Minutes from Survey Subcommittee Meeting of July 17, 2007

Present: Mr. Scott Brede and Judge Barbara Bailey Jongbloed, co-chairs; Attorney Joseph D’Alesio; Ms. Karen Florin, Mr. Paul Giguere; and Judge Carol Wolven. Absent: Mr. Patrick Sanders

Agenda Item No. I. Welcome by co-chairs – Judge Jongbloed and Mr. Brede started the meeting at 2:30 p.m. and welcomed members of the subcommittee.

Agenda Item No. II. Report from Joe D’Alesio regarding surveys done in other states – Attorney D’Alesio reported that he had received surveys from other states, but that the information was not very helpful for this subcommittee’s purposes.

Agenda Item No. III—Report from subcommittees
Subcommittee members turned their discussion to the draft surveys prepared by journalists for journalists and by judges for judges. They also discussed whether responses should be anonymous. Mr. D’Alesio was going to check with Legal Services to determine whether judges’ individual responses were required to be public, or whether the Judicial-Media Committee has the option of making them anonymous. Judge Jongbloed added that all participants should be informed that the tabulated results of the survey will be public.

Regarding the drafts, Mr. Giguere asked whether the subcommittee wanted to incorporate qualitative questions into the survey to gauge the level of problems in the field. Such questions also would help if trends start emerging through the responses, he said. In addition, Mr. Giguere suggested these two goals of the survey: to determine 1) What problems are we trying to solve; and 2) What do we need to solve? Judge Jongbloed responded that a cover letter attached to the survey would lay out the goals to participants.

Subcommittee members next discussed the draft survey for judges and redrafted it to read as follows:

Judge’s Media Survey (revised)

1) How long have you served on the bench?

2) a) How many times have you been contacted by the media about a case?

   Never
   1-5 times
   6-10 times
   10 or more

   b) What was the nature of the contact?
3) Do you have a practice about responding to media inquiries? If yes, what is the practice?

4) Have you ever contacted the media? If yes, what was the purpose and outcome of the contact?

5) a) Have you ever been contacted by the media to request a camera in your courtroom? b) If yes, how many times?
   1-5
   6-10
   10 or more

6) Do you see potential issues regarding cameras in a courtroom? If yes, what are they?

7) a) Do you advise jurors about speaking to the media following a trial?
   Never
   Sometimes
   Always
   b) If sometimes or always, what advisement do you give?

8) Do you read stories about your cases or watch them on television?
   Never
   Sometimes
   Often

9) What do you do if you see or read inaccurate information about judicial matters in the media?

10) What do you do if you see or read unfair criticism of yourself or another judge in the media?

11) a) Do you think it’s important for the Branch to formulate guidelines for responding to unfair criticism?
    b) If this would be helpful, what suggestions do you have?

12) a) Do you explain your decisions from the bench?
    b) If you explain, under what circumstances?

13) a) Do you think reporters who cover the courts, in general, have sufficient knowledge about the court system?
    b) If no, what should reporters do to learn more about the system?
14) a) Do you think the media could benefit from educational programs about the courts?

| Agree | 2 | 3 | 4 | 5 | Disagree |

b) Would you participate?

c) If yes, what topics would you like to have covered?

15) a) Do you think judges could benefit from educational programs about interacting with the media?

| Agree | 2 | 3 | 4 | 5 | Disagree |

b) Would you participate?

c) What topics would you like covered?

16) a) Should the Branch have standard answers or policy statements addressing questions frequently asked by the media to judges, for example, whether the identity of jurors is public information?

| Always | 2 | 3 | 4 | 5 | Never |

b) If yes, what questions/answers do you suggest?

17) Should the Branch formulate guidelines for court staff who may be contacted by members of the media?

| Always | 2 | 3 | 4 | 5 | Never |

18) Do you wish to make any comments regarding your dealings with the media?

19) Do you have any suggestions for improving interactions between the Judicial Branch and the media?

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Subcommittee members then turned to the draft survey for journalists and redrafted it to read as follows:
Media Survey (revised)

1) a) How long have you been covering the court system?

- 0-1 year
- 2-5 years
- 6-10 years
- More than 10 years

b) If not your primary beat, then what percentage of your job is it?

- Less than 25 percent
- 25-50 percent
- 50-75 percent
- More than 75 percent

2) a) Are you able to get access to court files on a timely basis in the courthouse(s) you cover?

   1  2  3  4  5
Always  Never

   b) Describe problems that you’ve experienced.

3) For files that are partially sealed, are you able to get access to the non-sealed portion of the file?

   1  2  3  4  5
Always  Never

4) a) Are court clerks helpful in answering questions you have about access to court information?

   1  2  3  4  5
Always  Never

   b) Explain problems.
   c) Do you have suggestions on how they can be more helpful?

5) a) Do you use the Judicial Branch website for help in covering court cases? If so, how helpful is it?

   1  2  3  4  5
Extremely helpful  Not helpful
b) Explain.

6) What information not currently on the website would be most helpful to you?

7) a) Do you have problems obtaining copies of court documents, including exhibits?

   1  2  3  4  5
   Always  Never

   b) If yes, what kind of problems have you encountered?

8) a) Have you ever experienced any difficulties in covering trials that are open to the public?

   1  2  3  4  5
   Always  Never

   b) Please explain.

9) a) Are court calendars adequate in providing notice to upcoming trials/hearings?

   1  2  3  4  5
   Always  Never

   b) If no, how can they be improved?

10) a) Are judges cooperative in allowing media access to open court proceedings?

       1  2  3  4  5
       Always  Never

             b) If not cooperative, please explain.
             c) Do you have suggestions to enhance cooperation?

11) a) Have you had any other problems regarding access to court proceedings and/or records?

             b) If yes, please explain.

12) a) Do you think reporters who cover the courts, in general, have sufficient knowledge about the court system?
b) If no, what should reporters do to learn more about the system?

13) a) Do you think the media could benefit from educational programs about the courts?

   1  2  3  4  5  
   Yes                                    No

b) Would you participate?

c) If yes, what topics would you like to have covered?

14) a) Do you think judges could benefit from educational programs about interacting with the media?

   1  2  3  4  5  
   Yes                                    No

b) Would you participate?

c) What topics would you like covered?

15) Do you wish to make any comments regarding your dealings with the Judicial Branch?

16) Do you have any suggestions for improving interactions between the Judicial Branch and the media?

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Agenda Item No. IV—Time Frame for Conducting Surveys
Subcommittee members discussed having the final draft of the surveys available for the full Judicial-Media Committee meeting on Sept. 10, 2007. Members also discussed ways to distribute the survey.

Agenda Item No. V – New Business
Whether or not another meeting would be needed was left to further discussion, and the subcommittee set no specific date.

Agenda Item No. VI – Adjourn
The meeting was adjourned at approximately 4 p.m.