

**Dallas Bar Association
Task Force on Racial and Ethnic Bias in the Courts
Court Personnel Survey**

Summary of Findings

Introduction

A written questionnaire was mailed to 575 Dallas court personnel during June of 2005. By the July 8, 2005 cutoff date for receipt of responses, 208 questionnaires had been returned. The survey's overall response rate and response by position in the court system are shown below.

| | <i>Number in Sample</i> | <i>Number of Responses</i> | <i>Response Rate</i> |
|-------------------|-------------------------|----------------------------|----------------------|
| Judge | 145 | 59 | 41% |
| Court coordinator | 48 | 33 | 69% |
| Court reporter | 64 | 28 | 44% |
| Court clerk | 98 | 23 | 24% |
| Bailiff | 85 | 30 | 35% |
| Other | 67 | 15 | 22% |
| Unknown | 68 | 20 | 29% |
| Total | 575 | 208 | 36% |

Opinions About the Number of Minorities Serving in the Dallas Courts (Question 1)

- Minority and non-minority court personnel differed in their satisfaction with the number of persons of color serving in all the positions listed in question 1, with minority respondents answering 'too few' significantly more often than did non-minority respondents.
- The most extreme differences occurred in opinions about the number of minority judges, followed by court appointed special masters, ad litem, mediators, and criminal defense counsel.

Opinions About the Number of Minorities Serving in the Dallas Courts (Question 1) (contd.)

- Minority and non-minority respondents were much less likely to differ in their opinions about the number of minority attorneys in Dallas with more than half of both groups indicating that the number was ‘about right.’
- Responses regarding the number of minorities—particularly minority judges—serving in the Dallas courts also differed by the respondent’s position in the court system. For instance, half or more of judges, court coordinators, and court clerks thought that the Dallas courts had ‘too few’ minority judges. Far fewer bailiffs (27 percent) and court reporters (39 percent) felt similarly.

Personal Observation of Adverse Racial/Ethnic Racial Discrimination by Dallas JUDGES (Question 2)

- Very few court personnel reported observing adverse racial/ethnic discrimination by Dallas judges over the past three years. More than three-quarters of the respondents answered ‘never’ for all the situations covered by question 2.
- Minority court personnel, however, were significantly more likely to report having observed adverse racial/ethnic discrimination by Dallas judges than Caucasian/Anglo personnel. This was true for all the situations listed in Question 2.
- More than half (56 percent) of minority respondents said they had seen judges discriminate against minority criminal defendants compared with just seven percent of Caucasian/Anglo respondents.

Personal Observation of Adverse Racial/Ethnic Racial Discrimination by Dallas ATTORNEYS (Question 3)

- The results for observed adverse racial/ethnic discrimination by Dallas attorneys are very similar to the results for discrimination by judges—while most respondents said they had ‘never’ seen such discrimination, minority personnel were significantly more likely to say they had observed at least some instances of such discrimination directed at all the parties covered by Question 3.
- As was the case with judges, the parties most often cited as discriminated against were minority criminal defendants.

Personal Observation of Adverse Racial/Ethnic Racial Discrimination by Dallas COURT PERSONNEL (Question 4)

- Once again, minority court personnel were significantly more likely than non-minorities to report having seen instances of racial/ethnic discrimination by other court staff.
- As was true in the cases of discrimination by judges and by attorneys, the most commonly observed targets of adverse racial/ethnic discrimination by court personnel were minority criminal defendants. This was true for both minority and non-minority respondents.

Personal Observation of Any Other Type of Adverse Discrimination in the Dallas Courts Over Past Three Years (Question 5)

- Overall, about one-fifth (19 percent) of the responding court personnel had observed other types of adverse discrimination in the Dallas courts over the past three years. Minority court personnel reported seeing such behavior far more often than Caucasian/Anglo respondents (28 percent vs. 15 percent respectively).
- Several non-minority court personnel reported observing 'reverse discrimination' where they felt minorities were given preferential treatment.

Personal Experience With Adverse/Racial Ethnic Discrimination In Dallas Courts Over Past Three Years (Question 6)

- When asked if they had personally been subject to adverse racial/ethnic discrimination in the Dallas courts over the past three years, 12 percent of the court personnel respondents answered "yes."
- One in five minority court personnel said they had been personally discriminated against compared with just seven percent of Caucasian/Anglo court personnel.

Overall Perception of Racial/Ethnic Related Bias in the Dallas Courts (Question 7)

- One quarter of all court personnel felt that there is **no** racial/ethnic related bias in the Dallas courts, but minority personnel indicated some level of bias significantly more often than non-minority court staff.
- Still, about two-thirds of Caucasian/Anglo personnel felt that such bias existed, but most of them thought it occurred in isolated cases. Almost 15 percent of minority respondents thought that racial/ethnic bias in the Dallas courts was widespread.

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Detailed Results

Presented below are overall results, results by minority/non-minority status, and results by position in the court system. Responses from minority respondents are not broken out by specific race/ethnicity due to insufficient cases (see table for Question 8 on page 14).

Q1: How do you feel about the number of African-American, Asian, Hispanic-Latino, and other racial/ethnic minorities in each of the following positions?

JUDGES serving in all Dallas courts * #

| Response Categories | All Court Personnel | Minorities | Non-Minorities | Judges | Court Coordinators | Court Reporters | Court Clerks | Bailiffs | Other |
|---------------------|---------------------|------------|----------------|--------|--------------------|-----------------|--------------|----------|-------|
| Too Few | 47% | 85% | 30% | 50% | 58% | 39% | 81% | 27% | 25% |
| About Right | 50% | 15% | 67% | 48% | 42% | 61% | 14% | 67% | 75% |
| Too Many | 3% | 0% | 3% | 2% | 0% | 0% | 5% | 6% | 0% |

* Response differences between minorities and non-minorities are statistically significant.
Response differences among the classes of court personnel are statistically significant.

Court appointed SPECIAL MASTERS, AD LITEMS, MEDIATORS, AND SIMILAR POSITION in all Dallas courts *

| Response Categories | All Court Personnel | Minorities | Non-Minorities | Judges | Court Coordinators | Court Reporters | Court Clerks | Bailiffs | Other |
|---------------------|---------------------|------------|----------------|--------|--------------------|-----------------|--------------|----------|-------|
| Too Few | 41% | 75% | 24% | 36% | 54% | 29% | 60% | 39% | 27% |
| About Right | 58% | 25% | 75% | 64% | 46% | 71% | 40% | 61% | 73% |
| Too Many | 1% | 0% | 1% | 0% | 0% | 0% | 0% | 0% | 0% |

* Response differences between minorities and non-minorities are statistically significant.

Q1: How do you feel about the number of African-American, Asian, Hispanic-Latino, and other racial/ethnic minorities in each of the following positions? (contd.)

COURT APPOINTED CRIMINAL DEFENSE COUNSEL in all Dallas courts * #

| Response Categories | All Court Personnel | Minorities | Non-Minorities | Judges | Court Coordinators | Reporters | Court Clerks | Bailiffs | Other Position |
|---------------------|---------------------|------------|----------------|--------|--------------------|-----------|--------------|----------|----------------|
| Too Few | 32% | 67% | 15% | 17% | 52% | 23% | 59% | 25% | 10% |
| About Right | 66% | 31% | 83% | 80% | 48% | 77% | 41% | 71% | 90% |
| Too Many | 2% | 2% | 2% | 3% | 0% | 0% | 0% | 4% | 0% |

* Response differences between minorities and non-minorities are statistically significant.
 # Responses differences among the classes of court personnel are statistically significant.

JURORS serving in Dallas *

| Response Categories | All Court Personnel | Minorities | Non-Minorities | Judges | Court Coordinators | Reporters | Court Clerks | Bailiffs | Other Position |
|---------------------|---------------------|------------|----------------|--------|--------------------|-----------|--------------|----------|----------------|
| Too Few | 32% | 60% | 21% | 25% | 38% | 23% | 45% | 37% | 33% |
| About Right | 66% | 38% | 77% | 73% | 62 | 73% | 55% | 60% | 67% |
| Too Many | 2% | 2% | 2% | 2% | 0% | 4% | 0% | 3% | 0% |

* Response differences between minorities and non-minorities are statistically significant.

ATTORNEYS in Dallas * #

| Response Categories | All Court Personnel | Minorities | Non-Minorities | Judges | Court Coordinators | Reporters | Court Clerks | Bailiffs | Other Position |
|---------------------|---------------------|------------|----------------|--------|--------------------|-----------|--------------|----------|----------------|
| Too Few | 32% | 40% | 29% | 47% | 42% | 8% | 40% | 11% | 17% |
| About Right | 64% | 52% | 69% | 53% | 58% | 88% | 50% | 79% | 75% |
| Too Many | 4% | 8% | 2% | 0% | 0% | 4% | 10% | 10% | 8% |

* Response differences between minorities and non-minorities are statistically significant.
 # Response differences among the classes of court personnel are statistically significant.

Q2: During the last three years, how often have you personally observed adverse racial/ethnic discrimination by Dallas JUDGES against any of the following groups?

| Groups | Mean Frequency Ratings *** | | | | | | | | | |
|--|----------------------------|------------|----------------|--------|--------------------|-----------------|--------------|----------|----------------|--|
| | All Court Personnel | Minorities | Non-Minorities | Judges | Court Coordinators | Court Reporters | Court Clerks | Bailiffs | Other Position | |
| Minority attorneys appearing in court * | 1.27 | 1.82 | 1.07 | 1.24 | 1.19 | 1.07 | 1.13 | 1.52 | 1.27 | |
| Minority parties in Federal court cases * | 1.13 | 1.62 | 1.0 | 1.00 | 1.13 | 1.00 | 1.00 | 1.60 | 1.00 | |
| Minority parties in state family court cases * | 1.36 | 1.88 | 1.14 | 1.35 | 1.56 | 1.00 | 1.00 | 1.43 | 1.00 | |
| Minority parties in state non-family civil court cases * | 1.13 | 1.38 | 1.02 | 1.00 | 1.23 | 1.08 | 1.00 | 1.17 | 1.25 | |
| Minority parties in state juvenile court cases * | 1.26 | 1.83 | 1.0 | 1.00 | 1.57 | 1.50 | 1.00 | 1.30 | 1.00 | |
| Minority parties in municipal court cases * | 1.41 | 1.89 | 1.11 | 1.36 | 1.00 | 1.50 | 1.17 | 1.78 | 2.00 | |
| Minority parties in justice of the peace court cases * | 1.29 | 1.77 | 1.08 | 1.19 | 1.33 | 1.00 | 1.29 | 1.00 | 2.00 | |
| Minority criminal defendants * | 1.47 | 2.33 | 1.12 | 1.17 | 1.27 | 1.40 | 1.75 | 1.72 | 1.71 | |
| Minority jurors or potential jurors * | 1.24 | 1.65 | 1.09 | 1.22 | 1.10 | 1.19 | 1.20 | 1.34 | 1.27 | |

*** Scale: Never=1, Seldom=2, Some of the Time=3, Often=4, Very Often=5 Higher means = more frequent observation of discrimination
 * Response differences between minorities and non-minorities are statistically significant.

Q3: During the last three years, how often have you personally observed adverse racial/ethnic discrimination by Dallas ATTORNEYS against of the following groups?

| Groups | Mean Frequency Ratings *** | | | | | | | | | |
|--|----------------------------|------------|----------------|--------|--------------------|-----------------|--------------|----------|----------------|--|
| | All Court Personnel | Minorities | Non-Minorities | Judges | Court Coordinators | Court Reporters | Court Clerks | Bailiffs | Other Position | |
| Minority attorneys appearing in court * | 1.35 | 1.67 | 1.24 | 1.44 | 1.38 | 1.35 | 1.67 | 1.38 | 1.18 | |
| Minority parties in Federal court cases * | 1.29 | 1.69 | 1.19 | 1.62 | 1.36 | 1.00 | 1.00 | 1.00 | 1.17 | |
| Minority parties in state family court cases * | 1.50 | 1.95 | 1.26 | 1.47 | 1.89 | 1.14 | 1.00 | 1.57 | 1.67 | |
| Minority parties in state non-family civil court cases * | 1.34 | 1.77 | 1.15 | 1.26 | 1.45 | 1.27 | 1.00 | 1.18 | 1.60 | |
| Minority parties in state juvenile court cases * | 1.36 | 2.00 | 1.05 | 1.17 | 1.60 | 1.20 | 1.00 | 1.38 | 2.00 | |
| Minority parties in municipal court cases * | 1.30 | 1.71 | 1.12 | 1.38 | 1.00 | 1.00 | 1.20 | 1.38 | 1.50 | |
| Minority parties in justice of the peace court cases * | 1.29 | 1.75 | 1.11 | 1.27 | 1.43 | 1.00 | 1.14 | 1.00 | 2.00 | |
| Minority criminal defendants * | 1.58 | 2.29 | 1.33 | 1.53 | 1.65 | 1.40 | 1.85 | 1.63 | 1.43 | |
| Minority jurors or potential jurors * | 1.44 | 2.00 | 1.25 | 1.56 | 1.26 | 1.58 | 1.33 | 1.48 | 1.18 | |

*** Scale: Never=1, Seldom=2, Some of the Time=3, Often=4, Very Often=5 Higher means = more frequent observation of discrimination
 * Response differences between minorities and non-minorities are statistically significant.

Q4: During the last three years, how often have you personally observed adverse racial/ethnic discrimination by Dallas COURT PERSONNEL against any of the following groups?

| Groups | Mean Frequency Ratings *** | | | | | | | | | |
|--|----------------------------|------------|----------------|--------|--------------------|-----------------|--------------|----------|----------------|--|
| | All Court Personnel | Minorities | Non-Minorities | Judges | Court Coordinators | Court Reporters | Court Clerks | Bailiffs | Other Position | |
| Minority attorneys appearing in court * | 1.32 | 1.83 | 1.12 | 1.18 | 1.28 | 1.33 | 1.32 | 1.53 | 1.27 | |
| Minority parties in Federal court cases * | 1.24 | 1.92 | 1.07 | 1.21 | 1.29 | 1.00 | 1.00 | 1.25 | 1.14 | |
| Minority parties in state family court cases * | 1.49 | 2.05 | 1.19 | 1.33 | 1.67 | 1.67 | 1.50 | 1.57 | 1.00 | |
| Minority parties in state non-family civil court cases * | 1.27 | 1.70 | 1.11 | 1.17 | 1.40 | 1.09 | 1.18 | 1.33 | 1.60 | |
| Minority parties in state juvenile court cases | 1.35 | 1.82 | 1.14 | 1.00 | 1.67 | 1.25 | 1.00 | 1.14 | 2.50 | |
| Minority parties in municipal court cases * | 1.53 | 2.17 | 1.12 | 1.54 | 1.00 | 1.50 | 1.43 | 1.56 | 2.50 | |
| Minority parties in justice of the peace court cases * | 1.40 | 2.00 | 1.12 | 1.27 | 1.29 | 1.00 | 1.43 | 1.00 | 2.33 | |
| Minority criminal defendants * | 1.52 | 2.11 | 1.29 | 1.31 | 1.39 | 1.62 | 1.85 | 1.52 | 1.57 | |
| Minority jurors or potential jurors | 1.18 | 1.49 | 1.08 | 1.09 | 1.08 | 1.19 | 1.13 | 1.37 | 1.27 | |

*** Scale: Never=1, Seldom=2, Some of the Time=3, Often=4, Very Often=5 Higher means = more frequent observation of discrimination
 * Response differences between minorities and non-minorities are statistically significant.

Q5: During the last three years, have you personally observed ANY OTHER TYPE of adverse racial/ethnic discrimination in the Dallas courts? *

| Response Categories | All Court Personnel | | Minorities | | Non-Minorities | | Court | | | Other Position | |
|---------------------|---------------------|-----|------------|--------------------|----------------|--------------|----------|----------------|--|----------------|--|
| | Yes | No | Judges | Court Coordinators | Reporters | Court Clerks | Bailiffs | Other Position | | | |
| Yes | 19% | 28% | 20% | 9% | 27% | 17% | 21% | 0% | | | |
| No | 81% | 72% | 80% | 91% | 73% | 83% | 79% | 100% | | | |

* Response differences between minorities and non-minorities are statistically significant.

Q6: During the last three years, have YOU personally been subject to adverse racial/ethnic discrimination in the Dallas courts? *

| Response Categories | All Court Personnel | | Minorities | | Non-Minorities | | Court | | | Other Position | |
|---------------------|---------------------|-----|------------|--------------------|----------------|--------------|----------|----------------|--|----------------|--|
| | Yes | No | Judges | Court Coordinators | Reporters | Court Clerks | Bailiffs | Other Position | | | |
| Yes | 12% | 20% | 9% | 9% | 15% | 13% | 13% | 0% | | | |
| No | 88% | 80% | 91% | 91% | 85% | 87% | 87% | 100% | | | |

* Response differences between minorities and non-minorities are statistically significant.

Q7: Which of the following statements best describes your overall perception of racial/ethnic related bias in the Dallas courts? * #

| Response Categories | Dallas Courts | | | | | | | | | |
|---|---------------------|------------|----------------|--------|--------------------|-----------------|--------------|----------|----------------|--|
| | All Court Personnel | Minorities | Non-Minorities | Judges | Court Coordinators | Court Reporters | Court Clerks | Bailiffs | Other Position | |
| There is none. | 25% | 9% | 32% | 20% | 30% | 18% | 23% | 29% | 42% | |
| Bias exists, but only in a few areas and involving a few individuals. | 45% | 27% | 53% | 59% | 39% | 48% | 32% | 36% | 33% | |
| Bias exists to a moderate degree, but is not widespread. | 16% | 25% | 12% | 17% | 12% | 15% | 14% | 32% | 8% | |
| Bias is widespread, but subtle and hard to detect. | 11% | 32% | 2% | 4% | 18% | 15% | 27% | 4%^ | 0% | |
| Bias is widespread and readily apparent. | 3% | 7% | 1% | 0% | 0% | 4% | 4% | 0% | 17% | |

* Response differences between minorities and non-minorities are statistically significant.

Response differences among the classes of court personnel are statistically significant...

Q8: What is your race-ethnicity?

| <i>Response Categories</i> | <i>All Court Personnel</i> | <i>Minorities</i> | <i>Non-Minorities</i> | <i>Judges</i> | <i>Court Coordinators</i> | <i>Court Reporters</i> | <i>Court Clerks</i> | <i>Bailiffs</i> | <i>Other Position</i> |
|----------------------------|----------------------------|-------------------|-----------------------|---------------|---------------------------|------------------------|---------------------|-----------------|-----------------------|
| African-American/Black | 21% | 67% | N/A | 5% | 24% | 19% | 65% | 25% | 7% |
| Asian/Pacific Islander | 0% | 0% | N/A | 0% | 0% | 0% | 0% | 0% | 0% |
| Caucasian/Anglo | 69% | N/A | 100% | 85% | 73% | 63% | 26% | 68% | 80% |
| Hispanic/Latino | 7% | 21% | N/A | 8% | 0% | 11% | 4% | 4% | 13% |
| Native American Indian | <1% | 2% | N/A | 0% | 0% | 0% | 0% | 0% | 0% |
| Other | 3% | 10% | N/A | 2% | 3% | 7% | 4% | 4% | 0% |

Q9: What is your gender?

| <i>Response Categories</i> | <i>All Court Personnel</i> | <i>Minorities</i> | <i>Non-Minorities</i> | <i>Judges</i> | <i>Court Coordinators</i> | <i>Court Reporters</i> | <i>Court Clerks</i> | <i>Bailiffs</i> | <i>Other Position</i> |
|----------------------------|----------------------------|-------------------|-----------------------|---------------|---------------------------|------------------------|---------------------|-----------------|-----------------------|
| Female | 64% | 78% | 58% | 31% | 94% | 89% | 96% | 40% | 73% |
| Male | 36% | 22% | 42% | 69% | 6% | 11% | 4% | 60% | 27% |

Q10: What is your position in the court system?

| <i>Response Categories</i> | <i>All Court Personnel</i> | |
|----------------------------|----------------------------|-----------------------|
| | <i>Minorities</i> | <i>Non-Minorities</i> |
| Judge | 31% | 39% |
| Court coordinator | 18% | 19% |
| Court reporter | 15% | 13% |
| Court clerk | 12% | 5% |
| Bailiff | 16% | 15% |
| Other | 8% | 9% |

Q10: Other Positions in the Court System

- Operations support specialist
- Secretary
- court auditor
- Assistant auditor
- supervising judicial clerk
- manager
- administrator
- chief probation officer
- case administrator/docket clerk
- Judicial assistant
- evidence registrar
- Court interpreter--spanish/english
- auditor
- interpreter
- judicial assistant
- judicial secretary
- Bookkeeper

Q11: In what court system do you work?

| <i>Response Categories</i> | <i>All Court Personnel</i> | <i>Minorities</i> | <i>Non-Minorities</i> | <i>Judges</i> | <i>Court Coordinators</i> | <i>Court Reporters</i> | <i>Court Clerks</i> | <i>Bailiffs</i> | <i>Other Position</i> |
|------------------------------|----------------------------|-------------------|-----------------------|---------------|---------------------------|------------------------|---------------------|-----------------|-----------------------|
| Federal | 18% | 9% | 21% | 18% | 32% | 11% | 5% | 0% | 47% |
| State family court | 8% | 11% | 6% | 13% | 10% | 0% | 16% | 0% | 0% |
| State non-family civil court | 21% | 24% | 20% | 23% | 26% | 33% | 21% | 18% | 0% |
| State criminal court | 27% | 30% | 25% | 21% | 10% | 44% | 32% | 46% | 7% |
| State juvenile court | 1% | 0% | 2% | 2% | 0% | 4% | 0% | 0% | 0% |
| Municipal court | 7% | 11% | 6% | 11% | 0% | 0% | 0% | 21% | 7% |
| Justice of the peace court | 6% | 6% | 6% | 5% | 7% | 0% | 16% | 4% | 13% |
| Other | 12% | 9% | 14% | 7% | 16% | 7% | 10% | 11% | 27% |

Q12: Are you fluent in any language other than English?

| <i>Response Categories</i> | <i>All Court Personnel</i> | <i>Minorities</i> | <i>Non-Minorities</i> | <i>Judges</i> | <i>Court Coordinators</i> | <i>Court Reporters</i> | <i>Court Clerks</i> | <i>Bailiffs</i> | <i>Other Position</i> |
|----------------------------|----------------------------|-------------------|-----------------------|---------------|---------------------------|------------------------|---------------------|-----------------|-----------------------|
| Yes | 10% | 18% | 7% | 14% | 3% | 11% | 5% | 3% | 20% |
| No | 90% | 82% | 93% | 86% | 97% | 89% | 95% | 97% | 80% |