

# **Paper: How Fair, Fast, and Cheap Should Courts Be? (Greacen 1999)**

Making the court system fairer, faster, and cheaper are at the top of most agendas for restoring public trust and confidence in the legal system. But how much fairer, faster, and cheaper do the courts need to be to meet the public's needs? So long as the only benchmarks are those the courts set for themselves, we can never be confident that meeting them will ensure we are providing adequate public service.

In this 1999 study, John Greacen looks at benchmark information from litigants, the true customers of the legal system, that New Mexico gathered on their "wants" for the court system. Key findings of the survey were that only 39 percent of New Mexicans had a favorable view of the legal system. Two-thirds thought it was too slow. Sixty percent found it too expensive. Only 20 thought it treated all persons equally. Lawyers were considered dishonest and unethical. A majority supported the jury system, but 59 percent thought the legal system needed a complete overhaul. The findings for fairness largely confirmed existing impressions and the findings for the cost were dramatic.

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