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## **Judges and Courts on Social Media?**

### **Report Released on New Media's Impact on the Judiciary**

*WILLIAMSBURG, VA* –A first-of-its-kind nationwide survey on new media and the courts shows that state judges and court staff recognize the potential impact of social media on the administration of justice and are taking a close look at both the ramifications and opportunities.

More than a third of state court judges and magistrates responding to the survey said they have used social media either in their personal or professional lives. But the survey also found that nearly half of the judges who responded disagreed when asked if a judge—in a professional capacity—could participate in social networking sites without compromising ethical codes of conduct.

While only a fraction of courts around the country have established their own social networking sites, almost all the respondents agreed that judges and court employees needed to be educated about so-called “new media”---from Facebook and Twitter to smartphones---and learn how their use might impact day to day operations in their courthouses.

The survey findings were part of a yearlong national collaborative research project which for the first time measured the impact of new media on the courts, and identified the cautious approach courts have taken toward new media because of the effects on ethics, court proceedings and the ability of these new communication tools to support public understanding of the courts.

The project was conducted by the Conference of Court Public Information Officers, an organization of more than 100 communications professionals working in state and federal courts in the United States and worldwide. Partners in the project include the National Center for State Courts located in Williamsburg, VA, the nation's leading center for research assistance to the nation's state court systems, and the E.W. Scripps School of Journalism at Ohio University.

The complete project report, “New Media and the Courts: The Current Status and A Look at the Future” is available on the CCPIO website at [www.ccpio.org](http://www.ccpio.org).

More than 16,000 individuals in the court community were invited to participate in the electronic survey, of the 810 individuals who completed the full survey, 254 or 31.3 percent were judges or magistrates. The majority of the respondents were court system staff.

“The report’s findings clearly show that judges and courts recognize the importance of understanding new media and the value in communicating in new ways to build public trust and confidence in the judicial branch,” said Thomas Hodson Director of the E.W. Scripps School of Journalism at Ohio University, a collaborator in the study. “But courts face unique challenges and opportunities unlike other areas of government, so studying the impact on the integration of new media technology is a significant step.”

The report details a new media environment characterized by: (1) emerging interactive social media technologies that are powerfully multimedia in nature and have the potential to alter the delicate balance between open courts and fair trials; (2) fundamental and continuing changes in the economics, operation and vitality of the journalism/media industry that courts have traditionally relied on to connect with the public; (3) broader cultural changes in how the public receives and processes information and understands the world.

The report documents the history of new media, the different types of technology impacting courts, and offers a forecast and recommendations for courts in furthering the use of new media. Much of the information for the development of the survey was gathered using an online community through the social media site Ning at [www.ccpionewmedia.ning.com](http://www.ccpionewmedia.ning.com).

Survey results explore usage rates by court personnel and courts as institutions of social media profile sites like Facebook, microblogging services like Twitter and visual media sharing sites like YouTube.

Among those findings: Some of those findings include:

- Nearly half of judges (47.8 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.”
- More than half (56 percent) of judges report routine juror instructions including some component about new media use during the trial.
- A small fraction of courts (6.7 percent) currently have social media profile sites like Facebook; 7 percent use microblogging sites like Twitter; and 3.2 percent use visual media sharing sites like YouTube.

Differences between the court and social media cultures may explain some of the hesitancy by courts to embrace social media. The report found that:

- New media are decentralized and multidirectional, while courts are institutional and largely unidirectional.
- New media are personal and intimate, while courts are separate, even cloistered, and by definition independent.
- New media are multimedia, incorporating video and still images, audio and text, while courts are highly textual.

The report concludes by forecasting more courts will develop official presences on Facebook, Twitter, YouTube and other social media sites. The report also recommends that CCPIO administer the survey annually to look for trends.