

INTRODUCTION

Court Statistics Report

The *Court Statistics Report (CSR)* is published annually by the Judicial Council of California and is designed to fulfill the provisions of article VI, section 6 of the California Constitution, which requires the Judicial Council to survey the condition and business of the California Courts. The CSR combines 10-year statewide summaries of superior court filings and dispositions with similar workload indicators for the California Supreme Court and Courts of Appeal. The 2019 CSR also provides more detailed information on filings and dispositions in the individual superior courts for the most recent fiscal year for which data are available, 2017–18.

The California Court System

California's court system serves a population of more than 39 million people—about 12 percent of the total U.S. population—and processed about 5.8 million cases in fiscal year 2017–18. The judicial branch budget for the 2017–18 fiscal year of \$3.7 billion (excluding infrastructure) represents about 2 percent of the California state budget and makes possible the case-processing activity detailed below while also providing the basis of support for approximately 2,000 judicial officers and just over 17,000 judicial branch employees statewide.

The vast majority of cases in the California courts begin in one of the 58 superior (or trial) courts that reside in each of the state's 58 counties. With more than 500 court buildings throughout the state, these courts hear both civil and criminal cases as well as family, probate, mental health, and juvenile cases. The equivalent of more than 2,000 judicial positions statewide address the full range of cases heard each year by the superior courts, as reflected in the sheer number of case filings and dispositions reported here. The superior courts report summaries of their case filing counts to the Judicial Council, and the CSR reports those figures here in aggregate form.

The next level of court authority within the state's judicial branch resides with the Courts of Appeal. Most of the cases that come before the Courts of Appeal involve the review of a superior court decision that is being contested by a party to the case. The Legislature has divided the state geographically into six appellate districts, each containing a Court of Appeal. Currently, 105 appellate justices preside in nine locations in the state to hear matters brought for review. Totals of Court of Appeal case filings are forwarded to the Judicial Council; these are summarized in the tables that follow.

The Supreme Court sits at the apex of the state's judicial system and has discretion to review decisions of the Courts of Appeal in order to settle important questions of law and resolve conflicts among the Courts of Appeal. Although the Supreme Court generally has considerable discretion in determining which cases to grant review, it must review the appeal in any case in which a trial court has imposed the death penalty. The Supreme Court sends the Judicial Council its annual case filing figures, which are reported here in summary form.

Caseload Data and Court Workload

The *Court Statistics Report* contains essential information about the annual caseload of the California judicial branch, with a particular emphasis on the number and types of cases that are filed and disposed of in the courts. This information is submitted to the California Legislature and used in numerous judicial branch reports. As with any published data, the numbers in this report represent a snapshot of the most complete and reliable information available at the time of compilation.

Statewide trends in filings and dispositions may be influenced by a number of factors. For example, changes in the number of filings and dispositions may reflect shifting needs or behavior of residents of a court's service area as well as new policy emphases in the work of justice system partners. The following are some of the more common causes of statistical variations.

Amended Data

To ensure that the statistics used for making policy decisions are as accurate as possible, courts may amend the data they submit to the Judicial Council should new, more detailed, or more complete information become available. For this reason, the data in this report may change slightly over time as courts revise their calculations and submit new caseload estimates.

Missing Data

Statewide totals in the CSR may be influenced by missing data for certain courts. Typically, when courts do not report data to the Judicial Council, it is because they have encountered difficulties generating automated reports from their case management systems. Filings data submitted by the courts tend to be more complete than disposition data.

Incomplete Data

The reporting of incomplete data typically occurs when courts transmit partial data totals for a particular case type because of the limits of their case management systems. It should be noted that incomplete data are more difficult to spot in the tables that follow, but in general they will cause downward shifts in the number of filings and dispositions. (Incomplete data for FY 2017–18 are also detailed in Appendix A.)

Variation in Local Business Practices

Data reported in the CSR are compiled in a data warehouse, the Judicial Branch Statistical Information System (JBSIS). Because many different case management systems are used in the courts, data must be “mapped” from local systems into the standard categories used for reporting purposes. One essential function of JBSIS is to standardize the basic definitions of case types and case events across all courts in California. Another important aspect of JBSIS is its role in the extraction of court data through different transmission methods that include manual reports, web-based reports through the JBSIS Portal, and automated JBSIS reports. Through this process, JBSIS contributes to the warehousing of this data in a structure that is comparable from one court to another.

Maintaining quality control over the data contained in the JBSIS data warehouse involves:

- Training court staff on the standards for the classification, entry, and reporting of data;
- Providing information to the courts for resolving technical questions associated with data definitions, processing, and aggregation;
- Developing and adopting a new case management system infrastructure in the courts; and
- Documenting and disseminating information related to changes in the ways that courts define or report data.

Although a growing number of courts now transmit their data electronically from their case management system to the Judicial Council, there continue to be differences among superior courts' case processing and other business practices that reflect the histories of individual courts and the unique needs of the communities they serve. These differences may influence the ways in which superior courts report data to the Judicial Council. On that basis, while the filings and disposition data reported by any one court are largely comparable to data from other courts, some local variations in the classification and reporting of cases still occur.

Summary of 2019 Court Statistics Report

A summary of the caseload data in the 2019 CSR for the California Supreme Court, Courts of Appeal, and superior courts for fiscal year 2017–18 is as follows:

Supreme Court

- The Supreme Court issued 85 written opinions during the year.
- Filings totaled 6,812, and dispositions totaled 6,761.
- Automatic appeals arising out of judgments of death totaled 5 cases, and the court disposed of 18 such appeals by written opinion.
- The Supreme Court ordered 20 Court of Appeal opinions depublished in this fiscal year.

Courts of Appeal

- Total contested matters for the Courts of Appeal totaled 18,281, made up of 12,137 records of appeal and 6,144 original proceedings.
- Dispositions in the Courts of Appeal totaled 20,984. Of these dispositions, 14,920 were appeals and 6,064 were original proceedings.
- Dispositions of appeals by written opinion totaled 8,945, appeals disposed of without written opinion totaled 3,756, and appeals disposed of without a record filed totaled 3,999. Dispositions of original proceedings by written opinion totaled 403, and original proceedings disposed of without written opinion totaled 5,769.
- Statewide, 8 percent of Court of Appeal majority opinions were published.

Superior Courts

In FY 2017–18, over 6.1 million cases were filed statewide in the superior courts. The CSR organizes all the cases filed in the courts in four main case categories: (1) Civil; (2) Criminal; (3) Family and Juvenile; and (4) Probate, Mental Health, Appeals, and Habeas. The case filing totals for the individual case types reported by the courts for FY 2017–18 are as follows:

Civil: The civil case category is made up of unlimited civil, limited civil, and small claims matters. Civil unlimited cases are matters where the petitioner is seeking more than \$25,000. There were 221,090 unlimited civil cases filed in the courts. Limited civil filings are cases where the petitioner is seeking \$25,000 or less. Limited civil cases totaled 444,146 statewide. Small claims filings are cases where the petitioner is seeking \$10,000 or less and is not represented by counsel. A total of 158,327 small claims cases were filed statewide.

Criminal: The criminal case category is made up of felonies, misdemeanors and infractions. The filing totals for the individual case types are as follows: felony filings represented 190,520 cases; misdemeanor filings totaled 756,155 cases; and infraction filings accounted for 3,825,609 cases.

Family and Juvenile: Marital filings (dissolutions, legal separations and nullities) accounted for 131,042 cases, and other family law filings (e.g., paternity, child support) totaled 229,345 cases. Juvenile delinquency filings totaled 30,743 cases, and juvenile dependency filings totaled 37,326 cases.

Probate, Mental Health, Appeals, and Habeas: The filing totals for the individual case types are as follows: probate filings totaled 51,478 cases; mental health filings totaled 38,874 cases; civil and criminal appeal filings totaled 3,788 cases; and criminal habeas corpus filings totaled 5,670 cases.

The largest changes in statewide filings for superior courts over the past year are mostly driven by limited jurisdiction case type: limited and unlimited civil in the civil case category and misdemeanors and infractions in the criminal case category. These limited jurisdiction cases tend to be, on average, much less complex and resource-intensive for courts than unlimited jurisdiction cases such as felonies, civil torts, family and juvenile, probate, and mental health. Several of the most complex types of cases filed in the courts had an increase in filings from the previous year, which include Contracts, Probate and Mental Health.

Terminology and Rules for Counting Filings

Technical definitions of most terms used in this CSR can be found in the appendixes. Some core definitions are presented here in more detail.

Appellate Courts

APPEAL. An *appeal* is a proceeding undertaken to have a decision of a lower trial court reviewed by a court with appellate authority over the matter. (Certain limited matters are reviewed by the appellate department of the superior courts.) A *notice of appeal* is a written notification filed in the superior court to initiate the appeal of a judgment to the Court of Appeal. The Courts of Appeal have appellate jurisdiction in all trial court matters, except when a judgment of death is entered, in which case the Supreme Court has appellate jurisdiction. If the matter is appealable, the court must hear the appeal. A *fully briefed* appeal is one in which all briefs have been filed with the court. *Dismissal* of an appeal involves the termination of a case for reasons other than its merit. An appeal that is awaiting a final decision is said to be *pending*. Each notice of appeal is counted as one new filing.

PETITION FOR REVIEW. A *petition for review* is filed in the California Supreme Court to ask that court to exercise its discretion to review a decision issued by a Court of Appeal in an appeal or an original proceeding. The Supreme Court has a total of 90 days to consider a petition for review, after which it loses jurisdiction. If a petition for review is granted by the Supreme Court, then full briefing occurs on the case; if a petition is denied, then the judgment of the lower court becomes final as to the case.

AUTOMATIC APPEAL. An *automatic appeal* is the appeal following a judgment of death in the trial court. This type of appeal is unique because it moves directly from a superior court to the Supreme Court without first being reviewed by a Court of Appeal. Like other types of appeals, it is fully briefed before being heard. An automatic appeal is counted as one new filing.

ORIGINAL PROCEEDING. An *original proceeding* is an action that may be filed and heard for the first time in an appellate court. This action is not an appeal; rather, it is ordinarily a petition for a writ. Examples of original proceedings include a writ of mandamus, which instructs a lower court to perform mandatory duties correctly; a writ of prohibition, or an order that forbids certain actions; and a writ of habeas corpus, which is described below. Each original proceeding is counted as one new filing.

PETITION FOR A WRIT OF HABEAS CORPUS. A petition for the issuance of a *writ of habeas corpus* is typically filed to contest the legality of a party's imprisonment or conditions of confinement. Each habeas corpus petition is counted as one new filing.

WRITTEN OPINION. A *written opinion* is a document issued by an appellate court explaining the terms and reasoning in its disposition of a case. The written opinion includes a statement of the legal facts in the case, relevant points of law, and the court's analysis and rationale for its decision. In addition to the written majority opinion in a case, concurring and dissenting opinions also may be filed in each case. For each case, only the majority opinion is counted as a written opinion in these tables.

DISPOSITIONS. The appellate court may dispose of a case by affirming or reversing the action of the lower court, or it may send the case back to the lower court for further proceedings if appropriate.

RECORD OF APPEAL. A *record of appeal* is the compilation of documents and transcripts associated with a given superior court case under review by an appellate court. The record is a component of a new appellate case and as such is not counted separately from the initial appeal.

REVERSAL OF CASE DECISION. A *reversal* is the overturning of a lower court's decision by an appellate court.

Superior Courts

FILING. In the most general sense, a *filing* is the initiation of a legal action with the court through a carefully prescribed legal procedure.

How Filings Are Counted. The procedure used to count filings for this report follows a set of rules consistent with national standards for statistical reporting. These rules differ according to casetype:

- Each filing in a *civil* case pertains to the complaint or petition that has been submitted to the court for action. A given civil complaint may name one or more individuals or groups as its object. However, regardless of the number of parties named in a case, each civil case is reported as one filing or one disposition.
- Each filing in a *criminal* case is associated with a single defendant against whom criminal charges have been filed. Multiple criminal charges may occur in a case where different charges have been brought against the same defendant, but only the single most severe charge against a defendant in a given case is counted as a new criminal filing. When multiple defendants are charged with a crime, multiple filings are reported.
- Each filing in a *juvenile* case pertains to a minor who is the subject of a petition made to the court for adjudication. A minor may have an initial filing that brought him or her to the attention of the court, and subsequent filings if new petitions or charges are filed over time. This practice continues until termination of the dependency or delinquency jurisdiction by the court or when the minor has reached the legal definition of adulthood. In a single case involving multiple minors, each minor is counted as a separate filing.

DISPOSITION. In a general sense, a *disposition* may be described as a final settlement or determination in a case. A disposition may occur either before or after a civil or criminal case has been scheduled for trial. A final judgment, a dismissal of a case, and the sentencing of a criminal defendant are all examples of dispositions. In certain case types, however, a disposition may merely signal the beginning of the court's authority over a case. For example, after the petition to appoint a conservator is disposed of in conservatorship cases, the court assumes control over that case. Rules for counting and reporting dispositions mirror those for filings, although a case filed in one year may be disposed of by the court in a subsequent year.

California Judicial Branch: Structure and Duties

The Courts

CALIFORNIA SUPREME COURT

www.courts.ca.gov/supremecourt.htm

- Has discretionary authority to review decisions of the Courts of Appeal, jurisdiction to review original petitions for writ relief, and direct responsibility for automatic appeals after death penalty judgments.
- Hears oral arguments in San Francisco, Los Angeles, and Sacramento.

COURTS OF APPEAL

www.courts.ca.gov/courtssofarpeal.htm

- Review the majority of appealable orders or judgments from the superior courts, with jurisdiction to review original petitions for writ relief.
- Six districts, 19 divisions, 9 court locations.

SUPERIOR COURTS

www.courts.ca.gov/superiorcourts.htm

- Have trial jurisdiction over all criminal and civil cases filed in their respective counties, guided by state and local laws that define crimes and specify punishments, as well as defining civil duties and liabilities.
- A total of 58 courts—one for each California county—each operating in 1 to 46 branches depending on county population, total local caseload, and other factors.

Branch and Administration Policy

JUDICIAL COUNCIL OF CALIFORNIA

www.courts.ca.gov/policyadmin-jc.htm

The constitutionally created policymaking body of the California courts.

Branch Agencies

COMMISSION ON JUDICIAL APPOINTMENTS

www.courts.ca.gov/5367.htm

Confirms gubernatorial appointments to the Supreme Court and appellate courts.

COMMISSION ON JUDICIAL PERFORMANCE

<http://cjp.ca.gov>

Responsible for maintaining statewide standards for administration of justice and empowered with disciplinary authority to effect the censure, removal, retirement, or private admonishment of judges and commissioners. Decisions subject to review by the California Supreme Court.

HABEAS CORPUS RESOURCE CENTER

www.courts.ca.gov/5361.htm

Handles state and federal habeas corpus proceedings; provides training and support for private attorneys who take these cases.

Related

STATE BAR OF CALIFORNIA

www.calbar.ca.gov

Serves the Supreme Court in administrative and disciplinary matters related to attorneys.