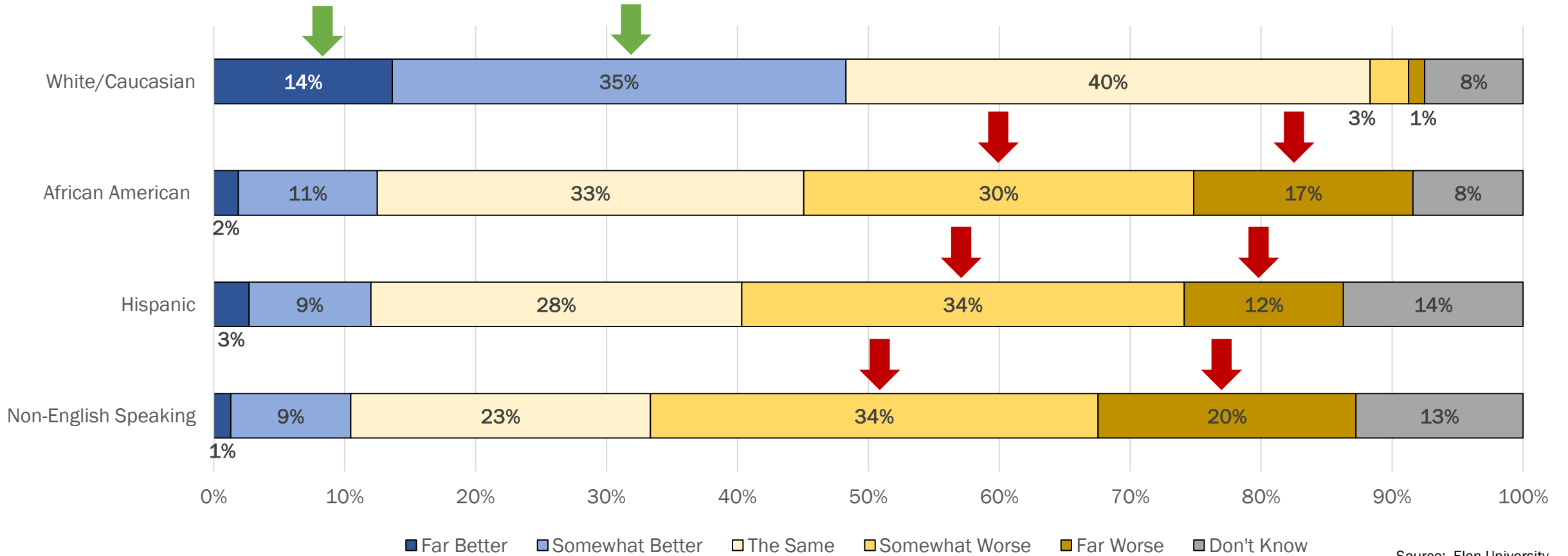
Do the following groups of people receive better or worse treatment in the North Carolina State Courts?  
Socio-Economic Groups



Source: Elon University

# ARE ALL GROUPS TREATED EQUALLY?

Do the following groups of people receive better or worse treatment in the North Carolina State Courts?  
Racial/Ethnic Groups



Source: Elon University

# FAIRNESS IN NORTH CAROLINA STATE COURTS

## TAKEAWAYS:

- North Carolinians have mixed views of overall fairness of outcomes received in state courts
  - Views divided based on the race of respondent
    - ◆ Black and Other race groups more critical of system fairness
- Beliefs in unequal justice are strong
  - Different socio-economic and racial/ethnic groups perceived as being treated differently
    - ◆ White/wealthy groups treated better
    - ◆ Low-income/minority groups treated worse
    - ◆ Pro Se litigants treated the least fairly
  - Consistent with 2015 NCSC national perceptions of partiality





# RESULTS

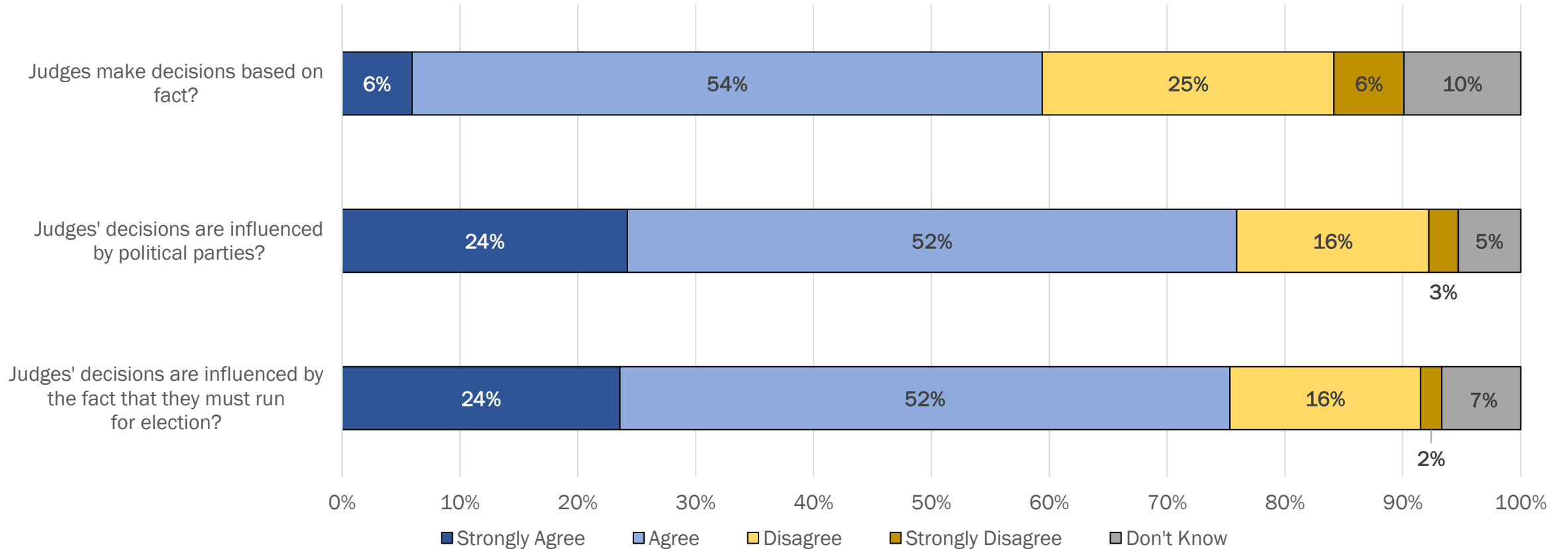
## JUDICIAL INDEPENDENCE

# NORTH CAROLINA JUDICIAL BRANCH MISSION STATEMENT

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# JUDICIAL INDEPENDENCE

Perceptions of Judicial Decision-Making in North Carolina State Courts



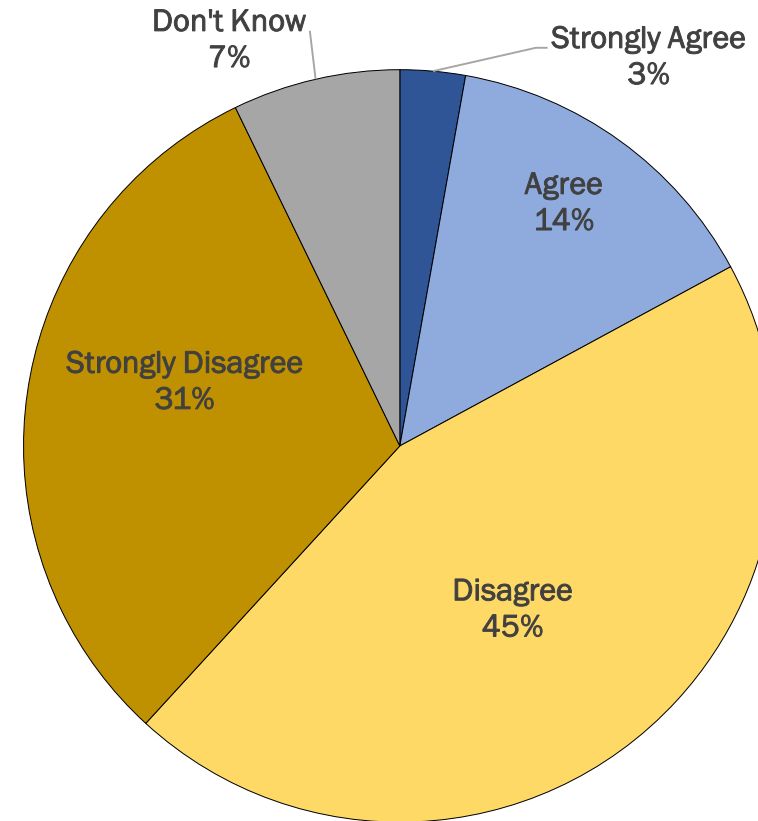
Sources: Elon University & High Point University

# JUDICIAL INDEPENDENCE

## TAKEAWAYS:

- While 60% agree that judges make decisions based on facts, North Carolinians overwhelmingly (76%) feel judges' opinions ultimately influenced by their status as elected officials, and by political parties themselves
  - Consistent with 2015 NCSC national survey results (61%)
- Three-fourths feel the state court system overall is influenced by politics
  - Belief is stronger (82%) amongst respondents who know "a lot" about NC court system

Are North Carolina courts free from political influence?



■ Strongly Agree ■ Agree ■ Disagree ■ Strongly Disagree ■ Don't Know

Source: Elon University

# RESULTS

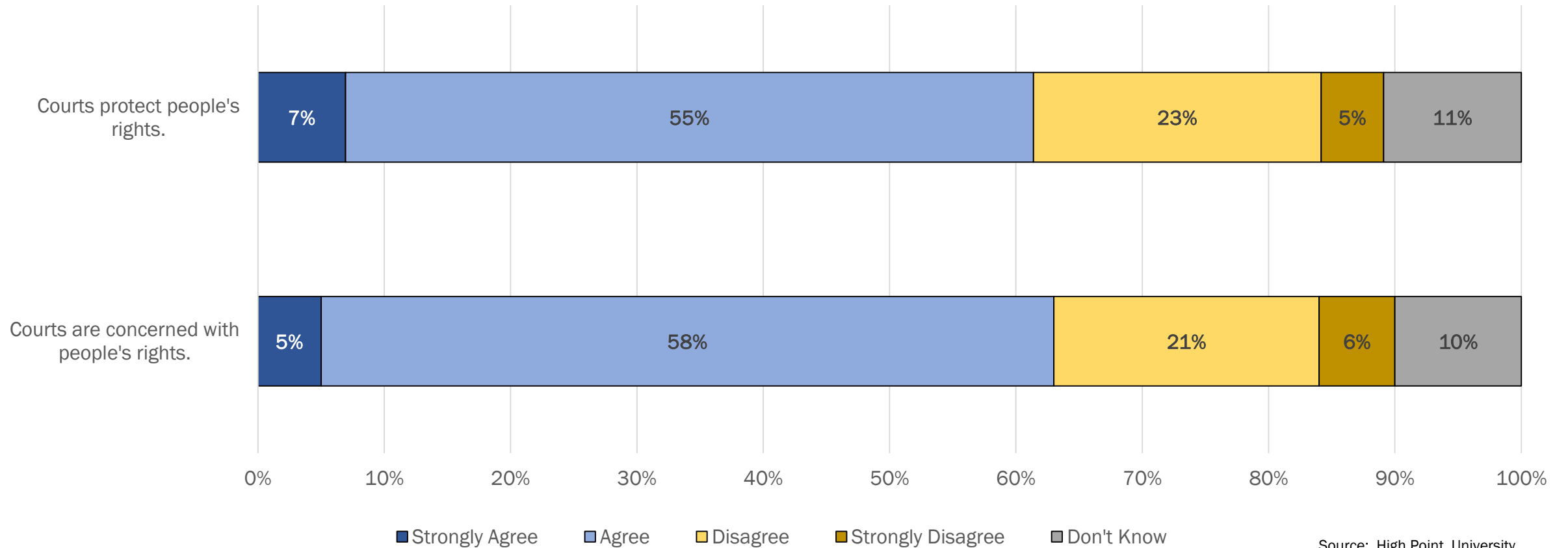
## VALUES & “PROCEDURAL FAIRNESS”

# NORTH CAROLINA JUDICIAL BRANCH MISSION STATEMENT

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# STATE COURTS AS THE STEWARD OF PEOPLE'S RIGHTS

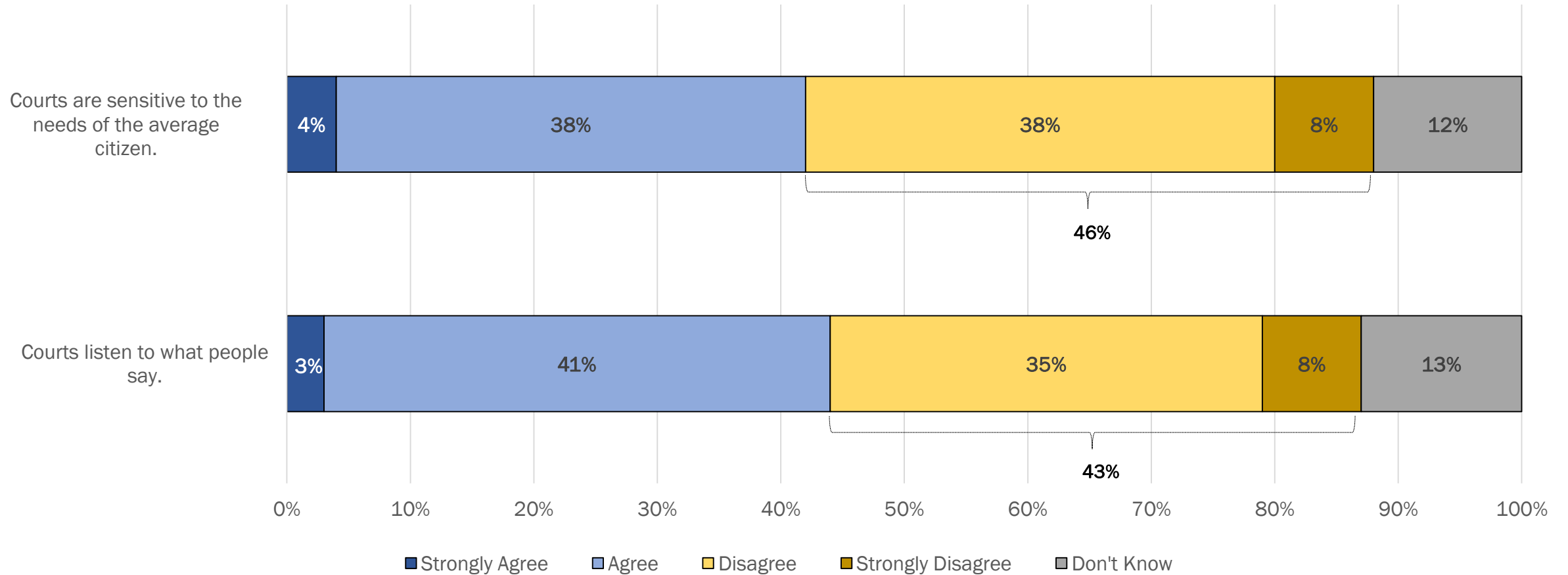
Perceptions of the North Carolina State Courts as a Steward of People's Rights



Source: High Point University

# “PROCEDURAL FAIRNESS” IN NORTH CAROLINA COURTS

Are the State Courts Responsive to the Needs of North Carolinians?



Source: High Point University



# ASSESSING VALUES AND “PROCEDURAL FAIRNESS”

## TAKEAWAYS:

- North Carolinians strongly believe that state courts adequately defend people’s rights
- Courts not meeting other tenets of “procedural justice” to public’s satisfaction
  - < 50% feel the court listens to what people appearing before them have to say, or are sensitive to the public’s needs
    - ◆ Significantly lower than 2015 NCSC measures of state court sensitivity (~60%)
- Important implications – “procedural fairness” = primary driver of public trust in institutions

*“The procedural justice argument is that, on the general level, the key concerns that people have about the police and the courts center around whether these authorities treat people fairly, recognize citizen rights, treat people with dignity, and care about people’s concerns.”*

-T. R. Tyler

*Trust and Democratic Governance*

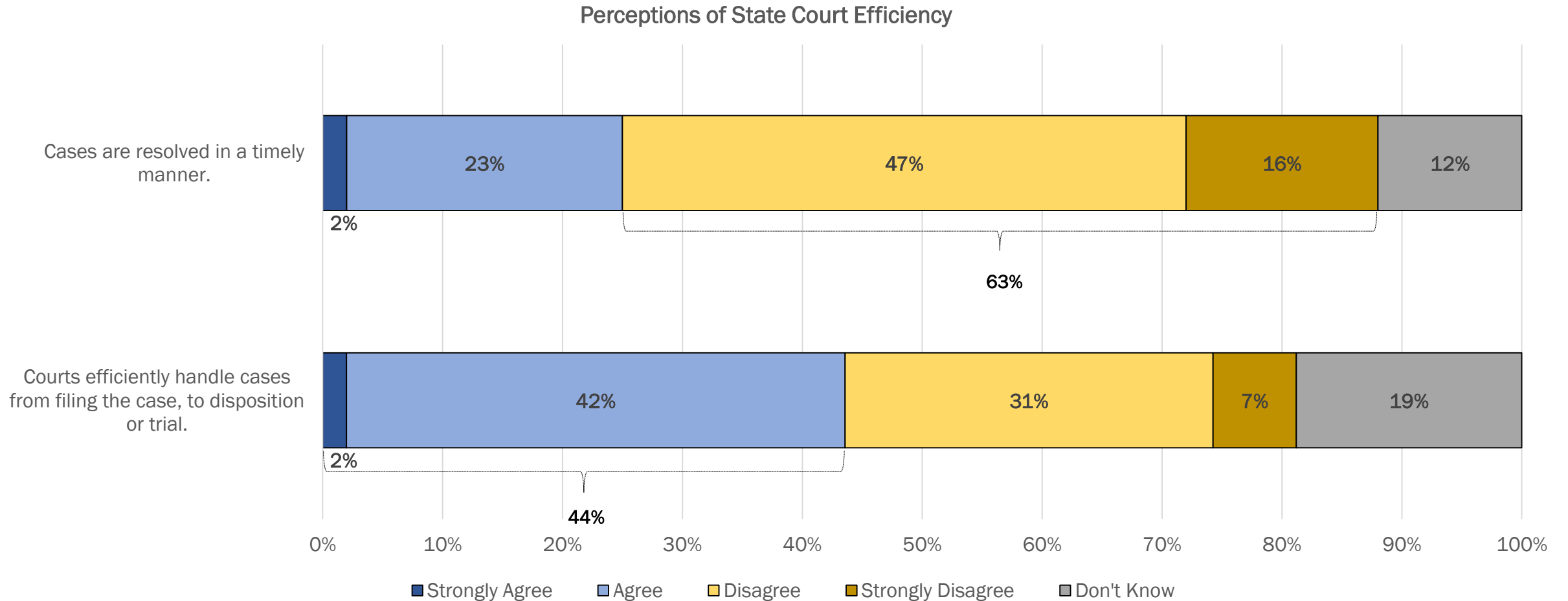
# RESULTS

## EFFICIENCY & RESOURCES

# NORTH CAROLINA JUDICIAL BRANCH MISSION STATEMENT

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# EFFICIENCY OF NORTH CAROLINA STATE COURTS

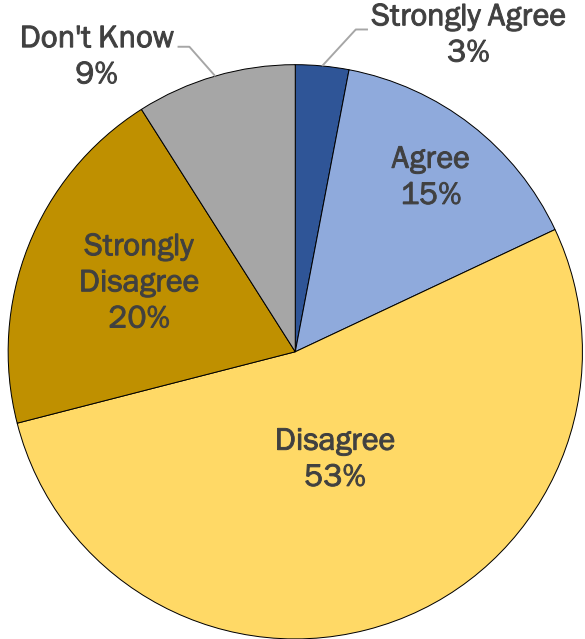


Source: High Point University

# PERCEPTIONS OF AFFORDABILITY VS. AVAILABLE RESOURCES

## Affordability

Most people can afford to bring a case to court.

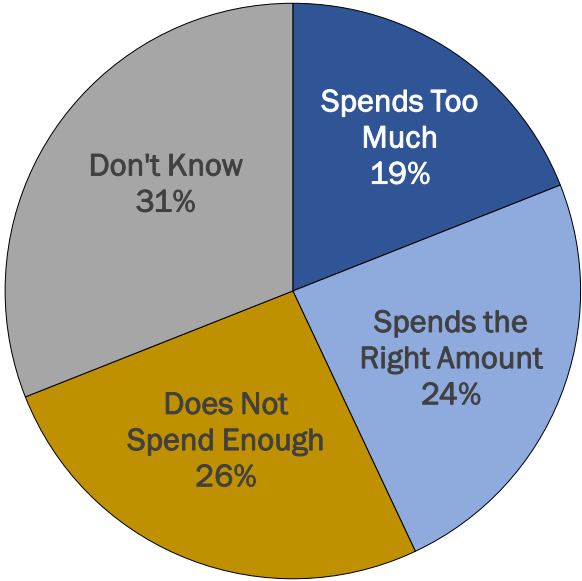


- Strongly Agree
- Agree
- Disagree
- Strongly Disagree
- Don't Know

Source: High Point University

## Resource Needs

Does North Carolina spend enough on state courts?



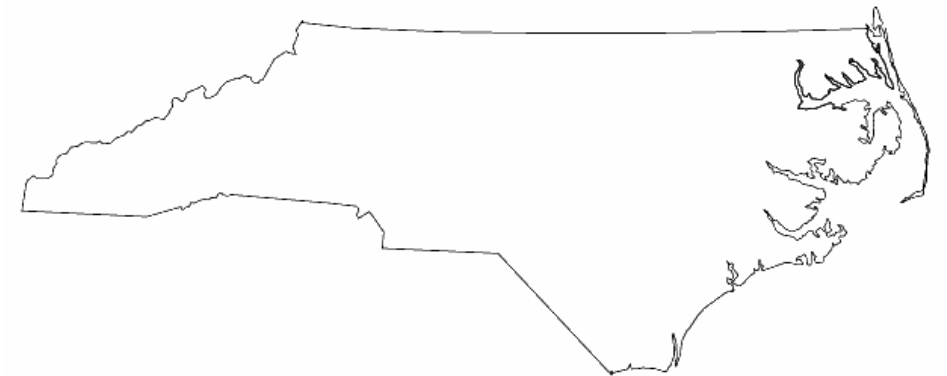
- Spends Too Much
- Spends the Right Amount
- Does Not Spend Enough
- Don't Know

Source: High Point University

# EFFICIENCY AND RESOURCES

## TAKEAWAYS:

- Over half of respondents believe cases take too long to dispose, and that litigation is often cost-prohibitive
- But, court system seen as doing a decent job (44%) of efficiently processing the cases it must handle
  - *Too many cases?*
- While courts are seen on average as too expensive, North Carolinians divided on their thoughts towards court system funding
  - Only one-fourth (26%) think state doesn't spend enough
  - *Is better messaging needed to communicate the importance of an adequately funded court system to ensure the proper administration of justice?*
    - ◆ Over half (58%) of respondents feel that the media portrayal of state courts is not accurate



# SUMMARY OF RESULTS

## WHAT PEOPLE LIKE

- Generally confident in overall performance
- Outcomes as a whole reasonably fair
- Protect and preserve people's rights
- Judges are honest, usually make decisions based on facts
- Does adequate job of disposing of cases it's tasked with handling
- Not costing taxpayers too much

## WHAT PEOPLE DON'T LIKE

- Outcomes biased against minorities, people of low income, non-English speakers
- Cases take too long to resolve
- Litigation cost-prohibitive, prevents meaningful participation by average citizens
- Judges influenced by political considerations
- Not sensitive enough to public's needs, don't always listen

CONSIDERING HOW NORTH CAROLINA COURTS  
CAN BEST MEET INSTITUTIONAL NEEDS  
AND 21<sup>ST</sup> CENTURY PUBLIC EXPECTATIONS