



# ARTICLE IV, RIDER #14: HB1 (HOUSE) COURT TEXT REMINDER PROGRAM FACT SHEET 2023 LEGISLATIVE SESSION

## WHAT THE RIDER DOES

Last session, the 87<sup>th</sup> Legislature passed HB 4293, which created a statewide court text messaging reminder system under the Office of Court Administration (OCA).<sup>1</sup> While well intentioned, this piece of legislation was passed unfunded. Rider #14 under Article IV of the House version of HB1, seeks to fund this mandate by dedicating \$2.2 million dollars to the development and maintenance of this system.<sup>2</sup> **Text message reminders have been empirically shown to reduce failure to appear rates in court, by more than a quarter.**<sup>3</sup> By supporting the inclusion and dedication of these funds into the state's budget, lawmakers can ensure that Texas is moving towards effective and data-driven approaches to justice.

## RESEARCH SUPPORTING FUNDING REQUEST

Research shows that *any* type of court reminder be it via phone call,<sup>4</sup> postcard,<sup>5</sup> or text message,<sup>6</sup> improves court appearance rates. The latter being the most cost-effective, given its “simple-user benefits”<sup>7</sup> and low-cost delivery.<sup>8</sup> **The benefit that courts across the state 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.<sup>9</sup>

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 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.<sup>10</sup> Text message reminder systems are **an effective way to improve court appearance rates while simultaneously promoting trust in the courts.**<sup>11</sup> By funding text-based court reminders through the OCA lawmakers can help ensure that all counties, regardless of size and budget, have access to an effective tool to achieve compliance.

## RECOMMENDATIONS

Texas Appleseed urges conference members to retain Rider #14, under Article IV in the House version of HB1. The benefits that the state stands to gain from financially supporting the OCA's text messaging reminder program are threefold:

- ✓ **Time and resources associated with jail bookings for failing to appear can be avoided.**
- ✓ **The administrative efficiency of courts to manage appearance rates and backlogs will be improved.**
- ✓ **Taxpayers will reap the financial benefits associated with a more cost-effective approach.**

## REFERENCES & ENDNOTES

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- <sup>1</sup> Texas State Legislature Online. *House Bill 4293, 87(R): History*. Retrieved from <https://capitol.texas.gov/BillLookup/History.aspx?LegSess=87R&Bill=HB4293>.
- <sup>2</sup> Texas State Legislature Online. House Bill 1, 88(R): *House Committee Report, Article IV, Office of Court Administration, Rider #14*, p. IV-28. Retrieved from <https://capitol.texas.gov/tlodocs/88R/billtext/pdf/HB00001H.pdf#navpanes=0>
- <sup>3</sup> Fishbane, A., Ouss, A., & Shah, A. K. (2020). *Behavioral nudges reduce failure to appear for court*. *Science*, 370 (6517).
- <sup>4</sup> Ferri, R. (2020). *The benefits of live court date reminder phone calls during pretrial case processing*. *Journal of Experimental Criminology*, 18, 149-169.
- <sup>5</sup> 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.
- <sup>6</sup> Fishbane, A., Ouss, A., & Shah, A. K. (2020). *Behavioral nudges reduce failure to appear for court*. *Science*, 370 (6517).
- <sup>7</sup> 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.
- <sup>8</sup> 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/> .
- <sup>9</sup> Fishbane, A., Ouss, A., & Shah, A. K. (2020). *Behavioral nudges reduce failure to appear for court*. *Science*, 370 (6517).
- <sup>10</sup> Ibid.
- <sup>11</sup> 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.



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