

JUDICIAL BRANCH WORKLOAD FORMULAS & TRIAL COURT PERFORMANCE MEASURES

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JUDICIAL BRANCH WORKLOAD FORMULAS



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- Background
 - Use of workload indicators for more than a decade
 - First collaborated with the National Center for State Courts in 2006 to convert workload indicators to workload formulas for clerks of superior court, magistrates, and district court judges
 - Prior to workload formulas, staffing needs were addressed based upon subjective decision-making
 - General Statutes set forth the numbers of judges, assistant district attorneys, and minimum number of magistrates
 - Workload formulas provide an objective means for projecting staffing needs



JUDICIAL BRANCH WORKLOAD FORMULAS

- Staffing Resources Needs
 - Based on empirical data
 - Focuses on most common work performed
 - Provides credibility (National Center for State Courts methodology)
 - Requested by the General Assembly
 - Provides tools for equitable analysis of local needs
- Management of Resources
 - Dynamic calculations are revised often and vacancies are taken into consideration
 - Tools are extremely effective for relative resourcing comparisons



WORKLOAD FORMULA APPROACH

- Committee directed, approved by the constituent group
- Case weight approach based on time studies used for:
 - Clerks of superior court
 - Magistrates
 - District court judges
 - Superior court judges
 - Family court case coordinators
 - Assistant district attorneys and victim witness/legal assistants
 - Custody mediators



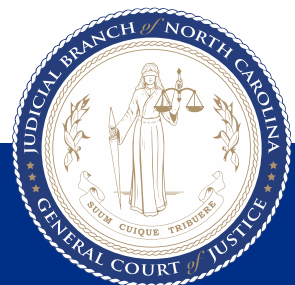
WORKLOAD FORMULA APPROACH

- Ratio of judges to support staff/trial court administrators (TCAs) for:
 - District court judicial support staff
 - Superior court judicial support staff and TCAs
- Case load based on National Court Appointed Special Advocates standard for:
 - Guardian ad Litem staff



EFFECTIVE WORKLOAD FORMULA PROCESS

- Strong participation by all judicial official groups in time studies
- Determined preliminary case weights (*i.e.*, what is)
- Modest quality adjustments to preliminary case weights to determine final case weights (*i.e.*, what should be)
- Computed annually using most recent three years of filings (*i.e.*, current workload formulas are based on July 1, 2016 – June 30, 2019 filings)
- Components updated as necessary to reflect changes in law, procedures, responsibilities, or other factors



CASE TYPES

District Court Judges Example

Criminal

- Non-Motor Vehicle
- Motor Vehicle and Infractions
- Driving While Impaired

Civil

- Domestic
- General Civil
- Child Support Enforcement
- Juvenile



FINAL CASE WEIGHTS

District Court Judges Example

Criminal

- **31.87 minutes**
 - Non-Motor Vehicle
- **5.73 minutes**
 - Motor Vehicle and Infractions
- **34.64 minutes**
 - Driving While Impaired

Civil

- **60.10 minutes**
 - Domestic
- **68.85 minutes**
 - General Civil
- **33.73 minutes**
 - Child Support Enforcement
- **144.94 minutes**
 - Juvenile



STAFFING NEEDS CALCULATIONS

$$\frac{\text{Number of filings (defendants) x case weight}}{\text{Case-related staff year value}}$$

Workload formulas acknowledge that not every hour of every work day is spent on case related activities. There is time included for non-case related activities (e.g., administrative responsibilities).

Not all case-related work occurs in a courtroom. There is a variety of case preparation activities and post-hearing case-related work that occurs outside of the courtroom.



WORKLOAD NEED INFLUENCES THE BUDGET PROCESS

- Positions have recently been allocated to the Judicial Branch by the General Assembly based on demonstrated staffing needs pursuant to the workload formulas
 - FY 2017
 - 31 assistant district attorneys
 - 67 deputy clerks
 - FY 2018
 - 29 deputy clerks
 - FY 2019
 - 17 assistant district attorneys
 - 7 deputy clerks
 - 8 district court judgeships
- FY 2019 workload numbers indicate an overall need of over 250 total positions across the Judicial Branch



TRIAL COURT PERFORMANCE MEASURES



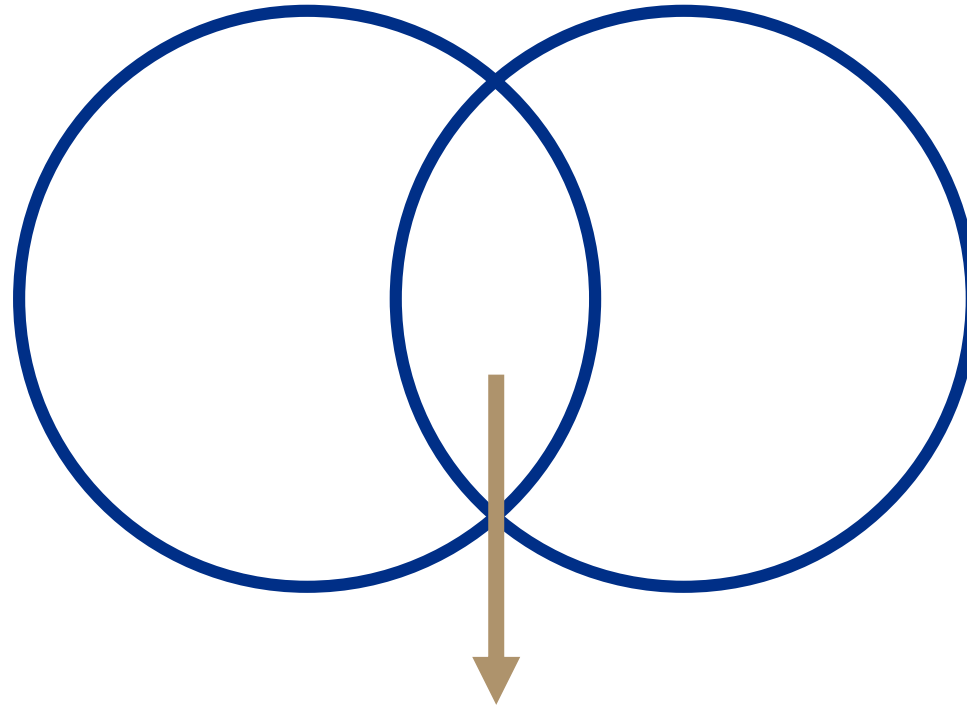
BENEFITS OF COURT PERFORMANCE MEASURES

- Focus on areas of importance to a broad audience with multiple indicators
- Provide data to validate or dispel perceptions and/or anecdotes
- Support an evidence-based approach to management initiatives and/or requests for additional resources
- Demonstrate accountability for Judicial Branch resources
- Support the legitimacy of an independent judiciary



WHAT SHOULD BE MEASURED?

Things that
Matter



Things that Can be
Measured

Performance Measures





- Developed by the National Center for State Courts as a court performance framework
 - Set of balanced and realistic performance measures that are practical to implement and use
 - Support efforts toward improved court performance by helping:
 - Clarify performance goals
 - Develop a measurement plan
 - Document success

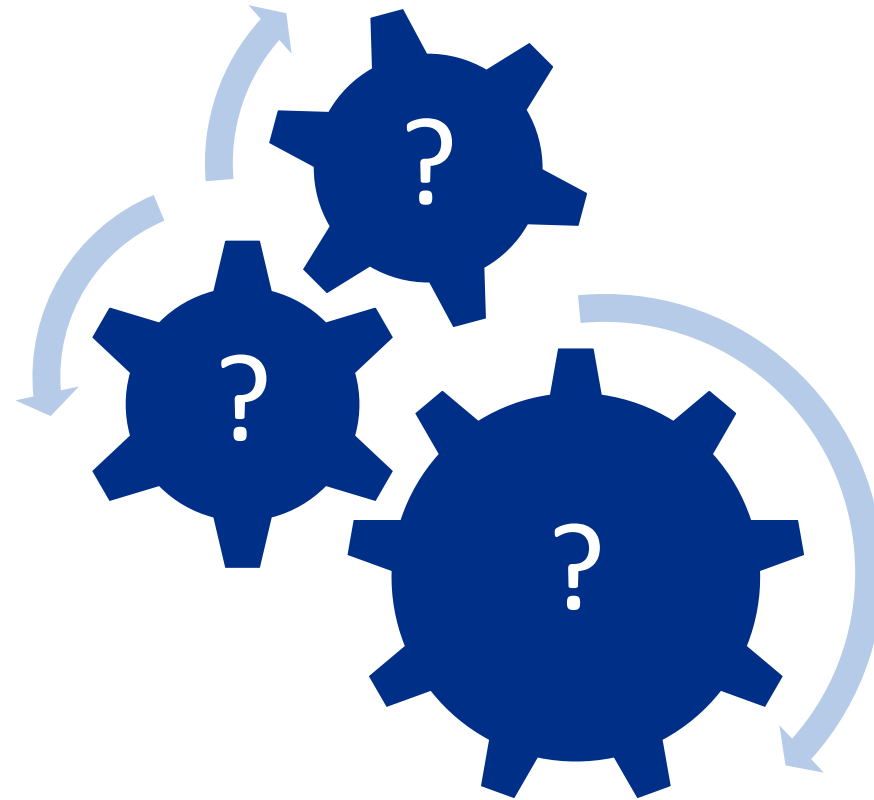


COURTOOLS TRIAL COURT PERFORMANCE MEASURES

1. Access and fairness
2. Clearance rates
3. Time to disposition
4. Age of active pending caseload
5. Trial date certainty
6. Reliability and integrity of case files
7. Court system financials
 - a) Ensuring fairness in legal financial obligations
 - b) Management of legal financial obligations
 - c) Fair practices for legal financial obligations
8. Effective use of jurors
9. Court employee satisfaction
10. Cost per case



WHICH MEASURES SHOULD NORTH CAROLINA PURSUE?



QUESTIONS TO ASK

About the Big Picture

- What do we hope to gain?
- What are our key performance areas?
- What is our intended use of the information we will gain?
- Who is our audience?

Related to the Process

- What data are currently available?
- How do we currently measure performance?
- Are there upcoming changes to data collection? If so, how will this affect our key performance areas?



WHERE WE MIGHT START...

THE NORTH CAROLINA COURT SYSTEM

TIME GUIDELINES FOR TRIAL COURT CASES

[Index for Help Pages](#)

(Based on guidelines adopted by the Supreme Court in 1996)

For definitions of a "case", "filed" and "disposed" [click here](#)

DISTRICT COURT TIME GUIDELINES

Criminal Non-Motor Vehicle

75% disposed within 60 days of filing
90% disposed within 90 days of filing
98% disposed within 120 days of filing
100% disposed within 365 days of filing

Criminal Motor Vehicle¹

75% disposed within 60 days of filing
90% disposed within 120 days of filing
100% disposed within 180 days of filing

Infractions¹

75% disposed within 60 days of filing
90% disposed within 120 days of filing
100% disposed within 180 days of filing

Felonies²

100% disposed within 90 days of filing

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SUPERIOR COURT TIME GUIDELINES

Non-Capital Felonies³

50% disposed within 120 days of filing
75% disposed within 180 days of filing
90% disposed within 365 days of filing
100% disposed within 545 days of filing

Misdemeanor Appeals

100% disposed within 180 days of
transfer to Superior Court

Estates

under development

General Civil

90% disposed within 365 days of filing
98% disposed within 545 days of filing
100% disposed within 730 days of filing
(Exceptional cases beyond 24 months)

Domestic

75% disposed within 90 days of filing
90% disposed within 180 days of filing
100% disposed within 545 days of filing

Small Claims

75% disposed within 30 days of filing
100% disposed within 120 days of filing

Misdemeanors

50% disposed within 120 days of filing
75% disposed within 180 days of filing
90% disposed within 365 days of filing
100% disposed within 545 days of filing

Civil Cases

90% disposed within 365 days of filing
98% disposed within 545 days of filing
100% disposed within 730 days of filing
(Exceptional cases beyond 24 months)

Special Proceedings

under development

- CourTools Measure #3 – Time to Disposition
- Time guidelines for various case types were adopted by the North Carolina Supreme Court in 1996
 - Are these actionable today?
 - Is there data available?
 - How are we doing?



NEXT STEPS

- Choose key performance areas
- Determine the feasibility of implementation
 - Balance with other Judicial Branch priorities
- Involve court system stakeholders to create buy-in
- Maintain organizational commitment to performance measurement
- Use outcomes to enhance court system management and guide policymaking





THANK YOU