

2011 CCPIO NEW MEDIA SURVEY

A REPORT OF THE NEW MEDIA COMMITTEE OF THE
CONFERENCE OF COURT PUBLIC INFORMATION OFFICERS



CONFERENCE OF COURT PUBLIC INFORMATION OFFICERS

IN PARTNERSHIP WITH THE NATIONAL CENTER FOR STATE COURTS AND
THE E.W. SCRIPPS SCHOOL OF JOURNALISM AT OHIO UNIVERSITY

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INTRODUCTION

The judicial community in the United States now has its first year-to-year comparison data further unraveling how social media, cultural changes evoked by new media technologies, and the broader changes in the media industry are impacting judges and the courts. The 2011 Conference of Court Public Information Officers' New Media and The Courts survey continues the examination of state judges' perceptions about social media in general, their use of social media profile sites like Facebook, how courts are using new media tools, and other related issues. This is the second year that the national body representing court communication and media officers has conducted the nationwide survey of state court judges on these topics. Federal judges were not included in the survey. For the second year, the survey was conducted in partnership with the National Center for State Courts and the E.W. Scripps School of Journalism at Ohio University.

In 2010 the Conference of Court Public Information Officers launched its first-of-its kind nationwide survey examining new media and the courts. The survey revealed that state judges and court staff recognized the potential impact of social media on the administration of justice and were taking a close look at both the ramifications and opportunities presented through new media technologies

The judicial branch has a particular interest in studying the effects of new media technologies because it has long been recognized that the courts have a special obligation to be transparent, accessible, and understandable. For as long as mass media has had primary control of driving the public's perceptions of the courts and courts have had a desire to instead deliver the message directly, courts have had to work to understand the evolving changes in how information is communicated and how people understand the world. This has become more complicated in recent years with the rise of social media as a major force when compounded by other significant continuing changes in the media world.

The inaugural 2010 CCPIO new media report documented many instances of new media affecting the business of the courts and the administration of justice. Since that time, courts have continued to experience challenges and opportunities in this area, and interest in the topic has continued to grow. A few recent examples:

- The judge overseeing the Roger Clemens trial admonished the pitcher's family members for using the Internet to disparage witnesses, including posting Twitter messages attacking the prosecution's chief witness.¹
- Social media played a major role in the media sensation that was the Casey Anthony murder trial. A consultant reportedly was hired by Anthony's attorneys to analyze opinions on social media sites and blogs, and use them to help the defense formulate trial strategy.²
- Early this year a new law journal was launched by the Reynolds Center for Courts and the Media devoted exclusively to examining issues related to the impact of new media on the law and the courts.³

¹ http://www.nydailynews.com/sports/iteam/2011/07/12/2011-07-12_judge_in_roger_clemens_trial_disturbed_by_exyankees_family_using_social_media_to.html#ixzz1SBo7eZ9S

² <http://www.orlandosentinel.com/news/local/caylee-anthony/os-casey-anthony-social-media-strateg20110713.0,3999742.story>

³ http://issuu.com/rnccm/docs/reynolds_courts_and_media_law_journal_vol_1_issue_?mode=embed&layout=http://skin.issuu.com/v/light/layout.xml&showFlipBtn=true

The 2010 CCPIO research identified seven broad categories of media technology affecting courts, and the 2011 survey asks judges and court personnel questions about six of these categories of technology:

1. **Social media profile sites (e.g., Facebook, MySpace, LinkedIn, Ning).** These sites allow users to join, create profiles, share information, and view still and video images with a defined network of “friends.”
2. **Blogs tools (e.g., Blogger, LiveJournal, TypePad, WordPress).** These sites allow the posting of short entries, such as news, commentary, photos, video clips, or any combination thereof. Blogs can be maintained by individuals or institutions in a professional capacity, but also are extremely popular as personal outlets for individuals. Blogs can be followed by the general public or by a restricted group with permissions granted by the individual maintaining the blog.
3. **Microblogging (e.g., Twitter, Tumblr, Plurk).** Microblogging is a form of multimedia blogging that allows users to send and follow brief text updates or micromedia, such as photos or audio clips, and publish them on a website for viewing by everyone who visits the website or by a restricted group. Microbloggers can submit messages a variety of formats, including text messaging, instant messaging, e-mail, or digital audio.
4. **Smart phones, Tablets & Notebooks (e.g., iPhone, Droid, Blackberry).** This category is defined by those mobile devices that can capture audio as well as still and video images, and post them directly to the Internet. These devices also enable users to access the Internet, send and receive e-mails and instant messages, and otherwise connect with online networks and communities through broadband or Wi-Fi access.
5. **News syndication & aggregation (e.g., RSS, Digg, Reddit, del.iciou.us).** This is a broad category that includes websites and technology that enable the easy sharing of information, photos and video, and the categorization and ranking of news stories, posts to blogs and other news items.
6. **Visual Media Sharing (e.g., YouTube, Vimeo, Flickr).** These sites allow users to upload still and video images that are stored in searchable databases and easily shared, and can be e-mailed, posted, or embedded into nearly any website.

While new media impacts almost every facet of court operations from the delivery of services to balancing privacy and public access in managing court records, the CCPIO survey focuses on three areas specifically related to the mandate that courts support public trust and confidence in the judicial system:

1. Effects on court proceedings.
2. Effects on ethics and conduct for judges and court employees.
3. Effects on courts’ ability to promote understanding and public trust and confidence in the judicial branch.

For more information on the definition and history of new media, the categories of technology, and the framework for the CCPIO research, consult the 2010 report [“New Media and the Courts: The Current Status and a Look at the Future.”](#)

MAJOR CONCLUSIONS

Several major conclusions can be drawn from the 2011 data:

- While more judges report using social media profile sites than last year, they still cautiously approach their use of social media profile sites in their professional lives in order to avoid compromising professional codes of ethics.
- Judges also appear to recognize that the surge of social media use is permeating every aspect of citizens' lives. An increasing number of judges report verbalizing routine juror instructions that include some component about digital media use during trials.
- It also appears that the institutional use of social media profile sites is gaining acceptance. The survey shows a 7.6 percent increase in the number of respondents who agree that courts as institutions can maintain a social media profile site without compromising ethics.
- In addition, there was a concurrent 5.1 percent increase of those who report working at a court that maintains such a site.

METHODOLOGY

The electronic-only survey tool was again distributed on the NCSC e-mail distribution system to an estimated 15,000 individuals primarily within the state courts community on June 20, 2011. Federal judges again were not included in the distribution. The survey remained open until July 5, 2011. Seven hundred and thirteen participants completed the survey in its entirety in comparison to 810 in 2010.

This year the survey more directly focused on determining the area or level of court involvement the respondents represented to more closely look at who is interested in the new media and the courts discussion. Trial courts again represent the largest group of respondents with more than half the responses, 58.9 percent (420) in 2011 compared to 58.5 percent (473) in 2010. Municipal court participants represented 8.7 percent (62) compared to 10.1 percent (82); appellate courts, 5.9 percent (42) in comparison to 6.4 percent (52); 17.8 percent (127) of the participants work in administrative offices of the courts; and 8.7 percent (62) represented a wide variety of vocations ranging from professors, probation officers, and bar associations.

Again, a majority of the respondents, 44.6 percent, work in primarily mixed-jurisdiction courts. Thirty percent represented urban courts, 13 percent rural courts, and 12 percent suburban jurisdictions. Participants from Colorado provided 18 percent of the responses; California, 8 percent; Hawaii, 6 percent; Ohio, 5 percent; Washington, 3 percent; with the remaining respondents from all other states.

Data again were collected segregating responses from judicial officers (for the purposes of the survey, a judicial officer was defined as a judge, magistrate or other hearing officer). In 2011, 33.4 percent (238) of the respondents were judicial officers in comparison to 31.4 percent (245) in 2010.

Just over 40 percent (289) of the respondents work in jurisdictions where judicial officers must stand for competitive elections, 32.5 percent (232) stand for retention election, 16 percent (114) never stand for election, and the remaining 11 percent (78) represented a mix of methods for appointment or election. This mix was markedly different from the data reflected in the 2010 survey: 52.9 percent worked in jurisdictions where judicial officers must stand for competitive elections, 24.5 percent stand for retention election, 14.2 never stand for election, and 8.4 were designated "other."

GENERAL CONCLUSIONS

Detailed data and tables are shared below. Some of the more interesting conclusions from the survey show:

- A 7.6 percent increase in the number of respondents who agree that courts as institutions can maintain a social media profile site without compromising ethics. In addition, there was a concurrent 5.1 percent increase of those who report working at a court that maintains such a site.
- About 44 percent of judicial officers reported they use social media profile sites, up 3.4 percent from the 2010 results, again with the majority (87.5 percent) on Facebook.

USE OF SOCIAL MEDIA PROFILE SITES BY JUDICIAL OFFICERS

	2011	2010
Never	56.3	59.8
Less than once per month to hourly or more	43.6	40.2

SOCIAL MEDIA PROFILE SITES USED BY JUDICIAL OFFICERS

	2011	2010
Facebook	87.5	89.2
MySpace	0.9	4.9
LinkedIn	29.8	20.6
Ning	0.9	1.0
Other	6.7	1.9

- The discomfort among judicial officers for their own use of social media profile sites professionally has not diminished. In 2011, 47.9 percent disagreed or strongly disagreed with the statement, “Judges can use social media profile sites, such as Facebook, in their professional lives without compromising professional conduct codes of ethics.” The 2010 figure was 47.6.
- However, in 2011, 34.5 percent disagreed or strongly disagreed with the statement, “Judges can use social media profile sites, such as Facebook, in their personal lives without compromising professional conduct codes of ethics.” In 2010, the figure was 37.3.

- As with the 2010 survey results, judges who are appointed and do not stand for re-election were much less likely to be on social media profile sites. There was, however, a 7.5 percent increase among the non-elected judges who reported being on these sites, jumping from almost 9 percent in 2010 to just over 16 percent in 2011. Conversely, there was an almost 14 percent drop in the number of judges who stand for competitive election who reported using the sites in 2011 compared with 2010.

JUDICIAL SELECTION METHOD & SOCIAL MEDIAL PROFILE SITE USE		
SELECTION METHOD	JUDICIAL OFFICERS USING SMPS	
	2011	2010
Stand for competitive election	52.8	66.7
Must stand for retention election	23.0	19.6
Never stand for election	16.3	8.8
Other	7.6	4.9

- More than half (60 percent, up 4.5 percent from 2010) of judges continue to report routine juror instructions that include some component about digital media use during trial.
- The 2010 results indicated only about 26 percent of total respondents believed these are necessary tools for public outreach. Support for this idea rose to almost 37 percent among total respondents in the 2011 results, and, among judicial officers, from almost 18 percent in 2010 to 26 percent in 2011.
- Most of the courts using a category of new media technology have been doing so for one to two years. The exception is for the news syndication and aggregation category, which has been in use for two or more years by 47.5 percent of the courts using it.
- The number of courts with plans for adopting new media technology remains largely unchanged. (5.2 percent report plans for using social media profile sites, up from 3.2 percent in 2010; 1.8 percent report plans to start microblogging, up from 1.6 percent in 2010; and 2.4 percent report plans to use visual media sharing sites, compared with 2.8 percent in 2010).
- Attorneys again were reported by judicial officers and general respondents alike as most-often observed using these technologies in the courtroom, with 60.5 percent of judicial officers and almost 39 percent of general respondents reporting they have observed attorneys using the technology in the courtroom. Comments indicate frequent use of smart phones for calendaring hearing dates.
- Members of the public were the second most-frequently observed in-court users of new media technology followed by members of the media, witnesses and jurors. Smart phones, notebooks and tablets were the most-frequently observed in use.

USE OF NEW MEDIA TECHNOLOGIES

The survey again queried respondents about their courts' use of social media profiles sites, microblogging technologies and visual media sharing websites – looking for specifics on the actual and planned institutional uses. Similar queries were added to the 2011 survey on the use of two new technologies by courts as institutions: blogs and news syndication and aggregation. The survey also examined the use of general respondents and that of judicial officers in six categories of new media: social media profile sites; blogs; microblogging technology; smart phones, tablets or notebooks; news syndication and aggregation; and visual media sharing websites.

Actual Use by Courts as Institutions

As mentioned above, the 2011 survey looked at the actual and planned uses by courts as institutions of five categories of new media technology. The survey also queried the actual and planned functions for the technology, expanding the 2010 survey list to include: to post job openings, for internal communications, for media relations, for juror communications, to drive traffic to the court's main website, or to gather and monitor news and information. Also new to the 2011 survey was a question about the duration of courts' use of new media technology.

COURTS USING DIGITAL TECHNOLOGY		
	2011	2010
Social media profile sites	11.8	6.7
Blogs	6.9	n/a ⁴
Microblogging	10.9	7.0
News syndication & aggregation	36.6	n/a ⁵
Visual media sharing	3.0	3.2

DURATION OF DIGITAL MEDIA USE BY COURTS			
	<12 months	1-2 years	≥ 2 years
Social media profile sites	25.0	51.2	20.2
Blogs	22.2	44.4	33.3
Microblogging	23.1	62.8	12.8
News syndication & aggregation	18.6	28.8	47.5
Visual media sharing	25.6	48.8	23.3

⁴ No data were collected on blog use in the 2010 survey.

⁵ In the 2010 survey, this category was titled, "News categorizing, sharing and syndication technologies." No data were collected on the use of these technologies by courts as institutions in the 2010 survey.

Social media profile sites. Only 11.8 percent of respondents indicated they work at courts that, as institutions, maintain a social media profile site. Reported uses for the sites were:

ACTUAL USE BY COURTS - SOCIAL MEDIA PROFILE SITES		
	2011	2010
Promote events	63.1	61.1
Public education	72.6	87.0
Release decisions	28.6	48.1
Highlight activities of individual judges	11.9	20.4
Explain court processes & procedure	29.8	40.7
Internal communications	11.9	
Media relations	58.3	
Juror communications	9.5	
Drive traffic to main website	17.9	
Gather & monitor news & information	5.5	
Other	10.7	

Respondents identified Facebook as the social media profile site most often used by their court (83.3 percent), followed by LinkedIn (6.0 percent) and MySpace (4.8 percent). In 2010, the figures were 87 percent for Facebook, 0.0 percent for LinkedIn and 3.7 percent for MySpace.

Blogs. Just 6.9 percent of respondents reported working at courts that, as institutions, maintain blogs. The reported uses for those blogs are below:

ACTUAL USE BY COURTS - BLOGS	
	2011
Promote events	44.4
Public education	33.3
Release decisions	22.2
Highlight activities of individual judges	22.2
Explain court processes & procedure	33.3
Post job openings	22.2
Internal communications	44.4
Media relations	66.7
Juror communications	11.1
Drive traffic to main website	11.1
Gather & monitor news & information	11.1
Other	0.0

WordPress was the only blog tool specified by respondents (11.1 percent) from a list of choices that also included Blogger and WordPress. 66.7 percent of respondents indicated the used of “other” tools.

Microblogging technology. In the 2010 survey results, microblogging technology emerged as the most heavily used tool by courts, with 7 percent of respondents indicating they work at a court where it is used. The 2011 results show 10.9 percent of respondents making a similar report, specifying the following uses:

ACTUAL USE BY COURTS - MICROBLOGGING TECHNOLOGY		
	2011	2010
Promote events	66.7	63.2
Public education	62.8	70.2
Release decisions	42.3	56.1
Highlight activities of individual judges	14.1	24.6
Explain court processes & procedure	17.9	33.3
Post job openings	17.9	
Internal communications	9.0	
Media relations	56.4	
Juror communications	9.0	
Drive traffic to main website	24.4	
Gather & monitor news & information	16.7	
Other	9.0	31.6

Twitter, at 97.4 percent, was the only microblogging technology identified, as it was in the 2010 survey report, with 2.6 percent indicating the use of “other” technology.

News syndication and aggregation technologies. The 2010 survey did not look at court use of news syndication and aggregation technologies. In the 2011 survey, 36.6 percent of respondents report working at a court that, as an institution, uses the technology, making it the most heavily used of the surveyed technologies among courts. Reported uses are as follows:

ACTUAL USE BY COURTS NEWS SYNDICATION & AGGREGATION TECHNOLOGIES	
	2011
Promote events	32.2
Public education	40.7
Release decisions	44.1
Highlight activities of individual judges	8.5
Explain court processes & procedure	13.6
Post job openings	20.3
Internal communications	13.6
Media relations	45.8
Juror communications	10.2
Drive traffic to main website	13.6
Gather & monitor news & information	23.7
Other	6.8

Most respondents (93.2 percent) reported their courts use RSS, followed by Digg (1.7 percent) and “other” (1.7 percent).

Visual media sharing websites. Visual media sharing website use doubled, from 3.2 percent of the survey takers in 2010 indicating they work at a court uses this technology to 6 percent in 2011. Respondents logged the following current use:

ACTUAL USE BY COURTS VISUAL MEDIA SHARING WEBSITES		
	2011	2010
Promote events	34.9	34.6
Public education	72.1	69.2
Release decisions	7.0	7.7
Highlight activities of individual judges	7.0	11.5
Explain court processes & procedure	27.9	38.5
Post job openings	7.0	
Internal communications	4.7	
Media relations	37.2	
Juror communications	11.6	
Drive traffic to main website	14.0	
Gather & monitor news & information	4.7	
Other	11.6	11.5

The website respondents reported their courts using most was YouTube (86.0 percent), followed by Flickr (9.3 percent), Vimeo (4.7 percent), and Snapfish (2.3 percent). Another 4.7 percent reported the use of an “other” site.

Planned Use by Courts as Institutions

Slightly more than 13 percent of respondents reported working in courts with plans to start using a social media profile site; blog; microblogging; news syndication and aggregation; or visual media sharing website.

Social media profile sites. 5.2 percent of respondents indicate they work at a court that, as an institution, plans to use a social media profile site:

PLANNED USE BY COURTS - SOCIAL MEDIA PROFILE SITES		
	2011	2010
Promote events	54.1	61.5
Public education	81.1	84.6
Release decisions	43.2	30.8
Highlight activities of individual judges	10.8	19.2
Explain court processes & procedure	64.9	61.5
Internal communications	21.6	
Media relations	67.6	
Juror communications	35.1	
Drive traffic to main website	32.4	
Gather & monitor news & information	18.9	
Other	16.2	19.2

Blogs. Just 0.8 percent of respondents indicate they work at a court that, as an institution, plans to start a blog:

PLANNED USE BY COURTS - BLOGS	
	2011
Promote events	0.0
Public education	100.0
Release decisions	0.0
Highlight activities of individual judges	0.0
Explain court processes & procedure	100.0
Post job openings	0.0
Internal communications	0.0
Media relations	0.0
Juror communications	0.0
Drive traffic to main website	0.0
Gather & monitor news & information	100.0
Other	0.0

Microblogging technology. Just 1.8 percent of survey takers report working at courts with plans to use a microblogging technology. Planned uses include:

PLANNED USE BY COURTS - MICROBLOGGING TECHNOLOGY		
	2011	2010
Promote events	46.2	46.2
Public education	69.2	61.5
Release decisions	61.5	46.2
Highlight activities of individual judges	15.4	15.4
Explain court processes & procedure	46.2	46.2
Post job openings	38.5	
Internal communications	7.7	
Media relations	53.8	
Juror communications	30.8	
Drive traffic to main website	30.8	
Gather & monitor news & information	15.4	
Other	7.7	30.8

News syndication and aggregation technologies. Only 3.1 percent of respondents indicate they work at courts that, as institutions, have plans for using news syndication and aggregation. Intended uses include:

PLANNED USE BY COURTS NEWS SYNDICATION & AGGREGATION TECHNOLOGIES	
	2011
Promote events	40.0
Public education	60.0
Release decisions	60.0
Highlight activities of individual judges	0.0
Explain court processes & procedure	40.0
Post job openings	40.0
Internal communications	0.0
Media relations	40.0
Juror communications	20.0
Drive traffic to main website	0.0
Gather & monitor news & information	20.0
Other	0.0

Visual media sharing websites. Only 2.4 percent of respondents indicate they work at courts that, as institutions, have plans for using a visual media sharing website. Intended uses include:

PLANNED USE BY COURTS VISUAL MEDIA SHARING WEBSITES		
	2011	2010
Promote events	35.3	47.8
Public education	88.2	91.3
Release decisions	11.8	30.4
Highlight activities of individual judges	23.5	17.4
Explain court processes & procedure	76.5	69.6
Post job openings	17.6	
Internal communications	17.6	
Media relations	52.9	
Juror communications	29.4	
Drive traffic to main website	17.6	
Gather & monitor news & information	17.6	
Other	5.9	13.0

Use by Individual Respondents

USERS OF DIGITAL MEDIA TECHNOLOGIES						
		USERS (general)	PERCENT of general	USERS (judicial)	PERCENT of general	PERCENT of judicial
Social media profile sites	2011	443	62.1	104	14.6	43.7
	2010	464	57.4	102	12.6	40.2
Blogs	2011	130	18.2	38	5.3	15.9
	2010					
Microblogging	2011	89	12.5	10	1.4	4.2
	2010	120	14.8	35	4.3	13.8
Smart phones, tablets & notebooks	2011	490	68.7	152	21.3	63.9
	2010	485	60.0	146	18.0	57.5
News syndication & aggregation	2011	161	22.6	45	6.3	18.9
	2010	189	23.4	40	4.9	15.7
Visual media sharing	2011	409	57.4	131	18.4	55.0
	2010	432	53.4	130	16.1	51.2

Social Media Profile Sites

443 users, 104 of whom are judicial officers

I use social media profile sites:

	General response (percent of 443)		Judicial officer response (percent of 104)	
	2011	2010	2011	2010
Once per month or less	19.4	23.5	29.8	30.4
Once per week	21.4	24.4	22.1	25.5
Daily	36.6	35.5	25.0	30.4
More than once per day	20.1	14.9	22.1	12.7
Hourly or more	2.5	1.9	0.9	1.3

The purpose of my social media profile site use is best described as:

	General response (percent of 443)		Judicial officer response (percent of 104)	
	2011	2010	2011	2010
Only personal	55.3	56.9	73.1	74.5
Mostly personal but some professional	27.3	25.9	18.3	18.6
Equally personal and professional	6.3	6.3	1.9	2.0
Mostly professional but some personal	5.2	6.3	2.9	3.9
Only professional	5.6	4.5	3.8	1.0

I use the following social media profile sites:

	General response (percent of 443)		Judicial officer response (percent of 104)	
	2011	2010	2011	2010
Facebook	90.1	89.0	87.8	89.2
MySpace	2.7	7.5	0.9	4.9
LinkedIn	37.9	30.8	22.1	20.6
Ning	1.6	3.2	0.9	1.0
Other	7.7	10.8	6.7	2.0

Blogs

130 users, 38 of whom are judicial officers

I use blogs:

	General response (percent of 130)		Judicial officer response (percent of 38)	
	2011	2010	2011	2010
Once per month or less	53.8		47.4	
Once per week	23.1		23.7	
Daily	16.2		15.7	
More than once per day	6.2		13.2	
Hourly or more	0.8		0.0	

The purpose of my blog use is best described as:

	General response (percent of 130)		Judicial officer response (percent of 38)	
	2011	2010	2011	2010
Only personal	39.2		31.6	
Mostly personal but some professional	10.7		10.5	
Equally personal and professional	6.9		7.9	
Mostly professional but some personal	14.6		23.7	
Only professional	23.1		26.3	

I use the following blog tools:

	General response (percent of 130)		Judicial officer response (percent of 38)	
	2011	2010	2011	2010
Blogger	31.5		13.2	
LiveJournal	1.5		0.0	
WordPress	16.9		15.7	
Other	24.6		36.8	

Microblogging Technology
89 users, 10 of whom are judicial officers

I use microblogging technology sites:

	General response (percent of 89)		Judicial officer response (percent of 10)	
	2011	2010	2011	2010
Once per month or less	46.0	38.3	50.0	47.6
Once per week	21.3	21.7	20.0	14.3
Daily	13.5	17.5	0.0	19.0
More than once per day	14.6	14.2	20.0	14.3
Hourly or more	4.5	8.3	10.0	4.8

The purpose of my microblogging technology use is best described as:

	General response (percent of 89)		Judicial officer response (percent of 10)	
	2011	2010	2011	2010
Only personal	34.8	31.7	60.0	42.9
Mostly personal but some professional	17.9	27.5	30.0	38.0
Equally personal and professional	10.1	7.5	0.0	4.8
Mostly professional but some personal	15.7	11.7	10.0	14.3
Only professional	21.3	21.7	0.0	0.0

I use the following microblogging technologies:

	General response (percent of 89)		Judicial officer response (percent of 10)	
	2011	2010	2011	2010
Twitter	79.8	75.0	80.0	52.4
Tumblr	3.4	2.5	10.0	0.0
Plurk	1.1	0.8	0.0	4.8
Other	12.4	22.5	10.0	42.9

Smart phones, Tablets & Notebooks
490 users, 152 of whom are judicial officers

I use smart phones, tablets or notebooks:

	General response (percent of 490)		Judicial officer response (percent of 152)	
	2011	2010	2011	2010
Once per month or less	22.4	3.7	1.9	5.5
Once per week	34.7	3.9	5.9	3.4
Daily	28.9	14.8	26.9	17.1
More than once per day	28.9	32.0	34.9	43.2
Hourly or more	36.3	45.6	30.3	30.8

The purpose of my smart phone, tablet or notebook use is best described as:

	General response (percent of 490)		Judicial officer response (percent of 152)	
	2011	2010	2011	2010
Only personal	14.3	12.2	22.4	15.8
Mostly personal but some professional	17.6	25.2	32.9	34.9
Equally personal and professional	18.4	23.5	26.9	26.7
Mostly professional but some personal	14.7	29.5	15.8	16.4
Only professional	3.9	9.7	1.9	6.2

I use the following smart phones, tablets or notebooks:

	General response (percent of 490)		Judicial officer response (percent of 152)	
	2011	2010	2011	2010
iPhone	35.7	26.6	40.1	37.7
iPad	25.7	7.2	32.9	11.6
Droid	23.7	8.5	22.4	6.8
Blackberry	32.0	54.4	26.9	47.2
Other	12.9	17.9	14.5	15.8

News Syndication and Aggregation Technologies

161 users, 45 of whom are judicial officers

I use news syndication and aggregation technologies:

	General response (percent of 161)		Judicial officer response (percent of 45)	
	2011	2010	2011	2010
Once per month or less	28.9	30.2	26.7	37.5
Once per week	20.5	20.6	24.4	15.0
Daily	36.6	30.2	40.0	25.0
More than once per day	8.0	14.3	8.9	17.5
Hourly or more	4.3	4.7	0.0	5.0

The purpose of my news syndication and aggregation technology use is best described as:

	General response (percent of 161)		Judicial officer response (percent of 45)	
	2011	2010	2011	2010
Only personal	14.3	17.5	24.4	25.0
Mostly personal but some professional	18.6	22.8	24.4	25.0
Equally personal and professional	18.0	15.3	15.5	17.5
Mostly professional but some personal	18.6	20.6	8.9	15.0
Only professional	28.6	23.8	26.6	17.5

I use the following news syndication and aggregation technologies:

	General response (percent of 161)		Judicial officer response (percent of 45)	
	2011	2010	2011	2010
RSS	78.2	68.8	62.6	45.0
Digg	10.5	9.5	13.3	7.5
Reddit	5.6	1.1	8.9	0.0
Del.icio.us	3.7	3.7	4.4	2.5
Other	15.5	13.8	24.4	17.5

Visual Media Sharing Websites
409 users, 131 of whom are judicial officers

I use visual media sharing websites:

	General response (percent of 409)		Judicial officer response (percent of 131)	
	2011	2010	2011	2010
Once per month or less	54.5	49.5	56.4	51.5
Once per week	33.3	34.5	32.0	30.8
Daily	10.0	15.3	9.1	16.9
More than once per day	1.9	0.7	2.3	0.8
Hourly or more	0.2	0.0	2.3	0.0

The purpose of my visual media sharing website use is best described as:

	General response (percent of 409)		Judicial officer response (percent of 131)	
	2011	2010	2011	2010
Only personal	65.3	61.6	74.8	67.7
Mostly personal but some professional	25.1	24.5	19.8	24.6
Equally personal and professional	4.9	6.7	3.1	4.6
Mostly professional but some personal	2.2	4.4	1.5	2.3
Only professional	2.2	2.8	0.2	0.8

I use the following visual media sharing websites:

	General response (percent of 409)		Judicial officer response (percent of 131)	
	2011	2010	2011	2010
YouTube	88.0	90.5	93.1	91.5
Vimeo	4.4	3.2	1.5	2.3
Flickr	17.3	20.4	11.4	12.3
Hulu	20.8		28.2	
Snapfish	27.9		27.5	
Other	5.6	9.3	4.6	8.5

EXPERIENCE WITH NEW MEDIA IN THE COURTROOM

1. In my professional life, I have personally observed a juror use a social media profile site, microblogging, or a smart phone, tablet or notebook in the courtroom, or participated in a trial in which a juror used a social media profile site, microblogging, or a smart phone, tablet or notebook in the courtroom.

	General response		Judicial officer response	
	NO	YES	NO	YES
2011	91.9	7.3	91.2	8.4
2010	92.8	7.2	90.2	9.8

Which technology did you observe in use?

Social media	2011	21.2	2.9
	2010	20.7	0.2
Microblogging	2011	5.8	0.8
	2010	12.1	0.1
Smart technology	2011	78.8	6.3
	2010	82.8	7.1
Don't know	2011	9.6	0.8
	2010	8.6	0.1

2. In my professional life, I have personally observed a member of the public who was not a party to the case use a social media profile site, microblogging, or a smart phone, tablet or notebook in the courtroom, or participated in a trial in which a member of the public who was not a party to the case used a social media profile site, microblogging, or a smart phone, tablet or notebook in the courtroom.

	General response		Judicial officer response	
	NO	YES	NO	YES
2011	65.1	33.8	53.4	46.2
2010	65.9	34.1	39.8	60.2

Which technology did you observe in use?

Social media	2011	14.1	4.2
	2010	14.9	7.5
Microblogging	2011	11.6	3.8
	2010	14.5	3.9
Smart technology	2011	82.2	36.9
	2010	78.3	29.1
Don't know	2011	11.2	7.6
	2010	17.0	11.0

3. In my professional life, I have personally observed a member of the media who was not a party to the case use a social media profile site, microblogging, or a smart phone, tablet or notebook in the courtroom, or participated in a trial in which a smart member of the media who was not a party to the case used a social media profile site, microblogging, or a smart phone, tablet or notebook in the courtroom.

	General response		Judicial officer response	
	NO	YES	NO	YES
2011	74.1	24.4	71.0	28.6
2010	74.8	25.2	71.3	28.7

Which technology did you observe in use?

Social media	2011	13.2	2.1
	2010	12.7	0.4
Microblogging	2011	26.4	5.5
	2010	28.9	8.3
Smart technology	2011	79.3	21.8
	2010	75.0	20.9
Don't know	2011	13.2	4.2
	2010	16.7	0.6

4. In my professional life, I have personally observed a witness use a social media profile site, microblogging, or a smart phone, tablet or notebook in the courtroom, or participated in a trial in which a witness used a social media profile site, microblogging, or a smart phone, tablet or notebook in the courtroom.

	General response		Judicial officer response	
	NO	YES	NO	YES
2011	92.0	6.5	88.7	10.5
2010	95.3	4.7	91.7	8.3

Which technology did you observe in use?

Social media	2011	15.2	1.7
	2010	18.4	0.2
Microblogging	2011	0.0	0.0
	2010	7.9	0.1
Smart technology	2011	80.4	8.4
	2010	71.1	6.7
Don't know	2011	17.4	1.7
	2010	18.4	0.1

5. In my professional life, I have personally observed counsel use a social media profile site, microblogging, or a smart phone, tablet or notebook in the courtroom, or participated in a trial in which counsel used a social media profile site, microblogging, or a smart phone, tablet or notebook in the courtroom.

	General response		Judicial officer response	
	NO	YES	NO	YES
2011	60.2	38.7	39.1	60.5
2010	60.6	39.4	45.7	54.3

Which technology did you observe in use?

Social media	2011	6.2	2.5
	2010	8.2	4.7
Microblogging	2011	1.8	0.0
	2010	3.4	2.8
Smart technology	2011	90.2	55.9
	2010	88.1	48.9
Don't know	2011	6.9	5.0
	2010	11.6	5.5

6. In my professional life, I have personally observed a judicial officer (judge, magistrate or other hearing officer) admonish someone for what was deemed the improper use of a social media profile site, microblogging, or a smart phone, tablet or notebook in the courtroom, or participated in a trial in which the judicial officer (judge, magistrate or other hearing officer) admonished someone for what was deemed the improper use of a social media profile site, microblogging, or a smart phone, tablet or notebook in the courtroom.

	General response		Judicial officer response	
	NO	YES	NO	YES
2011	76.9	22.6	66.4	33.6
2010	75.6	24.4	67.3	32.7

Which technology did you observe in use?

Social media	2011	11.2	1.7
	2010	12.2	3.9
Microblogging	2011	6.8	1.7
	2010	8.1	3.9
Smart technology	2011	87.6	29.0
	2010	77.7	23.6
Don't know	2011	81.0	3.8
	2010	16.2	7.1

7. In my professional life, I have personally observed a judicial officer (judge, magistrate or other hearing officer) as a matter of routine, include a jury instruction admonishing jurors to avoid what is deemed the improper use of a social media profile site, microblogging, or a smart phone, tablet or notebook in the courtroom, or participated in a trial in which the judicial officer (judge, magistrate or other hearing officer) as a matter of routine, included a jury instruction admonishing jurors to avoid what is deemed the improper use of a social media profile site, microblogging, or a smart phone, tablet or notebook in the courtroom.

	General response		Judicial officer response	
	NO	YES	NO	YES
2011	57.8	41.1	39.5	60.0
2010	58.6	41.4	44.5	55.5

HOW IS THE USE OF NEW MEDIA VIEWED BY THE RESPONDENTS?

1. It is essential that judicial officers and court employees are educated about new media technologies so they can make the most use of the technologies as tools to serve the courts.

	General response		Judicial officer response	
	2011	2010	2011	2010
Strongly agree	49.2	48.3	50.8	45.7
Agree	35.6	36.3	33.2	38.2
Neutral	11.1	11.5	11.3	10.6
Disagree	3.1	3.1	37.8	5.1
Strongly disagree	0.7	0.5	0.8	0.4

2. It is essential that judicial officers and court employees are educated about new media technologies to ensure the technologies do not inappropriately impact a court proceeding.

	General response		Judicial officer response	
	2011	2010	2011	2010
Strongly agree	70.5	69.0	72.3	66.9
Agree	24.8	28.6	23.9	31.5
Neutral	2.7	1.9	2.5	1.6
Disagree	0.4	0.2	0.0	0.0
Strongly disagree	0.4	0.4	0.4	0.0

3. Judicial officers can use social media profile sites, such as Facebook, in their personal lives without compromising professional conduct codes of ethics.

	General response		Judicial officer response	
	2011	2010	2011	2010
Strongly agree	9.5	8.8	7.1	7.5
Agree	35.9	29.4	31.9	33.9
Neutral	26.1	27.6	25.6	21.7
Disagree	20.2	24.0	24.8	25.5
Strongly disagree	7.2	10.3	9.7	11.8

4. Judicial officers can use social media profile sites, such as Facebook, in their professional lives without compromising professional conduct codes of ethics.

	General response		Judicial officer response	
	2011	2010	2011	2010
	Strongly agree	4.9	4.8	4.6
Agree	22.4	16.9	19.3	20.5
Neutral	31.1	30.4	26.8	28.3
Disagree	26.4	31.0	30.7	30.7
Strongly disagree	13.3	16.8	17.2	16.9

5. Judicial officers can use microblogging websites, such as Twitter, in their personal lives without compromising professional conduct codes of ethics.

	General response		Judicial officer response	
	2011	2010	2011	2010
	Strongly agree	7.3	7.5	6.3
Agree	29.2	25.6	25.6	26.4
Neutral	33.8	34.9	34.8	35.8
Disagree	20.2	23.6	21.8	22.4
Strongly disagree	6.7	8.4	8.4	8.7

6. Judicial officers can use microblogging websites, such as Twitter, in their professional lives without compromising professional conduct codes of ethics.

	General response		Judicial officer response	
	2011	2010	2011	2010
	Strongly agree	5.0	4.3	4.2
Agree	17.4	15.1	13.4	16.5
Neutral	32.8	33.6	27.3	32.7
Disagree	28.5	31.0	34.0	32.3
Strongly disagree	13.2	15.9	17.6	15.4

7. Judicial officers can use visual media sharing websites, such as YouTube, in their personal lives without compromising professional conduct codes of ethics.

	General response		Judicial officer response	
	2011	2010	2011	2010
	Strongly agree	8.6	8.3	10.5
Agree	34.8	32.1	32.4	38.6
Neutral	31.3	33.9	29.4	27.9
Disagree	16.3	18.4	16.4	18.5
Strongly disagree	6.5	7.3	8.4	6.7

8. Judicial officers can use visual media sharing websites, such as YouTube, in their professional lives without compromising professional conduct codes of ethics.

	General response		Judicial officer response	
	2011	2010	2011	2010
	Strongly agree	4.5		4.2
Agree	23.1		19.7	
Neutral	33.0		29.8	
Disagree	26.2		28.9	
Strongly disagree	10.8		15.1	

9. Court employees can use social media profile sites, such as Facebook, in their personal lives without compromising professional ethics.

	General response		Judicial officer response	
	2011	2010	2011	2010
	Strongly agree	16.0	13.7	14.7
Agree	48.9	49.2	44.1	52.4
Neutral	22.2	23.7	25.6	26.0
Disagree	7.0	9.6	7.9	7.5
Strongly disagree	3.1	3.7	4.2	3.9

10. Court employees can use social media profile sites, such as Facebook, in their professional lives without compromising professional ethics.

	General response		Judicial officer response	
	2011	2010	2011	2010
	Strongly agree	7.6	7.2	5.9
Agree	32.5	28.3	28.6	30.7
Neutral	27.9	31.3	26.8	30.3
Disagree	22.9	23.7	10.9	24.8
Strongly disagree	7.9	9.5	7.9	9.4

11. Court employees can use microblogging websites, such as Twitter, in their personal lives without compromising professional ethics.

	General response		Judicial officer response	
	2011	2010	2011	2010
	Strongly agree	13.2	11.7	13.0
Agree	48.8	48.0	46.6	52.4
Neutral	25.4	30.2	28.1	29.1
Disagree	7.4	7.7	6.7	5.5
Strongly disagree	2.8	2.5	3.8	3.9

12. Court employees can use microblogging websites, such as Twitter, in their professional lives without compromising professional ethics.

	General response		Judicial officer response	
	2011	2010	2011	2010
	Strongly agree	6.3	7.0	4.6
Agree	28.5	25.5	23.5	26.4
Neutral	31.3	32.1	33.1	33.5
Disagree	23.6	25.8	26.5	26.0
Strongly disagree	7.9	9.5	9.7	9.8

13. Court employees can use visual media sharing websites, such as YouTube, in their personal lives without compromising professional ethics.

	General response		Judicial officer response	
	2011	2010	2011	2010
	Strongly agree	14.7	12.4	15.9
Agree	48.4	49.9	47.5	56.3
Neutral	25.7	27.7	27.7	26.0
Disagree	6.0	7.7	4.2	3.9
Strongly disagree	2.8	2.3	2.5	3.1

14. Court employees can use visual media sharing websites, such as YouTube, in their professional lives without compromising professional ethics.

	General response		Judicial officer response	
	2011	2010	2011	2010
	Strongly agree	6.9	6.3	5.9
Agree	29.5	25.1	23.1	27.6
Neutral	32.1	32.9	34.0	34.3
Disagree	20.9	26.3	25.2	25.6
Strongly disagree	8.1	9.4	9.2	8.7

15. Courts as institutions can maintain social media profile sites, such as Facebook, MySpace, LinkedIn and Ning, without compromising ethics.

	General response		Judicial officer response	
	2011	2010	2011	2010
	Strongly agree	12.3	9.1	9.2
Agree	37.0	32.6	32.8	35.0
Neutral	31.7	34.5	35.2	31.9
Disagree	11.6	16.3	14.3	19.3
Strongly disagree	5.0	7.4	7.6	8.7

16. Courts as institutions can use microblogging websites, such as Twitter, Tumblr and Plurk, without compromising ethics.

	General response		Judicial officer response	
	2011	2010	2011	2010
Strongly agree	11.2	8.5	7.1	5.1
Agree	32.1	26.6	26.9	24.8
Neutral	34.5	38.8	39.4	38.6
Disagree	14.4	19.2	16.8	24.0
Strongly disagree	5.5	6.9	7.9	7.5

17. Courts as institutions can use video media sharing websites, such as YouTube, Vimeo and Flickr, for sharing visual media without compromising ethics.

	General response		Judicial officer response	
	2011	2010	2011	2010
Strongly agree	11.5	8.7	7.9	4.7
Agree	35.3	30.5	29.8	31.1
Neutral	32.4	38.6	37.3	38.2
Disagree	12.5	15.7	14.3	18.9
Strongly disagree	5.2	6.6	7.6	7.1

18. Courts as institutions can maintain blogs without compromising ethics.

	General response		Judicial officer response	
	2011	2010	2011	2010
Strongly agree	9.1		3.8	
Agree	28.8		23.5	
Neutral	35.1		36.9	
Disagree	18.2		21.8	
Strongly disagree	6.5		10.9	

19. New media, such as Facebook, Twitter and YouTube, are necessary court tools for public outreach.

	General response		Judicial officer response	
	2011	2010	2011	2010
Strongly agree	11.2	7.9	7.1	4.3
Agree	25.4	18.2	18.9	13.4
Neutral	31.6	36.1	35.7	38.6
Disagree	23.3	29.3	28.2	33.9
Strongly disagree	6.9	8.5	8.4	9.8

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