

Court Pandemic Response and Recovery Grant Program Roundtable

Overview

SJI awarded twelve grants in 2020 to support projects that assist state courts in their response to, and recovery from, the COVID-19 pandemic. These ranged from professional training efforts, pilot projects to create or improve various court services, and evaluations of new and enhanced services. Many engaged court professionals and litigants directly to help assess the value of these efforts.

On March 16, 2022, SJI convened the grantees for a collaborative review of key insights emerging from these projects. In preparation for the virtual convening, SJI invited representatives from each grantee site to answer several questions about their projects and what questions or topics they were curious about or wrestling with. These responses helped to refine the interest areas for discussion during the roundtable, as well as the creation of project one-pagers that were shared in advance before the event.

Over 40 court and justice system professionals attended the event, which consisted of four small-group topical panels and two large-group discussions. After the roundtable, grantees were asked to complete a handful of questions, sharing feedback on the event and provide additional recommendations about needs in the field.

Collective Strategies

Several strategies emerged from the event that offer practical guidance for implementing these innovations across the United States, in addition to areas that require further evaluation.

Collaboration

Partnership and collaboration were one of the most cited cost-effective strategies that grantees said supported the implementation and assessment of their pandemic response practices. These collaborations included interdisciplinary teams of scientists informing evidentiary practices, and data engineers informing technology

"This would not have been possible if we did not include the city, city and district attorneys, the Police, and the Bar Association. It's why we have already received most of the funding for implementation."

informing technology



One project cited the benefits of having both an interdisciplinary team to guide the project, as well as a core "work group" assigned to specific tasks.

User Voice

User voice – or feedback – was another most cited strategy by grantees. Most projects leveraged some form of user voice or feedback from individuals most impacted by court pandemic responses. This included surveying parents about a new on-demand, online training option, user feedback from attorneys about a housing court data tool, roundtables with judges, and in-person and remote feedback from court users nationally. While one grantee perceived that court personnel's limited time and bandwidth may restrict involvement in surveys or similar tools, the general sense was that there is significant value in, and appetite for, inviting these perspectives, especially open-ended feedback.

"Involving and gathering input from all judicial officers and court employees (court-wide) were vitally important for getting buy-in and support for the new virtual practices. It was time-consuming but inclusive and beneficial."

Technology

Technology was an obvious influence during the pandemic, including nuanced applications used by grantees both as the focus of pandemic response evaluations, and within pilot project innovations. This included online court data tools, merging functionalities of existing e-filing services, virtual or online dispute resolution projects, online learning platforms for professionals' and court user trainings and real-time feedback tools.

Balancing Court Goals

Many project assessments yielded mixed results when viewed against a range of court goals. For example, the Texas "Use of Remote Hearings" project concluded that remote hearings improved the user experience for court users in select types of hearings and cases, while another project reached a similar conclusion but found that remote hearings took about one-third longer. Similarly, the Court Voices Project showed that court users valued the convenience of remote service options in many courts, but "convenience" for some users meant going to the courthouse. Other court users found value in the helpfulness of court staff in an in-person setting over remote alternatives.

Observations and Insights

The impacts of the pandemic on different courts and communities are ongoing and vary significantly across jurisdictions, a "diversity of impact," as one panelist said.

Grantees reported that the specifics of staff and judicial burnout – in addition to other "human impacts" – remain largely unknown and unaddressed. At a minimum, it is likely that significant technology and infrastructure barriers remain, not to mention the varied magnitude of case backlogs.

Plan for the unexpected. The best way to account for the unaccountable is to remain flexible and have open communication channels.

Courts were forced to become nimbler and more adaptable during the COVID-19 pandemic. As some roundtable participants observed that courts that

What's one way in which the pandemic presented a *barrier* to accessibility?

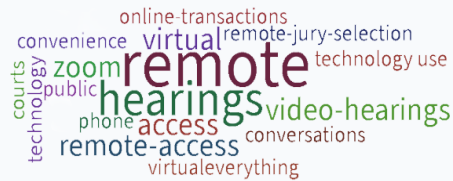


perceived the pandemic as a temporary condition were resistant in ways that impeded needed changes.

Courts are most effective and accessible when they offer choices.

Many grantees noted the importance of providing access in various ways, including virtual service options and more user-friendly methods to filing forms or getting questions answered.

**What's one way in which the pandemic helped courts to be
more accessible?**



User feedback should be collected routinely and considered essential when making policy decisions.

Grantees said that hearing from individuals directly was worth the investment. Feedback helped inform needed policy and practice changes, not to mention displaying court commitment to giving voice – a key tenet of procedural fairness.

Looking Ahead

“Surveying jurors, attorneys, interpreters, and employees to learn about their experiences with virtual practices proved very interesting and beneficial. The results will help the Court’s leadership make data-informed decisions about and improve future Court practices.”

There is still much to learn from how courts adapted during the COVID-19 pandemic, and how those lessons can inform future practice and policy. Early lessons suggest that collaboration within and among court systems and listening to a range of impacted voices will be key. While each jurisdiction’s challenges are inherently local, common court goals of access and fairness can be enhanced in various ways even during times of crisis. With diligence in documenting and sharing these lessons and innovations, the field will be better for it.

For ongoing information relevant to SJI’s investment in these areas, <https://www.sji.gov/priority-investment-areas/court-pandemic-response-and-recovery-grant-program/>.

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