

CLERK OF THE DISTRICT COURT MANUAL

APPENDIX A

A Public Access Self-Assessment
for the Idaho Courts

Idaho Supreme Court

Committee to Increase
Access to the Courts

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INTRODUCTION

The Idaho Administrative Office of the Courts requested technical assistance from the National Center for State Courts (NCSC) in the area of public access. The request was for a Public Access Self-Assessment that could be used by the county courts in a self-evaluation of public accessibility to the courts.

THE PUBLIC ACCESS SELF-ASSESSMENT

The objective was to develop a self-assessment that would measure public access. The goal of the self-assessment is to allow the clerks, trial judges, and trial court administrators of the Idaho county courts to measure the “public access friendliness” of their courts. A self-assessment (rather than an assessment conducted by an outsider to the court) facilitates the development of public access improvement plans in the individual counties.

The self-assessment focuses on the six areas of public trust and confidence as defined by the Conference on Public Trust and Confidence that was held in Washington D.C. in May of 1999. The six areas of public trust and confidence are:

- Location
- Physical Structure
- Procedures
- Language
- Customer Service
- Electronic Public Access.

Also, the *Trial Court Performance Standards* concerning access to justice and public trust and confidence were integrated where applicable.

Location. The actual physical location of the courthouse is less important than the ease of locating the courthouse and accessibility to it: ease in the sense of how easy it is to find and accessibility in the sense of accessibility by public transportation and/or accessibility to sufficient and affordable parking. How easy is it for a stranger without a map to drive into the city via one of the main thoroughfares and find the courthouse by merely following the directional and street signs?

Evaluating the merits and drawbacks of the location may be heavily dependent upon the size of the city. In a larger city, a central location may be in a very congested area with safety concerns and a shortage of affordable parking. A location just outside the central area may be better in that there is still good accessibility by public transportation and affordable parking is available. However, in a smaller town, a central location may be more desirable. A central location in a small town permits people to walk to the court or, if coming from outside the town, to park at affordable rates.

There needs to be sufficient and affordable parking in proximity to the courthouse with an adequate number of spaces for peak times. Also, the parking area for the court needs to be clearly marked and free or at a very low cost.

Physical Structure. Does the courthouse project a dignified, yet not intimidating, presence upon approach? How easy is it to figure out which door(s) is the one to enter? Are there good signs on all approaches to the courthouse? If some doors are locked or not available for entrance by the public because of security concerns, is that clear before someone approaches? Or, do people have to walk all around the courthouse before they figure out how to get in. This becomes more important when the weather is inclement or where senior citizens or persons with impaired mobility are affected. Also, are

high traffic offices, such as fine and fees offices, conveniently located near the entrance so that people do not have to roam all over the courthouse looking for them?

What is the security system like? Are the personnel professional and able to inspire confidence in the security of the court? Does the court have enough security machines and personnel to avoid long backups at peak times such as first thing in the morning and right after lunch? Are the machines calibrated correctly so that they are not overly sensitive, causing people to be subjected to unnecessary searches? Are men and women personnel available to perform wandings or searches on their own sex?

A courthouse cannot have too many signs. A courthouse is often a place where people go infrequently and they may be unclear exactly what service area of the courthouse they need. Are there easy to read directional signs to the courtrooms, specific offices, restrooms, telephones, elevators, and lounge areas?

Is there a building layout prominently displayed at the entrance of the courthouse? If the court is in more than one building, is the building layout displayed before the security barrier so that people do not go through security unnecessarily? Are other related agencies, such as the sheriff's department or child support enforcement, that are in the court complex clearly noted?

Courts need to have an Information Desk at the entrance staffed with knowledgeable people. In a smaller court, the clerk's office may assume this function, but a sign pointing the way to "Information" is needed as one enters the courthouse. In addition to an Information Desk, the daily dockets or calendars need to be clearly posted and easy to read and understand.

The public needs to know that their opinions regarding the courts are respected. Is there a public suggestion box near the entrance along with a prominently displayed notice of whom the public can contact with complaints? Does the court have a mission statement and is this mission statement prominently displayed in the entrance area to inspire public trust and confidence?

It is important for the courthouse to have areas where people can wait comfortably and have private discussions rather than just benches in the hallway. Does the court have comfortable waiting rooms, especially separate waiting rooms for victims and witnesses? Are there conference or interview rooms available for litigants to meet with their attorneys? Are day care facilities or separate child waiting rooms available for those who had to bring their children?

Federal law mandates equal access to the courts for those with physical handicaps. How accessible is the courthouse for people in wheelchairs? Are the wheelchair accessible entrances, elevators, and restrooms clearly marked with good directional signs? Is there one service window at the clerk's office that has a lower counter to be accessible to those in wheelchairs? What accommodations does the court make for those who are sight or hearing impaired? Are audio instructions or an escort available to the sight impaired? Are there large-type instructions on how to negotiate the courthouse? A court can make the courtroom more accessible to the hearing impaired by improving the quality of courtroom acoustics and having sign language interpreters available.

Procedures. Court procedures can be very intimidating to a member of the public. Court employees often forget that the courts have their own jargon that can be incomprehensible to someone coming to the court to pay a ticket, testify at a hearing, or participate in a jury pool. Also, most people have to take off from work to attend to court business during the day. The combination of the specialized world of the courts and the need for the public to do their court business in a timely and

effective manner needs to be recognized by the courts. Most people do not have the time to spend the morning waiting for their case to be called during a block setting.

How does the court address these challenges? Has there been an effort to simplify procedures for the public and reduce paperwork and the need to call at several windows or offices to transact court business? Are docket calls set for time certain rather than block setting and does court start on time? Does the court have written informational pamphlets that clearly explain the court process and specialized areas such as how to obtain a protective order or participate in a jury? Are alternative dispute resolution services available and advertised to the public? Are jury instructions written in clear, easily understandable language?

Judges and court personnel play an important role in elucidating the arcane practices and procedures of the court to the public. Are court proceedings that should be open to the public, open to the public? Does the judge explain what is happening in the courtroom to the participants in non-legalese? Judges and court personnel also have the responsibility to reinforce the idea that all people are equal before the law by treating all people in the courtroom with respect and dignity.

Language. Given budgetary realities, the importance of the availability of all court materials and activities in a language other than English depends upon the number of non-English speaking people within the court's jurisdiction. But, all courts will have some litigants, witnesses, or jurors, who do not speak or read English and they need to have a way to accommodate these participants in the court system. In an area that has a number of non-English speaking people, court documents such as court instructions, forms, and brochures should be printed in the non-English language spoken in the area. Similarly, all signage in the courthouse and the courtroom should be bilingual. Bilingual court staff should be available in high contact areas. Court interpreters should be available for non-English speaking participants at hearings and trials. Ideally, these interpreters would be certified interpreters to ensure that justice was not impaired.

Customer Service. Customer service is probably the area where the greatest gain for public access can be made with the smallest amount of money. Being helpful does not have a high cost associated with it. The courts sometimes need to be reminded that they are in a service business. The court staff must be available to the public to answer questions and take time to explain the way the court works. Public service counters need to be adequately staffed to avoid excessive waits both during peak times and off-times. The people staffing the public service counters need to be friendly and courteous even though the public they are dealing with may not be friendly and courteous.

To provide the best service to the public, the court staff needs to be well trained in their respective responsibilities as well as cross-trained in other areas. The court staff is often in a delicate situation in interacting with the public at a time when the public is highly stressed. The importance of customer service can be emphasized to the employees with on-going training while teaching the distinction between being helpful and giving legal advice or help.

Given the limited hours of the courts, the courts need to be available via telephone during the day and after hours. Does the court have an after hours automated telephone system that supplies basic information such as opening times and directions? Is the court telephone number easy to find in the telephone book and is it listed several ways besides the "correct" way? Are individual offices listed in the telephone book so that the public can easily reach the office they need without going through the main switchboard? Are TDD phones available for the hearing impaired? And, most importantly, is the telephone system user friendly? An automated phone system should have no in-depth trees and there should be an

opportunity to talk to a live person at all times. Voice mail should be available and the staff need to make sure they update their messages so that it is clear whether they are in the office that day. It is also crucial that the staff return all messages promptly.

The courts also have to think about consumer friendliness in their dealings with the public. Are there photocopying services that are available at a low cost and in appropriate places? Are there different options besides cash to pay fines? Examples would include a court sponsored payment plan, accepting credit cards, accepting personal checks, having ATM machines located nearby, having a payment drop box or 24 hour electronic kiosk, and accepting payments by mail. Are the operating hours of the court more than 9 to 4 to accommodate working people? Do offices stay open during lunch? Are there Saturday or evening hours? In a slightly different vein, is the availability of the Idaho Volunteer Lawyers Program (IVLP), the Idaho Legal Aid Services (ILAS), and other pro bono attorneys well advertised?

Electronic Access. As more and more people log on to the Internet, it becomes important for courts to have a website that is as informative as possible. A website can show opening and closing times, the next day's docket, options on how to pay a fine, and an explanation of common court procedures. Similarly, information kiosks can be located in the courthouse entrance to show the current day's docket, a directory of court offices, and have a touch screen for commonly asked questions. Kiosks also can be used for payment of fines. They have the benefit of being available 24 hours and can be located off-site in heavily trafficked areas such as supermarkets and malls.

Public Access Self-Assessment

The Public Access Self-Assessment was developed by the Court Services Division of the National Center for State Courts. By using the self-assessment, Clerks of the District Court, Trial Court Administrators and Judges are able to measure the accessibility of their court to the public. The self-assessment will initiate the development of public access improvement plans in each county.

The self-assessment covers the six areas of public trust and confidence and incorporates Trial Court Performance guidelines where applicable.

- I. Location
- II. Physical structure
- III. Procedures
- IV. Language
- V. Customer Service
- VI. Electronic Public Access

Courts in Idaho can use the self-assessment to ask three basic questions:

- 1) How accessible is our court to the public at this time?
- 2) What areas does the court need to improve to become fully accessible to the public?
- 3) What steps can the court take to reach this goal?

Instructions for Use

This self-assessment evaluation is designed to be conducted by the Elected Clerk of the District Court, perhaps a deputy or two, along with the Trial Court Administrator. There is no “score” or “grade” generated from the evaluation. Rather, the evaluator answers each question by marking an *X* for “Yes” “No” or “Needs Improvement”. There is also room for written comments after each question. At the end of the evaluation, a review of those areas with an assessment of “No” or “Needs Improvement” will show the court what areas need to be improved and what areas are satisfactory.

I. Location of the Court

Yes No Improvement Needed

- | | | | | | |
|---|--------------------------|-----|--------------------------|----|-------|
| 1. Is the courthouse centrally located? If not, are their maps or guides that can be distributed and published to assist the public in locating the courthouse? | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No | _____ |
| 2. Are there street signs directing the way to the courthouse? | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No | _____ |
| 3. Is there adequate signage on all approaches to the courthouse? | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No | _____ |
| 4. Is the neighborhood safe, especially after dark? If not, can lighting and security measures be taken to improve safety? | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No | _____ |
| 5. Is there sufficient, affordable parking? | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No | _____ |
| • Proximity to courthouse | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No | _____ |
| • Adequate number of spaces for peak times | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No | _____ |
| • Free or very low cost | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No | _____ |
| • Good lighting | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No | _____ |
| • Snow removal of walks and parking spaces | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No | _____ |

II. Physical Structure

- | | | | | | |
|---|--------------------------|-----|--------------------------|----|-------|
| 6. Does the courthouse project a dignified, yet not intimidating, appearance? | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No | _____ |
| 7. Is it easy to find the entrance(s) to the courthouse? | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No | _____ |

8. Is the security system effective? Yes No _____
9. Does the courthouse have a public suggestion box or other method to get suggestions for improvement? Yes No _____
10. Is there a building layout prominently displayed at the entrance to the courthouse? Yes No _____
11. Is there a notice of whom the public can contact with complaints? Yes No _____
12. Is there an information desk or front counter with knowledgeable staff? Yes No _____
13. Are the daily dockets or calendars clearly posted and easy to read and understand? Yes No _____
14. Are high traffic offices, such as fine and fees offices, conveniently located near the entrance? Yes No _____
15. Are there easy to read directional signs? Yes No _____
- To courtrooms? Yes No _____
 - To specific offices? Yes No _____
 - To restrooms? Yes No _____
 - To telephones? Yes No _____
 - To drinking fountains, vending machines, and lunchroom? Yes No _____
 - To other buildings in the court complex? Yes No _____
16. Are there comfortable waiting rooms/lounges with ample seating available? Yes No _____
17. Is the lighting in the courthouse adequate? Yes No _____
18. Are the restrooms clean and safe? Yes No _____
19. Are there phones available for use by the public? Yes No _____
20. Is there snack food or vending machines available to the public? Yes No _____

21. Are conference rooms/interview rooms available? Yes No _____
22. Are there separate waiting rooms for victims and other witnesses? Yes No _____
23. Are public elevators well located and clearly marked? Yes No _____
24. Is the courthouse accessible to people in wheelchairs? Yes No _____
- To service windows at the clerk's office ? Yes No _____
 - To courtrooms? Yes No _____
 - To restrooms? Yes No _____
25. Is the courtroom accessible to sight impaired people? Yes No _____
- Availability of audio instructions? Yes No _____
 - Availability of escorts? Yes No _____
26. Is the courtroom accessible to hearing impaired people? Yes No _____
- Quality of courtroom acoustics? Yes No _____
 - Availability of sign language interpreters? Yes No _____
27. Does the court allow telephone or teleconference hearings? Yes No _____

III. Procedures

28. Are court proceedings that should be open to the public open to the public? Yes No _____
29. Does court start on time? Yes No _____
30. Are docket calls or court calendars set for time certain rather than block setting? Yes No _____
31. Are there clearly written information pamphlet(s) available that explains the court process? Yes No _____
32. Has there been an effort to simplify procedures for the public and reduce paperwork? Yes No _____

33. Are the procedures and eligibility requirements for obtaining waiver of fees and costs clearly stated for reference by members of the public? Yes No _____
34. Are court instructions written in clear, easily understandable English with as little legal jargon as possible? Yes No _____
35. Are court forms written in clear, easily understandable English with as little legal jargon as possible? Yes No _____
36. Is there information available about how to obtain an attorney? Are there clear, easily understandable instructions for people representing themselves? Yes No _____
37. Is there counter assistance or brochures to familiarize the public with court procedures? Is there information available about how to contact the nearest Court Assistance Office? Yes No _____
38. Are jurors greeted and made comfortable? Yes No _____
39. Is the brochure and introductory videotape used to orient jurors? Yes No _____
40. Are jury procedures designed to minimize inconvenience to the jury pool? Yes No _____
41. Are jury instructions written in clear, easily understandable instructions? Yes No _____
42. Does the judge explain what is happening in the courtroom to the participants in non-legalese? Yes No _____
43. Does the judge and court personnel treat all people in the courtroom with respect and dignity? Yes No _____
44. Is the availability of alternative dispute resolution services well Yes No _____

advertised and information readily available in the courthouse?

IV. Language

45. Are court interpreters available for non-English speaking participants at hearings and trials? Yes No _____
- Certified interpreters Yes No _____
 - Qualified interpreters Yes No _____
46. Are court documents available in other languages for non-English speaking people? Yes No _____
- Court instructions Yes No _____
 - Court forms Yes No _____
 - Court brochures Yes No _____
47. As appropriate, is all signage in the building and in courtrooms bilingual? Yes No _____
48. Is there bilingual court staff available in high contact areas? Yes No _____

V. Customer Service

49. Is the court staff available to answer questions? Yes No _____
50. Is the court staff willing to take time to explain things to the public? Yes No _____
51. Is the court staff friendly and courteous? Yes No _____
52. Is the court staff well trained in their respective responsibilities and cross-trained in other areas? Yes No _____
53. Is there on-going training in-house for the court staff on interacting with the public? Yes No _____
- Are court staff allowed to take advantage of regional and state-wide training opportunities? Yes No _____
- Distinction between giving legal advice and legal help Yes No _____
 - Emphasis on service Yes No _____
 - Diversity Training Yes No _____
 - How often? Yes No _____

54. Are the public service counters adequately staffed to provide prompt service? (within how many minutes?) Yes No _____
- During off-times Yes No _____
 - During peak times Yes No _____
55. Is there an after hours automated telephone system that supplies basic information (opening times, directions)? Yes No _____
56. Is the court telephone number easy to find in the telephone book? Yes No _____
- Listed several different ways besides the “correct” way Yes No _____
 - Individual offices listed besides the main number Yes No _____
57. Are TDD telephones available? Yes No _____
58. Is the telephone system user friendly? Yes No _____
- Ability to get information on court case numbers, schedules and locations Yes No _____
 - No in-depth trees Yes No _____
 - Ability to talk to a living person at all times Yes No _____
 - Availability of a phone directory Yes No _____
 - Availability of voice mail Yes No _____
 - Court staff voice mail message is clear, i.e. person is in office that day Yes No _____
 - Court staff returns all phone messages by end of day Yes No _____
59. Are photocopying services available? Yes No _____
- Low cost Yes No _____
 - Located at appropriate places Yes No _____
 - Timely? Yes No _____
60. Are there different options to pay fines? Yes No _____
- Credit cards accepted (Audiotex system) Yes No _____
 - Personal checks accepted Yes No _____
 - ATM located nearby Yes No _____
 - Payment drop box Yes No _____
 - By mail Yes No _____
61. Are the opening and closing time convenient for working people? Yes No _____
- Has the court considered late afternoon or evening sessions for Yes No _____

high volume proceedings such as traffic court?

- Are there Saturday hours Yes No _____
- Is the office open at lunch time? Yes No _____
- Open at least until 5:00 p.m.? Yes No _____

62. Is the availability of IVLP, ILAS, pro bono attorneys and other legal resources well-advertised? Yes No _____

VI. Electronic Access

63. Does the court have a web site? Yes No _____

- Showing how to reach the courthouse Yes No _____
- Showing opening and closing times Yes No _____
- Showing an explanation of common court procedures Yes No _____
- Showing options on how to pay a fine Yes No _____
- Showing the next day's docket/calendar Yes No _____

64. Is information readily available at the entrance to the courthouse? Yes No _____

- Showing current day's docket Yes No _____
- Showing a directory for court offices Yes No _____
- Responding to commonly asked questions Yes No _____