

Introduction

Our subcommittee was created to do a high-level analysis of the current NY Courts website. Jack Newton, Scott Malouf and Jeroen Plink have many years of experience of designing websites, applications, legal communications, and explanations of legal topics for non-lawyers.

The following is not a comprehensive analysis nor was it done by experts in website design. No rigorous methodology was used in this analysis. Rather, this is a catalyst to instruct professionals to do the analysis properly, give detailed recommendations, design a new website and implement the new design (potentially including change management and assist the OCA with managing the website after handover)

Core problem

The website appears to be a patchwork that has been put together over a number of years, adding on every time something new seemed necessary. The result is a website without consistency but most importantly, it misses a clear structure: who are the user personas, what are their needs and what is the journey? The site is difficult to navigate, and even a user with a clear intent or objective will likely be overcome by the site's complexity and lack of structure. Moreover, the site assumes a user has some familiarity with the New York Court system or legal terminology. These problems result in user frustration and likely poor service for the website's intended users.

Any website redesign project should begin with identifying the core personas for the website – who are the users the site seeks to serve. For example, in the case of the NY Courts website, these personas might be *pro se* litigants, judges, attorneys, represented parties, jurors, journalists or members of public. In establishing these personas, specific aspects of why and how they've arrived at the NY Courts website should be considered:

- Who are they, what language(s) do they speak?
- How do they get to the website?
- What do each of them need to get out of the website?
- How do they best navigate to that content/toolset?
- ? How is the information best displayed?

A theoretical example of the friction one of our personas might encounter when visiting the current site: a is a *pro se* litigant and goes to NYcourts.gov, to understand how to file a lawsuit or respond to a suit filed against the litigant. At first blush, the website appears to be mostly COVID-19 focused¹, with little information of how a lawsuit proceeds or what forms might be

¹ For example, the title of the official New York State Courts page appears to now read "Coronavirus and the N.Y. State Courts" as demonstrated in the screenshot of a search engine result generated on November 2, 2020:

needed. The most logical place for a *pro se* litigant to look for navigational clues is the left hand “menu”. An unnecessarily large part of that scarce real estate is used for a large logo and copies of court posters regarding COVID-19 precautions. The remainder of items in the “menu” also appear to be directed at COVID-19 related issues. Much of the rest of the webpage addresses additional issues, but with no way for a user to find that information other than extensive scrolling or word-searching the page.

There is an additional, very small navigation bar at the top of the landing page (which sometimes, if user follows a link in the top bar, the top bar disappears). This navigation bar gives users a bit more direction with sections such as “Jurors,” “E-Courts,” “representing Yourself” and more.

If the theoretical *pro se* litigant user clicks on “Representing Yourself”, the look and feel of the next page (<https://www.nycourts.gov/courthelp/>) is completely different and because it has no design applied, it feels as if one has landed on an intranet site from the 1990’s. The top navigation bar has disappeared, replaced by a long list of common legal issues and links out to other self-help legal resources. The page also includes a link to “DIY Forms” but a search on the website for “forms” shows at least one other page of possibly useful forms.

Based on this example and other observations, a fundamental, ground-up redesign and user analysis are required to address the navigation and usability issues described above. As part of the redesign, the following shortcomings of the existing site should be addressed:

No mobile-optimized design

In 2019, 52% of the website traffic globally came from mobile phones. For most people, especially people with limited financial means, their mobile phone is the best or only way to access online information. The website is not designed for mobile users. This challenge will grow if the increase of mobile over desktop continues (2013 only 16.2% came from mobile.)²

Lack of usage data and insights

We were given a bit of usage data. There isn’t much usage data given the tremendous volume of users (2.5 million). A professional site of this magnitude is expected to have a lot more data on its users, their journeys, break off points, where they come from etc. What can be gleaned from the limited available data is a non-industry standard high bounce rate of 42% at almost 3

Coronavirus and the N.Y. State Courts

 nycourts.gov

The official home page of the New York State Unified Court System. We hear more than three million cases a year involving almost every type of endeavor. We hear family matters, personal injury claims, commercial disputes, trust and estates issues, criminal cases, and landlord-tenant cases.

² <https://www.broadbandsearch.net/blog/mobile-desktop-internet-usage-statistics>

minutes duration. This means that way too many people land at the information-poor home page, spend almost 3 minutes trying to find what they need and then give up and leave. This means there are over 1 million users who do not find what they need.

No meaningful navigation

In the previous topic, we have already identified inconsistent navigation. Certain items need to be there to consistently allow the user to navigate back to prior pages. The site also has non-standard navigation/tools (e.g. Search NYCourts.gov is a link to a search page where “normal” user interface is simply an embedded search box).

The inconsistent navigation tools make it very easy to get lost. For example, if a user browsed from the home page to <http://ww2.nycourts.gov/COURTS/nyscourtofclaims/index.shtml> it is very hard to get back to where one came from. The left bar has a topic on Accessibility as the first item. Unlikely that the visitor of this site will give highest priority to this topic.

Multiple language usage

The website appears to be in only English. Users, particularly those *pro se* users for whom English is not a native language may well find the site even more difficult to use, navigate and search. This may infringe federal or state laws.

Screen real estate

The website seems designed for old screen resolutions. Most people who access the website from a computer have much more real estate than the part in the middle of the screen.

Irrelevant or unhelpful information

The content of pages is quite wordy, not particularly helpful or presumes a familiarity with the court system or litigation users may not possess. For example, On one of the pages this text is on one of the pages:

For information regarding filing procedures in the Court of Claims during the COVID-19 health emergency, please refer to the latest administrative orders of Chief Administrative Judge Lawrence K. Marks[irrelevant by whom the orders are] located at www.nycourts.gov. [unhelpful link as now the user has to dig on that page. This page actually has a clear button for administrative orders but then links to [this page](#) which has no context for long list of administrative orders. Do we expect attorneys (?) to read all of them? There has to be a better way of displaying this information]

Please review the attached Administrative Orders ([3/17/20](#) and [5/1/20](#)) regarding pending matters before the Court of Claims.

Emergency Telephone Contacts for the Public and Court Employees during the COVID-19 related operational disruptions:

Court of Claims
ctcl-clerksoffice@nycourts.gov
518-432-3411
UCS Coronavirus Hotline
833-503-0447”

This can be displayed much more effectively.

Large volume of helpful information which is hard to find

A comprehensive review of the website is far beyond this analysis, but the website contains a great deal of helpful information such as forms for DIY or *pro se* litigants, information for attorneys, handbooks to small claims in city, town and village courts, a guide to small claims and commercial small claims in New York City and Nassau and Suffolk Counties and many more helpful pages. Any review and redesign of the website will require an analysis of the volume and quality of information currently available, how to integrate that information into a revised site, and methods to make helpful information easier to find.

Current online services

Any changes to the website must not diminish the function or availability of online services used by attorneys and the public such as attorney search, attorney registration, eCourts, eTrack and similar services.

Responsibility for maintaining levels of service

As described above, much of the site appears to be an amalgam of information with no vision for users. If a revised site is created OCA must determine how to keep the revised site responsive to changing user requirements and the latest website design methods.

Accessibility

It appears that the website is not accessible for people with disabilities, which may be an infringement of the Americans with Disabilities Act.

Conclusion

The above "quick and dirty" analysis (and by no means complete) leads to the conclusion that the website is due a substantial overhaul if the OCA is serious about providing information and tools to its constituents. A thorough analysis of user personas, their needs and more industry standard website design is very much needed if this site is to serve the public in the way intended.