Judging Justice: A Case Study of the Safety and Operational Impact of Reduced Funding to the Connecticut Judiciary and Its Effect on the Administration of Justice

By

Cherron M. Payne, M.A., J.D.

A doctoral thesis

Presented to the Graduate Faculty of the Doctor of Law and Policy Program

at Northeastern University

In partial fulfillment of the requirements for the degree of

Doctor of Law and Policy

Under the supervision of Bobby Lyn Hazelton, J.D.

Second reader, Honorable Sydney Elkin, M.A., J.D.

College of Professional Studies
Northeastern University
Boston, Massachusetts

June 25, 2019

DEDICATION

This dissertation is dedicated to the memory of my beloved father, Eldon Payne, Sr.

ACKNOWLEDGMENTS

I would like to thank my colleagues whose support assisted the completion of this dissertation. Specifically, I express sincere thanks to my dedicated adviser, Bobby Hazelton, Esq., for his perspicacious counsel, expertise, and support. I also sincerely thank my second reader, the Honorable Sydney Elkin, for his time and sage advice, and my doctoral design professor, Dr. Nancy Pawlyshyn, for her guidance throughout the dissertation process.

I thank my family, including my mother, Rosie Payne, my brother Eldon Payne, Jr., and my nephew, Cameron Payne. I also appreciate the camaraderie from my classmates from Cohort XI of the DLP program at Northeastern University, the NEU faculty, and Dr. J.D. LaRock for his continuous support throughout this program.

ABSTRACT

Judiciaries throughout the United States execute critical roles that are ordained by the Constitution. In the State of Connecticut, the location of this exploratory case study, judges perform such roles by interpreting the law, applying the law, and constructing legal precedent. However, a reduction in funding to the Connecticut Judicial Branch may impede the execution of judicial functions and compromise the safety of judges (Clenenden, 2016; Phaneuf, 2016; Rogers, 2017). The purpose of this study is to examine the safety and operational impact of reduced funding to the Connecticut judiciary and its effect on the administration of justice. A qualitative methodology was employed to investigate the central phenomenon of the lived experiences of judges presiding in Connecticut. The research found that judges who participated in the study felt less safe and more vulnerable in courtrooms with marginal security and diminished resources. The participant judges also indicated that diminished security and resources often impaired their ability to effectively adjudicate. Observation data revealed that courtrooms where superior court judges preside were fully staffed, whereas small claims courtrooms had minimal to no resources. The culmination of this research suggests that reduced judicial funding has negatively impacted the experiences of the participant judges, their perceptions of judicial safety, and potentially their ability to effectively perform judicial duties.

Key words: *state judiciary, courthouse safety, ,judicial funding, state court resources*

TABLE OF CONTENTS

LIST OF TABLES

LIST OF FIGURES

LIST OF ACRONYMS

CJC	Code of Judicial Conduct
CLE	Continuing Legal Education
IAC	Intermediate Appellate Court
IAR	Intake, Assessment, Referral
IAT	Implicit Association Test
IRB	Institutional Review Board
LJC	Limited Jurisdiction Courts
MCJC	Model Code of Judicial Conduct
NCSC	National Center for State Courts

Chapter 1: Introduction to the Study

Every judge should be armed today in America.

—Fred Abdalla, *The Washington Post*, 2017

The declaration that judges should be armed in America was stated by County Sheriff, Fred Abdalla, after an attempted murder of a judge in Steubenville, Ohio, right outside of the county courthouse (Berman, 2017). Alarmingly, literature has documented many cases concerning judicial safety and safety breaches.

- Joseph Bruzzese, a domestic relations judge, was hospitalized after being shot outside of an Ohio courthouse. In response to being shot, the judge and a court probation officer, returned fire. The bullet from the probation officer's gun impaled the suspect and killed him. The wounded judge was flown to a Pittsburgh Hospital to undergo surgery (Kerr, 2017).
- In Chicago, a defendant in an aggravated battery case lunged toward the judge and struck him in the head and face with his hands. The judge had to be transported to the hospital for treatment (Neil, 2014).
- During a capital murder trial in Texas, the defendant, James Bigby, grabbed a loaded gun from behind the desk of District Judge Don Leonard during a court recess and rushed into the judge's chambers (Graczyk, 2017). The judge and a prosecutor wrestled Bigby to the floor and retrieved the gun (Graczyk, 2017).
- In Connecticut, a melee occurred inside the Golden Hill Street courthouse in Bridgeport. "More than two dozen people—men and women—battled with each other, quickly overwhelming the meager force of judicial marshals as horrified onlookers ran for cover" (Tepfer, 2018, p.1).

The safety of Connecticut's judges, and the quest for specific resources, is a focal point of this research. For the purposes of this study, *judge* is a generalized term that includes superior court judges, magistrates, and hearing officers.

Judges execute a critical role in society by serving as stewards of justice and custodians of societal order. The Constitution defined the role of judges as interpreters of the law. When judges effectively apply the law, precedent is established, and common law is erected. Such a role advances justice in society and invokes lawfulness into the polis. Thus, it is imperative that judges are properly protected to perpetuate the justice they infuse into society (Sharpston, 2013).

However, fiscal restraints and political challenges threaten the viability of a judge's role by limiting or reducing safety resources in the courthouse and in the community. Legislative action that reduces essential safety resources poses an imminent threat to judges. Reduced security measures in the judiciary provide a gateway to courtroom violence and safety breaches (Gould, 2007).

Violence against judges, safety threats, and safety breaches may affect a judge's ability to adjudicate the matter before the court. Barriers to a judge's ability to interpret the law and generate common law precedent acutely impede the administration of justice to litigants. Such an impediment to a judge's duties also reduces justice to society (Phaneuf, 2016).

Background and Context

Throughout history and within a current societal context, federal and state courts of the United States serve as constitutional manifestations of a tripartite government. As instrumentalities of the government, courts have afforded diverse populations an access to justice without prohibitions of race, creed, color, or nationality (Jawando & Wright, 2015). As Supreme Court Justice Sonia Sotomayor once stated, "The dynamism of any diverse community depends

not only on the diversity itself but on promoting a sense of belonging among those who formerly would have been considered and felt themselves outsiders" (Sotomayor, 2013, p. 207).

From dissolutions of marriage, contract disputes, property rights, personal injury, or immigration, the courts serve a critical role in the order of society and the administration of justice (Jawando & Wright, 2015).

Function of Federal and State Courts

The two levels of courts, federal and state, perform different functions within the United States judicial system. Federal courts interpret issues concerning the Constitution, Congressional legislation, and disputes between states (Jawando & Wright, 2015). State courts decide matters concerning state legislation, state constitutions, and some disputes between municipalities. Federal and state courts impress upon Americans' lives by the decisions that are rendered. Courts in the United States influence important policies and interpret and apply existing legislation to specific matters. From a federal standpoint, national policies and issues, such as gun violence and funding in politics, are influenced by federal courts. In state courts, state law is interpreted and applied, often influencing state policy. Whether federal or state, the role of the court is instrumental in executing social order and impacting the lives of Americans.

Supreme Court: Interpretation of Constitutional Matters

In addition to federal and state courts, the Supreme Court interprets constitutional matters. Every year, the Supreme Court reviews approximately 100 of the most significant cases out of the nearly 30 million cases resolved by state and federal courts. The Supreme Court, often called the *court of last resort*, is the most impressionable court in American society; only the Supreme Court can overturn its own rulings (Jawando & Wright, 2015).

Given the influence of the courts, it is imperative that court operations are optimal. In order to optimize court operations, the safety of the judges, magistrates, marshals, and judicial staff must be prioritized as a high standard of judicial efficiency. In the article "Why Courts Matter" the authors declared, "Not only do . . . courts play a critical role in preserving democracy, but the one who sits on the court too" (Jawando & Wright, 2015). Because a judge's decision-making is so key to American society, the safety of judges must continually be evaluated and reformed if judicial safety is being compromised.

For this research, Connecticut judges were studied within the context of their working environments in state courts. Specifically, the study focuses on the perception of judges regarding their safety and what factors affect a judge's administration of justice.

State Courts in the United States

Statistically, the characteristics of state courts have fluctuated since 1980. From 1980 to 2011, the number of state court judges increased by 11%, from 24,784 to 27,570. During the same time period, the U.S. population increased by 37%, and arrests in the United States increased by 18% (Malega & Cohen, 2013). In the "U.S. Department of Justice Special Report: State Court Organization, 2011," Ron Malega and Thomas Cohen set forth some of the statistics regarding the variances in state court systems from 1980 to 2011 (Malega & Cohen, 2013).

Figure 1 encapsulates some of the national and historical trends indicated in the U.S. Department of Justice Report (Malega & Cohen, 2013).

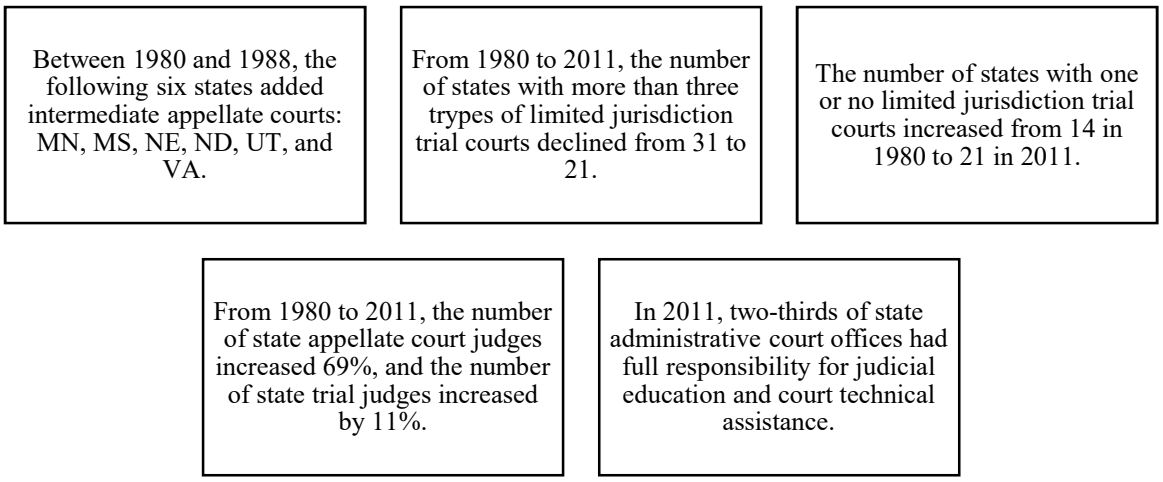

Figure 1. Historical changes in court systems across the United States

Organization of U.S. Courts

Throughout the United States, the organization of the courts varies depending on the state. For example, Georgia has additional limited jurisdiction courts stemming from the general-jurisdiction courts, such as the magistrate court, municipal court, probate court, and the court of country recorders. As pictorialized in Figure 2, most states utilize some form of the following types of courts: limited jurisdiction courts, general jurisdiction courts, intermediate appellate courts, and courts of last resort (Malega & Cohen, 2013).

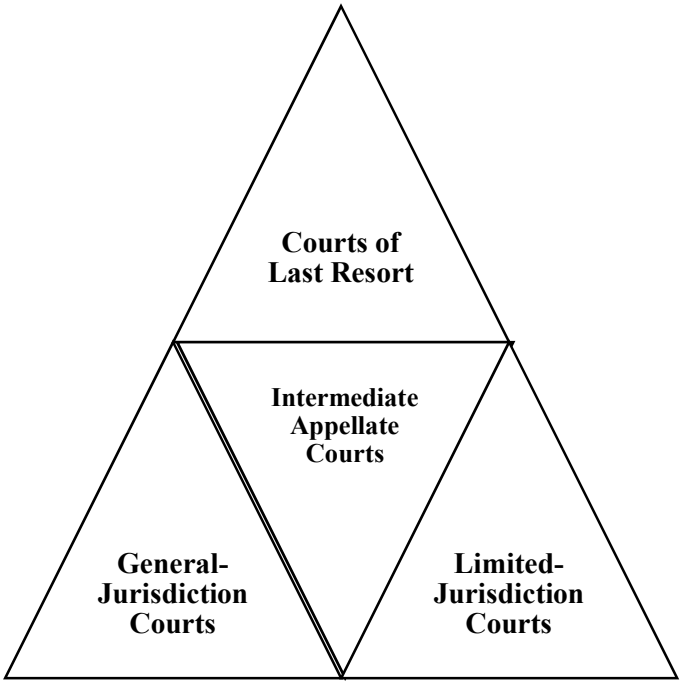

Figure 2. Types of state courts

General jurisdiction courts are generally referred to as trial courts and possess jurisdiction over most matters, unless such matters are delegated to another court (Malega & Cohen, 2013). Most general jurisdiction courts preside over matters concerning civil and criminal matters (Malega & Cohen, 2013).

Limited jurisdiction courts (LJC) possess jurisdiction over a restricted range of cases and usually handle matters of a lesser degree than other courts, such as misdemeanors, small claims, motor vehicle infractions, and parking infractions (Malega & Cohen, 2013).

Intermediate appellate courts (IAC) hear appeals on matters that were decided in the lower courts, such as general jurisdiction courts and the limited jurisdiction courts. Intermediate appellate courts may also preside over appeals from administrative agencies (Malega & Cohen, 2013).

Courts of last resort, or the state supreme courts, have final governance over all appeals filed in state courts. Generally, there is only one state supreme court, but Texas and Oklahoma have separate supreme courts for civil and criminal appeals (Malega & Cohen, 2013).

However, for more than 30 years, specifically throughout 1980–2011, the state court structure has gradually changed throughout the United States (Malega & Cohen, 2013). For example, six states added intermediate appellate courts between 1980 and 1998. However, no IACs were added after 1998. In 2011, 46 states used general jurisdiction courts and limited jurisdiction courts (Malega & Cohen, 2013).

The usage of LJCs has steadily decreased over the past thirty years (Malega & Cohen, 2013). Consequently, the number of trial judges serving in LJCs decreased in comparison to GJCs (Malega & Cohen, 2013). Thus, more trial judges are presiding in courts that handle a wider variety of legal matters, often with more complex issues and increased potential for safety threats.

Generally, more judges are being appointed to the bench in comparison to being elected (Malega & Cohen, 2013). With appointments, some judges' tenure on the bench is elongated in comparison to elected judges. As a result, it may be easier for the public to become familiar with long-standing judges; such familiarity may provide a gateway for a judge to be targeted by displeased litigants.

Connecticut Judicial Branch

The structure, organization, and statistical data regarding the judicial branches across the country provides a backdrop to the organizational structure and functionality of the Connecticut court system by way of the Connecticut Judicial Branch (Judicial Branch). This study focuses on the fiscal impact, safety, and dispensation of justice by the Judicial Branch. As such, the specific

role, infrastructure, and data regarding the Judicial Branch will be examined in the forthcoming section.

Role of Connecticut's Courts. In describing the role of Connecticut's courts, the Connecticut Judicial Branch declared, "The judicial system in Connecticut is established to uphold the law of the state" (Connecticut Judicial Branch, n.d., para. 1). Connecticut's courts help to maintain social order in the following ways: (1) interpreting the law, (2) resolving disputes involving civil or human rights, (3) discerning the guilt or innocence of persons accused of committing a crime, (4) developing legal precedent in the absence of existing state law, and (5) determining whether state law violates the Constitution.

Court History of Connecticut. Connecticut possesses a long history of jurisprudence. As early as 1636, the first judicial proceedings were held in Newton which is now Hartford (State of Connecticut Judicial Branch, 2017). The proceeding was authorized by the General Court of Massachusetts Bay that appointed eight leaders. In 1638, the General Court authorized the Particular Court or the Quartet Court (State of Connecticut Judicial Branch, 2017). The General Court governed the administration of justice, but the Particular Court was the prime judicial entity until a charter was tendered in 1662 by Charles II, who was the King of England, Scotland, and Ireland. Under the King's Charter, the Particular Court was abolished, and in 1665, the Court of Assistants and the county courts were established (State of Connecticut Judicial Branch, 2017).

In 1711, the Court of Assistants was abolished, and its power and jurisdiction were transformed into what is currently known as the Superior Court. The Superior Court remains Connecticut's primary trial court. In 1818, Connecticut adopted its first constitution, which established the three branches of government (State of Connecticut Judicial Branch, 2017). The

constitution created "a Supreme Court of Errors, a Superior Court, and such inferior courts as the general assembly shall from time to time ordain and establish" (State of Connecticut Judicial Branch, 2017, p. 11). In 1855, the county courts were eliminated, and the Superior Court, hereinafter (superior court), assumed the functions of the former county courts (State of Connecticut Judicial Branch, 2017). In 1921, the juvenile courts were established in Connecticut, and in 1939, the trial justice system was implemented (State of Connecticut Judicial Branch, 2017). In 1960, the General Assembly eliminated county government, instituting the replacement of the municipal courts and trial justice system (State of Connecticut Judicial Branch, 2017). After the abolition of the municipal courts and the trial justice system, the courts were formed and maintained by the state (State of Connecticut Judicial Branch, 2017).

State of Connecticut's Judiciary. With Connecticut's court history serving as a foundation to its jurisprudence, the mission of Connecticut's Judicial Branch is instrumental to the state's history and its present administration of justice. The goal of Connecticut's judiciary is to "best serve the people" (Rogers, 2017, p.10). Despite severe reductions in judicial funding, Connecticut's courts are filled with robust dockets. During fiscal year 2016–2017, a total of 409,202 cases were added to the docket, and 405,667 cases were added during fiscal year 2017–2018 (State of Connecticut Judicial Branch, 2018).

In addition to the 814,869 cases in superior court during the biennium, there were 2,402 appellate court cases and 364 supreme court cases (State of Connecticut Judicial Branch, 2018). During fiscal year 2016–2017, there were 4,329 full time employees in the judicial branch, including judges (State of Connecticut Judicial Branch, 2018).

In addition to serving as an adjudicative instrumentality, the court also provides special

services to its constituents. In family court, the Family Services Unit offers a statewide alternative dispute resolution program to assist matters involving parental conflict (Rogers, 2017). The program equips parents with vital skills to execute parenting agreements, enhance communication strategies, and improve co-parenting relationships (Rogers, 2017). In juvenile court, services are provided to youth who are in the juvenile justice system (Rogers, 2017). In juvenile detention, affected youth are provided a trauma-informed model to explain the biological effects of trauma, triggers of trauma, and the skills to manage emotions and responses (Rogers, 2017).

Structure of Connecticut Courts. Connecticut utilizes four different types of courts: the supreme court, appellate court, superior court, and probate court. The supreme court, appellate court, and the superior court are courts of general jurisdiction because they adjudicate a variety of matters and are not designated for a limited purpose. As courts of general jurisdiction, varied types of legal matters, including civil, family, juvenile, and criminal, are brought before such courts. The probate court is a court of limited jurisdiction because it was established to adjudicate only specific types of legal matters (State of Connecticut Judicial Branch, 2017). Figure 3 displays the courts of general jurisdiction.

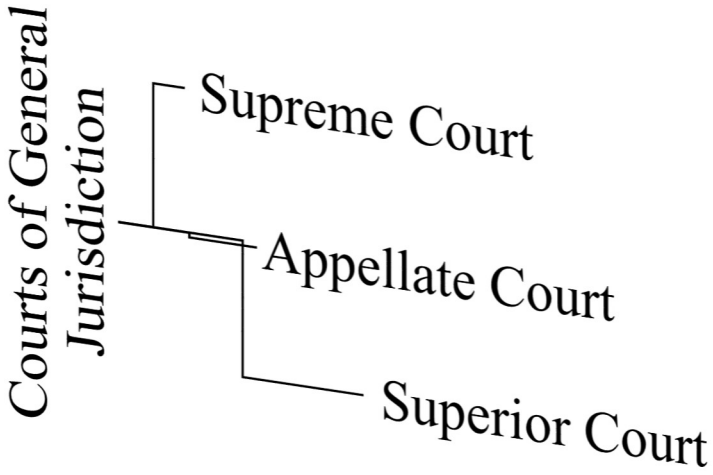

Figure 3. Types of Connecticut courts

Courts of General Jurisdiction. The supreme court is Connecticut's highest court and is comprised of a chief justice and six associate justices (State of Connecticut Judicial Branch, 2017). Cases brought before the supreme court are heard by a panel of five justices. The supreme court reviews decisions rendered in superior court to determine if the law was erroneously applied (State of Connecticut Judicial Branch, 2017). Generally, the supreme court does not listen to witness testimony or receive evidence. The cases are decided based upon lower court proceedings, briefs provided by counsel, and oral arguments presented by the parties' counsel (State of Connecticut Judicial Branch, 2017).

Similar to the supreme court, the appellate court reviews decisions rendered in superior court to determine whether the law was erroneously interpreted or applied (State of Connecticut Judicial Branch, 2017). There are nine appellate-court judges; one of the judges is assigned by the chief justice to serve as a chief judge. Generally, three judges hear and decide the matters

before the court; the court may also preside *en banc*, meaning the entire membership of the court participates in the adjudication of the matter. Mirroring the supreme court, the appellate court does not hear witness testimony but adjudicates based upon party briefs and oral arguments from the parties by way of their counsel (State of Connecticut Judicial Branch, 2017).

The superior court presides over all legal disputes except matters for which the probate court has exclusive jurisdiction (State of Connecticut Judicial Branch, 2017). The superior court is divided into four primary trial divisions: civil, criminal, family, and housing. Within Connecticut, there are 13 judicial districts, 20 geographical areas, and 12 juvenile districts. Major criminal cases, civil matters, and family cases not involving juveniles are heard in superior court (State of Connecticut Judicial Branch, 2017).

Courts of Limited Jurisdiction. As indicated in Figure 4, the probate court is of limited jurisdiction and presides over the estates of decedents, testamentary trusts, adoptions, conservatorships, and guardianships (State of Connecticut Judicial Branch, 2017). There are 54 probate court districts and six regional probate courts for children. Each probate court has one judge who is elected to a four-year term by the electors of the probate district (State of Connecticut Judicial Branch, 2017).

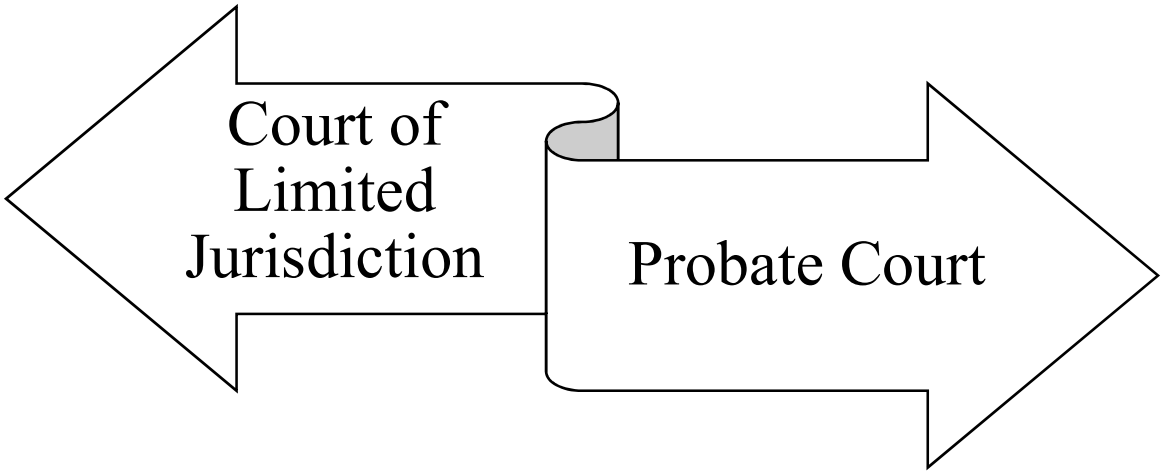

Figure 4. Connecticut probate court

Connecticut Court Operations and Policies. In Connecticut, the chief justice of the supreme court is the head of the state judicial branch (State of Connecticut Judicial Branch, 2017). The chief court administrator serves as an administrative director who directs the Judicial Branch's administrative divisions to execute its mission (State of Connecticut Judicial Branch, 2017). The operational divisions of the Connecticut Judicial Branch are the following: Administrative Services Division, Court Support Services Division, External Affairs Division, Information Technology Division, and the Superior Court Operations Division (State of Connecticut Judicial Branch, 2017). For more information regarding the divisions, see Appendix A.

In addition to the chief justice and the chief court administrator, the leadership of the Judicial Branch includes the following: deputy chief administrator, director of information technology, executive secretary of superior court operations, the executive director of administrative services, the executive director of court support services, the executive director of external affairs, and the executive director of superior court operations (State of Connecticut Judicial Branch, 2017).

Within the context of the Connecticut Judicial Branch, this study explored the lived experiences of judges by examining their work environments to obtain more information regarding the safety and operational impact of reduced funding and the effect on the administration of justice.

Law and Policy Review

The founding fathers of this country desired a homeostatic government implanted within a democratized society. As such, a tripartite government was erected, consisting of the executive branch, the legislative branch, and the judicial branch. The judicial branch is an integral part of the federal and state government, and its functionality is prescribed by the Constitution (U.S. Const., art. III). The Constitution sets forth the purpose of the judiciary, the operation of the judiciary, the judiciary's position within society, and the conduct of judicial actors. The constitutionally prescribed purpose of the judiciary also underpins judicial policies.

The Judicial Branch and the United States Constitution

The judiciary, or the judicial branch of the government, was established in conjunction with the executive and legislative branches. Article I of the U.S. Constitution established the executive branch of government (U.S. Const., art I), Article II established the legislative branch (U.S. Const., art II), and Article III formulated the judicial branch of the federal government (U.S. Const., art. III). The three branches of government provide a system of checks and balances echoing the desires of the founding fathers of this country, whose mission was to establish a variant and non-monarchical system of government. A tripartite, non-monarchical structure was not solely germane to the national government but also to state governments. For example, under the Tenth Amendment of the U.S. Constitution, the states are afforded separate sovereignty, thus allowing the autonomy of state governments that are separate from the federal government (U.S. Const. Amend X).

Article III of the Constitution and the Judiciary Act. Article III of the U.S. Constitution declares: "The judicial power of the United States shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish" (U.S. Const., art. III). In order to further define the role of the Supreme Court, the Judiciary Act was passed in 1789 by the newly created Congress (Kelly, 2017). The Judiciary Act set forth provisions for the Supreme Court by mandating that its jurisdiction include appellate jurisdiction in large civil cases and state court cases where courts rule on federal statutes The Judiciary Act also set forth the organization of U.S. courts into circuits and districts (Kelly, 2017).

Three circuit courts were established (Kelly, 2017). The first circuit court included the Eastern states, the second circuit court included the middle states, and the third circuit court encompassed the Southern states. The purpose of the circuit courts was to decide cases for the majority of federal criminal cases, along with suits between citizens of different states and civil cases invoked by the U.S. government. They also served as appellate courts. With the growth of the country, the number of circuit courts and justices increased. However, in 1891, the circuit courts lost the ability to judge appeals due to the creation of the U.S. Circuit Court of Appeals (Kelly, 2017). Article III of the Constitution, in concert with the Judiciary Act, grants the judiciary the right to interpret laws, apply laws, and create laws through the establishment of legal precedent.

In the book, *West Virginia Politics and Government,* the authors underscored the necessity of the judiciary's equitable resolution of disputes (Brisbin et al., 2008). Because the majority of criminal and civil state disputes are brought to the judiciary, its societal role is instrumental in public policymaking and the institution of orderly socioeconomic activity (Brisbin et al., 2008). Judicial actors, such as judges, possess the skill to interpret ambiguous

statutes and utilize common law precedent to solve litigious matters. The judiciary also closes gaps on legal issues that the legislature has failed to properly define (Brisbin et al., 2008).

Policies within State Judiciaries

In order for the judicial branch to properly execute its role within a tripartite government, judicial policies were created and implemented to undergird the functionality of the judiciary. Different states have various policies regarding judicial functionality. The policies often govern judicial operations and the Code of Judicial Conduct. Some state jurisdictions will institute regulations and policies via the legislature regarding the general operations of the judiciary.

In Connecticut, the legislature is utilized to create and revise judicial laws and policies. During the February Legislative Session in 2018, Senate Bill 215 (2018) entitled, *An Act Concerning Court Operations,* was raised. Said Act would amend various sections of the existing rules and policies concerning court operations, including, but not limited to, issues concerning judicial employee retirement, posting of bail bonds, handling disabled jurors, and other issues (S. 215, 2018).

Judicial Safety Policies

Within the realm of judicial policy, there are also specific safety policies. The policies set forth guidelines for safety maintenance and proper security. Some judicial safety policies are derived from statute. For example, in 2013, a bill was passed in Connecticut to increase the penalty for assaults committed in a courtroom during court proceedings (Kline, 2013). The bill was raised to make a "potentially volatile environment safer" (Kline, 2013, p. 1). Because emotions may surge for a variety of reasons in court, there is the necessity for individuals to feel safe (Kline, 2013).

Judicial safety policies are also derived from common law. For example, in the case, *People v. Castellano,* the appellant/defendant, Adrian Castellano, was charged and convicted of

second-degree burglary, based on theft of merchandise from a store, and the felony of evading an officer for leading police officers on a high-speed chase (*People v. Castellano*, 2015). Castellano also had three prior strike offenses for assault with a deadly weapon (*People v. Castellano*, 2015).

Throughout the trial, the defendant continually made outbursts and interrupted the trial (*People v. Castellano*, 2015). Due to his continual outbursts, previous criminal record, history of violence, and the possibility of an escape attempt, the judge and courtroom personnel felt threatened by the defendant (*People v. Castellano*, 2015). In response to the defendant's inflammatory behavior, the court ordered the defendant to be restrained with shackles during the remainder of the trial (*People v. Castellano*, 2015). The defendant filed a motion protesting such restraint by arguing that such constraint is a violation of his constitutional right to due process (*People v. Castellano*, 2015).

The trial was conducted in California, where physical restraint of a defendant cannot be exposed while in the jury's presence unless there is a showing of a manifest need for such restraints (*People v. Castellano*, 2015). It was found in *Castellano* that the court did not abuse its discretion in ordering restraints and that the court properly applied the threat of violence to the defendant's Fifth Amendment right. While the holding in *Castellano* was upheld, it caused concern for actors within the judicial system. The issues that were encountered in *Castellano*, such as the vetting of restraints, may be perceived by judicial actors as a limitation on safety.

In *People v. Bryant et al.*, it was asserted that "a court's decision regarding the use of restraints must employ a prediction of the likelihood of violence, escape, or disruption weighted against the potential burden on the defendant's right to a fair trial" (*People v. Bryant et al.*, 2014).

In *People v. Mar,* it was declared that the court must autonomously determine the decision to utilize restraints on an independent basis. A general policy to restrain all individuals would be inappropriate, and the court cannot assign such decisions to court security or law enforcement personnel (*People v. Mar*, 2002).

In the *People v. Lomax,* the court found there must be a manifest need for the usage of restraints. Manifest need must be contingent upon violence, the threat of violence, or other nonconforming conduct (*People v. Lomax,* 2010). The process of determining the propriety of restraints, as set forth in the *Bryant* and *Lomax* cases, may cause undue scrutiny and delay (*People v. Bryant et al.*, 2014; *People v. Lomax,* 2010). In an open court situation where a litigant is a viable threat, such delay may result in harm to those present in the courtroom.

Within the court's analysis regarding the propriety of restraints issued to a litigant, the court, as a judicial emblem, must invoke a balancing test of preserving the litigant's constitutional rights coupled with the safety of all occupants within the courthouse. Although the *Bryant* and *Lomax* standards uphold the rights of litigants and are still applied as effective law, this imposition may hamper courtroom security, potentially reducing the safety of the courtroom.

Code of Judicial Conduct

In addition to policies setting forth the terms for judicial functionality and safety, there are policies concerning judicial conduct. Judges must adhere to a prescribed code of judicial conduct. There is a Model Code of Judicial Conduct, and in some states, a state Code of Judicial Conduct. Some states have adopted the Model Code of Judicial Conduct as written, and other states have derived aspects of the Model Code of Judicial Conduct in order to formulate their own state codes. Whether the Model Code of Judicial Conduct or a State Code of Judicial Conduct is used, the

mandates serve as an integral part of judicial policy (Connecticut Committee on Judicial Ethics., 2018).

In Connecticut, a state Code of Judicial Conduct is followed. Under the Code of Judicial Conduct in Connecticut, there are seven canons. As a subset to the canons, there are several rules under each canon (Secretary of the State of the State of Connecticut, n.d.).

For instance, Canon I, Rule 1.1 of the Code of Judicial Conduct states the following: "A judge shall comply with the law, including the Code of Judicial Conduct" (Secretary of the State of the State of Connecticut, n.d., p. 63). Under Canon I, Rule 1.2, it mandates, "A judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety" (Secretary of the State of the State of Connecticut, n.d., p. 63). Canon I, Rule 1.3 sets forth: "A judge shall not abuse the prestige of judicial office to advance the personal or economic interests of the judge or others, or allow others to do so" (Secretary of the State of the State of Connecticut, n.d., p. 64).

Problem Statement

Scholars have indicated that state budget cuts to the judiciary reduce the safety of judges presiding in the courthouses (Melton & Ginsburg, 2014; Saufley, 2014; Cooper, 2007). The literature has conveyed that a reduction in court security and resources affects the ability of judges to administer justice and to properly adjudicate. Further research is required to determine ways of maximizing court security in the face of reduced funding to the judicial branch.

Purpose of the Study

The purpose of this qualitative case study is to examine the safety impact of reduced funding to the judiciary and its effect on the safety of judges and the administration of justice. The study also seeks to obtain the perspectives of Connecticut judges who are working in a

judiciary with reduced funding. The knowledge generated may inform the judicial, legislative, and executive branches of state governments of the minimal safety requirements needed in the judiciary, administrative resources required for judicial functionality, and cost-effective solutions to optimize safety.

Research Questions

In order to frame the purpose of this study and the problem to be investigated, the following research questions were posed:

1. What is the safety and operational impact of reduced funding to the judiciary and its effect on the administration of justice?
2. What administrative resources are required to sustain the functionality of a judiciary receiving reduced funding?
3. What cost-effective measures may be implemented to mitigate safety threats to judges within the Connecticut Judicial Branch?

Theoretical Framework

A theory or theoretical framework is utilized by researchers to provide a context to the research and to serve as a reference point for the collection and analysis of research data (Fowler, 2014). Although theories and theoretical frameworks overlap, they are distinguished by function; theories are more specific and readily defined, whereas theoretical frameworks are broad and less precise (Anfara & Mertz, 2014)). A theory has been extensively tested and accepted by some scholars, and it serves as a predictor of events within a broad context (Anfara & Mertz, 2014)). Scholars have defined theories in differing ways. Kerlinger described theory as "a set of interrelated constructs, definitions, and propositions that presents a systematic view of phenomena by specifying relations among variables, with the purpose of explaining and predicting

phenomenon" (Anfara & Mertz, 2014). Theory has also been described as a map or model that simplifies the world and clarifies an aspect of how the world operates (Anfara & Mertz, 2014).

"A theoretical framework is a collection of interrelated concepts, like a theory but not necessarily so well worked-out. A theoretical framework guides your research, determining what things you will measure, and what statistical relationships you will look for" (Dash, 2018, p. 41). The theoretical framework provides justification for the research and dispels the arbitrariness of the study (Vinz, 2015).

In order to select a theory, the key issues of the study topic were established. For the topic of this study, the key issues are the following: reduced state funding to the judiciary, reduction of safety resources, compromised security, reduction of administrative resources, and the effect of safety breaches and reduced resources on the administration of justice. In constructing a theory, the aforementioned issues serve as a guide in its construction.

Reduced state funding minimizes the availability of safety resources and administrative resources in the judiciary causing an increased likelihood of compromising the safety of judges. Such safety compromise may affect a judge's ability to efficiently adjudicate matters that impact the administration of justice. The potential assault to the role of the judiciary ignites a quest for policy reform and innovation. In concert with the transformative ontology on which this study is predicated, a reformative theoretical framework has been adopted for this research. A theory of policy innovation was selected to address the potentially negative effect of reduced funding to the judiciary. In order to advance this theory, Mazzoni's Arena Models of Reform were applied (Mazzoni, 1991).

Tim Mazzoni was a professor at the University of Minnesota when he developed the theory of arena models for policy innovation (Mazzoni, 1991). Initially, Mazzoni developed two arena

models for policy innovation. The arenas are groups of people within a particular sector and are categorized as microcosms and macrocosms. The premise of Mazzoni's theory is that policy innovations occurred when there were shifts in the arenas. Specifically, Mazzoni hypothesized that policy changes occurred when there was a paradigmatic shift from a microcosm, or a subsystem, to a macro-arena. The subsystem is generally comprised of politicians with special interests. Inversely, the macro arena embodies the general public. Therefore, Mazzoni's initial model posited a policy innovation when the government, politicians, and government workers ignited the interest of the general public to institute effective action (Fowler, 2015).

The need for a specific shift in arenas has often been attributed to the intentions of the founding fathers (Fowler, 2015). Mazzoni's theory denotes the necessity of arena shifts because the American political system is resistant to change (Fowler, 2015). In the chapter "Struggling with Theory: A Beginning Scholar's Experience with Mazzoni's Arena Models" from the book *Theoretical Frameworks in Qualitative Research,* Frances Fowler declared that the founding fathers' design of a strong government spawned from their skepticism of the intellectual maturity of the general polis (Fowler, 2015). The founding fathers did not want the government to succumb to quixotic political fads that were encouraged by the general public (Fowler, 2015). Therefore, they configured a governmental archetype that is resistant to policy change (Fowler, 2015).

Because of the inherent resistance to policy innovation, policy changes are challenging. In response, Tim Mazzoni surmised that policy processes must shift to effectuate innovation (Mazzoni, 1991). Mazzoni's initial hypothesis was that the policy must move from the legislative subsystem to the macro arena in order to cultivate reform. However, after Mazzoni applied his initial theory to the passage of open enrollment in Minnesota, he discovered that the policy process moved to the leadership and commission arenas. Mazzoni found his initial theory to be too narrow

because it failed to account for the innovative potential of the commission and leadership arenas. For example, within the leadership arena, lawmakers are strategically positioned to exploit their power and resources to create substantial leverage in restructuring legislation that will undergird policy innovation. As a result, Mazzoni revised his model to include leadership and commission arenas as additional arena models (Mazzoni, 1991).

Scholars such as Fowler have applied Mazzoni's revised theory to institutions in need of policy reform. Fowler applied Mazzoni's arena models for policy reform to an Ohio educational system (Fowler, 1992). Fowler anticipated that innovation would occur when the policy process shifted from the subsystem (micro) arena which is comprised of the legislature, agencies, and interest groups, to the macro arena (general public) (Fowler, 1992). The research found that the policy process did shift, but it did not shift into the macro arena; Fowler's application of the Mazzoni model required a paradigm shift into a leadership arena (Fowler, 1992). Fowler did not fully account for the reason why the theory did not fully shift to the macro arena as anticipated (Fowler, 2015). However, it must be noted that the model was applied to a different educational system in another state and tested a different policy context.

Whether the paradigm shift is to a macro or a micro subsystem, Mazzoni's Arena Models of Reform are appropriate for this study. In order to combat safety breaches during a time of fiscal restraint, cost-effective safety measures and resources need to be developed to improve safety in the judiciary. The interplay between the micro subsystem, consisting of the legislature and lobbyists, and the macro arena, consisting of the polis and litigants, provides a trajectory for guiding the implementation of policy innovation in the Judicial Branch.

Definitions

This study frequently utilizes the following terminology:

Table 1

List of Defined Terminology

Term	Definition
Judge	A fact-finder, adjudicator, referee of a dispute of a civil or criminal nature (Black, 2014).
Superior Court Judge	Superior court judges are selected by a political appointment method and serve eight-year terms. They preside in the lower court or the trial court and oversee both civil and criminal matters. Superior court judges must be state residents, licensed to practice law in the state, and under the age of 70 (Connecticut Judicial Branch, 2019).
Magistrate	An adjudicator or officer (Black, 2014) who is appointed by the chief court administrator of the chief justice of the Connecticut Judicial Branch to conduct court proceedings in small claims and criminal motor vehicle matters. A magistrate must be a member of the bar for at least five years and is appointed for a three-year term (Connecticut Judicial Branch, 2019).
Hearing Officer or Hearing Referee	An adjudicator who presides over administrative hearings, such as employment, housing, or discrimination matters (Black, 2014).
Judiciary	Judicial Branch of federal or state government; a collection or cadre of judges (Black, 2014).

Judicial Branch	The third arm of government that is assigned to interpret the law and conduct judicial review (Black, 2014).
Connecticut Judicial Branch	Connecticut's judicial branch of government and judicial administration (Connecticut Judicial Branch, 2019).
Pro Se	A self-represented party (Connecticut Judicial Branch, 2019).
Habeas Corpus	A writ requiring a person to be brought before a court (Black, 2014).
Edison	The computer system utilized by the Connecticut Judicial Branch, and primarily used by the judges to manage dockets and pleadings, upload documents, and enter orders (Connecticut Judicial Branch, 2019).
Superior Court	A trial court that governs a variety of civil and criminal matters. Superior court is below the appellate court in hierarchy (Connecticut Judicial Branch, 2019).
Docket	Calendar or list of causes or cases set to be tried or heard by the court (Black, 2014).
Cross-Examination	The questioning of a witness at trial, especially the opposing party (Black, 2014).
Arraignment	Court proceeding where a defendant is formally charged with a crime and must respond with a plea of guilty, not guilty, or nolo contendere (Black, 2014).

Assumptions

There are various assumptions associated with this study. One assumption is the selected ontology of this research, which is the transformative worldview. The transformative worldview of this study assumes that the study issue is subject to reform (Creswell, 2007). Another

assumption is that the data collected for this study will answer the research questions. For example, there is an underlying assumption of how judges think about their work environment and how they may respond to questioning.

Moreover, there are suppositions intertwined within the overarching problem. One supposition is the assumed existence of a connection between a judge's work environment and the administration of justice. There is also an assumption that reduced funding may impact safety, with the underlying assumption that the impact is negative. While assumptions may exist, this study's data reduces supposition by unearthing evidence to diminish postulation.

Scope and Delimitations

A delimitation to this study is the geographic location. All participants had to be judges working in the State of Connecticut. A geographic boundary needed to be imposed for the following reasons: (1) the fiscal crisis undergirding the research problem is germane to Connecticut, (2) the limitation to Connecticut would prohibit the study focus from being too broad, and (3) the sample size and judicial demographic would be streamlined.

Limitations

There are various limitations concerning this topic. One limitation is participant response. There is no control over the following: (1) how many participants responded, (2) why a participant chose to enlist in the study, or (3) why a potential participant refused to participate. As a result, there was no control over the size of the participant pool. Furthermore, there was no control over the outcome of the study and participants' data sampling. With the exception of the delimitation of Connecticut as the locale of the study participants, the demographics of the participant population could not be controlled.

Because this study deals with state budget strictures and reduced funding to the judiciary, legislative action is critical to the problem addressed in this study. Changes in legislation that earmark funds to the judiciary may change the course of the study. Legislative changes are additional limitations that cannot be fully controlled.

Significance of the Research

The exploration of reduced funding to the judiciary and its impact on safety and the administration of justice affects not only the safety of individuals in the courthouses, but also the safety and ability of judges to effectively adjudicate. Researching this issue underscored the prevalence of courtroom violence and the impact of insufficient security resources (Gould, 2007). Pursuant to the literary scholarship on this topic, the stakeholders involved in policy change are the litigants, attorneys, judges, magistrates, and judicial personnel. Secondary stakeholders are the general public or the polis (Phaneuf, 2016).

The development of corrective policies or solutions will impact the polis and the judiciary at the local and state levels (Clendenen, 2016). However, policies that optimize courthouse safety are not solely germane to a specific locality or state. Judicial branches throughout the nation have encountered courthouse violence (Arney, 1997; Calhoun, 1998). Research has unveiled that many jurisdictions lack the proper resources to provide optimal security (Meeks, 2005; CT Legis. Assemb., 2018). Moreover, judicial safety is also a global issue (Hayes, 2013). Judiciaries throughout the world have experienced violence or safety breaches (3 magistrates think Sereno, 2017). Thus, effective security policies are transferable and may be implemented into the infrastructure of judiciaries throughout the United States and globally.

Summary

Chapter 1 introduced this study by displaying sketches of actual court violence throughout the United States, including Connecticut. In order to contextualize these safety breaches and resource needs, a background section was provided to (1) illustrate the structure and purpose of federal and state courts, (2) describe the historical trends of state courts throughout the United States, and (3) explain the structure of Connecticut's court system.

The law and policy review provided a constitutional basis for the role of the judiciary and set forth the constitutional underpinnings of judicial policies. The law and policy review concluded with a discussion of the Code of Judicial Conduct.

After the introduction and background of the study were established, the problem and purpose statements for this study were stated, coupled with the research questions that undergird the study. Furthermore, the theoretical framework of the study was introduced as a reformative trajectory framed within Mazzoni's Theory of the Arena Models of Reform.

In order to ground the study, the assumptions and scope and delimitations of the study were explained. The limitations of the study, such as the sampling size, were addressed. The significance of this study was also discussed to grant context and purpose to the research, while confirming its necessity.

Chapter 2: Literature Review

The problem and purpose statement illustrated an issue concerning judicial safety within the Connecticut Judicial Branch and demonstrated the need for further investigation. The law and policy review provided a context for the exploration of the topic and a legal foundation for the problem to be further researched. The strategy for the literature review involved discovering scholarship that discussed the judiciary as it pertained to the following: judicial functionality,

political influences, safety concerns and breaches, courthouse violence, and administrative resources required for judicial efficacy. However, an integral part of efficiency concerns proper resources, especially safety resources. The efficacy of the judiciary, as it pertains to safety concerns, is the focal topic of this literature review.

When examining the efficiency of the judiciary, the aforementioned themes were researched and discussed by various scholars. The first thematic element, the role of the judiciary, was addressed by scholars to provide a foundation of defining the role and functionality of the judiciary. In addition to outlining its purpose and duties, scholars explored funding to the judiciary and the effects of underfunding the judiciary.

Literature Search Strategy

In order to obtain a pertinent volume of peer-reviewed scholarship, a list of search terms was compiled. Once compiled, the search terms and keywords were reviewed. The superfluous terms were excised. Thereafter, a review of scholarly databases was conducted in order to ascertain which databases would yield the most beneficial resources pertaining to the research topic. Once the databases were identified, the list of search terms and keywords were entered into the database.

The following databases provided a plethora of information upon which this empirical literature review was founded: JSTOR, Google Scholar, and Lexis Academic, coupled with judicial websites that provide statistical information. The literature review concerning this topic unveiled layers of pertinent themes and elements concerning the judiciary. The thematic issues revealed in the literature are the following: (1) the role of the judiciary, (2) public perception of the judiciary, (3) fiscal restraints, (4) court safety, (5) effects of inefficient security, and (6) the judiciary's response to inefficient resources.

Conceptual Framework

The literature review revealed three primary themes: (1) role of the judiciary, (2) funding to the judiciary, and (3) the effects of insufficient funding to the judiciary. These themes configure the conceptual framework of the study.

Role of Judiciary

The role of the judiciary is a fundamental component of the configuration of judicial efficacy. Once the foundational role of the judiciary has been defined and erected, scholars are able to research the specifics of the judiciary. Some authors explored the modern judiciary and other authors researched the history of the judiciary to present a historiography of the vicissitudes and development of the judicial system. Other researchers investigated the state judiciary, while others evaluated the federal judiciary.

Agencies such as the Bureau of Justice compile information and statistics, as discussed in Chapter 1, regarding the structure of various state judiciaries and statistical information regarding operations and judicial actors, such as judges (Malega & Cohen, 2013).

Within this lens of exploration, scholars commonly researched and discussed a specific aspect of the judicial branch concerning the critical resources and operations of the judicial branch. In researching these aspects, scholars appeared to approach their research by pondering the types of resources that the judiciary needs and readily accesses, along with the types of resources that are necessary for proper functioning.

The scholarship concerning judicial resources was rather sparse. However, there was a fair amount of literature discussing security as a critical resource to ensure judicial safety. As a result, and in accordance with the existing body of scholarship, this empirical literature review prioritizes

judicial security as one of the most critical resources to execute efficiency in the judiciary (Gould, 2007; Cooper, 2007).

Public Perception, Scrutiny, and Support of Judiciary. As the role of the judiciary is established in the literature, some scholars further their arguments by discussing the polis's view and perception of the judiciary. Such public perception is examined because the judiciary's overall appearance may politically affect the decisions of the legislative branch, along with the support of the judiciary. Moreover, scholars also discuss the political process involved in the selection of the judiciary.

The selection of officials to the executive and legislative branches of government is executed by a political process of voters electing officials (Burbank, 2008). Within the judicial branch, judges may be elected or appointed. For the states that appoint judges, the constituents may not feel as if they have as much influence in the political process or as much stake in the selection of judges. However, the judicial system is the most accessible out of the three branches of government via its role in settling public disputes. As a result, the public may envision a more direct connection with the courts. Some members of the public may view the court as a tribunal that protects and maintains societal order. Thus, members of the public desire to preserve the influence and impact of the court. The efficacy of the court is intrinsically linked to the American public, and the availability of resources affects the American public (Burbank, 2008).

For example, empirical studies have been conducted regarding the public's perception and support of the judiciary, as well as its connection with the other government branches. Matthew Stephenson conducted an empirical study to determine why and how much the public demands accountability from elected branches of government to allow the judiciary to segregate from policy outcomes (Stephenson, 2004). The article, "The Court of Public Opinion: Government

Accountability and Judicial Independence" discusses Stephenson's study, which indicated several findings (Stephenson, 2004).

The first finding indicates that although the government sometimes has a generous degree of freedom in selecting policy, the threat of public rebuke fuels the government to adhere to judicial constraints on policies (Stephenson, 2004). The second finding indicated that government is often politically pressured to implement policy but still must do so in a manner that is adherent to the judicial constraints imposed on the policy. However, even though the public desires policy implementation to be punctuated with judicially imposed strictures, the courts cannot always depend on the public for support. As a result, courts are forced to acquiesce in the decision-making and implementation of policies that the courts might oppose (Stephenson, 2004).

Stephen Burbank, in the article "Judicial Independence, Judicial Accountability, and Interbranch Relations," discussed society's view and expectation of the judiciary (Burbank, 2008). Constituents view judges as a means to an end and believe that judges should be chosen according to the desires of the constituents. Such societal belief exposes the political underpinnings involved in the selection of judges and judicial officials (Stephenson, 2004). Burbank (2008) further expresses the concern over the societal mandate of judicial accountability imposed on the judicial branch. The theory of judicial accountability compromises the role of the judiciary as set forth by the Constitution because it is abhorrent to the mores and tasks of the judicial branch; it dilutes the strength of interbranch relations between the executive and legislative branches on a state and federal level (Stephenson, 2004).

The importance of the literature authored by Stephenson and Burbank is that it exposes society's expectations and demands of the judiciary and addresses the question of what Americans think of their courts. The National Center for State Courts (NCSC) issued a 2017 "State of State

Courts" public opinion survey indicating that the courts remain the most trusted branch of government (National Center for State Courts, 2017). However, the statistics indicate that improvement is still needed. For example, 71% of participants responding to the survey had confidence in their courts in comparison to the public's view of the governor and state legislature. Only 61% of the participants trusted their governors, and 57% trusted their state legislature. Notwithstanding the foregoing, 60% of the survey respondents indicated that their state court judges were out of touch with communal concerns, and 73% said delivering access to justice in rural courts is a problem. A telephone survey of 1,000 registered voters was conducted from October 28, 2017 to November 1, 2017. The pollster, GBA Strategies, calculated the margin of error as 3.1% (National Center for State Courts, 2017).

The political underpinnings that are inherent in a judge's selection process, coupled with the public's demand for accountability in accord with their desires, may undermine the judiciary. More importantly, Stephenson and Burbank illustrate the inherent pressures imposed on the judiciary that are not always constitutionally permitted (Stephenson, 2004; Burbank, 2008). With such heightened and political expectation of the judiciary, it is even more imperative that the judiciary possesses the proper resources to efficiently conduct proceedings, uphold justice, and satisfy the proverbial public court of judicial accountability that has been imposed by society (Stephenson, 2004; Burbank, 2008).

Conclusion. The role of the judiciary is to promulgate constitutionally prescribed duties such as the interpretation of law, the application of law, and the creation of precedent or case law. The role of the judiciary sets the undercurrent for this literature review because the forthcoming sections discuss funding to the judiciary and judicial resources. Specifically, the forthcoming sections link the nexus between reduced funding to the judiciary and its effect on

safety. Compromised safety in the judiciary threatens the role of the judiciary and the proper administration of justice.

Funding to Judicial Branch

State governments apportion funding for various resources. For judicial funding, the state's general assembly approves the budget via legislation. The executive branch may configure the budget based upon the state's current needs. However, if there is a state deficit, significant funding will be reduced, and the judicial branch may receive minimized funds for critical resources such as safety. The forthcoming section discusses state budget restraints and how they affect the general efficiency of the court. The discussion advances to discuss the impact of budget restraints on security resources and the safety of the courts.

Budget Restraints. There are various factors that may threaten or compromise the role of the judiciary, which, in turn, compromise judicial efficiency. One of the most salient factors concerns funding. The judiciary has always required funding to maintain efficient court operations (Harriman & Straussman, 1983). However, during times of fiscal constraint, the legislature and sometimes the executive branch are compelled to make significant cuts in funding to various state agencies and government instrumentalities. As a result, the state judicial branch may also be a recipient of reduced funding. When funding is reduced, certain resources are diminished or terminated.

The underfunding of the judiciary is not a new concern. Historically, judiciaries have been negatively impacted by insufficient funding (Reich, Sobel, Mahan & Deam, 1985). In 1983, the article "Tired of Waiting" discussed how 13 litigants sued the State of Connecticut due to egregious delays in court processing (Middleton, 1983). One particular litigant had been waiting over eight years for his case to be resolved. The plaintiffs requested the superior court in Hartford,

Connecticut, to declare the state's underfunding of the state judiciary as unconstitutional due to the substantial delays in resolving cases (Middleton, 1983).

For example, in Connecticut, the state fiscal crisis generated a cut of $64 million to the judicial branch (Phaneuf, 2016). In the article "Judiciary Says Proposed Cuts 'Compromise Access to Justice,'" the chief court administrator of Connecticut Courts asserted that such a dramatic reduction in judiciary funding would result in hundreds of layoffs and force the closures of multiple courthouses and a juvenile detention facility, while also reducing security and other critical resources (Phaneuf, 2016). Chief Court Administrator Patrick Carroll, III declared, "The actions I have just described paint a very dismal but very real picture of what will be required to meet the proposed budget cut" (Phaneuf, 2016, par. 4).

In response to the budget cuts in Connecticut, courtroom proceedings that are conducted by small claims and motor vehicle magistrates have been significantly affected (Stuart, 2018). For magistrate proceedings, the clerks and marshals have been removed from the courtroom (Stuart, 2018). Thus, the magistrate is left to interact with litigants possessing a myriad of temperaments who have instituted actions consisting of a myriad of issues. Such a reduction in security staff poses an entrée to disruptions and violence in courthouses, specifically in courtrooms (Clenenden, 2016). As the chief court administrator stated, "[E]very function that we perform, including those that meet both statutory and constitutional responsibility will be compromised" (Phaneuf, 2016, par. 2). The chief court administrator's assertion of how dramatic funding cuts will compromise the judiciary underscores the constitutional undercurrent of the judiciary and its need for optimal functionality. It is the constitutional assignment of judicial independence, coupled with the tasks of the judiciary, that must be upheld by providing proper funding.

Reductions to funding may also compromise other resources, causing a marginalization of the public's access to public court documents; such marginalization reduces the public's access to justice (Saufley, 2010). In Maine, the courts are not able to readily provide data to aid policy decisions due to limited resources. While the Maine Judiciary continually pursues ways of granting access to justice for its constituents, limited resources disallow the public's facile attainment of case information, public documents, pleadings, and schedules (Saufley, 2010).

Maine has also cited the need for more judges as a critical resource required by the judiciary, but the increase in judges is also a resource that requires funding. In times of fiscal constraint, this increase may not be affordable (Saufley, 2010).

In Connecticut, the legislature expressed grave concern regarding 30 superior court nominees who were appointed to the bench, due to the burden that 30 additional judges would place on the state's budget. The confirmation of the new judges cost the state approximately $8.74 million to fill the vacancies in the superior court and has led to grave understaffing of the judiciary (Stuart, 2018).

When lawmakers decide to cut funding from the judiciary, the judicial branch's chief administration must prioritize resources and decide which resources should be reduced or eliminated. When such a dilemma occurs, the judiciary's rationale for the reduction or termination of specific resources is also questioned. The judiciary and the public may also ponder how a dramatic reduction in resources will not only affect the judiciary, but also affect the administration of justice (Stuart, 2018).

In the article "The Politics of Court Budgeting in the States: Is Judicial Independence Threatened by the Budgetary Process?" Douglas and Hartley assert that the judiciary can be shielded from an onslaught of other branches by maintaining an efficient administration (Douglas

& Hartley, 2003). Efficacy in the judiciary is certainly a goal, necessity, and a possibility. However, in order to achieve such efficacy, the legislature plays an integral role through the appropriation of funding. The judiciary's need for such a critical element from the legislature naturally requires the judiciary to be tangentially dependent upon the legislature (Douglas & Hartley, 2003). Despite the separation of powers doctrine that is outlined in the Constitution, (U.S. Const. Art. I, Art. II, Art. III), this underlying dependence links the judiciary and the legislature (Douglas & Hartley, 2003). With such a linkage, the legislature is peripherally involved in the administration of justice by legislating the efficiency of the judiciary through the apportionment of funding (Douglas & Hartley, 2003). In essence, the legislature can make decisions regarding the resources in the judiciary that affect the efficacy of the judicial branch (Saporti & Streb, 2008). However, questions must be posed. One must ask whether the legislature is properly qualified to determine which resources are to be utilized by the judiciary, and whether the allocation of resource funding to a government branch is in concert with the constitutional mandate of checks and balances within the state government.

In addition to direct budget restraint or underfunding of the judiciary, political budget cycles may affect funding. The appropriation of funding may be politically undergirded, which may lead to the underfunding of the judiciary due to politics or a delay in apportioned funding due to budget cycles (Saporti & Streb, 2008).

Judicial Resources. In order to maintain optimal efficiency, the identification of mandatory courtroom resources must be established (Neubauer, 1979; Saufley, 2014). In the journal article "Feature: The State of the Judiciary: A Report to the Joint Convention of the Second Regular Session of the 126th Legislature," Chief Justice Saufley set forward resources that are required to maintain an efficient judiciary (Saufley, 2014). Saufley requested technological

resources to prevent inefficiency. Some of the resources that were cited included an updated court management and e-filing system. Proper software and e-filing capabilities were requested to promote accuracy, reduce excess time consumption, and promote organization. Additionally, mechanisms to ensure cybersecurity and to thwart hacking were also deemed necessary. Moreover, Chief Justice Saufley also indicated the need for sufficient court personnel and the need for more judges (Saufley, 2014).

From Saufley's report, it can be extrapolated that the requested resources are necessitous to the Connecticut Judiciary as well. Effective software programs for e-filing and proper management of court dockets and pleadings are key to the maintenance of an efficient judiciary. Justice Saufley indicated that such programs enable the judiciary and the public to easily access the justice system as well as readily provide requested data (Saufley, 2014). If said mechanisms are in place, then the public will be able to easily access the court system, granting more access to justice. In conjunction with computing and electronic resources, adequate support personnel and judges are always critical to a well-functioning judiciary.

In the review of literature regarding necessary resources, the information was scarce. However, there was an increased amount of scholarship regarding the resource of court security. The increased exploration of judicial security by scholars indicates a prioritization of this resource. In the article "Security at What Cost? A Comparative Evaluation of Increased Court Security," the author discussed the evolution of the concept of court security (Gould, 2007). Gould provided a historical framework of court security by identifying the vicissitudes of operational changes in security, along with the transformation of its perception. During the 1970s and 1980s, court security primarily focused on the protection of the courthouse and its occupants, and the role of law enforcement and facilities design as key components to the execution of safety. In 2007, court

security had evolved to encompass the protection of all of the elements that are necessary to maintain the integrity of the judicial process and to ensure its continuity. In providing these safety measures, access to courthouses, chambers, and record rooms became limited. While such limitation was necessary and served a specific purpose, such limitations did not always serve the multifunctional nature of the courthouses. For example, the transportation of prisoners was difficult because some courthouses had no secure entry points where prisoners could be transported.

During the 21st century, the progression of court security occurred in response to several developments. The article "The Evolving Concept of Court Security" describes the progression of court security by setting forth seminal events that changed the face of court security (Cooper, 2007). The first development generated in response to the bombing of the Alfred P. Murrah Courthouse in Oklahoma City. The Oklahoma City bombing made court officials cognizant that court security required a focus outside of the court building, as well as internally. This doleful event underscored the reality that "the court, as both a facility and an institution, was vulnerable to terrorist threats and attacks unrelated to any particular litigation that might be occurring with the courthouse" (Cooper, 2007, p. 41).

In September of 2002, there was a convocation entitled "Nine Eleven Summit: Course in the Aftermath of September 11th" (Cooper, 2007). The conference assembled stakeholders such as jurists, administrators, and other professionals from multiple disciplines throughout the country. During the summit, strategies and tactics were discussed to protect the integrity of the judicial process and to thwart a court or judicial shutdown in the face of a disaster. The summit also proposed modes of safeguarding court records and automated data, access to alternative means of communication, and the countering of bioterrorism and cyberterrorism (Cooper, 2007).

Another lugubrious incident concerned the shootings in the Fulton County Courthouse in Atlanta in 2005 and the murder of family members of a federal judge in Chicago. These incidents underscored the vulnerability of judges and their families, court staff, and the general public regarding acts of violence. Although these actors have always been vulnerable, technology and access have heightened vulnerability and have complicated the efficacy of court security (Cooper, 2007).

Cooper's article is one of the most comprehensive articles regarding the actual infrastructure of court security, stakeholders, and neo-judicial threats stemming from modernity and technological development, and the macabre results that may occur when security is breached in courthouses or within the instrumentalities of the judicial branch. Cooper's article is also a comprehensive template regarding policymaking and the stakeholders that should be involved; some of its discussion poses as a precursor to policy. For instance, Cooper interjected that the literature regarding this topic, such as Gould's article, assigned the responsibility of court security to court administrators, judges, and marshals.

The literature regarding safety in the judiciary was researched, drafted, and analyzed as a means of addressing safety issues, especially within the courthouses. Authors such as Gould and Cooper have presented merging perspectives of courthouse safety. However, the themes that are intrinsically linked in the literature concern the importance of safety, the necessity of proper security, the vicissitudes in safety practices, budget constraints, technological demands, and specific safety breaches.

Conclusion. Some state legislatures have passed legislation ordering a reduction in funding to the judicial branch. This section discussed literature that addressed the reasons for reduced funding, types of judicial resources that are impacted by such cuts, and the reduction of

court security. A summation of the literature indicated that reduced funding to the judiciary rendered a negative impact.

Effects of Insufficient Funding

An impetus to the scholarship regarding court safety is the plethora of safety breaches in courthouses in the United States and abroad. Scholars, activists, and journalists have reported on the probable upshot of insufficient security in the judiciary: courthouse violence. The discussion of reduced funding to the judiciary in such previously discussed articles as "Judiciary Says Proposed Cuts 'Compromise Access to Justice'" (Phaneuf, 2016) illustrates the connection between reduced funding and reduced security resources. Now, the effect of reduced safety resources must be explored.

The aforementioned articles discussing judicial safety address substantial issues but do not address the statistics of outbursts or violence in the courtroom. However, it is critical to review and cite such statistics in order to comprehend, gauge, and prepare policies that will maximize safety through the lens of actual court cases infused with courtroom violence.

Court Violence in Judiciaries throughout the United States. The history of court violence has been a troubling issue since the genesis of the modern court system. In 1983, some of the judges in Seattle, Washington, were so fearful of attack that they wore bulletproof vests and concealed firearms under their robes (The Associated Press, 1983). The Seattle judiciary exhibited such behavior because threats and violent incidents were common (The Associated Press, 1983).

In 2017, the general session of the Connecticut General Assembly raised a bill requesting heightened penalties for litigants who threatened judges (H.B. 5742, 2017). Steve Arney, in the article "Prison Sentence Extended After Courtroom Violence," reported on a courtroom attack that occurred in Bloomington, Illinois (Arney, 1997). In 1997, a defendant attacked his attorney

immediately after being escorted into the courtroom. Despite being handcuffed, Childs managed to kick his attorney, Paul Lawrence, in the face. Two marshals restrained the defendant and escorted him out of the courtroom. A half hour later, Childs returned, still wearing handcuffs coupled with leg restraints. While the presiding judge added 18 years onto the defendant's sentence in response to attacking his lawyer, the incident had already occurred, and the attorney had already been attacked. In hindsight, it may be questioned as to why the defendant, who had previously assaulted his attorney at a jailhouse meeting, was not presented to the court with more restraint (Arney, 1997). It was not until Attorney Lawrence was attacked that leg restraints were placed on the defendant. Leg restraints may serve as an extra measure of protection for criminal defendants who have a history of violence. Although leg restraints may serve as an additional safeguard, some jurisdictions have laws or policies opposing restraints on defendants. Such limitations on leg restraints, along with the procedure to determine whether the usage of leg restraints abridges a constitutional right, may undercut the safety of the judiciary, especially in the courtroom.

Global Court Violence. The literature encompassing courthouse violence is not solely germane to the state judiciaries in the United States. Safety and courthouse violence is a global issue and was the topic of an article entitled "NSW: Courtroom Violence Erupts in Murder Case." In Sydney, Australia, mayhem occurred when a teenager charged with murder noticed his former friend and accomplice in the courtroom (Hayes, 2013). The teen overpowered the court marshals, jumped over a row of chairs, and charged across the courtroom yelling, "You're dead!" (Hayes, 2013, par. 3). Court officers, police officers, and corrective services officers immediately traversed the courtroom to prevent the teenager from attacking his former friend.

In the United Kingdom, there has been an increase in violent court incidents (Cash, 2014). Since 2013, the number of violent incidents has increased by more than one-fourth. There were

170 aggressive-contact or assault cases throughout England, Scotland, and Wales. There was also a two-thirds increase in violent incidents involving pro se litigants. The marked increase in violence correlates to the decrease in attorneys representing litigants. Litigants are befuddled and intimidated by the process, eliciting violence. The stark reduction in attorneys stems from budget cuts to legal aid (Cash, 2014). Such budget reductions are reminiscent of Douglas and Hartley's (2003) discussion of budget constraints. Since July 2011, there have been 27 incidents in the Royal Courts of Justice, including verbal abuse and assaults (Cash, 2014).

In 2014, two defendants were convicted of murdering a soldier by running him over by a car proceeding at 40 mph and then butchering him (Robinson, 2014). After the sentence was declared, the two defendants started attacking prison guards and yelling abusive words at the judge (Robinson, 2014).

At the conclusion of a criminal trial in which the defendant was found guilty of second-degree criminal sexual conduct, violence ensued. The convicted defendant, Joshua Harding, attacked the assistant prosecuting attorney for Michigan's Ingham County. Harding retrieved a shank that was hidden in his shirt sleeve and tried to stab the prosecutor in the head. Harding was quickly tackled and subdued by court deputies (Legal Monitor Worldwide, 2016).

Cash (2014) and other authors have illustrated a correlation between courtroom violence to budget cuts. For many judiciaries, budget cuts have reduced court security. In the United Kingdom, Cash linked the increase in courtroom violence to legal-aid cuts, resulting in a substantial reduction in litigants being represented by legal counsel and generating confusion and chaos in the court. However, the linkages have underscored the importance of properly funding the judiciary in order to provide resources that will thwart or mitigate violence or safety breaches (Cash, 2014).

Judicial Response to Inefficient Court Security. The literature has indicated the judiciary's response to governmental underfunding and inefficient resources. Some judiciaries have hired lobbyists or started advocacy groups. The lobbyists and the advocacy groups are assigned to champion the judiciary's interests to the legislature for proper or increased funding for the maintenance or improvement of resources. In Connecticut, due to lobbying efforts, a bill was raised and signed by the governor requesting the improvement of security in the judiciary (CT Legis. Assemb. 2018).

In the article "Courtroom Violence Hard to Prevent," it was reported that law enforcement encouraged judicial employees and members of the public to actively report threats in association with a case or judicial business (Meeks, 2005). Law enforcement indicated that a portion of the problem is that the proper security personnel or law enforcement officers are not made aware of threats until after an altercation (Meeks, 2005). Other responses to inadequate security concern the dissemination of information. Court committees and privacy officers advised the redaction of information from financial disclosure reports, such as a judge's home address, as a means of protecting judges (Plus Media Solutions, 2017).

Internationally, strides have been instituted to enhance the safety of judges by requesting a change of venue. In the Philippines, a justice secretary made a motion to conduct cases in another venue in order to ensure the safety of judges and other court personnel (3 magistrates think Sereno, 2017).

In South Africa, three men were arrested for allegedly stealing computers from the office of the chief justice in Midrand. The computers contained sensitive information regarding the county's judges (Zwame, 2017). Consequently, the number of security guards was increased, the exterior light was improved, and the fencing was replaced (Zwame, 2017).

Conclusion. Literature has underscored the effects of insufficient funding by discussing the reduction of critical resources, such as security. The literature also draws a parallel between insufficient security and violence. Scholarly articles, coupled with news articles, illustrate the extent of safety breaches and consequent courtroom or courthouse violence. The literature also underscores the ubiquity of violence or potential violence by providing information regarding courthouse violence throughout the United States and throughout the world.

Summary and Conclusions

Ample literature exists regarding the judiciary's functionality. However, the literature is sparse regarding specific judicial resources within the context of judicial efficacy. Peer-reviewed literature regarding courthouse security is more comprehensive but is not abundant. Due to the scarcity of literature regarding general judicial resources, some dated material was included and summarized in this chapter. However, such literature did prove to be beneficial because it provided a historical perspective of the necessity of specific resources, allowing the identification of patterns and constructs pertaining to the perpetual needs of the judiciary.

From a thematic perspective, the literature revealed that judicial safety and the efficiency of the judiciary are key components to justice and societal order. The literature also revealed that the judiciary must maintain proper resources in order to function properly, while instituting progressive reform.

However, the compilation of literature conveys a clear illustration that security is the prime resource that affects the efficacy of the judiciary and the welfare of the judicial system. If courthouses are not safe, then such safety breaches render a barrier to the public's access to justice. Safety breaches also encroach upon a judge's ability to execute duties in accordance with the

Constitution. An efficient judiciary, fueled by proper security, is a constitutional mandate to the provision of justice.

Scholars discussed how the reduction of funding and resources can threaten the role of the judiciary. While a few addressed the reduction in other resources, the scholars primarily discussed the need for sufficient security. Safety discussions were predicated on the prevalence of safety breaches within the context of courtroom violence. In order to further exemplify the prevalence of safety breaches in the judiciary, sketches of courtroom violence in the United States and abroad were provided. As a result, the nexus between reduced funding to the judiciary and its negative impact on the safety and efficiency of the courthouse environment was revealed.

Chapter 3: Research Methodology

Chapter 3 discusses the selection of qualitative research as the appropriate research methodology to explore the impact of reduced funding to judicial functions and its effect on judicial safety and the administration of justice. A description of quantitative and qualitative methodology is explored to explain why a qualitative methodology is appropriate and conducive to this study. In essence, this chapter intersects methodology with the research question, research purpose, and the research problem.

Research Design and Rationale

Methodology is the prime vehicle for approaching, accessing, conducting, and analyzing a research topic. The ontology, the research design, and the methodology yield a research formulation that is qualitative, quantitative, or mixed (Creswell, 2018). Quantitative methodology involves theoretical controversies, questions, and hypotheses that arise in scientific discourse (University of Chicago, 2019). Such methodology also utilizes formal models that evolve in analytical discourse and systematic measurement of key theoretical constructs with known and

consistent psychometric properties. Quantitative methodology tests the validity of statistical inferences and requires the analysis of statistical data (University of Chicago, 2019). The advantage of quantitative data is that it may add a certain degree of objectivity and credence.

Pursuant to this study, the usage of quantitative methodology would involve experimentation or a piloting of judicial safety mechanisms to test a hypothesis. For instance, quantitative data may yield safety statistics concerning judicial districts, such as a tabulation of occurrences that threaten judges' safety.

However, quantitative data has limitations. While quantitative research may yield supportive data, it would not provide the experiential and insightful data that fully addresses the research questions for this study. Despite the utility of quantitative methods, researchers often believe the most effective way to ascertain the experiences of research participants is to directly ask them (McLeod, 2017). Therefore, a qualitative methodology was selected for this research.

In the 1990s, variant types of qualitative research became more apparent and the methodological approaches have become more visible into the 21st century (Creswell, 2018). The development of qualitative approaches has produced several common modes of qualitative methodology: narrative research, phenomenology, grounded theory, ethnography, and case study (Creswell, 2018). The qualitative approach selected for this study is an exploratory case study of judges in the State of Connecticut.

This study's research question and purpose undergirded the selection of a qualitative research design because it invokes the need for insightful examination of a central phenomenon. The research paradigm was also considered in determining the research design and rationale. For this study, the transformative worldview underpins the methodology and purpose. The transformative worldview invokes reform and often intertwines politics and political agendas to

effectuate such reform (Creswell, 2018). The transformative worldview aligns with the research problem, which signals the need for reform and transformation of the worldview.

Methodology

Undergirded by the transformative worldview, the selection of a qualitative methodology advances the introspective data often required to reveal the specific issues or needs within a central research phenomenon. Qualitative methodology is also in concert with the theoretical framework of this study. Mazzoni's theory of the Arena Models of Reform summons a qualitative approach because it allows for the in-depth investigation of a social phenomenon that may need reformation. For example, Fowler selected a qualitative methodology when employing Mazzoni's theoretical framework (Fowler, 2006). Because Fowler was exploring a social phenomenon, a qualitative case study was utilized to allow comprehensive exploration (Fowler, 2006). A "case study is an investigation of a contemporary social phenomenon within its real-life context, using multiple data sources" (Anfara & Mertz, 2015; Fowler, 2006, p. 40; Yin, 2018).

Case studies often commence with a focus on a phenomenon, which is a particular event, situation, program, or activity. Specifically, case study research designs are classified as instrumental, intrinsic, or collective (Stake, 1995). An intrinsic design was selected and implemented for this study. An intrinsic case study is the examination of a person, specific group, occupation, department, or organization, where the case itself is of primary interest in the exploration (Mills, Durepos & Wiebe, 2010). For this study, the examination surveys the working conditions of judges in Connecticut where the courthouse and courtroom are the situation and the phenomena that served as the focal points of this study.

Positionality Statement

Scholars Catherine Marshall and Gretchen Rossman instructed that feasibility and significance of the proposed research should be tested prior to the commencement of the study (Marshall & Rossman, 2016). Their directive is critical because such testing conveys whether the study is viable.

In order to determine whether my research was viable, I reviewed my literature map because it detailed the problem, the study's purpose, the research question, and the data collection methodology. After examination and consultation with my adviser, I decided that my research topic was viable because there was enough existing literature to support the overall topic, but sparse literature regarding the niche within the overall topic. I unveiled *de minimus* information concerning the reduction of judicial funding and its actual safety impact on judges.

Throughout the process of determining the viability of my topic, I knew a certain degree of introspection was required. While thinking introspectively, I realized how much my selection of a research topic and my determination of its viability was underpinned by my personal views and experience. Such a realization gave me pause because I grappled with the concern of whether my research would contain the proper homeostasis of objectivity and subjectivity. When pondering this concern, I started to mull the role of a qualitative researcher and the degree to which a researcher's personal experience and background may influence the research. In my introspection, I unveiled literature that addressed such concerns. It was found that "the qualitative researcher needs to describe relevant aspects of self, including any biases and assumptions, any expectations, and experiences to qualify his or her ability to conduct the research" (Simon, 2011, p. 1). This quotation cemented the importance of revealing autobiographical elements as a means of transparency and as a mode of self-regulation.

Before conducting my research, I needed to decide whether my role would be emic or etic (Simon, 2011). My role did not appear to be authentically emic because I was not directly involved or present in the research setting, such as with phenomenological or ethnographic research. My usage of questionnaires also segregated me from the research setting. However, I did not find my role as completely etic because the subject pool is within the same profession and have had similar experiences regarding the central phenomenon for which I was exploring. Therefore, I declared that my role was a slight intersection of emic and etic, with the etic role being more prevalent.

At the outset of my research, I was aware that I possessed a certain degree of bias regarding my topic. I was concerned with the level of preexisting bias that I possessed due to my direct relationship to the topic of judicial safety. As a means of attempting to harness such bias, I pondered ways of detaching myself from the research. However, it was very difficult to detach, and I felt that my research would not be well served with such detachment. In the article "The Role of the Researcher in the Qualitative Research Process: A Potential Barrier to Archiving Qualitative Data," the author discusses the researcher's relationship to the data (Fink, 2000). In order to synthesize the qualitative process and properly analyze data, the qualitative researcher must be personally involved in every aspect of the qualitative process because reasoning and decisions are based on a personal premise (Fink, 2000). Throughout this research journey, my quest was to find the appropriate balance of unification with my research and proper personal detachment. I anticipated that a balanced level of research involvement would control the inherent bias.

The impetus for researching safety in the judiciary stemmed from my professional and personal experience. However, I also felt my profession was the primary root of my bias. After

reviewing literature regarding the roles of qualitative researchers, I realized that the conglomeration of my professional and personal background is influential to my research. Thus, I needed to lucubrate the salient roles throughout my life to comprehensively explore my positionality and reflexivity.

The most obvious role that affects my research, coupled with the role that is likely to generate the most bias, is my appointment as a magistrate to adjudicate small claims and criminal motor vehicle infractions. As a magistrate, I have felt threatened while presiding over the docket in my courtroom. As a practicing attorney, there were two occasions when the judge ordered a marshal to escort me out of the courtroom and courthouse because the opposing pro se party was aggressive or had threatened my client or me.

With such an experiential backdrop to my dissertation, my research evolved from established bias concerning judicial safety. As a result of my experience, I approached my research from a philosophical lens of reform. I embraced transformative ontology as my worldview because my belief is that there needs to be reform in the Judicial Branch concerning safety issues. My position is that security in the courthouses and courtrooms needs to be improved and that security mechanisms in the Judicial Branch need to be strengthened, streamlined, and innovated.

From a reflexive standpoint, I infused a degree of insight into the exploration and analysis of safety issues in the judiciary. I opine that security is critical to the functionality of the judicial branch. Unsafe conditions in the judiciary threaten my sense of well-being and my ability to adjudicate the matters before me in court. If I feel threatened as a magistrate, other forms of bias may transpire as a natural response to my apprehension, affecting the administration of justice.

In addition to my legal career, there are other experiences that have affected my reflexivity. I possess a background in science, in which I conducted biological research in diabetes mellitus and microbiological research concerning pseudomonas aeruginosa. Moreover, my position negotiating clinical trial contracts at an academic health center utilizes my scientific background, which was a requirement for the position. Consequently, I often incorporate scientific reasoning into comprehensive analysis. While I appreciate the objectivity of science, its essence may bar the freedom to creatively explore and engage in bohemian thought. The irony is that science and mathematics are fueled by ardent objectivity, but scientific or mathematical discoveries are fueled by creativity and unorthodox thought. However, my scientific background aided me in reviewing the data from an objective perspective. It also helped me to organize the quantitative data I collected in my empirical literature review and to use such data to bolster my qualitative methodology. The objective and fact-based posture of science served as a complement to social science analysis by infusing a different perspective.

To complete the arc of my influence, I must interject my background as a dancer, choreographer, and musician. With an artistic background that allows me to freely create, strictures within the developmental phases of academic research may be difficult. However, what I have found is that each background has a designated place throughout the phases of research. Thus, instead of feeling limited, I found that apportioning my expertise or skills from my multifaceted background to specific phases of my research was beneficial. My artistic background enabled me to add flair and creativity while honoring the prescribed academic format and the protocol. Intertwining my background and biases with scholarly discussions of the roles of qualitative researchers rendered a research landscape that enabled me to effectively use my experience to enhance the research.

Participant Selection

The research participants selected for this study are superior court judges, hearing officers, and magistrates in the state of Connecticut, hereafter referred to as (judge) or (judges). The participants were recruited from throughout the state of Connecticut, and there was no exclusion of participants based upon their geographic location within the state. Judges outside of Connecticut were excluded.

The participants were of varied age, and there was no exclusion of participants based on age. The age range of the subjects is 40–75. Males and females were selected as participants, and there was no exclusion of participants based upon gender. The participant sampling is comprised of more males, but the difference is marginal. The participant pool represented a variety of ethnicities, and there was no exclusion of participants based on ethnicity. Because of the ethnic constitution of the judges in Connecticut, minority representation was anticipated to be significantly less than that of a White/Caucasian ethnicity.

The socioeconomic status of the participants varied, and there was no exclusion based upon socioeconomic status. All of the judges were within a socioeconomic background of middle class or higher. Moreover, all of the participants were literate, as literacy is a basis for attaining a position as a judge.

The participant pool was amassed by the usage of purposive sampling (Creswell, 2018). The anticipated number of participants was a maximum of 20 judges. Nine judges participated in this study. Pursuant to qualitative methodology, a smaller number of research participants is acceptable. Therefore, the participant pool did not need to exceed eight participants to be in accordance with qualitative methodology (Creswell, 2018).

Procedures for Recruitment

The subjects were identified based upon their status as a superior court judge, hearing officer, or magistrate in Connecticut. There is a publicly available e-mail list that was used to contact the magistrates and hearing officers. For the judges, their information was obtained from the Connecticut Judicial Branch website.

After the study was approved by the Institutional Review Board, research candidates were invited to participate in a research study that required the completion of a questionnaire or an interview. The questionnaire and interview responses formulated the majority of the qualitative data required for this study.

Research subjects were sent an e-mail describing the proposed study, the need for data collection, and an invitation to participate. If the potential participants responded by expressing interest in the study, a second e-mail was sent. The second e-mail stated the purpose of the study, a description of the documents and materials that were a part of the study, the participant requirements, and the deadlines for document submission. There was a detailed explanation of the informed consent procedure as well as an informed consent form attached to the e-mail. The questionnaire was attached to the e-mail, along with instructions for completion. The subjects were informed that they had a specified time period in which to return the consent form and the questionnaire.

However, the initial e-mail that was sent to the magistrates was reportedly not received by the majority of them. It was discovered that the e-mail that was used in the initial communication was filtering and going to spam inboxes or being removed to the computer's recycle bin. As a result, an IRB modification was sought to gain approval for the usage of an alternative e-mail. The IRB granted such request. As a result of using an alternative e-mail

address, the response immediately increased. However, an extension had to be granted for another month to enable the participants to complete the required materials.

As an incentive, the study was offered as a continuing legal education (CLE) online workshop to the magistrates. Data were collected from the questionnaires completed by the research participants. In order to receive CLE credit, the participants were required to return the fully completed questionnaire and the fully executed informed consent form.

The hearing officer was contacted via e-mail, where she immediately agreed to participate in the study and requested to receive the questionnaire. One interview was conducted with a superior court judge. Because superior court judges are not required to earn CLE credits, a CLE was not offered to this participant. The superior court judge was contacted via telephone, and she agreed to participate with specific limitations.

Instrumentation and Data Collection

After a design was selected and integrated into the research trajectory, the collection of data commenced. Hancock and Algozzine (2017) refer to this step as information gathering. Information can be gathered from interviews, documents, and observations (Hancock & Algozzine, 2017). Qualitative methodology employs various data collection methods including the following: interviews, observations, and questionnaires (Gill et al., 2000). Interviews provide a more intimate approach to data collection, and as such, the interviewees' responses may render more detail and insight. However, there are disadvantages to interviewing. With interviewing, the interviewee may interject irrelevant information or personally biased information. Such irrelevant content may occlude the reliability of the qualitative data and confuse the interviewer.

However, some research participants may feel more comfortable with being interviewed rather than submitting a written questionnaire. Judges, being bound by judicial canons and ethical codes, may be reluctant to submit a questionnaire in writing.

Another data collection instrument is a questionnaire; questionnaires are a convenient and frugal means of collecting information from subjects that represent a large demographic (Gill et al., 2000). An advantage of questionnaire usage is the potential reduction of research bias. For instance, the lack of direct contact between the subject and the researcher may mitigate research bias because the interviewer is not present to render nonverbal cues, such as raised eyebrows or a smile (Dube & Guj, 2018).

In order to reduce potential bias, open-ended questionnaires were utilized for this study. The usage of questionnaires also allowed a statewide sampling of participants, rather than a localized sampling. The questionnaires consisted of 14 questions as opposed to standardized questions. The questions were fashioned in alignment with the research questions and the study's research purpose. Some of the questions involved safety concerns, safety personnel, courtroom assistance, safety training, state budget cuts, threats to safety, ability to adjudicate, and technology. To ensure validity, the questionnaire underwent review by an adviser who is a practicing attorney and is immersed in the legal field.

One interview with a superior court judge was conducted via telephone. The questions asked of the judge were identical to the questions set forth in the questionnaire. The judge's responses were manually transcribed. At the request of the judge, the interview was not electronically or digitally recorded.

Furthermore, there were seven observations of court sessions in two judicial districts. The observations included criminal court sessions, housing court sessions, family court sessions,

motor vehicle, and small claims. The observation notes described the following: courtroom personnel, marshal presence, litigants, courtroom disturbances, and other notable incidents.

Data Analysis Plan

Once the data were collected, they were cleaned and organized. The process of data cleaning involved ensuring there were no misspellings, duplicate entries, and other related errors.

Toward the beginning of data analysis, the questionnaire and interview data were segregated from the observation data. The questionnaire and interview data were sorted and generally reviewed for patterns. Thereafter, a round of first cycle coding was conducted. After the preliminary codes were compiled, they were analyzed for pertinence and alignment with the conceptual framework. If the preliminary codes were redundant or impertinent, they were eliminated. The remainder of the codes were established as the second cycle and final codes. From the second set of codes, patterns were detected; themes then emerged.

For the observation data, the same coding process was employed that was used to code the questionnaire and interview data. The observation data underwent first and second cycle coding. After the observation data were coded, themes emerged.

Once the themes emerged from all of the data, they were clustered and triangulated. Triangulation is a process of demonstrating the overlap or convergence of themes from different data sources (Carter, Lukosius, Dicenso, Blythe & Neville, 2014). Triangulation is also a utility used to increase the validity of qualitative research (Carter et al., 2014). After the themes were clustered, superordinate themes emerged, and subordinate themes were assigned.

In Chapter 4, the data were also reviewed to determine any outliers. The outliers were analyzed to determine whether such responses substantially affected the research results. If the outliers impacted the data, it was discussed and addressed in the analysis. If the outliers did not

substantially affect the research data, then the negligible effect of such outliers was simply mentioned in the analysis.

Once the data were collected, analyzed, and interpreted, the findings were reported and confirmed (Hancock & Algozzine, 2017). The formulation of the findings was utilized in order to provide a foundation for further investigation and research of the issue in order to lead to potential corrective action.

Trustworthiness

With any research study, there is always the question of the degree of trustworthiness and validity. In qualitative research, there is a consensus that researchers must exemplify the veracity of qualitative studies. In response, several validity procedures are commonly used to establish the validity of qualitative projects. The election of a validity procedure is determined by two influences: lens research and paradigm assumptions (Creswell & Miller, 2000).

Lens Research. In order to elect the procedures for establishing research validity, a research lens and paradigm assumption must be selected. A research lens helps a scholar determine the credibility of the study (Creswell & Miller, 2000). One lens is that of the actual researcher. When utilizing this lens, the researcher continually returns to the data to ascertain whether the constructs, categories, discussions, analyses, and interpretations are intelligible. The second lens involves using the perceptions of the participants in order to determine the social construction of reality. The third lens pertains to the perceptions of individuals external to the study. This study employs the first lens of the actual researcher, the second lens involving the perceptions of the participants, and the third lens, involving the perceptions of individuals external to the study (Creswell & Miller, 2000).

Paradigm Assumption. Another methodological category used to determine trustworthiness is paradigm assumption. The three paradigm assumptions are the following:

postpositivist, constructivist, and critical. Such theories influence researchers' choice of validity procedures (Creswell & Miller, 2000). A postpositivist stance was employed in this study. Postpositivists are cognizant of the effects of human limitation and subjectivity. From a postpositivist standpoint, the objectivity of the study is key to validity, trustworthiness, and rigor. As a result, the studies of postpositivists are often infused with quantitative methodology to mitigate bias or subjectivity (Barsuch, Gringeri & George, 2018). From a postpositivist standpoint, the research for this study has been balanced with quantitative studies comprised in the literature review.

Validity Procedures. Once the tool for determining credibility has been selected, nine validity procedures are available to be utilized by researchers: (1) triangulation, (2) disconfirming evidence, (3) researcher reflexivity, (4) member checking, (5) prolonged engagement in the field, (6) collaboration, (7) the audit trail, (8) thick, rich description, and (9) peer debriefing. In order to maximize validity, researchers suggest using more than one method (Creswell & Miller, 2000).

The trustworthiness of a study must be established in three phases of research: the preparation phase, organization phase, and reporting phase (Elo, Kaariainen, Kanste, Polkki, Utriainen & Kyngas, 2014). In all of the phases, certain questions should be asked in order to ensure trustworthiness. Elo et al. (2014) have outlined the questions to be asked. Thus, as a measure to ensure trustworthiness, a comprehensive checklist of the questions was compiled and addressed in either the preparation phase, organization phase, or the reporting phase of this study. Figure 5 lists the questions Elo et al. (2014) suggest in directing this study's trustworthiness.

What is the most appropriate data for content analysis, and how should it be collected?		
What subject pool would make the best informants for the study?	Are there too many concepts?	Are the findings systematically displayed with logic?

Figure 5. Validity procedure: Questions to bolster trustworthiness

Of the nine validity procedures, the following are the remainder of methods utilized in this research to increase trustworthiness: triangulation, prolonged engagement, audit trail, peer debriefing, research reflexivity, and thick, rich description. Table 2 lists the validity procedures that were utilized in this study and a description of how the procedures were applied.

Table 2

Validity Procedures

Procedure	**Description**
Triangulation	Triangulation was performed with clustered themes of data and then utilized to develop superordinate themes and demonstrate convergence of themes and associated data.
Prolonged Engagement	Seven observations were conducted of courtrooms which serve as the study site. By conducting repeat observations of dockets that lasted more than an hour, there was prolonged engagement in the setting of the study.
Audit Trail	Tables were displayed in study to convey the raw data from where the themes were derived. Provided tables of observation data, and appended the memoranda of the coding analysis and thematic analysis. Audit trail periodically reviewed by academic mentor.
Peer Debriefing	Peers reviewed segments of the study, as well as debriefed collectively in research design classes.
Researcher Reflexivity	Examination for overt and implicit bias; biases were described in study coupled with a positionality statement.
Thick, Rich Description	Descriptive and comprehensive illustrations of the settings, participants, and themes were provided.

Furthermore, checking data to ensure there are no major discrepancies aids the trustworthiness of the study (Elo et al., 2014).

Ethical Procedures

The execution of ethical research is critical to preserving research integrity, garnering public support of research, and promoting moral and social values (Resnik, 2015). However, ethical considerations in research are sometimes overlooked or misunderstood when researchers conduct a study (Warwick Institute for Employment Research, 2014). A problem with research ethics is that there are differing interpretations of ethical standards (Warwick et al., 2014). The virtue of ethics may be easier to conceptualize but more difficult to apply.

Another issue that complicates the application of research ethics is the determination of ethical misconduct. Specifically, the difference between ethical violation and research misconduct is often confused (Resnik, 2015). Federal policy has defined research misconduct as the "fabrication, falsification, or plagiarism, or other practices that seriously deviate from those that are commonly accepted with the scientific community for proposing, counseling, or reporting research" (Ingham, 2003, p. 324).

For this study, there are several ethical issues that must be considered: Institutional Review Board, informed consent, bias, data integrity, plagiarism, and safeguarding of data. The first step in combatting such ethical concerns is undergoing the proper process and obtaining approval with the Institutional Review Board.

Institutional Review Board. Prior to data collection, an important ethical consideration was satisfied by obtaining approval from the Institutional Review Board (IRB). An application was completed in accordance with IRB guidelines, and several appendages were attached

including the questionnaire, the script for the recruitment e-mail, and an informed consent form in compliance with the Federal Code of Regulations (45 C.F.R.).

In addition to the informed consent, the participants were assured that their responses would remain confidential. After the questionnaires were received, the participants' names were entered on a CLE form that was privately maintained. The purpose of the CLE form is to record the CLE credits that were granted to the participant. Once all of the credit hours had been recorded, the form was placed in a separate folder and stored in a file cabinet. The sheet used to record the CLE hours was entitled " Continuing Legal Education Concerning Professionalism and Implicit Bias." Thereafter, the questionnaire was redacted of any personal or identifying information. The questionnaires were stored in a separate file that solely pertains to this research. No intermingling of the forms occurred. The student researcher and the principal investigator for this study are the only individuals who can access the data. The data will be maintained for a year after the conferral of the student researcher's doctoral degree.

Research Bias. Unbridled bias may compromise research accuracy and research integrity (Bero, 2006). Thus, researchers must be aware of bias and acknowledge such bias while interpreting data and drafting the analysis of research findings. For this study, actual and potential bias were indicated in the research, coupled with a positionality statement. In explaining such bias, the researcher addressed how the bias affected the researcher's perception and theoretical lens. See Table 2 concerning researcher reflexivity and bias.

Fabrication or Manipulation. Whether a researcher is aware or unaware of bias, research findings cannot be manipulated in any way to change or thwart outcome. Full disclosure of results and research findings is mandated, and unfavorable results cannot be excluded (Seruga,

Templeton, Badillo & Ocana, 2016). All data—whether favorable, unfavorable, or abhorrent—were acknowledged and explained in the findings.

Safeguarding Confidential Data. Furthermore, researchers have a fiduciary duty to safeguard information and the identity of the research participant. Confidentiality of information is paramount to research integrity (Bero, 2006). Technological safeguards were updated and maintained to avoid a compromise of research data. For instance, antivirus and antimalware software were installed on electronic devices that stored the research data. In addition to the electronic storage of data, physical data were secured in a locked drawer, file cabinet, or a locked room.

In order to properly safeguard and manage the data, Table 3 was created to set forth a protocol for data management. The table lists the ethical and legal concerns involved in storing data, along with the management of hard and soft copies of data. Table 3 also describes the manner in which the research files were named and the technology sources that were utilized.

Table 3

Data Management Protocol

Data Management Methods	**Description of Method, Process, or Technology**	**Description of Method, Process, or Technology**	**Description of Method, Process, or Technology**
Ethical & Legal Considerations Utilized to Manage	Ensure the confidentiality of participants	Ensure all electronic data is password-protected and stored in locked cabinet	Cognizant of emotion and address participant distress, discomfort, or pain
File-Naming Protocols	Folder labeled, *Researcher's name & Master Dissertation;* Subfolder entitled, *Researcher's Name & Thesis Data*	Subfolders separately entitled, *Questionnaires, Observations, Interview, & Informed Consent*	Case files stored in the *Case Files* subfolder ordinally & alphabetically by last name. Physical data stored accordingly.
Technology Resources	Personal laptop; Personal smartphone (Android)	Microsoft Word; Microsoft Power Point	Adobe Systems Software; Blue Jeans Software
Organization, Storage, & Management of Data	Organization of interview, questionnaires, and observation data is easily navigable	All physical data stored in locked cabinet in a home office. Efficient file naming system was used.	All electronic data were stored in *Dropbox* and *OneDrive*, both password-protected, cloud-based storage utilities

Plagiarism. Research analysis, or the expression of a study and its corresponding components, cannot be plagiarized in any manner. Any information or expression that is

contrived from another source must be properly cited or quoted if the contrived language is exactly replicated and inserted into the researcher's study (Triantafillou, 2018).

A rigorous and high standard for research originality was implemented in this study. The final manuscript for this study was checked by the application Turnitin, which is a program that combats plagiarism by calculating the similarity of a student's writing to other published work. For this study, the Turnitin report was under 10% in similarity.

Summary

A qualitative methodology was employed in this study by utilizing an intrinsic, exploratory case study. The study participants were judges throughout the State of Connecticut. In the study, three data sources were utilized: open-ended questionnaires, interview, and observations. After the data were collected, they underwent first and second cycle coding and a thematic analysis. In conducting the analysis, six validity procedures were applied to bolster the trustworthiness, including the following: (1) triangulation, (2) prolonged engagement, (3) audit trail, (4) peer debriefing, (5) researcher reflexivity, and (6) thick, rich description.

Furthermore, various ethical considerations were upheld. The study received all of the required approvals from the IRB; the study data were safeguarded and stored in accordance with a management protocol, and any researcher bias was noted and explained in the study.

Chapter 4: Results

The purpose of this study is to address the problem of reduced funding to the judiciary and its impact on the safety of judges and the administration of justice in the State of Connecticut. Chapter 4 discusses the analysis of the data collected from three sources: questionnaires, interview, and observations. In discussing the analysis, a description of the data collection, an explanation of the data source, and the demographics of the research participants,

hereafter referred to as (respondent) or (respondents) are provided. A description of the coding procedures, the emergence of superordinate and subordinate themes, and the triangulation of data sources are also presented. The final section of this chapter will reveal the study's findings.

The Data Collection

Three sources were utilized to collect data for this study: questionnaires, interviews, and observations, with information derived from questionnaires constituting over half the collected data.

Questionnaires

The questionnaires consisted of 14 open-ended questions (O'Cathain & Thomas, 2004). Six out of the 14 questions contained subparts. The questionnaire proposed questions concerning the type of safety training received by the respondents, the presence of marshals in the courtroom, security measures, courtroom technology, safety improvements, ability to adjudicate, biased judgment, courtroom personnel, and courtroom resources. The usage of questionnaires yielded data consisting of short, succinct responses coupled with long, narrative responses (O'Cathain & Thomas, 2004). The data from the questionnaires were submitted using various modes. Some of the respondents e-mailed the questionnaires, while others mailed or faxed the questionnaires.

The responses from the telephone interview were written onto a blank questionnaire form since the questions that were asked during the interview were identical to the questions on the questionnaire. After the questionnaires and interview documentation were received, the data were stored in accordance with the data management protocol listed and described in accordance with Table 3 in Chapter 3.

Interview

Although the questionnaire was the primary instrument for data collection, the research protocols permitted interviews to be conducted. Thus, one research participant was interviewed. The sole interview was conducted with a superior court judge via telephone. The option of a questionnaire was offered to the judge, but the judge did not feel comfortable submitting the written documentation that the questionnaire required. Additionally, the interview was not recorded due to the judge's discomfort with being recorded. As a result, the judge was asked the same questions that were on the questionnaire. When the judge rendered a response, the response was manually recorded onto a blank questionnaire form.

The judge appeared to be hesitant and nervous about participating. Therefore, the judge's answers did not reflect the lengthy, stream-of-consciousness, and verbose responses that may be characteristic of an interview. A review of the judge's answers revealed succinct, relevant, and direct responses to the interviewer's questions.

Observations

The final data collection method involved observations conducted of courtroom proceedings. Seven observations of court proceedings were conducted in the courthouses situated within two judicial districts in Connecticut. Once the observation data were obtained, the field notes were types and organized into categories. The observation data were also stored and managed in accordance with the data management protocol displayed in Table 3.

Table 4 displays the data source, number of source items, and the types of data obtained from the questionnaires, interview, and observations.

Table 4

Data Source Characteristics

Data source	Number of items	Type of data obtained
Questionnaires	8	Text
Interview	1	Transcribed text
Courtroom Observations	7	Text from typed field notes

Setting

The setting of the study resides in the courtrooms, hearing rooms, and courthouses of the Connecticut Judicial Branch. The Judicial Branch adjudicates a variety of matters. During the 2017–2018 fiscal year, the Connecticut Judicial Branch added the following matters to its court dockets:

- 87,562 criminal cases;
- 144,936 motor vehicle matters
- 53,109 civil matters
- 47,860 small claims cases
- 28,389 family matters
- 21,538 juvenile matters
- 22,273 housing cases.

The total amount of disposed cases during the 2017–2018 fiscal year totaled 405,667 matters (Connecticut Judicial Branch, 2018).

During court proceedings, there is an underlying decorum and an expectation of veneration for the court (Connecticut Judicial Branch, 2019). Litigants and court personnel are to

respect the court and the presiding judge; the deference for the court also serves as a means of maintaining symbiosis during a proceeding that has the potential of becoming contentious.

If there is a marshal or clerk in the courtroom, the marshal will ask the litigants to stand when the judge enters and exits the courtroom, as well as maintain order in the court (Connecticut Judicial Branch, 2019). The litigants are instructed to refrain from talking during court proceedings, to turn off or silence all cellular phones or electronic devices, remove all hats, and to audibly respond when their names are called during the docket call. Litigants are not permitted to interrupt the judge or court personnel, as well as interrupt the adverse party while in court. Litigants are also prohibited from exuding aggressive or threatening behavior, yelling, or cursing in the courtroom. The litigants are instructed to listen and follow the instructions of the judge or court personnel and to treat everyone in the courtroom with respect (Connecticut Judicial Branch, 2019).

Participant Demographics

This study is comprised of nine participants who serve in some capacity as a judge on the state level in Connecticut. All of the participants are Connecticut residents.

Eight of the nine participants are over the age of 50, and approximately six out of nine are over the age of 60. Of the participant pool, there were five males and four females who comprised the sampling. Further information regarding the study participants will not be disclosed in order to preserve the anonymity of the judges.

For the purpose of this study, the judges who participated will be numerically denoted as "respondents." Table 5 presents the nomenclature and demographics of the respondents.

Table 5

Demographics of Respondents

Study Participant	Gender	Age Range	Type of Judge	Years of Experience	Type of Adjudicatory Matters
Respondent One	Female	Under 50 years old	State Magistrate	Over eight years	Civil and Criminal: Small Claims and Motor Vehicle Infractions
Respondent Two	Male	Over 60 years old	State Magistrate	Over eight years	Civil and Criminal: Small Claims and Motor Vehicle Infractions
Respondent Three	Female	Over 60 years old	State Magistrate	Over eight years	Civil and Criminal: Small Claims and Motor Vehicle Infractions
Respondent Four	Male	Over 60 years old	State Magistrate	Over eight years	Civil and Criminal: Small Claims and Motor Vehicle Infractions
Respondent Five	Male	Over 60 years old	State Magistrate	Over eight years	Civil and Criminal: Small Claims and Motor Vehicle Infractions
Respondent Six	Male	Over 60 years old	State Magistrate	Over eight years	Civil and Criminal: Small Claims and Motor Vehicle Infractions
Respondent Seven	Male	Over 60 years old	State Magistrate	Over eight years	Civil and Criminal: Small Claims and Motor Vehicle Infractions
Respondent Eight	Female	Over 50, under 60 years old	Hearing Officer	Three years	Discrimination and Civil Rights Hearings: Housing, Employment, Statutory Compliance
Respondent Nine	Female	Over 50, under 60	Superior Court Judge	Under one year	Criminal

Description of Respondent Judges. A hybrid of judges is presented in this case study: superior court judges and judges of distinct jurisdiction. Superior court judges are state judges who preside in trial courts within the state judicial system and handle major felonies from the criminal docket and large monetary claims from the civil docket. Judges of distinct jurisdiction also handle criminal and civil matters, such as misdemeanors or lower level felonies, and civil matters involving modest monetary claims. All research respondents had at least three years of experience.

Superior Court Judge. One participant is a superior court judge who presides over the criminal docket. Superior court judges are selected by a political appointment method by which a judicial selection committee vets the judicial candidate and submits the list of names to the governor (Ballotpedia, 2019). The governor selects a candidate from the list to appoint, and the governor's appointment must be confirmed by the Connecticut General Assembly. Once confirmed, the superior court judge serves an eight-year term. Judges must be state residents, licensed to practice law in the state, and under the age of 70. For this study, the superior court judge was recently appointed and has less than one year of experience as a judge. However, this judge has several years of prior experience as an administrative law judge.

Judges of Distinct Jurisdiction. Pursuant to this study, judges of distinct jurisdiction are comprised of magistrates and hearing officers.

Magistrate. A large number of the research participants are state magistrates. Magistrates are appointed by the chief court administrator of the chief justice of the judicial branch to conduct court proceedings in specific civil and criminal matters (Connecticut Judicial Branch, 2019). A magistrate must be a member of the bar for at least five years and is appointed for a three-year term that may be renewed. From the civil docket, magistrates primarily handle

small claims and housing small claims matters, and from the criminal docket, magistrates handle motor vehicle-related infractions (Connecticut Judicial Branch, 2019). All magistrates in this case study have over eight years of experience.

Hearing Officer. Another study participant is a hearing referee or a hearing officer who adjudicates administrative hearings. For this study, the hearing officer has over three years of experience presiding over discrimination hearings, labor and employment matters, and housing matters.

Other Types of Data

In addition to the data derived from questionnaires and interviews, observations were conducted. In qualitative research, there are four types of observational research methods: complete observer, observer as participant, participant as observer, and complete participant (Sauro, 2015). The complete observer method was employed to conduct observations for this study.

Observational research may be conducted in a variety of settings, such as the workplace (Sauro, 2015). The observations were conducted in several courthouses situated within two judicial districts in Connecticut. In order to maintain the anonymity of the data, the court locations will not be disclosed. Specifically, the observations were conducted in courtrooms which serve as an integral part of a judge's workplace. The observations took place during a trial or hearing on the civil or criminal docket. Because most of the issues concerning safety and the adjudication of matters occurs in a courtroom, the attainment of data describing the courtroom dynamics, personnel, and litigants provides an important context in a judicial case study. The observation data provide an evidentiary basis for the experiential data provided by the

respondents and bolsters the usefulness of the questionnaire and interview data by providing a setting and context that parallels the research respondents' statements.

The observation data consist of notes that were organized to formulate a picture of the settings and events and to provide a firsthand experience of the central phenomenon of this study. The following tables display data regarding the following: (1) judge, (2) court personnel, (3) safety measures, (4) number of people in the courtroom, (5) description of the court proceeding, and (6) notable incidents or miscellaneous matters.

Table 6 displays the observation data of a court criminal proceeding that occurred on February 27, 2019, in Connecticut Superior Court.

Table 6

Court Observation: Sentencing Hearings and Arraignments During Criminal Court Session on February 27, 2019

Judge	**Court Personnel**	**Safety Measures**	**Number of People in Courtroom**	**Description of Court Proceeding**	**Notable Incidents/Miscellaneous**
Superior Court Judge: Caucasian Female	Clerk present in addition to two other court staff. The clerk exited and returned to courtroom frequently. There were three to four attorneys present, which included defense attorneys and the prosecutor.	Marshals present in courtroom. For the majority of the session, two marshals were present, but the number fluctuated. At times, there were three marshals in the courtroom, and at times, there was only one marshal. No visible safety technology.	There were 29 people in the courtroom which appeared to encompass the defendants and their family members.	Besides the staff, the majority of the individuals present in the courtroom were minorities. There were only three individuals in the courtroom who superficially appeared to be non-minorities. The age range of the individuals who appeared before the judge for arraignment or sentencing appeared to be between the ages of 18–50. Other individuals in the courtroom appeared to be in a broader age range.	The prosecutor and defense attorney freely approached the judge on the bench.

Table 7 displays the observation data from a court criminal proceeding that occurred on February 27, 2019, in Connecticut Superior Court.

Table 7

Court Observation: Sentencing Hearings and Arraignments for Assaults and Drug Possession During Criminal Court Session on February 27, 2019

Judge	**Court Personnel**	**Safety Measures**	**Courtroom**	**Description of Court Proceeding**	**Notable Incidents/Miscellaneous**
Superior Court Judge: African American Male	Clerk present in courtroom in addition to the caseflow coordinator and the court reporter. There was a male prosecutor and a female public defender.	Two marshals were present in courtroom. Marshals were not armed with firearms.	There were 21 people in the courtroom, which appeared to encompass the defendants and their family members. There were 13 males and eight females.	There was a trial concerning the molestation of a minor child. The judge gave directions to the court regarding protocol and respect for the court. The marshal also gave direction regarding entering and exiting the courtroom and respect for the judge. Computer and telephone available to judge.	There was no visible or audible outburst or disruption of the court proceedings.

Table 8 displays the observation data attained during a divorce trial that occurred on March 1, 2019, in Connecticut Superior Court.

Table 8

Court Observation: Divorce Trial: Family Court Session on March 1, 2019

Judge	**Court Personnel**	**Safety Measures**	**Courtroom**	**Description of Court Proceeding**	**Notable Incidents/Miscellaneous**
Superior Court Judge: Caucasian Female	One male clerk present in courtroom in addition to a female court reporter and a female Spanish interpreter. There was a female attorney for wife and a male attorney representing the husband.	One male marshal was present in courtroom. Marshal was not armed with firearm. No visible safety technology.	The divorce trial was at the end of the morning docket, so there were only two litigants remaining in the courtroom. The only parties present were the court personnel, the plaintiff, and the defendant. The plaintiff and defendant appeared to be between the ages of 36–55.	The court proceeding was a divorce trial between husband and wife. Testimony and visible evidence were introduced. The defendant husband was on the witness stand being cross-examined. The issue of the husband's violence was being questioned as well as his fitness to undergo unsupervised visits with his children. Computer and telephone available to judge.	The judge and the wife's attorney became agitated during the proceeding while the husband was being questioned. During the cross-examination, the husband was asked if he was a threat and danger to his wife, who was the opposing party. Husband's answers meandered from the actual question, and the husband was abrasive and interrupted the questions asked by his wife's counsel. The husband also interrupted the questions asked by his own counsel. Judge appeared to be vexed by having to repeatedly redirect the husband's responses during questioning. Despite the husband's behavior, no outbursts required diffusion by a marshal.

Table 9 displays the observation data attained during a housing court session that occurred on March 4, 2019, in Connecticut Superior Court.

Table 9

Court Observation: Trials and Motion Hearings During Housing Court Session on March 4, 2019

Judge	**Court Personnel**	**Safety Measures**	**Courtroom**	**Description of Court Proceeding**	**Notable Incidents/Miscellaneous**
Superior Court Judge: Caucasian Female	One female clerk is present in courtroom in addition to the female court reporter. Actively assisted judge.	One female marshal present in courtroom. Marshal was not armed with firearm. Marshal actively facilitated the trial by delivering exhibits to the presiding judge so that the parties do not approach the judge.	There were eight male and female litigants in the courtroom during the second half of the morning docket.	A motion to dismiss hearing regarding an eviction matter was being conducted. The plaintiff and defendants were both male, and both parties were pro se.	Parties continually interrupted each other during the trial. The male defendant repeatedly interrupted and talked over the judge. Marshal stood for an elongated period of time between the desks of the plaintiff and defendant.

Table 10 displays observation data attained during a court criminal proceeding that occurred on March 11, 2019, in Connecticut Superior Court.

Table 10

Court Observation: Motor Vehicle Infraction Docket of the Criminal Court Session on March 11, 2019

Judge	**Court Personnel**	**Safety Measures**	**Courtroom**	**Description of Proceeding**	**Notable Incidents/ Miscellaneous**
Superior Court Judge: Caucasian Female	Clerk present in courtroom in addition to the caseflow coordinator and the court reporter. There were a male prosecutor and a male public defender present in the courtroom.	Three marshals were present in superior court courtroom. Marshals were not armed with firearms. Two marshals were stationed toward the front of the courtroom adjacent to the party desks. The other marshal stood at the rear, exit door of the courtroom. Litigants were continually entering and exiting the courtroom from the rear door by the marshal. Marshal gave directions to ensure respect for court.	The courtroom was full, and there were 41 people in the courtroom, which appeared to encompass the defendants and their family members. There were more males than females present.	During the observations, there were primarily sentencing hearings and arraignments. The majority of the litigants present were minorities. There were more males than females.	Two matters required the presentation of habeas defendants who were brought into the courtroom from the court lock-up wearing handcuffs. There was no visible or audible outburst or disruption of the court proceedings.

Table 11 displays the observation data attained during a small claims proceeding that occurred on March 13, 2019, in Connecticut Superior Court.

Table 11

Court Observation: Small Claims Docket of the Housing Session on March 13, 2019

Judge	**Court Personnel**	**Safety Measures**	**Courtroom**	**Description of Proceeding**	**Notable Incidents/Miscellaneous**
Magistrate: Caucasian Male	No clerk, court reporter, or other personnel was present in courtroom.	No marshals were present in the courtroom. No other observable safety mechanisms.	In addition to the magistrate, there were approximately nine people remaining in the courtroom. The observed proceeding was the last matter on the docket so more people had occupied the courtroom. Although the courtroom was structured like a typical courtroom, it was about half the size of the superior court courtrooms that were observed. With only nine people, the courtroom was full. There was no record or video of the proceedings and there was no court reporter.	During the observation, a trial was conducted concerning the return of the plaintiff's security deposit from a former tenancy with the defendant landlord. There were two plaintiffs and two defendants.	There was no observable or audible outburst or disruption of the court proceedings.

Table 12 displays the observation data attained during a small claims proceeding that occurred on March 15, 2019, in Connecticut Superior Court.

Table 12

Court Observation: Small Claims Docket of the Civil Session on March 15, 2019

Judge	**Court Personnel**	**Safety Measures**	**Courtroom**	**Description of Proceeding**	**Notable Incidents/Miscellaneous**
Magistrate: Filipino Male	No clerk or court reporter was present in small claims courtroom.	No marshals were present in small claims courtroom.	In addition to the magistrate, there were three people remaining in the courtroom for the final matter on the docket. The parties consisted of a male plaintiff and female defendant. Although the room was structured like a typical courtroom, it was smaller than the size of the superior court courtrooms that were observed. However, the courtroom was larger than the courtroom described in Table 6. There was no record or video of the proceedings.	During the observation, a trial was conducted concerning damage to the plaintiff's automobile. While parking, the plaintiff and defendant collided in a parking lot. The plaintiff sued the defendant for damages resulting from the collision. The magistrate gave directions to the litigants regarding the exchange of evidence and how to present the case respectfully to the court.	When asked by magistrate to respond to a question, the male plaintiff was slightly hostile in his response toward the magistrate, demonstrated by the plaintiff's tone and frequent interruption of the magistrate. However, there was no marshal present to diffuse the situation.

Collection and Management of Data

The data were managed in accordance with the protocol set forth in Table 3 of Chapter 3.

The Data Analysis

The data analysis plan set forth in Chapter 3 was incorporated into Chapter 4. The first step of the data analysis involved developing the conceptual framework for the study.

Conceptual Framework

A conceptual framework was developed to strengthen the analytic strategy for this study, discern coding patterns, and undergird the overall analysis of the data from the interview, questionnaire, and observation data sources. A conceptual framework provides a paradigm of relationships between the explored concepts in a study (Hancock & Algozzine, 2017). A conceptual framework is a visual display of how researchers perceive the interplay between differing variables in a study. "Literature on a particular topic is often a compilation of unrelated research studies conducted by multiple researchers. Although each of these studies may independently explain aspects of the topic under investigation, occasionally these individual efforts are drawn together into a theory or conceptual framework" (Hancock & Algozzine, 2017, p. 33).

In this study, the empirical literature review themes were amalgamated to form a conceptual framework. The literature review themes are the following: (1) the role of the judiciary, (2) funding to the judiciary, and (3) the effects of insufficient funding to the judiciary. Each literature review theme will be referred to as a *tenet* of the conceptual framework. In Figure 6, the conceptual framework is visually displayed. The *role of the judiciary* is displayed at the top of the figure because a judge's role is the foundation of this study and the issue for which the

purpose and problems statements are predicated. The literature review themes of *funding to the judiciary* and the *effects of insufficient funding* are also displayed.

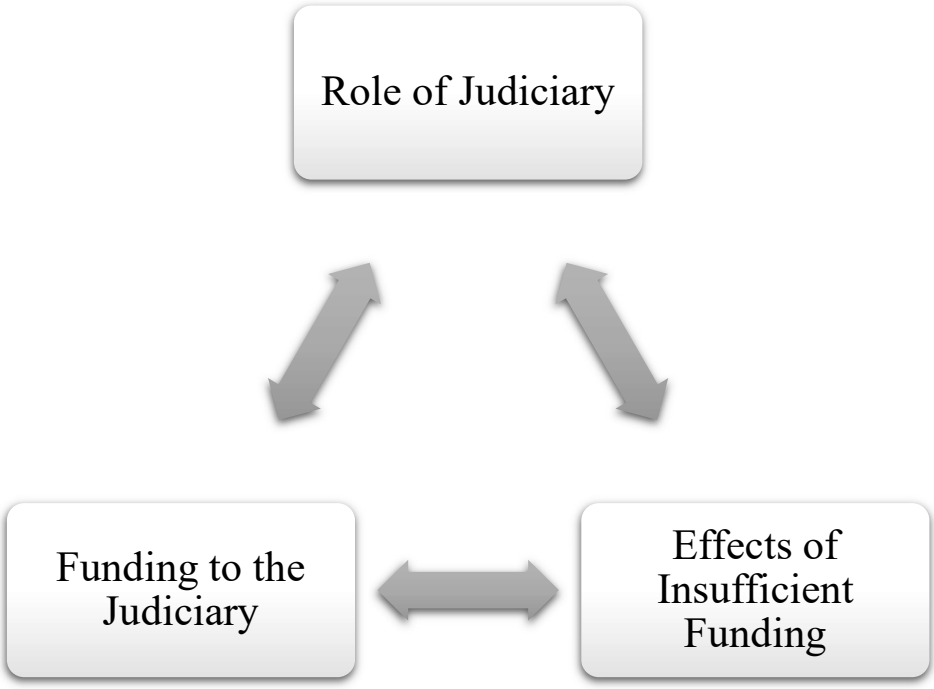

Figure 6. Conceptual Framework

Data Processing

Once the data were collected, they were aggregated and reviewed. The aggregation of the data provided an overview of the types of data and provided a glimpse of potential themes, concepts, and basic direction of the data. As a starting point for analysis, case study scholar Robert Yin suggests playing with the data. Playing with the data allows the potential detection of patterns, insights, and concepts (Yin, 2018). In playing with the data, an inductive analysis approach was employed.

While reviewing the aggregated data, it was cleaned and organized. The cleaning process involved scrubbing the data to remove misspellings, duplicate entries, immaterial or superfluous data, and other related errors. After the data were cleaned, the interview and questionnaire data

were temporarily segregated from the observation data because the organizational approach for the observation data slightly differed from the organizational approach for the interview and questionnaire data.

The organizational process for the questionnaire and interview data involved reviewing the responses listed in the questionnaires and interview transcript. The salient points from each response were manually written at the end of each question on the questionnaire and at the end of each question on the interview transcript. Thereafter, any patterns or repeat responses were indicated on the questionnaires and transcript. Once the data were organized and marked, the notes and patterns were revisited after themes were detected from coding, which will be discussed in a forthcoming section.

For the observation data, the observation notes were organized into tables. The observation tables were displayed in the previous section entitled "Other Types of Data."

Data Condensation. Once cleaned and organized, the aggregated data were condensed by undergoing a coding process. Coding is a means of analyzing qualitative data (Saldana, 2016). "A code in qualitative inquiry is most often a word or short phrase that symbolically assigns a summative, salient, essence-capturing, and/or evocative attribute for a portion of language based or visual data" (Saldana, 2016, p. 4).

Prior to the start of coding, the conceptual framework was revisited. At this juncture, deductive analysis was employed because the data were reviewed within the context of the conceptual framework. In order to commence coding, the interview/questionnaire data and the observation data were bifurcated into separate coding procedures.

First and Second Cycle Coding of Interview and Questionnaire Data. The first cycle coding was conducted manually on the interview and questionnaire data. After the preliminary

codes were compiled, they were analyzed for pertinence and alignment with the conceptual framework. If the preliminary codes were redundant or impertinent, they were eliminated. After the first coding cycle was completed, the second coding cycle commenced. Under the second coding cycle, pattern coding was utilized to derive the actual codes that would be used to derive themes. Pattern coding is a method of developing meta-codes that identify patterns and relationships in data as a means of generating superordinate themes (Onwuegbuzie, 2016). Patterns and themes were developed and juxtaposed to the three tenets of the conceptual framework. From the second cycle codes, several themes emerged.

Coding Memoranda of Questionnaire Data and Interview Data. In order to increase the rigor and validity of this study's data analysis, memoranda were used for each research respondent to convey the coding process, along with other information pertaining to the research respondent or to research integrity. Appendix B contains the coding memoranda for each research respondent.

First and Second Cycle Coding of the Observation Data. For the observation data, the same first and second cycle coding was employed that was used for the questionnaire and interview data. Because the coding involved the field notes from observations, the process was distilled into coding for the actors, settings, and events observed during the court proceedings to provide a context for the case study. "Case studies are multi-perspective analyses. This means that the researcher not just considers the perspective of the respondents, but also of the relevant groups of actors and how they interact with each other" (Shoabib & Mujtaba, 2016, p. 5). In considering the interplay of the group of actors, the setting for the actors and the events of the actors must be organized and coded to provide the proper context (Shoabib & Mujtaba, 2016). Thus, the goal of observation coding is to discern the actors, setting, and events that inform the

understanding of the themes derived from the questionnaire and interview data. After the observation data were coded, patterns and themes were detected.

Table 13 displays the coding of the observation data.

Table 13

Coding of Observation Data

Site and Court Date	Actors	Setting	Events
Site #1 February 27, 2019	Male superior court judge, clerk, defense attorneys, prosecutor, defendants, minimum two marshals, marshal number fluctuated and increased, large minority audience, age range 18–50	Connecticut, courtroom, multi-level courthouse, over 12 courtrooms, urban town	Criminal arraignment, sentencing proceeding
Site #2 February 27, 2019	Male superior court judge, caseflow coordinator, court reporter, male prosecutor, female public defender, two marshals	Connecticut, courtroom, multi-level courthouse, over 12 courtrooms, urban town	Sentencing hearings, arraignments, assaults, drug possession
Site #3 March 1, 2019	Female superior court judge, male clerk, female court reporter, female Spanish interpreter, female attorney, litigant wife, male attorney, litigant husband, one male marshal, age range 45–55	Connecticut, courtroom, single-level courthouse, over eight courtrooms, major city	Divorce trial, litigant husband abrupt behavior, husband cross-examination, discernment of husband's threatening nature, attorney and judge agitation, litigant husband interrupted judge and his counsel

Site #4 March 4, 2019	Female superior court judge, female clerk, one female marshal, female court reporter, eight male and female litigants, male defendant, male plaintiff	Connecticut, courtroom, single-level courthouse with three courtrooms, major city	Motion to dismiss hearing, eviction, parties continually interrupted each other, parties interrupted judge, marshal intervened
Site #5 March 11, 2019	Female superior court judge, clerk, caseflow coordinator, male prosecutor, male public defender, three marshals, 41 people in the courtroom, family, more males than females	Connecticut, courtroom, multi-level courthouse, over 12 courtrooms, urban town	Habeas proceedings, criminal motor vehicle trials
Site #6 March 13, 2019	Male magistrate, nine litigants, no marshal, no clerk, no court reporter, no caseflow coordinator	Connecticut, small courtroom, single-level courthouse with three courtrooms, major city, courtroom half the size of superior court courtrooms	Housing trial, litigants directly approached magistrate
Site #7 March 15, 2019	Male magistrate, no clerk, no court reporter, no marshal, no caseflow coordinator, male plaintiff, female defendant	Connecticut, small courtroom, multi-level courthouse with over six courtrooms, major city, courtroom half the size of superior court courtrooms	Motor vehicle trial, male plaintiff slightly hostile toward magistrate, plaintiff interrupted magistrate

Key Themes Derived from Data

Overall, the themes from the interview data and questionnaire data were determined by considering three factors: (1) the alignment with the conceptual framework, (2) the code frequency underlying the theme, and (3) the discerned coding patterns.

Because the theoretical framework of this study concerns Mazzoni's Arena Model of Reform, many of the themes that emerged from the coding of the questionnaire data and the interview often possessed underpinnings of reformation.

Questionnaire and Interview Data

After the data underwent first and second cycle coding, themes emerged. Themes were detected due to the following: (1) frequency of the codes, (2) alignment of the codes with the research problem and conceptual framework, (3) relevance of the codes, and (4) the patterns formulated by the codes. A three-step process was utilized for pattern detection. The first step involved revisiting the initial patterns that were noted prior to coding. The second step involved discerning the patterns from the actual coding, and the third step involved reconciling the initial patterns with the patterns derived from coding.

The questions asked of the respondents in the interview and from the questionnaires incorporated the tenets of the conceptual framework. Thus, the themes from the interview and questionnaire data are reported in concert with the conceptual framework, including the role of the judiciary, funding to the judiciary, and the effects of insufficient funding. Narrative descriptions describe the themes' evolvement, coupled with tables displaying data from where the themes were derived.

Role of Judiciary. The *role of the judiciary* is the first tenet of the conceptual framework. According to this tenet, the respondents' data communicated concerns regarding

issues that impact their judicial roles or compromise the role of the judiciary. Pursuant to the data, three themes were conveyed in congruence with the role of the judiciary: (1) volume of work, (2) lack of communication, and (3) explicit threats.

Volume of Work. The respondents expressed the pressure of having to complete large workloads with specific time constraints. Respondent One commented, "I feel some dockets are long and unreasonable given necessary trial time and others are super short and I could be doing more during the allotted time."

Respondent Four experienced an increased volume of work with decreased assistance. Respondent Four stated, "I handle 45–50 cases on a three-and a-half hour basis. Many are contested trials with attorney representation. I have a difficult time hearing all of the assigned cases in the time slot given." Respondent Four also asserted that the trials are rushed. Due to the volume of cases, Respondent Four often has to take documents home in order to complete the decisions. "This is uncompensated time."

Respondent Seven addressed the large docket and scheduling inconsistencies by stating, "On numerous occasions, I have not been able to finish the calendar."

Respondent Nine suggested having more than one judge assigned to a particular session or docket. With two assigned judges, one judge does not have to hear two dockets per day of potentially troubling litigants.

Lack of Communication. Some of the respondents indicated the importance of improved communication as a means of providing necessary support to judicial functions, while others expressed their disappointment in the lack of communication. Respondent One discussed the need for improved communication from the Connecticut Judicial Branch concerning proper notice of scheduling and assignment changes: "The lack of reminders is difficult when this is not

my full-time employment." Respondent Two expressed his disappointment in the lack of communication because he was never scheduled for training: "No reasons, no explanations, just no. The least they could do is have the decency of letting me know why!" Respondent Seven asserted that communication needs to be improved with the Judicial Branch and its administrative offices. "There is barely any assistance available when problems arise and no central place to obtain assistance that I know of."

***Explicit Threats*.** Some of the respondents recounted being threatened while presiding as a judge. Other instances involved litigants being threatened by the opposing party during court proceedings. Respondent One recalled an incident in which the litigants were arguing in the courtroom and one adult litigant threatened a minor child and followed the minor child into the hallway. Because a marshal was not currently present in the courtroom, Respondent One had to call the marshal. Respondent One asserted, "I feel less safe in the courtroom."

Respondent Four expressed concern due to defendants' aggressive behavior in the courtroom, exhibited by aggressive questioning and aggressive posturing with the intent to intimidate the parties.

Respondent Seven described an incident in which he had to summon a marshal into the courtroom because a litigant continually threatened him. Respondent Seven stated, "A litigant was threatening me," and the marshal was called. Table 14 displays textual examples from the interview and questionnaire data that were coded and distilled into themes.

Table 14

Role of Judiciary: Themes Derived

Theme	**Excerpts from Questionnaire Interviews**
Volume of Work	I sincerely believe that the magistrates should only have to concentrate on the case at hand.
	The schedule for each session is not consistent. On numerous occasions, I have not been able to finish the calendar.
	I handle 45–50 cases in a 3.5-hour basis. Many are contested trials with attorney representation. I have a difficult time finishing the assigned cases in the time slot given.
Lack of Communication	I was never scheduled for training. No reasons, no explanations, just no. The least they could do is have the decency of letting me know why!
	The lack of reminders for outstanding decisions is difficult when this is not my full-time employment.
	A need for central resource where questions can be answered and assistance provided.
Explicit Threats	The adult litigant who threatened the child was larger than the minor child. The adult litigant was also explicitly threatening the minor.
	Defendants' aggressive behavior in the courtroom such as aggressive questioning and aggressive posturing with the intention of intimidating the other parties.
	A litigant was threatening to me.

Funding to the Judiciary. The next tenet of the conceptual framework is *funding to the judiciary.* The respondents specifically expressed a reduction in resources due to reduced funding to the judiciary. Pursuant to the data, three themes were conveyed in congruence with funding to the judiciary: (1) lack of personnel, (2) insufficient safety training, and (3) lack of resources.

Lack of Personnel. Respondent One emphasized the adverse effect on safety since the budget cuts to the judicial branch. Respondent One's data continually mention the removal of marshals from the courtroom as a result of the reduced funding to the judiciary. Respondent One explained, "Prior to the budget cuts, there was at least one marshal in the courtroom. If the marshal was not present for the entire docket, he or she would at least open court and intermittently enter the courtroom to ensure that order and safety was being maintained."

Respondent Three is concerned about the reduction in courtroom personnel since the budget cuts to the judiciary. "I cannot recall ever having a troubling situation in the courtroom when a marshal was present, other than the marshal telling people talking out of turn to quiet down. I believe their presence influences people to keep control of their emotions." However, now that marshals have been removed from small claims courtrooms, Respondent Three expressed, "I feel more vulnerable in the courtroom without either a marshal or clerk."

With the removal of the marshals, Respondent Four feels less safe inside the courtroom with aggressive litigants. Respondent Four also feels less safe inside the courtroom, inside the courthouse, and directly outside of the courthouse.

Insufficient Safety Training. All of the respondents' data mentioned receiving some form of safety training from the Connecticut Judicial Branch. The majority of the respondents received active shooter safety training. Active shooter training was described in the data as

instruction that teaches judges how to handle a situation if an active shooter were to enter the courtroom. A salient theme throughout the data concerned the effectiveness of the training. Several of the respondents indicated that the training was sparse, insufficient, or impertinent. Respondent Five did not find the active shooter training to be helpful. When asked if the training was beneficial to his role, Respondent Five answered, "Not really. Those are standard common sense responses for any emergency situation, such as a fire or earthquake, etc."

Respondent Eight has never received any safety training, and Respondent Nine asserted that the safety training was beneficial, but it needed to include hands-on drills.

Lack of Resources. The majority of the respondents indicated dissatisfaction with the lack of access to resources. Many of the respondents also noted that the lack of resources compounded the difficulties of other issues, such as the volume of work, longer hours, and safety concerns. Respondent One explained some of the burdensome issues that stem from a lack of resources such as the following: (1) files are not prescreened for error by clerks, (2) lack of training on preferred process, procedure or manner of disposition, resulting in a lack of uniformity, (3) no additional personnel in the courtroom to assist with docket flow and litigant service, and (4) a lack of coverage or a reliable system to obtain coverage in an efficient manner.

Respondent Two stated, "I sincerely believe that the magistrate should only have to concentrate on the case at hand. Doing a clerk's job and running the court, seems to distract from the litigants. This is unfair to both parties."

Respondent Four asserted, "The removal of the clerk from the courtroom withdrew necessary assistance to handle matters during court proceedings." Table 15 lists the themes that were derived from the interview and questionnaire data and the corresponding textual excerpts.

Table 15

Funding to the Judiciary: Themes

Themes	Text Excerpts from Questionnaires
Lack of Personnel	The lack of personnel in the courtroom presents safety challenges because there are no personnel to assist with safety issues or the appearance of security organization. The lack of courtroom personnel, such as clerks and marshals, fails to provide safety assistance. Now that magistrates have no clerks or, in most courthouses, a marshal, we have no immediate assistance or witnesses if a situation gets out of hand or if a complaint is made against us.
Insufficient Safety Training	I did not receive any safety education training. Did you find the training to be beneficial? "Not really. Those are standard, common sense responses for any emergency situation, such as a fire or earthquake, etc." Did you find the training to be beneficial? "I don't feel the more realistic safety issues and concerns we would face have been addressed, for example, panic button use, management of litigant physical altercations, medical events (litigants, attorneys or court personnel), etc."
Lack of Resources	Doing a clerk's job and running the court, seems to distract from the litigants. This is unfair to both parties. No marshal in courtroom is difficult to maintain decorum. No clerk in courtroom slows down final disposition. No remote access to computer system makes completing decisions difficult. It has become harder. There is barely any assistance available when problems arise and no central place to obtain assistance that I know of.

Effects of Insufficient Funding. The respondents have indicated several effects of insufficient funding to the judiciary that also interlink with the other tenets of the conceptual framework. The data indicate that funding to the judiciary affects the amount and distribution of resources. As a result, reduced funding decreases the amount of resources distributed to some of the respondents. Pursuant to the data, four themes were conveyed in accordance with the effects of insufficient funding: (1) computers and software, (2) technological improvements, (3) suggested safety improvements, and (4) biased judgment.

Computers and Software. The Connecticut Judicial Branch utilizes computers and specific software to enter judicial orders, manage and store cases, and upload documentation regarding the cases. Some of the respondents have indicated that the judicial computer system is inefficient. Respondent Five indicated that defective and old computer resources impede his ability to work. Respondent Six stated:

> The courtroom computers have software that is not responsive; the tab key doesn't work, and the computer does not perform the necessary calculations required in entering judgments such as adding the filing fee to the cost of service of process, and adding the court costs to the amount of the judgment. The templates into which court orders and judgments are entered in many cases are lacking as they were not designed for Small Claims court orders, but rather for Superior Court.

Technological Improvements. Eight out of nine respondents expressed adverse effects due to insufficient funding to the judiciary. In response, several of the respondents suggested technological ways to mitigate the adverse effects. Respondent One suggested, "Put panic buttons in one spot on every bench so when we travel to different courthouses and courtrooms we know where it is." Respondent One also suggested the placement of a telephone on the bench to call for assistance. Respondent Three suggested, "Possibly cameras trained on the litigants." Respondent Five indicated, "I think if there are cameras in the courtroom that are

actively monitored at a central watch station, yes, that would enhance the safety of the judges/magistrates with live monitoring of the conduct of court business."

Suggested Safety Improvements. The emergent themes from the data often interlink with issues concerning safety. As such, the majority of the respondents made suggestions concerning safety improvements. Respondent One stated, "Have a marshal open court with just a few words. Maybe check in mid-docket once. Put panic buttons in one spot on every bench so when we travel to different courthouses and courtrooms we know where it is. Have a phone on the bench or a number posted on the bench where we can use our cell phones to call."

Respondent Two emphasized the importance of marshals in the courtroom and the preparedness of the marshals. Respondent Two asserted that the marshals are not sufficiently equipped because they do not carry guns. Respondent Two declared, "Remember: security unarmed is NOT security." Respondent Six asserted that the restoration of marshals into the courtroom would make the courtroom safer and his job safer.

Biased Judgment. The majority of the respondents expressed concern regarding safety issues, lack of resources, and lack of communication. An even larger concern is how these issues impair the respondents' adjudication, leading to biased judgment. Respondent One commented on the judicial bias she undwerwent when she encountered a lack of security resources and administrative resources: "On a few occasions, where I had no security presence and I felt the litigants were getting heated or overstepping, I felt rushed to complete the trial and get them out of the courtroom and may have curtailed what would have otherwise been a longer trial."

Respondent Three mentioned the potential to render biased judgment: "If I felt personally threatened or a situation got violent, I probably would be biased." Respondent Seven explained that his judgment is only more biased when "the court is packed and the crowd is in a litigious

mood. This varies with the court." Respondent Seven also noted that his judgment may be more biased due to reduction in security measures and paltry resources: "Because of the common issues it is more difficult to mentally not prejudge a claim or defense." Respondent Eight asserted that there is the potential for bias under different circumstances: "I can definitely see, if a hearing officer felt unsafe, how he/she might second-guess evidentiary motions, etc."

Table 16 lists the themes that were derived from the interview and questionnaire data and the corresponding textual examples.

Table 16

Effects of Insufficient Funding: Themes

Themes	**Text Excerpts from Questionnaires**
Computer and Software	Some of the equipment (such as keyboards are old and worn out and do not work efficiently).
	The courtroom computers have software that is not responsive—the tab key doesn't work, and the computer does not perform the necessary calculations required in entering judgments, such as adding the filing fee to the cost of service of process, and adding the court costs to the amount of the judgment. The computer software is not user friendly, at least for me.
Technological Improvements	I would say the installation of security cameras and the active monitoring of those cameras will be an improvement.
	Possibly cameras trained on the litigants.
	Perhaps surveillance cameras in the courtrooms that do not record but simply can be viewed live by a marshal or administrator, if they are advised there is a problem. Or a better panic button.
Suggested Safety Improvements	Restoration of clerk and marshal to the courtroom. A better panic button.
	If marshals cannot remain for the entire small-claims session, at least have them walk through the smalls-claims courtroom periodically to monitor any tense situations. I believe their presence helps diffuse situations.
Biased Judgment	If I felt personally threated or a situation got violent, I probably would be biased.
	Judgment is more biased only when the court is packed and the crowd is in a litigious mood.
	I felt rushed to complete the trial and get them out of the courtroom and may have curtailed what would have otherwise been a longer trial.

Summary of Interview and Questionnaire Data. The analysis of the interview and questionnaire data conveyed themes in alignment with each tenet of the conceptual framework. As the first tenet of the conceptual framework, the respondents commented on several aspects of the role of the judiciary. The respondents thematically indicated that the volume of work and the lack of communication significantly constrained their roles as judges. The respondents also described being threatened and their concern for safety.

Under the tenet of funding to the judiciary, the respondents pointed to the overall lack of resources or reduced resources including lack of personnel and insufficient safety training. The respondents thematically conveyed how insufficient resources and training impaired their ability to execute duties and compromised their safety.

In discussing the effects of insufficient funding, the respondents described the actual manifestations of reduced funding, such as defective computers. In response to underfunding, the respondents suggested safety improvements as well as technological improvements to improve the judiciary.

Observation Data

The observation data underwent first and second cycle coding in parallel to that of the questionnaire and interview data. However, the coding slightly deviated in the sense that it was directionally coded to discern the actors, settings, and events during the observed court proceedings. Case study scholars Hancock and Algozzine (2017) provide observation guidance by directing observers to organize their field notes according to the actors, settings, and events. Case studies tell a story for which the beginning, middle, and end are different based upon the empirical research. As an analytic strategy, the story of empirical research must be devised, but the data does not often shape the story (Shoaib & Mujtaba, 2016). As a result, the research must

provide a context for the data by describing the actors, the setting, and the events that either directly affect the respondents, undergird the respondents' data, or contextualize the respondents' data. In coding and organizing the data in such a manner, the story of the case study now has a cast of actors, a setting for the story, and specific events that advance the story (Shoaib & Mujtaba, 2016).

Themes were detected due to the following: (1) frequency of the codes, (2) alignment of the codes with the research problem and conceptual framework, (3) relevance of the codes, and (4) the patterns formulated by the codes. Similar to the procedure used with the interview and questionnaire data, there was a two-step process for detecting patterns. Prior to coding, there were initial patterns that were detected. The first step in detecting the theme patterns involved revisiting the initial patterns. The second step involved discerning the patterns from coding.

Role of Judiciary. Pursuant to the data, three themes were conveyed in congruence with the role of the judiciary: (1) characteristics of courtroom actors, (2) courtroom decorum, and (3) courtroom disturbances.

Characteristics of Courtroom Actors. The judges were both male and female. One Filipino male judge and one African American male judge were observed, and the remainder of the judges were Caucasian males and females. In six out of seven observations, the litigants were primarily minorities. The observation data reported male and female representation of the courtroom personnel. The number of litigants in the courtroom spanned from 3–41 throughout the seven observations. The age range of the litigants appeared to be 18–55.

Courtroom Decorum. The data also described the decorum in the courtroom. There were directions given at the beginning of the docket to command proper conduct during the court session and to mandate respect for the judge. The data from the observations indicated that the

judge was the leader in the courtroom and the courtroom personnel engaged in a role that was of primary assistance to the judge and of secondary assistance to the litigants. The behavior of the judge was aligned with the conceptual framework as an adjudicator and interpreter of law.

Courtroom Disturbances. A variety of criminal and civil court sessions were observed in superior court and in small claims. Some of the proceedings were trials; others were hearings and arraignments. During the court sessions, the majority of litigants followed the rules and demonstrated respect to the court. However, there were several disturbances that required the intervention of a marshal. During a trial in small claims court, the plaintiff exuded aggression by interrupting the other party and the magistrate. In family court, the litigant husband continually interrupted the judge, his attorney, and opposing counsel while he was questioned during a divorce trial. In housing court, the parties continually bickered and interrupted each other. As a result, the marshal stood between the parties.

Table 17 lists the themes that were derived from the observation data and the corresponding observation notes.

Table 17

Observation Data: Role of Judiciary: Themes Derived

Theme	Text Excerpts from Questionnaires and Interview
Characteristics of Courtroom Actors	Female Caucasian judge; one male clerk present in courtroom in addition to a female court reporter and a female Spanish interpreter. There was a female attorney for wife and a male attorney representing the husband. Besides the staff, the majority of the individuals present in the courtroom were minorities. The age range of the individuals who appeared before the judge for arraignment or sentencing appeared to be between the ages of 18–50.
Courtroom Decorum	Marshal actively facilitated the trial by delivering exhibits to the presiding judge so that the parties do not approach the judge. The marshal also gave direction regarding entering and exiting the courtroom and respect for the judge. The judge gave directions to the court regarding protocol and respect for the court.
Courtroom Disturbances	Parties continually interrupted each other during the trial. The male defendant repeatedly interrupted and talked over the judge. Marshal stood for an elongated period of time between the desks of the plaintiff and defendant. When asked by magistrate to respond to a question, the male plaintiff was slightly hostile in his response toward the magistrate, demonstrated by the plaintiff's tone and frequent interruption of the magistrate. Husband's answers meandered from the actual question, and the husband was abrasive and interrupted the questions asked by the wife's counsel. The husband also interrupted the questions asked by his own counsel. Judge appeared to be vexed by having to repeatedly redirect the husband's responses during questioning.

Funding to the Judiciary. The provision and distribution of court resources is contingent upon funding to the judiciary. Pursuant to the data, the singular theme of court resources and personnel was conveyed.

Court Personnel. In superior court courtrooms, there was at least one marshal present, but up to four marshals were observed. The superior court courtrooms were also staffed with a clerk and court reporter. Furthermore, the observation notes also noted the resources of a telephone and computer in the courtroom. In the small claims courtrooms, there was no marshal, no clerk, and no court reporter.

Table 18 lists the themes that were derived from the observation data and the corresponding observation notes.

Table 18

Observation Data: Funding to the Judiciary: Themes Derived

Theme	**Text Excerpts from Questionnaires and Interview**
Court Personnel	One male clerk present in courtroom in addition to a female court reporter and a female Spanish interpreter. There was a female attorney for wife and a male attorney representing the husband. One male marshal was present in courtroom. Marshal was not armed with firearm. Clerk present in courtroom in addition to the caseflow coordinator and the court reporter. There was a male prosecutor and a male public defender present in the courtroom. No clerk or court reporter was in small claims courtroom. No marshals were present in small claims courtroom.

Effects of Insufficient Funding. Pursuant to the data, two themes were revealed in alignment with the conceptual framework: disparity in resources and lack of technological resources.

***Disparity in Resources*.** The observation data revealed that superior court courtrooms have exceedingly more resources and personnel than the small claims courtrooms. In essence, the superior court judges receive more resources than the magistrates and the hearing officer. For example, the observation data described the presentation of exhibits in small claims court. In order to submit exhibits, the litigants freely approached the bench and were within a few feet of

the judge. Conversely, in superior court, the litigants did not approach the judge unless summoned by the judge because the superior court judge had marshals to hand the exhibits to the judge. Moreover, the data indicated that the observed small claims courtrooms were half of the size of the superior court courtrooms.

Lack of technological resources. The observation notes indicate that all of the courtrooms lacked advanced technological resources. There were no visible cameras in the courtrooms, no docking stations for tablets, and no closed-circuit television or other such resources. Thus, this observation theme overlaps with the theme from the questionnaire and interview data concerning technological improvements.

Table 19 lists the themes that were derived from the observation data and the corresponding observation notes.

Table 19

Effects of Insufficient Funding: Themes Derived

Theme	Text Excerpts from Questionnaires and Interview
Disparity in Resources	At times, there were four marshals in the superior court courtrooms, and at times there was only one marshal. No marshal present in small claims courtroom. Although the small claims courtroom were structured like a typical courtroom, it was approximately half the size of the superior court courtrooms that were observed. However, there was no marshal to diffuse the situation. No clerk or court reporter was present in small claims courtroom.
Lack of Technological Resources	No visible safety technology. Computer and telephone available to judge.

Summary of Observation Data. The observation data provided an actual context and setting for the respondents' interview data and questionnaire data. The description of the judicial actors and their behavior provides credence and illustration to some of the courtroom incidents described by the respondents, as well as expands the respondents' discussion about courtroom disturbances. The observation data also illustrated the discrepancies in resource distribution

among the judges, as well as some of the resources, such as technology, that need to be updated or used.

Outlier. Respondent Nine is a superior court judge. Based on the questionnaire data and the observation data, superior court judges are equipped with at least one marshal in the courtroom. The observation data indicate there is usually more than one marshal in the courtroom for criminal matters. Participant Nine presides over a criminal docket. As such, Participant Nine indicated that there is usually more than one marshal in the courtroom and, at times, as many as four marshals. As a result, some of Respondent Nine's responses are not aligned with the other data. For example, Respondent Nine indicated that courtroom personnel were sufficient. However, Respondent Nine receives a full staff in comparison to other judges who may not receive any staff. Overall, Respondent Nine communicates basic satisfaction with the working environment, whereas the judges of distinct jurisdiction, who receive fewer resources, convey dissatisfaction and disappointment.

Triangulation

The data analysis revealed themes from all data sources, which were then grouped according to the three tenets of the conceptual framework: (1) role of the judiciary, (2) funding to the judiciary, and (3) the effects of insufficient funding. After the themes were grouped, a cluster analysis commenced. A cluster analysis provides a quick and effective means of data reducing that is both meaningful and easy to read (Guest & McLellan, 2003). Clustering involves reviewing themes to determine patterns and common elements across data sources (Miles, Huberman, & Saldana, 2014). Once the themes were clustered, the process of triangulation commenced.

Triangulation refers to the usage of several methods or data sources in qualitative research to formulate a comprehensive understanding of a phenomenon (Carter, Lukosious, DiCenso, Blythe & Neville, 2014). Triangulation helps to increase the rigor of the study by demonstrating the relatedness and overlap of themes (Carter, et al., 2014). Figure 7 is a visual display of the triangulation, or convergence, of three sources of observation data, interview data, and questionnaire data.

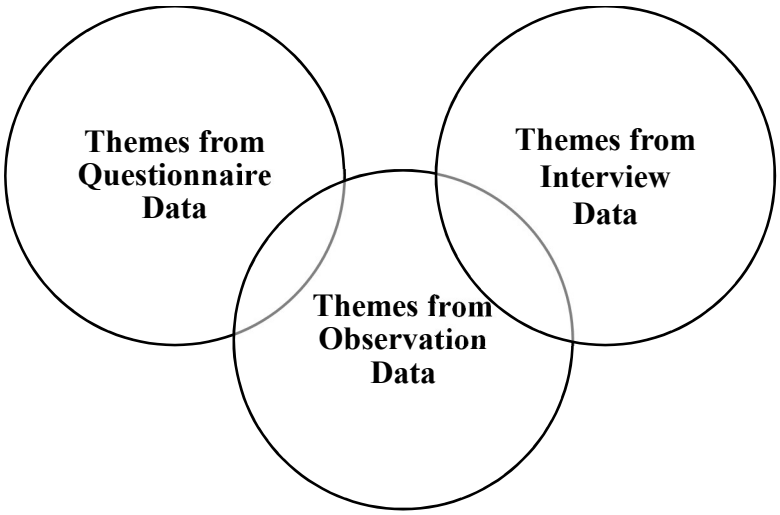

Figure 7. Circle Diagram of Triangulation of Data Sources

As the clustered themes converged, patterns were discerned. The data revealed that themes from each tenet of the conceptual framework and the three data sources overlapped or were related. For example, the theme concerning court proceedings and disturbances from the observation data converged with themes from the questionnaire data concerning explicit threats.

Furthermore, the themes from the conceptual tenet of *effects of insufficient funding* overlapped with themes from other tenets of the conceptual framework. For example, disparity in resources and lack of technological resources overlapped with themes concerning the lack of

personnel and lack of resources from the conceptual tenet of *funding to the judiciary*. The same triangulation procedure was repeated using all of the tenets of the conceptual framework and the three data sources.

Many of the themes stemming from the tenets of the conceptual framework exhibit undercurrents of safety concerns or safety reform. For instance, the triangulation process has demonstrated overlap in themes concerning safety, such as explicit threats, courtroom disturbances, and lack of personnel. Thus, triangulation has rendered the superordinate theme of safety concerns.

In addition to safety concerns, many of the clustered themes suggest barriers that impair the respondents' ability to perform judicial duties. Many of the respondents described how a large volume of work, lack of resources, and the lack of personnel increased their job duties and impeded the execution of their judicial roles. As a result, the triangulation of the themes produced the superordinate theme of constrained role.

Another recurring theme from the data is the state of technology, usage of technology, and improvement of technology within the Judicial Branch to mitigate security concerns and alleviate the constraint on judicial roles. Respondents thematically expressed technology in conjunction with the mitigation of safety concerns and the assistance of their judicial duties. However, some respondents have asserted that the technology is antiquated or not often utilized. Therefore, the superordinate theme of outdated and underutilized technology emerged. Figure 8 displays a list of the superordinate themes that were yielded via the triangulation process.

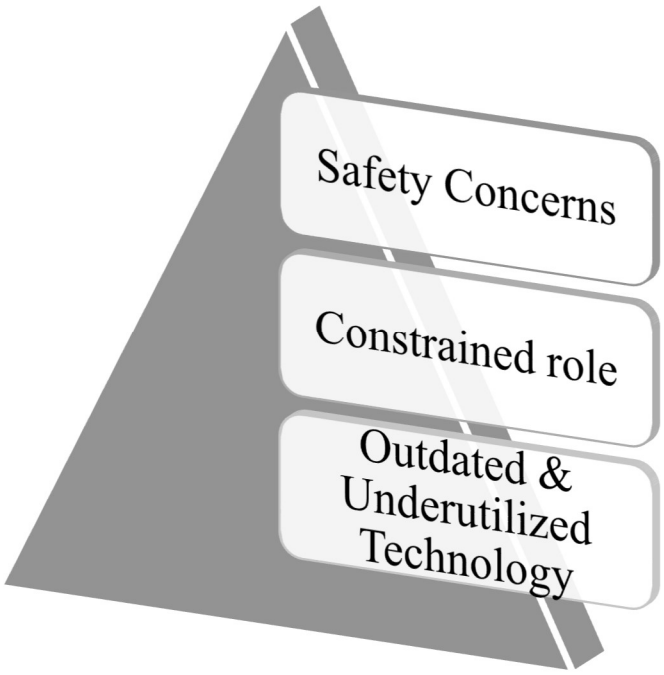

Figure 8. Superordinate Themes

The initial clustered themes were then assigned as subordinate themes to the superordinate theme with which they aligned. For example, if a clustered theme was associated with safety, such as explicit threats, it was assigned to the superordinate theme of safety concerns. Moreover, three data sources support the superordinate and subordinate themes that were revealed during the triangulation procedure.

The subordinate themes regarding safety concerns are the following: (1) explicit threats, (2) lack of personnel, (3) insufficient safety training, and (4) suggested improvements.

Figure 9 is a visual display of the superordinate and subordinate themes regarding safety concerns.

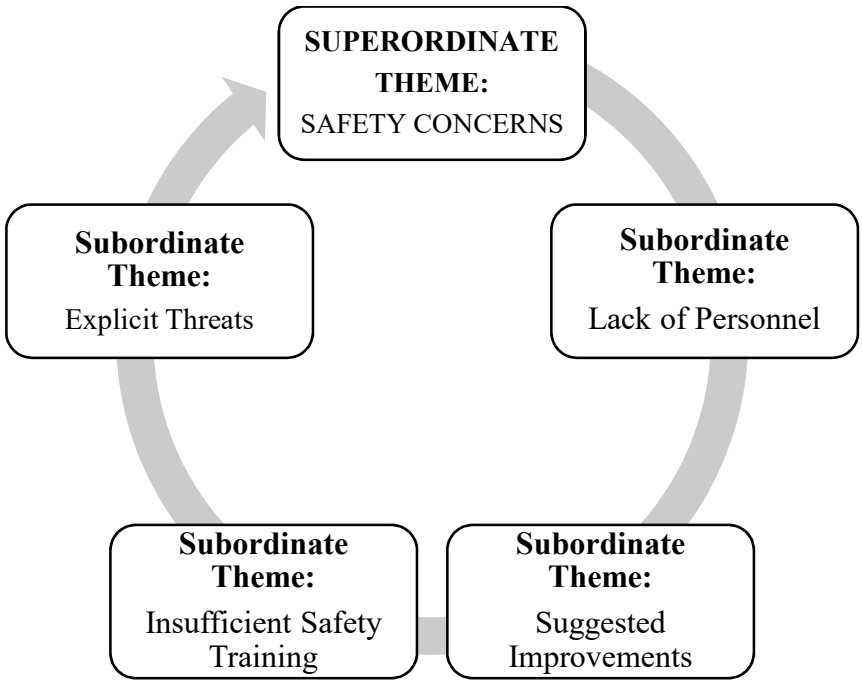

Figure 9. Safety Concerns: Superordinate and Subordinate Themes

The subordinate themes regarding constrained role are the following: (1) volume of work, (2) biased judgment, (3) insufficient safety training, and (4) suggested improvements.

Figure 10 is a visual display of the superordinate and subordinate themes regarding constrained role.

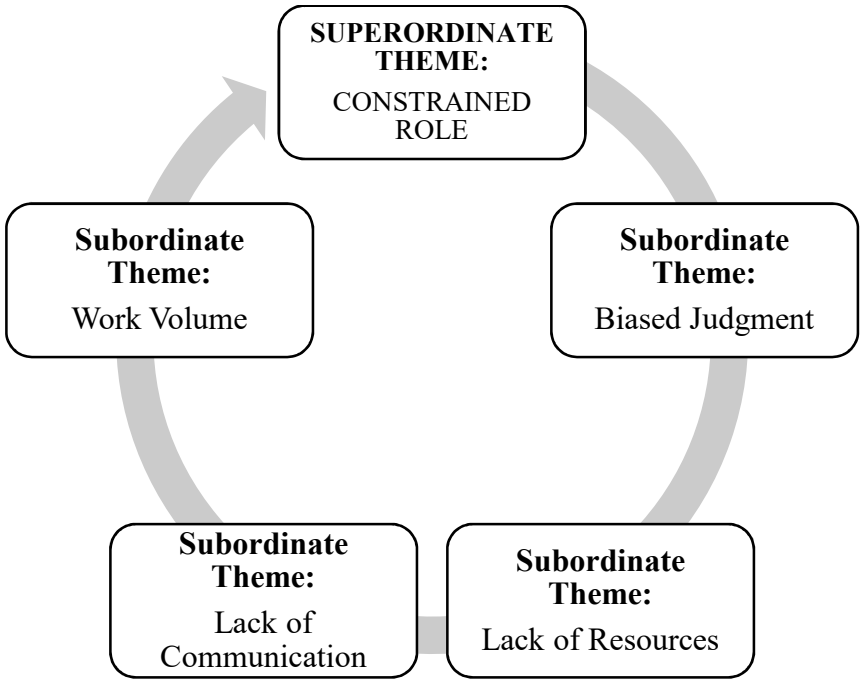

Figure 10. Constrained Role: Superordinate and Subordinate Themes

The subordinate themes regarding outdated and underutilized technology are the following: (1) computer and software and (2) technological improvements. Figure 11 illustrates the superordinate and subordinate themes regarding outdated and underutilized technology.

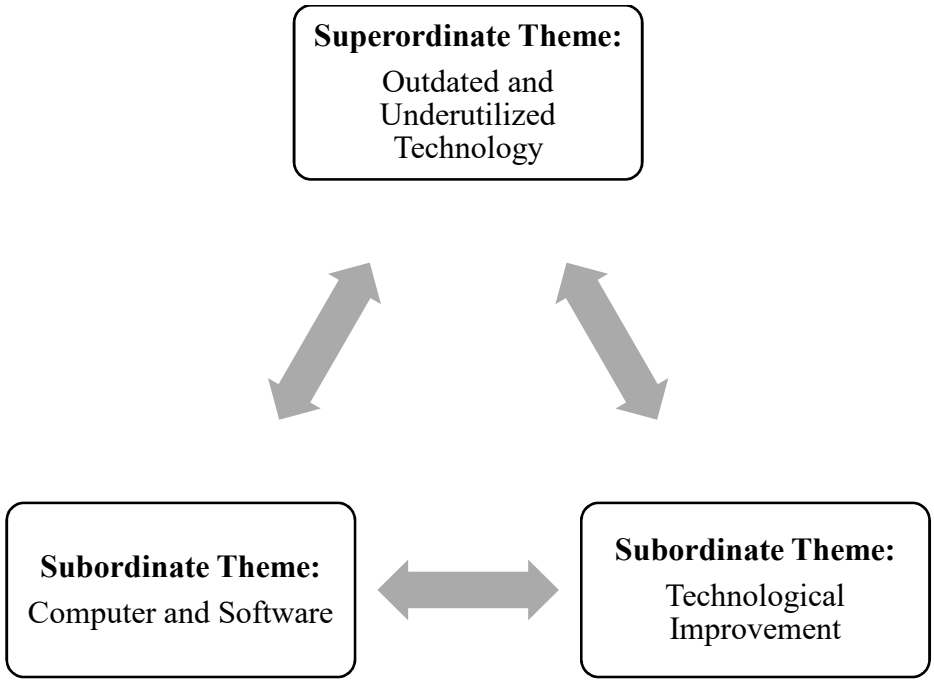

Figure 11. Outdated and Underutilized Technology: Superordinate and Subordinate Themes

Summary of Triangulation. This section discussed the following: (1) organizing themes into clusters, (2) detecting overlap of clustered themes, (3) extracting superordinate themes from the clusters, and (4) assigning subordinate themes to the superordinate themes. In order to demonstrate triangulation from a different perspective, a triangulation was conducted by utilizing data that are aligned with the superordinate themes.

Figure 12 displays the overlap of specific instances and circumstances derived from the observation data, interview data, and the questionnaire data. The first row describes the superordinate theme of safety concerns. The first block in the first row of the figure describes observed courtroom disruptions that may pose a safety concern. The second block describes examples of safety threats from the interview data, and the last block of row one describes threats to judges and litigants derived in the questionnaire data. The second row of the figure displays data from the observation, interview, and questionnaires concerning the superordinate

theme of constrained role and provides examples of circumstances that may impair a judge's ability to execute judicial duties. The third row of the figure displays data from the observation, interview, and questionnaire data concerning the superordinate theme of outdated and underutilized technology by providing examples of the judges' usage of technology and subpar technology to perform duties.

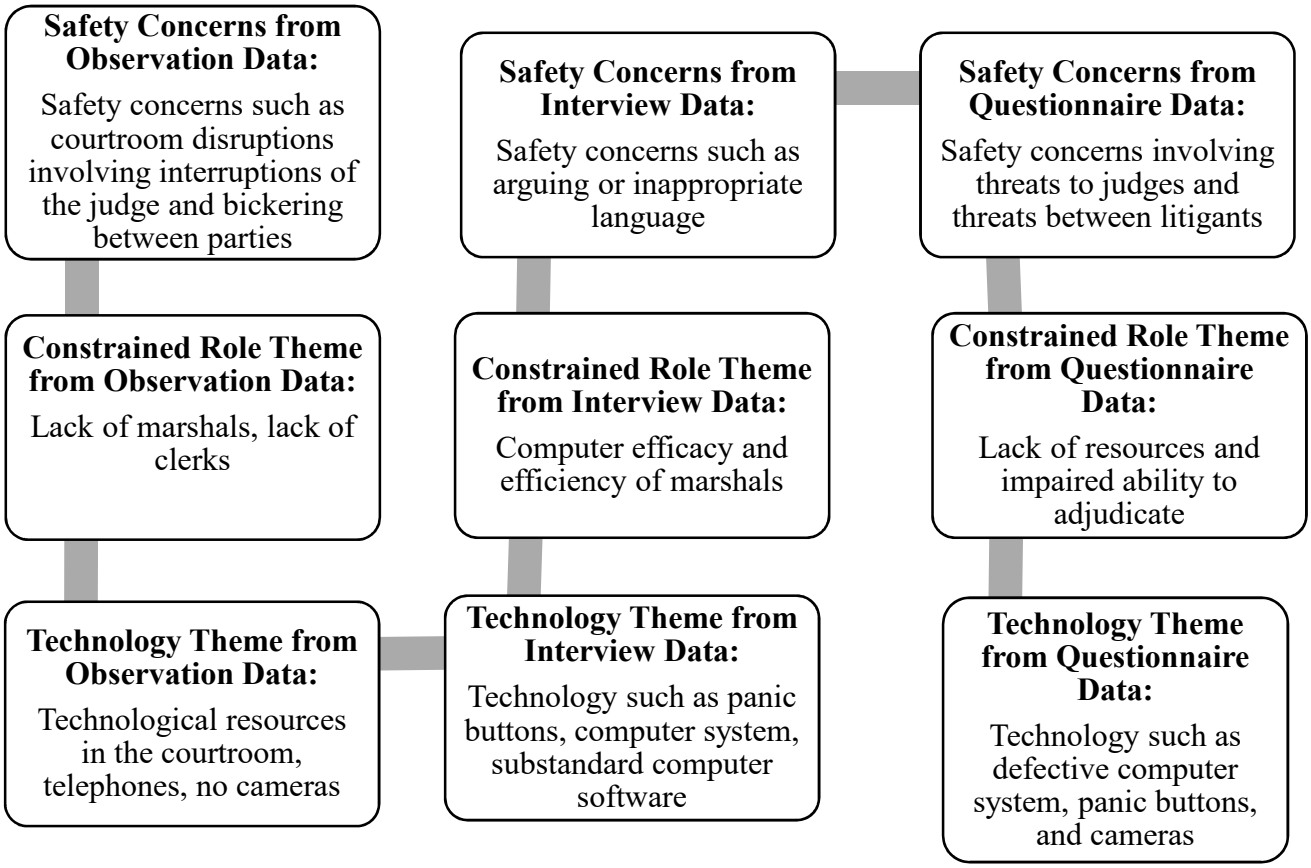

Figure 12. Triangulation of Data Sources and Themes

Description of the Findings

The data from the interview, questionnaires, and observations were used to unearth findings for this study. Yin describes the findings by asserting, "First the findings themselves should have tabular or narrative materials extracted from the case study database, in turn referring to specific documents, interviews, or observations" (Yin, 2018, p. 135).

A data analysis for this study was conducted in order to generate findings as a precursor to conclusions and implications for policy reform. "A case study researcher synthesizes the many disparate pieces of information acquired during the research process in order to identify and report meaningful findings" (Hancock & Algozzine, 2017, p. 67). After the synthesis of information, a case study researcher revisits the initial research questions to determine whether the question needs to be streamlined or whether the information supports the question (Hancock & Algozzine, 2017).

In this study, the data were analyzed, distilled, and triangulated into superordinate and subordinate themes. The data themes support the research questions and reveal findings for this study. Formulations of the findings were undergirded by the conceptual framework, data analysis, triangulation, and chain of evidence. The findings exhibit the underpinnings of the superordinate themes of safety concerns, constrained role, and technology.

Table 20 displays the findings for this case study.

Table 20

Case Study Findings

Numbered Findings	**Description of Findings**
Finding #1	Respondent judges feel less safe and more vulnerable in courtrooms with marginal security and diminished resources.
Finding #2	Respondent judges feel their ability to adjudicate is impaired by insufficient resources and personnel.
Finding #3	Courtrooms in superior court are fully staffed with marshals and court personnel, whereas small claims courtrooms have minimal or no personnel.

These findings illuminate the study's research questions by providing an insightful context to specific issues regarding the safety and operational impact of reduced funding and its effect on the administration of justice. Specific and concrete information regarding this research problem yields implications for policy development, recommendations, potential solutions, and reform.

The findings will be further discussed in Chapter 5 within the context of the empirical literature review, the law and policy review, and the theoretical framework of Mazzoni's Arena Model of Reform. Chapter 5 will also provide conclusions based on the findings.

Chain of Evidence

In order to illustrate a final, encapsulated chain of evidence for Chapter 4, the following table lists the steps that were conducted in the data collection and the data analysis.

Figure 13 displays the chain of evidence for this study. The chain of evidence displays a digest of the process and sources utilized for this study. The parallelograms display the three sources used to derive data in the study. The diamonds convey the superordinate themes, and the rounded rectangles list the subordinate themes. The final rectangular boxes display the actual findings for this study.

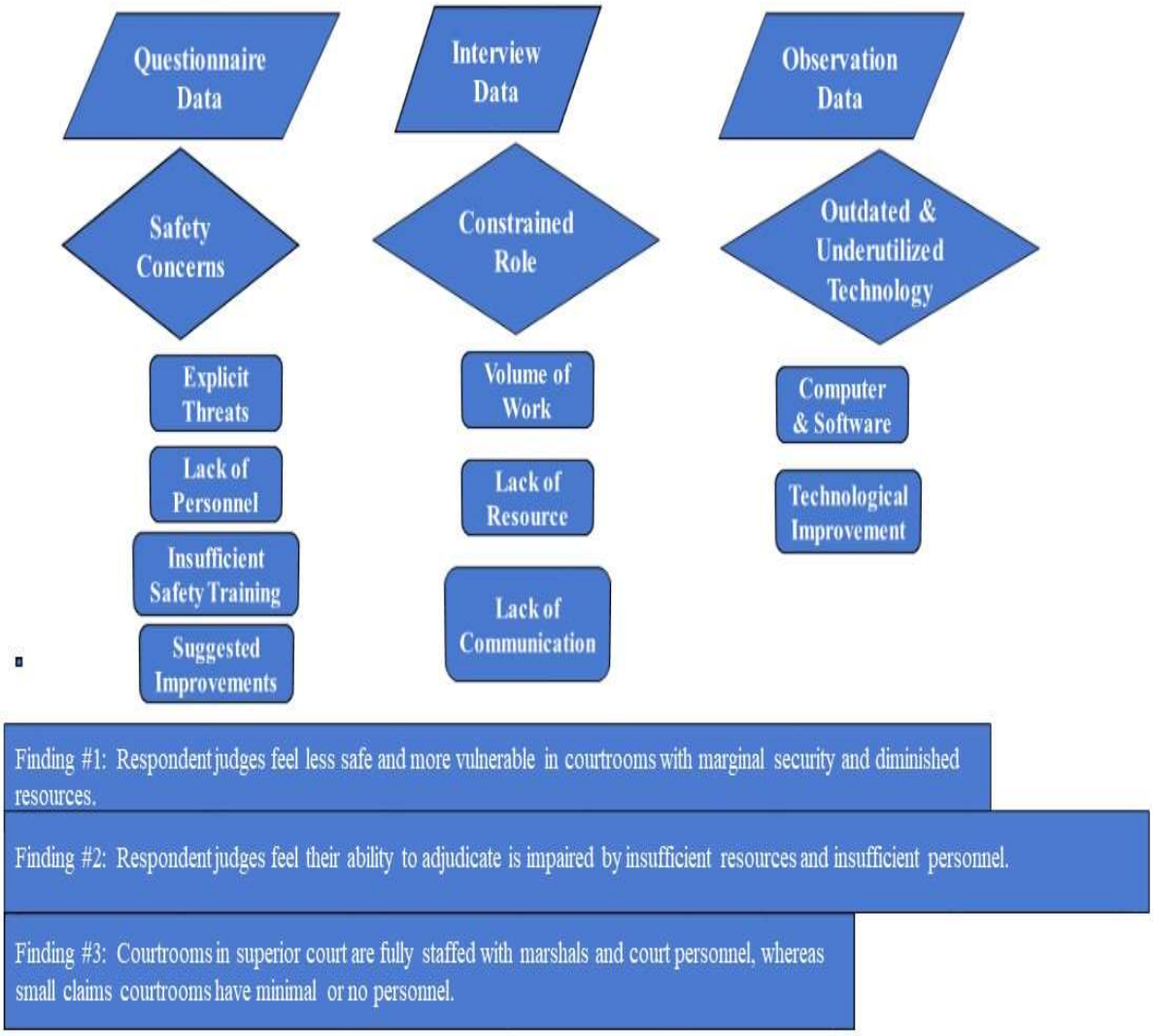

Figure 13. Visual Display of Chain of Evidence

Summary

Chapter 4 set forth the analysis of data from the following sources: observations, questionnaires, and an interview. The data were collected from a Connecticut superior court judge and several Connecticut judges of distinct jurisdiction, such as magistrates and a hearing officer. Once the data were collected, they were cleaned and prepared for coding. All data sources underwent first and second cycle coding as a means of condensing and organizing the data. From the second cycle codes, patterns and themes were detected. The emergent themes were analyzed and clustered in accordance with the conceptual framework of this study.

After the themes were organized, triangulation was conducted. The triangulation procedure demonstrated the overlap of themes from each tenet of the conceptual framework as well as the convergence of data sources. The triangulation process yielded three superordinate themes: (1) safety concerns, (2) constrained role, and (3) outdated and underutilized technology. The superordinate themes were aligned with subordinate themes. The themes, coupled with the conceptual framework, served as a foundation for crafting study findings.

The study's findings are the following: (1) respondent judges feel less safe and more vulnerable in courtrooms with marginal security and diminished resources, (2) respondent judges feel their ability to adjudicate is impaired by insufficient resources and personnel, and (3) courtrooms in superior court are fully staffed with marshals and court personnel, whereas small claims courtrooms have minimal or no personnel.

Chapter 5: Conclusions and Recommendations

Chapter 5 presents a discussion of the findings leading to a culmination of the study. In this chapter, the problem statement, research questions, and research purpose are reiterated. The qualitative methodology and research design are also encapsulated and presented. The study's findings are juxtaposed with the existing empirical literature to ascertain whether the study's data

have bridged gaps and contributed to the existing body of literature. The findings were also discussed in concert with this study's theoretical framework of reform. In alignment with the theoretical framework, the study's findings pointed to legal, constitutional, and policy implications for practice and additional research, as well as recommendations for practice.

Summary of the Study

Judges execute a critical role in society. They serve as stewards of justice and custodians of societal order. The U.S. Constitution has clearly defined judges' roles as interpreters of the law. When judges effectively apply the law, precedent is established, and common law is erected. Such a role advances justice in society and invokes lawfulness into the polis. Given the ordination of this important role, federal and state judges must be properly protected to execute their constitutionally prescribed duties. However, financial and bureaucratic challenges in Connecticut may threaten the proper execution of judges' duties. Specifically, judicial funding may jeopardize the effectuation of such assigned constitutional duties (Rogers, 2017).

Fiscal restraints and political challenges threaten the viability of a judge's role by limiting or reducing safety resources to the judiciary. A decrease in funding can reduce essential resources, posing an imminent threat to judges. A resource of particular concern is that of security and administrative support. The reductions of security measures and administrative resources provide gateways to courtroom violence, safety breaches, and impaired judgment. Thus, the purpose of this study is to examine the nexus between reduced state funding to judicial functions and its effect on the safety of judges and the administration of justice through the lived experiences of judges within the State of Connecticut Judicial Branch.

In investigating this problem, the following research questions directed the focus of this study:

1. What is the safety and operational impact of reduced funding to the judiciary and its effect on the administration of justice?
2. What administrative resources are required to sustain the functionality of a judiciary receiving reduced funding?
3. What cost-effective measures may be implemented to mitigate safety threats to judges within the Connecticut Judicial Branch?

As an initial step in answering the research question, an empirical, legal, and policy review was conducted, generating a foundational backdrop to the research issue.

The law and policy review set forth a legal and policy infrastructure for the laws and constitutional constructs that erect the judicial branch and underlie judicial policies. From the empirical literature review, a conceptual framework emerged. The conceptual framework consists of the following: (1) the role of the judiciary, (2) funding to the judiciary, and the (3) effects of insufficient funding to the judiciary.

After the conceptual framework was erected, a qualitative exploratory case study was selected because a case study approach is conducive to investigating the central phenomenon of the lived experiences of judges. A case study is used to analyze and describe a group of people, "a problem, (or several problems), process, phenomenon or event in a particular institution." (Starman, 2013, p. 30). A case study yields a descriptive analysis of a particular matter with the goal of identifying variables, structures, forms, and orders of interaction between the participants involved in the phenomenon or gauging the performance of work or progress in development (Starman, 2013).

Conversely, quantitative research is deemed as being weaker than qualitative research when it comes to precision. Furthermore, scholars have identified several advantages of case

study research as opposed to quantitative research. Qualitative research (1) yields a better potential for heightened conceptual validity, (2) possesses a solid process for developing new hypotheses, (3) and addresses causal complexity (Starman, 2013).

Questionnaire data, interview data, and observation data were utilized to obtain information from Connecticut judges regarding their perception of judicial safety and current working conditions. There were nine research participants for this study who served in some capacity as judges in Connecticut, including superior court judges, magistrates, and a hearing officer. The participants were from several counties throughout Connecticut, and the age range spanned from the early 40s to over 65 years old. There were four female participants and five male participants.

Thereafter, the questionnaire and interview data were collected, coded, and analyzed for themes. The themes from the three data sources were triangulated, and the findings from the data were unearthed. The findings were also cultivated in accordance with the conceptual framework of the study and underpinned by the study's theoretical framework of Mazzoni's Arena Model of Reform. Mazzoni's theory is applicable to institutions or systems requiring reform. In order to fully enact policy innovation, the Arena Model of Reform Theory also requires a paradigm shift in the subsets of people who effectuate such institutional reform.

Summary of the Research Results

Findings were cultivated to address the study's research question. The findings for this study are listed in Table 21.

Table 21

.Reported Findings

Numbered Findings	Description of Findings
Finding #1	Respondent judges feel less safe and more vulnerable in courtrooms with marginal security and diminished resources.
Finding #2	Respondent judges feel that their ability to adjudicate is impaired by insufficient resources and personnel.
Finding #3	Courtrooms in superior court are fully staffed with marshals and court personnel, whereas small claims courtrooms have no personnel.

Discussion of the Research Results

The findings and conclusions for this study will be interpreted and discussed in this section. Specifically, the findings will be situated within the literature review and law and policy review to denote any contributions to existing literature and to determine gaps in literary scholarship.

Discussion of Results in Relation to the Empirical Literature and Law and Policy Review

A law and policy review and an empirical literature review were conducted, setting forth the conceptual framework for this study. The tenets of the conceptual framework are the following: (1) the role of the judiciary, (2) funding to the judiciary, and (3) the effects of

insufficient judicial funding. The specific tenets of the conceptual framework address the study's problem and purpose.

Role of Judiciary

The first tenet of the conceptual framework is the *role of the judiciary.* The empirical literature review and the law and policy review for this study discussed themes concerning the judicial role and judicial functionality. The law and policy review described the role of the judiciary as grounded in constitutionality and defined the role of the judiciary as an interpretive arm of law and government.

The empirical literature review discussed the historical, bureaucratic, and sociopolitical underpinnings of the judiciary. For example, the empirical literature discussed the role of the judiciary from the vantage point of the public's perception of the judiciary. The public perception of the judiciary was empirically discussed because the judiciary's overall appearance is often influential in lawmaking and political microcosms. The law and policy review, coupled with the empirical literature review, underscored the importance of the judiciary and the role it upholds.

***Deficits in the Body of Literature*.** There are many references to gaps in the existing literature concerning the role of the judiciary. However, there was a fair amount of literature discussing security as a critical resource to ensure judicial safety. The literature gap is evident because the existing scholarship does not specifically describe concrete methods and practices that uphold the role of the judiciary. However, the focus of this qualitative study was to address that gap through exploring the lived experiences of judges in a state judiciary system. The study's data expounds upon security as a necessary resource by providing specific examples of

its critical necessity from judges who have directly experienced a need for security and resources in order to perform their role.

Addressing the Literature Gap. The data from this study address the literature gap by describing specific resources that assist safety and the functionality of the judiciary.

Proper Resources. In this study, the data specify that the role of the judiciary is upheld when judges are accorded the proper safety measures and resources in the courtroom. Specifically, Findings #1 and #2 of this study set forth the need for resources to sustain the role of the judiciary. Findings #1 and #2 denote that insufficient resources and insufficient personnel inhibit the role of the judges within this sample by impairing the respondents' ability to adjudicate. Finding #1 points to the discussion of Stephenson and Burbank found in the literature review. In the article "Judicial Independence, Judicial Accountability, and Interbranch Relations," Stephenson and Burbank discuss society's expectation of the judiciary's role but they point to the need for discussion of resources or elements that are inherent in such expectation. This study's data provide some insight into the resources that are needed for the judiciary to perform their role.

Some of the respondents pointed to the necessity of certain resources being provided to judges and how such resources helped to effectuate their duties. Other respondents described the absence of resources and declared how such absence impaired their ability to perform their judicial roles. In concert with Finding #1, all of the respondents believed that a marshal's presence in the courtroom is a necessary safety measure. Specifically, two of the respondents indicated that the presence of a marshal purports the appearance of security, even if the marshal is not present for the entirety of the court session. Such assertions by the study respondents

denote their perceived importance of presenting the appearance of order in the courtroom to assist judges in effectuating the role of the judiciary.

Appearance and Propriety. The data from the courtroom observations conducted for this study indicated that courtroom decorum, respect, and resources are elements of the courtroom setting that support the administration of judicial roles. This observation data aligns with the comment of one respondent: "The presence of courtroom personnel bolsters safety and courtroom organization because it provides the appearance of organization which might have a calming effect upon litigants and attorneys."

The notion of the appearance of propriety is also supported by other judicial mandates in a judge's profession. The Model Code of Judicial Conduct, a code of ethics for judges, specifically states that judges "shall not purport the appearance of impropriety" (Connecticut Commission on Judicial Ethics, 2018). Thus, the notion of appearance is critical to judges in executing the role of the judiciary.

***Disparity in Judicial Resources*.** Finding #3 describes possible inequitable distribution of judicial resources among judges. The data revealed a disparity in resource allocation between the superior court judges and judges of distinct jurisdiction. Eight out of nine respondents asserted that there are no clerks and marshals in the courtrooms. However, observation data and one interview revealed that the superior court judges are provided clerks, marshals, and court reporters. Specifically, there were seven observations conducted: five observations were conducted in superior court courtrooms and two observations were conducted in small claims courtrooms. The five observations in superior court revealed that the superior court judges were provided with clerks, marshals, and court reporters. The two observations in

the small claims courtrooms revealed that the magistrates are not provided with clerks, marshals, or court reporters.

With magistrates and hearing officers receiving fewer or no resources in comparison to superior court judges, the role of the judiciary may become compromised for judges receiving marginal resources. For example, Douglas and Hartley (2003) discussed the need for appropriate funding in order to maintain an efficient judiciary. Saporti and Streb (2008), expand the assertions of Douglas and Hartley by indicating that appropriate resources are needed to maintain the judiciary and that the legislature makes decisions regarding the assignment of such resources by its appropriation of funding to the Judicial Branch. Thus, the data unearthed a possible resource disparity between the superior court judges and judges of distinct jurisdiction, posing a potential compromise to the role of the judiciary. Furthermore, the data addressed a literature gap because resource disparity between different groups of judges was not addressed in the literature review. The data from this study contributes to the existing literature regarding the role of the judiciary by providing concrete examples of the needs of the judiciary in this case study, and what specific issues may compromise their role.

Funding to the Judiciary

The second literature review theme concerns funding to the judiciary. The literature discussed instances of reduced funding to judiciaries throughout the country and the various reasons for funding reduction. However, the body of literature speaks of judicial funding from a peripheral and administrative aspect by providing a portrait of the bureaucratic, legislative, and political involvement in judicial funding.

Deficit in the Empirical Literature. The literature fails to cite specific instances and resources that are often inherent to the provision of judicial funding. Essentially, the literature

lacks the personal and specific outcomes of differential funding to the judiciary. For example, in the article "Separation of Powers and Political Budget Cycles," Saporti and Streb (2008) discussed how politics affect judicial funding. In their discussion, they explained how the allotment of funding to judicial functions is politically fueled. However, the article did not address the actual outcome of politically fueled funding to specific judiciaries, especially as it pertained to specific resources.

The importance of adequate funding to the judiciary is evidenced by the respondents' need for various courtroom resources. The need for adequate funding is specifically addressed in Findings #1–3, which denotes the insufficient resources and insufficient personnel that constrain the role of the respondents. Findings #1-3 signal how insufficient resources adversely affect the administration of justice by impairing some of the respondents' ability to adjudicate.

In the article "The Politics of Court Budgeting in the States: Is Judicial Independence Threatened by the Budgetary Process?" the discussion signals the need for proper resources to maintain efficiency. Authors Douglas and Hartley (2003), discussed how the judiciary may be protected from political and fiscal maneuvering by maintaining an efficient administration. However, the article does not cite specific examples of the resources needed to maintain efficacy. The study's data address the discussion of Douglas and Hartley by pointing to specific resources that may address the need for efficient administration.

Addressing the Literature Gap. This case study's findings assist in bridging the gap between the bureaucracy of judicial funding and the outcome of reduced funding. Specifically, the study's findings elucidate the resources needed from judicial funding and the critical nature of such resources.

In response to queries regarding the budget cuts to the judiciary, the respondents cited specific examples concerning the reduction or elimination of personnel and certain resources. The respondents also indicated the necessity for specific personnel and resources. For example, the respondents unanimously indicated that marshals are a necessary component of courtroom safety and courtroom order. Another critical resource, cited by the respondents in the case study, is the presence of a clerk in the courtroom. The majority of the respondents asserted the need for a clerk in the courtroom to assist with exhibits, files, and docket management. The respondents also indicated that clerks help to maintain courtroom decorum and provide a barrier between the litigants and the judge. As one of the respondents explained, a clerk can serve as a witness for occasions when a litigant files a complaint against a judge. If the litigant's complaint is unwarranted or retaliatory, the clerk can serve as an extra defense from unjust complaints from litigants.

The importance of adequate funding to the judiciary is evidenced by the respondents' needs for various courtroom resources. The underfunding of the judiciary may prohibit the usages of critical personnel and resources, which may constrain the role of judges and may impair the ability to adjudicate. The impaired ability to adjudicate will be further discussed in the forthcoming section concerning the effects of insufficient funding to judicial functions.

Effects of Insufficient Funding

The body of empirical literature describing the effects of insufficient funding to the judiciary primarily described an array of courtroom violence; the literature was rather comprehensive concerning safety breaches, courtroom violence, and assaults on judges. In the discussion of courtroom violence, the literature was bifurcated into domestic courtroom violence within the United States and global courtroom violence. The ubiquity of courtroom violence in

the United States and throughout the world yields greater understanding that courts may be catalysts for paroxysms and violence, especially when the parties involved are already agitated and hostile. For example, in Connecticut, there is a history of violence and courtroom disturbances. In 2005, Connecticut's chief justice stated, "Over the past several months, we have seen situations of violence involving the courts in jurisdictions throughout the country," (Yardley & Salzman, 2005, p. 2). In response, Connecticut's chief court administrator, Judge Joseph Pellegrino, lamented, "Unfortunately, Connecticut is now on that list" (Yardley & Salzman, 2005, p. 2). Judge Pellegrino's statements were in reaction to a tragedy that occurred prior to a hearing in divorce court in Middletown, Connecticut. A retired state trooper shot and killed his estranged wife, shot and wounded his wife's lawyer, and then fatally shot himself (Yardley & Salzman, 2005).

The literature also discusses court violence overseas. Court violence in the United Kingdom has increased by more than one-fourth (Cash, 2014). Additionally, there were 170 aggressive contact or assault cases throughout England, Scotland, and Wales (Cash, 2014).

This study's data parallel the existing literature from the standpoint of imminent threats of violence or courtroom outbreaks. Specifically, the data evinces a paramount problem that is illuminated by the findings. Finding #1 indicates that the respondents feel less safe and more vulnerable in the courtroom with marginal security and diminished resources. The respondents' data clearly communicate that safety is a priority and a concern.

Eight out of nine respondents expressed that they felt less safe due to insufficient funding and inadequate safety mechanisms. Such a common concern points to the importance of safety and the resources that ensure safety. For example, all respondents asserted that a marshal should always be present in the courtroom. However, the troubling reality is that marshals are no longer

present in eight out of nine of the respondents' courtrooms. Consequently, the data revealed that the absence of a marshal allows for threats, safety breaches, and vulnerability among judges. As such, the majority of the respondents in this case study feel unsafe.

Bias in Adjudication

A startling revelation from the data that was not addressed in the literature review is that three respondents claimed that the current working conditions in the courthouses fostered biased adjudication. The data did not reveal the respondent's inherent predisposition for bias, but the respondents' resultant bias due to the subpar resources in courtrooms often devoid of security. Although this data finding was only based on three respondents, it signals the need to further research the impact of judicial safety concerns on adjudication.

The notion of bias often presents complexities in its understanding and its manifestations. Bias, or implicit bias, "refers to the attitudes or stereotypes that affect our understanding, actions, and decisions in an unconscious manner. These implicit biases, which encompass both favorable and unfavorable assessments, are activated involuntarily and without an individual's awareness or intentional control (Kang, Bennett, Carbado, Casey, Dasgupta, Faigman & Godsil, 2015). Over time, an individual's brain learns how to discern patterns or schemas as a means of helping the brain organize the vast stimuli it encounters (Casey, Warren, Cheesman & Elek, 2009). However, such neurological processing becomes problematic when the brain learns to associate certain groups of people with specific characteristics that are inaccurate, stereotypical, or unrepresentative of the group (Casey et al., 2009).

Bias manifests in various ways. For example, bias may be exhibited in the handling of one's professional duties. Judges may be affected by bias while pondering a decision or interacting with litigants. In the article "Addressing Implicit Bias in the Courts," the authors

assert that judges are susceptible to implicit biases (Casey et al., 2009). There is increasing evidence that implicit associations may bias a judge's decisions. Such implicit bias becomes problematic if a judge lacks awareness of bias and if a judge's unbridled bias is leading to partiality in adjudication. The literature denotes the reality of implicit bias as a natural, physiological occurrence influenced by experience (Casey et al., 2009). This study's data expand this discussion by indicating that threatening and subversive working conditions foment the amplification of judicial bias. Amplified bias is inappropriate in the courtroom and in the judicial process.

Addressing the Literature Gap. The data from this study are aligned with the literature concerning the safety impact of insufficient funding. The data convey courtroom threats to judges, threats to other litigants, arguing, and disruption. However, the data expand beyond safety concerns and extend beyond the literature. This study's data reveal other potential issues that arise as a result of insufficient funding to judicial functions, including, but not limited to, impaired judgment, excessive workload, insufficient time to complete docket, and scheduling challenges. These effects of judicial underfunding not only affect safety, but the administration of justice.

Discussion of Results in Relation to the Theoretical Framework

The theoretical framework for this study is Mazzoni's Second Arena Model of Reform, and this study's findings are discussed here within this framework. Although Mazzoni's theory was piloted within educational systems, it pertained to systemic reform (Mazzoni, 1991). The goals for the Arena Model of Reform are described by its implementation in an Ohio educational system: "Ohio's innovative education reform was defined, initiated, formulated, and pushed through the legislature by various high-ranking state and national leaders" (Fowler, 2006, p.47).

The findings in this study signal the immediate need for reform within the Connecticut judicial system. In congruence with Ohio's incorporation of the Arena Model of Reform in its education system, change in the Connecticut legal system will also require the assistance of state leaders. The policies regarding judicial reform need to be cultivated and advanced by legislative support. Corrective change of a systemic problem will require legislative action to enact new laws or policies.

While the literature has not revealed direct critics of Mazzoni's theoretical framework, late professor Tim Mazzoni became critical of his own initial theory. Mazzoni's Arena Model of Reform has two models (Fowler, 2006). The first arena model involved generating change through pressure from the public (Mazzoni, 1991). However, that paradigm did not yield the intended results. Thus, Mazzoni developed a second arena model that involved seeking assistance from key leaders in policy innovation to high-ranking state and national leaders (Fowler, 2006).

Due to the need for institutional reform, the systemic problem within Connecticut's judicial system adheres to Mazzoni's theoretical framework. However, Mazzoni's theory addresses another issue beyond Connecticut's need to reform. Mazzoni's Second Arena Model of Reform also sets forth the mode in which to effectuate such reformation. Mazzoni's Second Arena Model declares the need for partnership and alignment with state leaders to institute reform.

The trajectory provided by Mazzoni's second arena model is also supported by literature. In the literature review of this study, Stephenson (2004) and Burbank (2008) warned against the judicial branch's reliance on the public for political influence and support. Furthermore, Douglas and Hartley (2003) described the critical role the legislature plays in the appropriation of funding

to government branches (Douglas & Hartley, 2003). Thus, the arguments of Douglas and Hartley are in concert with Mazzoni's second arena model, which declares the enlistment of high-ranking leaders, such as legislators, to effectuate desired reform.

Instituting this study's findings into Mazzoni's theoretical framework requires a two-phase process. The first phase involves the following: (1) reviewing and analyzing the findings, (2) placing the findings within the context of institutional reform, and (3) prioritizing and strategizing solutions. The second phase involves (1) developing relationships with the legislature, or (2) hiring a lobbyist to garner legislative support for issues that require reform. Therefore, the issue of systemic reform within the Connecticut Judicial Branch must undergo a paradigm shift of the macro and micro arenas. The reform may commence with support and influence regarding the public's perceptions, feelings, and concerns about safety and efficiency in the courthouses. However, once public influence or support has been generated, the agenda for reform must shift to a micro arena of state leaders and legislators to help effectuate reform.

Limitations of the Study and Impact on Results

At the outset of the study, various study limitations were anticipated. At the conclusion of this study, a specific limitation was evident. Many of the judges who were invited to participate did not respond, refused, or forged limits on their participation. For example, one research participant refused to complete the questionnaire or sign the informed consent. With such limitations, the case study sampling was smaller than desired due to the resistance or hesitance of potential participants.

Notwithstanding the foregoing, the data received is comprehensive and the sampling size is in alignment with the qualitative case study methodology employed in this study. As a result, introspective findings were revealed in the study's data. However, given these limitations, the

findings of this study cannot be generalized to proposing recommendations needed to support broad reform. The findings point to the need for further research that may support reformative action.

Summary of the Findings and Conclusions

The discussion of the findings, as situated within the conceptual framework and the theoretical framework, cultivates the findings into conclusions. The findings and corresponding conclusions are listed in Table 22.

Table 22

Findings and Conclusions

Findings	Conclusions
Finding #1: Respondent judges feel less safe and more vulnerable in courtrooms with marginal security and diminished resources.	**Conclusion #1:** Reduced funding to the Connecticut judiciary has negatively impacted the experiences of the respondents and their perceptions of judicial safety in the Connecticut judicial system.
Finding #2: Respondent judges feel their ability to adjudicate is impaired by insufficient resources and personnel.	**Conclusion #2:** Insufficient judicial resources in the State of Connecticut Judicial Branch may pose an adverse effect on the respondents' abilities to perform judicial duties.
Finding #3: Courtrooms in superior court are fully staffed with marshals and court personnel, whereas small claims courtrooms have no personnel.	**Conclusion #3:** A disparity may exist between the resources allocated to superior court judges and judges of distinct jurisdiction.

Implications of the Research Findings for Practice

The Connecticut legal system, like systems in other states in the U.S., was designed to infuse order into society by providing a regulatory mechanism that would enforce such order at the state level. As a societal resource, the legal system, by way of the courts, must be accessible to the polis. However, this case study of the lived experiences of judges working within Connecticut's judicial system has underscored issues prohibiting stakeholders and the public from attaining full access to an instrumentality that was designed for public accessibility and

usage. This study's data suggests that the legal system may be embroiled in peril, impairment, and fear.

Historical Influences

In *The Federalist Papers*, James Madison's account of government and society portrayed an envisioning of a legal system rooted in democracy and accessibility (Hamilton, Madison & Jay et al., 2015). Since colonial times, there have been various iterations of the legal system, court system, or criminal justice system ("U.S. Criminal Justice," n.d.). During the colonial era, colonists were subjected to the laws and rules of the British monarchical government, resulting in laws and punishments that were often deemed as unjust (" U.S. Criminal Justice," n.d.). However, by the end of the seventeenth century, William Penn, the founder of the Province of Pennsylvania, began to promote and effectuate positive reform in the legal system ("U.S. Criminal Justice," n.d.). Penn often applied democratic principles to the development of the legal system; such principles were a source of inspiration for the U.S. Constitution ("Brief History of William Penn," n.d.). After the Revolutionary War, the Constitution declared rights and freedoms designed to supersede the systemic ills of the colonial legal system ("U.S. Criminal Justice," n.d.).

Implications for Connecticut Practice

Since the colonial era, the legal system has been developed and bred, often in accordance with the state in which the system is situated. In Connecticut, the history of Connecticut courts (See Chapter 1) denotes a court system that was implemented to parallel progression and justice in Connecticut. However, the question remains of whether the legal system in Connecticut employs the democratic principles and the freedoms promulgated by the Constitution. Another

question may be pondered as to whether the safety concerns and constraints articulated by the respondents imply that these democratic principles are being compromised.

However, the restraint on the judiciary is not the only critical issue. The underfunding of the judiciary and the reduction in resources have cultivated a judicial environment that quells safety and encroaches upon the administration of justice. Such a compromised environment not only has the potential of affecting judges, but it also potentially affects the stakeholders and the public.

Implications for Stakeholders. The primary stakeholders in the judicial system are the following: judges, magistrates, trial referees, hearing officers, mediators, courtroom clerks, courthouse clerks, marshals, attorneys, and litigants. The perpetuity of a compromised courthouse may lead to a decline in the overall accessibility of the legal system. Potential litigants may avoid courts when they encounter a legal issue that should be adjudicated by the court. As a result, the potential litigant, or the public, is indirectly denied due process under the Fifth Amendment because the court does not offer accessibility or safety. As an extension of public avoidance of the courts, some potential litigants may independently deal with legal matters by resorting to vigilantism, crime, or inappropriate conduct. Such an approach is cyclical because the described actions may ironically lead the litigants who attempted to avoid court, into court under compulsion for unlawful behavior.

For attorneys, an embroiled court system may adjust their practice. Attorneys may attempt to strategize cases differently and avoid filing motions or pleadings that require oral arguments in courts. Attorneys may more frequently elect to engage in mediation or entertain conciliatory measures.

With the reduction in funding and resources to the judiciary, there is also a decrease in staffing, such as clerks, mediators, and other personnel. A reduction in personnel may generate more errors in file processing or other related matters, resulting in a disservice to the public. The courts may even be less accessible because the public may experience difficulty contacting the court and speaking to someone who may be able to assist or answer questions. Moreover, a backlog of cases may accrue, leading to litigants and attorneys waiting for long periods of time in courthouses. Lengthy wait times may also elicit more safety breaches in the courthouse and courtrooms. For example, the respondents' data convey that the public's tone and behavior in the courtroom or courthouse exhibit an undercurrent of volatility paired with obvious agitation. The observation data indicate that court is not a setting where litigants desire to be. Thus, the litigants' demeanor and behavior may serve as precursors to eruption in the courtroom. As a result, inadequate staff may further fuel the existing problem of breached safety in the courthouse.

Additional Implications for Judges. The study's data points to implications of reduced funding and diminished resources as it pertains to judges. Several of the respondents have been explicitly threatened, and others have experienced safety challenges or breaches. With significantly less access to marshals, the question arises of whether judges should develop their own safety measures to protect themselves. In 2018, the Connecticut marshals were provided bulletproof vests. The issue may be pondered as to whether judges should be provided bulletproof vests or compelled to wear them. In a 2014 survey by the National Judicial College, a judge admitted, "I now carry an easily accessible handgun with me at all times" (Maccar, 2017, p.1).

There is also the broader issue concerning the nexus between the judges and the litigants. How does the reduction in resources affect a judge's ability to adjudicate? From the respondents' data, eight out of nine respondents experienced some type of impairment in the ability to adjudicate. Impaired adjudication stemmed from a judge's inability to properly adjudicate due to safety concerns or insufficient resources. For example, one of the respondents indicated that he would rush or truncate trials because he had a lengthy docket and inadequate time to finish. The difficulty in completing the docket also stemmed from the lack of courtroom assistance from the clerk.

Other respondents indicated that trials were truncated due to safety concerns. For example, one respondent indicated that a trial was truncated because the litigants were "agitated or in a litigious mood." Another respondent indicated that she rushed a trial because of the aggressive and menacing behavior of the parties.

Whether impaired judgment stems from safety concerns or inadequate resources, the issue remains that a judge's inability to effectively adjudicate directly impacts the administration of justice. The administration of justice impacts the other stakeholders, the litigants, and the integrity of the judicial system.

A specific category of impaired judgment involves implicit bias. As discussed in the previous section, implicit bias is fostered when working in precarious environments. The judicial system, especially the criminal justice system, has a long history of bias, especially racial bias being administered in a court of law.

Racial Bias. Researchers and scientists have indicated that the majority of implicit bias is funneled into racial bias, resulting in racial bias being studied as a separate subset (Richardson, 2016). For example, the Implicit Association Test (IAT), an assessment used to detect implicit

bias, was administered to a group of judges from three judicial districts. The results of the IAT conveyed that, "Consistent with the general population, the White judges showed strong implicit attitudes favoring Whites over Blacks" (Kang, Bennett, Carbado, Casey, Dasgupta, Faigman, Godsil, Greenwald, Levinson & Mnookin, 2012, p. 1146). The survey "found a strong white preference on the IAT among white judges" (Casey et al., 2009).

Racial bias may be a natural occurrence embodied within the human experience (Casey et al., 2009). However, it is imperative that bias is constrained, especially within the courtroom. If there is a lack of awareness of racial bias, the courtroom may become a cauldron of racial conflict. Racial bias may also be incited by extenuating factors in the courtroom such as a lack of security, lengthy docket, agitation of the litigants, and distraction. As a study respondent commented, "Doing a clerk's job and running the court seems to distract from the litigants. This is unfair to both parties."

In Connecticut, racial bias is of concern because the observation data exposed a large number of minorities in court, especially for the criminal docket. The minority presence in the courtroom is incongruent to the racial composition of Connecticut ("Demographic Statistics for Connecticut," n.d.). Therefore, racial bias may be magnified within courtroom environments where there are safety threats and paltry resources.

The lack of courtroom security and resources presents a courtroom environment that is antithetical to suppressing or controlling implicit bias or racial bias. The intersection of the respondents' data with the empirical literature indicates a potential for implicit and racial bias in the courtroom. Moreover, the same coupling of data and literature also indicates an increase in racial bias. Although only three study respondents indicated that their judgment became biased

due to diminished courtroom security and resources, the issue of implicit bias and racial bias in the courtroom warrants further research.

Implications of a Case Study. A case study concerning the constrained roles of judges may be deemed as a microcosm to the broad infrastructure of the legal system, court system, and criminal justice system in Connecticut. However, as a primary actor, a judge's safety and ability to adjudicate is a critical and primary functionality of the legal system. Therefore, if there is dysfunction within the judiciary, such dysfunction pervades the entire system, directly affecting stakeholders. Although a case study on judges may be deemed to affect a small portion of the legal system, the study may signal a systemic problem that warrants further research and action.

Implications of the Research Findings for Future Research

From the vantage point of judges, this study examined reduced judicial funding and its impact on resources to judges. However, the observation data provided a host of other actors and stakeholders involved in the legal system. Additional research could be conducted to determine the lived experiences of some of the other stakeholders in the legal system, such as court personnel. For instance, court clerks are continually in direct contact with litigants. The questions arise of whether such direct contact is safe and whether the clerk's role and outlook has significantly changed since the reduction in funding to the Connecticut Judicial Branch.

Another implication for future research involves the experience of litigants because they fuel the legal system and are representatives of the polis. Factors to be considered include the litigant's perspective, whether the litigant experienced fair and impartial treatment, and what aspects of the court system should be improved from the vantage point of a litigant or the general public.

Another means of furthering this research is to craft a case study with a larger data sampling. In order to garner a larger sampling, a heightened level of assurance will be implemented to ensure the judges' answers will remain strictly confidential. Moreover, the increased data sampling could be comprised of a more diversified population that included an increased number of superior court judges, appellate judges, state supreme court justices, probate judges, and other related adjudicators.

A similar case study could be conducted in other states, or in entire regions, such as New England. The case study could also be fashioned as a comparative study of two or more states to identify statistics of safety breaches, detect local factors that may influence the court statistics, and develop statewide solutions. Similar research may also burgeon into a quantitative study to determine if there is a parallel between reduced judicial funding and the rate of safety breaches within the judicial system.

The data also communicated a potential for biased adjudication when administrative resources are lacking or when there is minimal or no security. Thus, this issue warrants further research to draw any parallels or constructs between biased adjudication and limited resources, and to determine the potential frequency of this issue.

Recommendations

While the duty to protect judges is a constitutional mandate, there are actions that judges and the judicial administration may take to ensure safety and justice in the courtroom. As discussed in the literature review, the judicial branch is interconnected to the other branches of government, and there are political underpinnings involved in funding and support. For example, the article "The Independent Judiciary in an Interest Group Perspective" discusses the nexus

between the judicial branch and the legislative branch and how the usage of interest groups and lobbyists catalyze action (Landes & Posner, 1975).

The forthcoming section will propose recommendations to two different groups of stakeholders. The first set of recommendations is directed to judges, judicial representatives, or judicial actors, such as court personnel. The second set of recommendations is directed to the administrative operations of the Connecticut Judicial Branch.

Recommendations for Judicial Actors

The following subsections describe recommended actions for judicial actors, including superior court judges, judges of distinct jurisdiction, and court personnel. In summary, the recommendations discussed below include the following: (1) utilizing advocacy groups, (2) lobbying, (3) conducting legislative monitoring, (4) testifying before the state legislature, and (5) proposing an amendment to an existing bill.

Advocacy Groups. Since budget appropriation is at the behest of the legislature, it is advantageous for judicial advocacy groups to form partnerships with the state legislature. However, some judges are unable to directly form partnerships with state representatives and state legislators due to ethical strictures. As a result, the formation of advocacy groups may address this ethical constraint. One advocacy group is the Connecticut Judges Association which is a government sector lobbying organization that advocates for the interests of superior court judges, appellate judges, and justices (Ballotpedia, 2019). The Connecticut Magistrates Association is another advocacy group that champions the rights and interests of magistrates concerning fair compensation, work volume, hours, and other related issues.

The Connecticut Magistrates Association has realized success in its efforts. In 2013, the Connecticut Magistrates Association was instrumental in obtaining a pay increase for its

magistrates by garnering support from state senators to propose a bill for increased compensation. Former Senator, Joseph Crisco, Jr., of Woodbridge, Connecticut, proposed Senate Bill 8 (2013) entitled, "An Act Increasing the Per Diem Compensation of Small Claims and Department of Motor Vehicle Magistrates" (S.8, 2013). After the bill was raised, the Connecticut Magistrates Association provided testimony to support the bill. Senate Bill 8 passed, and the magistrates received a pay increase.

.**Lobbying.** In order to effectively and appropriately catalyze action and reform, stakeholders and advocacy groups often employ lobbyists. For example, the Connecticut Magistrates Association has garnered support for its initiatives by employing a lobbyist. The Connecticut Judges Association also utilizes a lobbyist to champion fair compensation, benefits, and other such rights on behalf of the superior court judges.

A lobbyist can serve as a conduit between the Connecticut General Assembly and the judges or related judicial actors. A lobbyist's experience and knowledge of the political and legislative process may serve as an optimal resource for generating legislative action and garnering support.

Legislative Monitoring. As a tripartite government, the three branches of government execute distinct roles while possessing a circular relationship. The legislative branch of Connecticut's government allocates funding to the judicial branch. The nexus between the legislative and judicial branch should be considered when seeking solutions to problems within the judicial branch.

Given the legislative nexus to the judiciary, judicial actors should monitor legislative activity and engage in the lawmaking process by presenting testimony, proposing a bill, or drafting a bill amendment. In order to monitor legislative activity in Connecticut, the public can

log onto www.cga.gov to track a bill. Once the website is accessed, the public may click on *Resources* and then go to the *Bill Tracking* webpage. Moreover, judicial actors, advocacy groups, or lobbyists may construct an alert system to provide notice of new bills or amendments.

Testifying. As a result of active legislative monitoring, judicial stakeholders are informed of the status of bills and may devise a strategy to champion or oppose a bill. A judge or judicial advocacy group may submit written testimony to the joint House and Senate Committee concerning pending legislation or a bill proposal. After written testimony is submitted, there is an opportunity to testify in front of the Joint Committee.

Propose Amendment to Existing Bill. There may be an existing bill for which judges or other judicial actors desire to support. As a strategy, judges may propose an amendment or addition to an existing bill. Such a strategy may be efficacious because there is already existing support from the original drafters of the bill concerning the issue. Thus, the judges or judicial actors will serve as another means of support.

Policy Recommendations for Connecticut Judicial Branch or Judicial Administration

The following subsections describe recommended policies or actions directed to the Connecticut Judicial Branch and Connecticut Court Operations. The recommendations are the following: (1) mandated review; (2) enhancement of existing security, (3) increased safety and efficacy training; (4) development of a task force; (5) online dispute resolution; and (6) technology.

Mandated Review. In working with the legislature to initiate reform, judicial representatives should request a review of judicial work environments. Legislators should mandate a periodic review of courtroom security, courtroom dynamics, and courtroom resources by the Judicial Branch. For example, the Judicial Branch should address the inequitable

distribution of judicial resources. The resource disparity between superior court judges and judges of distinct jurisdiction needs to be reviewed by Connecticut's Judicial Branch to develop a homeostasis in resource provision.

Enhancement of Existing Security. While this study has revealed that courthouse security may be deficient, the data expressed the respondents' concerns regarding the existent security measures. For example, one respondent indicated that the marshals should be armed. Specifically, the respondent declared, "Security unarmed is NOT security." A security review should be conducted to determine whether marshals should be better equipped to counteract courthouse altercations, especially since the number of marshals has been reduced.

Another aspect of security enhancement is the rotation of marshals. If marshals are no longer assigned to small claims courtrooms, they could be directed to intermittently conduct a rotation where they can check into small claims courtrooms. Moreover, the installation of a surveillance camera to be monitored by the marshals may assist in immediately signaling a potentially unsafe situation in the courtroom.

Additionally, one of the respondents expressed concern regarding the fitness of the marshals. This points to the need for an efficient vetting process for marshals as well as proper training and fitness assessments.

Increased Safety and Efficacy Training. The Judicial Branch may improve judicial safety and efficiency with increased safety and efficacy training provided to the judges. Given the increased likelihood of safety breaches, the judges, especially the judges of distinct jurisdiction, may benefit from more training in safety procedures. Specifically, for the judges of distinct jurisdiction, efficacy training would be especially relevant given that the judges of distinct jurisdiction no longer receive courtroom assistance or clerk support.

In concert with safety and efficacy training, diversity training may also be offered. The respondents' data pointed toward a possible nexus between biased judgment and diminished courtroom safety. In order to address bias, there are forms of instruction, training, or protocols that may combat implicit bias. Court consultants, practitioners, and scholars have developed several propositions and strategies for court administrators to consider in mitigating bias. The actions are the following: (1) provide education concerning implicit bias to judges, (2) provide diversity training that addresses multiculturalism and equality, (3) develop guidelines for judges to check for and correct implicit bias, (4) alleviate burdensome aspects of judicial duties to provide more time for judicial decision-making, and (5) periodically review a judge's case files (Casey et al., 2009).

Development of Task Force. The respondents' data repeatedly identified a disjunct in communication between the respondents and the Judicial Branch. In response, the Judicial Branch could be mandated to form a task force or a panel comprised of judges, attorneys, and Judicial Branch representatives to discuss some of the salient and pressing issues within the courthouses. The meetings could be scheduled on a recurring basis with recurring intervals of once a month or once a quarter, contingent upon the desires of the members. The meetings would be held at a mutually agreeable time and location.

Online Dispute Resolution. In January 2019, the Connecticut Judicial Branch implemented online dispute resolution. Online dispute resolution allows litigants to utilize videoconferencing or the telephone to speak to a mediator or a judicial officer for the resolution of their disputes (Connecticut Judicial Branch, 2019). In its infancy, online dispute resolution (ODR) in Connecticut is limited because ODR is only offered to litigants who are a party to a contract collection case. However, it is recommended that the piloting of this program be

monitored. If successful, the program should be expanded because it grants litigants more options for dispute resolution, but more importantly, it keeps litigants and attorneys out of the precarious setting of the courthouse.

Technology. The majority of the respondents in this case study indicated that technology should be developed to enhance safety in the courtroom. In a technological age, the use of technology is key to the fluidity of courtroom management and safety. However, with stark reductions in judicial resources, technology is even more imperative. The implementation of proper technology may occasionally be used as a substitute for some of the missing resources in courtrooms.

Salient Points of Study

In the State of Connecticut, there is a resource deficit impacting the safety of judges and impairing judges' ability to properly adjudicate. As such, the salient points of this study primarily signal the need for further research or investigation of this issue.

The key takeaways of this study are the following: (1) insufficient resources may inhibit the efficient execution of judicial duties, (2) reduced security may imperil judges and other stakeholders, (3) legislative support may initiate policy change within the Connecticut Judicial Branch, and (4) technology may improve the judicial environment to protect stakeholders and improve efficacy and safety.

Conclusion

The legal system is an integral part of the historical, sociological, cultural, and psychological fabric of the United States. Specifically, the judicial system is ordained by the Constitution to infuse order and civility into society. Under the Constitution, a judge possesses the heightened duty of administering justice and upholding societal order at both federal and

state levels. As a result of this constitutional mandate, there is a constitutional and societal duty to protect judges, dispense sufficient resources to judges, and foster the administration of justice to the public. Proper provisions to judges are proper provisions to justice.

References

Anfara, V. & Mertz, N. (2015). *Theoretical Frameworks in Qualitative Research.* Thousand Oaks, CA: Sage Publishing.

Arney, S. (1997). Prison sentence extended after courtroom violence. *The Pantagraph.* Retrieved from https://www.newspapers.com/newspage/75493035/

Ballotpedia. (n.d.). Connecticut Judges Association. Retrieved from https://ballotpedia.org/Connecticut_Judges_Association

Ballotpedia. (n.d.). Judicial selection in Connecticut. Retrieved from https://ballotpedia.org/Judicial_selection_in_Connecticut

Barusch, A. Gringeri, C. & George, M. (2011). Rigor in qualitative social work research: A review of strategies used in published articles. *Social Work Research,* 35(1), 11-19. Retrieved from https://www.researchgate.net/publication/275133644_Rigor_in_Qualitative_Social_Work_Research_A_Review_of_Strategies_Used_in_Published_Articles

Berman, M. (2017). Ohio judge shot in 'ambush' carried out by father of man convicted in Steubenville rape case, officials say. *The Washington Post.* Retrieved from https://www.washingtonpost.com/news/post-nation/wp/2017/08/21/ohio-judge-shot-in-ambush-outside-courthouse-returns-fire-at-attacker/?utm_term=.c74b39f4cb6b

Bero, L. (2006). Clinical trial registration at Tobacco Control. *Tobacco Control,* 15(6), 417-418. Retrieved from *https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2563667*

Black, H. (2014). *Black's Law Dictionary*. Minnesota: Thomson West.

Brisbin, R., Dilger, R., Hammock, A. & Plein, C. (2008). *West Virginia Politics and Government.* Lincoln: University of Nebraska Press.

Brief History of William Penn. (n.d). Retrieved from http://www.ushistory.org/penn/bio.htm

Burbank, S. (2008). Judicial independence, judicial accountability & interbranch relations. *Daedalus*, 137 (4), 16-27. Retrieved from http://www.jstor.org/stable/40544057

Carter, M., Bryant-Lukosius, D., Dicenso, A., Blythe, J., & Neville, A. (2014). The use of triangulation in qualitative research. *Oncology Nurse Forum*, 41(5), 545-547. Retrieved from https://www.ncbi.nlm.nih.gov/pubmed/25158659

Casey, P. Warren, R., Cheesman, F. & Elek, J. (2009). Addressing implicit bias in the courts. *Court Review*, 49, 64-70. Retrieved from aja.ncsc.dni.us/publications/courtrv/cr49-1/CR49-1Casey.pdf

Calhoun, F. (1998). Hunters & howlers: Threats and violence against federal judicial officials in the United States, 1789-1993. Arlington, VA: U.S. Dept. of Justice, U.S. Marshals Service.

Cash, J. (2014). Courtroom violence rises after legal aid cuts; JUSTICE. *Independent Print Limited.* Retrieved from https://lexisnexis.com

Clendenen, W. (2016). Cuts to state courts diminish justice system. *Hartford Courant.* Retrieved from www.courant.com/opinion/op-ed/hc-op-clenenden-ct-courts-cuts-too-deep

Code of Federal Regulations, (45 C.F.R., Informed Consent, 2017).

Connecticut Committee on Judicial Ethics. (2018). Informal opinion summaries. Retrieved from https://jud.ct.gov/Committees/ethics/sum/2018-04.pdf

Connecticut Judicial Branch. (2007). Code of Judicial Conduct. Retrieved from https://www.ct.gov/jrc/cwp/view.asp?A=3061&Q=384552

Cooper, Caroline. (2007). The evolving concept of "Court Security." *The Justice System Journal,* 28(1), 40-45.

Cooper, Samuel. (1994). Considering "Power" in separation of powers. *Stanford Law Review,* 46(2), 361-400. Retrieved from www.jstor.org/stable/1229187

Creswell, J. W. (2007). *Qualitative Inquiry and Research Design* (2nd ed.). Thousand Oaks,

CA: Sage Publications.

Creswell J.W. (2009) *Research design qualitative, quantitative, and mixed methods approaches* (3rd ed.) Thousand Oaks, CA: Sage Publications.

Creswell, J. & Miller, D. (2000). Determining validity in qualitative inquiry. *Theory Into Practice,* (39)3. Retrieved from https://www.tandfonline.com/doi/abs/10.1207/s15430421tip3903_2?journalCode=htip20

CT Legis. Assemb. S. 215, Reg. Sess. 2017-2018 (2018)

CT Legis. Assemb. H. 5742, Reg. Sess. 2017-2018 (2018)

CT Legis. Assemb. S. 218, Reg. Sess. 2018-2019 (2018).

Dash, Samir. (2018). The DesOps Enterprise: (Volume 1) Overview & Culture. Retrieved from https://books.google.com/books?id=7tdfDwAAQBAJ&pg=PA41&lpg=PA41&dq=%E2

Douglas, J. & Hartley, R. (2003). The politics of court budgeting in the states: Is judicial independence threatened by the budgetary process? *Public Administration Review,* 63(4), 441-454.

Dube, A. (2010). Research methods: Surveys & questionnaires. Retrieved from http://conductingresearch.blogspot.com/2010/11/questionnaires obtaining.html

Elo, S., Kaariainen, M., Kanste, O., Polkki, T., Utriainen, K., Kyngas, H. (2014). Qualitative content analysis: A focus on trustworthiness. Retrieved from https://journals.sagepub.com/doi/full/10.1177/2158244014522633

Fink, Anne. (2000). The role of the researcher in the qualitative research process: A potential barrier to archiving qualitative data. *Qualitative Social Research.* 1(3). Retrieved from www.qualitative-research.net/index.php/fqs/article/view

Flango, Victor. (1975). Court administration and judicial modernization. *Public Administration Review.* 35(6), 619-624. Retrieved from http://www/jstor.org/stable/27977324

Fowler, F. (1992). An application to Mazzoni's arena models to the passage of Ohio's S.B. 140:

A preliminary study. (Working Paper No. EP 350662). Retrieved from https://eric.ed.gov/?id=ED350662

Fowler, F.C. (2014). Struggling with theory: A beginning scholar's experience with Mazzoni's arena models. Retrieved from https://www.corwin.com/sites/default/files/upm-binaries/11935_Chapter_3.pdf

Garoupa, N. & Ginsburg, T. (2009). *The American Journal of Comparative Law,* 57(1), 103-134. Retrieved from http://www/jstor.org/stable/27977324

Gill, P., Stewart, K., Treasure, E. & Chadwick, B. (2000). Methods of data collection in qualitative research: Interviews, focus groups. *BDJ*, 2004, 291-295. Retrieved from https://www.nature.com

Gould, J. (2007). Security at what cost? A comparative evaluation of increased court security. *The Justice System Journal,* 28(1), 62-78. Retrieved from http://www/jstor.org/stable/27977324

Graczyk, M. (2017). Texas executes man who killed 2 and tried to attack judge: 'I promise, I'm sorry'. *Chicago Tribune.* Retrieved from www.chicagotribune.com/news/nationworld/ct-texas-exeuctions-James Bigby-20170314

Guest, G. & McLellan, E. (2003). Distinguishing the trees from the forest: Applying cluster analysis to thematic qualitative data. *Field Methods,* 15(2), 186-201. Retrieved from https://utsc.utoronto.ca/~kmacd/IDSC10/Readings/Data%20analysis/coding.pdf

Hamilton, A., Madison, J. & Jay, J. (2015). *The Federalist Papers.* Dublin: Coventry House Publishing.

Hancock, D. & Algozzine, B. (2017). *Doing case study research.* New York: Teachers College Press.

Harriman, L. & Straussman, J. (1983). Do judges determine budget decisions? Federal court Decisions in prison reform and state spending for corrections. *Public Administration Review,* 43(4), 343-351.

Hayes, Isabel. (2013). NSW: Courtroom violence erupts in murder case. *Australian*

Associated Press. Retrieved from https://lexisnexis.com

Infoplease. (n.d.). Demographic statistics for Connecticut. Retrieved from https://www.infoplease.com/us/comprehensive-census-data-state/demographic-statistics-40

Ingham, J. (2003). Research ethics 101: The responsible conduct of research. *Seminars in Speech & Language,* 24(4), 323-337. Retrieved from https://www.ncbi.nlm.nih.gov/pubmed/14722805

Jawando, M. & Wright, W. (2015). Why courts matter. Retrieved from https://www.americanprogress.org/issues/courts/reports/2015/04/13/110883/why-courts-matter-2/

Kang, J., Bennett, M., Carbado, D., Casey, P., Dasgupta, N., Faigman, D., Godsil, R., Greenwald, A., Levinson, J., & Mnookin, J. (2012). Implicit Bias in the Courtroom. *UCLA Law Review, 59, 1124-1186.*

Kang, J., Bennett, M., Carbado, D., Casey, P., Dasgupta, N., Faigman, D., Godsil, A., (2015). Understanding implicit bias. Retrieved from http://kirwaninstitute.osu.edu/research/understanding-implicit-bias/

Kelly, M. (2019). Early development of the United States court system. Retrieved from https://www.thoughtco.com/early-development-united-states-court-system-104770

Kerr, Emma. (2017). 'Ambushed' judge shot back at his attacker. *Daily Beast.* Retrieved from https://www.thedailybeast.com/ambushed-judge-shot-back-at-his-attacker.

Kline, A. (2013). Sen. Kline bill will increase penalty for courtroom violence. *State Capital Newsfeed.* Retrieved from http://www.sdc.wa.gov/senators/kline/ http://apps.leg.wa.gov/billinfo/summary.aspz?bill=5484amp: year

Landes, W. & Posner, R. (1975). The independent judiciary in an interest-group perspective.

(Working Paper No. w0110). Retrieved from https://ssrn.com/abstract=260301

Legal Monitor Worldwide. (2016). Charges lodged in Michigan courtroom violence seen on Video. *Syndicate Media.* Retrieved from https://lexisnexis.com

Maccar, D. (2017). Survey: Lots of judges carry concealed for self defense. *Range Life.* Retrieved from https://www.range365.com/survey-says-lot-judges-carry-concealed/

Madison Newspapers, Inc. (1992). Courtroom violence can happen here. *Capital Times.* Retrieved from https://lexisnexis.com

Malega, R. & Cohen, T. (2013). Special report: State court organization, 2011. *U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics.* Retrieved from https://www.bjs.com

Manning, J. (2011). Separation of powers as ordinary interpretation. *Harvard Law Review,* 124(8), 1939-2040.

Marshall, C. & Rossman, G. (2016). *Designing qualitative research* (6th ed.). London: Sage Publications.

Mazzoni, T. (1991). Analyzing state school policymaking: An arena model. *Educational Evaluation & Policy Analysis.* 13(2), p. 115-138. Retrieved from https://www.jstor.org/stable/1164579

McLeod, J. (2017). Chapter 5: Qualitative methods for routine outcome measurement. *The cycle of excellence: Using deliberate practice to improve supervision.* Retrieved from https://books.google.com

Meeks, B. (2005). Courtroom violence hard to prevent. *MSNBC.* Retrieved from https://lexisnexis.com

Melton, J. & Ginsburg, T. (2014). Does de jure judicial independence really matter? A reevaluation of explanations for judicial independence. *Journal of Law and Courts,* 2(2), 187-217. Retrieved from http://www/jstor.org/stable/27977324

Middleton, M. (1983). Tired of waiting over Conn. Court delays. *American Bar Association Journal.* Retrieved from http://jstor.org/stable/20756583

Miles, M., Huberman, A. & Saldana, J. (2014). *Qualitative data analysis: A methods sourcebook.* Thousand Oaks, CA: Sage Publications.

Mills, A., Durepos, G. & Wiebe, E., Eds. (2010). *Encyclopedia of Case Study Research.* Retrieved from https://methods.sagepub.com/reference/encyc-of-case-study-research/n183.xml. DOI.org/10.4135/9781412957397.n183

Neil, M. (2014). Judge attacked in courtroom by defendant in aggravated battery case sheriff's officials say. *ABA Journal.* Retrieved from http://www.aba.journal.com/ news/articles/judge-attacked -in-courtroom-by-defendant

Neubauer, David. (1979). The dynamics of courthouse justice: A critical review of the literature. *The Justice System Journal,* 5(1), 70-78. Retrieved from http://www/jstor.org/stable/20877579

O'Cathain, A. & Thomas, K. (2004). Any other comments? Open questions on questionnaires-a bane or a bonus to research? *BMC Medical Research Methodology.* Retrieved from https://bmcmedresmethodol.biomedcentral.com/articles/10.1186/1471-2288-4-25

Onwuegbuzie, A., Frels, R. & Hwang, E. (2016). Mapping Saldana's coding methods onto the literature review process. *Journal of Educational Issues,* 2(1), 130-150. Retrieved from https://files.eric.ed.gov/fulltext/EJ1127478.pdf

People v. Bryant, 334 P. 3d 573 (Cal. 2014)

People v. Castellano, Unpub. LEXIS 3579 (Cal. 2015)

People v. Lomax, 234 P. 3d 377 (Cal. 2010)

Phaneuf, K. (2016). Judiciary says proposed cuts 'compromise access to justice.' *The CT Mirror.* Retrieved from https://ctmirror.org/2016/02/19

3 magistrates think Sereno saw no danger of holding Maute trials in Mindanao (2017). *Philippines Daily Inquirer.* Retrieved from https://lexisnexis.com

Plus Media Solutions. (2017). Washington: Extension of redaction authority concerning

sensitive security information. *U.S. Official News.* Retrieved from https://lexisnexis.com

Reich, Jill, Sobel, W. Mahan, D. & Deam, E. (1985). Involving the public and serving the Public: Keys to a successful courthouse. *The Justice System Journal,* 10(3). Retrieved from https://lexisnexis.com

Resnik, D. (2015). What is ethics in research & why is it important? Retrieved from https://www.niehs.nih.gov/research/resources/bioethics/whatis/index.cfm

Richardson, L. (2016). Systemic Triage: Implicit Racial Bias in the Criminal Justice Courtroom. *Yale Law Journal,* 126, 564-907. Retrieved from https://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=5787&context=ylj

Robinson, M. (2014). Tearful Lee Rigby fiancée says killers' courtroom violence brought back memories of 'that day in May' and made her realise 'what it would have been like to be there.' *Mail Online.* Retrieved from https://lexisnexis.com

Saldana, J. (2016). *The coding manual for qualitative researchers.* Los Angeles, CA: Sage Publishing.

Saporiti, A. & Streb, J. (2008). Separation of Powers and Political Budget Cycles. *Public Choice,* 137(1/2), 329-345.

Satu, E., Kaariainen, M., Kanste, O., Polkki, T., Utriainen, & Kyngal, H. (2014). Qualitative content analysis: A focus on trustworthiness. *Sage Journal,* 4(1), 1-10. Retrieved from https://journals.sagepub.com/doi/full/10.1177/2158244014522633

Saufley, L. (2010). Feature: State of the judiciary, January 26, 2010: Building the future in precarious times. *Maine Bar Journal.* Retrieved from https://lexisnexis.com

Sauro, J. (2015). 4 Types of Observational Research. Retrieved from https://measuringu.com/observation-role/

Secretary of the State of the State of Connecticut. (N.D.). Code of Judicial Conduct. Retrieved

from https://www.jud.ct.gov/Publications/PracticeBook/Judicial_Conduct.pdf

Seruga, B., Templeton, A., Badillo, F. & Ocana, A. (2016). Under-reporting of harm in clinical Trials. *Lancet Oncology*, 17, 209-219.

Sharpston, E. (2013). Effective judicial protection through adequate judicial security. *Journal of European Competition and Law and Practice,* 4(6), 453-454. Retrieved from https://academic.oup.com/jeclap/issue/4/6

Shelton, T. (1924). The struggle for judicial independence. *Virginia Law Review, 10(3), 214-223.* Retrieved from http://www/jstor.org/stable/1064496

Shoabib, S. & Mujtaba, B. (2016). Use it or lose it: Prudently using case study as a research and educational strategy. *American Journal of Education & Learning,* 1(2), 83-93. Retrieved from http://www.onlinesciencepublishing.com/ assets/journal/JOU0024/ ART00040/1478154119_AJEL-2016-1(2)-83-93.pdf

Simon, M. (2011). The role of the researcher. Retrieved from http://dissertationrecipes.com/wp-content/uploads/2011/04/Role-of-the-Researcher.pdf

Sotomayor, S. (2013). *My beloved world.* New York: Vintage Books.

Stake, R.E. (1995). *The art of case study research.* Thousand Oaks, CA: Sage publishing.

Starman, A. (2013). The case study as a type of qualitative research. *Journal of Contemporary Educational Studies,* 1(2013), 28-43. Retrieved from https://www.semanticscholar.org/paper/The-case-study-as-a-type-of-qualitative-research-Starman-Starman/1cc27a1b28050194da8bef5b2ab807386baa286e

Stephenson, M. (2004). Courts of public opinion: Government accountability and Judicial Independence. *Journal of Law, Economics & Organization,* 21(2), 379-399. Retrieved from http://www/jstor.org/stable/27977324

Strong, F. (1974). President, Congress, Judiciary: One is more equal than the others. *American Bar Association Journal.* 60(9), 1050-1052. Retrieved from http://www/jstor.org/stable/27977324

Stuart, C. (2018). Judicial nominations cause concern for budgetary reasons. *CT News Junkie.*

Retrieved from https://www.ctnewsjunkie.com/archives/entry/20180423_judicial

Tepfer, D. (2019). Violent rivalry explodes in courthouse melee. *CTPost.* Retrieved from https://www.ctpost.com/local/article/Violent-rivalry-explodes-in-courthouse-riot-13567636.php

The Associated Press. (1983). King County judges say they fear courtroom violence. Retrieved from https://lexisnexis.com

Triantafillou, L. (2018). How to detect, manage, and report fraud and fabricated clinical research data, Retrieved from http://www.appliedclinicaltrialsonline.com/how-detect-manage-and-report-fraud-and--clinical-research-data

University of Chicago. (2019). Quantitative methods and social analysis. Retrieved from https://mapss.uchicago.edu/areas-study/quantitative-methods-social-analysis

U.S. Const. art. III

U.S. Criminal Justice History Resource Page. (n.d.). Retrieved from https://www.criminaljusticedegree.net/resources/the-us-criminal-justice-history-resource-page/

U.S. Department of Justice. (2006). Protecting judicial officials: Implementing an effective threat management process. Retrieved from www.ojp.usdoj.gov/BJA

Vinz, S. (2015). The theoretical framework of a dissertation: What and how?. Retrieved from https://www.scribbr.com/dissertation/theoretical-framework/

Warwick Institute for Employment Research. (2014). Ethical context of research. Retrieved from https://warwick.ac.uk/fac/soc/ier/ngrf/effectiveguidance/research/ethics/

Yardley, W. & Salzman, A. (2005). Divorce court shooting kills couple and wounds lawyer. *The New York Times.* Retrieved from https://www.nytimes.com/2005/06/16/nyregion/divorce-court-shooting-kills-and-wounds-lawyer.html

Yin, R. (2018). *Case study research and applications.* Los Angeles, CA: Sage Publishing.

Appendix A

Description of the Operational Divisions of Connecticut Courts

Court Support Services Division

This division provides a diversity of services to support the Connecticut Judicial Branch in maintaining a heightened quality of justice, enhancing public safety, and helping individuals and families to apply effective interventions (State of Connecticut Judicial Branch, 2017). The Court Support Division is comprised of the following:

- Bail Services-Intake/Assessment/Referral (IAR) units: the IAR unit is responsible for pretrial arraignment, supervision, and diversionary programs
- Adult Probation Services: provides the effective supervision of court sentenced individuals
- Family Services: conducts a variety of functions in both criminal and civil family court
- Juvenile Probation Services: assesses and supervises all cases referred to Juvenile Court
- Juvenile Residential Services: governs a network of programs and services for juveniles in the court system.

External Affairs Division

The External Affairs Division informs and educates the public about the mission of the Judicial Branch. The Division facilitates a variety of legislative, media, educational, and informational activities designed to inform and educate the public and private sectors about the goals and activities of the Judicial Branch.

Information Technology Division

The Information Technology Division is dedicated to designing, developing, implementing, and maintaining the Judicial Branch's complex data and information processing, storage, retrieval, publishing, and printing systems.

Superior Court Operations Division

The Superior Court Operations Division includes the following: administration, court operations, judge support services, judicial marshal services, legal services, victim services, support enforcement services, and a staff development unit.

Appendix B

Coding Memoranda of Study Respondents' Data

Appendix B contains a series of coding memoranda regarding the data analysis process for Respondents One through Nine.

Coding Memoranda for Respondent One

The following is the coding memorandum for Respondent One that lists the first and second cycle coding processes, as well as pattern detection, theme emergence, and miscellaneous notes.

- **First Cycle Coding: Preliminary Codes**

  Active shooter training, court officials, training, training materials, helpful, beneficial training, anecdotal information, training video, safety, visual training materials, realistic visualization of handling of dangerous situations, difficulty of abstract visualization, abstract visualization, realistic safety issues, inapplicable training, ineffective training, failure to address realistic safety concerns, panic button usage, litigant management, physical altercations, medical events, interaction with attorneys and court personnel, ineffective safety training, budget cuts to judiciary, adverse effects of budget cuts, lacked training on pertinent concerns, lack of uniformity, courtroom personnel, insufficiency, courtroom, personnel, docket flow, litigant service, safety, disorganization, adverse effect on litigant and attorneys, lacking coverage of court dates, substitutions, unnecessary, docket cancellations, IT support, online docket and case management, lack of access, no administrative support from judicial, no access to electronic system of courtroom, hindered efficiency, no self-management system

- **Reduction of Codes**

  Reviewed research questions and literature review themes to determine the pertinence of codes. The following codes were eliminated due to irrelevance or redundancy: unnecessary, training video, abstract visualization, inapplicable training, realistic visualization of handling dangerous situation, lacked training on pertinent concerns, lack of uniformity, hindered efficiency, budget cuts to judiciary, insufficiency, disorganization.

- **Second Coding Cycle: Codes Utilized in Data Analysis**

  Active shooter training, court officials, training, training materials, beneficial training, safety visual training materials, difficulty of abstract visualization, realistic safety issues, ineffective training, failure to address realistic safety concerns, panic button usage, litigant management, physical altercation, medical events, interaction with attorneys and court personnel, ineffective safety training, adverse effects of budget cuts, courtroom personnel, docket flow, litigant service, safety, adverse effect on litigants and attorneys, lacking coverage of court dates, substitutions, docket cancellations, IT support, online docket and case management, lack of access, no administrative support from judicial, no access to electronic system of courtroom, no self-management system

- **Themes**

  Training, marshals, safety breaches, communication

- **Subordinate Themes**

  Clerks, access to judicial branch

- **What is the Respondent's Story or Experience?**

Respondent One is a magistrate who appears to be disgruntled concerning the budget cuts to the judiciary and its subsequent restructuring of the judicial branch and the elimination of resources to the magistrates

- **Miscellaneous**

  Training has been addressed and offered frequently in the questionnaire data. Training will most likely be a theme or subtheme used in the data analysis. Training will most likely have categories, such as safety training or on-the-job training as the respondents have expressed.

Coding Memorandum for Respondent Two

The following is the coding memorandum for Respondent Two that lists the first and second cycle coding processes, as well as pattern detection, theme emergence, and miscellaneous notes.

- **First Cycle Coding: Preliminary Codes**

  Active shooter training, court official, training, training materials, beneficial training, armed security, unarmed marshals, inapplicable training, on-the-job training, ineffective safety training, budget cuts to judiciary, adverse effects of budget cuts, courtroom personnel, insufficiency, lack of communication, lack of access, no administrative support from judicial, intent, probable consequences, unresponsiveness, weapons

- **Reduction of Codes**

  Reviewed research questions and literature review themes to determine the pertinence of codes. The following codes will be eliminated due to irrelevance or value: court officials, on-the-job training, inapplicable training, insufficiency, intent, probable consequences, training materials

- **Second Coding Cycle: Codes Utilized in Data Analysis**

  Active shooter training, training, beneficial training, armed security, unarmed marshals, ineffective safety training, budget cuts to judiciary, adverse effects of budget cuts, courtroom personnel, lack of communication, lack of access, lack of administrative support from judicial, disconnect, unresponsiveness, weapons

- **Themes**

  Training, marshals, safety breaches, communication, courtroom disturbance

- **Subordinate Themes**

  Clerks, access to judicial branch, armed security

- **What is the Respondent's Story or Experience?**

  Respondent is upset that he has not received training and that the judicial administration has not offered to grant him any training. Respondent Two is unsure whether the Judicial Branch is so understaffed that they cannot respond to him or if the funds are so limited that the Judicial Branch cannot afford additional training. (The issue of training arises again.)

- **Miscellaneous**

  Some of the established coding patterns are the following: safety, communication, and training

Coding Memorandum for Respondent Three

The following is the coding memorandum for Respondent Three that lists the first and second cycle coding processes, as well as pattern detection, theme emergence, and miscellaneous notes.

- **First Cycle Coding: Preliminary Codes**

  Prisoners, prisoners as litigants, maximum of one marshal in courtroom, two marshals for prisoners, housing small claims, limited bench rulings, hostility between litigants, take notes, bias mitigation, review of pleadings and statutes, presence of marshals, time, response time, presence of mind, reaction time, heated litigants, marshal assignments, panic button, marshals were present in past, history of marshals in courtroom, complaints against magistrates, clerks, courtroom assistance, support, budget cuts, adverse effect of budget cuts, agitated litigants, courtroom disturbance, communication, safety

- **Reduction of Codes**

  Prisoners, prisoners as litigants, two marshals for prisoner, housing small claims, review of pleadings and statutes, time, marshal assignments, marshals were present in past

- **Second Coding Cycle: Codes Utilized in Data Analysis**

  Maximum of one marshal in courtroom, limited bench rulings, hostility between litigants, bias mitigation, presence of marshals, response time, presence of marshals, reaction time, heated litigants, panic button, history of marshals in courtroom, complaints against magistrates, clerks, courtroom assistance, support, adverse effect of budget cuts, agitated litigants, courtroom disturbance, communication, safety

- **Themes**

  Courtroom assistance and support, security, marshals, clerks, budget cuts, communication, courtroom disturbance, technology

- **Subordinate Themes**

  Marshal duties, marshal presence, mitigation of bias, and courtroom violence

- **What is the Respondent's Story or Experience?**

  Respondent Three feels less safe without a marshal. However, Respondent Three specifically emphasized that she is less comfortable without a clerk as well. Respondent Three feels a clerk is not only a credible source, but a credible witness to counteract complaints or clarify litigant complaints against judges.

- **Miscellaneous**

  Pattern codes are the following: safety, security, marshal, courtroom disturbance

Coding Memorandum for Respondent Four

The following is the coding memorandum for Respondent Four that lists the first and second cycle coding processes, as well as pattern detection, theme emergence, and miscellaneous notes.

- **First Cycle Coding: Preliminary Codes**

  Active shooter training, defendants, aggressive questioning by litigants, aggressive posture of litigants, intimidation of witness, no marshals in courtroom, remote access to Edison, resources, adjudication of cases, safety, effect on safety, difficult computer system, difficulty completing decisions due to computer, technological difficulty, increased time on bench, increased caseload, uncompensated time, no staff or support, rushed proceedings, gender, ethnic, origin, age, no clerks, courtroom assistance, adverse effect of budget cuts, excessive work volume, insufficient staff, bias, increased work volume/time

- **Reduction of Codes**

  Defendants, gender, origin, age, effect on safety, excessive work volume, bias

- **Second Coding Cycle: Codes Utilized in Data Analysis**

  Active shooter training, aggressive questioning by litigants, aggressive posture of litigants, intimidation of witness, no marshals in courtroom, remote access to Edison, resources, adjudication of cases, safety, difficult computer system, difficulty completing decisions due to computer, technological difficulty, increased time on bench, increase caseload, increased time on bench, uncompensated work/time, no staff or support, rushed proceedings, ethnic, no clerks, courtroom assistance, adverse effect of budget cuts, insufficient staff, increased work volume/time

- **Themes**

  Resources, increased security, marshals, clerks, increased work volume and time, adverse effect on adjudication

- **Subordinate Themes**

  Marshal duties, technological difficulties, caseload, uncompensated work

- **What is the Respondent's Story or Experience?**

  Respondent Four is concerned about the lack of resources adversely affecting the adjudication of cases and how it affects safety. Specifically, Respondent Four discusses the increased time on the bench and the lack of compensation for such time.

- **Miscellaneous**

  Codes were eliminated because they were either not descriptive or conveyed a claim or opinion. Pattern codes are the following: safety, security, computer, technology, technological difficulties, increased volume, and caseload

Coding Memorandum for Respondent Five

The following is the coding memorandum for Respondent Five that lists the first and second cycle coding processes, as well as pattern detection, theme emergence, and miscellaneous notes.

- **First Cycle Coding: Preliminary Codes**

  Active shooter training, ineffective safety training, adverse effect, adverse budget cuts, reduction of marshals, loss of marshal and clerk, never threatened, not feel less safe, judicial decorum, inefficient computer equipment, old keyboards, computer training, clerks, security cameras, monitoring, central watch station, live monitoring, record of court proceeding, sense of safety, court business

- **Reduction of Codes**

  Reduction of marshals, central watch station, adverse effect, monitoring, court business

- **Second Coding Cycle: Codes Utilized in Data Analysis**

  Active shooter training, ineffective safety training, adverse budget cuts, loss of marshal and clerk, never threatened, not feel less safe, judicial decorum, inefficient computer equipment, old keyboards, computer training, clerks, security cameras, live monitoring, record of court proceeding, sense of safety

- **Themes**

  Technology, security

- **Subordinate Themes**

  Surveillance, cameras, live monitoring

- **What is the Respondent's Story or Experience?**

Respondent Five does not feel more threatened since the reduction in security but feels the security needs to be improved and funded.

- **Miscellaneous**

  The pattern codes are the following: computer, technology, marshals, and security.

Coding Memorandum for Respondent Six

The following is the coding memorandum for Respondent Six that lists the first and second cycle coding processes, as well as pattern detection, theme emergence, and miscellaneous notes.

- **First Cycle Coding: Preliminary Codes**

  Computer, marshal, courtroom lectures, lack of clerk and marshal, reduction in marshals, marshals maintained order, warned against cellphone usage, stopped courtroom conversations, feel less safe, restore marshals and clerks to courtroom, quick movement of docket, unresponsive computer software

- **Reduction of Codes**

  Courtroom lectures, kept order, warned against cellphone usage, stopped courtroom conversations, quick movement of docket

- **Second Coding Cycle: Codes Utilized in Data Analysis**

  Computers, marshal, lack of clerk and marshal, reduction in marshals, marshals maintained order, feel less safe, restore marshals and clerks to courtroom, unresponsive computer software

- **Themes**

  Computer technology, inefficient software, marshals, and clerks

- **Subordinate Themes**

  Safety improvement, restoration of marshal to courtroom

- **What is the Respondent's Story or Experience?**

  Respondent is a male magistrate over 60 experiencing difficulty with the computer software. Such struggle may signal need for better training.

- **Miscellaneous**

  Patterns that were established included technology and courtroom personnel.

Coding Memorandum for Respondent Seven

The following is the coding memorandum for Respondent Seven that lists the first and second cycle coding processes, as well as pattern detection, theme emergence, and miscellaneous notes.

- **First Cycle Coding: Preliminary Codes**

  Threats, opposing party, summoned marshal, reduction in marshals, reduction in resources, outside courtroom, court location, panic button, clerk assistance, centralized place for assistance, communication, central resource, barely any assistance, scheduling, docket, inconsistencies, crowded courtrooms, litigious mood, difficulty with computer software

- **Reduction of Codes**

  Opposing party, outside courtroom, court location, central resource, scheduling

- **Second Coding Cycle: Codes Utilized in Data Analysis**

  Threats, summoned marshal, reduction in marshals, reduction in resources, panic button, clerk assistance, centralized place for assistance, communication, barely any assistance, docket inconsistencies, crowded courtroom, litigious mood, difficulty with computer software

- **Themes**

  Marshals, assistance, clerk, marshal, communication, computer software, safety

- **Subordinate Themes**

  Centralized place for assistance, clerk assistance, threats

- **What is the Respondent's Story or Experience?**

  Respondent is a male magistrate over 60 who has experienced direct threats from parties in the courtroom

- **Miscellaneous**

- Patterns are the following: security, courtroom personnel, and judge assistance

Coding Memorandum for Respondent Eight

The following is the coding memorandum for Respondent Eight that lists the first and second cycle coding processes, as well as pattern detection, theme emergence, and miscellaneous notes.

- **First Cycle Coding: Preliminary Codes**

  Lack of training, hearing officer, gun, discrimination, cases, heated, emotional, metal detector, at risk during hearings, feel less safe, hearing rooms, security officer, second-guess evidentiary motions, cameras, agitated, violence, insufficiency of cameras

- **Reduction of Codes**

  Gun, discrimination, cases, heated, agitated

- **Second Coding Cycle: Codes Utilized in Data Analysis**

  Lack of training, hearing officer, emotional, metal detector, at risk during hearings, feel less safe, hearing rooms, security officer, second-guess evidentiary motions, cameras, agitated, violence, insufficiency of cameras

- **Themes**

  Security mechanisms, violence, judicial bias, training

- **Subordinate Themes**

  Metal detectors, cameras, security officers

- **What is the Respondent's Story or Experience?**

  Respondent Eight is a hearing officer who presided in a hearing room rather than a typical courtroom where there were no marshals and clerks in the hearing room.

- **Miscellaneous**

  Patterns are the following: safety, security measures, ability to adjudicate, and training

Coding Memorandum for Respondent Nine

The following is the coding memorandum for Respondent Nine that lists the first and second cycle coding processes, as well as pattern detection, theme emergence, and miscellaneous notes.

- **First Cycle Coding: Preliminary Codes**

  Judge for less than a year, cameras, bulletproof vests, panic button on bench, panic buttons in chambers, technological enhancement, marshals, better fitness of marshals

- **Reduction of Codes**

  Judge for less than a year, bulletproof vests, technological enhancement

- **Second Coding Cycle: Codes Utilized in Data Analysis**

  Cameras, panic button on bench, panic buttons in chambers, marshals, better fitness of marshals

- **Themes**

  Technology and marshals

- **Subordinate Themes**

  Fitness of marshals

- **What is the Respondent's Story or Experience?**

  Respondent Nine is a superior court judge who has been on the bench less than a year. As a result, she commenced her appointment after the budget cuts during FY 18.

- **Miscellaneous**

  Patterns for coding include safety, security measures, and quality of security measures or personnel