

**THE CENTER FOR COURT INNOVATION AND THE NATIONAL  
JUDICIAL COLLEGE  
Improving Courtroom Communication**

**Unpublished Instrument  
Evaluating Procedural Justice:  
Court Session and Appearance Observation Protocol**

**(First three pages are for the entire court session, next three pages are for  
each individual court appearance)**

Court # \_\_\_\_\_ Date: \_\_\_\_\_ Judge: \_\_\_\_\_ Observer: \_\_\_\_\_

**Evaluating Procedural Justice**  
**Courthouse and Session Observation Protocol**

Court #: \_\_\_\_\_ Date: \_\_\_\_\_ Judge: \_\_\_\_\_

Observer: \_\_\_\_\_ Observation Start/End Time: \_\_\_\_\_

**Questions 1-7 pertain to observations started at 8:30 am or 1:30 pm**

1. The court started on time (8:30 am or 1:30 pm)?
  - Yes
  - No
  - N/A
  
2. The Judge apologized for any delay in the starting of court (if there was a delay)?
  - Yes
  - No
  - N/A, there was no delay
  
3. The Judge or other court staff clearly explained court etiquette and rules at the beginning of the court session?
  - Yes
  - No
  - N/A
  
4. The Judge provided an explanation for the order in which cases would be called?
  - Yes
  - No
  - N/A
  
5. The Judge made eye contact with the audience upon entering the court?
  - Yes
  - No
  - N/A
  
6. The Judge introduced him/herself by name?
  - Yes
  - No
  - N/A

Court # \_\_\_\_\_ Date: \_\_\_\_\_ Judge: \_\_\_\_\_ Observer: \_\_\_\_\_

7. The Judge thanked audience members for their on-time appearance?  
 Yes  
 No  
 N/A
8. The court staff interrupted court proceedings to address audience behavior in the gallery (e.g. talking, sleeping)?  
 Yes  
 No
9. The Judge acknowledged the experience of defendants while waiting for their cases to be called (e.g. having to sit quietly, waiting for a potentially long period, etc.)  
 Yes  
 No
10. The Judge provided some overview of what might happen during various court appearances and how decisions would be made?  
 Yes  
 No
11. The Judge assured the defendants that all of the evidence would be considered before making any decision?  
 Yes  
 No
12. Overall, how helpful was the clerk or court officer to defendants between court appearances?  
 Very helpful       Somewhat helpful       Not too helpful       Not helpful at all  
 N/A, defendants did not approach court officer/clerk



Court # \_\_\_\_\_ Date: \_\_\_\_\_ Judge: \_\_\_\_\_ Observer: \_\_\_\_\_

Individual Case Observation					
	Cases				
<b>Docket Number:</b>					
<b>Custody Status (In/Out):</b>					
<b>Case Stage:</b>					
Purpose of court appearance (A, PT, PL, SE, O) <sup>1</sup>					
Case outcome (C, D, PL, SE, PLSE, O) <sup>2</sup>					
Type of sentence (I, P, R, F, CC, N/A) (outcomes are not mutually exclusive) <sup>3</sup>					
<b>General</b>					
1. Number of Minutes:					
2. Defendant sex: (Male/Female)					
3. The defendant requested an interpreter (Yes/No)					
4. There was an available interpreter in the courtroom (Yes/No/NA)					
5. There was not an available interpreter in the courtroom. The case was adjourned until the interpreter arrived (Yes/No/NA)					
6. There was not an available interpreter (Yes/No/NA)					
<b>The Judge: (Yes/ No)</b>					
7. Explained the purpose of today's court appearance					
8. Made eye contact with defendant					
9. Greeted defendant by name					
10. Engaged in direct conversation with defendant					
11. Read a script to the defendant					
12. Explained the legal terms he/she used					
13. Used colloquial English to explain case procedure and outcome					
14. Had all parties approach the bench w/o <u>defendant</u>					

<sup>1</sup> A= Arraignment, PT=Pre-Trial, PL= Plea, SE=Sentence, O=Other

<sup>2</sup> C=Continuance, D=Dismissal, PL=Plea, SE=Sentence, PLSE=Plea and Sentence, O=Other

<sup>3</sup> I=Incarceration, P=Probation, R=Restitution, F=Fine, CC=Court Costs, N/A=There was no sentence

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15. Explained why he/she requested that all parties approach the bench (Yes/No/NA)					
16. Showed favor towards the prosecutor (if yes, provide comment)					
17. Showed favor towards the defense attorney (if yes, provide comment)					
18. Asked defendant if he/she or attorney had anything else to say before decision					
19. Made eye contact when speaking to other court staff and attorney					
20. Asked defendant if he needs a short break to discuss decision with his/her lawyer					
21. Demonstrated respect towards defense attorney					
22. Demonstrated respect towards ADA					
23. Demonstrated respect towards other court staff					
24. Demonstrated respect towards the defendant					
25. Appeared impatient with either the defendant or court staff or both? (name one)					
26. Was intimidating to the defendant					
27. Was caring to the defendant					
28. Adequately described what was happening to the defendant					
<b>Answer the following questions only if there was a plea and/or sentence:</b>					
29. Demonstrated interest in the defendant's understanding of the plea allocution					
30. Adequately described what defendant must do to comply with court order/sentence					
31. Explained penalty for noncompliance					
32. Expressed an interest in defendant's success/compliance					
33. Asked defendant if he/she understood his/her sentence and/or next steps					
34. Asked defendant to repeat back his/her understanding of the sentence and/or next steps					
35. The defendant was provided written instructions about his/her sentence					
Additional Comments (see separate page)					

Court # \_\_\_\_\_ Date: \_\_\_\_\_ Judge: \_\_\_\_\_ Observer: \_\_\_\_\_

<b>Case #</b>	<b>Additional Comments</b> <b>(e.g. describe the courtroom environment, note if defendant did not understand plea and/or terms of sentence)</b>
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