



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on October 27–28, 2016

Title

Judicial Council Report to the Legislature:
Standards and Measures That Promote the
Fair and Efficient Administration of Justice

Agenda Item Type

Action Required

Effective Date

October 28, 2016

Rules, Forms, Standards, or Statutes Affected

N/A

Date of Report

October 20, 2016

Recommended by

Workload Assessment Advisory Committee
Hon. Lorna A. Alksne, Chair

Contact

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Executive Summary

The Workload Assessment Advisory Committee recommends that the Judicial Council approve the attached report, *Standards and Measures That Promote the Fair and Efficient Administration of Justice*, for transmittal to the Legislature. This report satisfies the requirements of Government Code section 77001.5, which 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.

Recommendation

The Workload Assessment Advisory Committee recommends that the Judicial Council, effective October 28, 2016, approve the attached report, *Standards and Measures That Promote the Fair and Efficient Administration of Justice* (Attachment A), for transmittal to the Legislature under Government Code section 77001.5.

Previous Council Action

The Judicial Council approved the 2015 report to the Legislature at its October 2015 meeting, the 2014 report at its October 2014 meeting, and the 2013 report at its December 2013 meeting. Legislative reports submitted prior to 2013 were not approved by the Judicial Council because protocol at that time did not require council action on reports that did not include recommendations.

Rationale for Recommendation

Approval of the transmittal of this report to the Legislature will comply with the legislative mandate contained in Government Code section 77001.5, which 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.
- (3) General court administration.”

Comments, Alternatives Considered, and Policy Implications

As this report is legislatively mandated, no public comments were sought or alternatives considered.

Implementation Requirements, Costs, and Operational Impacts

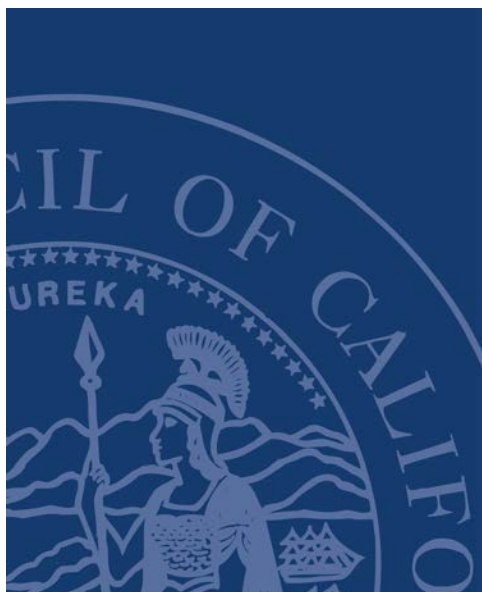
Staff shortages at the Judicial Council have made production of this legislative report more difficult. The refocusing of the legislative report to reporting on quantitative measures already approved by the Judicial Council and reported by the trial courts attempts to overcome these limitations.

Relevant Strategic Plan Goals and Operational Plan Objectives

This report to the Legislature is consistent with Goal II, Independence and Accountability, of the judicial branch’s operational plan objectives, adopted in 2008. This document reports judicial branch business and performance to the public and other stakeholders.

Attachments and Links

1. Attachment A: *Standards and Measures That Promote the Fair and Efficient Administration of Justice*



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

REPORT TO THE LEGISLATURE UNDER
GOVERNMENT CODE SECTION 77001.5

NOVEMBER 2016



JUDICIAL COUNCIL
OF CALIFORNIA

OPERATIONS AND PROGRAMS DIVISION

COURT OPERATIONS SERVICES

JUDICIAL COUNCIL OF CALIFORNIA

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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.
- (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 that contribute toward the fair and efficient administration of justice, including:

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

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

Quantitative Measures of Court Performance

The National Center for State Courts (NCSC) developed *CourTools* in an effort to provide trial courts with “a set of balanced and realistic performance measures that are practical to implement and use.”² *CourTools* draws on previous work conducted on trial court performance—primarily the Trial Court Performance Standards developed by the NCSC and published in 1997—but also on relevant measures from other successful public and private organizations. Courts in California use the

¹ 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 on judicial administration standards at www.courts.ca.gov/documents/lr-Jud-Admin-Stand-and-measures-122712.pdf.

² See “CourTools: Giving the Courts the Tools to Measure Success” (National Center for State Courts, 2005), www.courttools.org.

CalCourTools program, which builds on the *CourTools* measures developed by the NCSC and endorsed by the Conference of Chief Justices and the Conference of State Court Administrators.

California courts are able to report on some, but not all of the *CourTools* performance measures. While previous years' reports to the Legislature contained a description of all 10 *CourTools* performance measures, including those for which complete data was unavailable, this year, data is shown on the two measures for which data in the California trial courts is available: clearance rates and time to disposition (see Table 1).

NCSC's <i>CourTools</i>	Table 1: Status of <i>CourTools</i> Data in California Trial Courts			
	Availability	Scope	Data Quality	Location in This Report
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

Clearance Rates

Clearance rate is a measure of the number of cases cleared (disposed of) as a percentage of the number of cases filed during a given time period. Since clearance rates provide only a snapshot at a point in time, they are an indirect measure of whether a court is disposing of cases in a timely fashion or whether a backlog of cases is growing. A court should aim to dispose of as many cases as were filed over a selected time period, thus maintaining a clearance rate of around 1.0, or 100 percent. Monitoring clearance rates by case type helps a court identify those areas needing the most attention.

Time to Disposition

Time to disposition is measured by counting the number of initial filings that reach disposition 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 2.2 of the Standards of Judicial Administration. 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).

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 of a case and the manner in which it is disposed of (i.e., how and at what point in a case's life cycle it is disposed of) can be a useful diagnostic measure of a court's case management practices and the timeliness and quality of case resolution.³ It can also help courts assess the level of resources required to get cases to disposition.

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 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.

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

Findings⁴

Caseload Clearance Rates:

- In fiscal year (FY) 2014–2015, the most recent year for which data are available, clearance rates increased for most case types, with several exceptions (see Appendix B).
 - ***Civil.*** Civil unlimited clearance rates increased for all case types except for small claims appeals: the motor vehicle unlimited clearance rate increased from 80 percent to 87 percent; “other” personal injury unlimited increased from 79 percent to 88 percent; other civil complaints increased from 94 percent to 96 percent; and small claims appeals decreased from 80 percent to 70 percent. The limited civil and small claims clearance rates both increased, from 104 percent to 109 percent and from 102 percent to 105 percent, respectively.

³ The stage of a 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.

⁴ All of the findings reported here refer to trial court data submitted through June 30, 2015. These data are reported in more detail in the 2016 Court Statistics Report available at www.courts.ca.gov/13421.htm.

- ***Criminal.*** Criminal clearance rates all increased, with the exception of nontraffic misdemeanors: the felony clearance rate increased from 93 percent to 104 percent; the nontraffic infractions rate increased from 69 percent to 73 percent; traffic misdemeanors increased from 79 percent to 84 percent; and traffic infractions from 91 percent to 95 percent; however, nontraffic misdemeanors decreased from 84 percent to 80 percent.
- ***Family and juvenile.*** Family and juvenile case clearance rates mostly remained constant or increased. However, the marital petitions rate decreased one percent to 98 percent. The rate for family law petitions remained at 85 percent. The clearance rate for delinquency cases increased from 92 percent to 94 percent; the dependency clearance rate increased from 67 percent to 72 percent.

Time to Disposition:

The Standards of Judicial Administration establish “time to disposition” goals for processing various case types (see Appendix A). These goals are intended to improve the administration of justice by encouraging prompt disposition of all matters coming before the courts.

- ***Civil.*** In FY 2014–2015, the percentage of civil cases disposed of within the recommended time periods declined for civil unlimited and limited civil cases, increased for unlawful detainer cases, and declined for small claims cases (see Appendix C).
 - The goals for civil unlimited cases are: 100 percent of cases disposed of within 24 months, 85 percent of cases disposed of within 18 months, and 75 percent of cases disposed of within 12 months. In FY 2014–2015, the percentage of civil unlimited cases disposed of within 24 months declined by one percentage point to 83 percent; the percentage of cases disposed of within 18 months declined by one percentage point to 76 percent; and the percentage of cases disposed of within 12 months declined by two percentage points to 64 percent.
 - The goals for limited civil cases are: 100 percent of cases disposed of within 24 months, 98 percent of cases disposed of within 18 months, and 90 percent of cases disposed of within 12 months. In FY 2014–2015, the time to disposition for limited civil cases decreased for each time standard. The percentage of limited civil cases disposed of within 24 months decreased by one percentage point to 94 percent; the percentage of cases disposed of within 18 months declined by two percentage points to 91 percent; and the percentage of cases disposed of within 12 months declined by three percentage points to 83 percent.
 - The goals for unlawful detainer cases are: 100 percent of cases to be disposed of within 45 days after filing and 90 percent of cases to be disposed of within 30 days after filing. In FY 2014–2015, the percentage of cases disposed of within 45 days increased by two percentage points to 70 percent; the percentage of cases disposed of within 30 days also increased by two percentage points to 51 percent.

- The goals for small claims cases are: 90 percent of cases disposed of within 75 days of filing and 100 percent of cases disposed of within 95 days of filing.⁵ In FY 2014–2015, the percentage of cases disposed of within 70 days declined by two percentage points to 58 percent, whereas the percentage of cases disposed of in less than 90 days remained constant at 71 percent of cases.
- ***Criminal.*** In FY 2014–2015, the percentage of criminal cases disposed of within the recommended time standards declined or remained constant (see Appendix C).
 - The goals for felony cases are the following: All cases (except for capital cases) are disposed of within 12 months (from the defendant’s first arraignment). Regarding cases resulting in bindover or certified pleas, 90 percent are to be disposed of within 30 days, 98 percent are to be disposed of within 45 days, and 100 percent are to be disposed of within 90 days. In FY 2014–2015, the percentage of felonies disposed of in less than 12 months remained at 88 percent. The percentage of felony cases resulting in bindovers or certified pleas disposed of within 30 days declined five percentage points to 45 percent; the percentage of such cases disposed of within 45 days declined five percentage points to 55 percent; and the percentage of cases disposed of within 90 days declined four percentage points to 71 percent of cases.
 - The goals for misdemeanors are: 90 percent of cases disposed of within 30 days, 98 percent of cases disposed of within 90 days, and 100 percent of cases disposed of within 120 days. In FY 2014–2015, the percentage of cases disposed of within 30 days remained at 61 percent, the percentage of cases disposed of at the 90-day mark declined one percentage point to 77 percent, and the percentage of cases disposed of in less than 120 days remained at 83 percent.
- ***Family and juvenile.*** Time standards for family law cases are set forth in rule 5.83 of the California Rules of Court, and time standards for juvenile dependency cases can be found in rule 5.505. However, at this time, courts are not able to consistently and accurately report on these measures. Future reports will include this data as collection using these measures improves.

Stage of Case at Disposition (See Appendix D):

- ***Civil:***
 - Slightly fewer than four of every five unlimited civil cases—78 percent—are disposed of before trial.
 - Of the remaining unlimited civil cases disposed of by a trial, the vast majority—88 percent—are bench trials. Only 3 percent of unlimited civil trials are jury trials. The remaining dispositions of unlimited civil cases are small claims appeals.
 - In limited civil cases, only 8 percent of filings are disposed of by trial and 98 percent of those are bench trials.

⁵ There is a discrepancy between the small claims goals listed in the Standards of Judicial Administration—which ask for the percentage of cases disposed of within 75 and 95 days of filing—and the small claims goals as reported in the 2016 Court Statistics Report—which report the percentage of cases disposed of within 70 and 90 days of filing.

- In small claims, the majority (57 percent) of dispositions are after trial.
- ***Criminal:***
 - Nearly all felony cases (98 percent) are disposed of before trial.
 - Of the felonies disposed of after trial, 95 percent are jury trials.
 - In felonies disposed of before trial, 63 percent result in felony convictions. In felonies disposed of after jury trial, 78 percent result in a felony conviction.
 - The vast majority of nontraffic misdemeanors (99 percent) and traffic misdemeanors (99 percent) are disposed of before trial.
 - Of the misdemeanors disposed of after trial, 35 percent of nontraffic cases and 74 percent of traffic cases are disposed of by bench trial, with the remainder disposed of by jury trial.

Trials by Type of Proceeding (See Appendix E):

- ***Jury trials.*** The total number of jury trials in FY 2014–2015 decreased 5 percent from FY 2013–2014 to 9,450 trials. The number of felony jury trials decreased by 14 percent to 4,778 trials. The number of probate and mental health trials decreased 76 percent from 186 to 45. During the same period, there were 2,901 misdemeanor jury trials, a 5 percent increase from the year prior. The number of personal injury civil unlimited jury trials decreased 4 percent to 712 trials; other civil unlimited jury trials increased 7 percent to 523 trials; and civil limited jury trials increased 102 percent to 491 trials.
- ***Court trials.*** The total number of court trials increased by 1 percent to 479,719 trials across all case types. A total of 276 felony court trials were reported in FY 2014–2015. The number of court misdemeanor and infractions trials increased by 1 percent to 382,014 trials. The number of personal injury/property damage civil unlimited trials decreased by 8 percent to 763. Other civil unlimited court trials increased by 7 percent to 33,989. Civil limited remained nearly the same at 31,689 court trials. Probate and mental health trials decreased in number by 5 percent to 30,988 court trials.

Judicial Workload and Resources:

- The actual 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 2016 Judicial Needs Assessment, 31 courts need new judgeships, for a total need of 188.5 FTE judicial officers (see Appendix F).⁶

⁶ It should be noted that the figures in this report may not accurately represent the current degree of judicial need. Because the caseweights used in the current iteration of the judicial needs assessment are based on data collected in 2010, they may not reflect new judicial workload resulting from legislative and other policy changes that have occurred since then. On the other hand, judicial workload in other areas not affected by such law and policy changes may have declined since 2010. An update to the judicial workload study, intended to capture the impact of these changes, is planned for 2017 and updated caseweights will be used in the 2018 version of this report.

- Although the conversion of subordinate judicial officers (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.
- In FY 2014–2015 a total of 9 conversions of SJO positions to judgeships were completed; 11 additional conversions were completed in FY 2015–2016 (see Appendix G).
- A total of 128 SJO positions have been converted to judgeships since FY 2007–2008 (see Appendix G).

Workload Models Update

Weighted caseload has been the national standard for evaluating the workload of judges and court staff for almost two decades.⁷ 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.

The Judicial Council has approved workload models that utilize weighted caseload to assess where new judgeships and additional non-judicial 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, rules of court, 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 Judicial Council’s Workload Assessment Advisory Committee has recommended that the judicial and staff workload models be updated every five years to ensure that the models used to measure workload and to allocate resources are using the most up-to-date information possible. The staff workload model is currently being updated: a time study was conducted in March 2016 and the new weights will be finalized in early 2017. The update of the judicial workload model will follow.

In addition to updates to these two models, the Judicial Council also recently adopted a recommendation to refresh the model that is used to allocate SJO conversions.⁸ Under Government Code section 69615, a total of 162 SJO positions were identified as being in need of conversion in order to ensure that there were sufficient judicial officers of each type. The positions were identified

⁷ See Victor E. Flango, *Assessing the Need for Judges and Court Support Staff* (National Center for State Courts, 1996).

⁸ Judicial Council of Cal., Internal Com. Rep., *Subordinate Judicial Officers: Update of Conversions Using More Current Workload Data* (Aug. 11, 2015), www.courts.ca.gov/documents/jc-20150821-itemL.pdf.

on the basis of a 2007 workload analysis, using caseweights from the 2001 Judicial Officer Study and filings data from FY 2002–2003 through FY 2004–2005. Since filings and the underlying weights used to measure workload have changed since that initial analysis was completed in 2007, the update to that analysis with more current workload data ensures that the remaining conversions be allocated in the most effective manner.

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.

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.)

Appendix A: Standards of Judicial Administration, Standard 2.2

(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.)

Appendix A: Standards of Judicial Administration, Standard 2.2

(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:

Appendix A: Standards of Judicial Administration, Standard 2.2

- (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).

Appendix A: Standards of Judicial Administration, Standard 2.2

(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.

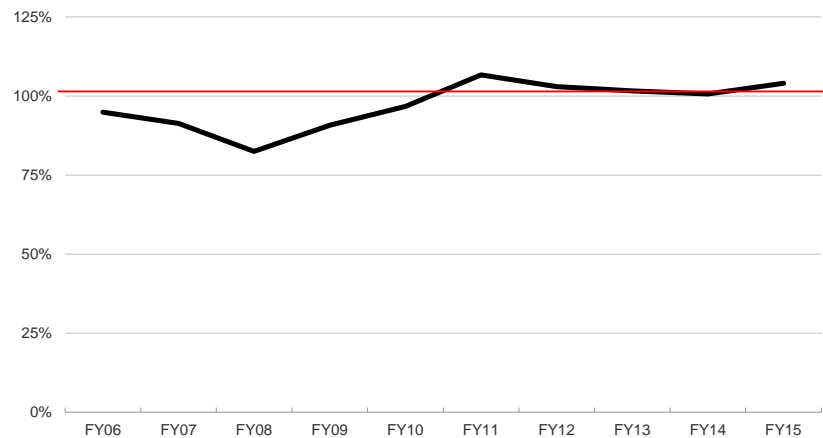
(Subd (o) amended effective January 1, 2007; adopted effective January 1, 2004.)

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
Fiscal Years 2005–06 through 2014–15

Superior Courts
Figures 1-7

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

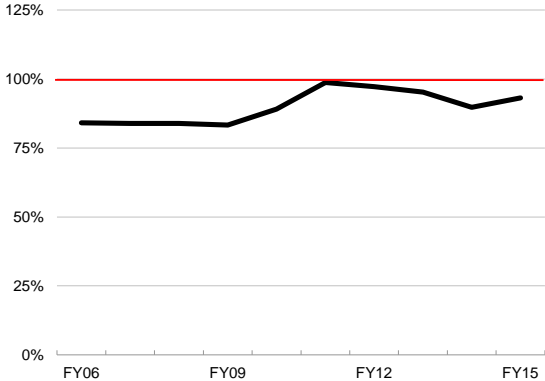


Figure 3: Motor Vehicle PI/PD/WD

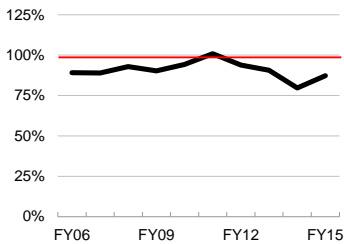


Figure 4: Other PI/PD/WD

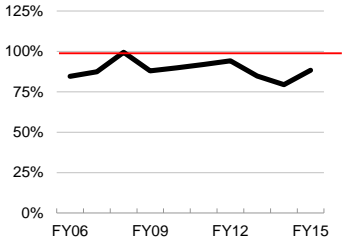


Figure 5: Civil Complaints

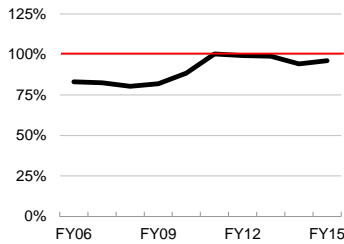


Figure 6: Civil Limited

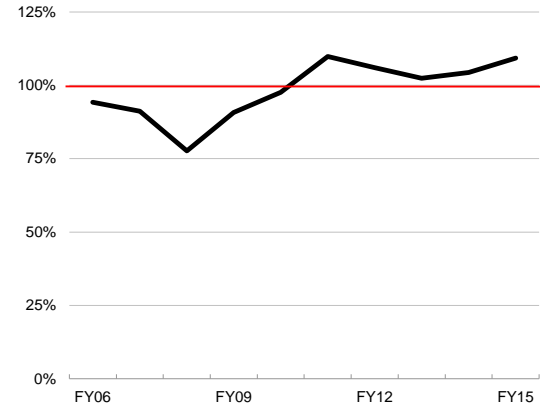
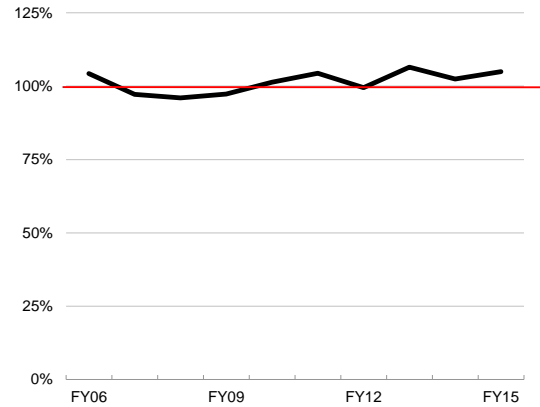


Figure 7: Small Claims



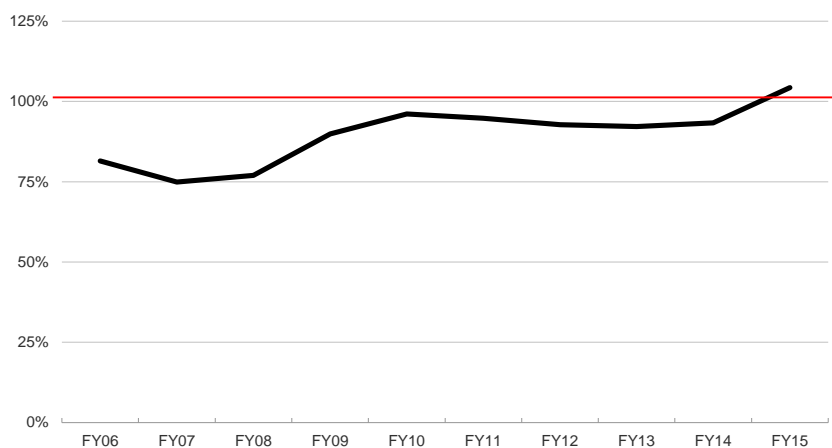
Appendix B (continued): CalCourTools—Caseload Clearance Rates Criminal Felonies, Misdemeanors, Infractions

Fiscal Years 2005–06 through 2014–15

Superior Courts

Figures 8–12

Figure 8: Felony



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 9: Nontraffic Misdemeanor

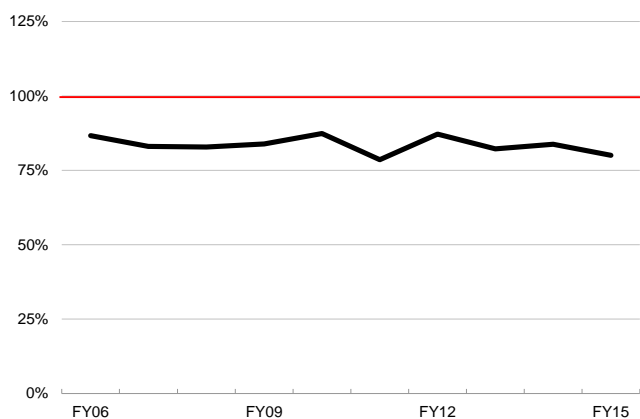


Figure 10: Traffic Misdemeanor

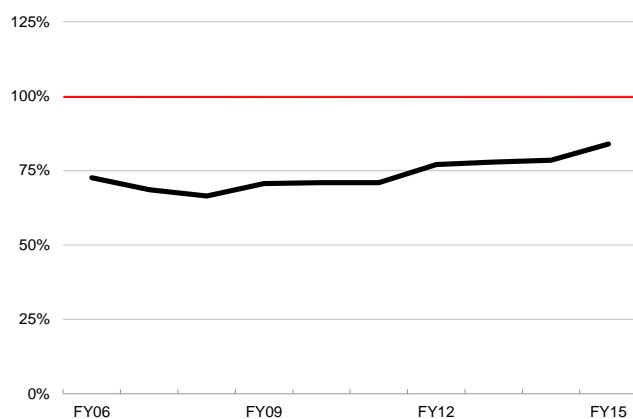


Figure 11: Nontraffic Infraction

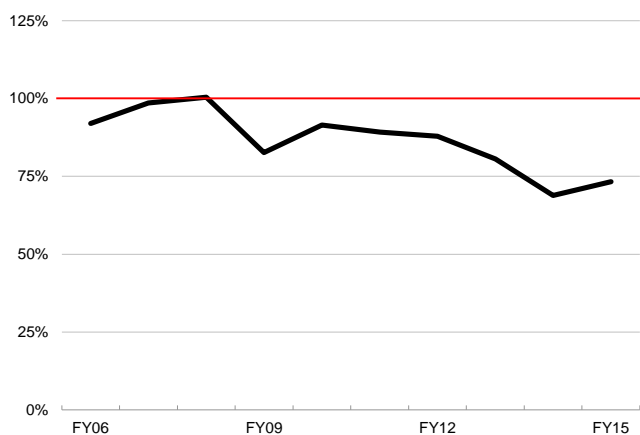
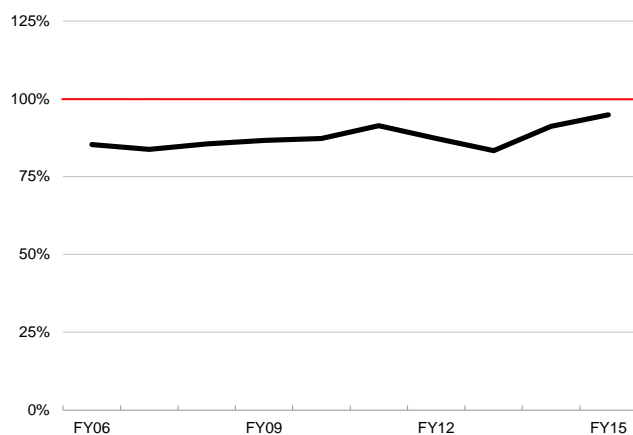


Figure 12: Traffic Infraction



Appendix B (continued): CalCourTools—Caseload Clearance Rates
Family Law, Juvenile Delinquency, Juvenile Dependency
Fiscal Years 2005–06 through 2014–15

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

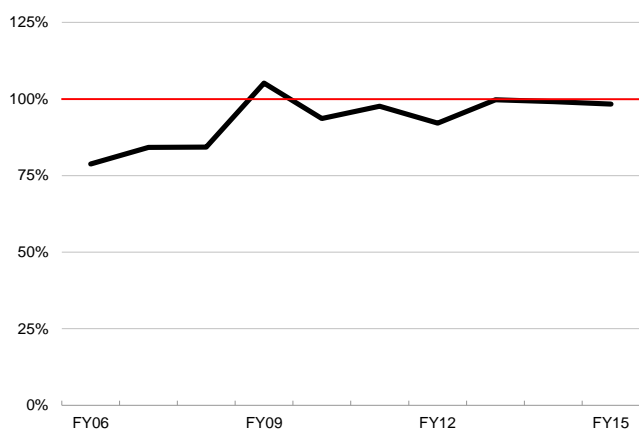


Figure 14: Family Law Petitions

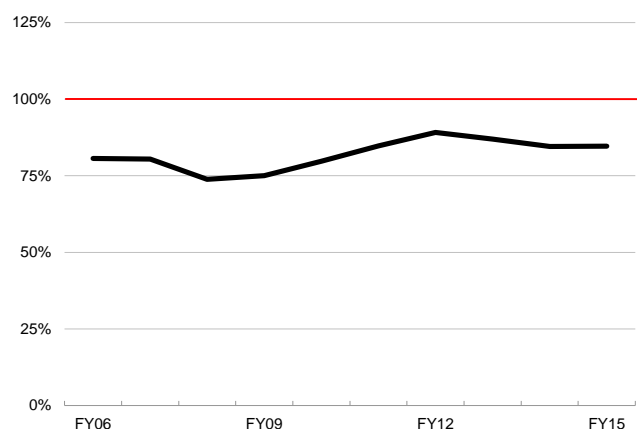


Figure 15: Juvenile Delinquency

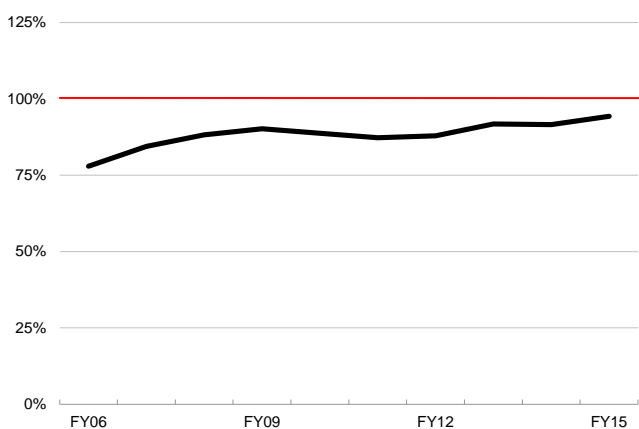
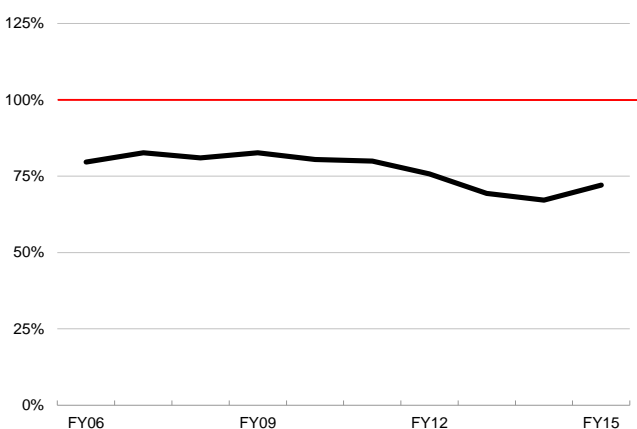


Figure 16: Juvenile Dependency



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

Superior Courts Figures 17–20

Fiscal Years 2005–06 through 2014–15

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

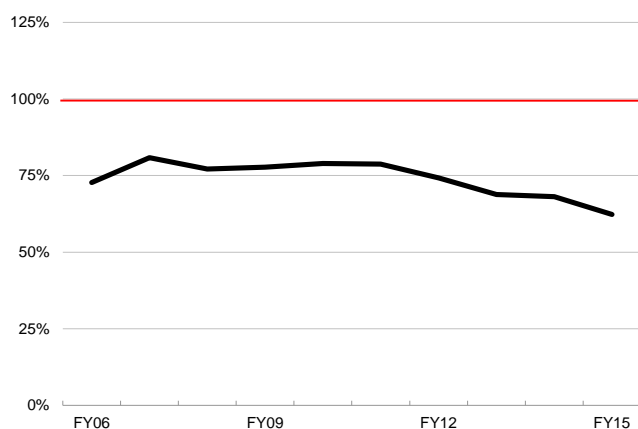


Figure 18: Mental Health

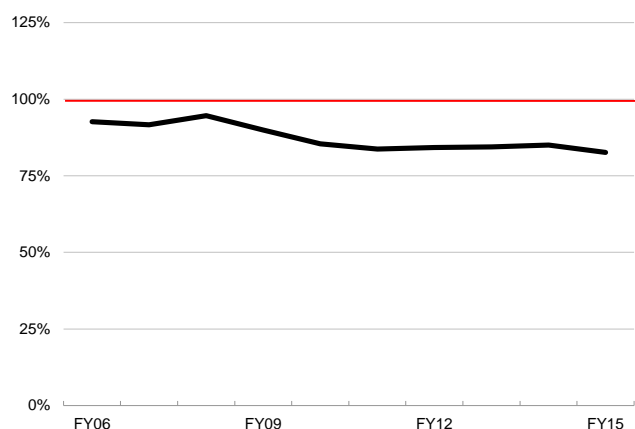


Figure 19: Appeals

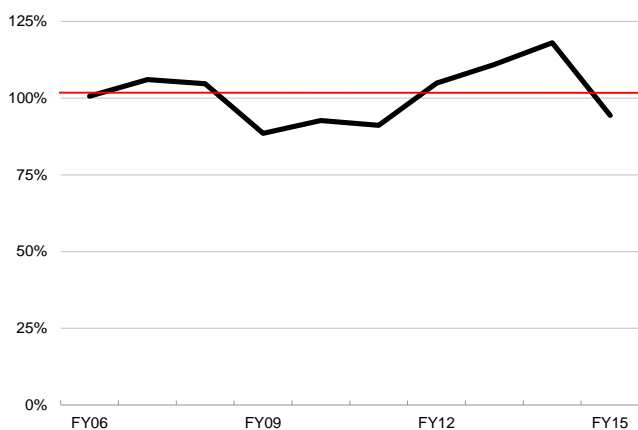
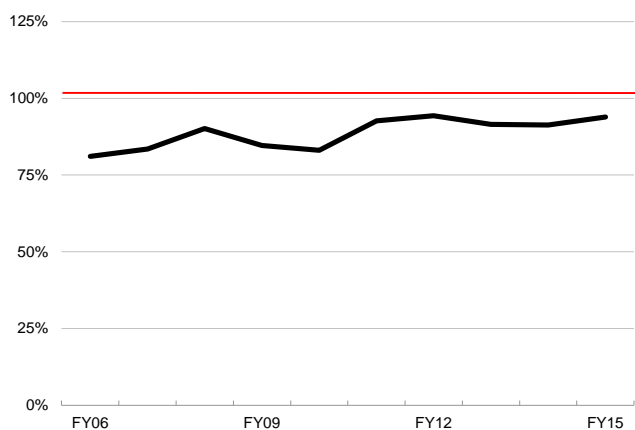


Figure 20: Criminal Habeas Corpus



Appendix C: CalCourTools—Time to Disposition
Civil Unlimited, Civil Limited, Small Claims
Fiscal Years 2005–06 through 2014–15

Superior Courts
Figures 21–24

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

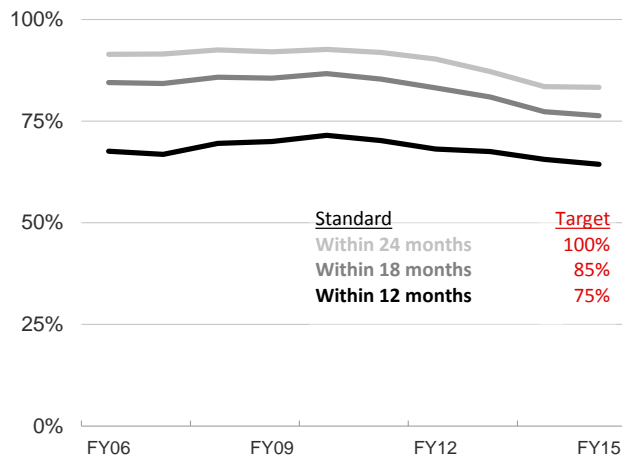


Figure 22: Limited Civil

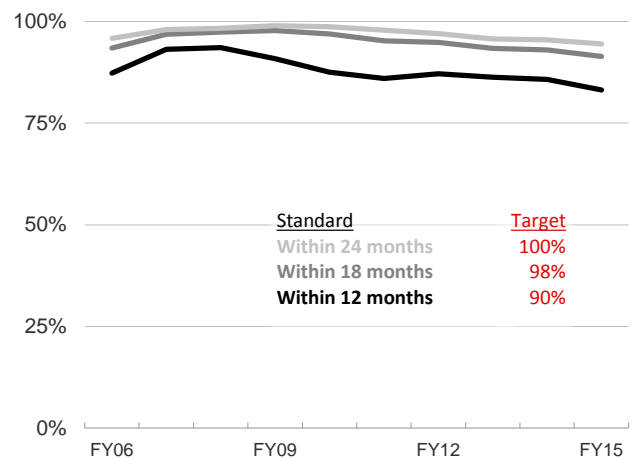


Figure 23: Unlawful Detainer

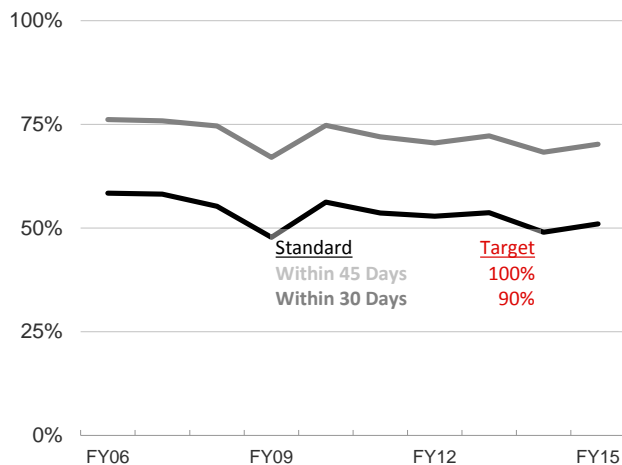


Figure 24: Small Claims

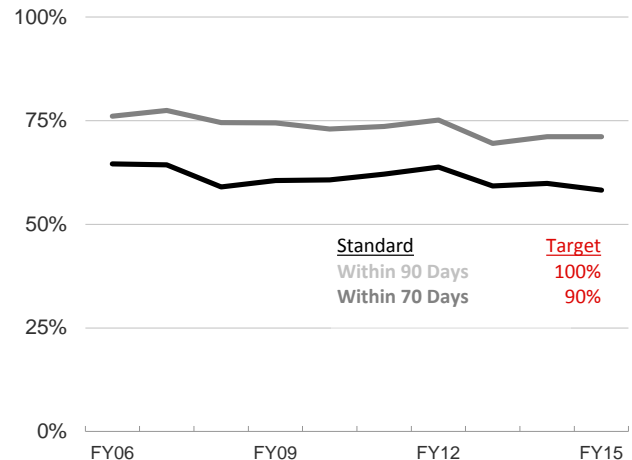
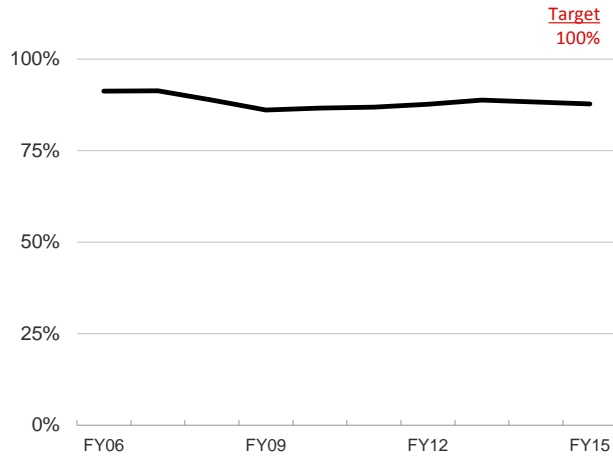


Figure 25: Felonies disposed within 12 months



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

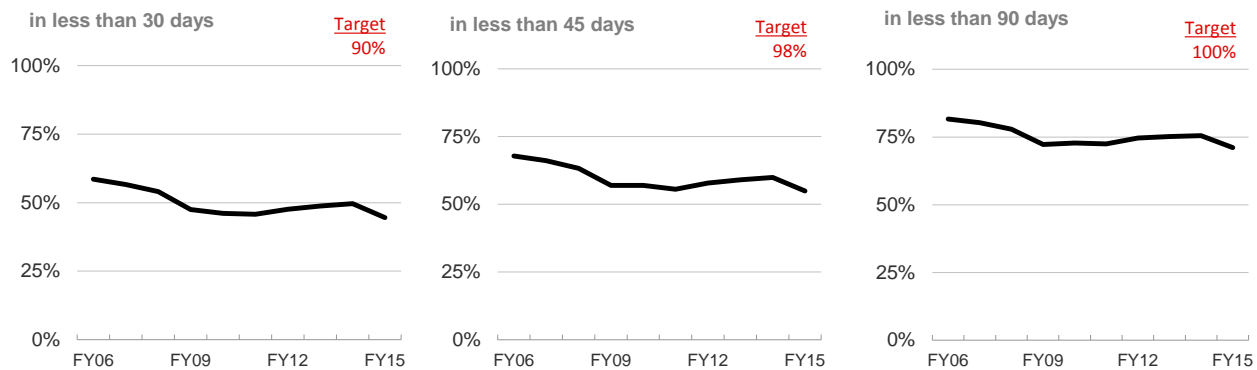


Figure 27: Misdemeanors disposed

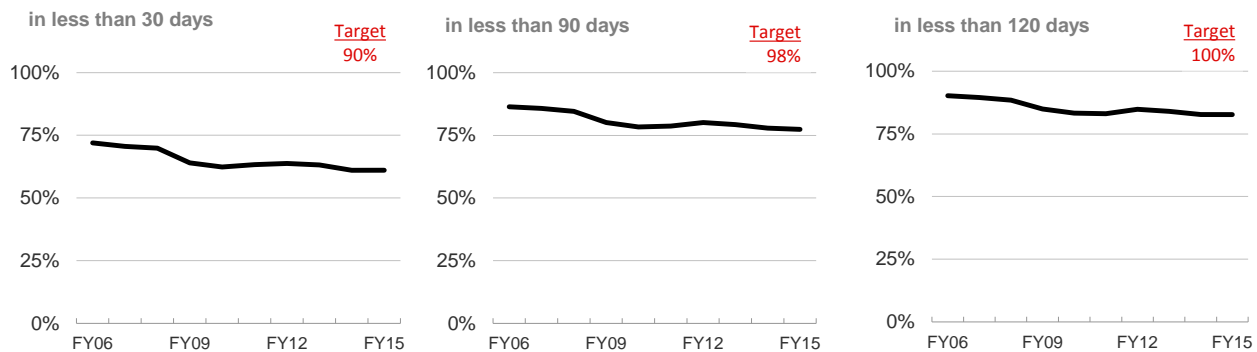


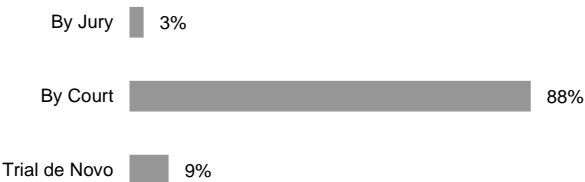
Figure 28: How and at what stage are civil cases resolved?

Unlimited Civil

Number disposed before trial



Number disposed after trial

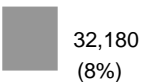


Limited Civil

Number disposed before trial



Number disposed after trial



Small Claims

Number disposed before trial



Number disposed after trial

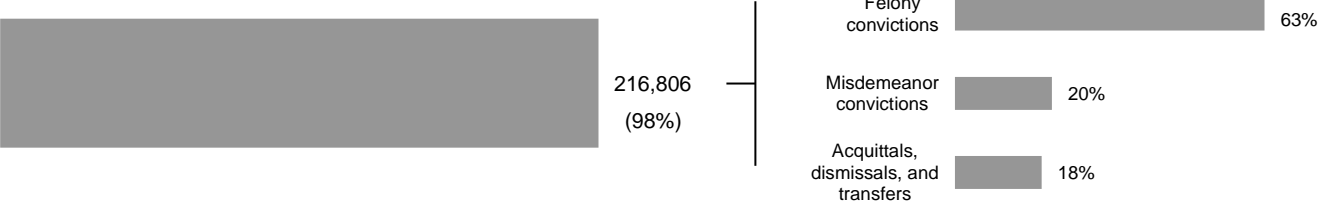


Figure 29: How and at what stage are felony cases resolved?

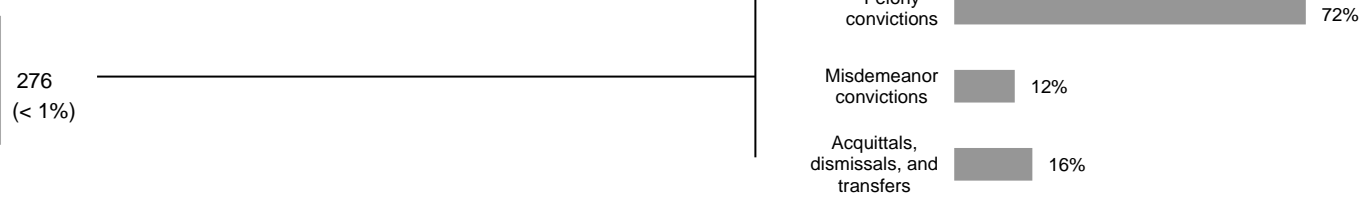
Total felony dispositions (not including felony petitions)



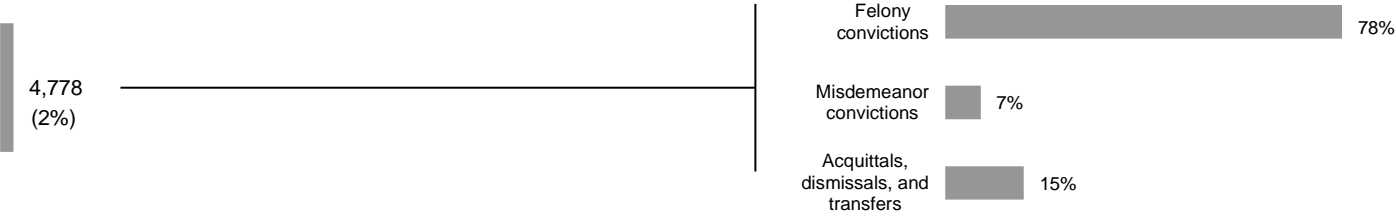
Number disposed before trial



Court trials



Jury trials

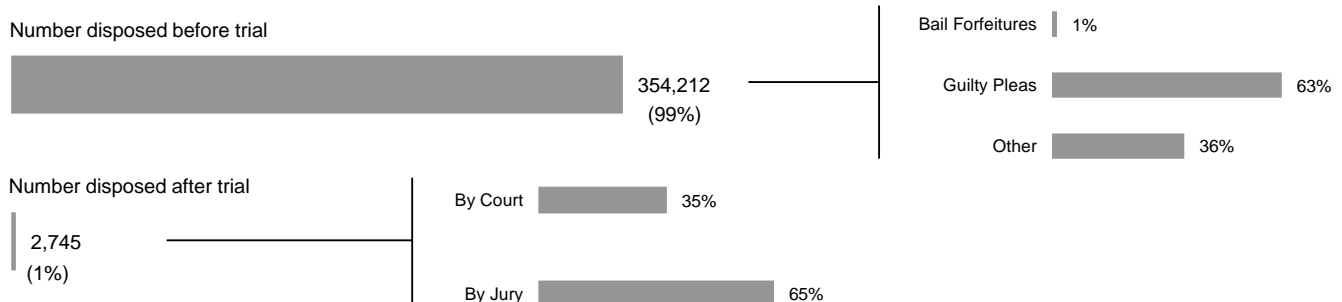


Appendix D (continued): Caseflow Management Data
Stage of Case at Disposition — Misdemeanors and Infractions
Fiscal Year 2014–15

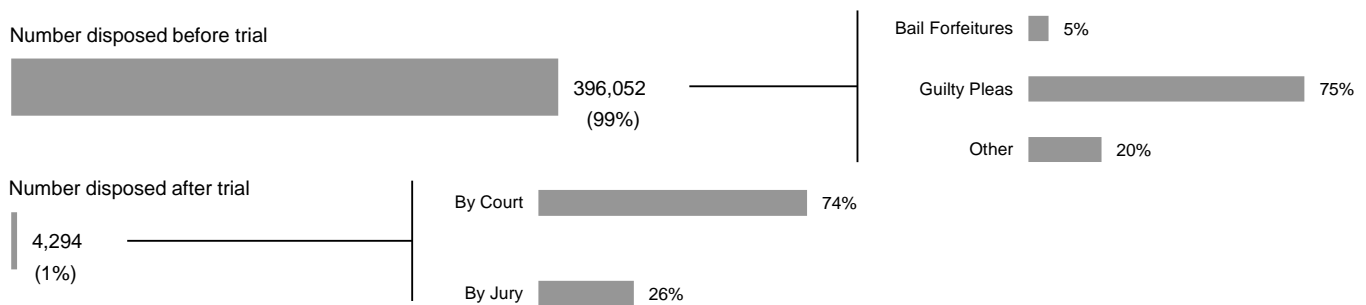
Superior Courts
Figure 30

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

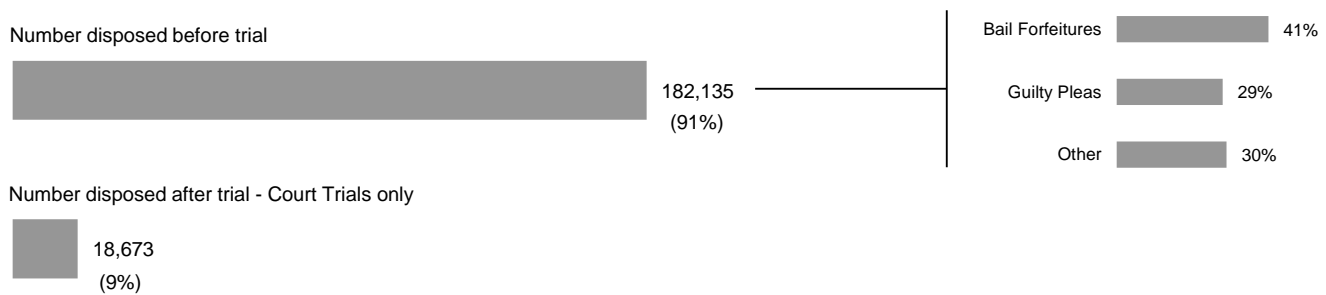
Nontraffic Misdemeanors



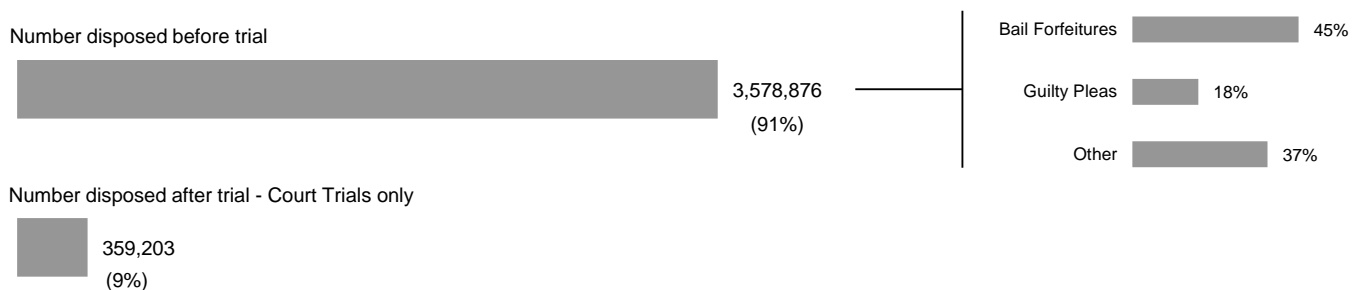
Traffic Misdemeanors



Nontraffic Infractions

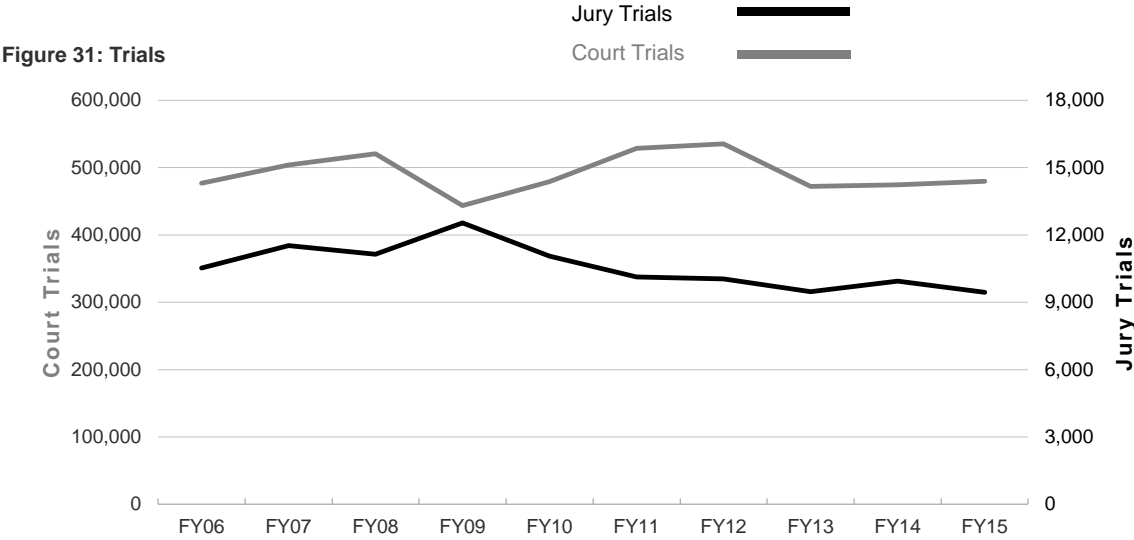


Traffic Infractions

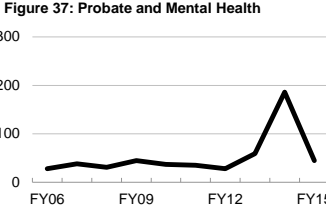
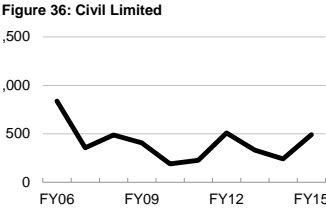
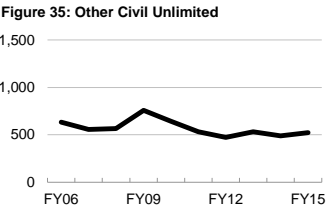
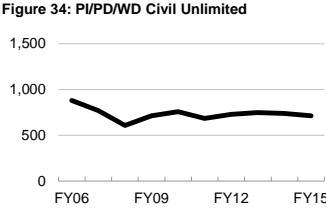
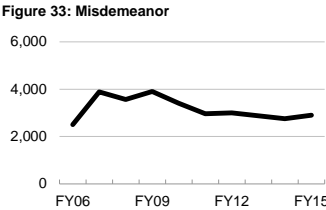
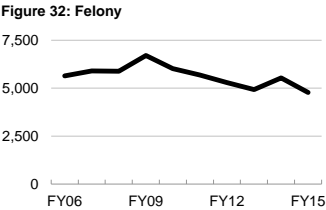


Appendix E: Caseflow Management Data
Trials By Type of Proceeding
Fiscal Years 2005–06 through 2014–15

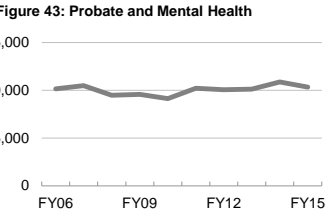
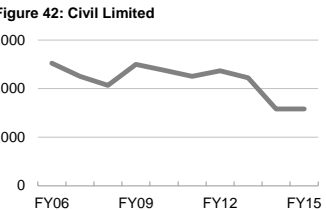
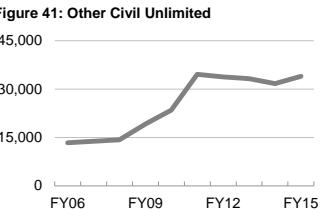
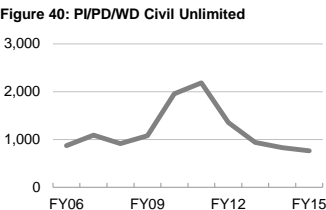
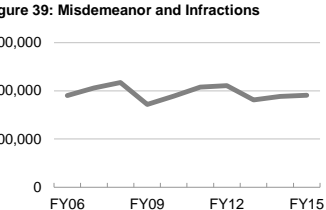
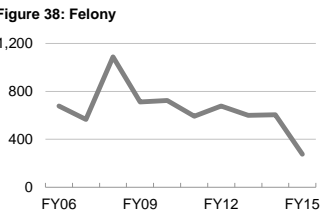
Superior Courts
Figures 31–43



Jury Trials



Court Trials



Appendix F: Assessed Judicial Need, 2016 Update

	A	B	C
County	Authorized and funded Judicial Positions ¹	2016 Assessed Judicial Need	Funded AJN- AJP (B-A)
Amador	2.3	2.8	0.5
Butte	13.0	14.6	1.6
Calaveras	2.3	2.7	0.4
Del Norte	2.8	3.0	0.2
El Dorado	9.0	9.1	0.1
Fresno	49.0	61.8	12.8
Humboldt	8.0	10.4	2.4
Imperial	11.3	12.9	1.6
Kern	43.0	56.8	13.8
Kings	8.6	11.7	3.1
Lake	4.7	5.5	0.8
Lassen	2.3	2.6	0.3
Madera	9.3	10.3	1.0
Merced	12.0	15.0	3.0
Napa	8.0	8.0	0.0
Placer	14.5	19.2	4.7
Riverside	76.0	122.8	46.8
Sacramento	72.5	82.9	10.4
San Benito	2.3	2.6	0.3
San Bernardino	86.0	134.1	48.1
San Joaquin	33.5	42.2	8.7
San Luis Obispo	15.0	16.9	1.9
Santa Cruz	13.5	13.6	0.1
Shasta	12.0	16.7	4.7
Sonoma	23.0	23.8	0.8
Stanislaus	24.0	31.5	7.5
Sutter	5.3	6.8	1.5
Tehama	4.3	5.8	1.5
Tulare	23.0	27.5	4.5
Ventura	33.0	38.0	5.0
Yuba	5.3	5.9	0.5
Total need:			188.5
¹ Authorized judicial positions, not including judgeships that were authorized under AB 159.			

Appendix G: Subordinate Judicial Officer Conversions

Fiscal Years 2007–08 through 2015–16

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

	Positions Eligible for Conversion	Conversions									Total Conversions to Date
		07-08	08-09	09-10	10-11	11-12*	12-13	13-14	14-15	15-16	
Courts Still Eligible for SJO Conversions											
Los Angeles	79	4	5	7	7	8	6	7	7	7	58
Napa	1	0	0	0	0	0	0	0	0	0	0
Placer	2	0	0	0	0	0	0	0	0	0	0
San Diego	7	2	0	0	0	0	1	1	0	2	6
San Mateo	2	0	0	0	0	0	0	0	0	0	0
Orange	17	1	2	2	2	3	2	2	0	0	14
Sacramento	6	1	2	0	0	2	0	0	0	0	5
Courts That Have Completed Their SJO Conversions											
Alameda	6	0	0	1	2	3	0	0	0	0	6
Contra Costa	4	3	0	1	0	0	0	0	0	0	4
El Dorado	2	0	1	0	1	0	0	0	0	0	2
Fresno	3	0	1	0	1	0	0	1	0	0	3
Imperial	1	0	0	0	1	0	0	0	0	0	1
Kern	1	0	1	0	0	0	0	0	0	0	1
Marin	2	0	0	0	0	1	1	0	0	0	2
Merced	2	0	1	0	0	1	0	0	0	0	2
Riverside	6	1	1	0	0	1	3	0	0	0	6
San Francisco	2	1	0	1	0	0	0	0	0	0	2
San Luis Obispo	2	1	0	0	0	0	0	0	0	1	2
Santa Barbara	2	0	0	2	0	0	0	0	0	0	2
Santa Cruz	2	0	0	0	0	1	0	0	0	1	2
Solano	3	1	2	0	0	0	0	0	0	0	3
Sonoma	2	0	0	1	1	0	0	0	0	0	2
Stanislaus	1	0	0	0	1	0	0	0	0	0	1
Tulare	2	0	0	1	0	0	0	0	1	0	2
Yolo	2	1	0	0	0	0	0	0	1	0	2
Total	159	16	16	16	16	20	13	11	9	11	128
Last Updated: October 12, 2016											

* Total conversions in FY 2011-2012 exceed 16 because of the enactment of Senate Bill 405, which increased the number of allowable conversions in specific circumstances for this fiscal year.

Note: A total of 162 SJO conversions to judgeships are possible under AB 159.

Shaded rows represent courts that have completed all of the conversions for which they are eligible.

Judicial Council of California
Office of Court Research
455 Golden Gate Avenue
San Francisco, California 94102-3688

More information about the state judicial system may be found on the California Courts website at www.courts.ca.gov.