Welcome to the NCSC Backlog Simulator!

The purpose of the Court Backlog Reduction Simulator (CBRS) is to help your court assess your active pending caseload, identify backlogs, brainstorm possible solutions, and make policy and practice changes to improve case processing.

→ Drawing on the number of pending cases and past filing and disposition trends, the tool provides a **forecast of pending cases** over the next 12 months.

→ For courts that track the age of their pending cases (e.g., % open within 0-90 days, 91-180 days, 181-270 days, etc.), the tool will display a **forecast of future backlog cases** as a total number within the forecasted pending caseload.

Together, these forecasts are designed to help you identify targets for change and estimate how your interventions may impact monthly case processing. Once you have selected the case type area you want to examine (e.g., felony, civil, family) and entered basic data about the current situation, you will want to review the forecasts and consider what specific steps or interventions your court can take in the next 12 months to reduce the level of pending and backlogged cases.

Interventions are strategies designed to reduce backlog and often feature efforts to increase the number of dispositions, triage cases for early resolution, or focus on resolving the oldest pending cases. Specific interventions include adding a visiting judge, expanding court hours, and dedicating staff to a dismissal docket for inactive cases. Interventions tend to focus on ways to better manage cases, raise clearance rates, and reduce the age of pending caseloads.
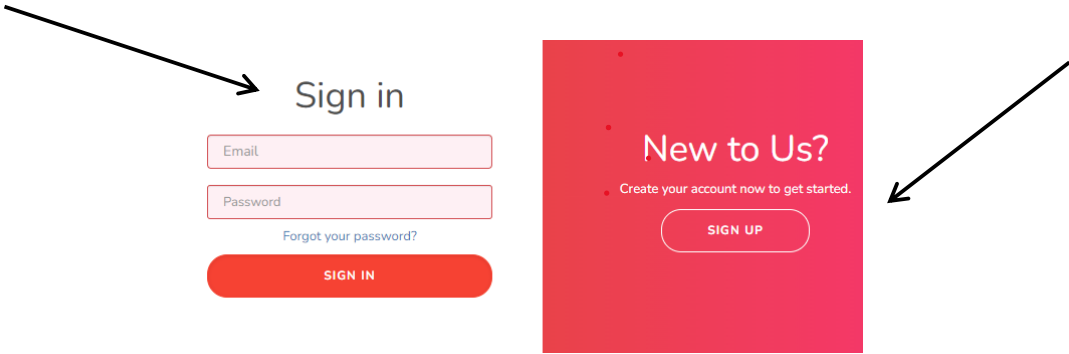
Getting Started with the Simulator

Enter the Simulator to create an account, get started with a simulation, and save/share/view your simulations:

→ **Create an account**: Click **Sign In** in the upper right-hand corner and then click **Sign Up.**

Enter the following:
- o **First Name**
- o **Last Name**
- o **Email**
- o **Password**
- o **Select State**
- o **Organization Name**
- o **Organization**

Sign in

Email

Password

Forgot your password?

SIGN IN

New to Us?

Create your account now to get started.

SIGN UP

Create Account

If you have never logged on to our website before, enter your name, email and password below to create an account.

First Name

Last Name

Email

Password

Select State

Court Name

Court Level

REGISTER

Step 1: Enter Historical Caseload Data

The primary inputs are selecting a type of case to examine and providing data on begin pending, monthly filings, and monthly dispositions (**Numbers**) for the most recent 12-month period (referred to as the *historical data*).

There are a set of fields on the left side of the simulator used to provide the information needed to use the CBRS:

→ **Case Type**: Select type of case to be examined using the Backlog Simulator.

→ **Date**: Select the month that will be the start of the simulation period. Monthly filing and disposition data should be available for the prior 12-month period (*historical data*).

→ **Pending**: Enter the number of pending cases at the start of the prior 12-month period (start of the historical data).

→ **Target Pending**: This field is optional. Enter the number of pending cases that your court plans to reach 12 months in the future. This number may be different from current pending if backlogs are rising.

→ **Numbers**: Clicking on this field opens a data entry sheet for inputting historical data. Clicking the button again will close the data entry sheet.

- o **Historic Filings**: Enter the number of cases filed each month for the prior 12-month period.

- o **Historic Dispositions**: Enter the number of cases disposed of each month for the prior 12-month period.

Step 2: Enter Aging Data

To capture backlogged cases (i.e., cases open beyond a time standard), input data on the age of the active pending caseload (**Aging**) for your specified case type and Date.

→ **Aging**: Clicking on this field opens a data entry sheet for inputting the percent of the pending caseload that has been open within each time frame shown (in days) as of the Date shown. Clicking the button again will close the data entry sheet.

- o **Time Frame**: The case type selected impacts the age categories shown. Enter the percent of pending cases that fall within each age category. At a minimum, a percentage must be entered for the > (greater than) age category to populate the chart.

- o **Total**: This will turn green when the percentages in the yellow cells total 100%.

Step 3: Review and Enter Interventions Data

CASE TYPE

Other: Please Sp ⌄

DATE

June 2023 📅

BEGIN PENDING

0

TARGET PENDING

0

⊞ **Numbers**

⊞ **Aging**

⊞ **Interventions**

INTERVENTIONS

Date	Filings	Dispositions	Clearance Rate	Active Pending
Jun, 2023	0	0		0
Jul, 2023	0	0		0
Aug, 2023	0	0		0
Sep, 2023	0	0		0
Oct, 2023	0	0		0
Nov, 2023	0	0		0
Dec, 2023	0	0		0
Jan, 2024	0	0		0
Feb, 2024	0	0		0
Mar, 2024	0	0		0
Apr, 2024	0	0		0
May, 2024	0	0		0
	0	0		

The interventions button will show the average number of filings and dispositions from the previous 12-month period. It also displays the clearance rate and total pending for each month. This is where the expected impacts of your interventions can be entered, typically after step 4. You can find additional information on interventions later in this document.

Without any changes, these totals reflect the **Next 12 Months; without interventions** line in the chart. Once changes are made, these totals reflect the **Intervention** line in the chart.

→ **Interventions**: Clicking on this field opens a data entry sheet for inputting an intervention and its expected impact on filing and/or disposition trends over the next 12 months. With no intervention, the monthly numbers are left at the prior 12-month average. Clicking the button again will close the data entry sheet.

   o **Expected Filings**: Enter the expected number of monthly filings for the next 12 months.

   o **Expected Dispositions**: Enter the expected number of monthly dispositions for the next 12 months.

Step 4: Review Your Simulator Results

Congratulations! You are now ready to start your analysis by reviewing the results in three interrelated graphics.

1. The **Pending Caseload** graph at the top of the page shows the trend in pending cases for the previous year and three forecasts or projections for the upcoming 12-month period:

   o **Forecasted Pending: With Intervention**

   This is the pending caseload at the end of the simulation period including the impact of intervention.

   o **Forecasted Pending: No Intervention**

   This is the pending caseload at the end of the simulation period if no change (intervention) is made to observed practice in the historical data.

   o **Forecasted Backlog: No Intervention**

   This is the pending backlog at the end of the simulation period if no change (intervention) is made to observed practice in the historical data.

2. The **Clearance Rate** graph on the lower left shows the average monthly clearance rate for the historical period and during the simulation period based on estimated filings and dispositions.

3. The **Filings & Dispositions** graph on the lower right shows the average monthly filings and dispositions for the historical period and during the simulation period.

To see how further changes in filings and dispositions affect the court's pending caseload, go back to the Interventions field and make adjustments that would be reasonable for your court.

At this stage, be sure to save your simulation(s) so you can compare and update it in the future.
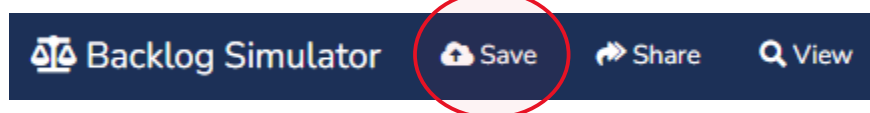
Inspect the Data

Consider how filings and dispositions compare to prior years. Review the updated boxes at the top to see the average monthly filings and dispositions with the intervention(s). Compare the forecasted pending with and without interventions.

   o What patterns do you see in the past 12 months?
   o What is the forecasted trend in pending cases for the next 12 months?
   o How close to the target pending are the data points over time?
   o To what extent has the proposed intervention improved the average clearance rate?
   o Are the number of monthly filings exceeding the number of monthly dispositions?

Brainstorm Alternative Interventions to Reduce Pending and Backlogs

Based on where you suspect the delays are occurring, consider what interventions might be helpful to move cases to completion and reduce pending caseload.

Consider Costs of Selected Interventions

- o Court costs may include staffing, office space, utilities, technology, etc.
- o Costs and benefits to other agencies/litigants/justice partners may be required (e.g., adding a judicial officer requires additional attorney and clerk resources)
- o Consider the cost of doing nothing/cost of delay (e.g., ECCM's Cost of Delay Calculator available at https://www.ncsc.org/__data/assets/excel_doc/0018/53235/ECCM-Cost-of-Delay-Calculator.xlsx

$	$$	$$$
Triage cases to identify those that can be resolved quickly	Increase bench time for judicial officers, offload non-bench responsibilities to other staff	Implement/expand e-filing
Dedicate staff to a dismissal docket	Offer a traffic ticket amnesty event	Increase the number of judicial officers
Target older cases with designated staff	Establish and send text reminders of court events	Hold longer in-person court hours (e.g., night court or Saturday court)
Track & reduce the average number of continuances	Ensure notice received prior to court date	Build in a diversion to mental health treatment option (criminal)
Track and reduce the number of appearances	Require case scheduling order on all open or backlogged cases	Add/increase court case managers responsible for caseflow management
Review resources/best practices for helping self-represented litigants	Dedicate staff to helping self-represented litigants be ready for court	

Make Decisions and Evaluate!

On a regular basis, evaluate your progress.

- o Did the interventions have the anticipated impact?
- o Were the projected costs and savings accurate?
- o Which interventions should you stop, start, or continue?

NCSC's CourTools
The NCSC developed a set of 10 balanced court performance measures to provide all courts a common set of ten indicators and clear methods to measure performance in a meaningful and manageable way.
www.courtools.org

Model Time Standards for State Trial Courts
In 2011, the Conference of Chief Justices (CCJ), the Conference of State Court Administrators (COSCA), the American Bar Association House of Delegates, and the National Association for Court Management (NACM) approved a set of Model Time Standards for State Trial Courts. The standards are the product of a two-year review by the above organizations with the help of the National Center for State Courts. Since the ABA first adopted time standards in 1968, it adopted time standards for other types of cases in 1976, updated them in 1984 and again in 1992. COSCA first established national time standards for state court cases in 1983.
https://www.ncsc.org/__data/assets/pdf_file/0032/18977/model-time-standards-for-state-trial-courts.pdf

Case Processing Time Standards: State-by-State
www.ncsc.org/cpts

Effective Criminal Case Management Project (ECCM)
The Effective Criminal Case Management project (ECCM) is a national initiative designed to discover and document effective practices that drive high performance in handling felony and misdemeanor cases in the state courts. ECCM created and implemented a rigorous national data collection effort to assemble the largest case-level data set of felony and misdemeanor cases ever created—1.2 million cases from 136 state courts in 21 states. The results of the extensive data collection, analysis, and policy recommendations that flow from that analysis are published in several reports. These reports, along with tools for court management, a cost-of-delay calculator, and an interactive data dashboard, are accessible here.
www.ncsc.org/eccm

Cady Initiative for Family Justice Reform
Accurate identification of what cases need helps the court refer parties to targeted services and make the best use of judicial time and resources on cases that need it the most. The Cady

Initiative also identifies automated processes, assisted forms and alternative legal representation models that equip families with the understanding to navigate the legal process. www.ncsc.org/fji

Civil Justice Initiative (CJI)

The Conference of Chief Justices' Civil Justice Improvements Committee delivered a 2016 report that provides guidelines and best practices for civil litigation—including case management—based upon evidence derived from state pilot projects and other applicable research, and informed by implemented rule changes and stakeholder input, for the purpose of improving the civil justice system in our state courts. To develop guidelines and best practices for civil litigation—including case management—based upon evidence derived from state pilot projects and other applicable research, and informed by implemented rule changes and stakeholder input, for the purpose of improving the civil justice system in our state courts. www.ncsc.org/cji