

2020 Incoming Cases in State Courts

Caseload Highlights

January 12, 2022



Dramatic Changes in Incoming State Court Cases and Case Processing

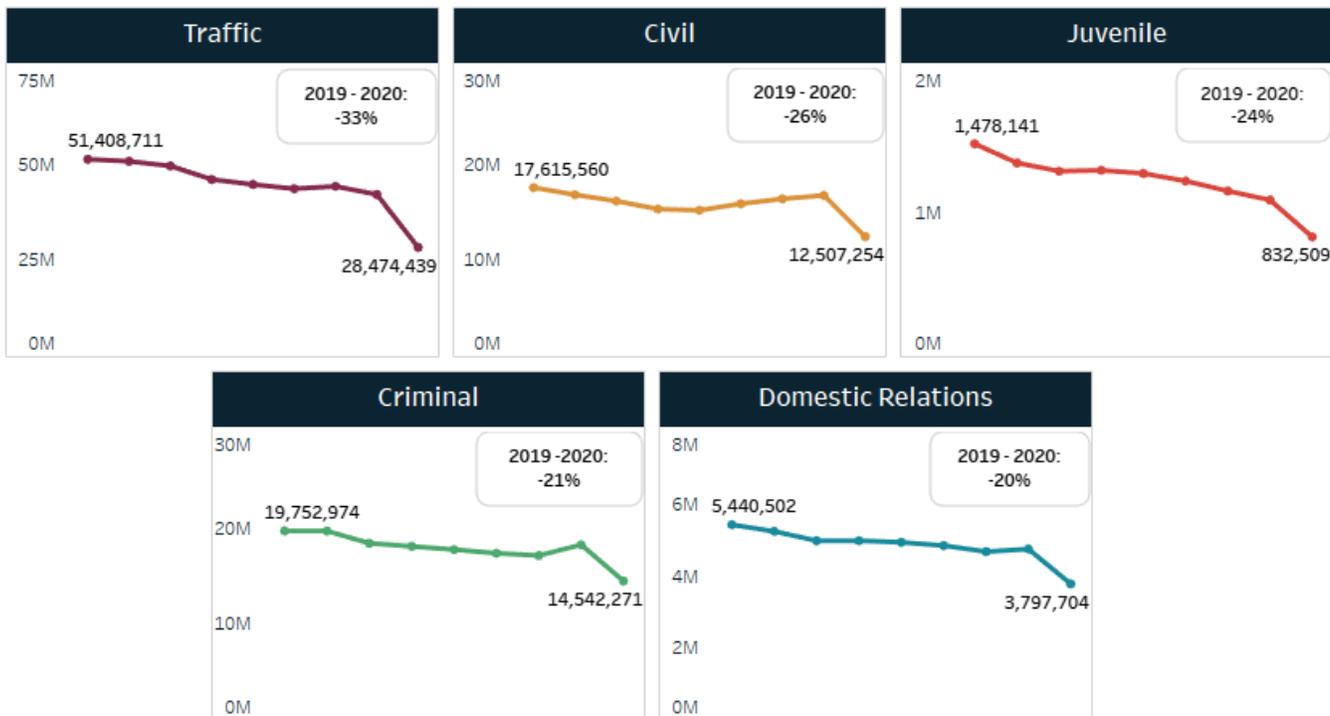
The COVID-19 pandemic continues to have broad societal and global implications. Like most private and public sectors, state courts saw dramatic and pervasive changes during 2020 as a result of the pandemic. This edition of Caseload Highlights focuses on the changes in cases filed and court responses.

From 2016 to 2019, incoming state court caseloads remained relatively stable with modest year to year changes. In 2020, however, case filings dropped 28%. Incoming cases totaled just over 60 million, compared to the over 83 million incoming cases reported in 2019.

Of the five major CSP case categories, traffic/local ordinance caseloads saw the largest decrease with incoming cases dropping 33% from 2019 to 2020. This drop came after a near decade long decline in traffic caseloads, with a total decrease of 45% since 2012. This has large implications for the many local and state governments which collect fines and fees from traffic, parking, and local ordinance violations.

Of the remaining case categories, civil and juvenile showed incoming caseloads decline 26% and 24%, respectively, while criminal showed a decline of 21% and domestic relations a decline of 20%.

Total incoming and one-year percent change, 2012-2020

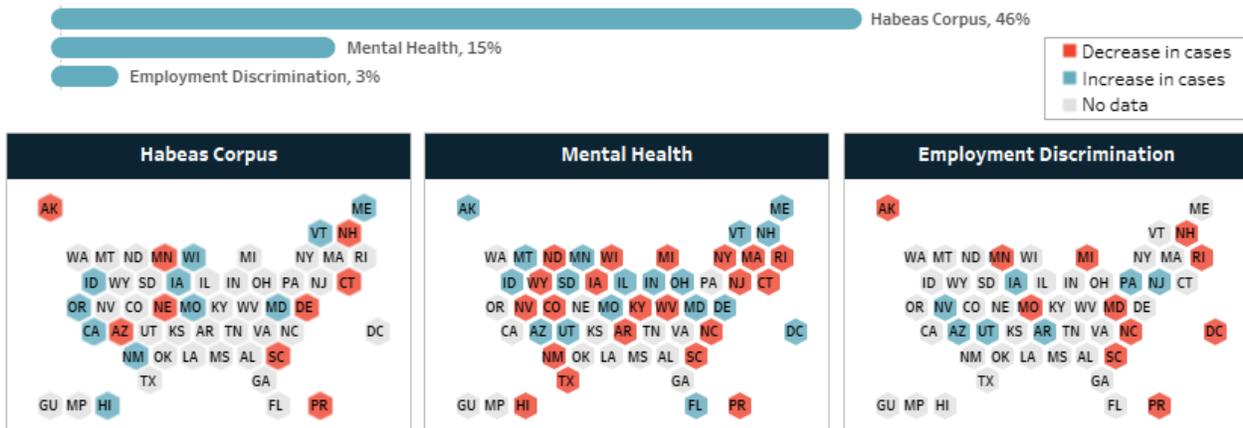


Despite the decreases in case filings, courts faced challenges of closed courthouses, the need for social distancing (resulting in decreased available courtroom space) when courthouses were open, a rapid shift to virtual proceedings, and staffing constraints due to illness or quarantine.

The drops in case filings were not universal across case types. Increases in filings were seen in several **civil** case types nationally, with the largest in *habeas corpus* cases (46%). It is possible that the increase in *habeas corpus* petitions were a direct result of the pandemic with more individuals seeking release on compassionate grounds. Compared to other case types, the number of *habeas* cases is small. Filings increased from 8,828 in 2019 to 14,275 in 2020. Of the 20 states reporting statewide publishable data for *habeas corpus* cases, 11 showed an increase while 9 had a decrease.

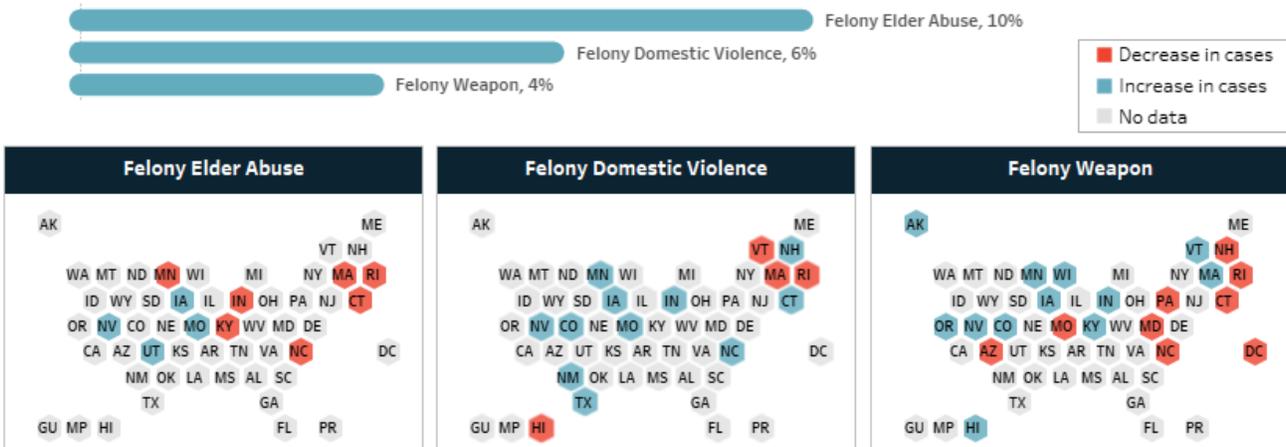
Mental health filings increased by 15% overall, with 18 of 39 states showing a statewide increase. Nearly 475,000 mental health cases were filed in 2020. Filings for failure to pay taxes increased in 2 of 14 states reporting publishable statewide data amid an overall national increase of 4%.

Percent increase in incoming cases for select civil case types, 2019 - 2020



Several **criminal** case types also increased, particularly those frequently involving family members. Felony elder abuse (10%) and felony domestic violence (6%) cases rose. Felony weapon cases also increased (4%). The number of felony elder abuse cases is still small (3,227 from 11 states reporting statewide data and 1 state reporting partial statewide data) compared to felony domestic violence cases (60,006 from 15 states reporting statewide data and 2 states reporting partial statewide data). Many states are not able to report elder abuse and domestic violence cases separately from other felony person cases, which decreased 5%.

Percent increase in incoming cases for select criminal case types, 2019 - 2020

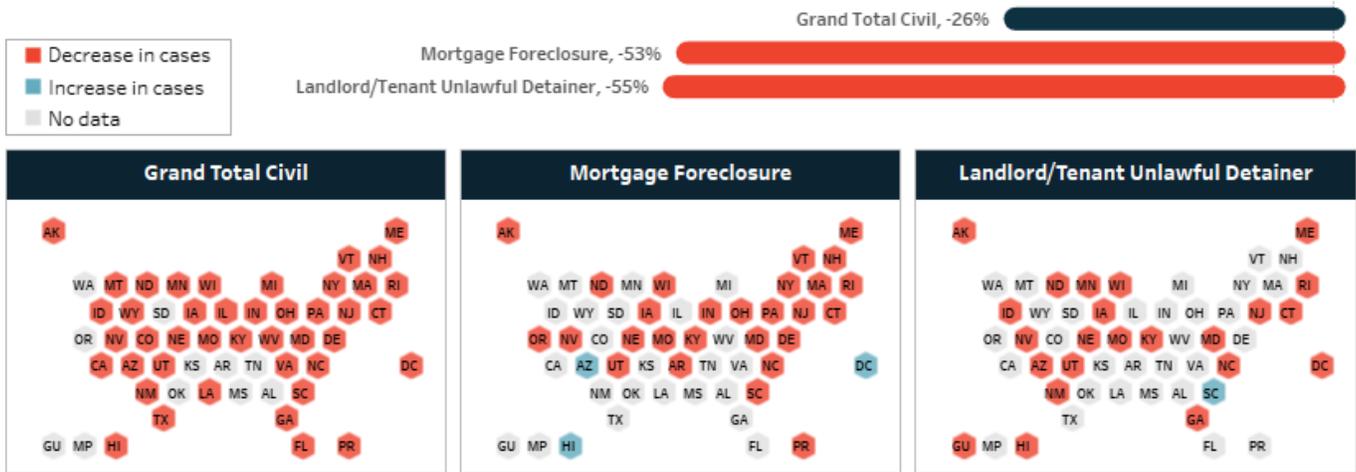


The difficulty of scheduling jury trials when courthouses are closed or when [social distancing is required](#) has led to backlogs in criminal case processing in many jurisdictions. Courts must also consider [constitutional issues](#).

Many of the largest drops were seen in **civil** case types. The greatest percent decreases were in landlord tenant unlawful detainer (eviction) cases (-55%) and mortgage foreclosure (-53%). These decreases were likely driven by state and federal eviction moratoria. As these moratoria cease, courts are seeing increases in eviction cases. The NCSC is providing [resources to courts to effectively manage these cases](#).

After several years of increased filings, overall civil filings in 2020 were down 26% compared to 2019.

Percent change in incoming cases for select civil case types, 2019 - 2020



Dependency (child welfare) cases also saw significant declines, likely driven by the reduced contact of children with mandated reporters including teachers. Filings of dependency abuse/neglect cases were down 17% and termination of parental rights petitions were down 11%.

Percent change in incoming cases for select dependency case types, 2019 - 2020



Challenges in managing new and ongoing dependency cases included reduced access to counseling, parenting instruction, and substance abuse treatment. Visitation between parents and children in foster care was complicated by social distancing and quarantines, and many families faced challenges in accessing remote hearings. Nevertheless, courts prioritized these time-sensitive and labor-intensive cases during the pandemic to ensure that children’s needs were met.

Juvenile Delinquency cases were down 27% overall, with the greatest drops in drug cases (-37%), public order cases (-31%), and person cases (-29%). Person cases are the most serious delinquency charges and include violent crimes against persons. **Status offense** cases, which include truancy, dropped by a third (34%). Truancy was harder for schools to identify during the pandemic when many schools were virtual for months at a time.

Percent change in incoming cases for select juvenile delinquency case types, 2019 - 2020



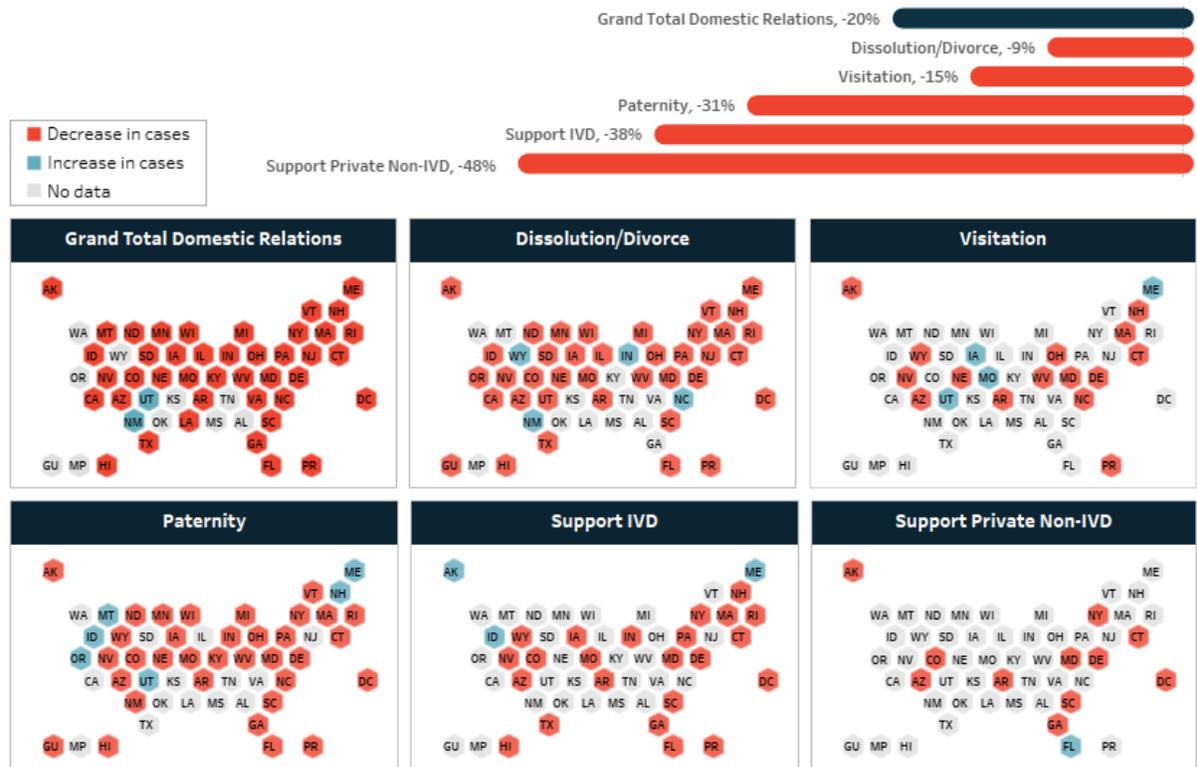
Local violations were also down significantly. Parking violations decreased by 55% and local ordinance violation cases were down by 42%.

Percent change in incoming cases for select traffic/local ordinance case types, 2019 - 2020



Domestic case filings dropped 20% in 2020. The largest drops were in child support cases, which saw a drop of 48% for private filings and 38% for filings from state child enforcement agencies, and paternity cases with a drop of 31%. Smaller decreases were seen in adoption cases (-15%), visitation cases (-15%), and divorce cases (-9%).

Percent change in incoming cases for select domestic relations case types, 2019 - 2020



Although courts have adopted new technology and adapted to changing circumstances rapidly, many courts are facing backlogs that built as a result of closed courthouses, delayed jury trials, social distancing, and illnesses and quarantines among court staff. The NCSC provides assistance to courts on effective case management with projects including the [Cady Initiative for Family Justice Reform](#), the [Effective Criminal Case Management Project](#), and the [Center for Jury Studies](#) and a [court backlog reduction simulator](#) that shows projected caseloads with and without interventions.

The Court Statistics Project is the only source for comparable annual state court caseload data and continues to publish court data at www.courtstatistics.org. Additional pandemic-related data reports include snapshots from a limited number of states [published throughout the year](#) to monitor the effects of the pandemic on new case filings.

For more information about 2012-2020 court data, go to <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays>.

Percent change in incoming cases for all CSP case types, 2019 - 2020

