



Capacity Building
CENTER FOR COURTS

CQI Quick Sheet

Court Observation Basics

The CQI Quick Sheet series is meant to assist Court Improvement Programs plan for evaluating an area of focus. It includes some specific questions to ask, as well as some useful tips on methodologies to help achieve goals to improve in this area.

Court observations can be a valuable way to collect data as part of the CQI process. During court observation, trained observers attend juvenile dependency court hearings and record what they see and hear, typically using a standardized court observation tool. The type of information observers collect will vary depending on specific CQI plans, activities, and outcomes of interest.

What Can We Learn from Court Observation?

Data can be collected on the information presented and topics discussed at the hearings, as well as some of the behaviors of those involved in the case and present for the hearing (e.g., judicial officer, social workers, attorneys, parents, children).

Individual data elements or pieces of information gathered from hearing observation can be used to address broader questions. For example, compliance with recommended hearing practices or quality of hearings can be measured by recording the breadth and depth of topics discussed that are supposed to be addressed during the specific hearing. Judicial engagement with parents can be assessed by tracking multiple behaviors, such as whether the judge addresses the parent by their proper name, allows the parent an opportunity to be heard, and asks if the parent has any questions.

Data that can be collected from court observation:

- Attendance of parties and others involved in the case
- Hearing length and if held on time
- Breadth of topics discussed
- Depth of topics discussed
- Judicial demeanor and behaviors
- Attorney demeanor and behaviors
- Nature of interactions between parties

Will Court Observation Help Us in Our CQI Process?

The usefulness of court observation depends on whether it can answer your specific CQI questions. For instance, during court observation you may be able to tell if attorneys seem prepared and if attorneys advocate for their clients. However, you will probably not be able to tell how much time the attorneys spent meeting with their clients outside of court.

Court Observation Pros



- Can examine specific behaviors
- Can examine court processes
- Can be used to collect quantitative and qualitative data
- Fairly objective

Court Observation Cons



- Must train observers
- Observation may change behaviors
- Provides only a “snapshot” of what occurs at a single point in time

Steps to Take in Developing and Implementing a Court Observation Plan

1. Determine if court observation will help answer your questions

- *Observe a few hearings to ensure that the information you are interested in can be obtained through court observation.*

2. Decide what data you need to collect to answer your questions

- *Court hearings often move quickly and recording too many pieces of information can be overwhelming. Avoid collecting any data that are not relevant to your questions.*

3. Create your court observation data collection instrument

- *These instruments can be used to collect both quantitative (numeric) and qualitative (thoughts and impressions) data.*
- *Example court observation tools are available on the CIPShare website.*

4. Select and train observers so that all observers are recording data systematically and consistently

- *Observers can be stakeholders or interns/volunteers recruited from a local organization or university (but should have at least a basic understanding of the court process).*
- *Practicing data collection from real hearings can highlight any problems with the data collection instrument and agreement among observers.*

5. Determine sample size and begin data collection

- *Sample size will depend on the questions being asked and the frequency of hearings held in a specific jurisdiction.*

6. Analyze and react to the data

- *Use the findings to further your CQI process. You may be reacting to a need illuminated by court observation data; you may be collecting “baseline data” on specific court practices related to an identified need; or you might be assessing the outcomes of an activity or intervention. No matter what CQI phase you are in, these findings can be used to continually improve.*

Please contact your CBCC Liaison if you would like to schedule a CQI consultation with the research and evaluation team.

Final Note

Court observation can be combined with other methods to get a better understanding of the issue(s) at hand. For instance, maybe you want to look at whether judicial officers have the information needed to make informed decisions at a specific hearing. One approach is to combine court observation with case file review to determine what information is available in court and in documents/case files. Court observation can also be coupled with another method if you want to explore relationships between variables. If you want to know how judicial engagement with parents during hearings relates to parents' perceptions of satisfaction and procedural fairness, you could combine court observation with parent surveys.