



Aubrey Fox  
Executive Director

March, 2021

# **Court Date Notifications:**

## **A Summary of the Research and Best Practices for Building Effective Reminder Systems**

**Joanna Thomas, M.S.  
Abdiaziz Ahmed, J.D.**

## Acknowledgements

This brief was generated with the invaluable support of Arnold Ventures. The authors would also like to recognize the substantial contributions of Elizabeth Saba, Associate Director of Planning at CJA, as well as Tiffany Bergin, Deputy Director of Research at CJA. We are also thankful for the support and guidance of additional key CJA staff, including Aubrey Fox, Executive Director; Richard Peterson, Director of Research; Angela Tolosa, Director of Operations; and René Ropac, Senior Research Analyst. The authors are deeply appreciative of the hard work of CJA's Communication Associate, Nathan Nisenson, who was vital in the implementation of this report. We also extend our grateful thanks to CJA's Outreach Team, headed by Richard Azzolino.

This brief was also made possible thanks to staff at the New York State Office of Court Administration (OCA), New York City Mayor's Office of Criminal Justice (MOCJ), New York State Division of Criminal Justice Services (DCJS), and the New York Association of Pretrial Service Agencies (NYAPSA).

## Why Language Matters: Key Considerations in the use of Person-Centered Language

Person-first language refers to language that focuses on the individual as a whole person first, rather than their situation, condition, or diagnosis. Person-centered language has been slower to come in the criminal legal realm, but has recently gained increasing traction. Person-centered language helps to avoid the conscious or unconscious marginalization and dehumanization of people and groups of people. Reliance on non-person-centered labels for people involved in the legal system can produce and reinforce certain stigmas. This has been shown to result in exclusion from certain social and economic resources and services that may affect their health and wellbeing (Winnick & Bodkin, 2008). Words such as "criminal", "defendant", and "arrestee" restrict people to groups that do not acknowledge their human identity and reinforce existing stereotypes about people with histories in the legal system.

The following table lists a sample of frequently used terminology when referring to people involved in the criminal legal system

Preferred Wording	Reasoning	Terminology to Avoid
Substance Use Disorder; (heavy) substance use; (Diagnostic and Statistical Manual of Mental Disorders – DSM-5); dependence syndrome (International Classification of Diseases – ICD-10)	Judgmental; negates substance use disorders as a medical condition	Abuse; Misuse; Addict
Criminal legal system	Fails to acknowledge the inherent injustice embedded into the legal system	Criminal justice system
Court appearance rates	Whenever possible, it is preferable to use the term “court-appearance rates” because it focuses on the positive and generally the greater proportion of people who actually appear for court, rather than the term “failure-to-appear-rates,” which focuses on the negative and less-frequent cases	Failure to appear rates <sup>1</sup>
Person living with a mental health condition; person with intellectual or behavioral health condition	Not person-centered; judgmental	Insane; crazy; mental; psycho; mentally ill; emotionally disturbed
High-risk behaviors; key populations; high priority populations	Implies risk is inherent within group membership; membership in group does not increase risk, but behaviors may; Can increase stigma and discrimination among group members	High-risk groups
Person who lacks resident documentation	Not person-centered; judgmental	Illegal immigrant; illegal; unlawful non-citizen; undocumented alien
Persons of Color; Black Indigenous Person of Color (BIPOC)	Not person-centered; judgmental	Minorities
Person involved in, or experiencing the criminal justice system; person who is incarcerated; person who experiences incarceration; person in detention/jail/prison; person living in detention/jail/prison	Not person-centered; judgmental	Prisoner; inmate; arrestee; felon; offender
Communities that experience high rates of violence	Places the burden on the community without mentioning systemic factors that contribute to experiencing such violence	Violent communities; disadvantaged neighborhoods

---

<sup>1</sup> This brief reviews a number of court date notification studies in which FTA rates were the primary outcome of interest. This report has attempted to replace the discussion of FTA rates with references to court appearance rates where possible. However, in order to maintain the integrity of the original studies, this report presents FTA rates for some studies and uses their terminology referring to failure to appear. Future research should focus on the main predictors of appearing in court and use the appropriate terminology.

# Contents

Why Language Matters: Key Considerations in the use of Person-Centered Language	2
Executive Summary	5
<b>Overview of Court Notifications</b>	<b>6</b>
Key Lessons for Implementing Court Date Notification Systems	6
Changes in New York Law	9
Why People Miss Court Appearances	9
Why Court Notifications Are Important	15
<b>Types of Notifications</b>	<b>16</b>
Post card/letter	16
Live calls	18
Automated calls	21
Text Message/E-mail	22
<b>CJA Specific Court Reminder Research</b>	<b>24</b>
Research Summary	28
Court Notification Research Table	28
<b>Key Take-Aways</b>	<b>29</b>
Reasons for FTA and Program and Policy Recommendations	30
Developing A Pretrial Court Notification Program Current Landscape	31
Collecting Call Outcomes	32
Verifying Contact Information	33
Warrant Prevention	33
<b>Summary</b>	<b>44</b>
Court Notification Best Practices and Templates	45
Discussion and Future Directions	48
References	50

## Executive Summary

Court date notifications prevent court absences by reminding individuals of the date, time, and location of their scheduled court appearance. The research literature on the efficacy of court date reminders is largely wanting. However, several studies (Crozier, 1998; Eckert & Rouse, 1991; Howat, Forsyth, Biggar, & Howat, 2014; Podkopacz, 2019; Schnacke, Jones, & Wilderman, 2012; White, 2006), including several randomized control trials (Bornstein, Tompkins, Neeley, Herian, & Hamm 2013; Ferri, 2020; Fishbane, Ouss, & Shah, 2020), suggest court date notifications are an effective practice to increase court appearance rates. Yet not all court date notification studies saw a significant effect on court appearance rates (Lowenkamp, 2018).

- Studies show that the primary reasons individuals fail to appear for their court date include forgetfulness, employment obligations, childcare, or other logistical issues such as transportation.
- Failures to Appear (FTAs) have immediate and compounding negative consequences for people, legal systems, and the community at large.
- Court appearance rates vary significantly by jurisdiction and may vary by a range of factors including offense type, race, age, geographic location, politics, and available resources.
- Court date reminders may help improve perceptions of procedural justice and legal system fairness by preventing jail time and other harmful consequences for people who may unintentionally miss their scheduled court dates.
- Many jurisdictions increase court appearances by adopting court date reminders such as live phone calls, robocalls that deliver an automated reminder message at predetermined times, a postcard or a mailed letter, text message and e-mail reminders, or a combination of any of the methods above.

While studies indicate court date reminder notification programs increase court appearance rates, additional peer-reviewed research is required before making confident inferences regarding the most effective type and timing of the notification. One study directly evaluating the impact of different notification methods (robocalls vs. live calls) found no differences between notification methods on court appearance rates (Ropac, unpublished). Additional peer-reviewed research is needed to identify how court date notifications impact court appearance rates by jurisdiction population size and region. One study (Bornstein et al., 2013) found individuals in rural counties were significantly more likely to appear for their scheduled court dates than those in urban counties (93.2% vs. 87.6%, respectively). However, given the vast differences in population size, politics, funding, available resources and technology, in addition to regional differences, it would behoove researchers in the field to investigate how such differences may influence court appearance rates as well as the implementation of notification strategies to increase court appearance rates.

# Overview of Court Notifications

Court date notification reminders are an evidence-based behavioral intervention strategy adapted from health services and other industries to increase court attendance. Court date reminders may also be an effective tool in reducing jail occupancy rates. The implementation of court date notifications is included in the [ABA Standards for Criminal Justice-Pretrial Release \[Standard 10-1.10\(k\)\]](#) and the [NAPSA Standards on Pretrial Release \[Standard 3.5\(a\)\(vi\)\]](#). In “[A Framework for Pretrial Justice: Essential Elements of an Effective Pretrial System and Agency](#),” [The National Institute of Corrections \(NIC\)](#) additionally cites court date notifications as an effective pretrial supervision practice.

## Key Lessons for Implementing Court Date Notification Systems

- 1. The quality of the contact information used to provide court date notifications is critical to the success of a court date reminder program.** People going through the pretrial process are the primary sources of information about themselves and should ideally be interviewed as soon as possible after arrest. Other sources may be used to verify information provided in the interview with the client, including the pretrial services agency’s own records, other legal agency databases, the client’s family members, and the client’s employer. As jurisdictions move away from decisions based on financial conditions and toward individualized release assessments, the quality of the contact information collected by pretrial services agencies is crucial. Therefore, pretrial services agencies should continue to collect and update client information. To keep data as up to date as possible, court staff should ask individuals for current information at every appearance, not just at the first appearance.
- 2. Young people may benefit the most.** Some studies have discovered that court date notifications are more effective for younger people. For example, in one study, people between 18 and 29 years of age saw the most dramatic improvements in appearance rates when receiving any live call court date notification (3-day, same-day, or both) (Ferri, 2020). Further empirical analysis must be conducted before deriving conclusive inferences. Additionally, pretrial services agencies should investigate how court appearance rates differ across age groups.
- 3. Investigate the notification outcome.** Investigating the outcomes of court date notifications can uncover whether reminders are being delivered as intended, and whether any potential patterns exist among people who provide non-working telephone numbers or incorrect contact information. To effectively evaluate the impacts of a court date notification program, the gold standard would be for an agency to conduct a Randomized Control Trial (RCT) with a proper control group (see the next section for a more in-depth description of RCTs). However, many people who interact with the court system live busy,

demanding, and sometimes hectic lives. Thus, people's contact information, including telephone numbers and residences, may change rapidly, as telephone numbers go out of service due to unpaid bills or other logistical challenges. Investigating whether the notification was delivered to a working or non-working phone number can help to clarify the quality of the contact information being used for the program. How can your jurisdiction's program improve the quality of the contact information it uses? Do you collect phone numbers directly from the person or rely on the police record? Begin by investigating which source of contact information is most reliable.

- 4. Think about procedural justice as a tool to reduce racial disparities.** Procedural justice beliefs and trust in court actors may influence court appearance rates and therefore should be considered in any intervention meant to increase court appearance. One study (Bornstein et al., 2013) of individuals facing misdemeanor charges found that those individuals who appeared in court had higher institutional confidence and were more likely to feel they had been treated fairly by the legal system than people who did not appear. Promoting procedural justice could also help reduce racial disparities, as many jurisdictions report lower court appearance rates for Black people, Indigenous people, and People of Color (BIPOC). Bornstein and colleagues discovered significant differences across White, Black, and Hispanic participants in their overall levels of trust in court systems. How can your jurisdiction incorporate procedural justice methods into your practice? Begin by investigating the language and design of your court date notification, as one study found that redesigning their notification to incorporate procedural justice elements increased court appearance rates (Fishbane et al., 2020).

## What is a Randomized Control Trial (RCT)?

An RCT, or experiment, is used in social science research to test the effect of an intervention or program. An RCT randomly assigns a group of eligible people to either a control group (that does not receive the experiment's intervention) or to a treatment group (that does receive the intervention). An outcome of interest – such as court appearance or re-arrest – is selected and defined. The impact of the intervention is measured by comparing the results of the treatment group and control group on the outcome of interest. The differences in outcomes between the two groups is attributed to the effects of the intervention, rather than other potential factors.

While RCTs can often provide the strongest causal evidence about a program's effectiveness, they are not always an appropriate choice. In many cases, it can be unfeasible or even unethical to deny treatment to individuals. Conducting an RCT often requires significant monetary resources, planning effort, and time. Many programs do not have the operational capacity for data collection or client volume necessary to conduct an RCT, and would require external support to undertake a thorough analysis of their program using an RCT research design.

When attempting to evaluate the effects of any program, it is useful to reach out to a local university or college for assistance. Universities and colleges have a vested interest in building strong relationships with the communities in which they reside. It is additionally important for academia to be knowledgeable about real world practices. Campus-community partnerships can also potentially expand the pool of financial resources and funding, as well as assist with possible grant opportunities. Several questions that may be helpful before reaching out to local universities and colleges include:

- What would a community-university partnership look like for your jurisdiction/county?
- Would the partnership be project-based (court date notification) or general assistance? Good partnerships are built and sustained over time.
- What higher education partner best matches the values and vision of your program?
- What specific type of expertise would the program benefit the most from?
- What responsibilities should be shared?
- What responsibilities should be outsourced?
- What will collaboration look like? How often will groups convene?
- What data security protections and data infrastructure would need to be developed for this particular partnership?

## Changes in New York Law

In April 2019, the New York State Assembly enacted significant legislative reforms (“2020 Criminal Justice Reforms”) to the legal system. These reforms were comprehensive and touched on many aspects of the pretrial process. Most notably, the law generally outlawed the use of cash bail for misdemeanor and non-violent felony offenses. In addition, the law took note of the lengthy waiting time for an accused person to receive a trial across the state. Noting that the right to a speedy trial is constitutionally protected in the Bill of Rights, the law directs courts to reduce and eliminate all unnecessary delays to the setting of a trial date. Finally, prior to the passing of these reforms to the criminal legal system, prosecutors could withhold evidence from defense counsel up until the day prior to the commencement of trial. The law reformed the discovery process and stipulates that prosecutors must turn over all evidence well in advance of trial.

As relevant to this report, the reforms specify that court appearance reminders are now mandated by law. Below are the relevant sections of the new legislation pertaining to court appearance notifications:

- *Prior to issuing an appearance ticket a police officer must inform the individual that they can provide their contact information for court reminder notification, which can be completed by the court or a certified pretrial services agency. That information must be sent to the local court for recording. [\(150.10, subdivision 3\)](#).*
- *Court or certified pretrial service agencies must notify defendants of all court appearances by text, phone, email, or 1st class mail. [\(150.80, subdivision 2\)](#).*
  - *It is important to note that the law also states that, with the exception of New York City, the Office of Court Administration (OCA) will administer pretrial notifications to accused persons.*
- *A chief court administrator is required to have the principal select which method that they would prefer for that court date notification. [\(510.43\)](#).*
- *If a principal fails to appear to a mandatory court date, the court will provide the principal’s lawyer or principal 48 hours to reappear without a bench warrant so that a voluntary appearance can be made. The only exception is when the principal is charged with a new crime while at liberty and the principal’s failure to appear can be proven to be willful. [\(510.50, subdivision 2\)](#).*

## Why People Miss Court Appearances

Studies illustrate that the primary reasons individuals fail to appear for their court date are forgetfulness, employment obligations, childcare, or other logistical issues such as lack of transportation. Researchers from the University of Chicago Crime Lab and ideas42 (Fishbane et al., 2020) investigated barriers preventing a timely return to court. The study discovered that many people believe that receiving a ticket for a minor offense does not necessitate a court appearance and cannot result in the issuance of an arrest warrant. Other reasons for missed court appearances were immediate financial costs, such as taking time off work, and the psychological effects of attending court, such as fears and anxieties around what may happen in court, which would ultimately outweigh the consequences of not appearing. While many people were unaware

that not appearing in court could result in a warrant, even those who were aware often believed the immediate costs outweighed the chance of being arrested on a warrant in the future. Bornstein and colleagues (2013) also examined why people did or did not appear for their court appearances. The factors that participants judged most important in their decision to appear for court were wanting to avoid additional offenses or penalties or feeling they should obey the law. Conversely, people who did not appear rated scheduling conflicts as having the greatest effect on their decision.

**The strongest predictors of court appearance in the research literature are static factors, not dynamic ones.**

Multiple studies have found that a longer case processing time and indicators of more extensive criminal history (e.g., offense type, prior arrests, prior jail admissions, open cases) increase the likelihood of failure to appear (Bechtel et al., 2017; Johnson, Kierkus & Yalda, 2014; Siddiqi, 2009; Zettler & Morris, 2015). Research has found people with a history of FTA were more likely to fail to appear for their current charge (Cohen & Reaves, 2007; Goodman, 1992; Reaves & Perez, 1992). A methodologically rigorous meta-analysis found that age, FTA history, risk assessment instrument, juvenile arrests, prior conviction, prior jail, property or drug offenses, and victim injury were significantly related to FTA (Bechtel et al., 2017).

### Static vs. Dynamic Risk Factors

Static risk factors are the features of a person's history that predict recidivism, but cannot be changed and are not amenable to deliberate intervention, such as prior offenses. Conversely, dynamic risk factors are potentially changeable factors, such as substance abuse, unemployment, and negative peer associations (Andrews & Bonta, 1998).

Demographic variables such as gender, race, and age have all been significantly associated with failure to appear in the previous research (Bechtel, Lowenkamp, Holsinger, & Warren, 2017; Maxwell, 1999), but with varying results. Other studies have concluded that gender, race, prior criminal history, offense type, warrant status, living conditions, expecting someone at arraignment, and employment influence the likelihood of FTA (Cohen & Reaves, 2007; Goodman, 1992; Maxwell, 1999; Siddiqi, 1999; Visher & Linster, 1990). Some research has found that social factors may impact court appearance and that community ties serve as a protective factor against failure to appear, as living in the city where one was arrested, having a telephone, and being employed or being enrolled in school or a training program were all related to a lower likelihood of pretrial misconduct (Siddiqi, 2009). However, other research has found that community ties were not related to likelihood of missed court appearance (Cadigan & Lowenkamp, 2011).

### **Goodman (1992)**

This study examined gross misdemeanor and felony first appearances in Hennepin County, Minnesota from September 14, 1989 through February 28, 1990. Pretrial failure to appear was measured by the existence of bench warrants on the current case. Bench warrants that were stayed or quashed were not counted as failures. Logistic regression models were used to estimate the probability of failure to appear for those interviewed and released (n=516).

Out of the nine items tested in the model, only having a history of a bench warrant was predictive of failure to appear. The factors included in the model that were not significant included residence, living situation, time in area, employment/income, voluntary surrender, substance use, current offense to persons, and current weapon offense.

### **Maxwell (1999)**

This study used the 1992 New York City data from the National Pretrial Reporting Program (NPRP). For this study, only data from the four largest boroughs of New York City (Manhattan, Queens, Brooklyn, and the Bronx) were used (n=6,811). Only people released on their own recognizance (ROR) and those who made bail were included in the study. Three different models were tested. The first model used the entire sample to determine predictors of court appearance and found gender, offense type, prior convictions, and borough of arrest to be significantly related to court appearance.

The study then split the sample of people released pretrial into those who were ROR'd and those who were released on bail, and presented their FTA patterns. These models examined whether the effect of each predictor on FTA varied by the type of release. The model for people ROR'd found gender, offense type, prior convictions, and borough where processed to be significantly related to court appearance. For people who were released after making bail, the factors significantly related to court appearance included offense type, drug convictions, and prior convictions.

Among people who were ROR'd, individuals with prior misdemeanor convictions were almost 100% more likely to FTA. Conversely, among people who made bail, individuals who had prior misdemeanor convictions were almost 30% less likely to FTA.

### **Cohen & Reaves (2007)**

This study analyzed data from the State Court Processing Statistics (SCPS). SCPS is a biennial data collection series that examines felony cases processed in a sample of 40 of the nation's 75 most populous counties. This study covered felony cases filed in May of even-numbered years

### **What is statistical significance?**

Researchers use statistical tests to evaluate whether an outcome or finding is statistically significant – in other words, whether the result is likely due to chance or due to the effect of the factor being investigated. To understand the magnitude of the difference between two groups (control vs. treatment/intervention) a researcher needs to calculate the effect size. The effect size is a quantitative measure of the magnitude of the treatment's effect - the larger the effect size, the stronger the relationship.

from 1990 through 2004. Cases included people released prior to the disposition of their case, which constituted 62% of all people charged with a felony in those counties.

Logistic regression models were used to estimate the probability of failure to appear (n=39,838). A majority (61%) of the people released into the community to await disposition of their case had been arrested previously, including 27% who had failed to appear in court during a prior case. About half had one or more prior convictions (48%), and nearly a third (30%) had at least one prior felony conviction. Factors significantly associated with court appearance included offense type, type of pretrial release, current legal status, prior FTA, age, and race.

### **Siddiqi (2009)**

This study utilized data from people summarily arrested on new charges between January 1, 2001 and March 31, 2001 in New York City. Logistic regression analysis was used to inspect predictors of pretrial misconduct (n=24,666). Pretrial misconduct was measured as a dichotomous variable that examined the likelihood of pretrial FTA and/or re-arrest for a violent offense. A number of demographic, community ties, and criminal history variables were related to pretrial misconduct, including age, ethnicity, living at an NYC area address, having a telephone number associated with their residence, full-time employment, in school or in a training program, expecting someone at arraignment, borough of arrest, case processing time, court of disposition, prior FTA, open cases, and prior arrest.

### **Zettler and Morris (2015)**

Zettler and Morris (2015) used data from the Texas Department of Public Safety (n=2,480) to examine financial and nonfinancially-secured releases using logistic regression models. The sample consisted of 911 individuals (36.7%) who failed to appear. The majority of the sample was male (66%) and/or Black (52%), with the majority of participants being released for drug (33.2%) or larceny (25.9%) offenses. Results suggest that male gender, indigence, time between offense and jail intake, and prior jailing were all significantly associated with court appearance. While prior research concluded that BIPOC are less likely to appear for their court date (Fennessy & Huss, 2013; Maxwell, 1999; Siddiqi, 1999), race was not significantly related to court appearance in this study's overall model. The study found that across all race and gender groups, indigence was a significant predictor.

The overall model (n=2,480) found gender, indigence, felony charge, time between offense and intake, and prior jailing to be significantly related to court appearance.

In all of the models tested in this study, indigence significantly increased a person's likelihood of FTA. This suggests that indigence influences all racial and gender groups' likelihood of FTA. Pretrial services agencies should carefully consider this when making release and monitoring decisions. Indigence is also likely to impact a person's ability to find transportation for a court date, and indicates the individual may live a more demanding life. Felony offenses significantly reduced a likelihood of FTA for all models, except for Hispanic people. Although being married decreased the likelihood of FTA for males, it was not significant for females. While prior research has found females are more likely to FTA (Maxwell, 1999; Siddiqi, 1999), this study found males are more likely to FTA. This underscores the need for counties to investigate which populations have the highest FTA rates in their jurisdictions to best fit the program's needs.

### **Bornstein et al. (2013)**

Bornstein and colleagues (2013) found that failure to appear rates vary significantly as a function of a persons' race and ethnicity: White (9.5%) versus Black (16.4%) versus Hispanic (9.4%). However, when controlling for sex, offense type, location (rural vs. urban), and the number of charges, these significant differences across racial and ethnic groups disappeared.

While some research has found that social factors may impact court appearance and that community ties serve as a protective factor against failure to appear, as measures of living in the city where arrested, having a telephone, and being employed or being enrolled in school or a training program were all related to a lower likelihood of pretrial misconduct (Siddiqi, 2009), other research found that community ties were not related to likelihood of missed court appearance (Cadigan & Lowenkamp, 2011).

Some researchers have posited that procedural justice beliefs and trust in court actors may influence FTA rates. Research illustrates that perceptions of procedural justice may influence how people think and behave in relation to the decisions and outcomes of their court case (Tyler,

2006a). It is evident that procedural justice makes a significant difference in how people evaluate their (legal system) outcomes. Even when people obtain an unfavorable outcome, they feel better about that outcome when they experience procedural fairness. Alternatively, when a person receives a favorable outcome, they do not feel as good about that outcome absent the presence of procedural fairness (Tyler, 2006a).

#### **What is “controlling for variables”?**

Studies often mention that the research team controlled for demographic or other variables. This means that when examining the relationship between one variable (for example, offense type) and an outcome measure of interest (court appearance), the researcher will add other variables (age, sex, race/ethnicity) to the model that may influence results so that those effects can be estimated and accounted for when analyzing the variable of interest.

The authors also found no difference in court appearance rates for males versus females. The FTA rate was lower in rural (6.8%) than urban (12.4%) locations, and this difference was statistically significant. Court appearance rates differed significantly as a function of the type of offense for people with certain misdemeanor offenses and violation of the city ordinances the least likely to appear for court. The likelihood of FTA increased with the number of citations on the ticket. Only 5.4% of individuals with one offense failed to appear, while 15.4% of individuals with two or more offenses did not appear. The authors found that the number of offenses was one of the strongest predictors of court appearance in comparison to the other factors explored.

Some researchers have posited that procedural justice beliefs and trust in court actors may influence appearance rates. Research illustrates perceptions of procedural justice may influence how people think and behave in relation to the decisions and outcomes of their court case (Tyler, 2006a). Perceptions of procedural justice have made a significant difference in how people evaluate their outcomes. Even when people obtain an unfavorable outcome, they feel better about that outcome when they experience procedural fairness. Alternatively, when a person receives a favorable outcome, they do not feel as good about that outcome if they perceive the process as unfair (Tyler, 2006a).

### What is Procedural Justice?

In the legal context, procedural justice is understood as the fairness of processes used by those in positions of authority to reach specific outcomes or decisions. In social psychology, however, procedural justice measures *perceptions* of fairness of the decision-making process.

Bornstein and colleagues (2013) found that perceptions of procedural justice beliefs, levels of cynicism, and trust in court actors are significantly related to court appearances for individuals arrested on a misdemeanor in 14 counties in Nebraska (n=7,865). Specifically, individuals who appeared in court had higher levels of institutional confidence and felt that they had been treated more fairly by the legal system than people who did not appear, as well as greater levels of trust in the courts. Additionally, there was a relationship between perceptions of (general) procedural justice and appearance, such that those who appeared for their hearings perceived greater levels of procedural justice in their overall experience with the criminal legal system.

The researchers also found that perceptions of procedural justice vary by participant race/ethnicity, with White people having greater trust/confidence than Non-White people. The data did not show an institutional confidence (either total scale or the subscales) difference between White people and Non-White people. However, when the data was examined using a more refined classification of race/ethnicity – White, Black, and Hispanic people – there were significant differences on a number of constructs related to trust. For example, Black people tended to have lower levels of confidence in legal institutions than Hispanic people and White people.

Finally, the authors conducted a binary logistic regression with court appearance as the dependent variable and found support for their hypothesis that court date reminders are more effective for individuals with low levels of trust in the courts. When a participant received a reminder, the relationship between trust in court actors and non-appearance was no longer significant.

Court date reminders may additionally help improve perceptions of procedural justice and legal system fairness by

### In Jefferson County, CO..

Live callers “have been named by some in the county as the “goodwill ambassadors” of the Sheriff’s Office, offering a helpful and friendly component to the case that many people do not normally perceive from their experiences with law enforcement.”

(Schnacke, Jones, and Wilderman, 2012).

preventing jail time and other harmful consequences for people who may unintentionally miss their scheduled court dates.

## Why Court Notifications Are Important

Research indicates that court date reminders are important for several reasons. Their primary function is to prevent court absences by reminding individuals of the date, time, and location of their scheduled court appearance. Failures to Appear (FTAs) have immediate and compounding negative consequences for people, legal systems, and the community at large.

When individuals fail to appear in court, arrest warrants may be issued and served. Warrants result in further violations, infractions, and fines for recipients, all of which have serious ramifications on the outcome of any pending, or future cases. A history of FTA can produce a multitude of negative consequences including higher cash bail amounts and a greater likelihood of pretrial incarceration, as failure to have previously appeared for trial is frequently cited by judges as a reason to detain individuals prior to their trial date (White, 2006). For example, the Durham County Detention Center had an average daily population of 480 in 2017, 83 percent of whom were detained pretrial. Analysis of pretrial detention drivers revealed that 19 percent, or 840 of 4,357 people booked at the pretrial stage, were detained because of an FTA (Vasquez-Noriega, Duane, Reginal, & Jannetta, 2018).

FTAs also often result in embedding individuals deeper into the legal system. Research shows individuals who are held in pretrial detention, even for short stays, have worse outcomes, such as:

- Higher risk of unemployment (Dobbie, Goldin, & Yang, 2018; Schönteich, 2010);
- Greater likelihood of pleading guilty (Dobbie et al., 2018);
- Greater sentencing disparities (Leipold, 2005); and
- Greater likelihood of being rearrested (Lowenkamp, VanNostrand, & Holsinger, 2013).

In addition, there is also the possibility of losing housing and child custody as a direct result of pretrial incarceration.

FTAs also undermine the integrity of the legal system. In order for the law to be effective, people must obey it (Tyler, 2006b). Thus, the functionality of the legal system is dependent upon people appearing in court at their appointed time.

Finally, FTAs are costly for communities, legal systems, and legal system stakeholders. Criminal legal systems are required to spend limited and vital resources to manage FTAs and their subsequent warrants. This can result in large docket sizes, increases in workloads for legal system professionals, and additional burdens unnecessarily placed on victims, witnesses, and families. Court date reminder systems that increase court appearance rates may therefore provide a cost saving mechanism at various points across the legal continuum.

# Types of Notifications

Many jurisdictions across the country have adopted court reminder systems to increase court appearance rates. Most court notification systems involve representatives of the court making a series of live phone calls at predetermined intervals to remind individuals of the date, time, and location of their court date, as well as to answer any questions they may have. Other common methods of court notification include robocalls that deliver an automated reminder message at predetermined times before a scheduled court date, postcards or letters, text message and e-mail reminders, or a combination of any of the methods above.

## Post card/letter

### Nebraska (14 Counties)



The most rigorously evaluated research on the efficacy of mailed reminders on court appearance rates is a pilot project from researchers at the University of Nebraska (Bornstein et al., 2013). The study focused on people who had committed non-waiverable, non-traffic misdemeanor offenses in 14 counties (n=7,865). Researchers used the gold-standard for research evaluation, a randomized control trial (RCT).

Data collection began in March 2009 and continued through May 2010. The selected counties included both urban and rural portions of the state. All people with misdemeanor offenses who met certain eligibility criteria (e.g., age 19 years or older, type of offense, scheduling of court hearing) were included in the sample. The sample consisted of 69.8% White people, 10.7% Hispanic people; 10.1% Black people, 6.6% people with unknown racial or ethnic identity; 1.6% Native American people; 1% Asian American people; and 0.2% people with a racial or ethnic classification of “Other”. The racial classifications were made by the officer issuing the citation.

Participants were randomly sorted into four groups in order to test the effects of pretrial mailed reminders:

1. No reminder;
2. A postcard reminder of upcoming court dates (reminder-only);
3. A postcard reminder of upcoming court dates and the potential consequences of not appearing (reminder-consequences); and
4. A postcard reminder of upcoming court dates, potential consequences of an FTA, and the benefits of appearing (reminder-combined).

**The trial found that participants in the control group (n=2,095), who did not receive a reminder, were less likely to appear for their court date (87.4%) compared to each intervention group<sup>2</sup>:**

---

<sup>2</sup>  $\chi^2(3) = 20.90, p < .001, \Phi = .05$

- 89.1% for reminder-only (n=1,889);
- 91.7% for reminder- consequences (n=1,901);
- 90.2% for reminder-combined (n=1,980)

Participants in the control group were less likely to appear in court compared to the other three groups as a whole (12.6% vs. 9.7%).<sup>3</sup> There was also a significant difference between the simple reminder and the two conditions with more substantive information (i.e., reminder-consequences and reminder-combined).<sup>4</sup>

Secondary analyses focused on differences in appearance rates as a function of several factors, including persons' race and ethnicity, persons' sex, geographic location (specifically, rural vs. urban counties), offense type, and number of charges. Controlling for these other factors, the effect of the reminder was reduced, but was still significant. The interaction between race and reminder was nonsignificant and the appearance rate did not differ by sex.

A later study conducted a cost-benefit analysis of the Nebraska project (Rosenbaum et al., 2012). Benefits were estimated by determining the labor cost avoided by not having to later detain those people who had failed to appear for their court date. County-specific FTA-cost estimates were developed for the three most-populous counties in Nebraska.

- The savings from each reduction in a failure to appear ranges between \$49.91 and \$80.10.
- The cost estimates for the entire reminder project were estimated by the authors to be 335 labor hours for the reminder postcard process (including identifying cases, addressing the postcards, and then printing and mailing them), with a labor cost of \$1.15 per postcard.

To determine the net benefit of postcard reminders, the authors assessed the benefit of FTA reduction relative to its cost. The net benefit of an FTA reduction for three of the counties investigated differed as a function of which reminder message was used and whether automation could be implemented.

Authors used data from misdemeanor offenses in 2009 for each of the focus counties in the cost-benefit analysis and estimated the number of citations eligible to receive postcard reminders and the benefits associated with the positive impacts of the Reminder-Consequences and Reminder-Combined postcards.

The results of the study found the aggregate net benefit without automation for each of the three counties:

- County A: \$977
- County B: \$5,537
- County C: (\$516)

---

<sup>3</sup> The omnibus test showed the four conditions were different from one another.  $X^2(3) = 20.90$ ,  $p < .001$ ,  $\phi = .05$ . Additional (i.e., post hoc) analyses pinpointed the differences were between the reminders (taken together) versus no reminder (control condition).  $X^2(1) = 14.29$ ,  $p = .001$ ,  $\phi = .04$ .

<sup>4</sup>  $\chi^2(1) = 4.63$ ,  $p = .031$ ,  $\Phi = .03$ .

A large portion of time and resources were dedicated to looking up cases by case number in the database to determine those eligible (non-waiverable, non-traffic misdemeanor offenses). However, when utilizing an automated system to identify eligible candidates, all postcards become cost-effective across jurisdictions, as indicated by the aggregate net benefit results shown below:

- County A: \$9,556
- County B: \$11,358
- County C: \$1,715

The total amount of savings for the three counties combined:

- Without Automation: \$5,999
- With Automation: \$22,628

These estimates illustrate that court date reminder systems can reduce overall judicial system costs. However, decisions related to implementation and available technological resources may affect the extent of cost savings.

## Live calls



Live calls are the most frequently evaluated court notification method. The following case studies provide significant evidence as to the benefits and efficiency of live calls.

### King County, WA

In 1998, King County, WA was one of the first jurisdictions to use live callers to issue court reminder notifications (Crozier, 2000). The program was responsible for misdemeanors, gross misdemeanors, traffic violations and other small claims. Reminder calls were made for the two days court was held each week, either on Monday or Thursday. For people with Monday court dates, reminder calls were made by volunteers on Friday evening, Saturday, or Sunday. For people with Thursday court dates, reminder calls were made on Monday or Tuesday.

- **Following program implementation, FTA rates decreased from 17.3% to 16%.**

The following year, three additional courts implemented similar reminder programs.

- **The live caller program produced lower FTA rates (ranging from 1 to 22 percentage points lower) compared to the baseline in each of the jurisdictions studied, with greater reductions observed in localities with higher baseline FTA rates.**

However, the researchers did not develop an experimental design to control for potential confounding variables nor did they conduct any statistical tests, making it impossible to conclusively state whether the reminder project was responsible for this decrease. No demographic or criminal history information was reported for the sample.

## Jefferson County, CO

Jefferson County, CO implemented a live caller court date reminder pilot project in 2005 (Schnacke, Jones, and Wilderman, 2012). The ten-week study focused on individuals with misdemeanor and traffic offenses (n=2,100).

- **When a caller successfully reached the participant, court appearance rates increased from a baseline of 79% to 88%.**
- **When the live caller left a voice message for the participant, court appearance rates increased to 87%.**

Following these results, the county implemented a permanent live calling court date reminder system. During the program's first six months, approximately 5,600 individuals were targeted for a phone call reminder. Approximately 62.5% (n=3,500) were contacted.

- **The court appearance rate increased by 12 percentage points for participants successfully contacted one week prior to their court dates, a change that represents a 52% decrease in the FTA rate.**

However, this study did not include a control group, nor did it utilize tests of statistical significance or sampling techniques to test the effect of live calls while controlling for any confounding variables. Thus, it isn't conclusive that the reminder system was responsible for the increase in court appearance rates. No demographic or criminal history information was reported for the sample.

## Coconino County, AZ

In 2006, Coconino County, AZ launched a court date reminder system for individuals with misdemeanor offenses (White, 2006). A volunteer from Flagstaff Police Department called participants within five to seven days of their court appearance (n=489). Court appearance was selected as the outcome variable, which was measured using the Public Access to Court Information website to verify appearances.

Participants were assigned to either the control group of no reminder (n=454) or the treatment group (n=455).

- **The FTA rate in the control group was 25.4%.**
- **The FTA rate in the treatment group was 12.9%.**

If a participant was unreachable or had an invalid number, the FTA rate was 27.2%. The FTA rate for individuals reached directly by the volunteer was just 5.9%, a 76.7% difference relative to the control group. When messages were left with another person, the FTA rate was 15% lower than the control group. When a message was left on an answering machine, the rate was 21%. However, when evaluating a court date notification program, the different treatment groups should not be systematically different from one another on key characteristics, including whether or not they received the treatment.

The most significant reduction in FTAs appeared to be for females and Native Americans. However, the number in each subgroup was too small to demonstrate a definitive correlation. The

researchers did not utilize statistical significance or sampling techniques to directly test the effect of live callers while controlling for any confounding variables.

- **Authors estimate a 12% reduction in FTA rates translates to 127 fewer FTA warrants issued per year by the Flagstaff Justice Court.**
- **The authors used the average number of days each person that is arrested because of a failure to appear spends in custody (7.7 days) to estimate the potential of saving close to 1,000 jail beds.**
- **At a value of \$60 per bed, researchers calculated that the savings to the jail district could be \$60,000.**

### **Lafayette Parish, LA**

In 2014, The Lafayette Parish Sheriff's Office in Louisiana implemented a live caller court date notification system for all people who had an upcoming court appearance for an arraignment, traffic, misdemeanor, or felony pretrial court hearing (Howat et al, 2016).

- **Court appearance rates increased from 48% to 62% with statistical significance.<sup>5</sup>**

However, this finding was inconsistent across charge type and proceedings. Statistically significant increases in court appearances were found for arraignments (from 48% to 59%). Appearance rates also varied depending on the level of contact with the participants:

- **When the caller directly spoke to the participant, the appearance rate was 78%.**
- **Leaving a voicemail corresponded with a 76% appearance rate.**
- **No answer corresponded to a 68% appearance rate.**
- **A nonworking number had a 50% appearance rate.**
- **Speaking with a family member resulted in a 38% appearance rate.**

The variability in appearance rates for different levels of contact suggests that the quality of contact information used to remind people of their court date can influence appearance outcomes. However, people without a working phone number are likely to be systematically different from people who do have a phone number and should not be compared against the control group. This study did not control for potentially confounding factors. This study also did not utilize random assignment and therefore it is not concluded that the program is responsible for the changes in appearance rates.

---

<sup>5</sup>  $t = 3.07; p = 0.0022$

## Automated calls



### Multnomah County, OR

In May 2005, Multnomah County, OR administered a pilot program to increase appearance rates (Nice, 2006). A quasi-experimental evaluation design was used as cases were not randomly selected into call or no call groups. Calls were placed in 2,391 cases, roughly 21% of all eligible cases, 3 days prior to court. If the first call was not successful, up to two additional calls were made later that day. From these cases, samples of participants were created in order to test the program's effects. This included those who were successfully called (n=243), unsuccessfully called participants (n=191), and participants receiving no call (n=272).

**Results suggest that those who received a successful call had a significantly lower likelihood of FTA than other groups (43% lower than the comparison group).<sup>6</sup>**

Even if participants could not be reached after three calls, they were still 5 percentage points less likely to FTA than the control group (23% vs. 28%). However, this study did not use random assignment and the authors acknowledged that individuals with a contact phone number may have greater stability than those without a contact phone number, which may have influenced the study results.

Due to the limited sample size, race by treatment group was examined using a dichotomized race coded “Persons of Color” or “White”. The authors found that Persons of Color who successfully received a reminder call had a lower incidence of FTA (14%) than Persons of Color who did not receive calls (23% for those who missed the call to 40% for those pre-program). In fact, the FTA rate for this group was lower than that of White people (18%). This suggests that the reduced FTA rates from the program extend to both Persons of Color and White people, but appear more strongly for Persons of Color. However, it is important to not dichotomize individuals into White vs. an all-encompassing BIPOC whenever possible, as different racial and ethnic groups have unique histories, and thus relationships, with the legal system.

The study also estimated cost savings by calculating expenses of failures to appear.

- **The study estimated that the program had a total net savings in FTA costs of \$212,836 in six months.**

---

<sup>6</sup>  $\chi^2 (2) = 8.290, p = .016.$

## Text Message/E-mail



### New York City, NY

In 2016, New York City partnered with the University of Chicago Crime Lab and the non-profit Ideas42 to create feasible and scalable solutions to reduce FTA rates (Fishbane et al., 2020). First, the court summons form was redesigned so that there was greater clarity and prominence of the court date, time, and location.

**This remodel increased court appearance rates by 6.2 percentage points, or 13.2%.<sup>7</sup>**

Additionally, a randomized control trial was conducted to evaluate different combinations of text message reminders to ascertain which was most effective. Anyone who received a summons and provided a cell phone number was eligible. Approximately 20,000 summons recipients (about 11% of all summons recipients) were randomly selected to receive different text messages encouraging appearance. From March 2016 to September 2017, recipients were sent texts before their scheduled court date (pre-court messages) and some were only sent if they had missed their court date (post-FTA messages). Pre-court messages were sent seven, three, and one day(s) before the recipient's scheduled court date. Three different versions of the pre-court text messages were implemented and tested:

1. The first version of the text emphasized the consequences of not appearing in court (warrant)
  2. The second version of the text focused on assisting individuals in developing concrete plans to appear in court, and
  3. The final version of the text combined the consequences and plan-making messaging.
- **The researchers found receiving any pre-court message reduced FTA by 21%.<sup>8</sup>**
  - **The most effective version of the text was the combination of the consequences and plan-making messaging, which resulted in a 26% reduction in FTA.<sup>9</sup>**

The post-FTA texts included two types of messages sent only if an individual had missed their court appearance and a warrant had been issued.

1. The first text version focused on the consequences, while informing recipients that if they returned to court, they could clear up their warrant and avoid arrest.
2. The second version of the text focused on messaging that missing a court appearance violates social norms by saying that most people show up for their court date.

---

<sup>7</sup>  $P < 0.001$

<sup>8</sup>  $P < 0.001$

<sup>9</sup>  $P < 0.001$

Individuals who received the combination messages also received a post-FTA message if they failed to appear in court on their scheduled date.

- **Compared to the control group (no post-FTA message), receiving a post-FTA text resulted in a 32% reduction in open warrants.**

This illustrates the post-text effect of clearing up open warrants within 30 days. All effects of the reminders were in addition to the effect of the summons redesign. This is a substantial finding as warrants not only cost time, money, resources, but are also detrimental to the individual. FTAs result in fines and fees, as well as potential for increased jail time (White, 2006).

### **Louisville, KY**

Lowenkamp et al. (2018) did not find statistically significant differences in court appearance rates when testing telephone call reminders and text messages. This study randomly assigned participants (n=22,521) to one of five groups:

1. Call reminder;
2. Call reminder with warning;
3. Control group (no reminder);
4. Text reminder; or
5. Text reminder with warning.

- **The results indicated that none of the four treatments had a statistically significant effect on the likelihood of FTA.**

However, rates of FTA were low to begin with, thus making the detection of a statistically significant impact potentially more difficult. The current study utilized a general pretrial population (rather than focusing only on misdemeanor offenses) and incorporated random assignment using a statistically powerful sample. Random assignment revealed no differences between the groups regarding several factors that had been significant in previous studies (e.g., sex, race, marital status). The only significant factor to predict court appearance rates in this sample was the risk level assigned by the Public Safety Assessment (PSA).

### **Hennepin County, MN**

In July 2017, the Hennepin County District Court began using text messages and emails (a program referred to as *eReminder*) to remind individuals of their scheduled court appearances (Podkopacz, 2019). In Criminal Court, two reminders were sent. The first reminder was sent three days prior to a hearing and the second reminder one day prior to an appearance.

- **After 19 months, the eReminder project reduced bench warrants for failure to appear by 25%.**

During this same time, filings in Criminal Court were at a historic high, mostly for misdemeanor offenses. This reduction does not, however, take into account whether or not the person opted-in to the reminder system, but rather provides an overall view of whether bench warrants have been reduced.

- **When comparing those individuals that were successfully contacted versus those that were not contacted, the failure to appear rate was reduced by over 34%.**

Less than 2% of people opted out of the reminder service, but about 24% of people provided information that led to unsuccessful contacts. This could be because of changes in phone or email addresses, phone disconnection or loss of internet connection, incorrectly recorded contact information, or because the person provided inaccurate contact information.

- **Authors estimated, assuming the 35% reduction in bench warrants for failure to appear, the savings in a one year period would include \$1.8 million in jail days, \$770,000 in nonproductive hearings and a minimum of \$490,000 savings to people who are pretrial who make minimum wages for a total of \$3.1 million per year.**

However, the researchers did not develop an experimental design to control for potential confounding variables nor did they conduct any statistical tests, making it impossible to conclusively state whether the reminder project was responsible for this decrease in FTA rates.

## CJA Specific Court Reminder Research

New York City and New York City's Criminal Justice Agency (CJA) have a long history of implementing and evaluating court date reminders as a means to increase court appearance rates.

**Gewirtz & Schiff (1988):** *Evaluation of Court-Date Notification for Defendants Released on Bail*

This twenty-one-month study examined data for people both bailed and released on recognizance (ROR) from January 1986 to September 1987.

- **The study found no significant change in overall FTA rates as a result of the notification program.**

However, further analysis did discover that the program appeared to have interrupted a trend of rising FTA rates among people receiving bail and that the notifications appeared to be more effective at reducing FTA rates among people that CJA recommended be released on their own recognizance (ROR).

**Eckert & Rouse (1991):** *The 1991 Court-Date Notification Study: A Preliminary Report on CJA Notification Procedures and Their Impact on Criminal Court Failure-to-Appear Rates*

This landmark CJA study investigated court date reminders to reduce FTA rates for people who received a Desk Appearance Ticket (DAT).

Participants included all scheduled appearances for this population between February 4 and March 27, 1991. Analysis was separated into two distinct time periods, Time 1 and Time 2. Time 1 consisted of court dates scheduled between February 4, 1991 and March 1, 1991 and Time 2 between March 4, 1991 and March 27, 1991. The study found that court date reminders decreased the FTA rate at Criminal Court appearances for DATs.

#### What are DATs?

Desk Appearance Tickets (DATs) may be unfamiliar to those outside New York, as most jurisdictions have custodial and non-custodial arrests. DATs are somewhere in-between as they allow a person to go home from the precinct with a written summons requiring them to return at a later date for arraignment in criminal court. DATs are mostly issued for misdemeanors or lesser offenses and are sometimes issued for some low-level felonies.

- **During Time 1, participants who were successfully notified of their court date had an FTA rate of 13.8% compared to 21.7% for people who were not successfully notified.**
- **Similarly, people who were successfully notified in Time 2 had a 15.3% FTA rate compared to 23.0% for those who were not successfully notified.**

Additionally, FTA rates were lower when telephone contact was made with participants when compared to participants who were sent the letter but not reachable by phone. Further, Time 1 and Time 2 data reveal that direct phone contact with the participant had a greater impact on FTA rates when compared to phone contact with someone other than the participant.

#### **Ferri (2020): *The Benefits of Live Court Date Reminder Phone Calls during Pretrial Case Processing***

In September 2017, CJA's court date reminder vendor announced it would be filing for bankruptcy in a matter of weeks. Unable to hire another vendor in such a short time, and motivated to maintain its commitment to providing this service, CJA used the next few weeks to set up a live call center.

Researchers also used this opportunity to test and evaluate the effectiveness of reminders on court appearance rates for people issued DATs by conducting a randomized controlled trial (RCT) (n=2,219). Individuals were eligible to participate in the study if they (a) were issued a DAT and (b) provided a phone number to the NYPD. The study started on November 6, 2017 and lasted through January 26, 2018.

Participants were randomly allocated to one of four groups:

1. Reminder call 3 days prior to court appointment;
2. Reminder call the morning of court appointment;
3. Both; or
4. No reminder call (control group).

A comparison of court appearance rates across the four groups showed there was a statistically significant relationship between treatment and court appearance, as shown below:

- 80.7% no call (n=388)
- 88.7% three-day call (n=568)<sup>10</sup>
- 87.4% same-day call (n=366)<sup>11</sup>
- 87.5% both calls (n=594)<sup>12</sup>
- **There was a 37% reduction in overall FTA rate for individuals receiving any of the reminder treatments compared to the control group.<sup>13</sup>**
- **The results suggest the timing of the reminders was not important.**

When the treatment groups are collapsed into one category and compared to the control group, significant differences exist across racial/ethnic groups.

- **Hispanic participants saw a dramatic improvement if treated.**
  - **Those treated failed to appear 11.9% of the time compared to 21.6% in the control group (a 44.9% reduction).**
- **Black participants saw an improvement from 22.0% to 15.4% (a 30.0% reduction)**
- **White participants saw an improvement from 12.5% to 9.7% (a 22% reduction).**
- **Asian participants saw an improvement from 10.9% to 3.5% (a 68% reduction), but results were not significant, possibly due to the small sample size (n=189).**

The author speculates that the difference is potentially due to race is serving as a proxy for one's confidence in the criminal legal system, and higher levels of confidence and trust in the criminal legal system are associated with compliance (e.g. going to court). Race may also act as a proxy for socioeconomic status, and people of lower SES may benefit more from being reminded to come to court.

Interestingly, although no specific hypotheses were made regarding outcomes across different age groups,

- **People between 18 and 29 years of age saw the most dramatic improvements in appearance rates when treated, with 22.7% of those untreated failing to appear compared to 12.1% of those treated (a 47% improvement). This finding was statistically significant.**
- **Participants in the 30-39 age groups also saw considerable improvement (from 22.4 to 13.5%, a 40% reduction).**
- **Those 40 years old and above saw smaller, non-significant improvements.**
- **Males and females saw similar improvements in appearance rates.**

Criminal History

---

<sup>10</sup> 41.5% reduction in FTAs, h = 0.22, p<.001

<sup>11</sup> 34.7% reduction in FTAs, h = 0.18, p<.01

<sup>12</sup> 35.2% reduction in FTAs, h = 0.19, p<.01

<sup>13</sup> p < .001

- **Participants with more than one arrest charge (n=1,162) experienced a statistically significant reduction in FTA from 22.4% if not treated to 11.4% if treated (a 49% reduction).**
- **The effects of treatment did not vary much based on the type of charge, but those for whom one or more of the charges was a vehicle and traffic law (VTL) offense did experience a considerable reduction in FTA if treated.**

Finally, the study revealed that the effects of the treatment were greater for people with longer times to arraignment. The authors postulated that this is because people are more likely to forget with longer periods of time from arrest to arraignment. It may also be difficult for people to maintain their commitments so far in advance.

Important limitations noted in the study were the disparities between the intended treatment and actual treatment, as many individuals end up not receiving the treatment, even if attempted. Individuals may not have remembered their phone number, changed or lost their phone, or the phone number was recorded incorrectly. Researchers suggest the effect of this was that the treatment groups were not entirely random. It is suggested that future programs understand why treatment is not working so it can be adjusted accordingly. Future programs should also consider testing several treatments that rely on different contact numbers.

**Ropac (unpublished):** *Randomized Control Trial for Live Phone Call Court Reminders vs. Automated Reminders*

CJA conducted an additional RCT that compared the effectiveness of live phone call reminders and automated call reminders for people arrested and released pretrial in New York City, as well as three-day calls and same-day calls (n=8,126). Only people who were released pretrial and for whom the provider had a phone number—either obtained by police or collected during the pretrial interview—were intended to receive reminder calls. Only individuals released prior to an appearance were provided court date reminders.

The study ran from July 2018 – December 2018 and included 4 treatment groups (no control group):

1. Live call 3 days prior to court appointment;
2. Live call the morning of the court appointment;
3. Robocall 3 days prior to court appointment; and
4. Robocall the morning of the court appointment.

**The study found no significant differences by type of treatment or timing of notification, with corresponding court appearance rates, found below:**

- **91.4% for three-day live call (n=1,824)**
- **91.0% for same-day live call (n=1,780)**
- **90.8% for three-day robocall (n=1,884)**
- **91.0% for same-day robocall (n=1,910)**

These findings indicate that robocalls and live calls are equally effective in facilitating court appearance. Taken in tandem with CJA's additional recently conducted RCT (Ferri, 2020), it appears robocalls are a preferable method of court date notification.

## Research Summary

The table below summarizes the most relevant court date notification research studies. The table is organized first by whether the study was an RCT or not, and then by year of publication. P-values are included for studies that conducted statistical tests.

### Court Notification Research Table

Jurisdiction	Author	Year	RCT	Notification Type	p value	Results <sup>14</sup>
Nebraska (14 counties)	Bornstein et al.	2013	Yes	Postcards	P < 0.001	Court appearance rates were lower (87.4%) for the control group than for those receiving any reminder (90.3%).
Louisville (KY)	Lowenkamp, Holsinger, & Dierks	2018	Yes	Texts and Live Phone Call	Not significant	No difference in court appearance rate by type of notification.
New York City (NY)	Fishbane et al.	2020	Yes	Text messages	P < 0.001	Receiving any pre-court message reduced FTA by 21%. <sup>15</sup>
New York City (NY)	CJA – Ferri	2020	Yes	Live Phone Calls	P < 0.001	Court appearance rates were lower (80.7%) for the control group than for those receiving a three-day call (88.7%).
New York City (NY)	CJA – Ropac (unpublished)	N/A	Yes	Automated vs. Live Phone Calls	Not significant	No difference in court appearance rate by type of notification.
New York City (NY)	CJA – Gewirtz & Schiff	1988	No	Letters and Live Phone Calls	Not significant	No significant difference as result of notification program.
New York City (NY)	CJA – Eckert & Rouse	1991	No	Letters and Live Phone Calls	No significance testing	Court appearance rates were lower (78.3%) for those not successfully contacted than for those successfully contacted (86.2%) for Time 1; Court appearance rates were lower

<sup>14</sup> This column is not representative of all findings in the study.

<sup>15</sup> Three different versions of the pre-court text messages were implemented and tested. The first version of the text emphasized the consequences of not appearing in court (warrant), the second version of the text focused on assisting individuals in developing concrete plans to appear in court, and the final version of the text combined the consequences and plan-making messaging.

						(77%) for those not successfully contacted than for those successfully contacted (84.7%) for Time 2.
King County (WA)	Crozier	1998	No	Live Phone Call	No significance testing	Overall court appearance rates were lower (82.7%) from pre-notification program to post-notification program (84%).
Multnomah County (OR)	Nice	2005	No	Automated	P = 0.016	Court appearance rates were lower (72%) for the comparison group than for the treatment group (84%).
Coconino County (AZ)	White	2006	No	Live Phone Call	No significance testing	Court appearance rates were lower (74.6%) from pre-notification program than for those successfully reached (94.1%).
Jefferson County (CO)	Schnacke, Jones, & Wilderman	2012	No	Live Phone Call	P = 0.0022	Overall court appearance rates were lower (79%) from pre-notification program to post-notification program (88%).
Lafayette Parish (LA)	Howat et al.	2014	No	Live Phone Call	No significance testing	Overall court appearance rates were lower (48%) from pre-notification program than post notification program (62%).
Hennepin County (MN)	Podkopacz	2019	No	Texts and E-mails	No significance testing	Overall court appearance rates were lower (51%) from pre-notification program than post notification program (70%).

## Key Take-Aways

- **Court date notifications are an effective strategy for increasing court appearance rates** (Ferri, 2020; Fishbane et al., 2020; Bornstein et al., 2013).
- **Court date notification content messaging and design matter for increasing court appearance rates.**
  - While Bornstein and colleagues (2013) found a court date notification postcard with a warning or “sanction” messaging was the most effective at increasing court appearances, a reminder-only or combination of a reminder and sanction message were also significantly effective at increasing court appearance rates compared to no court date notification.

- For text messages, a combination of plan-making and warning messaging was proven as to be the most effective messaging content at increasing court appearance (Fishbane et al., 2020).
- Increasing the clarity and prominence of key features of the notification resulted in a 13% decrease in FTA rates (Fishbane et al., 2020).
- **The research literature is largely wanting in identifying which type(s) of court date notification and timing are most effective at increasing court appearance rates.**
  - One RCT that compares different types of notification methods found no discernable difference in court appearance rates for those receiving an automated call versus those receiving a live phone call (Ropac, unpublished).
  - Ferri (2020) discovered the timing of the notification had no significant impact on court appearance rates.
  - Lowenkamp and colleagues (2018) found none of the four treatments (call, call warning, text, text warning) had a statistically significant effect on the likelihood of FTA.
- **Court date notification programs can help save jurisdictions costs.**
  - Bornstein and colleagues (2013) found the benefits from reductions in FTAs increase to over \$11,000 for one county in Nebraska. However, their cost-benefit analysis discovered that while postcards were cost-effective overall, they were not so in all cases. More specifically, projections indicated that more benefits would accrue if the reminder process could be automated to identify eligible people.
  - In one study in Coconino County, AZ, authors (White, 2006) estimated a 12% reduction in FTA rates translates to 127 fewer FTA warrants issued per year, which saves close to 1,000 jail beds. At a value of \$60 per bed, researchers calculated that the savings to the jail district could be \$60,000.
- **Researchers and practitioners should also focus on warrant prevention efforts by calling people that have missed their court date to encourage them to return to court voluntarily.**
  - One study found that people with warrants receiving a post-FTA text resulted in a 32% reduction in open warrants (Fishbane et al., 2020).

## Reasons for FTA and Program and Policy Recommendations

The primary reasons for people failing to appear for their scheduled court dates and subsequent potential policy recommendations are below.

**Forgetfulness:** One of the most prominent reasons provided in the literature for why people miss their court is forgetfulness. Additionally, people charged with low level offenses have been shown to not show up for court because they do not realize their ticket warrants a court appearance (Fishbane et al., 2020).

**Recommendation:** Deliver court date reminders to people released pretrial to remind them of the day, time, and location of their court appearance. Research suggests that automated calls (Nice, 2005; Ropac, unpublished), postcards (Bornstein et al., 2013), and text messages (Fishbane et al., 2020) are the effective methods of reducing court appearance rates. However, more research is needed to confidently conclude the most effective notification type and timing. Live notification calls also increase court appearance rates (Ferri, 2020) and may help to increase beliefs about procedural justice.

**Logistical Challenges:** Research has also identified childcare, employment obligations, or other logistical issues such as transportation, as primary reasons people do not show up for their scheduled court appearances.

**Recommendation:** Consider including “plan-making” content in the message, in addition to warning messages, as a combination of both is the most effective (Fishbane et al., 2020). A live call notification center or pretrial helpdesk may also assist in helping people develop a plan for getting to court. Inquiring about how someone plans on getting to court can elicit a conversation about calling work to request time off, etc. A live call can also help to remind the client to connect with their defense attorney if they need to reschedule. Many times, defense attorneys can assist them with travel arrangements or may even help to cover the cost of bus or other transit fare.

**Distrust in the legal system:** Some studies have identified people’s distrust in the legal system or fears and anxieties around what may happen in court as factors that influence court appearance rates (Fishbane et al., 2020; Bornstein et al., 2013).

**Recommendation:** Incorporate procedural justice elements. First, consider the language and design used in your notifications as one study found redesigning their notification to incorporate procedural justice elements increased court appearance rates (Fishbane et al., 2020). Live callers may also help to answer questions about uncertainties surrounding the court date, which could decrease anxiety about attending court.

## Developing A Pretrial Court Notification Program

### Current Landscape

New York’s bail reform legislation mandates court date notifications for all people released pretrial. Additionally, the expanded release provisions and restrictions on the use of monetary bail require counties to seek new ways of supporting the pretrial population in their community. Few counties are currently structured, financially equipped, and prepared to meet the new law’s minimum requirements for pretrial services. While certain aspects of the law may require long-term planning to meet the more aspirational goals of pretrial service practices, there are potential interventions possible for helping jurisdictions fulfill immediate compliance with the law.

Presently, the Office of Court Administration (OCA) is delivering several types of court date notifications to individuals released pretrial, depending on the contact information available and the client’s preference for notification method. Prior to the person being arraigned, OCA sends out a letter notification of the arraignment appearance. Once the person is arraigned, the person

completes a contact form and can provide a cell, landline and e-mail address. Generally, the subsequent notifications are sent according to their preferred method of notification. If no preference is known, then OCA uses a hierarchy of text messages, e-mail, automated telephone message and lastly, letter.

Pretrial services agencies have the potential to develop and operate robust notification systems to support the work of OCA and customize their support of the pretrial community. Pretrial services typically have more communication with people going through the pretrial process and information on the challenges they might experience (e.g. behavioral health needs, lack of stable housing, transportation barriers, etc.). This allows pretrial programs to develop more individualized outreach for the specific populations they are serving. If a pretrial services agency has already been conducting notifications for the population of people released under their supervision, what lessons can be learned from the experience of helping this group of people in returning to court?

[The New York City Criminal Justice Agency \(CJA\)](#) , the main pretrial services agency for the five boroughs of New York City, delivers over one million notifications annually through letters, text messages, emails, and phone calls, and also provides free court information and support through a [live call center](#).

## Collecting Call Outcomes

Pretrial services agencies do not currently have access to the outcomes of the OCA notification automated calls. Thus, pretrial services agencies cannot verify whether the phone number utilized for OCA's notification was a working phone or the correct number. Some automated telephone and text message vendors will produce an outcome of whether the phone received the message, or the message was undelivered. This outcome is typically derived from the telephone carrier. While there are few tangible or scalable possibilities to determine whether the person listened to the message, pretrial services agencies could consider developing their own notification systems, that provide more detailed call outcome data. The most important call outcomes for live telephone notification programs to measure include: ([See here for example data dictionary](#))

- **Reached:** The agency was able to speak directly to the client and deliver the message.
- **Left Message:** The agency was able to leave a voice message or leave a message with another person willing to deliver the message to the client.
- **Not Reached:** The agency was unable to speak directly to the client or leave a message with another person that could deliver the message to the client. This may be because the voicemail was full, the person reached could not deliver the message to the client, there was a constant busy signal, or any other reason the client was not reached, but the phone number provided was a working phone number.
- **Bad Number:** The agency was unable to speak directly to the client because the number was the wrong phone number, a non-working phone number or out of service, or any other outcome that indicates the phone number is not currently working or does not belong to the client.

- **Language Barrier:** The agency was unable to communicate with the client because there was a language barrier and no available translation service.

Investigating the call outcomes helps to determine if treatment is being delivered as intended and to investigate any potential patterns among people that provide non-working telephone numbers or incorrect contact information.

## Verifying Contact Information

**Does your county’s pretrial services agency conduct a pretrial interview?** If a county does currently interview people pretrial, consider the following:

- What information gathered during the interview is needed for a court date notification program?
- Clearly outline how that information is collected, measured, stored, and shared.

If a county is not yet set up to interview every person pretrial, when and how does the agency connect to the individual? Getting additional phone numbers for contacts can provide alternative ways of connecting to a person for notification, particularly if the first number is a bad phone number. Verifying phone numbers before the person is released and ensuring multiple contacts for every person is collected will increase the chances of a successful notification.

**Does your county’s pretrial services agency verify contact information?** If a county has a pretrial interview, is there a system currently set up to verify the information? A verification process can include calling the additional contact or family member of the client to confirm any information the client provides. If a pretrial services agency is not yet set up to conduct a pretrial interview assessment, but connects to people pretrial or at any point in the process, the agency should clearly outline the procedure and details surrounding the conversation that is happening with the client to gather phone number and contact information.

Key considerations for verifying contact information include:

- At what point in the pretrial process does the interaction take place?
- How does the agency connect to the individual (e.g., in-person, by phone, etc.)?
- Are the questions being asked (and recorded) uniformly by each of the pretrial staff?
- If your county receives people’s contact information from another legal partner, such as the courts or police, what are steps you may take to verify contact information?

## Warrant Prevention

In New York City, CJA staff has a dedicated [Outreach Team](#) that also calls individuals who have missed a court date and encourages them to come back voluntarily. Through CJA’s live call center, the Outreach staff assist hundreds of people per day in navigating the pretrial system to attend their upcoming court dates. Warrants are costly and damaging for the individual, community, and legal system more broadly. FTA prevention efforts help to reduce the risk of fines and fees,

impacting any pending and future cases, as well as the risk of being detained in the future or greater sentencing disparities (Vasquez-Noriega, Duane, Reginal, & Jannetta, 2018; White, 2006; Leipold, 2005) due to a history of FTAs.

Agencies without formalized programs for warrant prevention should begin by asking the following questions, in conjunction with key legal partners and stakeholders:

1. What can pretrial services do in that 48-hour window to encourage the person to come back to court?
  - Notification Type
    - Given the short time frame, mailings are not likely to be the ideal method of notification.
    - An automated phone call or text message may be more cost effective than a live phone call. It is important to request to receive call outcomes from the notification vendor. However, if you do not have access to the outcome of the automated call or text, providing live notification in-house allows staff to capture call notification outcomes (e.g., not a working number, wrong number, etc.) and answer any questions the client may have.
    - If your county's pretrial services agency collects or has access to e-mail addresses, this can also potentially be a component of a warrant prevention program.
2. What data is required to deliver the notification?
  - For example, warrant prevention notifications typically require a client's full name, telephone number, an alternative telephone number in case the client cannot be reached on the primary phone number, and the date and time of the court date the client missed.
  - How do you measure whether someone has missed a court date?
    - Do you receive data from the court that includes a data point indicating whether or not someone showed up for court? If not, what steps are needed to collect that information from the court on a consistent basis?
  - If the data is not collected internally, key considerations include:
    - a) What are the sources of each of the data points?
    - b) How can the data be shared with your program (e.g. automated data feed, regular email?)
    - c) With what frequency is the data shared with your program?
3. What additional infrastructure, tools, and staffing are needed to complete the following:
  - a) Develop a daily list of people who missed court the previous day
  - b) Complete the notification calls and input the data (call outcomes)
  - c) Manage the quality assurance and reporting
  - d) Determine what reporting needs are required by your local OCA stakeholder

## 10 Steps for Developing a Court Notification Program

### 1. Develop a Strategic Plan

All pretrial services agencies should develop a strategic plan that clearly outlines the purpose, goals, processes, and reporting procedures for their court date notification program. Given the changes in legislation, the goal is for the system to support people on pretrial release in the least restrictive conditions, such as Release on Recognizance (ROR). With more individuals out on ROR or not detained due to bail, agencies will need to shift their culture and language on how to serve justice-impacted individuals. The strategic plan can also serve as a shared agreement between internal and external key personnel.

The strategic plan should be capable of answering the following questions:

- i. What are the primary goals of the court date notification program?
  1. Think about what is realistic short-term versus long-term.
  2. Consider developing a set of priorities to help sequence the work into manageable and realistic steps.
- ii. What populations need to be served?
  1. All people released pretrial?
  2. People supervised by pretrial?
  3. People who do not appear for their court date?
- iii. What data is needed to implement the program?
- iv. What are the different sources of each data point? In other words, how is each data point collected and by which agency?
- v. What staff are needed to operate the programs?
  1. What staff will be responsible for managing the day-to-day operations of the court date notification program?
  2. What staff will be responsible for data management and reporting? What skills and training are necessary to deliver these services?
  3. Will there be a designated phone number for pretrial services that people could use to address any questions they may have? What staff would be needed to cover a helpdesk to answer the questions of people released pretrial?
  4. What training will be provided to staff to ensure a customer-centered notification system?
  5. Consider the credible messenger model and hiring peer specialists.
    - a. CJA hires credible messengers to operate the outreach center, as well as certified peer specialists with lived experience in the criminal legal system to support development of robust relationships in the Queens Supervised Release Program.

#### Helpful Hint

Assess the technological capabilities by working with IT staff and staff from partnering criminal legal agencies. These individuals can help you understand how data are currently being used and how you may leverage your current capacities.

### What is a credible messenger?

The [credible messenger model](#) matches young people who have been implicated in the legal system with specially trained adults with relevant life experiences called Credible Messengers. These Credible Messengers are often previously incarcerated and can therefore provide young adults with the resources and wisdom to ensure that young adults are not further implicated in the legal system.

Credible Messengers transform the lives of the young people they work with, and have been known to:

- Decrease the number and rate of re-arrests and criminal violations
- Encourage more engagement with social services and court compliance
- Deepen relationships with community members and social service providers
- Instill a deep confidence in the lives of young people

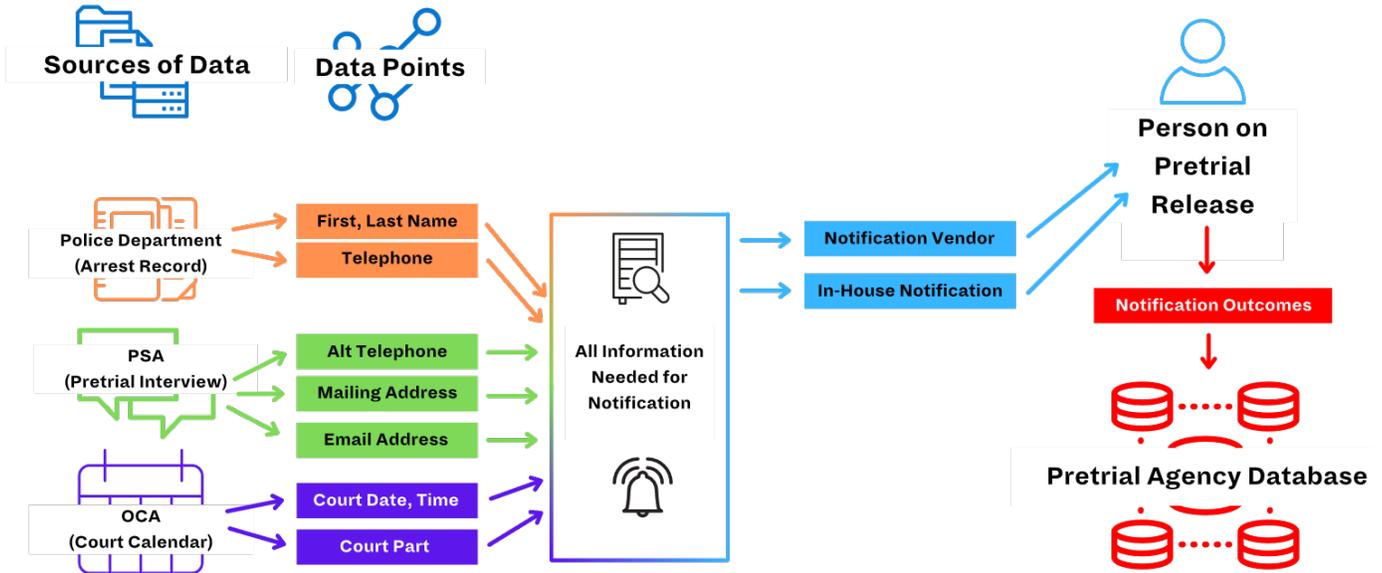
Above all, the Credible Messenger model has been found to encourage community ties and a more holistic approach to mitigating the deep impacts of the criminal legal system in the lives of young people.

- vi. What is the notification method(s)?
- vii. What are the frequencies and timings of the notifications?
- viii. Will your agency use a notification vendor or conduct the notifications in-house?
- ix. Which data points should be reported and shared internally, as well as externally? How often?

## 2. Preparing for Data Collection

- A. Map out the data flow. Once the necessary data points for the program have been identified in your strategic plan, it can be useful to clearly outline the flow of data.

For example, see below:



The map will help identify what data points are needed to deliver the notifications, at what stage that information is collected and by whom, as well as outline the process flow for the program. After determining which data points are required, an agency must ask:

- Current Data Access-
  - Does your agency have ready access to each data point?
  - Does your agency utilize the court calendars?
  - What information is derived from the calendars and input into your system?
- Data Sources-
  - Which agency or organization collects each piece of information?
- Data Sharing-
  - Does the agency currently have an internal data system set up to access each of the data points? If not, what kinds of partnerships are needed to develop a data exchange agreement and process? (See below in Part C for clearly outlining the rules for a data exchange and a [sample MOU](#).)
  - What outcomes in notifications will be provided to stakeholders?
- Data Management-
  - How often are new people added to each system?
  - How often do each of the data points get updated?
    - Are some systems (the court calendars) updated more often than other systems (police department)?



Pretrial services agencies benefit the most from their programs and practices when they engage the voices of those with lived experiences in the criminal legal system. Some localities have adopted The Credible Messenger approach to pro-actively address the multitude of issues clients may face.

In order for notification programs to be successful, pretrial services agencies require insight from people going through the pretrial process themselves to see where and how they can best be reached. Reach out to individuals in the communities that are most impacted by the legal system to provide feedback on the notification program as it is being devised. People impacted by the legal system may have significant distrust of the system and be wary of engaging further. To that end, some questions to ask include:

- How does your agency collect feedback from the pretrial population regarding notifications? How is it using that information to improve policies and practices?
- What are the language needs of the pretrial population in your county?
- How can your agency develop a multilingual and diverse court date notification campaign?

Gathering feedback directly from those undergoing the pretrial process in your agency's county can include methodologies such as conducting focus groups and reporting feedback, interviews, and a qualitative assessment/evaluation to go along with the quantitative reporting. Possible prompts that would be helpful in soliciting feedback are:

1. How often does your primary address change?
2. How often does your primary telephone number change?
3. Does your primary telephone number often get disconnected as a result of unpaid bills or other reasons? If so, how often?

Responses to these prompts are useful because they provide direct input into the utility of certain notification schemes. It also provides a forum for those who recently had experience in a pretrial setting to provide valuable insight into their experience and highlight blind spots and gaps that providers and practitioners may have.

#### **4. Engage System Partners and Non-System Partners**

Given no new resources have been allocated to meet the requirements of the new legislation, it is imperative that agencies leverage and benefit from the resources and expertise of system and non-system actors in their community. Spend time in the early stages of strategic planning fostering new and existing relationships, and also identifying champions in the work, such as judges. A successful court date notification program requires a significant amount of cross collaboration. Limited resources underscore the need for clearly outlining responsibilities of each partnering criminal legal agency to reduce redundancy and duplication. For example, probation and parole should communicate regarding notifications for clients that fall under multiple categories to ensure efforts are not duplicated.

While cross collaboration and communication with partnering systems and organizations is critical to the success of a court date notification program, it can also be useful to develop non-system relationships, such as a Community-University relationship, an often underused resource. Universities have students trained in data analysis who are looking to assist organizations

with projects. When research and data analysis capacity is limited at your organization, such partnerships can also help provide research oversight, theoretical knowledge, and skills.

## 5. Train on Data Security Practices

The information collected by pretrial services agencies and other partnering criminal legal stakeholders are an essential component of operating successful pretrial programs. However, much of this information regarding employment, criminal history, residence, mental and physical health, and substance abuse disorders are of a highly personal and sensitive nature. As counties seek to expand their infrastructure technology, it is imperative pretrial services agencies develop realistic policies to ensure appropriate confidentiality and prevent misuse of any of the information. Agencies should consider: What risks are inherent in the information sharing of our work, and how do we mitigate those risks?

Begin by employing data security training early on for employees and new hires. Even if it is a short introduction, it will familiarize all staff with the importance of data security procedures and communicate it is an essential part of your organization's culture. Basic data security practices include practices, such as:

- Only viewing personal data on a secure internet browser
- Using password protections
- Implementing unique identifiers
- Instituting a clean desk policy. (Pretrial services agencies should ask employees to shred documents they no longer need instead of throwing them in the garbage.)

Other dangerous practices to address are unlocked or unattended devices, or downloading client's personal information to employee's personal devices, such as mobile phones and laptops. An organization's data on clients should only be viewed on work computers on a secure network. Given the recent events surrounding COVID-19, it is of extra importance that data security be taken seriously when remote work is in place.

### What is a unique identifier?

A unique identifier is a unique code for each person within your database. You may use whatever is easiest for your agency. The unique identifier must be the same for that person in any court case and used across local and state entities for all information related to that person. The number must be randomly selected.

For a summary of best practices in data collection for pretrial agencies, please see here: [CJA Data Collection Principles Document](#)

## 6. Invest in Data Quality Assurance

Managing the data and ensuring its accuracy, particularly with limited resources and technology, becomes increasingly important. How does your agency identify data entry errors and duplicate entries?

- A. Hire staff dedicated to managing the data and responsible for quality control.

When resources are limited, think about leveraging community-university partnerships to engage graduate students skilled in data management that are looking for data to use for academic purposes or are seeking experience.

B. Conduct quality assurance on live notification.

Data entry is not the only point at which quality assurance should occur. The delivery of the treatment (court date reminder) and the performance of the staff should be conducted on a continual basis. Are staff using client-centered language that focuses on procedural justice on these calls? Best practices include the use of credible messengers to build connection with clients.

## 7. Promotion and Outreach

In order for a court date notification program to be successful, an agency must garner buy-in from diverse groups of stakeholders across the community, including the pretrial population, judges, prosecutors, defense attorneys, court officials, law enforcement, and other partnering organizations and agencies. All parties should be engaged and participate in advertising and outreach efforts.

- a) Engage people in person for the notification system while they are in court. If the county delivers a validated pretrial release assessment or some version of a pretrial interview, this is an opportunity to engage the person earlier in the pretrial process, identify any needs, and potentially connect that person to resources in their community.
- b) Set up a website. Some counties have developed websites with the option to sign up for the reminder program through a court date notification intake form: example from Adams County, PA.
- c) Set up a callback number/email address. Some counties have the ability to set up a toll-free number or email address for people to contact. When clients have address changes, what is your process to obtain this information?
- d) Investigate needs. Pretrial services agencies have the opportunity to serve the person in a holistic way that meets their needs. Many people are unable to show up to court when their basic needs are not being met, such as food, housing, transportation, childcare, and employment. It would therefore behoove pretrial services agencies to get contact information for purposes other than notification in an effort to help serve the needs of individuals involved in the legal system, which might help to reduce their contact with the system.

## 8. Measuring Success

- a. Outcome Measures.
  - How will data collection capture information about the outcomes?
  - Is your data exchange set up to measure court appearance (i.e. failure-to-appear)?
  - What other outcome measures are most important to your program? How will they indicate whether your program is successful?
  - How do you plan on collecting outcomes for your notification?

- Knowing whether the client received the treatment that was intended (e.g., they received the court date notification) can assist in evaluating whether the court reminder program was effective at increasing court appearance rates.
  - o Accurately measuring, collecting, recording, and sharing whether a person appeared in court is a necessary piece of a court date reminder program evaluation.
- b. Possible Metrics of Success:
1. Number of Enrollments in Court Date Notification Program
  2. Number of Enrollments in Court Date Notification Program with Working Phone Number and Delivered Message/Total Number of Court Appearance
  3. Number of Enrollments in Court Date Notification Program Successfully Appeared for Court Date/Total Number of Enrollments
  4. Number Successful Pretrial Outreach in Court Date Notification Program/Total Number of Court Appearances
  5. Number of Attempted Pretrial Outreach in Court Date Notification Program/Total Number of Court Appearance
- c. Evaluating Efforts to Make Program Improvements. It can be helpful to review the primary short-term and long-term goals outlined in your agency's strategic plan. Some questions to ask include:
- i. Did your agency reach the targets delineated? If not, which projections fell short?
  - ii. What data points were difficult for your agency to consistently and accurately collect?
  - iii. Does each data point consistently come from the same source?
- Perhaps dedicating more time to planning and devising a comprehensive data sharing agreement can improve practices.
- iv. Multiple Types of Notifications. If multiple types of notifications happen simultaneously (for example, automated calls and letters) then it will not be possible to distinguish between the efficacy of each method, but only rather whether court date notifications in general increase court appearance rates.
  - v. No Randomized Control Trial (RCT). Without an RCT, it is not possible to know for certain that the implementation of court date notifications is responsible for court appearance rates.
  - vi. Engage Community-University Partnerships. When resources are limited, develop partnerships with colleges and universities to help conduct data analysis.

## 9. Anticipate and Prepare for New Demands and Responsibilities

People engaged in the development and planning process can find developing a new program to be overwhelming, in addition to handling their regular duties. New policies and procedures require time, planning, and continual measurement and refinement. Outline some of the biggest challenges your county may face in fulfilling the new mandates.

- Was your agency easily able to determine a client's release status at any given time?
- Were people appearing in multiple files, forcing your agency to duplicate efforts and waste resources?
- What little steps can be taken to initiate resolving some of your agency's biggest challenges?

Successfully engaging people in the pretrial process can create new demands on the system. Expect staff resistance to new technology and dedicate time to training. Training on data security and best practices for data collection and management should happen on a continual basis.

Agencies should also be prepared for unexpected circumstances. For instance, COVID-19 was an unexpected and significant disruption to people's lives, as well as to the court system. While agencies may not be able to prepare for every external threat that will compromise the quality of the work, agencies must be equipped to adapt to new circumstances and ways of engaging the pretrial population in order to quickly adapt to changing environments.

## **10. Reporting on Progress and Outcomes with Stakeholders**

Reporting the progress of your efforts and outcome measures to stakeholders and other legal partners is a primary function of a pretrial services agency. If a county engages in a community advisory council or committee, this can be a great opportunity to share plans and gain feedback, garner buy-in, and leverage the insight from key leaders and community members.

- a. Increase transparency and trust. Regular feedback and communication are essential for good project management and to garner trust among key partners. Routine reports keep all stakeholders abreast of latest developments and provide an opportunity for feedback and course-correcting. Your agency may want to ask what each stakeholder requires of each report. Regular reporting and feedback communicate a culture of transparency, which garners trust. Continual engagement of stakeholders allows your agency to benefit from their knowledge and expertise and may help guide your planning efforts and gain insights along the way.
- b. Leverage stakeholder knowledge to improve programs and practices. Information sharing ensures that programs and practices are continually improved upon by identifying the challenges and gaps through the perspectives of others working in the system. Data should always be presented in a format that encourages interactive dialogue and can be easily understood and digested. Collecting and analyzing pretrial data in a systematic way helps to improve practices by uncovering patterns related to clients' behaviors, in addition to the performance of different pretrial programs and services. It can also support the use of least restrictive conditions as system stakeholders have more outcomes to back up the conclusion that ROR is preferred as a least restrictive condition which does result in a high court appearance rate.

- c. Use evidence of effectiveness to advocate for future funding. An agency that is able to accurately measure and report on a new program's efficacy can use the evidence to advocate for future resources and funding. What are some of your agency's major difficulties in collecting data or operationalizing the program? How would additional resources and funding help to rectify some of the biggest challenges?

## Summary

Research illustrates that notification systems help to improve court appearance rates, thus reducing the individual, community, and court costs, as well as negative impacts associated with missed hearings. Many jurisdictions have increased court appearance rates by adopting court date reminders such as live phone calls, or through robocalls that deliver an automated reminder message at predetermined times before a scheduled court date, a postcard or letter, text message and e-mail reminders, or a combination of any of the methods above.

Below are several key considerations when developing a court date notification program:

- **Spend time for relationship development with other key stakeholders.**
  - Identify the partnerships that are required to operationalize a court date notification program.
    - How can your agency leverage stakeholder knowledge?
  - What are your data reporting sharing plans, and how does that align with current capacity?
    - Regular reporting and feedback communicates a culture of transparency, which garners trust.
  - How can your agency ensure efforts are not being duplicated?
- **What are the specific needs of the people released pretrial in your jurisdiction?**
  - When people's basic needs are not being met, they are likely unable to show up for court.
  - Focus on client-based, human-centered approaches, which may assist in increasing feelings of procedural justice.
  - Engage the person earlier in the pretrial process, potentially in court, identify any needs that person may have and connect that person to resources in their community.
  - Are there any patterns among those failing to appear for court that can be identified in your jurisdiction?
- **How and when does your agency connect with the individual?**
  - Clearly outline at what stage each piece of data is collected, by whom, and how it is stored and shared.
  - What data is collected directly by the individual from your agency vs. data that is collected by a partnering agency?
- **What are the evaluation plans for your court date notification program?**
  - What are the primary outcome measures of interest?

- How does your jurisdiction measure court appearance?
- What community-university partnerships can be developed to assist with data analysis? What area of expertise is required?
- How is your agency gathering feedback from those in the pretrial population? How does it plan on using that information to improve practices?

## Court Notification Best Practices and Templates

It is of immense importance that pretrial agencies develop robust notification scripts and templates that reflect best practices in the field. This has taken on a heightened level of importance during the COVID-19 global pandemic in which long established court protocols and practices were shuttered in order to prevent the spread of the virus. An example of an effective letter notification template to use during this particularly unique time is as below:

### a. Court Date Reminder Letter COVID-19 Template

Dear [INSERT NAME],

Your case has been adjourned to [DATE] at [TIME]. However, you should NOT appear in court unless you are specifically advised to do so since most people will NOT be required to appear in court in person. **Please be sure to talk to your lawyer before your next scheduled court date.** If you must appear in person, please arrive early to the courthouse so you have time to go through security and check in. Also, please be aware of the following new court information for when you get to the courthouse:

- You must wear a face mask or face covering
- You will be subjected to temperature screening and questioning upon entry to the courthouse
- You **CANNOT** enter the courthouse if you:
  1. Have been in close contact with someone who has COVID-19,
  2. Have flu-like symptoms or been diagnosed with COVID-19
  3. Have been directed to quarantine, isolate or self-monitor at home by a doctor or hospital, or
  4. Have visited countries or traveled to/from states that require you to self-quarantine for 14 days

If any of these conditions apply to you, do not come to court and call XXX-XXX-XXXX to report your situation. You should also call your lawyer. We hope this reminder was helpful.

**DATE:**

**TIME:**

**PLACE:**

**It is important that any use and modification of this template provides the receiving individual with the following pieces of critical information:**

- i. Adjournment date, location, and time
- ii. Information concerning COVID-19 courthouse protocols
- iii. Phone number to call in the case of COVID-19 exposure

In addition, see below for a notification script template for a call:

**b. Court Date Reminder Live Call COVID-19 Template**

Good morning, my name is [\_\_\_\_\_] I am calling from \_\_\_\_\_. I'm looking to speak with [CLIENT]. Is [CLIENT] available?

You have an upcoming court date on [DATE] and [TIME] at [COURTHOUSE] located at [ADDRESS], [PART\_\_\_\_\_], [ROOM\_\_\_\_\_]. Please be sure to talk to your lawyer before your next scheduled court date. Unless your lawyer gives you different instructions, you must appear in person. When you go to court, you must wear a face mask and arrive early enough to complete the security check-in, COVID-19 temperature screening, and questioning.

Were you aware of your court date?

Have you been contacted yet by your attorney?

And will you need to appear in person for your scheduled court date on [DATE]?

IF YES (MUST APPEAR): Thank you. Remember, you must wear a face mask and get there early enough to be screened for COVID-19. Also, you cannot enter courthouse if you have:

- Been in close contact with someone who has Covid19,
- Have flu-like symptoms or been diagnosed with Covid19
- Have tested positive for Covid19
- Have been directed to quarantine, isolate or self -monitor at home by a doctor, hospital, or health care provider
- If you have traveled to any of the mandated quarantine states issued by the NYS executive order and have not quarantined
- Visited countries such as China, Iran, South Korea, Italy, Japan, etc.

If any of these circumstances apply to you, you should not enter the courthouse. Instead please call 1-833-503-0447 and report your situation. You will be given instructions on how to proceed. You should also call your attorney to inform them of your situation. If you have any questions or concerns about this, please feel free to call Office of Court

Administration at 1-646-386-4900. You can also contact CJA Outreach Helpline at 646-213-2683 to ask for assistance.

IF NO (NO CONTACT BY ATTNY): Okay. Do you know who is your lawyer and do you have their phone/email?

IF YES (KNOWS ATTNY): Great. You should reach out to them before your court date to confirm if you have to appear in person.

IF NO (DOES NOT KNOW ATTNY): Okay. Let me see if I can look it up in my system. Also give client heads up that the attorney assigned to their case could change. If you have any questions or concerns about your attorney, please feel free to call Office of Court Administration at 1-646-386-4900.

Furthermore, Ideas42 found that, with respect to the content of the message, a combination of plan making (how one will return to court), and consequences was the most effective notification model. A basic template that includes this formula is below:

**c. Court Reminder Plan-Making and Consequences Template**

"My name is \_\_\_\_\_. I am an \*insert job title\* from the \_\_\_\_\_. This message is for \_\_\_\_\_.

Are you [individual's name] \_\_\_\_\_? Is that your true and correct name?

I am calling regarding your ongoing case no. \_\_\_\_\_. This is an automatic reminder of your upcoming court date on \_\_\_\_\_. Were you aware of this court date? (If Yes) Have you made any arrangements to ensure that you will be present for your scheduled appearance?

Please arrive thirty minutes before your scheduled court time, which is at \_\_\_\_\_ and bring your necessary forms."

Failing to appear on this date will result in \_\_\_\_\_.

As the COVID-19 pandemic will cease at some point, it is also important to develop standard templates. Below is a template for a live phone call notification attempt:

**d. Court Reminder Live Call Standard Template**

Hello, my name is [caller's name]. I am calling on behalf of the [Agency] for [name]. Is [name] available?

1. If the respondent indicates the number is a wrong number: Thank you for time. Have a nice day.

2. If you are able to speak directly to the accused person: I am calling to remind you of your scheduled court date on [day and date] in [court part] at [Court House and Address] at 9:30 AM. It is important for you to come to court. If you fail to appear, a warrant may be issued for your arrest. Will you come to court for your scheduled court appearance?
  - a. If the person says yes:
    - i. Thank you. If you have any questions please call 646-213-2548.
  - b. If the person says no:
    - It is important for you to come to court. If you fail to appear, a warrant may be issued for your arrest. When you are able to come to court, please call [Insert Number].
3. If the person is not available: Are you able to deliver a message to [name] as soon as possible?
  - a. If the person answers yes: Do you have a pen and paper available? I am calling to remind [name] of a scheduled court date on [day and date] in [court part] at [Court House and address] at 9:30 AM. It is important [name] comes to court. Failure to appear may result in a warrant issued for their arrest. If you or [Accused Person's Name] have any questions, please call 646-213-2548.
  - b. If the person answers no: Is this a good number to try and contact [name] at another time? i. If the person answers yes: I will try again later. Thank you for your time. Have a nice day.
  - c. If the person answers no: Do you know of a phone number at which I can reach [name]? 1. If the person answers no: Thank you for your time. Have a nice day. 2. If the person answers yes: Thank you. What is that number?

This template is especially useful because it accounts for almost all possible outcomes during the phone call. However, sometimes a person may not pick up and the call goes to voicemail. Below is a script to use when leaving a voice mail notification:

This message is to remind [name] of a scheduled court date on [day and date] in [court part] at [Court House and address] at 9:30 AM. It is important [name] comes to court. Failure to appear may result in a warrant being issued for their arrest. If you have any questions please call [Insert the appropriate contact number].

Proper templates are a necessary component of a robust notification system. It is important to ensure that outreach staff are trained in compliance with scripts and are fluent in responding to questions that individuals may have concerning their scheduled court appearance.

## Discussion and Future Directions

FTA rates vary significantly by jurisdiction and by a range of factors including offense type, race, age, geographic location, politics, and available resources. Overall FTA estimates range from a low of 7% (VanNostrand & Keebler, 2009) to highs near 25% of all cases processed (Cohen & Reaves, 2007). The research literature would benefit by investigating how different methods of court date notification vary by region type (urban, rural, or suburban) and population size, as funding, resources, and available technology vary vastly by jurisdiction.

Much of the research literature has focused on court appearances for misdemeanor offenses as this population has generally been found to be less likely to appear for court. In most jurisdictions, the volume of enforcement actions for lower-level offenses (e.g., misdemeanor arrests, tickets, and citations) outnumber felony arrests (Chauhan & Travis, 2018). Luminosity & the University of Chicago's Crime Lab New York found that in New York City, people released on felony charges are more likely to show up for court than those facing less serious charges (2020). Specifically, released individuals charged with a VFO had the lowest FTA rate (9.7%), followed by those charged with a felony non-VFO (12.0%), and those charged with a misdemeanor (13.7%).

However, it is possible that individuals arrested on felony offenses are more likely to appear in court than people arrested on misdemeanor offenses because they also are less likely to have the opportunity to fail to appear, as many are held in pretrial detention. People with felony arrests also may have higher appearance rates because they are more likely to have attorneys to remind them of court dates or be released to a pretrial program that will remind them of their court date. Additionally, the penalty for FTA (e.g., forfeited bail) is potentially greater.

Nonetheless, many people arrested on felony charges are released on bond or other conditions, which makes appearing for court crucial for them as well. Nationally, the FTA rate is approximately 21-24% for felony cases (Cohen, 2010). Therefore, future research should also address the effectiveness of reminders at reducing FTA among those arrested on felony offenses. VanNostrand and Keebler (2009) discovered that individuals arrested on a felony charge were 61% more likely to fail to appear than those arrested on a misdemeanor offense. It is possible that, for certain jurisdictions, those charged with felony offenses are less likely to appear because the nature of the more serious offense means that, on average, they are more likely to have a previous criminal record and to have low trust in the criminal legal system (Bornstein et al., 2013). Counties should investigate which offense categories and other types of populations have the lowest rates of court appearance in their jurisdiction.

Researchers are encouraged to continue to investigate how procedural justice beliefs and trust in court actors may influence court appearance rates and how these beliefs impact court notification interventions, as this may serve as a useful tool in reducing racial disparities. It is also important to pay close attention to how contact information for court reminders is obtained. If several sources of information and data are available for the same measure, it is important to determine which source is likely to be most credible.

A significant benefit to using live reminder calls appears to be in the area of customer service, an area often overlooked in the criminal legal system. However, one study directly comparing robocalls versus live calls found no significant difference in court appearance rates by notification type or timing (Ropac, unpublished).

Preliminary research conducted on notifications for people after they fail to appear for court shows significant potential for increasing court appearance rates and decreasing open warrants. One study found receiving a post-FTA text resulted in a 32% reduction in open warrants (Fishbane et al., 2020). This is an additional component often neglected in the court date notification literature and should continue to be empirically tested. In a survey conducted by the Department of Justice (2001), almost 80% of pretrial programs in the survey claimed to take some action to follow up on people who fail to appear in court (Clark & Henry, 2003).

Court date notification systems should continue to be implemented and tested for effectiveness, with an emphasis on further examination of specific notification method, content, and timing by region type and population size.

## References

Andrews, D. A., & Bonta, J. (1998). *The Psychology of Criminal Conduct* (2nd ed.). Cincinnati, OH: Anderson.

Bechtel, K., Holsinger, A. M., Lowenkamp, C. T., & Warren, M. J. (2017). A meta-analytic review of pretrial research: Risk assessment, bond type, and interventions. *American Journal of Criminal Justice*, 42(2), 443–467. <https://doi.org/10.2139/ssrn.2741635>

Bornstein, B. H., Tomkins, A. J., Neeley, E. M., Herian, M. N., & Hamm, J. A. (2013). Reducing courts' failure-to-appear rate by written reminders. *Psychology, Public Policy, and Law*, 19(1), 70–80. Available at <https://digitalcommons.unl.edu/cgi/viewcontent.cgi?article=1601&context=psychfacpub>

Cadigan, T. P., & Lowenkamp, C. T. (2011). Implementing risk assessment in the federal pretrial services system. *Federal Probation Journal*, 75(2), 1–9. Available at [https://www.uscourts.gov/sites/default/files/75\\_2\\_5\\_0.pdf](https://www.uscourts.gov/sites/default/files/75_2_5_0.pdf)

Chauhan, P., & Travis, J. (2018). Introduction to special issue: Misdemeanor Justice Project—A focus on criminal justice system responses to lower level offenses. *Criminal Justice Policy Criminology, Criminal Justice, Law & Society – Volume 20, Issue 2 Review*, 29, (6-7). doi.org/10.1177/0887403418766622

Clark, J. & Henry, D.A. (2003). *Pretrial services programming at the start of the 21<sup>st</sup> century: A survey of pretrial services programs*. Washington, D.C.: Bureau of Justice Assistance. Available at <https://heinonline.org/HOL/LandingPage?handle=hein.agopinions/pretri0001&div=1&src=home>

Cohen, T. H. (2010). *Pretrial release of felony defendants in state courts: State court processing statistics, 1990-2004*. Available at <https://www.bjs.gov/content/pub/pdf/prfdsc.pdf>

Cohen, T.H., & Reaves, B. (2007). *Pretrial release of felony defendants in state courts*. Washington, D.C.: Bureau of Justice Statistics. Available at <https://www.bjs.gov/content/pub/pdf/prfdsc.pdf>

- Crozier, T. L. (2006). *The court hearing reminder project: if you call them, they will come*. Williamsburg: National Center for State Courts. Available at <https://ncsc.contentdm.oclc.org/digital/collection/ctadmin/id/437/>
- Dobbie, W., Goldin, J., & Yang, C. S. (2018). The effects of pretrial detention on conviction, future crime, and employment: Evidence from randomly assigned judges. *American Economic Review*, 108(2), 201-240. Available at <https://pubs.aeaweb.org/doi/pdfplus/10.1257/aer.20161503>
- Eckert, M., & Rouse, M. (1991). *The 1991 Court-Date Notification Study: A Preliminary Report on CJA Notification Procedures and Their Impact on Criminal Court Failure-to-Appear Rates*. New York, NY: New York City Criminal Justice Agency.
- Ferri, R. (2020). The benefits of live court date reminder phone calls during pretrial case processing. *J Exp Criminol* (2020). <https://doi.org/10.1007/s11292-020-09423-0>
- Gewirtz, M. & Schiff, M. (1988). *Evaluation of Court-Date Notification for Defendants Released on Bail*, New York, NY: New York City Criminal Justice Agency
- Goodman, R. (1992). *Hennepin county bureau of community corrections pretrial release study*. Minnesota, MN: Bureau of Community Corrections. Available at: <https://www.ncjrs.gov/pdffiles1/Digitization/153608NCJRS.pdf>
- Hamm, J. A., PytlikZillig, L. M., Tomkins, A. J., Herian, M. N., Bornstein, B. H., & Neeley, E. M. (2011). Exploring separable components of institutional confidence. *Behavioral Sciences & the Law*, 29, 95–115; [doi: 10.1002/bsl.965](https://doi.org/10.1002/bsl.965)
- Howat, H., Forsyth, C., Biggar, R., & Howat, S. (2016). Improving court-appearance rates through court date reminder phone-calls. *Criminal Justice Studies*, 29, 77-87. [DOI: 10.1080/1478601X.2015.1121875](https://doi.org/10.1080/1478601X.2015.1121875)
- Johnson, B., Kierkus, C. & Yalda, C. (2014). Who skips? An analysis of bail bond failure to appear. *Journal of Applied Security Research*, 9(1), 1-16. <https://doi.org/10.1080/19361610.2014.852005>
- Leipold, A.D. (2005). How the pretrial process contributes to unfair convictions. *The American Criminal Law Review*, 42(4): 1123-1165. Available at SSRN: <https://ssrn.com/abstract=873904>
- Lowenkamp, C., VanNostrand, M., and Holsinger, A. (2013). *The Hidden Cost of Pretrial*

- Detention*. Laura and John Arnold Foundation.  
[https://craftmediabucket.s3.amazonaws.com/uploads/PDFs/LJAF\\_Report\\_hidden-costs\\_FNL.pdf](https://craftmediabucket.s3.amazonaws.com/uploads/PDFs/LJAF_Report_hidden-costs_FNL.pdf)
- Lowenkamp, C. T., Holsinger, A. M., & Dierks, T. (2018). Assessing effects of court date notifications within pretrial case processing. *American Journal of Criminal Justice*, 43, 167– 180. [doi: 10.1007/s12103-017-9393-7](https://doi.org/10.1007/s12103-017-9393-7).
- Luminosity & The University of Chicago's Crime Lab New York. (2020, June). *Updating the New York City Criminal Justice Agency Release Assessment*. UChicago Urban Labs.  
<https://urbanlabs.uchicago.edu/attachments/7eef1e8c35bc9be73527a28ab8e398f743181201/store/bce826cc2c53c712a5981922b7964f790fcef6de68cc0abfe426eba1f707/Updating+the+NYC+CJA+Release+Assessment+-+Research+Report.pdf>
- Maxwell, S. R. (1999). Examining the congruence between predictors of ROR and failures to appear. *Journal of Criminal Justice*, 27, 127–141. [https://doi.org/10.1016/S0047-2352\(98\)00052-X](https://doi.org/10.1016/S0047-2352(98)00052-X).
- National Institute of Corrections, Center for Effective Public Policy. (2010). *A Framework for Evidence-Based Decisionmaking in Local Criminal Justice Systems: An Initiative of the National Institute of Corrections*, 3rd Ed. Washington, DC: National Institute of Corrections.  
<https://university.pretrial.org/HigherLogic/System/DownloadDocumentFile.ashx?DocumentFileKey=c8bd044e-0215-9ab6-c22e-b1a4de912044>
- Nice, M. (2006). *Court appearance notification system: Process and outcome evaluation*. Multnomah County: Multnomah County Budget Office.  
<https://multco.us/file/26885/download>.
- O'Keefe, M. (2007). *Court appearance notification system: 2007 analysis highlights*. Local Public Safety Coordinating Council. Retrieved from  
[http://www2.co.multnomah.or.us/County\\_Management/Budget/Budget%20Office%20Evaluation/Reports/Public%20Safety%20Research/CANS%20Highlights.pdf](http://www2.co.multnomah.or.us/County_Management/Budget/Budget%20Office%20Evaluation/Reports/Public%20Safety%20Research/CANS%20Highlights.pdf)
- Podkopacz, M. (2019). *Using Reminders to Reduce Failure to Appear in Court*. Fourth Judicial District of Minnesota, Hennepin County. Retrieved 2020, from  
[https://www.mncourts.gov/mncourtsgov/media/fourth\\_district/documents/Research/Hennepin-County-Court-eReminders-Project-September-2019.pdf](https://www.mncourts.gov/mncourtsgov/media/fourth_district/documents/Research/Hennepin-County-Court-eReminders-Project-September-2019.pdf)
- Reaves, B. A., & Perez, J. P. (1992). *Pretrial release of felony defendants, 1992*. Washington, DC: Bureau of Justice Statistics Bulletin.
- Ropac, R. (unpublished). *Assessing the Role of the Human Touch in Court Date Reminders: A*

*Randomized Controlled Trial Comparing the Effectiveness of Live Calls versus Automated Calls in Reducing Failure to Appear.* Unpublished manuscript. New York, NY: New York City Criminal Justice Agency

- Rosenbaum, D. I., Hutsell, N., Tomkins, A. J., Bornstein, B. H., Herian, M. N., & Neeley, E. M. (2012). *Court date reminder postcards: a benefit-cost analysis using reminder cards to reduce failure to appear rates.* *Judicature*, 95(4), 177–187.
- Rouse, M., & Eckert, M. (1992). *Arrestment-Date Notification and Arrestment Appearance of Defendants Released on Desk Appearance Tickets: A Summary of Preliminary Findings.* New York, NY: New York City Criminal Justice Agency
- Schnacke, T. R., Jones, M. R., & Wilderman, D. M. (2012). Increasing court-appearance rates and other benefits of live-caller telephone court-date reminders: the Jefferson County, Colorado, FTA pilot project and resulting court date reminder program. *Court Review*, 48, 86–95.  
<https://digitalcommons.unl.edu/cgi/viewcontent.cgi?article=1396&context=ajacourtreview>
- Schönteich, M. (2010). *The Socioeconomic Impact of Pretrial Detention.* New York, NY: Open Society Foundations. <https://www.justiceinitiative.org/uploads/84baf76d-0764-42db-9ddd-0106dbc5c400/socioeconomic-impact-pretrial-detention-02012011.pdf>
- Siddiqi, Q. (1999). *Assessing risk of pretrial failure to appear in New York City: A research summary and implications for developing release-recommendation schemes.* Final Report for the New York City Criminal Justice Agency. New York: New York City Criminal Justice Agency. <http://www.ncjrs.gov/App/publications/abstract.aspx?ID=204584>
- Siddiqi, Q. (2009). *Predicting the likelihood of pretrial failure to appear and/or re-arrest for a violent offense among New York City Defendants: An analysis of the 2001 dataset.* Retrieved from New York City Criminal Justice Agency website: <http://www.ncjrs.gov/App/publications/abstract.aspx?ID=238341>
- Tyler, T. R. (2006a). Psychological perspectives on legitimacy and legitimation. *Annual Review of Psychology*, 57, 375–400. [doi:10.1146/annurev.psych.57.102904.190038](https://doi.org/10.1146/annurev.psych.57.102904.190038)
- Tyler, T. R. (2006b). *Why people obey the law.* Princeton, NJ: Princeton University Press. (Original work published 1990)
- VanNostrand, M., & Keebler, G. (2009). *Pretrial risk assessment in the federal court.* Office of the Federal Detention Trustee (U.S. Department of Justice) and administrative Office of the U.S. courts. Available at [https://www.uscourts.gov/sites/default/files/73\\_2\\_1\\_0.pdf](https://www.uscourts.gov/sites/default/files/73_2_1_0.pdf)
- Vasquez-Noriega, C., Duane, M., Reginal, T. and Jannetta, J. (2018). *Supporting individual*

*agency in the pretrial release process: An Innovation Fund case study from Durham and Santa Clara Counties.* Urban Institute. Retrieved from:  
[https://www.urban.org/sites/default/files/publication/99166/supporting\\_individual\\_agency\\_in\\_the\\_pretrial\\_release\\_p\\_rocess.pdf](https://www.urban.org/sites/default/files/publication/99166/supporting_individual_agency_in_the_pretrial_release_p_rocess.pdf)

Visher, C. A., & Linster, R. L. (1990). A survival mode of pretrial failure. *Journal of Quantitative Criminology*, 6, 153–184. <http://www.istor.org/stable/23365625>

Williamson, A. (2017, May). *Electronic Court Reminders. Fourth Judicial District Court of Minnesota, Hennepin County.* Retrieved 2020, from  
<https://ncsc.contentdm.oclc.org/digital/api/collection/tech/id/894/download>

White, W. (2006, May). *Court hearing call notification project.* Unpublished report, Criminal Justice Coordinating Council & Flagstaff Justice Court, Coconino County Arizona. Retrieved from [www.coconino-.az.gov/uploadedFiles/Criminal Justice Coordinating Council/ReportFTA.doc](http://www.coconino-.az.gov/uploadedFiles/Criminal_Justice_Coordinating_Council/ReportFTA.doc)

Zettler, H., & Morris, R. (2015). An exploratory assessment of race and gender-specific predictors of failure to appear in court among defendants released via a pretrial services agency. *Criminal Justice Review*, 40(4), 417-430. [doi:10.1177/0734016815583350](https://doi.org/10.1177/0734016815583350)