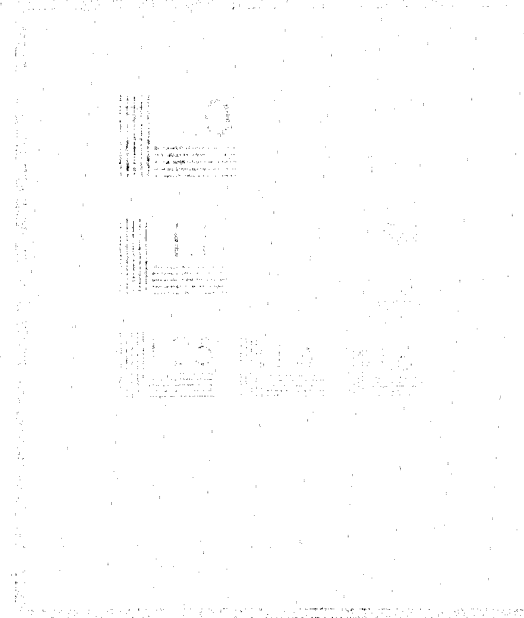


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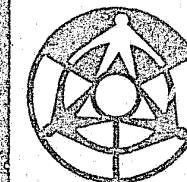
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U.S. DEPARTMENT OF JUSTICE
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NATIONAL CRIMINAL JUSTICE REFERENCE SERVICE
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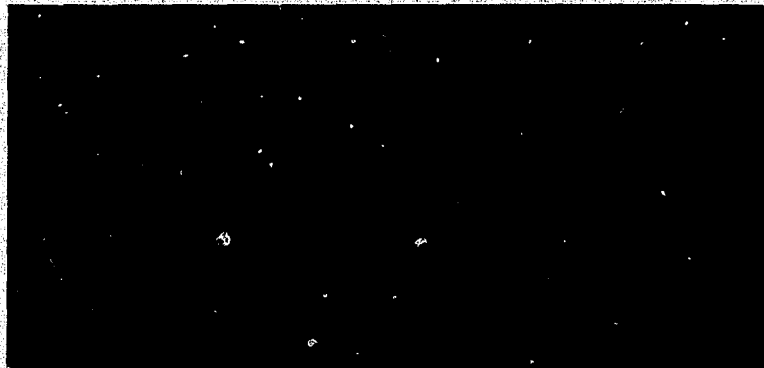
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DEVELOPMENT OF A UNIFORM STATISTICAL
SYSTEM FOR THE DISTRICT COURTS OF
VIRGINIA

NCJRS

MAR 8 1977

April, 1974

ACQUISITIONS

Consultants:

National Center for State Courts
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TABLE OF CONTENTS

	PAGE
I. INTRODUCTION.	1
II. ANALYSIS OF EXISTING SITUATIONS	3
A. Newly Created General District Courts	3
B. Need to Develop Statistical System for The District Courts	4
III. SUGGESTED REQUEST FOR PROPOSALS TO DEVELOP VIRGINIA DISTRICT COURT STATISTICAL SYSTEM	9
A. General Information	9
1. Purpose	10
2. Issuing Office.	10
3. Inquiries	10
4. Deadline.	10
5. Preparation Guidelines.	11
6. Time Estimate	14
B. Tasks and Methods	14

I. INTRODUCTION

Effective July 1, 1973, a statewide General District Court system was established by The Virginia General Assembly to unify administratively the state's limited and special jurisdiction courts. Responsibility for administering these courts was vested in the Committee on District Courts and the Chief Justice of the Virginia Supreme Court. Since the courts comprising the new General District Courts had never been courts of record, information regarding such factors as caseload and case process time had previously been collected by each court individually according to its own operating procedures.

To effectively administer the new system on a statewide basis, a uniform method of statistical reporting is essential. The information thereby produced would allow for adequate staffing as well as case monitoring. To develop such a system, the Committee on District Courts and Virginia State Planning Agency requested the technical assistance services of the National Center for State Courts through LEAA's Criminal Courts Technical Assistance Project at The American University. Two consultants from the Center were assigned to respond to this request: David J. Halperin, Regional Director of the Center's Southeastern Regional Office; and Samuel Conti, Acting Regional Director of its Northeastern Regional Office.

On November 9, 1973, Mr. Halperin attended a meeting of the Virginia Committee on District Courts and discussed the specific areas of needed assistance with officials closely involved with District Court operations. On November 13 and 14, 1973, Mr. Halperin and Mr. Conti visited Richmond, and

discussed the technical assistance request further with Ms. Bobbi Todd court systems analyst and other personnel of the Executive Secretary's Office as well as visited several District Courts deemed representative of those in the state.

This report is the product of those on-site consultations, a study of statistical and descriptive material concerning the Virginia District Courts furnished by the Committee to the consultants, as well as the application to the Virginia situation of principles and procedures which have been put into effect or recommended in other jurisdictions.

II. ANALYSIS OF EXISTING SITUATION

A. Newly Created General District Courts

The newly created District Courts substitute, on a uniform basis, two courts (the General District Court and the Juvenile and Domestic Relations District Court) for the plethora of limited and special jurisdiction courts which theretofore existed. The District Courts are state level courts, with financing from both state funds and funds provided by local units of government. Supporting personnel, such as magistrates, clerks and assistant clerks, are state employees. The District Court system is, pursuant to statute, to be administratively supervised on a state-wide basis by the Chief Justice of The Virginia Supreme Court and administered by the Committee on District Courts which has the responsibility of assuring, inter alia, adequate staffing in terms of judicial and supporting personnel for each District Court location, the setting of personnel policies (including salary rates for individual employees), and the like. The Committee has recently authorized the employment of an administrator to assist it in this function and to relieve the Committee of some of the operating details with which it has been concerned.

Although they are new courts with uniform subject-matter jurisdiction wherever located in the state, the District Courts may more realistically be viewed as the merger into a single system of an agglomeration of preexisting courts. Despite some changes in jurisdiction, many (and probably most) of those

preexisting courts continue to do business precisely as though no change had taken place; both their substantive business and their procedures are substantially unchanged. In the case of the courts visited and, we suspect, generally, even the new name of the Court is not yet in general use.

B. Need to Develop Statistical System for The District Courts

Because the District Courts inherited the personnel, physical facilities, and diverse systems of their predecessors, the development of a statistical system is both particularly necessary and somewhat complicated: necessary, because particularly reliable data will be needed to justify the changes which may reasonably be anticipated as being called for in order to systematize the structure and operations of the District Courts, and to equalize personnel workloads within them; and difficult, because a large number of people may be called upon to change accustomed ways of doing things. On the other hand, personnel in the system seem unusually amenable to constructive change; the District Court Clerks' Advisory Committee actively favors central administration by a full-time professional and the use of uniform forms.

The request for proposals accompanying this report is designed to meet this situation by calling for the development and implementation not only of a statistical system, but design and implementation of uniform docketing and filing procedures and, in specified instances, uniform fiscal accounting procedures.

Without repeating the detailed language of the request for proposals more than necessary, and ignoring the fiscal accounting aspect, key features of the project contemplated by the RFP are as follows:

1. Design of a uniform docketing system. This aspect of the work is of crucial importance, because:
 - (a) It may be presumed that the dockets will form the data source for most statistical reports.
 - (b) A properly designed docketing system can minimize the amount of extra effort required to generate statistical reports.
 - (c) The uniform docketing system becomes essential when, as contemplated by phase 2 implementation of the statistical system, a state-wide case following system is instituted.
2. It is contemplated that the statistical system will be designed for implementation, and implemented, in two distinct phases. The need for phased implementation became evident during the site visit when it became apparent that the desired statistical system could not be immediately implemented on a statewide basis. The resultant two-phase implementation may, in the long run, be more desirable so as to allow time for assimilation of the concepts of uniform docketing and statistical reporting, and for a refinement of data elements as experience is gained on the more limited statistical system.

The two phases contemplated are:

- (a) Phase 1 would operate basically by means of monthly reports summarizing in gross:
 - (1) filings (by case type),
 - (2) dispositions (by case type, mode of dispositions)
 - (3) age of case at time of disposition,
 - (4) status of pending cases, and
 - (5) certain other elements of information.

- (b) Phase 2 would provide for individual case following to make it possible to develop detailed information on the time lapse for each type of case as it passes through each significant stage of completion. This phase would also include development of a weighted caseload system.

Bidders are called upon, in the proposed RFP, to suggest potential management uses of the statistics gathered. The following would appear to be the minimum management uses to which the statistical system should be readily adaptable:

A. Phase 1 system

1. Detecting the presence, in any district, of a backlog of pending cases greater than can be reasonably expected to be disposed of promptly on the basis of that district's normal rate of case dispositions; exploring the feasibility of temporarily assigning additional judicial personnel should be considered.
2. Detecting the presence, in any district, of a disproportionately large number of filings per judge, indicating (assuming the same case composition as in other districts) the need for additional judicial personnel, on a regular basis, to equalize workload.

3. Determining typical processing time by type of case and mode of disposition.
4. Determining the presence of abnormal delay in a district.
5. Determining whether a district is accumulating pending cases of abnormal age.
6. Determining, on a comparative basis, which districts try abnormally large and abnormally small percentages of cases, perhaps suggesting the need for detailed study as to cause.
7. Determining the workload of individual magistrates, and of all magistrates within a district.
8. Providing responsive data in order to adequately prepare summaries, statistical reports required by both State and Federal governmental agencies from the individual courts and the court system as a whole.

B. Phase 2 system

In addition to providing the data produced in Phase 1, the Phase 2 system should have the capacity to:

1. Indicate the time it takes to pass through each significant stage subsequent to filing for the average or typical case, the substantial majority of cases (75% to 90%), and the longest case, by district and system-wide.
2. Determine the history of any given case, pending or completed.
3. Automatically call attention to any individual case which has experienced abnormal delay.

4. Indicate the typical period of detention of criminal defendants before they make bail, the existence in any district of an abnormal percentage of defendants who are unable to make bail pending trial, and the typical period of detention prior to trial of a defendant unable to make bail, as well as the existence of any individuals for whom such period of time is abnormally long.
5. On a periodic basis, to determine the amount of time required for various judicial duties (including travel), so that a weighted caseload system might be developed. Such a system could, in turn, permit more accurate determination of needed judicial manpower than is possible under the raw caseload statistics available under Phase I.
6. Provide the basis of all feasible reports required from the courts and court system and be so designed as to successfully interface with existing and planned Criminal Justice Information Systems.

The development of the proposed system should be of great value to the administration of the District Courts. Although the National Center for State Courts is precluded from bidding on the project due to contract provisions between The American University and the Law Enforcement Assistance Administration, the Center will be pleased to offer any other assistance deemed appropriate for the implementation of this project.

III. SUGGESTED REQUEST FOR PROPOSALS TO DEVELOP
VIRGINIA DISTRICT COURT STATISTICAL SYSTEM

A. General Information

Nature of the Contemplated Project

The project contemplated by this Request is the design of a statistical information system for the General District Courts and for the Juvenile and Domestic Relations Courts of the Commonwealth of Virginia. While bidders will wish to consult Virginia statutes for a detailed description of these courts (Code of Virginia Title 16.1, Chapter 4.1, Section 16.1 et seq.), it may be generally stated that they are the substitute for a variety of limited and special jurisdiction courts which previously existed in Virginia; and as such substitutes, have uniform subject-matter jurisdiction whatever their location in the state. The District Courts are state courts, and their judges, clerks and other supporting personnel are employees of the Commonwealth. The district court system is administered centrally. The primary purposes of the statistical system to be produced in this project will be to provide a tool for management of the courts, particularly for the allocation of personnel to the District Courts and for monitoring the operations of the District Courts in their handling of cases. As discussed in greater detail below, it is contemplated that the statistical system should be designed so as to be implemented in two distinct phases: phase 1 to yield gross statistics on filings (by case type), dispositions (by case type, mode of disposition, and age of case at time

of disposition), status of pending cases, and certain other elements of information; phase 2 to provide for individual case following, and time lapse and weighted caseload systems. The successful bidder will be expected to follow through on the implementation of each phase, as well as design the appropriate systems.

1. Purpose

The purpose of this Request for Proposal (RFP) is to provide interested parties with requirements, guidelines, information and specifications to facilitate their submission of proposals for the contemplated project.

2. Issuing Office

(Here, specify, in addition to any State requirements as to Treasurer or Comptroller, the name and address of the Judge or administrator who will be responsible for superintendence of the project, as well as the project director, if known.)

3. Inquiries

Prospective bidders are invited to make inquiries concerning this project by telephoning _____.

4. Deadline

All proposals and accompanying documents referred to herein must be received in the Office of _____ by (specify hour, day and date). Bids received after that time will be rejected.

5. Preparation Guidelines

All proposals must be completely responsive to the RFP for consideration. The respondents should provide a direct and concise description of their ability to meet the RFP's requirements.

In order to fairly evaluate the proposals, all respondents are requested to use the following format of proposal preparation.

The proposal must indicate:

- a. Understanding of the needs of the District Courts of the Commonwealth of Virginia, specifically, by providing a precise rendition of understanding of the court structure and requirements for a statistical system.
- b. Work Plan - provide a detailed activity synopsis showing how all tasks are to be accomplished (see Section II , Tasks and Methods).
- c. Project End Products - Indicate end products in terms of implementation and documentation. These elements must be related to each task completion for phased implementation as well as to the final submission.
- d. Staff Assignment - Identify all personnel to be assigned to the project and their qualifications in terms of education and relevant experience. Contractual agreements as to continuity of designated and approved staff will be required.

- e. Firm Credentials - Provide a summary of your firm's qualifications in providing service to governmental agencies with specific reference to the administration of justice in the courts and ancillary departments and agencies.
- f. In-Kind Contribution and Technical Assistance - Although the district courts may provide an "in-kind" contribution of personnel to aid in the conduct of the project, the availability of such personnel is at the discretion of the courts and will not reduce contractor obligations in the performance of tasks described.

The district courts also reserve the right to seek and retain such additional technical assistance as may be desirable to aid in monitoring and evaluating the on-going work and final product of the contractor.

- g. Cost and Price Analysis - This information must be disclosed in a separate section of the proposal and must show:

(1) Manpower costs:

- (a) Name and title of personnel to be assigned to the project,
- (b) Name, title and experience of consultants who will be retained in the conduct of the project,
- (c) Estimated man-day efforts in total and by specific task,

- (d) Compensation of staff and consultants based on daily rate, weekly rate. Total cost per staff member or consultant.
 - (e) Sub-contractor considerations - The contractor, in subcontracting work under the contract, must comply with Virginia Statutes, specifically Code of Virginia § 11-20 (b), when applicable.
 - (f) Anticipated travel and per diem expenditures.
 - (g) Overhead percentage (include statement of overhead calculation and items included in overhead.
 - (h) Profit percentage.
 - (i) Total cost (here state whether Commonwealth wants:
 - (a) lump sum, (b) cost plus percentum, or (c) fee basis.)
- (2) Equipment costs:
- If equipment or leased computer time will be required for the conduct of the project, the hourly costs, number of hours anticipated and total cost must be specified.
- (3) Conversion costs:
- Cost which may be anticipated in the conversion of present docketing or statistics gathering systems to recommended systems must be described.

6. Time Estimate

Bidders are required to submit with the proposals a graphic representation as to the amount of time estimated to complete each phase of the project. Also required is a statement of how soon after the contract is awarded the work will commence.

B. Tasks and Methods

All tasks, upon phased completion will be submitted by the contractor for approval prior to advancement to a subsequent phase.

The tasks and results to be achieved must be described with sufficient detail in order to assure systematic evaluation. The tasks must specify minimum design goals and implementation phases.

Please note that the suggested tasks contained herein as a statement of work are deemed severable as to Phase Two implementation (See 7,1). The bidders must submit a separate cost statement for completion of tasks described in those sections.

The contractor must:

1. Provide a brief description of the General District Courts and of the Juvenile and Domestic Relations District Courts as to jurisdiction, present caseload and resource allocation. This task, requiring a review of statistics, rules and policies, must provide a definitional (context) basis for a suggested statistical system.

2. Conduct a survey of caseload, judicial personnel, judicial support personnel, resources, filing patterns, judge travel time in multi-county districts, and forms utilized in X general District Courts and Y Juvenile and Domestic Relations District Courts, as specified by agreement.
3. Develop a recommended data base necessary for a statistical system. This data base must, in addition to listing of data elements, describe sources, alternative uses, and collection methods and schedules.
4. Submit tentative, reasonable caseload standards based upon published studies.
5. Isolate significant measurement points throughout the case flow process based upon the preparation of system flow charts.
6. Design uniform docketing procedures and monthly reports for all District Courts. This task will require forms design, submission schedule and procedure and user training. (The system developed must comply with docketing requirements of the State Auditor; the contractor must recommend feasible alternatives to the system now operated under the control of the State Auditor).
7. Specify data element requirements, forms and procedures for the preparation of reports in the following phases:
 - a. Phase One Implementation -
 - (1) Those elements, forms and procedures which will, in

combination, yield a monthly and annual statistics system as to total filings by case type; dispositions by case type, mode of disposition and age at disposition; status and age of pending cases; classification of money judgments; and such other statistics as the contractor recommends as being of primary importance.

- (2) Design a fines, costs and restitution account recording and reporting system.
- (3) Design a reporting system which will permit evaluation of the workload of individual magistrates and of all magistrates within each appropriate geographic jurisdiction.

b. Phase Two Implementation -

- (1) Specify those elements which, being based on individual case tracking, will provide a basis for a time lapse and weighted caseload study.
- (2) Develop time lapse and weighted caseload systems for the District Courts. These systems must provide data which can be used for the development of standards for increasing utilization of judicial personnel and resources and eventual utilization of judicial support personnel. This development must make reference to weighted caseload and time lapse studies now in operation in the several states and the federal system.

- (3) For the implementation of this phase, the contractor must make projections regarding the following:
 - (a) Duration of data collection effort for the time lapse and weighted caseload study.
 - (b) Staffing and costs for data conversion. Alternative costs based upon service bureaus, in house staff and other governmental agency assistance are to be outlined.
 - (c) Costs of manual or automated processing of data gathered in this phase.
8. Specify the personnel and techniques necessary to gather, calculate and make preliminary evaluations of data to be used in the statistical system.
9. Prepare a manual for use by judges, clerks, and administrative personnel regarding forms completion and submission and explanations as to use and interpretation of the statistics developed.
10. Describe periodic report format, the means and extent of distribution of reports and suggestions as to interpretation of statistics within the report.
11. Following tests in selected courts, specify plans for transition and parallel operations as well as implementation.
12. Support all tasks and plans with full documentation and a complete statement of methodology employed.
13. Suggest potential management uses of the statistics gathered.

END