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## Stages of Judgment Citizen Court Experiment Report

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SUSAN M. JEGHELIAN  
Executive Director

### **Stages of Judgment Citizen Court Experiment Report**

Over the past several years, the Massachusetts Office of Dispute Resolution and Public Collaboration (MODR) has worked with the Kettering Foundation to establish a Public Policy Institute (PPI) for public deliberation at the University of Massachusetts Boston. In June 2008, the Kettering Foundation invited MODR to join other research partners across the country in a research experiment influenced by Daniel Yankelovich's *Seven Stages of Public Understanding*. The purpose of this experiment is to test how effectively a citizen court process model communicates public opinion on contentious public policy issues to public officials and the media.

MODR agreed to join in this research project in order to continue to build on its public deliberation expertise and to contribute to the advancement of the field of Deliberative Democracy. The project provided the opportunity to examine and learn new techniques for analyzing and reporting forum outcomes. Furthermore, the project provided an opportunity for MODR to engage the University of Massachusetts Boston academic departments through the involvement of graduate students as research assistants, as well as the opportunity for MODR to engage its networks of public officials, affiliate practitioners, and moderators in the project.

#### **I. Preparing the cases: challenges and achievements**

MODR decided early on in the process of planning for this experiment that assistance would be needed in pulling together and presenting optimistic and pessimistic arguments for the court event. MODR hired two graduate students (past and present) from UMass Boston's John W. McCormack Graduate School of Policy Studies, Women in Politics and Public Policy Program as Research Assistants for this project. These two students were selected from a pool of applicants from the McCormack Graduate School. MODR targeted recruitment toward graduate students in the policy studies and dispute resolution programs. The Women in Politics and Public Policy Program in particular has an intensive research focus and MODR believed students from this program would be highly qualified to conduct a thorough analysis of the forum results.

Throughout the project case summaries, summary briefs and presentations were shared between Research Assistants/MODR staff as they were completed (both in draft and final form), in order to allow as much collaboration as possible and MODR input to help the Research Assistants craft their arguments. The presentations were crafted to address the strongest arguments for their case, as well as the

**Massachusetts Office of Dispute Resolution & Public Collaboration (MODR)**

**University of Massachusetts Boston**

**Stages of Judgment Citizen Court Experiment Report**

weaknesses in the opposing side's argument, which could only be accomplished through the sharing of drafts and collaboration between Research Assistants and MODR. In the end the cases proved to be both complimentary of each other (in terms of what participants valued) and critical of each other (in terms of what stage of judgment the public is at), which helped to create a solid base of evidence for the judges' deliberations.

Unfortunately, some issues arose which changed the arrangement through which the cases were prepared. It became clear a few weeks prior to the court event that one Research Assistant's work was not up to the standards MODR was looking for, and therefore the decision was made for MODR to take over completion of the case. MODR staff revised the case, put together a presentation and presented at the event.

Evidence for the cases was based solely on the information gathered at the two forums: forum transcripts and video, post-forum questionnaires, and post-forum evaluations. Additionally, the Research Assistant/MODR staff that prepared and presented the cases participated or observed one or both of the forums. MODR considered allowing the use of outside information (e.g. news articles) to support the arguments, but this thought was brought up late in the project it was decided against as the preparers simply did not have enough time to incorporate this additional information into their cases.

Each case was prepared differently in terms of the evidence that was focused on. Research Assistant Carol Nemet Curran, who presented the pessimistic perspective, focused largely on her observations from attending one of the forums, reading Yankelovich's *Coming to Public Judgment* and her evaluation of the participant questionnaires and evaluations. The optimistic perspective, presented by MODR Program Manager Mette Kreutzmann and prepared by Kreutzmann and MODR Program Coordinator Courtney Breese, focused largely on observations from attending the two forums, reading Yankelovich and the forum transcripts themselves. Curran explained that she used the questionnaires/evaluations primarily as evidence in her case because she felt they best reflected the true positions of the forum participants. Kreutzmann and Breese used more direct quotes from the forum participants as evidence because they captured participant thinking throughout the forum rather than just at the completion of the forum. Overall, both preparers chose the types of evidence that presented the best case for their argument.

As previously mentioned the resulting cases complimented each other in regards to the things participants valued most highly, and were critical of one another in regards to how far participants have come in accepting the costs, consequences and trade-offs of the preferred actions. The cases were in agreement that participants valued most highly health care as a right and a universal health care system as an action to provide health care as a right, although they disagreed on how ready participants were to take action on this value. The two arguments were also in agreement that prevention (both personal and preventive health care) could be important to controlling the costs of health care, but they differed in their findings on whether participants were ready to act preventively in their own lives. Third and finally, the cases agreed that participants were calling for some level of government regulation to reduce costs such

**Massachusetts Office of Dispute Resolution & Public Collaboration (MODR)**

**University of Massachusetts Boston**

**Stages of Judgment Citizen Court Experiment Report**

as prescription drugs, but disagreed on how willing participants were to accept the trade-offs of this type of action.

The findings of each argument as to where the public stands, though not severely different, were far enough apart to create thoughtful deliberation amongst the court. The optimistic case presented findings at Yankelovich's stage six, "taking a stand intellectually," characterized by the public knowing what they would like to see happen in theory, but still clarifying their thinking and considering any remaining inconsistencies. This argument concluded that participants have weighed the costs, consequences and trade-offs, and are now looking to the policymakers for proposed policies for the public to examine. The pessimistic case took note of inconsistencies in questionnaire results and forum transcripts and interpreted the data as demonstrating that the public is characterized more accurately at Yankelovich's "Working Through" phase, specifically stage four, "Resistance," during which the public demonstrates wishful thinking and an incomplete knowledge of the costs, consequences and trade-offs. The pessimistic case concluded that participants need more information and more time to work through these issues fully before they can accept the trade-offs and support actions.

**Decisions of greatest impact**

The largest impact on the preparing of the arguments/presentations was having the preparers share all documents and presentation materials with each other. This allowed for well balanced arguments. This kind of parallel, balanced presentations provided the panel with significant evidence to deliberate on. On the other hand, the decision to hire and work with graduate Research Assistants was a mixed experience with both positive and negative impacts on the process. Losing one of the Research Assistants so late in the project was detrimental. MODR staff had to scramble to draft an improved argument and an entire presentation less than two weeks prior to the court process event. While a solid presentation was put together and well presented by staff, it brought forth the realization that given more time and a more dedicated Research Assistant, it may have been possible to develop each case further and could have taken the event in a slightly different direction. MODR staff's analysis of the forum data provided some additional insights to those found by the research assistants, and if the remaining Research Assistant had had the opportunity to review and the time to craft a new argument to address the new insights, the jury process would have focused on some different information than what was ultimately covered in the event. Overall, the jury process was a success in that thoughtful deliberation occurred and a verdict was reached among the panel that could be communicated to policymakers, health care providers and the media in the Commonwealth.

**Lessons learned**

Looking back, the change that would have made the cases stronger and thus created an even richer jury deliberation would have been to be more thorough in the selection process for the Research Assistants. MODR had an excellent experience with Research Assistant Curran, who early on demonstrated an eagerness for this type of project and dedication to hard work and quality research and analysis. On the other hand, a more thorough selection process may have helped to raise some of the

**Massachusetts Office of Dispute Resolution & Public Collaboration (MODR)**

**University of Massachusetts Boston**

**Stages of Judgment Citizen Court Experiment Report**

issues with the second Research Assistant's heavy workload and lack of communication. As mentioned above, this change could have made a difference in the content of presentations and the quality of the work on the case summaries from the beginning.

In addition to a more thorough selection process, checking-in with the Research Assistants more frequently throughout the project in terms of their satisfaction with each other and with the work may also provide an opportunity for the Research Assistants to raise concerns. Additionally, while ample feedback was provided on case summary drafts, perhaps additional meetings between MODR and the Research Assistants to discuss drafts would have been helpful to review edits, as well as for the Research Assistants to collaborate further on their plans for the final drafts. Research Assistant Curran's feedback (Appendix A) also suggested more interaction and dialogue between Research Assistants/preparers would have improved the preparations of the cases.

**II. Conceptualizing and preparing the court process: panel of judges**

The panel of judges represented a range of professions and backgrounds that MODR believed would be complimentary to both the process and the topic of health care. The panel of judges consisted of:

**State Representative Paul J. Donato** (D-Medford), former Mayor of Medford, MA

**Joseph Feaster, Esq.**, McKenzie and Associates P.C., former appointed state and local official

**Patrick S. Halley**, Author of *Wimpy* and *On the Road with Hillary*, former federal employee under the Clinton Administration

**Dinesh Patel, M.D.**, Chief of Arthroscopic Surgery, MA General Hospital, former Chair of MA Board of Registration in Medicine

**Ruthy Kohorn Rosenberg, J.D.**, Mediator and Director of Student Mediation, MIT, and daughter of Physician and Yale University Professor Ernest Kohorn, M.D.

MODR decided it would be beneficial to have several judges with health care backgrounds or ties to health care, as well as judges with knowledge of the realities of politics and policymaking. Additionally, MODR followed the suggestions of the Kettering Foundation and decided to recruit a policymaker, media person, and a dialogue moderator for the panel. MODR found many of these backgrounds and areas of expertise in several of our judges. For instance, Patrick Halley is an author/freelance writer and MODR's chosen media person for the panel, but he also was previously principal advance man for Hillary Rodham Clinton and was with her as a federal employee for most of her efforts to reform the American healthcare system. Also, Attorney Joseph Feaster is a former appointed state official under the Executive Office of Administration and Finance, and has served on the board of directors of the Massachusetts League of Community Health Centers. Having a panel with these diverse perspectives and life experiences contributed greatly to the ability of the panel to carry out thoughtful deliberations and reach a sound judgment of where the public stands.

**Massachusetts Office of Dispute Resolution & Public Collaboration (MODR)**

**University of Massachusetts Boston**

**Stages of Judgment Citizen Court Experiment Report**

MODR faced relatively little challenges in getting the judges to agree to participate. It had been anticipated, however, that given that these positions were voluntary MODR may find some individuals reluctant to participate. While reluctance to participate was not observed, there was a reluctance to participate in activities outside the court process event itself. MODR tried to keep requests made of the panel to a minimum in order to keep the panel happy; it was decided that the panel would not be asked to write up their own verdict, and were not asked to attend a later event debriefing the jury process as previously planned. However, MODR did insist on holding a panel briefing meeting to bring the judges up to speed on the project to date and to prepare them for their roles. There was a little reluctance or some feelings that the meeting was unnecessary, but all judges attended and received the documents and information necessary to conduct the jury process.

A challenge MODR anticipated was keeping the judges committed to the project. Judges were approached in the fall of 2008 and asked if they would participate in the project. After that time, aside from attending the forums in the fall, the judges were not called upon until their briefing meeting in April 2009, and the hearing event that followed in May. In between these events, MODR checked-in with the judges to let them know the progress of the project and to confirm their commitment to continuing with the project. Fortunately, all five judges originally invited to join the panel saw the project through to the final event.

All the preparation of the judges took place at the judges' briefing meeting in April 2009. The following information was distributed to the judges at this meeting: information on deliberative dialogue (for those not familiar with the process), information on the project to date (what was already completed), guidelines for the panel of judges (format for the event, instructions for their deliberations), a *Coping with the Cost of Health Care* discussion guide, and the two case summaries. During the meeting the judges were provided all the information they needed regarding the event and what to expect. As the actual event date approached, the judges were provided with the summary briefs, tips for their deliberations (what kinds of questions they should consider as they deliberate), and a chart of Yankelovich's Stages of Public Understanding were provided to them at the event for their reference.

**Decisions of greatest impact**

It is hard to judge the impact of these efforts. However, it is believed that the documents the judges received were reviewed and therefore aided in the success of the event. Feedback from the judges indicates that they found the documents provided to them in advance of the event helpful in preparing them for their roles. Without that kind of preparation on the part of the judges, the event would not likely have run as seamlessly as it did, and the moderator may have had to take a prominent role in facilitating the judges' deliberations. As it was they basically facilitated themselves.

The choice of judges was critical in impacting the success of the event. The individuals selected recognized the importance of public deliberation as a critical part of the democratic process and as particularly key for health care policy. Given their backgrounds, they were also able to deliberate respectfully and thoughtfully and in addition were able to provide insights from their own experiences,

**Massachusetts Office of Dispute Resolution & Public Collaboration (MODR)**

**University of Massachusetts Boston**

**Stages of Judgment Citizen Court Experiment Report**

but not speak solely to their beliefs or expert knowledge. The panel understood quite well that their role was to make a judgment based on the evidence solely from the forums.

**Lessons learned**

Looking back, MODR could have spent more time looking to recruit a panel that was more diverse. Diversity in terms of age, employment status, gender, and level of education were the most lacking on this panel. Most of the panel was older, gainfully employed, male, and highly educated. It should be noted that the panel did reflect some cultural/ethnic diversity, in that two of the judges were people of color. Though satisfied with the background and efforts of the judges recruited, if this event were replicated MODR would likely try to be more representative of the public in its choices for the panel of judges.

**III. The court process**

The court process was designed on a small scale but modeled in many respects after the Washington, D.C. court model MODR observed (please see Appendix C for event program). One major change was that MODR Deputy Director Loraine Della Porta served as moderator to help move the process along and to assist the judges in their deliberations by asking questions of them and helping to summarize key points and the final verdict. No chief judge was selected as there was not enough time to prepare a judge for this role, and there were some concerns about how this role may impact the dynamics between the judges.

The event began with opening remarks from MODR Executive Director Susan Jeghelian, and an introduction of the participants and the process by moderator and MODR Deputy Director Loraine Della Porta. When the court was convened following these introductions, the “attorneys” had the floor for the next forty minutes. Each attorney made an opening statement (the optimistic attorney went first), presented their arguments, and made a closing statement. Attorneys used PowerPoint to present their evidence and main arguments. They had been offered the option to use video clips from the dialogues as part of their evidence, but neither chose to and instead used participant quotes and other data on their slides.

Following the presentations, the judges were provided a half hour to question the attorneys, with facilitation from Ms. Della Porta. Following the questions, the judges deliberated for twenty minutes to reach a verdict on the three questions before the court (the same as in Washington’s court process):

1. What are the things that citizens value most highly when they seriously deliberate *Coping with the Cost of Health Care*?
2. Do citizens show a clear awareness of the consequences, trade-offs and costs of achieving the things they highly value?
3. To what extent are citizens ready to accept these consequences, trade-offs and costs?

**Massachusetts Office of Dispute Resolution & Public Collaboration (MODR)**

**University of Massachusetts Boston**

**Stages of Judgment Citizen Court Experiment Report**

Upon reaching a verdict, the panel then had ten minutes to discuss the policy implications of the verdict both for the Commonwealth and the United States. The deliberations and discussion of the implications were facilitated as well.

The following is the summarized verdict from the panel of judges (see full verdict document in Appendix D):

*The court finds that the public, as represented by citizen participants of recently held deliberative dialogue forums in Boston, values quality, affordable and accessible health care, and is looking to move forward on health care policy reform, but has not fully weighed the costs, consequences and trade-offs and is looking for more concrete policy options to evaluate.*

The court found that the forum participants reached common ground in their desire for access to quality, affordable health care for all, but the court raised concerns that once a policy is proposed issues will arise that may require the public to go back to working through the issues again. The court urged policymakers to take the process of health care reform slowly, to educate the public about how the reforms may be implemented, as the public is considered by the court to be in a relatively fragile state of judgment.

The court was not unanimous in their verdict, and therefore each judge's statements were summarized in the formal verdict in order to highlight the differing viewpoints on where the public appeared to be and the implications this verdict has for policymakers.

**Impact of the event**

In terms of the success of the event, attendance was not very high (approximately 20 people observed the event) and this could have been due to several factors. First, the event was held mid-day on a working day at the State House in Boston, which is a fantastic and appropriate location for this type of event, particularly in terms of visibility to decision-makers and the media. Unfortunately for those who cannot travel via public transit, parking in this area is costly and sometimes limited. Additionally, the room the event was held in was located within the House of Representatives Lobby, which is generally closed off to the public and is nearly impossible to find on a building map. MODR tried to provide detailed information on the location to registered audience members, but for those who did not contact the office it is unknown if anyone attempted to attend but could not find the room. If this event were to be held again, further considerations regarding the location of the event and any other coinciding events would be important.

The court process was a refreshing experience to the judges, presenters and audience alike according to the feedback received. In terms of its potential to engage policymakers and the media, however, there was some observed disagreement. In the feedback questionnaire, one judge questioned the effectiveness of the event and felt that the process is not interesting enough to be effective in engaging the media and public officials. Additionally, Research Assistant Curran felt some uncertainty regarding its effectiveness in communicating results to the media and policymakers. She felt that most likely, "the

August 2009

**Massachusetts Office of Dispute Resolution & Public Collaboration (MODR)**

**University of Massachusetts Boston**

**Stages of Judgment Citizen Court Experiment Report**

cumulative findings of the project summarized into a brief would be a more effective tool for policymakers.”

**Lessons learned**

One thing that MODR would have like to do differently is to have given the optimistic attorney (who was filling in last-minute after the Research Assistant left the project) more time to prepare her case, though this did not appear to negatively impact the event. Given more preparation time, however, the two attorneys might have provided even more solid arguments for the judges to deliberate on and had more time to review each other’s cases and prepare for possible questions from the judges. Additionally, it would have been beneficial to provide attorneys with time for rebuttals, as this need seemed to emerge during the questioning by the judges.

Some of the feedback received suggests increasing the number of forums held and the diversity of the participants to increase validity of the data. MODR agrees that holding more forums across the state with more diverse participants would increase the validity of the reports and potentially the interest in this project. The reason more forums were not held was due to a lack of resources to fund the costs of additional forums (e.g. space, food, videotaping, materials), and if this process is replicated MODR will have to consider the resources it has to determine how to hold additional forums.

A potentially missed opportunity at the event was the use of the forum videos. As mentioned earlier, both presenters were allowed to use video clips in their presentations, but chose not to. The main reason the clips did not get used was the concern for the amount of time needed to edit these clips, as well as the disruption it may make during the event to sync and play the clips during a presentation. Additionally, MODR had discussed using a few minutes of video from the forums to present at that start of the event, in order to give the audience an example of what deliberation looks like and what trade-offs participants struggled with. Ultimately this video segment had to be dropped from the agenda due to a lack of time to edit the video for this presentation, and some difficulty in finding a short enough segment that would have the desired effect. In the future it seems that it may be beneficial to spend more time incorporating forum video into the court process, both as evidence in the presentations and as an introduction to deliberation for the audience members who have not experienced the process. Additionally, as the video recording was relatively expensive, it would be a better use of resources to use the video for more than just transcriptions and for the viewing of the presenters and judges, for which it was used in this experiment.

Another thing that MODR would do differently should the court event be replicated is to make changes to the time and location of the event. Feedback from the judges included recommendations to hold the event in the evening and at an academic institution. In the early planning stages this had been MODR’s intentions, yet through discussion with the judges the decision was made to hold the event downtown and during the day, in order to best engage the media and public officials. It seems that this event may have better attendance in the evening hours, as it is a bit lengthy for interested individuals to take time to attend during the day. Furthermore, holding the event at an academic institution may yield a

**Massachusetts Office of Dispute Resolution & Public Collaboration (MODR)**

**University of Massachusetts Boston**

**Stages of Judgment Citizen Court Experiment Report**

larger audience as interest in public deliberation is high among institutions of higher education. However, it is unknown if this type of location may impact attendance from public officials and the media. Overall, MODR believe the event location would need to be easy to find and accessible for both the general public, public officials, and the media.

**IV. Engagement of public officials and the media**

**Efforts to engage the media**

Reporting of the court process to the media both prior to the event and following the event was handled by MODR staff. A press release was disseminated weeks before the event to state and local media outlets in the Greater Boston area, including newspapers, radio, and television. Additionally, the Boston Neighborhood Network (BNN) public-access station was contacted regarding coverage of this event, but MODR did not receive a response to the inquiry. This is likely due to the relatively short notice provided, as MODR was made aware after the process that public-access stations need months of prior notice in order to fit such an event into their schedule. Following the event, a follow-up press release covering the findings of the court was sent to the same media outlets. Once again no coverage or inquiries were received from the media.

**Efforts to engage public officials**

In the planning stages of the court process, MODR was successful in engaging State Representative Paul Donato, who agreed to serve as a judge for the event. Representative Donato provided assistance to MODR in securing a location for the event at the Massachusetts State House, and was helpful in providing feed back during the planning process.

MODR was able to recruit for the panel of judges a current public official and a former public official, as well as a former federal employee under the Clinton Administration. This recruitment was significant and MODR considered the panel adequately represented by individuals with experiences in public policy and administration.

To engage public officials in attending the court event MODR relied on Representative Donato, who offered to assist by inviting his peers. Unfortunately, in the weeks leading up to the event the Representative experienced a death in his family. While it is unknown how this unfortunate event impacted the Representative's outreach to other public officials, the end result was a minimal turnout of public officials at the court event. Only a couple of state legislators attended the event for a short period of time, and a few staffers were present for the event.

**Further efforts**

A formal verdict was also written and will be sent to the media, organizations, elected officials and individuals with an interest in this information. MODR had asked for the judges suggestions of organizations or officials who should receive this verdict, but no suggestions have been provided at this

**Massachusetts Office of Dispute Resolution & Public Collaboration (MODR)**

**University of Massachusetts Boston**

**Stages of Judgment Citizen Court Experiment Report**

time. Should the dissemination of the formal verdict result in any additional engagement of public officials or the media, MODR will report these outcomes to the Kettering Foundation.

**Impacts of engagement efforts**

No inquiries or coverage was received from the media prior to the event. The only media impact measured came after the event from UMass Boston's newspaper, the University Reporter. The University Reporter included a brief mention of the court event in the "Campus Notes" section of the summer issue. A copy of this page can be found in the Appendix E. At this time it does not appear that these reporting efforts have had any additional impacts in the media. No calls were received by MODR and no coverage has appeared in local newspapers, or on local television or radio stations. After the distribution of the formal verdict MODR will track any resulting inquiries, press, or other interest. However, it is not anticipated that this verdict will gain much attention due to the lack of diversity and numbers of participants in the forums, a concern raised by some of the judges during the court process.

Reporting to and convening of elected officials has also been a challenge. MODR hoped that holding the court process at the State House would provide easy access for elected officials to attend. However, unbeknown to MODR, the date of the event coincided with a visit to the State House from Ireland President Mary McAleese, including a brunch meeting which many officials attended. Additionally, as mentioned above, MODR relied solely on Representative Donato to invite public officials, and his efforts may have been impacted by the personal loss he experienced in the weeks leading up to the event. However, two or more elected officials did stop by the event, and a few staffers were present. There is more hope that the formal verdict may raise some interest from elected officials more than the media. As discussed at the recent meeting at the Kettering Foundation, this court model seems to be a more effective model to engage elected officials than the media, at least in this first effort.

Another potential cause of low turnout from elected officials and interest from the media is that this court process focused on the national issue of health care reform. This may have impacted the level of interest for two main reasons. First, for the local media and elected officials, it is difficult to draw much interest on a national issue that has only been deliberated locally and even more so for a national issue deliberated only within the city limits. These demographic limitations raise a lot of questions about whether the participants are representative of the state, or the nation. Second, in Massachusetts over the past several years there have been multiple series of town hall meetings, forums, focus groups, etc. surrounding Massachusetts health care reform. Given the amount of coverage of the Massachusetts health insurance mandate over the past two years, the lack of controversy in the content of the hearing event may have contributed to the media's lack of interest. Additionally, MODR suspects that many Massachusetts citizens are tired of discussing health care, or are mostly interested in discussing their concerns and/or experiences with health care in Massachusetts rather than nationally.

**Massachusetts Office of Dispute Resolution & Public Collaboration (MODR)**

**University of Massachusetts Boston**

**Stages of Judgment Citizen Court Experiment Report**

**Lessons Learned**

If this process were to be duplicated, MODR would likely call on consultation and assistance from the University's Community Relations office to get the word out and disseminate press releases, as they have connections with the press that MODR lacks. A consultation with their office in advance might be beneficial early in the process to help MODR understand how best promote this event. Additionally, the Community Relations office may be a useful resource in recruitment of a media representative for the panel of judges. MODR asked for assistance from the McCormack Graduate School in recruiting a media person (as they have a Center on Media and Society), and received a few suggestions which did not pan out. Community Relations seems a better fit for this kind of assistance as they have greater ties to the Greater Boston media.

It may also be a good idea in the future to build a relationship with a local cable access station in order to find a source of coverage for these types of events. The local access stations may be interested in this type of programming once they fully understand what the event is all about and how it may interest the viewers. Reaching out to an even broader, more complete list of media outlets in greater Boston may also be helpful, as smaller newspapers in the Greater Boston area may be more likely to report on this type of event than larger newspapers or city media outlets. Also, MODR will need to focus on finding ways to gain the media's interest aside from submitting press releases, such as by providing access to forum participants and their personal stories that relate to the issue at hand.

MODR felt that it missed an opportunity to engage legislator and policymakers in this court process, particularly because of the heavy reliance on one individual to convene this important group. In the instance of a future court process, MODR would personally extend invitations to legislators and public officials, and/or get high-level leaders to invite these individuals for MODR. Additionally, finding new ways to engage elected officials may be necessary. Engaging them in the forums prior to the court process and/or showing them a video of the forums at the court event may be ways to help them better understand the process of deliberative dialogue and gain the perspective of a forum participant or observer. Focusing on a local issue would have more draw for local politicians as it more directly affects their constituents and themselves. Overall, if this process is replicated it will be important for MODR to engage some public officials during the planning stages in order to gain perspective on how the process may interest them.

**V. The court process and citizen initiative**

The main observed behavior as a result of the forums and court process event was an interest in continuing the conversations. After the forums and the court event, participants and judges have distributed articles amongst themselves that relate to the topic of health care reform. Also, following each event there was an expressed desire to continue the conversations, both informally in daily life and more formally in a dialogue setting. However, MODR has not observed any actions on the part of forum participants, court audience, or panel of judges. MODR has not had the resources itself to take further

**Massachusetts Office of Dispute Resolution & Public Collaboration (MODR)**  
**University of Massachusetts Boston**

**Stages of Judgment Citizen Court Experiment Report**

action at this time. However, as the verdict is not yet widely dispersed there may be potential for some actions to be taken in the months to come.

From what has been observed to date, it would appear that in order for momentum to be maintained after the court event has occurred and the verdict has been reached, that someone or some organization would have to step in and create a plan to continue building momentum and gaining the attention of media and policymakers. As MODR has observed before in forums, at their conclusion many participants are looking for some form of next step, but most often they are looking to MODR for the leadership necessary to take these steps. It is MODR's belief that without an individual or organization in that leadership role to help convene further meetings/actions, that momentum does not build for these efforts. Perhaps if this process were to be replicated, MODR could reach out to local citizen organizations and civic groups, such as the League of Women Voters, to sponsor the court event, as these groups and organizations may be more inclined to sponsoring or convening further discussions or actions as a result of the court findings. As a neutral party, MODR is not in a position to advocate for any specific action, and has to be very careful when it comes to its role after a forum or after the court process event.

**VI. Budget reflections**

At the start of the project, MODR estimated that the total cost of the project would reach approximately \$12,045 (see original budget in Appendix F). This accounted for staff time in handling logistics, analyzing data and preparing cases (staff or student hires), attending two Kettering Foundation meetings, as well as the cost of the forums, transcriptions, and materials. The budget was created based on the tasks and activities outlined in the contract and anticipated by MODR. However, MODR's final estimated cost of the entire project is \$19,594, nearly double the amount originally anticipated (see actual budget in Appendix G). This increase in cost can be attributed to an increase in the number of activities, as well as the need to deploy additional staff time to tasks as the project grew in complexity. For instance, MODR staff attended the Washington, D.C. court event in March 2009, which was not originally anticipated and cost MODR over \$1,000 in staff time.

MODR initially calculated an in-kind contribution that was acceptable for this type of project. However, with the increasing complexities of the project and expansion of activities, MODR's in-kind contribution was forced to increase, while the contributions from the Kettering Foundation remained fixed. What this means is that MODR absorbed all the financial risk in taking on this kind of an experimental project, where the number and complexity of activities was relatively uncertain and almost guaranteed to expand beyond the original figures. It is MODR's reflection that the funding for such an experimental project must be more flexible and able to accommodate the changes that occur with the experimental nature of projects such as this.

**VII. Conclusions**

MODR believes the citizens court model experimented with over the past year could be incredibly useful to the organization as it continues developing its Deliberative Democracy practice in

**Massachusetts Office of Dispute Resolution & Public Collaboration (MODR)**

**University of Massachusetts Boston**

**Stages of Judgment Citizen Court Experiment Report**

conjunction with its Public Policy Dispute Resolution and Collaborative Governance work, but cautions that a few drawbacks exist that must be taken into account. These benefits and drawbacks are described below.

The benefits of this model of reporting the outcomes of deliberative dialogues are numerous. First, the citizen court model provides MODR the opportunity to engage high-level leaders, legislators, organizations, and the public around issues of importance to the Commonwealth of Massachusetts and the nation. With greater sponsorship and engagement of stakeholders in Massachusetts (including a larger sample of the population participating in forums), holding another citizens court would have the potential to be an effective model in extracting information from citizens particularly on important national and local issues and communicating this information to policymakers capable of making change at the local-level. It is a relatively safe model in that it does not put pressure on the panel of judges, or the policymakers in the audience to act, but it provides them an opportunity to consider the citizen perspective that may influence change in the future. While it may not necessarily lead to policy change, it may elicit an attitudinal and subtle change in leaders' thinking and awareness as this process can distill the information provided by citizens in deliberative dialogues into information that leaders can understand and appreciate. In this way, the citizen court model in this new format could prove to be a more important model for engaging policymakers than distributing reports on forum outcomes. Additionally, for forum participants the potential to being heard by a "panel of judges" could be an attractive reason to participate in the deliberative dialogues, as well as take interest in the process following the deliberations. Citizens attending the dialogues would know that their issues, concerns and ideas have the potential to reach those that are capable of generating change.

Furthermore, if MODR can successfully engage the media, it could have some additional benefits. Gaining the interest of public access television could provide a venue to expand the public's awareness of public deliberation and to create additional discussion around important public policy issues. Also, further involvement of media persons on the panel of judges could have the beneficial output of raising awareness in these individuals of the value of public deliberation of important issues.

At the same time, the citizen court model does have some drawbacks. First, the undertaking of this type of effort requires a large investment of MODR staff time, resources, and can put strain on MODR's networks in terms of requests made of them to attend, participate, support, etc. Second, a project of this scope requires significant funding, particularly if the number of forums were to be expanded, which is preferable since the issue of the legitimacy of sample size came up during the judgment event. As funders for deliberative democracy work are few and far between and MODR has so far found difficulty in gaining interest from these funders, finding the dedicated funds to conduct such a process will likely be challenging. Without enough dedicated funding, MODR also faces the issue of taking staff time away from projects that bring in considerable revenue to the organization and supports its core institutional costs. If MODR considers repeating this process again, it would have to take into consideration and address these drawbacks prior to taking on this task.

**Massachusetts Office of Dispute Resolution & Public Collaboration (MODR)**

**University of Massachusetts Boston**

**Stages of Judgment Citizen Court Experiment Report**

Submitted August 7, 2009 by:

Courtney Breese, Program Coordinator

Massachusetts Office of Dispute Resolution & Public Collaboration (MODR)

University of Massachusetts Boston

100 Morrissey Boulevard, M-1-627

Boston, MA 02125

**VIII. Appendices**

- A. Research Assistant feedback
- B. Feedback from the panel of judges
- C. Citizen court event program
- D. Court formal written verdict
- E. University Reporter appearance of MODR citizen court event
- F. Original MODR budget
- G. Actual MODR budget
- H. Transcript from health care forum September 25, 2008
- I. Transcript from health care forum November 18, 2008

Stages of Judgment Citizen Court Experiment Report

Appendix A

**Research Assistant feedback**

Research Assistant Carol Nemet Curran was asked to respond to several feedback questions developed by MODR. Her responses mirror many of MODR's reflections, have been incorporated into the report above and are included below.

**1. How did you prepare your case?**

I prepared for my case by attending and participating in a "Coping with the Cost of Health Care" forum, examining Yankelovich's "Coming to Public Judgment" theories and by evaluating the questionnaires of the forum participants.

**2. What evidence was most useful to you? What evidence did you use less/not at all? Why?**

The evidence that was most useful to me was the questionnaires and transcripts. The evidence that I used the least was the video of the forums as I felt the questionnaires were more reflective of the participant's true position and that the transcripts were more useful than the video recording.

**3. What degree and form of cooperation existed among those preparing the cases? How did these choices impact the hearing event itself?**

The cooperation among those preparing was good. It may have been useful to have more open dialog and interaction with fellow preparers.

**4. What suggestions do you have to improve the preparation of the cases if this project were to be replicated?**

My suggestion for improvement would be as stated above, more interaction and dialog among the research members.

**5. Looking back on the experience, would you do anything differently regarding your presentation? Please explain.**

I don't believe I would do anything differently. I was happy with my presentation and felt that it was effective.

**6. Were the presentations substantial enough for thoughtful deliberations by the panel of judges? What changes could be made to make the presentations more effective (e.g. more time, visual aids)?**

I feel this portion of the project went very well. I believe the presentations were substantial enough for thoughtful deliberation.

**Stages of Judgment Citizen Court Experiment Report**

**7. What suggestions do you have to improve the hearing event should it be replicated? How did the event meet or not meet your expectations?**

The hearing event should be replicated. I do not have any real suggestions for improvements as it was, as stated, very effective and well executed. The event definitely met my expectations.

**8. Is this court process model an effective way to communicate to policymakers and the media the results of public deliberation? Why or why not?**

The “Court” process was a very effective way to provoke thoughtful deliberation among the panel of judges, as a means of communicating to policymakers and the media, I am not so sure. It is my opinion that the cumulative findings of the project summarized into a brief would be a more effective tool for policymakers.

**9. What other feedback would you like to share with MODR and the Kettering Foundation regarding this project and the court process model?**

Overall I feel the project was very successful and I am excited that I was a part of it. I believe the facts collected will serve as a valuable asset for assessing public awareness and opinion on the issues of “Coping with the Cost of Health Care.” The conclusion of this project is at a ripe time. It would be prudent for policymakers to review the projects findings as the issues reviewed within this study are beginning to take a political center stage.

My primary suggestion for future projects of this nature would be to conduct more forums to increase the sampling pool and diversity among the participants. I feel this is critical in order to better substantiate the validity of the data.

Stages of Judgment Citizen Court Experiment Report

Appendix B

**Feedback from the panel of judges**

Feedback questionnaires were returned by four of the five judges who sat on the panel at the court process event. The data below represents the responses to these questionnaires.

**Question 1: Do you, as a member of the court of distinguished citizens, believe that the event, *Coming to Public Judgment* has the potential to assist: (check either yes or no)**

- a) The decision-makers to hear an authentic voice from the community that is representative, informed and has had the time to deliberate? ***100% answered YES***
- b) The community to learn about an issue, deliberate together and influence the decision making process around that issue at least locally? ***100% answered YES***
- c) The revitalization of the community's interest in democracy? ***100% answered YES***

**Question 2: Do you agree with any of the following? Check all that apply.**

- Decision makers need to find out what an informed public wants and why: ***100% agreed***
- This issue is controversial and of public significance: ***100% agreed***
- The initiating organization (MODR) needs to have the power to act on the judges' recommendations: ***100% agreed***
- The organization needs to have carried out a thorough policy analysis and reached a critical stage in the decision making process before the court is convened: ***75% agreed***

**Question 3: Were you satisfied with the following structural components of the event? Check either yes or no.**

- a) Format/ground rules ***100% answered YES***
- b) The selection of judges ***75% answered YES, 25% NO***
- c) The introduction of the judges (to know one another and learn to work together) ***100% answered YES***
- d) The quality of informational materials/instructions provided ***100% answered YES***
- e) The time given to prepare for the hearing ***100% answered YES***
- f) The questions before the court ***100% answered YES***
- g) The "attorneys" who presented the evidence ***75% answered YES, 25% NO***

**Question 4: Please indicate in which of the following categories you found the panel of judges to be a representative group (check all that apply):**

- Gender: ***50%***

**Massachusetts Office of Dispute Resolution & Public Collaboration (MODR)**

**University of Massachusetts Boston**

**Stages of Judgment Citizen Court Experiment Report**

- Age: **75%**
- Education: **75%**
- Occupation: **75%**
- Employed/unemployed: **50%**
- Ethnicity: **75%**
- Geographic location: **50%**
- The widest possible viewpoints: **50%**

Additional feedback was gathered through open response questions. In their responses to these questions, the panel was generally positive about the experience, agreeing that they were well prepared for the court process event and that the format and timing of the event was adequate and allowed them enough time to ask questions of the “attorneys” and to deliberate on the questions before the court.

Some of the judges offered some concerns and suggestions to improve the event. One judge raised concerns with the depth of the information and presentations, suggesting that the low numbers and lack of diversity of forum participants was the main reason for this. Most indicated their disappointment with the turnout for the event (approximately 20 people) and included some suggestions to help bring more people in. These included holding the event in the evening and holding the event at an academic institution. MODR would like to note that the original plan of MODR staff was to hold the event at UMass Boston in the evening, but when the briefing meeting was held for the panel of judges, they quickly indicated that they would like the meeting to be held in downtown Boston (and our local legislator offered to reserve space at the State House), and that in order to increase chances of engaging the media this event should take place during the day. If this court process is to be replicated by MODR, these changes would likely take place.

Overall it was agreed that more policymakers should have been involved in the event, either as part of the panel or in the audience. Some wished the media had taken interest in the event, though the feelings seemed to be stronger for policymaker participation rather than media participation. This seems to align well with the overall consensus at the recent Kettering Foundation meeting that this model may be more effective for engaging policymakers.

It should be noted that one of the judges on the panel in their feedback expressed dislike of the court model as an appropriate tool to engage the media and policymakers in examining the results of public deliberation. Their concerns centered on the process being “almost purely academic,” and that “we didn’t have enough information to make a judgment.” This judge found the court process to be inappropriate, as a court decides between competing interests, which they believe were not present in this case, and overall believed that holding such an event was irrelevant, as the health care debate is ongoing in Washington, whether the public is ready or not. Having a larger number of forums as well as a more diverse group or participants, as well as finding ways to collect additional data for analysis may address these criticisms should the event be replicated, but this viewpoint overall raises the question of whether this process will be valued by the local, state and federal policymakers.

**Massachusetts Office of Dispute Resolution & Public Collaboration (MODR)  
University of Massachusetts Boston**

**Stages of Judgment Citizen Court Experiment Report**

**Appendix C**

Our "Attorneys"

**Carol Neme-Curran**  
Carol is a graduate of the McCormack Graduate School of Policy Studies Women in Politics and Public Policy Program at the University of Massachusetts Boston. Carol has worked tirelessly over the past several years drafting a bill to regulate psychotherapy in the Commonwealth, which is currently under review.

**Mette Krutzmann**  
Mette is a graduate of the McCormack Graduate School of Policy Studies Graduate Programs in Dispute Resolution at the University of Massachusetts Boston, where she received the Donald Paulson Award for distinguished service to the Graduate Programs in Dispute Resolution.

Our "Judges"

**Representative Paul I. Donato (D-Medford)**  
Rep. Donato is currently serving his fifth term in the Massachusetts House of Representatives. Prior to entering the Legislature in 2001, he served on the Medford School Committee, the Medford City Council and was Mayor of Medford from 1980-1993. Rep. Donato presently serves as House Chairman of the Joint Committee on Municipalities and Regional Government. He is also the House Co-Chairman of the Special Commission on Municipal Relief and the House Appointee on the Governor's Municipal Task Force for Federal Economic Stimulus Funds. Rep. Donato is very active in his community and is a member of many civic and charitable organizations.

**Joseph Feaster, Esq.**  
Joseph Feaster is an attorney with the law firm of McKean & Associates, P.C. Dedicated to improving the health status of Boston residents, Feaster is vice chair of the Neighborhood Health Plan (NHP) board of directors, served as Speaker of the House of the National Association of Community Health Centers (NACHC), served on the board of directors of the Massachusetts League of Community Health Centers, served on the board of directors of Whittier Street Community Health Center, served as the Interim President & CEO of Dinwiddie Community Health Center, and is the past chairman and board member emeritus of Dinwiddie Community Health Center's Foundation board of directors.

**Patrick S. Hadley**  
Patrick Hadley is an author who lives in Watertown. He began his career as a staff member in the Massachusetts State Senate, and served as Director of operations for both the Middlesex District Attorney's Office and the Office of the Attorney General. He worked for Hillary Rodham Clinton from 1992 to 2000, and was with her for most of her efforts to reform the American healthcare system.

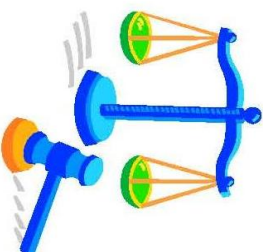
**Dinesh Patel, M.D.**  
Dr. Patel is Chief of Arthroscopic Surgery at Massachusetts General Hospital and Associate Clinical Professor of Orthopedic Surgery at Harvard Medical School. He is passionate about health care policy and global health. Dr. Patel has been honored by numerous professional organizations here and abroad, including being named by his peers as one of the "Top Docs" in the field of Orthopedic Surgery (Boston Magazine). He has served as Chairman of the Board of Registration in Medicine in MA and as Director of the Federation of State Medical Boards. Dr. Patel has taught and trained arthroscopic surgeons all over the world and was appointed in 2006 as a member of the Leadership Forum of Harvard's School of Public Health.

**Ruthy Kohn Rosenberg, J.D.**  
Ruthy is Director of Student Mediation at MIT. Her office is charged with developing mediation programs for the 6,000 graduate students and 4,000 undergraduates and the faculty and staff who work with them, and developing programming and educational opportunities around conflict resolution. Ruthy has more than 20 years experience as a mediator, teacher, university administrator, non-profit director and consultant. She is President Elect of the New England Chapter of the Association for Conflict Resolution, and an adjunct professor at Roger Williams University School of Law.



THE MASSACHUSETTS OFFICE OF DISPUTE RESOLUTION  
& PUBLIC COLLABORATION  
PRESENTS

**Coming to Public Judgment on  
Health Care Reform:  
A Citizen Court Process**



Members' Lounge  
State House  
Boston, MA  
May 27, 2009  
11:00 a.m. – 1:00 p.m.

Sponsored by  
The Kettering Foundation  
The National Issues Forums Institute

Massachusetts Office of Dispute Resolution & Public Collaboration (MODR)  
University of Massachusetts Boston

Stages of Judgment Citizen Court Experiment Report

OVERVIEW OF THE COMING TO PUBLIC  
JUDGMENT RESEARCH EXPERIMENT

For the past several years, MODR has worked with the Kettering Foundation to establish a Public Policy Institute (PPI) for public deliberation at UMass Boston. Deliberative democracy is a fast growing field and MODR is engaging public deliberation as a new tool in our conflict resolution and collaborative governance work.

The Kettering Foundation invited MODR to join other research partners across the country in a research experiment influenced by Daniel Yankelevitch's *Seven Stages of Public Understanding*. The purpose of this experiment is to find a way to effectively communicate public opinion about contentious public policy issues to elected officials and the media.

Over the past year, MODR has convened deliberative dialogues on the issue of *Coping with the Cost of Health Care*, using a newly-developed issue guide from the National Issues Forums (NIF) as a framework for their deliberations. Participants struggled with not only what kinds of change they would like to see happen with health care, but also examined the costs, consequences and trade-offs that come with these potential changes.

The willingness of the public to support any health reform measures Congress may devise depends greatly on how far citizens have come with respect to recognizing and accepting these costs, consequences and trade-offs. While these deliberative forums provide plenty of insight into public thinking, coming to a conclusion regarding the public's readiness to act on such reforms is not so simple. Coming to a sound conclusion requires more in-depth examination of these discussions.

In order to assure sound judgment on the public's stance, today we convene a "Court" of distinguished citizens to consider three questions:

1. What are the things that citizens value most highly when they seriously deliberate *Coping with the Cost of Health Care*?
2. Do citizens show a clear awareness of the consequences, trade-offs and costs of achieving the things they highly value?
3. To what extent are citizens ready to accept these consequences, trade-offs and costs?

This "Court" is not intended nor does it judge the deliberative public. We hypothesize that this adversarial court process may provide an effective way to ensure that all insights from public deliberations are considered and that this process makes clear the basis for and the direction of public thinking on these important questions.

Coming to Public Judgment Schedule

WELCOME REMARKS.....	11:00 a.m.
Susan M. Jeghlian Executive Director, MODR	
INTRODUCTION OF PARTICIPANTS AND PROCESS.....	11:05 a.m.
Lorraine M. Della Porta Deputy Director, MODR	
COURT IS CONVENED.....	11:20 a.m.
OPENING STATEMENTS BY "ATTORNEYS".....	11:20 a.m.
Attorneys: Carol Nemet Curran Mette Kreutzmann	
PRESENTATION OF CASES BY "ATTORNEYS".....	11:25 a.m.
CLOSING STATEMENTS BY "ATTORNEYS".....	11:55 a.m.
"JUDGES" QUESTION "ATTORNEYS".....	12:00 p.m.
Judges: Rep. Paul Donato Joseph Feaster, Esq. Patrick Halley Dr. Dinesh Patel Ruth Kohorn Rosenberg	
"JUDGES" DELIBERATE AND REACH A "VERDICT".....	12:30 p.m.
DISCUSSION OF VERDICT AND POLICY IMPLICATIONS ...	12:50 p.m.
"COURT" IS ADJOURNED .....	1:00 p.m.

*Light refreshments will be served and the audience is welcomed to stay for an informal discussion with participants following the event.*

*Special recognition to MODR Program Coordinator Courtney Breeze who for several months has worked tirelessly on this research project and this culminating event.*

**Massachusetts Office of Dispute Resolution & Public Collaboration (MODR)**

**University of Massachusetts Boston**

**Stages of Judgment Citizen Court Experiment Report**

**Appendix D**

**Court written formal verdict**

**Court of Distinguished Citizens**

Question Before the Citizen Court: Is the public aware and willing to accept tradeoffs, costs and consequences necessary to implement reforms in order to reduce health care costs?

Decided May 27, 2009

Court of Distinguished Citizens:

Representative Paul J. Donato

Joseph Feaster, Esq.

Patrick S. Halley

Dinesh Patel, M.D.

Ruth Kohorn Rosenberg, J.D.

The court of distinguished citizens was convened on May 27, 2009 to hear arguments on whether the public is prepared to act on health care policy reform. Arguments were presented by “attorneys” Mette Kreutzmann (proposing) and Carol Nemet Curran (opposing). “Attorney” Kreutzmann presented evidence demonstrating that the public is taking a stand intellectually, and is ready for policymakers to propose reforms that encompass the actions the public favors. “Attorney” Curran brought forth evidence revealing that the public is conflicted in its acceptance of trade-offs and is in need of more information and deliberation.

The court heard both arguments and deliberated on three questions:

1. What are the things that citizens value most highly when they seriously deliberate *Coping with the Cost of Health Care*?
2. Do citizens show a clear awareness of the consequences, trade-offs and costs of achieving these things they highly value?
3. To what extent are citizens ready to accept these consequences, trade-offs, and costs?

The following is the court’s verdict on the matter of whether citizens are aware and willing to accept tradeoffs, costs and consequences necessary to implement reforms in order to reduce health care costs.

**Verdict**

The court finds that the public, as represented by citizen participants of recently held deliberative dialogue forums in Boston, values quality, affordable and accessible health care, and is looking to move forward on health care policy reform, but has not fully weighed the costs, consequences and trade-offs and is looking for more concrete policy options to evaluate.

August 2009

**Massachusetts Office of Dispute Resolution & Public Collaboration (MODR)**  
**University of Massachusetts Boston**

**Stages of Judgment Citizen Court Experiment Report**

The public is indicating what it wants in regards to reforms and has demonstrated an urgency to make changes. However, the court believes the evidence shows that once a policy plan is presented to the public, they will likely take issue with the details and this will push them back into working through the issues. Evidence presented at this mock trial demonstrated that participants changed their stances when qualifiers were presented in the forums and post-forum questionnaires. The public is in need of more information, and particularly more specific facts regarding the reforms favored and how they will be implemented. The court recommends that this process take place carefully and that policymakers not rush to pass policy when the public is in such an unstable stage of judgment.

**Concurring Opinions**

Representative Paul Donato believes that participants have reached a stage where they believe they are ready to act on reforms, but he holds concerns that moving forward with policy proposals may cause these participants to slip back into working through the costs, consequences and trade-offs again.

Joseph Feaster finds the forum participants to still be working through the options for controlling health care costs, and believes they are in need of more information, as well as the opportunity to evaluate that information in order to move towards an informed common ground for action.

Dr. Dinesh Patel sees the public looking to move forward, but feels that more detailed and accurate information is needed in order to move forward successfully. He has raised concerns about whether participants understand what a universal health care system will look like in the United States.

**Dissenting Opinions**

Patrick Halley finds that participants demonstrate a willingness to move forward and a readiness for policymakers to create new health care policy. He cautions, however, that the opinions expressed by participants in the Boston forums may not be reflective of the rest of the nation.

Ruth Kohorn Rosenberg judges that there is currently momentum for health care reform, and the nation needs to start moving on policy. She stresses the need for simultaneous dialogues in addition to policy reforms, to allow the public to continue educating themselves and working through the trade-offs and to allow policymakers to receive current input from the public as they craft legislation.

**Implications**

The court shares some of the implications this decision may have for decision-makers and for policy in the Commonwealth of Massachusetts and in the United States. Overall there is a shared belief that there is a long road ahead to reaching reform, and a concern that participants are not fully prepared for the opposition that will be faced and the additional trade-offs they will need to come to terms with.

Patrick Halley emphasizes the implications of the groups' belief that health care is a 'right' that should be guaranteed. He cautions that United States history has shown that deeming something a 'right' is usually an "incremental and messy" process and it will take a long period of time and many battles in order to

August 2009

**Massachusetts Office of Dispute Resolution & Public Collaboration (MODR)**

**University of Massachusetts Boston**

**Stages of Judgment Citizen Court Experiment Report**

pass any policy which states that health care is a right. It is imperative that the public understands the full reality of advocating for health care as a right.

Ruth Kohorn Rosenberg articulates the importance of the public keeping some flexibility on their preferred models and choices for health care reform. She believes that the public needs to grapple with the different models for health care reform and the realities of these models.

Representative Paul Donato echoes the thoughts of Halley. He urges caution with using the word ‘right,’ and suggests that further dialogue should instead address the ‘obligation’ to provide care to all. He believes a positive next step would be to continue discussing limitations, costs, and ramifications of reform options before moving to policy implementation.

Joseph Feaster likewise expresses the need to “move past buzzwords and incendiary words to the concepts,” such as eradicating disease. He believes how the discussion is tempered going forward will have an impact on the outcome.

Finally, Dr. Dinesh Patel emphasizes that “the health of the nation depends on the health of the people,” and that this kind of belief may be the kind stimulus needed to build momentum for health care reform.

Massachusetts Office of Dispute Resolution & Public Collaboration (MODR)  
University of Massachusetts Boston

Stages of Judgment Citizen Court Experiment Report

Appendix E

University Reporter appearance

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# CAMPUS NOTES

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for Learning and Teaching at the Graduate College of Education has been awarded a \$26,000 instruction and training grant by the Boston Public Schools in support of Project ALERTA, an academic enrichment program that strengthens and supports the education of motivated and talented third- through sixth- grade Latino students and English Language Learners in Boston Public Schools.

**Professor Jean Rhodes** of the Department of Psychology in the College of Liberal Arts has been awarded a \$66,000 grant by the Edna McConnell Clark Foundation for her project "Promoting Relationships in School-based Mentoring Programs."

## EVENTS

The Massachusetts Office of Dispute Resolution and Public Collaboration (MODR) convened "Coming to Public Judgment on Health Care Reform: A Citizen Court Process," a mock trial which included several UMass Boston alumni, on May 27 at the State House.

The Institute for Community Inclusion, in partnership with UMass Boston, the Boston Parks and Recreation Department, CVS Caremark, and Boundless Playgrounds opened the first accessible playground in Boston on May 21. The playground is located at Harambee Park in Dorchester.

## APPOINTMENTS AND HONORS

CPCS Professor **Nina Silverstein** was recently elected to the Heller Alumni Association Board at Brandeis University.

Associate Dean **Felicia Wilczenski** of the Graduate College of Education has been selected for the Fulbright Specialist Program.

Two Emerging Leaders Program Senior Fellows have been awarded fellowships to the Barr Foundation: 2003 Fellow **Jeremy Liu**, and 2002 Fellow **Mariama White-Hammond**.

## IN THE NEWS

On April 29, Professor of Economics **Randy Albelda** was a guest on Action Speaks, a live community forum and radio broadcast conducted by WRNI, Rhode Island's public radio station. The topic was "Growing the Green Economy."

**Laura L. Hayman**, associate dean for research in the College of Nursing and Health Sciences and director of research at GoKids Boston, was interviewed by MEDSCAPE for a special commentary on combating childhood obesity. The interview was based on an invited presentation for the Preventive Cardiovascular Nurses Association (PCNA) given by Hayman on April 15 in Dallas, Texas.

A press conference on April 24 that connected Governor Deval Patrick with representatives of more than 20 ethnic-media outlets drew extensive coverage in the ethnic press in April and May, including WUNI-TV,

April 28 *Boston Globe*, titled "Taxes need to be raised in Massachusetts." He was also mentioned in a May 12 *Somerville Journal* article, "Governor asks Cahill to recoup 'excessive' pensions for lawmakers."

Associate Professor of Public Policy and Public Affairs **Christian Weller** took part in a debate sponsored by *The Economist* from June 16-24; summary is at [economist.com/debate/overview/147](http://economist.com/debate/overview/147). He was also interviewed by CNBC about a proposed credit card holders' "bill of rights" on May 11, about U.S. debt and proposed healthcare plans on June 1, and about President Obama's economic stimulus program on June 8.

Professor of Economics **Randy Albelda** was quoted in a June 7 article, titled "Poverty: Why the poor pay more," in *The Standard*, quoted on [TradingMarkets.com](http://TradingMarkets.com) and [GovernmentExecutive.com](http://GovernmentExecutive.com) on April 28, and quoted in *AARP Bulletin* on May 20. Also, research by Albelda was cited in the June 11 *Bay State Banner*.

CPCS Professor **Nina Silverstein** was interviewed about older drivers by WBZ-TV on June 2 and by NECN on June 4.

Chancellor **J. Keith Motley**'s participation in a panel on the presidency of Barack Obama was noted on [Sampson.org](http://Sampson.org) on May 8; he also appeared in the May 28 *Bay State Banner* in a photo and brief about an award ceremony for participants in Do The Write Thing, a national campaign to

Associate Professor of Public Policy and Public Affairs **Alan Clayton-Matthews** was quoted in the *Boston Globe* on May 22 in a story titled "Bay State's recession may outlast the nation's," and on June 19 in "Good News Peeking Through"; interviewed by WBUR-FM on May 22; mentioned in a May 5 *Amesbury News* article, "'Worst fiscal crisis' in state history still not at bottom"; mentioned in a May 26 *Gloucester Daily Times* article, "State scrambles to cover its own bills"; and quoted in a May 24 *Springfield Republican* article, "Has Mass economy hit bottom?" Also, research by Clayton-Matthews was mentioned in an April 29 *Boston Globe* article, "Mass. economy may be shrinking at a lower pace," in a May 11 *Daily News Tribune* article, "State study: Long, slow road to recovery," again on May 11 in a *Worcester Business Journal* article, "Where's Bottom?," and in the *Wakefield Observer* on May 14.

Associate Professor of History **Vincent Cannato**'s book *American Passage: The History of Ellis Island* was reviewed by the *Columbus Dispatch* on June 1, by the *Washington Post* on May 26 and June 7, by the *Concord Monitor* on June 15, and by *USA Today* on June 19.

Labor Resource Center Director **Susan Moir** was quoted in a June 17 *Bay Windows* article, "Gay labor activists urge greater cooperation with labor movement."

Associate Professor of Political Science **Paul Watanabe** was quoted in

The Andrew Fiske Memorial Center for Archaeological Research was mentioned in a June 14 Associated Press article, "RI crew to dig for distillery at slave trader site."

Veterans Upward Bound director **Barry Brodsky** was quoted in a June 2 *Boston Globe* article, "Effort to assist veterans education."

A report coauthored by the Emerging Leaders Program was mentioned in a June 3 *Berkshire Eagle* article.

Professor **Sherry Penney** of the Center for Collaborative Leadership wrote an Op Ed piece for the June 1 *Boston Globe*, titled "A core value that helps the bottom line."

The Edward J. Collins Jr. Center for Public Management was mentioned in a May 29 *Old Colony Memorial* story, "Let the search begin," in the May 13 *Worcester Telegram & Gazette*, and on WBUR-FM on May 19.

A study by the Gaston Institute was mentioned in the *Amherst Bulletin* on May 29.

**Mark Allio**, director of the Massachusetts Small Business Development Center Network, was quoted in a June 17 *Boston Globe* article, "Economic downturn hasn't stopped start-ups."

EEOS assistant professor **Anamarija Frankic** was quoted in a May 4 *Boston Globe* article, "Oysters survive winter in Charles."

**Massachusetts Office of Dispute Resolution & Public Collaboration (MODR)**

**University of Massachusetts Boston**

**Stages of Judgment Citizen Court Experiment Report**

**Appendix F**

**Original MODR budget (pre-project)**

Budget Line		No. of			Rate	Budgeted Amt:			
	Direct Programatic Expenses	UOM	No. of Units	No. of heads	No. of hours	Rate	Budgeted Amt:	Other Kettering Contrib.	Kettering Contract Funds
									MODR In-kind
1	Project development & scoping workshop	per hr	1	1	16	\$50.00	\$800.00		\$800.00
2	Recruiting participants and Judges -MODR coordination cost	per hr	1	1	48	\$15.00	\$720.00		\$575.00
3	UMB forum- (venue, refreshments)	per head	1	1	1	50.00	\$50.00		\$50.00
4	Organizing UMB forum- Staff time	per hr	1	1	48	\$15.00	\$720.00		\$720.00
5	Participaton in Forums- Staff time	per hr	2	4	3	\$100.00	\$2,400.00		\$2,400.00
6	Recording and transcribing forums	lumpsum	2	1	1	\$200.00	\$400.00	\$400.00	
7	Participate in October meeting- Staff time	per hr	1	1	16	\$25.00	\$400.00		\$400.00
8	Participating in Nov. Conference Call- Staff time	per call	1	3	1	\$50.00	\$150.00		\$150.00
9	Analysis of Questionnaires and Transcripts- Staff time	per hr	1	1	19	\$25.00	\$475.00		\$475.00
10	Brief Lit Survey- Staff time (MGS)	per hr	1	1	40	\$15.00	\$600.00		\$600.00
11	Preparing cases- Staff time (MGS)	per hr	1	1	60	\$15.00	\$900.00		\$900.00
12	Preparation of the panel of judges- Staff time	per hr	1	2	1	\$100.00	\$200.00		\$200.00
13	Planning workshop Feb.- Staff time	per hr	1	1	16	\$25.00	\$400.00		\$400.00
14	Presentation of verdict Event- Refreshments & venue	lumpsum	1	1	1	\$550.00	\$550.00		\$550.00
15	Organizing and attending Presentation of verdict Event- Staff time	per hr	1	3	3	\$100.00	\$900.00		\$900.00
16	Attending concluding workshop- Staff time	per hr	1	1	16	\$50.00	\$800.00		\$800.00
17	Writing final report to Kettering- Staff time (MODR+MGS)	per hr	1	1	32	\$40.00	\$1,280.00		\$1,280.00
	<b>Total</b>						<b>\$11,745.00</b>	<b>\$400.00</b>	<b>\$10,000.00</b>
	<b>Operating Cost</b>	<b>UOM</b>							
19	Utilities (telephone, stationary etc)	Per mensem	12	1	1	25.00	\$300.00		\$300.00
	<b>Total</b>						<b>\$300.00</b>		
	<b>Grand Total</b>						<b>\$12,045.00</b>	<b>\$400.00</b>	<b>\$10,000.00</b>
									<b>\$1,645.00</b>

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**Appendix G**

**Actual MODR budget (post-project)**

Line #	Description	UOM	Units	Rate	Hours	Total
1	Research Assistants	per hr	1	\$15.00	70	\$1,050.00
2	Managing Research Assistants (Including prep of case briefs)	per hr	1	\$18.00	60	\$1,080.00
3	Forums Logistics and participation- CB	per hr	1	\$18.00	80	\$1,440.00
4	Forums Logistics and participation- LDP	per hr	1	\$60.00	5	\$300.00
5	Attending Forums and hearing SMJ, LDP, MP, MK	per hr	1	\$220.00	10	\$2,200.00
6	Videotaping	lumpsum	1	1	1	\$1,755.00
7	Refreshments Forums, Judges Briefing and Hearing Event	lumpsum	1	1	1	\$246.00
8	Materials (supplies, copies, invitations etc)	lumpsum	1	1	1	\$111.00
9	Misc	lumpsum	1	1	1	\$295.00
10	Preparation for Judges Prep Meeting CB	per hr	1	\$18.00	20	\$360.00
11	Attending Judges Prep Meeting CB & LDP	per hr	1	\$78.00	3	\$234.00
12	Managing coordinating with the Judges	per hr	1	\$18.00	25	\$450.00
13	Trips CB (Oct, Feb, Mar, Jun 09)	per hr	1	\$18.00	96	\$1,728.00
14	Trips LDP ( Feb, Mar, Jun 08)	per hr	1	\$60.00	72	\$4,320.00
15	Report-writing CB	per hr	1	\$18.00	50	\$900.00
16	Report-finalizing SMJ, LDP & MP	per hr	1	\$195.00	2	\$390.00
17	Transcription of forums	per hr	1	\$18.00	60	\$1,080.00
18	Conference Call (Dec)	per hr	1	\$55.00	2	\$110.00
19	Evaluation data analysis	per hr	1	\$35.00	8	\$280.00
20	Reading and researching Yankelovich et al	per hr	1	\$80.00	8	\$640.00
21	Presentation Prep MK	per hr	1	\$25.00	25	\$625.00
	<b>Total Actual Cost for SOJ</b>					<b>\$19,594.00</b>
	Kettering Reimbursement Total					\$10,400.00
	MODR Contribution					<b>\$9,194.00</b>