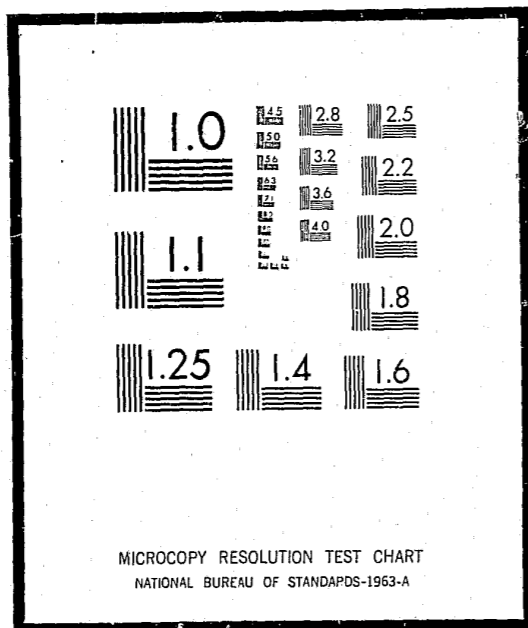


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Los Angeles County Municipal Courts Planning & Research

SUMMARY OF THE
JUDICIAL WEIGHTED
CASELOAD SYSTEM PROJECT
(Preliminary Report, April, 1974)

14183

Prepared for the
MUNICIPAL COURT
PRESIDING JUDGES COMMITTEE
OF THE CONFERENCE OF CALIFORNIA JUDGES

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PREFACE

The Los Angeles County Municipal Courts Planning and Research Unit presents this Summary of the Judicial Weighted Caseload System Project (Preliminary Report, April, 1974) to the Municipal Court Presiding Judges Committee of the Conference of California Judges.

The Summary is divided into five sections. They are:

SECTION I: Introduction - the basic purpose of the Weighted Caseload Study and the history of its use in California are described.

SECTION II: Study Methodology - the manner in which the study was conducted is described.

SECTION III: The Formula - the mathematical formula employed to achieve the Study's purpose is defined.

SECTION IV: The Report's Recommendation - the Report's recommendations are set forth.

SECTION V: Comments - Certain aspects of the Study methodology and the Report are discussed.

The Planning and Research Unit is hopeful the Committee will find the Summary informative and useful. If the Committee has further questions about the Report, the Unit stands ready to address them.

SECTION I. INTRODUCTION

The Basic Purpose of the Study

The Judicial Weighted Caseload System Preliminary Report (hereinafter referred to as the "Report") relates the results of the most recent weighted caseload study of the California superior and municipal courts.

The purpose of the weighted caseload system is to provide a means for the accurate prediction of judicial staffing needs in the courts. The concept underlying the system is the recognition of the fact that not all types of cases and legal proceedings consume the same amount of judicial time. Given that fact, the weighted caseload system assigns "weights" (averages of time) to cases which it then relates in a formula to the estimated filings in each court to predict the courts' judicial staffing needs.

The History of the Weighted Caseload

System In California

Until 1966, the need for additional judges in the California trial courts was determined by an analysis of the total filings in a particular district without distinction as to type. Under that system, it was possible that courts with inordinate proportion of the more time-consuming types of cases would not receive an adequate amount of judges.

In 1966, the Judicial Council developed and approved the use of a weighted caseload study for the superior and municipal courts. In 1971, Arthur Young & Company prepared a study of the system for the Judicial Council.

In 1973, Arthur Young & Company was again commissioned to study the system, this time for the purpose of updating it. To do so, they collected data from a selected sample of the courts of a six-week period, beginning November 1, 1973. Twenty-one municipal courts were included in the sample. This most recent study resulted in the preparation of the Preliminary Report which is the subject of this Summary.

SECTION III. THE FORMULA

To achieve its purpose, the weighted caseload system employs an algebraic formula. The various parts of that formula, and how they interrelate are described below:

A. Weighted Caseload Value

- Proceeding - one of the nine categories into which municipal court cases are divided for purposes of the study: felony preliminary, selected traffic, other traffic, intoxication, other misdemeanors, civil, small claims, juvenile traffic, and parking.
- Activity - one of the components within a Proceeding which can lead to disposition of a case, such as pre-trial motion, pre-trial hearing, court trial, jury trial, or post-trial hearing.
- Average Time (AT) - a statistical average of the number of minutes spent by a judge on a particular activity.
- Frequency (F) - the number of times on Activity occurred divided by the total number of filings
- Weight (W) - the average time for an Activity multiplied by the Frequency for that Activity.
- Total Disposition Weight (TDW) - the sum of the Weights for all Activities in a Proceeding.
- Dispositions to Filings Ratio (DFR) - the total dispositions in a particular proceeding during a given time period divided by the total filings in that proceeding during that same period. This ratio provides for the fact that a certain percentage or cases filed are not disposed of within a given time frame.

Total Filing Weight (TFW) - the total disposition weight multiplied by the dispositions to filings ratio. This number is also referred to as the Weighted Caseload Value for the given proceeding. If the Total Filing Weight for a Proceeding is 12.7, for example, the statistical probability is that for every filing in that Proceeding, 12.7 minutes of a judge's time will be required to dispose of the case.

In terms of mathematical formulae, the weighted caseload concept may be expressed as follows:

$$W = AT \times F$$

$$TDW = W1 + W2 + \dots + Wn$$

$$TFW = DFR \times TDW$$

B. Judge Year Value

This figure represents the number of minutes a municipal court judge spends on case-related matters in a year. The calculation assumes that there are 250 court days per year, of which a judge spends 22 on vacation, 8 on illness, and 5 on workshops, institutes, and related travel time. This leaves 215 days per year. Multiplying this figure by 60 minutes per hour and by the number of case-related hours per day produces the judge year value. Since this figure was given in the study as 63,300 minutes for a municipal court judge, the conclusion is that such judges spend an average of 4.91 hours per day on case-related matters.

C. Forecasting Judicial Staffing Needs

The first step in forecasting staffing needs is to project the filing volume into the future for each of the types of proceedings for a particular court. This is accomplished by sophisticated statistical techniques which need not be elaborated upon here.

Once these projections have been made, they are multiplied by the respective weighted caseload values. The result is an aggregate figure representing the total number of minutes of judge time anticipated for the year being projected. Dividing this figure by the judge year value reveals the number of judges required to process the filing volume. This number can be compared to the number of judges presently serving the given court. Staffing recommendations can then be made. (See Appendix "C" for the preliminary projection of judicial staffing needs resulting from this study.)

SECTION IV. THE REPORT'S RECOMMENDATIONS

The Report makes five recommendations for the improvement of the weighted caseload system. They are:

1. Adopt the New Weighted Caseload Values - the Report suggests new weighted caseload values (see Appendix "D"). The values are different for Los Angeles Municipal Court and the remaining courts in the state. The new values indicate some types of filings now require more time to dispose than was previously the case. The new values are justified by:
 - a. statutory changes (not specified)
 - b. use of pre-trial diversion
 - c. more accurate reporting by courts (includes for the first time, non-bench case-related time).
2. Adopt new judge year values - the judge year value is the quantum (given in minutes) that the judge devotes to case-related matters (see Appendix "D").
3. Continue to use the present forecasting and analysis procedure, with minor modifications:
 - a. Manually review the forecasts, comparing them to past court performance, and whenever they appear to be unacceptable the Judicial Council should have discretion to alter them. No guidelines for the use of that discretion were given.
 - b. Estimate judicial staffing as a range rather than a fixed point - the authors of the study recognize the inability of the system to predict staffing needs with exactness but make no suggestion for dealing with this problem.
 - c. Develop a policy which considers the impact of fractional judicial position needs by small courts - the predictions for judicial position needs produced by the system are often stated in fractions, which of course, need to be rounded up or down. When smaller courts lose 1/10 or 1/5 of a judge by a rounding down of the predictions for their court, it more seriously affects them than it would a large court. The Report suggests the adoption of a policy which would relate court size and fractional need to determine if rounding up or down is appropriate.

4. The Weighted Caseload system should be periodically updated. The Report recommends the use of an automated system for continuous updating. It also suggested an annual review of the filings weights or whenever a change in the law or court rules justifies such.
5. Adopt procedures to determine when temporary, additional judicial manpower is needed to reduce a case backlog. The Report assumes there is an optimum time a case should be in the judicial system to allow for voluntary disposition (settlement). It suggests that a time frame be identified and the cases older than that can be plugged into the system to determine the quantum of additional temporary judges needed to dispose of the case.

COMMENTS

There are several features of the Report and the Study which deserve further comment. They are:

1. Judge Role

One question frequently raised about the study concerns the parameters used to define the role and duties of a judge. That is, what activities (i. e. service on community-improvement committees, service on court committees, attendance at Bar Association functions) were considered as part of the judge's job by those who administered the study?

While the raising of that question is understandable, it does not suggest a basis upon which to question the Report's validity. The Weighted Caseload System does not define the judge's role in the sense of predetermining what activities are properly included or excluded from the judge's job. It does employ a factor, called the "Judge Year Value", which is a calculation of the amount of time judges are available for case-related work. But that factor was derived exclusively from the input received from the courts that participated in the study. The study reports how much time the participating judges indicated they spent on case-related activities but does not attempt to describe or control how judges spend the remainder of their work day.

A possible criticism of the manner in which the Judge Year Value is calculated goes to the accuracy of the input data. As discussed below, errors in the data did appear.

2. Expertise of Those Conducting the Study

The project staff was composed of persons with system analysis and statistics backgrounds. They had some experience with the weighted caseload system and the California courts by virtue of the fact that their company also prepared the 1971 study. Although they didn't have judicial administration backgrounds, they did establish formal and informal relationships with the Judicial Council staff, judges, lawyers and court clerks to seek their advice and assistance. It is impossible to assess the extent of the problem, if any, created

by the makeup of the project staff, but in view of the nature of the study and the staff's continuing access to a large number of legal and judicial administration experts, it is doubtful that it was significant.

3. Applications of Averages to Individual Courts

The weighted caseload study relies on the use of averages. The weights assigned to cases and the judge year value are statistically derived averages. Obviously, inherent in the application of those averages (calculated from input derived from a small number of courts) to predict judicial staffing needs in the courts throughout the state is the problem that the special or unique features or problems of those courts will not be taken into account adequately.

In addition, whenever statistically derived averages are calculated from a sample, the questions of whether or not the sample is representative is present. We are informed by the project staff that this sample may not be as representative as is possible.

4. The Results of the Study are Only as Valid as the Data Input Is Accurate

The results of the study are highly dependent upon data input from the sample courts. We were informed by the project staff that some of the input was determined by the staff, upon receipt, to be erroneous. To the extent the errors could be corrected such was done. However, that was not always possible. In some cases the staff had to throw out data, thereby reducing the input upon which the Report is based. It is probably safe to assume, in view of the fact that the staff did discover some errors, that some erroneous data was inadvertently included in the Report.

5. Segregation of Los Angeles Judicial District

The Report segregates Los Angeles Judicial District from the remaining municipal courts in the state for the purposes of calculating caseload weights. No explanation is given for the separate treatment of the Los Angeles courts.

6. Failure to Give Adequate Guidelines to the Judicial Council

As previously discussed, the Report recommends that judicial staffing needs be reported in ranges rather than fixed points. It further suggests the Judicial Council be given the discretion to set the exact number within the range. It does not, however, suggest any guidelines or criteria for the Judicial Council to use in performing this task.

7. Backlog

The Report addresses the "backlog" problem and suggests a method of attacking it. However, it fails to define one aspect of the problem which is critical to employing the recommended approach. That is, what constitutes an excessive backlog of cases?

8. Factors the Study Doesn't Consider

The Report admits the study cannot give consideration to two factors which affect its results. They are:

1. Quality of Justice - the weights do not measure the quality of justice being meted out by the courts. They may or may not represent high quality.
2. Procedural Efficiency - the weights measure how courts currently conduct their operations. The average may or may not represent an efficient operation.

The study also did not give consideration to the following factors in determining its weights:

1. Whether a case is litigated by counsel or a pro per.
2. Whether a case involves two parties or more than two parties.
3. Whether a judge, commissioner, referee or part-time judicial officer heard a case.

9. Failure to Report Judge Year Values According to Court Size

In the 1971 Final Report judge year values were divided into three groups, depending on court size. The reason given was ". . . in larger courts more time is available for case-related matters, on a per judicial position basis, than in smaller courts . . ." In the subject Report the judge year values were not related to court size. No explanation is given for the abandoning of the above-quoted premise.

COURTS PARTICIPATING IN THE 1973
JUDICIAL WEIGHTED CASELOAD STUDY

SUPERIOR

Alameda	Santa Barbara
Contra Costa	San Bernardino
Kings	Santa Clara
Los Angeles	San Diego
Monterey	San Mateo
Orange	Sonoma
Placer	Tulare
Riverside	Tuolumne
Sacramento	Ventura
	Yolo

MUNICIPAL

Culver (LA)	San Jose - Milpitas
Desert (Riverside)	San Leandro - Hayward
Los Angeles	Santa Barbara - Goleta
Long Beach (LA)	Santa Cruz County
Mt. Diablo (Contra Costa)	Sonoma County
North County (San Diego)	South Gate (LA)
North Orange County	South Orange
Northern San Mateo	Walnut Creek (Contra Costa)
San Bernardino	Ventura
San Diego	Visalia (Tulare)
San Francisco	

JUDICIAL WEIGHTED CASELOAD STUDY
MUNICIPAL COURT
WORK LOAD INDICATORS

WORK LOAD INDICATOR		CRIMINAL/TRAFFIC DEFENDANTS							CIVIL CASES	
NO. (15-16)	DESCRIPTION	FELONY (18-21)	17(b)5 REDUCTION (22-25)	MISD. COMP. (26-29)	MISD. CITATION (30-33)	SELECTED TRAFFIC (34-37)	INTOX. (38-41)	OTHER TRAFFIC (42-45)	CIVIL (46-49)	SMALL CLAIMS (50-53)
01	BENCH WARRANT									
02	PLEAD NOT GUILTY									
03	PLEAD GUILTY (SENTENCE NOT PRONOUNCED)									
04	PLEAD GUILTY (SENTENCE PRONOUNCED)									
05	BAIL FORFEITURE (CALLED IN COURT)									
06	SECTION 1535.5 MOTION									
07	SENTENCE HEARING - ORIGINAL									
08	PROBATION OR SENTENCE MODIFICATION									
09	DEFENDANT DIVERTED PRIOR TO ADJUDICATION									
10	DISMISSAL									
11	CONTINUANCE									
12	OFF CALENDAR									
13	ASSIGN TO ANOTHER DEPARTMENT									
14	OTHER PRE-TRIAL MOTION									
15	TRIAL SETTING CONFERENCE									
16	PRE-TRIAL (OR PRE-HEARING) CONFERENCE									
17	UNCONTESTED COURT TRIAL									
18	CONTESTED COURT TRIAL OR PRELIMINARY HEARING									
19	JURIES SWORN									
20	JURY TRIAL COMPLETED - DEFENDANTS									
21	POST TRIAL MOTION									
26	TOTAL DEFENDANTS - IN CUSTODY*									
27	TOTAL DEFENDANTS - NOT IN CUSTODY*									
28	TOTAL CASES									
29	TOTAL JURY VERDICTS (CASES)									

* THESE TOTALS SHOULD EQUAL THE TOTAL CRIMINAL DEFENDANTS OR CIVIL CASES APPEARING IN COURT OR SCHEDULED TO APPEAR FOR THE DAY.

JUVENILE TRAFFIC		
NO. (15-16)	DESCRIPTION	QUANT (13-14)
30	UNCONTESTED HEARING	
31	CONTESTED HEARING	
32	OTHER MOTION	

PARKING		
NO. (15-16)	DESCRIPTION	QUANT (13-14)
40	ARRAIGNMENTS (PROTEST APP.)	

JUDICIAL TIME/ACTIVITY REPORT
 JUDICIAL COUNCIL WEIGHTED CASELOAD STUDY

42 JUDGE (FULL-TIME) 32 JUDGE (PRO TEM) 62 JUDGE (ASSGN) 72 COM 82 REF (4-6) (7-10) (11-14) No 7488

LINE NO.	ACTIVITY CODE	ELAPSED TIME				CASE NUMBER	STATUS OF TRIALS AND HEARINGS		CASE FILING DATE	REMARKS (INCLUDE A DESCRIPTION OF ANY CASE RELATED OR SUPPLEMENTAL ACTIVITIES)
		BENCH		OTHER			IN PROCESS AT 11/1/73 *	COMPLETED THIS DAY **		
		HRS	MINUTES	HRS	MINUTES					
(15-16)	(17-18)	(20-23)		(24-27)		(28-36)	(37)	(38)		
01										
02										
03										
04										
05										
06										
07										
08										
09										
10										
11										
12										
13										
14										
15										
16										
17										
18										
19										
20										
21										
22										
99	TOTAL TIME									

* ENTER A (✓) FOR TRIALS OR HEARINGS IN PROCESS AS OF THE BEGINNING OF THE STUDY ON 11-1-73.
 ** ENTER A (✓) ON THE DAY THAT THE TRIAL OR HEARING IS COMPLETED.

PROJECTED JUDICIAL POSITION REQUIREMENTS
MUNICIPAL COURTS

COUNTY/COURTS	AUTHORIZED JUDICIAL POSITIONS (6/30/73)	ACTUAL EQUIVALENT JUDICIAL POSITIONS (1972/73)	APPLICATION OF RECOMMENDED WEIGHTS ^{1/}	
			PROJECTED JUDICIAL POSITIONS 1975	PERCENT ACCURACY PROBABILITY - .95
Alameda				
Alameda	1	1.1	1.0	3.5
Berkeley - Albany	4	4.1	4.4	1.7
Fremont - Newark - U. City	3	3.2	2.9	2.1
Livermore	1	1.1	1.5	2.9
Oakland - Piedmont	14	15.4	16.1	.9
San Leandro - Hayward	6	6.0	7.1	1.1
Butte				
Chico	1	1.1	1.4	3.1
Contra Costa				
Delta	2	1.4	2.4	2.3
Mt. Diablo	3	3.2	4.4	1.7
Richmond	3	3.1	2.5	2.2
River				
San Pablo				
Walnut Creek	2	2.2	2.9	2.1
West	2	2.2	2.9	2.1
Fresno				
Fresno	6	6.6	7.8	1.3
Humboldt				
Eureka	1	1.4	1.7	2.7
Kern				
Bakersfield	6	5.0	5.6	1.5
Los Angeles				
Alhambra	3	3.4	3.1	2.0
Antelope	1	2.0	2.0	2.5

PROJECTED JUDICIAL POSITION REQUIREMENTS
MUNICIPAL COURTS

COUNTY/COURTS	AUTHORIZED JUDICIAL POSITIONS (6/30/73)	ACTUAL EQUIVALENT JUDICIAL POSITIONS (1972/73)	APPLICATION OF RECOMMENDED WEIGHTS ^{1/}	
			PROJECTED JUDICIAL POSITIONS 1975	PERCENT ACCURACY PROBABILITY - .95
Los Angeles (Cont.)				
Beverly Hills	3	4.8	3.6	1.9
Burbank	2	2.0	2.1	2.5
Citrus	5	6.3	9.1	1.2
Compton	5	6.6	9.1	1.2
Culver	1	1.5	1.7	2.7
Downey	4	4.1	5.3	1.6
E. Los Angeles	4	5.7	7.0	1.4
El Monte	4	4.1	5.5	1.5
Glendale	2	2.9	2.3	2.4
Inglewood	4	4.2	6.8	1.4
Long Beach	7	7.9	9.8	1.1
Los Angeles	64	72.1		
Los Cerritos	3	3.4	3.1	2.0
Newhall	2	2.0	1.9	2.6
Pasadena	4	4.9	4.3	1.7
Pomona	3	2.9	5.5	1.5
San Antonio	3	4.2	6.0	1.5
Santa Anita	1	1.6	1.5	2.9
Santa Monica	3	4.2	3.3	2.0
South Bay	4	4.0	9.0	1.2
South Gate	2	2.1	2.2	2.4
Whittier	4	4.4	5.1	1.6
Marin				
Central	4	3.9	4.5	1.7
Monterey				
Monterey - Carmel	3	2.9	25.5	2.2
Salinas	2	2.5	3.2	2.0

PROJECTED JUDICIAL POSITION REQUIREMENTS
MUNICIPAL COURTS

COUNTY/COURTS	AUTHORIZED JUDICIAL POSITIONS (6/30/73)	ACTUAL EQUIVALENT JUDICIAL POSITIONS (1972/73)	APPLICATION OF RECOMMENDED WEIGHTS ^{1/}	
			PROJECTED JUDICIAL POSITIONS 1975	PERCENT ACCURACY PROBABILITY = .95
Orange				
Central Orange	11	9.2	14.7	.9
North Orange	8	8.6	9.7	1.2
Orange Co. Harbor	4	4.1	6.8	1.4
South Orange	3	3.1	2.6	2.2
West Orange	8	8.8	12.7	1.0
Riverside				
Corona	1	1.3	1.6	2.8
Desert	2	2.5	3.5	1.9
Riverside	4	5.1	5.2	1.6
Sacramento				
Sacramento	13	1.28	23.1	.7
San Bernardino				
San Bernardino	10	11.7	15.1	.9
San Diego				
El Cajon	4	4.1	5.0	1.6
North County	5	5.0	7.2	1.3
San Diego	22	21.7	26.7	.7
San Francisco				
San Francisco	19	18.3	21.0	.8
San Joaquin				
Lodi	1	1.1		
Manteca - Ripon	2	1.4	1.5	3.0
Stockton	4	4.1	6.0	1.5
San Mateo				
Central	3	3.7	3.6	1.9

PROJECTED JUDICIAL POSITION REQUIREMENTS
MUNICIPAL COURTS

COUNTY/COURTS	AUTHORIZED JUDICIAL POSITIONS (6/30/73)	ACTUAL EQUIVALENT JUDICIAL POSITIONS (1972/73)	APPLICATION OF RECOMMENDED WEIGHTS ^{1/}	
			PROJECTED JUDICIAL POSITIONS 1975	PERCENT ACCURACY PROBABILITY - .95
San Mateo (Cont.)				
Northern	3	3.3	3.8	1.8
Southern	3	3.9	4.4	1.7
Santa Barbara				
Santa Barbara - G.	3	3.3	4.3	1.7
Santa Maria	2	1.7	1.3	3.2
Santa Clara				
Los Gatos - Campbell	1	1.3	1.6	2.9
Palo Alto - Mt. View	4	4.0	3.0	2.1
San Jose - Milpitas	11	11.3	13.3	1.0
Santa Clara	2	2.5	1.8	2.7
Sunnyvale	2	2.2	2.0	2.6
Santa Cruz				
Santa Cruz	3	2.4	4.8	1.6
Solano				
Fairfield	2	1.7	2.6	2.2
Vallejo	2	2.2	2.3	2.4
Sonoma				
Central				
Sonoma	4	4.3	4.5	1.7
Southern Sonoma				
Stanislaus				
Modesto	3	3.0	5.0	1.6
Tulare				
Visalia	1	1.8	1.7	2.7

PROJECTED JUDICIAL POSITION REQUIREMENTS
MUNICIPAL COURTS

COUNTY/COURTS	AUTHORIZED JUDICIAL POSITIONS (6/30/73)	ACTUAL EQUIVALENT JUDICIAL POSITIONS (1972/73)	APPLICATION OF RECOMMENDED WEIGHTS ^{1/}	
			PROJECTED JUDICIAL POSITIONS 1975	PERCENT ACCURACY PROBABILITY - .95
Ventura				
Ventura	8	7.3	9.8	1.1
TOTAL	<u>380</u>	<u>398.98</u>		

^{1/} Projected judicial positions are based on unadjusted forecasts of 1975 calendar year filings. The percent accuracy factor is the percent range about the projected positions (e.g., 100 projected positions with an accuracy factor = 1.0 would specify a staffing range of 99 - 101 positions).

SUMMARY OF RECOMMENDED WEIGHTED CASELOAD AND JUDGE YEAR VALUES

SUPERIOR COURTS

WEIGHTED CASELOAD VALUES

PROCEEDING	WEIGHTED CASELOAD VALUE	
	L.A.	ALL OTHER
Criminal	226	216 ^{1/}
Juvenile Delinquency	96	64
Juvenile Dependency	141	59
Mental Health	65	42
Family Law	36	32
Probate	20	20
Personal Injury and Property Damages	102	127
Eminent Domain	99	146
Civil Complaints	170	122
Civil Petitions	14	15
Appeals	125	66

MUNICIPAL COURTS

WEIGHTED CASELOAD VALUES

PROCEEDING	WEIGHTED CASELOAD VALUE	
	L.A.	ALL OTHER
Felony Preliminary	52.2	53.6
Selected Traffic	12.3	21.8
Other Traffic	1.20	1.24
Intoxication	2.0	6.8
Other Misdemeanors	18.4	22.7
Civil	9.1	10.2
Small Claims	7.5	5.4
Juvenile Traffic	---	3.1
Parking	.0132	.0156

SUPERIOR COURT

JUDGE YEAR VALUES

AUTHORIZED JUDICIAL POSITIONS	VALUES (IN MINUTES)
1 - 5	56,000
6 - 20	71,600
21 and up	71,100
LOS ANGELES	71,200

MUNICIPAL COURT

JUDGE YEAR VALUES

	VALUE (IN MINUTES)
ALL COURTS	83,300

^{1/} Special criminal weights to be used for the following courts:

Alameda - 304
San Diego - 171

END