

# 2021 Caseload Highlights

Incoming State Trial Court Cases

March 13, 2023

Diane Robinson, Morgan Moffett, Miriam Hamilton, Sarah Gibson



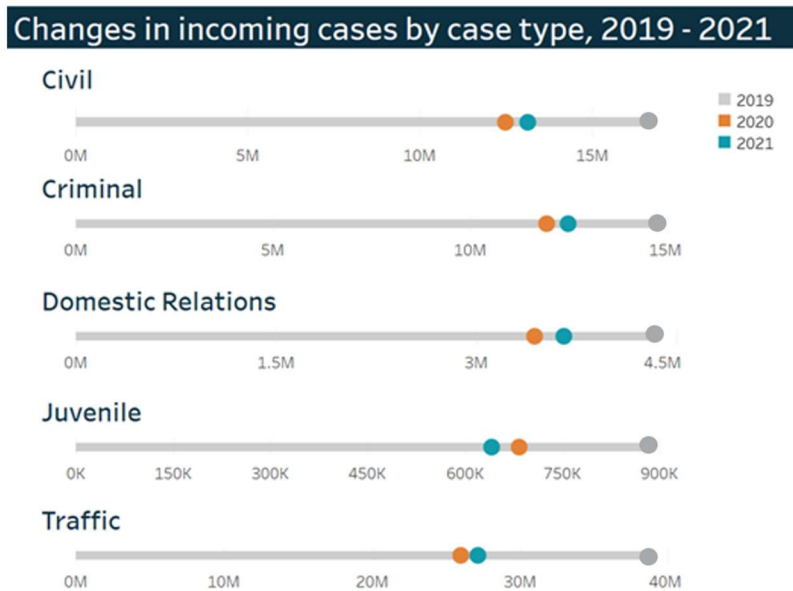
2021 brought increases in state trial court case filings compared to 2020, but filings remain below pre-pandemic levels. This edition of Caseload Highlights explores case filings in 2019, 2020, and 2021.<sup>1</sup>

Courts experienced a 28% drop in incoming cases from 2019 to 2020. For the 42 states and territories able to provide publishable data over the three-year period, shown at right in Figure 1, 52.9 million cases were filed in 2021. This was a 4% increase over 2020 but still 28% below the number of case filings in 2019.



As shown in Figure 2, the largest one-year increases in cases filed in 2021 were domestic relations cases, which had a 6% increase from 2020 to 2021, though 2021 was still down 16% from 2019. Incoming civil case filings were up 6% from 2020 to 2021, down 22% from 2019. The only case type to see a continued decline was juvenile, down 6% from 2020 to 2021 and down 28% from 2019.

Figure 2



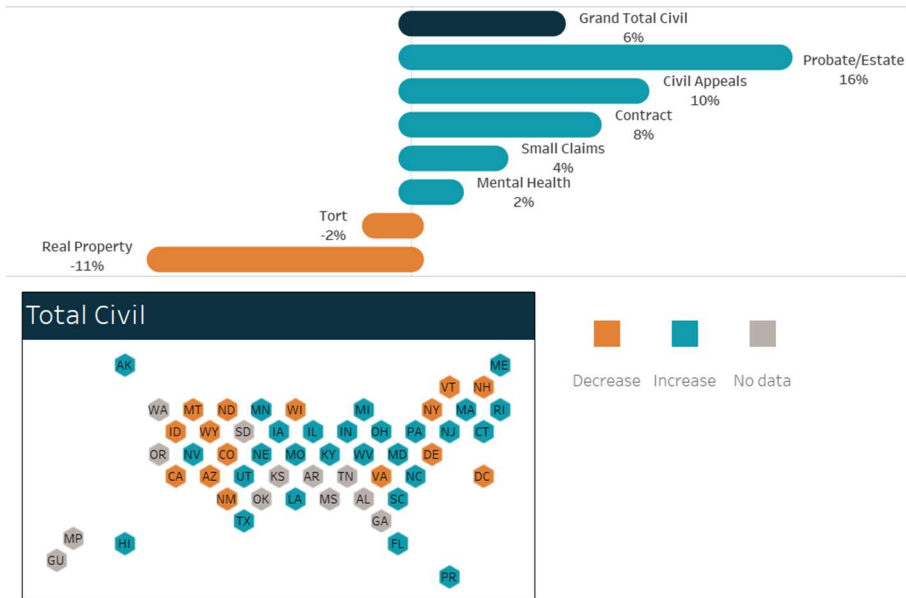
<sup>1</sup> All figures refer to totals of limited and general jurisdiction caseloads, with the unit of analysis at the court level. Due to this, there may be some differences between data in this report and the public dashboards.

## Civil

Within the major CSP case categories, there were significant filing differences among case types. In the civil category, probate/estate cases increased over the last three years. These cases include wills as well as guardianships and conservatorships. Among civil cases, only tort and real property case filings continued to decrease compared to 2020.

Figure 3

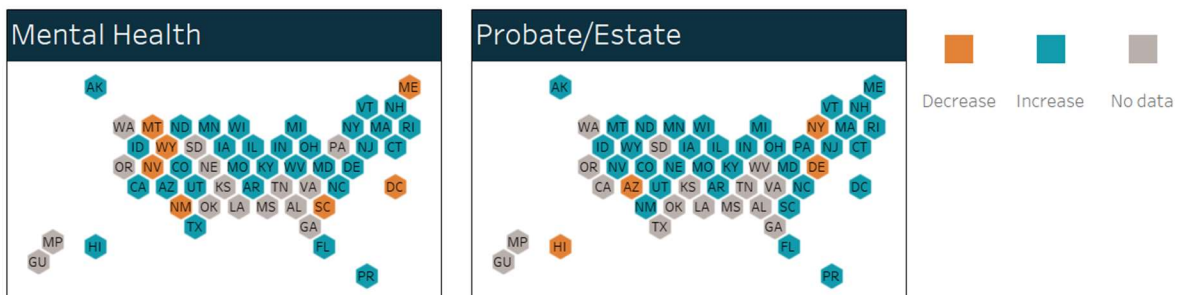
Percent change in incoming cases for civil case types, 2020 - 2021



As shown in Figure 4, probate/estate cases increased 16% from 2020 and 1% from 2019, and increased in nearly every state reporting. Cases in which a court is asked to make a legal determination of whether someone is mentally ill and should be placed or remain in treatment also showed an increase in 2021, with 486,913 cases filed in 41 states. This was a one-year increase of 2% and a two-year increase of 17%.

Figure 4

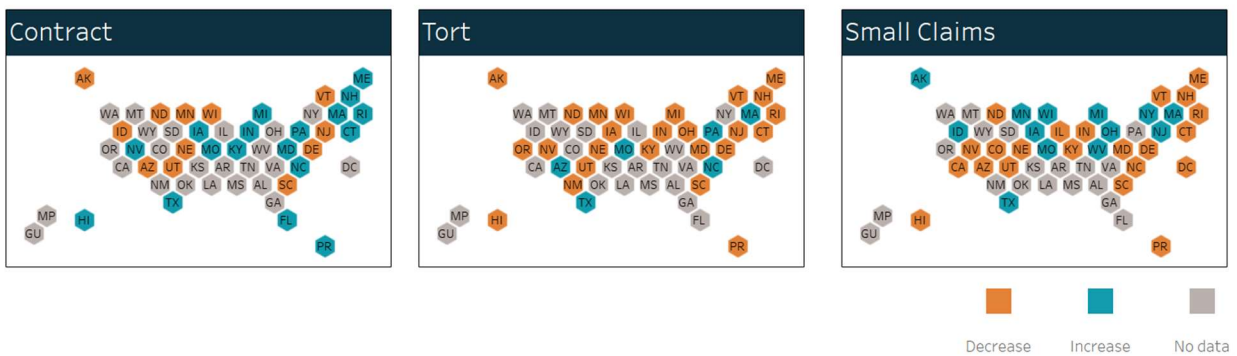
Change in incoming cases for select civil case types, 2020 - 2021



With an 11% drop in filings compared to 2020, real property cases showed the largest decline among incoming civil case types. However, with 191,980 cases filed in 34 states, they only comprise 2% of the total civil caseload. Contract cases make up the largest category of civil cases, with 2.7 million cases filed in 36 states in 2021. Contract cases increased 8% in 2021 from 2020 but are still down 32% since 2019. Increases were not found in every state, however, as seen in Figure 5. Small claims cases make up the next largest category of civil cases, with 2.1 million cases filed in 38 states in 2021. These cases had a small increase in 2021, rising 4% from 2020, although still down 19% from 2019. Torts are a much smaller proportion of the caseload, with 503,518 cases filed in 2021 in 37 states. This was a one-year drop of 2% and a two-year drop of 7%, as seen in Figure 5.

Figure 5

Change in incoming cases for select civil case types, 2020 - 2021

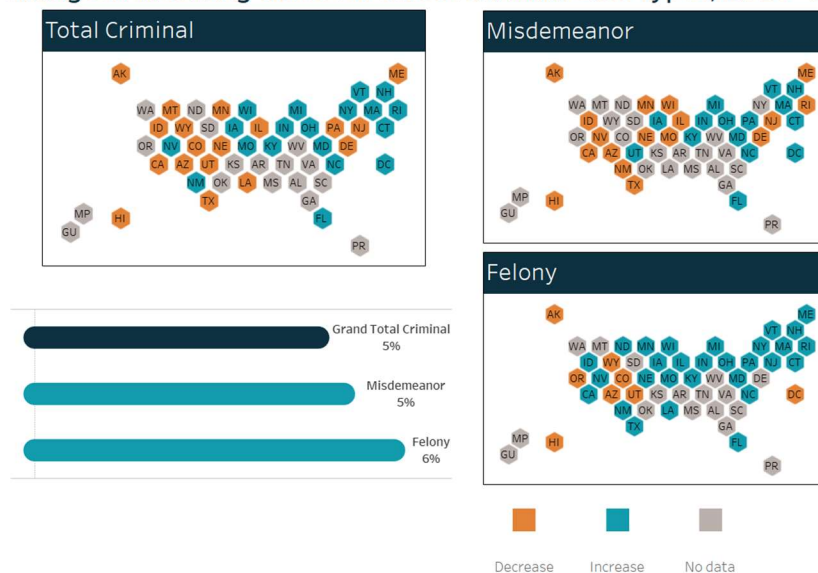


## Criminal

In criminal court, misdemeanor case filings (defined as those crimes with a maximum punishment of one year in jail and/or fines) increased from 2020. 8.5 million misdemeanor cases were filed in 41 states, an increase of 5% from 2020 and a 16% drop from 2019. Felony cases showed a 6% increase in 2021, to 2.9 million cases. This is still 6% below 2019 levels.

Figure 6

Change in incoming cases for select criminal case types, 2020 - 2021

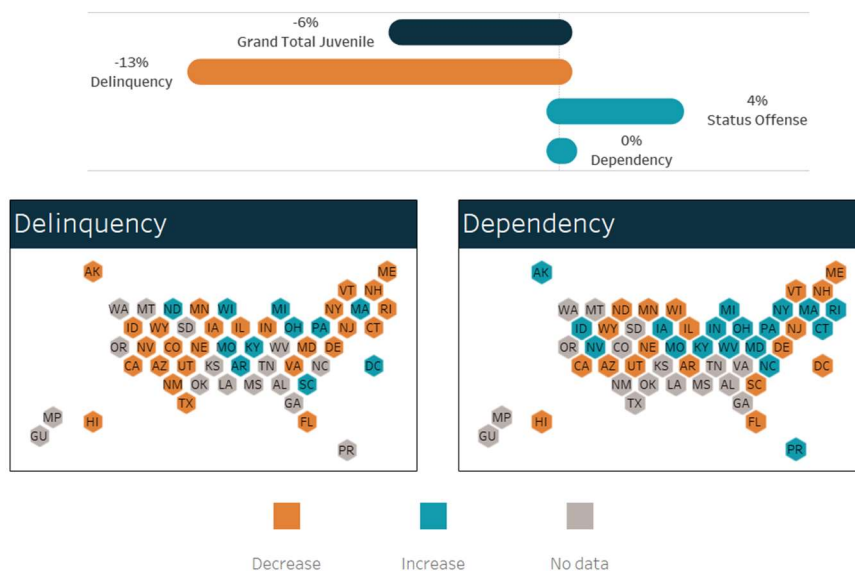


## Juvenile

Juvenile cases continued to decline, as seen in Figure 7. This was driven by the decrease in delinquency filings, down 13% from 2020 to 2021 and down 36% since 2019. Dependency filings, which are those alleging abuse or neglect of a child, showed almost no change from 2020 to 2021, remaining down 16% from 2019. Status offenses, including truancy, saw a slight increase.

Figure 7

Change in incoming cases for select juvenile case types, 2020 - 2021

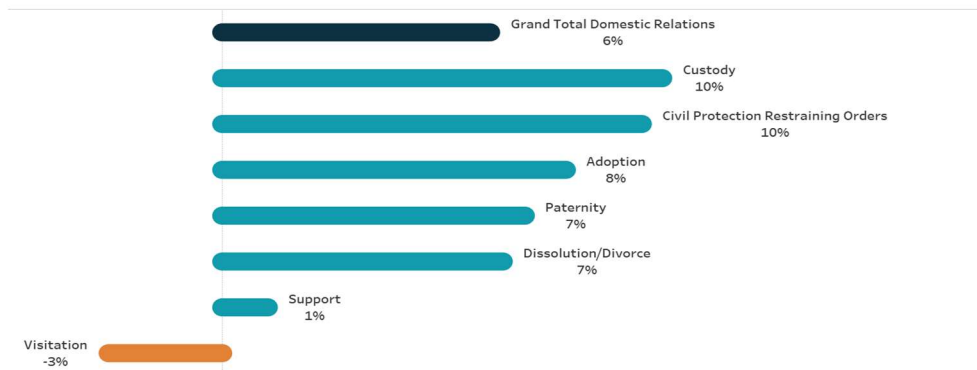


## Domestic Relations

In domestic relations, dissolution/divorce case filings, paternity, custody, adoption, and protection order cases all saw increases in 2021 over 2020, from 1% in child support to 10% in civil protection orders and custody cases (Figure 8). However, filings in all domestic relations case types remain below 2019 levels.

Figure 8<sup>2</sup>

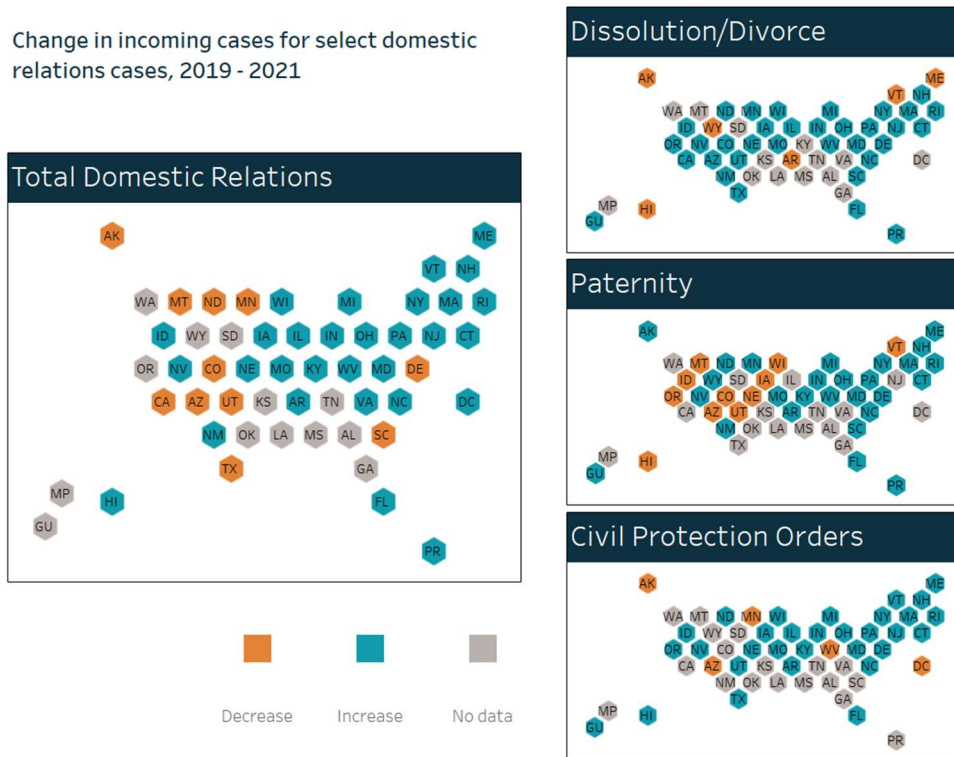
Percent change in domestic relation case types, 2019 - 2021



<sup>2</sup> Due to rounding, some case types show the same percent change but different lengths of bars. Differing lengths in the bar graphs account for the decimal differences in percent change.

Support cases showed the largest decrease compared to 2019, dropping 33%. Dissolution/divorce case filings were down 3% compared to 2019 (40 states) and paternity cases were down 26% in 39 states, as shown in Figure 9. Case filings for civil protection orders increased 10% over 2020 but were down 3% compared to 2019.

Figure 9

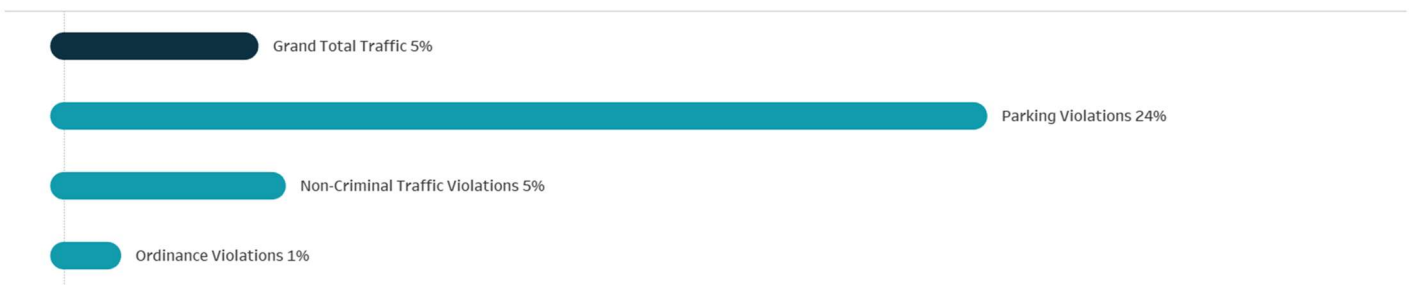


## Traffic and Local Ordinance

Traffic and local ordinance case filings increased 5% in 2021 compared to 2020, with 26.8 million incoming cases in 40 states. However, incoming cases are still down 30% from 2019 filing levels. Among these, parking violations showed the largest increase with 24% more filings compared to 2020.

Figure 10

Percent change in select traffic and local ordinance case types, 2019 - 2021



While overall court filings remain below pre-pandemic levels, some case types showed increases in filings, as shown in Figure 11. The largest increase was in product liability, at 28%. The largest decrease was in buyer plaintiff, at 37%.

Figure 11

### Percent change of incoming cases, 2019 - 2020



The Court Statistics Project is the only source for comparable annual state court caseload data, with court data published at [www.courtstatistics.org](http://www.courtstatistics.org). For more information about 2012-2021 court data, please see our website at [www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat](http://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat).