



# JUDICIAL COUNCIL OF CALIFORNIA

COURT EXECUTIVES  
ADVISORY COMMITTEE

[www.courts.ca.gov/ceac.htm](http://www.courts.ca.gov/ceac.htm)  
[ceac@jud.ca.gov](mailto:ceac@jud.ca.gov)

## COURT EXECUTIVES ADVISORY COMMITTEE

### JUDICIAL BRANCH STATISTICAL INFORMATION SYSTEM SUBCOMMITTEE

#### MATERIALS FOR FEBRUARY 19, 2020

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## COURT EXECUTIVES ADVISORY COMMITTEE JUDICIAL BRANCH STATISTICAL INFORMATION SYSTEM SUBCOMMITTEE

### NOTICE AND AGENDA OF OPEN IN-PERSON MEETING

Open to the Public (Cal. Rules of Court, rule 10.75(c)(1) and (e))

THIS MEETING IS BEING RECORDED

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**Date:** February 19, 2020  
**Time:** 10:00 a.m. - 3:00 p.m.  
**Location:** JCC 455 Golden Gate Avenue, San Francisco, California  
3rd Floor, Golden Gate Room  
**Public Call-in Number:** 1-877-820-7831; passcode 279-7635 (Listen Only)

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Meeting materials will be posted on the advisory body web page on the California Courts website at least three business days before the meeting.

Members of the public seeking to make an audio recording of the meeting must submit a written request at least two business days before the meeting. Requests can be e-mailed to [ceac@jud.ca.gov](mailto:ceac@jud.ca.gov).

Agenda items are numbered for identification purposes only and will not necessarily be considered in the indicated order.

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#### I. OPEN MEETING (CAL. RULES OF COURT, RULE 10.75(C)(1))

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##### Call to Order and Roll Call

##### Approval of Minutes

Approve minutes of the December 13, 2019, Judicial Branch Statistical Information System (JBSIS) Subcommittee of the Court Executives Advisory Committee meeting.

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#### II. PUBLIC COMMENT (CAL. RULES OF COURT, RULE 10.75(K)(1)-(2))

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##### In-Person Public Comment

Members of the public requesting to speak during the public comment portion of the meeting must place the speaker's name, the name of the organization that the speaker

represents if any, and the agenda item that the public comment will address, on the public comment sign-up sheet. The sign-up sheet will be available at the meeting location at least one hour prior to the meeting start time. The Chair will establish speaking limits at the beginning of the public comment session. While the advisory body welcomes and encourages public comment, time may not permit all persons requesting to speak to be heard at this meeting.

#### **Written Comment**

In accordance with California Rules of Court, rule 10.75(k)(1), written comments pertaining to any agenda item of a regularly noticed open meeting can be submitted up to one complete business day before the meeting. For this specific meeting, comments should be e-mailed to [ceac@jud.ca.gov](mailto:ceac@jud.ca.gov) or mailed or delivered to Judicial Council of California, 455 Golden Gate Avenue, San Francisco, CA 94102, attention: Emily Chirk. Only written comments received by 10:00 a.m. on February 18, 2020, will be provided to advisory body members prior to the start of the meeting.

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### **III. DISCUSSION AND POSSIBLE ACTION ITEMS (ITEMS 1–5)**

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#### **Item 1**

##### **Principles of Review**

Review agenda and briefly discuss decision rules for making changes.

Presenter: Mr. Jake Chatters, Chair, JBSIS Subcommittee of the CEAC

#### **Item 2**

##### **5A and 5B – Limited and Unlimited Civil**

Presentation of which data elements are currently utilized by the Court Statistics Report, are mandated by statute, have been of interest to agency partners and members of the public, and/or are measures recommended by national standards with discussion on potential revisions and next steps.

Presenter: Ms. Emily Chirk, Senior Analyst, Statistics & Information, Court Research, Business Management Services

#### **Item 3**

##### **13A – Small Claims**

Presentation of which data elements are currently utilized by the Court Statistics Report, are mandated by statute, have been of interest to agency partners and members of the public, and/or are measures recommended by national standards with discussion on potential revisions and next steps.

Presenter: Ms. Emily Chirk, Senior Analyst, Statistics & Information, Court Research, Business Management Services

**Item 4**

**Not Guilty by Reason of Insanity Filing Definition Change**

Finalization of definitional change of the filing count for PC 1026 in the JBSIS v3.0 Manual as discussed in a subcommittee meeting held on May 20, 2019.

Presenter: Ms. Emily Chirk, Senior Analyst, Statistics & Information, Court Research, Business Management Services

**Item 5**

**4A – Appellate Court Appeals**

Presentation of which data elements are currently utilized by the Court Statistics Report, are mandated by statute, have been of interest to agency partners and members of the public, and/or are measures recommended by national standards with discussion on potential revisions and next steps.

Presenter: Ms. Emily Chirk, Senior Analyst, Statistics & Information, Court Research, Business Management Services

**Item 6**

**4B – Appellate Division Appeals**

Presentation of which data elements are currently utilized by the Court Statistics Report, are mandated by statute, have been of interest to agency partners and members of the public, and/or are measures recommended by national standards with discussion on potential revisions and next steps.

Presenter: Ms. Emily Chirk, Senior Analyst, Statistics & Information, Court Research, Business Management Services

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**IV . A D J O U R N M E N T**

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**Adjourn**



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## COURT EXECUTIVES ADVISORY COMMITTEE JUDICIAL BRANCH STATISTICAL INFORMATION SYSTEM SUBCOMMITTEE

### MINUTES OF OPEN MEETING

December 13, 2019  
11:00 a.m. – 12:00 p.m.  
Teleconference

**Advisory Body Members Present:** Mr. Jake Chatters, Chair; Ms. Sherri R. Carter; Mr. Chad Finke; Mr. Michael D. Planet; Mr. Michael M. Roddy; Ms. Kim Turner

**Advisory Body Members Absent:** Ms. Rebecca Fleming; Mr. Kevin Harrigan

**Others Present:** Ms. Leah Rose-Goodwin; Ms. Emily Chirk

#### OPEN MEETING

##### Call to Order and Roll Call

The chair called the meeting to order at 11:03 a.m., and took roll call.

##### Approval of Minutes

The advisory body reviewed and approved the minutes of the September 16, 2019, Judicial Branch Statistical Information System Subcommittee of the Court Executives Advisory Committee meeting.

The advisory body reviewed and approved the minutes of the November 18, 2019, Judicial Branch Statistical Information System Subcommittee of the Court Executives Advisory Committee meeting. Chad Finke abstained as he did not attend the November 18<sup>th</sup> meeting.

#### DISCUSSION AND ACTION ITEMS (ITEM 1-5)

##### Item 1

##### JBSIS Felony Report Case Aging and Time to Disposition Correction

##### Action:

*The subcommittee discussed the complications of accurately depicting time to disposition in the Court Statistics Report due to the mismatch of categories in the case aging section of the JBSIS Felony 7C*

*Report. The subcommittee reviewed proposed changes and approved a proposal to have staff develop a report on the proposed changes to the JBSIS Felony 7C Report that would be submitted for presentation and approval at the February 2020 meeting of the Court Executives Advisory Committee.*

**Item 2**

**Proposed Project Timeline for Revisions to JBSIS**

**Action:**

*Staff provided a proposed project timeline for revisions to all JBSIS reports and informed the subcommittee that the proposed project timeline was developed on assumptions regarding future meetings dates for the Court Executives Advisory Committee to minimize issues with logistics. The subcommittee decided to meet in-person in February 2020 and review the a few reports to determine if the proposed timeline is feasible or needs to be adjusted.*

**Item 3**

**Audit Advisory**

**Action:** *The subcommittee discussed the content of the audit advisory and determined that an amendment should be added to the quality control section of the JBSIS manual to address concerns regarding case listings. Staff were directed to draft language that would be added to the JBSIS manual regarding case listings.*

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**A D J O U R N M E N T**

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There being no further business, the meeting was adjourned at 11:46 a.m..

Approved by the advisory body on enter date.

**Civil Limited/Unlimited - JBSIS Report 5A and 5B**

CASELOAD/CASEFLOW (unit of count = case)		DEFINITION	REPORTABLE BY	5A- # of courts reporting non-zero values	5B- # of courts reporting non-zero values	Included in 2019 CSR
50	Inventory					
100	Beginning pending	The number of cases awaiting disposition before the first day of a reporting period. Does not include cases that are removed from the court's control	Portal and JBSIS	48	48	
200	+ Filing	For statistical reporting purposes, a civil case begins with the court's acceptance of the formal submission of documents alleging the facts and requesting relief.	Portal and JBSIS			Yes
300	+ Reopened	A case that was previously reported as disposed but is resubmitted to a court.	Portal and JBSIS	42	38	
400	+ Restored to court's control	The status of a case that is available for court processing after it was removed from court's control	Portal and JBSIS	38	38	
450	+ Existing case entered in CMS	existing case entered in CMS	JBSIS	1	2	
460	-/+ Classification of pre-JBSIS case	Classification of a pre-JBSIS case into a JBSIS civil case type requires two counts in the inventory section	JBSIS	0	0	
▼ 500	- Total dispositions (from row 900)	See row 900		52	52	
▼ 550	- Removed from court's control (total rows 600 - 700)	Report removals that apply to an entire case.	Portal and JBSIS	42	41	
600	Conditional settlement filed	The filing of a notice of conditional settlement	JBSIS	26	26	
700	Other removed	Events other than notice of conditional settlement that remove a case from court's control where time is excluded from case disposition time standards	JBSIS	30	31	
800	End pending	The total number of cases awaiting disposition on the last day of the reporting period.	Portal and JBSIS	48	48	
<b>Disposed Cases, in Ascending Stage and Outcome Hierarchy</b>						
900	Dispositions (total rows 1000, 2800, 3500, 4200 - 4300)	The termination of a case pending before the court.	Portal and JBSIS	52	52	Yes
1000	Before trial (total rows 1050 and 2200)	<b>JBSIS:</b> Disposition occurs prior to the swearing-in of the 12 jurors and alternates in a jury trial or before the introduction of first evidence in a court trial. First evidence is when one or more parties or counsel appear and oral arguments, presentations relevant to the proceedings. <b>Portal:</b> Include all civil limited cases. Disposition occurs prior to the commencement of jury selection in a jury trial or before an opening statement or evidence has been introduced by either side in a court trial.	Portal and JBSIS	52	52	Yes
▼1050	Dismissal/Transfer (total rows 1075 and 1250)	A disposition before trial in which the case is dismissed or transferred.	Portal and JBSIS	51	52	
▼1075	Transfer (total rows 1100 - 1200)	A disposition before trial in which the case is transferred to a court in another county or within the same county	Portal and JBSIS	31	43	Aggregate
1100	Change of venue	A disposition before trial in which the venue of a case changes to another county.	JBSIS	18	32	
1150	Jurisdictional transfer	A disposition before trial in which a case is transferred from a court within the county to a court of another jurisdiction within the same county	JBSIS	11	10	
1200	Consolidated	A disposition before trial in which a case is subsumed into another pending (lead) case when the cases involve a common question of law or fact	JBSIS	19	30	
▼1250	Dismissal (total rows 1300 and 1800)	A disposition before trial in which the case is dismissed	Portal and JBSIS	51	52	
1300	Entry of req. for dismissal (total rows 1400 - 1700)	A disposition before trial in which a request for dismissal is filed by one of the parties and entered	Portal and JBSIS	46	10	Aggregate

1400	After settlement conference	A disposition before trial in which an entry of request for dismissal occurs within 60 days of a settlement conference.	JBSIS	15	17	
1500	After judicial arbitration	A disposition before trial in which an entry of request for dismissal occurs within 60 days of judicial arbitration	JBSIS	2	5	
1600	After court-ordered mediation	A disposition before trial in which an entry of request for dismissal occurs within 60 days of court-ordered mediation.	JBSIS	14	14	
1650	After other ADR	A disposition before trial in which an entry of request for dismissal occurs within 60 days of ADR.	JBSIS	14	15	
1700	No ADR	A disposition before trial in which an entry of request for dismissal does not follow any type of ADR proceedings—i.e., dismissal occurs without a settlement conference, judicial arbitration, court-ordered mediation, or other ADR—more than 60 days has elapsed since any type of ADR.	JBSIS	28	30	
1800	Entry of court-ordered dismissal (total rows 1900 - 2100)	A disposition before trial in which the court dismisses the entire case by signed and dated order on the court's own motion or at the request of a party. Include cases where the court minutes stand as the order and no other document is prepared.	Portal and JBSIS	48	50	
1900	Dismissal—Lack of prosecution	A disposition before trial in which the court dismisses the case on its own motion or on the motion of a party if the case meets one of the conditions outlined in Code Civ. Proc., § 583 et seq.	Portal and JBSIS	35	41	Yes
2000	Dismissal—Delay reduction rules	A disposition before trial in which the court dismisses an action for failure to comply with delay reduction rules	Portal and JBSIS	13	13	Aggregate
2100	Other court-ordered dismissal	Entry of any other court-ordered dismissal.	Portal and JBSIS	47	49	Aggregate
2200	Entry of judgment (total rows 2300 - 2700)	Entry of the final determination of the rights of the parties in an action or proceeding before trial. Cases are disposed on the date of entry, which is the date the judgment is filed with the clerk	Portal and JBSIS	52	52	Aggregate
2300	Arbitration award	Entry of an arbitration award before trial as final judgment in the case.	JBSIS	4	14	
2400	Clerk default judgment	Entry of judgment before trial by the clerk when a defendant/respondent fails to respond to the complaint or the answer is stricken.	JBSIS	33	32	
2500	Other clerk judgment	All other entries of judgment before trial by the clerk, including but not limited to enforcement of judgment, confession of judgment, Employment Development Department (EDD) judgments, sister state judgments, Labor Commissioner decisions, and judgments submitted to the court by private judges.	JBSIS	32	32	
2550	Default judgment by court	Entry of judgment before trial following a prove-up (default) hearing or default by affidavit.	JBSIS	33	34	
2600	Stipulated judgment	Entry of judgment before trial based on the terms of a stipulated settlement pursuant to Code Civ. Proc., § 664.6.	JBSIS	32	29	
2700	Summary judgment	Entry of judgment before trial based on a motion by either party contending that the action has no merit or that there is no defense to the action or proceeding, pursuant to Code Civ. Proc., § 437c.	JBSIS	26	31	
2800	After court trial (total rows 2900 - 3000)	A disposition that occurs after the introduction of the first evidence or opening statement at a trial in which the judicial officer will determine both the issues of fact and law in a case.	Portal and JBSIS	52	50	Yes
2900	Entry of court-ordered dismissal	A disposition after court trial in which the court dismisses the entire case by signed and dated order on the court's own motion or at the request of a party.	JBSIS	25	28	
3000	Entry of judgment (total rows 3100 - 3400)	Entry of the final determination of the rights of the parties in an action or proceeding after court trial.	JBSIS	33	33	



3100	Default judgment by court	Entry of judgment after court trial following a court order for default judgment when the defendant/respondent fails to appear for the trial or the answer is stricken pursuant to Code Civ. Proc., § 585.	JBSIS	23	22	
3200	Stipulated judgment	Entry of judgment after court trial based on the terms of a stipulated settlement pursuant to Code Civ. Proc., § 664.6.	JBSIS	23	15	
3300	Motion for judgment granted	Entry of judgment after court trial following the court's granting of a motion for judgment pursuant to Code Civ. Proc., § 631.8.	JBSIS	8	13	
3400	Court finding	Entry of judgment after court trial following the court's decision concerning the matters at issue.	JBSIS	32	33	
3500	After jury trial (total rows 3600 - 3700)	<b>JBSIS:</b> Disposition occurs after the swearing-in of the 12 jurors and alternates who will determine the issues of fact in a case. <b>Portal:</b> A jury trial commences once a jury selection begins.	Portal and JBSIS	21	40	Yes
3600	Entry of court-ordered dismissal	A disposition after jury trial in which the court dismisses the entire case by signed and dated order on the court's own motion or at the request of a party.	JBSIS	3	10	
3700	Entry of judgment (total rows 3800 - 4100)	Entry of the final determination of the rights of the parties in an action or a proceeding after jury trial.	JBSIS	10	30	
3800	Default judgment by court	Entry of judgment after jury trial following a court order for default judgment when the defendant/respondent fails to appear for the trial or the answer is stricken	JBSIS	2	5	
3900	Stipulated judgment	Entry of judgment after jury trial based on the terms of a stipulated settlement pursuant to Code Civ. Proc., § 664.6.	JBSIS	0	2	
4000	Motion for nonsuit granted	Entry of judgment after jury trial following the court's granting of a motion for a nonsuit	JBSIS	1	3	
4100	Jury verdict	Entry of judgment after jury trial following a jury's decision of the matters at issue in the trial. Includes directed verdicts.	JBSIS	8	28	
4200	Before hearing	A small claims appeal disposition in which the appellant abandons the appeal, the parties file a stipulation for abandonment, the appellant files a request for dismissal, or the appeal is dismissed by the court. (Does not apply to 5A-Limited Civil JBSIS Report).	JBSIS	---	14	
4300	After trial de novo	A small claims appeal disposition after a rehearing of the trial. (Does not apply to 5A-Limited Civil JBSIS Report).	JBSIS	---	37	Yes
4350	<b>Case Aging</b>					
4400	Age of disposed cases (unlawful detainer)	Unlawful detainer cases is disposed at entry of judgment for possession, even though a money judgment may be pending.				
4500	0-30 days		Portal and JBSIS	47	28	Yes
4600	31-45 days		Portal and JBSIS	47	25	Yes
4700	GE 46 days		Portal and JBSIS	47	34	Yes
4800	Age of pending cases (unlawful detainer)	Unlawful detainer cases are pending until entry of judgment for possession, even though a money judgment may be pending.				
4900	0-30 days		Portal and JBSIS	33	30	
5000	31-45 days		Portal and JBSIS	33	27	
5100	GE 46 days		Portal and JBSIS	33	35	
5200	Age of disposed cases (all civil except unlawful detainers or exceptional)	The number of all other disposed civil cases (except unlawful detainer and exceptional)				
5300	0-LT 12 months		Portal and JBSIS	47	47	Yes
5400	12-LT 18 months		Portal and JBSIS	46	47	Yes
5500	18-LT 24 months		Portal and JBSIS	44	47	Yes

5600	GE 24 months		Portal and JBSIS	46	47	Yes
5700	Age of disposed cases (exceptional)	The number of disposed limited exceptional cases				
5800	0 - LT 3 years		JBSIS	1	6	
5900	GE 3 years		JBSIS	1	7	
6000	Age of pending cases (all civil except unlawful detainers or exceptional)	The number of all other civil cases (except unlawful detainers and exceptional)				
6100	0-LT 12 months		JBSIS	33	42	
6200	12-LT 18 months		JBSIS	33	42	
6300	18-LT 24 months		JBSIS	32	42	
6400	GE 24 months		JBSIS	32	42	
6500	Age of pending cases (exceptional)	The number of limited exceptional cases pending disposition				
6600	LT 3 years		JBSIS	51	12	
6700	GE 3 years		JBSIS	50	13	
<b>WORKLOAD (unit of count = action)</b>						
Hearings						
6800	Predisposition hearings (total rows 7200 - 7600)	Formal judicial predisposition proceedings held to decide issues of fact or law arising in the course of a court action.	Portal and JBSIS	50	34	
7200	Demurrer/motion to strike hearing	A predisposition hearing on the defendant/respondent's motion that the plaintiff/petitioner's complaint is not sufficient to oblige the defendant/respondent to answer, pursuant to Code Civ. Proc., § 430.30.	JBSIS	30	33	
7300	Summary judgment hearing	A predisposition hearing on a motion by either party contending that the action or cross-complaint has no merit or that there is no defense to the action or proceeding, pursuant to Code Civ. Proc., § 437c.	JBSIS	29	33	
7400	Discovery hearing	A predisposition hearing held on a party's motion to obtain facts and information about the case from the opposing party in order to assist in preparation for trial.	JBSIS	16	27	
7500	OSC hearing	A predisposition hearing on a court order to appear as directed and present to the court reasons that a particular order should not be confirmed.	JBSIS	29	32	
7600	Other predisposition hearing	A predisposition hearing not specified on rows 7200-7500.	JBSIS	32	34	
7650	Trial (rows 7660-7670)		JBSIS			
7660	Mistrial	A trial terminated prior to its normal conclusion.	JBSIS	52	3	
7670	Retrial	A new trial of an action that has already been tried once, regardless of the reason for the retrial.	Portal and JBSIS	5	6	
7700	Postdisposition hearings (total rows 7800 - 8000)	A proceeding at which first evidence is presented and heard by a judicial officer after final disposition. Refer to "hearing" definition on row 6800.	Portal and JBSIS	48	32	
7800	Enforcement of judgment hearing	A postdisposition hearing on a motion to carry out a mandate or decision of the court (Code Civ. Proc., § 680 et seq.).	JBSIS	23	25	
7900	OSC hearing	A postdisposition hearing on a court order to appear as directed and present to the court reasons that a particular order should not be confirmed.	JBSIS	17	24	
8000	Other postdisposition hearing	A postdisposition hearing not specified on row 7800 or 7900.	JBSIS	32	31	

8050	<b>Events</b>				
8060	Settlement conference (rows 8070 - 8090)				
8070	Cases submitted	The number of cases ordered or referred to settlement conference. Count each referral. If a case is referred to settlement conference and the conference begins but must be continued to another date for completion, report one referral to settlement conference. If a settlement conference is completed and later the case is once again referred to settlement conference, report a second referral.	Portal and JBSIS	25	36
8080	Trial requested	A request for a court or jury trial following a settlement conference.	JBSIS	8	12
8090	Trial held after settlement conference	The start of a court or jury trial following a settlement conference.	JBSIS	8	13
8100	Judicial arbitration (rows 8200 - 8300)				
8200	Cases submitted	The number of cases ordered or referred to judicial arbitration pursuant to Code Civ. Proc., § 1141.10 et seq.	JBSIS	4	9
8250	Trial de novo requested	A request for court or jury trial following an arbitration award.	JBSIS	2	1
8300	Trial de novo held after arbitration	The start of a court or jury trial following an arbitration award.	JBSIS	0	2
8400	Court-ordered mediation (rows 8500 - 8600)				
8500	Cases submitted	The number of cases ordered or referred to court-ordered mediation.	JBSIS	11	13
8550	Trial requested	A request for court or jury trial following court-ordered mediation.	JBSIS	4	5
8600	Trial held after mediation	The start of a court or jury trial following court-ordered mediation.	JBSIS	3	5
8650	Other ADR (rows 8660 - 8680)				
8660	Cases submitted	The number of cases ordered or referred to ADR other than a settlement conference, judicial arbitration, or court-ordered mediation.	JBSIS	9	13
8670	Trial requested	A request for court or jury trial following ADR other than a settlement conference, judicial arbitration, or court-ordered mediation.	JBSIS	5	6
8680	Trial held after other ADR	The start of a court or jury trial following ADR other than a settlement conference, judicial arbitration, or court-ordered mediation.	JBSIS	3	6
8700	Tentative decisions	The number of tentative decisions in trial proceedings issued by judicial officers, which may be made by an oral statement in court, in writing, or by copy of the clerk's minutes	JBSIS	13	24
8800	Case management conference	A calendared conference among parties and the judicial officer or other individual given authority by the judge to hold the conference, where the primary purpose is to monitor the progress of the case.	JBSIS	32	33
8900	Pretrial conference	A meeting of the opposing parties in a case with the judicial officer prior to trial for the purposes of stipulating those things that are agreed upon and thus narrowing the trial to the issues that are in dispute, disclosing required information about witnesses and evidence, making motions, and generally organizing the presentation of motions, witnesses, and evidence.	JBSIS	17	23
9000	Subsequent fee waiver requested	Subsequent application for waiver of filing fee submitted pursuant to Gov. Code, § 68634(e).	JBSIS	30	30
9050	Subsequent fee waiver granted	Subsequent application for waiver of filing fee granted in full or in part by the court.	JBSIS	32	31
9100	Continuances (total rows 9150, 9400 - 9550)	A hearing set on a calendar and recalendared to a future date for the same proceedings, at the request of a party or on the court's own motion, before any proceedings take place--i.e., before first evidence is presented.	JBSIS	32	33
9150	Court's motion (total rows 9200 - 9300)	Total continuances of hearings and trials on the court's own motion.	JBSIS	27	33
9200	Court's motion: hearing	A continuance of a hearing by motion of the court.	JBSIS	27	33
9300	Court's motion: trial	A continuance of a trial by motion of the court	JBSIS	16	19

9400	Resets	A case that is reset for trial owing to the unavailability of a trial department.	JBSIS	20	25
9500	Stipulated continuances	A hearing set on a calendar and recalendared to a future date before any proceedings take place (before the first evidence is introduced) as a result of the parties' written agreement to continue the hearing/trial. (Gov. Code, § 68616(d).)	JBSIS	19	27
9550	Party's motion (total rows 9600 - 9700)	Total continuances of hearings/trials by party's motion.	JBSIS	28	33
9600	Party's motion: hearing	A continuance of a hearing by party's motion. Include verbal or other stipulated continuances not in accordance with Gov. Code, § 68616(d).	JBSIS	26	33
9700	Party's motion: trial	A continuance of a trial by party's motion. Include verbal or other stipulated continuances not in accordance with Gov. Code, § 68616(d).	JBSIS	18	22
<b>CASE CHARACTERISTICS (unit of count = case/action)</b>					
9900	Multiple plaintiffs/defendants	The number of cases in which there are multiple plaintiffs/petitioners and/or multiple defendants/respondents.	JBSIS	33	31
10000	Pro per plaintiff/petitioner	A self-represented plaintiff/petitioner at the time of disposition.	JBSIS	33	34
10100	Pro per defendant/respondent	A self-represented defendant/respondent at the time of disposition.	JBSIS	33	34
10200	Fee waiver requested	Application for waiver of filing fee submitted pursuant to Gov. Code, § 68634(e).	JBSIS	33	34
10300	Fee waiver granted	Application for waiver of filing fee granted in full or in part by the court.	JBSIS	33	34
10400	Government exemption	This waiver applies to "the filing of any document or paper, for the performance of any official service, or for the filing of any stipulation or agreement, which may constitute an appearance." (Gov. Code, § 6103)	JBSIS	16	17
10500	Certified as class action	A filing designated as a class action by the court.	JBSIS	0	6

### Small Claims 13A

CASELOAD/CASEFLOW (unit of count = case)		Definition	Reportable by	# of courts reporting non-zero values	Included in 2019 CSR
50	<b>Inventory</b>				
100	Beginning pending	The number of cases awaiting disposition in a court before the first day of a reporting period.	Portal and JBSIS	49	
200	+ Filing	The beginning of a court case by the court's initial acceptance of a plaintiff's claim, a document alleging the facts and requesting relief.	Portal and JBSIS		Yes
250	+ Reopened	A case that was previously reported as disposed but is resubmitted to a court.	Portal and JBSIS	31	
300	+ Restored to court's control	The status of a civil case that is available for court processing after it was removed from court's control	Portal and JBSIS	16	
350	+ Existing case entered into CMS	A case not previously entered in the case management system (CMS) and, therefore, not reported in pending.	JBSIS	0	
400	- Removed from court's control	Events that remove a civil case from court's control where time is excluded from case disposition time standards	Portal and JBSIS	20	
▼500	- Total dispositions	See row 700	Portal and JBSIS	53	
600	End pending	The number of cases awaiting disposition in a court on the last day of the reporting period.	Portal and JBSIS	49	
<b>Disposed Cases, in Ascending Stage and Outcome Hierarchy</b>					
700	Dispositions (total rows 800 and 1500)	The termination of a case pending before the court.	Portal and JBSIS	53	Yes
800	Before Hearing (total rows 850 and 1400)	Disposition occurs without a court appearance or before the introduction of first evidence.	Portal and JBSIS	52	Yes
▼850	Dismissal/Transfer (total rows 875 and 990)	A disposition before hearing in which the case was dismissed or transferred.	Portal and JBSIS	52	
▼875	Transfer (total rows 900 - 950)	A disposition before hearing in which the case was transferred to a court in another county or within the same county.	Portal and JBSIS	10	Aggregate
900	Change of venue	A disposition before hearing in which the venue of a case changes to another county.	JBSIS	5	
950	Jurisdictional transfer	A disposition before hearing in which a case is transferred out of the court's jurisdiction to another court within the county.	JBSIS	2	
▼990	Dismissal (total rows 1000 - 1100)	A disposition before trial in which the case was dismissed.	Portal and JBSIS	52	
1000	Entry of request for dismissal	A disposition before hearing in which a request for dismissal is filed and entered.	Portal and JBSIS	48	Yes
1100	Entry of court-ordered dismissal (total rows 1200 - 1300)	A disposition before hearing in which the court dismisses the entire case by signed and dated order on the court's own motion or at the request of a party.	Portal and JBSIS	50	Yes
1200	Dismissal—lack of prosecution	A disposition before hearing in which the court dismisses the case on its own motion or on the motion of a party if the case meets one of the conditions outlined in Code Civ. Proc., § 583 et seq.	JBSIS	22	

1300	Other court-ordered dismissal	Entry of a court-ordered dismissal before hearing excluding cases dismissed for lack of prosecution.	JBSIS	22	
1400	Bankruptcy discharge	A disposition before hearing in which the creditor's right to recover is eliminated because of a ruling of the federal court wiping out the remaining debts of the bankrupt person.	Portal and JBSIS	4	Aggregate
1500	After Hearing (total rows 1525 and 1800)	Disposition occurs after the first evidence is introduced.	Portal and JBSIS	53	Yes
▼1525	Dismissal/Transfer (total rows 1540 and 1590)	A disposition after trial in which the case was dismissed or transferred.	JBSIS	33	
▼1540	Transfer (total rows 1550 - 1560)	The total number of cases transferred after hearing.	JBSIS	7	
1550	Change of venue	A disposition after hearing in which the venue of a case changes to another county.	JBSIS	4	
1560	Jurisdictional transfer	A disposition after hearing in which a case is transferred out of the court's jurisdiction to another court within the county.	JBSIS	7	
▼1590	Dismissal (total rows 1600 - 1700)	A disposition after hearing in which the case was dismissed.	JBSIS	32	
1600	Entry of request for dismissal	A disposition after hearing in which a request for dismissal is filed and entered.	JBSIS	29	
1700	Entry of request for dismissal after mediation	A disposition after hearing in which a request for dismissal is filed and entered following the parties' participation in court-annexed or private mediation.	JBSIS	15	
1800	Entry of judgment (total rows 1900 - 2000)	Entry of the final determination of the rights of the parties in an action or a proceeding after court hearing	JBSIS	36	
1900	Uncontested	Entry of judgment follows a hearing in which only one party appears before the court and presents evidence or in which one or both parties appear and request that the court order a stipulated judgment.	JBSIS	35	
2000	Contested	Entry of judgment follows a hearing in which both the plaintiff and defendant appear at the hearing and present first evidence.	JBSIS	36	
2090	<b>Case aging</b>				
2100	Age of disposed cases	Age cases from filing date to date of disposition, excluding time during which the case was removed from court's control. For cases transferred in, age the case from the date of filing in the court of original jurisdiction.			
▼2190	0-70 days (total rows 2200 - 2300)		Portal and JBSIS	48	Yes
2200	0-40 days		JBSIS	36	
2300	41-70 days		JBSIS	36	
2400	71-90 days		Portal and JBSIS	48	Yes
2500	GE 91 days		Portal and JBSIS	48	Yes
2600	Age of disposed cases after submission	Age cases from the date the judge takes the case under submission for decision to date of disposition. (Cal. Rules of Court, rule 10.603.)			
2700	LE 30 days		JBSIS	23	
2800	GE 31 days		JBSIS	20	

2900	Age of pending cases	Age from filing date, excluding time that the case was removed from court's control, to the last day of the report period. For cases transferred in, age from the filing date in the court of original jurisdiction to the last day of the report period.			
3000	0–40 days		JBSIS		36
3100	41–70 days		JBSIS		36
3200	71–90 days		JBSIS		36
3300	GE 91days		JBSIS		36
<b>WORKLOAD (unit of count = action)</b>					
3400	Predisposition hearing (total rows 3500 - 3700)	Formal judicial predisposition proceedings held to decide issues of fact or law arising in the course of a court action.	JBSIS		32
3500	For evidence hearing	A court-ordered hearing for parties to provide further evidence before the court issues its ruling.	JBSIS		18
3600	Venue hearing	A hearing to determine if small claims court is the proper place for trial or whether the case should be transferred to another jurisdiction because the amount requested exceeds the jurisdiction of small claims court.	JBSIS		9
3700	Other predisposition hearing	A predisposition hearing not specified on rows 3500 and 3600.	JBSIS		25
3800	Postdisposition hearing (total rows 3900, 4200 - 4400)	A proceeding at which first evidence is presented and heard by a judicial officer after final disposition.	Portal and JBSIS		50
3900	Order of examination (total rows 4400 - 4100)	A hearing in which the judgment creditor obtains asset information from the judgment debtor under oath through a court-ordered appearance. Include hearings initiated by Applications and Orders to Produce.	JBSIS		30
4000	Appealed case—judgment upheld	An order of examination hearing on a case that is returned to the small claims division because of an appeal, and in this case, the judgment is upheld in favor of (awarded to) the plaintiff.	JBSIS		8
4100	Nonappealed case	An order of examination hearing in a case that was not appealed.	JBSIS		29
4200	Request to correct or vacate judgment	A court-ordered hearing to direct attention to any alleged error, omission, or oversight during trial.	JBSIS		29
4300	Opposition to claim of exemption	A hearing on a creditor's opposition to debtor's claim of exemption to determine disposition of property or money held by levying officer.	JBSIS		21
4400	Other postdisposition hearing	A postdisposition hearing not specified on rows 3900–4300.	JBSIS		24
4500	<b>Events</b>				
4600	Referral to mediation	A referral by the court to court or voluntary mediation.	JBSIS		15
4650	Subsequent fee waiver requested	Subsequent application for waiver of filing fee submitted pursuant to Gov. Code, § 68634(e).	JBSIS		29
4660	Subsequent fee waiver granted	Subsequent application for waiver of filing fee granted in full or in part by the court.	JBSIS		27
4690	Continuance (total rows 4700 - 4800)	A hearing set on a calendar and re-calendared to a future date for the same proceedings, at the request of a party or on the court's own motion, before any proceedings take place	JBSIS		34

4700	Court's motion	A hearing set on a calendar and re-calendared to a future date on the court's own motion before any proceedings take place	JBSIS	33	
4800	Party's motion	A hearing set on a calendar and re-calendared to a future date on a party's motion before any proceedings take place	JBSIS	33	
<b>CASE CHARACTERISTIC (unit of count = case/action)</b>					
5000	Fee waiver requested	Application for waiver of filing fee submitted pursuant to Gov. Code, § 68634(e).	JBSIS	36	
5100	Fee waiver granted	Application for waiver of filing fee granted in full or in part by the court.	JBSIS	36	
5200	Government exemption	This waiver applies to "the filing of any document or paper, for the performance of any official service, or for the filing of any stipulation or agreement, which may constitute an appearance" (Gov. Code, § 6103).	JBSIS	13	



## TABLE OF MODEL TIME STANDARDS

Case Category	Case Type	COSCA Standard	ABA Standard	Model Standard
CRIMINAL	Felony	100% within 180 days	90% within 120 days 98% within 180 days 100% within 365 days	75% within 90 days 90% within 180 days 98% within 365 days
	Misdemeanor	100% within 90 days	90% within 30 days 100% within 90 days	75% within 60 days 90% within 90 days 98% within 180 days
	Traffic and Local Ordinance			75% within 30 days 90% within 60 days 98% within 90 days
	<i>Habeas corpus</i> and similar Post-conviction proceedings (following a criminal conviction)			98% within 180 days
CIVIL	General Civil	100% of non-jury within 12 months 100% jury trials within 18 months	90% within 12 months 98% within 18 months 100% within 24 months	75% within 180 days 90% within 365 days 98% within 540 days
	Summary Matters			75% within 60 days 90% within 90 days 98% within 180 days
FAMILY	Dissolution/ Divorce/ Allocation of Parental Responsibility	100% uncontested within 3 months 100% contested within 6 months	90% within 3 months 98% within 6 months 100% within 12 months	75% within 120 days 90% within 180 days 98% within 365 days
	Post Judgment Motions			98% within 180 days
	Protection Orders			90% within 10 days 98% within 30 days
JUVENILE	Delinquency & Status Offense		90% within 3 months 98% within 6 months 100% within 12 months	For youth in detention: 75% within 30 days 90% within 45 days 98% within 90 days For youth not in detention: 75% within 60 days 90% with 90 days 98% within 150 days
	Neglect and Abuse		90% within 3 months 98% within 6 months 100% within 12 months	Adjudicatory Hearing 98% within 90 days of removal Permanency Hearing 75% within 270 days of removal 98% within 360 days of removal
	Termination of Parental Rights		90% within 3 months 98% within 6 months 100% within 12 months	90% within 120 days after the filing of a termination petition 98% within 180 days after the filing of a termination petition
PROBATE	Administration of Estates			75% within 360 days 90% within 540 days 98% within 720 days
	Guardianship/ Conservator of Incapacitated Adults			98% within 90 days
	Civil Commitment			98% within 15 days



## 2020 California Rules of Court

### Standard 2.2. Trial court case disposition time goals

#### (a) Trial Court Delay Reduction Act

The recommended goals for case disposition time in the trial courts in this standard are adopted under Government Code sections 68603 and 68620.

*(Subd (a) amended effective January 1, 2007; adopted effective July 1, 1987; relettered effective January 1, 1989; previously amended effective January 1, 2004.)*

#### (b) Statement of purpose

The recommended time goals are intended to guide the trial courts in applying the policies and principles of standard 2.1. They are administrative, justice-oriented guidelines to be used in the management of the courts. They are intended to improve the administration of justice by encouraging prompt disposition of all matters coming before the courts. The goals apply to all cases filed and are not meant to create deadlines for individual cases. Through its case management practices, a court may achieve or exceed the goals stated in this standard for the overall disposition of cases. The goals should be applied in a fair, practical, and flexible manner. They are not to be used as the basis for sanctions against any court or judge.

*(Subd (b) amended effective January 1, 2007; adopted effective July 1, 1987, as (1); relettered effective January 1, 1989; previously amended effective January 1, 2004.)*

#### (c) Definition

The definition of "general civil case" in rule 1.6 applies to this section. It includes both unlimited and limited civil cases.

*(Subd (c) amended effective January 1, 2007; adopted effective January 1, 2004.)*

#### (d) Civil cases-processing time goals

The goal of each trial court should be to process general civil cases so that all cases are disposed of within two years of filing.

*(Subd (d) amended and relettered effective January 1, 2004; adopted effective July 1, 1987, as (2); previously amended effective July 1, 1988; amended and relettered as subd (c) effective January 1, 1989.)*

#### (e) Civil cases-rate of disposition

Each trial court should dispose of at least as many civil cases as are filed each year and, if necessary to meet the case-processing goal in (d), dispose of more cases than are filed. As the court disposes of inactive cases, it should identify active cases that may require judicial attention.

*(Subd (e) amended effective January 1, 2007; adopted effective July 1, 1987, as (3); previously amended effective July 1, 1988; previously amended and relettered as subd (d) effective January 1, 1989, and as subd (e) effective January 1, 2004.)*

**(f) General civil cases-case disposition time goals**

The goal of each trial court should be to manage general civil cases, except those exempt under (g), so that they meet the following case disposition time goals:

(1) *Unlimited civil cases:*

The goal of each trial court should be to manage unlimited civil cases from filing so that:

- (A) 75 percent are disposed of within 12 months;
- (B) 85 percent are disposed of within 18 months; and
- (C) 100 percent are disposed of within 24 months.

(2) *Limited civil cases:*

The goal of each trial court should be to manage limited civil cases from filing so that:

- (A) 90 percent are disposed of within 12 months;
- (B) 98 percent are disposed of within 18 months; and
- (C) 100 percent are disposed of within 24 months.

(3) *Individualized case management*

The goals in (1) and (2) are guidelines for the court's disposition of all unlimited and limited civil cases filed in that court. In managing individual civil cases, the court must consider each case on its merits. To enable the fair and efficient resolution of civil cases, each case should be set for trial as soon as appropriate for that individual case consistent with rule 3.729.

*(Subd (f) amended effective January 1, 2007; adopted as subd (g) effective July 1, 1987; relettered as subd (h) effective January 1, 1989; amended effective July 1, 1991; previously amended and relettered as subd (f) effective January 1, 2004.)*

**(g) Exceptional civil cases**

A general civil case that meets the criteria in rules 3.715 and 3.400 and that involves exceptional circumstances or will require continuing review is exempt from the time goals in (d) and (f). Every exceptional case should be monitored to ensure its timely disposition consistent with the exceptional circumstances, with the goal of disposing of the case within three years.

*(Subd (g) amended effective January 1, 2007; adopted effective January 1, 2004.)*

**(h) Small claims cases**

The goals for small claims cases are:

- (1) 90 percent disposed of within 75 days after filing; and
- (2) 100 percent disposed of within 95 days after filing.

*(Subd (h) adopted effective January 1, 2004.)*

**(i) Unlawful detainer cases**

The goals for unlawful detainer cases are:

- (1) 90 percent disposed of within 30 days after filing; and
- (2) 100 percent disposed of within 45 days after filing.

*(Subd (i) adopted effective January 1, 2004.)*

**(j) Felony cases-processing time goals**

Except for capital cases, all felony cases disposed of should have a total elapsed processing time of no more than one year from the defendant's first arraignment to disposition.

*(Subd (j) amended effective January 1, 2007; adopted effective January 1, 2004.)*

**(k) Misdemeanor cases**

The goals for misdemeanor cases are:

- (1) 90 percent disposed of within 30 days after the defendant's first arraignment on the complaint;
- (2) 98 percent disposed of within 90 days after the defendant's first arraignment on the complaint; and
- (3) 100 percent disposed of within 120 days after the defendant's first arraignment on the complaint.

*(Subd (k) adopted effective January 1, 2004.)*

**(l) Felony preliminary examinations**

The goal for felony cases at the time of the preliminary examination (excluding murder cases in which the prosecution seeks the death penalty) should be disposition by dismissal, by interim disposition by certified plea of guilty, or by finding of probable cause, so that:

- (1) 90 percent of cases are disposed of within 30 days after the defendant's first arraignment on the complaint;
- (2) 98 percent of cases are disposed of within 45 days after the defendant's first arraignment on the complaint; and
- (3) 100 percent of cases are disposed of within 90 days after the defendant's first arraignment on the complaint.

*(Subd (l) adopted effective January 1, 2004.)*

**(m) Exceptional criminal cases**

An exceptional criminal case is not exempt from the time goal in (j), but case progress should be separately reported under the Judicial Branch Statistical Information System (JBSIS) regulations.

*(Subd (m) amended effective January 1, 2007; adopted effective January 1, 2004.)*

**(n) Cases removed from court's control excluded from computation of time**

If a case is removed from the court's control, the period of time until the case is restored to court control should be excluded from the case disposition time goals. The matters that remove a case from the court's control for the purposes of this section include:

- (1) Civil cases:
  - (A) The filing of a notice of conditional settlement under rule 3.1385;
  - (B) An automatic stay resulting from the filing of an action in a federal bankruptcy court;

- (C) The removal of the case to federal court;
- (D) An order of a federal court or higher state court staying the case;
- (E) An order staying the case based on proceedings in a court of equal standing in another jurisdiction;
- (F) The pendency of contractual arbitration under Code of Civil Procedure section 1281.4;
- (G) The pendency of attorney fee arbitration under Business and Professions Code section 6201;
- (H) A stay by the reporting court for active military duty or incarceration; and
- (I) For 180 days, the exemption for uninsured motorist cases under rule 3.712(b).

(2) Felony or misdemeanor cases:

- (A) Issuance of warrant;
- (B) Imposition of a civil assessment under Penal Code section 1214.1;
- (C) Pendency of completion of diversion under Penal Code section 1000 et seq.;
- (D) Evaluation of mental competence under Penal Code section 1368;
- (E) Evaluation as a narcotics addict under Welfare and Institutions Code sections 3050 and 3051;
- (F) 90-day diagnostic and treatment program under Penal Code section 1203.3;
- (G) 90-day evaluation period for a juvenile under Welfare and Institutions Code section 707.2;
- (H) Stay by a higher court or by a federal court for proceedings in another jurisdiction;
- (I) Stay by the reporting court for active military duty or incarceration; and
- (J) Time granted by the court to secure counsel if the defendant is not represented at the first appearance.

*(Subd (n) amended effective January 1, 2007; adopted effective January 1, 2004.)*

**(o) Problems**

A court that finds its ability to comply with these goals impeded by a rule of court or statute should notify the Judicial Council.

*(Subd (o) amended effective January 1, 2007; adopted effective January 1, 2004.)*

*Standard 2.2 amended and renumbered effective January 1, 2007; adopted as sec. 2.1 effective July 1, 1987; previously amended effective January 1, 1988, July 1, 1988, January 1, 1989, January 1, 1990, July 1, 1991, and January 1, 2004.*

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## 2020 California Rules of Court

### **Rule 3.714. Differentiation of cases to achieve goals**

#### **(a) Evaluation and assignment**

The court must evaluate each case on its own merits as provided in rule 3.715, under procedures adopted by local court rules. After evaluation, the court must:

- (1) Assign the case to the case management program for review under the case management rules in chapter 3 of this division for disposition under the case disposition time goals in (b) of this rule;
- (2) Exempt the case as an exceptional case under (c) of this rule from the case disposition time goals specified in rule 3.713(b) and monitor it with the goal of disposing of it within three years; or
- (3) Assign the case under (d) of this rule to a local case management plan for disposition within six to nine months after filing.

*(Subd (a) amended effective January 1, 2007; previously amended effective July 1, 2002, and January 1, 2004.)*

#### **(b) Civil case disposition time goals**

Civil cases assigned for review under the case management rules in chapter 3 of this division should be managed so as to achieve the following goals:

##### *(1) Unlimited civil cases*

The goal of each trial court should be to manage unlimited civil cases from filing so that:

- (A) 75 percent are disposed of within 12 months;
- (B) 85 percent are disposed of within 18 months; and
- (C) 100 percent are disposed of within 24 months.

##### *(2) Limited civil cases*

The goal of each trial court should be to manage limited civil cases from filing so that:

- (A) 90 percent are disposed of within 12 months;
- (B) 98 percent are disposed of within 18 months; and
- (C) 100 percent are disposed of within 24 months.

##### *(3) Individualized case management*

The goals in (1) and (2) are guidelines for the court's disposition of all unlimited and limited civil cases filed in that court. In managing individual civil cases, the court must consider each case on its merits. To enable the fair and efficient resolution of civil cases, each case should be set for trial as soon as appropriate for that individual case consistent with rule 3.729.

*(Subd (b) amended effective January 1, 2007; previously amended effective July 1, 2002, and January 1, 2004.)*

**(c) Exemption of exceptional cases**

- (1) The court may in the interest of justice exempt a general civil case from the case disposition time goals under rule 3.713(b) if it finds the case involves exceptional circumstances that will prevent the court and the parties from meeting the goals and deadlines imposed by the program. In making the determination, the court is guided by rules 3.715 and 3.400.
- (2) If the court exempts the case from the case disposition time goals, the court must establish a case progression plan and monitor the case to ensure timely disposition consistent with the exceptional circumstances, with the goal of disposing of the case within three years.

*(Subd (c) amended effective January 1, 2007; adopted as subd (d); previously amended effective January 1, 2000, and July 1, 2002; previously amended and relettered as subd (c) effective January 1, 2004.)*

**(d) Local case management plan for expedited case disposition**

- (1) For expedited case disposition, the court may by local rule adopt a case management plan that establishes a goal for disposing of appropriate cases within six to nine months after filing. The plan must establish a procedure to identify the cases to be assigned to the plan.
- (2) The plan must be used only for uncomplicated cases amenable to early disposition that do not need a case management conference or review or similar event to guide the case to early resolution.

*(Subd (d) amended and relettered effective January 1, 2004; adopted as subd (e); previously amended effective January 1, 1994, and July 1, 2002.)*

*Rule 3.714 amended and renumbered effective January 1, 2007; adopted as rule 2105 effective July 1, 1991; amended and renumbered as rule 209 effective July 1, 2002; previously amended effective January 1, 1994, January 1, 200, and January 1, 2004.*

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## Not Guilty by Reason of Insanity Filing Definition Change

### Example Case:

- Defendant is charged with a felony crime, in which they plead not guilty by reason of insanity.
- Trial is held and Defendant is found not guilty by reason of insanity.
- The term of commitment is to be no longer than the maximum term of commitment that could have been imposed on the Defendant for the offenses of which they would have been convicted.
- Defendant is committed to a state hospital or other treatment facility.
- No later than 90 days before the expiration of the original commitment, the District Attorney may file a petition for extended commitment in the superior court which issued the original commitment.

### JBSIS v2.3 Reporting Process

- Row 200 Filing Count occurs on the Felony Report
- Case is disposed on the Felony Report when the Defendant is found not guilty by reason of insanity
- At the same time that the case is disposed on the Felony Report, the case is added to the Mental Health Report
  - Casetype “Not Guilty by Reason of Insanity” through Row 1800.
  - Not Guilty by Reason of Insanity is defined as: a mental health case in which a defendant was found not guilty of a crime by reason of insanity”
  - Row 1800 indicates that a finding of insanity initiates supervision. This is not a filing count and is considered inventory.
- If a petition for extension of commitment is filed, the case would report a subsequent petition under row 2900. This is not a filing count.
  - Disposition of the subsequent petition is recorded through rows 3500-3700.
- The case may exit supervision through one of three ways:
  - Row 2300- Release: a termination in which a patient/respondent is unconditionally released from involuntary commitment or outpatient status based on provisions specified in 1026.5.
  - Row 2500- Release after restoration to sanity: a termination in which the court finds that the defendant’s sanity has been restored and grants an unconditional release (PC 1026.2).
  - Row 2600- Terminations-other: By Operation of law or death; cases where the time period of commitment has elapsed, there has been no activity on the case, and no further action is requested of the court.

### JBSIS v3.0 Reporting Process

- Not Guilty by Reason of Insanity is aggregated into casetype “Civil Commitment with underlying Criminal case” and is reportable to Row 200- Filings



- Civil Commitment with underlying Criminal case is defined as: a petition filed seeking commitment or extended commitment of a defendant convicted of a crime or an individual with an underlying criminal case.
- In the example provided, the date that the Defendant is found not guilty by reason of insanity, the case would report to JBSIS simultaneously as follows:
  - Dispose on Felony report
  - Report to Row 200 Filing on the Mental Health Report under Civil Commitment with an underlying Criminal case
  - Dispose in “Initial Petition” section of the Mental Health Report that is reflective of the disposition that occurred on the Felony report
  - Report to Row 1800-Added to Court Supervision
- If a petition for extension of commitment is filed, the case would report a subsequent petition under row 2900.
  - Disposition of the subsequent petition is recorded through rows 3500-3700.
- The case may exit supervision through one of three ways:
  - Row 2300- Release: a termination in which a patient/respondent is unconditionally released from involuntary commitment or outpatient status based on provisions specified in 1026.5.
  - Row 2500- Release after restoration to sanity: a termination in which the court finds that the defendant’s sanity has been restored and grants an unconditional release (PC 1026.2).
  - Row 2600- Terminations-other: By Operation of law or death; cases where the time period of commitment has elapsed, there has been no activity on the case, and no further action is requested of the court.

### Potential Changes

- Row 200 Filing Count occurs on the Felony Report
- Case is disposed on the Felony Report when the Defendant is found not guilty by reason of insanity.
  - The Felony Report does not contain a supervision section
- If a petition for extension of commitment is filed, the case would report to the Mental Health report under Civil Commitment with underlying Criminal case and to Row 200-Filings.
- The case would dispose in the “Initial Petition” section of Mental Health Report that is reflective of the manner in which the petition for extension of commitment is disposed.
- If the court or a jury finds that the Defendant by reason of mental disease, defect, or disorder represents a substantial danger of physical harm to others, then the case will report to Row 1800-Added to Court Supervision
- The case may exit supervision through one of three ways:
  - Row 2300- Release: a termination in which a patient/respondent is unconditionally released from involuntary commitment or outpatient status based on provisions specified in 1026.5.

- Row 2500- Release after restoration to sanity: a termination in which the court finds that the defendant's sanity has been restored and grants an unconditional release (PC 1026.2).
- Row 2600- Terminations-other: By Operation of law or death; cases where the time period of commitment has elapsed, there has been no activity on the case, and no further action is requested of the court.

Question to consider: If prior to the expiration of an initial 1026.5 extension of commitment, the District Attorney files another 1026.5 extension of commitment, would that be considered a subsequent filing or new filing?



## **PENAL CODE - PEN**

### **PART 2. OF CRIMINAL PROCEDURE [681 - 1620] ( Part 2 enacted 1872. )**

#### **TITLE 6. PLEADINGS AND PROCEEDINGS BEFORE TRIAL [976 - 1054.10] ( Heading of Title 6 amended by Stats. 1951, Ch. 1674. )**

#### **CHAPTER 4. Plea [1016 - 1027] ( Chapter 4 enacted 1872. )**

**1026.** (a) If a defendant pleads not guilty by reason of insanity, and also joins with it another plea or pleas, the defendant shall first be tried as if only the other plea or pleas had been entered, and in that trial the defendant shall be conclusively presumed to have been sane at the time the offense is alleged to have been committed. If the jury finds the defendant guilty, or if the defendant pleads only not guilty by reason of insanity, the question whether the defendant was sane or insane at the time the offense was committed shall be promptly tried, either before the same jury or before a new jury in the discretion of the court. In that trial, the jury shall return a verdict either that the defendant was sane at the time the offense was committed or was insane at the time the offense was committed. If the verdict or finding is that the defendant was sane at the time the offense was committed, the court shall sentence the defendant as provided by law. If the verdict or finding is that the defendant was insane at the time the offense was committed, the court, unless it appears to the court that the sanity of the defendant has been recovered fully, shall direct that the defendant be committed to the State Department of State Hospitals for the care and treatment of persons with mental health disorders or any other appropriate public or private treatment facility approved by the community program director, or the court may order the defendant placed on outpatient status pursuant to Title 15 (commencing with Section 1600) of Part 2.

(b) Prior to making the order directing that the defendant be committed to the State Department of State Hospitals or other treatment facility or placed on outpatient status, the court shall order the community program director or a designee to evaluate the defendant and to submit to the court within 15 judicial days of the order a written recommendation as to whether the defendant should be placed on outpatient status or committed to the State Department of State Hospitals or other treatment facility. A person shall not be admitted to a state hospital or other treatment facility or placed on outpatient status under this section without having been evaluated by the community program director or a designee. If, however, it appears to the court that the sanity of the defendant has been recovered fully, the defendant shall be remanded to the custody of the sheriff until the issue of sanity has been finally determined in the manner prescribed by law. A defendant committed to a state hospital or other treatment facility or placed on outpatient status pursuant to Title 15 (commencing with Section 1600) of Part 2 shall not be released from confinement, parole, or outpatient status unless and until the court that committed the person, after notice and hearing, finds and determines that the person's sanity has been restored, or meets the criteria for release pursuant to Section 4146 of the Welfare and Institutions Code. This section does not prohibit the transfer of the patient from one state hospital to any other state hospital by proper authority. This section does not prohibit the transfer of the patient to a hospital in another state in the manner provided in Section 4119 of the Welfare and Institutions Code.

(c) If the defendant is committed or transferred to the State Department of State Hospitals pursuant to this section, the court may, upon receiving the written recommendation of the medical director of the state hospital and the community program director that the defendant be transferred to a public or private treatment facility approved by the community program director, order the defendant transferred to that facility. If the defendant is committed or transferred to a public or private treatment facility approved by the community program director, the court may, upon receiving the written recommendation of the community program director, order the defendant transferred to the State Department of State Hospitals or to another public or private treatment facility approved by the community program director. If either the defendant or the prosecuting attorney chooses to contest either kind of order of transfer, a petition may be filed in the court requesting a hearing, which shall be held if the court determines that sufficient grounds exist. At that hearing, the prosecuting attorney or the defendant may present evidence bearing on the order of transfer. The court shall use the same procedures and standards of proof as used in conducting probation revocation hearings pursuant to Section 1203.2.

(d) Prior to making an order for transfer under this section, the court shall notify the defendant, the attorney of record for the defendant, the prosecuting attorney, and the community program director or a designee.

(e) If the court, after considering the placement recommendation of the community program director required in subdivision (b), orders that the defendant be committed to the State Department of State Hospitals or other public or private treatment facility, the court shall provide copies of the following documents prior to the admission of the defendant to the State Department of State Hospitals or other treatment facility where the defendant is to be committed:

(1) The commitment order, including a specification of the charges.

(2) A computation or statement setting forth the maximum term of commitment in accordance with Section 1026.5.

(3) A computation or statement setting forth the amount of credit for time served, if any, to be deducted from the maximum term of commitment.

(4) State summary criminal history information.

(5) Any arrest reports prepared by the police department or other law enforcement agency.

(6) Any court-ordered psychiatric examination or evaluation reports.

(7) The community program director's placement recommendation report.

(8) Any medical records.

(f) If the defendant is confined in a state hospital or other treatment facility as an inpatient, the medical director of the facility shall, at six-month intervals, submit a report in writing to the court and the community program director of the county of commitment, or a designee, setting forth the status and progress of the defendant. The court shall transmit copies of these reports to the prosecutor and defense counsel.

(g) For purposes of this section and Sections 1026.1 to 1026.6, inclusive, "community program director" means the person, agency, or entity designated by the State Department of State Hospitals pursuant to Section 1605 of this code and Section 4360 of the Welfare and Institutions Code.

*(Amended by Stats. 2019, Ch. 9, Sec. 3. (AB 46) Effective January 1, 2020.)*



## **PENAL CODE - PEN**

### **PART 2. OF CRIMINAL PROCEDURE [681 - 1620] ( Part 2 enacted 1872. )**

#### **TITLE 6. PLEADINGS AND PROCEEDINGS BEFORE TRIAL [976 - 1054.10] ( Heading of Title 6 amended by Stats. 1951, Ch. 1674. )**

#### **CHAPTER 4. Plea [1016 - 1027] ( Chapter 4 enacted 1872. )**

**1026.2.** (a) An application for the release of a person who has been committed to a state hospital or other treatment facility, as provided in Section 1026, upon the ground that sanity has been restored, may be made to the superior court of the county from which the commitment was made, either by the person, or by the medical director of the state hospital or other treatment facility to which the person is committed or by the community program director where the person is on outpatient status under Title 15 (commencing with Section 1600). The court shall give notice of the hearing date to the prosecuting attorney, the community program director or a designee, and the medical director or person in charge of the facility providing treatment to the committed person at least 15 judicial days in advance of the hearing date.

(b) Pending the hearing, the medical director or person in charge of the facility in which the person is confined shall prepare a summary of the person's programs of treatment and shall forward the summary to the community program director or a designee and to the court. The community program director or a designee shall review the summary and shall designate a facility within a reasonable distance from the court in which the person may be detained pending the hearing on the application for release. The facility so designated shall continue the program of treatment, shall provide adequate security, and shall, to the greatest extent possible, minimize interference with the person's program of treatment.

(c) A designated facility need not be approved for 72-hour treatment and evaluation pursuant to the Lanterman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code). However, a county jail may not be designated unless the services specified in subdivision (b) are provided and accommodations are provided which ensure both the safety of the person and the safety of the general population of the jail. If there is evidence that the treatment program is not being complied with or accommodations have not been provided which ensure both the safety of the committed person and the safety of the general population of the jail, the court shall order the person transferred to an appropriate facility or make any other appropriate order, including continuance of the proceedings.

(d) No hearing upon the application shall be allowed until the person committed has been confined or placed on outpatient status for a period of not less than 180 days from the date of the order of commitment.

(e) The court shall hold a hearing to determine whether the person applying for restoration of sanity would be a danger to the health and safety of others, due to mental defect, disease, or disorder, if under supervision and treatment in the community. If the court at the hearing determines the applicant will not be a danger to the health and safety of others, due to mental defect, disease, or disorder, while under supervision and treatment in the community, the court shall order the applicant placed with an appropriate forensic conditional release program for one year. All or a substantial portion of the program shall include outpatient supervision and treatment. The court shall retain jurisdiction. The court at the end of the one year, shall have a trial to determine if sanity has been restored, which means the applicant is no longer a danger to the health and safety of others, due to mental defect, disease, or disorder. The court shall not determine whether the applicant has been restored to sanity until the applicant has completed the one year in the appropriate forensic conditional release program, unless the community program director sooner makes a recommendation for restoration of sanity and unconditional release as described in subdivision (h). The court shall notify the persons required to be notified in subdivision (a) of the hearing date.

(f) If the applicant is on parole or outpatient status and has been on it for one year or longer, then it is deemed that the applicant has completed the required one year in an appropriate forensic conditional release program and the court shall, if all other applicable provisions of law have been met, hold the trial on restoration of sanity as provided for in this section.

(g) Before placing an applicant in an appropriate forensic conditional release program, the community program director shall submit to the court a written recommendation as to what forensic conditional release program is the most appropriate for supervising and treating the applicant. If the court does not accept the community program director's recommendation, the court shall specify the reason or reasons for its order on the court record. Sections 1605 to 1610, inclusive, shall be applicable to the person placed in the forensic conditional release program unless otherwise ordered by the court.

(h) If the court determines that the person should be transferred to an appropriate forensic conditional release program, the community program director or a designee shall make the necessary placement arrangements, and, within 21 days after receiving notice of the court finding, the person shall be placed in the community in accordance with the treatment and supervision plan, unless good cause for not doing so is made known to the court.

During the one year of supervision and treatment, if the community program director is of the opinion that the person is no longer a danger to the health and safety of others due to a mental defect, disease, or disorder, the community program director shall submit a report of his or her opinion and recommendations to the committing court, the prosecuting attorney, and the attorney for the person. The court shall then set and hold a trial to determine whether restoration of sanity and unconditional release should be granted. The trial shall be conducted in the same manner as is required at the end of one full year of supervision and treatment.

(i) If at the trial for restoration of sanity the court rules adversely to the applicant, the court may place the applicant on outpatient status, pursuant to Title 15 (commencing with Section 1600) of Part 2, unless the applicant does not meet all of the requirements of Section 1603.

(j) If the court denies the application to place the person in an appropriate forensic conditional release program or if restoration of sanity is denied, no new application may be filed by the person until one year has elapsed from the date of the denial.

(k) In any hearing authorized by this section, the applicant shall have the burden of proof by a preponderance of the evidence.

(l) If the application for the release is not made by the medical director of the state hospital or other treatment facility to which the person is committed or by the community program director where the person is on outpatient status under Title 15 (commencing with Section 1600), no action on the application shall be taken by the court without first obtaining the written recommendation of the medical director of the state hospital or other treatment facility or of the community program director where the person is on outpatient status under Title 15 (commencing with Section 1600).

(m) This subdivision shall apply only to persons who, at the time of the petition or recommendation for restoration of sanity, are subject to a term of imprisonment with prison time remaining to serve or are subject to the imposition of a previously stayed sentence to a term of imprisonment. Any person to whom this subdivision applies who petitions or is recommended for restoration of sanity may not be placed in a forensic conditional release program for one year, and a finding of restoration of sanity may be made without the person being in a forensic conditional release program for one year. If a finding of restoration of sanity is made, the person shall be transferred to the custody of the California Department of Corrections to serve the term of imprisonment remaining or shall be transferred to the appropriate court for imposition of the sentence that is pending, whichever is applicable.

*(Amended by Stats. 2003, Ch. 230, Sec. 43. Effective August 11, 2003.)*



## PENAL CODE - PEN

### **PART 2. OF CRIMINAL PROCEDURE [681 - 1620]** ( *Part 2 enacted 1872.* )

#### **TITLE 6. PLEADINGS AND PROCEEDINGS BEFORE TRIAL [976 - 1054.10]** ( *Heading of Title 6 amended by Stats. 1951, Ch. 1674.* )

#### **CHAPTER 4. Plea [1016 - 1027]** ( *Chapter 4 enacted 1872.* )

**1026.5.** (a) (1) In the case of any person committed to a state hospital or other treatment facility pursuant to Section 1026 or placed on outpatient status pursuant to Section 1604, who committed a felony on or after July 1, 1977, the court shall state in the commitment order the maximum term of commitment, and the person may not be kept in actual custody longer than the maximum term of commitment, except as provided in this section. For the purposes of this section, “maximum term of commitment” shall mean the longest term of imprisonment which could have been imposed for the offense or offenses of which the person was convicted, including the upper term of the base offense and any additional terms for enhancements and consecutive sentences which could have been imposed less any applicable credits as defined by Section 2900.5, and disregarding any credits which could have been earned pursuant to Article 2.5 (commencing with Section 2930) of Chapter 7 of Title 1 of Part 3.

(2) In the case of a person confined in a state hospital or other treatment facility pursuant to Section 1026 or placed on outpatient status pursuant to Section 1604, who committed a felony prior to July 1, 1977, and who could have been sentenced under Section 1168 or 1170 if the offense was committed after July 1, 1977, the Board of Prison Terms shall determine the maximum term of commitment which could have been imposed under paragraph (1), and the person may not be kept in actual custody longer than the maximum term of commitment, except as provided in subdivision (b). The time limits of this section are not jurisdictional.

In fixing a term under this section, the board shall utilize the upper term of imprisonment which could have been imposed for the offense or offenses of which the person was convicted, increased by any additional terms which could have been imposed based on matters which were found to be true in the committing court. However, if at least two of the members of the board after reviewing the person’s file determine that a longer term should be imposed for the reasons specified in Section 1170.2, a longer term may be imposed following the procedures and guidelines set forth in Section 1170.2, except that any hearings deemed necessary by the board shall be held within 90 days of September 28, 1979. Within 90 days of the date the person is received by the state hospital or other treatment facility, or of September 28, 1979, whichever is later, the Board of Prison Terms shall provide each person with the determination of the person’s maximum term of commitment or shall notify the person that a hearing will be scheduled to determine the term.

Within 20 days following the determination of the maximum term of commitment the board shall provide the person, the prosecuting attorney, the committing court, and the state hospital or other treatment facility with a written statement setting forth the maximum term of commitment, the calculations, and any materials considered in determining the maximum term.

(3) In the case of a person committed to a state hospital or other treatment facility pursuant to Section 1026 or placed on outpatient status pursuant to Section 1604 who committed a misdemeanor, the maximum term of commitment shall be the longest term of county jail confinement which could have been imposed for the offense or offenses which the person was found to have committed, and the person may not be kept in actual custody longer than this maximum term.

(4) Nothing in this subdivision limits the power of any state hospital or other treatment facility or of the committing court to release the person, conditionally or otherwise, for any period of time allowed by any other provision of law.

(b) (1) A person may be committed beyond the term prescribed by subdivision (a) only under the procedure set forth in this subdivision and only if the person has been committed under Section 1026 for a felony and by reason of a mental disease, defect, or disorder represents a substantial danger of physical harm to others.

- (2) Not later than 180 days prior to the termination of the maximum term of commitment prescribed in subdivision (a), the medical director of a state hospital in which the person is being treated, or the medical director of the person's treatment facility or the local program director, if the person is being treated outside a state hospital setting, shall submit to the prosecuting attorney his or her opinion as to whether or not the patient is a person described in paragraph (1). If requested by the prosecuting attorney, the opinion shall be accompanied by supporting evaluations and relevant hospital records. The prosecuting attorney may then file a petition for extended commitment in the superior court which issued the original commitment. The petition shall be filed no later than 90 days before the expiration of the original commitment unless good cause is shown. The petition shall state the reasons for the extended commitment, with accompanying affidavits specifying the factual basis for believing that the person meets each of the requirements set forth in paragraph (1).
- (3) When the petition is filed, the court shall advise the person named in the petition of the right to be represented by an attorney and of the right to a jury trial. The rules of discovery in criminal cases shall apply. If the person is being treated in a state hospital when the petition is filed, the court shall notify the community program director of the petition and the hearing date.
- (4) The court shall conduct a hearing on the petition for extended commitment. The trial shall be by jury unless waived by both the person and the prosecuting attorney. The trial shall commence no later than 30 calendar days prior to the time the person would otherwise have been released, unless that time is waived by the person or unless good cause is shown.
- (5) Pending the hearing, the medical director or person in charge of the facility in which the person is confined shall prepare a summary of the person's programs of treatment and shall forward the summary to the community program director or a designee, and to the court. The community program director or a designee shall review the summary and shall designate a facility within a reasonable distance from the court in which the person may be detained pending the hearing on the petition for extended commitment. The facility so designated shall continue the program of treatment, shall provide adequate security, and shall, to the greatest extent possible, minimize interference with the person's program of treatment.
- (6) A designated facility need not be approved for 72-hour treatment and evaluation pursuant to the provisions of the Lanterman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code). However, a county jail may not be designated unless the services specified in paragraph (5) are provided and accommodations are provided which ensure both the safety of the person and the safety of the general population of the jail. If there is evidence that the treatment program is not being complied with or accommodations have not been provided which ensure both the safety of the committed person and the safety of the general population of the jail, the court shall order the person transferred to an appropriate facility or make any other appropriate order, including continuance of the proceedings.
- (7) The person shall be entitled to the rights guaranteed under the federal and State Constitutions for criminal proceedings. All proceedings shall be in accordance with applicable constitutional guarantees. The state shall be represented by the district attorney who shall notify the Attorney General in writing that a case has been referred under this section. If the person is indigent, the county public defender or State Public Defender shall be appointed. The State Public Defender may provide for representation of the person in any manner authorized by Section 15402 of the Government Code. Appointment of necessary psychologists or psychiatrists shall be made in accordance with this article and Penal Code and Evidence Code provisions applicable to criminal defendants who have entered pleas of not guilty by reason of insanity.
- (8) If the court or jury finds that the patient is a person described in paragraph (1), the court shall order the patient recommitted to the facility in which the patient was confined at the time the petition was filed. This commitment shall be for an additional period of two years from the date of termination of the previous commitment, and the person may not be kept in actual custody longer than two years unless another extension of commitment is obtained in accordance with the provisions of this subdivision. Time spent on outpatient status, except when placed in a locked facility at the direction of the outpatient supervisor, shall not count as actual custody and shall not be credited toward the person's maximum term of commitment or toward the person's term of extended commitment.
- (9) A person committed under this subdivision shall be eligible for release to outpatient status pursuant to the provisions of Title 15 (commencing with Section 1600) of Part 2.
- (10) Prior to termination of a commitment under this subdivision, a petition for recommitment may be filed to determine whether the patient remains a person described in paragraph (1). The recommitment proceeding shall be conducted in accordance with the



provisions of this subdivision.

(11) Any commitment under this subdivision places an affirmative obligation on the treatment facility to provide treatment for the underlying causes of the person's mental disorder.

*(Amended by Stats. 1994, 1st Ex. Sess., Ch. 9, Sec. 1. Effective November 30, 1994.)*

### 04a Appellate Court Appeals

CASELOAD/CASEFLOW (unit of count = appeal)		Definition	Reportable By	# of courts reporting non-zero values
50	Inventory			
100	Beginning pending	The number of appeals awaiting disposition in a court before the first day of a reporting period.	JBSIS	25
200	+ Filing	The beginning of an appeal by formal submission of a notice of appeal requesting review of the trial court's ruling/judgment or by imposition of the death penalty in a capital case.	JBSIS	
300	+ Reinstatement	An appeal that is returned to the superior court's jurisdiction after decertification (it does not meet required standards) by the reviewing court or after the setting aside of a dismissal.	JBSIS	2
400	+ Restored to court's control	An appeal that is restored to the court's jurisdiction when a bankruptcy stay is vacated.	JBSIS	2
450	+ Existing appeal entered in CMS	A pending appeal that had not been previously entered into the case management system (CMS) and was therefore not reported in pending.	JBSIS	0
500	- Removed from court's control	An appeal that is removed from the court's jurisdiction by a bankruptcy stay.	JBSIS	1
▼600	- Total dispositions	See row 800 for definition	JBSIS	23
700	End pending	The number of appeals awaiting disposition in a court on the last day of a reporting period.	JBSIS	25
<b>Disposed Cases, in Ascending Stage and Outcome Hierarchy</b>				
800	Dispositions (total rows 900 - 1100)	The termination of an appeal pending before the court.	JBSIS	23
900	Abandonment	A disposition in which the appellant files a written request to the trial court to withdraw the appeal prior to the filing of the record in the reviewing court (Cal. Rules of Court, rules 8.240, 8.450).	JBSIS	14
1000	Dismissal before certification	A disposition in which the reviewing court orders the appeal terminated prior to certification.	JBSIS	21
1100	Certified	A disposition in which the record is certified and transmitted to the reviewing court.	JBSIS	23
<b>WORKLOAD (unit of count = action)</b>				
<b>Hearings</b>				
1200	Predisposition hearings (total rows 1300 - 1400)	Formal judicial predisposition proceedings to decide issues of fact or law arising in the course of a court action.	JBSIS	5
1300	Settled statement hearing	A predisposition hearing by a trial judge to settle the statement.	JBSIS	2
1400	Other predisposition hearing	A predisposition hearing other than a settled statement hearing.	JBSIS	3

1500	<b>Events</b>			
1550	Default notice issued	A default notice issued by the trial court to a party for noncompliance with court rules.	JBSIS	19
1600	Augmentation/correction	The number of augmentations/corrections prepared for the reviewing court.	JBSIS	17
<b>APPEAL CHARACTERISTICS (unit of count = appeal/action)</b>				
1700	Multiple appeals	More than one appeal is taken from the same judgment or a related order.	JBSIS	18
1900	<b>No. of appeals categorized by no. of volumes (original clerk's transcript)</b>			
1910	1–5 volumes		JBSIS	19
1920	6–10 volumes		JBSIS	13
1930	11–20 volumes		JBSIS	9
1940	GE 21 volumes		JBSIS	2
2000	Rule 5.1 transcript	An appeal in which the parties, not the superior court, prepare the clerk's transcript (Cal. Rules of Court, rule 8.124).	JBSIS	8
2100	Rule 5.2 transcript	An appeal in which the parties stipulate to using the superior court file in lieu of the clerk's transcript, upon approval of the court of appeal (Cal. Rules of Court, rule 8.128).	JBSIS	1
2400	<b>No. of appeals categorized by no. of volumes (augmented clerk's transcript)</b>			
2410	1–5 volumes		JBSIS	20
2420	6–10 volumes		JBSIS	1
2430	11–20 volumes		JBSIS	1
2440	GE 21 volumes		JBSIS	0
2500	Remittitur filed	A remittitur received by the trial court from the reviewing court.	JBSIS	20
2600	Coordinated case	A notice of appeal on a case in which actions were coordinated under rule 3.501 of the California Rules of Court.	JBSIS	0
2700	Pro per appellant	A self-represented appellant.	JBSIS	6
2800	Untimely appeal	Appeal received but not filed in accordance with rule 8.320 of the California Rules of Court.	JBSIS	5
2900	Fee waiver requested	Application for waiver of the reviewing court's filing fee submitted pursuant to Gov. Code, § 68634(e).	JBSIS	15
2950	Transcript fee waiver requested	A written request filed with superior court for a court order permitting the preparation of the clerk's transcript without payment of fees (Cal. Rules of Court, rules 8.100, 3.50–3.58).	JBSIS	4
3000	Transcript fee waiver granted	Application for waiver of preparation of the clerk's transcript fees granted in full or in part by the superior court.	JBSIS	6
3100	Government exemption	This waiver applies to "the filing of any document or paper, for the performance of any official service, or the filing of any stipulation or agreement, which may constitute an appearance." (Gov. Code, § 6103).	JBSIS	3

**Appellate Division Appeals 04B**

CASELOAD/CASEFLOW (unit of count = appeal)		Definition	Reportable By	# of courts reporting non-zero values	Included in 2019 CSR
50	<b>Inventory</b>				
100	Beginning pending	The number of appeals awaiting disposition in a court before the first day of a reporting period.	JBSIS	27	
200	+ Filing	The beginning of an appeal by formal submission of the record to the superior court appellate division.	Portal and JBSIS		Yes
300	+ Reopened	An appeal that was previously reported as disposed but is resubmitted to a court.	JBSIS	2	
350	+ Existing appeal entered in CMS	A pending appeal that was not previously entered into the CMS and therefore was not reported in pending.	JBSIS	0	
360	+/- Classification of pre-JBSIS case	Classification of a pre-JBSIS criminal appeal into the JBSIS misdemeanor or infraction appeal type requires two counts in the inventory section.	JBSIS	0	
▼400	- Total dispositions (from row 600)	See row 600 for definition	Portal and JBSIS	46	Yes
500	End pending	The number of appeals awaiting disposition in a court on the last day of a reporting period.	JBSIS	27	
<b>Disposed Cases, in Ascending Stage and Outcome Hierarchy</b>					
600	Dispositions (total rows 650, 950)	The termination of an appeal either before or after hearing.	Portal and JBSIS	46	
650	Before Hearing (total rows 700 - 900)	The termination of an appeal pending before hearing (oral argument).	Portal and JBSIS	44	Aggregate
700	Remand	A disposition before hearing in which the appeal record is returned to the trial department with directions to perform some act to perfect the record.	JBSIS	7	
800	Certified	A disposition before hearing in which the appeal record is certified and transmitted to the Court of Appeal.	JBSIS	10	
900	Dismissal before hearing	A disposition in which the appeal is terminated before one or more parties or counsel present oral argument.	JBSIS	22	
950	After Hearing (total rows 1000 - 1200)	The termination of an appeal pending after hearing (oral argument).	Portal and JBSIS	36	Aggregate
1000	Dismissal after hearing	A disposition in which the appeal is terminated after one or more parties or counsel present oral argument.	JBSIS	6	
1100	Judgment without opinion	A disposition in which the reviewing court issues the judgment without a statement of reasons for its decision.	JBSIS	12	
1200	Judgment with opinion	A disposition in which the reviewing court issues the judgment with a written statement of reasons for its decision.	JBSIS	17	

<b>WORKLOAD (unit of count = action)</b>				
<b>Hearings</b>				
1300	Motion filed	A motion filed to obtain a ruling or an order directing some act to be done in favor of a party.	JBSIS	18
1400	Predisposition hearing	Formal judicial predisposition proceedings to decide issues of fact or law arising in the course of a court action.	JBSIS	20
1490	<b>Events</b>			
1495	Continuances (total rows 1500 - 1600)	A hearing set on a calendar and re-calendared to a future date, at the request of a party or on the court's own motion, before any proceedings take place.	JBSIS	19
1500	Court's motion	A hearing set on a calendar and re-calendared to a future date, on the court's own motion, before any proceedings take place.	JBSIS	16
1600	Party's motion	A hearing set on a calendar and re-calendared to a future date, on a party's motion, before any proceedings take place.	JBSIS	11
<b>APPEAL CHARACTERISTICS (unit of count = appeal/action)</b>				
1800	Remittitur issued	A remittitur issued by the superior court after final disposition.	JBSIS	24
1900	Published opinion	An opinion published in California Appellate Reports.	JBSIS	2
2000	Appointed counsel	The number of counsel appointed for criminal appeals in which the appellant is indigent (Cal. Rules of Court, rule 8.786).	JBSIS	4
2100	Pro per appellant	A self-represented appellant.	JBSIS	12
2200	Fee waiver requested	Application for waiver of the court's filing fee submitted pursuant to Gov. Code, § 68634(e) (Cal. Rules of Court, rules 3.50–3.58).	JBSIS	11
2300	Fee waiver granted	Application for waiver of filing fee that is granted in full or in part by the court.	JBSIS	11
2400	Transcript fee waiver requested	An application filed with the court to obtain a court order permitting the preparation of the clerk's transcript without payment of fees.	JBSIS	0
2500	Transcript fee waiver granted	Application for waiver of the clerk's transcript fees that is granted in full or in part by the court.	JBSIS	0