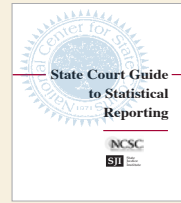
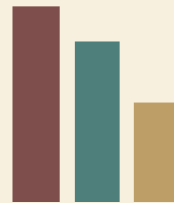
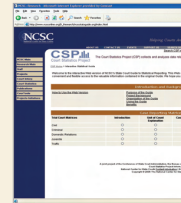
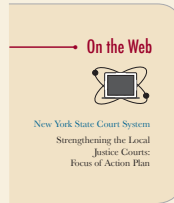
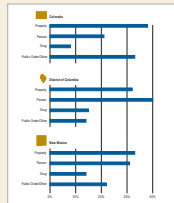
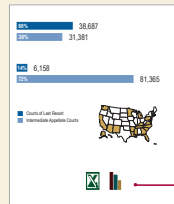
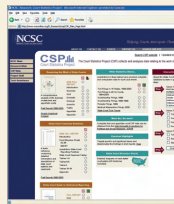

Examining the Work of State Courts, 2005

A National Perspective from the Court Statistics Project



Examining the Work of State Courts, 2005

A National Perspective from the Court Statistics Project

Edited by

Richard Y. Schauffler
Robert C. LaFountain
Shauna M. Strickland
William E. Raftery

Court Statistics Project Staff and Contributors

Richard Y. Schauffler, Director
Neal B. Kauder, Consultant, VisualResearch, Inc.
Robert C. LaFountain, Senior Court Research Analyst
William E. Raftery, Court Research Analyst
Shauna M. Strickland, Court Research Analyst
Brenda G. Otto, Program Specialist

A joint project of the Conference of State Court Administrators, the Bureau of Justice Statistics, and the National Center for State Courts.



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ISBN 0-89656-258-1

Suggested Citation:

R. Schauffler, R. LaFountain, S. Strickland & W. Raftery
Examining the Work of State Courts, 2005:
A National Perspective from the Court Statistics Project
(National Center for State Courts 2006)

This report was developed under Grant
2005-BJ-CX-K017 from the Bureau of
Justice Statistics. Points of view are those of
the authors and do not necessarily represent
the official position or policies of the Bureau
of Justice Statistics.

Acknowledgments

The members of the Court Statistics Project (CSP) gratefully acknowledge assistance and guidance from throughout the state court community. At the heart of this national effort is the strong and continuing support of the state and trial court administrators, the appellate court clerks, and their staffs, who have provided most of the information included in *Examining the Work of State Courts, 2005*. They have been consistently patient and helpful in answering written and telephone inquiries for additional data or for explanations of the data provided. We owe a special debt of gratitude to the staff members of the administrative offices of the courts and of the appellate courts who serve as liaisons between their offices and the Court Statistics Project.

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.

Special thanks to Neal Kauder of Visual Research, Inc., for his creative ideas and leadership in information design, helping the CSP publications and Web site turn our complex court data into useful knowledge. Also to Judith Sullivan Phillips who skillfully managed page design, assisted with printing, and helped make this report both a print and interactive electronic publication.

Court Statistics Committee, Conference of State Court Administrators

Howard P. Schwartz, Chairman (1992 to present), Judicial Administrator, Kansas
Hugh M. Collins (1982 to present), Judicial Administrator, Supreme Court of Louisiana
Debra Dailey (2005 to present), Manager of Research and Evaluation, State Court Administrator's Office, Minnesota
Thomas B. Darr (2005 to present), Deputy Court Administrator, Administrative Office of the Pennsylvania Courts
Theodore Eisenberg (2002 to present), Professor, Cornell Law School, New York
James D. Gingerich (2003 to present), Director, Supreme Court of Arkansas
Elisabeth Goodner (2005 to present), State Courts Administrator, Florida
Donald D. Goodnow (2000 to present), Director, Administrative Office of the Courts, New Hampshire
Hon. Patricia Walther Griffin (2005 to present), State Court Administrator, Delaware
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Hon. Aaron Ment (1991 to present), Senior Judge, Supreme Court of Connecticut
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Robert Wessels (1995 to present), Court Manager, County Criminal Courts at Law, Houston, Texas

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Judge Gerald T. Elliott, Division 4, 10th Judicial District of Kansas, Olathe, Kansas
James D. Gingerich, Director, Supreme Court of Arkansas
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Lee Suskin, State Court Administrator, Vermont
Chief Justice Jean Hoefler Toal, Supreme Court of South Carolina
Mary C. McQueen, President, National Center for State Courts, Williamsburg, Virginia

Foreword

The country is hungry for information; everything of a statistical character, or even a statistical appearance, is taken up with an eagerness that is almost pathetic; the community have not yet learned to be half skeptical and critical enough in respect to such statements.

General Francis A. Walker,
Superintendent of the 1870 Census

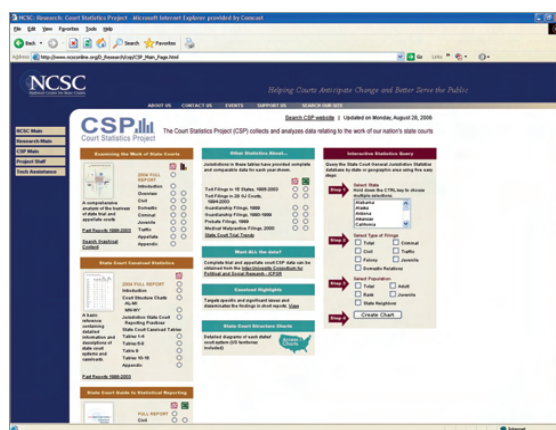
The publications of the Court Statistics Project (CSP) offer a detailed picture of the work of the nation's state courts.

From its inception in 1975 until 1992, the Court Statistics Project produced one annual report entitled *State Court Caseload Statistics (SCCS)*. Beginning in 1993, the annual report was separated into two volumes: *Examining the Work of State Courts (EWSC)* and *State Court Caseload Statistics*. The purpose of *EWSC* was to provide a concise, graphically-oriented volume that made court statistics more accessible and easier to understand. *SCCS* became a discrete reference volume, containing structure charts, statewide aggregate caseload data and reporting practices, population trends, and a detailed explanation of the Court Statistics Project methodology. For 11 years the CSP has produced these two documents with much success. However, the ubiquitous nature of the Internet has precipitated yet another change to the publication strategy of the CSP.

Beginning with this issue, only *Examining the Work of State Courts* will be published in hard copy. All of the information traditionally contained in *State Court Caseload Statistics* will continue to be available, but will appear only on the internet at http://www.ncsconline.org/D_Research/csp/CSP_Main_Page.html. Web publishing of *SCCS* was logical as the various sections of that volume benefit from real time rather than annual updating (e.g., changes in the court structure charts). The nature of that data also allows us to exploit Web publishing to make it more accessible

to those who want the data, rather than a printed page. Additionally, there were the financial (not to mention environmental) savings associated with a reduction in printing and mailing costs.

Both volumes will continue to provide the most comprehensive, up-to-date information regarding the nation's state courts; only the presentation of the information has changed. In addition to moving *State Court Caseload Statistics* to a Web-only presentation, this volume of *Examining the Work of State Courts* has been designed to be interactive, giving the reader on-line access to information that can not reasonably be included in the text of the document. This new format encourages the use of the Web and provides the reader with a multitude of additional resources that are helpful to understanding the work of the nation's state courts.



NCSC Court Statistics Project Home Page
www.ncsconline.org/D_Research/csp/CSP_Main_Page.html

Foreword, *continued*

The *Caseload Highlights* series continues to provide short, periodic reports on specific and significant issues. 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* supplements the annual *Examining the Work of State Courts* and is also timely in terms of the data and subject matter covered. Past and current issues are available at http://www.ncsconline.org/d_research/csp/highlights/highlights_main_page.html.

These 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 features of each state's court organization. The 1998 edition is available through BJS and at www.ojp.usdoj.gov/bjs/abstract/sco98.htm. A new, updated edition is scheduled for publication in late 2006.

Finally, the CSP continues to promote and extend the usage of the *State Court Guide to Statistical Reporting (Guide)*. Developed with support from the State Justice Institute and with close guidance from the Conference of State Court Administrators (COSCA) Court Statistics Committee, 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 in PDF on the NCSC Web site at http://www.ncsconline.org/d_research/statistical_reporting as well as via an online interactive version at www.ncscstatsguide.org.

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.

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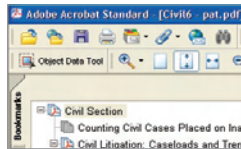
What Follows: A New Electronic Document Design

Examining the Work of State Courts (EWSC) has traditionally been distributed in a clear, concise, and easily accessible print format. With the increasing use of non-print information interfaces—largely the Internet—EWSC has been redesigned to become even more accessible through electronic publishing. In addition, electronic publishing better aligns EWSC with the newly redesigned CSP website.

The blending of print and electronic publishing provides the user with an efficient online experience by delivering an interactive

and seamless transition from one reading platform to another. The user still has complete access to the printed document, but also has a electronic PDF document that gives instant access to underlying data, stand-alone graphics, and links to CSP and non-CSP resources that provide additional context to data analysis.

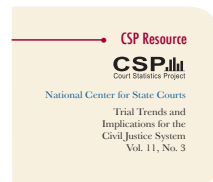
The added functionality will be seen by readers through special symbols and icons on EWSC pages (in both printed and PDF formats). Electronic feature indicators are listed below.



Bookmarks – a listing of section headings, tables, and charts located in a separate window on the left side of the electronic (pdf) file which allows quick and efficient navigation throughout the document.



Icons – clicking the ‘Excel’ icon opens a file containing the raw data for the graphic. Clicking the ‘3-bar’ icon opens a picture file containing just the graphic.



Hot Tabs – clicking a ‘hot tab’ takes the user to a pre-programmed website destination. Six types of hot tabs have been designed for EWSC: On the Web, Statistical Guide, CSP Resource, NCSC Resource, BJS Resource, and CourTools. Hot tab website destinations are designed to expand upon subject material being discussed within the document.

*State Court Guide to
Statistical Reporting*
or *Guide*

Hot Links – integrated into the text with programmed website destinations. Hot links are indicated by red-underlined type and supplement the subject being discussed.



Electronic Feature Indicator – most interactive electronic features in the document are indicated by a red line, which allows the user to see the location of clickable navigation features when browsing through a document.

Introduction

The Court Statistics Project (CSP) is unveiling a new, Web-driven design for this issue of *Examining the Work of State Courts*. The design is interactive in nature, encouraging readers to access the variety of additional material that is available on the Web through hyperlinks that can be found throughout the document. For example, the introduction page for each section contains a “hot tab” that, when clicked on, will take the reader directly to the relevant section of the interactive *State Court Guide to Statistical Reporting (Guide)*. There are also hot tabs that take the reader to related research by organizations such as the Bureau of Justice Statistics, as well as embedded hyperlinks that can take readers to other documents of the National Center for State Courts.

In addition to the new design, the data presented in *EWSC* continues to expand as additional sections of the *Guide* are implemented. 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.

The Manner of Disposition matrix of the *Guide* was implemented during the 2004 data collection period. Previously, disposition data was limited to reporting only the number of outgoing cases, with little or no detail on the ways in which the cases were disposed. Now, the number of outgoing cases is supplemented by how the case was ultimately disposed, e.g., through settlement, withdrawal, bench trial or jury trial. Readers of *Examining the Work of State Courts, 2005* should be aware that, due to the newness of the implementation, not all states reported all disposition categories or case types for the 2004 data collection. Nonetheless, the data presented here does begin to give a more accurate reflection of the work occurring in the state court systems.

The following two pages display the civil case Manner of Disposition matrix as it appears in the *Guide*. This format is used for reporting specific ways in which civil cases are disposed; equivalent matrices exist for the other four major trial court case categories: Domestic Relations, Criminal, Juvenile, and Traffic/Violations. The Caseload Summary matrix, first implemented during the 2003 data collection period, reports total incoming and outgoing cases at the trial court level and it continues to grow in terms of usage by courts reporting to the CSP. Similar Caseload Summary and Manner of Disposition matrices exist for the appellate courts, but those have yet to be implemented.

The Manner of Disposition matrix gives a glimpse into the ways in which cases are ultimately concluded in the states by examining three main categories (Non-Trial, Trial, and Other Dispositions) broken down into a variety of subcategories. The exact number and type of subcategories vary among the case categories. For more detailed information about each disposition category, readers are encouraged to read the *Guide*.

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 occasionally 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 Manner of Disposition matrix for civil cases. Here, the three major dispositions categories (Non-Trial, Trial and Other) and a total of eighteen subcategories are distinguished.

Civil - Manner of Disposition Matrix

Case Type	NON-TRIAL DISPOSITIONS							
	Dismissed Want of Pros.	Default Judgment	Summary Judgment	Settled / Withdrawn			Other Dismissal	Transfer to Another Court
				Without Judicial Action	With Judicial Action	Alternative Dispute Resolution		
Tort								
Automobile Tort								
Intentional Tort								
Malpractice - Medical								
Malpractice - Legal								
Malpractice - Other Professional								
Total Malpractice								
Premises Liability								
Product Liability - Asbestos	A subcategory of civil non-trial dispositions involving cases dismissed by the court because the plaintiff has ceased to pursue a case.							
Product Liability - Tobacco								
Product Liability - Toxic/Other								
Total Product Liability								
Slander/Libel/Defamation								Cases not disposed of by the court in which they were originally filed but removed to a different trial court with jurisdiction over that case for disposition.
Other Tort								
TOTAL Tort								
Contract								
Buyer Plaintiff		Cases in which the defendant either chose not to or failed to respond to (i.e., answer) the plaintiff's allegations.				Cases settled or voluntarily withdrawn from the court docket by the plaintiff either <u>without judicial action</u> , <u>with judicial action</u> , or through some form of <u>alternative dispute resolution (ADR)</u> .		
Employment Dispute - Discrimination								
Employment Dispute - Other								
Total Employment Dispute								
Fraud			A procedure designed to provide a prompt disposition of the controversy without a trial when there is no dispute as to the facts or if only a question of law is involved				Dispositions of unknown specificity or dispositions not attributable to one of the other previously defined civil non-trial disposition categories.	
Land								

Total Non-Trial Dispositions	TRIAL DISPOSITION							Other Civil Dispositions	Grand Total Dispositions
	Jury Trial			Bench Trial			Total Trial Dispositions		
	Verdict Reached	Disposed After Start	Total Jury Trials	Judgment Reached	Disposed After Start	Total Bench Trials			

Cases in which a jury is impaneled to determine the issues of fact in a case, the jury is sworn, evidence is introduced, and either a verdict is reached, or the case is settled or dismissed after the trial started but prior to a verdict being reached.

Cases in which a judge or judicial officer is assigned to determine both the issues of fact and law in the case, evidence is introduced, and either a judgment ending the trial is rendered by the court, or the case is settled or dismissed after the trial started but prior to a judgment being reached.

Case dispositions including ones of unknown specificity or dispositions not attributable to one of the other previously defined civil disposition categories.

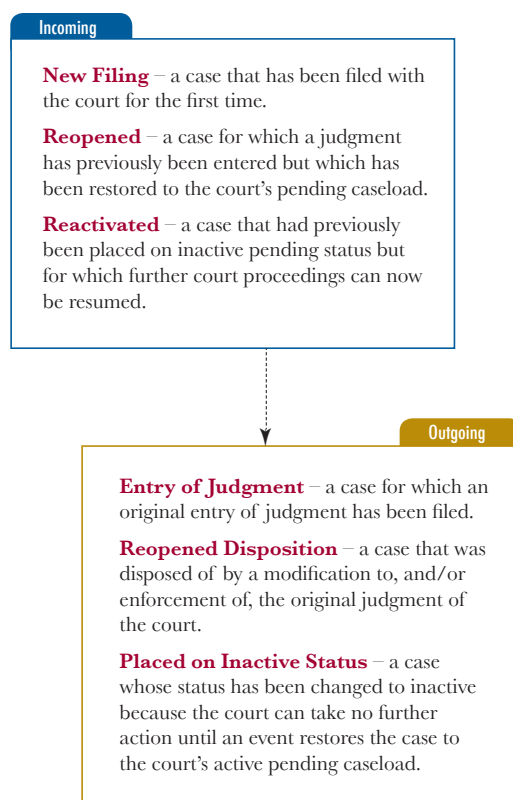
Overview Section

The *State Court Guide to Statistical Reporting, (Guide)* provides a framework for courts to describe their caseloads more completely and with greater accuracy. Prior to publication of the *Guide*, reports of national caseloads were limited to the number of cases filed and disposed. While these categories remain important, data reporting strategies contained in the *Guide* extend and clarify the full range of ways cases enter and leave the courts, including

the post-dispositional work associated with many types of cases.

Under the general headings of “incoming” and “outgoing,” cases are classified in terms of those newly filed, reopened, or reactivated, and cases with an entry of judgment, with a reopened disposition, or placed on inactive status.

Whenever possible, data submitted by the courts will be presented in these six reporting categories.



On the Web

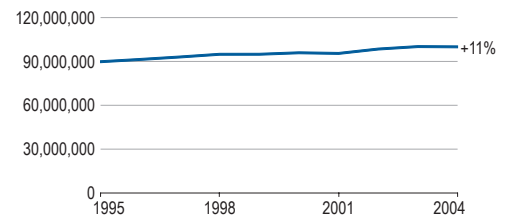


U.S. Census Bureau
Population
Estimates Program

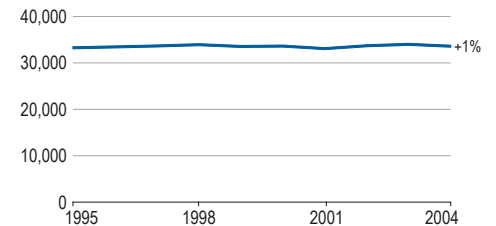
Incoming Caseloads: Trends and Composition

For the second consecutive year, the combined incoming caseloads of state courts in the U.S. and Puerto Rico were approximately 100 million cases. To put this number in perspective, that is an average of about one case for every three citizens of the United States. The population-adjusted figure of 33,600 cases per 100,000 residents in 2004 has remained remarkably constant over the last 10 years and is nearly identical to the figure from 1995. This indicates that the 11 percent increase in incoming cases reported in the state courts during this decade is largely attributable to comparable percentage increases in the country's population.

Total Incoming Cases in State Courts, 1995-2004



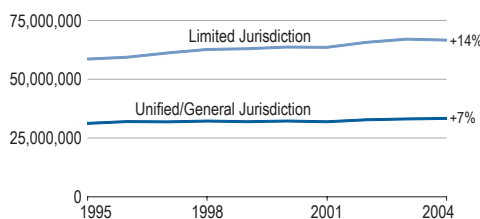
Total Incoming Cases per 100,000 Population in State Courts, 1995-2004



When total incoming caseload trends are separated by court jurisdiction, differences between unified/general jurisdiction courts and limited jurisdiction courts quickly emerge. First, the volume of cases in limited jurisdiction courts is consistently twice that of general jurisdiction courts. Two facts contribute to this circumstance: there are twice as many

limited as general jurisdiction courts, and most traffic caseloads are heard in limited jurisdiction courts.

Total Incoming Cases in State Courts, by Jurisdiction, 1995-2004



Another apparent difference between the two types of courts is the growth they reported over the past 10 years. While unified and general jurisdiction court caseloads have grown at a rate slower than the population, the opposite is true in limited jurisdiction courts.

Of the 45.4 million non-traffic cases entering state courts in 2004, nearly half (20.7 million) were of a criminal nature. These caseloads range from the most serious capital murder cases to simple misdemeanors. Also included are *violations* of protection orders (but not the *issuance* of the orders themselves; issuance of civil protection/restraining orders are counted either in civil or domestic rela-

tions caseloads, depending upon whether or not they involve persons connected by a domestic relationship).

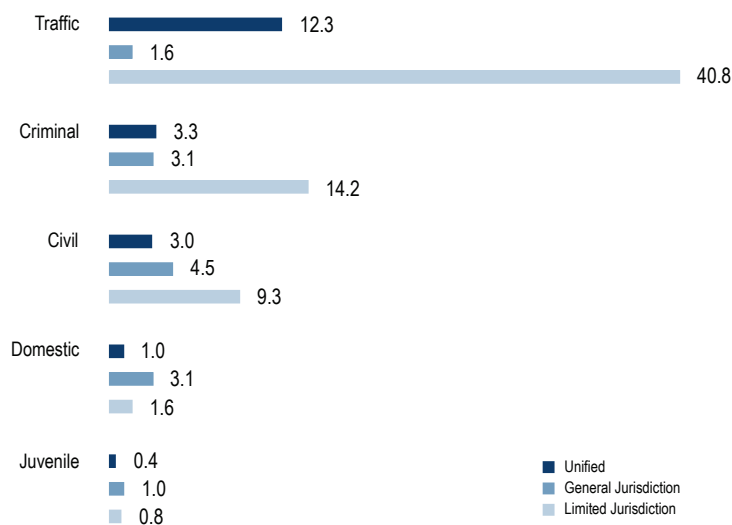
The chart below shows that the majority (69 percent) of criminal cases are heard in courts of limited jurisdiction. Although bail and preliminary hearings in felony cases are typically held in limited jurisdiction courts (in states with two-tiered systems), misdemeanors comprise the majority of cases on limited jurisdiction dockets.

Total Incoming Cases in State Courts, by Case Type, 2004

Case Type	Millions
Traffic	54.7
Criminal	20.7
Civil	16.9
Domestic	5.7
Juvenile	2.1
Total	100.0



Total Incoming Cases in State Courts, by Jurisdiction and Case Type, 2004 (in millions)



Statistical Guide



National Center for State Courts
Juvenile Caseload
Summary Matrix

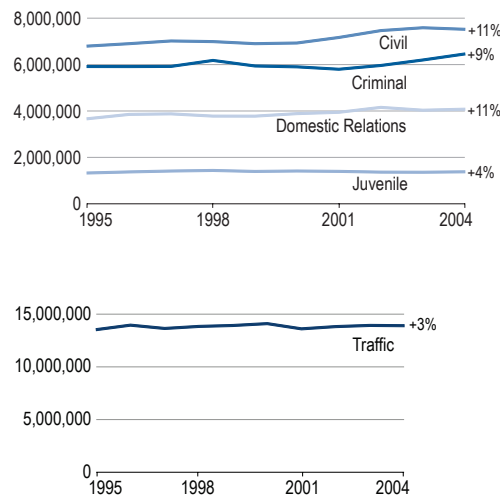
The *Guide* divides trial court caseloads into five major categories: civil, domestic relations, criminal, juvenile, and traffic. The trend lines below display incoming caseloads for each of these five categories from 1995 through 2004. Traffic caseloads are displayed on separate charts with different scales because the volume of those cases is so much greater than those of the other categories.

With few exceptions, each case category in unified and general jurisdiction courts experienced growth, albeit modest, during each year of these trends. However, unlike the limited jurisdiction courts, growth in all

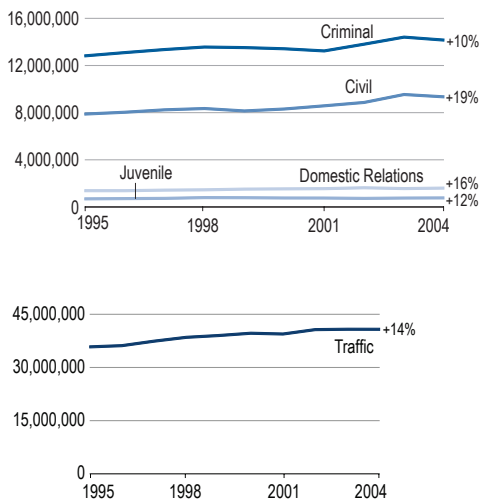
case categories for these courts never appreciably exceeded that which is easily attributable to increases in population. In fact, traffic and juvenile caseloads grew at rates below that of the underlying population.

Criminal cases in courts of limited jurisdiction grew by 10 percent between 1995 and 2004—a rate consistent with the growth in population during the same period. By contrast, the other four categories grew at more accelerated rates with civil cases showing the largest increase at 19 percent over 10 years.

Incoming Cases in Unified and General Jurisdiction Courts, by Case type, 1995- 2004



Incoming Cases in Limited Jurisdiction Courts, by Case type, 1995- 2004



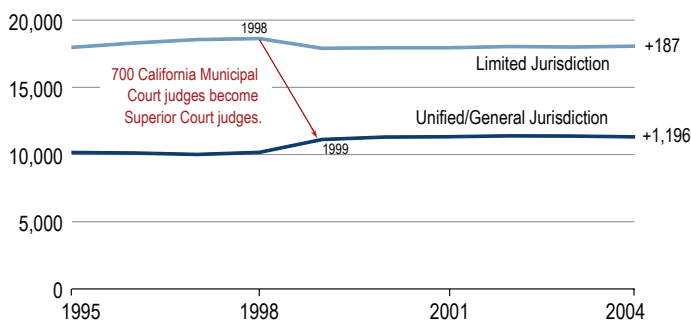
Judicial Officers in State Courts

Until 2002, the number of judicial officers in state courts increased, on average, by one-half of 1 percent each year. The total dropped slightly (for the first time) in 2003 but rose again to slightly above the 2002 level in 2004.

When California converted to a unified court system in the late 1990s, many of their municipal court judges were reclassified as superior court judges. This shifted approximately 700 positions between jurisdictions, accounting for most of the 1,196 added judicial officers seen in the general jurisdiction courts.

The table on the following page displays the number and per capita rate of full-time judges in unified and general jurisdiction courts in 2004 as well as the number of incoming non-traffic cases per judge. The two jurisdictional levels of courts are separated, since by definition judges in unified courts hear the state’s entire caseload, whereas judges in courts of general jurisdiction adjudicate only those cases not heard in the lower courts.

Judicial Officers in General and Limited Jurisdiction Courts, 1995- 2004



The number of judges per 100,000 population in unified courts are quite similar and, with one obvious exception, cluster closely around the median of 5.8. The District of Columbia appears to have an extraordinarily high number of full-time judges per capita. But the District is unique and its rate may be deceptive. Unlike most other cities where suburban court users are still counted as residents of the same state, DC’s rate is based solely on its relatively small resident population.

Number and Rate of Full-time Judges in Unified and General Jurisdiction Courts, 2004

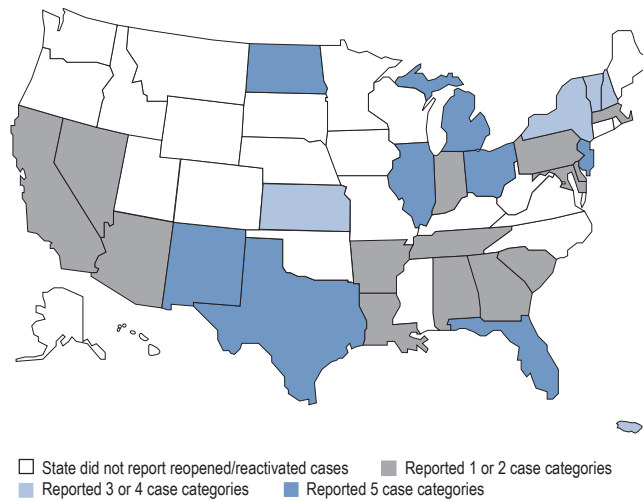
	Full-time Judges		Incoming Non-Traffic Cases per Judge	Population Rank
	Total	Per 100,000 Population		
Unified Courts				
South Dakota	38	4.9	2,709	47
District of Columbia	59	10.7	2,317	51
North Dakota	42	6.6	2,301	49
Connecticut	180	5.1	2,256	30
California	1,498	4.2	2,105	1
Wisconsin	241	4.4	2,077	20
Minnesota	276	5.4	2,057	21
Missouri	324	5.6	1,979	17
Kansas	161	5.9	1,914	34
Iowa	192	6.5	1,543	31
Illinois	850	6.7	1,520	5
Puerto Rico	328	8.4	756	27
Median	217	5.8	2,067	
General Jurisdiction Courts				
South Carolina	46	1.1	4,167	25
North Carolina	106	1.2	3,153	11
New Jersey	408	4.7	3,140	10
Florida	527	3.0	2,730	4
Maine	49	3.7	2,643	41
Indiana	297	4.8	2,545	14
Utah	70	2.9	2,523	35
Nevada	60	2.6	2,069	36
Ohio	380	3.3	2,037	7
Texas	424	1.9	2,033	2
New Hampshire	27	2.1	2,004	42
Georgia	193	2.2	1,946	9
Tennessee	154	2.6	1,945	16
Oregon	170	4.7	1,942	28
Maryland	146	2.6	1,933	19
Arkansas	115	4.2	1,906	33
Virginia	155	2.1	1,820	12
Vermont	32	5.1	1,723	50
Pennsylvania*	421	3.4	1,652	6
Louisiana	230	5.1	1,645	24
Arizona	166	2.9	1,636	18
Michigan	216	2.1	1,562	8
Alabama	142	3.1	1,454	23
Washington	179	2.9	1,429	15
New Mexico	75	3.9	1,429	37
Delaware	19	2.3	1,423	46
Hawaii	33	2.6	1,377	43
Colorado	132	2.9	1,353	22
New York	524	2.7	913	3
Montana	48	5.2	809	45
Kentucky	130	3.1	792	26
Nebraska	55	3.1	775	39
West Virginia	65	3.6	721	38
Rhode Island	22	2.0	700	44
Alaska	34	5.2	569	48
Idaho	39	2.8	521	40
Massachusetts	82	1.3	370	13
Median	130	2.9	1,652	

Data from Pennsylvania are preliminary figures supplied by the PA AOC.
Note: No data were available for Mississippi, Oklahoma, or Wyoming for 2004.

Reopened, Reactivated, and Pending Caseloads

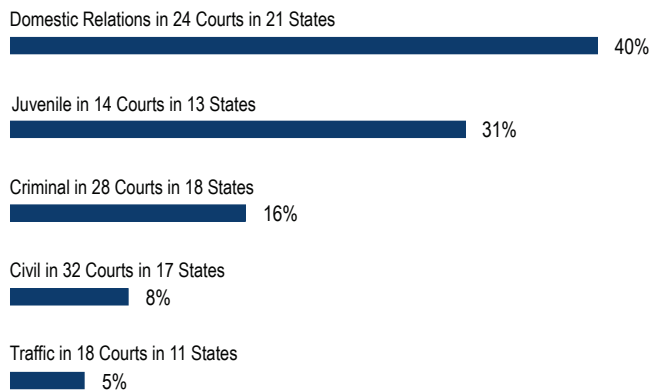
In an effort to obtain recognition for the significant amount of post-dispositional judicial workload associated with some types of trial court cases, the *Guide* recommends that states count and report cases that have been reopened subsequent to an entry of judgment or reactivated subsequent to having been placed on inactive status.

States that Reported Reopened/Reactivated Caseloads in One or More Case Categories, 2004

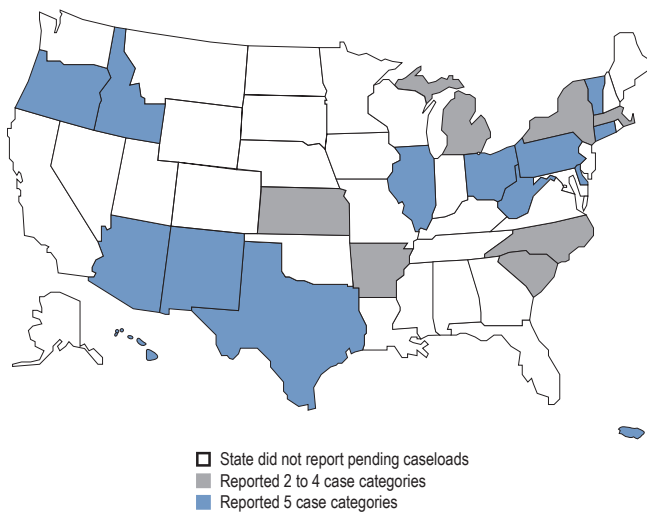


This map and the accompanying chart below show which states have already begun reporting these data and the number of states that reported in each of the five major case categories, respectively. These data suggest that four out of ten incoming domestic relations and three out of ten incoming juvenile cases have been before the court at least once previously.

Reopened/Reactivated Cases as a Proportion of All Incoming Cases, by Case Type, 2004



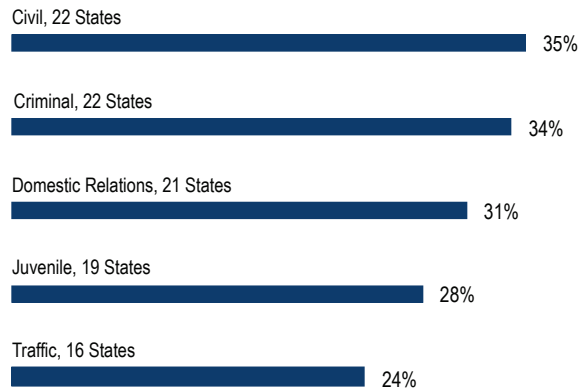
States that Reported Pending Caseloads in Two or More Case Categories, 2004



In addition to the recommendation that states report their reopened/reactivated caseloads, the *Guide* also recommends reporting pending caseloads, and whenever possible, distinguishing between active and inactive pending cases. Although almost none of the states have thus far been able to make the latter distinction, 22 states did report an aggregate pending caseload in at least one case category for 2004. The adjacent map shows that 15 of those 22 states (68 percent) reported pending caseloads in all five case type categories.

As indicated in the chart below, when the number of pending cases is expressed as a percentage of all cases before the court (i.e., all incoming plus all pending cases), over three of every 10 civil, criminal, and domestic relations cases were pending at the beginning of the reporting period.

Pending Cases as a Proportion of All Cases before the Court, by Case Type, 2004



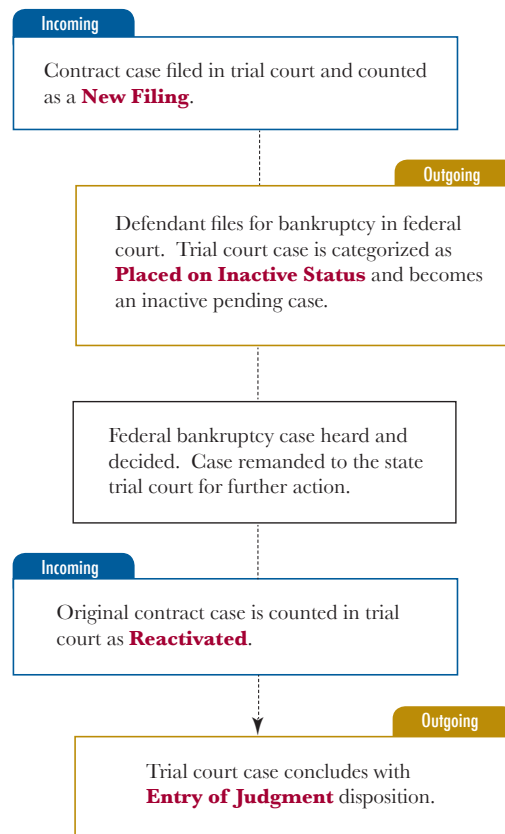
Civil Section

Both the *State Court Guide to Statistical Reporting, (Guide)* and *CourTools* recommend that courts place a case on inactive status when circumstances beyond the court's control prevent the case from moving toward a disposition. An accurate and fair calculation of time to disposition can only be made when a

court uses this inactive status category and differentiates between active and inactive pending cases.

The example below demonstrates the recommended usage and counting procedure associated with placing a civil case on inactive status.

Counting Civil Cases Placed on Inactive Status



Statistical Guide



National Center for State Courts
Civil Caseload
Summary Matrix

Civil Litigation: Caseloads and Trends

The adjacent table displays incoming civil caseloads by jurisdiction and as a per capita rate. Since civil cases are unlikely to migrate between court jurisdictions and be double-counted (as is the case with some criminal cases), states with unified courts are identified but not separated for this analysis.

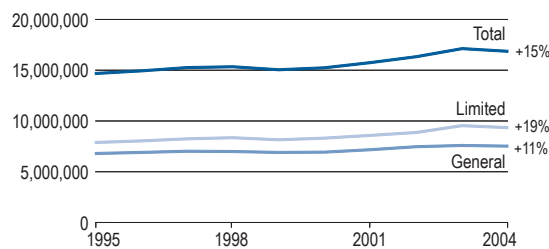
The information on this table is sorted according to the number of incoming civil cases per 100,000 state residents. The states that occupy the top three places do so perennially for a variety of reasons.

Maryland reports an unusually high number of landlord/tenant cases that largely originate from the city of Baltimore. Virginia, contrary to the unit of count recommendations in the *Guide* counts every civil petition and subsequent action as a separate filing, thus exaggerating their incoming civil caseload when compared to other states. The District of Columbia’s small resident population, upon which this rate is calculated, fails to account for all of the out-of-District residents from Virginia and Maryland who are often embroiled in civil litigation there.

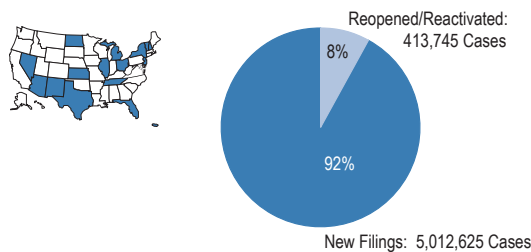
After four consecutive years of increases, incoming civil cases declined in both general and limited jurisdiction courts in 2004. The larger decrease occurred in limited jurisdiction courts, where caseloads fell by 2 percent.

In accordance with the *Guide*, 17 states reported reopened or reactivated cases as part of their total incoming civil caseloads. Of the approximately 5.5 million aggregate civil cases in these states, over 400,000 (8 percent) had previously been disposed with an entry of judgment, or had been placed on inactive status, but came back before the court for further judicial action during 2004.

Total Incoming Civil Cases, by Jurisdiction, 2004



Reopened/Reactivated Civil Caseloads in 17 States, 2004



Incoming Civil Caseloads and Rates, 2004

State	Incoming Civil			Per 100,000 Population	Population Rank
	General Jurisdiction	Limited Jurisdiction	Total		
Maryland	74,644	906,182	980,826	17,647	19
District of Columbia	80,824		80,824	14,602	51
Virginia	71,329	926,473	997,802	13,376	12
New Jersey	833,616	8,105	841,721	9,676	10
Georgia	80,087	679,689	759,776	8,605	9
New York	352,571	1,253,483	1,606,054	8,353	3
Indiana	376,483	98,017	474,500	7,607	14
Kansas	203,319		203,319	7,433	34
Delaware	17,577	43,455	61,032	7,350	46
Michigan	70,236	658,615	728,851	7,207	8
Ohio	245,023	574,108	819,131	7,148	7
South Carolina	77,663	217,706	295,369	7,036	25
Louisiana	162,189	154,884	317,073	7,021	24
South Dakota	53,133		53,133	6,892	47
Colorado	69,312	245,453	314,765	6,841	22
Connecticut*	142,022	88,816	230,838	6,589	30
Nevada	32,868	114,661	147,529	6,319	36
North Carolina	194,326	339,285	533,611	6,247	11
Idaho	7,528	75,431	82,959	5,954	40
Florida	428,606	591,453	1,020,059	5,863	4
Montana	18,165	35,850	54,015	5,828	45
Utah	112,017	21,185	133,202	5,576	35
Massachusetts	24,743	328,450	353,193	5,504	13
Kentucky	53,906	163,184	217,090	5,236	26
Nebraska	7,268	82,438	89,706	5,134	39
Iowa	150,574		150,574	5,097	31
Arizona	77,501	206,754	284,255	4,949	18
Rhode Island	9,417	43,399	52,816	4,888	44
Arkansas	48,914	83,431	132,345	4,808	33
Missouri	266,283		266,283	4,627	17
Wisconsin	248,686		248,686	4,514	20
Oregon	161,632	—	161,632	4,497	28
Illinois	561,631		561,631	4,418	5
Alabama	49,695	149,210	198,905	4,391	23
West Virginia	31,172	47,877	79,049	4,354	38
North Dakota	26,809		26,809	4,226	49
New Hampshire	10,896	43,217	54,113	4,164	42
Alaska	6,665	19,249	25,914	3,954	48
New Mexico	38,329	35,100	73,429	3,858	37
Washington	101,574	137,176	238,750	3,848	15
Pennsylvania**	76,821	346,346	423,167	3,411	6
Texas	209,457	521,360	730,817	3,250	2
Vermont	15,250	4,489	19,739	3,177	50
California	1,036,533		1,036,533	2,888	1
Puerto Rico	110,812		110,812	2,845	27
Minnesota	134,000		134,000	2,627	21
Maine	34,559	—	34,559	2,624	41
Hawaii	8,585	18,276	26,861	2,127	43
Tennessee	77,138	—	77,138	1,307	16
Median	77,138	137,176	203,319	5,134	



* 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. Mississippi, Oklahoma, and Wyoming did not report civil data for 2004.

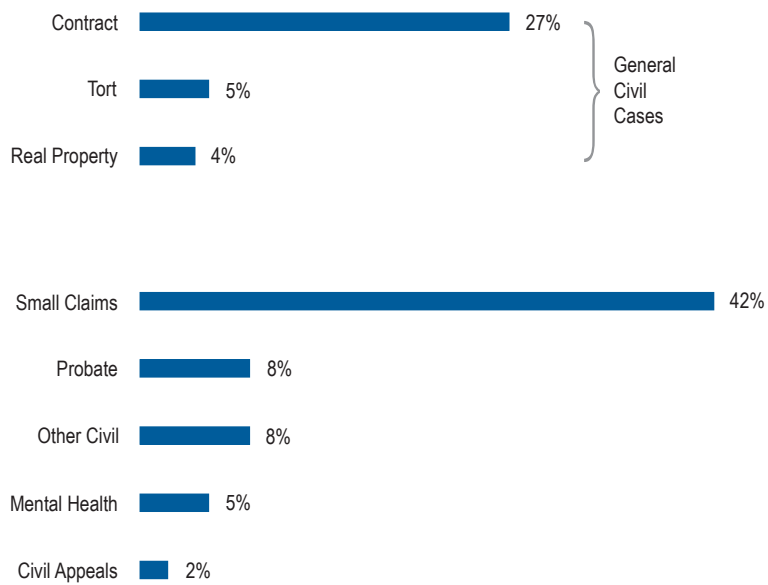
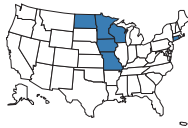
Notes: States in boldface have unified court systems. Blank cells indicate no limited jurisdiction court or no civil jurisdiction. "—" = data not available.

Civil Composition and Clearance Rates

Civil caseloads comprise seven distinct subcategories of civil cases as well as a residual “other” subcategory. The bar chart below displays the composition of civil caseloads in six unified courts. Unified courts are uniquely positioned to report a complete composition as all cases are heard in the same court.

Small claims cases account for the largest percentage of civil caseloads at 42 percent. General civil (i.e., tort, contract, and real property) cases together account for 36 percent, but three-quarters of those cases are contract cases. Torts outnumber only real property and civil appeals cases and comprise a smaller share of the civil caseloads than probate cases.

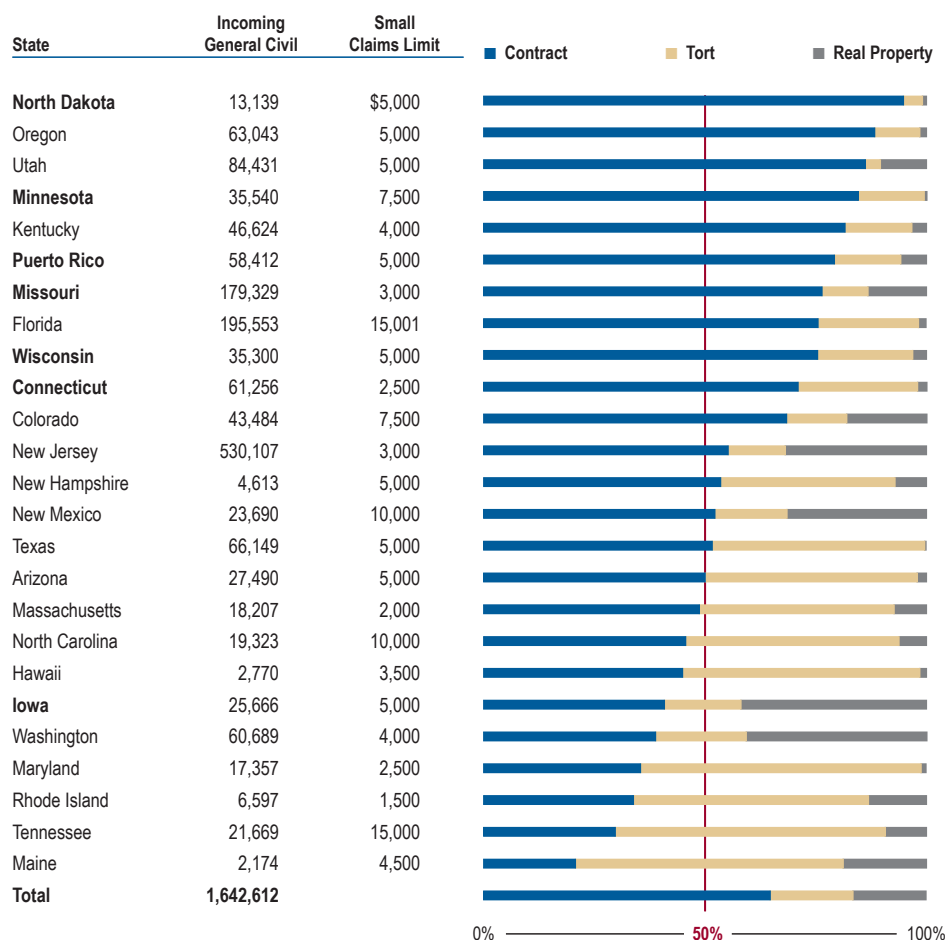
Incoming Civil Caseload Composition in 6 Unified Courts, 2004



General civil cases are distinguished from small claims cases by a limit to the amount in controversy set by each state. That limit can vary from as little as a few hundred dollars to as much as \$25,000. However, it is not uncommon for a general jurisdiction court to have a minimum limit that is lower than the maximum limit in the limited jurisdiction court, thereby creating concurrent jurisdiction for some cases in both courts.

This chart displays the composition of general civil cases in 25 unified and general jurisdiction courts. The bars clearly show a wide variation in civil case composition, e.g., contracts comprise as much as 95 percent and as little as 21 percent of these general civil caseloads. The range of tort percentages is also wide, from a low of 3 percent to a high of 63 percent.

General Civil Caseload Composition in 25 Unified and General Jurisdiction Courts, 2004



Note: States in boldface have unified court systems.



Courtools



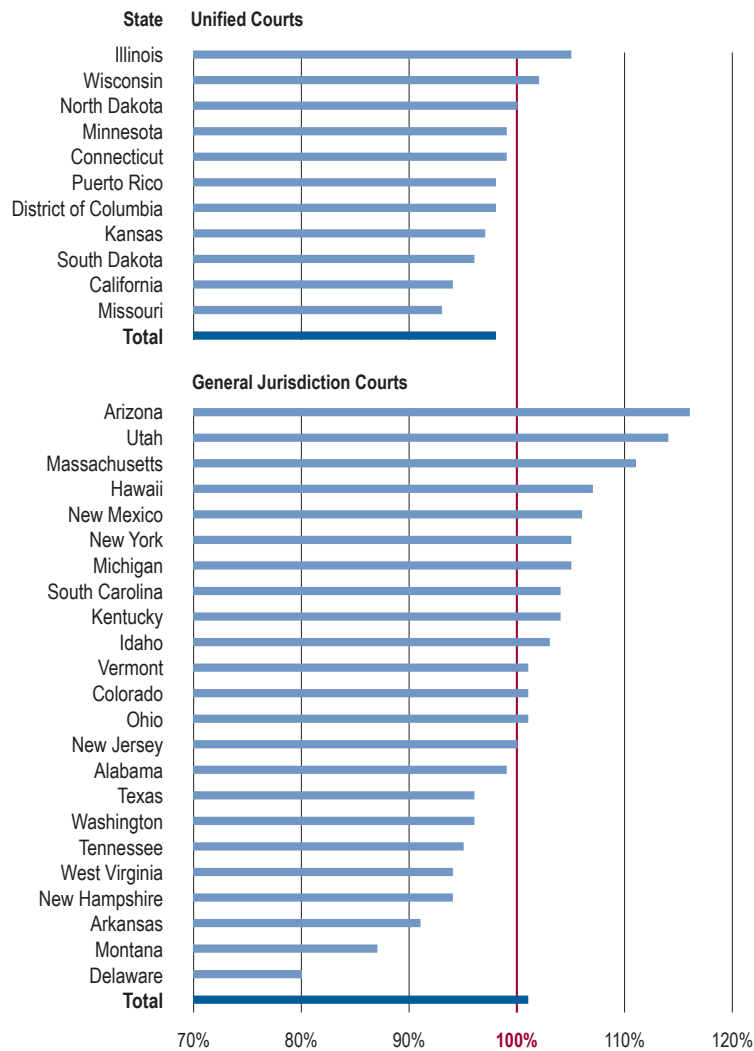
National Center for State Courts

Measure 2:
Clearance Rates

Clearance rates provide an indicator for whether a court is disposing of as many cases as are incoming during a given year. A court that achieves a rate greater than 100 percent is reducing its pending caseload. This rate also implies that caseflow management techniques are successful and that the court is making the best of its available resources.

Thirty-four unified and general jurisdiction courts were able to provide incoming and outgoing civil caseloads with which to calculate a clearance rate for 2004. States that meet or cross the 100 percent line—three of 11 unified courts (27 percent) and 14 of 23 general jurisdiction courts (61 percent)—were able to dispose of at least as many cases as were incoming.

Civil Clearance Rates in Unified and General Jurisdiction Courts in 34 States, 2004



Focus on Torts

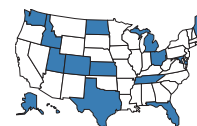
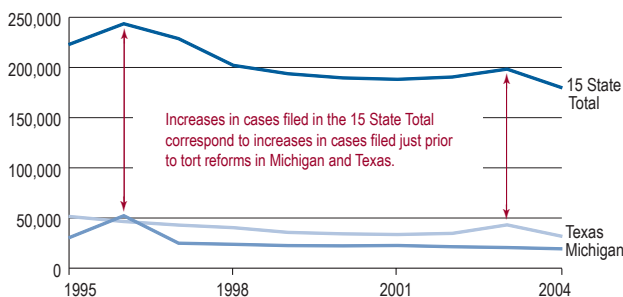
Tort cases (civil actions that allege injury, negligence, or misconduct) are often in the public eye. The interest surrounding these cases typically stems from the results of notorious trials in which large sums of money are awarded for gross or intentional negligence. Because of such awards, many states have enacted reforms designed to curb the amount of money plaintiffs can win or reduce the number of cases that are filed.

The adjacent trend lines show the total number of incoming tort cases for 15 states from 1995 through 2004 and the individual incoming tort caseloads for two of the included states, Michigan and Texas. Both of these states enacted tort reforms during this period, Michigan in 1996 and Texas in 2003. In each instance a spike occurred, indicating a rush to file cases before the reforms took effect; these spikes are reflected in the overall trend.

As the table at right indicates, the per capita rate at which tort cases are filed in state courts can vary dramatically. States in the Northeast, with dense population levels, generate many of the highest rates of incoming tort cases. New Jersey reported the highest, at 786 incoming torts per 100,000 residents, followed by Connecticut and New York. The more sparsely populated states of Idaho and North Dakota reported the fewest at 96 and 90, respectively.

Given the inherent structural contrasts between unified and general jurisdiction courts, one would anticipate a discernable difference in the percentage of their civil caseloads represented by torts. In unified courts, where all civil cases are heard, the median rate is 3 percent. Since general jurisdiction courts process only some civil case types, the median rate (17 percent) is higher.

Incoming Tort Cases in 15 States, 1995-2004



Incoming Tort Cases and Rates in 30 States, 2004

State	Incoming Torts	Per 100,000 Population	Percent of Civil Caseload
Unified Courts			
Connecticut	16,524	472	12%
Missouri	18,682	325	7
Puerto Rico	8,751	225	8
Iowa	4,444	150	3
Wisconsin	7,602	138	3
Kansas	3,623	132	2
Minnesota	5,281	104	4
North Dakota	568	90	2
Median			3%
General Jurisdiction Courts			
New Jersey	68,357	786	8%
New York	74,068	385	21
Nevada	7,650	328	23
Rhode Island	3,504	324	37
Ohio	29,391	256	12
Florida	44,454	256	10
Arizona	13,179	229	17
Tennessee	13,209	224	17
New Mexico	3,864	203	10
Washington	12,413	200	12
Arkansas	5,454	198	11
Michigan	19,324	191	28
Alaska	1,179	180	18
Kentucky	7,018	169	13
Texas	31,781	141	15
New Hampshire	1,816	140	17
Colorado	5,896	128	9
Massachusetts	8,007	125	32
Utah	2,864	120	3
Hawaii	1,485	118	17
Maine	1,316	100	39
Idaho	1,344	96	18
Median			17%



On the Web



Congressional Budget Office,
United States Congress

The Effects of Tort Reform:
Evidence from the States



BJS Resource

BJS

Bureau of Justice Statistics
Civil Justice Survey
of State Courts

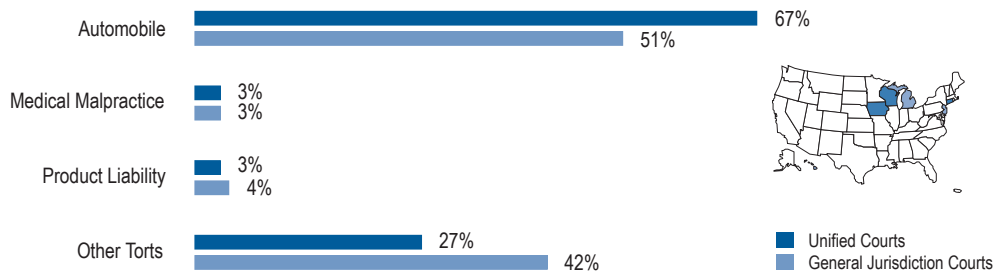
The tort case subcategory, as outlined in the *Guide*, includes 10 distinct case types as well as a residual “other” type. Many states have yet to adopt and report this level of detail, but several presently collect some of these data. The first bar chart below shows a composition of tort cases in four case types from three unified and three general jurisdiction courts.

Immediately apparent is the consistency between these unified and general jurisdiction courts. Automobile cases clearly dominate both caseloads while medical malpractice and product liability combine for only 6 percent and 7 percent, respectively.

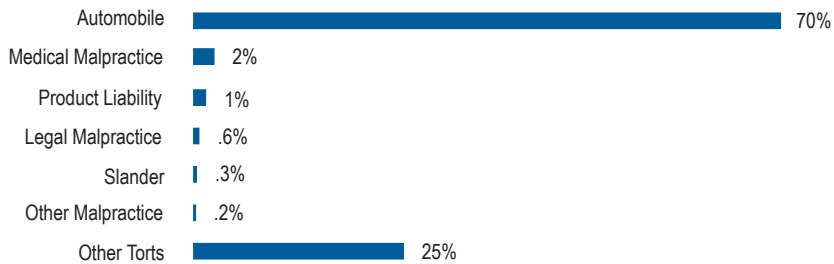
One of the unified courts included in the previous analysis, the Connecticut Superior Court, was able to provide a tort composition with seven case types. Fully 70 percent of their tort caseload was composed of automobile cases, while the other six distinct case types together accounted for less than 5 percent.

Other studies conducted by the National Center for State Courts suggest that many of the cases that were reported in Connecticut’s “Other Tort” category may have been premises liability (“slip and fall”) cases, as those are often the second most common type of tort.

Incoming Tort Caseload Composition in Six Unified and General Jurisdiction Courts, 2004



Incoming Tort Case Composition in the Connecticut Superior Court, 2004



Thirteen states reported comparable medical malpractice caseload data in 2004. Figures from these four unified and nine general jurisdiction courts clearly show that medical malpractice cases, although very complex and resource intensive, are relatively rare and never comprise more than 7 percent of tort caseloads.

Unlike the relatively similar caseload percentages described above, there is considerably more variation in the per capita rates reported in these 13 states. New York's caseload of 4,434 cases generates a rate of 23 cases per 100,000 residents, easily the highest among these states. Conversely, Oregon reported only 56 medical malpractice cases for 2004—a rate of 2 cases per 100,000 residents.

Incoming Medical Malpractice Cases in Unified and General Jurisdiction Courts in 13 States, 2004

State	Incoming Cases		Incoming Medical Malpractice	
	Medical Malpractice	Total Tort	As a Percentage of all Torts	per 100,000 Population
Unified Courts				
Puerto Rico	494	8,751	6%	13
Connecticut	393	16,524	2	11
Iowa	237	4,444	5	8
Wisconsin	221	7,602	3	4
General Jurisdiction Courts				
New York	4,434	74,068	6	23
New Jersey	1,493	68,357	2	17
Michigan	1,343	19,324	7	13
Arizona	625	13,179	5	11
Rhode Island	111	3,504	3	10
New Hampshire	81	1,816	4	6
Maine	68	1,316	5	5
Hawaii	49	1,485	3	4
Oregon	56	6,417	1	2

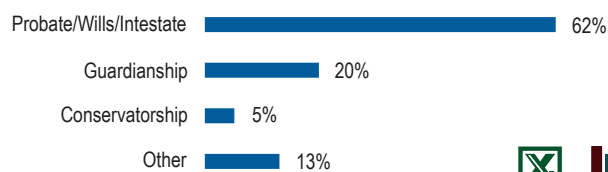


● **Spotlight on Probate**

Probate cases—those pertaining to guardianships, wills, estates—comprise less than 10 percent of civil caseloads. Nonetheless, for those involved in these cases, their prompt and fair resolution is critically important.

As probate cases are heard in both courts of general and limited jurisdiction, this graphic contains state totals that may have originated in either or both courts. Over 60 percent of probate caseloads concern the disposition of a decedent's estate. One in five probate cases involves either adult or juvenile guardianship.

Composition of Incoming Probate/Estate Cases in 14 States, 2004



N CSC Resource



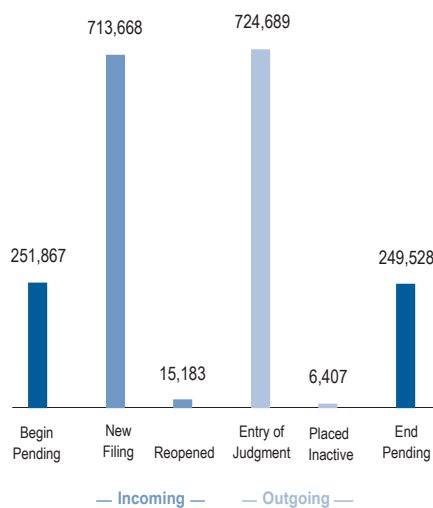
National Center for State Courts
Probate Courts
Resource Guide

Implementing the *Guide*: Caseload Summaries

With the introduction of the *Guide* came a recommendation for courts to report a *caseload summary* with 10 distinct status categories of cases entering and exiting the court’s domain. Although almost no courts currently are able to capture all of the recom-

mended distinctions, several have reported annual data in six status categories, and a graphical depiction of these data is shown in these two bar charts.

Civil Caseload Summary for the Michigan General and Limited Jurisdiction Courts, 2004

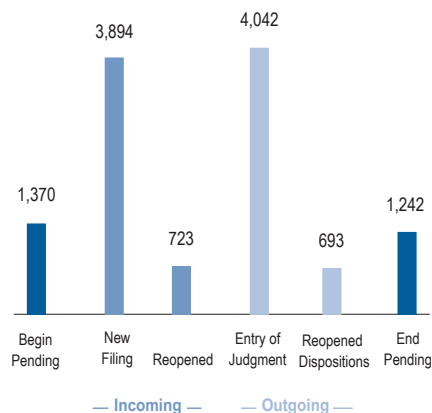


Michigan courts report the *Guide* status categories of begin and end pending civil caseloads, new filings, entries of judgment, reopened cases, and cases placed on inactive status. The *Guide* recommends that when a reopened case is disposed it is counted as a “reopened disposition,” and that a case placed on inactive status be counted as a “reactivated” case when it is returned to the court’s docket.

The New York Family Court, whose civil caseload is composed exclusively of guardianship cases, also reports a caseload summary in six status categories.

Consistent with the *Guide*, New York reports cases that are “reopened” and “reopened dispositions” as reciprocal categories.

Civil Caseload Summary for the New York Family Court, 2004

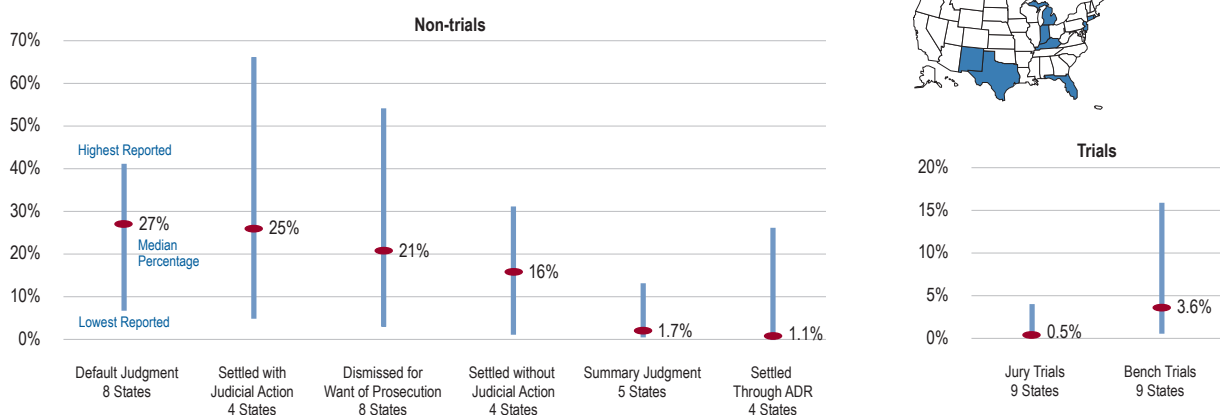


Implementing the *Guide*: Manner of Disposition

Civil cases that are reported in a caseload summary under “entry of judgment” or “re-opened disposition” can be disposed of in numerous ways. The *Guide* defines 14 distinct disposition types into which a terminated civil case can be categorized. Though not all civil cases may be eligible for *every* type of disposition (e.g., most small claims courts do not permit jury trials), each of the 14 categories are specifically tailored for use in describing civil caseloads.

The chart below shows the highest, lowest, and median percentage for each of the eight most commonly reported categories of civil dispositions. According to general jurisdiction courts in eight states, 27 percent of civil cases are disposed of by default judgments. The second most common civil disposition type, cases settled with judicial action, had the greatest range, from as little as 5 percent to as much as 66 percent disposed of in this manner. Among the other non-trial dispositions, cases settled through the use of alternative dispute resolution (ADR) were least common at just over 1 percent.

Range of Civil Manners of Disposition in General Jurisdiction Courts, 2004



Because of the amount of judicial and staff workload associated with trials, states tend to track these dispositions more closely than most other types. For the general jurisdiction courts in nine states that reported their civil jury trial caseloads in 2004, the median percentage of civil cases disposed of in that manner was one-half of 1 percent. None of these states reported a jury trial rate above 4 percent. Bench trials were much more common, yet still rarely accounted for more than 4 percent of civil dispositions.

CSP Resource

CSP
Court Statistics Project

National Center for State Courts
Trial Trends



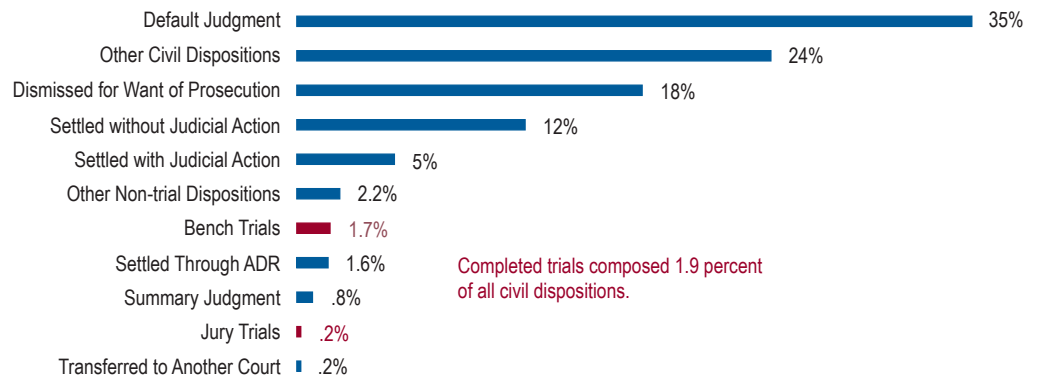
On the Web



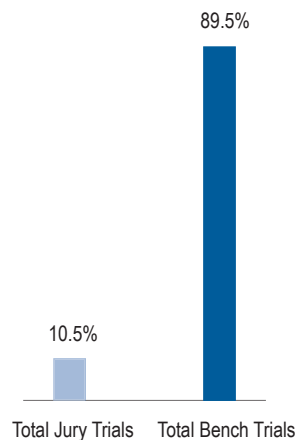
New Jersey Judiciary
 Administrative Office of
 the Courts – Court
 Management Statistics

The Superior Court of New Jersey was able to report comparable civil disposition data in 10 distinct disposition categories and the bar chart below displays this information. Consistent with the general jurisdiction courts depicted in the previous graphic, default judgments, at 35 percent, comprised the highest percentage of civil case dispositions. Cases dismissed for want of prosecution accounted for 18 percent of civil dispositions. This indicates that over half of the civil caseload in New Jersey resulted in either the defendant failing to answer or the plaintiff choosing not to pursue their complaints.

Civil Manner of Disposition in the General Jurisdiction (Superior) Court of New Jersey, 2004



Proportion of Civil Jury to Bench Trials in the New Jersey Superior Court, 2004



The second chart shows the proportion of jury and bench trials. In civil cases that go to trial in New Jersey, bench trials are about nine times more likely to occur than jury trials.

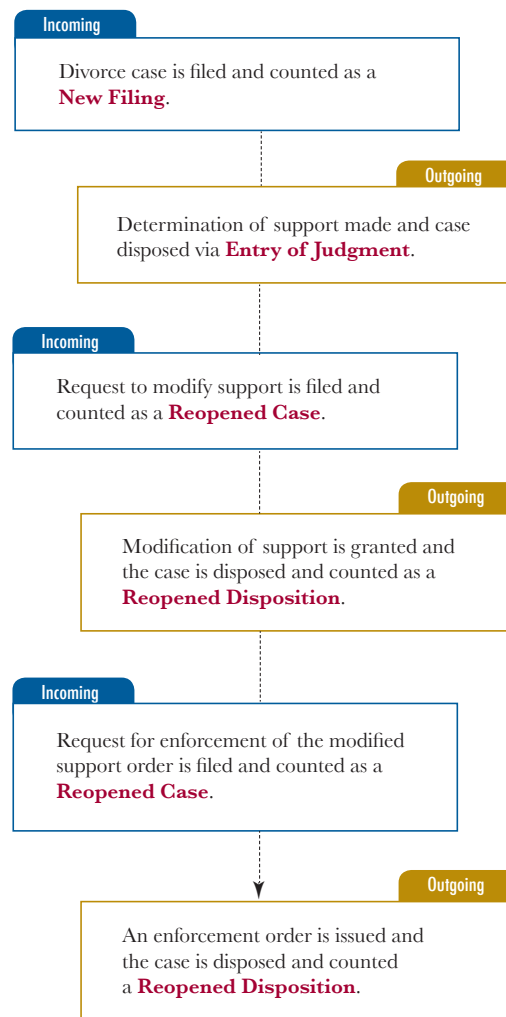
Domestic Relations Section

States implementing the *State Court Guide to Statistical Reporting, (Guide)* find that as many as two-thirds of all incoming domestic relations cases are reopened after an entry of judgment or reactivated subsequent to being placed on inactive status. This finding shows the impor-

tance of counting post-judgment activity to accurately measure the full extent of court workload in these cases.

In the example below, we follow a divorce case through two subsequent reopenings.

Counting Reopened Domestic Relations Cases



Implementing the *Guide*: Domestic Relations Caseload Summary

Domestic relations cases involve actions between family members or persons considered to be in a domestic relationship. The *Guide* recognizes 10 distinct domestic relations case types: marriage dissolution/divorce, paternity, non-divorce custody, non-divorce support, non-divorce visitation, adoption, civil protection/restraining orders, custody (reopened divorce), support (reopened divorce), and visitation (reopened divorce).

The *Guide* recommends that the reopening/reactivation of all domestic relations cases be captured as a means for effectively measuring the total domestic relations workload of the court. In addition, it emphasizes the importance of distinguishing between divorce-related and non-divorce-related custody/visitation and support cases to determine what proportion of their workload is composed of modifications or enforcements of decisions previously made during a divorce proceeding.

Ohio Court of Common Pleas, Incoming Custody/Visitation and Support Cases

New Filing, Non-Divorce-Related

Custody/Visitation	623
Support	3,727
Total Non-Divorce-Related	4,350 (11%)

Reopened, Divorce-Related

Custody/Visitation	11,396
Support	24,704
Total Divorce-Related	36,100 (89%)

The Ohio Court of Common Pleas offers an example of how courts can benefit from knowing how many cases are actually reopened divorce proceedings.

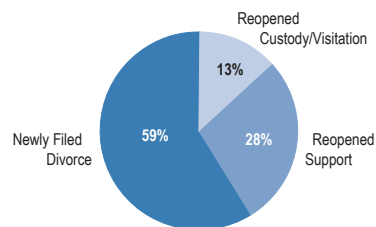
In 2004, the Ohio Court of Common Pleas reported 36,100 divorce-related and 4,350 non-divorce-related custody/visitation cases. Had this court not been able to distinguish its divorce- from its non-

divorce-related cases, it would have missed the fact that 89 percent of its custody/visitation and support caseload is the result of modifying or enforcing issues that were previously decided during divorce proceedings.

Another way to look at the impact of reopened cases is to calculate the proportion of these cases compared to the proportion of newly filed cases.

Reopened cases accounted for 41 percent of the 87,592 divorce-related cases filed in this court in 2004. Modifications and/or enforcement of support orders were the most common (28 percent), but the custody/visitation orders made during divorce proceedings needed additional judicial intervention in 13 percent of these cases.

Reopened vs. Newly Filed Divorce-Related Cases in the Ohio Court of Common Pleas



Domestic Relations Caseloads and Composition

For 2004, 41 states were able to report complete and comparable domestic relations caseloads. The use of per capita incoming domestic relations rates controls for the size of each state's population and makes caseload comparison possible. As seen here, the median number of incoming domestic relations cases per 100,000 population was 1,667 (Maryland).

The *Guide* recommends that states report those cases that are newly filed, reopened, or reactivated during a reporting period. Combined, these cases comprise a state's "incoming" caseload.

Incoming Domestic Relations Caseloads and Rates in 41 States, 2004

State	— Incoming Domestic Relations Cases —		
	Total	Per 100,000 Population	Population Rank
Vermont	20,753	3,340	50
New York	641,178	3,335	3
Pennsylvania**	396,077	3,193	6
West Virginia	53,240	2,933	38
Florida	496,096	2,852	4
North Dakota*	17,496	2,758	49
New Jersey	227,833	2,619	10
Arizona	141,199	2,458	18
District of Columbia*	13,514	2,441	51
New Hampshire	29,503	2,270	42
Nevada	52,064	2,230	36
Ohio	252,107	2,200	7
Arkansas	54,183	1,968	33
Missouri*	113,170	1,967	17
Massachusetts	126,062	1,965	13
Kentucky	81,349	1,962	26
New Mexico	36,891	1,938	37
Alabama	87,082	1,922	23
South Dakota*	13,320	1,728	47
Georgia	150,842	1,708	9
Maryland	92,627	1,667	19
Tennessee	96,792	1,640	16
Nebraska	26,174	1,498	39
Iowa*	43,757	1,481	31
North Carolina	125,262	1,467	11
Idaho	19,275	1,383	40
Kansas*	36,409	1,331	34
Michigan	132,734	1,313	8
California*	466,029	1,298	1
Oregon	45,481	1,265	28
Washington	77,020	1,241	15
Illinois*	153,201	1,205	5
Maine	15,670	1,190	41
Hawaii	14,160	1,121	43
Connecticut*	39,023	1,114	30
Colorado	51,233	1,113	22
Rhode Island	11,700	1,083	44
Wisconsin*	55,402	1,006	20
Puerto Rico*	37,056	951	27
Utah	21,794	912	35
Minnesota*	36,982	725	21
Median		1,667	

States in boldface reported reopened and/or reactivated caseloads.

* These states have unified court systems.

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

Statistical Guide



National Center for State Courts
Domestic Relations Section

CSP Resource



National Center for State Courts
State Court Caseload
Statistics, 2005
Reported Total State Trial Court
Domestic Relations Caseload, 2004



Thirteen states were able to report their reopened/reactivated domestic relations case-loads for 2004. Of those states, two reported that reopened/reactivated cases accounted for more than 60 percent of their total caseload while another six reported that reopened/reactivated cases were at least 20 percent of their incoming cases.

Reopened/Reactivated Domestic Relations Caseloads in 13 States, 2004

State	Total Cases			Percent Reopened/Reactivated
	New Filings	+ Reopened/Reactivated	= Incoming	
New Jersey	74,797	153,036	227,833	67%
Ohio	94,537	157,570	252,107	63%
North Dakota*	9,032	8,464	17,496	48%
Florida	279,357	216,739	496,096	44%
Arizona	87,091	56,404	143,495	39%
New Mexico	26,899	9,992	36,891	27%
District of Columbia*	10,414	3,100	13,514	23%
Vermont	16,531	4,222	20,753	20%
Nevada	42,296	7,858	50,154	16%
Puerto Rico*	35,126	1,930	37,056	5%
Michigan	129,166	3,568	132,734	3%
Illinois*	150,670	2,531	153,201	2%
Kansas*	36,004	405	36,409	1%
Total	991,920	625,819	1,617,739	39%

* These states have unified court systems.

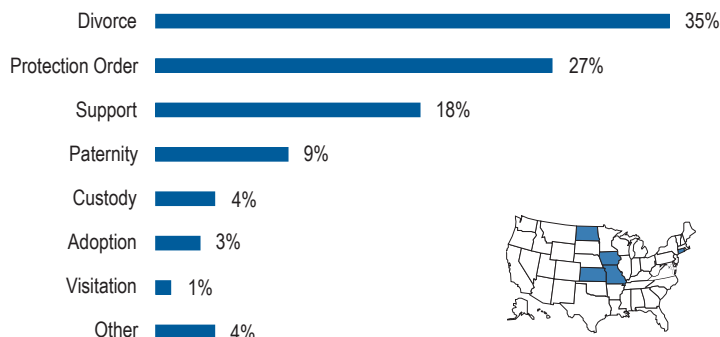


Divorce cases account for more than 30 percent of the domestic relations caseload in both unified and general jurisdiction courts. In limited jurisdiction courts, divorce cases comprise only 3 percent of the caseload while support filings make up 36 percent of incoming cases.

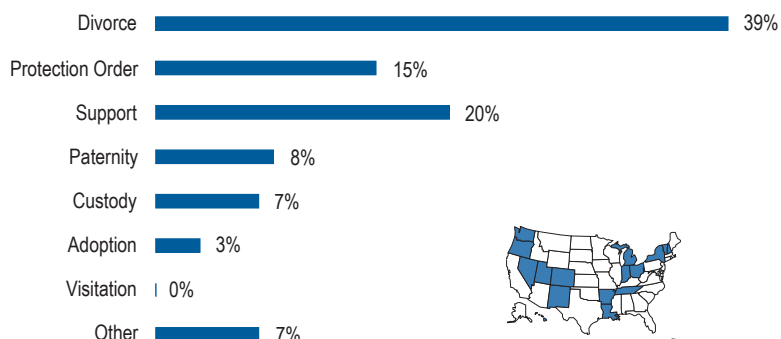
Protection orders are filed at about the same rate in general jurisdiction (15 percent) and limited jurisdiction (16 percent) courts, making protection orders the third most common domestic relations case. In unified courts, though, protection orders are the second most likely case type to be filed and account for 27 percent of the domestic relations caseload.

Incoming Domestic Relations Caseload Composition in 38 States, by Jurisdiction, 2004

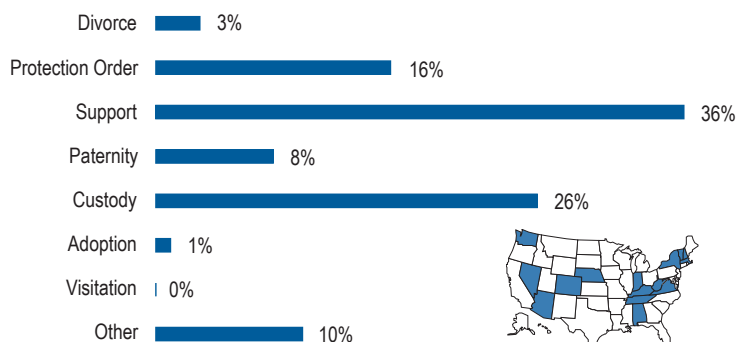
Unified - 8 Courts



General Jurisdiction - 16 Courts



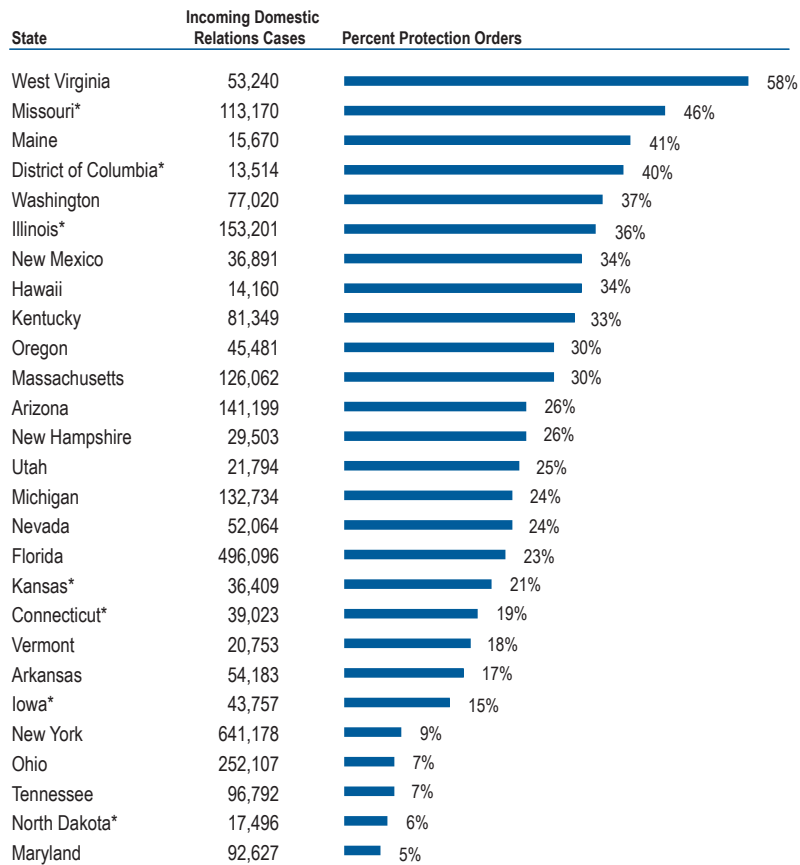
Limited Jurisdiction - 23 Courts



Focus on Protection Orders

Civil protection order cases are domestic relations cases in which the court has issued a protection or restraining order designed to limit or eliminate contact between two or more individuals. Protection orders differ from non-domestic relations restraining orders (which are civil cases) in that protection orders are designed to apply to individuals that are in a domestic relationship. They also differ from domestic violence offenses, which are criminal in nature, because the protection order case focuses on the victim of the violence while the domestic violence case focuses on the perpetrator of the violence.

Incoming Protection Order Caseloads in 27 States, 2004



* These states have unified court systems.

NCSC Resource



National Center for State Courts
The Center for Family Violence and the Courts



Eighteen of the twenty-seven states shown on the previous page provided data for both their incoming and outgoing protection order caseloads. By dividing the outgoing caseload by the incoming caseload, these states are able to report a protection order clearance rate.

Of the nine states with clearance rates of 100 percent or more, five reported that protection order cases accounted for more than 30 percent of their domestic relations caseload.

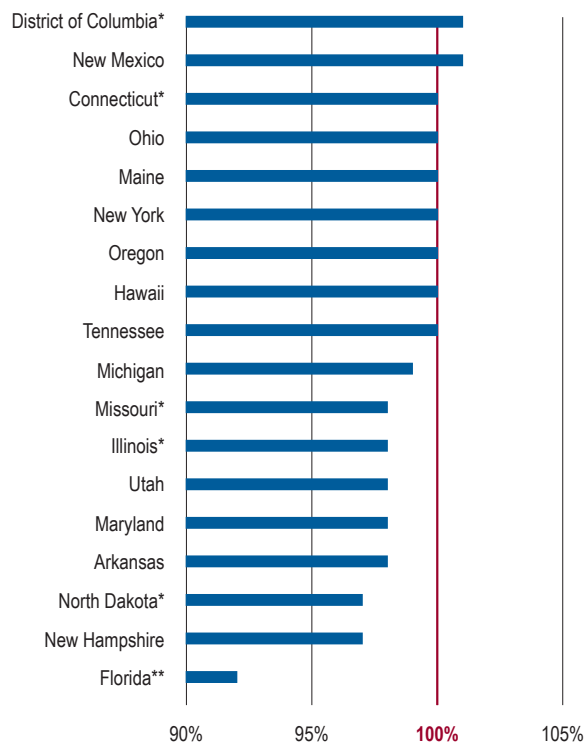
CSP Resource

CSP
Court Statistics Project

National Center for State Courts

Caseload Highlights,
Tracking and Understanding
Family Violence Caseloads

Protection Order Clearance Rates in 18 States, 2004



*These states have unified court systems.

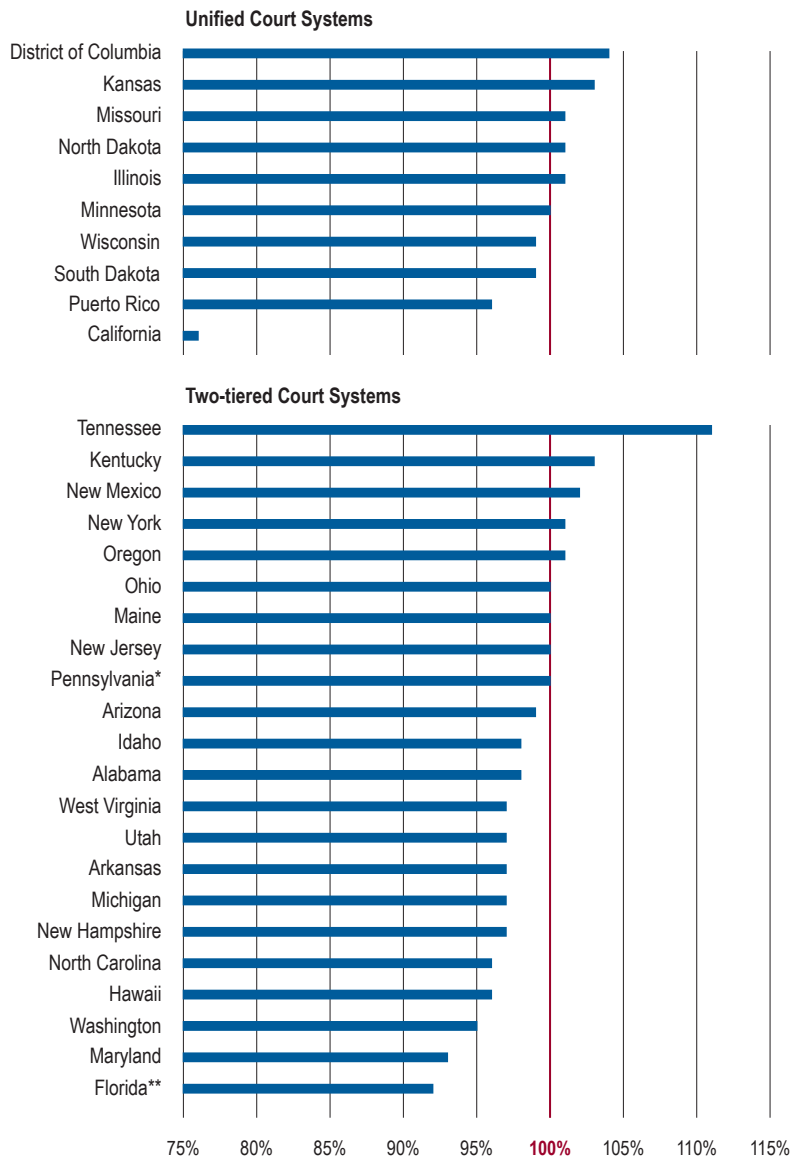
**Florida's clearance rate is based on new filings and entries of judgment only.



Clearance Rates and Pending Caseloads

Clearance rates are one measure of how well courts are keeping up with their caseloads. The goal for all courts is to maintain a 100 percent clearance rate so as to avoid adding to the inventory of pending cases. The graphic below shows that 15 states reported clearance rates of at least 100 percent in 2004.

Domestic Relations Clearance Rates in 32 States, 2004



* Data from Pennsylvania are preliminary figures provided by the PAAOC.

** Florida's clearance rate is based on new filings and entries of judgment only.

• **Courtools**

CourTools |

National Center for State Courts

Measure 2:
Clearance Rates



Pending caseloads provide additional insight into how well courts are keeping up with their workload. As stated on the previous page, courts strive to maintain a clearance rate of 100 percent to avoid adding to the inventory of pending cases. Clearance rates of over 100 percent help to clear any existing backlog, while clearance rates of less than 100 percent may add to the case backlog over time.

Of the 12 states shown here, 6 reported clearance rates below 100 percent; the resulting increases in pending caseloads ranged from 5 to 10 percent.

Pending Domestic Relations Caseloads in 12 States, 2004

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*	9,930	13,514	14,018	9,426	104%	-504	-5%
New Mexico	22,420	36,891	37,676	21,635	102	-785	-4
Missouri*	52,405	113,170	114,426	51,149	101	-1,256	-2
Oregon	10,556	45,481	45,897	10,140	101	-416	-4
Illinois*	78,710	153,201	154,053	77,858	101	-852	-1
Unchanged Pending Caseload							
Ohio	75,837	252,107	252,345	75,896	100	59	0
Increased Pending Caseload							
Idaho	5,761	19,275	18,967	6,069	98	308	5
Arkansas	28,826	54,183	52,592	30,417	97	1,591	6
Michigan	41,130	132,734	128,474	45,390	97	4,260	10
Puerto Rico*	15,641	37,056	35,756	16,941	96	1,300	8
North Carolina	61,880	125,262	120,735	66,407	96	4,527	7
Hawaii	6,475	14,160	13,525	7,110	96	635	10

* These states have unified court systems.



Trials in Domestic Relations Cases

Nine courts were able to provide trial versus non-trial manner of disposition data for 2004. Only Connecticut reported a higher disposition rate for trials (72 percent) than non-trials (28 percent). However, this high rate is largely due to definitional and procedural differences in Connecticut. Bench trials are counted as having occurred once a witness is sworn; most marriage dissolution cases require that a witness appear on behalf of one or

both parties. As a result, many of the cases that register as bench trials in Connecticut are more similar to hearings in other states.

Domestic Relations Trial Rates in General Jurisdiction Courts in Nine States, 2004

State	Total Dispositions	Percent Trial	Bench Trial Proportion
Connecticut*	30,958	72%	100%
Indiana	80,053	32%	100
New Jersey	223,900	12%	100
Alaska	4,487	7%	n/a
Kentucky	21,690	4%	100
Florida	257,277	4%	100
Michigan	128,285	4%	100
Hawaii	13,525	3%	100
New York	64,450	3%	95

* This state has a unified court system.

Eight of the nine courts shown at left were able to distinguish jury from bench trials. With the exception of New York's Supreme Court and County Court (two general jurisdiction courts combined in this table), each reported that 100 percent of their trials were bench trials. The two New York courts reported that 95 percent of their trials were bench trials.



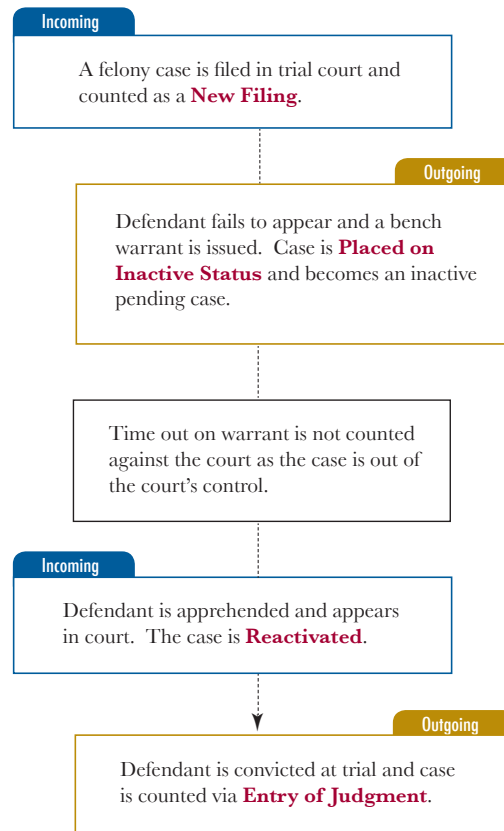
Criminal Section

Accurate measurement of time to disposition in criminal caseloads requires distinguishing active from inactive cases. For example, when a defendant absconds, the case should be moved to inactive status because the case is now out of court control. The reappearance of the defendant in court marks the return of the case to active status. Because the *State Court*

Guide to Statistical Reporting, (Guide) defines time to disposition as the time a case is in active control of the court, time on bench warrant should be excluded.

The example below demonstrates the recommended usage and case counting procedure associated with placing a criminal case on inactive status.

Counting Criminal Cases Placed on Inactive Status



• **BJS Resource**

BJS

Bureau of Justice Statistics

Criminal Case
Processing Statistics

Criminal Caseloads and Trends

Court structure plays an important role in the accurate assessment of criminal caseloads. If a state counts criminal cases in the manner recommended by the *Guide* (i.e., defendants rather than charges) and is structurally unified into a single tier (i.e., no limited jurisdiction court), its caseload will look vastly different from states with non-compliant counting methodologies or two-tiered systems, even when adjusted for population.

The adjacent table displays the number of incoming criminal cases reported in both limited and general jurisdiction courts, sorted by the total population-adjusted rate. Unified courts are shown separately from two-tiered courts because

of the likelihood of double-counting felonies in the latter; typically, a felony case is filed in a limited jurisdiction court and subsequently bound over to the general jurisdiction court and counted again.

The table reveals some noteworthy case counting issues. Three nominally unified courts report a limited jurisdiction caseload. As a result of the double-counting inherent in a multi-tiered system, North Dakota's structure is more similar to a two-tiered court and places them well atop this list and 40 percent higher than the next highest state. Oregon, Vermont, and Tennessee have the three lowest population-adjusted rates among two-tiered courts. Oregon and Tennessee were unable to report their limited jurisdiction caseloads, thereby rendering their rates under-representative. None of Vermont's three limited jurisdiction courts hear criminal cases. Thus, criminal caseloads in Vermont are handled more like those in structurally unified courts.

Incoming Criminal Caseloads and Rates, 2004

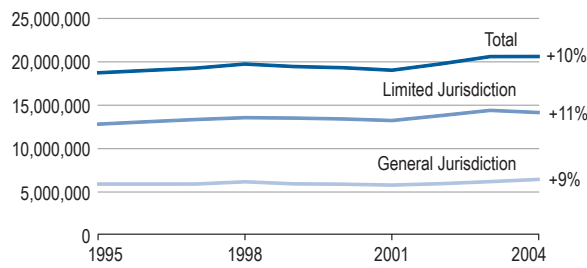
State	Jurisdiction			Per 100,000 population	
	General	Limited	Total	General Jurisdiction Only	General and Limited
Unified Courts					
North Dakota	41,070	22,979	64,049	6,474	10,097
District of Columbia	38,732		38,732	6,997	6,997
Minnesota	336,796		336,796	6,603	6,603
Connecticut	200,546		200,546	5,724	5,724
Illinois	548,239		548,239	4,312	4,312
California	1,522,959		1,522,959	4,243	4,243
Missouri	232,652		232,652	4,043	4,043
South Dakota	27,437		27,437	3,559	3,559
Iowa	87,844		87,844	2,973	2,973
Wisconsin	156,665	—	156,665	2,844	2,844
Puerto Rico	92,151		92,151	2,366	2,366
Kansas	48,160	14,050	62,210	1,761	2,274
Median				4,143	4,143
Two-tiered Courts					
North Carolina	139,906	1,534,481	1,674,387	1,638	19,604
Arkansas	82,456	439,634	522,090	2,996	18,967
Delaware	9,469	140,640	150,109	1,140	18,077
Virginia	176,873	869,289	1,046,162	2,371	14,024
Montana	8,385	111,264	119,649	905	12,909
Arizona	56,078	630,835	686,913	976	11,959
Texas	260,171	2,190,017	2,450,188	1,157	10,895
Idaho	12,547	133,749	146,296	901	10,500
Michigan	67,786	946,056	1,013,842	670	10,026
Hawaii	8,905	116,428	125,333	705	9,925
Louisiana	169,558	253,824	423,382	3,755	9,376
Alabama	73,333	346,603	419,936	1,619	9,270
Massachusetts	5,637	582,260	587,897	88	9,162
South Carolina	114,033	257,056	371,089	2,716	8,840
New Jersey	125,257	631,933	757,190	1,440	8,704
West Virginia	7,926	142,349	150,275	437	8,278
Nebraska	10,068	133,329	143,397	576	8,207
Ohio	93,690	763,446	857,136	818	7,480
Florida	336,075	959,142	1,295,217	1,932	7,445
New Hampshire	23,973	66,387	90,360	1,845	6,953
Maryland	78,336	304,090	382,426	1,409	6,881
Kentucky	30,302	241,600	271,902	731	6,558
Nevada	13,203	135,893	149,096	565	6,386
Alaska	4,887	33,926	38,813	746	5,922
Maine	12,015	61,862	73,877	912	5,608
Utah	42,792	83,609	126,401	1,791	5,291
New York	63,217	930,006	993,223	329	5,166
New Mexico	23,443	73,232	96,675	1,232	5,079
Washington	45,847	263,961	309,808	739	4,994
Indiana	240,161	56,219	296,380	3,850	4,752
Pennsylvania*	148,928	390,852	539,780	1,200	4,351
Rhode Island	5,992	37,937	43,929	554	4,065
Colorado	42,427	140,923	183,350	922	3,985
Georgia	144,719	200,819	345,538	1,639	3,914
Oregon	103,999	—	103,997	2,893	2,893
Vermont	17,372	0	17,372	2,796	2,796
Tennessee	162,501	—	162,499	2,754	2,754
Median				1,157	7,445



Notes: Blank cells indicate no limited jurisdiction court or no criminal jurisdiction. "—" = data not available.

* Data from Pennsylvania are preliminary figures provided by the PA AOC. Mississippi, Oklahoma, and Wyoming were unable to report criminal data for 2004.

Total Incoming Criminal Caseloads, by Jurisdiction, 1995-2004

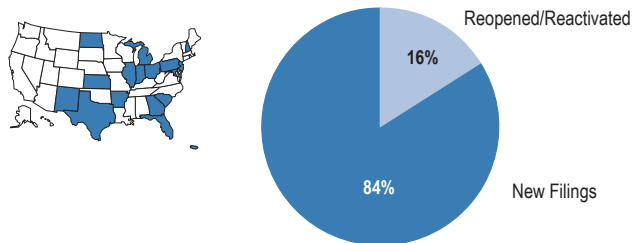


Nearly 21 million criminal cases entered or reentered the state courts in 2004. When adjusted for population, the number of criminal cases per 100,000 U.S. citizens actually fell about 2 percent between 1995 and 2004 (not shown on a graph).

When the *Guide* was released in 2003, it recommended that states collect data for cases that were reopened subsequent to an entry of judgment or reactivated after being placed on inactive status.

Twenty-eight unified and general jurisdiction courts in 18 states provided such data for 2004 criminal caseloads. In those courts, 16 percent of their incoming criminal caseloads were composed of reopened or reactivated cases.

Reopened/Reactivated Caseloads in 28 Unified and General Jurisdiction Courts in 18 States, 2004



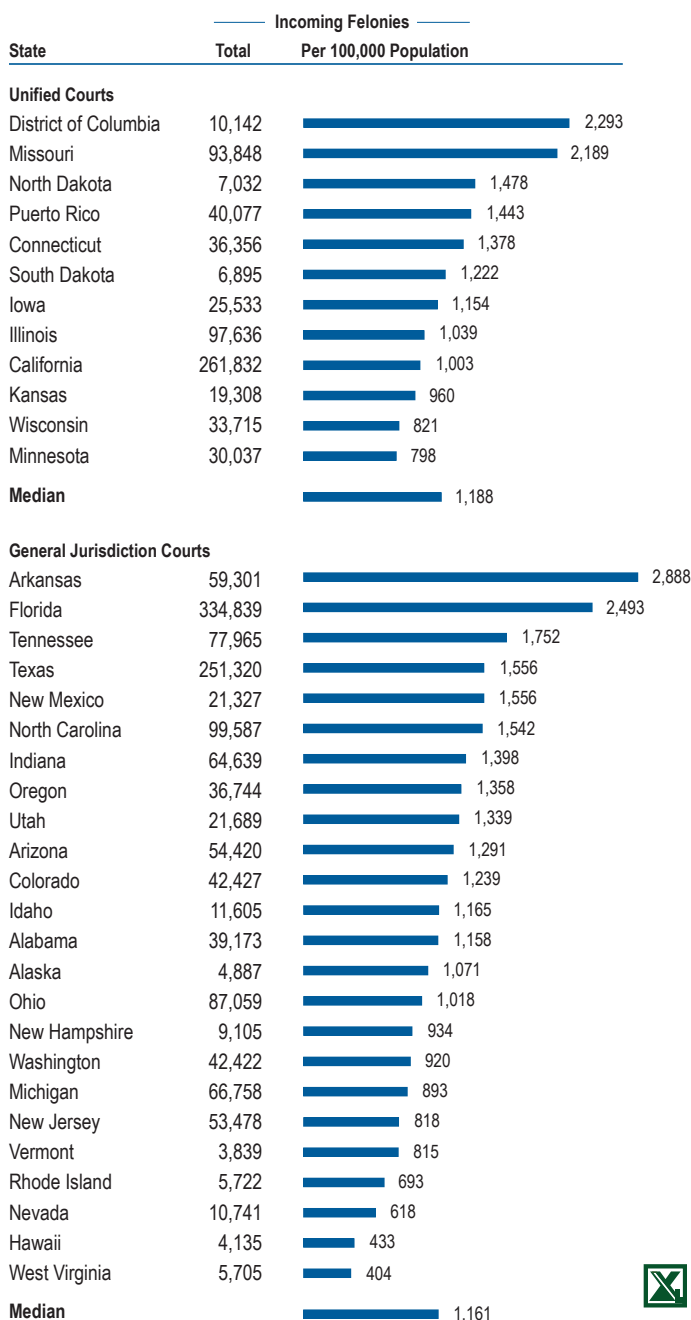
Felony and Misdemeanor Caseloads and Composition

Felonies are serious crimes usually punishable by a year or more in prison.

When a felony case is charged in a two-tiered court system, bail and preliminary hearings are typically conducted in the limited jurisdiction court. If the court finds that there is sufficient cause for the case to be tried in the court of general jurisdiction, it is bound over and filed anew in that court. The procedure in unified courts may be similar in that the hearings are held, but only one case is counted whether the case is dismissed or set for trial.

Both of these methods adhere to the unit of count recommendations in the *Guide*. Yet two-tiered courts will naturally tend to report a much greater number of incoming criminal cases (per capita) when caseloads for both levels of court are combined. For this reason, the adjacent table shows incoming caseloads only for unified and general jurisdiction courts. The range of per capita incoming felonies is similar in both courts and the median rates are almost identical.

Incoming Felony Caseloads and Rates in Unified and General Jurisdiction Courts in 36 States, 2004



On the Web



Federal Bureau of Investigation
Local, state, and national
Uniform Crime Reports
(statistics on crime)

BJS Resource

BJS

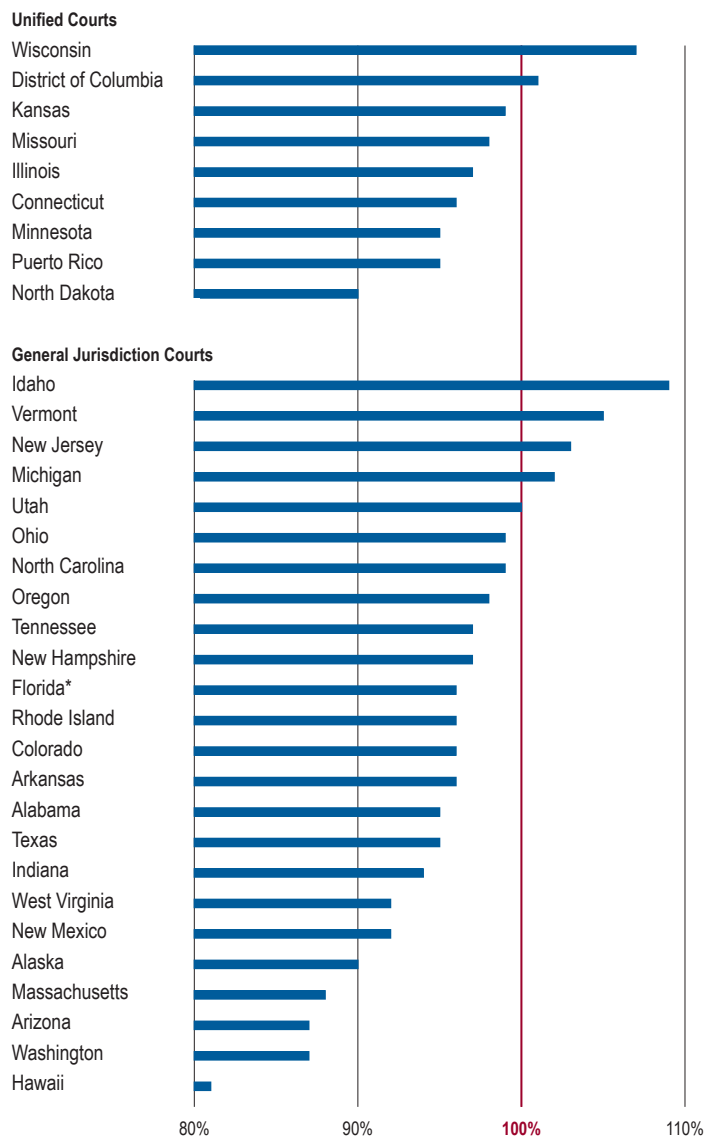
Bureau of Justice Statistics
Felony Sentences
in State Courts



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. This figure will provide a court with an assessment of how well they are keeping up with their incoming caseload and whether a reduction in pending cases can be expected.

The bar chart below shows felony clearance rates for 33 unified and general jurisdiction courts. Two unified and five general jurisdiction courts equaled or exceeded 100 percent; the remaining courts likely added to their pending felony caseloads.

Felony Clearance Rates in Unified and General Jurisdiction Courts in 33 States, 2004



* Florida's felony clearance rate is based upon new filings and entries of judgment only.

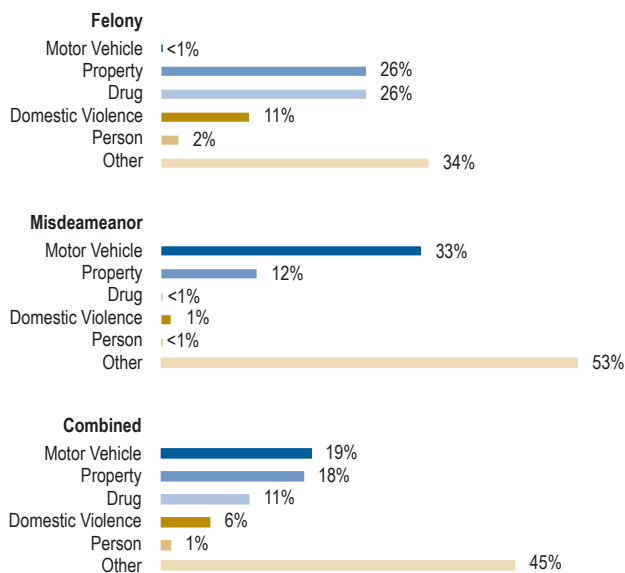
The Vermont District Court (general jurisdiction) and the Puerto Rico Court of First Instance (unified) reported felony and misdemeanor compositions for five of the seven *Guide*-recommended case types and a residual “other” category. These two courts, although structured differently, have comparable caseloads. Vermont’s District Court handles all criminal cases (except domestic violence) in that state, making it comparable to a unified court.

Quickly apparent in the two adjacent bar charts is the difference in dispersion of felony and misdemeanor caseloads.

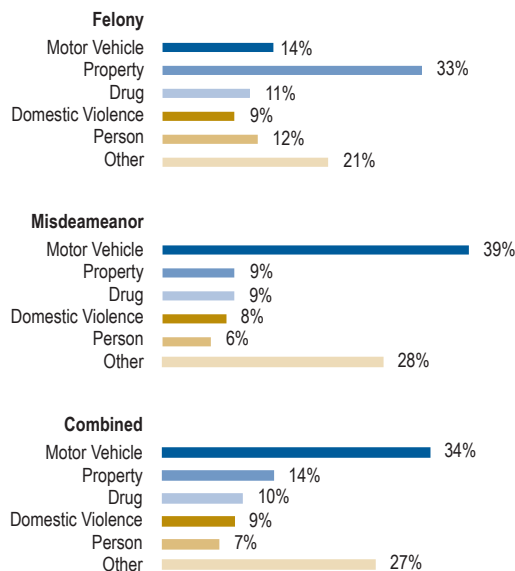
Whereas Puerto Rico reports little or no misdemeanor drug, domestic violence, or person cases, those cases comprise between 6 and 9 percent of misdemeanors in Vermont. Some of this diversity may be explained by differing laws and charging practices. For example, although Puerto Rico reports no misdemeanor drug cases, these cases comprise 26 percent of their felony caseload.

Criminal Caseload Composition in Puerto Rico and Vermont, 2004

Puerto Rico Court of First Instance



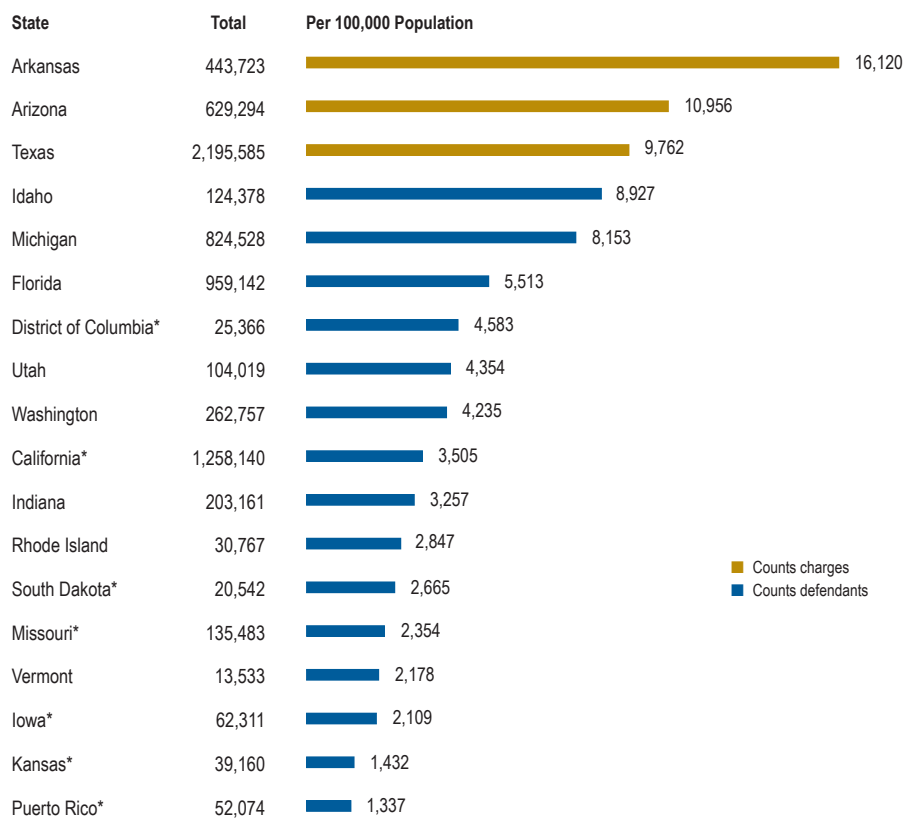
Vermont District Court



The *Guide* defines the criminal case unit of count to be “the defendant and all charges involved in a single incident as a single case.” Most states use this methodology, but some still count each criminal charge against a defendant as a separate case. For that reason, the chart below reveals an obvious disparity in per capita rates.

The three states atop this list are among the few remaining states that count and report criminal charges. This practice clearly inflates their population-adjusted rates compared with states using the recommended procedure.

Incoming Misdemeanor Caseloads and Rates in 18 States, 2004



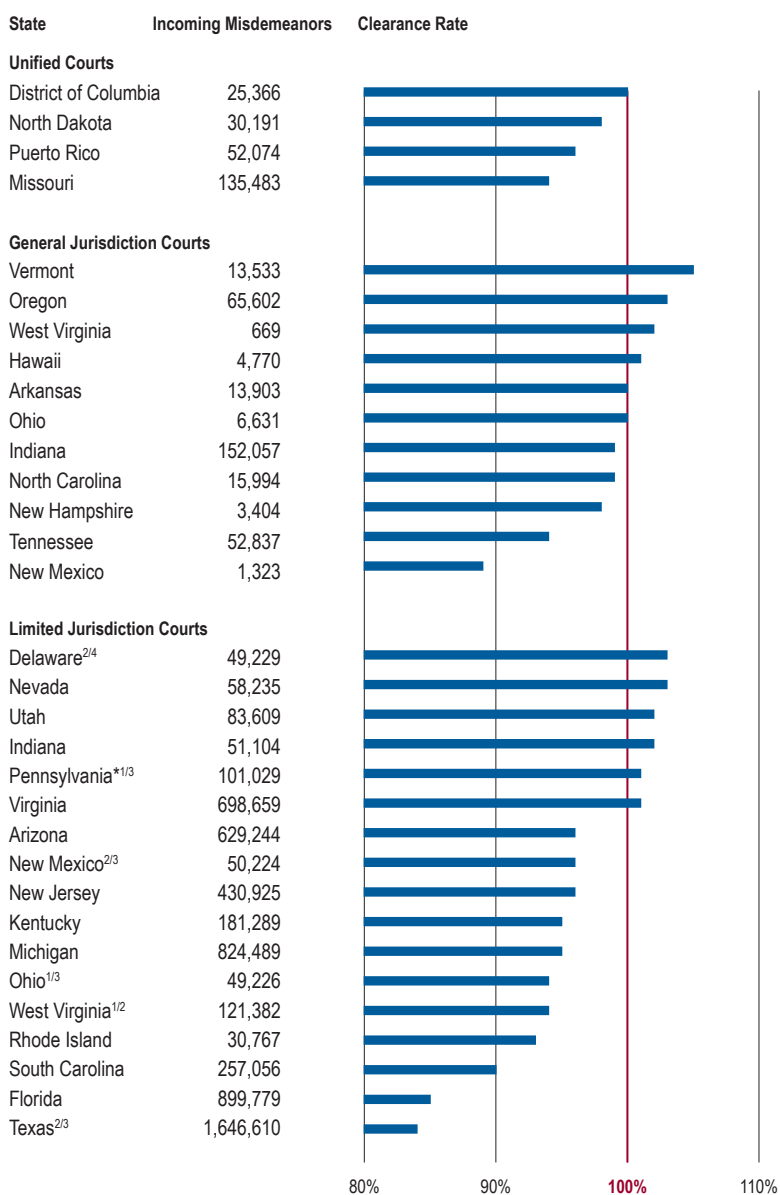
* These states have unified court systems.



The table at right displays incoming misdemeanors and clearance rates in the unified courts of four states, general jurisdiction courts in 11 states, and limited jurisdiction courts in 17 states. Six of those 17 states have multiple limited jurisdiction courts that process misdemeanor cases, but at least one court in each of these states was unable to report a misdemeanor caseload. For example, West Virginia’s Municipal and Magistrate Courts both have misdemeanor jurisdiction, but only the Magistrate Court reported its caseload for 2004.

Despite sizable misdemeanor caseloads in many of the included courts, 13 of the 32 courts (41 percent) were able to achieve clearance rates at or above 100 percent, thereby stabilizing or helping to reduce their pending caseloads.

Misdemeanor Clearance Rates in 27 States, 2004



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

Note: Some states have more than one limited jurisdiction court with misdemeanor jurisdiction. If any court with jurisdiction was unable to report their misdemeanor caseload, a fraction following the state’s name indicates the number of courts that did report among those with jurisdiction, i.e., 2/3 means two of the three courts reported.



Implementing the *Guide*: Criminal Caseload Summary

A complete caseload summary will account for all cases entering or exiting the dominion of the court in the 10 distinct status categories recommended in the *Guide*. However, few courts are presently able to report caseloads at that level of detail. More common is a six-category approach that includes *begin pending*, *new filings*, *reopened* and/or *reactivated* cases, *entries of judgment*, *reopened dispositions* and/or cases *placed on inactive status*, and *end pending*.

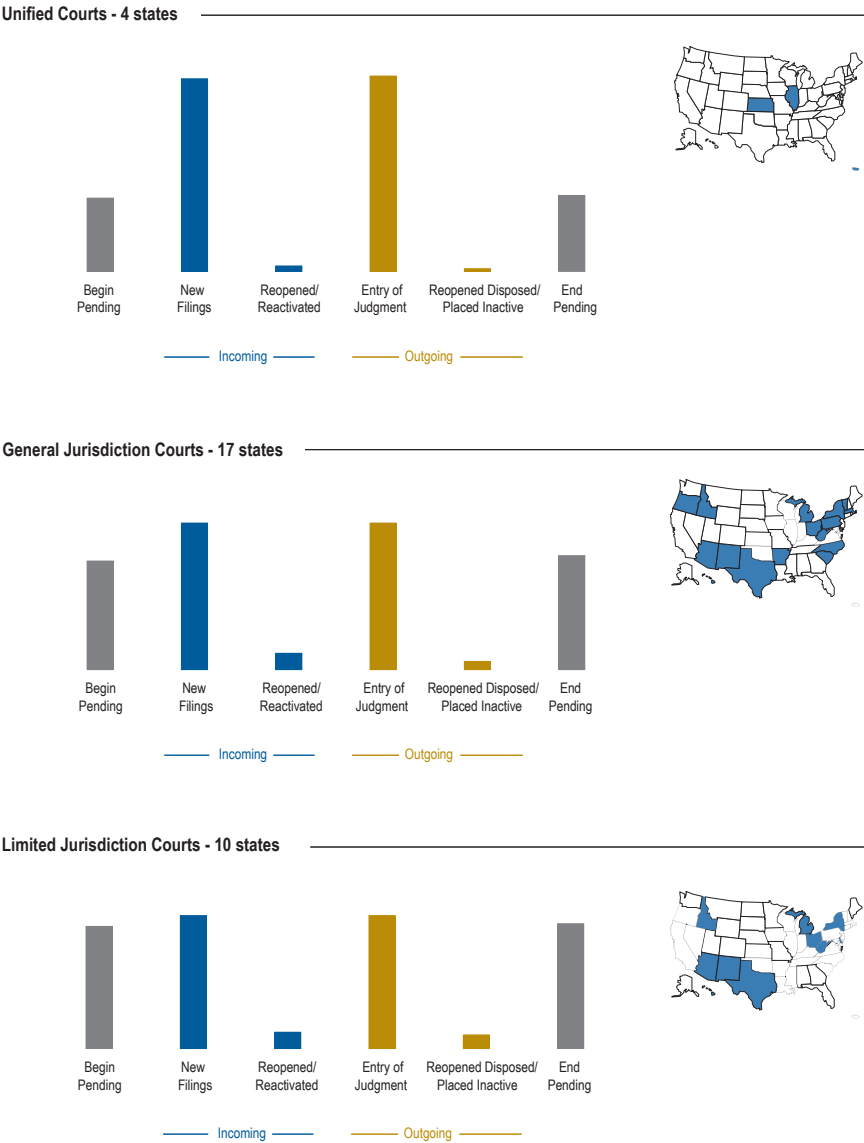
The bar charts below show the proportional relationship of these six status categories of criminal cases in the unified, general, and limited jurisdiction courts able to report them.

Statistical Guide



National Center for State Courts
Criminal Caseload
Summary Matrix

Proportional Relationship of Criminal Caseloads, 2004



Implementing the *Guide*: Criminal Manner of Disposition

When court involvement in a criminal case concludes, and it is reported as an entry of judgment (or a reopened disposition), there is a specific *manner of disposition* that describes the way in which the case was disposed. The bar charts below depict criminal manner of disposition in Delaware and Puerto Rico.

Except for the two categories of guilty plea and dismissal, there is remarkable consistency between the criminal non-trial manners of disposition in Delaware and Puerto Rico. However, criminal cases are four and one-half times more likely to go to trial in Puerto Rico.

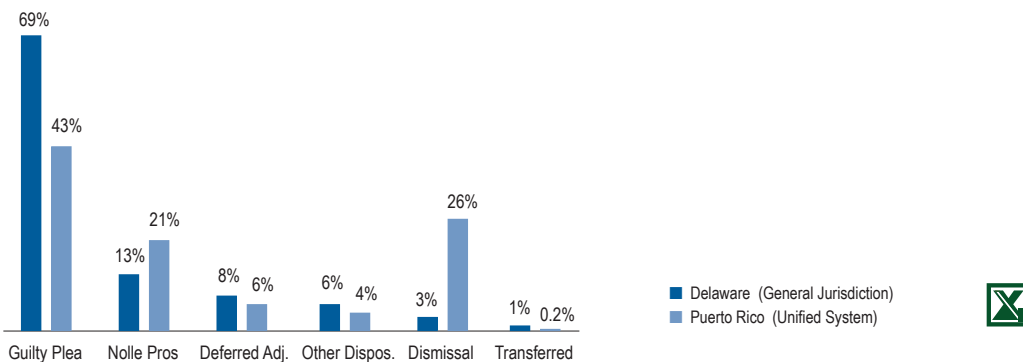
NCSA Resource



National Center for State Courts
Criminal Trial
Trend Data

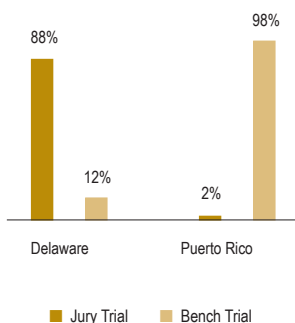
Criminal Manner of Disposition in Delaware and Puerto Rico, 2004

Non-trial Dispositions

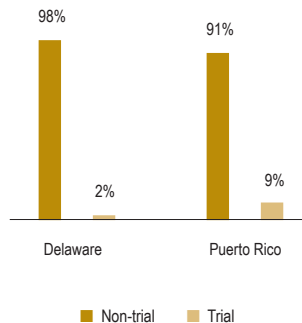


Trial Dispositions

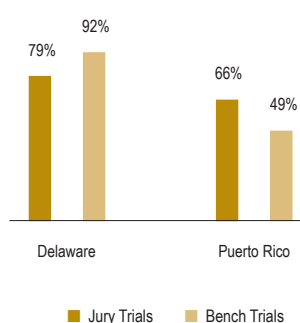
Percent of Jury Trials vs. Bench Trials



Percent of Non-trial vs. Trial Dispositions



Percent of Defendants Found Guilty



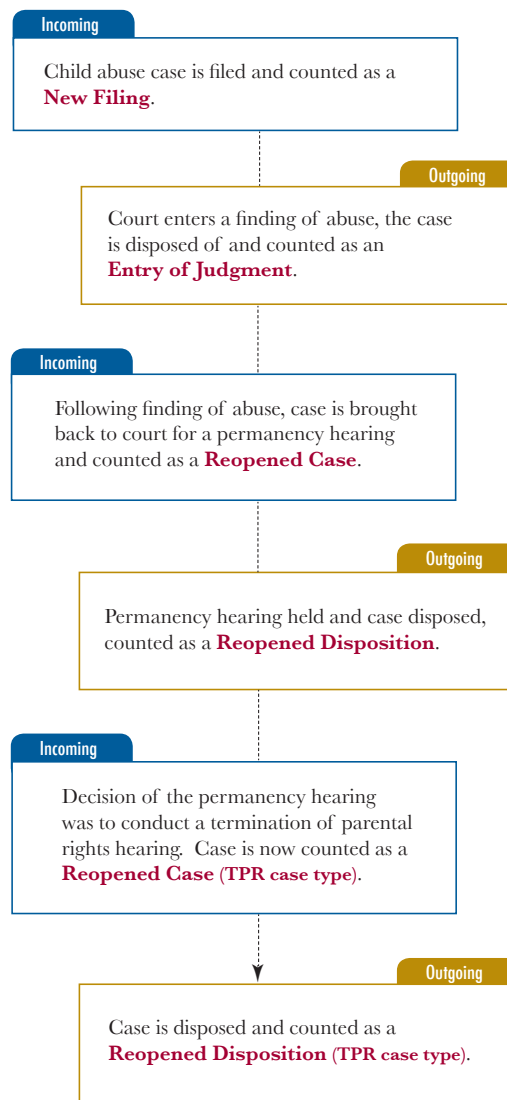
Juvenile Section

Many juvenile cases have a long and complex lifespan in the court. Failure to accurately track and differentiate key phases of these cases makes it hard for the court to document workload and justify requests for reasonable resources for these cases. The *State Court Guide to*

Statistical Reporting, (Guide) remedies this by allowing courts to report all of the judicial work associated with each juvenile case.

The illustration below shows one example of how this new counting and reporting strategy works.

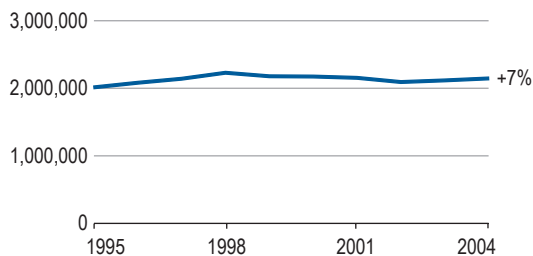
Counting a Dependency Case



Juvenile Trends and Rates

State courts reported 2.1 million incoming juvenile cases during 2004. Included in this count are those cases that were newly filed, reopened, or reactivated during the reporting period. Since many juvenile cases require ongoing judicial involvement, the counting of reopened and reactivated cases along with newly filed cases provides a more accurate picture of the juvenile courts' workload.

Total Incoming Juvenile Caseloads in State Courts, 1995-2004



Incoming Juvenile Caseloads and Rates in 43 States, 2004

State	Total Cases	Cases per 100,000 Juveniles	Juvenile Population Rank
North Dakota*	11,275	7,109	49
Ohio	183,216	6,295	7
Utah	47,286	6,147	32
Virginia	96,520	5,260	12
Georgia	113,211	4,839	9
Arkansas	33,592	4,805	35
Alabama	53,666	4,682	24
Nevada	27,908	4,669	36
Minnesota*	59,945	4,485	21
Florida	177,684	4,480	4
Hawaii	13,798	4,478	43
South Dakota*	9,067	4,389	46
New Jersey	94,463	4,379	10
Kentucky	42,101	4,128	27
Rhode Island	10,421	4,086	44
Connecticut*	33,733	3,898	30
Idaho	14,211	3,579	40
Massachusetts	50,537	3,337	16
District of Columbia*	3,626	3,259	52
New Hampshire	9,353	2,879	41
Wisconsin*	39,804	2,833	20
Kansas*	20,309	2,802	34
Washington	43,638	2,737	14
Louisiana	32,517	2,638	22
Maryland	36,604	2,573	19
Michigan	66,553	2,522	8
Nebraska	11,525	2,508	38
Pennsylvania**	73,516	2,490	6
New York	114,590	2,413	3
Oregon	18,962	2,136	29
West Virginia	8,331	2,058	39
North Carolina	42,320	2,031	11
Colorado	23,585	2,002	23
Missouri*	29,233	1,992	17
Iowa*	14,009	1,889	33
Maine	5,381	1,731	42
Vermont	2,549	1,695	50
New Mexico	8,480	1,591	37
Arizona	23,315	1,526	15
California*	127,933	1,306	1
Montana	3,080	1,303	45
Illinois*	28,738	866	5
Puerto Rico*	8,016	717	25
Median		2,802	

Note: States in boldface reported reopened and/or reactivated caseloads.
 * These states have unified court systems.
 ** Data from Pennsylvania are preliminary figures provided by the PAAOC.

CSP Resource

CSP
Court Statistics Project

National Center for State Courts

State Court Caseload
Statistics, 2005

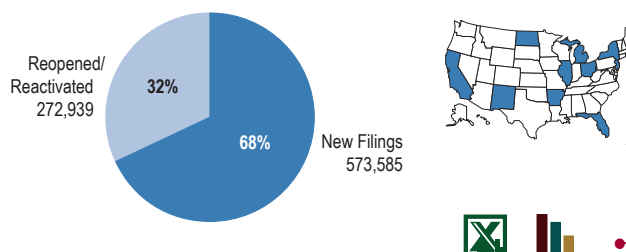
Reported Total State Trial Court
Juvenile Caseload, 2004



Reopened/Reactivated Juvenile Cases

Ten states reported reopened/ reactivated caseloads for 2004. As the adjacent chart indicates, 32 percent of the incoming cases in these 10 states were reopened or reactivated cases.

Reopened/Reactivated Juvenile Caseload in 10 States, 2004



Disaggregating the numbers from the chart above reveals distinct differences in the featured states. Seven states reported that reopened/ reactivated cases comprised 20 percent or more of all incoming juvenile cases, compared to two states in which reopened/ reactivated cases constitute less than five percent of their caseloads.

Incoming Juvenile Caseloads in 10 States, 2004

State	New Filings	+	Total Caseload Reopened/Reactivated	=	Incoming	Percent Reopened/Reactivated
New York	54,354		60,236		114,590	53%
Florida	91,456		86,228		177,684	49%
Arkansas	21,573		12,019		33,592	36%
Ohio	127,000		56,216		183,216	31%
California*	94,027		33,906		127,933	27%
New Jersey	75,192		19,271		94,463	20%
New Mexico	6,760		1,720		8,480	20%
North Dakota*	9,687		1,588		11,275	14%
Michigan	65,267		1,286		66,553	2%
Illinois*	28,269		469		28,738	2%
Total	573,585		272,939		846,524	32%

* These states have unified court systems.



CSP Resource



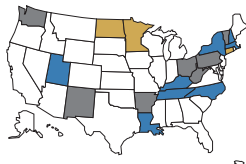
National Center for State Courts

Caseload Highlights,
Trends in Juvenile
Violent Crime

Juvenile Composition and Clearance Rates

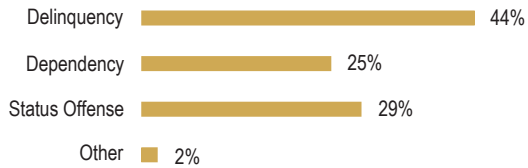
The juvenile court caseload consists primarily of delinquency, dependency, and status offense cases. A delinquency case involves offenses that are considered criminal if committed by an adult, while status offenses are misbehaviors that are only illegal for juveniles. A dependency case, on the other hand, involves allegations that a child has been abused or neglected, or is otherwise without proper parental care and/or supervision.

In courts of general and limited jurisdiction, dependency cases are the second most likely juvenile case type to be filed. In states with unified court systems, status offenses are reported as being filed more often than dependency cases, but this is an anomaly most likely due to Minnesota's inclusion of petty theft within their status offense case type.

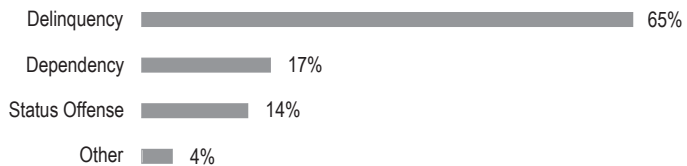


Incoming Juvenile Caseload Composition in 19 States, by Jurisdiction, 2004

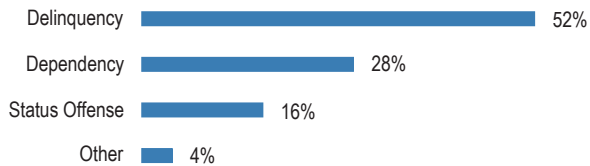
Unified Courts - 4 states



General Jurisdiction Courts - 7 states



Limited Jurisdiction Courts - 8 states



The juvenile delinquency caseload includes drug, person, property, and public order offenses as well as a residual “other” category. For 2004, Colorado, New Mexico, and the District of Columbia were able to report incoming caseloads in three of the four distinct offense categories. This knowledge of caseload composition permits these courts to make more specific comparisons of similarities and differences across jurisdictions.

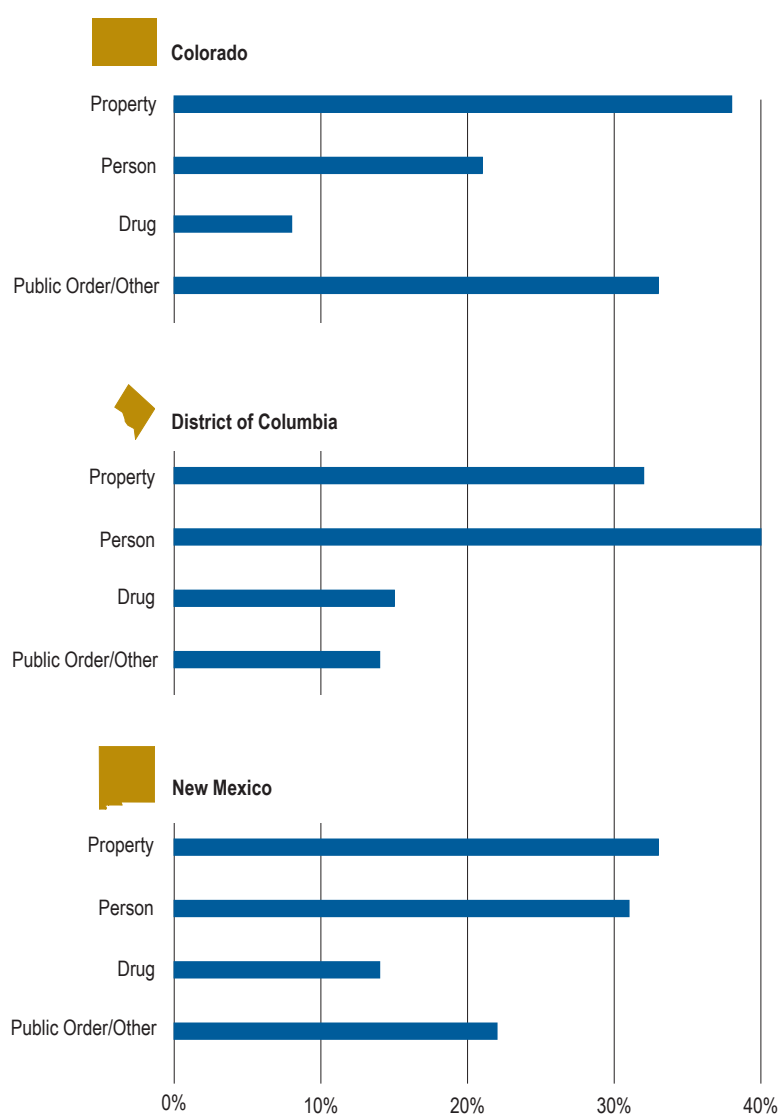
Property offenses accounted for more than 30 percent of the delinquency cases filed in these three courts and are the most prevalent type of delinquency case in both Colorado and New Mexico. In the District of Columbia, person offenses (1,046 of 2,620 incoming cases) dominated the juvenile delinquency caseload. Among the distinct offense types, drug offenses were 15 percent or less of the delinquency composition in all three states.

On the Web



National Center for
Juvenile Justice
Juvenile Offenders and Victims:
2006 National Report

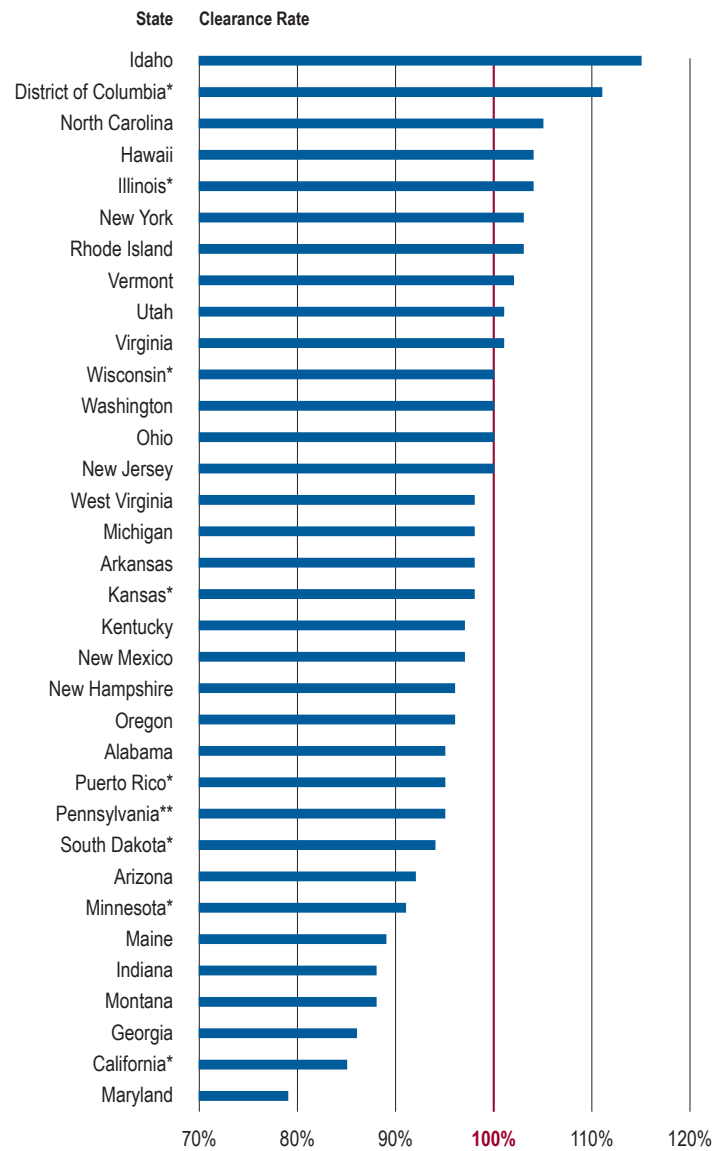
Juvenile Delinquency Caseload Composition in Three States, 2004



A caseload clearance rate is the ratio of “outgoing” to “incoming” cases. The goal is to reach a ratio of at least 1:1 (100 percent) in order to prevent the build up of pending cases. Clearance rates greater than 100 percent indicate that a court is reducing any backlog that had accumulated, while clearance rates of less than 100 percent indicate the likelihood of an increase in a court’s pending caseload.

For 2004, 14 of 34 states (41 percent) reported juvenile clearance rates of 100 percent or higher.

Juvenile Caseload Clearance Rate in 34 States, 2004



* These states have unified court systems.

** Data from Pennsylvania are preliminary figures provided by the PAOC.

Another way of assessing how well states are keeping up with their workload is to calculate the change in their annual pending caseload. Of the 34 states shown on the previous page, 14 were also able to provide pending caseloads for the 2004 reporting period.

As seen below, the seven states with clearance rates less than 100 percent increased their pending caseloads between 5 and 11 percent.

Pending Juvenile Caseloads in 14 States, 2004

State	Total Juvenile Caseload				Clearance Rate	Change in Pending Caseloads	
	Begin Pending	Incoming	Outgoing	EndPending		Cases	Percent
Decreased Pending Caseload							
Idaho	7,450	14,211	16,329	5,332	115%	-2,118	-28%
District of Columbia*	4,854	3,626	4,034	4,446	111	-408	-8
Hawaii	6,180	13,798	14,367	5,611	104	-569	-9
Illinois*	39,632	28,738	29,847	38,523	104	-1,109	-3
New York	34,334	114,590	117,692	30,663	103	-3,671	-11
Unchanged Pending Caseload							
Vermont	1,187	2,549	2,604	1,190	102	3	0
Ohio	28,898	183,216	183,133	28,981	100	83	0
Increased Pending caseload							
Michigan	19,708	66,553	65,207	21,054	98	1,346	7
Arkansas	9,570	33,592	32,779	10,383	98	813	8
New Mexico	5,300	8,480	8,201	5,568	97	268	5
Oregon	9,723	18,962	18,200	10,485	96	762	8
Puerto Rico*	3,469	8,016	7,648	3,837	95	368	11
Pennsylvania**	35,218	73,516	69,671	39,063	95	3,845	11
Arizona	20,565	23,315	21,484	21,983	92	1,418	7

* These states have unified court systems.

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






National Center for State Courts
CourTools Measure 2
Clearance Rates

While striving to maintain a total clearance rate of 100 percent or more, many states emphasize the clearance of one case type over another. The table below shows that only one state, Utah, reported a clearance rate of 100 percent or more for all three juvenile case types.

For the remaining states, five seemed to place emphasis on the processing of delinquency cases and six on the clearance of dependency cases. Only Indiana had

a higher clearance rate for status offense cases than for either their delinquency or dependency caseloads.

This emphasis of one case type over another can lead to disparate clearance rates among the three types of cases. For example, New Hampshire, with an overall clearance rate of 96 percent, has a very high clearance rate (124 percent) for its dependency cases, but a rather low clearance rate (91 percent) for its delinquency cases.

Juvenile Clearance Rates in 13 States, by Case Type, 2004

	State	Clearance Rates		
		Delinquency	Dependency	Status Offense
<i>High clearance rate for all case types</i>	New York	97%	104%	103%
	Ohio	100	99	99
	Utah	102	100	100
	Washington	100	98	100
<i>Higher rate for Delinquency cases</i>	Arkansas	99	91	97
	Kentucky	101	95	96
	New Mexico	98	82	70
<i>Higher rate for Dependency cases</i>	New Hampshire	91	124	93
	North Carolina	105	117	74
	Vermont	98	114	88
<i>Similar rates for all case types</i>	Indiana	88	86	90
	Minnesota*	93	95	90
	Pennsylvania**	94	98	95

* This state has a unified court system.

** Data from Pennsylvania are preliminary figures provided by the PAAOC.



Juvenile Manner of Disposition

The *Guide* recommends eight distinct manner of disposition categories for juvenile cases. In this, the first analysis of juvenile manner of disposition, six courts were able to provide information on cases that were adjudicated either with or without an evidentiary hearing.

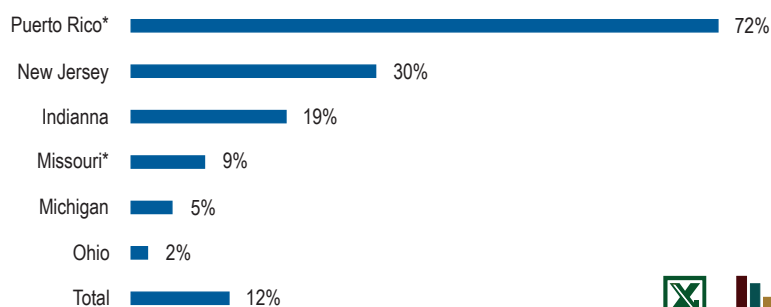
Overall, 12 percent of the juvenile cases in these six courts were disposed of with an evidentiary hearing. However, the proportion of cases disposed of by evidentiary hearing varied greatly among the six states, ranging from 2 percent in the Ohio Court of Common Pleas to 72 percent in the Puerto Rico Court of First Instance.

On the Web



National Council of Juvenile and Family Court Judges

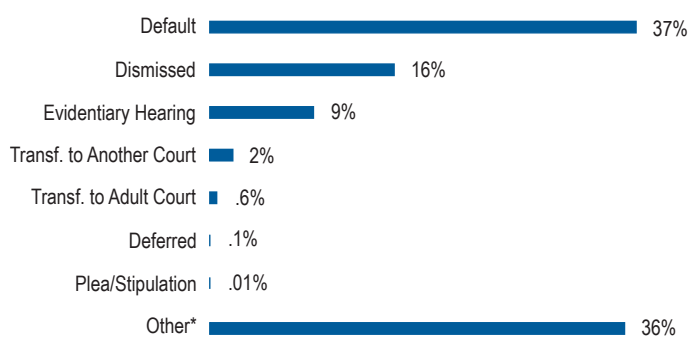
Rates of Evidentiary Hearings in Juvenile Cases in Six Courts, 2004



*These states have unified court systems.

Only the Missouri Circuit Court was able to provide data for all eight of the juvenile manner of disposition categories. As seen here, the majority of juvenile cases in this court were disposed of by default, while 16 percent were dismissed and 9 percent ended with a more resource-intensive evidentiary hearing.

Juvenile Manner of Disposition in the Missouri Circuit Court, 2004



* Includes case consolidations, transfers to other agencies, and terminations of jurisdiction.



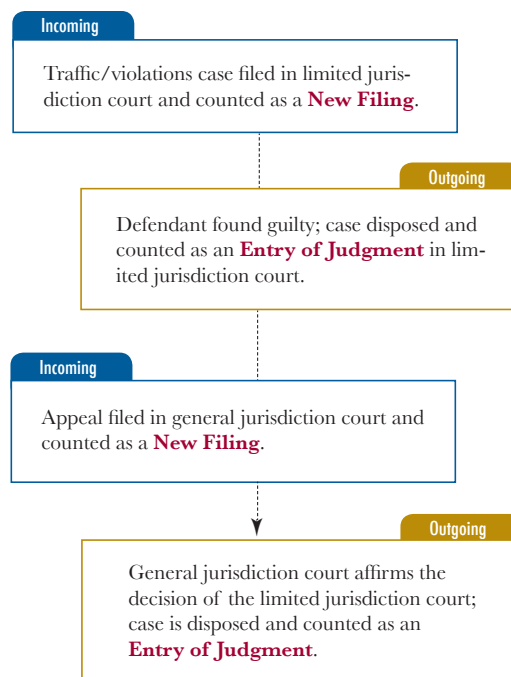
Traffic/ Violations Section

Some cases shift from the jurisdiction of one court to the jurisdiction of another. In two-tiered court systems, traffic/violations cases originally filed and disposed in a court of limited jurisdiction

may be appealed to the court of general jurisdiction.

The example below demonstrates how a traffic/violations case can be processed and counted in two distinct court levels.

Counting Traffic/Violations Cases in Multiple Jurisdictions



On the Web

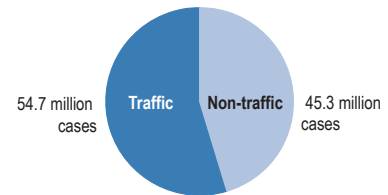


National Highway Traffic Safety Administration
Traffic Laws and Regulations,
Traffic Safety, Research

Traffic/Violations Caseloads and Trends

Traffic/violations caseloads are composed of non-criminal traffic, parking, ordinance, and other violations. Nearly 55 of the 100 million cases filed, reopened, or reactivated in state trial courts during 2004 were traffic, parking, or ordinance violations cases—a rate of over 18,000 cases for every 100,000 residents of the U.S. To put that figure into perspective, the next highest population-adjusted rate is that of criminal cases at fewer than 7,000 cases per 100,000 residents. The sheer number of traffic cases demands a substantial commitment of resources on the part of state courts.

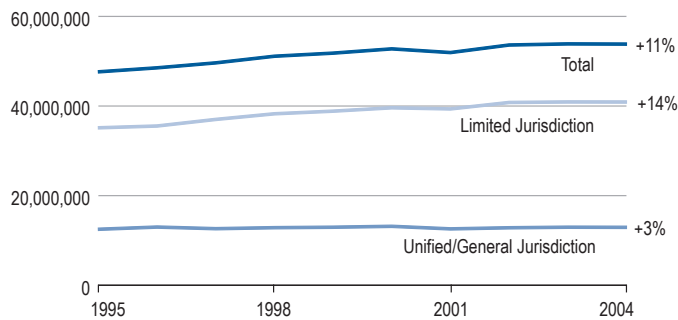
Traffic vs. Non-traffic Caseloads in State Trial Courts, 2004



Despite efforts in many states to handle these cases administratively outside the framework of the court, traffic caseloads continue to grow at an average pace comparable to that of the population, about 1 percent per year.



Incoming Traffic/Violations Cases in State Courts, by Jurisdiction, 1995-2004



The adjacent table shows the total number of incoming traffic and other violations cases in 18 states, as well as a population-adjusted rate of incoming cases. New Jersey's rate of over 67,000 towers above the next highest rate (Texas) and is three times greater than the median rate.

There appears to be little connection between the total number of incoming cases and the population of these 18 states. For example, Florida, the fourth most populous state, has the third lowest rate at 8,063. South Dakota's rate of 18,480 exceeds those of seven states on this table, all of whom ranked higher in terms of population.

Incoming Traffic, Parking & Ordinance Violations Caseloads and Rates in 18 States, 2004

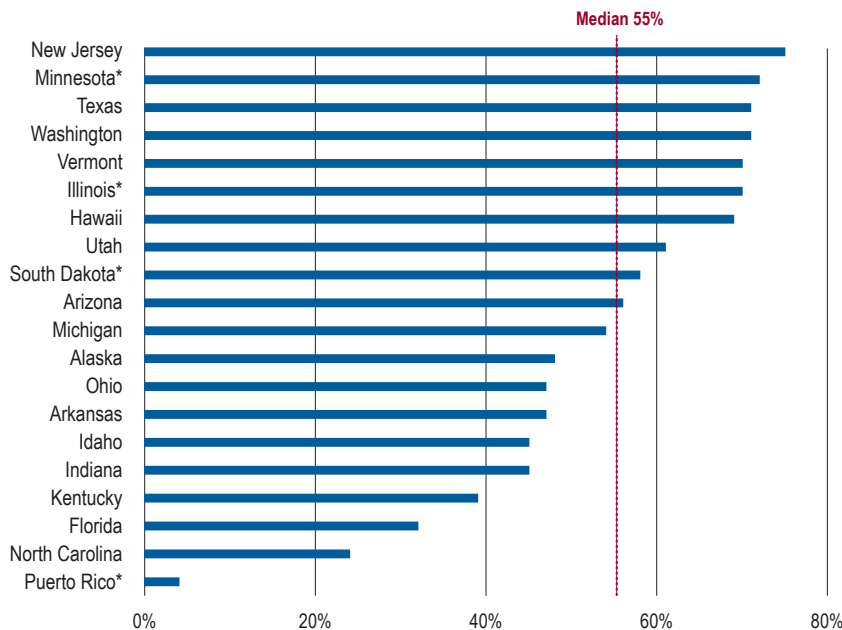
State	Incoming Traffic/Violations Cases		Population Rank
	Total	Per 100,000 Population	
New Jersey	5,870,235	67,483	10
Texas	9,026,577	40,136	2
Nevada	638,064	27,329	36
Washington	1,605,375	25,877	15
Arizona	1,448,420	25,217	18
Illinois	3,018,908	23,745	5
Arkansas	646,232	23,477	33
Vermont	143,378	23,074	50
Michigan	2,260,030	22,349	8
Utah	504,718	21,126	35
South Dakota	142,458	18,480	47
Ohio	1,859,197	16,225	7
Indiana	732,665	11,746	14
Wisconsin	563,703	10,232	20
North Carolina	749,014	8,769	11
Florida	1,402,736	8,063	4
New Hampshire	82,054	6,314	42
Puerto Rico	10,307	265	27
Median		21,738	



As indicated in the introduction to this section, traffic/violations cases represent about 55 percent of all trial court caseloads nationally. However, upon inspection of individual states, there are considerable variations in proportion.

The chart below displays traffic/violations cases as a percentage of all incoming cases in 20 states in 2004. Once again, New Jersey tops this list and reports the highest proportion of traffic/violations cases at 75 percent, twenty points higher than the median among these states.

Traffic/Violations Cases as a Percentage of All Incoming Cases in 20 States, 2004



* These states have unified court systems.

NCS Resource



National Center for State Courts

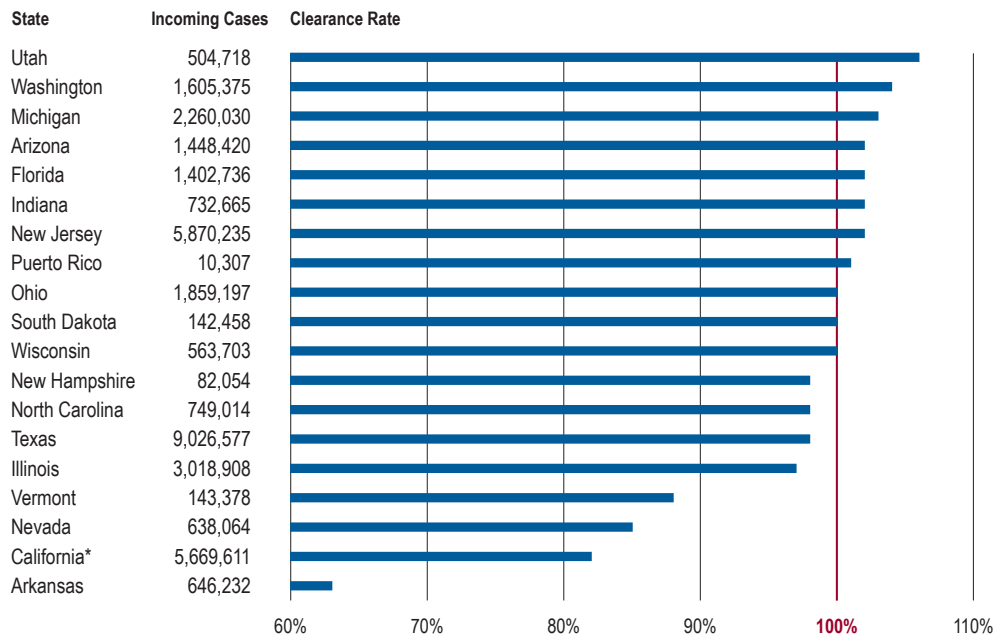
Traffic Citation
Payments Online,
State Links

Traffic/Violations Clearance Rates and Composition

Clearance rates are especially important for traffic/violations caseloads due to the volume of cases reported in so many states. For example, a 98 percent clearance rate may appear to be quite reasonable for some case types, but if only 2 percent of the 9 million traffic/violations cases in Texas go unresolved, 180,000 cases will be added to their pending caseload in one year.

Despite the considerable size of the traffic/violations caseloads reported by the 19 states below, 11 states (58 percent) achieved clearance rates of 100 percent or more. Six of those 11 states had caseloads exceeding 1 million cases.

Traffic/Violations Clearance Rates in 19 States, 2004



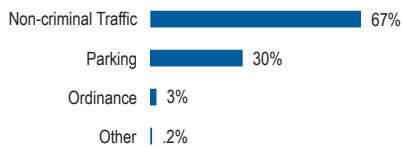
* California's data include parking appeals but not parking violations.



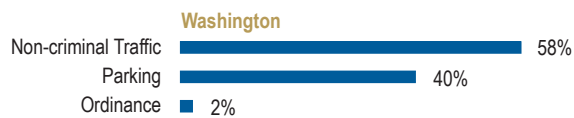
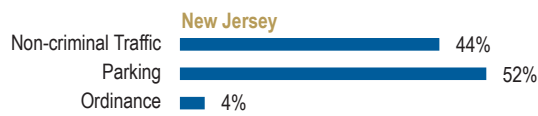
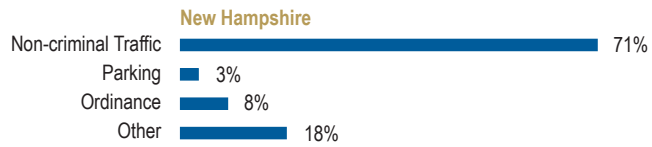
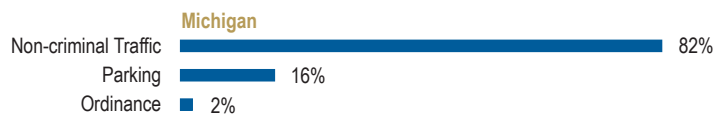
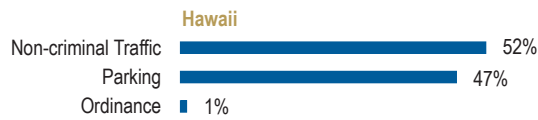
These charts show the composition of traffic/violations caseloads in seven states, in the aggregate and individually. Combined, two-thirds of these cases are non-criminal traffic and 30 percent are parking violations.

Clear differences appear when these states' compositions are shown separately. Non-criminal traffic cases range from 95 percent in Illinois to 44 percent in New Jersey. This is largely attributable to the varying methods used in the processing of parking caseloads (see next page).

Traffic/Violations Caseload Composition in 7 States, 2004



Traffic/Violations Caseload Composition in 7 States, 2004



• CSP Resource



National Center for State Courts

State Court Caseload
Statistics, 2005
Reported Grand Total State
Trial Court Caseload, 2004

• Rerouting Parking Cases

The differing ways in which states handle traffic cases are borne out on the table below. A state that allows both contested and uncontested parking cases to be heard in its courts tends to have not only noticeably higher caseloads, but higher proportions of parking cases and per capita rates as well.

Alternatively, some states, such as Arizona, Nevada, and New Mexico, hear only contested parking cases. Illinois has removed all of its parking cases to an administrative agency and, in so doing, reduced its traffic/violations caseload by several million cases.

Incoming Parking Violations Caseloads in 10 States, 2004

State	Incoming Parking Violation Cases			Type of Parking Case Jurisdiction
	Total	Percent of Traffic Caseload	Per 100,000 Population	
New Jersey	3,074,203	52%	35,396	Contested & Uncontested
Hawaii	184,982	47	14,656	Contested & Uncontested
Minnesota	628,230	44	12,327	Contested & Uncontested
Washington	634,928	40	10,229	Contested & Uncontested
Michigan	363,396	16	3,596	Contested & Uncontested
Arizona	136,361	9	2,376	Contested Only
New Hampshire	2,501	3	193	Contested & Uncontested
Nevada	13,850	2	594	Contested Only
New Mexico	1,603	1	84	Contested Only
Illinois	0	0	0	No Jurisdiction



Appellate Section

Appellate courts review cases appealed from the trial court level, preside over disciplinary matters involving members of the bench and bar, and serve in a supervisory capacity in the administration of the lower courts.

Like their trial court counterparts, appellate court structures vary from state to state. Thirty-nine states and Puerto Rico have two levels of appellate courts: an intermediate appellate court (IAC) providing the initial review of the case and, when circumstances dictate, a court of last resort (COLR) that provides a final examination.

Eleven states and the District of Columbia have no intermediate appellate court. In these 12 jurisdictions (and elsewhere in special cases, such as those

involving the death penalty), the COLR will hear an appeal directly from the trial court. Two states, Oklahoma and Texas, have separate COLRs for civil and criminal appeals.

An appreciation for the appellate courts' jurisdiction is as critical as the distinctions among court types. Mandatory jurisdiction cases are those the court *must* hear and rule on, due either to a constitutional or statutory provision. Discretionary jurisdiction cases are those the court *may* hear or decline to hear, as it sees fit.

CSP Resource



CSP

Court Statistics Project

National Center for State Courts

Caseload Highlights,
A Taxonomy of Appellate
Court Organization

Appellate Caseloads and Trends

States with larger populations have higher trial court caseloads and hence a larger number of appeals. However, not all large states have high population-adjusted rates of appeal.

This distinction between number and rate of appeals shows most clearly in states such as Louisiana, which ranks first in appeals per 100,000 state residents yet twenty-fourth in population. In this case, the higher per capita rate of appeals may be explained by the automatic right of appeal from the Louisiana District Court, to which all cases are entitled. The District of Columbia (DC) also has a high rate of appeals per 100,000 residents. However, DC is functionally more like a city than a state, thus this rate is not necessarily comparable to that of any state.

California, the most populous state with the highest number of cases filed in their appellate courts during 2004, is at the median (87 per 100,000 residents), a rate identical to that of Hawaii.

The majority of appellate cases fall within the courts' mandatory jurisdiction. States with no intermediate appellate court report a mandatory jurisdiction rate higher than other states. This lack of discretion is due to the absence of any appellate recourse other than to the state's court of last resort.

Total Appellate Caseloads, 2004

State	Total	Appeals Percent Mandatory	Per 100,000 Population	Population Rank
With an Intermediate Appellate Court				
Louisiana	12,622	26%	280	24
Florida	26,587	74	153	4
Puerto Rico	5,476	50	141	27
Oregon	4,676	83	130	28
Pennsylvania	15,736	82	127	6
New Jersey	10,819	73	124	10
Alabama	5,341	83	118	23
Ohio	13,173	88	115	7
Oklahoma*	3,802	87	108	29
Nebraska	1,830	81	105	39
Mississippi	2,989	79	103	32
Washington	6,065	66	98	15
Alaska	634	70	97	48
Kansas	2,600	71	95	34
Idaho	1,309	84	94	40
Kentucky	3,877	79	94	26
Michigan	9,308	41	92	8
Texas	20,639	87	92	2
Illinois	11,563	79	91	5
California	31,388	46	87	1
Hawaii	1,104	94	87	43
New York	16,409	77	85	3
Colorado	3,873	69	84	22
New Mexico	1,588	56	83	37
Arkansas	2,295	73	83	33
Arizona	4,767	75	83	18
Virginia	6,020	12	81	12
Wisconsin	4,380	75	80	20
Missouri	4,235	89	74	17
South Carolina	3,020	57	72	25
Iowa	2,088	100	71	31
Utah	1,531	100	64	35
Tennessee	3,732	61	63	16
Minnesota	3,203	75	63	21
Georgia	5,209	58	59	9
Maryland	3,274	66	59	19
Indiana	3,379	74	54	14
Massachusetts	3,373	56	53	13
Connecticut	1,660	76	47	30
North Carolina	3,521	53	41	11
Median		75	87	
Without an Intermediate Appellate Court				
District of Columbia	1,762	99	318	51
West Virginia	2,433	0	134	38
Montana	882	79	95	45
Vermont	554	95	89	50
Nevada	1,896	100	81	36
New Hampshire	906	0	70	42
Delaware	564	100	68	46
North Dakota	379	96	60	49
Wyoming**	272	100	54	52
South Dakota	405	88	53	47
Maine	679	77	52	41
Rhode Island	394	68	36	44
Median		92	69	

* Oklahoma's appellate data are from 1998.

** Wyoming's appellate data are from 2003.



NCS Resource

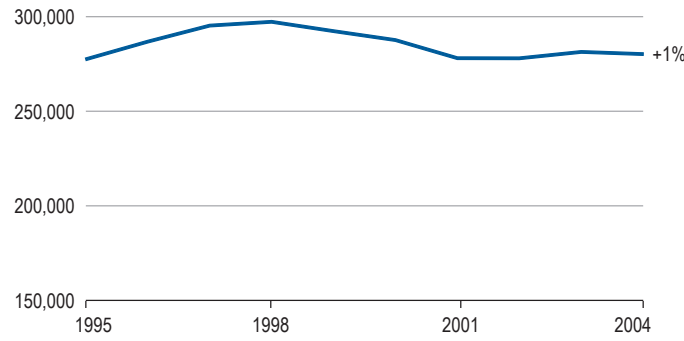


National Center for State Courts
Appellate Court
Opinions Online

Appellate court caseloads consist of original proceedings, mandatory jurisdiction appeals, and discretionary jurisdiction appeals. Over the last decade appellate court caseloads have increased 1 percent. However, the last five years have seen appellate filings drop 4 percent.

Of note is the decline between 2000 and 2001. Thirty-three states reported a decline in their appellate caseloads in 2001, ranging from -1 percent in Pennsylvania to -22 percent in Wyoming. Also among those 33 states were the three most populous, California, Texas, and New York, whose caseloads declined by 5 percent, 11 percent, and 8 percent, respectively.

Total Appellate Filings, 1995-2004



The table at right disaggregates the 10-year trend line and categorizes the states by those whose caseloads increased and those whose caseloads decreased. South Carolina's large growth over the last decade could be attributed to the dramatic increase in petitions for post-conviction relief as well as improved counting practices in both of their appellate courts. Mississippi's ability to provide more complete data from its appellate courts accounts for some of the rise in its caseload. The decrease reported by Rhode Island can be attributed to changes in the handling of *pro hac vice* admission petitions, which rose sharply in the late 1990s only to subsequently fall.

Percentage Change in Appellate Caseloads, 1995-2004

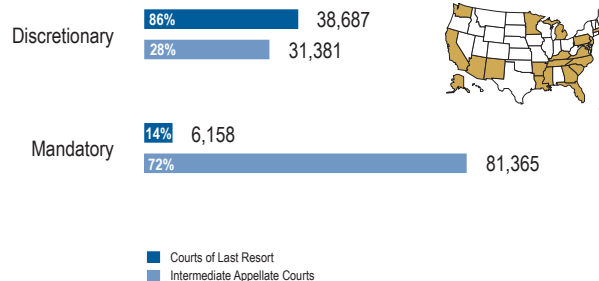
Increased Appellate Caseload		Decreased Appellate Caseload	
State	Percent Increase	State	Percent Decrease
South Carolina	190%	Pennsylvania	-2%
Mississippi	78	Arizona	-3
Montana	47	Tennessee	-4
Puerto Rico	46	District of Columbia	-5
Idaho	46	South Dakota	-5
North Carolina	41	New Mexico	-6
Nevada	40	Wisconsin	-6
Arkansas	36	Illinois	-6
Texas	23	Ohio	-7
Hawaii	15	Iowa	-7
Washington	14	Georgia	-8
Indiana	13	Minnesota	-9
Virginia	12	West Virginia	-10
Florida	11	Maryland	-10
California	10	Alabama	-11
Colorado	9	North Dakota	-12
Utah	8	New York	-12
Connecticut	7	Kansas	-13
Delaware	6	Massachusetts	-15
Nebraska	5	Oregon	-15
New Jersey	2	Oklahoma*	-17
Louisiana	2	Kentucky	-17
New Hampshire	1	Vermont	-18
		Wyoming**	-21
		Missouri	-23
		Michigan	-31
		Maine	-31
		Alaska	-46
		Rhode Island	-48

Note: States in boldface are the 10 most populous.
 * Oklahoma's appellate data are from 1998.
 ** Wyoming's appellate data are from 2003.



Intermediate appellate courts (IACs) primarily handle mandatory appeals, while the caseloads of the courts of last resort (COLRs) are predominantly discretionary. In the 22 states included here, mandatory appeals filed in the IACs outnumber all other appeals in both IACs and COLRs combined.

Total Mandatory and Discretionary Caseloads in COLRs and IACs in 22 States, 2004



Discretionary Petitions in Appellate Courts

Discretionary jurisdiction cases are those that IACs and COLRs may choose to hear, while mandatory jurisdiction cases must be heard. Both court types rarely grant a review of discretionary petitions. The absence of an IAC does not seem to bear upon the acceptance rate of a discretionary petition by that state's COLR. For example, the West Virginia Supreme Court of Appeals has the highest acceptance rate for discretionary petitions of those COLRs listed below, while the Rhode Island Supreme Court's rate is among the lowest.

Total Discretionary Jurisdiction Petitions Filed and Granted in 23 States, 2004

State	Filed	Discretionary Petitions	
		Granted Review	Percent Granted
Courts of Last Resort			
West Virginia*	2,433	754	31%
Mississippi	364	109	30
Arkansas	501	112	22
Maryland	651	90	14
Connecticut	401	53	13
Missouri	462	56	12
Nebraska	343	41	12
Wisconsin	1,084	128	12
Georgia	1,366	147	11
Minnesota	701	73	10
Virginia	2,961	269	9
Texas (Supreme Court)	1,138	98	9
Idaho	207	16	8
Ohio	1,567	118	8
Texas (Court of Criminal Appeals)	1,637	119	7
Louisiana	2,974	207	7
Montana*	187	13	7
Tennessee	1,079	71	7
Rhode Island*	126	7	6
North Carolina	678	33	5
New Jersey	2,954	137	5
Illinois	2,465	114	5
Alaska	159	5	3
California	8,550	95	1
Median			8%
Intermediate Appellate Courts			
Louisiana	6,392	1,367	21
Tennessee**	374	72	19
Arkansas	130	18	14
North Carolina	960	124	13
Virginia	2,350	263	11
Alaska	30	2	7
Maryland	474	2	0.4
Median			13%

* These states have no intermediate appellate court.

** Includes Court of Appeals and Court of Criminal Appeals.

Note: Interpreting variation in acceptance 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.



Appellate Manner of Disposition

Case dispositions within the appellate courts generally fall into six distinct categories: signed opinions, per curiam opinions, memoranda/orders, pre-argument dismissals, transfers to another court, and a residual “other” category.

The disposition profile of each court suggests very different ways in which appellate courts operate, making direct comparisons difficult. Idaho’s COLR tends towards balance, with almost the same number of cases disposed by memoranda/orders as signed opinions. Contrast this to Florida’s COLR, with over 91 percent of cases disposed by memoranda/orders, or Minnesota, where signed opinions outnumber memoranda/orders 2 to 1.

Manner of Disposition in 16 Courts of Last Resort and 25 Intermediate Appellate Courts, 2004

State	Number of Justices	Total Dispositions	Opinions		Non-Opinion Dispositions			
			Signed	PerCuriam	Memo/Order	Pre-Argument Dismissal	Transferred	Other
Courts of Last Resort								
Florida	7	2,579	61	162	2,356	0		
District of Columbia	9	1,755	295	506	954	0		
Washington	9	1,658	129		338	1,110	65	16
Puerto Rico	7	1,218	64	62	93	0	0	999
Arizona	5	1,215	46		1,164	5	0	
Iowa	7	1,169	161	8				1,000
Hawaii	5	952	86		156	178	296	236
Idaho	5	745	132	0	162	185	0	266
New Hampshire	5	721	151		226	149		195
Delaware	5	586	60	10	451	1		64
Vermont	5	576	64	231	119	0	0	162
South Dakota	5	455	196		123	62		74
North Dakota	5	397	216			92	0	89
Alaska	5	395	137	40		117	0	101
Rhode Island	5	386	67	87	26	88	0	118
Minnesota	7	236	106		58	72		
Intermediate Appellate Courts								
Pennsylvania	24	12,611	7,217	0	0	4,769	106	519
Illinois	54	8,356	982	0	7,374		0	0
New Jersey	33	7,324	326	3,482	284	3,232		
Michigan	28	7,293	170	3,219	448	1,505		1,951
Missouri	32	3,763	1,893		29	1,237	115	489
Alabama	10	3,409	403	0	2,107	784	115	0
Virginia	11	3,322	556		406	2,360		0
Georgia	12	3,315	1,637		667		126	885
Oregon	10	3,295	350	56	1,218	1,160		511
Wisconsin	16	3,215	599	449	910			1,257
Tennessee	24	2,689	1,736	0	667	32	0	254
Massachusetts	25	2,608	321		1,172	440	80	595
Colorado	16	2,513	263	0	1,355	888	7	
Maryland	13	2,409	158	1,201		565	63	422
Indiana	16	2,390	2,347	0	11	32	0	0
Minnesota	16	2,261	1,448	0	85	622	0	106
South Carolina	9	1,494	937			468	63	26
Arkansas	12	1,482	730	7	387	134	77	147
Connecticut	10	1,150	551			282	95	222
Iowa	9	938	904	26		8		0
New Mexico	10	884	178		489	194	23	0
Utah	7	818	107	28	346	291	33	13
Idaho	3	552	269	275	0	8	0	0
Alaska	3	285	57		161	37	0	30
Hawaii	6	230	42		170	17	0	1

Note: Blank cells indicate that not all courts use the same categories.



NCSC Resource

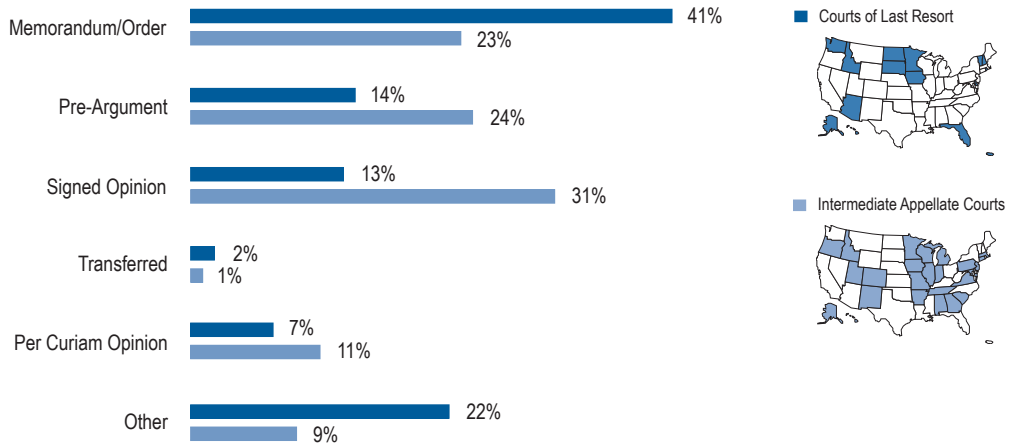


National Center for State Courts
Oral Arguments OnLine,
State Links

Memoranda/orders are typically very brief, giving the final decision of the court but little to no review or analysis. Signed opinions are written by individual justices and often include statements of fact, points of law, rationale, and dicta. Per curiam opinions are shorter than signed opinions and tend not to delve into as much detail. Pre-argument dismissals occur when the case is withdrawn or settled prior to a decision. Transfers occur when a court moves the case from one appellate court to another.

The chart below elaborates on the composition of dispositions from the previous table, aggregated by type of court. Intermediate appellate courts typically utilize signed opinions (31 percent) or per curiam opinions (11 percent), in contrast with courts of last resort, which are likely to dispose of a case via memoranda/orders (41 percent). One possible explanation for the increased use of memoranda/orders in courts of last resort is the issuance at the intermediate appellate court level of a signed or per curiam opinion.

Manner of Disposition in 16 COLRs and 25 IACs, 2004





Appendices

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	
Overview Section																					
Total Incoming Cases in State Courts, 1995-2004	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Total Incoming Cases per 100,000 Population in State Courts, 1995-2004	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Total Incoming Cases in State Courts, by Jurisdiction, 1995-2004	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Total Incoming Cases in State Courts, by Case Type, 2004	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Incoming Cases in State Courts, by Jurisdiction and Case Type, 2004 (in millions)	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Incoming Caseloads in Unified and Gen. Jurisd. Cts., by Case Type, 1995-2004	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Incoming Caseloads in Limited Jurisdiction Courts, by Case Type, 1995-2004	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Judicial Officers in General and Limited Jurisdiction Courts, 1995-2004	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Number and Rate of Full-time Judges in Unified and Gen. Jurisd. Courts, 2004	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
States that Reported Reopened/Reactivated Caseloads in One or More Case Categories, 2004	*		*	*	*		*	*	*	*			*	*		*	*		*	*	
Reopened/Reactivated Cases as a Proportion of All Incoming Cases, by Case Type, 2004	*		*	*	*		*	*	*	*			*	*		*	*		*	*	
States that Reported Pending Caseloads in Two or More Case Categories, 2004			*	*			*	*	*			*	*		*	*		*	*		*
Pending Cases as a Proportion of All Cases before Court, by Case Type, 2004			*	*			*	*	*			*	*		*	*		*	*		*
Total Appearances in Overview Section	11	9	13	13	11	9	11	13	13	11	11	11	11	13	11	9	13	9	11	9	
Civil																					
Incoming Civil Caseloads and Rates, 2004	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Total Incoming Civil Cases, by Jurisdiction, 1995-2004	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Reopened/Reactivated Civil Caseloads in 17 States, 2004			*				*		*	*			*		*		*		*	*	
Incoming Civil Caseload Composition in 6 Unified Courts, 2004							*								*					*	
Gen. Civil Caseload Composition in 25 Unified and Gen. Jurisdiction Courts, 2004			*			*	*		*	*		*		*	*		*	*		*	
Civil Clearance Rates in Unified and General Jurisdiction Courts in 34 States, 2004	*		*	*	*	*	*	*	*			*	*	*		*	*	*	*	*	*
Incoming Tort Cases in 15 States, 1995-2004		*			*	*	*		*	*	*	*	*	*	*	*	*	*	*	*	*
Incoming Tort Cases and Rates in 30 States, 2004	*	*	*		*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Incoming Tort Caseload Composition in 6 Unified and Gen. Jurisd. Courts, 2004					*	*	*		*	*		*		*	*		*	*		*	
Incoming Tort Caseload Composition in the Connecticut Superior Court, 2004					*	*	*		*	*		*		*	*		*	*		*	
Incoming Medical Malpractice Cases in Unified and General Jurisdiction Courts in 13 States, 2004			*		*	*	*		*	*		*		*	*		*	*		*	
Composition of Incoming Probate/Estate Cases in 14 States, 2004					*	*	*	*	*		*		*	*	*	*	*	*	*	*	*
Civil Caseload Summary for the Michigan Gen. and Limited Jurisd. Courts, 2004					*	*	*		*	*		*		*	*		*	*		*	
Civil Caseload Summary for the N.Y. Family Court, 2004 (Guardianship cases)					*	*	*		*	*		*		*	*		*	*		*	
Range of Civil Manners of Disposition in General Jurisdiction Courts, 2004					*	*	*	*	*	*		*		*	*		*	*		*	
Civil Manner of Disposition in the Superior Court of New Jersey, 2004					*	*	*	*	*	*		*		*	*		*	*		*	
Proportion of Civil Jury to Bench Trials in the Superior Court of New Jersey, 2004					*	*	*	*	*	*		*		*	*		*	*		*	
Total Appearances in Civil Section	3	4	7	4	3	7	10	4	5	7	2	8	5	4	4	7	7	6	2	6	
Domestic Relations																					
Ohio Court of Common Pleas, Incoming Custody/Visitation and Support Cases Reopened vs. Newly Filed Divorce Cases in Ohio Court of Common Pleas, 2004					*	*	*		*	*		*		*	*		*	*		*	
Incoming Domestic Relations Caseloads and Rates in 41 States, 2004	*		*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Reopened/Reactivated Domestic Relations Caseloads in 13 States, 2004			*		*	*	*		*	*		*		*	*		*	*		*	
Incoming Dom. Rel. Caseload Composition in 30 States, by Jurisdiction, 2004	*		*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Incoming Protection Order Caseloads in 27 States, 2004			*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Protection Order Clearance Rates in 18 States, 2004			*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Domestic Relations Clearance Rates in 32 States, 2004	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Pending Domestic Relations Caseloads in 12 States, 2004			*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Domestic Relations Trial Rates in General Jurisdiction Courts in 9 States, 2004		*			*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Total Appearances in Domestic Relations Section	3	1	5	6	2	2	5	0	7	6	1	7	3	6	2	3	5	5	1	4	

* Oklahoma and Wyoming did not submit data from their appellate or trial courts for 2004. Mississippi submitted data only from its appellate courts. They are included only in trend analyses and national estimates based upon the most recent data submitted (1997, 2003, and 2003, respectively). Note: States with unified trial courts are highlighted.

MD	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	
.	52
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11	13	13	9	8	9	9	9	11	11	11	13	13	11	11	13	8	11	13	13	9	13	9	11	13	9	13	9	9	11	9	8		

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4	6	11	6	1	6	3	2	4	8	11	7	7	3	8	7	1	4	2	7	7	3	3	8	8	7	5	2	6	2	9	2		

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.	32
.	12
.	9
4	3	8	2	0	6	0	2	4	5	4	7	6	3	6	9	0	6	2	5	1	0	2	5	0	5	4	1	4	4	2	0		

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
Criminal Section																				
Incoming Criminal Caseloads and Rates, 2004
Total Incoming Criminal Caseloads, by Jurisdiction, 1995-2004
Reopened/Reactivated Crim. Caseloads in Unif. & Gen. Jurisd. Cts. in 18 States, 2004
Incoming Fel. Caseloads & Rates in Unified & Gen. Jurisd. Cts. in 36 States, 2004
Felony Clearance Rates in Unified and Gen. Jurisd. Courts in 33 States, 2004
Criminal Caseload Composition in Puerto Rico and Vermont, 2004
Incoming Misdemeanor Caseloads and Rates in 18 States, 2004
Misdemeanor Clearance Rates in 27 States, 2004
Proportional Relationship of Criminal Caseload Summaries in 21 States, 2004
Criminal Manner of Disposition in Delaware and Puerto Rico, 2004
Total Appearances in Criminal Section	4	4	7	8	4	4	4	5	8	7	3	6	6	6	7	4	7	3	2	2
Juvenile Section																				
Total Incoming Juvenile Caseloads in State Courts, 1995-2004
Incoming Juvenile Caseloads and Rates in 43 States, 2004
Reopened/Reactivated Caseloads in 10 States, 2004
Incoming Juvenile Caseloads in 12 States, 2004
Incoming Juvenile Caseload Composition in 19 States, by Jurisdiction, 2004
Juvenile Delinquency Caseload Composition in Three States, 2004
Juvenile Caseload Clearance Rates in 34 States, 2004
Pending Juvenile Caseloads in 14 States, 2004
Juvenile Clearance Rates in 13 States, by Case Type, 2004
Rates of Evidentiary Hearings in Juvenile Cases in Six General Jurisd. Courts, 2004
Juvenile Manner of Disposition in the Missouri Circuit Court, 2004
Total Appearances in Juvenile Section	3	1	4	8	5	3	3	1	7	4	3	4	4	6	4	2	3	5	3	3
Traffic Section																				
Traffic vs. Non-traffic Caseloads in State Trial Courts, 2004
Incoming Traffic/Violations Cases in State Courts, by Jurisdiction, 1995-2004
Incoming Traffic, Parking & Ordinance Violations Caseloads & Rates in 18 States, 2004
Traffic/Violations Cases as a Percentage of All Incoming Cases in 20 States, 2004
Traffic/Violations Clearance Rates in 19 States, 2004
Traffic/Violations Caseload Composition in 7 States, 2004
Incoming Parking Violations Caseloads in 10 States, 2004
Total Appearances in Traffic Section	2	3	7	5	3	2	2	2	2	5	2	5	3	7	5	2	2	3	2	2
Appellate Section																				
Total Appellate Caseloads, 2004
Total Appellate Filings, 1995-2004
Percentage Change in Appellate Caseloads, 1995-2004
Total Mandatory and Discretionary Caseloads in COLRs and IACs in 22 States, 2004
Total Discretionary Jurisdiction Petitions Filed and Granted in 23 States, 2004
Manner of Disposition in 16 COLRs and 25 IACs, 2004
Composition of Dispositions in 16 COLRs and 25 IACs
Total Appearances in Appellate Section	5	7	6	7	5	5	6	5	5	6	7	5	6	6	5	5	3	4	5	3
Grand Total Appearances	31	29	49	51	33	32	41	30	47	46	29	46	38	48	38	32	40	35	26	29

* Oklahoma and Wyoming did not submit data from their appellate or trial courts for 2004. Mississippi submitted data only from its appellate courts. They are included only in trend analyses and national estimates based upon the most recent data submitted (1997, 2003, and 2003, respectively). Note: States with unified trial courts are highlighted.

MD	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	
.	49
.	52
.	18
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3	4	8	4	1	6	2	2	4	6	6	7	3	6	6	7	1	6	5	10	6	5	4	5	8	5	8	3	5	6	4	1		

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3	3	7	5	1	4	3	2	2	5	6	9	8	5	5	9	1	4	6	5	3	1	3	2	1	5	7	3	5	4	3	1		

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2	2	7	4	2	2	2	2	5	6	7	3	2	5	2	5	2	2	2	5	2	2	5	2	5	5	5	2	7	2	4	2		

.	52
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7	6	6	7	5	6	4	4	3	5	7	6	3	5	5	4	3	5	6	6	6	6	6	5	7	4	5	5	7	6	4	6	3	

34	37	60	37	18	39	23	23	33	46	52	52	42	38	43	54	16	38	36	51	34	30	31	40	39	41	47	27	42	33	37	17	
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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 many 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, 2005 is 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 2004 caseload statistics are provided in this volume as well.

State Court Caseload Statistics, 2005

The analysis presented in *Examining the Work of State Courts, 2005* is derived in part from the data found in State Court Caseload Statistics, 2005. This year, *State Court Caseload Statistics* will migrate to the Web and be published exclusively online. This new Web-based format will allow users to take advantage of improved functionality and make possible electronic access to the data.

The information and tables found in *State Court Caseload Statistics, 2005* 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 all the courts in operation

in that state during 2004, 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 reviews basic information that affects the comparability of caseload information reports by the courts. 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.

2004 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. Other tables describe trends in the volume of incoming and outgoing cases for the period 1995-2004. The tables also indicate the extent of standardization in the data for each state and the comparability of caseload information across the states.

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

	1995	2000	2001	2002	2003
Full Report	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Introduction	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
State Court Structure Charts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ALJ	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MAY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jurisdiction/State Court Reporting Practices	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tables 1-4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tables 5-8	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Table 9	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tables 10-16	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Appendix	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

NCSC State Court Caseload Statistics Reports
www.ncsconline.org/d_research/csp/scs-pastreports.html

The NCSC Court Statistics Project

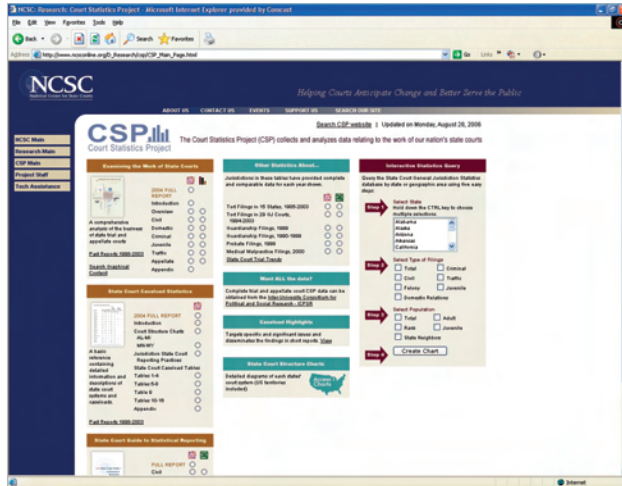
The Court Statistics Project can provide advice and clarification on the use of the statistics from this and previous caseload reports. Project staff can also provide the full range of information available from each state. Most states provide far more

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, 2005* and the *Caseload Highlights* series can be summarized on the form on the CSP Web page http://www.ncsconline.org/D_Research/csp/CSP_Main_Page.html and submitted via email.

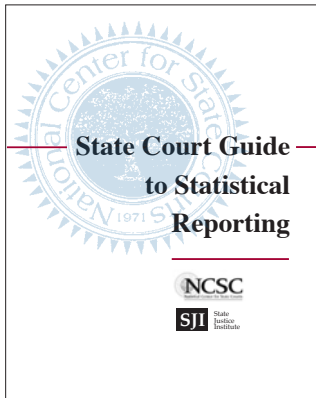
Or contact us at:

Director, Court Statistics Project
 National Center for State Courts
 300 Newport Avenue
 Williamsburg, VA 23185
 Phone: (800) 616-6109
 Fax: (757) 564-2098



NCSC Court Statistics Project Home Page
www.ncsconline.org/D_Research/csp/CSP_Main_Page.html

The State Court Guide to Statistical Reporting



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

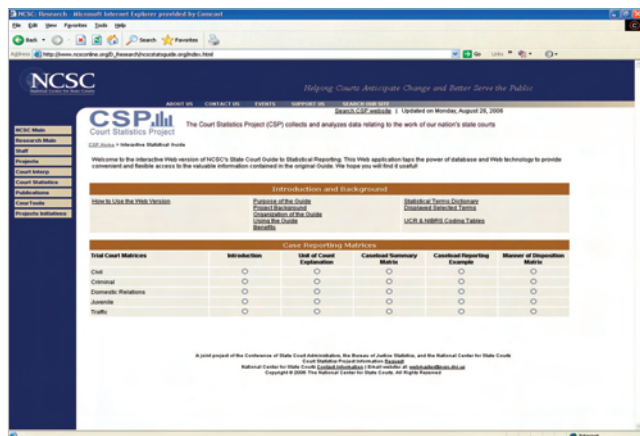
The Guide is available in color in PDF format on the National Center for State Courts Web site at: www.ncsconline.org/d_research/statistical_reporting.

Black and white print copies of the Guide are available from the Research Division of the NCSC. You will find our Court Statistics

Project information request form at: www.ncsconline.org/d_research/csp/cspform.htm.

An interactive, Web-based version of the Guide is available 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 Interactive Version
www.ncscstatsguide.org

CourTools

Performance Measures

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 developed by the National Center for State Courts to meet that need.

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 easy to understand.



NCSC CourTools Home Page
www.courttools.org

Online Discussion and Meeting Space

The NCSC has also created a CourTools online meeting place. You can join the on-line discussions taking place there through the Join Now link at www.courttools.org. This online discussion space will facilitate the exchange of information among all the courts, Judicial Councils, and AOCs thinking about or engaged in performance measurement. Members can:

- Post questions and comments in threaded discussions about the logistical, political, and practical issues that must be addressed in implementing performance measures
- View informational videos on key topics
- Inform colleagues about upcoming performance measurement events in your court by using the Calendar. The NCSC will post regional and national meetings of interest.

Analysis Templates

An additional implementation toolset created by NCSC is the ten Excel templates for data entry and analysis, also available on the CourTools Web site. These templates, which correspond to the ten measures, automatically generate graphs and tables that tell the story of your court, based on your data.

To learn more, visit CourTools on the Web at www.courttools.org

To talk about implementing CourTools in your court, call the NCSC's Court Consulting Services division at 800-466-3063.

The Caseload Highlights Series



Vol. 6 No. 2: A Renewed Interest in Low-Level Crime



Vol. 7 No. 1: Profiling Felony Cases in the NACM Network



Vol. 7 No. 2: Caseload and Timeliness in State Supreme Courts



Vol. 8 No. 1: Timeliness in Five State Supreme Courts



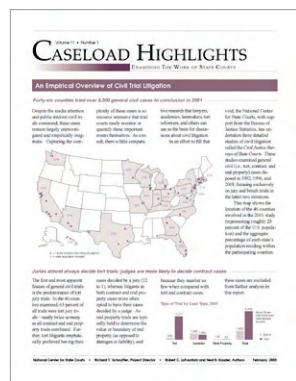
Vol. 9 No. 1: A Profile of Hung Juries



Vol. 9 No. 2: The New State Court Guide to Statistical Reporting



Vol. 10 No. 1: Risk Assessment: A New Approach to Sentencing Non-Violent Offenders



Vol. 11 No. 1: An Empirical Overview of Civil Trial Litigation



Vol. 11 No. 2: Examining Court Culture



Vol. 11 No. 3: Trial Trends and Implications for the Civil Justice System



Vol. 12 No. 1: Felony Caseloads in the NACM Network



Vol. 13 No. 1: Relocating Appellate Courts in the Aftermath of Disaster

**THE NATIONAL CENTER
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WILLIAMSBURG, VA
300 Newport Avenue
Williamsburg, VA 23185-4147

DENVER, CO
707 17th Street, Suite 2900
Denver, CO 80202-3429

ARLINGTON, VA
2425 Wilson Blvd., Ste. 350
Arlington, VA 22201

Association Services
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