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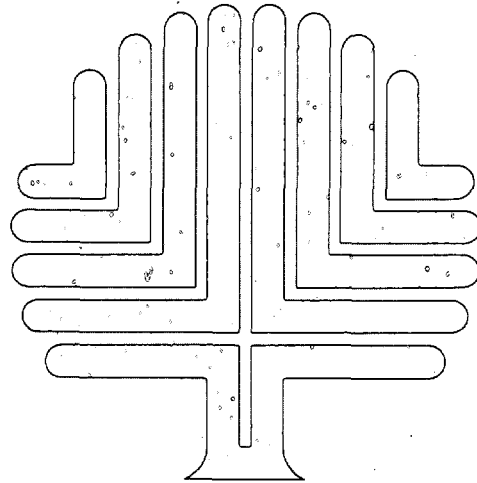


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# State Court caseload statistics:

## The state of the art

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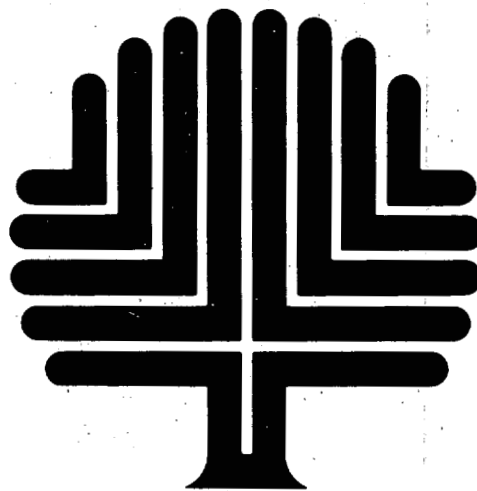
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This *State Court Caseload Statistics: The State of the Art* report is the first document to be produced by the National Center for State Courts and the Conference of State Court Administrators as part of their joint effort to develop within the National Center a national data base of state court caseload statistics.

The report discusses the usefulness of reliable and comparable caseload statistics and reviews previous attempts to collect such state-level information. It discusses the limitation of these past efforts and identifies current obstacles to the effort of the National Center to compile and publish meaningful state court caseload statistics.

Through the cooperative effort of COSCA, and especially the National Court Statistics Project's

The Conference of State Court Administrators has given its support to the National Court Statistics Project which will establish in the National Center for State Courts the capability of gathering, analyzing, and disseminating statistical information on each state court system in the nation. The project has been made a cooperative effort between COSCA and the NCSC by giving policy control and direction over the project to an advisory committee of state court administrators selected from COSCA.

The project has produced this state of the art monograph in order to clarify what had been accomplished in earlier efforts to collect state court caseload statistics as well as to explain the benefits to be gained by such a sustained, comprehensive effort to compile caseload statistics.

This state of the art monograph should provide a baseline from which improvements in court caseload records and reports can be measured. It documents

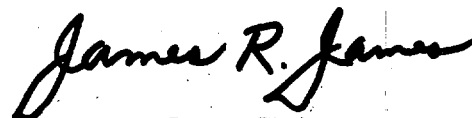
Advisory Committee chaired by James R. James, I feel a major step towards establishing a national data base of state court caseload statistics has been made.

The value of the positive control which the state judiciaries can exercise through COSCA towards the efforts of this project are self-evident and will be readily recognizable by the reader of this comprehensive document.



Edward B. McConnell  
Director  
National Center for State Courts

the point at which the initial effort to assemble nationwide state court caseload statistics was undertaken. Most of the tables detailing the current state of the art are based on a companion volume, *State Court Caseload Statistics: Annual Report, 1975*. The future annual reports to be published by the National Court Statistics Project should permit an ongoing assessment of the extent to which the states are implementing data collection techniques that will eventually permit valid comparison of caseload data from jurisdiction to jurisdiction and from state to state.



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The advisory committee members, however, are not the only COSCA members whose assistance has been vital to the production of this document. The administrators in all the 50 states and the District of Columbia have provided the project with whatever research materials they had available, both published and unpublished, and they have been consistently patient and helpful in answering written and telephoned inquiries for more data or for explanations of the data provided. Their continuing support in the development of a national data base of state court statistics within the National Center for State Courts will be the crucial element in determining the quality of the statistics that are being gathered.

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The trial court administrators across the nation who are members of the National Association of Trial Court Administrators were also requested to furnish caseload statistics, and their responses were very much appreciated.

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## Introduction

### National Court Statistics Project

The National Court Statistics Project (NCSP), a cooperative effort of the National Center for State Courts (NCSC) and the Conference of State Court Administrators (COSCA), has as its major goal the development of a national-scope program to collect and report reliable state court case statistics. It will establish in the National Center the permanent capability of gathering, analyzing, and disseminating caseload data on each of the state court systems. The availability of this information on a national basis will enable the state court officials, COSCA, and other interested groups to compare annual reported state caseloads with those of other courts. The staff will be assisted throughout the project's existence by an Advisory Committee of State Court Administrators appointed by the chairman of COSCA.

The establishment of a permanent national data base of state court caseload statistics will permit compilation of information on trial and appellate court caseloads and will make possible analysis and identification of national trends in court activities. Both prevalent and isolated court problems should become more readily apparent. A national statistical data base will provide each state court with a means of measuring the effects of specific legislation on total court caseload, thus enabling each court system to anticipate the possible effects future legislation may have on case activity and to better meet the needs of the community. In addition, the availability of comparable state court data will permit an objective assessment of existing standards for court administration, will aid in the evaluation of existing court organizations, and will assist in educating the public about court problems. This information should help to identify court systems that are operating effectively and to inform other courts about successful programs and procedures.

For state court administrators, the project attempts to develop from within and through the state court

systems a framework for assessing state court caseload activity. The value of the positive control which the state courts can exert, through COSCA, over the development of the national data base cannot be overemphasized. Past efforts in this area have not succeeded because of lack of interest, limited court participation, or because existing statistical reporting systems were burdened with additional reporting requirements.

### State of the art report

During its first year the National Court Statistics Project had two immediate objectives. The first was to publish a comprehensive, documented report on historical and contemporary national attempts to collect and report state-level caseload statistics. The second was to publish *State Court Caseload Statistics: Annual Report, 1975* which contains all data from state court annual reports and other sources on reported caseloads in all general jurisdiction and appellate courts as well as in selected limited and special jurisdiction courts. This state of the art monograph fulfills the first of these two objectives. Its purpose is to give added perspective and focus to problems of collecting and reporting state court statistics and to provide a foundation for the continued work of the National Court Statistics Project. In addition, it formulates recommendations and sets priorities for the types of caseload information that should be collected and reported by state court administrative offices for the purposes of management control, planning, and sharing technology.

### Methodology

This state of the art report is based on an extensive search of available literature on state court caseload statistics. The literature search included an examination of the findings and limitations of empirical studies and available sources of data. Included in this group of materials which actually generated

caseload statistics were comparative studies, state court annual reports, other published trial court reports, and various unpublished statistical studies of selected state court systems. Also undertaken was an evaluation of the major research studies on court statistics, covering the important historical studies citing a need for state judicial statistics, all efforts of national scope to collect state court statistics, and the surveys that outline standards for court statistics. The project staff reviewed many published works in the related fields of caseload management, delay, and judicial and criminal justice information systems to obtain a complete perspective on the problems associated with collecting and reporting state court caseload statistics.

To supplement this intensive literature search, the project staff analyzed each of the annual court reports published by the state court systems as well as appropriate unpublished data supplied by the states. To ensure the accuracy of this analysis, the staff collected and reviewed all available report documentation and statistical reporting forms. The findings are presented in detail in Chapter IV. A comprehensive list of all materials used during the preparation of the state of the art monograph is given in the annotated bibliography.

The report does not purport to be a definitive treatise. However, it does reflect a thorough, documented study of the history and current status of national efforts to collect and report state court caseload statistics.

#### Scope of monograph

This monograph is limited to a study of caseloads of appellate courts, trial courts of general jurisdiction, special jurisdiction courts staffed by general jurisdiction judges, and those courts of limited jurisdiction which try felony cases to completion.<sup>1</sup> Although complete caseload statistics from *all* courts is the ultimate goal, the lack of data from some courts of special or limited jurisdiction makes this desirable goal difficult to achieve. The handling of juveniles in many jurisdictions, for example, differs greatly from state to state, and data on juvenile caseload are not published in all annual reports. Moreover, the National Center for Juvenile Justice already has an ongoing program of juvenile court caseload statistics which it inherited from the Department of Health, Education, and Welfare. However, the National

Court Statistics Project has compiled such juvenile caseload statistics as are published.

#### Report structure

Chapter I discusses the usefulness of reliable and comparable state court statistics for judicial and administrative personnel. Emphasis is placed on use of data by state-level administrators in management control and planning. Supplementary discussion identifies legislative, research, and public information uses of state court data and draws attention to potential misuses of judicial statistics.

Chapter II is an historical survey of the normative and empirical studies that have emphasized a growing need for comparable state court caseload data. Three major trends are identified, reviewed, and then evaluated. The first trend starts with the initial calls in 1909 for judicial statistics and continues through the call in 1931 for national state court data by the Wickersham Commission. A series of empirical studies dominates the second trend, beginning in 1932 with Bureau of the Census collection of judicial criminal statistics and continuing through the comparative appellate court and trial court management studies of the 1960s. The final trend, which began in 1968 with the inception of the cooperative efforts of the Bureau of the Census and the Law Enforcement Assistance Administration (LEAA), comprises efforts of national scope to collect and report comparable state court statistics.

Chapter III contains a discussion and evaluation of the various standards on court organization and administration. Particular attention is given to the statistical standards for collecting and reporting state court case data sponsored by the American Bar Association and the National Advisory Commission on Criminal Justice Standards and Goals. Although these standards are very general in nature, they do indicate that judicial statistics are crucial to effective administration of the state courts.

Chapter IV presents the findings of the National Court Statistics Project team's analysis of the empirical data surveyed during the preparation of the first annual report. It is based primarily on a thorough analysis of both published and unpublished state court reports provided by each of the state court systems. The emphasis of the analysis is on the types and categories of data reported by each of the state courts. The review of the reporting forms and documentation used by each state court to collect these data has aided in the analysis.

<sup>1</sup> Definitions for these jurisdictions are found in the glossary.

Chapter V contains a summation of the major findings of the project. The evaluation is presented in three major sections. The first two are a discussion of the requirements for producing reliable and uniform statistics. In the first section the emphasis is placed on collecting and reporting accurate and complete data on a timely basis for reliability within states. In the second section stress is placed on establishing uniform definitions, categories, and classifications in order to assure uniformity both within and among states. The third major section recommends priorities that can be considered and used by state court administrative officers to compile actual caseload data that will be useful not only for inclusion in future NCSP annual reports of state court statistics but also for resource allocation and planning purposes.

The appendices contain supplementary materials relating to chapters IV and V and some examples of reporting forms used by state court administrative offices to collect the data published in their annual reports. The annotated bibliography contains a complete, annotated listing of each document reviewed during the course of the research undertaken by the National Court Statistics Project. A glossary of the terms used in this report concludes this state of the art.

## Chapter I

### Uses of court statistics

Any accurate assessment of the court system depends on the quality of the available state court statistics. Even if not totally accurate and reliable, data on state court caseloads would still be useful in much the same way that *Uniform Crime Reports*<sup>1</sup> are now useful. Although crime reports have come under severe criticism because definitions of crimes vary from state to state, accuracy is difficult to achieve, and crimes are typically underreported by both victims and police departments, crime reports are still the best source available to measure the workload of police agencies in the United States. At least general statements about the dimensions of crime can be made from these data.

However, basic data on case volume and judge time involved in disposition of court cases are not available for the United States as a whole. Changes in court workload from one year to another are not routinely documented in all states. As a result there is no way to determine the dimensions of the litigation explosion of the 1960s. One cannot ascertain whether a given change has been uniform throughout the nation or whether it has been concentrated in a particular location. Published court statistics are not usable for extensive comparative workload and trend analysis, for reasons detailed in Chapter V, and they do not focus attention on the resources needed by the judicial branch. Thus, although individual states do report changes in workload over time, the disparate and fragmented data collection among states has precluded the recording and analysis of caseload changes and interrelationships among states.

These data difficulties are also highlighted by comparison to statistics collected at the federal level for federal caseload activity. At the federal level, the data exhibit uniformity of definition, reliability, completeness, and comparability. As a result, analysis of

the whole—all federal courts—can be effected and trend reference data created and displayed as shown in Figure I.

However, such general conclusions cannot be reached with respect to total state court workload. Have there been drastic increases in the total number of cases handled by state courts? Have courts been handling fewer personal injury cases and more divorces? Are auto accident cases more prevalent on the West Coast than in the South? These types of questions are unanswerable because relevant statistics are not available. Even with regard to criminal statistics, court records should be more indicative than police records of the effectiveness of our court system. As Zeisel points out, arrest is not proof of guilt. In fact, half of the people arrested for felony offenses are not convicted of any crime. In Zeisel's words:

Right now, we have the record backward. What we do have is the police record, the certain fact of an arrest; what we too often do not have is the subsequent disposition. It is, however, precisely the court disposition that should be the cornerstone of the record, reducing the preceding arrest to the auxiliary position it occupies in fact.<sup>2</sup>

Simply stated, significant trends and differences in court workload cannot be analyzed without a base of valid data. Only after the establishment of a data base containing nationally comparable state court caseload data will it be possible to answer the questions posed above, thus facilitating the allocation of resources to areas where they are most needed.

#### **Direct court uses of caseload statistics**

Judges, court administrators, and other court personnel are the direct consumers of court statistics.

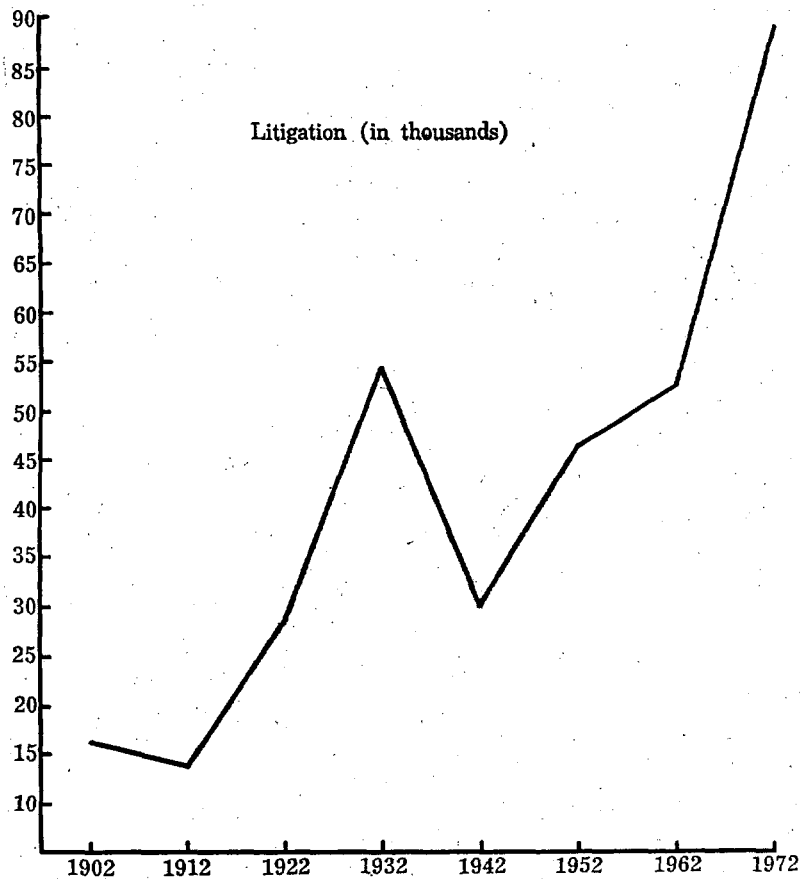
<sup>1</sup> Printed annually by the Federal Bureau of Investigation (Washington, D.C., U.S. Govt. Print. Off.).

<sup>2</sup> Report on the President's Commission on Federal Statistics, *Federal Statistics* (Washington, D.C.: U.S. Govt. Print. Off., 1971), p. 533.

## Analysis of federal court data to display trends

Figure 1

## Changes in Litigation in the Federal Courts, 1902-1972



Source: Joel B. Grossman and Austin Sarat, "Litigation in the Federal Courts: A Comparative Perspective" in *Law & Society Review* 9:321-346 (Winter 1975). Data after 1942 are from annual reports of the Administrative Office of the U.S. Courts; before 1942 from Attorney General's reports.

For these individuals, "statistics are the raw material of information"<sup>3</sup> and information is essential to carry out their operational, management, and planning and research functions. Carefully designed statistical reporting systems within each state should produce caseload statistics which can be used to assist decisionmaking in all three of these functional areas. These same caseload statistics can be summarized and reproduced in state annual reports.

<sup>3</sup> Ernest C. Friesen, Jr., Edward C. Gallas, and Nesta Gallas, *Managing the Courts* (Indianapolis: Bobbs-Merrill, 1971), p. 195.

#### Operational uses

The most basic use of court statistics is for operational control. Operational control consists of ensuring that routine, day-to-day activities at the local court level are carried out. Court clerks, administrators, jury commissioners, and the like use court statistics for such operational purposes as

- court case and financial record keeping and updating;
- calendar preparation;
- attorney/witness/litigant notification lists;
- payroll and personnel records changes;
- scheduling of courtrooms, judges, and related support personnel;

- preparation of official documents;
- jury utilization; and
- bail accounting.

Operational data have traditionally been gathered only for internal use, in a form appropriate for making immediate decisions, and are generally available both daily and weekly in most jurisdictions. Pressure for daily operational statistics appears to be responsible for many of the early efforts at implementing local court automated information systems.

If accurate, complete, and detailed operational data are available on a timely basis, local court personnel can make immediate decisions relating to daily court operation. Because uses are so immediate and limited, however, operational court data are highly perishable when time value is considered. Court statistics derived from operational data are valuable to local court personnel, but not to court personnel responsible for managing judicial branch resources at the state level (unless the state is small and local court operation is also centrally administered). As a result, court statistics for operational control are, quite properly, usually kept and used by the local clerk of court and by the trial court administrator.

#### Management control

Presiding judges and court administrators at both the local and state court levels are concerned with the orderly flow of cases through the courts. Management control at the local and especially at the state level should aim at optimum use of resources and procedures in the court system as a whole.

To facilitate this kind of decisionmaking, the data collected for operational purposes must be culled and augmented in order to produce both exception data and summary data. Then these data can be meaningfully compared to already adopted standards or norms to detect existing and potential problem areas. Court statistics used for management control must therefore be differentiated from those used for operational control by the fact that management control is concerned with gaining improvements to the court process and system-wide efficiencies in the use of court resources. Stress is on integration of operational tasks and optimum use of resources to carry out organizational objectives. By contrast, operational control is concerned with keeping the court system working, rather than with assessing how well the court "machinery" as a whole is running. Decisions (based upon raw, unprocessed

data) are made quickly. While the compilation of statistics for operational control is a significant effort in and of itself, management control uses of court statistics are more in keeping with the state-level and interstate comparability thrust of this National Court Statistics Project. Presiding judges, judicial councils, state and trial court administrators use court statistics for such management purposes as:

- case tracking and identification of delayed cases;
- workload analysis to determine needed assignment of judges on a regional or statewide basis to relieve backlog;
- status of preparation of record for appeal;
- exception reporting;
- case aging; and
- comparisons of time lapses in case processing to established norms or guides.

In order to administer court systems efficiently and effectively, judges and administrators must know the status of the dockets, identify docket and procedural problems, and measure the real extent of their workload and available resources. Case-by-case, exception, and summary statistics become the tools by which these managers can ensure that cases are disposed of within a reasonable period of time. For example, statistics on age of pending cases by court can help managers decide whether or not reallocation of judicial personnel is necessary to reduce unacceptably high backlog.

Visual aids such as Figure 2 (showing average elapsed time between date of filing and date of verdict), can be used to identify problem areas and will help a court administrator monitor the court's progress in reducing case delay. Generally, visual comparisons of workload, caseflow, and tracking data with statistics from similar courts help to highlight abnormal conditions, ease the understanding of given statistics, and stimulate experimentation with alternative processing procedures. For these reasons, using graphic data for interpreting the significance of court statistics should be strongly encouraged. Often these visual aids can be reproduced with tables summarizing state court case activities and published in a state's annual statistical report.

#### Internal planning and research

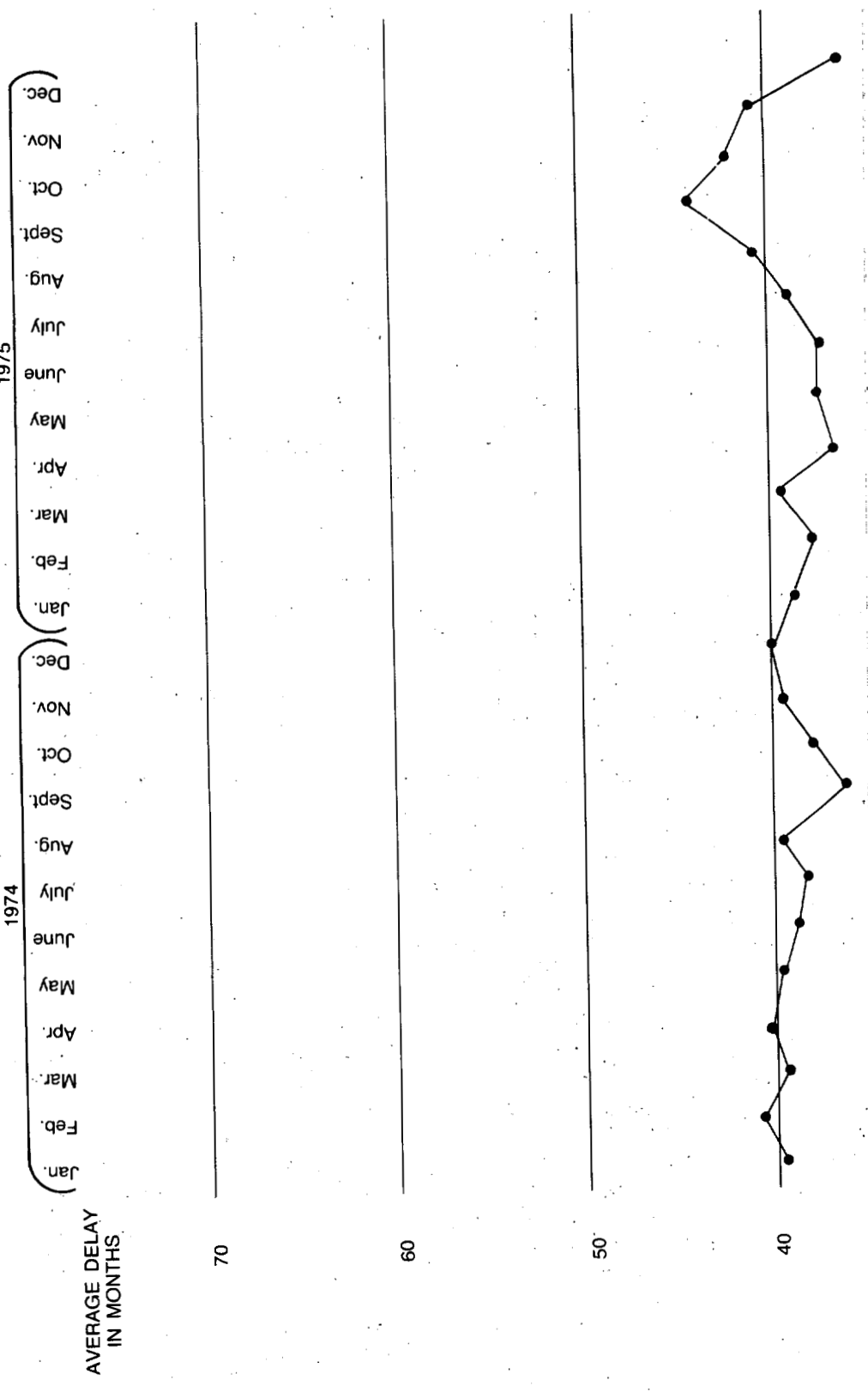
Effective goal-setting and broad policy planning require the use of a sound and comprehensive court statistical data base to establish long-term programs and to help identify evolving problems and litigation



Figure 2

Example of a visual aid used to identify problem areas

Graph plotting average elapsed time between date of filing and date of verdict in Circuit Court of Cook County



trends. Comparability of published statistics among states assists goal-setting and policy planning by providing a relative yardstick against which states can assess performance and measure the possible impact of legislation and of procedures for forecasting budget requirements.

Uses of court statistics for internal planning and research cover a wide range of areas including

- effect and cost of legislation;
- forecasting workload volumes, manpower requirements, and facilities needs;
- time lapse analysis to establish norms or guides;
- studies of the validity of case weighting techniques;
- analyses of reversal rates and sentence disparities;
- analyses of bail availability and uniformity and recognizance/10 percent bail programs;
- review of the effects of plea negotiation on caseloads; and
- case filing and disposition trend analysis.

Several states are currently using case statistics for such internal planning and research. Oklahoma, for example, follows caseload growth trends over time by illustrating in bar chart form (Figure 3) the number of appeals to its Supreme Court for each year between 1907 and 1975. Alternatively, Michigan displays growth in annual volume of cases commenced and disposed as a percentage of 1952 cases (Figure 4). In both instances the volume statistics become the raw data for planning future requirements for judges and facilities.

Developing information on how the composition of litigation changes is another valuable use of court statistics for internal planning and research. For example, one study, based upon successive samples of 100 cases taken from Alameda and San Benito counties at 20 year intervals beginning in 1890, concluded that dispute settlement as a proportion of total caseload was declining.<sup>4</sup> This conclusion was partly based on the observed fact that the percentage of the total caseload concerned with family and tort cases was increasing while the proportion of property and contract cases was decreasing. The conclusion, not obvious without time series analysis, leads to significant implications regarding court facilities and support resources likely to be most in demand in future years. Caseload composition analysis such as the foregoing is used in several states; however, the

data apply to varying spans of time and litigation groupings (see Figure 5 for Virginia's approach).

The kind of strategic, long-range goal-setting and planning described above, while an ongoing activity, occurs even more irregularly than the rather periodic cycle followed by management control activities. Statistical research and analysis in support of planning and policy setting may be stimulated by the need to seek alternative ways for alleviating court congestion or by the need to assess the effects of new legislation or policies on court workload. Irrespective of these irregular or cyclic spurs to action, each state needs both internal and external statistical yardsticks against which it can measure proposed improvements to the judicial system. As stated in *Judicial Criminal Statistics 1935*, "it is only through measuring the extent or frequency of certain types of occurrences that we are able to learn enough about them to suggest reasonable changes. . . ."<sup>5</sup>

If baseline data are available from each state, thus enabling the development of a national data base, many currently unanswerable questions can be addressed. In particular, how much do new "legal aid offices" manned by lawyers from the Office of Economic Opportunity contribute to court caseload? What is the impact of diversionary programs on caseloads? Does new legislation, such as that decriminalizing marijuana or instituting "no fault" auto insurance, significantly reduce court workload? These and other thorny questions are more susceptible to rational answers when complete statistics are available and careful use of available statistical analysis tools and techniques are employed to seek answers to such questions.

#### Indirect court uses

There are many uses for judicial statistics beyond those necessary to serve the operational, management, and planning functions of courts. The other branches of government, the public at large, and the news media all have a stake in our court system, and their awareness and understanding of the courts' operations are essential if they are to be knowledgeable in their relations with the courts. This awareness and understanding cannot be obtained without the existence of reliable statistics that reflect the extent of state court caseload.

#### External policymaking

Legislatures and executive agencies—both state

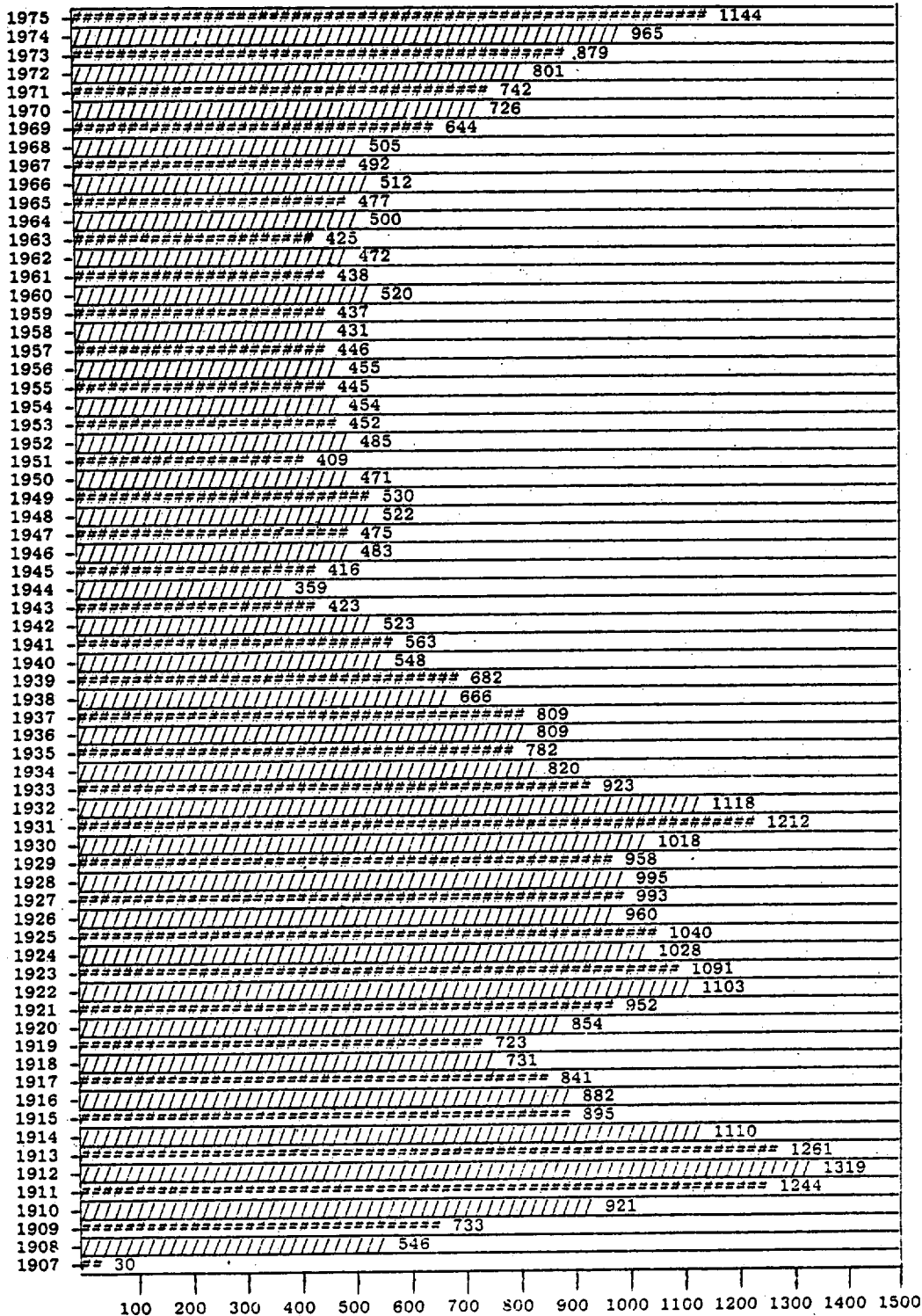
<sup>4</sup> Laurence M. Friedman and Robert V. Percival, "A Tale of Two Courts: Litigation in Alameda and San Benito Counties," 10 *Law & Society Review* (Winter 1976), pp. 267-301.

<sup>5</sup> Bureau of the Census, *Judicial Criminal Statistics 1935* (Washington, D.C.: U.S. Govt. Print. Off.)

Example of caseload growth trends over a period of time

Figure 3

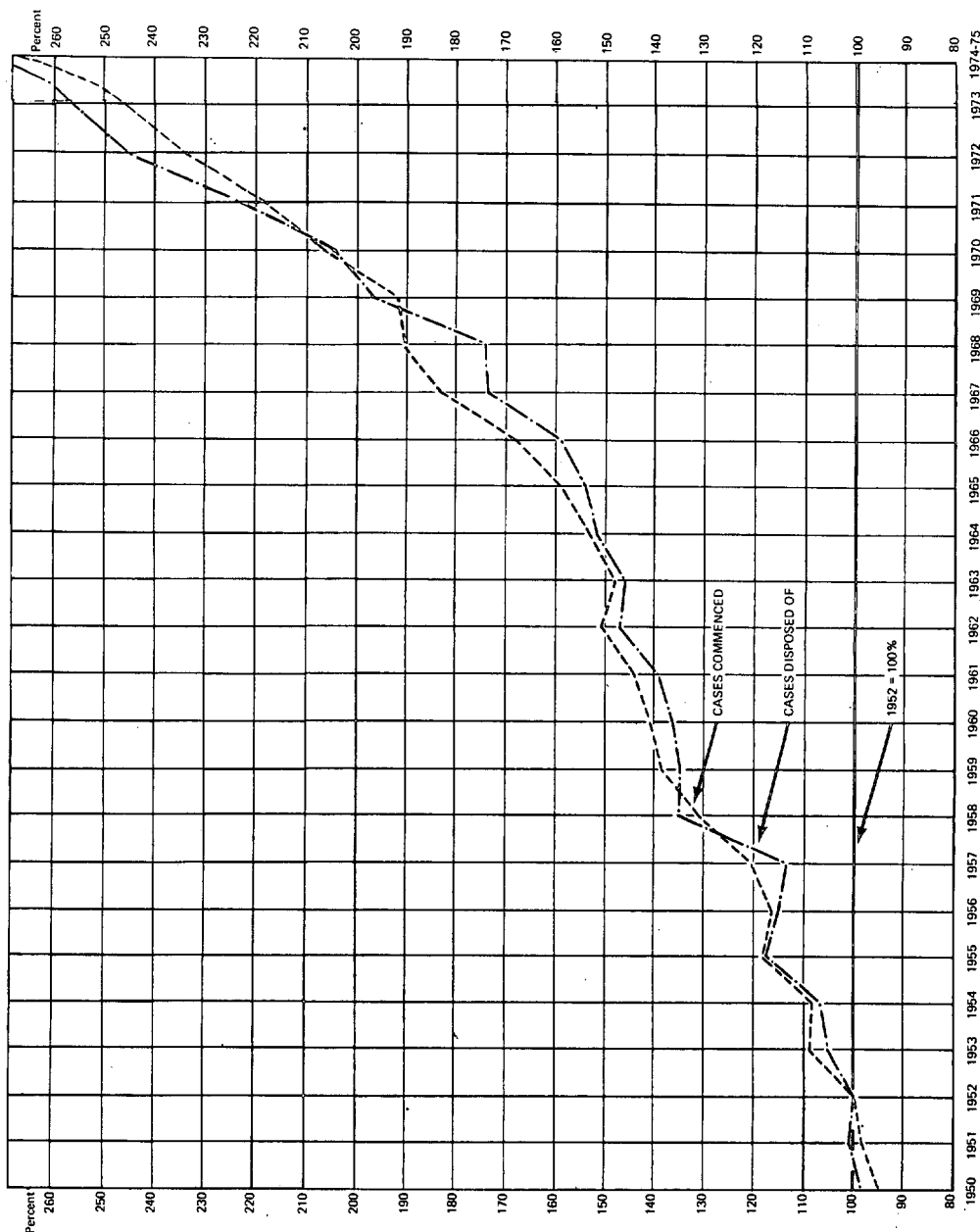
APPEALS TO THE SUPREME COURT  
1907-1975, Oklahoma



Source: Administrative Director of the Courts, Report on the Judiciary 1975, State of Oklahoma, p. 40.

Figure 4  
Example of caseload growth trend  
as a percentage of a base year

Growth in Annual Volume of Commenced and Disposed of Cases in the Circuit Courts,  
1950-1974/75  
Expressed as Percentage of a Base Year (1952 = 100)

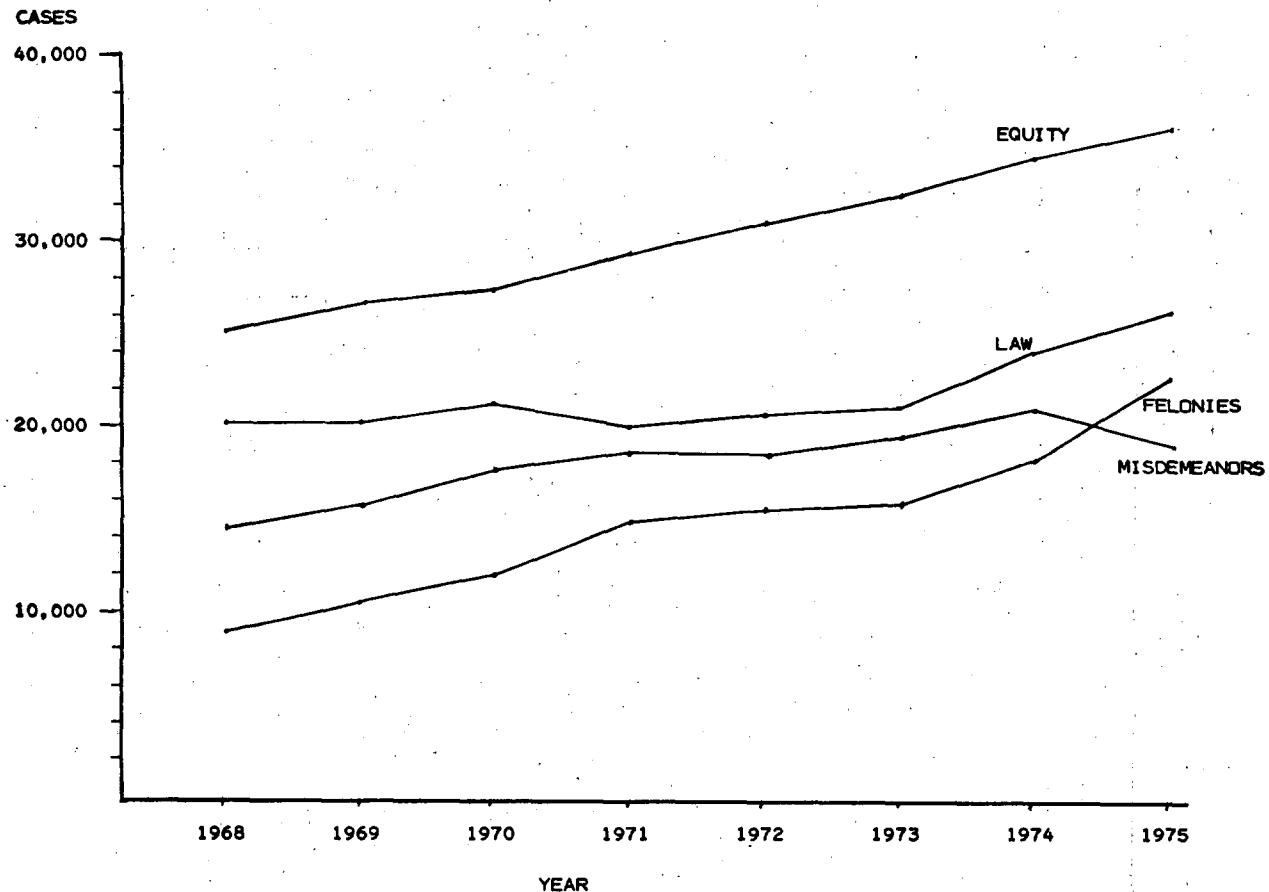


Source: State Court Administrator, Michigan Annual Report 1974-75, p. 45.

## Example of caseload composition analysis

Figure 5

CIRCUIT COURT SYSTEM, Virginia  
Cases commenced by type of case  
Law, Equity, Felony, or Misdemeanor



Source: Office of the Executive Secretary, Supreme Court of Virginia, *State of the Judiciary Report 1975*, p. 23.

and national—require data in order to plan structural or procedural changes that affect the courts. This is in addition to the internal policymaking done within the court system. Because legislatures must provide the statutes that authorize court reforms, statistical data substantiating arguments of state court officials should be furnished to them.

External policymaking uses of state court statistics closely relate to internal policymaking uses. The

former build on the latter, a relationship which strongly applies to funding decisions involving state and national contributions to court budgets.

**Resource allocation.** Few people, judges included, have any idea of the time, scope, and size of workloads carried by the courts. Without this information, state courts have difficulty demonstrating the extent to which increasing caseloads have taxed court resources. Yet because decisions to provide

financial assistance to particular courts and to fund certain programs must be made, they are made without the benefit of accurate workload data.

Without documentation, it is difficult for courts to argue that they should receive a larger share of scarce financial resources. As Daniel Freed notes, ". . . every agency in the criminal justice process in a sense competes with each other in the quest for tax dollars."<sup>6</sup> In fact, courts compete with every agency in government on the state and county level. Lack of data may place courts at a disadvantage in this competition for funds.

**Impact of legislation.** To legislate responsibly and effectively in the courts area, state legislatures need court statistics on more than just current workloads and funding needs. The legislature might also be vitally interested in receiving court input on proposed new responsibilities or changes in the nature of existing ones; probable effects of suggested curbs on judicial action and control; quantitative and qualitative merits of achieving more court unification in place of laws which purportedly fragment administrative capacity and efficiency; impact of corrections laws which require expanded judicial intervention; and effects of changes to probation, parole, mental health, juvenile, family, civil, and criminal laws on total caseload.

The state legislature might want to know how past or proposed changes to speedy trial rules, rules of procedure, and state courts of last resort rules have affected or might affect the functioning of the court system. It might also desire court statistics that examine the probable effects on state courts of actions by federal courts and civil rights activities and proceedings. For example, special funding may be needed to offset workload increases caused by broader interpretation of civil and procedural rights, such as due process hearings for inmates already committed to state mental facilities.

To help meet their need for information, most state legislatures require the annual preparation of some kind of minimal statistical report from the judiciary. In most states, the responsibility for compilation and publication of the annual report has been one of the duties of the state court administrator's office. The general nature of the laws requiring or

authorizing statistical reports gives the state court administrators much flexibility. "The working of laws or rules is broad and gives the state-level judicial administration authority to collect virtually any information relating to judicial activities. A typical provision authorizes collection of 'statistical, financial and other information on the work of the courts'. . . ."<sup>7</sup>

The simplest technique for meeting this obligation to publish an annual report has been to assemble the data kept by the various clerks of court into a statewide profile. The efficacy of this procedure depends, of course, on whether the data recorded by the clerks of court are accurately compiled at the state level and made available in forms that are appropriate and sufficient for uses beyond the simple statutory obligation. If the annual report is published merely to satisfy legislative requirements, the quality of the report may be a secondary consideration. Roscoe Pound pointed out many years ago that "statistics gathered for no purpose beyond filling a report with impressive tabulations are seldom valuable for anything else. . . ."<sup>8</sup>

At the very least the information published in annual reports should make it possible for the legislature, the executive, and the public to hold courts accountable and assess their efficiency. Only in this way can the courts expect to receive the public support they need. As one observer remarked, "The first court that puts before the public a clear, honest accounting of its workload, its capabilities, its needs, and couples it with an unequivocal commitment to remove the backlog is bound to succeed. . . ."<sup>9</sup>

#### **Academic research**

Although difficult to serve because of the diversity of its interests, the academic research community is also an important consumer of judicial statistics. Some academic research, especially that dealing with litigation generation, might well be useful to court clerks. The knowledge, for example, that most plaintiffs were commercial institutions or that the most frequent court actions were related to the collection of debts might be an influencing factor on

<sup>6</sup> Daniel J. Freed, "The Non-system of Criminal Justice," in *Law and Order Reconsidered: Report of the Task Force on Law and Law Enforcement to the National Commission on the Cause and Prevention of Violence*, ed. James S. Campbell, Joseph B. Sahid, and David P. Strong (New York: Praeger, 1970), p. 267.

<sup>7</sup> SEARCH Group, Inc., *SJIS State of the Art*, Technical Memorandum No. 11 (Sacramento, 1975), p. 4.

<sup>8</sup> Roscoe Pound, "Judicial Causes and Judicial Statistics," *American Bar Association Journal* 28 (1942), p. 103.

<sup>9</sup> Hans Zeisel, "Courts for Methuselah," *University of Florida Law Review* 23:2 (Winter 1971), pp. 224-39.

state court structure and operations.<sup>10</sup> David Saari also urged that demographic characteristics of court jurisdictions be correlated with local and state government budgets and personnel.<sup>11</sup> Some court systems have already become more sophisticated than this. For example, "The Colorado Administrative Office has employed court planning forecasting techniques that use computer simulated scenarios based on variation in population and many factors that may affect litigation. . . ."<sup>12</sup>

Special interest groups and researchers want statistics broken down by categories. For example, insurance companies may be interested only in the disposition of auto accident claims; court reform groups may focus attention on trials of indigents; minority groups may express particular interest in the courts' handling of their respective constituencies. In the absence of categorized data, research reports are forced to rely on case studies of single cities, counties, or states to illustrate the problems of court congestion. The drawback with this approach is that other independent researchers and the media or public audience for such reports have no basis on which to judge if the data presented can be generalized to other jurisdictions or if problems identified are unique to a specific jurisdiction. Programs for reform thus may be influenced by researchers' perceptions of the reasons for court delay, however inaccurate they may be, simply because better information is not available.

#### Public information

Court statistics are also useful to persons other than academic researchers. There are those who are interested in the social and political implications of increases in various types of litigation. Our complex American lifestyle places a host of political and social problems before judges that would not burden courts in other countries. In a recent message to the state legislature, Chief Justice Thomas G. Kavanagh of the Michigan Supreme Court used the phrase "legal pollution" to describe the growth of laws and the reliance on courts to resolve "every imaginable

social problem."<sup>13</sup> *Newsweek* devoted a cover story to exploring the question of whether our justice system is bogged down by "Too Much Law?"<sup>14</sup>

Statistics prepared for public relations and education purposes should generate support to make court-initiated reforms succeed, while simultaneously dispelling incorrect notions about the function of the court system (for example, the accusation that courts are dismissing most criminal cases).

Insufficient or incorrect data can have the opposite effect. The tendency of the public is to rely on whatever information is available. Forty-five years ago the Wickersham Commission report commented on "the eagerness with which unsystematic, often inaccurate, and more often incomplete statistics available for this country are taken up by text writers, writers in periodicals, newspaper writers, and public speakers. . . ."<sup>15</sup> The situation has not changed. Until complete and accurate data are readily available to satisfy the "hunger" for information, public reactions will be based on the incomplete data that are available.

#### Misuse of court statistics

Although the list of uses for court statistics is impressive, it must be stressed that once state court statistics enter the public domain, they may be misunderstood by unsophisticated users. Although statistics are an indispensable source of knowledge, Friesen, Gallas and Gallas noted that "For the most part, statistics about judicial operations have been incomplete, untimely and misinterpreted."<sup>16</sup> Problems arise when the purposes for gathering court statistics are not clearly defined. Data gathered to support immediate adjustments in court operations may be inadequate for other uses unless their possible functions are clearly understood. According to Levin and Wooley, "To view the purpose of statistics too narrowly involves the risk of seeking too little data, assembling it too late, verifying it perfunctorily, if at all. . . ."<sup>17</sup> The other side of the coin is

<sup>13</sup> "Michigan Legislators Advised to Check 'Legal Pollution,'" *2 State Judiciary News* (March 1976), p. 3.

<sup>14</sup> January 10, 1977, pp. 42-47.

<sup>15</sup> National Commission on Law Observance and Enforcement, *Report on Criminal Statistics* (Washington, D.C.: U.S. Govt. Print. Off., 1931), p. 3.

<sup>16</sup> Ernest C. Friesen, Jr., Edward C. Gallas, and Mesta Gallas, *op. cit.*, pp. 195-96.

<sup>17</sup> A. Leo Levin and Edward A. Woolley, *Dispatch and Delay: A Field Study of Judicial Administration in Pennsylvania* (Institute of Legal Research, University of Pennsylvania, Philadelphia, 1961), p. 36.

<sup>10</sup> Craig Wanner, "The Public Ordering of Private Relations, Part One: Initiating Civil Cases in Urban Trial Courts," in *Law and Society Review* 8:423-30(1974).

<sup>11</sup> Statement submitted to Court Group, Government Division, Bureau of the Census, Department of Commerce, January 9-10, 1968.

<sup>12</sup> See *Outside the Courts: A Survey of Diversions Alternatives in Civil Cases* (Denver: National Center for State Courts, 1977), p. 29.

that information gathered for management control or planning purposes may be inappropriate for drawing conclusions about current operations, such as the performance of individual judges. Friesen, Gallas and Gallas have suggested this as one reason judges have resisted keeping time records. Furthermore, they contend that misapplication of court statistics has actually resulted in a distortion of judicial priorities. For example, "Judges believing that trial activity is most highly recognized as proper judicial activity gave a priority to trying cases when in fact (under some circumstances) pretrial activity was more productive of just results. . . ." <sup>18</sup>

To forestall such problems, statistics should be appropriate to the uses being made of them. The Wickersham Commission long ago warned that "if statistics are to be of value, the greatest care must be taken in gathering, compiling and publishing them. Nothing could be more misleading than statistics not scientifically gathered and compiled. . . ." <sup>19</sup>

#### Reasons for incorrect analysis and comparison

Comparative statistics are essential to any evaluation of court performance, yet "a court compared disadvantageously, upon only superficial assessment, might experience . . . serious public consequences, even though it considers it can justify its practices . . ." <sup>20</sup>

Many of the difficulties in gathering and compiling reliable statistics result from the fact that courts vary widely from state to state. Because of differences in subject-matter jurisdiction, even courts covered by a reporting system may not produce statistics which can be added together or compared. All criminal cases may be tried in general jurisdiction courts in one state, while another state handles misdemeanors in limited and special jurisdiction courts. A comparison of total criminal caseloads at the general jurisdiction level in two such states would obviously be meaningless.

Valid comparisons are also impossible where court systems are not using the same terminology in naming case types or in classifying cases into categories. Courts that include juvenile cases in their "domestic" category are presenting a different di-

mension of that domestic caseload from those that count juvenile cases separately from domestic.

The categories used to classify cases vary for both civil and criminal cases, as do the units used to account for cases (individual defendant, charge, and so forth). The periods of time for which caseloads are totaled are not the same (fiscal year, calendar year, and less inclusive periods), and the procedural steps (filing, disposition, pending, and so forth) counted in the processing of cases do not have the same meanings from system to system. (See Chapter V for detailed treatment of these problems, and some recommendations on solving them.)

Comprehensive court statistics must provide manageable summaries of workload with which to make accurate evaluations and to project resource and funding requirements. Any effort to build a national data base of state court caseload statistics must take cognizance of and accommodate these realities.

<sup>18</sup> Ernest C. Friesen, Jr., Edward C. Gallas, and Mesta Gallas, *op cit.*, p. 197.

<sup>19</sup> National Commission on Law Observance and Enforcement, *Report on Criminal Statistics* (Washington, D.C.: U.S. Govt. Print. Off., 1931), p. 12.

<sup>20</sup> Ted Rubin, "Comparative Court Studies," *Court Study Process* (Denver: Institute for Court Management, 1975), pp. 297-317.



## Chapter II

### Past experience with court statistics

The current status of state court statistics rests on a rather slender accumulation of earlier efforts to encourage some kind of organizational structure in the collection of statistics which would enhance accuracy and completeness as well as permit valid comparisons. Past efforts have ranged from a generous number of philosophical proclamations stressing the need for statistics to a handful of serious studies which actually collected statistics over a period of years, and either summarized them or used them for analytical purposes.

An individual seriously interested in court statistics collection cannot look to these past efforts and derive a great deal of guidance. The philosophical calls for improved statistics collection, such as those resulting from the 1909 National Conference on Criminal Law and Criminology and the 1931 reports of the Wickersham Commission stress needs for and outline impediments to the collection of statistics.

This long-standing awareness of the dearth of usable statistics has led to the inclusion of suggested data collection standards in a number of general sets of court organization standards sponsored over the past two decades by the American Bar Association, the National Advisory Commission on Criminal Justice Standards and Goals, and the National Center for State Courts. These are useful guidelines for those involved in the operation of the courts, but are far too general to provide any specific framework for a clerk of court or a court administrator in the process of devising a data collection system.

Efforts to provide the kind of assistance needed to identify essential data elements and efficient collection techniques are much more recent and derive from the trend toward the utilization of modern computer technology for instituting and streamlining criminal justice information systems which embrace units larger than a single court. State courts today are in the process of adapting this technology to their particular needs.

As for actual statistical studies, those done by the

Bureau of the Census between 1932 and 1945 and the *Calendar Status Study* series published by the Institute of Judicial Administration from 1953 to 1974 relied on summary statistical information requested from and supplied by the individual clerks of court. Every writer on the subject of court statistics has stressed the pitfalls of tabulating summary statistics. Beattie, writing in 1950, outlines the difficulties: ". . . First, there is no other analysis or combination of information that can be made other than the way it appears on the summary report; and, second, all of the determinations as to classification and meaning are made by the various reporting agencies and will, of necessity, lack the consistency that would exist if all such interpretations were made at one central bureau. No matter how carefully instructions are prepared for summary reports, by the time numerous agencies have made up these reports and sent them in, there will be variations of classification and interpretation that, to a large extent, cannot be detected."<sup>1</sup>

In the 1970s, however, the burden of providing cross-jurisdictional statistics no longer falls on the individual court. Following the recommendations of earlier commissions, the trend over the past two decades has been toward instituting a centralized state office which collects data from the individual courts and makes decisions as to kinds of data needed. Today, every state has some central agency, be it known as the office of the state court administrator or some similar title. To most of these is delegated the authority vested in the supreme courts for collecting and analyzing data.

Along with this trend toward the separation of court administration from court operations has been an effort sponsored by the Department of Justice (LEAA) to make some sort of nationwide assessment

<sup>1</sup> Ronald H. Beattie, *Manual of Criminal Statistics* (Prepared for the Committee on Research and Planning, American Prison Association, April 1950), p. 13.

of what kinds of information are actually collected by courts across the country (1971 *National Survey of Court Organization*), and how much of that information is reported to the central state offices (1974 *Canvass of State Court Administrators*).

These surveys determined that by 1977 most states would have adopted procedures to streamline and extend their data collection efforts so that fairly comprehensive data on filings and dispositions would be available. The surveys indicated that most appellate courts would collect and report data to central sources, as would 98 percent of the general jurisdiction courts, and all limited jurisdiction courts hearing felony trials. The National Court Statistics Project has received 1975 data for appellate courts from all but one state, and general jurisdiction data from 86 percent of the states. (See Figure 19, Chapter 4.)

#### Emphasis on need for statistics

Early efforts by the states to gather court statistics were spurred by a general concern with crime. Accordingly, the early history of state-level court statistics is a history of judicial *criminal* statistics.

#### Statistical efforts 1909-1920

At a meeting in Chicago in 1909 the National Conference on Criminal Law and Criminology<sup>2</sup> adopted resolutions expressing dissatisfaction with current methods of administering criminal justice.

The conference declared that reliable and accurate information regarding the active administration of the criminal law was necessary to efficient legislation and administration; appealed to Congress to provide through the agency of the Census Bureau for the collection of full and accurate criminal and judicial statistics covering the entire country. . . .<sup>3</sup>

The conference further demonstrated its appreciation for the value of statistics by establishing a Committee on Statistics of Crime. The committee's report one year later noted that "for the country at large our main dependence is upon statistics of prisoners" because "other adequate sources of infor-

mation are not available. . . ."<sup>4</sup> Because prison statistics were only a limited segment of criminal statistics, the committee went on to stress the need to collect court statistics in order to provide more complete criminal data.

Although there is some dispute with regard to exactly which states published criminal court statistics at that time,<sup>5</sup> it appears that those which did publish such statistics generally had legislation on the books requiring them to do so. Some of the state reports that were published hardly deserved to be called statistical. The committee attributed the deficiencies of state reports ". . . (1) To insufficient legislation covering the extent and form of the returns to be made; (2) To a lack of a proper conception of the purpose of criminal judicial statistics, and (3) To faulty methods in the statistical treatment of the returns."<sup>6</sup> Other obstacles to the collection of statistics mentioned by the committee were defective court records, the diversity of criminal courts systems, and the lack of uniformity in collection of statistics. Louis Robinson, writing about the same time, said much the same thing:

. . . In general the statistics are those derived from reports sent by the states' attorneys or clerks of criminal courts to some one of the state officers as attorney general, secretary of state or governor, and they usually appear in the reports made to the legislature by the officer in question. They are always for a definite time interval, a year or two years, depending somewhat on the time of meeting of the state legislature. In some cases there is a minute characterization of the court proceedings, while in others a brief summary is all that is given. The tabulation is quite generally, very defective, many of the reports giving no summary of the

<sup>4</sup> John Koren, "Report of Committee on Statistics of Crime," *Journal of the American Institute of Criminal Law and Criminology*, I (May 1910), p. 419.

<sup>5</sup> *Ibid.*, p. 421. Koren listed the following states as publishing criminal court statistics: Alabama, California, Connecticut, Indiana, Iowa, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Montana, Nevada, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Texas, and Utah. That same year Louis N. Robinson listed the states which collected judicial criminal statistics in the final chapter of his Ph.D. thesis, "A Plan for the Reorganization of Criminal Statistics in the United States," *Journal of the American Institute of Criminal Law and Criminology* I (May 1910), p. 45. His list differs from that of the Koren Committee in that he deleted Connecticut and Indiana from the Committee on Statistics' list, but added New Hampshire, Idaho, Florida, North Dakota, Oregon, Washington, and Wisconsin.

<sup>6</sup> *Ibid.*, pp. 421-22.

<sup>2</sup> Instigated by the law faculty of Northwestern University on the fiftieth anniversary of the founding of the law school; attended by delegates "representing the various professions and occupations concerned directly or indirectly with the administration of the criminal law and the punishment of criminals. . . ." "Editorial Comment," *Journal of the American Institute of Criminal Law and Criminology* (Volume I, May 1910), p. 2.

<sup>3</sup> *Ibid.*, p. 5.

facts for the state as a whole. But by far the gravest defect is the incompleteness of the returns, a circumstance which renders the statistics of many states of little value.<sup>7</sup>

#### Statistical efforts 1920-1930

The end of World War I was followed by a resurgence of the concern with increased crime in the United States. "The interest of the early 1920s led to a series of comprehensive surveys, carried out in certain states and jurisdictions, and resulted in published detailed statistical data which accounted for the criminal defendants processed in the local systems of criminal justice. The better known of these surveys were the Cleveland Survey of 1921, the Missouri Crime Study in 1926, the Illinois Crime Survey in 1928, the reports of the New York Commission on Criminal Justice in the years 1928 and 1929 and the Oregon Crime Survey published in 1931. . . ."<sup>8</sup> These surveys, because they were restricted to a particular locale (urban areas) for a restricted period of time, did not provide continuous monitoring. However, by tracing large numbers of felony cases through the courts to final disposition, such surveys demonstrated ". . . First, the need for continuous reporting and analysis to supply a knowledge of court procedures essential to their reform and, second, the wide variations in administrative practice found among the courts and other law enforcement agencies."<sup>9</sup>

In addition to the individual case surveys above, Professor Sam Warner (and others) wrote a series of articles in 1923 and 1924 on the need for prison statistics. These articles eventually resulted in the collection and publication of prison statistics in 1926 by the Bureau of the Census. In 1927 Professor Warner prepared a manual and a set of collection forms for the Bureau of the Census for collecting state prison statistics. This effort is today still operated by the Bureau of the Census for LEAA.

In 1927 the International Association of Chiefs of Police established a program to collect police-related statistics. This program resulted in the adoption of a

set of uniform classifications of offenses in major criminal cases in 1928 and the preparation of a Uniform Crime Reporting Manual in 1929. Beginning in 1930 the International Association of Chiefs of Police turned these materials over to the Department of Justice and began to furnish statistics to this agency for national reporting, the precursor to the FBI's *Uniform Crime Reports*.

#### Wickersham Commission 1931

During the late 1920s a number of groups such as the American Crime Study Commission and the American Prison Association were urging that complete criminal statistics be collected nationally. To meet these demands, the President of the United States appointed the National Commission on Law Observance and Law Enforcement, chaired by George W. Wickersham. The third volume of the commission's 12 reports published in 1930 and 1931 outlined the following defects in trial court statistics:

*First.* Except in a few States, they do not cover the inferior criminal courts, such as police courts.

*Second.* The methods used in the reports of tabulating and presenting the figures are not uniform nor in many cases desirable.

*Third.* The lists of offenses and of dispositions used in the statistics vary greatly from State to State and are usually too short. . . .<sup>10</sup>

The commission recommended a uniform state law with respect to gathering and transmitting state criminal justice statistics.<sup>11</sup> And like the earlier Conference on Criminal Law and Criminology, the Wickersham Commission recommended that the ". . . gathering, compiling, and publishing of nationwide criminal statistics should be committed as a whole to the Bureau of Census."<sup>12</sup>

<sup>10</sup> Sam B. Warner, "Survey of Criminal Statistics in the United States" in National Commission of Law Observance and Enforcement, *Report on Criminal Statistics*, Vol. 3 (April 1, 1931), p. 64.

<sup>11</sup> A committee to draft such a law was appointed in 1931 by the National Conference of Commissioners on Uniform State Laws, and officially adopted by the Conference in 1937. ("The Uniform Criminal Statistics Act" by Thorsten Sellin in *Journal of Criminal Law and Criminology*, Volume 40, Number 6, March-April, 1950.) Professor Sellin says that North Dakota was the only state to adopt it. Professor Sellin himself was asked in 1944 to redraft the law. California in 1955 and Pennsylvania in 1969 adopted legislation which incorporates provisions of this revised uniform act. (SEARCH Group Special Report No. 31, p. 3.)

<sup>12</sup> National Commission on Law Observance and Enforcement, *supra* n. 19 in Chapter I, p. 17.

<sup>7</sup> Louis Newton Robinson, *History and Organization of Criminal Statistics in the United States* (Montclair, New Jersey: Patterson-Smith, 1911, reprinted 1969).

<sup>8</sup> Ronald H. Beattie, "Offender-Based Criminal Statistics," *Project SEARCH Special Report Number 3* (Sacramento: California Crime Technological Research Foundation, 1961), p. 1.

<sup>9</sup> Ronald H. Beattie, *Judicial Criminal Statistics in 43 Ohio Counties* (U.S. Dept. of Commerce, Bureau of the Census: U.S. Govt. Print. Off., 1938), p. 1.

### Statistical studies

U.S. Bureau of the Census, *Judicial Criminal Statistics*  
series

On the recommendation of the Wickersham Commission, the Bureau of the Census launched the first program to publish judicial criminal statistics collected by the various states. The standard classification of criminal offenses and of court dispositions for the field of judicial criminal statistics adopted in 1932 by the National Conference of Judicial Councils and the Judicial Section of the American Bar Association became the basis for the collection of judicial criminal statistics by the Bureau of the Census. This classification was based largely on the accumulated experience of the Bureau of the Census in classifying criminal offenses commencing with its 1923 report on prisoners.<sup>13</sup> The schedule developed and used by the Bureau of the Census from 1932 to 1945 is basically the same as the one recommended by Beattie in 1950 in his *Manual on Criminal Statistics*<sup>14</sup> (Figure 6). Both forms were based on the schedule used around 1930 by the Institute of Law of Johns Hopkins University in its research inquiries into court administration.

The annual collection effort was inaugurated in 1932 with 16 states participating. As many as 30 states participated in the program during the peak years of 1935 and 1936. Eleven states dropped out of the series at one time or another, and by 1945 only 25 states were still involved.

From 1932 until the series was discontinued in 1945, the Bureau of the Census published an annual report presenting summary statistics on the type of offense and disposition of felony offenders in courts of general jurisdiction. Information for these reports was obtained, in most states, from information tabulated by clerks of court on the summary tally sheets provided by the bureau. This method of reporting left to the discretion of local personnel the classification of data into the general reporting categories listed. When the reliability of the data provided by the tally sheets seemed questionable, the Bureau of the Census suggested the use of individual cards for each defendant, one in connection with the filing of the case, another with the disposition. However, only Ohio and Minnesota followed the bureau suggestion and collected judicial criminal statistics on the basis of individual case reports.

Despite the fact that the Bureau of the Census maintained that individual case reports could "... quite easily be adapted to the particular recordkeeping routines used by different clerks of court,"<sup>15</sup> court clerks in most states felt it would be too time-consuming. (The individual case report forms are displayed as Figures 7 and 8.)

In 1945 the Bureau of the Budget pointed out "the serious limitations of the series with respect to coverage, comparability of data, and uniformity of reporting. It noted the absence of clearcut evidence that the statistics in the present form were of any value to students of criminology, criminal law, and allied fields, and recommended that a study of the matter be undertaken. . . ."<sup>16</sup> Consultation with experts at a conference held in Washington, D.C., in September of 1946 led to the conclusion that "the demand for these statistics is considered insufficient to justify the funds and personnel required for their collection. . . ."<sup>17</sup>

A variety of reasons have been offered for the lukewarm response to the Census Bureau series. From a current perspective, the predominant drawback appears to have been the extra burden placed on clerks of court by requesting them to fill out tally sheets in addition to their regular duties. If the information requested did not coincide with the data being recorded by the clerks, "... very few states were prepared to develop this information and pass it on to the Bureau of the Census. Without state assistance, the Bureau of the Census found it practically impossible to deal individually with all the courts of the participating states. Until several states establish their own systems of criminal statistics, there is little chance that there will be any further attempt to establish a national collection of judicial criminal statistics."<sup>18</sup>

Beattie noted that state resources were not sufficient to compensate localities for the extra burden of reporting statistics to a national agency. At that time there was no national funding source, such as Law Enforcement Assistance Administration (LEAA), to assist states in supporting a comprehensive statistical reporting system.

<sup>15</sup> Bureau of the Census, *Judicial Criminal Statistics: 1945* (Washington, D.C.: U.S. Govt. Print. Off., February 21, 1945—Series J-14, No. 26), p. 2.

<sup>16</sup> Harry Alpert, "National Series on State Judicial Criminal Statistics Discontinued," *Journal of Criminal Law and Criminology*, Volume 39 (July-August 1948), p. 181.

<sup>17</sup> *Judicial Criminal Statistics*, *ibid.*, p. 1.

<sup>18</sup> Ronald H. Beattie, *Manual on Criminal Statistics*, *supra* n. 1, p. 19.

<sup>13</sup> *Supra* n. 1, p. 15.

<sup>14</sup> *Ibid.*, p. 19.

Schedule used by Census Bureau to Collect judicial criminal statistics, 1932-1945

Figure 6

ANNUAL REPORT OF DISPOSITION OF DEFENDANTS—TRIAL COURTS

Form IV: Court of \_\_\_\_\_ (City, County) \_\_\_\_\_ State of \_\_\_\_\_  
 For Period from \_\_\_\_\_ to \_\_\_\_\_

Number of criminal defendants with cases pending or undisposed of at beginning of year \_\_\_\_\_  
 Number of new defendants received in court (by information or indictment) during the year \_\_\_\_\_  
 Number of defendants disposed of during the year \_\_\_\_\_  
 Number of defendants pending Court action at the end of the year \_\_\_\_\_

Total persons disposed of during year	Disposed of without conviction			Convicted and sentenced			
	Dismissed	Acquitted by Court (Jury waived)	Jury	Other no-penalty disposition	Plea guilty	Court finds guilty (Jury waived)	Jury finds guilty
Offense at time of conviction							
1-a Murder							
1-b Manslaughter							
2 Robbery							
3-a Aggravated assault							
4 Burglary—breaking or entering							
5-a Larceny—except auto theft							
5-b Auto theft							
5-c Embezzlement and fraud							
6 Forgery							
7-a Rape							
7-b Commercialized vice							
7-c Other sex offenses							
8 Narcotic drug laws							
9 Deadly weapons							
10 Non-support or neglect							
11 Liquor laws							
12-a Driving while intoxicated							
12-b Other motor vehicle offenses							
13 Disorderly conduct and vagrancy							
14 Gambling							
15 All other offenses							

Source: Ronald H. Beattie, *Manual on Criminal Statistics* (Prepared for the Committee on Research and Planning, American Prison Association, April, 1950), p. 32.

Individual case reporting form devised by Census Bureau

Figure 7

## REPORT OF FILING—TRIAL COURT

Form IV-a

Docket No. \_\_\_\_\_ Name of Defendant \_\_\_\_\_ Sex \_\_\_\_\_

County \_\_\_\_\_ Court \_\_\_\_\_

Transcript: If no transcript of preliminary examination, check here \_\_\_\_\_

(a) Date filed \_\_\_\_\_ Offense charged \_\_\_\_\_

(b) From what court received \_\_\_\_\_

(c) Dismissed without further proceeding \_\_\_\_\_ Date \_\_\_\_\_

Subsequent proceeding:

(d) No bill \_\_\_\_\_ Indictment \_\_\_\_\_ Information \_\_\_\_\_

(e) Other proceeding (specify) \_\_\_\_\_

(f) Date of filing \_\_\_\_\_

Offense or offenses charged in indictment or information:

(g) \_\_\_\_\_

Source: Ronald H. Beattie, *Manual on Criminal Statistics* (Prepared for the Committee on Research and Planning, American Prison Association, April 1950) p. 33.

It should be pointed out that as late as 1955 only eight state court systems actually reported caseload statistics to a state court administrative office. Although several additional states did publish an annual state court report through a judicial council, these reports seldom contained a systemwide set of caseload statistics. By 1965 the number of states reporting caseload statistics in an annual state court report increased to 16. It is apparent that the unavailability of a central source for compiling state court data has been a definite limiting factor in developing nationally comparable data. State court administrative personnel have indicated that all but two states would be reporting caseload statistics in an annual report of court activity in 1977.

The earlier-noted drawbacks of lack of coverage and uniformity in the statistical series are readily apparent. In 1945, the last year in which the series was published, only 25 states participated. Of these, 20 states used the tally sheet method; 2 (Massachusetts and New York) used reporting forms provided by their departments of correction; 1 (the District of Columbia) provided reports prepared by the Administrative Office of the United States Courts. Only

two (Ohio and Minnesota) used individual case reports, which were forwarded to the Bureau of the Census where they were coded and tabulated.

The glaring drawback of the series was in the area of comparability. This problem was recognized in the Bureau of the Census as early as 1933 when the annual statistics report warned that "... comparisons often tend to be comparisons of quite unlike things."<sup>19</sup>

First, problems in comparing both terminology and subject matter jurisdictions were noted:

... Since the laws are not the same in each State, a particular act may be a crime in one State and not in another State. Where the offense classes are not the same in phraseology, these classes do not necessarily have the same meaning in each State, since there may be important differences between different States in the legal definition of a particular crime.<sup>20</sup>

<sup>19</sup> Bureau of the Census, Dr. Leon Truesdell, Chief Statistician, *Judicial Criminal Statistics 1933* (Washington, D.C.: U.S. Govt. Print. Off.), p. 1.

<sup>20</sup> *Ibid.*

**Individual case reporting form  
devised by Census Bureau**

**Figure 8**

Form IV-b

**REPORT OF DISPOSITION—TRIAL COURT**

County \_\_\_\_\_ Court \_\_\_\_\_ Docket No. \_\_\_\_\_  
 Name of Defendant \_\_\_\_\_ Sex \_\_\_\_\_ Yr. of Birth \_\_\_\_\_ Race \_\_\_\_\_  
 Offense Charged \_\_\_\_\_  
 First Plea:  
 1. Not guilty \_\_\_\_\_ Guilty \_\_\_\_\_ Other (specify) \_\_\_\_\_  
 2. Date of plea \_\_\_\_\_  
 Final Plea:  
 3. Not guilty \_\_\_\_\_ Guilty \_\_\_\_\_ Other (specify) \_\_\_\_\_  
 4. Date of plea \_\_\_\_\_  
 Trial: (If plea of not guilty was entered, check items 5 or 6, and 7)  
 5. By jury: Not guilty \_\_\_\_\_ Guilty \_\_\_\_\_  
 6. By court after waiver of jury: Not guilty \_\_\_\_\_ Guilty \_\_\_\_\_  
 7. Date trial commenced \_\_\_\_\_  
 Name of Judge: \_\_\_\_\_  
 Other Final Disposition:  
 8. Dismissed \_\_\_\_\_  
 9. Reason for dismissal \_\_\_\_\_  
 10. Other disposition (specify) \_\_\_\_\_  
 Offense of which Convicted:  
 11. As charged: Yes \_\_\_\_\_ No \_\_\_\_\_  
 12. If not as charged, specify \_\_\_\_\_  
 Sentence or Final Disposition:  
 13. Date \_\_\_\_\_  
 14. Imprisonment (specify institution) \_\_\_\_\_  
 15. Fine and imprisonment \_\_\_\_\_ Fine only \_\_\_\_\_ Costs only \_\_\_\_\_  
 16. Term of imprisonment \_\_\_\_\_  
 17. Probation \_\_\_\_\_ Term of probation \_\_\_\_\_  
     Supervised by: \_\_\_\_\_ Without supervision \_\_\_\_\_  
         State Parole Board \_\_\_\_\_  
         County Probation Officer \_\_\_\_\_  
         Other (specify) \_\_\_\_\_  
 18. Suspended sentence \_\_\_\_\_ Term \_\_\_\_\_  
     Entirely \_\_\_\_\_ In part \_\_\_\_\_, specify \_\_\_\_\_  
 19. Is there a restitution or support order? Yes \_\_\_\_\_ No \_\_\_\_\_  
 20. Other sentence (specify) \_\_\_\_\_

Source: Ronald H. Beattie, *Manual on Criminal Statistics* (Prepared for the Committee on Research and Planning, American Prison Association, April 1950), p. 34.

Second, caseloads in some states were inflated with misdemeanors cases while in others misdemeanors were not included because they were handled by courts of limited jurisdiction. In addition, the methods used by individual courts to count the actual number of filed criminal cases differed significantly. Some courts counted cases by case numbers, others by indictments, and still others by defendant or charge. This lack of uniformity had a tendency to distort the caseload of courts relative to one another. The problem still exists today and often can be critical when criminal caseloads of one jurisdiction are compared with those of another.

This particular statistical series suffered from other

problems, including delays in publication of national summaries of state-supplied statistics (as much as 2 years from the time they were submitted), presentation in unattractive form (that is, overly small type and the absence of illustrative charts and graphs), and lack of analytical interpretation of the raw data presented.<sup>21</sup>

<sup>21</sup> The situation today is quite similar, although improving. John A. Fiske, state court administrator of Massachusetts, published in February 1976 a report titled, "Have Annual Court Reports Ever Found Their Mission?" for the Institute for Court Management. His evaluation of annual court reports provides additional enlightening information on this subject.

Several writers faulted the national collection agency. Thorsten Sellin attributed the limited usefulness of the statistics gathered "... to the lack of any real effort to improve them."<sup>22</sup> Court officials during the 1932 to 1945 period when the series was published did not find the statistics useful for either planning or decisionmaking purposes because of incompleteness and small number of classifications presented. Other consumers, such as academic researchers interested in criminology, were perhaps more interested than court officials, but the published judicial criminal statistics were inadequate for research purposes because they did not provide information on the characteristics of offenders.<sup>23</sup> Beattie suggested that the national effort to collect statistics may have prematurely diminished state interest in gathering internal judicial information by "focusing attention away from the need of the states to collect this information. . . ."<sup>24</sup> (It should be noted that today this is not true since both local court presiding and administrative judges, as well as trial and state court administrators, are requesting more complete state court data to aid them in evaluating and managing court activity.)

In sum, the demise of the *Judicial Criminal Statistics* series could be attributed to the limited technical expertise at the local level and to the lack of political sensitivity and financial support from the national agency requesting the statistics.

Institute of Judicial Administration  
*Calendar Status Study*

This series of studies by the Institute of Judicial Administration (IJA) is distinguished by its emphasis on *civil* cases. In fact, to the knowledge of the NCSP, it is the only national multiyear comparative study of state civil case statistics that existed prior to the National Court Statistics Project. This is somewhat surprising since civil cases comprise the bulk of the workload for courts of general jurisdiction.

The objective of the series was to measure average elapsed time to trial in civil cases. Statistics were requested from 97 principal courts of general jurisdiction in the 48 states. Representative courts were

included from counties having more than 750,000 population; between 500,000 and 750,000; and less than 500,000. In some of the courts the figures were already available. In others, the figures had to be ascertained or estimated, either by selective sampling of cases or by arriving at an average for a representative range of time periods.

Between 1953 and 1956 the time lapse measured was the average of months from "at issue" until the "beginning of the trial" in both jury and non-jury trials of civil cases. "At issue" in this context was defined as the status of a case "when the preliminary motions and demurrers have been disposed of and the final pleadings (on both sides) have been filed. . . ."<sup>25</sup> In 1956 the study was expanded to include a measure of the delay between "first filing" and trial.

The National Conference of Court Administrative Officers (NCCAO, the predecessor to the Conference of State Court Administrators, COSCA) in that same year agreed that the most desirable statistic to obtain was the measurement of delay in bringing a case to trial. The court administrative officers were very sensitive to the statistics collected and presented by the Institute of Judicial Administration in its annual report on calendar congestion. According to the minutes of the 1952 meeting, "... some of the administrators said that they are unable to furnish meaningful figures for this annual compilation and they questioned whether court clerks are able to do so."<sup>26</sup> Other administrators were concerned that the Institute presented figures in such detail that the statistics took on an illusion of accuracy. Suggestions were made that only estimates be used, that each state provide some information on the way in which it obtained statistics, and that more graphs and tables be used in presenting statistics.

Conference members seemed disturbed that interstate comparisons were being made on the basis of IJA data. It was generally agreed that "... there is a real need for uniformity among the states in the collection and presentation of judicial statistics." Court administrators warned that because current data were not collected according to a uniform plan, "... interstate comparisons are not valid and may reflect unfairly on some states."<sup>27</sup>

The NCCAO appointed a committee on statistics

<sup>22</sup> Thorsten Sellin, "The Uniform Criminal Statistics Act," *Journal of Criminal Law and Criminology*, Volume 40 (March-April 1950), p. 682.

<sup>23</sup> See the President's Commission on Law Enforcement and the Administration of Justice, *Task Force Report: Crime and Its Impact—An Assessment* (Washington: U.S. Govt. Print. Off., 1967), p. 194.

<sup>24</sup> *Supra* n. 8, p. 3.

<sup>25</sup> Institute of Judicial Administration, *State Trial Courts of General Jurisdiction Calendar Status Study—1956* (New York, Institute of Judicial Administration, 1957), p. i.

<sup>26</sup> National Conference of Court Administrative Officers, NCCAO Annual Proceedings, 1956, p. 4 (unpublished).

<sup>27</sup> *Ibid.*, p. 3.



to cooperate with the Institute of Judicial Administration in seeking ways to improve the *Calendar Status Study*. In 1957, on the recommendation of the NCCAO committee, the Institute did a pilot study using an individual case-card method of collecting data in Maryland, New Jersey, New York, and Virginia. These states provided data on all personal injury cases tried before a jury in their respective jurisdictions, making it possible for the data in the 1957 table from those four states to include more information than just the average time lapse. (No reason has been discovered for not continuing the pilot study or expanding the data elements collected by the series.)

After 1957 the series was limited to personal injury cases, because IJA felt "... that time intervals in personal injury cases are often correlated with intervals in other cases and therefore furnish an index of calendar congestion in general."<sup>28</sup> This claim was retracted in 1964, when the study affirmed that it was "... not intended to be a picture of general calendar congestion."<sup>29</sup> The District of Columbia was added in 1955 and the states of Hawaii and Alaska in 1958.

By 1963 there was some dissatisfaction with the "at issue" definition of the start of a case, since court procedures—hence the meaning of "at issue"—varied so widely from state to state. Accordingly, the date of service of answer replaced the "at issue" starting point because it appeared to be more uniform. The difficulty with this starting point is that statistics thus obtained might reflect delay not attributable to or within the immediate control of the courts.

In 1974 a research advisory committee met at IJA and concluded that, because the methodology of the *Calendar Status Study* was imperfect and the project was very expensive with no clear source of independent funding available, it should be discontinued. Interest in civil case backlog had been displaced by concern with the rights of criminal offenders. Passage of speedy trial laws had made delay in the criminal courts grounds for dismissal of the charge, or at least for freeing the defendant from custody. Judges were being switched from civil to criminal cases in order to eliminate the backlog in criminal adjudication and

comply with the law. Because of this pressure in the criminal area, court administrators at that time were giving priority to criminal cases over civil cases.<sup>30</sup>

The *Calendar Status Study* series stands out as a unique contribution in the area of monitoring civil cases. The statistics published, however, were confined (with the exception of the 1957 pilot study) to the time lapses calculated for the various jurisdictions along with the populations of those jurisdictions. Not all of the 100 jurisdictions from which data were requested responded every year, so the lists of jurisdictions varied slightly from year to year, making comparisons over time difficult. The study stated quite clearly that it had to rely on data furnished by the individual courts. The 1963 study indicated that the figures used for each court were an average of the first five personal injury cases tried to jury verdict after April 1. By 1973 the time lapses for each jurisdiction were being calculated on the basis of an "... analysis of a sample of cases supplied by each of the courts." This sampling technique depended on court officials to choose the cases considered, and the IJA admitted that certain courts did not conform to the procedures specified and so cannot be compared. Time lapses were given only as averages, with no distributions indicated. The one clear analytical conclusion of the series seems to be a relationship between population and time lapse in the disposition of civil cases.

#### National Conference of Court Administrative Officers—Committee on Statistics

Independent of its cooperation with the Institute of Judicial Administration, the National Conference of Court Administrative Officers appointed in 1956 a Judicial Statistics Committee in an effort to establish minimum standards for court statistics applicable to every jurisdiction. As a preliminary step toward accomplishing this task, the committee constructed a questionnaire to ascertain exactly what judicial statistics were then being collected by the states. Responses from 13 states having court administrators were received. On the surface it appeared that statistics on volume of cases, their currency, and manner of disposition could be compared fairly. At the 1958 meeting of the conference Edward McConnell, chairman of the statistics committee,

<sup>28</sup> Institute of Judicial Administration, *State Trial Courts of General Jurisdiction Calendar Status Study—1957* (New York, Institute of Judicial Administration, 1957), p. 1.

<sup>29</sup> Institute of Judicial Administration, *State Trial Courts of General Jurisdiction Calendar Status Study—1964* (New York, Institute of Judicial Administration, 1964), p. vi.

<sup>30</sup> Source: Telephone conversations with Professor Fannie J. Klein at the Institute of Judicial Administration and with Paul Nejelski at the Office for Improvements in the Administration of Justice, U.S. Department of Justice.

pointed out that statistics such as the number of cases pending or the time required to obtain a trial were not comparable because states differed with respect to the initial point at which courts became responsible for cases. He emphasized that the goal of the committee was "... to reach agreement on some basic definitions and categories so that there would be uniformity in reporting certain types of judicial statistics."<sup>31</sup> McConnell further suggested that the basic statistics already being collected by most of the states should provide the starting point for any effort to encourage uniformity in reporting practices. Unfortunately, little progress was made in this area over the next several years.

In December 1960, the Judicial Statistics Committee was reactivated under the chairmanship of C. Jerre Lloyd. Because of the experience of the earlier group, the committee restricted its effort to the development of a statistical report for trial courts of general jurisdiction. A form was developed for reporting statistics on cases initiated and terminated for these categories: civil, criminal, juvenile, and probate. The definitions of these categories were generally acceptable to the conference participants, but the reporting form was not. It was suggested that another form be developed and presented to the membership at the annual meeting in 1962. Circulation of a second draft produced a number of suggestions and criticisms. In addition to the technical changes, the general question regarding the usefulness of comparable statistics was frequently raised.

In March 1962, the members of the statistics committee met and offered as an answer to that question the following three basic purposes for national comparative judicial statistics: "(1) stimulate increased productivity through comparison of work processed in other jurisdictions, (2) furnish sociological data, and (3) measure judicial and other personnel needs of the court."<sup>32</sup>

The Uniform Statistical Report form attempted to incorporate these three basic purposes into a reporting format. The types of cases were broken down into the following categories: matrimonial, motor tort, other civil, criminal, juvenile, and probate. The cases terminated category included jury trials, non-jury trials, pleas of guilty, and terminations through

substantial and nominal judge assistance. The proposed report was submitted to all members of the National Conference and completed in 12 states for a period of a year (1960-61) or less. (See Statistical Report Form, Figure 9, and the Explanation of Terms, Figure 10.)

The tables and definitions included in the NCCAO Report of the Committee on Statistics in 1962 are interesting because they represent a pioneering effort toward agreement on definitions, the key to the collection of comparable judicial statistics. For several reasons, however, it is difficult to analyze the data contained in the tables. There is no indication of whether the data are complete for each of the 12 states, or only for "certain geographic limits" (undefined in the text, page 2). The number of jurisdictions listed in the text is 18, but the tables contain 28. Limited and special jurisdiction courts have been included for some states and not for others. The time periods covered differ from state to state.

The 1962 conference meeting resolved that the Committee on Statistics should continue its efforts. In discussion following the adoption of the motion, the problem of getting accurate information from clerks during and after experimentation with the new statistical reporting form was mentioned.

The 1963 minutes indicate that the committee agreed that it was impractical for NCCAO, meeting only once a year, to try to get uniform statistics in all areas, but hoped that some categories might be developed. The committee decided to concentrate on personal injury cases in cooperation with the IJA *Calendar Status Study*, and continued to focus on this effort thereafter.

#### Workload of state courts of last resort

In one sense, the caseload of state courts of last resort is more readily accessible than the caseload of courts of general jurisdiction because written opinions, per curiam opinions, and memoranda decisions are published in state court reports or in the West Publishing Company's regional reporters. The first attempt to present systematic comparative data on the total workload of state courts of last resort was prepared by the Council of State Governments<sup>33</sup> for the Conference of Chief Justices. The mimeographed compendium of charts contained very little textual interpretation, but did demonstrate the increase in the number of appeals between 1965 and 1967. This

<sup>31</sup> National Conference of Court Administrative Officers, Summary of the Annual Meeting, Pasadena, California, 1958 (unpublished).

<sup>32</sup> National Conference of Court Administrative Officers, Summary of the Annual Meeting, San Francisco, California, 1962 (unpublished).

<sup>33</sup> The Council of State Governments, "Workload of State Courts of Last Resort 1965-67" (Chicago, 1968).

National Conference of Court Administrative Officers reporting form

Figure 9

Statistical report on cases initiated and terminated in state trial courts

Reporting period: \_\_\_\_\_ to \_\_\_\_\_

		Cases terminated					Other terminations		Total terminated
		Cases initiated	Jury trials	Non-jury trials	Pleas of guilty	Substantial judge assistance	Nominal judge assistance		
Jurisdiction _____	Population _____								
Total number of judges producing terminations reported:	Matrimonial:								
Judges of courts of general jurisdiction _____	Motor torts:								
	General jurisdiction _____								
	Special or limited jurisdiction _____								
Judges of courts of limited jurisdiction _____	Other civil:								
	General jurisdiction _____								
	Special or limited jurisdiction _____								
Judges of courts of special jurisdiction _____	Criminal:								
	Felony defendants _____								
	Misdemeanor defendants _____								
Other (specify): _____	Juvenile:								
	Dependency _____								
	Delinquency _____								
	—Traffic _____								
	—Non-traffic _____								
Reported by: _____	Probate _____								
Administrator _____									
Date _____									
		Totals							

Source: National Conference of Court Administrative Officers, Report of the Committee on Statistics, 1962, unpagged.

early effort to measure total workload in state courts of last resort accomplished its limited goals. It was less useful as a device for court self-evaluation because interstate comparisons were limited by differences in case terminology and classification.

**State supreme courts—some comparative data**

A follow-on study of civil and criminal court workload, by Canon and Jaros,<sup>34</sup> simply presented the statistics without analysis along with data on

<sup>34</sup> Bradley C. Canon and Dean Jaros, "State Supreme Courts—Some Comparative Data," *State Government* 42:260-264 (Autumn 1969).

other variables such as dissent rates. These figures did, however, provide the data for other studies of dissent rates in courts of last resort.<sup>35</sup>

One feature of interest in the methodology of this study was the fact that data were collected from a *sample* of cases drawn from each state court for the period between 1961 and 1967. From 100 to 200

<sup>35</sup> D. Jaros and B. C. Canon, "Dissent on State Supreme Courts: The Differential Significance of Characteristics of Judges" in *Midwest Journal of Political Science* 15:322-46 (1971).

*Idem*, "External Variables: Institutional Structure and Dissent on State Supreme Courts" in *Polity* 4:185-200 (December 1970).

**National Conference of Court Administrative  
Officers explanation of terms**

Figure 10

*Type of case:*

1. A matrimonial case is an action for divorce, separate maintenance, annulment, reconciliation, support, reciprocal support, custody, or adoption.

2. A motor tort case is action for damages for injury to person or property or wrongful death resulting from the operation of a motor vehicle. Differentiation is made between motor tort cases arising in courts of general jurisdiction and those arising in courts of special or limited jurisdiction.

3. Other civil cases include all civil actions except matrimonial and motor tort cases. If possible this category should be subdivided into the major types of cases (exclusive of motor tort and matrimonial) reported in the jurisdiction. Here, too, separate reporting for courts of general jurisdiction and courts of special or limited jurisdiction is provided.

4. Criminal cases should include cases contributing to the delinquency of a minor.

*Cases initiated:*

1. A matrimonial, motor tort, or other civil case shall be counted for statistical purposes as a case initiated when the court records or docketed an action. If actions are not recorded or docketed in any court at the time of their original commencement the statistical report shall so note. Appeals from courts of inferior jurisdiction or administrative agencies shall be counted as civil cases when recorded or docketed in the reviewing court.

2. A criminal case shall be counted for statistical purposes as a case initiated when an indictment or information is recorded or docketed with the court. Appeals from courts of inferior jurisdiction shall be counted as criminal cases when recorded or docketed in the reviewing court.

3. A juvenile case shall be counted for statistical purposes as a case initiated when a petition or traffic complaint or other document is recorded or docketed with the court which brings a juvenile under its jurisdiction.

4. A probate case shall be counted for statistical purposes as a case initiated when a petition or application for probate of a will or the appointment of an administrator or guardian is recorded or docketed with the court.

*Cases terminated:*

1. A case shall be counted for statistical purposes as a case terminated when a judgment or order is entered terminating proceedings in the recording court.

2. (a) Terminations by jury trial includes all cases terminated after the drawing of a jury has been commenced.

(b) Terminations by non-jury trial includes all cases terminated after a witness has been sworn.

(c) Terminations by plea of guilty includes all cases terminated on the basis of a plea of guilty, non vult, or nolo contendere.

(d) Cases terminated with substantial judge assistance includes such matters as summary judgments, uncontested divorces, default judgments, confessions of judgment, final judgment on the pleadings, final judgments on motions, and settlements substantially assisted by the judge.

(e) Terminations with nominal judge assistance includes such matters as transfers, dismissals for lack of prosecution, and settlements entered into with little or no judicial assistance.

Source: National Conference of Court Administrators, Report of the Committee on Statistics, 1962, Unpaged.

cases were used from each of the state supreme courts, the total sample size being 7,800 cases. Another study which examined dissent rates in selected states over a 20-year period confirmed the accuracy of this sampling technique in determining overall dissent rate.<sup>36</sup> A well-executed sampling technique, such as that used to determine dissent rates, may also be used to effectively measure court workload. Although limited to four states, the examination by Glick and Vines of the various categories of cases heard by courts of last resort added another dimension to the study of appellate court workload.<sup>37</sup>

<sup>36</sup> Craig R. Ducat and Victor E. Flango, *Leadership in State Supreme Courts: Roles of the Chief Justice*, American Politics Series Number 04-030, Volume 3 (Beverly Hills, Sage Publications, 1976).

<sup>37</sup> Henry Robert Glick and Kenneth Vines, *State Court Systems* (Englewood Cliffs, New Jersey: Prentice-Hall, 1973), p. 98.

**Institute for Court Management Studies**

In 1971-1972, the Institute for Court Management (ICM) received funds from LEAA to conduct a series of studies on the dynamics of criminal and civil litigation. A concern over criminal caseloads led to a survey of the Cuyahoga County (Cleveland) Court of Common Pleas by a participant in the Institute's development program for court executive officers. After consultation with the presiding judges in the two courts involved, the Institute decided to conduct an in-depth examination of felony processing in Cleveland.<sup>38</sup> This study was designed as a companion effort to an examination of felony processing in Denver and Harris County (Houston) and to a

<sup>38</sup> "The Felony Processing System, Cuyahoga County, Ohio" (Denver: Institute for Court Management, 1971).

study of disposition times in Baltimore.<sup>39</sup> At the same time these efforts were undertaken, the Institute was also engaged in several other comparative studies, such as an examination of civil case processing in Boston, Detroit, and Minneapolis.<sup>40</sup>

These comparative studies are significant because they are some of the earliest efforts to transcend individual court case studies. Comparative studies attempt to identify common problems in separate courts. In their attempt to obtain comparable data, ICM interns encountered some of the obstacles that plague current efforts. Like nearly all prior attempts, collection efforts were hampered by differences in court jurisdictions and by the diversity of reporting forms. Moreover, because the statistics sought by ICM were not readily available in the form desired, project staff had to draw samples of cases directly from court files. Usually, the first set of cases in a given period (for example, all criminal cases filed the first month) were chosen for inclusion in the sample. This nonrandom selection may, unfortunately, contain systematic bias. Another study conducted two years later in Montgomery County, Indiana, had the advantage of combining both civil and criminal data for 1973, but of course was not comparable with studies of other jurisdictions.<sup>41</sup>

Another comparative study<sup>42</sup> of criminal courts in two counties in Indiana focused on the problem of delay and developed a simulation program that could be a useful model for other court systems. Data collection was accomplished by the researchers themselves and proved to be a much more formidable problem than anticipated, even in so limited an area as two counties within the same state.

The problems encountered and procedures involved in Indiana<sup>43</sup> were also investigated in a

<sup>39</sup> "A Comparison of Felony Processing in Cleveland, Denver and Houston" (Denver, Institute for Court Management, 1971), George G. Kershaw, "A Comparison of Disposition Times in Felony Level Courts of Baltimore City and Montgomery County, Maryland" (Denver, Institute for Court Management, 1972).

<sup>40</sup> "A Comparison of Civil Calendar Management in Boston, Detroit, and Minneapolis" (Denver, Institute for Court Management, 1971).

<sup>41</sup> Harvey E. Solomon and Donald G. Webber, "Survey of Court Operations Montgomery County, Indiana" (Denver: Institute for Court Management, 1974).

<sup>42</sup> University of Notre Dame, Law School and College of Engineering, *System Study in Court Delay*, LEADICS—Law-Engineering Analysis of Delay in Court Systems, Volume I, Executive Summary (Notre Dame: 1972).

<sup>43</sup> Nayar, R. and Bleuel, Wm. H., "Simulation of a Criminal Court Case Processing System" in *Reducing Court Delay*, Criminal Justice Monograph, one of several papers presented at the Fourth National Symposium on Law Enforcement Science and Technology, The Institute of Criminal Justice and Criminology, University of Maryland, June 1973.

simulation study of the criminal court system in Monroe County and Rochester, New York, resulting in an information and management system (PROSPER). This later model identified the amount of delay at each of six stages of criminal procedure. For both city and county courts the largest queue was formed by cases awaiting trial. A comparison of simulation results with random samples of 100 cases each from city and county courts was the technique used to validate the model. In instances like this where the model clearly simulates actual case flow, experiments may be performed upon the model itself rather than on the actual court system.

### National-scope efforts to collect state court statistics

Crime legislation passed in the 1960s led to a renewal of efforts to develop a framework for nationwide collection of state court statistics. The Chief of the Governments Division of the Census Bureau expressed his agency's concern for encouraging development of such needed statistics at a conference in 1967:

The Bureau has come to regard as one of its major responsibilities the self-initiation of efforts to identify important social and economic questions which require the development of basic data in the various fields of its work, and the identification of users and needers of such data. Another responsibility is that of serving as catalyst by bringing together and providing a forum for these interested parties in the hope that the needs can be articulated in such a way that proposals can be developed by the Bureau or by its sister agencies within the Federal statistical system which will yield the needed data on the most useful and economic basis. . . .<sup>44</sup>

#### **Report on National Needs for Criminal Justice Statistics**

Three working groups were convened by the Bureau of the Census in 1967 and 1968 to discuss the gaps in national data on corrections, courts, and law

<sup>44</sup> Remarks by David P. McNelis, Chief, Governments Division, Bureau of the Census, December 13, 1967, at a meeting of the Research Council of the American Correctional Association held at the Center for Continuing Education, University of Maryland, College Park, Maryland.

enforcement. The consensus of the many interested officials involved was embodied in the conference conclusion that a system of collecting data on courts is essential.

If possible it should be based on State data collection systems and at minimum it should hasten the development of such systems. It should cover courts of general jurisdiction first, and should include both civil and criminal activities. Data should be of the fundamental sort that can be reasonably compared across jurisdictional and State lines, and definitions should be developed in advance to permit this comparison. The program should aim for national coverage and should build on currently operative systems wherever possible. . . .<sup>45</sup>

#### Law Enforcement Assistance Administration

The law which created the Law Enforcement Assistance Administration (LEAA)—the Omnibus Crime Control and Safe Streets Act of 1968—gave to LEAA the responsibility “. . . to collect, evaluate, publish, and disseminate statistics and other information on the condition and progress of law enforcement in the several states. . . .”<sup>46</sup> In 1970, LEAA established the National Criminal Justice Information and Statistics Service (NCJISS) “. . . to support the development of statistical and information system programs in the several states; and to conceive, develop and implement major criminal justice statistical series and studies of national scope.”<sup>47</sup>

In the same year that NCJISS was formed, LEAA funded project SEARCH (Systems for Electronic Analysis and Retrieval of Criminal Histories.) This project aimed at demonstrating the utility of creating state-level repositories where criminal history information would be collected and could be used for on-line, interstate exchange of individual offender records as well as for producing statistics describing the operations of criminal justice systems through periodic reports. LEAA also made small grant awards to individual states making their first start in assuming responsibility for *Uniform Crime Reports* within their borders.

<sup>45</sup> Bureau of the Census, *Report on National Needs for Criminal Justice Statistics* (1968), p. 22.

<sup>46</sup> Omnibus Crime Control and Safe Streets Act (1968), Section 515 (b).

<sup>47</sup> Richard W. Velde, “The External Relationships,” *Justice in the States*, ed. William F. Swindler, (Washington, D.C.: LEAA 1971), p. 65. (Addresses and Papers of the National Conference on the Judiciary in Williamsburg, Virginia, March 11–14, 1971).

In 1972 the success of these programs led to the announcement of the Comprehensive Data System (CDS) program. The CDS program is an effort to encourage the states to develop a Statistical Analysis Center (SAC), a state-level UCR program and a combination program called Offender-Based Transaction Statistics/Computerized Criminal Histories (OBTS/CCH). This latter is developed from project SEARCH. The CDS component most relevant to the National Court Statistics Project is the OBTS module which traces the progress of an individual offender through the criminal justice system. As designed, OBTS can be used to generate only criminal statistics; however, the concept can be applied to civil cases. Sixteen states were in the process of implementing OBTS in 1975.<sup>48</sup>

Also operating under SEARCH Group during 1976 and 1977 was the State Judicial Information System (SJIS) project. The specific objectives of this project most relevant to the compilation of judicial statistics are to

- identify those items of information required for the generation of comprehensive, reliable and timely judicial statistics, court management information, and planning and research data;

- develop judicial statistical reporting which permits to the extent practical, intra and interstate comparison of court activities.<sup>49</sup>

The 11 states participating in Phase I of SJIS were California (which has since discontinued its participation), Florida, Georgia, Hawaii, Idaho, Louisiana, Massachusetts, Minnesota, Missouri, New Jersey, and Oregon. Thirteen additional states were involved in 1977: Alabama, Arkansas, Connecticut, Delaware, Michigan, New Mexico, North Carolina, Ohio, Pennsylvania, Rhode Island, Texas, Utah, and Washington. SEARCH Group, Inc., published in 1975 *State Judicial Information Systems: State of the Art*, which contained in its second chapter a comprehensive review of past efforts to develop statewide judicial information systems. Much of that review applies equally well to development of complete and accurate court statistics, although the sources of information and methodology employed in the SEARCH survey of state reporting systems are not extensively documented. (Some analysis of the SEARCH survey is contained in Chapter V.)

<sup>48</sup> According to the LEAA, these 16 states are Alabama, Arizona, Arkansas, California, District of Columbia, Georgia, Louisiana, Maryland, Massachusetts, Minnesota, Missouri, New Jersey, New York, Ohio, Oklahoma, and Utah.

<sup>49</sup> SEARCH Group, Inc. Technical Report #12, *State Judicial Information Systems: Final Report* (Phase I), 1975, p. 1.

**Bureau of the Census and LEAA**

As a preliminary step to establishing a national program of court statistics, the Bureau of the Census conducted the *National Survey of Court Organization*<sup>50</sup> for LEAA. This survey was a major attempt to secure organizational and jurisdictional informa-

62 percent on cases pending. Appellate courts were more likely than courts of general jurisdiction to keep caseload statistics. (The National Court Statistics Project has found, however, that appellate courts are less likely to publish them than general jurisdiction courts. The number of states providing data in

**Questionnaire to obtain information on existence and location of court records and statistics**

**Figure 11**

**5. STATISTICS**

a. Does the court keep the following types of statistics?

	Yes		No		For certain cases only (specify, e.g., civil, criminal jury trial cases, etc.)	b. For what time period are these statistics compiled?
	1	2	1	2		
(1) Caseload statistics over a particular time period:						
(a) Number of cases filed	1 _____	2 _____	3 _____			(1) _____
(b) Number of cases terminated	1 _____	2 _____	3 _____			(a) _____
(c) Number of cases pending	1 _____	2 _____	3 _____			(b) _____
(2) Manner of disposition of cases: (e.g., without trial, with trial by judge, and with trial by jury)						(c) _____
	1 _____	2 _____	3 _____			(2) _____
(3) Time from filing to trial of cases: (Statistics on elapsed time from filing to trial of cases)						(3) _____
	1 _____	2 _____	3 _____			(3) _____
(4) Judges' time: (Statistics on percentage of judges' time spent on different types of cases)						(4) _____
	1 _____	2 _____	3 _____			(4) _____

c. From what OFFICE are these statistics available?

Source: U.S. Law Enforcement Assistance Administration, National Criminal Justice Information and Statistics Service, Forms CJ-19 and 20, *National Court Survey*, O.M.B. No. 41-S71087 (unpublished questionnaire).

tion on the courts in the United States, the statistics each collects, and the judicial personnel involved. This survey, conducted in 1971, directed its questions toward obtaining information as to the existence and location of court records and statistics (Figure 11).

The answers received were tabulated into tables which indicate what kinds of information are collected by state courts. (See Figure 12).

Figure 12 shows that in 1971 data were available from 73 percent of the courts surveyed on cases filed, from 70 percent on cases terminated, and from

1975 on filings, dispositions, and pendencies is shown in Figure 19.) Courts of general jurisdiction were more likely than courts of limited jurisdiction to keep statistics. Few courts at any level kept statistics on court delay or the amount of judge time spent on different types of cases.

Statistics most apt to be compiled were those most easily tabulated by the courts. Note, for example, that caseload statistics, which are tallies taken from the court calendar or docket records, were most often kept, whereas percent of judge time spent on different types of cases—statistics which require a special effort to develop—were least often compiled.

The study ascertained that data on backlog were generally not available, although the development of

<sup>50</sup> Published by the U.S. Department of Justice, LEAA, in October 1973.

Table to indicate kinds of information collected by state courts

Figure 12

Table C. Number of Courts by Type of Court:  
Statistics Kept by Level of Court

Level of court	Total courts	Courts keeping statistics					
		Caseload Statistics			Disposition statistics	Court delay (filing to trial) statistics	Judge time statistics
		Filed	Terminated	Pending			
United States, total	17,057	12,597 (73%)	12,029 (70%)	10,742 (62%)	9,849 (57%)	3,473 (20%)	1,512 (8%)
Courts of appellate jurisdiction	206	197 (96%)	200 (97%)	194 (94%)	72 (35%)	48 (23%)	7 (3%)
Courts of general jurisdiction	3,630	3,192 (87%)	3,076 (84%)	3,022 (83%)	2,824 (77%)	1,192 (32%)	394 (10%)
Courts of limited jurisdiction	13,221	9,208 (69%)	8,753 (66%)	7,526 (56%)	6,953 (52%)	2,233 (16%)	1,111 (8%)

Note: In considering these data, the reader should keep in mind that a court was counted in a category even if it kept statistics only for some types of cases; for example, a court might keep delay statistics only on jury trials. Moreover, even though two courts ostensibly compile the same types of statistics, differences in definitions may prevent valid comparison; for example, statistics on the delay between filing and trial of cases will not be comparable if two courts define differently the point in the judicial process at which a case is filed.

Source: U.S. Law Enforcement Assistance Administration, *National Survey of Court Organization* (Washington, D.C.; U.S. Govt. Print. Off., 1973), p. 8.

backlog measurements should be a long-range objective. It pointed out that comparability of state court statistical reports was hindered because definitions, terminology, classifications, and reference periods vary from state to state.

Between 1970 and 1973 NCJISS undertook planning to develop a national program for collecting state court statistics. After examining the results of the *National Survey of Court Organization* and analyzing published state judicial statistical reports, the Census Bureau in 1973 undertook a preliminary in-house research effort which resulted in detailed recommendations to LEAA for a national court statistics program:

At a minimum, caseload statistics should be presented by major subject-matter category, i.e. criminal, civil and juvenile. Expanding these basic categories, the most important types of cases should be exhibited, e.g. felonies, misdemeanors and traffic cases under the criminal category and

personal injury and domestic relations cases under the civil. Juvenile cases should be separated into juvenile delinquency, juvenile status offenses, and special proceedings. Ideally, however, it would be desirable to have criminal cases further broken down by type of offense, e.g. homicide, robbery, etc., and civil cases by the nature of the action, e.g. contract, tort, equity, probate, divorce, etc. Statistics by type of disposition should include (for both civil and criminal cases) those disposed of without trial and those disposed of with trial—both with and without a jury. It would also be desirable to show the various types of non-trial dispositions, e.g., dismissals and guilty pleas in criminal cases, and out of court settlements in civil cases. Juvenile case dispositions should be divided into formal and informal proceedings or with and without hearing. Unfortunately it does not appear from our research that the desired detail, either types of cases or manner of disposition, is available. Our analysis of State judicial statistical re-



ports . . . shows that, while between two-thirds and three-fourths of the States publish caseload statistics for their courts of general jurisdiction, in most instances the only detail by type of case that is given is a "civil/criminal" breakdown and manner of disposition is limited to "with trial/without trial." Few States show separate figures for juvenile cases, and in those States where they are not shown separately, it is impossible to tell whether they are included under the civil or criminal categories. While a greater amount of detail is desirable from the standpoint of filling informational needs, requesting such data is likely to have an adverse effect on the amount of cooperation received. This was the experience of the Census Bureau's criminal statistics program of the 1930s and 1940s and the early HEW juvenile court statistics survey.<sup>51</sup>

The 1973 preliminary study then listed the problems involved in producing comparable statistics and suggested ways to ameliorate them. The primary barrier to comparable court statistics, according to the Census Bureau, is incomplete and inconsistent coverage of courts. It suggests that this coverage problem could be eliminated by restricting coverage to certain courts (for example, courts of general jurisdiction) or to certain types of cases (for example, felony cases regardless of whether they are handled by courts of limited or general jurisdiction). The remedy to the problem of lack of uniform definitions presented greater difficulties. Because the greatest variation in terms and classifications was found in statistics from state appellate courts, the preliminary study recommended that statistics from these courts not be included in a nationwide statistics program initially.

These differences in coverage, definitions, and other unexplained discrepancies ("e.g., the number of cases shown as pending at the end of the reporting period does not always equal the number of cases pending at the beginning plus the number filed, less the number terminated") led the Census Bureau to conclude that published annual reports could not be used as the source of court statistics.

The report further concluded that additional research into these problems was needed, and recom-

mended that state court officials be contacted directly regarding the availability of data and the definitions used in compiling them. In 1974 two questionnaires were used to obtain this information. (Figure 13: Data Availability Questionnaire sent to 38 states and the District of Columbia; the Checklist of Definitions and Statistical Practices used for all states is in Appendix B-4). The results of this canvass were incorporated into the 1975 "Final Report from a Survey Research Project on the Feasibility of a National Program of Court Caseload Statistics."

This survey confirmed preliminary expectations that "caseload data for courts of general jurisdiction are available from central state sources in most states."<sup>52</sup> The cooperation received from state court officials in response to the data availability questionnaire led to the conclusion that this was an opportune time to begin a national program to collect court caseload statistics.

Among other recommendations, the feasibility study advised that data for a national caseload statistics effort should

- initially be confined to general jurisdiction courts and those limited jurisdiction courts which hear felony trials;
- be obtained directly from state sources, which could be responsible for their accuracy;
- be obtained for a calendar year; and
- be secured on a "flow basis" as they become available from the states.

The National Court Statistics Project has followed the recommendations of these two studies where possible. A methodology has been developed for presenting in the annual report of state court statistics for 1975 the state data obtained from published annual reports, unpublished materials, and information obtained via telephone. (See Chapter IV for a discussion of the statewide statistics that are available from central sources in 44 of the 50 states and the District of Columbia.) The scope of the data collection effort has been broadened as far as possible and includes statistics from appellate courts, from courts of general jurisdiction, and from those limited jurisdiction courts which hear felony, domestic relations, probate, mental health, and juvenile cases.

<sup>51</sup> Bureau of the Census, "Final Report Covering Research Preliminary to a National Survey of Court Caseload," 1973 (unpublished).

<sup>52</sup> Bureau of the Census, "Final Report from a Survey Research Project on the Feasibility of a National Program of Court Caseload Statistics," 1975 (unpublished).

Questionnaire sent to 38 states and the District of Columbia

Figure 13

APPENDIX A. Data Availability Questionnaire

	A. For which of the courts listed does your office have any caseload data, i.e., number of cases filed, terminated and/or pending.		B. For courts that are included in a central reporting system: ("yes" checked in column A).		C. For courts that are not included in a central reporting system: ("no" checked in column A).	
STATE: (Please make any necessary additions or deletions to this listing to reflect the present organization of your courts)	yes*	no	1. What is the annual period covered by the statistics?, e.g., January 1 to December 31, July 1 to June 30, etc.)	2. How soon after the close of this period would these data be available? (e.g., 2 weeks, 1 month, etc.)	1. Does your office plan to begin a program to collect caseload statistics from these courts? (if "yes" please explain when program will begin in Comments section below)	2. Do you know of any other central sources of caseload data? (if "yes" please explain in Comments section below, e.g., criminal statistics bureau, State planning agency, etc.)
Courts of General Jurisdiction	yes*	no	to		yes	no
	yes*	no	to		yes	no
	yes*	no	to		yes	no
Courts of Limited and Special Jurisdiction	yes*	no	to		yes	no
	yes*	no	to		yes	no
	yes*	no	to		yes	no
	yes*	no	to		yes	no

COMMENTS:

\* Please send reporting forms and instruction manuals for these courts.

Source: Census Bureau, "Final Report from a Survey Research Project on the Feasibility of a National Program of Court Caseload Statistics," 1975 (unpublished).

Comparison of data elements surveyed in earlier studies

Figure 14

This figure summarizes the data needs suggested by the various national court standards groups discussed in this chapter. The headings are priorities which have evolved in the National Court Statistics Project during the process of classifying 1975 court caseload data for the first annual report, to be published in 1978.

A discussion of these priorities is included in Chapter V. Briefly summarized, the first need is for the collection of statistics that are complete, accurate, and timely. The second logical step is for the collection of volume data on pendings, filings, and dispositions, which most states are already providing either in whole or in part (Volume data—column 2).

The third step would be to break down volume data by case categories. States which have provided general jurisdiction data already make a distinction between civil and criminal cases. The further breakdown of civil and criminal cases into subcategories requires agreement on uniform definitions and categories for such variables as case types, procedures, and methods of disposition (Volume data by category—column 3).

Beyond that, additional data indicating the manner in which cases are disposed of and the time intervals involved in processing cases would be very useful for the purposes outlined in Chapter I of this monograph (Manner of disposition—column 4; Time intervals—column 5).

National organization	Volume data	Volume data by category	Manner of disposition	Time intervals
Census Bureau <i>Judicial Criminal Statistics</i> (1932-1945) tally sheet	Summaries of Pendings—start of year Filings Dispositions—year end	20 criminal categories	Disposed of without conviction Convicted and sentenced	
NCCAO Committee on Statistics 1962 Uniform Statistical Reporting Form asked for	Cases initiated Total terminated	6 types of cases: Matrimonial Motor torts Other civil Criminal Juvenile Probate	6 manners of disposition: Jury trial Non-jury trial Pleas of guilty, etc.	
1968 Census Bureau <i>Report on National Needs for Criminal Justice Statistics</i> identified data element needs	Number of complaints processed Number of persons arrested Number of persons booked by offense charged Number of persons arraigned Volume of criminal cases Indictments/Informations Number of cases docketed by criminal offense Number of cases pending Volume of civil cases Number, type Number of cases pending Volume of appellate court cases Number, type, dispositions, pendings		Defendants brought to trial Defendants convicted	Length of time from filing to termination of civil and criminal cases Distribution of judges' working time
1971 <i>National Survey of Court Organization</i> asked if courts recorded	Number of cases filed Number of cases terminated Number of cases pending		Manner of disposition Jury Non-jury With trial Without trial	Time from filing to trial of cases Judges' time

Figure 14 (continued)  
Comparison of data elements surveyed in earlier studies

National organization	Volume data	Volume data by category	Manner of disposition	Time intervals
SEARCH <i>SJIS Final Report</i> (Phase II) recommended	Individual case reporting All criminal dispositions  All civil case filings, pendings, and dispositions Pending appellate cases by major case category	Definitions for criminal filing Offense categories Post-conviction activities Adjudication dispositions  Civil case categories in detail Categories for disposition of civil cases Definitions for appellate proceedings Beginning of count Source of filings Basis of jurisdiction Description of case types Disposition of cases Steps in proceedings Description of pending cases	Manner of disposition Jury Non-jury Contested Non-contested Pretrial release	Stage of proceedings Age of pending cases in months
1973 "Final Report Covering Research Preliminary to a National Survey of Court Caseload" recommended	Aggregate volume data Complete and consistent coverage  Number of civil/criminal cases Filed Terminated Pending	Major subject-matter categories Criminal, civil, juvenile Criminal categories (ideally by type of offenses) Felony, misdemeanor, traffic Civil categories (ideally by nature of action) Personal injury Domestic relations Juvenile categories Juvenile delinquency Juvenile status offenses Special proceedings Appellate court categories Unit of count	With/without trial With/without jury Non-trial dispositions Criminal Dismissals Pleas Civil Settlements Juvenile Formal & informal proceedings	Age of pending Filing to trial
1974 Canvass of State Court Administrators surveyed what courts collect	Definitions of civil/criminal/juvenile terminology for Filings Dispositions Pendings	Unit of count in criminal cases Beginning of count in criminal cases Unit of count in civil cases Beginning of count in civil cases Categories of cases—criminal Categories of cases—civil Points at which dispositions are recorded Criminal dispositions categories Definition of criminal trial Classification of offenses Method of reporting criminal dispositions Civil disposition categories Definition of civil trial Definition and classification of pending criminal cases Definition and classification of pending civil cases		

## Chapter III

### Standards

As noted in the previous chapter, every major commission studying the problem of court statistics commented on the desirability of securing comparable court statistics. These numerous calls to action have not typically been followed up with efforts to collect national-scope court statistics. The effort by the Bureau of the Census in the 1930s and 1940s to gather criminal court statistics and the studies of calendar delay by the Institute for Judicial Administration are the notable exceptions to this rule, but neither collected data that were comparable.

A great many reasons have been offered in the studies discussed in Chapter II for the difficulties in comparing state statistics. However, a list of the hindrances—such as “courts covered by a reporting system; classifications; terminology; reference periods; accounting units; procedural steps in the processing of cases; allocation of subject matter jurisdiction among courts”<sup>1</sup>—does not tell the individual collecting or publishing statistics what steps must be taken if the data are to be put into a form that can be compared with data from other jurisdictions. This is not to say that all courts must follow a uniform program for collecting and reporting particular types of statistics, but rather that there must be basic elements of commonality in the data collected by courts. Reporting categories should also be consistent from year to year, or the changes documented, so that longitudinal comparisons can be made. This consistency is particularly important if changes in court procedure and organization are envisioned, because the effects of these changes cannot be demonstrated without some baseline standard. Judges and court administrators recognize the importance of consistency, at least intuitively, when they monitor increases or decreases in case-flow.

Some consensus of what kind of state court statistics are needed is also necessary for cross-

jurisdictional comparisons. Many of the abuses of statistics outlined in Chapter I arose because incomparable items were compared. National-scope court statistics cannot correspond to the crime and corrections statistics presently available until a framework for reporting common data elements is agreed upon by the states. The National Court Statistics Project is now attempting to develop such a framework to be presented to the states. It should be compatible with their identified needs and the following court statistics standards.

Recognition of the need for common data elements is by no means a recent phenomenon. Several attempts have been made in the past to establish standards that could be used as guidelines by the states for the collection of basic statistics. As a first step in identifying usable standards, this section will analyze the various components already recommended by the American Bar Association and the National Advisory Commission on Criminal Justice Standards and Goals in an attempt to determine how much agreement exists on the kinds of statistics that need to be collected in order to compile comparable state statistics.

#### **American Bar Association standards**

After a study of court procedures, the Committee on Judicial Administration (under the chairmanship of Judge Edward R. Finch of New York City) made four fundamental proposals which were accepted in 1938 by the Section of Judicial Administration and later by the House of Delegates of the American Bar Association. One of the four proposals concerned court statistics:

Judicial statistics to be required, sufficient in form and as often as needed, to reveal the work of the courts without being unnecessarily onerous.<sup>2</sup>

<sup>1</sup> *Supra* n. 7 in Chapter I, p. 52.

<sup>2</sup> “Report of the Committee on Judicial Administration of the Section of Judicial Administration,” in *American Bar Association Reports* 63 (1938), p. 530.

In the discussion of the proposal the committee emphasized that "... any court functioning without reasonable statistics showing its work lays itself open to serious criticism."<sup>3</sup> The report pointed out that statistics had an important operational use—that of enabling the court to check the efficiency of its own work. The last phrase of the standard cautioned, however, against the tendency to require too much of statistical reporting systems. It is interesting to note that criticisms leveled at the criminal statistics being collected by the Bureau of the Census in this same period included the charge that court clerks were burdened by the extra requirements.

American Bar Association Commission  
on Standards of Judicial Administration

The recommendations initially adopted in 1938 by the Section of Judicial Administration (under Chief Judge John J. Parker) were augmented by standards resulting from the efforts of Chief Justice Arthur T. Vanderbilt of New Jersey.<sup>4</sup> The "Vanderbilt-Parker" standards were gradually expanded into recommendations by the Section of Judicial Administration published in *The Improvement of the Administration of Justice*. This volume, in its discussion of the functions and duties of the court administrator, stresses the importance of accurate and current court statistics. After discussing the three basic ways of collecting court statistics—from periodic reports of court clerks, individual case reports generated by electronic processing equipment, and special studies that sample cases—the handbook concludes that any "... modern court system that does not avail itself of the advantages of individual case reporting is denying to itself invaluable and otherwise unavailable information."<sup>5</sup>

In the 1970s the ABA produced a series on standards of judicial administration. The first report of the series, entitled *Standards Relating to Court Organization*, contained at least one standard directly relevant to judicial statistics.

Standard 1.60 on court records, statistics and information systems states that information concerning court transactions should be recorded, stored,

and indexed in such a way that

—items of information are uniform throughout the court system;

—necessary decisions about court operations and status of cases can be made on the basis of sufficient and readily available facts;

—access to information by persons concerned with court activities is possible within the limitations that information of a confidential nature is maintained under restricted access;

—periodic analyses of court operations and management can be made easily.

Commentary on this standard outlines in more detail the role of statistics in a court information system:

... The court information system should supply statistics that present a correct and complete interpretation of the operations of the court, in a form that permits study of influential factors or variables affecting court workload and efficiency. The system should be such that statistics and accompanying analyses can be compiled quickly enough to permit informed decisions concerning change or adaptation of procedures or operations to be made with reasonable promptness.<sup>6</sup>

In sum, this standard emphasizes the importance of accurate and timely statistics generally, but does not recommend specific statistics which should be collected.

The second report in the series, *Standards Relating to Trial Courts*, was released in 1974. This report recommended the use of time lapse standards in monitoring and regulating caseload in the trial courts. The section of the volume most relevant to the National Court Statistics Project is Standard 2.52, Standards of Timely Disposition. (The suggested standards will be discussed in the Time Interval Standards section below).

In 1977 the ABA published *Standards Relating to Appellate Courts*, the third and final report in its series on standards of judicial administration. Here again, there is a Standard of Timely Disposition (3.52) paralleling the trial court standard. In addition, the commentary on Standard 3.51, Caseload Management Program, stresses the importance of current information for caseload control purposes. Current information, in turn, is predicated upon a sound statistics and recordkeeping program.

<sup>3</sup> *Ibid.*, p. 533.

<sup>4</sup> The text, background, and rationale are set forth in Vanderbilt's *Minimum Standards of Judicial Administration* (published by the Law Center of New York University for the National Conference of Judicial Councils, 1949).

<sup>5</sup> American Bar Association, Section of Judicial Administration, *The Improvement of the Administration of Justice: a Handbook*, 5th ed. (Chicago, 1971), p. 22.

<sup>6</sup> American Bar Association, *Standards Relating to Court Organization* (1974), p. 81.

Currently, the National Center for State Courts has three projects funded by LEAA which relate directly to each of the three sets of ABA standards. Reducing Trial Court Delay Project is charged with investigating pre-trial delay in selected trial courts; the Appellate Justice Improvement Project is experimenting with methods of improving appellate court procedures, and the Implementation of Standards Relating to Court Organization Project is attempting to determine the extent to which ABA's *Standards Relating to Court Organization* are met in each state.

#### National Advisory Commission on Criminal Justice Standards and Goals

In contrast to the ABA's extended efforts over time, the entire set of standards and goals was written and disseminated by the National Advisory Commission in less than 2 years. Jerris Leonard, Administrator of the Law Enforcement Assistance Administration, appointed the National Advisory Commission (NAC) on Criminal Justice Standards and Goals, also called the Peterson Commission, in 1971 to formulate national standards for crime reduction. The National Advisory Commission completed its efforts in August 1973 at which time it released six reports. One of these, "Criminal Justice System," contains recommendations relevant to court statistics.<sup>7</sup>

Standard 3.3 recommends establishment of local criminal justice information systems, and Standard 3.2 makes explicit the role of the states in providing information and statistical services. In addition, the standards contained in Chapter 5 of the referenced work indicate that the functions of a court information system should include the generation of data needed both for decisionmaking in individual cases and for management purposes. For decisionmaking, the system should provide data on both defendant and case. Standard 5.6 presents two alternatives—using individual defendants or using specific events as the basic statistical unit of count—without endorsing either one.

Standard 5.3 recommends the collection of the following data on both misdemeanors and felonies:

- Filings and dispositions;

- Monthly backlog;
- Status of cases on pretrial, settlement, or trial calendars;
- Time periods between major steps in adjudication, including length of trial proceedings by type of trial; and
- Judges' weighted workload.<sup>8</sup>

#### Appellate Statistics Committee of the American Bar Association

In 1972, Judge Harry S. Spencer, then chairman of the Appellate Judges' Conference of the American Bar Association, appointed a committee on appellate court statistics. The goal of the committee was the development of standards for statistical reporting for appellate courts.

The report recommended statistics which were user-oriented and comparable, both from year to year and for different courts within a state. To assure comparability and uniformity in presentation, the committee recommended that a central state agency, usually the state court administrator, gather and analyze appellate court statistics. The committee also recommended the individual case as unit of count.

The proposed standards recommended that statistics be collected indicating

1. Time for completion of cases by category of case:
  - appeals from trial court (or agency) to first appellate level;
  - appeals from prisoner postconviction proceedings;
  - state supreme court review of intermediate appellate courts;
  - original extraordinary remedies.
2. Composition and disposition of caseload:
  - in first appellate court;
  - in state supreme court, part of whose jurisdiction is review of intermediate appellate courts;
  - judicial workload and productivity.
3. Inventory of pending cases.
4. Analysis of data:
  - filings by type and source.<sup>9</sup>

<sup>8</sup> *Ibid.*, p. 73.

<sup>9</sup> American Bar Association Appellate Judges' Conference, *Proposed Standards for Appellate Court Statistics* (Denver: National Center for State Courts, 1973), p. 9.

<sup>7</sup> National Advisory Commission on Criminal Justice Standards and Goals, *Criminal Justice System* (Washington, D.C., 1973).

## Time interval standards

Although not specifically standards relating to court statistics, time interval standards depend upon valid statistics for their implementation. Time lapse standards for criminal cases were suggested in the American Bar Association's Standards Relating to Speedy Trial,<sup>10</sup> the National Advisory Commission on Criminal Justice Standards and Goals,<sup>11</sup> and the Speedy Trial Act of 1974.<sup>12</sup> (Speedy trial legislation has been enacted in 41 States.) Because the recommendations of these three are all compatible, they can be discussed together.<sup>13</sup>

The Federal Speedy Trial Act concerns itself only with criminal cases, but the other two sets of standards explicitly give criminal cases priority over civil cases. All three agree that the starting time—"when time commences to run"—should be

- the date the charge is filed;
- if the charge has been dismissed, the date a new charge relating to the same offense is filed;
- the date of mistrial, order granting a new trial, or remand.

Actual court delay is usually measured as the median elapsed time between major procedural stages by type of case. Time to disposition for the most lengthy 10 percent of cases is also a useful statistic for focusing attention on the types of cases which take longest to process. Once "average" times for each type of case to pass through each procedural stage are calculated, time lapse standards, adapted to meet the particular requirements of each court, can be established. (See for example the timetable for misdemeanor cases in Connecticut Court of Common Pleas, shown at Figure 15.) Cases or sets of cases that greatly exceeded "average" time standards could be identified and the reasons for the excessive delay ascertained.

<sup>10</sup> In ABA, *Standards Relating to the Administration of Justice* (Chicago: ABA, 1974), pp. 269-93. Also found with commentary in Exhibit III, *Speedy Trial Act of 1974*, pp. 501-52.

<sup>11</sup> National Advisory Commission on Criminal Justice Standards and Goals, *Corrections* (Washington, D.C.: U.S. Govt. Print. Off., 1973), p. 138.

<sup>12</sup> Committee on the Judiciary, House of Representatives, *Speedy Trial Act of 1974* (Washington, D.C.: U.S. Govt. Print. Off., 1974).

<sup>13</sup> The American Bar Association Commission on Standards of Judicial Administration, *Caseflow Management in the Trial Court*, 1973, pp. 36, 37, recommends that any caseflow management system use time standards that are maximum limits, not averages. Specific limits, however, are not offered.

One such model timetable (Figure 16) for processing criminal cases was produced by the President's Task Force on Courts. This model timetable has proven useful to states such as North Carolina as a device for comparing their performance with the standards in the federal timetable.<sup>14</sup>

In identifying a specific time limit for speedy trial, which if exceeded would constitute a denial of speedy trial, the ABA standards are the most general, stating only that each jurisdiction should set its own standards expressed in months or days. However, the standards of timely disposition for both trial and appellate courts, discussed above, do provide more specific guidelines, especially for civil and appellate cases. Standard 2.52 suggests that for cases involving child custody, support of dependents, or commitment to an institution, the trial or hearing on the merits should be within 45 days from filing. The guideline for cases, such as small claims, which use summary hearing procedures should be 30 days from filing. The standard recommends that trials for other civil cases be held within 6 months except in cases which must wait for events beyond the control of the court, such as stabilization of injuries in personal injury cases or settlement of financial affairs in probate cases.

Standard 3.52 relating to timely disposition of appellate court cases suggests that a record should be completed within 30 days after it is ordered. Appellate briefs should be filed within 30 days after the record is filed in civil cases and 20 days in criminal cases. The appellee or respondent has the same number of days after appellant's brief is filed to file his brief.

For a three-judge tribunal, the standard suggests a 30-day average time and 60-day maximum time for rendering a decision. For a court sitting in larger panels, the average time should not exceed 60 days; the maximum time, except in cases of extraordinary complexity, should not exceed 90 days. Neither the appellate nor the trial time lapse standards, however, are intended to be applied mechanically. The commentary on the appellate standards of timely disposition calls them norms to be departed from only when necessary.

The Peterson Commission standards, designed to go into effect in 1978, distinguished between felony

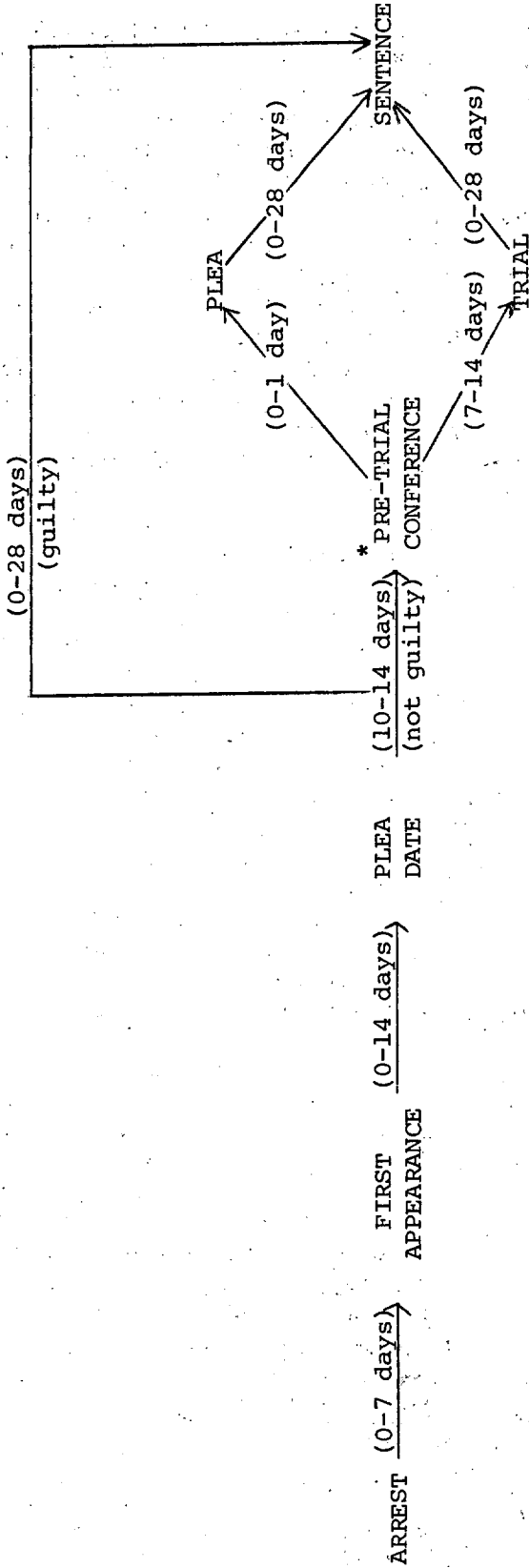
<sup>14</sup> Administrative Office of Courts, *Delay in the Superior Courts of North Carolina and an Assessment of its Causes* (Raleigh, 1973), pp. 20-21.



**Example of time lapse standards**

**Figure 15**

Proposed timetable for misdemeanor and Class D felony cases in Connecticut Court of Common Pleas



\* If a non-jury trial is elected, no pre-trial conference will be held, and the case should be scheduled for twenty-one days from the date of plea.

Source: The Institute of Judicial Administration, *Toward Improving Criminal Case Management in the Connecticut Court of Common Pleas: Phase I Report of the Connecticut Court of Common Pleas Case Management Committee* (Institute of Judicial Administration, 1976) p. 53.

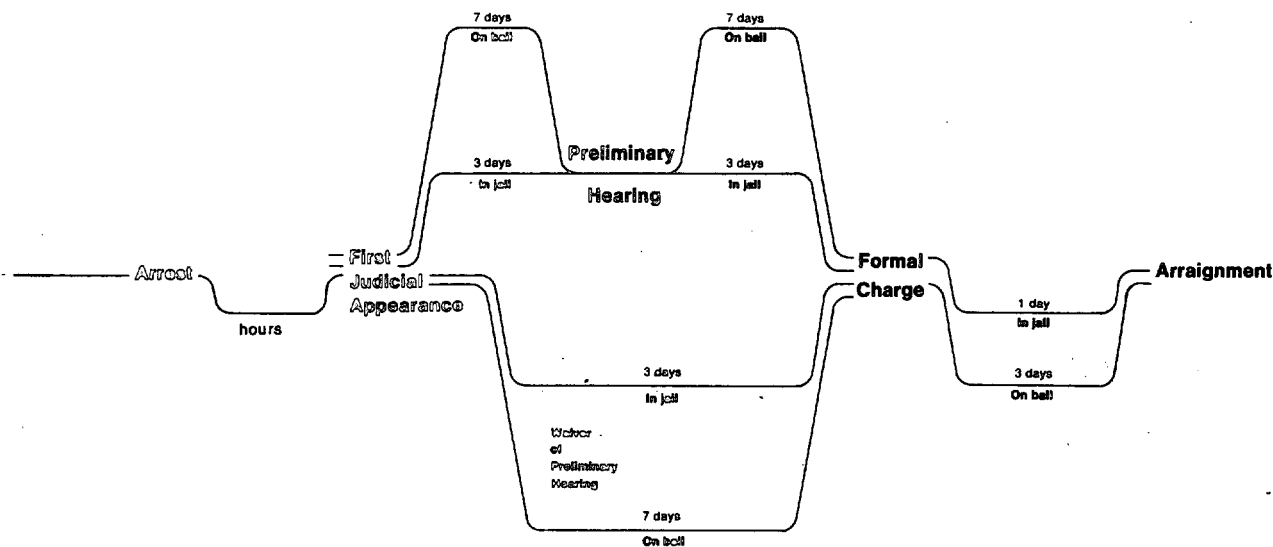
and misdemeanor cases and recommended that the time from arrest to trial should not exceed 60 days in felony cases nor 30 days in misdemeanor cases. The ultimate goal of the Federal Speedy Trial Act is that no more than 30 days should elapse between indictment/information and arrest/summons nor more than 60 days between arraignment and trial. The Speedy Trial Act standard thus provides, effectively, for a longer period of time to process a case than does the NAC standard. This is so because the 60 days in the Speedy Trial Act refers to the span from arraignment to trial rather than arrest to trial.

Commentary on the ABA standards shows that the time permitted by state statutes ranges from 75 days in California (15 days from date held to answer to filing of information; 60 days from filing of information to trial)<sup>15</sup> to three years for capital cases in Louisiana.<sup>16</sup>

<sup>15</sup> *Speedy Trial Act of 1974, op. cit.*, pp. 524-25.

<sup>16</sup> *Ibid.*, footnote 74, p. 969.

Model timetable for felony cases

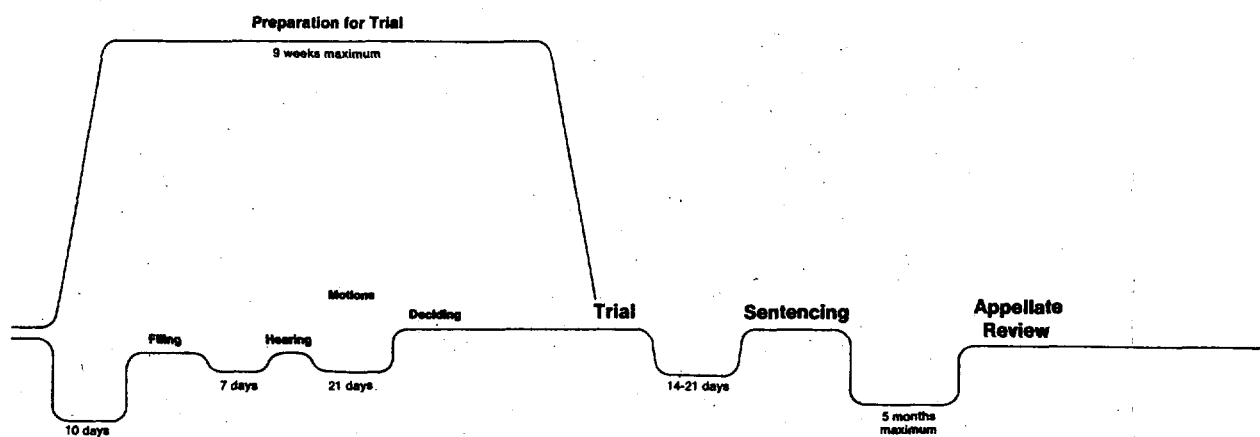


**Arrest to First Judicial Appearance.** Many states and the federal courts require appearance "without unnecessary delay." Depending on the circumstances, a few hours—or less—may be regarded as "unnecessary delay." Compliance with this standard may require extension of court operating hours and the continual availability of a magistrate.

**First Judicial Appearance to Arraignment.** Standards here are complicated because: (a) a shorter period is appropriate for defendants in jail than for those released; (b) preliminary

hearings are waived in many cases, and the formality and usefulness of the hearing varies; (c) formal charge in some cases is by grand jury indictment, while in others by prosecutor's information—usually the right to indictment can be waived by the defendant; and (d) in many jurisdictions proceedings through preliminary hearing in felony cases are in one court while grand jury charge and subsequent proceedings are in another. While in all cases these steps should take no more than 17 days, in most cases it should be possible to accomplish them in substantially less time.

Figure 16



**Arraignment to Trial.** Many of the increasing number of motions require the judge to hear and decide factual issues. Discovery orders may require time for the assembling and screening of documents. The recommended standard should allow slightly more than 5 weeks for these steps and would allow a total of 9 weeks between arraignment and trial. Where complicated motions are not involved, the period before trial should be shortened.

**Trial to Sentence.** During this period a presentence investigation should be completed.

**Sentence to Appellate Review.** This standard is based on the time periods of the proposed Uniform Rules of Federal Appellate Procedure. Many jurisdictions would have to change existing practices concerning printing and preparation of records to meet this standard.

Comparison of data elements surveyed in standards studies

Figure 17

This figure summarizes the data needs suggested by the various national court standards groups discussed in this chapter. The headings are priorities which have evolved in the National Court Statistics Project during the process of classifying 1975 court caseload data for the first annual report, to be published in 1978.

A discussion of these priorities is included in Chapter V. Briefly summarized, the first need is for the collection of reliable statistics—statistics that are complete, accurate, and timely (Reliability—column 2). The second logical step is for the collection of volume data on pendings, filings, and dispositions, which most states are already providing either in whole or in part (Volume data—column 3).

The third step would be to break volume data down by case categories. States which have provided general jurisdiction data already make a distinction between civil and criminal cases. The further breakdown of civil and criminal cases into subcategories requires agreement on uniform definitions and categories for such variables as case types, procedures, methods of disposition (Volume data by category—column 4).

Beyond that, additional data indicating the manner in which cases are disposed of and the time intervals involved in processing cases would be very useful for the purposes outlined in Chapter I of this monograph (Manner of disposition—column 5; Time intervals—column 6).

	Reliability	Volume data	Volume data by category	Manner of disposition	Time intervals
<i>ABA Standards Relating to Court Organization</i> called for	"All necessary relevant information" Sufficient Accurate Reliable Easily usable	Caseflow management information, individual and summarized: Number and types of cases pending Stage of cases Quick reference to recorded information Facilitation of summaries and analyses Information that can be analyzed and trends established quickly enough to permit informed decisions	Uniform information		Age of cases pending
<i>National Advisory Commission on Criminal Justice Standards and Goals</i> called for	Complete information on individual defendant and case	Sufficient caseflow information to permit effective calendar management Monthly caseflow Judicial personnel Workload: Filings and dispositions Monthly backlog Judges weighted caseload	Minimum data elements (suggested in SEARCH Technical Report #4) Sufficient caseflow information	Disposition rates by proceedings	Information on range of time consumed by proceedings Age index of all
<i>Proposed Standards for Appellate Court Statistics</i> called for	Accurate information Continuity Comparable information	Individual case information adequate to provide summaries and permit positive control of caseflow and analysis of data and judicial workload Inventory of pending case.	Uniform information Composition of caseload	Disposition of caseload	Time intervals
<i>Speedy Trial Act of 1974</i> recommends			Starting time for criminal cases		Procedural steps Maximum acceptable time period from arrest to trial

## Chapter IV

### Current judicial statistics

Sensitive to the problems encountered in prior attempts to secure national-scope judicial statistics, the National Court Statistics Project set modest goals—to compile both civil and criminal caseload statistics, primarily from published sources, for appellate courts and courts of general jurisdiction. Data on statistics and their availability, as reflected in this monograph and in the first annual report of state court statistics, were obtained from reporting forms and from state annual reports covering calendar year 1975. These statistical reports were supplemented with other published and unpublished materials and by responses to specific, telephoned requests for information.

#### **Court statistics and the advent of state court administrators**

The usefulness of this monograph has been greatly enhanced by the fact that where the monograph notes the availability of court data, supporting figures may be found in *State Court Caseload Statistics: Annual Report, 1975*. State court caseload statistics have been more easily compiled by the National Court Statistics Project than by earlier efforts simply because there are now more state court administrators (SCAs), and because these SCAs have increasingly published more court statistics. Among the duties included in the Model Act to Provide for an Administrator for the State Courts, under the direction of the state courts of last resort, is the responsibility to

Collect and compile statistical data and other information on the judicial work of the courts and on the work of other offices related to and serving the courts and publish periodic reports with respect thereto.<sup>1</sup>

<sup>1</sup> National Conference of Commissioners on Uniform State Laws, Model Act to Provide for an Administrator for the State Courts (as amended) 1960.

In the last decade the collection of court statistics has become an accepted function of the office of the state court administrator. With their assistance and cooperation, real progress in the area of court statistics has been possible.

When the Bureau of the Census made the first attempt to collect national-scope court statistics in the 1930s, there were no central state offices from which court statistics could be obtained. In contrast, the NCSP staff was able to secure published, state-wide statistics from central sources in 44 states. Most frequently relied upon as the prime source of 1975 statistics were the annual reports published by court administrators in 42 states. A comparison of the date the state court administrator was appointed and the date of the state's first annual court report appears in Figure 18. The table shows that at least 37 states began publishing an annual report within 3 years of the establishment of the SCA office.

Included in the published annual reports were six from judicial councils or judicial departments whose executive secretaries are also the state court administrators in their states. Although reports from only seven<sup>2</sup> judicial councils or departments were used in this project, more than seven issue such reports. However, some of these other reports contain no court statistical information whatsoever. Others duplicate statistics produced by the state court administrators. Court statistics available from judicial councils or departments were used when they were supplied by state court administrators.

#### **Availability of state court caseload statistics for 1975**

Figure 18 documents the sources of 1975 state court caseload statistics. As noted above, in most

<sup>2</sup> New Hampshire's SCA was appointed in 1977. Statistical data for New Hampshire were prepared by the New Hampshire Statistical Analysis Center for inclusion in the Sixteenth Biennial Report of the Judicial Council.

states the statistics were obtained from published annual reports of state court administrators, judicial councils, or judicial departments. Unpublished materials are identified in Figure 18. Data from these unpublished materials were included both in this monograph and in the first annual report of state court statistics for 1975 in order to present as complete a set of court caseload data as possible.

In 1973 the *National Survey of Court Organization* obtained data on availability of court caseload statistics by means of a mail canvass of courts. The mailed questionnaires were followed by telephone inquiries and personal interviews where required. The Bureau of the Census conducted the survey, and found that, of the appellate courts surveyed, 96 percent had data available on gross case filings, 97 percent on gross dispositions, and 94 percent on gross pendings. For general jurisdiction, the survey found 87 percent of the surveyed courts had data on gross filing volumes, 85 percent on disposition volumes, and 83 percent on case pending volumes. (See Figure 12, Chapter II.)

By way of comparison, the National Court Statistics Project, using 1975 data, found roughly the same

percentage of states reporting case filing and disposition volumes, but significantly lower percentages for case pending statistics. A summary of findings is given in Figure 19.

One possible explanation for the difference between the two sets of results might be that the *National Survey* effort had to rely on responses derived from mailed survey questionnaires and extensive telephone followup, whereas the NCSP obtained its data from published and unpublished statistical reports. Another reason for the difference may be changes in statistical reporting which have occurred in the interval between the studies. Statistics collected strictly for internal operational uses in states lacking a formalized reporting system may have been regarded as being available by local court personnel responding to the *National Survey* questionnaire, and tabulated as such, even though those statistics were not available to others in either published or unpublished form. It is equally possible that some types of statistics are reported to the state court administrators' offices, but are not published in annual reports or otherwise documented in published form.

Sources of 1975 state caseload statistics

Figure 18

State <sup>a</sup>	Courts of last resort	Intermediate appellate	General jurisdiction	Juvenile	Date SCA appointed <sup>b</sup>	1st SCA annual report <sup>c</sup>
Alabama	1975 Annual Report (Department of Court Management, State Court Administrator's Office)	1975 Annual Report	1975 Annual Report	Not available	1971	1972-73
Alaska	Alaska Court System, 1975 Annual Report (Administrative Director of the Courts) and unpublished material		1975, 1976 Annual Reports	1975, 1976 Annual Reports	1959	1960
Arizona	Appeals in the State of Arizona 1973-1976 (unpublished, Acting Administrative Director of the Courts)	Appeals in the State of Arizona 1973-76 (unpublished)	Statistical Reports 1975, 1976, for 14 Superior Courts; All Counties year-end reports 1975, 1976 (unpublished), Acting Administrative Director of the Courts	Statistical Reports and All Counties Reports 1975, 1976 (unpublished)	1960	

See footnotes at end of figure.

(continued)

Figure 18 (continued)  
Sources of 1975 state caseload statistics

State <sup>a</sup>	Courts of last resort	Intermediate appellate	General jurisdiction	Juvenile	Date SCA appointed <sup>b</sup>	1st SCA annual report <sup>c</sup>
Arkansas	<i>Eleventh Annual Report, 1975 Judicial Statistics</i> (Executive Secretary, Judicial Department, who is also the SCA)	-----	<i>Eleventh Annual Report, 1975 Judicial Statistics</i>	(Handled in limited jurisdiction courts)	1965	1965-66 <sup>d</sup>
California	<i>1976 Annual Report of Judicial Council and State Court Administrator</i> (Administrative Office of the California Courts)	<i>1976 Annual Report and unpublished data</i>	<i>1976 Annual Report and unpublished data</i>	<i>1976 Annual Report and unpublished data</i>	1960	1960-61
Colorado	<i>Annual Statistical Report of the Colorado Judiciary 1974-75, 1975-76</i> (Office of the State Court Administrator)	<i>Annual Statistical Report 1974-75</i>	<i>Annual Statistical Report 1974-75 and Denver Probate Court Annual Report</i>	<i>Annual Statistical Report 1974-75</i>	1959	1961
Connecticut	<i>Report of the Judicial Department 1974-76 Biennium</i> (Chief Court Administrator, Judicial Department)	-----	<i>Report of the Judicial Department 1974-76 Biennium and unpublished data</i>	(Handled in limited jurisdiction courts)	1965	1965-66
Delaware	<i>1975, 1976 Report of the Delaware Judiciary</i> (Director, Administrative Office of the Courts)	-----	<i>1975, 1976 Report of the Delaware Judiciary</i>	Not available	1971	1972
District of Columbia	<i>1976 Annual Report</i> (Joint Committee and Executive Officer)	-----	<i>1976 Annual Report</i>	<i>1976 Annual Juvenile Statistical Report</i>	1971	1972
Florida	<i>Judicial System Statistical Report 1975</i> (State Court Administrator)	<i>Judicial System Statistical Report 1975</i>	<i>Judicial System Statistical Report 1975 and unpublished data</i>	<i>Judicial System Statistical Report 1975 and unpublished data</i>	1972	1973
Georgia	Caseload Data for Fiscal Year 1975-76 (unpublished, Clerk, Supreme Court)	Not available	Not available	Not available	1973	1973-74 <sup>e</sup>
Hawaii	<i>State of Hawaii Annual Report 1974-75</i> (Administrative Director)	-----	<i>State of Hawaii Annual Report 1974-75 and telephone call</i>	<i>State of Hawaii Annual Report 1974-75</i>	1959	1960

See footnotes at end of figure.

(continued)

Figure 18 (continued)  
Sources of 1975 state caseload statistics

State <sup>a</sup>	Courts of last resort	Intermediate appellate	General jurisdiction	Juvenile	Date SCA appointed <sup>b</sup>	1st SCA annual report <sup>c</sup>
Idaho	<i>Idaho Courts 1975 Annual Report, Statistical Appendix</i> (Administrative Office of the Courts)	-----	<i>Idaho Courts 1975 Annual Report</i>	<i>Idaho Courts 1975 Annual Report</i>	1967	1968
Illinois	Unpublished data provided by the Clerk of Supreme Court	<i>1975 Annual Report to the Supreme Court of Illinois</i> (Administrative Office)	<i>1975 Annual Report to the Supreme Court of Illinois</i>	<i>1975 Annual Report to the Supreme Court of Illinois</i>	1959	1960
Indiana	Not available	Indiana Court of Appeals 1975-76 Statistics (unpublished, Administrator's Office)	Not available	Not available	1968	
Iowa	<i>1975 Report Relating to the Courts of the State of Iowa</i> (Court Administrator of the Judicial Department)	-----	<i>1975 Report Relating to the Courts of the State of Iowa</i>	<i>1975 Report Relating to the Courts of the State of Iowa</i>	1971	1972
Kansas	<i>Kansas Judicial Council Bulletin 1975</i> (Judicial Council) and telephone call	-----	<i>Kansas Judicial Council Bulletin 1975; Statistical Report on the District Courts 1975</i> (Office of Judicial Administrator)	(Handled in limited jurisdiction courts)	1965	1966
Kentucky	<i>Annual Report for 1975 to the Judicial Conference</i> (Judicial Council, of which the SCA is Secretary)	-----	<i>Annual Report for 1975 to the Judicial Conference</i> and unpublished data	(Handled in limited jurisdiction courts)	1954 <sup>d</sup>	1976 <sup>e</sup>
Louisiana	<i>Judicial Council Annual Report with 1975 Statistics-Related Data</i> (Judicial Administrator, who is the SCA) and unpublished data from Clerk of Supreme Court	<i>Judicial Council Annual Report with 1975 Statistics-Related Data</i>	<i>Judicial Council Annual Report with 1975 Statistics-Related Data</i>	(Handled in limited jurisdiction courts)	1954	1955 <sup>d</sup>
Maine	Unpublished data and <i>Annual Report August 1975-December 1976</i> (Administrative Office of the Courts)	-----	<i>Annual Report August 1975-December 1976</i>	(Handled in limited jurisdiction courts)	1975	1977 <sup>e</sup>

See footnotes at end of figure.

(continued)



Figure 18 (continued)  
Sources of 1975 state caseload statistics

State <sup>a</sup>	Courts of last resort	Intermediate appellate	General jurisdiction	Juvenile	Date SCA appointed <sup>b</sup>	1st SCA annual report <sup>c</sup>
Maryland	<i>Annual Report 1974-75, 1975-76</i> (Administrative Office of the Courts)	<i>Annual Report 1974-75, 1975-76</i>	<i>Annual Report 1974-75</i>	<i>Annual Report 1974-75</i>	1955	1955-56
Massachusetts	<i>19th Annual Report to the Supreme Judicial Court 1974-75</i> (Executive Secretary) and telephone call	<i>19th Annual Report to the Supreme Judicial Court 1974-75</i> and telephone call	<i>19th Annual Report to the Supreme Judicial Court 1974-75</i>	(Handled in limited jurisdiction courts)	1956	1957
Michigan	Unpublished data from Clerk of Supreme Court	<i>Annual Report 1974-75</i>	<i>Annual Report 1974-75</i>	(Handled in limited jurisdiction courts)	1952	1955
Minnesota	<i>12th Annual Report 1975</i> (Office of the State Court Administrator)	-----	<i>12th Annual Report 1975</i>	(Handled in limited jurisdiction courts)	1963	1964
Mississippi	<i>10th and 11th Annual Statistical Report 1975, 1976</i> (Executive Assistant, Supreme Court)	-----	<i>Mississippi Courts Master Plan, 1976</i> Resources Planning Corporation	Not available	1974 <sup>f</sup>	1964 <sup>e</sup> (10th annual)
Missouri	<i>Annual Statistical Report 1975</i> (Office of the State Court Administrator)	<i>Annual Statistical Report 1975</i>	<i>Annual Statistical Report 1975</i>	<i>Annual Statistical Report 1975</i>	1970	1971 <sup>e</sup>
Montana	"1976—1st Annual Report" in <i>The State of the Judiciary, 1977</i> (Chief Justice, Montana Supreme Court)	-----	Not available	Not available	1975	1976 <sup>e</sup>
Nebraska	<i>The Courts of Nebraska 1974-75</i> (Office of the State Court Administrator)	-----	<i>The Courts of Nebraska 1974-75</i>	(Handled in limited jurisdiction courts)	1972	1974-75 <sup>e</sup>
Nevada	"State of the Judiciary 1975-76" (Chief Justice, Supreme Court) and unpublished data from Clerk	-----	Not available	Not available	1971 (vacant 1973-1977)	
New Hampshire	<i>The Sixteenth Biennial Report of the Judicial Council of the State of New Hampshire</i> (Chairman)	-----	<i>The Sixteenth Biennial Report of the Judicial Council of the State of New Hampshire</i>	(Handled in limited jurisdiction courts)	1977	

See footnotes at end of figure.

(continued)

Figure 18 (continued)  
Sources of 1975 state caseload statistics

State <sup>a</sup>	Courts of last resort	Intermediate appellate	General jurisdiction	Juvenile	Date SCA appointed <sup>b</sup>	1st SCA annual report <sup>c</sup>
New Jersey	<i>Annual Report 1974-75</i> (Administrative Director of the Courts)	<i>Annual Report 1974-75</i>	<i>Annual Report 1974-75</i>	(Handled in limited jurisdiction courts)	1948	1948-49
New Mexico	<i>Annual Report 1975</i> (Judicial Department of the State of New Mexico)	<i>Annual Report 1975 and 1975 annual report</i> from Clerk	<i>Annual Report 1975</i>	<i>Annual Report 1975</i>	1959	1960
New York	<i>21st Annual Report 1975</i> (The Administrative Board of the Judicial Conference, of which the Court Administrator is Secretary) and unpublished data from Clerk of Court of Appeals	<i>21st Annual Report 1975</i> and unpublished data from Office of Court Administration	<i>21st Annual Report 1975</i>	(Handled in limited jurisdiction courts)	1955	1955 <sup>d</sup>
North Carolina	Supreme Court Data 1975 (unpublished, from Clerk of Supreme Court)	<i>Annual Report 1975</i> (Administrative Office of the Courts) and unpublished data from Clerk of Appeals Court	<i>Annual Report 1975</i>	(Handled in limited jurisdiction courts)	1954 <sup>f</sup>	1956
North Dakota	<i>Judicial Council Statistical Compilation and Report, January-June 1975, July-December 1975</i> (North Dakota Judicial Council, of which the SCA is Executive Secretary) and unpublished data from Clerk	-----	<i>Judicial Council Statistical Compilation and Report</i>	<i>Judicial Council Statistical Compilation and Report</i>	1971	1971 <sup>d</sup>
Ohio	<i>Ohio Courts Summary 1975</i> (Office of the Administrative Director)	<i>Ohio Courts Summary 1975</i>	<i>Ohio Courts Summary 1975</i>	<i>Ohio Courts Summary 1975</i>	1955	1957
Oklahoma	<i>Report on the Judiciary 1975</i> (Administrative Director of the Courts)	<i>Report on the Judiciary 1975</i>	<i>Report on the Judiciary 1975</i>	<i>Report on the Judiciary 1975</i>	1967	1969-71
Oregon	<i>22nd Annual Report 1975</i> (Office of the State Court Administrator)	<i>22nd Annual Report 1975</i>	<i>22nd Annual Report 1975</i>	<i>22nd Annual Report 1975</i> (Also handled in limited jurisdiction courts)	1971	1972

See footnotes at end of figure.

(continued)

**Figure 18 (continued)**  
**Sources of 1975 state caseload statistics**

State <sup>a</sup>	Courts of last resort	Intermediate appellate	General jurisdiction	Juvenile	Date SCA appointed <sup>b</sup>	1st SCA annual report <sup>c</sup>
Pennsylvania	1975 Report (Administrative Office of Pennsylvania Courts)	1975 Report	1975 Report	1975 Report	1968	1970
Rhode Island	Unpublished data from Office of Court Administrator and from Clerk of Supreme Court	-----	1975 Annual Report on the Judiciary (Chief Justice, Supreme Court) and unpublished data	(Handled in limited jurisdiction courts)	1969	1971 <sup>e</sup>
South Carolina	Telephone call	-----	Not available	Not available	1973	
South Dakota	Supreme Court Statistics 1975 (unpublished, Clerk of Supreme Court)	-----	Combined 1975-76 Judicial Annual Report (unpublished) from Court Administrator	Not available	1974	
Tennessee	1975 Annual Report (Executive Secretary, Supreme Court of Tennessee)	1975 Annual Report	1975 Annual Report	Not available	1964	1964-65
Texas	47th Annual Report 1975 (Texas Judicial Council, of which the SCA is Executive Director)	47th Annual Report 1975	47th Annual Report 1975	47th Annual Report 1975 (Also handled in limited jurisdiction courts)	1977 <sup>d</sup>	
Utah	Unpublished data from Clerk of Supreme Court and NCSC Western Regional Office	-----	Annual Report, Utah Courts July 1974-June 1975, July 1975-June 1976 (Utah Judicial Council)	(Handled in limited jurisdiction courts)	1973	1973-74 <sup>e</sup>
Vermont	Judicial Statistics for Year Ending December 31, 1975 (Office of the Court Administrator)	-----	Judicial Statistics for Year Ending December 31, 1975	Judicial Statistics for Year Ending December 31, 1975	1967	1969
Virginia	State of the Judiciary Report 1975 (Office of the Executive Secretary, Supreme Court) and telephone contact with Clerk	-----	State of the Judiciary Report 1975	Not available	1952	1953
Washington	19th Annual Report 1975 (Office of the Administrator for the Courts)	19th Annual Report 1975	19th Annual Report 1975	19th Annual Report 1975	1957	1957

See footnotes at end of figure.

(continued)

Figure 18 (continued)  
Sources of 1975 state caseload statistics

State <sup>a</sup>	Courts of last resort	Intermediate appellate	General jurisdiction	Juvenile	Date SCA appointed <sup>b</sup>	1st SCA annual report <sup>c</sup>
West Virginia	Unpublished data from Clerk of Supreme Court	-----	Not available	Not available	1975 <sup>f</sup>	
Wisconsin	<i>Judicial Statistics 1975</i> (Administrator of Courts)	-----	<i>Judicial Statistics 1975</i>	<i>Judicial Statistics 1975</i>	1962	1969-70
Wyoming	1975 Supreme Court, Appellate Court Statistics (unpublished, from Office of Court Coordinator and Clerk of Supreme Court)	-----	District Court Caseload (unpublished)	Not available	1974	

----- indicates the state has no intermediate appellate court.  
<sup>a</sup> The addresses of the state court administrators are given in Figure 18-A.

<sup>b</sup> Source of the date the state court administrator was appointed is *Book of the States* (Council of State Governments, Lexington, Kentucky, 1977), with a few exceptions as indicated in footnote f. The exact titles of the administrators are listed in Figure 18-A.

<sup>c</sup> Source of the date of the first SCA annual report is Fannie

J. Klein, *The Administration of Justice in the Courts* (Dobbs Ferry, New York: Oceana Publications, 1976), with the few exceptions indicated in footnote e.

<sup>d</sup> The SCA is secretary of the Judicial Council or Department that publishes the state's annual report.

<sup>e</sup> Source is the state's annual report.

<sup>f</sup> Information obtained by telephone. (In North Carolina the Administrative Office of the Courts was created in 1965.)

## Addresses of state court administrators

## Figure 18A

Administrative Director  
of the Courts  
Department of Court Management  
817 South Court Street  
Montgomery, Alabama 36130  
(205) 834-7990

Administrative Director  
Alaska Court System  
303 K Street  
Anchorage, Alaska 99501  
(907) 274-6853, 8611

Administrative Director  
of the Courts  
Supreme Court of Arizona  
State Capitol Building  
201 South-West Wing  
Phoenix, Arizona 85007  
(602) 271-4359

Executive Secretary  
Judicial Department  
Supreme Court of Arkansas  
Justice Building  
Little Rock, Arkansas 72201  
(501) 375-7001

Director, Administrative Office  
of the Courts  
California Judicial Council  
601 McAllister St.  
San Francisco, California 94102  
(415) 557-1581

State Court Administrator  
Judicial Department  
State Judicial Building  
2 East 14th Street, Room 215  
Denver, Colorado 80203  
(303) 861-1111, ext. 126

Justice, Chief Court  
Administrator  
Supreme Court of Connecticut  
Drawer N, Station A  
Hartford, Connecticut 06106  
(202) 566-4461

Director, Administrative Office  
of the Courts  
State Office Bldg., 11th floor  
820 N. French St.  
Wilmington, Delaware 19801  
(302) 571-2480

Executive Officer, Courts of  
the District of Columbia  
613 G Street, N.W., Room 716  
Washington, D.C. 20001  
(202) 727-1770

State Court Administrator  
Supreme Court of Florida  
Tallahassee, Florida 32304  
(904) 488-8621

Director, Administrative Offices  
of the Courts  
Georgia Justice Center, Suite 500  
84 Peachtree Street  
Atlanta, Georgia 30303  
(404) 656-5171

Administrative Director of  
the Courts  
Supreme Court of Hawaii  
P.O. Box 2560  
Honolulu, Hawaii 96804  
(808) 548-4605

Director, Administrative Office  
of the Courts  
Supreme Court of Idaho  
Supreme Court Building  
451 West State Street  
Boise, Idaho 83702  
(208) 384-2246

Director, Administrative Office  
of the Courts  
Supreme Court of Illinois  
Springfield, Illinois 62706  
(217) 782-7770

State Court Administrator  
Supreme Court of Indiana  
State House, Room 323  
Indianapolis, Indiana 46204  
(317) 633-6481

**Figure 18A (continued)**  
**Addresses of state court administrators**

State Court Administrator Supreme Court of Iowa State House Des Moines, <b>Iowa</b> 50319 (515) 281-5241	State Court Administrator Supreme Court of Nebraska Room 2412, State Capitol Building Lincoln, <b>Nebraska</b> 68509 (402) 477-4620	Court Administrator Supreme Court of Rhode Island 250 Benefit Street Providence, <b>Rhode Island</b> 02903 (401) 277-3263, 3272
Judicial Administrator Supreme Court of Kansas State House, Third Floor Topeka, <b>Kansas</b> 66612 (913) 296-2256	Director, Administrative Office of the Courts Capitol Complex Carson City, <b>Nevada</b> 89710 (702) 885-5076	Director, South Carolina Court Administration P.O. Box 11788 Columbia, <b>South Carolina</b> 29211 (803) 758-2961
Director, Administrative Office of the Courts 403 Wapping Street Bush Building Frankfort, <b>Kentucky</b> 40601 (502) 564-7486	Administrative Assistant Supreme Court of New Hampshire Supreme Court Building Concord, <b>New Hampshire</b> 03301 (603) 271-3275	Court Administrator Supreme Court of South Dakota State Capitol Building Pierre, <b>South Dakota</b> 57501 (605) 224-3474
Judicial Administrator Supreme Court of Louisiana 109 Supreme Court Building 301 Loyola Avenue New Orleans, <b>Louisiana</b> 70112 (504) 568-5747	Acting Director, Administrative Office of the Courts C.N. 037 State House Annex Trenton, <b>New Jersey</b> 08625 (609) 292-4636	Executive Secretary Supreme Court of Tennessee 422 Supreme Court Building Nashville, <b>Tennessee</b> 37219 (615) 741-2687
State Court Administrator Supreme Judicial Court of Maine P.O. Box 4820 DTS 66 Pearl Street Portland, <b>Maine</b> 04112 (207) 755-1500	Director, Administrative Office of the Courts Supreme Court of New Mexico Supreme Court Building, 1st floor Santa Fe, <b>New Mexico</b> 87501 (505) 827-2771	Administrative Director of the Courts, Office of Court Administration of the Texas Judicial System P.O. Box 12066, Capitol Building Austin, <b>Texas</b> 78711 (512) 475-2421
State Court Administrator Court of Appeals Building Rowe Boulevard and Taylor Avenue Annapolis, <b>Maryland</b> 21401 (301) 269-2141	State Administrative Judge 270 Broadway, Room 1312 New York, <b>New York</b> 10007 (212) 488-4141 ext. 6525	Court Administrator Utah Judicial Council 807 East South Temple, Suite 201 Salt Lake City, <b>Utah</b> 84102 (801) 533-6371
Executive Secretary, Supreme Judicial Court of Massachusetts 302 New Court House Boston, <b>Massachusetts</b> 02108 (617) 725-8050	Director, Administrative Office of the Courts P.O. Box 2448 Raleigh, <b>North Carolina</b> 27602 (919) 733-7106, 7107	Court Administrator Supreme Court of Vermont 111 State Street Montpelier, <b>Vermont</b> 05602 (802) 828-3281
Court Administrator P.O. Box 30048 Lansing, <b>Michigan</b> 48909 (517) 373-0130	State Court Administrator Supreme Court of North Dakota State Capitol Building Bismarck, <b>North Dakota</b> 58501 (701) 224-2221	Executive Secretary Supreme Court of Virginia 1101 East Broad Street Richmond, <b>Virginia</b> 23219 (804) 786-6981
State Court Administrator Supreme Court of Minnesota William Mitchell Law Center 40 N. Milton Street, Suite 300 St. Paul, <b>Minnesota</b> 55104 (612) 296-2474	Administrative Director of the Courts Supreme Court of Ohio State House Annex Columbus, <b>Ohio</b> 43215 (614) 466-2653	Administrator for the Courts Supreme Court of Washington Temple of Justice Olympia, <b>Washington</b> 98504 (206) 753-5780
Executive Assistant Supreme Court of Mississippi P.O. Box 117 Jackson, <b>Mississippi</b> 39205 (601) 354-6021	Administrative Director of the Courts Supreme Court of Oklahoma State Capitol Building, Room One Oklahoma City, <b>Oklahoma</b> 73105 (405) 521-2310	Administrative Director of the Courts E-404 State Capitol Building Charleston, <b>West Virginia</b> 25305 (304) 348-5350
State Courts Administrator Supreme Court of Missouri Supreme Court Building Jefferson City, <b>Missouri</b> 65101 (314) 751-4377	State Court Administrator Supreme Court of Oregon Supreme Court Building Salem, <b>Oregon</b> 97310 (503) 378-6046	Administrative Director of the Courts 110 East Main, #516 Tenney Building Madison, <b>Wisconsin</b> 53702 (608) 266-3501
State Court Administrator State Capitol Building Room 300 Helena, <b>Montana</b> 59601 (406) 449-2626	Court Administrator Supreme Court of Pennsylvania 1414 Three Penn Center Plaza Philadelphia, <b>Pennsylvania</b> 19102 (215) 567-3071	Court Coordinator Supreme Court of Wyoming Supreme Court Building Cheyenne, <b>Wyoming</b> 82001 (307) 777-7581

### Courts of general jurisdiction

Civil and criminal case volume data are reported by courts of general jurisdiction in all states for which statistics of any kind are available. Gross case volume figures for filings, disposition, and pendings are available from the various states as shown in Figures 20 and 21. These figures indicate that, with two exceptions, all states which keep court statistics report gross filing and disposition data. The exceptions are Rhode Island, which reports only case filing data, and South Dakota, which reports only disposition data. The remaining states do not have gross filing and disposition data displayed because they did not report 1975 basic statistics for courts of general jurisdiction.

Filing and disposition statistics are the case volume statistics most frequently kept; 42 states report both. Eight states which report civil filings and dispositions do not report pending data. Because New York reports pending information for civil, but not for criminal cases, there are 9 states which report criminal filings and dispositions but no pending data.

#### Availability of civil caseload statistics

Most states report more civil than criminal case categories. The 15 major civil case categories reported in Figure 20 were condensed from the 200

case categories listed in Appendix A-1, and will appear in boldface throughout the rest of this report. This large number of civil categories was not unexpected. The survey done by SEARCH Group for its *State Judicial Information Systems State of the Art* discovered 237 civil case categories and concluded that not one was used by all of the 38 states in their sample.<sup>3</sup>

The difference between the SEARCH finding and the NCSP may be partly due to combining reported categories where appropriate. For example, one state reported separately the appeals from four different administrative agencies, each of which had a name unique to that state. Rather than each named agency being listed, they were all subsumed by the NCSP into the broader category called **appeals from administrative agencies**. Another portion of the variance in number of case categories may be attributable to the fact that SEARCH Group used several sources of data, including the latest state reporting forms available to them. NCSP listings of case categories, in contrast, are confined to actually reported caseload statistics for 1975 and do not reflect reporting forms *per se* (a reporting form might contain a number of offense classifications which have fallen into disuse or in which no cases have been reported or which are combined for publication purposes).

<sup>3</sup> *Supra* n. 7 in Chapter I, p. 24.

### States reporting gross volume data in 1975

Figure 19

Level of court	Beginning pending		Filings		Dispositions		End pending	
	Number of courts or states	Percent of total	Number of courts or states	Percent of total	Number of courts or states	Percent of total	Number of courts or states	Percent of total
Appellate court <sup>a</sup>								
Courts of last resort (53 courts)	34	64	50	94	48	91	36	68
Intermediate (28 courts) <sup>b</sup>	18	64	27	96	26	93	19	68
Courts of general jurisdiction								
Criminal	31	61	44	86	44	86	33	65
Civil	32	63	44	86	44	86	34	67
Juvenile	13	25	22	43	21	41	14	27

<sup>a</sup> All entries reflect the number of states reporting case volume data. Percentage calculations use 51 (50 States and District of Columbia) as the base.

<sup>b</sup> Entries for intermediate appellate courts are based upon a total of 28 courts in 24 states because Alabama, New York, Pennsylvania, and Tennessee each have two Intermediate Appellate Courts. The denominator for Supreme Court data is 53 because Oklahoma and Texas have separate courts of last resort for civil and criminal cases.

Source: Reported data from published and unpublished sources.

Cursory examination of the 200 data names listed in Appendix A-1 leads to one inescapable conclusion. It is next to impossible to analyze and meaningfully interpret 200 often interrelated and overlapping detailed case categories without employing some form of data reduction. This is particularly true when 140 of them have such a scattered and infrequent usage that not 1 of the 140 is used as a category by more than one state. The data reduction technique employed by the NCSP was to condense the case classification names into 15 major civil case categories. Appendix A-1 shows the specific case types which were placed into each category, while Figure 20 uses these major groupings to present in summary form the detailed information of Appendix A-1. This same technique was used to develop summary tables for the other detailed tables shown in Appendix A.

Figure 20 shows **domestic relations** to be the most frequently reported civil case category. Reference to Appendix A-1, however, shows that this category includes a wide spectrum of family-related actions. Specifically, 41 actions involving the family, from adoptions to divorce, were placed in the **domestic relations** category. This illustration of how case categories were constructed contains a warning: Be careful in making gross interstate comparisons. The current variations in case definitions, counting, and classification could lead to comparisons of incomparable items. Reference to Appendix A-1 should easily indicate the folly of comparing filing, disposition, and pending statistics for divorce cases, which may comprise the sole **domestic relations** breakdown in one state (Utah, for example) with **domestic relations** statistics in another state, when that other state displays only adoptions and termination of parental rights cases in that category. Still, if this methodological warning is heeded, the summary tables can be quite helpful as a quick reference to determine the extent of availability of items of interest—for example, to find out which states report some form of **domestic relations** cases.

Adoptions and divorces were actually the name titles of **domestic relations** cases most frequently reported. Next to these two categories, which were reported by 15 states and 14 states respectively, the most often used name titles were annulment, a case type reported by 5 states, and marital/matrimonial and paternity, case types used by 4 states. No other name title within the **domestic relations** category was used by more than three states, although some of the name titles, such as reciprocal support and Uniform Reciprocal Enforcement of Support Act (URESAs), mean the same thing.

Figure 20 shows that 23 states reported **probate** matters. Appendix A-1 lists the 34 case types which comprise the **probate** category. Probate itself was the most frequently-used name title. In addition to the 10 states which used the probate category, 6 states reported guardianship, while 5 states reported other. No other substantive name title, including estates, trusts, and wills, was used by more than three states. It should be noted that adoption and conservatorship cases were included in the **probate** figures only when they could not be clearly separated from the probate category reported by the state.

Again referring to Appendix A-1, mental illness, incompetency, alcoholic, and drug commitment cases are the types of cases subsumed in Figure 20's **mental health** category. For the **auto tort** category, 15 states reported some amount of case volume data, while 10 of these also listed **non-auto tort** as a distinct category. Personal injury, property damage, and wrongful death are examples of the types of cases included under **unclassified tort**. (For states not showing an **unclassified tort** figure, **auto tort** and **non-auto tort** can be added together to compute that figure.) It may be interesting to note that personal injury cases, which were designated as the category of cases requiring most attention by the Institute of Judicial Administration's 1953-74 *Calendar Status Study* series of research reports, were not reported separately by most states.

With the exception of Figure 20's summary name title **law**, which was itself used by only three states, none of the 13 states reporting **law** cases used the same nomenclature for identifying law-related cases. Similar statements can be made with respect to Figure 20's **contracts**, **small claims**, **equity**, and **appeals** categories. Workmen's compensation and tax cases, each reported by three states, were the most numerous name titles used within the category entitled **administrative**. Writs of habeas corpus were the most often cited type of **extraordinary writs**. As its title implies, **other civil** encompasses all actions not previously classified.

#### Availability of criminal caseload statistics

The 77 reported name titles for criminal cases, as shown in Appendix A-2, were condensed into Figure 21's categories of **felonies**, **misdemeanors**, **other criminal**, **traffic**, **appeals**, **extraordinary writs**, and **preliminary hearings** cases. Of these **felonies** was the most frequently reported classification. The *Dic-*

Availability of caseload statistics for civil cases, 1975,  
courts of general jurisdiction

Figure 20

State	Gross volume data				By category						
	Beginning pending	Filings	Dispositions	End pending	Law	Auto tort	Non-auto tort	Unclassified tort	Contract	Small claims	
Total	32	44	44	34	13	15	11	6	9	8	
Alabama	X	X	X	X	F	F					
Alaska	X	X	X	X							
Arizona	X	X	X	X	PFDP	PFDP	PFDP		PFDP		
Arkansas	X	X	X	X	PFDP						
California		X	X			FD	FD				
Colorado	X	X	X	X	F	F	F	F			
Connecticut	X	X	X	X							
Delaware	X	X	X	X							
District of Columbia	X	X	X	X	PFDP					PFDP	
Florida	X	X	X	X		FD	FD		FD		
Georgia											
Hawaii	X	X	X	X		PFDP	PFDP		PFDP		
Idaho		X	X	X				FDP		FDP	
Illinois		X	X		FD					FD	
Indiana											
Iowa	X	X	X	X						PFDP	
Kansas	X	X	X	X		PFDP	PFDP		PFDP		
Kentucky	X	X	X	X							
Louisiana		X	X								
Maine	X	X	X								
Maryland		X	X		FD	FD	FD		FD		
Massachusetts	X	X	X	X							
Michigan	X	X	X	X		PFDP					
Minnesota	X	X	X	X							
Mississippi		X	X		F						
Missouri	X	X	X	X				D			
Montana											
Nebraska		X	X								
Nevada											
New Hampshire	X	X	X	X	PF P						
New Jersey	X	X	X	X	PFDP	PFDP					
New Mexico	X	X	X	X							
New York	X	X	X	X		FD	FD		FD		
North Carolina	X	X	X	X							
North Dakota	X	X	X	X							
Ohio	X	X	X	X				PFDP			
Oklahoma	X	X	X	X		PFDP	PFDP		PFDP	PFDP	
Oregon	X	X	X	X	FD						
Pennsylvania	X	X	X	X							
Rhode Island		X									
South Carolina											
South Dakota			X							D	
Tennessee		X	X	X		FD	FD		FD		
Texas	X	X	X	X		PFDP					
Utah	X	X	X	X				F			
Vermont	X	X	X	X						PFDP	
Virginia		X	X	X	FDP						
Washington		X	X			F	F		F		
West Virginia											
Wisconsin	X	X	X	X	PFDP			PFDP		PFDP	
Wyoming		X	X								

X = Data available.  
 P = Pending F = Filings D = Dispositions  
 PFDP = Beginning pending, Filings, Dispositions, End pending

FD = Filings, Dispositions  
 DP = Dispositions, End pending; and so on.





Availability of caseload statistics for criminal cases, 1975, courts of general jurisdiction

Figure 21

State	Gross volume data				By category							
	Beginning pending	Filings	Dispositions	End pending	Felony	Misdemeanor	Traffic	Other criminal	Appeals	Extraordinary writs	Preliminary hearing cases	
Total	31	44	44	33	29	19	7	20	23	6	3	
Alabama	X	X	X	X				F	F			
Alaska	X	X	X	X	PFDP	PFDP						
Arizona	X	X	X	X	PFDP	PFDP			PFDP			
Arkansas	X	X	X	X	PFDP	PFDP						
California		X	X		FD				FD			
Colorado	X	X	X	X	F			F	F			
Connecticut	X	X	X	X				PFDP				
Delaware	X	X	X	X								
District of Columbia	X	X	X	X	PFDP	PFDP	PFDP	PFDP			PFDP	
Florida	X	X	X	X	PFDP				PFDP			
Georgia												
Hawaii	X	X	X	X	PFDP	PFDP		PFDP				
Idaho		X	X	X	FDP	FDP	FDP		FDP		FDP	
Illinois		X	X		FD	FD	FD	FD				
Indiana												
Iowa	X	X	X	X	PFDP	PFDP		PFDP			PFDP	
Kansas	X	X	X	X	PFDP	PFDP	PFDP		PFDP			
Kentucky	X	X	X	X				F	F			
Louisiana		X	X									
Maine	X	X	X					PFD				
Maryland		X	X					FD	FD	FD		
Massachusetts	X	X	X	X	PFDP				PFDP			
Michigan	X	X	X	X	PFDP	PFDP		F	PFDP			
Minnesota	X	X	X	X								
Mississippi		X	X					FD	FD			
Missouri	X	X	X	X	D	D			D			
Montana												
Nebraska		X	X		FD				FD			
Nevada												
New Hampshire	X	X	X	X				PF P	PF P			
New Jersey	X	X	X	X	PFDP				PFDP	PFDP		
New Mexico	X	X	X	X								
New York		X	X					FD				
North Carolina	X	X	X	X	F				F			
North Dakota	X	X	X	X				F	F			
Ohio	X	X	X	X	PFDP							
Oklahoma	X	X	X	X	PFDP	PFDP	PFDP		PFDP	FD		
Oregon	X	X	X	X	PFDP							
Pennsylvania	X	X	X	X				PFDP	PFDP	PFDP		
Rhode Island		X			F	F			F			
South Carolina												
South Dakota			X		D	D						
Tennessee		X	X	X	FDP	FDP						
Texas	X	X	X	X	PFDP	PFDP		PFDP		PFDP		
Utah	X	X	X	X				FD	FD			
Vermont	X	X	X	X	PFDP	PFDP	PFDP			PFDP		
Virginia		X	X	X	FDP	FDP						
Washington		X	X					F	F			
West Virginia												
Wisconsin	X	X	X	X	PFDP	PFDP	PFDP	PFDP				
Wyoming		X	X		FD							

X = Data available  
 P = Pending    F = Filings    D = Dispositions  
 PFDP = Beginning pending, Filings, Dispositions, End pending  
 FD = Filings, Dispositions  
 DP = Dispositions, End pending; and so on.

*tionary of Criminal Justice Data Terminology*<sup>4</sup> defines a felony as "a criminal offense punishable by death, or by incarceration in a state or federal confinement facility for a period of which the lower limit is prescribed by statute in a given jurisdiction, typically one year or more." Although there are exceptions, such as Massachusetts which uses a 2<sup>1</sup>/<sub>2</sub> year period to distinguish felonies and misdemeanors, most states adhere to the one-year limit to differentiate the two major classes of crimes. Misdemeanors then are offenses usually punishable by incarceration in a local detention facility for a period of one year or less. Following the filing/disposition/pending case volume reporting pattern described earlier, only 20 of the 29 states which reported felony data reported pending felonies, while more (24) reported filing and disposition statistics. Of the 19 states which reported misdemeanors, 12 reported complete volume data. Three others reported everything except beginning pendings.

Of the 44 states for which 1975 criminal data are available, 19 states reported felonies and misdemeanors separately. In four states where general jurisdiction courts handle both felonies and misdemeanors, gross criminal volume data were reported without further breakdown. Twelve states (in which general jurisdiction courts handle both felonies and misdemeanors) displayed for their criminal data other miscellaneous titles, such as indictments/informations, which could not be classified into the felony/misdemeanor categories. These are shown under **other criminal** in Figure 21. Courts of general jurisdiction in eight states handled only felonies. In Massachusetts "serious" misdemeanors were included in the **felony** category; Nebraska included a "few" misdemeanors under **felonies**.

Unlike the direct relationship between Appendix A-1 and Figure 20, the relationship between Appendix A-2 and Figure 21 is not so direct. The reason for this is apparent when Appendix A-2 and Figure 21 are viewed together. Violations of drug laws may be either felonies or misdemeanors, depending on the seriousness of the offense, circumstances surrounding the case, and particular state laws. Therefore it is impossible to consider all violations of drug laws as neatly fitting into the **felony** or **misdemeanor** category.

Forty-four states provided criminal data as indi-

cated in Figure 21. Of those, 27 used "criminal" as a case category, as shown in Appendix A-2. Many of these distinguished between felony and misdemeanor cases. For nine that did not, it was possible to determine that a "criminal" case was a **felony** or **misdemeanor** because of the jurisdiction of the court. This is indicated by footnote b in Appendix A-2.

Within Appendix A-2, homicide and manslaughter, robbery, burglary and possession of tools, driving while intoxicated, drug law violation, and traffic were the only individual case categories reported by more than five states. Further, 23 states reported at least partial case volume data on criminal appeals from lower courts. Six states also reported postconviction data. Seven states separated matters relating to the operation of motor vehicles. These traffic-related cases may have included moving, nonmoving, and parking violations. Petitions for **extraordinary writs**, into which were grouped such writs as habeas corpus, quo warranto, and mandamus, were reported by six states. Three others listed **preliminary hearing cases** separately.

#### Availability of juvenile caseload statistics

In 31 states and the District of Columbia, juvenile cases are handled in courts of general jurisdiction, while in others they are adjudicated in courts of special or limited jurisdiction. Figure 22 covers only those juvenile cases handled in courts of general jurisdiction for which data were available. These jurisdictional differences make interstate comparisons of juvenile caseloads difficult.

As shown in Figure 22, complete gross volume data for juvenile cases were reported by general jurisdiction courts in 13 states. One state reported all but beginning pendings. Six kept only filing and disposition statistics; two reported filings only; one reported dispositions only. Ten states broke down this sort of volume data into the categories of delinquency and dependency. Six of these ten states also had statistics on children in need of supervision. The District of Columbia had the only general jurisdiction court which broke down juvenile cases into detailed, substantive subcategories.

Most courts of general jurisdiction that reported juvenile caseload did not report juvenile trials or contests.

#### Type of disposition

Figure 23 details the availability of disposition data from general jurisdiction courts. The table shows

<sup>4</sup> National Criminal Justice Information and Statistics Service, LEAA, *Dictionary of Criminal Justice Data Terminology*, First Edition 1976 (Washington, D.C.: U.S. Govt. Print. Off., 1976), p. 48.

Availability of caseload statistics for juvenile<sup>a</sup> cases, 1975,  
courts of general jurisdiction

Figure 22

State	Gross volume data					By category				
	Beginning pending	Filings	Dispositions	End pending	Juvenile	Delinquency	Dependency	CINS	Traffic	Other
Total	13	22	21	14	11	11	10	6	2	3
Alabama										
Alaska		X	X		X					
Arizona	X	X	X	X		PFDP	PFDP		PFDP	
Arkansas <sup>b</sup>										
California		X	X			FD	FD			
Colorado <sup>c</sup>	X	X	X	X		F	F	F		F
Connecticut										
Delaware										
District of Columbia <sup>d</sup>	X	X	X	X		PFDP	PFDP	PFDP		
Florida	X	X	X	X		FD	FD	FD		FD
Georgia										
Hawaii	X	X	X	X		PFDP	PFDP	PFDP	PFDP	PFDP
Idaho		X	X	X		FDP	FDP			
Illinois		X	X		X					
Indiana										
Iowa		X	X		X					
Kansas										
Kentucky										
Louisiana										
Maine										
Maryland		X	X			FD	FD			
Massachusetts										
Michigan										
Minnesota										
Mississippi										
Missouri	X	X	X	X	X					
Montana										
Nebraska										
Nevada										
New Hampshire										
New Jersey										
New Mexico	X	X	X	X	X					
New York										
North Carolina										
North Dakota	X	X	X	X	X					
Ohio	X	X	X	X	X					
Oklahoma	X	X	X	X		PFDP	PFDP	PFDP		
Oregon		X								
Pennsylvania	X	X	X	X	X					
Rhode Island										
South Carolina										
South Dakota		X	X			FD	F	FD		
Tennessee										
Texas	X	X	X	X		PFDP				
Utah										
Vermont	X	X	X	X	X					
Virginia										
Washington		X			X					
West Virginia										
Wisconsin			X		X					
Wyoming										

X = Data available

P = Pending F = Filings D = Dispositions

PFDP = Beginning pending, Filings, Dispositions, End pending

FD = Filings, Dispositions

DP = Dispositions, End pending; and so on.

**Figure 22 (continued)**  
**Availability of caseload statistics for juvenile<sup>a</sup> cases, 1975,**  
**courts of general jurisdiction**

State	Limited jurisdiction court which handles juvenile cases and for which data were available for the NCSP annual report
Arkansas <sup>b</sup>	County court
Connecticut	Juvenile court
Kansas	Juvenile court
Kentucky	County court
Louisiana	City and parish court
Maine	District court
Massachusetts	District, juvenile court
Michigan	Probate court
Minnesota	County court
Nebraska	County and juvenile court
New Hampshire	District and municipal court
New Jersey	Juvenile and domestic relations court
New York	Family court
North Dakota	District court
Oregon	Both general jurisdiction and limited (County court)
Rhode Island	Family court
Texas	Both general jurisdiction and limited (County court)
Utah	Juvenile court

<sup>a</sup> Juvenile—Oregon's "petitions" are included in the juvenile category; Arizona's "delinquency non-traffic" category is counted as a delinquency. Included in the dependency category are the terms: "dependency/neglect" used by the District of Columbia, Maryland, Oklahoma, and South Dakota, "dependency change in modification" and "terminate dependency" used in Florida. The Children in Need of Supervision Category (CINS) is abbreviated as CHINS in Colorado and South Dakota, and called PINS (persons in need of supervision) in the District of Columbia.

<sup>b</sup> In Arkansas trial courts of general jurisdiction handle some original juvenile cases as well as appeals from juvenile courts as part of criminal (felony or misdemeanor) matters.

<sup>c</sup> For Colorado, Other Juvenile includes Relinquishments, Adoption, Paternity and Support, and Miscellaneous.

<sup>d</sup> The District of Columbia reports total figures and figures broken down by sex for delinquency and PINS cases. The specific categories reported are acts against persons, which includes both aggravated and simple assault; carnal knowledge; extortion; homicide; indecent act or proposal; kidnapping; mayhem; pocket picking; purse snatching; rape; robbery, which includes armed force and violence, and attempted robbery; sodomy; acts against property, which includes arson, burglary, attempted burglary, forgery, grand larceny, petit larceny; property damage; stolen property; tampering with auto; unauthorized use of auto; unlawful entry; and other.

that 39 states reported criminal dispositions and that 32 of these reported jury trials, while 30 also reported non-jury dispositions. On the civil side, 29 of the 34 states which reported civil dispositions also recorded jury trials. In addition, 26 of these kept statistics on non-jury civil dispositions. The name title trials was used by 4 states for civil cases and 5 states for criminal; and 11 kept records on trial convictions. States reporting acquittals totaled 12, dismissals 18, while 9 reported the number of nolle prosequi cases or other forms of dismissal. Finally, 25 states reported pleas.

In general, the name titles used to report disposition statistics enjoy a relatively rare position in state data collection efforts; fewer titles are used, there is some degree of consistency in use of terminology, and recognition appears fairly widespread that there are values to be derived from collection of certain disposition data. For instance, most states collect, by one name title or another, statistics on the volume of jury and non-jury dispositions. They recognize that

availability of these data is highly useful when estimating the number of people required for jury pools, number of support personnel needed, and levels of facility usage.

#### Time intervals

Judging from the large number of inquiries received during the National Court Statistics Project, it can be concluded that state court personnel have a strong interest in intervals between steps in case processing and in case aging data. For this reason, Figure 24 was constructed to display the extent to which such data are collected and to show the name titles for events tracked.

As can be seen in Figure 24, time data on case processing at the general jurisdiction level were extremely limited. For 1975 data, only 12 states reported age of pending statistics, and 5 states reported age at disposition. Detailed time interval statistics kept by other states are also listed.

Types of civil and criminal dispositions, 1975,  
courts of general jurisdiction

Figure 23

State	Civil						Criminal						
	Civil	Jury	Non-jury	Directed verdict	Trial	Trial or contest	Criminal	Jury	Non-jury	Directed verdict	Trial	Trial or contest	Acquittal
Total	34	29	26	1	4	1	39	32	30	1	5	1	12
Alabama	X				X		X	X	X				
Alaska							X				X		X
Arizona	X	X	X				X	X	X				
Arkansas													
California	X	X	X				X	X	X				
Colorado													
Connecticut	X	X	X				X	X	X				X
Delaware							X	X	X				X
District of Columbia							X	X	X				
Florida	X	X	X				X	X	X				X
Georgia													
Hawaii	X	X	X				X	X	X				
Idaho <sup>a</sup>	X				X		X				X		
Illinois	X	X					X	X	X				X
Indiana													
Iowa	X	X	X				X	X	X				
Kansas	X	X	X				X	X	X				X
Kentucky													
Louisiana	X	X	X				X	X	X				
Maine	X				X		X				X		
Maryland	X	X	X				X	X	X				
Massachusetts							X				X		
Michigan	X	X	X				X	X	X				
Minnesota	X	X	X				X	X	X				
Mississippi							X						X
Missouri	X				X		X	X	X				
Montana													
Nebraska													
Nevada													
New Hampshire	X	X	X				X	X	X				
New Jersey	X	X	X				X	X	X				X
New Mexico							X	X					
New York	X	X	X				X				X		X
North Carolina	X	X	X				X	X					
North Dakota	X	X	X				X	X	X				
Ohio	X	X	X				X	X	X				
Oklahoma <sup>a</sup>	X					X	X					X	
Oregon	X	X	X				X	X	X				
Pennsylvania	X	X	X				X	X	X				
Rhode Island													
South Carolina													
South Dakota	X	X	X				X	X	X				X
Tennessee	X	X											
Texas <sup>a</sup>	X	X	X	X			X	X	X	X			X
Utah	X	X	X				X	X	X				
Vermont	X	X	X				X	X	X				
Virginia	X	X					X	X	X				
Washington	X	X	X				X	X	X				
West Virginia													
Wisconsin	X	X	X				X	X	X				X
Wyoming	X	X	X				X	X	X				

X = Data available

<sup>a</sup> Courts of General Jurisdiction in 3 states report types of disposition for juvenile cases: Texas reports

Figure 23 (continued)  
Types of civil and criminal dispositions, 1975,  
courts of general jurisdiction

State	Criminal (continued)												
	Trial conviction	Total conviction	ARD (Rehabilitation program)	Dismissed	Dismissed/quashed	Dismissed/nolle prosequi	Nolle prosequi	Nolled, withdrawn, transfer	No information	No paper	Plea	Transfer	Conditional discharges
Total	11	4	1	18	1	1	9	1	1	1	25	2	1
Alabama											X		
Alaska	X	X		X		X					X		
Arizona				X							X		
Arkansas													
California				X							X	X	
Colorado													
Connecticut	X	X			X			X			X		
Delaware	X						X				X		
District of Columbia				X			X			X	X		
Florida	X	X		X			X		X		X		
Georgia													
Hawaii													
Idaho*													
Illinois	X	X		X							X		
Indiana													
Iowa													
Kansas	X			X							X		
Kentucky													
Louisiana											X		
Maine													
Maryland													
Massachusetts													
Michigan													
Minnesota				X							X		
Mississippi	X			X			X				X		
Missouri				X			X				X		
Montana													
Nebraska													
Nevada													
New Hampshire							X				X		
New Jersey	X			X							X		X
New Mexico													
New York	X			X							X		
North Carolina											X		
North Dakota													
Ohio				X			X					X	
Oklahoma*													
Oregon													
Pennsylvania			X				X				X		
Rhode Island													
South Carolina													
South Dakota	X			X							X		
Tennessee													
Texas*	X			X							X		
Utah				X							X		
Vermont							X				X		
Virginia													
Washington													
West Virginia													
Wisconsin				X							X		
Wyoming				X							X		

jury, non-jury and directed verdicts for juvenile cases.  
Oklahoma and Idaho report trials.

Availability of time interval data, 1975,  
courts of general jurisdiction

Figure 24

State	Age of pending	Age at disposition	Other
Alaska	K	K	
Arkansas	CK		
California			C (Complaint to trial) C (At issue memo to trial)
Connecticut			C (Return day to disposition) C (Date claimed for trial list to trial)
Delaware			K (Indictment to trial or guilty plea) K (Arrest to trial or guilty plea) K (Date presentence investigation ordered to date typed) K (Date presentence investigation ordered to date written) K (Date presentence investigation written to date typed) K (Date presentence investigation typed to date sentenced) K (Date presentence investigation ordered to date sentenced)
District of Columbia			C (Average time trial could be had after was placed on trial calendar) J (Arrest to disposition)
Florida			CKJ (Filing to disposition) CK (Filing to trial or hearing) CK (Trial to disposition) K (Filing to plea) K (Plea to disposition)
Illinois		C	
Iowa	CK		
Kansas	CK	CK	C (Filing to termination) C (Petition to termination)
Maine			K (Days to disposition) C (Pretrial conference to disposition)
Maryland			CKJ (Filing to trial or hearing)
Massachusetts			C (Triable jury cases at issue and awaiting trial)
Michigan	CK		
Minnesota	CK		
Mississippi	C	C	K (Complaint to indictment) K (Complaint to judgment) K (Indictment to judgment)
New Jersey	CK		C (At issue memo to trial) K (Indictment or accusation—first plea) K (Not guilty plea—retraction) K (Indictment or accusation—retraction) K (Indictment or accusation—commencement of trial) C (Complaint—answer) C (Answer—pretrial) C (Pretrial—trial)
North Dakota	CK		
Oklahoma	CKJ		
Oregon	CK		K (Service of warrant to trial) C (Filing—trial)
Pennsylvania			K (Date transcript received and disposition)
Utah			CK (Complaint to trial) C (Request to trial) K (Bind-over to trial)
Vermont	CK		
Wyoming		CK	

C = Civil  
K = Criminal  
J = Juvenile



## Availability of caseload statistics, 1975, intermediate appellate courts

Figure 25

State and court	Volume data				Appeals			Volume data by category			
	Beginning pending	Filings	Dispositions	End pending	Civil	Criminal	Total	Original proceedings	Requests to appeal	Rehearing requests	Other matters
Total (out of 28 courts)	18	27	26	19	18	16	27	8	3	5	12
Alabama											
Court of Civil Appeals	X	X	X	X	PFDP		PFDP				
Court of Criminal Appeals	X	X	X	X		PFDP	PFDP	PFDP			
Arizona	X	X	X	X	PFDP	PFDP	PFDP	PFDP			
California	X	X	X	X	PFDP	PFDP	PFDP	FD		D	FD
Colorado	X	X	X	X	F	F	PFDP				
Florida	X	X	X	X			FD	FD	FD	FD	FD
Georgia											
Illinois	X	X	X	X	PFDP	PFDP	PFDP				
Indiana	X	X	X	X	F	F	PFDP				PFDP
Louisiana	X	X	X	X			FD			FD	FD
Maryland	X	X	X	X	PFDP	PFDP	PFDP		PFDP		
Massachusetts		X	X	X	D	D	FD				D
Michigan	X	X	X	X	PFDP	PFDP	PFDP	PFDP	PFDP	FD	FD
Missouri	X	X	X	X	PFDP	PFDP	PFDP	PFDP			
New Jersey	X	X	X	X			PFDP				PFDP
New Mexico	X	X	X	X	F	F	PFDP			PFDP	PFDP
New York											
Appellate Division of Supreme Court		X	X				FD	FD			FD
Appellate Terms of Supreme Court		X	X				FD				FD
North Carolina		X	X		D	D	FD				FD
Ohio	X	X	X	X			PFDP				
Oklahoma		X	X		FD		FD				
Oregon	X	X	X	X	F	F	PFDP				
Pennsylvania											
Superior Court		X					F				F
Commonwealth Court		X	X				FD				
Tennessee											
Court of Appeal		X	X		FD	FD	FD				
Court of Criminal Appeals		X	X		FD	FD	FD				
Texas	X	X	X	X	PFDP		PFDP				
Washington	X	X	X	X	PFDP	PFDP	PFDP	PFDP			

X = Data available  
 P = Pending F = Filings D = Dispositions  
 PFDP = Beginning pending, Filings, Dispositions, End pending

FD = Filings, Dispositions  
 DP = Dispositions, End pending; and so on.

### Intermediate appellate courts

#### Availability of caseload statistics

Figure 25 indicates that in 1975 there were 28 intermediate courts of appeal in 24 states, having jurisdiction between the trial courts of general jurisdiction and courts of last resort. There were four more courts than states because Alabama, New York, Pennsylvania, and Tennessee each had two intermediate appellate courts during the 1975 period surveyed.

All intermediate appellate courts reported filing

and disposition data except the Georgia Court of Appeals, for which no 1975 data were available, and the Pennsylvania Superior Court, which reported filings but not dispositions. Of the states with two intermediate appellate courts, only Alabama reported both pending and filing/disposition statistics. Of the rest, 18 intermediate appellate courts reported complete volume data—pendings, filings, dispositions. Finally, 18 of the 28 intermediate appellate courts reported some volume data for civil appeals, while 16 courts reported some criminal statistics.

Types and methods of disposition, 1975,  
intermediate appellate courts

Figure 26

State and court	Type of disposition										
	Affirmed	Partially affirmed	Affirmed and remanded	Modified and affirmed	Dismissed	Modified	New trial ordered	Reversed	Reversed and remanded	Other	Remanded
Total	9	5	2	1	8	4	2	9	2	6	2
Alabama											
Court of Civil Appeals											
Court of Criminal Appeals											
Arizona											
California											
Colorado											
Florida											
Georgia											
Illinois											
Indiana											
Louisiana											
Maryland	X	X			X			X		X	
Massachusetts	X	X			X			X		X	
Michigan	X	X						X		X	X
Missouri											
New Jersey	X		X		X	X		X	X	X	X
New Mexico	X	X	X		X			X	X	X	
New York											
Appellate Division of Supreme Court	X				X	X	X	X			
Appellate Terms of Supreme Court	X				X	X	X	X			
North Carolina											
Ohio											
Oklahoma											
Oregon	X				X	X		X			
Pennsylvania											
Superior Court											
Commonwealth Court											
Tennessee											
Court of Appeal											
Court of Criminal Appeals											
Texas	X	X		X	X			X		X	
Washington											

X = Data available

\* New Jersey calls its written opinions "published opinions."

All 27 intermediate appellate courts which reported filing statistics also reported data which could be classified as appeals. The most common breakdown of appeals was into civil and criminal categories. Further elaboration of the cases which made up appeals is shown in Appendix A-3.

Eight states reported some case volume data that could be classified as original proceedings. Five reported data which were put under the name title requests for rehearing; three states provided case figures that fell into a requests to appeal category.

The category **other matters** includes all other unspecified motions, petitions, and work before the court.

#### Type of disposition

Figure 26 listing the case disposition name titles used by intermediate appellate courts is divided into two subheadings: type of disposition and method of disposition. The former tells whether a case is affirmed (a classification used by nine courts) or reversed (nine) or dismissed (eight). Under the latter, written opinions were the most common method of

**Figure 26 (continued)**  
**Types and methods of disposition, 1975,**  
**intermediate appellate courts**

State and court	Method of disposition										
	Certification 1	Dismissal/withdrawal 6	Decision not rendered 1	Written opinion 19	Rescript opinions 1	Per curiam opinions 6	Memorandum opinions 6	Terminated without opinion 2	By order 2	Transfer 4	Other 3
Total											
Alabama											
Court of Civil Appeals											
Court of Criminal Appeals											
Arizona				X			X	X			
California				X							
Colorado				X							
Florida		X		X		X					X
Georgia											
Illinois				X							
Indiana											
Louisiana											
Maryland				X		X					
Massachusetts		X	X	X	X						
Michigan		X		X		X	X			X	X
Missouri				X							
New Jersey		X		X <sup>a</sup>		X				X	
New Mexico	X			X			X		X	X	
New York											
Appellate Division of Supreme Court				X			X				
Appellate Terms of Supreme Court				X			X				
North Carolina				X				X			
Ohio											
Oklahoma											
Oregon		X		X		X	X				X
Pennsylvania											
Superior Court				X							
Commonwealth Court		X		X							
Tennessee											
Court of Appeal											
Court of Criminal Appeals											
Texas				X		X					
Washington				X					X	X	

disposition, used in 19 of the 28 intermediate appellate courts. Six reported per curiam opinions; six reported memorandum decisions.

#### Time intervals

Figure 29 and the discussion of it in the next section (Courts of last resort) describe time interval data reported by and available from intermediate appellate courts.

#### Courts of last resort

##### Availability of caseload statistics

There are more state courts of last resort<sup>5</sup> than

states because Oklahoma and Texas have separate courts of last resort for civil and criminal appeals. Figure 27 shows that 34 of these 53 state courts of last resort reported complete case volume data (filing/disposition/pending). Of the remaining 18 for which statistics are available,<sup>6</sup> 2 reported all volume data except beginning pendings, 1 reported everything except filings, 11 reported filings and dispositions, 1 reported dispositions only, and 4 reported only filings.

<sup>5</sup> Technically this is a more accurate term than state supreme courts. In this report, however, the terms will be used interchangeably.

<sup>6</sup> No data on the Indiana court of last resort were available for 1975.

Availability of caseload statistics, 1975,  
state courts of last resort

Figure 27

State and court	Volume data				Appeals			Volume data by category				
	Beginning pending	Filings	Dispositions	End pending	Civil	Criminal	Total	Original proceedings	Requests to appeal	Rehearing requests	Other matters	
Total (out of 53 courts)	34	50	48	36	38	38	51	35	26	19	35	
Alabama	X	X	X	X			PFDP		PFDP		PFDP	
Alaska	X	X	X	X	F P	F P	PFDP	PFDP	PFDP		PFDP	
Arizona	X	X	X	X	PFDP	PFDP	PFDP	PFDP			FD	
Arkansas	X		X	X	P DP	P DP	P DP	D	D	D	D	
California		X	X		D	FDP	FDP	FD	FD	D	D	
Colorado	X	X	X	X	F	F	F	F	F		F	
Connecticut			X		D	D	D				D	
Delaware	X	X	X	X	PFDP	PFDP	PFDP					
District of Columbia	X	X	X	X	F	F	FD	FD			FD	
Florida		X	X				FD	FD	FD	FDP	FD	
Georgia		X			F	F	F		F			
Hawaii	X	X	X	X	PFDP	PFDP	PFDP	PFDP		PFDP	PFDP	
Idaho	X	X	X	X	PFDP	PFDP	PFDP	PFDP		FD	FD	
Illinois	X	X	X	X	PFDP	PFDP	PFDP	PFDP	PFDP		PFDP	
Indiana												
Iowa	X	X	X	X	PFDP	PFDP	PFDP				FD	
Kansas	X	X	X	X	PFDP	PFDP	PFDP	PFDP			PFDP	
Kentucky		X	X		F	F	F		F	FD	F	
Louisiana		X	X		F	F	FD	FD		FD	FD	
Maine		X	X	X	FDP	FDP	FDP				D	
Maryland	X	X	X	X	P P	P P	PFDP	PFDP	PFDP		FD	
Massachusetts		X	X		FD	FD	FD	FD			FD	
Michigan	X	X	X	X					PFDP			
Minnesota		X	X		D	D	D	FD	FD		D	
Mississippi	X	X	X	X	P D	P D	PFDP			DP	DP	
Missouri	X	X	X	X	D	D	PFDP	PFDP		PFDP	PFDP	
Montana		X			F	F	F	F				
Nebraska		X	X				FD					
Nevada	X	X	X	X	F	F	F	F		FDP	F	
New Hampshire	X	X	X	X			F	F			F	
New Jersey	X	X	X	X			PFDP	PFDP	PFDP		PFDP	
New Mexico	X	X	X	X	F	F	FD	FD	FD		FD	
New York		X	X		D	D	PFDP		FD		FD	
North Carolina		X	X	X			FDP		FDP		FDP	
North Dakota	X	X	X	X	PFDP	PFDP	PFDP	PFDP		PFDP		
Ohio		X	X				FD	FD	FD		FD	
Oklahoma												
Supreme Court	X	X	X	X	FD		FD	FD	FD			
Court of Criminal Appeals	X	X	X	X		FD	FD	FD				
Oregon	X	X	X	X			PFDP		PFDP	PFDP		
Pennsylvania		X					F		F		F	
Rhode Island	X	X	X	X	FD	FD	FD	FD	FD		FD	
South Carolina		X			F	F	F	F				
South Dakota	X	X	X	X			FDP	FD	FD	FD	FD	
Tennessee		X	X		F	F	FD		FD			
Texas												
Supreme Court	X	X	X	X	PFDP		PFDP	PFDP	PFDP	PFDP	PFDP	
Court of Criminal Appeals	X	X	X	X		PFDP	PFDP	PFDP		PFDP		
Utah		X	X		F	F	FD				FD	
Vermont	X	X	X	X	FD	FD	PFDP	PFDP		PFDP		
Virginia	X	X	X	X	F	F	PFDP	DP	PFDP	FD		
Washington	X	X	X	X	PFDP	PFDP	PFDP	PFDP	PFDP			
West Virginia	X	X	X	X	PFDP	PFDP	PFDP	PFDP		PFDP		
Wisconsin	X	X	X	X	PFDP	PFDP	PFDP	FD		FD	FD	
Wyoming	X	X	X	X			PFDP					

X = Data available  
P = Pending F = Filings D = Dispositions  
PFDP = Beginning pending, Filings, Dispositions, End pending

FD = Filings, Dispositions  
DP = Dispositions, End pending, and so on.

Figure 27 shows that 38 courts of last resort had some sort of breakdown for cases that can be classified as **civil/criminal appeals**. Of these, 11 reported complete volume data for civil and criminal categories. By comparing Figures 25 and 27, one may readily see that the data from both courts of last resort and intermediate appellate courts can be classified into major summary categories, that is, **appeals, original proceedings, requests to appeal, rehearings, and other matters** that are roughly comparable from state to state; the detailed name titles used by courts of last resort, as shown in Appendix A-4, were more extensive than those used by intermediate appellate courts (compare Appendix A-3).

Examining the listings in Appendix A-4, it is apparent that courts of last resort had as their most common categorical breakdown the separation of **appeals** into civil cases appealed and criminal cases appealed. The only other specific **appeals** which appeared with any frequency were **other appeals** and **appeals from administrative agencies**, both of which are no more than categories into which other kinds of appeals have been consolidated.

Appendix A-4 shows that habeas corpus was the most frequently used **original proceeding**, followed by disciplinary matters and writs of mandamus. Similarly, petitions for writs of certiorari were by far the most popular form for **requesting appeals**. Eighteen states reported **rehearing** matters. The undifferentiated category of motions comprised the largest subcategory within **other matters**. Common subclassifications beyond the above did not exist; hence most name titles had one-state usage only.

#### Dispositions

As with intermediate appellate courts (see Figure 26), the disposition data reported by state courts of last resort were separated into types and methods of disposition (Figure 28). Again, the most common types of disposition were affirmed, reversed, and dismissed, which were used by 17, 17, and 10 courts, respectively. Thirty-nine of the 53 courts of last resort provided statistics on the number of opinions written. Twelve of the 39 reported data on per curiam opinions.

#### Time interval data

Figure 29 presents in time-graph form the 1975 case time interval data which were reported by state courts of last resort or intermediate appellate courts. Figure 29 attempts to give a view of the time-relative

position of each time interval reported by a state in order to facilitate state-to-state comparisons. As a display convention, the longest measured time interval in the reporting state is placed first in each state's time-graph. Then each reported subinterval is displayed as a segment relative to an overall time interval between notice of appeal and decision. The full line-length or the segments in the graph of a particular state have no meaning for scaling or interstate comparison purposes.

Figure 29 amply establishes both the dearth of reported time statistics and the wide range of terminology for essentially similar time intervals. Only 14 courts of last resort reported time interval data, and 9 intermediate appellate courts also reported this kind of information. Also, the differences in terminology often resulted in slightly different time spans being measured. At a minimum, the reported data generally attempted to measure the interval from notice of appeal or filing to final disposition/decision/opinion, which reflects the total time for appellate processing.

In sum, time interval standards suffer from the same hindrances to national comparisons as all of the foregoing court statistics: lack of common or uniform definitions, multiple units of measure, and great variation in the methods of displaying the relevant, needed statistics.

#### Trend data

The importance attached by court officials to trend data is illustrated by the fact that some type of trend information was reported by courts of general jurisdiction in 41 states, by intermediate appellate courts in 19 of 24 states having intermediate appellate courts, and by courts of last resort in 38 states.

Some of the multiyear data were reported for such a short span of time that they could not actually be called trend data. A common example is a report that compares court caseloads for the current year with those of the previous year. However, in an effort to be comprehensive, all trend information published in 1975 annual reports is included in Figures 30, 31, and 32. The years covered by the states in their trend data are listed after the methods of presentation.

The states employed a variety of methods to display trend information—some more effective than others. In a discussion of the merits of different kinds of graphic presentations, Edward C. Gallas noted:

Types and method of disposition, 1975,  
state courts of last resort

Figure 28

State	Type of disposition														
	Affirmed	Partially affirmed	Reformed and affirmed	Modified and affirmed	Affirmed and remanded	Affirmed in part and reversed in part	Reversed	Reversed and quashed	Reversed and dismissed	Reversed and remanded	Remanded	Dismissed	Modified	Transferred out	No decision in lower court
Totals (out of 53 courts)	18	6	1	3	1	2	17	1	1	7	5	10	4	1	1
Alabama															
Alaska															
Arizona															
Arkansas	X	X					X			X	X				
California															
Colorado															
Connecticut	X						X			X					
Delaware															
District of Columbia															
Florida															
Georgia															
Hawaii	X	X					X			X					
Idaho															
Illinois															
Indiana															
Iowa															
Kansas															
Kentucky															
Louisiana															
Maine															
Maryland	X			X		X	X				X	X		X	
Massachusetts	X			X			X					X			X
Michigan															
Minnesota	X				X		X			X	X				
Mississippi	X						X					X			
Missouri															
Montana															
Nebraska															
Nevada	X	X					X								
New Hampshire															
New Jersey	X					X	X			X	X	X	X		
New Mexico	X	X		X			X	X			X				
New York	X						X					X	X		
North Carolina															
North Dakota	X						X					X	X		
Ohio															
Oklahoma (2 courts)															
Oregon	X						X					X	X		
Pennsylvania															
Rhode Island															
South Carolina															
South Dakota															
Tennessee															
Texas (2 courts)	X <sup>c</sup>		X <sup>a</sup>				X <sup>b</sup>		X <sup>a</sup>	X <sup>c</sup>		X <sup>a</sup>			
Utah															
Vermont	X	X					X					X			
Virginia	X						X								
Washington															
West Virginia															
Wisconsin	X	X					X					X			
Wyoming															

X = Data available

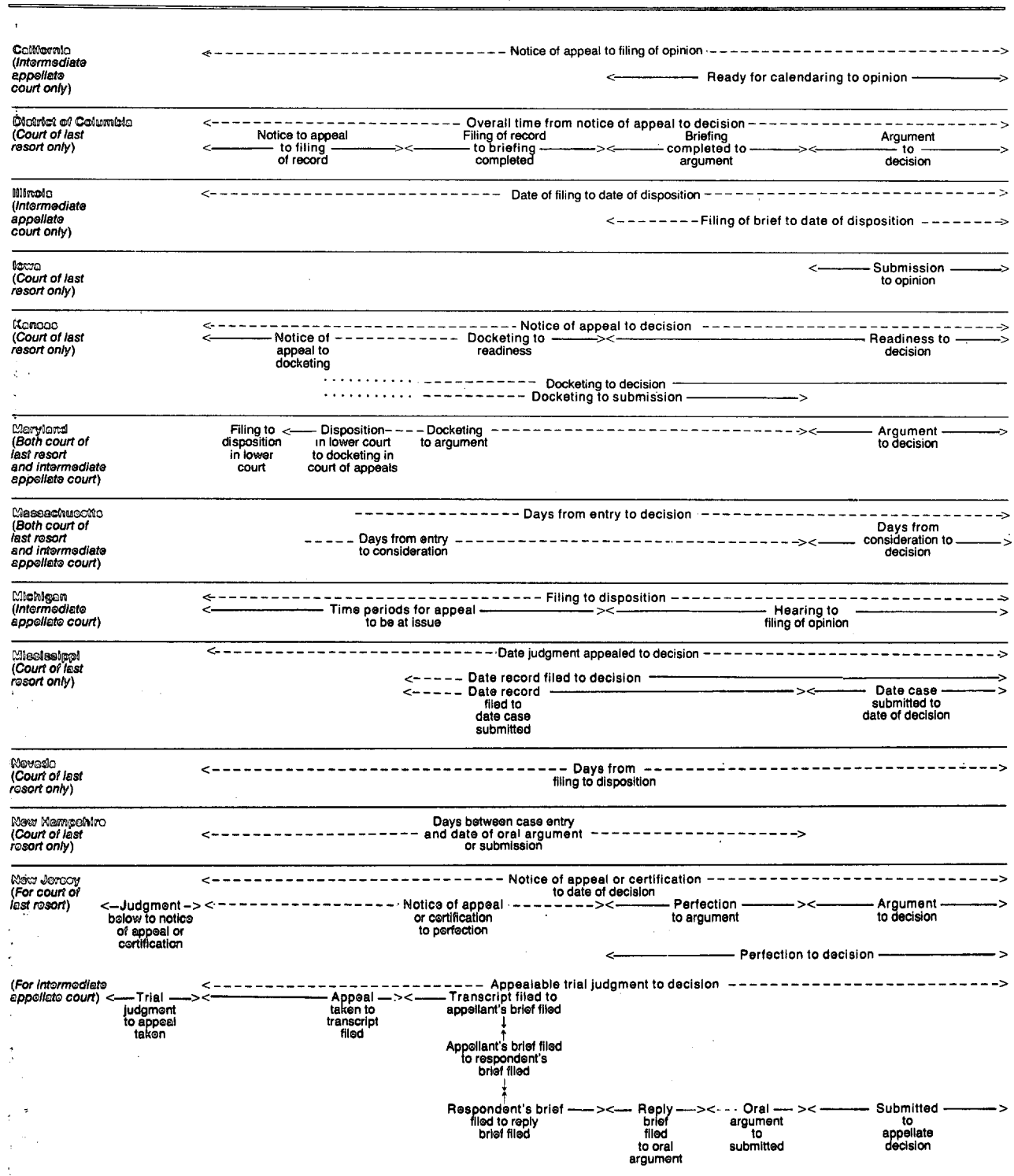
<sup>a</sup> Court of Criminal Appeals only.<sup>b</sup> Supreme Court only.<sup>c</sup> Both Court of Criminal Appeals and Supreme Court.

Figure 28 (continued)  
Types and method of disposition, 1975,  
state courts of last resort (continued)

State	Method of disposition												
	Court order 1	Other 11	Dismissal/withdrawal 8	By stipulation of parties 1	Undecided 1	Written opinion 40	Rescript opinion 1	Per curiam opinion 13	Memorandum opinion 4	By order 8	Transfer 1	Writ denied 2	Other 3
Totals (out of 53 courts)	1	11	8	1	1	40	1	13	4	8	1	2	3
Alabama													
Alaska													
Arizona						X			X				
Arkansas		X				X		X					
California						X							
Colorado						X							
Connecticut													
Delaware													
District of Columbia						X				X			
Florida						X		X		X			
Georgia						X							
Hawaii		X	X			X			X				X
Idaho						X							
Illinois													
Indiana													
Iowa						X							
Kansas						X							
Kentucky						X				X			
Louisiana						X							
Maine						X							
Maryland						X							
Massachusetts						X	X						
Michigan													
Minnesota		X				X							
Mississippi						X		X					
Missouri						X							
Montana													
Nebraska						X							
Nevada		X				X		X		X			
New Hampshire						X							
New Jersey						X		X					
New Mexico		X	X			X		X	X			X	
New York		X				X		X	X				
North Carolina						X							
North Dakota		X				X		X		X			
Ohio													
Oklahoma (2 courts)						X <sup>a</sup>				X <sup>a</sup>			
Oregon		X	X			X							
Pennsylvania						X							
Rhode Island			X			X				X			
South Carolina													
South Dakota			X			X							X
Tennessee													
Texas (2 courts)		X <sup>b</sup>				X <sup>c</sup>		X <sup>c</sup>					
Utah			X			X							
Vermont		X		X		X		X		X			
Virginia	X												
Washington			X			X					X	X	
West Virginia			X		X	X							X
Wisconsin		X				X		X					
Wyoming						X		X					

Availability of time interval data, 1975, Intermediate appellate courts and state courts of last resort

Figure 29

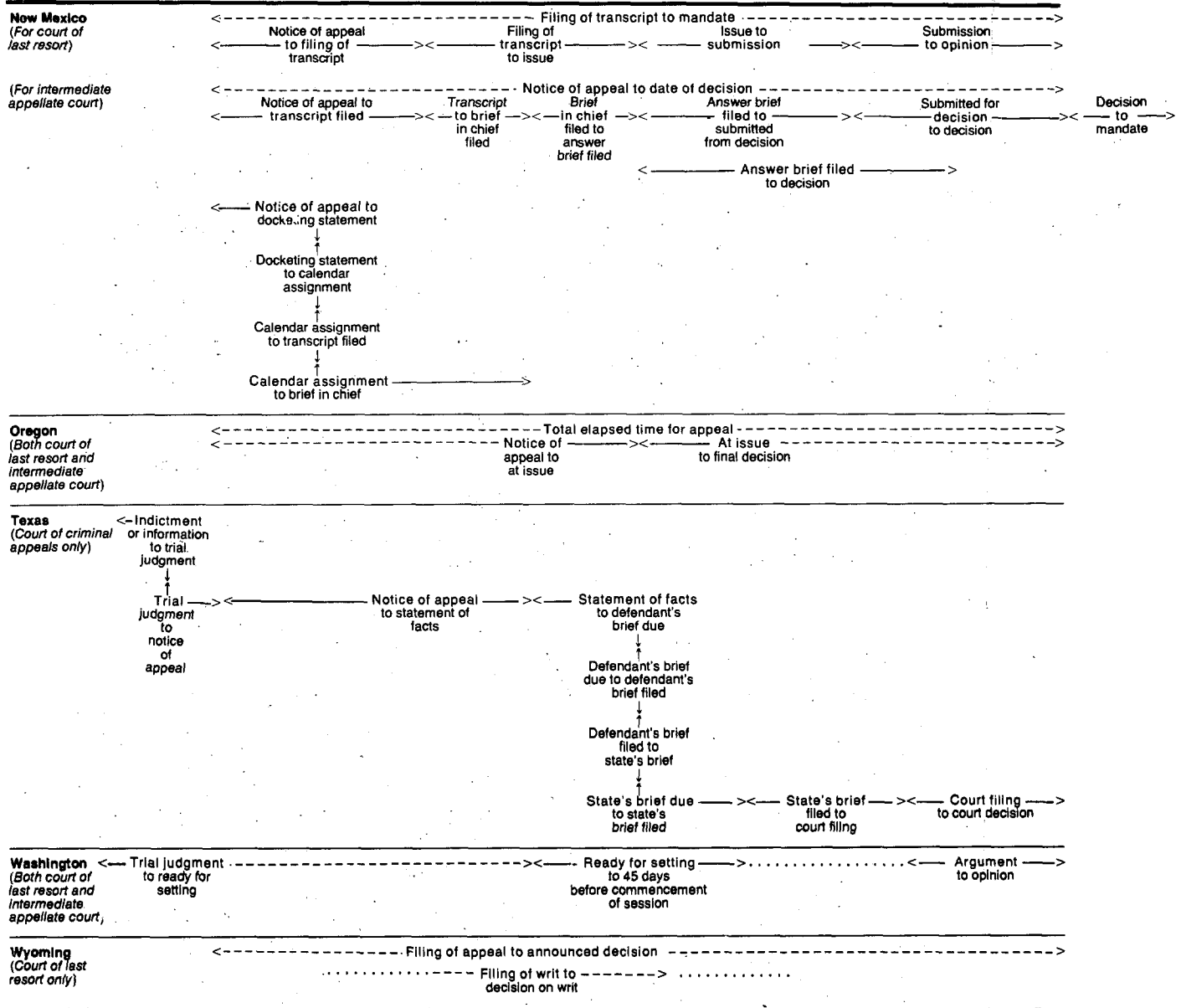


See legend at end of figure.

(continued)



**Figure 29 (continued)**  
**Availability of time interval data, 1975,**  
**intermediate appellate courts and courts of last resort**



Note: Lines used above are intended to convey only information about relative occurrence of time-measured events within a given state. Line lengths in this instance have no relevance to actual elapsed time, either within or among states. In addition to the above event time series data, age of pending data are available from New Jersey, North Dakota, Texas, and Vermont.

- Procedural steps not precisely defined.
- Procedural steps defined.
- > <— Next procedural steps begins.
- ..... Next procedural step unknown.

The most typical feature of the Court Administrator's report is the page after page of statistical detail. Further, many of these reports also sprinkle many details of statistical information within para-

graph after paragraph of the report. It is an exasperating and frustrating experience to attempt to compare facts that are found in different paragraphs and on different pages. It is patently

Trend data, 1975,  
courts of general jurisdiction

Figure 30

State and court	Type of presentation					Years covered	Type of data									
	Table	Line graph	Bar chart	Ratio	Pie chart		Caseload	Volume	Breakdown of civil/criminal/juvenile	Category	Method of disposition	Time interval	Jurisdiction	Per judge	Percent change	Other
Alabama Circuit Court		X				1971-76		FDP	CK							
Circuit Court			X			1972-75	X	PFDP								
Alaska District Court	X		X		X	1973-75		FD	CK			V				
Superior Court	X				X	1973-75		FD	CK							
Arkansas Circuit, Chancery, and Probate (each)	X					1966-75	X	FD						X		
Circuit, Chancery (each)	X	X				1971-75	X	FDP						X		
	X					1966-75	X	F				T				
California Superior Court	X	X				1967/68-1975/76	X	F	CK	X				X		
	X	X				1965/66-1975/76		D						X		
	X					1967/68-1975/76		P						X		
	X					1967-76			C					X		
	X					1967-76			C					X		
	X					1966-76			K					X		
Colorado District Court	X					1972/73-1975/76		PFDP	CKJ							
	X					1972/73-1975/76		F				V		X		
Connecticut Superior Court	X					1974/75-1975/76		PFDP	C							
	X					1974/75-1975/76			C			X				
Delaware Superior Court		X				1966/67-1975/76	X	FDP	CK							
District of Columbia Superior Court	X				X	1972-76		F	CK	X				X		
	X					1972-76			K	X				X		
	X					1973-76					X			X		
	X					1971-76	X	F	C					X		
	X					1971-76			C		X			X		
	X					1973-76		P	C					X		
	X					1973-76		PFDP	C	X				X		
Florida Circuit Court	X					1974-75		F		X				X		
Hawaii Circuit Court			X			1971/72-1974/75		FD				T				
			X			1973/74-1974/75		F				S		X		
Idaho District Court		X				1971-75		F								
			X			1974-75	X	FDP	CK							
Illinois Circuit Court		X				1964-75	X							X		
			X			1971-75			K	X						
Iowa District Court	X					1974-75		PFDP				V				
	X					1974-75			CK							
	X					1974-75			CK				X			
	X					1974-75	X					V				
	X					1974-75		P	CK							
Kansas District Court	X					1965-75		PFDP	CK							
	X					1969/70-1975/76		F P				V				
	X					1974-75			CK	X						
Kentucky Circuit Court	X					1972-75	X			X			S			
Louisiana District	X					1973-75	X	FD				V				
	X					1966-75		FD	CK							
	X					1973-75	X	F	CK			V		X		
	X					1973-75		D	CK							
	X					1973-75		D	CK			V	X			
	X					1966-75			CK					X		
	X					1973-75		D				V		X		
Maryland Circuit Court		X				1970/71-1974/75	X			X						
	X					1965/66-1974/75		F		X						
	X					1965/66-1974/75				X		T				
	X					1968/69-1974/75		F		X						
						1967/68-1974/75			K			T				

See legend at end of Figure 32.

(continued)

Figure 30 (continued)  
Trend data, 1975,  
courts of general jurisdiction

State and court	Type of presentation					Years covered	Type of data								
	Table	Line graph	Bar chart	Ratio	Pie chart		Caseload	Volume	Breakdown of civil/criminal/juvenile	Category	Method of disposition	Time interval	Jurisdiction	Per judge	Percent change
<b>Massachusetts</b> <i>Superior Court</i>		X		X		1965-75	P	CK						X	
		X				1965-75	FD	CK							
		X				1973-75					X			X	
		X				1974-75		C			X	U			
		X				1965-75	D								
<b>Michigan</b> <i>Circuit Court</i>	X					1932-75	D								
	X					1973/74-1974/75				X		U			
	X					1973/74-1974/75	F	CK				T			
	X		X			1973/74-1974/75	P		X			T			
	X			X		1950-1974/75	FD						X		
	X					1974-75		J	X						
<b>Minnesota</b> <i>District Court</i>	X					1973-75	FD		X						
	X					1973-75	FD								
	X					1973-75	FD	K		X					
	X					1974-75			X	X					X
<b>Mississippi</b> <i>Circuit Court</i>	X					1973-75	FD					T			
	X					1973-75	D	K				T			
	X					1973-75	F	CK				T			
	X					1973-75	F	CK				V			
<i>Chancery</i>	X					1973-75	F								X
<b>Missouri</b> <i>Circuit Court</i>			X			1972-75	PFDP								
			X			1972-75	PFDP	J							
			X			1972-75	PFDP	K							
			X			1972-75	PFDP	C							
<b>Nebraska</b> <i>District Court</i>	X					1973-75	FD					V			
	X					1973-75	FD	CKJ				V			
<b>New Hampshire</b> <i>Superior Court</i>	X					1965-75	FDP	CK							
	X					1965-75	F	CK				U			
	X	X				1965, 1975	FD	CK				U		X	
	X					1965-75	FD	C							
	X	X				1972-75	X	CK					X		
	X					1965, 1975	X	FD	CK			U		X	
	X					1965, 1975	D		X						
<b>New Jersey</b> <i>Superior Court</i>		X	X			1950, 1960-75	FDP		X						
		X	X			1960-75					X				
		X				1960-75	D	C							
		X				1960-75	F	K							
			X			1960-75	D	CK							
<i>County Court</i>			X			1960-75	P				X				
			X			1960-75					X				
						1960-75	D	C							X
<b>New Mexico</b> <i>District Court</i>	X					1974-75	X	FD	CKJ						
<b>New York</b> <i>Supreme Court</i>			X			1965/66-75	FDP	C							
<i>County Court</i>			X			1965/66-75	FDP	C							
<i>Criminal Court</i>	X					1974-75	D	K	X	X					
<b>North Dakota</b> <i>District Court</i>			X			1970-75	X	FD	C	CKJ					
						1970-75		FD							
<b>North Carolina</b> <i>Superior Court</i>				X		1970-75	FDP	CK					V		
				X		1970-75	P								
<b>Ohio</b> <i>Common Pleas</i>	X					1974-75	PFDP	CK	X						
	X					1973-75	FD	C	X			U			
		X	X			1972-75	FD	K							
	X	X	X			1972-75	F	K			X				
	X	X	X			1972-75	FD	C J	X		X				

See legend at end of Figure 32.

(continued)

Figure 30 (continued)  
Trend data, 1975,  
courts of general jurisdiction

State and court	Type of presentation					Years covered	Type of data									
	Table	Line graph	Bar chart	Ratio	Pie chart		Caseload	Volume	Breakdown of civil/criminal/juvenile	Category	Method of disposition	Time interval	Jurisdiction	Per judge	Percent change	Other
Oklahoma District Court	X X X	X				1969-75 1969-75 1970, 1975, 1980, 1985	X X	FDP FDP FDP	CK C	X					X	X
Oregon Circuit Court	X		X			1960-75 1966-75		FD F				V				
Pennsylvania Common Pleas Court	X X X X					1971-75 1971-75 1971-75 1971-75		FDP D FDP D	CK J K	X X X		X			X X X	
Rhode Island Superior Court	X					1971-75		F		X						
Tennessee Chancery Court	X		X			1973-75		FD								
Tennessee Circuit Court	X		X			1973-75		FD	K							
Texas District Court		X				1939-75		FDP								
Utah District Court		X				1969-1974/75		FDP				U V				
Virginia Circuit Court		X X X	X	X		1968-75 1968-75 1968-75 1960-75		FDP F	C	X X						X X
Washington Superior Court		X X X				1966-75 1966-75 1966-75		F F	CK		X					X
Wisconsin County and Circuit Courts			X			1969, 1970, 1974, 1975		D								

Trend data, 1975,  
intermediate appellate courts

Figure 31

Alabama Court of Civil Appeals	X					1971/72-1974/75		FD			X					
Alabama Court of Criminal Appeals	X					1972/73-1974/75		FD								
California Courts of Appeal	X					1965/66-1975/76 1965/66-1975/76 1965/66-1975/76 1965/66-1975/76 1968/69-1975/76		F	CK C K			X				X X X
Colorado Courts of Appeal	X X X					1969/70-1975/76 1969/70-1975/76 1969/70-1975/76		PFDP F	CK		X					
Florida District Court of Appeals	X	X		X		1974-75 1974-75 1974-75		DP FD		X		V V			X	X
Illinois District Court of Appeals		X		X		1964-75 1964-75 1971-75		FDP		K	X			X		
Louisiana Courts of Appeal	X X X					1973-75 1973-75 1973-75		FD FD				T T		X		
Maryland Special Appeals	X	X				1967-74 1967-74	X	F		X						
Massachusetts Appeals Court		X				1972-75	X	F								

See legend at end of Figure 32.

(continued)

Figure 31 (continued)  
Trend data, 1975,  
intermediate appellate courts

State and court	Type of presentation					Years covered	Type of data									
	Table	Line graph	Bar chart	Ratio	Pie chart		Caseload	Volume	Breakdown of civil/criminal/juvenile	Category	Method of disposition	Time interval	Jurisdiction	Per judge	Percent change	Other
<b>Michigan</b> <i>Court of Appeals</i>	X		X			1965-74		F								X
	X					1969-74		D	CK							X
	X					1968-74		F								X
	X					1970-74		D		X						X
	X					1965-74			CK		X					
	X					1964-74		P	CK	X						
<b>Missouri</b> <i>Courts of Appeal</i>	X		X			1972-75		PFDP								
<b>New Jersey</b> <i>Appellate Division</i>			X			1950, 1960-75		P				X				
		X				1950, 1960-75										
		X				1950, 1960-75		FD		X						
<b>New Mexico</b> <i>Court of Appeals</i>	X					1971-75		F								
	X					1966-75		F	K							
	X					1966-75		F		X						
	X					1966-75		D		X						
<b>Ohio</b> <i>Court of Appeals</i>				X		1971-75	X	FD								
<b>Oklahoma</b> <i>Court of Appeals</i>						1971-75	X	FDP	C							
<b>Oregon</b> <i>Court of Appeals</i>			X			1969-75		FD								
						1969-75					X					
						1969-75	X							X		
						1969-75						X				
<b>Pennsylvania</b> <i>Superior Court</i>	X					1971-75		F		X						V
<i>Commonwealth Court</i>	X					1971-75		FD			X	X				
<b>Tennessee</b> <i>Court of Appeals</i>	X					1972-75		F	C							U
<i>Court of Criminal Appeals</i>	X					1972-75		F	K							U
	X					1972-75		F	K							
<b>Texas</b> <i>Court of Civil Appeals</i>		X				1966-75	X	FDP	C							
<b>Washington</b> <i>Court of Appeals</i>	X					1974-75	X	FDP					W			X
	X					1971-75		FDP					W			X
	X					1966-75		F								
	X					1973-75					X					

Trend data, 1975,  
state courts of last resort

Figure 32

<b>Alabama</b> <i>Supreme Court</i>	X					1973/74-1974/75	X			X						
<b>Alaska</b> <i>Supreme Court</i>	X					1970-76	X	F		X						X
			X			1975-76	X	F	CKJ							X
	X					1961-76	X	P		X						X
<b>Arkansas</b> <i>Supreme Court</i>		X				1971-75	X									
<b>California</b> <i>Supreme Court</i>	X					1965/66-1975/76	X	F								
	X					1965/66-1975/76						X				
<b>Colorado</b> <i>Supreme Court</i>	X	X				1964/65-1975/76		PFDP								
	X					1964/65-1975/76	X	D								
	X					1964/65-1975/76			CK	X		X				
	X					1972/73-1975/76		F								
<b>Connecticut</b> <i>Supreme Court</i>	X					1970/72-1974/76	X									X
	X					1968/69-1975/76	X			X						

See legend at end of Figure 32.

(continued)

Figure 32 (continued)  
Trend data, 1975,  
state courts of last resort

State and court	Type of presentation					Years covered	Type of data									
	Table	Line graph	Bar chart	Ratio	Pie chart		Caseload	Volume	Breakdown of civil/criminal/juvenile	Category	Method of disposition	Time interval	Jurisdiction	Per judge	Percent change	Other
Delaware Supreme Court	X	X				1974/75-1975/76 1966/67-1975/76	X	FDP	CK						X	
District of Columbia Circuit Court of Appeals		X				1971-76		F	CK						X	
	X					1971-76			CK						X	
	X			X		1971-76			K						X	
	X	X				1971-76	X								X	X
	X		X			1971-76	X								X	
	X	X				1975-76		PFDP								
	X					1971-76					X				X	
Florida Supreme Court	X			X		1974-75		P							X	
		X				1974-75	X	F								X
	X					1974-75	X	FD		X						X
	X				X	1974-75	X	FD							X	X
Hawaii Supreme Court			X			1971/72-1974/75 1973/74-1974/75	X	FD							X	
	X							FD		X	X					
Idaho Supreme Court		X				1971-75	X									
Illinois Supreme Court				X		1950-75	X									X
				X		1950-75										X
Iowa Supreme Court	X					1970, 1973-75		D								X
	X					1971-76			CK							
	X					1974-76		P	CK							
	X					1974-75					X					
Kansas Supreme Court	X					1972-75		FDP	CK	X						
	X					1928-75			CK				X			
Kentucky Court of Appeals	X					1961-75	X									
	X					1961-75				X	X					
Louisiana Supreme Court	X					1973-75	X	FD		X						
	X					1966-75	X	F								
	X					1966-75	X	D								
Maine Supreme Court	X					1964-75	X	FD						U		
Maryland Court of Appeals		X				1964-74	X									
	X					1965-74		FD							X	
	X					1965-74		D				X				
Massachusetts Supreme Court		X				1965-75	X	F								
		X				1965-75						X				
Michigan Supreme Court	X					1974-75		D		X						
	X					1974-75		P								
Minnesota Supreme Court	X					1964-75		F								
	X					1958-74		D							X	
	X					1970-75									X	
Mississippi Supreme Court	X	X				1968-75		D		X						
	X		X			1968-75		D		X						
	X					1968-75										X
	X	X				1968-75	X		CK	X						
	X	X				1968-75					X					
	X	X				1968-75										X
Missouri Supreme Court			X			1972-75		PFDP								
Nebraska Supreme Court	X					1965/66-1974/75		FD								

See legend at end of Figure 32.

(continued)

Figure 32 (continued)  
Trend data, 1975,  
state courts of last resort

State and court	Type of presentation					Years covered	Type of data										
	Table	Line graph	Bar chart	Ratio	Pie chart		Caseload	Volume	Breakdown of civil/criminal/juvenile	Category	Method of disposition	Time interval	Jurisdiction	Per judge	Percent change	Other	
<b>Nevada</b> Supreme Court	X		X			1970, 1974/75 1965-76		FDP							X		
<b>New Hampshire</b> Supreme Court	X					1965-75 1973-74 1970-75 1970-75 1964-Projected 1982	X	FDP							X		X
<b>New Jersey</b> Supreme Court	X					1973/74-1974/75 1950, 1960-75 1950, 1960-75		P D	X X		X						
<b>New Mexico</b> Supreme Court	X					1971-75		F	CK	X							X
<b>Ohio</b> Supreme Court	X		X			1971-75		FD		X							
<b>Oklahoma</b> Supreme Court	X					1969-75 1966-75 1907-75		FDP C D		X							X
<i>Court of Criminal Appeals</i>	X		X			1963-75 1908-75		FDP K F									
<b>Oregon</b> Supreme Court	X		X	X		1966-75 1966-75 1966-75 1966-75 1966-75 1966-75	X	FD FD FDP FDP		X	X				X		X
<b>Pennsylvania</b> Supreme Court	X					1971-75		F		X					V		
<b>Tennessee</b> Supreme Court	X					1972-75		F		X					U		
<b>Texas</b> <i>Court of Criminal Appeals</i> Supreme Court		X				1966-75 1966-75		FDP K FDP C							U		
<b>Utah</b> Supreme Court	X					1974-76		FD	CK								
<b>Virginia</b> Supreme Court			X			1970-75 1970-75 1965-75 1965-75		FD F	CK	X							X
<b>Washington</b> Supreme Court	X					1973-75 1971-75 1969-75 1970-75		FDP F F		X X				X			X
<b>Wisconsin</b> Supreme Court		X				1960, 1969-74 1960, 1969-74 1960, 1969-74	X	FDP F	C								X

X = Data available.  
Caseload and volume code:  
P = Pending F = Filings D = Dispositions  
PFDP = Beginning pending, Filings, Dispositions, End pending  
FD = Filings, Dispositions  
DP = Dispositions, End pending; and so on.

Breakdown code:  
C = Civil  
K = Criminal  
J = Juvenile

Jurisdiction code:  
S = By court  
T = By circuit  
U = By county  
V = By district  
W = By division

unrealistic and often impossible to keep sums or amounts of filings in mind for comparative purposes while reading ahead to similar statistics that might be of interest on a comparative basis. Therefore, it is incumbent on all of us to take as much time as necessary in bringing all comparable and relevant statistics bearing on a specific problem or a specific field of work into one easily understood chart, graph or table.<sup>7</sup>

Of the 43 states which did publish some trend information 36 used tables either alone or in combination with another type of graphic presentation. A table was used by Louisiana, for example, to show the percentage of criminal cases terminated by pleas of guilty by district and parish over a 3-year period (Figure 33).

If tabular data are presented in graphs or charts, not only will a considerable amount of space be saved, but differences in trends can be dramatically illustrated. A popular way to indicate changes in caseload over time is a line (or curve) chart. Normally two variables are involved, a time factor and a quantity. Once the various points are plotted on a graph, they are simply connected with lines. Multiple lines can be used to make other comparisons. Alabama used multiple lines on the same chart, for example, to plot filings, pendings, and dispositions (Figure 34). New Jersey shaded the gap between the lines indicating "cases added to calendar" and "cases disposed of" on its chart to graphically illustrate increases or reductions in backlog (Figure 35).

Ratio charts are commonly used to make percentage comparisons of change as opposed to absolute amounts of increase or decrease. This type of chart has the advantage of comparing two groups of data where the disparities in quantities (such as total cases filed) would not fit on a line chart. Figure 36, which shows percent of pending cases over 12 months old in the superior courts of Massachusetts, is one example of a ratio chart. Another, which shows growth of filings and terminations as a percentage of base year 1952, is shown in Figure 4 in Chapter I.

Among the simplest forms of graphic presentation is the bar chart. Comparisons among bars generally are made on the basis of bar length. Variables can be differentiated by shading schemes. New Jersey used shading to distinguish methods of disposition in

Figure 37. Nevada used another type of shading to distinguish filings, pendings, and dispositions in Figure 38. Because Nevada also printed a table accompanying the bar chart, the needs of those readers who require precise figures are accommodated.

Because it is a rough means of comparison, the pie or circle chart should be used only for general comparisons. If, however, appropriate figures are inserted into each section of the pie, as done by the District of Columbia in Figure 39, the accuracy of this form of presentation is greatly improved.

In Figures 30, 31, and 32 (showing states that published 1975 trend data) the methods of presentation and years covered are followed by columns indicating the kinds of data presented. Consistent with representation on previous tables, the column on volume indicates beginning pending, filings, dispositions, and end pending (PFDP). Total caseload was often broken down into civil/criminal/juvenile categories for courts of general jurisdiction. More detailed breakdowns of civil, criminal, or juvenile caseloads are indicated by an X in the category column.

Some appellate courts reported volume data by civil/criminal/juvenile categories. In these instances, an appropriate letter is placed in that column. More frequently, however, appellate caseload was divided into number of appeals, petitions for leave to appeal, original proceedings, and so forth. Accordingly, an X in the category column of Figure 31 or 32 (appellate courts) refers to this type of breakdown. Similarly, method of disposition may refer to such dispositions as guilty pleas or jury/non-jury trials for courts of general jurisdiction, but to such dispositions as signed opinions, published opinions, and per curiam opinions at the appellate level.

Several states broke out their caseloads (or some portion of caseload such as civil filings or criminal dispositions) by area or jurisdiction, most commonly by judicial district, judicial circuit, or county. Other states gave percent of change in caseload over previous years.

The columns in Figures 30, 31, and 32 should be read together across the horizontal line to identify the types of trend data for 1975 displayed by each state. Using district courts in Colorado as an example, an X in the table column, F in the volume column, and X in the percentage column indicate that Colorado had in its annual report a table which shows percentage of change in filings by district over a four-year period (1972/73 to 1975/76). If further explanation is available, it is indicated in the last column of the chart.

<sup>7</sup> National Conference of Court Administrative Officers, Minutes of Annual Meeting, St. Louis, Missouri, 1961, p. 20. Subsequent discussion at the conference was influenced by Gallas' report.



## Example of trend information published by a state

Figure 33

Louisiana District Courts  
Percentage of criminal cases terminated by pleas of guilty over 3-year period

Judicial district	Parishes	1973 percent guilty pleas	1974 percent guilty pleas	1975 percent guilty pleas	Judicial district	Parishes	1973 percent guilty pleas	1974 percent guilty pleas	1975 percent guilty pleas
1	Caddo	81	83	83	16	Iberia	17	12	12
2	Bienville	35	27	21		*St. Martin	15	15	14
	Claiborne	79	91	11		St. Mary	45	43	58
	Jackson	16	13	51		17	Lafourche	65	45
3	Lincoln	81	83	77	18	Iberville	12	27	30
	Union	83	86	65		Pointe Coupee	92	91	93
4	Morehouse	67	63	72		West Baton Rouge	89	89	94
	Ouachita	83	84	84	19	East Baton Rouge	84	91	68
5	Franklin	41	29	16	20	East Feliciana	46	86	93
	Richland	94	98	87		West Feliciana	39	50	61
	West Carroll	22	0	0	21	Livingston	7	12	8
6	East Carroll	79	78	69		*St. Helena	33	25	27
	Madison	83	80	80		Tangipahoa	10	12	10
	Tensas	79	76	67		22	St. Tammany	94	81
7	Catahoula	79	74	81		Washington	19	21	16
	Concordia	72	83	72		23	Ascension	73	70
8	Grant	50	58	66		Asumption	91	93	85
	Winn	18	17	16		St. James	87	79	85
9	Rapides	41	67	79		24	Jefferson	37	37
10	Natchitoches	12	17	10	25	Plaquemines	79	76	77
	Red River	7	7	11		St. Bernard	81	78	73
11	De Soto	72	76	84	26	Bossier	77	81	79
	Sabine	83	80	88		Webster	80	82	80
12	Avoyelles	77	78	89	27	St. Landry	79	58	62
13	Evangeline	45	69	79	28	Caldwell	63	51	46
14	Calcasieu	70	78	80		La Salle	85	86	50
	Cameron	65	65	60		29	St. Charles	66	72
15	Acadia	12	83	82		St. John	57	66	80
	Lafayette	21	49	92		30	Beauregard	69	79
	Vermilion	0	0	4	Vernon	5	8	8	
					31	Jefferson Davis	90	84	94
					32	*Terrebonne	41	37	14
					33	Allen	86	85	82
					—	*Orleans	49	34	40
						Statewide average	58	62	62

\* Incomplete statistical data submitted for 1975.  
Source: Judicial Council, *Annual Report with 1975 Statistics and Related Data*, p. 51-53.

It can be very quickly noted, in studying these tables, that the states were publishing a wide variety of trend data, but that very little of the data can be compared between states. Analysis of trends and comparisons of these trends between states require that consistent categories and uniform breakdowns of gross totals (which must include the same categories) be used by the reporting units to be compared over the same periods of time.

### Reporting systems

There are three basic methods of collecting state court statistics: case-by-case, summary, and a combination of the two. Only the case-by-case method can produce data in any variety of formats or time intervals required. Case-by-case reporting is also easily adaptable to automation.

In the summary method of collecting court statistics, the court clerk records only a summary of total

caseload for a specified period of time. A combination of the two systems was found in some states. For example, a state like Alaska may use case-by-case reporting in urban areas, but collect data by summary reports in rural areas. Other states may use case-by-case collection for only certain categories of cases. Maryland, for example, used case-by-case reporting for civil but not for criminal cases.

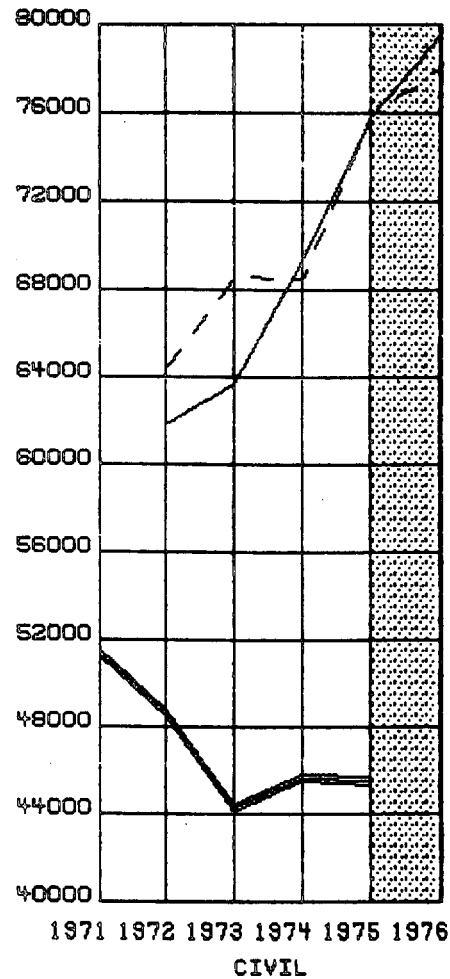
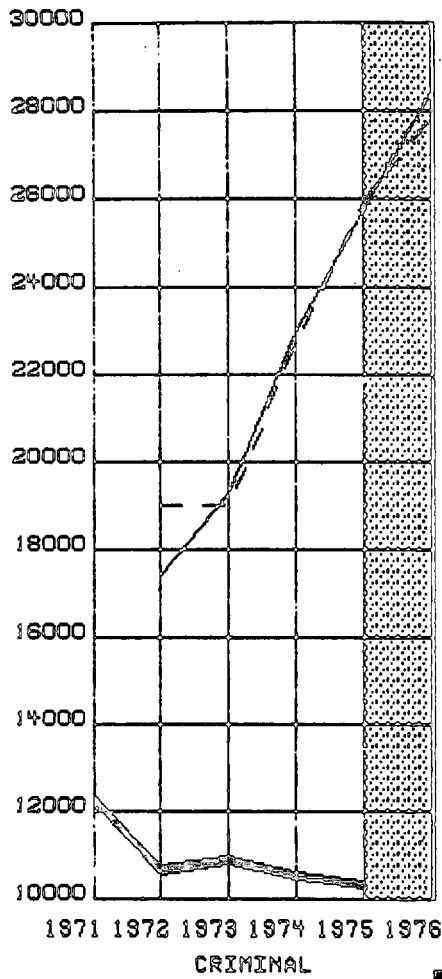
Usable court caseload statistics can be derived from all three systems. The quality of statewide court statistics will depend more on the completeness of the data supplied by the clerks of court (and their willingness to supply it) than on the specific method used for collection.

The National Court Statistics Project received reporting forms for courts of general jurisdiction from state court administrators in 39 states. These forms indicated the types of data being reported to central state offices, but often did not give any

Example of visual presentation of growth in caseload

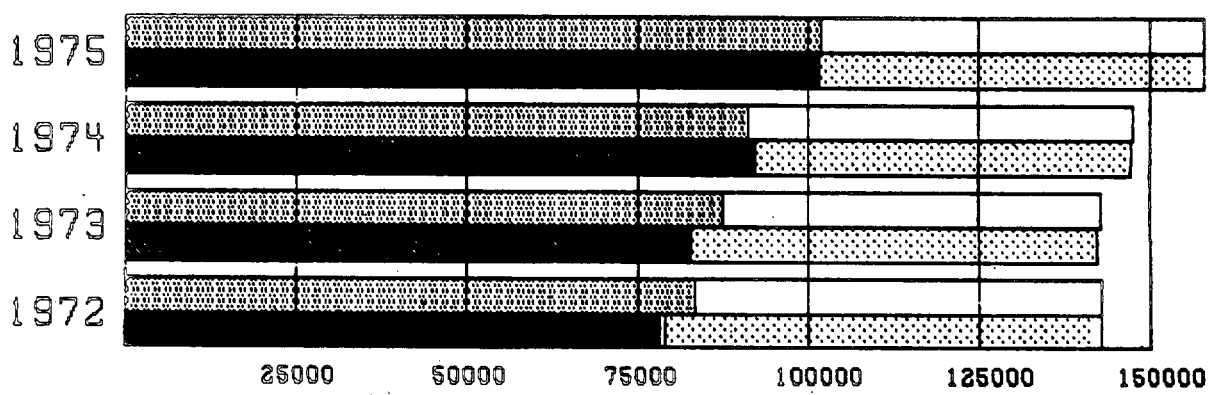
Figure 34

Total caseload, Alabama



\_\_\_\_\_ FILINGS  
 - - - - - DISPOSITIONS  
 \_\_\_\_\_ PENDING  
 [Dotted Pattern] PROJECTIONS

[Solid Black] FILINGS  
 [Dotted] DISPOSITIONS  
 [Dotted] PENDING -- JANUARY 31  
 [White] PENDING -- DECEMBER 31

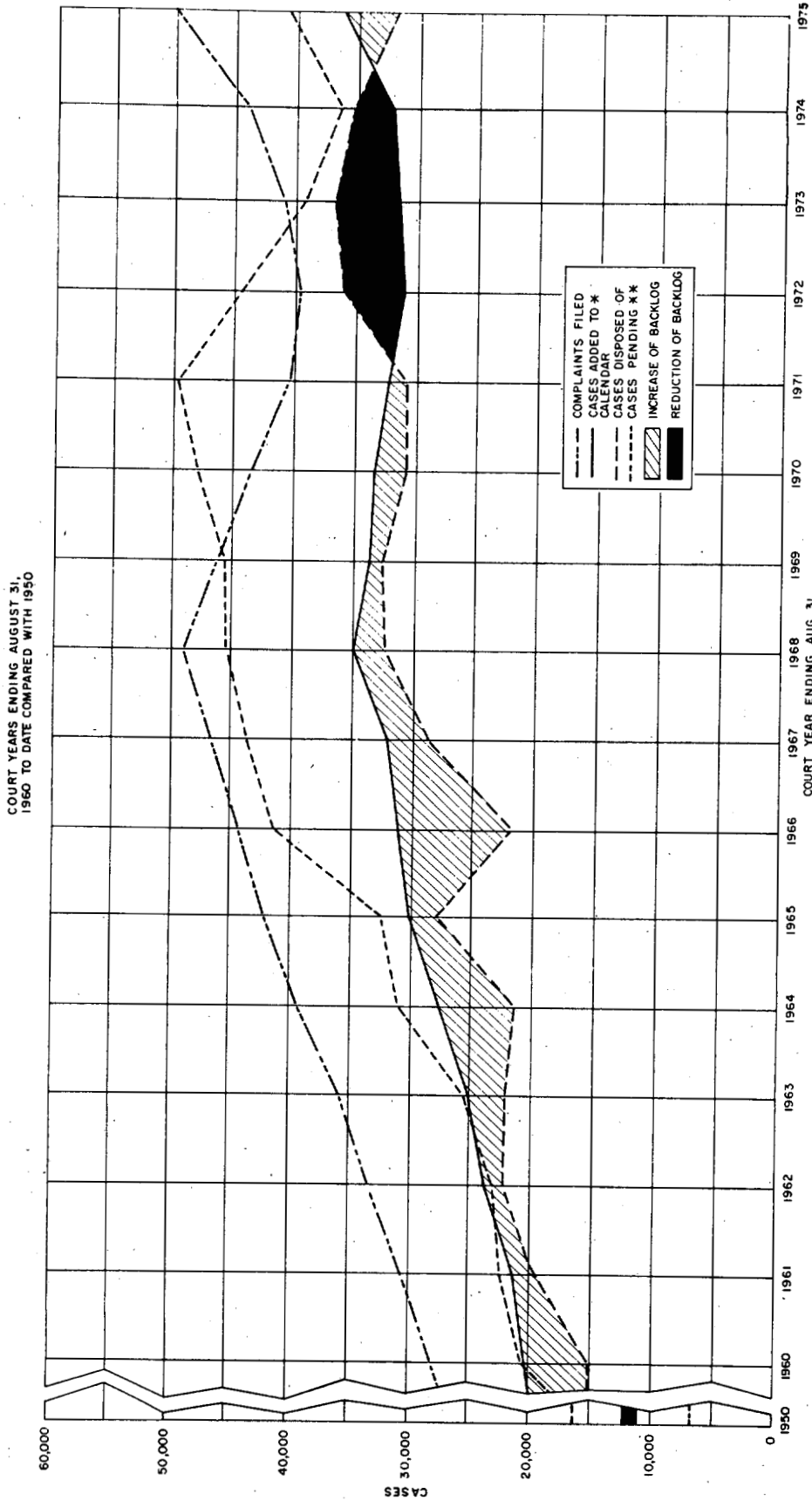


Source: Department of Court Management, 1975 Annual Report of the Alabama Judiciary, p. 10.

Figure 35

Example of visual presentation of increases and reductions in backlog

Law Divisions of the Superior and County Courts, New Jersey, Combined Civil List

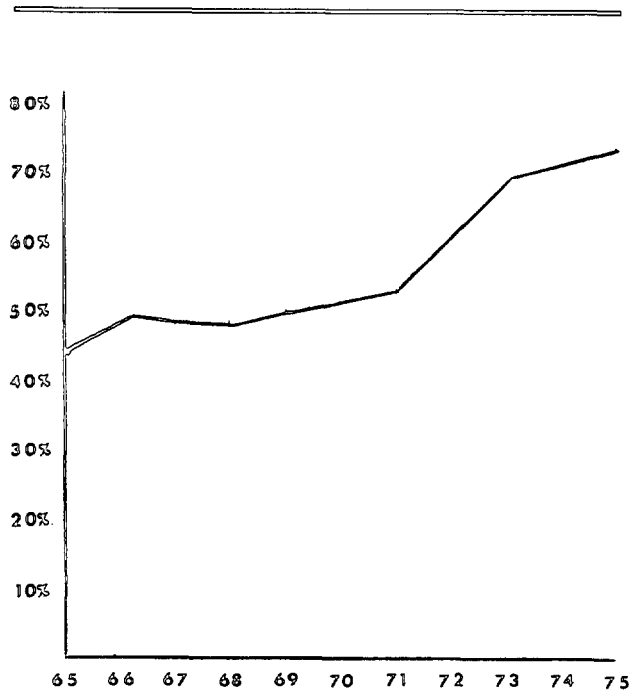


\* A CASE IS ADDED TO THE CALENDAR UPON THE FILING OF THE FIRST ANSWER, RULE 4:36-2.  
\*\* AS REPORTED IN ANNUAL REPORTS FOR EACH COURT YEAR. NOT CHANGED FOR "RECOUNTS" AS  
A RESULT OF PHYSICAL INVENTORIES IN THE COUNTIES.

Source: Administrative Office of the Courts, New Jersey Annual Report 1974/75, p. E-5.

Example of visual presentation showing percent of pending cases

Figure 36



Percent of pending civil cases over 12 months old in the Superior Court, Massachusetts

Source: Executive Secretary, *Nineteenth Annual Report to the Justices of the Supreme Judicial Court, Commonwealth of Massachusetts*, p. 4.

indication of the extent of the data that the individual trial court might collect.

A general survey of reporting systems was made difficult by uncertainty as to whether the NCSP had complete sets of reporting forms and manuals of instructions. Nevertheless, some general statements are possible. Forty-one states sent reporting forms. Thirty-six states provided summary forms and 9 submitted case-by-case forms; but 5 of the case-by-case forms had dates that indicated that they were first used in 1976 or 1977. The individual case-by-case system (See Appendix A-5 for examples) is ideal for analytical purposes because it permits a central state office the flexibility to generate statistics in a wide variety of formats. On the other hand, a carefully-conceived request for summary statistics, such as that contained on the reporting forms of Arizona or Ohio (also in Appendix A-5), can provide as much usable information as is published in the annual reports of some states which use the case-by-case system.

Ten states supplied reporting forms for appellate

jurisdictions. These differed so widely in content that comparison was meaningless. Most appellate courts appear to submit their statistics to the central state office in a format of their own choosing.

#### Workload data

One drawback of undifferentiated workload data is that they are "gross" statistics which lump together all types of court cases. Different cases require different amounts of court time and judicial preparation. At the general jurisdiction level an uncontested divorce may require only a few minutes of judge time, whereas a contested divorce may take days or weeks. An antitrust or murder case may take even longer. Simple case counting gives equal weight to all kinds of cases.

To compensate for this situation, some states measure caseload per judge or authorized judgeship. The difficulty with this measure is that in some states certain types of cases are settled by persons other than judges, such as referees or commissioners.

One method of caseload reporting which is receiving increased attention is caseload weighting. Giving cases weights according to the different periods of time necessary to process certain types of cases facilitates comparability of judge workload. It should be pointed out that weighting cases is a good method to help equalize workload *within* states, where some common denominator is needed to assure that a judge with a large quantity of relatively uncomplicated cases is not considered more productive than a judge who handles fewer, more complex cases. However, weighting schemes would have to be uniform from state to state before any interstate comparisons could be made.

The California Judicial Council in 1966 made the first practical attempt to develop a weighted caseload system. The original weight formulas have since been revised twice by Arthur Young & Company, which also prepared a limited weighted caseload study for Kentucky in 1976.

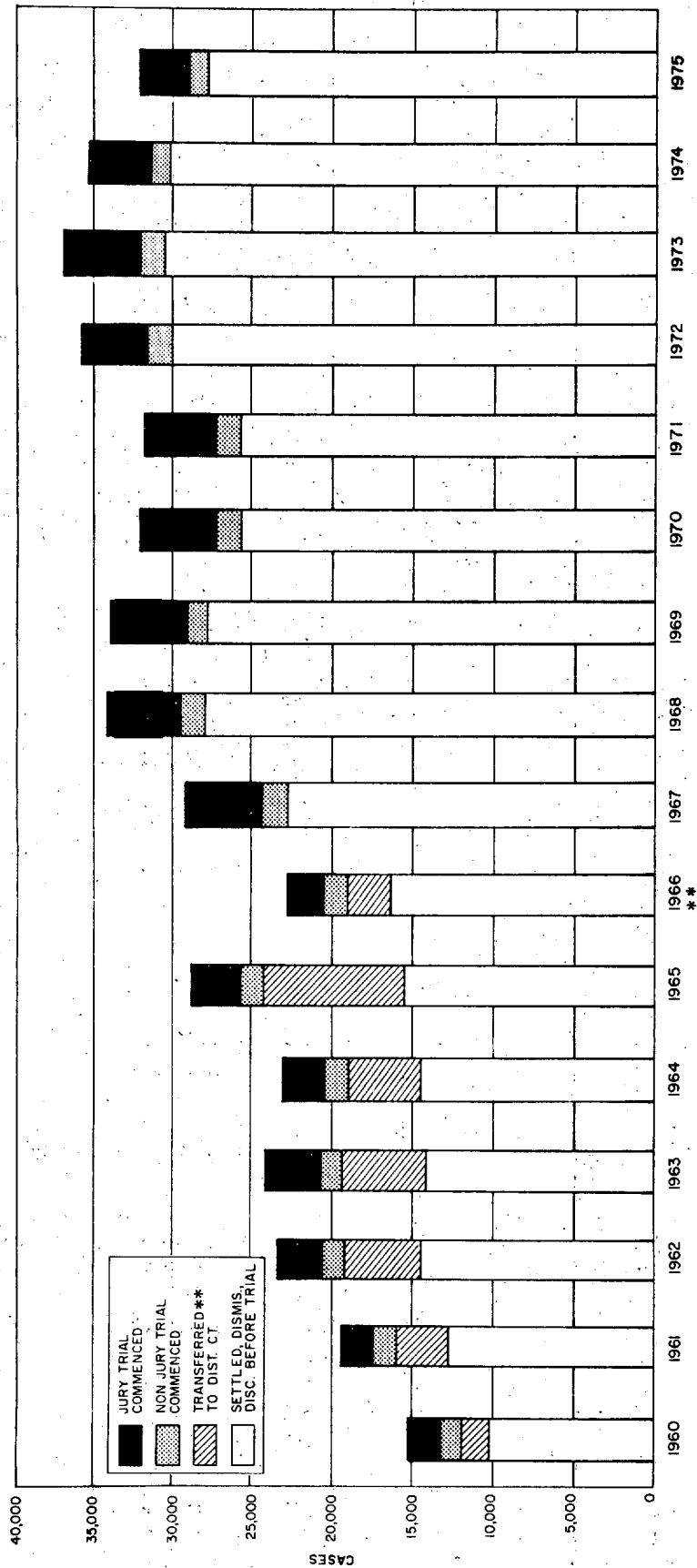
Time summaries submitted weekly by judges are the basis of a weighted caseload index used in New Jersey, which published cases added and disposed of in both weighted and unweighted forms.<sup>8</sup> Case-weights were also produced by studies done in Florida and Washington. In addition to preparing the study for Washington, the National Center for State Courts has designed a method for weighting caseloads for Virginia, which was being used by courts in Virginia

<sup>8</sup> Administrative Director of the Courts, New Jersey, *Annual Report 1974-75*, p. xviii, xix.

Example of visual presentation of manner of disposition

Figure 37

New Jersey Superior and County Courts, Combined Civil List  
 Manner of disposition of cases, court years ending August 31, 1960 to 1975

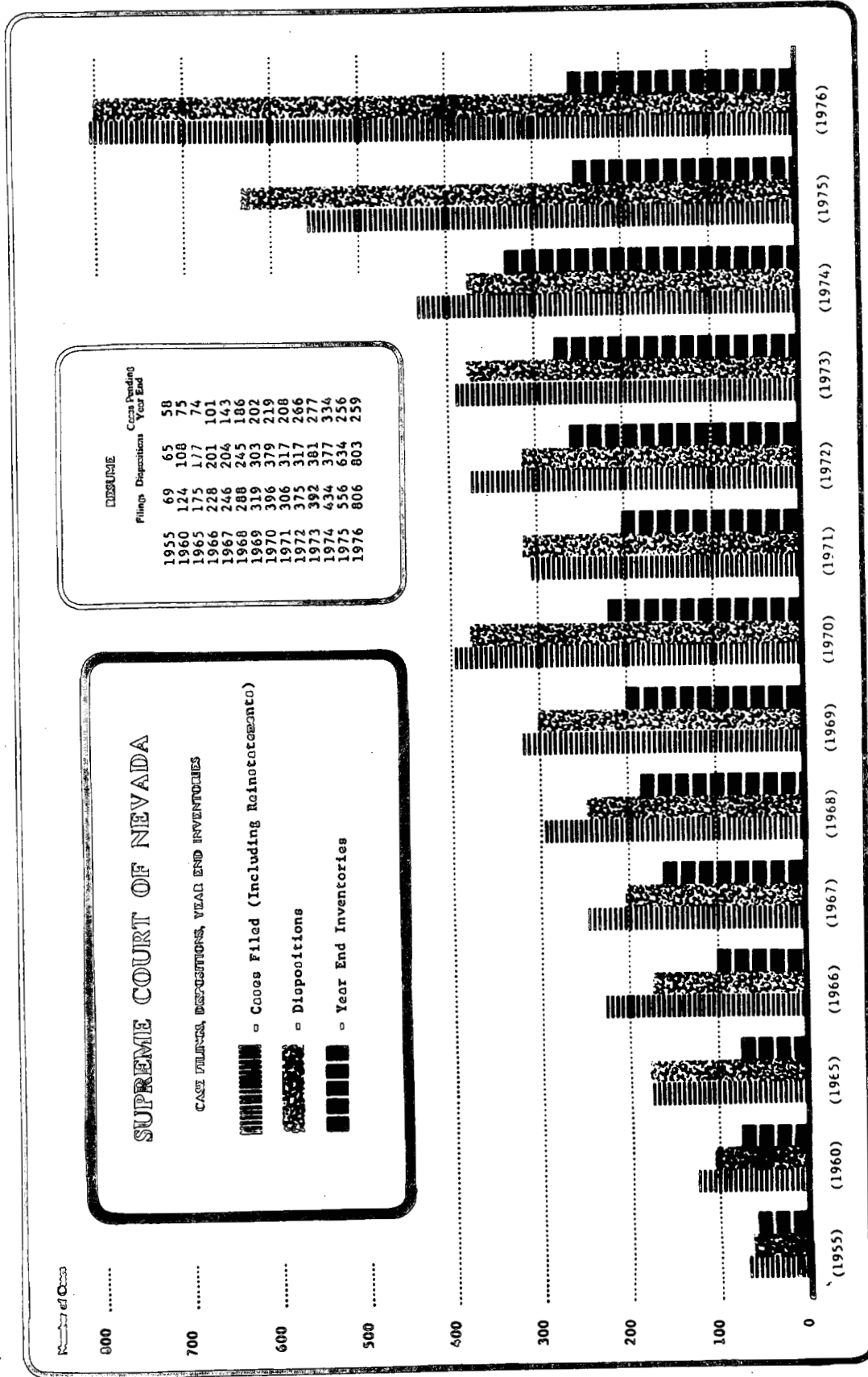


\*\* TRANSFER PROGRAM TERMINATED BY SUPREME COURT 1/12/66 (SINCE 1966-67, THE SMALL NUMBER OF TRANSFERS ARE INCLUDED IN "SETTLED, DISMIS, DISC. BEFORE TRIAL").  
 NOTE: DATA FOR PRIOR YEARS NOT AVAILABLE

Figure 38

Example of visual presentation of filings, dispositions, and pending cases

Supreme Court of Nevada, case filings, dispositions, year end inventories

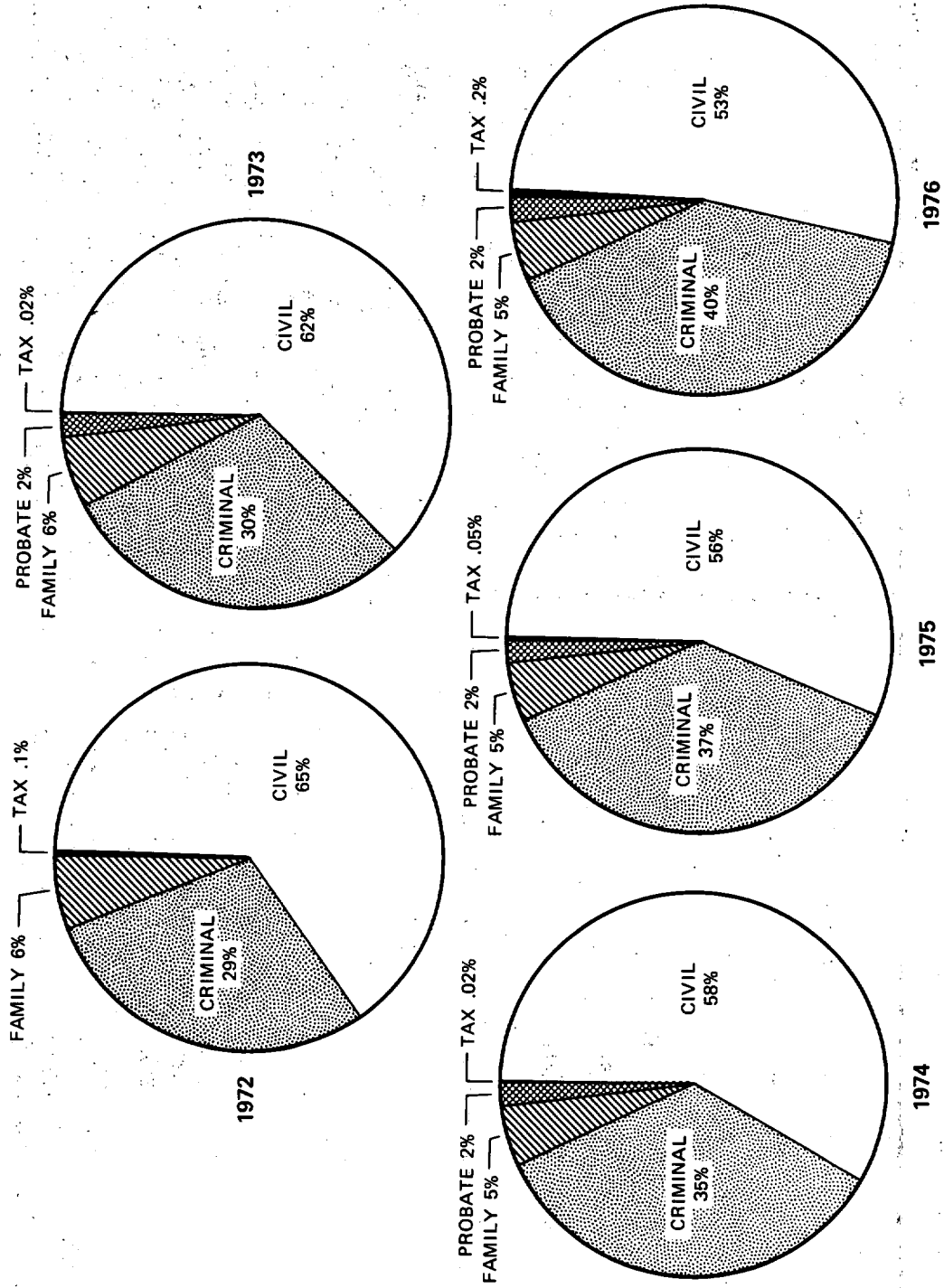


Source: Supreme Court of Nevada, State of the Judiciary 1975/76 (unpagged).

Figure 39

Example of visual presentation of general comparisons

District of Columbia, Distribution of Case Filings



Source: Joint Committee on Judicial Administration and Executive Officer, District of Columbia 1976 Annual Report, p. 45.

in 1977 to produce case weights. Other model caseweighting systems are being developed and tested in Georgia and Puerto Rico.

The results of a time study used to calculate the workload burden on judges in U.S. District Courts were published by the Federal Judicial Center in 1970. In 1975 the Center undertook a project with the purpose of extending methods of weighting cases to appellate level courts. After attempting three methods of analysis, the staff of the Appellate Courts Caseweights Project concluded that there was too little difference between weighted and unweighted appellate caseloads to justify the time and expense of establishing weights.

The other conclusions of the Federal Judicial

Center time study—for example, evaluating caseweights is difficult because of the lack of uniform definitions and “inconsistencies in appellate court statistical reporting,”<sup>9</sup>—were directly supportive of the findings of the National Court Statistics Project.

The broader conclusions that have been drawn in the National Court Statistics Project in the process of collecting and compiling statistics for 1975 into the first annual report of state court statistics will be summarized in Chapter V along with an attempt to make some positive recommendations that derive logically from these conclusions.

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<sup>9</sup> Federal Judicial Center, *Appellate Courts Caseweights Project* (1977), p. 5.



## Chapter V

### Requirements for producing useful statistics

This report has already documented the historical and contemporary national attempts to collect and publish state-level caseload statistics. In addition, types of caseload data readily available in 1975 from each state were described and analyzed in Chapter IV. However, this monograph could not be complete without an attempt to distill from this first comprehensive compilation some conclusions that will facilitate future efforts to compile and improve the quality of state court statistics nationwide.

In an effort to reduce the diversity of data to manageable terms, the staff of the National Court Statistics Project has sought to identify the basic requirements for obtaining useful caseload statistics. This chapter contains a discussion of the three requirements necessary to make court caseload statistics useful at both state and national levels. Of course, the usefulness of caseload statistics depends upon the purposes for which they are collected. At the most basic level, statistics required for operational and management control purposes within a state must be reliable and timely. The first of the three sections in this chapter discusses the requirements for producing reliable statistics within states.

Compilation of statistics at either the state or national level is necessary for research and long-term planning. Before any compilation is done, definitions must be clear so that only like cases are tabulated together. The second section of the chapter is concerned with the requirements for uniform definitions and classifications schemes.

The final portion of Chapter V is devoted to a discussion of common data elements which must be reported by each state if national caseload totals or comparisons among states similarly situated are to be made possible. Emphasis in this final section is on finding commonalities among data elements already being reported by most states.

#### Producing reliable statistics within states

##### Reliability

In scientific research, reliability refers to the extent to which a measuring procedure yields the same results on repeated trials. For court statistics reliability requires the consistent reporting of valid data by each court from year to year. To achieve this consistency, caseload statistics must be accurate, complete, and timely.

**Accurate statistics.** To say that figures recorded by individuals who collect statistics should be accurate seems almost too obvious to put on paper. It is equally obvious that compilation of these data by individual courts should be done in such a manner that the accuracy is preserved. Similarly, once accurate statistics have been obtained, state court administrators or other officials responsible for compiling statewide totals must ensure the accuracy of the figures they process.

The validity of data collection procedures is the primary responsibility of the state administrative agency which collects the data. However, in the analysis of the 1975 data the National Court Statistics Project staff found that there are great disparities in the accuracy of reported caseload statistics. In fact, letters received from court administrators expressed doubts about the accuracy of the statistics they provided. Some annual reports have totals which are incorrect for the figures given; other totals do not match those shown earlier in the same report; unpublished multiyear figures differ from single year tabulations. One state supplied sets of figures from two sources within the state; the figures do not match, and there is no indication as to which set of figures is accurate.

Inaccurate figures may be the result of careless

reporting procedures, or they may reflect organizational incentives which occasionally tempt courts to obscure rather than clarify measures of productivity.

The basic accuracy of court statistics depends, of course, on the efficiency of the reporting procedures. Because court statistics are gathered by a variety of people, accuracy is endangered unless uniform standards are established in every court. Even the kinds of statistics recorded by court clerks at the local level have a different purpose (daily operations) from those needed for state-level management and planning purposes. To make the burden of collecting caseload statistics less onerous, collection should be a byproduct of court operations whenever practical. Reporting procedures should also be developed from a system-wide management perspective in order to achieve desired reliability. Efforts should be made to verify the data reported.

Procedures that require filling out forms as cases occur greatly enhance data accuracy and reliability. Errors can be reduced if the forms themselves are designed to permit fill-in blanks or check-off procedures rather than writing in codes or narrative statements. Court procedures could include daily or weekly batching and forwarding of reporting forms, as local court case volumes warrant. Local court acceptance of and interest in providing quality data will be higher if local input is solicited.

Errors creep into reported data because personnel may fail to read available instructions, may interpret instructions differently because definitions lack clarity or instructions lack specificity, may fill out forms in haste, or may make simple counting mistakes. Errors can be detected and corrected in a variety of ways. The first is a visual scan for completeness of key items, such as court and case identification and case type. In states where data are processed by computer, an edit program can be written to scan incoming data for obvious errors or inconsistencies. For example, the edit could include a check for digits in numeric fields or range tests (for example, values not exceeding 12 in columns containing months). A search could also be made to detect the presence of key data items, such as matching incoming court or judge items with similar data in computer-held reference tables. Errors uncovered during edit should be placed into an error list, often called an exception or validation report. If this report shows the number and type of errors by court, it can be a useful device for pinpointing recurrent patterns of errors, whether these are caused by ambiguous instructions, troublesome data elements, or individuals in need of training.

Quality control over reported data should extend to making a random yearly audit of data in reports. This audit should include a cross check of reported data with locally-held case files and records. An impressive demonstration of the need for periodic physical audits was evidenced in one state which found that in some counties data collectors gathered more pending cases while performing a *partial sample* than the total number of cases that were supposed to be pending according to published figures. The discrepancy was often large: in one instance a 10 percent sample produced more than twice as many pending cases as reported (that is, the actual population of pending cases was about 20 times larger than the annual report indicated). In another instance over 400 criminal pendings were found where only 143 were reported. The discrepancy was sometimes insignificant in magnitude but still misleading, as in one court in which at least seven pending cases existed on the dockets where no pending caseload had been reported.

To assist audits, a list of all centrally-reported cases should be periodically prepared and sent back to the reporting court (clerk and administrative judge) for verification. Exception reports which list very old cases may identify errant data which should be purged.

In this discussion of accuracy, one final question is appropriate: How accurate must data be to be useful for comparative purposes? Some slippage in unreported cases, mistaken case type identification, or case classification is to be expected in courts with large case volumes. For example, if 1,000 case filings were inadvertently overlooked in a state which had in excess of 100,000 filings per year, would this error rate of less than 1 percent be acceptable? The accuracy of statistics should be evaluated according to how well they serve the intended purposes.

**Complete statistics.** Accuracy is necessary, but not sufficient to guarantee data reliability. As early as 1911 Robinson considered the "gravest defect" of judicial statistics to be "incompleteness of returns, a circumstance which renders the statistics of many states of little value."<sup>1</sup> Even today, data from some courts are not available in any form because they are either not recorded or not reported. The workload of those states that have been able to supply only partial data for 1975 cannot be compared with total workloads from other states.

In some states not enough *kinds* of statistics are

<sup>1</sup> *Supra* n. 7 in Chapter II, p. 41.

reported. The unavailability of certain data elements, such as volume data broken out by case types, time interval data, or trend data, limits the comparisons that can be made both within a state and between states. For busy court officials the achievement of completeness in caseload statistics may require some compromise between reporting each action and reporting nothing. A compromise requires that each state determine exactly which statistics are essential to the functioning of its courts and establish priorities for the types of statistics that should be collected and reported. If the collection procedures adopted were chosen with comparability included among the objectives, then data elements could be chosen that enhanced all major objectives.

A discussion of common data elements which could be reported by states with little additional effort is contained in the last section of this chapter.

**Timely preparation.** Caseload statistics used for management control and planning purposes must be reported on a timely basis. No matter how accurate and complete, statistics which are not available within a reasonable time period (say, within 3 months of the reporting year's end) will be of limited usefulness to court officials and administrators. Such dated statistics may, however, have value to social scientists conducting academic research or to court planners forecasting caseload trends.

### **Uniform statistics within and among states**

To have uniform statistics, all courts within a state must consistently report their caseload statistics using the same definitions and classifications. To have comparable statistics among the states, it must be possible to document the differences and similarities among definitions used by the states. If each court establishes a uniform reporting procedure that regularly collects data using common definitions and classifications, then it will be possible to determine areas where statistical comparison is valid and thus reduce the likelihood of erroneous comparative analysis. To emphasize the importance of uniform definitions, classifications, and reporting periods for producing comparable state court statistics, each will be discussed separately below.

#### **Uniform definitions**

All state supreme courts and their administrative offices have recognized the value of using uniform definitions when reporting their court's caseload. Whenever staffing and financing have permitted, these courts have established new reporting systems that require the use of common definitions.

During the last 3 years as many as 23 states have participated in the nationwide effort to develop a model State Judicial Information System (SJIS) that contains a universal set of definitions and classifications. Definitions of this type are contained in the *Dictionary of Criminal Justice Data Terminology*<sup>2</sup> published in 1976. Although many terms have more than one referent, the dictionary is an effort to achieve uniform definitions in the criminal area. The National Court Statistics Project will attempt to develop a dictionary for civil case terminology during its second year.

SJIS has been built on earlier efforts to promote uniform definitions. Every major commission studying the problems of court statistics has recognized the need for a standard set of definitions for the classifications used in reporting caseloads. Although these commissions were primarily concerned with statistical comparisons among states, their recommendations apply to within-state comparability as well. In fact, as noted earlier, uniformity of definitions within states is a prerequisite for interstate comparability.

In the 1950s and 1960s the National Conference of Court Administrative Officers struggled with a preliminary attempt at reaching agreement on some basic definitions. (These are displayed in Figure 10, Chapter II.) The Census Bureau's 1968 *Report on National Needs for Criminal Justice Statistics* included a 20-page list of data needs identified from position papers written for the conference sessions. (The court-related data elements are displayed in Appendix B-2 of this monograph.) However, the report provided only a list of the types of statistics that ought to be collected. No attempt was made to provide definitions for the listed categories. An attempt to provide common definitions of court types and jurisdictions was made by the Bureau of Census and LEAA and published in the *National Survey of Court Organization*. (See Appendix B-1 of this report.) These definitions did not address the multiplicity of case type terms and categories used by state courts.

Two major surveys of the kinds of data being collected by the states were completed in the 1970s. The first such survey was conducted by SEARCH Group, Inc. SEARCH used the statistical reporting forms when available and 1974 (or the latest available) annual reports from 38 states to tabulate a set

<sup>2</sup> National Criminal Justice Information and Statistics Service, *A Dictionary of Criminal Justice Data Terminology*, First Edition, 1976 (Washington, D.C.: U.S. Govt. Print. Off., 1976).

of charts showing the types of data collected or published by the courts.<sup>3</sup> These charts include all reported civil and criminal case types, trial types, disposition types, and procedural steps used in courts of general jurisdiction as well as in some courts of limited jurisdiction.

The resulting multiplicity of terminology is shown by the 237 types of civil cases listed in the charts, 132 of which appeared only once. There are 197 different kinds of dispositions reported by the 38 states. The data were presented as they were received with no effort to establish common definitions or to classify these hundreds of terms into comparable categories. It would be very difficult to manipulate or conduct secondary analyses of the SEARCH data as they were presented. Furthermore, the tables used in the SEARCH *SJIS State of the Art* contain an "X" each time a particular case category label appeared in a state collection form or annual report. However, the distinction between the presence of a category name on a reporting form and its actual use and publication is not made.

The second major survey was the 1974 Bureau of the Census canvass of state court administrators. The scope and extent of data sought in the canvass included only courts of general, limited or special jurisdiction. The canvass sought to document differences in terminology and collection procedures so that the Census Bureau could formulate recommendations explaining how central sources could best be used to provide data for a national court statistics program.

This canvass used a checklist to conduct interviews in 12 states to determine what definitions are used in state court statistical programs. From those interviews a standardized 10-page form (contained in Appendix B-4) was developed. The interview information was transcribed onto the 10-page form, and it was sent to the state court administrator for verification and missing data. The remaining 38 states and the District of Columbia were mailed a single-page questionnaire (Figure 13) on the availability of court statistics and were asked to send copies of any reporting forms and instruction manuals in use in the state. Information from these forms and manuals was transcribed onto the 10-page questionnaire, which was sent to the state court administrator for verification and missing information. States that did not submit any materials with their single-page questionnaire were sent the 10-page form and asked to supply the information on it.

The questions in the canvass dealt with procedures for reporting court workload statistics. A complete survey of all the actual case types and categories used by clerks within each court to collect and report filings was not attempted because it would have been unmanageable. As a result, filing categories were not extensively documented. Case disposition categories received much greater emphasis because of the stress placed on this kind of information by the respondents to the canvass.

Definitions influence the statistics that courts report. Appendix B-4 (which contains a summary of the data obtained in the 1974 canvass) shows that there was little consensus on such common definitions as what constitutes a civil or criminal trial.

Procedural categories as well as case terminology need to be clearly defined. NCSP found (Figure 40) that general jurisdiction courts in 41 of the 45 states from which 1975 data were available used the complaint action or petition as unit of count in civil cases. In criminal cases most general jurisdiction courts used either the number of indictments/informations/complaints or the number of defendants on each information/indictment/complaint as the unit of count.

In the appellate court area many states do not distinguish what constitutes a countable "case" from the less time-consuming motions and other procedural matters. Some states report total cases processed without any indication as to what types of proceedings constitute the total. Other states define cases as appeals that were decided on the merits. Proceedings such as habeas corpus may be listed as a separate category, or classified under two and sometimes three separate categories such as appeals, original proceedings, and motions. A broad definition of appellate "cases," used in this report, includes any appeal, any original proceeding, or any request to appeal.

In sum, the NCSP found variation among states in the definitions of terms and statistical accounting practices used in compiling judicial statistics. Although these variations were not always significant, they must be recognized and adjustments made in order to prevent misinterpretation of the data.

**Classifications.** Definitions are only part of the uniformity problem. Classification schemes must be meaningful and their relationships established if caseload statistics are to be accurately tabulated and interpreted. To have uniform classification schemes requires (1) the use of consistent categories and (2) knowledge of organizational and jurisdictional differences both within and among states.

<sup>3</sup> *Supra* n. 7 in Chapter 1, p. 11-40.

## Unit of count used in general jurisdiction courts in 1975

Figure 40

State	Criminal					Civil				
	Number of defendants on each indictment/information/complaint	Indictment/information/complaint	Case number assigned at arraignment	Case	No standard definition	Petition or complaint	Placed on calendar	Note of issue	First answer	No consistent definition
Alabama	X					X				
Alaska		X				X				
Arizona	X					X				
Arkansas		X				X				
California	X					X				
Colorado	X					X				
Connecticut	X					X				
Delaware	X					X				
District of Columbia	X						X			
Florida	X					X				
Georgia										
Hawaii	X					X				
Idaho	X					X				
Illinois		X				X				
Indiana		X				X				
Iowa		X				X				
Kansas		X				X				
Kentucky	X					X				
Louisiana				X		X				
Maine		X				X				
Maryland		X				X				
Massachusetts		X				X				
Michigan	X					X				
Minnesota					X			X		
Mississippi		X				X				
Missouri		X				X				
Montana										
Nebraska	X					X				
Nevada										
New Hampshire					X					X
New Jersey		X							X	
New Mexico		X				X				
New York	X					X				
North Carolina					X	X				
North Dakota		X				X				
Ohio	X					X				
Oklahoma		X				X				
Oregon			X			X				
Pennsylvania	X					X				
Rhode Island		X				X				
South Carolina										
South Dakota		X				X				
Tennessee		X				X				
Texas	X					X				
Utah		X				X				
Vermont		X				X				
Virginia	X					X				
Washington	X					X				
West Virginia										
Wisconsin		X				X				
Wyoming		X				X				
Total	19	21	1	1	3	41	1	1	1	1

*Categories.* The problem of categories is related to the problem of definitions in the sense that a definition often predetermines the category into which a case is placed. Yet a definition may be clear and there may still be a lack of consensus among the states as to the category in which it belongs. For example, although there may be agreement on what constitutes a habeas corpus action, there could be disagreement as to whether it should be classified as a civil or criminal action for statistical purposes. The Wickersham Commission pointed out that "... no matter how carefully statistics are collected or how complete they may be, their value will be lost if the figures are set forth under headings which include ill-sorted offenses. . . ." <sup>4</sup> However, if definitions of the individual subcategories which make up a category (such as extraordinary writs) are reported, a classification category that is comparable could be constructed.

*Jurisdictions.* Differences in court organization and in subject matter jurisdiction also make comparison difficult. Some states use courts of limited or special jurisdiction to process specific types of cases, such as juvenile or probate. Eight states have completely abolished all courts below the general jurisdiction level. <sup>5</sup> In these states courts of general jurisdiction must process all cases which arise in their areas or jurisdictions. This streamlining of court organization does avoid jurisdictional disputes within states. However, it is difficult to compare the workloads of courts in different states which have dissimilar structures. Comparisons among courts of general jurisdiction, for example, are misleading if in some states these courts are the only trial courts, while in others they share original jurisdiction with limited or special jurisdiction courts.

Differences among states in subject matter jurisdiction of courts, particularly with respect to civil cases, further complicates efforts to compare caseloads. For example, if courts of general jurisdiction in one state hear civil cases involving amounts exceeding \$15,000 while counterpart courts in another state hear civil cases involving monetary amounts in excess of \$20,000, the workloads may not be equivalent. Before any valid comparisons can be made, equivalent court organization and subject matter jurisdiction must be assured. The National Court

Statistics Project is publishing individual state profiles in *State Court Caseload Statistics: Annual Report, 1975*, in order to identify court organization and jurisdiction.

*Reporting periods.* Reporting periods vary, even among courts within a single state. Appellate courts may report caseload by session or term; general jurisdiction courts may report statistics monthly; while limited jurisdiction courts may report data annually. Because comparisons among these different levels of court are seldom made, the various reporting periods are less of a problem within a state.

Comparisons among states, however, require that statistics be reported over similar time spans. Figure 41 shows that most states used the calendar year as the time period for reporting statistics in their annual reports. The fiscal year starting in July and ending in June was another time period that is often used. In fact, four states (Alabama, Nebraska, Rhode Island, and Wisconsin) reported appellate data by calendar year and statistics from courts of general jurisdiction by fiscal year. Some states which published an annual report for fiscal years reported their data in such a manner that calendar year statistics could easily be broken out. Biennial reports, such as those of Connecticut and New Hampshire, were more useful if the data could be broken out by fiscal year. If caseload statistics are broken down by quarters, or semi-annually for fiscal periods ending in June, reported figures could be recompiled into the same time scale and compared. The National Court Statistics Project used calendar year 1975 statistics for its annual report whenever possible, but found it necessary to use fiscal year 1974-75 data where calendar year data were not available.

Before closing this discussion of the importance of uniform definitions, classifications, and reporting periods, mention should be made of a procedural mechanism that has been found useful by some states in developing statistical systems that are designed to attain better uniformity in reporting caseload activity. This mechanism is the formation of a Users Group—an advisory committee, consisting of clerks of court, court administrative staff, judges, and other judicial leaders. It is important that the Users Group include representatives from each level of court that is or will be covered by the reporting system. Observers from court-related agencies (for example, prosecutor's offices, law enforcement, corrections, criminal justice information systems, and so forth) might also participate in the Users Group.

At the meetings attention should be directed to

<sup>4</sup> *Supra*. n. 19 in Chapter I, p. 177.

<sup>5</sup> Dr. James A. Gazell, "Selected Facets of State Court Unification," in Ernst & Ernst, *Background Papers on National Trends in the Unification of State Courts*, January 1974, p. 19.

Reporting periods  
in the states, 1975

Figure 41

State	General jurisdiction	Appellate
Alabama	C	F-3
Alaska	C	C
Arizona	C	C
Arkansas	C	C
California	F	F
Colorado	F	F
Connecticut	Bi-F-3	Bi-F-3
Delaware	F	F
District of Columbia	C	C
Florida	C	C
Georgia	C	C
Hawaii	F	F
Idaho	C	C
Illinois	C	C
Indiana <sup>a</sup>	C	C
Iowa	C	C
Kansas	F	F
Kentucky	C	C
Louisiana	C	C
Maine	C	C
Maryland	F	F
Massachusetts	F	F
Michigan	F	F
Minnesota	C	C
Mississippi	C	C
Missouri	F	F
Montana	C	C
Nebraska	C	F-2
Nevada	C	C
New Hampshire	Bi-F-1	Bi-F-1
New Jersey	F-2	F-2
New Mexico	C	C
New York	C	C
North Carolina	C	C
North Dakota	C	C
Ohio	C	C
Oklahoma	C	C
Oregon	C	C
Pennsylvania	C	C
Rhode Island	C	F-3
South Carolina	C	C
South Dakota	C	C
Tennessee	C	C
Texas	C	C
Utah	F	F
Vermont	C	C
Virginia	C	C
Washington	C	C
West Virginia	C	C
Wisconsin	C	F-1
Wyoming	C	C

C= Calendar year.

F= Fiscal year beginning in July.

F-1= Fiscal year beginning in August.

F-2= Fiscal year beginning in September.

F-3= Fiscal year beginning in October.

Bi-F= Biennial fiscal year report.

<sup>a</sup> Appellate data for Indiana is for intermediate appellate court only.

achieving agreement on the methodology to be used to develop and implement the usage of uniform definitions and classification categories throughout the state. Differences in usage of terms and classification schemes between jurisdictions within a state should be discussed and all such definitional differences resolved. An approved procedures manual

should be prepared or updated and its use as a reference guide by reporting personnel should be encouraged. The manual should contain a glossary of all defined terms, examples of case classifications, and completed sample reporting forms, accompanied by narrative explanations. This will greatly reduce definitional errors and increase the likelihood of establishing a reporting system that is uniform throughout the state.

In conjunction with a detailed procedures manual, several states have developed training programs for clerks and judges at all reporting levels. The training package explains to the personnel actually responsible for reporting data how to complete case reporting forms and assists them in responding to unusual circumstances. The central statistical staff should expect to augment these large group training sessions with individual visits, especially when new chief clerks or support staff are involved.

**Comparability among states**

Based on the types of court caseload statistics already available from the states, the National Court Statistics Project staff has concluded that comparable nationwide data could be attained with minimal additional effort. Chapter IV has shown that most states already employ some kind of common data elements. They are all, in their data collection efforts, concerned with answering the following questions:

1. How many cases were processed (gross volume data)?
2. What types of cases were processed (categories and classifications)?
3. In what manner were cases disposed of?

Such widespread concern with these questions indicates that essential data elements are contained in the responses to these questions.

**Volume statistics**

If beginning pendings, filings, dispositions, and end pendings were consistently published by each state, the first step toward measuring the total court caseload in the United States could be taken. Most states already publish gross volume statistics in order to answer the first question posed above. If states are not already collecting gross volume statistics, then dispositions, because they are the most direct indicator of court workload, are the first priority volume statistic needed for nationwide comparison purposes.

Given the interest in court delay, pending statistics

should be the second type of volume data published for comparison purposes. Filings, which measure the need for court services, are the third type of statistic necessary to complete the measure of the volume of business handled by the courts. Volume statistics reported for each level of court would permit a progressively more specific analysis of workload within a state. Analysis could begin with aggregate statewide caseload statistics and work down to analysis at the local level.

#### Cases by category

Even gross volume statistics are not a complete indicator of workload, however, because gross volume totals do not take into consideration the types of cases decided. Different types of cases place different demands on judge time. It follows then that once volume statistics are available, the next priority is to publish cases by category. The ideal situation would be for each jurisdiction to report complete volume statistics by case category. As noted in the section above, disposition statistics by category are the most important of the four for nationwide comparisons. If disposition information is available by category, pendings and filings would be the next statistics sought. If data are available for three of the volume statistics, the fourth figure can be computed.

Forty-four states already make the distinction between civil and criminal cases in their trial courts. Within the criminal category the National Court Statistics Project found that data could be classified most logically into subcategories: felonies, misdemeanors, appeals, and traffic cases. Subcategories used most often for civil cases fitted best into law, auto tort, non-auto tort, unclassified tort, contract, small claims, equity, property rights, domestic relations, probate, mental health, administrative, other civil, appeals, and extraordinary writs. (A glossary of these and other terms used by the National Court Statistics Project is located at the end of this report.)

These categories are compatible with those suggested by other groups concerned with court statistics. The *National Survey of Court Organization* suggested felonies, misdemeanors, traffic, and ordinance violations as categories belonging in criminal jurisdictions. For civil jurisdictions the survey listed law, equity, probate, mental competence, guardianships, and domestic relations. (See Appendix B-1 for these definitions.) The SJIS project expanded the civil list to include contract, personal injury, property damage, other tort, domestic and family, probate, administrative, appeals from courts of limited juris-

diction, and other civil.<sup>6</sup> The National Court Statistics Project further expanded these categories because it found the states making the distinction between auto tort and non-auto tort, in contrast to SEARCH's recommendations that the distinction between automobile and non-automobile cases be subheadings under personal injury and property damage. NCSP continues to report the distinction between law and equity, although it is no longer an important legal distinction, because 10 states reported cases that way in 1975. The summary categories used for juvenile cases (delinquency, dependency, children in need of supervision, and traffic) are very similar to those used by the National Center for Juvenile Justice.

Appellate courts in 39 states separate their data into civil and criminal categories. The appellate categories which more closely reflected the types of information reported by the states, however, proved to be appeals, original proceedings, requests to appeal, rehearing requests, and other matters.

Regardless of what categories states use, the categories must be clearly defined. Only with precise definitions can it be determined, for example, whether chancery cases in courts of general jurisdiction in one state are equivalent to equity cases in another. The importance of definitions also applies to the appellate level. For example, how many appellate dispositions are appeals? Do requests for leave to appeal include all appeals actually heard? Appeals heard as a matter of right should be differentiated from discretionary appeals. If appeals filed are also counted as requests for leave to appeal, this should be made clear to avoid counting a single case twice.

Clear definitions facilitate classification of cases into categories. For example, even though violation of a particular drug law is a felony in one state and a misdemeanor in another, if each state defined the offense precisely, it could be consistently classified.

#### Manner of disposition

For those states already providing disposition, pending, and filing statistics by category, the third most useful kind of data would be manner of disposition. Examples of dispositions of criminal cases are: pleas, dismissals/nolle prosequi, acquitted by trial, and convicted by trial. Equivalent civil dispositions are: settlements, defaults, dismissals, judgments after jury trial, and judgments after non-

<sup>6</sup> SEARCH Group, Inc., *SJIS Final Report* (Phase II), Technical Report No. 17, Sept. 1976, p. B-11.



jury trial. Appellate dispositions should distinguish published and unpublished written opinions, published and unpublished per curiam opinions, memorandum opinions, dismissals/withdrawals, and cases terminated without opinions.

#### **Time interval data**

Given the interest in reducing court backlog, time interval statistics will become increasingly important in the future. (Chapter IV has shown that time interval data were available from a limited number of states.) Collection of this information from courts with relatively developed statistical systems should be a priority item.

#### **Priorities for valid comparisons**

The immediate priorities for common data ele-

ments which would aid in nationwide comparison are first, for gross volume statistics; second, for volume statistics by category; third, for manner of disposition data; and finally for time interval data.

This state of the art monograph should provide a baseline from which improvements in court caseload records and reports can be measured. Because it is based on the *State Court Caseload Statistics: Annual Report, 1975*, this report documents the point at which the initial efforts to assemble nationwide state court caseload statistics was undertaken. Future annual reports should permit an ongoing assessment of the extent to which the states are implementing the data collection techniques which will permit valid comparison of caseload from jurisdiction to jurisdiction and from state to state.

Availability of caseload statistics for civil cases: Detailed breakdown, 1975,  
courts of general jurisdiction

Appendix A-1

State	Law													
	Law	Law over \$15,000	Law \$15,000 and under	Actions at law	Civil jury	Civil non-jury	Confessed judgments	Dollar declaration	Money demands	Money judgment	Original civil	Prayer under \$1,000	Other—law division	Other law
Total	3	1	1	1	1	1	1	1	1	1	1	1	1	1
Alabama											F			
Alaska														
Arizona														
Arkansas	PFDP												PFDP	
California														
Colorado									F					
Connecticut														
Delaware														
District of Columbia					PFDP	PFDP								
Florida														
Georgia														
Hawaii														
Idaho														
Illinois		FD	FD											
Indiana														
Iowa														
Kansas														
Kentucky														
Louisiana														
Maine														
Maryland									FD					FD
Massachusetts														
Michigan														
Minnesota														
Mississippi									F					
Missouri														
Montana														
Nebraska														
Nevada														
New Hampshire					PFDP									
New Jersey													PFDP	
New Mexico														
New York														
North Carolina														
North Dakota														
Ohio														
Oklahoma														
Oregon	FD													
Pennsylvania														
Rhode Island														
South Carolina														
South Dakota														
Tennessee														
Texas														
Utah														
Vermont														
Virginia	FDP													
Washington														
West Virginia														
Wisconsin										F				
Wyoming														

P= Pending F= Filings D= Dispositions  
 PFDP= Beginning pending, Filings, Dispositions, End pending  
 FD= Filings, Dispositions  
 DP= Dispositions, End pending; and so on.

98 State court caseload statistics

Appendix A-1 (continued)  
 Availability of caseload statistics for civil cases: Detailed breakdown, 1975,  
 courts of general jurisdiction

State	Auto tort					Non-auto tort				Unclassified tort <sup>a</sup>			
	Auto tort	Auto negligence	Motor vehicle	Personal injury	Personal injury— motor vehicle	Other tort	Medical malpractice	Personal tort	Personal injury— other	Personal injury	Property damage	Wrongful death	Personal injury Property damage
Total	7	4	2	1	1	9	1	1		4	2	2	1
Alabama			F										
Alaska													
Arizona	PFDP					PFDP							
Arkansas													
California	FD					FD							
Colorado					F			F		F	F		
Connecticut													
Delaware													
District of Columbia													
Florida	FD					FD							
Georgia													
Hawaii	PFDP					PFDP							
Idaho													FDP
Illinois													
Indiana													
Iowa													
Kansas		PFDP				PFDP							
Kentucky													
Louisiana													
Maine													
Maryland	FD					FD							
Massachusetts													
Michigan		PFDP											
Minnesota													
Mississippi													
Missouri										D			
Montana													
Nebraska													
Nevada													
New Hampshire													
New Jersey		PFDP											
New Mexico													
New York	FD					FD	FD						
North Carolina													
North Dakota													
Ohio										PFDP		FD	
Oklahoma		PFDP				PFDP							
Oregon													
Pennsylvania													
Rhode Island													
South Carolina													
South Dakota													
Tennessee	FD					FD							
Texas				PFDP									
Utah										F			
Vermont													
Virginia													
Washington			F					F					
West Virginia													
Wisconsin										PFDP	PFDP		
Wyoming													

P= Pending F= Filings D= Dispositions  
 PFDP= Beginning pending, Filings, Dispositions, End pending  
 FD= Filings, Dispositions  
 DP= Dispositions, End pending; and so on.

<sup>a</sup> Unclassified tort can be computed by adding auto tort and non-auto tort for those states which display both.

Appendix A-1 (continued)  
 Availability of caseload statistics for civil cases: Detailed breakdown, 1975,  
 courts of general jurisdiction

State	Contract			Small claims			Equity			
	Contract (ual)	Contract and indebtedness	Commercial	Small claims	Possession of personal property	Possession of real property	Equity	Chancery	Equitable actions and petitions	Other equity
Total	7	1	1	8	1	1	6	1	1	1
Alabama							F			
Alaska										
Arizona	PFDP									
Arkansas							PFDP			
California										
Colorado										
Connecticut										
Delaware										
District of Columbia				PFDP						
Florida		FD								
Georgia										
Hawaii	PFDP									
Idaho				FDP						
Illinois				FD				FD		
Indiana										
Iowa				PFDP						
Kansas	PFDP									
Kentucky										
Louisiana										
Maine										
Maryland	FD									FD
Massachusetts										
Michigan										
Minnesota										
Mississippi							F			
Missouri										
Montana										
Nebraska										
Nevada										
New Hampshire									PF P	
New Jersey							PFDP			
New Mexico										
New York	FD									
North Carolina										
North Dakota										
Ohio										
Oklahoma	PFDP			PFDP	PFDP	PFDP				
Oregon							FD			
Pennsylvania										
Rhode Island										
South Carolina										
South Dakota				D						
Tennessee	FD									
Texas										
Utah										
Vermont				PFDP						
Virginia							FDP			
Washington			F							
West Virginia										
Wisconsin				PFDP						
Wyoming										

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100 State court caseload statistics

Appendix A-1 (continued)  
 Availability of caseload statistics for civil cases: Detailed breakdown, 1975,  
 courts of general jurisdiction

	Property rights												
	Property rights	Condemnation(s)	Eminent domain	Foreclosure	Mortgage foreclosures	Replevin-lien-foreclosure	Land cases	Lien or mortgage foreclosure	Liens	Mechanics and materialmen's liens	Real property	Real or personal property	Landlord and tenant
Total	1	5	6	2	1	1	2	1	1	1	3	1	2
Alabama													
Alaska													
Arizona			PFDP										
Arkansas													
California			FD										
Colorado												F	
Connecticut													
Delaware													
District of Columbia													PFDP
Florida			FD		FD	FD					FD		FD
Georgia													
Hawaii		PFDP					PFDP			PFDP			
Idaho													
Illinois			FD										
Indiana													
Iowa													
Kansas				PFDP							PFDP		
Kentucky													
Louisiana													
Maine													
Maryland		FD		FD									
Massachusetts													
Michigan													
Minnesota													
Mississippi			F						F				
Missouri													
Montana													
Nebraska													
Nevada													
New Hampshire													
New Jersey													
New Mexico													
New York		FD											
North Carolina													
North Dakota													
Ohio													
Oklahoma								PFDP			PFDP		
Oregon													
Pennsylvania													
Rhode Island													
South Carolina													
South Dakota													
Tennessee		FD					FD						
Texas													
Utah			F										
Vermont													
Virginia													
Washington	F	F											
West Virginia													
Wisconsin													
Wyoming													

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Appendix A-1 (continued)  
 Availability of caseload statistics for civil cases: Detailed breakdown, 1975,  
 courts of general jurisdiction

State	Domestic relations									
	Domestic relations	Family	Family docket	Family law	Intramily	Dissolution	Divorce	Modify divorce decrees	Annulment	Dissolution and annulment
Total	10	1	1	1	1	3	14	1	5	1
Alabama	F									
Alaska										
Arizona	PFDP									
Arkansas	PFDP									
California				FD						
Colorado <sup>b</sup>	PFDP					F				
Connecticut <sup>b</sup>			PFDP							
Delaware										
District of Columbia					PFDP		PFDP			
Florida										FD
Georgia										
Hawaii							PFDP		PFDP	
Idaho	FDP									
Illinois		FD					FD			
Indiana										
Iowa										
Kansas <sup>b</sup>							PFDP		PFDP	
Kentucky	F									
Louisiana										
Maine <sup>b</sup>										
Maryland							FD			
Massachusetts <sup>b</sup>										
Michigan <sup>b</sup>							PFDP			
Minnesota <sup>b</sup>										
Mississippi	F									
Missouri							D	D		
Montana										
Nebraska <sup>b</sup>	FD									
Nevada										
New Hampshire <sup>b</sup>										
New Jersey <sup>b</sup>										
New Mexico										
New York <sup>b</sup>										
North Carolina <sup>b</sup>										
North Dakota										
Ohio	PFDP									
Oklahoma							PFDP		PFDP	
Oregon						FD				
Pennsylvania	PFDP						PFDP			
Rhode Island <sup>b</sup>										
South Carolina										
South Dakota							D			
Tennessee							FD			
Texas							PFDP		PFDP	
Utah							F			
Vermont <sup>b</sup>										
Virginia										
Washington						F				
West Virginia										
Wisconsin							PFDP		PFDP	
Wyoming										

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<sup>b</sup> Some or all domestic relations cases are handled in limited jurisdiction courts. See notes at end of table.

Appendix A-1 (continued)  
 Availability of caseload statistics for civil cases: Detailed breakdown, 1975,  
 courts of general jurisdiction

State	Domestic relations									
	Invalidity of marriage	Legal separation	Separate maintenance	Petition to remarry	Marital/matrimonial	Support	Reciprocal support	Uniform reciprocal support	Uniform reciprocal enforcement	URESAs cases
Total	1	2	3	1	4	2	3	1	1	1
Alabama										
Alaska										
Arizona							PFDP			
Arkansas										
California										
Colorado <sup>b</sup>	F	F								
Connecticut <sup>b</sup>										
Delaware										
District of Columbia						PFDP	PFDP			
Florida										
Georgia										
Hawaii			PFDP						PFDP	
Idaho						FD				
Illinois										
Indiana										
Iowa										
Kansas <sup>b</sup>			PFDP							
Kentucky										
Louisiana										
Maine <sup>b</sup>										
Maryland										
Massachusetts <sup>b</sup>										
Michigan <sup>b</sup>										
Minnesota <sup>b</sup>										
Mississippi								F		
Missouri										
Montana										
Nebraska <sup>b</sup>										
Nevada										
New Hampshire <sup>b</sup>					PF P					
New Jersey <sup>b</sup>					PFDP					
New Mexico										
New York <sup>b</sup>					PFDP					
North Carolina <sup>b</sup>										
North Dakota										
Ohio										
Oklahoma			PFDP							
Oregon										
Pennsylvania										
Rhode Island <sup>b</sup>										
South Carolina										
South Dakota										
Tennessee										
Texas										
Utah										
Vermont <sup>b</sup>					PFDP					PFDP
Virginia										
Washington										
West Virginia										
Wisconsin		PFDP		PFDP			PFDP			
Wyoming										

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<sup>b</sup> Some or all domestic relations cases are handled in limited jurisdiction courts. See notes at end of table.

Appendix A-1 (continued)  
 Availability of caseload statistics for civil cases: Detailed breakdown, 1975  
 courts of general jurisdiction

State	Domestic relations									
	Reciprocal support— IN	Reciprocal inter-state	Reciprocal support— OUT	Non-support— inter-state	Support and custody	Custody	Adoption(s)	Birth records	Bastardy	Paternity
Total	3	1	3	1	1	2	15	1	1	4
Alabama										
Alaska										
Arizona							PFDP			
Arkansas	PFDP		PFDP				PFDP			
California										
Colorado <sup>b</sup>		F		F		F				
Connecticut <sup>b</sup>										
Delaware							PFDP			
District of Columbia							PFDP			PFDP
Florida					FD		FD			
Georgia										
Hawaii							PFDP			PFDP
Idaho							FD			
Illinois										
Indiana										
Iowa										
Kansas <sup>b</sup>	PFDP		PFDP							
Kentucky										
Louisiana										
Maine <sup>b</sup>										
Maryland							FD			FD
Massachusetts <sup>b</sup>										
Michigan <sup>b</sup>										
Minnesota <sup>b</sup>										
Mississippi							F			
Missouri										
Montana										
Nebraska <sup>b</sup>										
Nevada										
New Hampshire <sup>b</sup>										
New Jersey <sup>b</sup>										
New Mexico										
New York <sup>b</sup>										
North Carolina <sup>b</sup>										
North Dakota										
Ohio							FD	FD		
Oklahoma	PFDP		PFDP				PFDP		PFDP	
Oregon										
Pennsylvania						PFDP	PFDP			
Rhode Island <sup>b</sup>										
South Carolina										
South Dakota							D			
Tennessee							FD			
Texas										
Utah										
Vermont <sup>b</sup>										
Virginia										
Washington										
West Virginia										
Wisconsin							D			PFDP
Wyoming										

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<sup>b</sup> Some or all domestic relations cases are handled in limited jurisdiction courts. See notes at end of table.



Appendix A-1 (continued)  
 Availability of caseload statistics for civil cases: Detailed breakdown, 1975,  
 courts of general jurisdiction

State	Domestic relations										
	Termination of parental rights	Name change	Non-adversary	Public assistance	Petitions	Adult's referrals	Supplemental proceedings	Miscellaneous family	Other family	Miscellaneous	Other domestic relations
Total	1	1	1	1	1	1	1	1	1	1	3
Alabama											
Alaska											
Arizona											
Arkansas											
California											
Colorado <sup>b</sup>										F	
Connecticut <sup>b</sup>											
Delaware	PFDP										
District of Columbia											
Florida											
Georgia											
Hawaii						PFDP	PFDP	PFDP			
Idaho											
Illinois											
Indiana											
Iowa											
Kansas <sup>b</sup>											PFDP
Kentucky											
Louisiana											
Maine <sup>b</sup>											
Maryland											
Massachusetts <sup>b</sup>											
Michigan <sup>b</sup>											
Minnesota <sup>b</sup>											
Mississippi											F
Missouri											
Montana											
Nebraska <sup>b</sup>											
Nevada											
New Hampshire <sup>b</sup>											
New Jersey <sup>b</sup>											
New Mexico											
New York <sup>b</sup>											
North Carolina <sup>b</sup>											
North Dakota											
Ohio		FD									
Oklahoma											
Oregon											
Pennsylvania											
Rhode Island <sup>b</sup>											
South Carolina											
South Dakota											
Tennessee						FD					
Texas			PFDP								
Utah											
Vermont <sup>b</sup>											
Virginia											
Washington											
West Virginia											F
Wisconsin				D					PFDP		
Wyoming											

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<sup>b</sup> Some or all domestic relations cases are handled in limited jurisdiction courts. See notes at end of table.

**Appendix A-1 (continued)**  
**Availability of caseload statistics for civil cases: Detailed breakdown, 1975,**  
**courts of general jurisdiction**

State	Probate											
	Probate	Regular probate	Accounting	Adoptions	Conservatorship(s)	Contested probate	Determination of death or life tenant	Estates	Decedent's estates	Formal estates	Informal estate	Minor's estates
Total	10	1	1	1	1	1	1	3	3	1	1	1
Alabama												
Alaska	PFDP											
Arizona	PFDP											
Arkansas									PFDP			
California												
Colorado	PFDP				F							
Connecticut <sup>c</sup>												
Delaware												
District of Columbia									F			F
Florida	FD											
Georgia												
Hawaii		PFDP										
Idaho										FDP	FDP	
Illinois	FD											
Indiana												
Iowa								FD				
Kansas <sup>c</sup>												
Kentucky <sup>c</sup>												
Louisiana												
Maine <sup>c</sup>												
Maryland												
Massachusetts <sup>c</sup>												
Michigan <sup>c</sup>												
Minnesota <sup>c</sup>												
Mississippi	F											
Missouri												
Montana												
Nebraska <sup>c</sup>												
Nevada												
New Hampshire <sup>c</sup>												
New Jersey	PFDP		F	F								
New Mexico												
New York <sup>c</sup>												
North Carolina												
North Dakota <sup>c</sup>												
Ohio									PFDP			
Oklahoma	PFDP						PFDP					
Oregon <sup>c</sup>								PFDP				
Pennsylvania												
Rhode Island												
South Carolina												
South Dakota						D						
Tennessee												
Texas <sup>c</sup>												
Utah	PFDP											
Vermont <sup>c</sup>												
Virginia												
Washington	FD											
West Virginia												
Wisconsin								PFDP				
Wyoming												

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 PFDP = Beginning pending, Filings, Dispositions, End pending  
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<sup>c</sup> Some or all probate cases are handled in limited jurisdiction courts.  
 See notes at end of table.

Appendix A-1 (continued)  
 Availability of caseload statistics for civil cases: Detailed breakdown, 1975,  
 courts of general jurisdiction

State	Probate										
	Small estates	Small estates over \$700	Small estates under \$700	Administration of estates probate proper	Conservatorship and probate	Fiduciary	Probate and guardianship	Guardianship and conservatorship	Guardianship	Guardians for infirm	Guardians for minors
Total	1	1	1	1	1	1	1	2	6	1	2
Alabama											
Alaska											
Arizona											
Arkansas									F		
California							FD				
Colorado	F								F		
Connecticut <sup>c</sup>											
Delaware										PFDP	PFDP
District of Columbia						PFDP					
Florida									FD		
Georgia											
Hawaii		PFDP	PFDP						PFDP		
Idaho											FDP
Illinois											
Indiana											
Iowa											
Kansas <sup>c</sup>											
Kentucky <sup>c</sup>											
Louisiana											
Maine <sup>c</sup>											
Maryland											
Massachusetts <sup>c</sup>											
Michigan <sup>c</sup>											
Minnesota <sup>c</sup>											
Mississippi									F		
Missouri											
Montana											
Nebraska <sup>c</sup>											
Nevada											
New Hampshire <sup>c</sup>											
New Jersey											
New Mexico											
New York <sup>c</sup>											
North Carolina											
North Dakota <sup>c</sup>											
Ohio											
Oklahoma						PFDP			PFDP		
Oregon <sup>c</sup>									PFDP		
Pennsylvania											
Rhode Island											
South Carolina											
South Dakota											
Tennessee											FD
Texas <sup>c</sup>											
Utah											
Vermont <sup>c</sup>											
Virginia											
Washington											
West Virginia											
Wisconsin									D		
Wyoming											

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<sup>c</sup> Some or all probate cases are handled in limited jurisdiction courts.  
 See notes at end of table.

Appendix A-1 (continued)  
 Availability of caseload statistics for civil cases: Detailed breakdown, 1975,  
 courts of general jurisdiction

State	Probate										
	Guardianship and testamentary trusts	Minor's settlement	Orphan's court audits	Probate civil actions	Trusts	Trusteeships	Wills and administration	Intestates	Testates	Other	Miscellaneous
Total	1	1	1	1	3	1	1	1	1	5	2
Alabama											
Alaska											
Arizona											
Arkansas											F
California											
Colorado								F	F		F
Connecticut <sup>c</sup>											
Delaware					PFDP					PFDP	
District of Columbia											
Florida					FD					FD	
Georgia											
Hawaii											
Idaho											
Illinois											
Indiana											
Iowa						FD					
Kansas <sup>c</sup>											
Kentucky <sup>c</sup>											
Louisiana											
Maine <sup>c</sup>											
Maryland											
Massachusetts <sup>c</sup>											
Michigan <sup>c</sup>											
Minnesota <sup>c</sup>											
Mississippi											
Missouri											
Montana											
Nebraska <sup>c</sup>											
Nevada											
New Hampshire <sup>c</sup>											
New Jersey								F		F	
New Mexico											
New York <sup>c</sup>											
North Carolina											
North Dakota <sup>c</sup>											
Ohio	PFDP	FD		PFDP							
Oklahoma										PFDP	
Oregon <sup>c</sup>											
Pennsylvania			PFDP								
Rhode Island											
South Carolina											
South Dakota											
Tennessee											
Texas <sup>c</sup>											
Utah											
Vermont <sup>c</sup>											
Virginia											
Washington											
West Virginia											
Wisconsin					D					PFDP	
Wyoming											

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<sup>c</sup> Some or all probate cases are handled in limited jurisdiction courts.  
 See notes at end of table.

Appendix A-1 (continued)  
 Availability of caseload statistics for civil cases: Detailed breakdown, 1975,  
 courts of general jurisdiction

State	Mental health														
	Mental health	Alcoholics and mental	Involuntary commitment of alcoholic	Conservatorships	Guardianship of incapacitated	Short term hospitalization	Incompetency	Judicial petitions	Mental hearings	Mental incompetency	Mental illness	Mentally ill commitments	Mental illness and retardation	Trustees for mentally ill	Other
Total	8	1	1	1	1	1	1	1	1	1	1	2	1	1	1
Alabama															
Alaska															
Arizona	PFDP														
Arkansas		F													
California	FD														
Colorado	PFDP		F			F				F					F
Connecticut <sup>d</sup>															
Delaware														PFDP	
District of Columbia				PFDP				PFDP							
Florida	FD														
Georgia															
Hawaii															
Idaho					FDP										
Illinois	FD														
Indiana															
Iowa															
Kansas															
Kentucky															
Louisiana															
Maine <sup>d</sup>															
Maryland															
Massachusetts <sup>d</sup>															
Michigan <sup>d</sup>															
Minnesota															
Mississippi							F								
Missouri															
Montana															
Nebraska															
Nevada															
New Hampshire <sup>d</sup>															
New Jersey															
New Mexico															
New York <sup>d</sup>															
North Carolina															
North Dakota <sup>d</sup>															
Ohio													FD		
Oklahoma	PFDP														
Oregon															
Pennsylvania	PFDP														
Rhode Island															
South Carolina															
South Dakota	D														
Tennessee															
Texas															
Utah									FD						
Vermont <sup>d</sup>														PFDP	
Virginia															
Washington											F				
West Virginia															
Wisconsin														D	
Wyoming															

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<sup>d</sup> Some or all mental health cases are handled in limited jurisdiction courts. See notes at end of table.

**Appendix A-1 (continued)**  
**Availability of caseload statistics for civil cases: Detailed breakdown, 1975,**  
**courts of general jurisdiction**

State	Administrative									
	Administrative review— local government	Agency	Agency enforcement	Appeals from admin- istrative tribunals	Appropriations	Bond validation	Criminal tax	Municipal corporations	Tax: Regular Division	Tax: Small Claims Division
Total	1	2	1	1	1	1	1	1	1	1
Alabama										
Alaska										
Arizona										
Arkansas										
California										
Colorado	F									
Connecticut										
Delaware										
District of Columbia							PFDP			
Florida						FD				
Georgia										
Hawaii										
Idaho										
Illinois								FD		
Indiana										
Iowa										
Kansas										
Kentucky										
Louisiana										
Maine										
Maryland		FD								
Massachusetts										
Michigan										
Minnesota										
Mississippi		F	F							
Missouri										
Montana										
Nebraska										
Nevada										
New Hampshire										
New Jersey										
New Mexico										
New York										
North Carolina										
North Dakota										
Ohio							PFDP			
Oklahoma							PFDP			
Oregon								PFDP	PFDP	
Pennsylvania										
Rhode Island										
South Carolina										
South Dakota										
Tennessee										
Texas										
Utah										
Vermont										
Virginia										
Washington										
West Virginia										
Wisconsin										
Wyoming										

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Appendix A-1 (continued)  
 Availability of caseload statistics for civil cases: Detailed breakdown, 1975,  
 courts of general jurisdiction

State	Administrative									
	Tax	Tax certiorari	Civil tax	Claims	Tax litigation	Workman's compensation	Water adjudications	Diligence findings	Tabulation protests	Other—Water Court
Total	3	1	1	1	1	3	1	1	1	1
Alabama										
Alaska										
Arizona										
Arkansas										
California										
Colorado							F	F	F	F
Connecticut										
Delaware										
District of Columbia			PFDP							
Florida					FD					
Georgia										
Hawaii	PFDP									
Idaho										
Illinois	FD									
Indiana										
Iowa										
Kansas										
Kentucky										
Louisiana										
Maine										
Maryland										
Massachusetts										
Michigan				PFDP						
Minnesota										
Mississippi										
Missouri										
Montana										
Nebraska										
Nevada										
New Hampshire										
New Jersey										
New Mexico										
New York									FD	
North Carolina										
North Dakota										
Ohio										PFDP
Oklahoma										
Oregon										
Pennsylvania										
Rhode Island										
South Carolina										
South Dakota										
Tennessee										FD
Texas	PFDP									PFDP
Utah										
Vermont										
Virginia										
Washington										
West Virginia										
Wisconsin										
Wyoming										

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Appendix A-1 (continued)  
 Availability of caseload statistics for civil cases: Detailed breakdown, 1975,  
 courts of general jurisdiction

State	Other civil									
	Other civil	Auditor-Master Division	Regular civil	Civil judgments	Non-classified civil	Complaints	Other complaints	Court cases	Jury cases	Jury demand cases
Total	13	1	2	1	1	1	2	1	1	1
Alabama										
Alaska										
Arizona					PFDP					
Arkansas										
California							FD			
Colorado										
Connecticut										
Delaware										
District of Columbia		PFDP								
Florida							FD			
Georgia										
Hawaii	PFDP									
Idaho										
Illinois										
Indiana										
Iowa			PFDP							
Kansas			PFDP							
Kentucky	F									
Louisiana										
Maine										
Maryland										
Massachusetts									PFDP	
Michigan	PFDP									
Minnesota								PFDP		PFDP
Mississippi	F									
Missouri	D									
Montana										
Nebraska	FD									
Nevada										
New Hampshire										
New Jersey										
New Mexico										
New York	FD									
North Carolina										
North Dakota	F									
Ohio	PFDP									
Oklahoma	PFDP									
Oregon										
Pennsylvania										
Rhode Island										
South Carolina										
South Dakota				D						
Tennessee										
Texas	PFDP									
Utah						F				
Vermont										
Virginia										
Washington	F									
West Virginia										
Wisconsin	PFDP									
Wyoming										

P = Pending F = Filings D = Dispositions  
 PFDP = Beginning pending, Filings, Dispositions, End pending  
 FD = Filings, Dispositions  
 DP = Dispositions, End pending; and so on.



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Appendix A-1 (continued)  
 Availability of caseload statistics for civil cases: Detailed breakdown, 1975,  
 courts of general jurisdiction

State	Other civil										
	Non-jury cases	Naturalization	Non-family docket	Other petitions	Miscellaneous petitions	Other special proceedings	Supplemental proceedings	Transferred in	Miscellaneous	Civil	Other complaints and petitions
Total	1	1	1	2	1	2	1	2	3	5	1
Alabama											
Alaska										PFDP	
Arizona											
Arkansas											
California				FD							
Colorado											
Connecticut			PFDP								
Delaware										PFDP	
District of Columbia											
Florida				FD							
Georgia											
Hawaii		PFDP				PFDP	PFDP	PFDP			
Idaho						FDP					FDP
Illinois									FD		
Indiana											
Iowa											
Kansas											
Kentucky											
Louisiana											
Maine											
Maryland											
Massachusetts	PFDP										
Michigan											
Minnesota											
Mississippi								F	F		
Missouri											
Montana											
Nebraska											
Nevada											
New Hampshire											
New Jersey											
New Mexico											
New York											
North Carolina											
North Dakota											
Ohio											
Oklahoma											
Oregon											
Pennsylvania										PFDP	
Rhode Island					F					F	
South Carolina											
South Dakota											
Tennessee									FD		
Texas											
Utah											
Vermont										PFDP	
Virginia											
Washington											
West Virginia											
Wisconsin											
Wyoming											

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Appendix A-1 (continued)  
 Availability of caseload statistics for civil cases: Detailed breakdown, 1975,  
 courts of general jurisdiction

State	Appeals									
	Appeals	Appeals—certiorari	Civil appeal	County court appeals	District court appeals	Justice court	Appeals from lower court	Probate appeals	Special proceeding appeal	Miscellaneous
Total	9	1	1	2	1	1	1	2	1	1
Alabama	F									
Alaska										
Arizona	PFDP									
Arkansas										
California							FD			
Colorado				F						
Connecticut	PFDP									
Delaware										
District of Columbia										
Florida		FD								
Georgia										
Hawaii										
Idaho			FDP						FDP	
Illinois										
Indiana										
Iowa										
Kansas										
Kentucky										
Louisiana										
Maine										
Maryland					FD					
Massachusetts										
Michigan	PFDP									
Minnesota										
Mississippi	F			F		F				
Missouri										
Montana										
Nebraska										
Nevada										
New Hampshire								PFDP		
New Jersey										
New Mexico										
New York										
North Carolina										
North Dakota	F									
Ohio										
Oklahoma										
Oregon										
Pennsylvania										
Rhode Island								F		
South Carolina										
South Dakota										
Tennessee										
Texas										
Utah	FD									
Vermont										PFDP
Virginia										
Washington	F									
West Virginia										
Wisconsin	PFDP									
Wyoming										

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Appendix A-1 (continued)  
 Availability of caseload statistics for civil cases: Detailed breakdown, 1975,  
 courts of general jurisdiction

State	Extraordinary writs									
	Extraordinary writs	Habeas corpus	KSA 60-1507	Proceeding under Rule 27.26	Writs and injunctions	Miscellaneous	Injunction, quo warranto, mandamus	Injunction, quo warranto, mandamus, habeas corpus	Writs	
Total	1	7	1	1	1	1	1	1	1	1
Alabama										
Alaska										
Arizona										
Arkansas										
California		FD								
Colorado						F				
Connecticut										
Delaware										
District of Columbia		PFD								
Florida		FD								
Georgia										
Hawaii										
Idaho		FDP								
Illinois										
Indiana										
Iowa										
Kansas			PFD				PFD			
Kentucky										
Louisiana										
Maine										
Maryland		FD								
Massachusetts										
Michigan										
Minnesota										
Mississippi	F									
Missouri				D						
Montana										
Nebraska										
Nevada										
New Hampshire										
New Jersey										
New Mexico										
New York										
North Carolina										
North Dakota										
Ohio										
Oklahoma								PFD		
Oregon										
Pennsylvania										
Rhode Island										
South Carolina										
South Dakota										
Tennessee										
Texas		PFD								
Utah										F
Vermont		PFD								
Virginia										
Washington					F					
West Virginia										
Wisconsin										
Wyoming										

P = Pending F = Filings D = Dispositions  
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**Appendix A-1 (continued)**  
**Availability of caseload statistics for civil cases: Detailed breakdown, 1975,**  
**courts of general jurisdiction**

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The following states have supplied limited jurisdiction court data on *domestic relations, probate, and mental health*, which are tabulated in *State Court Caseload Statistics: Annual Report, 1975*.

**Colorado:**

Several categories of *domestic relations* are included in the *juvenile* category.

**Connecticut:**

*Probate* statistics are reported by the Probate Court.

*Mental health* statistics are reported by the Probate Court.

*Domestic relations* statistics are reported by both general jurisdiction and the Court of Common Pleas and Family Court (paternity) and by the Probate Court (adoption and terminations; marriages).

**Kansas:**

*Probate* statistics are reported by the Probate Court.

*Domestic relations* (adoptions) are reported by both general jurisdiction and the Juvenile Court.

**Kentucky:**

*Probate* statistics are reported by the County Courts.

**Maine:**

*Mental Health* statistics are reported by the District Courts.

*Domestic relations* statistics are reported by the District Courts.

**Massachusetts:**

*Probate* statistics are reported by the Probate and Insolvency Court.

*Mental health* statistics are reported by the District Courts.

*Domestic relations* statistics are reported by the District Court and by the Probate and Insolvency Court.

**Michigan:**

*Probate* statistics are reported by the Probate Court.

*Mental health* statistics are reported by the Probate Court.

*Domestic relations* statistics are reported by both general jurisdiction and the Probate Court.

**Minnesota:**

*Probate* statistics are reported by the County Courts.

*Domestic relations* statistics are reported by both general jurisdiction and the County Courts.

**Nebraska:**

*Probate* statistics are reported by the County Courts.

*Domestic relations* (adoption) statistics are reported by the County Courts.

**New Hampshire:**

*Domestic relations* statistics are reported in both general jurisdiction and the Probate Court.

*Probate* statistics are reported by the Probate Court.

*Mental health* statistics are reported by the Probate Court.

**North Carolina:**

*Domestic relations* statistics are reported by the District Courts.

**North Dakota:**

*Probate* statistics are reported by the County Probate Courts.

*Mental health* statistics are reported by the County Probate Courts.

**Oregon:**

Tax Court is included in general jurisdiction because the *National Survey of Court Organization* says it hears all tax cases that would otherwise be heard in the Circuit Court.

**Rhode Island:**

*Domestic relations* statistics are reported by Family Court.

**Texas:**

*Probate* statistics are reported by the County Courts.

**Vermont:**

*Probate* statistics are reported by Probate Court.

*Mental health* (alcohol and drug commitments) statistics are reported by both general jurisdiction and by Probate Court.

*Domestic relations* statistics are reported by both general jurisdiction and by Probate Court.

Availability of caseload statistics for criminal cases:  
Detailed breakdown, 1975,  
courts of general jurisdiction

Appendix A-2

State	Criminal					
	Criminal	Felony <sup>a</sup>	Misdemeanor <sup>a</sup>	Other felony	Other misdemeanor	Other criminal
Total	29	29	19	5	5	1
Alabama	PFDP					
Alaska		PFDP	PFDP			
Arizona		PFDP	PFDP			
Arkansas		PFDP	PFDP			
California	FD	FD <sup>b</sup>				
Colorado	PFDP	FD <sup>b</sup>				
Connecticut	PFDP			D	D	
Delaware	PFDP					
District of Columbia		PFDP	PFDP			
Florida		PFDP				
Georgia						
Hawaii <sup>c</sup>		PFDP	PFDP			
Idaho		FDP	FDP	FDP	FDP	
Illinois		FD	FD			
Indiana						
Iowa	PFDP	PFDP <sup>b</sup>	PFDP <sup>b</sup>			PFDP
Kansas	PFDP	PFDP	PFDP	F	F	
Kentucky	PFDP					
Louisiana	FD					
Maine	PFDP					
Maryland	FD					
Massachusetts	PFDP	PFDP <sup>b</sup>				
Michigan	PFDP	PFDP <sup>b</sup>	PFDP			
Minnesota	PFDP					
Mississippi	FD					
Missouri	PFDP	D	D			
Montana						
Nebraska	FD	FD <sup>b</sup>				
Nevada						
New Hampshire	PFDP					
New Jersey	PFDP	PFDP <sup>b</sup>				
New Mexico	PFDP					
New York	FD					
North Carolina	PFDP	F				
North Dakota	PFDP					
Ohio	PFDP	PFDP <sup>b</sup>				
Oklahoma		PFDP	PFDP	PFDP	PFDP	
Oregon	PFDP	PFDP				
Pennsylvania	PFDP					
Rhode Island		F	F			
South Carolina						
South Dakota		D	D			
Tennessee		FDP	FDP	FD	FD	
Texas		PFDP	PFDP			
Utah	PFDP					
Vermont		PFDP	PFDP			
Virginia		FDP	FDP			
Washington	FD					
West Virginia						
Wisconsin		PFDP	PFDP			
Wyoming	FD	FD <sup>b</sup>				

P = Pending F = Filings D = Dispositions  
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<sup>a</sup> State uses this specific nomenclature, except as indicated by footnote b.

<sup>b</sup> State does not use this particular nomenclature, but the definition has been determined from other sources.

<sup>c</sup> Also reports Part I and Part II offenses.

**Appendix A-2 (continued)**  
**Availability of caseload statistics for criminal cases:**  
**Detailed breakdown, 1975,**  
**courts of general jurisdiction**

State	Method of entry into court										
	Charges	Complaint	Defendant	Indictment	Indictment and accusation	Non-indictable state cases	Information	Preliminary hearing cases	Miscellaneous	Other	
Total	1	1	1	8	1	1	1	3	2	6	
Alabama				F							
Alaska										F	
Arizona											
Arkansas											
California											
Colorado									F		
Connecticut											
Delaware	FD		FD	FD							
District of Columbia								PFDP			
Florida										FD	
Georgia											
Hawaii										PFDP	
Idaho								FDP			
Illinois											
Indiana											
Iowa						PFDP		PFDP			
Kansas											
Kentucky											
Louisiana											
Maine				D							
Maryland											
Massachusetts				PFDP							
Michigan											
Minnesota											
Mississippi				FD					FD		
Missouri											
Montana											
Nebraska											
Nevada		PFDP					PFDP				
New Hampshire				PFDP							
New Jersey					PFDP						
New Mexico											
New York				F							
North Carolina											
North Dakota											
Ohio											
Oklahoma											
Oregon											
Pennsylvania											
Rhode Island				F							
South Carolina											
South Dakota											
Tennessee											
Texas										PFDP	
Utah										F	
Vermont											
Virginia											
Washington										F	
West Virginia											
Wisconsin											
Wyoming											

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Appendix A-2 (continued)  
 Availability of caseload statistics for criminal cases:  
 Detailed breakdown, 1975,  
 courts of general jurisdiction

State	Other proceedings					
	Appeals	Evidentiary pleadings	Postconviction	Special operations	Special proceedings	Youthful offender
Total	24	1	6	1	1	1
Alabama	F					
Alaska						
Arizona	PFDP					
Arkansas						
California	FD					
Colorado	F					
Connecticut						D
Delaware						
District of Columbia	PFDP			PFDP		
Florida	PFDP					
Georgia						
Hawaii						
Idaho	FDP					
Illinois						
Indiana						
Iowa						
Kansas	F					
Kentucky	F					
Louisiana						
Maine						
Maryland	FD		F			
Massachusetts	PFDP					
Michigan	PFDP					
Minnesota						
Mississippi	FD					
Missouri	D					
Montana						
Nebraska	FD					
Nevada						
New Hampshire	PFDP					
New Jersey	PFDP		PFDP			
New Mexico						
New York						
North Carolina	F					
North Dakota	F					
Ohio						
Oklahoma	PFDP		FD			
Oregon						
Pennsylvania	PFDP		PFDP			
Rhode Island	F					
South Carolina						
South Dakota						
Tennessee		FD				
Texas			PFDP			
Utah	FD					
Vermont			PFDP			
Virginia						
Washington	F					
West Virginia						
Wisconsin					PFDP	
Wyoming						

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**Appendix A-2 (continued)**  
**Availability of caseload statistics for criminal cases:**  
**Detailed breakdown, 1975,**  
**courts of general jurisdiction**

State	Offenses against person														
	Crime against person	Capital	Assault	Assault and battery	Conspiracy	Family offenses	Homicide, manslaughter	Negligent homicide	Attempted murder	Kidnapping	Prostitution	Robbery	Rape, sex assault	Sex offenses	Violence
Total	3	1	5	1	1	2	7	1	1	1	1	6	4	3	1
Alabama															
Alaska															F
Arizona															
Arkansas		PFDP													
California															
Colorado	F														
Connecticut			D		D		D			D		D	D		
Delaware															
District of Columbia															
Florida			FD			FD	FD					FD	FD		
Georgia															
Hawaii			PFDP			PFDP	PFDP	PFDP			PFDP	PFDP	PFDP	PFDP	
Idaho															
Illinois															
Indiana															
Iowa															
Kansas	F														
Kentucky															
Louisiana															
Maine															
Maryland															
Massachusetts															
Michigan															
Minnesota															
Mississippi															
Missouri															
Montana															
Nebraska															
Nevada															
New Hampshire															
New Jersey															
New Mexico															
New York															
North Carolina															
North Dakota															
Ohio															
Oklahoma		PFDP													
Oregon															
Pennsylvania															
Rhode Island															
South Carolina															
South Dakota															
Tennessee			FD	FD			FD								
Texas							PFDP		PFDP			PFDP	PFDP		
Utah							F					F		F	
Vermont															
Virginia															
Washington			F				F					F		F	
West Virginia															
Wisconsin															
Wyoming															

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Appendix A-2 (continued)  
 Availability of caseload statistics for criminal cases:  
 Detailed breakdown, 1975,  
 courts of general jurisdiction

State	Offenses against property												
	Crime against property	Arson	Auto theft	Burglary and possession of tools	Counterfeit/forgery	Forgery	Fraud	Embezzlement	Larceny	Property	Stolen property	Theft	Vandalism
Total	3	3	3	6	2	5	4	2	5	1	2	2	1
Alabama													
Alaska							F			F			
Arizona													
Arkansas													
California													
Colorado	F						F						
Connecticut		D		D		D			D				
Delaware													
District of Columbia													
Florida			FD	FD	FD		FD	FD	FD		FD		
Georgia													
Hawaii		PFDP	PFDP	PFDP	PFDP		PFDP	PFDP	PFDP		PFDP		PFDP
Idaho													
Illinois													
Indiana													
Iowa													
Kansas	F												
Kentucky													
Louisiana													
Maine													
Maryland													
Massachusetts													
Michigan													
Minnesota													
Mississippi													
Missouri													
Montana													
Nebraska													
Nevada													
New Hampshire													
New Jersey													
New Mexico													
New York													
North Carolina													
North Dakota													
Ohio													
Oklahoma	PFDP												
Oregon													
Pennsylvania													
Rhode Island													
South Carolina													
South Dakota													
Tennessee						FD			FD				
Texas		PFDP	PFDP	PFDP		PFDP						PFDP	
Utah				F		F						F	
Vermont													
Virginia													
Washington				F		F			F				
West Virginia													
Wisconsin													
Wyoming													

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**Appendix A-2 (continued)**  
**Availability of caseload statistics for criminal cases:**  
**Detailed breakdown, 1975,**  
**courts of general jurisdiction**

State	Offenses against public order								
	Bribery	Conservation	Criminal Tax	Liquor	Beverage violation	Disorderly intoxication	Driving while intoxicated (DWI)	Felony—DWI	Misdemeanor—DWI
Total	1	2	1	1	1	1	6	1	1
Alabama									
Alaska									
Arizona									
Arkansas									
California									
Colorado									
Connecticut	D								
Delaware									
District of Columbia			PFDP						
Florida		FD			FD	FD			
Georgia									
Hawaii				PFDP			PFDP		
Idaho							FDP	FDP	FDP
Illinois		PFDP							
Indiana									
Iowa									
Kansas							F		
Kentucky									
Louisiana									
Maine									
Maryland									
Massachusetts									
Michigan									
Minnesota									
Mississippi									
Missouri									
Montana									
Nebraska									
Nevada									
New Hampshire									
New Jersey									
New Mexico									
New York									
North Carolina									
North Dakota									
Ohio									
Oklahoma							PFDP		
Oregon									
Pennsylvania									
Rhode Island									
South Carolina									
South Dakota									
Tennessee							FD		
Texas							PFDP		
Utah									
Vermont									
Virginia									
Washington									
West Virginia									
Wisconsin									
Wyoming									

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Appendix A-2 (continued)  
 Availability of caseload statistics for criminal cases:  
 Detailed breakdown, 1975,  
 courts of general jurisdiction

State	Offenses against public order									
	Liquor/narcotics	Drug laws	Marijuana	Misdemeanor—drug	Felony—drug	Disorderly conduct	Disturbing the peace	Failure to stop and render assistance	Other forfeitures	
Total	1	8	1	1	1	1	1	1	1	1
Alabama										
Alaska		F								
Arizona										
Arkansas										
California										
Colorado		F								
Connecticut		D								
Delaware										
District of Columbia										
Florida		FD					FD			
Georgia										
Hawaii		PFDP				PFDP				
Idaho		FDP		FDP	FDP					
Illinois										
Indiana										
Iowa										
Kansas										
Kentucky										
Louisiana										
Maine										
Maryland										
Massachusetts										
Michigan										
Minnesota										
Mississippi										
Missouri										
Montana										
Nebraska										
Nevada										
New Hampshire										
New Jersey										
New Mexico										
New York										
North Carolina										
North Dakota										
Ohio										
Oklahoma										
Oregon										
Pennsylvania										
Rhode Island										
South Carolina										
South Dakota										
Tennessee		FD								
Texas										
Utah		F								PFDP
Vermont										
Virginia										
Washington		F								
West Virginia										
Wisconsin										PFDP
Wyoming										

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**Appendix A-2 (continued)**  
**Availability of caseload statistics for criminal cases:**  
**Detailed breakdown, 1975,**  
**courts of general jurisdiction**

State	Offenses against public order					Offenses against administration of justice			
	Gambling	Ordinance cases	Traffic	Vagrancy	Weapons—fire arms	Escape/fight	Government operations	Obstructing police	Resisting the law
Total	2	3	8	1	2	1	1	1	1
Alabama									
Alaska									F
Arizona									
Arkansas									
California									
Colorado							F		
Connecticut									
Delaware									
District of Columbia		PFDP	PFDP						
Florida	FD				FD	FD		FD	
Georgia									
Hawaii	PFDP			PFDP	PFDP				
Idaho			FDP						
Illinois		PFDP	FD						
Indiana									
Iowa		PFDP							
Kansas			PFDP						
Kentucky									
Louisiana									
Maine									
Maryland									
Massachusetts									
Michigan			PFDP						
Minnesota									
Mississippi									
Missouri									
Montana									
Nebraska									
Nevada									
New Hampshire									
New Jersey									
New Mexico									
New York									
North Carolina									
North Dakota									
Ohio									
Oklahoma			PFDP						
Oregon									
Pennsylvania									
Rhode Island									
South Carolina									
South Dakota									
Tennessee									
Texas									
Utah									
Vermont			PFDP						
Virginia									
Washington									
West Virginia									
Wisconsin			PFDP						
Wyoming									

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Availability of caseload statistics: Detailed breakdown, 1975,  
intermediate courts of appeal

Appendix A-3

State and court	Original proceedings											
	Original proceedings	Original proceedings criminal	Certiorari	Civil	C & R 7.7 cases	Disciplinary	Habeas corpus	Mandamus	Prohibition	Superintending control	Writ of review	Special actions
Total (out of 28 courts)	7	1	1	1	1	2	3	2	1	1	1	1
Alabama												
Court of Civil Appeals												
Court of Criminal Appeals												
Arizona	PFDP											PFDP
California	FD	FD		FD								
Colorado												
Florida	FD											
Georgia												
Illinois												
Indiana												
Louisiana												
Maryland												
Massachusetts												
Michigan	PFDP						PF P	PF P		PFDP		
Missouri	PFDP		F				F	F	F			
New Jersey												
New Mexico												
New York												
Appellate Division of Supreme Court	FD					FD						
Appellate Terms of Supreme Court						FD						
North Carolina												
Ohio												
Oklahoma												
Oregon												
Pennsylvania												
Superior Court												
Commonwealth Court												
Tennessee												
Court of Appeal												
Court of Criminal Appeals												
Texas												
Washington	PFDP				PFDP		PFDP					PFDP

P = Pending F = Filings D = Dispositions  
 PFDP = Beginning pending, Filings, Dispositions, End pending  
 FD = Filings, Dispositions  
 DP = Dispositions, End pending; and so on.

**Appendix A-3 (continued)**  
**Availability of caseload statistics: Detailed breakdown, 1975,**  
**intermediate courts of appeal**

State and court	Requests to appeal							Appeals				
	Requests to appeal (total)	Certiorari	Civil application	Criminal application	Civil application delayed	Criminal application delayed	Application for leave to appeal	Appeals (total)	Civil (total)	Consolidated civil	Criminal (total)	Consolidated criminal
Total (out of 28 courts)	3	1	1	1	1	1	1	27	18	1	16	1
Alabama								PFDP	PFDP			
Court of Civil Appeals								PFDP			PFDP	
Court of Criminal Appeals												
Arizona								PFDP	PFDP		PFDP	
California								PFDP	PFDP		PFDP	
Colorado								PFDP	F		F	
Florida	FD	FD						FD				
Georgia												
Illinois								PFDP	PFDP		PFDP	
Indiana								PFDP	F		F	
Louisiana								FD				
Maryland	PFDP						PFDP	PFDP	PF P		PF P	
Massachusetts								FD	D		D	
Michigan	PFDP		PFDP	PFDP	PFDP	PFDP		PFDP	PFDP		PFDP	
Missouri								PFDP	PFDP	D	PFDP	D
New Jersey								PFDP				
New Mexico								PFDP	F		F	
New York												
Appellate Division of Supreme Court								FD				
Appellate Terms of Supreme Court								FD				
North Carolina								FD	D		D	
Ohio								PFDP				
Oklahoma								FD	FD			
Oregon								PFDP	F		F	
Pennsylvania												
Superior Court								F				
Commonwealth Court								FD				
Tennessee												
Court of Appeal								FD	FD		FD	
Court of Criminal Appeals								FD	FD		FD	
Texas								PFDP	PFDP			
Washington								PFDP	PFDP		PFDP	

P = Pending    F = Filings    D = Dispositions  
 PFDP = Beginning pending, Filings, Dispositions, End pending  
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 DP = Dispositions, End pending; and so on.

126 State court caseload statistics

Appendix A-3 (continued)  
 Availability of caseload statistics: Detailed breakdown, 1975,  
 intermediate appellate courts

State and court	Other appeals											
	Appeals from administrative agencies	Corrections, disciplinary review	Delayed appeals	Expedited cases	Industrial Accident Commission (Workman's Compensation)	Juvenile	Parole board review	Post conviction and habeas corpus	Reinstated cases	Special actions	Transfers to supreme judicial court	Workman's compensation
Total (out of 28 courts)	2	1	1	1	3	1	1	1	1	1	1	1
Alabama												
Court of Civil Appeals												
Court of Criminal Appeals												
Arizona			PFDP		PFDP	PFDP					PFDP	
California												
Colorado					F							
Florida												
Georgia												
Illinois												
Indiana				F								
Louisiana												
Maryland												
Massachusetts											D	
Michigan												
Missouri												
New Jersey												
New Mexico	F							F				
New York												
Appellate Division of Supreme Court												
Appellate Terms of Supreme Court												
North Carolina												
Ohio												
Oklahoma												
Oregon	F	F			F		F	F				F
Pennsylvania												
Superior Court												
Commonwealth Court												
Tennessee												
Court of Appeal												
Court of Criminal Appeals												
Texas												
Washington												

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**Appendix A-3 (continued)**  
**Availability of caseload statistics: Detailed breakdown, 1975,**  
**intermediate appellate courts**

State and court	Rehearing requests							Other matters							
	Rehearing requests	Motions (total)	Motions civil	Motions criminal	Motions to dismiss/affirm	Motions to dismiss on clerk certificate	Motions and petitions	Orders (total)	Orders civil	Orders criminal	Petitions for interlocutory relief	Miscellaneous petitions	Writs	Chief judge matters	Other matters (total only)
Total (out of 28 courts)	5	5	1	1	2	1	2	1	1	1	1	1	1	1	1
Alabama															
Court of Civil Appeals															
Court of Criminal Appeals															
Arizona															
California	D	D	D	D		F		D	D	D					
Colorado															
Florida	FD														FD
Georgia															
Illinois															
Indiana						PFDP									FD
Louisiana	FD												FD		
Maryland															
Massachusetts											D				
Michigan	FD	FD			FD										
Missouri															
New Jersey							PFDP								
New Mexico	PFDP	PFDP													
New York															
Appellate Division of Supreme Court		FD													
Appellate Terms of Supreme Court		FD													
North Carolina							FD								
Ohio															
Oklahoma															
Oregon															
Pennsylvania															
Superior Court												F			
Commonwealth Court															
Tennessee															
Court of Appeal															
Court of Criminal Appeals															
Texas															
Washington															

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Availability of caseload statistics: Detailed breakdown, 1975,  
state courts of last resort

Appendix A-4

Civil appeals											
State	Appeals (total)	Civil (total)	Law	Negligence (including auto)	Other tort	Contract	Equity	YRA and CPA	Probate and construction of wills	Tax appeals	Other civil
Total (out of 53 courts)	51	38	1	2	1	1	2	1	2	1	1
Alabama	PFDP										
Alaska	PFDP	F P									
Arizona	PFDP	PFDP									
Arkansas	P DP	P DP	D				D		D		
California	FDP	D									
Colorado	F	F									
Connecticut	D	D		D	D	D	D		D		
Delaware	PFDP	PFDP									
District of Columbia	FD	F									
Florida	FD										
Georgia	F	F									
Hawaii	PFDP	PFDP									
Idaho	PFDP	PFDP		PFDP				PFDP		PFDP	PFDP
Illinois	PFDP	PFDP									
Indiana											
Iowa	PFDP	PFDP									
Kansas	PFDP	PFDP									
Kentucky	F	F									
Louisiana	FD	F									
Maine	FDP	FDP									
Maryland	PFDP	P P									
Massachusetts	FD	FD									
Michigan											
Minnesota	D	D									
Mississippi	PFDP	P D									
Missouri	PFDP	D									
Montana	F	F									
Nebraska	FD										
Nevada	F	F									
New Hampshire	F										
New Jersey	PFDP										
New Mexico	FD	F									
New York	PFDP	D									
North Carolina	FDP										
North Dakota	PFDP	PFDP									
Ohio	FD										
Oklahoma (2 courts)	FD <sup>a</sup>	FD <sup>a</sup>									
Oregon	PFDP										
Pennsylvania	F										
Rhode Island	FD	FD									
South Carolina	F	F									
South Dakota	FDP										
Tennessee	FD	F									
Texas (2 courts)	PFDP <sup>a</sup>	PFDP <sup>c</sup>									
Utah	FD	F									
Vermont	PFDP	FD									
Virginia	PFDP	F									
Washington	PFDP	PFDP									
West Virginia	PFDP	PFDP									
Wisconsin	PFDP	PFDP									
Wyoming	PFDP										

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<sup>a</sup> Both Court of Criminal Appeals and Supreme Court.

<sup>b</sup> Supreme Court only.

<sup>c</sup> Court of Criminal Appeals only.

**Appendix A-4 (continued)**  
**Availability of caseload statistics: Detailed breakdown, 1975,**  
**state courts of last resort**

State	Criminal appeals									
	Criminal (total)	Capital	Other felony	Misdemeanor	Convictions	Post conviction	Habeas corpus	State cases	Sentence appeal	Other criminal
Total (out of 53 courts)	38	1	1	1	1	5	2	1	1	1
Alabama										
Alaska	F P								F P	
Arizona	PFDP									
Arkansas	P DP	D	D	D		D				
California	FDP									
Colorado	F									
Connecticut	D									
Delaware	PFDP									
District of Columbia	F									
Florida										
Georgia	F									
Hawaii	PFDP									
Idaho	PFDP				PFDP	PFDP				PFDP
Illinois	PFDP									
Indiana										
Iowa	PFDP									
Kansas	PFDP									
Kentucky	F									
Louisiana	F									
Maine	FDP									
Maryland	P P									
Massachusetts	FD									
Michigan										
Minnesota	D									
Mississippi	P D									
Missouri	D									
Montana	F									
Nebraska										
Nevada	F									
New Hampshire										
New Jersey										
New Mexico	F									
New York	D									
North Carolina										
North Dakota	PFDP									
Ohio										
Oklahoma (2 courts)	FD <sup>c</sup>					FD <sup>c</sup>				
Oregon										
Pennsylvania										
Rhode Island	FD									
South Carolina	F					F				
South Dakota										
Tennessee	F									
Texas (2 courts)	PFDP <sup>c</sup>									
Utah	F									
Vermont	FD					FD	FD			
Virginia	F						F			
Washington	PFDP									
West Virginia	PFDP									
Wisconsin	PFDP							PFDP		
Wyoming										

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<sup>a</sup> Both Court of Criminal Appeals and Supreme Court.  
<sup>b</sup> Supreme Court only.  
<sup>c</sup> Court of Criminal Appeals only.

Appendix A-4 (continued)  
 Availability of caseload statistics: Detailed breakdown, 1975,  
 state courts of last resort

Other appeals								
State	Other appeals	Appeals from administrative agencies	Delayed appeals	Family court	Juvenile	No merit cases	Special actions	Other and miscellaneous
Total (out of 53 courts)	8	6	1	1	2	1	1	6
Alabama								
Alaska					F P			
Arizona			PFDP				PFDP	
Arkansas								
California								
Colorado								
Connecticut		D						D
Delaware								
District of Columbia		F						
Florida								
Georgia	F							
Hawaii	PFDP							
Idaho	PFDP	PFDP						
Illinois								
Indiana								
Iowa								
Kansas								
Kentucky								
Louisiana								
Maine								
Maryland								
Massachusetts								
Michigan								
Minnesota	D	D						D
Mississippi	D							D
Missouri	D							
Montana								
Nebraska								
Nevada								
New Hampshire		F						
New Jersey								
New Mexico								
New York								
North Carolina								D
North Dakota								
Ohio								
Oklahoma (2 courts)								
Oregon								
Pennsylvania								
Rhode Island		FD		FD				F
South Carolina								
South Dakota								
Tennessee								
Texas (2 courts)								
Utah								F
Vermont	D				FD			
Virginia								
Washington								
West Virginia	PFDP							
Wisconsin						FD		
Wyoming								

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Appendix A-4 (continued)  
 Availability of caseload statistics: Detailed breakdown, 1975,  
 state courts of last resort

State	Original proceedings													
	Original proceedings (total)	Original proceedings (civil)	Original proceedings (criminal)	Bar matters	Disciplinary	Extraordinary relief	Habeas corpus	Mandamus	Post conviction	Prohibition	Quo warranto	Superintendency control	Writs of review	Other
Totals (out of 53 courts)	33	2	2	4	14	1	19	11	1	10	3	2	1	9
Alabama														
Alaska	PFDP			F										
Arizona	PFDP			PFDP										
Arkansas	D						D	D	D	D				
California	FD	F	F		D		FD					FD		
Colorado	F						F							
Connecticut														
Delaware														
District of Columbia	FD				FD									
Florida	FD			FD			FD	FD		FD				
Georgia														
Hawaii	PFDP						PFDP			PFDP				PFDP
Idaho	PFDP				FD		PFDP	PFDP		PFDP				PFDP
Illinois	PFDP	PFDP	PFDP											
Indiana														
Iowa														
Kansas	PFDP				P DP		D	D						PFDP
Kentucky														
Louisiana	FD				FD									
Maine														
Maryland	PFDP				PFDP									
Massachusetts	FD													
Michigan														
Minnesota	FD				FD		FD	FD		FD				
Mississippi														
Missouri	PFDP						D	D		D	D			D
Montana	F													
Nebraska														
Nevada	F			F	F		F	F		F	F			F
New Hampshire	F													
New Jersey	PFDP				PFDP									
New Mexico	FD				FD		FD	FD		FD	F	FD		FD
New York														
North Carolina														
North Dakota	PFDP													
Ohio	FD				FD		D							
Oklahoma (2 courts)	FD <sup>c</sup>													
Oregon														
Pennsylvania														
Rhode Island	FD				FD		FD							FD
South Carolina	F						F							
South Dakota	FD													
Tennessee														
Texas (2 courts)	PFDP <sup>c</sup>						PFDP <sup>c</sup>	PFDP <sup>b</sup>						
Utah														
Vermont	PFDP					FD	FD							FD
Virginia	DP						D	D		D				
Washington	PFDP				PFDP		PFDP						PFDP	
West Virginia	PFDP				FD		PFDP	PFDP		FD				FD
Wisconsin	FD													
Wyoming														

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<sup>b</sup> Supreme Court only.  
<sup>c</sup> Court of Criminal Appeals only.

Appendix A-4 (continued)  
 Availability of caseload statistics: Detailed breakdown, 1975,  
 state courts of last resort

State	Requests to appeal															
	Requests to appeal (total)	Civil appeals	Civil original proceedings	Civil application	Petition for leave to appeal (civil)	Criminal appeals	Criminal original proceedings	Petition for leave to appeal (criminal)	Applications for writs of error	Motions for appeal	Petition for allocatur	Petition for allowance to appeal	Petitions for certification	Petitions for writs of certiorari	Petition for review	Other
Totals (out of 53 courts)	26	4	1	1	1	2	1	2	1	1	1	2	1	10	2	1
Alabama	PFDP													PFDP		
Alaska	PFDP															PFDP
Arizona																
Arkansas	D	D				D										
California	FD	FD	FD			FD	FD									
Colorado	F													F		
Connecticut																
Delaware																
District of Columbia																
Florida	FD													FD		
Georgia	F													F		
Hawaii																
Idaho																
Illinois	PFDP				PFDP		PFDP									
Indiana																
Iowa																
Kansas																
Kentucky	F									F						
Louisiana																
Maine																
Maryland	PFDP													PFDP		
Massachusetts																
Michigan	PFDP															
Minnesota	FD															
Mississippi																
Missouri																
Montana																
Nebraska																
Nevada																
New Hampshire																
New Jersey	PFDP													PFDP		
New Mexico	FD													FD		
New York	FD							FD								
North Carolina	FDP													FD		
North Dakota																
Ohio	FD															
Oklahoma (2 courts)	FD <sup>b</sup>													FD <sup>b</sup>		
Oregon	PFDP	F		F												F
Pennsylvania	F										F					
Rhode Island	FD													FD		
South Carolina																
South Dakota	FD											FD				
Tennessee	FD	FD												FD		
Texas (2 courts)	PFDP <sup>b</sup>									PFDP <sup>b</sup>						
Utah																
Vermont																
Virginia	PFDP											PFDP				
Washington	PFDP															PFDP
West Virginia																
Wisconsin																
Wyoming																

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<sup>b</sup> Supreme Court only.  
<sup>c</sup> Court of Criminal Appeals only.

**Appendix A-4 (continued)**  
**Availability of caseload statistics: Detailed breakdown, 1975,**  
**state courts of last resort**

State	Other matters											
	Rehear- ing requests	Advisory opinions	Actions for injunctive relief	Applications for intermediate relief	Bail reduction	Bar admittance review	Bar exam review	Board of bar examiners	State bar filings	Foreign bar admission	Certified questions	Petitions for Certification
Totals (out of 53 courts)	18	2	1	1	1	1	2	1	1	1	2	1
Alabama												
Alaska												
Arizona												
Arkansas	D											
California	D								D			
Colorado					F							
Connecticut												D
Delaware												
District of Columbia												
Florida	FDP							FD			FD	
Georgia												
Hawaii	PFDP											
Idaho	FD											
Illinois												
Indiana												
Iowa												
Kansas				PFDP								
Kentucky	FD		F									
Louisiana	FD											
Maine		D										
Maryland						FD	FD					
Massachusetts												
Michigan												
Minnesota												
Mississippi	DP											
Missouri	PFDP											
Montana												
Nebraska												
Nevada	FDP											
New Hampshire		F										
New Jersey												
New Mexico												
New York												
North Carolina												
North Dakota	PFDP											
Ohio												
Oklahoma (2 courts)												
Oregon	PFDP											
Pennsylvania												
Rhode Island							FD					
South Carolina												
South Dakota	FD											
Tennessee												
Texas (2 courts)	PFDP <sup>c</sup>											
Utah												
Vermont	PFDP											
Virginia	FD											
Washington												
West Virginia	PFDP											
Wisconsin	FD									FD		
Wyoming												

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<sup>c</sup> Court of Criminal Appeals only.

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Appendix A-4 (continued)  
 Availability of caseload statistics: Detailed breakdown, 1975,  
 state courts of last resort

State	Other matters											
	Executive clemency applications	Interlocutory or interrogatories	Motions	Civil motions	Criminal motions	Motions to certify	Motions to dismiss/affirm	Motions for extension of time	Procedural motions	Rule 37 motions	Rule 302(6) motions	Substantive motions
Totals (out of 53 courts)	1	1	15	1	1	1	1	2	1	1	1	2
Alabama												
Alaska												
Arizona												
Arkansas			D					D				
California	D		D									
Colorado		F										
Connecticut			D									
Delaware												
District of Columbia								FD				FD
Florida												
Georgia												
Hawaii			PFDP									
Idaho			FD				FD	FD				
Illinois				FD	FD							PFDP
Indiana												
Iowa			FD									
Kansas												
Kentucky												
Louisiana												
Maine												
Maryland												
Massachusetts												
Michigan												
Minnesota												
Mississippi			DP									
Missouri			PFDP									
Montana												
Nebraska												
Nevada												
New Hampshire												F
New Jersey			PFDP									
New Mexico									FD			
New York			FD									
North Carolina			FDP									
North Dakota												
Ohio							FD					
Oklahoma (2 courts)												
Oregon												
Pennsylvania												
Rhode Island												
South Carolina												
South Dakota			FD									
Tennessee												
Texas (2 courts)			PFDP <sup>b</sup>									
Utah			FD									
Vermont												
Virginia												
Washington												
West Virginia												
Wisconsin			FD									
Wyoming												

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<sup>b</sup> Supreme Court only.

Appendix A-4 (continued)  
 Availability of caseload statistics: Detailed breakdown, 1975,  
 state courts of last resort

State	Other matters											
	Arbitration appointments	Orders/writs to show cause	Petitions awaiting resubmission of writ of certiorari	Post conviction petitions	Other petitions	Reservations	Sentence review	Special matters	Statutory review	Transfers	Writs	Other miscellaneous
Totals (out of 53 courts)	1	1	1	2	2	1	1	1	1	1	1	7
Alabama			PFDP									
Alaska							PFDP					
Arizona												FD
Arkansas				FD								
California		D								D		D
Colorado								F				
Connecticut						D						D
Delaware												
District of Columbia												
Florida												FD
Georgia												
Hawaii												
Idaho												FD
Illinois												
Indiana												
Iowa												
Kansas												
Kentucky												
Louisiana											FD	
Maine												
Maryland												
Massachusetts												FD
Michigan												
Minnesota								D				
Mississippi					DP							
Missouri												
Montana												
Nebraska												
Nevada												F
New Hampshire												
New Jersey												
New Mexico												
New York												
North Carolina												
North Dakota												
Ohio												
Oklahoma (2 courts)												
Oregon												
Pennsylvania					F							
Rhode Island	FD											
South Carolina												
South Dakota												
Tennessee												
Texas (2 courts)												
Utah												
Vermont												
Virginia												
Washington												
West Virginia												
Wisconsin				FD								
Wyoming												

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Courts of general jurisdiction reporting forms

Examples of case-by-case reporting forms

1. Alaska Court System—Case History (Civil)
2. Alaska Court System—Case History (Criminal)
3. Colorado District Courts, Civil Division, Monthly Report
4. Kansas Report to the Judicial Administrator and Judicial Council
5. Maine Superior Court Criminal Statistics Reporting Form
6. North Dakota Case Filing/Disposition Report

Examples of summary reporting forms

7. Arizona Report of Clerk of Superior Court
8. California Judicial Council, Summary for the Month
9. Michigan Report of Judicial Business to Court Administrator
10. Ohio Supreme Court, Form A, Court of Common Pleas, General Division
11. Washington Superior Court Caseload Report

Appellate court reporting forms

Examples of intermediate appellate court reporting forms

12. Florida District Court of Appeal, First District
13. Louisiana Judicial Administrator of the Supreme Court, Circuit Court of Appeal Statistics

Examples of court of last resort reporting form

14. Delaware Supreme Court
  15. New Hampshire Judicial Council, Supreme Court
  16. Missouri Supreme Court
-

Example 1: Alaska Court System—Case History (Civil)

**ALASKA COURT SYSTEM - CASE HISTORY (CIVIL)**

JUDICIAL DISTRICT <input type="checkbox"/> DIST <input type="checkbox"/> SUP COURT AT		CASE NUMBER																
DATE COMMENCED		DATE TERMINATED		FUNDS														
CHANGE OF VENUE FROM <input type="checkbox"/> FILING <input type="checkbox"/> OTHER <input type="checkbox"/>		DATE	AMOUNT \$	FILING FEE	BOND	OTHER	PLFF	DFD	RECEIPT #	CHECK #	FROM WHOM							
<b>1</b> PLAINTIFF												<b>2</b> DEFENDANT						
<b>3</b> TYPE OF ACTION				DIVORCE	URSA	OTHER DOMESTIC AFFAIR	ADMIN. REVIEW	CIVIL DAMAGE	SMALL CLAIMS	OTHER CIVIL	<b>4</b> BASIS OF ACTION							
<b>5</b> ATTORNEY PLAINTIFF												<b>6</b> ATTORNEY DEFENDANT						
<b>7</b> AMOUNT IN LITIGATION \$				<b>8</b> DAMAGE TYPE				<b>9</b> SUMMONS										
CERT MAIL RECEIPT #		RECEIVED	SERVE UN-SERVE	RE-CALL	DATE	2. DATE	TO	CERT MAIL RECEIPT #	RECEIVED	SERVE UN-SERVE	RE-CALL	DATE						
<b>10</b> ABSENT DEFENDANT		NOTICE ISSUED	NOTICE SERVED	<b>11</b> APPEAR AND WAIVER				<b>12</b> ANSWERS										
BY WHOM				2. DATE				COUNTER CLAIM	CROSS CLAIM	THIRD PARTY	INTER-VENDOR	ANSWER	OTHER	BY WHOM				
<b>13</b> MOTIONS				DATE	PLTF	DEF	TYPE	GRANTED	DENIED	<b>14</b> DISMISSAL				DATE	PLTF	DEF	COURT	
<b>15</b> SUMMARY JUDGMENT				DATE	SUMMARY JUDGMENT													
<b>16</b> PRE TRIAL HELD		DATE	<b>17</b> DEFAULT BEFORE TRIAL				WHICH DEFENDANT	DATE ENTERED	<b>18</b> DEMAND JURY TRIAL				1. DATE	PLTF	DFT	2. DATE	PLTF	DFT
<b>19</b> JUDGE ASSIGNED		DATE	JUDGE/MAGISTRATE				DATE DISQUALIFIED	JUDGE/MAGISTRATE				TRIAL CERTIFICATE OF READINESS				DATE		
<b>20</b> ORAL ARGUMENT		DATE FILED	DECISION				<b>21</b> TRIAL				CONTESTED	NON-CONTESTED	DATE SCHEDULED	DATE START	DATE FINISH	TOTAL DAYS IN TRIAL	JURY	NON-JURY
JUDGE		CONTINUED TO		FOR		CONTINUED TO		FOR										
<b>22</b> MEMORANDUM DECISION		DATE	JUDGE				<b>23</b> F O F & C OF LAW				DATE							
<b>24</b> JUDGMENT OR FINAL DECISION		DATE FILED	SIGNED BY CLERK	SIGNED BY JUDGE	FOR PLAINTIFF	FOR DEFENDANT	DEFAULT	JUDGMENT										
<b>25</b> CHANGE OF VENUE		DATE	TO	<b>26</b> CASE CONSOLIDATED WITH		<b>27</b> EXECUTION				1. DATE	\$ AMOUNT							
RECEIPT #	2. DATE	\$ AMOUNT		RECEIPT #	3. DATE	\$ AMOUNT		RECEIPT #	4. DATE	\$ AMOUNT		RECEIPT #						
<b>28</b> APPEALS		DATE FILED	BY PLTF	BY DFT	CROSS	DESIGN OF RECORD	STMT. POINTS	TRANS. REQUEST				RECORD COMPLETED						
<b>29</b> REMARKS		DATE	BLOCK															
DATE		BLOCK																

Example 2: Alaska Court System — Case History (Criminal)

ALASKA COURT SYSTEM - CASE HISTORY (CRIMINAL)

JUDICIAL DISTRICT		<input type="checkbox"/> DIST	<input type="checkbox"/> SUP	COURT	AT	FUNDS	DATE	AMOUNT \$	BAIL	FILING FEE	FINE	OTHER	RECEIPT #	CHECK #			
DATE COMMENCED		DATE TERMINATED		CHANGE OF VENUE FROM		COMPLAINT		INFO.		INDICTMENT		REOPENED CASE		APPEAL		OTHER	
1 DEPENDANT		DISTRICT COURT CASE #				CONSOLIDATED WITH											
2 TYPE OF ACTION		FELONY MISD.	STATE MISD.	BOROUGH MISD.	MUNICIPAL MISD.	OTHER	3 COMPLAINT		DATE ARRESTED	DATE OF OFFENSE	1. OFFENSE						
OFFENSE (CONT)		STATUTE OR ORDINANCE				2. OFFENSE											
2. STATUTE OR ORDINANCE		4 SUMMONS		DATE ISSUED	DATE SERVED	5 WARRANT		DATE ISSUED	SERVED	U.S. SERVED	RECALL	DATE					
6 DISTRICT COURT ARRAIGNMENT		DATE	JUDGE/MAGISTRATE		DATE DISQUALIFIED	JUDGE/MAGISTRATE		RESULT	DISMISS	BAIL FORFEIT	GUILTY PLEA	NOT GUILTY PLEA	NO CONT				
7 BAIL		IN CUSTODY	1. DATE	AMOUNT	JUDGE	CASH SURETY	SECURED SURETY	NON-SECURED SURETY	OR	DATE EXONERATED	2. DATE		AMOUNT \$				
JUDGE		CASH SURETY	SECURED SURETY	NON-SECURED SURETY	OR	DATE EXONERATED	3. DATE		AMOUNT \$	JUDGE	CASH SURETY	SECURED SURETY	NON-SECURED SURETY	OR	DATE EXONERATED		
8 HEARINGS		DATE SET	JUDGE		DATE HELD	9 PRELIMINARY HEARING		DATE SET	JUDGE		DATE HELD						
RESULT		DIS-MISSED	HELD TO ANSWER	REDUCTION OF CHARGE	DISCHARGED	10 GRAND JURY		YES	NO	NO TRUE BILL	11 INDICTMENT		INDICT-MENT	INFORM-ATION	CHARGE	DATE RETURNED	
12 FOUR MONTH RULE		DATE COMMENCE	DATE EXPIRED	WAIVERS		DATE	NO. DAYS	DATE	NO. DAYS	DATE	NO. DAYS						
13 SUPERIOR COURT ARRAIGNMENT		DATE	JUDGE		DATE DISQUALIFIED	JUDGE		RESULT	DISMISS	GUILTY PLEA	NOT GUILTY PLEA	NO CONT					
14 PSYCHIATRIC EXAMINATION		DATE ORDERED	DATE FILED	15 PRE SENTENCE REPORT		DATE ORDERED	DATE FILED	16 OMNIBUS		DATE	JUDGE						
17 PRE-TRIAL CONFERENCE		DATE	JUDGE		18 PRETRIAL DISPOSITION		DIS-MISSAL	DATE	PURSUANT TO RULE		BY COURT	BY DA	BY OTHER (SPECIFY)				
CHANGE OF PLEA		DATE	ORIGINAL CHARGE	LESSER INCLUDED	NEW CHARGE	NEW CASE #											
19 TRIAL		JURY REQUESTED	JURY WAIVED	DATE SCHEDULED	DATE START	DATE FINISH	TOTAL DAYS IN TRIAL	TRIAL JUDGE/MAGISTRATE		JURY	NON-JURY						
CONTINUANCES		TO	FOR	TO	FOR	20 VERDICT		DATE	GUILTY	NOT GUILTY	HUNG JURY	OTHER	WESTRAL	LESSOR INCL OFFENSE			
21 JUDGE-MENT		DATE	JUDGE/MAGISTRATE		DAYS	DAYS SUSP.	FINE \$	FINE DUE BY	FINE SUSP. \$	BAIL FORFEITURE \$							
REDUCED CHARGE		DEFERRED SENTENCING	SUSP. IMPOS. OF SENTENCE	SUSPENSE DATE	RESTITUTION	COMMITMENT	PROBATION	OTHER (SPECIFY)		CREDIT FOR TIME SERVED	REMANDED TO DISTRICT COURT	GOOD BEHAVIOR	PERIOD				
PAROLE		ELIGIBLE	NOT ELIGIBLE	UNTIL													
LICENSE ACTION		AUTO	OTHER	LIMITED	REVOKED	SUSP.	PERIOD	OMVI SCHOOL	D.D.C.	UTC #	CONDITIONS						
22 CHANGE OF VENUE		MOTION DATE	GRANTED	DENIED	TO		23 APPEALS		DATE FILED	BY PLTF	BY DFT	DESIGN OF RECORD					
STMT. POINTS		TRANS. REQUEST	RECORD COMPLETED	24 ATTORNEY STATE													
25 ATTORNEY DEFENSE		P.D. REQ	DATE	GRANTED	DENIED	REIMBURSEMENT ORDERED	ATTY WAIVED	PUBLIC DEFENDER		PRIVATE ATTORNEY							
26 REMARKS		DATE	BLOCK														
DATE		BLOCK															



Example 4: Kansas Report to the Judicial Administrator and Judicial Council

STATE OF KANSAS

White—Commencement  
 Pink—Termination  
 Yellow—File Copy



REPORT TO JUDICIAL ADMINISTRATOR AND JUDICIAL COUNCIL

Judicial District \_\_\_\_\_ County \_\_\_\_\_

<p>1. <input type="checkbox"/> REGULAR CIVIL</p> <p>2. Case No. _____</p> <p style="text-align: center;"><u>COMMENCEMENT</u></p> <p>3. Date Commenced _____</p> <p>4. <input type="checkbox"/> Retrial or Reinstatement                  (If No. 4 is checked, put an asterisk before Case No.)</p> <p>5. Division No. _____                  (Multi-judge district only)</p> <p style="text-align: center;"><u>Nature of Action</u></p> <p>6. <input type="checkbox"/> Auto Negligence</p> <p>7. <input type="checkbox"/> Other Tort</p> <p>8. <input type="checkbox"/> 60-1507</p> <p>9. <input type="checkbox"/> Foreclosure</p> <p>10. <input type="checkbox"/> Real Property</p> <p>11. <input type="checkbox"/> Contractual  <input type="checkbox"/> Inj., Q. W. &amp; Mand.</p> <p>13. <input type="checkbox"/> Other</p> <p style="text-align: center;"><u>TERMINATION</u></p> <p>14. Date Terminated _____</p> <p>15. <input type="checkbox"/> Case was Pre-tried</p> <p>16. <input type="checkbox"/> Dismissed</p> <p>17. <input type="checkbox"/> Not Contested</p> <p>18. <input type="checkbox"/> Contested Court</p> <p>19. <input type="checkbox"/> Contested Jury</p> <p>25. <input type="checkbox"/> Regular Judge, Div. No. _____</p> <p>23. <input type="checkbox"/> Assigned Judge (from another district)</p>	<p>1. <input type="checkbox"/> DOMESTIC RELATIONS</p> <p>2. Case No. _____</p> <p style="text-align: center;"><u>COMMENCEMENT</u></p> <p>3. Date Commenced _____</p> <p>4. <input type="checkbox"/> Retrial or Reinstatement                  (If No. 4 is checked, put an asterisk before Case No.)</p> <p>5. Division No. _____                  (Multi-judge district only)</p> <p style="text-align: center;"><u>Nature of Action</u></p> <p>6. <input type="checkbox"/> Divorce</p> <p>7. <input type="checkbox"/> Sep. Maintenance</p> <p>8. <input type="checkbox"/> Annulment</p> <p>9. <input type="checkbox"/> Recip-in</p> <p>11. <input type="checkbox"/> Other</p> <p style="text-align: center;"><u>TERMINATION</u></p> <p>12. Date Terminated _____</p> <p>13. <input type="checkbox"/> Case was Pre-tried</p> <p>14. <input type="checkbox"/> Dismissed</p> <p>15. <input type="checkbox"/> Not Contested</p> <p>16. <input type="checkbox"/> Contested Court</p> <p>17. <input type="checkbox"/> Divorce Granted</p> <p>18. <input type="checkbox"/> Divorce Denied</p> <p>19. <input type="checkbox"/> Annulment Granted</p> <p>20. <input type="checkbox"/> Annulment Denied</p> <p>21. <input type="checkbox"/> Sep. Mtnc. Granted</p> <p>22. <input type="checkbox"/> Sep. Mtnc. Denied</p> <p>28. <input type="checkbox"/> Regular Judge, Div. No. _____</p> <p>29. <input type="checkbox"/> Assigned Judge (from another district)</p>	<p>1. <input type="checkbox"/> CRIMINAL</p> <p>2. Case No. _____</p> <p style="text-align: center;"><u>COMMENCEMENT</u></p> <p>3. Date Commenced _____</p> <p>4. <input type="checkbox"/> Retrial or Reinstatement                  (If No. 4 is checked, put an asterisk before Case No.)</p> <p>5. Division No. _____                  (Multi-judge district only)</p> <p style="text-align: center;"><u>Felony</u></p> <p>6. <input type="checkbox"/> Crime Against Person</p> <p>7. <input type="checkbox"/> Crime Against Property</p> <p>8. <input type="checkbox"/> Other</p> <p style="text-align: center;"><u>Misdemeanor</u></p> <p>9. <input type="checkbox"/> D. W. I</p> <p>10. <input type="checkbox"/> Other Traffic</p> <p>11. <input type="checkbox"/> Other Misdemeanor</p> <p style="text-align: center;"><u>Appeal</u></p> <p>12. <input type="checkbox"/> D. W. I.</p> <p>13. <input type="checkbox"/> Other Traffic</p> <p>14. <input type="checkbox"/> Other Offenses</p> <p style="text-align: center;"><u>TERMINATION</u></p> <p>15. Date Terminated _____</p> <p>16. <input type="checkbox"/> Dismissed</p> <p>16a. <input type="checkbox"/> Appeal Dismissed</p> <p>17. <input type="checkbox"/> Guilty Plea</p> <p>17a. <input type="checkbox"/> Other Uncontested Termination</p> <p>18. <input type="checkbox"/> Contested Court</p> <p>19. <input type="checkbox"/> Contested Jury</p> <p>20. <input type="checkbox"/> Convicted</p> <p>21. <input type="checkbox"/> Acquitted</p> <p>27. <input type="checkbox"/> Regular Judge, Div. No. _____</p> <p>28. <input type="checkbox"/> Assigned Judge (from another district)</p>
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**Example 5: Maine Superior Court Criminal Statistics Reporting Form**

1. Region \_\_\_\_\_ 2. County \_\_\_\_\_ 3. County No. \_\_\_\_\_  
 4. Case No. \_\_\_\_\_ 5. No. of Defendants \_\_\_\_\_ 6. Date Filed: \_\_\_\_\_

**A. TYPE OF CASE**

- New Filings*
- 1.  Bail Review
  - 2.  Transfer
  - 3.  Appeal
  - 4.  Boundover
  - 5.  Indictment
  - 6.  Information
  - 7.  Juvenile Appeal
  - 8.  Other

- Refilings*
- 1.  Revocation
  - 2.  New Trial
  - 3. Date Refiled \_\_\_\_\_

**B. CLASS OF CHARGE**

- 1.  A
- 2.  B
- 3.  C
- 4.  D
- 5.  E

**C. ACTION INFORMATION**

	<i>Defendant #1</i>	<i>Defendant #2</i>	<i>Defendant #3</i>
1. Date of First Superior Court Appearance	_ _	_ _	_ _
2. Date Capias Issued	_ _	_ _	_ _
3. Court Appointed Counsel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Date Trial Began	_ _	_ _	_ _
5. No. of Trial Days	_	_	_
6. Jury	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Jury Waived Trial	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Date Plead Guilty	_ _	_ _	_ _

**D. DISPOSITION INFORMATION**

	<i>Defendant #1</i>	<i>Defendant #2</i>	<i>Defendant #3</i>
1. District Court Bail Revised	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. District Court Bail Affirmed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Dismissed by Court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Dismissed by D.A. R. 48 (a)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Filed Case	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Juvenile Appeal Denied	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Juvenile Appeal Affirmed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Juvenile Appeal, New Sentence	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Not Guilty, Reason of Insanity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. No Bill	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Probation Revoked	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Convicted	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Acquitted	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Mistrial	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Date Disposed	_ _	_ _	_ _
16. Justice Initials	_ _	_ _	_ _

**E. SENTENCE AND COMMITMENT INFORMATION**

	<i>Defendant #1</i>	<i>Defendant #2</i>	<i>Defendant #3</i>
1. Probation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Correctional Center	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Youth Center	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. State Prison	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. County Jail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Unconditional Discharge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Fine	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Mental Health Commitment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Partially Suspended Sentence	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Suspended Sentence	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Date Sentenced	_ _	_ _	_ _
12. Justice Initials	_ _	_ _	_ _

Example 6: North Dakota Case Filing/Disposition Report

NORTH DAKOTA SUPREME COURT  
OFFICE OF STATE COURT ADMINISTRATOR  
CASE FILING/DISPOSITION REPORT

1. TYPE OF CASE  
 (CR) — CRIMINAL  
 (CV) — CIVIL  
 (JU) — JUVENILE

2. COUNTY —  0 \_\_\_\_\_

3. CASE NUMBER — \_\_\_\_\_

**10 FILING**

4. DATE OF FILING: Month Day Year

5. TRAFFIC RELATED:  (01) Yes  (02) No

6. SOURCE OF CASE:  (03) Original Action  (04) Reopened Case

7. Charge/Type Of Action

CRIMINAL	JUVENILE	CIVIL
<input type="checkbox"/> (05) Felony A	<input type="checkbox"/> (13) Delinquency	<input type="checkbox"/> (19) Damages
<input type="checkbox"/> (06) Felony B	<input type="checkbox"/> (14) Unruly	<input type="checkbox"/> (28) Action on Debt
<input type="checkbox"/> (07) Felony C	<input type="checkbox"/> (15) Deprived Child	<input type="checkbox"/> (20) Real Estate Matter
<input type="checkbox"/> (08) Misdemeanor A	<input type="checkbox"/> (16) Special Proceedings	<input type="checkbox"/> (21) Divorce
<input type="checkbox"/> (09) Misdemeanor B	<input type="checkbox"/> (17) Termination of Parental Rights	<input type="checkbox"/> (22) Reciprocal Support
<input type="checkbox"/> (10) Infraction	<input type="checkbox"/> (18) Other (Explain Below)	<input type="checkbox"/> (23) Adoption
<input type="checkbox"/> (30) Special Remedy		<input type="checkbox"/> (24) Appeal-Admin. Hearing
<input type="checkbox"/> (11) Appeal		<input type="checkbox"/> (25) Appeal—Other
<input type="checkbox"/> (12) Other (Explain Below)		<input type="checkbox"/> (26) Special Remedy
		<input type="checkbox"/> (29) Trusts
		<input type="checkbox"/> (27) Other (explain below)

8. Remarks \_\_\_\_\_

**20 DISPOSITION**

9. DATE OF FINAL DISPOSITION: Month Day Year

10. TRIAL/HEARING

CRIMINAL	JUVENILE	CIVIL
<input type="checkbox"/> (01) Jury	<input type="checkbox"/> (22) Referee Hearing	<input type="checkbox"/> (38) Jury
<input type="checkbox"/> (02) Non-Jury	<input type="checkbox"/> (23) Court Hearing	<input type="checkbox"/> (39) Non-Jury
<input type="checkbox"/> (03) Not Contested		<input type="checkbox"/> (40) Not Contested
<input type="checkbox"/> (04) Felony A—Guilty	<input type="checkbox"/> (24) Judgment after Hearing	<input type="checkbox"/> (41) Judgment after Trial
<input type="checkbox"/> (05) Felony B—Guilty	<input type="checkbox"/> (25) Waive to Adult Court	<input type="checkbox"/> (49) Divorce Decree
<input type="checkbox"/> (06) Felony C—Guilty	<input type="checkbox"/> (26) Acquittal	<input type="checkbox"/> (50) Adoption Decree
<input type="checkbox"/> (07) Misdemeanor A—Guilty	<input type="checkbox"/> (27) Dismissal	<input type="checkbox"/> (42) Default Judgment
<input type="checkbox"/> (08) Misdemeanor B—Guilty		<input type="checkbox"/> (43) Summary Judgment
<input type="checkbox"/> (09) Infraction—Guilty		<input type="checkbox"/> (44) Special Remedy Judgment
<input type="checkbox"/> (10) Acquittal		<input type="checkbox"/> (45) Voluntary Dismissal
<input type="checkbox"/> (11) Dismissal		<input type="checkbox"/> (46) Involuntary Dismissal
<input type="checkbox"/> (13) Uniform Post Conviction Procedures Act		<input type="checkbox"/> (51) Termination of Trust
<input type="checkbox"/> (12) Change of Venue to _____		<input type="checkbox"/> (47) Change of Venue to _____
		<input type="checkbox"/> (48) Other (Explain below)

12. JUDGE/REFEREE RESPONSIBLE: JUDGE \_\_\_\_\_

13. Sentence/Placement

<input type="checkbox"/> (14) County Jail	<input type="checkbox"/> (29) State Industrial School	
<input type="checkbox"/> (15) State Penitentiary	<input type="checkbox"/> (30) Private Institution	
<input type="checkbox"/> (16) State Farm	<input type="checkbox"/> (31) Adoptive Agency Placement	
<input type="checkbox"/> (17) Deferred Imposition	<input type="checkbox"/> (32) Probation to Parents	
<input type="checkbox"/> (18) Suspended Sentence	<input type="checkbox"/> (33) Court Supervised Probation	
<input type="checkbox"/> (19) Fine/Costs	<input type="checkbox"/> (34) State Youth Authority	
<input type="checkbox"/> (20) Restitution	<input type="checkbox"/> (35) Foster Home	
<input type="checkbox"/> (21) Other (explain below)	<input type="checkbox"/> (36) Group Home	
	<input type="checkbox"/> (37) Other (Explain Below)	

14. Remarks \_\_\_\_\_

Example 7: Arizona Report of Clerk of Superior Court

ARIZONA  
Courts of General Jurisdiction

MONTHLY (YEARLY) REPORT OF CLERK OF SUPERIOR COURT IN \_\_\_\_\_ COUNTY, 19\_\_

NATURE OF CIVIL CASE	CASES ON HAND	CASES FILED DURING MONTH	CASES TERMINATED BY JUDGMENT DURING YEAR				TOTAL NUMBER TERMINATED	CASES PENDING END OF MONTH
			BEFORE TRIAL		AFTER TRIAL			
			DEFAULT JUDGMENT	DISMISSED NON PROS.	TRANS-FERRED	OTHERWISE NO TRIAL		
PRAYER UNDER \$1,000	IN	OUT				ARB.		
TORT MOTOR VEHICLE								
TORT NON-MOTOR								
CONTRACT								
DOMESTIC RELATIONS								
EMINENT DOMAIN								
LOWER COURT APPEAL								
NON-CLASSIFIED CIVIL								
TOTAL CIVIL								

JUVENILE CASES	CASES ON HAND	PETITIONS FILED	FINAL ORDERS	CASES PENDING
DEPENDENCY				
DELINQUENCY				
NON-TRAFFIC				
DELINQUENCY TRAFFIC				
TOTAL JUVENILE				

NATURE OF PROCEEDING	CASES ON HAND	PETITIONS FILED	FINAL ORDERS	CASES PENDING
PROBATE	IN		OUT	
ADOPTION				
RECIP. SUPPORT				
MENTAL HEALTH				

Footnotes indicating counties not included in lower two tables are not shown here.



A R I Z O N A

Courts of General Jurisdiction

MONTHLY (YEARLY) REPORT OF CLERK OF SUPERIOR COURT IN \_\_\_\_\_ COUNTY. \_\_\_\_\_, 19\_\_

NATURE OF CRIMINAL CASE	DEFENDANTS PENDING FIRST OF MONTH	DEFENDANTS FILED ON DURING MONTH	DEFENDANTS IN CASES TERMINATED DURING MONTH			DEFENDANTS PENDING END OF MONTH
			JURY TRIAL	COURT TRIAL	PLEA DISMISSAL	
FELONY						
MISDEMEANOR						
J. P. AND CITY COURT APPEAL						
TOTAL DEFENDANTS						

SUMMARY STATUS OF CRIMINAL CASES AWAITING TRIAL BY DEFENDANT				
CASES ON FIRST OF MONTH	ADDED DURING MONTH	CASES REMOVED DURING MONTH		CASES ON END OF MONTH
		TRIED	OTHERWISE REMOVED	
IN			TOTAL	
OUT			REMOVED	

SUMMARY STATUS OF CIVIL ACTIVE CALENDAR				
PENDING FIRST OF MONTH	ADDED DURING MONTH	CASES REMOVED DURING MONTH		PENDING END OF MONTH
		TRIED	REMOVED BY COURT	
IN			TOTAL	
OUT			REMOVED	
			ARB.	

Summaries for Maricopa County, similar to above, have not been included.

Example 8: California Judicial Council, Summary for the Month

THE JUDICIAL COUNCIL OF THE STATE OF CALIFORNIA SUMMARY FOR THE MONTH OF 19  
 SUPERIOR COURT OF BRANCH\*

Court I.D.		Date		PART I. CIVIL PROCEEDINGS					
(D.P. Use Only)		PROBATE AND GUARDIANSHIP	FAMILY LAW	PERSONAL INJURY, DEATH AND PROPERTY DAMAGE		EMINENT DOMAIN (PARCELS)	OTHER CIVIL		
				MOTOR VEHICLE	OTHER		COMPLAINTS	PETITIONS	
A. Number of cases filed	01								
B. Number of cases disposed of									
1. Before Trial									
a. Dismissed for lack of prosecution	02								
b. Other dismissals and transfers	03								
c. Summary judgments	04								
d. All other judgments before trial	05								
2. After Trial									
a. BEFORE evidence by both sides									
(1) By the court	06								
(2) By jury	07								
b. AFTER evidence by both sides									
(1) By the court	08								
(2) By jury	09								
3. Disposition Total	10								
C. Other Data									
1. Juries sworn	11								
2. Supervisory orders, OSC's	12								
3. Retrials	13								
4. Pretrial settlement conferences	14								

PART II. MENTAL HEALTH	
A. Number of petitions or affidavits filed	15
B. Number of petitions or affidavits disposed of	
1. Before hearing	
2. After hearing	
a. Uncontested	
b. Contested	
3. Disposition Total	
C. Other Data	
1. Juries sworn	
2. Number of subjects committed	

PART III. JUVENILE		Delinquency Petitions		Dependency Petitions	
		601 W&I	602 W&I	300 W&I	
		Orig.	Subseq.	Orig.	Subseq.
A. Number of juveniles subject of	28				
B. Juveniles disposed of					
1. Before hearing	29				
2. After hearing					
a. Uncontested	30				
b. Contested	31				
3. Disposition Total	32				
C. Other data					
1. Supp. Pet. hearings (777 W&I)	33				
2. Detention hearings	34				
3. Annual Reviews	35				
4. Rehearings by Judge	36				

PART IV. CRIMINAL		ACQUIT OR DISM.		CONVICTED	
		FEL.	MISD.	FEL.	MISD.
		17b	Orh.	17b	Orh.
A. Number of defendants accused					
B. Number of defendants disposed of					
1. Before trial					
a. Dismissed					
b. Transferred to another court					
c. Convicted after plea of guilty	16				
2. After trial					
a. BEFORE evidence by both sides					
(1) By the court					
(a) On trans. of prelim. hearings	17				
(b) Other	18				
(2) By jury	19				
b. AFTER evidence by both sides					
(1) By the court	20				
(2) By jury	21				
3. Disposition Total	22				
C. Other Data					
1. Juries sworn	23				
2. Sec. 993 P.C. hearings					
3. Sec. 1538.5 P.C. hearings					
4. Probation hearings					
5. Defendants diverted					
6. Retrials					
7. Pretrial Settlement conferences					

PART V. APPEALS FROM LOWER COURTS		MUNICIPAL		JUSTICE	
		CIVIL	CRIM.	CIVIL	CRIM.
A. Number of filings					
1. Appellate Dept.	37				
2. Trial Dept.	38				
3. Total Filings	39				
B. Number of dispositions					
1. Before hearing	40				
2. After hearing					
a. Question of law					
(1) Without opinion	41				
(2) Memo opinion	42				
(3) Written opinion					
(a) Published	43				
(b) Unpublished	44				
b. Trial de novo	45				
3. Disposition Total	46				

NOTE: Pursuant to the authority vested in him by Article VI, Section 6 of the California Constitution and Section 68505 of the Government Code, the Chairman of the Judicial Council requires that each superior court shall complete this form for each calendar month. The reports shall be mailed to:

Administrative Office of the Courts  
 4200 State Building  
 San Francisco, California 94102

not later than the 15th day of the next succeeding calendar month.

PART VI. HABEAS CORPUS		CRIM.	OTHER
A. Petitions			
A. Filings	24		
B. Dispositions			
1. Before hearing	25		
2. After hearing	26		
3. Disposition Total	27		

Check here if there are any remarks made on the reverse side of this form.

DATED

Signature of Clerk

\* If this report pertains to a branch (as defined by the Regulations) give its name and location. Superior Court-1-A revised effective March 1, 1977. 43229.000 6-76 128 (1) 0 087

Example 9: Michigan Report of Judicial Business to Court Administrator

STATE OF MICHIGAN

1/12/77

CIRCUIT COURT

Report of Court Criminal and Civil Caseload for the Quarter Ending \_\_\_\_\_, 19\_\_

Line No.	APPEALS	PERIODICAL INQUIRY		FAMILY RELATIONS			CL Latter Robbers	All Other	Total
		AR Criminal	AU Civil	PY Criminal	ES/RI Auto Reg	CO Other			
10	PENDING CASES AT BEGINNING OF QUARTER								
10	Inactive: Bench Warrants (Line 250 Last Quarter)								
20	Inactive: Non-Service (Line 260 Last Quarter)								
30	Subtotal Add (Lines 10 & 20)								
40	Active Pending (Line 270 Last Quarter)								
50	New Cases Filed During Quarter								
60	Subtotal Active Caseload (Add Lines 40 & 50)								
70	RE-OPENED CASES								
70	Remands from Higher Courts								
75	Probation Violations								
80	Post Judgment Proceedings								
90	Appearance After Bench Warrant Issued								
95	Service Made/Arrestment								
100	Miscellaneous								
110	Other								
120	Subtotal Re-Opened Cases (Add Lines 70, 75, 80, 90, 95, 100 & 110)								
130	TOTAL ACTIVE CASELOAD (Add Lines 60 & 120)								
140	JUDICIAL DISPOSITIONS								
140	Guilty Pleas								
150	Trials Without Jury								
160	Trials By Jury								
170	Dismissals								
180	Remands To Lower Courts								
190	No Progress								
200	Bench Warrants								
210	Other Judicial Dispositions								
220	Subtotal Judicial Dispositions (Add Lines 140, 150, 160, 170, 180, 190, 200 & 210)								
230	OTHER DISPOSITIONS								
230	Non-Service								
240	TOTAL DISPOSITIONS (Add Lines 220 & 230)								
250	PENDING CASES AT END OF QUARTER								
250	Inactive: Bench Warrants (Subtract Line 90 from Line 10; Then Add Line 200)								
260	Inactive: Non-Service (Subtract Line 95 from Line 20; Then Add Line 230)								
270	Active Pending (Subtract Line 240 from Line 130)								
280	TOTAL CASES PENDING AT END OF QUARTER (Add Lines 250, 260 & 270)								
290	CIVIL CASES PENDING OVER TWO YEARS								

Prepared by: \_\_\_\_\_

Example 10: Ohio Supreme Court, Form A, Court of Common Pleas, General Division

Ohio Supreme Court Report Form A  
(SUPERINTENDENCE RULE 5)

COURT OF COMMON PLEAS

\_\_\_\_\_ COUNTY

GENERAL DIVISION

Report for the Period

from \_\_\_\_\_  
to \_\_\_\_\_ inclusive.

	A	B	C	D	E	F	T
	PERSONAL INJURY	WORKMEN'S COMP.	APPROPRIATIONS	CRIMINAL CASES	DOMESTIC RELATIONS	ALL OTHER CASES	TOTAL
1.							
2.							
3.							

PART I:

Cases assigned to me and pending on the first day of the period:

Cases filed and assigned to me during this period, including reactivated criminal cases:

TOTAL

PART II:

Cases terminated during period:

- 1) by jury trial
- 2) by court trial
- 3) by reason of pre-trial
- 4) by dismissal w/o prejudice (incl. nolle pros.)
- 5) by dismissal w/ prejudice
- 6) by default (incl. cognovits, guilty pleas & uncontested divorces)
- 7) by transfer to other judge or court
- 8) by unavailability of accused for trial

Total (1-8)

4.					X		
5.							
6.							
7.							
8.							
9.							
10.							
11.	X	X	X	X	X	X	X
12.							

Recap of Cases Terminated by Pre-Trial:

Age of Median Case:

13.							
-----	--	--	--	--	--	--	--

Recap of Cases Terminated by Court Trial:

Age of Median Case:

14.							
-----	--	--	--	--	--	--	--

Recap of Cases Terminated by Jury Trial:

Age of Median Case:

15.					X		
-----	--	--	--	--	---	--	--

PART I (cont'd):

Cases pending the last day of the period:

16.							
-----	--	--	--	--	--	--	--

Recap of Pending Cases:

(Months)

- No. pending beyond indicated time
- Percent of total no. pending beyond indicated time

17.	24	12	6	6	X	12	
18.					X		

Where cases are pending for a period of time exceeding the specified norm, the Chief Justice may require specific information under Sup. R. 5 as to reasons for the delay.

Explanatory remarks:

Mail to:  
Judicial Statistics  
Office of the  
Administrative Director  
Supreme Court of Ohio  
30 East Broad Street  
Columbus, Ohio 43215

\_\_\_\_\_  
Trial Judge Date

\_\_\_\_\_  
Administrative Judge Date

Example 11: Washington Superior Court Caseload Report

WASHINGTON SUPERIOR COURT CASELOAD REPORT

\_\_\_\_\_ County  
 Month of \_\_\_\_\_, 19\_\_

PART I-CIVIL

- C1. Civil cases pending at the beginning of the month \_\_\_\_\_
- C2. Civil cases added during the month (a+j=C2) \_\_\_\_\_
  - a. tort motor vehicle \_\_\_\_\_
  - b. tort personal \_\_\_\_\_
  - c. commercial<sup>1/</sup> \_\_\_\_\_
  - d. property rights<sup>2/</sup> \_\_\_\_\_
  - e. condemnation \_\_\_\_\_
  - f. domestic relations \_\_\_\_\_
    - dissolution \_\_\_\_\_
    - separate maintenance \_\_\_\_\_
    - declaration of invalidity \_\_\_\_\_
    - support and custody \_\_\_\_\_
  - g. transcripts and abstracts \_\_\_\_\_
  - h. writs, injunctions \_\_\_\_\_
  - i. appeals from lower courts \_\_\_\_\_
  - j. others \_\_\_\_\_
    - change of name \_\_\_\_\_
    - miscellaneous \_\_\_\_\_
- C3. Total gross civil case load at the end of the month \_\_\_\_\_  
 (1+2=3)
- C4. Civil cases disposed of during the month (a+g=C4) \_\_\_\_\_
  - a. agreed and trial judgments \_\_\_\_\_
  - b. default judgment \_\_\_\_\_
  - c. dismissal clerk \_\_\_\_\_
  - d. dismissal court \_\_\_\_\_
  - e. summary judgment \_\_\_\_\_
  - f. change of venue \_\_\_\_\_
  - g. other \_\_\_\_\_
- C5. Caseload at the end of the month (3-4=5) \_\_\_\_\_
- C6. Civil trial information during the month: JURY NONJURY
  - a. number set \_\_\_\_\_
  - b. number of trials \_\_\_\_\_
  - c. number not tried \_\_\_\_\_
  - d. number continued \_\_\_\_\_
- C7. Average length of time from noting (setting) \_\_\_\_\_  
 to trial \_\_\_\_\_
- C8. Appeals to court of review \_\_\_\_\_

<sup>1/</sup> Contracts, money judgments, unlawful detainers.  
<sup>2/</sup> Foreclosures, boundary disputes

WASHINGTONSUPERIOR COURT CASELOAD REPORT

\_\_\_\_\_ County

Month of \_\_\_\_\_, 19\_\_

PART II - Criminal

- Cr1. Criminal cases pending at the beginning of the month \_\_\_\_\_
- Cr2. Criminal cases added during the month<sup>1/</sup> (a+j=Cr2) \_\_\_\_\_
- a. burglary \_\_\_\_\_
- b. forgery \_\_\_\_\_
- c. homicide \_\_\_\_\_
- d. larceny \_\_\_\_\_
- e. robbery \_\_\_\_\_
- f. sex crimes \_\_\_\_\_
- g. assault \_\_\_\_\_
- h. liquor/narcotics \_\_\_\_\_
- i. lower court appeals \_\_\_\_\_
- j. other \_\_\_\_\_
- Cr3. Total gross criminal caseload at the end of the month (1+2=3) \_\_\_\_\_
- Cr4. Criminal cases disposed of during the month (a+c=Cr4) \_\_\_\_\_
- a. judgment and sentence \_\_\_\_\_
- b. dismissal \_\_\_\_\_
- c. deferred or suspended sentences \_\_\_\_\_
- Cr5. Number of guilty pleas accepted \_\_\_\_\_
- Cr6. Total active criminal cases at the end of the month (3-4=6) \_\_\_\_\_
- Cr7. Omnibus hearings held during the month \_\_\_\_\_
- Cr8. Criminal trial information during the month:
- |                     | JURY  | NONJURY |
|---------------------|-------|---------|
| a. number set       | _____ | _____   |
| b. number of trials | _____ | _____   |
| c. number not tried | _____ | _____   |
| d. number continued | _____ | _____   |
- Cr9. Revocation hearings held during the month \_\_\_\_\_
- Cr10. Average length of time from first appearance to trial \_\_\_\_\_
- Cr11. Appeals to court of review \_\_\_\_\_

1/ Indicate Count No. 1 only on each defendant.

Example 12: Florida District Court of Appeal, First District

FLORIDA DISTRICT COURT OF APPEAL, FIRST DISTRICT  
FOR THE MONTH OF \_\_\_\_\_, 19\_\_\_\_

SECTION I

- 1. Appeals filed during this month \_\_\_\_\_
- 2. Petitions for Certiorari filed during month:
  - a. From Administrative Agencies, Boards, Bureaus and Commissions of the State \_\_\_\_\_
  - b. Others \_\_\_\_\_
- 3. Petitions for other Original Writs filed during month \_\_\_\_\_

TOTAL \_\_\_\_\_

DISPOSITIONS

SECTION II

- 1. Appeals disposed of during month:
  - a. After submission on the merits \_\_\_\_\_
  - b. Voluntary dismissals \_\_\_\_\_
  - c. Others \_\_\_\_\_
- 2. Petitions for Certiorari disposed of during month \_\_\_\_\_
- 3. Petitions for other Original Writs disposed of during month \_\_\_\_\_

TOTAL \_\_\_\_\_

TOTAL \_\_\_\_\_

ANALYSIS OF SECTION II

- 1. Courts from which appeals or Certiorari taken:
  - a. Circuit Courts \_\_\_\_\_
  - b. County Judges' Courts \_\_\_\_\_
  - c. Administrative Agencies, Boards, Bureaus or Commissions \_\_\_\_\_
- 2. Original Jurisdiction \_\_\_\_\_
- 3. Associate Judges used during month:
  - a. Supreme Court Justices \_\_\_\_\_
  - b. District Court of Appeal Judges \_\_\_\_\_
  - c. Circuit Court Judges \_\_\_\_\_
  - d. Total Number of days on bench \_\_\_\_\_
- 4. Opinions filed during month:
  - a. By Judges of this Court
    - 1. By Judges Mills \_\_\_\_\_
    - 2. By Judge Boyer \_\_\_\_\_
    - 3. By Judge McCord \_\_\_\_\_
    - 4. By Judge Rawls \_\_\_\_\_
    - 5. By Judge Smith \_\_\_\_\_
    - 6. By Judge Ervin \_\_\_\_\_
  - b. By Associate Judges \_\_\_\_\_
  - c. By Per Curiam Opinions \_\_\_\_\_
  - d. Per Curiam without Opinion \_\_\_\_\_
- 5. Age of Appeals from date appeal perfected:
  - a. Over 1 year \_\_\_\_\_
  - b. Less than 1 year \_\_\_\_\_

Example 13: Louisiana Judicial Administrator of the Supreme Court,  
Circuit Court of Appeal Statistics

JUDICIAL ADMINISTRATOR  
of the  
SUPREME COURT OF LOUISIANA  
301 Loyola Avenue  
New Orleans, Louisiana 70112

CIRCUIT COURT OF APPEAL STATISTICS

July 1, 1976 through December 31, 1976

Appeals Filed	_____
Writ Applications Filed	_____
Judgments Rendered	_____
Writs Refused	_____
Writs Granted	_____
Cases Dismissed	_____
Rehearings Acted Upon	_____
Cases Pending:	
Argued but not yet decided	_____
To be Argued (Include those on printed docket and those not yet fixed)	_____



Example 14: Delaware Supreme Court

SUPREME COURT OF DELAWARE

\_\_\_\_\_ 19\_\_ to \_\_\_\_\_ 19\_\_

1. Cases pending on _____		
a.a. Family Court		
a. Civil Appeals-Chancery	_____	
b. Civil Appeals-Superior	_____	
c. Criminal Appeals	_____	
d. Advisory Opinions	_____	
e. Certifications	_____	
f. Original Applications	_____	
Total		_____
2. Cases filed:		
a.a Family Court		
a. Civil-Chancery	_____	
b. Civil-Superior	_____	
c. Criminal	_____	
d. Advisory Opinions	_____	
e. Certifications	_____	
f. Original Applications	_____	
Total		_____
3. Total		_____
4. Cases terminated:		
a. Dismissed voluntarily under Rule	_____	
b. Dismissed by Court Action	_____	
c. Disposed of by Assigned Opinion	_____	
d. Disposed of Per Curiam Opinion	_____	
e. Disposed of by Written Order	_____	
Total		_____
(Civil Appeals Terminated _____)		
(Criminal Appeals Terminated _____)		
5. Cases pending on _____		
a. Argument had awaiting disposition	_____	
b. Pending less than 90 days	_____	
c. Pending more than 90 days	_____	
Total		_____
(Civil Appeals Pending _____)		
(Criminal Appeals Pending _____)		
6. Total		_____

Example 15: New Hampshire Judicial Council, Supreme Court

THE STATE OF NEW HAMPSHIRE  
JUDICIAL COUNCIL

-----

SUPREME COURT

197

Total Cases Pending July 31, 197 . . . . .	_____
Appellate Cases filed or entered:	
From Superior Courts . . . . .	_____
From Probate Courts . . . . .	_____
From Municipal-District Courts . . . . .	_____
Original Cases Entered . . . . .	_____
Administrative Appeals . . . . .	_____
Advisory Opinions . . . . .	_____
Certifications of questions under Rule 20 . . . . .	_____
Total Cases Entered During Year . . . . .	_____
Total Cases Disposed of During Year . . . . .	_____
Cases Remaining on Docket July 31, 197 . . . . .	_____

Example 16: Missouri Supreme Court

MISSOURI SUPREME COURT

Appeals Activity Report for July 1, 1974 - June 30, 1975

<u>NEW APPEAL FILINGS</u>	FOR THE PERIOD
Criminal ....	_____
Civil .....	_____
Transferred In	
From Kansas City District	
Civil ....	_____
Criminal ....	_____
From Springfield District	
Civil ....	_____
Criminal ....	_____
From St. Louis District	
Civil ....	_____
Criminal ....	_____
Original proceedings transferred from Court of Appeals .....	_____
TOTAL APPEALS FILED ....	_____

<u>APPEAL DISPOSITIONS</u>	
By Opinion	
Civil ....	_____
Criminal ....	_____
By Dismissal	
Civil ....	_____
Criminal ....	_____
By Transfer Without Opinion	
To Kansas City District	
Civil ....	_____
Criminal ....	_____
To Springfield District	
Civil ....	_____
Criminal ....	_____
To St. Louis District	
Civil ....	_____
Criminal ....	_____
Original proceedings transferred from Court of Appeals Disposed of ....	_____
TOTAL DISPOSITIONS ....	_____

<u>INTERIM TRANSACTIONS</u>	<u>Criminal</u>	<u>Civil</u>	<u>Total</u>
Transcripts Filed ....	_____	_____	_____
Appellant's Brief Filed ....	_____	_____	_____
Respondent's Brief Filed ....	_____	_____	_____
Submitted ....	_____	_____	_____

**Court system.** A judicial agency established or authorized by constitutional or statutory law. A court system may consist of a single court or a group of two or more courts in the same judicial district.

**Court.** Each geographically separate locality at which a court system holds sessions (sits) and which operates independently. . . .

**Federal court.** A court established under the Constitution or laws of the United States and concerned primarily with the judicial administration of Federal law.

**State court.** A court established or authorized under the constitution or laws of a State and concerned primarily with the judicial administration of State and local government laws; viz., all courts other than Federal courts.

**Judicial district, circuit, or precinct.** One of the geographical areas into which a State is commonly divided for judicial purposes. A district may include two or more counties having separate court locations and presided over by the same judge or judges.

**Jurisdiction.** In this report, refers to subject-matter jurisdiction, i.e., the authority of courts or judicial officers over a particular class of cases.

**Court of appellate jurisdiction.** A court having jurisdiction of appeal and review, with original jurisdiction conferred only in special cases; includes both courts of last resort and intermediate appellate courts.

**Court of last resort.** An appellate court which has jurisdiction over final appeals in a State.

**Court of intermediate appeals.** An appellate court which is limited in its appellate jurisdiction by State law or at the discretion of the court of last resort in the State.

**Court of original jurisdiction.** A court having jurisdiction in the first instance to try and pass judgment upon the law and facts, as distinguished from a court of appellate jurisdiction; includes both courts of general jurisdiction and courts of limited or special jurisdiction; also referred to as "trial court."

**Court of limited or special jurisdiction.** A trial court whose legal jurisdiction covers only a particular class of cases, e.g., probate, juvenile, traffic, or cases where the amount in controversy is below a prescribed sum or which is subject to

specific exceptions; e.g., courts limited to hearing civil cases with a maximum of \$500 in controversy or criminal cases with a maximum penalty of \$500 fine or 6-months sentence. . . .

**Criminal jurisdiction.** Includes jurisdiction of criminal felonies, felony preliminary hearings, misdemeanors, traffic, and municipal or county ordinance violations.

**Civil jurisdiction.** Includes both actions at law and pleadings in equity; also probate (wills and estates), mental competence, guardianship, and domestic relations proceedings.

**Juvenile jurisdiction.** Refers to special jurisdiction over delinquent and neglected children (minors). . . .

**Trial de novo.** A completely new trial in a court with appellate jurisdiction conducted as if no trial had been had in the court below.

**Number of authorized judgeship positions.** Number of judges authorized by law for a court as of . . .

**Other judicial personnel.** Personnel, other than judges, who participate in the "judging process" such as commissioners, masters, referees, etc. These personnel usually hear only certain types of cases or carry proceedings to a certain point. Does not include judges pro tem, visiting judges, or any type of reserve judges. Also known as "para-judicial" personnel.

**Support personnel.** In this report, refers only to court clerks, law clerks, and court administrators. Other personnel such as bailiffs, secretaries, probation staff, marshals, court reporters are not included.

**Chancery/Equity courts.** A court which has jurisdiction in equity, and which administers justice and decides controversies in accordance with the rules, principles, and precedents of equity; as distinguished from a court having the jurisdiction, rules, principles, and practice of common law.

**Probate court.** A court which has jurisdiction over the following civil matters: a. Administering estates of deceased persons, minor children of deceased persons, and incompetents. b. Administering trusts. c. Administering the affairs or determining the guardians of orphans, mental defectives, and incompetents. d. Settling disputes over wills.

- 
- I. C. Number of Persons Booked by Offense Charged
- D. Number of Persons Arraigned by charge shown on indictment papers
1. Informations
  2. Indictments
- E. Volume of Criminal Cases
1. Number of cases docketed by criminal offense, and by subject matter sub-totals
  2. Number of defendants involved in cases docketed by criminal offense and by subject matter sub-totals, and age group of defendant
  3. Number of cases disposed of by criminal offense and by subject matter sub-totals and by means of disposition
  4. Number of defendants disposed of by criminal offense and by subject matter sub-totals and by intermediate and final disposition including length of sentence
  5. Number of cases pending
    - a. by type of offense
    - b. by posture of cases
    - c. by length of time pending
- F. Volume of Civil Cases
1. Number of cases docketed
  2. Type of cases docketed
  3. Number of cases disposed of by type of case and means of disposition
  4. Successful damage actions by dollar range of verdict
  5. Number of cases pending
    - a. by type of case
    - b. by posture of cases
    - c. by length of time pending—from issue and from filing
- G. Length of Time from Filing to Termination of Civil and Criminal Cases
1. Number of civil cases, by type, for various time ranges
  2. Number of criminal cases, by type of crime, for various time ranges
- H. Volume of Appellate Court Cases—Criminal
1. Number of cases docketed by type of crime
  2. Number of defendants involved in cases docketed by criminal offense and by subject matter sub-totals and age group of defendants
  3. Number of cases disposed of by criminal offense and subject matter sub-totals and by means of disposition
  4. Number of defendants disposed of by criminal offense and by subject matter sub-totals, and by means of disposition including length of sentence
  5. Number of cases pending
    - a. by type of offense
    - b. by posture of case
    - c. by length of time pending from filing
- I. Volume of Appellate Court Cases—Civil
1. Number of cases docketed by type of case
  2. Number of cases disposed of by type of case and means of disposition
  3. Successful damage actions by dollar range of verdict
  4. Number of cases pending
    - a. by type of case
    - b. by posture of case
    - c. by length of time pending from filing

**Court data needs**

Following are explanations of terms used:

1. "By type of court"—data are shown for general jurisdiction, appellate and other courts.
2. "By subject matter of case" (criminal)—data are shown for crimes against persons, crimes against property, crimes of corruption, public disorder, offenses against family and children, and other subject matter breakdowns as appropriate.
3. "By type of criminal offense"—data are shown for murder, forcible rape, robbery, aggravated assault, burglary, larceny of \$50 or over, auto theft, misdemeanors, and other.
4. "By type of civil case"—data are shown for probate, damages, mental health, juvenile (delinquent and dependent shown separately), and other cases.

Data should be displayed by type of court, by State; by selected large SMSA's; by county and city size groups; and by selected individual courts.

Level of court and type of data reported	Number of states reporting
<b>Trial Courts of General Jurisdiction:</b>	
<b>Civil cases types:<sup>1</sup></b>	
Juvenile	32
Family and domestic relations	27
Probate	23
Adoptions	16
Divorce	16
Mental health	16
Equity	14
Auto personal injury	14
Small claims	13
Personal injury and property damage	12
Appeals from lower courts	11
Uniform reciprocal enforcement of support	10
Juvenile delinquency	10
<b>Criminal case types:</b>	
Total criminal cases filed and terminated	27
Traffic	23
Felonies and misdemeanors	19
Habeas corpus	10
Appeals from lower courts	8
Drunk driving	7
Drug law violations	6
<b>Trial Types in Trial Courts of General Jurisdiction:<sup>2</sup></b>	
Jury trials	18
Court trials	17
Criminal court trials	16
Civil jury trials	12
Civil court trials	11
Jury verdicts	8
<b>Disposition Types in Trial Courts of General Jurisdiction:<sup>3</sup></b>	
<b>Civil disposition types:</b>	
Jury verdicts	13
Court verdicts	12
Cases settled	10
Defaults	8
Transfers	6
Dismissals	6
Dismissed and discontinued	6
Juvenile hearings (formal)	6
<b>Criminal disposition types:</b>	
Number of dispositions by guilty plea	20
Terminations by trial	14
Dismissals	13
Court trials, jury trials	11
Cases not processed	8
Acquittals	6
Convictions	6

Level of court and type of data reported	Number of states reporting
<b>Procedural Level in Trial Courts of General Jurisdiction:<sup>4</sup></b>	
<b>In civil cases:</b>	
Hearings	9
Pre-trial conference	6
Pre-trial summary judgments	4
Motions heard	4
Stipulated dismissals (settlements)	9
<b>In criminal cases:</b>	
Number of preliminary hearings held	7
Number of cases held for grand jury or trial	7
Arraignments	4
Indictments	4
<b>Appellate Courts (54 courts reported in 31 states):<sup>5</sup></b>	
<b>Source of filings:<sup>6</sup></b>	
Total number of filings or appeals filed	44
Records on appeals filed	2
Appeals docketed	1
<b>Basis of jurisdiction:<sup>7</sup></b>	
Appeals filed	30
Original proceedings	16
Petitions for certiorari	11
Petitions for leave of appeal	6
Disciplinary proceedings	6
Motions <sup>8</sup>	21
Petitions for rehearing	13
Rehearing applied for	5
Motions for rehearing	2
<b>Case Types:<sup>9</sup></b>	
Equity	7
Law	6
Torts	6
Condemnations	5
Contract	5
Writs <sup>10</sup>	
Habeas corpus	18
Mandamus	11
Prohibition	9

<sup>1</sup> 132 other civil case categories for courts of general jurisdiction were reported by one state only.

<sup>2</sup> 44 types of trial information were reported, but 23 of these were used in one state only.

<sup>3</sup> 31 states reported cases terminated by type of disposition for criminal and civil cases. 197 different kinds of dispositions were reported.

<sup>4</sup> 98 different procedural levels were identified, but few were used by more than one or two states.

<sup>5</sup> 253 categories were used to cover source of filings, basis of jurisdiction, and case type.

<sup>6</sup> 7 states did not report total filings.

<sup>7</sup> 103 categories were used.

<sup>8</sup> 50 types of motions were reported in all.

<sup>9</sup> The most common breakdown was civil/criminal.

<sup>10</sup> 6 types of writs were reported.

Level of court and type of data reported	Number of courts reporting	Level of court and type of data reported	Number of courts reporting
Dispositions: <sup>11</sup>		Pending stages: <sup>14</sup>	
Total terminations	32	Not yet perfected	4
Appeals disposed of	8	Awaiting argument	5
Dispositions of judgments or orders appealed from	1	Rehearing cases	6
Methods of disposition for appeals: <sup>12</sup>		Processing time: <sup>15</sup>	
Final decision with opinion	24	Time spent in processing appeals	16
Dismissed	20	Average time between points	11
Argued	12	Time intervals in terms of mean, shortest, longest	3
Reversed	10	Median times	3
Affirmed	9	Time elapsed	1
Orders	7	Opinions:	
Pending: <sup>13</sup>		Decisions affirmed	15
Age of cases	2	Decisions reversed	14
Appeals over 1 year old	1	Decisions affirmed in part and reversed in part	9
Backlog	3	Decisions dismissed	9
Gain or loss in currency	1		
Pending for certain lengths of time	3		

<sup>11</sup> 180 disposition categories were used.

<sup>12</sup> 107 terms described methods of disposition for appeals. 69 terms were used to describe dispositions of applications, declaratory judgment, disciplinary procedures, injunctions, licenses, motions, petitions, and writs.

<sup>13</sup> 23 of the 54 courts reported pending caseload.

<sup>14</sup> 50 pending stages were used by the courts.

<sup>15</sup> 38 intervals were used, but only one was used by more than one state.

**Classification of offenses** (felony/misdemeanor breakdowns available in only 13 States)

- 27 States and D.C. define a felony as an offense punishable by a minimum of one year's imprisonment, and a misdemeanor as an offense punishable by less than one year.
- 11 States define in terms of imprisonment in the State Penitentiary rather than by length of sentence.
  - 1 State does not use the felony/misdemeanor distinction.
  - 8 States report a class of offenses below the misdemeanor level.

**Categories of cases added to criminal caseload**

- 50 States including D.C. report new cases filed (one state counts only dispositions).
- 30 States include transferred criminal cases with new filings.
  - 8 States show transfers separately.
  - 3 States do not count transfers.
  - 3 States report no statewide uniformity.
- 21 States include reopened and reinstated cases with new filings.
  - 14 States show reopened and reinstated cases as a separate category.
  - 5 States do not count reopened and reinstated cases.

**Categories of cases added to civil caseload**

- 30 States combine transfers with new filings.
  - 6 States show transfers separately.
  - 3 States do not count transfers.
  - 4 States report no statewide uniformity.
- 20 States include reopenings and reinstatements with new filings.
  - 12 States show reopenings and reinstatements separately.
  - 4 States report no statewide uniformity.

**Categories of cases added to juvenile caseload** follows same pattern established for criminal and civil.

**Definition of criminal trial**

- 24 States count judge trials when they are completed.
- 17 States count trials that are started (8 of them when the first witness is sworn).
- 19 States count only completed jury trials.
- 22 States count jury trials started (in 13 when the jury is sworn).
- 3 States report no uniformity.

**Definition of civil trial**

- 22 States count judge trials when completed.
- 18 States count trials once the first witness is sworn, evidence is presented, or trial has otherwise commenced.
  - 6 States also indicate the number of judge trials completed.
- 19 States count jury trials when ending in a verdict.
- 22 States count jury trials when the jury is sworn or trial otherwise completed.
  - 3 States have no uniform definition.
  - 2 States do not count civil jury trials separately.

**Criminal disposition categories**

- 41 States report "with trial" dispositions.
- 38 States report judge or jury trials.
  - 1 State reports only the number of jury trials.
- 34 States count those cases dismissed and those disposed of by plea (both guilty and *nolo contendere*).
- 14 States count transfers as a separate category.
  - 7 States count cases diverted from the trial process.

**Point at which criminal dispositions are recorded**

- 18 States record dispositions immediately after verdict or judgment is entered.
- 21 States record dispositions after the defendant is sentenced.
  - 2 States record dispositions after any appeal is concluded.
  - 3 States report no standard definition.

**Method of reporting criminal dispositions**

- 12 States report a disposition for every final charge.
- 8 States report only the final most serious charge.
- 8 States do not record charges.
- 4 States report no uniformity.

**Civil disposition categories**

- 46 States keep data on total number of civil dispositions.
- 38 States break out judge trials and jury trials.
- 24 States show number of civil cases dismissed for any reason.
  - 11 States show dismissal for no progress.
  - 15 States show number of cases settled.
  - 16 States count default judgments.
  - 10 States count summary judgments.
  - 5 States count consent judgments.



160 State court caseload statistics

Handling of uncontested civil cases

- 32 States include some or all of their uncontested cases in their (with trial) dispositions.
- 6 of these show all uncontested cases separately from contested.
- 6 show only uncontested domestic relations and/or probate cases.
- 9 States exclude all uncontested civil cases from the "with trial" dispositions.
- 2 States report no standard procedure.

Juvenile disposition categories

- 35 States record total juvenile dispositions, with little information supplied on the manner of disposition.

Definitions and classification of pending criminal cases

- 39 States report pending criminal cases as all cases in the total caseload that are not disposed.
- 2 States include much less in their pending cases.
- 2 States report no standard definition.
- 7 States include "inactive" cases in pending caseload.

Definition and classification of pending civil cases

- 34 States count all cases that are not disposed as pending.
- 6 States count only civil cases that are "at issue" or otherwise considered ready for trial.
- 3 States have "inactive" categories.

Source: National Criminal Justice Information and Statistics Service, "Final Report from a Survey Research Project on the Feasibility of a National Program of Court Caseload Statistics," March 1975 (unpublished). (Data summarized by NCSP staff.)

Checklist of definitions and statistical practices used for the 1974 canvass of state court administrators

General instructions

Answer the following questions for all courts from which you collect caseload statistics.  
 If definitions differ by type of court, please indicate.  
 If no standard definition is used, please write "no definition."  
 If no statistic is kept, please write "not kept."

1. Which of the courts listed are authorized to hear felony matters?

(Please make any necessary additions or deletions to this listing to reflect the present organization of your courts)	Felony		
	Felony trials	preliminaries	Other <sup>1</sup>
	(Check as many as are applicable)		
Courts of general jurisdiction	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Courts of limited and special jurisdiction	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<sup>1</sup> For example, can accept guilty pleas in certain felony offenses.

**2a. What is a felony case?**

- an offense which statutorily may be punishable by death or imprisonment in a penitentiary for a period of one year or more
- other (define) \_\_\_\_\_

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**2b. What is a misdemeanor case?**

- an offense which statutorily may be punishable by imprisonment for a period of less than one year
- other (define) \_\_\_\_\_

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**2c. Are there any other major offense categories used in statistical reporting? (for example, "infractions," "indictable" vs. "nonindictable" offenses, etc.)**

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**3. What is the unit of count?**

**A. In criminal cases**

- the indictment or information (also include commitment from lower court on demand for jury trial)
  - check here if individual defendant counts are available also
- the defendant
- other (define) \_\_\_\_\_

---



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How would the following be counted? (circle the appropriate answer)

- 1) 3 defendants under 1 indictment—3 or 1
- 2) 3 defendants under 2 indictments—3, 2, or 6
- 3) 1 defendant under 3 indictments—1 or 3
- 4) 1 defendant under 1 indictment (having 3 charges)—1 or 3

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B. In civil cases

- the complaint or action (also, include petition, or orders of transfer)
- other (define) \_\_\_\_\_

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C. In juvenile cases

- the petition or complaint
  - check here if individual juvenile counts are available also
- the juvenile offender
- other (define) \_\_\_\_\_

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4. How are the following handled for statistical purposes?

A. Consolidations (two or more cases tried together)

- |                                     |                          |                          |
|-------------------------------------|--------------------------|--------------------------|
|                                     | Criminal cases           | Civil cases              |
| 1) counted as separate trials ..... | <input type="checkbox"/> | <input type="checkbox"/> |
| 2) counted as one trial .....       | <input type="checkbox"/> | <input type="checkbox"/> |

B. Reinstatements (the restoration of a case to the same position it was in before dismissal)

- |  |                          |                          |                          |
|--|--------------------------|--------------------------|--------------------------|
|  | Criminal cases           | Civil cases              | Juvenile cases           |
| 1) counted as new filings .....  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2) added to total inventory of cases but shown separately from new filings ..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3) not counted again .....   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

C. Transfers

- |  |                          |                                     |                          |
|--|--------------------------|-------------------------------------|--------------------------|
|  | Criminal cases           | Civil cases                         | Juvenile cases           |
| 1) counted as new filings .....            | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| 2) shown separately from new filings ..... | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

D. Supplemental proceedings (proceedings that are secondary or arise from the main proceedings, such as post conviction writs and motions in criminal cases, custody or support hearings in domestic relations cases, detention hearings in juvenile cases)

- |                                   |                          |                          |                          |
|-----------------------------------|--------------------------|--------------------------|--------------------------|
|                                   | Criminal cases           | Civil cases              | Juvenile cases           |
| 1) counted with other cases ..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2) counted separately .....       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3) not counted .....              | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

5. At what point is a case counted as filed?

A. Criminal

- 1)  when an indictment or information is recorded or docketed with the court
- 2)  after the defendant has been charged
- 3)  after the defendant has been arraigned
- 4)  other (define) \_\_\_\_\_

If any answer other than #1 has been checked,  
is #1 also available?  yes  no  
If any answer other than #2 has been checked,  
is #2 also available?  yes  no

B. Civil

- 1)  when a complaint or action is first recorded or docketed with the court
- 2)  when a certificate of readiness is filed
  - by one party
  - by opposing parties
- 3)  other (define) \_\_\_\_\_

If any answer other than #1 has been checked, is #1 also available?  yes  no

C. Juvenile

- 1)  when a petition, complaint or other document is recorded or docketed with the court that brings a juvenile under its jurisdiction
- 2)  when a juvenile is referred to the court from any source
- 3)  other (define) \_\_\_\_\_

6. Criminal case dispositions

A. Check the disposition categories used in reporting criminal dispositions.

	Before trial	After trial begins
<input type="checkbox"/> dismissal _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> by court _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> by prosecution _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> judgment on guilty or no-contest plea _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> judgment after non-jury verdict		
<input type="checkbox"/> judgment after jury verdict		
<input type="checkbox"/> consolidations		
<input type="checkbox"/> transfers		
<input type="checkbox"/> diversion program (please explain) _____		
_____		
<input type="checkbox"/> calendar clearing program (please explain) _____		
_____		
_____		

B. Are dispositions reported for:

- the final most serious charge
- the original most serious charge
- every original charge
- every final charge

7. Civil case dispositions

A. Check the disposition categories used in reporting civil dispositions

	Before trial	After trial begins
<input type="checkbox"/> settled -----	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> dismissal -----	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> with prejudice -----	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> without prejudice -----	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> consent judgment -----	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> default		
<input type="checkbox"/> summary judgment		
<input type="checkbox"/> judgment after non-jury trial		
<input type="checkbox"/> judgment after jury trial		
<input type="checkbox"/> consolidations		
<input type="checkbox"/> transfers		
<input type="checkbox"/> referrals to commissioners, referees, arbitrators, etc. (please explain) _____		
_____		
_____		
_____		
<input type="checkbox"/> calendar clearing program (please explain) _____		
_____		
_____		

8. Juvenile case dispositions

A. Check the following disposition categories used in reporting juvenile dispositions.

informal adjustment

by hearing

waiver to adult court

transfer

other (please specify) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

9. Are criminal dispositions recorded

- after verdict or judgment but before sentence is imposed
- after sentence is imposed
- after avenue of appeal is exhausted

10. What is your definition of a disposition with trial?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

11A. Are civil with trial dispositions further categorized as "contested" and "uncontested"?

yes       no

for all civil cases

for certain types of civil cases (please specify) \_\_\_\_\_

\_\_\_\_\_

11B. Please define "contested" and "uncontested."

**Contested**

cases in which evidence is introduced by both sides

other \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Uncontested**

define \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

12. Which cases are counted as disposed of *with trial* by jury?

<b>Criminal</b>	<b>Civil</b>	<b>Juvenile</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

A. only trials that are carried to a verdict  
 B. trials that are carried to a verdict *and* partially tried cases that are defined as: \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

13. Which cases are counted as disposed of *with trial* by judge?

<b>Criminal</b>	<b>Civil</b>	<b>Juvenile</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

A. only trials that are terminated by a judge's decision, in which a jury is *not* involved.  
 B. trials that are terminated by a judge's decision *and* partially tried cases that are defined as: \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

14. Are cases *finally* disposed of by other judicial personnel (for example, masters, referees, and commissioners)?

yes. Please specify types of cases.

no

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Are such dispositions counted:

- separately
- as trials by judge
- other (specify) \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

15. What cases are counted as *pending*?

<b>Criminal</b>	<b>Civil</b>	<b>Juvenile</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

A. all previously filed cases in which no disposition had been made.  
 B. only cases which are "ready" for trial, "awaiting trial," or "at issue" (define) \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------

C. other (define) \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

16. Do you use separate categories (for example, inactive or untriable) for those pending cases that are temporarily untriable and/or those that will never be tried?

yes. Please define the categories used, the types of cases included (for example, only criminal cases), and the procedures used (for example, designation by the judge).

no

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

# Annotated bibliography

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## Introduction

A bibliography surveying the field of state court statistics should contain a significant number of documented materials that deal specifically with state court caseloads and a substantially larger number of publications in which court caseload statistics are a direct product of empirical research. In actuality, there are only a few historically significant sources and a similarly limited number of well-documented studies which have attempted to produce nationally comparable statistics on state court case activities.

Many of the readily available historical studies are normative. That is, they emphasize the need for complete and accurate judicial caseload statistics without providing supporting data. This is due primarily to the nonexistence of such data. These normative studies have been supported in recent years by formal efforts of the American Bar Association and other groups to establish standards and criteria for collecting and reporting state court case statistics. Individual courts have attempted to improve their statistical procedures to embrace these standards. However, there has not been a successful national effort to report state court case statistics.

The vast majority of sources that contain references to state court statistics do so in conjunction with broader court-based areas of research.

References to the need for a nationally comparable set of state court statistics are readily found in studies of judicial and criminal justice information systems, caseload and calendar management, and congestion and court delay. The judicial and criminal justice information system studies usually outline specific state or trial court information requirements. Many of these same studies also discuss the need for reporting comparable, statewide court statistics. The caseload, calendar management, and court delay research efforts usually generate trial court caseload statistics as a byproduct of their primary research. Even though these caseload statistics are limited in scope to selected courts and specific time intervals, they have proven useful to administrative personnel in evaluating individual court performance and projecting judicial needs.

The annotated material that follows is organized so that the reader can easily separate the studies directly relevant to state court statistics from those which are ancillary to the main purpose of the National Court Statistics Project. Although no definitive treatise on state court statistics has yet been prepared, there are sources which are essential to any understanding of the present state of the art of state court statistics. These basic documents are all found in Section I in this bibliography.

The bibliography is divided into four major sections. The first section, "Sources and Studies of Judicial Statistics," contains the sources of the raw data and information used to prepare *State Court Caseload Statistics: The State of the Art* and *State Court Caseload Statistics: Annual Report, 1975*. The first part of this section contains the small group of empirical studies which have actually produced comparative state court caseload statistics. Also included is a listing of the available 1974-75 annual state court statistical reports published by the supreme court, judicial council, or state court administrator in each state and the District of Columbia. The second part of this section includes the normative studies that are of major significance in developing the historical perspectives on the growing concern over and the need for comparable state court statistics. It also contains the important conferences and studies that established standards for court statistics and called for the development of a national effort to collect and report comparable state court caseload statistics.

The second major section of the bibliography, "Related Court Management and Development Studies," includes a wide range of ancillary studies and developmental efforts which generate or establish a need for state court caseload statistics. For example, caseload statistics are only one of the many types of data collected and processed by criminal justice or state judicial information systems. In caseload management studies, individual court statistics are generated primarily to identify delay points and suspected deficiencies in procedures. However, both information systems and caseload



management studies have contributed to the growing recognition of the need for and difficulty of obtaining complete, accurate, and comparable state court caseload statistics. The studies in Section II are grouped topically into the following general categories: Delay, Caseload Management, Judicial and Criminal Justice Information Systems, and General Court Management.

Section III, "General Reference," contains those works which were sources of very selected and necessary definitions, statistics, and information. It consists primarily of Bureau of Census and National Criminal Justice Information and Statistics Service publications.

The last section, "Bibliographies," contains a listing of those invaluable court-oriented bibliographies used by the National Court Statistics Project to

locate the literature vital to the preparation of the state of the art monograph and *State Court Caseload Statistics: Annual Report, 1975*.

Each publication listed in this bibliography is accompanied by a brief annotation of its contents. Since the material in Section I is of primary importance to the study of state court caseload statistics, the project staff has attempted to indicate the uniqueness or particular usefulness of each item listed. In Section II, wherever appropriate, the annotations written by Professor Fannie J. Klein of the Institute of Judicial Administration in *The Administration of Justice in the Courts* have been used and are indicated by an asterisk (\*). Klein's excellent bibliography presents a very broad view of the courts and is certainly the most extensive and authoritative in print today.

## I. Sources and studies of state court statistics

### Empirical sources of caseload statistics

Contained in this section are the empirical studies which have produced comparative state court caseload statistics, a listing of the published 1974-75 annual state court statistical reports, additional trial and appellate court statistical reports, and other unpublished data and empirical research efforts used by the National Court Statistics Project to compile the state of the art monograph and *State Court Caseload Statistics: Annual Report, 1975*.

### Studies which produced comparative caseload statistics

The publications highlighted in this section are distinguished by the fact that they are among the very few studies which have attempted to produce comparable state court statistics. Contrary to common belief, national studies which have produced or based their findings directly on primary statistics are rare. It is important to note that the two major national studies based upon trial court statistics (Bureau of Census annual *Judicial Criminal Statistics* series and Institute of Judicial Administration

*Calendar Status Study* series) have been discontinued. Efforts to systematically gather comparative appellate state court data began very recently. However, these attempts have been limited to specific time periods and are not currently being carried out on an annual basis.

Items in this section have been separated into three categories (state level studies, limited area studies, and weighted caseload) to indicate the extent and kinds of statistics contained in each.

#### State-level studies

Bureau of the Census. *Judicial Criminal Statistics—Annual*. (Washington, D.C.: U.S. Govt. Print. Off., 1932-1945).

Published annually from 1932 to 1945, these reports presented summary statistics on the offense and disposition of criminal offenders in the courts of general jurisdiction. From 16 to 30 states participated in different years in producing the statistics compiled. The data consisted primarily of summaries for each of the cooperating states. Tables showing disposition and sentence by state are included as well as some detailed single state tables in later reports showing multiyear comparisons.

Bureau of the Census. *Judicial Criminal Statistics in 43 Ohio Counties*. (Washington, D.C.: U.S. Govt. Print. Off., 1937). Prepared by Ronald H. Beattie, Research Statistician, under the supervision of Dr. Leon E. Truesdell, Chief Statistician for Population.

An individual case reporting study done by the Bureau of Census with statistics supplied in 1937 by the clerks of 43 Ohio common pleas courts. Disposition, one of the main classifications used, was recorded in 10 categories, 6 of which were categories of conviction. The report presents an analysis in five general sections: volume of criminal business in the 43 courts; procedural outcome of the cases disposed of; types of sentences imposed; time elapsing in the disposition of cases; convictions for lesser offenses than originally charged. Tables are appended showing the statistics for each of the 8 largest counties, with the statistics for the 35 smaller counties combined into a single table. The purpose of the Census Bureau was to demonstrate the obvious advantages of the individual case method of reporting in the hope that states would be motivated to set up their own central collecting agencies, to make more detailed analyses, and to work for the improvement of judicial practices.

Canon, B. C., and Jaros, D. "State Supreme Courts: Some Comparative Data." *State Government* 42:260-64 (1969).

This article, written by political scientists, extends the Council of State Government's workload study (below) by presenting both a rationale for examining supreme court data and by adding new variables to the list reported by the council. In addition to caseload data, broken down into criminal and civil (governmental and residual) categories, the comparison chart at the end of the article also breaks down rates of dissent by these three categories and reports number of judges hearing cases, percentage of decisions with concurring opinions, and the percentage of appealed decisions affirmed. One notable feature of this research is the scientific method of case sample selection employed. The basis from which the statistical indices were computed was 7,880 cases drawn from the state supreme courts between 1961 and 1962.

Council of State Governments. *Workload of State Courts of Last Resort, 1965-67*. (Chicago: 1968), 20 p.

Presents statistics on the workloads of state

supreme courts from 1965-67. Eighty percent of the paper is composed of two tables, with accompanying footnotes, which present data on the number of appeals and other actions processed, number of oral arguments heard, and number of opinions written. These data are then grouped to show changes in court workload during the period studied. This paper presents a compendium of raw data in a systematic fashion and in one place, but includes only one page of textual interpretation and analysis.

Donvito, P. A. "An Experiment in the Use of Court Statistics." *Judicature* 56:57-66 (1972).

Author evaluates courts in selected U.S. cities according to seven indicators: the amount of time taken to dispose of criminal cases, how many of those convicted had entered pleas of guilty, the percentage of jail prisoners awaiting trial, the amount of time prisoners spend awaiting trial, the backlog of criminal cases relative to the court's caseload, the average number of cases disposed of per judge, and the extent to which probation is used as an alternative to imprisonment. Fourteen tables, including a summary table, rate urban courts on each of the indicators and in the process demonstrate both the problems of comparability of court statistics and the danger of assessing courts on the basis of a single indicator. For the most part, the data are derived from published annual reports of state court administrators.

Institute of Judicial Administration. *Calendar Status Study*. (New York: 1953-1975). Annual.

Begun in 1953, this series is the only multiyear comparative study of civil case statistics. Initially the series measured time lapse in civil cases, both jury and nonjury. In 1956 the study was expanded to include a more precise measure of delay. In 1957 a pilot study was done in four states using an individual case card method of collecting data. After that year the series was limited to personal injury cases. The series was discontinued in 1974 because the court administrators in the 100 metropolitan trial courts of general jurisdiction from which statistics were requested were no longer providing sufficient data.

#### Limited-area studies

The following items, which are discussed in Chapter II, produced comparative caseload statistics at the county or municipal level. They are annotated in Section II, Caseflow management.

Institute of Court Management. *The Felony Processing System, Cuyahoga County, Ohio.*

Institute of Court Management. *Comparison of Felony Processing in Cleveland, Detroit and Houston.*

Institute of Court Management. *A Comparison of Civil Calendar Management in Boston, Detroit and Minneapolis.*

Institute of Court Management. *Survey of Court Operations, Montgomery County, Indiana.*

The following items, which are discussed in Chapter II, produced comparative caseload statistics at the county or municipal level. They are annotated in Section II, Delay.

University of Notre Dame Law School and School of Engineering. *Systems Study in Court Delay: LEADICS.*

Nayer, R., and Bleuel, W. H. "Simulation of a Criminal Court Case Processing System."

The following item, which is discussed in Chapter III, is annotated in Section II, Caseload management.

Institute of Judicial Administration. *Toward Improving Criminal Case Management in the Connecticut Court of Common Pleas.*

#### Weighted caseload studies

Arthur Young & Company. *Judicial Weighted Caseload System Project Final Report for the Judicial Council of California.* May 1974, 25 p. plus exhibits and appendices.

Update of the judicial weighted caseload time factors and frequencies (contained in following two items) for all case categories in order to provide an accurate determination of judicial staffing requirements.

California Judicial Council. *Weighted Caseloads* (in Courts of Appeal). Annual Report 1967: 184-87.

\*Formula for precise measure of workloads of the Courts of Appeal gives recognition to fact that various types of cases appealed require varying amounts of judicial time.

California Judicial Council. *Weighted Caseloads* (in Superior Courts). Annual Report 1969: 140-45.

\*Formula to determine workload of California

judges (trial court of general jurisdiction), giving specific weight to cases according to judicial time spent on them.

Arthur Young & Company. *Weighted Caseload Study.* Prepared for the Administrative Office of the Courts, Commonwealth of Kentucky, October 1976.

Develops a method for estimating the number of nonjudicial personnel required for staffing the circuit and district courts and the number of judges required for staffing the district courts in 1978.

Federal Judicial Center. *Appellate Court Caseweights Project.* (Research Division, Federal Judicial Center, June 1977), 36 p.

The Appellate Court Caseweights Project was an attempt to extend the method of weighting caseloads for courts of general jurisdiction to appellate courts. The major conclusion of this effort was that since U.S. Courts of Appeal have such similar caseloads, there is little difference between weighted and unweighted caseloads. The study did point out the need for uniform definitions and court statistics so that evaluations of such innovations as caseweights could progress.

National Center for State Courts. *State of Washington Weighted Caseload Project: District Courts.* Prepared by the Western Regional Office. (June, 1977). 27 p. plus appendices.

Develops a method for accurately measuring court workloads by empirically measuring the time required for the various judicial activities in order to determine judicial staffing requirements in the district (limited jurisdiction) courts.

National Center for State Courts. *State of Washington Weighted Caseload Project: Superior Courts.* Prepared by the Western Regional Office. (June, 1977). 33 p. plus appendices.

Develops a method for accurately measuring court workloads by empirically measuring the time required for the various judicial activities in order to determine judicial staffing requirements in the superior (general jurisdiction) courts.

#### Published annual reports of state courts

Alabama: *1975 Annual Report.* Department of Court Management, State Court Administrator's Office, Montgomery. (First published 1972/73.)

\*From Fannie B. Klein, *The Administration of Justice in the Courts: A Selected and Annotated Bibliography.*

- Alaska: *Court System, 1975 Annual Report; Court System, 1976 Annual Report*. Administrative Director of the Courts, Anchorage. (First published 1960.)
- Arkansas: *1975 Judicial Statistics*. Executive Secretary, Judicial Department, Little Rock. (First published 1965/66.)
- California: *1975 Annual Report to the Governor and the Legislature; 1976 Annual Report to the Governor and the Legislature*. Judicial Council. *Annual Report of the Administrative Office of the California Courts*. State Court Administrator, Sacramento. (In one volume; first published 1960/61.)
- Colorado: *Annual Statistical Report of the Colorado Judiciary 1974/75; Annual Statistical Report of the Colorado Judiciary 1975/76*. Office of the State Court Administrator, Denver. (First published 1961.)
- Connecticut: *Report of the Judicial Department, 1974-76 Biennium*. Chief Court Administrator, Judicial Department, Hartford. (First published 1965/66.)
- Delaware: *The 1974 Annual Report of the Delaware Judiciary; The 1975 Annual Report of the Delaware Judiciary; The 1976 Annual Report of the Delaware Judiciary*. Director, Administrative Office of the Courts, Wilmington. (First published 1972.)
- District of Columbia: *1975 Annual Report; 1976 Annual Report*. Joint Committee on Judicial Administration and Executive Officer, Washington. (First published 1972.)
- Florida: *Judicial System Statistical Report 1974; Judicial System Statistical Report 1975*. State Court Administrator, Tallahassee. (First published 1973.)
- Hawaii: *Annual Report 1974/1975; Annual Report 1975/1976*. Administrative Director, Honolulu. (First published 1960.)
- Idaho: *Courts 1975 Annual Report. Statistical Appendix* (in separate volume); *Courts 1976 Annual Report. Statistical Appendix* (in separate volume). Administrative Office of the Courts, Boise. (First published 1968.)
- Illinois: *1974 Annual Report to the Supreme Court of Illinois; 1975 Annual Report to the Supreme Court of Illinois*. Administrative Office, Springfield. (First published 1960.)
- Iowa: *1975 Annual Statistical Report Relating to the Courts of Iowa; 1976 Annual Statistical Report Relating to the Courts of Iowa*. The Court Administrator of the Judicial Department, Des Moines. (First published 1972.)
- Kansas: *Judicial Council Bulletin*. December 1975 (49th Annual Report); *Judicial Council Bulletin*. December 1976 (50th Annual Report). Judicial Council. Supreme Court. *Statistical Report on the District Courts of Kansas*, 1 July 1975, 1 July 1976, Office of the Judicial Administrator, Topeka. (First published 1966.)
- Kentucky: *Annual Report for 1974 to the Judicial Conference; Annual Report for 1975 to the Judicial Conference*. Judicial Council, Frankfort.
- Louisiana: *The Judicial Council of the Supreme Court of Louisiana Annual Report with 1975 Statistics and Related Data; Annual Report with 1976 Statistics and Related Data*. Judicial Administrator, New Orleans. (First published 1955.)
- Maine: *Annual Report, August 1975 through December 1976*. Administrative Office of the Courts, Auburn. (First published 1975.)
- Maryland: *Annual Report 1974/75; Annual Report 1975/76*. Administrative Office of the Courts, Annapolis. (First published 1955/56.)
- Massachusetts: *Nineteenth Annual Report to the Justices of the Supreme Judicial Court 1974/75*. Executive Secretary, Boston. (First published 1957.)
- Michigan: *Annual Report 1974/75; Annual Report 1975/76*. State Court Administrator, Lansing. (First published 1955.)
- Minnesota: *Twelfth Annual Report 1975 to the Supreme Court of Minnesota*, Office of the State Court Administrator, St. Paul. (First published 1964.)
- Mississippi: *Tenth Annual Statistical Report 1975; Eleventh Annual Statistical Report 1976*. Executive Assistant, Supreme Court, Jackson. (First published 1964.)

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- Nebraska: *The Courts of Nebraska 1974/75*. Office of the State Court Administrator, Lincoln. (First published 1974/75.)
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- New Hampshire: *The Sixteenth Biennial Report of the Judicial Council of the State of New Hampshire*. Chairman. (First published 1946.)
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- New Mexico: *Annual Report 1975; Annual Report 1976*. The Judicial Department of the State of New Mexico, Santa Fe. (First published 1960.)
- New York: *Twenty-first Annual Report 1975*. The Administrative Board of the Judicial Conference, Albany. (First published 1955.)
- North Carolina: *Annual Report 1975*. Administrative Office of the Courts, Raleigh. (First published 1966.)
- North Dakota: *Judicial Council Statistical Compilation and Report*. January-June 1975, June-December 1975, North Dakota Judicial Council, Bismarck.  
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- Oklahoma: *Report on the Judiciary 1974; Report on the Judiciary 1975*. Administrative Director of the Courts, Oklahoma City. (First published 1969/71.)
- Oregon: *Twenty-second Annual Report 1975; Twentieth-third Annual Report 1976*. Office of the State Court Administrator, Salem. (First published 1972.)
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- Rhode Island: *1975 Annual Report on the Judiciary; 1976 Annual Report on the Judiciary*. Chief Justice, Supreme Court, Providence. (First published 1971.)
- Tennessee: *1974 Annual Report; 1975 Annual Report*. Executive Secretary, Supreme Court of Tennessee, Nashville. (First published 1964/65.)
- Texas: *Forty-seventh Annual Report 1975*. Texas Judicial Council, Austin. (First published 1929.)
- Utah: *Annual Report Utah Courts 1974/75; Annual Report Utah Courts 1975/76*. Utah Judicial Council, Salt Lake City. (First published 1973/74.)
- Vermont: *Judicial Statistics for the year ending December 31, 1974; Judicial Statistics for the year ending December 31, 1975; Judicial Statistics for the year ending December 31, 1976*. Office of the Court Administrator, Montpelier. (First published 1969.)
- Virginia: *State of the Judiciary Report 1975*. Office of the Executive Secretary, Supreme Court, Richmond. (First published 1953.)
- Washington: *Eighteenth Annual Report 1974; Nineteenth Annual Report 1975*. Office of the Administrator for the Courts, Olympia. (First published 1957.)
- Wisconsin: *Judicial Statistics 1974; Judicial Statistics 1975*. Administrator of Courts, Madison. (First published 1969/70.)
- John A. Fiske, "Have Annual Reports Ever Found Their Mission?" Unpublished paper written by the Executive Secretary, Supreme Judicial Court for the Commonwealth of Massachusetts, for an Institute of Court Management internship.

The author argues that annual reports should have a purpose that justifies their cost in money and personnel time and a direction that conveys a sense of purpose. The paper encompasses an examination of about 40 annual reports; correspon-

dence with other state court administrators on court problems; examination of history of annual reports; consideration of some private corporation reports; interviews with Massachusetts court officials re annual report; weighting criteria for judging an annual report; consideration of the relationship between annual reports and other types of court reports and publications; the contribution of the report to the accountability of the court system. The weighting criteria offer a new and unique approach to assessing the merits of an annual report.

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*A Colorado Criminal Justice Statistics Compendium*. March 1976, Statistical Analysis Center.

District of Columbia: *Annual Juvenile Statistical Report*. Calendar Year 1975. Superior Court of the District of Columbia, Washington, D.C.

Georgia: *Fourth Annual Report Regarding the Need for Additional Superior Court Judgeships in Georgia*. December 1976. Judicial Council of Georgia, Administrative Office of the Courts.

Illinois: DuPage County. *1976 Annual Report*. The Circuit Judges of the Eighteenth Judicial Circuit.

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New Jersey: *Proceedings in the Municipal Courts 1974/75; Proceedings in the Municipal Courts 1975/76*. Administrative Office of the Courts.

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*Annual Report of the Philadelphia Common Pleas and Municipal Courts 1975; Annual Report of the Philadelphia Common Pleas and Municipal Courts 1976*. Court Administrator.

South Carolina: *Annual Report of the Attorney General*. Summary of Criminal Prosecutions for Calendar Year 1974. Attorney General.

Texas: City of Austin Municipal Court. *Activities Report 1975/76*. Clerk.

Utah: Juvenile Court for the State of Utah. *Annual Report 1975*. Presiding Judge.

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Alaska: Supreme Court case activity 1976; Supreme Court dispositions 1976; Supreme Court pending cases 1975, 1976, etc. Administrative Director.

#### Arizona:

Statistical Reports for 1975 and 1976 for each of the 14 Superior Courts in Arizona; All-counties year-end reports for same period; Appeals Statistics 1973-1976; Supreme Court statistics 1973-1976. Acting Administrative Director of the Courts.

City of Phoenix. 1975-76 Court Statistics. Court Administrator.

Superior Court of Maricopa County Annual Report 1975. Court Administrator.

Superior Court of Coconino County 1975, 1976 Statistics. Clerk of the Superior Court.

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Statistical Comparison. Clerk of Superior Court.

Superior Court of Pinal County 1975, 1976 Monthly Reports. Deputy Clerk.

California:

San Joaquin County Superior Court Statistics 1975, 1976. Chief Superior Court Clerk.

Los Angeles County 1975 Annual Report and Tally Sheets. Executive Officer.

Ventura County Superior Court—selected cumulative statistical information dating from calendar year 1968 to 1978 projections. Executive Officer.

San Mateo County Superior Court—Monthly Reports 1975, 1976. County Clerk-Recorder.

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City of Boulder Municipal Court—Annual Reports 1975, 1976. Court Administrator.

City of Longmont Municipal Court Statistical Report 1975-76. Court Administrator.

City of Englewood Municipal Court—Annual Report 1975, 1976. Clerk of Municipal Court.

Connecticut: Superior Court, Criminal Case Statistics, Court Year 1975-76; Superior Court, Criminal Case Statistics, Court Year 1974-75. Coordinator of Administrative Services.

Delaware: Municipal Court, City of Wilmington. Statistics 1975, 1976. Clerk of Court.

District of Columbia: Monthly Statistical Report—Social Services Division—March 77; Monthly Statistical Report—Civil Division—January, February, March, April, May 1977; Monthly Statistical Report—Family Division—January, February, March, April, May 1977. Superior Court of the District of Columbia.

Florida:

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Collier County Circuit Court, 1975, 1976 Statistics. Clerk.

Municipal Court case load statistics for the City of Hollywood 1975. Legal Administrator.

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Supreme Court Statistics 1975, part of 1976. Clerk of the Supreme Court.

Circuit Court of Cook County, Statistics 1973-1976. Administrative Director.

Circuit Court of Cook County, 1975 Annual Report; Circuit Court of Cook County, 1976 Statistical Report. Assistant Director.

Circuit Court of the Eighteenth Judicial Circuit. DuPage County 1977 Statistics and some 1974-75. Court Administrator.

Christian County Circuit Court, Statistics 1975, 1976; Circuit Court of the Sixth Judicial District, Douglas County, Statistics 1975, 1976.

Circuit Court of Bureau County. Statistics 1975, 1976, 1977. Clerk.

Will County, City of Joliet. 1976 Statistics. Director, Criminal Justice Planning.

Indiana:

Supreme Court. 1976 Statistics. Clerk of the Supreme Court.

Court of Appeals. 1975, 1976 Statistics. Administrator.

Allen County Superior Court (Fort Wayne)—Monthly Reports December 1975 and 1976; caseload information 1976, 1977. Court Administrator.

Iowa:

Woodbury County (Sioux City) District Court Statistics 1975, 1976. Deputy Clerk.

Kentucky:

Jefferson County Circuit Courts—Annual Reports 1975, 1976. Court Administrator.

Louisiana:

1975 Louisiana State Budget. Systems Specialist, Criminal Justice Institute.

Livingston Parish Annual Report for 1975, 1976. Clerk of Court.

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Superior Court—Criminal and Civil Statistics

1975, 1976; District Court Case Filing Statistics Fiscal Year 1974/75, 1975/76. State Court Administrator.

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District Court of Maryland. Statistics 1975/76. Chief Clerk.  
Roscommon County 1975. 1976 Statistics. County Clerk.  
Fifth Judicial Circuit, Berrien County. Statistics 1975, 1976. District Court Administrator/Clerk.  
The Fourth District Court of Michigan. Court Administrator.  
Sixth Judicial District, Circuit Court. Statistics 1975/76, 1974/75. Deputy Court Administrator.

**Massachusetts:**

Fiscal Year 1975/76 Statistics. (Handwritten tables.) Executive Secretary to Chief Justice.

**Minnesota:**

Hennepin County District Court Civil Statistics 1975, 1976; Hennepin County District Court Criminal Statistics 1975, 1976. District Court Administrator.  
St. Paul District Court 1975. 1976 Statistics. District Court Administrator.

**Mississippi:**

Caseload data from Mississippi, 1973, 1974, 1975. Circuit court data, chancery court data, revenues and expenditures, county data, etc. Southeast Regional Office, National Center for State Courts.

**New Hampshire:**

Draft copy of report outlining the workload for the Supreme, Superior, Municipal and District Courts for past several years. Director, Governor's Commission on Crime and Delinquency.

**New Jersey:**

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Municipal Court of Dover—1975, 1976 Statistics. Clerk.

**New York:**

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City of Buffalo. Annual Reports 1975, 1976. Director, Parking Violation Bureau

**Ohio:**

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Summit County Court of Common Pleas—1975, 1976 Statistics. Court Administrator.  
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Fostoria Municipal Court. Superintendency Reports 1975, 1976. Clerk.  
Barberton Municipal Court—1975, 1976 Annual Reports; Barberton Municipal Court—1975, 1976 Caseload Reports; Painesville Municipal Court—Annual Report 1976. Clerk of Court.  
Findlay Municipal Court—Annual Report 1975, 1976. Clerk.  
Youngstown Municipal Court—Statistics 1975, 1976. Bailiff.  
Fairborn Municipal Court—Statistics 1974, 1975, 1976. Clerk.

**Oklahoma:**

Logan County District Court Statistics 1975, 1976. Court Clerk.

**Pennsylvania:**

Commonwealth Court of Pennsylvania. 1976 Statistical Report. Chief Clerk.  
Statistical Report of the Common Pleas and Municipal Courts of Philadelphia 1976. Deputy Court Administrator.  
Court of Common Pleas of Westmoreland County—Statistics 1971-76. Court Administrator.  
Lycoming County Court of Common Pleas—Annual Report 1975, 1976. Court Administrator.  
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Allegheny County—1975 Annual Report. Clerk of Courts.



**Rhode Island:**

Statistics 1972-76. Senior Management Analyst.

**South Carolina:**

Circuit Court Statistics 1976; County Court Statistics 1976; Family Court Statistics, 1976. Supreme Court Statistician.

Report of the Court Management Case Flow Study of the South Carolina Circuit Court System October 1975; Supplemental Report of the Court Management Case Flow Study of the South Carolina Circuit Court System April 1976. Legislative Judicial System Study Committee.

**South Dakota:**

Judiciary Annual Report, combined 1975-76. Court Administrator's Office.

Supreme Court Statistics 1975, 1976. State Court Administrator.

**Virginia:**

Business of the Courts of Record of the Commonwealth: Cases Commenced, Cases Concluded and Cases Pending as Reported by the Clerks of Court 1974. Office of the Executive Secretary.

**Washington:**

Weighted Clerical Caseload Study of the King County District Courts 1976. District Court Administrator's Office.

Superior Court, Island and San Juan Counties Statistics 1972-80; Thurston County District Court—1967-76 Statistics; Everett District Court, Snohomish County Statistics 1975, 1976. Court Administrator.

Circuit Court Statistics 1976, second half 1975, 1974. Administrative Director.

**West Virginia:**

Circuit Court Statistics 1976. Administrative Director of the Courts.

**Wisconsin:**

Milwaukee Circuit and County Court—Annual Report 1975, 1976. Clerk.

**Wyoming:**

1975 District Court Caseload; Supreme Court Statistics 1975, 1976; Appellate Court Statistics 1975, 1976; District Court Statistics 1975, 1976. Court Coordinator.

Sweetwater County Statistics 1975, 1976. Clerk of the District Court.

## Normative studies of court statistics

### Historical studies citing need for court statistics

Significant calls for the improvement of state court statistics are listed in this section. Although they contain no actual statistics, these studies focused attention on the need for accurate and complete court caseload statistics. In addition, several studies provided a critique of existing statistics which led to improved collection and analysis in later efforts.

Items in this section have been placed in historical order rather than alphabetized so that relationships between them will be readily apparent.

"Editorial Comment." *Journal of Criminal Law and Criminology* I:2-5 (May 1910).

Journal of the American Institute of Criminal Law and Criminology, established at a 1909 conference held to celebrate the 50th anniversary of the founding of the Northwestern University Law School. This article describes the 1909 conference proceedings and outcomes.

Koren, John. "Report of the Committee on Statistics of Crime." *Journal of Criminal Law and Criminology* 1:417-437 (May 1910).

Article by chairman of the committee founded by the American Institute of Criminal Law and Criminology to (1) report on present methods of keeping criminal justice records in courts of different states, (2) formulate a uniform scheme for recording the requisite data in criminal cases, and (3) consider expediting legislation obliging court officials to report criminal cases to a central state office. The summary of recommendations includes formation of a standing committee on statistics. The appendix includes a summary description, by states, of reports containing criminal justice statistics. One of the earliest calls for an improved statistical reporting system.

Robinson, Louis Newton. *History and Organization of Criminal Statistics in the United States*. (Montclair, New Jersey: Patterson Smith, 1911; reprinted 1969, Publication No. 82, Patterson Smith Reprint Series in Criminology, Law Enforcement, and Social Problems). 104 p.

Ph.D. thesis, published as a book, on the origin and growth of federal statistics, state judicial

criminal statistics, and state prison criminal statistics. Chapter IV, State Criminal Statistics-Judicial, discusses the early state efforts to collect judicial statistics. This chapter includes a summary chart showing date of first law authorizing collection of judicial statistics, the agencies which actually collect and publish statistics, and an evaluation of statistics published. The last chapter suggests that the same strategy be followed with respect to the collection of criminal justice statistics as was used to collect mortality statistics. Statistics gathered by the Bureau of the Census could be made to serve equally the purposes of the individual state and the federal agency. The last chapter, entitled "Plan for the Reorganization of Criminal Statistics in the United States" and published separately in Vol. 1 *Journal of Criminal Law and Criminology* 1:44-49 (May 1910), does contain a summary table showing the extent to which individual states collected judicial and prison criminal statistics. Appendix on the increase of crime.

National Commission on Law Observance and Enforcement. *Report on Criminal Statistics* (Washington, D.C.: U.S. Govt. Print. Off., 1931), 205 p.

Report No. 3 of the Wickersham Commission, the basic study which led to the Census Bureau collection of criminal statistics between 1933 and 1945. The report outlines the need for statistics, the principles of criminal statistics, the difficulties to be met, present status of criminal statistics in the United States, plans for organized nationwide statistics, discussion of proposed plans and of the recommended plan, and recommendations. Includes a "Survey of Criminal Statistics in the United States" by Sam B. Warner (p. 25-89) for the National Commission on Law Observance and Enforcement. Material used by the survey was sought from all state libraries, attorney generals, state departments dealing with penal institutions, county clerks or boards of supervisors, clerks of courts having criminal jurisdiction, and police departments and city clerks in cities having over 5,000 inhabitants.

Bureau of the Census. *Judicial Criminal Statistics* (Washington, D.C.: U.S. Govt. Print. Off., 1932-1945, annually.)

Published annually from 1932-1945, these reports presented summary statistics on the offense and disposition of criminal offenders in the courts of general jurisdiction. From 16 to 30

states participated in different years in producing the statistics compiled. The data consisted primarily of summaries for each of the cooperating states. Tables showing disposition and sentence by state are included as well as some detailed single state tables in later reports showing multi-year comparisons.

Bureau of the Census. *Judicial Criminal Statistics in 43 Ohio Counties*. (Washington, D.C.: U.S. Govt. Print. Off., 1937). Prepared by Ronald H. Beattie, Research Statistician, under the supervision of Dr. Leon E. Truesdell, Chief Statistician for Population.

An individual case reporting study done by the Bureau of Census with statistics supplied in 1937 by the clerks of 43 Ohio common pleas courts. Disposition, one of the main classifications used, was recorded in 10 categories, 6 of which were categories of conviction. The report presents an analysis in five general sections: volume of criminal business in the 43 courts; procedural outcome of the cases disposed of; types of sentences imposed; time elapsing in the disposition of cases; convictions for lesser offenses than originally charged. Tables are appended showing the statistics for each of the eight largest counties, with the statistics for the thirty-five smaller counties combined into a single table.

The purpose of the Census Bureau was to demonstrate the obvious advantages of the individual case method of reporting in the hope that states would be motivated to set up their own central collecting agencies, to make more detailed analyses, and to work for the improvement of judicial practices.

Alpert, Harry. "National Series on State Judicial Criminal Statistics Discontinued." *The Journal of Criminal Law and Criminology* 31:181-188. (July-August 1948).

This article, an abridgement of a paper read before the American Statistical Association by the chairman of the Department of Anthropology and Sociology at Queen's College, New York, presents the considerations which led the Bureau of the Census to discontinue the national collection of judicial criminal statistics. The author had served with the Division of Statistical Standards of the Bureau of the Budget when that bureau advised the Bureau of the Census of the serious limitations of the series. Particular attention is directed toward coverage, scope, comparability, reliability, presentation and analysis, timing, ad-

ministrative factors, incidental supervision, lack of statistical bureaus in the states, role of professional groups, and the lack of operating relationships between the Bureau of the Census and the states.

Beattie, Ronald H. *Manual of Criminal Statistics*. (Prepared for the Committee on Research and Planning, American Prison Association, April 1950), 49 p.

Author's intention is to make available a brief outline of the types and methods of reporting needed for the establishment of a system of criminal statistics within a state. Deals with sources of information, types of crime, purposes of criminal statistics, agencies involved. Suggests reporting procedures for the collection of criminal statistics along with sample reporting forms.

Sellin, Thorsten. "The Uniform Criminal Statistics Act." *Journal of Criminal Law and Criminology* 40:679-700 (March-April 1950).

This article by the drafter of the Uniform Criminal Statistics Act discusses the need for criminal statistics and for a central agency to collect statistics. The text of the Act and the commentary which accompanied the 1944 draft are reprinted in full.

Institute of Judicial Administration. *Calendar Status Study*. (New York: 1953-1974, annual).

Begun in 1953, this series is the only multiyear comparative study of civil case statistics. Initially the series measured time lapse in civil cases, both jury and nonjury. In 1956 the study was expanded to include a more precise measure of delay. In 1957 a pilot study was done in four states using an individual case card method of collecting data. After that year the series was limited to personal injury cases. The series was discontinued in 1974 because the court administrators in the 100 metropolitan trial courts of general jurisdiction from which statistics were requested were no longer providing sufficient data.

McConnell, Edward B. "Judicial Criminal Statistics." *National Probation and Parole Association Journal* 3:250-262 (July 1957).

This article by the then Administrative Director of the Courts of New Jersey discusses what belongs in the category of judicial criminal statistics (police data and information on court proceedings), who should collect them, where the

data can be found, and what should be the unit of count. The problem of state-to-state comparability is illustrated with a chart showing for each state the agency collecting criminal statistics, the unit of reporting, the frequency of collections, the frequency of publication, and the kinds of data compiled.

McConnell, Edward B. "Basic Statistical Reporting: The Problem of Excess Overlapping in Statistical Reporting in a State." (Lexington, Kentucky: Council of State Governments, 1966), 7 p.

A speech before the National Conference of Court Administrative Officers in which the Administrative Director of the Courts of New Jersey makes preliminary remarks before the panel discussion on judicial statistics started. The author discusses how different law enforcement agencies have need for different kinds of statistics, the sources of the needed data, and effective ways of presenting information. He comments on the dangers of comparing data within and between states, the factors influencing caseloads, and the overlapping of statistics.

National Conference of Court Administrative Officers, Summary of Annual Meeting for years 1955 through 1971—1st through 16th. (Name changed to Conference of State Court Administrators in 1972.) Mimeographed and bound by the Council of State Governments, Chicago.

Of particular interest in the area of court statistics are the 1957 Report of the Committee on Statistics, the 1958 Summary of Responses to questionnaires on judicial statistics, and the 1962 Report of the Committee on Statistics. In 1957 the Committee on Statistics sent out a seven-page questionnaire to determine what statistics were being collected and how. This was the first step in an effort to establish minimum standards for judicial statistics that would be applicable in each jurisdiction. In 1958 the summaries received from 13 states having court administrators were tabulated into eight pages of summary tables. The committee concluded that comparisons of volumes of cases handled, their currency, and manner of their disposition could be fairly made. In 1962 the committee developed a statistical report for trial courts of general jurisdiction, which was submitted to all jurisdictions within the National Conference. Eighteen filled it out and returned it. Tables are presented for 14 reports for calendar year 1960-61. Definitions are also

presented for types of cases (matrimonial, motor tort, other civil, and criminal) as well as for the point at which a case is initiated and terminated.

Thiel, Orin S. "Judicial Statistics." *Annals of the American Academy* 328:94-104 (1960).

Article by former staff member of the Administrative Office of U.S. Courts is contained in the issue of *Annals* devoted to the problems of court congestion. Accordingly, the article deals specifically with the problems of judicial statistics and the uses of statistics most relevant to court administrators, chief judges, and the bar. The history of federal judicial statistics is given and the Appendix contains a short description of statistical procedure used by the Administrative Office.

Scanlon, John C., and Weingarten, Kenneth. "The Role of Statistical Data in the Functioning of the Courts." *Buffalo Law Review* 12:522-27 (1962-1963).

The experience of the authors with statistical data was acquired working with the Joint Legislative Committee on Court Reorganization. This article is the result of that experience and concentrates on the relevance of adequate information for the efficient operation of the court system.

Barrett, E., Jr. "Criminal Justice: The Problem of Mass Production," in American Assembly, *The Courts, the Public and the Law Explosion*. Edited by H. Jones, (Englewood Cliffs, New Jersey: Prentice-Hall, 1965), pp. 85-123.

Article by law school dean emphasizes the burdens of the "law explosion" upon trial courts and asks whether the quality of justice can be maintained under conditions of mass production enforcement of criminal laws. Workloads of police, prosecution, public defenders, courts and probation are illustrated with California data. Article concludes with a list of problems created by mass production justice and suggests four directions for reform.

American Judicature Society. *The Quality of State Judicial Statistics*. (Chicago: AJS Report 27, 1969), 13 p.

Analysis of state court statistical reports. Quality of statistics has been defined in terms of identifying backlog, the primary function of court statistics, and communicating information. Detailed reporting of statistics by case type, dis-

position type, and backlog is suggested. Annual reports are also evaluated in terms of narrative, frequency of publication, uniformity of statistics within the state, inclusion of cost data, and the evaluation of remedies. A three-page table of state statistical materials lists the title of the report, frequency of publication, agency collecting statistics, and the number of pages. The report concludes that commitment of resources and craft of reporting distinguish the quality of statistical reports among states. Annotated bibliography, pp. 9-13. The narrative portion of this report is also in *Judicature* 53:160-163 (1969).

McCafferty, J. A. "The Need for Criminal Court Statistics." *Judicature* 55:149-154 (1971).

In this article adapted from a paper presented to a SEARCH (System for Electronic Analysis and Retrieval of Criminal Histories) workshop, the Assistant Chief of Statistics Division, Administrative Office of U.S. Courts, notes that statistics are basic to a sound judicial administration. A short history of court statistics is presented, the objectives of judicial statistics outlined, and a suggestion to use "system rates" as a management tool made.

*Justice in the States*. National Conference on the Judiciary, Williamsburg, Virginia, March 11-14, 1971. Addresses and papers. Edited by W. F. Swindler. (St. Paul: West Publishing Co., 1971), 350 p.

A national conference called to discuss the specific problems of providing justice in the fifty states. Chief Justice Burger's address calls for the establishment of a National Center for State Courts which would provide research and information on the problems of state courts. Among the conference papers, that of Richard W. Velde, Associate Administrator, LEAA, surveys in detail the efforts of LEAA in the area of statistics and information systems. That of Edward B. McConnell on the Role of the State Administrator briefly mentions statistics collection.

France, James G. "Judicial Administration: The Williamsburg Consensus—Some Errors and Omissions." *William and Mary Law Review* 14:1-45 (Fall 1972).

The author describes a seven-state (Florida, Louisiana, New Jersey, Ohio, Pennsylvania, South Carolina, and Tennessee) comparative time-lapse study of tort jury litigation indicating

that states having streamlined court structures and using extensive outside managerial talent—courts which would be expected to process cases faster and more efficiently than States relying on traditional organization and personnel—actually had a poorer disposition record in tort litigation.

France, James G. "The Williamsburg Consensus Revisited." *William and Mary Law Review* 16:237-268 (Winter 1974).

A follow-up study, using the same methods, which consisted primarily of measurements of the time taken to dispose of various percentages of the tort cases filed in the court being measured. The author believes that a before-and-after study in Florida and Ohio, which were in the process of altering their court structure or methods of administration, would offer the means to contrast systems and identify and control variables. The follow-up study supports the earlier impressions of the use of parajudicial case processors, while conclusions concerning modified court structure cannot be so easily drawn.

Williams, Kristin M. "Criminal Justice Statistics: Data from a 'Nonsystem.'" (National Criminal Justice Reference Service, 1976).

Using District of Columbia data, this paper discusses the need for statistics which can trace crime from occurrence to final disposition of offender after conviction. Currently each part of the criminal justice system tabulates data which are relevant to its needs, but cannot be compared with data from other criminal justice agencies. For example, the police use offense or arrest, the courts count cases, and corrections agencies use inmates as a unit of analysis. Criminal incidents or offenders are recommended as two units of count which can be used to trace crime through the criminal justice system.

### **National-scope efforts to collect court statistics**

Works annotated in this section differ from those in the previous section only in that they are more recent, more inclusive and comprehensive national efforts which attempt to document the need for state court statistics. Many of these LEAA-sponsored efforts reviewed previous studies and made detailed

recommendations with respect to the data elements which should be collected.

Beattie, Ronald H. *Offender-Based Criminal Statistics: Dispositions of Felony Arrests in Selected California Counties*. (Sacramento: Project SEARCH, March 1971), 42 p. plus 37 tables.

Contains useful background information on the state of judicial statistics by the Chief of the Bureau of Criminal Statistics, California Department of Justice, who was involved in the Census Bureau *Judicial Criminal Statistics* series in the 1930s.

Spaniol, J. F. "Judicial Statistics for an Appellate Court." *FRD* 53-369-372 (1972).

In an address before the Appellate Judges Conference in 1971 the author used his experience with the Statistics Division of the Administrative Office of the United States Courts to suggest uses and methodology for statistics compilation. He advocated the collection of four kinds of information: the flow of cases, types of cases, method of disposition, and time required.

SEARCH Group, Inc. *State Judicial Information System Final Report (Phase I)*. Technical Report No. 12. (Sacramento: June 1975), 131 p.

Report covers an intensive 18-month effort by the State Judicial Information System Project Committee, under a grant awarded by LEAA to SEARCH Group, Inc., a consortium of the 50 states and territories organized as a nonprofit corporation to apply technology to the justice system. Eleven states participated in the development of a prototype judicial information system along the lines of the model SJIS. In three sections this final report (Phase I) presents the information requirements analysis, the system design, and the processes involved in the review and approval of the grant applications of the eleven participating states.

SEARCH Group, Inc. *State Judicial Information System Final Report (Phase II)*. Technical Report No. 17. (Sacramento: September 1976).

Part 1 is the SJIS Guide to System Development, Implementation and Evaluation. In three chapters this part provides an introduction to the SJIS Project, a nontechnical guide to SJIS development and implementation, and a model evaluat-

ing design for assessment of project management, project activities, and the resulting SJIS.

Part 2 covers the SJIS Model. In two chapters this part presents the information requirements and the functional system design developed by the SJIS Project Committee. It includes discussion of typical constraints on an SJIS, and 5 appendices, of which the second is of particular interest because it includes model data elements with usage conventions.

SEARCH Group, Inc. *State Judicial Information Systems, State of the Art*. Technical Memorandum No. 11. (Sacramento: 1975). 86 p.

A survey of the state of the art of data collection, processing, and reporting techniques in state level judicial administration, undertaken in an effort to coordinate and accelerate the development of comprehensive state-level criminal justice information systems. The initial research was done by the Institute of Judicial Administration. The State Judicial Information Systems Project was undertaken to consider ways of improving the quality and quantity of state-level judicial management of civil and criminal cases and to determine how trial and appellate courts can best supply criminal data to other agencies. The monograph discusses the judicial information that is presently collected by the states and the techniques used to collect it. This information is presented as a tool to be used by the SJIS Project Committee to formulate recommendations on the types of information and information collection processes that should be used by state court administrations to create statistical reports for judicial management purposes. Includes a discussion of previous studies in the field, 19 tables showing data being collected in 1974, chapters on state-level judicial information systems now in use, on trial court information systems, and on privacy and security of judicial information.

U.S. Advisory Commission on Intergovernmental Relations. *For a More Perfect Union: Court Reform*. (Washington, D.C.: U.S. Govt. Print. Off., 1971), 22 p.

Forty-four specific recommendations by the Commission, a 26-member bipartisan, permanent national body, to improve all segments of criminal justice are listed in its report, *State-Local*

*Relations in the Criminal Justice System*. This report incorporates those recommendations for improving the courts into draft legislation: "Judicial Constitutional Article" and "Omnibus Judicial Act."

U.S. Bureau of the Census. *Report on National Needs for Criminal Justice Statistics*. (Washington, D.C.: 1968), 77 p.

Report on the consensus of three groups, a Corrections Working Group, a Courts Group, and a Law Enforcement Group; convened by the Bureau of the Census in 1968 to define in detail the kinds of basic data needed in the area of criminal justice statistics. The report includes a detailed list of data needs, a list of the conference attendees, and a program to approach identified needs for statistics on crime and criminal justice.

U.S. Bureau of the Census. "Final Report Covering Research Preliminary to a National Survey of Court Caseloads." Criminal Justice Statistics Branch, Governments Division, Bureau of Census, 1973. Various paging.

Unpublished report of a research project funded by LEAA. Contains eight pages of summary of the research and analysis, two proposals for a national survey, and four lengthy appendices. These include a review of state statistical reports, a survey of published statistics of general jurisdiction courts (including tables), a survey of published statistics of limited and special jurisdiction courts (including tables), and a history of past efforts at establishing a national program of judicial statistics.

U.S. Law Enforcement Assistance Administration. *National Survey of Court Organization*. (Washington, D.C.: U.S. Govt. Print. Off., 1973), 257 p.

Compilations of a Census Bureau survey in 1971 to determine the court structure in each state and D.C. Thirty-one tables summarize data covering type of court, cases, number of judgeships, statistics collected by each court. *Supplement to State Judicial Systems* issued in 1975 updates the descriptions of the court systems in nine states (Connecticut, Florida, Iowa, Massachusetts, Minnesota, Nebraska, South Dakota, Virginia, and West Virginia) that have had a major court reorganization since the National Survey. *Supplement to State Judicial Systems* issued in 1977 up-

dates the descriptions of the court systems in five states (Alabama, Indiana, Iowa, Kansas, and Kentucky) that have had a major court reorganization since 1975.

U.S. President's Commission on Federal Statistics. *Federal Statistics: Report of the President's Commission*. (Washington, D.C.: 1971), 2 V. 555 p.

Two volumes, the first of which is a compilation of recommendations on such topics as the production of statistics, users of statistics, privacy and confidentiality, and the like. The second volume is a selection of essays, the last of which is of particular interest. Entitled "The Future of Law Enforcement Statistics: A Summary View" by H. Zeisel, it analyzes a new type of "longitudinal" statistics and the possible consequences of using them. Nine appendices give criminal statistics on offender movement through various court procedures. Illustrated by an analysis of apprehension activities of the New York City Police Department by P. W. Greenwood of New York City—Rand Institute.

U.S. National Criminal Justice Information and Statistics Service. "Final Report from a Survey Research Project on the Feasibility of a National Program of Court Caseload Statistics." March 1975.

Unpublished research report containing the results of the 1974 Canvass of State Court Administrators done by the Bureau of the Census with LEAA funding. Section II contains a description of the project, and Section III contains the project findings. Appended are 17 tables demonstrating the results of the survey, along with appendices which provide the data availability questionnaire used in the canvass, a checklist of definitions and statistical practices, and a listing of state statistical programs by state and jurisdiction of court.

U.S. National Criminal Justice Information and Statistics Service. *Program Plan for Statistics 1977-81*. 49 p.

This document outlines the goals and objectives of the NCJISS and describes its current status and future plans for the next five years in federal, national, and state programs. Two final chapters deal with the first two years of the Service's existence and its structural organization.

## Establishment of standards for court statistics

Formal calls for the establishment of standards for court statistics are annotated in this section. Standards recommended by established organizations, such as the American Bar Association, and by more transitory groups, such as the National Advisory Commission on Criminal Justice Standards and Goals, are concerned with court statistics only as part of a general program of court reform. The standards relating to statistics are accordingly general expressions of goals rather than the more specific suggestions found in prior sections.

American Bar Association. "Report of the Committee on Judicial Administration of the Section of Judicial Administration." *American Bar Association Reports* 63:517-533 (1938).

Committee report to the Section of Judicial Administration suggested four proposals to increase the efficiency of judicial administration: (1) that courts be responsible for their own procedure, (2) that a unified judicial system comprise all courts within a state, (3) the creation of judicial councils, and (4) a requirement for judicial statistics.

American Bar Association, the Section of Judicial Administration. *The Improvement of the Administration of Justice*. Fifth Edition 1971, 175 p.

This handbook originated in 1938 in the form of a report made by the Section of Judicial Administration to the ABA's House of Delegates. A summary of the reports of the seven committees, one of which was the Committee on Judicial Administration annotated above, is printed as an appendix. Most relevant is the section on judicial statistics, the collection of which is listed as one of eight functions and duties of a court administrator. Model Judicial Article for State Constitutions and Model Act to Provide for an Administrator for the State Courts are also reprinted as appendices.

American Bar Association Commission on Standards of Judicial Administration. *Standards Relating to Court Organization*. Final Draft. (Chicago: American Bar Association, 1974), 88 p.

First of a series on standards of judicial administration covering aims of court organization,

competent and independent judges, rule-making and policymaking, court administrative services, financing and budgeting, and court records, statistics and information systems. Standard 1.60 which covers statistics and information systems contains regulations concerning a court information system, development and improvement of the system, and the selection of appropriate data processing systems. Commentary and references follow each standard.

American Bar Association Commission on Standards of Judicial Administration. *Standards Relating to Trial Courts*. (Chicago: American Bar Association, 1974), 141 p.

Second in a series on standards of judicial administration, this report recommends time lapse standards in monitoring and controlling cases in trial courts. The emphasis is on improving the administration of the trial courts in order to ensure their adherence to, among other things, speedy trial requirements. Offers a standard definition for the starting time in measuring criminal case disposition times and recommends minimum procedural steps that should be monitored from filing to disposition of individual cases.

American Bar Association Commission on Standards of Judicial Administration. *Standards Relating to Appellate Courts*. Approved Draft. (Chicago: American Bar Association, 1977), 111 p.

Third and final report in the series on standards of judicial administration which discusses procedure and administration in appellate courts. Standard 3.0 concerns the structure of the appellate court system, 3.1 the opportunity for appellate review, 3.2 the assistance of counsel, 3.3 decision procedure, 3.4 fair and efficient appellate court administration, 3.5 caseflow management, 3.6 appellate court facilities and services, 3.7 judicial review, 3.8 appellate review in criminal cases, and 3.9 review of proceedings involving limited amounts and infractions. Although the standards were designed for all appellate courts, they may fit better the needs of the more numerous state courts. Commentary following Standard 3.51 notes that current information on all cases is essential to caseflow control and standard 3.52 is concerned with timely disposition of cases. Commentary and references follow each standard.

American Bar Association Appellate Judges' Conference. *Proposed Standards for Appellate Court Statistics*. (Washington: National Center for State Courts, 1973), 54 p.

This joint project of the ABA Appellate Judges' Conference and the National Center for State Courts urges each state to adopt accurate and complete statistical systems to facilitate management of its appellate courts. The committee goal was to develop standards of appellate court statistical reporting and to recommend collection of certain types of statistics. The introduction gives goals and uses of statistical systems, general standards for statistical reporting and a summary of recommended statistics. The remaining four chapters consist of a discussion of the time for completion of cases, the composition and disposition of caseload, inventory of pending cases, and analysis of data. Twelve tables of recommended classifications and sample reports are included.

American Bar Association. Report of Pound Conference Follow-up Task Force. August 1976. Unpublished.

Contains Recommendation 26—Suggestion that a federal office should be established to collect data, state and federal, civil and criminal.

U.S. President's Commission on Law Enforcement and Administration of Justice. *Task Force Report: The Courts*. (Washington, D.C.: U.S. Govt. Print. Off., 1967), 178 p.

Introduction includes table of recommendations. Chapters include: Disposition without Trial, Sentencing, The Lower Courts, Court Proceedings, Counsel for Accused, Officers of Justice, Administration of the Courts, and Substantive Law Reform and the Limits of Effective Law Enforcement. Appendices cover plea bargaining, staff, lower court studies, poverty and criminal justice, manpower requirements, and modernized court administration. Model Timetable for the processing of criminal cases and the Model Act to Provide for an Administrator for the State Courts, both reported in Chapter 7, were used as examples of standards relating to court statistics in the text.

U.S. Bureau of the Census. *Report on National Needs for Criminal Justice Statistics*. (Washington, D.C.: 1968), 77 p.



Report on the consensus of three groups, a Corrections Working Group, a Courts Group, and a Law Enforcement Group; convened by the Bureau of the Census in 1968 to define in detail the kinds of basic data needed in the area of criminal justice statistics. The report includes a detailed list of data needs, a list of the conference attendees, and a program to approach identified needs for statistics on crime and criminal justice.

U.S. National Advisory Commission on Criminal Justice Standards and Goals. *Courts: Task Force on Courts*. (Washington, D.C.: U.S. Govt. Print. Off., 1973), 358 p. Bibliography.

One of five Task Force reports on which commission based the final report, *National Strategy to Reduce Crime*. Part I is the Introduction. Part II, The Flow of the Criminal Case (screening, diversion, negotiated plea, litigated case, sentencing, and review of trial court proceedings). Part III: Personnel and Institutions (the judiciary, the lower courts, court administration, court-community relations, computers and the courts, prosecution, and defense). Part IV: Special Problem Areas (juveniles, mass disorders). Standard 9.4 on caseload management recommends the collection of subject-in-process statistics which track offenders at each stage of criminal process.

U.S. National Advisory Commission on Criminal Justice Standards and Goals. *Criminal Justice System: Task Force on Information Systems and Statistics*. (Washington, D.C.: U.S. Govt. Print. Off., 1973), 286 p.

Contents: Part I. Planning for Crime Reduction; Part II. Criminal Justice Information Systems (requirements, jurisdictional responsibility, police information systems, court information systems, corrections information systems, operations, privacy and security, technical system design, strategy for implementing standards, and evaluation strategy); Part III. Criminal Justice System Education and Training; Part IV. Criminal Justice System and the Law. Appendices deal with victimization surveying, problems of encouraging change in criminal justice agencies, program measurement and evaluation, City of Cleveland Impact Program Master Plan. Glossary and self-regulating standards for state planning agencies. Standard 3.3 recommends the establishment of local criminal justice information systems. Standard 5.3 lists data elements for misdemeanors

which should be included in a court information system.

American Bar Association Project on Standards for Criminal Justice. *Standards Relating to the Administration of Justice*. (New York: Institute for Judicial Administration, 1974), 641 p.

Contains standards relating to the functions of urban police, prosecution defense, trial judge and standards relating to electronic surveillance, pretrial release, pleas of guilty, trial by jury, sentencing alternatives and procedures, criminal appeals, appellate review of sentences, post-conviction remedies. The standard most relevant to judicial statistics is the Speedy Trial Standard. Appendices list committees and the histories of their reports.

Committee on the Judiciary, House of Representatives. *Speedy Trial Act of 1974*. (Washington, D.C.: U.S. Govt. Print. Off., 1974), 1104 p.

Hearings before the Subcommittee on Crime, Committee on the Judiciary, House of Representatives, Ninety-third Congress, second session on S. 754, H.R. 7873, H.R. 207, H.R. 658, H.R. 687, H.R. 773, and H.R. 4807. September 12, 18 and 19, 1974. Text of bills relating to speedy trial legislation with accompanying testimony and prepared statements. One of the four exhibits used contains the ABA Standards Relating to Speedy Trial with commentary. Appendices include speedy trial decisions by the U.S. Supreme Court, law review articles relating to speedy trial, and speedy trial statutes in 41 states.

U.S. National Advisory Commission on Criminal Justice Standards and Goals. *Corrections*. (Washington, D.C.: U.S. Govt. Print. Off., 1973), 636 p.

This volume is included in the bibliography on judicial statistics because Standard 4.10, expediting criminal trials, recommends time limits in which a defendant must be brought to trial.

American Bar Association, Special Committee on Court Congestion. *Ten Cures for Court Congestion*. Prepared by the Special Committee in cooperation with the American Bar Foundation. (Chicago: 1959), 29 p.

"Cure" eight contends that obtaining judicial statistics is the first step toward eliminating delay in court.

## II. Related court management and development studies

It is safe to say that the interest in accurate court statistics arose from a concern with court congestion and delay. Litigants became concerned with the length of time they would have to wait before their cases were heard, which, of course, is a function of the number of cases a court has to hear. To monitor the orderly and efficient progress of cases through the courts, caseflow management procedures were established. This management process requires a systematic examination of just how cases proceed from filing to disposition in order to locate procedural bottlenecks which retard the flow of cases and to identify cases which exceed "average" time standards. Caseflow management is dependent upon data, whether obtained from a machine or gathered manually. Regardless of the data source, it is important that monitoring statistics, particularly those which show the age of pending cases and the number of cases in queue at each stage of the judicial process, be timely as well as accurate so that obstacles to efficient case flow can be removed.

However, the need to know the precise status of large numbers of cases has prompted calls for better data processing in the courts. One response to these calls has been the dramatic increase in the number of automated judicial and criminal justice information systems, discussed further in later sections of this bibliography. Computers are being used to assist the operational, control, and planning functions essential to any court. For operational purposes, computers can be used to record and store vast quantities of workload information. Large memory banks can also keep track of the workload of attorneys and courts and thus determine the trial delay attributable to "attorney" or "court" congestion. Information systems can track individual cases as they progress through the courts and prepare exception, monitoring, and summary statistics to aid in caseflow control. By using computerized information systems to forecast future workloads and to simulate the effects of different types of litigation being introduced into the courts, administrators are able to anticipate future caseflow problems and minimize case delay.

Asterisks throughout Section II mark annotations

taken from Fannie B. Klein, *The Administration of Justice in the Courts: A Selected and Annotated Bibliography*.

### Delay

American Academy of Political and Social Science. *Annals* 328: "Lagging Justice." Special editor Glenn R. Winters (Philadelphia: 1960) 227 p.

Various chapters of this volume review the background and status (1959) of court congestion. Its causes are examined in detail and experiences with some more important methods of improvement are described and explained. "Judicial Statistics" by Orin Thiel and "Delay in State Appellate Courts of Last Resort" by John R. Dethmers are of particular interest.

Thiel, Orin S. "Judicial Statistics," *Annals of the American Academy* 328:94-104 (1960).

Article by former staff member of the Administrative Office of U.S. Courts is contained in the issue of *Annals* devoted to the problems of court congestion. Accordingly, the article deals specifically with the problems of judicial statistics and the uses of statistics most relevant to court administrators, chief judges, and the bar. The history of federal judicial statistics is given and the Appendix contains a short description of statistical procedure used by the Administrative Office.

American Judicature Society. *Congestion and Delay in State Appellate Courts*. Prepared and researched by R.A. Shapiro and M. O. Osthus. (Chicago: 1974), 109 p.

\*Project Supervisors: A. Ashman, J.J. Alfini. Supersedes Rep. 25 (1969). Survey of all state and D.C. appellate judges in 1974, with 48 percent replying, analyzes practices and utilization of time in relation to perceived causes and solu-

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\*From Fannie B. Klein, *The Administration of Justice in the Courts: A Selected and Annotated Bibliography*.

tions for delay. Latter include making procedural changes, adding personnel, separating into divisions, creating intermediate appellate courts. Appended are questionnaire; replies; bibliography.

American Judicature Society. *Solutions for Appellate Court Congestion and Delay: Analysis and Bibliography*. (Chicago: 1963), 19 p.

\*Somewhat dated statistics but ideas for coping are timely; details on approaches used in specific jurisdictions include provisions for sitting in divisions.

Katz, L.R., Litwin, L., and Bamberger, R. *Justice is the Crime—Pretrial Delay in Felony Cases*. (Cleveland: Case Western Reserve University, 1972), 386 p.

\*Prepared originally for the National Institute of Law Enforcement and Criminal Justice, LEAA, the purpose of this book is to analyze pretrial criminal procedures and show how these contribute to delay; authors examine goal of each procedure, whether essential to due process, identifying problem areas; changes are recommended to alter drift toward greater delay; an extensive examination is made into origins of our system and delay in the courts. All processes before trial including bail are scrutinized, with case histories. The judge's role is analyzed. Appendix A gives court statistics of time lapses, Cuyahoga County Court of Common Pleas; Appendix B is a state-by-state analysis of basic procedures applicable in each state to the preliminary stages of a criminal prosecution. Material includes statutes, criminal rules, and judicial opinions. Bibliography (367-375).

National Center for State Courts. *Appellate Courts; Staff and Process in the Crisis of Volume*. An Appellate Justice Project of the National Center for State Courts. Prepared by D.J. Meador. (St. Paul: West Publishing Co., 1974), 248 p.

\*After examining the traditional appellate process, reforms and problems, the project suggests developing ways to restructure, simplify, and accelerate appellate process; includes experimental use of central staff attorney pool to assist justices in case-screening by preparing memoranda in appellate courts of Illinois, Nebraska, New Jersey, and Virginia. Appended are reports of such use of staff attorneys or commissioners in Michigan, California, Minnesota, and Federal courts.

National Symposium on Law Enforcement Science and Technology, 4th, Washington, D.C., 1972, papers at a National Symposium conducted by the Institute of Criminal Justice and Criminology, University of Maryland (Washington, D.C.: U.S. Govt. Print. Off., 1973), 9 v. (U.S. National Institute of Law Enforcement and Criminal Justice, Criminal Justice monographs.)

\*Symposium conducted by University of Maryland's Institute of Criminal Justice and Criminology. Papers presented in nine volumes: Deterrence of Crime In and Around Residences; Research on Street Crime Control; *Reducing Court Delay* (see below); Prevention of Violence in Correction Institutions; Reintegration of the Offender Into the Community; New Approaches to Diversion and Treatment of Juvenile Offenders; Change Process in Criminal Justice; Innovations in Law Enforcement; Progress Report of the National Advisory Commission on Criminal Justice Standards and Goals, May 1972.

Volume III: *Reducing Court Delay*

Ash, M., "Court Delay, Crime Control, and Neglect of the Interests of Witnesses." Foschio, L.G., "Empirical Research and the Problem of Court Delay." Haynes, H.P., "Reducing Court Delay." Nayar, R., Bleuel, W.H., "Simulation of a Criminal Court Case Processing System." Pabst, W.R., Jr., "A Study of Juror Utilization."

Foschio, L.G. "Empirical Research and the Problem of Court Delay," in *Reducing Court Delay*, p. 35-44.

\*Codirector summarizes methodology and major findings of University of Notre Dame's *Systems Study in Court Delay: LEADICS*, Joint Law and Engineering School Effort (annotated below). Survey described here covers 1963-1970, analyzes effect in two Indiana criminal courts of statutes, court rules, practices on criminal procedure at three stages: arrest to arraignment, arraignment to disposition, appellate stage. Findings include: law itself builds in delay; judges need to exercise greater individual control, especially in view of high volume of plea-negotiated dispositions; appellate delay is excessive. Discusses benefits and limitations of empirical studies of delay.

Haynes, H.P. "Reducing Court Delay," in *Reducing Court Delay*, p. 45-65.

\*After literary and legal references to delay, including state speedy trial statutes, and after

\*From Fannie B. Klein, *The Administration of Justice in the Courts: A Selected and Annotated Bibliography*.

pointing out that U.S. Supreme Court avoids specific limits, author calls for studies in many courts to determine what is normal in each, without which delay cannot be defined. Cautions that delay is symptom of deeper trouble, so resists the hitherto piecemeal solutions of many reports and studies. Court delay a misnomer: delay occurs at every stage and involves many actors in criminal process, so that only coordinated efforts can succeed. Cites (but does not describe) one such effort in D.C. Superior Court, where author is Assistant Court Executive.

Nayar, R. and Bleuel, W.H. "Simulation of a Criminal Court Case Processing System," in *Reducing Court Delay*, p. 66-90.

\*Description of authors' model of all agencies involved in criminal process from arraignment to disposition in Rochester and Monroe County, New York (city and county courts), constructed so that computer analysis can pinpoint bottlenecks by length of "queues" of cases at various stages. Lists parameters used for misdemeanors and felonies separately, describes validation method briefly.

University of Notre Dame Law School of Engineering. *Systems Study in Court Delay: LEADICS*. Law-Engineering Analysis of Delay in Court System. (Notre Dame: 1971, 1972), 3 v.

\*V. 1: Executive Summary. V. 2: Legal Analysis and Recommendations. V. 3: Engineering Section (methodology). Study of criminal courts in Indianapolis and South Bend attempts to find time and activity needed for each function of felony process from arrest to disposition (appeals included), by computer analysis of 2,500-case sample. Simulation model (described) permits testing of various solutions, as well as analysis of functions, without disruption of actual judicial system. Findings generally: outmoded legal procedures and administrative inertia in both courts and prosecutors' offices cause needless delay; some legislative correction desirable but much improvement possible through exercise of existing power. V. 4: Appendix, 55 pages.

## California

San Francisco Committee on Crime. *A Report on the Criminal Courts of San Francisco*. (San Francisco: 1970, 1971), 2 v.

\*V.1.: Superior Court Backlog, consequences and remedies. December 22, 1970.

V.2: Bail and O.R. Release. February 10, 1971. Part 1. Description, reasons for, and statistics of backlog in superior court criminal cases, discussion of plea bargaining, and recommendations for its improvement, such as judicial involvement, use of presentence reports, and a comprehensive list of recommendations to cut the backlog, directed to the Courts, the legislature, the mayor and the board of supervisors, the District Attorney and the Public Defender, including changes in the substantive law, reassignment of judges, use of civil courts for felony preliminary hearings and pretrial motions. Appendix A: Processing of Defendants . . . in San Francisco. Appendix B: Disposition of Felony Cases by Guilty Pleas in San Francisco Superior Court and San Francisco Municipal Court. Part 2: Description of San Francisco Bail System. Effects of Bail or Detention on Disposition of Cases; Operation of O.R. (own recognizance) in Misdemeanor Cases. Recommends continuing and expanding O.R. program. Also discusses the state's mandatory assessment of 25 percent of bail as a penalty, "10 percent bail," supervisory conditions on release, and preventive detention.

## Florida

National Center for State Courts. *Caseload, Backlog, and Delay in the Fourth District Court of Appeals of Florida*. Prepared by D.J. Halperin. (Denver: 1973), 56 p.

\*Preliminary analysis finds delay outstripping increasing disposition rate; recommends improved screening procedure by special staff, and reduced motion practice. Includes methodology for simple (pencil and paper) statistical analysis of case processing.

## Iowa

Stuart, W.C. "Iowa Supreme Court Congestion: Can We Avert a Crisis?" *Iowa Law Review* 55:594-613 (1970).

\*An analysis of the court's work; offers specifics to take care of workload: 1) increase judges, 2) sit in divisions, 3) create intermediate appellate court, 4) appoint special trial judges to serve; suggests other methods of reducing workload including shorter and memorandum opinions, summary

affirmance. Appendix gives Iowa Supreme Court reported opinions since 1953.

### Kentucky

Kentucky Legislative Research Commission. *Circuit Court Caseloads*. Prepared by N.W. Lawson, Jr. (Frankfort: 1969), 60 p.

\*Problems facing state's circuit courts, such as increased filings and backlog, are explored and suggestions for improvements are made. Statistical data are presented.

### Louisiana

Institute of Judicial Administration. *A Study of the Louisiana Court System*. (New York: 1972), 339 p.

\*Recommendations of this study focus on major problems of district and appellate courts including capacities, resources and delays. Two methods of improving efficiency are revising jury selection and modernizing reporting systems. Brief comments accompany a peripheral discussion of limited and juvenile jurisdiction courts. Detailed suggestions are given for overhauling the District Court Clerk's Office. Charts and tables include information on numbers of actions and dispositions, and time factors during various stages beginning with arrest. Data is also furnished on parishes including population, number of lawyers and courtroom facilities. Statistical appendix, 122 p., consists of detailed caseload analysis.

### North Carolina

North Carolina Administrative Office of the Courts. *Delay in the Superior Courts of North Carolina and an Assessment of its Causes*. Prepared by J.O. Williams and R.J. Richardson. (Raleigh: 1973), 55 p.

\*Two political science professors using scientific sampling procedures, with Administrative Office cooperation, examine extent of criminal delay. After defining "backlog," authors look at measure of conformity of North Carolina courts to speedy trial rules and ABA standards. Procedures in misdemeanor and felony cases are analyzed to determine caseloads, extent of delay, reasons for delay; average time in felony and misdemeanor cases is determined. Numerous ta-

bles give criminal statistics as to numbers of cases and extent of delay in each stage. Comparison is made with other states, and rural and urban area delays receive comment.

### Ohio

France, J.G. "Order in the Courts: Progress and Prospects of Controlling Delay in Tort Jury Litigation Process, 1966-1973," *Akron Law Review* 7:5-48 (1973).

\*Follow-up to 1970 study consists of more detailed sampling and standards of performance to measure Ohio court delay, including the effect of the 1972 Rules of Superintendence. Recommends an experimental program to expedite cases.

Katz, L. *Analysis of Pretrial Delay in Felony Cases: A Summary Report*. (Washington, D.C.: U.S. Govt. Print. Off., 1972), 14 p.

\*Author presents the conclusions and recommendations of an empirical study of the Cuyahoga County Court (Cleveland, Ohio). Time-consuming pretrial procedures are reviewed to show inordinate unnecessary delays. Author offers 25 procedural changes regarding preliminary hearings, plea bargaining, motion practice, and bail.

### Pennsylvania

Institute for Court Management. *Report to the Citizens Committee for the Philadelphia Justice System Diagnostic Survey*. (Denver: 1971), 53 p.

\*This report presents an analysis of the criminal court system and pinpoints problems of trial delay, efficiency and the use of statistics; recommendations include the establishment of priorities for the distribution of resources and changes in calendaring and staging procedures; also set forth are recommendations for further action by the Citizens' Committee. Appendices include excerpts from the District Attorney's Annual Report for 1969.

## Caseflow management

Aldisert, Ruggero J. "A Metropolitan Court Conquers its Backlog: Part 1, Statistics, Procedure, and Policies." *Judicature* 51:202-209 (January 1968).

\_\_\_\_\_, "A Metropolitan Court Conquers its Backlog: Part II, From Pure Pre-Trial to Compulso-

\*From Fannie B. Klein, *The Administration of Justice in the Courts: A Selected and Annotated Bibliography*.

ry Settlement Conferences." *Judicature* 51:247-252 (February 1968).

\_\_\_\_\_, "A Metropolitan Court Conquers its Backlog: Part III, Taxpayer Expense and Law Firm Management." *Judicature* 51:298-301 (March 1969).

Description of both the automated data processing techniques used in Allegheny County, Pennsylvania, court system and the various procedural devices developed to shorten the time required to try and settle cases.

American Bar Association Commission on Standards of Judicial Administration. *Caseflow Management in the Trial Courts*. Prepared by M. Solomon. (Chicago: American Bar Association, 1973), 59 p. (Supporting studies 2).

\*Suggests guidelines and standards; describes various case assignment systems; individual, master, team, and hybrid systems, criticizing each; gives basic elements necessary to ensure timely movement of all cases, not just those that ultimately go to trial; tells how to monitor cases and ensure trial readiness; discusses case scheduling in criminal cases, and need to eliminate "non-progress" procedures or dismissal of cases for failure to prosecute. Author believes individual calendar system is better suited for federal system; gives reasons. Bibliography.

Barnes, A.J., Horowitz, A.R., and Morris, M.D. *An Analysis of the Indiana Trial Court System*. (Bloomington: Bureau of Business Research, Indiana University, 1968), 90 p.

\*The progress of cases through Indiana trial courts is studied and evaluated through information based on visits to all the trial courts in a representative number of counties. Recommendations to improve the court system include the restructuring of courts into jurisdictional areas larger than a single county. Statistics.

Cleveland Bar Association Court Management Project. *Reference Manual—A Compilation of Data Gathering in the Trial Courts of Cuyahoga County, Ohio*. (Cleveland: 1971), 66 p.

\*Statistics, flow charts, and graphs concerning the flow of cases through the Cleveland Police Department, Cleveland Municipal Court, and Cuyahoga County Common Pleas Court are provided, including some statistics for 1958-70. An analysis of annual reports and summaries of per-

sonnel and workloads of the municipal courts of Cuyahoga County and a report on factors affecting the development of a unified trial court in the Cleveland area are set forth.

Eisenstein, James, and Jacob, Herbert. "Measuring Performance and Outputs of Urban Criminal Courts." *Social Science Quarterly* 54:713-724 (March 1974).

General discussion of what court statistics are available, why these are of such limited usefulness to researchers, and the kinds of data that researchers are seeking. Specific discussion of the obstacles encountered by the authors during the planning and data gathering stages of a study of the disposition of felony charges in Baltimore, Chicago, and Detroit.

Federal District Court Studies. See listing at end of this section.

Institute for Court Management. *Cleveland Municipal Court Survey* (Denver: 1971), 75 p.

\*The administrative structure and the criminal and civil case process are described, accompanied by organizational and flow charts, forms, and court statistics for 1968-70.

Institute for Court Management. *Comparison of Civil Calendar Management in Boston, Detroit, and Minneapolis*. Prepared by M. Solomon. (Denver: 1971), 33 p.

\*Report discusses the methodology used in individual studies as well as data collection problems and includes a chart of comparative information.

Institute for Court Management. *A Comparison of Disposition Times in the Felony Level Courts of Baltimore City and Montgomery County, Maryland*. Prepared by G.G. Kershaw. (Denver: 1972), 25 p.

\*Nine tables, two appendices, and narrative report comparing disposition times in felony courts of a big city and a suburban court.

Institute for Court Management. *Comparison of Felony Processing in Cleveland, Denver, and Houston*. (Denver: 1971), 31 p.

\*Summarizes and contrasts the processing of felony cases from arrest through trial; comparison tables.

Institute for Court Management. *Evaluation of the Modified Block Assignment System in the District*

*Court of Hennepin County (Minneapolis) Minnesota.* Prepared by M. Solomon and S. Knudson. (Denver: 1972), 70 p.

\*Study of effectiveness of system by which the court has greater control over case movement. Before-and-after analysis is made where possible; the system is found to be reducing case backlog and delay and increasing scheduling certainty. Statistics and flow charts are included.

Institute for Court Management. *The Felony Processing System, Cuyahoga County, Ohio.* (Denver: 1971), 60 p.

\*This study, part of a larger Institute project on criminal and civil litigation, examines the felony process at the Municipal Court as well as the Court of Common Pleas. Methodology is presented in detail with a view toward using it in subsequent court studies. Recommendations are set forth in the areas of bail, screening, defense counsel representation, and the grand jury.

Institute for Court Management. *Hennepin County Municipal Court, Descriptive Analysis.* Prepared by M. D. Hall. (Denver: 1971), 106 p.

\*Survey covers administration, structure, jurisdiction; Minnesota judges' selection, salaries and duties; non-judicial departments and personnel; court facilities and budget. Describes also caseflow from arrest to trial (misdemeanor cases), calendaring, court statistics, police statistics, court budgets 1969-1971. Appendices include bibliography.

Institute for Court Management. *Management Survey: Clerk's Offices, 16th and 21st Judicial Circuits, State of Missouri.* (Denver: 1971), 19 p.

\*In 1970, voters of Jackson County adopted a home rule charter providing for a court administrator of the 16th Judicial Circuit. A management survey was made to facilitate the operation of the clerk's office. Findings of Missouri statewide court information project, carried on at this time, should be considered with this report. St. Louis County has similarly adopted a home rule charter providing for a court administrator and the two counties were studied. A description is given of both courts and of their recordkeeping. Recommendations are made as to

records, office space management, equipment, cost, and budget. Among the suggestions are various administrative manuals and further studies.

Institute for Court Management. *Municipal Courts Survey: Cleveland Municipal Court and Hennepin County (Minneapolis) Municipal Court.* (Denver: 1971), 8 p.

\*Although both courts have limited civil jurisdiction, this study is concerned primarily with the processing of criminal cases. Results of the survey are illustrated in a chart.

Institute for Court Management. *A Program for the Improved Administration of Justice in Lake County (Indiana).* (Denver: 1972), 234 p.

\*H. Solomon, Project Director. The organization and administration of trial courts of general jurisdiction are studied and statistical data on civil and criminal case processing are set forth. Recommendations are made on case processing, court management, and reorganization of the court system such as a unified court of general jurisdiction, the appointment of a court administrator, and merit selection of judges.

Institute for Court Management. *Study of the Civil Calendar Management System in the District Court of Hennepin County (Minneapolis) Minnesota.* Prepared by K. Boyum (Denver: 1971), 56 p.

\*The processing of civil cases is described and analyzed and statistics and flow charts are included. Suggestions for improvement are made to place control of the progress of cases with the court rather than with counsel.

Institute for Court Management. *Study of the Civil Calendar Management System in the Massachusetts Superior Court of Suffolk County (Boston).* Prepared by J. Berg. (Denver: 1971), 142 p.

\*Covers structure of the court, facilities, workload, legal context, jury cases and scheduling; recommendations include that the court concentrate on organizational development and that the assignment session judge take over all scheduling and remand functions.

The Institute of Judicial Administration. *Toward Improving Criminal Case Management in the Connecticut Court of Common Pleas.* Phase I Report of the Connecticut Court of Common Pleas Case Management Committee. (New York: 1976), 70 p.

\*From Fannie B. Klein, *The Administration of Justice in the Courts: A Selected and Annotated Bibliography.*

The report sets forth a broad range of recommendations for improving case management practices in Connecticut's limited jurisdiction courts, focusing particularly on criminal caseload. Covers case management goals and principles, scheduling cases, controlling continuances, pretrial procedures, time standards, and monitoring case progress.

Manhattan Criminal Court's Master Calendar Project. See listing at end of this section.

Miller, R. I., Rider, B. C., and Shoop, G. P. "Local Procedure and Judicial Efficiency: A Comparative Empirical Study of Texas Metropolitan District Courts." *Texas Law Review* 49:677-746 (1971).

\*A study of different procedures in Dallas, Fort Worth, Houston, and San Antonio attempts to isolate the procedures promoting effective disposition of cases. Based on the results, the authors compiled model local rules, which are given in Appendix A. Appendix B explains methodology, and C and D give questionnaires used in the study. Includes many findings, e.g., reduction of input, expansion of court time, efficient use of existing time; specifics on use of visiting judges, nonjury trials, and many others.

National Center for State Courts. *Minnesota County Court System*. Prepared by S. C. Beerhalter and J. A. Gainey. (Denver: 1974), 93 p.

\*Organization, administration, case processing, redistricting, management information system are only a few of the areas investigated; findings and recommendations are supported by numerous appendices.

National Center for State Courts. *Minnesota District Court Survey*. Prepared by S. C. Beerhalter and J. A. Gainey. (Denver: 1974), var. pag.

\*Interviews and questionnaire show judges generally agree that their needs include training before and during service; help from parajudicials and court administrators; more available civil trial lawyers; more pay. Clerks interviewed also wanted training before and during services; other needs were better statistical reporting system; resolution of calendar conflicts (caused, for instance, by same attorneys serving urban and rural courts), more communication with judges and other clerks. Broad recommendations made, involving centralized administration, improvement of information systems. Appendices

include questionnaire summary, jurors' handbook, statutes, some statistics: caseload and cost of district courts.

Ohio University of Akron. *Order in the Courts: A Report on Time Span for Disposition of Litigation in Six Northeastern Ohio Counties*. 1970, 204 p.

\*J. G. France, Project Director. Counties are Summit, Stark, Cuyahoga, Portage, Trumbull, Mahoning. Detailed analysis of civil and criminal case disposition in each city, including time spent in each stage of litigation, the particular weaknesses of each county. Includes a chapter on disposition of criminal charges stemming from civil disobedience; Kent State University episode and Cleveland and Akron mass arrests detailed. Preliminary report called: Disorders in the Courts. 32 p.

Taylor, Jean; Navarro, Joseph A.; and Cohen, Robert H. *Data Analysis and Simulation of the District of Columbia Trial Court System for the Processing of Felony Defendants*. (Arlington: Virginia Institute for Defense Analysis, Science and Technology Division, 1968), 118 p. (Research Report P-415) (Springfield, Virginia, reproduced by Clearinghouse for Federal Scientific and Technical Information, 1968).

\*Description of methods by which a court system can be studied through a computer model based on that system and its procedures, testing proposed changes for probable results instantly on the computer, rather than by trial and error in actual court situation. Point 1 describes arraignment to disposition in U.S. District Court, D.C., with analysis of statistics, such as time intervals of stages in process, based upon which the study model, COURTSIM, was constructed. Point 2 gives technical details of COURTSIM, including data needed for model, which would enable a systems analyst to apply method to any court system. (Point 1 also in U.S. Task Force Report on Science and Technology, p. 199-214.) The simulation model has also been reproduced in *Jurimetrics Journal* 9:101-126 (December 1968).

Navarro, Joseph A. and Taylor, Jean G. "An Application of System Analysis to Aid in the Efficient Administration of Justice." *Judicature* 51:47-52 (August-September 1967).

An experiment at computer simulation for the processing of adult felony cases in the court system of the District of Columbia, based on the previous item.



## Federal district court studies

Federal Judicial Center. *District Court Caseload Forecasting: An Executive Summary* (Washington, D.C.: Research Division, Federal Judicial Center, 1975), 40 p. plus 16 p. of examples.

Introduction; How the Forecasts Were Derived; Case Categories Defined; Contributions of the Advisory Committee; Predicting the Past; Results of the Forecasting Study; Some Cautionary Notes; Conclusion; Appendix.

Federal Judicial Center. *The 1969/70 Federal District Court Time Study*. A Report to the Federal Judicial Center by the Statistical Reporting Service of the United States Department of Agriculture and the Department of Agriculture Graduate School. (Washington, D.C.: 1971), 89 p.

\*Details the genesis, design, conduct, and results of this revision of the federal weighted caseload index which uses statistical analysis to measure the workload of the federal courts and aids in allocating judges in the optimum manner. A preliminary report was issued: *Time Study for Weighted Caseload Index*. January 18, 1971; 33 p. plus Appendices.

Flanders, Steven. "Judicial Disposition Rates: The Local Environment, the Process or the Person." (Preliminary version, unpublished.)

Paper prepared by the Director, District Court Studies Project, Federal Judicial Center, for presentation at the 1975 Annual Meeting of the American Political Science Association.

Flanders, Steven. *District Court Studies Project*. Interim Report. (Washington, D.C.: Federal Judicial Center, 1976), 68 p. plus 47 p. Appendix.

Summary and Recommendations; Method and Approach; Governance of Courts; Preparing Civil Cases; Preparing Criminal Cases; Calendars, Trials, Opinions; Supporting Staff; Concluding Perspectives; Appendix.

Gillespie, Robert W. "Measuring the Demand for Court Services: A Critique of the Federal District Courts Case Weights." *Journal of American Statistical Association* 69:38-43 (March 1974).

This article by an economics professor evaluates

case weights used by Federal District Courts conceptually and methodologically. Conceptually, case weights are shown to be inferior to using average judge time per case type. Methodologically, the survey design produced weights so underestimated as to cast doubt on any conclusions derived from them.

Gillespie, Robert W. *Judicial Productivity and Court Delay: A Statistical Analysis of the Federal District Courts*. (Washington, D.C.: National Institute of Law Enforcement and Criminal Justice, LEAA, 1975).

Analysis by a visiting fellow to the National Institute; a preliminary draft of next item.

Gillespie, Robert W. *Judicial Productivity and Court Delay: An Exploratory Analysis of the Federal District Courts*. (National Institute of Law Enforcement and Criminal Justice, Washington, D.C.: U.S. Govt. Print. Off., 1976), 111 p.

Abstract: One of the most difficult problems researchers encounter in studying the courts is measuring court performance. The purpose of this project, therefore, was to formulate a measure that could be uniformly applied to each of the United States District Courts to provide more exact information about the causes of differential performance rates among the courts. Specifically, it analyzed the relation between court delay, court productivity, and the demand for court services among all District Courts, and the determinants of differences in court productivity itself. The statistical method used was multiple regression analysis applied across all of the courts for each year from 1968 to 1974. The trend in average output per judge over all courts was found to be significantly higher using the output measure than using total cases disposed. Court delay was found to be consistently related to pending workload per judge but only weakly related to output per judge. Output per judge (productivity) was found to be strongly related to demand pressure (total available workload) and size of court, but not significantly related to the differential use of trials. These findings suggest that the courts, on the average, have reserve capacity, and the use of trials in practice is not as significant a factor in limiting court output as is generally believed. The findings also point to some weaknesses in the analytic framework itself; refinements to achieve a more consistent analysis within the general framework used are suggested.

\*From Fannie B. Klein, *The Administration of Justice in the Courts: A Selected and Annotated Bibliography*.

Goldman, J. "Federal District Courts and the Appellate Crisis." *Judicature* 57:211-213 (1973).

\*Political scientist uses statistical data to determine the rate of civil and criminal appeal from district courts to courts of appeal; concludes that the appellate court crisis is a reflection of the changing district court decisionmaking process. Goldman has also written two unpublished research reports for the Federal Judicial Center: "Rate of Appeal Report," 1973, 6 p. of tables; "Measuring a Rate of Appeal (Revision)," 1973, 11 p.

Goldman, J. "A Caseload Forecasting Model for Federal District Courts." 38 p. plus 14 p. appendices.

Goldman prepared this paper for delivery at the 1975 Annual Meeting of the American Political Science Association.

### **Manhattan Criminal Court Master Calendar Project**

New York City—Rand Institute, *The Flow of Defendants Through the New York City Criminal Court in 1967*. Prepared by J. B. Jennings (New York: 1970), 70 p.

\*Study, focusing on arraignments and final dispositions, presents quantitative description and diagrams of the flow of defendants through the New York Criminal Court, including types of crimes and pleas.

New York City—Rand Institute. *The Flow of Arrested Adult Defendants Through the Manhattan Criminal Court in 1968 and 1969*. Prepared by J. B. Jennings (New York: 1971), 131 p.

\*Study analyzes the appearance histories of 5,000 misdemeanor and felony cases, including sequence of court parts through which cases pass, number of appearances, duration, and disposition time, as a basis of study for improving the allocation of the courts' resources and for planning court reforms. Data tables and charts.

New York City—Rand Institute. "Quantitative Models of Criminal Courts." Prepared by J. B. Jennings. (New York: 1971), 28 p.

\*Paper summarizes recent work in the development of quantitative models forming the basis of research in effective court administration, introduces original research model, and suggests promising areas of further study. Examined are

models of caseload and court operation and scheduling models, charts, tables, and selected references.

New York City—Rand Institute. "The Design and Evaluation of Experimental Court Reforms." Prepared by J. B. Jennings, 1971, 21 p.

\*Author illustrates his thesis that court administrators should make greater use of carefully controlled experiments to improve court operations, through use of design and evaluation of an ongoing experiment in the New York City Criminal Court with a master calendar system.

New York City—Rand Institute. *Evaluation of the Manhattan Criminal Court's Master Calendar Project*. Phase I: February 1—June 20, 1971. Prepared by J. B. Jennings. (New York, 1972), 141 p.

\*Specifics of the plan, how inaugurated, used and administered; evaluated as successful.

New York City—Rand Institute. *Final Evaluation of the Manhattan Criminal Court's Master Calendar Project*. Prepared by J. B. Jennings. (New York: 1973), 143 p.

\*Fragmented, specialized criminal court "parts" replaced in 1971 by 1) all-purpose parts, 2) master all-purpose calendar (MAP); both judged improvement but MAP needs substantial further coordination to eliminate time and cost waste. Methodology of evaluation explained. Figures, tables, glossary, time and workload charts; "all-purpose parts" are parts in which individual parts or pairs of parts conduct all post-arraignment processing of assigned cases. "Master Calendar System" is one in which a small group of parts is coordinated centrally and supported by an "administrative unit."

### **Judicial information systems**

A judicial information system can be defined as an integrated, man/machine system for providing information to support the operations, management, and decision-making functions of a court. A judicial information system may utilize computer hardware and software, manual procedures, and management and decision models to create the judicial data base which is manipulated to provide information. Judicial information systems can provide not only data pertaining to case volume and monitoring, but in addition they can provide data relating to expen-

ditures, personnel, and facilities. Developed systems can produce a myriad of reports which provide information on a current inventory of cases, age and status of pending cases, cost of jury operations, court budgets, and personnel inventories and availability. Judicial information systems, in short, provide information required for fiscal and budgetary operations, caseload management, planning, and judicial research. The most notable statewide judicial information effort is the State Judicial Information Systems project supported by NCJISS which now encompasses twenty-three states. Adoption of a judicial information system will go a long way toward improving the consistency, accuracy and timeliness of judicial statistics.

Blake, E., and Polansky, L. "Computer Streamlines Caseload at Philadelphia Common Pleas Court." *Judicature* 53:205-209 (1969); *Law and Computer Tech* 3:72-76 (1970).

\*Story of IBM computer use in the civil and criminal divisions of court told by its administrator and deputy: "backlog analyzed." Also issued as separate pamphlet, with illustrative flow charts, tables, forms: an overview of the Common Pleas Court computer system. Philadelphia Office of Court Administration, 1969. 93 p.

Chartrand, R. L. "Systems Technology and Judicial Administration." *Judicature* 52:194-198 (1968).

\*Information systems specialist provides overview of the need for experiments in and long range projects for computer resources in judicial administration.

Clarke, Stevens H. "Toward Understanding the Outcome of Serious Criminal Cases in the Courts: Some Thoughts About a Statistical Reporting System." University of North Carolina, 1973.

Unpublished paper in which the author argues that an effective court information system should anticipate the kinds of questions which may reasonably be asked about the effectiveness of the justice system in dealing with serious criminal cases. Suggests data bases to answer example questions with appropriate statistical methods.

Ellenbogen, Henry. "Automation in the Courts." *American Bar Association Journal* 55:655-658 (July 1964).

Description of an early effort by the Court of Common Pleas of Allegheny County, Pennsylvania, to relieve a large backlog in civil damage suits resulting from automobile accidents by using automated data processing procedures.

Freed, R. N. *Computers and Law: A Reference Work*. 4th edition. Revised December 1973. (Boston: Author, 1974), 627 p.

\*See Part 3, Chapter A. Reprints include: Freed, R., *Computers in Judicial Administration (Judicature 55:419-421 (1969) 558-560*; Halloran, N. A., *Judicial Data Centers (Judicature 52:156-160 (1969)) 561-565*; Hayden, R. F., *Computers and the Administration of Justice (Proc. 1973 Fall Joint Computer Conference, Baltimore: Spartan Books, 1963, 609-617) 556-571*; Higginbotham, A. L., Jr., *The Trial Backlog and Computer Analysis (FRD 44:101-113) 563-576*; Freed, R. N., *The Trial Backlog and Computer Analysis (FRD 44:113-119) 576-579*.

Higginbotham, A. Leon, Jr. "The Trial Backlog and Computer Analysis." *Boston Bar Journal* 13, 4:9-17 (April 1969); also in *44 Federal Rules Decisions*.

Discussion of the role of computer technology as part of court management technique—for case inventory, for eliminating the problem of attorney congestion and unnecessary attorney delay for scheduling cases.

International Business Machines Corporation. *Justice Administration*. (White Plains, New York: 1969), 10 p.

\*Pamphlet explains how the use of a Judicial Data Center computer system can solve many of the problems of judicial administration: how the system works; which agencies it can serve; and possible computer solution to delay, dispersed administration, and inaccessibility of information about criminal offenders. Includes sample computer print-outs.

International Business Machines Corporation. *Judicial Administration: Data Processing Applications*. (White Plains, New York: 1967), 24 p.

\*Describes briefly criminal and civil process; illustrates how automation can improve administration by keeping updated information and statistical data.

Institute for Court Management. *Court Information*

\*From Fannie B. Klein, *The Administration of Justice in the Courts: A Selected and Annotated Bibliography*.

and *Records Studies, Summary Discussion*. (Denver: 1971), 6 p.

\*Studies in progress furnish the following "Tentative insights": 1) Meaningless excess verbiage that swells paperwork volume probably stems from clerks' origins as fee officers, paid by word; 2) Precedent still blocks change (We've always done it that way); 3) Court records mostly transmit and retain legal information, while management information that would be of future benefit is carried only in judges' and clerks' heads; 4) Records become the end rather than means; 5) Court personnel performs each task as separate function rather than as part of whole, interrelated with other personnel and functions, because of (a) tradition, (b) to preserve the legal mystique, and (c) legal fictions.

Institute for Court Management. *Missouri State-wide Uniform Court Information System Project: Circuit Court Phase*. (Denver: 1971), 91 p.

\*W. L. Whittaker, Project Director. Following field study of eight representative circuit courts, researchers describe their findings as to the court information and records systems in these courts. Size of record books, hand-written entries, repetition, costs, personnel are some of the specifics described. Enumerates typical case records and suggests eight goals to improve the information systems with specific recommendations.

New York (City) Criminal Justice Coordinating Council. *Evaluation of a Study for an Automated Court System in the City of New York*. Prepared by Task Force of the Criminal Justice Information Committee. (New York: 1968), 15 p.

\*Presents problems of the criminal courts as to length of cases, statistics keeping and reporting functions, calendaring and lack of management tools; evaluates a study of IBM to automate the court system and suggests a two-month study to design a system for installation in the criminal courts.

"Space age electronics speed the wheels of justice (EDP for court docket control, Court of Common Pleas of Allegheny County)." *Journal of American Judicature Society* 48:37-39 (1964).

\*Examination of how computers can aid the judicial system by providing an accurate analysis of a court's workload, a record of the progress of each case, statistics on the court's operations, and location of over-concentration of cases in certain

law firms and how computers were used for these purposes in a Pittsburgh court.

White, Susan D. *The Use of Electronic Data Processing in Court*. (Chicago: American Judicature Society, May 1971).

State-by-state compilation of replies to a questionnaire sent to state court administrators, chief justices or other officials having supervisory authority, regarding kind of equipment used, courts using it, purposes to which it was put, and future plans for electronic data processing.

## Criminal justice information systems

While a judicial information system is concerned with all the activities in one agency (the courts), a criminal justice information system is concerned with only the criminal defendant as he progresses from police, to prosecution, to courts, and finally to corrections. For those cases that it covers, this system has the advantage of avoiding duplication of effort by the several agencies involved in the criminal justice process. There are, however, some questions of propriety raised by the mere fact that courts are using the same data base as police and prosecutors. In these instances, care must be taken to partition data sets so that each agency is assured of data privacy and can access only that information to which it is entitled. Much of the large, steadily growing amount of literature on criminal justice information systems is of interest to users of judicial statistics since the manner in which criminal case data elements are defined in the system will influence their compatibility with judicial statistics produced by other means.

Beattie, R. H. *Offender-based Criminal Statistics, Dispositions of Felony Arrests in Selected California Counties*. (Sacramento: Project SEARCH staff, California Crime Technological Research Foundation, 1971), 82 p. (Special report 3.)

Contains useful background information on the state of judicial statistics by the Chief of the Bureau of Criminal Statistics, California Department of Justice, who was involved in the Census Bureau *Judicial Criminal Statistics* series in the 1930s.

Cordrey, J. B. *Utilization of Statistical Techniques in Criminal Decision Making*. (National Institute of

Law Enforcement and Criminal Justice, 1973).

Examples taken from Pilot Cities Criminal Justice studies are used to develop statistical concepts that can be used to analyze objective data for use in criminal decisionmaking.

Federal Judicial Center. COURTRAN: A Modular Management Information and Research System for Courts. Prepared for presentation at the International Symposium on Criminal Justice Information and Statistic Systems October 3-5, 1972, by J. L. Ebersole and J. H. Hall, Jr. (Washington, D.C.: 1972), 55 p. plus appendix.

\*Description of computer system designed to provide information support services for court management and for study and evaluation of court procedure and processes. Appendix includes criminal and civil case matrices and mnemonics, master file layouts, and sample criminal reports.

Federal Judicial Center. COURTRAN II: An Assessment of Applications and Computer Requirements. Prepared by Charles W. Nihan, Federal Judicial Center, Revised September 1974, 65 p. plus appendices.

Outlines the development and pilot operation of an improved court management information and research system which will provide courts with the means to substantially improve the efficiency of clerks' office operations. The paper analyzes the potential application to federal courts, proposes a minicomputer configuration to support COURTRAN II operations and discusses the factors considered in selecting the proposed configuration. Also summarizes probable operating costs and dollar savings.

National Center for State Courts. *Analysis of the Idaho Courts Information System*. (Denver: 1974). 46 p.

\*Analysis of existing situation includes: court structure and jurisdiction; need for court records system; caseload analysis support system; problems with the present system; and long and short term recommendations for improvement. Report concludes that Idaho courts should implement a case and offender tracking system, increase the information processing staff, and purchase a minicomputer to be located at the

Supreme Court building. Appendices: suggested changes; approach to case tracking system; and comparison of system alternatives and costs.

Pope, Carl E. *Offender-Based Transaction Statistics: New Directions in Data Collection and Reporting*. (LEAA, Criminal Justice Research Center, Analytic Report 5—NCJISS, 1975), 32 p.

The first of three monographs focusing on judicial processing of California felony offenders in 12 separate counties. The overall objectives of the series are to describe and analyze a transactional data base in which offenders are tracked through various stages of the criminal justice system, and to demonstrate empirically some of the possible uses of these data in providing information of the type heretofore not readily available. This report describes the underlying nature of transaction data, highlighting many of its possible uses. The flow of California felony arrestees through the judicial system is presented and discussed.

Public Systems, Inc. *Offender Tracking—Information for Criminal Justice System Planning, Analysis and Evaluation*. (Sunnyvale, California: 1971), 1 v., var. pag.

\*The collection of criminal justice statistics by focusing on the individual person and tracking the processing of the individual from point of entry in the criminal justice system to point of exit, in five California counties, is described. Some uses of such statistics are explored. Statistics and flow diagrams are included.

### SEARCH Group

Project SEARCH. *Designing Statewide Criminal Justice Statistics Systems: The Demonstration of a Prototype* (Sacramento: Crime Technological Research Foundation, 1970), 96 p. (Technical Report 3.)

\*Discusses the incapacities of present systems, which prevent a view of the total picture of criminality needed both for daily decisions and long-range planning. Shows how the new system would coordinate police, judicial, and correctional data. Gives tables showing how an individual would be tracked through criminal justice process and guidelines for state level systems. Includes test of the Uniform Criminal Statistics Act (1946).

Project SEARCH. *Designing Statewide Criminal Justice Statistics Systems: An Examination of the Five-state Implementation*. (Sacramento: Crime Tech-

\*From Fannie B. Klein, *The Administration of Justice in the Courts: A Selected and Annotated Bibliography*.

nological Research Foundation, 1972), 144 p. (Technical Report 5.)

\*Demonstrates the unique problems of each state, and discusses the role of an as yet unformulated national system. Includes forms for the collection of data.

Project SEARCH. *Implementing Statewide Criminal Justice Statistics Systems: The Model and Implementation Environment*. (Sacramento: Crime Technological Research Foundation, 1972), 89 p. (Technical Report 4.)

\*The first of two volumes documenting the actual state-level implementation of an offender-based transaction statistics system in each of five participating states. Considers issues relevant to the drafting of state statistics statutes.

SEARCH Group, Inc. *State Judicial Information Systems, State of the Art*. Technical Memorandum No. 11. (Sacramento: 1975), 86 p.

A survey of the state of the art of data collection, processing, and reporting techniques in state level judicial administration, undertaken in an effort to coordinate and accelerate the development of comprehensive state-level criminal justice information systems. The initial research was done by the Institute of Judicial Administration. The State Judicial Information Systems Project was undertaken to consider ways of improving the quality and quantity of state-level judicial management of civil and criminal cases and to determine how trial and appellate courts can best supply criminal data to other agencies. The monograph discusses the judicial information that is currently collected by the states and the techniques used to collect it. This information is presented as a tool to be used by the SJIS Project Committee to formulate recommendations on the types of information and information collection processes that should be used by state court administrations to create statistical reports for judicial management purposes. Includes a discussion of previous studies in the field, 19 tables showing data being collected in 1974, and chapters on state-level judicial information systems now in use, on trial court information systems, and on privacy and security of judicial information.

SEARCH. *SJIS State Judicial Information System: Final Report (Phase I)* June 1975, 131 p. (Technical Report No. 12); *Phase II Final Report* (Technical Report No. 17). Parts I and II—28 p. plus 5 appendices.

Table of Contents is as follows: Part I—The SJIS Guide to System Development, Implementation and Evaluation includes SJIS Project Committee Members, Introduction to SJIS, SJIS Guide to System Development and Implementation, and The SJIS Model Evaluation Design. Part II—The SJIS Model includes SJIS Model Information Requirements and Model SJIS Functional System Design.

National Symposium on Criminal Justice Information and Statistics Systems, 1970, Proceedings. November 11-12, 1970, Dallas; Edited by G. A. Buck. (Washington, D.C.: 1971), 320 p.

\*Addresses and papers delivered pertain to Project SEARCH (Systems for Electronic Analysis and Retrieval of Criminal Histories) approach and results; various information systems; future prospects; and statistical developments.

International Symposium on Criminal Justice Information and Statistics Systems, 1972, Proceedings. Sponsored by Project SEARCH and the Law Enforcement Assistance Administration, October 3-5, 1972, New Orleans; Edited by G. Cooper, symposium coordinator. (Washington, D.C.: 1972), 633 p.

\*Addresses and papers delivered pertain to advancements, major issues and trends in criminal justice information and statistics systems; police, courts and corrections information and statistics; systems design and implementation; and identification systems.

Second International Symposium on Criminal Justice Information and Statistics Systems, 1974, Proceedings. Sponsored by Project SEARCH, April 30-May 3, 1974, San Francisco. Edited by Ernest Cresswell, symposium coordinator. 699 p.

Addresses and papers delivered pertain to police information systems, judicial information systems, corrections information systems, information systems for planners, juvenile information systems, making comprehensive data systems a reality, national programs in telecommunications, security and privacy, reporting/analysis systems, international crime data processing.

Third International Symposium on Criminal Justice Information and Statistics Systems, 1976, Proceedings. Sponsored by SEARCH Group, Inc., May 24-26, 1976, Philadelphia. Edited by John Laucher, SEARCH Group Information Manager, and

Martha Casey, SEARCH Group Assistant Information Manager. 455 p.

Addresses and papers deal with Past-Present-Future Contemporary Systems Issues, SEARCH Progress, Exemplary Programs, putting it all together "... to insure domestic tranquility."

U.S. Law Enforcement Assistance Administration. *1976 Directory of Automated Criminal Justice Information Systems*. (Washington, D.C.: U.S. Govt. Print. Off., 1976), 2 v., var. pag. Volume I—Systems Summaries and Indexes. Volume II—Privacy and Security Supplement.

Volume I lists approximately 540 separately defined automated criminal justice information systems, used by police, courts, corrections and other agencies in 278 jurisdictions. For each jurisdiction covered, the listing describes briefly the criminal justice information systems which are operational or being developed, who is doing the work, and the current status of the system.

Volume II sets out the privacy/confidentiality safeguards and security controls associated with each of the systems described in the Directory.

U.S. National Bureau of Standards. *Studying Criminal Court Processes: Some Tools and Techniques*. Prepared by E. Nilsson and others. (Washington, D.C.: 1972), 108 p. plus appendices.

\*Brief description with definitions of criminal process; suggestions to nonstatisticians on collecting and analyzing data with and without computer assistance, with examples. Bibliography.

U.S. National Criminal Justice Information and Statistics Service. Program Plan for Information and Communications Systems 1978-1982. Unpublished draft. 58 p.

The introduction contains a discussion of the mission and organization of NCJISS and the purpose of the plan. Historical background is provided along with goals and objectives of criminal justice information systems. The bulk of the report deals with specific areas that will be explored during the next five years, including discussion of current projects and brief descriptions of types of project that will be undertaken by fiscal year.

\*From Fannie B. Klein, *The Administration of Justice in the Courts: A Selected and Annotated Bibliography*.

## General court management

In this category are listed all of the general materials which suggested that accurate statistics are vital to court management. Many of the studies propose several methods to "modernize" the courts and use statistics to test the effects of reforms—such as judicial selection, use of commissioners and presence of intermediate appellate courts—on court processing. This category is distinguished by the fact that the materials are related to courts in general and not to judicial statistics in particular.

Friesen, E. C.; Gallas, E. C.; and Gallas, N. M. *Managing the Courts*. (Indianapolis: Bobbs-Merrill, 1971), 341 p.

\*First of its kind of new court administration literature, book by three professionals demonstrates value of business management to the judicial department. Chapters 2 to 10 explore structure and jurisdiction of courts, constraints on management, inherent powers, governmental relation with courts, function and role of court executive (distinguishing between statewide and trial court officials), judicial responsibility in management, utilization of judicial manpower, case assignment, automation information. Chapter 11 discusses courts as a social force. Chapter 1 traces the history of court management and conveys authors' ideas of a total systems concept of court management. Appendices present role analysis in judicial process of Superior Court, Los Angeles, citations to cases and forms of action to vindicate inherent powers and pertinent rules of Los Angeles Superior Court.

Gazell, James A. *State Trial Courts as Bureaucracies: A Study in Judicial Management*. (New York: Dunellen, 1975). 168 p.

This book is based upon three earlier law review articles dealing with the general problems of judicial administration. The public administration processor looks at state trial court systems as bureaucracies, the need for scholarly examination of the problems of judicial management, role of judicial staffs, judicial selection, tenure and discipline, and makes recommendations for reform. See J. A. Gazell, "State Trial Courts: An Odyssey into Faltering Bureaucracies," *San Diego Law Review* 8:275-331 (1971); also "State Trial

Courts: The Increasing Visibility of a Quagmire in Criminal Justice," *San Diego Law Review* 9:379-400 (February 1972).

Tydings, J. C. "Modernizing Our Courts." *Georgia State Bar Journal* 4:84-89 (1967); Congressional Record 113:19160-61 (1967).

\*Senator points up the problems of court delay, underpaid judiciary, and anemic approach to reform by legislatures and bar associates. He recommends that each court have a supervisory judge with power and personnel to make and implement administrative decisions, that each court system develop administration operations by establishing procedures to collect and analyze court information, and that each court system have adequate physical facilities, competent clerical personnel and office procedures. He urges the use of management studies.

### Alabama

National Center for State Courts. *Report on the Appellate Process in Alabama*. Prepared by D. Halperin. (Denver: 1973), 239 p.

\*Full survey of present jurisdiction, practices, and procedures in all appellate courts, with critique and specific recommendations in each area; includes judicial and administrative personnel, law clerks, and secretaries. Appendix compares judicial productivity in Alabama appellate courts with those in Florida, Georgia, Mississippi, and U.S. Courts of Appeal. Report also examines costs of appeal, fiscal affairs, internal practices and physical facilities. 32 p. summary report also issued.

### California

Judicial Council of California. *Guidelines for Determining the Impact of Legislation on the Courts*. Judicial Impact Analysis Project, Second Year Findings and Recommendations prepared by Ralph Anderson and Associates. (Sacramento: 1975).

Final report on a project initiated to develop a systematic procedure for determining the total impact of legislation on courts. Project goals for the second year were concerned with evaluating the procedure (and making recommendations regarding the feasibility of analyzing court-related legislation on a continuing basis). It recom-

mended that the Judicial Council assume responsibility for preparing judicial impact reports.

### Georgia

Georgia University Institute of Government. *Judicial Administration in Georgia: A Case Study*. (Athens: 1972), 209 p.

\*Report identifies problems of the Georgia court system and offers findings with conclusions on court procedure, personnel, record management and court financing. Descriptive data is on the Western Judicial Circuit including organization and statistics.

Ernst and Ernst. *Georgia Courts, a Survey of Current Operations and Recommendations for Improvements*. Prepared for Governor's Commission on Judicial Processes. (Atlanta: 1973), 1 v., var. pag.

\*Management consultants consider judicial statistics, records, and procedures, financing of courts and personnel. Based on field work, systems analysis of selected courts, and previous studies, report includes description of judicial system as of 1972, sample data collection sheet and statistical reports, questionnaire.

### Idaho

Idaho Legislative Council. *Court Modernization in Idaho*. November 1966 (Research publication No. 10), 253 p.

A complete review of the present court system of Idaho with a study of court modernization in Colorado, Illinois, and North Carolina. The court collection and disposition of fees, fines, forfeitures, and costs are examined. Judicial districts, selection of judges, and docket analysis of all courts are covered. Proposals made by the Committee on Courts are included and numerous tables present data collected through docket analysis.

### Illinois

National Center for State Courts. *The Appellate Process and Staff Research Attorneys in the Illinois Appellate Court*. Prepared by J. D. Lucas (Denver: 1974), 167 p.

\*Illinois intermediate appellate courts and procedure described, followed by description of why



and how staff attorneys confined project to screening and preparing easiest cases (to help with two-year backlog). Statistics, questionnaire to judges evaluating staff's work, samples of staff memoranda.

### Maine

Institute of Judicial Administration. *The Supreme Judicial Court and the Superior Court of the State of Maine*. (New York: 1971), 73 p.

\*Organization, jurisdiction and operation of these courts, and a proposal for management system. Recommendations include retention of the Supreme Court Justices' exercising trial jurisdiction, reorganization of appellate terms, limiting jurisdiction for the Superior Court, elimination of trial de novo in misdemeanor cases, state financing of the Superior Court.

National Center for State Courts. *Administrative Unification of the Maine State Courts*. Prepared by the Northeastern Regional Office. (Denver: 1975), 157 p.

\*Report for Maine Trial Court Revision Commission, (with selected recommendations—see p. iii) is based on interviews with court people, data and statistics in court records and reports, literature on judicial administration. Covered in analysis and recommendations are: Chief Justice as court administrator; judicial regions (venue, presiding justice, administrative coordination, term system); appointment of court clerks (by judiciary, as opposed to election); right to jury trial; state financing; central administrative office and Judicial Center; facilities; sound recording (in district court, to eliminate trial de novo).

### Massachusetts

Mitre Corporation. *Management Study, Third District Court of Eastern Middlesex County (Mass.)*. Prepared by J. P. Moreschi and D. Turrentine. (Bedford, Mass.: 1971), 2 v.

\*A study of District Court in Cambridge, in what is characterized as a "high crime" area, directed to the processing of criminal, traffic, and jury-of-six appeals cases. Vol. 1. includes a description of

the problems of the court, recommendations for changing the judicial process, clerk's office and probation department, a long-term recommendation for electronic data processing, implementation plan and court statistics. Appendix 3 is a proposal for revising the processing of drunkenness arrests to free court personnel. Vol. 2. provides a detailed description of current operations in the clerk's office, probation department, and courtroom activities, through flow charts and functional descriptions. Statistics on the court and its operations for the period 1964 to 1970 are included.

### Michigan

Ernst and Ernst. *Background Papers on National Trends in the Unification of State Courts*. (January 1974).

Three reports entitled, "Selected Aspects of State Court Financing," "Personnel Issues in a Unified Court System," and "Selected Facets of State Court Unification," prepared by Dr. James Gazell, Associate Professor of Public Administration and Urban Studies, California State University. Intended to provide background information for the Michigan Supreme Court and other data on what is occurring nationally in regard to state unified court systems.

### Minnesota

Wolfram, C. W. "Notes from a Study of the Caseload of the Minnesota Supreme Court: Some Comments and Statistics on Pressures and Responses." *Minnesota Law Review* 53:939-975 (1969).

\*Statistical and substantive analysis of the court's caseload; how the court has responded to mounting caseload by appointing commissioners and by sitting in divisions; defects of divisional system noted; describes mechanics of divisional sitting. In this partially completed study, author cites courts' inefficiency as contributing to problems.

### Nebraska

National Center for State Courts. *The Appellate Process and Staff Research Attorneys in the Supreme Court of Nebraska*. Prepared by J. A. Lake, Sr. (Denver: 1974), 189 p.

\*From Fannie B. Klein, *The Administration of Justice in the Courts: A Selected and Annotated Bibliography*.

\*Description of court, procedure, and of experiment in which staff helped justices to shorten time between oral argument and decisions; lack of backlog in this court, however, caused problems in demonstrating results and in justices' enthusiasm for project. Statistics, questionnaire with justices' evaluations appended.

### New Jersey

National Center for State Courts. *The Appellate Process and Staff Research Attorneys in the Appellate Division of the New Jersey Superior Court*. Prepared by T. J. Farer and C. M. Jacob. (Denver: 1974), 120 p.

\*In New Jersey's intermediate appellate courts, with heavy caseload and backlog, project staff concentrated on screening of cases; other attempts to help, problems of evaluation discussed. Procedure described; statistics, judges' evaluation of staff's work appended.

### North Carolina

Groot, R. D. "The Effects of an Intermediate Appellate Court on Supreme Court Work Product: The North Carolina Experience." *Wake Forest Law Review* 7:548-573 (1971).

\*Examines the top court's work product before and after 1969 creation of the intermediate appellate courts; finds a great improvement in effectiveness, allowing better development of the law.

### Oklahoma

Hudnell, Lance Ballard. "The Development and Application of an Effective System of Judicial Statistics." 191 p.

Unpublished research paper written by court management intern (1975-76) for the Administrative Director of the Oklahoma Courts. Part 1 discusses the theory and development of judicial statistics, including a consensus model for the collection of ideal statistics. Part 2 discusses weighted caseload systems in general, and those of California and Florida in detail. Part 3 discusses the development and application of judicial statistics in Oklahoma.

### Tennessee

Institute of Judicial Administration. *The Judicial System of Tennessee*. (New York: 1971), 91 p. plus appendices.

\*Survey at request of Tennessee Judicial Council presents an overview of the court system, giving the jurisdiction of each court; financing and physical facilities are discussed. Summary is given and recommendations are made. Three interim reports and the detailed preliminary report are on file in the Institute of Judicial Administration library. They contain specifics, statistics, charts, diagrams. J. G. France, Project Director.

Overton, E. E. "The Judicial System and Its Administration in Tennessee: Potentialities for Reorganization and Improvement: A Comparative Study." (Knoxville: University of Tennessee, 1964), 88 p. Also in *Tennessee Law Review* 32:501-572 (1965).

\*Professor describes the Tennessee court system, its judges and its salient characteristics; analyzes reorganization of courts and qualification and selection of judges in other states; offers possibilities of reform for Tennessee, including abolishing the distinction between law and equity courts, appointment of judges and further administrative supervision of the judicial system; gives comparative tables of case loads.

### Texas

Reavley, T. M. "Court Improvement: The Texas Scene." *Texas Technical Law Review* 4:269-295 (1973).

\*Supreme court justice finds a need for improvement particularly in time for disposition of cases and in public opinion of the courts. Addressing himself to some of the essential steps toward improvement, he covers court management, judicial selection, and the judicial council. Appendix: proposed amendment.

### Utah

Utah Legislative Council. *Utah Courts Study*. Prepared by Utah Law Research Council. (Salt Lake City: 1972), 1 v., var. pag.

\*Study acknowledges the difficulties encountered in attempting to secure necessary data on a court

system fragmented into many independent tiers of courts, financially supported through many sources. Presents structure, caseload, financial data, opinions of the judges regarding the system and characteristics of judges. There are many tables and charts, analysis of cases, caseload and financial data, and supplemental appendices.

### Virginia

Lilly, G. C., and Scalia, A. "Appellate Justice: A Crisis in Virginia." *Virginia Law Review* 57:3-64 (1971).

\*Thesis is that quality of Virginia Supreme Court's work is impaired. After examining statistically the nature and volume of workload, conclusion is that although appeals have substantially increased, opinions per judge in 1969 were only 22. Because appeal is not of right and there is no intermediate appellate court, unless appeal becomes mostly "cursory" examination, there will be a severe docket crisis. After examining the mechanics of present appellate procedures (including decisionmaking process and time consumed) the authors consider possible reforms such as increasing bench from seven to up to eleven, adding non-judicial personnel (commissioners), panel system, and others. They discuss in detail the nature of the jurisdiction of a lower

court of appeals that would be terminal, objective being to avoid double appeals. Article has statistical and comparative charts.

National Center for State Courts. *The Appellate Process and Staff Research Attorneys in the Supreme Court of Virginia*. Prepared by G. C. Lilly (Denver: 1974), 205 p.

\*Describes appellate process in Virginia, how staff attorneys screened cases and prepared memoranda, suggestions for procedural changes to Supreme Court. Statistics, questionnaire to judges, with their evaluation of staff's work, sample staff attorney's memos.

### Wisconsin

Wisconsin Legislative Council Judiciary Committee. *Court Reorganization in Wisconsin: Background and Population Statistics*. (Madison: 1968), 19 p.

\*Staff memorandum to Judiciary Committee giving background of court reorganization in Wisconsin since 1913; population and judicial workload statistics are given with the warning that incomplete reporting and the difficulty of evaluating matters disposed of, in terms of court time, make caseload statistics an unreliable basis for distribution of judicial manpower.

## III. General reference

Contained within this section are those works that provided definitions or classifications for court statistics as well as sources of selected national statistics and information, such as crime, court, and population data.

Administrative Office of the United States Courts. *Management Statistics for the United States Courts, 1976*. (Washington, D.C.: Administrative Office of the U.S. Courts, October 1976), 127 p. Available annually.

Introduction; Explanation of Profiles for Courts of Appeals; Explanation of Profiles for District

Courts; United States Courts Statistical Profiles; United States Courts of Appeals; United States District Courts.

American University, Criminal Courts Technical Assistance Project. *Collecting and Analyzing Court Statistics: A Handbook Prepared for the New Hampshire Judicial Council*. Prepared by consultants from the National Center for State Courts (Washington, D.C.: LEAA, 1976).

Guidelines which provide an overview of the basic uses, sources and techniques of statistics, suggest various applications of statistical information to court decision-making and reporting function, present a preliminary introduction to

\*From Fannie B. Klein, *The Administration of Justice in the Courts: A Selected and Annotated Bibliography*.

data collection and sampling, and provide appendices; also a bibliography which explores various theoretical concepts with which the data-gatherer should become acquainted.

Auerbach Associates, Inc. *Criminal Justice Glossary, Draft II*. (Philadelphia: 1973), 367 p.

\*Definitions of criminal justice terms commonly used in criminal courts; Appendix A: Courts by name in each state; bibliography. Work done under LEAA grant; objective is to unify criminal justice terms—first step in collection of uniform statistics.

Black, Henry Campbell. *Black's Law Dictionary*. Revised Fourth Edition. (St. Paul, Minnesota: West Publishing Co., 1968), 1882 p.

Source of definitions for legal terms.

Council of State Governments. *Book of the States 1976-1977*. (Lexington, Kentucky: 1976.)

Reference work for information about each state.

The Council of State Governments. *State Court Systems*. Revised 1976 (Lexington, Kentucky: 1976), 43 p.

Contains 15 sections altogether. Section 1 gives names of courts in the states and numbers of judges of appellate courts and trial courts of general jurisdiction. Section 11 contains selected data on court administrative offices.

Federal Bureau of Investigation. *Crime in the United States, 1975*. (Washington, D.C.: U.S. Govt. Print. Off., 1976), 297 p.

Summary of Uniform Crime Reporting Program; Crime and Offender Information; Narrative Comments; Tabular Presentation; Persons Arrested; Law Enforcement Employees; Narrative Comments; Tabular Presentation.

Institute for Court Management. *Court Study Process*. (Denver: 1975), 330 p.

\*Point 1: Guide to conducting court studies consists of brief remarks on planning, selecting consultants, study techniques, computer use, etc. Point 2: Papers presented at the Conference on Court Studies (May, 1973): Friesen, E. C., Overview of the Court Study Process; Ebersole, J. L., Planning and Organizing a Court Study; Solomon, M., Conducting the Court Study; Davey, J. F., Developing Findings, Conclusions, Recommendations in "Change Oriented" Court

Studies; Oberlin, B. L., Conducting a Court Study; Gardner, N., Implementation: Process of Change; Lawson, H. O., Commentary on the Process of Change; Bohlin, E., Special Features of Studies Involving Application of Computer Technology and Court Administration; Short, E. H., Computers in the Courts; Najelski, P., National Standards and Court Studies; Corrigan, J. J., Court Studies: The Judicial Perspective; Rubin, T., Comparative Court Studies.

Rand Institute. *Indicators of Justice: Measuring the Performance of Prosecution, Defense, and Court Agencies*. Prepared by Sorrel Wildhorn, Marvin Lavin, Anthony Pascal, Sandra Berry, Stephen Klein. Volume I: *A Guide to Practitioners*. Volume II: *Analysis and Demonstration* (Santa Monica: 1976).

These two reports, supported by a grant from the National Institute of Law Enforcement and Criminal Justice, present the results of an eighteen-month study of the use of statistical performance measures in the context of felony proceedings. The first report summarizes and synthesizes the approach, the methods used, and the overall findings of the study and draws general implications for jurisdictions in applying the approach. The second report is a comprehensive and detailed description of all aspects of the study including background discussion and literature review; professional views on performance measures; a discussion of a theoretical basis for selecting performance measures; a description of the data collection efforts; explanation of how the demonstration jurisdictions were selected; the application of selected performance measures in the two demonstration jurisdictions; the role of criminal case auditing in performance measurement; the methods, procedures, and results of surveying lay participant attitudes; and the general findings and implications of the study.

U.S. National Criminal Justice Information and Statistics Service. *Criminal Victimization in the United States*. 1974 Final Report. 1977; 192 p.

Survey focuses on certain criminal offenses, whether completed or attempted, that are of major concern to the general public and law enforcement authorities. For individuals, these are rape, robbery, assault, and personal larceny; for households, burglary, household larceny, and motor vehicle theft; and for commercial establishments, burglary and robbery. Attempts to examine the

characteristics of victims and the circumstances surrounding the criminal acts.

U.S. National Criminal Justice Information and Statistics Service. *Criminal Victimization in the United States: A Comparison of 1974 and 1975 Findings*. (Washington, D.C.: 1977), 57 p.

Based on a study of variations between 1974 and 1975 in the rates at which persons age 12 and over, households, and businesses across the nation were victimized. Surveys are expected to supply criminal justice officials with new insights into crime, its victims, and the impact of criminal behavior on society.

U.S. National Criminal Justice Information and Statistics Service, LEAA. *Dictionary of Criminal Justice Data Terminology*. First edition. (Washington, D.C.: U.S. Govt. Print. Off., 1976).

First step in the development of a national criminal justice data terminology, with a final goal to produce a standard reference work after the current edition has been responded to and revised. Needed in order to achieve a uniform and unambiguous terminology for the gathering and exchange of statistical information between the states and at the national level.

U.S. National Criminal Justice Information and Statistics Services (U.S. Department of Justice), and Bureau of the Census (U.S. Department of Commerce). *Expenditure and Employment Data for the Criminal Justice System—1975*. (Washington, D.C.: U.S. Govt. Print. Off., 1977). 375 p.

Ninth in a series of annual reports that present public expenditure and employment data on criminal justice activities in the United States. Specific data are supplied for the Federal Government, each of the 50 state governments, and the aggregate local level of government within each state. Survey coverage was designed to produce reliable estimates for each state of the percent of total state and local law enforcement expenditure funded and expended by units of general local government.

U.S. National Criminal Justice Information and Statistics Service. *Trends in Expenditure and Employ-*

*ment Data for the Criminal Justice System: 1971-1975*. 1977, 125 p.

Ready reference for summary data on public expenditure and employment for criminal justice activities in the United States for the five-year period. It covers six activities of the criminal justice system: police protection, judicial activities, legal services and prosecution, public defense, corrections, and a residual category entitled "Other Criminal Justice."

U.S. National Criminal Justice Information and Statistics Service. *Prisoners in State and Federal Institutions*. National Prisoner Statistics Bulletin, February 1977, 46 p.

This and the following item are useful for comparison purposes in assessing the kinds of statistics gathered, their sources, and the purposes for which they can be used.

U.S. National Criminal Justice Information and Statistics Service. *Prisoners in State and Federal Institutions, Preliminary 1976*. National Prisoner Statistics Bulletin, March 1977, 3 p.

U.S. National Criminal Justice Information and Statistics Service. *Sourcebook of Criminal Justice Statistics*. Prepared by M. Hindelang et al., Criminal Justice Research Center, Albany, and School of Criminal Justice, State University of New York, Albany, (Washington, D.C.: U.S. Govt. Print. Off., 1974, 1975, and 1976), 505 p. in 1976.

\*Brings together in one volume tables from many sources on: criminal justice system, including courts and judges; public attitudes on crime; nature distribution of known offenses; arrests; judicial statistics; corrections. Dates vary; most tables are from 1970 or later. Limited to United States, with emphasis on state and local data. Analytic appendices interpreting selected data planned.

U.S. National Criminal Justice Information and Statistics Service. *Survey of Inmates of State Correctional Facilities*. 1974 Advance Report National Prisoner Statistics Special Report, March 1976, 39 p.

This item is useful for comparison purposes in assessing the kinds of statistics gathered, their sources, and the purposes for which they can be used.

\*From Fannie B. Klein, *The Administration of Justice in the Courts: A Selected and Annotated Bibliography*.

## IV. Bibliographies

Contained within this section are the major court and criminal justice bibliographies in print. Most of the publications are quite comprehensive and cover many facets of the justice system within the United States. They provide an excellent starting point for any individual or agency seeking to do research in the fields of criminal justice and judicial administration.

American Judicature Society. *Court Studies: An Annotated Bibliography*. Edited by Mary Lu Wood, Roberta Kast. (Chicago: 1976), 105 p.

Court studies published since 1960, arranged by state. Includes only studies directly related to the organization and/or operation of a particular court or court system.

American Judicature Society. *Selected Chronology and Bibliography of Court Organization Reform*. (Chicago: 1970), 37 p. (Report 12.)

\*State-by-state report, bibliographical notes throughout.

Chartrand, R. L. *Improving Judicial Administration: The Role of Systems Technology*. (Washington: Congressional Research Service, Library of Congress, 1972), 9 p.

\*Bibliography of books and articles on court administration and use of computers.

Jackson, Donald W. "Research and Resources in Judicial Administration." (Unpublished.)

Presented at the Workshop on Judicial Administration, 1975 Meeting of the American Political Science Association.

Klein, Fannie J. *The Administration of Justice in the Courts: A Selected Annotated Bibliography*. Published for the Institute of Judicial Administration and National Center for State Courts. (Dobbs Ferry: Oceana Publications, 1976), 2 Volumes, 1152 p.

Book One: The Courts includes sections on Court Systems: Existing and Proposed, The Judge, The Administration and Operation of Courts, The

Trial Process, and The Appellate Process. Book Two: The Administration of Criminal Justice in the Courts includes sections on The Criminal Justice System, The Criminal Trial, Sentencing Procedures and Alternatives, Criminal Appeals, Post-Conviction Remedies, Selected Organizations Working for Court Reform, and Selected Bibliographies, Guidebooks, and Handbooks.

National College of State Judiciary. *Modern Judicial Administration: A Selected and Annotated Bibliography*. Edited by Ronald H. Fremlin. (Battle Creek: W. K. Kellogg Foundation, 1973), 359 p.

Includes Bibliographies, Court Administration, Criminal Justice, Juvenile Justice, Courts and Society, Judicial Education, and Legal Research.

National College of the State Judiciary Court Studies Division. *Court Administration: A Selected and Annotated Bibliography*. (Reno: 1972), 12 p.

Contained in a larger volume entitled Selected and Annotated Bibliographies (as is the following item), this bibliography is somewhat dated now; contains some of the items used in this state of the art monograph, but a much larger number of very general normative studies.

National College of the State Judiciary Court Studies Division. *Congestion and Delay: A Selected and Annotated Bibliography* (Reno: 1972) 7 p.

\*General discussions, with analysis of problems and proposed solutions; some descriptions of remedies that have helped in specific courts.

National Council on Crime and Delinquency. *Information Sources in Criminal Justice: An Annotated Guide to Directories, Journals, Newsletters*. Prepared by Ann Newton, Kathleen Yashiw Perl, and Eugene Doleschal. (Hackensack, New Jersey: National Council on Crime and Delinquency, 1976), 164 p.

Criminal justice directories listed by subject matter; criminal justice journals listed by type; criminal justice newsletters listed by subject matter. Addresses and prices included.

Tompkins, D. C. *Court Organization and Administration, A Bibliography*. (Berkeley: University of California Institute of Governmental Studies, 1973), 200 p.

\*Divided into Courts, Courts in the states, Federal courts, Appellate courts, Administration of courts. Includes lists of bibliographies, readings, conferences and meetings; sections subdivided by states.

U.S. National Criminal Justice Reference Service. *Document Retrieval Index*. (Washington, D.C.: National Institute of Law Enforcement and Criminal Justice, Law Enforcement Assistance Administration, 1976).

Includes the following: Introduction (1 page), Section 1—Title List (290 pages), Section 2—Subject List (541 pages), and Appendix A—Source Addresses (26 pages).

Wheeler, Russell B. and Whitcomb, Howard R. *Judicial Administration: Text and Readings*. (Englewood Cliffs, New Jersey: Prentice-Hall, 1977). Chapter 6, "The Literature of Judicial Administration: A Bibliographic Essay," was also published in *Arizona State Law Journal*, 1974, 689-722.

Updated version of law review article which is an evaluative bibliographic essay of source documents in judicial administration. In addition to organizing the bibliographies by topic (such as history of judicial administration, the organization of courts, and the business of courts), the authors provide a list of associations (with addresses) which publish periodicals and reports relating to court administration.

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\*From Fannie B. Klein. *The Administration of Justice in the Courts: A Selected and Annotated Bibliography*.

## Glossary

The following terms, used in both *State Court Caseload Statistics: The State of the Art* and *State Court Caseload Statistics: Annual Report, 1975*, should be interpreted according to the meanings indicated below. Where possible, the definitions are from an authoritative source already in print. The following sources are drawn upon, with the footnote number which will appear after each definition from that source. Definitions that have been adapted for NCSP purposes have an (A) after the footnote number.

<sup>1</sup> U.S. Law Enforcement Assistance Administration, National Criminal Justice Information and Statistics Service, *Dictionary of Criminal Justice Data Terminology* (Washington, D.C.: U.S. Govt. Print. Off., 1976).

<sup>2</sup> U.S. Law Enforcement Assistance Administration, National Criminal Justice Information and Statistics Service, *National Survey of Court Organization* (Washington, D.C.: U.S. Govt. Print. Off., 1973; Supplements in 1975 and 1977).

<sup>3</sup> Black, Henry Campbell, *Black's Law Dictionary* (St. Paul, Minnesota: West Publishing Co., 1968).

<sup>4</sup> American Bar Association, *Law and the Courts* (Chicago: ABA Press, 1974).

Definition of terms peculiar to a single state is beyond the scope of this project. However, in many instances the general meaning of these types of cases can be derived from the category into which they were placed. For example, it is helpful to know that "Rule 27.26" cases from Missouri are classified under the general category of extraordinary writs and that "C&R7.7" cases from Washington are some sort of original proceeding used by the intermediate court of appeals in Washington. More detailed information on how a specific case is defined and classified in a particular state may be obtained by writing to the office of the state court administrator in that state. Addresses of court administrator's

offices in each state are found as part of Figure 18-A of this monograph as well as in Appendix B of the 1975 annual report.

A more complete dictionary of civil terminology for court use is being compiled by the National Court Statistics Project in Phase II of its operations.

**Acquittal**—a judgment of a court, based either on the verdict of the jury or of a judicial officer, that the defendant is not guilty of the offense(s) for which he has been tried.<sup>1</sup>

**Administrative**—a summary civil category of cases brought before general jurisdiction courts that embraces actions related to governmental bodies in the exercise of their varied functions. (See Appendix A-1 for civil case categories in general jurisdiction courts that have been classified by the NCSP as administrative.)

**Adoption**—a category of actions which includes all cases involving child adoption proceedings. The result of adoption cases is usually to take a juvenile into one's family and legally confer on him the rights, privileges, and duties of a child and heir.

**Affirmed**—a disposition by an appellate court that ratifies and reasserts the correctness of a judgment. In the practice of appellate courts an affirmed judgment, decree, or order declares that it is valid and right, and must stand as rendered by the lower court.

**Age at disposition**—the amount of time (days, months, years) from the date that a case comes under control of the court (usually when it is filed) until it is disposed of (dismissed, tried to verdict, and so forth) by the court.

**Age of pending**—the amount of time (days, months, years) from the date that a case comes under the control of the court (usually when it is filed) until the last day of the period for which the report is being prepared.



**Annulment**—the act of making void retrospectively as well as prospectively.<sup>3(A)</sup> An annulment destroys the existence of a marriage and everything pertaining to it.

**Answer**—a pleading by which a defendant endeavors to resist the plaintiff's allegation of facts.<sup>3</sup>

**Appeal, civil**—the complaint to a higher court of an injustice done or error committed by a lower court, whose judgment or decision the court above is called upon to correct or reverse.<sup>4</sup>

**criminal**—a request by either the defense or prosecution that a case be removed from a lower court to a higher court in order for a completed trial to be reviewed by the higher court.<sup>1</sup> (See Appendix A-1 for the civil and criminal case categories in general jurisdiction courts that have been classified by the NCSP as appeals. See Appendix A-3 for the case categories in intermediate appellate courts that have been classified by the NCSP as appeals. See Appendix A-4 for the case categories in courts of last resort that have been classified by the NCSP as appeals.)

**Appeals from administrative agencies**—an appeal to a court of competent jurisdiction, contesting the outcome rendered by an administrative agency as a result of its administrative hearing of a matter.

**Appellate court**—see Court of appellate jurisdiction.

**At issue**—the point in the pleadings when one of the parties to a suit makes an assertion that is denied by the other party.

**Auto tort**—a civil category that includes actions for damages for personal injury, property damage, or wrongful death arising out of an automobile accident, automobile collision, or otherwise from the operation of a motor vehicle. (See Appendix A-1 for the civil case categories in the general jurisdiction courts that have been classified by the NCSP as auto tort.)

**Case**—a general term for a charge, action, cause, suit, or controversy, for purposes of adjudication by regular proceedings.<sup>3(A)</sup> In compiling caseload statistics for comparison purposes, it is essential to know what constitutes a case in each state and what unit of count is being used. If the unit of count differs, caseload cannot be compared. In general jurisdiction courts the predominant unit of count used in civil cases is the complaint action or petition. In criminal cases most general jurisdiction courts use either the number of indictments/informations/complaints, or the number of defendants on each indictment/information/complaint. In appellate courts no clear pat-

tern exists as to what the states are counting as appellate cases. Some courts report only total cases, with no indication as to what types of proceedings constitute the total. Some define cases as appeals that were decided on the merits. Others define appeals, original proceedings, and requests to appeal as cases to distinguish them from less time-consuming motions and other procedural matters. This report uses the broad definition of an appellate case being defined as any appeal, original proceeding, or request to appeal.

**Caseflow**—the process by which a case or cases move(s) through the court from the time of filing to disposition. In this report the steps for monitoring caseflow are beginning pending, filing, disposition, and end pending.

**Caseload**—the total number of cases filed in a given court or before a given judicial officer during a given period of time.<sup>1</sup>

**Caseload pending**—see pending caseload.

**Charge**—a formal complaint, information, or indictment against a defendant in a criminal case.

**Children in need of supervision** (also known as CINS, CHINS, PINS, JINS)—a child who requires guidance, treatment, or rehabilitation because of (a) habitual truancy from school; (b) habitual disobedience, being ungovernable and beyond control of the person having custody of the child without substantial fault on the part of that person; (c) deportment that is injurious or endangers the child or others; or (d) commitment of an offense applicable only to children.

**Civil action**—an action instituted in court to recover damages, collect a debt, or obtain other relief purely civil in nature; a legal and formal demand for enforcement or protection of rights and prevention or redress of wrongs.

**Civil appeal**—see Appeal, civil.

**Civil jurisdiction**—see Jurisdiction, civil.

**Complaint, civil**—the initial pleading on the part of the plaintiff in a civil action. Its purpose is to inform the defendant of all material facts on which the plaintiff bases his claim.

**criminal**—a formal written accusation made by any person, often a prosecutor, and filed in a court, alleging that a specified person(s) has committed a specified offense(s).<sup>1</sup>

**Conservatorship**—the legal relation existing between a conservator, an incapable person, and the estate of the incapable person. When a person having property is found incapable of managing his/her

affairs, a probate court may appoint another person as a conservator to have charge of and protect the person and his property.

**Contract**—a category of civil court actions which includes any action involving either (1) promissory agreements between two or more persons that create, modify, or destroy a legal relation (contracts); or (2) recovery of a certain specific sum of money or a sum that can readily be reduced to a certainty, as provided by common law, where there is no express contract to pay it (debt). This includes recovery of money for services performed, property sold and delivered, money loaned, or damages for performance of simple contracts, express or implied, when the rights of the parties will be adequately protected by the payment and receipt of money.

**Conviction**—a judgment of a court, based either on a verdict of a jury or judicial officer or on the guilty plea of the defendant that the defendant is guilty of the offense(s) for which he has been tried.<sup>1</sup>

**Court**—an agency of the judicial branch of government, authorized or established by statute or constitution, and consisting of one or more judicial officers, which has the authority to decide upon controversies in law and disputed matters of fact brought before it.<sup>1</sup>

**Court of appellate jurisdiction**—a court having jurisdiction of appeal and review, with original jurisdiction conferred only in special cases; includes both courts of last resort and intermediate appellate courts;<sup>2</sup> a court to which causes are removable by appeal, certiorari, or error.

**Court, federal**—a court established under the constitution or laws of the United States and concerned primarily with the judicial administration of federal law.<sup>2</sup>

**Court of general jurisdiction**—a trial court of unlimited original jurisdiction in civil and/or criminal cases, also called "major trial court,"<sup>2</sup> which may or may not hear appeals from administrative agencies and courts of lower jurisdiction.

**Court of intermediate appeals**—an appellate court that is limited in its appellate jurisdiction by state law or at the discretion of the court of last resort in the state.<sup>2</sup> The rulings of a court of intermediate appeals may be subject to review by the state's court of last resort.

**Court of last resort**—an appellate court that has jurisdiction over final appeals in a state.<sup>2</sup>

**Court of limited or special jurisdiction**—a trial court whose legal jurisdiction covers only a particular

class of cases, e.g., probate, juvenile, traffic, or cases where the amount in controversy is below a prescribed sum or which is subject to specific exception. For example, civil jurisdiction may be limited to civil cases with a maximum of \$500 in controversy; criminal jurisdiction may be limited to cases with a maximum of \$500 fine or 6-months sentence. Certain courts with unlimited civil jurisdiction but limited criminal jurisdiction are included in this category.<sup>2</sup>

**Court of original jurisdiction**—a court having jurisdiction in the first instance to try and pass judgment upon the law and facts, as distinguished from a court of appellate jurisdiction; includes both courts of general jurisdiction and courts of limited or special jurisdiction; also referred to as "trial court."<sup>2</sup>

**Court of special jurisdiction**—*see* Court of limited or special jurisdiction.

**Court, state**—a court established or authorized under the constitution or laws of a state and concerned primarily with judicial administration of state and local government laws; viz., all courts other than federal courts.<sup>2</sup>

**Court system**—a judicial agency established or authorized by constitutional or statutory law. A court system may consist of a single court or a group of two or more courts in the same judicial district.<sup>2</sup>

**Court, trial**—a court whose primary function is to try, in the first instance, criminal or civil cases, or both. (*See* Court of general jurisdiction and court of limited jurisdiction.)

**Court trial**—*see* Trial, non-jury.

**Criminal action**—a proceeding governed by the rules of criminal procedure brought by the government, representing the public, against one accused of violating a law or ordinance designed for the public's protection.

**Criminal appeal**—*see* Appeal, criminal.

**Criminal jurisdiction**—*see* Jurisdiction, criminal.

**Date of service**—the date of the delivery of an order, a summons, or a writ to the person against whom it is directed.

**Default judgment**—a civil judgment wherein the court enters a finding against the defendant when the defendant has either failed to appear in court as required or has failed to properly file an answer to a petition.

**Defendant**—the person defending or denying. In civil proceedings, the party against whom relief or recovery is sought. In criminal proceedings, the accused or the person charged with an offense.<sup>1</sup>

**Delinquency**—any type of behavior performed by a juvenile that is considered a crime if it is committed by an adult.

**Dependency**—the legal status of a juvenile over whom a juvenile court has assumed jurisdiction because the court has found the child's care by parents, guardian, or custodian to fall short of a legal standard of proper care.<sup>1</sup> For statistical purposes, dependent and neglected actions have been included in the dependency category. Dependent and neglected actions on behalf of a child allege that the juvenile is without proper guardianship; or the parent, guardian, or person with whom the child lives is unfit to give proper care; or the juvenile has suffered from unlawful holding out from school, negligent medical care, lack of proper supervision, want or suffering, or injury to body or mind due to brutality, abuse, or neglect. (Note that child abuse, abandonment, contributing to delinquency, and contributing to dependency and neglect are offenses chargeable to an adult and are classified as other criminal.)

**Directed verdict**—an instruction by the judge to the jury to return a specific verdict.<sup>4</sup>

**Dismissal**—a decision by a judicial officer to terminate a case without a determination of guilt or innocence.<sup>1</sup>

**Disposition**—the action that terminates the jurisdiction of a particular court over a person or a case.

**Divorce**—the permanent dissolution of a marriage effected by the judgment of a court.

**Domestic relations**—in courts of general jurisdiction, a category of civil actions which includes family problems such as divorce and offenses against spouses. (See Appendix A-1 for the civil case categories that have been classified by the NCSP as domestic relations.)

**Driving under the influence (alcohol) or driving while intoxicated (DWI)**—the operation of any vehicle after having consumed a quantity of alcohol sufficient to potentially interfere with the ability to maintain safe operation.<sup>1</sup>

**Driving under the influence (drugs)**—the operation of any vehicle while attention or ability is impaired through the intake of a narcotic or any incapacitating quantity of another drug.<sup>1</sup>

**DWI**—see Driving under the influence.

**Equity case**—a category of civil court cases in which remedies to civil wrongs are redressable by applying the rules of equity as distinguished from cases decided according to common law. Common law is concerned with damages after wrongful action,

whereas equity is designed to provide relief where damages would be awarded too late to be meaningful. In an equity case the court may order that something be done or may forbid certain actions (by injunction). (See Appendix A-1 for the civil cases in courts of general jurisdiction classified by the NCSP under equity.)

**Exception data**—a report showing the number and types of errors in caseload reporting by court, used to correct such errors and pinpoint recurrent patterns of those errors.

**Extraordinary writ**—a written court order directed to a specific person requiring that person to perform or refrain from performing a specific act.<sup>2</sup> (See Appendix A-1 for the civil case categories in courts of general jurisdiction that have been classified by the NCSP as extraordinary writs.)

**Federal court**—see Court, federal.

**Felony**—a criminal offense punishable by death, or by incarceration in a state or federal confinement facility for a period of which the lower limit is prescribed by statute in a given jurisdiction, typically one year or more.<sup>1</sup>

**Filing**—the commencement of a judicial proceeding by formally entering a document or a piece of information into the official record of a court.<sup>1(A)</sup>

**First answer**—see Answer.

**Guardian**—a person lawfully invested with the power, and charged with the duty, of taking care of the person and managing the property and rights of another person who, for some peculiarity of status, or defect of age, understanding, or self-control, is considered incapable of administering his own affairs.<sup>3</sup>

**Guardianship**—the relation existing between a guardian and a ward.

**Habeas corpus**—see Writ of habeas corpus.

**Indictment**—a formal written accusation made by a grand jury and filed in a court, alleging that a specified person(s) has committed a specific offense(s).<sup>1</sup> An indictment usually represents the beginning of a criminal case.

**Information**—a formal written accusation made by a prosecutor and filed in a court, alleging that a specified person(s) has committed a specific offense(s).<sup>1</sup>

**Injunction**—a mandatory or prohibitive writ issued by a court.<sup>4</sup>

**Judgment, civil**—the official decision of a court upon the respective rights and claims of the parties in an action or suit submitted for its determination.<sup>3</sup>

**criminal**—the decision of a court, that the defendant is convicted or acquitted of the offense(s) charged.<sup>1</sup>

**Jurisdiction**—the territory, subject matter, or person over which lawful authority may be exercised.<sup>1</sup>

**Jurisdiction, civil**—the power to try and determine civil controversies between individuals.

**Jurisdiction, criminal**—includes jurisdiction over felonies, felony preliminary hearings, misdemeanors, traffic, and municipal or county ordinance violations.<sup>2(A)</sup>

**Jurisdiction, juvenile**—the authority given to a court to hear or act upon a case involving a person(s) statutorily defined as juvenile, alleged to be delinquent, dependent, or status offender(s).

**Jurisdiction, original**—the lawful authority of a court or an administrative agency to hear or act upon a case from its beginning and to pass judgment on it.<sup>1</sup> (See Court of original jurisdiction.)

**Jury trial**—see Trial, jury.

**Juvenile**—a person under a statutorily specified limit of age.

**Juvenile court**—see Jurisdiction, juvenile.

**Law case**—a civil category in which cases are adjudicated on the basis of common law; that is, the principles and rules of action that derive their authority not from legislative statute, but from usages and customs or from the judgments and decrees of courts recognizing, affirming, and enforcing such precedents. (See Appendix A-1 for the civil cases—not clearly belonging in subcategories such as tort, contract, property rights, or small claims—that have been classified by the NCSP as law cases in courts of general jurisdiction.)

**Mandamus**—See Writ of mandamus.

**Memorandum opinion**—see Opinion, memorandum.

**Mental health**—a civil case category in which a determination of the mental capacity or incapacity of an individual is made. (See Appendix A-1 for the civil case categories in courts of general jurisdiction that have been classified by the NCSP as mental health.)

**Method of entry into court**—the means by which a criminal case is brought under the jurisdiction of a court. Examples of method of entry are charge, indictment, information. (See Appendix A-2 for the criminal categories which have been classified by the NCSP under method of entry into court.)

**Misdemeanor**—an offense usually punishable by

incarceration in a local confinement facility for a period of which the upper limit is prescribed by statute in a given jurisdiction, typically limited to a year or less.<sup>1</sup>

**Motion**—an oral or written request made by a party to an action, before, during, or after a trial, that a court issue a rule or order.<sup>1</sup>

**Nolle prosequi**—a formal entry upon the record by the plaintiff in a civil suit, or the prosecuting officer in a criminal case, by which he declares that he “will no further prosecute” the case.<sup>4</sup>

**Nolo contendere**—a defendant’s formal answer in court, to the charges in a complaint, information, or indictment, in which he states that he does not contest the charges, and which, while not an admission of guilt, subjects him to the same legal consequences as a plea of guilty.<sup>1</sup>

**Non-auto tort**—a civil category which includes actions for damages for personal injury, property damage, or wrongful death resulting other than from the operation of a motor vehicle. (See Appendix A-1 for the civil case categories in courts of general jurisdiction that have been classified by the NCSP as non-auto tort.)

**Non-jury trial**—see Trial, non-jury.

**Note of Issue**—notice asserting that a case is ready for trial.

**Notice of appeal**—the first notice to the appellate court from a lower court or an attorney indicating that a case is being appealed.

**Offenses against administration of justice**—a criminal category that includes all crimes related to the obstruction of justice. (See Appendix A-2 for those criminal offenses in general jurisdiction courts that have been classified by the NCSP as offenses against administration of justice.)

**Offenses against person**—a criminal category that includes all criminal offenses committed against people. (See Appendix A-1 for those criminal offenses in courts of general jurisdiction that have been classified as offenses against person.)

**Offenses against property**—a criminal category that includes all criminal offenses committed against property. (See Appendix A-2 for those criminal offenses in courts of general jurisdiction that have been classified by the NCSP as offenses against property.)

**Offenses against public order**—a criminal category that includes the wide variety of crimes relating to endangering public order. (See Appendix A-2 for the criminal case categories that have been

classified by the NCSP as offenses against public order.)

**Opinion**—the statement by a judge or court of a decision reached in regard to a case tried or argued before it. (Distinction should be made between published opinions, which are printed and distributed because they contain new legal interpretations, and unpublished opinions, based solely on legal precedent, which are not printed and distributed.)

**Opinion, memorandum**—an opinion of a superior court which has no institutional or precedential value, and is used to affirm unanimously a trial court decision or an administrative agency order.

**Opinion, per curiam**—a phrase used to distinguish an opinion of the whole court from an opinion written by any one judge. Sometimes it denotes an opinion written by the chief justice or presiding judge.<sup>3</sup>

**Opinion, written**—in appellate courts, the decisions of judges which are recorded and published and based on established legal precedents, as opposed to those which are handed down orally.

**Original jurisdiction**—*see* Jurisdiction, original.

**Original proceedings**—an appellate category that includes any new action filed during the reporting period or any case received on transfer or change of venue from another court. (*See* Appendix A-4 for the actions in courts of last resort that have been classified by the NCSP as original proceedings.)

**Other appeals**—a residual category into which appeals were placed if not identified by the states as either civil or criminal. (*See* Appendix A-3 for the appeals categories in intermediate appellate courts that have been classified by the NCSP as other appeals. *See* Appendix A-4 for the appeals categories in courts of last resort that have been classified by the NCSP as other appeals.)

**Other civil**—a residual category into which civil cases that could not otherwise be categorized have been placed. (*See* Appendix A-1 for those civil categories in courts of general jurisdiction that have been classified by the NCSP as other civil.)

**Other criminal**—a residual category into which criminal cases that could not be classified as felonies or misdemeanors have been placed.

**Other felony**—a residual category used by some states to include felonies which do not fit into a classification scheme that specifies types of felonies.

**Other matters**—a residual category into which were placed miscellaneous motions, petitions, orders, writs not identified as appeals, requests to appeal, or original proceedings. (*See* Appendix A-3

for the case categories in intermediate appellate courts that were classified by the NCSP as other matters. *See* Appendix A-4 for the case categories in courts of last resort that were classified by the NCSP as other matters.)

**Other misdemeanor**—a residual category used by some states to include misdemeanors which do not fit into a classification scheme which specifies types of misdemeanors.

**Other proceedings**—a residual category for those criminal proceedings not identified as offenses against persons, property, public order, or the administration of justice. (*See* Appendix A-2 for those criminal case categories in courts of general jurisdiction that have been classified by the NCSP as other proceedings.)

**Pending**—the status of a case that has not been terminated or disposed of by the court. Beginning Pending is the number of cases pending in a particular court at the beginning of a reporting period. End Pending is the number of cases pending in a particular court at the end of a reporting period.

**Pending caseload**—the number of cases at any given time which have been filed in a given court, or are before a given judicial officer, but have not reached disposition.<sup>1</sup>

**Per curiam opinion**—*see* Opinion, per curiam.

**Personal injury**—a hurt or damage done to a person or a person's reputation as distinguished from an injury to a person's property.

**Petition**—a written application to a court requesting the remedy of a civil wrong or relief from a conviction, sentence, or detention.

**Plea**—a defendant's formal answer in court to the charges brought against him in a complaint, information, or indictment.<sup>1</sup>

**Postconviction**—a procedure available to a convicted offender, which serves to challenge either the validity or the legality of the conviction, or the legality of the imposition or execution of sentence resulting from the conviction.

**Preliminary hearing**—synonymous with "preliminary examination"; the hearing given by a magistrate or judge to determine whether a person charged with a crime should be held for trial.<sup>4</sup> Guilt or innocence is not at issue.

**Probate**—a civil category that includes all actions involving wills, the settlement of estates, and guardianships. (*See* Appendix A-1 for those civil case categories in courts of general jurisdiction that have been classified by the NCSP as probate.)

**Property rights**—a category of civil cases which

involves the protection of the use or disposition, more specifically ownership, one may lawfully exercise over concrete objects. (See Appendix A-1 for those civil case categories in courts of general jurisdiction that have been classified by the NCSP as property rights.)

**Published opinion**—*see* Opinion.

**Quashed**—the action of a court in voiding a prior action or order, such as a warrant, a subpoena, or indictment, so that it has no further legal effect.

**Quo warranto**—a writ issued by the state, demanding that an individual show by what right he/she exercises an authority which can only be exercised through grant or franchise emanating from the state.<sup>4(A)</sup>

**Reciprocal support**—all actions involving child support in which the case is either sent to another court outside the county or state or is received from another court outside the county or state.

**Rehearing requests**—a category that includes requests by a party for a second consideration of a cause for the sole purpose of calling to the court's attention any error, omission, or oversight that may have occurred during the first consideration.

**Remanded**—a disposition by an appellate court that results in sending the case back to the original court from which it came, for the purpose of having some action taken on it.

**Requests to appeal**—a category which includes all petitions to an appellate court to review a case or action previously decided by a trial court. (See Appendix A-3 for those cases in intermediate appellate courts that have been classified by the NCSP as requests to appeal. See Appendix A-4 for those cases in courts of last resort that have been classified by the NCSP as requests to appeal.)

**Reversed**—a disposition by an appellate court voiding, because of some error or irregularity, a judgment.

**Settlement**—cases not requiring judicial determination because the case is either settled out of court or is voluntarily dismissed by the plaintiff prior to completion of trial.

**Small claims**—a category of civil actions based on either tort or contract involving less than a specified dollar amount, which varies from state to state. (See Appendix A-1 for those civil categories in courts of general jurisdiction that have been classified by the NCSP as small claims.)

**Speedy trial**—the right of the defendant to have a prompt trial.<sup>1</sup>

**State court**—*see* Court, state.

**Tax case**—a civil category which includes all cases or actions on local tax issues.

**Time interval**—the amount of time that occurs between two procedural steps in the processing of a case.

**Tort**—a civil category that includes cases in which an injury or wrong has been committed, either with or without force, to the person or property of another, excluding breach of contract. (See Auto tort, Non-auto tort, and Unclassified tort.)

**Traffic**—a criminal category which includes any action involving a violation of the traffic laws.

**Transfer**—a category that covers those judgments that transfer or change the venue of an action from one location to another.

**Trial**—the examination of issues of fact and law in a case before a court that has jurisdiction over the case.

**Trial court**—*see* Court, trial.

**Trial de novo**—a completely new trial conducted as if no previous trial had been held.

**Trial, jury**—a trial in which a jury determines the issues of fact in a case.<sup>1</sup>

**Trial, non-jury**—a trial in which there is no jury and in which a judicial officer determines the issues of fact and law in a case.<sup>1</sup>

**Trusts**—all civil actions relating to the filing and establishment of the fiduciary relationship known as trust, i.e., a right of property held by one party for the benefit of another.

**Unclassified tort**—a residual category of cases that cannot be classified as either auto tort or non-auto tort cases. (See Appendix A-1 for the civil case categories in courts of general jurisdiction that have been classified by the NCSP as unclassified tort.)

**Unit of count**—for general jurisdiction court reporting purposes, the unit (action or person) that the court recognizes as the basis for counting a single case. (In this monograph, *see* Figure 40 for a survey of the units of count being used by the various states. In the 1975 annual report, *see* Appendix B for the units of count being used in general jurisdiction courts.)

**Unpublished opinion**—*see* Opinion.

**URESA (Uniform Reciprocal Enforcement of Support Act)**—all actions before a court arising under the Uniform Reciprocal Enforcement of Support Act, i.e., actions resulting from nonpayment of support by an individual ordered to pay that support by a court outside of the county or state. (See Reciprocal support.)

**Weighted caseload**—a method of caseload re-

porting which assigns weights to cases according to the period of time necessary to process the case and permits an assessment of judicial workload in terms of time spent rather than number of cases.

**Withdrawn**—a disposition category for reporting cases that are filed but later removed from the docket before adjudication.

**Writ**—a written court order directed to a specific person requiring that person to perform or refrain from performing a specific act.<sup>2</sup>

**Writ of error**—a writ directed to a lower court requiring it to remit to the appellate court the record of an action before it, in order that examination may be made of certain errors alleged to have been committed.

**Writ of habeas corpus**—a writ commanding that a person be brought before the court for consideration of the legality of the detention or custody.

**Writ of certiorari**—a writ issued from a higher court commanding judges or officers of a lower court to certify and transmit to the higher court all records of a case for review.<sup>4(A)</sup> The appellate court has discretion to grant or deny a petition for the writ.

**Writ of mandamus**—a writ issued from a court of higher jurisdiction, directed to a lower court, commanding a public official to perform a public duty.<sup>4(A)</sup>

**Writ of prohibition**—an extraordinary writ, issued by a higher court to a lower court, to prevent the latter from exceeding its jurisdiction, by prohibiting it from either assuming jurisdiction in a matter over which it has no control or from going beyond its legitimate powers in a matter over which it has jurisdiction.<sup>3(A)</sup>

**Written opinion**—see Opinion, written.

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