

THE REAL REASONS PEOPLE MISS COURT— AND WHAT YOU CAN DO ABOUT IT

March 27, 2026



AGENDA

- 1 Behavioral Science 101
- 2 The Real Reasons People Miss Court
- 3 Improve Your Court Date Communications

TODAY'S PRESENTER



Shannon McAuliffe
*National Director of
Implementation,*
(Un)warranted initiative, ideas42

BEFORE WE START, A LITTLE GAME...



IF YOU SAY SOMETHING FUNNY, IT'S CALLED A...



IF YOU JAB SOMEONE WITH A FINGER, IT'S CALLED A...



POKE

WHEN SOMETHING IS BURNING, YOU SEE ...

SMOKE



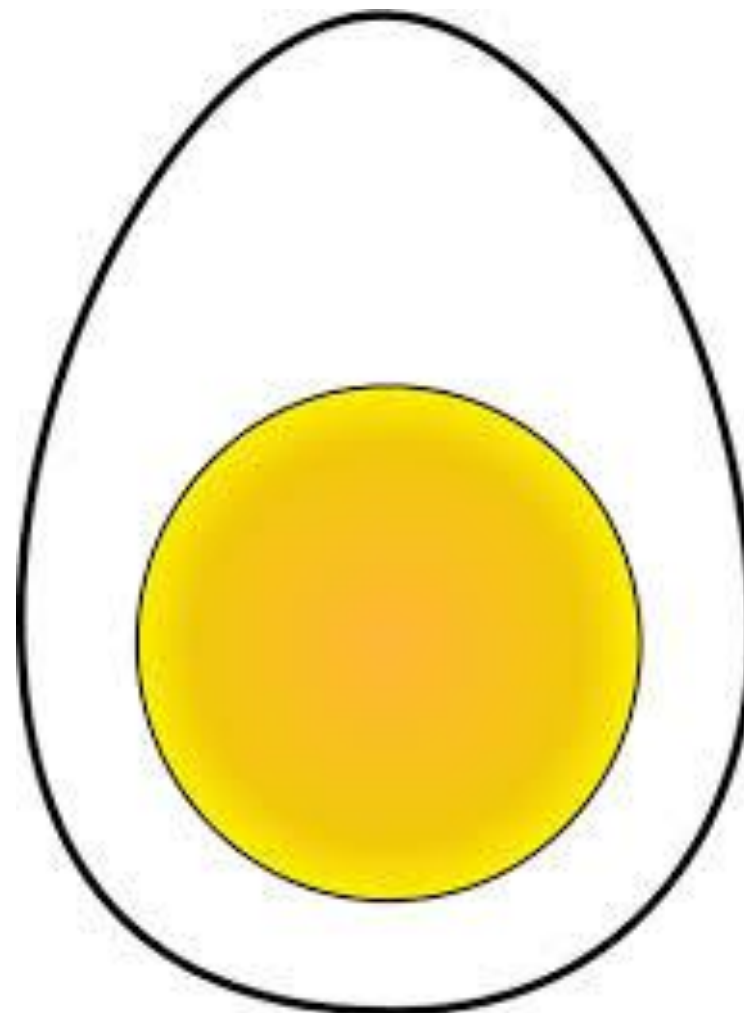
IF YOU DON'T HAVE ANY MONEY, YOU ARE ...

BROKE

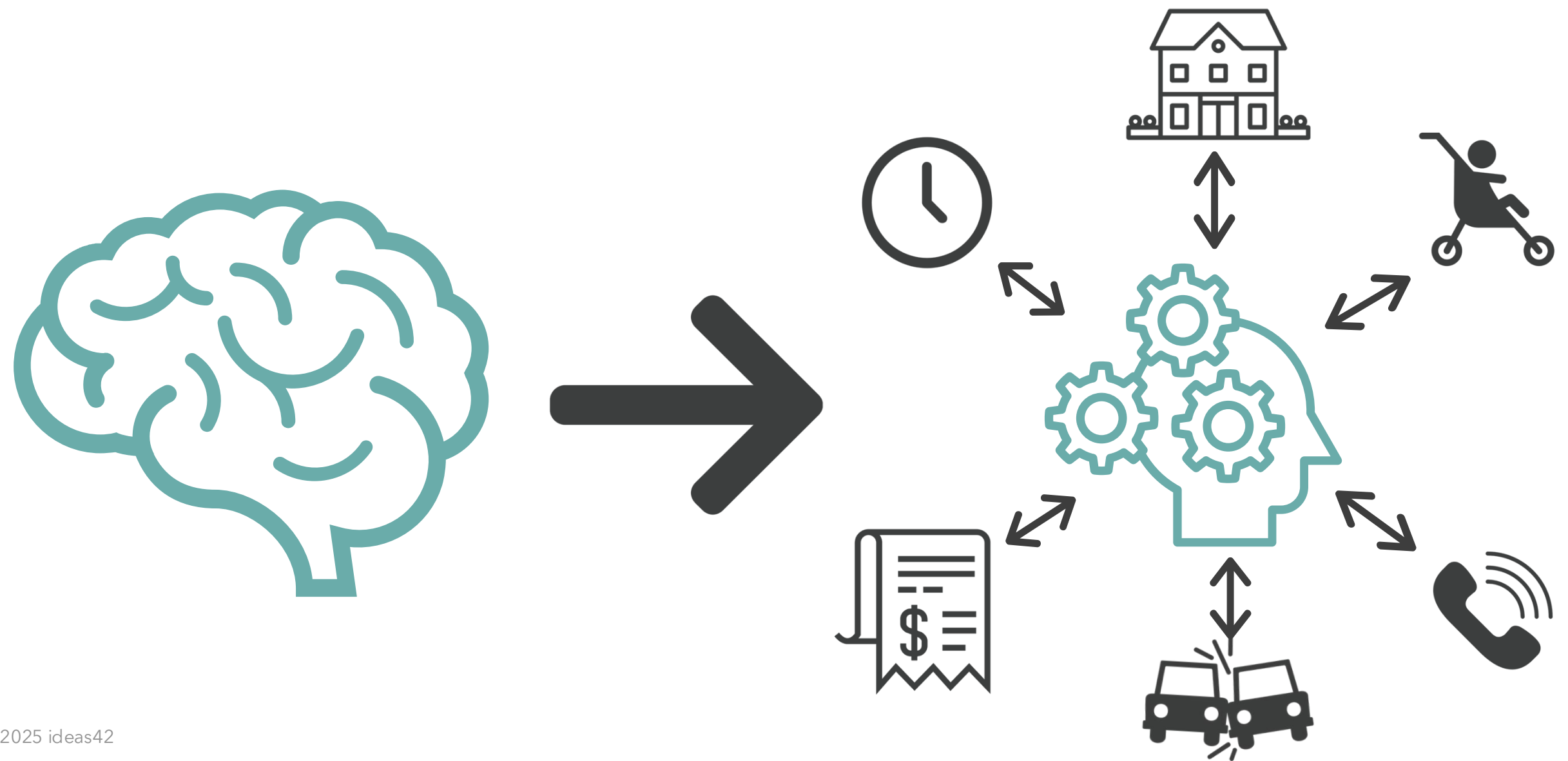


THE WHITE PART OF AN EGG IS CALLED THE ...

Albumen



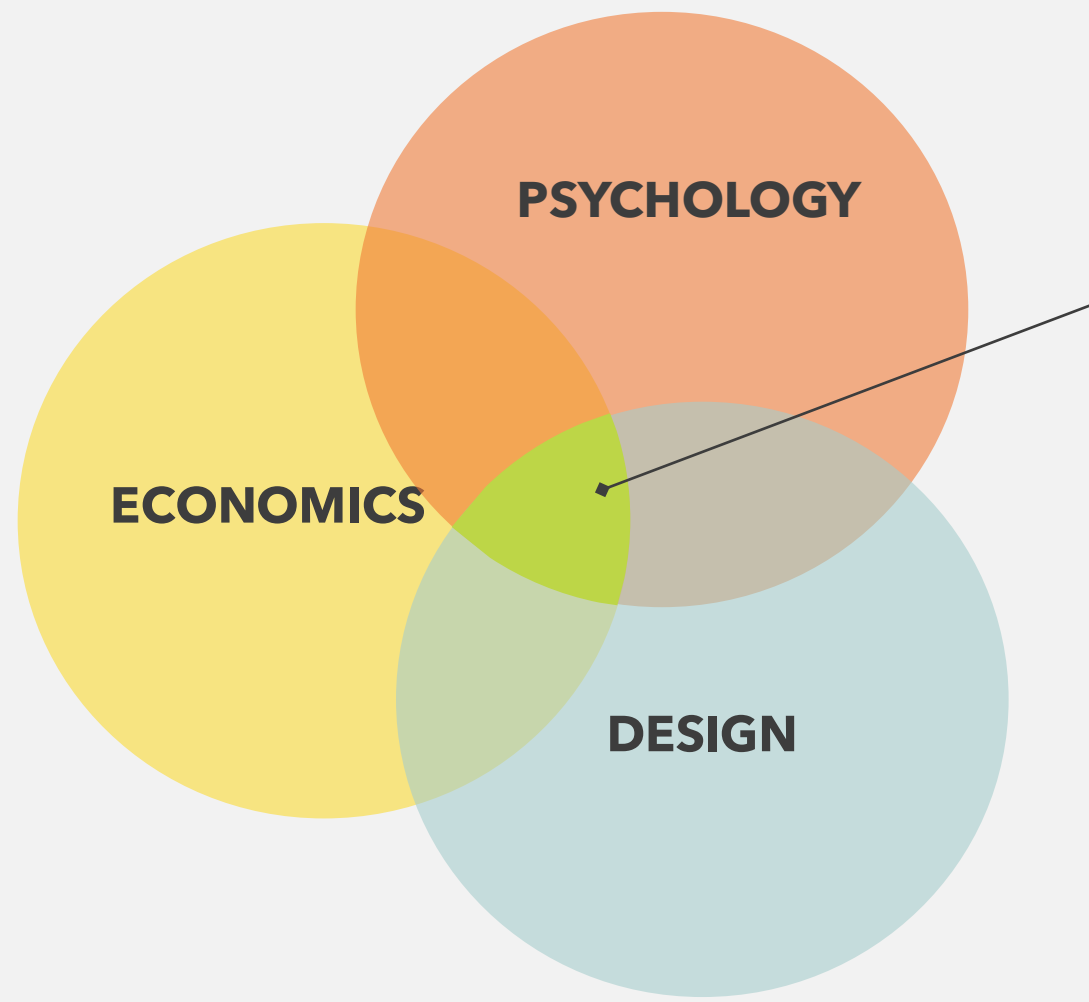
THE BRAIN IS FUNNY AND COMPLEX



WHAT IS IDEAS42 AND WHY ARE WE HERE



WHAT IS IDEAS42?



We use insights from **human behavior** - why people do what they do - to help **improve lives, build better systems,** and **drive social change.**

UNWARRANTED: OUR WORK

INCREASING COURT APPEARANCE RATES ACROSS THE COUNTRY

Improve court date communications

- Court date forms
(*citations, release and bond forms*)
- Court date reminders
(*text, email, mail*)

Help create effective reminder programs

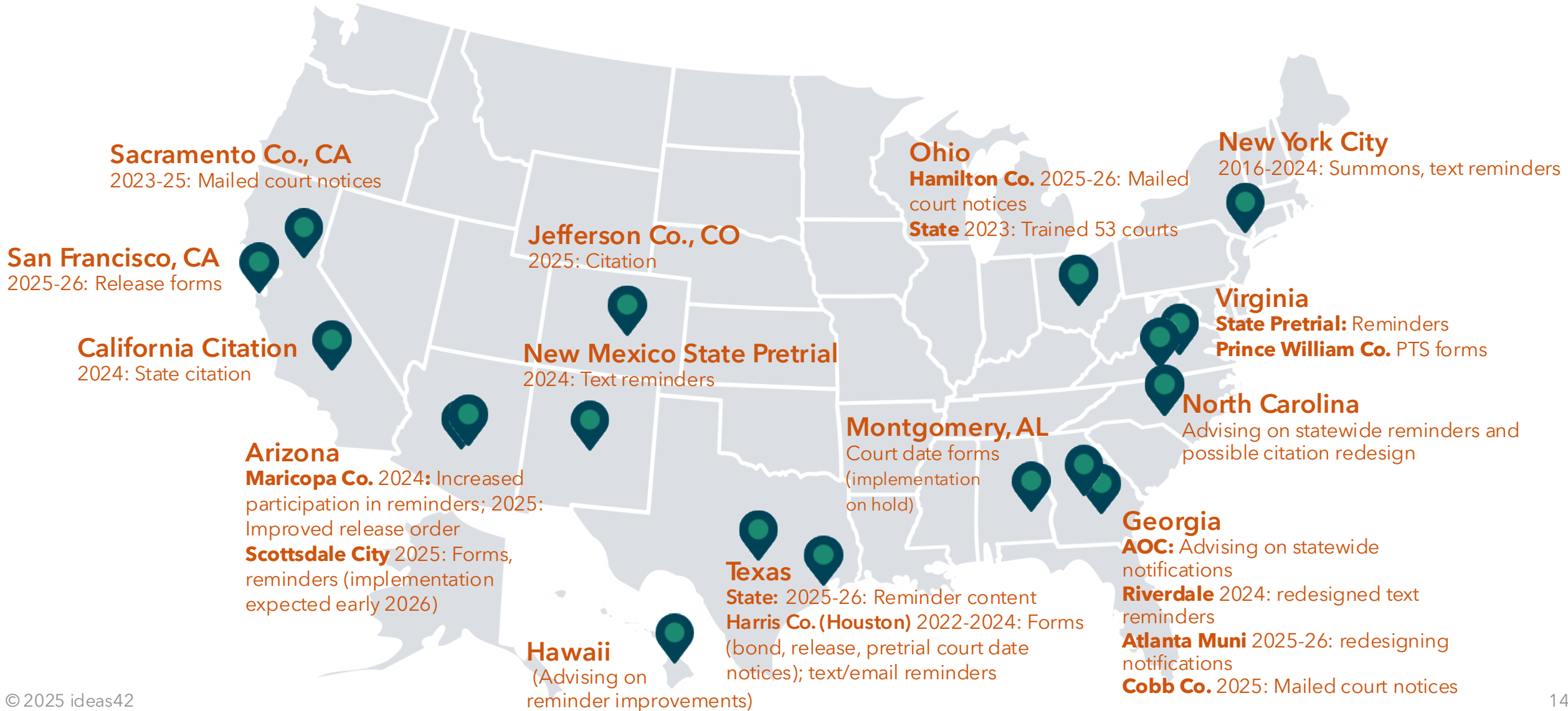
- Use proven content and adapt for each court's specific processes
- Improve collection of contact information to expand reach of reminders



GOAL: Reduce nonappearances by 20% - 40% and help the system save time, money, and effort currently wasted on missed court dates

OUR WORK

IMPACT THROUGH 2024: 125K MISSED COURT DATES PREVENTED



SECTION 1: BEHAVIORAL SCIENCE 101



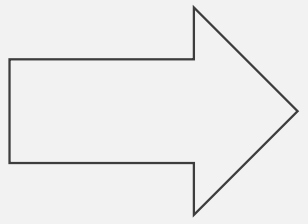
ASSUMPTION: PEOPLE DO NOT COMPLY COURT INTENTIONALLY

Traditional model of behavior: How we **BELIEVE** people act



INTENTION

"I want to go to court"

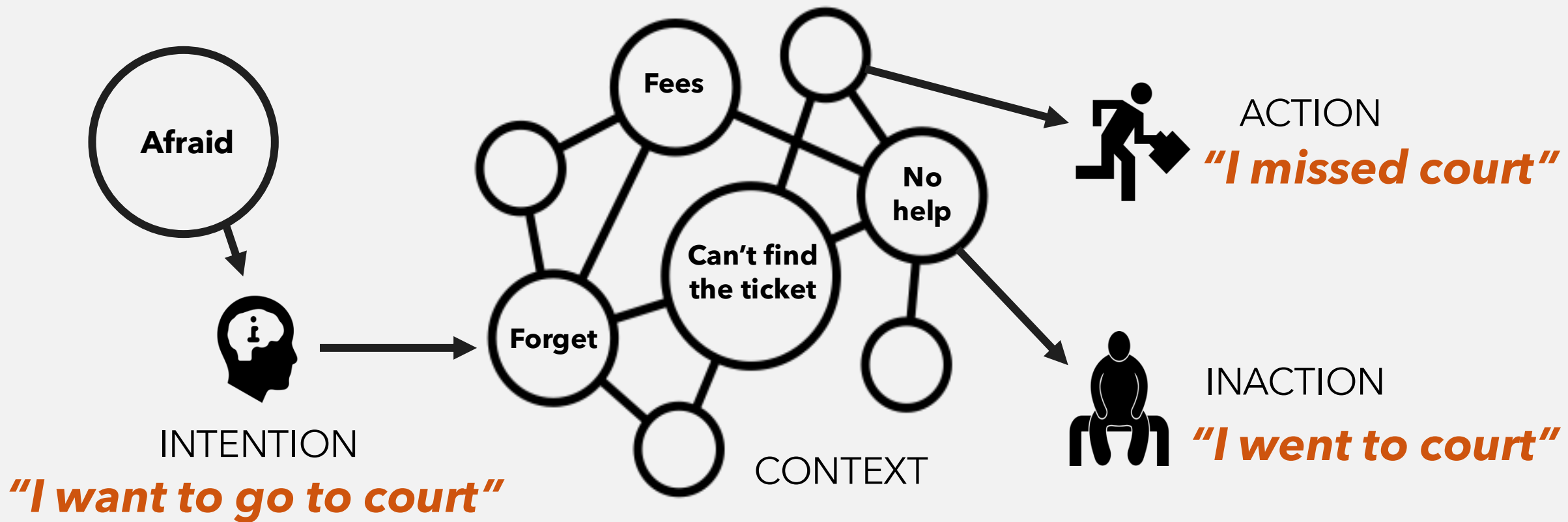


ACTION

"I go to court"

REALITY: PEOPLE DO NOT PAY EVEN WHEN THEY INTEND TO

Behavioral science: How people **REALLY** act



THINKING BEHAVIORALLY, WE CAN UNCOVER THE REAL DRIVERS BEHIND NONAPPEARANCE...

Many barriers keep people from getting to court despite their best efforts



When people are afraid or disempowered, they may decide it's best not to show up



Information people receive may be unclear, incomplete, or confusing



EXAMPLE: ALL PEOPLE FORGET AND NEED SUPPORT

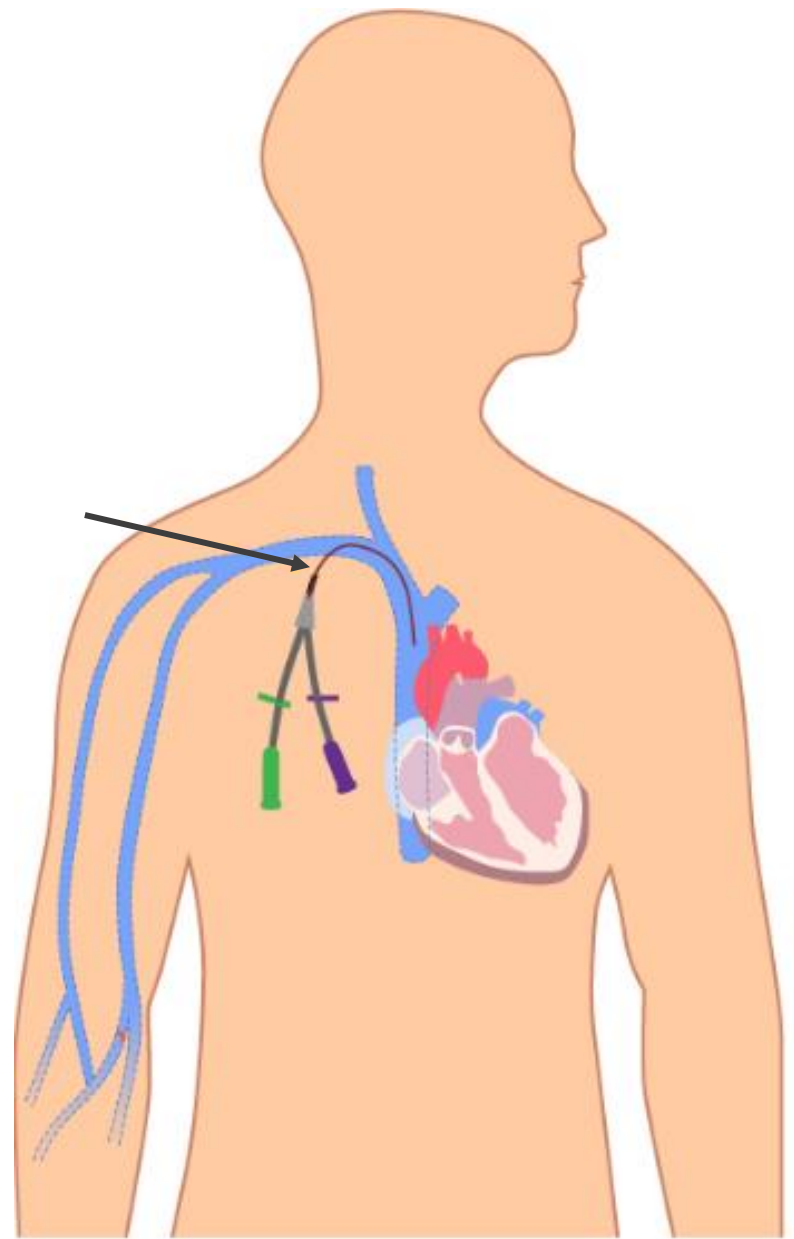


A QUICK STORY FROM THE MEDICAL WORLD



More infections than
75% of American
hospitals

CENTRAL
LINE



“Yours is medication, and mine is coffee. They’re both vital to our well-being.”



CHECKLIST

- Wash hands prior to placing central line
- Wear sterile mask, hat, gown, and gloves
- Cover the entire patient in sterile drapes
- Clean the patient's skin at the insertion site
- Cover central line with sterile dressing

66%

Decrease in infections in 3 months

1,500

Lives saved in 18 months

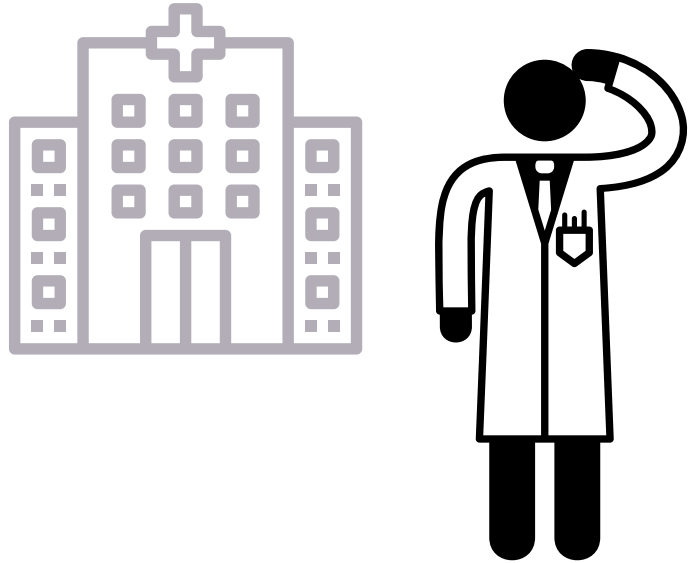


CONTEXT MATTERS.

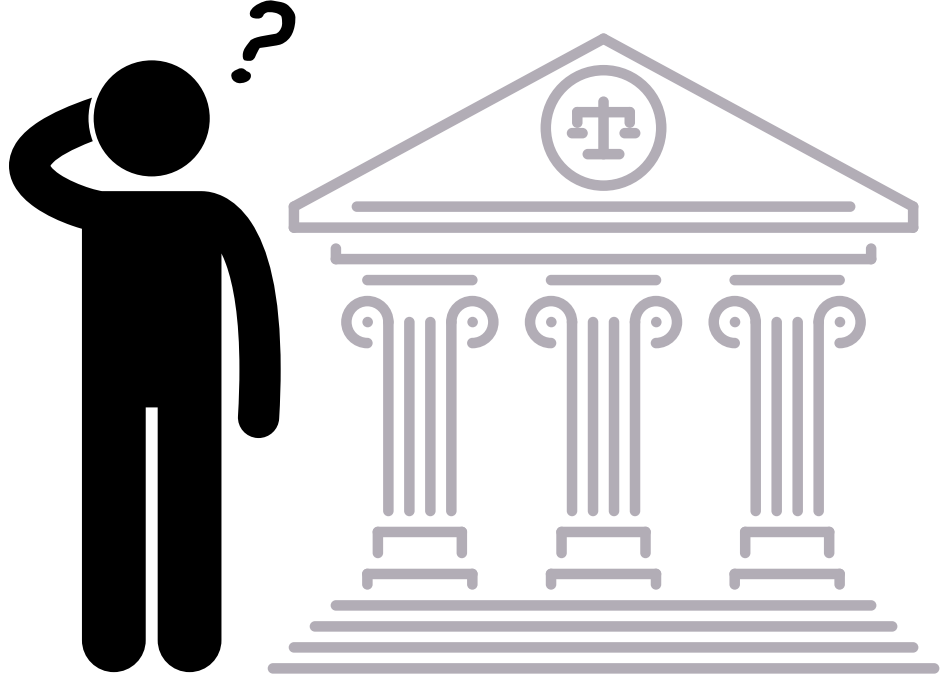
FIX THE CONTEXT, NOT THE PERSON.

WHAT DOES THIS SAY ABOUT COURT APPEARANCE?

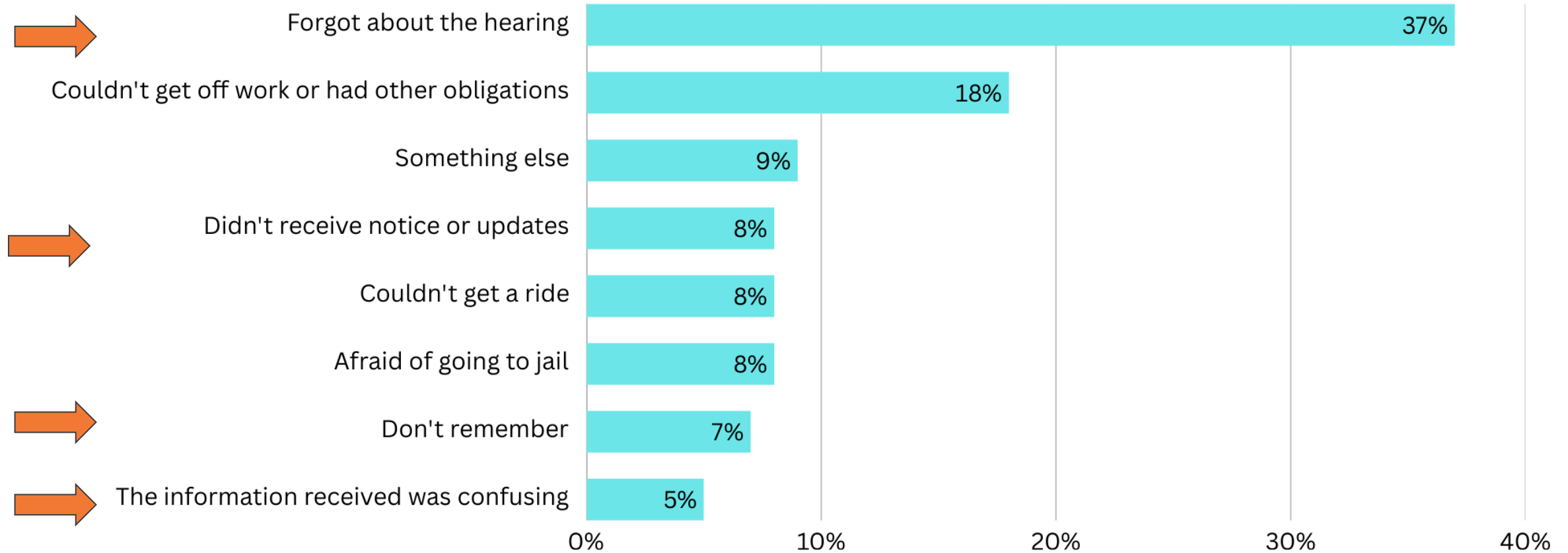
If doctors can make mistakes with routine hospital procedures...



Court users can make mistakes trying to appear in court!



FORGETTING: MOST COMMON REASON PEOPLE MISS COURT



Self-reported reason for missing court, individuals with any case type.

Source: Pew poll

MAJOR BARRIERS THAT KEEP PEOPLE FROM COMPLIANCE

Behavioral barriers



**Limited mental bandwidth
due to scarcity**

**Unclear and hassle-filled
processes**

Fear/distrust

Everyday challenges & hardships



**Resource
gaps**

- No \$ to pay
- Transportation challenges
- Lack of childcare

Health

- Mental and behavioral health challenges
- Medical emergencies
- Disability

**Personal
situation**

- Inflexible work schedules
- Housing instability

Scarcity

When key resources are scarce, we focus on what is most urgent

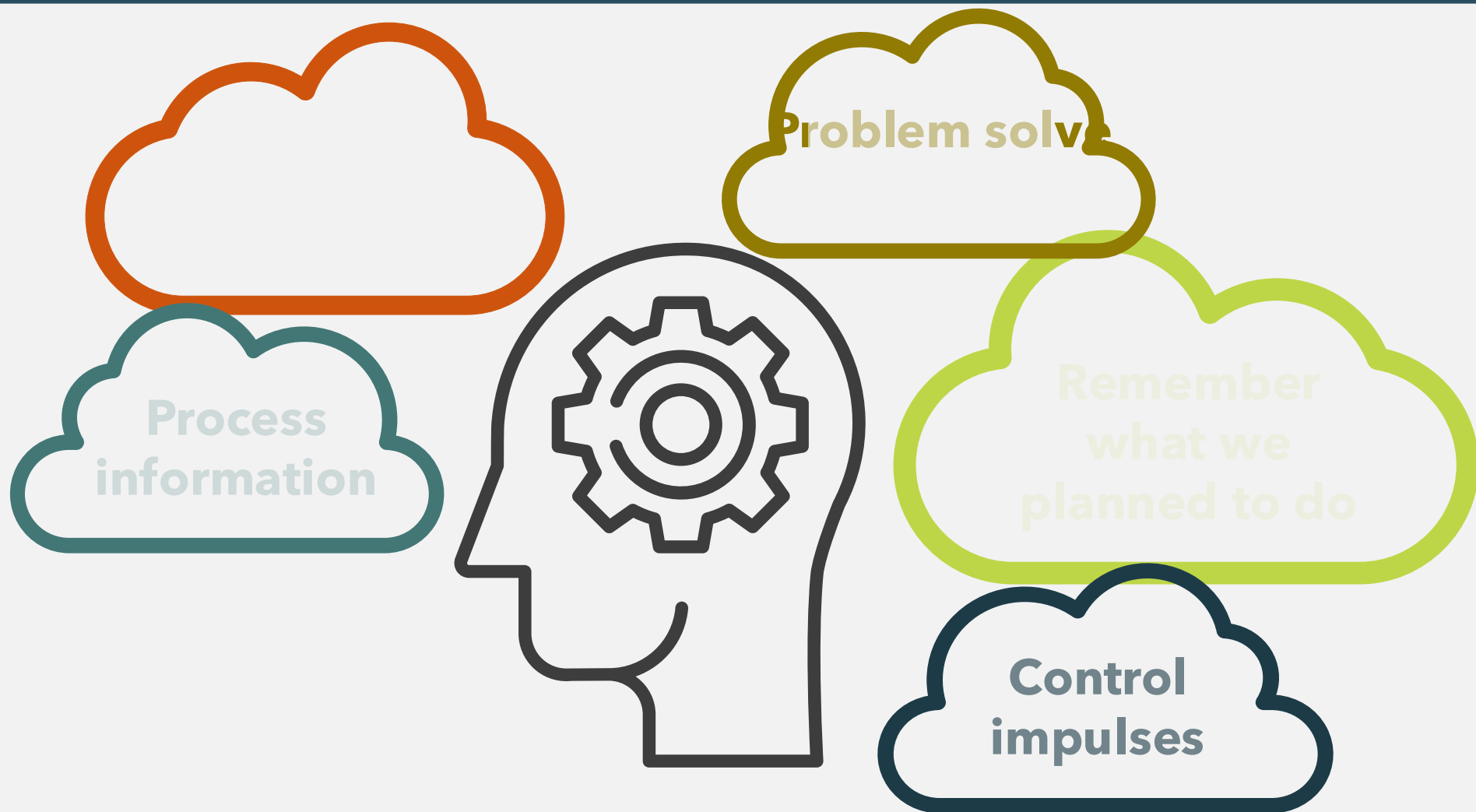


COGNITIVE BANDWIDTH IS OUR ABILITY TO DO “EXECUTIVE” THINKING...

We all have limited cognitive bandwidth

impulses

WHEN OUR COGNITIVE BANDWIDTH IS DEPLETED, IT AFFECTS OUR BEHAVIOR



EXAMPLE: WHEN SAFETY IS SCARCE

Text alert from Dallas County:
WARNING – CAT 4 HURRICANE BERTHA IS
HITTING YOUR HOUSE IN 48 HOURS!
TAKE STEPS NOW FOR YOUR SAFETY!

What would you do **right now**?

What would you do in the **next two days**?

SAFETY: TUNNEL ON WHAT IS URGENT



SCARCITY DEPLETES OUR COGNITIVE BANDWIDTH

Scarcity: *When vital resources (money, food, time) are in short supply*



- We focus on the scarcity to exclusion of all else
- Depletes our cognitive bandwidth
- Like a tight deadline
- Adaptive in the short term

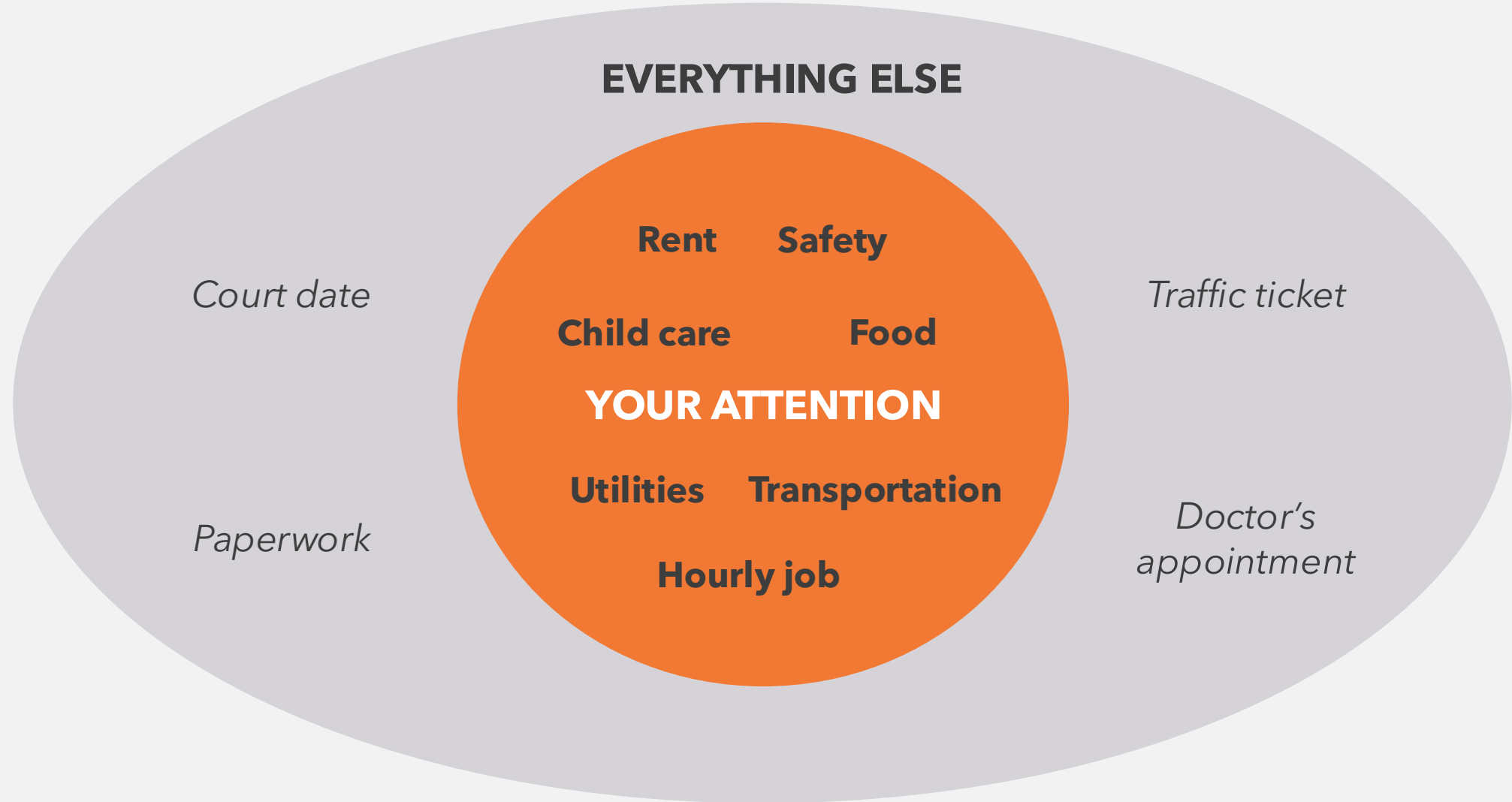
Chronic scarcity: *Living in a continual state of scarcity (like experiencing poverty)*



- Bandwidth used all the time!
 - Like being under a tight work deadline all day, every day
- Like losing a night's sleep!



POVERTY: TUNNEL ON WHAT IS URGENT



WHY THIS MATTERS



When we are focused on putting out a fire, we don't have time for much else...



...and for many people experiencing poverty, those fires occur daily and accumulate

This is the context in which we're asking many people to recall court dates, often weeks later

SCARCITY CHANGES HOW **EVERYONE'S** BRAIN WORKS



Skip important safety measures



Same impact as **losing a night's sleep**

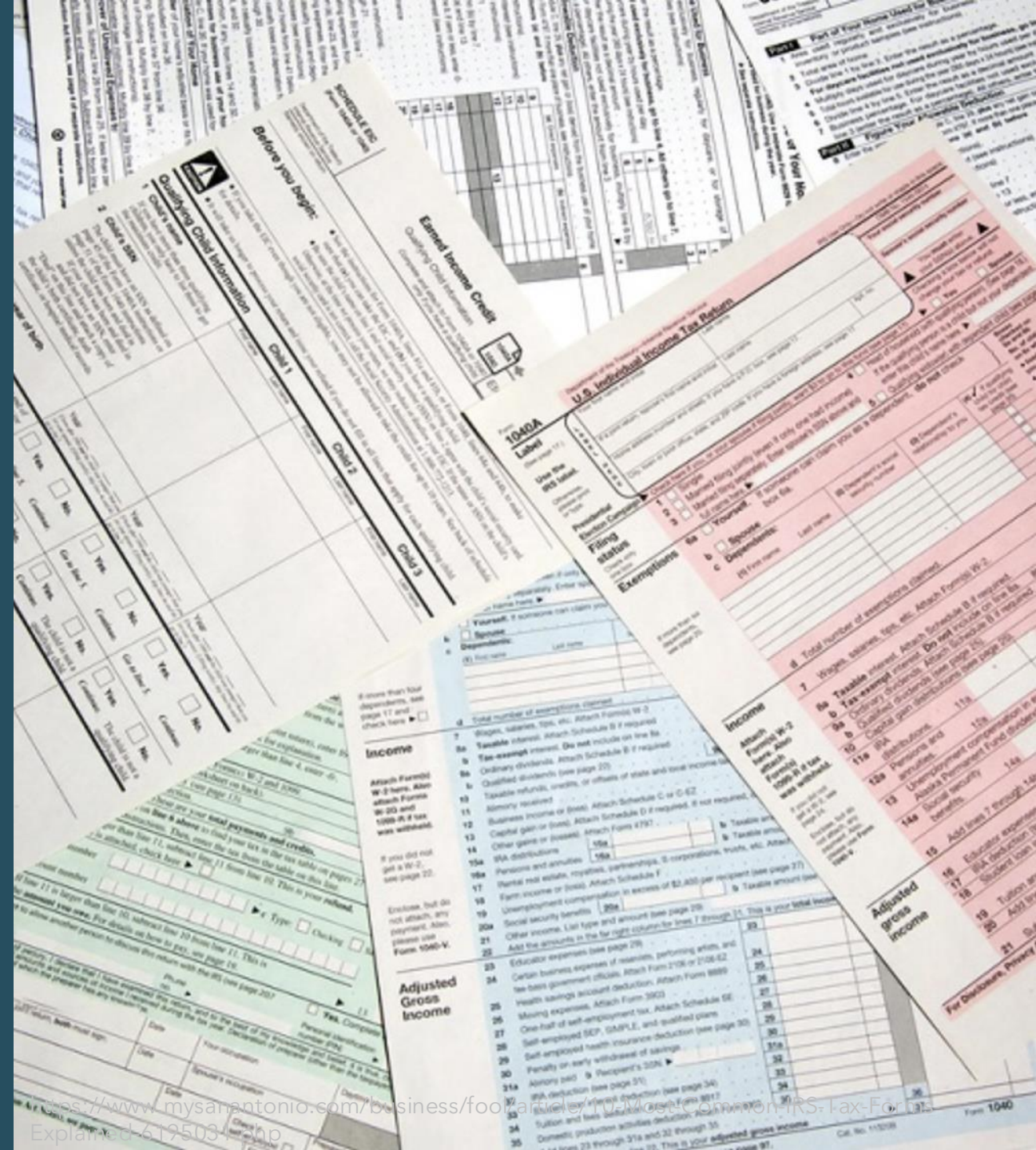
Scarcity = Affects Everyone **Sometimes**

Chronic Scarcity = Affects Those Experiencing Poverty **All the Time**

Design for Chronic Scarcity = Better Outcomes for All

Unclear, hassle-filled processes

Small obstacles and confusion can derail progress



HASSLES ARE EVERYWHERE

This account is locked

Oh dear. You tried too many passwords and now your account has been locked for 30 minutes. You can get around this by resetting your password using the link below

RESET MY PASSWORD

IN COURT, CONFUSION AND HASSLES ADD UP

Crystal K. Kinzel

CLERK OF THE CIRCUIT COURT
 3315 Tamiami Trail East
 Suite 102
 NAPLES, FLORIDA 34112
 239-252-2646

NOTICE TO SUSPEND

You have failed to pay fines/court costs or failed to appear within the time allotted as indicated below. You must contact the Clerk of the Court at the address listed above and comply as originally required and pay a late fee.

Failure to comply with this notice within 30 days will result in the immediate notification to the Department of Highway Safety and Motor Vehicles to suspend your driver's license. Furthermore, you will be required to reinstate your driver's license after all court directives have been satisfied.



1	2	3	4	5	6
CASE NO.	CITATION NO.	DATE ISSUED	STATUTE	DL NUMBER	NOTICE DATE
2025CT003221	AM4W6QE	12/18/2025	322.03(1)(a)		01/14/2026

WARNING: YOU MUST COMPLY WITH INSTRUCTIONS ABOVE WITHIN 30 CALENDAR DAYS OF THE DATE SHOWN ABOVE (ITEM # 6) TO AVOID SUSPENSION OF DRIVER LICENSE PRIVILEGE.

Website: <https://www.co.wright.mn.us/159/Court-Services>

THESE SEEMINGLY SMALL CHALLENGES HAVE BIG IMPACTS



Procrastination



Stop progress



Mistakes



**Negative feelings
and avoidance**

Fear

When we fear an outcome and don't trust that we'll be supported, we may avoid engaging



PEOPLE OFTEN FEEL OVERWHELMING FEAR ABOUT COURT

Stakes: **HIGH**



Possible jail time, unaffordable fines, spiraling consequences

Uncertainty: **HIGH**



Unclear on what will and won't happen; no guarantees

Power differential: **HIGH**



Court will decide outcome; court actors hold expertise and power

Fear can be a major barrier regardless of how much court experience a person has had

THERE'S HOPE!

Recognizing that these barriers exist, courts can take steps to lower them.

SECTION 3: IMPROVE YOUR COMMUNICATIONS

Make the vital info stand out!



COURT DATE FORMS

EXAMPLES OF HOW IMPROVED COMMUNICATIONS
CAN PRODUCE GREAT RESULTS...

FORMS TO CONSIDER REDESIGNING



Forms given at time of charge

Release form, bond form, etc.



Other court date forms

Summons, mailed notice of next court date



Follow up communications

Missed court reminders, warrant notices

EXAMPLE: BEHAVIORAL CONTENT WORKS!

Superior Court of California County of Sacramento
720 9th Street, Sacramento, CA 95814
(916) 874-5522 | www.saccourt.ca.gov

Hours: 8:30am-12:30pm
1:30pm - 4:00pm
M – F except court holidays

COURT DATE REMINDER NOTICE
This is a friendly reminder of your upcoming court date.
Be sure to go to court to avoid a warrant for your arrest.
Any questions? Call us at (916) 874-5522.

Brenda Jimenez Abramovich
400 North Banyon Drive
Sacramento, CA. 95811

Mailing Date:
Case/Arrest Number:
Xref Number:

COURT DATE: Monday, December 19, 2022
TIME: 1:30 P.M. **ROOM / DEPT:** 6
ADDRESS: Gordon D. Schaber Courthouse, 720 9th Street, Sacramento, CA 95814
*Directions, parking, childcare and more info: www.saccourt.ca.gov/locations/locations.aspx
For general information about your case: www.saccourt.ca.gov/criminal/general.aspx*

HELPFUL TIPS FOR YOUR COURT DATE

- u **Plan ahead:** What time will you need to leave to arrive at court on time? How will you get there? Do you need to make plans for work, transportation, or childcare? Children 2½ - 12 years can use childcare at the court, see more information at: www.saccourt.ca.gov/locations/waiting-room.aspx
- u Set a reminder on your phone to remember to go to court.
- u At your first court date, the judge will explain the process to you. If you plead "not guilty," your case will continue to other dates and you can work with your lawyer to resolve your case.
- u If you do not have a lawyer, the judge may provide you with a public defender at no cost to you or will give you time to hire your own private lawyer.
- u For help with your case, call the Public Defender's Office at (916) 874-6111.
- u Plan to arrive at least 15 minutes prior to the start of your court date to allow time for parking or walking from public transportation. It's important to be on time. However, go to court even if running late to avoid a warrant.

If you happen to miss court, clear your warrant right away to avoid arrest!
Call either your lawyer or the Warrants Bureau at (914) 874-5145 between 8am-3:30pm weekdays, or email GetMyReport@sacsheriff.com. You will need to clear the warrant in person (bring ID if you have), and then set a new court date. The staff will help you resolve the warrant.

Clearly state consequences up front.

Court date, time and location at the top of notice content

Reduces fear of what could be inside
Prompts recipient to open immediately

Making a plan is show to increase attendance rates

Important court reminder inside. **Open today.**

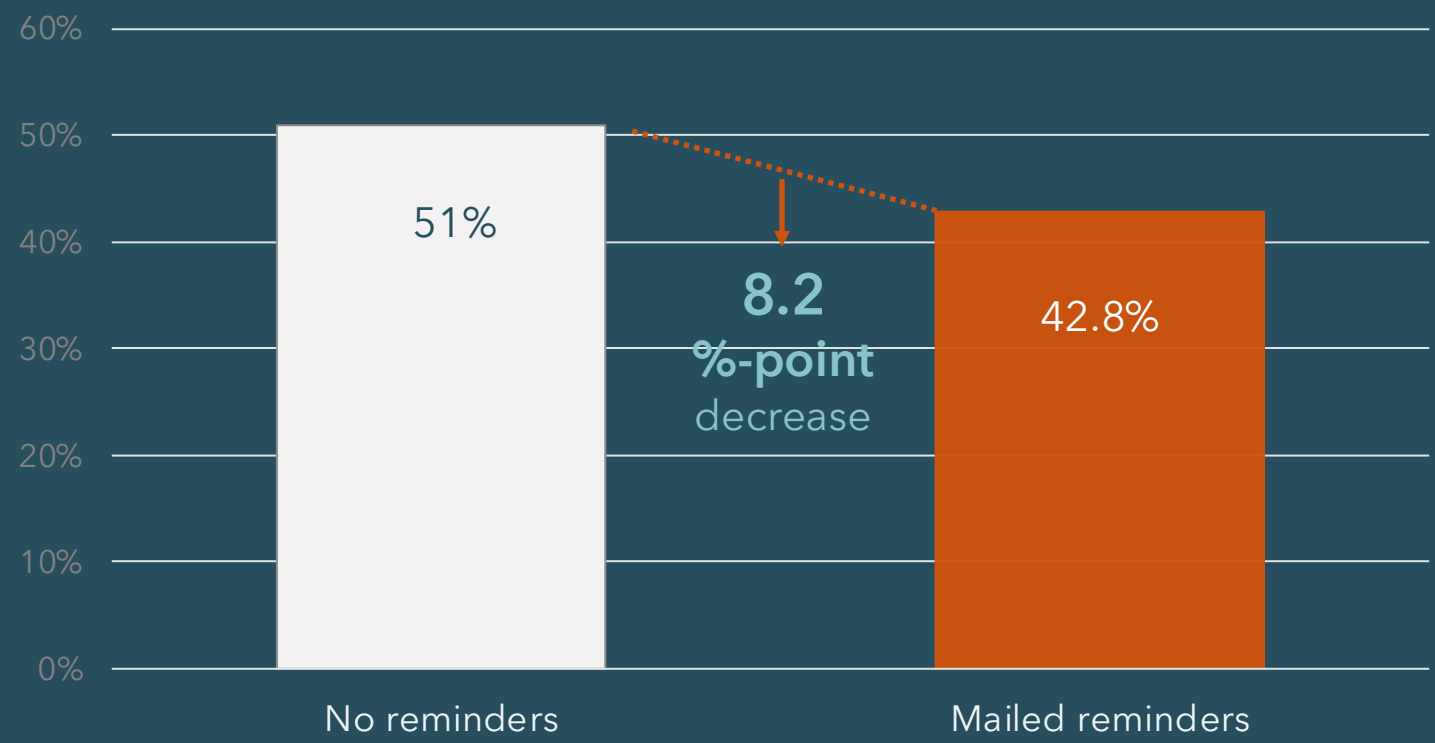
Setting expectations of what will happen to reduce fear

What to do if miss court, with clear instructions and information

SACRAMENTO RESULTS: 16% DECREASE FROM MAILED REMINDERS

Missed Court Date Rates

Effect of mailed reminders on all arraignments



1,115
Warrants prevented
(so far!)

TEXT REMINDERS

PROVEN TO INCREASE APPEARANCE



1ST THE LOGISTICS: WHERE AND WHEN TO COLLECT NUMBERS THE EARLIER THE BETTER FOR COURT PARTNERS!

BEFORE HEARING



**JAIL:
AT BOOKING**

OR



**LEA:
ON CITATION**

Why?

To remind before
1st hearing out-of-custody

Reminders **before this hearing** are
key to increasing appearance rates:
We want people to start case on the right track

AT HEARING



**IN
COURT**

+

Why?

To remind for
later hearings/update

BEHAVIORALLY-INFORMED TEXT MESSAGE REMINDERS

Helpful reminder: go to court Mon Jun 03 9:30AM. **Show up to avoid an arrest warrant.**

Reply Stop to end texts, but most people find them helpful!

7 days before

You have court on Mon Jun 03 at 800 E. Twiggs St., Tampa.

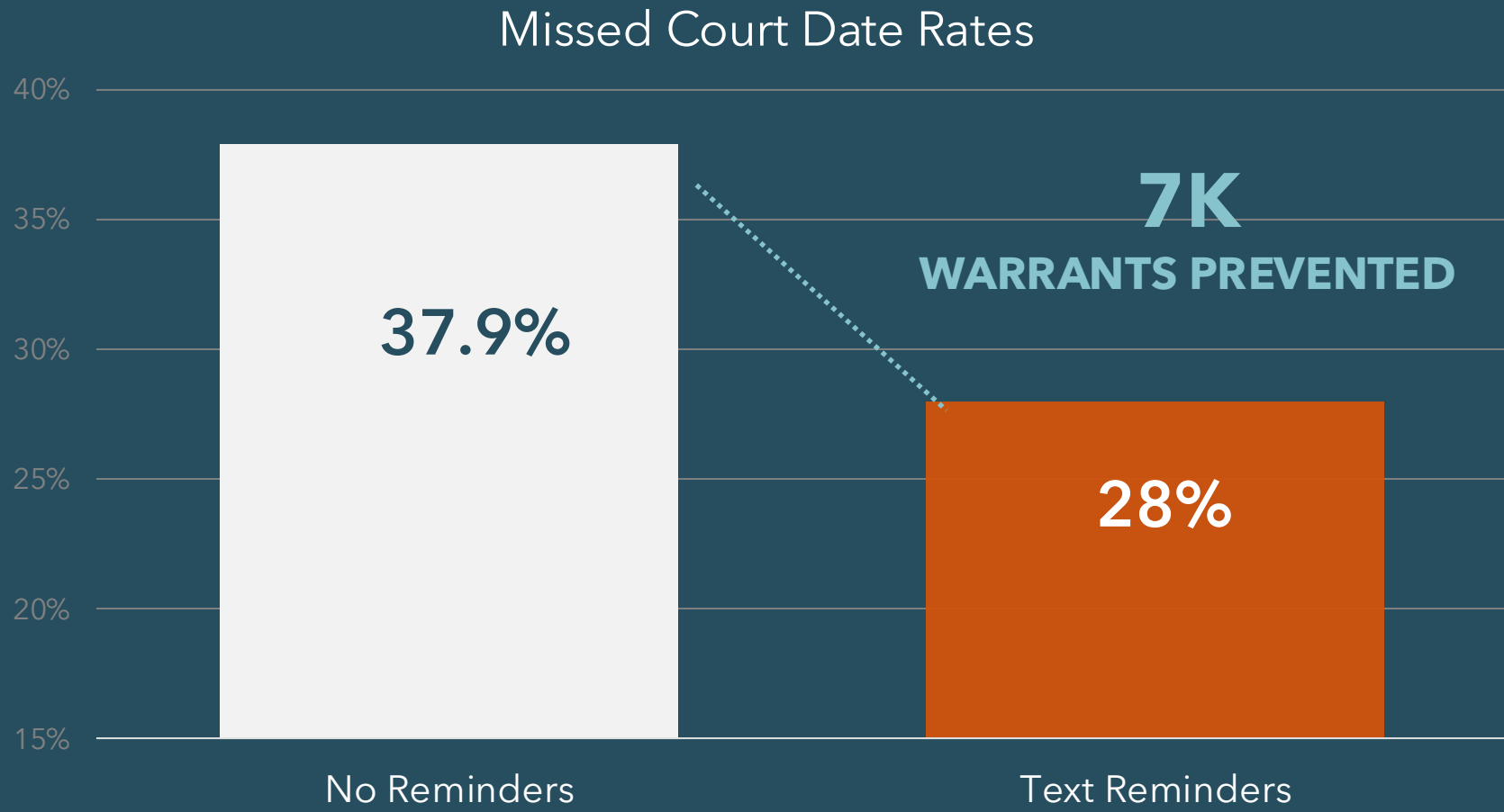
What time should you leave to get there by 9:00AM? Any other arrangements to make? Write out your plan.

3 days before

Remember, you have court tomorrow at 9:30AM. Tickets could be dismissed or end in a fine (60 days to pay). **Missing court for can lead to your arrest.**

1 day before

OUTCOME: 26% DECREASE FROM TEXT MESSAGE REMINDERS AMONG THOSE WHO PROVIDED A PHONE NUMBER

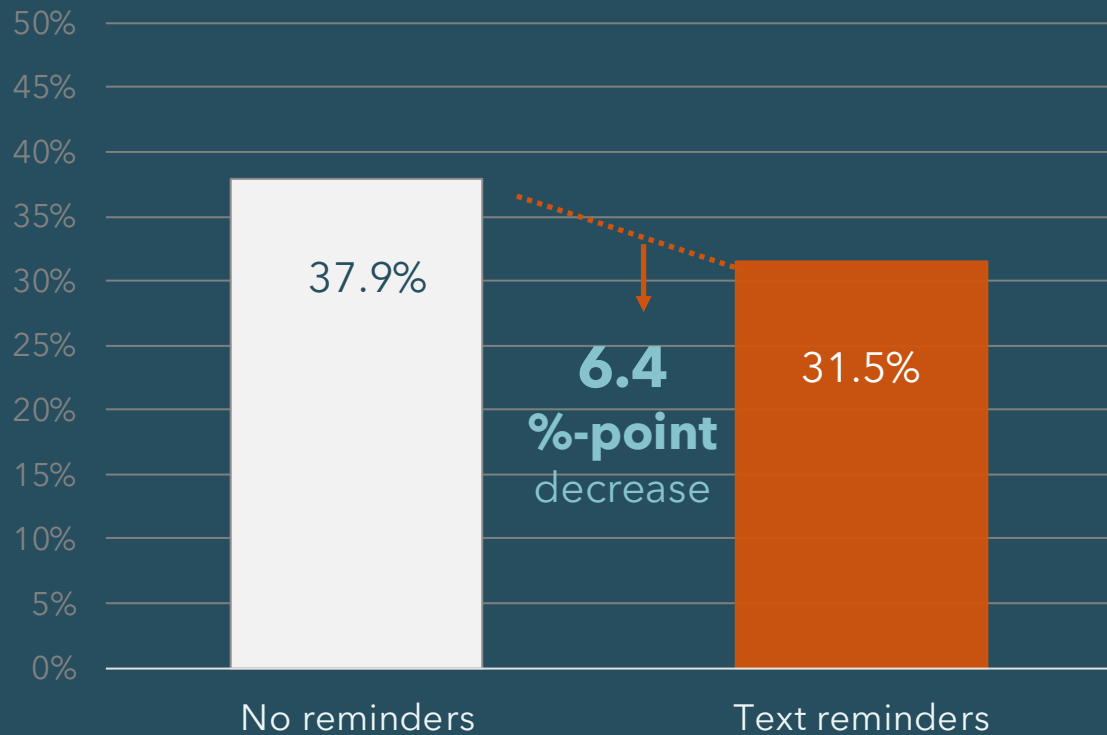


Note: Percentage impact of most effective reminders

DOUBLY IMPACTFUL FOR COMMUNITIES WITH LEAST WEALTH

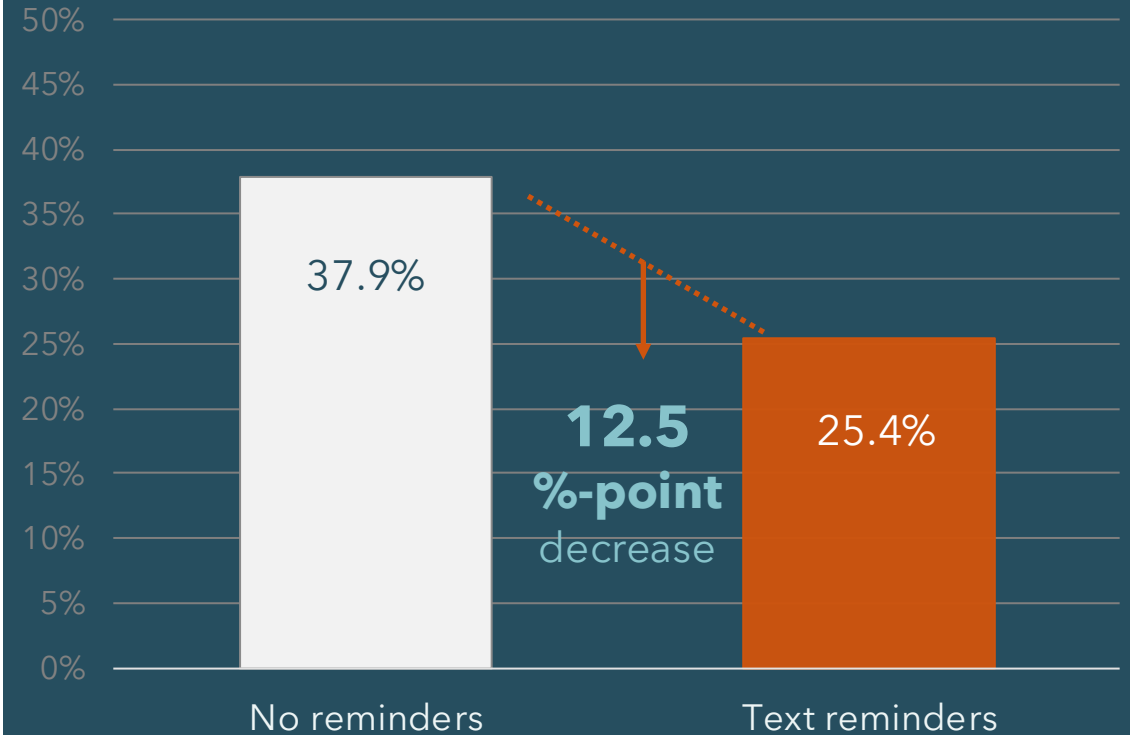
Missed Court Date Rates

Effect of text reminders in **wealthiest neighborhoods**



Missed Court Date Rates

Effect of text reminders in **least wealthy neighborhoods**



EXAMPLE: REMINDERS AFTER MISSED HEARING & WARRANT

BEHAVIORAL CONTENT: OFFER INSTRUCTIONS & HELP

Anthony, you missed court Jan 05. Reschedule by [**date 1 month from today**] to avoid an arrest warrant. Call the court: 123-456-7899. This is a one-time courtesy.

After missed hearing

Since you missed court Jan 05, a warrant issued. Go to 123 Court Lane, Anywhere Town to clear it. You **WON'T** be arrested when clearing the warrant. Questions: 123-456-7899

After warrant issued

MISSED COURT DATES ARE (SURPRISINGLY) COSTLY FOR BOTH THE SYSTEM AND THE PEOPLE MISSING COURT

~\$2,850 per missed court date prevented*

GOVERNMENT COSTS:

~\$1,500

For each missed appearance

- \$ Court staff
- \$ Attorneys
- \$ Warrant issuance
- \$ Warrant clearance
- \$ Arrest
- \$ Booking
- \$ Jail
- \$ Possible pretrial supervision

PERSON COSTS:

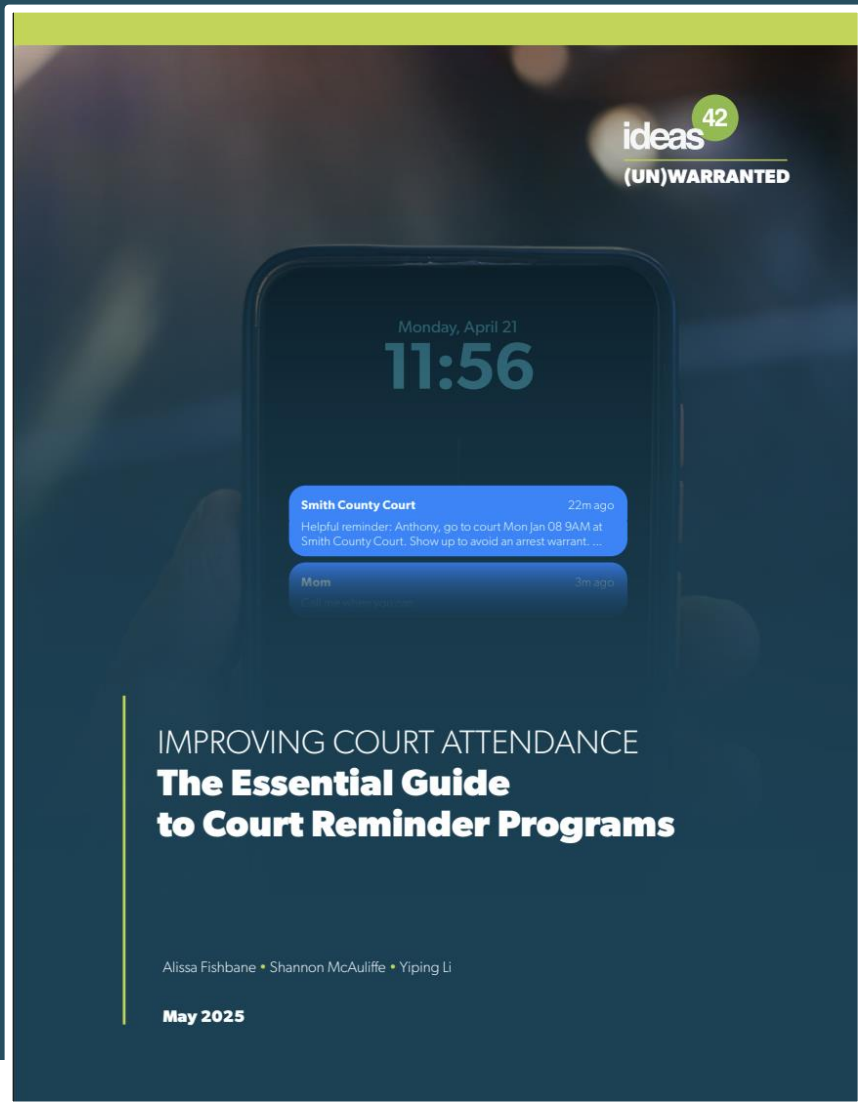
~\$1,350

When missed appearance results in warrant

- \$ Fines
- \$ Lost wages (jail)
- \$ Potential loss of bail
- \$ Possible pretrial supervision
- \$ Inability to work
- \$ Benefits forgone
 - Food (SNAP)
 - Housing (Section 8)
 - Tax refunds (EITC)
 - Health (Medicaid)

* Conservative estimate with only easily quantifiable costs. Based on misdemeanor cases; cases with warrants for missing court. We can provide detailed calculations upon request.

RESOURCES TO ANSWER ALL (OR MOST) OF YOUR QUESTIONS...



Learn more:
 ideas42.org/unwarranted

THE QUESTION IS NOT WHETHER TO MAKE IMPROVEMENTS – BUT WHY WAIT???

(Un)warranted helps courts design, implement, and test effective court date communications.

We live for this stuff so no need to be shy!

Come to us for:

- Examples of reminders, ROI calculations, fact sheets, and any technical info you need!
- To help troubleshoot operational nuances and set systems up for success

Reach out:

Shannon McAuliffe

smcauliffe@ideas42.org

unwarranted@ideas42.org