

10th Judicial Circuit Court of Jefferson County, AL

Amnesty Week Interview Findings

APPEARANCE RATE PROJECT

December 2023

Executive Summary

The 10th Judicial Circuit Court of Jefferson County, Alabama (Birmingham Division) hosted an Amnesty Week in August 2023. The court invited community members to the courthouse, Monday through Friday, 9am-5pm, to resolve active warrants for missing court and address fines and fees. Anyone with a warrant for a missed appearance with an active case in the court for a non-violent felony or misdemeanor and/or outstanding fines/fees was able to see a judge and request relief. Every person who saw a judge during the event was able to have their warrant lifted, resolve their case, and/or have their fines/fees remitted or retaxed.

According to counts the court provided by email following the event, approximately 320 people saw a judge and received some form of relief during Amnesty Week, around 50 to 60 each day.¹ Fifty-eight interviews were conducted Tuesday, Wednesday, and Thursday, representing about a third of the people who attended on those days and just under 20 percent of total attendees for the entire event.

After seeing the judge, people leaving the courtroom were invited to answer questions about their experience. Each person was asked 10 questions, allowing for closed and open-ended responses. Their answers were typed into Google form and the results were analyzed in excel (see appendix for a detailed methodology). The following memo shares key findings from 58 interviews. These findings offer insight into local dynamics but are not generalizable and do not constitute a representative sample of all participants of Amnesty Week.

Key Findings

- **Almost everyone was very satisfied with Amnesty Week.** The vast majority—over 90 percent—of interviewees reported feeling very satisfied with their Amnesty Week experience. Half of respondents who thought the court should do something different would have liked municipal courts to be involved in the event.
- **Notification issues were the most common reason for missing court.** Most interviewees either received the wrong information, did not understand the information, or forgot and could have benefited from a reminder. Other common reasons respondents reported missing court could have been ameliorated by either the opportunity to reschedule, flexible court hours, or virtual court.
- **Warrants resulted in an array of collateral consequences, and usually resulted in an arrest.** Over half of the interviewees who had a warrant recalled at Amnesty Week had been booked into jail because of said warrant and some spent months in custody. All but four reported that simply having a warrant, whether it resulted in arrest or not, caused them emotional, social, and financial hardships.

¹ The total came from an email from the Judge leading the project based on a count of intake sheets completed by each participant.

Interview Findings

Satisfaction with the event

People who saw a judge received one or more types of relief: 35 had a case dismissed²; 27 had fines/fees remitted/retaxed, and 18 had a warrant recalled and a court date reset. Eighteen people received more than one form of relief. At least 4 received all three.

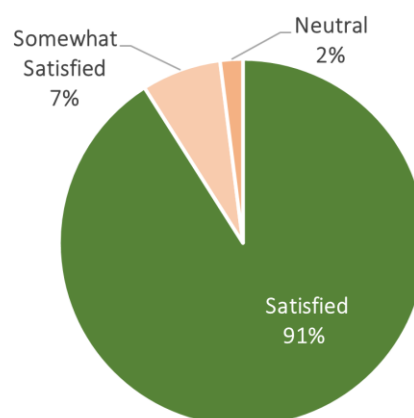
On a 5-pt scale ranging from 1 (“Very Satisfied”) to 5 (“Very Dissatisfied”), the vast majority of respondents (n=52, 91%) reported feeling “Very Satisfied” with their experience. A few individuals were “Somewhat Satisfied (n=4, 7%) and one felt Neutral (n=1, 2%). No one reported feeling “Dissatisfied” or “Somewhat Dissatisfied”.

One attendee described feeling “overwhelmed with joy,” after seeing the judge on duty. Another confided that the event meant a great deal because, “it is on my bucket list to clear all of my fines and fees and get my driver’s license.”

When asked whether the court should do anything differently if they do Amnesty Week again in the future, most people did not have suggestions for the court. Those that did tended to make suggestions in the following categories:

- **Include Municipalities/Bessemer (5):** These respondents had active cases/warrants/fines in local municipal courts and/or the Bessemer Division. They reported that their experience would have been better if they were able to address their other concerns at the same event.
- **Do it More Often (4):** Suggested that the event happen either every year or more than once a year.
- **Faster Process (3):** These respondents suggested having more than one judge reviewing cases at a time or creating separate events for people with different circumstances (i.e. one event for people with misdemeanors, another for fines/fees, etc.).
- **Better Promotion (2):** Both respondents reported feeling lucky that they found out about the event. One heard from a friend and one from the news. Both mentioned that there are probably a lot of people who would not have heard about it through those channels and may have missed out on the opportunity.

Satisfaction with Amnesty Week



² A dismissed case sometimes involved lifting a warrant, but not always. For instance, Judge Bell stopped issuing warrants for missed appearances related to minor traffic cases several years ago. Anyone who appeared for Amnesty Week to resolve a missed appearance from Judge Bell’s traffic docket likely had their license suspended but may not have had an active warrant.

Reasons for missed court appearances

Fifty interviewees reported having missed a court date. Each was asked to select one or more reason that most closely aligned with why they missed court. By far the most common reason people reported was that they did not know that they had a court date. The reasons they missed court, ranked from most common to least, is as follows:

Rank	Reason	Percent	Count
1	"Didn't know I had a court date"	24%	12
2 (TIE)	"Forgot"	14%	7
2 (TIE)	"Couldn't get off work"	14%	7
3	"Couldn't get a ride or take public transportation"	12%	6
4	"Confused about where to go or when"	10%	5
5	"Scared of being taken into custody or ordered to pay fines/fees"	8%	4
6	"Medical emergency"	6%	3
7 (TIE)	"At a municipal court date"	4%	2
7 (TIE)	"Couldn't get childcare"	4%	2
8 (TIE)	"In jail"	2%	1
8 (TIE)	"Overwhelmed by frequency of Drug Court appearances"	2%	1

The 17 people who answered either "didn't know I had a court date," or "confused about where to go or when" were also asked to explain a little more about the circumstances of their missed appearance. A few themes were common across their answers:

- **Notices not delivered (12):** Most people did not know they had a court date because they never received a mail notification. Several struggled financially during the pandemic and found it difficult to maintain a stable residence. As one respondent phrased it, updating their address with the court just "wasn't a priority" compared to other pressing responsibilities. This group also includes people who did not receive accurate information from the jail: None of them received hearing information in the mail following their release.
- **No information or incorrect information from jail (5):** Two people reported receiving no information from the jail upon release, three received incorrect information. None of these respondents reported receiving any type of follow-up in the mail. One tried to follow the instructions on the jail form by calling the Clerk's Office but could not get through to anyone.
- **Traffic ticket (5):** Most people did not recall seeing any information on their traffic ticket about a court hearing. One person reported that the wrong date was listed on their ticket, another went to the wrong place because they did not see a location on their ticket.

Consequences of missed appearances

All interviewees, including those who had never had a warrant issued, were asked if they had ever been booked into the Jefferson County Jail because of a warrant for a missed court appearance. Forty-three percent of all interviewees said yes or reported being unsure.³

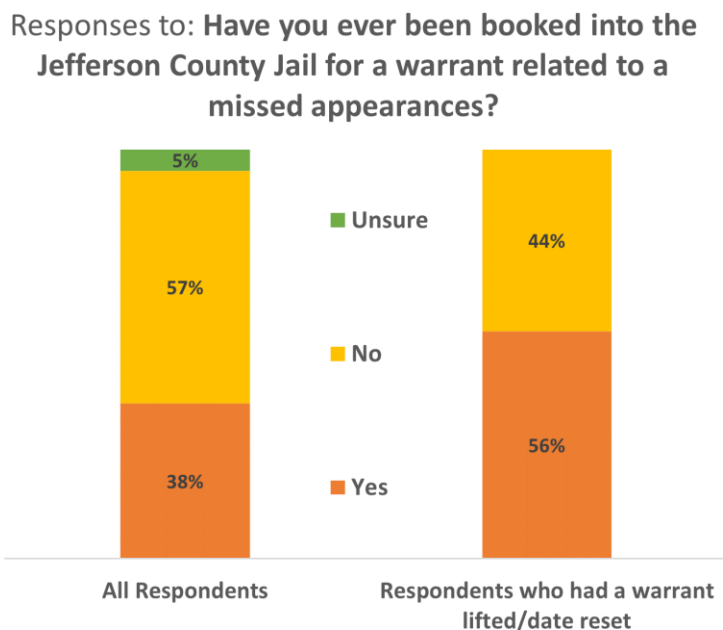
A significantly greater portion—fifty six percent—of the 18 interviewees who had a warrant recalled and a court date reset responded yes. This is likely a more accurate estimate of the share of missed appearance warrants resulting in arrest.

Some of those who had been arrested spent a significant amount of time sitting in jail; they were not simply booked in, given a new date, and allowed to bond out. **Several**

people reported spending between two weeks and three and a half months in jail on missed appearance warrants. One person was booked into jail for a missed appearance (he missed court because he never received a hearing notification), and reported that, upon release, they were still not given any hearing information from the jail, even though that was ostensibly the reason for arrest.

Arrest, however, is not the only consequence interviewees reported experiencing because of missed appearances and warrants. The following themes were most prevalent in the responses:

- **Financial hardship (25):** Almost everyone who reported experiencing consequences of a missed experience referenced how much money it cost them in several different ways:
 - o **Employment:** License suspensions, warrants, and arrests often contributed to interviewees not being able to get a job, keep a job, or maintain their regular work hours.
 - o **Car impoundment:** If a person is arrested for a missed appearance warrant while driving, their car is usually impounded. Several interviewees reported that getting their car back involved paying exorbitant fees, which accrued every day they spent in custody.
 - o **Hardship license car insurance:** For those who went through the steps to obtain a hardship license and legally continue to drive while waiting to resolve the issue in court, insurance rates skyrocketed to upwards of \$500 per month, making the legal option untenable.



³ Those who were unsure reported that they had been booked into Jefferson County Jail but did not know or recall whether it was related to a missed appearance.

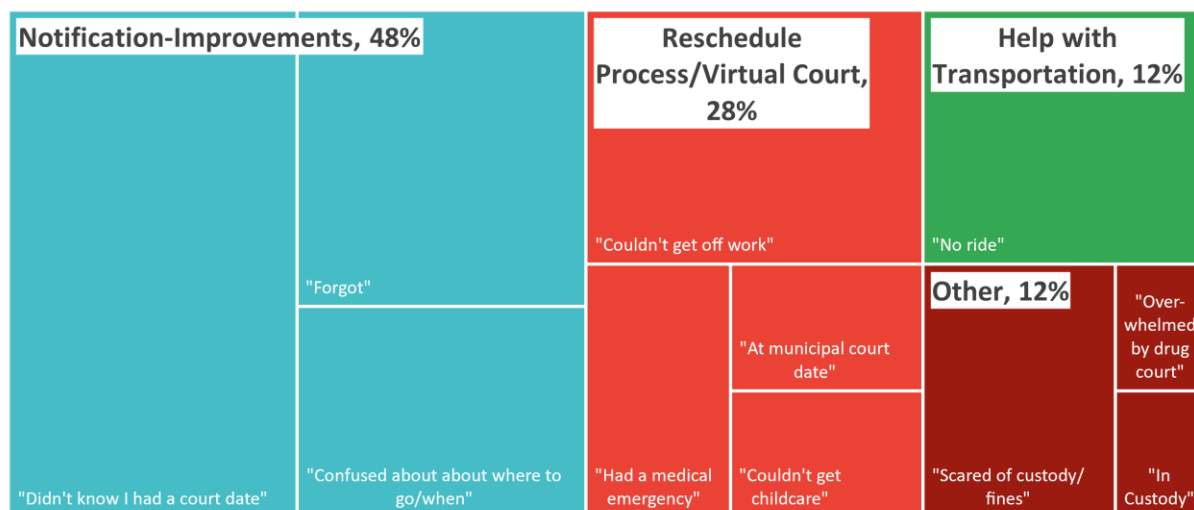
- **Fear of arrest (16):** Sixteen people reported living with a warrant meant a constant state of fear. This fear became demoralizing for some, causing them to decide against starting businesses, buying homes, or taking care of personal obligations for fear it would lead to arrest. For many, this fear was directly related to their children and what would happen to them if their parent, sometimes their sole parent, went to jail.
- **License suspension (14):** One of the most common themes was license suspension and all associated consequences. License suspensions were closely connected to just about every other common theme as well. Interviewees reported that license suspensions kept them from getting and keeping jobs and made it difficult to care for their children. Most interviewees kept driving on a suspended license, usually because they did not know yet about the suspension or they felt they had to. Some even had new cases and court costs spawn from driving on a suspended license.

Four respondents did not even know that they had a warrant until Amnesty Week and either had just received notice or had come to the court for another reason and checked in with Amnesty Week staff on a whim.

Potential Policy Solutions

Based on respondents' reasons for missing court, several categories of policy solutions appear to have the potential to significantly impact appearance rates in the jurisdiction for the types of cases and demographics represented at Amnesty Week.

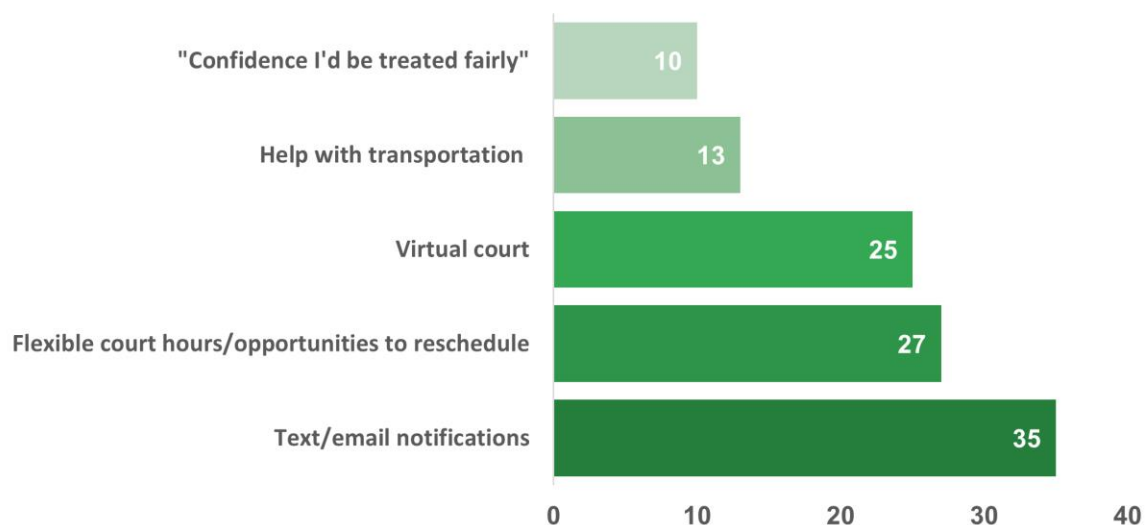
Potential Solutions for Reported Barriers to Appearance



The interview responses suggest that improving the processes for notifying court users of upcoming hearings may have a significant impact on appearance rates. Many of the other common reasons interviewees reported missing court could be rectified by publicizing, improving, and expanding options for court users to reschedule appearances in the event of an emergency and/or limiting how often court users are physically required to appear by allowing opportunities for virtual court under certain circumstances.

Interviewees were also asked directly what policies they thought would help someone like them make it to court in the future. For this question, respondents could select as many options as they wanted from a list of common types of policy solutions related to improving appearance rates.

Responses to: **What would help you most get to court in the future?**



Over 60 percent of respondents (n=35) reported that text/email notifications would be a helpful option, even though the court already had a text/email notification system, indicating that few court users know about that option. The second most popular answer was flexible court hours and opportunities to reschedule, followed by virtual court, help with transportation, and confidence that the court would treat them fairly.

Conclusion

Jefferson County's 2023 Amnesty Week brought together hundreds of people who had missed appearances in the 10th Judicial Circuit District Court and approximately 20 percent of all attendees agreed to participate in interviews. While not a huge sample, the results begin to reveal what factors are having the greatest impact on appearance rates and on the lives of court users who have missed court. Perhaps the most pressing issue related to local missed appearances is ineffective hearing notifications; next is likely a lack of options available to court users who cannot make it court because of work, transportation, or a family emergency. When people do miss court, the warrants, arrests, and license suspensions that often follow can carry an array of collateral consequences.

In other words, most people missed court in the 10th Judicial Circuit District Court for reasons beyond their control and at great personal expense. By improving notifications, creating opportunities to reschedule, and reducing the amount that people are physically required to appear, it's likely that the court can dramatically reduce local missed appearance rates.

Appendix: Methodology

This series of interviews sought to shed light on attendees' opinions of the Amnesty Week event and their experiences related to missed court appearances. The event ran from Monday, August 7th, 2023, to Friday, August 11th, 2023, from 9am to 4:30pm each day. A total of 58 interviews were conducted throughout the days of August 8th, 9th, and 10th. The interviews were designed and conducted by staff from the Pew Charitable Trusts as a part of a year-long technical assistance project in partnership with the National Center for State Courts devoted to reducing the rates of missed appearances in six jurisdictions across the country.

Sample

Approximately 320 people saw a judge and received some form of relief during Amnesty Week—around 50 to 60 each day. Fifty-eight interviewees were recruited from the pool of attendees Tuesday through Thursday and represent about a third of attendees on the days when interviews were conducted (Tues-Thurs) and just under 20 percent of total attendees for the entire event. The event was advertised for several weeks prior to residents of Jefferson County, AL via radio, social media, and local news outlets. The people who received relief at the event shared certain criteria. They all had outstanding court fines and fees and/or had an active warrant for missing court (excluding people with cases involving violent charges).

Process

Interviews were conducted by a Pew Senior Associate in person at the courthouse directly outside the courtroom. As attendees left the courtroom, after receiving relief from a judge, the interviewer asked about every third person if they were willing to answer a few questions. Those who agreed to participate responded to a mix of about ten open- and closed-ended questions. Each interview took approximately five to ten minutes. The interviewer posed the questions aloud to the interviewee and recorded their answers in a Google Form.

List of Questions

1. Day of attendance (select one, answered by the interviewer):
 - a. Monday
 - b. Tuesday
 - c. Wednesday
 - d. Thursday
2. Which of the following did the court do for you today (select all that apply)?
 - a. Lifted warrant/reset date
 - b. Dismissed one or more charge(s)
 - c. Remitted or reduced fines/fees
 - d. None of the above
3. Overall, how satisfied were you with your experience at Amnesty Week (select one)?
 - a. 1-Very Satisfied
 - b. 2-Somewhat Satisfied
 - c. 3-Neutral
 - d. 4-Somewhat Dissatisfied
 - e. 5-Dissatisfied

4. Is there anything you'd want the court to do differently for future amnesty weeks?
5. Have you ever been arrested or booked into Jefferson County jail because of a warrant for a missed appearance?
 - a. Yes
 - b. No
 - c. Not Sure
6. Could you describe how having a warrant affected you, if at all?
7. Which of these statements is closest to the main reason you missed court (select one)?
 - a. I forgot
 - b. I was confused about where to go and when
 - c. I didn't know I had a court date
 - d. I couldn't get off work
 - e. I couldn't get a ride or take public transportation
 - f. I was in jail/prison at the time of the court date
 - g. I didn't think it was important
 - h. Other (please elaborate)
8. (Answer if selected 'b. confused' or 'c. didn't know' above; otherwise, skip). Can you tell me a little more about what happened?
9. What would help you most get to court in the future (select all that apply)?
 - a. Text message/email reminders
 - b. Help with transportation
 - c. Flexible court hours/opportunities to reschedule
 - d. Virtual/remote court
 - e. Confidence I'd be treated fairly
 - f. Other (please elaborate)
10. Is there anything else you want the court to know?

Analysis

The responses were transferred from Google Forms to an Excel spreadsheet. When applicable, closed-ended answers were summarized in descriptive statistics. Open-ended questions were broadly coded by theme with themes broken out by column. These codes were duplicated and checked using NVivo.

Limitations

The results from these interviews are informative, but not considered generalizable because of the relatively small sample size, potential selection bias, potential self-reporting errors, and a mixed pool of respondents. Fifty-eight respondents are too few to represent the entire population of people who have missed court in the 10th Judicial Circuit Court (Birmingham Division) of Jefferson County, AL. The sample also contained people who only had fines/fees remitted or retaxed (and may have never missed a court appearance). The sample may also have been impacted by other confounding variables associated with attendance at the event. Lastly, there may have been self-reporting errors, especially considering that they were responding to questions while still in the courthouse where court officials, attorneys, and law enforcement officers were in relative proximity. Selection bias and self-reporting errors are always a concern in similarly designed interviews, but in

conjunction with the small sample size and mixed pool of potential respondents, these findings should not be considered representative of people who have missed court in the jurisdiction.