



# Determining Judicial Resource Needs

a presentation to the

## Chief Judges of the Kansas District Courts

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*National Center for State Courts*

Court Consulting Services  
Denver, CO 80202  
800-466-3063



Suzanne Tallarico



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# What is a Weighted Caseload Assessment Study?

A process of mathematically converting measures of **CASELOAD** into **WORKLOAD**

A method for identifying the *typical* amount of time that is *actually* spent in handling a case from *filing to final resolution* for that particular type of case.



# ***Why Workload Assessment in the context of reengineering?***

- ***Determine the number of judges needed given the varied distribution of cases filed across districts***
- ***Inform decisions to make system changing decisions***
- ***Compare case processing differences where certain efficiencies have been identified***
- ***Suggest sources of possible staffing efficiencies and cost savings through improvement of business practices/processes & new technology***



“The assessment of the need for judicial [resources] should use techniques that are *rational, credible and practical*”

(Flango, V. and Ostrum, B., Assessing the Need for Judges and Court Support Staff, 1996, p 2 )



# Weighted Caseload Assessment

## STRENGTHS

- Analyzes the mix of case filings and derives need based on differences
- Helps to equally distribute work among judges and districts
- Helps to understand the detail of case processing (case processing elements)
- Designed for the jurisdiction
- Most widely used and accepted

## WEAKNESSES

- Measures “what is” but can be adjusted to “what should be”
- Data collection can be burdensome
- Case weights are subject to change over time



# Goals of a Weighted Workload Assessment Study

- **Determine how much time it takes to perform judicial case-related and non-bench related work.**
- **Determine the resources needed to handle the judicial officer work: statewide and by jurisdiction.**
- **Use the data to inform system changes.**

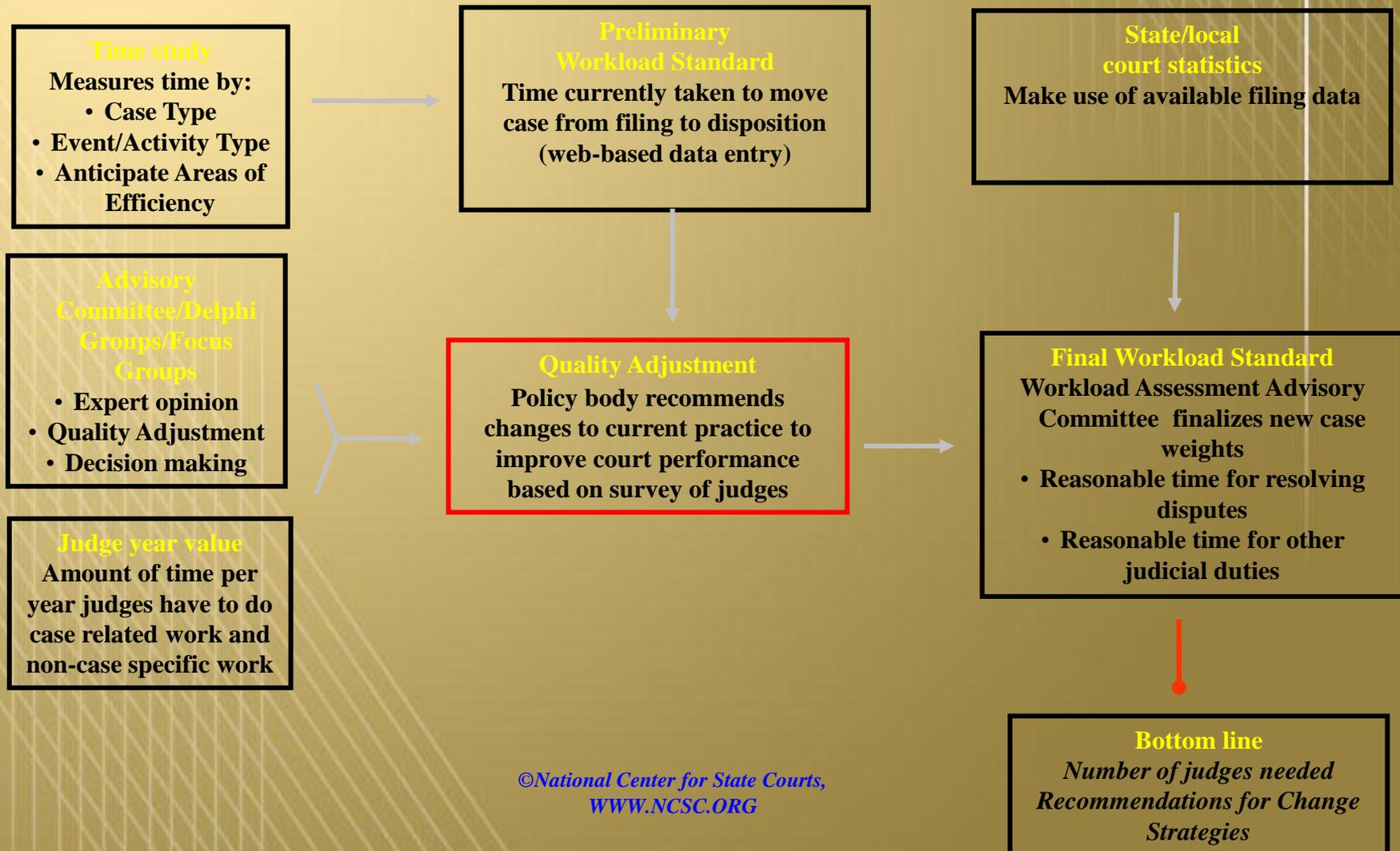
# **NCSC Orientation to Workload Assessment**



- ***Method is standard, details are jurisdiction specific***
- ***Use time study data to translate judicial caseload into judicial workload measures (by specific activities)***
- ***Different types of cases require different amounts of time and attention from judges***
- ***Effective determination of judicial resource needs should be tied to workload (vs. number of cases)***
- ***Workload assessment results should be credible and understandable to judges and others***
- ***Approach should be able to distinguish “what is” from “what should be”***



# Typical NCSC Project Overview



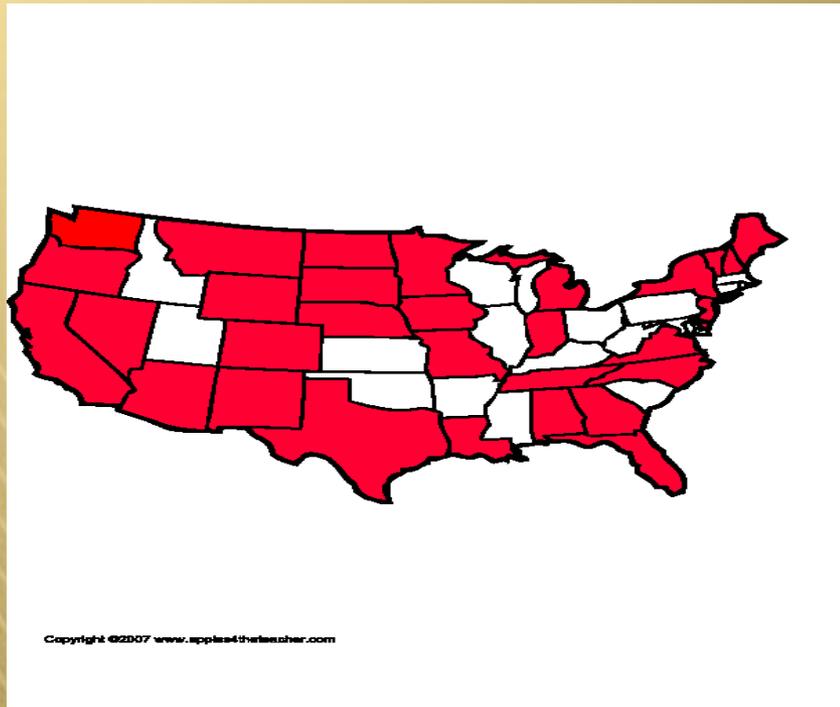


# NCSC Recent Experience with Weighted Workload Assessments

- **Judicial**
  - Alabama, Arizona, California, Colorado, Florida, Georgia, Guam, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, New Mexico, Nevada (Las Vegas, Carson City, Reno), N. Carolina, N. Dakota, New Hampshire, Oregon, Puerto Rico, S. Dakota, Tennessee, W. Virginia, Wisconsin
- **Court Support Staff**
  - Alabama, Arizona (Maricopa County), Arkansas, Indiana, Massachusetts, Minnesota, Missouri, Montana, New Hampshire, New Mexico, North Dakota, Oregon, South Dakota, Texas, Washington, W. Virginia
- **Probation**
  - Alabama, Colorado, North Dakota, South Dakota
- **Attorneys**
  - New York (Law Guardians and Public Defenders), Maryland (Public Defenders), New Mexico (Public Defenders)



# States where NCSC has developed Weighted Workload Assessment Models: **1996 – Present** (34 of 50 states)





# **NCSC's Weighted Caseload Assessment Study Components**



# Judge Year Value

Represents the average number of days judges are expected to work (*subtract weekends, holidays, judicial education, leave time*)

- National average is 212 days per year
- Break day into an expected number of hours:

*Case related work,*

*Non-case related work*

*Travel*



# Case Types

Represent the major case types of the Court(s) and major differences in case processing times

- Mean = 16
- Median = 18
- Mode = 20
- Range = 6 - 33

*TENSION: too many; not enough*



# Case-Specific Activities

Represent a reasonable set of case processing event categories; for reengineering we need to anticipate possible areas where change can occur:

## *Typical:*

- Pre-trial activities
- Non-trial disposition activities
  - Bench trial activities
  - Jury trial activities
- Case related administration activities
  - Post-adjudication activities
- Writing decisions and motions\*



# Non-Case Specific Activities

Represent a reasonable set of non-case specific event categories

## Example

- Education & Training
- Leave: vacation, illness, personal
  - Work-related travel
- Community activities/speaking engagements
  - Committee meetings & related work
    - General administration
    - Other



# Recent Issues of Concern



# “Special” Case Types

- Individual specialty courts
  - Drug Court, MH Court, Family Court
- Complex Civil
- Water cases (western states)
- Family case types
  - Divorce (*with & without children*), CINA, FINA, TPR, Title IV-D\*



# “Special” Issues of Concern

- Non-English speaking “litigants”
- Self-represented litigants
- Chief/Presiding Judge administrative time
- Judicial travel time



# Questions?