

JUDICIAL BRANCH WORKLOAD CONSIDERATIONS

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JUDICIAL BRANCH 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 BRANCH WORKLOAD FORMULAS

BACKGROUND

- **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 BRANCH WORKLOAD FORMULAS

METHODOLOGY

- **Case weight approach based on time studies (committee-directed, constituent group approval)**
 - 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 BRANCH WORKLOAD FORMULAS

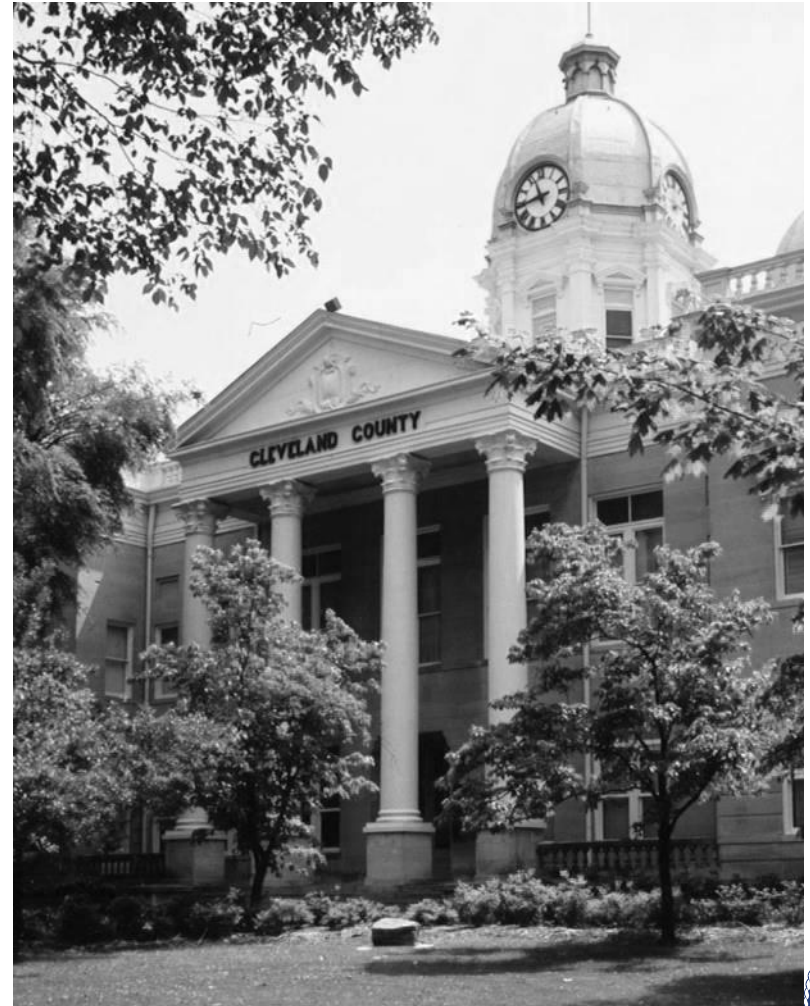
METHODOLOGY

- **Ratio of judges to support staff/trial court administrators (TCAs)**
 - District court judicial support staff
 - Superior court judicial support staff and TCAs
- **Caseload based on National Court Appointed Special Advocates standard**
 - 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, 2014 – June 30, 2017 filings)
- Components updated as necessary to reflect changes in law, procedures, responsibilities, or other factors



CASE WEIGHTS – IN MINUTES

DISTRICT COURT JUDGES

- 5.73 Motor vehicle and infractions
- 31.87 Non-motor vehicle
- 34.64 Driving while impaired
- 60.10 Civil domestic
- 68.85 General civil
- 33.73 Child support enforcement
- 144.94 Juvenile



CASE WEIGHTS – IN MINUTES

SUPERIOR COURT JUDGES

- 32 Misdemeanor
- 40 Other felony
- 40 Felony controlled substance
- 117 Felony assault/robbery with a dangerous weapon
- 91 Habitual offender
- 131 Sex offender list offenses (felony and misdemeanor)
- 946 Homicide
- 86 Contract
- 27 Collect on accounts
- 104 Negligence
- 183 Real property
- 31 Administrative appeal/other



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 week 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.



POTENTIAL CRITERIA RELEVANT TO REORGANIZATION

- **Coterminous administrative districts (i.e. same counties in superior court, district court, and prosecutorial districts)**

Currently, county configurations can be different for superior court, district court, and prosecutorial districts.

- Provide a shared geographical focus given leadership responsibilities of senior resident superior court judge, chief district court judge, and district attorney
- Facilitate transparency regarding system performance
- Enhance operational efficiencies



POTENTIAL CRITERIA RELEVANT TO REORGANIZATION (CONT.)

- **Electoral parity (equal power of each vote)**

Current system lacks parity.

- Based on 2018 population projections, 61,893 residents will elect a district attorney and district court judges in Stanly County (District 20A)
- 1,099,920 residents will elect a district attorney and district court judges in Mecklenburg County (District 26) – a ratio of 17.8.
- This means that it takes 17.8 votes in Mecklenburg to equal the power of 1 vote in Stanly when electing a district attorney or district court judge.



POTENTIAL CRITERIA RELEVANT TO REORGANIZATION (CONT.)

- **Electoral parity (equal power of each vote)**

Possible scenarios for approximating electoral parity

- Assuming counties will not be split into different districts, the greatest electoral parity will be achieved by creating nine or 10 districts with approximately 1 million residents each.
- Reduce the ratio of 17.8 to 1 to approximately 2.1 to 1 by treating Mecklenburg and Wake as outliers, and having all other districts approximate Guilford County's population; this would result in 18 districts.
- Reduce the ration of 17.8 to 1 to approximately 4 to 1 by creating single-county districts for the most populous seven counties (Mecklenburg, Wake, Guilford, Forsyth, Cumberland, Durham, and Buncombe) and having all other districts approximate Buncombe County's population; this would result in 30 districts.



POTENTIAL CRITERIA RELEVANT TO REORGANIZATION (CONT.)

- **Uniformity of Election Processes**

Judges currently run under different procedures depending on the judicial district.

- Most district and resident superior court judgeships – judges elected district-wide.
- Some district and resident superior court judgeships – one or more judges elected from electoral districts where only residents of the electoral district vote for the judge(s) for that electoral district.
- District 11, 13, 22A, and 22B district court – judges elected by all voters in district, with county residency requirements for a specific number of judgeships.

- **Geographic considerations, including travel and historic connections**





THANK YOU

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