

If you have issues viewing or accessing this file contact us at NCJRS.gov.

42953

STATISTICS ON CRIMINAL CASELOADS AND
ESTIMATED PROCESSING TIME IN GENERAL
TRIAL COURTS, FISCAL YEAR 1975

FINAL REPORT

Prepared for
The Department of Justice
Law Enforcement Assistance Administration

by
National Planning Association
1606 New Hampshire Avenue, N.W.
Washington, D.C. 20009

Under Contract No. J-LEAA-035-74

July 1977

42953

STATISTICS ON CRIMINAL CASELOADS AND ESTIMATED PROCESSING TIME
IN GENERAL TRIAL COURTS,
FISCAL YEAR 1975

FINAL REPORT

Prepared for the Department of Justice
Law Enforcement Assistance Administration

by

National Planning Association
1606 New Hampshire Avenue, N.W.
Washington, D.C. 20009

Under Contract No. J-LEAA-035-74

This project was supported by Contract Number J-LEAA-035-74 awarded by the Law Enforcement Assistance Administration, U.S. Department of Justice, under the Omnibus Crime Control and Safe Streets Act of 1968, as amended. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

JULY 1977

TABLE OF CONTENTS

Preface	iv
CHAPTER I. HIGHLIGHTS	1
CHAPTER II. INTRODUCTION	
1. The Issue of Case Delay	4
2. Scope of Study	5
3. Data Sources	6
4. Size Distribution of Reporting Courts.	8
5. Definitions.	9
CHAPTER III. NATIONAL SUMMARY	
A. Months Needed to Dispose of Pending Cases.	13
B. Case Dispositions Per Judge-Year on Criminal Cases	15
C. Judicial Workloads and Case Delay.	17
D. Court Operations and Case Delay.	20
1. Continuances and Case Delay.	20
2. Calendaring Priorities and Criminal Case Delay	24
3. Omnibus Hearings and Criminal Case Delay	28
4. Percent of Judge-Time Devoted to Criminal Cases and Criminal Case Delay.	31
E. Case Delay and Percent of Cases Terminated by Trial.	34
F. Relationship Between Prosecution Agency Staffing and Court Case Delay	38
1. Prosecutor Workloads and Case Delay.	39
2. Prosecutor-Judge Ratios.	40
3. Use of Part-Time Prosecutors	43
G. State "Speedy Trial" Laws and Case Delay	46
H. Court Unification and Months Needed to Process Pending Cases.	50
APPENDIX A - State Tables	55
APPENDIX B - Detailed Distribution of Courts by Selected Characteristics.	75
APPENDIX C - Survey Questions Which Were the Basis for the Tabulations of Criminal Case Delay.	110

LIST OF TABLES

Table

1	Distribution of General Trial Courts by Months Needed to Process Cases Pending at the End of Fiscal Year 1975.	14
2	Distribution of General Trial Courts by Cases Disposed of Per Judge-Year on Criminal Cases in Fiscal Year 1975	16
3	Distribution of General Trial Courts by Cases in the Court Per Judge-Year on Criminal Cases, 1975	18
4	Months Needed to Process Felony Cases Pending at the End of FY 1975 by Felony Equivalent Caseloads Per Judge-Year on Criminal Cases	19
5	Distribution of General Trial Courts by Type of Continuance Policy, 1975	21
6	Months Needed to Process Cases Pending at the End of Fiscal Year 1975 in General Trial Courts by Type of Continuance Policy Used by the Court.	22
7	Cases Pending Per Judge-Year on Criminal Cases, by Type of Continuance Policy Used, General Trial Courts, 1975.	23
8	Distribution of General Trial Courts by Type of Calendaring Priority Given to Criminal Cases, 1975.	24
9	Months Needed to Process Pending Cases by Type of Calendaring Priority for Criminal Cases, General Trial Courts, 1975	26
10	Cases Pending Per Judge-Year on Criminal Cases, by Type of Calendaring Priority for Criminal Cases, General Trial Courts, 1975	27
11	Estimated Months to Process Cases Pending at the End of Fiscal Year 1975 by the Presence or Absence of a Requirement for Omnibus Hearings.	29
12	Cases Pending Per Judge-Year on Criminal Cases, by the Presence or Absence of a Requirement for the Use of Omnibus Hearings, General Trial Courts, 1975.	30
13	Distribution of General Trial Courts by Percent of Judge-Time Devoted to Criminal Cases, 1975.	32
14	Months Needed to Process Cases Pending in General Trial Courts at the End of 1975 by Percent of Judge-Time Devoted to Criminal Cases	33

Table

15	Months Needed to Process Felony Cases Pending in General Trial Courts at the End of Fiscal Year 1975, by Percent Terminated by Trial.	36
16	Cases Processed Per Judge-Year on Criminal Cases, by Percent of Cases Terminated by Trial, 1975.	37
17	Months to Process Felony Cases Pending at the End of Fiscal Year 1975 by Felony Equivalent Caseload Per Prosecutor	39
18	Months Needed to Process Cases Pending at the End of Fiscal Year 1975, by the Ratio of Full-Time Equivalent Prosecutors to Judge-Years on Criminal Cases	41
19	Months Needed to Process Felony Cases Pending in General Trial Courts at the End of Fiscal Year 1975 by the Percent of Associated Prosecutors Who Are Part-Time	44
20	Months Needed to Process Cases Pending at the End of Fiscal Year 1975 by Strength of State Speedy Trial Laws	49
21	List of States by Rating on Court Unification	52
22	Months to Process Cases Pending in General Trial Courts at the End of Fiscal Year 1975, by Rating of the State on Court Unification	53

APPENDIX A

A-1	Average Felony Caseloads per General Trial Court, By State and Region, Fiscal Year 1975	57
A-2	Average Misdemeanor Caseloads per General Trial Court By State and Region, Fiscal Year 1975	59
A-3	Average Felony Equivalent Caseloads per General Trial Court, by State and Region, Fiscal Year 1975	61
A-4	Average Number of Months Needed to Process Criminal Cases Pending at the End of Fiscal Year 1975 in General Trial Courts, by State and Region	64
A-5	Average Number of Months Needed to Process Criminal Cases Pending at the End of Fiscal Year 1975, General Trial Courts with at Least 100 Felony Filings, by State and Region	66
A-6	Felony and Felony Equivalent Cases Disposed of Per Judge and Per Judge-Year on Criminal Cases, in General Trial Courts, by State and Region, 1975	69

Table

A-7 Felony and Felony Equivalent Cases Disposed of Per Judge and Per Judge-Year on Criminal Cases, in General Trial Courts with at Least 100 Felony Filings by State and Region, 1975 72

APPENDIX B

B-1 Distribution of General Trial Courts by Months Needed to Process Felony Cases Pending at the End of FY 1975 and by the Felony Equivalent Caseload Per Judge-Year Devoted to Criminal Cases 77

B-2 Distribution of General Trial Courts by the Number of Months Required to Process Felony Cases Pending at the End of FY 1975 and by Type of Continuance Policy Used in the Court 78

B-3 Distribution of General Trial Courts by the Number of Months Required to Process Misdemeanor Cases Pending at the End of FY 1975 and by Type of Continuance Policy Used in the Court 79

B-4 Distribution of General Trial Courts by the Number of Months Required to Process Felony Equivalent Cases Pending at the End of FY 1975 and by Type of Continuance Policy Used in the Court 80

B-5 Distribution of General Trial Courts by Felony Cases Pending At the End of FY 1975, Per Judge-Year on Criminal Cases, and by Type of Continuance Policy Used in the Court 81

B-6 Distribution of General Trial Courts by Felony Equivalent Cases Pending at the End of FY 1975, Per Judge-Year on Criminal Cases, and by Type of Continuance Policy Used in the Court 82

B-7 Distribution of General Trial Courts by the Number of Months Needed to Process Felony Cases Pending at the End of FY 1975 and by Type of Calendaring Priority Used in the Court 83

B-8 Distribution of General Trial Courts by the Number of Months Needed to Process Misdemeanor Cases Pending at the End of Fiscal Year 1975 and by Type of Calendaring Priority Used in the Court 84

B-9 Distribution of General Trial Courts by the Number of Months Needed to Process Felony Equivalent Cases Pending at the End of FY 1975 and by Type of Calendaring Priority Used in the Court 85

B-10 Distribution of General Trial Courts by Felony Cases Pending, Per Judge-Year on Criminal Cases, and by Type of Calendaring Priority Used in the Court, 1975 86

Table

B-11 Distribution of General Trial Courts by Felony Equivalent Cases Pending, Per Judge-Year on Criminal Cases, and by Type of Calendaring Priority Used in the Court, 1975 87

B-12 Distribution of General Trial Courts by the Number of Months Needed to Process Felony Cases Pending at the End of FY 1975 and by Whether Omnibus Hearings are or are not Required 88

B-13 Distribution of General Trial Courts by the Number of Months Needed to Process Misdemeanor Cases Pending at the End of Fiscal Year 1975 and by Whether Omnibus Hearings are or are not Required 89

B-14 Distribution of General Trial Courts by the Number of Months Needed to Process Felony Equivalent Cases Pending at the End of FY 1975 and by Whether Omnibus Hearings are or are not Required 90

B-15 Distribution of General Trial Courts by Felony Cases Pending at the End of FY 1975 Per Judge-Year on Criminal Cases and by Whether Omnibus Hearings are or are not Required 91

B-16 Distribution of General Trial Courts by Felony Equivalent Cases Pending at the End of FY 1975 Per Judge-Year on Criminal Cases and by Whether Omnibus Hearings are or are not Required 92

B-17 Distribution of General Trial Courts by Months Needed to Process Felony Cases Pending at the End of FY 1975 and by the Percent of Judge-Time Devoted to Criminal Cases 93

B-18 Distribution of General Trial Courts by Months Needed to Process Felony Equivalent Cases Pending at the End of FY 1975 and by the Percent of Judge-Time Devoted to Criminal Cases 94

B-19 Distribution of General Trial Courts by Months Needed to Process Felony Cases Pending at the End of FY 1975 and by the Percent of Cases Terminated by Trial 95

B-20 Distribution of General Trial Court by the Number of Felony Cases Processed Per Judge-Year on Criminal Cases and the Percent of Cases Disposed of by Trial, 1975 96

B-21 Distribution of General Trial Courts by the Number of Felony Equivalent Cases Processed Per Judge-Year on Criminal Cases and by the Percent of Cases Disposed of by Trial, 1975 97

B-22 Distribution of General Trial Courts by the Number of Months Required to Process Felony Cases Pending at the End of FY 1975 and by Felony Equivalent Caseloads of Prosecutors Who Bring Cases to the Court 98

Table

B-23	Distribution of General Trial Courts by Months Required to Process Felony Cases Pending at the End of FY 1975 and by the Ratio of Full-Time Equivalent Prosecutors to Judge-Year on Criminal Cases	99
B-24	Distribution of General Trial Courts by Months Required to Process Felony Equivalent Cases Pending at the End of FY 1975 and by the Ratio of Full-Time Equivalent Prosecutors to Judge-Years on Criminal Cases	100
B-25	Prosecutors Per Judge in General Jurisdiction State and Local Courts, 1975	101
B-26	Distribution of General Trial Courts by Months to Process Felony Cases Pending at the End of FY 1975 and by the Percent of Associated Prosecutors and Assistant Prosecutors who Work Part-Time	103
B-27	Distribution of General Trial Courts by the Number of Months Needed to Process Felony Cases Pending at the End of FY 1975, and by the Relative Strength of Their States Speedy Trial Legislation	104
B-28	Distribution of General Trial Courts by the Number of Months Needed to Process Misdemeanor Cases Pending at the End of FY 1975 and by the Relative Strength of Their States Speedy Trial Legislation	105
B-29	Distribution of General Trial Courts by the Number of Months Needed to Process Felony Equivalent Cases Pending at the End of FY 1975 and by the Relative Strength of Their States Speedy Trial Legislation	106
B-30	Distribution of General Trial Courts by the Number of Months Needed to Process Felony Cases Pending at the End of FY 1975, and by the Rating of the State on Court Unification	107
B-31	Distribution of General Trial Courts by the Number of Months Needed to Process Misdemeanor Cases Pending at the End of FY 1975, and by the Rating of the State on Court Unification	108
B-32	Distribution of General Trial Courts by the Number of Months Needed to Process Felony Equivalent Cases Pending at the End of FY 1975, and by the Rating of the State on Court Unification	109

PREFACE

This report presents data on criminal case workloads in a large sample of state and county general jurisdiction trial courts, on estimated time needed to process pending cases and on the relationship between case processing time and selected characteristics of these courts. The data were collected in surveys conducted by the Bureau of Social Science Research in 1976, as part of the National Manpower Survey of the Criminal Justice System (NMS). The latter study was performed under contract with the Law Enforcement Assistance Administration in response to a Congressional requirement, under the 1973 Crime Control Act, for a survey of personnel, training and education needs in the fields of law enforcement and criminal justice and of the adequacy of federal, state and local programs to meet these needs.

The primary source of data for the present report consisted of responses to a mailed questionnaire addressed, in 1976, to all state trial and appellate trial courts of general jurisdiction. In addition to considerable information on court personnel functions, the questionnaire requested selected summary statistics on criminal case backlogs and dispositions for fiscal year 1975. The latter data were collected for the primary purpose of providing estimates of judicial workloads, as part of the assessment of court personnel needs. Data on the length of time required to process criminal cases in these courts also was considered directly relevant to the scope of the study, in view of widespread concern about criminal case delays, and the attribution of these delays, at least in part, to shortages of judges and other key personnel. Since most courts still do not maintain statistics on the length of time between arraignment and trial for individual cases, average case processing time was estimated based on the ratio of cases pending at the end of fiscal year 1975 to the number disposed of during the year.

The statistics developed from this source are necessarily subject to a number of technical limitations, which are discussed in the body of the report. Nevertheless, they represent--to our knowledge--the first large scale compilation of summary data on criminal case backlogs and processing time which has been attempted for trial courts of general jurisdiction. Available empirical research on the subject of criminal case delay has typically been based on analyses of case flows in individual courts or in a small number of jurisdictions. Although programs for development of nationwide court statistics have been initiated by the L.E.A.A., a considerable period of time is expected to elapse before such data will be available.

For these reasons, it was considered desirable to develop a systematic compilation of the relevant data derived as a by-product from the National Manpower Survey court questionnaire and related sources, in order to provide a preliminary profile of the statistical dimensions of criminal case delay and of some of its correlates. These initial summary data may be of interest both to judicial administrators in providing statistical yardsticks for assessing the performance of their own court systems, and to researchers, in development of more precise and comprehensive national statistics on the performance of our nation's courts.

This report is a supplement to the Final Report on the National Manpower Survey, submitted in a series of eight volumes, listed below:

- | | |
|--------------|--|
| Volume I. | Summary Report |
| Volume II. | Law Enforcement |
| Volume III. | Corrections |
| Volume IV. | Courts |
| Volume V. | Criminal Justice Education and Training (2 parts) |
| Volume VI. | Criminal Justice Manpower Planning |
| Volume VII. | The Survey Research Program: Procedures and Results
(2 parts) |
| Volume VIII. | Field Analysis of Occupational Requirement and
Personnel Management (3 parts) |

Volume IV, Courts, includes a systematic presentation of NMS findings on manpower and on training and education programs for personnel in courts, prosecution and public defender agencies, as well as a detailed bibliography on these subjects. Additional relevant data are included in portions of Volumes V-VIII of the report, as well as in the Summary Report (Volume I).

This report was prepared by Harry Greenspan of the National Planning Association. Linda Harris and Bernard Gilman of NPA assisted in the initial stages of the data analysis. Neal Miller, also of NPA, served as consultant on certain aspects of the study. Harold Wool, NMS Project Director, provided general supervision for this project.

CHAPTER I

HIGHLIGHTS

CHAPTER I. HIGHLIGHTS

- This report is based on a nationwide survey of state and local trial courts of general jurisdiction, conducted in 1976 as part of the National Manpower Survey of the Criminal Justice System. Depending on the topic, statistical data summarized in this report were provided, in usable form, by about 400 to 1,300 of the 3,400 general jurisdiction trial courts in the United States. The results must therefore be considered as indicative of trends or relationships, rather than as definitive statistics applicable to all such courts.

- The number of pending felony cases in the reporting courts increased by 10 percent between the beginning and the end of fiscal year 1975. Pending misdemeanor cases decreased by 2 percent.

- Only 41 percent of the courts which responded to the survey had 100 or more felony filings in 1975, but the felony filings in these courts made up 94 percent of the 321,000 filings for all reporting courts.

- Among courts with at least 100 felony filings, 5.2 months was required in the average (median) court to complete the disposition of felony cases pending at the end of fiscal year 1975, based on the rate of disposition of cases in fiscal year 1975. About one-eighth of these larger courts had backlogs estimated to need more than one year for processing. Among courts with fewer than 100 felony filings, the average court needed 4.7 months to complete the disposition of pending felony cases.

• Disposition of misdemeanor cases pending at the end of 1975 was estimated to require 4.1 months in the average larger court and 3.1 months in the average smaller court, based on the number processed during 1975.

• In the average court of those with 100 or more felony filings, more than 400 felony equivalent cases were disposed of per judge-year on criminal cases, or almost three times the 145 dispositions per judge-year for the average smaller court. The number of cases disposed of per judge-year varied widely however. Thus, at one extreme, 20 percent of the larger courts reported 700 or more felony equivalent dispositions per judge-year on criminal cases whereas 13 percent of the courts reported fewer than 200 per judge-year.

• The factor which was most strongly related to case delay was the workload per judge-year devoted to criminal cases. Among courts with at least 100 felony filings in 1975, those which reported relatively low workloads of 200 to 399 felony equivalent cases in the court per judge year on criminal cases needed an average 4.4 months to process pending felony cases. The average for courts with the heaviest workloads--1,000 or more cases per judge-year on criminal cases--was 7.1 months, or more than 60 percent longer than those with the smallest workloads per judge. A similar, but more pronounced relationship between workloads per judge and case delay was found for the smaller courts.

• Among the various court management practices which were examined, continuance policies were found to be most closely associated with the length of case delay. Larger courts reporting a "strict continuance policy" had an average felony backlog of 4.9 months, compared to 5.4 months in courts with only a policy of "continuance granted with adjournment to a date certain" and to 6.8 months in courts which followed neither of these policies. A strict con-

CHAPTER II

INTRODUCTION

tinuance policy was also associated with shorter backlogs in the smaller courts.

- Among the larger courts, those which "usually or always" gave priority to criminal cases over civil cases in preparing the court calendar also had somewhat shorter felony backlogs, than courts which used a less general priority for criminal cases. However, certain other court practices, such as the use of omnibus hearings to reduce the time used for successive pre-trial motions showed little relation to case delay in the courts surveyed.

- High workloads in prosecution agencies were also associated with relatively long delay in the courts. In jurisdictions where prosecution agencies reported over 300 felony equivalent cases per full-time equivalent prosecutor, the average felony case backlog was almost 7 months--appreciably longer than the backlog in courts whose affiliated prosecution agencies had substantially smaller caseloads per prosecutor.

- Courts with relatively long case backlogs disposed of a smaller percentage of their criminal cases through trial, probably reflecting a greater tendency to resolve cases by plea bargaining in such courts.

- Courts with relative strong speedy trial laws required significantly less time to process pending felony cases than did those with weak speedy trial requirements. Backlogs in states with medium and high strength speedy trial laws averaged 4.5 and 4.9 months respectively, as compared to 7.4 months in states with weak provisions.

- Courts in states which had achieved a relatively high degree of court unification also reported shorter backlogs--by an average of one month for both large and small courts--than reported by courts in states with a low degree of unification.

CHAPTER II. INTRODUCTION

1. The Issue of Case Delay

The length of the time between arrest and the trial or other resolution of a serious criminal charge is considered a major factor in achieving equal justice. The significance of criminal case delay is recognized in the sixth amendment of the U.S. Constitution which guarantees the right to a speedy trial. Nevertheless, case delay has been a serious problem for many years and an especially severe one in recent years. In 1973 the National Advisory Commission on Criminal Justice Standards and Goals reported:

"The Court System in the United States is in serious difficulty. There are too many defendants for the existing system to handle effectively and efficiently. Backlogs are enormous; workloads are increasing."¹

The Commission went on to recommend that the first priority for court standards and goals should be speed and efficiency in determining the guilt or innocence of a defendant. In Standard 4.1 the Commission recommended that:

"The period from arrest to the beginning of a trial of a felony prosecution generally should not be longer than 60 days. In a misdemeanor prosecution, the period from arrest to trial generally should be 30 days or less."²

To reduce case delay both the U.S. Congress and state legislatures have passed laws specifying the maximum length of time between arrest and trial. The Federal Speedy Trial Act of 1974 provides that persons accused of violating Federal criminal laws who plead "not guilty" must be brought to trial within 100 days of arrest.³ In the last 15 years a number of states have passed speedy trial laws requiring trial within 60, 90, or 180 days, or by the next or follow-

ing term of court, with penalties as severe as dismissal of the charges if the requirement is not met. However, these legal objectives are frequently not achieved despite such legislation. In fact, the survey of state and county general trial courts on which this report is based found that felony case backlogs in the reporting courts increased by an average of 10 percent during fiscal year 1975, and that about five months would be required to dispose of pending cases in the average (median) court based on the performance of these courts in 1975.

In addition to the volume of work pressing on the courts, a number of other factors are cited as sources of delay. Although a speedy trial is seen as a right that is often desired by the accused, the law also tends to build in delay to protect defendants. Defense attorneys may deliberately use delay in defense of clients, for example by successive pre-trial motions for a change of venue, to suppress evidence, or to set aside an indictment. Inefficiencies in court operations also contribute to delay. These may take the form of poor control of the scheduling of cases, the liberal granting of continuances and slow jury selection. Case backlogs and delays also may originate in the prosecutor's office, where workloads may exceed personnel resources, resulting in requests for postponements; or where inadequate screening of cases allows poor cases to go forward to the calendar, only to be dropped before trial.⁴

2. Scope of Study

The data available for this report permit an initial assessment of the relationship between a number of these factors and average case processing time. Information is presented on the relation of delay to such factors as the size of judicial and prosecutorial workload, the percent of cases terminated by trial, continuance policies, the use of omnibus hearings to reduce the time used

for pretrial motions, calendaring priorities used by the court, the strength of state speedy-trial laws, and the number of prosecutors per judge.

Since most courts do not maintain statistics on the length of time between arraignment and trial for individual cases, the measure used in this report is based on the ratio of cases pending at the end of the year to the number disposed of during the previous year. The ratio is converted to estimated months needed to complete the disposition of the pending cases. A number of tables are presented which group courts by specified characteristics and show for the median court of each group, the estimated months needed to process felonies, misdemeanors and "felony equivalents" pending at the end of fiscal year 1975 based on the number disposed of during the year. Other tables show the number of cases pending at the end of the year per judge-year on criminal cases.

These statistics are subject to a number of limitations: They refer to a limited, and not necessarily representative sample of all state trial courts of general jurisdiction. Since the primary purpose of the questionnaires was to obtain information on courts personnel and workloads, the questions relevant to case delay were not as detailed and rigidly defined as would be desirable for a separate survey of this problem. Finally, despite careful editing of the survey responses, no field validation of reliability of reported data was possible. Hence, the resulting statistics should be considered as indicative only, rather than as definitive nationwide estimates.

3. Data Sources

The major source of data for this report was a mailed questionnaire survey of all non-federal general jurisdiction trial courts undertaken as part of the National Manpower Survey of the Criminal Justice System. The relevant questions from the survey are included in Appendix C. About 3,400 courts were identified as within the scope of the survey based on Census Bureau directory lists. Ques-

tionnaires with useable data were returned by 1,537 courts, or 46 percent of those requested to provide information. Because of item non-response, useable data on specific topics was received from a smaller number of courts. The item response varied from over 1,300 replies on the number of judges authorized for the court, to 840 on the three felony caseload items, to under 400 for some types of case terminations. Thus, the number of courts covered in specific tables will vary, depending upon item response rates for these and similar key variables. (The numbers of reports on which the summary tables of Chapter III are based are given in Appendix B).

A few tables included in this report are based on data from the NMS survey of state and county prosecutors, conducted in late 1975. For these tables, data from prosecution agencies were used only if the jurisdiction could be matched with the jurisdiction of a reporting court.

Many courts which were one seat of a circuit or district that met in more than one location, reported the same number of judges for the court and for the district. The questionnaire did not request the information that would be needed to determine the amount of judge-time for the reporting court, when the judges met in more than one location. Although attempts were made to estimate the allocation of time among such courts from collateral available information, such as annual state court reports, these methods were not considered sufficiently reliable. Therefore, reports from the 310 courts which were one seat of a circuit or district, and which reported the same number of judges for the court and for the circuit were not used in tables which required estimates of "judge-years." These reports were, however, included in the analyses which do not depend on the judge-year concept.

4. Size Distribution of Reporting Courts

The size of the courts included in this survey is indicated by two characteristics: the number of authorized judges and the number of felony filings in fiscal year 1975. Under either criterion, a majority of all reporting courts were very small, consisting of one authorized judge (part-time or full-time) and with fewer than 100 felony filings in fiscal year 1975.

As shown below, 51 percent of reporting courts had a single authorized judge, 33 percent had 2-4 judges, and 15 percent reported 5 or more authorized judges.

<u>Number of Judges</u>	<u>Percent Distribution^a</u>
1	51
2	20
3-4	13
5-10	9
11 or more	<u>6</u>
Total	100

^a Based on 1,321 reporting courts. Detail does not add to 100 due to rounding.

Among the 888 courts which reported the number of felony case filings, 59 percent had fewer than 100 felony filings in fiscal year 1975. However, all but 6 percent of the total of 321,000 felony filings in all reporting courts were in courts with 100 or more felony filings and the 8 percent of courts with 1,000 or more felony filings accounted for 69 percent of all felony filings. The distribution of reporting courts by felony filing size groups is shown below:

<u>Number of Felony Filings</u>	<u>Percent of All Reporting Courts ^a</u>	<u>Percent of All Reported Felony Filings ^a</u>
1-99	59%	6
100-199	15	5
200-399	10	8
400-699	5	7
700-999	3	4
1,000 or more	<u>8</u>	<u>69</u>
Total	100	100

^a Based on 888 reports. Detail may not add to 100 because of rounding.

5. Definitions

The following specialized definitions have been used in the tables and analyses appearing in this report.

Months Needed to Process Pending Cases. The NMS court survey obtained data, separately for felonies and misdemeanors, on the number of cases pending at the start of fiscal year 1975, the number filed during the year and the number pending at the end of the year. The estimated number of months to process cases pending at the end of the year was derived as the number pending at the end of the year divided by the average number processed per month during the year.

e.g., if 120 cases were disposed of during the year, or 10 per month, and 50 cases were pending at the end of the year, the months needed to process pending cases = $50 \div 10 = 5$.

Calculation of the months needed for disposition of pending cases is based on the assumption that the case dispositions over the entire previous year indicate the rate at which cases will be processed in the new year and that all pending cases are active cases.

Median Months to Process Pending Cases. The number of months to process pending cases has been summarized by use of the median value in the main body of the report. This represents the "middle" court, with half of the replying : courts requiring fewer months to process pending cases and half requiring more months to process pending cases.

Felony Equivalent. For purposes of providing a weighted measure of criminal case loads, including both felonies and misdemeanors, 5.5 misdemeanor cases have been estimated to be the workload equivalent of one felony case.

e.g., A court which has 100 felony filings and 55 misdemeanor filings, has 110 felony equivalent filings. A court which has only felony cases, has an equal number of felony and felony equivalent cases.

The felony equivalent ratio for misdemeanors was estimated by multiple regression analysis, using judge-time on criminal cases as the dependent variable and felonies disposed of and misdemeanors disposed of as the independent variables.

Judge-Years on Criminal Cases. The NMS Court Survey requested data on the number of authorized judges, the number of vacancies, judge-days "borrowed", judge-days "loaned" and the percent of judge-time apportioned to criminal cases. For courts which do not maintain records of the proportion of judge-time for criminal cases, respondents were requested to provide an estimate of this ratio. The data on the number of filled judicial positions, plus or minus the portion of a judge-year represented by days borrowed or loaned, was adjusted for the percent of time spent on criminal cases to derive "judge-years on criminal cases." On the average, judges in the reporting courts devoted about 37 percent of their time to criminal cases, the rest being used for civil, juvenile or traffic cases. Thus, a court which reported two judges who spent half their time on criminal cases, was calculated to have one judge-year on criminal cases.

As a further example of how this concept was used, a court which reported the disposition of 100 felony cases during the year, and also reported a single judge who spent one-third of his time on criminal cases, is counted as having disposed of 300 cases per judge-year on criminal cases.

Average. Averages (other than medians) which appear in this report for states, regions and the United States (Tables A-1 to A-7) are means, not weighted for non-response, and are based solely on the courts which reported from the area indicated. They are weighted by the number of cases in the reporting courts. Averages based on data for individual states must be interpreted with particular caution, because of the small proportion of reporting courts in some states or regions and potential related response biases.

FOOTNOTES TO CHAPTER II

1. National Advisory Commission on Criminal Justice Standards and Goals, Courts 1973, p. 1.
2. Ibid., p. 68.
3. Public Law 93-619, 93rd Congress, S.754, January 3, 1975, p. 1.
4. For analytical discussions of factors contributing to criminal case delay see particularly: Martin A. Levin, "Delay in Five Criminal Courts", The Journal of Legal Studies 4 (January 1975), and Lewis R. Katz, Lawrence B. Litvin and Richard H. Bamberger, Justice is the Crime, Pre-Trial Delay in Felony Cases (Case Western Reserve University, 1972). Additional citations are included in the bibliography to Final Report of the National Manpower Survey, Volume IV, Courts, pp. 229-250.

CHAPTER III

NATIONAL SUMMARY

CHAPTER III. NATIONAL SUMMARY

A. MONTHS NEEDED TO DISPOSE OF PENDING CASES (Table 1)

Based on the number of case dispositions during fiscal year 1975, about 5 months were estimated to be needed in the average state or county general jurisdiction trial court to complete the disposition of felony cases which were pending at the end of the fiscal year. The 5 months also represents the estimated time between the filing and the disposition of cases by trial, plea of guilty or other means in the average court.

About one-third of all reporting courts met or exceeded a fairly strict standard for speedy trial of felonies. Disposition of their pending felony cases was estimated to require three months or less. On the other hand, 41 percent had backlogs estimated to require more than 6 months and 17 percent of all courts had more cases pending at the end of fiscal year 1975 than were processed during the year and so were estimated to need more than a year for disposition of all pending cases.

Among courts with 100 or more felony filings, felony backlogs of three months or less were estimated for 27 percent of the courts. However, 12 percent of these larger courts were estimated to need more than a year to process felony cases pending at the end of fiscal year 1975.

More than half of the courts which reported on misdemeanor cases had backlogs which were estimated to require over three months for disposition and about 30 percent of the courts needed more than 6 months to dispose of pending misdemeanor cases.

TABLE 1

DISTRIBUTION OF GENERAL TRIAL COURTS BY MONTHS NEEDED TO PROCESS
CASES PENDING AT THE END OF FISCAL YEAR 1975

Months to Process Pending Cases	All Courts	Courts With 100 Or More Felony Filings	Courts With 1 to 99 Felony Filings
<u>Felonies</u>			
Median Months to Process Cases	4.9	5.2	4.7
<u>Percent of Total</u>			
All Replies	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	33	27	38
3.1-6 Months	26	31	22
6.1-12 Months	24	29	21
12.1 Months or more	17	13	20
Number of Reports	(829)	(325)	(504)
<u>Misdemeanors</u>			
Median Months to Process Cases	3.6	4.1	3.1
<u>Percent of Total</u>			
All Replies	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	45	38	49
3.1-6 Months	25	32	22
6.1-12 Months	16	18	15
12.1 Months or more	13	12	14
Number of Reports	(433)	(160)	(273)

Detail may not add to 100 percent because of rounding.

B. CASE DISPOSITIONS PER JUDGE-YEAR ON CRIMINAL CASES (Table 2)

Courts with 100 or more felony filings reported a much higher rate of case disposition per judge-year on criminal cases than was reported by the smaller courts--more than three times as many felony dispositions and 2.8 times as many felony equivalent dispositions

Felony equivalents is a more meaningful measure of workload and dispositions per judge-year than felonies alone. The felony equivalent concept includes misdemeanor cases for courts which have misdemeanor jurisdiction, as well as felonies, with 5.5 misdemeanors counted as equal to one felony based on relations found for the reporting courts. The difference between the large and the small courts in the dispositions per judge-year on criminal cases is reduced somewhat when the felony equivalent measure is used because a higher proportion of the smaller courts have misdemeanor as well as felony jurisdictions.

Forty-two percent of the smaller courts but only 2 percent of the larger courts reported fewer than 100 felony-equivalent dispositions per judge-year on criminal cases. One in five of the larger courts reported 700 or more felony equivalent dispositions per judge-year.

The large variation in the dispositions per judge-year raises questions on the efficiency of the courts with relatively few dispositions per judge-year and on the quality of justice in the courts with the highest disposition rates.

TABLE 2

DISTRIBUTION OF GENERAL TRIAL COURTS BY CASES DISPOSED OF
PER JUDGE-YEAR ON CRIMINAL CASES IN FISCAL YEAR 1975

Cases Disposed of Per Judge-Year	All Courts	Courts With 100 Or More Felony Filings	Courts With 1 to 99 Felony Filings
<u>Felony Cases</u>			
Average Dispositions Per Judge-Year ^a	247	373	120
	<u>Percent of Total</u>		
All Replies	<u>100</u>	<u>100</u>	<u>100</u>
1 to 99 Dispositions	24	4	46
100 to 199	17	14	21
200 to 399	30	36	23
400 to 699	19	31	5
700 or More	10	15	4
Number of Reports	(379)	(198)	(181)
<u>Felony Equivalent Cases</u>			
Average Dispositions Per Judge-Year ^a	282	404	145
	<u>Percent of Total</u>		
All Replies	<u>100</u>	<u>100</u>	<u>100</u>
1 to 99 Dispositions	21	2	42
100 to 199	14	11	18
200 to 399	32	36	27
400 to 699	19	31	6
700 or More	13	20	6
Number of Reports	(340)	(176)	(164)

^a Median court.

C. JUDICIAL WORKLOADS AND CASE DELAY (Tables 3, 4)

One of the factors frequently cited as a cause of case delay is that the number of judges is insufficient for the volume of court business. This was the response given by 23 percent of professional court administrators when they were asked "What might be the single most serious cause of case delay in their courts." Another 13 percent gave "an overloaded docket or criminal calendar" as the primary cause of delay. The latter view also may reflect too few judges in relation to the number of cases as well as other resource shortages.¹

Large differences in judicial workloads were reported by the general trial courts. Among courts with at least 100 felony filings, felony cases pending at the beginning of the year plus those filed during the year equalled 550 per judge-year on criminal cases in the average (median) court. When misdemeanor cases are included, with 5.5 misdemeanors given a weight of one felony, the felony equivalent cases came to 611 per judge-year on criminal cases during 1975. The middle 50 percent of these larger courts had caseloads in the court ranging from 351 to 995 felony equivalents per judge-year; the other half of the courts had caseloads below 351 or above 995 felony equivalents per judge-year on criminal cases.

The smaller courts--those with fewer than 100 felony filings--generally reported much lower levels of cases in the court per judge-year on criminal cases than reported by the larger courts, but smaller courts also were found to have large differences in the caseloads per judge-year on criminal cases (Table 3).

A strong relation was found between the number of cases in the court per judge-year on criminal cases and the estimated months needed to process the cases that were pending at the end of the year. In the larger courts, the backlog of pending cases at the end of fiscal 1975 was estimated to require an average 4.4 months to process in courts with workloads in the court of 200 to 399 felony equivalent cases per judge-year on criminal cases, and an average 7.1 months in courts with

TABLE 3

DISTRIBUTION OF GENERAL TRIAL COURTS BY
CASES IN THE COURT PER JUDGE-YEAR ON CRIMINAL CASES, 1975^a

Cases Per Judge-Year	All Courts	Courts With 100 or More Felony Filings	Courts With 1-99 Felony Filings
<u>Felonies</u>			
Median Court-Cases Per Judge-Year	369	550	208
	<u>Percent of Total</u>		
All Replies	<u>100</u>	<u>100</u>	<u>100</u>
1- 99	16	2	32
100-199	10	4	17
200-399	28	30	26
400-699	22	29	15
700-999	10	14	5
1,000 or more	14	20	5
Number of Reports	(384)	(200)	(184)
<u>Felony Equivalentents</u>			
Median Court-Cases Per Judge-Year	429	611	231
	<u>Percent of Total</u>		
All Replies	<u>100</u>	<u>100</u>	<u>100</u>
1- 99	14	1	28
100-199	11	3	19
200-399	23	24	21
400-699	26	30	21
700-999	11	16	5
1,000 or more	16	25	6
Number of Reports	(345)	(178)	(167)

^a "Cases in the court" equals cases pending at the start of the year plus new cases filed.

workloads of over 1,000 cases per judge-year. Even sharper differences in average time needed to process pending cases was found for the smaller courts-- 2.9 months for courts with the lighter workloads to 7.5 months for those with heavier workloads (Table 4).

The data appear to provide strong support for the view that an increase in the number of judges (or a reduction in the flow of felony cases to the courts) would be a significant factor in reducing felony case processing time in many courts.

TABLE 4

MONTHS NEEDED TO PROCESS FELONY CASES PENDING AT THE END OF
FY 1975 BY FELONY EQUIVALENT CASELOADS PER
JUDGE-YEAR ON CRIMINAL CASES

Size of Court	All Courts	Caseloads ^{a/} Per Judge-Year				
		1 to 199	200 to 399	400 to 699	700 to 999	1,000 or More
<u>Months to Process Pending Felony Cases^{b/}</u>						
Courts with 100 or more felony filings	5.3	c/	4.4	4.8	6.6	7.1
Courts with 1 to 99 felony filings	4.9	2.9	5.8	7.5	c/	c/

^a Caseloads in this table = cases pending at the start of the year plus those filed during the year.

^b Median court. The number of reports on which the medians in this and subsequent tables of this chapter are based, and detailed distributions of courts by tabulated characteristics are shown in Appendix B.

^c Median not computed because there were fewer than 25 reports.

D. COURT OPERATIONS AND CASE DELAY

Since the length of time required to process criminal cases should be responsive to court management policies, simple tabulations were developed to show the months needed to dispose of pending cases for courts, separately classified by court policies on: (1) the granting of continuances, (2) the priority given to criminal cases, (3) the presence or absence of a requirement for omnibus hearings, and (4) the percent of judge-time given to criminal cases. (These and subsequent tabulations are designed as an initial exploratory analysis of these relationships. Detailed multiple regression analysis, supplemented by more intensive analyses of case flows and court processes, would be required for a definitive assessment of the effect of these and other variables on case delay, but was not feasible within the time and data constraints of the present report.)

1. Continuances and Case Delay (Tables 5-7)

The routine or casual granting of continuances is frequently cited as a major cause of delay in the courts.² This view was supported by professional court administrators. More than one-fourth of the professional administrators who responded to the NMS survey of their views of court operations reported that the most important cause of delay in their courts was the granting of continuances without sufficient reason, or because attorneys were not prepared. When asked about procedural policies that would contribute most to reducing unnecessary delay, the court administrators identified a "strict policy regarding the granting of requests for continuances" about three times as frequently as the next most frequently chosen action.³

In the separate NMS survey of court operations, court administrative officials were asked about policies in their court on the granting of continuances. Of the 820 courts which replied to the question (and also provided information on felony caseloads), 57 percent report a "strict continuance policy is followed to reduce the number of cases held over." A higher proportion of large courts than of small courts reported that they followed a strict continuance policy (Table 5).

TABLE 5

DISTRIBUTION OF GENERAL TRIAL COURTS BY TYPE OF CONTINUANCE POLICY, 1975^a

Type of Continuance Policy	All Courts	Courts With 100 or More Felony Filings	Courts With 1 to 99 Felony Filings
Number of Replies	820	325	495
		<u>Percent of Total</u>	
All Replies	<u>100</u>	<u>100</u>	<u>100</u>
Strict continuance policy ^a	57	64	52
Continuances granted-to-date certain ^a	27	23	30
Neither continuance policy	16	13	18

^a Respondents who reported both a "strict continuance policy" and "continuances granted-to-date certain" are included only in the "strict continuance policy" group.

A consciously "strict" continuance policy was associated with less case delay in both large and small courts than were other continuance policies, and with quicker disposition of misdemeanor as well as felony cases. Among the larger courts the average backlog for courts with a strict continuance policy was a half month shorter than for courts with only a policy of continuances to date certain, and about two months shorter than the average for courts which reported neither of these continuance policies (Table 6).

Courts with a strict continuance policy also had appreciably fewer cases pending per judge-year on criminal cases. For the courts with at least 100 felony filings, the differences were particularly sharp when "strict" courts were compared with courts which followed neither a strict policy nor one of granting continuances to date certain. In the latter courts the felony and felony equivalent cases pending per judge-year on criminal cases were about 60 percent greater than in courts which followed a strict continuance policy (Table 7).

TABLE 6

MONTHS NEEDED TO PROCESS CASES PENDING AT THE END OF FISCAL YEAR 1975
IN GENERAL TRIAL COURTS BY TYPE OF CONTINUANCE POLICY USED BY THE COURT

Type of Case and Size of Court	Type of Continuance Policy ^a			
	All Replies	Strict Continuance Policy to Reduce Cases Held Over	Continuances Granted To-Date Certain	Neither Continuance Policy
<u>Felonies</u>		<u>Months To Process Pending Cases</u>		
All Courts	4.9	4.5	5.5	5.8
Courts with 100 or more felony filings	5.2	4.9	5.4	6.8
Courts with 1-99 felony filings	4.6	4.0	5.6	5.1
<u>Misdemeanors</u>				
All Courts	3.6	3.1	4.2	4.4
Courts with 100 or more felony filings	4.1	3.8	4.6	<u>b/</u>
Courts with 1-99 felony filings	3.1	2.7	3.9	4.1

^a Respondents who reported both a "strict continuance policy" and "continuances granted to-date certain" are included only with the "strict continuance policy" group.

^b Median not computed because there were fewer than 25 replies.

TABLE 7

CASES PENDING PER JUDGE-YEAR ON CRIMINAL CASES, BY TYPE OF
CONTINUANCE POLICY USED, GENERAL TRIAL COURTS, 1975

Type of Case and Size of Court	Type of Continuance Policy ^a			
	All Replies	Strict Continuance Policy to Reduce Cases Held Over	Continuances Granted To-Date Certain	Neither Continuance Policy
<u>Felonies</u>		<u>Cases Pending Per Judge-Year</u>		
All Courts	105	91	113	156
Courts with 100 or more felony filings	154	138	155	220
Courts with 1-99 felony filings	49	36	79	70
<u>Felony Equivalents</u>				
All Courts	117	98	131	169
Courts with 100 or more felony filings	167	144	175	233
Courts with 1-99 felony filings	59	45	81	72

^a Respondents who reported both a "strict continuance policy" and "continuances granted to-date certain" are included only with the "strict continuance policy" group.

2. Calendaring Priorities and Criminal Case Delay (Tables 8-10)

A large proportion of general trial courts give priority to criminal cases over civil cases when preparing the court calendar. This is especially true of the larger courts. Among courts with 100 or more felony filings, 93 percent reported a priority for criminal cases, and in 70 percent of these courts, the priority is the broad one of "usually or always to criminal cases" with the other 23 percent using only a more limited priority for criminal cases. Seven percent of the larger courts and 16 percent of the courts with fewer than 100 felony filings reported that no priority was given to criminal cases as shown below.

TABLE 8

DISTRIBUTION OF GENERAL TRIAL COURTS BY TYPE OF CALENDARING PRIORITY GIVEN TO CRIMINAL CASES, 1975

Type of Priority	All Courts	Courts With 100 or More Felony Filings	Courts With 1 to 99 Felony Filings
Number of Reports	<u>817</u>	<u>327</u>	<u>490</u>
		<u>Percent of Total</u>	
All Replies	<u>100</u>	<u>100</u>	<u>100</u>
Priority usually or always to criminal cases	69	70	69
More limited priority to criminal cases ^a	18	23	15
No priority to criminal cases	13	7	16

^a Includes "Priority to incarcerated defendants", "Priority to criminal cases only when criminal case backlog becomes large", and "Priority only to 'old' criminal cases."

Felony case backlogs were moderately responsive to calendaring priorities in both large and small courts but this was associated with an increase in the backlog for misdemeanors. Courts which gave only a limited priority to criminal

cases reported felony backlogs which, on average, were about half a month longer than the average for courts which "usually or always give priority to criminal cases," and courts which reported no priority to criminal cases had still longer backlogs (Table 9).

Courts were also tabulated to show the relation of cases pending per judge-year on criminal cases to the type of calendaring priority used in the court. Among the courts with at least 100 felony filings, those which gave a general priority to criminal cases had 29 percent fewer felony cases and one-third fewer felony equivalent cases pending per judge-year, than the courts which provided only a limited priority to criminal cases. In the smaller courts fewer felonies were pending per judge-year in courts which provided no priority at all to criminal cases--probably because no priority was believed to be needed in the courts with relatively few such cases (Table 10).

TABLE 9

MONTHS NEEDED TO PROCESS PENDING CASES BY TYPE OF CALENDARING
PRIORITY FOR CRIMINAL CASES, GENERAL TRIAL COURTS, 1975

Type of Case and Size of Court	All Replies	Priority Usually Or Always to Criminal Cases Over Civil Cases	More Limited Priority To Criminal Cases ^a	No Priority to Criminal Cases
<u>Felonies</u>		<u>Months To Process Pending Cases^b</u>		
All Courts	4.9	4.7	5.2	5.5
Courts with 100 or more felony filings	5.2	5.1	5.5	<u>c/</u>
Courts with 1-99 felony filings	4.6	4.4	5.0	5.2
<u>Misdemeanors</u>				
All Courts	3.6	3.8	3.1	3.2
Courts with 100 or more felony filings	4.1	4.5	3.3	<u>c/</u>
Courts with 1-99 felony filings	3.1	3.2	2.9	3.5
<u>Felony Equivalents</u>				
All Courts	4.8	4.7	5.0	5.3
Courts with 100 or more felony filings	5.1	4.9	5.4	<u>c/</u>
Courts with 1-99 felony filings	4.6	4.5	4.6	5.1

^a See footnote a to Table 8 on page 24.

^b Median court.

^c Median not reported because there were fewer than 25 replies.

TABLE 10

CASES PENDING PER JUDGE-YEAR ON CRIMINAL CASES, BY TYPE OF
CALENDARING PRIORITY FOR CRIMINAL CASES, GENERAL TRIAL COURTS, 1975

Type of Case and Size of Court	All Replies	Priority Usually Or Always to Criminal Cases Over Civil Cases	More Limited Priority To Criminal Cases ^a	No Priority to Criminal Cases
<u>Felonies</u>		Cases Pending Per Judge-Year ^b		
All Courts	105	98	140	68
Courts with 100 or more felony filings	152	136	191	c/
Courts with 1-99 felony filings	49	49	50	41
<u>Felony Equivalents</u>				
All Courts	117	102	173	83
Courts with 100 or more felony filings	165	139	208	c/
Courts with 1-99 felony filings	59	49	88	50

^a See footnote on p.

^b Median court.

^c Median not computed because there were fewer than 25 replies.

3. Omnibus Hearings and Criminal Case Delay

The filing of successive pre-trial motions by defense counsel, e.g., to set aside the indictment, to determine the admissibility of evidence, or to request a change of venue, is frequently cited as a major cause of case delay. To avoid the delays arising from successive motions, recommendations have been made that defense counsel be required to file all pre-trial motions within a limited period after the initiation of prosecution and that a single "omnibus hearing" be held on all the pre-trial motions, and rulings made, all within short time periods after the initiation of prosecution.⁴

Responses to the Court survey provide no evidence that the presence or absence of a requirement for omnibus hearings made a significant difference in the estimated months needed to process pending cases or in the number of cases pending per judge. About 28 percent of all courts and 34 percent of the courts with at least 100 felony filings required omnibus hearings, but the estimated months to process pending cases, and the number of cases pending per judge year, was about the same for courts which required omnibus hearings and those that did not. (Tables 11 and 12.)

TABLE 11

ESTIMATED MONTHS TO PROCESS CASES PENDING AT THE END OF FISCAL YEAR 1975
BY THE PRESENCE OR ABSENCE OF A REQUIREMENT FOR OMNIBUS HEARINGS

Type of Case and Size of Court	All Courts	Omnibus Hearing Required	Omnibus Hearing Not Required
<u>Felonies</u>			
<u>Months to Process Pending Cases</u>			
All Courts	4.9	5.1	4.8
Courts with 100 or more felony filings	5.2	5.4	5.1
Courts with 1-99 felony filings	4.6	4.7	4.5
<u>Misdemeanors</u>			
All Courts	3.6	3.4	3.6
Courts with 100 or more felony filings	4.1	4.0	4.1
Courts with 1-99 felony filings	3.1	2.6	3.3
<u>Felony Equivalents</u>			
All Courts	4.8	5.0	4.7
Courts with 100 or more felony filings	5.1	5.4	4.9
Courts with 1-99 felony filings	4.6	4.6	4.6

TABLE 12

CASES PENDING PER JUDGE-YEAR ON CRIMINAL CASES, BY THE
 PRESENCE OR ABSENCE OF A REQUIREMENT FOR THE USE OF
 OMNIBUS HEARINGS, GENERAL TRIAL COURTS, 1975

Type of Case and Size of Court	All Courts	Omnibus Hearings Required	Omnibus Hearings Not Required
<u>Felonies</u>			
	<u>Cases Pending Per Judge-Year</u>		
All Courts	105	96	108
Courts with 100 or more felony filings	152	156	150
Courts with 1-99 felony filings	49	46	52
<u>Felony Equivalents</u>			
All Courts	117	112	120
Courts with 100 or more felony filings	165	158	168
Courts with 1-99 felony filings	59	56	61

4. Percent of Judge-Time Devoted to Criminal Cases and Criminal Case Delay (Tables 13, 14)

The share of case time that judges gave to criminal cases averaged 37 percent in the general trial courts which reported to the nationwide survey. Civil cases accounted for 51 percent; juvenile cases, 7 percent; and traffic cases, 5 percent. Judges in courts with at least 100 felony filings averaged more time on criminal case (42 percent) than judges in courts with under 100 filings (32 percent), but there was wide dispersion around the average (Table 13).

Among courts with at least 100 felony filings, no significant difference was found in the time required to process cases pending at the end of fiscal 1975 that was related to the proportion of judge-time devoted to criminal cases. One could conjecture that judge-time on criminal cases tended to be adjusted so that the criminal case backlog was within limits acceptable to each court given its responsibilities to other types of cases.

Among courts with under 100 felony filings, a shorter case backlog was found for courts whose judges devoted relatively little of their time to criminal cases. In most of these courts it was probably not necessary to give more judge-time to criminal cases to keep the backlog within an acceptable range (Table 14).

TABLE 13

DISTRIBUTION OF GENERAL TRIAL COURTS BY PERCENT
OF JUDGE-TIME DEVOTED TO CRIMINAL CASES, 1975

Percent of Judge-Time Devoted to Criminal Cases	All Courts	Courts With 100 Felony Filings or More	Courts With 1 to 99 Felony Filings
Average ^a	37	42	32
		<u>Percent of Total</u>	
All Replies	<u>100</u>	<u>100</u>	<u>100</u>
1-24 Percent	25	13	32
25-44 Percent	43	42	43
44-74 Percent	26	35	20
75-100 Percent	7	10	4
Number of Reports	(766)	(298)	(468)

^a Median court.

TABLE 14

MONTHS NEEDED TO PROCESS CASES PENDING IN GENERAL TRIAL COURTS
AT THE END OF 1975 BY PERCENT OF JUDGE-TIME DEVOTED TO CRIMINAL CASES

Type of Case and Size of Court	All Courts	Percent of Judge-Time on Criminal Cases			
		1-24	25-44	45-74	75-100
Months to Process Pending Cases ^a					
<u>Felonies</u>					
All Courts	4.9	4.3	5.2	4.9	5.0
Courts with 100 or more felony filings	5.2	5.3	5.4	5.0	5.2
Courts with 1-99 felony filings	4.7	3.9	5.0	4.9	b/
<u>Felony Equivalents</u>					
All Courts	4.8	4.3	5.0	5.1	4.9
Courts with 100 or more felony filings	5.1	4.9	5.2	5.0	5.1
Courts with 1-99 felony filings	4.6	4.0	4.8	5.1	b/

^a Median court.

^b Median not computed because there were fewer than 25 reports.

E. CASE DELAY AND PERCENT OF CASES TERMINATED BY TRIAL (Table 15)

The determination of whether a particular felony case will go to trial, or be resolved by a plea of guilty or by dismissal, depends on the interaction of a number of factors. Most important is the decision by the accused to plead guilty or to request trial. His decision will be influenced, among other things, by the seriousness of the charge the prosecutor brings, by the severity of the sentence likely under a guilty plea compared to one likely after conviction resulting from a trial, and by the likelihood of conviction after trial.

In many jurisdictions, the prosecutor's charge and the type of sentence in the event of a guilty plea will often result from "plea bargaining" between the prosecutor's office and the defendants' attorney. About half of all prosecutors who replied to the National Survey of Personnel in the Criminal Justice System reported that 60 percent or more of their cases were resolved by plea bargaining and 20 percent reported that more than 80 percent of their felony cases were plea bargained.⁵ The prosecutor's office is more likely to soften its bargaining positions and enter into an agreement, or drop relatively weak cases, when its workloads are heavy and when case backlogs in the court will delay a trial for a number of months, with the likelihood that witnesses will become unavailable. Judges also are more likely to encourage a guilty plea, rather than a trial, when court calendars are clogged and there is serious case delay.

On the other hand in at least a few jurisdictions, there is a policy by the prosecutor or the court to severely limit or reduce plea bargaining.⁶ Where this policy is in effect it is likely to increase the number of defendants who choose trial rather than a guilty plea and thus may lengthen case backlogs and time needed to process pending cases, other things being equal.

As the great majority of prosecutors dispose of at least some of their cases through the plea bargaining process, it seems reasonable to expect higher rates of guilty pleas and more dismissals, or conversely, lower rates of case disposition by trial, when prosecution and court workloads result in relatively long case delay. This was found to be true for courts with 100 or more felony filings, but not for courts which reported less than 100 felony filings in 1975. In the courts with 100 or more felony filings in 1975, those in which less than 10 percent of the felony cases were disposed of by trial also had cases pending at the end of the year which, on the average, were estimated to require 5.8 months to process, whereas courts which tried 20 percent or more of their felony cases had an average backlog estimated to require 4.2 months to process. (Table 15).

No clear relation of trial rate to the estimate length of the backlog was found for courts with fewer than 100 felony filings. In many of the smaller courts backlogs are relatively short and case delay may not be considered a serious problem.

The proportion of cases before a court that are resolved by bench or jury trials, rather than by the less time-demanding procedures of a plea of guilty prior to trial, dismissal, or transfer to another court, should also influence the number of cases processed per judge-year on criminal cases. Other things equal, the smaller the proportion that goes to trial, the greater should be the number processed per judge-year. Again, the expected relationship was found to apply in a reasonably clear fashion only for courts with at least 100 felony filings. In the latter courts, the median number of felony equivalent cases processed per judge-year was 450 for courts in which less than 10 percent of the cases go to trial, 408 per judge-year in courts in which 10 to 39 percent of the cases go to trial, and 338 per judge-year in courts in which 40 percent or more of the felony cases went to trial (Table 16).

TABLE 15

MONTHS NEEDED TO PROCESS FELONY CASES PENDING IN GENERAL TRIAL COURTS
AT THE END OF FISCAL YEAR 1975, BY PERCENT TERMINATED BY TRIAL

Size of Court	All Replies	Percent Terminated by Trial			
		1-9%	10-19%	20-39%	40% or More
<u>Felonies</u>		<u>Months to Process Pending Cases^a</u>			
All Courts	4.6	5.0	4.3	3.9	4.9
Courts with 100 or more Felony Filings	5.1	5.8	5.1	4.2	
Courts with 1-99 Felony Filings	4.2	4.0	3.8	5.2	4.3

^aMedian court.

TABLE 16

CASES PROCESSED PER JUDGE-YEAR ON CRIMINAL CASES,
BY PERCENT OF CASES TERMINATED BY TRIAL, 1975

Type of Case and Size of Court	All Replies	Percent Terminated by Trial ^a		
		1-9%	10-39%	40% or More
Cases Processed Per Judge-Year ^b				
<u>Felonies</u>				
All Courts	255	279	220	273
Courts with 100 or more felony filings	338	379	289	312
Courts with 1 to 99 felony filings	127	150	100	c/
<u>Felony Equivalents</u>				
All Courts	294	330	272	280
Courts with 100 or more felony filings	396	450	408	338
Courts with 1 to 99 felony filings	156	c/	160	125

^aTo examine the relation of case delay and cases processed per judge-year to the percent of cases disposed of by trial, it was necessary to combine data from a number of questions on the court survey. Among these, the number of dispositions by type, was frequently not reported and consequently the percent of cases disposed of by trial and case delay, and especially the percent disposed by trial and the number processed per judge-year are based on relatively thin reporting. In order to obtain a minimum of 25 reports as the basis for computing a median it was necessary to combine data for some cells, that would otherwise have been shown separately.

^bMedian court.

^cMedian not computed because there were fewer than 25 reports.

F. RELATIONSHIP BETWEEN PROSECUTION AGENCY STAFFING AND COURT CASE DELAY

In order to assess the possible effects of variations in prosecution agency workloads and staffing levels upon criminal case delay, responses to the NMS survey of chief prosecutors, conducted in late 1975, were matched with those of the NMS courts survey by jurisdiction. This matching process resulted in combined prosecutors-courts data for approximately 200 jurisdictions, with some variation depending upon the data elements included in each table.

1. Prosecutor Workloads and Case Delay (Table 17)

Workloads of over three hundred felony equivalent cases per full-time prosecutor were associated with almost a seven month average backlog of pending cases in the courts to which these prosecutors brought cases. Smaller case backlogs were reported by courts served by prosecution agencies with lighter workloads (Table 17). Although the relation of increasing court backlogs to increasing workloads per prosecutor was not consistent across all levels of prosecutor workloads, the table suggests that above a cut-off level which may be at about 300 felony equivalent cases per full-time equivalent prosecutor, workloads in prosecution agencies begin to have a marked effect on case delay in the courts.

TABLE 17

MONTHS TO PROCESS FELONY CASES PENDING AT THE END
OF FISCAL YEAR 1975 BY FELONY EQUIVALENT CASELOAD
PER PROSECUTOR

	Felony Equivalent Caseload Per Full-Time Equivalent Prosecutor ^a				
	All Reports	1-100	101-200	201-300	301 or More
Median months to process pending felony cases	5.4	5.0	5.6	3.0	6.9
Number of reports	(188)	(55)	(44)	(37)	(52)

^a Felony equivalent caseload is the sum of felony, misdemeanor, juvenile and appellate cases prosecuted or filed by the prosecutor's office given weights of 1.0, .375, .750 and 6.0 respectively.

Full-time equivalent prosecutors is the sum of full-time and part-time chief and assistant prosecutors' with the part-time prosecutors adjusted for reported hours worked per week.

2. Prosecutor-Judge Ratios

The number of prosecutors per judge was found to vary widely from court-to-court when prosecution agencies which reported to the National Survey of Criminal Justice System Personnel Needs and Resources were matched with reports from general trial courts. Forty percent of the general trial courts were found to have less than three full-time equivalent prosecutors per judge-year on criminal cases, but in more than one in four of the courts, seven or more full-time equivalent prosecutors brought cases to the court for each judge-year on criminal cases.

<u>Prosecutors Per Judge- Year on Crime</u>	<u>Number of Reports</u>	<u>Percent of Total</u>
All Reports	<u>172</u>	<u>100</u>
Less than 3.0	69	40
3.0 to 6.9	58	34
7.0 or More	45	26

Other things being equal, the more prosecutors per judge, the greater the potential criminal case workload per judge. The data of Table 18 indicate that a ratio of 3.0 or more full-time equivalent prosecutors per judge-year on criminal cases is associated with greater delay in courts with at least 100 felony filings, but not in the smaller courts, where case delay is less frequently a serious problem.

TABLE 18

MONTHS NEEDED TO PROCESS CASES PENDING AT THE END
OF FISCAL YEAR 1975, BY THE RATIO OF FULL-TIME EQUIVALENT
PROSECUTORS TO JUDGE-YEARS ON CRIMINAL CASES

Type of Case and Size of Court	Prosecutors Per Judge-Year			
	All Reports	0.1 to 2.9	3.0 to 6.9	7.0 or More
<u>Felonies</u>		<u>Months to Process Pending Cases^a</u>		
All Courts	5.3	5.0	6.2	4.5
Courts with 100 or more felony filings	6.0	4.8	6.9	5.8
Courts with 1-99 Felony filings	3.9	5.2	3.9	<u>b/</u>
<u>Misdemeanors</u>				
All Courts	3.4	3.2	3.9	<u>b/</u>
Courts with 100 or more felony filings	3.4	<u>b/</u>	<u>b/</u>	<u>b/</u>
Courts with 1-99 felony filings	3.3	<u>b/</u>	<u>b/</u>	<u>b/</u>
<u>Felony Equivalents</u>				
All Courts	5.2	5.3	5.8	4.4
Courts with 100 or more felony filings	5.6	4.6	6.6	5.4
Courts with 1-99 felony filings	4.5	6.8	<u>b/</u>	<u>b/</u>

^a Median court.

^b Median not computed because there were fewer than 25 reports.

These findings should be considered as suggestive only, because other important factors which may affect this relationship are not adequately controlled for in the available survey data. The prosecutors office may have business with other courts, or have responsibilities which extend beyond criminal cases. Also, it is likely that for some of these courts, there are additional associated prosecution agencies which did not report to the National Survey.

3. Use of Part-Time Prosecutors (Table 19)

Recent assessments of prosecution and court operations have been highly critical of the prevailing pattern of reliance on part-time prosecutors in many smaller jurisdictions. Thus, the National Advisory Commission on Criminal Justice Standards and Goals strongly recommended that at least the chief prosecutor should devote full-time to the position.⁷

The National Survey of Criminal Justice System Personnel Needs and Resources found high proportions of part-time chief and assistant prosecutors in the smaller prosecution agencies. In agencies with one to four employees, 52 percent of the chief prosecutors and 67 percent of the assistant prosecutors worked part-time, and in agencies with 5 to 9 employees, 36 percent of the chief prosecutors and 51 percent of the assistant prosecutors were part-time. On the other hand, in prosecution agencies with 75 or more employees, none of the chief prosecutors and less than one percent of the assistant prosecutors were part-time.⁸

To examine the relation of the utilization of part-time prosecutors to one aspect of performance--case delay, courts were grouped by the proportion of part-time chief and assistant prosecutors in prosecution agencies associated with the court, and the estimated months needed to process cases pending at the end of the year was calculated for the median court of each group (Table 19).

TABLE 19

MONTHS NEEDED TO PROCESS FELONY CASES PENDING IN GENERAL TRIAL COURTS
 AT THE END OF FISCAL YEAR 1975 BY THE PERCENT OF
 ASSOCIATED PROSECUTORS WHO ARE PART-TIME

	Percent Associated Prosecutors Who Are Part-Time			
	All Courts	0-10%	11-70%	71-100%
<u>Felonies</u>	<u>Months to Process Pending Cases^a</u>			
All Courts	5.5	6.0	5.6	4.7
Courts with 100 or more felony filings	6.4	6.9	6.0	4.8
Courts with 1 to 99 felony filings	4.3	3.0	<u>b/</u>	4.6

^a Median Court.

^b The median was not computed because there were fewer than 25 reports.

The data in Table 19 do not support the hypothesis that performance of the prosecutorial function is less effective when prosecutors are part-time employees and, in fact seem to contradict it, except for prosecutors associated with the smaller courts. However, the data do not take account of other significant variables which are present. In particular, the larger prosecution agencies which have the lower ratios of part-time prosecutors have heavier workloads per prosecutor. The National Survey of Criminal Justice System Personnel found that workloads per full-time equivalent prosecutor in agencies with 10 or more employees were 20 percent higher than in agencies with 5 to 9 employees and almost double the workload per full-time equivalent prosecutor in agencies with one to four employees.⁹ A more detailed assessment of the effects of the employment of part-time prosecutors on case delay would require the inclusion of data on workloads per full-time equivalent prosecutors, and possible other factors. The small size of the matched sample available for the present study, precluded a more detailed analysis.

G. STATE "SPEEDY TRIAL" LAWS AND CASE DELAY (Table 20)

Most states specify the objective of a "speedy trial" in laws requiring trial within specified periods after arrests or indictment and with penalties such as dismissal of the case, which may be "with prejudice," if trial is not initiated within the specified period. The effect of state speedy trial laws on case delay was examined by grouping courts according to whether the speedy trial laws of their state were judged to be of "high," "medium" or "low" strength.

Courts were classified into the "High" group if their state had a speedy trial rule providing for a relatively short period in which cases must be brought to trial, and for meaningful penalties if the case is not brought to trial within the time specified. Included are 18 states which require that the accused be brought to trial within 180 days of arrest or the following term of court, and which generally require dismissal of the case with prejudice if it is not brought to trial within the specified period.

Dismissal may be with prejudice, which acts as a bar to prosecution (14 states - Alaska, California, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Michigan, Nebraska, New Mexico, New York, Pennsylvania). Dismissal may be with prejudice to reprosecution but not mandatory in all cases (4 states - Arizona, Maryland, Nevada, Tennessee).

Thirteen states were considered to have speedy trial laws of medium severity. These states either allowed a longer period before dismissal with prejudice, such as 270 days or the 2nd or 3rd term of court after indictment, or if dismissal was within a short period after arrest or indictment, it was without prejudice.

Courts were classified into the "Low" group if their state had ineffective speedy trial rules. These include states whose laws provide relatively long or vague periods before application of the rule, as well as states where the

penalty only required release from pre-trial incarceration, as well as states which had no codified rule at all.

States included in each group are listed below:

Classification of States by the Strength of Their
Speedy Trial Laws in 1974

<u>High</u>		<u>Medium</u>		<u>Low</u>
Alaska	Kansas	Idaho		Alabama
Arizona	Maryland	Minnesota		Arkansas
California	Michigan	Missouri		Connecticut
Colorado	Nebrasks	New Jersey		Delaware
Florida	Nevada	Ohio		Hawaii
Georgia	New Mexico	Oklahoma		Kentucky
Illinois	New York	Oregon		Louisiana
Indiana	Pennsylvania	South Dakota		Maine
Iowa	Tennessee	Utah		Massachusetts
		Virginia		Mississippi
		Washington		Montana
		West Virginia		New Hampshire
		Wisconsin		North Carolina
				North Dakota
				Rhode Island
				South Carolina
				Texas
				Vermont
				Wyoming

^a Information on the characteristics of state Speedy Trial laws was gathered for the Congressional hearings on Federal Speedy Trial laws, and is contained in Speedy Trial Act of 1974, Hearings before the Subcommittee on Crime of the Committee on the Judiciary House of Representatives, Ninety-Third Congress, September 12, 18, 19, 1974, Appendix 5, p. 1018-48. To classify states by the strength of their speedy trial laws, the data in that report was reviewed and supplemented for a few states by reference to other sources and by phone calls to court organization officials. Because the data on criminal caseloads and dispositions from the court survey was for fiscal year 1975, state laws of 1974 were used.

A distinctly longer average backlog of pending felony cases was found for courts with at least 100 felony filings in states that did not have meaningful speedy trial laws in 1974. States without meaningful speedy trial laws had an average backlog of 7.4 months, whereas, in states with strong laws the backlog averaged 4.9 months and in states with speedy trial laws of intermediate strength the backlog averaged 4.0 months. Backlogs of misdemeanor cases were only moderately higher in the large courts in states without strong speedy trial laws. Among courts with fewer than 100 felony filings, the average felony backlog showed little relation to the strength of state speedy trial laws (Table 20). However, on a felony equivalent basis, both large and small courts in states with weak speedy trial laws reported much larger backlogs of pending cases, reflecting the effects of the inclusion of misdemeanors for small courts.

States whose speedy trial laws were considered to be of intermediate strength had even shorter backlogs than states with strong speedy trial laws on all comparisons except for misdemeanors in the larger courts. No satisfactory explanation of this pattern was found in the tabulated court data.

TABLE 20

MONTHS NEEDED TO PROCESS CASES PENDING AT THE END OF FISCAL YEAR 1975
BY STRENGTH OF STATE SPEEDY TRIAL LAWS

Type of Case and Size of Court	Strength of State Speedy Trial Laws			
	All Courts	High	Medium	Low
	Months to Process Pending Cases ^a			
Felonies				
All Courts	4.9	5.0	4.0	6.3
Courts with 100 or More Felony Filings	5.2	4.9	4.5	7.4
Courts with 1-99 Felony Filings	4.7	5.2	3.7	5.5
Misdemeanors				
All Courts	3.6	3.6	3.0	4.5
Courts with 100 or More Felony Filings	4.1	4.0	4.1	4.5
Courts with 1-99 Felony Filings	3.1	3.2	2.7	4.5
Felony Equivalents				
All Courts	4.8	4.7	4.0	6.7
Courts with 100 or More Felony Filings	5.1	4.8	4.3	7.4
Courts With 1-99 Felony Filings	4.7	4.7	3.8	6.0

^aMedian court.

H. COURT UNIFICATION AND MONTHS NEEDED TO PROCESS PENDING CASES (Tables 21,22)

The decentralized character of court systems in a number of states has been criticized as a hindrance to the introduction of more effective court management and to the employment of better qualified judges. The National Advisory Commission in Standard 8.1, Unification of the State Court System, recommends in part,

"State courts should be organized into a unified judicial system financed by the State and administered through a statewide court administrator or administrative judge under the supervision of the chief justice of the State supreme court.

All trial courts should be unified into a single trial court with general criminal as well as civil jurisdiction. Criminal jurisdiction now in courts of limited jurisdiction should be placed in these unified trial courts of general jurisdiction, with the exception of certain traffic violations. The State supreme court should promulgate rules for the conduct of minor as well as major criminal prosecutions."¹⁰

The relation of the unification of state courts to criminal case delay was examined by grouping courts according to whether their state was judged to rate high or low on unification.

State ratings on court unification are taken from "Lower Court Unification in the United States" by James A. Gazell, which appeared in the Arizona State Law Journal (1974), No. 4. The Gazell evaluation is based on conditions existing in 1974, or just prior to the date of the caseload statistics gathered in the NMS court survey.

Gazell identifies two major components of court unification: centralized managerial supervision of the courts and court consolidation. Centralized managerial supervision includes:

....Laws that authorize the highest court in the state to make all rules regarding practice and procedure with or without the retention of a legislative veto power.

....The right to appoint managerial personnel for the rest of the court system, especially the chief judges and judicial administrators at the appellate and third court levels. The personnel are appointed by some at the pleasure of the chief justice, the supreme court, or the administrative director.

....The right of the highest court or its agents to assign all court personnel at will.

....The preparation by the highest court (or its administrator) of a yearly budget for the state judiciary.

Court consolidation is measured in terms of:

....the presence of only one or more than one type of intermediate appellate court;

....the number of types of general trial courts;

....the number of types of limited jurisdiction courts.

Each of the 7 factors is rated on a scale ranging from zero to 4. Thus, the maximum rating for any state (greatest unification) is 7×4 or 28, and the lowest possible rating is zero. States with a score of zero to 14 were classified into the low rating on unification group, and those with a rating of 15 to 28 were included in the high unification group (Table 21).

Our analysis provides moderate support for the premise that court unification is associated with greater efficiency. Courts in states which are assigned a high rating on court unification have a shorter average backlog of felony and felony equivalent cases, but a slightly longer backlog of misdemeanor cases than courts in states which are given a low rating. Unlike the findings for most other factors, the difference for the smaller courts--those with 1-99 felony filings--is somewhat greater than that for the larger courts, suggesting that court unification has more of an impact on the efficiency of the smaller courts than it has on the larger courts (Table 22).

TABLE 21

List of States by Rating on Court Unification

<u>States Rated High</u>	<u>Gazell Score</u>	<u>States Rated Low</u>	<u>Gazell Score</u>
North Carolina	25	Mississippi	2
Illinois	24	Montana	8
Colorado	24	Tennessee	8
Hawaii	23	Texas	8
Alaska	23	West Virginia	8
Arizona	22	Minnesota	10
Maryland	22	Virginia	10
Idaho	20	New Hampshire	11
New Mexico	20	Arkansas	12
New York	20	Delaware	12
Oklahoma	20	Georgia	12
Pennsylvania	20	Indiana	12
Vermont	19	Maine	12
California	18	Massachusetts	12
Connecticut	18	Nevada	12
Florida	18	Oregon	12
Maine	18	South Carolina	12
North Dakota	18	Wyoming	12
Ohio	18	Kentucky	14
Wisconsin	17	Nebraska	14
Alabama	16	Utah	14
Iowa	16	Washington	14
Kansas	16		
Louisiana	16		
Michigan	16		
Missouri	16		
New Jersey	16		
Rhode Island	16		
South Dakota	16		

TABLE 22

MONTHS TO PROCESS CASES PENDING IN GENERAL TRIAL COURTS
 AT THE END OF FISCAL YEAR 1975, BY RATING
 OF THE STATE ON COURT UNIFICATION

Type of Case and Size of Court	All Replies	High Rating on Unification	Low Rating on Unification
Months To Process Pending Cases ^a			
Felonies			
All Courts	4.9	4.6	5.5
Courts With 100 or More Felony Filings	5.2	4.9	5.8
Courts With 1-99 Felony Filings	4.7	4.2	5.3
Misdemeanors			
All Courts	3.6	3.7	3.3
Courts With 100 or More Felony Filings	4.1	4.2	4.0
Courts With 1-99 Felony Filings	3.1	3.2	2.9
Felony Equivalents			
All Courts	4.9	4.5	5.4
Courts With 100 or More Felony Filings	5.1	4.9	5.5
Courts With 1-99 Felony Filings	4.7	4.2	5.4

^aMedian court.

FOOTNOTES TO CHAPTER III

1. National Planning Association, Nationwide Survey of Law Enforcement and Criminal Justice Personnel Needs and Resources, Courts, 1977, p. 49.
2. C.F. National Advisory Commission, Courts, p. 97 and U.S. Department of Justice, Law Enforcement Assistance Administration, Reducing Court Delay, June 1973, p. 41.
3. Nationwide Survey of Law Enforcement and Criminal Justice Personnel Needs and Resources, Court, p. 5.
4. National Advisory Commission, Courts, pp. 93 and 94.
5. Nationwide Survey of Criminal Justice System Personnel Needs and Resources, Courts, p. 102.
6. The National Advisory Commission on Criminal Justice Standards and Goals recommended in its 1973 report, that plea bargaining be abolished. See National Advisory Commission, Courts, p. 46.
7. National Advisory Commission, Courts, Standard 12.1, pp. 229 and 230.
8. Nationwide Survey of Criminal Justice System Personnel, Courts, p. 37.
9. Ibid., Courts, p. 57.
10. National Advisory Commission, Courts, p. 164.

APPENDIX A - STATE TABLES

APPENDIX A - STATE TABLES

This Appendix presents seven selected tables on criminal caseloads per court, on average number of months needed to process pending cases, and on criminal caseloads per judge based on responses to the NMS Courts Survey, by state and LEAA region. These are designed for use by LEAA staff. Extreme care should be exercised in any attempt to generalize based upon these data, particularly in any analyses involving interstate or regional comparisons, in view of the incomplete survey coverage of state courts, and because of the wide variation in item response rates by state.

It is believed, however, that these data may prove of analytical use for selected states, with relatively high percentages of court survey coverage. The latter can be ascertained by comparing the number of courts included in the report for specified states and/or the number of felony case filings, with collateral, state-wide data from annual reports of state court systems or similar sources.

1. Number of Cases Per Court and Change in Pending Cases by State (Tables A-1 to A-3)

For all reporting courts the number of pending felony and felony equivalent cases increased an average of 10 percent from the beginning to the end of fiscal year 1975. Pending misdemeanor cases declined by two percent. Of the 10 most heavily populated states for which data were reported, all but Indiana reported an increased number of pending felony cases in fiscal year 1975. The increase in pending felony cases for reporting courts in the larger states ranged from 3 percent for Pennsylvania to 36 percent for Ohio.

TABLE A-1

AVERAGE FELONY CASELOADS PER GENERAL TRIAL COURT
BY STATE AND REGION, FISCAL YEAR 1975^b

State and Region	Felonies Pending At Start Of Year	Felonies Filed During the Year	Felonies Pending At End of Year	Percent Change In Pending Cases	Number of Reports
U.S. Total	154	364	169	10	830
<u>Region I</u>	221	335	265	20	18
Connecticut	409	736	557	36	4
Maine	40	56	33	-16	4
Massachusetts	-	-	-	-	0
New Hampshire	240	390	290	21	7
Rhode Island	a	a	a	a	1
Vermont	a	a	a	a	2
<u>Region II</u>	362	610	403	11	29
New Jersey	1736	2420	2041	17	2
New York	261	475	282	8	27
<u>Region III</u>	127	327	130	2	77
Delaware	-	-	-	-	0
District Columbia	-	-	-	-	0
Maryland	263	554	209	-20	5
Pennsylvania	423	1088	437	3	12
Virginia	58	171	64	10	51
West Virginia	48	76	51	5	9
<u>Region IV</u>	174	406	178	2	135
Alabama	227	550	214	-5	16
Florida	584	1345	619	6	21
Georgia	106	258	103	-3	17
Kentucky	65	63	68	5	27
Mississippi	56	155	54	-4	17
North Carolina	242	568	214	-11	8
South Carolina	33	414	58	72	3
Tennessee	43	124	45	5	26
<u>Region V</u>	152	403	175	14	197
Illinois	112	261	125	11	39
Indiana	123	98	111	-9	22
Michigan	451	990	515	14	37
Minnesota	16	125	23	39	31
Ohio	121	636	165	36	39
Wisconsin	35	62	31	-11	29

TABLE A-1 (continued)

AVERAGE FELONY CASELOADS PER GENERAL TRIAL COURT
BY STATE AND REGION, FISCAL YEAR 1975 ^b

State and Region	Felonies Pending At Start Of Year	Felonies Filed During the Year	Felonies Pending At End of Year	Percent Change In Pending Cases	Number of Reports
<u>Region VI</u>	197	380	227	15	111
Arkansas	81	144	95	16	13
Louisiana	2143	7497	3189	48	2
New Mexico	179	472	199	11	5
Oklahoma	140	340	148	5	19
Texas	180	229	191	6	72
<u>Region VII</u>	44	122	39	-12	108
Iowa	245	624	176	-28	12
Kansas	18	59	15	-13	33
Missouri	26	47	29	11	36
Nebraska	12	76	19	54	27
<u>Region VIII</u>	62	115	86	38	96
Colorado	182	293	259	42	30
Montana	4	18	7	62	12
North Dakota	9	31	7	-12	24
South Dakota	7	34	7	2	16
Utah	5	71	8	50	4
Wyoming	9	46	8	-10	10
<u>Region IX</u>	420	1565	435	3	25
Arizona	513	1350	531	3	6
California	415	2082	441	6	14
Hawaii	513	594	488	-4	3
Nevada	33	53	24	-28	2
<u>Region X</u>	205	411	214	3	34
Alaska	-	-	-	-	0
Idaho	43	265	44	1	8
Oregon	221	536	196	-11	6
Washington	266	431	287	7	20

^a Data not shown because based on a single court or fewer than 50 filings.

^b The averages for states, regions and the United States of this table are "means" derived by summing all cases reported as pending or filed for an area and dividing by the number of reporting courts. Similarly the percent change in pending cases for an area is derived by dividing the sum of all cases pending at the end of the year by the sum of the cases pending at the beginning of the year.

TABLE A-2

AVERAGE MISDEMEANOR CASELOADS PER GENERAL TRIAL COURT
BY STATE AND REGION, FISCAL YEAR 1975^b

State and Region	Misdemeanors Pending At Start of Year	Misdemeanors Filed During the Year	Misdemeanors Pending at End of Year	Percent Change In Pending Cases	Number of Reports
U.S. Total	162	654	158	- 2	432
Region I	202	212	204	0	12
Connecticut	-	-	-	-	0
Maine	73	127	79	7	4
Massachusetts	-	-	-	-	0
New Hampshire	206	274	223	8	7
Rhode Island	a	a	a	a	1
Vermont	-	-	-	-	0
Region II	199	418	204	2	9
New Jersey	713	1110	608	-14	2
New York	52	220	89	71	7
Region III	124	642	121	- 2	71
Delaware	-	-	-	-	0
District of Columbia	-	-	-	-	0
Maryland	32	77	30	- 4	4
Pennsylvania	534	2987	494	- 7	12
Virginia	43	187	46	7	47
West Virginia	35	81	53	52	8
Region IV	306	1205	309	1	90
Alabama	247	448	274	10	9
Florida	1216	2616	1215	0	14
Georgia	127	387	127	0	10
Kentucky	21	26	18	-13	16
Mississippi	12	9	14	9	9
North Carolina	956	9809	985	2	6
South Carolina	55	736	107	94	2
Tennessee	29	129	22	-25	24
Region V	171	608	162	- 5	83
Illinois	223	708	222	0	38
Indiana	172	391	147	-14	12
Michigan	274	5014	159	-42	2
Minnesota	a	a	a	a	1
Ohio	2	31	3	57	3
Wisconsin	116	325	107	- 7	27

TABLE A-2 (continued)

AVERAGE MISDEMEANOR CASELOADS PER GENERAL TRIAL COURT
BY STATE AND REGION, FISCAL YEAR 1975

State and Region	Misdemeanors Pending At Start of Year	Misdemeanors Filed During the Year	Misdemeanors Pending at End of Year	Percent Change In Pending Cases	Number of Reports
Region VI	200	508	187	- 6	41
Arkansas	171	168	177	3	13
Louisiana	a	a	a	a	1
New Mexico	-	-	-	-	0
Oklahoma	244	983	261	6	16
Texas	188	256	104	-44	11
Region VII	68	646	75	10	63
Iowa	342	4222	415	21	9
Kansas	29	17	7	-74	12
Missouri	12	14	10	- 8	31
Nebraska	44	189	55	23	11
Region VIII	31	95	23	-25	41
Colorado	142	298	97	-31	8
Montana	a	a	a	a	6
North Dakota	a	a	a	a	2
South Dakota	6	77	6	- 1	15
Utah	a	a	a	a	4
Wyoming	5	54	11	94	6
Region IX	23	53	20	-15	9
Arizona	31	73	28	- 9	6
California	a	a	a	a	1
Hawaii	a	a	a	a	1
Nevada	a	a	a	a	1
Region X	83	436	43	-48	13
Alaska	-	-	-	-	0
Idaho	126	697	63	-49	8
Oregon	-	-	-	-	0
Washington	14	19	10	-26	5

^a Data not shown because based on a single court or fewer than 50 filings.

^b See footnote b to Table A-1.

TABLE A-3

AVERAGE FELONY EQUIVALENT CASELOADS
PER GENERAL TRIAL COURT, BY STATE AND REGION,
FISCAL YEAR 1975 b

State and Region	Average Number of Felony Equivalent Cases Per Court				Number of Reports
	Pending at Beginning	Filed During the Year	Pending At End	Percent Change*	
U.S. Total	173	436	190	10	763
Region I	245	360	289	18	18
Connecticut	409	736	557	36	4
Maine	53	79	48	-10	4
Massachusetts	-	-	-	-	0
New Hampshire	277	440	331	19	7
Rhode Island	a	a	a	a	1
Vermont	a	a	a	a	2
Region II	387	635	434	12	26
New Jersey	1802	2494	2087	16	2
New York	269	480	296	10	24
Region III	149	438	151	1	73
Delaware	-	-	-	-	0
District Columbia	-	-	-	-	0
Maryland	268	565	214	-20	5
Pennsylvania	575	1808	580	1	10
Virginia	66	205	73	10	50
West Virginia	58	96	65	12	8
Region IV	217	581	225	4	123
Alabama	268	629	257	-4	15
Florida	759	1726	797	5	20
Georgia	84	298	105	25	13
Kentucky	65	68	66	1	23
Mississippi	55	151	54	-1	16
North Carolina	367	1888	345	-6	8
South Carolina	40	503	70	76	3
Tennessee	47	146	47	0	25
Region V	165	448	190	15	175
Illinois	150	385	162	8	37
Indiana	119	150	105	-12	14
Michigan	465	1064	530	14	36
Minnesota	16	133	25	56	28
Ohio	99	543	152	53	31
Wisconsin	46	108	43	-6	29

(Continued on Next Page)

(Table A-3 continued)

Region VI	213	396	243	14	107
Arkansas	112	175	127	13	13
Louisiana	2145	7506	3191	48	2
New Mexico	176	482	206	17	4
Oklahoma	179	365	188	5	17
Texas	187	239	196	5	71
Region VII	53	201	48	-9	100
Iowa	313	1282	250	-20	11
Kansas	17	61	15	-12	30
Missouri	28	51	31	10	34
Nebraska	16	97	24	50	25
Region VIII	72	134	98	36	84
Colorado	233	379	325	39	24
Montana	5	21	9	57	10
North Dakota	9	34	8	-11	22
South Dakota	4	34	4	0	15
Utah	5	71	8	48	4
Wyoming	10	48	10	4	9
Region IX	421	1569	436	3	25
Arizona	518	1363	536	3	6
California	415	2082	441	6	14
Hawaii	514	596	488	-5	3
Nevada	33	53	24	-28	2
Region X	212	448	219	3	32
Alaska	-	-	-	-	0
Idaho	66	392	56	-15	8
Oregon	213	533	195	-8	5
Washington	272	448	295	8	19

^a Data not shown because based on a single court or fewer than 50 filings.

^b See footnote b to Table A-1.

2. Number of Months Needed to Process Criminal Cases Pending at the End of Fiscal Year 1975, by State and Region (Tables A-4 and A-5)

The average number of months needed to process cases pending at the end of fiscal year 1975, shown in Tables A-4 and A-5 will differ from those shown in the main body of the report and in Appendix B. The averages in the main body of the report and in Appendix B refer to the median or middle court. The averages of Tables A-4 and A-5 are "means" weighted by the number of cases reported by a court. Courts with a high volume of cases contribute more to the "mean" than do courts with few cases.

Courts with a relatively high volume of felony cases tended to have longer backlogs than courts with fewer felony cases, but the reverse was true for misdemeanors. Thus, when the estimated time needed to process pending cases in individual courts is weighted by the number of reported cases, the time needed for the "average case" in courts with at least 100 felony filings was found to be about a half month or 10 percent longer than the time found for the median court in this size group. (see below).

Months To Process Pending Cases

	<u>All Courts</u>		<u>Courts With 100 or More Felony Filings</u>	
	Median Court	Average Case	Median Court	Average Case
Felonies	4.9	5.8	5.2	5.7
Misdemeanors	3.6	2.9	4.1	2.8
Felony Equivalentents	4.8	5.5	5.1	5.4

TABLE A-4

AVERAGE NUMBER OF MONTHS NEEDED TO PROCESS CRIMINAL CASES PENDING AT
THE END OF FISCAL YEAR 1975 IN GENERAL TRIAL COURTS, BY STATE AND REGION ^a

State and Region	Months to Process Pending Cases			Number of Reports		
	Felonies	Mis- demeanors	Felony Equivalents	Felonies	Mis- demeanors	Felony Equivalents
U.S. Total	5.8	2.9	5.5	829	433	763
Region I	10.9	11.6	11.0	18	12	18
Connecticut	11.4	-	11.4	4	0	4
Maine	6.4	7.8	6.7	4	4	4
Massachusetts	-	-	-	0	0	0
New Hampshire	10.3	10.4	10.3	7	7	7
Rhode Island	b	b	b	1	1	1
Vermont	b	-	b	2	0	2
Region II	8.5	5.9	8.9	29	9	26
New Jersey	11.6	6.0	11.3	2	2	2
New York	7.4	5.8	7.8	27	7	24
Region III	4.8	2.3	4.2	77	71	73
Delaware	-	-	-	0	0	0
D.C.	-	-	-	0	0	0
Maryland	4.1	4.6	4.1	5	4	5
Pennsylvania	4.9	2.0	3.9	12	12	10
Virginia	4.7	3.0	4.4	51	47	50
West Virginia	8.3	10.3	8.8	9	8	8
Region IV	5.3	3.1	4.7	134	91	123
Alabama	4.6	7.8	4.8	16	9	15
Florida	5.7	5.6	5.7	21	14	20
Georgia	4.8	4.0	4.6	16	10	13
Kentucky	13.8	7.7	11.6	27	17	23
Mississippi	4.1	21.2	4.3	17	9	16
North Carolina	4.3	1.3	2.2	8	6	8
South Carolina	1.8	1.9	1.8	3	2	3
Tennessee	4.5	2.0	3.9	26	24	25
Region V	5.5	3.1	5.4	197	83	175
Illinois	6.0	3.8	5.2	39	38	37
Indiana	12.0	4.2	7.7	22	12	14
Michigan	6.7	0.4	6.4	37	2	36
Minnesota	2.3	b	2.4	31	1	28
Ohio	3.3	1.5	3.7	39	3	31
Wisconsin	5.9	3.9	4.7	29	27	29

TABLE A-4(Continued)

AVERAGE NUMBER OF MONTHS NEEDED TO PROCESS CRIMINAL CASES PENDING AT THE END OF FISCAL YEAR 1975 IN GENERAL TRIAL COURTS, BY STATE AND REGION^a

State and Region	Months to Process Pending Cases			Number of Reports		
	Felonies	Mis-demeanors	Felony Equivalents	Felonies	Mis-demeanors	Felony Equivalents
Region VI	7.8	4.3	8.0	111	41	107
Arkansas	8.8	13.1	9.6	13	13	13
Louisiana	5.9	b	5.9	2	1	2
New Mexico	5.3	-	5.5	5	0	4
Oklahoma	5.4	3.3	6.3	19	16	17
Texas	10.5	3.7	10.2	72	11	71
Region VII	3.6	1.4	2.8	108	63	100
Iowa	3.0	1.2	2.2	12	9	11
Kansas	3.1	6.3	2.8	33	12	30
Missouri	8.0	8.6	7.7	36	31	34
Nebraska	3.3	3.7	3.3	27	11	25
Region VIII	11.4	2.7	11.0	96	41	84
Colorado	14.4	3.4	13.6	30	8	24
Montana	6.2	6.9	6.2	12	6	10
North Dakota	2.9	b	2.9	24	2	22
South Dakota	2.7	1.0	1.7	16	15	15
Utah	1.5	b	1.5	4	4	4
Wyoming	2.2	2.7	2.7	10	6	9
Region IX	3.4	4.2	3.4	25	9	25
Arizona	4.8	4.4	4.8	6	6	6
California	2.6	b	2.6	14	1	14
Hawaii	9.5	b	9.4	3	1	3
Nevada	4.6	b	4.6	2	1	2
Region X	6.4	1.1	6.0	34	13	32
Alaska	-	-	-	0	0	0
Idaho	2.0	1.0	1.7	8	8	8
Oregon	4.2	-	4.3	6	0	5
Washington	8.4	5.5	8.3	20	5	19

^a The averages for this table are "self weighted" by the numbers of cases reported. For any state or region and for the U.S. total, the number of cases pending at the beginning, filed during the year and pending at the end are summed for all courts reporting from the area to determine the ratio of cases pending at the end of the year to cases disposed of during the year and the months needed to process pending cases. In this method, courts with a large number of dispositions and pending cases, contribute more to the average than do the courts with fewer dispositions and pending cases.

^b Data not shown because based on a single court or on fewer than 50 filings.

TABLE A-5

AVERAGE NUMBER OF MONTHS NEEDED TO PROCESS CRIMINAL CASES PENDING AT
THE END OF FISCAL YEAR 1975, GENERAL TRIAL COURTS WITH
AT LEAST 100 FELONY FILINGS, BY STATE AND REGION^a

State and Region	Months to Process Pending Cases			Number of Reports		
	Felonies	Mis-demeanors	Felony Equivalents	Felonies	Mis-demeanors	Felony Equivalents
U.S. Total	5.7	2.8	5.4	325	160	297
Region I	11.2	13.0	11.4	11	7	11
Connecticut	11.4	-	11.4	4	0	4
Maine	-	-	-	0	0	0
Massachusetts	-	-	-	0	0	0
New Hampshire	10.4	10.8	10.4	6	6	6
Rhode Island	b	b	b	1	1	1
Vermont	-	-	-	0	0	0
Region II	8.6	5.9	9.0	17	5	15
New Jersey	11.6	6.0	11.3	2	2	2
New York	7.5	5.7	7.9	15	3	13
Region III	4.8	2.2	4.2	35	31	33
Delaware	-	-	-	0	0	0
D.C.	-	-	-	0	0	0
Maryland	4.1	4.6	4.2	4	3	4
Pennsylvania	4.9	1.8	3.8	7	5	5
Virginia	4.7	3.2	4.5	21	20	21
West Virginia	10.4	11.4	10.5	3	3	3
Region IV	5.0	3.0	4.5	64	44	60
Alabama	4.6	7.8	4.8	12	8	12
Florida	5.7	5.6	5.7	16	12	16
Georgia	4.4	4.1	4.2	8	3	6
Kentucky	8.1	5.2	8.0	2	3	2
Mississippi	4.1	b	4.2	5	1	4
North Carolina	4.3	1.2	2.1	6	4	6
South Carolina	1.8	b	1.7	2	1	2
Tennessee	4.0	1.9	3.4	13	12	12
Region V	5.4	3.1	5.4	82	29	69
Illinois	6.0	3.7	5.2	17	16	15
Indiana	12.0	4.1	6.8	6	3	3
Michigan	6.7	0.4	6.4	23	2	22
Minnesota	2.2	-	2.2	7	0	6
Ohio	3.3	1.6	3.8	25	2	19
Wisconsin	5.7	5.6	5.0	4	6	4

^a See footnotes to Table A-4.

TABLE A-5 (continued)

AVERAGE NUMBER OF MONTHS NEEDED TO PROCESS CRIMINAL CASES PENDING AT
THE END OF FISCAL YEAR 1975, GENERAL TRIAL COURTS WITH
AT LEAST 100 FELONY FILINGS, BY STATE AND REGION

State and Region	Months to Process Pending Cases			Number of Reports		
	Felonies	Mis- demeanors	Felony Equivalents	Felonies	Mis- demeanors	Felony Equivalents
Region VI	7.5	4.3	7.8	48	19	46
Arkansas	10.5	13.7	11.2	4	4	4
Louisiana	b	-	b	1	0	1
New Mexico	5.3	-	5.5	5	0	4
Oklahoma	5.1	3.3	6.3	12	11	11
Texas	10.1	2.8	9.8	26	4	26
Region VII	3.3	1.3	2.6	23	14	21
Iowa	2.9	1.2	2.1	7	4	6
Kansas	3.1	5.7	2.7	8	3	7
Missouri	11.5	9.0	11.5	4	3	4
Nebraska	3.2	3.7	3.3	4	4	4
Region VIII	13.3	3.4	13.1	10	2	9
Colorado	14.6	3.4	13.9	7	2	7
Montana	-	-	-	0	0	0
North Dakota	b	-	b	1	0	1
South Dakota	3.6	-	-	1	0	0
Utah	b	-	b	1	0	1
Wyoming	-	-	-	0	0	0
Region IX	3.4	4.5	3.4	16	5	16
Arizona	4.8	4.8	4.8	4	4	4
California	2.6	-	2.6	10	0	10
Hawaii	9.6	b	9.5	2	1	2
Nevada	-	-	-	0	0	0
Region X	6.0	1.0	5.7	19	4	17
Alaska	-	-	-	0	0	0
Idaho	2.0	1.0	1.7	3	3	3
Oregon	4.0	-	4.1	5	0	4
Washington	7.8	b	7.7	11	1	10

3. Dispositions Per Judge and Per Judge-Year, by State
(Tables A-6 and A-7)

Average dispositions per judge-year on criminal cases of 380 felony or 417 felony equivalent cases are 2.7 times the dispositions per judge--consistent with the reported average of 37 percent of judge's case time spent on criminal cases. The full criminal case workload disposed per judge or per judge-year is reflected by the felony equivalent figures which include misdemeanors (for courts which reported misdemeanor dispositions) at a rate of 5.5 misdemeanors equal to one felony. Many general trial courts do not try or did not report having misdemeanor cases in 1975 and their inclusion added only 10 percent, overall, to the felony workloads.

The averages shown in Tables A-6 and A-7 are "means" weighted by the number of cases in each court and differ from the dispositions per judge-year shown in the main body of the report which refer to the median court. In courts with at least 100 felony filings, the mean, or weighted dispositions per judge, are 16 percent greater than the dispositions per judge in the median court as shown below.

Dispositions Per Judge-Year On Criminal Cases

	<u>All Courts</u>		<u>Courts With 100 Or More Felony Filings</u>	
	Median	Mean	Median	Mean
Felonies	247	380	373	428
Felony Equivalents	282	417	404	469

For some states, the data on dispositions per judge and per judge-year on criminal cases are based on reports from only a few courts, or represent a small fraction of the state criminal case workloads, and may not be representative of the average dispositions per judge, or judge-year, for all courts in the state.

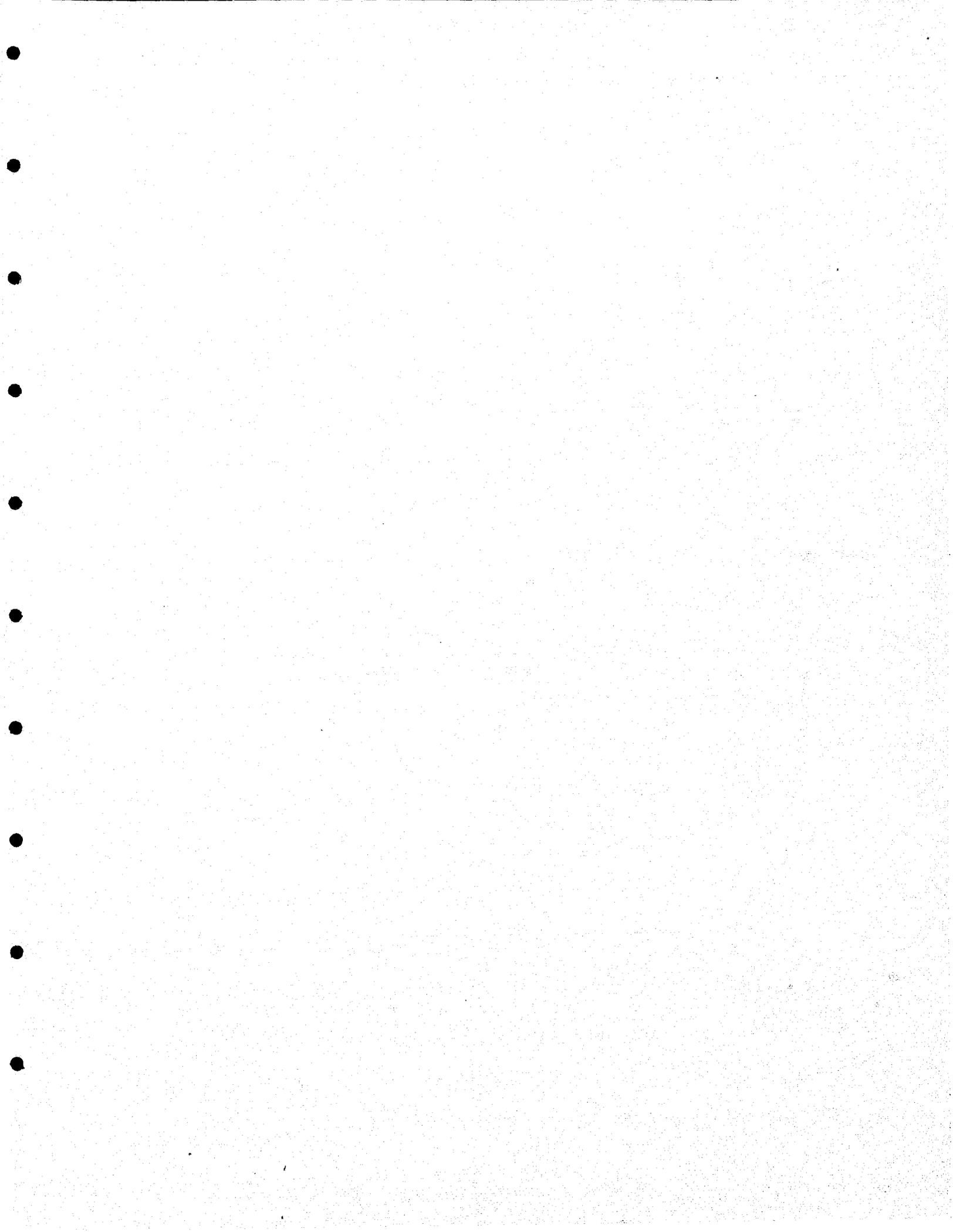


TABLE A-6

FELONY AND FELONY EQUIVALENT CASES DISPOSED OF PER JUDGE AND PER JUDGE-YEAR ON CRIMINAL CASES,
IN GENERAL TRIAL COURTS, BY STATE AND REGION, 1975^a

State and Region	Dispositions Per Judge				Dispositions Per Judge-Year on Criminal Cases			
	Felony Cases		Felony Equivalents		Felony Cases		Felony Equivalents	
	Dispositions	Number of Reports	Dispositions	Number of Reports	Dispositions	Number of Reports	Disposition	Number of Reports
U.S. Total	141	409	154	368	380	380	417	342
Region I	85	9	92	9	210	9	228	9
Connecticut	107	2	107	2	298	2	298	2
Maine	-	0	-	0	-	0	-	0
Massachusetts	-	0	-	0	-	0	-	0
New Hampshire	70	6	79	6	166	6	188	6
Rhode Island	b	1	b	1	b	1	b	1
Vermont	-	0	-	0	-	0	-	0
Region II	134	24	132	21	224	24	222	21
New Jersey	b	1	b	1	b	1	b	1
New York	169	23	168	20	210	23	202	20
Region III	133	37	177	35	244	35	329	33
Delaware	-	0	-	0	-	0	-	0
District of Columbia	-	0	-	0	-	0	-	0
Maryland	190	5	194	5	664	5	677	5
Pennsylvania	124	12	180	10	206	12	303	10
Virginia	138	18	164	18	264	16	321	16
West Virginia	106	2	128	2	304	2	365	2
Region IV	189	38	213	34	690	35	759	32
Alabama	224	9	243	9	573	9	620	9
Florida	178	11	203	10	875	10	970	9
Georgia	264	4	202	2	719	3	b	1
Kentucky	93	4	95	4	306	4	312	4
Mississippi	b	1	b	1	b	1	b	1
North Carolina	-	0	-	0	-	0	-	0
South Carolina	b	1	b	1	b	1	b	1
Tennessee	121	8	184	7	366	7	441	7

TABLE A-6 (continued)

FELONY AND FELONY EQUIVALENT CASES DISPOSED OF PER JUDGE AND PER JUDGE-YEAR ON CRIMINAL CASES,
 IN GENERAL TRIAL COURTS, BY STATE AND REGION, 1975^a
 (continued)

State and Region	Dispositions Per Judge				Dispositions Per Judge-Year on Criminal Cases			
	Felony Cases		Felony Equivalents		Felony Cases		Felony Equivalents	
	Dispositions	Number of Reports	Dispositions	Number of Reports	Dispositions	Number of Reports	Disposition	Number of Reports
Region V	170	128	184	108	425	121	482	101
Illinois	70	25	93	23	220	23	294	21
Indiana	87	22	121	14	294	22	401	14
Michigan	316	15	337	14	642	14	686	13
Minnesota	82	13	83	12	262	13	261	12
Ohio	171	39	155	31	378	36	386	28
Wisconsin	74	14	138	14	320	13	603	13
Region VI	180	83	197	80	506	77	540	75
Arkansas	-	0	-	0	-	0	-	0
Louisiana	b	1	b	1	b	1	b	1
New Mexico	b	1	b	1	b	1	b	1
Oklahoma	106	12	118	10	323	11	331	9
Texas	140	69	147	68	362	64	381	64
Region VII	46	18	50	15	170	17	186	14
Iowa	13	2	14	2	b	1	b	1
Kansas	48	6	47	4	156	6	142	4
Missouri	57	2	59	2	483	2	497	2
Nebraska	67	8	79	7	241	8	282	7
Region VIII	55	32	67	27	215	29	251	25
Colorado	83	16	105	12	289	15	343	12
Montana	-	0	-	0	-	0	-	0
North Dakota	6	6	6	5	56	6	56	5
South Dakota	7	7	14	7	18	6	36	6
Utah	-	0	-	0	-	0	-	0
Wyoming	73	3	86	3	322	2	381	2

TABLE A-6 (continued)

FELONY AND FELONY EQUIVALENT CASES DISPOSED OF PER JUDGE AND PER JUDGE-YEAR ON CRIMINAL CASES,
IN GENERAL TRIAL COURTS, BY STATE AND REGION, 1975

State and Region	Dispositions Per Judge				Dispositions Per Judge-Year on Criminal Cases			
	Felony Cases		Felony Equivalents		Felony Cases		Felony Equivalents	
	Dispositions	Number of Reports	Dispositions	Number of Reports	Dispositions	Number of Reports	Disposition	Number of Reports
Region IX	129	18	129	18	428	16	429	16
Arizona	200	4	202	4	585	3	590	3
California	117	12	117	12	395	11	395	11
Hawaii	140	2	140	2	547	2	547	2
Nevada	-	0	-	0	-	0	-	0
Region X	105	22	111	21	362	17	386	16
Alaska	-	0	-	0	-	0	-	0
Idaho	41	7	62	7	285	5	437	5
Oregon	198	6	184	5	479	6	449	5
Washington	138	9	138	9	347	6	347	6

^a The averages shown here are means, derived by dividing the sum of the reported dispositions by the sum of the number of judges or judge-years for courts which reported both dispositions and judges or dispositions and the data necessary to derive judge-years. This procedure gives greater weight to courts which report relatively large numbers of dispositions and judges than the use of the median court.

^b Data not shown because based on only a single court or fewer than 50 filings.

TABLE A-7

FELONY AND FELONY EQUIVALENT CASES DISPOSED OF PER JUDGE AND PER JUDGE-YEAR ON CRIMINAL CASES,
 IN GENERAL TRIAL COURTS WITH AT LEAST 100 FELONY FILINGS BY STATE AND REGION, 1975^a

State and Region	Dispositions Per Judge				Dispositions Per Judge-Year on Criminal Cases			
	Felony Cases		Felony Equivalents		Felony Cases		Felony Equivalents	
	Dispositions	Number of Reports	Dispositions	Number of Reports	Dispositions	Number of Reports	Disposition	Number of Reports
U.S. Total	166	215	179	193	428	197	469	176
Region I	85	9	92	9	210	9	228	9
Connecticut	107	2	107	2	298	2	298	2
Maine	-	0	-	0	-	0	-	0
Massachusetts	-	0	-	0	-	0	-	0
New Hampshire	70	7	79	6	166	6	188	6
Rhode Island	b	1	b	1	b	1	b	1
Vermont	-	0	-	0	-	0	-	0
Region II	144	15	142	13	244	15	242	13
New Jersey	b	1	b	1	b	1	b	1
New York	192	14	191	12	230	14	222	12
Region III	145	23	193	21	260	22	352	20
Delaware	-	0	-	0	-	0	-	0
District of Columbia	-	0	-	0	-	0	-	0
Maryland	217	4	219	4	794	4	804	4
Pennsylvania	128	7	187	5	211	7	310	5
Virginia	172	10	206	10	323	9	396	9
West Virginia	106	2	128	2	304	2	365	2
Region IV	198	31	223	28	740	28	814	26
Alabama	224	9	243	9	573	9	620	9
Florida	181	9	205	9	911	8	997	8
Georgia	264	4	202	2	719	3	b	1
Kentucky	b	1	b	1	b	1	b	1
Mississippi	b	1	b	1	b	1	b	1
North Carolina	-	0	-	0	-	0	-	0
South Carolina	b	1	b	1	b	1	b	1
Tennessee	153	6	262	5	562	5	685	5

TABLE A-7 (continued)

FELONY AND FELONY EQUIVALENT CASES DISPOSED OF PER JUDGE AND PER JUDGE-YEAR ON CRIMINAL CASES,
 IN GENERAL TRIAL COURTS WITH AT LEAST 100 FELONY FILINGS BY STATE AND REGION, 1975^a
 (continued)

State and Region	Dispositions Per Judge				Dispositions Per Judge-Year on Criminal Cases			
	Felony Cases		Felony Equivalents		Felony Cases		Felony Equivalents	
	Dispositions	Number of Reports	Dispositions	Number of Reports	Dispositions	Number of Reports	Disposition	Number of Reports
Region V	206	63	223	51	480	58	548	46
Illinois	98	10	126	8	309	9	398	7
Indiana	98	6	184	3	357	6	790	3
Michigan	316	15	337	14	642	14	686	13
Minnesota	105	4	105	4	342	4	342	4
Ohio	190	25	175	19	398	22	412	16
Wisconsin	140	3	246	3	454	3	799	3
Region VI	254	35	286	34	687	32	754	31
Arkansas	-	0	-	0	-	0	-	0
Louisiana	b	1	b	1	b	1	b	1
New Mexico	b	1	b	1	b	1	b	1
Oklahoma	113	8	120	7	362	7	360	6
Texas	259	25	268	25	623	23	652	23
Region VII	74	6	80	5	245	5	268	4
Iowa	b	1	b	1	-	0	-	0
Kansas	62	2	b	1	158	2	b	1
Missouri	b	1	b	1	b	1	b	1
Nebraska	89	2	100	2	291	2	326	2
Region VIII	127	5	137	5	370	5	399	5
Colorado	127	5	137	5	370	5	399	5
Montana	-	0	-	0	-	0	-	0
North Dakota	-	0	-	0	-	0	-	0
South Dakota	-	0	-	0	-	0	-	0
Utah	-	0	-	0	-	0	-	0
Wyoming	-	0	-	0	-	0	-	0
Region IX	130	13	131	13	432	12	432	12
Arizona	200	4	202	4	585	3	590	3
California	118	8	118	8	399	8	399	8
Hawaii	b	1	b	1	b	1	b	1
Nevada	-	0	-	0	-	0	-	0

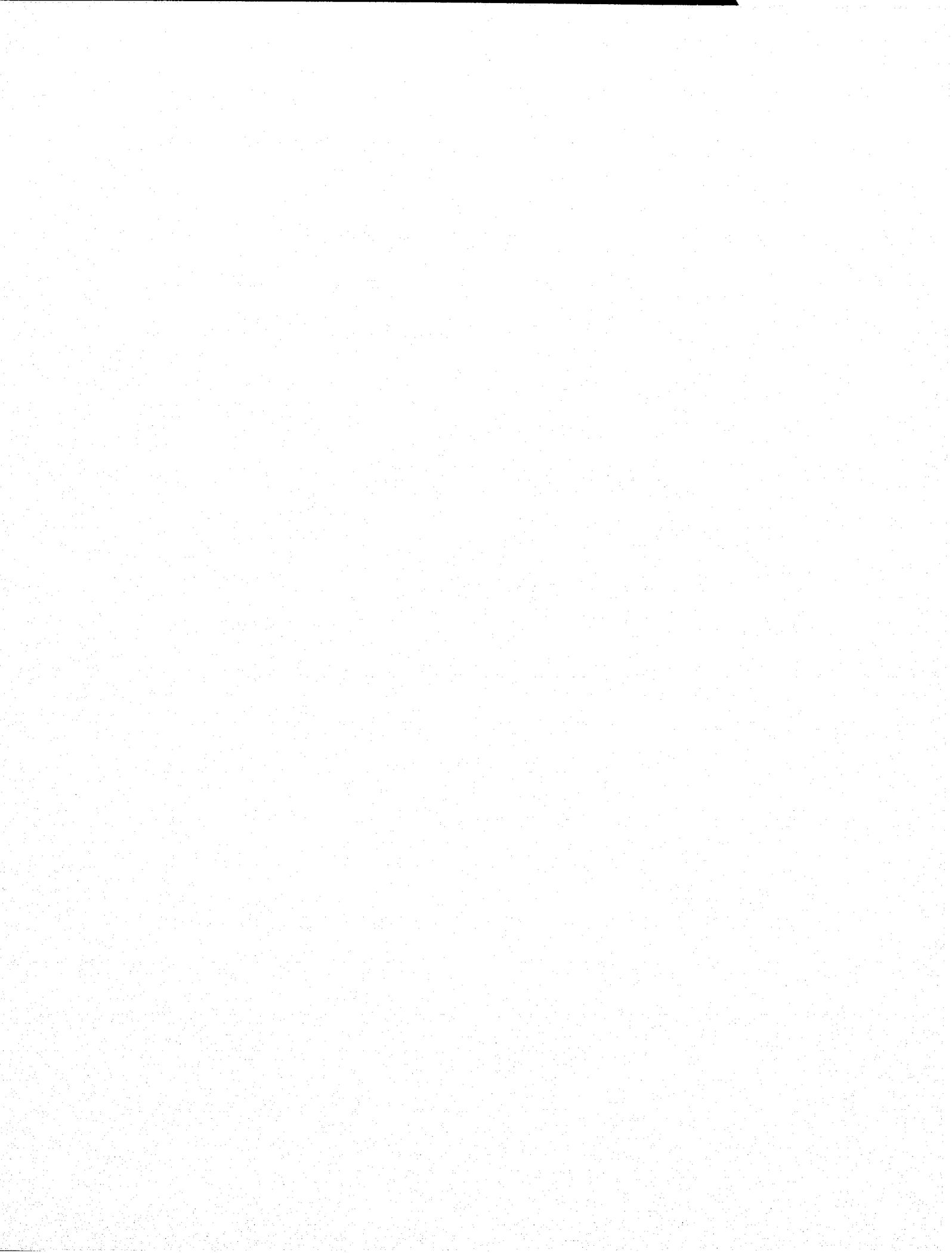
TABLE A-7 (continued)

FELONY AND FELONY EQUIVALENT CASES DISPOSED OF PER JUDGE AND PER JUDGE-YEAR ON CRIMINAL CASES,
 IN GENERAL TRIAL COURTS WITH AT LEAST 100 FELONY FILINGS BY STATE AND REGION, 1975
 (continued)

State and Region	Dispositions Per Judge				Dispositions Per Judge-Year on Criminal Cases			
	Felony Cases		Felony Equivalents		Felony Cases		Felony Equivalents	
	Dispositions	Number of Reports	Dispositions	Number of Reports	Dispositions	Number of Reports	Disposition	Number of Reports
Region X	115	15	119	14	402	11	422	10
Alaska	-	0	-	0	-	0	-	0
Idaho	45	3	65	3	470	2	689	2
Oregon	209	5	195	4	496	5	468	4
Washington	145	7	145	7	354	4	354	4

^a See footnote a of Table A-6.

^b Data not shown because based on only a single court or fewer than 50 filings.



CONTINUED

1 OF 2

APPENDIX B - DETAILED DISTRIBUTION OF COURTS BY SELECTED CHARACTERISTICS

This Appendix includes a series of tables providing more detailed distributions of courts responding to the NMS Court Survey, than included in the summary statistics presented in Chapter III. The definitions of terms used, and related analyses, are included in the main body of the report.

TABLE B-1

DISTRIBUTION OF GENERAL TRIAL COURTS BY MONTHS NEEDED TO
PROCESS FELONY CASES PENDING AT THE END OF FY 1975
AND BY THE FELONY EQUIVALENT CASELOAD PER JUDGE-YEAR
DEVOTED TO CRIMINAL CASES

Months Needed To Process Pending Felony Cases	Courts by Felony Equivalent Caseload ^b Per Judge-Year					
	All Replies	0-199	200-399	400-699	700-999	1000 or More
ALL COURTS						
Median Months to Process Pending Cases	5.1	2.9	5.0	5.4	6.8	6.6
	<u>Percent of Total</u>					
All Replies	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	31	52	31	22	16	22
3.1-6 Months	27	19	28	35	27	24
6.1-9 Months	15	10	15	11	24	24
9.1-12 Months	9	5	10	10	14	7
12.1-24 Months	13	10	9	15	16	20
24.1 Months or More	5	3	6	7	3	4
Number of Reports	(345)	(86)	(78)	(89)	(37)	(55)
COURTS WITH 100 OR MORE FELONY FILINGS						
Median Months to Process Pending Cases	5.3	a/	4.4	4.8	6.6	7.1
	<u>Percent of Total</u>					
All Replies	<u>100</u>		<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	26		37	28	14	18
3.1-6 Months	31		28	37	31	23
6.1-9 Months	19		19	13	24	25
9.1-12 Months	8		9	6	14	9
12.1-24 Months	13		5	15	14	23
24.1 Months or More	2		2	2	3	2
Number of Reports	(178)	(6)	(43)	(54)	(29)	(44)

^a Median not computed because there were fewer than 25 replies

^b Caseload as used for this table includes cases pending at the beginning of the year plus those filed during the year. Felony equivalent cases are a weighted combination of felony and misdemeanor cases under which 5.5 misdemeanor cases are estimated to be the workload equivalent of one felony case.

TABLE B-2

DISTRIBUTION OF GENERAL TRIAL COURTS BY THE NUMBER OF MONTHS
REQUIRED TO PROCESS FELONY CASES PENDING AT THE END OF FY 1975
AND BY TYPE OF CONTINUANCE POLICY USED IN THE COURT

Months to Process Pending Felony Cases	All Courts	Strict Continuance Policy to Reduce Cases Held Over ^a	Continuance Granted To Date Certain ^a	Neither Continuance Policy
ALL COURTS				
Median Months to Process Pending Cases	4.9	4.5	5.5	5.8
	<u>Percent of All Replies</u>			
All Replies	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	33	37	28	32
3.1-6 Months	26	27	27	20
6.1-9 Months	15	15	15	15
9.1-12 Months	10	8	13	9
12.1-24 Months	12	10	15	5
24 Months or More	5	3	3	10
Number of Reports	(820)	(465)	(225)	(130)

COURTS WITH 100 OR MORE FELONY FILINGS

Median Months to Process Pending Cases	5.2	4.9	5.4	6.8
	<u>Percent of All Replies</u>			
All Replies	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	27	30	24	17
3.1-6 Months	31	30	33	29
6.1-9 Months	19	19	18	19
9.1-12 Months	10	8	16	10
12.1-24 Months	11	10	9	21
24.1 Months or More	2	2	0	5
Number of Reports	(325)	(207)	(76)	(42)

^a Respondents who checked both a strict continuance policy and continuance granted to-date certain are included only with the "Strict Continuance Policy" group.

TABLE B-3

DISTRIBUTION OF GENERAL TRIAL COURTS BY THE NUMBER OF MONTHS
REQUIRED TO PROCESS MISDEMEANOR CASES PENDING AT THE END OF FY 1975
AND BY TYPE OF CONTINUANCE POLICY USED IN THE COURT

Months to Process Pending Misdemeanor Cases	All Courts	Strict Continuance Policy to Reduce Cases Held Over ^a	Continuance Granted To Date Certain ^a	Neither Continuance Policy
ALL COURTS				
Median Months to Process Pending Cases	3.6	3.1	4.2	4.4
<u>Percent of All Replies</u>				
All Replies	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	45	49	40	41
3.1-6 Months	26	27	26	20
6.1-9 Months	12	9	15	19
9.1-12 Months	4	3	6	6
12.1-24 Months	9	8	10	9
24.1 Months or MOre	4	4	4	6
Number of Reports	(426)	(239)	(133)	(54)
COURTS WITH 100 OR MORE FELONY FILINGS				
Median Months to Process Pending Cases	4.1	3.8	4.6	n.a. ^b
<u>Percent of All Replies</u>				
All Replies	<u>100</u>	<u>100</u>	<u>100</u>	
0-3 Months	37	39	34	
3.1-6 Months	33	37	30	
6.1-9 Months	14	12	19	
9.1-12 Months	4	2	6	
12.1-24 Months	8	5	6	
24.1 Months or More	4	4	4	
Number of Reports	(158)	(92)	(47)	(19)

^a Respondents who checked both a "strict continuance policy and continuance - granted to-date certain are included only with the "Strict Continuance Policy" group.

^b Median not reported because there were fewer than 25 replies.

TABLE B-4

DISTRIBUTION OF GENERAL TRIAL COURTS BY THE NUMBER OF MONTHS REQUIRED
TO PROCESS FELONY EQUIVALENT CASES PENDING AT THE END OF FY 1975
AND BY TYPE OF CONTINUANCE POLICY USED IN THE COURT

Months to Process Pending Felony Cases	All Courts	Strict Continuance Policy to Reduce Cases Held Over ^a	Continuance Granted To Date Certain ^a	Neither Continuance Policy
ALL COURTS				
Median Months to Process Pending Cases	4.8	4.3	4.8	5.3
	<u>Percent of All Replies</u>			
All Replies	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	33	32	26	29
3.1-6 Months	28	28	28	28
6.1-9 Months	15	15	17	11
9.1-12 Months	10	8	12	11
12.1-24 Months	10	8	13	12
24.1 Months or More	4	3	3	9
Number of Reports	(755)	(427)	(208)	(120)
COURTS WITH 100 OR MORE FELONY FILINGS				
Median Months to Process Pending Cases	5.1	4.8	5.1	6.0
	<u>Percent of All Replies</u>			
All Replies	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	28	32	22	18
3.1-6 Months	32	30	36	32
6.1-9 Months	19	20	19	13
9.1-12 Months	9	7	14	13
12.1-24 Months	10	9	8	18
24.1 Months or More	2	2	0	5
Number of Reports	(296)	(186)	(72)	(38)

^a Respondents who checked both a strict continuance policy and continuance granted to-date certain, are included only with the "Strict Continuance Policy" group.

TABLE B-5

DISTRIBUTION OF GENERAL TRIAL COURTS BY FELONY CASES PENDING
 AT THE END OF FY 1975, PER JUDGE-YEAR ON CRIMINAL CASES,
 AND BY TYPE OF CONTINUANCE POLICY USED IN THE COURT

Felony Cases Pending Per Judge-Year	All Courts	Strict Continuance Policy to Reduce ^a Cases Held Over	Continuances Granted to Date Certain ^a	Neither Continuance Policy
ALL COURTS				
Median	105	91	113	156
	<u>Percent of All Replies</u>			
All Replies	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
0- 49	30	35	24	24
50- 99	18	18	22	13
100-199	21	19	25	23
200-299	11	9	13	14
300-599	12	12	11	13
600 or More	7	7	4	13
Number of Reports	(395)	(234)	(91)	(70)
COURTS WITH 100 OR MORE FELONY FILINGS				
Median	154	138	155	220
	<u>Percent of All Replies</u>			
All Replies	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
0- 49	12	16	7	6
50- 99	21	22	24	9
100-199	26	24	29	31
200-299	15	13	20	16
300-599	14	15	13	12
600 or More	11	10	7	25
Number of Reports	(209)	(132)	(45)	(32)

^a Respondents who checked both a strict continuance policy and continuance granted to-date certain are included only with the "Strict Continuance Policy" group.

TABLE B-6

DISTRIBUTION OF GENERAL TRIAL COURTS BY FELONY EQUIVALENT CASES PENDING
AT THE END OF FY 1975, PER JUDGE-YEAR ON CRIMINAL CASES,
AND BY TYPE OF CONTINUANCE POLICY USED IN THE COURT

Felony Equivalent Cases Pending Per Judge-Year	All Courts	Strict Continuance Policy to Reduce Cases Held Over	Continuances Granted to Date Certain ^a	Neither Continuance Policy
ALL COURTS				
Median	117	98	131	169
	<u>Percent of All Replies</u>			
All Replies	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
0- 49	29	33	21	25
50- 99	17	18	22	7
100-199	23	21	26	25
200-299	10	7	15	16
300-599	14	15	12	12
600 or More	7	6	4	13
Number of Reports	(356)	(208)	(81)	(67)
COURTS WITH 100 OR MORE FELONY FILINGS				
Median	167	144	175	233
	<u>Percent of All Replies</u>			
All Replies	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
0- 49	12	17	5	7
50- 99	18	19	26	3
100-199	27	25	26	33
200-299	13	9	21	20
300-599	17	20	14	10
600 or More	12	10	7	27
Number of Reports	(186)	(114)	(42)	(30)

^a Respondents who checked both a strict continuance policy and continuance granted to-date certain are included only with the "Strict Continuance Policy" group.

TABLE B-7

DISTRIBUTION OF GENERAL TRIAL COURTS BY THE NUMBER OF MONTHS
NEEDED TO PROCESS FELONY CASES PENDING AT THE END OF FY 1975
AND BY TYPE OF CALENDARING PRIORITY USED IN THE COURT

Months Needed to Process Pending Felony Cases	Type of Calendaring Priority			
	All Courts	Priority Usually Or Always To Criminal Over Civil Cases	More Limited Priority to Criminal Cases	No Priority to Criminal Cases
ALL COURTS				
Median Months to Process Pending Cases	4.9	4.7	5.2	5.5
	<u>Percent of Total</u>			
All Replies	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	34	35	28	37
3.1-6 Months	26	27	29	16
6.1-9 Months	14	15	12	13
9.1-12 Months	9	8	11	13
12.1-24 Months	12	11	14	16
24.1 Months or More	4	4	5	7
Number of Reports	(817)	(566)	(148)	(103)
COURTS WITH 100 FELONY FILINGS OR MORE				
Median Months to Process Pending Cases	5.2	5.1	5.5	<u>a/</u>
	<u>Percent of Total</u>			
All Replies	<u>100</u>	<u>100</u>	<u>100</u>	
0-3 Months	27	27	27	
3.1-6 Months	31	33	28	
6.1-9 Months	19	21	12	
9.1-12 Months	10	8	15	
12.1-24 Months	11	10	16	
24.1 Months or More	2	1	3	
Number of Reports	(327)	(229)	(75)	(23)

^a Median not computed because there were fewer than 25 replies.

TABLE B-8

DISTRIBUTION OF GENERAL TRIAL COURTS BY THE NUMBER OF MONTHS
NEEDED TO PROCESS MISDEMEANOR CASES PENDING AT THE END OF FISCAL YEAR 1975
AND BY TYPE OF CALENDARING PRIORITY USED IN THE COURT

Months Needed To Process Pending Misdemeanor Cases	Type of Calendarling Priority			
	All Courts	Priority Usually Or Always To Criminal Over Civil Cases	More Limited Priority to Criminal Cases	No Priority to Criminal Cases
ALL COURTS				
Median Months to Process Pending Cases	3.6	3.8	3.1	3.2
	<u>Percent of Total</u>			
All Replies	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	45	43	49	49
3.1-6 Months	26	27	31	14
6.1-9 Months	12	13	12	12
9.1-12 Months	4	5	12	4
12.1-24 Months	9	9	4	16
24 Months or More	4	4	1	5
Number of Reports	(425)	(279)	(89)	(57)
COURTS WITH 100 OR MORE FELONY FILINGS				
Median Months to Process Pending Cases	4.1	4.5	3.3	<u>a/</u>
	<u>Percent of Total</u>			
All Replies	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	39	33	46	
3.1-6 Months	32	33	36	
6.1-9 Months	14	15	12	
9.1-12 Months	4	5	0	
12.1-24 Months	7	10	2	
24 Months or More	4	4	2	
Number of Reports	(161)	(105)	(41)	(15)

^a Median not computed because there were fewer than 25 replies.

TABLE B-9

DISTRIBUTION OF GENERAL TRIAL COURTS BY THE NUMBER OF MONTHS
NEEDED TO PROCESS FELONY EQUIVALENT CASES PENDING AT THE END OF FY 1975
AND BY TYPE OF CALENDARING PRIORITY USED IN THE COURT

Months Needed to Process Pending Felony Equivalent Cases	Type of Calendaring Priority			
	All Courts	Priority Usually Or Always To Criminal Over Civil Cases	More Limited Priority to Criminal Cases	No Priority to Criminal Cases

ALL COURTS

Median Months to Process Pending Cases	4.8	4.7	5.0	5.3
--	-----	-----	-----	-----

Percent of Total

All Replies	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	33	34	26	35
3.1-6 Months	28	28	35	20
6.1-9 Months	15	15	12	15
9.1-12 Months	10	9	11	10
12.1-24 Months	11	10	12	13
24.1 Months or More	4	3	4	6
Number of Reports	(751)	(517)	(137)	(97)

COURTS WITH 100 FELONY FLINGS OR MORE

Median Months to Process Pending Cases	5.1	4.9	5.4	a/
--	-----	-----	-----	----

Percent of Total

All Replies	<u>100</u>	<u>100</u>	<u>100</u>	
0-3 Months	28	30	21	
3.1-6 Months	32	32	36	
6.1-9 Months	19	20	13	
9.1-12 Months	9	8	14	
12.1-24 Months	10	8	13	
24.1 Months or More	2	1	3	
Number of Reports	(298)	(205)	(70)	(23)

^a Median not computed because there were fewer than 25 replies.

TABLE B-10

DISTRIBUTION OF GENERAL TRIAL COURTS BY FELONY CASES PENDING,
PER JUDGE-YEAR ON CRIMINAL CASES, AND BY
TYPE OF CALENDARING PRIORITY USED IN THE COURT, 1975

Felony Cases Pending Per Judge-Year	Type of Calendaring Priority			
	All Courts	Priority Usually Or Always To Criminal Over Civil Cases	More Limited Priority to Criminal Cases	No Priority to Criminal Cases
ALL COURTS				
Median	105	98	140	68
	<u>Percent of Total</u>			
All Replies	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
0- 49	30	30	26	42
50- 99	19	21	13	14
100-199	21	21	24	16
200-299	11	12	9	9
300-599	11	11	15	9
600 or More	7	5	13	9
Number of Reports	(394)	(266)	(85)	(43)
COURTS WITH 100 FELONY FILINGS OR MORE				
Median	152	136	191	<u>a/</u>
	<u>Percent of Total</u>			
All Replies	<u>100</u>	<u>100</u>	<u>100</u>	
0- 49	12	12	10	
50- 99	20	25	12	
100-199	27	26	31	
200-299	15	17	10	
300-599	14	14	18	
600 or More	11	7	20	
Number of Reports	(210)	(145)	(51)	(14)

a

Median not computed because there were fewer than 25 replies.

TABLE B-11

DISTRIBUTION OF GENERAL TRIAL COURTS BY FELONY EQUIVALENT CASES PENDING,
 PER JUDGE-YEAR ON CRIMINAL CASES, AND BY TYPE OF
 CALENDARING PRIORITY USED IN THE COURT, 1975

Felony Equivalent Cases Pending Per Judge-Year	Type of Calendaring Priority			
	All Courts	Priority Usually Or Always To Criminal Over Civil Cases	More Limited Priority to Criminal Cases	No Priority to Criminal Cases
ALL COURTS				
Median	117	102	173	83
	<u>Percent of Total</u>			
All Replies	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
0- 49	29	30	18	40
50- 99	17	19	12	14
100-199	23	24	28	14
200-299	10	10	11	10
300-599	14	12	18	12
600 or More	7	4	14	10
Number of Reports	(355)	(233)	(80)	(42)
COURTS WITH 100 FELONY FILINGS OR MORE				
Median	165	139	208	<u>a/</u>
	<u>Percent of Total</u>			
All Replies	<u>100</u>	<u>100</u>	<u>100</u>	
0- 49	12	13	8	
50- 99	18	23	8	
100-199	27	27	33	
200-299	13	14	12	
300-599	17	17	18	
600 or More	12	6	20	
Number of Reports	(187)	(124)	(49)	(.14)

^a Median not computed because there were fewer than 25 replies.

TABLE B-12

DISTRIBUTION OF GENERAL TRIAL COURTS BY THE NUMBER OF MONTHS NEEDED
TO PROCESS FELONY CASES PENDING AT THE END OF FY 1975
AND BY WHETHER OMNIBUS HEARINGS ARE OR ARE NOT REQUIRED

Months Needed To Process Pending Felony Cases	All Reports	Omnibus Hearings Are Required	Omnibus Hearings Not Required
All Courts			
Median Months to Process Pending Cases	4.9	5.1	4.8
	Percent of Total		
All Replies	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	34	31	35
3.1-6 Months	26	27	25
6.1-9 Months	14	16	14
9.1-12 Months	9	9	10
12.1-24 Months	12	12	12
24.1 Months or More	4	4	4
Number of Reports	(818)	(232)	(586)
Courts With 100 Felony Filings Or More			
Median Months to Process Pending Cases	5.2	5.4	5.1
	Percent of Total		
All Replies	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	27	26	27
3.1-6 Months	31	29	32
6.1-9 Months	19	24	17
9.1-12 Months	10	8	11
12.1-24 Months	11	11	12
24.1 Months or More	2	2	1
Number of Reports	(327)	(110)	(217)

TABLE B-13

DISTRIBUTION OF GENERAL TRIAL COURTS BY THE NUMBER OF MONTHS NEEDED
TO PROCESS MISDEMEANOR CASES PENDING AT THE END OF FISCAL YEAR 1975
AND BY WHETHER OMNIBUS HEARINGS ARE OR ARE NOT REQUIRED

Months Needed To Process Pending Misdemeanor Cases	All Reports	Omnibus Hearings Are Required	Omnibus Hearings Not Required
All Courts			
Median Months to Process Pending Cases	3.6	3.4	3.6
Percent of Total			
All Replies	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	45	47	45
3.1-6 Months	26	28	25
6.1-9 Months	12	9	13
9.1-12 Months	4	8	3
12.1-24 Months	9	6	10
24.1 Months or More	4	3	4
Number of Reports	(425)	(90)	(335)
Courts With 100 Felony Filings or More			
Median Months to Process Pending Cases	4.1	4.0	4.1
Percent of Total			
All Replies	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	38	35	39
3.1-6 Months	32	44	28
6.1-9 Months	14	9	16
9.1-12 Months	4	2	4
12.1-24 Months	8	7	8
24.1 Months or More	4	2	4
Number of Reports	(160)	(43)	(117)

TABLE B-14

DISTRIBUTION OF GENERAL TRIAL COURTS BY THE NUMBER OF MONTHS NEEDED
TO PROCESS FELONY EQUIVALENT CASES PENDING AT THE END OF FY 1975
AND BY WHETHER OMNIBUS HEARINGS ARE OR ARE NOT REQUIRED

Months Needed To Process Pending Felony Cases	All Reports	Omnibus Hearings Are Required	Omnibus Hearings Not Required
ALL COURTS			
Median Months to Process Pending Cases	4.8	5.0	4.7
	<u>Percent of Total</u>		
All Replies	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	33	31	34
3.1-6 Months	28	29	28
6.1-9 Months	15	15	14
9.1-12 Months	10	12	9
12.1-24 Months	11	9	11
24.1 Months or More	4	4	4
Number of Reports	(751)	(207)	(544)
COURTS WITH 100 FELONY FILINGS OR MORE			
Median Months to Process Pending Cases	5.1	5.4	4.9
	<u>Percent of Total</u>		
All Replies	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	28	27	28
3.1-6 Months	32	29	34
6.1-9 Months	19	24	17
9.1-12 Months	9	8	10
12.1-24 Months	10	9	10
24.1 Months or More	2	2	1
Number of Reports	(298)	(96)	(202)

TABLE B-15

DISTRIBUTION OF GENERAL TRIAL COURTS BY FELONY CASES PENDING
 AT THE END OF FY 1975 PER JUDGE-YEAR ON CRIMINAL CASES
 AND BY WHETHER OMNIBUS HEARINGS ARE OR ARE NOT REQUIRED

Pending Felony Cases	All Reports	Omnibus Hearings Are Required	Omnibus Hearings Not Required
ALL COURTS			
Median	105	96	108
	<u>Percent of Total</u>		
All Replies	<u>100</u>	<u>100</u>	<u>100</u>
0- 49	30	29	31
50- 99	19	23	17
100-199	21	18	23
200-299	11	12	11
300-599	11	12	11
600 or More	7	5	8
Number of Reports	(394)	(128)	(266)
COURTS WITH 100 FELONY FILINGS OR MORE			
Median	152	156	150
	<u>Percent of Total</u>		
All Replies	<u>100</u>	<u>100</u>	<u>100</u>
0- 49	12	14	12
50- 99	20	25	18
100-199	27	21	30
200-299	15	16	14
300-599	14	16	13
600 or More	11	8	14
Number of Reports	(210)	(80)	(130)

TABLE B-16

DISTRIBUTION OF GENERAL TRIAL COURTS BY FELONY EQUIVALENT CASES PENDING
 AT THE END OF FY 1975 PER JUDGE-YEAR ON CRIMINAL CASES AND
 BY WHETHER OMNIBUS HEARINGS ARE OR ARE NOT REQUIRED

Pending Felony Equivalent Cases	All Reports	Omnibus Hearings Are Required	Omnibus Hearings Not Required
ALL COURTS			
Median	117	112	120
	<u>Percent of Total</u>		
All Replies	<u>100</u>	<u>100</u>	<u>100</u>
0- 49	29	27	30
50- 99	17	20	16
100-199	23	22	24
200-299	10	12	10
300-599	14	15	13
600 or More	7	5	8
Number of Reports	(355)	(111)	(244)
COURTS WITH 100 FELONY FILINGS OR MORE			
Median	165	158	168
	<u>Percent of Total</u>		
All Replies	<u>100</u>	<u>100</u>	<u>100</u>
0- 49	12	15	11
50- 99	18	19	18
100-199	27	24	29
200-299	13	15	13
300-599	17	21	15
600 or More	12	7	14
Number of Reports	(187)	(68)	(119)

TABLE B-17

DISTRIBUTION OF GENERAL TRIAL COURTS BY MONTHS NEEDED
TO PROCESS FELONY CASES PENDING AT THE END OF FY 1975
AND BY THE PERCENT OF JUDGE-TIME DEVOTED TO CRIMINAL CASES

Months Needed to Process Pending Cases	All Reports	Percent of Judge-Time On Criminal Cases			
		1-24	25-44	45-74	75-100
All Courts					
Median Months to Process Pending Cases	4.9	4.3	5.2	4.9	5.0
Percent of Total					
All Replies	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	33	41	31	32	26
3.1-6 Months	26	21	26	28	36
6.1-9 Months	15	11	15	17	22
9.1-12 Months	9	8	12	8	2
12.1-24 Months	12	13	12	12	12
24.1 Months or More	5	6	5	4	2
Number of Reports	(766)	(189)	(328)	(199)	(50)
Courts With 100 or More Felony Filings					
Median Months to Process Pending Cases	5.2	5.3	5.4	5.0	5.2
Percent of Total					
All Replies	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	27	28	27	30	14
3.1-6 Months	32	28	29	31	48
6.1-9 Months	19	18	17	20	24
9.1-12 Months	10	8	14	9	0
12.1-24 Months	11	15	10	11	10
24.1 Months or More	1	3	2	0	3
Number of Reports	(298)	(39)	(126)	(104)	(29)

TABLE B-18

DISTRIBUTION OF GENERAL TRIAL COURTS BY MONTHS NEEDED
TO PROCESS FELONY EQUIVALENT CASES PENDING AT THE END OF FY 1975
AND BY THE PERCENT OF JUDGE-TIME DEVOTED TO CRIMINAL CASES

Months Needed to Process Pending Cases	All Reports	Percent of Judge-Time on Criminal Cases			
		1-24	25-44	45-74	75-100
All Courts					
Median Months to Process Pending Cases	4.8	4.3	5.0	5.1	4.9
Percent of Total					
All Replies	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	33	40	30	32	24
3.1-6 Months	28	23	31	26	41
6.1-9 Months	15	11	15	16	17
9.1-12 Months	10	9	10	11	2
12.1-24 Months	11	12	9	10	13
24.1 Months or More	4	4	4	4	2
Number of Reports	(702)	(179)	(298)	(179)	(46)
Courts With 100 Or More Felony Filings					
Median Months to Process Pending Cases	5.1	4.9	5.2	5.0	5.1
Percent of Total					
All Replies	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	27	32	26	31	16
3.1-6 Months	32	29	33	29	48
6.1-9 Months	19	16	21	19	20
9.1-12 Months	10	8	12	11	0
12.1-24 Months	10	13	7	11	12
24.1 Months or More	1	3	2	0	2
Number of Reports	(270)	(38)	(116)	(91)	(25)

TABLE B-19

DISTRIBUTION OF GENERAL TRIAL COURTS BY MONTHS NEEDED
TO PROCESS FELONY CASES PENDING AT THE END OF FY 1975
AND BY THE PERCENT OF CASES TERMINATED BY TRIAL

Months Needed To Process Pending Cases	All Reports	Percent Terminated by Trial			
		1-9	10-19	20-39	40% or More
All Courts					
Median Months to Process Pending Cases	4.6	5.0	4.3	3.9	4.9
		<u>Percent of Total</u>			
All Replies	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	34	33	35	43	30
3.1-6 Months	28	26	33	24	32
6.1-9 Months	13	15	14	12	10
9.1-12 Months	8	9	9	4	6
12.1-24 Months	12	13	6	10	17
24.1 Months or More	4	4	3	6	5
Number of Reports	(328)	(137)	(79)	(49)	(63)
Courts With 100 or More Felony Filings					
Median Months to Process Pending Cases	5.1	5.8	5.1	4.2	
		<u>Percent of Total</u>			
All Replies	100	100	100	100	
0-3 Months	29	24	31	36	
3.1-6 Months	30	28	28	36	
6.1-9 Months	18	18	22	14	
9.1-12 Months	10	15	11	0	
12.1-24 Months	12	13	8	12	
24.1 Months or More	2	3	0	2	
Number of Reports	(146)	(68)	(36)	(42)	

TABLE B-20

DISTRIBUTION OF GENERAL TRIAL COURTS BY THE NUMBER OF FELONY CASES
PROCESSED PER JUDGE-YEAR ON CRIMINAL CASES AND THE PERCENT
OF CASES DISPOSED OF BY TRIAL, 1975

Felony Caseloads Process Per Judge-Year	All Replies	Percent of Cases Disposed of by Trial		
		1 to 9%	10 to 39%	40% or More
All Courts				
Cases Per Judge-Year in Median Court	255	279	220	273
		<u>Percent of Total</u>		
All Replies	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
1- 99	22	18	29	20
100-199	16	16	17	16
200-299	21	21	21	20
300-499	19	22	14	21
500-699	11	13	6	14
700 or More	11	10	12	9
Number of Reports	(190)	(68)	(66)	(56)
Courts With 100 Felony Filings or More				
Cases Per Judge-Year in Median Court	338	379	289	312
		<u>Percent of Total</u>		
All Replies	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
1- 99	4	3	6	3
100-199	15	10	19	17
200-299	26	23	28	29
300-499	25	31	22	20
500-699	17	18	12	20
700 or More	13	15	12	11
Number of Reports	(106)	(39)	(32)	(35)

TABLE B-21

DISTRIBUTION OF GENERAL TRIAL COURTS BY THE NUMBER OF FELONY EQUIVALENT
 CASES PROCESSED PER JUDGE-YEAR ON CRIMINAL CASES AND THE PERCENT OF
 CASES DISPOSED OF BY TRIAL, 1975

Felony Caseloads Processed Per Judge-Year	All Replies	Percent of Cases Disposed of By Trial		
		1 to 9%	10 to 39%	40% or More
All Courts				
Cases Per Judge in Median Court	294	330	272	280
		<u>Percent of Total</u>		
All Replies	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
1- 99	19	12	22	21
100-199	17	18	16	17
200-299	15	14	16	15
300-499	25	27	22	26
500-699	11	9	11	12
700 or More	14	20	13	9
Number of Reports	(177)	(56)	(55)	(66)
Courts With 100 Felony Filings or More				
Cases Per Judge in Median Court	396	450	408	340
		<u>Percent of Total</u>		
All Replies	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
1- 99	2	0	4	3
100-199	14	9	15	18
200-299	20	13	22	24
300-499	29	34	30	24
500-699	16	13	19	18
1000 or More	19	31	7	13
Number of Reports	(97)	(32)	(27)	(38)

TABLE B-22

DISTRIBUTION OF GENERAL TRIAL COURTS BY THE NUMBER OF MONTHS
 REQUIRED TO PROCESS FELONY CASES PENDING AT THE END OF FY 1975
 AND BY FELONY EQUIVALENT CASELOADS OF PROSECUTORS
 WHO BRING CASES TO THE COURT

Months to Process Pending Felony Cases	Caseloads Per Prosecutor				
	All Courts	1-100	101-200	201-300	400 or More
Median Months to Process Pending Cases	5.4	5.0	5.6	3.0	6.9
	<u>Percent of All Replies</u>				
All Replies	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	34	35	36	46	23
3.1-6 Months	20	24	16	19	19
6.1-9 Months	16	11	14	16	25
9.1-12 Months	9	9	14	0	10
12.1-24 Months	17	16	14	16	21
24 Months or More	4	5	7	3	2
Number of Reports	(188)	(55)	(44)	(37)	(52)

TABLE B- 23

DISTRIBUTION OF GENERAL TRIAL COURTS BY MONTHS REQUIRED TO PROCESS
FELONY CASES PENDING AT THE END OF FY 1975 AND BY THE RATIO
 OF FULL-TIME EQUIVALENT PROSECUTORS TO JUDGE-YEAR ON CRIMINAL CASES

Months to Process Pending Felony Cases	Prosecutors Per Judge-Year			
	All Courts	0.1 to 2.9	3.0 to 6.9	7.0 or more

ALL COURTS

Median Months to Process Pending Cases	5.3	5.0	6.2	4.5
	<u>Percent of all Replies</u>			
All Replies	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	34	35	29	40
3.1-6 Months	21	23	19	20
6.1-9 Months	17	6	33	16
9.1-12 Months	6	7	2	11
12.1-24 Months	16	20	14	13
24 Months or More	5	9	3	0
Number of Reports	(172)	(69)	(58)	(45)

COURTS WITH 100 OR MORE FELONY FILINGS

Median Months to Process Pending Cases	6.0	4.8	6.9	5.8
	<u>Percent of All Replies</u>			
All Replies	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	26	30	18	29
3.1-6 Months	24	33	18	23
6.1-9 Months	24	10	45	16
9.1-12 Months	6	3	3	13
12.1-24 Months	18	17	12	19
24.1 Months or More	1	7	3	0
Number of Reports	(94)	(30)	(33)	(31)

TABLE B-24

DISTRIBUTION OF GENERAL TRIAL COURTS BY MONTHS REQUIRED TO PROCESS
 FELONY EQUIVALENT CASES PENDING AT THE END OF FY 1975 AND BY THE
 RATIO OF FULL-TIME EQUIVALENT PROSECUTORS TO JUDGE-YEARS ON CRIMINAL CASES

Months to Process Pending Felony Equivalent Cases	Prosecutors Per Judge-Year			
	All Courts	0.1 to 2.9	3.0 to 6.9	7.0 or More
ALL COURTS				
Median Months to Process Pending Cases	5.2	5.3	5.8	4.4
	<u>Percent of All Replies</u>			
All Replies	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	33	30	32	39
3.1-6 Months	23	26	19	24
6.1-9 Months	17	6	32	15
9.1-12 Months	6	9	2	7
12.1-24 Months	15	18	11	15
24 Months or More	6	11	4	0
Number of Reports	(160)	(66)	(53)	(41)
COURTS WITH 100 OR MORE FELONY FILINGS				
Median Months to Process Pending Cases	5.6	4.6	6.6	5.4
	<u>Percent of All Replies</u>			
All Replies	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	26	31	17	31
3.1-6 Months	28	34	24	24
6.1-9 Months	22	7	45	14
9.1-12 Months	6	3	3	10
12.1-24 Months	17	24	7	21
24.1 Months or More	1	0	3	0
Number of Reports	(87)	(29)	(29)	(29)

TABLE B-25

PROSECUTORS PER JUDGE IN GENERAL JURISDICTION
STATE AND LOCAL COURTS, 1975

	Prosecutors Per Judge*	Number of Prosecutors	Number Judges	Number of Reports
U.S. Total	<u>2.2</u>	<u>1850.2</u>	<u>847</u>	<u>206</u>
Region I	<u>.5</u>	<u>16.5</u>	<u>36</u>	<u>7</u>
Connecticut	.5	9.0	17	3
Maine	---	---	0	0
Massachusetts	---	---	---	0
New Hampshire	.4	7.5	19	4
Rhode Island	---	---	---	0
Vermont	---	---	---	0
Region II	<u>3.1</u>	<u>272.6</u>	<u>87</u>	<u>13</u>
New Jersey	1.1	57.0	50	2
New York	5.8	215.6	37	11
Region III	<u>2.0</u>	<u>311.1</u>	<u>154</u>	<u>22</u>
Delaware	---	---	---	0
District of Columbia	---	---	---	0
Maryland	2.5	99.9	40	9
Pennsylvania	1.8	183.0	104	7
Virginia	2.8	28.2	10	6
West Virginia	---	---	---	0
Region IV	<u>1.4</u>	<u>64.5</u>	<u>47</u>	<u>11</u>
Alabama	1.1	14.5	13	4
Florida	1.4	29.0	20	1
Georgia	1.6	8.0	5	2
Kentucky	1.1	8.0	7	2
Mississippi	---	---	---	0
North Carolina	4.0	4.0	1	1
South Carolina	---	---	---	0
Tennessee	1.0	1.0	1	1
Region V	<u>2.3</u>	<u>415.1</u>	<u>179</u>	<u>70</u>
Illinois	1.2	50.5	41	12
Indiana	2.0	45.8	23	22
Michigan	4.0	72.0	18	5
Minnesota	3.0	77.5	26	7
Ohio	2.5	157.8	64	18
Wisconsin	1.6	11.5	7	6
Region VI	<u>2.5</u>	<u>230.3</u>	<u>92</u>	<u>28</u>
Arkansas	---	---	---	0
Louisiana	---	---	---	0
New Mexico	1.4	17.0	12	1
Oklahoma	2.2	6.5	3	1
Texas	2.7	206.8	77	26

TABLE B-25 (continued)

	Prosecutors Per Judge*	Number of Prosecutors	Number Judges	Number or Reports
Region VII	<u>1.6</u>	<u>57.0</u>	<u>36</u>	<u>9</u>
Iowa	.8	5.0	6	2
Kansas	3.0	46.0	15	3
Missouri	---	---	---	0
Nebraska	.4	6.0	15	4
Region VIII	<u>1.7</u>	<u>105.8</u>	<u>63</u>	<u>15</u>
Colorado	2.5	81.2	33	5
Montana	---	---	---	0
North Dakota	.3	7.8	23	5
South Dakota	1.2	7.0	6	4
Utah	9.8	9.8	1	1
Wyoming	---	---	---	0
Region IX	<u>2.9</u>	<u>248.0</u>	<u>85</u>	<u>18</u>
Arizona	1.8	9.0	5	2
California	3.1	213.0	68	14
Hawaii	2.2	26.0	12	2
Nevada	---	---	---	0
Region X	<u>1.9</u>	<u>129.3</u>	<u>68</u>	<u>13</u>
Alaska	---	---	---	0
Idaho	.8	13.1	16	3
Oregon	2.4	17.0	7	3
Washington	2.2	99.2	45	7

* Prosecutors per judge were calculated by the use of two decimal places for the reported number of full-time equivalent prosecutors. Thus the reported numbers may differ slightly from the numbers that would be derived based on prosecutors and judges rounded to one decimal place as given above.

TABLE B-26

DISTRIBUTION OF GENERAL TRIAL COURTS BY MONTHS TO PROCESS FELONY CASES
PENDING AT THE END OF FISCAL YEAR 1975 AND BY THE PERCENT
OF ASSOCIATED PROSECUTORS AND ASSISTANT PROSECUTORS WHO WORK PART-TIME

Months Needed to Process Pending Felony Cases	Courts by Percent of Prosecutors Who Are Part-Time			
	All Courts	0 to 10%	11 to 70%	71-100%
ALL COURTS				
Median Months to Pro- cess Pending Cases	5.5	6.0	5.6	4.7
	<u>Percent of Total</u>			
All Replies	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	33	32	24	39
3.1-6 Months	21	18	29	20
6.1-9 Months	19	22	22	13
9.1-12 Months	8	8	15	7
12.1-24 Months	15	18	7	15
24 Months or More	4	2	2	7
Number of Reports	(248)	(120)	(41)	(87)
COURTS WITH 100 OR MORE FELONY FILINGS				
Median Months to Pro- cess Pending Cases	6.4	6.9	6.0	<u>a/</u>
	<u>Percent of Total</u>			
All Replies	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	23	19	23	
3.1-6 Months	23	23	27	
6.1-9 Months	26	27	27	
9.1-12 Months	9	7	15	
12.1-24 Months	18	23	8	
24.1 Months or More		1	1	0
Number of Reports	(120)	(70)	(26)	(24)

a/ Median not computed because there were fewer than 25 reports.

TABLE B-27

DISTRIBUTION OF GENERAL TRIAL COURTS BY THE NUMBER OF MONTHS
NEEDED TO PROCESS FELONY CASES PENDING AT THE END OF FY 1975,
AND BY THE RELATIVE STRENGTH OF THEIR STATES SPEEDY TRIAL LEGISLATION

Months Needed to Process Pending Felony Cases	Strength of State Speedy Trial Laws			
	All States	High	Medium	Low
ALL COURTS				
Median Months to Process Pending Cases	4.9	5.0	4.0	6.3
	<u>Percent of Total</u>			
All Reports	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	33	31	41	28
3.1-6 Months	26	29	26	20
6.1-9 Months	15	17	12	14
9.1-12 Months	9	12	6	10
12.1-24 Months	12	9	11	19
24.1 Months or More	5	3	4	8
Number of Reports	(829)	(334)	(270)	(225)
COURTS WITH 100 OR MORE FELONY FILINGS				
Median Months to Process Pending Cases	5.2	4.9	4.5	7.4
	<u>Percent of Total</u>			
All Reports	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	27	26	36	15
3.1-6 Months	31	37	27	24
6.1-9 Months	19	19	16	24
9.1-12 Months	10	10	8	12
12.1-24 Months	11	7	10	21
24.1 Months or More	2	1	2	4
Number of Reports	(325)	(154)	(99)	(72)

TABLE B-28

DISTRIBUTION OF GENERAL TRIAL COURTS BY THE NUMBER OF MONTHS
NEEDED TO PROCESS MISDEMEANOR CASES PENDING AT THE END OF FY 1975
AND BY THE RELATIVE STRENGTH OF THEIR STATES SPEEDY TRIAL LEGISLATION

Months Needed to Process Pending Misdemeanor Cases	Strength of State Speedy Trial Laws			
	All States	High	Medium	Low
ALL COURTS				
Median Months to Process Pending Cases	3.6	3.6	3.0	4.5
	<u>Percent of Total</u>			
All Reports	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	45	43	50	40
3.1-6 Months	25	33	20	20
6.1-9 Months	12	11	14	13
9.1-12 Months	4	5	2	6
12.1-24 Months	9	5	10	13
24.1 Months or More	4	3	2	8
Number of Reports	(433)	(171)	(167)	(.95)
COURTS WITH 100 OR MORE FELONY FILINGS				
Median Months to Process Pending Cases	4.1	4.0	4.1	4.5
	<u>Percent of Total</u>			
All Reports	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	38	38	37	39
3.1-6 Months	32	36	33	21
6.1-9 Months	14	14	16	12
9.1-12 Months	4	4	2	6
12.1-24 Months	8	4	8	15
24.1 Months or More	4	4	4	6
Number of Reports	(160)	(76)	(51)	(33)

TABLE B-29

DISTRIBUTION OF GENERAL TRIAL COURTS BY THE NUMBER OF MONTHS
NEEDED TO PROCESS FELONY EQUIVALENT CASES PENDING AT THE END OF FY 1975
AND BY THE RELATIVE STRENGTH OF THEIR STATES SPEEDY TRIAL LEGISLATION

Months Needed To Process Pending Felony Equivalent Cases	Strength of State Speedy Trial Laws			
	All States	High	Medium	Low
ALL COURTS				
Median Months to Process Pending Cases	4.8	4.7	4.0	6.7
	<u>Percent of Total</u>			
All Reports	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	33	31	41	31
3.1-6 Months	28	33	28	23
6.1-9 Months	15	19	11	11
9.1-12 Months	10	10	8	9
12.1-24 Months	10	6	8	18
24.1 or More Months	4	2	4	8
Number of Reports	(763)	(300)	(250)	(213)
COURTS WITH 100 OR MORE FELONY FILINGS				
Median Months to Process Pending Cases	5.1	4.8	4.3	7.4
	<u>Percent of Total</u>			
All Reports	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	28	28	36	24
3.1-6 Months	32	37	31	22
6.1-9 Months	19	21	16	14
9.1-12 Months	9	9	7	12
12.1-24 Months	10	5	8	19
24.1 Months or More	2	1	2	8
Number of Reports	(297)	(138)	(88)	(71)

TABLE B-30

DISTRIBUTION OF GENERAL TRIAL COURTS BY THE NUMBER OF MONTHS
NEEDED TO PROCESS FELONY CASES PENDING AT THE END OF FY 1975,
AND BY THE RATING OF THE STATE ON COURT UNIFICATION

Months Needed To Process Pending Felony Cases	Rating of the State on Court Unification		
	All States	High	Low
All Courts			
Median Months to Process Pending Cases	4.9	4.6	5.5
	<u>Percent of Total</u>		
All Reports	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	33	35	31
3.1-6 Months	26	29	22
6.1-9 Months	15	16	13
9.1-12 Months	9	9	9
12.1-24 Months	12	9	17
24.1 Months or More	5	2	8
Number of Reports	(829)	(454)	(375)
Courts With 100 or More Felony Filings			
Median Months to Process Pending Cases	5.2	4.9	5.8
	<u>Percent of Total</u>		
All Reports	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	27	29	23
3.1-6 Months	31	33	28
6.1-9 Months	19	18	20
9.1-12 Months	10	10	10
12.1-24 Months	11	8	16
24.1 Months or More	2	1	2
Number of Reports	(325)	(201)	(124)

TABLE B-31

DISTRIBUTION OF GENERAL TRIAL COURTS BY THE NUMBER OF MONTHS
NEEDED TO PROCESS MISDEMEANOR CASES PENDING AT THE END OF FY 1975,
AND BY THE RATING OF THE STATE ON COURT UNIFICATION

Months Needed To Process Pending Misdemeanor Cases	Rating of the State on Court Unification		
	All States	High	Low
All Courts			
Median Months to Process Pending Cases	3.6	3.7	3.3
	<u>Percent of Total</u>		
All Reports	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	45	44	48
3.1-6 Months	25	28	22
6.1-9 Months	12	15	10
9.1-12 Months	4	3	5
12.1-24 Months	9	8	9
24.1 Months or More	4	3	5
Number of Reports	(433)	(239)	(194)
Courts with 100 or More Felony Filings			
Median Months to Process Pending Cases	4.1	4.2	4.0
	<u>Percent of Total</u>		
All Reports	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	38	36	40
3.1-6 Months	32	33	30
6.1-9 Months	15	18	9
9.1-12 Months	4	4	3
12.1-24 Months	8	5	1
24.1 Months or More	4	3	6
Number of Reports	(160)	(95)	(65)

TABLE B-32

DISTRIBUTION OF GENERAL TRIAL COURTS BY THE NUMBER OF MONTHS NEEDED
TO PROCESS FELONY EQUIVALENT CASES PENDING AT THE END OF FY 1975,
AND BY THE RATING OF THE STATE ON COURT UNIFICATION

Months Needed to Process Pending Felony Cases	Rating of the State on Unification		
	All States	High	Low
ALL COURTS			
Median Months to Process Pending Cases	4.9	4.5	5.4
	<u>Percent of Total</u>		
All Reports	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	33	34	30
3.1-6 Months	28	31	24
6.1-9 Months	15	16	13
9.1-12 Months	10	10	10
12.1-24 Months	10	7	14
24.1 Months or More	4	1	8
Number of Reports	(763)	(418)	(345)
COURTS WITH 1-- OR MORE FELONY FILINGS			
Median Months to Process Pending Cases	5.1	4.9	5.5
	<u>Percent of Total</u>		
All Reports	<u>100</u>	<u>100</u>	<u>100</u>
0-3 Months	28	29	25
3.1-6 Months	32	34	29
6.1-9 Months	19	19	19
9.1-12 Months	9	10	9
12.1-24 Months	10	7	15
24.1 Months or More	2	2	3
Number of Reports	(297)	(183)	(114)

APPENDIX C. SURVEY QUESTIONS WHICH WERE THE BASIS
FOR THE TABULATIONS OF CRIMINAL CASE DELAY

Survey of Trial Courts of General Jurisdiction

5. This court is a(n):

- Trial Court of Limited or Special Jurisdiction 1
- Trial Court of (Original) General Jurisdiction (also known
in some States as "Court of Record") 2
- Intermediate Appellate Court 3 13/4

IF THIS COURT IS A TRIAL COURT, PLEASE SKIP TO Q. 29. IF THIS COURT IS AN INTERMEDIATE APPELLATE COURT, PLEASE CONTINUE.

29. Is this trial court one seat of a judicial circuit or district which meets in other locations as well as this one?

- No 1
- Yes 2 22/3

IF YOU ANSWERED "NO" IN Q. 29, PLEASE SKIP TO Q. 34. IF YOU ANSWERED "YES," PLEASE CONTINUE.

30. As of June 30, 1975, what was the number of permanent judgeships authorized for the entire circuit or district of which this court is a part?

Number: _____ 23-25/9s

34. As of June 30, 1975, what was the number of permanent judgeships authorized for this court?

Number: _____ 36-38/9s

35. As of June 30, 1975, how many of those permanent judgeships were vacant? (IF NONE, PLEASE ENTER "0.")

Number: _____ 39-41/9s

36. As of June 30, 1975, how many permanent judges filled the permanent judgeships authorized for this court?

a. Full-time: _____ 42-44/9s

b. Part-time: _____ 45-46/9s

Survey of Trial Courts of General Jurisdiction

37. Approximately how many judge-days in the last fiscal year were provided for this court by judges "on loan" from another court?

Judge-days "borrowed": _____

47-49/9s

38. Approximately how many judge-days in the last fiscal year were "loaned" to another court by judges of this court?

Judge-days "loaned": _____

50-52/9s

38a. Please estimate how the judge-time was apportioned in this court over the past 12 months, among the following types of cases:

a. Civil	_____%	53-54/99
b. Criminal	_____%	55-56/99
c. Traffic	_____%	57-58/99
d. Juvenile	_____%	59-60/99
Total:	100 %	

Court Operations

55. Which of the following are within the original jurisdiction of this court? (Please circle all that apply.)

a. Issue warrants (e.g., arrests, search and seizure)	1	18/2
b. Bail hearings	1	19/2
c. Presentments or first arraignments	1	20/2
d. Probable cause hearings	1	21/2
e. Arraignments post indictment or information	1	22/2
f. Juvenile proceedings (adjudications)	1	23/2
g. Civil jurisdiction: family/domestic relations	1	24/2
h. Civil jurisdiction: probate	1	25/2
i. Civil jurisdiction <u>other than</u> family/domestic relations or probate	1	26/2
j. Misdemeanor trials (original jurisdiction)	1	27/2
k. Misdemeanor appeals: trials <u>de novo</u>	1	28/2
l. Misdemeanor appeals: on the record from lower court	1	29/2
m. Felony trials (original jurisdiction)	1	30/2

Survey of Trial Courts of General Jurisdiction

58. Which of the following policies or procedures are used by this court? (Please circle all that apply.)

- a. Strict continuance policy is followed to reduce the number of cases held over on calendar 1 42/2
- b. Continuances granted with adjournment to a date certain . . . 1 43/2
- c. Court holds regular night sessions 1 44/2
- d. Court holds regular weekend sessions 1 45/2
- e. NONE OF THE ABOVE 1 46/2

68. Which of the following procedures or policies are followed by this court in processing criminal cases? (Please circle all that apply.)

- a. In calendaring, priority is usually or always given to criminal cases over civil cases 1 22/2
- b. In calendaring, priority is given only to "old" criminal cases 1 23/2
- c. In calendaring criminal cases, priority is given to incarcerated defendants 1 24/2
- d. In calendaring, priority is given to criminal cases, but only when the criminal case backlog becomes large 1 25/2
- e. Bail schedule for minor violations or offenses is set by court for use at police stations 1 26/2
- f. Pre-trial conferences between prosecutor and defense lawyer are required 1 27/2
- g. Omnibus hearings (e.g., pre-trial motions, discovery) are required 1 28/2
- h. NONE OF THE ABOVE 1 29/2

Survey of Trial Courts of General Jurisdiction

70. For statistical purposes, what is the definition of "criminal case" at this court? (Please circle all that apply.)
- a. Each defendant is counted as a separate "case," regardless of whether more than one defendant is joined in the information or indictment 1 31/2
 - b. Each information or indictment is counted as a separate "case" 1 32/2
 - c. Each charge or count of an information or indictment is counted as a separate "case" 1 33/2
 - d. Other definition (please specify:) 1 34/2
-
-

71. FOR MISDEMEANORS (EXCLUDING TRAFFIC VIOLATIONS):

- a. How many cases were pending at this court at the beginning of fiscal year 1975? _____ 35-39/9s
- b. How many new cases were filed at this court during fiscal year 1975? _____ 40-44/9s
- c. How many cases were pending at this court at the end of fiscal year 1975? _____ 45-49/9s

72. FOR FELONIES:

- a. How many cases were pending at this court at the beginning of fiscal year 1975? _____ 50-54/9s
- b. How many new cases were filed at this court during the fiscal year 1975? _____ 55-59/9s
- c. How many cases were pending at this court at the end of fiscal year 1975? _____ 60-64/9s

Survey of Trial Courts of General Jurisdiction

BEGIN
CARD 10

73. TERMINATIONS OF CRIMINAL CASES (EXCLUDING TRAFFIC-VIOLATIONS):

(NOTE: Please separate felonies and misdemeanors if possible;
fiscal year 1975.)

	<u>Felonies</u>	<u>Misde- meanors</u>	or	<u>Total</u>	
a. <u>Total number closed</u>	_____	_____		_____	10-14/9s 15-19/9s 20-25/9s 26-30/9s
b. Dismissals	_____	_____		_____	31-35/9s 36-40/9s 41-45/9s
c. Transfers to other courts or jurisdictions	_____	_____		_____	46-50/9s 51-55/9s 56-60/9s 61-65/9s
d. Guilty pleas prior to trial	_____	_____		_____	66-70/9s ◇ 79-80/10 10-14/9s
e. Bench trials	_____	_____		_____	15-19/9s 20-24/9s 25-29/9s
f. Jury trials	_____	_____		_____	30-34/9s 35-39/9s 40-44/9s
g. Found guilty after trial	_____	_____		_____	45-49/9s 50-54/9s 55-59/9s
h. Acquittals	_____	_____		_____	60-64/9s 65-69/9s ◇ 79-80/11
i. All other terminations	_____	_____		_____	10-14/9s 15-19/9s 20-24/9s

Survey of Chief Prosecutors

4. What was this office's employment in each of the following categories on June 30, 1975?

- a. Number of assistant prosecutors _____ 23-25/9s
- b. Number of investigators and paralegals
(excluding law students). _____ 26-28/9s
- c. Number of secretaries/typists/stenographers _____ 29-31/9s

Personnel Information

59. What was this office's employment in each of the following categories on June 30, 1975?

NOTE: COUNT EMPLOYEES WORKING 35 HOURS OR MORE PER WEEK AS FULL-TIME, AND EMPLOYEES WORKING LESS THAN 35 HOURS A WEEK AS PART-TIME.

	<u>Full- Time</u>	<u>Part- Time</u>	
a. TOTAL EMPLOYMENT.	_____	_____	10-12 13-15/9s
b. Chief and assistant chief prosecutor(s)	_____	_____	16-18 19-21/9s
c. Assistant prosecutors	_____	_____	22-24 25-27/9s
d. Investigators (on your payroll)	_____	_____	28-30 31-33/9s
e. Investigators (detailed to your office)	_____	_____	34-36 37-39/9s
f. Paralegals (excluding law students)	_____	_____	40-42 43-45/9s
g. Secretaries/typists/stenographers	_____	_____	46-48 49-51/9s
h. All other personnel (please specify:)	_____	_____	52-54 55-57/9s

Survey of Chief Prosecutors

IF YOUR OFFICE EMPLOYS ASSISTANT PROSECUTORS, PLEASE ANSWER
Q. 60-65. OTHERWISE, PLEASE SKIP TO Q. 66.

60. On the average, how many hours per week do your part-time assistant prosecutors work (as prosecutors)? (Please enter "0" if you have no part-time assistant prosecutors.)

Hours/week. . . _____ 58-59/99

71. Approximately what number of cases in each of the following categories were prosecuted or filed (via information or indictment) by your office during the last complete fiscal year?

- a. TOTAL CASES _____ 37-42/9s
- b. Number of felony cases. _____ 43-48/9s
- c. Number of non-traffic misdemeanor cases . . . _____ 49-54/9s
- d. Number of juvenile court cases. _____ 55-60/9s

73. Approximately what number of appellate cases did your office work on during the last complete fiscal year? _____

58-62/9s