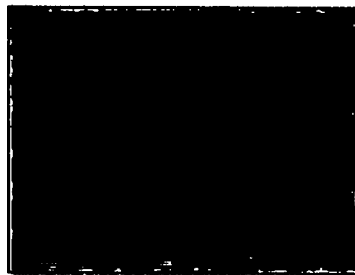
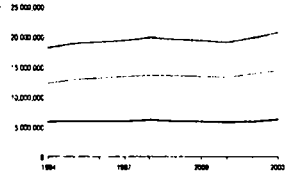
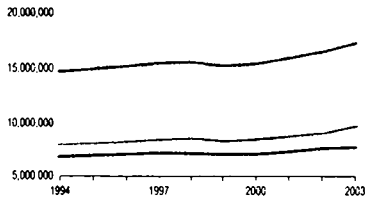
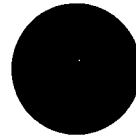
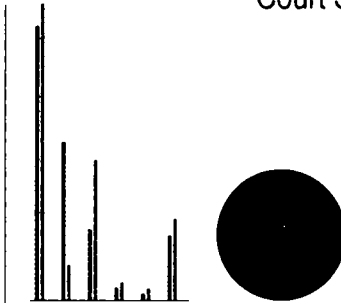
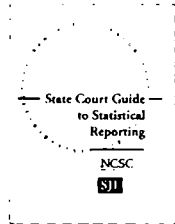




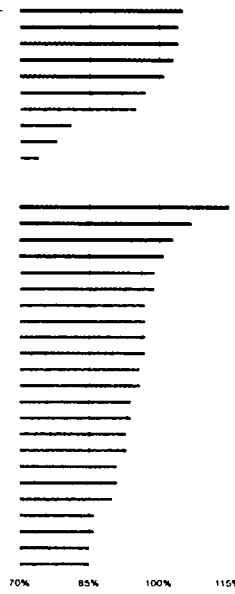
Examining the Work of State Courts, 2004

A National Perspective from the Court Statistics Project

X



State	Incoming Felony Cases
Distict of Columbia	9,911
Missouri	93,514
Puerto Rico	38,522
Connecticut	36,450
Wisconsin	55,108
North Dakota	6,296
Iowa	26,314
South Dakota	6,277
Illinois	96,320
California	246,034
Kansas	18,527
Minnesota	29,125



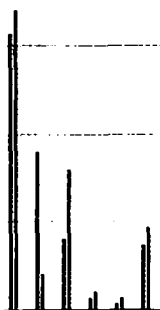
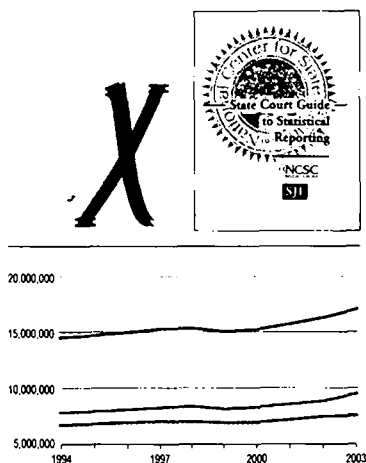
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Examining the Work of State Courts, 2004

A National Perspective from the
Court Statistics Project



BJS

Edited by

Richard Y. Schauffler
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The content and design of all products produced by the CSP benefit greatly from the guidance of the members of the Court Statistics Committee of the Conference of State Court Administrators (COSCA). The committee members have given generously of their time, talent, and experience, and their participation has been invaluable to project staff.

The Court Statistics Project is funded through the generous support of the Bureau of Justice Statistics (BJS). The authors wish to acknowledge the guidance and constructive advice provided by Steven Smith and Thomas Cohen of BJS. Nevertheless, the points of view stated in this document are those of the authors and

do not necessarily represent the policies of that agency. The more general responsibility for developing the CSP products and promoting improvements to court statistics is shared with the National Center for State Courts management, working under the policy direction of the COSCA Court Statistics Committee.

The staff of the CSP wishes also to acknowledge the contributions of two of our National Center for State Courts colleagues. Paula Hannaford-Agor contributed to both the Appellate and Civil sections of this issue. Brian Ostrom, former director of the Project, provided comments and insight that helped significantly with the creation of this edition of *Examining the Work of State Courts*. This publication benefited greatly from the careful editing of Lorri Montgomery. Judith Sullivan Phillips skillfully managed page design and coordinated the printing of this publication.

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Foreword ●

The publications of the Court Statistics Project offer a detailed picture of the work of the nation's state courts.

Examining the Work of State Courts, 2004, provides a comprehensive analysis of the business of state trial and appellate courts in a non-technical fashion. Accurate, objective, and comparable data across states serves as a yardstick against which states can consider their caseload, identify emerging trends, and measure the possible impact of legislation. Without baseline data from each state, many of the most important questions facing the state courts will go unanswered. This volume facilitates a better understanding of the state courts by making use of closely integrated text and graphics to plainly and succinctly describe the work of state trial and appellate courts.

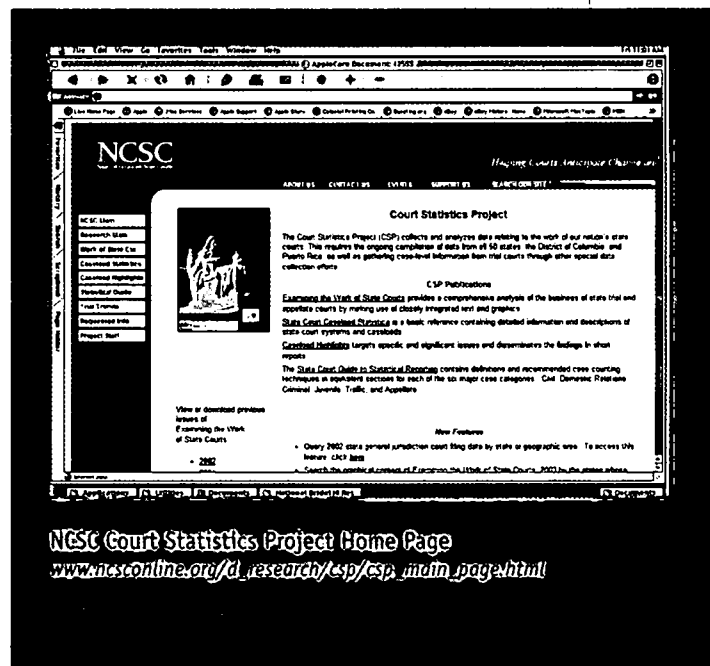
A second volume, *State Court Caseload Statistics, 2004*, is a basic reference that contains detailed information and descriptions of state court systems. Those requiring more complete information, such as state-specific information on the organization of the courts, total caseload date, the number of judges, factors affecting comparability between states, and a host of other jurisdictional and structural issues will find this volume useful.

A third publication, the *Caseload Highlights* series, targets specific and significant issues and disseminates the findings in short reports. The Court Statistics Project (CSP) recognizes that informed judges and court managers want comparative information on a range of policy-relevant topics, but they want it in a timely fashion and in a condensed, readable format. *Caseload Highlights* fills the gaps in distribution cycles between the two annual reports and is

also timely in terms of the data and subject matter covered. Past and current issues are available at www.ncsconline.org/d_research/csp/highlights/highlights_main_page.html.

These three publications are developed with generous support from the Bureau of Justice Statistics (BJS). Detailed descriptive information on court structure is provided by another National Center for State Courts (NCSC) and BJS joint project, *State Court Organization*. Topics covered include: the number of courts and judges; judicial selection; jury qualifications and verdict rules; and processing and sentencing procedures of criminal cases. Court structure diagrams summarize the key

continued



NCSC Court Statistics Project Home Page
www.ncsconline.org/d_research/csp/csp_main_page.html

features of each state's court organization. The 1998 edition is available through BJS and at www.ojp.usdoj.gov/bjs/abstract/sc098.htm. A new, updated edition is scheduled for publication in late 2005.

Finally, the CSP, supported by the State Justice Institute, and with close guidance from the Conference of State Court Administrators' (COSCA) Court Statistics Committee, created the recent *State Court Guide to Statistical Reporting*. The *Guide* is a tool for improving court administration by providing new and more accurate case types and case filing and disposition categories. Among other improvements, the *Guide* helps courts account for the significant amount of judicial and staff time and effort required in the post-judgment activities associated with some types of cases, such as juvenile and domestic relations cases. The *Guide* is available on the NCSC Web site at www.ncsconline.org/d_research/statistical_reporting.

Taken together, these publications constitute the most complete research and reference sources available on the work of the nation's state courts. The Court Statistics Project produces this information and analysis in the hope that it will inform local, state, and national policy and management discussions.

Table of Contents

Introduction	9
Overview	13
Civil	21
Domestic Relations	31
Criminal	41
Juvenile	51
Traffic	59
Appellate	63
Appendix	69
Index of States Included in Section Graphics	70
Court Statistics Project Methodology	74
State Court Caseload Statistics, 2003	75
The NCSC Court Statistics Project	76
The State Court Guide to Statistical Reporting	77
CourTools	78
The Caseload Highlights Series	79

Introduction ●

This issue of *Examining the Work of State Courts* finds the Court Statistics Project (CSP) at the beginning of a lengthy period of transition. For the 2003 trial court data reported herein, we introduced the new caseload summary standards recommended in the recently released *State Court Guide to Statistical Reporting*. The *Guide*, endorsed by the Conference of Chief Justices, the Conference of State Court Administrators, and the National Association for Court Management, provides a framework for states that captures and makes comparable the most important data elements of court caseloads. In each of the sections that follow, we highlight the new data being reported according to the data standards defined by the *Guide*, along with new insights into the work of the state courts made possible by this data.

Some of the more appreciable changes brought about by the implementation of the *Guide* are: 1) the complete separation of domestic relations caseloads from civil caseloads; 2) the reallocation of domestic violence cases from domestic relations to criminal; and, 3) the introduction of "incoming" and "outgoing" caseloads. *Incoming* is the sum of *Guide* categories *new filings*, *reopened*, and *reactivated* cases. *Outgoing* combines *entry of judgment*, *reopened dispositions*, and *placed on inactive status*. As expected, this change has resulted in an increase in total caseloads that more accurately reflects the work of the state courts.

The following two pages show a portion of the civil Caseload Summary matrix as it appears in the *Guide*. This is the format for reporting total incoming and outgoing cases; equivalent matrices exist for the other four major trial court case categories: Domestic Relations, Criminal, Juvenile, and Traffic. There is also a Manner of

Disposition matrix—the format for reporting types of dispositions by type of case—but this segment of the *Guide* has yet to be implemented. Thus, the *Guide's* Caseload Summary matrix serves as the focal point of this year's *Examining the Work of State Courts*.

Readers of this issue of *Examining the Work of State Courts* should be aware that, due to the newness of the *Guide*, not all states reported all of the incoming and outgoing categories for the 2003 data collection. Nonetheless, the words "incoming" and "outgoing" are applied to all states in the included analysis whether they reported in each of the categories or not.

The introduction or reallocation of case types as defined in the *Guide* has had a subtle but discernable affect on the time-series data reported by the CSP. For this reason, caseload trends in this year's *Examining the Work of State Courts* are not necessarily comparable to those published previously. However, whenever possible, we have retroactively applied the *Guide's* case type definitions and classification scheme to our historical data, so the trends reported here are accurate according to these new data standards, but cannot be accurately compared to trends reported in previous issues.

As noted above, one of the changes to occur in state trial court data reporting is the re-categorization of domestic violence cases. Domestic (or "family") violence cases may be defined and/or counted differently in different states. For example, one state may count the issuance of a civil protection or restraining order as a criminal domestic violence case while another state counts those same cases (more accurately) as domestic relations cases. The *Guide* allows for two different types of cases related to domestic

violence to be captured in two different categories. First, the criminal act of domestic violence (e.g., assault of a family member) is both a felony and misdemeanor case type and should be counted as such. Second, the issuance of a civil protection or restraining order is a type of domestic relations case.

Despite every effort being made this year to disentangle the civil, domestic relations, and criminal caseloads reported by the states, the transition from the old reporting methods to the new will undoubtedly create some inconsistencies. We suggest that any reader who spots an apparent inconsistency check the *State Court Guide to Statistical Reporting on the Web* at: www.ncsconline.org/d_research/statistical_reporting for a possible explanation.

Note: This volume endeavors to compare often strikingly different states in such a way as to make the comparisons meaningful. When appropriate, adjustments are made for population and distinctions are noted between different types of systems (e.g., general jurisdiction versus unified). Finally, for the sake of simplicity, this text will refer to the District of Columbia and the Commonwealth of Puerto Rico as states. All references to total populations and caseloads will include data from those two jurisdictions, unless otherwise noted.

The image below shows a portion of the Caseload Summary matrix for civil cases. Here, civil case subcategories and types are introduced, and a total of ten incoming and outgoing distinctions are defined.

Civil - Caseload Summary Matrix

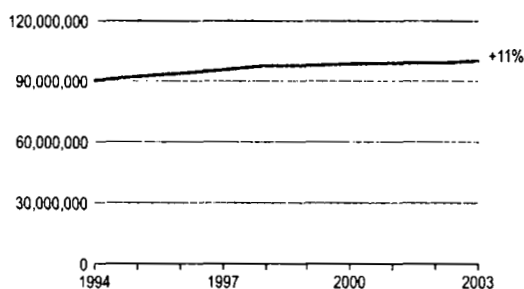
Case Type	Begin Pending		New Filing
	Active	Inactive	
Tort			
Automobile Tort			
Intentional Tort			
Malpractice - Medical			A count of cases that have been filed with the court for the first time.
Malpractice - Legal			
Malpractice - Other Professional			
Total Malpractice			
Premises Liability			
Product Liability - Asbestos			A count of cases that, at the start of the reporting period, are awaiting disposition.
Product Liability - Tobacco			
Product Liability - Toxic/Other			
Total Product Liability			
Slander/Libel/Defamation			
Other Tort			
TOTAL Tort			A count of cases that, at the start of the reporting period, have been administratively classified as inactive. Such circumstances may be defined by statewide court administrative rule or order.
Contract			
Buyer Plaintiff			
Employment Dispute-Discrimination			
Employment Dispute-Other			
Total Employment Dispute			
Fraud			

Note: This table contains only some of the general civil case types. All remaining civil case types (e.g. small claims, probate) are found in the full civil Caseload Summary.

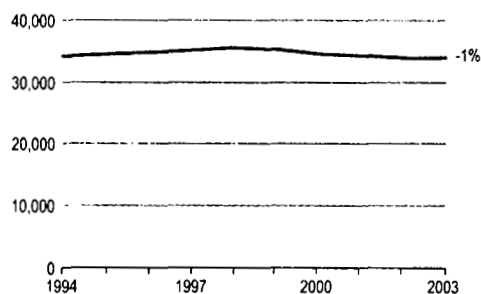


Overview

Total Incoming Cases in State Courts, 1994-2003



Total Incoming Cases per 100,000 Population in State Courts, 1994-2003



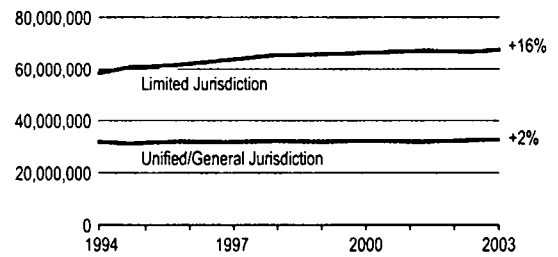
In 2003, state trial courts averaged about one incoming civil, domestic relations, criminal, juvenile, or traffic case for every three citizens of this country. Of course, that is not to say that one-third of the nearly 300 million U.S. residents were involved in these cases—they were not. Certain individuals, businesses, and other organizations (such as state and federal government) may bring many cases to court. But others who were involved in a court case may not have even realized it. Those who received a speeding ticket but opted to send in their fine rather than appear in court to contest their citation are still counted in this total. The couple who went through an uncontested divorce may never have stood before a judge, but their marriage dissolution was nonetheless a court case and required a certain amount of work by a judge and court staff to resolve.

The volume of cases coming into state courts is slowly rising, increasing at a rate of about 1 percent a year. Much of the increase in state court caseloads can be attributed to increases in the population. As population increases, caseload tends to increase. However, during the last five years, the population has increased at a rate higher than court caseloads; as a result, population-adjusted incoming cases have actually decreased slightly.

State trial courts reported over 100 million incoming cases in 2003

The last time national trial court caseloads exceeded 100 million cases was 1990. In the years immediately following that peak, case-loads declined to a low of about 90 million in 1993, mostly due to a migration in many states of parking cases from the courts to administrative agencies. Since then, state trial courts have witnessed a slow but steady increase that has resulted in crossing this 100 million mark again. As the line chart above indicates, virtually all of this increase has come in the courts of limited jurisdiction.

Total Incoming Cases in State Trial Courts, by Jurisdiction, 1994-2003

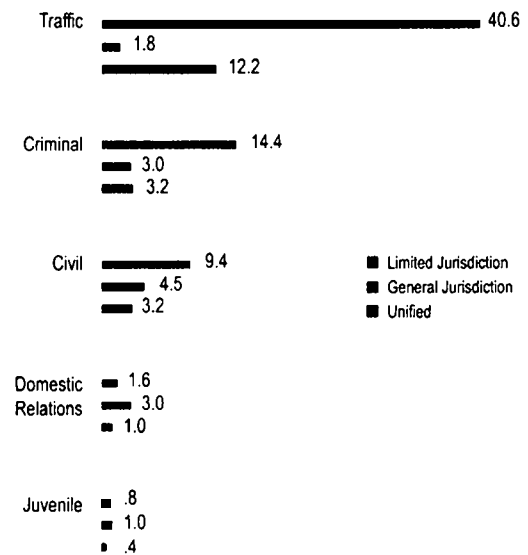


Total Incoming Cases in State Courts by Case Type, 2003

Case Type	Millions
Traffic	54.7
Criminal	20.6
Civil	17.1
Domestic	5.6
Juvenile	2.1
Total	100.1

The single largest share of incoming trial court caseloads is traffic cases in limited jurisdiction courts, which represented about 41 percent of the entire 2003 state court caseload. Misdemeanors and felony preliminary hearings, comprising most of the criminal caseloads in limited jurisdiction courts, follow as the second largest segment of the total.

Number of Incoming Cases, by Jurisdiction and Case Type, 2003 (in millions)



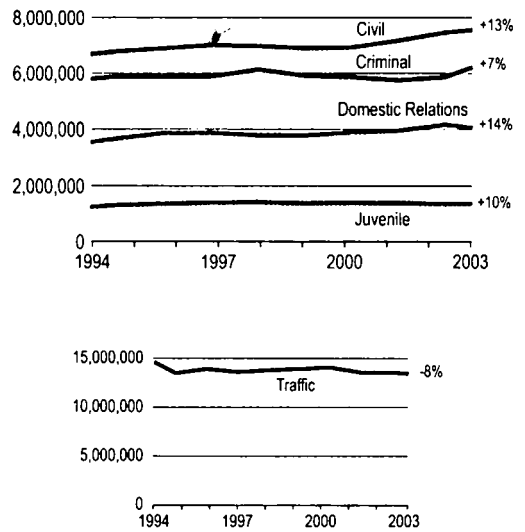
Total Incoming Cases in State Courts, by Jurisdiction, 2003 (in millions)

Case Type	Unified & General	Limited
Traffic	14.0	40.6
Criminal	6.2	14.4
Civil	7.6	9.4
Domestic	4.1	1.6
Juvenile	1.4	0.8
Total	33.3	66.8

Most caseloads have increased in the last decade

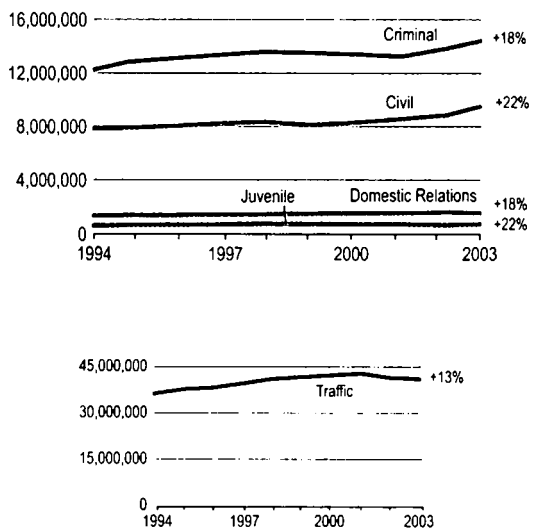
The component parts that comprise the total incoming general jurisdiction trend line on the previous page are shown on the two charts at right. The influence of the much larger, but declining, traffic caseload quickly becomes apparent: each of the other four major case categories show increases. The 1.1 million fewer traffic cases seen in general jurisdiction courts over these 10 years reduced the net gain in those courts to just 771,000 cases (+2 percent).

Incoming Caseloads in Unified and General Jurisdiction Courts, by Case Type, 1994-2003



The difference between general and limited jurisdiction caseloads becomes more apparent when comparing the charts at right to the charts above. Not only are the volumes of cases much higher in limited jurisdiction courts (see scales at left of charts), but caseloads in all five categories—including traffic—increased. Most of the increases in civil and criminal caseloads have occurred over the last several years. Contributing to the increase in limited jurisdiction criminal caseloads between 2002 and 2003 are newly reported preliminary hearings in felony cases, as recommended in the *State Court Guide to Statistical Reporting*.

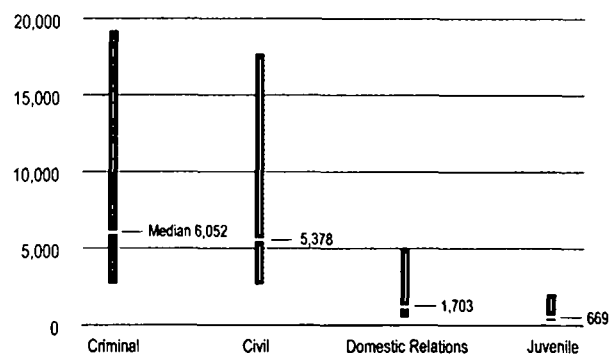
Incoming Caseloads in Limited Jurisdiction Courts, by Case Type, 1994-2003



Population-adjusted civil and criminal caseloads show wide ranges

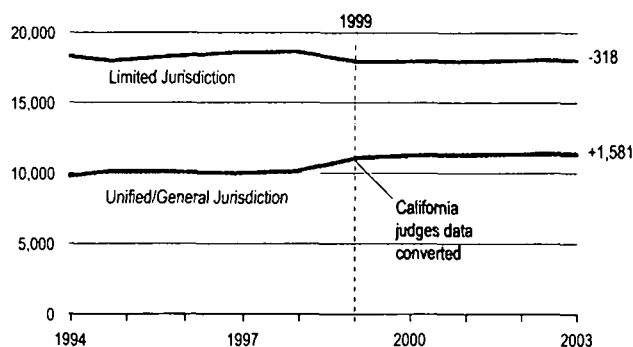
The chart below displays the range of population-adjusted incoming cases by case category for the 50 state court systems that reported all four major non-traffic case categories outlined in the *State Court Guide to Statistical Reporting* (due to incomplete data, Mississippi and Tennessee are not included). These figures include all incoming cases in both limited and general jurisdiction courts combined. For example, population-adjusted incoming criminal caseloads ranged from a low of 2,315 cases per 100,000 state residents (in Kansas, a unified court system), to a high of 19,188 cases per capita (in North Carolina, a two-tiered court system). The median for all states was 6,052 per 100,000 population. The range in civil cases was nearly as wide as criminal, but ranges in domestic relations and especially juvenile cases were considerably narrower.

Range of Incoming Cases per 100,000 Population, by Case Type, 2003



Historically, the aggregate number of judicial officers in state courts has increased by about one-half of 1 percent—or roughly 150 judges—per year. In 2003, for the first time since the Court Statistics Project began collecting such data, the number of judicial officers decreased (by 55 judges) to a grand total of 29,373. The graph below shows the total number of judicial officers in both limited and unified/general jurisdiction courts for the last decade. The unusual convergence of the two trend lines in 1999 resulted from the reclassification of data from California in light of the unification of its state court system. (Most of California’s courts unified during 1998. The data was converted by the Court Statistics Project in 1999.) Because of this unification, over 700 municipal court judges became superior court judges, accounting for almost half the apparent increase over this decade.

Judicial Officers in General and Limited Jurisdiction Courts, 1994-2003



States average
about 1 general
jurisdiction
judge for
every 25,000
residents

Due to differences in state court resources, procedures, structures, and efficiencies, the per capita numbers of judges assigned to work in general jurisdiction courts can vary substantially.

Unified courts, by definition hearing all types of cases, will naturally tend to have more judges per capita because of their all-encompassing caseloads. General jurisdiction courts, whose caseloads are supplemented by the cases heard in that state's limited jurisdiction courts, would be expected to have fewer judges per capita, and such is the case.

An outlier on this table, and the only "state" with more than 10 judges per 100,000 residents, is the District of Columbia (DC). However, DC is much more similar to a major city than it is to a state, and for this reason cannot always be fairly compared to states.

California, the most populous state, has the most judges. However, California's population-adjusted rate of 4.2 judges per 100,000 population is the lowest among all unified courts.

Number and Rate of Full-time Judges in Unified and General Jurisdiction Courts, 2003

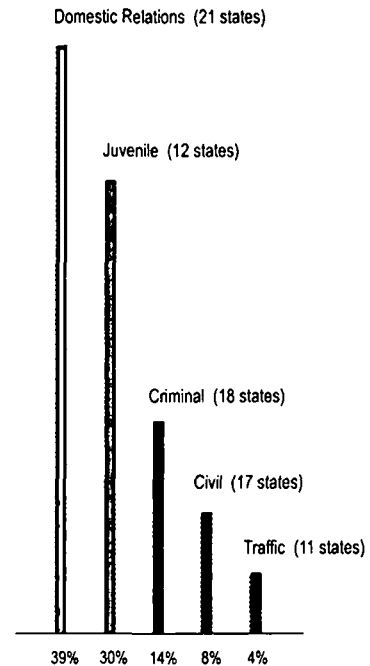
State	— Full-time Judges —		Incoming Non-Traffic Cases per Judge	Population Rank
	Total	per 100,000 Population		
Unified Court Systems				
South Dakota	38	5.0	2,671	47
Wisconsin	241	4.4	2,584	20
District of Columbia	59	10.5	2,259	51
North Dakota	42	6.6	2,258	49
Minnesota	275	5.4	2,121	21
California	1,498	4.2	2,050	1
Kansas	160	5.9	1,941	34
Missouri	322	5.6	1,867	17
Connecticut	180	5.2	1,811	30
Illinois	850	6.7	1,526	5
Iowa	192	6.5	1,514	31
Puerto Rico	328	8.5	743	27
Median	217	5.8	1,995	
General Jurisdiction Courts				
South Carolina	46	1.1	4,043	25
North Carolina	106	1.3	3,085	11
New Jersey	408	4.7	3,046	9
Florida	527	3.1	2,697	4
Utah	70	3.0	2,679	35
Maine	49	3.8	2,649	41
Indiana	296	4.8	2,516	14
Tennessee	122	2.1	2,091	16
Texas	420	1.9	2,061	2
New Hampshire	27	2.1	2,016	42
Ohio	380	3.3	1,959	7
Georgia	188	2.2	1,948	10
Oregon	170	4.8	1,939	28
Maryland	146	2.7	1,936	19
Nevada	60	2.7	1,909	36
Arkansas	115	4.2	1,866	33
Vermont	32	5.2	1,806	50
Virginia	155	2.1	1,772	12
Pennsylvania*	408	3.3	1,679	6
Louisiana	230	5.1	1,626	24
Arizona	160	2.9	1,587	18
Michigan	216	2.1	1,539	8
Alabama	142	3.2	1,471	23
Washington	177	2.9	1,428	15
New Mexico	75	4.0	1,382	37
Colorado	132	2.9	1,296	22
Delaware	19	2.3	1,228	46
Kentucky	129	3.1	1,124	26
Hawaii	45	3.6	1,044	43
New York	524	2.7	925	3
Montana	43	4.7	876	45
Wyoming	19	3.8	851	52
Nebraska	55	3.2	746	39
West Virginia	65	3.6	732	38
Rhode Island	22	2.0	730	44
Mississippi	49	1.7	574	32
Alaska	34	5.2	547	48
Idaho	39	2.9	505	40
Massachusetts	82	1.3	383	13
Median	115	3.0	1,626	

* Data from Pennsylvania are preliminary figures provided by the PAOC.
Note: No data were available for Oklahoma for 2003.

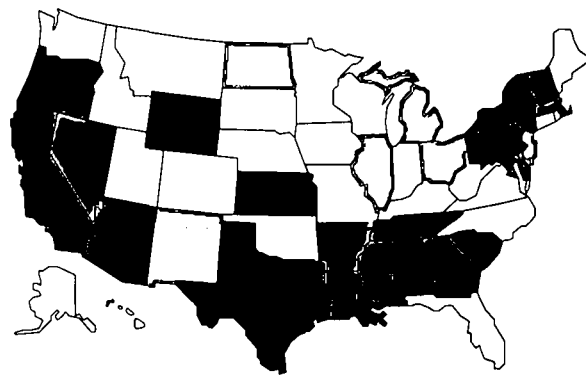
Thirty states reported reopened/reativated caseloads this year

With the introduction of the *State Court Guide to Statistical Reporting* came a recommendation for all states to collect and report data for cases that were reopened (after an entry of judgment) or reactivated (following placement on inactive status). In this first year of reporting such data, 30 states reported one or both of these types of "incoming" cases in at least one case category. The chart at right shows the percentage of all incoming cases (i.e., new filings + reopened + reactivated) that were composed of reopened and reactivated cases. For example, in the 21 states that reported total incoming domestic relations caseloads, 39 percent of that caseload was composed of reopened or reactivated cases.

Reopened/Reactivated Cases as a Proportion of All Incoming Cases, by Case Type, 2003



States That Reported Reopened/Reactivated Caseloads in One or More Case Categories

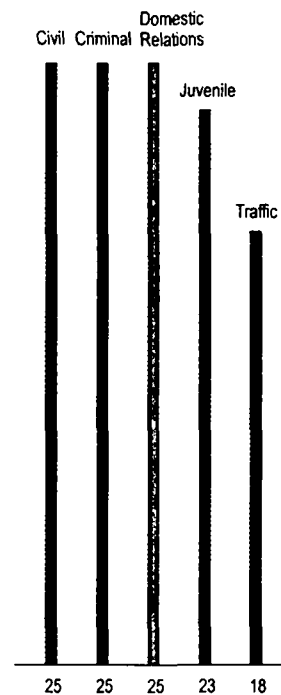


- State did not report reopened/reativated
- Reported 1 case category
- Reported 2 case categories
- Reported 3 case categories
- Reported 4 case categories
- Reported 5 case categories

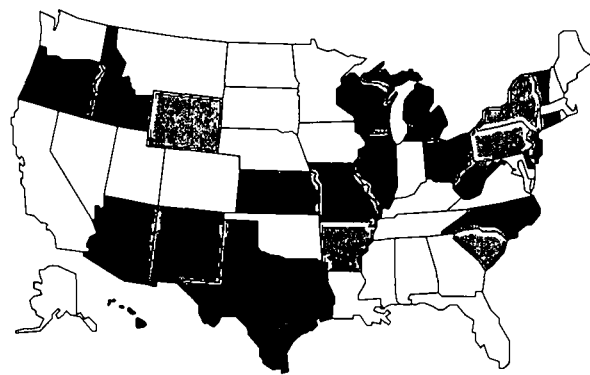
Eighteen states reported pending caseloads in all five case categories

Also included in the *State Court Guide to Statistical Reporting* is a recommendation for states to collect and report both active and inactive pending caseload data. Active pending cases are those that have been filed, re-opened, or reactivated, and are awaiting disposition at the end of a reporting period. A case is placed on inactive status when, for circumstances beyond the court's control and known to the court (e.g., a defendant absconds), it is no longer moving toward a disposition. Separating active from inactive pending cases provides a court with a more accurate assessment of its workload. Only two states, Hawaii and Vermont, distinguished active from inactive cases among their pending caseloads in this year's report.

Number of States Reporting Pending Caseloads, by Case Type, 2003



States That Reported Pending Caseloads in Three or More Case Categories



- State did not report pending caseloads
- States reporting 3 categories
- States reporting 4 categories
- States reporting 5 categories

Civil •

Unlike criminal prosecutions that are brought by the government, a civil case can be filed by or against virtually any individual or organization. The root cause of civil cases is usually, but not always, money. They can be filed by a company against another company for non-performance of a contractual obligation, a person against a doctor or hospital for an injury sustained while in their care, or a homeowner against the government because of an eminent domain offer for their home that is perceived to be too low.

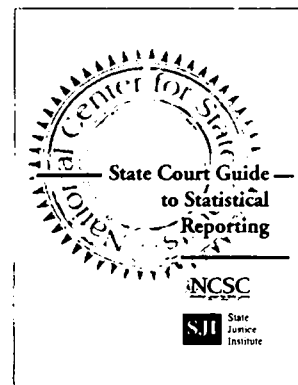
But courts are sometimes called upon to decide cases that do not involve damages or money owed. For example, guardianships, cases in which the court must determine whether an individual is capable of taking care of themselves or needs to be cared for by another, is one such case. Civil courts may also issue non-domestic relations restraining orders designed to keep two or more individuals apart from one another due to the threat of assault or other injury.

For our purposes, a domestic relations case is not a civil case. Domestic relations cases, although civil in nature, are distinguished in the *State Court Guide to Statistical Reporting* (the *Guide*) as a separate major category of trial court cases and therefore examined separately in the Domestic Relations section of this volume.

The recently released *Guide* recommends about 40 types of civil cases for state court data reporting. In addition, there are 10 distinctions within "incoming" and "outgoing" caseloads, including

active and inactive begin and end pending cases, new filings, reopened, reactivated, entry of judgment, reopened dispositions, and placed on inactive status. Descriptions and definitions of all of these terms can be found in the civil section of the *Guide*.

Most of the analyses conducted here refer to incoming caseloads, which are the combination of new filings, reopened cases, and reactivated cases. Similarly, clearance rates are calculated using outgoing cases—the sum of entries of judgment, reopened dispositions, and cases that were placed on inactive status.



For more information and downloads of the *Guide*, see the National Center for State Court's Web site: www.ncsconline.org/d_research/statistical_reporting

Incoming Civil Caseloads and Rates, 2003

- "Incoming" civil cases are the combination of new filings and reopened and reactivated cases. In the aggregate, this combination permits a more accurate gauge by which to measure the work of state courts.

- The District of Columbia, although reported alongside the 50 states and Puerto Rico, is a unique entity for the purposes of state court data reporting. As it is functionally more similar to a major city than a state, it does not benefit from the same mollifying effects of rural areas as do states.

- More than half of the incoming civil cases in the Maryland District courts (the courts of limited jurisdiction) were landlord/tenant cases filed in or around the city of Baltimore.

- In the Virginia District Courts, where nearly one million incoming civil cases were reported, every civil petition and subsequent action is counted as a separate case. The *State Court Guide to Statistical Reporting* recommends counting only the original petition/complaint as a case. Hence, the Virginia civil caseload is inconsistent with most other states listed here.

State	General Jurisdiction	Limited Jurisdiction	Total	Per 100,000 Population	Population Rank
Unified Courts					
District of Columbia	82,622		82,622	14,665	51
Kansas	204,556		204,556	7,511	34
South Dakota	53,409		53,409	6,988	47
Connecticut*	147,902	88,816	236,718	6,796	30
Wisconsin	272,624		272,624	4,982	20
Iowa	140,950		140,950	4,788	31
Illinois	565,667		565,667	4,470	5
North Dakota	25,790		25,790	4,069	49
Missouri	228,716		228,716	4,009	17
California	1,085,989		1,085,989	3,060	1
Minnesota	145,878		145,878	2,883	21
Puerto Rico	109,077		109,077	2,812	27
Median				4,629	
Two-tiered Courts					
Maryland	77,176	896,732	973,908	17,679	19
Virginia	71,019	949,955	1,020,974	13,822	12
Georgia	76,504	765,009	841,513	9,830	10
New Jersey	799,891	6,639	806,530	9,337	9
New York	364,165	1,359,855	1,724,020	8,984	3
Michigan	74,607	695,501	770,108	7,640	8
Indiana	374,308	96,596	470,904	7,601	14
South Carolina	78,026	221,646	299,672	7,226	25
Louisiana	164,382	159,725	324,107	7,208	24
Ohio	242,716	561,997	804,713	7,037	7
Delaware	14,631	42,593	57,224	7,000	46
North Carolina	185,826	397,395	583,221	6,937	11
Wyoming	6,123	27,538	33,661	6,716	52
Utah	121,106	27,216	148,322	6,308	35
Nevada	31,419	104,688	136,107	6,073	36
Florida	462,348	563,992	1,026,340	6,031	4
Massachusetts	25,832	358,818	384,650	5,979	13
Colorado	61,735	204,442	266,177	5,849	22
Montana	18,045	33,300	51,345	5,595	45
Idaho	7,075	66,865	73,940	5,412	40
Kentucky	53,302	166,800	220,102	5,345	26
Nebraska	7,377	81,545	88,922	5,113	39
Arkansas	49,116	86,696	135,812	4,983	33
Rhode Island	9,468	43,161	52,629	4,890	44
Alaska	6,437	22,934	29,371	4,527	48
Alabama	51,260	146,616	197,876	4,397	23
Oregon	156,416	—	156,416	4,394	28
Arizona	71,785	171,836	243,621	4,365	18
West Virginia	31,803	46,767	78,570	4,340	38
New Hampshire	10,181	42,820	53,001	4,116	42
Washington	98,664	128,117	226,781	3,699	15
New Mexico	36,229	32,139	68,368	3,647	37
Pennsylvania**	77,128	344,036	421,164	3,406	6
Texas	212,365	501,916	714,281	3,229	2
Vermont	15,376	4,570	19,946	3,222	50
Maine	36,742	—	36,742	2,814	41
Mississippi	28,101	51,354	79,455	2,758	32
Hawaii	9,336	19,451	28,787	2,289	43
Tennessee	69,589	—	69,589	1,191	16
Median				5,412	

Notes: Blank cells indicate no limited jurisdiction court or no civil jurisdiction. "—" = data not available.
 * Connecticut, though classified as a unified court system, has a probate court with limited civil jurisdiction.
 ** Data from Pennsylvania are preliminary figures provided by the PAOC.
 Oklahoma did not report civil data for 2003.

Incoming civil caseloads rose for the fourth consecutive year

Incoming Civil Cases per 100,000 Population, 2003

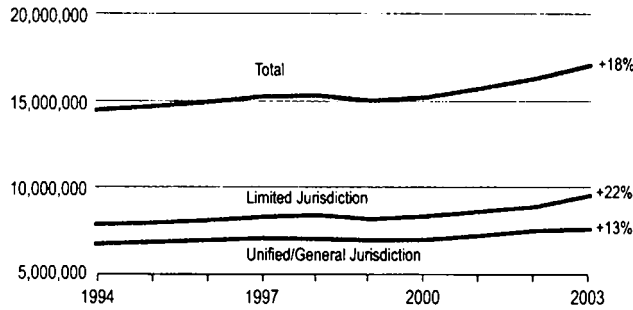
- The map at right illustrates geographical variation in litigation rates.



- Above Median
- Median (5,113)
- Below Median

No data were available for Oklahoma for 2003.

Total Incoming Civil Cases, by Jurisdiction, 1994-2003

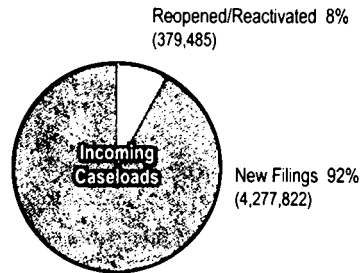


- Total incoming civil caseloads have continued to climb for the fourth consecutive year with most (14 percent) of the overall increase occurring during this four-year period.



Reopened and Reactivated Civil Caseloads in 17 States, 2003

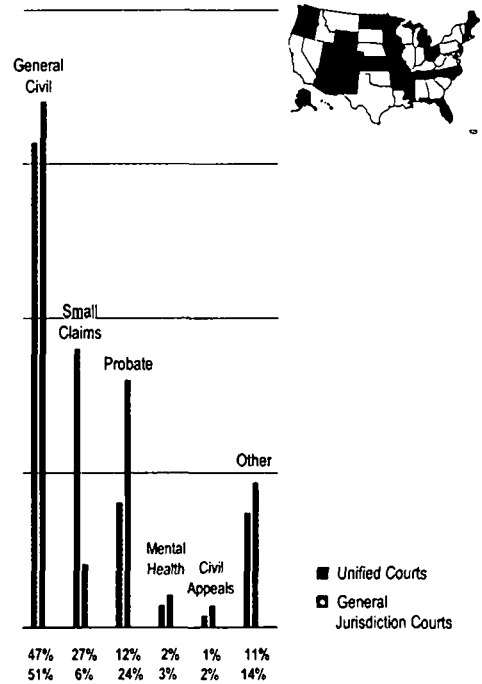
- Counting reopened and reactivated cases as part of an incoming caseload credits a court with work that has historically gone unreported in most jurisdictions. The figure at right reveals that 8 percent of the incoming caseloads in 17 states were reopened or reactivated cases.



General
Civil Cases
Dominate
Civil
Caseloads

Incoming Civil Caseload Composition in Unified vs. General Jurisdiction Courts in 26 States, 2003

- The adjacent chart shows the proportion of civil caseloads that each case type comprises in unified and general jurisdiction courts. Despite some differences in composition, general civil cases dominate civil caseloads in both types of courts.
- The *Guide* recommends eight major subcategories of civil cases, as well as a residual "other" category. The eight main civil subcategories are: tort, contract, real property (collectively known as "general civil"), small claims, probate/estate, mental health, civil appeals, and miscellaneous civil. Divided among these eight categories are nearly 40 distinct case types.



Incoming General Civil Caseload Composition in 22 Unified and General Jurisdiction Courts, 2003

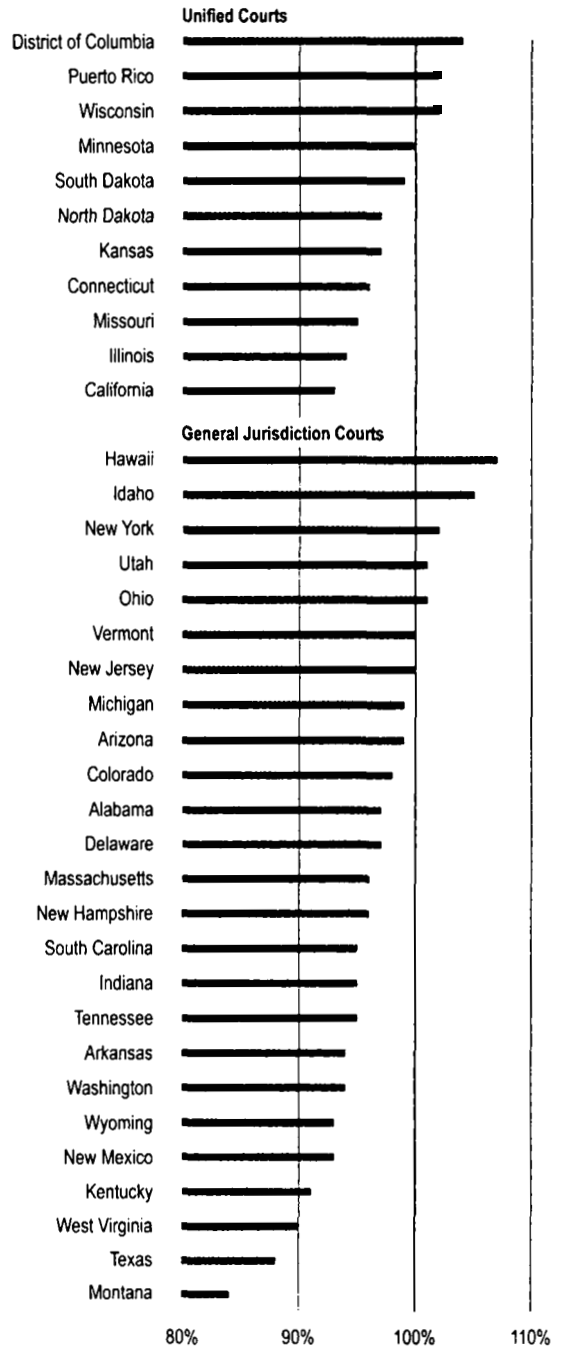
State	Incoming General Civil Cases	General Civil Composition
Unified Courts		50%
North Dakota	10,590	Contract 94%, Tort 6%
Missouri	165,029	Contract 80%, Tort 20%
Kansas	162,351	Contract 80%, Tort 20%
Minnesota	36,844	Contract 80%, Tort 20%
Puerto Rico	55,780	Contract 80%, Tort 20%
Iowa	23,753	Contract 80%, Tort 20%
Connecticut	65,853	Contract 80%, Tort 20%
Total	520,200	
General Jurisdiction Courts		
Utah	90,834	Contract 94%, Tort 6%
Oregon	62,041	Contract 80%, Tort 20%
Mississippi	26,256	Contract 80%, Tort 20%
Wyoming	2,202	Contract 80%, Tort 20%
Colorado	37,811	Contract 80%, Tort 20%
Arkansas	26,876	Contract 80%, Tort 20%
New Jersey	510,321	Contract 80%, Tort 20%
New Hampshire	4,331	Contract 80%, Tort 20%
New Mexico	22,953	Contract 80%, Tort 20%
Arizona	26,765	Contract 80%, Tort 20%
Hawaii	3,262	Contract 80%, Tort 20%
Washington	59,638	Contract 80%, Tort 20%
Texas	73,027	Contract 80%, Tort 20%
Tennessee	21,194	Contract 80%, Tort 20%
Massachusetts	19,134	Contract 28%, Tort 72%
Total	986,645	

- Certain tort case types (e.g., medical malpractice, product liability) dominate civil reform debates. However, as the bars in the figure at left indicate, contract cases are often the majority of general civil caseloads.
- Contract percentages ranged from a low of 28 percent in Massachusetts to a high of 94 percent in North Dakota. Incoming tort cases exceeded incoming contract cases in only five of these 22 courts.

Rising
caseloads
may affect
civil
clearance
rates

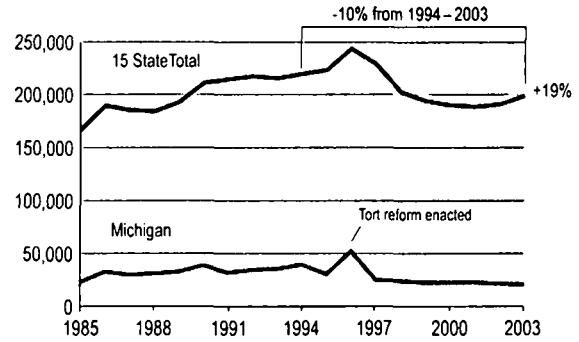
Civil Clearance Rates in Unified and General Jurisdiction Courts in 36 States, 2003

- Clearance rates are calculated by dividing the number of outgoing cases by the number of incoming cases. The result is then expressed as a percentage.
- Though several factors contribute to civil clearance rates, chief among them is case management strategy. Administrators and managers who assign their judicial and clerical staff efficiently and keep close tabs on changes in workload are most likely to achieve high clearance rates without jeopardizing the quality of justice.
- Nearly one-third of the 36 courts reporting here had clearance rates of 100 percent or more.



Incoming Tort Cases in 15 States, 1985-2003

- The graph at right indicates that although incoming tort caseloads in 15 states increased 19 percent in the last 20 years, there was a 10 percent decline during the second decade.
- When Michigan's legislature approved several tort reforms to take affect in 1996, the accompanying rush to file cases prior to their enactment clearly influenced the total trend. Tort reforms often produce a momentary spike in incoming caseload trends.



Incoming Tort Cases and Rates in 30 States, 2003

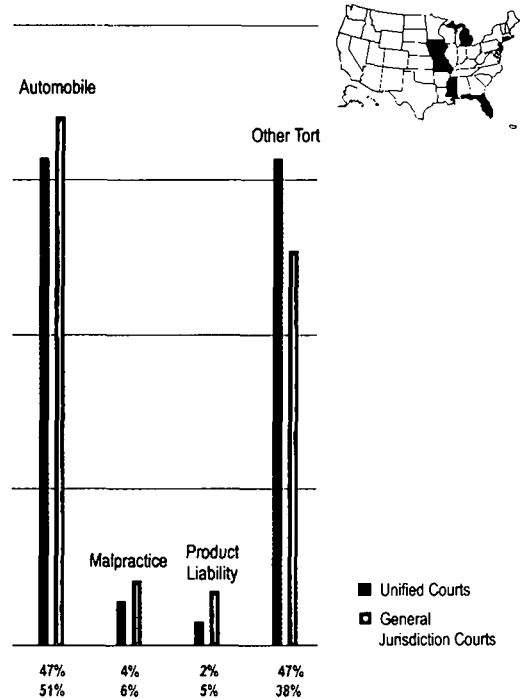
State	Total	Per 100,000 Population	Percent of Civil Caseload
Unified Courts			
Connecticut	17,509	503	12%
Missouri	20,109	353	9
Puerto Rico	8,900	229	8
California	78,836	222	7
Iowa	4,778	162	3
Kansas	4,019	148	2
Minnesota	5,742	113	4
North Dakota	476	75	2
Median			6%
General Jurisdiction Courts			
New Jersey	67,609	783	8%
New York	80,734	421	22
Nevada	7,832	349	25
Ohio	32,032	280	13
Florida	47,662	280	10
Mississippi	7,952	276	28
Arizona	13,068	234	18
Tennessee	12,837	220	19
Arkansas	5,794	213	12
Michigan	20,613	204	28
New Mexico	3,826	204	11
Washington	11,982	195	12
Texas	43,165	195	20
Indiana	11,845	191	3
Alaska	1,098	169	17
New Hampshire	1,847	143	18
Massachusetts	8,850	138	34
Colorado	5,986	132	10
Hawaii	1,647	131	18
Wyoming	568	113	9
Idaho	1,520	111	21
Utah	2,493	106	2
Median			17%

- As unified court systems hear all civil cases filed in that state, their civil caseload composition is different, with torts composing a lower percentage of their civil caseloads.
- Neither of New Jersey's limited jurisdiction courts have civil jurisdiction, rendering their civil structure more similar to that of a unified court.
- Three states with the highest per capita tort caseloads—New Jersey, Connecticut, and New York—also reported unusually high automobile tort rates (shown on the next page). Traffic accidents resulting from the congestion caused by their proximity to New York City are no doubt a contributing factor to their high rates.

Incoming Tort Caseload Composition in Eight Unified and General Jurisdiction Courts, 2003

One-half of
all tort cases
involve
automobiles

- The *State Court Guide to Statistical Reporting* defines six distinct sub-categories of tort cases, as well as a residual "other" category. The main tort subcategories include: automobile, intentional, premises liability, malpractice, product liability, and slander/libel.
- Since tort cases in most two-tiered court systems are heard exclusively in the court of general jurisdiction, the composition of tort caseloads in unified and general jurisdiction courts is strikingly similar.



Incoming Automobile Tort Cases in Unified and General Jurisdiction Courts in 17 States, 2003

State	Total	Per 100,000 Population	Percent of Total Tort Caseload
Unified Courts			
Connecticut	12,094	347	69%
California	49,369	139	63%
Iowa	2,567	87	54%
Missouri	5,469	96	27%
Puerto Rico	1,939	50	22%
General Jurisdiction Courts			
North Carolina	6,366	76	68%
Arizona	8,486	152	65%
New Mexico	2,219	118	58%
Hawaii	933	74	57%
Colorado	3,382	74	56%
New York	45,496	237	56%
New Jersey	37,918	439	56%
Maryland	6,068	110	52%
Michigan	10,612	105	52%
Florida	23,056	135	48%
Texas	19,537	88	45%
Mississippi	2,248	78	28%

- As displayed in the chart above, automobile tort cases represent about one-half of aggregate tort caseloads in unified and general jurisdiction courts. However, when examined individually, variations begin to emerge, with proportions ranging from 22 percent to 69 percent.
- New Jersey clearly had the highest number of incoming automobile tort cases per capita among general jurisdiction courts with nearly twice as many as the next highest (New York). Nonetheless, the proportion of automobile cases among torts in New Jersey was precisely at the median rate of 56 percent.

Incoming Medical Malpractice Cases in Unified and General Jurisdiction Courts in 12 States, 2003

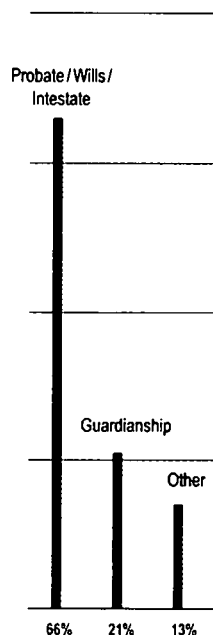
Medical malpractice rates range from 3 to 35 cases per 100,000 population

- Medical malpractice cases are typically brought by an individual against a doctor, nurse, or other health care worker for professional misconduct or negligence resulting in injury or death.
- Mississippi, a state known for its high medical malpractice caseload, enacted reforms in 2003 designed to reduce the number of medical malpractice cases filed. The affect of these reforms may be apparent when 2004 data become available.

State	Total	Number per 100,000 Population
Mississippi	995	35
New York	4,467	23
New Jersey	1,673	19
Michigan	1,632	16
Pennsylvania**	1,989	16
Puerto Rico*	591	15
Arizona	699	13
Connecticut*	383	11
Iowa*	245	8
New Hampshire	88	7
Hawaii	55	4
Oregon	92	3
Median		14

* These states have unified court systems.
 ** Data from Pennsylvania are preliminary figures provided by the PA AOC.

Composition of Incoming Probate/Estate Cases in Unified and General Jurisdiction Courts in 12 States, 2003



- Probate/Estate cases are a subcategory of civil caseloads as defined in the *Guide*. The four types of cases that comprise probate/estate caseloads include: guardianship, conservatorship/trusteeship, probate/wills/intestate, and elder abuse.
- Twelve states reported their probate/estate caseloads in at least two of these four categories. In those states, two-thirds of the caseload required court intervention to determine the disposition of a decedent's estate.

Florida ranks first in guardianship cases

Incoming Guardianship Cases in 19 States, 2003

- The second most common type of probate/estate cases are adult and juvenile guardianships. These cases involve the establishment of, or controversy over, one person's legal duty to care for another.
- Florida leads these 19 states not only in incoming cases per 100,000 population, but with the highest percentage of guardianships among civil cases.

State	Total	Per 100,000 Population	Percent of Total Civil Caseload
Florida	78,798	463	7.7
Vermont	1,195	193	6
Wisconsin*	11,909	218	4.4
Hawaii	948	75	3.3
Mississippi	2,150	75	2.7
Arkansas	3,212	118	2.4
Massachusetts	9,097	141	2.4
Michigan	17,355	172	2.3
Arizona	5,127	92	2.1
Wyoming	614	122	1.8
Idaho	1,339	98	1.8
Indiana	6,724	109	1.4
Ohio	10,777	94	1.3
Washington	2,566	42	1.1
West Virginia	869	48	1.1
Delaware	562	69	1
Utah	1,300	55	.9
Colorado	1,303	29	.5
District of Columbia*	64	11	.1
Median		94	1.8

* These states have unified court systems.

Incoming Small Claims Cases and Rates in Unified and Limited Jurisdiction Courts in 28 States, 2003

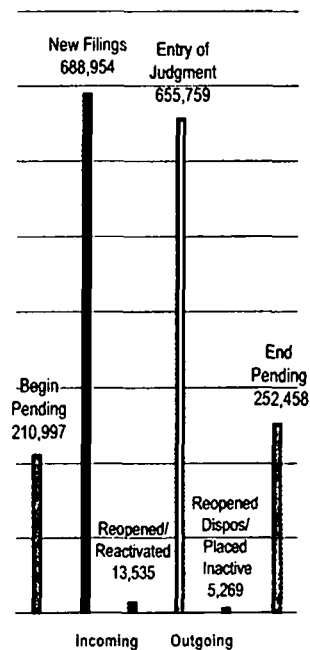
State	Total	Small Claims Jurisdiction Limit	Per 100,000 Population	Percent of Civil Caseload
Unified Courts				
South Dakota	33,749	8,000	4,416	63%
District of Columbia	17,916	5,000	3,180	22
Iowa	88,733	5,000	3,014	63
Wisconsin	159,018	5,000	2,906	58
Connecticut	75,672	2,500	2,172	51
Minnesota	63,960	7,500	1,264	44
North Dakota	6,479	5,000	1,022	25
Illinois	124,596	2,500	985	22
California	308,672	5,000	870	28
Kansas	10,373	1,800	381	5
Missouri	17,466	3,000	306	8
Median		\$5,000	1,264	28%
Limited Jurisdiction Courts				
North Carolina	279,955	4,000	3,330	70%
Massachusetts	153,870	2,000	2,392	43
Alaska	11,972	7,500	1,845	52
Florida	277,415	5,000	1,630	49
Idaho	21,468	4,000	1,571	32
Wyoming	7,468	3,000	1,490	27
New Hampshire	17,772	5,000	1,380	42
Indiana	82,807	3,000	1,337	86
Michigan	104,048	3,000	1,032	15
Arkansas	24,091	5,000	884	28
Ohio	90,228	2,000	789	16
Arizona	31,506	2,500	565	18
Nebraska	8,677	2,100	499	11
Kentucky	20,181	1,500	490	12
Washington	24,214	4,000	395	19
Colorado	17,690	7,500	389	9
Hawaii	3,458	3,500	275	18
Median		\$3,500	1,032	27%

- Small claims cases are tort, contract, or real property cases that, because of the relatively low amount in controversy, are subject to certain summary procedures in state courts. The statutory dollar amount limit in these 28 states varies from \$1,500 to \$8,000.
- Small claims are filed along with all other cases in unified courts. In two-tiered systems, they typically fall within the domain of the limited jurisdiction court.
- One exception to this paradigm is Indiana. Despite reporting the highest proportion of limited jurisdiction small claims cases among these 28 states (86 percent), the vast majority of their total statewide small claims caseload (72 percent) is filed in its general jurisdiction court. Adding these cases would yield an aggregate rate of 4,820 small claims cases per 100,000 population statewide.

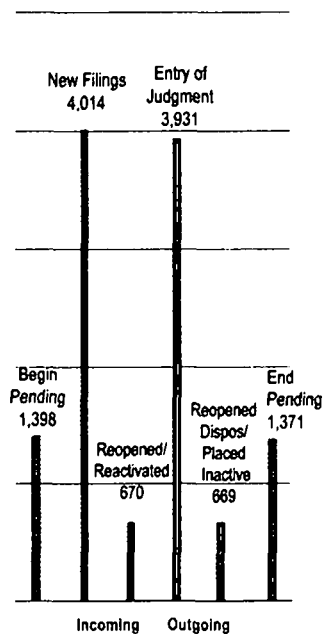
First look
 Civil
 Caseload
 Statistics

Combined Civil Caseload Summary for Michigan Circuit and District Courts, 2003

- The *State Court Guide to Statistical Reporting* defines 10 distinctions within incoming and outgoing cases. To new filings and entries of judgments are added begin pending (active and inactive), reopened, reactivated, reopened dispositions, placed on inactive status, and end pending (active and inactive) cases.
- The Circuit and District courts in Michigan reported their 2003 civil caseloads in six of the 10 categories (combining active with inactive pending, reopened with reactivated, and reopened dispositions with placed on inactive status).
- About 2 percent of Michigan's incoming civil caseload were cases that were reopened or reactivated.



Civil Caseload Summary for New York Family Court, 2003 (Guardianship cases)



- The New York Family Court, whose civil jurisdiction is exclusively guardianship cases, reported 14 percent of their incoming caseload as reopened or reactivated cases.
- Accurate counts of pending, incoming and outgoing cases are crucial for managing caseloads. The sum of begin pending plus incoming cases should precisely equal the sum of outgoing plus end pending cases.

Domestic Relations •

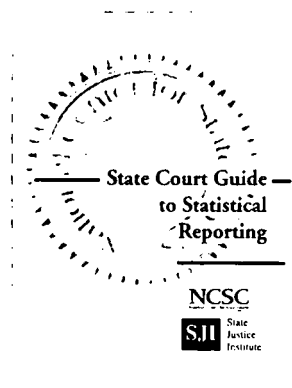
Domestic relations cases involve actions between family members or persons considered to be involved in a domestic relationship. For this reason, domestic relations caseloads in state courts are discussed independently of civil caseloads.

The cases reported in this section conform to the categories defined in the *State Court Guide to Statistical Reporting*. Domestic violence, which was previously reported as a domestic relations case type, is now reported as a criminal case type. And a new case type, civil protection/restraining order, has been added to the domestic relations caseload. These changes provide for more specific reporting of the criminal versus civil nature of domestic violence.

Significant improvements in domestic relations data document more completely the work of the state courts. For example, this is the first year that reopened and reactivated cases can be distinguished from cases that were newly filed. As many domestic relations actions reenter the court numerous

times over the life of the case, counting these cases as part of the incoming caseload may more accurately depict court workload.

In addition, counting pending cases allows a more accurate representation of clearance rates, which are examined in some detail in the following section.



For more information and downloads of the *Guide*, see the National Center for State Courts Web site: www.ncsconline.org/d_research/statistical_reporting

Incoming Domestic Relations Caseloads and Rates in 47 States, 2003

State courts reported over 5.5 million incoming domestic relations cases in 2003

- "Incoming" domestic relations caseloads refer to the combination of new filings, reopened, and reactivated cases.
- The table at right is ranked according to per capita incoming domestic relations cases. The median number of incoming cases per 100,000 residents was nearly 1,700.
- Nineteen of the 47 states included in this table reported reopened and/or reactivated domestic relations caseloads to the Court Statistics Project for 2003 (indicated in bold). Thirteen of those 19 states are ranked in the top 20 in this table.

State	Total	Per 100,000 Population	Population Rank
Vermont	21,085	3,406	50
New York	629,488	3,280	2
Pennsylvania**	364,773	2,950	6
West Virginia	52,723	2,912	38
Arizona	157,648	2,825	18
Florida	479,361	2,817	4
North Dakota*	17,322	2,733	49
New Jersey	225,129	2,606	9
District of Columbia*	14,087	2,500	51
New Hampshire	30,778	2,390	42
Nevada	50,049	2,233	36
Ohio	238,767	2,088	7
New Mexico	37,657	2,009	37
Massachusetts	128,352	1,995	13
Arkansas	53,854	1,976	33
Alabama	88,449	1,965	23
Missouri*	109,732	1,924	17
Iowa*	53,763	1,826	31
Alaska	11,244	1,733	48
Maryland	94,762	1,720	19
South Dakota*	13,137	1,719	47
Georgia	146,325	1,709	10
Texas	375,340	1,697	2
Tennessee	97,795	1,674	16
Kentucky	65,514	1,591	26
Mississippi	45,328	1,573	32
North Carolina	125,318	1,491	11
South Carolina	60,408	1,457	25
Indiana	88,701	1,432	14
Nebraska	24,697	1,420	39
Oregon	49,986	1,404	28
Kansas*	37,385	1,373	34
Illinois*	165,246	1,306	5
Wyoming	6,396	1,276	52
California*	451,080	1,271	1
Idaho	17,153	1,255	40
Washington	76,652	1,250	15
Wisconsin*	67,314	1,230	20
Michigan	121,811	1,208	8
Colorado	54,574	1,199	22
Maine	15,649	1,198	41
Hawaii	14,397	1,145	43
Connecticut*	39,370	1,130	30
Rhode Island	11,943	1,110	44
Utah	23,084	982	35
Puerto Rico*	33,815	872	27
Minnesota*	36,353	719	21
Median		1,674	

States in bold reported reopened and/or reactivated caseloads.

* These states have unified court systems.

** Data from Pennsylvania are preliminary figures provided by the PA AOC.

Reopened/Reactivated Domestic Relations Caseloads in 19 States, 2003



The adjacent figure shows the composition of incoming domestic relations cases in the 19 states that reported reopened and/or reactivated caseloads. Thirty-nine percent of all incoming domestic relations cases were reopened or reactivated during 2003.

New Filings 61%
(1,685,180)

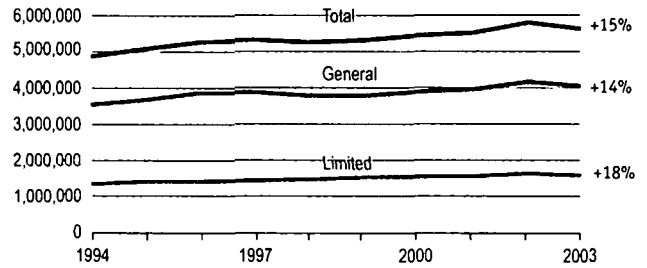
Incoming
Caseloads

Reopened/
Reactivated 39%
(1,070,543)

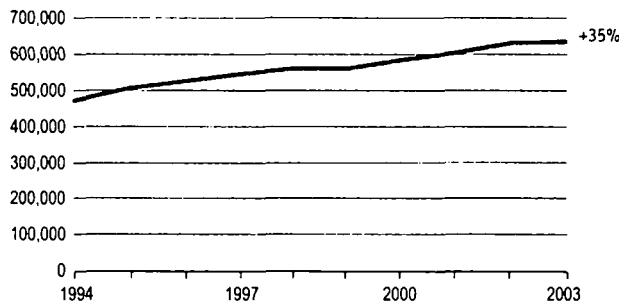
Incoming domestic relations caseloads increased 15 percent in the past 10 years

Total Incoming Domestic Relations Cases, 1994-2003

- The *State Court Guide to Statistical Reporting* recommends seven domestic relations subcategories: divorce, paternity, custody, support, visitation, adoption, and civil protection/restraining orders.
- In 2003, over 5.5 million incoming domestic relations cases were handled in state trial courts.
- Although total domestic relations caseloads have risen 15 percent over the last 10 years, incoming cases dropped about 3 percent between 2002 and 2003.



Incoming Civil Protection Order Cases in 32 States, 1994-2003



- While many factors may affect the growth of the domestic relations caseload, one force has been the increase in civil protection/restraining order cases.
- Thirty-two states reported over 635,000 incoming civil protection order cases in 2003. While this figure was essentially unchanged from 2002, it represents an increase of 13 percent since 1999 and 35 percent since 1994.



A first
look at
reopened
domestic
relations
caseloads

Incoming Domestic Relations Caseloads in 18 State Courts, 2003

- Much of the workload associated with domestic relations cases occurs as post-judgment activity. For example, requests for modification of support orders can occur multiple times over many years.

- Reopened cases accounted for more than 40 percent of the total incoming domestic relations caseload for 7 of the 18 courts shown here.

	New Filings	Total Cases Reopened/ Reactivated	= Incoming	Percent Reopened/ Reactivated
New Jersey Superior	77,316	147,813	225,129	66%
New Hampshire Superior	8,049	12,479	20,528	61
New York Family	273,303	286,552	559,855	51
Massachusetts Probate & Family Court Department	50,084	44,334	94,418	47
North Dakota District*	9,329	7,993	17,322	46
Vermont Family	11,646	8,712	20,358	43
Florida Circuit	276,966	202,395	479,361	42
Texas District	243,800	106,848	350,648	30
New Mexico District	27,565	10,092	37,657	27
Texas County-level	18,939	5,753	24,692	23
District of Columbia Superior*	10,992	3,095	14,087	22
Arizona Municipal	22,615	3,895	26,510	15
Arizona Justice of the Peace	20,760	3,190	23,950	13
Puerto Rico Court of First Instance*	31,694	2,121	33,815	6
Mississippi Chancery	41,515	2,542	44,057	6
Michigan Circuit	117,896	3,915	121,811	3
Mississippi County	1,237	31	1,268	2
Illinois Circuit*	162,781	2,465	165,246	1

*These are unified court systems.

Incoming Domestic Relations Caseload for the New Mexico District Court, 2003

Case Type	New Filings	Total Cases Reopened/ Reactivated	= Incoming	Percent Reopened/ Reactivated
Marriage Dissolution	10,169	3,793	13,962	27%
Paternity	3,409	1,082	4,491	24
Custody/Visitation	554	288	842	34
Support	2,791	1,237	4,028	31
Adoption	613	21	634	3
Protection Order	9,617	2,434	12,051	20
Other Domestic Relations	412	1,237	1,649	75
Total Domestic Relations	27,565	10,092	37,657	27%

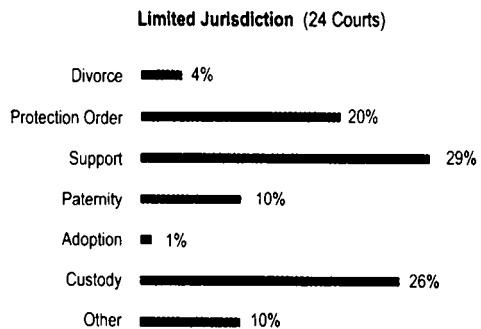
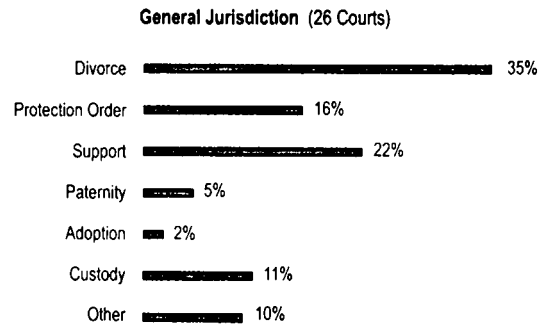
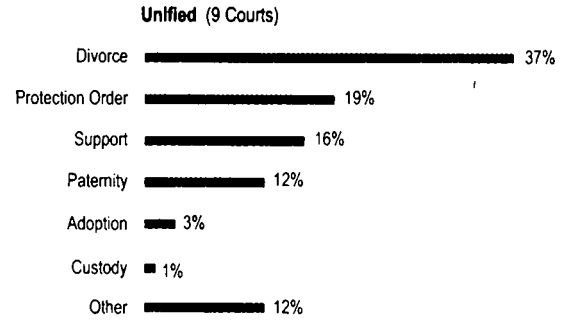
- New Mexico District Court (the general jurisdiction court of that state) reported that reopened/reactivated cases comprised 27 percent of its total incoming domestic relations caseload.

- New Mexico was the only state that reported the reopened/reactivated cases in each of the domestic relations subcategories.

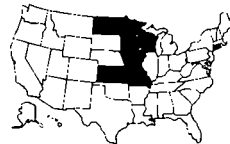
- This detailed information allows the court to understand and manage the domestic relations caseload more effectively.

Domestic Relations Caseload Composition in 42 States, by Jurisdiction, 2003

- Over half of the incoming domestic relations caseload in both unified and general jurisdiction courts is composed of divorce and civil protection order cases.
- Support and custody cases represent the largest proportion of domestic relations cases in limited jurisdiction courts. In 2003, there were over 695,000 of these cases entering the limited jurisdiction courts, representing 55 percent of their caseload.
- In contrast, support and custody cases comprise 33 percent of the caseload in general jurisdiction courts, and only 17 percent of the caseload in unified courts.



Unified 9 States



General Jurisdiction 25 States (26 Courts)



Limited Jurisdiction 15 States (24 Courts)

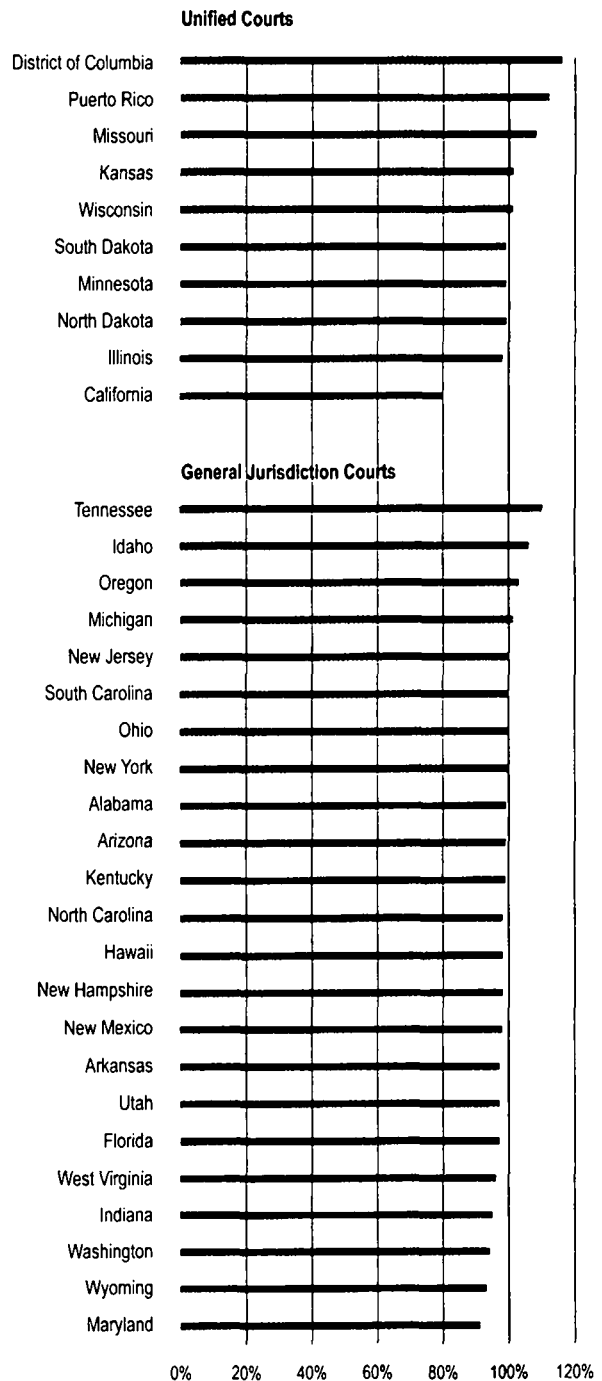


Divorce is
the most
common
domestic
relations
case type

Domestic Relations Clearance Rates in Unified and General Jurisdiction Courts in 33 States, 2003

Thirteen states report domestic relations clearance rates of at least 100 percent

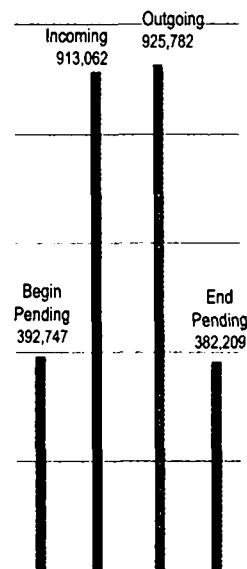
- Clearance rates are one measure of how well courts are keeping up with their caseload. A clearance rate is calculated by dividing the number of outgoing cases by the number of incoming cases and expressing the result as a percentage.
- Although 13 states achieved clearance rates of at least 100 percent, 15 of the remaining 20 states had clearance rates at or above 95 percent.
- A court whose clearance rate is below 100 percent runs the risk of adding to its case backlog, especially if this situation occurs in several consecutive years.



Pending caseloads provide additional insight into court workload

Pending, Incoming, and Outgoing Domestic Relations Caseloads in 12 States, 2003

- Another way to determine how well courts are keeping up with their workload is by calculating the annual change in pending caseload.
- Twelve of the 33 states for which clearance rates could be calculated also provided their begin and end pending caseloads.
- When combined, these 12 states show a clearance rate of 101 percent. This resulted in a 3 percent decrease in their combined end pending caseload.



Pending Domestic Relations Caseloads in 12 States, 2003

State	Total Domestic Relations Caseload				Clearance Rate	Change in Pending Caseload	
	Begin Pending	Incoming	Outgoing	End Pending		Cases	Percent
Decreased Pending Caseload							
District of Columbia*	11,871	14,087	16,400	9,558	116%	-2,313	-19%
Missouri*	59,232	109,732	118,860	50,104	108	-9,128	-15
Oregon	12,083	49,986	51,413	10,656	103	-1,427	-12
Puerto Rico*	16,240	33,815	37,769	14,679	112	-1,561	-10
Wisconsin*	26,185	67,314	67,977	25,548	101	-637	-2
Michigan	44,535	121,811	122,721	43,625	101	-910	-2
Unchanged Pending Caseload							
Ohio	76,338	238,767	238,668	76,437	100%	99	0%
Increased Pending Caseload							
Illinois*	85,617	165,246	162,733	88,130	98%	2,513	3%
New Mexico	22,630	37,657	36,868	23,419	98	789	3
Arkansas	29,160	53,854	52,307	30,388	97	1,228	4
Hawaii	6,191	14,397	14,113	6,475	98	284	5
Wyoming	2,665	6,396	5,953	3,190	93	525	20

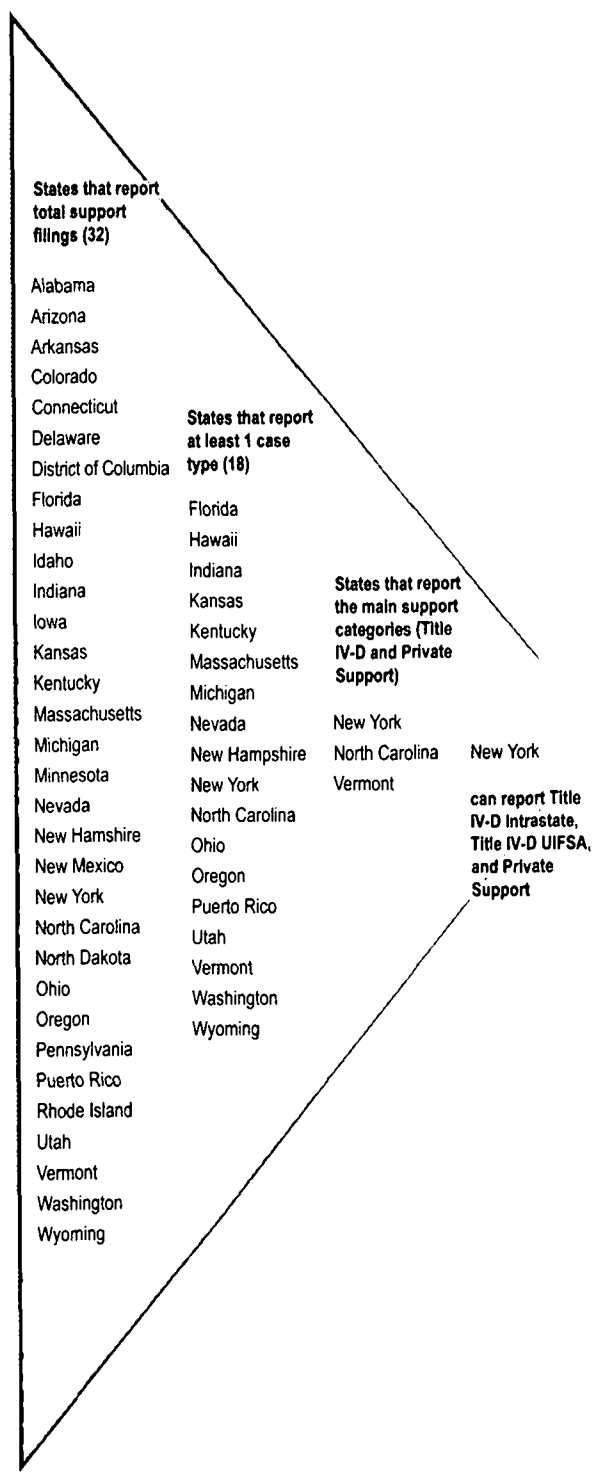
*These states have unified court systems.

- Disaggregating the numbers from the chart above reveals distinct differences between the 12 states featured and shows the causal relationship between clearance rate and pending caseload.
- The states were about evenly split between those with clearance rates above and below 100 percent.
- Ohio, despite having the largest caseload among these 12 states, had little effect upon the overall change in pending caseload due to their 100 percent clearance rate.
- The six states that decreased their pending caseloads did so with a combined clearance rate of 105 percent, versus a rate of 98 percent in the five states where pending caseloads increased.

States vary in their ability to report support case types

Refining Support Cases

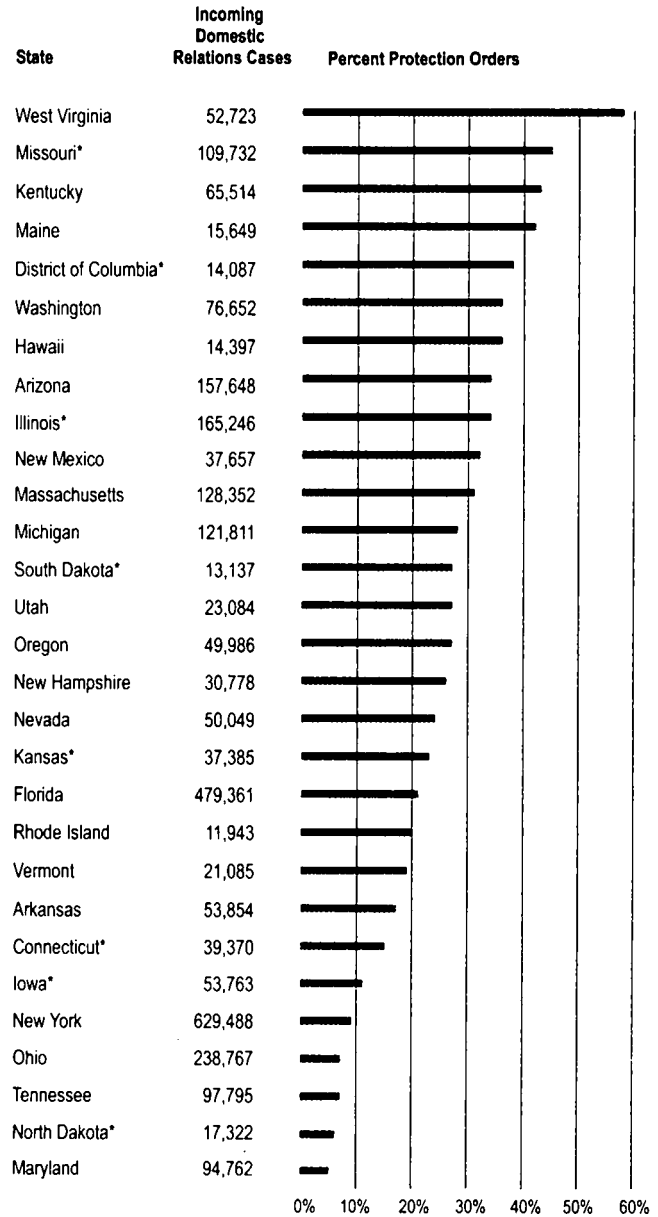
- The *State Court Guide to Statistical Reporting* recommends that courts differentiate between Title IV-D support cases, which are filed under Title IV-D of the Social Security Act of 1973, and private support cases, which are brought by parties outside the framework of Title IV-D.
- The *Guide* further recommends that Title IV-D support cases be reported as either intrastate or Uniform Interstate Family Support Act (UIFSA) cases, allowing for additional refinement of the types of Title IV-D cases that are being handled by the courts.
- As shown here, 32 states reported their total number of incoming support cases. Of those states, 18 reported at least one of the recommended case load of the support caseload (usually Title IV-D UIFSA cases).
- Only three states distinguished between Title IV-D and private cases.
- For 2003, New York was the only state reporting all of the recommended support case types. As a result, New York can determine the percentage of their support caseload that is Title IV-D (79 percent). New York can also distinguish between the various types of Title IV-D cases.



Civil Protection Order Caseloads in 29 States, 2003

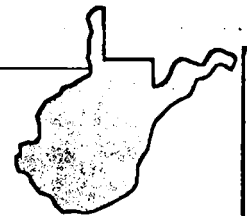
Civil protection orders are nearly 20 percent of domestic relations caseloads

- Civil protection order cases are domestic relations cases in which the court has issued a protection or restraining order designed to limit or eliminate the contact between two or more individuals.
- Protection order cases account for more than 25 percent of the domestic relations caseloads in 16 of the 29 states shown here and more than 35 percent in seven of these states.



*These states have unified court systems.

Three of West Virginia's four general and limited jurisdiction courts have jurisdiction over protection order cases. The Magistrate Court has the authority to issue emergency protective orders. If an emergency protective order is granted, a hearing is scheduled in either the Family or Circuit Court, where a final protective order may be granted or an appeal heard. Thus, the large percentage of West Virginia's caseload represented by protection orders (58%) is an artifact of court procedure; many cases are counted twice, first in Magistrate Court and then again in Family or Circuit Court. While this may seem to inflate West Virginia's civil protection order caseload, it allows the courts to determine the workload associated with these cases in each court.



Criminal

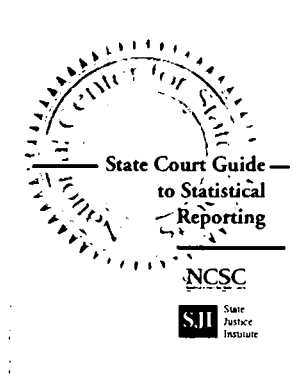
For many, the perception of our court system is based largely on what takes place in the criminal courts, despite the fact that only about 21 percent of total state trial court incoming caseloads involved criminal cases in 2003. The criminal caseload in state trial courts consists of felonies, misdemeanors, domestic violence, Driving While Intoxicated (DWI, also referred to as Driving Under the Influence (DUI)), and other miscellaneous case types. Except in states with unified court systems, felonies and domestic violence cases are typically filed in general jurisdiction courts, while preliminary hearings, DWIs, and misdemeanors are usually handled in limited jurisdiction courts. By far, the majority of criminal cases are processed in state rather than federal trial courts.

As a result of a reorganization prompted by the recently released *State Court Guide to Statistical Reporting*, domestic violence cases will be examined as part of the criminal caseloads in this section rather than in conjunction with the domestic relations caseloads.

A significant change this year is the addition of reopened and reactivated cases to the incoming caseload. While not as consequential in criminal cases compared to domestic relations and juvenile cases, counting reopened and reactivated cases provides a more complete measure of court workload.

Also resulting from the data standards advocated by the *Guide*, states have begun to report their pending caseloads. As more states contribute this data, comparisons can be made, generating useful dialogue about caseload management.

Finally, another significant change as a result of implementation of the *Guide* is new data on caseload composition. Using standardized and clearly defined case categories across all state court systems reveals interesting similarities and differences in the caseload of state courts.



The image shows the cover of the 'State Court Guide to Statistical Reporting'. The cover features a circular seal with the text 'NATIONAL CENTER FOR STATE COURTS' around the perimeter. In the center of the seal, it says 'State Court Guide to Statistical Reporting'. Below the seal, the logos for 'NCSC' (National Center for State Courts) and 'SJI State Justice Institute' are visible.

For more information and downloads of the *Guide*, see the National Center for State Courts' Web site: www.nesconline.org/d_research/statistical_reporting

New counting methods offer a more complete picture of court workloads

Incoming Criminal Caseloads and Rates, 2003

- "Incoming" cases are the sum of new filings plus reopened and reactivated cases. This figure provides for a more complete assessment of the work of state courts.
- The noticeably higher median number of per capita incoming cases in two-tiered courts is at least partly the result of double-counting; felony cases may be counted once as preliminary hearings held in limited jurisdiction courts and again as felony filings in general jurisdiction courts.
- Three states with unified court systems, North Dakota, Wisconsin, and Kansas, have a municipal court with criminal jurisdiction.
- Maine and Vermont are unique among two-tiered courts—all criminal cases are heard in the general jurisdiction courts.
- The eleven states marked with an asterisk count ordinance violations cases as part of their incoming criminal caseload. This practice renders their criminal caseloads and rates inflated when compared with other states. The *Guide* recommends that ordinance violations cases be counted under the separate major case category of *Traffic, Parking, and Local Ordinance Violations*.

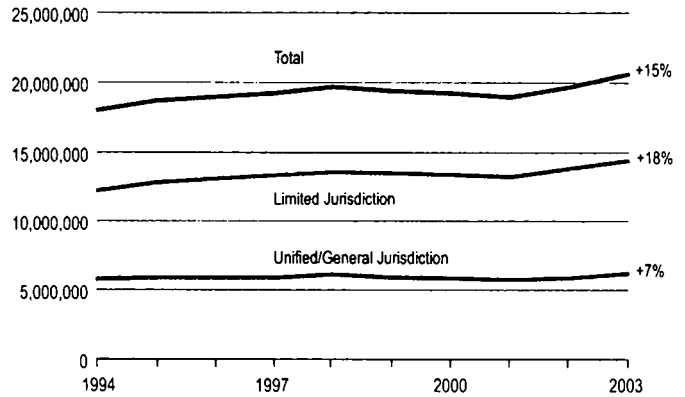
State	General	Limited	Total	Per 100,000 Population	Population Rank
Unified Courts					
North Dakota	40,192	22,121	62,313	9,831	49
Minnesota*	335,701		335,701	6,635	21
District of Columbia	33,316		33,316	5,914	51
Wisconsin	248,960	—	248,960	4,549	20
Illinois	538,344		538,344	4,254	5
Missouri	228,770		228,770	4,010	17
California	1,404,825		1,404,825	3,959	1
South Dakota	26,384		26,384	3,452	47
Connecticut	113,753		113,753	3,266	30
Iowa	81,097		81,097	2,755	31
Puerto Rico	90,995		90,995	2,346	27
Kansas	48,506	14,543	63,049	2,315	34
Median				3,985	
Two-tiered Courts					
North Carolina*	141,149	1,472,029	1,613,178	19,188	11
Arkansas	79,725	439,159	518,884	19,037	33
Delaware*	8,697	135,533	144,230	17,643	46
Virginia*	170,299	815,666	985,965	13,349	12
Michigan	66,703	1,173,709	1,240,412	12,306	8
Arizona	53,198	621,396	674,594	12,088	18
Texas	263,419	2,358,459	2,621,878	11,854	2
Montana	8,036	91,367	99,403	10,833	45
Idaho	12,347	132,378	144,725	10,592	40
South Carolina	107,950	316,095	424,045	10,225	25
Massachusetts*	5,613	593,672	599,285	9,315	13
Louisiana	165,494	239,915	405,409	9,016	24
New Jersey	125,879	626,434	752,313	8,709	9
Nebraska	9,913	137,515	147,428	8,476	39
Alabama	73,896	302,566	376,462	8,364	23
West Virginia	8,077	137,347	145,424	8,033	38
Nevada	12,001	149,683	161,684	7,214	36
Florida	303,385	922,660	1,226,045	7,204	4
New Hampshire	23,727	61,995	85,722	6,657	42
Ohio*	91,459	660,278	751,737	6,574	7
Maryland	76,408	280,906	357,314	6,486	19
Wyoming	2,157	29,148	31,305	6,245	52
Kentucky*	27,197	224,311	251,508	6,108	26
Alaska	4,056	34,847	38,903	5,996	48
Washington	45,377	312,877	358,254	5,843	15
Maine*	71,950		71,950	5,510	41
Georgia*	143,337	326,231	469,568	5,485	10
Utah	43,306	84,423	127,729	5,432	35
New York*	54,549	959,155	1,013,704	5,282	3
Hawaii	9,489	54,790	64,279	5,111	43
New Mexico	21,719	72,584	94,303	5,031	37
Indiana	229,598	52,444	282,042	4,552	14
Pennsylvania**	170,197	386,178	556,375	4,499	6
Rhode Island	6,583	37,572	44,155	4,103	44
Colorado	41,257	142,159	183,416	4,031	22
Vermont	19,566		19,566	3,160	50
Oregon	105,563	—	105,563	2,966	28
Tennessee	119,773	—	119,773	2,050	16
Median				6,615	

Notes: Blank cells indicate no limited jurisdiction court or no criminal jurisdiction. *— = data not available
 * Criminal caseload includes ordinance violations cases. ** Data from Pennsylvania are preliminary figures provided by the PA AOC.
 Mississippi and Oklahoma were unable to report criminal data for 2003.

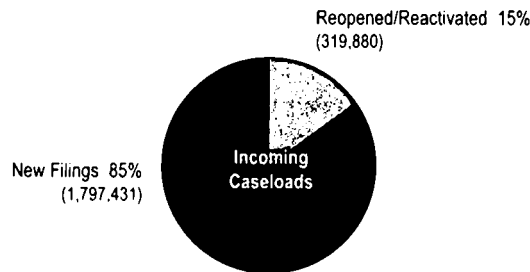
Criminal caseloads are increasing

Total Incoming Criminal Cases, 1994-2003

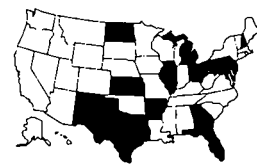
- As a result of reclassifications brought about by the *State Court Guide to Statistical Reporting*, criminal caseloads now include domestic violence cases, criminal traffic violations, and preliminary hearings in felony cases. Counting preliminary hearings may create a noticeable increase in some states as felony cases may appear as an incoming case in both the limited and general jurisdiction courts.
- While some of the overall increase shown here is due to the inclusion of reopened and reactivated cases with new filings in 2003, increases actually began in 2002 after several years of declines.



Reopened/Reactivated Criminal Caseloads in Unified and General Jurisdiction Courts in 16 States, 2003



- The figure at left shows that in these 16 states, 15 percent of incoming criminal caseloads in 2003 were attributable to reopened or reactivated cases.



Incoming Felony Caseloads and Rates in Unified and General Jurisdiction Courts in 35 States, 2003

Variations in counting and classification affect felony caseloads

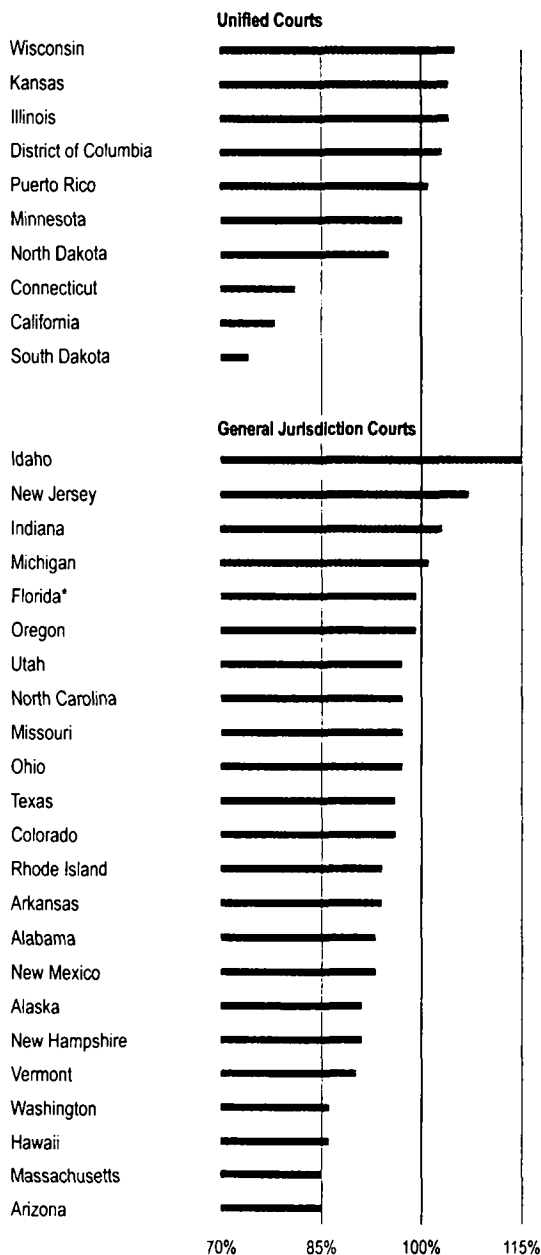
- Comparing unified courts to general jurisdiction courts removes the likelihood of the double-counting that may occur when limited and general jurisdiction criminal caseloads are combined.
- In addition to the total incoming felonies shown at right, the bars represent a rate of felonies per 100,000 adults in these 35 states. General jurisdiction courts show a greater range of per capita cases (427 in Hawaii to 2,803 in Arkansas) but the median number of population-adjusted felonies is similar in the two types of courts.
- Minnesota reports the lowest rate of felony cases among the unified courts shown here. This may be explained, in part, by their use of a category of criminal cases called "gross misdemeanor," which includes cases that could be classified as felonies in other states.

State	Incoming Felony Cases	Felonies per 100,000 Adults
Unified Courts		
District of Columbia	9,911	2,202
Missouri	93,514	2,200
Puerto Rico	38,522	1,393
Connecticut	36,450	1,390
Wisconsin	55,108	1,352
North Dakota	6,296	1,324
Iowa	26,314	1,193
South Dakota	6,277	1,122
Illinois	96,320	1,030
California	246,034	954
Kansas	18,527	926
Minnesota	29,125	780
Median		1,259
General Jurisdiction Courts		
Arkansas	56,988	2,803
Florida	302,038	2,299
North Carolina	100,837	1,587
Texas	241,525	1,521
New Mexico	19,784	1,466
Indiana	61,820	1,347
Oregon	35,176	1,312
Utah	20,001	1,255
Arizona	50,884	1,242
Colorado	41,257	1,219
Idaho	11,662	1,194
Alabama	39,587	1,177
Ohio	84,507	991
Washington	44,311	973
New Hampshire	9,351	968
Alaska	4,056	898
Michigan	65,728	882
Vermont	3,940	840
New Jersey	53,222	819
Rhode Island	6,026	733
Nevada	9,657	579
Wyoming	2,115	571
Hawaii	4,059	427
Median		1,177

Felony Clearance Rates in Unified and General Jurisdiction Courts in 33 States, 2003

Many states struggle to keep up with felony caseloads

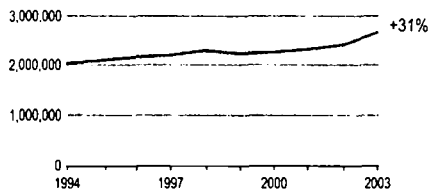
- A clearance rate is calculated by dividing the number of outgoing cases by the number of incoming cases and expressing the result as a percentage.
- Clearance rates of 100 percent or more indicate that a court is disposing of at least as many cases as are incoming.
- Only nine of the 33 states featured on the chart to the right had clearance rates above 100 percent.



* Florida's felony clearance rate is based on new filings and dispositions only.

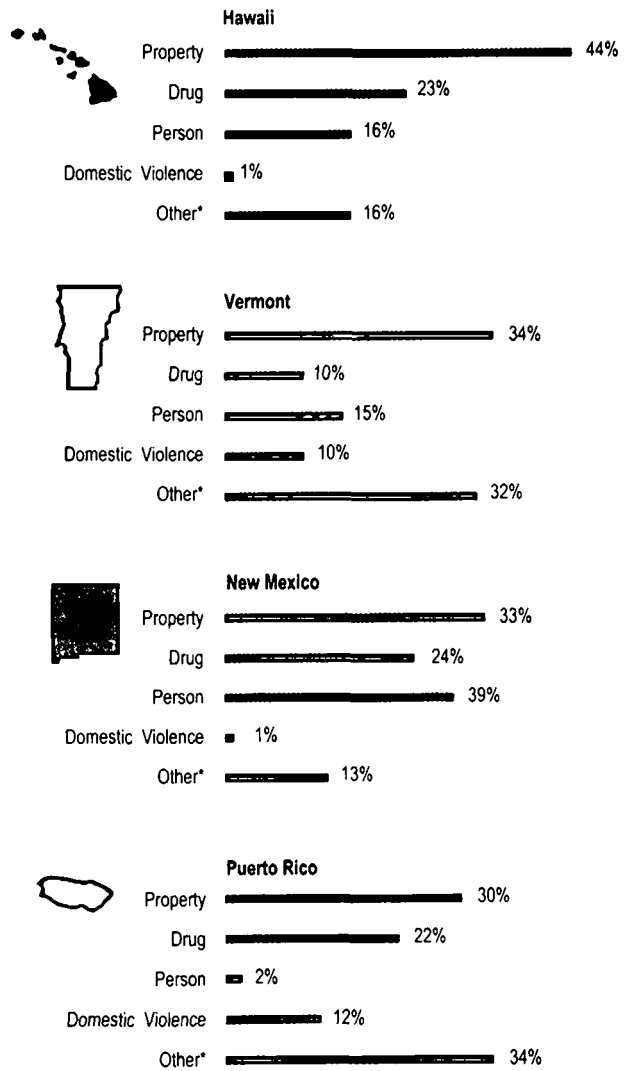
Incoming Felony Cases in Unified and General Jurisdiction Courts in 46 States, 2003

- The increase in incoming felony cases displayed on the adjacent graph suggests a reason for the difficulty in achieving higher clearance rates in some states.

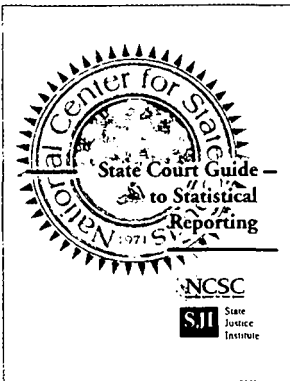


Incoming Felony Caseload Composition in Four States, 2003

- The *State Court Guide to Statistical Reporting* recommends eight felony case types plus a residual "other" category. The four states at right were able to report their 2003 incoming felony caseloads in at least four of those case types.
- The largest distinct felony case type reported in these states was property crimes including burglary, larceny, arson, and vandalism.
- Domestic violence caseloads, which moved from domestic relations to criminal as a result of the *Guide*, comprise from one to 12 percent of the felony caseload in these four states.



* Other includes weapon, public order, and DWI/DUI, and reckless driving.



The *State Court Guide to Statistical Reporting* recommends these distinct felony case types:

1. Person
2. Domestic Violence
3. Property
4. Drugs
5. Weapons
6. Public Order
7. DWI/DUI
8. Reckless Driving

Misdemeanors
comprise
the bulk of
criminal
caseloads

Incoming Misdemeanor Caseloads and Rates in 17 States, 2003

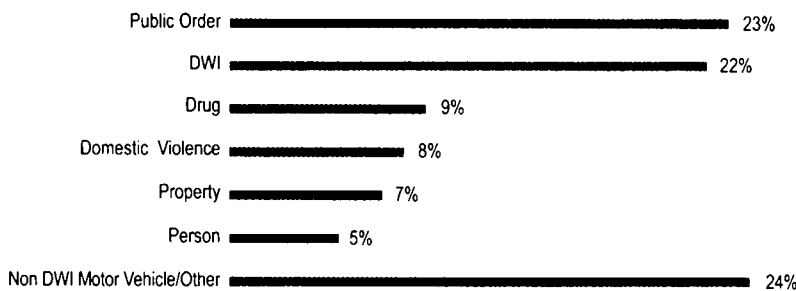
- Misdemeanors are criminal offenses that are typically punishable by up to one year in jail. Although lesser in severity than felonies, they account for the majority of state criminal caseloads.
- Six of the seven unified courts on this table have per capita rates at or below the median of 3,258 misdemeanors per 100,000 state residents.
- The District of Columbia, the only unified court that exceeds the median, does so despite the exclusion of motor vehicle cases from their misdemeanor caseload.

State	Total	Per 100,000 Population
Arkansas	434,039	15,924
Arizona	619,940	11,108
Texas	2,365,372	10,694
Michigan	1,056,348	10,480
Idaho	122,788	8,987
Florida	922,653	5,421
Washington	309,904	5,054
District of Columbia*	20,026	3,555
California*	1,156,056	3,258
Indiana	200,347	3,234
Rhode Island	30,144	2,801
South Dakota*	20,107	2,631
Vermont	15,626	2,524
Missouri*	131,150	2,299
Iowa*	54,783	1,861
Kansas*	40,485	1,487
Puerto Rico*	52,473	1,353
Median		3,258

* These states have unified court systems.



Incoming Misdemeanor Caseload Composition in Vermont, 2003

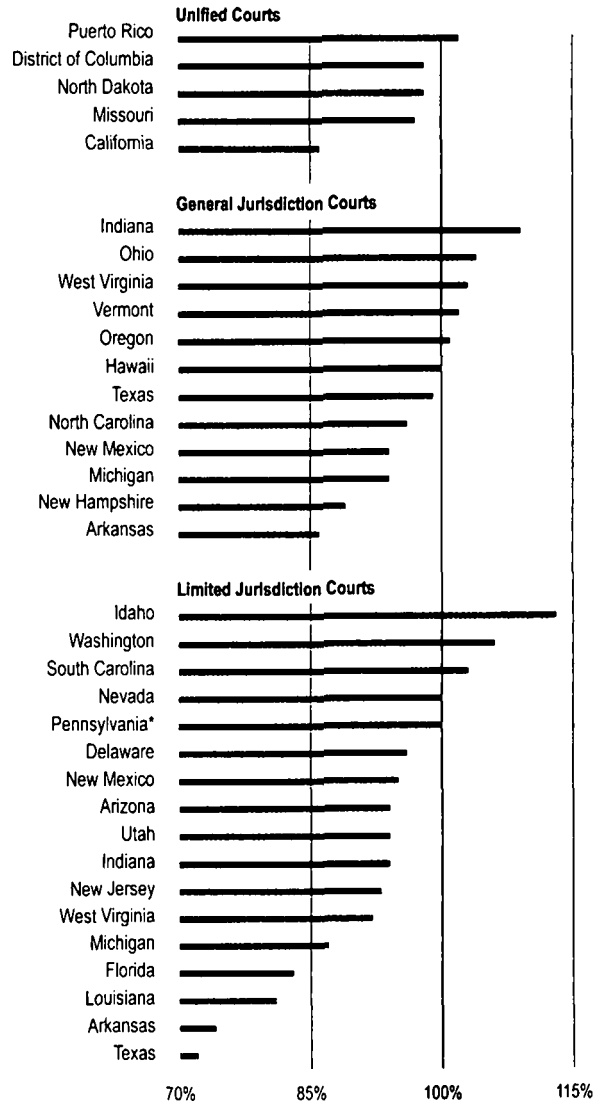


- The same eight case types recommended for reporting felonies in the *Guide* are used to categorize misdemeanors. A ninth category, protection order violations, is also included. Vermont was able to report seven of these misdemeanor case types.
- Nearly half of Vermont's misdemeanors were public order and DWI cases.

Misdemeanor cases are processed in all court levels

Misdemeanor Clearance Rates in 28 States, 2003

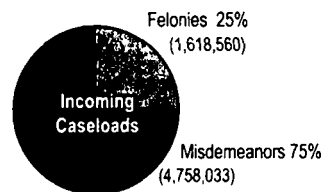
- Thirty-four courts in 28 states reported incoming and outgoing misdemeanor caseloads. From this information, a clearance rate (outgoing cases divided by incoming cases) can be calculated. About one-third (12) of the courts listed here attained a clearance rate of at least 100 percent, meaning at least as many cases were disposed as were incoming during 2003.
- Misdemeanors tend to be less complex and time-consuming than felonies and therefore should be resolved in a timely fashion. Differentiated caseload management practices likely contributed to the success of the 12 courts with positive clearance rates.



* Data from Pennsylvania are preliminary figures provided by the PA AOC.

Incoming Misdemeanor vs. Felony Cases in 21 States, 2003

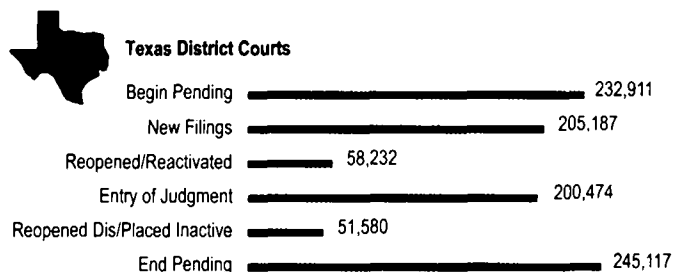
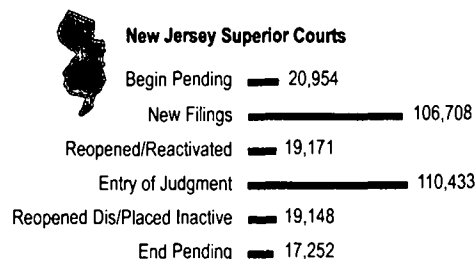
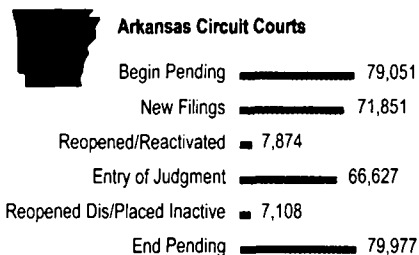
- The sheer volume of misdemeanor cases may contribute to the difficulty some courts have disposing of them. As depicted in the chart at right, 21 states reported nearly 5 million incoming misdemeanors and 1.6 million incoming felonies—a ratio of about 3:1.



Pending, Incoming, and Outgoing Criminal Caseloads in Three General Jurisdiction Courts, 2003

More complete data provides insights into case processing practices

- The Caseload Summary reporting matrices used in the *State Court Guide to Statistical Reporting* provide 10 categories of pending, incoming, and outgoing caseloads. The categories include: begin pending (active and inactive), new filings, reopened, reactivated, entry of judgment, reopened dispositions, placed on inactive status, and end pending (active and inactive).
- By combining (1) the pending caseloads, (2) reopened and reactivated caseloads, and (3) the reopened dispositions and placed on inactive status caseloads, we get our first look at caseload summaries from three state trial courts.
- Using these data, the New Jersey Superior Court can show that it has decreased its backlog of pending criminal cases from 20,954 to 17,252 in one year, a reduction of 18 percent. This would appear to be at least partly the result of its relatively high clearance rate (103 percent).
- The high proportion of pending cases to new filings in Texas and Arkansas suggests these courts may not be purging inactive cases from their pending caseloads.



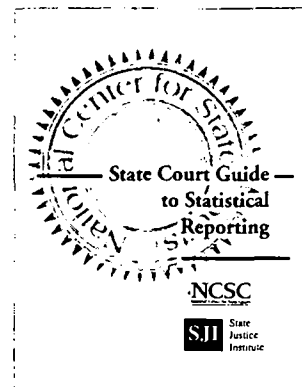
Juvenile

For court statistics purposes, a juvenile is defined as a youth at or below the upper age limit for juvenile court jurisdiction. This age limit varies among states, and ranges from 15 years of age to 18 years of age; in the majority of states, the limit is age 17. Though there are exceptions to this age criteria that allow juveniles to be adjudicated as adults, this section deals only with cases adjudicated in juvenile court.

If a decision is made to formally process a juvenile case referred to the court, a petition is filed and the case is placed on the juvenile court calendar. A case becomes disposed when the court takes some definite action on the basis of a referral. Dispositions typically involve a package of sanctions and/or a treatment plan designed to both hold the juvenile accountable and to address the child's underlying problems.

Many juvenile cases return to the court multiple times for review over the life of the case. Since these cases are not typically counted as new filings, the significant workload associated with them has remained largely hidden. For the first time, these reopened or reactivated cases are being reported as part of the incoming caseload. This change is in conformity with the *State Court Guide to Statistical Reporting*.

Another significant improvement in juvenile caseload data defined by the *Guide* is the use of more meaningful case type categories. On the following pages we present some of the initial profiles in state caseload composition which illustrate a number of similarities and differences among states. As more states are able to report this data, more insights will be generated from these comparisons.



For more information and downloads of the *Guide*, see the National Center for State Courts Web site: www.ncsconline.org/d_research/statistical_reporting

Total Incoming Juvenile Caseloads and Rates in 44 States, 2003

One juvenile case is generated for every 36 juveniles in the population

- "Incoming" juvenile cases include new filings and, for the first time, re-opened and reactivated cases. This is the only national source of such information and presents a more accurate picture of the work entering juvenile courts, since reopened and reactivated cases represent a significant portion of the juvenile courts' workload.
- The number of incoming cases is principally a function of three factors: 1) the size of the juvenile population; 2) the number of juvenile offenses charged; and, 3) the juvenile justice system's response to offenses involving juveniles.
- The rate of incoming cases per 100,000 juveniles controls for the size of each state's juvenile population and makes caseload comparisons possible.

State	Total	Per 100,000 Juveniles	Juvenile Population Rank
North Dakota*	11,513	7,266	49
Virginia	112,585	6,196	12
Utah	46,407	6,129	32
Ohio	171,460	5,903	7
Kentucky	55,491	5,478	27
Minnesota*	65,369	4,931	21
Alabama	52,558	4,616	24
Arkansas	31,908	4,609	35
Florida	176,324	4,544	4
Hawaii	13,747	4,480	43
New Jersey	91,739	4,282	10
Georgia	98,024	4,259	9
South Dakota*	8,569	4,183	46
Rhode Island	10,453	4,116	44
Nevada	22,979	4,005	36
Connecticut*	34,085	3,962	30
Idaho	13,689	3,515	40
Massachusetts	52,750	3,474	15
New Hampshire	9,343	2,902	41
District of Columbia*	3,265	2,883	51
Washington	44,179	2,804	14
Kansas*	20,093	2,784	34
Michigan	69,348	2,636	8
New York	124,742	2,632	3
Louisiana	32,228	2,626	22
Pennsylvania**	73,043	2,482	6
Maryland	34,327	2,434	19
Wisconsin*	33,758	2,419	20
Nebraska	10,909	2,385	38
Missouri*	33,824	2,325	17
Colorado	24,337	2,089	23
West Virginia	8,335	2,065	39
Iowa*	14,958	2,024	33
Oregon	17,707	2,014	29
North Carolina	40,777	1,988	11
Maine	5,459	1,772	42
Vermont	2,479	1,655	50
New Mexico	8,022	1,528	37
Arizona	21,759	1,466	16
California*	128,379	1,325	1
Montana	2,770	1,184	45
Wyoming	1,486	1,136	51
Puerto Rico*	9,716	873	25
Illinois*	27,579	835	5
Median		2,710	

States in **bold** reported reopened and/or reactivated caseloads.

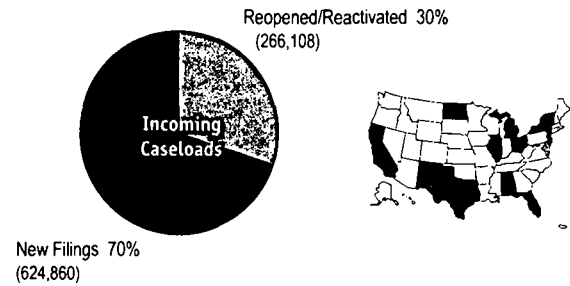
* These states have unified court systems.

** Data from Pennsylvania are preliminary figures provided by the PA AOC.

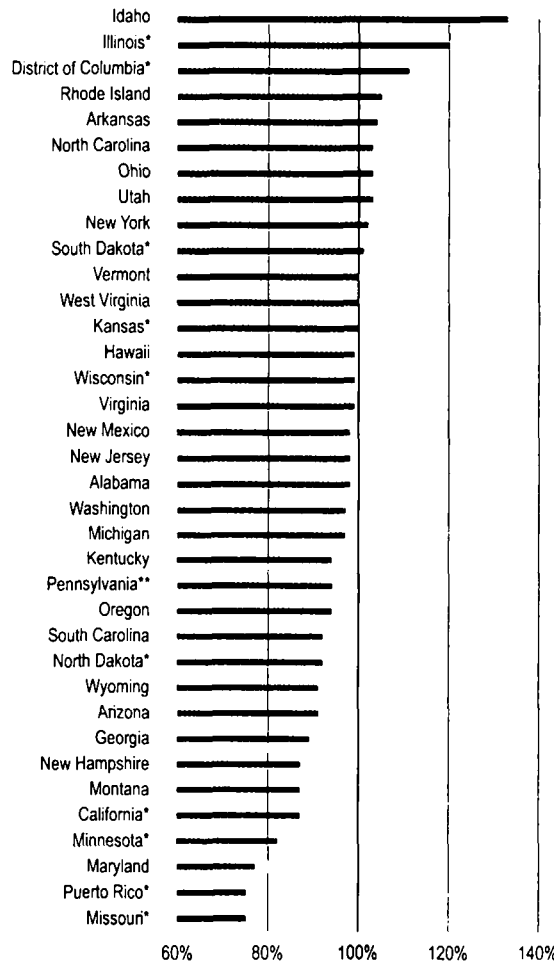
Thirty percent of juvenile cases reenter the court system

Reopened/Reactivated Juvenile Caseloads in 12 States, 2003

- Twelve states reported reopened and/or reactivated juvenile caseloads for 2003. As the adjacent chart indicates, 266,108 cases (30 percent) of the combined 891,000 incoming juvenile cases in these 12 states were reopened or reactivated cases.



Juvenile Caseload Clearance Rates in 36 States, 2003



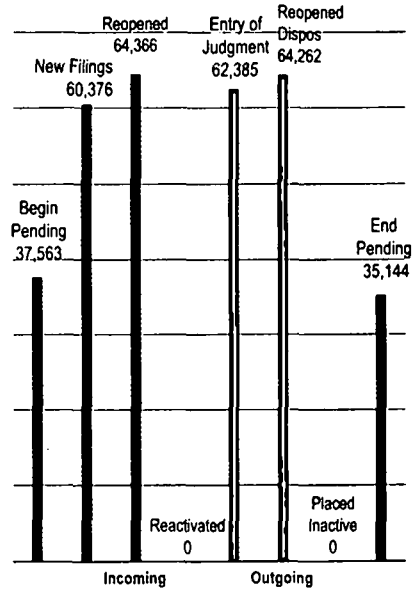
* These states have unified court systems.
 ** Data from Pennsylvania are preliminary figures provided by the PA AOC.

- A caseload clearance rate is the ratio of "outgoing" to "incoming" cases. When this ratio is 1:1 (i.e., the rate is 100 percent), the court is resolving as many cases as are incoming during the specified period. When the rate exceeds 100 percent, the court is likely reducing a backlog of cases accumulated in prior years.
- The chart at left presents juvenile clearance rates for 36 states. Thirteen of these states (36 percent) report clearance rates of at least 100 percent.
- Six of the ten states with clearance rates above 100 percent also reported per capita incoming juvenile rates above the median of 2,710 per 100,000 juveniles. Three of those states (Utah, Ohio, Arkansas) had among the ten highest incoming rates. To keep current, courts that experience relatively high caseloads must become proficient at case processing.

Juvenile Caseload Summary for New York, 2003

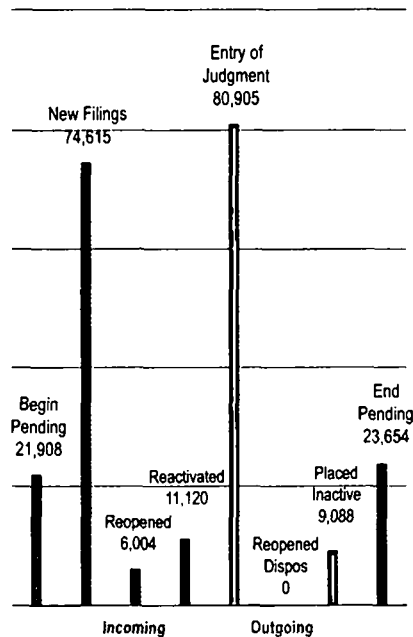
Reopened cases represent most of New York's juvenile caseload

- Reopened cases account for the majority of incoming cases in New York (52 percent). Cases that were reopened and subsequently disposed account for 51 percent of the outgoing cases in New York.
- Because the total number of incoming cases (124,742) in New York was exceeded by the number of outgoing cases (126,647), the number of end pending cases was reduced by the difference (124,742-126,647 = -1,905), and the clearance rate was greater than 100 percent.



Juvenile Caseload Summary for New Jersey, 2003

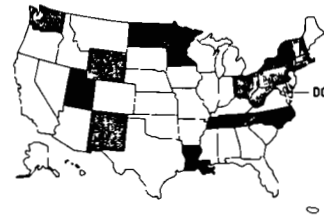
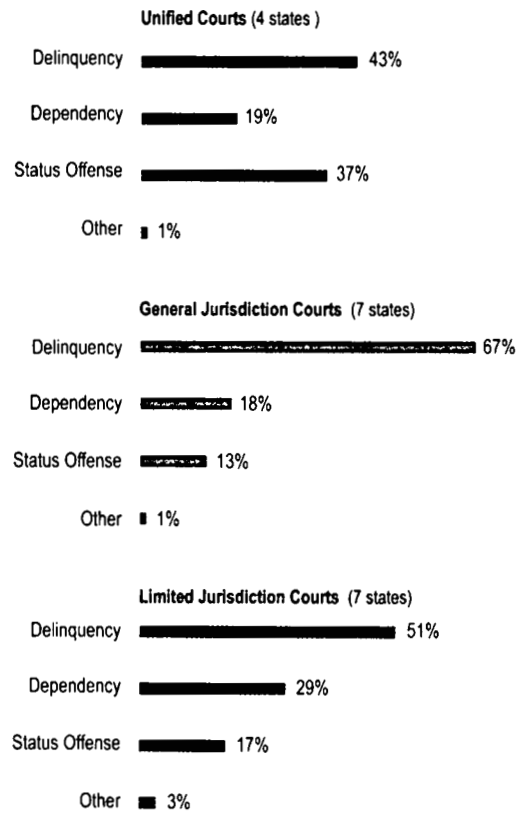
- In contrast to New York, only 19 percent of the incoming juvenile cases in New Jersey were either reopened or reactivated cases.
- Cases that were placed on inactive status comprised 10 percent of the outgoing caseload. Those cases would then be counted among their inactive pending caseload until such time as the court has reason to reactivate them.
- As New Jersey reported no cases in the "Reopened Dispositions" category, those cases are likely counted as part of their general "Entry of Judgment" caseload.



Incoming Juvenile Caseload Composition in 18 States, by Jurisdiction, 2003

Delinquency cases dominate juvenile dockets

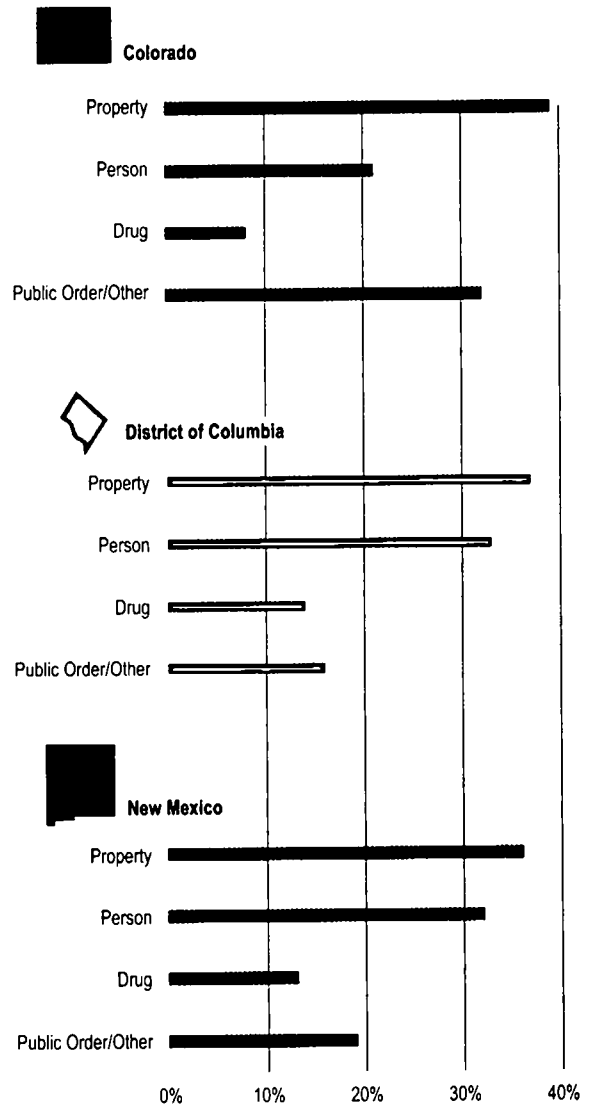
- A delinquency case involves offenses that are considered crimes if committed by an adult. A dependency case involves allegations that a child has been abused or neglected, or is otherwise without proper parental care and/or supervision. Status offenses are non-criminal misbehaviors that are illegal only for juveniles (e.g., truancy and runaway).
- Delinquency cases are the largest category of incoming cases in all three types of courts that hear juvenile cases. Delinquency cases account for two-thirds of the incoming juvenile cases in general jurisdiction courts, slightly more than half of the incoming cases in limited jurisdiction courts, and just over 40 percent of the incoming cases in unified courts.
- Dependency cases are the second largest category of incoming cases in both general and limited jurisdiction courts and the third largest in unified courts.
- Status offense cases comprise about one of every six incoming juvenile cases in general and limited jurisdiction courts. However, the rate appears to be twice as high in unified courts.
- Minnesota's inclusion of petty thefts among status offense cases, combined with a juvenile caseload that exceeds the combined total of the other three unified courts included here (North Dakota, Connecticut, DC), likely explains this anomaly.



Juvenile Delinquency Caseload Composition in Three States, 2003

Most delinquency cases involve property crime

- The *State Court Guide to Statistical Reporting* outlines four distinct juvenile delinquency case types: Drug, Person, Property, Public Order, as well as a residual "Other" category. Two states, Colorado and New Mexico, and the District of Columbia reported three of the four case types.
- In these states, property offenses dominated the incoming caseloads. Examples of property offenses are burglary, larceny, auto theft, and vandalism.
- Person offenses—those cases that involve murder/manslaughter, sexual assault, robbery, and assault—were the second largest category in DC and New Mexico. The second most prevalent case type in Colorado was the combined Public Order/Other.
- In all three states, drug offenses comprised the smallest distinct case type of incoming cases.



About one
in five
juvenile
cases is
a status
offense

Status Offense Cases as a Proportion of All Incoming Juvenile Cases in 22 States, 2003

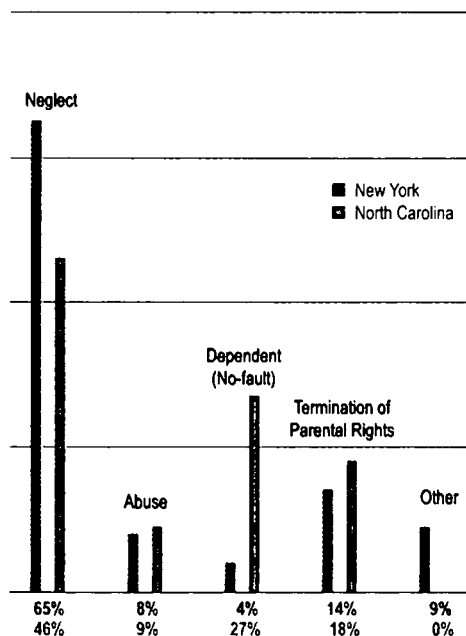
- Many states decriminalized some status offenses over the last quarter of the 20th century. However, this trend has reversed recently and status offenses are again a growing percentage of incoming juvenile caseloads.
- In most states (18 of 22 shown here), status offenses comprised no more than 20 percent of incoming juvenile caseloads.
- Minnesota had by far the highest proportion of status offense cases among these states. This is due, in part, to their inclusion of petty misdemeanors, such as low-level thefts, in their status offense category.

State	Total Incoming Juvenile Cases	Percent Status Offenses
Minnesota*	65,369	54%
Hawaii	13,747	41%
Washington	44,179	33%
Arkansas	31,908	22%
Wyoming	1,486	20%
Massachusetts	52,750	18%
North Dakota*	11,513	18%
Utah	46,407	15%
New Hampshire	9,026	14%
New York	124,742	14%
Connecticut*	33,535	14%
Virginia	112,585	13%
Ohio	171,460	12%
North Carolina	40,777	11%
Vermont	2,479	9%
Colorado	24,337	9%
Missouri*	33,824	7%
Pennsylvania**	73,043	5%
Texas	47,475	4%
Nevada	22,979	1%
District of Columbia*	3,265	1%
New Mexico	8,022	0%

* These state have unified court systems.

** Data from Pennsylvania are preliminary figures provided by the PA AOC.

Composition of Incoming Juvenile Dependency Cases in New York and North Carolina, 2003

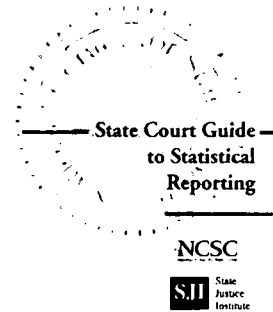


- New York and North Carolina reported their juvenile dependency caseload in each of the four dependency case types recommended in the *State Court Guide to Statistical Reporting*, as well as the residual "other" category.
- Neglect cases predominate in both states, but no-fault dependency and termination of parental rights cases together account for a much larger proportion in North Carolina than in New York (45 percent vs. 18 percent, respectively).
- No-fault dependency cases allege dependency without specifically faulting the parent or guardian.

Traffic

Traffic caseloads include non-criminal traffic violations (infractions), juvenile traffic violations, parking violations, ordinance violations, and other related cases. These cases represent 55 percent of all incoming cases in state trial courts. Along with jury service, experience in traffic court is an important way that public perceptions of state court systems are shaped.

Due to the implementation of the *State Court Guide to Statistical Reporting*, cases that result from arrests for Driving While Intoxicated (DWI, also referred to as Driving Under the Influence (DUI)) are now properly categorized as criminal cases and reported in that section. Beyond this change, the *Guide* does not have a major impact on case-load reporting for traffic cases.



For more information and downloads of the *Guide*, see the National Center for State Courts Web site: www.ncsconline.org/d_research/statistical_reporting

Incoming Traffic, Parking, & Ordinance Violation Caseloads and Rates in 19 States, 2003

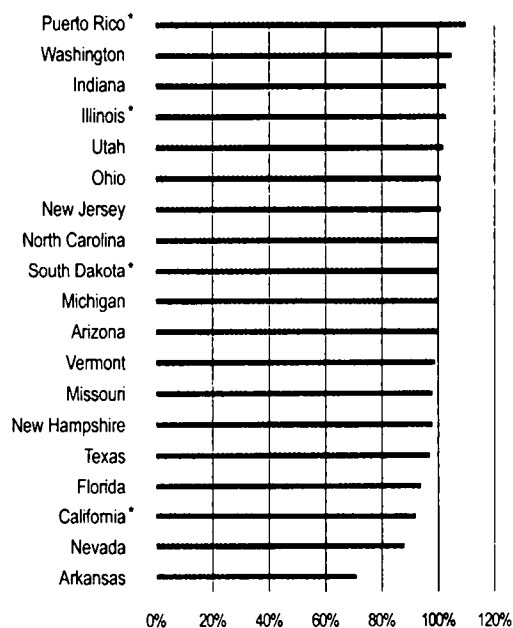
Traffic cases constitute a significant caseload

- Traffic cases are typically heard in the limited jurisdiction courts in states with two-tiered trial court systems.
- The sheer number of these cases, as well as the large number of courts and other entities that handle them, make accurate and comprehensive case counts difficult.
- In some states, non-criminal traffic cases are handled as an administrative matter, in some instances by a non-court entity.

State	Total	Per 100,000 Population
New Jersey	5,640,755	65,299
Texas	8,955,580	40,489
Nevada	663,056	29,585
Arizona	1,503,322	26,937
Washington	1,619,095	26,406
Arkansas	656,300	24,078
Illinois*	2,935,056	23,196
Michigan	2,276,463	22,584
Utah	526,111	22,374
Vermont	123,689	19,979
South Dakota*	140,527	18,386
Ohio	1,865,358	16,312
California*	4,924,075	13,877
Indiana	837,406	13,516
Wisconsin*	617,102	11,277
North Carolina	722,550	8,594
Florida	1,330,945	7,820
New Hampshire	74,054	5,751
Puerto Rico*	11,661	301

* These states have unified court systems
California's data includes parking appeals, but not parking violations.

Traffic, Parking, & Ordinance Violation Clearance Rates in 19 States, 2003



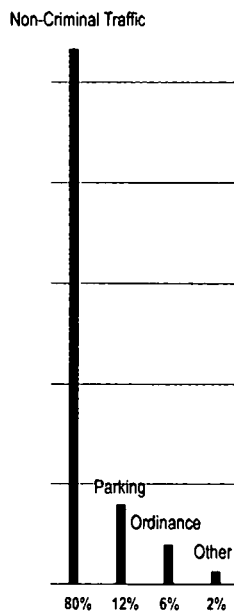
* These states have unified court systems
California's data includes parking appeals, but not parking violations.

- Clearance rates are calculated by dividing the number of outgoing cases by the number of incoming cases. The result is then expressed as a percentage.
- Due to the high volume and low complexity of most of these cases, courts are constantly seeking more efficient ways to handle them, including solutions like online payment processing, Web-based traffic school, and other customer-driven options.

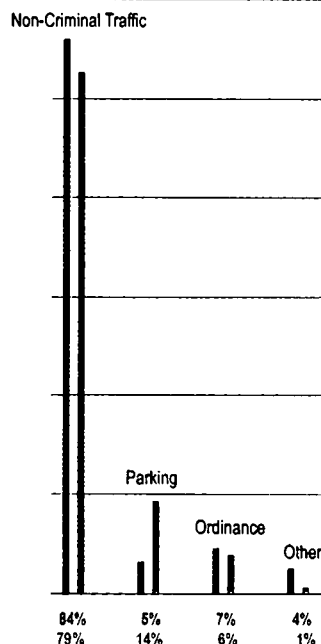
Incoming Traffic, Parking, & Ordinance Violation Caseload Composition in 49 States, 2003

Non-criminal traffic cases are often disputed in court

- Non-criminal traffic cases, which include moving violations such as speeding or failure to signal or stop, make up the vast majority of the caseload.
- Typically, non-criminal traffic cases are resolved through fines, which may explain why offenders often take the time to go to court to dispute these violations.



Incoming Traffic, Parking, & Ordinance Violation Caseload Composition in Limited vs. General Jurisdiction Courts in 49 States, 2003



- Parking violations are primarily handled in the limited jurisdiction courts.

■ General Jurisdiction
 □ Limited Jurisdiction

Parking violations vary with urban concentration

Incoming Parking Violation Caseloads in 10 States, 2003

- Parking represents a large but highly variable share of traffic cases.
- Not surprisingly, states with highly concentrated urban areas generate more parking violations, compared to more rural and less densely populated states.

State	Incoming Traffic Cases	Parking Violations	Percent Parking Violations
New Jersey	5,640,755	2,980,106	53%
Minnesota*	1,490,130	682,965	46
Hawaii	426,717	180,146	42
Washington	1,619,095	575,844	36
Michigan	2,276,463	371,146	16
Arizona	1,503,322	142,639	9
New Hampshire	74,054	2,821	4
Nevada	663,056	15,809	2
Louisiana	1,108,840	25,642	2
New Mexico	184,249	1,715	1

*Minnesota has a unified court system.

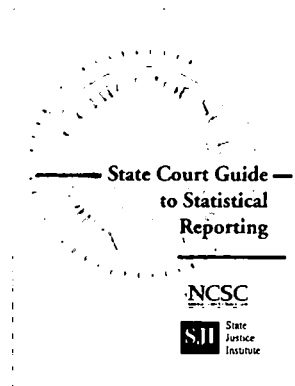
Appellate

Appellate courts review decisions of lower courts and, as the final arbiters of disputes, shape and define the law. In most states, appellate courts are required to review decisions in criminal cases when the defendant is sentenced to death. Appellate courts are also responsible for disciplining attorneys and judges for serious violations of ethics and conduct.

Most states divide their appellate system into two levels: an intermediate appellate court (IAC), which renders a first level of trial court review, and a court of last resort (COLR), which handles the most critical and important matters and appeals from the IACs. Only 11 states and the District of Columbia function without an IAC, while two states, Oklahoma and Texas, have two COLRs, one each for civil and criminal appeals.

Many of the analyses included here make a distinction between mandatory and discretionary caseloads in appellate courts. As the terms imply, mandatory jurisdiction over cases means that an appellate court is obligated by its state constitution or statutes to consider the merits of a case. Discretionary jurisdiction means the court decides whether it will grant review of a case.

Finally, readers of this section should be aware that, as the appellate portion of the *State Court Guide to Statistical Reporting* has yet to be implemented, the analyses contained herein are comparable to those reported in earlier editions of *Examining the Work of State Courts*.



For more information and downloads of the *Guide*, see the National Center for State Courts Web site: www.ncsconline.org/d_research/statistical_reporting

Total Appellate Caseloads, 2003

- The states featured on this table are divided into those with an intermediate appellate court and those without, and ranked according to the number of appeals filed per 100,000 population. This adjustment for population permits a more balanced comparison of court caseloads.
- Louisiana has the highest per capita rate of appeals at 288 per 100,000 population. Contributing to this high rate may be the automatic right of appeal for which all cases from the Louisiana District Court qualify.
- As expected, California's unadjusted number of appeals is the highest among all states at nearly 31,000. However, its population-adjusted figure of 87 appeals per 100,000 residents is precisely at the median for states with an intermediate appellate court.
- The District of Columbia (DC) reported the third highest number of appeals among states without an intermediate appellate court and the highest per capita filings of all states. It is important to note, despite its appearance on this list, that DC is functionally more like a city and not necessarily comparable to any other state.

State	Total	Percent Mandatory	Per 100,000 Population	Population Rank
With an Intermediate Appellate Court				
Louisiana	12,948	26%	288	24
Florida	26,630	75	156	4
Puerto Rico	5,314	33	137	27
Pennsylvania	15,965	83	129	6
Alabama	5,649	82	125	23
New Jersey	10,639	71	123	9
Oregon	4,342	81	122	28
Ohio	13,439	88	118	7
Oklahoma*	3,802	87	108	29
Alaska	701	67	108	48
Nebraska	1,822	81	105	39
Idaho	1,373	85	100	40
Michigan	9,726	45	96	8
Texas	21,302	86	96	2
Washington	5,842	69	95	15
Kentucky	3,923	79	95	26
Illinois	11,600	80	92	5
Kansas	2,470	70	91	34
Arizona	5,022	76	90	18
Colorado	3,990	67	88	22
California	30,905	44	87	1
Arkansas	2,367	75	87	33
Wisconsin	4,712	75	86	20
Virginia	6,289	11	85	12
New York	16,192	76	84	3
Hawaii	1,041	93	83	43
Missouri	4,581	88	80	17
New Mexico	1,450	58	77	37
South Carolina	3,029	55	73	25
Iowa	2,121	100	72	31
Tennessee	3,765	61	64	16
Georgia	5,326	68	62	10
Maryland	3,386	67	61	19
Utah	1,424	100	61	35
Minnesota	3,063	77	61	21
Indiana	3,444	74	55	14
Massachusetts**	3,365	57	52	13
Mississippi	1,505	77	52	32
Connecticut	1,690	72	48	30
North Carolina	3,363	55	40	11
Median			87	
Without an Intermediate Appellate Court				
District of Columbia	1,696	97	301	51
West Virginia	2,854	0	158	38
Vermont	582	95	94	50
Montana	860	65	94	45
Delaware	681	100	83	46
Nevada	1,841	100	82	36
New Hampshire	813	0	63	42
Rhode Island	674	42	63	44
North Dakota	377	97	59	49
South Dakota	447	89	58	47
Wyoming	283	100	56	52
Maine	672	77	51	41
Median			73	

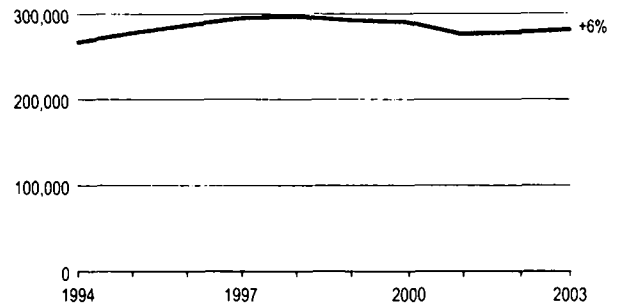
* Oklahoma's appellate data are from 1998.

** Massachusetts' Supreme Court data are from 2002.

After several years of decline, appellate filings are on the rise again

Total Appellate Filings, 1994-2003

- Appellate court caseloads include original proceedings and appeals over which the appellate courts have mandatory or discretionary jurisdiction. In 2003, the combined number of filings for all state appellate courts was about 281,000.
- Despite an overall increase of 6 percent over the last 10 years, appellate caseloads dropped 7 percent between 1998 and 2001 and have risen only slightly since that time.



Percentage Change in Appellate Caseloads, 1994-2003

States Whose Appellate Caseload Increased	Percent Increase 1994-2003	States Whose Appellate Caseload Decreased	Percent Decrease 1994-2003
South Carolina	218%	District of Columbia	-1%
Idaho	74	Iowa	-2
Nevada	47	Tennessee	-2
Puerto Rico	44	Ohio	-3
Arkansas	43	Illinois	-3
Mississippi	40	North Dakota	-4
Delaware	40	Kansas	-7
North Carolina	40	Kentucky	-7
Texas	35	New Hampshire	-8
Virginia	29	Utah	-8
Florida	27	Georgia	-9
Nebraska	26	New York	-10
Connecticut	21	Minnesota	-11
West Virginia	17	Rhode Island	-11
Montana	16	Vermont	-11
Washington	13	New Mexico	-13
Indiana	13	Massachusetts*	-14
Alabama	12	Missouri	-17
Colorado	12	Wyoming	-19
Hawaii	10	Oregon	-20
California	10	Michigan	-30
South Dakota	10	Maine	-35
Pennsylvania	5	Alaska	-36
Louisiana	5		
Wisconsin	5		
Maryland	4		
Arizona	3		
New Jersey	1		

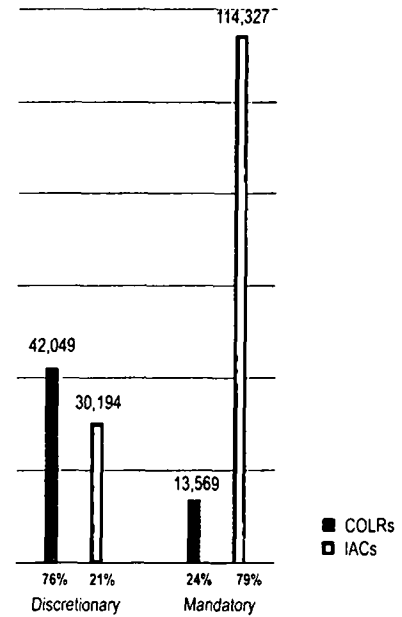
States in boldface are the 10 most populous.
* Massachusetts' Supreme Court data are from 2002.

- While national trends identify aggregate changes, they may mask noticeable differences between states. The table at left disaggregates the trend line above to reveal the percentage change in appellate caseloads from 1994 to 2003 for each of the 50 states and two territories.
- The nation was almost evenly split between states whose caseloads increased and states whose caseloads decreased.
- South Carolina, which experienced the largest growth, has seen a dramatic increase in the number of petitions for post-conviction relief in the last 10 years. The increase may also be partly the result of improved counting practices in both their Supreme Court and the Court of Appeals.

Most appeals are mandatory cases in intermediate appellate courts

Total Mandatory and Discretionary Caseloads in COLRs and IACs in 24 States, 2003

- In most states with two-tiered appellate systems, the intermediate appellate courts (IACs) provide an initial review, while courts of last resort (COLRs) are the final arbiters of disputes.
- IACs handle mostly mandatory appeals, while COLR caseloads are predominantly discretionary appeals.
- In these 24 states, more mandatory appeals were filed in the IACs than all other appeals in both types of courts combined.



Total Discretionary Jurisdiction Petitions Filed and Granted in 20 States, 2003

	Petitions Filed	Number Granted	Percent Granted
Courts of Last Resort			
Rhode Island Supreme Court	393	129	33%
West Virginia Supreme Court of Appeals	2,854	914	32
Arkansas Supreme Court	467	114	24
Mississippi Supreme Court	344	82	24
Nebraska Supreme Court	356	52	15
Maryland Court of Appeals	700	102	15
Ohio Supreme Court	1,601	229	14
Connecticut Supreme Court	484	59	12
Minnesota Supreme Court	596	71	12
Missouri Supreme Court	563	65	12
Alaska Supreme Court	189	19	10
Virginia Supreme Court	2,985	289	10
Texas Supreme Court	1,275	115	9
Louisiana Supreme Court	3,312	294	9
Tennessee Supreme Court	1,105	89	8
Oregon Supreme Court	805	57	7
Texas Court of Criminal Appeals	1,742	111	6
Illinois Supreme Court	2,304	91	4
North Carolina Supreme Court	677	26	4
New Jersey Supreme Court	3,108	100	3
California Supreme Court	8,842	118	1
Intermediate Appellate Courts			
Louisiana Court of Appeals	6,257	1,572	25%
Arkansas Court of Appeals	134	27	20
Tennessee Court of Appeals	252	42	17
Tennessee Court of Criminal Appeals	129	20	16
North Carolina Court of Appeals	825	109	13
Virginia Court of Appeals	2,591	298	12
Alaska Court of Appeals	40	1	3
Maryland Court of Special Appeals	423	2	0.5

- In discretionary matters, a petition for review is filed with the appropriate appellate court. The court then decides whether it will grant review of the case. Depending upon the state's court structure, this may occur in the COLR or in the IAC.
- As this table demonstrates, granting discretionary petitions is a relatively rare event in both COLRs and IACs. Rhode Island's COLR granted proportionately more than any other court at exactly one-third of all petitions filed.
- Rhode Island and West Virginia do not have intermediate appellate courts. This may explain the relatively high rate at which these states grant discretionary petitions.

Manner of Disposition in 16 Courts of Last Resort and 25 Intermediate Appellate Courts, 2003

Five hundred
state
appellate
court justices
issued over
32,000
opinions

- This table displays the number of cases disposed in 41 appellate courts in five distinct disposition categories plus a residual "other" category.

- As the blank cells indicate, not all categories may be used in every state or court. The disposition profile of each court suggests very different ways in which appellate courts operate, making direct comparisons difficult.

- For example, Florida's COLR disposed of 89 percent of its cases through Memoranda/Orders, and only 3.5 percent through signed opinions. Minnesota's COLR has the opposite profile: 73 percent are disposed by signed opinion, and only 18 percent by Memoranda/Orders.

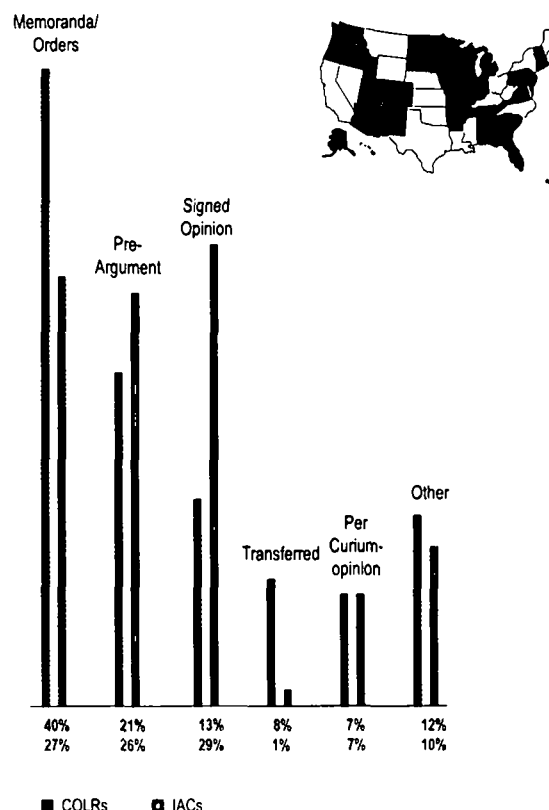
- Opinions may be rendered in several ways. Here, two are captured: per curiam and signed opinions.

- Per curiam opinions are typically short opinions issued in the name of the whole court, whereas a signed opinion is signed by individual justices and may include statements of fact, points of law, rationale, and dicta. Published opinions can be cited as precedent by attorneys or other courts; the rulings in unpublished opinions apply only to that case.

State	Number of Justices	Total Dispositions	Opinions		Non-Opinion Dispositions			
			Signed	Per Curiam	Memo/Order	Pre-Argument	Transferred	Other
Courts of Last Resort								
Florida	7	2,291	81	170	2,040			
Iowa	7	2,142	171	5		958	1,008	
District of Columbia	9	1,839	299	619	921			
Washington	9	1,391	131		580	132	75	473
Arizona	5	1,200	56		1,144			
Puerto Rico	7	1,026	54	54	99	819		
New Hampshire	5	893	186		214	123		370
Hawaii	5	785	69		129	207	229	151
Idaho	5	765	135			298		332
Delaware	5	726	67	23	558	76		2
Rhode Island	5	714	64	110	37	234		269
Vermont	5	562	70		358	134		
Alaska	5	484	139	63		102		180
South Dakota	5	417	177		143	74		23
North Dakota	5	346	203			89		54
Minnesota	7	200	146	1	36	17		
Intermediate Appellate Courts								
Pennsylvania	24	12,716	6,747			5,142	140	687
Illinois	54	9,037	986		8,051			
Michigan	28	7,708	206	149	3,471	1,879		2,003
New Jersey	33	7,213	366	3,435	292	3,120		
Oregon	10	3,891	490	118	1,327	1,422		534
Alabama	10	3,811	424		2,361	915	111	
Missouri	32	3,660	1,855		12	1,183	97	513
Wisconsin	16	3,452	766	447	935			1,304
Georgia	12	3,433	1,071		796	700	57	809
Virginia	11	3,396	601		431	2,351		13
Tennessee	24	2,856	1,740		753	25		338
Massachusetts	25	2,713	368		1,025	540	87	693
Colorado	16	2,511	278		1,331	894	8	
Indiana	16	2,407	2,285		17	105		
Maryland	13	2,324	178	1,127		586	47	386
Minnesota	16	2,186	1,456		79	630		21
Arkansas	12	1,571	790			176	119	486
South Carolina	9	1,494	937			468	63	26
Connecticut	10	1,199	593			247	132	227
Iowa	9	1,097	1,030	49		18		
New Mexico	10	830	138		493	182	17	
Utah	7	717	110	28	272	256	45	6
Idaho	3	609	208	337	61	3		
Alaska	3	294	76		132	49		37
Hawaii	4	224	46		167	9		2

Composition of Dispositions in 16 COLRs and 25 IACs, 2003

- This chart shows the composition of dispositions from the table on the previous page aggregated by type of court. In the 16 courts of last resort shown here, 20 percent of all dispositions were opinions. Of those, two-thirds were signed opinions.
- Intermediate appellate courts reported somewhat different proportions. Thirty-six percent of all dispositions were opinions and four out of five of those opinions were signed.
- Memoranda/Orders in COLRs were by far the most common type of disposition at 40 percent.



Outcomes of Signed Opinions in 15 Intermediate Appellate Courts, 2003

State/Court	Signed Opinions	Percent		
		Affirmed	Reversed	Other
Virginia Court of Appeals	601	83%	12%	5%
California Courts of Appeal	12,543	78	10	12
Indiana Court of Appeals	2,225	77	22	2
Iowa Court of Appeals	1,079	76	9	14
Kansas Court of Appeals	1,166	74	11	16
North Carolina Court of Appeals	1,536	71	11	19
Arkansas Court of Appeals	790	71	2	28
Maryland Court of Special Appeals	1,305	70	13	17
Minnesota Court of Appeals	1,456	69	18	13
Alaska Court of Appeals	76	58	30	12
Illinois Appellate Court	986	51	8	40
New Mexico Court of Appeals	138	47	36	17
Alabama Court of Criminal Appeals	137	40	34	26
Puerto Rico Circuit Court of Appeals	1,350	37	26	37
Alabama Court of Civil Appeals	287	29	36	35

- Opinions typically affirm or reverse the ruling of a trial court or administrative agency. Fifteen IACs provided data regarding the outcomes of opinions in 2003.
- The standard of review for appeals dictates the amount of deference intermediate appellate courts give to trial court decisions. Generally, appellate courts are highly deferential to trial courts on factual and procedural matters, but use a de novo standard of review on legal matters.

Interpreting variation in reversal rates is difficult without detailed knowledge of how appellate law is practiced in the states included here, and the procedures of the courts reporting these data.

Appendix

Index of States Included
in Section Graphics

Court Statistics Project
Methodology

State Court Caseload
Statistics, 2003

The NCSC Court
Statistics Project

The State Court Guide
to Statistical Reporting

CourTools

The Caseload Highlights Series

Index of States Included in Section Graphics

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD
Overview Section																					
Total Incoming Cases in State Courts, 1994-2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Total Incoming Cases per 100,000 Population in State Courts, 1994-2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Total Incoming Cases in State Trial Courts, by Jurisdiction, 1994-2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Total Incoming Cases in State Courts by Case Type, 2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Number of Incoming Cases by Jurisdiction and Case Type, 2003 (in Millions)	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Incoming Caseloads in General Jurisdiction Courts, by Case Type, 1994-2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Incoming Caseloads in Limited Jurisdiction Courts, by Case Type, 1994-2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Range of Incoming Cases per 100,000 Population, by Case Type, 2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Judicial Officers in General and Limited Jurisdiction Courts, 1994-2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Number and Rate of Full-time Judges in Unified and General Jurisdiction Courts, 2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Reopened/Reactiv. Cases as a Proportion of All Incoming Cases, by Case Type, 2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Number of States Reporting Pending Caseloads, by Case Type, 2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Total Appearances in Overview Section	11	10	12	12	11	10	11	12	12	11	11	11	11	12	10	10	12	10	11	10	11
Civil																					
Incoming Civil Caseloads and Rates, 2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Incoming Civil Cases per 100,000 Population, 2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Total Incoming Civil Cases, by Jurisdiction, 1994-2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Reopened/Reactivated Civil Caseloads in 17 States, 2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Incoming Civil Caseload Comp. in Unified vs. Gen. Jurisd. Courts in 26 States, 2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Incoming General Civil Caseload Composition in 22 General Jurisdiction Courts, 2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Civil Clearance Rates in Unified and General Jurisdiction Courts in 36 States, 2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Incoming Tort Cases in 15 States, 1985-2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Incoming Tort Cases and Rates in 30 States, 2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Incoming Tort Caseload Composition in 8 Unified and Gen. Jurisdiction Courts, 2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Incoming Auto. Tort Cases in Unified and Gen. Jurisdiction Courts in 17 States, 2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Incoming Med. Malpractice Cases in Unified and Gen. Jurisd. Cts. in 12 States, 2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Composition of Incoming Probate/Estate Cases in Unified and General Jurisdiction Courts in 12 States, 2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Incoming Guardianship Cases in 19 States, 2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Incoming Small Claims Cases and Rates in Unified and Limited Jurisdiction Courts in 28 States, 2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Combined Civil Caseload Summary for Michigan Circuit and District Courts, 2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Civil Caseload Summary for New York Family Court, 2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Total Appearances in Civil Section	4	8	11	10	7	12	11	6	8	11	3	14	8	6	8	10	10	5	3	5	5
Domestic Relations																					
Incoming Domestic Relations Caseloads and Rates in 47 States, 2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Reopened/Reactivated Domestic Relations Caseloads in 19 States, 2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Total Incoming Domestic Relations Cases, 1994-2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Incoming Civil Protection Order Cases in 32 States, 1994-2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Incoming Domestic Relations Caseloads in 18 State Courts, 2003 (15 States)	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
The Incoming Domestic Relations Caseload of the New Mexico District Court, 2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Domestic Relations Caseload Composition in 42 States, by Jurisdiction, 2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Dom. Rel. Clearance Rates in Unified and Gen. Jurisdiction Courts in 33 States, 2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Pending, Incoming, and Outgoing Domestic Relations Caseloads in 12 States, 2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Pending Domestic Relations Caseloads in 12 States, 2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Refining Support Cases	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Civil Protection Order Caseloads in 29 States, 2003	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Total Appearances in Domestic Relations Section	6	4	9	9	3	4	6	4	10	9	2	9	4	10	6	6	8	7	2	5	6

* Oklahoma did not submit data from their appellate or trial courts for 2003. They are included only in trend analyses and national estimates based upon their 1997 data.

Note: States with unified trial courts are highlighted in red.

MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK*	OR	PA	PR	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY	Total States	
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continued

Index of States Included in Section Graphics, continued

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD
[Criminal Section]																					
Incoming Criminal Caseloads and Rates, 2003
Total Incoming Criminal Cases, 1994-2003
Reopened/Reactivated Criminal Caseloads in Unified and General Jurisdiction Courts in 16 States, 2003
Incoming Felony Caseloads and Rates in Unified and General Jurisdiction Courts in 35 States, 2003
Felony Clearance Rates in Unified and General Jurisdiction Courts in 33 States, 2003
Incoming Felony Cases in Unified and General Jurisdiction Courts in 46 States, 2003
Incoming Felony Caseload Composition in Four States, 2003
Incoming Misdemeanor Caseloads and Rates in 17 States, 2003
Incoming Misdemeanor Caseload Composition in Vermont, 2003
Misdemeanor Clearance Rates in 28 States, 2003
Incoming Misdemeanor vs. Felony Cases in 21 States, 2003
Pending, Incoming, and Outgoing Criminal Caseloads in Three General Jurisdiction Courts, 2003
Total Appearances in Criminal Section	5	5	8	10	8	5	5	3	9	9	4	8	8	6	8	7	8	3	4	2	4
[Juvenile Section]																					
Total Incoming Juvenile Caseloads and Rates in 44 States, 2003
Reopened/Reactivated Juvenile Caseloads in 12 States, 2003
Juvenile Caseload Clearance Rates in 36 States, 2003
Juvenile Caseload Summary for New York, 2003
Juvenile Caseload Summary for New Jersey, 2003
Incoming Juvenile Caseload Composition in 18 States, by Jurisdiction, 2003
Juvenile Delinquency Caseload Composition in Three States, 2003
Status Offense Cases as a Proportion of All Incoming Juvenile Cases in 22 States, 2003
Composition of Incoming Juvenile Dependency Cases in New York and North Carolina, 2003
Total Appearances in Juvenile Section	2	0	2	4	3	3	3	0	5	2	2	3	2	3	0	1	2	2	2	1	2
[Traffic Section]																					
Incoming Traffic, Parking, & Ordinance Violation Caseloads and Rates in 19 States, 2003
Traffic, Parking, & Ordinance Violation Clearance Rates in 19 States, 2003
Incoming Traffic, Parking, & Local Ordinance Violation Caseload Composition in 49 States, 2003
Incoming Traffic, Parking, & Local Ordinance Violation Caseload Composition in Ltd. vs. Gen. Jurisdiction Courts in 49 States, 2003
Incoming Parking Violations in 10 States, 2003
Total Appearances in Traffic Section	2	2	5	4	4	2	2	2	2	4	2	3	2	4	4	2	2	2	3	2	2
[Appellate Section]																					
Total Appellate Caseloads, 2003
Total Appellate Filings, 1994-2003
Percentage Change in Appellate Caseloads, 1994-2003
Total Mandatory and Discretionary Caseloads in COLRs and IACs in 24 States, 2003
Total Discretionary Jurisdiction Petitions Filed and Granted in 20 States, 2003
Manner of Disposition in 16 Courts of Last Resort and 25 Intermediate Appellate Courts, 2003 (36 States)
Composition of Dispositions in 16 COLRs and 25 IACs (36 States)
Outcomes of Opinions in 15 Intermediate Appellate Courts, 2003 (14 States)
Total Appearances in Appellate Section	6	8	6	7	6	6	6	5	5	6	6	6	5	7	6	6	4	4	5	3	8
Grand Total Appearances	36	37	53	56	42	42	44	32	51	52	30	54	40	48	42	42	46	33	30	28	38

* Oklahoma did not submit data from their appellate or trial courts for 2003. They are included only in trend analyses and national estimates based upon their 1997 data.

Note: States with unified trial courts are highlighted in red.

MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK*	OR	PA	PR	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY	Total States
----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	--------------

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.	49
.	49
.	10
2	5	3	0	3	2	2	5	5	5	3	2	4	2	4	0	2	2	4	2	2	4	0	4	4	4	2	5	2	3	2		

.	52
.	52
.	51
.	24
.	20
.	36
.	36
.	14
5	6	8	4	7	3	4	3	5	7	7	3	6	5	5	2	7	6	7	6	6	5	7	5	5	5	8	5	4	5	3		

41 60 43 31 49 24 27 36 51 53 59 45 43 50 54 15 47 37 53 36 32 36 36 45 46 50 31 49 35 39 42

Court Statistics Project ○

Methodology

Information for the CSP's national caseload databases comes from published and unpublished sources supplied by state court administrators and appellate court clerks. Published data are typically taken from official state court annual reports and Web sites, so they take many forms and vary greatly in detail. Data from published sources are often supplemented by unpublished data received from the state courts in various formats, including internal management memoranda and computer-generated output. States also report and verify data electronically through spreadsheet templates provided by the Court Statistics Project.

The CSP data collection effort to build a comprehensive statistical profile of the work of state appellate and trial courts nationally is underway throughout the year. Extensive telephone contacts and follow-up correspondence are used to collect missing data, confirm the accuracy of available data, and determine the legal jurisdiction of each court. Information is also collected on the number of judges per court or court system (from annual reports, offices of state court administrators, and appellate court clerks); the state population (based on U.S. Bureau of the Census revised estimates); and special characteristics regarding subject matter jurisdiction and court structure.

Examining the Work of State Courts, 2004 and *State Court Caseload Statistics, 2004* are intended to enhance the potential for meaningful state court caseload comparisons. Because this volume examines 50 states, the District of Columbia, and the Commonwealth of Puerto Rico, and thus 52 different court systems, the biggest challenge is to organize the data for valid state-to-state comparison among states and over time.

A discussion of how to use state court caseload statistics, a complete review of the data collection procedures, and the sources of each state's 2003 caseload statistics are provided in the companion volume to this report, *State Court Caseload Statistics, 2004*.

State Court Caseload Statistics, 2004

The analysis presented in *Examining the Work of State Courts, 2004* is derived in part from the data found in *State Court Caseload Statistics, 2004*. The information and tables found in *State Court Caseload Statistics, 2004* are intended to serve as a detailed reference on the work of the nation's state courts, and are organized in the following manner:

State Court Structure Charts display the overall structure of each state court system on a one-page chart. Each state's chart identifies the types of courts in operation in that state during 2003, describes their geographic and subject matter jurisdiction, notes the number of authorized judicial positions, indicates whether funding is primarily local or state, and outlines the routes of appeal between courts.

Jurisdiction and State Court Reporting Practices review basic information that affects the comparability of caseload information reports by the courts. For example, the dollar amount jurisdiction for civil cases; the method by which cases are counted in appellate courts and in criminal, civil, and juvenile trial courts; and trial courts that have the authority to hear appeals are all discussed. Information is also provided that defines what constitutes a case in each court, making it possible to determine which appellate and trial courts compile caseload statistics on a similar basis. Finally, the numbers of judges and justices working in state trial and appellate courts are displayed.

2003 State Court Caseload Tables contain detailed information from the nation's state courts. Six tables detail information on appellate courts, and an additional six tables contain data on trial courts (Tables 1-12). Tables 13-16 describe trends in the volume of incoming and outgoing cases for the period 1994-2003. These displays include trend data on mandatory and discretionary cases in state appellate courts and incoming felony and tort cases in state trial courts over the past ten years. The tables also indicate the extent of standardization in the data for each state. The factors that most strongly affect the comparability of caseload information across the states (for example, the unit of count) are incorporated into the tables. Footnotes explain how a court system's reported caseloads conform to the standard categories for reporting that are recommended in the *State Court Guide to Statistical Reporting*. Caseload numbers are noted if incomplete in the types of cases represented, if overinclusive, or both. Statistics without footnotes are in compliance with the *Guide's* standard definitions.

State Court Caseload Statistics is available on the NCSC Web site at: www.ncsconline.org/d_research/csp/csp_main_page.html

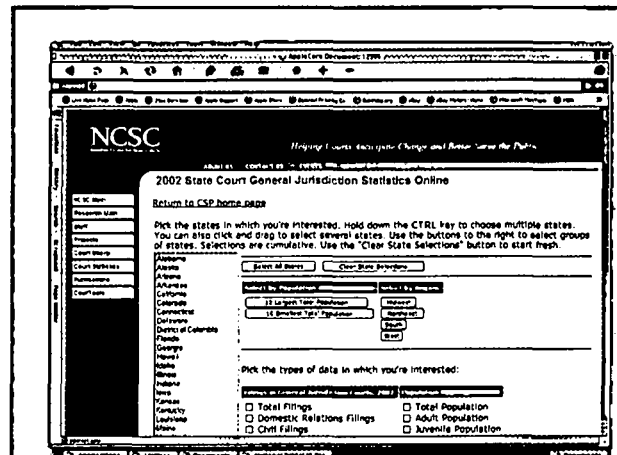
The NCSC Court Statistics Project

The Court Statistics Project can provide advice and clarification on the use of the statistics from this and previous caseload reports. Project staff can also provide the full range of information available from each state. Most states provide far more detailed caseload information than can be presented in project publications. Information from the CSP is also available on the NCSC Web site at: www.ncsconline.org/d_research/csp/csp_main_page.html.

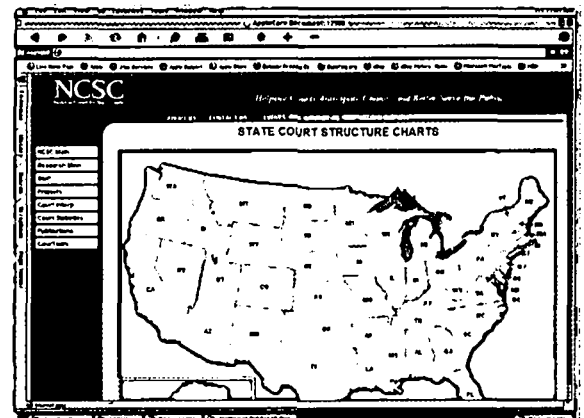
Comments, corrections, suggestions, and requests for information from users of *Examining the Work of State Courts, 2004*, *State Court Caseload Statistics, 2004*, and the *Caseload Highlights* series can be summarized on the form on the CSP Web page www.ncsconline.org/d_research/csp/cspform.htm and submitted via email.

Or contact us at:

Director, Court Statistics Project
National Center for State Courts
300 Newport Avenue
Williamsburg, VA 23185
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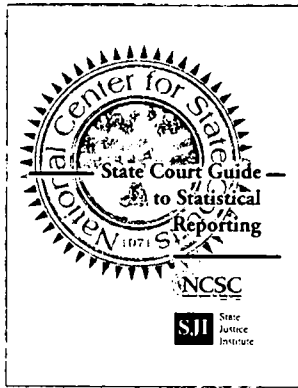


NCSC State Court General Jurisdiction Statistics Online
www.ncsconline.org/d_research/statsguide



NCSC State Court Structure Charts
www.ncsconline.org/d_research/ct_struct/index.html

The State Court Guide to Statistical Reporting



The *Guide* provides a model approach for defining and counting court caseload and workload. It is designed to provide a consistent, nationally accepted framework for compiling accurate and comparable statistical reports.

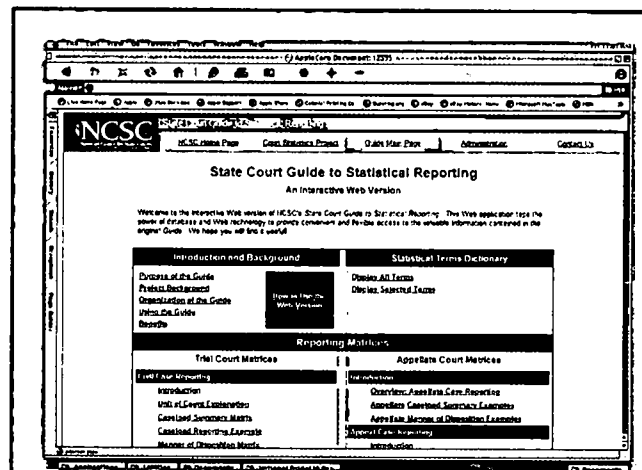
Available as downloads in color PDF format at:

www.ncsconline.org/d_research/statistical_reporting

Order a black and white hard copy from:
www.ncsconline.org/d_research/csp/cspform.htm

Interactive, Web-based version at:
www.ncscstatsguide.org

This Web application taps the power of database and Web technology to provide convenient and flexible access to the detailed information contained in the print version of the *Guide*.



NCSC State Court Guide to Statistical Reporting
www.ncscstatsguide.org

CourTools ●

Courts have long sought a set of balanced and realistic performance measures that are practical to implement and use. The ten *CourTools* performance measures were designed by the National Center for State Courts to answer that call.

Measuring court performance can be a challenge. Understanding the steps involved in performance measurement can make the task easier and more likely to succeed.

CourTools supports efforts toward improved court performance by helping:

- Clarify performance goals
- Develop a measurement plan
- Document success

Effective measurement is key to managing court resources efficiently, letting the public know what your court has achieved, and helping identify the benefits of improved court performance.

The National Center developed *CourTools* by integrating the major performance areas defined by the Trial Court Performance Standards with relevant concepts from other successful public- and private-sector performance measurement systems. This balanced set of court performance measures provides the judiciary with the tools to demonstrate effective stewardship of public resources. Being responsive and accountable is critical to maintaining the independence courts need to deliver fair and equal justice to the public.

Each of the ten *CourTools* measures follows a similar sequence, with steps supporting one another. These steps include a clear definition and statement of purpose, a measurement plan with instruments and data collection methods, and strategies for

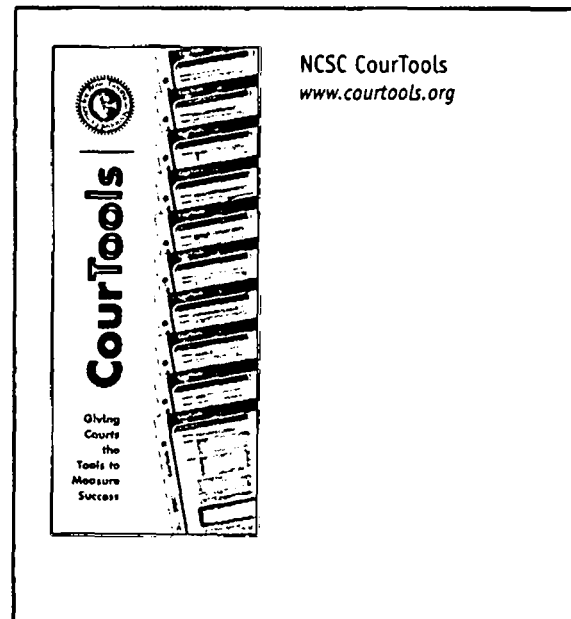
reporting results. Published in a visual format, *CourTools* uses illustrations, examples, and jargon-free language to make the measures clear and easy to understand.

Contact the National Center's Court Services Division to learn more about implementing *CourTools* in your court.

Call us toll-free at: 800-466-3063

Download a free copy of *CourTools* at:
www.courttools.org

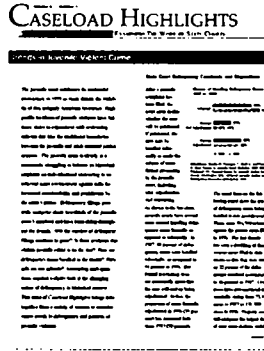
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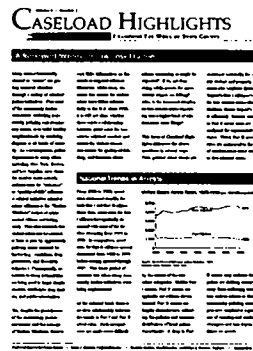
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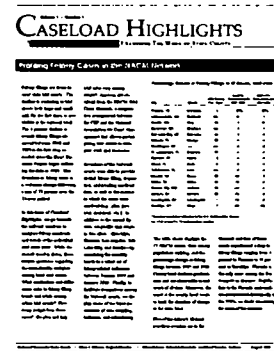
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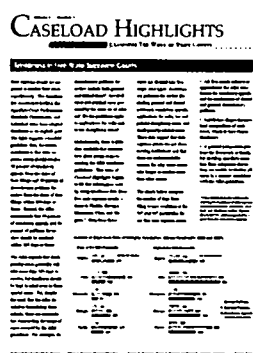
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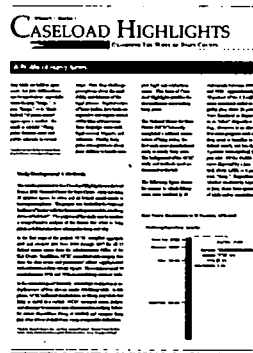
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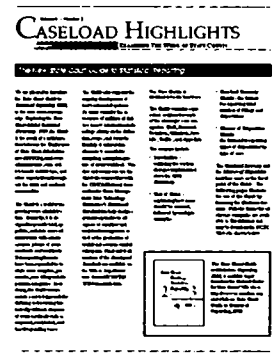
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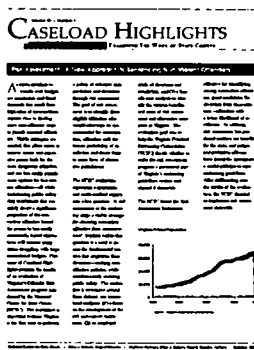
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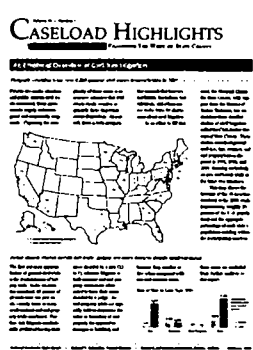
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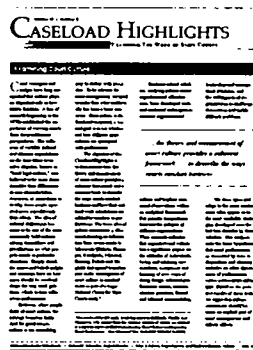
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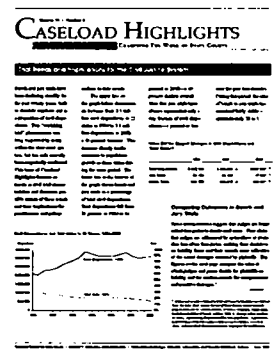
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