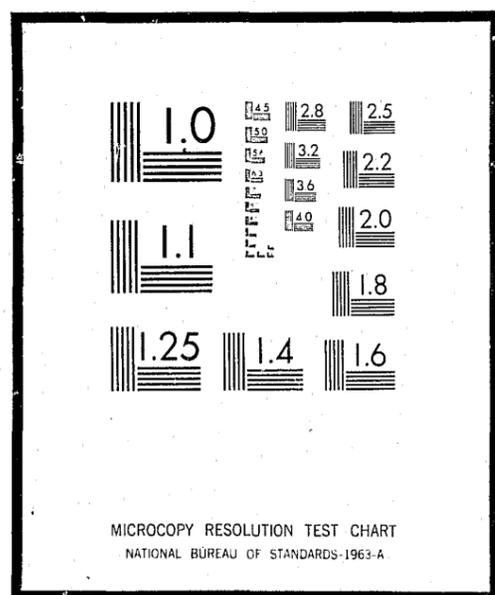


NCJRS

This microfiche was produced from documents received for inclusion in the NCJRS data base. Since NCJRS cannot exercise control over the physical condition of the documents submitted, the individual frame quality will vary. The resolution chart on this frame may be used to evaluate the document quality.



Microfilming procedures used to create this fiche comply with the standards set forth in 41CFR 101-11.504

Points of view or opinions stated in this document are those of the author(s) and do not represent the official position or policies of the U.S. Department of Justice.

U.S. DEPARTMENT OF JUSTICE
LAW ENFORCEMENT ASSISTANCE ADMINISTRATION
NATIONAL CRIMINAL JUSTICE REFERENCE SERVICE
WASHINGTON, D.C. 20531

Date filmed

11/12/75

THE DEFENDANT FLOW INFORMATION SYSTEM

A CRIMINAL COURT MANAGEMENT INFORMATION SYSTEM

by

Bruce G. Freeland
Court Statistician
Alameda County Superior Court
California

September, 1974

17171

TABLE OF CONTENTS

INTRODUCTION	1
NETWORKS, FLOWS AND THE COURT SYSTEM	2
Networks	
Flows in Networks	
The Superior Court as a Network	
Developing Data on Defendant Flow	
DEFENDANT FLOW INFORMATION SYSTEM	8
The Information Base	
The Data Base	
ANALYSIS OF COURT OPERATIONS WITH DFIS	14
Information Base Analyses	
Data Base Analyses	
APPENDIX - DEFENDANT RECORD CARD	

INTRODUCTION

One of the major needs of today's Courts is complete and accurate management information. Because of increasing workloads and complexities in the criminal trial process, it is essential that Court Management have accurate, timely information on the operations of the Court in order to make the best possible decisions regarding calendaring, workload allocation, manpower needs and assignments, and general court operations. Generally, management information is of a statistical nature and most courts lack a reliable system to gather and analyze statistical data.

Late in 1972, the Superior Court of Alameda County, California, recognized the need for accurate and complete statistical reporting. With the assistance of the local Criminal Justice Planning Board and the California Council on Criminal Justice, a federal grant was obtained for a three year project which would develop a means to meet this need. The project created two new positions within the Office of the Court Administrator: a Court Statistician and a part-time Research Assistant. Among the requirements for the position of Court Statistician were a background in mathematics or statistics and experience in preparing reports and analyses for management. The Court has established for the first time in-house technical capability to develop a technical system for producing management information and to analyze its operations.

The first task of this "Statistical Unit" was to develop a system for establishing and maintaining an "Information Base" from which detailed statistical data about the criminal courts can be derived. This paper details the concept and system which was developed — the DEFENDANT FLOW INFORMATION SYSTEM.

What makes the Defendant Flow Information System unique is the adaptability of the system and concept. Designed and implemented as a manual system, it lends itself easily to automation. Hence, the system can be adopted by any size court of any degree of sophistication. The statistical information which the system provides can be as simple or as complex as the user desires, providing material for the most advanced types of analysis.

Before explaining the Defendant Flow Information System as it is currently in use in Alameda County, it is instructive to first understand the concept behind the system. This concept, although relatively simple and obvious, provides great opportunities for studying and understanding court operations.

NETWORKS, FLOWS AND THE COURT SYSTEM

When approaching the subject of statistical information for Court Management, it is important to remember that the primary concern in the administration of the Court is the movement of defendants through the court system. Delays and defendant backlog are generally the results of breakdowns, inefficiency or other problems in this process. Therefore, it is advisable to approach the subject of statistics from that point of view: the "flow" of defendants through the court system.

Regardless of the approach taken, the court system will have to be represented in such a way that the numbers produced as statistical data have relevance and accurately describe the system in a manner which is needed. In essence, the data produces a "model" of the system. The model structure which best represents a FLOW, or is best described by a flow, is a NETWORK. Therefore, we will describe the court system as a network through which flow the defendants. But let us examine the concept of the Network and Flows in Networks before we proceed further.

NETWORKS

A Network consists of (1) a set of points or "nodes" and (2) the set of paths or "arcs" which connect the nodes. This definition of a network is fairly explicit; but, because "one picture is worth a thousand words", it is far easier to draw a picture or diagram to represent a network than to describe it verbally. Figure 1 is a "picture" of a network which consists

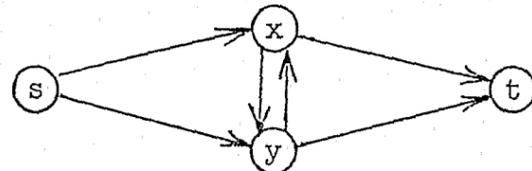


Figure 1

of four nodes [x, y, s, t] and six arcs [(s-x), (s-y), (x-y), (y-x), (x-t), y-t]]. A circle, square or point is used to designate each node and for each arc a directed line segment or arrow is drawn from the node at which it originates to the node at which it terminates.

FLOWS IN NETWORKS

A layman usually associates a network with a road map, a plumbing system or an electrical circuit. Actually, this association is not always in error because of the types of systems that networks are used to represent. Also, it helps in understanding the concept of a flow in a network.

FLOW is simply the movement, transportation, or shipment of an object or objects over or through the arcs of a network. If the network were representing a railroad system, the flow could be the trains or individual railroad cars which travel over the system. If the network represents an electrical circuit, the flow will be electricity.

When one is examining the flow over a network, he is concerned with the amount of flow over each and every arc of the network because the sum of these represent the flow throughout the entire system. Other aspects of the network flow concept with which the analyst is also concerned are the capacities (maximum amount of flow allowable) and the cost (dollars, man-hours, work-days, or some other rate of exchange required to transport each unit) through each arc.

We can illustrate the flow through a network in several ways. Using the network from the previous example, we can denote the flow along each arc by drawing the diagram and placing a number on or alongside each arc to show the amount of flow along that arc as in figure 2.

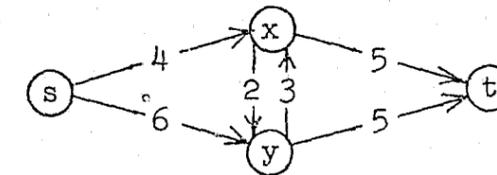


Figure 2

An alternative method is to simply list the arcs and indicate the flow next to each arc as in a table:

Arc	Flow
s-x	4
s-y	6
x-y	2
y-x	3
x-t	5
y-t	5

Figure 3

A third way is to use a two-dimensional matrix. In this type of display the node at which the arc originates is on the side of the matrix and the node at which the arc terminates is at the top. By simply cross-referencing the origin and the terminus of an arc, one can easily find the flow:

		Terminus			
		s	x	y	t
Origin	s	-	4	6	-
	x	-	-	2	5
	y	-	3	-	5
	t	-	-	-	-

Figure 4

THE SUPERIOR COURT AS A NETWORK

As one examines the processing of a defendant through the criminal courts, it becomes apparent that the movement of these defendants is characterized by "events". These events are generally the filings of documents, the appearances in court, or the pleadings or decisions which affect the course of the defendant's movement through the court system from initial action to final disposition. These events include arraignment, pretrial hearings, change of plea, trial, acquittal, conviction, dismissal, sentencing, etc. Therefore, we can consider these events as nodes in a network. The arcs of the network will then be the movement from one event to another over a period of time.

Let us consider a very simplified version of the criminal court process as a network:

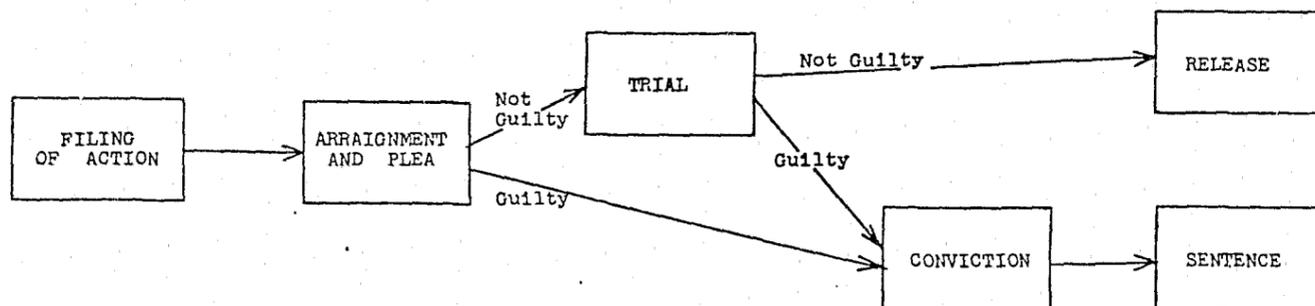


Figure 5

The nodes of this criminal court-structured network are:

1. FILING OF THE ACTION
2. ARRAIGNMENT AND PLEA
3. TRIAL
4. RELEASE (Acquittal)
5. CONVICTION
6. SENTENCE

The arcs of the network are:

1. Filing → Arraignment
2. Arraignment → Trial [Plea: Not Guilty]
3. Arraignment → Conviction [Plea: Guilty]
4. Trial → Release [Verdict: Not Guilty]
5. Trial → Conviction [Verdict: Guilty]
6. Conviction → Sentence

The next aspect of this subject to examine is the nature of the "flow" through this network. As previously mentioned, we are concerned with treating the defendant as the unit of flow. Therefore, we are to be concerned with the number of defendants moving along each arc of this network, the number that proceed from one event directly to another.

Let us provide our sample network with some numbers to represent hypothetical defendants being processed by the Court:

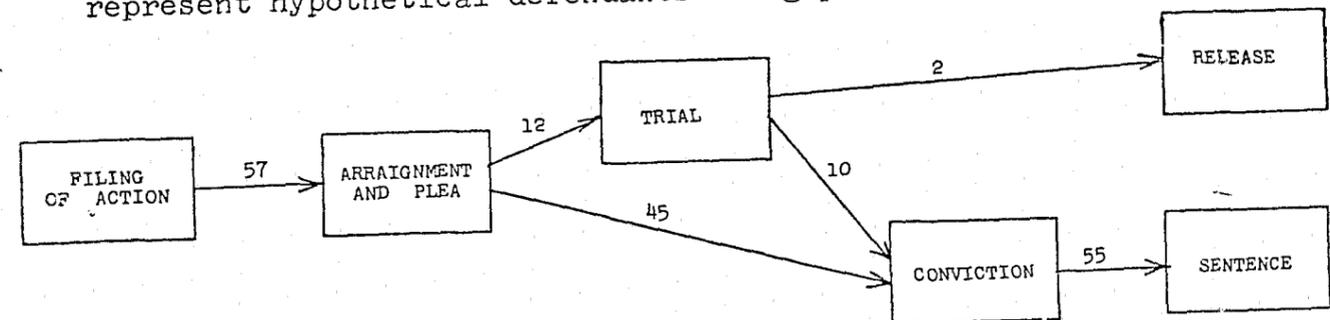


Figure 6

These flows can also be expressed in the following form:

Movement	Number of Defendants
Filing → Arraignment	57
Arraignment → Trial	12
Arraignment → Conviction	45
Trial → Release	2
Trial → Conviction	10
Conviction → Sentence	55

Figure 7

To make our model complete, we must consider the "cost" to be associated with our flow. One of the most appropriate costs which we can use is TIME; i.e. how long does it take a defendant to proceed from one event to the next? We can express this as either an average or a median for all the defendants moving over each arc, providing a separate value for each arc.

Let us take our sample again and insert some figures (in parentheses) to represent the average number of days required for our hypothetical defendants to proceed from one stage of the criminal proceedings to another:

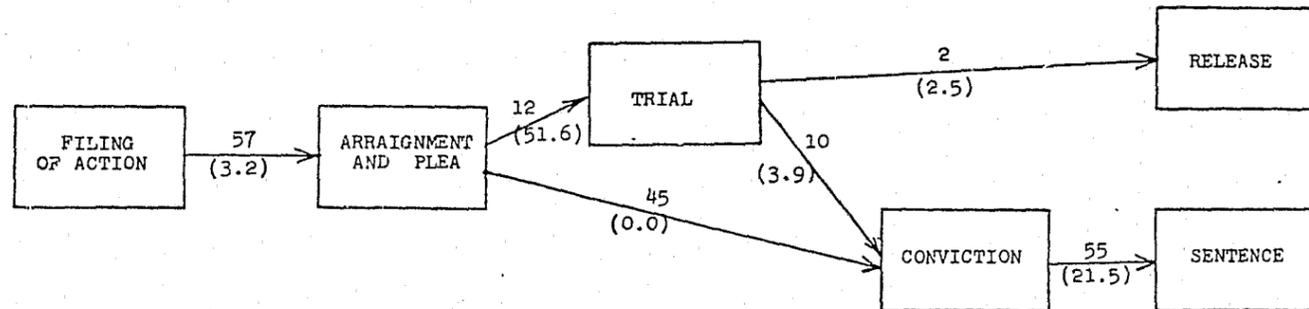


Figure 8

From this we can see that it has taken 57 defendants an average of 3.2 days to be arraigned following the filing of the action. It required an average of 51.6 days from arraignment to trial for 12 defendants who pled not guilty at arraignment. Those who were acquitted (2) were tried in 2.5 days while those convicted (10) were convicted in 3.9 days from the start of the trial. It took an average of 21.5 days for the sentencing of the 55 defendants who were convicted. By combining some of the figures along a path from one event to another we can determine such pieces of information as the time from filing to disposition (conviction) for those defendants who pled not guilty versus those defendants who pled guilty: 58.7 vs 3.2. By using a little analysis we can determine that the average number of days from filing to disposition for ALL defendants (57) was 14.8 days.

With the above information, one has a rather complete picture of the movement of defendants through our simplified court system. A more complete model of the processing of criminal defendants through a Superior Court could easily have 25 to 30 events and well over 100 arcs connecting these events.

DEVELOPING DATA ON DEFENDANT FLOW

Information on the flow of defendants through the criminal court system can be satisfactorily developed only by using a defendant-based tracking system. In such an information system a separate record is maintained on every defendant which keeps track of all the "events" which the defendant undergoes. By this means one can easily determine the defendants that progress from any given event to another and how long it takes them to do so.

Let us look more closely at the means for determining the amount of flow along an arc. If we are given two nodes, A and B, with a single arc between them, A→B, we can easily determine the flow over arc A→B either by counting the units which leave A bound for B or by counting the units which arrive at B from A. Either method will suffice. So then, let us complicate matters a bit and consider the system in figure 9 with three nodes and two arcs:

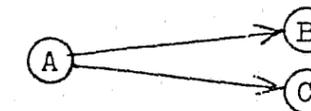


Figure 9

Assume that we know only the flow into each node and the total flow leaving A and not the distribution as it leaves A. Clearly, the only way by which we can determine the flow along arcs A→B and A→C is by measuring the input at B from A and at C from A, respectively. This problem is analogous to our determination of the flow through a court system network. After arraignment, for example, it is possible for a defendant to go on to any number of different types of pretrial hearings (995 PC, 1538.5 PC, pretrial discovery, change of venue, etc.), to change his plea, to have his case dismissed, etc. Therefore, one cannot say with certainty what is the next event that will occur in the processing of a defendant. Instead, one must wait until that event occurs and then look back to see what the prior event was. In this way the flow is measured along all the arcs of the network: by counting the number of defendants for whom a given event occurs and by breaking down this count by the various prior events. It is precisely this method which is used to provide the data for the Defendant Flow Information System.

DEFENDANT FLOW INFORMATION SYSTEM

The DEFENDANT FLOW INFORMATION SYSTEM (DFIS) is a system for developing information of a statistical nature about the processing of criminal defendants in a Superior Court. DFIS has two parts:

1. The INFORMATION BASE is a defendant-based tracking system or "Subject is Process System" which keeps a record of every criminal defendant who is active in the Court.
2. The DATA BASE is the data which is extracted periodically from the Information Base and which describes the flow of defendants through the network representing the criminal court.

We shall explain DFIS as it is currently in use for the Superior Court of Alameda County, California.*

THE INFORMATION BASE

The initial configuration of the Information Base for DFIS has been a manual system. Although this system will lend itself well to automation, it is felt that a new system should be initiated as a manual system to provide a closer association with the concepts and elements of the system and to allow for thorough testing, debugging and evaluating of the system and concept. Later, when the system is automated, it will have been proven as a workable system.

The heart of the manual Information Base is the Defendant Record Card. [See figure 1] This card serves as a record of a defendant as his case is processed by the criminal court. The specific instructions regarding the use of this card are set forth in the Appendix. At this point we shall say only that this card provides all the necessary information regarding the status of a defendant and provides a relatively complete picture of the defendant's progress through the court.

The Defendant Record Card also lends itself well to automation through either computer or by means of simpler and less expensive unit record equipment. Needless to say, any

* - Alameda County Superior Court has nine full-time criminal departments and experiences about 2,500-3,000 new criminal filings per year.

FILE #	DEF. #	J	C	TX	I	II	III	IV	V	VI	VII	VIII	IX	X	XI		
CONS. FILE #		SUPERIOR COURT INFORMATION										CHARGES:					
NAME:												1.	-	CTS.	5.	-	CTS.
												2.	-	CTS.	6.	-	CTS.
												3.	-	CTS.	7.	-	CTS.
												4.	-	CTS.	8.	-	CTS.
												TYPE OF DEFENSE ATTY.					
												Public Defender <input type="checkbox"/>		Court Appointed <input type="checkbox"/>		Private Attorney or None <input type="checkbox"/>	
DATE	DAYS	PROCEEDING	DEPT.	DETAILS													
		I. CASE INITIATION		INFORM. <input type="checkbox"/>	INDICT. <input type="checkbox"/>	CERT. <input type="checkbox"/>	PETITION <input type="checkbox"/>	H.C. WRIT <input type="checkbox"/>	APPEAL <input type="checkbox"/>	PROB. REV <input type="checkbox"/>							
		II. PROC. RESUMED		CRC <input type="checkbox"/>	1203.03 PC <input type="checkbox"/>	BW <input type="checkbox"/>	MDSO <input type="checkbox"/>	STATE HOSP. <input type="checkbox"/>	MISTRIAL <input type="checkbox"/>	HUNG JURY <input type="checkbox"/>	OTHER <input type="checkbox"/>						
		III. ARRAIGNMENT		NOT GUILTY OR NGI <input type="checkbox"/>		GUILTY AS CHARGED <input type="checkbox"/>		GUILTY - L.I. FELONY <input type="checkbox"/>		GUILTY - L.I. MISD. <input type="checkbox"/>							
		IV. PRELIMINARY HEARINGS		995 PC <input type="checkbox"/>	1538.5 PC <input type="checkbox"/>	PRETRIAL <input type="checkbox"/>		FURTHER PRETRIAL <input type="checkbox"/>		OTHER <input type="checkbox"/>							
			995 PC <input type="checkbox"/>	1538.5 PC <input type="checkbox"/>	PRETRIAL <input type="checkbox"/>		FURTHER PRETRIAL <input type="checkbox"/>		OTHER <input type="checkbox"/>								
			995 PC <input type="checkbox"/>	1538.5 PC <input type="checkbox"/>	PRETRIAL <input type="checkbox"/>		FURTHER PRETRIAL <input type="checkbox"/>		OTHER <input type="checkbox"/>								
			995 PC <input type="checkbox"/>	1538.5 PC <input type="checkbox"/>	PRETRIAL <input type="checkbox"/>		FURTHER PRETRIAL <input type="checkbox"/>		OTHER <input type="checkbox"/>								
		V. FINAL PLEA		NOT GUILTY OR NGI <input type="checkbox"/>		GUILTY AS CHARGED <input type="checkbox"/>		GUILTY - L.I. FELONY <input type="checkbox"/>		GUILTY - L.I. MISD. <input type="checkbox"/>							
		VI. TRIAL		TRIAL STARTED:				JURY TRIAL <input type="checkbox"/>		COURT TRIAL <input type="checkbox"/>		TRIAL BY TRANSCRIPT <input type="checkbox"/>					
			NOT GUILTY OR NGI <input type="checkbox"/>		GUILTY AS CHARGED <input type="checkbox"/>		GUILTY - L.I. FELONY <input type="checkbox"/>		GUILTY - L.I. MISD. <input type="checkbox"/>								
		VII. OTHER HEARINGS		HABEAS CORPUS <input type="checkbox"/>	SANITY <input type="checkbox"/>	MDSO <input type="checkbox"/>	NARC. ADDICT <input type="checkbox"/>	PROB. REV. <input type="checkbox"/>	OTHER <input type="checkbox"/>								
		VIII. PROC. SUSPENDED		CRC <input type="checkbox"/>	1203.03 PC <input type="checkbox"/>	BW <input type="checkbox"/>	MDSO <input type="checkbox"/>	S.H. - INSANE <input type="checkbox"/>	MISTRIAL <input type="checkbox"/>	HUNG JURY <input type="checkbox"/>	OTHER <input type="checkbox"/>						
		IX. DISMISSAL		INT. of JUST./DA MTN <input type="checkbox"/>		INSUFFICIENT EVIDENCE <input type="checkbox"/>		995 PC <input type="checkbox"/>	1538.5 PC <input type="checkbox"/>	OTHER <input type="checkbox"/>							
		X. OTHER DISP.		PROBATION REVOKED <input type="checkbox"/>		DEFENDANT RELEASED <input type="checkbox"/>		OTHER DISP. <input type="checkbox"/> (Explain)									
		XI. SENTENCE		DEATH <input type="checkbox"/>		PRISON <input type="checkbox"/>		CYA <input type="checkbox"/>		JAIL (ONLY) <input type="checkbox"/>							
			PROBATION WITH JAIL <input type="checkbox"/>		PROBATION WITHOUT JAIL <input type="checkbox"/>		FINE (ONLY) <input type="checkbox"/>										

Figure 1
Defendant Record Card

existing automated Subject in Processing System can be used as an Information Base.

The source of the information to be recorded in the Information Base is the documents prepared in the courtroom by the court clerks to report and/or summarize the activities of the Court. These include minute orders, calendars, registers, summary sheets, etc.

THE DATA BASE

The statistical information which comprises the Data Base describes the flow through a network in the manner explained in the section on Networks, Flows and the Court System. Whereas one usually develops the network before examining the flow, we have, in a sense, "put the cart before the horse." That is, we have determined the flow of the defendants through the criminal court and then used this information to construct the network representing the criminal court. This can be better understood if we explain precisely what was done.

The time period selected for accumulating data for DFIS is the month. Therefore, at the end of each month, the information which has been recorded in the Information Base for the month is counted. The counts are based on "events" and the count of each event is broken down by prior events. For example: In a given month we may count a total of 161 pretrial conferences as having been conducted. These are broken down to find that of the 161,

- 126 were following arraignment (with an initial plea of not guilty),
- 10 were following a hearing re 995 PC,
- 8 were following a hearing re 1538.5 PC,
- 14 were following some other pretrial hearing,
- 1 was for a defendant whose case was resumed following suspension with the return of the defendant on a bench warrant, and
- 2 were for defendants whose cases were resumed following a hung jury.

This information describes a portion of the criminal court network as is shown in figure 2.

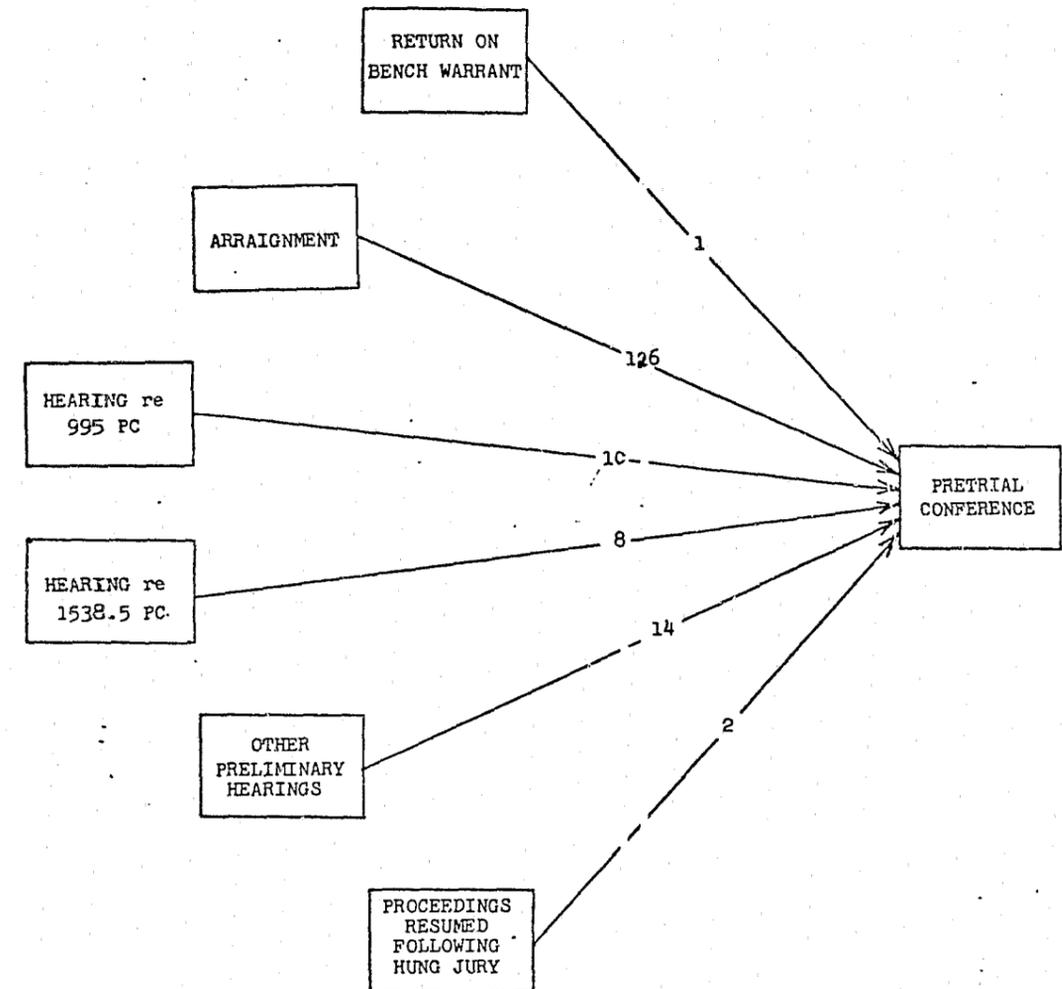


Figure 2

When all the data is collected, we find the distribution of defendants where the prior event was a pretrial conference giving us the distribution of the output from that event. There were 173 defendants that underwent some other event where the prior event was a pretrial conference. They included

- 2 that had a hearing re 1538.5 PC,
- 19 that had a second pretrial conference,
- 13 that had some other pretrial conference,
- 11 that started a jury trial,
- 1 that started a court trial,
- 1 that started a trial by transcript,
- 9 that had some non-criminal hearing,
- 102 that changed their plea to guilty,
- 14 whose cases were dismissed, and
- 2 against whom proceedings were suspended.

This provides us with the information to describe a further portion of the criminal court network as is shown in figure 3.

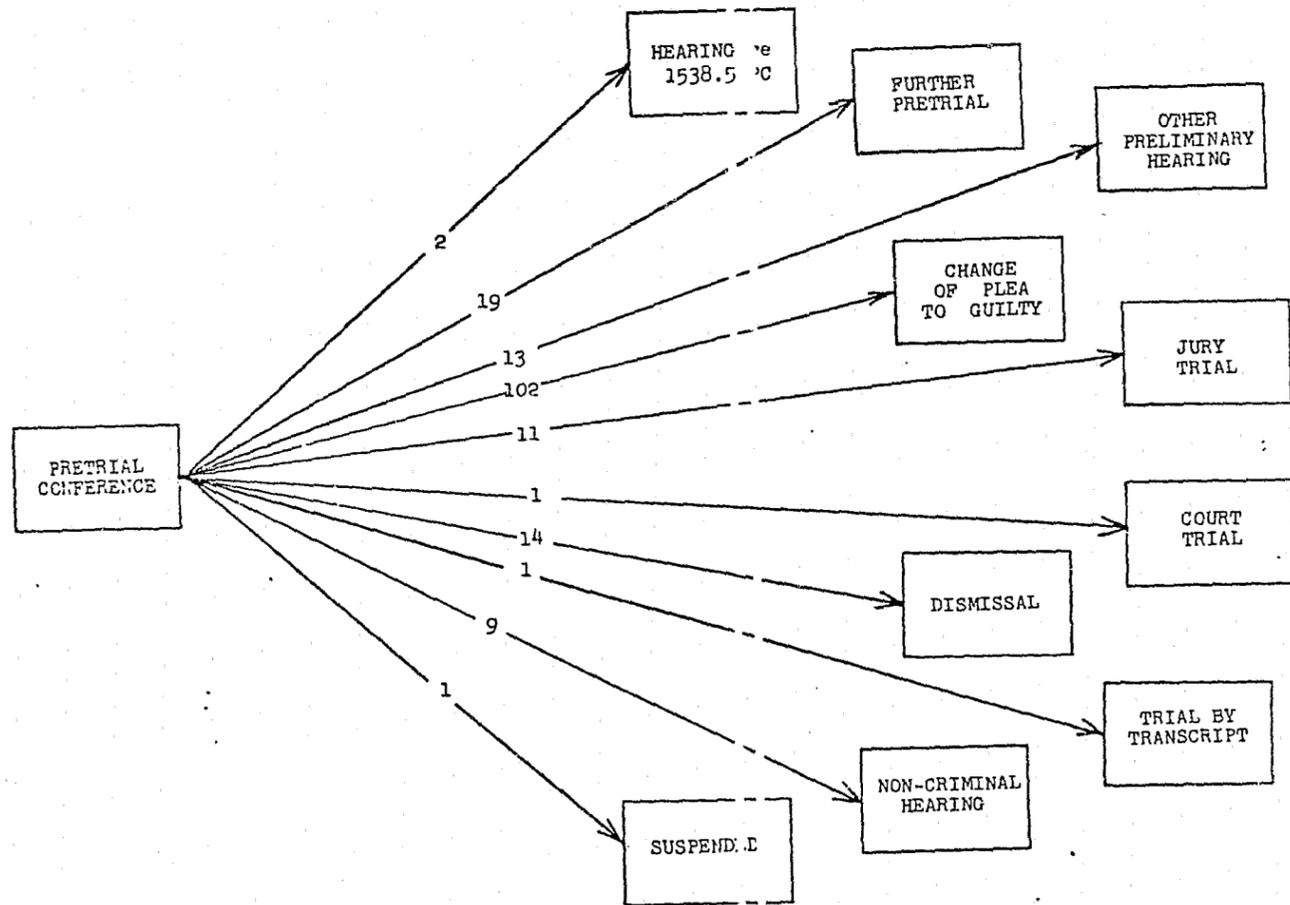


Figure 3

We have found that, for the manual system, the easiest way to express this data on flow is in the form of a two-dimensional array or matrix. [See figure 4. NOTE: This example is used in conjunction with the Defendant Record Card shown in figure 1.] In this matrix, the event being recorded is found on the left hand side. The prior event is found across the top. By cross-referencing the two to describe any arc, the flow can be read at the intersection of the appropriate line and column. By totaling across a line one has the total number of times a given event occurred. The breakdown by prior events, i.e. where did the defendants proceed from, is obtained by reading across the line. By reading down a column, one derives the distribution of courses taken by defendants following a given event. Separate tables

TOTAL	JUNE 1974	I. CASE INITIATION					II. PROC. RESUMED								III. ARRAIGNMENT				IV. PRELIM. HRGS.						
		C.F.	4	5	6	7	1	2	3	4	5	6	7	8	1	2	3	4	1	2	3	4	5		
137	Arraignment Not Guilty/NGI	137																							
1	Arraignment Guilty as Chgd.	1																							
0	Arraignment Guilty L.I.Fel.																								
0	Arraignment Guilty L.I.Misd																								
31	Prelim. Hrg. 005 PC																	28							3
11	Prelim. Hrg. 1538.5 PC																	3					4		2
161	Prelim. Hrg. Pretrial Conf.																								
22	Prelim. Hrg. Further P.T.																								
47	Prelim. Hrg. Other																								
0	Final Plea Not Guilty																								
99	Final Plea Guilty as Chgd.																								
19	Final Plea Guilty L.I.Fel.																								
3	Final Plea Guilty L.I.Misd																								
27	Trial Started Jury																								
1	Trial Started Court																								
1	Trial Started Transcript																								
2	Trial Verdict Not Guilty																								
16	Trial Verdict Guilty as Chgd.																								
1	Trial Verdict Guilty L.I.Fel.																								
0	Trial Verdict Guilty L.I.Misd																								
15	Other Hearings Habeas Corpus																								
3	Other Hearings Sanity																								
3	Other Hearings M.D.S.O.																								
17	Other Hearings Narc. Addict.																								
111	Other Hearings Prot. Revoc.																								
1	Other Hearings Other																								
11	Suspended C.R.C.																								
13	Suspended 1203.03 PC																								
86	Suspended Bench Warrant																								
1	Suspended M.D.S.O.																								
1	Suspended S.H.-Insane																								
1	Suspended																								

Figure 4
A Portion of the DFIS Tally Sheet

can be used to provide breakdowns by individual judicial department, by type of defense attorney (Public Defender, Court Appointed Attorney, Private Counsel, etc.), or by type of offense. The manual system in operation in Alameda County provides breakdowns by type of defense attorney and by category of offense.

ANALYSIS OF COURT OPERATIONS WITH DFIS

There are two areas of analysis which one can pursue with the use of DFIS. They are based on the use of either the Information Base or the Data Base.

INFORMATION BASE ANALYSES

One can use the Information Base to conduct analyses of court operations which are, in a sense, one-time-only studies. The Information Base can serve as a population or source of cases or defendants for providing information of a particular nature or to answer a special question. For this reason, the Defendant Record Cards (or whatever form the Information Base is in) of defendants whose cases have been disposed of are retained in a special "Disposed" file. The names of the defendants may be erased or blacked-out in the interests of security of privacy because this I.D. information would no longer be needed.

Through the use of statistical sampling techniques, a valuable cross-section of criminal defendants can be obtained for the purpose of analysis with respect to one or more parameters. In the event the file of disposed cases consists of punched cards, magnetic tape or magnetic disk, the whole file can be easily scanned with respect to one or more parameters providing a breakdown on whatever basis is desired. In this way the Court can obtain statistical information to assist in answering many questions such as how effective are plea negotiations, at what stage is a defendant most likely to skip bail, are there any patterns to sentencing convicted defendants, what type of cases are most likely to end with the defendant changing his plea to guilty or most likely to have no change of plea, how long does it take a defendant to reach a given point such as disposition, trial, etc., and so forth.

DATA BASE ANALYSES

The first bit of information that is provided by the Data Base is the number of various events which have occurred as in the traditional sense; i.e. how many filings, how many dispositions, how many trials, etc. In addition one is provided

with the other breakdowns of this data as previously explained.

By using the "costs" or average times for each arc of the network, one can easily carry out a "Pert" or CPM (Critical Path Method) analysis of the court system. By this type of analysis, one finds the longest path through the network, time-wise, from initiation to disposition. This "critical path" is where any extra efforts to improve the flow of defendants through the court should be made. That is, if one is looking for a specific area of defendant processing to improve the overall movement of defendants, it should be on an arc somewhere along this path to be effective. This type of analysis also helps to give an indication as to the extent to which improvements will be effective before altering the critical path. There are times when any improvement beyond a certain point on a given arc is ineffective because the arc is no longer part of the critical path.

The network can be used as the basis for a simulator to provide information on maximal flow where constraints are placed on the input capacity or output capacity of a given event or events. For example, one may want to know how bad a backlog will develop if only "X" number of defendants can be processed through a given event. One can determine in advance how much will the loss of one or more judicial departments for vacation, illness, etc., affect the flow of defendants over the rest of the system. Going further, one can introduce changes into the network, e.g. the elimination of mandatory pretrial conferences for certain cases, and study the resultant changes in flow and cost. As one works with analyses using the network as a simulator, one develops more ideas for utilizing the capabilities of DFIS.

These are only a handful of suggested areas of useful information which DFIS can provide. The total amount of information available is limited only by the imagination and resourcefulness of the user.

DEFENDANT RECORD CARD

The DEFENDANT RECORD CARD is a 5" x 8" index card on which a record is maintained of all noteworthy court events experienced in the courtroom by a felony defendant as his case is being processed by the Superior Court. These events include arraignment, preliminary hearings, change of plea, trial, sentence and others. A Defendant Record Card is maintained for every active defendant and for every defendant against whom proceedings have been suspended.

This set of explanations, instructions and definitions is for the purpose of familiarization with the use of the Defendant Record Card as a basis for the Information Base of the Defendant Flow Information System.

APPENDIX DEFENDANT RECORD CARD

The following appendix is the set of instructions for the operation of the manual Information Base of DFIS as utilized in Alameda County Superior Court, California.

FILE #	DEF. #	J	C	TX	I	II	III	IV	V	VI	VII	VIII	IX	X	XI						
CONS. FILE #		SUPERIOR COURT INFORMATION										CHARGES:									
NAME:												TYPE OF DEFENSE ATTY.									
												Public Defender <input type="checkbox"/>		Court Appointed <input type="checkbox"/>		Private Attorney or None <input type="checkbox"/>		1. - CTS.	5. - CTS.	2. - CTS.	6. - CTS.
																		3. - CTS.	7. - CTS.		
																		4. - CTS.	8. - CTS.		
DATE	DAYS	PROCEEDING	DEPT.	DETAILS																	
		I. CASE INITIATION		INFORM. <input type="checkbox"/>	INDICT. <input type="checkbox"/>	CERT. <input type="checkbox"/>	PETITION <input type="checkbox"/>	H.C. WRIT <input type="checkbox"/>	APPEAL <input type="checkbox"/>	PROB. REV. <input type="checkbox"/>											
		II. PROC. RESUMED		CRC <input type="checkbox"/>	1203.03 PC <input type="checkbox"/>	BW <input type="checkbox"/>	MDSO <input type="checkbox"/>	STATE HOSP. <input type="checkbox"/>	MISTRIAL <input type="checkbox"/>	HUNG JURY <input type="checkbox"/>	OTHER <input type="checkbox"/>										
		III. ARRAIGNMENT		NOT GUILTY OR NGI <input type="checkbox"/>		GUILTY AS CHARGED <input type="checkbox"/>		GUILTY - L.I. FELONY <input type="checkbox"/>		GUILTY - L.I. MISD. <input type="checkbox"/>											
		IV. PRELIMINARY HEARINGS		995 PC <input type="checkbox"/>	1538.5 PC <input type="checkbox"/>	PRETRIAL <input type="checkbox"/>		FURTHER PRETRIAL <input type="checkbox"/>		OTHER <input type="checkbox"/>											
			995 PC <input type="checkbox"/>	1538.5 PC <input type="checkbox"/>	PRETRIAL <input type="checkbox"/>		FURTHER PRETRIAL <input type="checkbox"/>		OTHER <input type="checkbox"/>												
			995 PC <input type="checkbox"/>	1538.5 PC <input type="checkbox"/>	PRETRIAL <input type="checkbox"/>		FURTHER PRETRIAL <input type="checkbox"/>		OTHER <input type="checkbox"/>												
			995 PC <input type="checkbox"/>	1538.5 PC <input type="checkbox"/>	PRETRIAL <input type="checkbox"/>		FURTHER PRETRIAL <input type="checkbox"/>		OTHER <input type="checkbox"/>												
		V. FINAL PLEA		NOT GUILTY OR NGI <input type="checkbox"/>		GUILTY AS CHARGED <input type="checkbox"/>		GUILTY - L.I. FELONY <input type="checkbox"/>		GUILTY - L.I. MISD. <input type="checkbox"/>											
		VI. TRIAL		TRIAL STARTED: JURY TRIAL <input type="checkbox"/>			COURT TRIAL <input type="checkbox"/>		TRIAL BY TRANSCRIPT <input type="checkbox"/>												
				NOT GUILTY OR NGI <input type="checkbox"/>		GUILTY AS CHARGED <input type="checkbox"/>		GUILTY - L.I. FELONY <input type="checkbox"/>		GUILTY - L.I. MISD. <input type="checkbox"/>											
		VII. OTHER HEARINGS		HABEAS CORPUS <input type="checkbox"/>	SANITY <input type="checkbox"/>	MDSO <input type="checkbox"/>	NARC. ADDICT <input type="checkbox"/>	PROB. REV. <input type="checkbox"/>	OTHER <input type="checkbox"/>												
		VIII. PROC. SUSPENDED		CRC <input type="checkbox"/>	1203.03 PC <input type="checkbox"/>	BW <input type="checkbox"/>	MDSO <input type="checkbox"/>	S.H. - INSANE <input type="checkbox"/>	MISTRIAL <input type="checkbox"/>	HUNG JURY <input type="checkbox"/>	OTHER <input type="checkbox"/>										
		IX. DISMISSAL		INT. of JUST./DA MTN <input type="checkbox"/>	INSUFFICIENT EVIDENCE <input type="checkbox"/>	995 PC <input type="checkbox"/>	1538.5 PC <input type="checkbox"/>	OTHER <input type="checkbox"/>													
		X. OTHER DISP.		PROBATION REVOKED <input type="checkbox"/>	DEFENDANT RELEASED <input type="checkbox"/>	OTHER DISP. <input type="checkbox"/> (Explain)															
		XI. SENTENCE		DEATH <input type="checkbox"/>	PRISON <input type="checkbox"/>	CYA <input type="checkbox"/>	JAIL (ONLY) <input type="checkbox"/>														
			PROBATION WITH JAIL <input type="checkbox"/>	PROBATION WITHOUT JAIL <input type="checkbox"/>		FINE (ONLY) <input type="checkbox"/>															

Figure 1
The Defendant Record Card

CARD HEADING

At the top of the Defendant Record Card are spaces for identifying information. [See figure 2.] This information is entered on the card when the case against the defendant is initiated or when proceedings are resumed following suspension and a new card is created; in short, this information is filled in when a new card is started.

FILE #	①	DEF. #	②	J	C	TX	I	II	III	IV	V	VI	VII	VIII	IX	X	XI
CONS. FILE #	③	SUPERIOR COURT INFORMATION										CHARGES:					
NAME:	④			⑤			TYPE OF DEFENSE ATTY.			1. ⑥ - CTS. 5. - CTS.							
							Public Defender <input type="checkbox"/> Court Appointed <input type="checkbox"/> Private Attorney or None <input type="checkbox"/>			2. - CTS. 6. - CTS.							
										3. - CTS. 7. - CTS.							
										4. - CTS. 8. - CTS.							
DATE	DAYS	PROCEEDING	DEPT.	DETAILS													
		CASE INITIATION		INFORM <input type="checkbox"/>	INDICT <input type="checkbox"/>	DEPT <input type="checkbox"/>	PETITION <input type="checkbox"/>	HC WRIT <input type="checkbox"/>	APPEAL <input type="checkbox"/>	PROP REV <input type="checkbox"/>							

Figure 2
Card Heading

① - File Number (Case Number)

The number assigned the case by the Office of the County Clerk when the case is filed is entered in this space.

② - Defendant Number

When there is more than one defendant named on an information, indictment, etc., they should be numbered consecutively; e.g. defendants #1, #2, #3, etc. There will be a single card for each defendant. To avoid confusion resulting from several cards with the same file number but different defendants, the defendant number is placed in this space.

③ - Consolidated File Number(s)

Whenever two or more cases are consolidated, the file number(s) of the other case(s) with which a given case is consolidated should be listed in this space.

4 - Name

The name of the defendant, as indicated on the filing document, should be printed clearly in this space, last name first. If during the processing of the case the court determines the true name of the defendant is different from that listed, the true name should be entered as well.

5 - Type of Defense Attorney

The type of defense attorney should be indicated by checking the appropriate box: Public Defender, Court Appointed Attorney (pursuant to Sec. 987 PC), or Private Attorney or none.

6 - Charges

The charges against the defendant should be listed in the same order in which they appear on the filing document. Where there is more than one count of a given offense, it should be indicated. Arming, use, etc., clauses charged need not be noted. In the event that the filing is a Writ of Habeas Corpus or a Petition from Municipal Court to determine sanity, MDSO, etc., it should be noted in this area as either "HC Writ" or that the defendant is "Alleged Insane", "Alleged MDSO", etc.

There are, in addition to the above, 14 spaces in three groups across the top of the page. These spaces are used for placing different colored "flags" or signals to assist in counting. This subject will be covered in more detail later.

EXAMPLE: Figure 3 represents the heading for a Defendant Record Card which was prepared for the defendant Alfred J. Prufrock who was the second defendant named on the information which was given the filing number 57061. There are no cases consolidated with it. Mr. Prufrock is charged with violating sections 261 (2 counts) and 288a (3 counts) of the Penal Code and he is being defended by the Public Defender.

FILE #	57061	DEF. #	2	J	C	TX	I	II	III	IV	V	VI	VII	VIII	IX	X	XI
CONS. FILE #	-	SUPERIOR COURT INFORMATION										CHARGES:					
NAME:	PRUFROCK, J. ALFRED			TYPE OF DEFENSE ATTY.			1. 261 - 2 CTS. 5. - CTS.										
				Public Defender <input checked="" type="checkbox"/> Court Appointed <input type="checkbox"/> Private Attorney or None <input type="checkbox"/>			2. 288a - 3 CTS. 6. - CTS.										
							3. - CTS. 7. - CTS.										
							4. - CTS. 8. - CTS.										

Figure 3
Example of Defendant Record Card Heading

CARD BODY

The body of the Defendant Record Card is for entering the information which will make the card a record of the progress of the defendant through the court system. There are five columns in this area of the card headed DATE, DAYS, PROCEEDING, DEPT. and DETAILS. There are also eleven groups of lines numbered with Roman numerals.

DATE	DAYS	PROCEEDING	DEPT.	DETAILS							
		I. CASE INITIATION		INFORM. <input type="checkbox"/>	INDICT. <input type="checkbox"/>	CERT. <input type="checkbox"/>	PETITION <input type="checkbox"/>	H.C. WRIT <input type="checkbox"/>	APPEAL <input type="checkbox"/>	PROB. REV. <input type="checkbox"/>	
		II. PROC. RESUMED		CRC <input type="checkbox"/>	1203.03 PC <input type="checkbox"/>	BW <input type="checkbox"/>	MDSO <input type="checkbox"/>	STATE HOSP. <input type="checkbox"/>	MISTRIAL <input type="checkbox"/>	HUNG JURY <input type="checkbox"/>	OTHER <input type="checkbox"/>
		III. ARRAIGNMENT		NOT GUILTY OR NGI <input type="checkbox"/>	GUILTY AS CHARGED <input type="checkbox"/>	GUILTY - L.I. FELONY <input type="checkbox"/>	GUILTY - L.I. MISD. <input type="checkbox"/>				
		IV. PRELIMINARY HEARINGS		995 PC <input type="checkbox"/>	1538.5 PC <input type="checkbox"/>	PRETRIAL <input type="checkbox"/>	FURTHER PRETRIAL <input type="checkbox"/>	OTHER <input type="checkbox"/>			
			995 PC <input type="checkbox"/>	1538.5 PC <input type="checkbox"/>	PRETRIAL <input type="checkbox"/>	FURTHER PRETRIAL <input type="checkbox"/>	OTHER <input type="checkbox"/>				
			995 PC <input type="checkbox"/>	1538.5 PC <input type="checkbox"/>	PRETRIAL <input type="checkbox"/>	FURTHER PRETRIAL <input type="checkbox"/>	OTHER <input type="checkbox"/>				
			995 PC <input type="checkbox"/>	1538.5 PC <input type="checkbox"/>	PRETRIAL <input type="checkbox"/>	FURTHER PRETRIAL <input type="checkbox"/>	OTHER <input type="checkbox"/>				
			995 PC <input type="checkbox"/>	1538.5 PC <input type="checkbox"/>	PRETRIAL <input type="checkbox"/>	FURTHER PRETRIAL <input type="checkbox"/>	OTHER <input type="checkbox"/>				
		V. FINAL PLEA		NOT GUILTY OR NGI <input type="checkbox"/>	GUILTY AS CHARGED <input type="checkbox"/>	GUILTY - L.I. FELONY <input type="checkbox"/>	GUILTY - L.I. MISD. <input type="checkbox"/>				
		VI. TRIAL		TRIAL STARTED:	JURY TRIAL <input type="checkbox"/>	COURT TRIAL <input type="checkbox"/>	TRIAL BY TRANSCRIPT <input type="checkbox"/>				
			NOT GUILTY OR NGI <input type="checkbox"/>	GUILTY AS CHARGED <input type="checkbox"/>	GUILTY - L.I. FELONY <input type="checkbox"/>	GUILTY - L.I. MISD. <input type="checkbox"/>					
		VII. OTHER HEARINGS		HABEAS CORPUS <input type="checkbox"/>	SANITY <input type="checkbox"/>	MDSO <input type="checkbox"/>	NARC. ADDICT <input type="checkbox"/>	PROB. REV. <input type="checkbox"/>	OTHER <input type="checkbox"/>		
		VIII. PROC. SUSPENDED		CRC <input type="checkbox"/>	1203.03 PC <input type="checkbox"/>	BW <input type="checkbox"/>	MDSO <input type="checkbox"/>	S.H. - INSANE <input type="checkbox"/>	MISTRIAL <input type="checkbox"/>	HUNG JURY <input type="checkbox"/>	OTHER <input type="checkbox"/>
		IX. DISMISSAL		INT. of JUST./DA MTN <input type="checkbox"/>	INSUFFICIENT EVIDENCE <input type="checkbox"/>	995 PC <input type="checkbox"/>	1538.5 PC <input type="checkbox"/>	OTHER <input type="checkbox"/>			
		X. OTHER DISP.		PROBATION REVOKED <input type="checkbox"/>	DEFENDANT RELEASED <input type="checkbox"/>	OTHER DISP. <input type="checkbox"/>	(Explain)				
		XI. SENTENCE		DEATH <input type="checkbox"/>	PRISON <input type="checkbox"/>	CYA <input type="checkbox"/>	JAIL (ONLY) <input type="checkbox"/>				
			PROBATION WITH JAIL <input type="checkbox"/>	PROBATION WITHOUT JAIL <input type="checkbox"/>	FINE (ONLY) <input type="checkbox"/>						

Figure 4
Body of the Defendant Record Card

When recording an "event", the data is all entered on the same line in the appropriate section as outlined on the pages to follow. The date of the event is entered in the first column under DATE. In the second column under DAYS, enter the number of calendar days since the last event which was entered occurred. In the fourth column under DEPT. enter the number of the department in which the event occurred. In the section under DETAILS, check the applicable box.

Following is an outline of the sections and options within each section for recording information regarding court events.

iv.

I. CASE INITIATION

Cases are initiated, generally, in one of three ways: (1) by an original filing of a criminal or non-criminal action, (2) by the reopening of a case which has been appealed, and (3) by instituting an action to revoke the probation of a previously convicted defendant. Information is entered in this section only when a case is initiated as above.

INFORM.

Check this box if the case is initiated by the filing of an Information.

INDICT.

Check this box if the case is initiated by the filing of an Indictment.

CERT.

When a defendant pleads guilty to a felony in Municipal Court, his plea must be certified and he must be sentenced by the Superior Court. Check this box if the case is initiated by the filing of such a Certification.

PETITION

Often a Municipal Court will petition the Superior Court to make a determination as to whether or not a defendant is an insane person, an M.D.S.O., a narcotic addict, etc. Check this box if the case is initiated by the filing of such a Petition.

H.C. WRIT

Check this box if the case is initiated by the filing of a Writ of Habeas Corpus or a Writ of Mandamus. There will be occasions where such a Writ is filed in a case initiated by a criminal filing and it will receive the same filing number. In such cases, a new card should be started for the processing of the Writ.

APPEALS

Check this box if the case is one which is being reopened as a result of a successful appeal or the granting of a motion for a new trial.

PROB. REV.

Check this box if the case is one which is being reopened by the filing of a petition to revoke probation.

v.

II. PROCEEDINGS RESUMED

When proceedings against a defendant are resumed after having been suspended, i.e. the defendant that was "inactive" becomes "active" by being placed on the calendar again, a new card is started and the initial entry is made in this section denoting the reason for which the proceedings were originally suspended. That is, the information is entered to indicate from what type of suspension the defendant is returning.

CRC

Check this box if the defendant is returning from the California Rehabilitation Center following treatment as a narcotic addict under Welfare and Institutions Code section 3051.

1203.03 PC

Check this box if proceedings are resumed following a temporary placement in a diagnostic facility pursuant to Penal Code section 1203.03.

BW

Check this box if the defendant has been returned to court as the result of the issuance of a bench warrant and proceedings are resumed.

MDSO

Check this box if the defendant is returning to Court for final disposition following an indeterminate commitment as a mentally disordered sex offender.

STATE HOSP.

Check this box if proceedings are resumed upon return of the defendant from a State Hospital commitment for insanity.

MISTRIAL

Check this box if the case is resumed after a mistrial other than a hung jury.

HUNG JURY

Check this box if proceedings are resumed after a mistrial has been declared as a result of a hung jury.

OTHER

Check this box where proceedings are resumed for any other reason.

III. ARRAIGNMENT

A defendant, against whom criminal charges have been filed, makes his initial plea at Arraignment generally within two weeks of the filing. This "event" should be recorded as of the date of this initial plea. Subsequent "arraignments" for additional charges or amended filings are not entered.

NOT GUILTY OR NGI

Check this box if the defendant pleads "Not Guilty" and/or "Not Guilty by Reason of Insanity."

GUILTY AS CHARGED

Check this box if the defendant pleads "Guilty" or "Nolo Contendere" to all offenses charged or to the primary offense charged. For example, if a defendant is charged with 187 PC (Homicide) and 211 PC (Robbery) and he pleads guilty to 187 PC (Homicide) and 211 PC (Robbery) or he pleads guilty only to 187 PC (Homicide), consider him as pleading "Guilty as Charged."

GUILTY - L.I.FELONY

Check this box if the defendant pleads "Guilty" or "Nolo Contendere" to a lesser included felony of the primary offense or to only some of the offenses (other than the primary offense) as charged. For example, if a defendant is charged with 187 PC (Homicide) and 211 PC (Robbery) and he pleads guilty to 192 PC (Manslaughter) and 211 PC (Robbery) or he pleads guilty only to 211 PC (Robbery), consider him pleading "Guilty to a Lesser Included Felony".

GUILTY - L.I.MISD.

Check this box if the defendant pleads "Guilty" or "Nolo Contendere" to no more than a misdemeanor which is a lesser included offense to those charged.

IV. PRELIMINARY HEARINGS

In cases initiated by a criminal filing, i.e. information or indictment, there are a number of possible preliminary hearings which can be held to hear various motions. Five lines are provided in this section for entering these hearings when they are held. Hearings for non-criminal proceedings are recorded in Section VII - OTHER HEARINGS.

995 PC

Check this box when the hearing decides a motion re 995 PC.

1538.5 PC

Check this box when the hearing decides a motion re 1538.5 PC.

PRETRIAL

Check this box when the hearing is an initial pretrial conference.

FURTHER PRETRIAL

Check this box when the hearing is a second, third or subsequent pretrial conference.

OTHER

Check this box when the hearing is for the purpose of pretrial discovery, change of venue, or to decide some other pretrial issue concerning the criminal proceedings.

V. FINAL PLEA

This section is used only when there is an initial plea of not guilty or not guilty by reason of insanity and there is a later and final plea of guilty or nolo contendere. On rare occasions it may be used when the initial plea was guilty or nolo and the defendant subsequently changed his plea to guilty or NGI. Regardless, an entry is made in this section when the defendant's final plea is different from that in Section III.

NOT GUILTY OR NGI

Check this box if the defendant pleads "Not Guilty" and/or "Not Guilty by Reason of Insanity."

GUILTY AS CHARGED

Check this box if the defendant pleads "Guilty" or "Nolo Contendere" to all offenses charged or to the primary offense charged. For example, if a defendant is charged with 187 PC (Homicide) and 211 PC (Robbery) and he pleads guilty to 187 PC (Homicide) and 211 PC (Robbery) or he pleads guilty only to 187 PC (Homicide), consider him as pleading "Guilty as Charged."

GUILTY - L.I.FELONY

Check this box if the defendant pleads "Guilty" or "Nolo Contendere" to a lesser included felony of the primary offense or to only some of the offenses (other than the primary offense) as charged. For example, if a defendant is charged with 187 PC (Homicide) and 211 PC (Robbery) and he pleads guilty to 192 PC (Manslaughter) and 211 PC (Robbery) or he pleads guilty only to 211 PC (Robbery), consider him pleading "Guilty to a Lesser Included Felony."

GUILTY - L.I.MISD.

Check this box if the defendant pleads "Guilty" or "Nolo Contendere" to no more than a misdemeanor which is a lesser included offense to those charged.

VI. TRIAL

There are two lines for recording information in this section: (1) to denote the start of a trial and (2) to indicate the verdict rendered by the trial.

When the trial is started, an entry is made on the first line indicating the date the trial started, the number of days since the last recorded "event", the department trying the defendant, and the type of trial. When a verdict is delivered, an entry is made on the second line indicating the date the verdict is delivered, the number of days since the trial started and the verdict. In the event the defendant pleads guilty or nolo before conclusion of the trial or a mistrial is declared, there will be no entry on the second line.

JURY TRIAL

Check this box if the trial is by jury.

COURT TRIAL

Check this box if the trial is by the court.

TRIAL BY TRANSCRIPT

Check this box if the trial is by the court based on the testimony contained in the transcript of the preliminary hearing held in the lower court with or without additional testimony.

A trial is considered "started" upon swearing of the jury or, in the event of a non-jury trial, upon presentation of the first bit of evidence.

NOT GUILTY OR NGI

Check this box if the defendant is found "Not Guilty" and/or "Not Guilty by Reason of Insanity."

GUILTY AS CHARGED

Check this box if the defendant is found "Guilty" to all offenses charged or to the primary offense. For example, if a defendant is charged with 187 PC (Homicide) and 211 PC (Robbery) and he is found guilty of 187 PC (Homicide) and 211 PC (Robbery) or he is found guilty only of 187 PC (Homicide), consider him as found "Guilty as Charged."

GUILTY - L.I.FELONY

Check this box if the defendant is found "Guilty" to a lesser included felony of the primary offense or to only some of the offense (other than the primary offense) as charged. For example, if a defendant is charged with 187 PC (Homicide) and 211 PC (Robbery) and he is found guilty of 192 PC (Manslaughter) and 211 PC (Robbery) or he is found guilty only of 211 PC (Robbery), consider him as found "Guilty to a Lesser Included Felony."

GUILTY - L.I.MISD.

Check this box if the defendant is found "Guilty" to no more than a misdemeanor which is a lesser included offense to those charged.

VII. OTHER HEARINGS

There are many issues dealing with other than criminal proceedings for which hearings are held as well as some for criminal proceedings which don't classify as preliminary proceedings to be included in Section IV. This section is for entering all of these types of hearings when they are held in connection with a case having a criminal case filing number.

NOTE: Often, a "formal" hearing is not held but time is taken by the court to make a determination or decision regarding a defendant or a case. In light of this, the term "hearing" is also used to denote such a "decision event."

HABEAS CORPUS

Check this box when a hearing is held in connection with a Writ of Habeas Corpus, a Writ of Mandamus, or any other similar writ.

SANITY

Check this box when a hearing is held in connection with the determination of a defendant's sanity.

MDSO

Check this box when a hearing is held in connection with the determination of whether or not a defendant is a mentally disturbed sex offender.

NARC. ADDICT.

Check this box when a hearing is held in connection with the determination of a defendant's addiction to a narcotic.

PROBATION REVOCATION

Check this box when a hearing is held to decide the issue of a petition to revoke probation.

OTHER

Check this box when there is a hearing held which is to decide an issue re a non-criminal proceeding other than those listed above or to decide a post-trial criminal matter. An indication as to the nature of the hearing should be made.

VIII. PROCEEDINGS SUSPENDED

Proceedings against a defendant are considered "suspended" when the case is removed from the calendar, i.e. the defendant becomes "inactive." By "inactive", we imply that the defendant will eventually be returning to an active status as opposed to "disposed" where the case is not expected to be reactivated or resumed except in the event of an appeal or probation revocation.

CRC

Check this box if the defendant is committed to the California Rehabilitation Center as an addict per Sec. 3051 W&I.

1203.03 PC

Check this box if the defendant is temporarily placed in a Department of Corrections facility for a 90-day diagnosis.

BW

Check this box if the defendant failed to appear, a bench warrant issued and the matter placed off-calendar.

MDSO

Check this box if the defendant is found to be a mentally disordered sex offender and is committed to the California Department of Mental Hygiene per Sec. 6316 W&I.

S.H.-INSANE

Check this box if the defendant is committed to a state hospital as presently insane.

MISTRIAL

Check this box if proceedings are temporarily suspended as a result of the declaration of a mistrial other than a hung jury.

HUNG JURY

Check this box if proceedings are temporarily suspended as a result of a hung jury.

OTHER

Check this box when proceedings are suspended for any other reason.

IX. DISMISSAL

In the event criminal proceedings against a defendant are dismissed, the event should be recorded in this section.

INT. OF JUST./DA MTN

Check this box if proceedings are dismissed in the "Interests of Justice" and/or as a result of a motion by the District Attorney. If it can be determined that the motion for dismissal in the interest of justice is made by the Court or by the defense, circle the phrase INT. OF JUST. If it can be determined that the motion is by the District Attorney and for reasons other than the interest of justice (and for reasons other than specified in the other boxes), circle the phrase DA MTN. If the reason for the dismissal is simply interest of justice, motion of the District Attorney, or both, only the box should be checked.

INSUF. EVID.

Check this box if proceedings are dismissed because of insufficient evidence.

995 PC

Check this box if proceedings are dismissed pursuant to Sec. 995 PC.

1538.5 PC

Check this box if proceedings are dismissed pursuant to Sec. 1538.5 PC.

OTHER

Check this box if the criminal filing (information or indictment) is dismissed for a reason other than above.

X. OTHER DISPOSITION

When there is a disposition of a filing (other than criminal), such as a Writ of Habeas Corpus, Petition from Municipal Court, Petition for Revocation of Petition, etc., the event should be recorded in this section.

PROBATION REVOCATION

Check this box if probation is formally revoked following a Probation Revocation "Hearing" (See Section VII-OTHER HEARINGS). If probation is revoked merely to get the defendant to appear in court, do not count it as a probation revocation unless a sentence is subsequently given.

DEFENDANT RELEASED

Check this box when the defendant is released following a non-criminal hearing or a civil commitment (C.R.C., M.D.S.O., State Hospital, etc.). Do not check this box if the defendant is to be returned to a lower court following the hearing of a petition.

OTHER DISPOSITION (Explain)-----

Check this box when the non-criminal filing is disposed of in a manner not indicated above. Explain briefly the disposition. Check this box when the criminal case is transferred to another Superior Court jurisdiction and indicate "Transfer" on the line provided.

XI. SENTENCE

Following conviction or revocation of probation, sentence is passed by the court and that sentence should be recorded in this section as of the date of sentencing. In recording the sentence, one should be concerned with the final status of the defendant. For example, if a defendant is sentenced to prison, has the prison sentence suspended and is given probation without any jail term, he should be counted as having been given a sentence of Probation Without Jail, as that is his final status.

DEATH

Check this box if the sentence given is death.

PRISON

Check this box if the defendant ends up serving time in the State Prison.

CYA

Check this box if the defendant is committed to the California Youth Authority.

JAIL (only)

Check this box if the defendant is sentenced only to jail with no probation.

PROBATION WITH JAIL

Check this box if the defendant is given probation with a jail term to serve.

PROBATION WITHOUT JAIL

Check this box if the defendant is given probation with no time at all to be served in jail.

FINE (only)

Check this box if the defendant is only to pay a fine with no probation and/or jail time to be served.

USE OF SIGNALS

To make the counting of data much easier, colored signals, both metal and celluloid, are used. In short, whenever an entry is made on a Defendant Record Card, a signal is attached to the top of the card to flag the card for counting. The type of entry denotes the color and the position of the signal.

Metal Signals

Across the top of the Defendant Record Card are eleven spaces numbered with Roman numerals from I to XI. These spaces correspond to the eleven sections in the body of the card which are numbered in the same manner. When an entry is made in any of these sections, a metal signal is affixed to the top of the card in the corresponding space. For example, if a pretrial conference is recorded (in section IV), a metal signal will be attached to the top of the card in space IV. At the time the entries are counted, the signals are removed.

The color of the signal is determined by the offense category in which the defendant lies. The defendant is placed in an offense category according to the most serious offense of which he is charged or convicted.

Celluloid Signals

In addition to the numbered spaces at the top of the card are three spaces coded "J", "C" and "TX". A colored celluloid signal is affixed to the card in one of these spaces at the time a trial is started. If the trial is a jury trial, the signal is placed in the "J" space. If the trial is a court trial, the signal is placed in the "C" space. If the trial is by transcript, the signal is placed in the "TX" space. The color of the signal used will vary from month to month as a different color is used for each month. These signals remain on the cards.

SAMPLE 1

FILE # 12643	DEF. # 1	J	C	TX	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	
CONS. FILE #		SUPERIOR COURT INFORMATION										CHARGES:				
NAME: WILLIAMS, JOSEPH		TYPE OF DEFENSE ATTY.										1. 261 - 2 CTS. 5. - CTS.				
		Public Defender <input checked="" type="checkbox"/> Court Appointed <input type="checkbox"/> Private Attorney or None <input type="checkbox"/>										2. 211 - 2 CTS. 6. - CTS.				
												3. 487 - 2 CTS. 7. - CTS.				
												4. - CTS. 8. - CTS.				
DATE	DAYS	PROCEEDING	DEPT.	DETAILS												
1-12-74		I. CASE INITIATION		INFORM. <input checked="" type="checkbox"/>	INDICT. <input type="checkbox"/>	CERT. <input type="checkbox"/>	PETITION <input type="checkbox"/>	H.C. WRIT <input type="checkbox"/>	APPEAL <input type="checkbox"/>	PROB. REV. <input type="checkbox"/>						
		II. PROC. RESUMED		CRC <input type="checkbox"/>	1203.03 PC <input type="checkbox"/>	BW <input type="checkbox"/>	MDSO <input type="checkbox"/>	STATE HOSP. <input type="checkbox"/>	MISTRIAL <input type="checkbox"/>	HUNG JURY <input type="checkbox"/>	OTHER <input type="checkbox"/>					
1-16-74	4	III. ARRAIGNMENT	5	NOT GUILTY OR NGI <input checked="" type="checkbox"/>	GUILTY AS CHARGED <input type="checkbox"/>	GUILTY - L.I. FELONY <input type="checkbox"/>	GUILTY - L.I. MISD. <input type="checkbox"/>									
2-5-74	20	IV. PRELIMINARY HEARINGS	22	995 PC <input checked="" type="checkbox"/>	1538.5 PC <input type="checkbox"/>	PRETRIAL <input type="checkbox"/>	FURTHER PRETRIAL <input type="checkbox"/>	OTHER <input type="checkbox"/>								
2-21-74	16		12	995 PC <input type="checkbox"/>	1538.5 PC <input type="checkbox"/>	PRETRIAL <input checked="" type="checkbox"/>	FURTHER PRETRIAL <input type="checkbox"/>	OTHER <input type="checkbox"/>								
					995 PC <input type="checkbox"/>	1538.5 PC <input type="checkbox"/>	PRETRIAL <input type="checkbox"/>	FURTHER PRETRIAL <input type="checkbox"/>	OTHER <input type="checkbox"/>							
					995 PC <input type="checkbox"/>	1538.5 PC <input type="checkbox"/>	PRETRIAL <input type="checkbox"/>	FURTHER PRETRIAL <input type="checkbox"/>	OTHER <input type="checkbox"/>							
2-21-74	0	V. FINAL PLEA	12	NOT GUILTY OR NGI <input type="checkbox"/>	GUILTY AS CHARGED <input type="checkbox"/>	GUILTY - L.I. FELONY <input checked="" type="checkbox"/>	GUILTY - L.I. MISD. <input type="checkbox"/>									
		VI. TRIAL		TRIAL STARTED: JURY TRIAL <input type="checkbox"/>	COURT TRIAL <input type="checkbox"/>	TRIAL BY TRANSCRIPT <input type="checkbox"/>										
2-6-74	1	VII. OTHER HEARINGS	5	HABEAS CORPUS <input type="checkbox"/>	SANITY <input checked="" type="checkbox"/>	MDSO <input type="checkbox"/>	NARC. ADDICT <input type="checkbox"/>	PROB. REV. <input type="checkbox"/>	OTHER <input type="checkbox"/>							
		VIII. PROC. SUSPENDED		CRC <input type="checkbox"/>	1203.03 PC <input type="checkbox"/>	BW <input type="checkbox"/>	MDSO <input type="checkbox"/>	S.H. - INSANE <input type="checkbox"/>	MISTRIAL <input type="checkbox"/>	HUNG JURY <input type="checkbox"/>	OTHER <input type="checkbox"/>					
		IX. DISMISSAL		INT. of JUST./DA MTN <input type="checkbox"/>	INSUFFICIENT EVIDENCE <input type="checkbox"/>	995 PC <input type="checkbox"/>	1538.5 PC <input type="checkbox"/>	OTHER <input type="checkbox"/>								
		X. OTHER DISP.		PROBATION REVOKED <input type="checkbox"/>	DEFENDANT RELEASED <input type="checkbox"/>	OTHER DISP. <input type="checkbox"/>	(Explain)									
3-16-74	23	XI. SENTENCE	12	DEATH <input type="checkbox"/>	PRISON <input type="checkbox"/>	CYA <input type="checkbox"/>	JAIL (ONLY) <input type="checkbox"/>	PROBATION WITH JAIL <input checked="" type="checkbox"/>	PROBATION WITHOUT JAIL <input type="checkbox"/>	FINE (ONLY) <input type="checkbox"/>						

This represents a hypothetical Defendant Record Card for a defendant named Joseph Williams who has been charged with two counts each of 261 PC, 211 PC and 487 PC. An information was filed against him on January 12, 1974, and was given the action number 12643. He is being defended by the Public Defender. He pled not guilty and not guilty by reason of insanity at his arraignment on January 16th. 20 days later there was a hearing re 995 PC held in Department 22 and the next day a sanity hearing in Department 5. The results of the hearing were that the defendant is and was sane as the case proceeded to a pretrial conference on February 21st at which the defendant changed his plea to guilty of 211 PC and 487 PC and the 261 PC charges were dropped by the DA. The defendant was sentenced to prison with the prison suspended and then given 5 years probation with 12 months in the county jail on March 16. There was a total of 41 days from filing to disposition, i.e. conviction, and 64 days from filing to closing of action, i.e. sentencing.

SAMPLE 2

FILE # 96572	DEF. # 1	J	C	TX	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	
CONS. FILE # 96351		SUPERIOR COURT INFORMATION										CHARGES:				
NAME: SMITH, FRANK P.		TYPE OF DEFENSE ATTY.										1. 211 - 1 CTS. 5. - CTS.				
		Public Defender <input type="checkbox"/> Court Appointed <input type="checkbox"/> Private Attorney or None <input checked="" type="checkbox"/>										2. 459 - 3 CTS. 6. - CTS.				
												3. 11350^{H&S} 4 CTS. 7. - CTS.				
												4. - CTS. 8. - CTS.				
DATE	DAYS	PROCEEDING	DEPT.	DETAILS												
2-6-74		I. CASE INITIATION		INFORM. <input type="checkbox"/>	INDICT. <input checked="" type="checkbox"/>	CERT. <input type="checkbox"/>	PETITION <input type="checkbox"/>	H.C. WRIT <input type="checkbox"/>	APPEAL <input type="checkbox"/>	PROB. REV. <input type="checkbox"/>						
		II. PROC. RESUMED		CRC <input type="checkbox"/>	1203.03 PC <input type="checkbox"/>	BW <input type="checkbox"/>	MDSO <input type="checkbox"/>	STATE HOSP. <input type="checkbox"/>	MISTRIAL <input type="checkbox"/>	HUNG JURY <input type="checkbox"/>	OTHER <input type="checkbox"/>					
2-12-74	6	III. ARRAIGNMENT	5	NOT GUILTY OR NGI <input checked="" type="checkbox"/>	GUILTY AS CHARGED <input type="checkbox"/>	GUILTY - L.I. FELONY <input type="checkbox"/>	GUILTY - L.I. MISD. <input type="checkbox"/>									
2-20-74	8	IV. PRELIMINARY HEARINGS	22	995 PC <input checked="" type="checkbox"/>	1538.5 PC <input type="checkbox"/>	PRETRIAL <input type="checkbox"/>	FURTHER PRETRIAL <input type="checkbox"/>	OTHER <input type="checkbox"/>								
2-22-74	2		22	995 PC <input type="checkbox"/>	1538.5 PC <input checked="" type="checkbox"/>	PRETRIAL <input type="checkbox"/>	FURTHER PRETRIAL <input type="checkbox"/>	OTHER <input type="checkbox"/>								
3-16-74	22		7	995 PC <input type="checkbox"/>	1538.5 PC <input type="checkbox"/>	PRETRIAL <input checked="" type="checkbox"/>	FURTHER PRETRIAL <input type="checkbox"/>	OTHER <input type="checkbox"/>								
					995 PC <input type="checkbox"/>	1538.5 PC <input type="checkbox"/>	PRETRIAL <input type="checkbox"/>	FURTHER PRETRIAL <input type="checkbox"/>	OTHER <input type="checkbox"/>							
		V. FINAL PLEA		NOT GUILTY OR NGI <input type="checkbox"/>	GUILTY AS CHARGED <input type="checkbox"/>	GUILTY - L.I. FELONY <input type="checkbox"/>	GUILTY - L.I. MISD. <input type="checkbox"/>									
3-20-74	4	VI. TRIAL	8	TRIAL STARTED: JURY TRIAL <input checked="" type="checkbox"/>	COURT TRIAL <input type="checkbox"/>	TRIAL BY TRANSCRIPT <input type="checkbox"/>										
3-23-74	3	VII. OTHER HEARINGS	8	HABEAS CORPUS <input type="checkbox"/>	SANITY <input type="checkbox"/>	MDSO <input type="checkbox"/>	NARC. ADDICT <input type="checkbox"/>	PROB. REV. <input type="checkbox"/>	OTHER <input type="checkbox"/>							
		VIII. PROC. SUSPENDED		CRC <input type="checkbox"/>	1203.03 PC <input type="checkbox"/>	BW <input type="checkbox"/>	MDSO <input type="checkbox"/>	S.H. - INSANE <input type="checkbox"/>	MISTRIAL <input type="checkbox"/>	HUNG JURY <input type="checkbox"/>	OTHER <input type="checkbox"/>					
		IX. DISMISSAL		INT. of JUST./DA MTN <input type="checkbox"/>	INSUFFICIENT EVIDENCE <input type="checkbox"/>	995 PC <input type="checkbox"/>	1538.5 PC <input type="checkbox"/>	OTHER <input type="checkbox"/>								
		X. OTHER DISP.		PROBATION REVOKED <input type="checkbox"/>	DEFENDANT RELEASED <input type="checkbox"/>	OTHER DISP. <input type="checkbox"/>	(Explain)									
4-12-74	20	XI. SENTENCE	8	DEATH <input type="checkbox"/>	PRISON <input checked="" type="checkbox"/>	CYA <input type="checkbox"/>	JAIL (ONLY) <input type="checkbox"/>	PROBATION WITH JAIL <input type="checkbox"/>	PROBATION WITHOUT JAIL <input type="checkbox"/>	FINE (ONLY) <input type="checkbox"/>						

This represents the hypothetical Defendant Record Card for a defendant named Frank P. Smith who has been charged with 1 count of 211 PC, 3 counts of 459 PC and 4 counts of 11350 H&S. An indictment was filed against him on February 6, 1974, and was given the action number 96572; it has been consolidated with case number 96351. He is being defended by a private attorney. He pled not guilty at his arraignment in Department 5 on February 12. He had hearings for 995 PC and 1538.5 PC on February 20 and 22, respectively, and a pretrial conference on March 16. A jury trial was started on March 20 in Department 8 and a verdict of guilty as charged brought in three days later on March 23. On April 12, 1974, the defendant was sentenced to state prison. If the information for April had not been counted, the signal will still be affixed to the card indicating this fact.