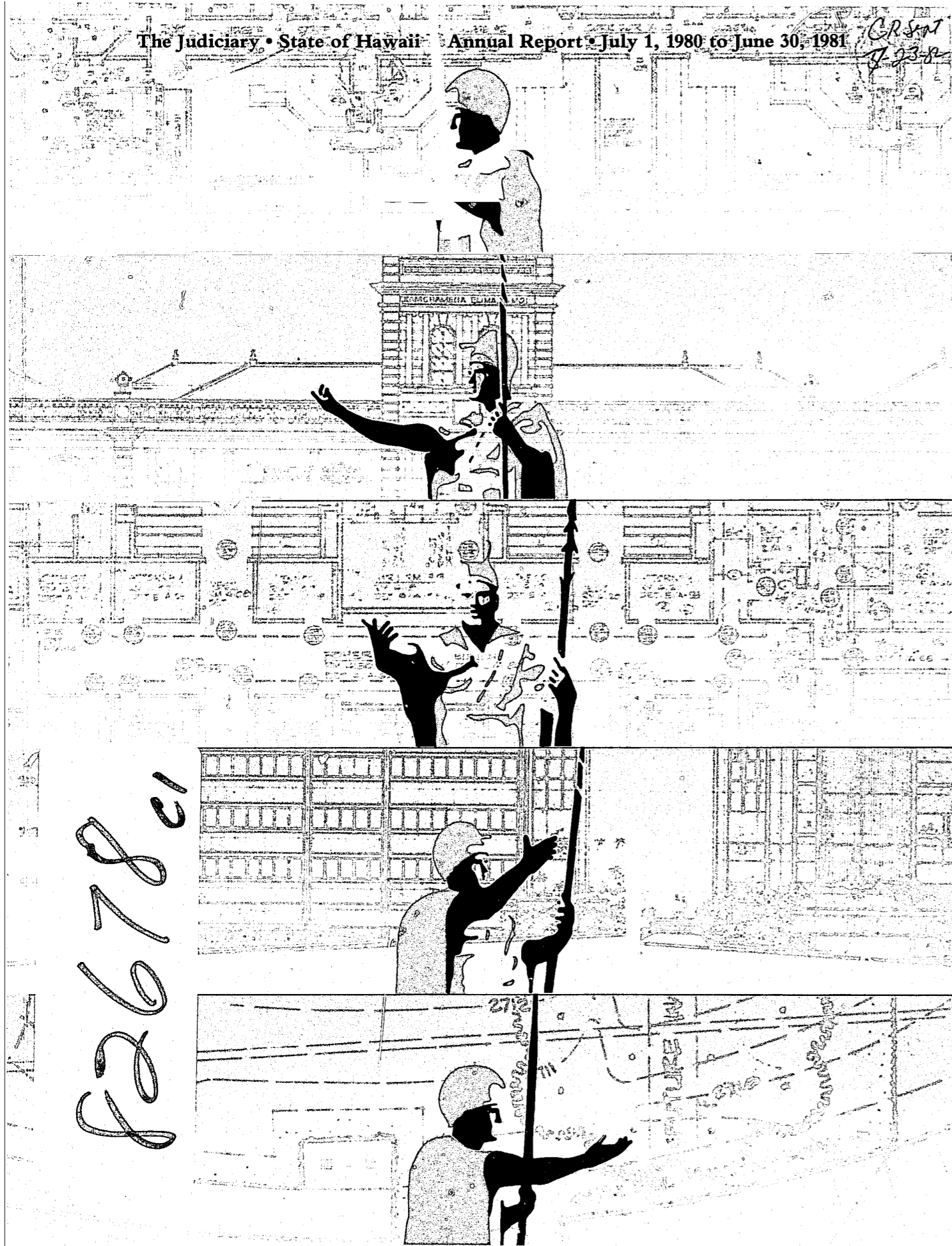


The Judiciary • State of Hawaii • Annual Report • July 1, 1980 to June 30, 1981

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## Table of Contents

Message from Chief Justice William S. Richardson	1
Progress 1980-81: Groundbreaking, Highlighting Voluntarism, Pioneering	3
The Judiciary	11
The Courts	19
• Courts of Appeal	20
• The Supreme Court	22
• The Intermediate Court of Appeals	24
• Trial Courts	26
• Circuit Courts	27
• Family Courts, a Division of Circuit Court	29
• District Courts	30
• Specialized Courts: Land Court and Tax Appeal Court	32
• Judicial Circuits	33
• First Judicial Circuit	33
• Second Judicial Circuit	35
• Third Judicial Circuit	36
• Fifth Judicial Circuit	38
The Support Services	41
Boards, Councils and Commissions	49
Statistical Data	55

U.S. Department of Justice  
National Institute of Justice

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## To the Honorable Members of the Eleventh Legislature and the Public

In fiscal year 1980-81, we in the Judiciary saw progress in a number of areas.

Our capital improvements program continues to ensure that physical facilities efficiently serve both clients and the general community. With groundbreaking for Kauikeaouli Hale and Kaahumanu Hale, we began construction of the future homes of the Honolulu District Court and the First Circuit Court. We soon will begin upgrading, renovating, and building new facilities in some of the judicial circuits on the Neighbor Islands.

Our program of extending staff services through the use of volunteers is another kind of progress in our judicial system. This program ensures that the relationship between court and client is marked by the kind of individualized caring that volunteers uniquely bring to their work.

A third major signpost of progress is adoption of a comprehensive planning system by the Judiciary. Hawaii's planning system, a pioneering effort, helps to ensure that we take steps to gauge and meet the requirements placed upon the Judiciary by the changing times.

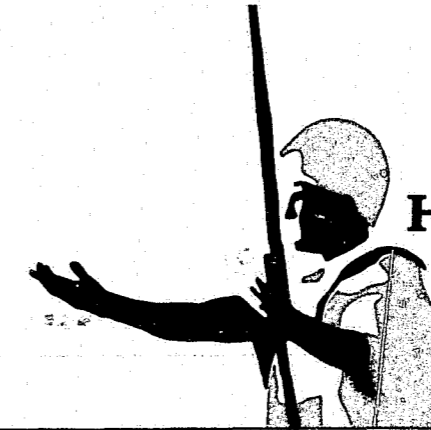
Our new appellate level structure is showing continued progress in reducing case backlog. Hearings on the merits of all criminal appeals are now considered current; delay in hearing the merits of noncriminal appeals is substantially reduced. For the first time in many years, the number of primary cases terminated on appeal exceeds the number of cases filed during the same period.

Progress is measured in many different ways, and I am proud to report on the Judiciary's progress during the past fiscal year. Whether the measure is a defined capital improvements program, comprehensive planning efforts, quality of judicial services, or in statistical and human terms, the Judiciary has had a productive year.

With kindest regards and Aloha,

William S. Richardson  
Chief Justice of Hawaii

**Progress 1980-81:  
Groundbreaking,  
Highlighting Voluntarism,  
Pioneering**

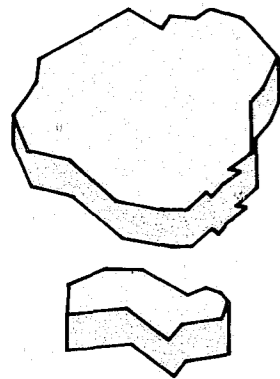


**The Judiciary**  
State General Fund Appropriations by amount and percent of total, Fiscal Year July 1, 1980-June 30, 1981

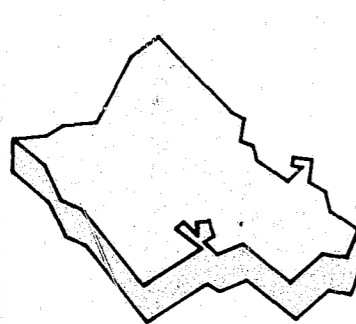
**Statewide Operations**

Courts of Appeal	\$1,110,126	5.27%
Land Court/Tax Court	76,943	.37%
Administrative Director Services	2,537,416	12.04%
Law Library	414,214	1.97%
SAC	413,087	1.96%

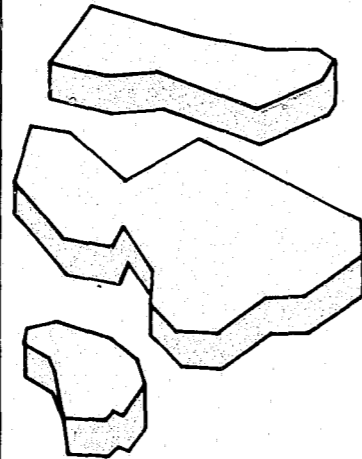
**Appropriation for both Circuit Courts and District Courts**



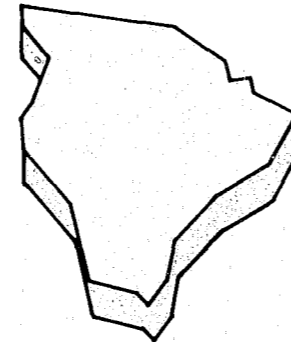
**Kauai, Niihau**  
Fifth Circuit  
\$623,764  
2.96%



**Oahu**  
First Circuit  
\$12,929,288  
61.38%



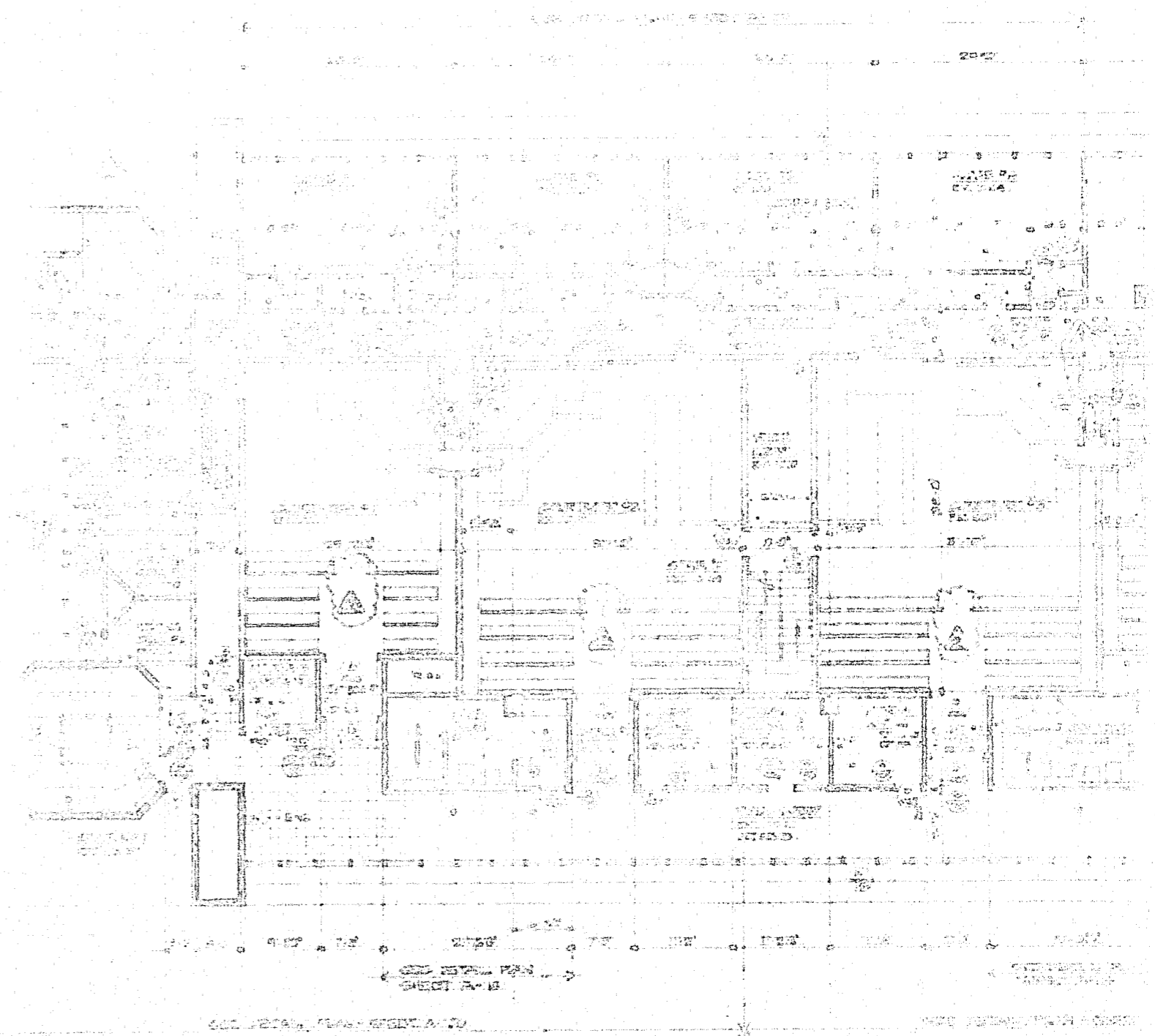
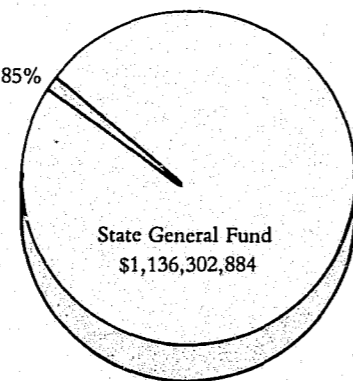
**Molokai, Maui, Lanai**  
Second Circuit  
\$1,394,086  
6.62%

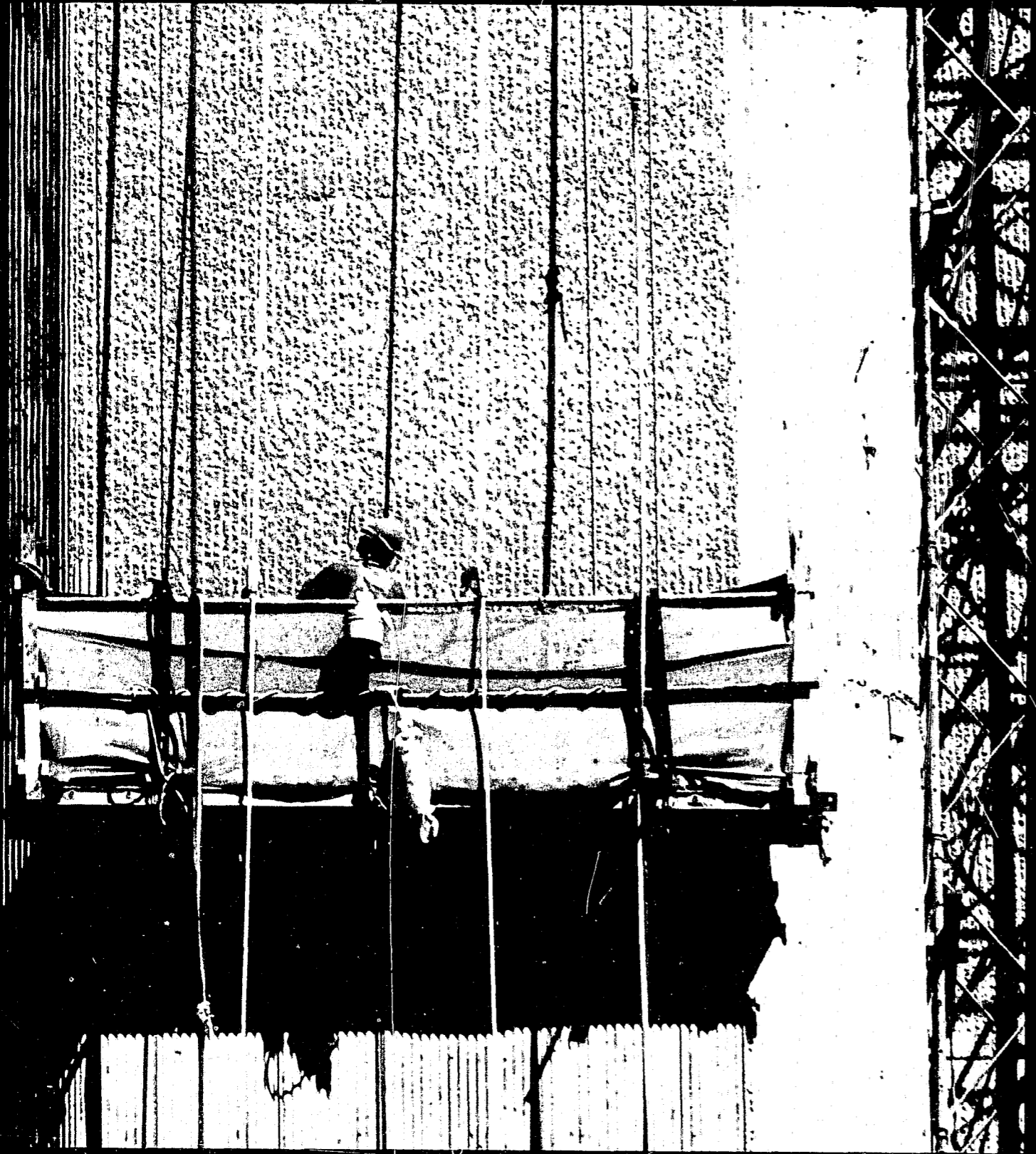


**Hawaii**  
Third Circuit  
\$1,564,848  
7.43%

**The Judiciary**  
State General Fund  
Appropriations by amount  
and percent of total,  
Fiscal Year 1980-81

The Judiciary \$21,063,772 1.85%





Kauikēaouli Hale,  
New District Court Building



---

**Groundbreaking for Kauikeaouli Hale and Kaahumanu Hale, the new District and Circuit Court buildings which will serve the First Judicial Circuit of Oahu, culminates years of planning. The Judiciary's capital improvements program includes new buildings on the Neighbor Islands as well: the Wailuku Judiciary Complex on Maui; a District Courthouse in South Kohala on the Big Island; and a District Courtroom in the Kaunakakai Civic Center on Molokai.**

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## Groundbreaking: Steps in a Long Range Capital Improvements Program

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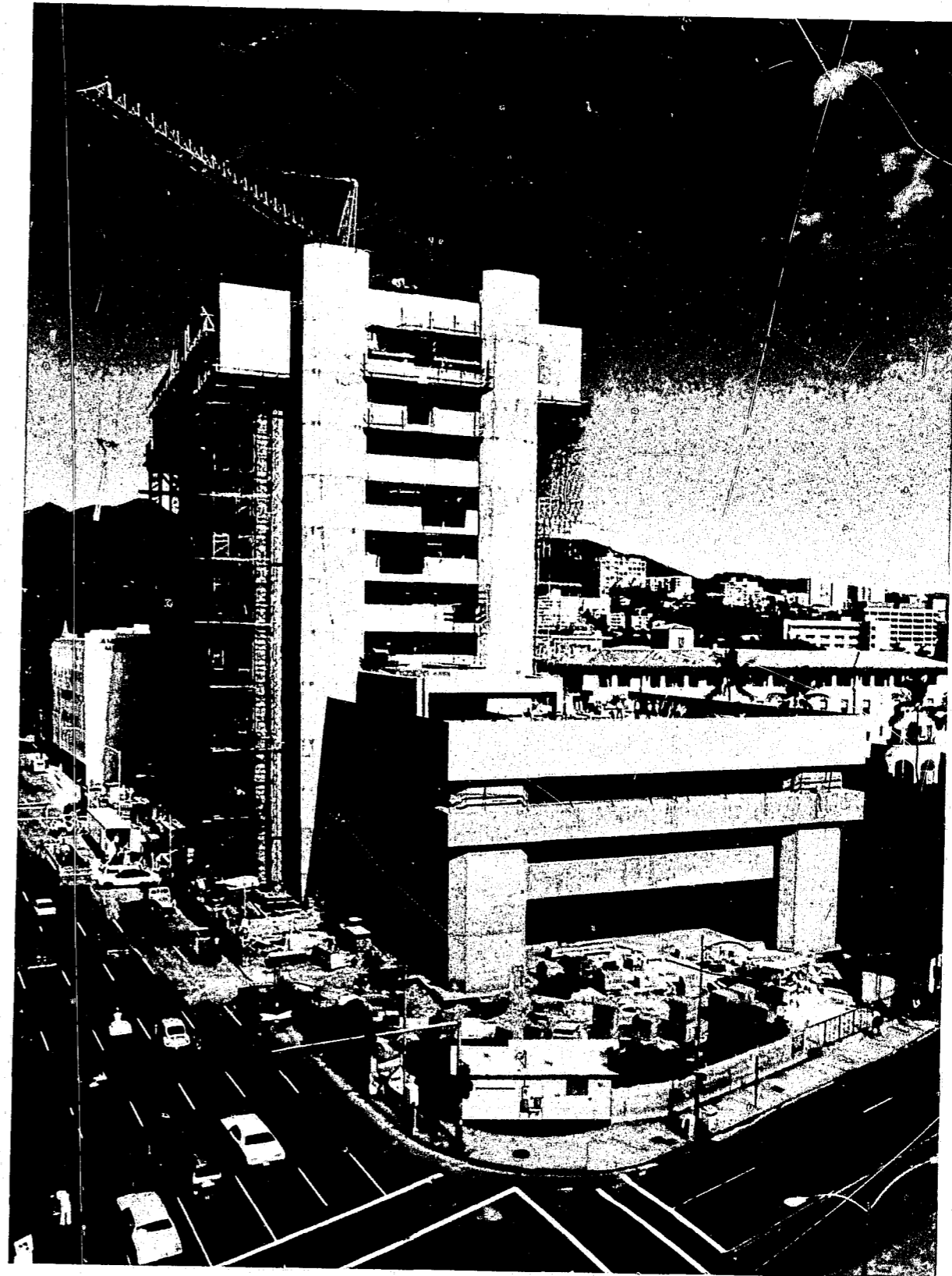
Fifteen years ago, projections of caseload and court activities graphically illustrated the need for redesign, renovation and expansion of the Judiciary's physical facilities.

In time, visual evidence of this need became more apparent: crowded courtrooms; dysfunctional areas; insufficient space for courtroom-related duties such as jury rooms and prisoner holding cells in criminal cases. Threat of mistrials caused by space and design inadequacies also underscored the need for improvement.

Early proposals for capital improvements covered a range of possibilities. At one point, planners envisioned a single building for both the Circuit and District Courts. At another time, they suggested a large complex which would house several judicial institutions including a law school. Site determination and acquisition of land presented other possibilities and problems.

Groundbreaking for the new Honolulu District Court building in fiscal year 1979-80 culminated years of discussion, planning and final decision-making. Named Kauikeaouli Hale in honor of King Kamehameha III, the first Chief Judge of the Hawaii Supreme Court, the new courthouse is located at Hotel and Alakea Streets; it brings together in one building all the functions and offices of the Honolulu District Court presently scattered through several buildings in downtown Honolulu. The estimated cost of the eleven-story structure is \$24 million; completion is scheduled for September, 1982.

Groundbreaking for the new First Circuit Court building in fiscal year 1980-81 represents another step in the Judiciary's long range capital improvements program. Ground was broken May 1, 1981, for Kaahumanu Hale. The building is named for Kamehameha's favorite wife, whom the king designated kuhina nui to rule with his son Liholiho. Kaahumanu Hale, a four-story complex, will house all of the First Circuit Court now primarily located in Ali'iolani Hale—the Supreme Court building, in Kekuanao'a—the Territorial Office building, and in Kapuwaiwa—the old Board of



Kauikeaouli Hale, the new 11-story District Court building, located at Hotel and Alakea Streets, is scheduled for completion in September, 1982.

Health building. Estimated cost of the new First Circuit Court building located at Punchbowl and Halekauwila Streets is \$27 million; completion is tentatively scheduled for October, 1983.

Other new projects were legislatively funded during fiscal year 1980-81:

Construction of the Wailuku Judiciary Complex on Maui is scheduled to begin in December, 1981. Completion date is set for September, 1983. The Complex, which will house the Circuit, Family and District Courts, will be located at Wells and Market Streets.

A new District Courthouse is planned for the South Kohala District on the Big Island. To be part of the Waimea Civic Center, the Courthouse will contain 2,400 square feet of floor space. Construction is scheduled to begin in November, 1981, with completion date scheduled for June, 1982.

A new Molokai District Court is planned as part of the State Office Building to be

located at the Kaunakakai Civic Center. Tentative date for beginning of construction is February, 1983; completion is scheduled for November, 1983.

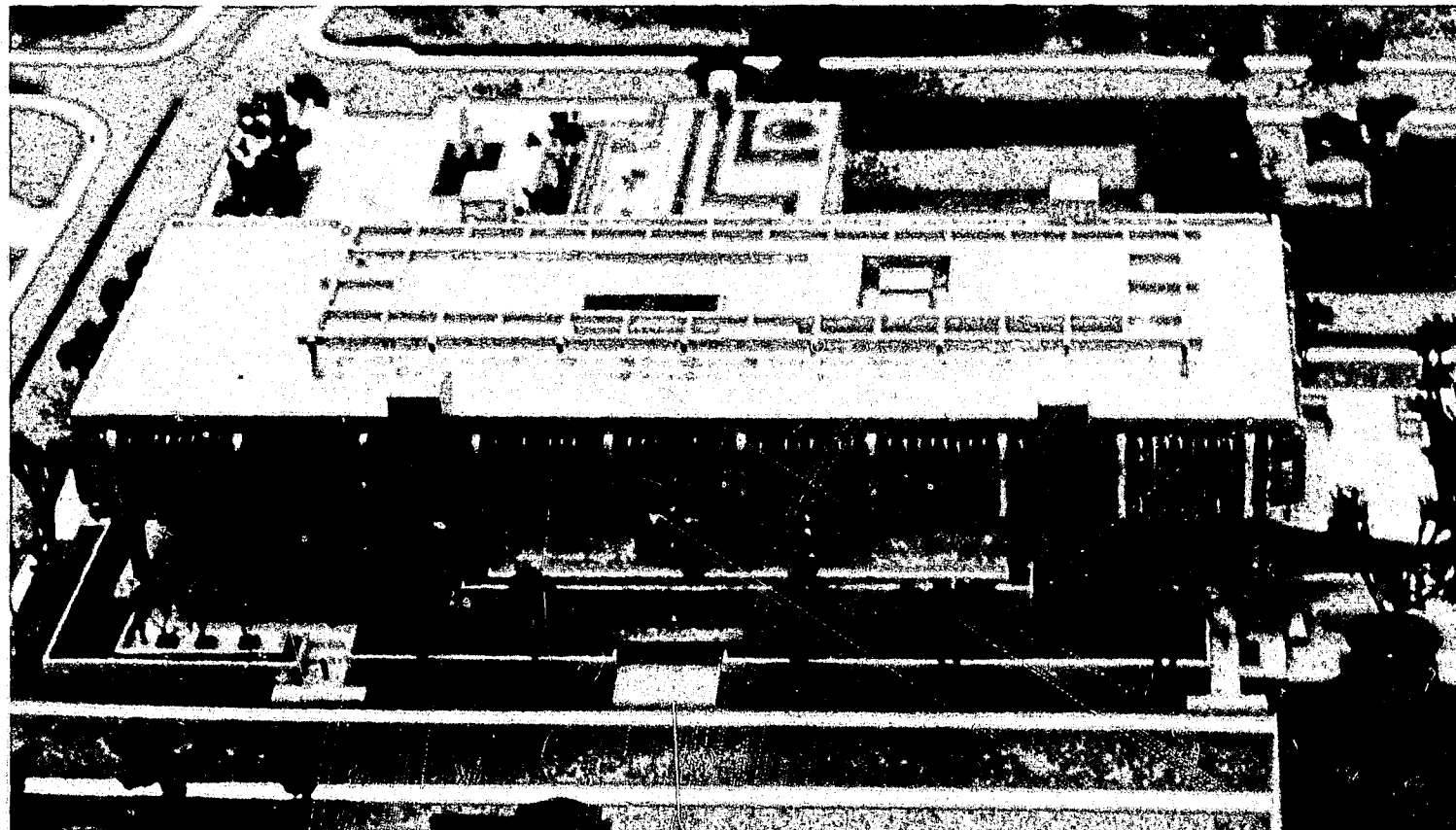
In addition, other upgrading, remodeling, and renovation projects were funded during fiscal year 1980-81:

The second phase of Ali'iolani Hale restoration begins as the offices of the Administrative Director and the Supreme Court Clerk are moved to the first floor. The second floor of the Queen Street wing will be renovated to accommodate the Law Library.

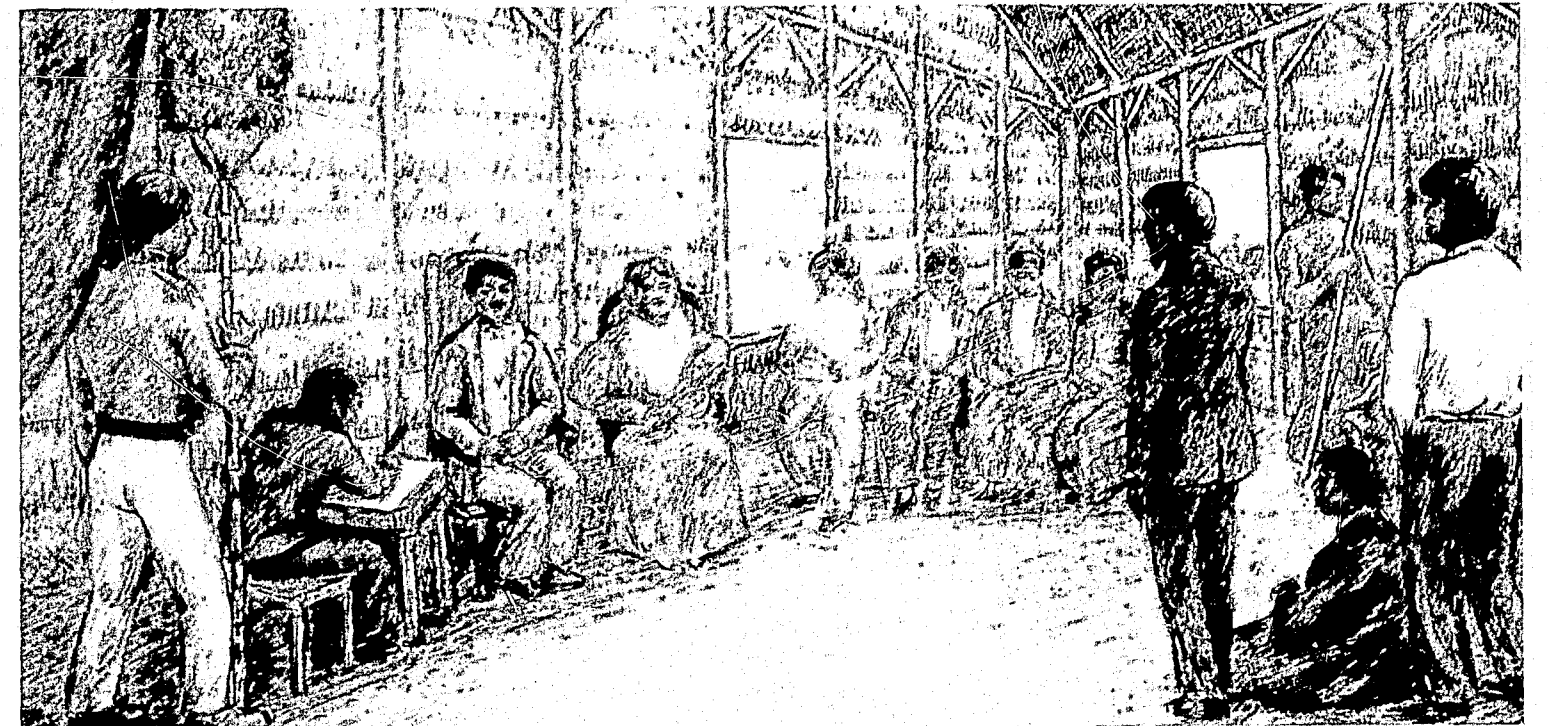
The second floor of the Lahaina District Court is marked for renovation and refurbishing in February, 1982. Completion date for the project is September, 1982.

Appropriations legislatively approved during fiscal year 1980-81 also included funds for future planning of the Judiciary's capital improvement needs.

Kaahumanu Hale, the four-story complex which will house the First Circuit Court, is scheduled for completion in October, 1983. The complex is located at Punchbowl and Halekauwila Streets.



A photograph of the artists' sketch for the District Court mural depicts Kauikeaouli, Kamehameha III, in his role as the first Chief Judge of the Hawaii Supreme Court.



Principal artist Juliette May Fraser consults with assistants Mataumu T. Alisa, I., and David G. Asherman, r., as they begin work on a mural in Kauikeaouli Hale.

**The value of volunteer services is incalculable in human terms, but statistical evaluation of the Judiciary's volunteer program results in the following data: during fiscal year 1980-81, nearly 175 volunteers contributed work hours which roughly translate to an in-kind dollar contribution of \$85,421.00.**

## Highlighting Voluntarism: Positive Impact Upon Judicial Services

Recognizing that volunteer efforts could enhance the quality of judicial services offered by the courts to its clientele and to the general community, the Judiciary established its volunteer program ten years ago to encourage citizen participation in the criminal and juvenile justice systems. Volunteers serve as an extension of the court staff, working in job activities similar to their judiciary employee counterparts.

In its early years, Volunteers in Public Service—VIPS—was a one-to-one companion program which served only the Family Court on Oahu. Since then, volunteers fill any number of positions within the entire State court system. Positions range from companions to case aides, bailiff aides, and messengers; other more specialized roles are filled by volunteer law clerks, program planners and research statisticians.

The backgrounds of the volunteers in VIPS are as varied as the roles they fill: students, housewives, senior citizens, retired workers, full-time job holders who contribute off duty volunteer hours to the courts. Although their backgrounds are diverse, they share a common trait: a resolve to make a positive impact upon the community through voluntary participation in Hawaii's judicial system.

Since 1976, volunteers have conducted orientation tours open to the general public. Very often, tour groups visit courtrooms where jury trials are taking place, with trained guides providing information to help visitors better understand the proceedings. In fiscal year 1980-81, 5,292 individuals in 141 groups were taken on these tours.

A more recent VIPS activity is the Community Sentencing Program, which allows offenders to render public service as a condition of their sentence. VIPS staff and volunteers screen, place, and monitor clients to ensure fulfillment of their sentence. During fiscal year 1980-81, a total of 1,117 client referrals were made to VIPS by the Circuit, Family and District Courts. This number represents a threefold increase over the number of referrals made to VIPS during the previous fiscal year; the increase is attributed to VIPS assumption of

District Court referrals beginning in February, 1981.

Towards the end of fiscal year 1980-81, VIPS received approval for a grant award of \$31,317 from the Progressive Neighborhoods Program, with supplemental funds of \$7,000 from the Judiciary. Grant monies are to be used for a one-year trial project to increase foster home services to the Kalihi-Palama, Waianae, and Waimanalo areas.

In the past few years, VIPS has modified its philosophy and direction. A traditional volunteer program continues to be an integral part of VIPS. In addition, VIPS now promotes awareness of judicial issues and actively encourages citizen involvement in the State's judicial system.

While the real value of volunteer work is incalculable, statistical evaluation of VIPS results in the following data: during fiscal year 1980-81, 171 volunteers contributed 16,400 hours of service which roughly translate to an in-kind dollar contribution of \$85,421.00.



Chief Justice Richardson recognizes outstanding volunteers of fiscal year 1980-81: Gary Shimabukuro, Family Court companion; Grace Yokoi, Family Court statistician; and Maryliz Carlmark, Circuit Court community service worker. Also honored but missing from picture is Kim Tet Lee, statistician for the Family Court's Oahu Detention Home.



VIPS Coordinator Jenny Michioka, center, participates in a training session with volunteer Family Court companions Paulino Caunin, Douglas Spaulding, John Pancee, and Franklin Wood.

VIPS Director Earl Yonehara and volunteer Roy Westlake check copy and layout for an issue of Na Po'e Malama, the monthly volunteer newsletter.



**"It is especially a characteristic of judicial decision-making to be conservative in the sense of 'conserving' past decisions, and not to be innovative.**

**There is nothing wrong with that; that is in accordance with what we are biologically predisposed to do. But we are in a society now which is experiencing such rapid change that we need to try to devise, if we can, techniques for assessing the new environment of the future."**

**—James Dator,  
Political Science Department,  
University of Hawaii**

## **Pioneering: Development and Adoption of a Comprehensive Planning System**

A significant achievement of fiscal year 1980-81 was completion and adoption of a comprehensive planning system for the State Judiciary, development of which was begun three years ago.

The system is summarized in "Comprehensive Planning in the Hawaii Judiciary," a publication which is the initial product of a project funded by a grant from the State Law Enforcement and Juvenile Delinquency Planning Agency.

The publication describes a mechanism of planning for anticipated future requirements placed upon the judicial system. The planning mechanism's ultimate goal is improvement of judicial and administrative services to the general public.

In its initial stages, the planning system enables Hawaii's unified courts to identify present and future needs, and to establish goals based on those needs. In later stages, the system provides for staff development of program objectives and budgetary allocation of resources to achieve both goals and objectives.

The concept of futures research to influence direction of the Judiciary is an unusual aspect of the comprehensive planning mechanism. The futures research aspect of the planning system encourages the Judiciary to anticipate and respond to ever-changing judicial needs of the community.

In conjunction with the University of Hawaii's Political Science Department and Law School, the Judiciary's Planning, Research and Statistics Office has begun to explore emerging issues which may confront the Judiciary within the next few decades. Professors and graduate interns in futures research—the process of examining and choosing among alternative future plans—form a vital link between the University and the Judiciary.

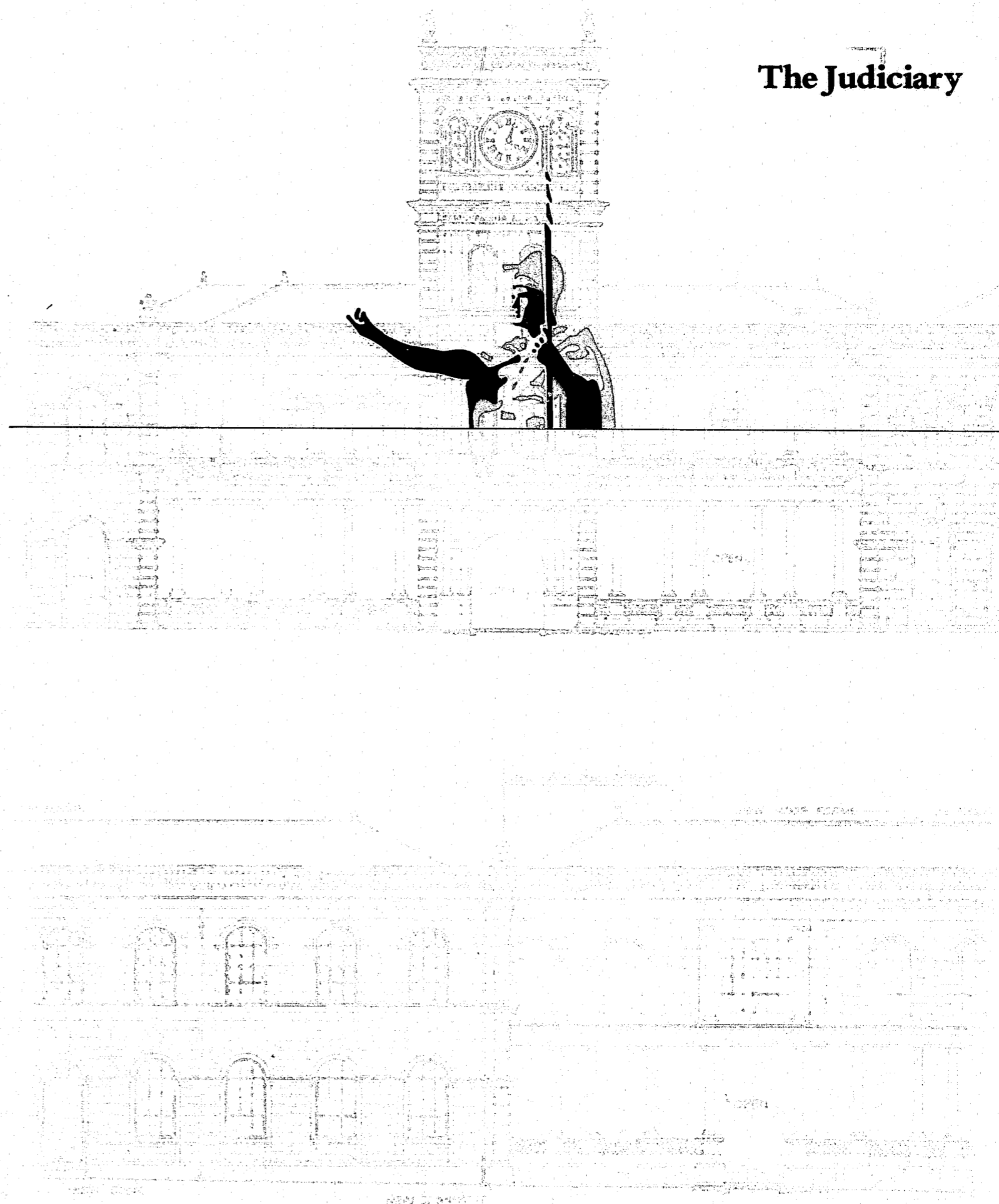
As the project continues over the coming years, future goals and objectives of the Judiciary will be continually defined, implemented and evaluated.



Court Planner Gregory C. Sugimoto and University of Hawaii graduate interns Wayne Yasutomi and

Sohail Inayatullah discuss methods for identifying issues with potential future impact upon the courts.

## **The Judiciary**







Ali'iolani Hale Rotunda  
Supreme Court Building

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**“In every particular his conduct should be above reproach. He should be conscientious, studious, thorough, courteous, patient, punctual, just, impartial, fearless of public clamor, regardless of public praise, and indifferent to private political or partisan influences; he should administer justice according to the law, and deal with his appointments as a public trust; he should not allow other affairs or his private interests to interfere with the prompt and proper performance of his judicial duties, nor should he administer the office for the purpose of advancing his personal ambitions or increasing his popularity.”**

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**—Canons of Judicial Ethics**

**Justices  
of the  
Supreme  
Court**



William S. Richardson  
Chief Justice



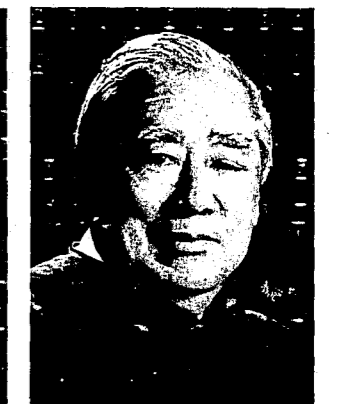
Thomas S. Ogata



Benjamin Menor



Herman T. F. Lum



Edward H. Nakamura

**Judges  
of the  
Intermediate  
Court  
of Appeals**



Yoshimi Hayashi  
Chief Judge



Frank D. Padgett



James S. Burns

**Judges of the Circuit Courts**

First  
Circuit  
Court



Yoshimi Sodegami  
Administrative Judge



Robert W. B. Chang



Harold Y. Shintaku



Philip T. Chun



Wendell K. Huddy



Richard Y. C. Au

Family  
Court



Betty M. Vitousek  
Senior Judge



Donald K. Tsukiyama

Third  
Circuit  
Court



Ernest H. Kubota  
Administrative Judge



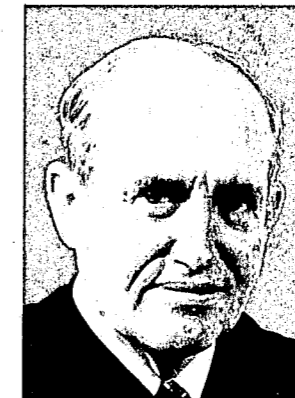
Shunichi Kimura



Hiroshi Kato



Arthur S. K. Fong



Ronald B. Greig



Bertram T. Kanbara



Simeon R. Acoba, Jr.



James H. Wakatsuki

Second  
Circuit  
Court



Kase Higa  
Administrative Judge



S. George Fukuoka

Fifth  
Circuit  
Court



Kei Hirano

**Number of Judgeships**

Including the five Supreme Court justices and the three Intermediate Appellate Court judges, fifty-four judgeships are legislatively authorized in Hawaii: twenty-one for the Circuit Courts; eighteen for the District Courts; and seven for the District Family Courts. The Family Court in the First Circuit is the only one with full-time judges; in the Neighbor Island Circuits, both Circuit and District Court judges hear Family Court cases.

**Per diem Judges**

In addition to legislatively authorized judgeships, the Chief Justice assigns per diem judges to the District Court level as needed.

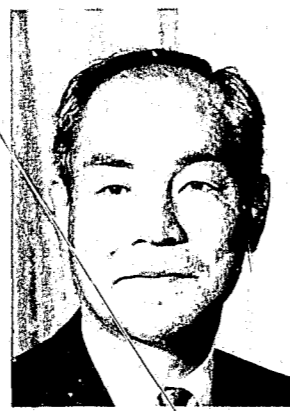
Per diem judges of the District Court, First Circuit, include: Peter Lewis; David Namaka; Henry Wong; Richard M. C. Lum; Helen Gillmor; Patricia Kim Park; Richard G. MacMillan; Arnold T. Abe; Ben Kaito; Michael A. Weight; George T. H. Pai; Vernon Y. T. Woo; Matthew S. K. Pyun, Jr.; Rodney M. Fujiyama; Henry T. Hirai; Gregg G. Young; Sherman S. Hee; Marilyn Van Winkle; Linda K. C. Luke; David L. Fong; and Andrew J. Sato. Eric Romanchak, James R. Judge, and John T. Vail are per diem judges, District Court, Second Circuit; George S. Yuda, District Court, Third Circuit; George M. Masuoka, District Court, Fifth Circuit.

**Judges of the District Courts**

District Court  
of the  
First Circuit



Russell Kono  
Administrative Judge



Kenneth W. Harada



Frank T. Takao



M. Gay Conklin



Lewis I. Norman



Marie N. Milks

District Family  
Court Judges



Paul C. Kokubun



Patrick K. S. L. Yim



Richard Y. S. Lee

District Court  
of the  
Third Circuit



Paul deSilva  
Administrative Judge



Cyril Kanemitsu



Robert T. Ito



Andrew J. Salz



Edwin H. Honda



Robert G. Klein



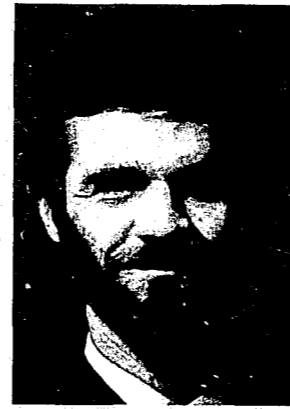
Kenneth K. Saruwatari



Wilfred K. Watanabe



Melvin K. Soong



Michael Anthony Town

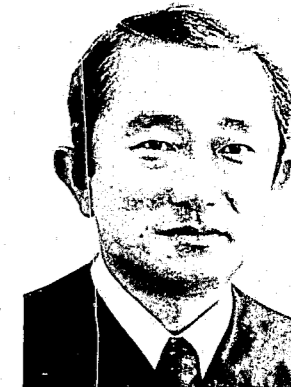


Evelyn B. Lance

District Court  
of the  
Second Circuit



Richard R. Komo  
Administrative Judge



Arthur T. Ueoka

District Court  
of the  
Fifth Circuit

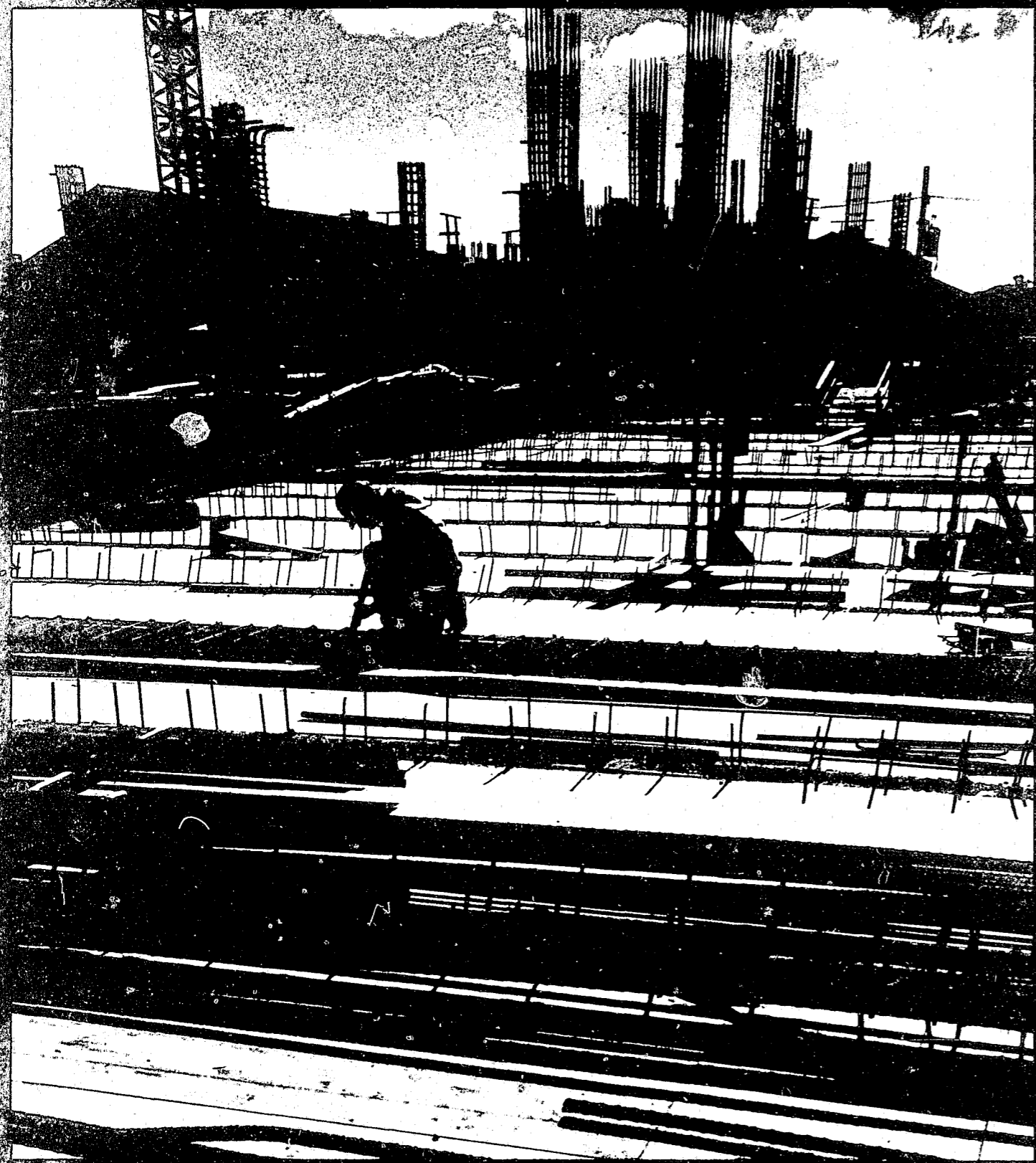


Clifford L. Nakea



The Courts





Kaahumanu Hale  
New Circuit Court Building

**The Supreme Court administers justice at the highest appellate level in Hawaii's unified court system; it also carries ultimate administrative responsibility and rule-making power for all courts. The Intermediate Court of Appeals, in its first full year of operation, eases caseload and backlog for the Supreme Court. For the first time in many years, the number of cases terminated on appeal exceeds the number of cases docketed during the same period.**

The Hawaii Supreme Court poses for a rare formal photograph. Chief Justice Richardson is flanked by Associate Justices Thomas S. Ogata, I., and Benjamin Menor. Behind them stand Associate Justices Herman T. F. Lum and Edward H. Nakamura.

## Courts of Appeal

Hawaii has two appellate courts: the Supreme Court and the Intermediate Court of Appeals, both authorized by the Judiciary Article, VI, of the State Constitution.

Appeals from Circuit, Family, District, Land and Tax Courts—as well as appeals stemming from decisions of certain State boards and agencies—are filed initially with the Supreme Court. An assignment judge appointed by the Chief Justice then assigns each case to either the Supreme Court or the Intermediate Court of Appeals.

The Supreme Court generally considers those cases involving formulation and development of law. The Intermediate Court of Appeals, created in April, 1980, to alleviate the backlog of appeals, generally considers those more routine cases involving application of settled rules of law.

Court rules require with few exceptions that a decision of the Supreme Court be rendered within a



year of oral argument and that a decision of the Intermediate Court of Appeals be rendered within six months.

Double appeals have been kept to a minimum. Only 31 applications to review decisions by the Intermediate Court were filed with the Supreme Court during fiscal year 1980-81. Using legislatively established guidelines, the Court decided to grant 6 of these petitions. Thus, only 6 of the 351 matters terminated by the Intermediate Court of Appeals will be considered again by the Supreme Court.

**Actions Filed:** In fiscal year 1980-81, the first fiscal year when both appellate courts were in operation for a full year, a total of 355 cases (called "primary cases" in the Statistical Data section) were filed. By contrast, 416 cases were filed the previous fiscal year. Because of a heavy backlog, 835 cases were pending in both courts at the beginning of fiscal year 1980-81, bringing the total number of cases to be heard to 1,190.

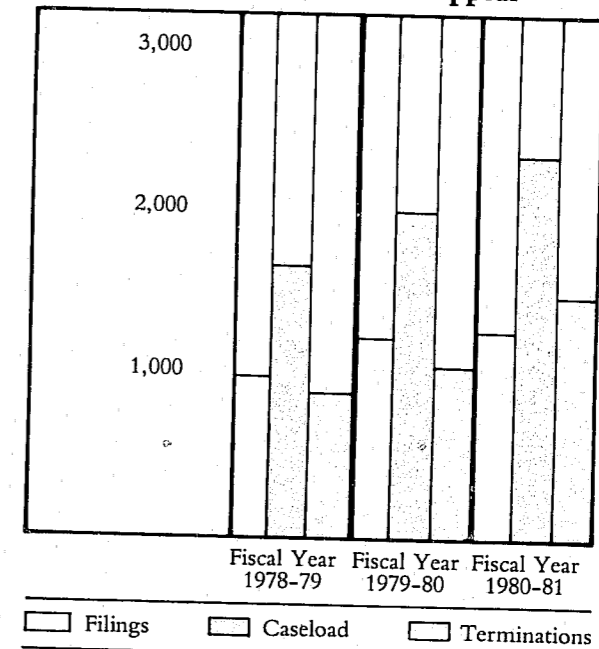
In addition, 1,028 supplemental proceedings (usually meaning written motions filed during a case) were filed in fiscal year 1980-81. By contrast, 799 supplemental proceedings were filed the previous fiscal year. At the beginning of fiscal year 1980-81, 115 supplemental proceedings were pending in both courts, bringing the total number of supplemental proceedings to 1,143.

**Terminations:** During the fiscal year, 485 cases were terminated. By contrast, only 292 cases were terminated at the appellate level in the previous fiscal year. In addition, 1,023 supplemental proceedings were terminated during the year.

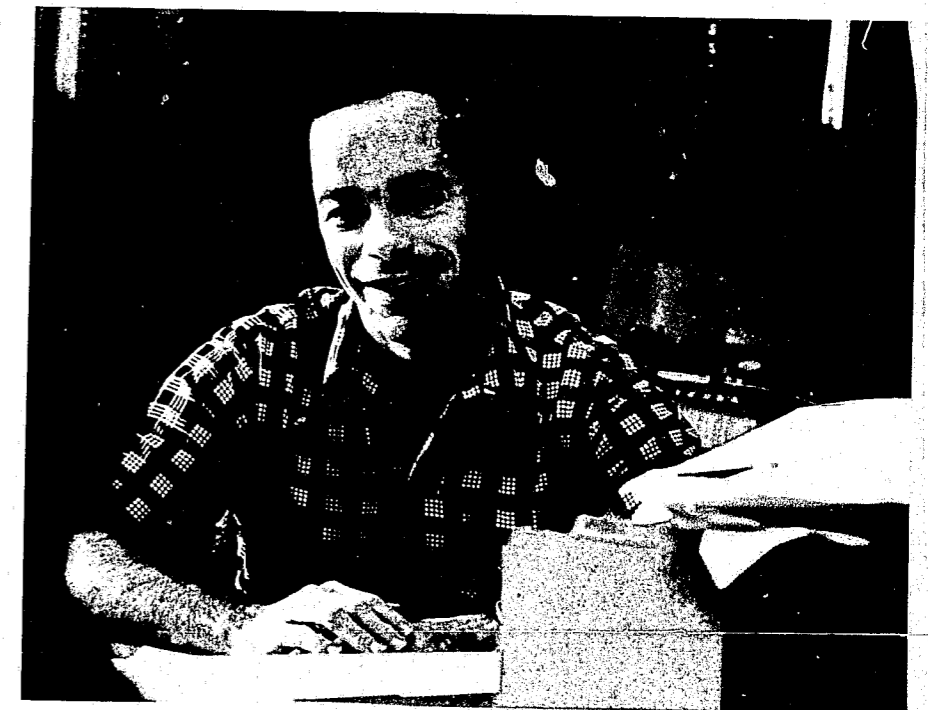
**Status of Pending Cases:** At the end of the fiscal year, 705 cases were pending in the Courts of Appeal. Of this number, 323 or 45.8 percent were being briefed; 227 or 32.2 percent were ready to be scheduled; 64 or 9.1 percent actually were set for hearing; and 91 or 12.9 percent had been argued and were awaiting decision.

Matthew Goodbody, Supreme Court attorney, assists the Court in dealing with motions, petitions and other matters which relate to the appellate procedure. He also helps in drafting Rules of Court.

**Figure 1. Filings, Caseload, and Terminations in the Courts of Appeal\***



\*The Courts of Appeal are the Supreme Court and the Intermediate Court of Appeals. Prior to April 18, 1980, there was no Intermediate Court of Appeals. Consequently, data describing Fiscal Years 1978-79 and 1979-80 is not strictly comparable with that of Fiscal Year 1980-81.



## The Supreme Court

The Hawaii State Supreme Court is charged with administering justice at the highest appellate level. In addition, its mandate includes making rules, licensing attorneys, disciplining attorneys and determining judicial fitness.

The Court has both appellate and original jurisdiction in determining questions of law or mixed law and fact. It also reviews decisions of quasi-judicial administrative bodies such as the Public Utilities Commission and the Labor and Industrial Relations Appeals Board.

The Chief Justice presides over the Supreme Court, which consists of the Chief Justice and four associate justices. Each justice, including the Chief Justice, is appointed to a ten-year term by the Governor, with Senate consent, from a list submitted by the Judicial Selection Commission.

The Chief Justice also appoints District judges, and District Family Court judges from lists presented by the Judicial Selection Commission. He may assign judges of the Intermediate Court of Appeals or a Circuit Court to serve temporarily on the Supreme Court; judges of the Circuit Courts to serve temporarily on the Intermediate Court of Appeals; and judges of the District Court to serve temporarily on the Circuit Court. He also may

request retired Supreme Court justices to serve temporarily on the Supreme Court.

Several committees help the Chief Justice and the Supreme Court carry out their duties. The Judicial Council acts as an advisory body to the Court. The Judicial Selection Commission reviews lists of applicants for the bench and recommends candidates to the appropriate appointing authority, whether it be the Governor or the Chief Justice. The Board of Examiners recommends the granting of licenses to practice law for new attorneys meeting bar admission requirements. The Commission on Judicial Discipline investigates complaints against judges, while the Disciplinary Board investigates complaints against attorneys.

**Actions Filed:** In fiscal year 1980-81, 355\* cases were filed in the Supreme Court, a decrease of 61 cases from fiscal year 1979-80. The Court's caseload, including the 608 cases pending on July 1, 1980, totalled 964 cases, a decrease of 14.5 percent from the previous year. In addition, 895 supplemental proceedings were filed during the 1980-81 fiscal year, up from the 797 supplemental proceedings filed during the previous year.

**Terminations:** During the 1980-81 fiscal year, the Supreme Court terminated 397 cases either by hearing or referral to the Intermediate Court of

Appeals. Excluding referrals, the Supreme Court terminated 280 cases, or 8.9 percent more than last year. Of this number, 145 cases were terminated by written opinion. In addition, the Supreme Court terminated 882 supplemental proceedings during the 1980-81 fiscal year, as contrasted to 785 supplemental proceedings terminated in the previous year.

**Status of Pending Cases:** At the end of the fiscal year, 567 cases were pending in the Supreme Court. Of this number, 322 or 56.8 percent were being briefed; 42 or 7.4 percent actually were set for hearing; 123 or 21.7 percent were ready to be scheduled; 80 or 14.1 percent had been argued and were awaiting decision. The impact of the Intermediate Court of Appeals, in its first full year of operation, is evidenced by the fact that for the first time in many years, both caseload and backlog of the Supreme Court were reduced from those of the previous year. As of June 30, 1981, the Court had a backlog of 567 cases, 41 fewer than at the end of last fiscal year.

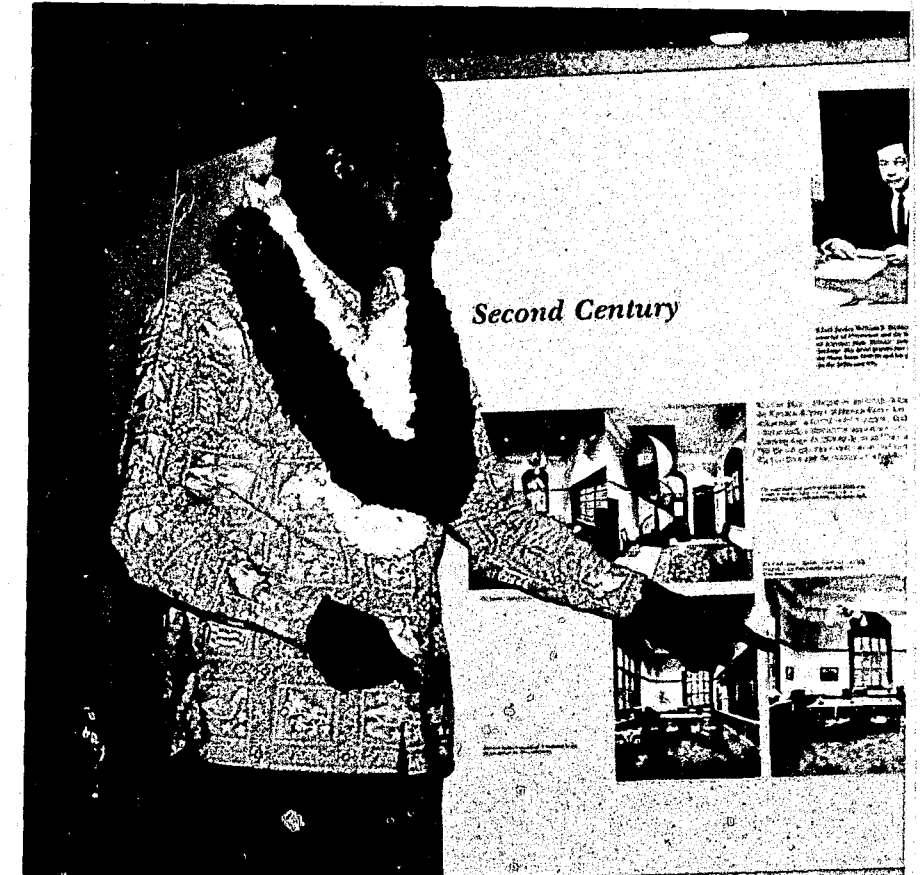
\*One case originally assigned to the Intermediate Court was transferred back to the Supreme Court and thus is counted twice in Table IA in the Statistical Data section.

Upon recommendation of a Hawaii Bar Association committee of lawyers and media, television cameras record Supreme Court proceedings on an experimental basis.



Chief Justice Richardson points to a display describing Ali'iolani Hale restoration plans. The first phase of restoration, including offices for

Supreme Court justices, is complete; the second phase will include work on the Supreme Court Courtroom and the first floor of the original wing.



Assoc. Justice Edward H. Nakamura speaks with his mother, Shige Nakamura, after swearing-in ceremonies. Supreme Court justices are appointed to ten-year terms by the Governor with Senate consent.



Judge Yoshimi Hayashi is the Chief Judge of the Intermediate Court of Appeals, which aids the Supreme Court in the just and speedy disposition of appeals.



Judge James S. Burns asks a question during an appeals hearing. In fiscal year 1980-1981, double appeals were kept to a minimum; only 6 of the 351 matters terminated by the Intermediate Court will be considered again by the Supreme Court.



## The Intermediate Court of Appeals

The Intermediate Court of Appeals consists of a Chief Judge and two associate judges; all three judges are appointed to ten-year terms by the Governor from a list submitted by the Judicial Selection Commission. The Intermediate Court is the second highest court in the State and has concurrent jurisdiction with the Supreme Court in reviewing matters brought before the Courts of Appeal.

In its first full year of operation, the Intermediate Court aids in the just and speedy disposition of appeals. For the first time in many years, the number of actions terminated on appeal exceeds the number of actions docketed during the same period of time.

Whereas the Supreme Court usually reviews matters involving statement of the law, the Intermediate Court usually reviews trial court decisions for errors and corrects such errors. Any party may request that the Supreme Court review an Intermediate Court decision; however, the Supreme Court exercises its discretion in accepting these cases. In fiscal year 1980-81, 31 such requests were made; of these, only 6 were accepted by the Supreme Court for review.

**Actions Filed:** The Intermediate Court of Appeals was assigned 117 cases by the assignment judge in fiscal year 1980-81. Including the 227 cases pending at the end of the previous fiscal year, the Intermediate Court's caseload was 344.

**Terminations:** As of June 30, 1981, the Intermediate Court had terminated 206 cases. Of these, 183 were terminated by written opinion; others were terminated by written order, withdrawal, transferral, or discontinuation. In addition, the Intermediate Court terminated 145 supplemental proceedings. As is readily apparent from the statistics, most supplemental proceedings are decided by the Supreme Court.

**Status of Pending Cases:** At the end of the fiscal period, 138 cases were pending in the Intermediate Court of Appeals. Of that number, 1 case or 0.7 percent was being briefed; 104 cases or 75.4 percent were ready for hearing; 11 or 8.0 percent had been argued, and 22 cases or 15.9 percent were set for hearing.

## Office of the Chief Clerk

All appeals are filed in the Office of the Chief Clerk. After the assignment judge relegates a matter to either the Supreme Court or the Intermediate Court of Appeals, the Chief Clerk's Office processes documents, maintains the calendars, and acts as custodian of records for both appellate courts. The Office also provides staff support for both courts.

Under the Chief Justice's direction, the Chief Clerk is responsible for centralized purchasing of supplies and developing a comprehensive budget for the Supreme Court and the Intermediate Court of Appeals. In addition, the Office provides information and assistance to the general public and to those connected with the law.

**Publications:** The Chief Clerk's Office publishes and distributes **Hawaii Reports**, a document containing the written opinions of the Supreme Court. The Office assumes similar responsibility for the Intermediate Court's **Hawaii Appellate Reports**.

**Attorney Licensing:** The Chief Clerk's Office provides staff services for the Board of Examiners, which administers the Hawaii Bar examination twice a year. During fiscal year 1980-81, the Office processed 303 applications for the Bar examination. Of the 276 persons who took the exam, 252 or 91.3 percent passed. Subsequently, 229 of those who passed were licensed to practice law in Hawaii. The Chief Clerk's Office also issues Certificates of Registration for law corporations.

Chief Clerk Ed Suzuki and Deputy Clerk Samuel Makekai help provide fiscal and operational services to the Supreme Court and the Intermediate Court of Appeals. The Chief Clerk's office also assists the general public and the legal community.



Bishop Sciji Takai, Kotohira Jinsha Temple, blesses the quarters of the Intermediate Court of Appeals on the third floor of the Old Federal Building. Directly behind Bishop Takai are Judge and Mrs. Frank D. Padgett and Chief Justice Richardson.

**The trial court level includes the Circuit Courts, to which are attached the Family Courts; the District Courts; and the specialized statewide Land Court and Tax Appeal Court. Backlog of cases continues to pose a problem in Hawaii, as it does nationally. The use of per diem judges has alleviated this problem in the District Courts; studies are underway to reduce backlog in other courts at the trial level.**

## Trial Courts

Several courts comprise the trial court level in Hawaii's judicial system. These include the Circuit Courts, to which are attached the Family Courts; the District Courts; and the specialized statewide Land Court and Tax Appeal Court, which sit in Honolulu. With the exception of the Land and Tax Appeal Courts, the trial courts are divided into judicial circuits which generally cover the same geographic areas as counties.

Circuit Court judges are appointed by the Governor to ten-year terms from lists submitted by the Judicial Selection Commission. District Court Judges are appointed by the Chief Justice for six-year terms from lists submitted by the Judicial Selection Commission; the Chief Justice is authorized to designate an administrative judge for each circuit. The Chief Justice also may appoint per diem District Court judges.

An office which serves the trial courts is the Office of the Sheriff, which is responsible for processing and executing orders of the court issued by trial court clerks. The Office is headed by a sheriff who directs and supervises Office operations throughout the State. Deputy sheriffs are located on Oahu, Maui, Molokai, Hawaii and Kauai.

Anthony Ornellas, Chief Court Reporter, and Gunji Izumoto, Chief Clerk of the First Circuit, discuss the computer process which allows transcription, storage and retrieval of case proceedings. The process, completed for the First Circuit, will operate on a statewide basis in the near future.

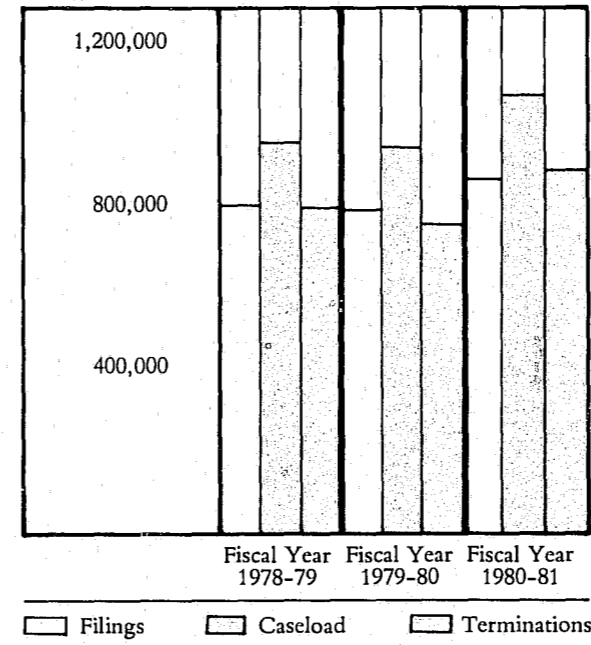


**Actions Filed:** During fiscal year 1980-81, 879,632 cases were filed in courts at the trial level, including the Circuit, Family, District and Land Courts. By contrast, a total of 807,724 cases was filed in fiscal year 1979-80, representing an 8.9 percent increase over filings the previous year. The great bulk of cases is filed in the District Courts. Thus, of the 879,632 cases filed at the trial level during the fiscal year, 843,181 were filed in District Court.

**Terminations:** During the 1980-81 fiscal year, 888,540 cases were terminated by courts at the trial level. By contrast, only 759,166 cases were terminated at the trial level the previous fiscal year, while 817,874 were terminated in fiscal year 1978-79.

**Status of Pending Cases:** At the end of fiscal year 1980-81, 184,658 cases were pending at the trial court level.

**Figure 2. Filings, Caseload, and Terminations in Trial Courts**



## Circuit Courts

Circuit Courts are courts of general jurisdiction and are the courts in which all jury trials are conducted.

The major types of cases filed in Circuit Courts include civil actions such as contract disputes, condemnation actions, and personal and property damage suits. Circuit Courts have exclusive jurisdiction in civil cases involving sums which exceed \$5,000, concurrent jurisdiction with District Courts in non-jury cases involving sums between \$1,000 and \$5,000.

Circuit Courts also handle criminal cases, including all felony cases, and misdemeanor and traffic cases transferred from the District Courts for jury trial. In addition, probate and guardianship cases come within the purview of the Circuit Courts, as do other miscellaneous proceedings such as naturalization and mechanics' liens.

**Chief Clerks of the Circuit Courts:** The chief clerk of each Circuit Court serves under the administrative judge's direction and oversees the progress of all actions filed in that court. The chief clerks of the Circuit Courts submit budgets to the Office of the Administrative Director; collect and distribute family support payments; collect and manage funds held in court trusts; and sometimes



Retired Judge Masato Doi chairs the task force for the Statewide Sentencing Project. The Project's final report, completed in March, 1981, explores alternatives involved in a shift from a rehabilitation-oriented system to a more punishment-oriented system.

act as chief fiduciary officers in small estate probate cases. In Neighbor Island circuits, the chief clerks also maintain the law libraries of their courts.

**Juror Selection:** Each circuit is served by a Jury Commission, which consists of the chief clerk of that circuit and four appointees. Jury Commissions prepare and certify lists of prospective jurors for the calendar year. Names randomly chosen from a master list are placed in a jury wheel; jurors are selected as needed from this wheel and serve on grand juries for a year, on petit juries for one month.

**Adult Probation Division:** The Adult Probation Division assists judges assigned to the criminal calendar. The Division investigates convicted defendants prior to sentencing and supervises defendants on probation. In the First Judicial Circuit, the Adult Probation Division functions as a separate unit because of its large volume of cases. In other judicial circuits, Family Court workers carry out the duties of the Adult Probation Division.

Millicent Honda, Family Court Program Specialist, consults with Dr. William R. Perry, State Department of Health psychologist. The State's Team for Courts and Corrections assigned to the First Circuit helps Family Court personnel by providing client evaluations.



Circuit Court Judge Robert W. B. Chang, Mrs. Chang, I., Judicial Selection Commission chairman Claudio Suyat, and Chief Justice Richardson share a light moment during recommissioning ceremonies.



## Family Court, A Division of Circuit Courts

The Family Courts, which form a special division of the Circuit Court, were legislatively mandated in 1965 to deal specifically with children and families. Replacing the Juvenile Court and the Domestic Relations Court, Hawaii's Family Court system was the second such program in the nation.

On Oahu two circuit judges and five district judges are designated as Family Court judges. On the Neighbor Islands, both Circuit and District Court judges are assigned Family Court cases in addition to their other cases. All Family Court judges form a board which develops policies for the Family Courts.

The Family Courts have exclusive and original jurisdiction over youths younger than age 18 in certain cases. These cases include those which deal with violation of law; truancy and educational neglect; lack of parental control; behavior injurious to self or others; and neglect, abandonment or abuse. The Courts hear all cases arising under the Uniform Child Custody Jurisdiction Act, the Interstate Compact on Juveniles and extradition of minors.

After investigation, the Family Courts may choose to retain jurisdiction over a person until age 20. They also may waive jurisdiction and permit criminal prosecution of a person age 16 or older who has allegedly committed a felony. However, in certain cases, Family Court must waive jurisdiction. These are cases where a person is charged with a Class A felony; is determined not to be mentally impaired; is previously determined by a court to have committed a Class A felony involving force or violence and two felony acts within a specified time. In addition, the Family Courts may waive jurisdiction of a person over age 18 who allegedly violated a law before reaching 18, the age of majority in Hawaii.

The Family Courts operate two detention homes which detain juveniles for their immediate welfare or for the protection of the community pending disposition of their cases. One home, Hale Ho'omaluu, is operated by the Family Court of the First Circuit; the second, Maui Live-in Center, is run by the Family Court of the Second Circuit.

Family Court Senior Judge Betty Vitousek receives a 4-H "Alii of the Year" award for her contributions to the betterment of Hawaii's youth.



Volunteer Donna Allyn and counsellor Daniel Iha review the First Circuit Family Court's new Calendar Call system for juvenile violation and educational neglect cases. The system is designed to bring cases before a judge in a more timely, efficient manner.



The Family Courts have exclusive original jurisdiction over adults in certain kinds of criminal cases. These cases include such offenses as desertion, abandonment, or failure to provide support; criminal offenses committed by parent, guardian or custodian against a child; and criminal offenses committed by a person against his or her spouse.

In civil cases, the Family Courts' jurisdiction over adults include such matters as annulment, separation, divorce, custody and support proceedings; issuance of temporary restraining orders in domestic violence cases; and commitment of mentally ill or defective persons to appropriate institutions.

**Directors of the Family Courts:** For each Family Court, the circuit judge or the senior judge where there is more than one judge appoints a director; this director serves as chief administrative officer for the respective Family Court. The work of the directors includes fiscal, administrative, statistical and consultative responsibilities. Directors form the Board of Family Court Directors, meeting monthly to discuss mutual concerns and to make recommendations to the Administrative Director of the Courts and/or the Board of Family Court Judges.

**Specialized Services provided by the Family Court of the First Circuit:** In addition to its prescribed duties, the Family Court of the First Circuit offers other specialized services. The Family Crisis program provides short-term counseling to families in a crisis situation. The Support Enforcement Program counsels payors whose alimony and child support payments are in arrears. Mental health services (psychological and psychiatric exams and evaluations) are made available through the State Department of Health's Team for Courts and Corrections assigned to the First Circuit Family Court.

## District Courts

District Courts are courts of record with limited jurisdiction in non-jury civil and criminal cases.

In civil matters, District Courts have exclusive original jurisdiction in small claims cases as well as cases involving sums of less than \$1,000, concurrent jurisdiction with Circuit Courts in suits where the contested amount is between \$1,000 and \$5,000. Small claims courts are divisions of the District Courts, handling cases where the contested amount is below \$1,000. Decisions of the small claims courts cannot be appealed, although the courts can be asked to review their own decisions. Cases heard by small claims courts may include leased property disputes, and landlord-tenant disputes including injunctions to enforce the Landlord-Tenant Code.

In criminal matters, District Courts have exclusive original jurisdiction over traffic violations; petty criminal misdemeanors; infractions and violations of the State Traffic Code. In felony cases when an arrest is made without a grand jury indictment, the defendant is given a preliminary hearing in District Court. The judge hearing the case has authority to transfer it to the Circuit Court for a grand jury hearing upon determination of probable cause.

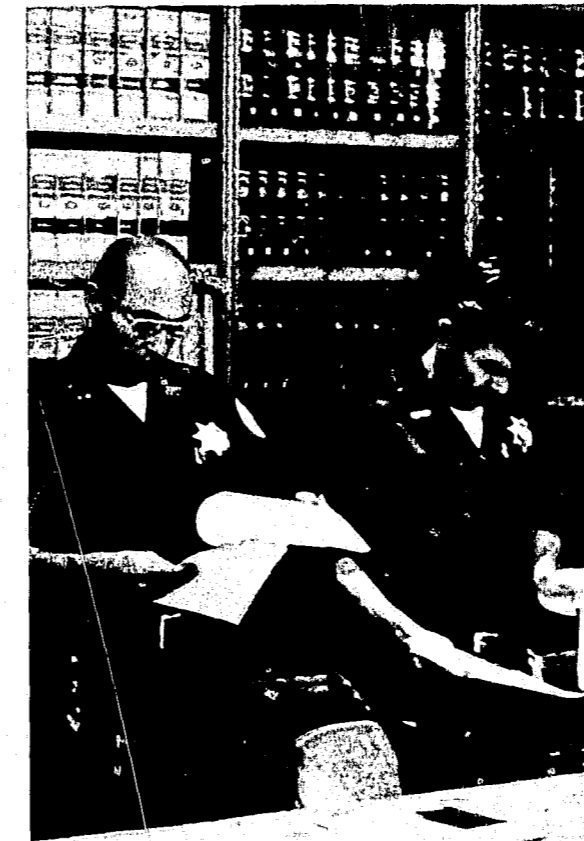
**Chief Clerks of the District Courts:** The chief clerk of each District Court, except districts within the First Judicial Circuit, serves under the direction of the administrative judge and provides support services for his court. In the First Judicial Circuit, there are two deputy clerks: one serves the Honolulu area and the other serves the rural areas.

**Traffic Violations Bureau:** A division of the District Court program is the Traffic Violations Bureau, responsible for processing all traffic violations. Its Data Processing Unit maintains records of all the transactions of the Bureau, including citations, traffic calendars, and penal summonses to be served by the Sheriff's Office. In fiscal year 1980-81, the Bureau processed 630,697 traffic violations. Approximately 72 percent were disposed administratively, including 37.8 percent by mail. Traffic revenues collected on Oahu totalled \$3,730,823.

**Counseling Service:** Another division of the District Court is the Counseling Service, which provides judges with alternatives to traditional

punishment. Counselors prepare pre-sentence evaluation reports; supervise persons placed on a Deferred Acceptance of Guilty Plea or Conditional Discharge Status; and counsel individuals referred by the trial courts in traffic and criminal matters. During fiscal year 1980-81, the Counseling Service received 4,091 referrals; total caseload, including 1,224 cases pending from the previous period, was 5,315. Disposed during the fiscal year were 3,821 cases, an increase of 775 cases or 25.4 percent over the previous year.

**Office of the Sheriff:** The Office of the Sheriff, which is under the administrative control of the District Courts, is responsible for the service of civil processes and for the security of the courts. Fifty deputy sheriffs work through the Office of the Sheriff, serving documents for trial courts, government agencies; local and mainland attorneys. Deputy sheriffs are self-employed, independent process servers but are responsible to, and supervised by, the Sheriff. In addition, bailiffs and law enforcement officers fall within the jurisdiction of the Sheriff's Office.



**Fig. 3. Locations of Courthouses, Circuit and District Levels**

Circuit and Divisions	Location
<b>First Circuit</b>	
Honolulu Division	Honolulu*
Ewa Division	Pearl City
Waianae Division	Waianae
Waialua Division	Haleiwa
Wahiawa Division	Wahiawa
Koolauloa Division	Kaneohe
Koolaupoko Division	Kaneohe
<b>Second Circuit</b>	
Wailuku Division	Wailuku*
Makawao Division	Paia
Hana Division	Hana
Lahaina Division	Lahaina
Molokai Division	Kaunakakai
Lanai Division	Lanai City
<b>Third Circuit</b>	
North and South Hilo Division	Hilo*
Puna Division	Keaau
Hamakua Division	Honokaa
North Kohala Division	Kapaa
South Kohala Division	Kamuela
Kona Division	Captain Cook
Ka'u Division	Naalehu
<b>Fifth Circuit</b>	
Lihue Division	Lihue*
Koloa Division	Koloa
Waimea Division	Waimea
Kawaihau Division	Kapaa
Hanalei Division	Hanalei

\*Location of Circuit Court; locations without asterisks are District Court sites.

State Law Enforcement Officers prepare for a swearing-in ceremony. William Pierson and Ellsworth Yamashita are part of the Office of the Sheriff which provides security measures for the Judiciary.



## Land Court

A statewide, specialized court of record sitting in Honolulu, the Land Court administers a system of land registration for the State. The Court has exclusive original jurisdiction over applications for the registration of title to land and easements held in fee.

All applications for original registration of title must be approved by the Land Court; only then can title be recorded by the Bureau of Conveyances of the State Department of Land and Natural Resources.

The Chief Justice appoints a judge of the First Circuit Court to preside in Land Court; he also appoints another First Circuit Court judge as substitute when the presiding judge is unavailable.

Among other duties, the registrar and assistant registrars in the Land Registration Office serve as clerks of the court; research and process applications; resolve disputes outside the Court whenever possible; and provide direction and research assistance to the general public as well as to the legal and business communities.

**Actions Filed:** In fiscal year 1980-81, 3,143 petitions were filed with the Land Court, a one-year decrease of 8.3 percent. In addition, 39 contested land cases and original registration cases were filed. The caseload of contested land and original regis-

tration cases was 112, including 73 pending from the previous year.

**Terminations and Status of Pending Cases:** As of June 30, 1981, the Land Court had terminated 42 cases. By contrast, the Court terminated 41 cases during the previous fiscal year. At the end of fiscal year 1980-81, 70 cases were pending.

## Tax Appeal Court

The Tax Appeal Court, a court of statewide jurisdiction which sits in Honolulu, has original jurisdiction in all disputes between the tax assessor and the taxpayer.

The Chief Justice appoints a judge of the First Circuit Court to preside in the Tax Appeal Court; he also appoints another First Circuit Judge as substitute when the presiding judge is unavailable. The Land Court staff serves the Tax Appeal Court.

**Actions Filed:** During the fiscal year 1980-81, 22 cases were filed in the Tax Appeal Court, a decrease of 12 cases from the previous fiscal year. The Court's caseload, including the 40 cases pending at the beginning of the year, was 62.

**Terminations and Status of Pending Cases:** At the end of fiscal year 1980-81, the Tax Appeal Court had terminated 18 cases; 44 cases were pending as of June 30, 1981.

Land Court Deputy Juanita Post and Registrar James Smith assist in research and process of applications for original registration of land titles.



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**Four Judicial Circuits serve the State of Hawaii. Boundaries of the Circuits generally approximate Hawaii's counties: the First Judicial Circuit serves Oahu; the Second Judicial Circuit serves Maui; the Third Judicial Circuit serves the Big Island of Hawaii; and the Fifth Judicial Circuit serves Kauai.**

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## Judicial Circuits

The State of Hawaii has four judicial circuits which serve a total de facto population of 1,052,400.

Boundaries of the judicial circuits generally approximate those of Hawaii's counties:

The First Judicial Circuit includes the City and County of Honolulu, the settlement of Kalawao on Molokai, and it serves a population of 821,800;

The Second Judicial Circuit, the County of Maui, serves a population of 85,900;

The Third Judicial Circuit, the County of Hawaii, serves a population of 98,600;

The Fifth Judicial Circuit, the County of Kauai, serves a population of 46,200.

In 1943, what was then the Fourth Judicial Circuit was merged with the Third Judicial Circuit; thus, there is no Fourth Judicial Circuit.

Including the five Supreme Court justices and the three Intermediate Appellate Court judges, fifty-four judgeships are legislatively authorized in Hawaii: twenty-one for the Circuit Courts; eighteen for the District Courts; and seven for the District Family Courts. (The Family Court in the First Circuit is the only one with full-time judges; in the Neighbor Island circuits, both Circuit and District Court judges hear Family Court cases.)

## First Judicial Circuit

The First Judicial Circuit serves the City and County of Honolulu, which includes the island of Oahu and the county of Kalawao on Molokai.

Fifteen Circuit Court judges and twelve District Court judges serve a population of 821,800. Judge Toshimi Sodekani is administrative judge of the First Judicial Circuit; he is also senior judge of the civil calendar. Judge Wendell K. Huddy is senior judge of the criminal calendar. In addition to Judge Sodekani and Judge Huddy, Circuit judges of the First Judicial Circuit include: Robert W.B. Chang, Harold Y. Shintaku, Hiroshi Kato, Arthur S.K. Fong, Ronald B. Greig, Philip T. Chun, Richard Y.C. Au, Bertram T. Kanbara, Simeon R. Acoba, Jr., and James H. Wakatsuki.

Senior Judge Betty M. Vitousek and Judge Donald K. Tsukiyama serve as Family Court judges.

Judge Russell K. Kono serves as administrative judge of the District Court of the First Judicial

Circuit. Other District judges include: Kenneth W. Harada, Frank T. Takao, Andrew J. Salz, Edwin H. Honda, Robert G. Klein, M. Gay Conklin; I. Norman Lewis, Marie Milks, Kenneth K. Saruwatari, Wilfred Watanabe, and Melvin Soong.

District Family Judges of the First Judicial Circuit include Paul C. Kokubun, Patrick K.S.L. Yim; Richard Y.S. Lee; Michael Anthony Town, and Evelyn B. Lance.

In addition, twenty-one per diem District judges serve in the First Judicial Circuit.

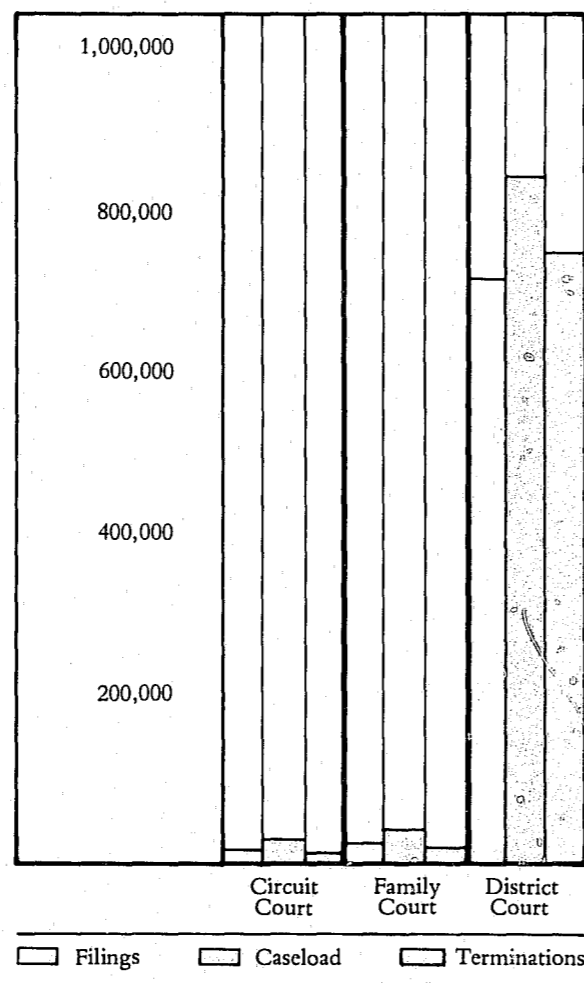
#### Court Activities, First Judicial Circuit

Cases Filed	1979-80	1980-81	Percent Change
All Courts	695,930	760,324	+9.3
Circuit Court	8,010	8,413	+5.0
Family Court	17,389	16,817	-3.3
District Court	670,531	735,094	+9.6

**Fig. 4. Comparison of Cases Filed, Fiscal Years 1979-80 and 1980-81, First Judicial Circuit**

Approximately two-thirds of the Circuit Court cases filed statewide were filed in the First Circuit Court during fiscal year 1980-81. During the reporting period, Circuit judges of the Circuit Court proper disposed of 1,016 cases by trial or hearing; however, the number of cases filed exceeded terminations by 2,766, increasing the Court's backlog to 20,466. Although the number of cases filed in Family Court decreased marginally in the reporting period, cases filed exceeded terminations and increased backlog to 15,877. At the District Court level, the number of cases terminated exceeded filings and decreased the Court's backlog by 17.2 percent; the use of per diem judges has greatly increased output at the District level.

**Figure 5. Filings, Caseload, and Terminations of the First Judicial Circuit\***



\*Caseloads include cases filed in Fiscal Year 1980-81 plus cases pending from the previous fiscal year. Because the number of filings and caseloads vary dramatically from circuit to circuit, the graph above is not strictly comparable with other graphs in this section.

## Second Judicial Circuit

The Second Judicial Circuit encompasses Maui County, which includes the islands of Maui, Molokai (excluding the settlement of Kalawao), and Lanai.

Two Circuit Court and two District Court judges serve a population of 85,900; besides their regular cases, these judges share the Family Court calendar. In addition to daily District Court sessions at the Wailuku District Courthouse on Maui, judges travel weekly to Makawao and to Lahaina. They also fly monthly to the island of Lanai and bi-monthly to Molokai.

Administrative Judge Kase Higa and Judge S. George Fukuoka sit on the Circuit Court bench, while Administrative Judge Richard R. Komo and Judge Arthur T. Ueoka sit on the District Court bench. Eric G. Romanchak, James R. Judge, and John T. Vail serve as District Court per diem judges.

#### Court Activities, Second Judicial Circuit

Cases Filed	1979-80	1980-81	Percent Change
All Courts	53,753	54,367	+ 1.1
Circuit Court	1,606	1,641	+ 2.2
Family Court	1,645	2,055	+24.9
District Court	50,502	50,671	+ 0.3

**Fig. 6. Comparison of Fiscal Years 1979-80 and 1980-81, Second Judicial Circuit**

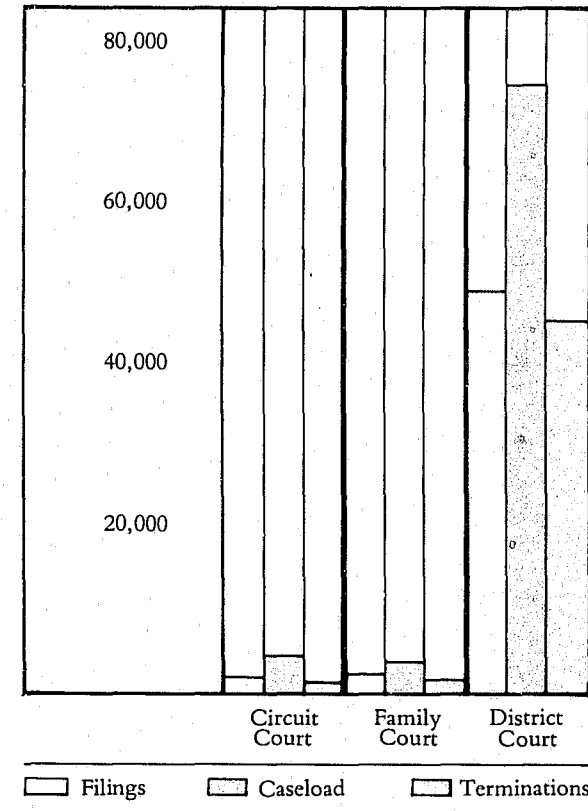
In Circuit Court proper, cases filed exceeded terminations by 575, increasing the Court's backlog by 24.1 percent. Family Court filings showed a 24.9 percent increase over the previous fiscal year, the greatest increase of cases at the trial court level; most of these cases related to juveniles. Although there was only a 169-case increase, or a 0.3 percent increase, filed at the District Court level, 1980-81 represents the fifth consecutive fiscal year that the case filings increased; backlog increased 17.3 percent over the preceding year.

Administrative Judge Kase Higa, r., reviews a point of law with law clerk Leila Tanaka.



Robert M. Monden, Chief Clerk of the Second Circuit, confers with fiscal officer Melvin Arakawa prior to a quarterly meeting in Honolulu of Chief Clerks of all the circuits.

**Figure 7. Filings, Caseload, and Terminations of the Second Judicial Circuit\***



\*Caseloads include cases filed in Fiscal Year 1980-81 plus cases pending from the previous fiscal year. Because the number of filings and caseloads vary dramatically from circuit to circuit, the graph above is not strictly comparable with other graphs in this section.

## Third Judicial Circuit

The Third Judicial Circuit, which serves the County of Hawaii, is headquartered in the State Office Building in Hilo. Two Circuit Court judges and three District Court judges serve a population of 98,600. The District Court judges carry primary responsibility for hearing Family Court cases. Two District Court judges assigned to Hilo also serve the Hamakua, North Hilo, South Hilo, and Puna areas. A resident judge assigned to Kona also serves the Ka'u, North and South Kona, and North and South Kohala areas.

Administrative Judge Ernest Kubota and Judge Shunichi Kimura sit on the Circuit Court bench, while Administrative Judge Paul M. deSilva, Judge Cyril Kanemitsu, and Judge Robert T. Ito sit on the District Court bench. George S. Yuda serves as a per diem judge.

### Court Activities, Third Judicial Circuit

Cases Filed	1979-80	1980-81	Percent Change
All Courts	45,597	48,758	+ 6.9
Circuit Court	1,799	1,787	- 0.7
Family Court	3,665	4,096	+11.8
District Court	40,133	42,875	+ 6.8

**Fig. 8. Comparison of Cases Filed, Fiscal Years 1979-80 and 1980-81, Third Judicial Circuit**

In Circuit Court proper, civil actions comprised 37.6 percent of the total caseload, criminal actions 18.2 percent, probate cases 15.0 percent, guardianship cases 9.4 percent, and miscellaneous and supplemental cases 19.9 percent. For the second year in a row, the Third Circuit's Family Court again experienced an increase in case filings; most of these cases related to juveniles. Terminations at the District Court level exceeded the number of filings by 162, decreasing that Court's backlog by 4.0 percent over the previous fiscal year.



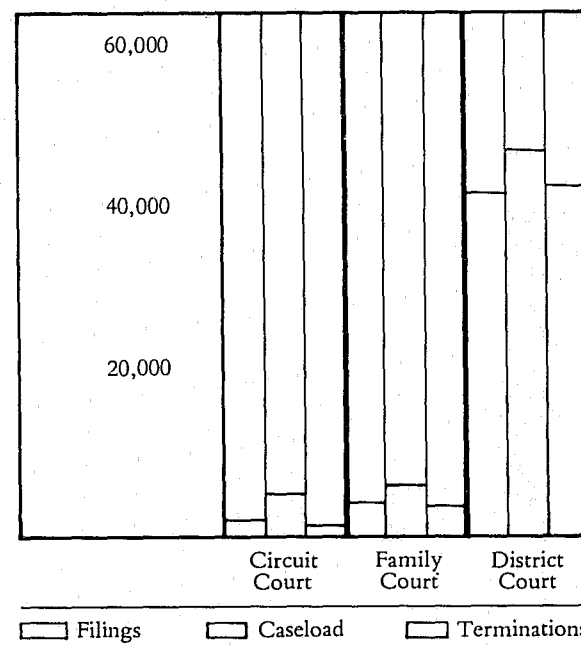
Cathy Lowder, probation officer and administrator of a pilot foster parent project, conducts a training and evaluation session with Dr. Christopher Barthel, liaison from the Department of Health to the Family Court, Third Judicial Circuit. The program offers in-community treatment for probationary teenagers by placing them in foster families.



Senior judge, Family Court, Shunichi Kimura anticipates appointment of a third judge for the Third Circuit. Legislatively approved in fiscal year 1980-81, the new judgeship is slated for Kona, West Hawaii.



Figure 9. Filings, Caseload, and Terminations of the Third Judicial Circuit\*



\*Caseloads include cases filed in Fiscal Year 1980-81 plus cases pending from the previous fiscal year. Because the number of filings and caseloads vary dramatically from circuit to circuit, the graph above is not strictly comparable with other graphs in this section.

## Fifth Judicial Circuit

The Fifth Judicial Circuit serves and encompasses the County of Kauai, which includes the islands of Kauai and Niihau.

A Circuit Court and a District Court judge are assigned to the Fifth Circuit, serving a population of 46,200. Family Court cases are heard by the District Court judges. Both Circuit and District Courts are headquartered at the Lihue Courthouse on Kauai, where all Circuit Court cases are heard. The District Court holds sessions weekly at Lihue, Koloa, Kawaihau and Waimea; and every other week at Hanalei.

Judge Kei Hirano sits on the Circuit Court bench, Judge Clifford L. Nakea on the District Court bench. George M. Masuoka is assigned to the Fifth Judicial Circuit as per diem judge.

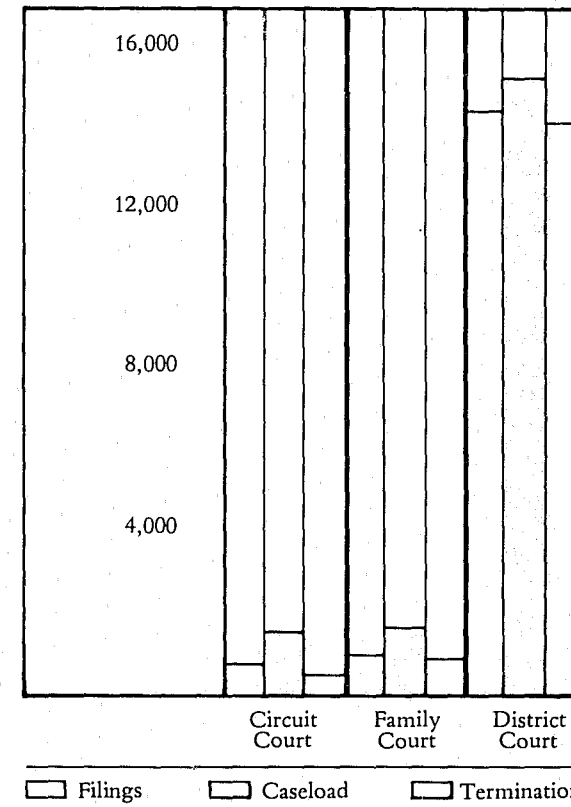
### Court Activities, Fifth Judicial Circuit

	1979-80	1980-81	Percent Change
Cases Filed			
All Courts	12,444	16,183	+30.0
Circuit Court	582	750	+28.9
Family Court	1,019	892	-12.5
District Court	10,843	14,541	+34.1

Fig. 10. Comparison of Cases Filed, Fiscal Years 1979-80 and 1980-81, Fifth Judicial Circuit

During fiscal year 1980-81, both the Circuit Court proper and the District Court experienced an increase in case filings, which nullified a decrease in filings in the Fifth Circuit's Family Court. Civil actions comprised 29.9 percent of the caseload in the Circuit Court proper; criminal actions, 24.7 percent; probate cases, 12.9 percent; guardianship cases, 10.0 percent; and miscellaneous and supplemental cases, 22.4 percent. The decrease in caseload at Family Court occurred because referrals of juvenile law violations decreased by 151 referrals to 220. At the District Court level, a significant increase was reported in traffic violations cases, with moving violations alone more than doubling the 1,436 filed in fiscal year 1979-80.

Figure 11. Filings, Caseload, and Terminations of the Fifth Judicial Circuit\*



\*Caseloads include cases filed in Fiscal Year 1980-81 plus cases pending from the previous fiscal year. Because the number of filings and caseloads vary dramatically from circuit to circuit, the graph above is not strictly comparable with other graphs in this section.

Judge Kei Hirano and his law clerk Kurt Bosshard discuss findings of legal research relating to a case.



Yasuo Nakamatsu, Chief Clerk of the Fifth Judicial Circuit, meets with Kayo Mikasa, Chief Clerk of the Fifth Circuit's District Court, to review court activities.



## New Laws Affecting the Judiciary

A digest of recent legislation prepared by the Staff Attorney's Office\*

**Act 6**—Repeals Sec. 572-4, Hawaii Revised Statutes, to comply with the Hawaii State Constitution. The prior statute relating to the domicile of married women was in conflict with the constitutional provision on equal rights; provides a new section on domicile to insure that the right to claim domicile in the State shall not be abridged or denied due to sex or marital status.

**Act 222**—Adds a new subsection 571-22(c) where a minor is at least sixteen, is not mentally impaired, and is charged with a class A felony, Family Court shall waive jurisdiction if the minor has been previously determined by a court to be a law violator by:

1. Committing any act involving force or violence or the threat of force or violence and which is prohibited by law as being a class A felony; or
2. Committing two or more acts within the two years preceding the date of the offense for which the person is presently charged which are each prohibited by law as being a felony.

**Act 92**—Signed June 2, 1981, regarding corporations acting as guardians; amends Sec. 406-4, HRS, to prevent banks and trust companies from acting as guardian of the person. Also amends Sec. 560:5-311(a) to provide that Family Court may appoint a non-profit agency or non-profit corporation as guardian of the person.

**Act 216**—Signed June 19, 1981, regarding notices in guardianship proceedings concerning adults, amends Sec. 560:5-309 to require notice to adult children and to delete notice to grandparents, but retains notice to grandparents in the case of minors.

**Act 19**—Signed April 16, 1981, regarding Hawaii youth correctional facilities, provides the director may delegate authority except as to early discharge.

**Act 134**—Signed June 10, 1981, regarding Hawaii youth correctional facilities; ends the jurisdiction of the director when Family Court waiver pursuant to Sec. 571-22, HRS, results in conviction.

**Act 171**—Custodial interference in the first degree. Makes it a class C felony for a relative to knowingly take or entice a minor from a person who has right to custody pursuant to a court order, judgement or decree and removes himself or herself and the minor from the State.

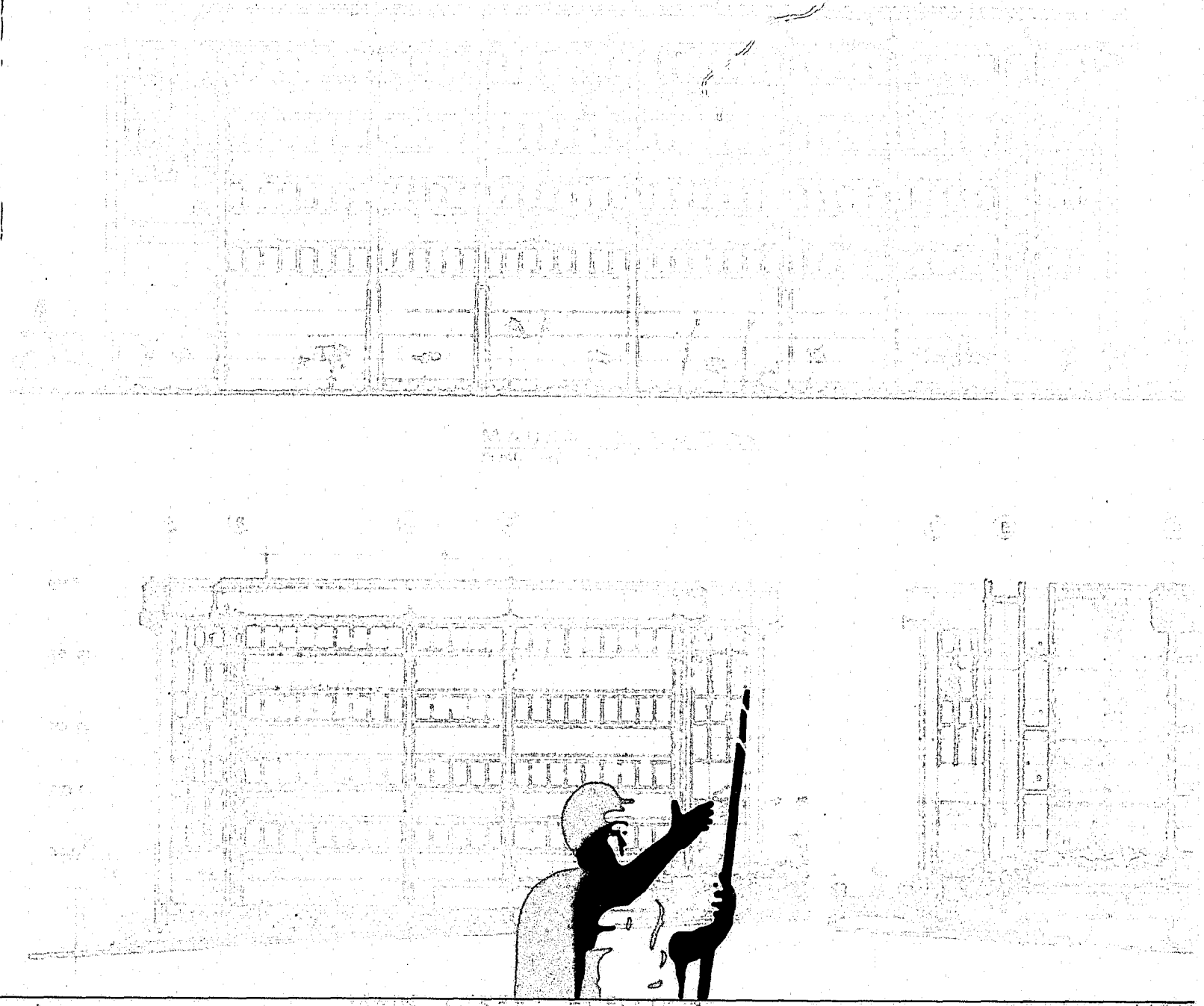
**Act 202**—Provides that a minor under sixteen, but not under fifteen, may marry with the approval of the Family Court within which the child resides subject to Section 571-2, HRS. Persons to be married must both be physically present at time and place of ceremony.

**Act 206**—Provides that a person shall not be tried for or convicted of an offense if the person is subject to the exclusive original jurisdiction of the Family Court unless jurisdiction has been waived by Family Court.

**Act 59**—Signed May 26, 1981, amends Section 350-1, HRS, to clarify the language on the confidentiality of child abuse reports to conform to current federal standards. Under the Federal Child Abuse and Neglect Prevention and Treatment Act, states are required to adopt statutory language mandating the confidentiality of child abuse and neglect reports and records. The amendments include authority to the Director of DSSH to adopt, amend or repeal rules providing for the confidentiality of reports and records of reports and for the authorized disclosure of reports and records. Also provides that any unauthorized disclosure of a report or record of a report is a misdemeanor.

\*The following reflects only partial listing of recent legislation which affects Hawaii's judicial system.

## The Support Services





Wailuku, Maui  
Site of Wailuku Judiciary Complex

**The Administrative Director Services Program assists the Chief Justice in carrying out his constitutional mandate as administrative head of Hawaii's court system. Several important offices—among them Budget and Fiscal, Personnel, Planning and Research, and Volunteers in Public Service—provide support services. The outstanding work of these Program components focuses national attention on Hawaii's judicial system.**

## The Support Services

The Administrative Director Services Program provides support services to the Chief Justice as he carries out his constitutionally-mandated responsibility for administration of the State court system. The Program oversees day-to-day operations of the Judiciary; it also develops uniform policies and procedures which govern the entire State judicial system.

The Administrative Director and his deputy head the Program. The Director is appointed by the Chief Justice with Supreme Court approval.

Within the Administrative Director Services Program are three offices which are directly involved in the management function: the Budget and Fiscal Office; the Personnel Office; and the Planning, Research and Statistics Office. In addition, several offices perform other functions of the Program: the Computer Systems Office; the Public Information Office; the Staff Attorney's Office; and the Office of Volunteers in Public Service (VIPS). The Law Library is also part of the Program.



Lester E. Gingsade, r., Administrative Director, and Jeffrey Agader, Budget and Fiscal Director, discuss the budget bill to be submitted for legislative review. The Administrative Director, or his designee, is Judiciary spokesman at the Legislature.

## The Administrative Director

Subject to the direction of the Chief Justice, the Administrative Director and the Deputy Director are responsible for the administration of all the courts.

The Director's duties include examination and improvement of existing administrative practices; preparation of reports and statistical data on the court system; processing of federal and other grant requests generated at all levels of the court system; development of the budget, fiscal plans, and other reports requested by the State Legislature; and implementation of all new programs within the judicial system.

## Budget and Fiscal Office

The Budget and Fiscal Office bears ultimate responsibility for the financial management of the State's judicial system. Three branches are part of the Office: the Fiscal Branch, the Internal Audit Branch, and the Budget and Program Review Branch.

**Fiscal Branch:** Among the duties of the Fiscal Branch are centralized payroll, accounting, purchasing, and pre-audit activities. The Fiscal Branch also controls public funds placed within judicial custody; analyzes and improves fiscal efficiency in operations of the judicial system; negotiates for services, materials and other resources necessary for fulfillment of Judicial goals.

**Internal Audit Branch:** The Internal Audit Branch develops and periodically reviews an internal audit program. The Branch also evaluates the reliability of financial records, interprets program operations through study of fiscal data, and suggests new methods to increase financial efficiency and accountability.

**Budget and Program Review Branch:** The Budget and Program Review Branch is responsible for the procedural and technical aspects of the Judiciary's Planning-Programming-Budgeting (PPB) system. It also prepares the budget bill and testimony for submittal to the Legislature; executes and reviews all aspects of the budget for court operations.



Deputy Director Tom Okuda, one of whose responsibilities is administration of the District Courts, inspects building progress at Kauikeaouli Hale.



The Administrative Director Services Program—through its Office of Volunteers in Public Service—offers orientation tours to the public. During fiscal year 1980-81, more than 5,000 persons were given a first-hand glimpse of courts in action.



Historian Jane Silverman presents research findings of a 2-year project, "The Social Role of the Courts in the Hawaiian Monarchy." Her presentation, videotaped with help from the Judiciary's Personnel Office, is catalogued with the National Endowment for the Humanities.



Emmie Shigezawa, Personnel Administrator, and Joanne Yanagida produce an employee training film videotaped by technician Kevin Yogi.



Chief Justice Richardson presents awards to retiring employees Irene Chena, Mitsuno Matsumoto, and Marjorie Hirokawa.



## Personnel Office

Hawaii's judicial system has its own independent civil service system, created in 1977 to attract, select and retain a high caliber of employees in court positions. The Judiciary's Personnel Office announces its own open-competitive exams and administers its own tests for purposes of screening and selection.

The five sections of the Personnel Office are the Recruitment, Examination, and Placement Branch; the Administrative Services Branch; the Classification and Pay Branch; the Training and Safety Branch; and the Labor Relations Branch.

**Employee Awards:** During the past year, the Chief Justice presented three Meritorious Service Awards to the following employees for sustained superior performance of duty:  
Irene Chena, Traffic Violations Assistant, District Court, First Circuit (retired 7/7/80);  
Marjorie Hirokawa, Social Worker V, Third Circuit Court (retired 12/30/80);  
Mitsuno Matsumoto, Circuit Court Clerk I, First Circuit Court (retired 4/30/81).

**Employee Training:** With the purchase of new equipment, the Personnel Office has produced a number of videotape programs for new employees. Topics include testing procedures, employee ben-

efits and rights, and promotion policies of the judicial system. The training staff also has produced a videotape for judges' use. In addition, towards the end of fiscal year 1980-81, Personnel Office staff videotaped a presentation directed by Jane Silverman, Judiciary historian, on "The Social Role of the Courts in the Hawaiian Monarchy." The tape was sent to the National Endowment for the Humanities, which funded the project; a copy is available in the Supreme Court Library.

**Judges Training:** Twenty-six judges attended the National Judicial College in Reno, Nevada, during the past year for continued professional training. Special training classes were provided court administrators and judges during August, 1980.



Research statistician Dorothy Kawamoto and statistics clerk Charlene Mitsuda check data for the Judiciary's Annual Report.



## Planning, Research and Statistics Office

The Planning, Research and Statistics Office is responsible for two major tasks: development of a master planning and operational program for Hawaii's judicial system; collection and analysis of statistical data pertaining to the courts.

In fiscal year 1980-81, the planning section completed for adoption a comprehensive planning process for the Judiciary. In a related activity, the planning section also embarked upon a futures research with the University of Hawaii.

The statistical section continued to develop and improve its uniform statistical reporting system, providing personnel with data to conduct and evaluate court programs. The statistical section prepared the graphs, tables, and statistical narratives for the Judiciary's Annual Report 1980-81.

## Computer Systems Office

The Computer Systems Office computerizes some of the clerical and record keeping data of the State court system.

The Office collects and disseminates information about individual court cases to appropriate court personnel. It also schedules cases for trial or for hearing. The Computer Systems Office gives support to court clerks by preparing certain court-issued documents. The Office provides computer assistance to the Traffic Violations Bureau in maintaining traffic citations and violator history records.

In addition, the Computer Systems Office produces monthly expenditure reports on the judicial budget for administrative purposes. In the personnel area, the Office produces monthly printouts for purposes of personnel evaluation.

Stella OH Lee and Shirley Keough, clerical volunteers with the courts' volunteer program, check with VIPS staff for assignments. Nearly 175 volunteers work in 21 different kinds of positions.



## Public Information Office

The Public Information Office is assigned the task of creating and enhancing public awareness about the court system. It disseminates information about how the State courts work and how the public may benefit from court services.

The Public Information Office handles production and publication of brochures, manuals and court forms; these are distributed variously to the Legislature, internal court personnel, and to audiences in the wider community.

The Public Information Office is responsible for production of the Judiciary's newsletter, "Aha'Iono"; it also assists in the production of the newsletter for volunteers, "Na Poe Malama." The Judiciary's Annual Report is a joint project of the Information Office and the Office of Planning and Research.



Katherine Terao, clerk typist in the Public Information Office, typesets for Judiciary publications. The Office also serves as control center for court forms.

## Staff Attorney's Office

The Staff Attorney's Office, attached to the Administrative Director's Office, provides legal counsel to other staff members. It advises the Director as to the administration of the court system, assists with the Judiciary's legislative program during each session, and also helps implement new legislation which affects the judicial system. In addition, it revises court rules as needed and provides information to the Hawaii Bar and the general public.

## Office of Volunteers in Public Service (VIPS)

The courts' volunteer program, VIPS, encourages citizen participation in the criminal and juvenile justice systems. Services rendered by volunteers raise public awareness about the Judiciary and enhance the quality of judicial programs for both clientele and the general community.

Volunteers and staff engage in several ongoing projects, including group tours open to the public which provide orientation to Hawaii's judicial system. Another VIPS project is the Community Service Sentencing Program, which allows offenders to perform public service work as part of their sentence. VIPS staff and volunteers screen, place, and monitor court-referred clients to ensure that they meet conditions of their public service sentences.

During fiscal year 1980-81, 171 volunteers contributed 16,400 hours of services, which approximate an in-kind dollar contribution of \$85,421.00.

## Boards, Councils and Commissions

### Law Library

Librarian Momoe Tanaka and student employee Ray Halduco check reference materials in the Law Library. After the final stages of Ali'iolani Hale restoration, the Law Library will occupy the first and second floors of the Judiciary building's Queen Street wing.

Hawaii is one of the few judicial systems which operates a statewide library system. The Law Library, located in Ali'iolani Hale, the Judiciary building, serves the general public as well as the legal community.

The Library's collection exceeds 130,000 reference materials, with approximately 80,000 housed in Ali'iolani Hale. Materials in the main library are available to Neighbor Island satellite libraries, which are located in the Circuit Courts.

### Materials Available

The following publications are available upon request through the Office of the Administrative Director.

*The 1980-81 Annual Report of the Judiciary, State of Hawaii.*

*The Hawaii Judiciary*, a brochure giving the history and organization of the Hawaii Judiciary.

*The Hawaii Supreme Court Law Library*, a brochure on Hawaii's statewide law library system.

*The Restoration of Ali'iolani Hale*, a 12-page pamphlet on the history and restoration of the Judiciary Building.

*A Pictorial Glimpse of Bench & Bar in the Hawaiian Monarchy*, a booklet pictorially depicting the early days of the Hawaii Judiciary.

*Juror Orientation Package*, a series of five brochures explaining juror duties and responsibilities in the First Judicial Circuit.

*Small Claims Court*, a brochure explaining procedures of Small Claims Court.

*District Court*, a pamphlet explaining procedures of the District Court.

*Volunteers in the Court*, a recruitment brochure prepared by the Volunteers in Public Service (VIPS) describing the courts' volunteer program.

*The Point System*, a brochure prepared by the Driver Education Division of the District Court explaining the penalty point system assessed against drivers who violate traffic ordinances.

*The Family Court*, a compilation of a series of newspaper articles published by the *Honolulu Advertiser*.

*Divorce in Hawaii, You are Still a Parent*, and *Children and Divorce*, brochures prepared by the Family Court to assist couples in divorce proceedings better understand their responsibilities.

The following publications are available in limited quantities.

*Hawaii's Wiretap Law*, an analysis of Hawaii's 1978 wiretap law authored by Prof. Addison Bowman, University of Hawaii School of Law.

*Hawaii Benchbook*, a handbook detailing procedures and forms to be used in all criminal proceedings.

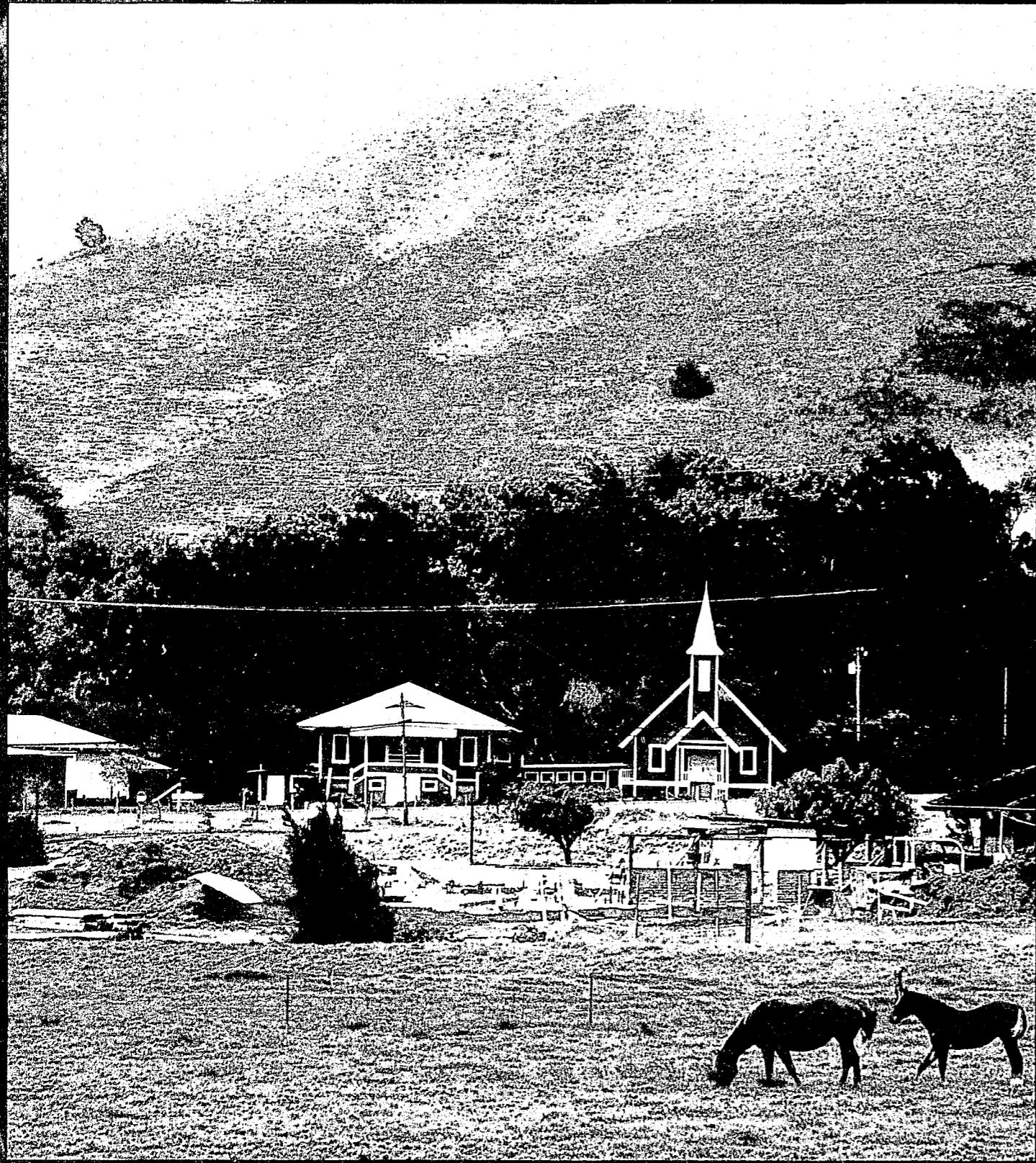
Also available from the Supreme Court Law Library are copies of Rules of Court for all State courts.

### Statistical Analysis Center

The Hawaii Criminal Justice Statistical Analysis Center (SAC) serves agencies in the criminal justice system through collection, analysis and distribution of statistical information.

At the end of fiscal year 1980-81, (SAC) was scheduled to be transferred to the Attorney General's Office and renamed the Hawaii Criminal Justice Information Data Center.





Waimea, Hawaii  
Site of South Kohala District Courthouse

**Boards, Councils and Commissions support the work of Hawaii's judicial system by advising, examining, investigating and making recommendations in their respective areas of expertise.**

## Judicial Council

The Judicial Council, an advisory board to the Supreme Court, was created in 1959 by the Legislature. The Council's sixteen members are appointed by the Supreme Court; the Chief Justice acts as chairman of the group. Council members include judges and attorneys, as well as business and community leaders. All serve three-year terms on a voluntary basis.

Since its formation, the Judicial Council has played a major role in the codification of Hawaii's criminal and probate laws. It also continues to focus on specific areas of court operations, providing judges and administrators with guidelines for improving operations.

Council members include:

The Honorable William S. Richardson, Chief Justice, Hawaii Supreme Court, chairman;

Alexander S. Atherton, president, Gannett Pacific;

Dr. Mary Bitterman, Director, Department of Regulatory Agencies, State of Hawaii;

Dr. Hung Wo Ching, chairman, Aloha Airlines, and trustee, Kamehameha Schools-Bernice P. Bishop Estate;

Walter G. Chuck, attorney-at-law;

Herbert C. Cornuelle, chief executive officer, Dillingham Corporation;

The Honorable Masato Doi, retired judge of the First Circuit Court;

Members of the Judicial Selection Commission compile lists of six nominees for each vacant judgeship. From these lists, the Governor appoints Circuit and Appellate Court judges; the Chief Justice appoints District Court judges. Commission members, l. to r., Joan Brown, Alfred Wong, Lawrence Okinaga, Claudio Suyat, James Koshiba, William Fleming, Herbert Cornuelle.



The Reverend Stephen K. Hanashiro, United Church of Christ;

Eddie Lapa, vice-president, International Longshoremen's and Warehousemen's Union;

The Honorable Masaji Marumoto, retired Associate Justice, Hawaii Supreme Court;

Dr. Fujio Matsuda, president, University of Hawaii;

Hideki Nakamura, attorney-at-law;

The Honorable Dennis E. W. O'Connor, senator, Eleventh Legislature, State of Hawaii;

Thurston Twigg-Smith, president and publisher, *The Honolulu Advertiser*;

Henry A. Walker, Jr., chairman of the board, Amfac, Inc.;

The Honorable Dennis R. Yamada, representative, Eleventh Legislature, State of Hawaii.

## Judicial Selection Commission

The Judicial Selection Commission was created in 1978 by constitutional convention amendment to the Hawaii State Constitution. The Commission reviews all applications to the bench and submits a list of candidates to the proper appointing authority whenever a vacancy exists.

The Governor, with consent of the Senate, appoints Supreme Court justices, Intermediate Court

judges and Circuit Court judges. The Chief Justice appoints District Court judges. The Selection Commission is the reappointing authority for judges.

The composition of the committee is determined in the following manner: two members are elected by the Hawaii State Bar Association; three are appointed by the Governor; two by the Chief Justice; and one each by the Senate President and the Speaker of the House.

Commission members include:

Chairman Claudio B. Suyat, Deputy District Superintendent, Windward Oahu District, Department of Education;\*

Vice-chairman Lawrence S. Okinaga, attorney-at-law;

Secretary Joan Schaefer Brown, housewife;

Herbert C. Cornuelle, chief executive officer, Dillingham Corporation;

Thomas T. Enomoto, president, Ind-Comm Properties, Inc.;

William L. Fleming, attorney-at-law;

James E. T. Koshiba, attorney-at-law;

Henry T. Miyamoto, retired planner, Hawaiian Telephone Company;

Alfred M. K. Wong, attorney-at-law.

\*The Commission's chairman until April, 1981, was James E. T. Koshiba.





## Commission on Judicial Discipline

The Commission on Judicial Discipline, created by 1978 constitutional convention amendment to the State Constitution, investigates complaints of judicial misconduct and physical or mental disability; it also recommends appropriate disciplinary action to be taken by the Supreme Court.

During fiscal year 1980-81, the Commission received eight complaints. Together with two cases carried over from the previous fiscal year, the Commission completed evaluations of nine complaints. One complaint was still under investigation as of June 30, 1981. Of the nine complaints evaluated, seven were dismissed because the Commission decided either that the judicial actions in question did not constitute misconduct, fell outside the Commission's jurisdiction, or were unfounded. In the two remaining cases, the Commission decided disciplinary actions were not warranted; however, it expressed concern regarding a judge's courtroom demeanor and a judge's public comments on a matter relating to a defendant's guilt or innocence.

The Commission on Judicial Discipline investigates complaints of judicial misconduct and recommends appropriate disciplinary action to the Supreme Court. Commission members include, l. to r., Vice-chairman Robert L. Stevenson, Jackie Mahi Erickson, Chairman Kazuhisa Abe, J.W.A. Buyers, and Rev. Charles T. Crane.



The seven members of the Commission are appointed by the Supreme Court to staggered three-year terms. Supreme Court rule specifies that three Commission members are lawyers and that four are non-lawyer citizens. Members include:

Chairman Kazuhisa Abe, former associate justice of the Hawaii Supreme Court and practicing attorney-at-law;

Vice-chairman Robert L. Stevenson, retired president, First Insurance Company of Hawaii;

Man Kwong Au, businessman;

J. W. A. Buyers, president and chief executive officer, C. Brewer & Co., Ltd.;

Reverend Charles T. Crane, pastor, Church of the Holy Nativity;

Jackie Mahi Erickson, corporate counsel, Hawaiian Electric Co., Inc.;

Yoshiaki Nakamoto, Deputy Corporation Counsel, City and County of Honolulu.

## Disciplinary Board of the Hawaii Supreme Court

The Disciplinary Board, created by the Supreme Court in 1974, investigates complaints and, as necessary, takes disciplinary action against Hawaii's attorneys.

The Board's operations are subsidized by license fees collected annually from lawyers practicing in the State of Hawaii; at the end of fiscal year 1980-81, there were 2,406 such attorneys.

The Board consists of fourteen lawyers and four non-lawyers appointed by the Supreme Court. One of the first state Disciplinary Boards with non-lawyer members, Hawaii's Board ensures public participation in its disciplinary system through presence of these members.

Non-lawyer members of the Board are Shigeo Iwamoto; Quintin L. Uy, M.D.; Allen C. Wilcox, Jr.; and Stanley F. H. Wong, D.D.S. Attorney Board members include: C. Frederick Schutte, chairman; James H. Kamo, vice-chairman; C. Jepson Garland, secretary; Edward Y. C. Chun; Helen Gillmor; John Jubinsky; Ivan M. Lui-Dwan; Linda K. C. Luke; B. Martin Luna; Marjorie Higa Manuia; Noboru Nakagawa; Clifford L. Nakea; Dwight M. Rush and James F. Ventura.

The Office of Disciplinary Counsel, the operational arm of the Disciplinary Board, is headed by Daniel G. Heely, chief disciplinary counsel, and Gerald H. Kibe, assistant disciplinary counsel.

During fiscal year 1980-81, 143 complaints were lodged against attorneys. Board investigations led to the following actions during the fiscal year: three attorneys were disbarred; three were suspended for disciplinary reasons; one was suspended for mental or physical infirmity or illness; three were privately reprimanded by the Supreme Court or by the Disciplinary Board; and four were informally admonished by the Office of Disciplinary Counsel.

In addition to its disciplinary duties, the Office of Disciplinary Counsel issues written and oral ethics opinions to Hawaii's attorneys, writes a monthly article for the "Hawaii Bar News," and provides speakers for the University of Hawaii Law School, for Continuing Legal Education seminars, and for other interested groups.

## Board of Examiners

The Board of Examiners is responsible for testing and certifying all applicants for the Hawaii Bar. Members include: James E. T. Koshiba, chairman; Daral G. Conklin, vice-chairman; Simeon R. Acoba, Jr.; Catherine O. Y. Chang; Annette Y. W. Chock; Robert A. Chong; Darryl Y. C. Choy; David L. Fairbanks; Wallace S. Fujiyama; Helen W. Gillmor; Gary T. Hayashi; Daniel G. Heely; Isao Ito; Robert G. Klein; Carol M. Lee; Linda K. C. Luke; Cora K. Lum; Roy M. Miyamoto; John P. Moon; Michael J. Moroney; James K. Oshiro; Yoshio Shigezawa; Ted. T. Tsukiyama; Curtis K. Uno; and William W. L. Yuen.



The Board of Examiners recommends the granting of licenses to those who meet bar admission requirements in Hawaii. Joe E. Covington, I., law professor and testing director of the National Conference of Bar Examiners, talks with Chief Justice Richardson, Board Chairman James E. T. Koshiba, and (with back

to camera) Supreme Court attorney Matthew Goodbody.

### Jury Commissions

A five-member Jury Commission serves each Judicial Circuit. Chaired by the Chief Clerk of the Circuit Court, each Commission prepares a master list of names from which prospective jurors are selected at random; reviews juror qualification forms returned by persons on the list; and prepares a certified list of persons subject to jury service within the calendar year.

Commissioners of the First Circuit Court include Gunji Izumoto, chairman; Hilda C. Bond; Manuel L. Gomes; Momi Minn Lee; and Lilyan C. Tom.

Commissioners of the Second Circuit Court include Robert M. Monden, chairman; Saranne C. Cooke; Cynthia Lee McLean; Okuni Tanner; and Marion U. Watanabe.

Commissioners of the Third Circuit Court include Lester D. Oshiro, chairman; Ivanson Aribal; Librada Luis; Elizabeth Anne Stone; and E. June Willis.

Commissioners of the Fifth Circuit Court include Yasuo Nakamatsu, chairman; Alberto Castro; George B. Fernandes; Sadao Inazu; and Wallace Tasaka.

### Other Important Committees

**Ali'iolani Hale Restoration Committee.** An advisory committee guides restoration of Ali'iolani Hale, the first major governmental building constructed by the Hawaiian monarchy and the continuous home of the Supreme Court for over a hundred years. The committee, appointed in 1975 by the Chief Justice, includes: Evanita Midkiff, chairman; Clinton R. Ashford; Gladys A. Brandt; Kenneth F. Brown; Carol S. Dodd; Charles Heen; Robert Klein; Eileen K. Lota; James Morgan, Jr.; Laurel Kamaile Shultz; Elaine Takenaka; David K. Trask, Jr.; Thurston Twigg-Smith; Janet Wimberly; and John C. Wright.

**Judiciary Arts Committee.** A Judiciary Arts Committee advises in the selection of art for the new District Court and Circuit Court Buildings. The Committee has selected sculpture for the District Court Building; at the Committee's recommendation, the State Foundation on Culture and the Arts has commissioned a mural for the District Court Building and a stained glass ceiling for the Circuit Court Building. Committee members include: Alfred Preis; Lester E. Cingcade; Helen W. Gillmor; Florence Kono; Marjorie H. Manuia; Laurel Kamaile Shultz; Harriet Schimmelfennig; Janet Wimberly; and Ron Yamakawa.



# Table 1

COURTS OF APPEAL CASELOAD ACTIVITY FY 1980-81

	CASELOAD ACTIVITY					TYPE OF TERMINATION			
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Opinion Filed	Motion to Dismiss Granted	Withdrawals and Discontinued	Other
<b>TOTAL CASES</b>	<b>950</b>	<b>1,383</b>	<b>2,333</b>	<b>1,508</b>	<b>825</b>	<b>339</b>	<b>4</b>	<b>117</b>	<b>1,048</b>
<b>PRIMARY CASES</b>	<b>835</b>	<b>355</b>	<b>1,190</b>	<b>485</b>	<b>705</b>	<b>328</b>	<b>4</b>	<b>117</b>	<b>36</b>
<b>Appeals</b>	<b>828</b>	<b>331</b>	<b>1,159</b>	<b>461</b>	<b>698</b>	<b>323</b>	<b>4</b>	<b>115</b>	<b>19</b>
Civil	568	161	729	273	456	189	4	69	11
Criminal	221	160	381	181	200	130		43	8
Other Appeals	39	10	49	7	42	4		3	
Original Proceedings	7	24	31	24	7	5		2	17
<b>SUPPLEMENTAL PROCEEDINGS</b>	<b>115</b>	<b>1,028</b>	<b>1,143</b>	<b>1,023</b>	<b>120</b>	<b>11</b>			<b>1,012</b>
Motions	113	979	1,092	975	117	2			973
Petitions for Rehearing	2	49	51	48	3	9			39

The Supreme Court and the Intermediate Court of Appeals comprise the Courts of Appeal. The caseload activity reflects the combined workload of the two courts, and excludes cases transferred between them.  
 Primary Cases are original cases filed in the Office of the Chief Clerk of the Supreme Court. In addition to appeals cases, original proceedings are classified as primary cases.  
 Supplemental Proceedings arise out of primary proceedings. During the fiscal year, of the 1,028 supplemental proceedings filed, 895 were filed in the Supreme Court and 133 were filed in the Intermediate Court of Appeals.

# Table 1A

SUPREME COURT CASELOAD ACTIVITY FY 1980-81

	CASELOAD ACTIVITY					TYPE OF TERMINATION				
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Opinion Filed	Motion to Dismiss Granted	Withdrawals and Discontinued	Transferred	Other
<b>TOTAL CASES</b>	<b>709</b>	<b>1,251</b>	<b>1,960</b>	<b>1,279</b>	<b>681</b>	<b>146</b>	<b>4</b>	<b>101</b>	<b>121</b>	<b>907</b>
<b>PRIMARY CASES</b>	<b>608</b>	<b>356</b>	<b>964</b>	<b>397</b>	<b>567</b>	<b>145</b>	<b>4</b>	<b>101</b>	<b>117</b>	<b>30</b>
<b>Appeals</b>	<b>601</b>	<b>332</b>	<b>933</b>	<b>373</b>	<b>560</b>	<b>140</b>	<b>4</b>	<b>99</b>	<b>117</b>	<b>13</b>
Civil	360	162	522	192	330	53	4	54	76	5
Criminal	204	160	364	168	196	85		43	32	8
Other Appeals	37	10	47	13	34	2		2	9	
Original Proceedings	7	24	31	24	7	5		2		17
<b>SUPPLEMENTAL PROCEEDINGS</b>	<b>101</b>	<b>895</b>	<b>996</b>	<b>882</b>	<b>114</b>	<b>1</b>			<b>4</b>	<b>877</b>
Motions	99	879	978	866	112				4	862
Petitions for Rehearing	2	16	18	16	2	1				15

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**Table 1B**

INTERMEDIATE COURT OF APPEALS CASELOAD ACTIVITY FY 1980-81

	CASELOAD ACTIVITY					TYPE OF TERMINATION				
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Opinion Filed	Motion to Dismiss Granted	Withdrawals and Discontinued	Transferred	Other
<b>TOTAL CASES</b>	<b>241</b>	<b>254</b>	<b>495</b>	<b>351</b>	<b>144</b>	<b>193</b>	<b>0</b>	<b>16</b>	<b>1</b>	<b>141</b>
<b>PRIMARY CASES</b>	<b>227</b>	<b>117</b>	<b>344</b>	<b>206</b>	<b>138</b>	<b>183</b>		<b>16</b>	<b>1</b>	<b>6</b>
Appeals	227	117	344	206	138	183		16	1	6
Civil	208	76	284	158	126	136		15	1	6
Criminal	17	32	49	45	4	45				
Other Appeals	2	9	11	3	8	2		1		
Original Proceedings										
<b>SUPPLEMENTAL PROCEEDINGS</b>	<b>14</b>	<b>137</b>	<b>151</b>	<b>145</b>	<b>6</b>	<b>10</b>				<b>135</b>
Motions	14	104	118	113	5	2				111
Petitions for Rehearing	0	33	33	32	1	8				24

**Table 2**

SUPREME COURT CHANGES FY 1979-80 TO 1980-81 A COMPARATIVE SUMMARY OF PRIMARY AND SUPPLEMENTAL PROCEEDINGS

	FISCAL 1979-80		FISCAL 1980-81		CHANGE IN 1980-81		CHANGE FROM 75-76	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
<b>TOTAL FILINGS</b>	<b>1,213</b>	<b>100.0</b>	<b>1,251</b>	<b>100.0</b>	<b>+ 38</b>	<b>+ 3.1</b>	<b>+ 611</b>	<b>+ 95.5</b>
Primary	416	34.3	356	28.5	- 60	- 14.4	+ 91	+ 34.3
Appeals	387	31.9	332	26.5	- 55	- 14.2	+ 79	+ 31.2
Original Proceedings	29	2.4	24	2.0	- 5	- 17.2	+ 12	+ 100.0
Supplemental	797	65.7	895	71.5	+ 98	+ 12.3	+ 520	+ 138.7
Motions	780	64.3	879	70.3	+ 99	+ 12.7	+ 519	+ 144.2
Petitions for Rehearing	17	1.4	16	1.2	- 1	- 5.9	+ 1	+ 6.7
<b>TOTAL BACKLOGS</b>	<b>709</b>	<b>100.0</b>	<b>681</b>	<b>100.0</b>	<b>- 28</b>	<b>- 3.9</b>	<b>+ 333</b>	<b>+ 95.7</b>
Primary	608	85.8	567	83.3	- 41	- 6.7	+ 247	+ 77.2
Appeals	601	84.8	560	82.3	- 41	- 6.8	+ 244	+ 77.2
Original Proceedings	7	1.0	7	1.0	0	0.0	+ 3	+ 75.0
Supplemental	101	14.2	114	16.7	+ 13	+ 12.9	+ 86	+ 307.1
Motions	99	13.9	112	16.4	+ 13	+ 13.1	+ 86	+ 330.8
Petitions for Rehearing	2	0.3	2	0.3	0	0.0	0	0.0
<b>TOTAL OPINIONS WRITTEN</b>	<b>142</b>		<b>149</b>		<b>+ 7</b>	<b>+ 4.9</b>	<b>+ 45</b>	<b>+ 43.3</b>
Deciding Cases	141		146		+ 5	+ 3.5	+ 51	+ 53.7
<b>APPEALS</b>	<b>135</b>	<b>100.0</b>	<b>140</b>	<b>100.0</b>	<b>+ 5</b>	<b>+ 3.7</b>		
Reversals (including remands)	29	21.5	39	27.9	+ 10	+ 34.5		
Affirmances (including reversed in part & modified & affirmed)	103	76.3	98	70.0	- 5	- 4.9		
Other Dispositions	3	2.2	3	2.1	0	0.0		
Additional	1		3		+ 2	+ 200.0	- 6	- 66.7

Primary Proceedings are original cases filed with the Supreme Court. The majority of primary proceedings are appeals from the decisions of the trial courts. In addition, decisions of administrative boards and commissions may be appealed. Supplemental Proceedings arise out of primary proceedings, and consist of Motions and Petitions for Rehearing. Backlogs represent the number of cases pending at the end of a statistical period which must be carried over to become part of the caseload activity of the succeeding period.

**Table 3**

CIRCUIT COURT CHANGES FY 1979-80 TO FY 1980-81 A COMPARATIVE SUMMARY OF PRIMARY AND SUPPLEMENTAL PROCEEDINGS

	FISCAL 1979-80		FISCAL 1980-81		CHANGE IN 1980-81		CHANGE FROM 1975-76	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
<b>STATE FILINGS</b>								
Both Courts	35,715	100.0	36,451	100.0	+ 736	+ 2.1	+ 8,353	+ 29.7
Primary	30,672	85.9	31,503	86.4	+ 831	+ 2.7	+ 6,651	+ 26.9
Supplemental	5,043	14.1	4,948	13.6	- 95	- 1.9	+ 1,672	+ 51.0
Circuit Court Proper	11,997	100.0	12,591	100.0	+ 594	+ 5.0	+ 2,822	+ 28.9
Primary	10,736	89.5	11,272	89.5	+ 536	+ 5.0	+ 2,221	+ 24.5
Supplemental	1,261	10.5	1,319	10.5	+ 58	+ 4.6	+ 601	+ 83.7
Family Court	23,718	100.0	23,860	100.0	+ 142	+ 0.6	+ 5,531	+ 30.2
Primary	19,936	84.1	20,231	84.8	+ 295	+ 1.5	+ 4,460	+ 28.3
Supplemental	3,782	15.9	3,629	15.2	- 153	- 4.0	+ 1,071	+ 41.9
<b>STATE BACKLOGS</b>								
Both Courts	41,494	100.0	48,725	100.0	+ 7,231	+ 17.4	+ 21,893	+ 81.6
Primary	35,766	86.2	41,861	85.9	+ 6,095	+ 17.0	+ 18,064	+ 75.9
Supplemental	5,728	13.8	6,864	14.1	+ 1,136	+ 19.8	+ 3,829	+ 126.2
Circuit Court Proper	23,544	100.0	27,357	100.0	+ 3,813	+ 16.2	+ 10,261	+ 60.0
Primary	21,849	92.8	25,286	92.4	+ 3,437	+ 15.7	+ 9,015	+ 55.4
Supplemental	1,695	7.2	2,071	7.6	+ 376	+ 22.2	+ 1,246	+ 151.0
Family Court	17,950	100.0	21,368	100.0	+ 3,418	+ 19.0	+ 11,632	+ 119.5
Primary	13,917	77.5	16,575	77.6	+ 2,658	+ 19.1	+ 9,049	+ 120.2
Supplemental	4,033	22.5	4,793	22.4	+ 760	+ 18.8	+ 2,583	+ 116.9
<b>FIRST CIRCUIT: FILINGS</b>								
Both Courts	25,399	100.0	25,230	100.0	- 169	- 0.7	+ 3,842	+ 18.0
Primary	21,502	84.7	21,579	85.5	+ 77	+ 0.4	+ 2,952	+ 15.8
Supplemental	3,897	15.3	3,651	14.5	- 246	- 6.3	+ 890	+ 32.2
Circuit Court Proper	8,010	100.0	8,413	100.0	+ 403	+ 5.0	+ 1,223	+ 17.0
Primary	7,034	87.8	7,447	88.5	+ 413	+ 5.9	+ 794	+ 11.9
Supplemental	976	12.2	966	11.5	- 10	- 1.0	+ 429	+ 79.9
Family Court	17,389	100.0	16,817	100.0	- 572	- 3.3	+ 2,819	+ 18.4
Primary	14,468	83.2	14,132	84.0	- 336	- 2.3	+ 2,158	+ 18.0
Supplemental	2,921	16.8	2,685	16.0	- 236	- 8.1	+ 461	+ 20.7
<b>FIRST CIRCUIT: BACKLOGS</b>								
Both Courts	31,002	100.0	36,343	100.0	+ 5,341	+ 17.2	+ 14,992	+ 70.2
Primary	26,201	84.5	30,635	84.3	+ 4,434	+ 16.9	+ 11,824	+ 62.9
Supplemental	4,801	15.5	5,708	15.7	+ 907	+ 18.9	+ 3,168	+ 124.7
Circuit Court Proper	17,700	100.0	20,466	100.0	+ 2,766	+ 15.6	+ 7,209	+ 54.4
Primary	16,325	92.2	18,780	91.8	+ 2,455	+ 15.0	+ 6,111	+ 48.2
Supplemental	1,375	7.8	1,686	8.2	+ 311	+ 22.6	+ 1,098	+ 186.7
Family Court	13,302	100.0	15,877	100.0	+ 2,575	+ 19.4	+ 7,783	+ 96.2
Primary	9,876	74.2	11,855	74.7	+ 1,979	+ 20.0	+ 5,713	+ 93.0
Supplemental	3,426	25.8	4,022	25.3	+ 596	+ 17.4	+ 2,070	+ 106.0
<b>SECOND CIRCUIT: FILINGS</b>								
Both Courts	3,251	100.0	3,696	100.0	+ 445	+ 13.7	+ 1,545	+ 71.8
Primary	3,029	93.2	3,490	94.4	+ 461	+ 15.2	+ 1,461	+ 72.0
Supplemental	222	6.8	206	5.6	- 16	- 7.2	+ 84	+ 68.9
Circuit Court Proper	1,606	100.0	1,641	100.0	+ 35	+ 2.2	+ 809	+ 97.2
Primary	1,568	97.6	1,620	98.7	+ 52	+ 3.3	+ 816	+ 101.5
Supplemental	38	2.4	21	1.3	- 17	- 44.7	- 7	- 25.0
Family Court	1,645	100.0	2,055	100.0	+ 410	+ 24.9	+ 736	+ 55.8
Primary	1,461	88.8	1,870	91.0	+ 409	+ 28.0	+ 645	+ 52.7
Supplemental	184	11.2	185	9.0	+ 1	+ 0.5	+ 91	+ 96.8
<b>SECOND CIRCUIT: BACKLOGS</b>								
Both Courts	4,012	100.0	4,920	100.0	+ 908	+ 22.6	+ 2,909	+ 144.7
Primary	3,916	97.6	4,807	97.7	+ 891	+ 22.8	+ 2,937	+ 157.1
Supplemental	96	2.4	113	2.3	+ 17	+ 17.7	- 28	- 19.9
Circuit Court Proper	2,384	100.0	2,959	100.0	+ 575	+ 24.1	+ 1,544	+ 109.1
Primary	2,367	99.3	2,943	99.5	+ 576	+ 24.3	+ 1,551	+ 111.4
Supplemental	17	0.7	16	0.5	- 1	- 5.9	- 7	- 30.4
Family Court	1,628	100.0	1,961	100.0	+ 333	+ 20.5	+ 1,365	+ 229.0
Primary	1,549	95.1	1,864	95.1	+ 315	+ 20.3	+ 1,386	+ 290.0
Supplemental	79	4.9	97	4.9	+ 18	+ 22.8	- 21	- 17.8



**Table 3** (Continued)

CIRCUIT COURT CHANGES FY 1979-80 TO FY 1980-81 A COMPARATIVE SUMMARY OF PRIMARY AND SUPPLEMENTAL PROCEEDINGS

	FISCAL 1979-80		FISCAL 1980-81		CHANGE IN 1980-81		CHANGE FROM 1975-76	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
<b>THIRD CIRCUIT: FILINGS</b>								
Both Courts	5,464	100.0	5,883	100.0	+ 419	+ 7.7	+ 2,312	+ 64.7
Primary	4,688	85.8	4,957	84.3	+ 269	+ 5.7	+ 1,693	+ 51.9
Supplemental	776	14.2	926	15.7	+ 150	+ 19.3	+ 619	+ 201.6
Circuit Court Proper	1,799	100.0	1,787	100.0	- 12	- 0.7	+ 425	+ 31.2
Primary	1,594	88.6	1,512	84.6	- 82	- 5.1	+ 279	+ 22.6
Supplemental	205	11.4	275	15.4	+ 70	+ 34.1	+ 146	+ 113.2
Family Court	3,665	100.0	4,096	100.0	+ 431	+ 11.8	+ 1,887	+ 85.4
Primary	3,094	84.4	3,445	84.1	+ 351	+ 11.3	+ 1,414	+ 69.6
Supplemental	571	15.6	651	15.9	+ 80	+ 14.0	+ 473	+ 265.7
<b>THIRD CIRCUIT: BACKLOGS</b>								
Both Courts	4,999	100.0	5,699	100.0	+ 700	+ 14.0	+ 3,221	+ 130.0
Primary	4,342	86.9	4,802	84.3	+ 460	+ 10.6	+ 2,563	+ 114.5
Supplemental	657	13.1	897	15.7	+ 240	+ 36.5	+ 658	+ 275.3
Circuit Court Proper	2,694	100.0	2,978	100.0	+ 284	+ 10.5	+ 1,182	+ 65.8
Primary	2,463	91.4	2,683	90.1	+ 220	+ 8.9	+ 1,055	+ 64.8
Supplemental	231	8.6	295	9.9	+ 64	+ 27.7	+ 127	+ 75.6
Family Court	2,305	100.0	2,721	100.0	+ 416	+ 18.0	+ 2,039	+ 299.0
Primary	1,879	81.5	2,119	77.9	+ 240	+ 12.8	+ 1,508	+ 246.8
Supplemental	426	18.5	602	22.1	+ 176	+ 41.3	+ 531	+ 747.9
<b>FIFTH CIRCUIT: FILINGS</b>								
Both Courts	1,601	100.0	1,642	100.0	+ 41	+ 2.6	+ 654	+ 66.2
Primary	1,453	90.8	1,477	90.0	+ 24	+ 1.7	+ 575	+ 63.7
Supplemental	148	9.2	165	10.0	+ 17	+ 11.5	+ 79	+ 91.9
Circuit Court Proper	582	100.0	750	100.0	+ 168	+ 28.9	+ 365	+ 94.8
Primary	540	92.8	693	92.4	+ 153	+ 28.3	+ 332	+ 92.0
Supplemental	42	7.2	57	7.6	+ 15	+ 35.7	+ 33	+ 137.5
Family Court	1,019	100.0	892	100.0	- 127	- 12.5	+ 289	+ 47.9
Primary	913	89.6	784	87.9	- 129	- 14.1	+ 243	+ 44.9
Supplemental	106	10.4	108	12.1	+ 2	+ 1.9	+ 46	+ 74.2
<b>FIFTH CIRCUIT: BACKLOGS</b>								
Both Courts	1,481	100.0	1,763	100.0	+ 282	+ 19.0	+ 771	+ 77.7
Primary	1,307	88.3	1,617	91.7	+ 310	+ 23.7	+ 740	+ 84.4
Supplemental	174	11.7	146	8.3	- 28	- 16.1	+ 31	+ 27.0
Circuit Court Proper	766	100.0	954	100.0	+ 188	+ 24.5	+ 326	+ 51.9
Primary	694	90.6	880	92.2	+ 186	+ 26.8	+ 298	+ 51.2
Supplemental	72	9.4	74	7.8	+ 2	+ 2.8	+ 28	+ 60.9
Family Court	715	100.0	809	100.0	+ 94	+ 13.1	+ 445	+ 122.3
Primary	613	85.7	737	91.1	+ 124	+ 20.2	+ 442	+ 149.8
Supplemental	102	14.3	72	8.9	- 30	- 29.4	+ 3	+ 4.3

Primary Proceedings are original cases filed, representing direct contact with the public, so their numbers may fluctuate according to variations in population. Supplemental Proceedings arise out of primary proceedings (such as Order to Show Cause for support in matrimonial and parental cases; proceedings in aid of judgment in civil cases, etc.). They consume a large part of the Courts' caseload activity time, but their numbers do not vary in direct relation to changes in population. Backlogs represent the number of cases pending at the end of a statistical period that must be carried over to become part of the caseload of the succeeding statistical period. Circuit Courts Proper have jurisdiction over adversary cases (such as civil contract and negligence cases and criminal cases) and non-adversary proceedings (such as probate and guardianship, plus naturalization proceedings in all except the First Circuit). Family Courts in each circuit have jurisdiction in all matrimonial actions, adoptions, juvenile matters, as well as matters involving incapacitated persons.

**Table 4**

SUPERVISION ACTIVITY FY 1980-81, ADULT PROBATION ALL CIRCUITS

	Pending at Start	New Placements	Total Caseload	Terminated	Pending at End	PROBATION EXPIRED	PROBATION REVOKED	DIS-CHARGE	OTHER TERMINATIONS			
						Probation Expired	New Conviction	Technical Violation	Discharge	Good Adjustment	Dismissed Proceeding	Other
<b>ALL CIRCUITS</b>	5,185	1,480	6,665	896	5,769	404	13	27	38	110	138	166
First Circuit	3,443	1,047	4,490	591	3,899	218	11	27	24	89	89	133
Second Circuit	841	95	936	76	860	70				2	2	2
Third Circuit	771	256	1,027	229	798	116	2		14	19	47	31
Fifth Circuit	130	82	212	0	212							

**Table 5**

INVESTIGATION ACTIVITY FY 1980-81, ADULT PROBATION ALL CIRCUITS

	Deferred Acceptance of Guilty Plea	Pre Sentence	Post Sentence	Out-of-Town Inquiry	Courtesy Supervision	Other	Total
<b>ALL CIRCUITS</b>	538	1,175	55	42	142	6	1,958
First Circuit	453	851	6	41	94	3	1,448
Second Circuit		87	16				103
Third Circuit	7	223	33	1	48	3	315
Fifth Circuit	78	14					92

### Table 6

CIRCUIT COURT CHANGE FY 1979-80 TO FY 1980-81 A COMPARATIVE SUMMARY OF STATUS DISPOSITIONS

	FISCAL 1979-80		FISCAL 1980-81		CHANGE IN 1980-81		CHANGE FROM 1979-80	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
<b>STATE PLACEMENTS</b>								
Both Courts	2,518	100.0	2,314	100.0	- 204	- 8.1	+ 544	+ 30.7
CCP (Adult Probation)	1,570	62.4	1,480	64.0	- 90	- 5.7	+ 592	+ 66.7
FC (Juvenile)	948	37.6	834	36.0	- 114	- 12.0	- 48	- 5.4
<b>STATE PENDING</b>								
Both Courts	7,167	100.0	7,706	100.0	+ 549	+ 7.7	+ 4,105	+ 114.0
CCP (Adult Probation)	5,185	72.4	5,789	74.9	+ 584	+ 11.3	+ 3,831	+ 197.7
FC (Juvenile)	1,972	27.6	1,937	25.1	- 35	- 1.8	+ 274	+ 16.5
<b>FIRST CIRCUIT: PLACEMENTS</b>								
Both Courts	1,801	100.0	1,642	100.0	- 159	- 8.8	+ 582	+ 54.9
CCP (Adult Probation)	1,107	61.5	1,047	63.8	- 60	- 5.4	+ 469	+ 81.1
FC (Juvenile)	694	38.5	595	36.2	- 99	- 14.3	+ 113	+ 23.4
<b>FIRST CIRCUIT: PENDING</b>								
Both Courts	4,876	100.0	5,284	100.0	+ 408	+ 8.4	+ 2,902	+ 121.8
CCP (Adult Probation)	3,443	70.6	3,899	73.8	+ 456	+ 13.2	+ 2,640	+ 209.7
FC (Juvenile)	1,433	29.4	1,385	26.2	- 48	- 3.3	+ 262	+ 23.3
<b>SECOND CIRCUIT: PLACEMENTS</b>								
Both Courts	298	100.0	157	100.0	- 141	- 47.3	- 104	- 39.8
CCP (Adult Probation)	232	77.9	95	60.5	- 137	- 59.1	- 100	- 51.3
FC (Juvenile)	66	22.1	62	39.5	- 4	- 6.1	- 4	- 6.1
<b>SECOND CIRCUIT: PENDING</b>								
Both Courts	1,030	100.0	1,057	100.0	+ 27	+ 2.6	+ 517	+ 95.7
CCP (Adult Probation)	841	81.7	860	81.4	+ 19	+ 2.3	+ 467	+ 118.8
FC (Juvenile)	189	18.3	197	18.6	+ 8	+ 4.2	+ 50	+ 34.0
<b>THIRD CIRCUIT: PLACEMENTS</b>								
Both Courts	341	100.0	394	100.0	+ 53	+ 15.5	- 16	- 3.9
CCP (Adult Probation)	200	58.7	256	65.0	+ 56	+ 28.0	+ 158	+ 161.2
FC (Juvenile)	141	41.3	138	35.0	- 3	- 2.1	- 174	- 55.8
<b>THIRD CIRCUIT: PENDING</b>								
Both Courts	1,001	100.0	1,034	100.0	+ 33	+ 3.3	+ 460	+ 80.1
CCP (Adult Probation)	771	77.0	798	77.2	+ 27	+ 3.5	+ 551	+ 223.1
FC (Juvenile)	230	23.0	236	22.8	+ 6	+ 2.6	- 91	- 27.8
<b>FIFTH CIRCUIT: PLACEMENTS</b>								
Both Courts	78	100.0	121	100.0	+ 43	+ 55.1	+ 82	+ 210.3
CCP (Adult Probation)	31	39.7	82	67.8	+ 51	+164.5	+ 65	+ 382.4
FC (Juvenile)	47	60.3	39	32.2	- 8	- 17.0	+ 17	+ 77.3
<b>FIFTH CIRCUIT: PENDING</b>								
Both Courts	250	100.0	331	100.0	+ 81	+ 32.4	+ 226	+ 215.2
CCP (Adult Probation)	130	52.0	212	64.0	+ 82	+ 63.1	+ 173	+ 443.6
FC (Juvenile)	120	48.0	119	36.0	- 1	- 0.8	+ 53	+ 80.3

Status Dispositions represent persons placed on status orders, primarily adult and juvenile probation. Also included are juveniles placed under protective supervision and legal custody. CCP means Circuit Court Proper. FC means Family Court. Pending used in this table indicate persons remaining on status orders at the end of the fiscal year.

### Table 7

CASELOAD ACTIVITY FY 1980-81, CIRCUIT COURTS PROPER ALL CIRCUITS

TYPE OF ACTION	CASELOAD ACTIVITY					TYPE OF TERMINATION														
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	No Service	No Answer	No Stmt. Readiness	DISMISSAL			NON-JURY		JURY		HEARINGS			Others	
									Notice of	Stip. for	By Judge	Trial	Trial Not Completed	Verdict	Trial Not Completed	No Trial Held	Contested	Uncontested		
<b>TOTAL CASES</b>	23,544	12,591	36,135	8,778	27,357	488	587	90	568	1,274	659	107	6	214	25	808	382	1,370	2,200	
<b>Primary Proceedings</b>	21,849	11,272	33,121	7,835	25,286	488	587	90	568	1,274	630	106	6	212	25	808	57	1,321	1,663	
<b>Civil Actions</b>	8,881	5,421	14,302	3,627	10,675	75	587	90	568	1,254	339	75	5	57	7	42		57	471	
Contract	2,648	2,047	4,695	1,424	3,271	30	477	34	232	334	58	29	3	8	1	20		26	172	
Personal Injury or Property Damage or Both, Motor Vehicle	1,457	747	2,204	574	1,630	12	14	7	52	285	134	5		17	2	2		4	40	
Personal Injury or Property Damage or Both, Non-Motor Vehicle	1,299	721	2,020	457	1,563	7	22	18	35	210	81	10	1	24	2	1		5	41	
Condemnation	192	40	232	45	187				5	6						3			29	
Other Civil Action	3,104	1,767	4,871	1,072	3,799	26	71	31	241	381	63	28	1	7	2	16		22	183	
District Court Transfers	-181	99	280	55	225				3	38	3	3		1					6	
<b>Probate Proceedings</b>	3,604	1,586	5,190	1,168	4,022				9								5	710	444	
Regular Probate	2,825	973	3,798	629	3,169				6								5	554	64	
Small Estate Over \$10,000	74	76	150	56	94													22	34	
Small Estate Over \$2,000	502	378	880	325	555				3									87	235	
Small Estate Under \$2,000	203	159	362	158	204													47	111	
<b>Guardianship Proceedings</b>	4,089	378	4,467	236	4,231					11							3	49	173	
Regular Guardianship	3,453	336	3,789	165	3,624					11							3	26	125	
Small Guardianship	636	42	678	71	607													23	48	
<b>Miscellaneous Proceedings</b>	1,349	1,220	2,569	951	1,618					92	3						49	505	302	
Land Court	84	39	123	42	81												27	15		
Naturalization	55	513	568	475	93				2								1	465	7	
Mechanics and Materialman's Lien	139	236	375	175	200				50	1							18	12	94	
Other Special Proceeding	1,071	432	1,503	259	1,244				40	2							3	13	201	
<b>Criminal Actions</b>	3,926	2,667	6,593	1,853	4,740	413				199	28	1	155	18	766				273	
<b>Part I</b>	1,630	1,136	2,766	788	1,978	133				50	14	1	112	11	398				69	
<b>Murder and Non-Negligent Manslaughter</b>	75	62	137	47	90	3				3	2		20	2	15				2	
Negligent Homicide	27	17	44	16	28	2				1			1		9				3	
Forcible Rape	43	34	77	21	56	3				1			7	2	8				6	
Robbery	249	202	451	152	299	19				8	1		30	2	86				4	
Aggravated Assault	96	104	200	71	129	16				6	1		12	2	30				6	
Burglary	625	350	975	251	724	53				16	4		26	2	130				19	
Larceny Over \$50	319	248	567	138	429	22				9	1		10	1	72				23	
Larceny Under \$50	1	2	3	0	2														1	
Auto Theft	195	117	312	89	223	13				7	4	1	6		48				11	
<b>Part II</b>	2,296	1,531	3,827	1,065	2,762	280				149	14		43	7	368				204	
Other Assaults	81	60	141	60	81	18					1		4	2	5				30	
Arson	5	10	15	3	12	1									1				1	
Forgery and Counterfeiting	159	46	205	40	165	11				2			3		22				2	
Fraud	209	126	335	72	263	16				4	1		2		44				5	
Embezzlement	10	11	21	2	19										2					
Stolen Property	282	111	393	129	264	25				6	3		3		86				6	
Vandalism	31	22	53	13	40	4				1			1		4				3	
Weapons	161	82	243	52	191	17				4			2	1	19				9	
Prostitution	13	2	15	2	13								1		1				1	
Sex Offense	46	28	74	18	56	3				4			4		7				3	
Narcotic Drug Laws	694	550	1,244	275	969	89				37	5		7	1	100				36	
Gambling	120	18	138	38	100	21				7									2	
Offenses Against Family and Children	1	0	1	0	1															
Driving Under the Influence	21	28	49	30	19	2								1					27	
Liquor Laws																				
Disorderly Conduct	29	4	33	23	10	1													22	
Vagrancy	1	0	1	0	1															
All Other Offenses (Except Traffic)	391	396	787	282	505	67				83	3		14	3	64				48	
Traffic Offenses	42	37	79	26	53	5				1	1		1		6				12	
<b>Supplemental Proceedings</b>	1,695	1,319	3,014	943	2,071					29	1		2				325	49	537	
Order to Show Cause	62	5	67	5	62															5
Re-opened Prior Case	1,633	1,314	2,947	938	2,009					29	1		2				325	49		

### Table 8

CASELOAD ACTIVITY FY 1980-81, CIRCUIT COURT PROPER FIRST CIRCUIT

TYPE OF ACTION	CASELOAD ACTIVITY					TYPE OF TERMINATION													
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	DISMISSAL			NON-JURY		JURY		HEARINGS		Others				
						No Service	No Answer	No Stmt. Readiness	Trial Not Completed	Verdict	Trial Not Completed	No Trial Held	Contested	Uncontested					
<b>TOTAL CASES</b>	<b>17,700</b>	<b>8,413</b>	<b>26,113</b>	<b>5,647</b>	<b>20,466</b>	<b>293</b>	<b>430</b>	<b>64</b>	<b>427</b>	<b>889</b>	<b>483</b>	<b>54</b>	<b>2</b>	<b>160</b>	<b>15</b>	<b>495</b>	<b>300</b>	<b>485</b>	<b>1,550</b>
<b>Primary Proceedings</b>	<b>16,325</b>	<b>7,447</b>	<b>23,772</b>	<b>4,992</b>	<b>18,780</b>	<b>293</b>	<b>430</b>	<b>64</b>	<b>427</b>	<b>889</b>	<b>469</b>	<b>54</b>	<b>2</b>	<b>160</b>	<b>15</b>	<b>495</b>	<b>27</b>	<b>464</b>	<b>1,203</b>
<b>Civil Actions</b>	<b>6,656</b>	<b>3,927</b>	<b>10,583</b>	<b>2,529</b>	<b>8,054</b>	<b>73</b>	<b>430</b>	<b>64</b>	<b>427</b>	<b>873</b>	<b>317</b>	<b>30</b>	<b>1</b>	<b>35</b>	<b>3</b>			<b>5</b>	<b>271</b>
Contract	1,680	1,235	2,915	828	2,087	28	344	24	127	161	41	8		4				4	87
Personal Injury or Property Damage or Both, Motor Vehicle	1,096	523	1,619	424	1,195	12	12	4	43	199	133	2		10	1				8
Personal Injury or Property Damage or Both, Non-Motor Vehicle	1,023	549	1,572	338	1,234	7	15	15	31	145	81	6		14	1			1	22
Condemnation	129	39	168	34	134				5	5									23
Other Civil Action	2,559	1,498	4,057	855	3,202	26	57	21	218	329	59	11	1	6	1				126
District Court Transfers	169	83	252	50	202				3	34	3	3		1					5
<b>Probate Proceedings</b>	<b>2,723</b>	<b>1,139</b>	<b>3,862</b>	<b>790</b>	<b>3,072</b>					<b>8</b>								<b>437</b>	<b>345</b>
Regular Probate	2,085	719	2,804	443	2,361					6								437	
Small Estate Over \$10,000	57	52	109	32	77														32
Small Estate Over \$2,000	421	271	692	216	476					2									214
Small Estate Under \$2,000	160	97	257	99	158														99
<b>Guardianship Proceedings</b>	<b>3,248</b>	<b>286</b>	<b>3,534</b>	<b>167</b>	<b>3,367</b>					<b>8</b>								<b>5</b>	<b>154</b>
Regular Guardianship	2,808	250	3,058	125	2,933					8								5	112
Small Guardianship	440	36	476	42	434														42
<b>Miscellaneous Proceedings</b>	<b>1,062</b>	<b>478</b>	<b>1,540</b>	<b>299</b>	<b>1,241</b>					<b>32</b>	<b>1</b>							<b>27</b>	<b>17</b>
Land Court	73	39	112	42	70													27	15
Naturalization																			
Mechanics and Materialman's Lien	49	122	171	75	96														75
Other Special Proceeding	940	317	1,257	182	1,075					32	1							2	147
<b>Criminal Actions</b>	<b>2,636</b>	<b>1,617</b>	<b>4,253</b>	<b>1,207</b>	<b>3,046</b>	<b>220</b>				<b>120</b>	<b>23</b>	<b>1</b>	<b>125</b>	<b>12</b>	<b>495</b>				<b>211</b>
<b>Part I</b>	<b>1,214</b>	<b>788</b>	<b>2,002</b>	<b>533</b>	<b>1,469</b>	<b>64</b>				<b>28</b>	<b>10</b>	<b>1</b>	<b>94</b>	<b>8</b>	<b>264</b>				<b>64</b>
Murder and Non-Negligent Manslaughter	57	44	101	32	69	2							15	1	12				2
Negligent Homicide	17	12	29	7	22	1				1					2				3
Forcible Rape	27	27	54	13	41	1				1			6		5				
Robbery	228	175	403	129	274	15				6	1		29	2	70				6
Aggravated Assault	59	58	117	39	78	5				3	1		12	2	12				4
Burglary	406	175	581	121	460	17				6	2	1	16	2	62				15
Larceny Over \$50	278	215	493	120	373	16				7	1		10	1	62				23
Larceny Under \$50	1	0	1	1	0														1
Auto Theft	141	82	223	71	152	7				5	4		6		39				10
<b>Part II</b>	<b>1,422</b>	<b>829</b>	<b>2,251</b>	<b>674</b>	<b>1,577</b>	<b>156</b>				<b>92</b>	<b>13</b>		<b>31</b>	<b>4</b>	<b>231</b>				<b>147</b>
Other Assaults	52	30	82	34	48	7					1		1		1				24
Arson	4	5	9	2	7										14				2
Forgery and Counterfeiting	100	23	123	27	96	8							3		36				3
Fraud	145	76	221	55	166	11				3	1		1		36				1
Embezzlement	8	4	12	1	11										1				2
Stolen Property	188	41	229	83	146	13				1	2		3		62				2
Vandalism	15	14	29	8	21	2				1			1		13				2
Weapons	120	57	177	36	141	11				1			2	1	13				5
Prostitution	13	2	15	2	13								1		4				1
Sex Offense	32	16	48	11	37	2				2			3		4				20
Narcotic Drug Laws	297	244	541	126	415	30				8	5		4	1	58				2
Gambling	92	12	104	27	77	19									6				2
Offenses Against Family and Children																			20
Driving Under the Influence	16	16	32	22	10	2													20
Liquor Laws																			20
Disorderly Conduct	25	1	26	21	5	1													20
Vagrancy	1	0	1	0	1														34
All Other Offenses (Except Traffic)	280	266	546	203	343	47				76	3		12	2	29				8
Traffic Offenses	34	22	56	16	40	3							1		4				
<b>Supplemental Proceedings</b>	<b>1,375</b>	<b>966</b>	<b>2,341</b>	<b>655</b>	<b>1,686</b>					<b>14</b>								<b>273</b>	<b>21</b>
Order to Show Cause	55	4	59	4	55														4
Re-opened Prior Case	1,320	962	2,282	651	1,631					14								273	21

### Table 9

CASELOAD ACTIVITY FY 1980-81, CIRCUIT COURT PROPER SECOND CIRCUIT

TYPE OF ACTION	CASELOAD ACTIVITY					TYPE OF TERMINATION													
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	DISMISSAL			NON-JURY		JURY		HEARINGS		Others				
						No Service	No Answer	No Stmt. Readiness	Notice of	Stip. for	By Judge	Trial Not Completed	Verdict	Trial Not Completed		No Trial Held	Contested	Uncontested	
<b>TOTAL CASES</b>	<b>2,384</b>	<b>1,641</b>	<b>4,025</b>	<b>1,066</b>	<b>2,959</b>	<b>42</b>	<b>58</b>	<b>3</b>	<b>63</b>	<b>201</b>	<b>79</b>	<b>18</b>	<b>2</b>	<b>15</b>	<b>2</b>	<b>142</b>	<b>11</b>	<b>362</b>	<b>68</b>
<b>Primary Proceedings</b>	<b>2,367</b>	<b>1,620</b>	<b>3,987</b>	<b>1,044</b>	<b>2,943</b>	<b>42</b>	<b>58</b>	<b>3</b>	<b>63</b>	<b>201</b>	<b>78</b>	<b>18</b>	<b>2</b>	<b>15</b>	<b>2</b>	<b>142</b>	<b>11</b>	<b>362</b>	<b>47</b>
<b>Civil Actions</b>	<b>939</b>	<b>641</b>	<b>1,580</b>	<b>406</b>	<b>1,174</b>		<b>58</b>	<b>3</b>	<b>63</b>	<b>200</b>	<b>5</b>	<b>15</b>	<b>2</b>	<b>9</b>	<b>1</b>	<b>9</b>		<b>30</b>	<b>11</b>
Contract	438	408	846	254	592		55	1	56	100	5	9	2	3	1	2		13	7
Personal Injury or Property Damage or Both, Motor Vehicle	167	104	271	59	212		1	1	4	47				1		2		3	
Personal Injury or Property Damage or Both, Non-Motor Vehicle	150	74	224	53	171		1	1	2	41				1	5			2	
Condemnation	25	1	26	4	22											2			2
Other Civil Action	151	40	191	32	159		1		1	9		5			3			12	1
District Court Transfers	8	14	22	4	18					3									1
<b>Probate Proceedings</b>	<b>345</b>	<b>117</b>	<b>462</b>	<b>95</b>	<b>367</b>					<b>1</b>								<b>1</b>	<b>83</b>
Regular Probate	306	63	369	55	314													1	48
Small Estate Over \$10,000	7	6	13	9	4														8
Small Estate Over \$2,000	27	30	57	25	32					1									21
Small Estate Under \$2,000	5	18	23	6	17														6
<b>Guardianship Proceedings</b>	<b>317</b>	<b>44</b>	<b>361</b>	<b>16</b>	<b>345</b>													<b>1</b>	<b>12</b>
Regular Guardianship	270	40	310	10	300													1	6
Small Guardianship	47	4	51	6	45														6
<b>Miscellaneous Proceedings</b>	<b>105</b>	<b>328</b>	<b>433</b>	<b>288</b>	<b>145</b>													<b>22</b>	<b>2</b>
Land Court	9																		

**Table 10**

CASELOAD ACTIVITY FY 1980-81, CIRCUIT COURT PROPER THIRD CIRCUIT

CASELOAD ACTIVITY	TYPE OF TERMINATION																		
						DISMISSAL		NON-JURY		JURY		HEARINGS		Others					
TYPE OF ACTION	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	No Service	No Answer	No Stmt. Readiness	Notice of	Slip. for	By Judge	Trial Trial Not Completed	Verdict		Trial Not Completed	No Trial Held	Contested	Uncontested	
<b>TOTAL CASES</b>	<b>2,694</b>	<b>1,787</b>	<b>4,481</b>	<b>1,503</b>	<b>2,978</b>	<b>115</b>	<b>74</b>	<b>57</b>	<b>123</b>	<b>72</b>	<b>24</b>	<b>2</b>	<b>21</b>	<b>6</b>	<b>125</b>	<b>42</b>	<b>356</b>	<b>486</b>	
<b>Primary Proceedings</b>	<b>2,463</b>	<b>1,512</b>	<b>3,975</b>	<b>1,292</b>	<b>2,683</b>	<b>115</b>	<b>74</b>	<b>57</b>	<b>123</b>	<b>62</b>	<b>23</b>	<b>2</b>	<b>20</b>	<b>6</b>	<b>125</b>	<b>13</b>	<b>331</b>	<b>341</b>	
<b>Civil Actions</b>	<b>1,063</b>	<b>622</b>	<b>1,685</b>	<b>524</b>	<b>1,161</b>	<b>74</b>	<b>54</b>	<b>57</b>	<b>120</b>	<b>16</b>	<b>21</b>	<b>2</b>	<b>10</b>	<b>3</b>	<b>27</b>	<b>9</b>	<b>185</b>	<b>185</b>	
Contract	436	312	748	258	490			38	55	11	6	1			15		3	75	
Personal Injury or Property Damage or Both, Motor Vehicle	173	88	261	78	183	1		4	30	1	3		6	1				32	
Personal Injury or Property Damage or Both, Non-Motor Vehicle	85	59	144	44	100	6		2	10		2	1	3	1				19	
Condemnation	38	0	38	7	31	1			1						1			4	
Other Civil Action	328	161	489	137	352	12		13	24	4	10		1	1	11		6	55	
District Court Transfers	3	2	5	0	5														
<b>Probate Proceedings</b>	<b>406</b>	<b>264</b>	<b>670</b>	<b>225</b>	<b>445</b>											<b>4</b>	<b>164</b>	<b>57</b>	
Regular Probate	328	156	484	109	375											4	48	57	
Small Estate Over \$10,000	7	12	19	10	9												10		
Small Estate Over \$2,000	38	64	102	65	37												65		
Small Estate Under \$2,000	33	32	65	41	24												41		
<b>Guardianship Proceedings</b>	<b>386</b>	<b>34</b>	<b>420</b>	<b>43</b>	<b>377</b>					<b>3</b>						<b>2</b>	<b>28</b>	<b>10</b>	
Regular Guardianship	293	33	326	26	300					3						2	11	10	
Small Guardianship	93	1	94	17	77												17		
<b>Miscellaneous Proceedings</b>	<b>132</b>	<b>253</b>	<b>385</b>	<b>220</b>	<b>165</b>					<b>23</b>						<b>7</b>	<b>130</b>	<b>60</b>	
Land Court																			
Naturalization	27	134	161	131	30											1	125	5	
Mechanics and Materialman's Lien	32	48	80	39	41					18						4	3	14	
Other Special Proceeding	73	71	144	50	94					5						2	2	41	
<b>Criminal Actions</b>	<b>476</b>	<b>339</b>	<b>815</b>	<b>280</b>	<b>535</b>	<b>115</b>					<b>23</b>	<b>2</b>	<b>10</b>	<b>3</b>	<b>98</b>			<b>29</b>	
<b>Part I</b>	<b>161</b>	<b>145</b>	<b>306</b>	<b>119</b>	<b>187</b>	<b>51</b>					<b>8</b>	<b>2</b>	<b>6</b>		<b>50</b>			<b>2</b>	
Murder and Non-Negligent Manslaughter	8	13	21	10	11	1					3	2	2		2				
Negligent Homicide	2	2	4	3	1	1							2		2				
Forcible Rape	2	1	3	1	2								1		1				
Robbery	7	8	15	7	8	2				1			4		4				
Aggravated Assault	11	17	28	17	11	7				2			8		8				
Burglary	95	71	166	60	106	30				2			4		23			1	
Larceny Over \$50	19	22	41	11	30	5									6				
Larceny Under \$50	0	2	2	2	0	2													
Auto Theft	17	9	26	8	18	3									4			1	
<b>Part II</b>	<b>315</b>	<b>194</b>	<b>509</b>	<b>161</b>	<b>348</b>	<b>64</b>				<b>15</b>			<b>4</b>	<b>3</b>	<b>48</b>			<b>27</b>	
Other Assaults	10	16	26	14	12	6							1	2	4			1	
Arson	1	4	5	1	4	1									4				
Forgery and Counterfeiting	18	6	24	6	18	2				1					3				
Fraud	22	15	37	10	27	3									6			1	
Embezzlement	0	1	1	0	1														
Stolen Property	28	15	43	14	29	8									3			3	
Vandalism	8	3	11	3	8	1									2				
Weapons	21	8	29	8	21	4				2					2				
Prostitution	3	2	5	1	4	1													
Sex Offense	158	63	221	53	168	24									15			9	
Narcotic Drug Laws	11	3	14	5	9	2				3									
Gambling																			
Offenses Against Family and Children																			
Driving Under the Influence	1	6	7	4	3								1					3	
Liquor Laws																			
Disorderly Conduct	0	1	1	0	1														
Vagrancy																			
All Other Offenses (Except Traffic)	31	42	73	33	40	10					3		1	1	12			6	
Traffic Offenses	3	9	12	9	3	2					1		1	1	1			4	
<b>Supplemental Proceedings</b>	<b>231</b>	<b>275</b>	<b>506</b>	<b>211</b>	<b>295</b>						<b>10</b>	<b>1</b>	<b>1</b>			<b>29</b>	<b>25</b>	<b>145</b>	
Order to Show Cause	3	1	4	1	3														1
Re-opened Prior Case	228	274	502	210	292						10	1	1			29	25	144	

**Table 11**

CASELOAD ACTIVITY FY 1980-81, CIRCUIT COURT PROPER FIFTH CIRCUIT

CASELOAD ACTIVITY	TYPE OF TERMINATION																	
						DISMISSAL		NON-JURY		JURY		HEARINGS		Others				
TYPE OF ACTION	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	No Service	No Answer	No Stmt. Readiness	Notice of	Slip. for	By Judge	Trial Trial Not Completed	Verdict		Trial Not Completed	No Trial Held	Contested	Uncontested
<b>TOTAL CASES</b>	<b>766</b>	<b>750</b>	<b>1,516</b>	<b>562</b>	<b>954</b>	<b>38</b>	<b>25</b>	<b>23</b>	<b>21</b>	<b>61</b>	<b>25</b>	<b>11</b>	<b>18</b>	<b>2</b>	<b>46</b>	<b>29</b>	<b>167</b>	<b>96</b>
<b>Primary Proceedings</b>	<b>694</b>	<b>693</b>	<b>1,387</b>	<b>507</b>	<b>880</b>	<b>38</b>	<b>25</b>	<b>23</b>	<b>21</b>	<b>61</b>	<b>21</b>	<b>11</b>	<b>17</b>	<b>2</b>	<b>46</b>	<b>6</b>	<b>164</b>	<b>72</b>
<b>Civil Actions</b>	<b>223</b>	<b>231</b>	<b>454</b>	<b>168</b>	<b>286</b>	<b>2</b>	<b>25</b>	<b>23</b>	<b>21</b>	<b>61</b>	<b>1</b>	<b>9</b>	<b>3</b>		<b>6</b>	<b>13</b>	<b>4</b>	
Contract	94	92	186	84	102	2	24	9	11	18	1	6	1		3		3	
Personal Injury or Property Damage or Both, Motor Vehicle	21	32	53	13	40				2	1	9						1	
Personal Injury or Property Damage or Both, Non-Motor Vehicle	41	39	80	22	58						14	1	2		1		2	
Condemnation																		
Other Civil Action	66	68	134	48	86				9	19		2			2		4	
District Court Transfers	1	0	1	1	0													1
<b>Probate Proceedings</b>	<b>130</b>	<b>66</b>	<b>196</b>	<b>58</b>	<b>138</b>												<b>26</b>	<b>32</b>
Regular Probate	106	35	141	22	119												21	1
Small Estate Over \$10,000	3	6	9	5	4												4	1
Small Estate Over \$2,000	16	13	29	19	10												1	18
Small Estate Under \$2,000	5	12	17	12	5													12
<b>Guardianship Proceedings</b>	<b>138</b>	<b>14</b>	<b>152</b>	<b>10</b>	<b>142</b>												<b>4</b>	<b>6</b>
Regular Guardianship	82	13	95	4	91												4	
Small Guardianship	56	1	57	6	51													6
<b>Miscellaneous Proceedings</b>	<b>50</b>	<b>161</b>	<b>211</b>	<b>144</b>	<b>67</b>						<b>15</b>					<b>6</b>	<b>121</b>	<b>2</b>
Land Court	2	0	2	0	2													
Naturalization	10	117	127	117	10													
Mechanics and Materialman's Lien	20	30	50	19	31						12					6	117	
Other Special Proceeding	18	14	32	8	24						3						3	2
<b>Criminal Actions</b>	<b>153</b>	<b>221</b>	<b>374</b>	<b>127</b>	<b>247</b>	<b>36</b>					<b>5</b>	<b>2</b>	<b>14</b>	<b>2</b>	<b>40</b>			<b>28</b>
<b>Part I</b>	<b>51</b>	<b>66</b>	<b>117</b>	<b>44</b>	<b>73</b>	<b>5</b>					<b>1</b>	<b>2</b>	<b>8</b>	<b>2</b>	<b>23</b>			<b>3</b>
Murder and Non-Negligent Manslaughter	3	2																



# Table 12

CASELOAD ACTIVITY FY 1980-81, FAMILY COURTS ALL CIRCUITS

TYPE OF ACTION	CASELOAD ACTIVITY					TYPE OF TERMINATION									
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	NON-JURY		JURY		HEARINGS		Counseling Service	Others		
						Nolle Prosequi	Dismissal	Trial	Trial Not Completed	Verdict	Trial Not Completed			No Trial Held	Contested
<b>TOTAL CASES</b>	<b>17,950</b>	<b>23,860</b>	<b>41,810</b>	<b>20,442</b>	<b>21,368</b>	<b>27</b>	<b>8</b>	<b>47</b>	<b>13</b>	<b>807</b>	<b>3,164</b>	<b>7,069</b>	<b>4,159</b>	<b>5,148</b>	
<b>Primary Proceedings and Referrals</b>	<b>13,917</b>	<b>20,231</b>	<b>34,148</b>	<b>17,573</b>	<b>16,575</b>	<b>27</b>	<b>8</b>	<b>47</b>	<b>13</b>	<b>807</b>	<b>2,129</b>	<b>6,725</b>	<b>4,159</b>	<b>3,658</b>	
<b>Marital Actions and Proceedings</b>	<b>6,067</b>	<b>7,894</b>	<b>13,961</b>	<b>6,028</b>	<b>7,933</b>					<b>81</b>	<b>370</b>	<b>3,851</b>		<b>1,726</b>	
Divorce	4,510	5,490	10,000	4,154	5,846					15	210	3,673		256	
Annulment	21	29	50	19	31						1	16		2	
Separation and Separate Maintenance	187	98	285	62	223					1	4	36		21	
Uniform Reciprocal Enforcement of Support	1,349	2,277	3,626	1,793	1,833					65	155	126		1,447	
<b>Adoption Proceedings</b>	<b>609</b>	<b>723</b>	<b>1,332</b>	<b>795</b>	<b>537</b>						<b>3</b>	<b>679</b>		<b>113</b>	
<b>Paternity/Parental Proceedings</b>	<b>977</b>	<b>1,149</b>	<b>2,126</b>	<b>825</b>	<b>1,301</b>			<b>44</b>				<b>720</b>		<b>61</b>	
<b>Miscellaneous Proceedings</b>	<b>1,825</b>	<b>2,190</b>	<b>4,015</b>	<b>1,604</b>	<b>2,411</b>			<b>1</b>	<b>13</b>		<b>173</b>	<b>208</b>		<b>1,209</b>	
<b>Criminal Actions</b>	<b>88</b>	<b>81</b>	<b>169</b>	<b>45</b>	<b>124</b>	<b>27</b>	<b>8</b>	<b>2</b>		<b>6</b>				<b>2</b>	
<b>Adult Referrals</b>	<b>439</b>	<b>654</b>	<b>1,093</b>	<b>658</b>	<b>435</b>								<b>645</b>	<b>13</b>	
Criminal Complaint	36	107	143	94	49								91	3	
Marriage Conciliation (Prior to Filing)	26	30	56	40	16								40		
Marriage Conciliation (Court Order)	8	1	9	2	7								414	4	
Social Study	213	410	623	418	205								98	6	
Other Adult Referral	156	106	262	104	158										
<b>Children's Referrals</b>	<b>3,912</b>	<b>7,540</b>	<b>11,452</b>	<b>7,618</b>	<b>3,834</b>						<b>1,583</b>	<b>1,987</b>	<b>3,514</b>	<b>534</b>	
Law Violation	2,716	5,284	8,000	5,205	2,795						1,222	1,582	1,999	402	
Traffic	43	74	117	81	36						24	16	36	5	
Needing Protective Supervision	577	1,508	2,085	1,555	530						92	229	1,171	63	
Needing Services	398	305	703	392	311						245	78	35	34	
Other Children's Referral	178	369	547	385	162							82	273	30	
<b>Supplemental Proceedings</b>	<b>4,033</b>	<b>3,629</b>	<b>7,662</b>	<b>2,869</b>	<b>4,793</b>						<b>1,035</b>	<b>344</b>		<b>1,490</b>	
Order To Show Cause, Matrimonial	2,276	1,719	3,995	1,368	2,627						648	132		588	
Order to Show Cause, Matrimonial, Concurrent	519	491	1,010	360	650						129	27		204	
Order to Show Cause, URES	167	155	322	122	200						47	23		52	
Order to Show Cause, Paternity	227	238	465	138	327						38	29		71	
Motion	61	13	74	9	65							2		7	
Children's Supplemental Proceeding	529	817	1,346	770	576						144	113		513	
Other Supplemental Proceeding	254	196	450	102	348						29	18		55	
<b>Status Dispositions*</b>	<b>1,972</b>	<b>834</b>	<b>2,806</b>	<b>869</b>	<b>1,937</b>						<b>117</b>	<b>193</b>		<b>559</b>	
Probation, Child	882**	395	1,277	509	768						61	129		319	
Protective Supervision, Child	570	266	836	215	621						41	46		128	
Legal Custody, Child	364	101	465	72	393						12	13		47	
Commitment to HYCF	138**	71	209	62	147						3	5		54	
Other Status	18	1	19	11	8									11	
<b>Auxiliary Order*</b>	<b>13,664</b>	<b>1,893</b>	<b>15,557</b>	<b>232</b>	<b>15,265</b>						<b>27</b>	<b>57</b>		<b>208</b>	

\*Not included in caseload totals  
\*\*Corrected

# Table 13

CASELOAD ACTIVITY FY 1980-81, FAMILY COURT FIRST CIRCUIT

TYPE OF ACTION	CASELOAD ACTIVITY					TYPE OF TERMINATION									
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	NON-JURY		JURY		HEARINGS		Counseling Service	Others		
						Nolle Prosequi	Dismissal	Trial	Trial Not Completed	Verdict	Trial Not Completed			No Trial Held	Contested
<b>TOTAL CASES</b>	<b>13,302</b>	<b>16,817</b>	<b>30,119</b>	<b>14,242</b>	<b>15,877</b>	<b>23</b>	<b>8</b>	<b>36</b>	<b>9</b>	<b>494</b>	<b>2,778</b>	<b>4,500</b>	<b>2,612</b>	<b>3,782</b>	
<b>Primary Proceedings and Referrals</b>	<b>9,876</b>	<b>14,132</b>	<b>24,008</b>	<b>12,153</b>	<b>11,855</b>	<b>23</b>	<b>8</b>	<b>36</b>	<b>9</b>	<b>494</b>	<b>1,983</b>	<b>4,377</b>	<b>2,612</b>	<b>2,611</b>	
<b>Marital Actions and Proceedings</b>	<b>4,633</b>	<b>6,027</b>	<b>10,660</b>	<b>4,381</b>	<b>6,279</b>					<b>3</b>	<b>310</b>	<b>2,800</b>		<b>1,268</b>	
Divorce	3,895	4,303	8,198	3,044	5,154					3	152	2,715		174	
Annulment	17	23	40	11	29							10		1	
Separation and Separate Maintenance	149	67	216	35	181						4	23		8	
Uniform Reciprocal Enforcement of Support	572	1,634	2,206	1,291	915						154	52		1,085	
<b>Adoption Proceedings</b>	<b>502</b>	<b>532</b>	<b>1,034</b>	<b>603</b>	<b>431</b>						<b>3</b>	<b>496</b>		<b>104</b>	
<b>Paternity/Parental Proceedings</b>	<b>783</b>	<b>744</b>	<b>1,527</b>	<b>558</b>	<b>969</b>			<b>36</b>				<b>488</b>		<b>34</b>	
<b>Miscellaneous Proceedings</b>	<b>1,225</b>	<b>1,435</b>	<b>2,660</b>	<b>1,041</b>	<b>1,619</b>				<b>9</b>		<b>133</b>	<b>96</b>		<b>803</b>	
<b>Criminal Actions</b>	<b>69</b>	<b>72</b>	<b>141</b>	<b>36</b>	<b>105</b>	<b>23</b>	<b>8</b>			<b>3</b>				<b>2</b>	
<b>Adults' Referrals</b>	<b>237</b>	<b>411</b>	<b>648</b>	<b>458</b>	<b>190</b>									<b>457</b>	
Criminal Complaint	11	60	71	57	14									56	
Marriage Conciliation (Prior to Filing)	26	29	55	40	15									40	
Marriage Conciliation (Court Order)	8	1	9	2	7									2	
Social Study	147	253	400	283	117									283	
Other Adult Referral	45	68	113	76	37									76	
<b>Children's Referrals</b>	<b>2,427</b>	<b>4,911</b>	<b>7,338</b>	<b>5,076</b>	<b>2,262</b>						<b>1,537</b>	<b>985</b>	<b>2,155</b>	<b>399</b>	
Law Violation	1,572	3,280	4,852	3,299	1,553						1,176	794	1,020	309	
Traffic	24	51	75	59	16						24	10	20	5	
Needing Protective Supervision	445	1,191	1,636	1,257	379						92	147	969	49	
Needing Services	328	247	575	311	264						245	29	11	26	
Other Children's Referral	58	142	200	150	50						5	135	10		
<b>Supplemental Proceedings</b>	<b>3,426</b>	<b>2,685</b>	<b>6,111</b>	<b>2,089</b>	<b>4,022</b>						<b>795</b>	<b>123</b>		<b>1,171</b>	
Order To Show Cause, Matrimonial	2,018	1,278	3,296	966	2,330						485	32		449	
Order to Show Cause, Matrimonial, Concurrent	467	396	863	284	579						97	8		179	
Order to Show Cause, URES	105	88	193	70	123						38	10		22	
Order to Show Cause, Paternity	122	80	202	33	169						25			8	
Motion	40	3	43	1	42									1	
Children's Supplemental Proceeding	522	777	1,299	724	575						144	73		507	
Other Supplemental Proceeding	152	63	215	11	204						6			5	
<b>Status Dispositions*</b>	<b>1,433</b>	<b>595</b>	<b>2,028</b>	<b>643</b>	<b>1,385</b>						<b>117</b>	<b>88</b>		<b>438</b>	
Probation, Child	570**	226	796	358	438						61	45		252	
Protective Supervision, Child	484	234	718	174	544						41	31		102	
Legal Custody, Child	268	78	346	63	283						12	9		42	
Commitment to HYCF	102**	57	159	45	114						3	3		36	
Other Status	9	0	9	3	6									3	
<b>Auxiliary Order*</b>	<b>11,449</b>	<b>1,426</b>	<b>12,875</b>	<b>217</b>	<b>12,658</b>						<b>27</b>	<b>54</b>		<b>136</b>	

\*Not included in caseload totals  
\*\*Corrected

**Table 14**

CASELOAD ACTIVITY FY 1980-81, FAMILY COURT SECOND CIRCUIT

TYPE OF ACTION	CASELOAD ACTIVITY					TYPE OF TERMINATION									
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Nolle Prosequi	Dismissal	NON-JURY		JURY		HEARINGS		Counseling Service	Others
								Trial	Trial Not Completed	Verdict	Trial Not Completed	Contested	Uncontested		
<b>TOTAL CASES</b>	<b>1,628</b>	<b>2,055</b>	<b>3,683</b>	<b>1,722</b>	<b>1,961</b>			<b>1</b>	<b>1</b>	<b>52</b>	<b>49</b>	<b>830</b>	<b>632</b>	<b>157</b>	
<b>Primary Proceedings and Referrals</b>	<b>1,549</b>	<b>1,870</b>	<b>3,419</b>	<b>1,555</b>	<b>1,864</b>			<b>1</b>	<b>1</b>	<b>62</b>	<b>12</b>	<b>737</b>	<b>632</b>	<b>120</b>	
<b>Marital Actions and Proceedings</b>	<b>663</b>	<b>650</b>	<b>1,313</b>	<b>585</b>	<b>728</b>					<b>22</b>	<b>11</b>	<b>481</b>		<b>71</b>	
Divorce	308	469	777	449	328					6	11	409		23	
Annulment	0	3	3	3	0							3		1	
Separation and Separate Maintenance	23	10	33	7	26							6		47	
Uniform Reciprocal Enforcement of Support	332	168	500	126	374					16		63			
<b>Adoption Proceedings</b>	<b>59</b>	<b>106</b>	<b>165</b>	<b>103</b>	<b>62</b>							<b>100</b>		<b>3</b>	
<b>Paternity/Parental Proceedings</b>	<b>88</b>	<b>40</b>	<b>128</b>	<b>34</b>	<b>94</b>			<b>1</b>			<b>30</b>			<b>3</b>	
<b>Miscellaneous Proceedings</b>	<b>160</b>	<b>176</b>	<b>336</b>	<b>93</b>	<b>243</b>				<b>1</b>			<b>51</b>		<b>41</b>	
<b>Criminal Actions</b>	<b>7</b>	<b>2</b>	<b>9</b>	<b>0</b>	<b>9</b>										
<b>Adults' Referrals</b>	<b>44</b>	<b>80</b>	<b>124</b>	<b>67</b>	<b>57</b>								<b>66</b>	<b>1</b>	
Criminal Complaint	25	37	62	32	30								32		
Marriage Conciliation (Prior to Filing)															
Marriage Conciliation (Court Order)	18	43	61	34	27								33	1	
Social Study	1	0	1	1	0								1		
Other Adult Referral															
<b>Children's Referrals</b>	<b>528</b>	<b>816</b>	<b>1,344</b>	<b>673</b>	<b>671</b>						<b>1</b>	<b>105</b>	<b>566</b>	<b>1</b>	
Law Violation	412	681	1,093	550	543						1	91	557	1	
Traffic	11	6	17	7	10								7		
Needing Protective Supervision	60	89	149	78	71							5	73		
Needing Services	5	8	13	7	6							3	28		
Other Children's Referral	40	32	72	31	41										
<b>Supplemental Proceedings</b>	<b>79</b>	<b>185</b>	<b>264</b>	<b>167</b>	<b>97</b>						<b>23</b>	<b>44</b>	<b>15</b>	<b>13</b>	
Order To Show Cause, Matrimonial	20	83	103	82	21						13	16	46	6	
Order to Show Cause, Matrimonial, Concurrent	27	61	88	42	46						1	8	13	3	
Order to Show Cause, URES	13	15	28	15	13							10	2		
Order to Show Cause, Paternity	4	11	15	13	2										
Motion	8	0	8	0	8							11	1		
Children's Supplemental Proceeding	1	11	12	11	1							4			
Other Supplemental Proceeding	6	4	10	4	6										
<b>Status Dispositions*</b>	<b>189</b>	<b>62</b>	<b>251</b>	<b>54</b>	<b>197</b>							<b>52</b>	<b>2</b>	<b>2</b>	
Probation, Child	120	52	172	44	128							44		1	
Protective Supervision, Child	32	5	37	8	29							7			
Legal Custody, Child	27	5	32	1	31							1		1	
Commitment to HYCF	9	0	9	1	8										
Other Status	1	0	1	0	1										
<b>Auxiliary Order*</b>	<b>1,428</b>	<b>237</b>	<b>1,665</b>	<b>25</b>	<b>1,640</b>							<b>2</b>	<b>23</b>		

\*Not included in caseload totals

**Table 15**

CASELOAD ACTIVITY FY 1980-81, FAMILY COURT THIRD CIRCUIT

TYPE OF ACTION	CASELOAD ACTIVITY					TYPE OF TERMINATION									
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Nolle Prosequi	Dismissal	NON-JURY		JURY		HEARINGS		Counseling Service	Others
								Trial	Trial Not Completed	Verdict	Trial Not Completed	No Trial Held	Contested		
<b>TOTAL CASES</b>	<b>2,305</b>	<b>4,096</b>	<b>6,401</b>	<b>3,680</b>	<b>2,721</b>	<b>4</b>	<b>6</b>	<b>1</b>	<b>243</b>	<b>247</b>	<b>1,423</b>	<b>895</b>	<b>861</b>		
<b>Primary Proceedings and Referrals</b>	<b>1,879</b>	<b>3,445</b>	<b>5,324</b>	<b>3,205</b>	<b>2,119</b>	<b>4</b>	<b>6</b>	<b>1</b>	<b>243</b>	<b>88</b>	<b>1,318</b>	<b>895</b>	<b>650</b>		
<b>Marital Actions and Proceedings</b>	<b>500</b>	<b>882</b>	<b>1,382</b>	<b>764</b>	<b>618</b>					<b>56</b>	<b>25</b>	<b>417</b>	<b>266</b>		
Divorce	239	516	755	469	286					6	23	405	35		
Annulment	2	1	3	2	1						1	1			
Separation and Separate Maintenance	6	13	19	9	10					1	4	4	4		
Uniform Reciprocal Enforcement of Support	253	352	605	284	321					49	1	7	227		
<b>Adoption Proceedings</b>	<b>36</b>	<b>60</b>	<b>96</b>	<b>64</b>	<b>32</b>							<b>58</b>	<b>6</b>		
<b>Paternity/Parental Proceedings</b>	<b>88</b>	<b>318</b>	<b>406</b>	<b>205</b>	<b>201</b>				<b>3</b>		<b>184</b>		<b>18</b>		
<b>Miscellaneous Proceedings</b>	<b>337</b>	<b>456</b>	<b>793</b>	<b>373</b>	<b>420</b>			<b>1</b>	<b>1</b>		<b>30</b>	<b>45</b>	<b>296</b>		
<b>Criminal Actions</b>	<b>11</b>	<b>7</b>	<b>18</b>	<b>9</b>	<b>9</b>	<b>4</b>	<b>2</b>			<b>3</b>					
<b>Adults' Referrals</b>	<b>137</b>	<b>129</b>	<b>266</b>	<b>112</b>	<b>154</b>								<b>111</b>	<b>1</b>	
Criminal Complaint															
Marriage Conciliation (Prior to Filing)	0	1	1	0	1										
Marriage Conciliation (Court Order)													90	1	
Social Study	33	96	129	91	38								21		
Other Adult Referral	104	32	136	21	115										
<b>Children's Referrals</b>	<b>770</b>	<b>1,593</b>	<b>2,363</b>	<b>1,678</b>	<b>685</b>						<b>33</b>	<b>798</b>	<b>784</b>	<b>63</b>	
Law Violation	609	1,145	1,754	1,211	543						33	615	516	47	
Traffic	6	11	17	13	4							4	9		
Needing Protective Supervision	57	222	279	210	69							76	127	7	
Needing Services	44	30	74	57	17							29	23	5	
Other Children's Referral	54	185	239	187	52							74	109	4	
<b>Supplemental Proceedings</b>	<b>426</b>	<b>651</b>	<b>1,077</b>	<b>475</b>	<b>602</b>						<b>159</b>	<b>105</b>	<b>211</b>		
Order To Show Cause, Matrimonial	185	285	470	226	244						108	41	77		
Order to Show Cause, Matrimonial, Concurrent	17	19	36	17	19						9	2	6		
Order to Show Cause, URES	37	47	84	26	58						8	4	14		
Order to Show Cause, Paternity	91	145	236	87	149						13	16	58		
Motion															
Children's Supplemental Proceeding	6	29	35	35	0							29	6		
Other Supplemental Proceeding	90	126	216	84	132						21	13	50		
<b>Status Dispositions*</b>	<b>230</b>	<b>138</b>	<b>368</b>	<b>132</b>	<b>236</b>							<b>53</b>	<b>79</b>		
Probation, Child	141	91	232	81	151							40	41		
Protective Supervision, Child	26	22	48	20	28							8	12		
Legal Custody, Child	35	10	45	7	38							3	4		
Commitment to HYCF	20	14	34	16	18							2	14		
Other Status	8	1	9	8	1								8		
<b>Auxiliary Order*</b>	<b>523</b>	<b>148</b>	<b>671</b>	<b>40</b>	<b>631</b>							<b>1</b>	<b>39</b>		

\*Not included in caseload totals

**Table 16**

CASELOAD ACTIVITY FY 1980-81, FAMILY COURT FIFTH CIRCUIT

TYPE OF ACTION	CASELOAD ACTIVITY					TYPE OF TERMINATION										
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Nolle Prosequi	Dismissal	NON-JURY Trial	JURY Trial Not Completed	Verdict	Trial Not Completed	No Trial Held	Contested	Uncontested	Counseling Service	Others
<b>TOTAL CASES</b>	<b>715</b>	<b>892</b>	<b>1,607</b>	<b>798</b>	<b>809</b>			<b>4</b>	<b>2</b>		<b>18</b>		<b>90</b>	<b>316</b>	<b>20</b>	<b>348</b>
<b>Primary Proceedings and Referrals</b>	<b>613</b>	<b>784</b>	<b>1,397</b>	<b>660</b>	<b>737</b>			<b>4</b>	<b>2</b>		<b>18</b>		<b>46</b>	<b>293</b>	<b>20</b>	<b>277</b>
<b>Marital Actions and Proceedings</b>	<b>271</b>	<b>335</b>	<b>606</b>	<b>298</b>	<b>308</b>								<b>24</b>	<b>153</b>		<b>121</b>
Divorce	68	202	270	192	78								24	144		24
Annulment	2	2	4	3	1									2		1
Separation and Separate Maintenance	9	8	17	11	6									3		8
Uniform Reciprocal Enforcement of Support	192	123	315	92	223									4		88
<b>Adoption Proceedings</b>	<b>12</b>	<b>25</b>	<b>37</b>	<b>25</b>	<b>12</b>									<b>25</b>		
<b>Paternity/Parental Proceedings</b>	<b>18</b>	<b>47</b>	<b>65</b>	<b>28</b>	<b>37</b>			<b>4</b>			<b>18</b>					<b>6</b>
<b>Miscellaneous Proceedings</b>	<b>103</b>	<b>123</b>	<b>226</b>	<b>97</b>	<b>129</b>				<b>2</b>				<b>10</b>	<b>16</b>		<b>69</b>
<b>Criminal Actions</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>1</b>											
<b>Adults' Referrals</b>	<b>21</b>	<b>34</b>	<b>55</b>	<b>21</b>	<b>34</b>										<b>11</b>	<b>10</b>
Criminal Complaint	0	10	10	5	5										3	2
Marriage Conciliation (Prior to Filing)																
Marriage Conciliation (Court Order)																
Social Study	15	18	33	10	23										8	2
Other Adult Referral	6	6	12	6	6											6
<b>Children's Referrals</b>	<b>187</b>	<b>220</b>	<b>407</b>	<b>191</b>	<b>216</b>								<b>12</b>	<b>99</b>	<b>9</b>	<b>71</b>
Law Violation	123	178	301	145	156								12	82	6	45
Traffic	2	6	8	2	6									1		7
Needing Protective Supervision	15	6	21	10	11										2	7
Needing Services	21	20	41	17	24									14		3
Other Children's Referral	26	10	36	17	19										1	16
<b>Supplemental Proceedings</b>	<b>102</b>	<b>108</b>	<b>210</b>	<b>138</b>	<b>72</b>								<b>44</b>	<b>23</b>		<b>71</b>
Order To Show Cause, Matrimonial	53	73	126	94	32								32	15		47
Order to Show Cause, Matrimonial, Concurrent	8	15	23	17	6								10	1		6
Order to Show Cause, URES	12	5	17	11	6									1		10
Order to Show Cause, Paternity	10	2	12	5	7									3		2
Motion	13	10	23	8	15									2		6
Children's Supplemental Proceeding																
Other Supplemental Proceeding	6	3	9	3	6								2	1		
<b>Status Dispositions*</b>	<b>120</b>	<b>39</b>	<b>159</b>	<b>40</b>	<b>119</b>											<b>40</b>
Probation, Child	51	26	77	26	51											26
Protective Supervision, Child	28	5	33	13	20											13
Legal Custody, Child	34	8	42	1	41											1
Commitment to HYCF	7	0	7	0	7											
Other Status																
<b>Auxiliary Order*</b>	<b>264</b>	<b>82</b>	<b>346</b>	<b>10</b>	<b>336</b>											<b>10</b>

\*Not included in caseload totals

**Table 17**

CASELOAD ACTIVITY FY 1980-81, DISTRICT COURTS ALL CIRCUITS

TYPE OF ACTION	CASELOAD ACTIVITY					TYPE OF TERMINATION									
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	By Discontinuance/Dismissal	By Default/Confession	By Trial	By Discharge/Dismissal	By Nolle Prosequi	Stricken	By Bail Forfeiture	By Commitment to Circuit Court Jury Trial Demanded	By Conviction	
<b>TOTAL CASES</b>	<b>152,072</b>	<b>843,181</b>	<b>996,253</b>	<b>359,320</b>	<b>135,933</b>	<b>5,999</b>	<b>8,853</b>	<b>1,044</b>	<b>80,514</b>	<b>11,505</b>	<b>90,848</b>	<b>471,610</b>	<b>155</b>	<b>162,832</b>	
<b>CIVIL TRAFFIC &amp; OTHER VIOLATIONS</b>	<b>146,499</b>	<b>817,129</b>	<b>963,628</b>	<b>833,160</b>	<b>130,468</b>	<b>5,999</b>	<b>8,853</b>	<b>1,044</b>							
<b>CIVIL ACTIONS</b>	<b>10,288</b>	<b>16,907</b>	<b>27,195</b>	<b>15,992</b>	<b>11,203</b>	<b>5,999</b>	<b>8,853</b>	<b>1,044</b>						<b>96</b>	
Regular Civil	9,459	13,552	23,011	13,161	9,850	4,738	8,053	274						96	
Assumpsit	5,930	11,078	17,008	10,994	6,014	3,516	7,308	120						50	
Non-Payment of Taxes	259	3	262	7	255	5	2								
Tort	1,730	1,037	2,767	998	1,769	711	215	44						28	
Summary Possession	1,321	1,099	2,420	961	1,459	424	444	77						16	
Other	219	335	554	201	353	82	84	33						2	
<b>Small Claims</b>	<b>829</b>	<b>3,355</b>	<b>4,184</b>	<b>2,831</b>	<b>1,353</b>	<b>1,261</b>	<b>800</b>	<b>770</b>							
Assumpsit	662	2,584	3,246	2,219	1,027	988	693	538							
Tort	95	493	588	384	204	183	70	131							
Other	72	278	350	228	122	90	37	101							
<b>TRAFFIC VIOLATIONS</b>	<b>131,443</b>	<b>772,650</b>	<b>904,093</b>	<b>792,767</b>	<b>111,326</b>				<b>79,454</b>	<b>11,027</b>	<b>89,840</b>	<b>451,704</b>	<b>52</b>	<b>160,690</b>	
Moving-Arrest & Citation	31,817	169,631	201,448	164,749	36,699				25,139	1,721	22,093	74,119	30	41,647	
Non-Moving	36,018	78,969	114,987	74,365	40,622				10,551	5,214	16,805	15,296	22	26,477	
Parking	63,608	524,050	587,658	553,653	34,005				43,764	4,092	50,942	362,289		92,566	
<b>OTHER VIOLATIONS</b>	<b>4,768</b>	<b>27,572</b>	<b>32,340</b>	<b>24,401</b>	<b>7,939</b>				<b>1,060</b>	<b>478</b>	<b>808</b>	<b>19,906</b>	<b>7</b>	<b>2,142</b>	
Airport	3,867	15,107	18,974	12,199	6,775				42	195	115	11,661		186	
Dog Leash	342	5,150	5,492	5,144	348				154	72	225	4,299		394	
Fish & Game	70	518	588	521	67				37	4	17	295		168	
Harbor Violations	144	556	700	554	146				47	1	51	397		58	
Industrial Safety	2	1	3	1	2									1	
P.U.C. Violations	270	3,127	3,397	2,904	493				456	81	191	1,192		984	
Weights & Measures ants	6	2	8	0	8										
Other	67	3,111	3,178	3,078	100				324	125	209	2,062	7	351	

**Table 18**

CASELOAD ACTIVITY FY 1980-81, DISTRICT COURT FIRST CIRCUIT

CASELOAD ACTIVITY	TYPE OF TERMINATION													
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	By Discontinuance/Dismissal	By Default/Confession	By Trial	By Discharge/Dismissal	By Nolle Prosequi	Stricken	By Bail Forfeiture	By Commitment to Circuit Court Jury Trial Demanded	By Conviction
<b>TOTAL CASES</b>	121,188	735,094	856,282	755,972	100,310	4,785	5,960	696	76,027	6,877	78,259	410,309	98	152,659
<b>CIVIL, TRAFFIC &amp; OTHER VIOLATIONS</b>	116,943	715,128	832,071	735,670	96,401	4,785	5,960	696						96
<b>CIVIL ACTIONS</b>	8,281	12,176	20,457	11,537	8,920	4,785	5,960	696						96
Regular Civil	7,766	9,617	17,383	9,487	7,896	3,840	5,394	157						96
Assumpsit	4,596	7,626	12,222	7,637	4,585	2,728	4,791	68						50
Non-Payment of Taxes	257	0	257	6	251	5	1							
Tort	1,623	956	2,579	964	1,615	692	202	42						28
Summary Possession	1,233	938	2,171	813	1,358	378	380	39						16
Other	57	97	154	67	87	37	20	8						2
Small Claims	515	2,559	3,074	2,050	1,024	945	566	539						
Assumpsit	399	1,848	2,247	1,495	752	686	486	323						
Tort	68	477	545	370	175	180	66	124						
Other	48	234	282	185	97	79	14	92						
<b>TRAFFIC VIOLATIONS</b>	108,059	695,633	803,692	717,162	86,530				75,370	6,802	78,101	405,527	2	151,360
Moving-Arrest & Citation	28,356	142,276	170,632	139,138	31,494				23,058	1,568	18,955	58,986	2	36,569
Non-Moving	29,813	58,552	88,365	52,989	35,376				8,710	1,423	11,902	8,455		22,499
Parking	49,890	494,805	544,695	525,035	19,660				43,602	3,811	47,244	338,086		92,292
<b>OTHER VIOLATIONS</b>	603	7,319	7,922	6,971	951				657	75	158	4,782		1,299
Airport	24	151	175	119	56				34	5	19	37		24
Dog Leash	208	3,888	4,096	3,826	270				125	22	29	3,347		303
Fish & Game	34	197	231	204	27				13		5	119		67
Harbor Violations	84	508	592	472	120				37		17	368		50
Industrial Safety	2	0	2	0	2									
P.U.C. Violations	241	2,469	2,710	2,248	462				423	42	88	901		794
Weights & Measurements														
Other	10	106	116	102	14				25	6		10		61

CASELOAD ACTIVITY	TYPE OF TERMINATION													
	MISDEMEANOR					FELONY								
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	By Discharge/Dismissal	By Nolle Prosequi	Stricken	By Bail Forfeiture	By Commitment to Circuit Court Jury Trial Demanded	By Conviction	Stricken or Discharged	By Commitment to Grand Jury	By Commitment to Circuit Court
<b>CRIMINAL ACTIONS</b>	4,245	19,966	24,211	20,302	3,909	4,948	1,070	2,119	1,844	290	9,517	14	459	41
<b>PART I</b>	869	3,443	4,312	3,297	1,015	1,252	98	256	363	43	910	14	323	38
Murder & Non-Negligent Manslaughter	3	43	46	45	1							2	43	
Negligent Homicide	10	36	46	31	15	5		3		9	4		8	1
Forcible Rape	5	44	49	46	3							1	39	6
Robbery	27	94	121	101	20							5	84	12
Aggravated Assault	8	20	28	20	8							3	12	5
Burglary	16	66	82	72	10							1	66	5
Larceny-Over \$50	225	575	800	551	249	156	25	72	80	33	132		47	6
Larceny-Under \$50	564	2,535	3,099	2,403	696	1,091	73	181	283	1	774			
Auto Theft	11	30	41	28	13							1	24	3
<b>PART II</b>	3,376	16,523	19,899	17,005	2,894	3,696	972	1,863	1,481	247	8,607		136	3
Other Assaults	222	1,038	1,260	1,000	260	380	68	104	100	31	317			
Arson	4	27	31	19	12	1		1			2			1
Forgery & Counterfeiting	11	39	50	36	14	5	4	6		5	3			13
Fraud	37	64	101	68	33	10	13	16	5	1	23			
Embezzlement														
Stolen Property	6	1	7	1	6	1								
Vandalism	71	262	333	249	84	87	23	24	27	3	85			
Weapons	73	295	368	316	52	124	7	23	26	22	94			20
Prostitution	154	349	503	391	112	62	8	85	37	3	196			
Sex Offenses	53	163	216	172	44	81	3	8	12	1	66			1
Narcotic Drug Laws	129	990	1,119	1,026	93	354	40	106	131	30	311			54
Gambling	467	349	816	578	238	206	60	31	42		239			
Offenses Against Family & Children														
Driving Under the Influence	1,369	2,381	3,750	2,710	1,040	99	79	127	157	21	2,227			
Liquor Laws	83	728	811	698	113	113	8	36	66		475			
Disorderly Conduct	143	862	1,005	901	104	287	34	88	99	1	392			
Vagrancy	1	0	1	0	1									
All Other Offenses	553	8,975	9,528	8,840	688	1,886	625	1,208	779	129	4,177			34

**Table 19**

CASELOAD ACTIVITY FY 1980-81, DISTRICT COURT SECOND CIRCUIT

CASELOAD ACTIVITY	TYPE OF TERMINATION													
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	By Discontinuance/Dismissal	By Default/Confession	By Trial	By Discharge/Dismissal	By Nolle Prosequi	Stricken	By Bail Forfeiture	By Commitment to Circuit Court Jury Trial Demanded	By Conviction
<b>TOTAL CASES</b>	26,163	50,671	76,834	46,141	30,693	630	1,609	132	2,996	57	5,450	28,170	7	4,575
<b>CIVIL, TRAFFIC &amp; OTHER VIOLATIONS</b>	25,919	48,021	73,940	43,626	30,314	630	1,609	132						
<b>CIVIL ACTIONS</b>	1,059	2,407	3,466	2,371	1,095	630	1,609	132						
Regular Civil	973	2,138	3,111	2,066	1,045	499	1,536	31						
Assumpsit	883	2,020	2,903	1,981	922	465	1,492	24						
Non-Payment of Taxes														
Tort	35	29	64	23	41	15	7	1						
Summary Possession	42	85	127	60	67	18	37	5						
Other	13	4	17	2	15	1		1						
Small Claims	86	269	355	305	50	131	73	101						
Assumpsit	77	260	337	293	44	126	71	96						
Tort	7	2	9	6	3	3	1	2						
Other	2	7	9	6	3	2	1	3						
<b>TRAFFIC VIOLATIONS</b>	20,863	39,168	60,031	37,623	22,408				2,914	54	5,317	25,338	6	4,094
Moving-Arrest & Citation	2,702	15,408	18,110	13,983	4,127				1,485	40	445	9,155		2,852
Non-Moving	4,826	6,564	11,390	7,253	4,137				1,193	7	1,700	3,206		1,147
Parking	13,335	17,196	30,531	16,387	14,144				136	7	3,172	12,977		95
<b>OTHER VIOLATIONS</b>	3,997	6,446	10,443	3,632	6,811				182	3	133	2,832	1	481
Airport	3,802	5,473	9,275	2,605	6,670				3		42	2,406		154
Dog Leash	105	188	293	240	53				20	1	46	126		47
Fish & Game	29	107	136	103	33				14		1	29		59
Harbor Violations	48	42	90	65	25				10		34	14		7
Industrial Safety														
P.U.C. Violations	1	263	264	255	9				21		1	217		16
Weights & Measures	1	0	1	0	1									
Other	11	373	384	364	20				114	2	9	40	1	198

CASELOAD ACTIVITY	TYPE OF TERMINATION													
	MISDEMEANOR					FELONY								
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	By Discharge/Dismissal	By Nolle Prosequi	Stricken	By Bail Forfeiture	By Commitment to Circuit Court Jury Trial Demanded	By Conviction	Stricken or Discharged	By Commitment to Grand Jury	By Commitment to Circuit Court
<b>CRIMINAL ACTIONS</b>	244	2,650	2,894	2,515	379	831	134	25	122	17	1,026	163	80	117
<b>PART I</b>	56	457	513	431	82	75	18	4	5		129	114	39	47
Murder & Non-Negligent Manslaughter	2	9	11	7	4							1	3	3
Negligent Homicide	0	8	8	7	1						5			
Forcible Rape	1	9	10	9	1							3	1	5
Robbery	1	12	13	11	2							4	3	4
Aggravated Assault	1	4	5	3	2							1	1	1
Burglary	17	86	103	93	10							2	13	20
Larceny-Over \$50	6	100	106	94										



**Table 20**

CASELOAD ACTIVITY FY 1980-81, DISTRICT COURT THIRD CIRCUIT

	CASELOAD ACTIVITY					TYPE OF TERMINATION									
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	By Discontinuance/Dismissal	By Default/Confession	By Trial	By Discharge/Dismissal	By Nolle Prosequi	Stricken	By Bail Forfeiture	By Commitment to Circuit Court Jury Trial Demanded	By Conviction	
<b>TOTAL CASES</b>	<b>4,062</b>	<b>42,875</b>	<b>46,937</b>	<b>43,037</b>	<b>3,900</b>	<b>390</b>	<b>843</b>	<b>128</b>	<b>264</b>	<b>4,559</b>	<b>6,938</b>	<b>24,102</b>	<b>42</b>	<b>3,322</b>	
<b>CIVIL, TRAFFIC &amp; OTHER VIOLATIONS</b>	<b>3,080</b>	<b>40,406</b>	<b>43,486</b>	<b>40,588</b>	<b>2,898</b>	<b>390</b>	<b>843</b>	<b>128</b>							
<b>CIVIL ACTIONS</b>	<b>560</b>	<b>1,510</b>	<b>2,070</b>	<b>1,361</b>	<b>709</b>	<b>390</b>	<b>843</b>	<b>128</b>							
Regular Civil	435	1,131	1,566	1,022	544	248	714	60							
Assumpsit	200	803	1,003	817	186	174	629	14							
Non-Payment of Taxes	1	0	1	0	1										
Tort	58	43	101	10	91	3	6	1							
Summary Possession	27	55	82	65	17	27	17	21							
Other	149	230	379	130	249	44	62	24							
Small Claims	125	379	504	339	165	142	129	68							
Assumpsit	91	338	429	303	126	134	106	63							
Tort	13	5	18	1	17										
Other	21	36	57	35	22	8	22	5							
<b>TRAFFIC VIOLATIONS</b>	<b>2,370</b>	<b>30,912</b>	<b>33,282</b>	<b>31,256</b>	<b>2,026</b>				<b>107</b>	<b>4,160</b>	<b>6,421</b>	<b>17,512</b>	<b>36</b>	<b>3,020</b>	
Moving-Arrest & Citation	688	8,760	9,448	8,554	894				29	102	2,693	8,915	14	801	
Non-Moving	1,302	11,835	13,137	12,203	934				67	3,784	3,202	2,945	22	2,183	
Parking	380	10,317	10,697	10,499	198				11	274	526	9,652		36	
<b>OTHER VIOLATIONS</b>	<b>150</b>	<b>7,984</b>	<b>8,134</b>	<b>7,971</b>	<b>163</b>				<b>157</b>	<b>399</b>	<b>517</b>	<b>6,590</b>	<b>6</b>	<b>302</b>	
Airport	40	3,856	3,896	3,848	48				4	190	54	3,594		6	
Dog Leash	29	1,056	1,085	1,060	25				5	49	150	813		43	
Fish & Game	7	174	181	174	7				4	4	11	134		21	
Harbor Violations	1	4	5	4	1							2		1	
Industrial Safety	0	1	1	1	0									1	
P.U.C. Violations	26	349	375	354	21				2	39	102	45		166	
Weights & Measures	5	2	7	0	7										
Other	42	2,542	2,584	2,530	54				142	116	200	2,002	6	64	

	CASELOAD ACTIVITY					TYPE OF TERMINATION									
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	MISDEMEANOR					FELONY				
						By Discharge/Dismissal	By Nolle Prosequi	Stricken	By Bail Forfeiture	By Commitment to Circuit Court Jury Trial Demanded	By Conviction	Stricken or Discharged	By Commitment to Grand Jury	By Commitment to Circuit Court	
<b>CRIMINAL ACTIONS</b>	<b>982</b>	<b>2,469</b>	<b>3,451</b>	<b>2,449</b>	<b>1,002</b>	<b>452</b>	<b>463</b>	<b>378</b>	<b>12</b>	<b>137</b>	<b>888</b>	<b>18</b>	<b>99</b>	<b>2</b>	
<b>PART I</b>	<b>200</b>	<b>469</b>	<b>669</b>	<b>484</b>	<b>175</b>	<b>123</b>	<b>82</b>	<b>57</b>		<b>15</b>	<b>139</b>	<b>12</b>	<b>65</b>	<b>1</b>	
Murder & Non-Negligent Manslaughter	1	12	13	12	1										
Negligent Homicide	6	3	9	7	2	1	2	1			3				
Forcible Rape	0	1	1	1	0										
Robbery	4	5	9	4	5										
Aggravated Assault	11	3	14	9	5										
Burglary	29	41	70	40	30										
Larceny-Over \$50	32	97	129	91	38	15	26	7		11	20				
Larceny-Under \$50	114	304	418	328	90	105	54	49		4	116				
Auto Theft	3	3	6	2	4	2									
<b>PART II</b>	<b>782</b>	<b>2,000</b>	<b>2,782</b>	<b>1,955</b>	<b>827</b>	<b>329</b>	<b>381</b>	<b>321</b>	<b>12</b>	<b>122</b>	<b>749</b>	<b>6</b>	<b>34</b>	<b>1</b>	
Other Assaults	133	250	383	260	123	33	65	35		18	109				
Arson	2	0	2	0	2										
Forgery & Counterfeiting	5	2	7	5	2	4								1	
Fraud	23	89	112	64	48	9	35	7		1	10			2	
Embezzlement															
Stolen Property															
Vandalism	36	99	135	97	38	8	16	23		4	36			10	
Weapons	30	82	112	71	41	26	15	7		1	18			3	
Prostitution	4	23	27	18	11	4	3	2			7				
Sex Offenses	6	9	15	12	3	3	5	1			3				
Narcotic Drug Laws	205	332	537	380	217	114	80	55		4	114			5	
Gambling	23	91	114	87	27	4	8	11			56			8	
Offenses Against Family & Children	0	6	6	3	3										
Driving Under the Influence	57	316	373	320	53	10	23	75		1	206				
Liquor Laws	11	71	82	65	17	5	9	6			45				
Disorderly Conduct	39	70	109	82	27	15	12	12			3			40	
Vagrancy	4	1	5	3	2										
All Other Offenses	204	499	703	490	213	94	108	85		9	28	153		1	

**Table 21**

CASELOAD ACTIVITY FY 1980-81, DISTRICT COURT FIFTH CIRCUIT

	CASELOAD ACTIVITY					TYPE OF TERMINATION									
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	By Discontinuance/Dismissal	By Default/Confession	By Trial	By Discharge/Dismissal	By Nolle Prosequi	Stricken	By Bail Forfeiture	By Commitment to Circuit Court Jury Trial Demanded	By Conviction	
<b>TOTAL CASES</b>	<b>659</b>	<b>14,541</b>	<b>15,200</b>	<b>14,170</b>	<b>1,030</b>	<b>194</b>	<b>441</b>	<b>88</b>	<b>1,227</b>	<b>12</b>	<b>1</b>	<b>9,029</b>	<b>8</b>	<b>2,276</b>	
<b>CIVIL, TRAFFIC &amp; OTHER VIOLATIONS</b>	<b>557</b>	<b>13,574</b>	<b>14,131</b>	<b>13,276</b>	<b>855</b>	<b>194</b>	<b>441</b>	<b>88</b>							
<b>CIVIL ACTIONS</b>	<b>388</b>	<b>814</b>	<b>1,202</b>	<b>723</b>	<b>479</b>	<b>194</b>	<b>441</b>	<b>88</b>							
Regular Civil	285	666	951	586	365	151	409	26							
Assumpsit	251	629	880	559	321	149	396	14							
Non-Payment of Taxes	1	3	4	1	3										
Tort	14	9	23	1	22	1									
Summary Possession	19	21	40	23	17	1	10	12							
Other	0	4	4	2	2										
Small Claims	103	148	251	137	114	43	32	62							
Assumpsit	95	138	233	128	105	42	30	56							
Tort	7	9	16	7	9										
Other	1	1	2	2	0	1									
<b>TRAFFIC VIOLATIONS</b>	<b>151</b>	<b>6,937</b>	<b>7,088</b>	<b>6,726</b>	<b>362</b>				<b>1,163</b>	<b>11</b>	<b>1</b>	<b>3,327</b>	<b>8</b>	<b>2,216</b>	
Moving-Arrest & Citation	71	3,187	3,258	3,074	184				567	11		1,063	8	1,425	
Non-Moving	77	2,018	2,095	1,920	175				581		1	690		648	
Parking	3	1,732	1,735	1,732	3				15			1,574		143	
<b>OTHER VIOLATIONS</b>	<b>18</b>	<b>5,823</b>	<b>5,841</b>	<b>5,827</b>	<b>14</b>				<b>64</b>	<b>1</b>		<b>5,702</b>		<b>60</b>	
Airport	1	5,627	5,628	5,627	1				1			5,624		2	
Dog Leash	0	18	18	18	0				4			13		1	
Fish & Game	0	40	40	40	0				6			13		21	
Harbor Violations	11	2	13	13	0							13			
Industrial Safety															
P.U.C. Violations	2	46	48	47	1				10			29		8	
Weights & Measures															
Other	4	90	94	82	12				43	1		10		28	

	CASELOAD ACTIVITY					TYPE OF TERMINATION									
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	MISDEMEANOR					FELONY				
						By Discharge/Dismissal	By Nolle Prosequi	Stricken	By Bail Forfeiture	By Commitment to Circuit Court Jury Trial Demanded	By Conviction	Stricken or Discharged	By Commitment to Grand Jury	By Commitment to Circuit Court	
<b>CRIMINAL ACTIONS</b>	<b>102</b>	<b>967</b>	<b>1,069</b>	<b>894</b>	<b>175</b>	<b>268</b>	<b>49</b>	<b>1</b>	<b>29</b>	<b>48</b>	<b>373</b>	<b>94</b>	<b>25</b>	<b>7</b>	
<b>PART I</b>	<b>27</b>	<b>210</b>	<b>237</b>	<b>204</b>	<b>33</b>	<b>43</b>	<b>6</b>		<b>3</b>	<b>5</b>	<b>61</b>	<b>69</b>	<b>13</b>	<b>4</b>	
Murder & Non-Negligent Manslaughter	0	1	1	1	0							1			
Negligent Homicide	2	0	2	2	0	1						1			
Forcible Rape															
Robbery	0	8	8	8	0							7	1		
Aggravated Assault	1	15	16	16	0							10	5	1	
Burglary	0	33	33	33	0							29	2	2	
Larceny-Over \$50	7	46	53	40	13	10	3								



# Table 26

DISPOSITION OF CRIMINAL CASES<sup>1</sup> FY 1980-81, CIRCUIT COURT PROPER FIFTH CIRCUIT

OFFENSE CHARGED <sup>2</sup>	Dismissed <sup>3</sup>	Acquitted <sup>4</sup>	Sentence Suspended <sup>5</sup>	Fine <sup>6</sup>	Incarceration <sup>7</sup>	Probation <sup>8</sup>	Community Service <sup>9</sup>	Other Disposition <sup>10</sup>	Transferred <sup>11</sup>	Remanded <sup>12</sup>	Coding Error	Total
<b>TOTAL CASES DISPOSED</b>	<b>50</b>	<b>9</b>	<b>1</b>	<b>5</b>	<b>19</b>	<b>24</b>		<b>1</b>	<b>1</b>	<b>17</b>		<b>127</b>
<b>PART I</b>	<b>10</b>	<b>4</b>		<b>2</b>	<b>14</b>	<b>13</b>			<b>1</b>			<b>44</b>
Murder & Non-Negligent Manslaughter	1					1						2
Negligent Homicide					1							3
Forcible Rape	2				1	2						3
Robbery		1			3							4
Aggravated Assault	3				2	1						6
Burglary	4	3		2	7	8			1			25
Larceny-Over \$50												
Larceny-Under \$50												
Auto Theft						1						1
<b>PART II</b>	<b>40</b>	<b>5</b>	<b>1</b>	<b>3</b>	<b>5</b>	<b>11</b>		<b>1</b>		<b>17</b>		<b>83</b>
Other Assaults	5	2								5		12
Arson												1
Forgery & Counterfeiting	1				1							4
Fraud	2									1		4
Embezzlement												6
Stolen Property	2		1			3						1
Vandalism	1											4
Weapons	2			1						1		1
Prostitution												2
Sex Offenses						1						2
Narcotic Drug Laws	22	2		1	1	2						28
Gambling												
Offenses Against Family & Children												
Driving Under the Influence										4		4
Liquor Laws												
Disorderly Conduct										2		2
Vagrancy												
All Other Offenses (Except Traffic)	5	1		1	3	5		1		4		20
Traffic Offenses												

1. Criminal cases filed in the Circuit Court Proper are felonies and misdemeanors. The latter type of case generally is transferred from the District Court when a jury trial is demanded by the defendant. Excluded are juvenile and adult cases which are under the jurisdiction of the Family Court. The data reflects only those criminal cases which were reported as disposed during the fiscal year, and excludes those which are still pending disposition such as cases which are awaiting trial, cases which are awaiting sentencing, and cases on Deferred Acceptance of Guilty Plea status.

A case represents a defendant in a criminal case. Thus, if a criminal case which was initiated by an indictment names three defendants, for case counting purposes, this is reported as three criminal cases. When multiple offenses are involved, the most serious offense is selected and utilized for classification purposes.

2. Offense Charged represents the original offense named on the complaint or indictment. An offense may be amended by the prosecutor during progress of the cases. Upon disposition of the case, the final offense may be the same as the offense charged, a lesser included offense, or one of the other offenses named on a complaint or indictment.

The categories presented are those utilized by the Federal Bureau of Investigation (F.B.I.) in their annual series; Uniform Crime Reports.

For illustrative purposes, some examples of sentences meted by the courts are listed below.

A defendant convicted of two counts of burglary in the first degree was sentenced to (1) commitment in a correctional facility for a period of ten years and (2) a suspended sentence. The statistical reporting clerk selects "incarceration" as the sentence.

A defendant was acquitted of a charge of murder, but convicted of failure to register firearm and sentenced to probation for a period of five years. The clerk selects the probation sentence.

Sentences given to convicted defendants are authorized by statute. (HRS 706-605)

3. Criminal cases are dismissed for various reasons: the witness for the prosecution left the jurisdiction and thus was unavailable to testify, or the defendant was not given a speedy trial, or the defendant had successfully fulfilled the terms and conditions of Deferred Acceptance of Guilty Plea, etc.

4. Defendants are acquitted by the jury or the judge after trial.

5. The judge may sentence a convicted defendant by suspending imposition of sentence. This sentence may or may not include payment of a fine, or restitution.

6. A sentence of fine may also include restitution, but excludes cases where the defendant is also sentenced to incarceration or probation.

7. A sentence of incarceration in the case of a defendant convicted of a felony offense is to confinement in a community correctional facility (prison) for a period of five years or longer. This sentence may include payment of a fine or of restitution. If a defendant is convicted of a misdemeanor offense, he/she is sentenced to confinement in a community correctional facility for a period up to one year.

8. Probation as a sentence may include payment of a fine, or restitution, or community service. In addition, a person sentenced to probation may also be ordered to serve up to one year in a correctional facility as a condition of probation for a felony offense, and up to six months for a misdemeanor offense.

9. Community service is a relatively recent alternative provided by statute. The court shall not sentence a person only to perform community service . . . unless "it is of the opinion that such services alone suffice for the protection of the public."

10. Other disposition includes a sentence other than sentence suspended, fine, incarceration, probation or community service.

11. Transferred is not a final disposition. This disposition occurs if a defendant requests and is granted a change of venue. Proceedings are then transferred to another judicial circuit.

12. Remanded cases are those where the defendants initially requested jury trial. The cases were referred back to the District Court for action and disposition.

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**END**