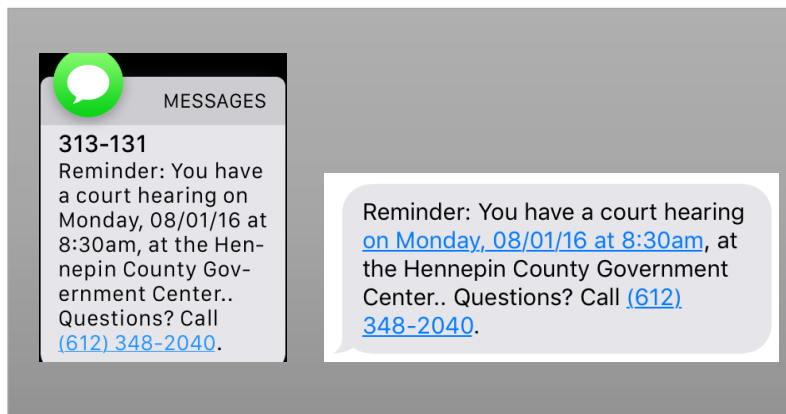


ELECTRONIC COURT REMINDERS



Institute for Court Management
ICM Fellows Program
2016–2017 Court Project Phase
May 2017

Aaron Williamson
Criminal Court Projects Manager
Fourth Judicial District Court of Minnesota
Hennepin County - Minneapolis, Minnesota

Acknowledgments

Firstly, I want to thank all of the incredible staff and faculty at the Institute for Court Management and National Center for State Courts: Dean Dan Straub, President Mary McQueen, and Amy McDowell. I also want to thank my advisor, Fred Cheesman, for all of the support and encouragement. I feel so thankful for the ICM program. After spending all of the time in the Tier 1 courses, and especially after spending three weeks in Williamsburg, I have become so proud of the profession of court administration. I have a great appreciation for the role that we play in our society – and the potential that we have to influence the justice system in America every single day.

I also have to thank the leadership at the Minnesota Judicial Branch and the Fourth Judicial District for making this program available to me and many court managers in Minnesota, especially Lynn Wagner (ICM Fellow) at the State Court Administrator's Office. ICM is an important part of developing best practices for our courts and learning about other courts around the country. Allowing employees to leave and gain new knowledge for any period can be costly to the organization, but we easily recoup those costs in the value of what is learned and how staff goes back to their jobs feeling connected to the core mission of court management.

I am lucky to work for a court that has its very own, nationally renowned Research Department. I am so grateful for mentorship and support from Research Director, Dr. Marcy Podkopacz. Marcy was there by my side throughout much of this project, and I cannot thank her enough. I also have to thank researchers Dr. Matt Johnson and Jackie Braun-Lewis, for all of their help with developing the volunteer survey, and for answering all of the random questions I was afraid to ask anyone else, with which they graciously helped me. I now consider myself an honorary member of the incredible Fourth Research Department!

I have to brag a little about the Minnesota Judicial Branch, and my incredibly talented and driven colleagues around the state who inspire and challenge me every day. I am thankful to meet so many court managers across the state through my involvement in the Minnesota Association for Court Management. I'm honored and humbled to serve as President of that organization. In that regard, I thank mentors and friends I've gotten to know well through my work in MACM, especially: Vicky Carlson, Annette Fritz, and Monica Tschumper (all ICM Fellows). I am lucky to work with some very strong, talented women, who do it with grace and poise each day.

At the Fourth Judicial District (Hennepin Courts), I want to thank my boss, Fred Hendrickson, for allowing me to work on projects I am passionate about, and giving me the ability to be creative and innovative in my work. I am thankful to work with an incredible management team in the Criminal Division, and the best team of court administrators in the state: Judicial District Administrator Kate Fogarty, and Deputy District Administrators Sarah Lindahl-Pfieffer and Andrew Pieper. I also want to thank my colleagues in the Project Management Office for all of their advice and guidance, especially PMO Supervisor, Dave Wiklund. I have to thank a couple special colleagues who offer support and friendship to me each day: DeAnn Hallberg, Katrina Zabinski, Mary Dalbec, Krista Sandhoefner, Monica Miller, Shah Judge, and Jamie Majerus.

This court reminder project is a very small part of the larger program called the Hennepin County Adult Detention Initiative. I want to thank all of the criminal justice partners in Hennepin County who have participated in this very important initiative, not only for letting me have a seat at the table, but for the dedication to fairness and equity that is exhibited in your work as a committee. It has been an honor to observe the collaboration and cooperation around a

conversation that must be had in order to continue to strive for justice for all in our cities.

Because of my personal work with them, I'm particularly grateful for and inspired by: Mary Ellen Heng, Jeanette Boerner, Captain Catherine Johnson, Fred Bryan, Michael Graif, Jerald Moore, Jodie Wierimaa, Julie Rud, Judge Lucy Wieland, and Judge Todd Barnette (as well as Fred, Sarah, and Marcy mentioned above).

This research project would most certainly not be possible without all of the work performed by three volunteers of the Court Reminder Project: Luba Doerr, Keinita Collins, and Samantha Gallagher. Luba has been an especially valuable part of this project - always willing to fill in whenever asked, and she has been so helpful to the other volunteers by sharing her best practices with them. The volunteers were hired and taken care of by the capable hands of Tatiana Przytula and Janell Rand, for whom I am also grateful.

Finally, I want to thank my parents for always supporting and encouraging me to take on new endeavors and challenge myself. They have inspired me to dedicate my career to making a positive difference in the world, and they remind me that my work is valuable in that regard, when I forget. I have to thank all of my amazing friends for listening to me talk about "my fellowship" and court reminders ad nauseam – and at least pretending to listen. And thank you to my partner, Anders, for supporting and encouraging me through this long and challenging journey. Your ability to create stability and peace in my life has made this accomplishment possible.

Table of Contents

Acknowledgments.....	3
List of Figures	9
List of Tables	12
List of Appendices	13
ELECTRONIC COURT REMINDERS	14
Abstract.....	14
Introduction.....	17
Adult Detention Initiative and Failure to Appear	18
Hennepin County Jail and Failure to Appear.....	19
Costs of Failure to Appear	22
Dealing with Failure to Appear.....	26
Literature Review.....	28
Reasons for Failure to Appear	28
Techniques for Reducing Failure to Appear	29
Court Reminders and Failure to Appear	30
Electronic Court Reminders?	37
Methods	39
Program Costs.....	44
Reminder message content	44
Phone call.....	44
Text message.....	45
Email.....	46
Findings	48
ARE COURT REMINDERS EFFECTIVE IN REDUCING THE FAILURE TO APPEAR (FTA) RATE FOR COURT HEARINGS?.....	48
For how many hearings were we able to remind defendants successfully?.....	48
What was the success rate for contacting defendants by phone?.....	50
What was the success rate for contacting defendants by text message?	53
What was the success rate for contacting defendants by email?.....	54
Success Rate Comparison by Type of Contact	55
How many defendants were successfully contacted using one or more contact methods?	57

What was the FTA rate during the study?.....	58
How did the FTA rate during the study compare with the same period in the previous year (2015)?	60
DID SUCCESSFUL CONTACT WITH THE DEFENDANT HAVE AN IMPACT ON THE FTA RATE BY CALENDAR?	60
Does making multiple types of contact attempts to the defendant have an impact on the FTA rate?	62
Does making multiple successful types of contacts to the defendant have an impact on the FTA rate?.....	65
IS THERE A DIFFERENCE IN IMPACT ON FTA RATE ACROSS TYPES/METHODS OF COURT REMINDERS?.....	68
Was phone call an effective method of contact?.....	68
Was text message an effective method of contact?.....	70
Was email an effective method of contact?	72
IS THERE A DIFFERENCE IN THE ABILITY TO SUCCESSFULLY CONTACT AND THE IMPACT ON FTA RATE ACROSS DEMOGRAPHIC GROUPS?	75
Was there a difference in the ability to contact a defendant successfully by race or ethnicity?	75
Was there a difference in the ability to contact a defendant successfully by whether they were minority or Caucasian?	76
Is there a difference in successful contact if an attorney represented a defendant?.....	77
Is there a difference in successful contact by the age of the defendant?.....	77
Was there a difference in the FTA rate by race or ethnicity?	79
Was there a difference in the FTA rate if an attorney represented a defendant?	81
Was there a difference in the FTA rate by the age of the defendant?	83
Was there a change in appearance rates from the same period in 2015 to 2016 after applying the Court Reminder program?	83
Conclusions and Recommendations	85
Conclusion 1: Multiple contacts to the same defendant using different methods have shown to be successful in reducing failure to appear.....	85
Recommendation 1a: The court should continue to use multiple methods to attempt to contact the defendant instead of just one or another.	85
Conclusion 2: This study was not able to conclude one method of contact is more effective than another method of contact, because volunteers used multiple methods in tandem.....	85
Recommendation 2a: Conduct an experimental study to see if there is a difference between the types contact.	86
Conclusion 3: Electronic reminders may be a good way to get people 25 and younger to court since they had the highest FTA rate of the age groups and were the easiest to contact successfully.	87
Recommendation 3a: Continue court reminders.....	87
Conclusion 4: A court reminder program is only as strong as the contact information used to make contacts.	87

Recommendation 4a: Continue to collect and update defendant information. Court staff should ask defendants for current information at every appearance - not just at the first appearance, to keep it up to date.....	88
Conclusion 5: The failure to appear rate was not extremely high on these second appearance calendars.	88
Recommendation 5a: Analyze FTA rates on first appearance calendars and consider a way to collect this information before first appearance to address the issue of failure to appear at first appearance. ...	89
Conclusion 6: FTA rate was highest among people represented by the public defender.	89
Recommendation 6a: Continue to work with Public Defender’s office to develop ways to reduce the FTA rate.....	90
Conclusion 7: There appear to be disparities in the ability to contact minority groups and the FTA rate is higher for minority groups.	90
Recommendation 7a: The court should work with justice partners to identify institutional or process pain-points, which may result in disparate outcomes for minority populations.	90
Conclusion 8: There are other issues impeding a defendant from appearing in court. A reminder will not solve each of those issues, as is indicated in this study.	91
Recommendation 8a: Meet with partners and defendants and identify other potential solutions for failure to appear.	91
References.....	93
Appendices.....	96

List of Figures

Figure 1. Court Related Bookings at the Hennepin County Jail in 2015	20
Figure 2. Length of Stay in Jail After Charging Process Completed, By Offense Level (Days).....	21
Figure 3. Bench Warrants Issued in 2015	22
Figure 4. Cost of Misdemeanor FTA Warrants in Jail Fees	23
Figure 5. Lost wages due to misdemeanor FTA	24
Figure 6. What Happens When Someone Misses Court – A Visual Description	25
Figure 7. Flagstaff Phone Call Outcomes (N=245)	33
Figure 8. Ramsey County Phone Call Outcomes (N=4,350).....	36
Figure 9. Experimental Study Design	41
Figure 10. All Eight Treatment Groups	42
Figure 11. Reminder Email Template.....	46
Figure 12. Reminder Success (N=6,261).....	49
Figure 13. Success rate of phone calls (N=3,180)	51
Figure 14. Successful phone calls by month (n=1,847).....	52
Figure 15. No contact information by month (N=1,310).....	53
Figure 16. Test Message Success Rate (N=1,771).....	54
Figure 17. Email success rate (N=928).....	55
Figure 18. Method of contact for those who were successfully contacted (N=1,847).....	56
Figure 19. Success rates by method for all attempts to contact	57
Figure 20. Success by number of types of contact (N=1,847)	58
Figure 21. Felony omnibus fail to appear (N=921)	59
Figure 22. Mpls pre-trial fail to appear (N=5,340)	59
Figure 23. Felony B Omnibus FTA by Contact Success (N=489)	61
Figure 24. Mpls pre-trial FTA by Contact Success (N=2,837).....	62

Figure 25. Types of contact/FTA Relationship.....	62
Figure 26. FTA Rate by Number of Types of Contacts Attempted - Felony B Omnibus (N=489).....	63
Figure 27. FTA Rate by Number of Types of Contacts Attempted - Mpls Pre-trial (N=2837).....	64
Figure 28. FTA Rate by Number of Types of Contacts Attempted - Combined (N=3326)	65
Figure 29. Successful Contact Methods/FTA Relationship.....	65
Figure 30. FTA Rate by Number of Types of Successful Contact - Felony B Omnibus (N=291).....	66
Figure 31. FTA Rate by Number of Types of Successful Contact - Mpls Pre-trial (N=1556).....	67
Figure 32. FTA Rate by Number of Types of Successful Contact - Combined (N=1847).....	68
Figure 33. Contacted by Phone and Failed to Appear - Felony B Omnibus (N=481).....	69
Figure 34. Contacted by Phone and Failed to Appear - Mpls Pre-Trial (N=2669).....	69
Figure 35. Contacted by Phone and Failed to Appear - Combined (N=3180).....	70
Figure 36. Contacted by Text and Failed to Appear - Felony B Omnibus (N=304).....	71
Figure 37. Contacted by Text and Failed to Appear - Mpls Pre-Trial (N=1467)	71
Figure 38. Contacted by Text and Failed to Appear - Combined (N=1771)	72
Figure 39. Contacted by Email and Failed to Appear - Felony B Omnibus (N=136)	73
Figure 40. Contacted by Email and Failed to Appear - Mpls Pre-Trial (N=792)	73
Figure 41. Contacted by Email and Failed to Appear - Combined (N=928)	74
Figure 42. Contacted and Failed to Appear - by Method.....	74
Figure 43. Ability to Contact Success Rate by Race (N=3,326).....	75
Figure 44. Ability to Contact Success Rate by Minority Status (N=3,326).....	76
Figure 45. Ability to Contact Success Rate by type of Attorney (N=3,326)	77
Figure 46. Age/Successful Contact Relationship.....	78
Figure 47. Success Rate by Age Group (N=3,326).....	78
Figure 48. FTA Rate by Race/Ethnicity (N=3,326).....	80
Figure 49. FTA Rate by Minority Status (N=3,326).....	81

Figure 50. FTA Rate by Type of Attorney (N=3,326).....	82
Figure 51. FTA Rate by Attorney vs Self-Represented (N=3,326)	82
Figure 52. FTA Rate by Age Group (N=3,326).....	83
Figure 53. FTA Rate Comparison - 2015 vs 2016 (N=13,037)	84

List of Tables

Table 1. Court Related Bookings at the Hennepin County Jail in 2015	20
Table 2. Length of Stay in Jail After Charging Process Completed, By Offense Level (Days).....	21
Table 3. Fail to appear rate 2015 vs 2016.....	60
Table 4. Fail to appear rate 2016 (including only those cases where we attempted to reach the defendant)	60
Table 5. Ability to Contact Success Rate by Race (N=3,326)	76
Table 6. Ability to Contact Success Rate by type of Attorney (N=3,326).....	77
Table 7. Defendant Age and Success of Contact	78
Table 8. FTA Rate by Race/Ethnicity (N=3,326)	80

List of Appendices

Appendix 1. Defendant Information Form	96
Appendix 2. Court Reminder Program Data Collection Survey	97

ELECTRONIC COURT REMINDERS

AARON WILLIAMSON

Abstract

Many courts have used reminders as a way to increase the likelihood a defendant will appear in court or pay a citation, or some other court obligation. Traditionally, research has shown these programs are a good way to increase appearance rates, and save time and money by reducing failure to appear (FTA) in court. The consequences when someone fails to appear in court can be severe and costly for the court, justice partners, law enforcement, and the defendant.

New technological advances have created the potential to send court reminders by text message and email, as is done for other types of appointments, such as the dentist or for a haircut. Traditional court reminder programs have utilized phone calls and mailings to remind defendants. This research study analyzed the success of using phone calls, text messages, and email messages to remind defendants for two second-appearance calendars in Hennepin County, in Minneapolis, Minnesota. The two calendars are Felony Property/Drug Omnibus, and Minneapolis (Mpls) Pre-Trial Calendar. Both calendars are lower level, out-of-custody calendars. For these calendars, if a defendant misses a court date, the judge will likely order a bench warrant for arrest.

In 2016, Hennepin County justice partners formed a coalition to examine ways of reducing the jail population by making sure pre-disposition jail custody was only used in the most appropriate and necessary circumstances. The committee enacted several policy and procedure changes in order to help reach this goal. One tactic employed was implementing this Court Reminder Project, and measuring its success from July to October of 2016.

This research study aimed at answering the following questions:

- Does successfully contacting a defendant have an impact on the FTA rate by calendar?
- Is there a difference in impact on FTA rate by types/methods of court reminders?
- Is there a difference in the ability to successfully contact and the FTA rate across demographic groups, such as race, age, and whether an attorney represented the defendant?

Data analysis led to the following findings:

1. Making multiple attempts to contact a defendant using multiple methods (phone, text, email) increased the likelihood a defendant would appear in court.
2. Further research should use an experimental study design to compare the effectiveness of different types of contact methods for reminders.
3. As the greatest success was experienced contacting defendants 25-18 (the group that experienced the highest FTA rate), data suggests court reminders may prove to be an effective way to increase appearance rates for this population.
4. The quality of the contact information available to provide reminders is highly critical to the success of a reminder program.
5. If resources are limited, a court should target court calendars with high FTA rates over those with low FTA rates.
6. Contact information should be collected and updated at each appearance.

7. The court should work with the Public Defender's Office to eliminate barriers that result in failure to appear in court, and increase the effectiveness of court reminders for their clients.
8. A reminder will not accomplish the goal of bringing everyone to court. The court should continue to work with justice partners to identify and address issues that contribute to failure to appear.

Introduction

Life in the 21st century is busy. Today we use many different methods to keep track of our day-to-day schedule. New technology allows businesses to contact their clients easily in an automated fashion to keep them informed of what they need to know. Communicating with text messages and email has become standard practice for doctors, dentists, salons - you name it. However, government agencies have been slow to adopt this new technology to get their work done. In terms of customer base, courts serve everyone. Therefore, it is crucial to keep up with our customers and communicate with them by any means possible.

Courts must explore new ways of communicating with the public, which may feel uncomfortable to us, as inherently conservative, traditional organizations. Nevertheless, the public has grown accustomed to communicating and receiving information using all sorts of technology. According to court officials from Florida writing about the *Trends in State Courts*:

It is not breaking news that changes in the way people connect and communicate are constantly occurring. Courts must deal effectively every day with the impacts of today's information revolution to meet evolving public expectations. Managing court communications in the always-connected information age of the 21st century requires extensive knowledge and practical understanding of a broad range of media, communications principles, and emerging technologies, which are increasingly playing central roles in the public dialogue. They also provide exciting opportunities for courts to respond in creative and innovative ways to ensure courts are open, accessible, and understandable to everyone. (Labarga, 2016).

In an effort to modernize communication with court users, Hennepin County District Court decided to create supplemental methods to notify and remind people of their court hearings. The Court still used traditional methods required by due process, where they either sent a defendant a notice for court or the defendant received one in person at the time of the arrest or stop. The intent of this project was not to replace those traditional, paper methods of noticing individuals. However, papers can easily get lost in the shuffle and sometimes the court schedules hearings weeks, even months in advance. Court leaders hoped that establishing an electronic reminder system would help reduce failure to appear for court hearings, while creating a convenient reminder for defendants.

Adult Detention Initiative and Failure to Appear

Failure to appear in court is costly to our society. There are costs for the community and for the person who misses their court hearing. In 2015, Hennepin County criminal justice partners came together to execute strategies aimed at refining court and law enforcement procedures so pre-trial custody would only be used in the most appropriate situations. Officials call it “The Adult Detention Initiative (ADI).” The group targeted strategies at five populations in order to reduce custody rates:

1. Populations that suffer from mental illness
2. Populations that have violated probation (arrest & detain orders) and/or conditional release rules
3. Populations that are held in custody longer than necessary
4. Populations for whom continued detention may not be necessary
5. Populations that have failed to appear in court

Implementing the following programs addressed the population that has failed to appear for court:

- ❖ First Appearance FTA Pilot, where failure to appear for some first appearance hearings would result in a one-time warrant where the defendant would sign for a new court date and be released on the spot, instead of having to go to jail.
- ❖ Payable Offenses: There was discussion about changing the practice of issuing a warrant when someone misses court on a payable misdemeanor level offense.
- ❖ Warrant Forgiveness Day: Hold an event where people with warrants can complete community service to settle their case.
- ❖ Court Reminder Program: Send phone, text, and email reminders for select court calendars to reduce the failure to appear rate.

This paper will discuss the court reminder program and the use of text, email, and phone call court reminders as a tool to reduce the failure to appear rate.

Hennepin County Jail and Failure to Appear

Failure to appear in court frequently results in a bench warrant for the defendant's arrest. As a result, the justice system holds people in jail for their failure to appear, until they go before the court. Is this an efficient way to use jail and court resources for defendants not posing an apparent risk to public safety? ADI developed a Court Reminder project in order to attempt to reduce the failure to appear rate. This paper will describe the method of implementation and evaluate the impact of the project.

In 2015, bench warrants accounted for almost 50% of the court related bookings¹ at the Hennepin County Jail² (Fig. 1) or 6,738 bookings in total. Most of these bench warrants are for misdemeanor level infractions. In Minnesota, there are four levels of infraction from low to high severity: petty misdemeanor, misdemeanor, gross misdemeanor, and felony (Minn. Stat. § [609.02](#)).

Figure 1. Court Related Bookings at the Hennepin County Jail in 2015

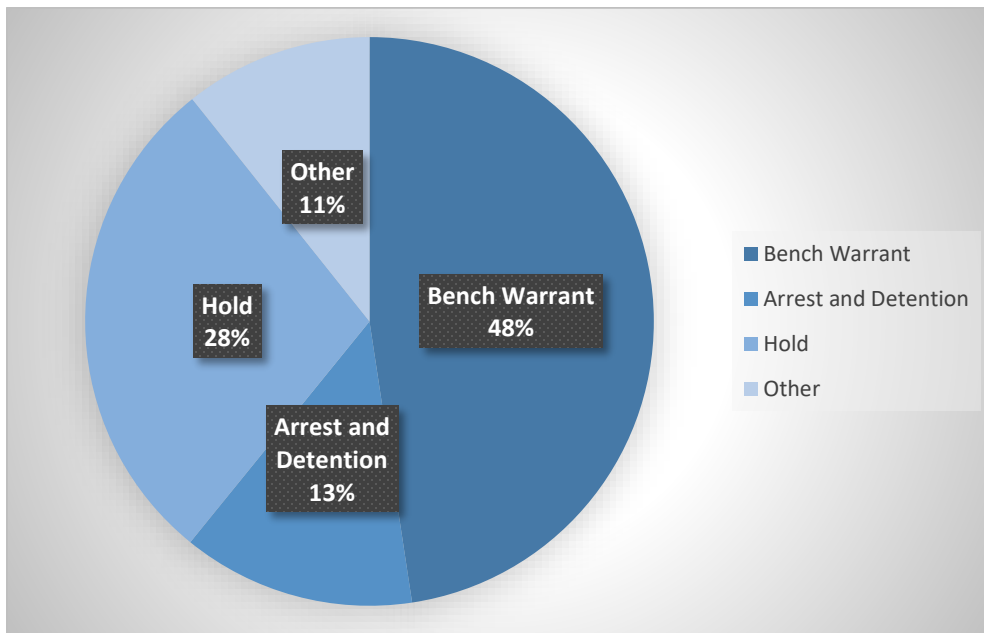


Table 1. Court Related Bookings at the Hennepin County Jail in 2015

Bench Warrant	6,738
Arrest and Detention ³	1,875
Hold	4,025
Other	1,516
Total	14,154

¹ “Court-related bookings” does not include bookings related to pre-charge custody – only custody after charges have been filed and a case has commenced.

² The Hennepin County Jail, or Adult Correctional Facility, is only used for pre-trial or pre-issue (for probation violation allegations) custody. It is not used as a correctional facility as part of a sentencing order.

³ “Arrest and detain” is a term that was formerly used to describe the process where a judge issues a warrant for the arrest of a defendant who is facing a probation violation allegation supported by probable cause. These are post-disposition warrants.

The average length of stay at the jail for a misdemeanor charge is almost two days for administrative reasons, such as bench warrant for failure to appear (See Figure 2).

Figure 2. Length of Stay in Jail after Charging Process Completed, By Offense Level (Days)

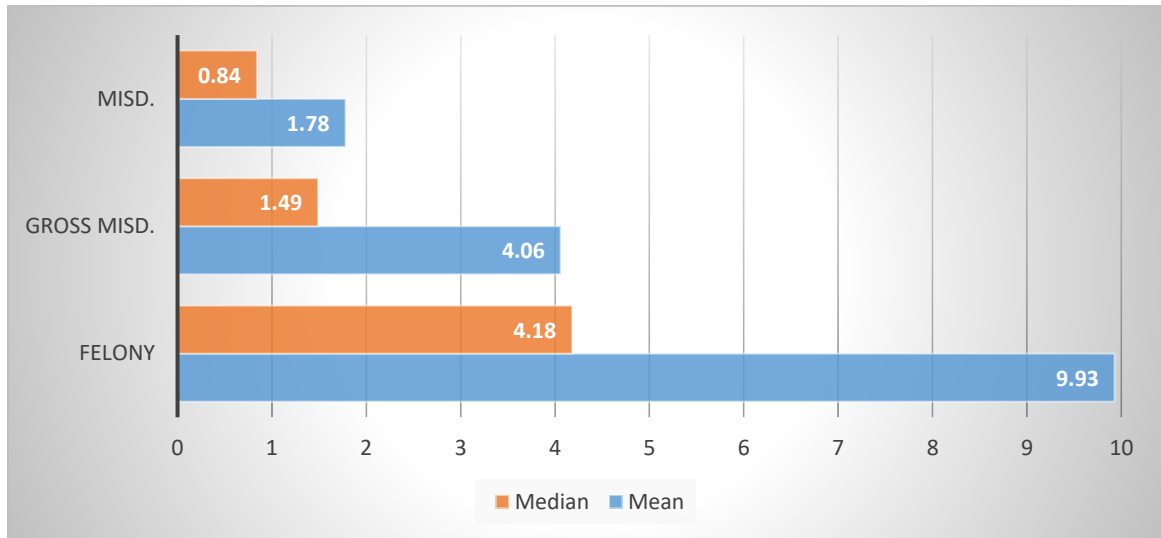


Table 2. Length of Stay in Jail after Charging Process Completed, By Offense Level (Days)

Charge level	Mean	Median
Felony (N=1,439)	9.93	4.18
Gross Misdemeanor (N=365)	4.06	1.49
Misdemeanor (N=4,539)	1.78	0.84

The court issued 21,473 warrants in 2015 for failure to appear in court. Most of those warrants were for non-violent, misdemeanor level crimes, like traffic and non-DWI/non-domestic assault cases (See Figure 3).

Figure 3. Bench Warrants Issued in 2015



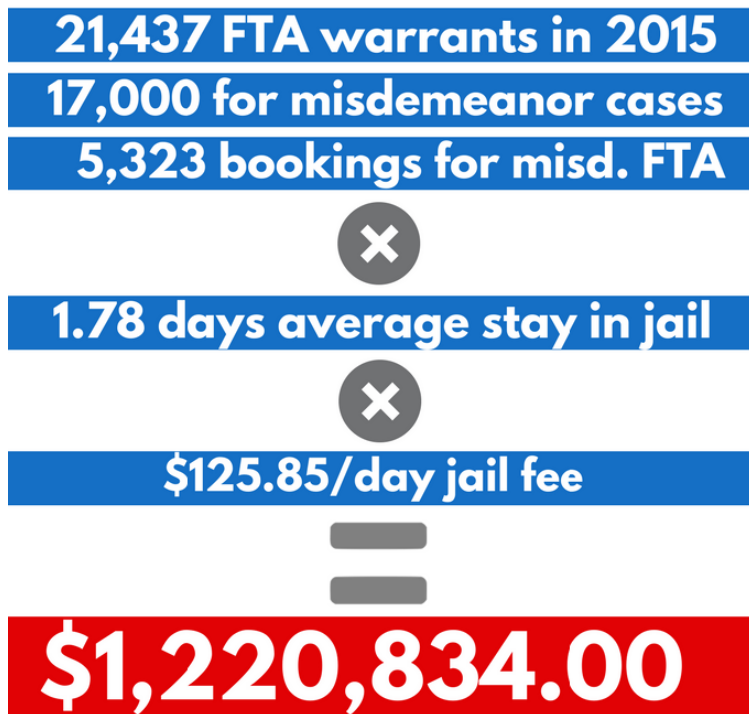
Costs of Failure to Appear

The Sheriff charges a jail per diem fee to jurisdictions that book inmates awaiting disposition by the Courts. The charge is based upon length of stay, beginning immediately upon booking, and is billed on an hourly basis for partial days at a current rate of \$128.85/day in 2015 and \$132.24/day in 2016. This rate is based on actual costs and is calculated using an underlying formula. It is supposed to represent an accurate estimate of cost per inmate. Given the average length of stay for a bench warrant on a misdemeanor level charge was 1.78 days, and the average cost per day was \$128.85, each bench warrant could cost \$229.35 in jail costs alone.

If we assume that 79% of the 21,473 FTA warrants issued were for misdemeanor level charges⁴, 79% of the 6,738 bookings for defendants who are picked up on bench warrants would equal 5,323 bookings. Multiply \$229.35 times 5,323 bookings and you have **\$1,220,834** in jail fees for bench warrants for failure to appear for misdemeanor-level charges.

⁴ See Figure 3, where 17,000 of the 21,473 (or 79% of the) FTA warrants were for misdemeanor-level cases.

Figure 4. Cost of Misdemeanor FTA Warrants in Jail Fees



Not counted are the wasted costs for court staff and attorneys to show up in court when the case cannot be resolved when the defendant does not appear for their hearing. Court staff spends time calling and updating cases. They also lose the time spent scheduling the hearing in the first place. Justice agency partners waste time preparing for hearings by looking at case information. According to the National Institute for Justice, “Defendants who miss a court appearance generally return to court when contacted, but a missed appearance nevertheless disrupts the court schedule, inconveniences victims and other witnesses, delays case disposition, and wastes valuable time” (Mahoney, 2001, p. 1). Also not included are the costs to stop or apprehend a defendant and transport them to jail.

On the government side, there are many costs associated with failure to appear in court. However, one must also consider the costs for the defendant. A recent study by George Mason University revealed that 84% of the jailed defendants interviewed employed at the time of their

arrest said they might lose their jobs because of pretrial incarceration (Kimbrell, 2016, p. 11). Thirty percent of released individuals indicated they had in fact lost their jobs while in jail (more than half of these people had only been incarcerated between one and three days) (Kimbrell, 2016, 10).

If you apply the Minnesota minimum wage (\$7.75) to the average stay for a bench warrant on a misdemeanor (1.78 days), missing two days of work would cost at least \$124 in lost wages. This is to say as long as the defendant does not lose their job for missing work because of being in custody. The defendant might also miss important appointments for seeking jobs, housing, childcare, medical treatments, and so on. If we multiply the 5,323 bookings referenced above by the minimum wage and average of two days missed work, the cost would be at least \$660,052 – presuming each person had a job that paid at least minimum wage. That loss of income has trickle down impacts all throughout a community or society.

Figure 5. Lost wages due to misdemeanor FTA

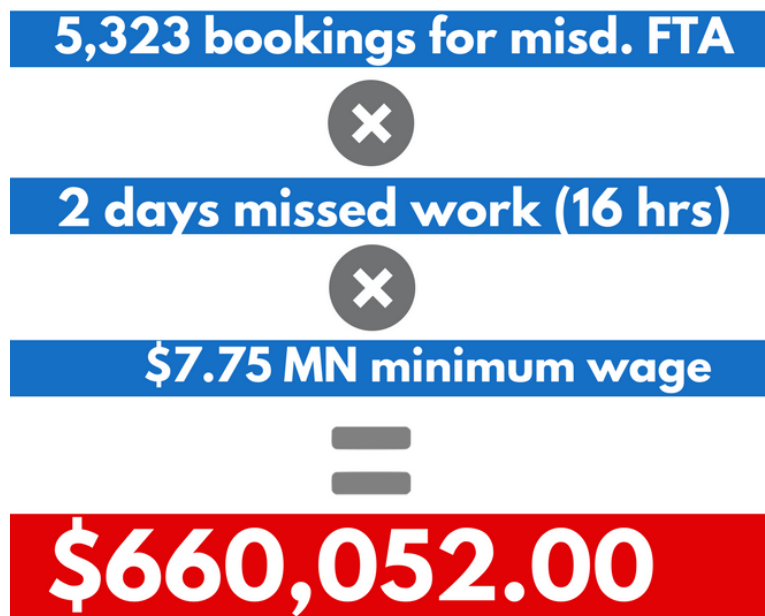
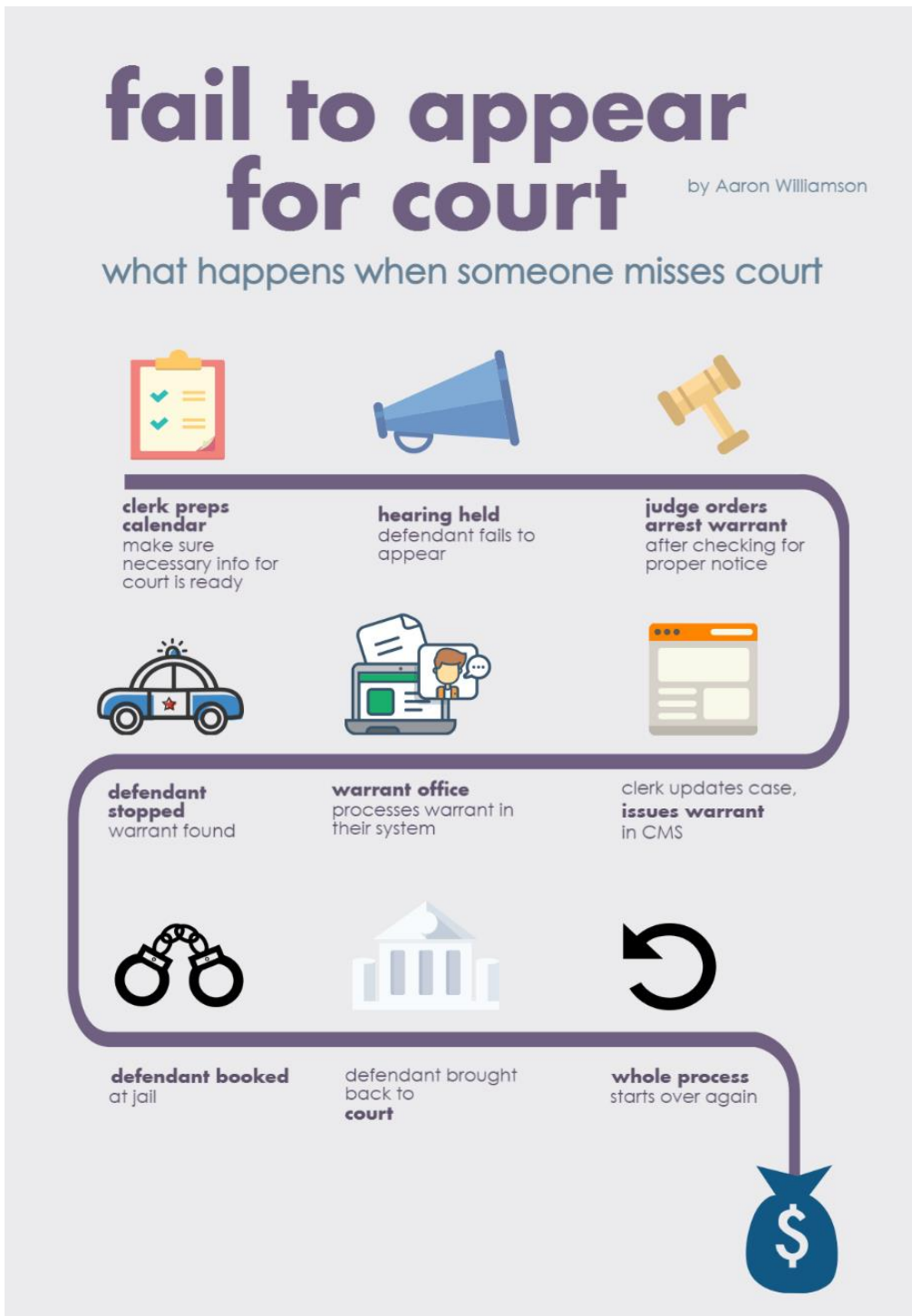


Figure 6. What Happens When Someone Misses Court – A Visual Description



Dealing with Failure to Appear

One question that begs asking is how does a court deal with failure to appear? In most jurisdictions, depending on the level of charge, a collection action is taken (often on payable offenses), or a warrant is issued for failure to appear before the court. What is the courts role in strategically handling failure to appear? Since the reasons that people fail to appear can be obscure, it is difficult to say what will prevent failure to appear. Research that address this phenomenon is lacking likely because it is difficult to create a venue to ask the questions leading to a greater understanding of why people fail to appear for court.⁵

According to analysis performed by retired Hennepin County Chief Judge Lucy Weiland (for the Hennepin County Adult Detention Initiative), there are systemic reasons people fail to appear:

In Hennepin County, it can take a month or more for a summons to be sent to someone and the address can be wrong, the person may have unstable housing and have moved, or are homeless to begin with; this is a group who does not have notice of their court date in the first place. Another group simply forgets they have court. It's not unusual to have court dates set out two months. For people without iPhones with calendars or planners, remembering a court date in the future often doesn't happen. We also have warrants issued from our suburban courts. Given the difficulties and expense of public transportation to the suburbs, some people simply can't get to court. These are low-level offenders, often poor, who have every day problems of trying to get to work and make

⁵ In May 2017, Hennepin County District Court and partners will hold a warrant forgiveness event where defendants who appear will be surveyed about why the failed to appear in order to help understand the issue and prevent it.

ends meet. To try and reduce these bench warrants, we have initiated the following plans for 2016.

There is a common assumption that reminding someone to come to court will increase his or her likelihood of coming to court, or any appointment for that matter. A number of previous studies have shown that a reminder did in fact reduce the failure to appear rate (Ramsey County, MN, Nebraska, Jefferson County, CO, Coconino County, AZ, Multnomah County, OR, King County, WA, and Hennepin County Juvenile Court). The American Bar Association and the National Association of Pretrial Services both recommend using reminders to increase success in pretrial release programs (ABA Standards for Criminal Justice: Pretrial Release, 2007). However, research showing the impact of modern methods to remind by email and text message is not available. This paper will examine an example of using phone calls, text message, and emails to remind court users to come to court. It will also look at how effective those methods were across different demographic groups and whether or not the Court Reminder program had a significant impact on the failure to appear rate for the calendars where defendants received reminders.

Literature Review

Reasons for Failure to Appear

There are many reasons why someone might fail to appear for their court hearing in a criminal court setting. According to Rob Schwab, as quoted in National Institute of Justice *Pretrial Services Programs: Responsibilities and Potential*:

While some defendants willfully fail to appear, for most people the reasons are more complicated. A defendant may have lost the paperwork on the current case and have either forgotten s/he must appear or not know whom to contact to find out where and when to appear. Many defendants do not understand what they are supposed to do or fully comprehend the seriousness of the charges against them and the penalties for missing court. Many defendants are afraid of the criminal justice system and are too fearful to ask simple questions. Many wrongfully equate a citation to appear on a misdemeanor as the functional equivalent of a parking citation. Other defendants think they have a valid excuse because they must work or have childcare or transportation difficulties. (Pretrial Justice Institute, 2012).

Given that the populations that find themselves interacting with the court have very busy, complex and sometimes disorganized lives, it would make sense that reminding them to come to court would help them get there.

A discussion on August 3, 2016, with several Hennepin County Public Defenders highlighted a number of possible reasons someone might fail to appear in court which are specific to the criminal justice system in the county, including:

- Unstable housing situations
- Not given case information at time of stop or arrest

- Mental health and chemical dependency issues impacting health and functionality
- New job – afraid to ask for time off
- Difficult to get date changed when there is a conflict, navigating through complicated communication channels at court and public defender’s office
- Childcare issues and judges don’t want them to bring kids into courtroom
- Transportation issues, suspended license, lack of insurance
- Cannot locate when next court date is
- Court case is not their priority with many other things going on
- For felony level, there are so many hearings that one is easily forgotten
- Court never starts on time, so they might show up late and miss the hearing
- They know the consequences of failure to appear. They can decide which consequence is worse – missing court or missing another obligation.
- Might have cases/hearings in other locations at same time
- The defendant is given the wrong date, causing a discrepancy in the court’s record.

These and many other factors can inhibit someone from making it to court. Would a reminder program even help when not addressing many of the issues listed above?

Techniques for Reducing Failure to Appear

Cleveland, Ohio.

Franzetta Turner wrote about changes in Cleveland Municipal Court that aimed at reducing failure to appear by bringing the court out into the community (Turner, 2015). In the summer of 2014, they held *In the Neighborhood* events where they met with people to discuss resolution options for their cases in a delinquent or warrant status. The events took place mainly

at churches, and at a few community centers. Turner and her team surveyed 536 event attendees and came up with some interesting findings. Turner concluded that people were more likely to appear for their first appearance if it was located somewhere other than their main court location, preferring a church instead. People were more likely to show up for court if they had an idea of what might happen or what some of the possible outcomes might be. She also concluded that people would be more likely to show up if they received a reminder for their court date. Survey results indicated that 15% of respondents (81 people) said that they forgot about their court hearing, which is why they failed to appear. This seems to indicate that a reminder strategy may prove to be beneficial in reducing the failure to appear rate.

Court Reminders and Failure to Appear

Court Reminder systems have one main goal: remind people to come to court. However, a by-product of many programs happens to be that it can create a conversation with defendants where they might ask other questions or locate resources that help them learn more about their case, how to get to court, and what might happen with their case. Though mostly unintended, this byproduct has a positive impact on access to procedural due process for defendants given an opportunity to communicate with the court.

This literature review will discuss a number of research studies conducted in order to look at techniques that might help reduce the failure to appear rate by using court reminders and looking into reasons for failure to appear. Some methods for reminding court users include mailings or letters, post-cards, and phone calls, both done manually by people and by automated “robo-call” systems. These programs have varying levels of success and different costs associated with program operations.

Many courts see these programs as something necessary to the court process, similar to reminders you receive for your dentist and doctor appointments. Most courts have experienced a reduction in the failure to appear rate after implementing a reminder program. Some of the studies written on these programs have also discussed the costs of the programs, which can vary, depending on the methods used to provide a reminder. Many programs have enlisted volunteers to contact the defendants, as was done in the Hennepin County study. In the following, we review some of the research conducted on these programs.

Nebraska.

The U.S. Department of Justice conducted a study using court reminders by mail in Nebraska in 2009-2010 (Bornstein, 2010). The focus of the study was looking at reminders from a procedural justice perspective. There were four treatment groups: 1. No reminder, 2. Simple reminder, 3. Reminder with consequences for failure to appear, and, 4. Reminder with consequences for failure to appear *and* procedural justice information. Later, researchers surveyed participants about their opinions on procedural justice and fairness. The control group experienced a 12.6% FTA rate, whereas the groups who received a reminder failed between 8.3% and 10.9%. The group with the lowest FTA rate was the group who received the reminder with only consequences and not the procedural justice information. It concluded that the reminders were most effective for populations with low trust in the court.

The DOJ study noted the potential impact of other types of court reminders and said that:

Email reminders are another efficient, relatively low cost option that warrant investigation. One of the reasons we chose to use postcard reminders was our expectation that home addresses would be a more reliable means of contacting

participants, in light of the frequency with which many individuals change phone and internet plan/providers. As cell phones (many with internet access) and only access become even more ubiquitous and affordable than they are presently, it is possible that their reliability as a method of contacting those charged with misdemeanors will increase. Future research should directly compare different types of reminders across all available media (print mail, telephone, email), taking into account the program costs as well as the benefits of reduced FTA. (Bornstein, 2010, p. 29).

This highlights that there is a lack of empirical data showing the comparison of different types of contact when it comes to court reminders.

Multnomah County, Oregon.

In 2005, Multnomah County Court implemented an automated calling system to remind people of their court hearings. They saw a 37% reduction in their FTA rate. They estimated that they saved \$264, 000 in six months, by reducing the number of new warrants by 177 (Nice, 2016). Avoiding the issuance of a single warrant could save the county \$1,320, which makes a dramatic statement about the potential value of court reminders. One must consider that an automated calling system can cost around \$20,000 to implement. This could be cost prohibitive for many jurisdictions. However, the study estimates that for every \$1 spent on the court reminder system, they saved \$14.21 by avoiding defendant failure to appear occurrences.

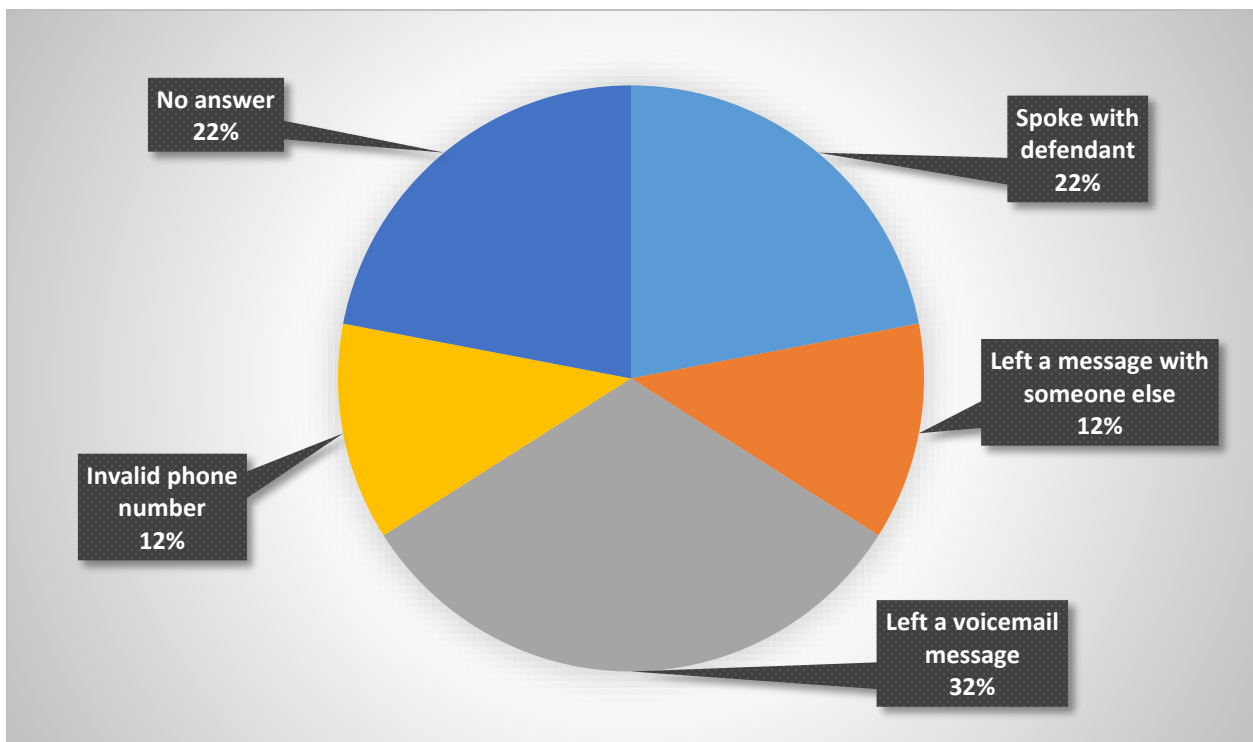
Some important points came from the Multnomah County project. Firstly, having access to defendant phone numbers is paramount to a successful court reminder by phone program; and a court must spend time developing a way to collect contact information in order to utilize any reminder program. The study also revealed 8:00am, 10:00am, and noon were poor times to

attempt to reach someone by phone. Results suggested making calls before 7:30am, or after 7:30pm, when people are more likely to answer.

Flagstaff Justice Court, Arizona.

For three months in 2006, a criminal justice coordinator made 245 phone calls reminding defendants of their upcoming hearing, which was 5-7 days, away (White, 2006). They categorized the success of the phone calls into one of five categories:

Figure 7. Flagstaff Phone Call Outcomes (N=245)



The FTA rate was the lowest for the group spoken to directly, at 5.9%, followed by the “left a message with someone else” group (15%), and the group who received a voicemail (21%). One of the important conclusions made by this study is that calling between noon and 3:00pm did not yield a lot of success. Similar to Multnomah County, Flagstaff realized that having phone number was crucial. At the beginning of the pilot, law enforcement only filed 50% of the

citations with a contact phone number. They were able to raise that to 68% by imploring law enforcement to collect and file that information.

Shoreline division, King County, Washington.

In 2000, Tricia Crozier from King County District Court, in Washington State, analyzed a court reminder program for her Institute for Court Management Fellows project (Cozier, 2000). In that region, failure to appear was the cause for 48% of the misdemeanor, pre-sentence warrants. In order to address the large failure to appear problem, court leaders implemented a phone call reminder program in 1997. They enlisted six volunteers to make the phone calls in order to keep the program costs low. Volunteers made calls to remind people of their appearance for pre-trial hearings, motions, jury call, bench and jury trials, motions to quash, sentencing, pre-sentence interviews with probation, reviews, and revocation hearings. Later, mitigation and contested hearings on traffic offenses were included in this list. The overall program goal was to experience cost savings due to the reduction in FTA rates, while spending hardly any money on the project. They estimated that a 10% reduction of pre-sentence FTA could potentially reduce the misdemeanor-case-level jail utilization by 3.5%.

After starting the project, they quickly realized that it was difficult to contact people because of incorrect phone numbers (15-20%). In order to acquire the phone numbers needed to implement this reminder program, they started collecting business phone numbers as well as home phone numbers. They also asked police officers to confirm both phone numbers on record when filing the citation. Court staff verified phone numbers whenever they made any contact with the court. They modified their system to allow for even more than two phone numbers. Finally, the volunteers consulted different systems in order to try to find the most accurate phone number.

The court adopted the reminder program later in other Washington courts in Kent, Tukwila, and Northeast jurisdictions of King County.

The program revealed the following reduction in failure to appear rates (p. 35):

- 16.1% in 1997
- 13.6% in 1998
- 13.1 % in 1999

In the Shoreline District Court, the average failure to appear rate during the study period in 1999 was 15.9%, as opposed to 17.3% during the same time in the previous year. The average FTA rate in Northeast District Court went from 36.3% to 25.9%. Finally, the average FTA rate in Kent Municipal Court went from 29.2% to 17.9%. Because of the successful outcomes, they implemented reminder programs in all 10 division of King County and later instituted a robo-calling system to make the calls.

Ramsey County, Minnesota.

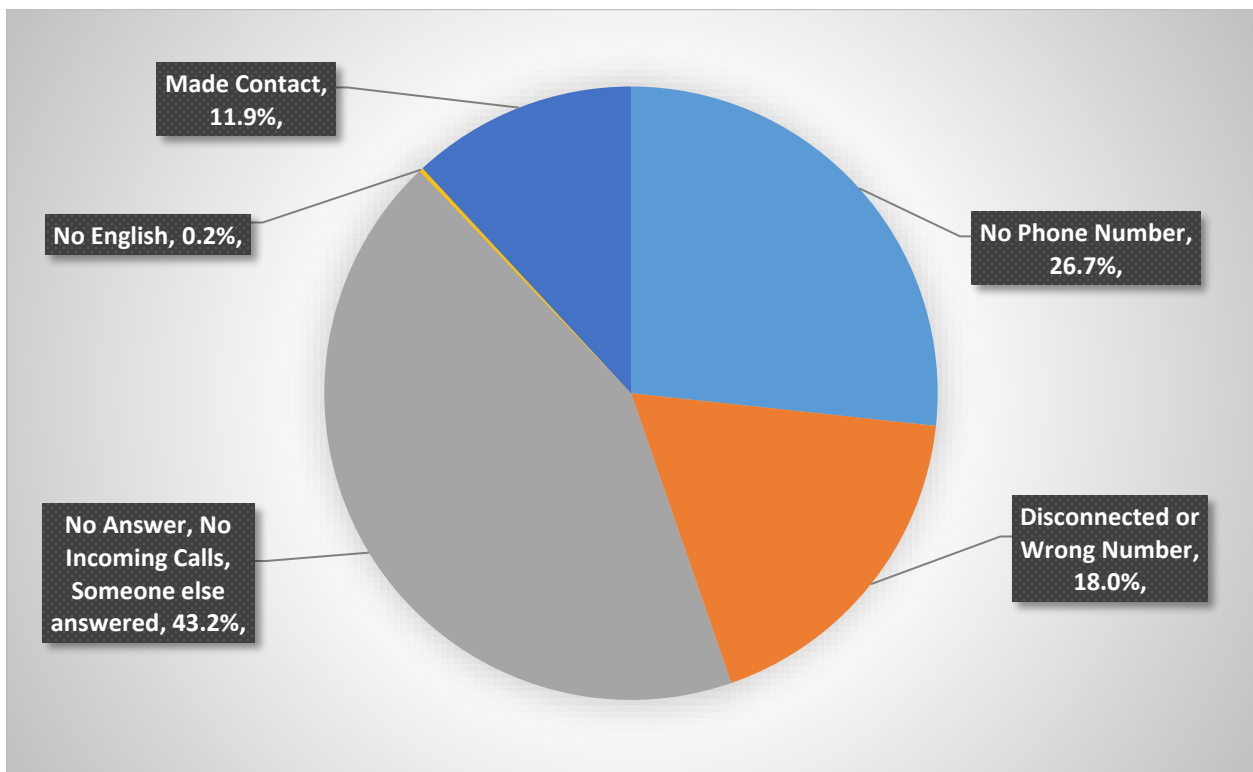
Ramsey County is the other large, urban county in the state of Minnesota, just across the river from Hennepin County. The state capital, St. Paul, is in Ramsey County along with eighteen other cities. From February to April of 2012, they conducted a study where interns called to remind defendants of their court hearing between one and three business days before the hearing (Zehm, 2012). They made calls between 8am and 5pm. Calls were made for their first appearance, criminal court calendars, taking place in three different court buildings. While making the calls, interns only gave reminders if they were able to conclude that they were speaking with the defendant. They did not leave voice messages.

They made 4,350 attempts to contact individuals and were only successful in reaching 518 defendants directly, or 11.9%. Some reasons they were not able to get a hold of the defendant were:

- No answer/wrong person (43.2%),
- No phone number known (26.7%),
- Disconnected/wrong number (18%), and
- The person answering the phone did not speak English (0.2%).

Once again, the Ramsey County study highlights the difficulty in gaining and maintaining accurate contact information for a defendant in order to be able to utilize a court reminder strategy. It also shows that the decision not to leave voicemail messages and not to speak with anyone other than the defendant might influence the ability to give successful reminders.

Figure 8. Ramsey County Phone Call Outcomes (N=4,350)



However, even given the low number of people they were able to reach, they concluded that the failure to appear rate for successful reminders was only 5.25% as compared to 23.5% for those who did not receive a reminder. Overall, the study concluded that the failure to appear for these calendars before the court reminder project was 24.2%. During the pilot, FTA reduced by 10.3% to 21.7%. Additionally, the number of warrants saw a reduction of 14.4%.

Electronic Court Reminders?

There is a lack of research when it comes to electronic court reminders and their effectiveness, namely via email and text message. It seems to make sense to employ relatively new technology for these purposes, especially when phone systems can be costly to setup and maintain. The Pretrial Justice Institute discusses the costs of different reminder techniques:

The Jefferson County and Multnomah County studies raise the question of whether using a manual approach, where a live caller can personally speak with the defendant or a member of the defendant's household, yields lower FTA rates than using available technology to implement an automated system. And, if so, what are the cost implications of one approach compared to the other? The drop in the Jefferson County FTA rate was more dramatic than that in Multnomah County, but these are only two sites. More research is needed in this area.....

... In addition to traditional telephone calls and sending letters or postcards to defendants reminding them of their court dates, the technology is also available to send electronic messages via e-mail or text messaging. These methods have the advantage of being cheaper than telephone calls or postcards.

While more research is needed to determine the costs and benefits of the various methods of delivering court date reminders and on the content of messages that are conveyed, it is clear that the technology is available to implement an automated calling system and that this technology has been around for several years. Some currently available products can also provide voice verification—to ensure that the person receiving a telephoned court date reminder is indeed the defendant, thus removing any doubt about whether the defendant received the message.

Given the current state of automated telephoning technology and the research showing the benefits of court date reminders, it is surprising that the percentage of programs providing court date reminders has actually fallen. In the 2009 survey, only 54 percent of programs reported providing telephone or mail reminder notices. (Pretrial Justice Institute, 2012, p. 15).

Hennepin County District Court has not offered hearing reminders, with the exception of the Juvenile Court study mentioned in the next section. Given a desire to advance court operations into a new electronic era, court reminders via text and email seemed to be a viable approach to reducing the number of warrants issued for failure to appear.

Methods

As stated previously, this Court Reminder program is part of a larger criminal justice reform initiative called the Adult Detention Initiative. When the governing group first discussed court reminders, the scope of the program was to replicate a court-calling program used in Hennepin County Juvenile Court since 2008. This program includes calling juvenile respondents in delinquency matters for their court hearings. The failure to appear rate improved by 13% during the study period in 2008 (Fourth Judicial District Research Unit, 2008). Separate conversations about offering electronic court reminders were going on at this time and it seemed to make sense to use this program to test the viability of new methods of offering court reminders by email and text.

Hennepin County Department of Community Corrections and Rehabilitation (DOCCR) hired three volunteers who would be responsible for executing the court reminders.⁶ The volunteers were trained in May of 2016 and started making contacts soon thereafter in June. The data collection period for this project is July 1 to October 31, 2016.

The volunteers made reminders for two court calendars: Minneapolis (Mpls) Pre-Trials and Felony B Ominbus hearings (felony drug and property offenses). ADI leadership selected these two calendars because they are hearings for lower-level community property and drug crimes, where the defendant is usually appearing out-of-custody. If they missed their hearing, it would likely result in a bench warrant being issued. Therefore, it seemed to be a good fit for the

⁶ Before the court gave the volunteers access to defendant contact information (phone and email), volunteers went through an interview and background check, and signed a confidentiality agreement.

overall project of being more careful to use the jail as a last resort only for the most appropriate offenders.

It is also important to note that leadership chose these two (second appearance) calendars because the court was not yet collecting this contact information on a regular basis from defendants. In June of 2016, criminal court clerks started collecting and updating defendant addresses, phone numbers, and email addresses at first appearance hearings using a “Defendant Information Form” (see Appendix 1). This was done for all criminal court cases with a hearing, whether in court or before an administrative hearing officer. This allowed the court to collect contact information on a party level in order to send future reminders to the defendant. Because there was a presumption that we would have the defendants contact information (if they gave it to us) at their first appearance, leadership chose these two (second appearance) calendars.

One barrier that proved to be difficult to overcome at times was collecting contact information at first appearance for defendants who were in custody, because there are a lot of elements and parties involved in bringing them to their court hearing. It is sometimes difficult to get a defendant to fill out a piece of paper when in the in-custody holding area because having a pen or writing utensil can be perceived as a danger to staff interacting with the defendant as well as to other inmates.

The leadership group made the decision that rather than executing a purely experimental study design, it would be quasi-experimental in that we would make every possible attempt to contact a defendant using any means based on the contact information that we had in the case management system. In other words, if we had a phone number and an email, the defendant would receive a phone call, text message, and email reminder. Results from the study period in 2016 would be compared to FTA rates in 2015, making the study design quasi-experimental.

Ideally, an experimental design would have allowed measurement of the effectiveness of applying a reminder method to four distinct treatment groups. (See Figure 9.) Alternatively, some defendants received multiple combinations of reminders, which resulted in eight different treatment groups for this study, all receiving a different group of treatments combinations, whether text, email, phone call, or no contact. (See Figure 10.)

Figure 9. Experimental Study Design

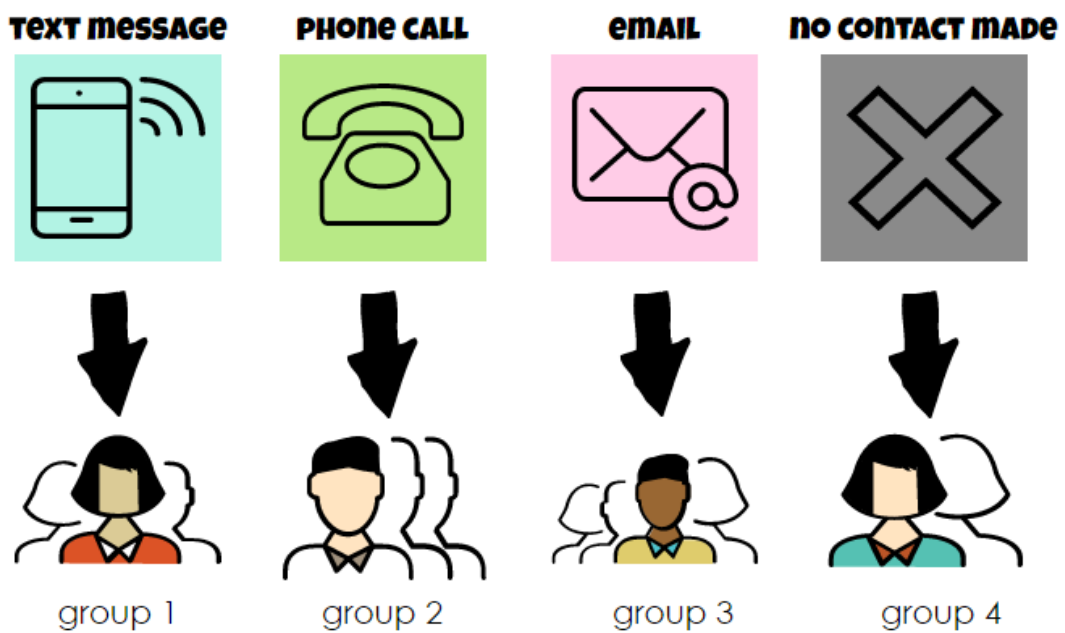
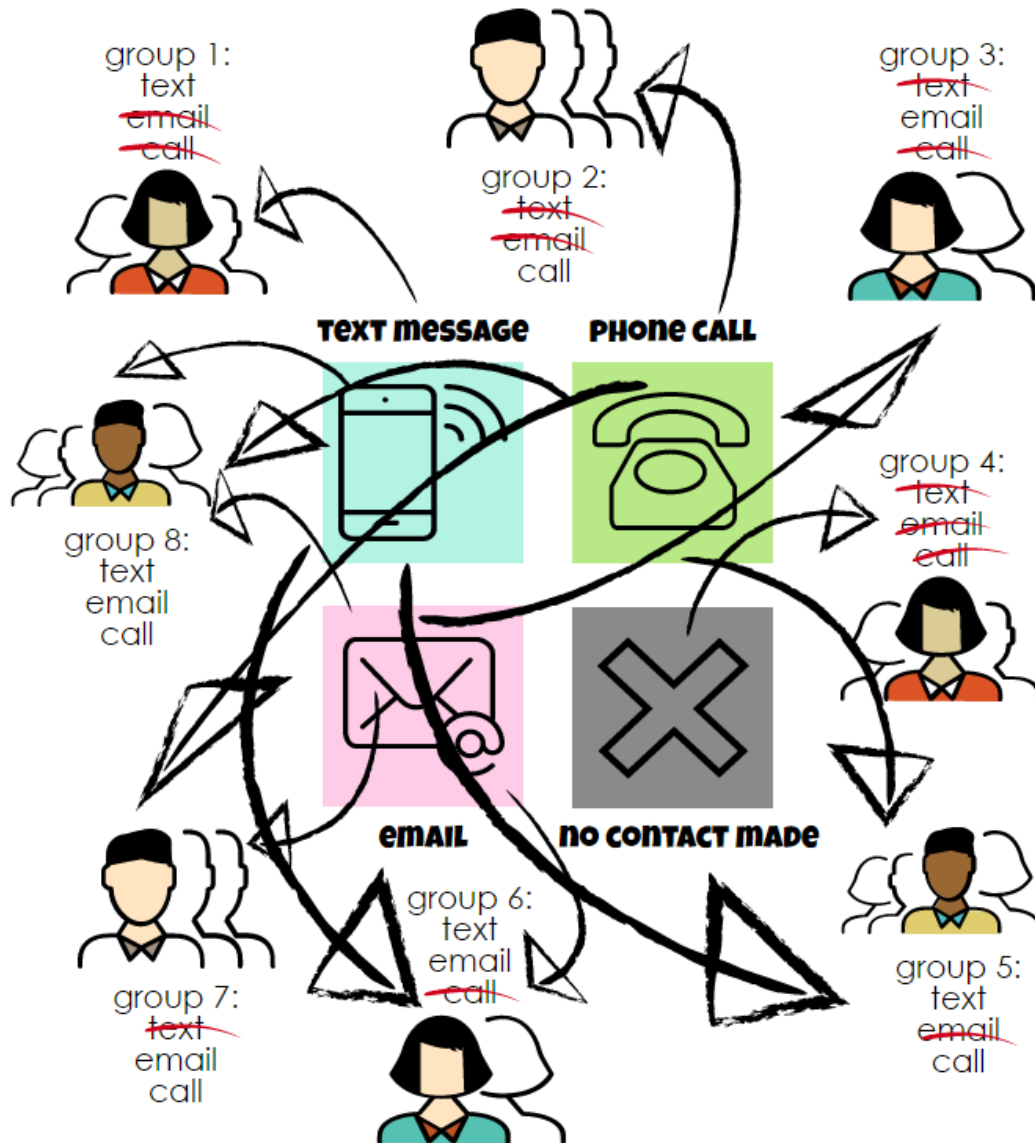


Figure 10. All Eight Treatment Groups



The court staff sent the volunteers a “Defendant Information Form” (see Appendix 1) for each defendant coming up on one of the two court calendars. Based on the information on the form, the volunteers would make the contacts and log their success and attempts using an online survey designed by the Fourth Judicial District Research Department (see Appendix 2). Volunteers also recorded whether they received a “bounce-back message,” or if they actually

reached the person by phone. At the conclusion of the data collection period, the results of the data submitted by the volunteers were compared to data in the court's case managing system, indicating whether or not the defendant appeared for that hearing, while also providing demographic information for the purposes of this study.

Court leadership and justice partners also made a decision to have volunteers only give the verbal court reminder to the defendant. If someone else answered the phone, volunteers would ask for the defendant and if he or she were not available, they would thank them and hang up without giving more information, to prevent making someone aware of a court case they were not aware of before. We also asked the volunteers to provide the court administration phone number if the defendant had any questions about their hearing. We gave volunteers minimal information about the court process so they would not feel obligated to answer questions when making contacts. However, their orientation started with a basic overview of the life of a criminal court case as part of their volunteer experience.

Volunteers contacted court users three business days before their appearance on a Criminal Court calendar for the two calendars. We chose three days out somewhat arbitrarily because it seemed like it was close enough to the hearing date to be effective, yet not too close to the hearing to be helpful. For example, a same day reminder would not be helpful unless someone was able to quickly rearrange his or her schedule.

The Research Department used statistical software to combine the data recorded by the volunteers as they were making their reminders alongside a report of the appearance records from this period on the two calendars chosen for the reminder program. They matched the attempts to contact a defendant with the appearance records to see whom we successfully contacted and if they showed up for court.

Program Costs

Hennepin County's volunteer program facilitated the selection and hiring of three unpaid volunteers, who would do perform the phone, text, and email reminders. Each volunteer went through a background check and signed a user agreement in order to obtain contact information for the defendants. One court staff member spends up to an hour a day sending the defendant information forms to the volunteers by email each business day.

There were costs associated with time spent training the volunteers, designing the process, setting up their equipment, and designing the survey that the volunteers use to track their progress. Other than that, each of the three volunteers has a phone and a laptop that belong to the County. The phones each cost \$58 per month, totaling around \$173 per month. The text service through [EZ Texting](#) cost \$50 per month to send up to 1,000 texts a month. One great benefit to the texting service was that volunteers could copy and paste multiple phone numbers into one text message and send them all at once with the reminder text. The total monthly reoccurring costs were around \$225.

The volunteers used Outlook and the Qualtrix survey software, which the court and county pay for already, so these are not additional costs, but are considered.

Reminder message content

Phone call.

Volunteers were give the following instructions for how to make the phone reminders:

- Call all numbers listed until you reach the defendant in person, starting with the Cell number, if there is one. Once you have reached them and given them the message, you can discontinue calling that defendant.
- Phone calls should only be made between 9:00am and 7:00pm.

- ❖ If the phone is answered, ask if the defendant is available. If you are speaking with the defendant the message is:

“This is a reminder that you have court coming on _(day of week)_, _(Month)_(date)_ at the Hennepin County Government Center. If you have any questions, you may call (612) 348-2040.”

- ❖ If the phone is not answered, leave a message:
(Note: do not leave message if there is any indication that the voicemail doesn't belong to the defendant.)

“This is a reminder that you have court coming on _(day of week)_, _(Month)_(date)_ at the Hennepin County Government Center. If you have any questions, you may call (612) 348-2040.”

- ❖ If someone other than the defendant answers, ask for the defendant. If they are not available, just say thanks and goodbye. (We do not want to give information about this hearing to anyone except the defendant.)

In training, we asked the volunteers not to answer questions about a defendant's case or hearing, but instead to direct them to the court's Contact Center to have questions answered. We also asked them not to give any information unless they were speaking with the defendant, to maintain privacy for the defendant, even though the hearing information is public. This caused some frustration for the volunteers when someone other than the defendant answered the phone and the defendant was not available.

Text message.

We designed the text message reminder to offer simple and clear information in only the allotted 160 characters. Legal Design Lab gives information on best practices for writing government text messages (Hagan, 2015), which was helpful in designing this message:

Reminder: You have a court hearing on _ (day of week) _, MM/DD/YY at HH:MM, at the Hennepin County Government Center. Questions? Call (612) 348-2040.

We withheld a courtroom number on purpose because when the party arrives at the courthouse, there are electronic monitors showing their names and the assigned courtroom.

Using the text messaging service EZ Texting (www.eztexting.com), allowed the volunteers to enter multiple phone numbers at once and send one text message per court session, while not exposing recipient phone numbers to others in the message. This made the text messaging process very efficient and the service allowed volunteers to send up to 1,000 text messages per month for \$50 per month.

Email.

We designed the email message so the most important information (date, time, and location) would be located up top. The information in the text box is also included on our paper court reminder forms. Court leadership found it important to include a link to our public website, which contains information on what to expect when you come to court. Hopefully a defendant receiving the message would have at least one or two avenues to contact the court to ask for more information, or find information on their own.

Figure 11. Reminder Email Template



REMINDER: YOU HAVE A COURT HEARING COMING UP SOON.

DATE:

TIME:

LOCATION:

HENNEPIN COUNTY GOVERNMENT CENTER
300 SIXTH STREET SOUTH
MINNEAPOLIS, MN 55487
[\[MAP\]](#)

Please check the monitors when you arrive to find your courtroom number.

- *Court may take several hours – please plan for this.*
- *If you fail to report for court as directed, a bench warrant may be issued for your arrest.*
- *Be ready to pay a fine if it is ordered at your hearing.*
- *You must keep your attorney aware of your current address and telephone number.*

Questions? Call (612) 348-2040 or [visit us on the web.](#)

Find more information on [going to court.](#)

Findings

Study Period: July 1, 2016 – October 31, 2016

N = one hearing for one defendant's case on one court calendar (if a defendant had multiple cases on the same calendar they would count as multiple N)

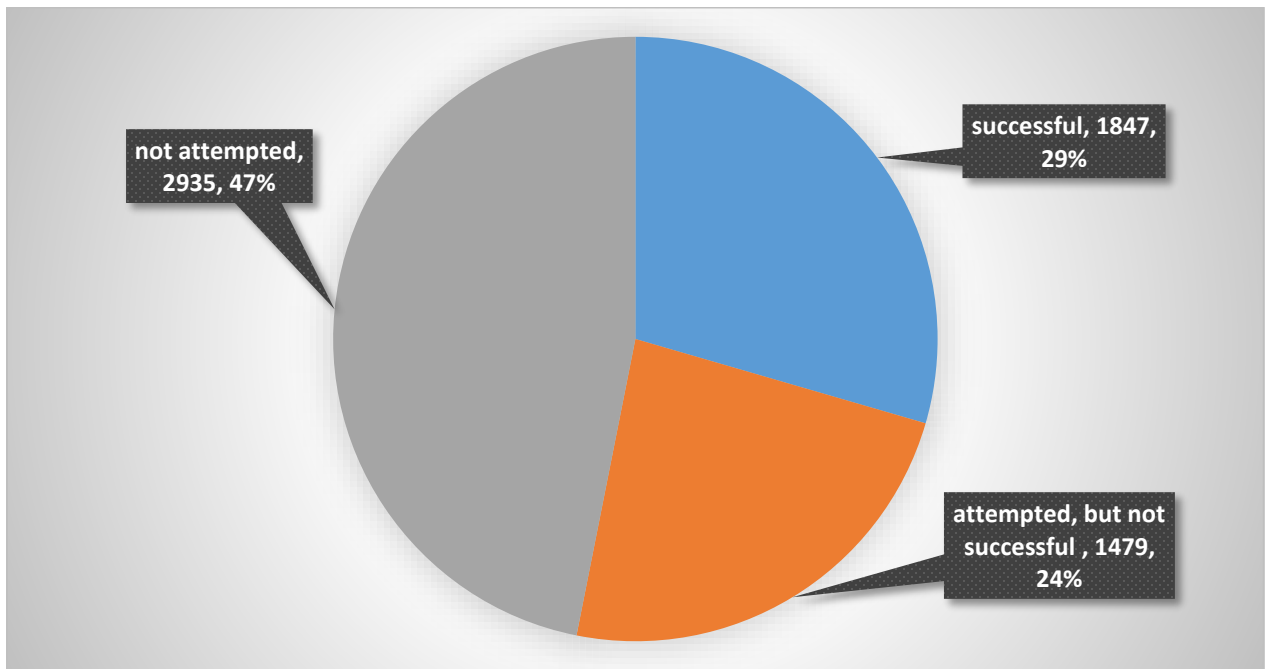
Court Calendars

- *Minneapolis Pre-Trial Calendar* (M-F 8:30am and 1:30pm)
 - o Second appearance for Minneapolis misdemeanor and gross misdemeanor community crimes, such as DWI, trespassing, theft, lower level assault (not domestic abuse)
- *Felony B Property-Drug Omnibus Calendar* (M-F 9:00am and 10:00am)
 - o Second appearance for felony offenses committed anywhere in Hennepin County for less serious/violent offenses such as arson, burglary, theft, and drug possession.

ARE COURT REMINDERS EFFECTIVE IN REDUCING THE FAILURE TO APPEAR (FTA) RATE FOR COURT HEARINGS?

For how many hearings were we able to remind defendants successfully?

Figure 12. Reminder Success (N=6,261)



We were only able to give reminders successfully for 29% of the hearings scheduled during this period on the two calendars.

Successful.

- Phone call: we were able to connect directly with the defendant or left a voicemail
- Email: an email was sent and did not bounce back, nor was it reported as received by the wrong party
- Text: text message was sent and did not bounce back, nor was it reported as received by the wrong party

Attempted, but not successful.

- Phone call: we attempted to call but could not reach the defendant directly due to wrong number or someone else answering, or the voicemail appeared to belong to someone else.

(If someone other than the defendant answered, and the defendant was not available, the volunteer did not disclose the reason for the call.)

- Email: an email was sent but it was returned as undeliverable
- Text: text message was sent and returned as undeliverable

Not attempted.

- We have no contact information for a defendant in order to attempt to contact them.
- Court administration added the hearing to the calendar after sending the defendant information forms to the volunteers for that given calendar. Court staff sends the forms to the volunteers approximately one week before the hearing date. If court staff scheduled a hearing after sending the forms to the volunteers, volunteers could not attempt to remind the defendant.
- There may have been instance where the volunteer missed a person or for some other reason did not attempt a reminder for a given hearing.

What was the success rate for contacting defendants by phone?

1,731 were successful – 1,449 were not successful

Figure 13. Success rate of phone calls (N=3,180)

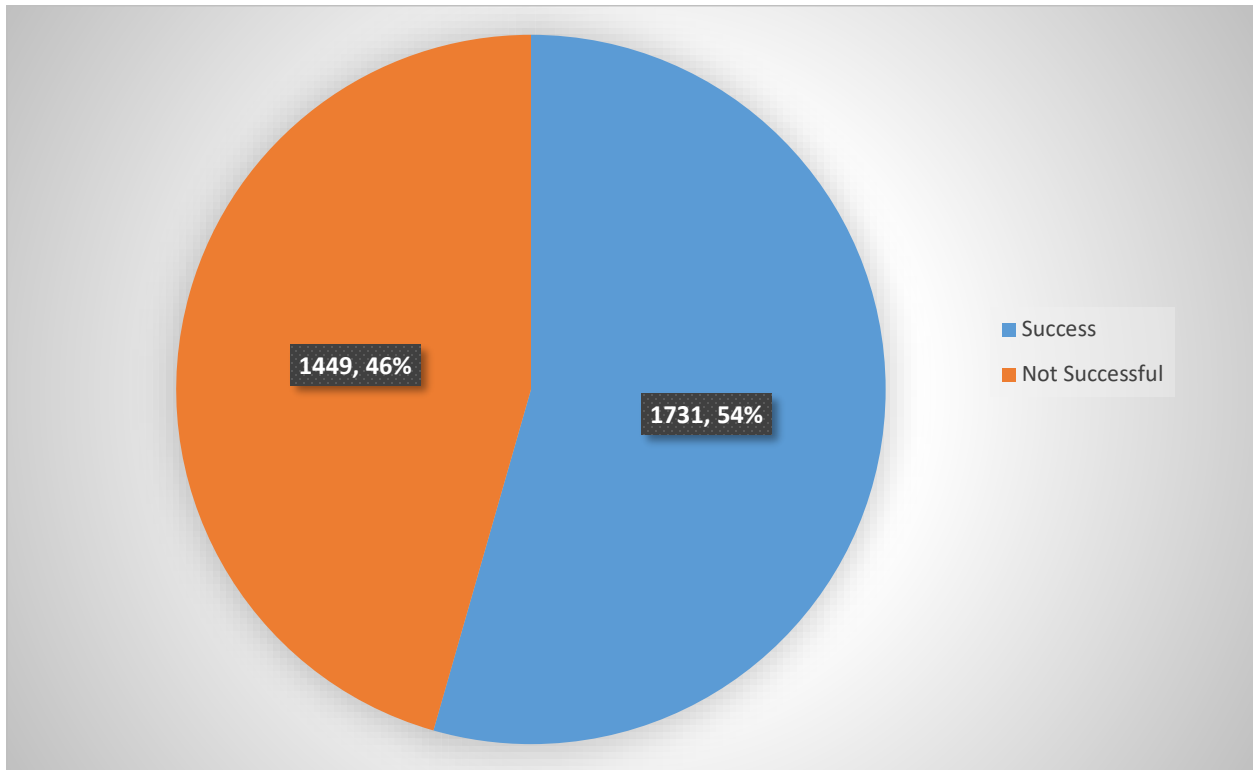
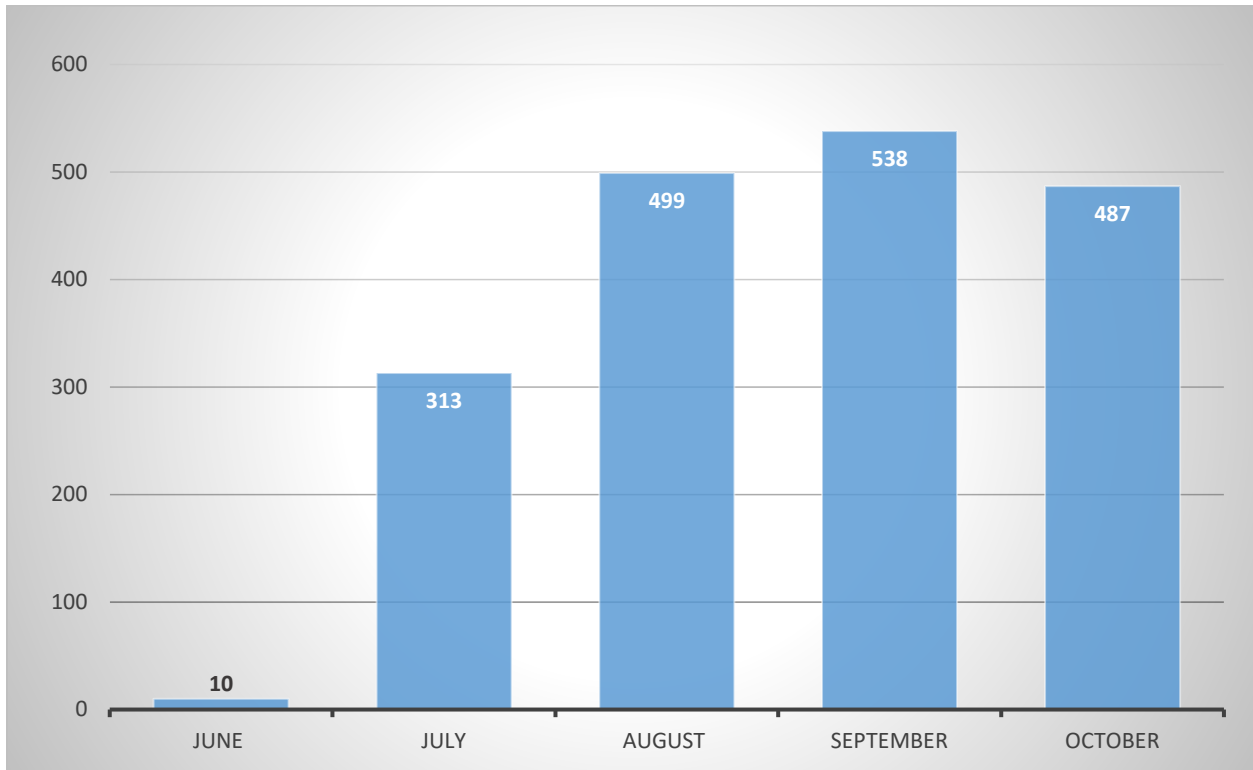


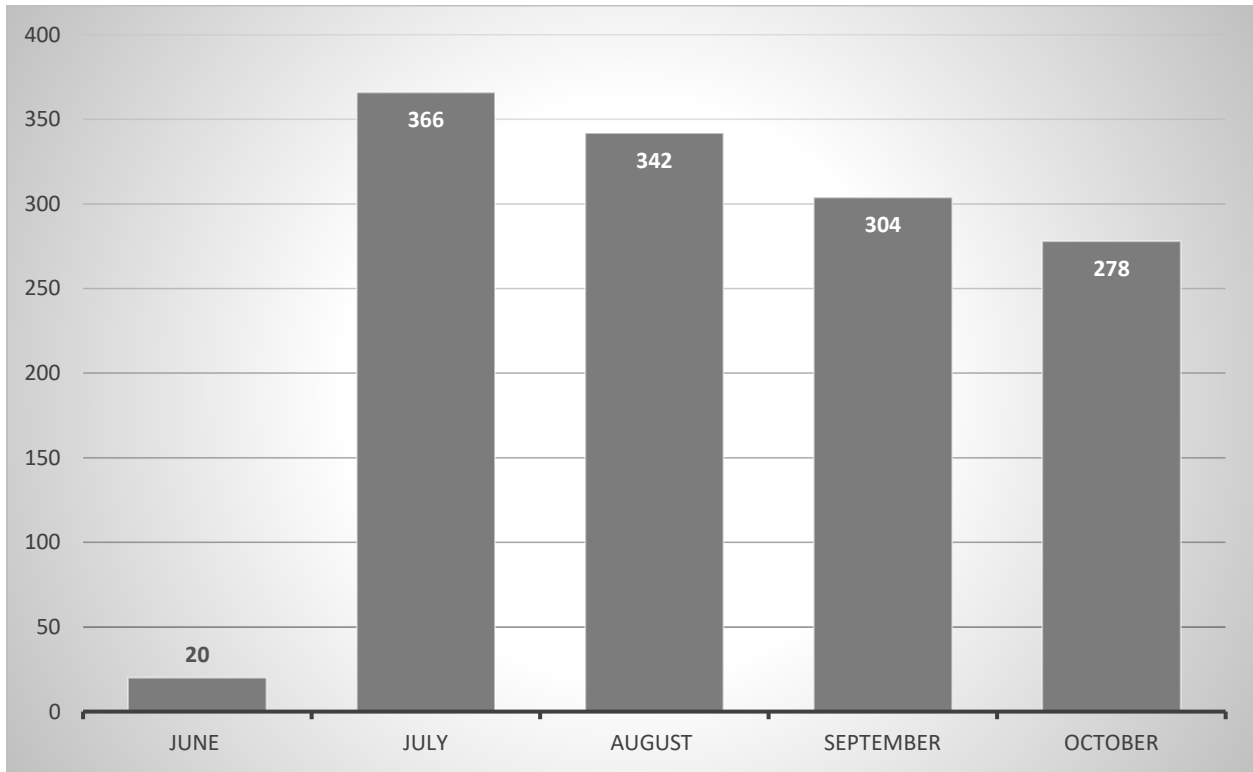
Figure 14 below shows that for the most part, the rate of successful phone calls increased over the life of this study. This is likely because the court started a vigilant effort to collect defendant contact information (address, phone number(s), and email) at each first appearance for a criminal or traffic court cases using the Defendant Information Form (Appendix 1). Therefore, the quality of the contact information stored in the case management system improved, and we were more likely to be able to get a hold of the defendant by phone. The successful contact rate increased as the unsuccessful contact rate decreased gradually.

Figure 14. Successful phone calls by month (n=1,847)



The number of defendants with no contact information reduced over the life of the study, as the implementation of the process to collect defendant information began (see Figure 15).

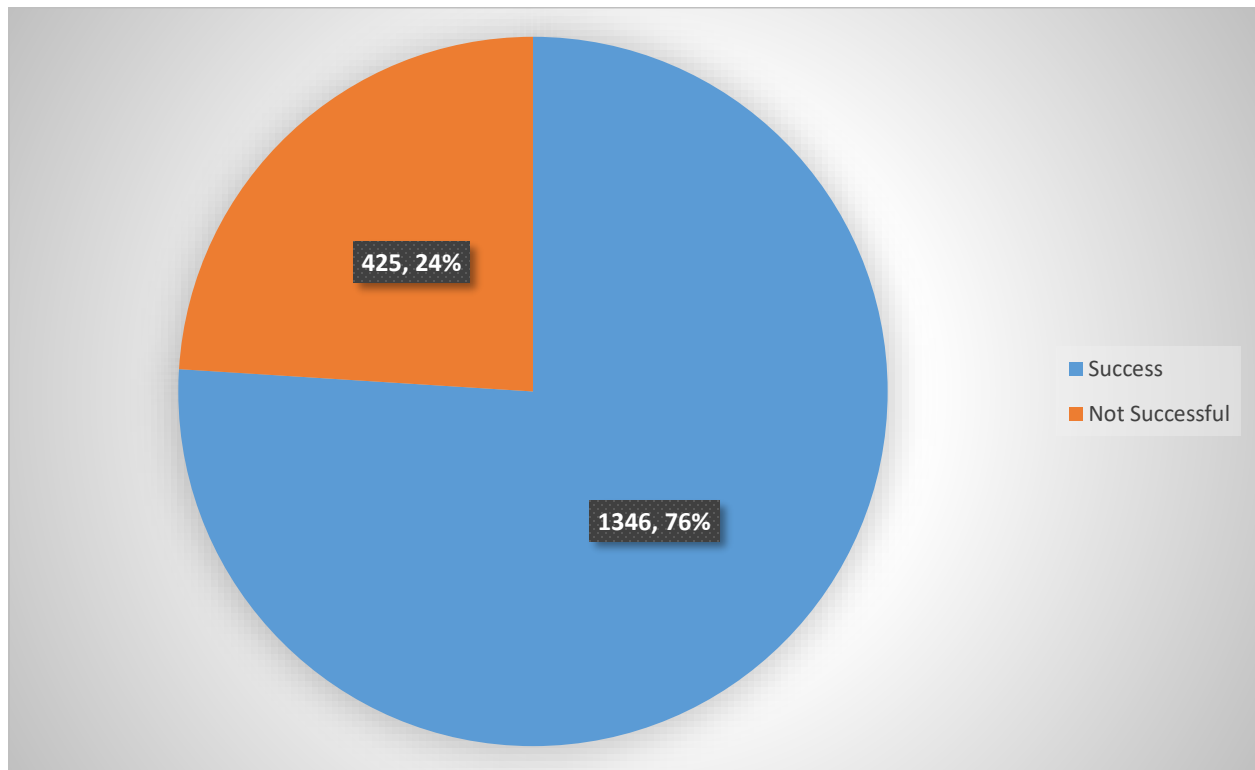
Figure 15. No contact information by month (N=1,310)



What was the success rate for contacting defendants by text message?

1346 were successful – 425 were not successful

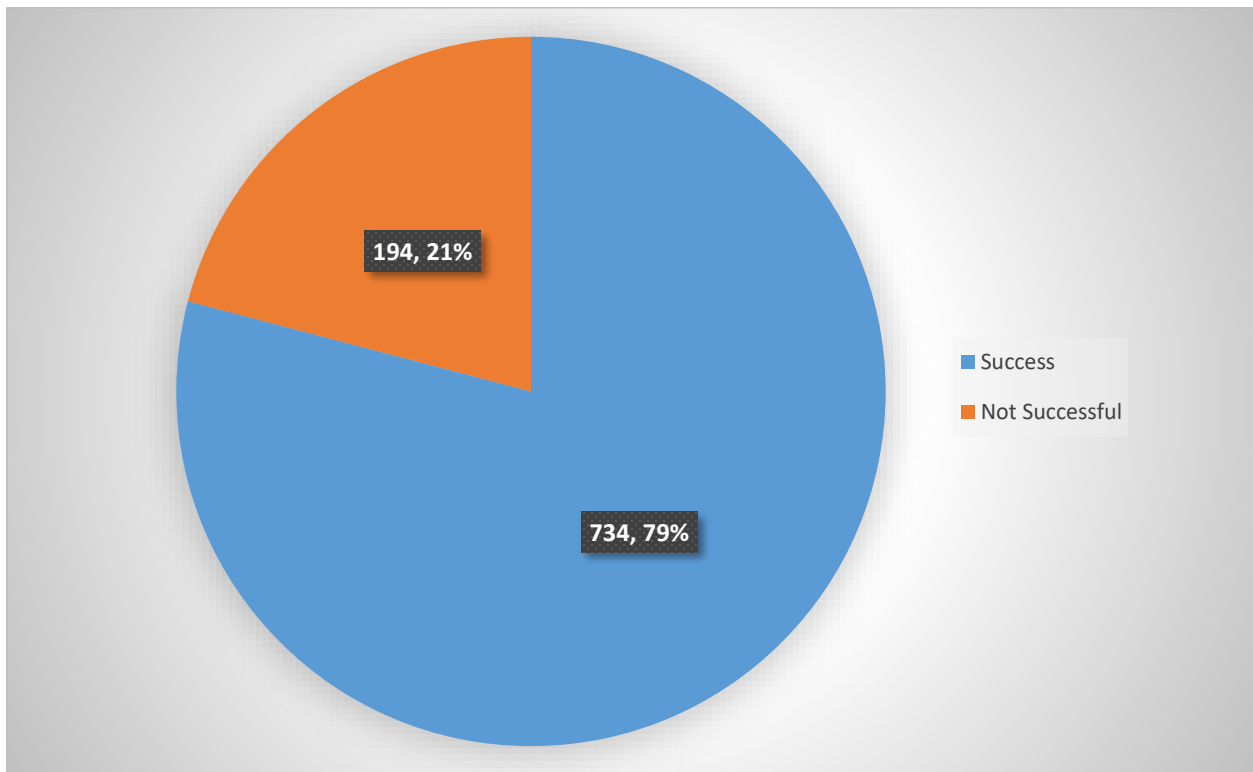
Figure 16. Test Message Success Rate (N=1,771)



What was the success rate for contacting defendants by email?

734 were successful – 194 were not successful

Figure 17. Email success rate (N=928)



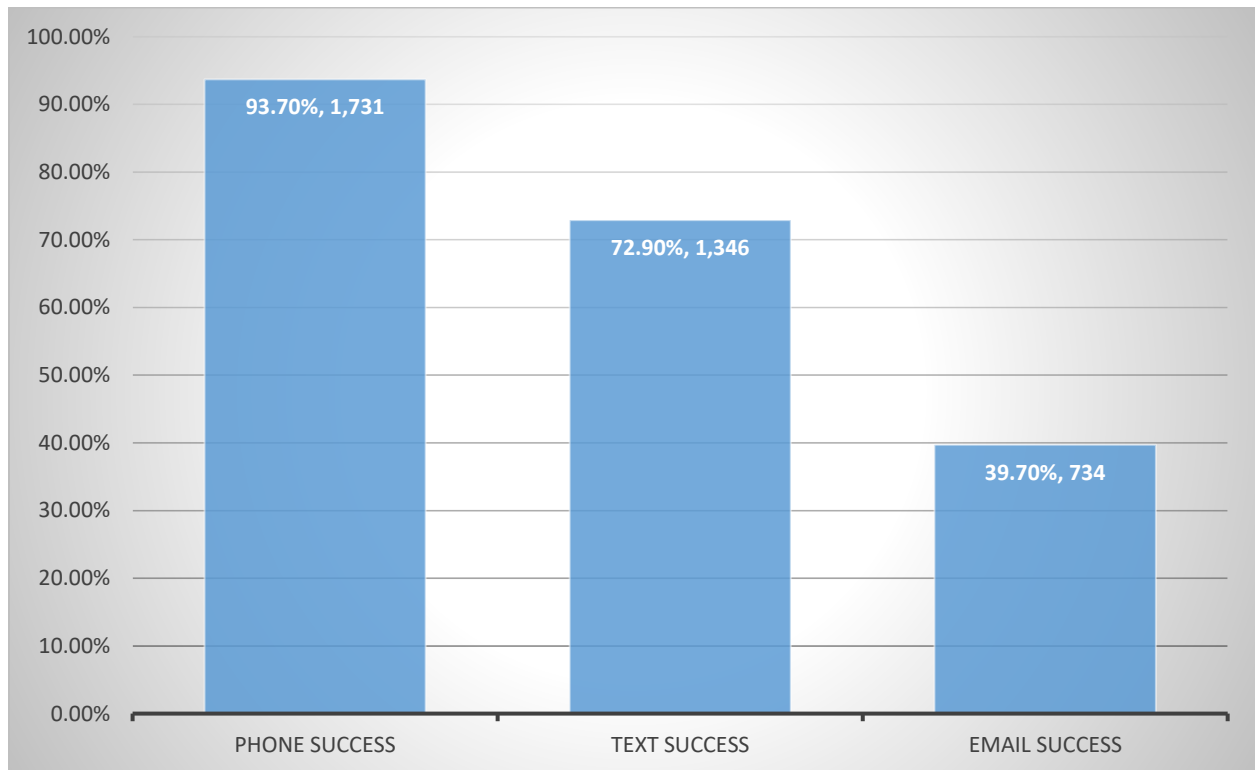
Success Rate Comparison by Type of Contact

Of the 1847 individual hearings/defendants where contact **was** successful,

- 93.7% received reminders by phone and 6.3% received reminders by some other means.
- 72.9% received reminders by text message and 27.1% received reminders by some other means.
- 39.7% received reminders by email and 60.3% received reminders by some other means.

This indicates phone call was the most successful method of reminding, which may have been a result of having few email addresses in the case management system.

Figure 18. Method of contact for those who were successfully contacted (N=1,847)

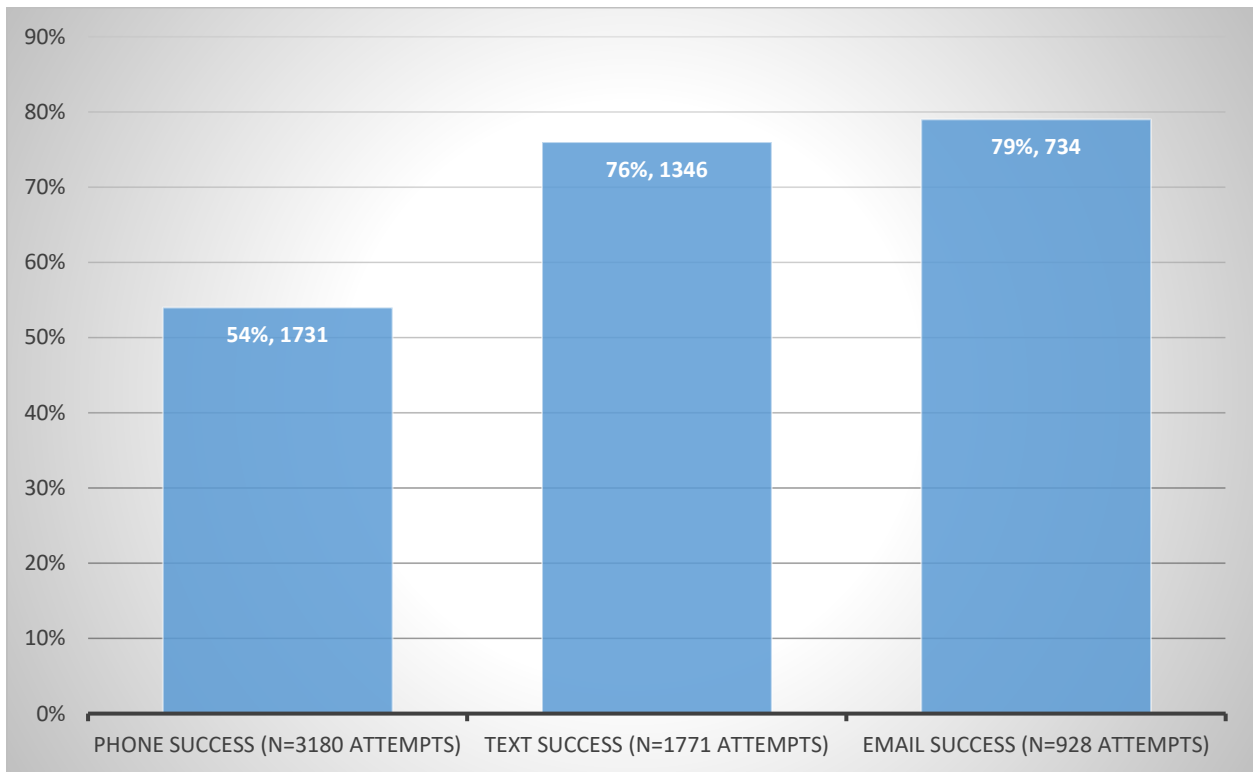


When we attempted to make contact,

- 54% of attempted phone calls deemed successful.
- 76% of attempted text messages deemed successful.
- 79% of attempted email messages deemed successful.

This indicates while phone calls proved to be the most likely way for us to contact someone, though volunteers often wasted the effort exerted to make the phone call, as opposed to attempts to contact by text message or email, which had a higher success rate.

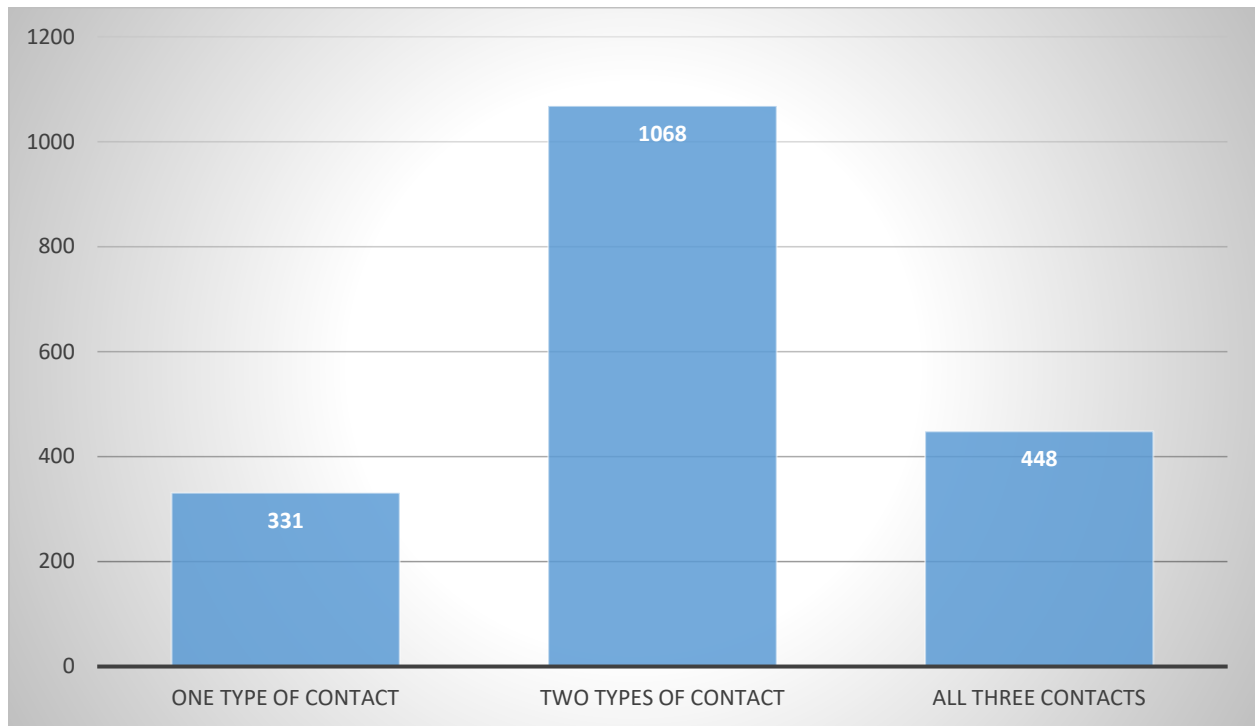
Figure 19. Success rates by method for all attempts to contact



How many defendants were successfully contacted using one or more contact methods?

We were able to contact a majority of the defendants (82%) using more than one type of contact method, whether phone, text, or email.

Figure 20. Success by number of types of contact (N=1,847)



What was the FTA rate during the study?

The failure to appear rate differed between the two calendars but was close. The rate of failure for the Felony Omnibus calendar was 12% and 13% for Minneapolis Pre-Trials.

It is likely the pre-trial release staff more closely monitors the felony cases, and therefore, defendants may be more likely to show up for court.

Figure 21. Felony omnibus fail to appear (N=921)

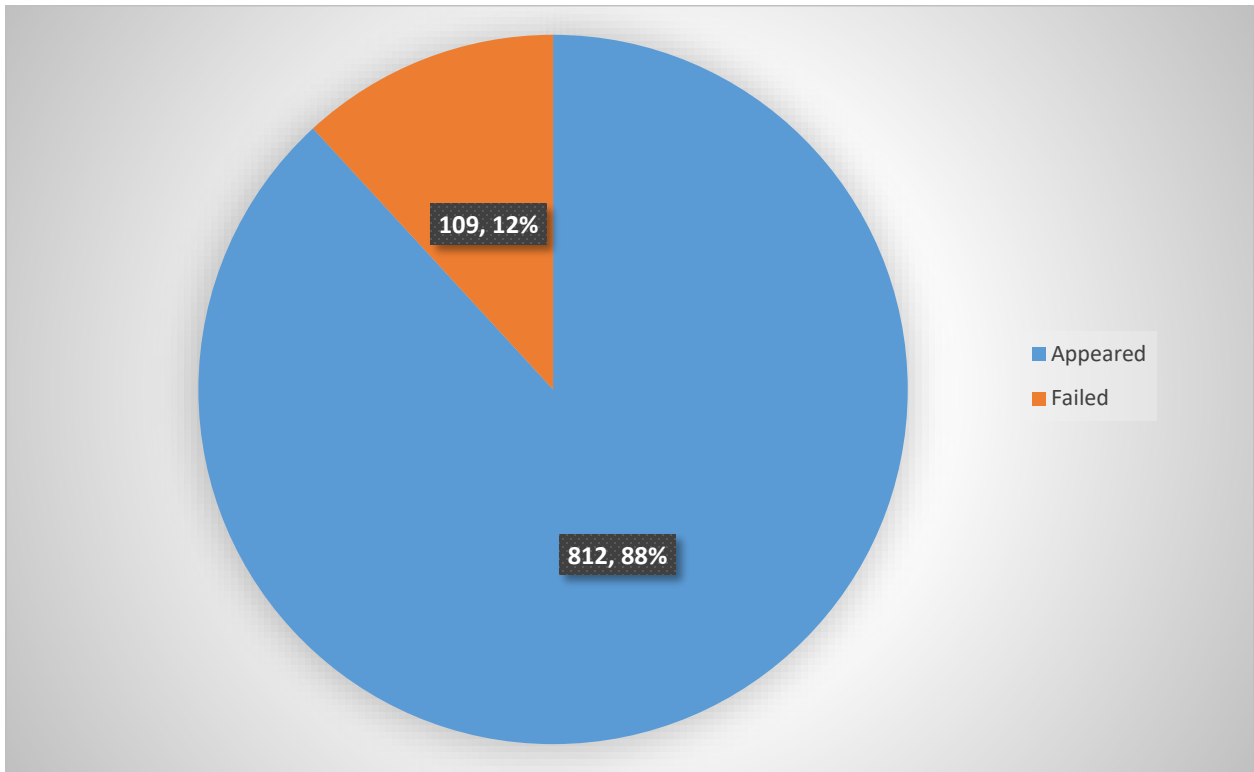
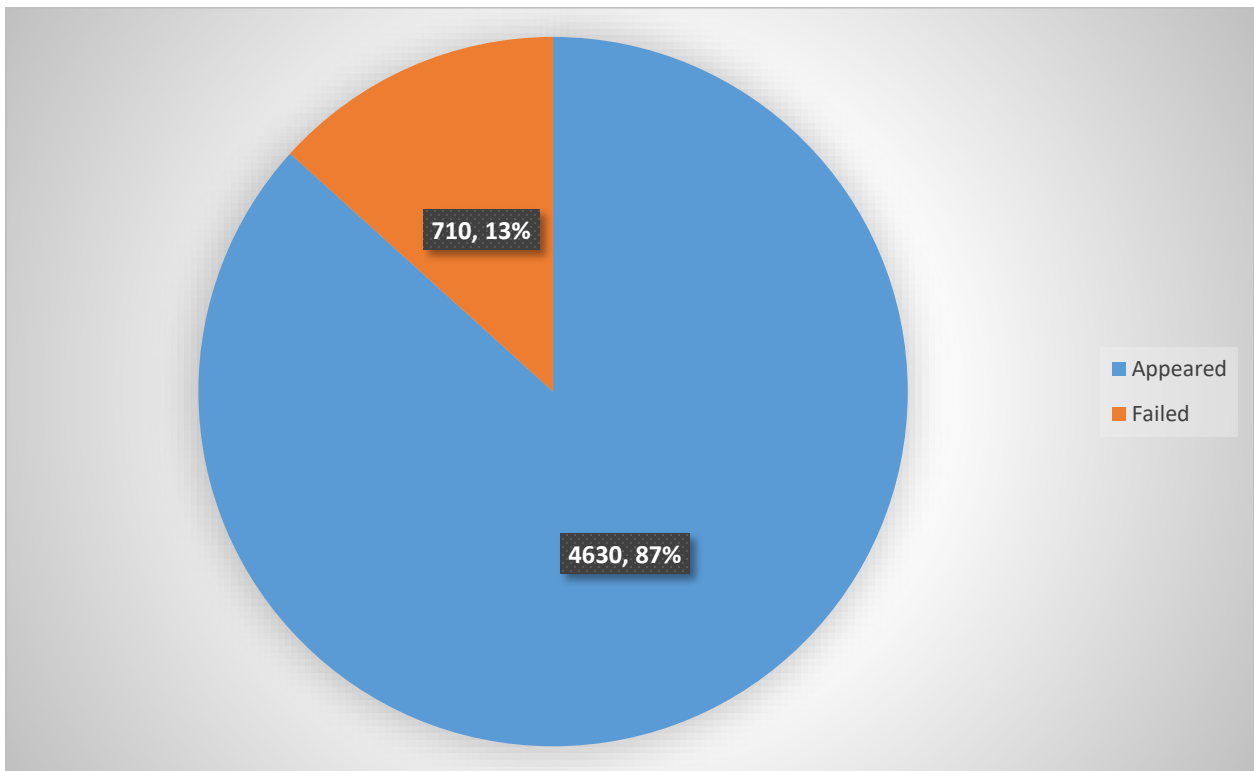


Figure 22. Mpls pre-trial fail to appear (N=5,340)



How did the FTA rate during the study compare with the same period in the previous year (2015)?

The FTA rate on the Minneapolis Pre-Trial Calendar only decreased slightly, by 0.7% and the FTA rate on the Felony B Property/Drug Omnibus Calendar actually increased by 2.9%.

Table 3. *Fail to appear rate 2015 vs 2016*

Calendar	2015	2016 ⁷
Minneapolis Pre-Trial Calendar	14%	13.3%
Felony B Omnibus Calendar	8.9%	11.8%

DID SUCCESSFUL CONTACT WITH THE DEFENDANT HAVE AN IMPACT ON THE FTA RATE BY CALENDAR?

Table 4. *Fail to appear rate 2016 (including only those cases where we attempted to reach the defendant)*

FTA Rate	2016 Unsuccessful Contact	2016 Successful Contact	Significance Level
Minneapolis Pre-Trial Calendar (N=2837)	17.4%	11.2%	p<.000
Felony B Omnibus Calendar (N=489)	13.6%	9.6%	p<.053

Successfully contacting defendants reduced the FTA rate significantly. However, each calendar was slightly different; Felony B Omnibus calendar shows a reduction but barely significant one (p<.053) - this might be due to the low number of people failing on this calendar in general)

⁷ This column includes defendants where no attempt to contact was made because of lack of contact information. It is not limited to those we attempted to contact whether or not contact was successful.

while the Minneapolis Pretrial calendar did show a significant reduction in FTAs ($p < .000$ -the difference between 17.4% FTA and 11.2% FTA).

We use the Fisher's Exact Test because it allows a 1-sided test. When the direction of the treatment effect is expected, we use this test - as opposed to an exploratory study where one would not know what they would expect to find. We know the direction because we expect to reduce FTA if we successfully contact the individual.

Figure 23. Felony B Omnibus FTA by Contact Success (N=489)

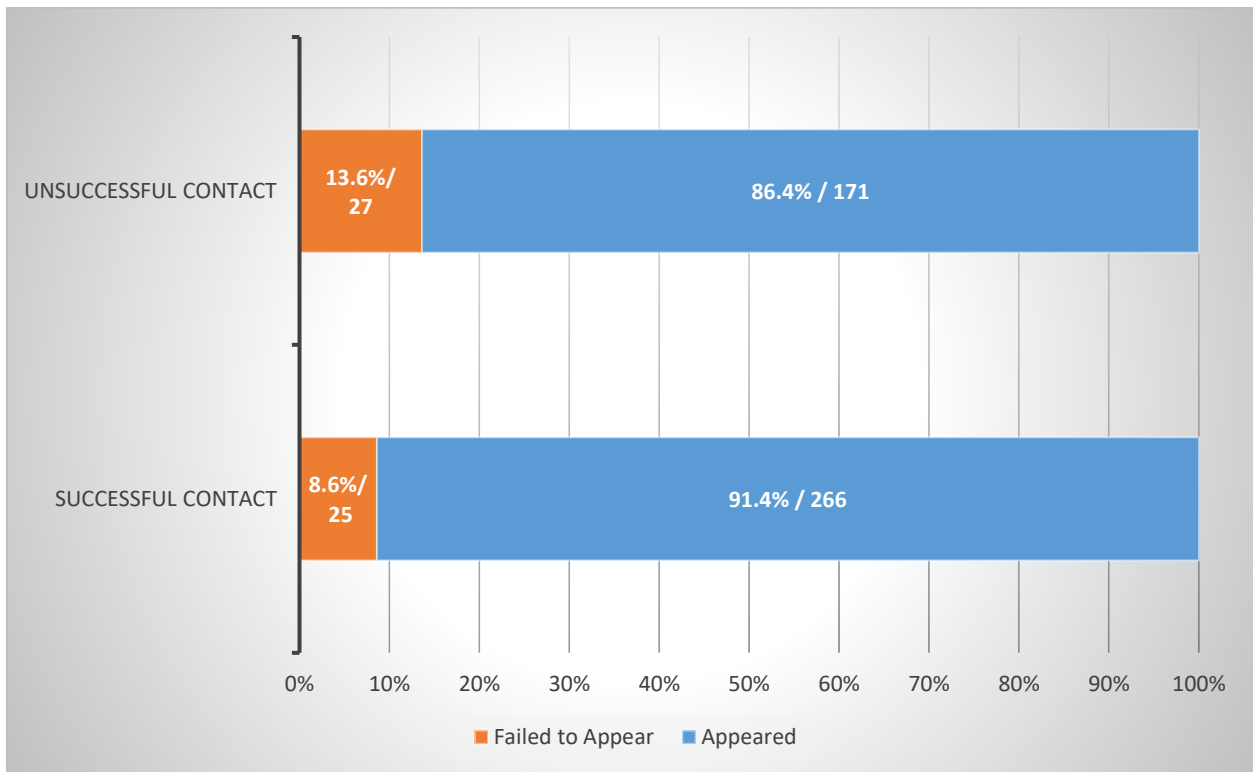
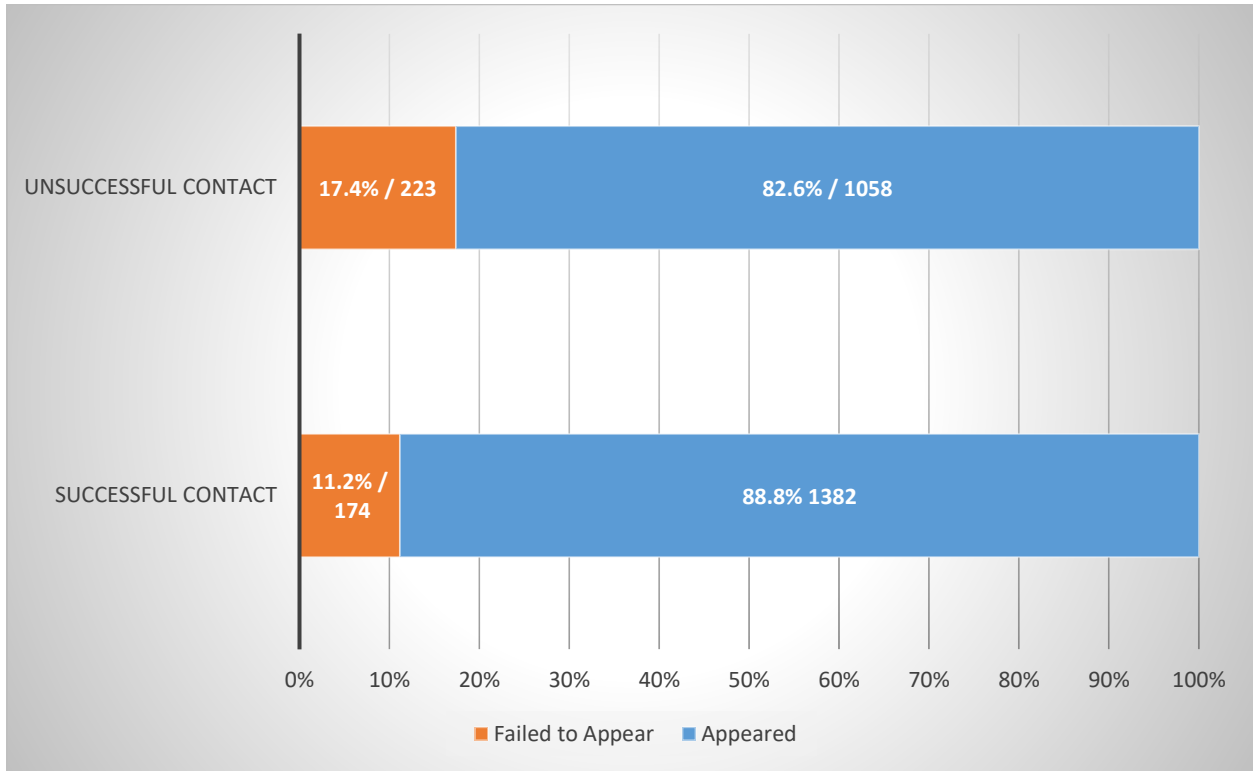
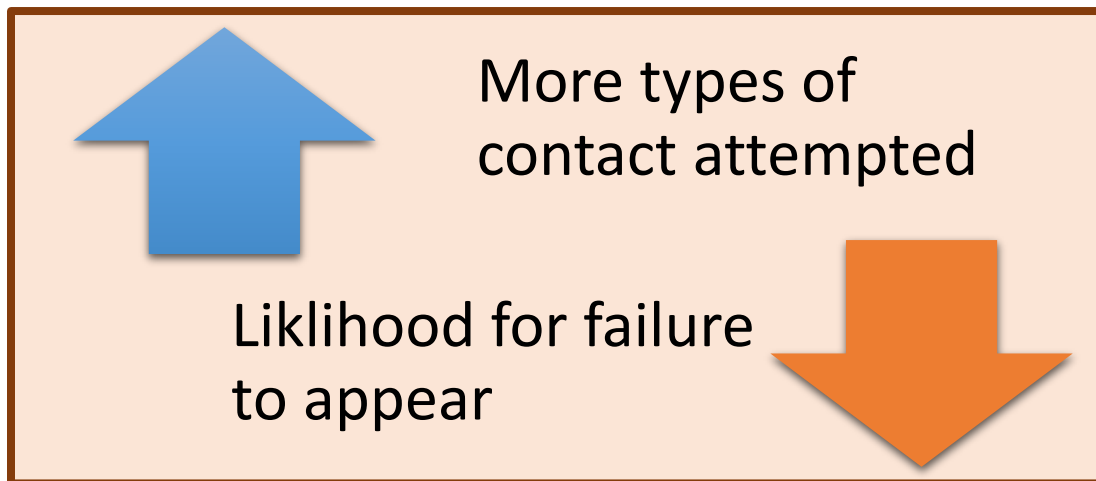


Figure 24. Mpls pre-trial FTA by Contact Success (N=2,837)



Does making multiple types of contact attempts to the defendant have an impact on the FTA rate?

Figure 25. Types of contact/FTA Relationship



For each calendar, the more ways we can contact the defendant, the better – significantly so (Mpls Pretrial calendar ($p < .000$), but less significant for the felony calendar ($p = .030$). The highest appearance rates are for all three types of contact (Phone, Email, Text), followed by at least two of these, etc. This table does not account for successful or unsuccessful contact, just attempts.

Figure 26. FTA Rate by Number of Types of Contacts Attempted - Felony B Omnibus (N=489)

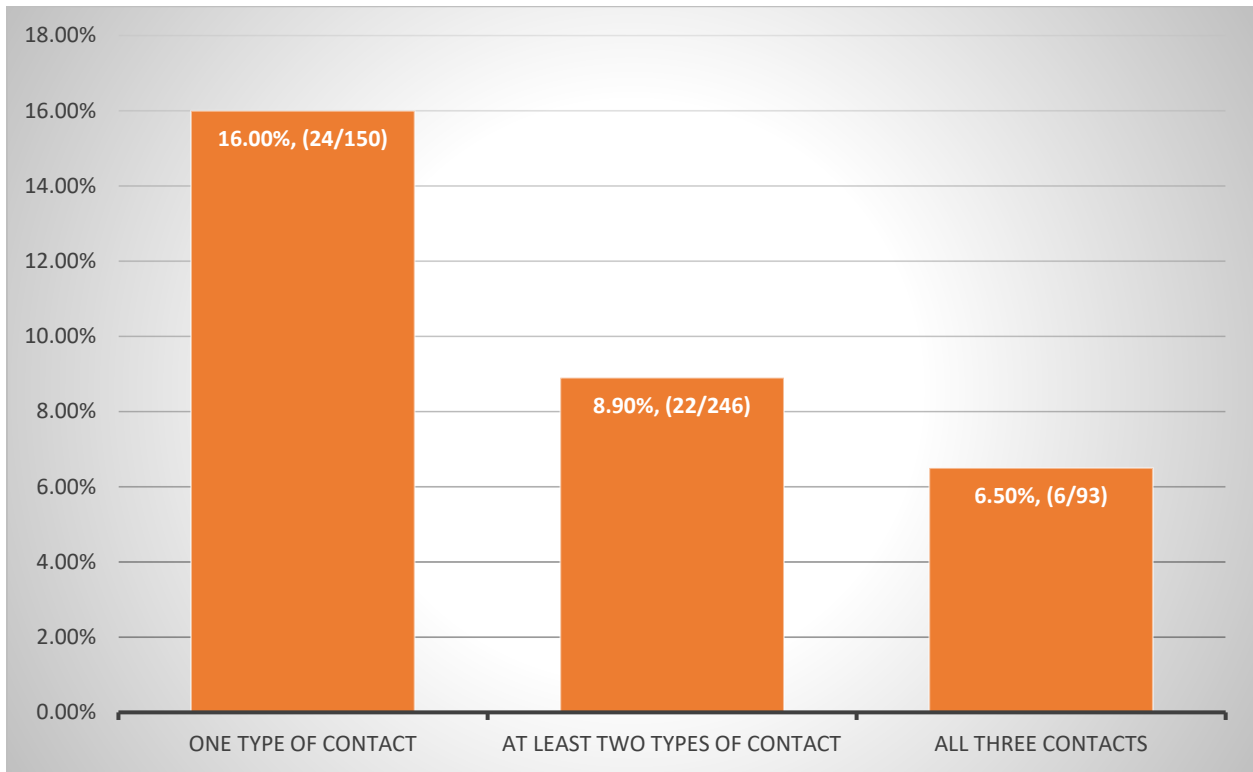


Figure 27. FTA Rate by Number of Types of Contacts Attempted - Mpls Pre-trial (N=2837)

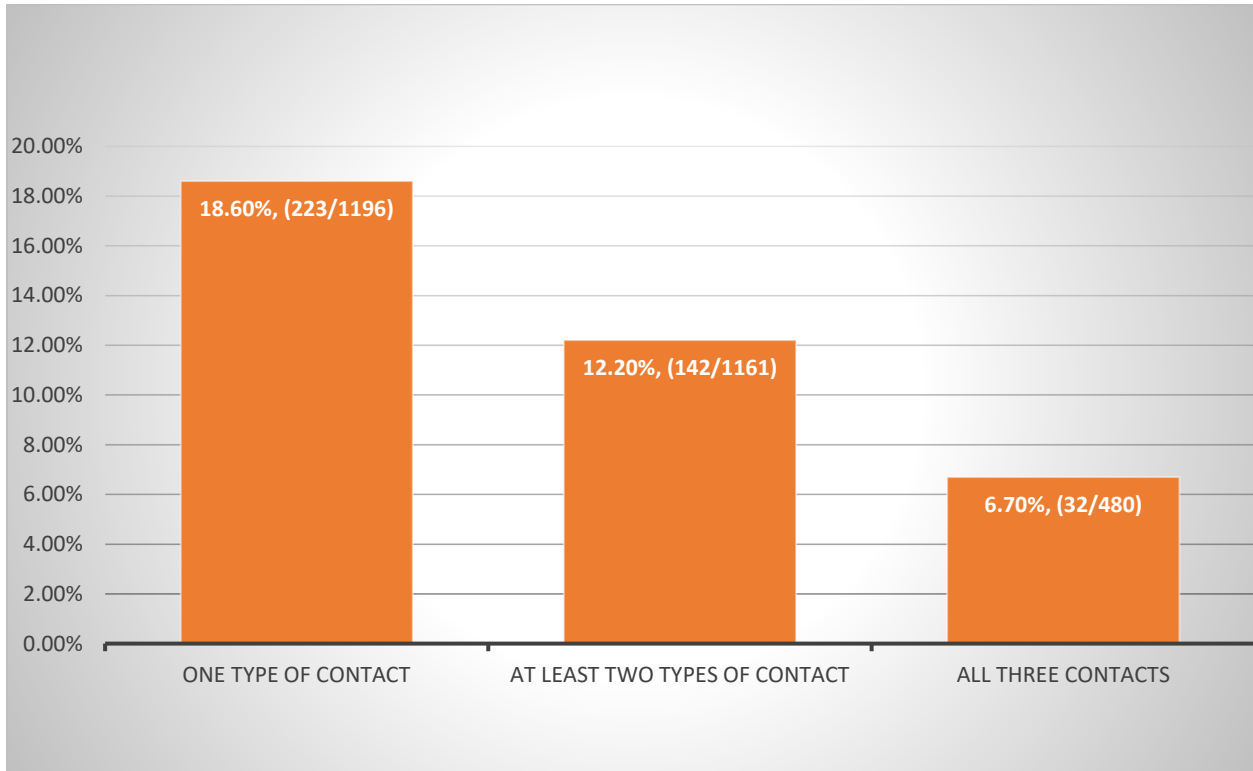
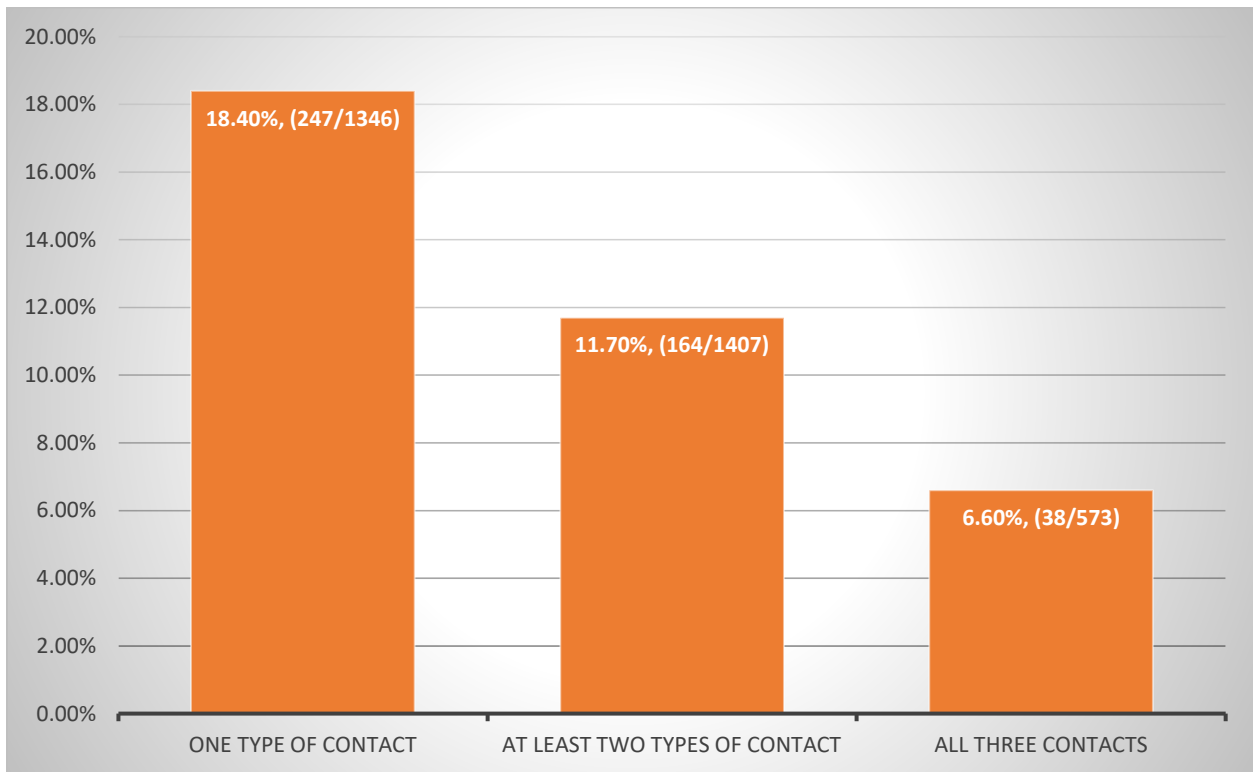
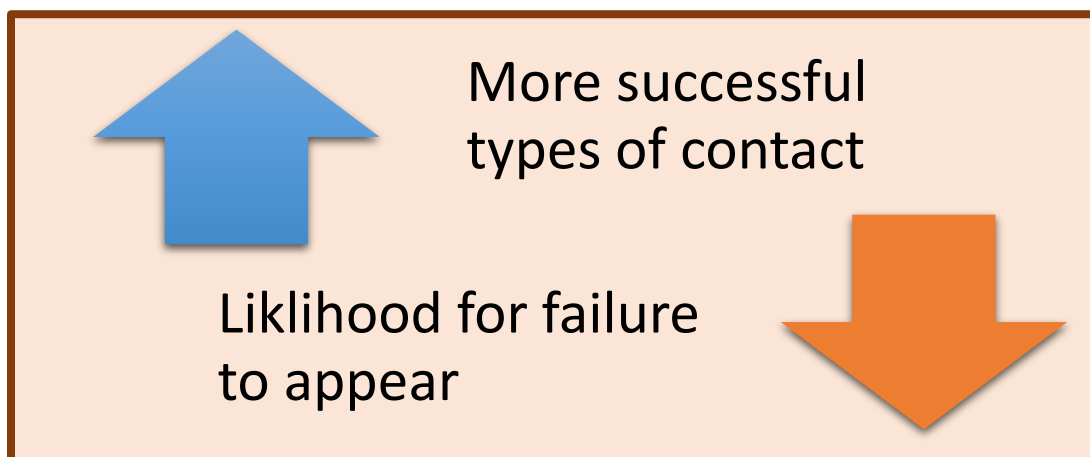


Figure 28. FTA Rate by Number of Types of Contacts Attempted - Combined (N=3326)



Does making multiple successful types of contacts to the defendant have an impact on the FTA rate?

Figure 29. Successful Contact Methods/FTA Relationship



Successful contact helped to reduce FTA significantly overall and on each calendar type (Felony B $p<.000$, Mpls Pre-Trial $p=.001$). A group of 61 defendants on the Felony B Omnibus calendar received all three types of contact, and they all appeared for court, with an FTA rate of 0%.

Figure 30. FTA Rate by Number of Types of Successful Contact - Felony B Omnibus (N=291)

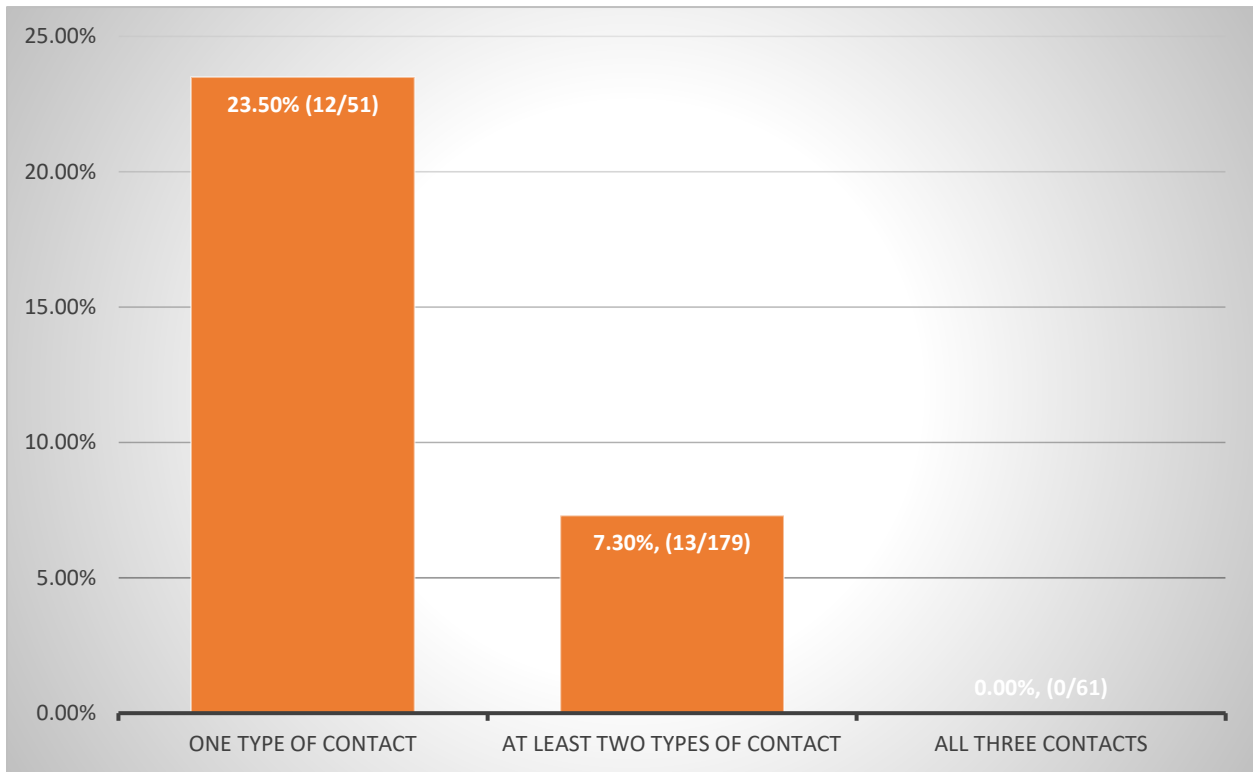


Figure 31. FTA Rate by Number of Types of Successful Contact - Mpls Pre-trial (N=1556)

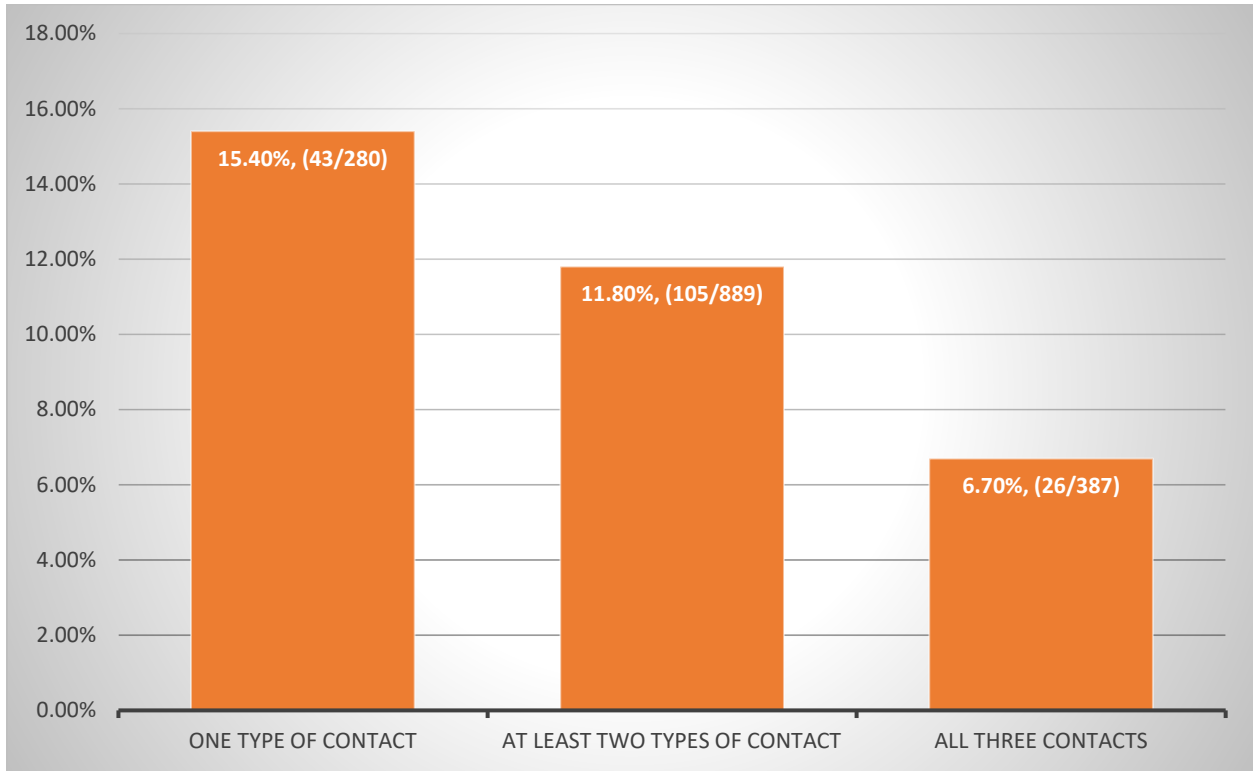
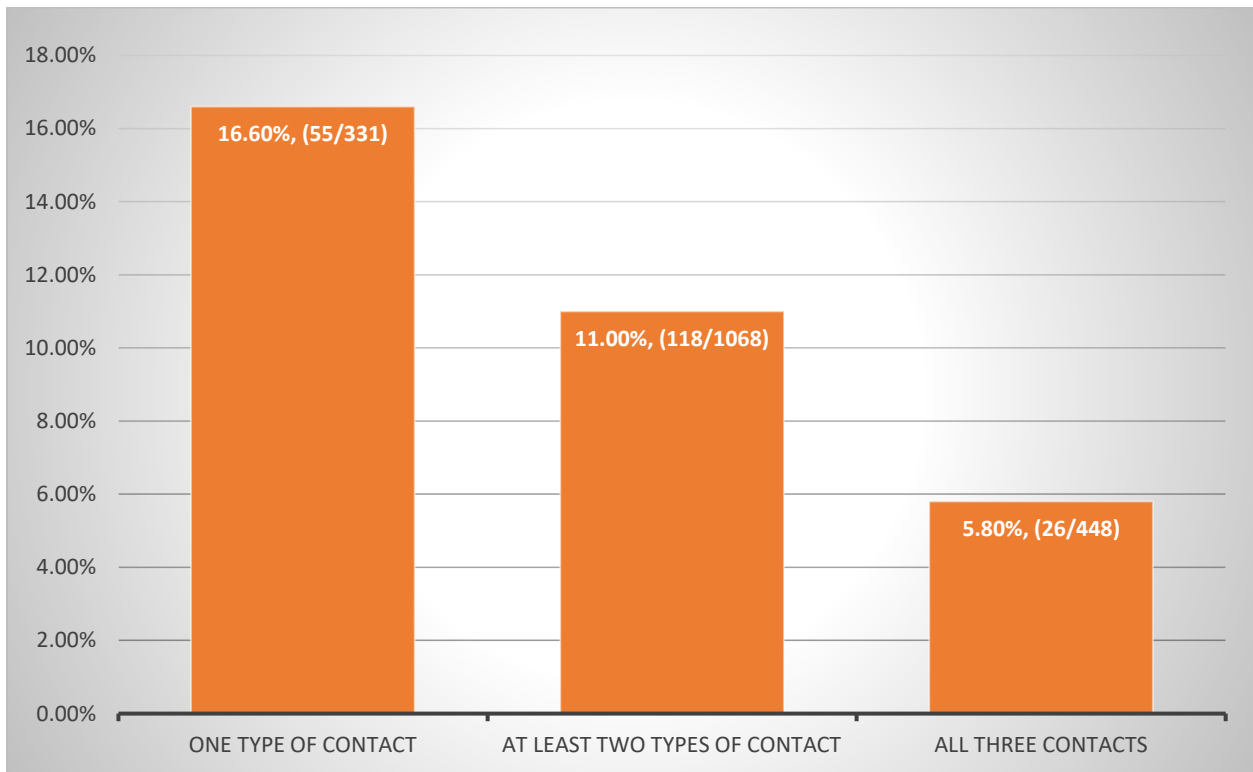


Figure 32. FTA Rate by Number of Types of Successful Contact - Combined (N=1847)



IS THERE A DIFFERENCE IN IMPACT ON FTA RATE ACROSS TYPES/METHODS OF COURT REMINDERS?

Was phone call an effective method of contact?

For those who received at least phone call reminder⁸, both calendars show reductions in FTA using phone calls, but only the Misdemeanor Pretrial Calendar was significant ($p < .000$).

⁸ They may have also received a text and/or email message.

Figure 33. Contacted by Phone and Failed to Appear - Felony B Omnibus (N=481)

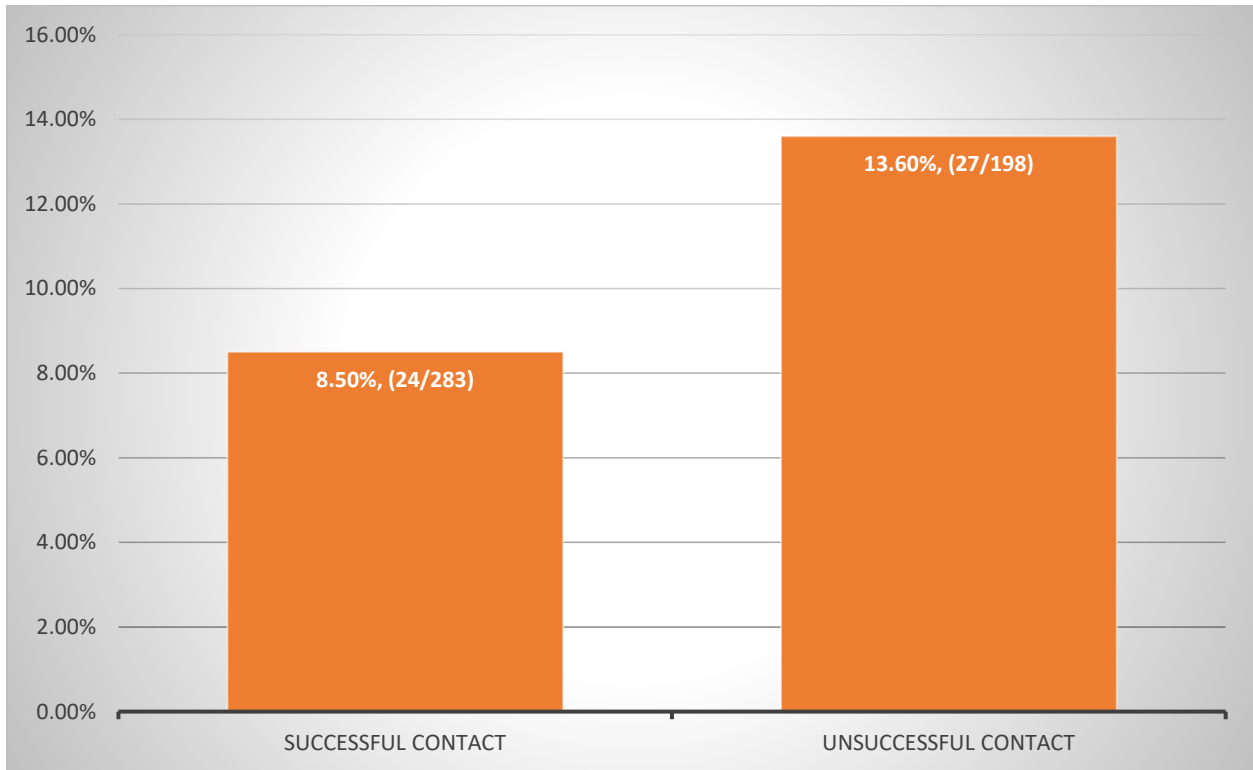


Figure 34. Contacted by Phone and Failed to Appear - Mpls Pre-Trial (N=2669)

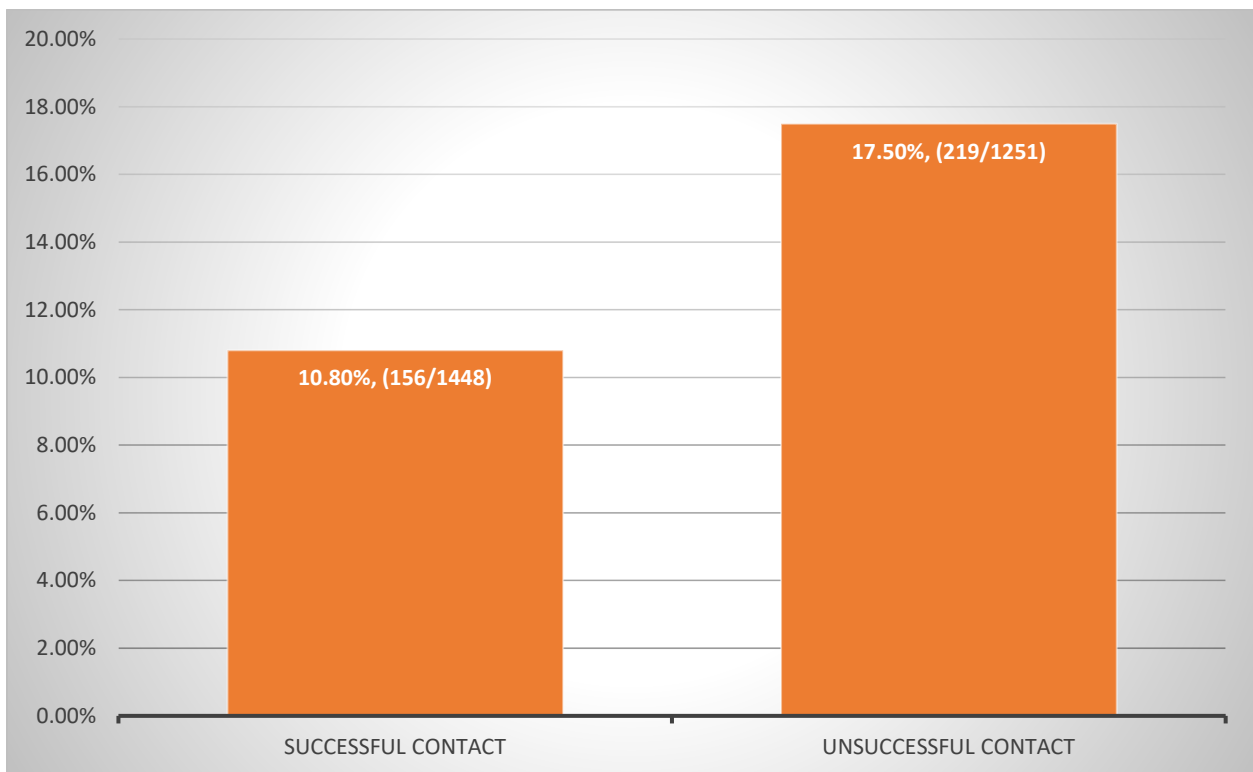
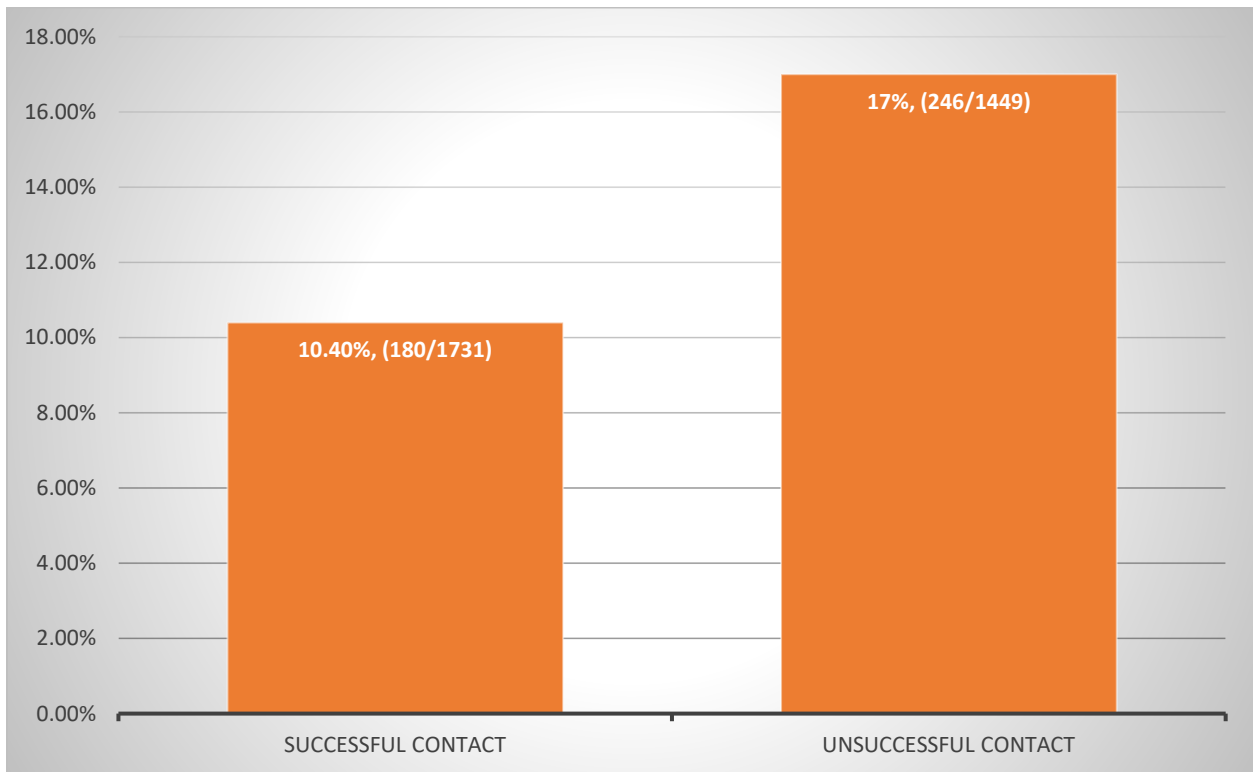


Figure 35. Contacted by Phone and Failed to Appear - Combined (N=3180)



Was text message an effective method of contact?

In over 53% of the hearings, we were able to try text messaging⁹ and this method was statistically significant in getting people to court for felony level cases ($p < .001$). For Misdemeanor level cases, we reduced FTA but not significantly. This may indicate we have more up-to-date cell phone numbers for felony level defendants.

⁹ They may have also received a phone call and/or email message.

Figure 36. Contacted by Text and Failed to Appear - Felony B Omnibus (N=304)

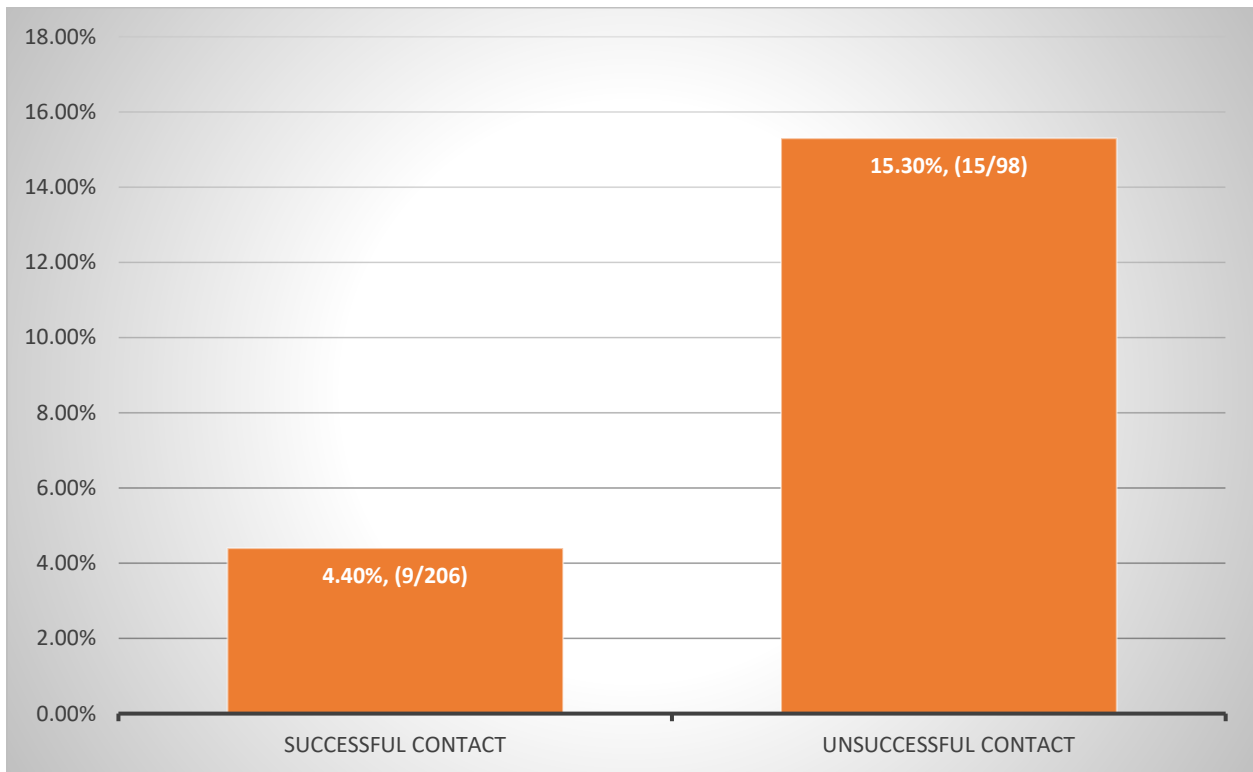


Figure 37. Contacted by Text and Failed to Appear - Mpls Pre-Trial (N=1467)

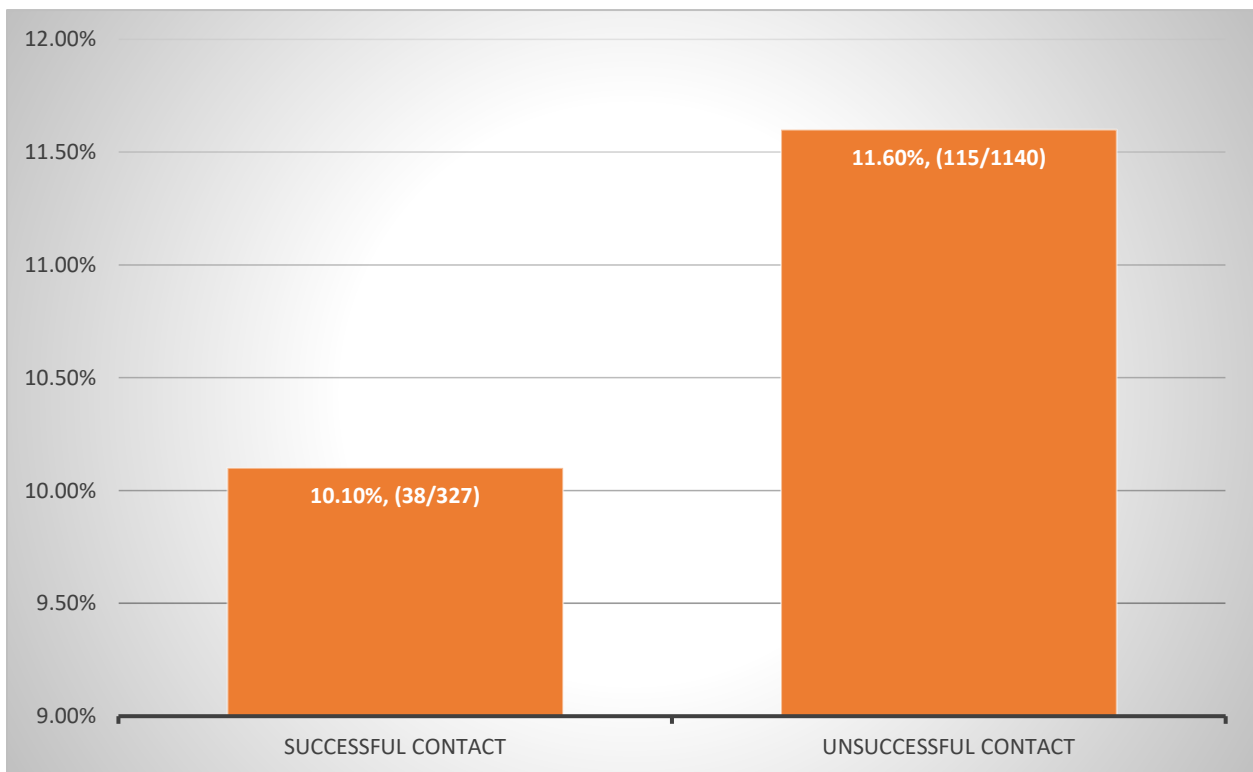
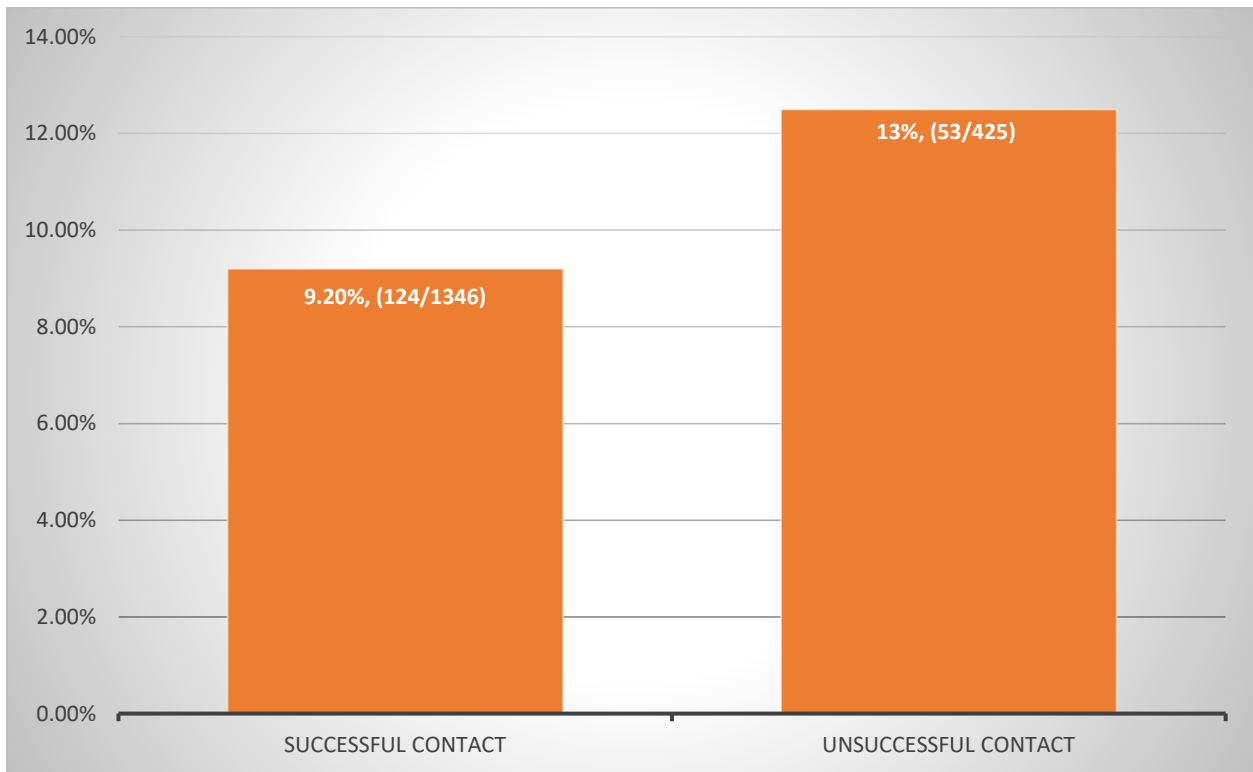


Figure 38. Contacted by Text and Failed to Appear - Combined (N=1771)



Was email an effective method of contact?

In 27.8% of the cases, we were able to use an email attempt to remind defendants to come to court¹⁰. Although they showed a reduction in FTA, this method was significant only for felony level cases ($p < .024$). Surprisingly, for the Mpls Pre-Trial calendar, those who were contacted by email were very slightly more likely to fail to appear, though not statistically significantly ($p < .054$).

¹⁰ They may have also received a phone call and/or text message.

Figure 39. Contacted by Email and Failed to Appear - Felony B Omnibus (N=136)

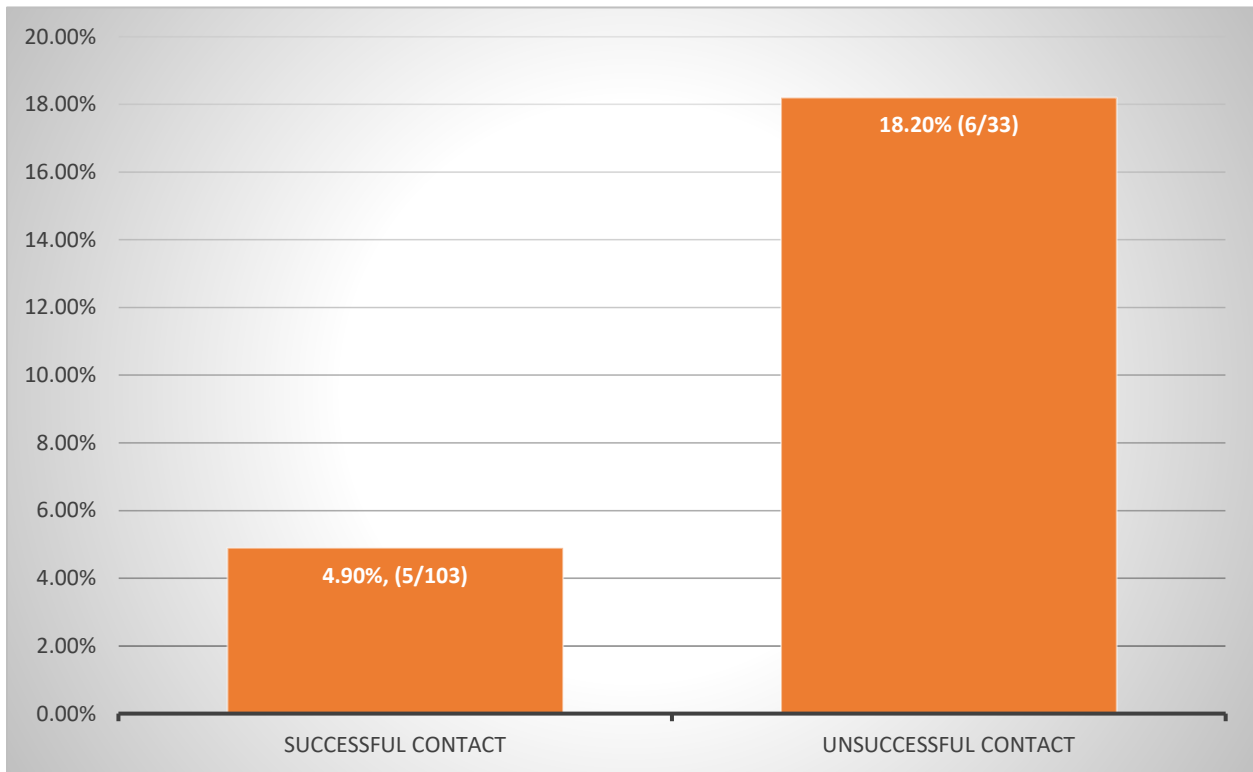


Figure 40. Contacted by Email and Failed to Appear - Mpls Pre-Trial (N=792)

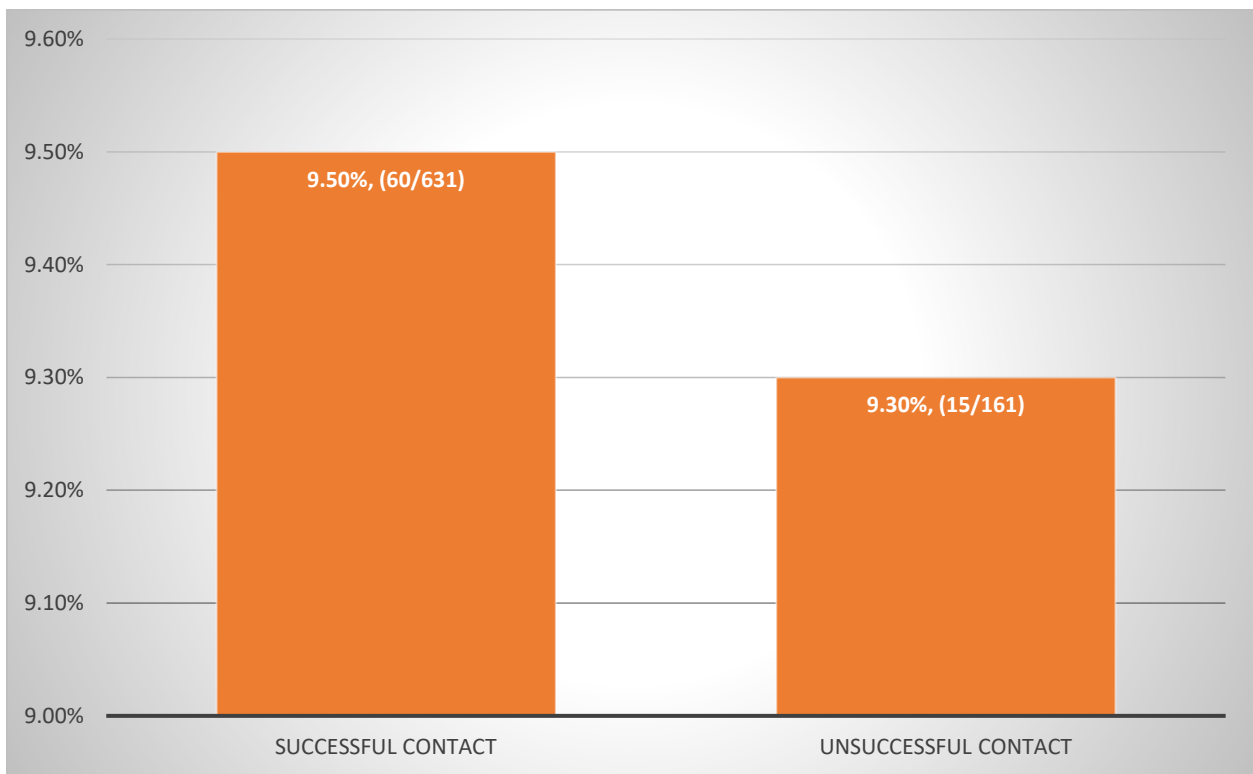


Figure 41. Contacted by Email and Failed to Appear - Combined (N=928)

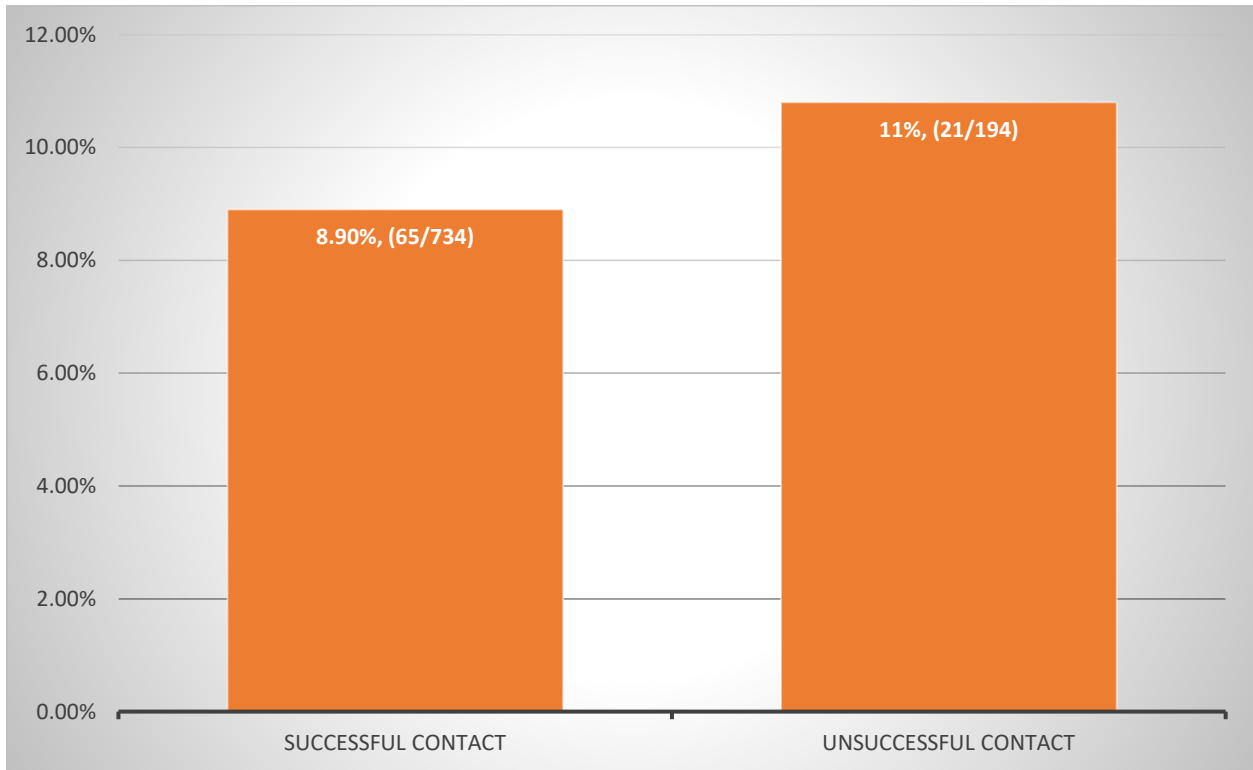
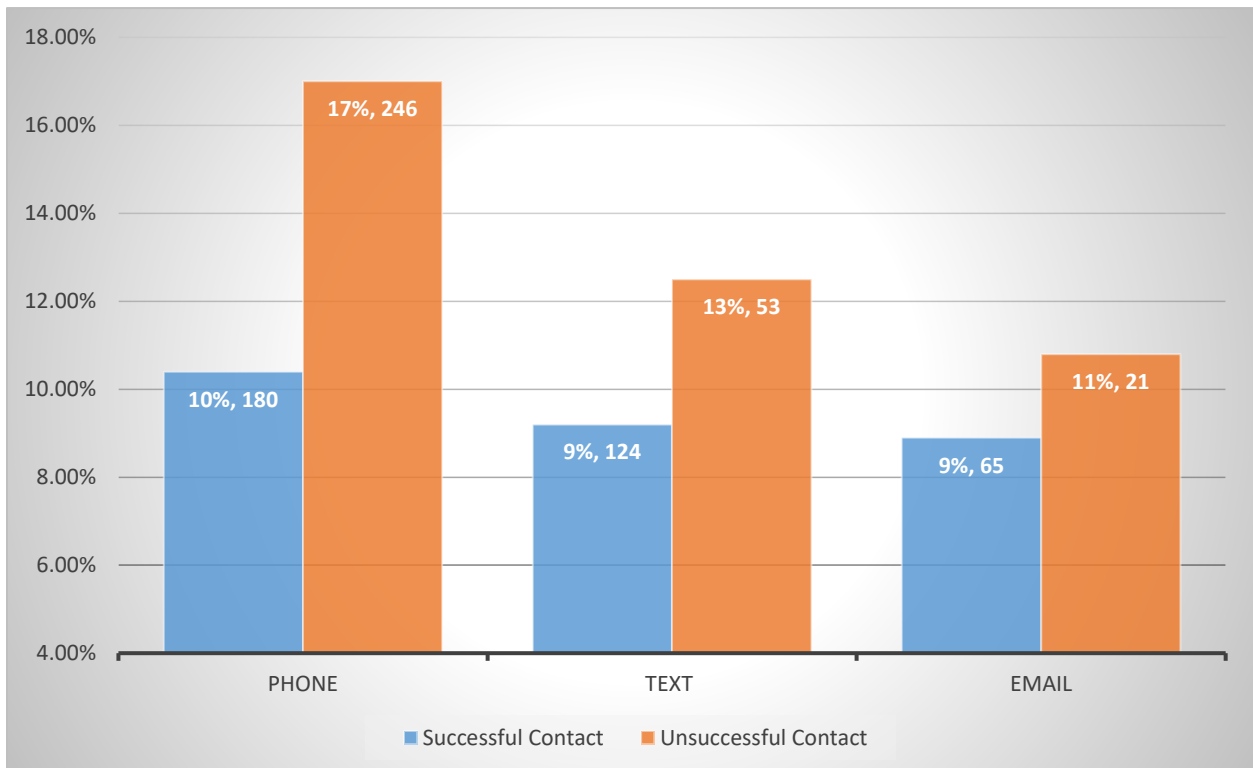


Figure 42. Contacted and Failed to Appear - by Method



IS THERE A DIFFERENCE IN THE ABILITY TO SUCCESSFULLY CONTACT AND THE IMPACT ON FTA RATE ACROSS DEMOGRAPHIC GROUPS?

Was there a difference in the ability to contact a defendant successfully by race or ethnicity?

The group with the highest success rate was White with 65% successfully contacted, and the lowest group was “other,” which consists of defendants who checked “other” instead of one of the specific groups when asked. This group experienced at 45% success rate. Race appears to have a statistically significant ($p < .000$) impact on the ability to contact a defendant, though not to a large degree.

Figure 43. Ability to Contact Success Rate by Race (N=3,326)

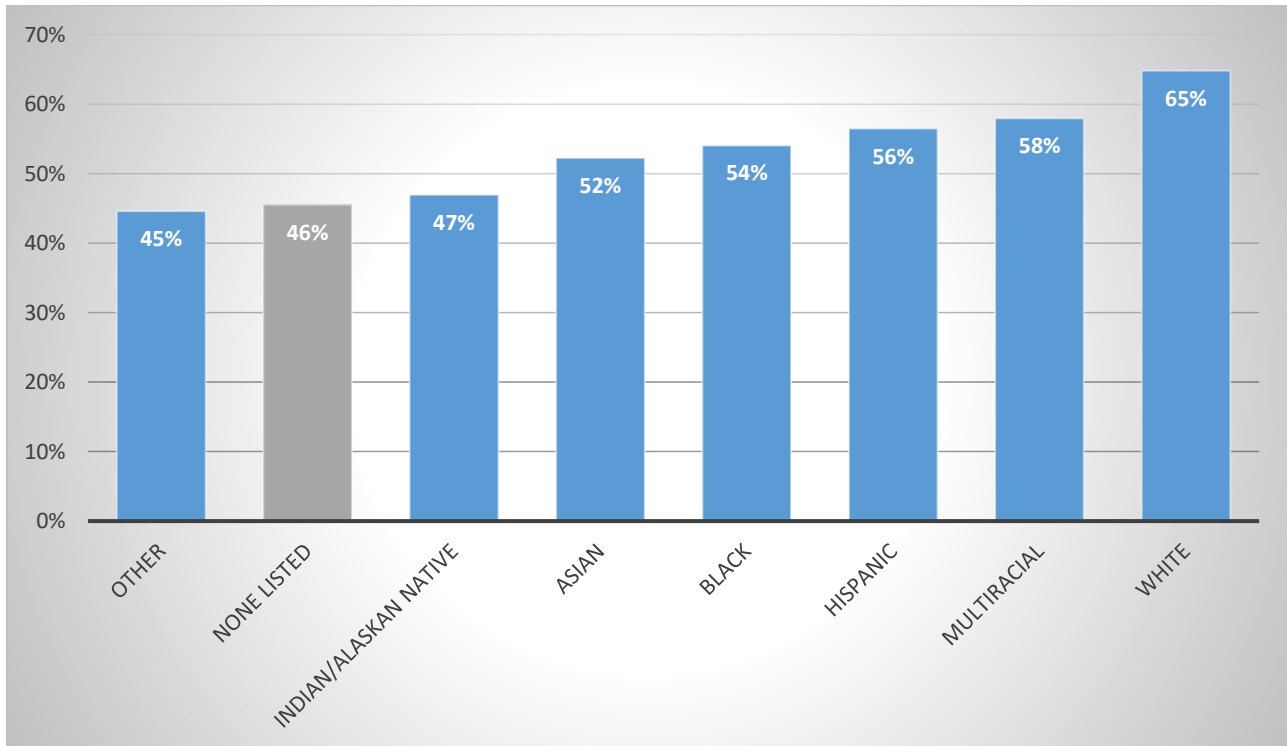


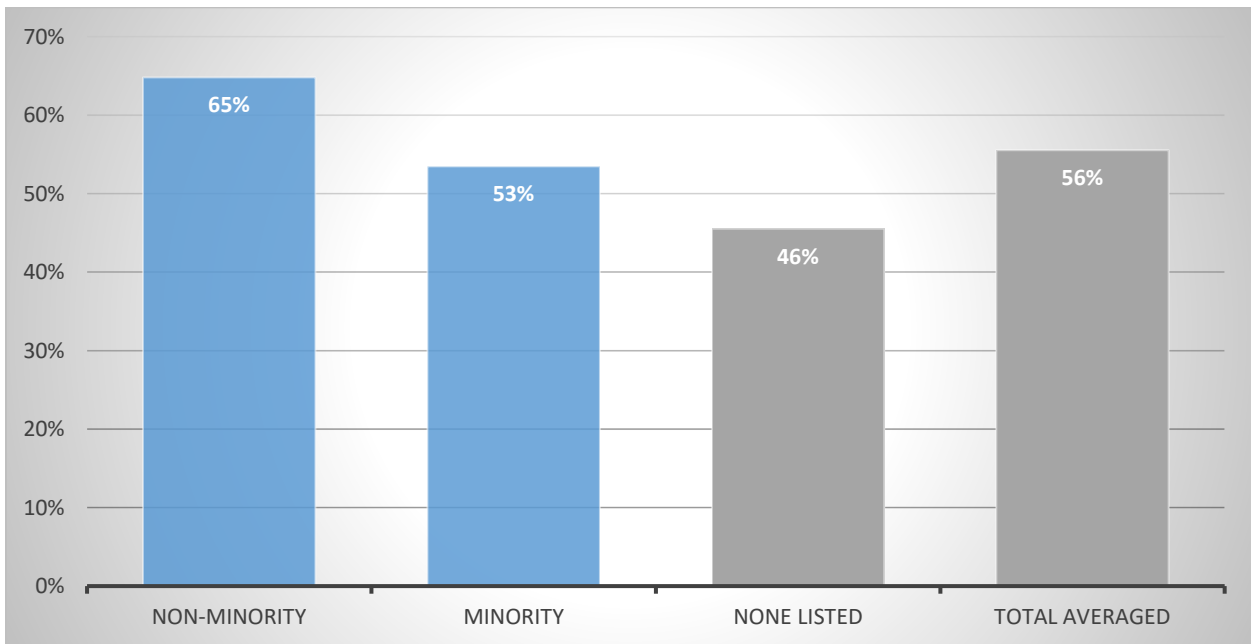
Table 5. Ability to Contact Success Rate by Race (N=3,326)

Group	Successful	Unsuccessful	Total	Success Rate
Other	33	41	74	45%
None listed	112	134	246	46%
Indian/Alaskan Native	77	87	164	47%
Asian	35	32	67	52%
Black	902	767	1669	54%
Hispanic	131	101	232	56%
Multiracial	51	37	88	58%
White	503	273	776	65%
Total/Average	1844	1472	3326	55%

Was there a difference in the ability to contact a defendant successfully by whether they were minority or Caucasian?

Those identifying as white experienced a significantly ($p < .000$) higher success rate (65%) than those identifying as minority (53%) or not identifying a race/ethnicity (46%).

Figure 44. Ability to Contact Success Rate by Minority Status (N=3,326)



Is there a difference in successful contact if an attorney represented a defendant?

Surprisingly, clients with private attorneys were the most difficult to get a hold of, and self-represented litigants were easiest to make contact with. This finding was statically significant ($p < .000$).

Figure 45. Ability to Contact Success Rate by type of Attorney (N=3,326)

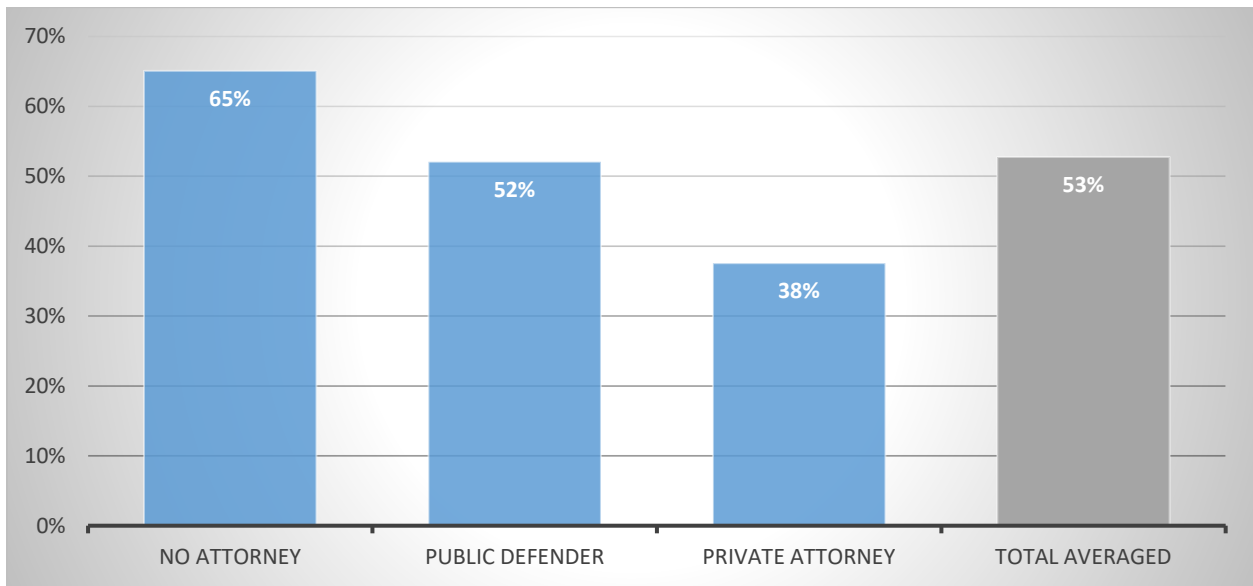


Table 6. Ability to Contact Success Rate by type of Attorney (N=3,326)

Type of Attorney	Successful	Unsuccessful	Total	Success Rate
No attorney	382	205	587	65%
Public Defender	1234	1135	2369	52%
Private Attorney	139	231	370	38%
Total Averaged	1755	1571	3326	53%

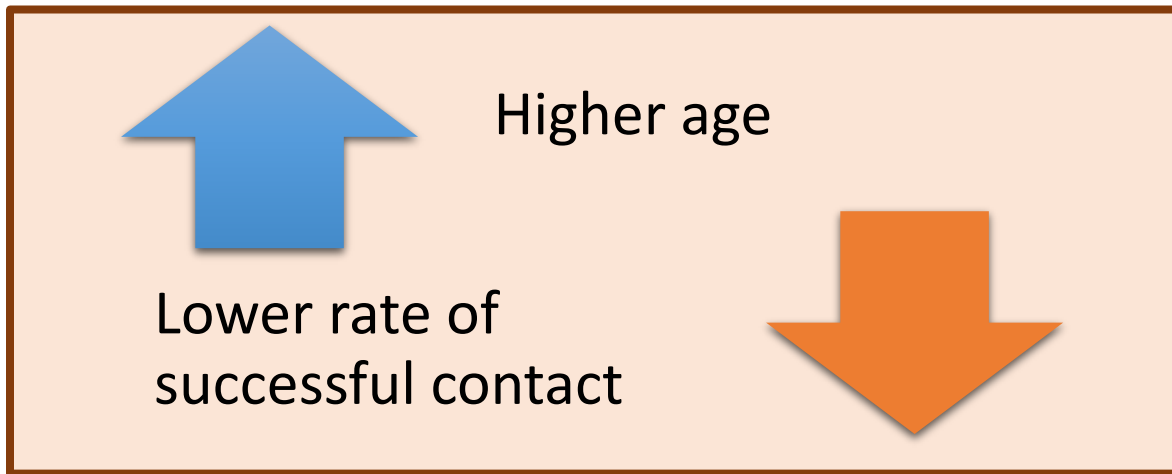
Is there a difference in successful contact by the age of the defendant?

The average age of those we were able to contact was 31.9, and for those we were not able to contact, the average age was 33.8, at a statistically significant level ($p < .000$).

Table 7. Defendant Age and Success of Contact

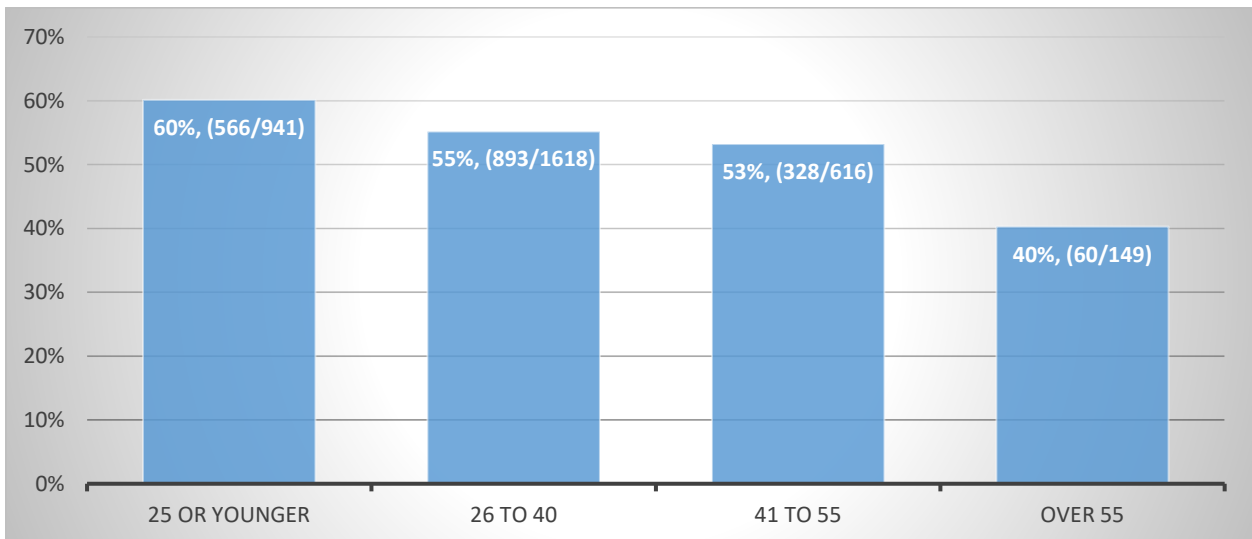
Was Contact Successful?	Mean	N	Std. Deviation	Minimum	Maximum
Unsuccessful Contact	33.8608	1477	11.33897	17.59	73.03
Successful Contact	31.9344	1847	10.50573	16.87	82.38
Total	32.7904	3324	10.92421	16.87	82.38

Figure 46. Age/Successful Contact Relationship



We experienced a statically significant ($p < .000$) higher success rate with younger age groups. As the age went up, the success rate went down.

Figure 47. Success Rate by Age Group (N=3,326)



Was there a difference in the FTA rate by race or ethnicity?

The group with the lowest appearance rate Indian/Alaskan Native/Hawaiian/Pacific Islander with 26% failing to appear, and the highest appearance rate was experienced by Asians, with only 6% failing to appear. Race appears to have a statistically significant ($p < .000$) impact on failure to appear with a spread of 20% difference between the highest and lowest groups. The two largest racial groups were White, with 10% FTA rate, and blacks with a 13% FTA rate.

Figure 48. FTA Rate by Race/Ethnicity (N=3,326)

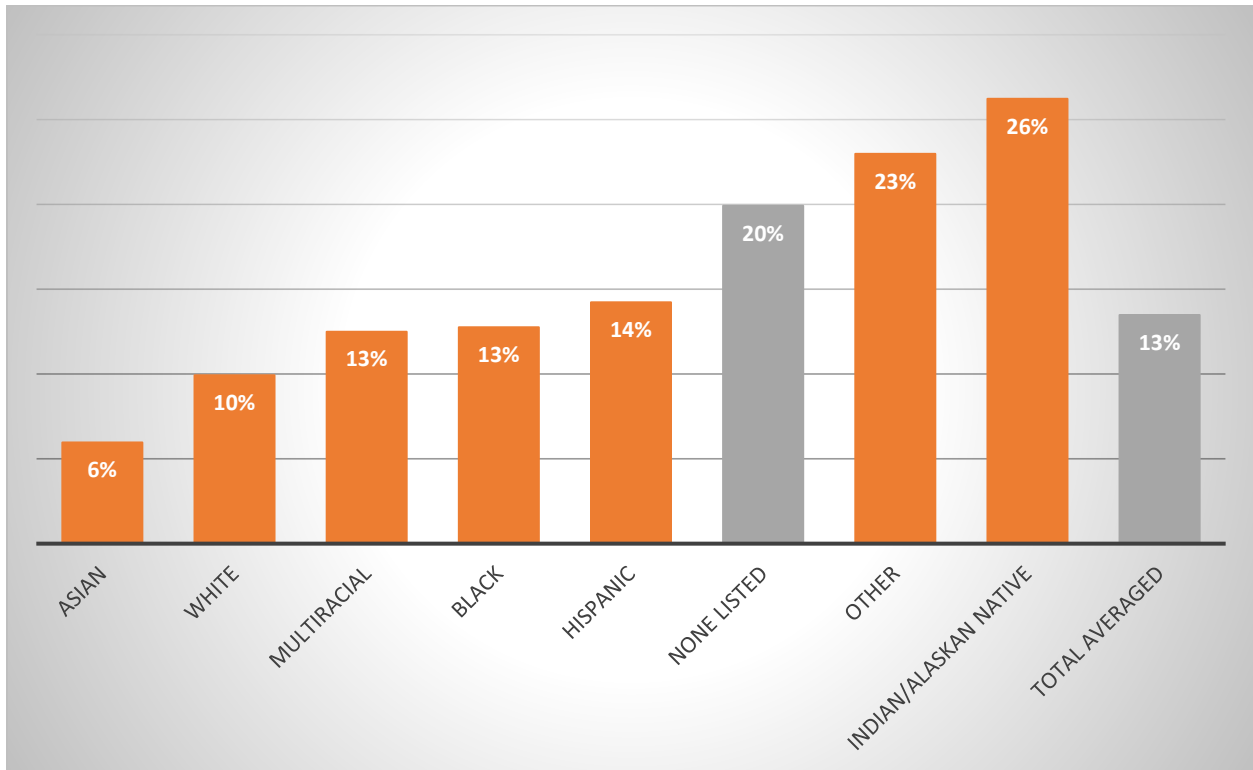
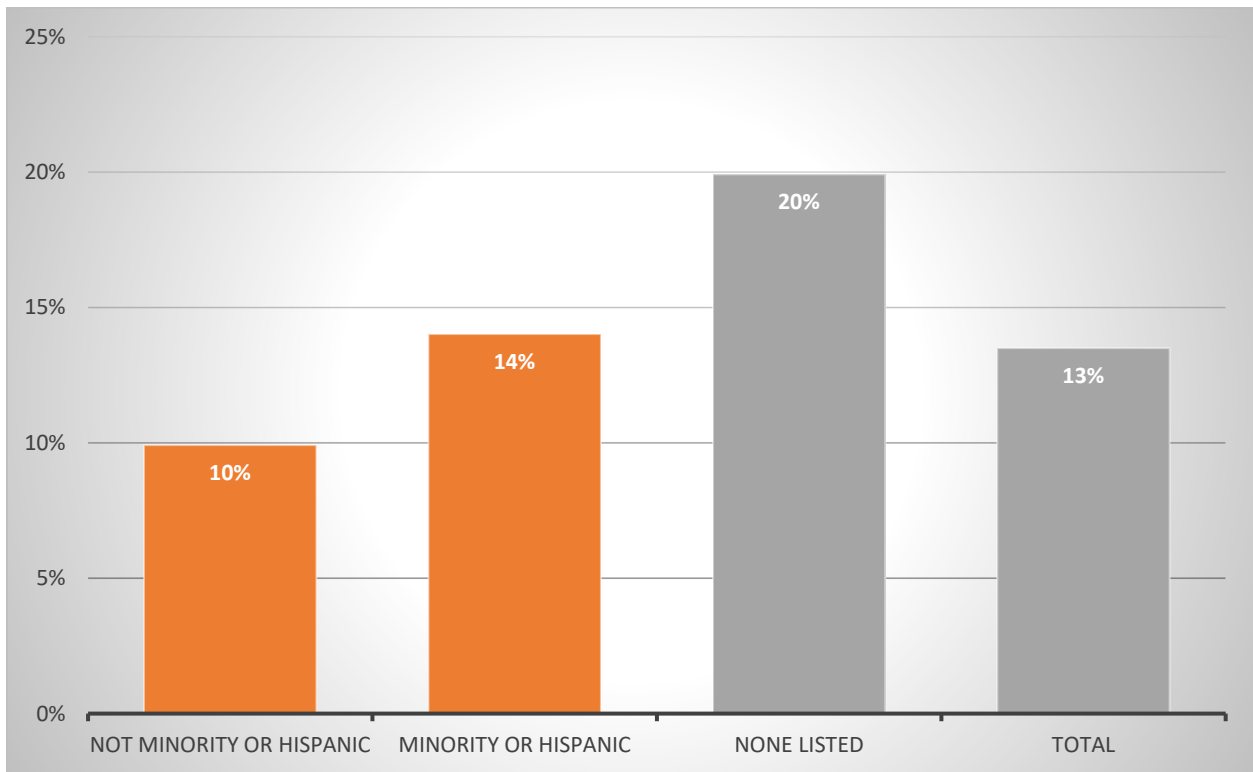


Table 8. FTA Rate by Race/Ethnicity (N=3,326)

Race	Appeared	Failed	Total	FTA Rate
Asian	63	4	67	6%
White	699	77	776	10%
Multiracial	77	11	88	13%
Black	1456	213	1669	13%
Hispanic	199	33	232	14%
None listed	197	49	246	20%
Other	57	17	74	23%
Indian/Alaskan Native/Hawaiian/Pacific Islander	129	45	174	26%
Total/Average	2877	449	3326	13%

There was a 4% difference in minority and non-minority FTA rates, to a statistically significant degree ($p < .000$). Interestingly, the “none listed” group had a high FTA rate at 20%.

Figure 49. FTA Rate by Minority Status (N=3,326)



Was there a difference in the FTA rate if an attorney represented a defendant?

The difference in appearance rates for a defendant having an attorney and a self-represented attorney were slight, but still statically significant ($p < .000$). However, the FTA rate for defendants represented by a public defender was 13% higher than the FTA rate for those represented by a private attorney, who only experienced a 2% FTA rate.

Figure 50. FTA Rate by Type of Attorney (N=3,326)

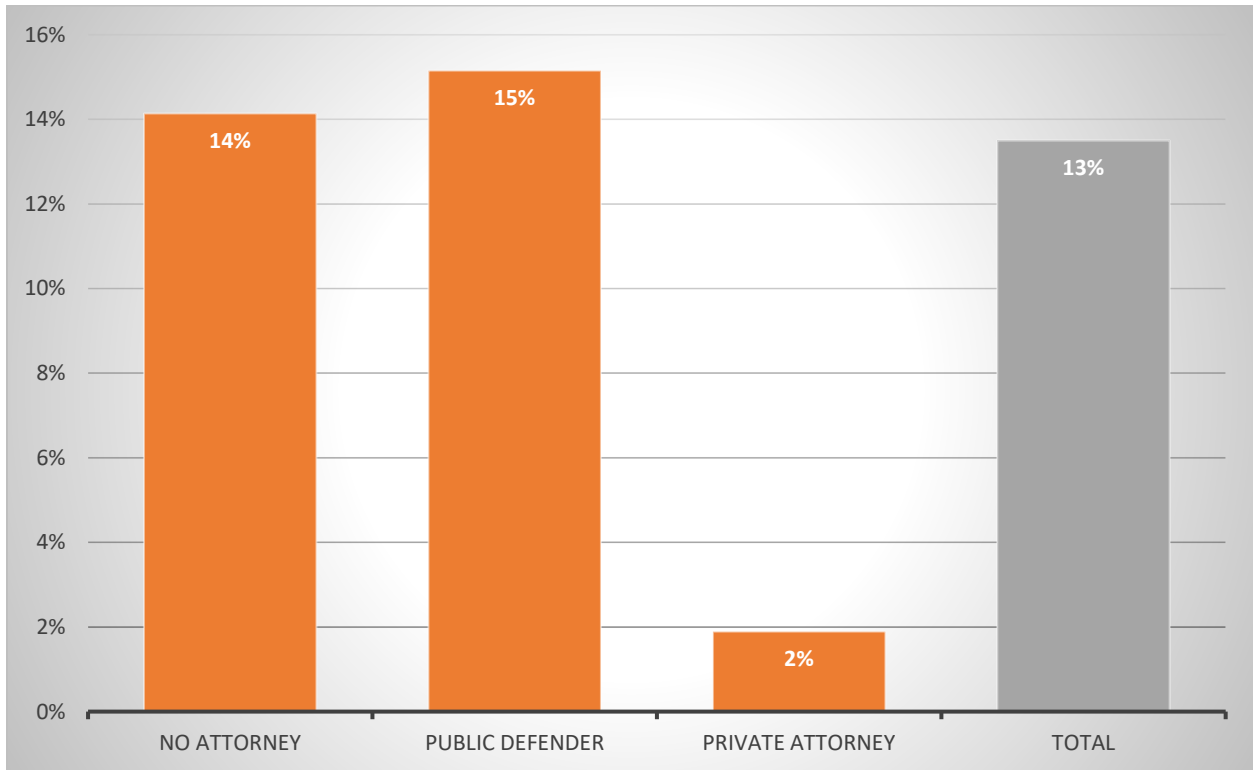
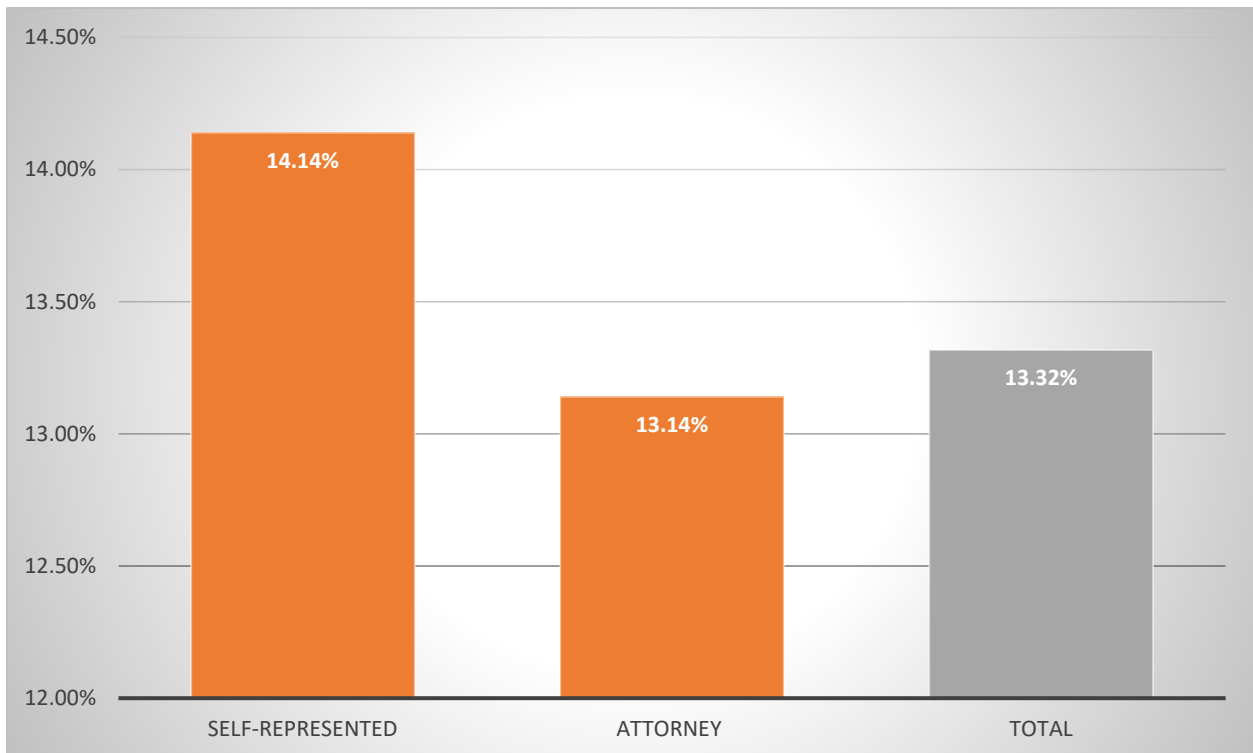


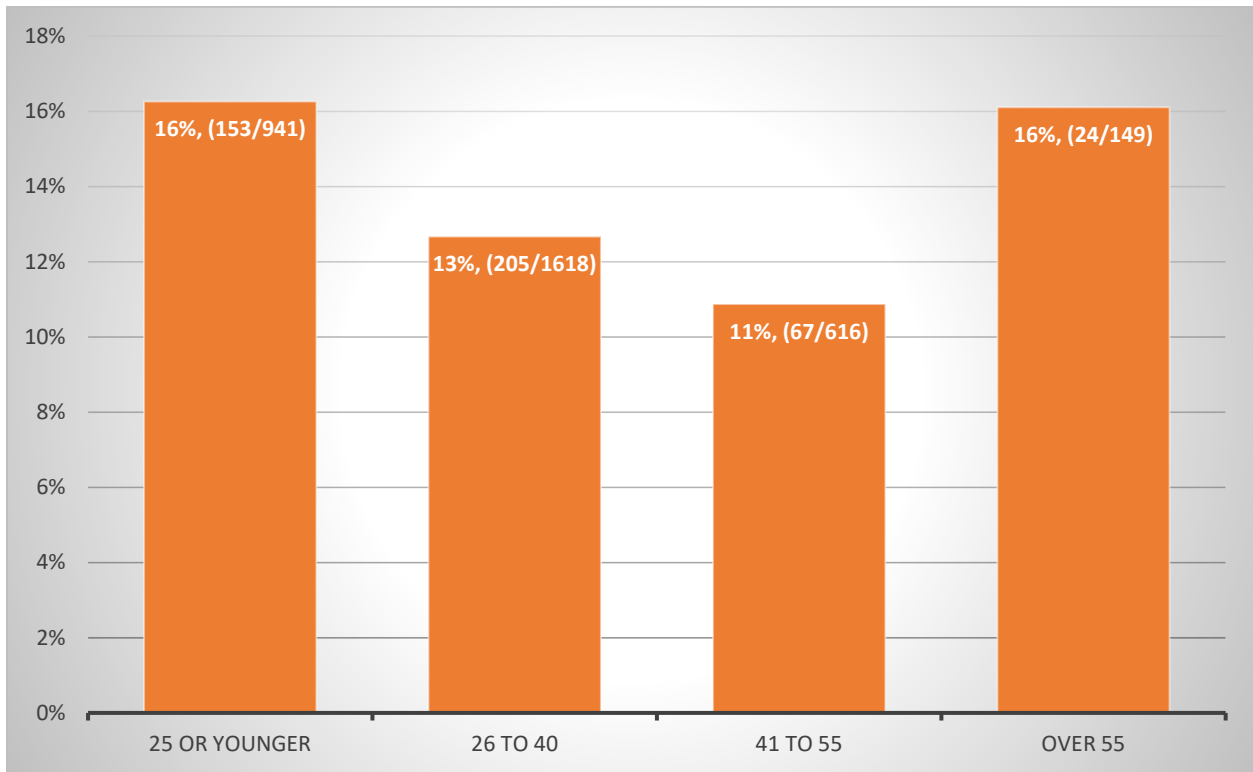
Figure 51. FTA Rate by Attorney vs Self-Represented (N=3,326)



Was there a difference in the FTA rate by the age of the defendant?

Age played a significant role in FTA ($p < .009$). The average age of those who failed to appear was 31.7, and for those who did appear, the average age was 32.9. Strangely, the FTA rate rose for the Over 55 group. However, the Over 55 group was much smaller than the 26 to 40 group (149 vs 1,618).

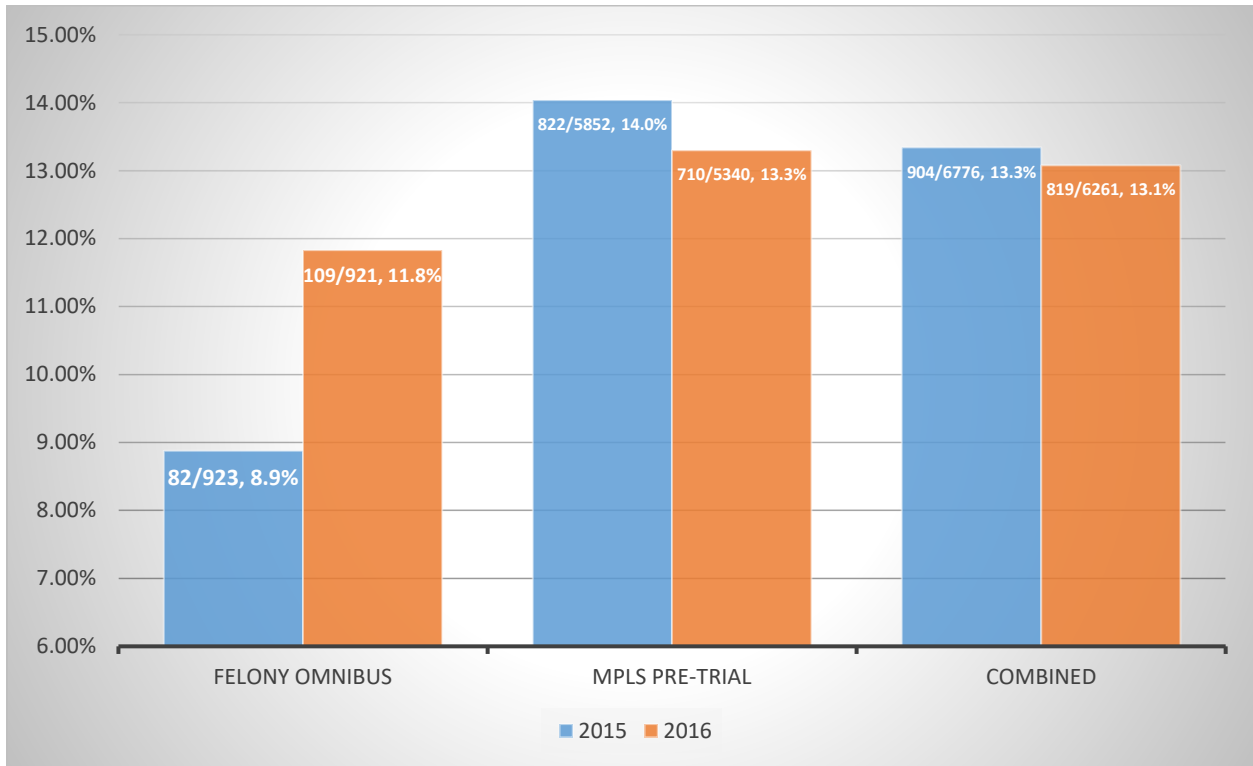
Figure 52. FTA Rate by Age Group (N=3,326)



Was there a change in appearance rates from the same period in 2015 to 2016 after applying the Court Reminder program?

The failure to appear rate was lower for the Minneapolis Pre-trial calendar but higher for the Felony Omnibus calendar after applying the Court Reminder program.

Figure 53. FTA Rate Comparison - 2015 vs 2016 (N=13,037)



Conclusions and Recommendations

Conclusion 1: Multiple contacts to the same defendant using different methods have shown to be successful in reducing failure to appear.

A group of 61 defendants on the felony omnibus calendar received all three treatments (phone call, text message, and email message) and all 61 defendants showed up for court. This suggests making multiple attempts to contact someone using multiple methods is beneficial.

Recommendation 1a: The court should continue to use multiple methods to attempt to contact the defendant instead of just one or another.

The most successful was phone call – but in most court settings, robo-call systems would need to make the calls because real person calling would be very labor and time intensive. Courts should consider a system to send text message and email messages as this study shows multiple attempts to contact a defendant yield higher success. Some types of contact may prove to be more effective for certain people, so the more ways you attempt to contact them, the better the outcomes.

Conclusion 2: This study was not able to conclude one method of contact is more effective than another method of contact, because volunteers used multiple methods in tandem.

It is difficult to compare the effectiveness of each type of contact. Speaking with a defendant directly is almost the only way to guarantee they receive a message. Otherwise, we cannot deem leaving a message by voicemail, text message, or email, as conclusively successful. In other words, some of the emails and text messages deemed successful in this study may not have in fact reached the defendant. Nevertheless, we can still measure the fact contact was attempted.

Recommendation 2a: Conduct an experimental study to see if there is a difference between the types contact.

The Adult Detention Initiative Leadership made the decision not to conduct an experimental design for this study because the initiative goal saw contacting and reminding defendants as more important than studying the impacts of different methods of reminding defendants, as the goal of the initiative was to avoid time in jail for low-level offenders.

The court should conduct an experimental design where different groups receive a different treatment (phone call, text message, and email) or no treatment (by random assignment), and measure the difference in FTA rates. Additionally, such a study should also examine various combinations of contact modalities to determine if particular combinations are more effective than others are (or than individual contact modalities), with which groups of defendants (e.g. under 25 years of age). This research points to the efficacy of combining contact modalities. This may provide conclusive evidence that one method is more effective than another is. When we have contact information, it can seem unfair to deny someone an attempt to remind them by random assignment not to receive a reminder. However, only through experimental research can we make conclusions help us change current practices and implement innovations based on evidence. In 1981, the Federal Judicial Center Advisory Committee on Experimentation in the Law concluded experiments are crucial to innovation in the legal and social justice system:

Our system of justice places great value on treatment of individuals in accordance with the principles of equal treatment and respect for persons; it also places great value on rational development of policy, which in turn can be realized through well-designed program experiments. These are not incompatible values. Responsible accommodation

among them is necessary to improving our system of justice... Scientific methods offer great promise of improving the administration of justice. (Federal Judicial Center Advisory Committee on Experimentation in the Law, 1981, p. 77).

Conclusion 3: Electronic reminders may be a good way to get people 25 and younger to court since they had the highest FTA rate of the age groups and were the easiest to contact successfully.

It is not surprising mobile phone use is highest among younger populations, which may have something to do with the fact this population was the easiest for us to contact by phone, text, or email.

Recommendation 3a: Continue court reminders.

Since this group also has the highest FTA rate, it makes sense to continue using electronic court reminders to get them to court.

Conclusion 4: A court reminder program is only as strong as the contact information used to make contacts.

The large number of unsuccessful phone calls (46%) was likely a result of inaccurate phone numbers. Additionally, there were 1,310 instances where we had no contact information in order to make any contact by phone, text, or email. The ability to send reminders will greatly increase once emails are on file. Volunteers only reminded 448 of 1847 using all three contact methods, likely because we did not have email addresses for many defendants.

Recommendation 4a: Continue to collect and update defendant information. Court staff should ask defendants for current information at every appearance - not just at the first appearance, to keep it up to date.

In June of 2016, Hennepin County District Court leadership made a decision to begin collecting and updating defendant contact information (address, phone, email) on all first appearance calendars and hearing office appointments. This is a strong step in the right direction towards relying on a robust court reminder program to get in touch with defendants. We cannot deny the time spent collecting this contact information is significant for court staff, but if they can help avoid even a few bench warrants and arrests per calendar, we recoup the time spent. However, we must remember, if any of the contact information changes over the life of a case, it will become obsolete, which suggests this contact information should be reviewed and updated at each court appearance.

Conclusion 5: The failure to appear rate was not extremely high on these second appearance calendars.

The FTA rate for the two calendars (Felony Omnibus calendar was 12% and 13% for Minneapolis Pre-Trials) was low to begin with. We selected these two second appearance calendars for the project because the District Court had not started aggressively collecting contact information until June of 2016, therefore, a first appearance calendar could not be used because there was not enough contact information in order to send reminders.

Recommendation 5a: Analyze FTA rates on first appearance calendars and consider a way to collect this information before first appearance to address the issue of failure to appear at first appearance.

Any court looking to implement a reminder program should analyze the FTA rates in order to target limited resources at calendars with high FTA rates. This would especially be the case with any manual reminder processes, such as phone calls. If using an automated system to give reminders, there may be less of a need to target only calendars with high FTA rates.

If analysis reveals FTA rates at first appearances are higher, the court needs to work with law enforcement agencies to collect contact information at the time of charging. This could be part of the charging document/process. If not, we must create some other venue to transmit the information to the court, so means other than mail can be used to inform the defendant of an impending court hearing, and remind them of subsequent hearings.

That being said, defendants already residing in the case management system would have information in order to contact them to remind them for a first appearance calendar. Defendants new to the system would not be reachable for a first appearance reminder if we received no contact information before their first appearance.

Conclusion 6: FTA rate was highest among people represented by the public defender.

The FTA rate was just slightly higher for defendants with a Public Defender than for self-represented litigants. This may suggest the populations of people eligible for public defense are dealing with a number of issues and difficulties people who are not eligible for a public defender may not be experiencing. These are also the populations more likely to be migrant or experiencing difficulty getting to court.

Recommendation 6a: Continue to work with Public Defender’s office to develop ways to reduce the FTA rate.

The status quo way of informing people of a court hearing by mailing them a notice or handing them a piece of paper may not work well for all populations. The court should work with the public defender’s office and their clients to explore new ways to ensure defendants appear in court. These attorneys are passionate about providing access to service and justice for their clients, and they are intimately familiar with the needs and desires of their clients. Many reasons for failure to appear in Hennepin County were discussed earlier in this report. Court leaders should analyze each reason for possible mitigation of the impacts. The court should and work alongside the Public Defender’s Office to implement positive changes after receiving input from defendants on what would work well for them.

Conclusion 7: There appear to be disparities in the ability to contact minority groups and the FTA rate is higher for minority groups.

Volunteers had a difficult time contacting people from minority groups, as compared to the majority group. Additionally, minority groups experienced a higher FTA rate than the majority group. This could indicate there may be procedural or institutional processes impeding the ability either to collect accurate contact information, or to get people to court.

Recommendation 7a: The court should work with justice partners to identify institutional or process pain-points, which may result in disparate outcomes for minority populations.

Business as usual may not work when it comes to accomplishing the goals of the criminal justice community. The court should look at the court process closely through a human-based service design analysis in order to explore those touch points in the process where members of this group tend to fall off the ideal path to success in appearing for court. Then make adjustments

in the process or accommodations for populations experiencing difficulty complying with court obligations.

Officials should utilize advances in technology used in the private sector in a court and criminal justice setting, as is being done in this electronic court reminder program. Courts should be encouraged to use technology to create more avenues to communicate with the public and keep them aware of expectations, in order to experience better compliance.

Conclusion 8: There are other issues impeding a defendant from appearing in court. A reminder will not solve each of those issues, as is indicated in this study.

Obviously offering a reminder before court will not prevent every (or nearly every) instance of failure to appear in court. However, using electronic reminders is a good way to connect with court users and meet them where they are, using technology they use in their daily lives. It offers a friendly way to open up channels of communication with them, allowing us to provide contact information, such as a phone number or website if they have questions needing answered before their court hearing. Providing a link to the court website can help recipients find information to help them prepare for their court hearing, and hopefully ease some stress and tension. It also tells them that we are willing to help by answering questions they might have, which is a nice way for the court to approach them in a new and different way.

Recommendation 8a: Meet with partners and defendants and identify other potential solutions for failure to appear.

As was stated previously, there is a laundry list of issues making it difficult for people to get to court. Regardless, there are high costs for the court, the justice system, and the defendant, when they miss court. The justice community should work alongside the public to come up with processes that work for real people. A court reminder program may be one option to meet people

where they are and help them get to court. Moreover, while the impact may not be dramatic, as mentioned above, using technology to open the channels of communication is an important way for the court to reach people where they are at in our modern society.

References

- American Bar Association (2007). *ABA Standards for Criminal Justice: Pretrial Release*, Third Edition, Standard 10-1.10(xi). Retrieved from http://www.americanbar.org/publications/criminal_justice_section_archive/crimjust_standards_pretrialrelease_blk.html#10-1.10
- Cozier, Tricia (2000). *The Court Hearing Reminder Project: "If you call them, they will come."* Retrieved from <http://www.ncsc.org/~media/Files/PDF/Education%20and%20Careers/CEDP%20Papers/2000/Court%20Hearing%20Reminder.ashx>
- Bornstein B., Tomkins, A., & Neeley, E. (2010). *Reducing courts' failure to appear rate: A procedural justice approach*. Retrieved from <https://www.ncjrs.gov/pdffiles1/nij/grants/234370.pdf>
- Federal Judicial Center Advisory Committee on Experimentation in the Law. (1981). *Experimentation in the Law: Report to the Federal Judicial Center Advisory Committee on Experimentation in the Law*. Washington, DC: U.S. Printing Office. Retrieved from [www.fjc.gov/public/pdf.nsf/lookup/experlaw.pdf/\\$file/experlaw.pdf](http://www.fjc.gov/public/pdf.nsf/lookup/experlaw.pdf/$file/experlaw.pdf)
- Fourth Judicial District Research Unit (2008). *Court Reminder Project*. Retrieved from [http://www.mncourts.gov/mncourtsgov/media/assets/documents/4/reports/Juvenile_Court_Reminder_Project_\(2008\).pdf](http://www.mncourts.gov/mncourtsgov/media/assets/documents/4/reports/Juvenile_Court_Reminder_Project_(2008).pdf)
- Kimbrell, Catherine S, Wilson, David B. (2016). *Money Bond Experiences and Perceptions*. George Mason University, Department of Criminology, Law and Society. Retrieved from <https://university.pretrial.org/viewdocument/money-bond-process-experiences-and>

- Labarga, J., Ashenafi Richardson, N., Knox, T. (2016). *Should I Tweet That? Court Communications in the 21st Century*. Trends in State Courts, 2016. Retrieved from <http://www.ncsc.org/~media/Microsites/Files/Trends%202016/Should-I-Tweet-That.ashx>
- Hagan, Margaret (2015). *Best practices for writing govt text messages*. Retrieved from <http://www.legaltechdesign.com/CourtMessagingProject/best-practices-for-writing-govt-text-messages/>
- Mahoney, B., Beaudin, B., Carver III, J., Ryan, D., Hoffman, R. (2001). *Pretrial Services Programs: Responsibilities and Potential*. Retrieved from <https://www.ncjrs.gov/pdffiles1/nij/181939.pdf>
- Nice, Matt (2006). *Court Appearance Notification System: Process and Outcome Evaluation*. Multnomah County, OR. Retrieved from <https://multco.us/file/26885/download>
- Pretrial Justice Institute (2012). *Using Technology to Enhance Pretrial Services: Current Applications and Future Possibilities*. Retrieved from www.pretrial.org/wpfb-file/pji-using-technology-to-enhance-pretrial-services-pdf
- Turner, Franzetta (2015). *Reducing Failure to Appear Through Community Outreach*. Retrieved from <http://www.ncsc.org/~media/Files/PDF/Education%20and%20Careers/CEDP%20Papers/2015/Reducing%20Failure%20to%20Appear%20through%20Community%20Outreach.ashx>
- White, Wendy (2006). *Court Hearing Call Notification Project*. Flagstaff, AZ: Criminal Justice Coordinating Council & Flagstaff Justice Court, Coconino County. Retrieved from

[https://www.pretrial.org/download/supervision-monitoring/Coconino%20County%20AZ%20Court%20Hearing%20Notification%20Project%20\(2006\).pdf](https://www.pretrial.org/download/supervision-monitoring/Coconino%20County%20AZ%20Court%20Hearing%20Notification%20Project%20(2006).pdf)

Zehm, Keri (2012). *Court Reminder Project: Three Month Pilot Summary*. St. Paul, MN: Second Judicial District Court Administration.

Appendices

Appendix 1. Defendant Information Form

State of Minnesota
Hennepin County

District Court
Fourth Judicial District

NEXT COURT DATE at TIME in LOCATION

Defendant Name

Defendant Information Form

1. Do you currently or have you ever served in the United States Armed Services?

Yes No

IMPORTANT: The court may send you reminders about your court case by mail, phone/text, or email.

Your street address, email address and phone numbers will not be viewable on the case record information we publish on the internet (known as Minnesota Public Access Remote), but may be made accessible to others as required by law or court rule, and to persons submitting reminders on our behalf.

2. Is this your Current address?

Yes No, Updated address below

Current address from MNCIS

3. Is this your Current Phone number?

Yes No, Updated phone below

Current phone numbers from MNCIS

Home: _____

Cell: _____

Is the Home phone a cell number?: Yes Is the Home phone a cell number?: Yes

4. Is this your Current Email Address?

Yes No, Updated email below

Current email from MNCIS

Appendix 2. Court Reminder Program Data Collection Survey

Court Reminder Program data collection survey

This survey is used by each of the three volunteers to enter data when they attempt to make contact with a defendant to give them a reminder. They also log the defendants on their list with no contact information is available – who thus cannot be contacted.

Each of the volunteers uses a different survey so that their data can be saved in separate warehouses.

First Screen

Here they tell us if they are adding new data, updating data previously entered, or doing a quick entry of a list of people with no contact information.



 **MINNESOTA
JUDICIAL BRANCH**

FOURTH JUDICIAL DISTRICT • HENNEPIN COUNTY

Samantha Gallagher

I want to:

Enter New Data

Update Data

Enter data for individuals without contact information

>>

Powered by Qualtrics

Enter new data screen

Here they will enter:

- Date/time of the hearing they're sending reminder for
- Defendant name
- Defendant ID number
- Methods used to contact the defendant
- Additional comments



MINNESOTA JUDICIAL BRANCH

FOURTH JUDICIAL DISTRICT • HENNEPIN COUNTY

Samantha Gallagher

I want to:

Enter New Data

Update Data

Enter data for individuals without contact information

Time of Hearing:

8:30 am (MPLS Pretrial AM)

9:00 am (Felony B Omnibus)

10:00 am (Felony B Omnibus)

1:30 pm (MPLS Pretrial PM)

Hearing date:

← August 2016 →

Su	Mo	Tu	We	Th	Fr	Sa
31	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31	1	2	3
4	5	6	7	8	9	10

08-01-2016

Defendant Name (Last, First, Middle):

Defendant Party Person ID Number:

How did you contact the defendant?

No Contact Information Available

Phone

Email

Text Message

Additional comments regarding this defendant:

>>

Interactive questions based on contact method type

They can select each of the types of contact that was attempted and additional questions will be asked based on what contact methods they selected:

How did you contact the defendant?

No Contact Information Available

Phone

Email

Text Message

What was the outcome of the phone call to the defendant?

Spoke directly to the defendant

Spoke to an individual who was not the defendant. No message left.

No answer, left a voicemail for defendant

No answer, couldn't leave message

Wrong Number/Disconnected Number

Individual on phone did not speak English

Another person translated the message for the defendant over the phone

What was the outcome of the email to the defendant?

Sent email

Immediately received a bounce back message saying the email was undeliverable

Additional comments regarding this defendant:

>>

Update Data Screen

Updating a record allows them to tell us when they:

- Received a bounce-back email
- The defendant called them back
- Other



MINNESOTA JUDICIAL BRANCH

FOURTH JUDICIAL DISTRICT • HENNEPIN COUNTY

Samantha Gallagher

I want to:

Enter New Data

Update Data

Enter data for individuals without contact information

Time of Hearing:

8:30 am (MPLS Pretrial AM)

9:00 am (Felony B Omnibus)

10:00 am (Felony B Omnibus)

1:30 pm (MPLS Pretrial PM)

Hearing date:

← August 2016 →						
Su	Mo	Tu	We	Th	Fr	Sa
31	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31	1	2	3
4	5	6	7	8	9	10

Defendant name (Last, First, Middle):

Defendant Party Person ID Number:

What is the update to the original entry:

Received a bounce-back email

Defendant called back


Other (please specify):

Additional comments regarding this defendant:

>>

Enter Data for Individuals without Contact Information

The final option of the three is to provide them with a quick way to note that several people had no contact information for a given calendar all at once – rather than making them enter each of the people individually.



MINNESOTA JUDICIAL BRANCH

FOURTH JUDICIAL DISTRICT • HENNEPIN COUNTY

Samantha Gallagher

I want to:

Enter New Data

Update Data

Enter data for individuals without contact information

Time of Hearing:

8:30 am (MPLS Pretrial AM)

9:00 am (Felony B Omnibus)

10:00 am (Felony B Omnibus)

1:30 pm (MPLS Pretrial PM)

Hearing date:

← August 2016 →

Su	Mo	Tu	We	Th	Fr	Sa
31	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31	1	2	3
4	5	6	7	8	9	10

Name and Party Person ID #1

Defendant Name (Last, Middle, First)

Party Person ID

Name and Party Person ID #2

Defendant Name (Last, Middle, First)

Party Person ID

Name and Party Person ID #3

Defendant Name (Last, Middle, First)

Party Person ID

>>

The survey is designed so that once they hit the submit button at the bottom, it will take them back to the opening screen automatically.