



Procedural Justice¹

Procedural justice refers to litigants' perception of the fairness of court and other justice-system procedures and how they are treated by system personnel. Research demonstrates that litigants' perception of fairness is closely tied to the presence of the following elements of procedural justice:

1. **Voice:** Litigants have an opportunity to be heard.
2. **Respect:** Litigants are treated with dignity and respect by judges, attorneys, and court staff.
3. **Neutrality:** Litigants perceive that the decision-making process is unbiased and trustworthy.
4. **Understanding:** Litigants understand the case outcome, their rights, and what is expected of them in order to comply with court orders.
5. **Helpfulness:** Litigants perceive that court actors have an interest in their needs and their personal situation.

Studies in a variety of court contexts have established that ensuring procedural justice can produce positive outcomes, including enhanced compliance with court orders, greater public trust, and reduced recidivism. In fact, research has shown that the court experience can be more influential than the actual case outcome. Further, studies have found that all courtroom actors can affect perceptions of fairness by litigants, including how litigants are treated by security staff, clerks, judicial officers, defense attorneys, and prosecutors.

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