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CASELOAD HIGHLIGHTS

EXAMINING THE WORK OF STATE COURTS

The New *State Court Guide to Statistical Reporting*

We are pleased to introduce the *State Court Guide to Statistical Reporting, 2003*, to the state court community. Replacing the *State Court Model Statistical Dictionary, 1989*, the *Guide* is the result of a collaboration between the Conference of State Court Administrators (COSCA), trial court administrators, state and trial court statisticians, and other experts from throughout the court and academic communities.

The *Guide* is a tool for improving court administration. Primarily, it is designed to provide trial, appellate, and state court administrators with a more accurate picture of court caseloads and workloads. Data reporting formats have been expanded to include more complete, yet concise, case filing and disposition categories. In so doing, the *Guide* recommends a model approach for defining and counting historically difficult elements of court caseloads such as reopened, reactivated, and inactive pending cases.

The *Guide* also supports the ongoing development of court automated systems. As states consider the investment of millions of dollars in new information technology, clarity on the definition, scope, and interrelationship of critical data elements is essential to compiling a complete picture of court workload. Vendors and courts can use the *Guide* (in conjunction with the COSCA/National Association for Court Management Joint Technology Committee's *Functional Standards*) to help design a system responsive to all aspects of caseflow and workload management as well as the production of useful and accurate statistical reports. Final and draft versions of the *Functional Standards* are available on the Web at: <http://www.ncsc.dni.us/NCSC/TIS/TIS99/standards.htm>.

The New *Guide* is Divided into Six Sections

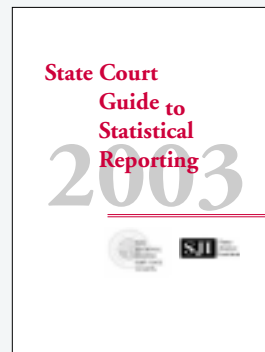
The *Guide* contains equivalent sections for each of the six major case categories: Civil, Domestic Relations, Criminal, Juvenile, Traffic, and Appellate.

The sections include:

- Introduction - outlining the various changes implemented since the 1989 *Dictionary*.
- Unit of Count - explaining how cases should be counted, followed by multiple examples.

- Caseload Summary Matrix - the format for reporting total number of filings and dispositions.
- Manner of Disposition Matrix - the format for reporting types of dispositions by type of case.

The *Caseload Summary* and the *Manner of Disposition* matrices serve as the focal point of the *Guide*. The following pages illustrate the use of the *Guide* by featuring the *Civil* case formats. Full-size forms for all six case categories are available in Excel format and may be found on the NCSC Web site shown below.



The State Court Guide to Statistical Reporting, 2003, is available in pdf format on the National Center for State Courts' Web site at <http://www.ncsonline.org> and click on State Court Guide to Statistical Reporting, 2003.

Counting Cases and Dispositions

The image below shows an example of the new *Caseload Summary* matrix for general civil cases. Here, civil case types are noted and defined, and total filings, dispositions, and pending case-loads are counted. For trial courts, ten filing and disposi-

tion categories are defined. They begin with a count of *Active* and *Inactive Begin Pending* cases, followed by the three categories of cases to be added to the caseload inventory: *New Filing*, *Reopened*, and *Reactivated* cases. Dispositions are delineated

Civil - Caseload Summary Matrix

Case Type	Begin Pending		New Filing	Reopened
	Active	Inactive		
Tort				
Automobile Tort				
Intentional Tort				
Malpractice - Medical				
Malpractice - Legal				
Malpractice - Other Professional				
Total Malpractice				
Premises Liability				
Product Liability - Asbestos				
Product Liability - Tobacco				
Product Liability - Toxic/Other				
Total Product Liability				
Slander/Libel/Defamation				
Other Tort				
TOTAL Tort				
Contract				
Buyer Plaintiff				
Employment Dispute-Discrimination				
Employment Dispute-Other				
Total Employment Dispute				
Fraud				
Landlord/Tenant-Unlawful Detainer				
Landlord/Tenant Dispute-Other				
Total Landlord/Tenant				
Mortgage Foreclosure				
Seller Plaintiff (Debt Collection)				
Other Contract				
TOTAL Contract				
Real Property				
Eminent Domain				
Other Real Property				
TOTAL Real Property				

Expanded tort categories to provide greater detail for high profile civil case types.

New civil caseload summary allows for the tracking of specific types of contract cases.

Addition of *Inactive Pending* caseload permits more accurate calculation of time to disposition for pending cases.

Including *reopened* cases in filing totals provides a more accurate assessment of workload.

Describing Manner of Disposition

The image below shows the recommended *Manner of Disposition* matrix for civil cases. Most of the categories outlined in earlier versions of the *Dictionary* are still present and remain tailored to the case type to which they apply. However, users will notice a greater emphasis on dispositions that require judi-

cial intervention versus those that do not. For example, whereas the 1989 *Dictionary* offered “Settled” and “Withdrawn” as two discrete disposition categories, the *Guide* distinguishes cases settled *With Judicial Action* from those *Without Judicial Action* or *By Alternative Dispute Resolution* from cases dismissed for want of prosecution. This modification will provide useful

Civil - Manner of Disposition Matrix

Case Type	Non-Trial Dispositions						
	Dismissed Want of Pros.	Default Judgment	Summary Judgment	Settled			Other Dismissal
				Without Judicial Action	With Judicial Action	By Alternative Dispute Resolution	
Tort							
Automobile Tort	Additional categories distinguish the number of cases in which litigants failed to pursue their claims from those that continued through the system.			Provides for a more meaningful assessment of court workload by counting the different ways cases are settled.			
Intentional Tort							
Malpractice - Medical							
Malpractice - Legal							
Malpractice - Other Professional							
Total Malpractice							
Premises Liability							
Product Liability - Asbestos							
Product Liability - Tobacco							
Product Liability - Toxic/Other							
Total Product Liability					Clarifies the share of cases disposed by any form of alternative dispute resolution.		
Slander/Libel/Defamation							
Other Tort							
TOTAL Tort							
Contract							
Buyer Plaintiff							
Employment Dispute - Discrimination							
Employment Dispute - Other							
Total Employment Dispute							
Fraud							
Landlord/Tenant - Unlawful Detainer							
Landlord/Tenant Dispute - Other							
Total Landlord/Tenant							
Mortgage Foreclosure							
Seller Plaintiff (Debt Collection)							
Other Contract							
TOTAL Contract							
Real Property							
Eminent Domain							
Other Real Property							
TOTAL Real Property							

The Caseload Summary - Examples

Case Type	Begin Pending		New Filing	Reopened
	Active	Inactive		
Example 1 — Automobile Tort		5	50	
Example 2 — Fraud	80			40
Example 3 — Seller Plaintiff			100	
Example 4 — Guardianship		20	60	
Total	80	25	210	40

The image above shows four examples of how a court might use the caseload summary matrix to report civil caseloads.

Example 1:

At the beginning of the reporting period, 5 Automobile tort cases had previously been classified as *Begin Inactive Pending*. During the reporting period, 50 Automobile tort cases were filed with the court, and the 5 *Begin Inactive Pending* cases were *Reactivated*. Thirty-five (35) cases were then disposed of during the reporting period. The remaining 20 cases were still awaiting disposition at the end of the reporting period and were recorded as *End Active Pending*.

Example 2:

Eighty (80) Fraud cases were in *Begin Active Pending* status at the beginning of the reporting period. All 80 cases were disposed of during the reporting period. Forty (40) defendants filed motions and were granted permission to submit new evidence. Because new evidence was submitted, the cases were reported as *Reopened* cases, the hearings ended in new dispositions, and the cases were then counted as *Reopened Dispositions*.

Example 3:

During the reporting period, 100 new Seller Plaintiff cases were recorded in the *New Filing* column. Seventy-five (75) defendants appeared in court, and their cases were disposed by *Entry of Judgement*. The 25 remaining defendants filed for bankruptcy. While awaiting the results of the bankruptcy proceedings, these 25 cases were *Placed on Inactive Status*. The reporting period ended while all 25 cases are still in *End Inactive Pending*.

Example 4:

At the beginning of the reporting period, 20 pending Guardianship cases were carried over, having been previously classified as *Inactive*. Sixty (60) new guardianship cases were filed with the court. In 30 of the *New Filing* cases, declaratory judgment proceedings began, and those 30 cases were then *Placed on Inactive Status*. All 20 of the original *Inactive* cases were *Reactivated* and subsequently disposed of, along with the remaining 30 newly filed cases (for a total of 50 *Entries of Judgment*). At the end of the reporting period, the 30 cases *Placed on Inactive Status* remain inactive and are counted as *End Pending Inactive*.

Reactivated	Dispositions		Placed on Inactive Status	End Pending	
	Entry of Jdgmt.	Reopened		Active	Inactive
5	35			20	
	80	40			
	75		25		25
20	50		30		30
25	240	40	55	20	55

Calculating Pending Caseloads

When using all 10 available categories in the caseload summary, the user can calculate separate active and inactive caseloads quite simply. Using the totals from the above examples of these calculations, the *End Pending Active* caseload is calculated by adding the *Begin Pending Active*, *New Filing*, *Reopened*, and *Reactivated* cases, and subtracting from that total the *Entry of Judgment*, *Reopened Dispositions*, and *Placed on Inactive Status* cases.

$$\begin{array}{r}
 \text{Begin Active Pending} \quad 80 \\
 + \text{New Filing} \quad 210 \\
 + \text{Reopened} \quad 40 \\
 + \text{Reactivated} \quad 25 \\
 \hline
 \text{355} \\
 \text{— minus} \\
 \text{Entry of Judgment} \quad 240 \\
 + \text{Reopened Dispositions} \quad 40 \\
 + \text{Placed on Inactive Status} \quad 55 \\
 \hline
 \text{335} \\
 \hline
 = 20 \text{ End Active Pending}
 \end{array}$$

The inactive caseload is also straightforward. Add the *Begin Inactive Pending* and *Placed on Inactive Status* cases, and subtract the number of *Reactivated* cases.

$$\begin{array}{r}
 \text{Begin Inactive Pending} \quad 25 \\
 + \text{Placed on Inactive Status} \quad 55 \\
 \hline
 \text{80} \\
 \text{— minus} \\
 \text{Reactivated} \quad 25 \\
 \hline
 \text{25} \\
 \hline
 = 55 \text{ End Inactive Pending}
 \end{array}$$

Improving Court Data and Furthering National Policy Research

Trial and appellate courts vary in size, structure, and procedures as well as social and legal contexts. Taking these complex realities into account, the *State Court Guide to Statistical Reporting, 2003* provides a general framework that we believe is

adaptable by every court. Courts are encouraged to use the *Guide* as a sounding board for improving their current record-keeping systems. An indispensable ingredient of effective practice is accurate and comparable information on the

nature, scope, and volume of work before the court. This information is relevant to the request for public resources, the distribution of available judges, staff, and technology, and the assessment of how well courts are fulfilling their functions. Use of

the *Guide* should increase the court's understanding of its caseload, provide answers to questions about a court's workload more quickly and easily, and permit more fruitful communication with other courts.

The Court Statistics Project (CSP)

In existence since 1975, the CSP is administered by the National Center for State Courts, with generous support by the Bureau of Justice Statistics. The CSP receives general policy direction from the Conference of State Court Administrators through its Court Statistics Project Advisory

Committee. Those wishing a more comprehensive review and analysis of the business of state trial and appellate courts are invited to read the CSP's latest publication, *Examining the Work of State Courts, 2002*. For more information go to <http://www.ncsc.dni.us> and click on Court Statistics Project.



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CASELOAD HIGHLIGHTS

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