

Community Courts Across the Globe

A Survey of Goals, Performance Measures and Operations

Diana L. Karafin

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For research correspondence, please contact Diana L. Karafin, Center for Court Innovation, 520 8th Avenue, New York, NY 10018.

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EXECUTIVE SUMMARY

There are currently more than 50 community courts open in the US and abroad, including 17 in South Africa alone. By the end of 2008, the number of community courts is expected to grow to as many as 79. Given this context of a burgeoning international community court movement, coupled with pressing questions about how to adopt the model successfully to diverse neighbourhoods, the Center for Court Innovation was commissioned by the Open Society Foundation for South Africa to design and execute a systematic community court survey. The survey was conducted in the autumn of 2007 among the population (N=35) of community courts across the globe, excluding those in South Africa, achieving a relatively high (72%) response rate.

The primary questions motivating the survey were:

- What are the primary goals/objectives of community courts?
- How do community courts differ from traditional courts?
- What are the specific and quantifiable measures community courts use to track progress?

Major Findings

- There has been a significant increase in the number of new community courts in the last 5 years in the US and internationally. At the close of 2007, fully 52 community courts were operational across the globe. The community court movement continues to expand as 27 new courts are slated to open in 2008 and beyond.
- Whereas the majority of community courts remain rooted in a criminal model, there is nonetheless substantial variation among new US and international embodiments. Community courts are increasingly diverse in their scope, the types of problems they address, mandates utilised, services offered, communities served and collaborations entered into.
- According to respondents, community courts differ most from traditional courts in that they address the underlying problems of defendants that may contribute to the likelihood of engaging in further criminal activity. Survey respondents argue that combining help with punishment, collaborating with the community, and streamlining court processing and procedures are the

most significant factors that define community courts relative to traditional courts.

- Helping defendants with underlying problems and reducing crime and re-offending are the most common goals or objectives of community courts. However, the survey results suggest a gap between some stated goals or objectives and actual indicators and outcomes tracked by community courts. While the majority of responding community courts were able to report on overall court volume and community service compliance, only 4 courts (12%) were able to provide data on re-offending rates.
- The majority of respondents did not provide benchmarks, or quantified standards, through which community court progress can be measured. For the few respondents who reported using benchmarks, the most common included specific community and social service compliance rates. It is impossible to determine whether the majority of respondents simply do not rely on benchmarks to track progress, or alternatively that they do rely on benchmarks but were unwilling or unable to specify them.
- When asked to delineate what makes the community court model successful, the most common responses highlighted the problem-solving nature of community courts, collaboration with partners and the community, and the improved efficiency and co-ordination of community courts.
- Respondents reported that the most persuasive arguments they use to promote their court include emphasising improvements from the past, before their community court was operational, highlighting the moral benefits of their court and demonstrating the cost savings of community courts (cost of programme versus incarceration).
- The majority of respondents were not able or willing to share specific data regarding basic court procedures and outcomes. However, more than half of respondents were able to provide data on total annual volume and community service compliance.
- The average community service compliance rate reported by respondents was 82%. Courts that handle all eligible cases report a community service compliance rate of 89%, whereas courts who may lose potentially eligible cases that are diverted elsewhere report a community service compliance rate of 69%.
- The average social service compliance rate reported was 68%. Courts that handle all eligible cases in their jurisdiction report a social service compliance rate of 72%, while courts that may lose potentially eligible cases that are diverted elsewhere report a social service compliance rate of 63%. These rates are self-reported, and it is unknown whether they reflect official court data or respondent estimates.

Conclusions

- Future studies should consider testing alternative methods of acquiring key outcome data from community courts, with the specific intention of determining whether data not reported is simply not tracked or is too difficult or time-consuming to obtain.
- As the community court movement expands, it is critical that community courts develop 'action research' capabilities for further sustainability and growth.¹ Collecting rigorous statistical and qualitative data that speaks to the success of community courts is imperative to any reform initiative. Furthermore, meaningful monitoring of the impact of community courts on communities, offenders, victims and the criminal justice system as a whole should be considered a top priority as the model is replicated in new contexts.

I. INTRODUCTION

Community courts are neighbourhood-focused courts that attempt to harness the power of the justice system to address local problems. They can take many forms, but all focus on creative partnerships and problem-solving. They strive to create new relationships, both within the justice system and with outside stakeholders such as residents, merchants, churches and schools. Since the inception of the pioneering Midtown Community Court in 1993, more than 50 community courts have opened across the US and abroad. As of the end of 2007, there were 32 operating community courts in the US, 2 in England, 1 in Australia and 17 in South Africa. In the last five years over 40 new courts have opened and approximately 13 are slated to open in the US and 14 internationally by the close of 2008, potentially bringing the global total to 79 (see Figures 1, 2 and 3).

Figure 1. The Community Court Movement: 1993–2008

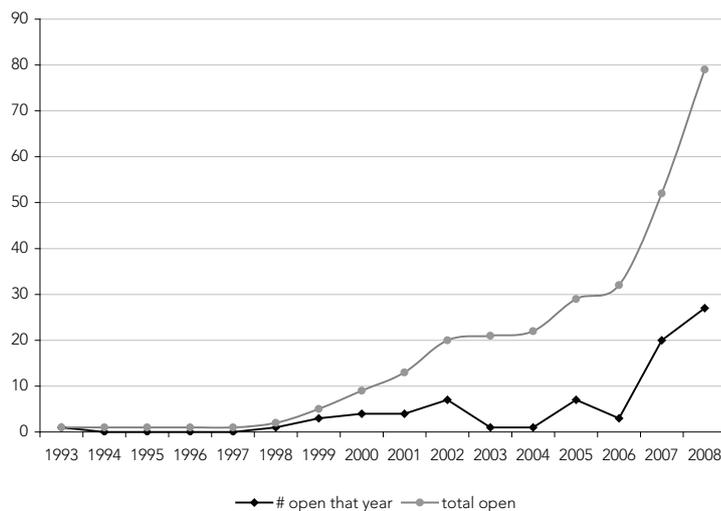


Figure 2. Community Courts in the US: Open and Planned

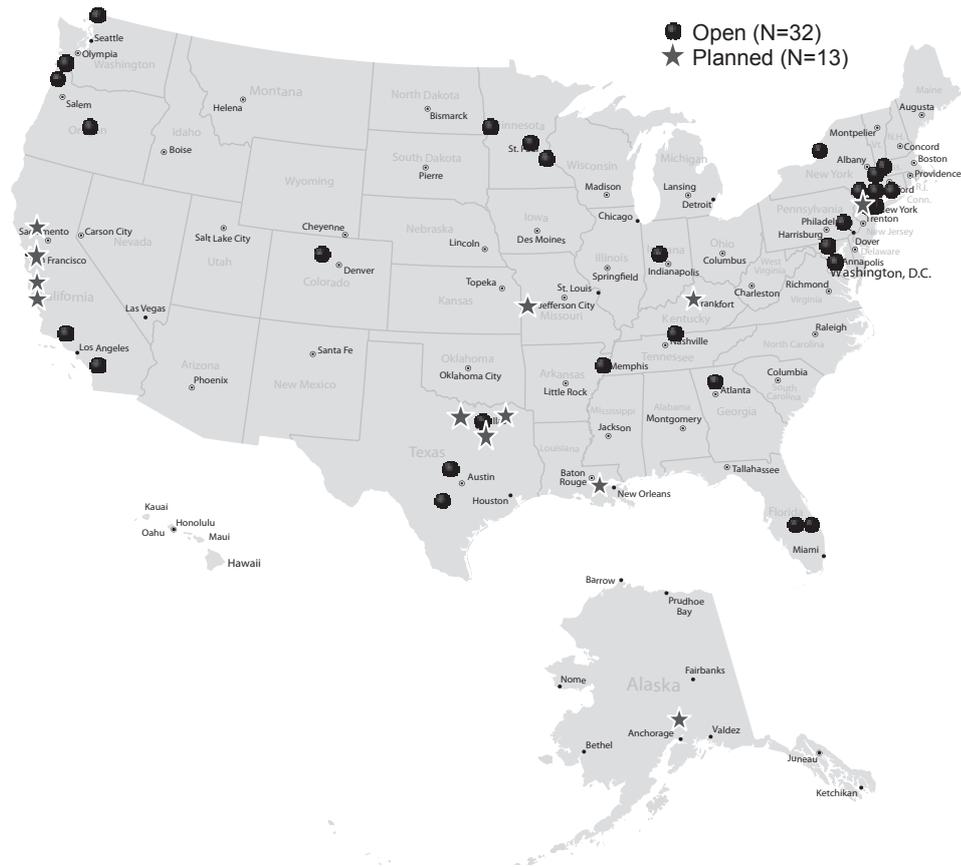
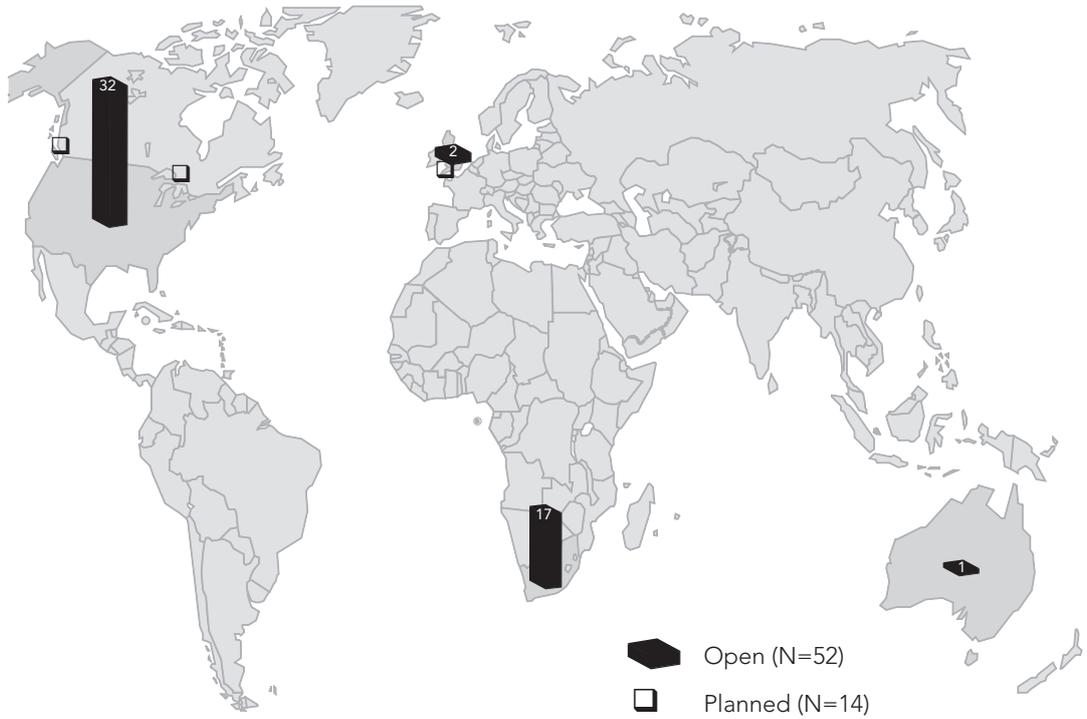


Figure 3. Community Courts World-wide end-2007



Given the context of a burgeoning international community court movement and pressing questions about how to adopt the community court model successfully to diverse neighborhoods, the Center for Court Innovation was commissioned by the Open Society Foundation for South Africa to design and execute a systematic community court survey (see Appendix A for the complete survey instrument). The survey, consisting of a mix of open and closed ended questions, was disseminated among the population of US and international community courts (excluding South Africa) open as of July 2007 (N=35),² with the primary objective of identifying community court goals, performance measures and benchmarks. The Open Society plans to draw upon these results to inform its ongoing technical assistance efforts with community courts in South Africa. Specifically, the survey aimed to identify:

- the principal goals and objectives of community courts;
- how community courts differ from traditional courts; and
- the specific and quantifiable measures community courts use to track progress.

In addition, the survey provided a valuable opportunity to understand the everyday operations of community courts around the globe. Thus a secondary objective was to determine the similarities and differences in how today's community courts work, for example, with respect to eligibility, staffing, typical mandates and services, and key neighbourhood problems that the community courts were founded to address.

Description of the Sample

The survey was mailed and e-mailed to prospective respondents between August and November of 2007, achieving a final response rate of 72% (N=25). Table 1 delineates the characteristics of the survey sample. Overall, 22 of the 25 respondents (88%) are community courts located in the US, whereas three respondents (12%) are located in Australia (1) and England (2). In particular, most respondents are located in the Northeast region of the US, have been open five years or less, convene five days a week, are staffed by 20 or fewer employees, and serve an area with a population of 300 000 or less. Interestingly, the area served by 48% of the responding community courts is defined by neighbourhood boundaries, whereas the area is defined by entire city, county or other boundaries for the remaining 52%.

Table 1: Sample characteristics

Location of Court	
US	88%
Northeast	44%
South	16%
West	16%
Midwest	12%
Australia	4%
England	8%
Years court open	
<1	8%
1 to 5	54%
6 to 10	35%
11 to 15	4%
mean	4.72 years
How often convene	
<1 day a week	17%
1 to 2 days	17%
3 to 4 days	8%
5 days	54%
6 to 7 days	4%
mean	3.6 days
Number staff (full- and part-time)	
1 to 10	36%
11 to 20	27%
21 to 30	15%
31 to 40	15%
41+	4%
mean	17.4
Geographic area served	
Specific neighbourhood(s)	48%
Entire city	32%
Entire county	12%
Other	8%
Population size of area served*	
<50 000	20%
50 000 to 300 000	44%
301 000 to 500 000	16%
501 000+	16%

*As estimated by respondent

II. COMMUNITY COURTS (1993–2007): A GLOBAL PORTRAIT

This section seeks to document how the responding community courts differ in the problems central to their jurisdictions, the types of cases handled, mandates available, services offered and forms of engagement with the community. This 'portrait' of US and international community courts serves as background for the larger examination of community court goals, objectives, and definitions and measures of success. See Appendix C for a comprehensive list of problems and lessons learned as identified by respondents.

Community problems

Respondents were asked to rank their local public safety and 'quality-of-life' problems on a scale of 1 to 5, where 1 signifies the issue is 'not a problem' and 5 signifies that it is a 'very big problem'. Table 2 summarises the results, presenting both the mean rating for each issue as well as the per cent of respondents who viewed each issue as either a 'big' or 'very big' problem (a ranking of 4 or 5). The issues most commonly perceived to be big problems include drug use, public drinking, drug sales, shoplifting, disorderly conduct, homelessness and trespassing. The issues least commonly perceived to be big problems include garbage, illegal vending, mugging and dangerous parks. Not surprisingly, respondents on average rated 13 of the 28 (46%) of the neighbourhood problems listed as 'big' or 'very big' problems in their communities, suggesting that respondents perceive the jurisdictions in which their community courts operate as characterised by a large assortment of serious neighbourhood problems.

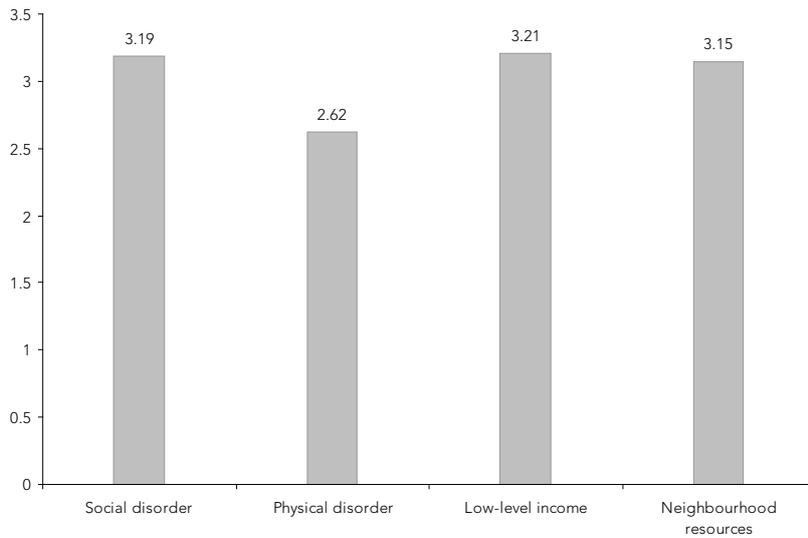
Are there particular types of neighbourhood problems, such as physical disorder (the physical condition of a neighbourhood), social disorder (the presence of people in a neighbourhood engaging in activities or behaviours that create a sense of danger)³, low-level crime (non-violent, low-level offences) and neighbourhood resources (availability of jobs, activities for residents, etc.), that respondents are more concerned with than others? Figure 4 presents a compressed view of the problems ranked by respondents in Table 2, grouping problems according to social disorder (e.g. loitering, public drinking, prostitution, disorderly conduct, gangs, etc.), physical disorder (e.g. abandoned buildings, garbage, graffiti, etc.), low-level crime (e.g. drug use, shoplifting, trespassing, assault, etc.) and neighbourhood

resources (e.g. lack of jobs available, not enough activities available for youth, etc.). Figure 4 suggests that respondents perceive issues associated with physical disorder to be less of a problem in their jurisdictions than social disorder, low-level crimes and neighbourhood resources.

Table 2. Problems Characterising Community Court Jurisdictions

Problem	mean rating (1 to 5)	% View as Very Big or Big Problem
Drug use	4.48	80%
Public drinking	4.09	64%
Drug sales	3.95	60%
Shoplifting	3.67	36%
Disorderly conduct	3.65	56%
Homeless	3.61	56%
Trespassing	3.61	52%
Teens loiter	3.58	48%
Reentry of ex-offenders into community	3.48	44%
Not enough jobs available	3.46	44%
Juvenile delinquency	3.35	24%
Not enough activities for youth	3.30	36%
Littering	3.28	36%
Public urination	3.21	32%
Truancy	3.19	28%
Prostitution	3.13	40%
Not enough treatment available	3.09	32%
Graffiti	3.08	28%
Gangs	3.04	36%
Assault	2.91	16%
Fighting	2.87	20%
Panhandling	2.86	28%
Abandoned buildings	2.83	29%
Illegal dumping	2.70	24%
Garbage	2.63	24%
Illegal vending	2.29	12%
Mugging	2.18	4%
Dangerous parks	2.08	12%

Figure 4. Community Problems Compressed – Mean Rating (1–5)



Cases Handled

What are the most common types of cases eligible for processing within community courts? Table 3 indicates that a vast majority of responding community courts (64%) handles some combination of violations⁴ and/or misdemeanors only. This is not surprising as most ‘quality-of-life crimes’, a hallmark of the community court movement, are violations or misdemeanors. Other case types handled by one or more courts include low-level felonies, housing, juvenile delinquency, small claims and reentry cases. Interestingly, even though some community courts incorporate additional case types, 92% have criminal cases either exclusively or in combination with others. Thus, community courts remain predominantly rooted in a criminal model.

Table 3. Case Types Handled by Community Court Survey Respondents⁵

	N	%
Violations and misdemeanors	9	36%
Misdemeanors only	5	20%
Violations only	2	8%
Violations and housing	2	8%
Violations, misdemeanors, felonies and juvenile cases	1	4%
Violations, misdemeanors and juvenile cases	1	4%
Violations, misdemeanors, juvenile cases, housing and reentry	1	4%
Misdemeanors and juvenile cases	1	4%
Juvenile, housing and reentry	1	4%
Violations, misdemeanors, juvenile and reentry	1	4%
Misdemeanors, juvenile cases and housing	1	4%
Total	25	100%

Mandate Options

Respondents reported a multitude of available mandate types, including community service, social service, blended community and social service mandates, substance abuse treatment, jail, restitution, fines and time served. Table 4 displays the most widely available mandates. Fully 92% of community courts utilise service mandates, of which 84% use a combination of community and social service mandates while 8% only use community service mandates. Traditional mandates such as jail, time served, fines and restitution are used in 72% of the responding community courts, while 64% offer substance abuse treatment mandates. The mean number of available mandates for community courts is five, while 60% report having six or more mandates at their disposal (See Table 5).

Table 4: Community Court Mandate Types Available

	% courts with mandates available
Service Mandates (excluding treatment)	92%
Community Service Only	8%
Social Service Only	0%
Community and Social Service	84%
Substance Abuse Treatment	64%
Traditional Mandates	72%
Jail, Time Served, Fine and Restitution	48%
Jail, Time Served and Fine	4%
Jail, Time Served, Restitution	12%
Time Served, Fine and Restitution	4%
Jail Only	4%

Table 5: Number of Mandates Available

Number available mandates	N	%
1	2	8%
2	2	8%
4	3	12%
6	8	32%
7	2	8%
8	5	20%
Total	22	88%
Mean = 5		

Social Services Available

Respondents were asked to report on the type and number of social services available to community court participants. Of those who offer social services (N=22), 64% offer (short-term) drug treatment, individual counselling and job skills training. Furthermore, 56% offer life skills classes and 52% offer help with anger management. See Table 6 for a summary of the distribution of social services available among the sample of community courts. Additionally, 61% of the responding courts report the availability of eight or more social services for participants, while the mean number of available services is seven (see Table 7).

Table 6. Social and Treatment Services Available

Service or Treatment	% with service available
Short-term drug treatment (<30 days)	64%
Individual counselling	64%
Job skills	64%
Life skills	56%
Anger management	52%
Long-term drug treatment (>30 days)	48%
Health education	48%
Prostitution help	44%
Adult education	44%
Treatment readiness	44%
Decision-making skills	36%

* Others (alcohol, parenting, shoplifting, debt/financial management, public benefits education)

Table 7. Number of Treatment and Social Services Available

Number available services	N	%
0	3	13%
3	1	4%
4	2	9%
5	1	4%
7	2	9%
8	4	17%
9	2	9%
10	1	4%
11	5	22%
13	2	9%
Total	23	100%
Mean Number of Services Available: 7		

Community Engagement

Ninety-six per cent (N=24) of respondents reported actively pursuing one or more forms of community engagement in their respective jurisdictions (see Table 8). The mean number of community engagement activities pursued by each court was seven. Of the 12 community engagement options listed in the survey instrument, the most common forms included making presentations at public meetings (88%), using community member feedback to determine community service sites (80%) and sending community court staff to community meetings (72%).

Table 8. Community Engagement Among Community Courts

Forms of Community Engagement	% engaging in form
Make presentations about community court at public meetings	88%
Utilise community member feedback to determine community service sites	80%
Send community court staff to community meetings	72%
Provide community members with volunteer opportunities at the community court	60%
Organise a community advisory board	56%
Make court space available to community members	52%
Allow community members to interact with offenders	48%
Hold community forums	48%
Community court open houses	44%
Invite community members to help determine sanctions	40%
Conduct community surveys	40%
Mean Number of Forms Engaged: 7	

III. HOW DO COMMUNITY COURTS DIFFER FROM TRADITIONAL COURTS?

Respondents were asked the following open-ended question: 'In your opinion, how is your community court most different from your local traditional court?' Answers typically fit into one of five thematic categories. As opposed to traditional courts, community courts:

- 1 address underlying problems of defendants/litigants (62%);
- 2 improve court processing/procedures (36%);
- 3 collaborate with the community (36%);
- 4 provide expanded sentencing options (24%); and
- 5 provide an opportunity for case dismissal (12%).

Address Underlying Problems of Defendants/Litigants

The most common response by a wide margin, evoked by 62% of all respondents, was to emphasise the 'problem-solving' approach that most community courts use – attempting to address the underlying social problems that make defendants more likely to engage in crime.

In the community court, the judge, the prosecutor and a team of community advisors take a closer look at the individual and circumstances that place them at greater risk for committing crime. The traditional court does not have the ability to review cases in this manner.

Traditional courts ... may not have the time or resources to deal with misdemeanor quality-of-life crimes. At the community court, no case is too small for our full consideration – we strive to provide as many social service opportunities through the court, as we realise many of these crimes are the result of a social problem (substance abuse, mental health, lack of resources).

We address the cause of the illegal behaviour and attempt to correct the cause rather than punish the act.

Traditional courts also tend to be more reactive, focused on case processing rather than proactive ... solving of the problem of offender recidivism.

Improve Court Processing/Procedures

The second most common response (36%) entailed highlighting the superior court processing and improved court procedures (e.g. speed, efficiency and lower cost) of community courts relative to traditional courts. Some respondents seem to connect the perceived improved court processing of community courts with the idea that community courts help defendants with their underlying problems, as seen in the second quotation provided below. Here, the respondent links efficiency and problem-solving together in pointing out that the community court links defendants with the services they need more rapidly than traditional courts.

[Community courts differ in their] speed of case resolution. Cost to criminal justice system is less than the traditional court.

All of the traditional court staff is located in the courtroom, in addition to social services and community service personnel to meet with and sign up defendants while they are in the room.

Instead of adjudicating each case in an adversary, evidentiary proceeding, the judge presides in a more active, outcome-oriented role, placing eligible defendants under diversion agreements, through which they will perform community service...

Collaborate with the Community

As indicated by 36% of respondents, community court staff typically engage in various forms of collaboration with community members, while traditional courts tend to singularly focus on processing cases.

Our judge and staff meet with community members and communicate with community leaders almost daily.

[We differ because of] collaboration and participation in community development.

Provide Expanded Sentencing Options

Another unique element of the community court model relative to a traditional court model is the expanded sentencing options available to the judge, such as community and/or social services (evoked by 24% of respondents).

Defendants are given the opportunity to do community service to dispose of their case.

Our community court most differs from the traditional court in that the defendants typically do not receive jail or probation time, do not pay court fines or costs, and the sentence or recommendation consists of community service and/or social service hours.

Provide an Opportunity for Case Dismissal

Finally, a handful (12%) of respondents remarked that community courts most differ from traditional courts in that participants may have the opportunity to have their case dismissed.

Individuals are given the opportunity to remedy their situation or do community service/social service referral in order to have case dismissed without conviction.

IV. PRIMARY GOALS AND OBJECTIVES OF COMMUNITY COURTS

To identify community court goals and objectives, a three-fold strategy was implemented: 1) assessing the degree to which community courts have developed formal mission statements; 2) prompting survey respondents to identify the specific benchmarks for their community court (where applicable); and 3) asking respondents the open-ended question 'What are the most important goals of your community court.'

Mission Statements

Less than half of the survey respondents (40%) reported that their community court has a formal mission statement. Of those that do have such a statement, several examples follow.

Our mission is to empower the residents of our neighborhoods to have a true voice in the criminal justice system and to improve the quality-of-life in the communities in which they live.

*Our Mission: The **** Community Court works with **** law enforcement to help neighbourhoods fight crime. Based on the premise that all crimes must be prosecuted in order to deter criminals, the Court provides an efficient means of assuring accountability regardless of the seriousness of the offense. Then, having demanded that all offenders be held accountable, the Community Court requires that the individual offender's 'accountability' include a contribution to the betterment of the neighbourhood, usually through community service performed in the neighbourhood. To address social issues that might increase the potential for re-offenses, the Court insists on immediate interaction between the offender and social services to address underlying problems such as a lack of job skills, education deficiencies or mental health concerns. Neighbourhood leaders, business, service organisations and churches all have made contributions to these efforts. The only real solution to crime is a community solution! It includes a firm response to all crimes, early intervention with offenders, and creating or rebuilding connections between the offender after the community case is closed.*

Our strap line: Reducing crime, building confidence

The **** seeks to reduce low-level and quality-of-life offenses in **** neighborhoods by utilising a collaborative, problem-solving approach to crime. Partnering with government agencies, residents, community organisations, faith-based groups, social services providers and local merchants, the **** holds offenders accountable, addresses the offender's underlying issues contributing to criminal behaviour, improving the quality-of-life in **** neighbourhoods and increasing the public's confidence in the criminal justice system.

The mission of the **** is to address non-violent misdemeanor crimes affecting quality-of-life in the ****, reduce recidivism of repeat offenders by holding offenders accountable to the community, provide proactive intervention through community work service, rehabilitation and education, and encourage community involvement. The Downtown Community Court will work collaboratively with the **** City Attorney, Law Offices of the Public Defender, **** Superior Court, **** Partnership, **** Police Department, Social Service Agencies and Stakeholders to make downtown a safer community and to address the social, legal and human problems affecting the **** community.

The **** Community Court endeavors to address quality-of-life crimes that diminishes citizens' pride and sense of safety in their neighbourhoods. By collaborating with citizens, law enforcement, court and social service agencies, the community court encourages defendants to contribute positively to their community through community service projects and offers them social service assistance to address the underlying problems that can lead to criminal behaviour.

The **** seeks to reduce low-level and quality-of-life offenses in **** neighbourhoods by utilising a collaborative, problem-solving approach to crime. Partnering with government agencies, **** residents, community organisations, faith-based groups, social service providers and businesses, the **** endeavors to hold defendants accountable, address the factors that often underlie defendants' criminal behavior, improve the quality-of-life in **** neighbourhoods and increase the public's confidence in the court system.

Benchmarks

Only 4 (16%) of the responding community courts identified specific benchmarks – quantifiable standards by which progress can be measured. These benchmarks, distributed among 4 of the community courts, include:

- a target volume of annual mandates (n=1);
- a target number of annual community service mandates (n=1);
- a target number of annual social service mandates (n=1);
- a target community service compliance rate [85% (n=1) and 100% (n=1)]⁶; and
- a target social service compliance rate [85% (n=1) and 100% (n=1)]⁷.

Though not technically benchmarks (as they were not specifically quantified), several respondents described general goals when asked to identify specific benchmarks. For example:

- avoid slowing the court;
- engage defendants quicker;
- increase blended sentences; and
- increase social service options.

It is possible that the respondents reporting these general goals as 'benchmarks' do indeed have

quantifiable standards for each of these constructs but simply didn't provide this information in the survey.

What are the most important goals of your community court?

While the majority of respondents did not report having a formal mission statement or specific, quantifiable benchmarks, all provided a descriptive explanation to the question 'What are the most important goals of your community court?' The most common goals or objectives stated included⁸:

- Helping defendants with underlying problems (46%)
- Reducing crime and re-offending (32%)
- Addressing community needs (22%)
- Improving the public perception of the court (16%)
- Increasing offender accountability (12%)
- Renewing a focus on quality-of-life crime (8%)

Interestingly, respondents appear to perceive helping defendants with their underlying problems as the most common goal or objective as well as the most important factor that differentiates community courts from traditional courts.

Goal 1: Helping defendants with underlying problems

Address the social service needs of low level offenders.

To rehabilitate defendants, to provide assistance in obtaining job training education in order to have a solid foundation.

Goal 2: Reducing crime and re-offending

To prevent crimes and improve safety and awareness by offering a variety of services to both offenders and community members.

To provide meaningful, quality programs and partnerships that prevent crime or deter people from future criminal involvement.

To reduce re-offending. This is achieved by getting better information on the problems and issues that individual offenders have and putting workable solutions in place, including access to support services, to address these issues.

Goal 3: Addressing community needs

Creating an ongoing capacity for the court to learn about, and respond to, community needs in a cost-effective fashion.

Help the neighbourhood rebuild.

Pay back community through community service.

Making the court and the criminal justice system responsive to the community – that community needs are listened to, acted upon and do not then recur, improving local quality-of-life.

The most important goal is to be an agent for social change in an isolated and traditionally crime-ridden neighbourhood.

Goal 4: Improving the public perception of the court

Increase public trust and confidence in the court system.

To create an enabling environment that supports a positive interface between community and court to make justice more accessible. To increase people's understanding of the justice system and participation in it.

People must feel that the court is attempting to assist the individual in dealing with the case.

Goal 5: Increasing offender accountability

Encouraging defendant's accountability for their behaviour ...

The [Court] was developed to hold misdemeanor offenders accountable to the ... community.

Goal 6: Renewing a focus on quality-of-life crime

To enhance property values and quality-of-life in neighbourhoods.

To take livability crimes seriously.

V. THE SUCCESS OF COMMUNITY COURTS

To determine how community courts define success, respondents were asked the open-ended question, 'If a potential funder were to ask you, in general, what makes the community court model successful, what would first come to mind?' The majority of the surveys reflected answers which reiterated one or two of the principles that differentiate community courts from traditional courts, such as collaborating with community members or adopting a problem-solving approach by helping offenders with their underlying problems. The most common definitions of success included:

- Community courts take on a problem-solving approach (46%)
Understanding the root causes of offending behaviour so that a problem-solving approach can be applied.
- Collaboration (with partners and community) (46%)
Teamwork and consensus of key stakeholders on mission of their work at community court.
- Community courts ensure a better process than traditional courts (particularly in the areas of efficiency and co-ordination) (22%)
Greater inter-agency partnership working between the criminal justice agencies and hence increased operating efficiency.
- Community courts address the needs of communities (16%)
Making the community's views and needs part of everyday court operations, both through direct consultation (for example, advisory boards and other regular contact) and by addressing community needs (for example, targeted community service).
- Dedicated staff makes community courts successful (8%)
The hard work and compassion of the judge and the entire staff.

In essence, this pattern indicates that respondents may believe that the very factors that differentiate community courts from other courts, such as collaboration with the community, make community courts successful. Another possibility may be that the wording of the question engendered a less

specific response-type, given that respondents were asked what, in general, makes the community court model successful, but were not probed to elaborate or cite key statistics at this juncture of the survey.

To further grapple with the question of what makes community courts successful, respondents were asked to identify the single most persuasive argument they use to promote their court. Interestingly, only one respondent provided specific, quantifiable evidence to promote their court.

Most common types of responses:

- A past versus present argument (24%) – Here, respondents emphasise that the present situation is a vast improvement from the problems in the past.

[In the past] communities thought their cases were glossed over in regular traffic court.

The fact that almost nothing was being done with these cases prior to the creation of the court, resulting in defendants returning to the streets unsupervised to commit the same offenses.

- Quality of neighbourhood improved (40%).

It's about enhancing the quality-of-life in neighbourhoods ...

- Morality argument (32%). Here, respondents argue that community courts are the morally right option.

Right thing to do, more effective than traditional courts.

- General reference to 'positive results' or 'success' (24%). Here, respondents use vague language, referring to the general success and positive results of community courts as the most persuasive argument to promote their court.

The overwhelming success rate that we have.

We are able to consistently show success (positive results) from offenders coming through this programme.

- Cost savings (24%). Respondents state that, simply put, community courts save money.

Cost of programme versus cost of incarceration.

- Anecdotal reference (12%). Here, respondents make an anecdotal reference to the success of a particular individual or group of individuals.

The fact that many community court participants have successfully completed their sentences and maintained their sobriety ...

- Measurable outcomes as proof of success (4%). Finally, one respondent provided a quantifiable indicator, documented changes in the community's confidence in the courts.

In 1995 ... we did a community wide survey ... One of the questions asked about confidence in the courts and only 12% gave a positive rating. In 2005 ... 75% gave a positive rating. [The court] has helped change people's perception of courts.

VI. COMMUNITY COURT INDICATORS

Measuring Success:

What are the top indicators of community court success?

To probe how community courts quantify their success, respondents were asked 'In your opinion, what are the top three specific and quantifiable results indicating the success of your community court?' Careful coding of the stated indicators revealed survey participants stated one of four response-types (see Appendix B for a list of all indicators given):

1. Indicator with data and a reference point – a quantified indicator with a comparative element was given (e.g. 're-offending rate of participants is 3% and re-offending rate of non-participants is 10%').
2. Indicator with data with no reference point – an indicator that was quantified yet lacks a comparative element (e.g. community service compliance in 2006 was 77%).
3. Indicator with no data – a potentially specific indicator but not quantified (e.g. 'the dollar value of community service is our top indicator').
4. Community court principle/objective as indicator – using the definition of a community court principle or objective as an indicator (e.g. 'solid linkages with social service partners' or 'addressing neighbourhood problems').

Table 9 summarises the distribution of response types and shows that 66% of respondents provided either an indicator with no data or a community court principle as one of their top three indicators of success. On the other hand, only 35% of respondents provided a specific and quantified indicator and only 5% also provided a reference point or comparison (arguably the most compelling and persuasive type of indicator).

Table 9. Response Types: Top Indicators of Success

Indicator with Data and Reference Point	5%
Indicator with Data – No Reference Point	30%
Indicator with No Data	32%
CC Principle/Objective as Indicator	33%

Listed below are responses of those who provided a quantified indicator (whether or not a comparison was included):

- Compliance rate.
- Neighbourhood crime rate.
- Re-offending rate.
- Long-term drug treatment completion rate.
- Arrest to arraignment time.
- Number of participants who access voluntary services.
- Survey results regarding community perceptions of the court – per cent holding positive perceptions.
- Dollar value of money collected in court fees.
- Dollar value of community service.
- Survey results regarding offender perceptions of court/programme/social services – per cent holding positive perceptions.

Community Court Indicators

In order to identify specific indicators that community courts track, respondents were asked to either attach the most recent statistical report prepared for the court (e.g. for a grant requirement), or to complete a simple table with several common types of community court indicators included (e.g. volume, compliance, etc.). The data is self-reported and it is unclear, and impossible to ascertain, whether or not the data reflects official court records or merely respondent estimates. As such, interpretation and weight given to the data should be conservative. Furthermore, given the tremendous variation in the contexts of responding community courts – differences in practices, policies and populations served, including unknown variations in criminal history and general propensity for noncompliance - it would be problematic to interpret and utilise reported means for specific indicators (such as the mean community service compliance rate) as general standards or measures of success (benchmarks).

Table 10 summarises the data collected from respondents utilising one or both of the methods described above. Respondents were asked to provide data for the 2006 calendar year or to note otherwise when the data reflects an alternate time period. All data reported in Table 10 corresponds to 2006. Most of the 25 respondents were unable or unwilling to provide basic data for the indicators listed below, as evidenced by the small N in column two for most of the indicators. Volume, number of community service hours performed and community service compliance rates appear to be the exception, where over half of respondents provided data for these indicators. It is important to note that approximately half of the respondents who left the outcome fields blank wrote a note stating that they do not keep track of this information, while the other half simply left the fields blank.

Table 10. Community Court Indicators – 2006 Data

Indicator Tracked	# Responded (N)	Range	Mean
Volume and Sanctions			
1. Annual Community Court Volume	17	157–19 000	6 070
2. # Community service only cases	10	76–5 879	1 683
a. % of total cases	10	10%–100%	44%
3. Mean community service mandate length	8	1–14 days	3 days
4. # Social service only cases	8	18–4 636	1 811
a. % of total cases	9	9%–37%	22%
5. Mean social service mandate length	5	1–90	25 days
6. # Blended community and social service cases	8	57–7 324	2 156
a. % of total cases	8	2%–100%	34%
7. # Community service options	11	1–148	27
8. # Community service hours performed	12	1 032–301 311	47 771
Community Service Compliance			
1. Community service compliance rate	14	40%–100%	82% ⁹
a. Compliance rate – courts where potentially eligible cases may be diverted	5	40%–85%	69%
b. Compliance rate – courts who handle all eligible cases	9	75%–100%	89%
Social Service Compliance			
1. Social service compliance rate	8	25%–96%	68% ¹⁰
a. Compliance rate – courts where potentially eligible cases may be diverted	3	46%–72%	63%
b. Compliance rate – courts who handle all eligible cases	5	25%–96%	72%
Re-arrest rates¹¹			
1. Re-arrest rate: participants	3	1%–19%	8% ¹²
2. Re-arrest rate: non-participants	2	2%–3%	2.50%

The breadth in the range of basic data responding courts provided on annual court volume and sanctions, as seen in the first section of Table 10, highlights the tremendous variation in the scope and focus of the community courts. Indeed, community service only sanctions represent from 10% to 100% of sanctions amongst the responding sample, social service only sanctions represent from 9% to 37%, and blended community and social service sanctions represent from 2% to 100% of sanctions amongst the responding sample.

For those courts providing data on community and social service compliance, the average compliance rates were 82% and 68% respectively. It is important to note that compliance rates appear to vary

significantly when comparing community courts that face the potential loss of eligible cases that may be diverted elsewhere (e.g. through a programme run by a local prosecutor's office) with community courts who handle all eligible cases in their jurisdiction with no potential for diversion of eligible cases to other outlets. Namely, community and social service compliance rates are markedly higher, according to respondents, for community courts who handle all eligible cases than for those who do not. One possible explanation of this pattern may be that the types of cases most likely to be diverted would be those with the highest compliance rates, as these are typically first-time offenders or those with minimal experience with the courts and the criminal justice system. As a result, community courts that lose eligible cases through external programmes may end up with a caseload of individuals who are more likely to struggle with compliance (as they were not eligible for diversion and may have a criminal record, etc.). Community courts that handle all eligible cases clearly are characterised by limited legal leverage in determining the composition of their caseload.

Interestingly, although a large proportion of respondents stated that the most important goal or objective of their community court was to help offenders and/or reduce crime or re-offending, only 12% (N=3) of respondents track re-offending rates of participants, and only 8% (N=2) track re-offending rates of non-participants (to compare with participants as a true measure of success). In both cases where courts reported tracking re-offending rates for participants as well as a comparable sample of non-participants, re-offending rates were higher for non-participants, suggesting the community court participants were less likely to re-offend than non-community court participants.

Finally, respondents were given the opportunity to share other indicators that their court tracks at the conclusion of the survey. In all, six respondents listed additional indicators, although most provided a description with no actual data. Other indicators listed include:

- number of community court participants that acquire job interviews and employment (N=2);
- fines and costs collected by the court (N=1);
- jail savings (N=3);
- dollar value of community service performed (N=3);
- number that pursue voluntary services (N=1); and
- number that fail to appear for arraignment (N=1).

Recommendations

While the majority of responding community courts either do not use or were unwilling to share explicit benchmarks (specific, quantifiable standards or goals used to measure progress), a majority provided at least some descriptive (and sometimes quantitative) indicators tracked. Through a careful review of the data, Table 11 was constructed to provide specific recommendations for indicators to be tracked for community courts wishing to adopt an 'action research' model.¹³ These recommendations are organised under the top community court goals and objectives as articulated by respondents. An 'action research' model is designed to provide immediate and useful feedback about everyday programme operations and performance, and does not simply evaluate whether a programme is working, but how, why, for whom and how it can improve.

Table 11. Action Research Indicators – Top Community Court Goals and Objectives

Top Community Court Goals and Objectives	Indicator	Why important?
Helping Defendants with Underlying Problems	# cases processed by court	Indicates scope of project, patterns of growth, stagnation, etc.
	# and % of cases mandated to social services and/or treatment	Indicates potential # of defendants or individuals receiving needed services.
	# of individuals accessing voluntary services	
Reducing crime and re-offending	Re-arrest rates for participants and non-participants (where applicable)	Indicates degree to which community court participants are avoiding criminal activity upon completion of mandates (when possible, compared with similar, non-community court participants).
	Neighbourhood crime rates pre and post inception of community court	Though a causal argument is likely not possible, one indication of a potential correlation between inception of a community court and decreasing crime rates in a community.
Addressing Community Needs	# and % of cases mandated to community service	Indicates community needs and in turn helps the court to focus its programmes and services appropriately.
	# in attendance and frequency of advisory board meetings	
	# of focus groups held with community representatives	
	Rankings (e.g., survey) of public perception of safety, neighborhood problems, quality-of-life issues	
	# of hours of community service performed annually	
	Dollar value of community service performed	Indicates potential impact of community service performed on neighbourhood.
Improving the Public Perception of the Court	Pre- and post-surveys of community member perceptions of the court, the justice system, etc.	Tracks the potential impact of the community court on perceptions of justice amongst community members.
Increasing Offender Accountability	Average/median time to mandate completion	Demonstrates degree of accountability for defendants.
	Mandate compliance rates for community court participants and non-participants (where applicable)	
Renewing a focus on 'quality-of-life' crime	# of community-based sanctions available	Indicates impact of community court operations and procedures on how and to what degree the justice system approaches quality-of-life crime in neighbourhoods.
	Pre- and post-changes in # and % of community based sanctions for 'quality-of-life' crimes	

VII. CONCLUSION

Major Findings

- There has been a significant increase in the number of new community courts in the last five years in the US and internationally. At the close of 2007, fully 52 community courts were operational across the globe. The community court movement continues to expand as 27 new courts are slated to open in 2008 and beyond.
- Whereas the majority of community courts remain rooted in a criminal model, there is nonetheless substantial variation among new US and international embodiments. Community courts are increasingly diverse in their scope, the types of problems they address, mandates utilised, services offered, communities served, and nature and extent of their collaborations with other justice system and community-based organisations.
- According to respondents, community courts differ most from traditional courts in that they address the underlying problems of defendants that may contribute to the likelihood of engaging in further criminal activity. Survey respondents argue that combining help with punishment, collaborating with the community, and streamlining court processing and procedures are the most significant factors that define community courts relative to traditional courts.
- Helping defendants with underlying problems and reducing crime and re-offending are the most common goals or objectives of community courts. However, the survey results suggest a gap between some stated goals or objectives and actual indicators and outcomes tracked by community courts. While the majority of responding community courts were able to report on overall court volume and community service compliance, only four courts (12%) were able to provide data on re-offending rates.
- The majority of respondents did not provide benchmarks, or quantified standards, through which community court progress can be measured. For the few respondents who reported using benchmarks, the most common included specific community and social service compliance rates. It is impossible to determine whether the majority of respondents simply do

not rely on benchmarks to track progress, or alternatively that they do rely on benchmarks but were unwilling or unable to specify the actual benchmarks.

- When asked to delineate what makes the community court model successful, the most common responses highlighted the problem-solving nature of community courts, collaboration with partners and the community, and the improved efficiency and coordination of community courts.
- Respondents reported that the most persuasive arguments they use to promote their court include emphasising improvements from the past, before their community court was operational, highlighting the moral benefits of their court and demonstrating the cost savings of community courts (cost of programme versus incarceration).
- The majority of respondents were not able or willing to share specific data regarding basic court procedures and outcomes. However, more than half of respondents were able to provide data on total annual volume and community service compliance.
- The average community service compliance rate reported by respondents was 82%. Courts that handle all eligible cases report a community service compliance rate of 89%, whereas courts who may lose potentially eligible cases that are diverted elsewhere report a community service compliance rate of 69%.
- The average social service compliance rate reported was 68%. Courts that handle all eligible cases in their jurisdiction report a social service compliance rate of 72%, while courts that may lose potentially eligible cases that are diverted elsewhere report a social service compliance rate of 63%. These rates are self-reported and it is unknown whether they reflect official court data or respondent estimates.

Conclusions

- Whereas the survey provides useful data on the multiple manifestations of community courts in the US and internationally, as well as important respondent perceptions of community court goals, objectives and definitions of success, spotty data on key indicators for community courts is a severe limitation.
- Future studies should consider testing alternative methods of acquiring key outcome data from community courts, with the specific intention of determining whether data not reported is simply not tracked or is too difficult or time-consuming to obtain.
- As the community court movement expands, it is critical that community courts develop 'action research' capabilities for further sustainability and growth. Collecting rigorous statistical and qualitative data is crucial for any reform initiative that needs to demonstrate how it improves current practice. Furthermore, meaningfully monitoring the impact of community courts on communities, offenders, victims and the criminal justice system as a whole should be considered a top priority as the model is replicated and introduced to new contexts.

**APPENDIX A
SURVEY INSTRUMENT**

2007 COMMUNITY COURT SURVEY

NAME OF PERSON COMPLETING SURVEY: _____

TITLE: _____

NAME OF COMMUNITY COURT: _____

PHONE #: _____

E-MAIL: _____

ADDRESS: _____

DATE COURT OPENED: _____

I. GENERAL INFORMATION

1. How often does your court convene? _____

2. Number of full- and part-time staff dedicated to the following positions:

	# Full-time staff	# Part-time staff
Judges assigned to community court		
Prosecutors assigned to community court		
Defense Attorneys assigned to community court		
Project Co-ordinator or Director		
Other Administrative Staff		
Resource Co-ordinators		
Case Managers		
Probation Officers		
Community Service Co-ordinators		
Social Workers		
Intake Staff		
Mediation Services		
Pre-trial Services		
Research Staff		
Other (please specify)		
Other (please specify)		

3. What best describes the geographic area served by your community court?

Specific neighbourhood(s)

Please describe the geographic boundaries of the area your court serves

Entire city

Entire county

Other (please specify) _____

4. Approximately how many square miles/kilometres does this area cover?

Less than 1 sq. mile (<1.6 km)

1 to 2 sq. miles (1.6 to 3.2 km)

3 to 5 sq. miles (>3.2 to 8 km)

6 to 10 sq. miles (>8 to 16 km)

Greater than 10 sq. miles (>16 km)

5. Would you consider this area to be primarily?

Urban – Central business district

Urban – Other

Suburban

Rural

6. What is the approximate total population size of the area served by your community court?

7. If a potential funder were to ask you, in general, what makes the community court model *successful*, what would first come to mind?

II. NEIGHBOURHOOD PROBLEMS

8. In your opinion, what problems characterise the area served by your community court? Please rate each of the following on a scale from 1 to 5, where **1 means that it is not a problem and 5 means that it is a very big problem.**

	1 Not a problem	2	3	4	5 Very big problem
Abandoned buildings					
Aggressive panhandling					
Assault					
Disorderly conduct					
Drug use					
Drug selling in public					
Ex-offender reentry					
Fighting					
Gangs					
Garbage removal					
Graffiti					
Homelessness					
Illegal dumping					
Illegal vending					
Juvenile delinquency					
Lack of activities for young people					
Lack of jobs					
Lack of treatment services					
Littering					
Mugging					
Prostitution					
Public drinking					
Public urination					
Run down parks/green areas					
Shoplifting					
Teens loitering					
Trespassing					
Truancy					
Underage drinking					
Other (please specify)					
Other (please specify)					
Other (please specify)					

III. COMMUNITY COURT ELIGIBILITY

9. What types of cases does your community court process? (Select ALL that apply.)
- Criminal – ordinance violations
 - Criminal – misdemeanor
 - Criminal – felony
 - Juvenile delinquency
 - Housing
 - Re-entry
 - Other (please specify) _____
 - Other (please specify) _____
 - Other (please specify) _____
10. Please list your court's top five most common charges or case types (*please describe using words and not law codes*).
1. Charge or Case type:
 2. Charge or Case type:
 3. Charge or Case type:
 4. Charge or Case type:
 5. Charge or Case type:
11. Are certain cases diverted from your court that would otherwise be eligible for your community court (e.g. through a programme run by a local prosecutor's office, etc.)
- Yes
 - No
12. Can defendants/litigants choose to opt-in or opt-out of community court participation? (If they opt-out the community court does not handle their case.)
- Yes
 - No

IV. SENTENCING AND COURT MANDATE OPTIONS

13. What types of mandates does your community court impose? Mandates are requirements that must be completed. (Select ALL that apply.)

- Community service only
- Social service only (e.g. GED, treatment readiness, employment, counseling, etc.)
- Community service and social service
- Substance abuse treatment
- Restitution (please explain) _____
- Jail time
- Fine
- Time served
- Other (please specify) _____
- Other (please specify) _____
- Other (please specify) _____

14. If you checked either social service or substance abuse treatment, what specific mandates does your court order defendants to complete? (Select ALL that apply and indicate if the service is available onsite, offsite, or both.)

		Onsite		Offsite
Drug treatment for less than 90 days		<input type="checkbox"/>		<input type="checkbox"/>
Drug treatment for more than 90 days		<input type="checkbox"/>		<input type="checkbox"/>
Treatment readiness programme (e.g. usually 1–3 days)		<input type="checkbox"/>		<input type="checkbox"/>
Employment/job readiness programme		<input type="checkbox"/>		<input type="checkbox"/>
Anger management		<input type="checkbox"/>		<input type="checkbox"/>
Health education	<input type="checkbox"/>		<input type="checkbox"/>	
Decision-making	<input type="checkbox"/>		<input type="checkbox"/>	
Life skills	<input type="checkbox"/>		<input type="checkbox"/>	
Prostitution programme		<input type="checkbox"/>		<input type="checkbox"/>
GED-related class/programme		<input type="checkbox"/>		<input type="checkbox"/>
Individual counseling		<input type="checkbox"/>		<input type="checkbox"/>
Other _____	<input type="checkbox"/>		<input type="checkbox"/>	
Other _____	<input type="checkbox"/>		<input type="checkbox"/>	
Other _____	<input type="checkbox"/>		<input type="checkbox"/>	
Other _____	<input type="checkbox"/>		<input type="checkbox"/>	

15. Does your community court impose its mandates only after a defendant pleads guilty (typically as part of a sentence) or before a plea is taken?
- Post-plea only
 - Pre-plea only
 - Sometimes post-plea and sometimes pre-plea
 - Other scenario (please explain) _____
 - Not applicable – court does not handle criminal cases
16. Are non-community court participants (such as neighbourhood residents) allowed to access social services voluntarily that are provided through your community court?
- Yes
 - No
 - Not applicable – social services are not provided through the community court
17. Does your community court offer programmes that target specific groups of individuals? (Select ALL that apply and briefly describe.)
- Race/ethnicity _____
 - Gender _____
 - Sexual orientation _____
 - Socioeconomic status _____
 - Homeless _____
 - Other (please specify) _____
 - Other (please specify) _____
 - Other (please specify) _____

V. PURPOSE & GOALS

18. In your opinion, how is your community court most different from your local traditional court?
19. In your opinion, what are the most important goals of your community court?
20. Has your community court created a formal mission statement?
- No
 - Yes (please state below or attach to this survey)

VI. PERFORMANCE INDICATORS

21. To gain a better understanding of the performance indicators utilised in your court, it would be extremely helpful for us to obtain a copy of a 2006 year-end summary report – a statistical summary or report produced for internal monitoring purposes, funders, etc. **Please attach your report(s) to this survey or e-mail separately to dkarafin@courts.state.ny.us.**

If a 2006 report is not available, but a report for some other timeframe is available, please attach it and indicate the timeframe for which your report applies (e.g. 1st quarter, 2007).

If your court does not produce a quarterly, semi-annual or annual report, please fill in the appendix now on page 16. Then please return to page 11 to complete the survey.

22. I have (please check one):

- Attached a summary report(s) to this survey
- E-mailed a summary report(s) to dkarafin@courts.state.ny.us
- Completed the table in the appendix on page 16

23. If you attached a report, for each of the main indicators highlighted in it, please note whether there is a benchmark or goal that applies (e.g., a specific compliance rate that you are aiming to achieve; a specific number of community service hours performed, etc.).

24. What is the most persuasive argument you use to promote your project?

25. In your opinion, what are the top three specific and quantifiable results indicating the success of your community court?

1.

2.

3.

VII. OTHER COMMUNITY COURT POLICIES AND PROCEDURES

26. Do you conduct an intake interview with defendants/litigants?

- Always
- Sometimes
- No

27. Do you conduct an assessment of your defendants/litigants for social services (separate from the intake interview and more in depth, assessing multiple areas of functioning)?

- Always
- Sometimes
- No

28. *If you checked yes to either of the two questions above:*

Does your court use the information garnered from the intake interview and/or assessment to tailor mandates to the defendant/litigants' specific situation?

- Yes
- No
- Not applicable (checked 'no' to both #26 and #27)

29. Has your court conducted any staff trainings in the last 24 months that explicitly address issues of diversity? (Select ALL that apply)

- No
- Yes (please select ALL areas that have been covered in the training(s))
 - Race/ethnicity
 - Gender
 - Sexual orientation
 - Socioeconomic status
 - Homeless
 - Other (please specify) _____
 - Other (please specify) _____
 - Other (please specify) _____

VIII. COMMUNITY ENGAGEMENT

30. Does your community court do any of the following in relation to the local community? (Select ALL that apply)

- Maintain a community advisory board
- Involve community members in administering sanctions
- Offer community members the opportunity to interact with offenders
- Invite community members to recommend specific community service projects
- Provide volunteer opportunities (please specify) _____
- Make court space available for community meetings
- Change court policies in response to community feedback
- Have court staff attend community meetings
- Hold community forums
- Hold open houses
- Give presentations at public meetings or agencies
- Perform community surveys
- Other (please specify) _____
- Other (please specify) _____
- Other (please specify) _____

If your court has a community advisory board, please answer the next question. If not, please skip to question # 32.

31. How often does your Community Advisory Board meet?

- Weekly
- Monthly
- Quarterly
- Semi-Annually
- Annually
- Other (please specify) _____

IX. ACCOUNTABILITY AND EVALUATION

32. Are any defendants/litigants required to report to the court periodically for compliance monitoring?
- Yes
- No
33. Does the court typically impose further sanctions in response to noncompliance?
- Yes – at first noncompliance report
- Yes – at second noncompliance report
- Yes – after multiple chances
- No
34. Are defendants told about a specific jail alternative for noncompliance at sentencing (i.e. how many days in jail they will receive if they fail to complete the mandate)?
- Yes
- No
- Not applicable – my court does not have a criminal caseload
35. Has a formal evaluation been conducted on your community court?
- Yes (If possible, please attach to this survey, e-mail separately to dkarafin@courts.state.ny.us, or provide a citation)
- No
36. What problems has your community court faced through the course of planning, operations, etc.? What lessons have been learned from your experiences, if any?

Thank you for taking the time to complete the survey!

APPENDIX

This table is designed for courts with a criminal caseload. If your court does not have a criminal caseload, please return to page 11 to complete the survey.

Indicator	2006 Results	Benchmark/Goal/Target
A. Number of cases processed by your community court	Give # of all cases processed	
B. Cases mandated to community service only	Report either # or % of all cases	
C. Cases mandated to social or treatment services only	Report either # or % of all cases	
D. Cases mandated to a combination of community service plus social or treatment services	Report either # or % of all cases	
E. Cases sentenced to jail	Report either # or % of all cases	
F. Cases dismissed	Report either # or % of all cases	
H. Case processing time (please specify how you measure – e.g. # days between arrest and arraignment)	Report average time	
I. Number of community service options (e.g. # of possible community service crews available for offenders to join)	Report # options	
J. Number of hours of community service performed	Report # hours	
K. Community service completion rate	Report % completing	
L. Social or treatment service completion rate	Report % completing	
M. Average length of community service mandate	_____ (please specify unit, such as days, hours, etc.)	
N. Average length of social or treatment service mandate	_____ (please specify unit, such as days, hours, etc.)	
O. Per cent of cases re-arrested within one year of programme mandate	Give %	
P. Per cent of cases re-arrested for programme participants versus similar non-programme participants	_____% of programme participants _____% of similar non-participants *please specify how sample of non-participants was acquired:	
Q. Other important outcomes your court tracks? (please specify)		

APPENDIX B TOP INDICATORS OF COMMUNITY COURT SUCCESS

Top Indicator 1

- 19–23% recidivism rate
- 70% or more of defendants successfully comply with their community service sentences. The court has a 'no extension policy' on time allowed for sentence completion.
- 86% of defendants complied to alternative sanctions in 2007.
- An increase in the caseload which indicates a desire by the agencies that bring the cases to work with the court.
- Approximately 2000 hours of community service performed in the **** neighbourhood.
- Bridging the gap to services that are available but not easily accessible with the assistance of the court's case management staff.
- Compliance rate with community-based sentences.
- Crime is down by 75% since planning and 13% in the last year.
- Decentralisation of criminal justice services. As stated above probation officers and prosecutors are assigned to each office in specific communities. They attend meetings and communicate with the police and community daily.
- Does the community court have a meaningful caseload?
- Engagement with the local community resulting in improved community confidence. The **** is developing policy on community engagement, drawn from their community courts, which is to be rolled out to all magistrates' courts by the end of 2008.
- Highly efficient court processes through partnership working. The effectiveness of the court

processes at the **** has been recognised by the Government. A programme of change has been developed, based on the work of ****, to roll out improved processes across all magistrates' courts by the end of 2007.

- In the last three we have over 60 individuals that are now productive members of society.
- Increase in the amount of community service hours awarded.
- Number of cases dismissed because community service completed/person corrected situation/ or social services completed.
- Number of community service hours ordered and number of community service hours completed.
- Number or percentage of litigates who chose to participate in the Community Court versus traditional court.
- Numerous problem properties have been brought up to code and cleaned up.
- The fact that 429 clients have completed long term D & A treatment in a little over 5 years, even though participation in treatment is voluntary for most clients.
- The number of community service hours spent on litter control is certainly quantifiable, and boasts an over 80% compliance rate.
- The total hours of community service given back to the city.

Top Indicator 2

- But use of services by community groups.
- Dollar value of community service performed.
- 40% or more of defendants successfully comply with court ordered substance abuse treatment.
- An increase in the amount of community service hours completed.
- Are the defendants appearing for court when required?
- Arrest to arraignment time is 17 hours or less; below traditional court time of 30 hours.
- Engagement with the local community. The Government recognises the value of community engagement by the court and by the judiciary. The **** is developing policy on community engagement, drawn from their community courts, which is to be rolled out to all magistrates' courts by the end of 2008.
- High rate of voluntary youth involvement.
- In terms of compliance, the **** Anger Management programme is our most successful with more than 9 of 10 successfully completing the six 90-minute classes.
- Individuals leave courtroom knowing if matter not dismissed it was his/her fault as A.G. office will dismiss if person fulfills requirements.
- Institutionalisation of community service as a court sanction. The STS Programme provides an 8-3 pm workday for offenders on a community-based project. It now serves thousands of offenders in both adult and juvenile court. It has also expanded to the violations bureau where traffic offenders can use it to work off fines.

- Neighbourhood leaders contact my office and the Judge's office asking for help because they recognise the success of the Court in dealing with quality-of-life issues.
- Number or percentage of litigates who complete mandated community and social service hours.
- Property owners have realised if they don't comply, repeated trips to court and increased sanctions will result.
- Recidivism rate between 2–4% compared to national averages in excess of 20% (note: national average based on all crimes, our rate is misdemeanants.)
- Reduce recidivism
- Reduction in re-offending. Achieved through effective provision of appropriate support services to offenders and swift action to address non-compliance issues through enforcement, breach court, Section 178, etc.
- Success of defendants ordered to complete sanctions (CSW, Social Service Programmes) as part of their agreement through the community court. The majority of our programmes have a compliance rate of over 85%.
- Survey results indicate improvement of several neighbourhood concerns, including public drug selling, public drinking, littering, loitering and solicitation for prostitution.
- The number of hours of community service completed.
- Total fines given back to the city.
- We have over 1000 people a year walk in for services.
- We have recently graduated six individuals that have been drug free for one year.

Top Indicator 3

- **** is seen as independent, so have been used to facilitate community matters on issues.
- Approximately 93% of defendants who completed the Theft Accountability Class for first-time offenders did not re-offend (2006 figure).
- Are the defendants successfully meeting their obligations to the court (performing community service, participating in recommended social service programme).
- Cities can rely on consistent handling of cases.
- Community residents think the **** works. Last survey gave a 75% favourable rating.
- Court has been replicated throughout NYS and inspired many throughout the world. (4). Arrests for prostitution and illegal street vending reduced after court's inception.
- Empowerment of the community. Each section of the city now has a restorative justice programme that serves first or second time offenders. It involves a community conference, community service and sometimes therapy. Chronic offenders are identified and published to the community with their pictures on CLEAN lists. Citizens are aware of court conditions and can contact the police if they observe these conditions being violated.
- Enforcement (including breach court, Section 178, warrant exclusion, timeliness).

- Enhancement of the community through community service that's being performed by the defendants.
- Highly effective through partnership working with criminal justice agencies and other partners. This success has led to **** now expanding Community Justice across the City making **** the largest Community Justice area in ****. The partnership working has also led to **** being selected as the area to trial other initiatives such as Conditional Cautioning and Criminal Justice – Simple, Speedy, Summary.
- It may seem odd to say, but the amount of money collected in court costs. It is an indication that these cases no longer are falling through the cracks in the system. [Added 4th Indicator] 4. The enthusiasm and support of our Community Advisory Panel.
- Number or percentage of community court participants who indicate on post-participation survey that community court was a good choice for them, that programme participation will keep them from committing additional crimes, and who rate the programme as very good.
- Other communities are requesting that a court start operating in their area because they see the success of this court.
- Over 30 000 hours of community services have been performed in the community. Using a moderate wage of even \$8.75/hour, this contribution is worth \$262 500. OR 3. Former defendants keep in touch with us, grateful for our assistance. We have clients with cases closed over seven years ago that are still functioning successfully in mainstream society. These are former addicts, convicted felons and homeless people.
- Percentage (and number) of programme graduates who seek voluntary services.
- Quick disposition of cases through the community court.
- Recently, the percentage of our clients actually taking the first step to improving themselves – GETTING AN EVALUATION FOR SUBSTANCE ABUSE OR FOR MENTAL HEALTH – has improved from just over 40% to just over 60%.
- Survey of Community Court participants: 100% of respondents said they are less likely to commit crimes in the future as a result of participation in the programme; 62.5% said the court helped improve their lives.
- Total number of defendants accepting the community court offer.
- We restore beauty to vacant lots and parks.

APPENDIX C PROBLEMS ENCOUNTERED AND LESSONS LEARNED

PROBLEMS IDENTIFIED BY RESPONDENTS

1. Problem: Convincing the citing officers that the offender should be cited into community court.
2. Problem: We need additional social service workers to expand the numbers of offenders we accept.

As a court that does family, criminal and housing, we had to be mindful of expectations and time tables. Adding something new always takes a lot of time to plan, train and develop systems.

Biggest challenge is navigating competing interests of stakeholders – some of our initiatives have been blocked or slowed by defense bar or DA...

*Funding and staffing. We've been very fortunate to have the full support of the **** District Attorney's office and the **** of Drug and Alcohol Abuse as well as the **** County Government which provided us initially with grants and funding to continue our operation. Unfortunately with retirements we will be forced to have to look to other areas for help in order to sustain our court.*

*Funding continues to be a problem for operating the community service van. We receive in-kind support from the City of **** for the use of the van, tools, etc. No concrete budget often poses problems when things break or need repair. The **** provides very little support in this area which makes for a delicate balance or relationship with the City of **** at times.*

FUNDING!!! Lack of respect within the Criminal Justice System – seen as fluff!

Getting all judicial components to buy into the concept equally.

In the beginning development of the community court was an uphill battle. Criminal justice departments had centralised their services and there was a huge resistance to going back out into the community. A majority of the bench was against it. Over the years many of these attitudes

have changed and community court has become part of the court structure. Placing the court itself out in the neighbourhood has not become a reality for two reasons: 1) The county board which funds court facilities is against it. 2) It would require a huge capital outlay to comply with department of corrections standards for processing prisoners.

Lack of resources (i.e. staff) and ability to obtain data.

Limited judicial resources – colleagues complain about ‘special calendar’. Defendants angry that government is intervening in ‘how they live’.

Petition-driven civil court setting very different than criminal setting where many problem-solving principles ‘grew up’. Restrictions/regulations regarding jurisdiction and ability of court to mandate anything other than rent payment etc.

Proper computerised tracking for outcomes on defendants.

Sometimes your presiding judge has traditional night court duty, which brings in visiting judges who don’t understand or don’t apply problem-solving model. Funding is a problem for our workforce development programmes.

Stakeholders not having the capacity/resources to do certain things.

The most significant problem is that of funding. Due to budget cuts in 2003 two of our community courts were moved out of their respective neighbourhoods and relocated. All community court partners agree that moving the two community courts out of their communities has had a significant negative impact, primarily the loss of persistent involvement of community members in the day to day operations of community court. Lack of funding also negatively impacts provision of vital social services to defendants!

Until one infiltrates the daily life ‘in the community’, one can not have a true understanding of their problems. Centres must be located in the midst of the culture it is serving.

LESSONS LEARNED AS IDENTIFIED BY RESPONDENTS:

- Best Lesson: Include all players at the planning table. This will help with buy-in!
- Communication and co-operation are mandatory for success.
- Judicial oversight – having a single judge enables greater consistency and accountability. Inter agency working – breaking down barriers between agencies to enable true partnership working. Working with the local community and putting in actions/policies with them which has been difficult as they are not a composite group. Getting them on board early is crucial. Its important to have governance structures in place from the start: a ‘senior responsible owner’ and each criminal justice agency represented on the project board – this ensures each key agency is doing their bit.
- Lesson: It is important to meet with the citing officers and commanders early to assure co-operation and support. Lesson: We have developed our relationships with social service providers (especially the person in charge) to increase understanding of our efforts
- Take more time to plan out operations and programme.
- Take more time with stakeholders to plan out operations.
- Tangible benefits – not only to the community through clean-up efforts, but also to the judicial system such as lessening caseloads, lowering recidivism – have to be emphasised loudly and

regularly to get positive reactions from both long-time judicial employees and from newcomers to court employment.

- The trick is knowing when (and how) to reach out to them and when to start something without drawing too much attention to it. Innovation can be 'strangled in the crib' if it's publicised too early, particularly in an adversarial system with a lot of distrust of new initiatives.

Endnotes

- 1 For more information on the 'action research' model, see: 1. 'Defining the Problem: Using Data to Plan a Community Justice Project' at www.courtinnovation.org/_uploads/documents/Defining%20the%20Problem.pdf or 2. 'Action Research: Using Information to Improve Your Drug Court' at www.courtinnovation.org/_uploads/documents/Action%20Research.pdf.
- 2 Community courts open for less than three months as of July of 2007 were excluded. Furthermore, given the underlying premise of the study, to provide the Open Society Foundation for South Africa with useful information to inform the development and adaptation of the community court model in South Africa, community courts in South Africa were also excluded from the study.
- 3 Physical and social disorder respectively contribute to 'physical' and 'social' manifestations of disorder in neighbourhoods, both of which may contribute to increased fear and perceptions of crime. Proponents of the 'broken windows' theory argue that neighbourhoods plagued with physical and social disorder engender an environment conducive to crime. For explanation of the 'broken windows' theory, see James Q. Wilson and George E. Kelling. 1982. 'Broken Windows: The Police and Neighbourhood Safety.' *Atlantic Monthly*. For detailed explanation of physical and social disorder, see Robert J. Sampson and Steven Raudenbusch. 2004. 'Seeing Disorder: Neighbourhood Stigma and the Social Construction of Broken Windows,' *Social Psychology Quarterly*.
- 4 In other contexts, 'violations' may also be known as infractions or ordinance violations.
- 5 Other case types not included in the close-ended question in the survey but identified by respondents include family cases (N=1), traffic cases (N=1), small civil claims (N=2) and anti-social behaviour civil orders (N=2).
- 6 The same court reported both a community and social service compliance benchmark of 100%. It is possible this respondent misunderstood the question. Instead of providing a realistic standard by which progress can be measured (the definition of a benchmark), this court may have reported an overarching goal.
- 7 See note above.
- 8 Percentages do not add up to 100% as some respondents elected to emphasise more than one 'most important' goal/objective for their court.
- 9 One respondent indicated a community service compliance rate of 100%. When excluding this case, the new mean community service rate is 79%, slightly lower than the mean calculated (82%). The distribution of responses is as follows: five respondents reported community service compliance rates under 80%, five reported rates between 80% and 90%, and three reported responses over 90%. This is self-reported data, and it is impossible to identify whether the data reflects respondent estimates or official court data.
- 10 One respondent indicated a social service compliance rate of 96%, which slightly skews the overall average calculated. When excluding this case, the new mean social service rate is 64%. The distribution of responses is as follows: three respondents reported social service compliance rates under 60%, two reported rates between 70% and 80%, and three reported responses over 84%. This is self-reported data, and it is impossible to identify whether or not the data reflects respondent estimates or official court data.
- 11 Two respondents provided re-arrest rates for both participants and non-participants. In both cases, the re-arrest rate for participants was lower than the re-arrest rate for non-participants.
- 12 Three respondents provided re-arrest rates for participants, of whom two provided comparative rates for a sample of non-participants. Hence, comparing the average rates for participants and non-participants, as generally outlined in the table, would lead one to incorrectly conclude that the data suggest re-arrest rates for community court non-participants is lower than that for participants. The mean re-arrest rate for participants is calculated using the data provided for three courts, while the mean re-arrest rate for participants is calculated using the data provided for two courts. As footnote 9 indicates, the two courts that provided data for both indicators, re-arrest rates are indeed lower for those who participated in the community court.
- 13 The author also recommends community courts track the basic indicators listed in the table of the Appendix of the survey instrument, as these are basic indicators of court operations, processes and impact useful for monitoring the overall performance of community courts.