

WEIGHTED CASELOAD ANALYSIS

JUDICIAL RESOURCE ALLOCATION COMMISSION
MONTGOMERY, AL
JUNE 14, 2018

OBJECTIVES

- HISTORY OF ALABAMA JUDICIAL WEIGHTED CASELOAD
- DELPHI METHOD
- CASE TYPES
- CASE WEIGHTS
- JUDGE YEAR VALUE
- ANALYSIS OF WEIGHTED CASELOAD FORMULA

HISTORY OF ALABAMA JUDICIAL WEIGHTED CASELOAD

- THE FIRST WEIGHTED CASELOAD REPORT WAS PUBLISHED IN MAY, 1986.
 - THE DELPHI METHOD WAS USED TO SURVEY JUDGES TO OBTAIN TIME ESTIMATES.
 - THE COMMITTEE MEMBERS KEPT ACTUAL TIME DIARIES ON INDIVIDUAL CASES FOR COMPARISON TO THE SURVEY ESTIMATES.
 - FEBRUARY 18, 1987 THE NEW WEIGHTED CASELOAD SYSTEM WAS ADOPTED AS AN ADDITIONAL TOOL TO DETERMINE NEED FOR ADDITIONAL JUDGESHIPS BY ALABAMA SUPREME COURT ORDER.

HISTORY OF ALABAMA JUDICIAL WEIGHTED CASELOAD

- THE SECOND ALABAMA JUDICIAL WEIGHTED CASELOAD STUDY WAS PUBLISHED IN JUNE, 2008.
 - A TIME STUDY WAS CONDUCTED BY JUDGES AND REFEREES RECORDING TIME SPENT HANDLING CASES AND NON-CASE RELATED ACTIVITIES. NEARLY 75% PARTICIPATION.
 - MARCH 19, 2008 THE NEW WEIGHTS AND METHODOLOGY FOR DETERMINING JUDGESHIP NEED WAS ADOPTED BY ALABAMA SUPREME COURT ORDER.

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 - MARCH 19, 2008 THE NEW WEIGHTS AND METHODOLOGY FOR DETERMINING JUDGESHIP NEED WAS ADOPTED BY ALABAMA SUPREME COURT ORDER.

HISTORY OF ALABAMA JUDICIAL WEIGHTED CASELOAD

- THE CURRENT ALABAMA JUDICIAL WEIGHTED CASELOAD STUDY WAS PUBLISHED IN SEPTEMBER, 2016.
 - THE DELPHI METHOD WAS USED TO SURVEY JUDGES TO OBTAIN TIME ESTIMATES.
 - THE COMMITTEE MEMBERS SUGGESTED SUBCOMMITTEE MEMBERS FOR EACH CASE TYPE. SUBCOMMITTEES REFLECTED SMALL, MEDIUM, AND LARGE COUNTIES REPRESENTING THE NORTH, EAST, SOUTH, AND WEST.
 - JUNE 23, 2017 THE NEW WEIGHTS AND FORMULA FOR DETERMINING JUDGESHIP NEED WAS ADOPTED BY ALABAMA SUPREME COURT ORDER.

DELPHI METHOD

- A STUDY USING A CONSENSUS AMONG A GROUP OF EXPERTS TO ATTAIN AN AGREED-UPON RESPONSE TO QUESTIONS POSED.
- FOR THIS PURPOSE TO UPDATE CASE TYPES, CASE WEIGHTS, AND JUDGE YEAR VALUE.
- PARTICIPANTS WERE ASKED TO FILL OUT QUESTIONNAIRES PRIOR TO PARTICIPATING IN THE STRUCTURED DELPHI GROUP SESSIONS.
- THE STEERING COMMITTEE MET AND FINALIZED THE RESULTS.

JUDGE IMPLIED NEED TABLE

Alabama FY2017 Circuit Court Judicial Weighted Caseload Implied Need

Cir	County	Region	Workload (minutes)	Judge Year Value	Overall Judicial Officer Need (FTE)	District Court Judges (FTE)	Referees (FTE)	Circuit Judge Implied Need (FTE)	Actual Circuit Court Judges	Difference (+ = surplus; - = deficit)	Rank
	Alabama		15,354,490		173.3	10.0	7.3	156.0	146	-10.01	
1	Choctaw, Clarke, Washington	Multiple	198,067	83,850	2.4	0.0	0.0	2.4	2	-0.36	14
2	Butler, Crenshaw, Lowndes	Multiple	113,438	83,850	1.4	0.4	0.0	1.0	1	0.05	26
3	Barbour, Bullock	Multiple	88,274	83,850	1.1	0.1	0.0	1.0	1	0.05	27
4	Bibb, Dallas, Hale, Perry, Wilcox	Multiple	275,594	83,850	3.3	0.0	0.0	3.3	3	-0.29	18
5	Chambers, Macon, Randolph, Tallapoosa	Multiple	314,597	83,850	3.8	0.0	0.0	3.8	3	-0.75	9
6	Tuscaloosa	Single	852,823	90,300	9.4	0.0	1.0	8.4	6	-2.44	4
7	Calhoun, Cleburne	Multiple	516,160	83,850	6.2	1.0	0.1	5.1	5	-0.06	23
8	Morgan	Single	307,912	90,300	3.4	0.0	0.0	3.4	3	-0.41	11
9	Cherokee, DeKalb	Multiple	226,657	83,850	2.7	0.1	0.0	2.6	3	0.40	35
10	Jefferson	Single	2,210,397	90,300	24.5	2.4	1.9	20.2	27	6.82	41
11	Lauderdale	Single	412,289	90,300	4.6	0.0	0.1	4.5	3	-1.47	6
12	Coffee, Pike	Multiple	209,453	83,850	2.5	0.1	0.0	2.4	3	0.60	37
13	Mobile	Single	1,638,168	90,300	18.1	1.0	3.0	14.1	11	-3.14	2
14	Walker	Single	182,253	90,300	2.0	0.0	0.0	2.0	3	0.98	40
15	Montgomery	Single	875,235	90,300	9.7	0.0	1.0	8.7	9	0.31	32

INITIAL CASE ENTRY

- THE CLERK'S OFFICE
- SJIS/ALAFILE:
 - CASE TYPES – CIVIL, TRAFFIC, AND JUVENILE
 - CHARGE CODES – CRIMINAL
- UNIFORM FILING POLICIES & PROCEDURES (UFPP)

CASES VS. COUNTS

- A CRIMINAL CASE MAY CONTAIN A SINGLE COUNT OR MULTIPLE COUNTS.
- EXAMPLE OF MULTIPLE COUNTS:
 - A CIRCUIT CRIMINAL CASE WITH 2 ASSAULT 1ST COUNTS, 1 THEFT OF PROPERTY 1ST COUNT, AND 1 BURGLARY 1ST COUNT.
 - THE CALCULATION WILL ADD AS 2 FELONY-PERSON (ASSAULT COUNTS) AND 2 FELONY-PROPERTY (THEFT AND BURGLARY COUNTS).
- ALL COUNTS ARE INCLUDED IN THE DIFFERENT CASE/CHARGE TYPES.

CASE/CHARGE TYPES

- 19 CIRCUIT CASE TYPES AND 13 DISTRICT CASE TYPES
- BROAD CATEGORIES USED TO SORT INDIVIDUAL CASES AND COUNTS
- OVERVIEW WITH EXAMPLES

CIRCUIT COURT CASE/CHARGE TYPES

- CAPITAL CRIMES
- FELONY-PERSON
- FELONY-PROPERTY
- FELONY-DRUG
- FELONY-OTHER
- MISDEMEANORS
- LOWER COURT APPEALS
- GENERAL CIVIL-TORT
- GENERAL CIVIL-OTHER
- CONTRACTS
- PROTECTION ORDERS
- WORKERS' COMPENSATION
- DOMESTIC RELATIONS - CONTESTED
- DOMESTIC RELATIONS - UNCONTESTED
- JUVENILE - DELINQUENCY
- JUVENILE - DEPENDENCY
- JUVENILE - TPR
- JUVENILE - PATERNITY
- CHILD SUPPORT

DISTRICT COURT CASE/CHARGE TYPES

- CAPITAL CRIMES
- A FELONIES
- OTHER FELONIES
- MISDEMEANOR
- DUI
- TRAFFIC
- OTHER CIVIL/SMALL CLAIMS
- JUVENILE-DELINQUENCY
- JUVENILE-DEPENDENCY
- JUVENILE-TPR
- JUVENILE-PATERNITY
- CHILD SUPPORT
- UNLAWFUL DETAINER

CRIMINAL CHARGE TYPES

- **CAPITAL CRIMES**
 - CIRCUIT CRIMINAL (CC)
 - CAPITAL MURDER CHARGES (COUNTS)
- **FELONY-PERSONS**
 - CIRCUIT CRIMINAL (CC)
 - VIOLENCE AGAINST PERSONS (COUNTS)
 - VIOLENT SEXUAL CHARGES (COUNTS)

CRIMINAL CHARGE TYPES (CONT.)

- **FELONY-PROPERTY**
 - CIRCUIT CRIMINAL (CC)
 - PROPERTY CHARGES (COUNTS)
 - BURGLARY 1ST, 2ND, AND 3RD
 - CRIMINAL MISCHIEF 1ST
 - THEFT OF PROPERTY 1ST AND 2ND

CRIMINAL CHARGE TYPES (CONT.)

- **FELONY-DRUG**
 - CIRCUIT CRIMINAL (CC)
 - DRUG CHARGES (COUNTS)
 - POSSESSION OF A CONTROLLED SUBSTANCE
 - TRAFFICKING ILLEGAL DRUGS
 - MANUFACTURING OF A CONTROLLED SUBSTANCE

CRIMINAL CHARGE TYPES (CONT.)

- **FELONY-OTHER**
 - CIRCUIT CRIMINAL (CC)
 - ALL FELONY COUNTS NOT INCLUDED IN CAPITAL OR FELONY PERSONS, PROPERTY AND DRUGS (COUNTS)
 - ALCOHOL – POSSESSION OF A STILL
 - UNAUTHORIZED USE OF AN AIRPLANE
 - RIFFLE/GUN WALKING CANE
 - BOND FORFEITURES AND FELONY PROBATION VIOLATIONS

CRIMINAL CHARGE TYPES (CONT.)

- **MISDEMEANOR**
 - CIRCUIT CRIMINAL (CC)
 - MISDEMEANORS AND MISCELLANEOUS CHARGES (COUNTS)
 - INCLUDES: DRUG, ALCOHOL, CONSERVATION, GOVERNMENT/ADMINISTRATION, OTHER, PERSON, PROPERTY, REVENUE/PSC
 - BOND FORFEITURES AND VIOLATION OF PROBATION IF NOT A FELONY
- **LOWER COURT APPEALS**

CRIMINAL CHARGE TYPES (CONT.)

- **DISTRICT CRIMINAL CHARGE TYPES (DC)**
 - **CAPITAL (DC)**
 - **CLASS A FELONIES (DC)**
 - **OTHER FELONIES (DC)**
 - **MISDEMEANORS (DC)**
 - **TRAFFIC DUI CASES (TR)**
 - **TRAFFIC CASES EXCLUDING DUI CASES (TR)**

CIVIL FILING TYPES

- **GENERAL CIVIL-TORT (CV)**
- **CONTRACTS (CV)**
- **PROTECTION FROM ABUSE (CV OR DR)**
- **WORKERS' COMPENSATION (CV)**
- **GENERAL CIVIL-OTHER (CV)**
 - **CIRCUIT CIVIL (CV) THOSE NOT INCLUDED IN GENERAL CIVIL-TORT, CONTRACTS, OR WORKERS' COMPENSATION**

CIVIL FILING TYPES (CONT.)

- **DISTRICT CIVIL & SMALL CLAIMS**
 - **OTHER CIVIL/SMALL CLAIMS**
 - DISTRICT CIVIL (DV) AND SMALL CLAIMS (SM) CASES
 - **UNLAWFUL DETAINERS**
 - DISTRICT CIVIL (DV) AND SMALL CLAIMS (SM) CASES

CIVIL FILING TYPES (CONT.)

- **JUVENILE-DELINQUENCY (JU)**
 - CHINS
 - OTHER
- **JUVENILE-DEPENDENCY (JU)**
- **JUVENILE-TPR (JU)**
- **PATERNITY (CS)**
- **CHILD SUPPORT (CS)**

CASE EVENT TYPES

- **PRETRIAL/PRELIMINARY MATTERS**
- **NON-TRIAL DISPOSITION**
- **BENCH TRIAL**
- **JURY TRIAL**
- **POST-JUDGMENT (OR POST VERDICT)**

CASE MINUTES PER CASE TYPE

- THE EVENT WEIGHT; THE AVERAGE NUMBER OF MINUTES REQUIRED TO PROCESS EACH EVENT WHEN IT OCCURS ACROSS THE STATE.
- CASE WEIGHT IS CONSTRUCTED FROM THE TIME AND FREQUENCY OF OCCURRENCE OF CASE EVENTS OR FUNCTIONS.

CONSTRUCTING THE CASE WEIGHT

- **FELONY PROPERTY CASES**

Activity	Average Time (Minutes)	Event Frequency	Event Weight (Minutes)
Pretrial	18.05	100%	18
Non-trial disposition	25.00	88.00%	22
Bench trial	108.09	2.75%	3
Jury trial	720.00	2.50%	18
Post judgment	89.41	21.25%	19
Total Case Weight			80
Count Weight			38

CALCULATION OF IMPLIED NEED

- STEP 1: DETERMINE WORKLOAD (MINUTES)
- STEP 2: CALCULATE JUDGE IMPLIED NEED FOR THE INDIVIDUAL COUNTY

IMPLIED NEED CALCULATION

- CALCULATE NUMBER OF CASES
 - START WITH ALL CASES FILED IN THE **FISCAL YEAR**
 - ALL CIVIL TRAFFIC AND JUVENILE CASES ARE COUNTED
 - CRIMINAL COUNTS ARE COUNTED

IMPLIED NEED CALCULATION

- IN INDIVIDUAL COUNTIES FOR EACH CASE TYPE:
 - # OF CASES/COUNTS X CASE TYPE WEIGHT = MINUTES
 - EXAMPLE: 795 (CONTRACTS) X 41 = 32,595 MINUTES
- ADD TOTALS IN EACH CASE TYPE TO GET TOTAL WORKLOAD MINUTES FOR THE COUNTY
- COUNTY TOTALS ARE ADDED TOGETHER FOR CIRCUIT TOTALS

JUDGE IMPLIED NEED TABLE

Alabama FY2017 Circuit Court Judicial Weighted Caseload implied Need

Cir	County	Region	Workload (minutes)	Judge Year Value	Overall Judicial Officer Need (FTE)	District Court Judges (FTE)	Referees (FTE)	Circuit Judge Implied Need (FTE)	Actual Circuit Court Judges	Difference (+ = surplus; - = deficit)	Rank
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JUDGE YEAR VALUE

Year Value	Days
Total days per year	365
Subtract non-working days	
Weekends	-104
Holidays	-13
Vacation leave	-12
Sick leave	-5
Conferences	-6
Continuing education	-10
Total working days per year	215
Total working hours per day	8

JUDGE YEAR VALUE (CONT.)

- CALCULATION OF MINUTES PER JUDGE YEAR VALUE:
 - TOTAL WORKING HOURS PER DAY – NON-CASE-RELATED HOURS PER DAY = CASE-RELATED HOURS PER DAY
 - SINGLE COUNTY CIRCUIT AND DISTRICT JUDGES →
 $8 - 1 = 7$
 - MULTI COUNTY CIRCUIT JUDGES → $8 - 1.5 = 6.5$

JUDGE YEAR VALUE (CONT.)

- CALCULATION OF MINUTES PER JUDGE YEAR VALUE (CONT.):
 - MULTIPLY TOTAL WORKING DAYS PER YEAR BY CASE RELATED HOURS PER DAY BY MINUTES PER HOUR = MINUTES PER JUDGE YEAR VALUE
 - SINGLE COUNTY CIRCUIT AND DISTRICT JUDGE YEAR VALUE → $215 \times 7 \times 60 = 90,300$
 - MULTI COUNTY CIRCUIT JUDGE YEAR VALUE → $215 \times 6.5 \times 60 = 83,850$
- FULL TIME EQUIVALENT (FTE)

CALCULATION OF IMPLIED NEED: STEP 2

- CALCULATE IMPLIED NEED FOR THE CIRCUIT OR DISTRICT
 - DIVIDE TOTAL MINUTES BY JUDGE YEAR VALUE – 90,300 (RURAL CIRCUIT – 83,850) TO GET “OVERALL JUDICIAL NEED”
 - FOR CIRCUIT, SUBTRACT DISTRICT JUDGES HEARING CIRCUIT CASES.
 - FOR DISTRICT, ADD DISTRICT JUDGES HEARING CIRCUIT CASES.

CALCULATION OF IMPLIED NEED: STEP 2

- CALCULATE IMPLIED NEED FOR THE CIRCUIT OR DISTRICT (CONTINUED)
 - SUBTRACT REFEREES HEARING CASES TO CALCULATE “JUDGE IMPLIED NEED” (HOW MANY JUDGES NEEDED)
 - SUBTRACT ACTUAL JUDGES TO GET THE DIFFERENCE SHOWING THE DEFICIT (-) OR SURPLUS (+)

CALCULATION OF IMPLIED NEED TABLES

- CIRCUIT:

FOR A SINGLE COUNTY CIRCUIT -

$$420,840 \div 90,300 = 4.66 \text{ OVERALL JUDICIAL OFFICER NEED}$$

$$4.66 - 0.0 - 0.0 = 4.66 \text{ CIRCUIT COURT JUDGE IMPLIED NEED}$$

$$4 - 4.66 = -0.66 \text{ DIFFERENCE (CIRCUIT COURT JUDGE DEFICIT)}$$

CALCULATION OF IMPLIED NEED TABLES

- CIRCUIT:

FOR A MULTI COUNTY CIRCUIT -

$$140,126 \div 83,850 = 1.67 \text{ OVERALL JUDICIAL OFFICER NEED}$$

$$1.67 - 0.4 - 0.0 = 1.27 \text{ CIRCUIT COURT JUDGE IMPLIED NEED}$$

$$1 - 1.27 = -0.27 \text{ DIFFERENCE (CIRCUIT COURT JUDGE DEFICIT)}$$

CALCULATION OF IMPLIED NEED TABLES

- DISTRICT:
FOR A COUNTY -

$173,235 \div 90,300 = 1.92$ OVERALL JUDICIAL OFFICER NEED

$1.92 + 0.1 - 0.3 = 1.72$ DISTRICT COURT JUDGE IMPLIED NEED

$2 - 1.72 = 0.28$ DIFFERENCE (DISTRICT COURT JUDGE SURPLUS)

JUDGE IMPLIED NEED TABLE

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Cir	County	Region	Workload (minutes)	Judge Year Value	Overall Judicial Officer Need (FTE)	District Court Judges (FTE)	Referees (FTE)	Circuit Judge Implied Need (FTE)	Actual Circuit Court Judges	Difference (+ = surplus; - = deficit)	Rank
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14	Walker	Single	182,253	90,300	2.0	0.0	0.0	2.0	3	0.98	40
15	Montgomery	Single	875,235	90,300	9.7	0.0	1.0	8.7	9	0.31	32

Single County Circuit Court Judge Need Model				
Case Type	Case/Count Weight	Single County Circuit	Workload by Case Type	Judge Need by Case Type
Capital Crimes	2,254	6	13,524	0.150
Felony - Person	104	231	24,024	0.27
Felony - Property	38	303	11,514	0.13
Felony - Drug	58	206	11,948	0.13
Felony - Other	36	309	11,124	0.12
Misdemeanor	7	274	1,918	0.02
Lower Court Appeals	45	120	5,400	0.06
Civil - Tort	203	218	44,254	0.49
Civil - Other	92	739	67,988	0.75
Civil - Contracts	41	453	18,573	0.21
Protection Orders	45	267	12,015	0.13
Workers Compensation	78	97	7,566	0.08
Domestic Relations - Contested	148	1,179	174,492	1.93
Domestic Relations - Uncontested	11	1,500	16,500	0.18
Juvenile Delinquency/CHINS/Other	35	0	0	0.00
Juvenile Dependency	130	0	0	0.00
Juvenile TPR	555	0	0	0.00
Paternity	27	0	0	0.00
Child Support	19	0	0	0.00
Total Cases/Counts		5,902		
Total Workload (weight x filings/counts)		420,840		
Circuit Judge Year Value		90,300		
Circuit Judge Demand (workload/year value)		4.66		4.66
Current Circuit Judge Allocation		4.00		
Circuit Judge Surplus (+)/Deficit (-)		-0.66		

Multi-County Circuit Court Judge Need Model				
Case Type	Case/Count Weight	Multi-County Circuit	Workload by Case Type	Judge Need by Case Type
Capital Crimes	2,254	0	0	0.00
Felony - Person	104	131	13,624	0.16
Felony - Property	38	293	11,134	0.13
Felony - Drug	58	236	13,688	0.16
Felony - Other	36	264	9,504	0.11
Misdemeanor	7	308	2,156	0.03
Lower Court Appeals	45	16	720	0.01
Civil - Tort	203	53	10,759	0.13
Civil - Other	92	109	10,028	0.12
Civil - Contracts	41	75	3,075	0.04
Protection Orders	45	99	4,455	0.05
Workers Compensation	78	21	1,638	0.02
Domestic Relations - Contested	148	363	53,724	0.64
Domestic Relations - Uncontested	11	511	5,621	0.07
Juvenile Delinquency/CHINS/Other	35	0	0	0.00
Juvenile Dependency	130	0	0	0
Juvenile TPR	555	0	0	0
Paternity	27	0	0	0
Child Support	19	0	0	0
Total Cases/Counts		2,479		
Total Workload (weight x filings/counts)		140,126		
Circuit Judge Year Value		83,850		
Circuit Judge Demand (workload/year value)		1.67		1.67
Current Circuit Judge Allocation		1.00		
District Court Judges Assigned to Circuit		0.40		
Referees		0.00		
Circuit Judge Surplus (+)/Deficit (-)		-0.27		

District Court Judge Need Model				
Case Type	Case/Count Weight	District Court	Workload by Case Type	Judge Need by Case Type
Capital Crimes	99	0	0	0.000
A Felonies	35	115	4,025	0.04
Other Felonies	13	786	10,218	0.11
Misdemeanors	22	1,697	37,334	0.41
DUI	33	113	3,729	0.04
Traffic	4	5,742	22,968	0.25
Other Civil/Small Claims	15	1,428	21,420	0.24
Juvenile Delinquency/CHINS/Other	35	510	17,850	0.20
Juvenile Dependency	130	218	28,340	0.31
Juvenile TPR	555	15	8,325	0.09
Paternity	27	109	2,943	0.03
Child Support	19	621	11,799	0.13
Unlawful Detainer	17	252	4,284	0.05
Total Cases/Counts		11,606		
Total Workload (weight x filings/counts)		173,235		
District Judge Year Value		90,300		
District Judge Demand (workload/year value)		1.92		1.92
Current District Judge Allocation		2.00		
District Judges Assigned to Circuit		0.10		
Referees		0.30		
District Judge Surplus (+)/Deficit (-)		0.28		

Circuit Court Judge Need Model				
Case Type	Case/Count Weight	Single County Circuit	Workload by Case Type	Judge Need by Case Type
Capital Crimes	2,254	6	13,524	0.150
Felony - Person	104	231	24,024	0.27
Felony - Property	38	303	11,514	0.13
Felony - Drug	58	206	11,948	0.13
Felony - Other	36	309	11,124	0.12
Misdemeanor	7	274	1,918	0.02
Lower Court Appeals	45	120	5,400	0.06
Civil - Tort	203	218	44,254	0.49
Civil - Other	92	739	67,988	0.75
Civil - Contracts	41	453	18,573	0.21
Protection Orders	45	267	12,015	0.13
Workers Compensation	78	97	7,566	0.08
Domestic Relations - Contract	148			
Domestic Relations - Injunctive	148			
Juvenile Delinquency/CHINS/Other	35	0	0	0.00
Juvenile Dependency	130	0	0	0.00
Juvenile TPR	555	0	0	0.00
Paternity	27	0	0	0.00
Child Support	19	0	0	0.00
Circuit Judge Demand (workload/year value)				4.66

CC
 CV
 CV & DR
 DR
 JU
 CS

REVIEW OBJECTIVES

- HISTORY OF ALABAMA JUDICIAL WEIGHTED CASELOAD
- DELPHI METHOD
- CASE TYPES
- CASE WEIGHTS
- JUDGE YEAR VALUE
- ANALYSIS OF WEIGHTED CASELOAD FORMULA

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