



NORTH CAROLINA
ADMINISTRATIVE OFFICE
of the COURTS

Judicial Department Workload Formulas and Tools

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Judicial Department Workload Formulas

Background

- Use of workload indicators for more than a decade
- First collaborated with the National Center for State Courts in 2006 to convert workload indicators to workload formulas for clerks of superior court, magistrates, and district court judges
- Prior to workload formulas, staffing needs were addressed based upon subjective decision-making
- General Statutes set forth the numbers of judges, assistant district attorneys, and minimum number of magistrates
- Workload formulas provide an objective means for projecting staffing needs

Judicial Department Workload Formulas

Staffing Resources Needs

- Based on empirical data
- Focuses on most common work performed
- Provides credibility (National Center for State Courts methodology)
- Requested by the General Assembly
- Provides tools for equitable analysis of local needs

Management of Resources

- Dynamic calculations are revised often and vacancies are taken into consideration
- Tools are extremely effective for relative resourcing comparisons

Judicial Department Workload Formula Approach

Committee directed, approved by the constituent group

Case weight approach based on time studies used for:

- Clerks of superior court
- Magistrates
- District court judges
- Superior court judges
- Family court case coordinators
- Assistant district attorneys and victim witness/legal assistants
- Custody mediators

Judicial Department Workload Approach

Ratio of judges to support staff/trial court administrators (TCAs) for:

- District court judicial support staff
- Superior court judicial support staff and TCAs

Caseload based on National Court Appointed Special Advocates standard for:

- Guardian ad Litem staff

Effective Workload Formula Process

- Strong participation by all judicial official groups in time studies
- Determined preliminary case weights (*i.e.*, what is)
- Modest quality adjustments to preliminary case weights to determine final case weights (*i.e.*, what should be)
- Computed annually using most recent three years of filings (*i.e.*, current workload formulas are based on July 1, 2010 – June 30, 2013 filings)
- Components updated as necessary to reflect changes in law, procedures, responsibilities, or other factors



Case Types

Assistant District Attorneys Example

- Traffic
- Misdemeanor (other than DWI or drug offense)
- DWI
- Drug offense (other than trafficking)
- Drug trafficking
- Other felony F, G, H, I
- Other felony A, B, C, D, E
- Sex crime
- Homicide (other than first-degree murder)
- First-degree murder (capital or non-capital)
- Generic murder

Final Case Weights

Assistant District Attorneys Example

6.5 minutes

traffic

20 minutes

misdemeanor

(other than DWI or drug offense)

67 minutes

DWI

61 minutes

drug offense

(other than trafficking)

509.5 minutes

drug trafficking

226.6 minutes

Other felony F, G, H, I

480.8 minutes

other felony A, B, C, D, E

1,095.7 minutes

sex crime

1,589 minutes

homicide

(other than first-degree murder)

10,172 minutes

first-degree murder

(capital or non-capital)

3,649 minutes

generic murder

Staffing Needs Calculations

$$\frac{\text{Number of filings (defendants) x case weight}}{\text{Case-related staff year value}}$$

Workload formulas acknowledge that not every hour of every work day is spent on case related activities. There is time included for non-case related activities (e.g., administrative responsibilities).

Not all case-related work occurs in a courtroom. There is a variety of case preparation activities and post-hearing case-related work that occurs outside of the courtroom.

2013 – 2015 Additional Positions Needed

Major Workload Groups

- 284 additional clerks of superior court (assistant and deputy)
- 22 additional district court judges
- 92 additional magistrates
- 87 additional assistant district attorneys
- 71 additional DA support staff (VWLA, investigator, administrative assistant)
- 32 additional judicial support staff (district and superior court)
- 48 additional Guardian ad Litem staff (administrator, supervisor, and assistant)
- 27 additional family court staff (administrator and coordinator)
- 10 additional child custody mediation staff (custody mediator I and secretary I)

Special Provision

MAGISTRATE DISTRIBUTION FORMULA

SECTION 18B.7. The Administrative Office of the Courts, in consultation with the National Center for State Courts, shall study its current formula for the distribution of magistrates across the State and consider revisions to that formula designed to take into account regional differences, travel considerations, and the potential for regionalizing magistrates. The Administrative Office of the Courts shall report its findings and recommendations to the Chairs of the Joint Legislative Oversight Committee on Justice and Public Safety by February 1, 2014.

Special Provision

STUDY USE AND COMPENSATION OF COURT REPORTERS

SECTION 18B.21. The Administrative Office of the Courts, in consultation with the National Center for State Courts, shall study the most effective and efficient deployment of court reporters to produce timely records of court proceedings and the most appropriate and effective compensation for court reporters. The Administrative Office of the Courts shall report its findings and recommendations to the Chairs of the Joint Legislative Oversight Committee 1 on Justice and Public Safety by February 1, 2014.

Special Provision Studies

NCAOC has entered into agreements with the National Center for State Courts to conduct the magistrate and court reporter studies.

National Center for State Courts researchers have conducted more than 15 phone interviews as part of these studies.

NCAOC convened focus groups at the request of National Center for State Courts researchers:

Magistrate Study

Magistrates/Chief Magistrates
Chief District Court Judges
Clerks of Superior Court

Court Reporter Study

Court Reporters
Superior Court Judges
Clerks of Superior Court
Attorneys

The studies are proceeding with the expectation of completion on or before February 1, 2014.

Questions?





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