



## JUDICIAL COUNCIL OF CALIFORNIA

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# REPORT TO THE JUDICIAL COUNCIL

*Item No.:* 20-211

For business meeting on November 13, 2020

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**Title**

Report to the Legislature: Measures to Promote Fair and Efficient Administration of Justice

**Agenda Item Type**

Information Only

**Date of Report**

November 13, 2020

**Submitted by**

Workload Assessment Advisory Committee  
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### Executive Summary

The Judicial Council must adopt and annually report on judicial administration standards and measures that promote the fair and efficient administration of justice per Government Code section 77001.5. The attached report, *Standards and Measures That Promote the Fair and Efficient Administration of Justice*, reports on Judicial Branch progress in the following areas: (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.

### Relevant Previous Council Action

The council has received this report annually since 2013. Before 2013, the reports were submitted to the Legislature but not reviewed by the Judicial Council, because protocol at that time did not require council review on reports that did not include recommendations.

### Analysis/Rationale

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.

These data are reported annually in the *Court Statistics Report*. The data used in this report are from fiscal year 2018–19, the most current data available at the time it was written.

In addition to these measures, this report also provides information on the availability of judicial branch resources that contribute to 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).<sup>1</sup>

Finally, this report provides a brief narrative describing the Judicial Council–approved weighted caseload workload models, both judicial and staff, and how they relate to standards and measures of judicial administration.

### **Fiscal Impact and Policy Implications**

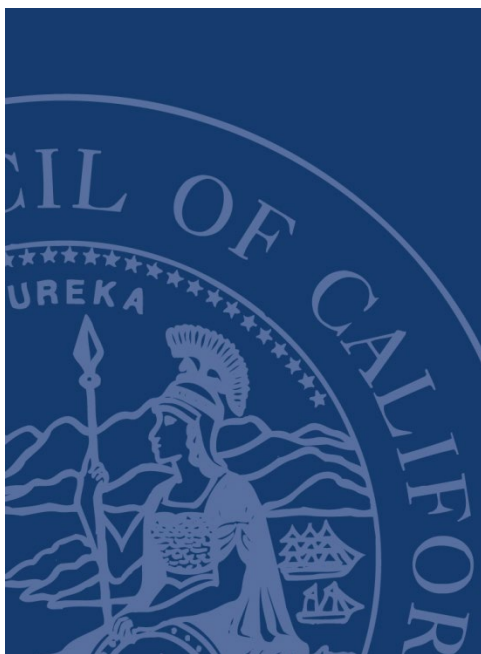
This report relies on already-published measures of court performance, so the fiscal impact to produce it is minimal, apart from staff costs to assemble and transmit the report. Several courts continue to undergo case management system upgrades that have made production of these data elements difficult; this year, 3 trial courts were unable to report complete filings data and 16 courts were unable to report complete disposition data. Several years may pass before their case management systems are stable enough to produce complete and reliable data for all trial courts.

### **Attachments and Links**

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

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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 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](http://www.courts.ca.gov/documents/lr-Jud-Admin-Stand-and-measures-122712.pdf).



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

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REPORT TO THE LEGISLATURE UNDER  
GOVERNMENT CODE SECTION 77001.5

NOVEMBER 2020



**JUDICIAL COUNCIL  
OF CALIFORNIA**

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OPERATIONS AND PROGRAMS DIVISION  
BUSINESS MANAGEMENT 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:

- Providing equal access to courts and respectful treatment for all court participants;
- Case processing, including the efficient use of judicial resources; and
- 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
- Trials by type of proceeding

In addition to these measures, this report also provides information on the availability of branch resources that contribute to 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](#)).<sup>1</sup>

Finally, this report provides a brief narrative describing the Judicial Council–approved weighted caseload models, both judicial and staff, and how they relate to standards and measures of judicial administration.

## Quantitative Measures of Court Performance

The National Center for State Courts (NCSC) developed *CourTools* to provide trial courts with “a set of balanced and realistic performance measures that are practical to implement and use.”<sup>2</sup> *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 *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.

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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 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](http://www.courts.ca.gov/documents/lr-Jud-Admin-Stand-and-measures-122712.pdf).

<sup>2</sup> See National Center for State Courts, “CourTools: Giving the Courts the Tools to Measure Success” (undated), [www.courttools.org/trial-court-performance-measures](http://www.courttools.org/trial-court-performance-measures).

California courts are able to report on some but not all *CourTools* performance measures. Table 1 shows the two measures for which data in the California trial courts are available: clearance rates and time to disposition.

**Table 1: Status of *CourTools* Data in California Trial Courts**

<b>NCSC's <i>CourTools</i></b>	<b>Availability</b>	<b>Scope</b>	<b>Data Quality</b>	<b>Location in This Report</b>
Clearance Rates	Monthly Reports	All courts	Fair	Appendix B
Time to Disposition	Monthly Reports	Missing data from some courts on some case types	Fair	Appendix C

### ***Clearance Rates***

Caseload clearance 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. Because 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 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 can 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 (see Appendix A). This standard establishes caseload clearance in civil case processing as a judicial administration goal and sets time-to-disposition goals for six criminal and civil case types:

- Felony
- Misdemeanor
- Unlimited civil
- Limited civil
- Small claims
- Unlawful detainer

### **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 a case 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 the 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 useful diagnostic measures of a court’s case management practices and the timeliness and quality of case resolution.<sup>3</sup> They can also help courts assess the level of resources required to get cases to disposition.

**Trials by Type of Proceeding**

The number and types of trials are important data elements to break out separately from the data on the stage of a 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 describes the quality of the data on these additional measures of court operations.

**Table 2: Status of Data in California Trial Courts**

<b>Caseflow Management Data</b>	<b>Availability</b>	<b>Scope</b>	<b>Data Quality</b>	<b>Location in This Report</b>
Stage of Case at Disposition	Monthly Reports	All courts	Fair	Appendix D
Trials by Type of Proceeding	Monthly Reports	All courts	Fair	Appendix E

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

**Caseload Clearance Rates<sup>5</sup>**

In fiscal year 2018–19,<sup>6</sup> the most recent year for which data are available, clearance rates both increased and decreased for various case types compared to rates from the previous fiscal year (see Appendix B).

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<sup>3</sup> 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 court’s best efforts, the stage and manner of disposition may be beyond the authority of the court to affect substantially.

<sup>4</sup> All findings reported here refer to trial court data submitted through June 30, 2019. These data are reported in more detail in the *2020 Court Statistics Report*, available at [www.courts.ca.gov/13421.htm](http://www.courts.ca.gov/13421.htm).

<sup>5</sup> Although most courts reported disposition data for calculating case clearance rates, 16 were unable to give this information for at least one case types. Four of those courts were unable to give disposition data for any case type. Changes in a court’s case management system is the most common reason for incomplete or missing disposition data.

<sup>6</sup> All further references to year ranges are to fiscal years unless otherwise indicated.

- **Civil.** In 2018–19, the clearance rate for total unlimited civil case types decreased from the previous year (from 88 to 80 percent), with decreases in three specific unlimited civil case types: motor vehicle unlimited decreased from 89 to 88 percent, other personal injury/property damage/wrongful death (PI/PD/WD) decreased from 91 to 83 percent, and other unlimited civil complaints and petitions decreased from 87 to 78 percent. The small claims appeals clearance rate stayed constant at 80 percent. The limited civil clearance rate increased from 66 to 86 percent,<sup>7</sup> and the small claims clearance rate increased from 100 to 101 percent.
- **Criminal.** Criminal clearance rates for all case types decreased in 2018–19. The felony clearance rate decreased from 85 to 74 percent, while the nontraffic misdemeanor clearance rate decreased from 67 to 63 percent and the nontraffic infraction clearance rate dropped from 46 to 25 percent. The traffic misdemeanor clearance rate decreased slightly from 68 to 67 percent, and the traffic infraction clearance rate decreased from 82 to 70 percent.
- **Family and juvenile.** In 2018–19, the clearance rate for total family law case types slightly increased from 84 to 86 percent. The clearance rate for delinquency cases decreased from 80 to 74 percent, while the dependency clearance rate saw only a marginal decrease from 88 to 87 percent.
- **Probate and mental health.** Both probate and total mental health cases demonstrated a slight decrease in clearance rate in 2018–19. The probate clearance rate decreased from 71 to 70 percent. The clearance rate for total mental health cases decreased from 84 to 44 percent.<sup>8</sup>

### **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 2018–19, the percentage of unlimited civil cases disposed of within the recommended time increased by 5 percent, while limited civil cases increased by 1 percent. Unlawful detainer cases decreased 10 percent, while small claims cases remained stable with no change in cases disposed of in the recommended time (see Appendix C).

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<sup>7</sup> For 2017–18, the Superior Court of Los Angeles County reported dispositions for all case types except limited civil. The absence of this data drove the limited civil clearance rate down. In 2018–19, all disposition data was reported for Los Angeles County, leading to a more accurate limited civil clearance rate.

<sup>8</sup> Mental health certification case data, which is included in total mental health cases, is a new Judicial Branch Statistical Information System (JBSIS) data field collected in 2018–19. The low clearance rate of mental health certification cases brings down the total mental health case clearance rate relative to previous years.



- *Unlimited civil.* The goals for unlimited civil cases are 100 percent of cases disposed of within 24 months, 85 percent disposed of within 18 months, and 75 percent disposed of within 12 months. The percentage of unlimited civil cases disposed of within 24 months increased 5 percent from 85 to 90 percent; the percentage of cases disposed of within 18 months increased from 77 to 83 percent; and the percentage of cases disposed of within 12 months increased 5 percent from 64 to 69 percent.
- *Limited civil.* 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. The percentage of limited civil cases disposed of within 24 months increased 1 percent in 2018–19 to 97 percent; the percentage of cases disposed of within 18 months remained stable at 94 percent; and the percentage of cases disposed of within 12 months decreased, by 2 percentage points, to 83 percent.
- *Unlawful detainer.* 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. The percentage of cases disposed of within 45 days decreased 10 percentage points to 67 percent; the percentage of cases disposed of within 30 days decreased by 15 percentage points to 47 percent.
- *Small claims.* 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.<sup>9</sup> For 2018–19, the percentage of cases disposed of within 90 days remained at 58 percent; the percentage of cases disposed of in less than 70 days also continued to be stable at 68 percent.
- ***Criminal.*** The percentage of criminal cases disposed of within the recommended time standards all declined from the previous year (see Appendix C).
  - *Felony.* The goals for felony cases are as follows: All cases (except for capital cases) are to be 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 within 45 days, and 100 percent within 90 days. In 2018–19, the percentage of felonies disposed of in less than 12 months decreased from 79 to 72 percent. The percentage of felony cases resulting in bindovers or certified pleas disposed of within 30 days declined 11 percentage points to 28 percent; the percentage of such cases disposed of within 45 days declined

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<sup>9</sup> There is a discrepancy between the small claims goals listed in standard 2.2 of the Standards of Judicial Administration, which asks for the percentage of cases disposed of within 75 and 95 days of filing, and the small claims goals as reported in the *2020 Court Statistics Report*, which reports the percentage of cases disposed of within 70 and 90 days of filing. This issue will be addressed by the JBSIS subcommittee of the Court Executives Advisory Committee during upcoming reviews of disposition data standards.

9 percentage points to 40 percent; and the percentage of cases disposed of within 90 days declined 7 percentage points to 59 percent of cases.

- *Misdemeanor.* 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 2018–19, the percentage of cases disposed of within 30 days decreased by 11 percentage points to 39 percent, the percentage of cases disposed of at the 90-day mark declined 12 percentage points to 56 percent, and the percentage of cases disposed of in less than 120 days declined 11 percentage points to 64 percent.
- ***Family and juvenile.*** Time standards for family law cases are stated 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 unable 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***
  - Eighty percent of unlimited civil cases are disposed of before trial.
  - Of the remaining unlimited civil cases disposed of by a trial, the vast majority (89 percent) were bench trials. Only 3 percent of unlimited civil trials were adjudicated by a jury.
  - In limited civil cases, 1 percent of filings are disposed of by trial, with 98 percent conducted as bench trials.
  - In small claims, a majority (57 percent) of dispositions are after trial.
- ***Criminal***
  - The overwhelming majority of felony cases (97 percent) are disposed of before trial.
  - Of the felonies disposed of after trial, 90 percent are jury trials.
  - In felonies disposed of before trial, 68 percent result in felony convictions. In felony cases disposed of after bench trial, 65 percent result in a felony conviction. For felony cases disposed of after jury trial, 76 percent end in a felony conviction.
  - The vast majority of both nontraffic misdemeanors and traffic misdemeanors (99 percent for both) are disposed of before trial.

- Of the misdemeanors disposed of after trial, 37 percent of nontraffic cases and 64 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 decreased 11 percent, from 7,610 in 2017–18 to 6,809 in 2018–19. During this time, the number of felony jury trials decreased by 18 percent, from 3,919 to 3,212. Misdemeanor jury trials declined from 2,438 to 2,013, a 17 percent decrease. For civil cases, there were 723 PI/PD/WD unlimited civil jury trials, 402 other unlimited civil jury trials, and 350 limited civil jury trials. Lastly, there were 109 probate and mental health jury trials.
- ***Court trials.*** The total number of court trials increased by 18 percent from 314,656 in 2017–18 to 371,791 in 2018–19 across all case types. In 2018–19, 404 felony court trials were reported, a decrease of 66 percent from the previous year. The number of court trials for misdemeanor and infraction cases increased 26 percent to 279,472 trials. For civil cases, there were 467 PI/PD/WD unlimited civil trials, 31,605 other unlimited civil court trials, and 22,258 limited civil court trials. There were 37,585 court trials reported for probate and mental health cases,

### ***Judicial Workload and Resources***

- The 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 2020 Judicial Needs Assessment, 18 courts need new judgeships, for a total need of 139 full-time equivalent judicial officers (see Appendix F).
- 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 restores 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.
- One SJO conversion to judgeship was completed in 2019–20 (see Appendix G).
- A total of 156 SJO positions have been converted to judgeships since 2007–08. There are 6 positions remaining to convert (see Appendix G).

## Workload Models Update

The weighted caseload model has been the national standard for evaluating the workload of judges and court staff for over two decades.<sup>10</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, although a felony or an infraction case each represents one filing for the court, they have very different impacts on the court’s workload. Weighting caseloads 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 use weighted caseloads 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 because of changes in the law, rules of court, technology, and practice, all of which affect the average amount of time required for case processing. Periodic review and, where necessary, revision of caseweights ensure that the allocation formulas reported to the Legislature and the Governor accurately reflect the current average amount of time required to resolve cases.

The Judicial Council’s Workload Assessment Advisory Committee has recommended that judicial and staff workload models be updated every five years to ensure that the models used to measure workload and to allocate resources utilize the most up-to-date information possible. The staff workload model was updated, and new weights finalized in 2017. The judicial workload model was updated in 2018, and new weights were finalized in 2019.

In addition to updates to these two models, the Judicial Council also adopted a recommendation to refresh the model that is used to allocate SJO conversions.<sup>11</sup> Under Government Code section 69615, a total of 162 SJO positions were identified as in need of conversion to ensure sufficient judicial officers of each type. The positions were identified on the basis of a 2007 workload analysis, using caseweights from the 2001 Judicial Officer Study and filings data from 2002–03 through 2004–05.

Because 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 are allocated in the most effective manner.

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<sup>10</sup> See Victor E. Flango, *Assessing the Need for Judges and Court Support Staff* (National Center for State Courts, 1996).

<sup>11</sup> 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](http://www.courts.ca.gov/documents/jc-20150821-itemL.pdf).

## **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 courts' ability to provide fair and efficient administration of justice.

## **Appendix A: Standards of Judicial Administration, Standard 2.2**

### **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.

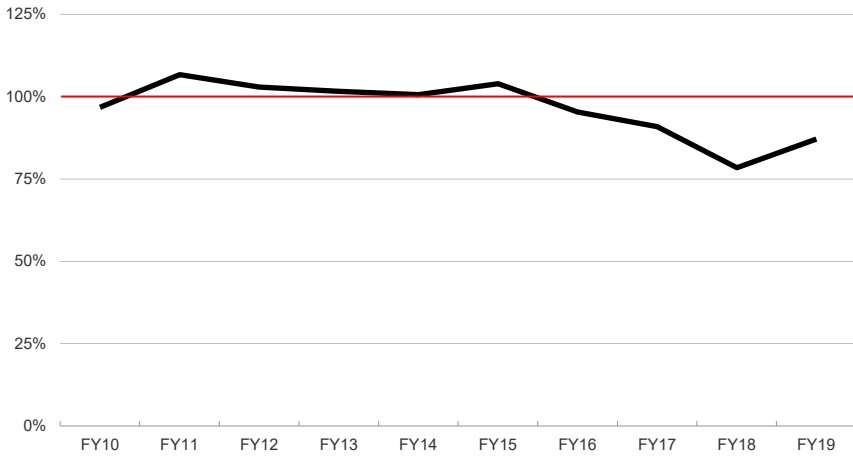
*(Subd (o) amended effective January 1, 2007; adopted effective January 1, 2004.)*

*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**  
 Fiscal Years 2009–10 through 2018–19

**Superior Courts**  
**Figures 1–8**

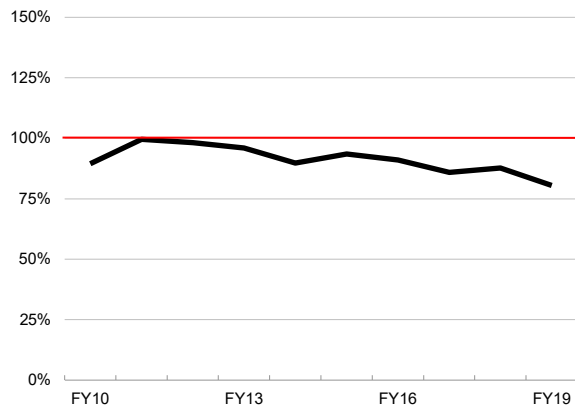
**Figure 1: Total Civil**



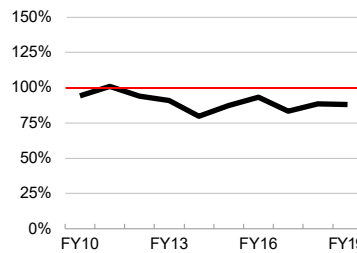
Clearance Rate equals the number of outgoing cases as a percentage of the number of incoming cases. A clearance rate of 100% indicates that the number of cases disposed of in any given year equals the number of cases filed.

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

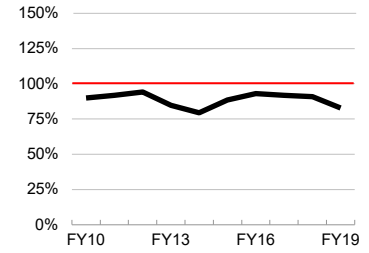
**Figure 2: Civil Unlimited**



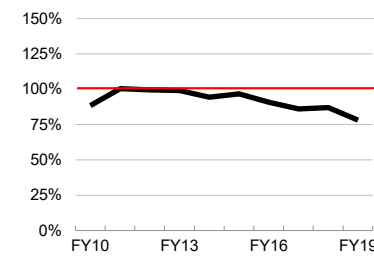
**Figure 3: Motor Vehicle PI/PD/WD**



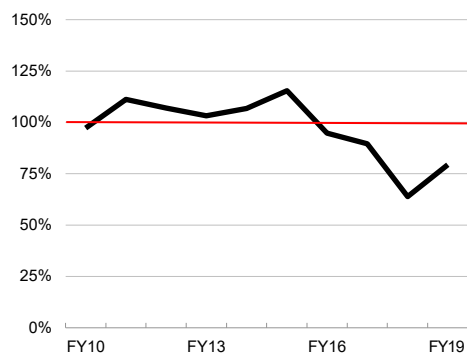
**Figure 4: Other PI/PD/WD**



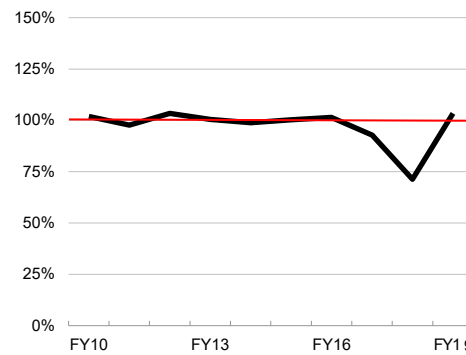
**Figure 5: Civil Complaints**



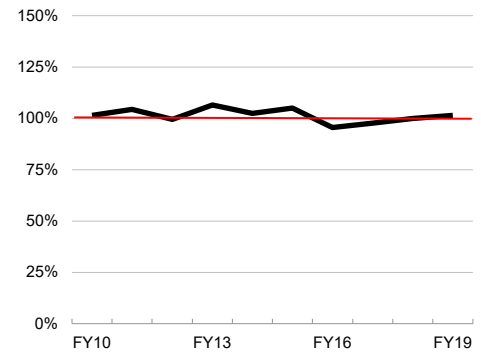
**Figure 6: Civil Limited**



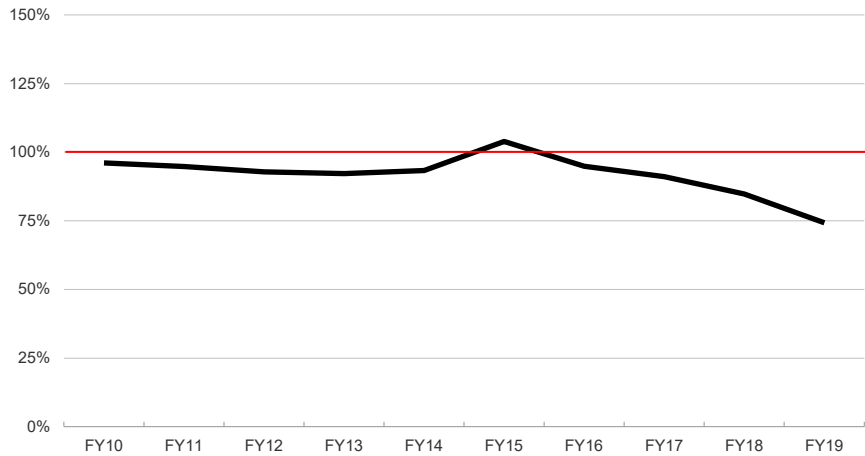
**Figure 7: Unlawful Detainer**



**Figure 8: Small Claims**



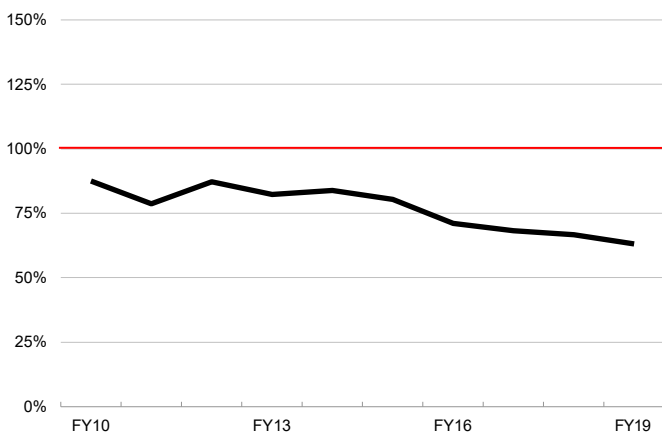
**Figure 9: Felony**



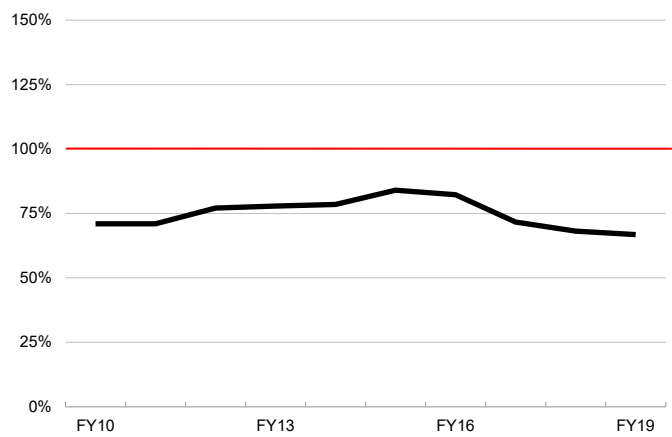
Clearance Rate equals the number of outgoing cases as a percentage of the number of incoming cases. A clearance rate of 100% indicates that the number of cases disposed of in any given year equals the number of cases filed.

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

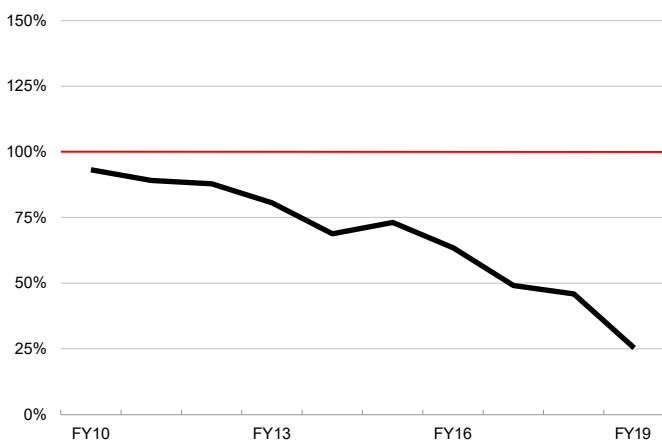
**Figure 10: Nontraffic Misdemeanor**



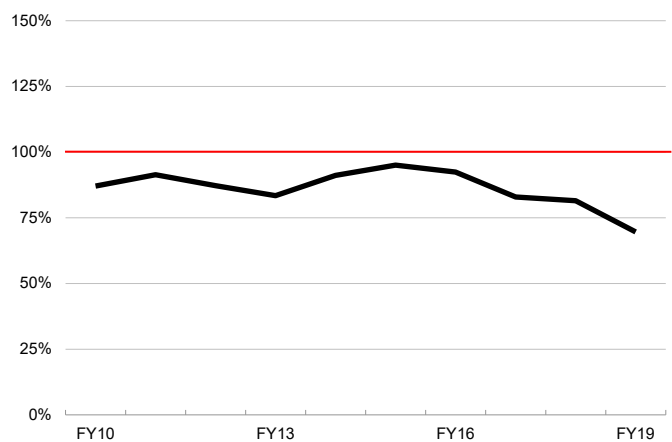
**Figure 11: Traffic Misdemeanor**



**Figure 12: Nontraffic Infraction**



**Figure 13: Traffic Infraction**



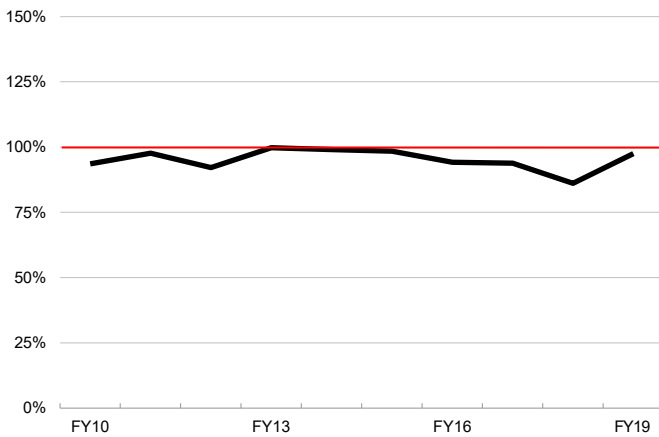
**Appendix B (continued): CalCourTools: Caseload Clearance Rates**  
**Family Law, Juvenile Delinquency, Juvenile Dependency**  
 Fiscal Years 2009–10 through 2018–19

**Superior Courts**  
**Figures 14–17**

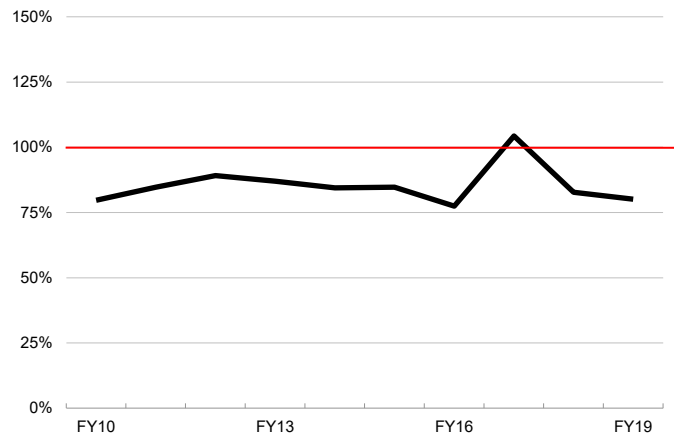
Clearance Rate equals the number of outgoing cases as a percentage of the number of incoming cases. A clearance rate of 100% indicates that the number of cases disposed of in any given year equals the number of cases filed.

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

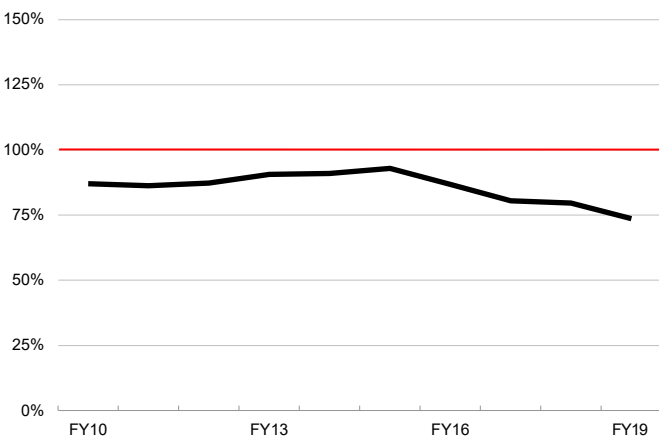
**Figure 14: Family Law — Marital**



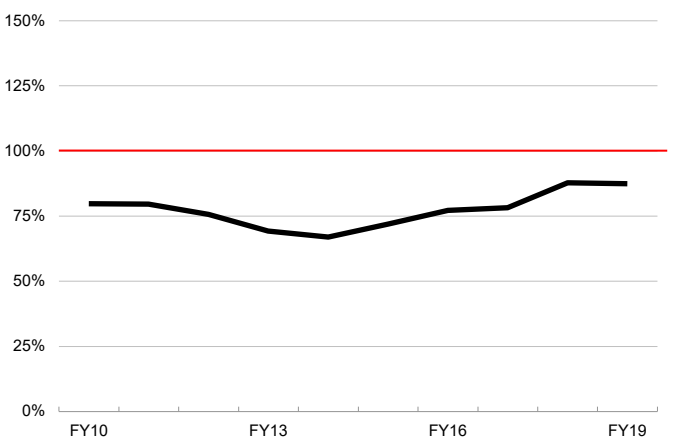
**Figure 15: Family Law Petitions**



**Figure 16: Juvenile Delinquency**



**Figure 17: Juvenile Dependency**



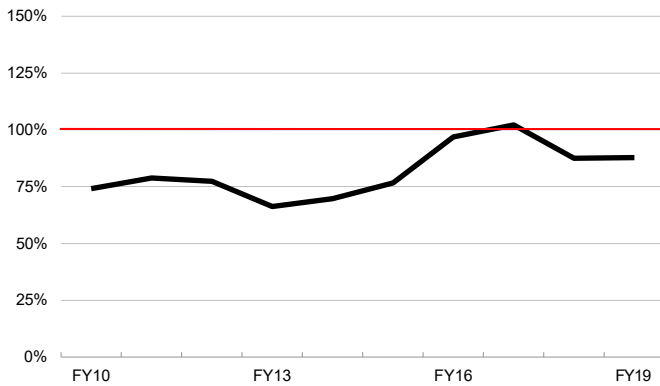
**Appendix B (continued): CalCourTools: Caseload Clearance Rates**  
**Probate, Mental Health, Appeals, Habeas Corpus**  
 Fiscal Years 2009–10 through 2018–19

**Superior Courts**  
**Figures 18–22**

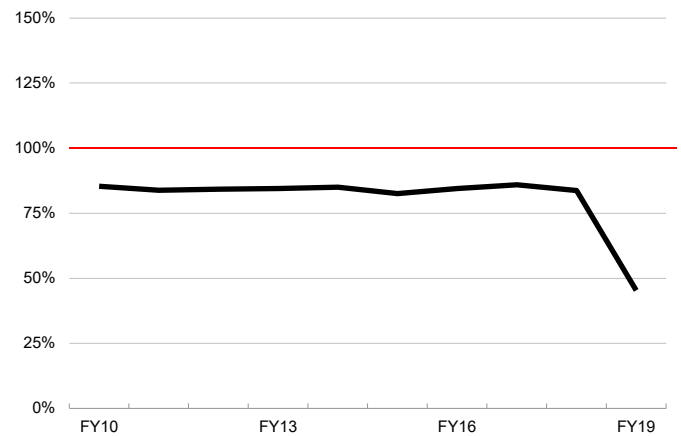
Clearance Rate equals the number of outgoing cases as a percentage of the number of incoming cases. A clearance rate of 100% indicates that the number of cases disposed of in any given year equals the number of cases filed.

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

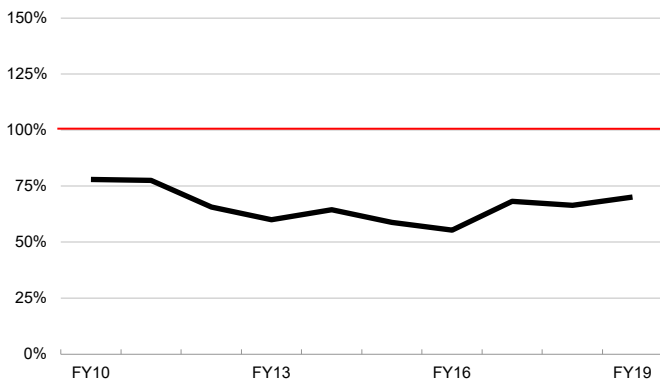
**Figure 18: Conservatorship & Guardianship**



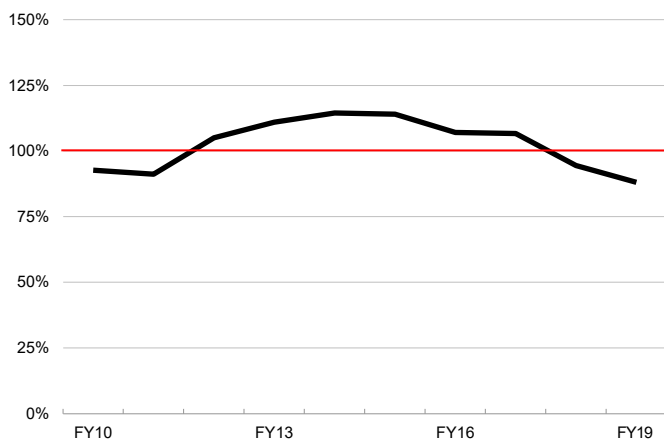
**Figure 20: Mental Health**



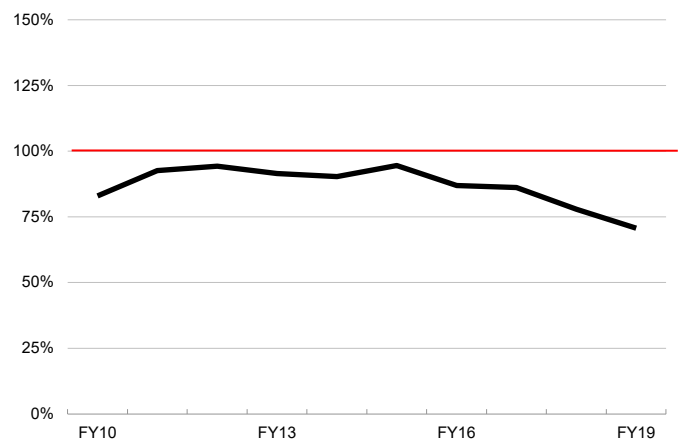
**Figure 19: Other Probate**



**Figure 21: Appeals**



**Figure 22: Criminal Habeas Corpus**

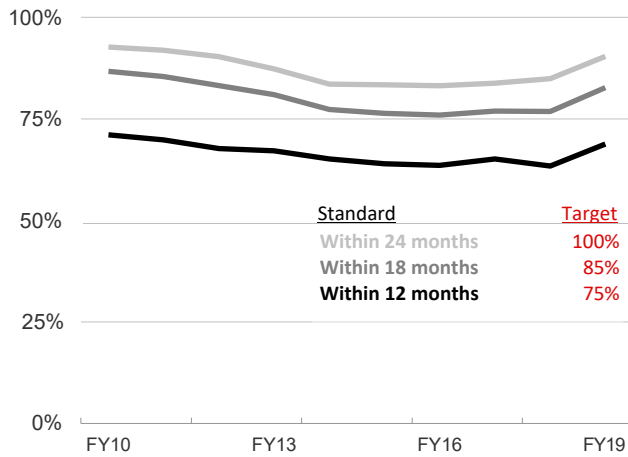


**Civil Case Processing Time** (percent of cases disposed within specified periods)

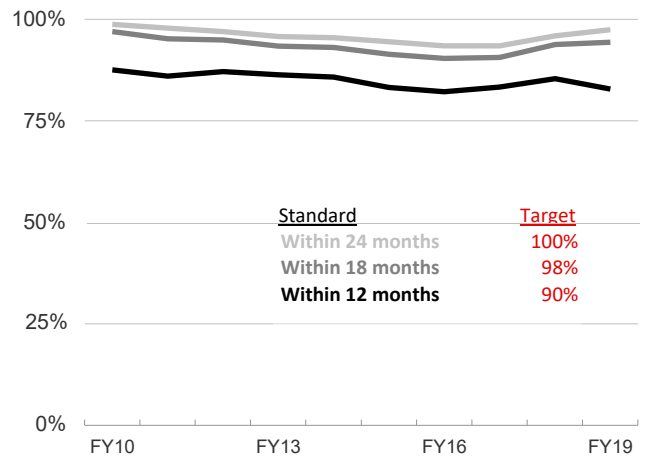
Standard 2.2 of the Standards of Judicial Administration establishes case processing time-to-disposition goals for different types of civil cases, which are presented below with the specific time standards and target performance levels.

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

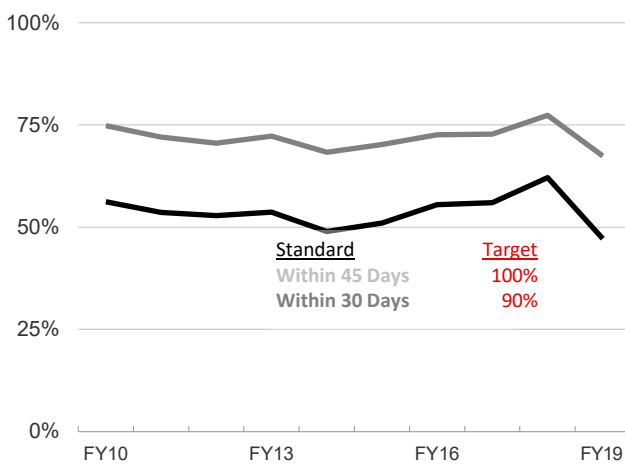
**Figure 23: Civil Unlimited**



**Figure 24: Limited Civil**



**Figure 25: Unlawful Detainer**



**Figure 26: Small Claims**

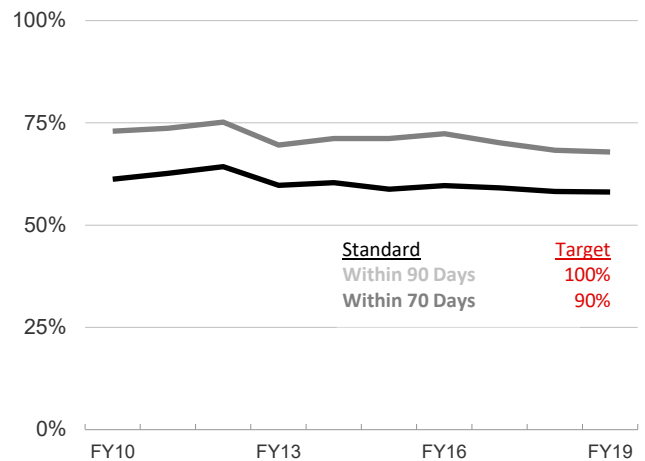
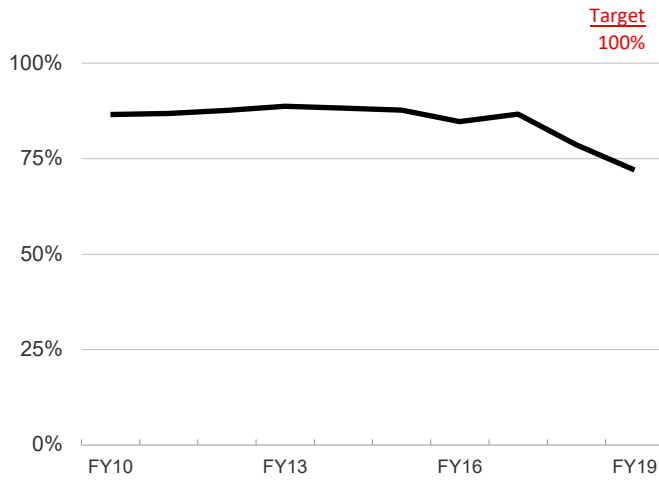


Figure 27: Felonies disposed within 12 months



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

Standard 2.2 of 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 levels.

Figure 28: Felonies resulting in bindover or certified pleas

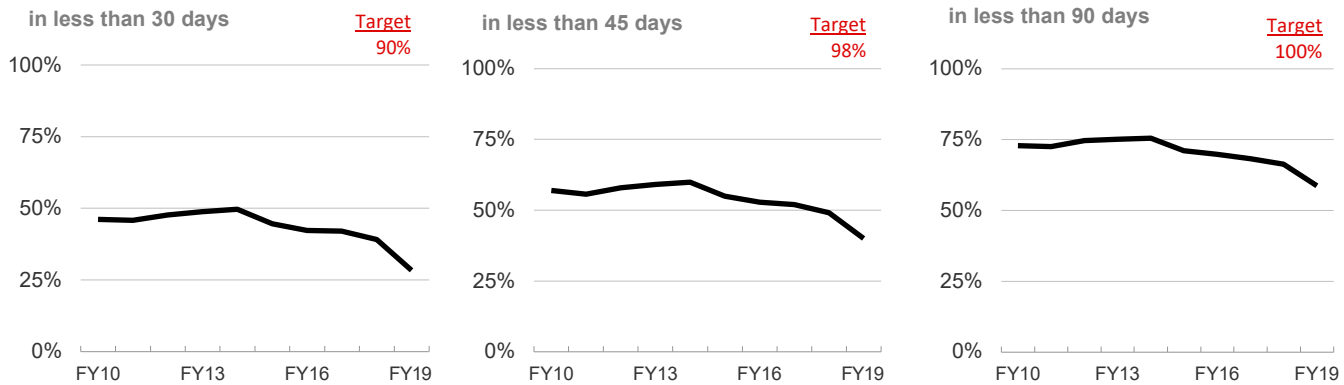
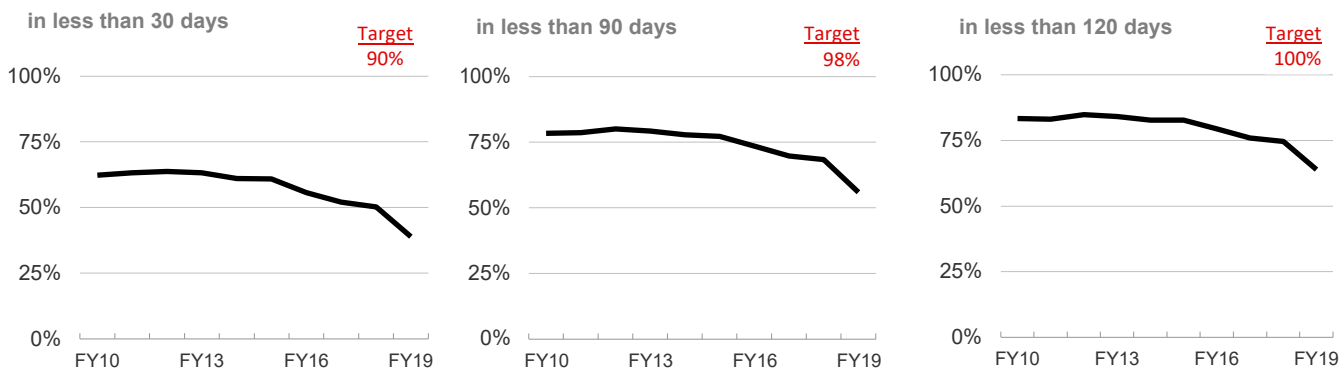


Figure 29: Misdemeanors disposed





**Figure 30: 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

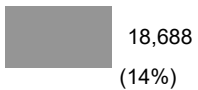


**Unlawful Detainer**

Number disposed before trial



Number disposed after trial



**Small Claims**

Number disposed before trial



Number disposed after trial

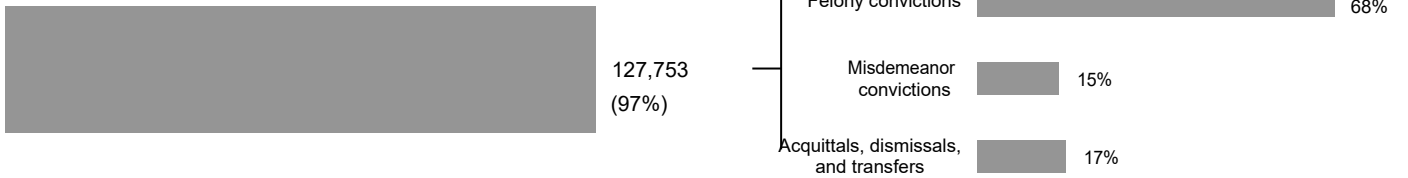


**Figure 31: How and at what stage are felony cases resolved?**

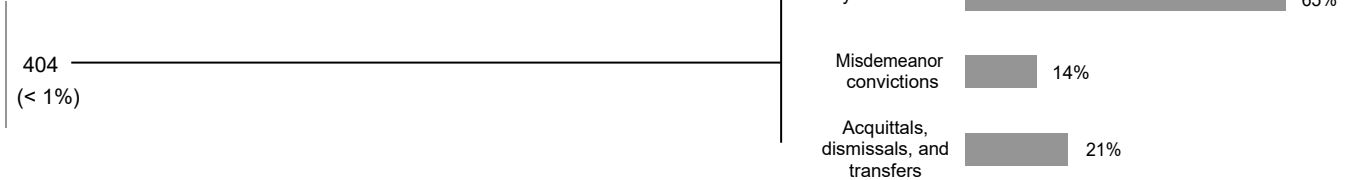
**Total felony dispositions (not including felony petitions)**



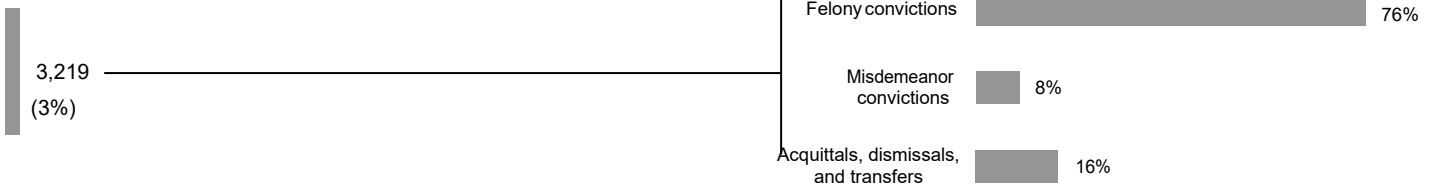
**Number disposed before trial**



**Court trials**

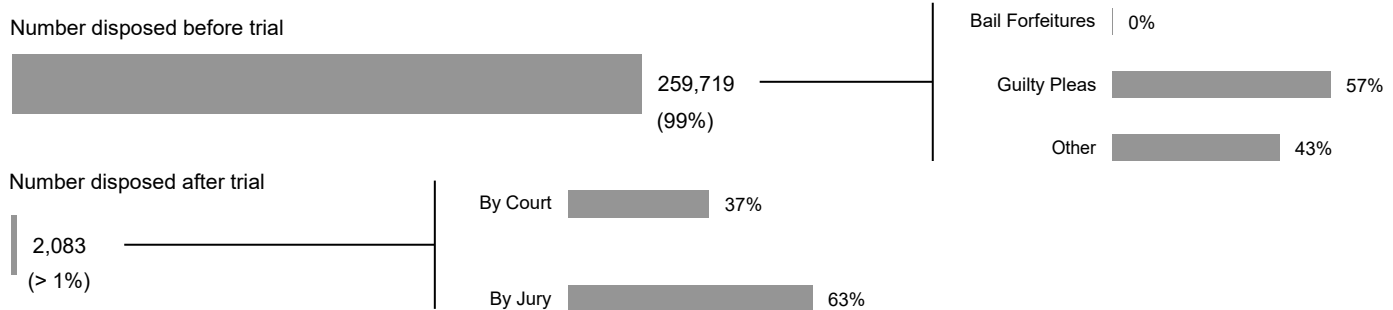


**Jury trials**

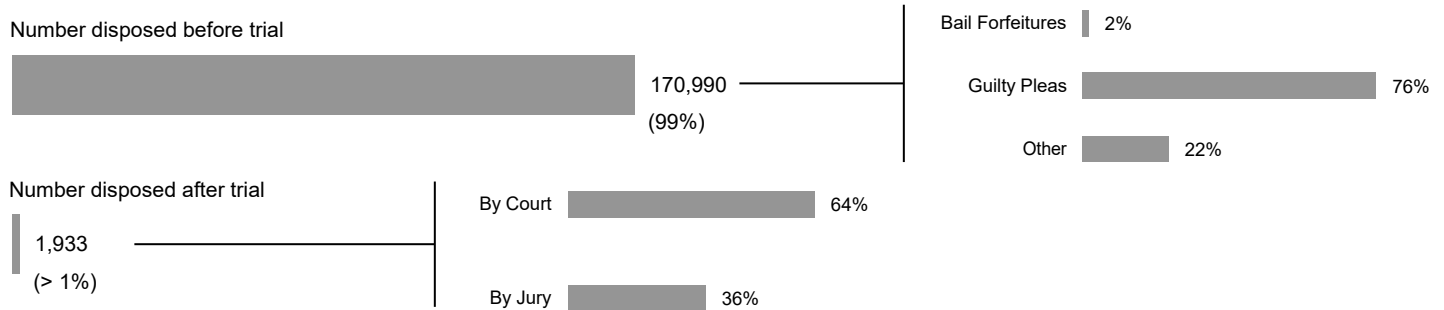


**Figure 32: How and at what stage are misdemeanor and infraction cases resolved?**

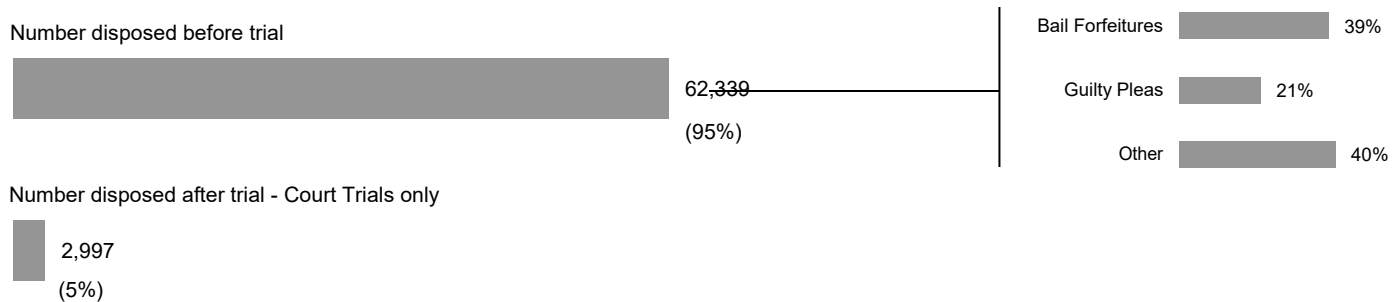
**Nontraffic Misdemeanors**



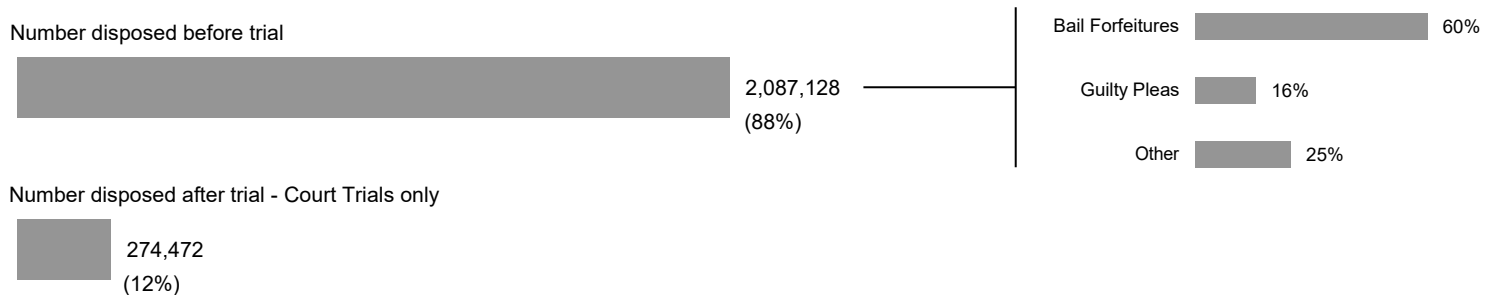
**Traffic Misdemeanors**



**Nontraffic Infractions**

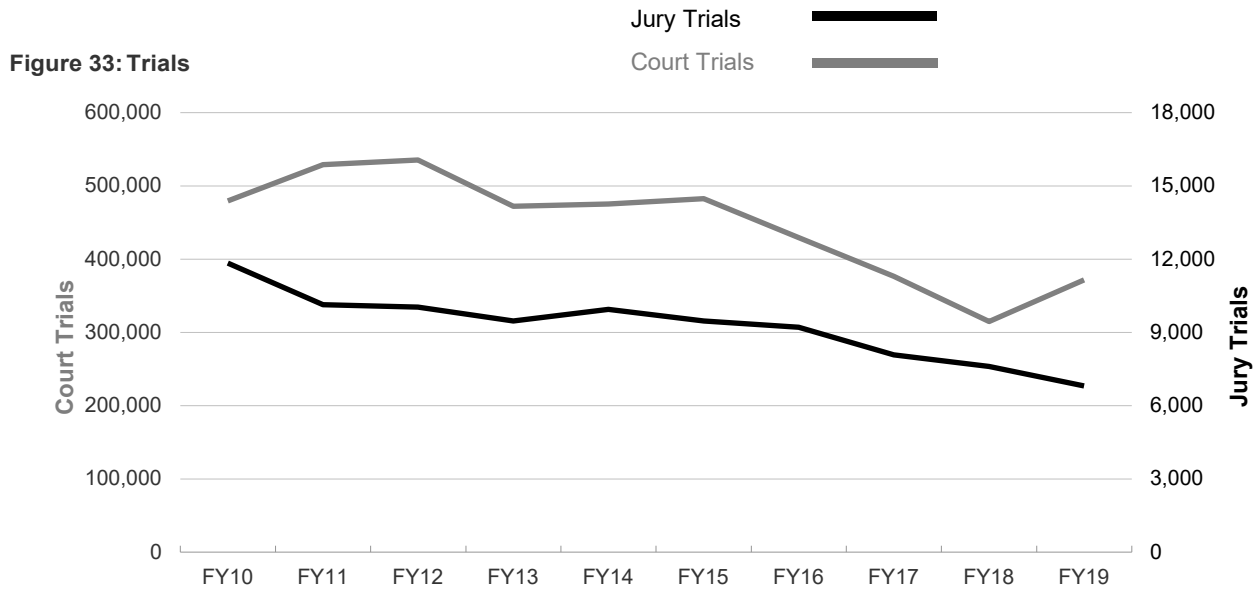


**Traffic Infractions**



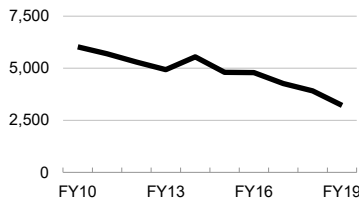
**Appendix E: Caseflow Management Data**  
***Trials By Type of Proceeding***  
**Fiscal Years 2009–10 through 2018–19**

**Superior Courts**  
**Figures 33–45**

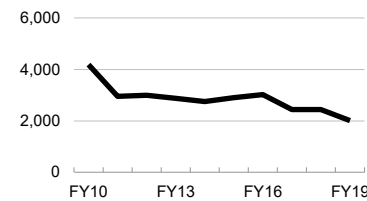


**Jury Trials**

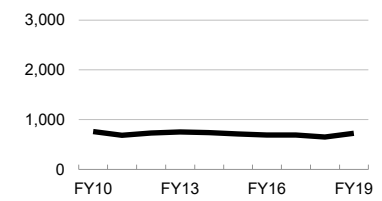
**Figure 34: Felony**



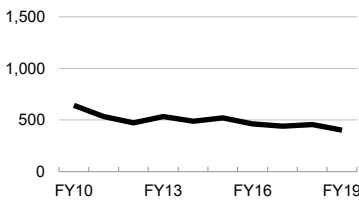
**Figure 35: Misdemeanor**



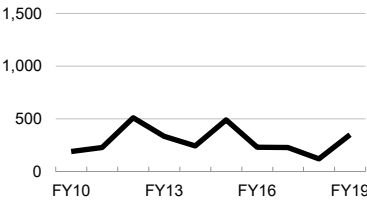
**Figure 36: PI/PD/WD Civil Unlimited**



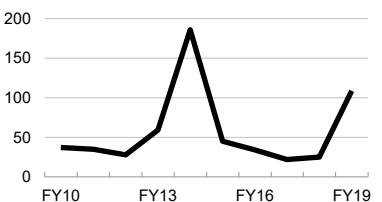
**Figure 37: Other Civil Unlimited**



**Figure 38: Civil Limited**

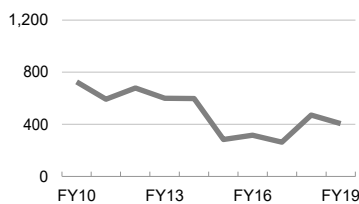


**Figure 39: Probate and Mental Health**

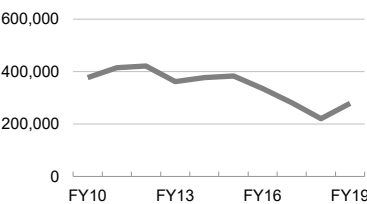


**Court Trials**

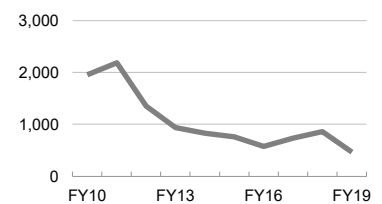
**Figure 40: Felony**



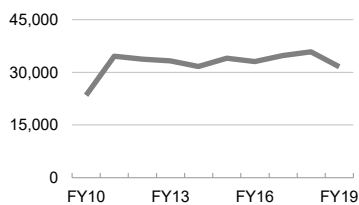
**Figure 41: Misdemeanor and Infractions**



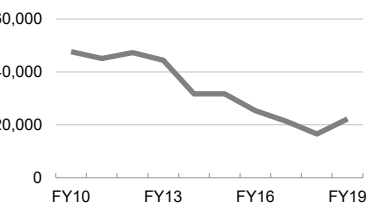
**Figure 42: PI/PD/WD Civil Unlimited**



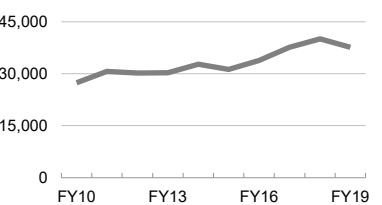
**Figure 43: Other Civil Unlimited**



**Figure 44: Civil Limited**



**Figure 45: Probate and Mental Health**



## Appendix F: 2020 Judicial Needs Assessment

	A	B	C	D
Court	Authorized and Funded Judicial Positions	2019 Assessed Judicial Need	Number of Judgeships Needed* (B-A)	Percentage of Judicial Need Over AJP (C/A)
Tehama	4.33	5.8	1	23%
Lake	4.70	5.9	1	21%
Sutter	5.30	7.1	1	19%
Humboldt	8.00	9.7	1	13%
Merced	13.00	14.9	1	8%
Ventura	34.00	36.0	1	3%
Madera	9.30	11.8	2	22%
Kings	9.60	12.1	2	21%
Shasta	13.00	15.3	2	15%
Placer	14.50	17.1	2	14%
Tulare	24.00	28.1	4	17%
Stanislaus	25.00	29.4	4	16%
San Joaquin	34.50	42.5	8	23%
Fresno	51.00	61.9	10	20%
Kern	45.00	58.9	13	29%
Sacramento	75.50	89.0	13	17%
Riverside	85.00	115.8	30	35%
San Bernardino	94.00	137.7	43	46%
<b>Total</b>			<b>139</b>	

\* Rounded down to the nearest whole number.

## Appendix G: Subordinate Judicial Officer Conversions

Fiscal Years 2007–08 through 2019–20

### Background

Rule 10.700 of the California Rules of Court provides for the use of subordinate judicial officers (SJOs) to perform subordinate judicial duties. A presiding judge may also assign an 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 Assembly Bill 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	SJO Conversions													Total Conversions to Date	Positions Remaining to Convert
		07–08	08–09	09–10	10–11	11–12*	12–13	13–14	14–15	15–16	16–17	17–18	18–19	19–20		
<b>Courts Still Eligible for SJO Conversions</b>																
Los Angeles	79	4	5	7	7	8	6	7	7	7	5	5	9	1	78	1
Placer	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
<b>Unallocated SJO Conversion Positions**</b>																
	3															3
<b>Courts That Have Completed Their SJO Conversions</b>																
Alameda	6	0	0	1	2	3	0	0	0	0	0	0	0	0	6	0
Contra Costa	4	3	0	1	0	0	0	0	0	0	0	0	0	0	4	0
El Dorado	2	0	1	0	1	0	0	0	0	0	0	0	0	0	2	0
Fresno	3	0	1	0	1	0	0	1	0	0	0	0	0	0	3	0
Imperial	1	0	0	0	1	0	0	0	0	0	0	0	0	0	1	0
Kern	1	0	1	0	0	0	0	0	0	0	0	0	0	0	1	0
Marin	2	0	0	0	0	1	1	0	0	0	0	0	0	0	2	0
Merced	2	0	1	0	0	1	0	0	0	0	0	0	0	0	2	0
Napa	1	0	0	0	0	0	0	0	0	0	0	0	1	0	1	0
Orange	17	1	2	2	2	3	2	2	0	0	0	0	3	0	17	0
Riverside	6	1	1	0	0	1	3	0	0	0	0	0	0	0	6	0
Sacramento	6	1	2	0	0	2	0	0	0	0	1	0	0	0	6	0
San Diego	7	2	0	0	0	0	1	1	0	2	0	1	0	0	7	0
San Francisco	2	1	0	1	0	0	0	0	0	0	0	0	0	0	2	0
San Luis Obispo	2	1	0	0	0	0	0	0	0	1	0	0	0	0	2	0
San Mateo	2	0	0	0	0	0	0	0	0	0	0	0	2	0	2	0
Santa Barbara	2	0	0	2	0	0	0	0	0	0	0	0	0	0	2	0
Santa Cruz	2	0	0	0	0	1	0	0	0	1	0	0	0	0	2	0
Solano	3	1	2	0	0	0	0	0	0	0	0	0	0	0	3	0
Sonoma	2	0	0	1	1	0	0	0	0	0	0	0	0	0	2	0
Stanislaus	1	0	0	0	1	0	0	0	0	0	0	0	0	0	1	0
Tulare	2	0	0	1	0	0	0	0	1	0	0	0	0	0	2	0
Yolo	2	1	0	0	0	0	0	0	1	0	0	0	0	0	2	0
<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>11</b>	<b>9</b>	<b>11</b>	<b>6</b>	<b>6</b>	<b>15</b>	<b>1</b>	<b>156</b>	<b>6</b>
<b>Last Updated: January 2020</b>																

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

\* The total conversions in FY 2011–12 exceed 16 because of the enactment of Senate Bill 405, which increased the number of allowable conversions in specific circumstances for this fiscal year.

\*\* Three positions became newly available for reallocation as a result of the Superior Court of Contra Costa County's elimination of 3 conversion-eligible SJO positions.