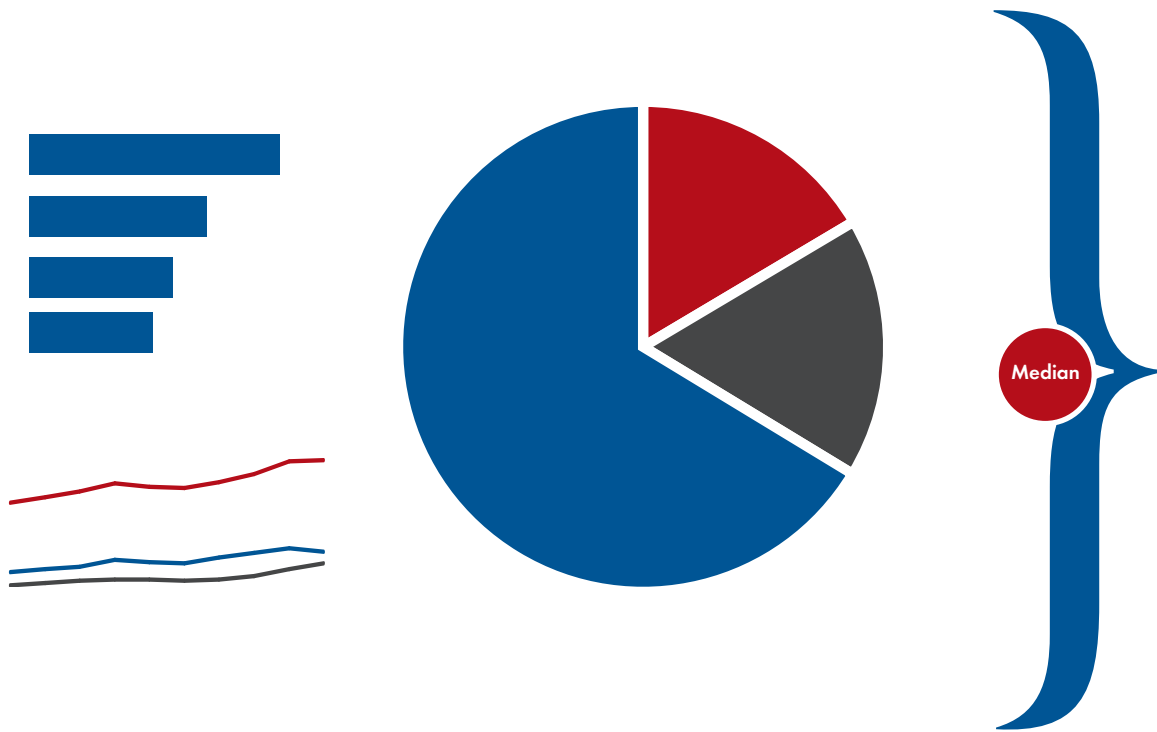


# EXAMINING THE WORK OF STATE COURTS:

## AN ANALYSIS OF 2009 STATE COURT CASELOADS



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# EXAMINING THE WORK OF STATE COURTS:

## AN ANALYSIS OF 2009 STATE COURT CASELOADS



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*A joint project of the Conference of State Court Administrators, the Bureau of Justice Statistics, and  
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### A Comment from the Chair

Approximately 95 percent of all legal cases initiated in the United States are filed in the state courts, and *Examining the Work of State Courts* is the authoritative analysis of the best available data on those cases. Whether the reader's objective is to assess the current legal landscape, to improve the management of a court or a state court system, to develop public policy, or to gain a better understanding of the work of our third branch of government, this publication and its accompanying web site provide the independent interpretation of reliable data that will speak to the reader's need.

The analysis in this publication is provided by the staff of the Court Statistics Project of the National Center for State Courts. With over thirty years of experience in the collection, compilation, and interpretation of state court data, the Court Statistics Project has no peer.

State Court Administrators from the 50 states, the District of Columbia, and Puerto Rico have all contributed to the data that are presented in this publication. The commitment of these state court leaders and their staff to the accuracy and consistency of these data ensures the integrity of the data and analysis reported here.



**Don Goodnow**  
Chair, Court Statistics Committee  
Conference of State Court Administrators

# FOREWORD

The purpose of *Examining the Work of State Courts* is to make state court statistics highly accessible. This year, we have continued our evolution as both a print and Web publication by moving more content to the Web. The print version provides an overview of state court caseloads, while detail previously found in print is now published on the Web at [www.courtstatistics.org](http://www.courtstatistics.org).

The analysis presented here is based on the data provided by staff of the Administrative Offices of the Courts and the Appellate Court Clerks' Offices. Statewide aggregate caseload data and reporting practices, population trends, and a detailed explanation of the Court Statistics Project methodology are available on the Web at [www.courtstatistics.org](http://www.courtstatistics.org).

The reporting framework for this publication is the *State Court Guide to Statistical Reporting*. Developed with guidance from the Conference of State Court Administrators' Court Statistics Committee, the *Guide* provides a national model for data reporting, making state court data more comparable and thus developing a more accurate national picture of the work of the state courts. States that significantly improved their statistical reporting through implementation of the *Guide* are acknowledged with the awarding of a CSP Reporting Excellence Award. The *Guide* is available in PDF at [www.courtstatistics.org](http://www.courtstatistics.org).

The content and design of CSP's reports and Web site are guided by 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 a cooperative agreement with the Bureau of Justice Statistics (BJS). The authors wish to acknowledge the editorial review and helpful comments provided by Tracey Kyckelhahn and Howard Snyder at BJS.

Special thanks to Neal Kauder and Daniel Regan of VisualResearch, Inc., for their innovative information design.

# REPORTING EXCELLENCE AWARDS



Each year in *Examining the Work of State Courts*, the Court Statistics Project recognizes states that have taken the time and applied the resources necessary to improve the quantity or quality of their reported caseload data. Improvements may include increases in the number of case types detailed within a case category, in the number of status categories (such as reopened or pending) for which data are provided, in the quality or completeness of data that had previously been reported, or in some combination of the three. This year we are pleased to recognize administrative office staff in Alabama, California, and Puerto Rico for their continued dedication to the enhancement of nationally collected court caseload statistics.

## Alabama

Using their CSP status report as a roadmap, the Alabama Administrative Office of the Courts (AOC) reviewed their statistical reporting and determined they had far more data that could be mapped into the case categories and case types defined by the *State Court Guide to Statistical Reporting*, the foundation of CSP reporting. Alabama's general jurisdiction Circuit Court added 21 case types in Civil, 13 case types in Domestic Relations, 16 case types in Criminal, and 7 case types in Juvenile, with similar gains for the limited jurisdiction District Court.

## California

In conjunction with the integration of the statistical reporting unit into the Office of Court Research, the California AOC reviewed its reporting to the Court Statistics Project. The review led to more accurate classification of the California data and as a result, California reported 14 case types in Civil, 4 in Domestic Relations, 5 in Criminal, 8 in Juvenile, and all case types in Traffic/Violations. The revision to California data is a valuable contribution to the completeness of the national picture of state court caseloads, since California is the largest state court system in the country.

## Puerto Rico

The Office of Courts Administration made major improvements to civil case reporting in 2009. In 2008, Puerto Rico reported fewer than half of the 37 civil case types defined in the *State Court Guide to Statistical Reporting*; after reviewing their CSP status report and their current data, they were able to report 26 case types.

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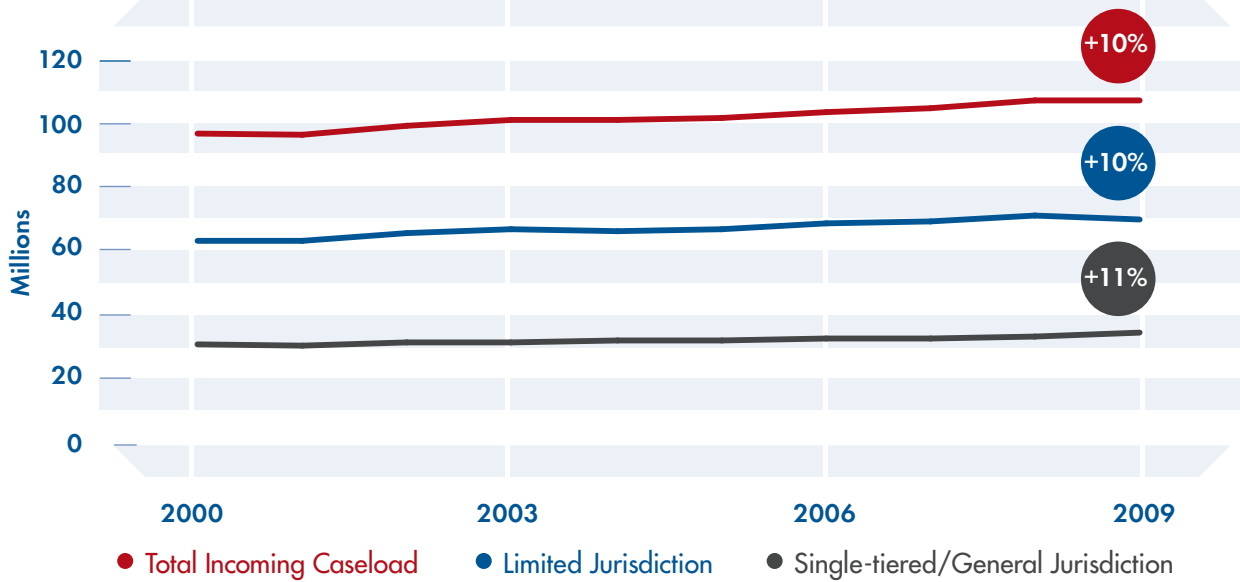


# TRIAL COURTS OVERVIEW

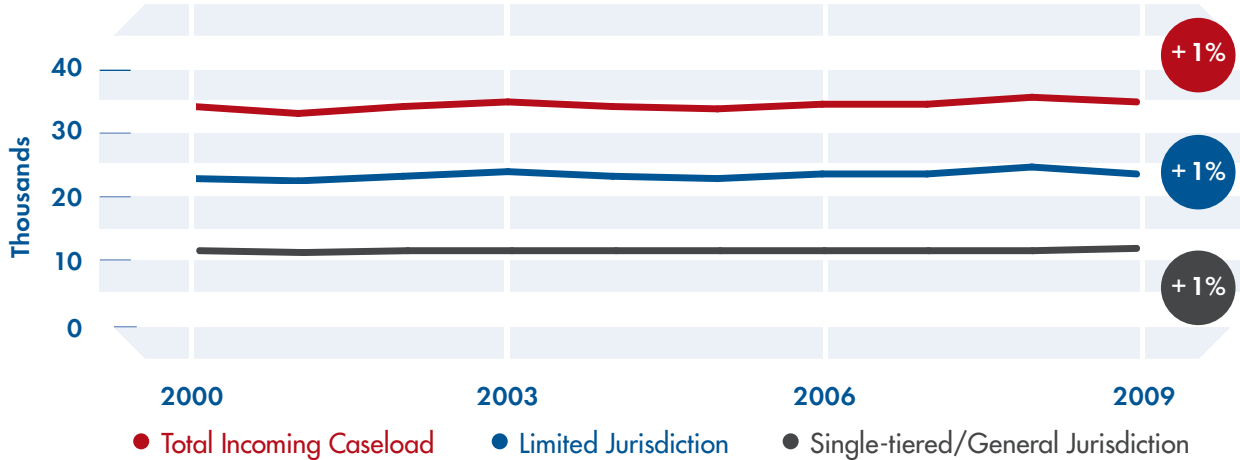
For the seventh consecutive year, total caseloads in state trial courts exceeded the 100 million mark, and 2009 sustained the record high caseloads experienced in 2008. Civil, domestic relations, criminal, and juvenile account for almost half—48 million—of those cases, with traffic and violations cases making up the balance. This overview provides a summary of these caseloads.

## TOTAL CASELOADS REMAINED ESSENTIALLY UNCHANGED IN 2009

Total Incoming Caseloads Reported by State Courts, by Jurisdiction, All States, 2000-2009



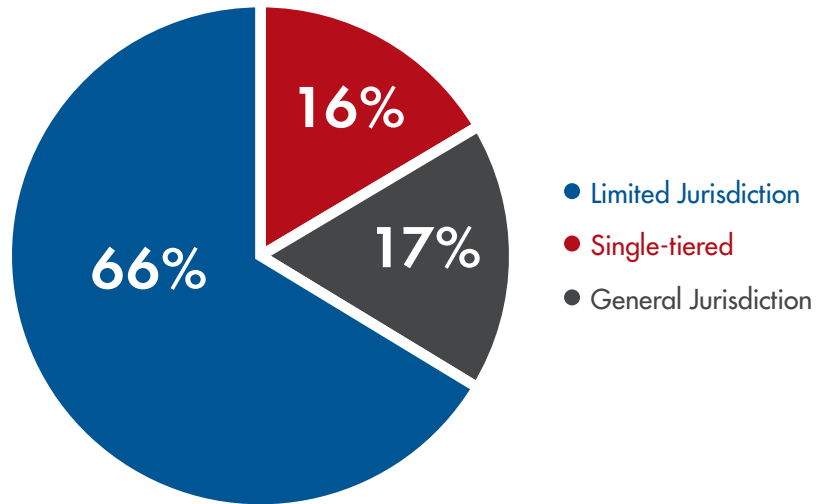
Total Incoming Cases per 100,000 Population Reported by State Courts, by Jurisdiction, All States, 2000-2009



The total number of incoming cases in 2009 was virtually identical to the previous year. A closer look inside the numbers reveals that caseloads increased by about 1 million cases in courts of general jurisdiction but decreased by roughly the same number in courts of limited jurisdiction. When population increases among the 50 states, the District of Columbia, and Puerto Rico are taken into account, the population-adjusted rate of incoming cases was 1 percent higher in 2009 than in the benchmark year of 2000.

## TWO-THIRDS OF INCOMING CASELOADS ARE PROCESSED IN LIMITED JURISDICTION COURTS

Distribution of Total Incoming Caseloads, by Jurisdiction, 2009



Total Incoming Caseloads Reported by State Courts, by Jurisdiction, 2009 (in millions)

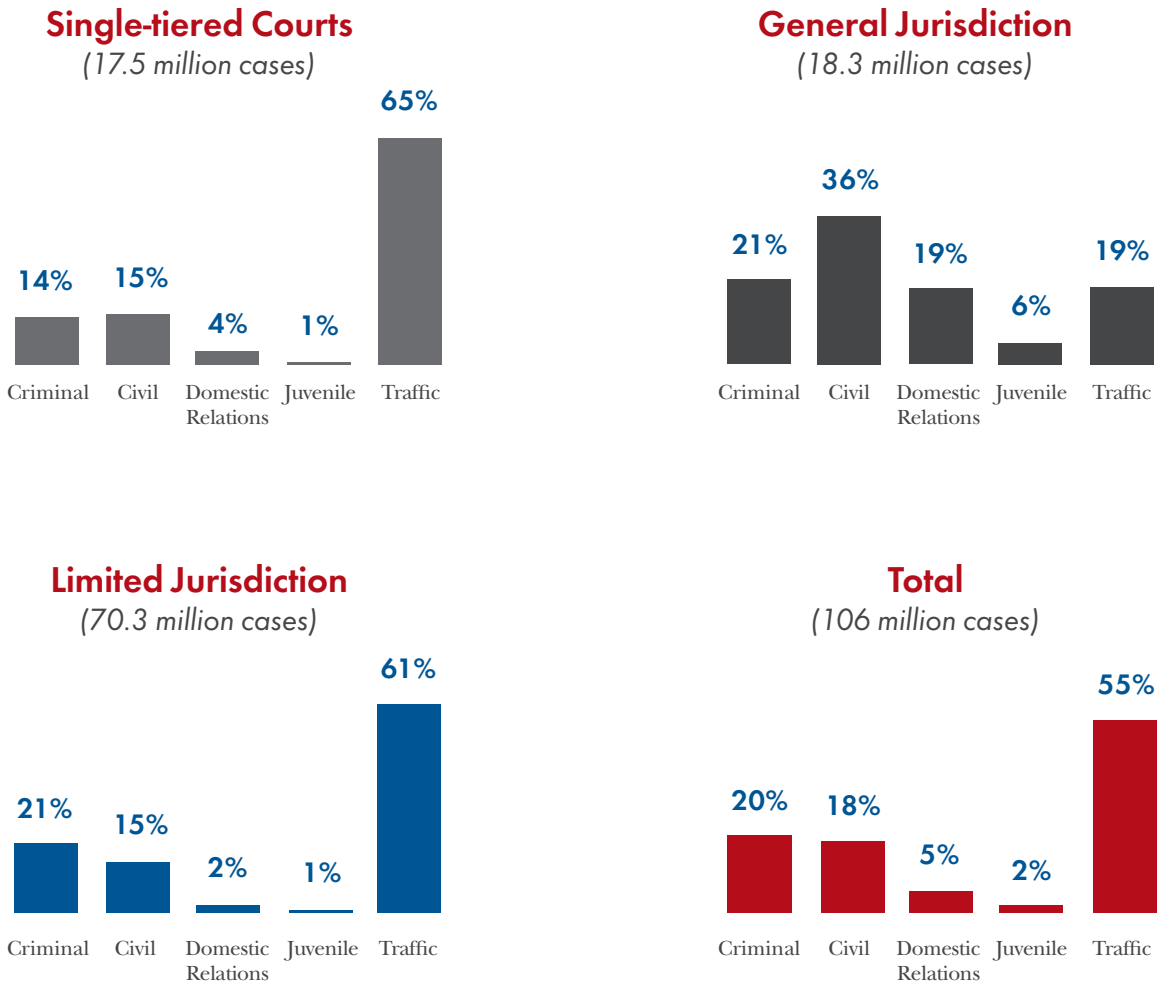
| Case Category      | Jurisdiction  |          |                         |          |             | Total       |            |
|--------------------|---------------|----------|-------------------------|----------|-------------|-------------|------------|
|                    | Single-tiered | General  | Single-tiered + General | Limited  |             |             |            |
| Traffic            | 11.4          | +        | 3.4                     | =        | 14.9        | 43.2        | 58.0       |
| Criminal           | 2.4           | +        | 3.8                     | =        | 6.2         | 14.5        | 20.7       |
| Civil              | 2.6           | +        | 6.6                     | =        | 9.2         | 10.3        | 19.5       |
| Domestic Relations | 0.7           | +        | 3.4                     | =        | 4.1         | 1.6         | 5.8        |
| Juvenile           | 0.2           | +        | 1.0                     | =        | 1.3         | 0.7         | 2.0        |
| <b>ALL CASES</b>   | <b>17.5</b>   | <b>+</b> | <b>18.3</b>             | <b>=</b> | <b>35.7</b> | <b>70.3</b> | <b>106</b> |

Note: Totals may not sum due to rounding.

Sixty-six percent, or about 70 million, of the 106 million incoming cases in state trial courts in 2009 were processed in courts of limited jurisdiction. The 27 million non-traffic cases processed in limited jurisdiction courts are lower severity criminal cases (primarily misdemeanors and preliminary hearings in felony cases), small claims and other lower stakes civil cases, and a relatively small percentage of domestic relations and juvenile cases.

# COURT STRUCTURE CLEARLY INFLUENCES CASELOAD COMPOSITION

Incoming Caseload Composition in State Courts, by Jurisdiction, All States, 2009



Caseload composition—the percentage of the total caseload represented by each case category—varies with court structure. For example, general and limited jurisdiction courts are complementary parts of a two-tiered system and typically divide a caseload based on severity, value, statute, or sometimes geography. Single-tiered systems hear all the cases filed in a state regardless of the aforementioned criteria. As such, a single-tiered court’s caseload looks different than its general and limited jurisdiction counterparts.

There are presently 6 states/jurisdictions with single-tiered court systems in the U.S.: California, Iowa, Illinois, Minnesota, the District of Columbia, and Puerto Rico. The fact that the aggregate caseload for those 6 states is roughly equivalent to the aggregate caseloads for the general jurisdiction courts of the remaining 46 states is simply coincidental.

# ON AVERAGE, GENERAL JURISDICTION COURT JUDGES HANDLE 1,800 NEW CASES ANNUALLY

## Full-time Judges in Single-tiered and General Jurisdiction Courts, 2009

|                      | Full-Time Judges |                        | Incoming Non-traffic Cases |           | Population Rank |
|----------------------|------------------|------------------------|----------------------------|-----------|-----------------|
|                      | Total            | Per 100,000 Population | Total                      | Per Judge |                 |
| California           | 1,614            | 4.4                    | 3,569,283                  | 2,211     | 1               |
| District of Columbia | 62               | 10.3                   | 118,178                    | 1,906     | 51              |
| Iowa                 | 196              | 6.5                    | 329,288                    | 1,680     | 31              |
| Illinois             | 898              | 7.0                    | 1,320,060                  | 1,470     | 5               |
| Minnesota            | 289              | 5.5                    | 412,724                    | 1,428     | 21              |
| Puerto Rico          | 326              | 8.2                    | 291,122                    | 893       | 27              |

Median  
6.7

Median  
1,575

### General Jurisdiction Courts

|                             | Full-Time Judges |                        | Incoming Non-traffic Cases |           | Population Rank |
|-----------------------------|------------------|------------------------|----------------------------|-----------|-----------------|
|                             | Total            | Per 100,000 Population | Total                      | Per Judge |                 |
| South Carolina <sup>1</sup> | 46               | 1.0                    | 230,485                    | 5,011     | 24              |
| North Carolina <sup>1</sup> | 109              | 1.2                    | 370,879                    | 3,403     | 10              |
| New Jersey                  | 411              | 4.7                    | 1,326,541                  | 3,228     | 11              |
| Florida                     | 599              | 3.2                    | 1,788,571                  | 2,986     | 4               |
| South Dakota                | 39               | 4.8                    | 116,429                    | 2,985     | 47              |
| Utah <sup>2</sup>           | 72               | 2.6                    | 194,808                    | 2,706     | 35              |
| Indiana                     | 315              | 4.9                    | 831,141                    | 2,639     | 16              |
| Connecticut                 | 179              | 5.1                    | 421,327                    | 2,354     | 30              |
| North Dakota                | 44               | 6.8                    | 100,676                    | 2,288     | 49              |
| Maine                       | 53               | 4.0                    | 119,211                    | 2,249     | 42              |
| Georgia <sup>3</sup>        | 205              | 2.1                    | 455,415                    | 2,222     | 9               |
| Nevada                      | 64               | 2.4                    | 141,619                    | 2,213     | 36              |
| Vermont                     | 31               | 5.0                    | 64,619                     | 2,084     | 50              |
| Wisconsin                   | 246              | 4.4                    | 508,011                    | 2,065     | 20              |
| Maryland                    | 153              | 2.7                    | 314,884                    | 2,058     | 19              |
| Tennessee <sup>3</sup>      | 154              | 2.4                    | 305,558                    | 1,984     | 17              |
| Missouri                    | 334              | 5.6                    | 660,268                    | 1,977     | 18              |
| Ohio                        | 391              | 3.4                    | 771,568                    | 1,973     | 7               |
| Texas                       | 449              | 1.8                    | 879,816                    | 1,960     | 2               |
| Arkansas                    | 118              | 4.1                    | 216,835                    | 1,838     | 33              |
| Virginia <sup>3</sup>       | 157              | 2.0                    | 287,797                    | 1,833     | 12              |
| Arizona                     | 174              | 2.6                    | 312,261                    | 1,795     | 14              |
| Kansas                      | 167              | 5.9                    | 298,344                    | 1,786     | 34              |
| Louisiana                   | 236              | 5.3                    | 393,840                    | 1,669     | 25              |
| Washington                  | 188              | 2.8                    | 297,400                    | 1,582     | 13              |
| Alabama                     | 143              | 3.0                    | 226,159                    | 1,582     | 23              |
| Oklahoma                    | 241              | 6.5                    | 380,712                    | 1,580     | 29              |
| New Mexico                  | 88               | 4.4                    | 134,011                    | 1,523     | 37              |
| Pennsylvania                | 439              | 3.5                    | 665,809                    | 1,517     | 6               |
| Michigan                    | 221              | 2.2                    | 318,105                    | 1,439     | 8               |
| Delaware <sup>1</sup>       | 19               | 2.1                    | 27,157                     | 1,429     | 46              |
| New Hampshire               | 19               | 1.4                    | 25,805                     | 1,358     | 41              |
| Kentucky                    | 146              | 3.4                    | 193,176                    | 1,323     | 26              |
| Colorado                    | 153              | 3.0                    | 189,936                    | 1,241     | 22              |
| New York <sup>3</sup>       | 455              | 2.3                    | 547,297                    | 1,203     | 3               |
| Hawai'i                     | 46               | 3.6                    | 48,841                     | 1,062     | 43              |
| Montana                     | 45               | 4.6                    | 43,875                     | 975       | 45              |
| Wyoming                     | 22               | 4.0                    | 18,209                     | 828       | 52              |
| West Virginia               | 70               | 3.8                    | 51,474                     | 735       | 38              |
| Rhode Island <sup>1</sup>   | 22               | 2.1                    | 16,151                     | 734       | 44              |
| Nebraska                    | 55               | 3.1                    | 33,783                     | 614       | 39              |
| Alaska                      | 40               | 5.7                    | 20,303                     | 508       | 48              |
| Idaho                       | 42               | 2.7                    | 20,692                     | 493       | 40              |
| Massachusetts <sup>1</sup>  | 82               | 1.2                    | 30,356                     | 370       | 15              |

Per 100k  
population  
Median  
3.1

Per Judge  
Median  
1,791

Note: Mississippi and Oregon were unable to provide data for 2009.

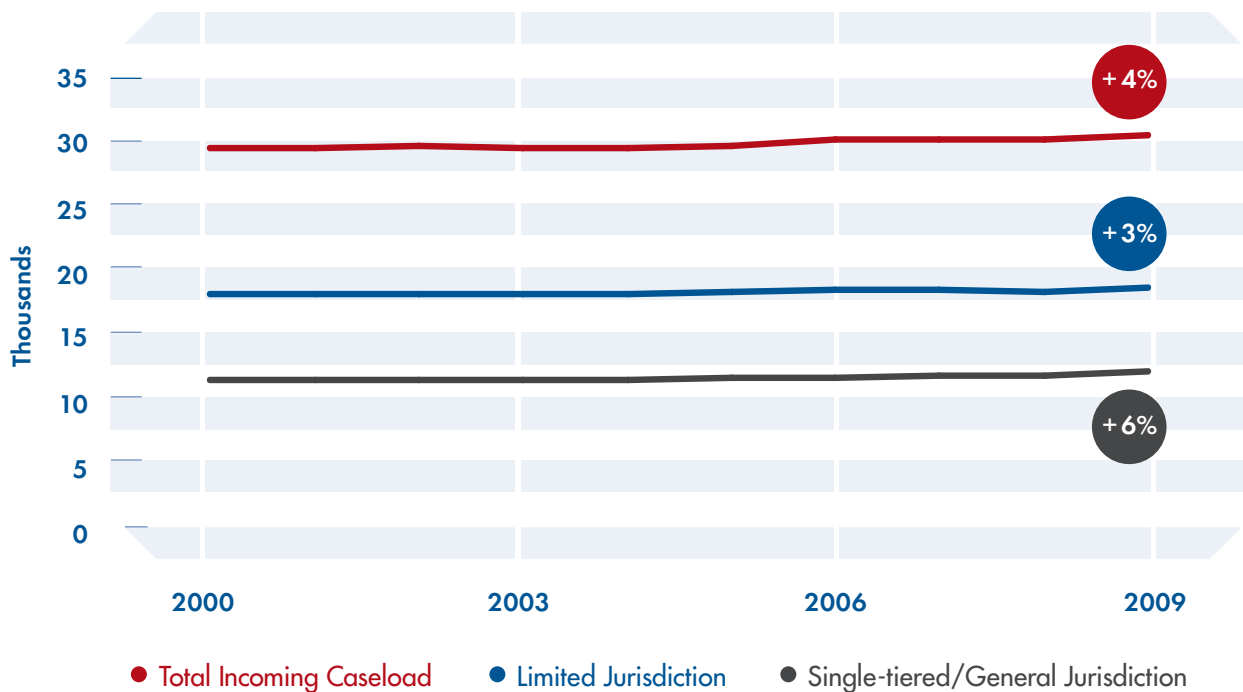
<sup>1</sup> These states do not have domestic relations or juvenile jurisdiction in their general jurisdiction court(s).

<sup>2</sup> These states do not have domestic relations jurisdiction in their general jurisdiction court(s).

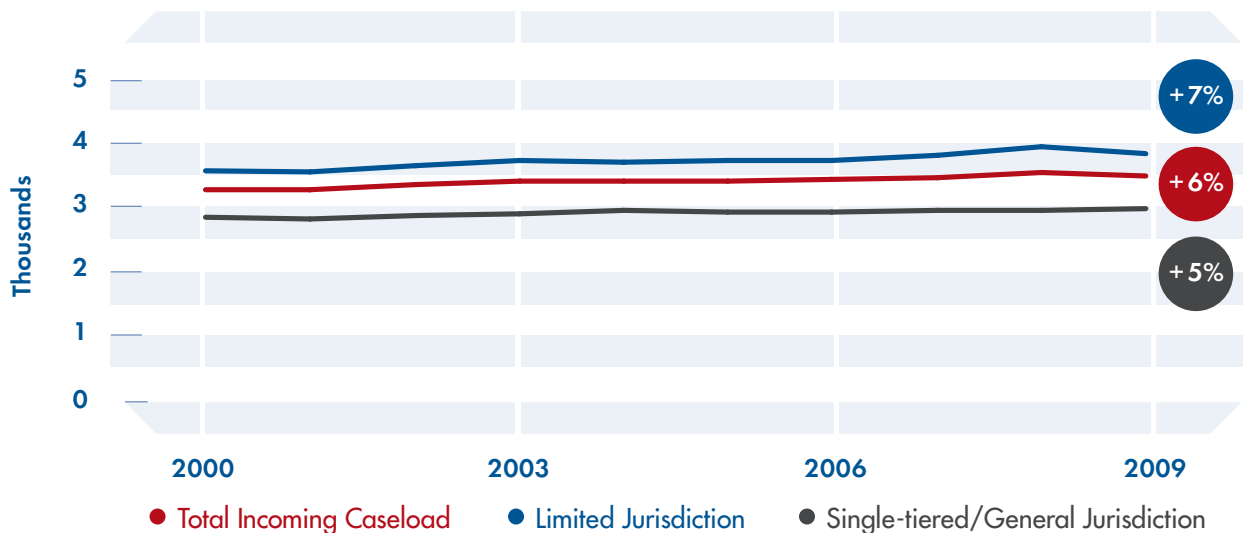
<sup>3</sup> These states do not have juvenile jurisdiction in their general jurisdiction court(s).

## TOTAL JUDICIAL OFFICERS IN STATE TRIAL COURTS EXCEED 30,000 FOR THE FIRST TIME IN 2009

Total Judicial Officers in State Courts, by Jurisdiction, 2000-2009



Total Incoming Cases per Judicial Officer, by Jurisdiction, 2000-2009



Unlike the table on the preceding page that shows only full-time judges in general jurisdiction courts, these charts display the number of judicial officers for all courts in all states. Judicial officers in state courts comprise judges, commissioners, masters, referees, and other quasi-judicial officers who adjudicate all or part of a court case. State courts reported a total of about 30,400 judicial officers in 2009, a 1 percent increase over the previous year and 4 percent more than in 2000. The general jurisdiction courts experienced a 6 percent increase over these 10 years.

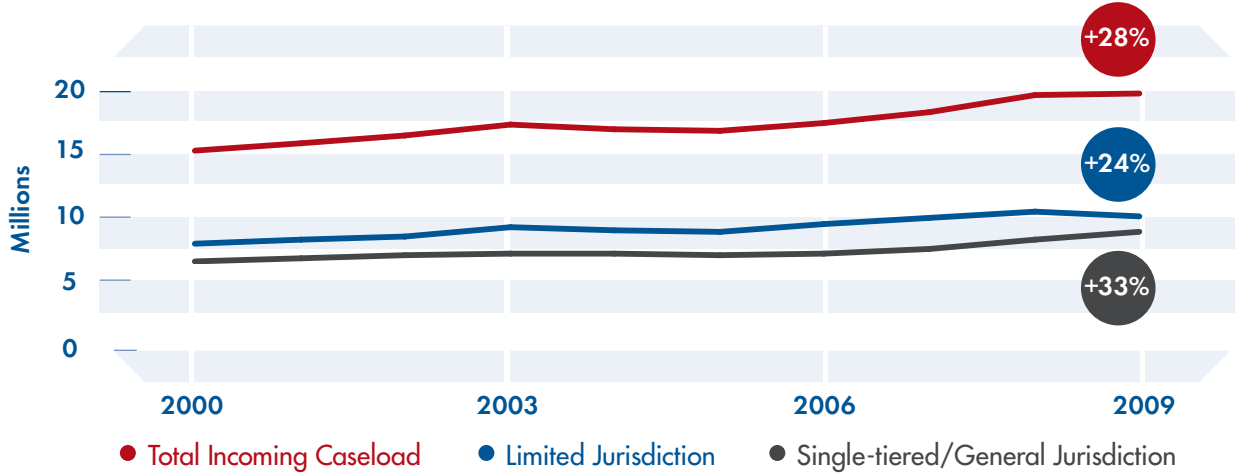
Since 2000, incoming cases per judicial officer have increased for both general and limited jurisdiction courts. However, the decline in incoming cases in limited jurisdiction courts reported in 2009 resulted in a 3 percent drop in cases from 2008, or an average of about 100 fewer cases per judicial officer.

# TRIAL COURTS CIVIL CASELOADS

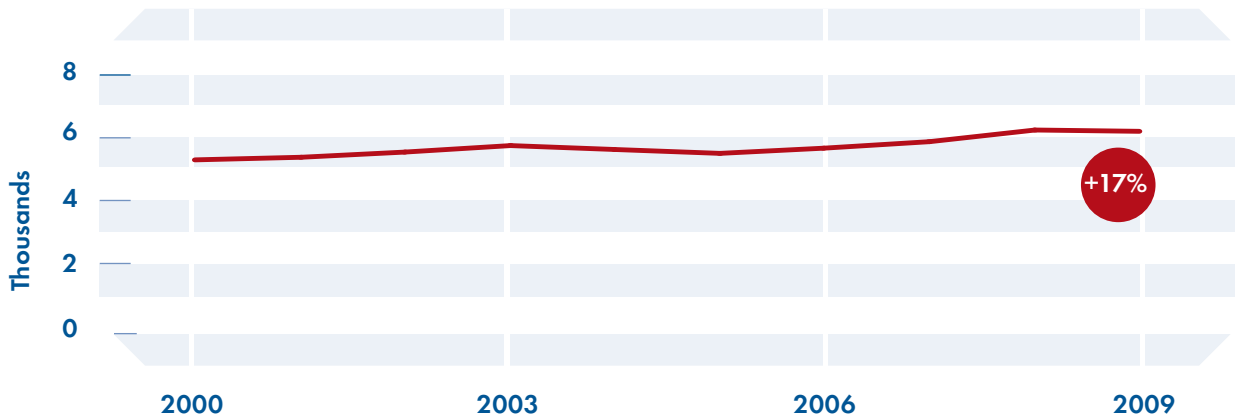
For many Americans, their only exposure to the judicial system is through involvement in some form of civil litigation. Whether as a plaintiff in a premises liability action, as a defendant in a debt collection or small claims case, or as a juror in an automobile suit, more people are likely entering the Halls of Justice for a civil case than ever before.

## CIVIL CASELOADS LEVEL OFF AFTER THREE YEARS OF GROWTH

Total Incoming Civil Caseloads Reported by State Courts, All States, 2000-2009



Total Incoming Civil Caseloads per 100,000 Population, All States, 2000-2009



After three years of pronounced increases and an overall gain of 28 percent over the last 9 years, aggregate civil caseloads leveled off in 2009, rising only slightly (1 percent) from the previous year. Total incoming civil caseloads were on a track to equal total incoming criminal cases for the first time in 2009, but the sudden downturn prevented that unprecedented occurrence.



## LARGER CASELOADS ARE NOT DRIVEN BY POPULATION ALONE

Incoming Civil Caseloads and Rates in 25 States, 2009

|                             | Incoming Civil Cases |                      | Percent of Civil Caseload |                      | Total Civil Cases   | Population |
|-----------------------------|----------------------|----------------------|---------------------------|----------------------|---------------------|------------|
|                             | General Jurisdiction | Limited Jurisdiction | General Jurisdiction      | Limited Jurisdiction | Per 100k Population | Rank       |
| <b>District of Columbia</b> | 68,460               | n/a                  | 100%                      | n/a                  | 11,417              | 51         |
| New Jersey                  | 908,368              | 14,103               | 98%                       | 2%                   | 10,594              | 11         |
| Florida                     | 832,296              | 643,793              | 56%                       | 44%                  | 7,963               | 4          |
| Michigan                    | 68,989               | 698,499              | 9%                        | 91%                  | 7,698               | 8          |
| Delaware                    | 18,259               | 49,191               | 27%                       | 73%                  | 7,620               | 46         |
| Connecticut                 | 182,438              | 79,240               | 70%                       | 30%                  | 7,438               | 30         |
| Ohio                        | 289,630              | 550,723              | 34%                       | 66%                  | 7,280               | 7          |
| Kansas <sup>1</sup>         | 195,843              |                      | 100%                      | 0%                   | 6,948               | 34         |
| Colorado                    | 85,108               | 245,007              | 26%                       | 74%                  | 6,570               | 22         |
| Kentucky                    | 71,339               | 202,157              | 26%                       | 74%                  | 6,340               | 26         |
| <b>Iowa</b>                 | 178,725              | n/a                  | 100%                      | n/a                  | 5,942               | 31         |
| Arizona                     | 118,445              | 269,434              | 31%                       | 69%                  | 5,881               | 14         |
| Missouri <sup>1</sup>       | 337,078              |                      | 100%                      | 0%                   | 5,630               | 18         |
| Utah                        | 130,835              | 20,150               | 87%                       | 13%                  | 5,422               | 35         |
| Wisconsin <sup>1</sup>      | 302,611              |                      | 100%                      | 0%                   | 5,351               | 20         |
| <b>Illinois</b>             | 667,160              | n/a                  | 100%                      | n/a                  | 5,168               | 5          |
| Idaho                       | 10,174               | 69,372               | 13%                       | 87%                  | 5,146               | 40         |
| North Dakota <sup>1</sup>   | 33,170               |                      | 100%                      | 0%                   | 5,128               | 49         |
| <b>Puerto Rico</b>          | 182,196              | n/a                  | 100%                      | n/a                  | 4,592               | 27         |
| Washington                  | 148,707              | 147,001              | 50%                       | 50%                  | 4,437               | 13         |
| Arkansas                    | 58,615               | 66,417               | 47%                       | 53%                  | 4,327               | 33         |
| Vermont                     | 23,198               | 3,493                | 87%                       | 13%                  | 4,293               | 50         |
| <b>Minnesota</b>            | 224,966              | n/a                  | 100%                      | n/a                  | 4,272               | 21         |
| <b>California</b>           | 1,298,536            | n/a                  | 100%                      | n/a                  | 3,513               | 1          |
| Hawai'i                     | 10,570               | 24,917               | 30%                       | 70%                  | 2,740               | 43         |

Note: States in bold have a single-tiered court system.

Single-tiered courts are, by definition, courts of general jurisdiction.

<sup>1</sup> These states do not have civil jurisdiction in their limited jurisdiction court(s).

"n/a" indicates no limited jurisdiction court.

Median  
5,630



## CONTRACT-BASED LITIGATION IS ABOUT 70 PERCENT OF GENERAL JURISDICTION CASELOADS

Incoming Civil Caseload Composition in 16 General Jurisdiction Courts, 2009

|                  | Contract   | Small Claims | Contract + Small Claims | Probate    | Tort      | Mental Health | Civil Appeals | Real Property | Other Civil | Total Incoming Civil |
|------------------|------------|--------------|-------------------------|------------|-----------|---------------|---------------|---------------|-------------|----------------------|
| Kansas           | 80%        | 5%           | 85%                     | 5%         | 2%        | 1%            | 0%            | 1%            | 6%          | 195,843              |
| Utah             | 65%        | 18%          | 83%                     | 4%         | 2%        | 1%            | 0%            | 6%            | 3%          | 130,835              |
| Wisconsin        | 20%        | 60%          | 80%                     | 7%         | 2%        | 6%            | 0%            | 0%            | 4%          | 302,611              |
| <b>Iowa</b>      | 16%        | 60%          | 76%                     | 8%         | 2%        | 6%            | 1%            | 0%            | 7%          | 178,725              |
| Missouri         | 69%        | 4%           | 73%                     | 6%         | 5%        | 4%            | 3%            | 1%            | 8%          | 337,078              |
| <b>Minnesota</b> | 48%        | 25%          | 72%                     | 5%         | 3%        | 2%            | 0%            | 3%            | 15%         | 224,966              |
| Mississippi      | 72%        | n/j          | 72%                     | n/j        | 15%       | n/j           | 5%            | 1%            | 6%          | 38,115               |
| North Dakota     | 55%        | 15%          | 71%                     | 13%        | 1%        | 5%            | 1%            | 1%            | 8%          | 33,170               |
| Maine            | 46%        | 24%          | 70%                     | 0%         | 3%        | 2%            | 2%            | 1%            | 22%         | 47,041               |
| New Jersey       | 64%        | 6%           | 70%                     | 22%        | 6%        | n/j           | n/j           | 1%            | 2%          | 908,368              |
| Colorado         | 62%        | 0%           | 62%                     | 13%        | 6%        | 6%            | 1%            | 2%            | 10%         | 85,108               |
| Connecticut      | 28%        | 34%          | 61%                     | 24%        | 6%        | 1%            | 1%            | 0%            | 7%          | 261,678              |
| Alabama          | 42%        | n/j          | 42%                     | 3%         | 17%       | n/j           | 1%            | 2%            | 35%         | 51,711               |
| Rhode Island     | 37%        | 0%           | 38%                     | 0%         | 24%       | n/j           | 1%            | 7%            | 29%         | 10,778               |
| Hawai'i          | 28%        | n/j          | 28%                     | 22%        | 11%       | 6%            | 2%            | 3%            | 29%         | 10,570               |
| Washington       | 26%        | n/j          | 26%                     | 13%        | 6%        | 6%            | 1%            | 14%           | 34%         | 148,707              |
| <b>TOTAL</b>     | <b>51%</b> | <b>18%</b>   | <b>= 69%</b>            | <b>13%</b> | <b>5%</b> | <b>2%</b>     | <b>1%</b>     | <b>2%</b>     | <b>8%</b>   | <b>2,965,304</b>     |

Note: States in bold have a single-tiered court system.  
 “n/j” indicates no jurisdiction over that case type.

The table shows the distribution of civil case types across the total civil caseloads of 16 general jurisdiction courts. Though there is obvious variation from state to state—much of which is attributable to differing court structures—most noticeable is how much of the caseloads are either contract or small claims cases. Aggregated, these cases range from 26 to 85 percent of civil cases. Three of the four states with the lowest aggregate percentage of contract and small claims cases (AL, HI, and WA) have no small claims jurisdiction in their general jurisdiction court.



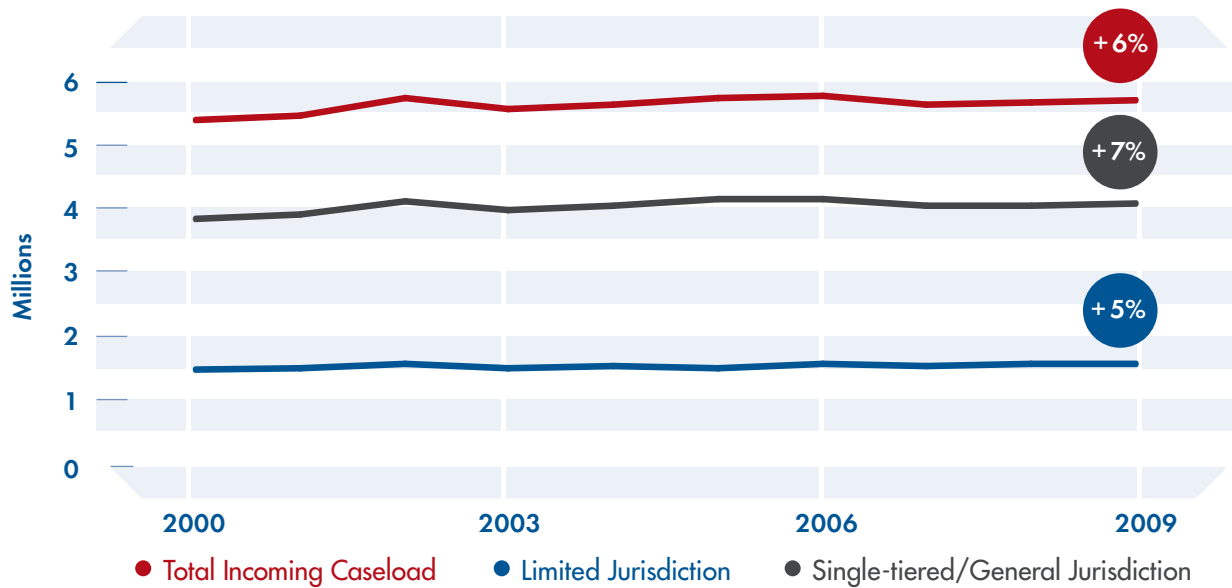
# TRIAL COURTS DOMESTIC RELATIONS CASELOADS

Domestic relations cases—known to some as “Family Law” cases—primarily involve actions between people sharing a recognized familial relationship. Divorce actions are the most common type of domestic relations case, but also included are paternity, adoption, custody/visitation, support, and protection order cases.

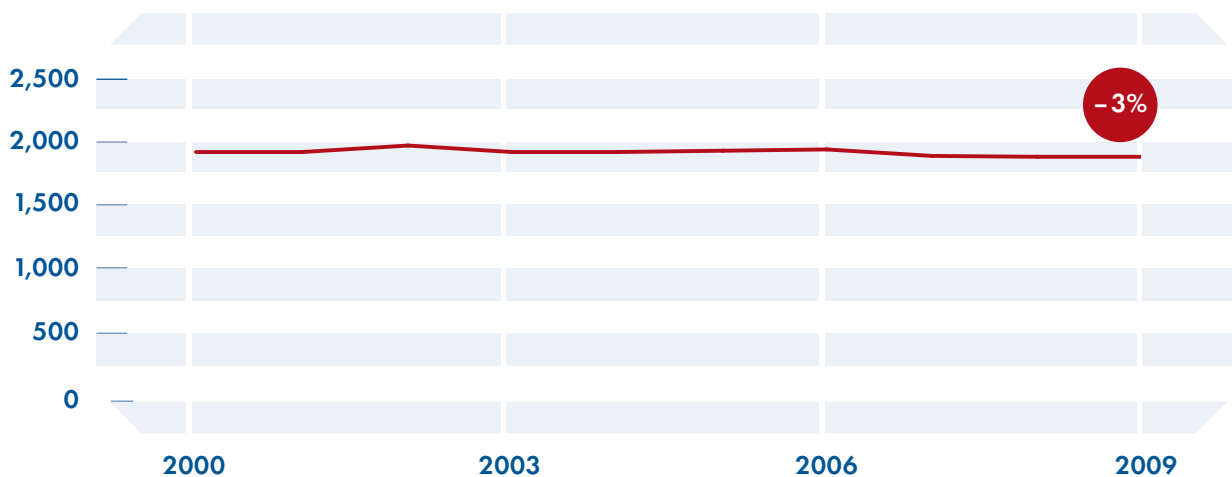
States have devised a number of ways to process these cases. In states with single-tiered court systems, all domestic relations cases are necessarily heard in their court of general jurisdiction. However, states with two-tiered systems have distributed these cases across both tiers, often dividing jurisdiction by case type.

## DOMESTIC RELATIONS CASELOAD TRENDS REMAIN RELATIVELY STABLE

Total Incoming Domestic Relations Caseloads Reported by State Courts, All States, 2000-2009



Total Incoming Domestic Relations Cases per 100,000 Population, All States, 2000-2009



Nationwide, incoming caseload data suggest that domestic relations cases have increased at an average annual rate of less than 1 percent in the last ten years. This modest rise means that when the data are adjusted for increases in population, there were actually fewer cases *per capita* in 2009 than there were 10 years prior.

Due to their contentious nature, domestic relations case types are somewhat more prone than others to reenter the court system—as a *reopened* case—for further action by the court. For example, a request can be filed to change a support or custody agreement that had been originally determined as part of a divorce decree, or a civil protection order may be reviewed by a judicial officer after a request for a renewal. Each of these occurrences should be counted as a reopened case and consequentially counted as part of the court’s incoming caseload.

# DOMESTIC RELATIONS RATES ACCENTUATE DIFFERENCES IN COURT SYSTEM STRUCTURES

Incoming Domestic Relations Caseloads and Rates in 33 States, 2009

|  | Incoming Cases          |                         | Percent Reopened | Percent of Caseload     |                         | Total Cases<br>Per 100k<br>Population |
|--|-------------------------|-------------------------|------------------|-------------------------|-------------------------|---------------------------------------|
|  | General<br>Jurisdiction | Limited<br>Jurisdiction |                  | General<br>Jurisdiction | Limited<br>Jurisdiction |                                       |
| <b>States that report a reopened caseload</b>        |                         |                         |                  |                         |                         |                                       |
| New York   | 56,927                  | 615,532                 | 49%              | 8%                      | 92%                     | 3,441                                 |
| North Dakota <sup>1</sup>                            | 17,303                  |                         | 51%              | 100%                    | 0%                      | 2,675                                 |
| Florida <sup>1</sup>                                 | 495,872                 |                         | 48%              | 100%                    | 0%                      | 2,675                                 |
| Nevada   | 55,845                  | 1,662                   | 22%              | 97%                     | 3%                      | 2,176                                 |
| Ohio <sup>1</sup>                                    | 249,310                 |                         | 17%              | 100%                    | 0%                      | 2,160                                 |
| Arizona  | 114,226                 | 25,811                  | 37%              | 82%                     | 18%                     | 2,123                                 |
| New Mexico <sup>1</sup>                              | 41,678                  |                         | 31%              | 100%                    | 0%                      | 2,074                                 |
| <b>District of Columbia</b>                          | 12,052                  | n/a                     | 4%               | 100%                    | n/a                     | 2,010                                 |
| Alabama  | 67,929                  | 25,121                  | 42%              | 73%                     | 27%                     | 1,976                                 |
| Massachusetts <sup>2</sup>                           |                         | 109,868                 | 32%              | 0%                      | 100%                    | 1,666                                 |
| <b>Iowa</b>  | 44,654                  | n/a                     | 13%              | 100%                    | n/a                     | 1,485                                 |
| Kansas <sup>1</sup>                                  | 39,175                  |                         | 1%               | 100%                    | 0%                      | 1,390                                 |
| <b>Illinois</b>                                      | 142,839                 | n/a                     | 1%               | 100%                    | n/a                     | 1,106                                 |
| Washington   | 66,930                  | 2,505                   | 3%               | 96%                     | 4%                      | 1,042                                 |
| <b>Puerto Rico</b>                                   | 34,928                  | n/a                     | 7%               | 100%                    | n/a                     | 880                                   |
| <b>States that do not report a reopened caseload</b> |                         |                         |                  |                         |                         |                                       |
| West Virginia  | 1,207                   | 55,232                  |                  | 2%                      | 98%                     | 3,101                                 |
| Maryland   | 99,475                  | 25,054                  |                  | 80%                     | 20%                     | 2,185                                 |
| Missouri <sup>1</sup>                                | 129,284                 |                         |                  | 100%                    | 0%                      | 2,159                                 |
| Arkansas <sup>1</sup>                                | 53,020                  |                         |                  | 100%                    | 0%                      | 1,835                                 |
| Georgia <sup>1</sup>                                 | 170,483                 |                         |                  | 100%                    | 0%                      | 1,734                                 |
| Idaho  | 116                     | 25,032                  |                  | >1%                     | 100%                    | 1,627                                 |
| Wyoming  | 7,010                   | 1,496                   |                  | 82%                     | 18%                     | 1,563                                 |
| Louisiana  | 57,983                  | 390                     |                  | 99%                     | 1%                      | 1,299                                 |
| Michigan <sup>1</sup>                                | 123,844                 |                         |                  | 100%                    | 0%                      | 1,242                                 |
| California   | 458,814                 | n/a                     |                  | 100%                    | n/a                     | 1,241                                 |
| New Hampshire  | 2,564                   | 13,742                  |                  | 16%                     | 84%                     | 1,231                                 |
| Connecticut  | 34,730                  | 4,351                   |                  | 89%                     | 11%                     | 1,111                                 |
| Hawaii <sup>1</sup>                                  | 13,757                  |                         |                  | 100%                    | 0%                      | 1,062                                 |
| Colorado   | 43,938                  | 7,803                   |                  | 85%                     | 15%                     | 1,030                                 |
| Wisconsin <sup>1</sup>                               | 53,834                  |                         |                  | 100%                    | 0%                      | 952                                   |
| Minnesota  | 48,910                  | n/a                     |                  | 100%                    | n/a                     | 929                                   |
| Utah <sup>1</sup>                                    | 23,517                  |                         |                  | 100%                    | 0%                      | 845                                   |
| Nebraska   | 13,541                  | 888                     |                  | 94%                     | 6%                      | 803                                   |

Median  
22%

Median  
2,010

Median  
1,242

Note: States in bold have a single-tiered court system. Single-tiered courts are, by definition, courts of general jurisdiction. "n/a" indicates no limited jurisdiction court.

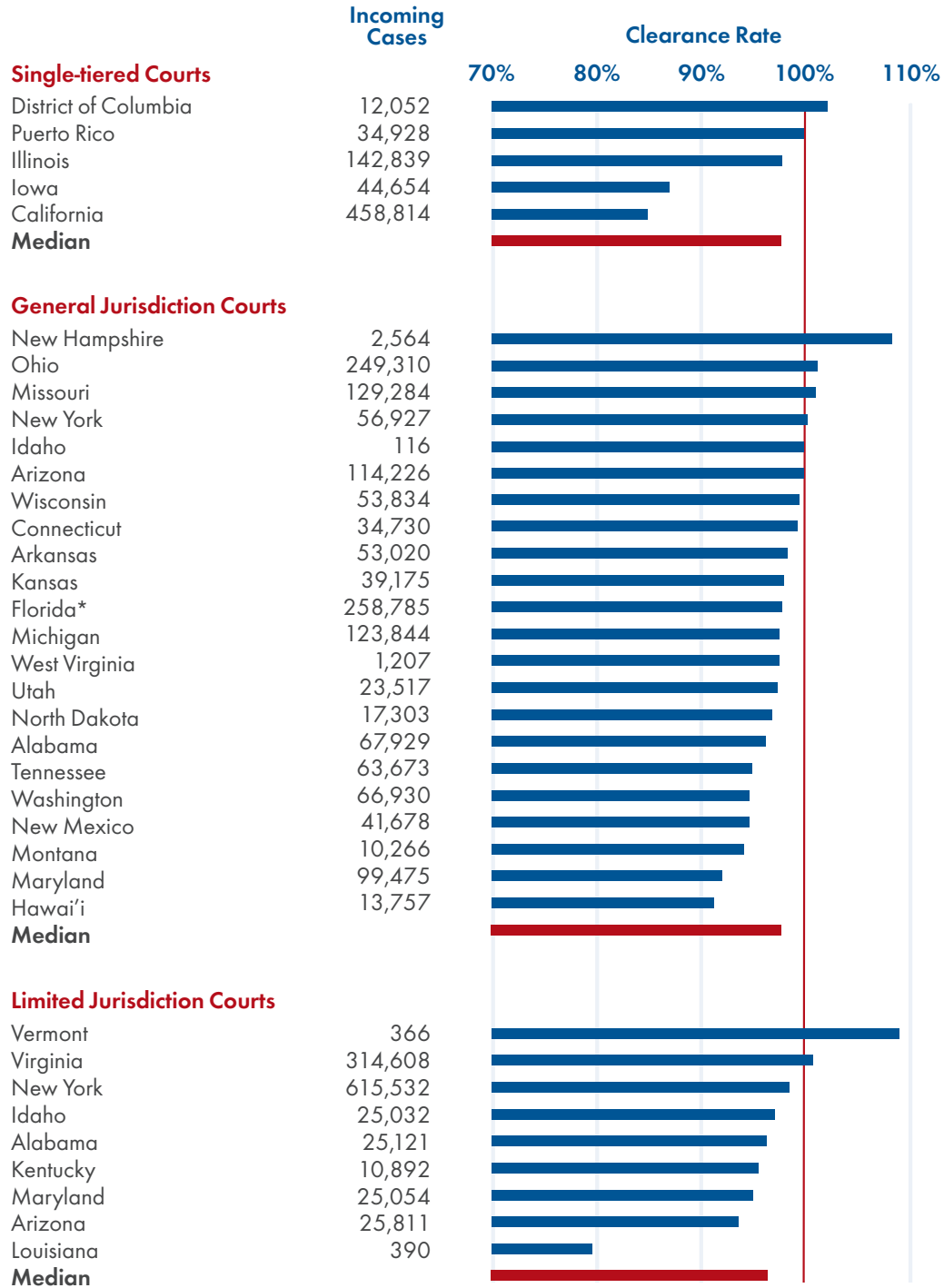
<sup>1</sup> These states do not have domestic relations jurisdiction in their limited jurisdiction court(s).

<sup>2</sup> Massachusetts does not have domestic relations jurisdiction in its general jurisdiction court.

The table displays some of the variation in rates and jurisdiction reported by state courts. Though the range of incoming rates is quite similar between the states that report a reopened caseload and those that do not, the median rate among states that do not (1,242 per 100,000) is about 40 percent less than states that do report reopened cases (2,010 per 100,000). Of the 33 states displayed on this table, 22 process 90 percent or more of their domestic relations caseload in their court of general jurisdiction while four states hear less than 10 percent of cases there.

## DOMESTIC RELATIONS CASELOADS PROVE DIFFICULT TO DISPOSE

Domestic Relations Caseload Clearance Rates in Single-tiered, General, and Limited Jurisdiction Courts in 31 States, 2009



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

The inherent complexities of domestic relations cases seem to have a direct effect on some courts' ability to dispose of as many cases as are introduced into their system each year. The chart indicates that only 2 of 5 single-tiered courts, 7 of 22 general jurisdiction courts, and 2 of 9 limited jurisdiction courts achieved clearance rates of 100 percent or more in 2009.



## DIVORCE DOMINATES DOMESTIC RELATIONS COMPOSITION

### Incoming Domestic Relations Caseload Composition in 28 States, 2009

| Jurisdiction                |                        | Percentage of Domestic Relations Caseload |           |                        |         |          |                              |                                | Total Incoming Domestic Relations |
|-----------------------------|------------------------|---|-----------|------------------------|---------|----------|------------------------------|--------------------------------|-----------------------------------|
|                             |                        | Divorce/<br>Dissolution                   | Paternity | Custody/<br>Visitation | Support | Adoption | Civil<br>Protection<br>Order | Other<br>Domestic<br>Relations |                                   |
| <b>Single-tiered Courts</b> |                        |   |           |                        |         |          |                              |                                |                                   |
| Iowa                        | General <sup>1</sup>   | 32%                                       | 16%       | 3%                     | 10%     | 4%       | 16%                          | 18%                            | 44,654                            |
| Minnesota                   | General <sup>2</sup>   | 35%                                       | 10%       | 6%                     | 21%     | 4%       | 23%                          | 1%                             | 48,910                            |
| Puerto Rico                 | General <sup>3</sup>   | 46%                                       | 1%        | 9%                     | 38%     | 1%       | n/a                          | 5%                             | 34,928                            |
| <b>Two-tiered Courts</b>    |                        |   |           |                        |         |          |                              |                                |                                   |
| Alabama                     | General                | 40%                                       | 5%        | 1%                     | 21%     | <1%      | 10%                          | 23%                            | 67,929                            |
|                             | Limited                |   | 20%       | 1%                     | 80%     | <1%      |                              |                                | 25,121                            |
| Arizona                     | Limited                |   |           |                        |         |          | 100%                         |                                | 25,811                            |
| Arkansas                    | General <sup>4</sup>   | 38%                                       | 12%       | 7%                     | 18%     | 4%       | 18%                          | 2%                             | 53,020                            |
| Colorado                    | General <sup>3</sup>   | 60%                                       | 6%        | 10%                    | 16%     | 5%       | n/a                          | 2%                             | 43,938                            |
|                             | Limited                |   |           |                        |         |          | 100%                         |                                | 7,803                             |
| Connecticut                 | General                | 42%                                       | 4%        | 10%                    | 15%     |          | 27%                          | 2%                             | 34,730                            |
|                             | Limited <sup>4</sup>   |   | 2%        | 66%                    |         | 31%      |                              | 1%                             | 4,351                             |
| Kansas                      | General <sup>4,6</sup> | 37%                                       | 13%       | 14%                    | 5%      | 5%       | 21%                          | 5%                             | 39,175                            |
| Maryland                    | Limited                |   |           |                        |         |          | 100%                         |                                | 25,054                            |
| Massachusetts               | Limited                |   | 1%        |                        |         | 3%       | 96%                          |                                | 24,832                            |
| Michigan                    | General <sup>1</sup>   | 35%                                       | 15%       | 2%                     | 18%     | 4%       | 23%                          | 3%                             | 123,844                           |
| Missouri                    | General <sup>5,7</sup> | 29%                                       | 7%        | <1%                    | 13%     | 2%       | 42%                          | 6%                             | 129,284                           |
| Nebraska                    | Limited                |   | <1%       |                        |         | 100%     |                              |                                | 888                               |
| Nevada                      | Limited                |   |           |                        |         |          | 100%                         |                                | 1,662                             |
| New Hampshire               | General <sup>6</sup>   | 42%                                       | 4%        | <1%                    | 15%     |          | 25%                          | 15%                            | 2,564                             |
|                             | Limited                | 34%                                       | <1%       | <1%                    | 1%      | 4%       | 40%                          | 21%                            | 13,742                            |
| New Mexico                  | General <sup>4</sup>   | 24%                                       | 16%       | 2%                     | 27%     | 2%       | 28%                          | 2%                             | 41,678                            |
| New York                    | General                | 100%                                      |           |                        |         |          |                              |                                | 56,927                            |
|                             | Limited <sup>4</sup>   |   | 7%        | 32%                    | 49%     | 1%       | 10%                          |                                | 615,532                           |
| North Dakota                | General <sup>4</sup>   | 13%                                       | 11%       | 2%                     | 68%     | 2%       | 5%                           |                                | 17,303                            |
| Ohio                        | General <sup>6</sup>   | 20%                                       | 6%        | 16%                    | 42%     | 2%       | 9%                           | 7%                             | 249,310                           |
| Oregon                      | General <sup>2</sup>   | 38%                                       | 4%        | 7%                     | 3%      | 4%       | 27%                          | 17%                            | 45,318                            |
| Tennessee                   | General <sup>1</sup>   | 49%                                       | 1%        | 4%                     | 22%     | 5%       | 13%                          | 6%                             | 63,673                            |
|                             | Limited                |   | 8%        | 40%                    | 53%     |          |                              |                                | 25,092                            |
| Utah                        | General <sup>6</sup>   | 60%                                       | 6%        | 4%                     | 1%      | 7%       | 22%                          |                                | 23,517                            |
| Vermont                     | Limited                |   |           |                        |         | 100%     |                              |                                | 366                               |
| Virginia                    | Limited                |   | 1%        | 45%                    | 24%     |          | 6%                           | 24%                            | 314,608                           |
| Washington                  | General <sup>2,7</sup> | 44%                                       | 11%       | 2%                     | <1%     | 5%       | 25%                          | 13%                            | 66,930                            |
|                             | Limited                |   |           |                        |         |          | 100%                         |                                | 2,505                             |
| West Virginia               | Limited <sup>7</sup>   | 23%                                       | 3%        | 3%                     | 7%      |          | 59%                          | 5%                             | 55,232                            |
| Wyoming                     | General <sup>4</sup>   | 50%                                       | 12%       | 1%                     | 29%     | 6%       |                              | 2%                             | 7,010                             |
|                             | Limited                |   |           |                        |         |          | 100%                         |                                | 1,496                             |

Notes: Blank spaces indicate that the court does not have jurisdiction for that case type. "n/a" indicates data were not available.

<sup>1</sup> Visitation cases are included with the Support caseload

<sup>2</sup> Visitation cases are included with the Other Domestic Relations caseload

<sup>3</sup> Civil Protection Order cases are included with the Other Domestic Relations caseload

<sup>4</sup> Visitation cases are included with the Custody caseload

<sup>5</sup> Custody cases are included with the Other Domestic Relations caseload

<sup>6</sup> Some Support cases are included with the Custody caseload

<sup>7</sup> Some Support cases are included with the Other Domestic Relations caseload

This table identifies, by state and court level, the percentage of each domestic relations case type that is processed there. Divorce/dissolution cases represent the largest share of the domestic relations caseload and most of these cases are processed in courts of general jurisdiction (including single-tiered courts). As their names suggest, limited jurisdiction courts tend to process smaller segments of the domestic relations caseload, with civil protection order cases comprising the entire caseload in about one-third of the jurisdictions shown here.

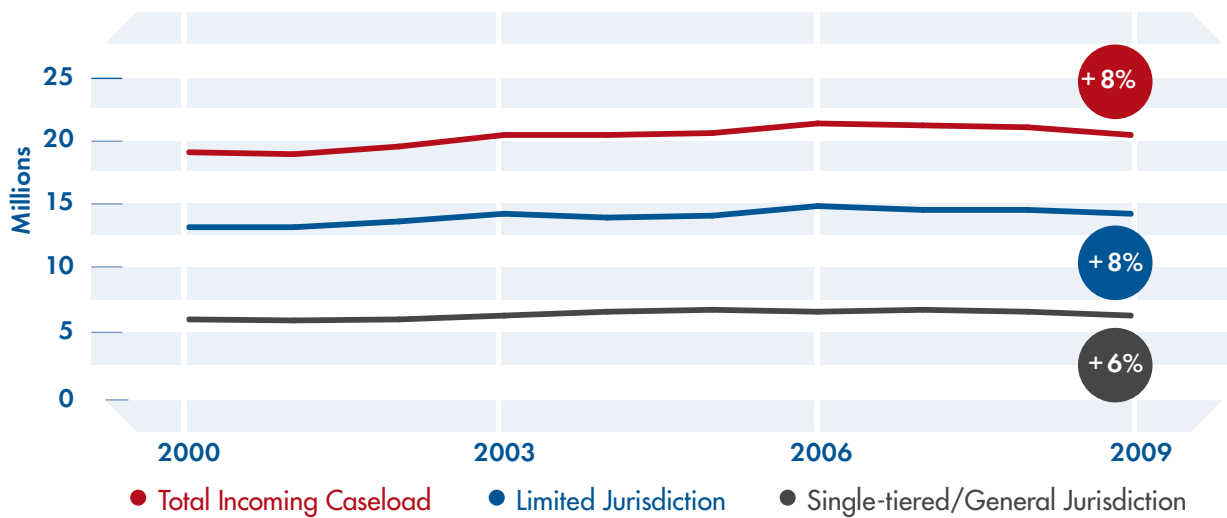


# TRIAL COURTS CRIMINAL CASELOADS

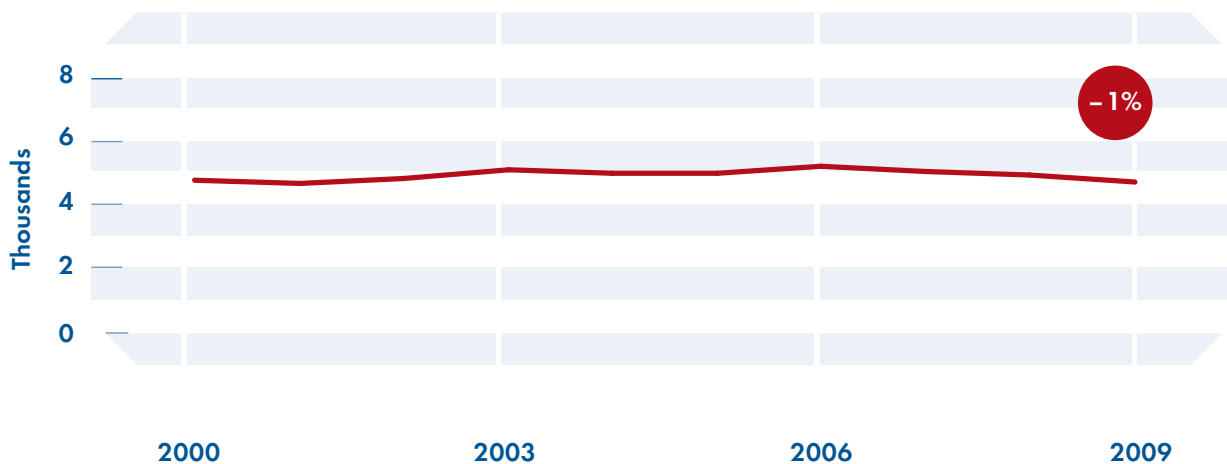
Criminal cases comprise felonies—crimes punishable by incarceration for a year or more in state prison; misdemeanors—lesser crimes punishable by up to a year in jail and/or a fine; and criminal appeals from limited jurisdiction courts to general jurisdiction courts. Felonies and misdemeanors are further classified as person, property, drug, weapon, public order, and motor vehicle cases. Second in number only to Traffic/Violations cases, criminal caseloads totaled about 20.5 million incoming cases in 2009.

## CRIMINAL CASELOADS CONTINUE TO SLOWLY ABATE

Total Incoming Criminal Caseloads Reported by State Courts, All States, 2000-2009



Total Incoming Criminal Cases per 100,000 Population, All States, 2000-2009



After reaching an all-time high of 21.4 million incoming cases in state courts in 2006, criminal caseloads have decreased slightly each year since. This is consistent with the FBI's findings of falling crime rates throughout America. Although the volume of criminal cases is 8 percent higher than the benchmark year of 2000, caseloads have fallen over 4 percent since 2006, and the population-adjusted rate is down 7 percent over the same three-year period.

## CRIMINAL RATES ACCENTUATE THE VARIATION IN CRIMINAL CASE PROCESSING

Incoming Criminal Caseloads and Rates in 21 States, 2009

|                             | Incoming Criminal Cases |                        |                   |
|-----------------------------|-------------------------|------------------------|-------------------|
|                             | Total                   | Per 100,000 Population |                   |
| <b>Single-tiered Courts</b> |                         |                        |                   |
| California                  | 1,673,973               | 4,529                  | } Median<br>3,404 |
| Illinois                    | 479,804                 | 3,716                  |                   |
| Iowa                        | 92,969                  | 3,091                  |                   |
| Puerto Rico                 | 67,265                  | 1,695                  |                   |
| <b>Two-tiered Courts</b>    |                         |                        |                   |
| South Carolina              | 760,310                 | 16,669                 | } Median<br>6,673 |
| Virginia                    | 1,148,499               | 14,570                 |                   |
| Arizona                     | 734,871                 | 11,142                 |                   |
| Michigan                    | 957,817                 | 9,607                  |                   |
| Louisiana                   | 370,146                 | 8,240                  |                   |
| Idaho                       | 120,960                 | 7,825                  |                   |
| Ohio                        | 865,742                 | 7,500                  |                   |
| Hawai'i                     | 95,567                  | 7,379                  |                   |
| Florida                     | 1,236,975               | 6,673                  |                   |
| Kentucky                    | 240,660                 | 5,578                  |                   |
| Washington                  | 361,229                 | 5,420                  |                   |
| Indiana                     | 302,343                 | 4,707                  |                   |
| Utah                        | 120,014                 | 4,310                  |                   |
| Massachusetts               | 269,765                 | 4,091                  |                   |
| Rhode Island                | 40,139                  | 3,811                  |                   |
| Missouri*                   | 178,958                 | 2,989                  |                   |
| Vermont*                    | 17,831                  | 2,868                  |                   |

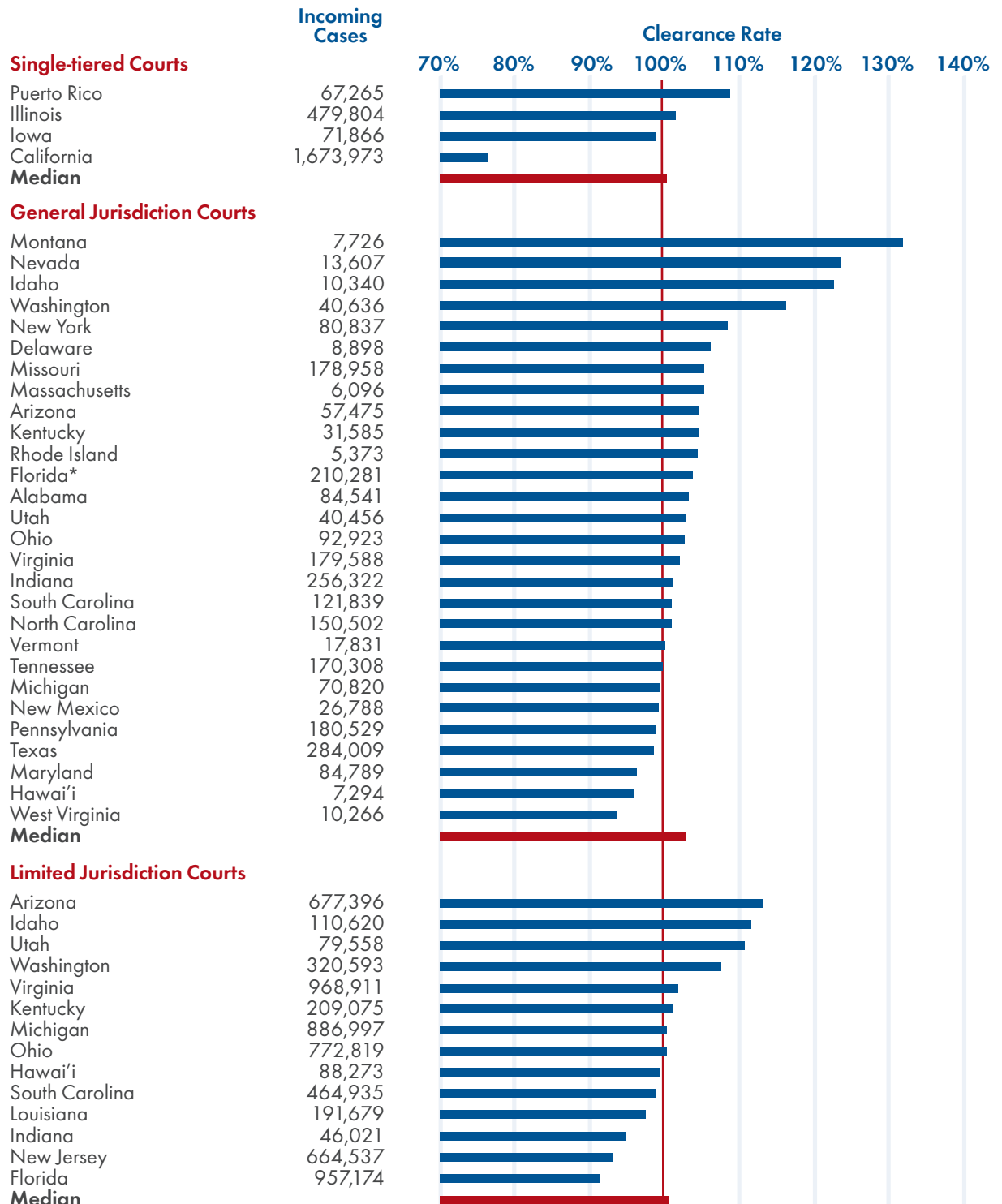
\* These states have criminal jurisdiction only in their courts of general jurisdiction and are therefore, for criminal case processing, structurally more similar to a single-tiered system.

This table, distinguishing single- from two-tiered court systems, begins to illuminate the effect that structure has on criminal caseloads. Single-tiered courts process their entire caseloads in one court. In most two-tiered systems, a felony case is subject to a preliminary hearing in a limited jurisdiction court (e.g., municipal court), and is counted as an incoming case. In this court, a judicial officer decides whether the state has sufficient evidence to try a defendant. If yes, the case is “bound over” for trial to the general jurisdiction court and is counted as an incoming case in that court as well. Thus, the same case is counted by each court, and appropriately so. If the case is disposed in the limited jurisdiction court (e.g., dismissed, plea entered on a lesser charge), it is counted only once.

The median rates of incoming criminal cases in the two types of courts bear out this processing distinction. Two-tiered courts tend to process the most cases as they typically hear a high volume of misdemeanor cases and count many felonies twice, as described above. Single-tiered courts hear both misdemeanor and felony caseloads, but felonies are only counted once.

## DECLINING CASELOADS MAY ENHANCE EFFORTS TO CLEAR CRIMINAL CASES

Criminal Caseload Clearance Rates in Single-tiered, General, and Limited Jurisdiction Courts in 34 States, 2009



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

One of the most simple and straightforward measures of a court's performance is its clearance rate (**CourTools Measure 2**). A clearance rate is calculated by dividing the number of outgoing cases by the number of incoming cases during a specific time period—in this instance, a year. A rate of 100 percent or more indicates that the court is keeping up with its incoming caseload thus not allowing an increase in its pending caseload inventory.

Most of the courts shown on this graph are doing quite well, as the majority in each type of court (single-tiered, general jurisdiction, limited jurisdiction) is at or above the 100 percent clearance mark.

## COURT STRUCTURE CLEARLY INFLUENCES THE COMPOSITION OF CRIMINAL CASELOADS

Criminal Caseload Composition in 16 States, 2009

|                             | Jurisdiction | Incoming Cases | Percent of Caseload |             |       |
|-----------------------------|--------------|----------------|---------------------|-------------|-------|
|                             |              |                | Felony              | Misdemeanor | Other |
| <b>Single-tiered Courts</b> |              |                |                     |             |       |
| Puerto Rico                 | General      | 67,265         | 44%                 | 56%         | 0%    |
| Iowa                        | General      | 71,866         | 24%                 | 76%         | 0%    |
| California                  | General      | 1,673,973      | 16%                 | 84%         | <1%   |
| <b>Two-tiered Courts</b>    |              |                |                     |             |       |
| Florida                     | General      | 279,801        | 100%                | 0%          | <1%   |
|                             | Limited      | 957,174        | 0%                  | 100%        | 0%    |
| Michigan                    | General      | 70,820         | 99%                 | 0%          | 1%    |
|                             | Limited      | 886,997        | 13%                 | 87%         | <1%   |
| Arizona                     | General      | 57,475         | 96%                 | 0%          | 4%    |
|                             | Limited      | 677,396        | 3%                  | 97%         | 0%    |
| Rhode Island                | General      | 5,373          | 96%                 | 0%          | 4%    |
|                             | Limited      | 34,766         | 21%                 | 79%         | 0%    |
| Idaho                       | General      | 10,340         | 88%                 | 12%         | 0%    |
|                             | Limited      | 110,620        | 8%                  | 92%         | 0%    |
| Washington                  | General      | 40,636         | 87%                 | 5%          | 8%    |
|                             | Limited      | 320,593        | 2%                  | 98%         | 0%    |
| Virginia                    | General      | 179,588        | 68%                 | 10%         | 22%   |
|                             | Limited      | 968,911        | 12%                 | 76%         | 12%   |
| Utah                        | General      | 40,456         | 56%                 | 41%         | 3%    |
|                             | Limited      | 79,558         | 0%                  | 100%        | 0%    |
| Hawai'i                     | General      | 7,294          | 48%                 | 52%         | 0%    |
|                             | Limited      | 88,273         | 4%                  | 95%         | 1%    |
| Louisiana                   | General      | 178,467        | 36%                 | 64%         | 0%    |
|                             | Limited      | 191,679        | 0%                  | 100%        | <1%   |
| Missouri*                   | General      | 178,958        | 31%                 | 68%         | 1%    |
| Indiana                     | General      | 256,322        | 30%                 | 59%         | 11%   |
|                             | Limited      | 46,021         | 0%                  | 99%         | 1%    |
| Vermont*                    | General      | 17,831         | 18%                 | 82%         | 0%    |

\* These states have criminal jurisdiction only in their courts of general jurisdiction and are therefore, for criminal case processing, structurally more similar to a single-tiered system.

Criminal caseloads comprise felony, misdemeanor, criminal appeals to the general jurisdiction court, and other criminal cases. This table shows the distribution of criminal cases in the single-tiered and two-tiered courts of 16 states sorted by felony percentage. The caseload composition in the single-tiered courts reflects patterns of crime and criminal prosecution in those states. In the two-tiered systems shown here, the distribution is also attributable to the structure of the state's court system. In Florida, for example, the composition is entirely explained by the structure, because the jurisdiction of each tier is exclusive and not overlapping. Two-tiered courts in other states (e.g., Hawai'i) have overlapping jurisdiction, such that a misdemeanor might be heard in either the limited or the general jurisdiction court.



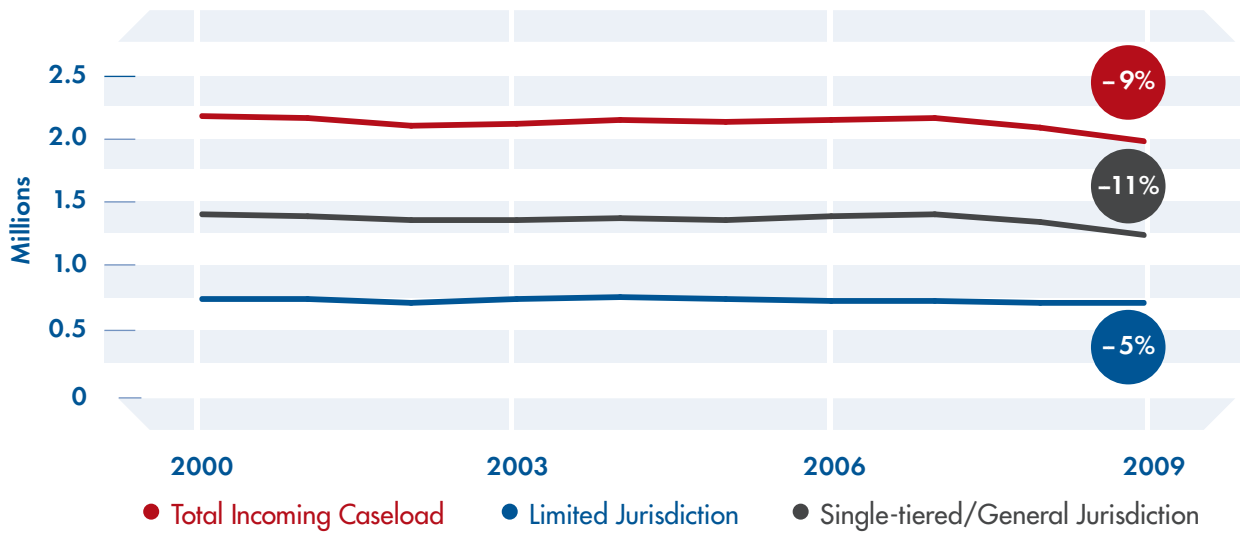


# TRIAL COURTS JUVENILE CASELOADS

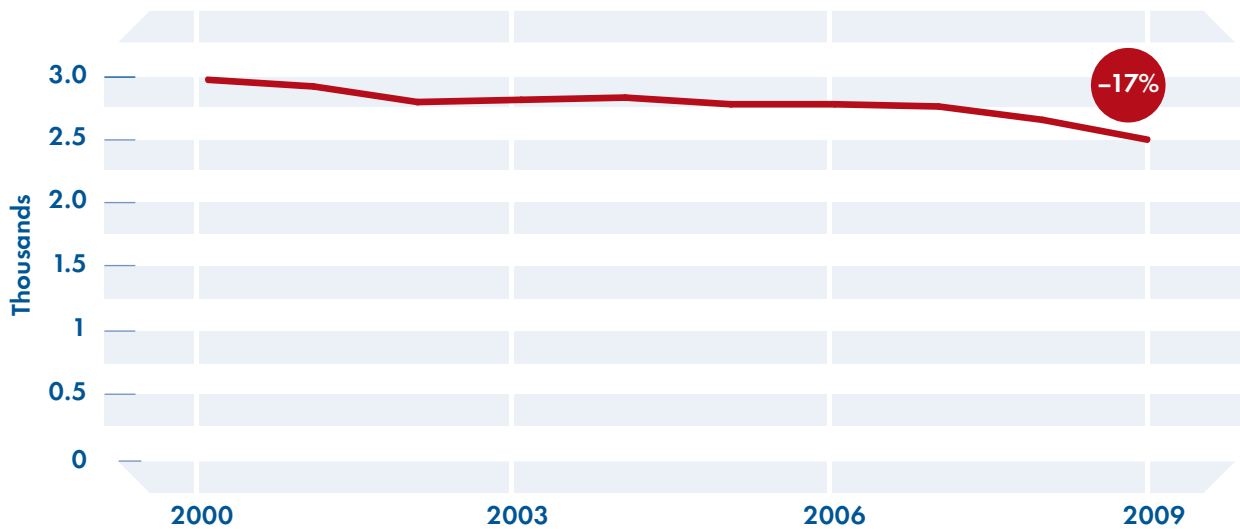
Juvenile cases involve individuals who are below the age of majority (as defined in each state) and have either broken a law (delinquency), been the victim of abuse or neglect (dependency), or committed an act that is only unlawful by virtue of their age (status offense). Though these cases represent the smallest segment of the entire state court caseload (2 percent), they are extremely important to the individuals involved and often quite complex and resource intensive on the part of the court.

## JUVENILE CASELOADS CONTINUE TO TREND DOWNWARD

Total Incoming Juvenile Caseloads Reported by State Courts, All States, 2000-2009



Total Incoming Juvenile Cases per 100,000 Juveniles, All States, 2000-2009



Juvenile caseload trends suggest that these cases are occurring with less frequency. In direct contrast to the juvenile population, which has increased 9 percent since 2000 (not shown), juvenile caseloads decreased 9 percent during the same period, resulting in a 17 percent fall in the population-adjusted rate since 2000.

## ON AVERAGE, ABOUT 2 PERCENT OF JUVENILES ARE INVOLVED IN A JUVENILE COURT CASE

Incoming Juvenile Caseloads and Rates in Single-tiered, General, and Limited Jurisdiction Courts in 41 States, 2009

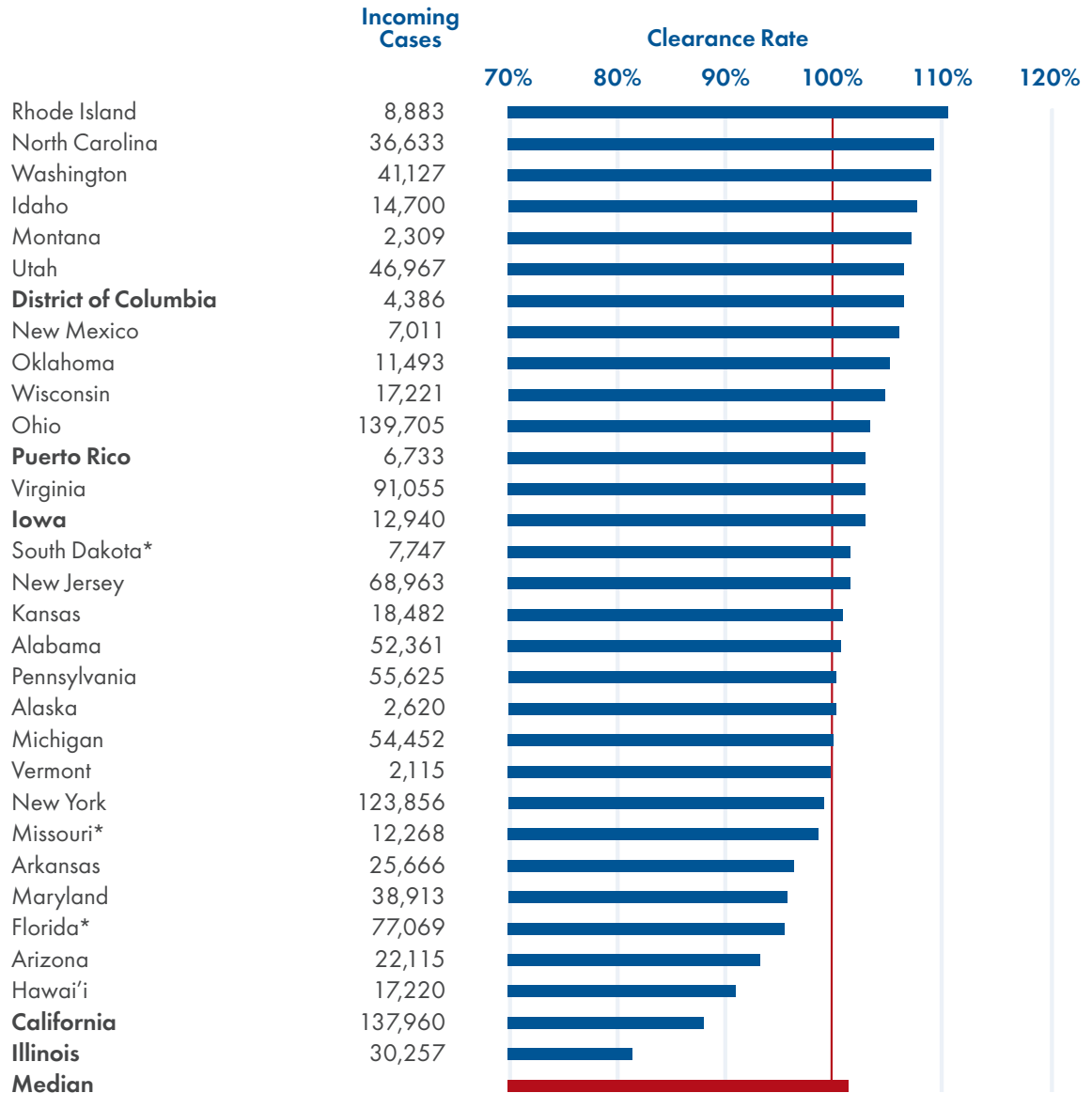
| Incoming Juvenile Cases            |         |                       | Incoming Juvenile Cases            |         |                       |
|------------------------------------|---------|-----------------------|------------------------------------|---------|-----------------------|
|                                    | Total   | Per 100,000 Juveniles |                                    | Total   | Per 100,000 Juveniles |
| <b>Single-tiered Courts</b>        |         |                       | <b>General Jurisdiction Courts</b> |         |                       |
| District of Columbia*              | 4,386   | 3,639                 | North Dakota*                      | 9,205   | 5,692                 |
| Minnesota                          | 48,731  | 3,532                 | Hawai'i                            | 17,220  | 5,449                 |
| Iowa*                              | 12,940  | 1,714                 | Ohio                               | 139,705 | 4,765                 |
| California*                        | 137,960 | 1,367                 | South Dakota                       | 9,776   | 4,490                 |
| Illinois*                          | 30,257  | 898                   | Florida*                           | 180,602 | 4,273                 |
| Puerto Rico*                       | 6,733   | 591                   | Arkansas*                          | 25,666  | 3,497                 |
|                                    |         | <b>Median 1,541</b>   | New Jersey*                        | 68,963  | 3,193                 |
| <b>Limited Jurisdiction Courts</b> |         |                       | Connecticut                        | 27,429  | 3,156                 |
| Utah                               | 46,967  | 5,238                 | Maryland                           | 38,913  | 2,667                 |
| Virginia                           | 91,055  | 4,696                 | Kansas*                            | 18,482  | 2,474                 |
| Rhode Island                       | 8,883   | 3,574                 | Washington*                        | 41,127  | 2,401                 |
| Idaho                              | 14,638  | 3,323                 | Michigan                           | 54,452  | 2,093                 |
| New York*                          | 123,856 | 2,566                 | Pennsylvania                       | 55,625  | 1,854                 |
| Alabama                            | 30,383  | 2,550                 | Alabama                            | 21,978  | 1,845                 |
| Nebraska                           | 11,514  | 2,437                 | West Virginia                      | 7,485   | 1,844                 |
| Kentucky                           | 22,602  | 2,130                 | Colorado                           | 21,426  | 1,666                 |
| New Hampshire                      | 6,347   | 1,917                 | Vermont*                           | 2,115   | 1,406                 |
| North Carolina                     | 36,633  | 1,600                 | Arizona                            | 22,115  | 1,260                 |
| Louisiana                          | 13,181  | 1,075                 | New Mexico*                        | 7,011   | 1,246                 |
| West Virginia                      | 1,586   | 391                   | Alaska                             | 2,620   | 1,234                 |
|                                    |         | <b>Median 2,494</b>   | Oklahoma                           | 11,493  | 1,204                 |
|                                    |         |                       | Wisconsin                          | 17,221  | 1,194                 |
|                                    |         |                       | Wyoming                            | 1,544   | 1,087                 |
|                                    |         |                       | Missouri*                          | 14,948  | 979                   |
|                                    |         |                       | Montana                            | 2,309   | 929                   |
|                                    |         |                       | Idaho                              | 62      | 14                    |

\* These states' incoming caseloads include reopened cases.

This table begins to show how states may choose to handle their juvenile caseloads differently. Juvenile caseloads are processed solely in the general jurisdiction court of 31 states, exclusively in the limited jurisdiction courts in 11 states, and in both jurisdictions in the remaining 10 states. (Not all states are shown here.)

## STATES ARE DOING AN EXCELLENT JOB CLEARING JUVENILE CASES

Juvenile Caseload Clearance Rates in 31 States, 2009



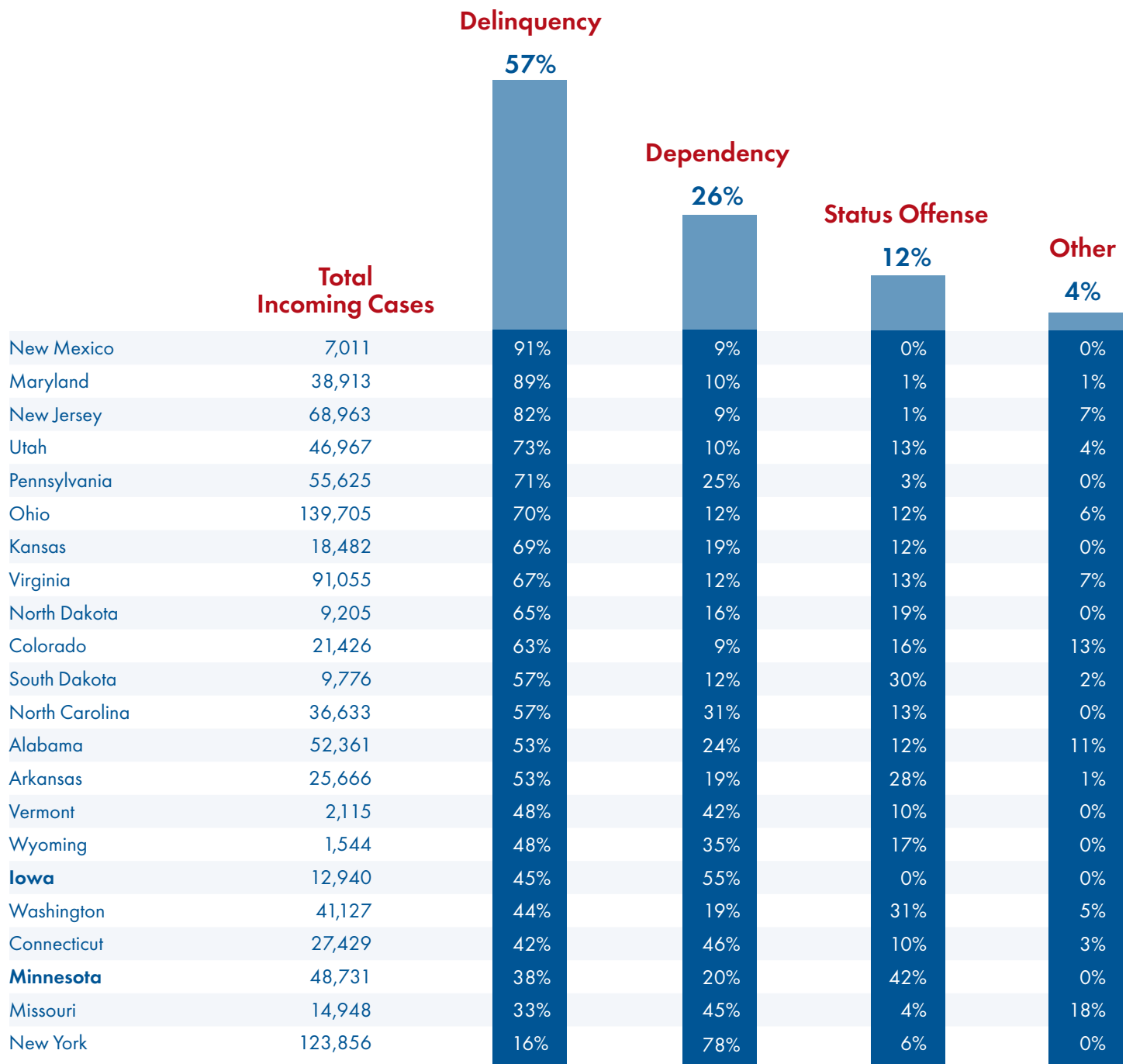
Note: States in bold have a single-tiered court system.

\* These states' clearance rates are based on new filings and dispositions only.

Although dwindling resources may be taking their toll on the courts and affecting the processing of caseloads throughout the country, most states are still processing juvenile cases in a timely manner. Of the 31 states able to provide incoming and outgoing juvenile caseload data, 71 percent (22 states) achieved clearance rates of 100 percent or more. Seven of the remaining 9 states reported clearance rates of over 90 percent.

## DELINQUENCY CASES ACCOUNT FOR THE LARGEST SHARE OF MOST JUVENILE CASELOADS

Incoming Juvenile Caseload Composition in 22 States, 2009



Note: States in bold have a single-tiered court system.

This display clearly shows how much the composition of juvenile caseloads can vary from state to state. Delinquency typically represents about 60 percent of caseloads, about 25 percent are dependency, and the remaining 15 percent comprise status offense and other cases. However, the range of 16 to 91 percent in delinquency cases is quite wide and suggests differences not only in numbers of petitions filed, but in case processing and counting procedures as well.





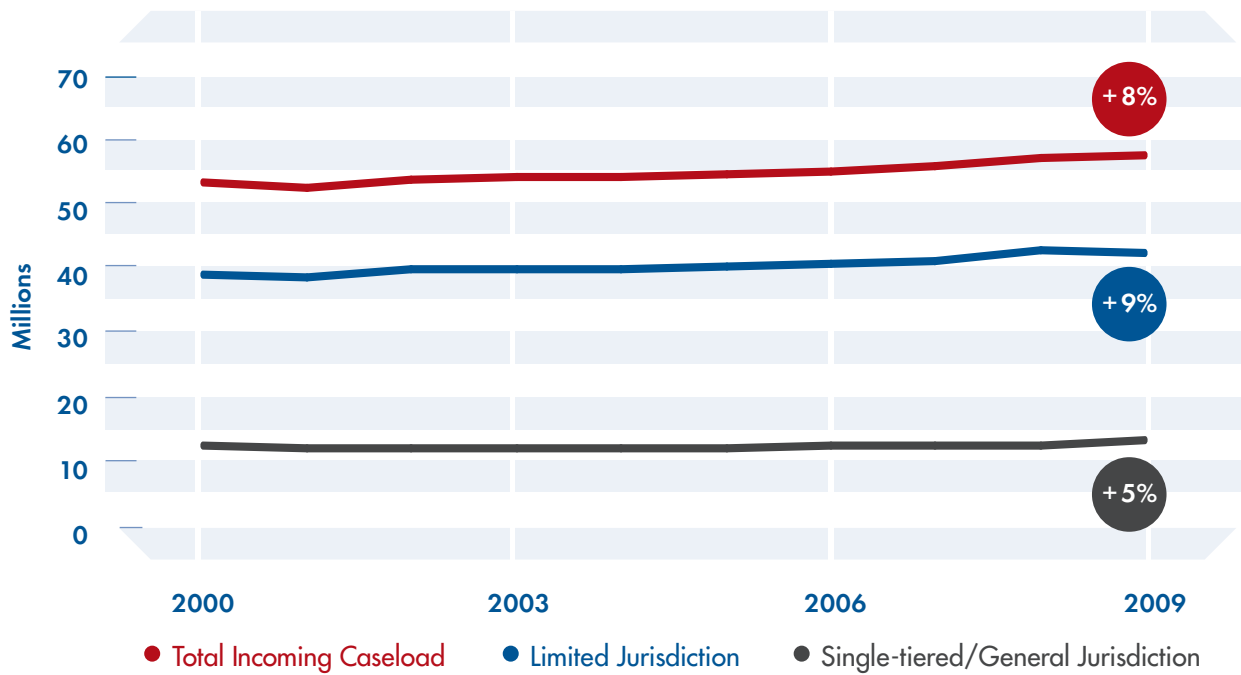
To see more data,  
visit [www.courtstatistics.org](http://www.courtstatistics.org)

# TRIAL COURTS TRAFFIC/VIOLATIONS CASELOADS

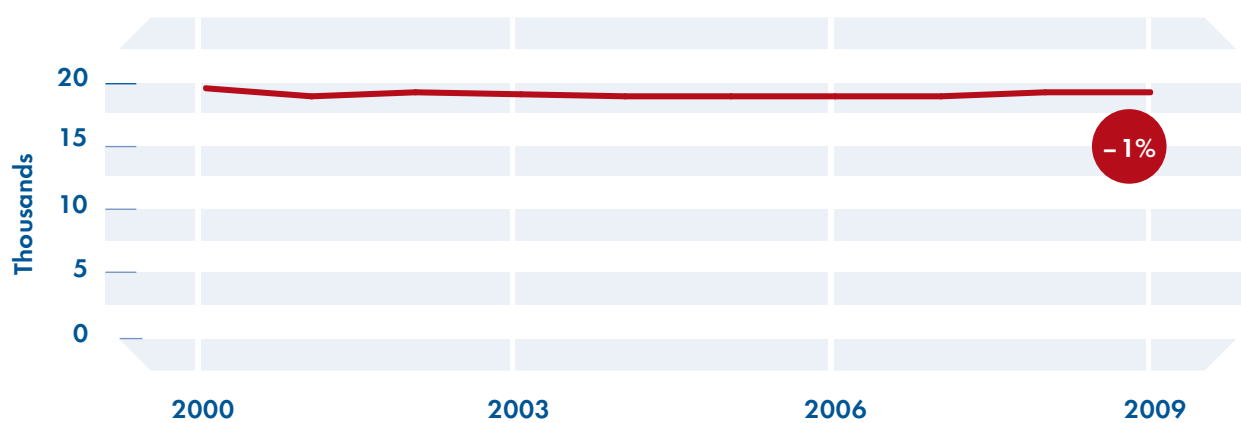
The cases that comprise Traffic/Violations caseloads range from non-criminal traffic/motor vehicle infractions (such as speeding and failure to stop at a stop sign), to parking violations, to ordinance and other violations of state or local codes and regulations. Combined, these cases represent by far the largest segment of state court caseloads, often accounting for 50 percent or more of a state's incoming cases.

## TRAFFIC/VIOLATIONS CASELOADS ARE HUGE AND STEADY IN VOLUME

Total Incoming Traffic/Violations Caseloads Reported by State Courts, All States, 2000-2009



Total Incoming Traffic/Violations Cases per 100,000 Population, All States, 2000-2009



At the aggregate national level, Traffic/Violations caseloads have increased in 9 of the last 10 years. However, the increases are always modest, averaging less than 0.5 percent annually. When the increase in population is taken into account, Traffic/Violations caseloads have actually dropped 1 percent since the benchmark year of 2000.



## ROADWAYS, LAWS, ENFORCEMENT, AND GEOGRAPHY INFLUENCE TRAFFIC/VIOLATIONS CASELOADS

Incoming Traffic/Violations Caseloads and Rates in 18 States, 2009

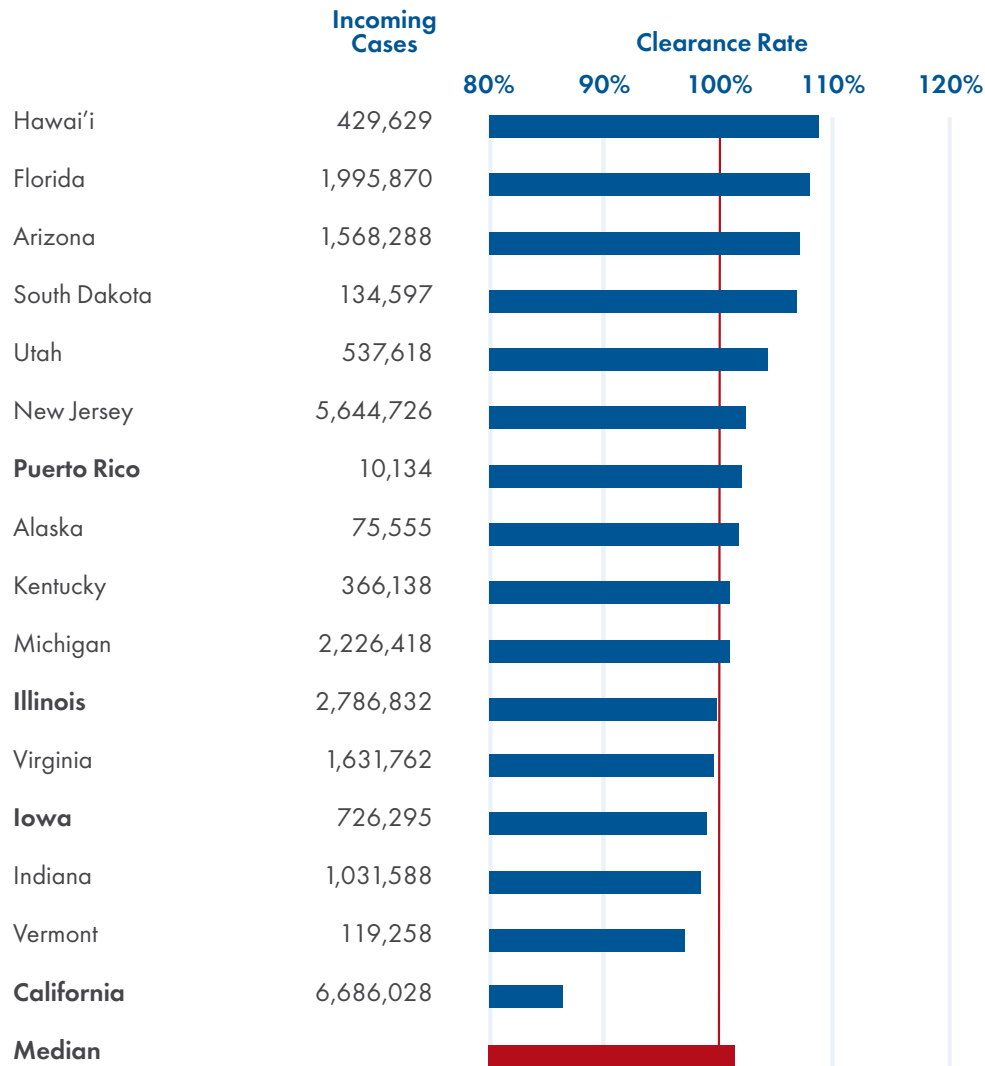
|                    | Incoming Traffic/Violations Cases |                        |
|--------------------|-----------------------------------|------------------------|
|                    | Total                             | Per 100,000 Population |
| New Jersey         | 5,644,726                         | 64,824                 |
| Hawai'i            | 429,629                           | 33,171                 |
| Arkansas           | 726,478                           | 25,142                 |
| <b>Iowa</b>        | 726,295                           | 24,147                 |
| Arizona            | 1,568,288                         | 23,777                 |
| Michigan           | 2,226,418                         | 22,332                 |
| <b>Illinois</b>    | 2,786,832                         | 21,586                 |
| Virginia           | 1,631,762                         | 20,701                 |
| Utah               | 537,618                           | 19,307                 |
| Vermont            | 119,258                           | 19,181                 |
| <b>California</b>  | 6,686,028                         | 18,089                 |
| South Dakota       | 134,597                           | 16,568                 |
| Indiana            | 1,031,588                         | 16,061                 |
| Alaska             | 75,555                            | 10,817                 |
| Florida            | 1,995,870                         | 10,766                 |
| Kentucky           | 366,138                           | 8,487                  |
| New Hampshire      | 73,583                            | 5,555                  |
| <b>Puerto Rico</b> | 10,134                            | 255                    |

Note: States in bold have a single-tiered court system.

This table displays the volume of Traffic/Violations caseloads as well as population-adjusted rates for 18 states. The number of cases and rates suggest vast differences in traffic volume and enforcement, as well as whether parking cases are processed in state courts. New Jersey's rate of nearly 65,000 per 100,000 population likely reflects a series of factors, such as population density, a well-established statewide traffic case management system, many large cities, and one of the busiest highway corridors in the Northeast, including the Garden State Parkway and Interstate 95.

# CLEARANCE RATES FOR TRAFFIC/VIOLATIONS CASES ARE EXCELLENT DESPITE VOLUMINOUS CASELOADS

Traffic/Violations Caseload Clearance Rates in 16 States, 2009

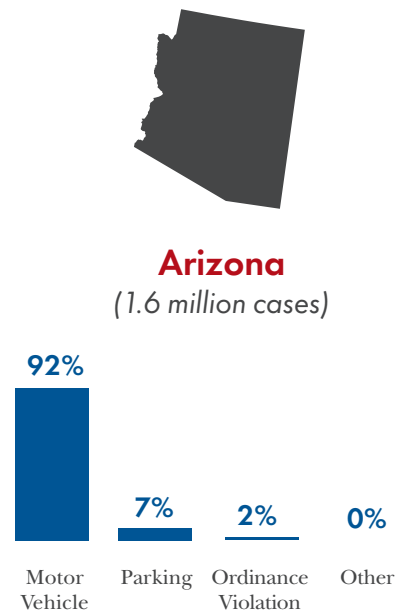
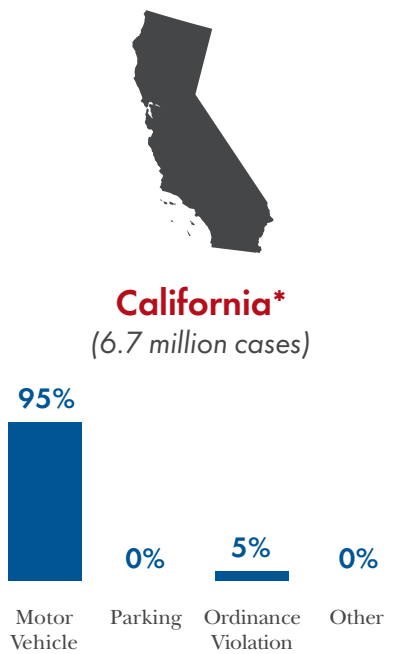
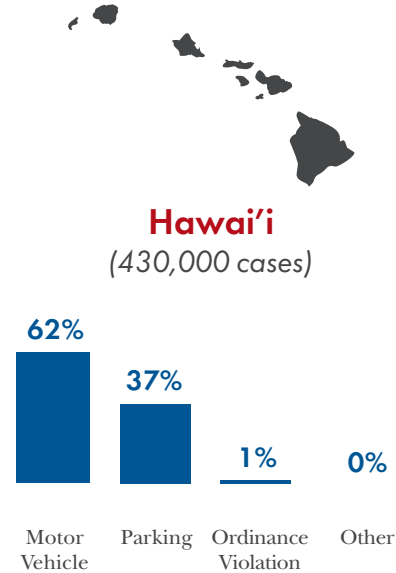
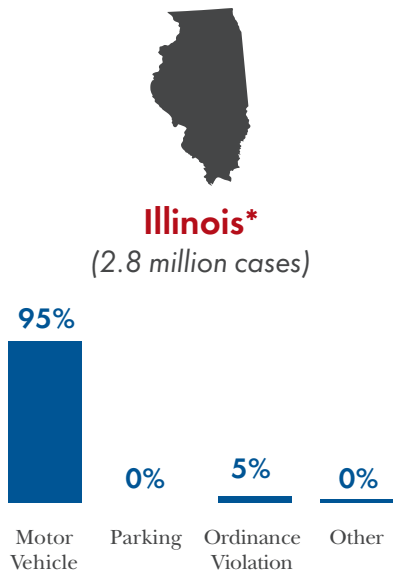


Note: States in bold have a single-tiered court system.

Most cases falling under the Traffic/Violations category are relatively simple ones that require little or no judicial intervention. These cases are handled in a largely administrative manner and the onus for processing them is on court clerks rather than judicial officers. Nonetheless, and despite the sheer volume of cases, many states are extremely successful in processing these cases efficiently, with a median clearance rate of 102 percent for the 16 states shown.

# METHOD OF PARKING CASE PROCESSING CAN DRAMATICALLY CHANGE COMPOSITION

Traffic/Violations Caseload Composition in 4 States, 2009



\*These states have a single-tiered court system.

Four states were able to report complete caseloads for the four case types that together comprise total Traffic/Violations caseloads. Motor vehicle violations universally occupy the largest segment of cases, but whether parking cases are processed by the courts or instead by an administrative agency can clearly influence the composition.

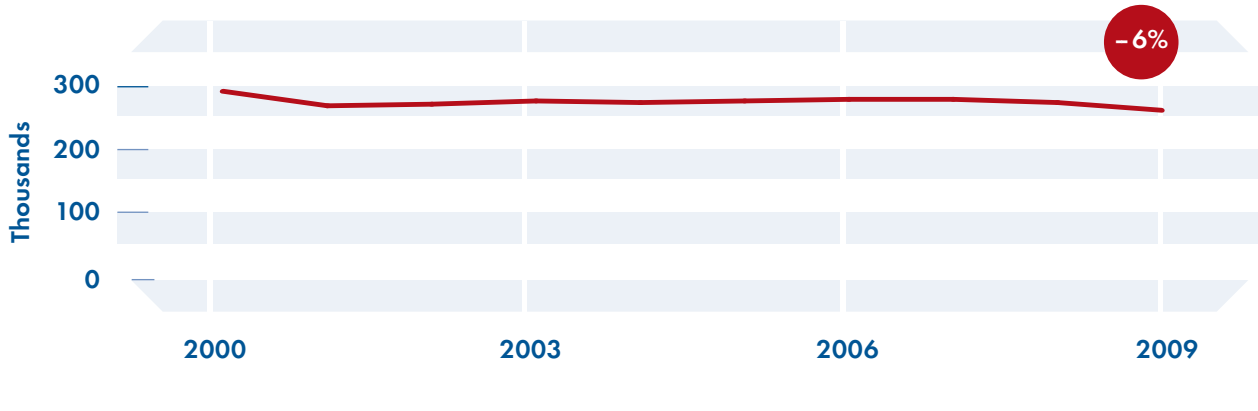


# APPELLATE COURT CASELOADS

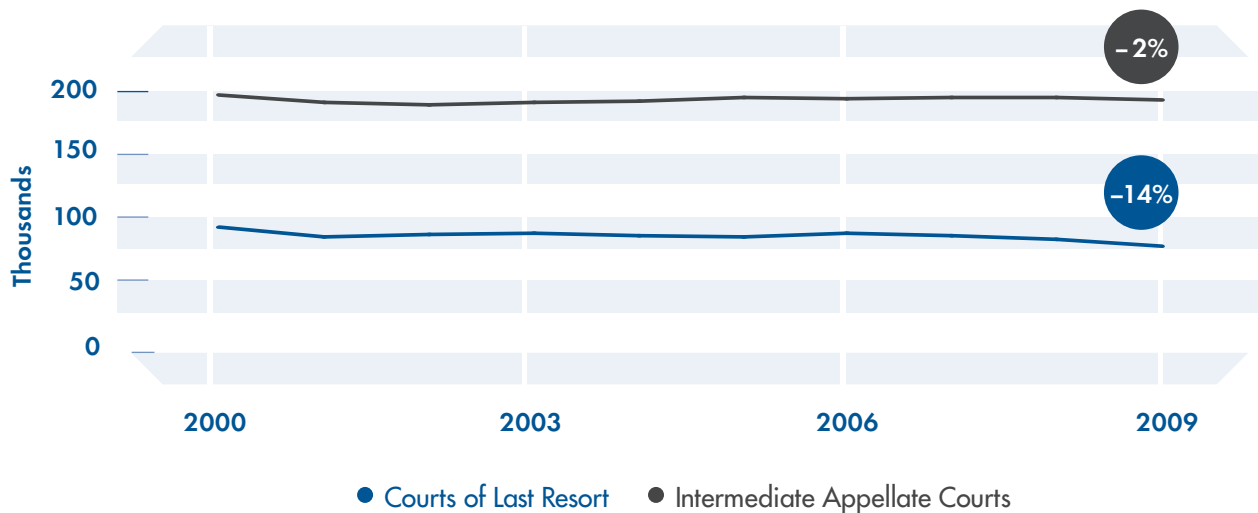
Appellate court caseloads consist of appeals by right—reviews of lower tribunal decisions that a court must accept; appeals by permission—reviews of lower tribunal decisions that a court may choose to accept; death penalty cases—appeals and writs from those criminal cases in which the death penalty has been imposed; and original proceedings/other appellate matters such as writs, bar and judiciary proceedings, advisory opinions, and certified questions. Appeals by right and by permission are additionally distinguished as appeals from criminal, civil, or administrative agency cases. The appellate caseload totaled a little more than 273,000 cases in 2009.

## APPELLATE CASELOADS CONTINUE TO DECLINE

Total Incoming Cases in State Appellate Courts, All Courts, 2000-2009



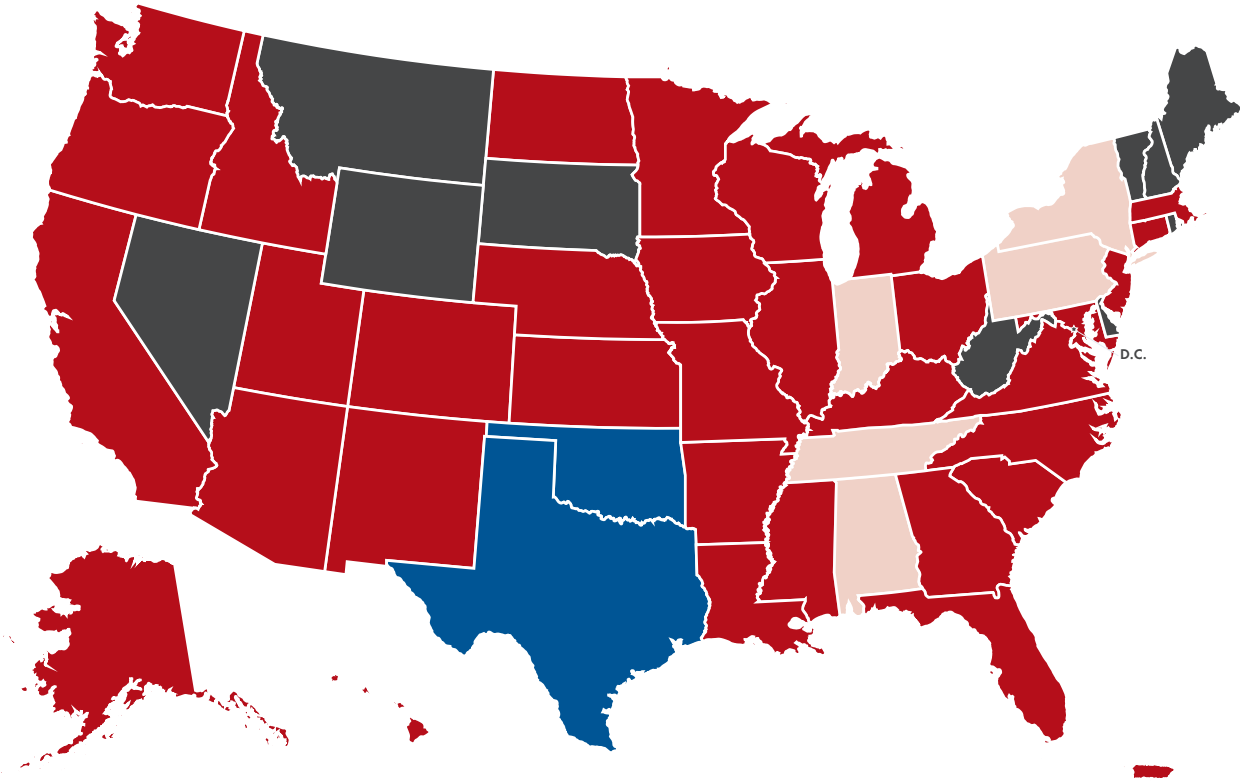
Total Incoming Cases in State Appellate Courts, by Court Type, 2000-2009



Appellate court caseloads have declined 6 percent since 2000, with the two largest declines in total caseload occurring in 2001—when cases fell 4 percent—and in 2009—when cases fell 3 percent. The current downward trend in caseloads began in 2007, with courts of last resort experiencing a caseload decline of more than 10 percent since that time. Since the caseloads in intermediate appellate courts have dropped less than one percent since 2006, it is the loss of court of last resort cases that has driven the decline in total caseloads.

# APPELLATE COURTS FALL INTO ONE OF FOUR STRUCTURE TYPES

## Appellate Court Structure



- No Intermediate Appellate Court
- One Intermediate Appellate Court
- Two Intermediate Appellate Courts
- Two Courts of Last Resort

## POPULATION CONTRIBUTES TO THE SIZE OF A STATE'S APPELLATE CASELOAD

### Total Incoming Cases in Appellate Courts, 2009

|                | Total Incoming Cases | Population Rank |                      | Total Incoming Cases | Population Rank |
|----------------|----------------------|-----------------|----------------------|----------------------|-----------------|
| California     | 33,322               | 1               | South Carolina       | 3,185                | 24              |
| Florida        | 28,648               | 4               | Minnesota            | 3,174                | 21              |
| Texas          | 19,584               | 2               | Kansas               | 3,042                | 34              |
| New York       | 15,973               | 3               | Iowa                 | 3,024                | 31              |
| Pennsylvania   | 15,843               | 6               | Maryland             | 2,937                | 19              |
| Ohio           | 13,081               | 7               | Nevada               | 2,179                | 36              |
| Illinois       | 10,810               | 5               | West Virginia        | 1,917                | 38              |
| Louisiana      | 10,275               | 25              | District Of Columbia | 1,731                | 51              |
| Michigan       | 8,481                | 8               | Nebraska             | 1,726                | 39              |
| New Jersey     | 7,922                | 11              | New Mexico           | 1,564                | 37              |
| Puerto Rico    | 6,972                | 27              | Arkansas             | 1,491                | 33              |
| Washington     | 5,864                | 13              | Utah                 | 1,475                | 35              |
| Virginia       | 5,489                | 12              | Connecticut          | 1,416                | 30              |
| Georgia        | 5,210                | 9               | New Hampshire        | 1,166                | 41              |
| Indiana        | 5,090                | 16              | Hawai'i              | 830                  | 43              |
| Alabama        | 5,067                | 23              | Maine                | 709                  | 42              |
| Missouri       | 4,583                | 18              | Idaho                | 706                  | 40              |
| Arizona        | 4,580                | 14              | Delaware             | 685                  | 46              |
| Oregon         | 4,520                | 28              | Montana              | 677                  | 45              |
| Colorado       | 4,452                | 22              | Alaska               | 662                  | 48              |
| Wisconsin      | 3,996                | 20              | Vermont              | 479                  | 50              |
| Massachusetts  | 3,581                | 15              | South Dakota         | 391                  | 47              |
| Oklahoma       | 3,567                | 29              | North Dakota         | 367                  | 49              |
| Tennessee      | 3,472                | 17              | Rhode Island         | 366                  | 44              |
| Kentucky       | 3,330                | 26              | Wyoming              | 265                  | 52              |
| North Carolina | 3,185                | 10              |                      |                      |                 |

TOTAL INCOMING CASES

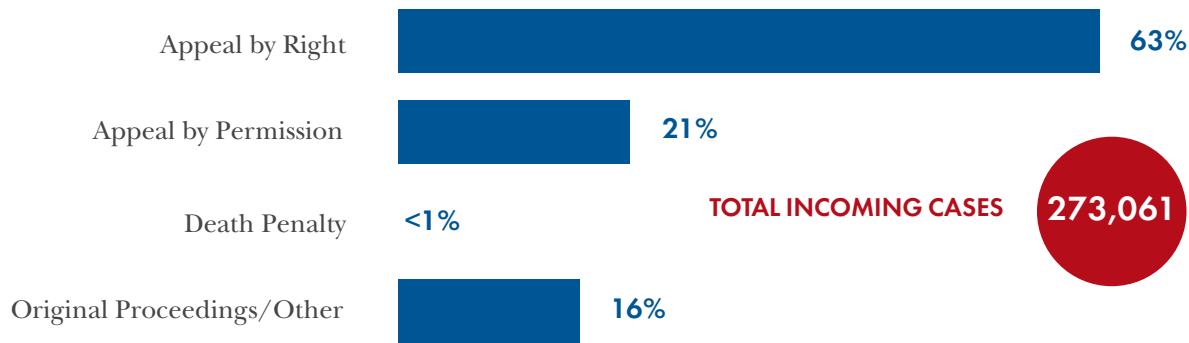
273,061

Incoming caseloads ranged from 265 (Wyoming) to a little more than 33,300 (California) during the 2009 reporting period. As expected, states with higher populations generally had higher total caseloads, but this was not always the case. For example, Louisiana has the eighth largest caseload but its population rank is 25.



## APPEALS BY RIGHT DOMINATE INTERMEDIATE APPELLATE COURT CASELOADS

Incoming Caseload Composition in Appellate Courts, 2009



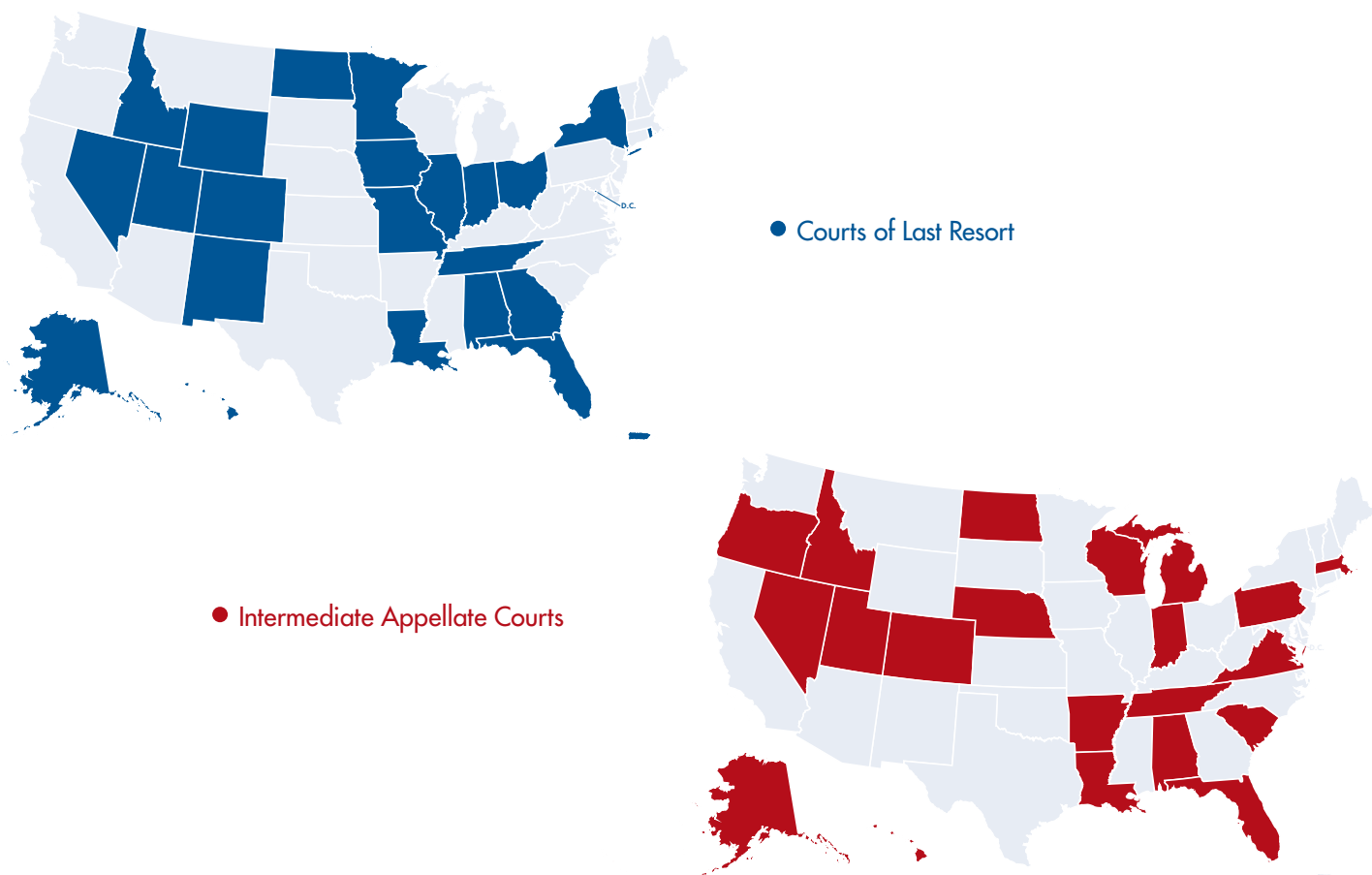
| Case Type                  | Courts of Last Resort |                  | Intermediate Appellate Courts |                  |
|----------------------------|-----------------------|------------------|-------------------------------|------------------|
|                            | Incoming              | Percent of Total | Incoming                      | Percent of Total |
| Appeal by Right            | 14,148                | 17%              | 157,252                       | 82%              |
| Appeal by Permission       | 45,757                | 56%              | 11,065                        | 6%               |
| Death Penalty              | 379                   | 0.5%             | 37                            | <0.1%            |
| Original Proceedings/Other | 21,841                | 27%              | 22,582                        | 12%              |
| <b>All Cases</b>           | <b>82,125</b>         | <b>100%</b>      | <b>190,936</b>                | <b>100%</b>      |

Appeals by right constitute 63 percent of the total number of incoming appellate court cases, and the vast majority of these cases are handled by the intermediate appellate courts (approximately 157,000 of the total 171,400 cases filed in 2009). Courts of last resort, on the other hand, handle a much greater proportion of appeals by permission (approximately 46,000 of the 57,000 cases filed).

# APPEALS BY RIGHT CONSTITUTE THREE-QUARTERS OF INTERMEDIATE APPELLATE COURT CASELOADS

Appellate Caseload Composition in Select Courts, 2009

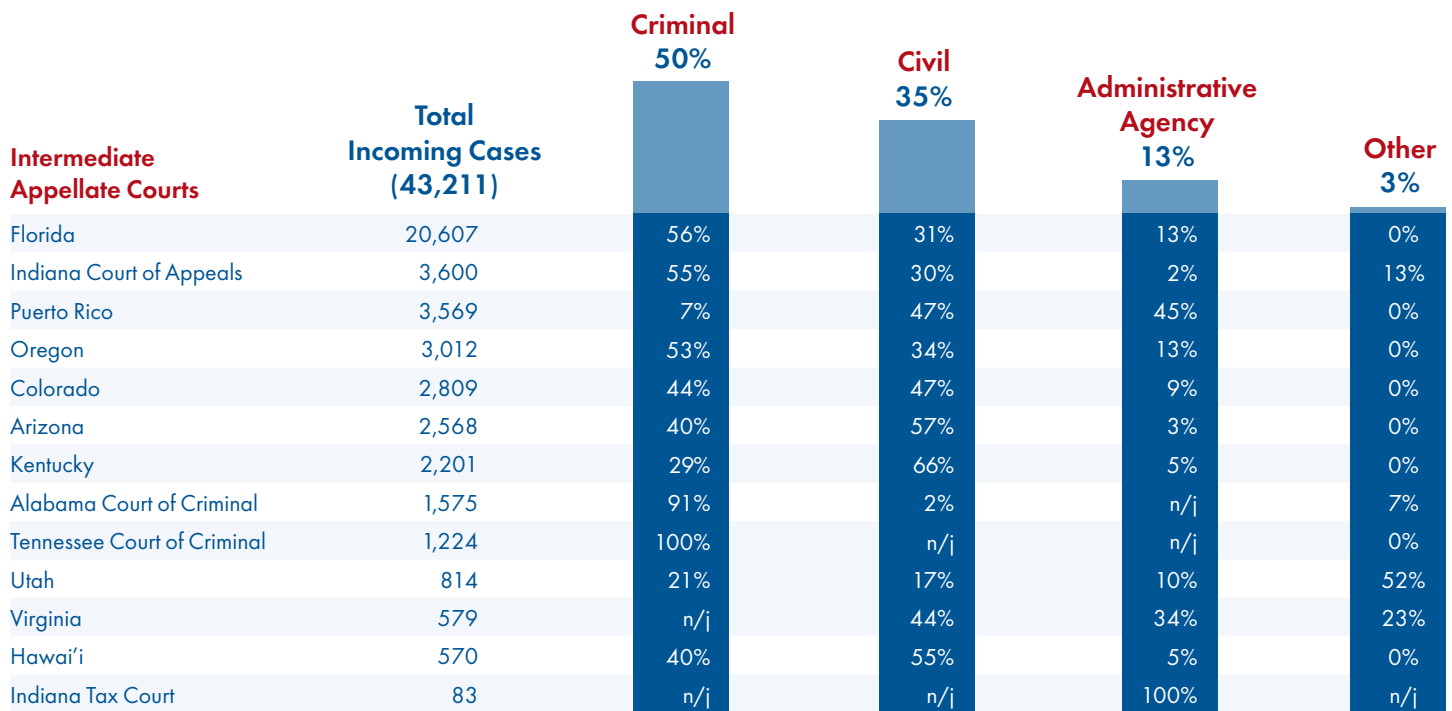
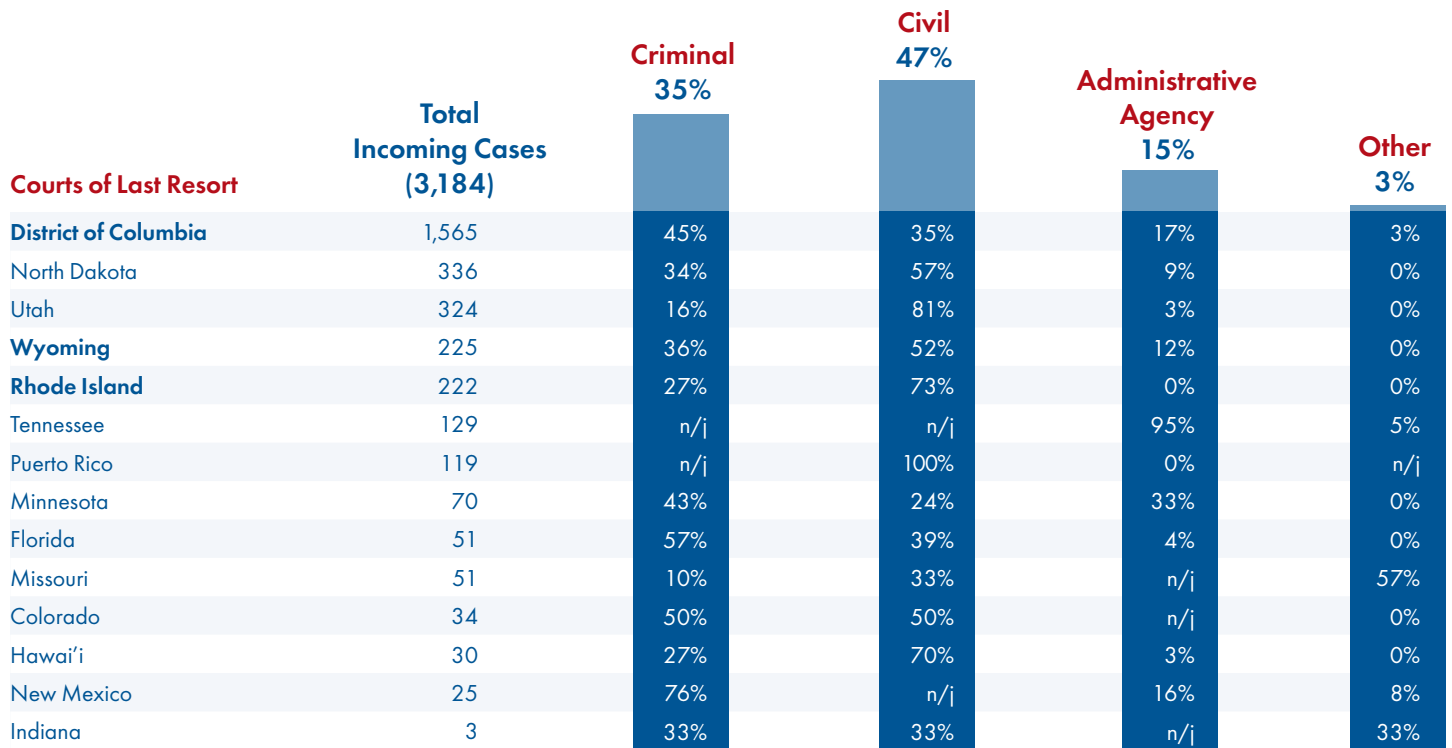
|                                     | Courts of Last Resort |                  |                            | Intermediate Appellate Courts |                  |                            |
|-------------------------------------|-----------------------|------------------|----------------------------|-------------------------------|------------------|----------------------------|
|                                     | Case Type Total       | Percent of Total | Number of Courts Reporting | Case Type Total               | Percent of Total | Number of Courts Reporting |
| Appeal by Right                     | 9,709                 | 25%              | 26                         | 67,302                        | 75%              | 24                         |
| Appeal by Permission                | 29,973                | 58%              | 32                         | 10,465                        | 16%              | 14                         |
| Death Penalty                       | 286                   | 1%               | 11                         | 37                            | 1%               | 2                          |
| Original Proceeding/Other Appellate | 10,222                | 30%              | 20                         | 12,790                        | 15%              | 17                         |



For the 2009 reporting period, 26 courts of last resort and 24 intermediate appellate courts reported complete appeal by right caseloads. For these courts, appeals by right equaled 25 percent and 75 percent of the total caseload, respectively. The fact that intermediate appellate courts handle more appeals by right than courts of last resort is an artifact of having a two-tiered appellate system in which the appellant’s first appeal, or the appeal as of right, is filed with and considered by the intermediate appellate court. State courts of last resort have, over the years, given more of this first appeal responsibility to the intermediate appellate courts, but all courts of last resort maintain some type of appeal by right jurisdiction.

## CRIMINAL MATTERS ARE HALF OF APPEAL BY RIGHT CASELOADS IN INTERMEDIATE APPELLATE COURTS

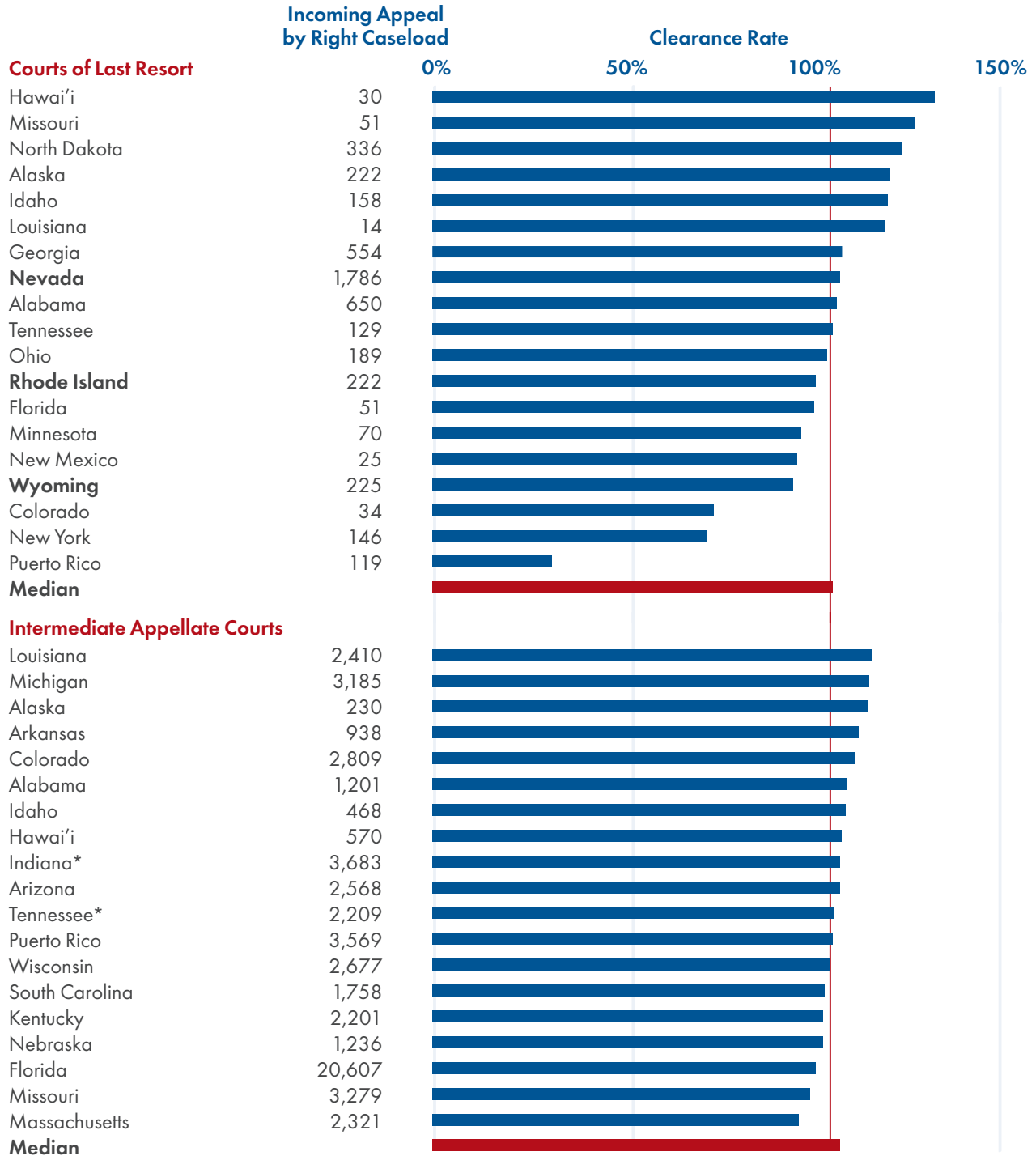
Appeal by Right Caseload in 14 Courts of Last Resort and 13 Intermediate Appellate Courts, 2009



Note: States in bold do not have an IAC. n/i indicates no jurisdiction over that case type.

## INTERMEDIATE APPELLATE COURTS KEEP BACKLOG AT BAY

Appeal by Right Clearance Rate in 19 Courts of Last Resort and 21 Intermediate Appellate Courts, 2009



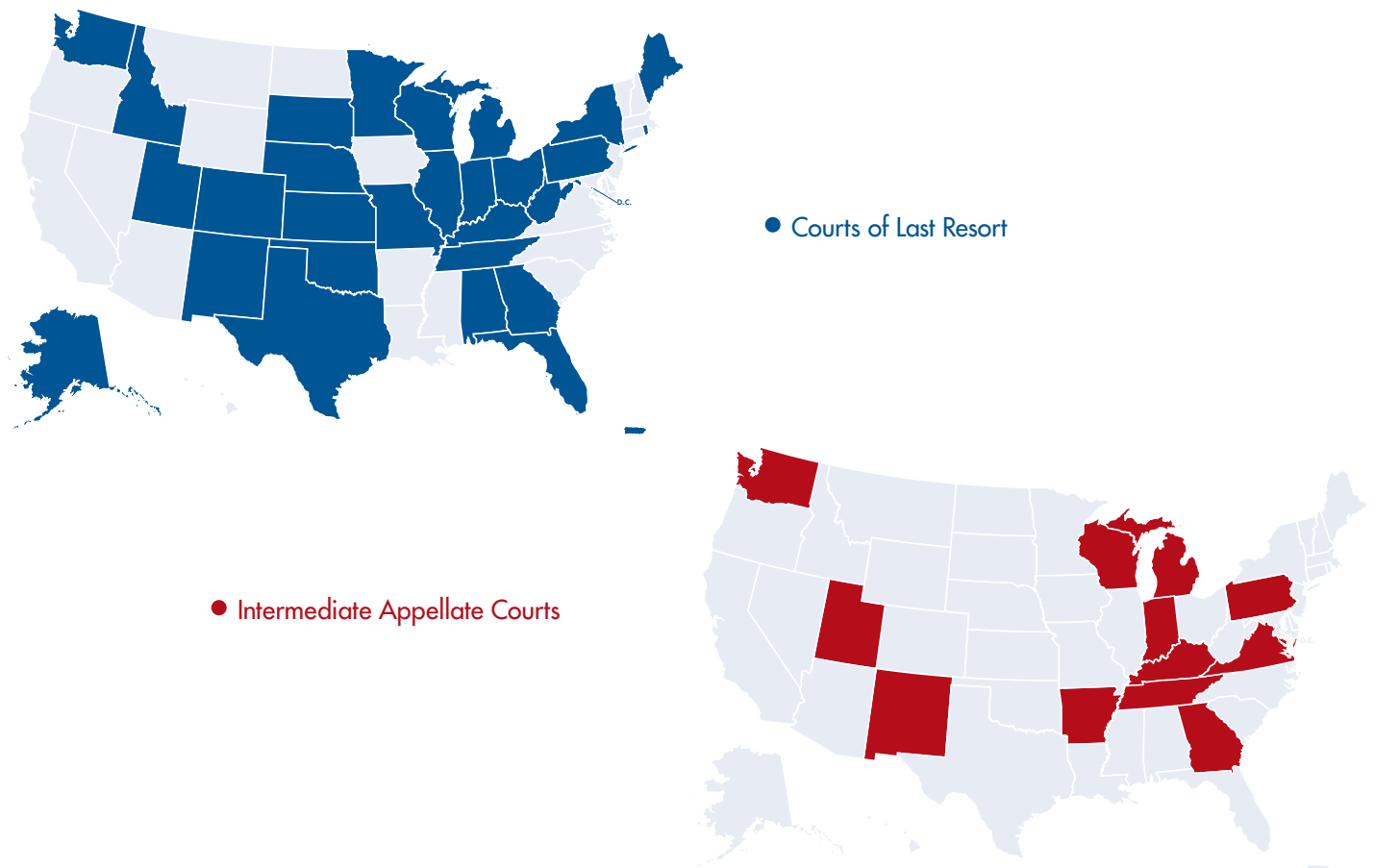
Note: States in bold do not have an IAC. \*State has more than one IAC, and data shown is the combined total for both IACs.

Of the 21 intermediate appellate courts for which clearance rates could be calculated, none disposed less than 90 percent of their appeal by right caseloads, and 13 courts reported clearance rates over 100 percent. Most courts of last resort kept up with their appeal by right caseloads, with 10 courts clearing over 100 percent of their cases.

## OVER HALF OF COURT OF LAST RESORT CASELOADS ARE APPEALS BY PERMISSION

Appellate Caseload Composition in Select Courts, 2009

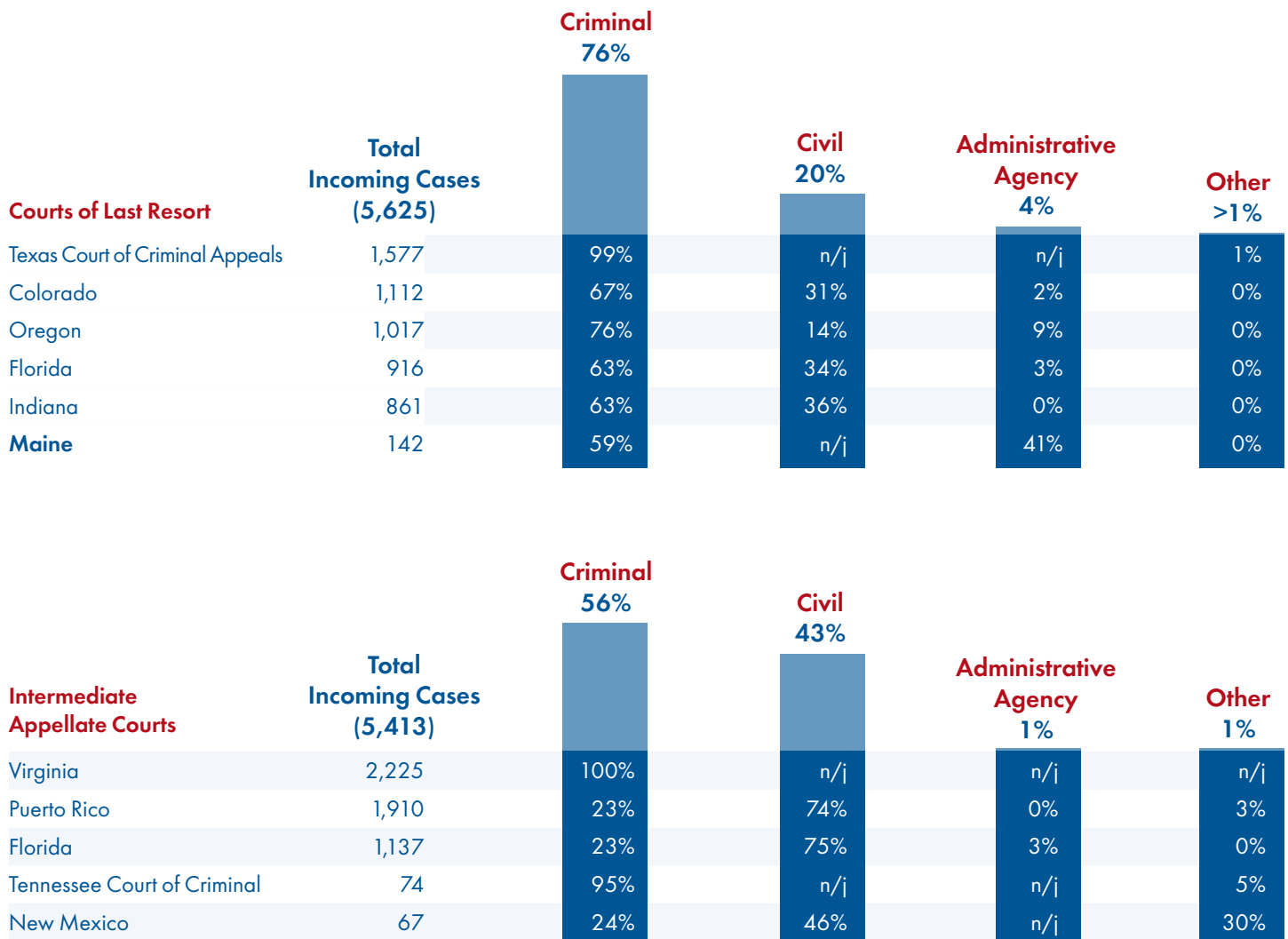
|                                     | Courts of Last Resort |                  |                            | Intermediate Appellate Courts |                  |                            |
|-------------------------------------|-----------------------|------------------|----------------------------|-------------------------------|------------------|----------------------------|
|                                     | Case Type Total       | Percent of Total | Number of Courts Reporting | Case Type Total               | Percent of Total | Number of Courts Reporting |
| Appeal by Right                     | 9,709                 | 25%              | 26                         | 67,302                        | 75%              | 24                         |
| <b>Appeal by Permission</b>         | <b>29,973</b>         | <b>58%</b>       | <b>32</b>                  | <b>10,465</b>                 | <b>16%</b>       | <b>14</b>                  |
| Death Penalty                       | 286                   | 1%               | 11                         | 37                            | 1%               | 2                          |
| Original Proceeding/Other Appellate | 10,222                | 30%              | 20                         | 12,790                        | 15%              | 17                         |



For the 2009 reporting period, 32 courts of last resort and 14 intermediate appellate courts reported complete appeal by permission caseloads. In these courts, appeals by permission equaled 58 percent and 16 percent of the total caseload, respectively. Courts of last resort are tasked with handling those appeals, among others, in which there is a disputed constitutional question, those whose decisions resulted in conflicting interpretations of the law among districts or divisions of the state’s intermediate appellate courts, and those whose decision serves to set legal precedent. Thus, courts of last resort are designed to select (“permit”) most of the cases they will consider.

## APPEALS FROM CRIMINAL CASES ARE THE MOST PROMINENT APPEAL BY PERMISSION CASE TYPE

Appeal by Permission Caseloads in 6 Courts of Last Resort and 5 Intermediate Appellate Courts, 2009

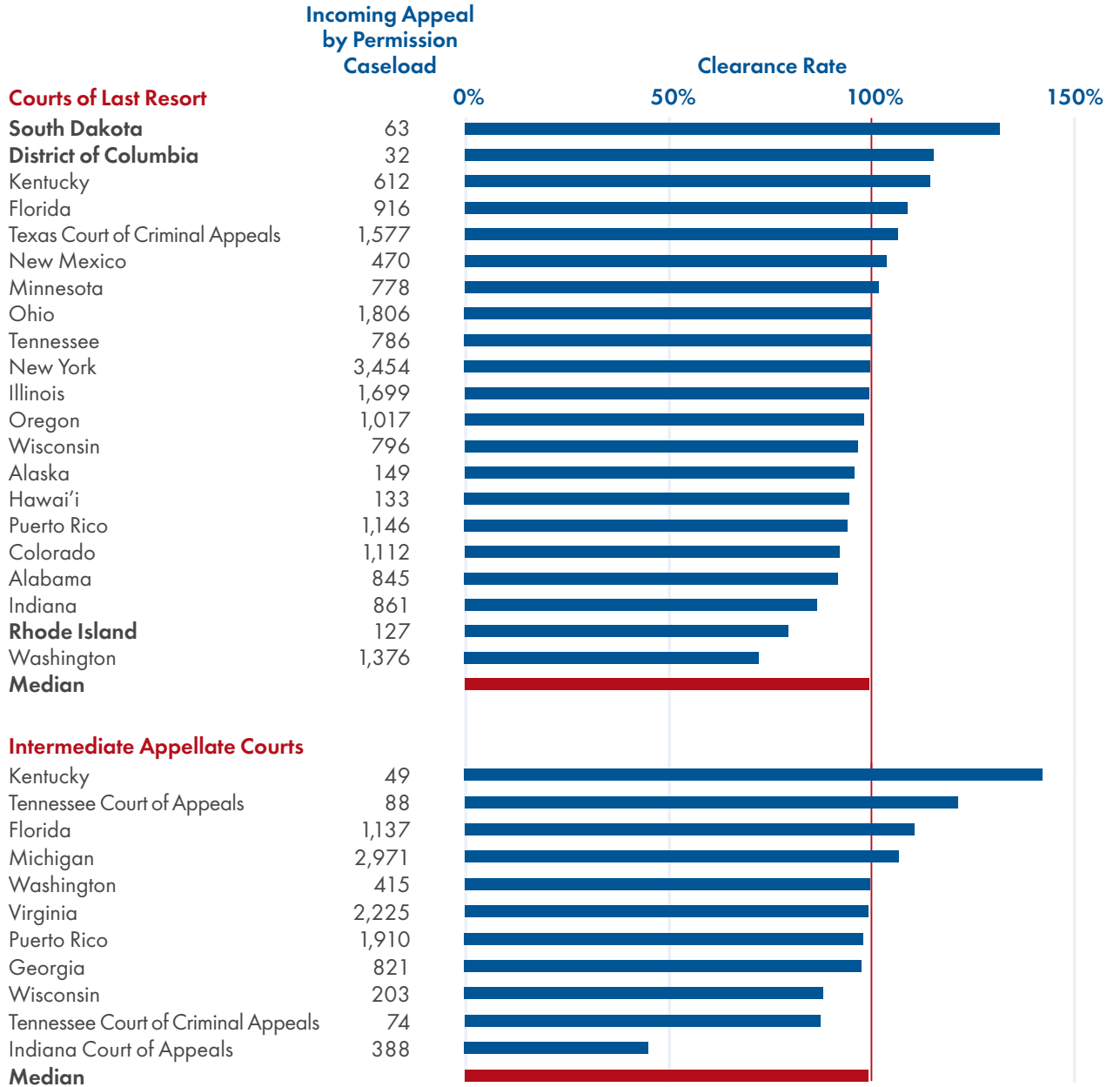


Note: States in bold do not have an IAC. n/j indicates no jurisdiction over that case type.

In 2009, criminal appeals by permission comprised three-quarters of court of last resort caseloads in the six courts that reported complete composition data and over one-half of the intermediate appellate court caseload in five courts. Civil cases were filed at a greater rate in intermediate appellate courts (43%) than in courts of last resort (20%). This is likely the result of differences in the case type jurisdictions of the two court types in that courts of last resort tend to hear civil cases when they are appeals by right (e.g., cases that exceed a certain dollar amount or pertain to certain case types).

# MOST COURTS ARE ABLE TO MAINTAIN CLEARANCE RATES OF 90 PERCENT OR MORE

Appeal by Permission Clearance Rates in 21 Courts of Last Resort and 11 Intermediate Appellate Courts, 2009



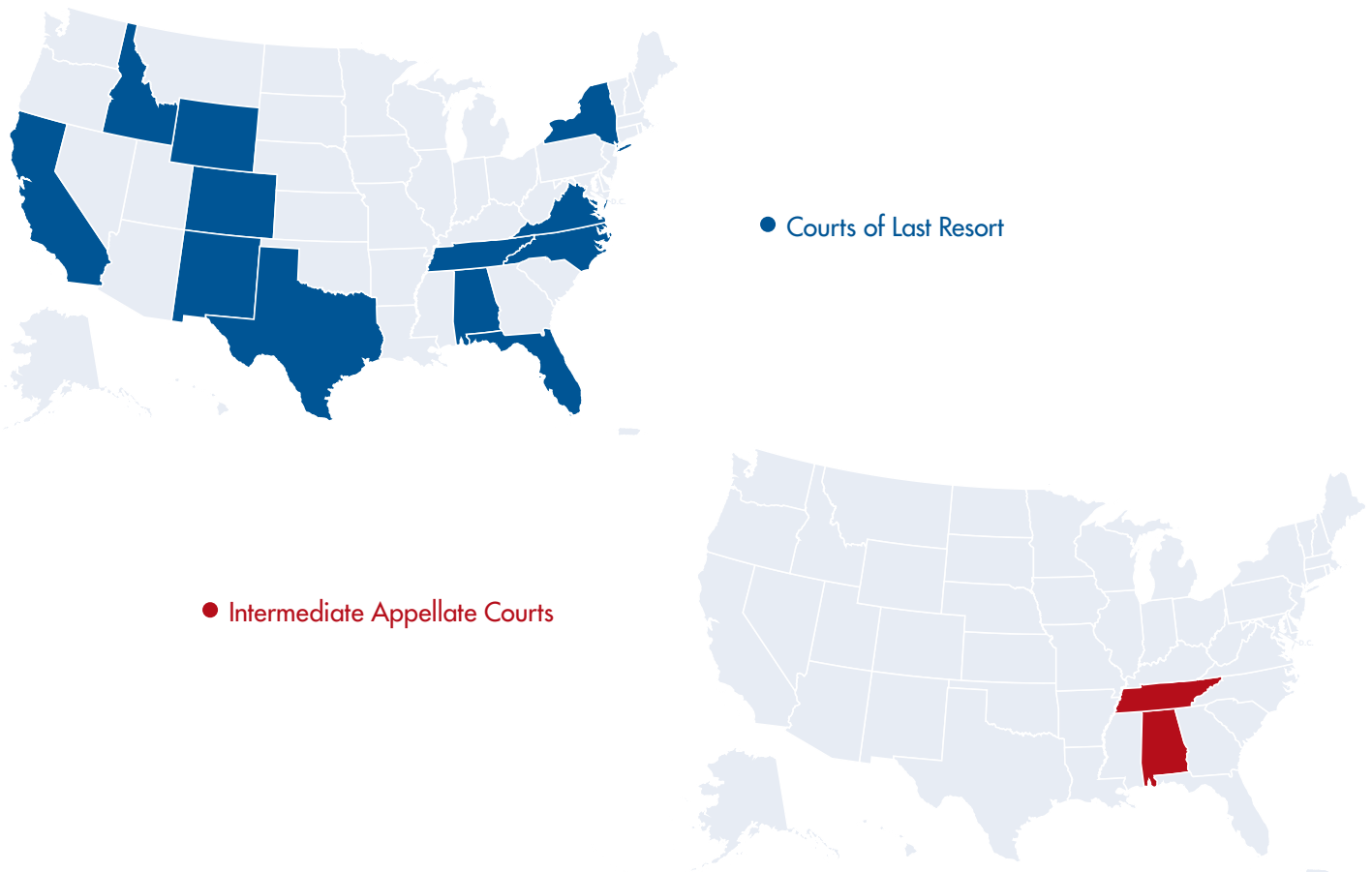
Note: States in bold do not have an IAC.

Of the 21 courts of last resort for which clearance rates could be calculated, 11 achieved clearance rates of 100 percent or more. Of the 11 intermediate appellate courts, only three were unable to clear at least 90 percent of their pending appeal by permission cases.

## DEATH PENALTY CASES ACCOUNT FOR 1 PERCENT OF APPELLATE COURT CASELOADS

Appellate Caseload Composition in Select Courts, 2009

|                                     | Courts of Last Resort |                  |                            | Intermediate Appellate Courts |                  |                            |
|-------------------------------------|-----------------------|------------------|----------------------------|-------------------------------|------------------|----------------------------|
|                                     | Case Type Total       | Percent of Total | Number of Courts Reporting | Case Type Total               | Percent of Total | Number of Courts Reporting |
| Appeal by Right                     | 9,709                 | 25%              | 26                         | 67,302                        | 75%              | 24                         |
| Appeal by Permission                | 29,973                | 58%              | 32                         | 10,465                        | 16%              | 14                         |
| <b>Death Penalty</b>                | <b>286</b>            | <b>1%</b>        | <b>11</b>                  | <b>37</b>                     | <b>1%</b>        | <b>2</b>                   |
| Original Proceeding/Other Appellate | 10,222                | 30%              | 20                         | 12,790                        | 15%              | 17                         |



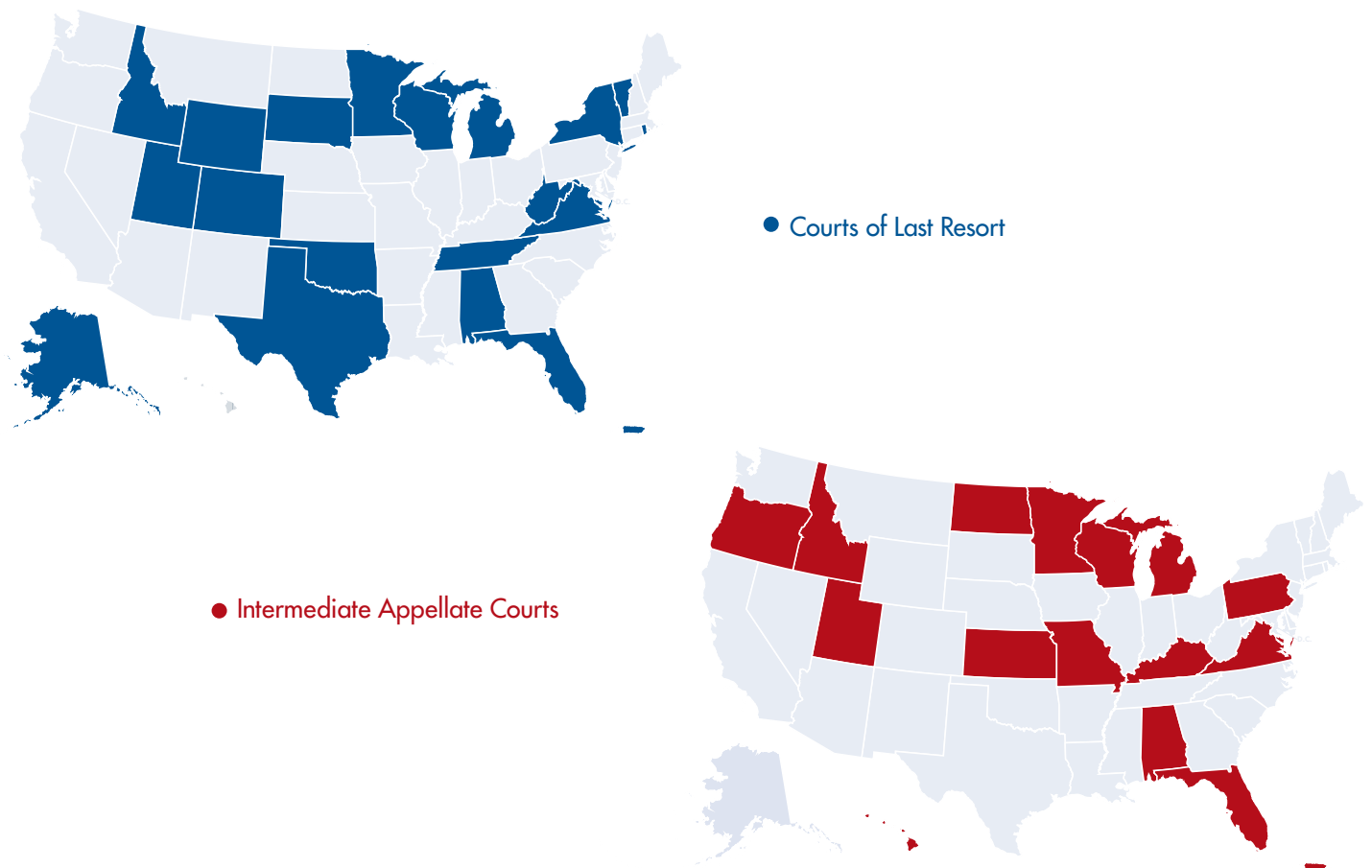
For the 2009 reporting period, 11 courts of last resort and 2 intermediate appellate courts reported complete death penalty caseloads. In these courts, death penalty cases equaled 1 percent of the total caseload for each court type. Death penalty appeals are typically appeals by right in the state’s court of last resort. The two exceptions are Alabama and Tennessee, both of which have intermediate appellate courts dedicated to hearing criminal appeals, including those that are death penalty cases.



# COURTS OF LAST RESORT HANDLED MORE THAN 10,000 ORIGINAL PROCEEDING CASES IN 2009

Appellate Caseload Composition in Select Courts, 2009

|  | Courts of Last Resort |                  |                            | Intermediate Appellate Courts |                  |                            |
|--|-----------------------|------------------|----------------------------|-------------------------------|------------------|----------------------------|
|  | Case Type Total       | Percent of Total | Number of Courts Reporting | Case Type Total               | Percent of Total | Number of Courts Reporting |
| Appeal by Right                            | 9,709                 | 25%              | 26                         | 67,302                        | 75%              | 24                         |
| Appeal by Permission                       | 29,973                | 58%              | 32                         | 10,465                        | 16%              | 14                         |
| Death Penalty                              | 286                   | 1%               | 11                         | 37                            | 1%               | 2                          |
| <b>Original Proceeding/Other Appellate</b> | <b>10,222</b>         | <b>30%</b>       | <b>20</b>                  | <b>12,790</b>                 | <b>15%</b>       | <b>17</b>                  |



For the 2009 reporting period, 20 courts of last resort and 17 intermediate appellate courts reported complete original proceeding/other appellate matter caseloads. In these courts, original proceedings cases equaled 30 percent and 15 percent of the total caseload, respectively. Original proceedings are cases that appellate courts decide in the first instance. In other words, these cases are not appeals of a lower tribunal’s decision, but are instead cases that the appellate courts have jurisdiction to consider from the beginning of the case.

# GLOSSARY

## COURT JURISDICTIONS FOR CSP DATA ANALYSIS

### General Jurisdiction Court

A trial court having original jurisdiction over all subject matter or persons within its geographical limits except those that may be assigned by law to a special or limited jurisdiction court.

### Limited Jurisdiction Court

A trial court having legal jurisdiction over only the specific subject matter or persons assigned by law or statute to that court.

### Single-tiered Court

A trial court having original jurisdiction over all subject matter or persons within its geographical limits and sharing no jurisdiction with any special or limited jurisdiction court.

## FREQUENTLY USED TERMS

### Begin Pending - Active

A count of cases that, at the start of the reporting period, are awaiting disposition.

### Begin Pending - Inactive

A count of cases that, at the start of the reporting period, have been administratively classified as inactive. Business rules for this classification may be defined by a rule of court or administrative order.

### Incoming Cases

#### New Filing

A count of cases that have been filed with the court for the first time during the reporting period.

#### Reopened

A count of cases in which a judgment has previously been entered but which have been restored to the court's pending caseload during the reporting period. These cases come back to the court due to the filing of a request to modify or enforce that existing judgment and a hearing before a judicial officer is requested to review the status of the case or initiate further proceedings in the case.

#### Reactivated

A count of cases that had previously been Placed on Inactive Status, but have been restored to the court's control during the reporting period. Further court proceedings in these cases can now be resumed during the reporting period and these cases can once again proceed toward disposition.

### Outgoing Cases

The sum of the count of Entry of Judgment, Reopened Dispositions, and Placed on Inactive Status cases counted during the reporting period.

#### Entry of Judgment

A count of cases for which an original entry of judgment has been filed during the reporting period. For cases involving multiple parties/issues, the disposition should not be reported until all parties/issues have been resolved.

#### Reopened Dispositions

A count of cases that were disposed of by a modification to, and/or enforcement of, the original judgment of the court during the reporting period. For cases involving multiple parties/issues, the disposition should not be reported until all parties/issues have been resolved.

#### Placed on Inactive Status

A count of cases whose status has been administratively changed to inactive during the reporting period due to events beyond the court's control. These cases have been removed from court control, and the court can take no further action until an event restores the case to the court's active pending caseload.

### End Pending - Active

A count of cases that, at the end of the reporting period, are awaiting disposition.

### End Pending - Inactive

A count of cases that, at the end of the reporting period, have been administratively classified as inactive. Business rules for this classification may be defined by rule of court or administrative order.

### Set for Review

A count of cases that, following an initial Entry of Judgment, are awaiting regularly scheduled reviews involving a hearing before a judicial officer.

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