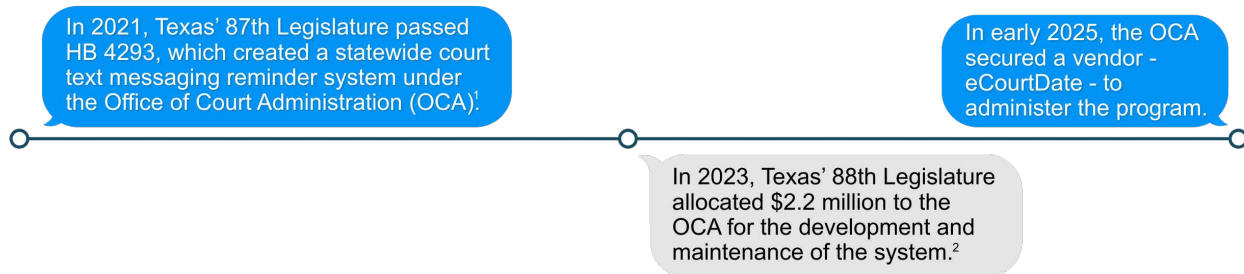




A GENTLE NUDGE: HOW TEXT REMINDERS IMPROVE COURT APPEARANCE RATES

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Note: county and district courts can now opt-in to the OCA's text reminder system at no cost, while municipal courts can do so at a small fee.

RESEARCH SUPPORTING TEXT REMINDERS

Text message reminders are empirically shown to reduce failure to appear rates in court. Research shows that any type of court reminder - via phone call,³ postcard,⁴ or text message⁵ - improves court appearance rates. Text messages are found to be the most cost-effective given their “simple-user benefits”⁶ and low-cost delivery.⁷

The benefit that courts across Texas stand to gain from the use of this system is significant. In one high volume municipal jurisdiction – where more than 320,000 citations are issued annually – researchers found a 21% reduction in their court’s failure to appear (FTA) rates to be attributable to the implementation of a text message reminder system.⁸ Even *higher* reduction rates can be seen when these reminders include comprehensive information. **For example, including appearance details, such as the date, time, and location of the court with a map, has shown to be associated with a 23.5% reduction in FTA rates, while including consequences for failing to appear (e.g., additional fines/fees, warrant for arrest, potential jail time) has shown to result in a 26% reduction.**⁹ Further, a study of over 5,700 public defender clients found that sending text message reminders 7 days, 3 days, and 1 day before one’s court date resulted in a 20.4% reduction in bench warrants at the first court date.¹⁰

RECOMMENDATION

Missed court dates create court backlogs and strain local courts’ resources. Researchers estimate that *each* missed court date - from rescheduling hearings, issuing warrants, locating individuals, and more - can cost courts almost \$1,500.¹¹ **To alleviate these administrative burdens and improve compliance, Texas Appleseed urges courts to opt-in to the OCA’s text message reminder program.** By opting-in, judicial stakeholders can help ensure that their judicial jurisdiction, regardless of size and budget, has access to an effective compliance tool.

This approach will:

- ✓ Reduce the time and resources needed for arrest warrants and jail bookings;
- ✓ Improve the administrative efficiency of courts to manage backlogs and nonappearance;
- ✓ Allow taxpayers to reap the financial benefits associated with a more cost-effective approach

CONTACTS

For research assistance and support



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³ Ferri, R. (2020). The benefits of live court date reminder phone calls during pretrial case processing. *Journal of Experimental Criminology*, 18, 149-169.

⁴ Bornstein, B. H., Tomkins, A. J., Neeley, E. M., Herian, M. N., & Hamm, J. A. (2013). Reducing courts' failure-to-appear rate by written reminders. *Psychology, Public Policy, and Law*, 19(1), 70.

⁵ Fishbane, A., Ouss, A., & Shah, A. K. (2020). Behavioral nudges reduce failure to appear for court. *Science*, 370 (6517).

⁶ Reid, F.J.M. & Reid, D.J. (2004). Text appeal: The psychology of SMS texting and its implications for the design of mobile phone interfaces. *Campus-Wide Information Systems*, 21(5), 196-200.

⁷ F Per the U.S. Postal Service, the cost for one domestic post card is 0.44¢, retrieved from <https://about.usps.com/newsroom/national-releases/2022/1007-usps-announces-new-prices-for-2023.htm>; while a text message using a bulk text messaging service can be as low as 0.02¢ per message, retrieved from <https://www.forbes.com/advisor/business/software/best-mass-texting-services/>.

⁸ Fishbane, A., Ouss, A., & Shah, A. K. (2020). Behavioral nudges reduce failure to appear for court. *Science*, 370 (6517).

⁹ Ibid.

¹⁰ Chohlas-Wood, A., Coots, M., Nudell, J., Nyarko, J., Brunskill, E., Rogers, T., & Goel, S. (2023). Automated reminders reduce incarceration for missed court dates: Evidence from a text message experiment. Retrieved from <https://arxiv.org/pdf/2306.12389>.

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