

Tech Series: Online and televised proceedings may help legitimacy perceptions

By [Bill Raftery](#)

One improvement in state courts derived from the pandemic has been increased online access to the courts. [Such methods could help in terms of improving the public's opinion of state courts.](#) Three popular ways are watching proceedings such as oral arguments in an appellate court online, participating in remote proceedings, or utilizing online dispute resolution. Research conducted in 2023 suggests that such access can help increase the perceived legitimacy of courts.

[Televised Oral Arguments and Judicial Legitimacy: An Initial Assessment](#) examined the use of these proceedings in the supreme courts of Indiana and Minnesota from a technical perspective in terms of number of cameras, where the cameras were focused, and whether the full court was visible at any given time or just a single justice. Individuals were divided into groups that observed oral arguments from these courts and were asked questions about the court's legitimacy. The results were compared to those from a control group that did not watch the proceedings. The results suggested that public perceptions differed based on what type of video was being used (static vs. dynamic camera movements). Viewing *non-contentious* oral argument exchanges from a *dynamic* camera angle can potentially improve a court's legitimacy over listening to the exchange, but viewing *contentious* exchanges from a *dynamic* camera angle can potentially decrease the court's legitimacy over listening to the exchange. Dynamic camera angles could potentially exacerbate these effects in a way that static camera angles do not. This would suggest that how the cameras are positioned and operated can affect the public's perception.

[Legitimacy and Online Proceedings: Procedural Justice, Access to Justice, and the Role of Income](#) examined the question of legitimacy in the context of online traffic cases. Data were collected from five courthouses that make up two district courts in Michigan in which participants could use an online dispute resolution platform for their traffic cases. Participants were asked about their experience with the online court proceeding, as well as questions about: the legitimacy of the court (e.g., "People should support decisions made by the courts even when they disagree with such decisions."), procedural justice (e.g., "The court treated me with dignity." "I felt I was understood by the court."), and access to justice (e.g., "How costly in terms of money, time, and energy was the process for you?"). The result was that those who rated the courts high on questions related to procedural justice and separately on access to justice gave a higher appraisal of the system's legitimacy. However, income levels made a decided difference—for lower-income parties access to justice was a stronger predictor, while procedural justice was the stronger predictor for higher-income parties.

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