



## JUDICIAL COUNCIL OF CALIFORNIA

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# REPORT TO THE JUDICIAL COUNCIL

For business meeting on May 24, 2018

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**Title**

Trial Courts: Revise Workload Measurement of Infractions Cases in Resource Assessment Study Model

**Agenda Item Type**

Action Required

**Effective Date**

May 24, 2018

**Rules, Forms, Standards, or Statutes Affected**

None

**Date of Report**

May 9, 2018

**Recommended by**

Workload Assessment Advisory Committee  
Hon. Lorna A. Alksne, Chair  
Judicial Council staff  
Leah Rose-Goodwin, Manager  
Savet Hong, Senior Research Analyst  
Budget Services

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### Executive Summary

The Workload Assessment Advisory Committee recommends that the Judicial Council adopt a methodological adjustment to the Resource Assessment Study (RAS) model for measuring court workload in infractions cases. The RAS model uses a weighted caseload methodology to measure trial court staff need, with different weights assigned to infractions workload for courts with more than and fewer than 100,000 filings. The infractions workload of courts whose average annual infractions workload was previously higher than 100,000, but has since dropped below that threshold, will continue to be measured using the weight assigned to large courts. This change will ensure that the measurement of this workload reflects the resources and technology that courts employ to process these cases. If adopted, this change would take place immediately and would be used to calculate the RAS workload need for budget allocations starting with fiscal year 2018–19.

## **Recommendation**

The Workload Assessment Advisory Committee recommends that the Judicial Council, effective May 24, 2018, adopt an adjustment to the methodology used to measure workload for infractions cases in courts whose three-year average annual filings were above 100,000 as of fiscal year (FY) 2013–14 but whose filings counts have dropped below that number since that time. The workload need for infractions cases in those courts would be computed using the caseweight (the number of minutes per filing for a given case type) that is applied to courts above 100,000 filings, which is currently 28 minutes per filing.

## **Relevant Previous Council Action**

In 2000, the Judicial Council’s Office of Court Research was directed to develop workload measures for nonjudicial trial court staff with the goal of developing a method for allocating resources to the trial courts that takes workload into account. In February 2013, the council approved an updated version of RAS with caseweights and other model parameters derived from a 2010 time study (see Links A and B). In that same year, the council approved a recommendation to adopt a new funding model—the Workload-based Allocation and Funding Methodology (WAFM)—that would use the RAS model as the basis for its workload-based funding model (see Link C).

The Workload Assessment Advisory Committee (WAAC) has periodically recommended making technical adjustments to the model in the periods between time study updates as new data become available or if a new issue is identified that changes court workload need. Between the 2010 and 2016 time studies, two technical adjustments to the RAS model were approved. One was a recommendation from the Trial Court Budget Advisory Committee that the committee<sup>1</sup> study special circumstance workload (see Link D); the other was a request to develop an interim caseweight to measure the workload in complex civil cases following the dissolution of the complex civil pilot program and corresponding loss of Trial Court Improvement and Modernization Fund funding. An interim caseweight to measure complex civil workload was approved by the council at its June 26, 2015, meeting and implemented starting with the FY 2015–16 budget allocations (see Link E).

In July 2017, the council approved an updated version of RAS with caseweights and other model parameters derived from a 2016 time study (see Link F) and directed WAAC to conduct any necessary interim analyses or make any technical adjustments needed prior to the next workload study update.

## **Analysis/Rationale**

This report recommends that a technical adjustment be made to how RAS measures infractions workload. The RAS model has two infractions caseweights:

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<sup>1</sup> The request was made of the Judicial Branch Resource Needs Assessment Advisory Committee, which later became the Workload Assessment Advisory Committee. Before becoming an advisory committee, the group was known as the SB 56 Working Group.

- In courts where the three-year average of infractions filings is under 100,000, a caseweight of 40 minutes per filing is used; and
- In courts above the 100,000-filings threshold a lower caseweight of 28 minutes per filing is used.

The 2010 and 2016 RAS time study findings showed that larger courts in general are able to take advantage of economies of scale for processing these high-volume cases, but that these economies are usually not cost-effective for smaller courts.

When the two-weight model was developed, it was not contemplated that some larger courts would experience a sustained and seemingly permanent decline in infractions filings from over 100,000 filings to below 100,000. The current decision rule for applying the RAS model caseweights for infractions workload is to use the weight that corresponds to the average annual filings. The following table illustrates the issue that has led to the proposed technical adjustment:

**Table 1: Change in infractions workload over time in hypothetical Court A**

<b>Court A</b>	<b>FY 2013–14</b>	<b>FY 2014–15</b>	<b>FY 2015–16</b>	<b>FY 2016–17</b>
Infractions filings (three-year annual average)	120,000	105,000	101,000	95,000
Infractions caseweight applied	28	28	28	40
Full-time-equivalent (FTE) need (infractions workload)	30.2	26.4	25.4	34.1

In Table 1, Court A’s three-year averages of annual filings are shown in the first row. The caseweight that would be applied to the filings is shown in the second row. The full-time equivalents needed to process that workload are shown in the last row. This calculation is done by multiplying the filings by the caseweight and dividing by the time court staff have for their case processing work. The table shows that once Court A’s filings drop below 100,000 in 2016–17 and the higher caseweight is applied, the full-time equivalents needed to process the infractions workload would seemingly increase by about nine FTEs, even though there is no evidence that the court “lost” the economies of scale or the technology to process this workload. This outcome was not anticipated when the model was established; the higher weight is meant to direct the appropriate amount of resources to smaller courts that cannot realize the efficiencies gained by having a higher volume of filings.

Attachment A shows the previous-three-year average of filings for each court for fiscal years 2013–14 to 2018–19. Two courts recently dropped below the 100,000-filing threshold; three additional courts are within range of crossing the threshold. The courts most likely to cross the 100,000-filings threshold are Cluster 3 (medium-sized) courts (see Attachment B). Filing volumes in these courts are closer to the threshold, and fluctuate more, as shown in Attachment A. The volume of filings in small courts will remain too low—and the volume in Cluster 4 (large) courts is likely to remain too high—to be affected by this policy change.

## **Policy implications**

This technical change is intended to improve the measurement of court workload in infractions cases. This technical adjustment will be implemented at the same time that the new RAS caseweights, approved by the council in July 2017, will be used for budget allocation purposes for the first time.

## **Comments**

This proposal was not circulated for comment. However, the committee met on February 8, 2018, to review this issue and unanimously approved applying the technical change to courts that had over 100,000 filings in 2013–14 (the first year the RAS model was used for allocation purposes).

## **Alternatives considered**

In addition to weighing whether or not to adopt the technical adjustment, WAAC considered whether additional research should be conducted before making a decision and considered various time frames for applying the technical change. In addition, WAAC considered whether one of the initiatives brought forward by the Commission on the Future of California's Court System—to make traffic infractions a civil matter—might change how infractions workload should be measured and whether the current policy principles would continue to be applicable. WAAC decided it would wait for the results of the commission's work to decide whether to conduct further study, with the hope that it might coincide with the next time study update.

## **Fiscal and Operational Impacts**

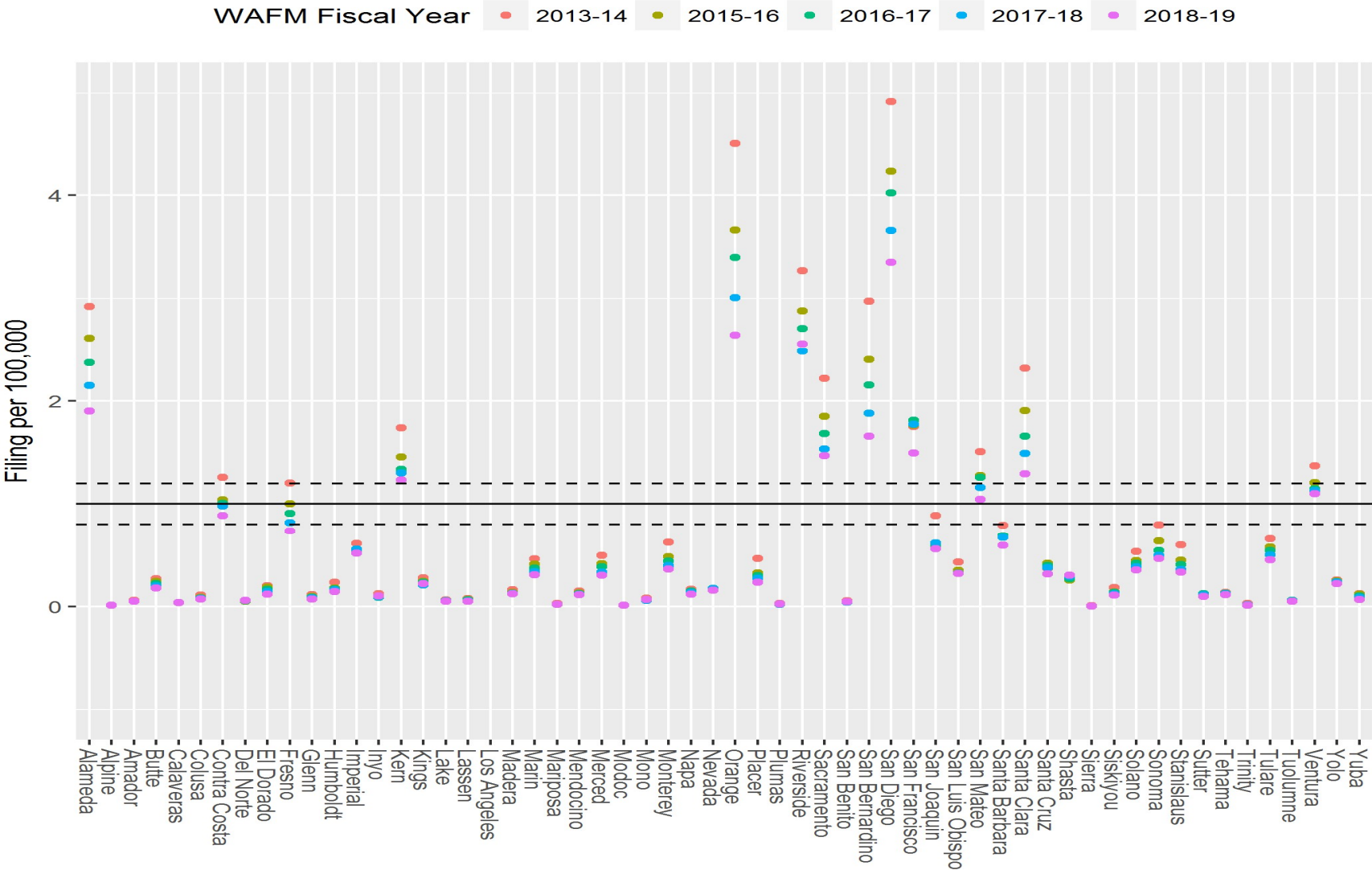
There is no fiscal impact to the judicial branch to implement the recommendation. If adopted, the proposal would become effective immediately and the change would be implemented with the FY 2018–19 budget allocations.

## **Attachments and Links**

1. Attachment A: Three-Year Average of Filings by County and Selected WAFM Fiscal Year
2. Attachment B: Cluster 3 Courts: Position Relative to the 100K RAS Infractions Filings Threshold for FY 2013–14 to FY 2018–19
3. Link A: Judicial Council report, *Fiscal Year 2005–2006 Trial Court Budget Allocations* (July 20, 2005), [www.courts.ca.gov/documents/0705item1.pdf](http://www.courts.ca.gov/documents/0705item1.pdf)
4. Link B: Judicial Council report, *Trial Courts: Update of the Resource Assessment Study Model* (Feb. 8, 2016), [www.courts.ca.gov/documents/jc-20130226-itemM.pdf](http://www.courts.ca.gov/documents/jc-20130226-itemM.pdf)
5. Link C: Judicial Council report, *Trial Court Budget Working Group: Recommendation of New Budget Development and Allocation Methodology* (July 1, 2013), [www.courts.ca.gov/documents/jc-20130426-itemP.pdf](http://www.courts.ca.gov/documents/jc-20130426-itemP.pdf)
6. Link D: Judicial Council report, *Trial Court Allocations: Revisions to the Workload-Based Allocation and Funding Methodology* (Feb. 10, 2014), [www.courts.ca.gov/documents/jc-20140220-itemK.pdf](http://www.courts.ca.gov/documents/jc-20140220-itemK.pdf)

7. Link E: Judicial Council report, *Trial Courts: Resource Assessment Study Model Interim Complex Civil Caseload* (June 3, 2015), [www.courts.ca.gov/documents/jc-20150626-item4.pdf](http://www.courts.ca.gov/documents/jc-20150626-item4.pdf)
8. Link F: Judicial Council report, *Trial Courts: Update of Resource Assessment Study Model* (June 13, 2017), <https://jcc.legistar.com/View.ashx?M=F&ID=5338582&GUID=FA2962D0-141A-40D4-B9CA-CB5C2467A49C>

Three-Year Average of Filings by County and Selected WAFM Fiscal Year



**Cluster 3 Courts: Position Relative to the 100K RAS Infractions Filings Threshold  
for FY 2013–14 to FY 2018–19**

	WAFM Fiscal Year				
County	2013–14	2015–16	2016–17	2017–18	2018–19
Contra Costa	A	A	A	B	B
Fresno	A	A	B	B	B
Kern	A	A	A	A	A
Monterey	B	B	B	B	B
San Joaquin	B	B	B	B	B
San Mateo	A	A	A	A	A
Santa Barbara	B	B	B	B	B
Solano	B	B	B	B	B
Sonoma	B	B	B	B	B
Stanislaus	B	B	B	B	B
Tulare	B	B	B	B	B
Ventura	A	A	A	A	A

Legend
A = Above the 100K Threshold
B = Below the 100K Threshold