

2012 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

In the court community, 2012 will probably be remembered as the year when some courts went from viewing new media as a threat to embracing new media's possibilities as a powerful tool. Certainly, there remains widespread recognition on the bench and bar that the Information Revolution has brought many challenges for safeguarding fair trials. But, more and more courts and judges are also beginning to experiment with new forms of media in innovative ways that hold great promise for supporting transparent courts and an informed citizenry.

For the third consecutive year, the Conference of Court Public Information Officers has conducted a nationwide survey to empirically measure the perceptions of judges and court officials toward new media and the ways that courts are responding to the new pervasive reality of Facebook, Twitter, YouTube and the hyper-connected culture they have brought. The survey was conducted once again this year in partnership with the National Center for State Courts and the E.W. Scripps School of Journalism at Ohio University.

The 2012 CCPIO survey asked judges and court personnel questions about six categories of technology:¹

1. Social media profile sites (e.g., Facebook, MySpace, LinkedIn, Ning)
2. Blogs tools (e.g., Blogger, LiveJournal, TypePad, WordPress)
3. Microblogging (e.g., Twitter, Tumblr, Plurk)
4. Smart phones, tablets & notebooks (e.g., iPhone, Droid, Blackberry)
5. News syndication & aggregation (e.g., RSS, Digg, Reddit, del.iciou.us)
6. Visual media sharing websites (e.g., YouTube, Vimeo, Flickr).

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's trust and confidence in the judicial branch.

The 2012 data reveal several major conclusions:

- The participation of judges in the survey continued to climb, as did their use of the technologies surveyed.
- The percentage of judges who strongly agree that their own use of the technologies in the survey poses no threat to professional ethics has doubled since the first year of the survey. This applies whether the technologies are used in personal or professional lives.
- The percentage of judges who strongly agree that courts as institutions can use the technology without compromising ethics has also doubled since 2010.

¹ For full descriptions, visit <http://ccpio.org/wp-content/uploads/2012/02/2011-ccpio-report.pdf>

- The percentage of judges who strongly agree that new media are necessary for public outreach has doubled since 2010.

The 2012 survey was conducted against the backdrop of a judicial branch that continues to respond and adjust to a rapidly changing media environment. What is emerging is a picture of courts both cautiously guarding against the potential harm social media can pose to proceedings while at the same time embracing the potential benefits emerging digital media offer for communications programs.

Among the developments since the release of the 2011 report:

- The University of Illinois Law Review published an [article](#) titled, "The Real Social Network: How Jurors' Use of Social Media and Smart Phones Affects the Defendant's Rights" that argues that jurors who violate the court's instructions on social media and smart phone usage should be punished beyond mere dismissal from the case.
- A [compilation](#) released by the National Center for State Courts found that as least 24 administrative offices of the courts or high courts are using at least one social media platform, such as Facebook, Twitter, YouTube, or Flickr. Twenty-three are on Twitter, eight are on Facebook, six have YouTube channels, and three have Flickr photostreams. When this information was first compiled in April 2011, 17 administrative offices of the courts or high courts were using social media. That statistic was 18 in December 2011.
- The New York State Access to Justice Program launched a Facebook page for its volunteer program to provide information to potential volunteers, share information about trainings, and post photos and awards information. Launched in the spring of 2010, the NYS Access to Justice Program is one of only a hand full of court programs in the U.S. to use Twitter specifically to deliver information to pro se litigants.
- The California Judicial Branch has taken to using its YouTube site as a platform for pro-active advocacy for public policy issues affecting the judicial branch, in particular illustrating the need for adequate funding in the face of the budget constraints brought on by the Great Recession. For example, the California Judicial Branch produced a news-style [video](#) covering an April 18 rally, where more than 500 protesters gathered outside San Francisco City Hall to raise awareness of the state's court funding crisis and to present a unified message to the governor and legislature by calling for the restoration of court funding in California.
- At least one court system has taken a slightly different approach from the type of overt advocacy in California, launching an objective "news bureau" program. The Ohio Supreme Court in July launched a comprehensive, multichannel, multimedia program covering news about the Ohio judicial system for the judiciary, the legal community, and the general public. Billed as the "news bureau for the Ohio judicial branch," Court News Ohio features expanded news about Ohio courts online (courtnewsohio.gov), in print (a monthly print publication Court News Ohio Review) and on TV (CNO-TV, which will air on the [Ohio Channel](#)). A service of the Supreme Court's Office of Public Information, the program also includes a [Facebook page](#) and a [Twitter feed](#). Videos are available for individual download or through a free podcast subscription on Apple iTunes.

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.](#)”

METHODOLOGY

The electronic-only survey tool was distributed on the NCSC e-mail distribution system to an estimated 15,000 individuals primarily within the state courts community on June 5, 2012, and remained open until July 6, 2012. Federal judges were excluded from the distribution. Six hundred twenty-three participants completed the survey, compared with 713 in 2011 and 810 in 2010.

As with the previous two surveys, the largest group of respondents, at 60.7 percent, represent trial courts. Participants from administrative offices of the courts represent 13.7 percent, those from appellate courts represent 10.1 percent, those from municipal courts represent 6.9 percent, and 7.1 percent represent retirees and employees from state, federal agencies, law enforcement and nonprofit agencies.

A majority of the respondents, 46.1 percent, work in mixed-jurisdiction courts, which was also true with the 2011 and 2010 surveys. Rural courts were represented by 16.1 percent of the respondents, urban courts by 11.4 percent and suburban courts by 10.4 percent. Respondents from Iowa made the strongest showing at 7.7 percent, followed by those from California and Michigan at 7.5 percent. Respondents from Colorado followed at 7.4 percent, with those from Texas at 4.8 percent, and those from Mississippi at 4.7 percent, rounding out the top five states.

Most of the respondents (42.5 percent) reported working for an organization that has a website designed with mobile compatibility, and the bulk of the remaining respondents (21.2 percent) indicated their employer is moving toward mobile compatibility for one or more of its websites. Just over 14 percent work where there is no mobile compatibility or plans to pursue it and 4.8 percent work for organizations that do not have a website. Seventeen percent answered “do not know” to the question.

As always, data from judicial officers were segregated from those of other respondents.² In 2012, 45.6 percent of the respondents were judges, compared with 33.4 percent in 2011 and 31.4 percent in 2010.

Slightly more than 50 percent of respondents work in jurisdictions where judges stand for competitive elections; 27.6 work in jurisdictions where judges must stand for retention elections; 12.4 percent work in jurisdictions where judges never stand for election, and 9.8 percent work in jurisdictions where judges are appointed or are both elected and appointed.

² For the purposes of the survey, a judicial officer was defined as a judge, magistrate or other hearing officer. For purposes of data reporting and analysis in this document, these individuals are referred to as judges.

GENERAL CONCLUSIONS

- The number of judges on social media profile sites continued to rise. In 2012, 46.1 percent of judges responding to the survey reported using the sites, with the majority (86.3 percent) on Facebook.

USE OF SOCIAL MEDIA PROFILE SITES BY JUDGES

	2012	2011	2010
Never	53.9	56.3	59.8
Less than once per month to hourly or more	46.1	43.6	40.2

SOCIAL MEDIA PROFILE SITES USED BY JUDGES

	2012	2011	2010
Facebook	86.3	87.5	89.2
MySpace	1.5	0.9	4.9
LinkedIn	32.8	29.8	20.6
Ning	0.0	0.9	1.0
Other	4.6	6.7	1.9

- The 2012 results confirm that judges who run for election, competitive or retention, are more likely to use social media profile sites. The 2012 number of judges who stand for competitive election and use the sites rose 7.5 percent, and the number of judges who stand for retention elections and use the sites rose 6.0 percent. Judges who never stand for election reported using the sites by 11.7 percent less than they did in 2011.

In 2011, by contrast, there was an almost 14 percent drop in the number of judges who stand for competitive election who reported using the sites, compared with 2010, and a 7.5 percent increase among the non-elected judges who reported being on the sites, jumping from almost 9 percent in 2010 to just over 16 percent in 2011.

JUDICIAL SELECTION METHOD & SOCIAL MEDIA PROFILE SITE USE

SELECTION METHOD	JUDICIAL OFFICERS USING SMPS		
	2012	2011	2010
Stand for competitive election	60.3	52.8	66.7
Must stand for retention election	29.0	23.0	19.6
Never stand for election	4.6	16.3	8.8
Other	6.9	7.6	4.9

- Judge use of all technology continues to increase, while use among respondents in general decreased in the area of social media profile sites and increased only nominally (by 0.3 percent) in the area of microblogging.

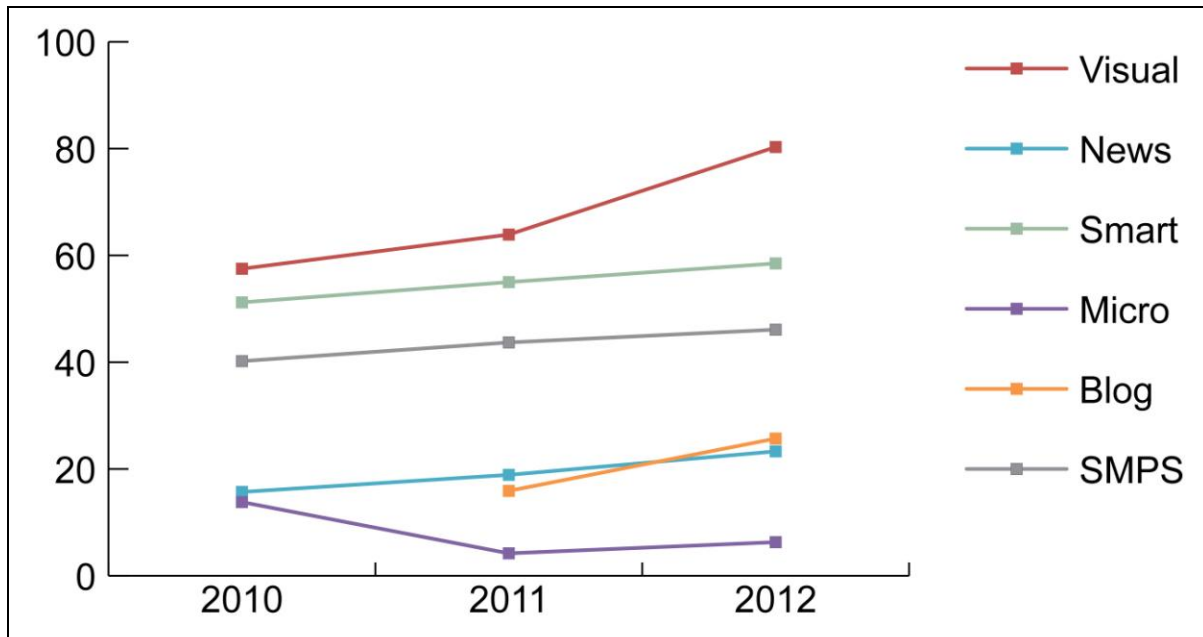


Figure 1. INDIVIDUAL USE OF TECHNOLOGY – JUDGE RESPONSES

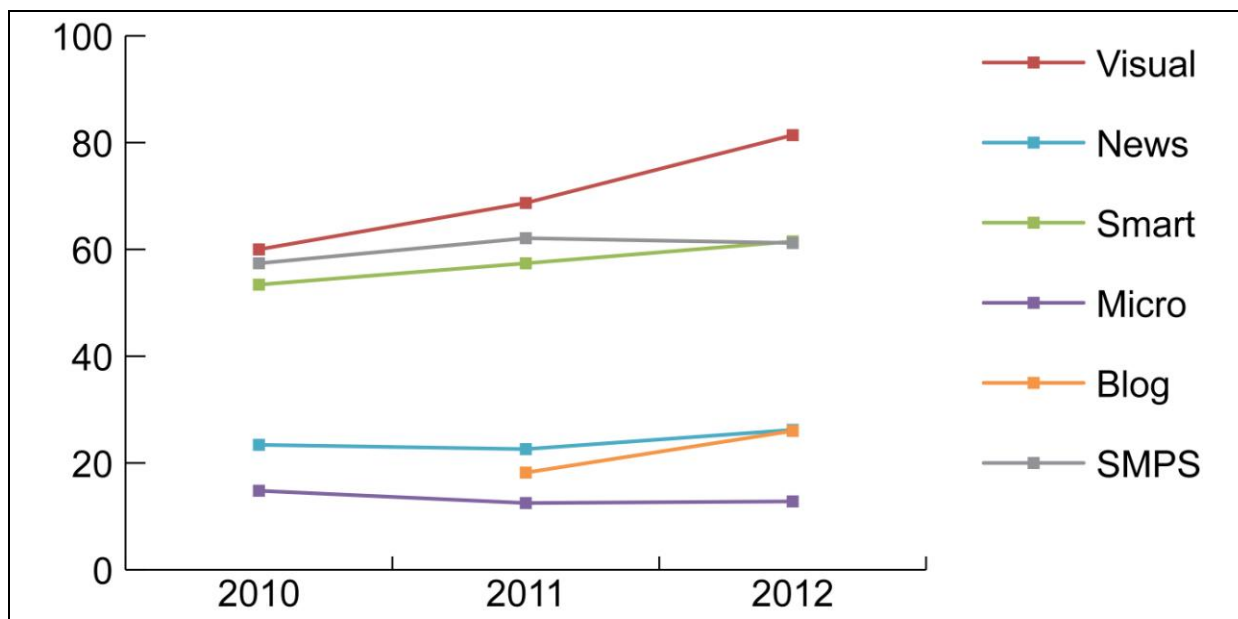


Figure 2. INDIVIDUAL USE OF TECHNOLOGY – GENERAL RESPONSES

- While the 2011 survey results illustrated that the discomfort among judges for their own use of social media profile sites professionally had not diminished since 2010, the 2012 results show signs judges are warming to the idea.

Asked to react to the statement, “Judges can use social media profile sites, such as Facebook, in their professional lives without compromising professional conduct codes of ethics,” 45.4 percent of the responding judges in 2012 disagreed or strongly disagreed, down from 47.9 in 2011 and 47.6 in 2010.

- Of note is that the number of judges who strongly agree with the statement cited above has doubled since 2010. Note the trajectory for Q4 in Figure 3, below:

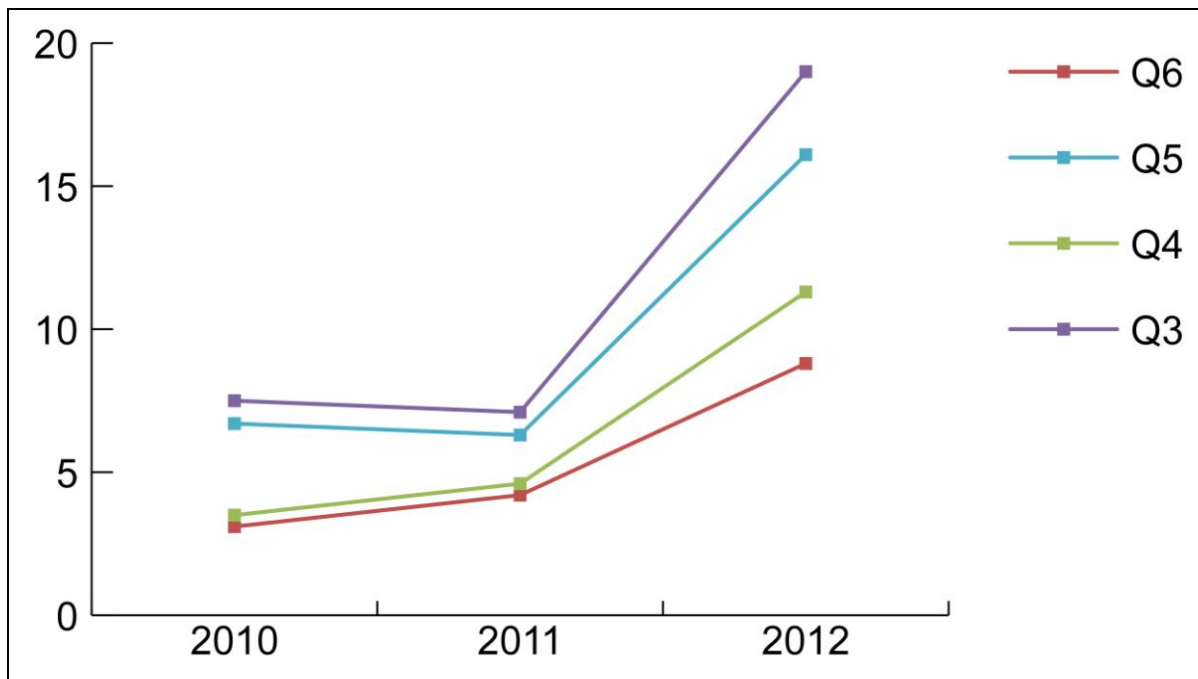


Figure 3. JUDGE VIEWS ON JUDGE TECHNOLOGY USE

- Q3** Judges who strongly agree that judges can use social media profile sites in personal lives without compromising ethics
- Q4** Judges who strongly agree that judges can use social media profile sites in professional lives without compromising ethics
- Q5** Judges who strongly agree that judges can use microblogging in personal lives without compromising ethics
- Q6** Judges who strongly agree that judges can use microblogging in professional lives without compromising ethics

In 2010, 7.5 percent of judges strongly agreed that judges could use social media profile sites in their personal lives without compromising ethics; in 2012, the figure rose to 19.0 percent (Q3). As previously mentioned, in 2010, 3.5 percent strongly agreed that use of the sites in

their professional lives posed no ethical threat; in 2012, 11.3 percent strongly agreed with the suggestion (Q4).

Similarly, 6.7 percent of judges in 2010 strongly agreed that judges could use microblogging websites in their personal lives without compromising ethics; in 2012, 16.2 percent strongly agreed (Q5). Likewise, In 2010, 3.1 percent of judges strongly agreed that use of the technology in judges’ professional lives did not compromise ethics; the figure rose to 8.8 percent in 2012 (Q6).

- A similar phenomenon is observed in judge responses to suggested institutional uses of new technologies by courts. See Q15, Q16 and Q17 in Figure 4, below.

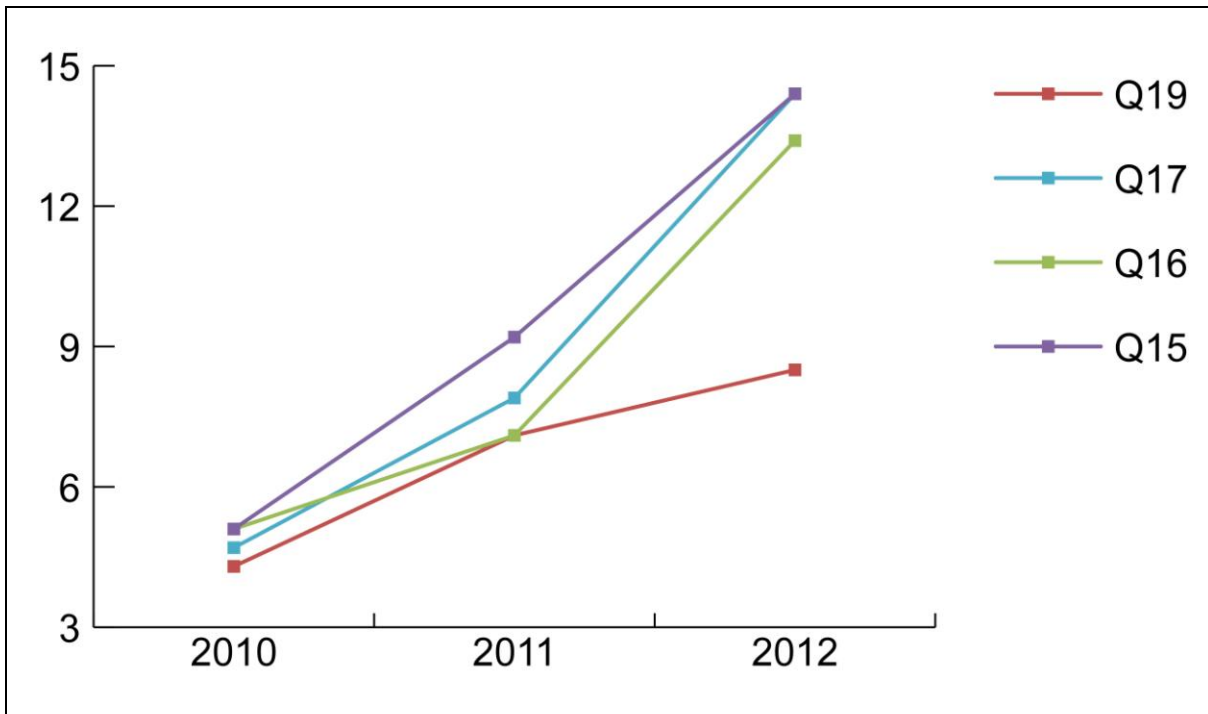


Figure 4. JUDGE VIEWS ON COURT TECHNOLOGY USE³

- Q15** Judges who strongly agree that courts can maintain social media profile sites without compromising ethics
- Q16** Judges who strongly agree that courts can use microblogging websites without compromising ethics
- Q17** Judges who strongly agree that courts can use media sharing websites without compromising ethics
- Q19** Judges who strongly agree that new media are necessary for public outreach

³ Question 18 examined court use of blogs; consequently, no data for 2010 is available and question 18 was excluded from this graph.

- As judges increase their use of technology, there is an increase in their awareness of technology's utility. In 2010, only 4.3 percent of judges surveyed strongly agreed that tools like Facebook, Twitter and YouTube are necessary tools for public outreach. In 2012, 8.5 percent strongly agreed with the premise. (See Q19 in Figure 4, previous page.)
- Courts have been using blogs, and news syndication and aggregation technology longer than any other technologies, as more than 50 percent of the courts that use them report doing so for two years or more. Microblogging was reported to have been used for one to two years by 50 percent of the courts using that technology.
- Plans among courts for new media technology use are down, except among courts planning to use visual media sharing websites, who reflected only a 0.6 percent increase over the 2011 survey results.
- 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.
- Attorneys again were reported by judicial officers and general respondents alike as most-often observed using the surveyed technologies in the courtroom, with almost 89 percent of judicial officers and 90.3 percent of general respondents reporting they have observed attorneys using technology in the courtroom.

Comments indicate that attorneys use their smart phones for calendaring, to access documents not in their files and to access statutes or case law. In one instance, an attorney photographed something written on a white board during trial to preserve it as evidence. Another comment indicated, “[I] have been told by counsel they consider it malpractice to not look for venire men Facebook pages during voir dire.”

- Members of the public were again the second most-frequently observed in-court users of new media technology. Smart phones, notebooks and tablets were the most-frequently observed in use.
- Media are the third most-often observed in-court users of technology. Reporters were seen taking notes, tweeting, and blogging from laptops and notebooks. Some did so despite verbal and written admonishments against the practice.
- Witnesses are becoming frequent users of technology in the courtroom, observed by more than 20 percent of judges (26.0 percent) and general respondents (21.1 percent) alike. Jurors use their smart phones, tablets and laptop computers to demonstrate the existence of text messages, Facebook posts, tweets, documents, photos and the like. Comments indicated improper uses as well. For example, one witness was continually called by her husband on her cell phone while she was testifying.
- Jurors are infrequently observed, although one comment relayed an incident of a seated juror taking a call on her iPhone during a trial.

USE OF NEW MEDIA TECHNOLOGIES

The 2012 survey again asked respondents to provide information about the use of new media where they work, examining the actual and planned uses of social media profile sites; blogs; microblogging technology; news syndication and aggregation technologies; and visual media sharing websites.

The survey also asked respondents about their individual use of the technologies above, in addition to their use of smart phones, tablets and notebooks.

Actual Use by Courts as Institutions

The 2012 survey looked at the actual and planned uses by courts as institutions of five categories of new media technology. More courts are using social media profile sites and visual media sharing websites; fewer are using blogs, microblogging, and news syndication and aggregation technologies.

COURTS USING DIGITAL TECHNOLOGY			
	2012	2011	2010
Social media profile sites	13.2	11.8	6.7
Blogs	1.8	6.9	n/a ⁴
Microblogging	8.9	10.9	7.0
News syndication & aggregation	5.9	36.6	n/a ⁵
Visual media sharing	9.5	3.0	3.2

DURATION OF DIGITAL MEDIA USE BY COURTS						
	<12 months		1-2 years		≥ 2 years	
	2012	2011	2012	2011	2012	2011
Social media profile sites	31.7	25.0	39.0	51.2	28.0	20.2
Blogs	9.1	22.2	27.3	44.4	54.5	33.3
Microblogging	16.1	23.1	50.0	62.8	30.4	12.8
News syndication & aggregation	8.1	18.6	29.7	28.8	59.5	47.5
Visual media sharing	27.1	25.6	44.1	48.8	27.1	23.3

Survey respondents were asked to specify which among the following applied to their employer's use of a technology:

- To promote events
- For public education
- To release decisions
- To highlight the activities of individual judges

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.

- To explain court processes & procedure
- To post job openings
- For internal communications
- For media relations
- For juror communications
- To drive traffic to main website
- To gather & monitor news & information
- Other.

Many respondents used the “other” category for a use that could well have been categorized in one of the options provided.

A data analysis for each technology area follows.

Social media profile sites. 2012 survey results reflect only a 1.4 percent increase in respondents who indicated they work at courts that, as institutions, maintain a social media profile site: 13.2 percent over 11.8 in 2011. Still, the figure is nearly double what it was in the first year of the survey, when 6.7 percent of respondents made such a report.

For the third year running, respondents (93.9 percent) identified Facebook as the social media profile site most often used by their courts. LinkedIn, cited by 9.8 percent, was the only other site identified.

The reported current uses for **social media profile sites** by courts are listed below:

1. For public education (75.6 percent)
2. To promote events (57.3 percent)
3. For media relations (48.8 percent)
4. To explain court processes & procedure (36.6 percent)
5. To post job openings (28.0 percent)
6. To release decisions (20.7 percent)
7. To gather & monitor news & information (14.6 percent)
8. For internal communications (12.2 percent)
9. To highlight activities of individual judges (11.0 percent)
10. To drive traffic to main website (9.8 percent)
11. For juror communications (6.1 percent)
12. Other (12.2 percent)

Blogs. Reported blog used by courts as institution fell 5.1 percent over the survey year, to 1.8 in 2012 from 6.9 percent in 2011.

WordPress (27.3 percent) and Blogger (9.0 percent) were the only blog tools specified from a list that also included LiveJournal.

The reported current uses for **blogs** by courts are listed below:

1. For internal communications (54.5 percent)

2. To promote events; and to explain court processes & procedure (45.5 percent)
3. For public education (36.4 percent)
4. To highlight the activities of individual judges; and for media relations (18.2 percent)
5. To post job openings; for juror communications; to drive traffic to main website; to gather & monitor news & information; and other (9.1 percent)

No one reported using a blog to release court decisions.

Microblogging technology. Institutional use of microblogging technology fell from 10.9 percent in 2011 to 8.9 percent in 2012.

Twitter, as it did in years past, emerged as the favorite, with 100 percent of respondents identifying it as the tool their court used for microblogging.

The reported current uses for **microblogging technology** by courts are listed below:

1. To promote events (67.8 percent)
2. For public education (64.3 percent)
3. For media relations (62.5 percent)
4. To release decisions (33.9 percent)
5. To explain court processes & procedure (30.4 percent)
6. To drive traffic to main website (26.8 percent)
7. To post job openings (25.0 percent)
8. To gather & monitor news & information (21.4 percent)
9. To highlight the activities of individual judges (14.3 percent)
10. For internal communications (10.7 percent)
11. For juror communications (5.4 percent)
12. Other (8.9 percent)

News syndication and aggregation technologies. In 2012, respondent courts using news syndication and aggregation technologies fell to 5.9 percent from a reported 36.6 percent in 2011. The 2010 survey did not look at court use of the technologies.

The majority (94.6 percent) of 2012 respondents reported the use of RSS, the only technology respondents identified by name. The balance (5.4 percent) indicated the use of an “other” technology.

The reported current uses for **news syndication and aggregation technologies** by courts in 2012 are listed below:

1. To release decisions (51.4 percent)
2. For media relations (43.2 percent)
3. For public education (40.5 percent)
4. To promote events (35.1 percent)
5. To explain court processes & procedure; and to gather & monitor news & information (18.9 percent)
6. For internal communications; and to drive traffic to main website (16.2 percent)

7. To post job openings; and for juror communications (13.5 percent)
8. To highlight activities of individual judges (2.7 percent)
9. Other (10.8 percent)

Visual media sharing websites. Use of visual media sharing websites rose, from 3.0 percent in 2011 to 9.5 percent in 2012. Current reported use is almost triple that reported in the first year of the survey: 3.2 percent of respondents reported in 2010 working at a court, as an institution, used a visual media sharing website.

Respondents indicated they worked at courts that use YouTube (89.8 percent), followed by Flickr (10.2 percent), Vimeo (6.8 percent), and Snapfish and Hulu at 1.7 percent each. The use of an “other” site was reported by 3.4 percent.

The reported current uses for **visual media sharing websites** by courts are listed below:

1. For public education (76.3 percent)
2. To explain court process & procedure (45.8 percent)
3. To promote events (40.0 percent)
4. For media relations (30.5 percent)
5. To highlight activities of individual judges; and for internal communications (10.2 percent)
6. For juror communications; and to gather & monitor news & information (8.5 percent)
7. To drive traffic to main website (6.8 percent)
8. To release decisions (5.1 percent)
9. Other (10.2 percent)

No one reported using a visual media sharing website to post job openings.

Planned Use by Courts as Institutions

The amount of respondents who reported working at courts with plans to start using a social media profile site; blog; microblogging; news syndication and aggregation; or visual media sharing website was down in 2012, to 8.2 percent from 13.3 percent in 2011.

Survey respondents were asked to specify which among the following applied to their employer’s planned use of a technology:

- To promote events
- For public education
- To release decisions
- To highlight the activities of individual judges
- To explain court processes & procedure
- To post job openings
- For internal communications
- For media relations

- For juror communications
- To drive traffic to main website
- To gather & monitor news & information
- Other.

Though some respondents indicated there were “other” plans, none were specified.

A data analysis for each technology area follows.

Social media profile sites. Reported plans for use of social media profile sites among courts has fallen. In 2012, 3.5 percent of respondents indicated they work at a court that, as an institution, has plans to start using a social media profile site. In 2011, the figure was 5.2 percent.

The reported planned uses for **social media profile sites** by courts are listed below:

1. For public education; and to explain court processes & procedure (77.3 percent)
2. For media relations (59.1 percent)
3. For juror communications (50.0 percent)
4. To promote events (45.5 percent)
5. To release decisions; and to post job openings (40.9 percent)
6. To drive traffic to main website (31.8 percent)
7. To gather & monitor news & information (22.7 percent)
8. For internal communications (13.6 percent)
9. Other (4.5 percent)

Blogs. Planned blog use also has fallen. Just 0.3 percent of respondents in 2012, compared with 0.8 percent in 2011, indicated they work at a court that, as an institution, had plans to start a blog.

Half of those reporting plans for institutional blog use reported the following planned uses:

To promote events; for public education; to highlight the activities of individual judges; to explain court processes & procedures; for internal communications; for media relations; for juror communications; and to gather & monitor news & information.

No respondent reported plans to use a blog to release court decisions, to post job openings, or to drive traffic to a court’s main website.

Microblogging technology. Planned institutional use of microblogging technology decreased from 1.8 percent in 2011 to 1.1 percent in 2012.

The reported planned uses for **microblogging technology** by courts are listed below:

1. For public education (85.7 percent)

2. To promote events; to explain court processes and procedures; and for media relations (71.4 percent)
3. To release decisions; and to gather & monitor news & information (57.1 percent)
4. To post job openings; for internal communications; for juror communications; and to drive traffic to main website (42.9 percent)
5. To highlight activities of individual judges (14.9 percent)

News syndication and aggregation technologies. The 2012 survey results revealed a 2.8 percent decrease in respondents who work at a court that, as an institution, has plans for using news syndication and aggregation. In 2012, only 0.3 percent of made such an indication, down from 3.1 percent in 2011.

Respondents who reported plans for **news syndication and aggregation technologies** by courts indicated the following intentions:

1. To explain court processes & procedure; and to post job openings (100 percent)
2. For public education; and for media relations (50 percent)

No respondent reported plans to use news syndication and aggregation technologies to promote events; to release decisions; to highlight activities of individual judges; for internal communications; for juror communications; to drive traffic to a court's main website; or to gather & monitor news & information.

Visual media sharing websites. This is the only technology category in which respondents indicated an increase in planned use, albeit a very slight one. 3.0 percent of respondents to the 2012 survey indicated they work at a court that, as an institution, has plans for using a visual media sharing website, a 0.6 percent increase over 2011.

The reported planned uses for **visual media sharing** websites by courts are listed below:

1. For public education (84.2 percent)
2. To explain court processes & procedure (63.2 percent)
3. For media relations (31.6 percent)
4. To promote events (26.3 percent)
5. For juror communications (21.1 percent)
6. To release decisions; to highlight activities of individual judges; and for internal communications (15.8 percent)
7. To drive traffic to main website; and to gather & monitor news & information (10.5 percent)
8. To post job openings; and other (5.3 percent)

Use by Individual Respondents

As noted above, judges reported an increased use of all surveyed technologies. Survey respondents in general reported an increased use in all technology areas except social media profile sites, although the increase in their use of microblogging technology was just 0.3 percent.

INDIVIDUAL USERS OF DIGITAL MEDIA TECHNOLOGIES

		General response		Judge response		
		USERS (general)	PERCENT of general	USERS (judicial)	PERCENT of general	PERCENT of judicial
Social media profile sites	2012	381	61.2	131	21.0	46.1
	2011	443	62.1	104	14.6	43.7
	2010	464	57.4	102	12.6	40.2
Blogs	2012	162	26.0	73	11.7	25.7
	2011	130	18.2	38	5.3	15.9
	2010	BLOG DATA NOT COLLECTED FOR 2010				
Microblogging	2012	80	12.8	18	2.9	6.3
	2011	89	12.5	10	1.4	4.2
	2010	120	14.8	35	4.3	13.8
Smart phones, tablets & notebooks	2012	507	81.4	228	36.6	80.3
	2011	490	68.7	152	21.3	63.9
	2010	485	60.0	146	18.0	57.5
News syndication & aggregation	2012	163	26.2	66	10.6	23.2
	2011	161	22.6	45	6.3	18.9
	2010	189	23.4	40	4.9	15.7
Visual media sharing	2012	383	61.5	166	26.6	58.5
	2011	409	57.4	131	18.4	55.0
	2010	432	53.4	130	16.1	51.2

More details on individual use of each technology are available on the following pages.

SOCIAL MEDIA PROFILE SITES

2012: 381 users, 131 of whom are judicial officers

I use social media profile sites:

	General response (percent of 381)			Judge response (percent of 131)		
	2012	2011	2010	2012	2011	2010
>Never – 1x/month	19.7	19.4	23.5	25.2	29.8	30.4
Monthly – Weekly	21.5	21.4	24.4	22.1	22.1	25.5
2x/week – Daily	33.6	36.6	35.5	34.4	25.0	30.4
2x/day – Hourly	20.5	20.1	14.9	16.0	22.1	12.7
≥Hourly	4.7	2.5	1.9	2.3	0.9	1.3

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

	General response (percent of 381)			Judge response (percent of 131)		
	2012	2011	2010	2012	2011	2010
Only personal	45.7	55.3	56.9	60.3	73.1	74.5
Mostly personal but some professional	30.9	27.3	25.9	19.1	18.3	18.6
Equally personal and professional	9.2	6.3	6.3	6.1	1.9	2.0
Mostly professional but some personal	6.3	5.2	6.3	5.3	2.9	3.9
Only professional	7.3	5.6	4.5	8.4	3.8	1.0

I use the following social media profile sites:

	General response (percent of 381)			Judge response (percent of 131)		
	2012	2011	2010	2012	2011	2010
Facebook	88.7	90.1	89.0	86.2	87.8	89.2
MySpace	2.4	2.7	7.5	1.5	0.9	4.9
LinkedIn	46.2	37.9	30.8	32.8	22.1	20.6
Ning	0.8	1.6	3.2	0.0	0.9	1.0
Other	5.5	7.7	10.8	4.6	6.7	2.0

BLOGS

2012: 162 users, 73 of whom are judicial officers

I use blogs:

	General response (percent of 162)			Judge response (percent of 73)		
	2012	2011	2010	2012	2011	2010
>Never – 1x/month	38.3	53.8		39.7	47.4	
Monthly – Weekly	25.3	23.1		16.4	23.7	
2x/week – Daily	27.8	16.2		30.1	15.7	
2x/day – Hourly	8.0	6.2		12.3	13.2	
≥Hourly	0.6	0.8		1.4	0.0	

The purpose of my blog use is best described as:

	General response (percent of 162)			Judge response (percent of 73)		
	2012	2011	2010	2012	2011	2010
Only personal	37.7	39.2		36.9	31.6	
Mostly personal but some professional	16.0	10.7		16.4	10.5	
Equally personal and professional	12.9	6.9		8.2	7.9	
Mostly professional but some personal	8.6	14.6		10.9	23.7	
Only professional	16.7	23.1		20.5	26.3	

I use the following blog tools:

	General response (percent of 162)			Judge response (percent of 73)		
	2012	2011	2010	2012	2011	2010
Blogger	27.1	31.5		19.2	13.2	
LiveJournal	4.9	1.5		4.1	0.0	
WordPress	18.5	16.9		16.4	15.7	
Other	13.6	24.6		17.8	36.8	

MICROBLOGGING TECHNOLOGY

2012: 80 users, 18 of whom are judicial officers

I use microblogging technology sites:

	General response (percent of 80)			Judge response (percent of 18)		
	2012	2011	2010	2012	2011	2010
>Never – 1x/month	37.5	46.0	38.3	33.3	50.0	47.6
Monthly – Weekly	16.3	21.3	21.7	22.2	20.0	14.3
2x/week – Daily	30.0	13.5	17.5	33.3	0.0	19.0
2x/day – Hourly	11.3	14.6	14.2	5.6	20.0	14.3
≥Hourly	5.0	4.5	8.3	5.6	10.0	4.8

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

	General response (percent of 80)			Judge response (percent of 18)		
	2012	2011	2010	2012	2011	2010
Only personal	31.3	34.8	31.7	44.4	60.0	42.9
Mostly personal but some professional	30.0	17.9	27.5	22.2	30.0	38.0
Equally personal and professional	8.8	10.1	7.5	5.6	0.0	4.8
Mostly professional but some personal	10.0	15.7	11.7	11.1	10.0	14.3
Only professional	18.8	21.3	21.7	16.7	0.0	0.0

I use the following microblogging technologies:

	General response (percent of 80)			Judge response (percent of 18)		
	2012	2011	2010	2012	2011	2010
Twitter	88.8	79.8	75.0	77.8	80.0	52.4
Tumblr	1.3	3.4	2.5	0.0	10.0	0.0
Plurk	0.0	1.1	0.8	0.0	0.0	4.8
Other	8.8	12.4	22.5	22.2	10.0	42.9

SMART PHONES, TABLETS & NOTEBOOKS

2012: 507 users, 228 of whom are judicial officers

I use smart phones, tablets or notebooks:

	General response (percent of 507)			Judge response (percent of 228)		
	2012	2011	2010	2012	2011	2010
>Never – 1x/month	1.8	22.4	3.7	2.6	1.9	5.5
Monthly – Weekly	3.2	34.7	3.9	3.1	5.9	3.4
2x/week – Daily	11.2	28.9	14.8	14.0	26.9	17.1
2x/day – Hourly	35.9	28.9	32.0	44.3	34.9	43.2
≥Hourly	47.9	36.3	45.6	35.9	30.3	30.8

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

	General response (percent of 507)			Judge response (percent of 228)		
	2012	2011	2010	2012	2011	2010
Only personal	14.4	14.3	12.2	16.7	22.4	15.8
Mostly personal but some professional	32.7	17.6	25.2	34.2	32.9	34.9
Equally personal and professional	32.7	18.4	23.5	34.2	26.9	26.7
Mostly professional but some personal	15.9	14.7	29.5	12.7	15.8	16.4
Only professional	4.1	3.9	9.7	1.8	1.9	6.2

I use the following smart phones, tablets or notebooks:

	General response (percent of 507)			Judge response (percent of 228)		
	2012	2011	2010	2012	2011	2010
iPhone	50.0	35.7	26.6	52.6	40.1	37.7
iPad	47.1	25.7	7.2	51.3	32.9	11.6
Droid	25.2	23.7	8.5	22.8	22.4	6.8
Blackberry	19.1	32.0	54.4	14.0	26.9	47.2
Other	9.0	12.9	17.9	9.6	14.5	15.8

NEWS SYNDICATION AND AGGREGATION TECHNOLOGIES

2012: 163 users, 66 of whom are judicial officers

I use news syndication and aggregation technologies:

	General response (percent of 163)			Judge response (percent of 66)		
	2012	2011	2010	2012	2011	2010
>Never – 1x/month	30.0	28.9	30.2	31.8	26.7	37.5
Monthly – Weekly	27.6	20.5	20.6	25.8	24.4	15.0
2x/week – Daily	25.8	36.6	30.2	27.3	40.0	25.0
2x/day – Hourly	12.9	8.0	14.3	15.2	8.9	17.5
≥Hourly	3.7	4.3	4.7	0.0	0.0	5.0

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

	General response (percent of 163)			Judge response (percent of 66)		
	2012	2011	2010	2012	2011	2010
Only personal	23.9	14.3	17.5	31.8	24.4	25.0
Mostly personal but some professional	22.7	18.6	22.8	22.7	24.4	25.0
Equally personal and professional	18.4	18.0	15.3	21.2	15.5	17.5
Mostly professional but some personal	14.1	18.6	20.6	12.1	8.9	15.0
Only professional	17.8	28.6	23.8	9.0	26.6	17.5

I use the following news syndication and aggregation technologies:

	General response (percent of 163)			Judge response (percent of 66)		
	2012	2011	2010	2012	2011	2010
RSS	74.8	78.2	68.8	62.1	62.6	45.0
Digg	8.6	10.5	9.5	6.0	13.3	7.5
Reddit	8.6	5.6	1.1	9.0	8.9	0.0
Del.icio.us	1.2	3.7	3.7	0.0	4.4	2.5
Other	11.0	15.5	13.8	19.7	24.4	17.5

VISUAL MEDIA SHARING WEBSITES

2012: 383 users, 166 of whom are judicial officers

I use visual media sharing websites:

	General response (percent of 383)			Judge response (percent of 166)		
	2012	2011	2010	2012	2011	2010
>Never – 1x/month	46.7	54.5	49.5	51.2	56.4	51.5
Monthly – Weekly	34.7	33.3	34.5	34.9	32.0	30.8
2x/week – Daily	15.7	10.0	15.3	12.7	9.1	16.9
2x/day – Hourly	2.9	1.9	0.7	1.2	2.3	0.8
≥Hourly	0.0	0.2	0.0	0.0	2.3	0.0

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

	General response (percent of 383)			Judge response (percent of 166)		
	2012	2011	2010	2012	2011	2010
Only personal	57.4	65.3	61.6	68.0	74.8	67.7
Mostly personal but some professional	28.7	25.1	24.5	26.5	19.8	24.6
Equally personal and professional	6.3	4.9	6.7	1.8	3.1	4.6
Mostly professional but some personal	3.1	2.2	4.4	1.2	1.5	2.3
Only professional	3.4	2.2	2.8	1.2	0.2	0.8

I use the following visual media sharing websites:

	General response (percent of 383)			Judge response (percent of 166)		
	2012	2011	2010	2012	2011	2010
YouTube	90.0	88.0	90.5	88.0	93.1	91.5
Vimeo	8.1	4.4	3.2	6.0	1.5	2.3
Flickr	17.5	17.3	20.4	13.9	11.4	12.3
Hulu	24.3	20.8		18.7	28.2	
Snapfish	23.5	27.9		21.7	27.5	
Other	7.3	5.6	9.3	9.6	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		Judge response	
	NO	YES	NO	YES
2012	91.5	8.5	89.8	10.2
2011	91.9	7.3	91.2	8.4
2010	92.8	7.2	90.2	9.8

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		Judge response	
	NO	YES	NO	YES
2012	56.8	43.2	46.8	53.2
2011	65.1	33.8	53.4	46.2
2010	65.9	34.1	39.8	60.2

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		Judge response	
	NO	YES	NO	YES
2012	64.4	34.2	60.2	38.4
2011	74.1	24.4	71.0	28.6
2010	74.8	25.2	71.3	28.7

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		Judge response	
	NO	YES	NO	YES
2012	91.2	8.0	85.6	13.4
2011	92.0	6.5	88.7	10.5
2010	95.3	4.7	91.7	8.3

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		Judge response	
	NO	YES	NO	YES
2012	49.3	49.4	35.6	63.4
2011	60.2	38.7	39.1	60.5
2010	60.6	39.4	45.7	54.3

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		Judge response	
	NO	YES	NO	YES
2012	68.1	31.6	58.8	41.2
2011	76.9	22.6	66.4	33.6
2010	75.6	24.4	67.3	32.7

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		Judge response	
	NO	YES	NO	YES
2012	47.4	51.7	32.7	66.2
2011	57.8	41.1	39.5	60.0
2010	58.6	41.4	44.5	55.5

HOW RESPONDENTS VIEW NEW MEDIA USE

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			Judge response		
	2012	2011	2010	2012	2011	2010
Strongly agree	55.2	49.2	48.3	55.6	50.8	45.7
Agree	31.3	35.6	36.3	30.9	33.2	38.2
Neutral	9.9	11.1	11.5	9.5	11.3	10.6
Disagree	2.7	3.1	3.1	3.2	37.8	5.1
Strongly disagree	0.5	0.7	0.5	0.7	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			Judge response		
	2012	2011	2010	2012	2011	2010
Strongly agree	76.1	70.5	69.0	75.4	72.3	66.9
Agree	20.7	24.8	28.6	20.8	23.9	31.5
Neutral	1.6	2.7	1.9	1.4	2.5	1.6
Disagree	0.1	0.4	0.2	0.3	0.0	0.0
Strongly disagree	0.1	0.4	0.4	0.3	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			Judge response		
	2012	2011	2010	2012	2011	2010
Strongly agree	15.6	9.5	8.8	19.0	7.1	7.5
Agree	31.3	35.9	29.4	25.3	31.9	33.9
Neutral	25.8	26.1	27.6	21.5	25.6	21.7
Disagree	17.9	20.2	24.0	21.8	24.8	25.5
Strongly disagree	7.4	7.2	10.3	10.2	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			Judge response		
	2012	2011	2010	2012	2011	2010
Strongly agree	9.9	4.9	4.8	11.3	4.6	3.5
Agree	21.7	22.4	16.9	16.2	19.3	20.5
Neutral	28.9	31.1	30.4	25.7	26.8	28.3
Disagree	25.4	26.4	31.0	28.5	30.7	30.7
Strongly disagree	12.8	13.3	16.8	16.9	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			Judge response		
	2012	2011	2010	2012	2011	2010
Strongly agree	13.0	7.3	7.5	16.2	6.3	6.7
Agree	28.7	29.2	25.6	23.2	25.6	26.4
Neutral	32.4	33.8	34.9	30.6	34.8	35.8
Disagree	17.5	20.2	23.6	18.7	21.8	22.4
Strongly disagree	6.9	6.7	8.4	9.2	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			Judge response		
	2012	2011	2010	2012	2011	2010
Strongly agree	8.3	5.0	4.3	8.8	4.2	3.1
Agree	17.8	17.4	15.1	11.3	13.4	16.5
Neutral	32.6	32.8	33.6	30.6	27.3	32.7
Disagree	28.3	28.5	31.0	32.4	34.0	32.3
Strongly disagree	11.7	13.2	15.9	14.8	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			Judge response		
	2012	2011	2010	2012	2011	2010
Strongly agree	13.9	8.6	8.3	16.9	10.5	8.3
Agree	34.3	34.8	32.1	32.0	32.4	38.6
Neutral	29.0	31.3	33.9	26.8	29.4	27.9
Disagree	15.7	16.3	18.4	16.2	16.4	18.5
Strongly disagree	5.3	6.5	7.3	6.3	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			Judge response		
	2012	2011	2010	2012	2011	2010
Strongly agree	8.0	4.5		8.5	4.2	
Agree	24.1	23.1		18.3	19.7	
Neutral	34.3	33.0		33.1	29.8	
Disagree	23.1	26.2		27.5	28.9	
Strongly disagree	9.3	10.8		10.9	15.1	

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

	General response			Judge response		
	2012	2011	2010	2012	2011	2010
Strongly agree	19.7	16.0	13.7	21.5	14.7	10.2
Agree	48.5	48.9	49.2	41.5	44.1	52.4
Neutral	20.5	22.2	23.7	23.6	25.6	26.0
Disagree	5.9	7.0	9.6	7.4	7.9	7.5
Strongly disagree	3.2	3.1	3.7	3.5	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		
	2012	2011	2010	2012	2011	2010
Strongly agree	10.3	7.6	7.2	9.9	5.9	4.7
Agree	33.2	32.5	28.3	26.0	28.6	30.7
Neutral	26.6	27.9	31.3	26.8	26.8	30.3
Disagree	20.4	22.9	23.7	27.1	10.9	24.8
Strongly disagree	7.5	7.9	9.5	7.4	7.9	9.4

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

	General response			Judge response		
	2012	2011	2010	2012	2011	2010
Strongly agree	17.5	13.2	11.7	18.7	13.0	9.1
Agree	46.5	48.8	48.0	44.0	46.6	52.4
Neutral	24.4	25.4	30.2	23.9	28.1	29.1
Disagree	7.4	7.4	7.7	9.2	6.7	5.5
Strongly disagree	0.8	2.8	2.5	1.8	3.8	3.9

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

	General response			Judge response		
	2012	2011	2010	2012	2011	2010
Strongly agree	9.9	6.3	7.0	9.9	4.6	4.3
Agree	31.1	28.5	25.5	24.3	23.5	26.4
Neutral	28.6	31.3	32.1	27.8	33.1	33.5
Disagree	20.8	23.6	25.8	27.8	26.5	26.0
Strongly disagree	7.4	7.9	9.5	7.4	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			Judge response		
	2012	2011	2010	2012	2011	2010
Strongly agree	17.9	14.7	12.4	21.1	15.9	10.6
Agree	47.9	48.4	49.9	45.0	47.5	56.3
Neutral	24.4	25.7	27.7	22.9	27.7	26.0
Disagree	12.7	6.0	7.7	6.7	4.2	3.9
Strongly disagree	1.8	2.8	2.3	1.4	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			Judge response		
	2012	2011	2010	2012	2011	2010
Strongly agree	11.1	6.9	6.3	11.6	5.9	3.9
Agree	31.3	29.5	25.1	23.6	23.1	27.6
Neutral	30.5	32.1	32.9	31.3	34.0	34.3
Disagree	18.8	20.9	26.3	23.6	25.2	25.6
Strongly disagree	5.9	8.1	9.4	6.7	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			Judge response		
	2012	2011	2010	2012	2011	2010
Strongly agree	16.4	12.3	9.1	14.4	9.2	5.1
Agree	38.7	37.0	32.6	30.9	32.8	35.0
Neutral	27.9	31.7	34.5	32.4	35.2	31.9
Disagree	10.8	11.6	16.3	14.1	14.3	19.3
Strongly disagree	4.5	5.0	7.4	5.6	7.6	8.7

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

	General response			Judge response		
	2012	2011	2010	2012	2011	2010
Strongly agree	16.5	11.2	8.5	13.4	7.1	5.1
Agree	30.8	32.1	26.6	23.6	26.9	24.8
Neutral	31.8	34.5	38.8	36.6	39.4	38.6
Disagree	14.6	14.4	19.2	18.7	16.8	24.0
Strongly disagree	4.7	5.5	6.9	5.6	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			Judge response		
	2012	2011	2010	2012	2011	2010
Strongly agree	16.9	11.5	8.7	14.4	7.9	4.7
Agree	35.9	35.3	30.5	29.6	29.8	31.1
Neutral	31.3	32.4	38.6	36.3	37.3	38.2
Disagree	10.6	12.5	15.7	11.9	14.3	18.9
Strongly disagree	3.4	5.2	6.6	5.3	7.6	7.1

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

	General response			Judge response		
	2012	2011	2010	2012	2011	2010
Strongly agree	12.5	9.1		10.6	3.8	
Agree	29.9	28.8		25.0	23.5	
Neutral	33.4	35.1		34.9	36.9	
Disagree	17.5	18.2		20.1	21.8	
Strongly disagree	4.7	6.5		6.7	10.9	

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

	General response			Judge response		
	2012	2011	2010	2012	2011	2010
Strongly agree	15.6	11.2	7.9	8.5	7.1	4.3
Agree	23.9	25.4	18.2	23.9	18.9	13.4
Neutral	33.7	31.6	36.1	34.5	35.7	38.6
Disagree	19.6	23.3	29.3	23.2	28.2	33.9
Strongly disagree	5.6	6.9	8.5	7.4	8.4	9.8

Authors

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