It is often said that people go to court to seek justice. The outcome of litigation is one measure of justice, but research shows that many other factors affect the perception of court users and the public. These perceptions are crucial to fulfill the achievement of justice.

In an effort to explore perceptions of justice, the American Bar Association Judicial Division Lawyers Conference hosted a series of town hall meetings and panel discussions between 2008 and 2012, which it referred to as “Perceptions of Justice” events. The events gave members of the public an opportunity to share their experiences with the court system, and members of the judiciary and court personnel the chance to hear the concerns of court users. There were many substantive suggestions for improving the perception of court users and the public concerning the court system as a fair and dependable place to resolve disputes.

This “how-to guide” suggests reasons why your organization may want to plan a Perceptions of Justice event, what that event might look like, what topics you might suggest for discussion, and where to look for resources.

For more information, please visit the Perceptions of Justice website listed in the resource section below, or contact the Lawyers Conference.

Why you should consider hosting a Perceptions of Justice event . . .

Hosting an event will allow you to:

- Provide a dedicated time for community members, judges, lawyers, and others active in the justice system to consider how court users perceive the court system in your community.
- Gather substantive suggestions on how to improve positive perceptions of justice in your community.
- Use your event to become a catalyst for change within your local justice system. Facilitating meetings with various stakeholders may bring together people who have never met in person and whose actions directly affect perceptions of justice in your court system.

What your event might look like . . .

There are many types of events you could host that would explore perceptions of justice in your community. To learn more about the events hosted by the Lawyers Conference (which included the formats below), review the July 2011 report, which is located at: http://www.americanbar.org/content/dam/aba/administrative/lawyers_conference/2011_poj_writtenreport.authcheckdam.pdf.
Formats for your Perceptions of Justice event could include:

- **Town-hall meeting.** This format generally features a moderator or commentator. The focus of the event is allowing members of the public who attend the event to briefly share their experiences with the justice system, often by speaking from a microphone positioned in the front of the room. The moderator or commentator may provide responses or summarize the anecdotes that are offered.

- **Panel discussion featuring court personnel and users.** This format features several speakers and a moderator who are invited to share unique perspectives. For instance, you might ask a member of the community, the leader of a community organization, a judge, an attorney, and/or a law enforcement officer to participate.

- **Panel discussion featuring researchers, professors and other experts on perceptions of justice.** This type of program often jumpstarts a discussion of proposed solutions because the experts are able to summarize data and academic studies to quickly outline the current perceptions of the court system and then begin a discussion of how to both improve perceptions and retain systems that already promote positive perceptions of justice.

- **Half-day or full-day discussion sessions** with court personnel and others in the justice system. Frequently, the many players in the justice system (judges, attorneys, court clerks, law enforcement officers, jail personnel, probation/parole agents, etc.) have not met in person to discuss the administrative of justice. Selecting this format allows you to take on the role of getting the players in the same room and facilitating their interaction.

- **Small-group discussions.** In conjunction with other formats, you could choose to offer breakout sessions where a small number of people (6-15) are asked to discuss specific issues or brainstorm solutions for a specific problem. This gives participants an opportunity to learn during large-group presentations and then offer personal observations and suggestions in a smaller setting.

**What topics you might suggest for discussion . . .**

- **Procedural justice.** One of the most researched areas related to perceptions of justice is the extent to which court users perceive the procedure was fair. “Procedural fairness concerns the extent to which the courts are understandable, accessible, respectful, and trustworthy in the eyes of the people who use them.” One group of judges has opined: “While the public focuses on fairness of the process, judges and lawyers tend to focus on fair outcomes, often at the expense of meeting the criteria of procedural fairness that are critical to public perceptions of the courts.” To address procedural fairness at your perceptions of justice event, consider asking questions about the extent to which litigants’ and victims’ voices are heard, the way they are addressed outside and inside the courtroom, and whether they are treated with respect. For more discussion on issues related to procedural fairness, visit www.proceduralfairness.org or review other resources listed at the end of this guide.

- **The user’s experience, from beginning to end.** One way to identify positive and negative experiences is to discuss, in chronological order, what a court user experiences from the minute he receives a notice to appear in court, to the time he enters the parking garage at the courthouse, to the minute he leaves. How were his interactions with court personnel prior to, during, and after court proceedings? What signage and policies in the courtroom contributed to the user’s experience? Did the judge directly address the litigant? Did the litigant have an opportunity to be heard? Did the litigant leave with questions unanswered?

- **The perceived impact of race, ethnicity, religion, gender, and sexual orientation.** Numerous studies suggest that these factors influence how people perceive the administration of justice. In addition, some studies have shown that court users are, in fact, treated differently or given different outcomes as a result of implicit or explicit bias. Your perceptions of justice event could discuss whether court users are, in fact, treated differently and/or why court users may perceive that they are treated differently than other court users.

- **The impact of public outreach.** In many communities, judges and lawyers participate in public education programs at schools and community events. Your perceptions of justice event could explore whether these events improve understanding of the legal system and, if so, which activities appear to have the most positive outcomes.
Where to look for resources . . .

Many court systems and bar associations have looked at issues such as procedural fairness, bias, and training. Below is a sampling of the resources you might consider using as you plan your perceptions of justice event. In addition, the American Bar Association has several entities that have examined these issues and can help locate speakers in your area. For assistance, please contact the Lawyers Conference at http://ambar.org/JDlC or (312) 988-5723.


- In 2011, the Honorable Barbara Madsen, Chief Justice of the Washington State Supreme Court, gave a keynote address entitled, “Racial Bias in the Criminal Justice System,” at the Conference on Race and Criminal Justice in the West, held at Gonzaga University Law School. To see the text of her speech, visit http://www.law.gonzaga.edu/law-review/2011/04/20/4376/.

---