

# Survey of Court Lawyers

## A summary of findings

**This paper summarises the results of the Survey of Court Lawyers. The research aimed to better understand lawyers' experience of services and facilities the Ministry of Justice provides, to help us improve our services and facilities.**

### Main Findings

Overall satisfaction with court services and facilities was high (76%), although satisfaction varied significantly between courts.

“Good” ratings for individual court facilities varied from 74% for the court rooms/hearing rooms to less than 50% for toilets and interview rooms.

Most lawyers (87%) were satisfied with the service they received at counters in general and 75% were contacted back the last time they left a telephone message.

Most lawyers (80%) usually felt safe at court.

Most lawyers (78%) used the main Ministry of Justice website to obtain information.

Some respondents raised concerns about some court facilities and aspects of service.

## The Ministry surveyed lawyers to understand their experience of the services and facilities provided at court

The Ministry of Justice is working to provide better, more accessible services. Part of this is asking people who use our services and facilities what they think. Information obtained by the 2011 Survey of Court Lawyers builds on that obtained in a survey of non-professional court users in 2010, in which 77% of court users were satisfied overall with the services and facilities provided at court (Ministry of Justice, 2010).

This survey of lawyers, including Police prosecutors<sup>1</sup>, was conducted by the Ministry's Research Team in late-November and December 2011. The data was collected in an online survey which invited lawyers who had been in a court building or to the Waitangi Tribunal in a professional capacity in the preceding 12 months to participate<sup>2</sup>. Lawyers were asked to respond about the court

<sup>1</sup> Lawyers and Police prosecutors are referred to as lawyers in the remainder of this paper.

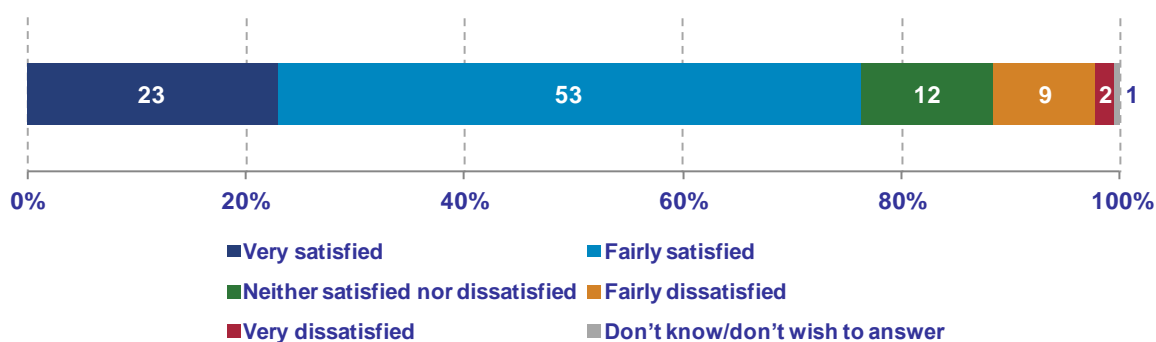
<sup>2</sup> The sample of lawyers was drawn from: lawyers email addresses on the Ministry of Justice database of legal aid providers, Public Defence Service lawyers, New Zealand Police Prosecution Service prosecutors, Crown Law prosecutors, Crown Solicitors, lawyers who had provided their email addresses to the court and were recorded in the Case Management System in the preceding 12 months and other lawyers responding to a news item published in the New Zealand Law Society Law Points email newsletter.

they visited most often.<sup>3</sup> Completed responses were obtained from 1,472 lawyers (39% response rate).

## The majority of lawyers were satisfied overall

Just over three-quarters of lawyers (76%) were satisfied overall with court services and facilities (Figure 1).

**Figure 1: Overall satisfaction with the services and facilities provided by courts<sup>4</sup>**



The top four factors found to contribute most to overall satisfaction<sup>5</sup> were the ratings of the court room/hearing room, satisfaction with counter service, the waiting area/area outside the court room and the competency of staff.

## Differences existed in overall satisfaction between courts

Responses from individual courts were compared with those of lawyers from all courts<sup>6</sup>. Significant differences<sup>7</sup> existed in the satisfaction of lawyers from different courts/clusters (Figure 2)<sup>8</sup>.

At higher courts, lawyers were more likely to be satisfied at the:

- Court of Appeal/Supreme Court (96%)
- Wellington High Court (95%).

<sup>3</sup> Responses from Christchurch lawyers generally reflect the conditions following the 22 February 2011 earthquake, although in their comments they provided feedback on the services and facilities both prior to and since the earthquake.

<sup>4</sup> Number of responses=1472.

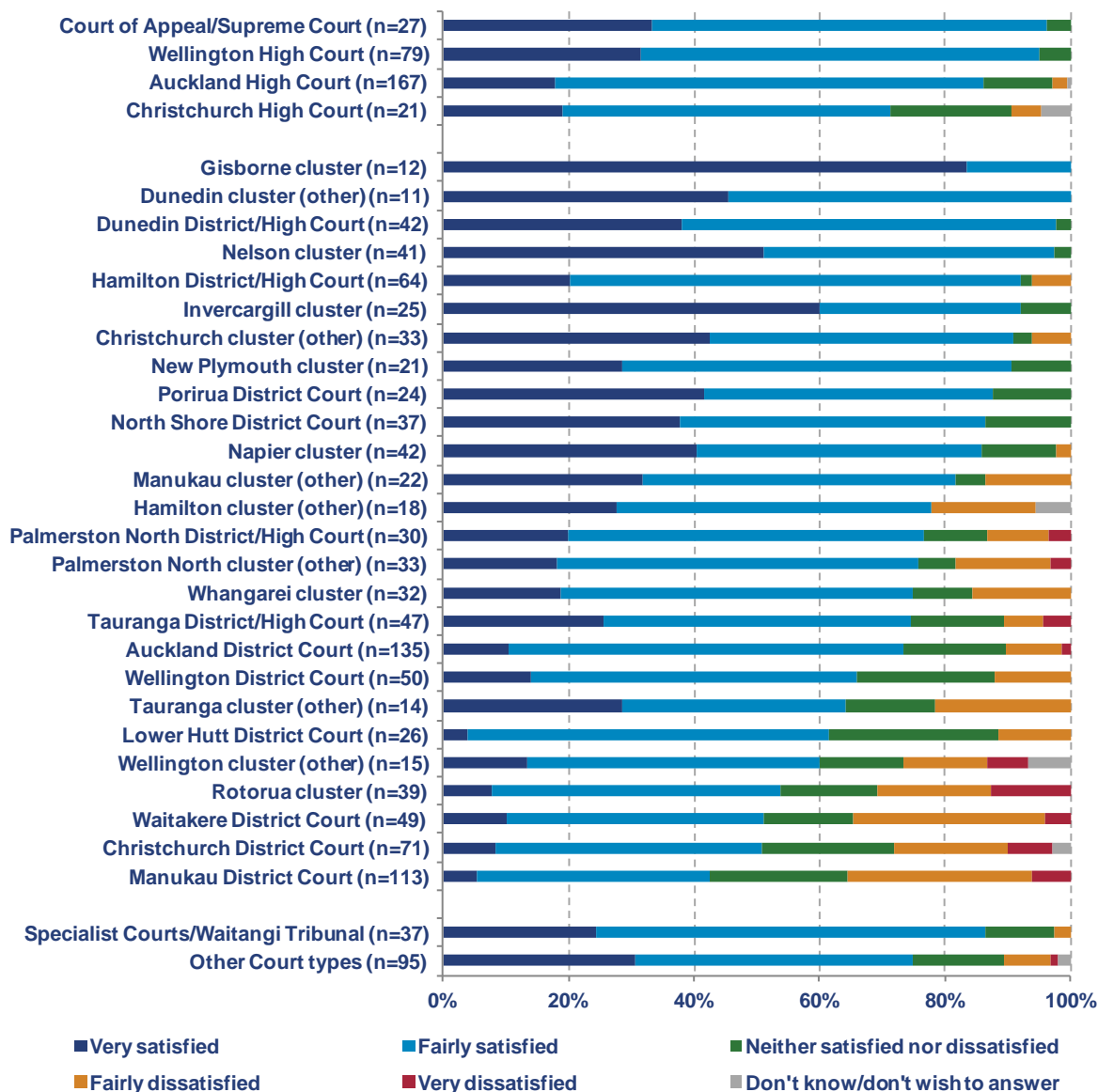
<sup>5</sup> Multiple linear regression modelling was used to predict overall satisfaction.

<sup>6</sup> Where the number of responses from individual courts was not large some District and combined District/High Courts were grouped into clusters. For example, in the Wellington region: Court of Appeal/Supreme Court, Wellington High Court, Wellington District Court, Lower Hutt District Court, Porirua District Court and Wellington cluster (other). The 'Other' category includes the remaining District Courts in the cluster: Masterton and Upper Hutt. The sample size of each court/cluster group is shown in (Figure 2).

<sup>7</sup> At the 95% confidence level.

<sup>8</sup> It should be noted that in the court/clusters with lower numbers of responses, any change in an individual's response results in a large percentage change (e.g. for the Dunedin cluster (other) one less satisfied response would decrease the percentage from 100% to 90%, compared to the Auckland High Court which has a much higher number of responses where one less satisfied response would result in a difference of less than 1%).

Figure 2: Overall satisfaction with services and facilities provided by courts, by court/cluster<sup>9</sup>



At District and combined District/High Courts, where satisfaction ranged from 42% - 100%, lawyers were more likely to be satisfied at:

- Gisborne cluster (100%)
- Dunedin cluster (other) (100%)
- Nelson cluster (98%)
- Dunedin District/High Court (98%)
- Hamilton District/High Court (92%)
- Invercargill cluster (92%)
- Christchurch cluster (other) (91%).

<sup>9</sup> The majority of the 'Other' court type responses related to the Family Court (n=74).

Lawyers were less likely to be satisfied at:

- Manukau District Court (42%)
- Christchurch District Court (51%)
- Waitakere cluster (51%)
- Rotorua cluster (54%).

## Court Facilities

Lawyers were asked about their satisfaction with aspects of court accessibility and facilities such as toilets, interview rooms and court rooms/hearing rooms<sup>10</sup>.

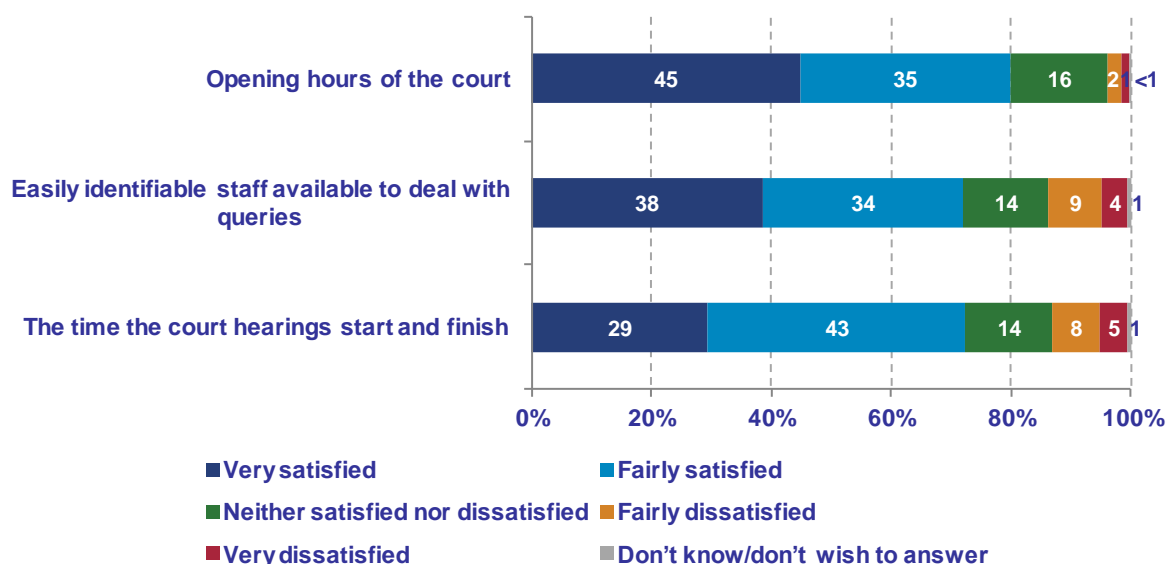
### The majority of lawyers were satisfied with court facilities

Overall, 62% of lawyers rated the facilities at the court they attended most often as good, but 12% rated them as poor.

### The majority were satisfied with aspects of court accessibility

Respondents were asked about aspects of court accessibility. Most lawyers (80%) were satisfied with the opening hours of the court buildings (Figure 3). 72% were satisfied with the time the court hearings start and finish, however, 13% were dissatisfied. 13% were also dissatisfied in relation to there being easily identifiable staff available to deal with queries.

Figure 3: Satisfaction with court accessibility<sup>11</sup>



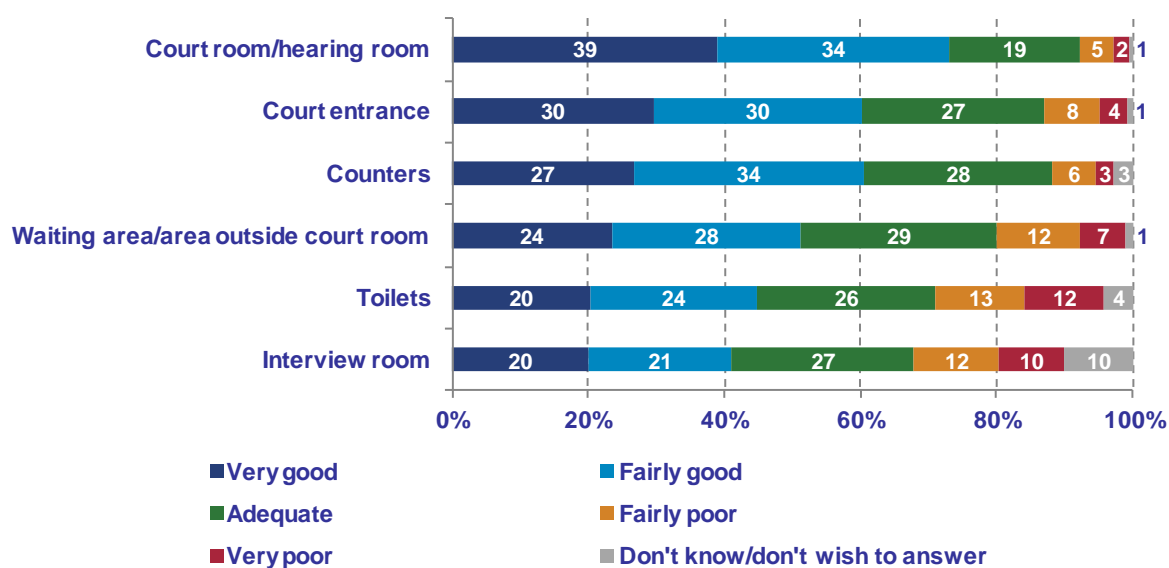
<sup>10</sup> Questions on facilities were asked of respondents who indicated they had frequented a District Court, High Court, Environment Court, Employment Court, Māori Land Court, Coroners Court, or the Court of Appeal or Supreme Court. Respondents who selected the Waitangi Tribunal or 'Other' court were not asked these questions due to the variety of court, tribunal, and hearing locations possible.

<sup>11</sup> Number of responses=1368.

## Ratings of different court facilities varied

When lawyers were asked to rate the facilities at the court, the court room and hearing rooms received the highest proportion (73%) of good ratings (Figure 4). Less than half considered the toilets (45%) and interview rooms (41%) were very or fairly good.

Figure 4: Rating court facilities<sup>12</sup>



## Lawyers had some concerns with the court facilities

Although the majority of lawyers were satisfied with the facilities, when asked, many gave feedback on their specific concerns with the facilities provided in court buildings.<sup>13</sup>

These included:

- availability of facilities for lawyers and Police staff
- availability of interview rooms
- cleanliness, availability and safety of toilets
- availability of technology in court rooms
- waiting areas which are congested, unclean and sometimes unsafe for opposing parties
- entrances which allow intimidation and can be congested when security screening occurs.

The temporary facilities in Christchurch following the 2011 earthquakes were also of concern to some of the Christchurch lawyers who responded.

<sup>12</sup> Number of responses=1368.

<sup>13</sup> Lawyers were specifically asked to provide feedback on the aspects of court services and facilities they were concerned with, so that these could be addressed. Some lawyers also provided unsolicited positive feedback about individual staff members, service and facilities.

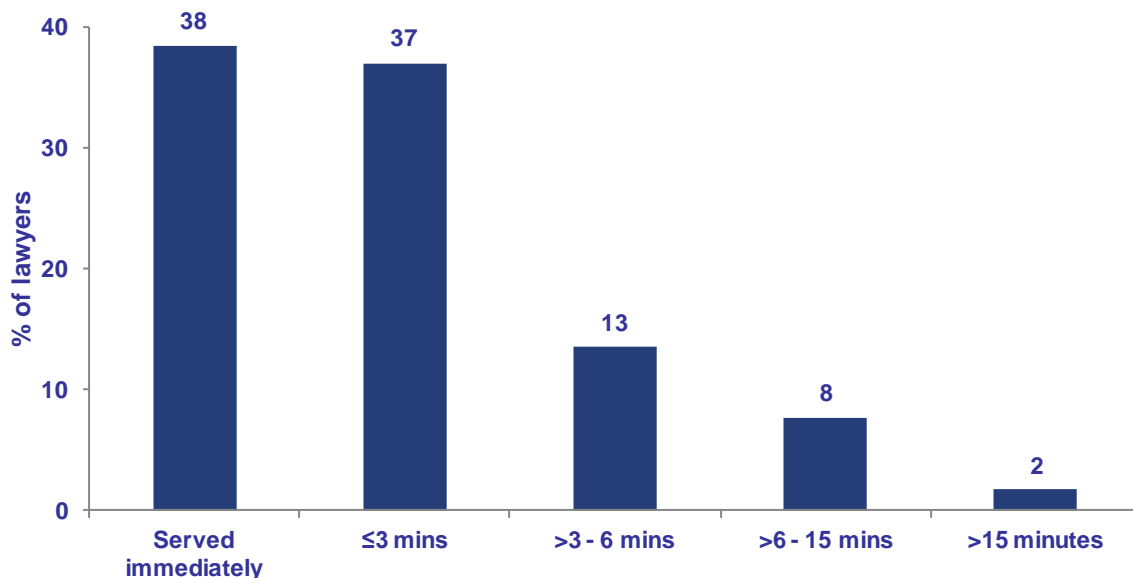
## Services provided by courts

Lawyers were asked about their experience of counter and telephone service, and correspondence by email and post, in addition to the standardised Core Measurement Tool service delivery questions.

### Most were satisfied with service at counters

Most lawyers (87%) were satisfied with the service they received in general when they went to a counter. Three-quarters (75%) said that the last time they went to a counter they were served within three minutes, although another 10% waited longer than six minutes (Figure 5).

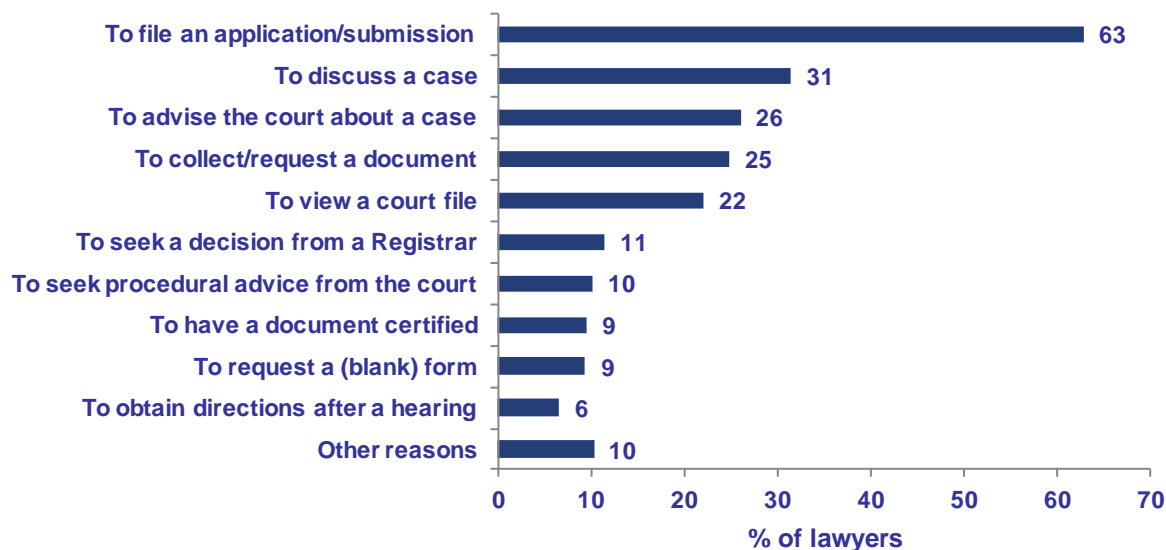
Figure 5: Waiting time to be served at a counter, the last time visited<sup>14</sup>



Lawyers usually go to a counter for a variety of reasons, the most frequent of which was to file an application or submission (63%) (Figure 6).

<sup>14</sup> Number of responses=1297.

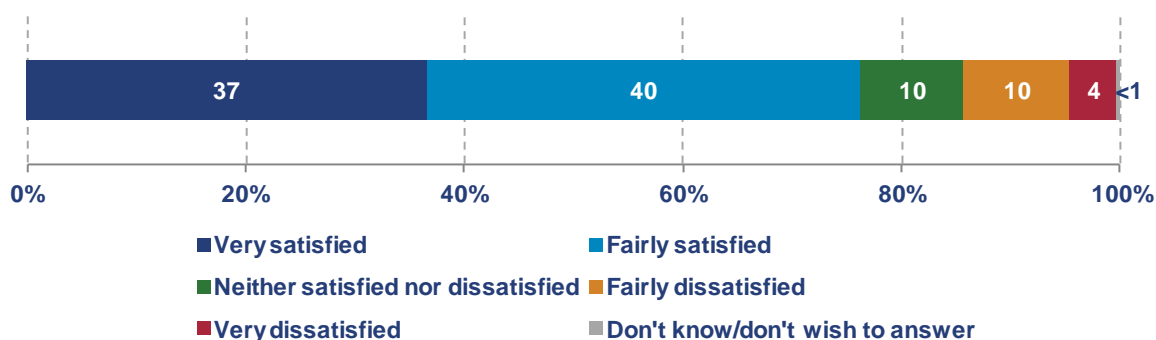
**Figure 6: Reasons for usually going to a counter<sup>15</sup>**



### The majority were satisfied with the telephone service

More than three-quarters of lawyers (76%) were satisfied in general with the way their telephone calls are dealt with (Figure 7).

**Figure 7: Satisfaction in general with the way telephone calls are dealt with<sup>16</sup>**



For 59% of lawyers, the telephone was answered promptly the last time they rang the court or registry<sup>17</sup>. However, for nearly a quarter of callers (24%) it went to answer-phone and for 16% it took a long time to be answered.

The last time they rang and spoke to someone, two-thirds of lawyers (68%) said the person answering was able to deal with their request. Only 8% said their call was not handled satisfactorily.

<sup>15</sup> Percentages do not add up to 100% because multiple responses were possible. Number of responses=1297.

<sup>16</sup> Number of responses=1439.

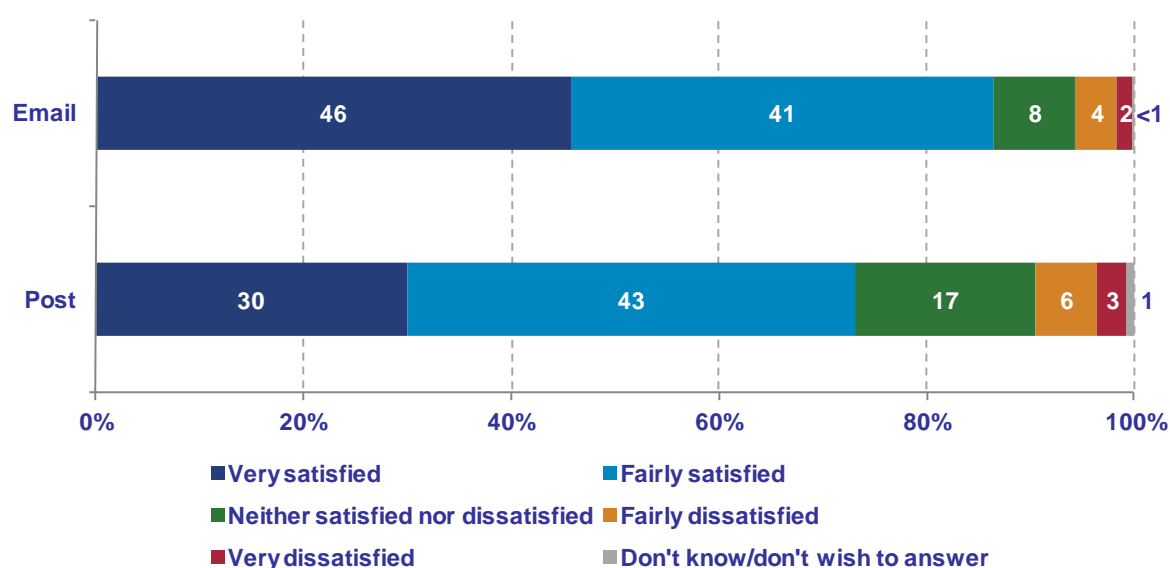
<sup>17</sup> Lawyers attending the Waitangi Tribunal were asked to respond about the Tribunal/Registry Unit in Wellington.

Three-quarters of lawyers (75%) who had rung and left a message said that the last time they left a message they were contacted back.

### Email was the preferred mode of written communication

Lawyers were more satisfied with the information or service they received from the court/registry by email (87%), than by post (73%) (Figure 8).

**Figure 8: Satisfaction with the information or service received from the court/registry, in general, by email and post<sup>18</sup>**



Of those using email, most (80%) were satisfied with the length of time it takes to receive a response, although 10% were dissatisfied. When asked which mode of contact they preferred, 88% of lawyers indicated they preferred email over post (8%).

### The majority of lawyers rated the quality of the service they received positively

The Common Measurement Tool (CMT) questions are a set of standardised service delivery questions which the State Services Commission encourages New Zealand public service organisations to use, so that their performance can be compared. The set of core questions relating to overall satisfaction, expectations and performance were included in this survey of lawyers.

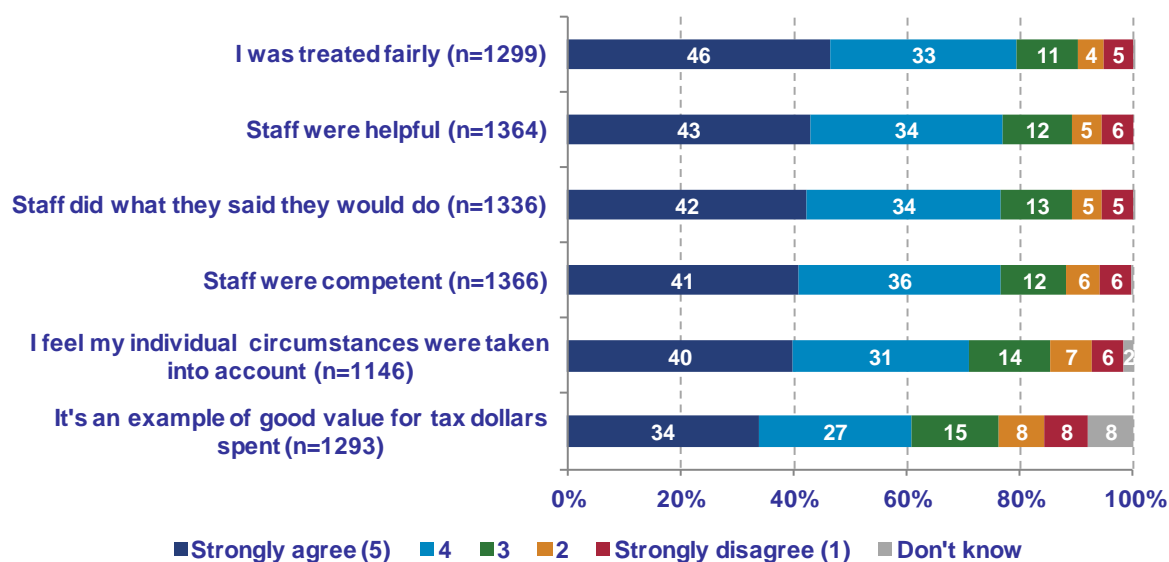
#### AGREEMENT RATINGS

The majority of lawyers agreed with the six CMT statements about the court staff they met the last time they were in court (Figure 9). Of these, being treated fairly (80%) had the highest level of agreement (scoring either 4 or 5 out of 5). Being an example of good value for tax dollars spent received the lowest level of agreement (61%).

<sup>18</sup> Number of responses=Email 1444; Post 1324.



Figure 9: Ratings of court staff (CMT questions)<sup>19</sup>



#### EXPECTATIONS OF SERVICE

The majority of lawyers (73%) expected a good (scoring either 4 or 5 out of 5) quality of service before they went to court. Looking back, 55% felt the service they received was better (scoring either 4 or 5 out of 5) than they expected, whereas 6% thought the service they received was worse.

#### OVERALL QUALITY OF SERVICE DELIVERY

Overall, 73% of lawyers were satisfied (scoring either 4 or 5 out of 5) with the quality of service delivered by court staff. This was comparable with the 74% satisfaction score given by non-professional court users interviewed in 2010 (Ministry of Justice, 2010).

### Lawyers had some concerns with court service

Some lawyers, when asked about any concerns they had, raised concerns about their interactions and the service they obtained from court staff. These included:

- telephone calls not being answered and phone and email messages not being responded to in a timely manner
- perceived low staffing levels at many courts which they felt resulted in stressed staff
- unhelpful staff
- administrative delays (processing documents, receiving files and obtaining orders).

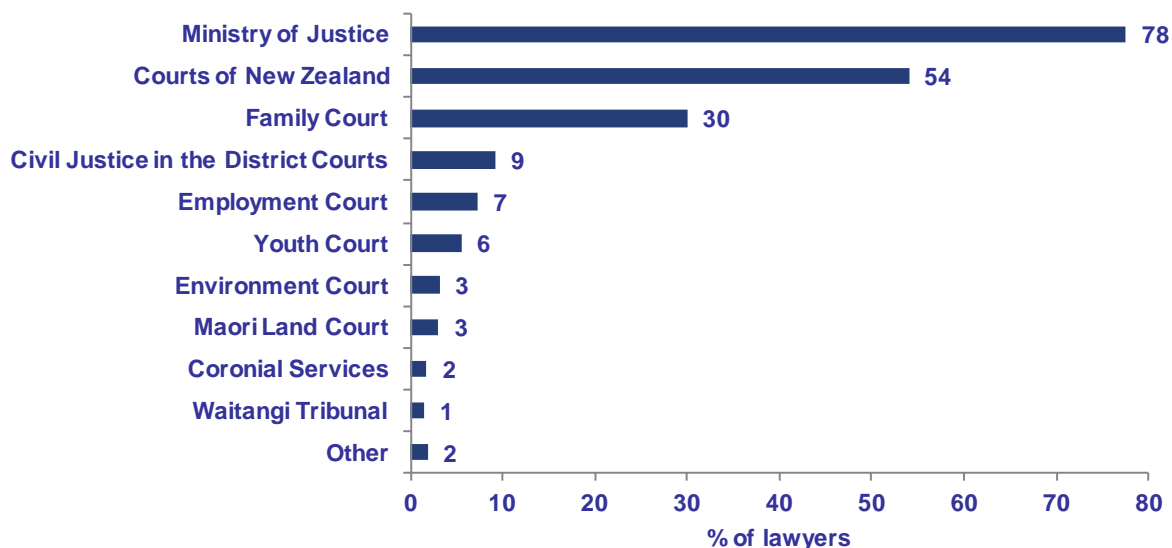
### Websites were used by most, for a range of purposes

Lawyers were asked to select from a list the Ministry websites they used to find information about courts/tribunals and their proceedings.

Most lawyers (78%) said they used at least the main Ministry of Justice website ([www.justice.govt.nz](http://www.justice.govt.nz)) (Figure 10). However, one in seven lawyers (14%) said they did not use any of the listed Ministry websites.

<sup>19</sup> Excludes results for those who thought the question was not applicable to them.

**Figure 10: Ministry of Justice websites used by lawyers<sup>20</sup>**

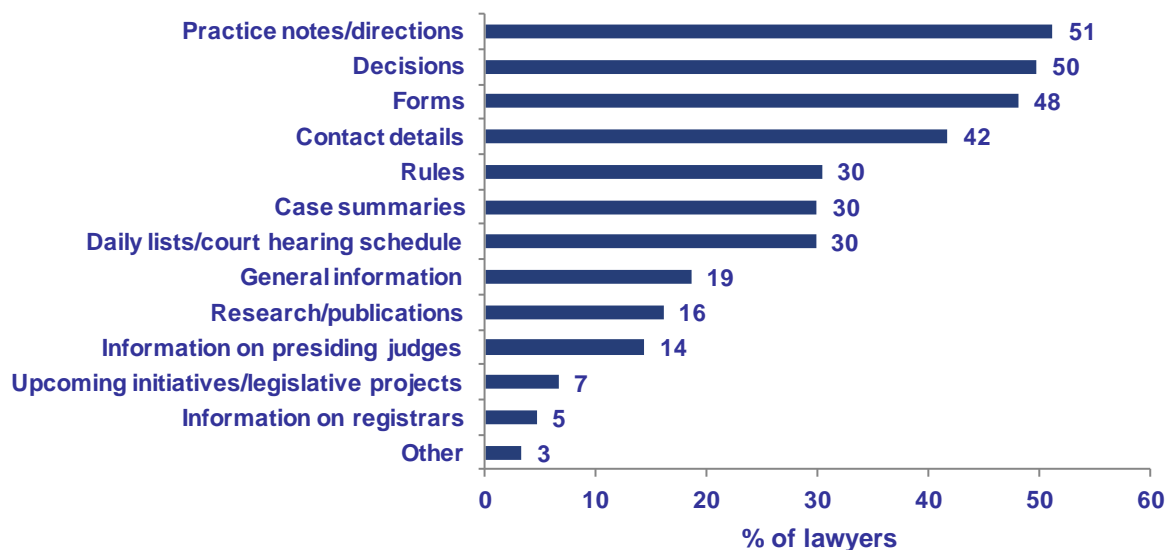


The most useful parts of the websites were said to be the practice notes/directions (51%), decisions (50%) and forms (48%) (Figure 11).

Lawyers were asked if there was any website content that could be added that would be helpful to them or their clients. The most frequent requests were for the websites to be more user-friendly, list better contact details, and to publish court lists and an increased number of decisions.

<sup>20</sup> In addition to the 14% of lawyers who did not use any of the websites, 1% did not know/did not want to answer. Percentages do not add up to 100% because multiple responses were possible. Number of responses=1472.

Figure 11: Useful website features<sup>21</sup>



## Safety and security at court

### Most lawyers usually felt safe at court

Most lawyers (80%) usually felt safe at court. However, 6% said they usually felt unsafe. Of these, the majority (76%) felt unsafe in the waiting area/area outside court rooms. Outside the court area (46%) and the court entrance (45%) were also cited as unsafe locations by nearly half of these respondents. Reasons for feeling unsafe included the type of people in the area around them (63%) and not enough security staff (46%).

### Lawyers has some concerns about safety and security at court

Lawyers, when asked about their concerns, expressed concerns for both their own safety and that of other court users. These included:

- security screening (requests for more screening in general, although many thought lawyers should not have to be screened)
- perceived limited presence of security staff
- scarcity of separate space and entrances for victims, witnesses and jury members
- features of building design including self-locking and windowless interview rooms and the layout of court rooms.

<sup>21</sup> Percentages do not add up to 100% because multiple responses were possible. Number of responses=1472.

## Concluding remarks

Overall, lawyers were positive about the services and facilities provided at court, with three-quarters of respondents satisfied overall, although there were substantial differences in the ratings of service and facilities across different court locations.

Overall, services received higher ratings than facilities. Some facilities received higher ratings than others, with toilets and interview rooms receiving the lowest ratings. Nearly three-quarters of lawyers were satisfied with the service they received from court staff.

When asked about concerns with services and facilities lawyers provided details of concerns relating to the courts they practised in.

## Methodology we used

The survey questions were based on the services and facilities questions used in the 2010 Court User Survey (Ministry of Justice, 2010), which included the standardised Common Measurement Tool questions about the quality of service. The survey asked lawyers about the court they most often visited, even though most lawyers would be familiar with more than one court. Some questions, where specific detail was required (e.g. waiting time), asked about lawyers last visit or interaction, while questions asked about their visits/interactions in general (e.g. overall satisfaction). The majority of questions were tick box style. Free-text questions were used to capture lawyers concerns with services and facilities, as the Ministry was interested in what it can do to improve these.

68% of responses were about lawyers' experiences at the District Court and 21% at the High Court. The majority of lawyers were familiar with the court buildings they responded about, with a quarter (28%) visiting four to five times a week and another third (34%) visiting one to three times a week.

### LIMITATIONS OF THE RESEARCH

The response rate for this survey was 39%, which is reasonably good for an online survey. However, the majority of court lawyers in our sample did not complete the survey so the results only reflect the experiences, behaviours and opinions of those who did. They may not be representative of court lawyers as a whole.

## Acknowledgements

We would like to thank the lawyers and Police prosecutors who shared with us their experiences of and concerns with court services and facilities.

## References

Ministry of Justice (2010). Understanding our Court Users: Court User Survey 2010. Wellington: Ministry of Justice. Available from: [http://www.justice.govt.nz/publications/global-publications/c/court-user-survey-2010/publication/at\\_download/file](http://www.justice.govt.nz/publications/global-publications/c/court-user-survey-2010/publication/at_download/file)