

What Really Prevents Court Appearance?

Survey Findings From People Who Failed to Appear In Two Counties

FEBRUARY 2025



The Ongoing Challenge

When a person facing criminal charges fails to appear for a court hearing, no one benefits. Courts must reschedule hearings and often issue warrants, consuming time and resources. Meanwhile, people who miss court may face additional charges, fees, and even jail time. Jurisdictions across the country have explored interventions such as court date notifications to improve appearance rates, but failures to appear continue to present a challenge. Part of the problem is that the underlying causes are unclear. Research suggests that people miss court for reasons like forgetting the date or not receiving notice.¹ Others miss hearings due to a lack of transportation or conflicts with life responsibilities, including employment or providing dependent care.²

Courts need hard data on why people miss court. However, relatively few studies have systematically investigated this question, leaving courts without the information needed to make policy decisions. To fill this research gap, the Crime and Justice Institute (CJI), with funding from Arnold Ventures, partnered with Jefferson County, KY (Louisville) and Salt Lake County, UT (Salt Lake City) to survey people who were arrested on a failure to appear warrant.

Firsthand Answers

Jefferson and Salt Lake County staff asked people who were booked into the jails on a failure to appear warrant, and who agreed to participate, why they missed their last court date. The survey included several categories of questions, including awareness of the court date and process, conflicts like transportation issues or dependent care needs, and perceptions of

the justice system and their case outcomes. CJI used a unique ID to connect the survey responses with administrative records to also analyze any trends or differences in the reasons that people with various charges, risk levels, or other characteristics gave for missing court.

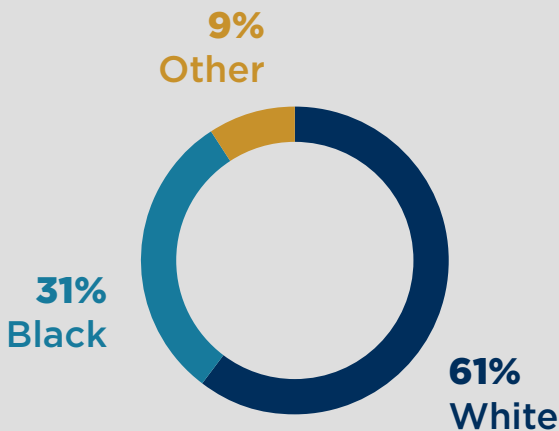
1. Brandon L. Garrett, Karima Modjadidi and William Crozier IV, "Undeliverable: Suspended Driver's Licenses and the Problem of Notice," *UCLA Criminal Justice Law Review* 4 (2020): 185.

2. Brian H. Bornstein, Alan Tomkins, Elizabeth Neeley, Mitchel Herian and Joseph A. Hamm, "Reducing Courts' Failure-to-Appear Rate by Written Reminders," *Psychology, Public Policy, and Law* 19, no. 1 (2013): 70.

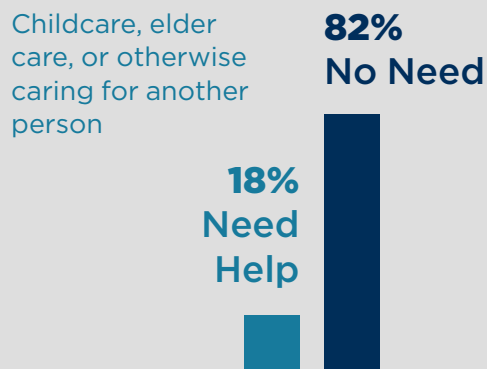
Failure to Appear Survey Statistics

432 people completed the survey across the two sites

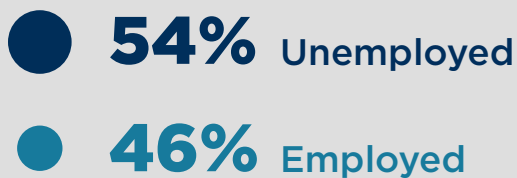
Racial Breakdown of Respondents



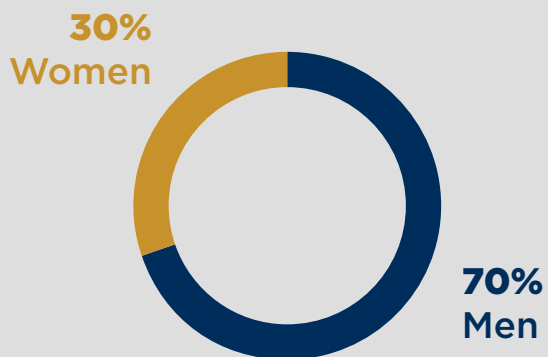
Percent of Respondents in Need of Help with Dependent Care



Employment Status of Respondents



Gender Breakdown of Respondents



Why People Missed Court

Unintentional Reasons Were Cited Most Frequently

Survey respondents reported unintentional reasons for missing court more frequently than reasons considered to be intentional, also known as absconding.

The two most common reasons for failures to appear were forgetting the court date, followed by unawareness of the court appearance. A lack of transportation was also a common reason given for missing court. The least reported reasons fell into the absconding category: fear of going to court and belief that the outcome would not be fair. Some respondents reported that they missed their last court date because they did not understand the pretrial process or they believed they were innocent of the charges.

FTA Reasons by Frequency

MOST FREQUENT REASONS

Forgot the court date

Unaware of the court appearance

Lack of transportation

Did not understand the pretrial process

Believed they were innocent of the charges

LEAST FREQUENT REASONS

Did not believe the outcome would be fair

Afraid to go to court

Among people who only selected one reason, unintentional reasons were most common

Unaware of the court appearance **32%**

Lack of transportation **28%**

Forgot the court date **19%**

Most people cited more than one reason for their most recent failure to appear. While 27 people gave zero reasons and 64 people gave one reason for missing court, 341 people (79 percent) gave two or more reasons, including 30 people who reported seven. Unintentional reasons were most common among the people who only selected one; 32 percent said they were not aware of their court appearance, 28 percent said they lacked transportation to get to court, and 19 percent said they forgot their court date. Small percentages of people selecting one reason reported intentionally avoiding court. Six percent did not believe they would receive a fair outcome if they appeared, five percent said they believed they were innocent of the charges filed, and five percent were afraid to go to court.

Life Circumstances and Competing Responsibilities are Common Challenges

Of all the survey respondents, 49 percent at least somewhat agreed that it was difficult for them to find transportation (20 percent strongly agreed). Among people who needed help with dependent care, 68 percent at least somewhat agreed that it was difficult to find care, and 16 percent strongly agreed. About half (49 percent) of currently employed individuals at least somewhat agreed that taking time off work was a challenge, with 9 percent reporting they strongly agreed taking time off was difficult.

The survey also showed that people who were currently unemployed were more likely to report missing court due to a lack of transportation. People who reported needing help with dependent care were more likely to say they forgot their court date compared to respondents who did not need help with dependent care.

Reasons for Missing Court Differ by Charge Severity

Across both locations, people charged with more serious offenses were more likely to report intentionally avoiding court. People charged with a felony or charged with a higher number of offenses were more likely to say they were afraid to go to court. Respondents charged with a violent offense were more likely to report that they did not believe the outcome would be fair when compared to those charged with nonviolent offenses.

TRANSPORTATION TO COURT WAS DIFFICULT

Strongly Agree At Least Somewhat Agreed

20%

29%

49% of respondents at least somewhat agreed that it was difficult for them to find transportation to court

NEED HELP WITH DEPENDENT CARE

Strongly Agree At Least Somewhat Agreed

16%

52%

68% at least somewhat agreed that it was difficult to find care for dependents

TAKING TIME OFF WORK WAS A CHALLENGE

Strongly Agree At Least Somewhat Agreed

9%

39%

49% of currently employed individuals at least somewhat agreed that they had difficulty taking time off work

People with more serious charges were *more likely* to report intentionally avoiding court.

What Does This Mean for Courts and Pretrial Agencies?

Survey responses from participants in Jefferson and Salt Lake Counties suggest that the reasons for failures to appear are often complicated. Most people gave more than one reason for missing their last hearing. Despite the nuanced responses, there were several notable trends that may help inform policy as courts and pretrial agencies seek new ways to improve court appearance.

FINDING

IMPLICATION

Court Date Notifications Can Be Effective if Contact is Successful

The most commonly reported reasons for missing court were forgetting the court date and not being aware of the appearance. Both jurisdictions in this study have court date notification systems.

This finding underscores the need for intentional court date reminder systems. Recent research suggests that consistently reviewing and updating the notification language and proactively tracking contact attempts may provide more effective support for the people who need reminders.^{3,4}

Targeted Supports May Improve Appearance Rates Among Specific Groups

The survey results showed that getting to court can be a significant challenge. Transportation was a commonly reported barrier, which is a known problem facing jurisdictions across the country.

Although assistance may be helpful for all individuals, the need was most pronounced for people who were unemployed. If resources are limited, prioritizing transportation support for this group may be most effective.

In addition to issues with finding care, people with dependents also commonly reported that they forgot their court date.

This group may benefit from additional reminders to keep their court date front of mind when competing responsibilities arise. Understanding the unique needs of different groups could assist courts and pretrial agencies to more effectively allocate limited resources.

Charge Severity Can Help Guide Resource Allocation

Across both sites, people facing serious charges or a higher number of charges were more likely to intentionally avoid court.

This finding suggests that more intensive, individualized resources may be needed for people facing severe legal consequences. Jurisdictions may improve court appearance rates by focusing pretrial supervision resources on this group and relying on lower cost options such as court reminders for people who are comparatively less likely to abscond.

3. Garrett, et al., "Undeliverable: Suspended Driver's Licenses and the Problem of Notice," 185.

4. Alissa Fishbane, Aurelie Ouss, and Anuj Shah, "Behavioral nudges reduce failure to appear for court," *Science* 370, no. 6517 (2020).

About the Crime and Justice Institute

The Crime and Justice Institute (CJI), a division of Community Resources for Justice, bridges the gap between research and practice with data-driven solutions that drive bold, transformative improvements in adult and youth justice systems. With a reputation built over many decades for innovative thinking, a client-centered approach, and impartial analysis, CJI assists agency leaders and practitioners in developing and implementing effective policies that achieve better outcomes and build stronger, safer communities. CJI works with local, state, tribal, and national justice organizations to provide nonpartisan policy analysis, implementation consulting, capacity-building assistance, and research services to advance evidence-based practices and create systems-level change.

To learn more about CJI's work, please visit:

cjinstitute.org

Acknowledgments

This report was prepared by Jess Hickman, Mei Yang, Andy Tisdell, Charlie Riccardelli, Ashley Neufeld, and Amanda Coscia.

