

## Workload Assessment Advisory Committee (WAAC), Conference Call

May 22, 2014

### Minutes

#### WAAC Members in attendance:

Hon. Lorna Alksne, Chair, Superior Court of the County of San Diego  
 Hon. Irma Asberry, Superior Court of the County of Riverside  
 Mr. Jake Chatters, Superior Court of the County of Placer  
 Hon. Lee Edmon, Superior Court of the County of Los Angeles  
 Hon. Joyce Hinrichs, Superior Court of the County of Humboldt  
 Hon. Richard Martin, Superior Court of the County of Lake  
 Hon. John Kiriara, Superior Court of the County of Merced  
 Ms. Sheran Morton, Superior Court of the County of Fresno  
 Mr. Stephen Nash, Superior Court of the County of Contra Costa  
 Mr. Darrel Parker, Superior Court of the County of Santa Barbara  
 Ms. Mary Beth Todd, Superior Court of the County of Sutter  
 Ms. Kim Turner, Superior Court of the County of Marin

#### WAAC Members not in attendance:

Ms. Sherri Carter, Superior Court of the County of Los Angeles  
 Hon. Suzanne Kingsbury, Superior Court of the County of El Dorado  
 Mr. Brian Taylor, Superior Court of the County of Solano

Other trial court attendees	JC Staff
Ms. Tania Ugrin-Capobianco, Superior Court of the County of El Dorado Ms. Patty Wallace-Rixman, Superior Court of the County of Fresno Ms. Krista LeVier, Superior Court of the County of Lake Mr. Bryan Borys, Superior Court of the County of Los Angeles Ms. Stephanie Mitchell, Superior Court of the County of Merced Mr. Michael Roddy, Superior Court of the County of San Diego	<b>Court Operations Services</b> Brian Aho Chris Belloli Kristin Greenaway Cheryl King Leah Rose-Goodwin Karen Viscia Jens Zeschky <b>Office of Government Affairs</b> Nina Tantraphol Laura Speed

#### Welcome and roll call

Hon. Lorna Alksne, WAAC Chair, called the meeting to order at 12:15 p.m. and a roll call was taken.

#### RAS FTE need for fiscal year 2014-2015

Members reviewed the FY 14-15 RAS FTE Need spreadsheet, which shows the workload-based need for trial court case processing staff based on the most recent three year average filings data

(FY 10-11 through FY 12-13). After several months of working with the courts that submit filings data via the web portal, this is the first version of this document that contains data reported in all of the RAS filings categories for the majority of courts. Staff reported that they are continuing to work with courts to facilitate data reporting and are making upgrades to the portal to accept the filings electronically (they were collected manually this year). Because some courts made changes to their data after the spreadsheet was generated, staff will verify the data and transmit the results electronically to members for review and consideration before forwarding results to the Trial Court Budget Advisory Committee for inclusion in the FY 14-15 Workload-based Allocation and Funding Model.

**Action:** Motion passed to revise spreadsheet and send to advisory committee members for approval via e-mail.

### **Subordinate Judicial Officer Memo**

The Chair introduced a proposed memo to the Executive and Planning Committee (E&P) regarding how the remaining subordinate judicial officer (SJO) conversions would look if updated filings data and caseweights were used. This analysis was done at the request of E&P at their January 2014 meeting.

**Action:** A motion was passed to send the memo to E&P.

### **Weighted Filings and the CSR**

This item had been raised at a previous meeting; staff distributed printouts showing the language currently used in the Court Statistics Report (CSR) to describe weighted filings. After discussion, it was determined that the existing language in the introduction sufficiently explained the difference between weighted and unweighted filings.

**Action:** A motion was passed to not propose any changes to the CSR language.

### **Special circumstances/Death Penalty (DP) case processing research project**

At the request of the Judicial Council at its February 2014 meeting, WAAC staff have been researching special circumstances cases and how those cases affect the weights used to measure felony workload. Staff gave an update about the progress on that research, including difficulties encountered in obtaining filings counts of those cases since they are not reported through the Judicial Branch Statistical Information System (JBSIS). The chair underscored the difficulty of obtaining this information easily; in some cases the District Attorney is the only resource for filings counts.

The Chair led a discussion regarding other possible approaches to accounting for the workload of these cases, including expanding the availability of the Extraordinary Homicide Fund and adjusting the existing felony caseweight. OCR will continue its research until the next WAAC

meeting and will put together an estimate showing how the felony caseload might be adjusted to account for the additional workload of these cases.

**Next Meeting**

It was decided that the next WAAC meeting will be in August/September 2014.

Meeting adjourned at 1:07 p.m.

# The Need for New Judgeships in the Superior Courts: 2014 Update of the Judicial Needs Assessment

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REPORT TO THE LEGISLATURE UNDER  
GOVERNMENT CODE SECTION  
69614(C)(1)&(3)

NOVEMBER 2014



JUDICIAL COUNCIL  
OF CALIFORNIA

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WORKLOAD ASSESSMENT  
ADVISORY COMMITTEE

DRAFT

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Insert Council Roster here (September)

DRAFT

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Director

**Leah Rose-Goodwin**  
Manager, Office of Court Research  
Primary Author of Report

## Access to Justice Requires Having Sufficient Judicial Resources

Government Code section 69614(c)(1) requires the Judicial Council to report to the Legislature and the Governor on or before November 1 of every even-numbered year on the need for new judgeships in each superior court, using the uniform criteria for the allocation of judgeships described in Government Code section 69614(b). Government Code section 69614(c)(3) requires the Judicial Council to report on the status of the conversion of additional subordinate judicial officer positions to family or juvenile assignments.

The public's right to timely access to justice is contingent on having adequate judicial resources in every jurisdiction. The number of judgeships authorized and funded by the Legislature has not kept pace with workload, leaving many courts with serious shortfalls—as high as nearly 70 percent—between the number of judgeships needed and the number that have been authorized and filled.

Securing new judgeships is one of the four core elements of the Chief Justice's Three-Year Blueprint for a Fully Functioning Judiciary and has been a top priority for the Judicial Council for many years.<sup>1</sup>

## Quantifying the Need for New Judgeships in the Superior Courts

California is a pioneer in the measurement of judicial workload-based need, having been the first state to use a weighted caseload methodology to assess the need for judicial officers, beginning in 1963.<sup>2</sup> Since then, weighted caseload has become a nationally-accepted methodology for measuring judicial workload. The current methodology used to assess the need for judicial officers in the superior courts is based on a time study conducted in 2010, in which over 500 judicial officers in 15 courts participated. The time study findings resulted in the development of a set of caseweights that quantify the amount of case processing time needed for different case types, taking into account the full range of possible case processing outcomes and their relative probability of occurrence. The caseweights that resulted from the 2010 time study were approved by the Judicial Council in December 2011.

The caseweights are used to estimate judicial officer need by multiplying each caseweight by a three-year rolling average of filings for that casetype and dividing by the available time in minutes that judicial officers have to hear cases. The result is expressed in full-time equivalent judicial positions (FTEs).

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<sup>1</sup> See, for example, Judicial Council reports from August 24, 2001; October 26, 2001; August 27, 2004; February 23, 2007; October 24, 2008; October 29, 2010; and October 25, 2012.

<sup>2</sup> Lawson, Henry O. and Barbara J. Glente, *Workload Measures in the Courts* (Williamsburg, VA, National Center for State Courts, 1980)

## 2014 Statewide Judicial Need Shows a Critical Need for New Judgeships

Consistent with reports submitted in previous years, the 2014 Judicial Needs Assessment shows that there is a critical shortage of judges relative to the workload needs in California’s trial courts. Table 1 summarizes the statewide judicial need compared to available resources, showing that 2,171.3 FTE judicial officers are needed statewide, compared to 1,974 FTE authorized and funded positions. While AB 159 (Stats 2007, Ch. 722) authorized fifty new judgeships for the superior courts, increasing the statewide number of authorized judicial positions to 2,024 FTE, those positions have not been funded nor filled.

Table 1 shows that the statewide need for judicial officers has declined by 5% since the 2012 Judicial Needs Assessment. Lower overall filings counts in recent years account for the slight decline in statewide assessed judicial need.

**Table 1: Statewide Need for Judicial Officers, 2012 and 2014 Judicial Needs Assessment**

Year	Authorized Judicial Positions (AJP) <sup>1</sup>	Authorized and Funded Judicial Positions (AJP)	Assessed Judicial Need (AJN)
2012	2,022	1,972	2,286.1
2014 <sup>2</sup>	2,024	1,974	2,171.3
<b>Change (2012 to 2014)</b>	<b>+2</b>	<b>+2</b>	<b>-114.8</b>

<sup>1</sup> Includes the 50 judgeships that were authorized by AB 159 (Stats. 207, ch. 722) but never funded nor filled.

<sup>2</sup> AJP increased since the last assessment because the Superior Court of California, County of San Bernardino, was authorized to add two SJO positions in FY 11-12 based on workload need.

## Nearly 270 Judicial Officers Needed Statewide to Meet Workload Demand

Judicial need is calculated by taking the difference between the assessed judicial need in each court and the number of authorized/funded positions in each court. The assessed judicial need in each court compared to the number of authorized and filled positions is shown in Appendix A. Calculating the *statewide* need for judgeships is not as simple as subtracting the number of authorized and funded positions from the assessed judicial need. That calculation would show a need of just under 200 judgeships; however, net statewide calculations of judicial need do not accurately identify the branch’s need for new judgeships because judgeships are not allocated at the statewide level but are allocated to individual trial courts.

By way of illustration, the branch’s smallest courts are statutorily provided with a minimum of two judgeships and are authorized to have at least 0.3 FTE of a federally-funded child support commissioner, for a total of 2.3 FTE judicial officers, even though the workload need in those courts may translate to a much smaller number of judge FTE. As Appendix A shows, under a pure workload analysis, one of California’s two-judge courts would need only 0.2 FTE judicial

officers, but it has 2.3 FTE authorized positions. That court thus shows a negative number in the need for new judicial officers. This negative number does not and should not offset the 57 judicial officers that San Bernardino needs to meet its workload-based need. In other words, the fact that some courts may have more authorized positions than assessed judicial need under a pure application of the weighted caseload methodology does not take away from the needs in other courts. As a result, a net calculation of need, adding these positives and negatives, provides an artificially low estimate of judicial need in California courts.

The actual statewide need for new judgeships is calculated by adding the judicial need among only the courts that have fewer judgeships than their workload demands. Based on the 2014 Judicial Needs Assessment, thirty-five courts need new judgeships, for a total need of 269.3FTE (Table 2). This is nearly 14% higher than the 1,974 authorized and funded judicial positions.

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**Table 2: Need for New Judgeships, by Court**

County	A Authorized and Funded Judicial Positions	B 2014 Assessed Judicial Need	C Judicial Need (B-A)	D % Need (C/A)
Amador	2.3	2.7	0.4	19%
Butte	13.0	14.2	1.2	9%
Calaveras	2.3	2.8	0.5	20%
Del Norte	2.8	3.7	0.9	34%
El Dorado	9.0	9.9	0.9	10%
Fresno	49.0	60.7	11.7	24%
Humboldt	8.0	10.6	2.6	33%
Imperial	11.4	13.8	2.4	21%
Kern	43.0	58.0	15.0	35%
Kings	8.5	11.4	2.9	34%
Lake	4.8	5.2	0.4	9%
Lassen	2.3	3.2	0.9	40%
Los Angeles	585.3	629.5	44.2	8%
Madera	9.3	10.9	1.6	17%
Merced	12.0	16.7	4.7	39%
Monterey	21.2	21.8	0.6	3%
Napa	8.0	8.2	0.2	3%
Orange	144.0	155.6	11.6	8%
Placer	14.5	19.4	4.9	34%
Riverside	76.0	127.4	51.4	68%
Sacramento	72.5	81.8	9.3	13%
San Benito	2.3	2.8	0.5	23%
San Bernardino	86.0	143.0	57.0	66%
San Joaquin	33.5	42.3	8.8	26%
San Luis Obispo	15.0	17.9	2.9	19%
Santa Cruz	13.5	14.2	0.7	5%
Shasta	12.0	16.4	4.4	36%
Solano	23.0	25.0	2.0	9%
Sonoma	23.0	26.1	3.1	14%
Stanislaus	24.0	32.6	8.6	36%
Sutter	5.3	6.7	1.4	27%
Tehama	4.3	5.8	1.5	34%
Tulare	23.0	25.9	2.9	13%
Ventura	33.0	40.4	7.4	22%
Yuba	5.3	5.6	0.3	5%
<b>Total</b>			<b>269.8</b>	

Status of Conversion of Additional SJO Positions to Family and Juvenile Assignments

As directed by Government Code section 69614(c)(3), this report also addresses the implementation of conversions of additional subordinate judicial officer (SJO) positions (above the 16 authorized per year) that result in judges' being assigned to family or juvenile assignments previously held by SJOs (as authorized by Gov. Code, § 69615(c)(1)(C)).

Conversions of additional positions were authorized for fiscal year 2011–2012 (Gov. Code, § 69616). Under this authority, four SJO positions were converted to judgeships in the Superior Courts of Alameda (June 2012), Los Angeles (January 2012), Orange (January 2012), and Sacramento (March 2012) Counties. At the time of the 2012 Judicial Needs Assessment, the Governor had not yet appointed judges to fill those newly created judgeships; however, the courts in which the conversions took place committed to assigning judges (whether the newly appointed judges or other sitting judges) to either family or juvenile calendars that were previously presided over by subordinate judicial officers. The courts who converted those positions have confirmed that those family and juvenile calendars are now presided over by judges.

Conversions of ten additional positions were authorized for fiscal year FY 2013-14 (Gov. Code, § 69617). No SJO positions were converted under this authority.

#### Lack of Adequate Judicial Resources is a Barrier to Access to Justice

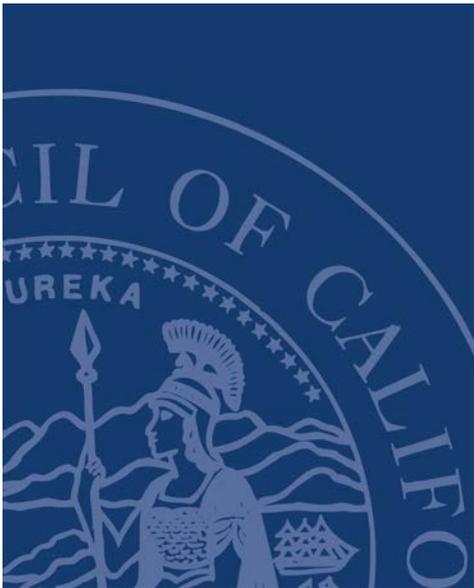
The public's right to timely access to justice should not be contingent on the resource levels in the county in which they reside or bring their legal disputes. All Californians deserve to have the proper number of judicial officers for the workload in a jurisdiction. This report highlights the critical and ongoing need for new judgeships in the superior courts.

### Appendix A: Assessed Judicial Need Compared to Authorized and Funded Positions

County	A Authorized and funded Judicial Positions <sup>1</sup>	B 2014 Assessed Judicial Need	C Funded AJN- AJP (B-A)	D % need over AJP (C/B)
Alameda	85.0	70.1	-14.9	n/a
Alpine	2.3	0.2	-2.1	n/a
Amador	2.3	2.7	0.4	19%
Butte	13.0	14.2	1.2	9%
Calaveras	2.3	2.8	0.5	20%
Colusa	2.3	1.6	-0.7	n/a
Contra Costa	46.0	42.5	-3.5	n/a
Del Norte	2.8	3.7	0.9	34%
El Dorado	9.0	9.9	0.9	10%
Fresno	49.0	60.7	11.7	24%
Glenn	2.3	2.0	-0.3	n/a
Humboldt	8.0	10.6	2.6	33%
Imperial	11.4	13.8	2.4	21%
Inyo	2.3	1.6	-0.7	n/a
Kern	43.0	58.0	15.0	35%
Kings	8.5	11.4	2.9	34%
Lake	4.8	5.2	0.4	9%
Lassen	2.3	3.2	0.9	40%
Los Angeles	585.3	629.5	44.2	8%
Madera	9.3	10.9	1.6	17%
Marin	14.5	11.8	-2.7	n/a
Mariposa	2.3	1.3	-1.0	n/a
Mendocino	8.4	7.3	-1.1	n/a
Merced	12.0	16.7	4.7	39%
Modoc	2.3	0.8	-1.5	n/a
Mono	2.3	1.1	-1.2	n/a
Monterey	21.2	21.8	0.6	3%
Napa	8.0	8.2	0.2	3%
Nevada	7.6	5.4	-2.2	n/a
Orange	144.0	155.6	11.6	8%
Placer	14.5	19.4	4.9	34%
Plumas	2.3	1.4	-0.9	n/a
Riverside	76.0	127.4	51.4	68%
Sacramento	72.5	81.8	9.3	13%
San Benito	2.3	2.8	0.5	23%
San Bernardino <sup>2</sup>	86.0	143.0	57.0	66%
San Diego	154.0	153.3	-0.7	n/a
San Francisco	65.0	53.8	-11.2	n/a
San Joaquin	33.5	42.3	8.8	26%
San Luis Obispo	15.0	17.9	2.9	19%
San Mateo	33.0	31.1	-1.9	n/a
Santa Barbara	24.0	23.4	-0.6	n/a
Santa Clara	89.0	69.6	-19.4	n/a
Santa Cruz	13.5	14.2	0.7	5%
Shasta	12.0	16.4	4.4	36%
Sierra	2.3	0.2	-2.1	n/a
Siskiyou	5.0	3.4	-1.6	n/a
Solano	23.0	25.0	2.0	9%
Sonoma	23.0	26.1	3.1	14%
Stanislaus	24.0	32.6	8.6	36%
Sutter	5.3	6.7	1.4	27%
Tehama	4.3	5.8	1.5	34%
Trinity	2.3	1.6	-0.7	n/a
Tulare	23.0	25.9	2.9	13%
Tuolumne	4.8	4.3	-0.5	n/a
Ventura	33.0	40.4	7.4	22%
Yolo	12.4	11.2	-1.2	n/a
Yuba	5.3	5.6	0.3	5%

<sup>1</sup> Authorized judicial positions, not including judgeships that were authorized under AB 159.

<sup>2</sup> AJP increased since the last assessment because the Superior Court of California, County of San Bernardino, was authorized to add two SJO positions in FY 11-12 based on workload need.



# Judicial Administration Standards and Measures That Promote the Fair and Efficient Administration of Justice

REPORT TO THE LEGISLATURE UNDER  
GOVERNMENT CODE SECTION 77001.5

OCTOBER 2014



JUDICIAL COUNCIL  
OF CALIFORNIA

OPERATIONS AND PROGRAMS DIVISION

COURT OPERATIONS SERVICES

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## Introduction

Government Code section 77001.5 requires the Judicial Council to adopt and annually report on “judicial administration standards and measures that promote the fair and efficient administration of justice, including, but not limited to, the following subjects:

- (1) Providing equal access to courts and respectful treatment for all court participants;
- (2) Case processing, including the efficient use of judicial resources; and
- (3) General court administration.”

This annual report to the Legislature focuses the analysis on four key quantitative measures of trial court performance:

- Caseload Clearance Rates;
- Time to Disposition;
- Stage of Case at Disposition; and
- Trials by Type of Proceeding.

In addition to these measures, this report also provides information on the availability of branch resources including:

- Assessed need for new judgeships (Gov. Code, § 69614); and
- Status of the conversion of subordinate judicial officer positions to judgeships (Gov. Code, § 69615).<sup>1</sup>

Finally, this report provides a brief narrative describing work conducted since the last reporting period to improve the standards and measures of judicial administration.

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<sup>1</sup> For more information on the rationale for selecting these quantitative measures and how they align with the Legislative mandate contained in Government Code Section 77001.5, see the 2012 report to the Legislature, *Judicial Administration Standards and Measures That Promote the Fair and Efficient Administration of Justice*.

## Quantitative Measures of Court Performance

### *The CourTools*

The National Center for State Courts (NCSC) developed the *CourTools* in an effort to provide trial courts with “a set of balanced and realistic performance measures that are practical to implement and use.”<sup>2</sup> The *CourTools* draw on previous work conducted on trial court performance—primarily the Trial Court Performance Standards developed by the NCSC and published in the late 1990s—but also on relevant measures from other successful public and private organizations.

Previous reports to the Legislature contained a more in-depth description of the *CourTools* program, so that discussion has been omitted here. Table 1 below lists the 10 *CourTools* and shows the availability and quality of the data that we have on these measures for the California trial courts. Brief descriptions of the measures that the branch can currently report that are included in this report follow the table.

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<sup>2</sup> See “CourTools: Giving Courts the Tools to Measure Success” (NCSC 2005), <http://www.courtools.org/>.

		<b>Table 1: Status of <i>CourTools</i> Data in California Trial Courts</b>				
		<b><i>NCSC's CourTools</i></b>	<b>Availability</b>	<b>Scope</b>	<b>Data Quality</b>	<b>Location in This Report</b>
<b>CalCourTools</b>	<b>AVAILABLE</b>	Clearance Rates	Monthly Reports	All courts	Good	Appendix B
		Time to Disposition	Monthly Reports	Missing data from some courts on some case types	Fair	Appendix C
		Collection of Monetary Penalties	Annual report under PC 1463.010, Statewide Collection of Court-Ordered Debt	Statewide	Good	N/A
	<b>DATAT NOT VALIDATED</b>	Cost per Case	Annual updates in <i>Resource Assessment Study</i>	All courts	Pending validation	
		Age of Active Pending Caseload	Monthly Reports	Missing data many courts	Pending validation	
		Effective Use of Jurors	Annual Report	Missing data from fewer than 5 courts	Pending validation	
	<b>DATA NOT AVAILABLE</b>	Access & Fairness Survey	No ongoing reporting	N/A	N/A	
		Court Employee Satisfaction	No ongoing reporting	N/A	N/A	
		Reliability and Integrity of Case Files	No ongoing reporting	N/A	N/A	
		Trial Date Certainty	No ongoing reporting	N/A	N/A	

The bottom four rows of the table show the *CourTools* measures for which there is no current data source. Collecting and reporting on these measures would require the devotion of new resources to data collection and analysis and/or reprogramming of court case management systems and the training of clerks to enter new data codes. The middle rows show measures for which some data are available. Most of these have not yet been validated and one is reported separately in a different legislatively mandated report. The top two rows show the *CourTools* data that are available now and respond to the mandate in Government Code section 77001.5:

### Clearance Rates

Clearance rates show the number of outgoing cases as a percentage of the number of incoming cases. They provide an indirect measure of whether the court is disposing of cases in a timely fashion or whether a backlog of cases is growing. Monitoring clearance rates by case type helps a court identify those areas needing the most attention. Viewed over a time period, the clearance rate is expected to hover closely around 1.0 or 100 percent.

### Time to Disposition

The time to disposition is the amount of time it takes a court to dispose of cases within established time frames. Trial court case disposition time goals serve as a starting point for monitoring court performance.

These measures of court operations were adopted by the Judicial Council as Standard of Judicial Administration 2.2. This Standard establishes caseload clearance in civil case processing as a judicial administration goal and sets time-to-disposition goals for six civil and criminal case types: felony, misdemeanor, unlimited civil, limited civil, small claims, and unlawful detainer (see Appendix A).

Despite the data limitations on these measures highlighted in Table 1, a sizeable number of courts already report this data to the Judicial Council. Furthermore, Judicial Council staff have undertaken improved quality control measures to provide feedback to the courts on the data that they report and have increased technical assistance to help courts identify and fix data reporting problems. Appendices B and C show these data in a format that allows for easy tracking of trial data relative to these standards.

### ***Other Caseflow Management Data***

In addition to the *CourTools* data, additional information reported by the trial courts can also be used as diagnostic measures of a court's calendar management practices. How cases move through and out of the system—in other words, the stage of cases at disposition—can be useful indicators of effective case-processing practices and court operational efficiency. Efficient and effective case management can improve not only the timeliness of case disposition but also the quality of justice in resolution of these cases.

### Stage of Case at Disposition

The stage and manner in which a case is disposed (i.e., how and when a case is disposed) can be a useful diagnostic measure of a court's case management practices and the timeliness and quality of case resolution.<sup>3</sup>

### Trials by Type of Proceeding

The number and type of trials is an important data element to break out separately from the data on the stage of case at disposition. Given the significance of trials on a court's

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<sup>3</sup> The stage of case at disposition is not entirely under the control of the court. For example, if the district attorney and public defender are unable or unwilling to reach a mutually agreeable plea, or if parties do not settle civil cases, despite the courts' best efforts, the stage and manner of disposition may be beyond the power of the court to affect substantially.

operations and resources, it is important to consider this measure in conjunction with other court performance data.

Table 2 below describes the quality of the data on these additional measures of court operations.

<b>Caseflow Management Data</b>	<b>Table 2: Status of Data in California Trial Courts</b>			
	<b>Availability</b>	<b>Scope</b>	<b>Quality</b>	<b>Location in This Report</b>
Stage of Case at Disposition	Monthly Reports	All courts	Good	Appendix D
Trials by Type of Proceeding	Monthly Reports	All courts	Good	Appendix E

### **Findings<sup>4</sup>**

#### *Caseload Clearance Rates (See Appendix B):*

- In fiscal year 2012-2013, the most recent year for which data are available, clearance rates improved for some case types and declined for others:
  - Civil clearance rates varied with some rates declining and others improving or remaining the same. Clearance rates fell from 94 percent to 91 percent for motor vehicle unlimited cases and from 94 percent to 85 percent for “other” civil unlimited. Limited civil rates declined but remained above 100 percent. The clearance rate for small claims increased from 100 percent to 106 percent, and for small claims appeals from 74 percent to 75 percent. The rate for other civil complaints remained constant at 99 percent.
  - Clearance rates fell for every type of criminal filing *except* for traffic misdemeanors, which increased one percent to 78 percent. The clearance rate for felony cases declined one percent to 93 percent. The rate for nontraffic misdemeanor cases fell from 88 percent to 83 percent, and for nontraffic infractions from 88 percent to 81 percent.
  - Fluctuations in clearance rates appear larger in family and juvenile cases. For example, within family law, the clearance rate for marital petitions increased from 92 percent to 100 percent, while the clearance rate for other family law petitions decreased from 89 percent to 87 percent. While the clearance rate for delinquency cases improved from 88 percent to 92 percent, the rate for dependency cases declined from 73 percent to 70 percent.

<sup>4</sup> All of the findings reported here refer to trial court data submitted through June 30, 2013. These data are reported in more detail in the 2014 Court Statistics Report, <http://courts.ca.gov/13421.htm>.

*Time to Disposition (See Appendix C):*

- Time-to-disposition data show a similar variation across case types:
  - For unlimited civil and limited civil cases, the percentage of cases disposed declined by one to three percent at each of the three milestones for which this measure is tracked, specifically at 12, 18, and 24 months. Times to disposition improved by one percent for unlawful detainer cases at the 30 day milestone, and two percent at 45 days. The percentage of small claims cases disposed of in less than 70 and 90 days each declined by five percent, to 59 percent and 70 percent, respectively.
  - Criminal case processing times improved by one percent for felonies resulting in bindovers or certified pleas at the 30 and 45 day milestones, to 49 percent and 59 percent, respectively. The 90 day milestone remained at 75 percent. Misdemeanor processing times each decreased by one percent to 63 percent disposed in less than 30 days, 79 percent in 90 days, and 84 percent in 120 days.
- Time standards for family law cases are set forth in Rule 5.83 of the California Rules of Court, and time standards for juvenile cases can be found in Rule 5.05 of the Rules of Court. However, at this time, courts are not able to consistently and accurately report on these measures. Future reports will include this data as collection of these measures improves.

*Stage of Case at Disposition (See Appendix D):*

Civil

- Slightly less than four of every five unlimited civil cases—79 percent—are disposed before trial.
- Of the remaining unlimited civil cases disposed by a trial, the vast majority—85 percent—are bench trials. Only 3 percent of unlimited civil trials are jury trials. The remaining dispositions of unlimited civil cases are *trials de novo*, which are made up of small claims appeals.
- In limited civil cases, only eight percent of filings are disposed by trial and over 99 percent of these cases are bench trials.
- In small claims, the majority (57 percent) of dispositions are after trial.

Criminal

- The vast majority of felony cases (98 percent) are disposed before trial.
- Of the felonies disposed after trial, 89 percent are jury trials.
- In felonies disposed before trial, 72 percent result in felony convictions. In felonies disposed after jury trial, 81 percent result in a felony conviction.
- The vast majority of nontraffic misdemeanors (99 percent) and traffic misdemeanors (99 percent) are disposed before trial.
- Of the misdemeanors disposed after trial, 44 percent of nontraffic cases and 74 percent of traffic cases are by bench trial, with the remainder disposed by jury trial.

*Trials by Type of Proceeding (See Appendix E):*

- The total number of jury trials declined for the fourth straight year, falling to 9,480 trials. The decline in the total number of jury trials is driven primarily by a decrease in the number of felony jury trials. During the same period, jury trials in civil unlimited, other civil limited, and probate/mental health all increased.
- The total number of court trials fell after reaching a 10-year high last year, from 533,871 to 469,646 across all case types. Personal injury/property damage civil unlimited cases experienced the largest drop in trials, percentage-wise (31 percent).

*Judicial Workload and Resources*

- The 2014 update to the Judicial Workload Assessment shows a statewide need of 2,171.3 full-time equivalent judicial officers. Statewide estimates do not accurately capture the branch's need for new judgeships because judgeships are not allocated at the state level, but to individual counties. Also, the branch's smallest courts are authorized to have a minimum of two judgeships even though the workload need in those courts may translate to a much smaller number of FTE judicial officers. Therefore, the need for new judicial officers is calculated by adding up the FTE need in the courts that are in need of new judicial positions. The 2014 Judicial Needs Assessment shows that a total of 269.8 FTE judicial officers are needed to meet the workload need, representing a shortfall of just under 14 percent over the total number of authorized and funded positions in the state (see Appendix F).
- As of the end of the most recent year for which data are compiled and reported in the *Court Statistics Report*, a total of 97 conversions were completed as of June 30, 2013 (see Appendix G). Eleven additional conversions were completed in FY 2013-14 but will not appear in the Court Statistics Report until 2015. With those 11 additional conversions, the statewide total positions converted to judgeships is 108 as of the close of FY 2013-14.
- Although the conversion of SJOs does not provide much-needed *new* resources to the courts, it does provide the courts with greater flexibility in the assignment of judicial officers. Moreover, it begins to restore the proper balance between judges and SJOs in the court, enabling constitutionally empowered judges who are held accountable by standing for election before their communities to hear cases that are appropriate to their rank.

## **Update to the Staff Workload Study**

Weighted caseload has been the national standard for evaluating the workload of judges and court staff for almost two decades.<sup>5</sup> The number and types of cases that come before the court—the court's caseload—is the starting point for any evaluation of workload. However, without using weighted case data, it is impossible to make meaningful calculations about the differences in the amount of work required. For example, while a felony and infraction case each represent one filing for the court, they have very different impacts on the court's workload. Weighted caseload is therefore required to account for the types of cases coming before the court and to translate that information into effective and usable workload data.

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<sup>5</sup> See *Assessing the Need for Judges and Court Support Staff*, National Center for State Courts, State Justice Institute, 1996.

The Judicial Council has approved workload models that utilize weighted caseload to assess where new judgeships and additional nonjudicial resources are most urgently needed and will have the biggest impact. The relative weight applied to different types of cases, however, requires periodic review due to changes in the law, technology, and practice, which all affect the average amount of time required for case processing. Periodic review and, where necessary, revision of caseweights, ensures that the allocation formulas reported to the Legislature and the Governor accurately reflect the current amount of time required to resolve cases.

The previous report to the Legislature described recent updates to the judicial and staff workload study. The judicial officer workload study update was approved by the Judicial Council at its December 2011 business meeting.<sup>6</sup> And, at its February 2013 meeting, the Judicial Council approved updated caseweights and other model parameters to measure court staff workload.<sup>7</sup> The Resource Assessment Study (RAS) model was then adopted by the Judicial Council as the foundation of a workload-based trial court funding methodology.<sup>8</sup> Funding based on this model is being phased in over a number of years. When funding is fully allocated consistent with this model, we will be better able to measure the fair and efficient administration of justice across courts.

## Conclusion

This report has summarized *quantitative* measures of trial court performance and provides information on updates to the Resource Assessment Study model. Future reports will continue to provide updated and comparative information on these measures to permit an analysis of the courts' ability to provide fair and efficient administration of justice.

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<sup>6</sup> <http://www.courts.ca.gov/documents/jc-121211-item3.pdf>

<sup>7</sup> <http://www.courts.ca.gov/documents/jc-20130226-itemM.pdf>

<sup>8</sup> See April 26, 2013 report to the Judicial Council, *Trial Court Budget Working Group: Recommendation of New Budget Development and Allocation Methodology*.

## **Appendix A: Standards of Judicial Administration, 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.*

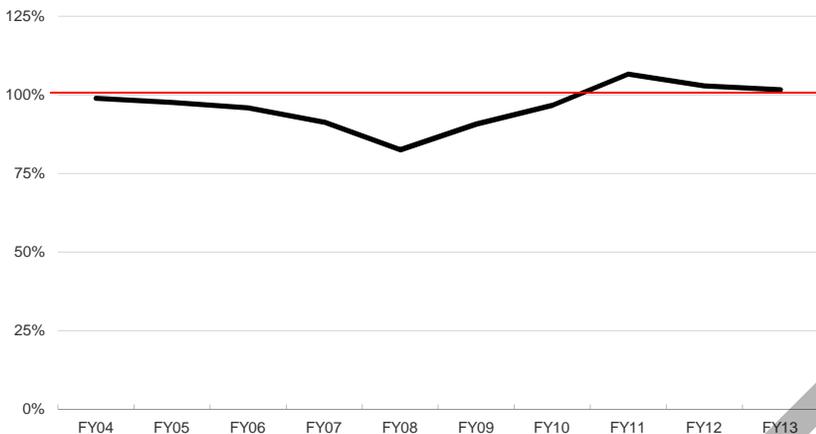
**Appendix B: CalCourTools, Caseload Clearance Rates  
Civil Unlimited, Civil Limited, Small Claims**

**Superior Courts**

**Figures 1-7**

Fiscal Years 2003-04 through 2012-13

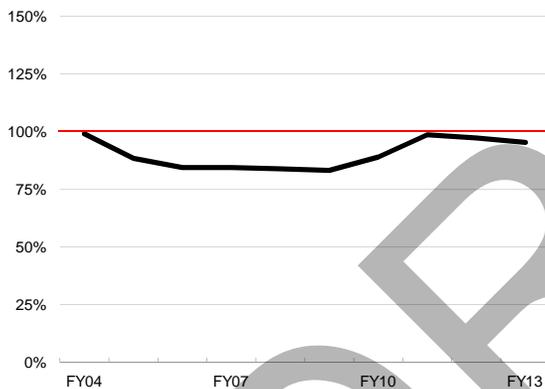
**Figure 1: Total Civil**



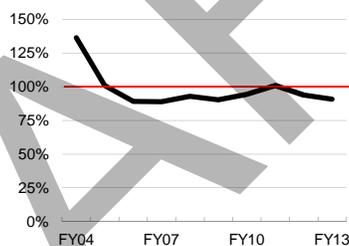
Clearance Rate equals the number of outgoing cases as a percentage of the number of incoming cases. A clearance rate of 100% indicates that the number of cases disposed of in any given year equals the number of cases filed.

$$\text{Clearance Rate} = \frac{\text{Dispositions}}{\text{Filings}}$$

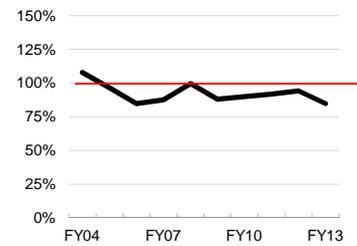
**Figure 2: Civil Unlimited**



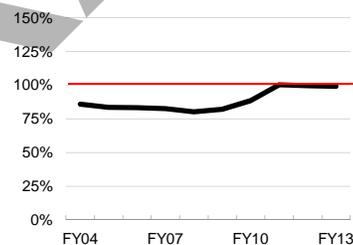
**Figure 3: Motor Vehicle PI/PD/WD**



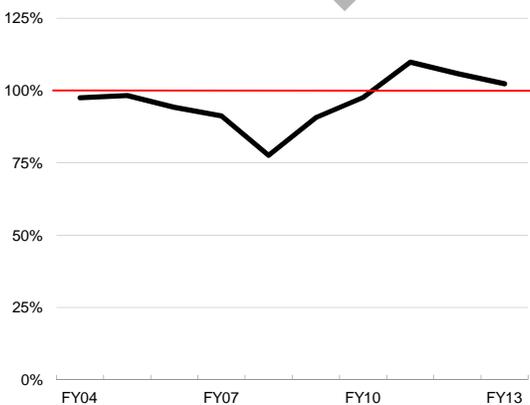
**Figure 4: Other PI/PD/WD**



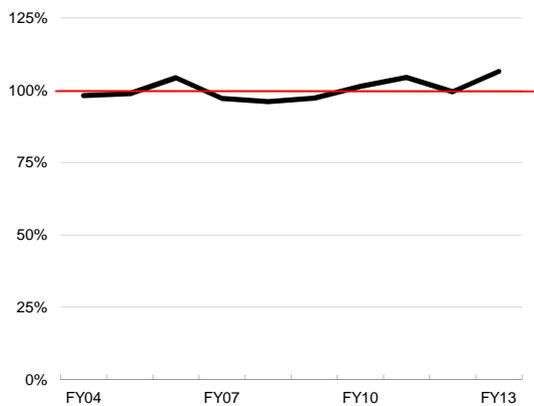
**Figure 5: Civil Complaints**



**Figure 6: Civil Limited**



**Figure 7: Small Claims**

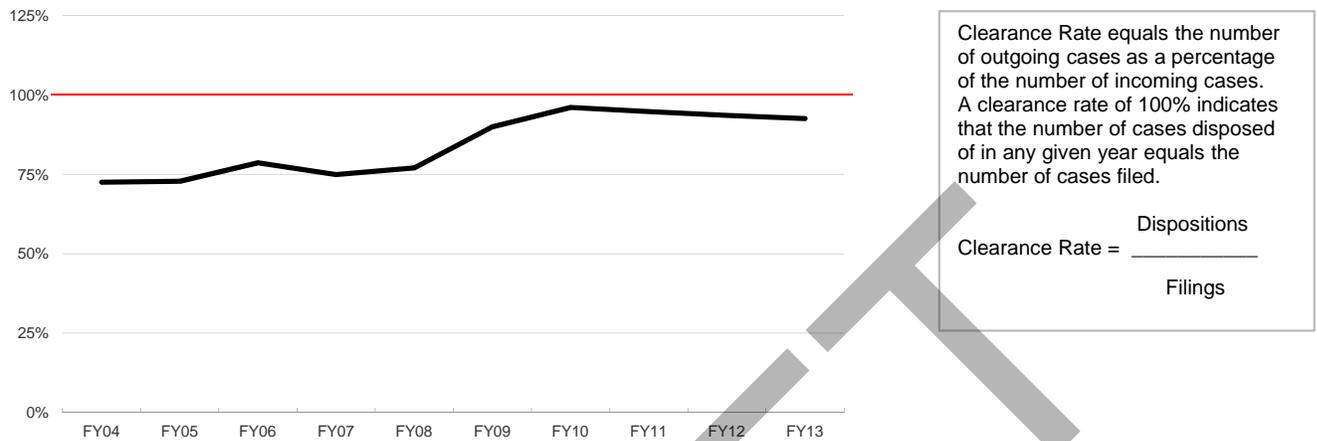


**Appendix B (continued): CalCourTools, Caseload Clearance Rates  
Criminal Felonies, Misdemeanors, Infractions**

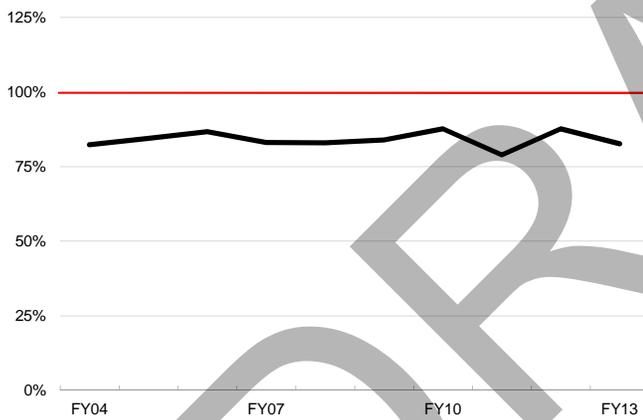
**Superior Courts  
Figures 8–12**

Fiscal Years 2003–04 through 2012–13

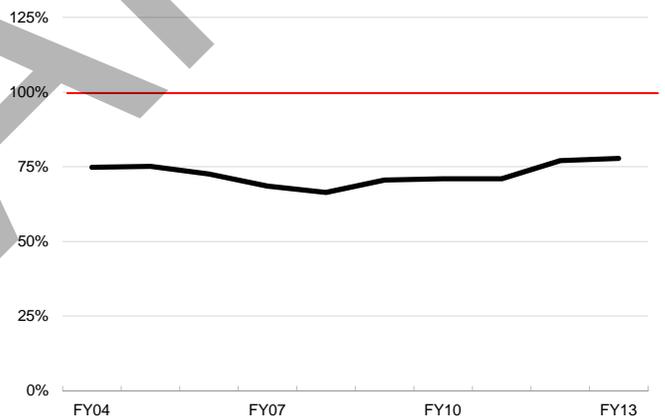
**Figure 8: Felony**



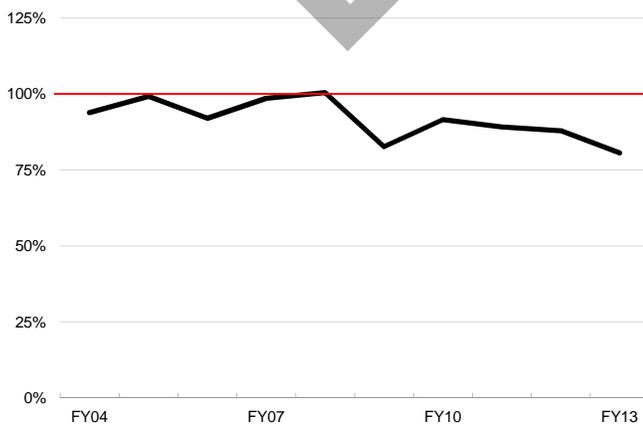
**Figure 9: Nontraffic Misdemeanor**



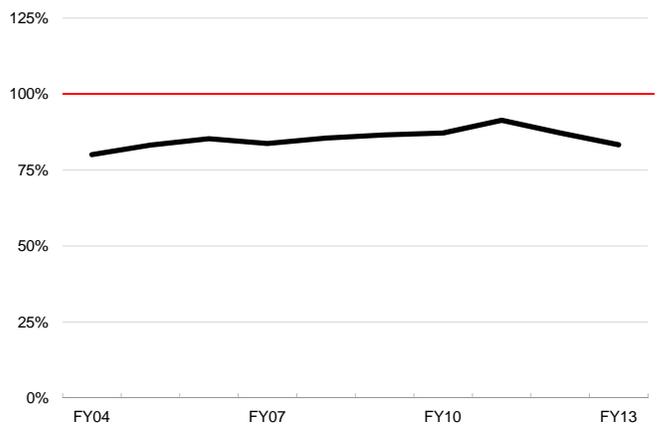
**Figure 10: Traffic Misdemeanor**



**Figure 11: Nontraffic Infraction**



**Figure 12: Traffic Infraction**



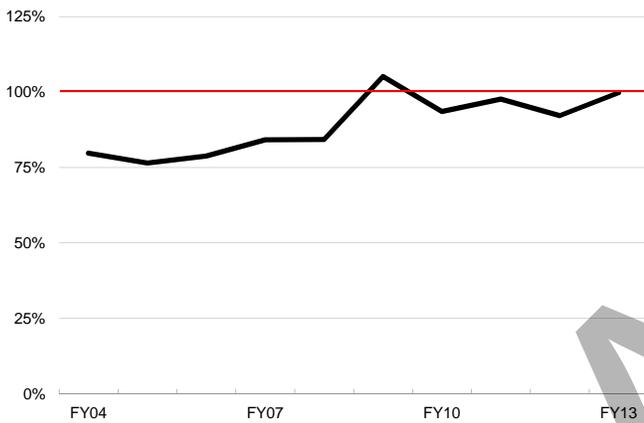
**Appendix B (continued): CalCourTools, Caseload Clearance Rates  
Family Law, Juvenile Delinquency, Juvenile Dependency  
Fiscal Years 2003–04 through 2012–13**

**Superior Courts  
Figures 13–16**

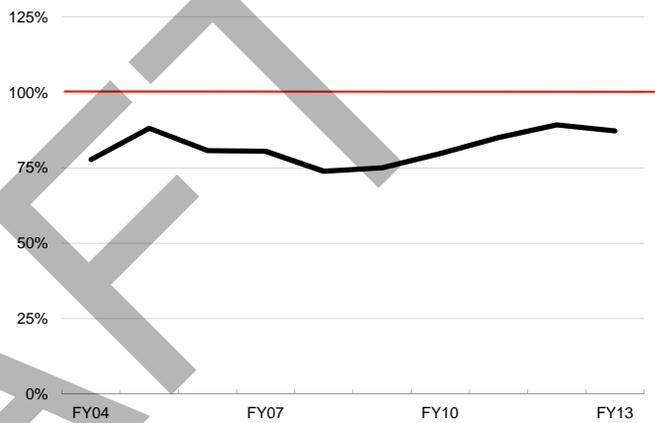
Clearance Rate equals the number of outgoing cases as a percentage of the number of incoming cases. A clearance rate of 100% indicates that the number of cases disposed of in any given year equals the number of cases filed.

$$\text{Clearance Rate} = \frac{\text{Dispositions}}{\text{Filings}}$$

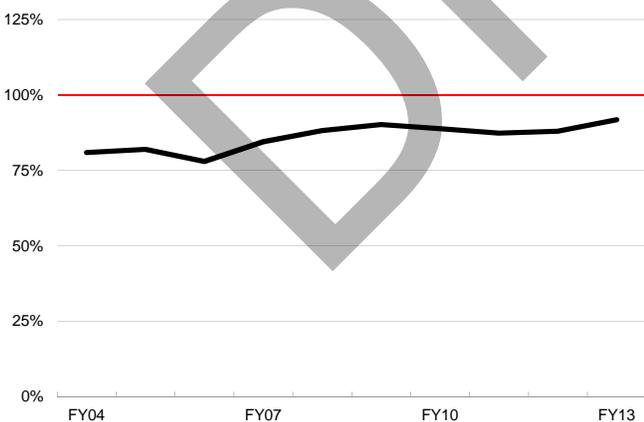
**Figure 13: Family Law — Marital**



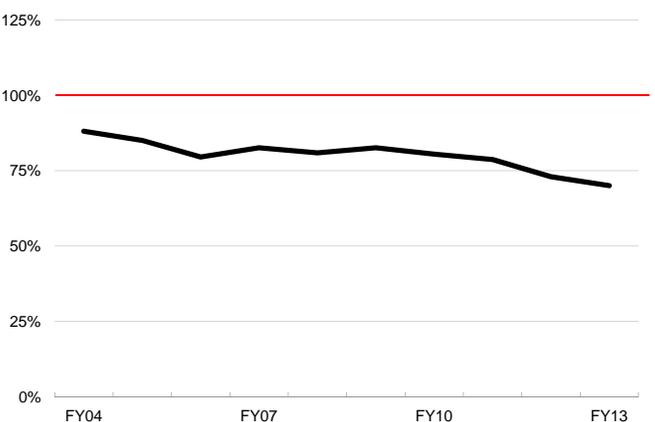
**Figure 14: Family Law Petitions**



**Figure 15: Juvenile Delinquency**



**Figure 16: Juvenile Dependency**



**Appendix B (continued): CalCourTools, Caseload Clearance Rates  
Probate, Mental Health, Appeals, Habeas Corpus**

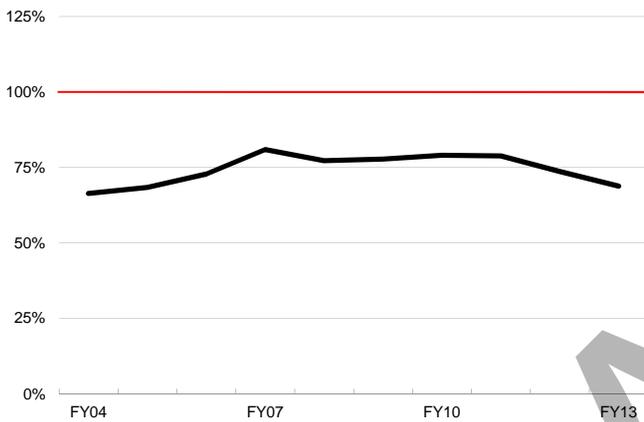
**Superior Courts  
Figures 17–20**

Fiscal Years 2003–04 through 2012–13

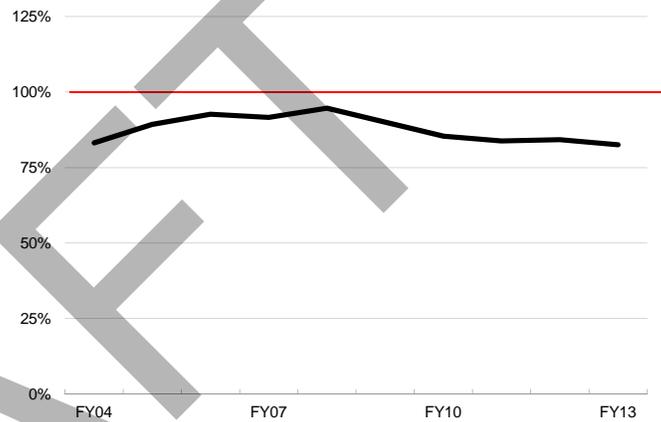
Clearance Rate equals the number of outgoing cases as a percentage of the number of incoming cases. A clearance rate of 100% indicates that the number of cases disposed of in any given year equals the number of cases filed.

$$\text{Clearance Rate} = \frac{\text{Dispositions}}{\text{Filings}}$$

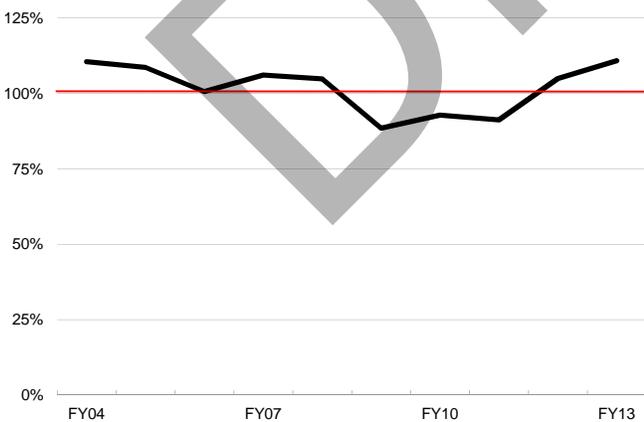
**Figure 17: Probate**



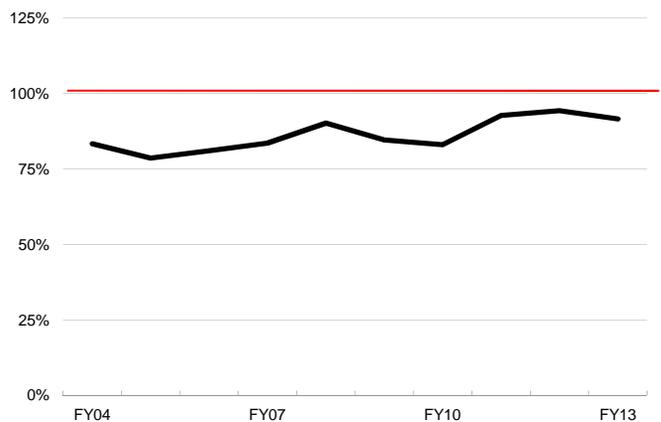
**Figure 18: Mental Health**



**Figure 19: Appeals**



**Figure 20: Criminal Habeas Corpus**



**Appendix C: CalCourTools, Time to Disposition  
Civil Unlimited, Civil Limited, Small Claims**

**Superior Courts  
Figures 21–24**

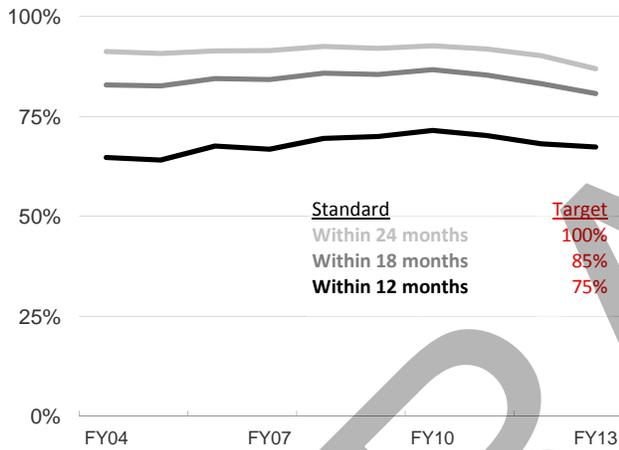
Fiscal Years 2003–04 through 2012–13

**Civil Case Processing Time** (percent of cases disposed within specified periods)

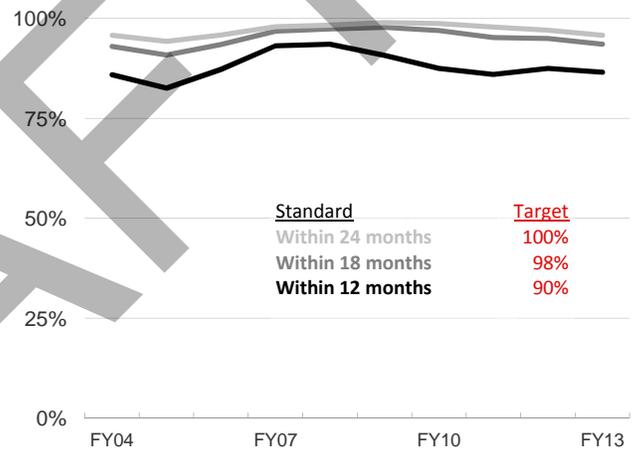
The Standards of Judicial Administration establishes case processing time to disposition goals for different types of civil cases, which are presented below with the specific time standards and target performance level.

<u>Standard</u>	<u>Target</u>
Time standard	Goal

**Figure 21: Civil Unlimited**



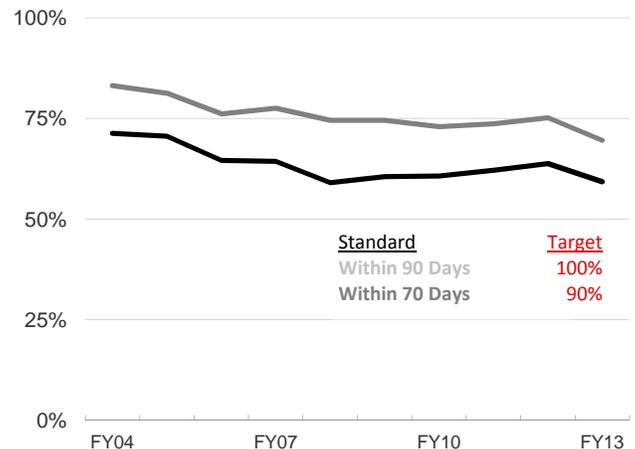
**Figure 22: Limited Civil**



**Figure 23: Unlawful Detainer**



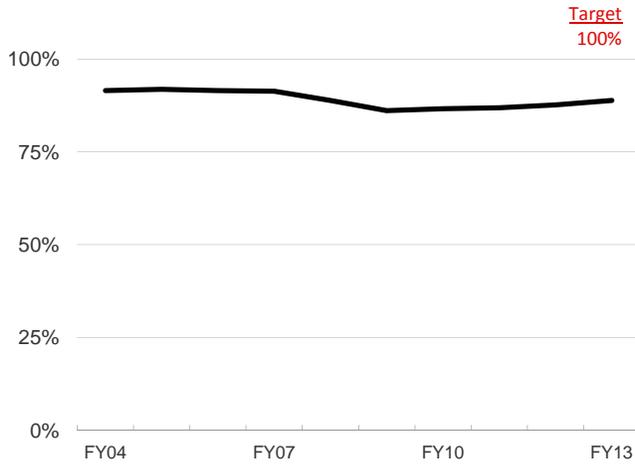
**Figure 24: Small Claims**



Appendix C (continued): CalCourTools, Time to Disposition – Criminal  
Fiscal Years 2003–04 through 2012–13

Superior Courts  
Figures 25–27

Figure 25: Felonies disposed within 12 months



**Criminal Case Processing Time**  
(percent of cases disposed within specified periods)

The Standards of Judicial Administration establishes case processing time to disposition goals for different types of criminal cases, which are presented below with the specific time standards and target performance level.

Figure 26: Felonies resulting in bindover or certified pleas

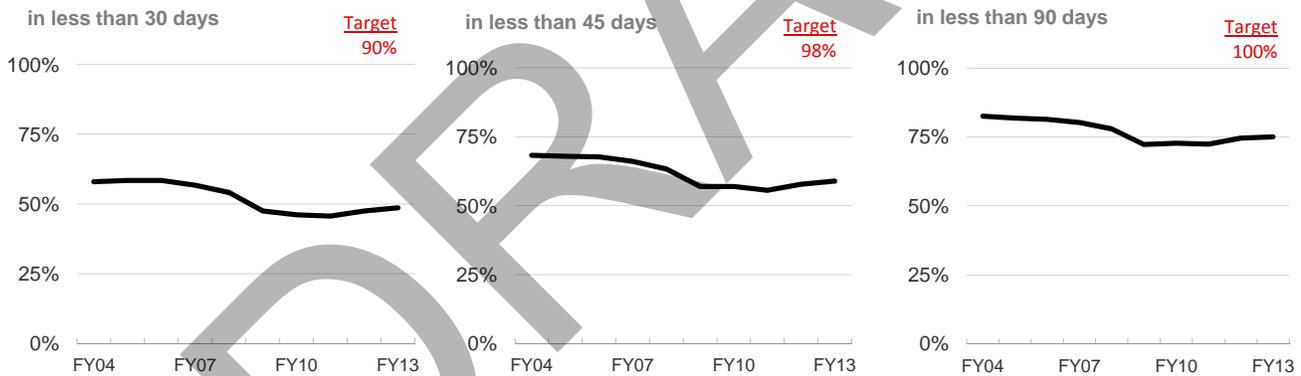


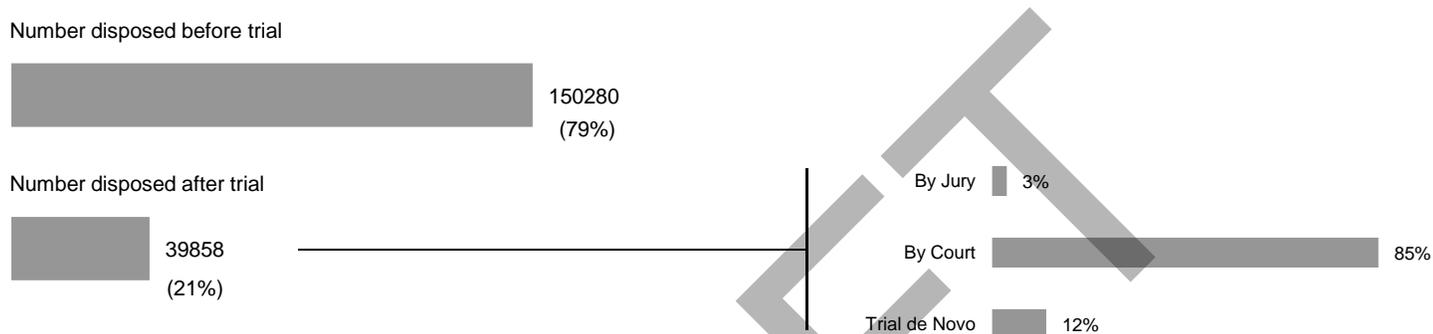
Figure 27: Misdemeanors disposed



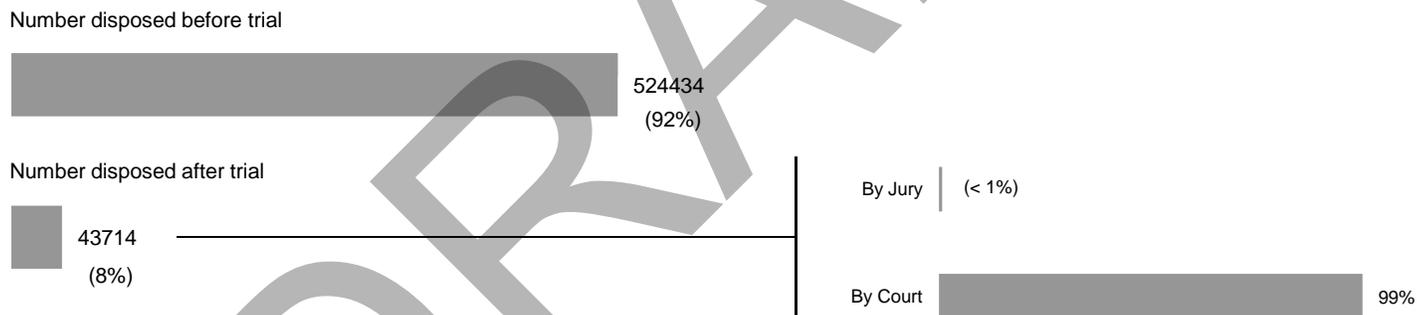
**Appendix D: Caseflow Management Data**  
**Stage of Case at Disposition – Civil**  
**Fiscal Year 2012–13**

**Figure 28: How and at what stage are civil cases resolved?**

**Unlimited Civil**



**Limited Civil**



**Small Claims**



# Appendix D (Continued): Caseflow Management Data

## Stage of Case at Disposition – Felony

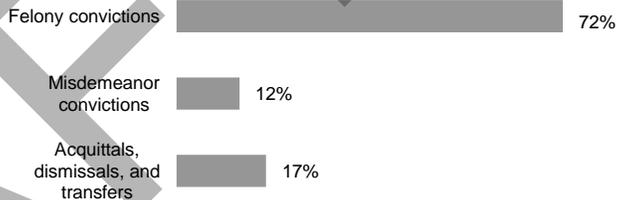
Fiscal Year 2012–13

Figure 29: How and at what stage are felony cases resolved?

#### Total felony dispositions (not including felony petitions)

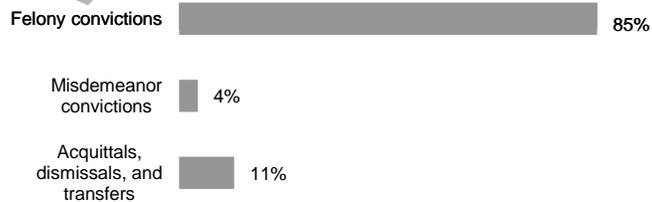


#### Number disposed before trial



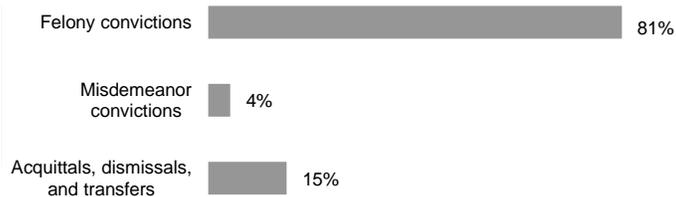
#### Court trials

599  
( $< 1\%$ )



#### Jury trials

4,910  
(2%)



**Appendix D (Continued): Caseflow Management Data  
Stage of Case at Disposition — Misdemeanors and Infractions**

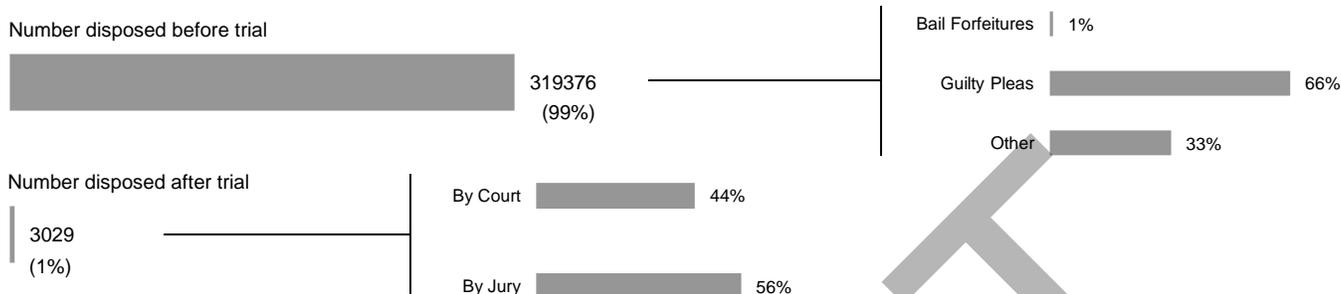
**Superior Courts**

**Figure 30**

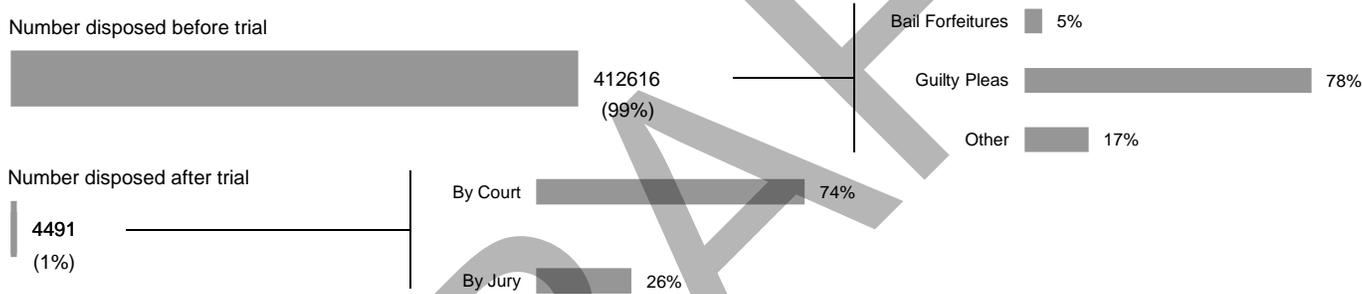
Fiscal Year 2012–13

**Figure 30: How and at what stage are misdemeanor and infraction cases resolved?**

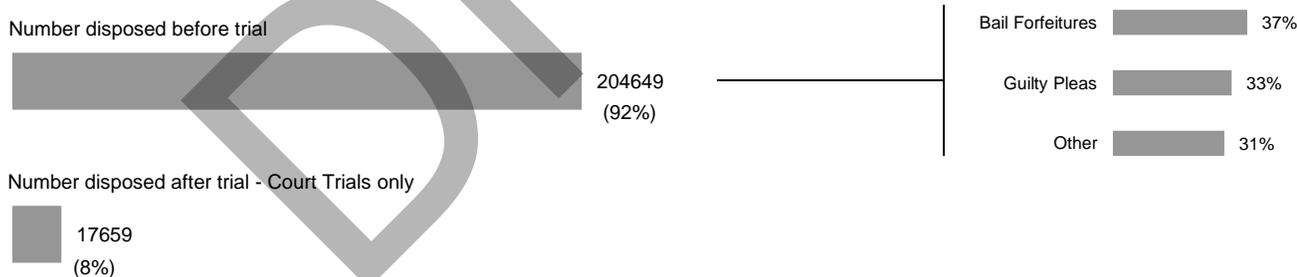
**Nontraffic Misdemeanors**



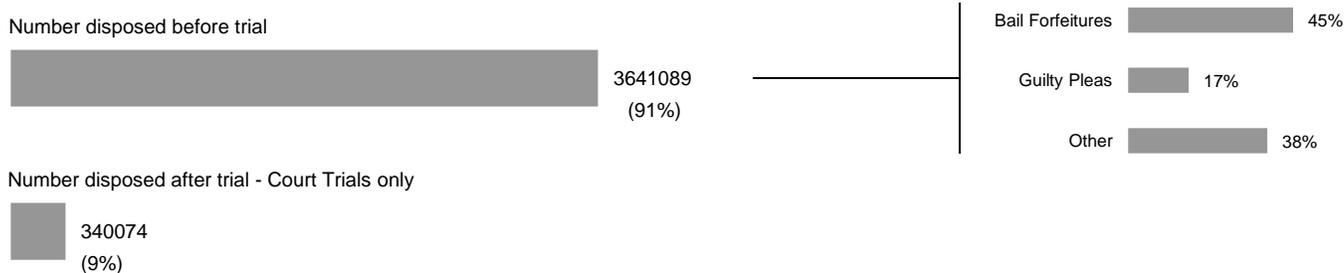
**Traffic Misdemeanors**



**Nontraffic Infractions**



**Traffic Infractions**

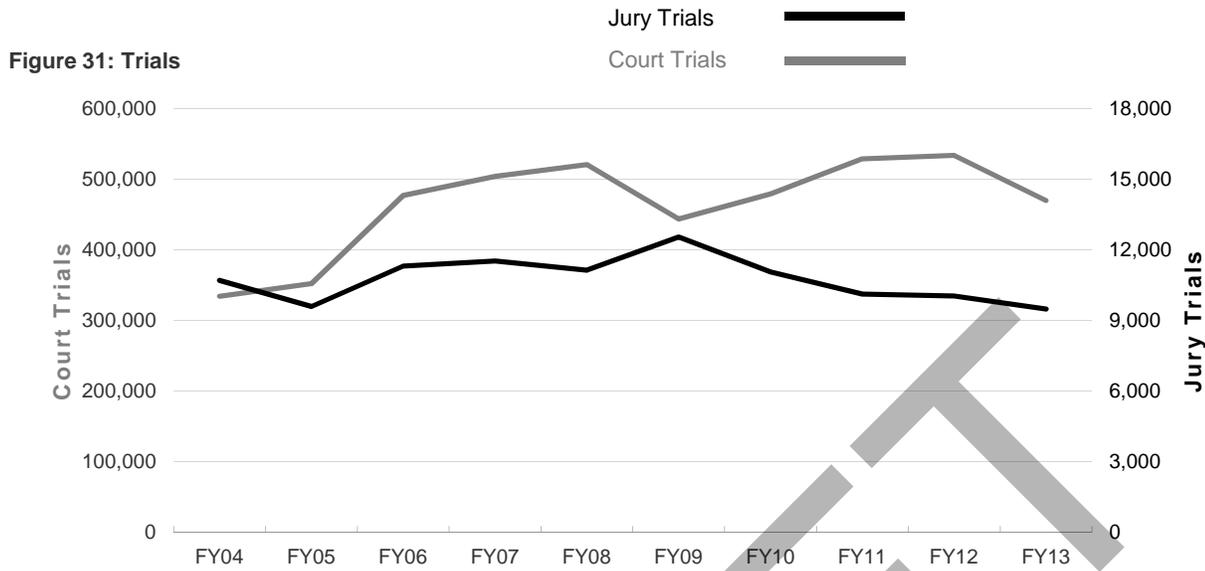


# Appendix E: Caseflow Management Data Trials By Type of Proceeding

## Superior Courts

### Figures 31-43

Fiscal Years 2003-04 through 2012-13



### Jury Trials

Figure 32: Felony

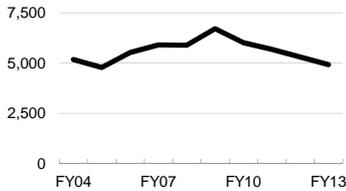


Figure 33: Misdemeanor

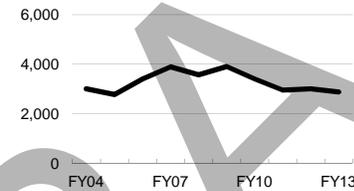


Figure 34: PI/PD/WD Civil Unlimited

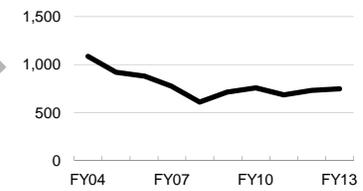


Figure 35: Other Civil Unlimited

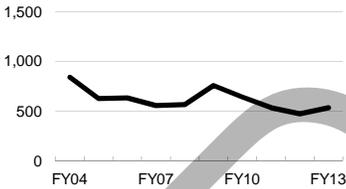


Figure 36: Civil Limited

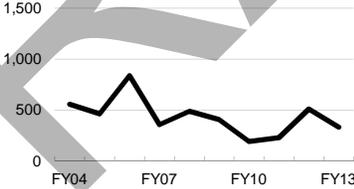
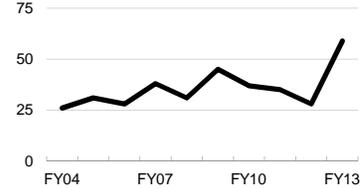


Figure 37: Probate and Mental Health



### Court Trials

Figure 38: Felony

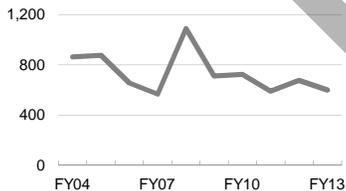


Figure 39: Misdemeanor and Infractions

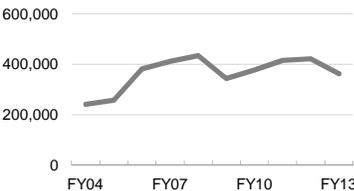


Figure 40: PI/PD/WD Civil Unlimited

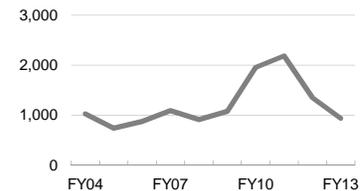


Figure 41: Other Civil Unlimited

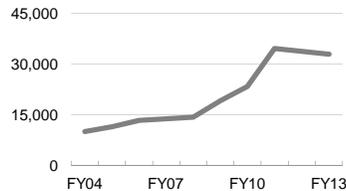


Figure 42: Civil Limited

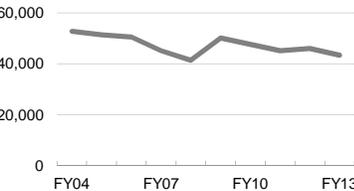
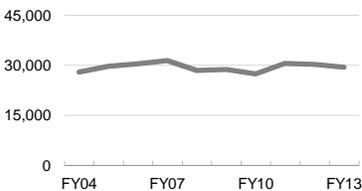


Figure 43: Probate and Mental Health



## Appendix F: Assessed Judicial Need, 2014 Update

Table 1: Judicial Need

County	Authorized Judicial Positions (AJP) <sup>1</sup>	2014 Assessed Judicial Need (AJN)	Net Judicial Need (AJP-AJN)
Alameda	85.0	70.1	-14.9
Alpine	2.3	0.2	-2.1
Amador	2.3	2.7	0.4
Butte	13.0	14.2	1.2
Calaveras	2.3	2.8	0.5
Colusa	2.3	1.6	-0.7
Contra Costa	46.0	42.5	-3.5
Del Norte	2.8	3.7	0.9
El Dorado	9.0	9.9	0.9
Fresno	49.0	60.7	11.7
Glenn	2.3	2.0	-0.3
Humboldt	8.0	10.6	2.6
Imperial	11.4	13.8	2.4
Inyo	2.3	1.6	-0.7
Kern	43.0	58.0	15.0
Kings	8.5	11.4	2.9
Lake	4.8	5.2	0.4
Lassen	2.3	3.2	0.9
Los Angeles	585.3	629.5	44.2
Madera	9.3	10.9	1.6
Marin	14.5	11.8	-2.7
Mariposa	2.3	1.3	-1.0
Mendocino	8.4	7.3	-1.1
Merced	12.0	16.7	4.7
Modoc	2.3	0.8	-1.5
Mono	2.3	1.1	-1.2
Monterey	21.2	21.8	0.6
Napa	8.0	8.2	0.2
Nevada	7.6	5.4	-2.2
Orange	144.0	155.6	11.6
Placer	14.5	19.4	4.9
Plumas	2.3	1.4	-0.9
Riverside	76.0	127.4	51.4
Sacramento	72.5	81.8	9.3
San Benito	2.3	2.8	0.5
San Bernardino <sup>2</sup>	86.0	143.0	57.0
San Diego	154.0	153.3	-0.7
San Francisco	65.0	53.8	-11.2
San Joaquin	33.5	42.3	8.8
San Luis Obispo	15.0	17.9	2.9

## Appendix F (Continued): Assessed Judicial Need, 2014 Update

Table 1: Judicial Need

County	Authorized Judicial Positions (AJP) <sup>1</sup>	2014 Assessed Judicial Need (AJN)	Net Judicial Need (AJP-AJN)
San Mateo	33.0	31.1	-1.9
Santa Barbara	24.0	23.4	-0.6
Santa Clara	89.0	69.6	-19.4
Santa Cruz	13.5	14.2	0.7
Shasta	12.0	16.4	4.4
Sierra	2.3	0.2	-2.1
Siskiyou	5.0	3.4	-1.6
Solano	23.0	25.0	2.0
Sonoma	23.0	26.1	3.1
Stanislaus	24.0	32.6	8.6
Sutter	5.3	6.7	1.4
Tehama	4.3	5.8	1.5
Trinity	2.3	1.6	-0.7
Tulare	23.0	25.9	2.9
Tuolumne	4.8	4.3	-0.5
Ventura	33.0	40.4	7.4
Yolo	12.4	11.2	-1.2
Yuba	5.3	5.6	0.3
<b>Total</b>	<b>1,974.1</b>	<b>2,171.3</b>	<b>197.3</b>

<sup>1</sup> Authorized judicial positions, not including judgeships that were authorized *but never funded* under AB 159.

<sup>2</sup> AJP increased since the last assessment because the Superior Court of California, County of San Bernardino, was authorized to add two SJO positions in FY 11-12 based on workload need.

## Appendix G: Subordinate Judicial Officer Conversions

### Fiscal Years 2007–08 through 2012–13

#### Background

California rule of court 10.700 provides for the use of subordinate judicial officers (SJOs) to perform subordinate judicial duties. A presiding judge may also assign a SJO to act as a temporary judge where lawful if the presiding judge determines that it is necessary for the effective administration of justice because of a shortage of judges.

During the 1980s and 1990s, the shortage of judicial positions across the state led many trial courts to create SJO positions to manage their caseloads. The stagnation in the number of new judgeships combined with the growth in the number of SJO positions created an imbalance in many courts, with SJOs spending much of their time working as temporary judges.

To restore the appropriate balance between judges and SJOs in the trial courts, in 2007 the Legislature passed AB 159 which authorized the conversion of 162 SJO positions to judgeships in 25 courts where the judicial workload assessment determined that the number of SJOs exceeded the workload appropriate to SJOs.

**Table 1: Subordinate Judicial Officer Conversions**

	Total Eligible for Conversion	2007–08	2008–09	2009–10	2010–11	2011–12	2012–13	Positions Remaining for Conversion
Alameda	6	0	0	1	2	3	0	0
Contra Costa	6	3	0	1	0	0	0	2
El Dorado	2	0	1	0	1	0	0	0
Fresno	3	0	1	0	1	0	0	1
Imperial	1	0	0	0	1	0	0	0
Kern	2	0	1	0	0	0	0	1
Los Angeles	78	4	5	7	7	8	6	41
Marin	2	0	0	0	0	1	1	0
Merced	2	0	1	0	0	1	0	0
Napa	1	0	0	0	0	0	0	1
Orange	14	1	2	2	2	3	2	2
Placer	1	0	0	0	0	0	0	1
Riverside	6	1	1	0	0	1	3	0
Sacramento	5	1	2	0	0	2	0	0
San Diego	7	2	0	0	0	0	1	4
San Francisco	9	1	0	1	0	0	0	7
San Luis Obispo	2	1	0	0	0	0	0	1
San Mateo	2	0	0	0	0	0	0	2
Santa Barbara	2	0	0	2	0	0	0	0
Santa Cruz	1	0	0	0	0	1	0	0
Solano	3	1	2	0	0	0	0	0
Sonoma	2	0	0	1	1	0	0	0
Stanislaus	1	0	0	0	1	0	0	0
Tulare	2	0	0	1	0	0	0	1
Yolo	2	1	0	0	0	0	0	1
<b>Total</b>	<b>162</b>	<b>16</b>	<b>16</b>	<b>16</b>	<b>16</b>	<b>20</b>	<b>13</b>	<b>65</b>