



JUDICIAL COUNCIL OF CALIFORNIA

WORKLOAD ASSESSMENT
ADVISORY COMMITTEE

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WORKLOAD ASSESSMENT ADVISORY COMMITTEE

MINUTES OF OPEN MEETING

May 29, 2019

10:00 a.m.–2:00 p.m.

Judicial Council San Francisco Office, 455 Golden Gate Avenue, 3rd Floor, Sequoia Room

Advisory Body Members Present: Hon. Lorna A. Alksne, Hon. Charles R. Brehmer, Hon. Joyce Hinrichs, Hon. Kirk H. Nakamura, Ms. Stephanie Cameron, Ms. Sheri Carter, Ms. Arlene D. Junior, Mr. James Kim, Mr. Michael Planet, Hon. Lawrence P. Riff, Hon. Jennifer K. Rockwell, Ms. Bonnie Sloan (by phone), Hon. Garrett L. Wong

Advisory Body Members Present: Ms. Kim Turner

Members Absent:

Others Present: Ms.Carolynn Bernabe, Ms. Khulan Erdenebaatar, Ms. Leah Rose-Goodwin, Ms. Kristin Greenaway

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 10:03 a.m., and took roll call.

Approval of Minutes

The advisory body reviewed and approved the minutes of the February 26, 2019, Workload Assessment Advisory Committee meeting.

DISCUSSION AND ACTION ITEMS (ITEMS 1-2)

Item 1

Review of 2018 Judicial Workload Study Update to Caseweights (Action Required)

Presenters: Hon. Lorna A. Alksne, Chair
Ms. Kristin Greenaway, Supervising Analyst, Judicial Council Office of Court Research
Ms. Khulan Erdenebaatar, Senior Analyst, Judicial Council Office of Court Research

Ms. Kristin Greenaway provided an update on the Judicial Workload Study which is a workload-based model used to assess judicial workload and to determine total judicial need in the trial courts. The study has been conducted twice in California in 2001 and 2011. These were conducted by the National Center for State Courts (NCSC) with assistance of Judicial Council of California (JCC) staff. The 2018 study is the first time the judicial workload study update has been conducted in-house by JCC staff. The study is updated periodically to reflect changes in the law, technology, and practice, biennial when the judicial needs report is updated every even

numbered year using the most recent filings data available, and to make interim adjustments as needed.

JCC staff provided an overview of the Study:

- A two-week pilot study in two courts in Spring 2018;
- A four-week time study in October and November 2018;
- Participation included small, median, and large courts from all regions across the state;
- A combination of in-person, web-based, and video trainings for the participating judicial officers were conducted in each of the study sites in Fall 2018.
- Nineteen (19) courts with over 900 judicial officers participated across the state, all clusters represented.
- JCC staff used a time data collection method, in which judicial officers were asked to record their daily activities using a web-based form.
- Data was collected on thirty-one (31) case types within five (5) case processing phases capturing case-related and non-case-related activities.
- JCC staff provided dedicated email and phone help line to answer questions, monitored data reporting, contacted courts to ensure data completeness, and updated roster of participants as needed.
- Qualitative data was collected to further validate the data.
 - Supplemental survey sent to study courts for input on where participants felt the quality of justice would be improved if they had more time.
 - JCC staff conducted validation calls with each of the study courts to gather input about what was happening at the court during the study that may have impacted the data collected.

The methodology used to calculate caseweights incorporate other model parameters including (1) three-year average filings and (2) a judicial work year value. JCC staff proposed calculating the set of judicial caseweights using the median value for each casetype.

The committee recommended using the average and not the median for one casetype, Complex Civil. There are fewer datapoints for Complex Civil, therefore the data is best represented by an average and not a median value.

Action: The committee reviewed and adopted the proposed Judicial Workload Study caseweights which are used as part of the formula for assessing judicial need in the trial courts. Complex civil to use methodology to determine weight which will be different for the other casetypes using aggregated average instead of median.

Item 2

2019 Judicial Needs Assessment and Prioritization (Action Required)

Presenters: Hon. Lorna A. Alksne, Chair
Ms. Leah Rose-Goodwin, Manager, Judicial Council Office of Court Research
Ms. Khulan Erdenebaatar, Senior Analyst, Judicial Council Office of Court Research

Ms. Leah Rose-Goodwin provided a summary update on the 2019 Judicial Needs Assessment (JNA) policy decisions on prioritization, ranking based on the 2018 draft caseweights for years 2016-18 filings, and methodology to determine needs relative to judgeship need of court using most recent filings data. Ms. Rose-Goodwin walked the committee through the materials on judicial positions, draft caseweights and judicial need. Biennial judicial need report is due to the Legislature on November 1 of every even numbered year. A preliminary report on the allocation for judgeships need was issued in the Fall of 2018. JCC staff will reissue an updated report with the proposed new caseweights from the 2018 judicial workload study once approved by the Judicial Council at its July meeting.

Action: The committee reviewed and adopted the proposed prioritization methodology for new judgeships and the priority ranking list for judgeships based on the new judicial caseweights, updated filings data, and prioritization parameters.

Next Steps

1. Submit report proposing adoption of the 2018 Judicial Workload Study Model update at the JCC July 18-19 meeting.
2. Resubmit the 2018 Judicial Needs Assessment with New Model Parameters and Updated Filings proposing adoption of the priority ranking list for judgeships based on the 2018 Judicial Workload Study Model update.

INFORMATION ONLY ITEMS (ITEM 1)

Item 1

2019-20 Resource Assessment Study Model (RAS) Need

Presenter: Ms. Kristin Greenaway, Supervising Analyst, Judicial Council Office of Court Research

The RAS model is used as the basis for budget allocations via the Workload Formula. The 2019-20 RAS FTE need is based on filings from fiscal years 2015-16, 2016-17 and 2017-18; caseweights from the 2017 RAS study update; and two recent modifications to the RAS model: an adjustment to account for the need for court reporters in family law and a work-year value of 98,550 minutes.

Ms. Kristin Greenaway reported changes made to the RAS Model:

1. Approve applying the 1.25 to 1 ratio of court reporters to judicial officers needed in family law cases to quantify the workload estimate for court reporters in family law.
2. Approve a 1.25 to 1 ratio for court reporters in civil unlimited and probate cases, discounted by 50% to account for the smaller pool of eligible litigants, efficiencies realized through

pooling, and efficiencies offset by the need to have reporters available in multiple locations simultaneously. Re-evaluate this workload model annually to see whether additional data can be used to increase the precision of the estimate.

3. Update the work year value to 98,550.

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 11:39 a.m..

Approved by the advisory body on August 15, 2019.