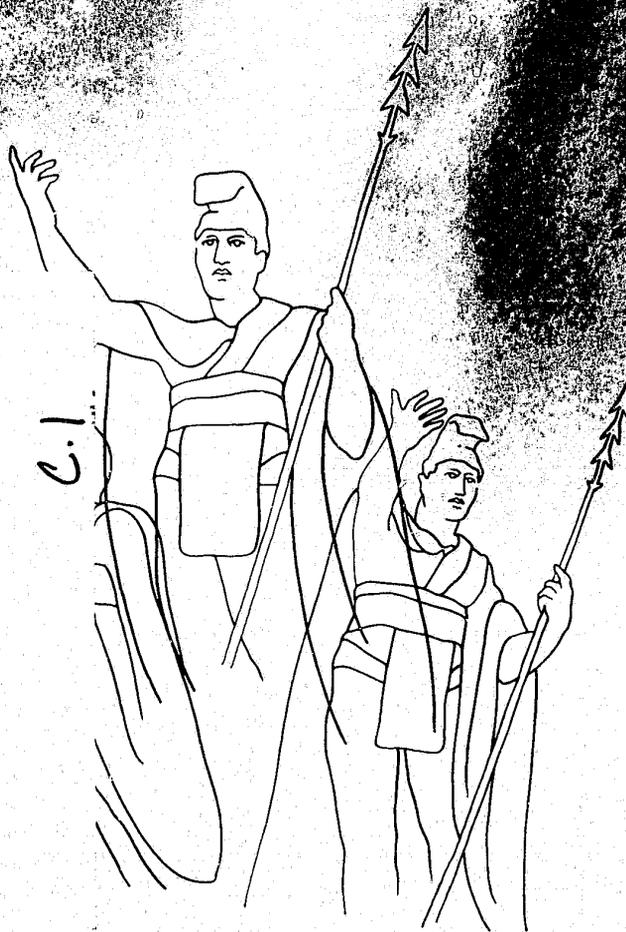


47770

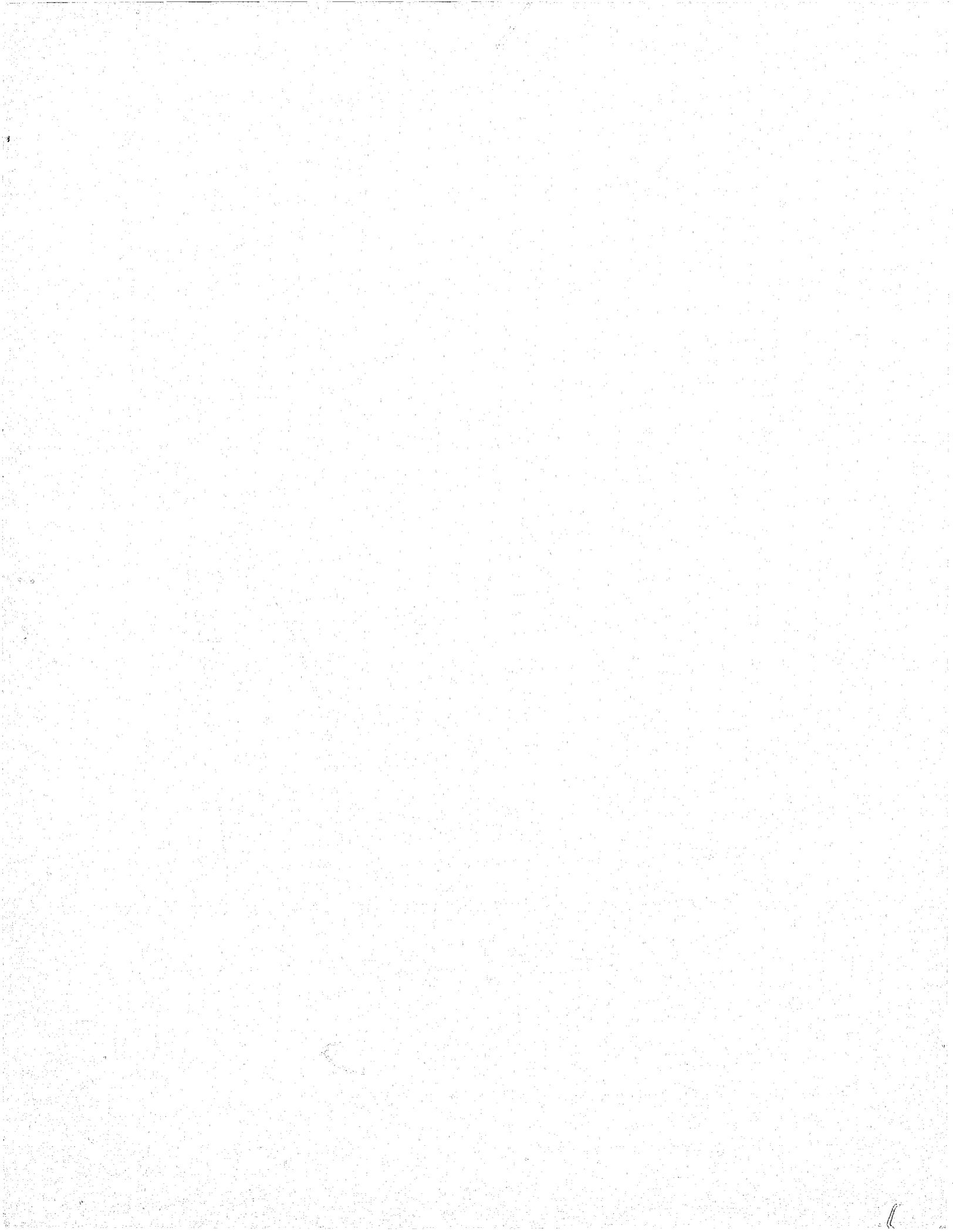
C.I.



*“The law,  
like the traveler,  
must be ready  
for the morrow.  
It must have  
the principle  
of growth.”*

Benjamin N. Cardozo, Growth of the Law

<b>Message from Chief Justice William S. Richardson</b>	1
<b>The Judiciary</b>	3
To the Year 2000: and Beyond	4
<b>The Supreme Court</b>	7
A Crisis of Volume: A Solution	10
Tax Appeal Court	14
Land Court	14
<b>The Courts</b>	15
Circuit Courts Proper	16
Population Growth: Its Impact on the Courts	18
The Grand Jury: How It Works	20
Family Courts	22
District Courts	25
The Courts of the People	26
Violations Bureau	28
<b>First Judicial Circuit</b>	31
<b>Second Judicial Circuit</b>	39
<b>Third Judicial Circuit</b>	45
<b>Fifth Judicial Circuit</b>	51
<b>Support Services</b>	56
Law Library	62
Statistical Analysis Center	63
Office of the Sheriff	61





NCJRS  
JUN 1 1978  
ACQUISITIONS

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

As the Hawaiian community has grown in the last decade, its use of the courts has increased, presenting a challenge to the Judiciary in maintaining the quality and integrity of the judicial process.

The Supreme Court and Circuit Courts have felt the greatest impact of Hawaii's population and economic growth. The impact has been so great that it has led us to reevaluate the basic structure of our appellate system and to recommend establishing an intermediate appellate division within the Judiciary. We shall seek the help of both the Legislature and the forthcoming Constitutional Convention in accomplishing this aim.

As Hawaiian society has become more urbanized, we have been beset by the same problems of other states. In the Judiciary this has meant skyrocketing caseloads, especially on the appellate level.

In this our 1976-77 annual report, the Judiciary has attempted to document the effects of Hawaii's growth on the judicial system and to project it through the year 2000.

In December of 1976, the Judiciary began the preparation of a long range plan which will attempt to project the demands that will be placed upon the courts to the end of the century and beyond. Considering the rapid changes occurring in social values and expectations, the preparation of a long-range plan becomes an exciting and challenging project.

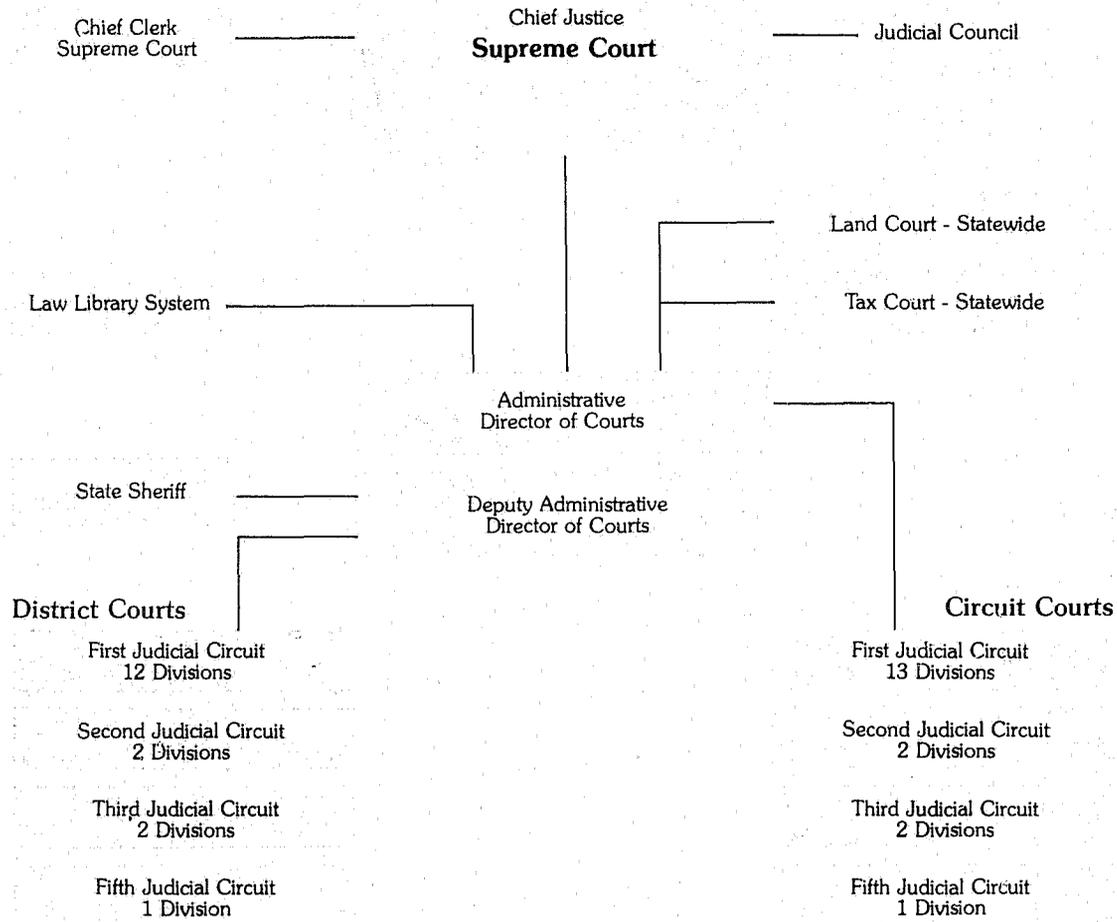
As we move into the future, the Judiciary takes a great deal of pride in what has been accomplished in terms of unifying Hawaii's judicial system and giving it the independence it requires as a separate branch of government to maintain integrity in the administration of justice.

In the years ahead, the Judiciary anticipates that many changes might be required in the judicial process as we know it today, and recognizes that dedication, imagination and a willingness to try new ideas will be essential to invigorate and strengthen the Judiciary as an integral part of the Democratic system.

As new challenges present themselves, the Judiciary will call upon the community and the Legislature for their continued support and ideas.

Respectfully yours,

William S. Richardson  
Chief Justice of Hawaii



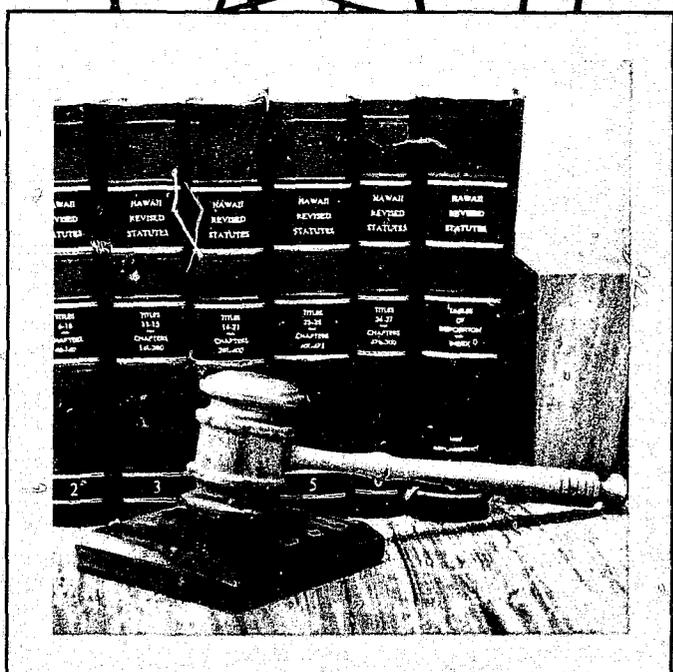
**THE JUDICIARY'**  
State General Fund Appropriations by amount and per cent of total, Fiscal Year 1976-77

Statewide Operations			
Supreme Court	\$ 560,672	4.11%	
Land Court/Tax Court	55,998	.41%	
Administrative Director Services	2,284,087	16.76%	
Law Library	204,102	1.50%	
*Includes \$1.2 million for salary adjustments			
The Judiciary	\$13,629,774	1.68%	
State General Fund \$809,718,245			
Kauai Fifth Circuit	\$388,263	2.83%	
Oahu First Circuit	\$8,406,758	61.68%	
Molokai Maui Lanai Second Circuit	\$905,752	6.64%	
Hawaii Third Circuit	\$827,142	6.07%	

Appropriation for both Circuit Courts and District Courts



**The Judiciary**





*Circuit Court administrators attempt to look through the doorway of the future.*

## **To the Year 2000: And Beyond**

The Hawaii Judiciary has begun the conscious process of looking at the future of the administration of justice, to the end of the present century and beyond.

The Judiciary is asking fundamental questions about its role in a society whose values and expectations are in a state of constant flux, about its basic structure, the law, the application of the principle of precedent, and the limitations of the adversary system in the future of the administration of justice.

And it is asking the overriding question:

Can the institution of the Judiciary, a traditionally reactive organization, rise to the challenges presented by the technologically-molded societies of the 1970s, the 1990s, and beyond?

The answer to that question will be determined in large part by the Judiciary's awareness of the changes occurring in the society it serves, and its ability to break the mold of the past and adopt an activist role in exerting influence upon the future of the judicial system.

Such a commitment is necessary if the Judiciary, in the decades of swift, uncertain and unceasing change ahead, is to be able to continue to invigorate and strengthen its traditional role as the arbitrator of grievances and the protector of human rights.

### **Transformation**

As society integrates into its daily pattern of living the new products and capabilities from science, the social orthodoxy which in former times provided a value system is in a state of constant transformation. And, as society becomes more flexible in its social traditions, its adjudicative needs and expectations change.

The Judiciary has a responsibility to meet those needs and expectations.

It must not fear the shock of questioning the future viability of principles which in the past were held as sacred tenets in the development of the law, and the judicial process.

One such is the principle of precedent. Is a ruling concerning water rights, the rights of a spouse or a minor, the right to have or not have life sustained by a machine, the right to receive payment for not working when there is no work available—



*Court administrators meet to discuss the future.*

is a ruling made even a decade ago applicable to the society of 1978, or the decades of the future?

The balance of the scale of justice is indeed delicate, and growing more and more so.

### **Expanded Rights**

Society is in a state of constant transformation because science, which is a reflection of man's inquisitiveness and inventiveness, has provided society with the means of shedding former limitations.

The sudden explosion of man's new knowledge and abilities has caused a social phenomenon whereby man has expanded those conditions considered as rights: the right to full freedom of travel, the expectation not only of economic justice but of economic security, the right to decide when a child will be conceived, to mention but a few.

As society continues to expand its rights, whether economic, environmental or individual, and prevails upon the Legislative Branch to legitimize them and the Executive Branch to enforce them through regulation, it will continue to turn more and more to the Judiciary for arbitration.

### **The Commitment**

The Judiciary recognizes that in a democratic society the quality of the administration of justice affects the quality of life of all the citizens in that society.

And the Judiciary recognizes, that in the future, and to a large degree in the present, change will be the constant.

Thus, by making a commitment to begin looking to the future, the Judiciary has expressed a will-

ingness to change and to examine the structure, the law and the processes by which society seeks justice.

### **To the Year 2000**

Here are projections for all Circuit, Family and District Courts:

	<b>Year 1990</b>	<b>Year 2000</b>
Filings	1,183,178	1,557,358
Caseload	1,352,838	1,793,558

## To the Reader

As you read the fiscal year 1976-77 annual report prepared by the Judiciary of the State of Hawaii, the following definitions should be of assistance in understanding the terminology used throughout the report.

In this year's report, the Judiciary presents a 10-year review and projects court activity to the years 1990 and 2000.

All projections are done on a straight-line basis, projecting the growth in court activity which has occurred since fiscal year 1967-68.

Projections have been done on the assumption the growth rate will continue at the same pace and also on the assumption that the current functions of the Circuit, Family and District Courts will remain the same.

The 1967-68 fiscal year ending June 30, 1968, was selected as the base period because that was the first year the Judiciary reported statistics on a fiscal year basis.

### Terms

Here are what the terms used in this report to measure court statistical data mean.

*Filings or new cases filed* measure the demand of the community upon the courts.

All statistics are reported on a fiscal year basis July 1 to June 30, in this instance 1976-77, and the growth rate is determined by comparing the figures to the number reported in fiscal year 1975-76.

*Caseload* is the term used to measure the actual workload of the court, and it includes the new cases filed during the reporting period, plus the backlog cases.

*Termination* is the term used to measure the courts' performance in terms of the actual number of cases disposed of. It includes cases in which trials or hearings were conducted and actions dismissed or settled out of court.

*Pending* is the term which measures the backlog cases at the end of the reporting period.

### Analysis

Obviously, when the number of new cases filed each year continues to grow, so does the courts' workload.

When that growth reaches the point that new cases filed begin to exceed the number the courts are able to terminate in the same period, it is an indication that the community's requirements

upon the judicial process are outstripping its ability to perform.

### 10-Year Reviews

When practical, to demonstrate how the increase in population growth has impacted the Courts, a 10-year review of filings and the caseload have been presented.

The one exception is in the Family Courts, which because of the transfer of juvenile traffic violators to the District Courts have resulted in a net decrease in total filings since 1967-68.

Also, in the First Circuit adult probation is handled by a division within the Circuit Courts. On the Neighbor Islands, adult probation is part of the Family Court staff; therefore, statewide comparisons are difficult.

#### *The Cover*

*The cover of 1976-77 annual report for The Judiciary was designed by Clarence Lee and it is an artistic representation of the Judiciary's effort to begin looking ahead to how the administration of justice might function in the future.*

*Traditionally, the Hawaii Judiciary has used the figure of King Kamehameha, the uniter of the Islands, as its symbol. Although the common law of England, as defined "by English and American decisions," is the guiding judicial concept in Hawaii, it has been greatly enriched by the recognition of legal concepts handed down from the days of Kamehameha.*

*The rotating figure of Kamehameha represents the evolution of the Judiciary in Hawaii from ancient days to the present state-wide centralized court system. The dominant figure with his upstretched arm represents the Judiciary looking to the future, which is signified by the wash of rainbow colors; the future can be as bright as a rainbow, however, from the perspective of the present, as the rainbow on the cover, it can appear vague and not distinctly defined.*



# The Supreme Court



---

Supreme Court



Chief Justice  
William S. Richardson



Justice Bert T. Kobayashi



Justice Thomas S. Ogata



Justice Benjamin Menor



Justice H. Baird Kidwell

---

# The Supreme Court

The Supreme Court is the highest judicial body in Hawaii's unified court system. As such, it exercises ultimate administrative responsibility and rule-making power for all courts and it is empowered to hear and determine all questions of law, or mixed law and fact, brought to it from both Circuit and District Courts.

In accordance with its appellate function, the Supreme Court has the power to issue writs of mandamus, certiorari, prohibition, habeas corpus and all other necessary and proper writs.

Bar examinations and the granting of licenses to practice law in Hawaii are the province of the Supreme Court.

## Justices

The Chief Justice and four associate justices are appointed by the Governor, with the advice and consent of the State Senate, to 10-year terms. Only attorneys who have been licensed to practice before the Supreme Court for at least 10 years are eligible for appointment.

In addition to being the presiding officer of the Supreme Court, the Chief Justice also has the administrative responsibility for the Judiciary. With the approval of the Supreme Court, the Chief Justice appoints an administrative director of the courts, who serves at his pleasure.

The Chief Justice appoints all District Court judges and assigns Circuit Court judges; he may also assign Circuit Court judges and retired justices temporarily to the Supreme Court to fill vacancies.

A staff of 28, including law clerks, serves in the Supreme Court.

## Actions Filed

In fiscal year 1976-77, 750 new matters were filed with the Hawaii Supreme Court, and although more cases were decided than in the previous year, the Court's backlog rose to 535 cases, of which 475 were appeals. Measured in terms of workload, the backlog represents approximately four and a half years of work.

The Court has been struggling under surging backlogs since fiscal year 1972-73, when the number of new cases filed exceeded decisions handed down.

In that five-year period, the number of supplemental actions filed also has risen from 196 to 434, an increase of 238 or 121 per cent.



Ali'iolani Hale advisory board reviews restoration plans.

The Court disposed of 410 supplemental actions last year, leaving 52 pending.

The Court's caseload rose to 1,098 cases in the reporting period.

Approximately 89 per cent of the cases pending seek a review for trial court procedural error, a review that could be done by an intermediate appellate court.

## Types of Cases

The Court issued 107 written opinions, 87 in appeal cases and 20 in supplemental actions.

Of the 316 new cases filed, 191 involved civil cases, 119 criminal and six traffic.

Below is a chart showing where the primary cases originated.

Source	Number	Per cent
Circuit Courts	231	73.1
District Courts	47	14.9
Family Courts	14	4.4
*Others	24	7.6

\*This category includes appeals from judgments made in the Land Court, Tax Appeal Court, Labor Board, Public Utilities Commission, Criminal Injuries Compensation Commission and original proceedings.

---

## A Crisis of Volume: A Solution

The Supreme Court of the State of Hawaii is confronted with a crisis of volume, spiraling appeal caseloads which have created a backlog it will take the Court—assuming no new cases were filed—four years to adjudicate.

Thus, when the Constitutional Convention convenes in 1978, Chief Justice William S. Richardson will ask the delegates to consider an amendment to establish an intermediate court of appeals.

If approved by the convention, and subsequently by the voters of Hawaii, the court would not become a reality until at least 1980. By that time, the Supreme Court faces the real possibility of a backlog in cases that would take ten years to adjudicate.

Therefore, the Chief Justice has requested the 1978 Legislature to authorize the immediate establishment of an appellate division within the Circuit Court to hear appeals from District Court.

The crisis in the volume of appeal litigation is being experienced by other states and federal judiciaries. Other states in Hawaii's population size have responded to the crisis by the creation of intermediate courts and the United States Congress is considering legislation to add 35 appellate judgeships.

Courts, no less than other institutions, are beset with the unsettling effects of change in an era of transition in society. Increasing population and urbanization, the expansion of the rights of prisoners, criminal defendants and consumers, the creation of new classes of civil and criminal actions, and the increasing tendency for litigants to exercise their right to a review of trial court decisions have all contributed to the rising volume of appeals nationwide.

The present crisis presents a challenge to the Judiciary which calls for a major restructuring of the appellate procedure to allow the Supreme Court to concentrate on its primary role of clarification and development of the law by making decisions on those issues which are of great public importance.

Therefore, the Judiciary is proposing that steps be taken forthwith to establish an intermediate appellate court rather than temporizing with substitute arrangements.

### *To the Year 2000*

Here are projections of both motions and appeals for the Supreme Court.

	Year 1990	Year 2000
Filings	1,082	1,787
Caseload	1,828	2,926

## Chief Clerk

The Office of the Chief Clerk maintains custody of all records for the Supreme Court and provides assistance to both the public and attorneys regarding appeal procedures. In addition to the clerk, the office has a staff of six.

The Clerk's Office is responsible for the publication of Hawaii Reports, the bound volumes of Supreme Court decisions. Volume 56 was published in February. With the publication of Volume 57, the price will increase from \$30 to \$35 per volume.

The Clerk's Office also offers a subscription service of opinions of the Court, the cost of which was raised from \$20 to \$25 a year in March. The service has 163 paid subscribers and 166 copies are also sent to all courts and to state agencies.

A new filing system was installed which provides for a visual display on the status of all cases pending before the Supreme Court.

### Bar Examination

Forty-seven University of Hawaii School of Law graduates passed the Hawaii State Bar Examination, which is administered by the Chief Clerk's Office of the Supreme Court.

A record number of applicants was examined, reflecting the impact of the school's second graduating class. A total of 315 individuals applied for the examination and 291 took the examination with 82.1 per cent passing.

Of those examined, 160 received their pre-collegiate education in Hawaii.

The difficulty of the test can be measured by the fact that 42 of those examined were taking it a second time. Fifty-five of those who passed were already licensed to practice in another state.

One out of every five applicants last year was female. The average age of those taking the test was 29.3 years.

### Future Concerns

The Judiciary is looking at the possibility of creating an Office of the Bar Examiners within the Supreme Court to handle the administrative activities related to the admission and licensing of attorneys to the Hawaii Bar. The deputy clerk now spends most of his time handling correspondence and reviewing applications for admission.

The Chief Clerk's Office also collects the annual registration fee from the 1,647 attorneys licensed to practice last year. The fee finances the operations of the Supreme Court's Office of the Disci-



Chief Supreme Court Clerk Edward Suzuki and Deputy Clerk Samuel Makekai confer.

plinary Counsel. The registration function more practically belongs in the Counsel's office, which would require additional staff.

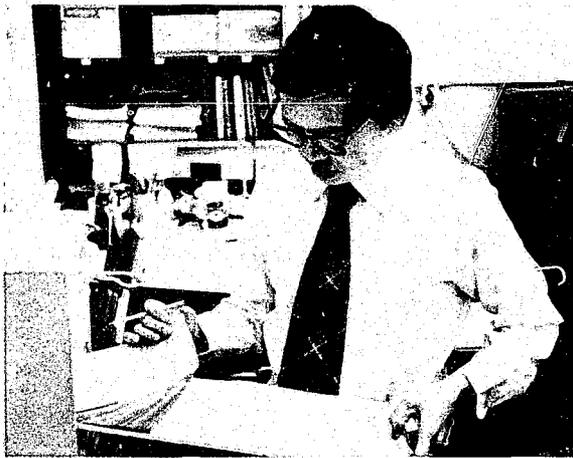
### Rules of the Court

In March of 1977, the Supreme Court, under its Rule 19, adopted a Code of Judicial Conduct. The code contains six canons and establishes a standard of conduct for all judges in their performance of their judicial function and in their conduct outside of the courtroom.

In February of 1977, the Court also adopted Family Court Rules, which set forth procedures for Family Courts in all circuits formalizing procedures already established by the Board of Family Court Judges.

The Hawaii Rules of Penal Procedure were promulgated by the Supreme Court in October of 1976, establishing procedures in criminal cases.

In September of that year, a special committee of judges, chaired by First Circuit Court Judge Masato Doi, began work to develop a Hawaii Benchbook for Criminal Procedures, which will serve as a handbook for judges in both the Circuit and District Courts. The document is being prepared by the National Center for State Courts and it should be completed and distributed to all judges in 1978.



*Clerk Clement Chun hunts for status of appeal case.*



*Darrell Phillips searches for record.*

## Judicial Council

The Judicial Council is a special division of the Supreme Court created in 1959 by the Hawaii Legislature and it serves as an advisory body to the Judiciary. The Council's membership includes judges, attorneys and citizens who serve on a voluntary basis. The 16 members are appointed by the Chief Justice, who is the presiding officer.

Since its formation, the Council has played a major role in the codification of Hawaii's criminal and probate laws; the Council initiated and guided multi-year studies which resulted in the adoption of the Penal Code in 1972 and the Probate Code in 1976. Through the creation of special subcommittees within the Council, the advisory body has focused on specific areas of court operations, providing both judges and administrators with guidelines for improving operations.

In the last two years, the Council has been looking ahead to the 1978 Constitutional Convention. Special subcommittees have developed studies of the Hawaii Supreme Court and recommendations for the establishment of an intermediate appellate court, and of Hawaii Jury Trial and Grand Jury Systems.

### Membership

Members of the Judicial Council are:

Honorable William S. Richardson, Chief Justice, Supreme Court

Honorable Kazuhisa Abe, Attorney-at-Law and former Associate Justice of the Supreme Court

Wilson P. Cannon, Jr., Chairman and Chief Executive Officer of the Bank of Hawaii

Dr. Hung Wo Ching, Chairman, Aloha Airlines, and Trustee, Bernice P. Bishop Estate

Walter G. Chuck, Attorney-at-Law

Herbert C. Cornuelle, Chief Executive Officer, Dillingham Corp.

Honorable Masato Doi, Judge, First Circuit Court

Honorable Richard Garcia, House of Representatives and Administrator of Industrial Relations, Alexander and Baldwin

Reverend Stephen K. Hanashiro, Campus Minister, United Church of Christ

Honorable H. Baird Kidwell, Associate Justice, Supreme Court

Dr. Fujio Matsuda, President, University of Hawaii

Mrs. Evanita R. Midkiff, Housewife

Hideki Nakamura, Attorney-at-Law

Honorable Donald S. Nishimura, State Senate

and Attorney-at-Law

Thomas E. Trask, International Representative,  
II, WU

Henry A. Walker, Jr., Chairman of the Board,  
AmFac, Inc.

Honorable Stanley H. Roehrig, former House of  
Representatives, resigned from the council and  
Representative Garcia was appointed to fill the  
vacaricy.

### Restoration

An Ali'iolani Hale Advisory Committee, cochaired  
by Mrs. Evanita Midkiff and Mrs. Margaret Kid-  
well, was active throughout the year as final plans  
for the historic restoration of some sections of the  
Judiciary Building were finalized. The original  
section of the Judiciary Building, which was con-  
structed in 1872, will be renovated in 1978.

The 18-member committee worked closely with  
consultants in researching styles of different per-  
iods and developing final plans for the restoration  
of the lobby and rotunda area, which will be styl-  
ized after the 1914 period, and a visiting justice's  
chamber and the offices of the associate justices.

Other members of the committee included Chief  
Justice William S. Richardson, Clinton R. Ashford,  
Mrs. Gladys A. Brandt, Mrs. Carol Dodd, Charles  
Heen, Robert Klein, Mrs. Eileen K. Lōta, James  
Morgan, Jr., Mrs. Kamaile Shultz.

Mrs. Elaine Takenaka, David K. Trask, Jr.,  
Thurston Twigg-Smith, Mrs. Janet Wimberly,  
John C. Wright, Mrs. Margaret Setliff and Ken-  
neth F. Brown.

### Disciplinary Board

The Disciplinary Board of the Hawaii Supreme  
Court is charged with the responsibility of adjudi-  
cating complaints against members of the Hawaii  
Bar. The board was created in 1974 by Rule 16 of  
the Supreme Court. Members are appointed by  
the Chief Justice and serve on a voluntary basis,  
meeting at least monthly.

The Office of the Disciplinary Counsel serves as  
the operational arm of the 15-member board. The  
Counsel's office has a staff of four, including two  
full-time attorneys; it is supported by an annual  
fee paid by all attorneys licensed to practice in  
Hawaii. The fee is collected by the Office of the  
Chief Clerk of the Supreme Court.

Last year, the board received 154 complaints  
and 15 requests for advisory opinions.

Board members serving last year included: John



*Judicial Council discusses intermediate appellate court.*



*Cochairperson of the Ali'iolani Hale restoration committee,  
Evanita Midkiff.*

Jubinsky, chairman; Harold Nickelsen, vice chairman; James Kamo, Helen W. Gillmor, David S. Hobler, Noboru Nakagawa, Ivan Lui-Kwan, Linda Luke, B. Martin Luna, Clifford Nakea, C. Frederick Schutte, Earl Robinson, James F. Ventura, Suyeki Okumura and Bert Kobayashi, Jr.

## Land Court

The Land Court, which administers the Torrens System of land registration, is a statewide court of record based in Honolulu and exercises exclusive, original jurisdiction in all matters involving legal title to fee simple land and easements.

The Torrens System enables landowners to buy, sell or mortgage property without paying substantial title-search fees, since the certificate of ownership shows the current status of the title.

All appeals go directly to the Supreme Court; one case was appealed last year. A staff of three serves both the Land Court and the Tax Appeals Court.

The Land Court Registrar examines all applications for original registration of title to land, as well as all amending petitions. By filing and maintaining records of all land documents in the state, the Court provides a guaranteed and absolute register to land titles.

The public has access to all land registration

documents and the staff personnel gives assistance in preparing applications and provides research assistance to attorneys, real estate brokers and financial institutions.

In fiscal year 1976-77, 2,467 ex parte petitions were filed in the Land Court, a 14 per cent increase. Forty-four contested land registration cases were filed. Additional statistical information can be found in the statistical abstract section at the end of this book.

## Tax Appeal Court

The Tax Appeal Court is a statewide court of record based in Honolulu with original jurisdiction in all disputes between the tax assessor and taxpayer. All appeals go directly to the Supreme Court; one case was appealed last year.

Last fiscal year 43 new cases were filed. Of a caseload of 73 cases, counting 30 pending at the beginning of the reporting period, 48 were terminated and 25 were pending.

Secretary Gail Kumagai checks distribution list for Hawaii Reports.



## Ancient Records Saved

The Land Court last year completed a massive project of microfilming all of the original land records which date back to the days of the Hawaiian Kingdom.

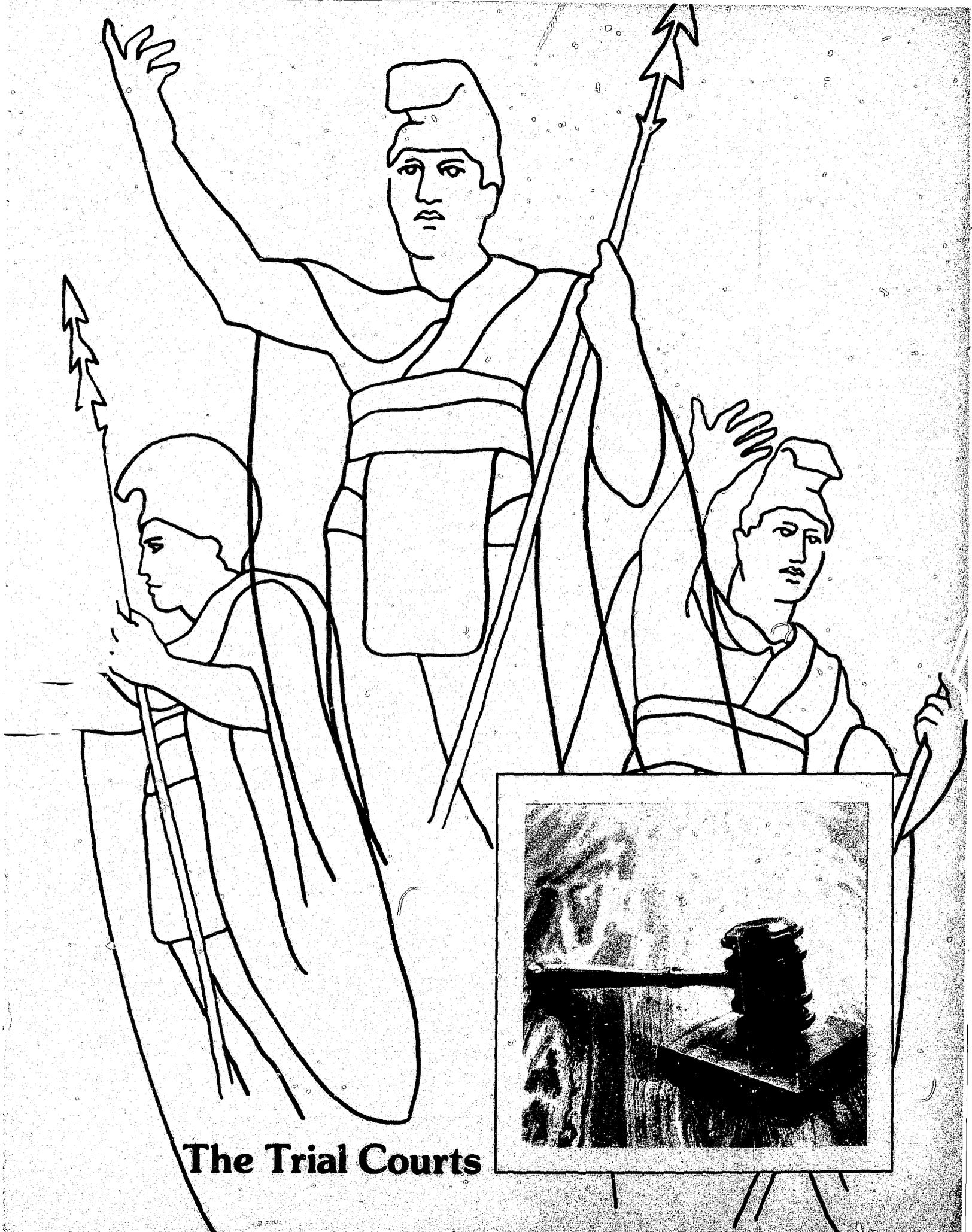
Upon completion of the project, all of the original records were turned over to the State Archives, along with a set of microfilm. Another set of microfilm is kept at the Land Court.

The project took about two years to complete. Many of the older records were deteriorating and required some restoration before they could be copied.

Initially, the Land Court had intended to copy only the older documents, but later decided to copy all records through the end of 1976 and to provide the archives with a copy.

The Land Court was created in 1903 and became the custodian of all land documents in existence at that time.

In the future, documents will be microfilmed at regular intervals and a second copy supplied to the archives to protect against records being lost in case of a disaster.



**The Trial Courts**



*Circuit and District Court judges from around the State meet on a Saturday morning to discuss a draft of a Hawaii Benchbook in criminal cases.*

## **Circuit Courts Proper**

*The four judicial circuits in the Hawaii Judiciary correspond to the four counties: The City and County of Honolulu is the First Circuit; Maui County is the Second Circuit; Hawaii County is the Third Circuit; and Kauai County is the Fifth Circuit. The Fourth Circuit was incorporated into the Third in 1943.*

### **General Function**

The Circuit Courts have exclusive jurisdiction in all felony cases, civil suits involving more than \$5,000, probate proceedings, and conduct all jury trials, including criminal misdemeanor and traffic cases from the District Court when a jury trial is requested.

Circuit Courts exercise concurrent jurisdiction with District Courts in civil matters involving less than \$5,000 but more than \$500.

Appeals go directly to the Supreme Court.

Circuit Court cases are divided into two classifications: Primary, which are criminal cases, regular civil, probate, guardianship and miscellaneous cases filed in court; and Supplemental, which are motions filed in conjunction with the Primary or original case.

### **Judges**

The Circuit Courts have 18 judgeships, 13 in the First Circuit. Circuit Court judges are appointed by the Governor with the advice and consent of the State Senate for 10-year terms. To be eligible for appointment, individuals must be attorneys licensed in Hawaii for a minimum of 10 years.

Two new Circuit Court judges were appointed and confirmed last year. District Court Judge James Burns was appointed to the bench in the First Circuit to fill a vacancy created by the retirement of Judge Norito Kawakami.

The 1976 Legislature created a second judgeship in the Second Circuit, and District Court Judge Kase Higa was named to fill the position.

### **Clerks Office**

The office of the chief clerk in each circuit is responsible for processing legal documents, court calendars, maintaining court archives, receiving and disbursing court ordered marital support payments, and administering small estates and guardianship funds.



*Circuit Court Judge Masato Doi makes a point during meeting.*

### **Jury Commission**

Each circuit has a five-member Jury Commission established by statute. Membership includes the Chief Clerk of the Circuit Court and four members appointed by sitting judges. The Commission has the responsibility of preparing the master list of prospective jurors and the initial qualification of jurors.

### **Naturalization**

In the Second, Third, and Fifth Circuits, as a courtesy to the federal government, the Circuit Courts handle all naturalization cases, which increased by 286 per cent last year, placing an extra burden upon the courts' staffs.

The Second and Fifth Circuits experienced unusually high increases.

Last year, 723 new naturalization cases were filed compared to 187 the previous year, and 690 individuals were granted citizenship.

### **Statistical Review**

In all four Circuit Courts Proper, new cases filed were 10,188, an increase of four per cent.

The number of new filings exceeded cases terminated by 15.3 per cent, pushing backlogs at the end of the fiscal year to 18,658, a one-year increase of nine per cent.

The growth of backlogs was most significant in the First Circuit, which had 14,297 cases pending, which was more than twice the number of cases filed in 1976-77.

Statewide, the caseload, which includes new cases filed and those pending on July 1, 1976, also increased, to 27,284 cases or by eight per cent.

The number of cases terminated was up by seven per cent.

## **Jury Duty for Drivers**

Jurors qualified to serve for the 1978 calendar year were selected from a master list which included the names of registered voters, and for the first time, licensed drivers, increasing by 218,639 statewide the number of citizens available to be called for jury duty.

Last year the Chief Clerk's Office of the First Circuit coordinated a project for the Judiciary's four Jury Commissions to incorporate the list of licensed drivers with the list of registered voters, which in the past has been the principal source of jurors.

The City and County of Honolulu Data System Department provided a list of all licensed drivers purged of the names of individuals younger than 18.

The 49,500 names selected to receive a juror qualification form were drawn on a 50-50 basis from each list, and then the computer at the Department of Budget and Finance was utilized to eliminate duplication of names. In the First Circuit, duplications ran about 10 per cent.

Below is a breakdown of the two lists, the number of citizens mailed qualification forms and jurors required for 1978.

	Regis- tered Voters	Licensed Drivers	Forms Mailed	1978 Juror Require- ment
First	244,922	430,317	30,000	9,000
Second	25,293	39,637	8,000	1,500
Third	36,126	48,318	10,000	1,900
Fifth	16,216	22,429	1,500	650

---

## Population Growth: Its Impact on the Courts

As Hawaii's population growth has accelerated in the last decade, so have the community's demands upon the court system, with the severest long-term impact being felt in the Circuit Courts.

In response, the Judiciary has improved management and operating procedures and asked the Legislature for additional judgeships in the First and Second Circuits.

But the number of cases being filed each year continues to grow, increasing caseloads and backlogs. At present, the problem is most critical in the First Circuit.

Since 1972-73 the number of cases filed each year in the First Circuit has exceeded the number terminated and in the five-year period backlogs have grown by 3,841 cases.

At the end of fiscal year 1976-77, the circuit's backlog was a staggering 14,297 cases (85 per cent of them civil in nature), more than double the cases filed in the same period.

If the First Circuit were able to refuse any new cases, it would have more than two years of work before it.

To prevent the First Circuit from having its ability to cope with rising caseloads further impaired, the Chief Justice asked the Legislature to create additional judgeships.

In 1972, the Judiciary commissioned an outside study to determine personnel and space needs to the end of the century.

The study projected a caseload of 10,620 for the First Circuit in the year 2000. The 1976-77 caseload exceeded that by 9,547.

The study also projected a need for 16 judgeships in the First Circuit by the year 2000, or three more than the present number.

### Facilities

The State's rapid population growth created overcrowded conditions of court facilities in all circuits.

Since 1970, the Judiciary has renovated the courthouse in the Fifth Circuit, occupied quarters in the new State Office Building in the Third Circuit and is preparing to construct a judicial complex in the Second Circuit.

The number one priority in the Judiciary's capital improvement program is to create a judicial

complex in downtown Honolulu to house the Circuit Court, and eventually the Family Court, which now share Ali'iolani Hale with the Supreme Court and the Law Library.

### Procedures

The tremendous increase in Circuit Court caseloads has presented the Judiciary with one of its major challenges in maintaining the quality of the judicial process.

The Judiciary has been able to respond uniformly to that challenge because it is a unified system. Internally, court procedures, especially in civil cases, have been tightened up, uniform operating procedures and court rules have been adopted, the use of modern technology in daily operations has been greatly expanded, and the Judiciary has been able to exercise flexibility in the assignment of personnel.

Both constitutional and statutory authority held by the Chief Justice to assign judges in response to caseloads have been significant factors in allowing the Judiciary to respond to accelerating growth.

### Growth

The spread of population to the neighbor islands is reflected in the distribution of Circuit Court Proper filings statewide. Ten years ago, 83 per cent of all Circuit Court cases filed were in the First Circuit, and by last year that figure had dropped to 68 per cent.

The following chart is based on the State's growth in resident population, which as of July 1, 1976, was estimated at 886,600, an increase of 22.7 per cent in the last 10 years.

The number of cases filed in Circuit Courts Proper in that same period increased by 29.1 per cent.

Circuit	Per cent		Filings 1967-68	Filings 1976-77	Per cent Change
	State Popula- tion	Per cent Total Filings			
First	81.0	73.0	6,577	6,910	+5
Second	6.5	8.9	361	844	+134
Third	8.6	14.1	622	1,337	+115
Fifth	3.9	4.0	142	374	+163

(All totals exclude naturalization cases.)

### The Future

Indications are that Hawaii's population will continue the growth pattern of the last decade, and subsequently, the demands upon the Judiciary will increase.

### To the Year 2000

Here are projections for all Circuit Courts Proper statewide.

	Year 1990	Year 2000
Filings	16,565	21,803
Caseload	48,996	60,981

Neighbor Island Circuit Courts also handle naturalization cases. In the 1976-77 fiscal year, 723 naturalization cases were filed. By the Year 1990 they are projected to increase to 1,415 and to 1,949 by the Year 2000.

### Ten Year Review

The charts below reflect the growth of the number of civil and criminal cases and related motions filed in all Circuit Courts Proper in the last 10 years and the impact upon court caseloads.

The three neighbor island circuits comprised 27 per cent of all new cases filed in the 1976-77 reporting period and are served by five judges.

#### All Circuits

	1967-68	1976-77	Per Cent Change
<b>Filings</b>			
Total	7,702	9,465	+23
Civil	2,731	4,212	+54
Criminal	1,956	1,986	+ 1.5
<b>Caseload</b>			
Total	18,297	26,378	+44

#### Neighbor Island Circuits

	1967-68	1976-77	Per Cent Change
<b>Filings</b>			
Total	1,125	2,555	+127
Civil	362	944	+161
Criminal	159	730	+359
<b>Caseload</b>			
Total	3,376	6,211	+ 84

All figures are adjusted to reflect the present function of the Circuit Courts. All comparison charts used throughout the Circuit Court Section have had the 1967-68 figures adjusted to excluded naturalization cases and Adult Probation Cases.

## **The Grand Jury: How It Works**

The role of the grand jury is perhaps one of the least understood in Hawaii's criminal justice system.

The job of a grand jury is to decide if there is enough evidence to bring a criminal charge against an individual. If the decision of the grand jurors is yes, then the defendant has the choice of pleading guilty to the charge or demanding a trial.

A grand jury is a panel of private citizens selected from a list of individuals who have been qualified for grand jury duty. Although they function in the Circuit Courts and make use of the courts' facilities, they meet at the call of the prosecuting attorney.

In all felony cases, the prosecuting attorney is required to prove to the grand jury that probable cause exists. If the jurors agree with the prosecuting attorney, they return an indictment; if not, they issue a no bill.

A grand jury is comprised of 16 members, with a quorum requirement of eight. To return an indictment, two-thirds of the members present must vote affirmatively.

Members of a grand jury serve for a calendar year.

### **Preliminary Hearing**

A part of the confusion surrounding the role of the grand jury probably stems from the fact a majority of defendants also have a preliminary examination in District Court, which in essence, is a duplication of the grand jury hearing.

Defendants, however, possess no legal right to a preliminary hearing; the prosecuting attorney has the discretion to proceed directly to the grand jury.

The one exception is when a person has been placed under arrest. The accused is entitled to a preliminary hearing within 48 hours. If the District Court judge decides probable cause exist for the charge, the case is committed to Circuit Court and the grand jury is required to conduct a hearing within 30 days.

Although the policies of prosecuting attorneys vary in the four judicial circuits, in the First Circuit 356 out of every 475 cases, or 75 per cent, go to both the District Court and grand jury.

Once a grand jury indictment is presented, the Judiciary, unless the defendant enters a plea of guilty, is required to conduct a trial.

---

**The Judicial Council of the Supreme Court requested the National Center for State Courts to conduct a study of Hawaii's Grand Jury System, a report of which was published in 1976.**

**An explanation of how the grand jury system works and the conclusions of the National Center are the subject of this report.**

**The center's report recommended the elimination of the grand jury system, but said if it is retained, a number of reforms should be instituted.**

**Among the recommendations made were giving grand juries staffs, providing an attorney to advise on the law and evidence admissible, notifying accused individuals they are subject to a grand jury probe and providing them a copy of the transcript and establishing regularly scheduled meetings.**

---

### **Legal Framework**

The Hawaii Constitution provides "no person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury."

The Hawaii Penal Code, adopted by the Legislature in 1972, defines a felony offense as a crime punishable by more than one year in prison.

### **The Defendant**

There are many persuasive arguments for limiting the role of the grand jury, according to the National Center for State Courts, but perhaps the most important is the lack of rights the present system affords a defendant.

Consistent with the tradition of grand jury proceedings, the accused is not allowed to attend sessions, unless subpoenaed, nor is the defendant notified that a proceeding has been initiated. While the prosecution is automatically entitled to a transcript of the proceedings, the accused is not allowed a copy except by court order.

Although the Supreme Court has held the rules of evidence for jury trials are applicable to grand jury proceedings, the Court made one exception: Hearsay evidence can be admitted "when direct testimony is unavailable or when it is demonstrably inconvenient to summon witnesses to testify to facts from personal knowledge."

The nature of the grand jury proceeding, with its veil of secrecy, the National Center concluded, tends to reverse the presumption of innocence. Generally, the community perceives an indicted person as guilty until proven innocent.

### **Secrecy**

Confidentiality has always been a traditional principle in grand jury sessions.

As the Legislature and the Constitutional Convention debate the use of the grand jury, they will have to decide two questions.

First: Does the secrecy of the grand jury serve to protect the rights of the accused?

Second: In this age of instant communication, can, in fact, secrecy be maintained?

Recent experience would tend to support a negative conclusion to both questions.

While grand jurors, the prosecutor and court reporters are prohibited from any discussion of grand jury proceedings, witnesses who appear are not.

Grand juries meet during regular court hours and witnesses are easily observed as they enter or

leave, and in major crimes, press coverage is usually extensive.

Add to these conditions the intimate nature of most Hawaiian communities, the Center's report concluded, and the results in many instances are "highly accurate rumors and newspaper accounts concerning defendants under consideration by a grand jury."

### **Prosecutor's Role**

Although a grand jury is impaneled, paid, provided meeting space and a court reporter by the Circuit Courts, the prosecuting attorney dominates the grand jury process.

Under the present structure, the prosecuting attorney determines when the grand jury will meet, decides which witnesses and evidence will be presented, controls the examination of witnesses and interprets the law for jurors.

Grand juries operate without any staff of their own, depending upon the staff of the prosecuting attorney for both clerical help and investigative assistance.

### **Conclusions**

For these and other reasons, the Judiciary is seeking a redefinition of the grand jury as part of the criminal justice system.

The National Center recommended a preliminary hearing conducted in District Court replace the grand jury as the vehicle for the prosecutor to prove probable cause in a felony case.

It suggested such a step would better serve the cause of justice by:

—eliminating duplication in the prosecution effort;

—eliminating the delay factor inherent in the present grand jury system;

—providing fuller protection of the rights of the accused by having an authority other than the prosecutor deciding what evidence should or should not be admitted.

## Family Courts

The Family Courts are a division of the Circuit Courts specializing in cases involving children, family and domestic problems. On Oahu, both Circuit and District Court judges are assigned full-time to the Family Court. In the Neighbor Island circuits, both Circuit and District Court judges hear Family Court cases in addition to their regular assignments.

### Services

Family Courts deal with the Family unit, which is a measure of society's basic value system, and, consequently, the activity of the Family Courts more than any other reflects society's transformational social and moral plateaus.

The types of cases handled by Family Courts include: *Marital* actions, which include *divorces*, *annulments*, *separations* and the *enforcement of family support judgements*.

*Adoptions* and *paternity* cases, with the latter category including the establishment of legal parental responsibility and judgments for support.

*Criminal* cases involving abuse of a spouse or children.

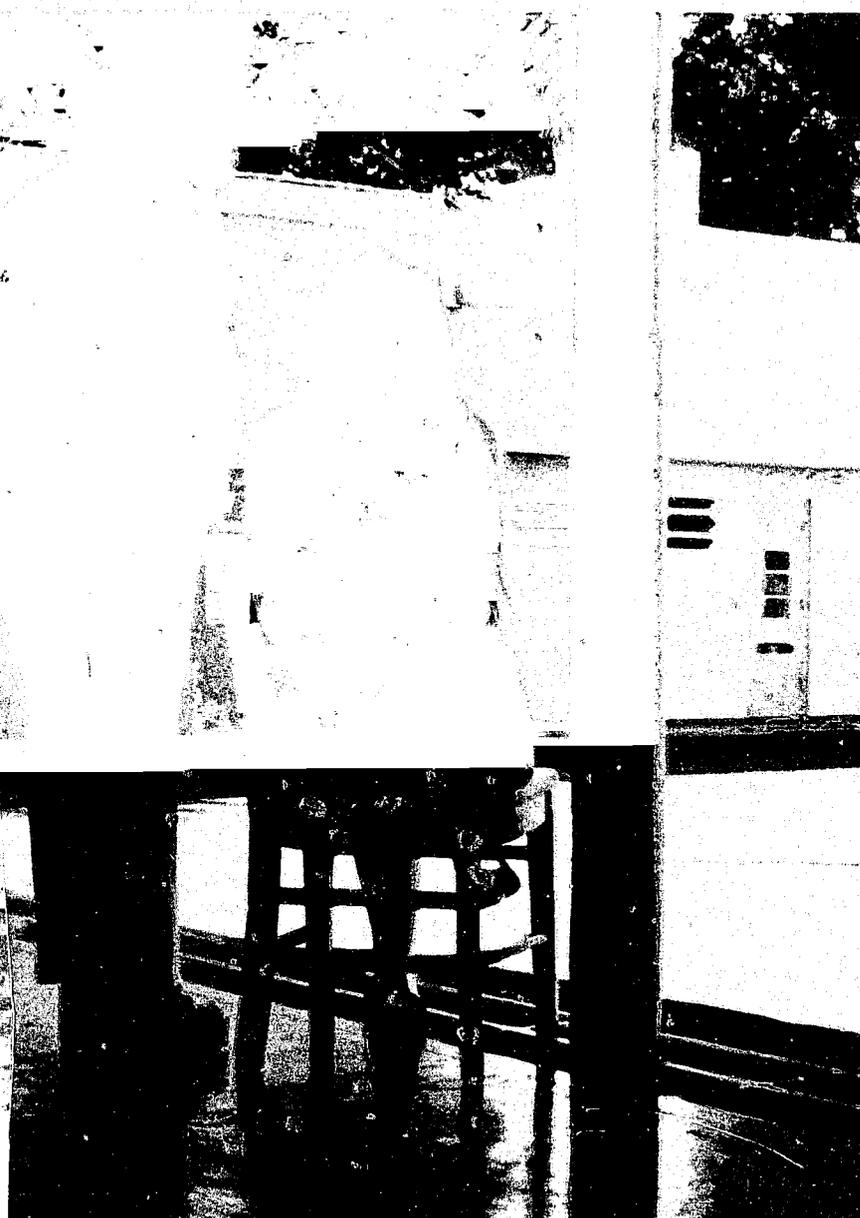
*Juvenile* cases, including minors charged for law violations or referred to the Court because of behavioral problems.

Hawaii was the first state in the nation to establish a Family Court, recognizing as early as 1966 that domestic cases usually involve people in crisis, who require both compassion and judicial services.

### Divorce

The adoption of non-contested divorce proceedings has virtually eliminated the adversary procedure in such cases. In a non-contested divorce, the parties involved with assistance work out between themselves the basic settlement of property and custody of children, and the Court reviews the settlement in a formal proceeding to insure all parties involved are fairly treated.

Marriage counseling services are available through the Court to assist individuals involved in divorce with their problems and change in lifestyles. The Family Court of the First Circuit has initiated a pilot divorce experience program, geared to help individuals before and after a divorce to take stock of their situation and become more knowledgeable about the law and the Courts.



A volunteer counselor and Detention Home guests have a quiet conversation.

## Family Support

The more common divorce becomes in society, the greater the demands upon the Judiciary to arbitrate and enforce family support payments.

The Family Court's caseload has reflected this trend, especially in the last year due to a reciprocal agreement between Hawaii and other states, and an agreement between the Judiciary and Department of Social Services and Housing.

Under the reciprocal agreement, individuals who move to Hawaii can file in Family Court to have support judgements made in another state enforced. In fiscal year 1976-77, Family Courts had an 82 per cent increase in the number of Uniform Reciprocal Enforcement of Support cases filed.

The agreement signed with DSSH reflects the impact of recent changes in federal and state regulations regarding public assistance payments. The new rules require that an absent parent of a family receiving public assistance reimburse the state. The agreement established Court procedures for recovering and distributing child support payments. The new regulations apply to both married and non-married parents.

In the reporting period, Family Courts had a 198 per cent increase in the number of paternity cases filed, the category that reflects actions filed under the DSSH agreement.

In Hawaii, the support payments are paid directly to the Family Courts, which in turn distribute them to the families, or in the case of families on assistance, to DSSH.

### To the Year 2000

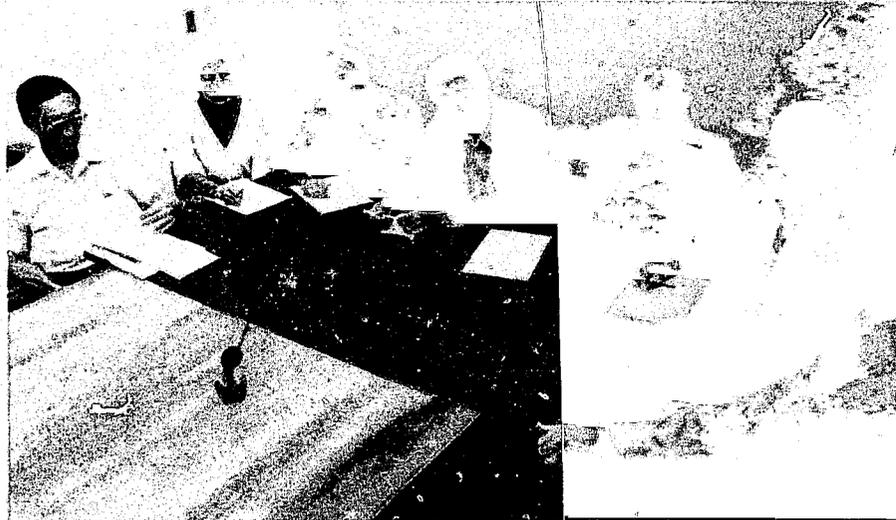
Here are projections for all Family Courts statewide.

	Year 1990	Year 2000
Filings	35,495	46,721
Caseload	52,761	69,949

## Juveniles

Family Courts have jurisdiction over all children below the age of 18 referred to the judicial system.

Family Courts provide services to juveniles referred for a law violation, because of neglect or abandonment, because they are beyond the control of their parents and because of behavioral problems, or because they live in an environment injurious to their health.



The new First Circuit leadership team, headed by Family Court Director Mary Jane Lee, second from left, meet to discuss directions.



Arlon Richardson, Family Court probation officer, with client.



*District Courthouse at Bethel and Merchant.*

The Court also hears cases involving determination of custody, appointment of a guardian, termination of parental rights, and granting permission to marry or enlist in the Armed Forces, treatment or commitment of mentally defective, retarded or mentally ill minors to an institution.

Cases arising from the Interstate Compact on Juvenile Extradition of Minors fall under the Family Courts jurisdiction.

Traffic violators are referred to the District Court's Division of Driver Education, which has developed specialized programs for dealing with juvenile drivers.

### **Children's Shelter**

Hale Ho'omalulu is a facility operated by the Family Court of the First Circuit for children who require secure custody pending disposition of their case by the Court. The home is located in mid-town Honolulu.

Hale Ho'omalulu has a part-time nurse and on-call medical services from the Childrens Hospital. The Department of Education provides two full-time teachers.

In response to changes in federal regulation, the Court is preparing applications to regear the present detention program to provide separate programs for children referred to the Court for law violations and supervision problems.

In the Second Circuit, the Maui Live In Center,

which has a capacity of nine clients, provides shelter services to the Family Court.

### **Mental Commitment**

In 1976, the Legislature passed a bill assuring individuals involuntarily committed to a mental institution have the right to a court hearing.

As a consequence, Family Court judges have been required to be on call on a 24-hour basis. Cases filed in the miscellaneous category, which includes mental commitment hearings, increased by 127 per cent in 1976-77.

### **Caseload Review**

In the 1976-77 fiscal year, 20,794 cases were filed in the Family Courts statewide, a one-year increase of 13 per cent.

On July 1, 1976, Family Courts had 9,736 cases under their jurisdiction, for a total caseload of 30,530 during the reporting period.

On June 30, 1977, a total of 11,520 cases remained under the jurisdiction of the Court.

Juvenile referrals and marital actions comprised 68 per cent of all new cases filed.

During the reporting period, 7,183 juvenile cases were referred to Family Courts, 5,157 by law enforcement officials for law violations.

In addition, 2,569 minors were on probation or some other type of supervision.

A total of 7,051 marital actions were filed.

## The District Courts

*Each of Hawaii's four judicial circuits is served by a District Court, making it the court which has the most contact with the citizens of Hawaii.*

### Services

District Courts are courts of record with limited jurisdiction in civil and criminal matters and conduct non-jury trials in both types of cases.

All appeals from the District Courts go directly to the Supreme Court.

In civil cases, District Courts have exclusive jurisdiction in actions where the amount contested is not more than \$500. They have concurrent jurisdiction with the Circuit Courts in civil cases where the amount contested is not more than \$5,000, but not less than \$500.

The District Courts have exclusive jurisdiction in all small claims actions, which are suits where the maximum amount is not more than \$300, and in landlord-tenant cases.

In criminal cases, the District Courts' jurisdiction is limited to misdemeanors, cases in which the maximum prison sentence is one year.

Defendants who want a jury trial can have their cases transferred to the Circuit Courts.

In felony cases where an arrest has been made, District Courts are required to hold a preliminary examination within 48 hours to determine if the evidence is sufficient to commit the case to the Circuit Court of the respective judicial circuit for a grand jury hearing.

The District Courts have jurisdiction in all traffic cases and in cases filed for violations of county ordinances and of the Rules of State regulatory agencies.

### Judges

Seventeen judges serve the District Courts, with 12 assigned to the First Circuit. The Legislature funded the 12th judgeship during the 1977 Legislature.

District Court judges are appointed by the Chief Justice to six year terms, and must be attorneys with a minimum of five years' experience as members of the Hawaii Bar.

Bertram T. Kanbara was appointed to the new judgeship in District Court of the First Circuit.

Other appointments included:

In the First District Court, Judge Philip T. Chun, who had been serving on a per diem basis, was appointed to fill a vacancy created by the death of Judge James A. Leavey.

Also, Judge James S. Burns was appointed to serve on a per diem basis, and in February of 1977, Gov. George Ariyoshi named him to the First Circuit Court.

In the Second District Court, Arthur T. Ueoka was appointed to fill a vacancy created by the appointment of Judge Kase Higa to the Circuit Court.

Divisions within the District Courts are the Violations Bureau, which includes the Driver Education Program, and Counseling Services.

### Caseload Review

A total of 666,485 District Court cases were filed in all four judicial circuits in fiscal year 1976-77, an increase of 10.5 per cent in one year.

The caseload of all District Courts, which includes cases pending on July 1, 1976, was 722,994.

A total of 657,083 cases were terminated, which was less than the number of cases filed, leaving a backlog on June 30, 1977, of 65,911 cases.

The number of criminal cases filed statewide was 19,224, up by 13 per cent.

Civil actions reported declined by 5 per cent; 11,014 civil and small claim suits were filed, 619 fewer than in 1975-76.

Traffic and violation cases filed totaled 636,247, an 11 per cent increase.

### The Aloha Spirit

The District Court of the First Circuit practices the Aloha Spirit.

If a tourist who has received a traffic citation shows up at the Violations Bureau and requests a court hearing, the staff prepares the necessary papers on the spot and sends the visitor up to court.

If court is not in session, an available judge is contacted and a hearing held as soon as possible.

How do the visitors like it? Says Deputy Bureau Administrator Harriet Schimmelfennig: "The response is really terrific."

---

## **The Court of the People: The Future**

In the last decade, the District Courts have been the innovators within the Judiciary, developing new programs and procedures to serve both the public and the administration of justice.

Because they are the courts the majority of Hawaii's citizens most often come into contact with, the emphasis in the District Courts has been to evolve programs of education and counseling, and alternative programs which give judges flexibility in imposing sentences.

In the 1976-77 fiscal year, 666,485 cases were filed in the District Courts statewide, the equivalent of 1.25 cases for every resident of Hawaii 18 years of age and older. By the year 2000, that number is expected to exceed one million.

During the 1978 Legislature, and in the years ahead, the Chief Justice is requesting legislation to enhance and strengthen the role of the District Courts.

### **Judges**

To meet the growing demand for litigation in the Kona District and neighboring court divisions in North and South Kohala, the Judiciary has requested the Legislature to create and fund a third District Court judgeship for the Island of Hawaii.

In addition, the Judiciary is asking the Legislature to authorize six new District Court judgeships in the First Circuit, which can be filled as the workload demands.

### **Criminal**

If the Constitutional Convention and subsequently the voters of Hawaii approve an amendment to limit the use of the grand jury (See Story Page 20) to extraordinary cases, the Chief Justice has proposed that a formal hearing in District Courts become the primary means of obtaining indictments in felony cases.

### **Civil**

The 1978 session of the Ninth Legislature has been requested to raise the jurisdictional limits of civil suits filed in District Courts to \$10,000 and the limit in small claim suits to \$600.

The current \$5,000 limit in civil cases was established in 1970, and the \$300 maximum in small claim actions was set in 1973.



*Hanae Yasuda, designing uniform citation for misdemeanors.*

### **Violations Bureau**

At the request of the police departments on Kauai and Hawaii Counties, the Bureau is designing a uniform citation for misdemeanors. When the citation goes into use, police officers will have the option of making an arrest or issuing a citation.

Another major innovation anticipated in the years ahead is the development of a "para-judge" adjudicative system for violations that can be settled by bail.

Such a system would assist the court with its growing workload and also accommodate citizens who are reluctant to lose a day's work and wages, preferring to forfeit bail rather than return to court another day.

If the Legislature approves a Judiciary request to decriminalize most traffic cases, the need for a para-judge adjudicative system would be even greater.

The Judiciary has proposed the elimination of criminal penalties on all traffic violations which do not involve personal injury or death, filing a false report or overtaking and passing a school bus.

### **Driver Education**

Hawaii has been a national leader in developing a comprehensive driver education program. A \$1 assessment is made against all persons convicted of a moving traffic violation and against each vehicle insured in the state to finance the program.

In fiscal year 1977-78, the funds collected for insured vehicles will be divided on a 50-50 basis between the Judiciary and the Department of Education.

The Judiciary will not be able to sustain the present program unless additional sources of revenue are made available.

### **Counseling**

The Counseling Services staff of the First Circuit is located in downtown Honolulu. In 1977, the suburban population equaled that of Honolulu proper.

As the suburban areas continue to grow, both the Counseling Services and Driver Education Program will need to increase staff services in the five suburban court facilities on Oahu.

### *To the Year 2000*

Here are projections for all District Courts statewide.

	<b>Year 1990</b>	<b>Year 2000</b>
Filings	1,131,118	1,488,834
Caseload	1,254,081	1,662,628



*Violations Bureau is always a busy place.*

*Violations Bureau Director Tom Okuda confers with assistant director Harriet Schimmelfennig.*



## Violations Bureau

The Violations Bureau is the division of the District Court responsible for processing citations, and for maintaining a central record of all citations issued statewide.

In the First Circuit, which accounted for 92 per cent of all traffic citations issued last year, the Bureau staff processes bail forfeitures, prepares pre-trial calendars, accounts for all bail money collected, and in delinquent cases prepares notices and penal summons.

In the neighbor island circuits, the District Court staffs perform these functions, with centralized record keeping done by the Bureau in Honolulu.

The Bureau is also responsible for designing uniform citations for all four police departments and other enforcement agencies.

Coordination is maintained by the Deputy Administrative Director of the District Courts, who also serves as Director of the Violations Bureau.

### Services

For lesser offenses, the return-mail, postage-paid citation allows for bail forfeiture without a visit to court.

To assist police in determining court dates, traffic arraignments are divided into categories, alphabetically and by hours, allowing the officer issuing a citation to inform the defendant the day, hour and courtroom where the case will be heard.

The Bureau also prepares traffic abstracts of motorists' records for all courts, federal and local government agencies and insurance firms.

The Violations Bureau remains open on Monday evenings for the convenience of the working public, and on Saturday morning, arraignments are held.

### Workload

In fiscal year 1976-77, the Violations Bureau in the First District Court handled 1,155,277 matters.

City and County of Honolulu Police and other law enforcement officers reported 609,079 traffic citations and arrests.

In addition, the Bureau issued 147,133 delinquent notices, prepared 41,580 penal summons and 351,445 traffic abstracts.

### Traffic Activity

The 609,079 traffic matters handled by the Bureau included 458,148 citations for parking and 2,515 arrests for traffic violations.

Traffic citations reported in Honolulu totaled 551,763, with 54,801 issued in suburban areas.

A total of 6,267 traffic citations were issued to juveniles, 78 per cent of which were for moving violations, and 141 juvenile arrests were reported.

The Bureau terminated 573,773 traffic cases, in 1976-77, or 94 per cent of the total reported.

Seventy-five per cent or 433,074 were disposed of by administrative procedures, including nearly 5 out of 10 by mail.

The other 105,387 citations were terminated by visits to Bureau to pay bail.

Total revenues collected by the Bureau, which does not include court-ordered bail forfeitures or fines, was about \$2.5 million.

## Driver Education

The Hawaii Judiciary operates the only statewide Driver Improvement Program in the nation, with preventive education programs directed at both adult and juvenile traffic offenders.

The program operates without any taxpayers money. It is totally financed by a \$1 assessment made by the Court on all individuals convicted of a moving traffic violation. The program also receives a portion of \$1 collected by insurance companies on each vehicle insured.

The program has three courses it gives to defendants who are required to attend class as part of their sentence: defensive driving, remedial driving, and prevention of driving while intoxicated.

In addition to the courses, the program provides counseling for both adults and juveniles.

As of July 1, 1976, the Family Court of the Third Circuit transferred all juvenile traffic violation

cases to the District Court, becoming the last judicial circuit to complete the transfer.

## Workload

In fiscal year 1976-77, statewide 4,444 adults were referred to the driver improvement program for classes, 2,842 for the defensive driving course.

Of that number, 3,210 individuals were from the District Court of the First Circuit.

The program had 3,143 juveniles referred.

## Focus on Drinking and Driving

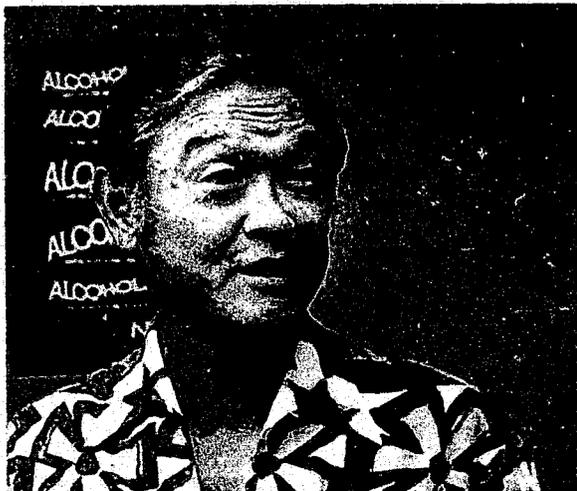
Alcohol is a major factor in more than half of all highway fatalities, and a problem the counselors in Hawaii's Driver Improvement Program encounter daily.

In January of 1977, the Division of Driver Education of the Judiciary sponsored a three-day "DWI Counterattack Symposium" which featured nationally-known speakers on the subject of the dangers of driving while intoxicated.

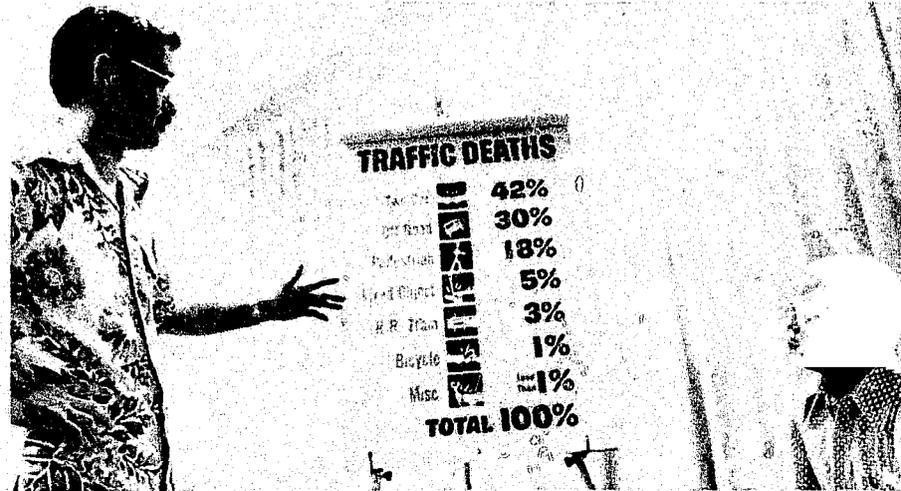
The purpose of the symposium was two-fold: to focus the public's attention upon the seriousness of the problem and to explore new ways to counterattack the problem.

Also addressing the symposium were Honolulu experts and judges who daily handle DWI cases in the courtroom.

All presentations were recorded and put in book form for distribution to other judicial systems and interested agencies throughout the nation.



George Uyeda, director of the Driver Education Program.



Driver improvement course was extended to Kauai.

## Counseling Services

The Counseling Services division of the District Courts serves as an important adjunct to the administration of justice by providing judges an alternative to imposing a fine or imprisonment.

Counselors provide three services: working with individuals who have been convicted of a misdemeanor, administering the Deferred Acceptance of Guilty Plea (DAGP) program, and preparing presentence reports.

In the First Circuit, Counseling Services is a separate division of the District Court, and in the Second and Fifth Circuits, the Family Court staffs serve the District Courts. In the Third Circuit, a caseworker is funded by a grant from the Law Enforcement Assistance Administration.

### Counseling

Counselors work with individuals who have been convicted of a misdemeanor. More often than not, counseling involves members of the family, with the emphasis on attempting to discover problems which might have contributed to the commission of an offense.

Counselors attempt to identify and stimulate solutions in a variety of problem areas, including related psychological problems, marital problems, conflicts within a family, financial problems, and



*Harold Watanuki, Counseling Services Director, discusses future directions.*

difficulties involving cultural adjustments, particularly among immigrants who come from non-urban environments.

When necessary, counselors refer misdemeanants for professional help. Referrals for psychiatric treatment and drug rehabilitation are the most common.

### Deferred Plea

The DAGP provides the District Court judges with an alternative sentencing program for first offenders. The judge prescribes a program of performance, which is monitored by the counselors. If the defendant fulfills the terms of his alternative sentence, the judge may dismiss the charge.

One of the most popular alternative sentencing programs has been assigning misdemeanants to perform community service. Some judges, however, have been reluctant to impose community service because it is not specifically mentioned in the Hawaii statutes.

The Judiciary has requested the 1978 Legislature to formalize community service as an alternative sentence for first-time offenders.

### Presentence Reports

The preparation of presentence reports for repeat offenders provides judges with a means of obtaining additional background information about the defendant before deciding on a sentence.

During the presentence interview with a counselor, defendants present their side of the story and any related information they feel is important. The counselor also looks up the defendant's past record, and prepares a report and sentencing recommendations for the judge.

### Caseload

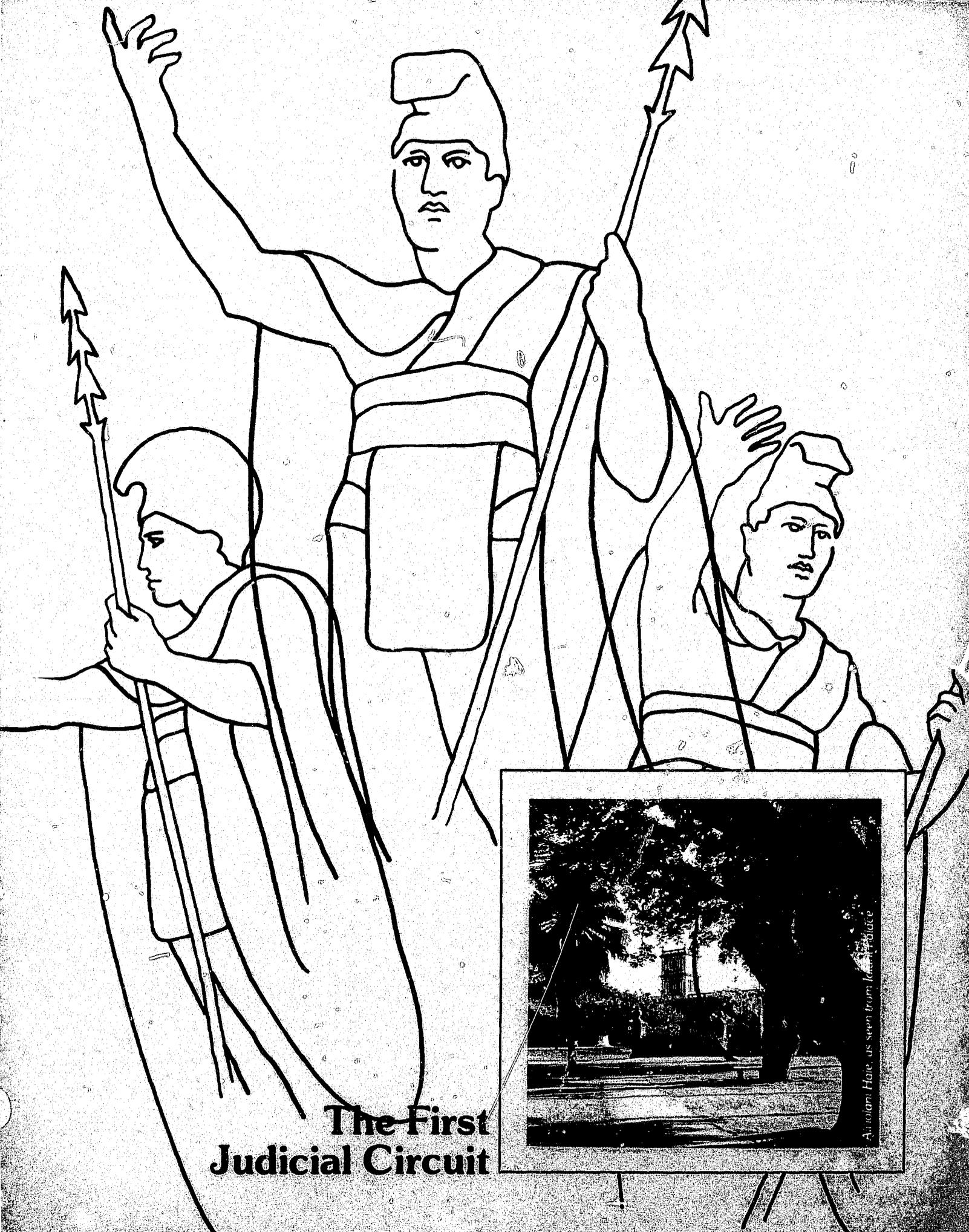
During the 1976-77 fiscal year, Counseling Services of the District Court of the First Circuit had a workload of 4,313 cases, including 3,146 new cases assigned during the fiscal year.

New cases referred increased 45 per cent from 1975-76.

Of the new cases referred, 2,539 were for misdemeanor convictions.

On June 30, 1977, a total of 1,256 cases were still active.

The counseling services office has a staff of 22, and during the reporting period utilized the part-time services of 25 counselor-aides from the Judiciary's Volunteers in Public Service to the courts, which is a program of Office of the Administrative Director of the Courts.



**The First  
Judicial Circuit**



*Arjoiam. Hare, as seen from [unclear] place*

---

First Judicial Circuit

Circuit Court



Judge Arthur S.K. Fong  
Administrative Judge



Judge Masato Doi



Judge Yasutaka Fukushima



Judge John C. Lanham



Judge Robert W.B. Chang



Judge Walter M. Heen



Judge Yoshimi Hayashi



Judge Harold Y. Shintaku



Judge Toshimi Sodegami



Judge Hiroshi Kato



Judge Herman T.F. Lum



Judge Norito Kawakami  
(Retired 1977)

Family Court



Judge Betty M. Vitousek  
Senior Judge



Judge James S. Burns

---

District Family Court



Judge Paul C. Kokubun



Judge John T. West, Jr.



Judge Barry J. Rubin



Judge Patrick K.S.L. Yim



Judge Katsugo Miho

District Court



Judge Frank T. Takao  
Administrative Judge



Judge Russell K. Kono



Judge Kenneth W. Harada



Judge Ronald B. Greig



Judge Richard Y.C. Au



Judge Wendell K. Huddy



Judge Andrew J. Salz



Judge Robert K. Richardson



Judge James Y. Shigemura



Judge Edwin H. Honda



Judge Philip T. Chun



Judge Bertram Kanbara

## Circuit Court Proper of the First Circuit

The First Circuit Court serves the Island of Oahu with a total estimated population of 766,100, and also has jurisdiction over the settlement of Kala-wao on Molokai. Thirteen judges are assigned, serving the civil calendar and probate and guardianship cases, the criminal calendar, the Tax Appeal Court and the Land Court. Two of the judges are assigned full-time to the Family Court.

A staff of 139 persons serves the community.

One-hundred eighty three cases were appealed to the Supreme Court during the reporting period.

### Actions Filed

In the 1976-77 fiscal year, 6,910 new cases and related motions were filed in the First Circuit Court Proper.

New cases filed exceeded the number terminated by 1,040, with 14,297 cases pending on June 30, 1977.

### Caseload

The circuit's caseload, which includes new actions filed and cases pending on July 1, 1976, rose to 20,167 cases, up by six per cent.

Terminations rose by about one per cent. In criminal and regular civil cases, a total of 287 more cases were concluded than the previous year.

*Freida Baker, jury clerk, records on Code-a-phone.*



However, actions pending in both categories rose to 7,240, up by 27 per cent.

Filing of supplemental actions decreased by 67.

Of the 5,870 cases terminated, 1,427 involved a trial or hearing. Judges presided at 278 jury trials.

### Civil Calendar

A total of 3,268 new regular civil suits were filed in the fiscal year, 24 fewer than the year before.

Circuit Court rules require that a Statement of Readiness for trial be filed within one year after the suit is filed in court; if not, the case is dismissed.

In the last five years, the number of civil suits pending trial on the civil calendar has increased by 54 per cent.

### Civil Ready Calendar

Cases pending (July 1, 1976).....	1,425
Statements of Readiness Filed (July 1, 1976 to June 30, 1977) .....	1,163
Total Caseload.....	2,588
Cases Terminated.....	1,234
Cases Pending (June 30, 1977) .....	1,354

### Ten-Year Review

Below is a 10-year review of the growth in the Civil Ready Calendar.

	1967-68	1976-77	Per Cent Increase
Cases Pending at Start	962	1,425	+48.1
Statements Filed	693	1,163	+67.8
Total Caseload	1,655	2,588	+56.4
Terminations	840	1,234	+46.9
Pending	815	1,354	+66.1

### Criminal Actions

In fiscal year 1976-77, 1,256 defendants were charged in 1,067 cases, a decrease of 10 per cent from the previous year.

### Criminal Calendar

	Misdemeanor			Total
	Felony	Traffic	Other	
Cases Pending July 1, 1976	1,007	15	239	1,261
New Cases Filed	919	15	133	1,067
Commitment from District Court		15	133	148
By Indictment	903			903
By Information	16			16
Cases Reactivated	5			5
Total Caseload	1,931	30	372	2,333
Cases disposed of	797	18	167	982
Cases Pending June 30, 1977	1,134	12	205	1,351

At the end of the reporting period, 774 cases were pending trial; the remaining 577 cases included fugitives, individuals awaiting sentencing and arraignment.

### Jury Improvements

The Chief Clerk's Office of the First Circuit initiated several new programs to improve jury management practices, as the result of a study of Hawaii's Jury Trial System conducted by the National Center for State Courts.

A pilot jury pool program began in February of 1977 and serves seven courtrooms, two criminal and five civil. Approximately 150 persons are called every other week and one judge conducts the qualification proceedings, freeing the six other judges for other duties. Judge Arthur S.K. Fong served as the first qualification judge.

Preliminary estimates of costs to the end of the fiscal year indicate the use of the jury pool saved \$12,000.

Three code-a-phones were installed on which a jury clerk records the latest status of all trials. Jurors call in the night before to find out if the trial has been postponed or cancelled.

The clerk's office has also developed a written orientation package for jurors and after individuals are assigned to a trial, they are provided tags identifying them as jurors.

Three rooms were set aside as a juror lounge and equipped with two color television sets. The lounge provides a place for jurors to stay between trial sessions, keeping them out of contact with parties involved in the trial, and serves as an area for them to assemble during the qualification process.

### Jury Commission

Members of the First Circuit Jury Commission in 1976 were Chief Clerk Patrick J. O'Sullivan, Hilda C. Bond, Manuel Gomes, Adelaide DeSoto and Wanda Lindsey.

During the year, 30,000 juror qualification forms were mailed to develop a list of 9,000 prospective jurors, of which 6,840 were called.

Total payroll and mileage costs for jurors in the First Circuit in 1976 was \$407,016, including \$25,639 to pay grand jurors.

There were 56 grand jury proceedings, each lasting a full day. The First Circuit, because of the volume of criminal cases, empanels two grand juries, which serve for a calendar year. Each panel meets at least every other week. If the grand jury

is retained by the Constitutional Convention, a third group may be empaneled to lessen the workload of grand jurors.

## To the Year 2000

In the 1976-77 fiscal year, 628,467 cases were filed in the Circuit, Family and District Courts of the First Judicial Circuit, which serves the Island of Oahu.

Below are straight-line projections to June 30, the last day of the fiscal period, of the years 1990 and 2000, assuming the current jurisdictional functions of each court do not change and the growth rate from 1967-68 to present continues.

### First Judicial Circuit

	Year 1990	Year 2000
Filings	1,067,183	1,404,681
Caseload	1,217,607	1,614,272

### Circuit Court Proper\*

	Year 1990	Year 2000
Filings	12,092	15,916
Caseload	35,187	46,651

### Family Court

	Year 1990	Year 2000
Filings	26,905	35,415
Caseload	41,206	54,630

### District Court

	Year 1990	Year 2000
Filings	1,028,186	1,353,350
Caseload	1,141,214	1,512,991

\*Because of a change in policy in the prosecutors office, criminal cases filed in 1976-77 declined for the first time in a number of years, and consequently filing projections are probably low. Additionally, the First Circuit Court has a backlog of cases nearly twice that of the number of cases filed. If additional judges are added, the projected caseload figures for the Circuit Court should be drastically reduced.

### Support Collections

The fiscal section of the First Circuit reported a 30 per cent increase in matrimonial support account activity as the result of a contract between the Department of Social Services and Housing and the Family Court Division.

Recent changes in federal and state laws require DSSH to seek support payments from absent parents in families receiving assistance, and at the request of DSSH the Family Court agreed to perform the collection service.

Four clerks were added in the cashier's office to handle the new accounts, and the office is reimbursed a percentage of payroll costs from the federal funds.



*Halo Hirose, Adult Probation Director, directs a staff of 37 on Oahu.*

## Adult Probation

Sixty-five per cent of all adult probation cases on Oahu as the results of cases adjudicated in the First Circuit Court Proper. The large caseload is handled by the Adult Probation Department of the First Circuit Court. In the Neighbor Island circuits, probation officers are assigned to the Family Courts staff.

On Oahu, the department had the responsibility for supervising 2,013 probation cases and conducted 2,624 investigations. Adult Probation has a staff of 37.

The number of new probation cases referred to the department increased by 30 per cent in 1976-77, and at the end of the year, 1,722 cases were still active, a 37 per cent increase.

Of the 291 cases terminated, probation was revoked in only 10.

In the last three years, Adult Probation has become more involved in preparing investigation reports for the Court to help judges determine amount of bail and sentences.

In 1976-77, probation officers conducted 1,417 investigations to assist the Court in determining whether defendants could be released on their own recognizance or if bail should be reduced.

The passage of Act 154 by the 1976 Legislative Session formalizing the Deferred Acceptance of Guilty Plea has had an impact on the probation department's workload. DAGP cases reported in 1976-77 jumped to 234 from 78 in 1975-76.

The department handled 145 courtesy supervision cases last year, compared to 26 in 1975-76. They are cases where the individual on probation has moved to Oahu from another community.



*Liesje Cattaneo, probation officer, works on case files.*

## Family Court of the First Circuit

The Family Court of the First Circuit has two Circuit Court and five District Court judges assigned with a staff of 143, including a temporary worker, to serve the community. Statewide, 76 per cent of all Family Court cases are filed in the First Circuit.

Thirteen cases were appealed to the Supreme Court during the reporting period.

### Actions Filed

The number of cases filed in the Family Court of the First Circuit has shown an increase for the fifth straight year.

The 15,756 actions filed in fiscal year 1976-77 represented a one-year increase of 11 per cent.

The Court's caseload rose to 23,850 cases, up by 12 per cent.

The number of cases terminated increased to 14,609, up 10 per cent. New cases filed exceeded that number, leaving 9,241 cases pending on June 30, 1977.

### Juvenile Cases

The number of cases referred to the Court involving children totaled 5,017, up by 3 per cent from 1975-76. Law enforcement officials referred 3,438 juveniles for law violations.

The Family Court's caseload of actions involving children (which includes 2,305 cases pending on July 1, 1976) totaled 7,322, or 31 per cent of its workload.

In addition, during the year 1,783 children were on probation or on some other type of supervision, with 1,187 still under the Court's jurisdiction at the end of the year.

### Marital Actions

Marital actions filed totaled 5,671, up 7 per cent, increasing the caseload to 8,248, which represented 34.6 per cent of the Family Court's total workload.

The number of actions filed seeking support payments in judgments made in other states was 941, a 59 per cent increase.

In the reporting period, 4,589 couples filed for divorce, an increase of one case.

### Other Actions

Oahu families filed petitions to adopt 549 children, 29 fewer than the year before.

The First Circuit felt the impact of a new State law requiring a hearing before an individual can be committed to a mental institution. Miscellaneous cases, the category which reflects hearings held in compliance with the law, increased by 340 last year, to 784.

Paternity cases filed rose from 231 in 1975-76 to 592 last year, primarily as a result of actions filed seeking support payments from absent parents in families that are receiving public assistance.

The Fiscal Branch of the First Circuit Court, which collects the court-ordered support payments, reported a 30 per cent increase in its accounts.



Mary Jane Lee, new Family Court Director.

## District Court of the First Circuit

*The District Court of the First Circuit serves the islands of Oahu and the Kalaupapa settlement on Molokai. Twelve judges are assigned to the Court. A staff of 205 serves the public.*

*Forty-two cases were appealed to the Supreme Court in the reporting period.*

### Services

The District Courthouse is located at Merchant and Bethel Streets in downtown Honolulu and the judges serve five satellite courtrooms in Oahu's suburban areas.

Communities on the windward side of the Island, from Makapuu to Waimea Bay, are served by court facilities located at the Kaneohe Police Station, where court sessions are held daily.

Courthouses in Waiialua and Wahiawa serve the central Oahu and North Shore communities. Sessions are held weekly on Monday at Waiialua and Tuesday, Wednesday and Thursday in Wahiawa.

The Ewa Courthouse serves the growing communities in Oahu's central corridor surrounding Pearl Harbor. Court is in session every day except Thursday. A judge and court reporter travel to the Waianae courtroom twice a week.

### Facilities

The construction of a new courthouse for the District Court is the No. 2 priority in the Judiciary's capital improvement program. The site of the new building, which is in the planning stage, is at Hotel and Alakea Streets in downtown Honolulu.

Design funds have been appropriated for two courtrooms and office space in the Windward Civic Center, which will replace the present Kaneohe courtroom.

Present courtrooms in Wahiawa, Waiialua and Waianae will also be relocated with the development of civic centers in the respective areas, keeping court facilities centralized with other governmental agencies.

### Actions Filed

New cases filed in the First District Court have shown an increase for the tenth year in a row, with the exception of the 1974-75 reporting period when Hawaii experienced a severe gasoline shortage.

In the 1976-77 fiscal year, 605,801 cases were

filed, an increase of 14 per cent.

An additional 5,027 civil motions were filed which are not included in the above figure or the cases listed on page 81 of this report.

Cases terminated were up by 13 per cent from the 1975-76 reporting period. However, filings exceeded terminations, leaving the number of cases pending on June 30, 1977, at 59,908 up 15 per cent.

Nearly 91 per cent of all District Court cases filed statewide were in the First Circuit.

### Caseload

The caseload of the First District Court (which includes new filings and those pending on July 1, 1976) totaled 657,782 cases, up by 14 per cent.

**Civil:** Seven per cent fewer regular civil and small claims suits were filed, with new cases totaling 8,410.

Caseload: 13,562

Terminated: 7,941

Pending: 5,621

**Criminal:** New cases reported were up 13 per cent; cases filed were 14,360.

Caseload: 18,006

Terminated: 13,947

Pending: 4,059

During the reporting period, 652 cases were committed to the First Circuit Court. Jury trials were demanded in 203 criminal misdemeanor and 12 violation cases, and 83 civil suits. Felony cases sent to the grand jury totaled 354.

See Violations Bureau Story, Page 28.

### Ten Year Review

	1967-68	1976-77	Per Cent Change
Filed	313,088	605,801	+ 93
Caseload	322,172	657,782	+104

*Waiialua District Courthouse dedication after reopening*





**The Second  
Judicial Circuit**

Courthouse in Wailuku, Maui



## Circuit Court



Judge S. George Fukuoka  
Administrative Judge



Judge Kase Higa

## District Court



Judge Richard R. Komo  
Administrative Judge



Judge Arthur T. Ueoka

## To the Year 2000

In the 1976-77 fiscal year, 27,293 cases were filed in the Circuit, Family and District Courts of the Second Judicial Circuit, which serves the Islands of Maui, Molokai and Lanai.

Below are straight-line projections to June 30, the last day of the fiscal period, of the years 1990 and 2000, assuming the current jurisdictional functions of each court do not change and the growth rate from 1967-68 to present continues.

## Second Judicial Circuit

	Year 1990	Year 2000
Filings	45,846	60,345
Caseload	56,262	74,591

## Circuit Court Proper\*

	Year 1990	Year 2000
Filings	1,474	1,941
Caseload	3,818	5,061

## Family Court

	Year 1990	Year 2000
Filings	2,520	3,317
Caseload	3,535	4,687

## District Court

	Year 1990	Year 2000
Filings	41,852	55,087
Caseload	48,909	64,843

\*A second Circuit Court judgeship was added in 1976-77, therefore, the caseload projections are high.

## Circuit Court of the Second Circuit

The Second Circuit serves the Islands of Maui, Molokai and Lanai with a total estimated population of 67,600. Two judges are assigned to the circuit and they hear cases at the courthouse in Wailuku, Maui, traveling inter-island to Lanai and Molokai at least twice a year.

A staff of 18, including a temporary worker, serve the community.

Thirteen cases were appealed to the Supreme Court during the reporting period.

A second judgeship was created by the 1976 Legislature and District Court Judge Kase Higa was appointed to fill the position in May of 1977. To accommodate the new judge, the courthouse was renovated to create a second courtroom, taking over space previously occupied by the Law Library. The Family Court staff moved to quarters in Kahului and the library was relocated in the courthouse.

Family Court cases have been reassigned to the Circuit Court, except on Lanai and Molokai, where District Court judges continue to preside. District Court judges conducted all Family Court sessions the previous two years to provide relief to the Circuit Court.

### Actions Filed

In the 1976-77 fiscal year, 1,274 new cases were filed in Second Circuit Court Proper, including 430 naturalization actions.

Excluding naturalization cases, the total number of cases filed in all criminal and civil categories, including related motions, was 844, an increase of about one per cent.

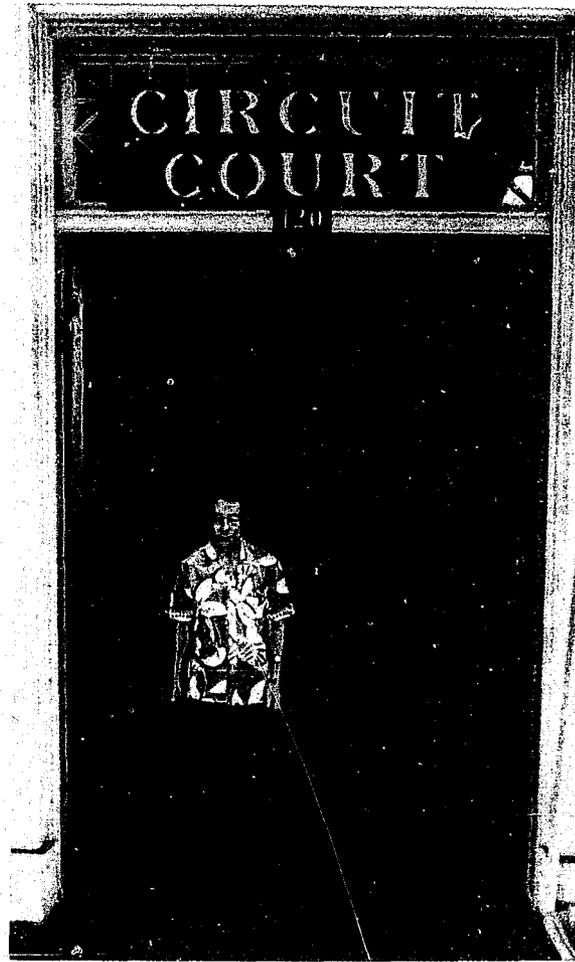
Filings exceeded cases terminated by 214, with a backlog on June 30, 1977, of 1,629 cases.

### Caseload Review

Caseload review excludes applications for naturalization to provide for a uniform statewide comparison of all circuits. The term caseload includes the number of cases pending on July 1, 1976, and new cases filed.

Below is a review of the Second Circuit's caseload and the percentage of change from the previous reporting period when 1,358 cases were pending.

	Total	Terminated	Pending
Caseload	2,202	632	1,570
Change	+6	-12	+16



Robert Monden, Circuit Court Chief Clerk.

*Janet Kaya serves as Second Circuit Court account clerk and librarian.*



Of the cases terminated, 246 involved a trial or hearing, including 15 jury trials.

### Civil

New regular civil suits filed totaled 343, a gain of eight per cent. It was the second consecutive year civil filings have risen.

Caseload includes 474 cases pending:

	Total	Terminated	Pending
Caseload	817	213	604
Change	+22	+10	+27

### Criminal

A total of 293 criminal cases were filed, up by 29 per cent.

The prosecution of criminal activity in the Second Circuit during the last reporting period increased, a trend which has reflected in the court's caseload in the last three years.

The categories of criminal cases which showed major increases included assault, forcible rape, burglary, narcotic law violations and gambling. Complete statistical data is contained in the last section of this report.

Caseload includes 215 pending cases.

	Total	Terminated	Pending
Caseload	508	194	314
Change	-6	-40	+46

Members of the Second Circuit Jury Commission included Chief Clerk Robert Monden, Martha Martin, Mary Amaral, Nancy Yanagi and Alice Simpich.

A total of 428 individuals were granted citizenship.

### Ten-Year-Review

	1967-68	1976-77	Per Cent Change
<b>Filings</b>	361	844	+134
Civil	119	343	+188
Criminal	62	293	+372
<b>Caseload</b>	1,150	2,202	+91

## Family Court of the Second Circuit

The Family Court of the Second Circuit has a staff of 15, plus a part-time worker, and it provides counseling and presentence investigations for the District Court. With the appointment of a second Circuit Court judge in May of 1977, District Court judges who had been hearing a majority of all Family Court matters for the last two years reduced their workload to cases on Molokai and Lanai.

### Actions Filed

New cases reported in the Family Court of the Second Circuit have shown an increase for the third consecutive year.

The 1,467 cases filed in fiscal year 1976-77 represented a one-year increase of 11 per cent.

Reflecting this growth, the Court's caseload was 2,063, up by 15 per cent, including the 596 cases pending on July 1, 1976.

Terminations rose by 5 per cent with 1,259 cases concluded. New filings exceeded that number and pending cases on June 30, 1977, were 804, up by 35 per cent.

### Juvenile Cases

The number of cases involving children referred to the Court was 608, down 10 per cent from 1975-76. Law enforcement authorities referred 483 juveniles to Family Court for law violations, 67 fewer than the year before.

Juvenile cases comprised 39 per cent of the Court's workload.

In addition, 196 minors were on probation or under some other type of supervision, with 137 under the Court's jurisdiction at the end of the year.

### Marital Actions

Marital actions filed showed an increase of 19 per cent, up to 464 cases, due primarily to a three-fold increase in family support actions under Hawaii's reciprocal agreement with other states. Support actions filed jumped from 46 in 1975-76 to 111.

The four-types of cases in the marital action category comprised 31 per cent of the Family Court caseload.

Divorce actions were initiated by 345 couples, 9 more than the previous year.



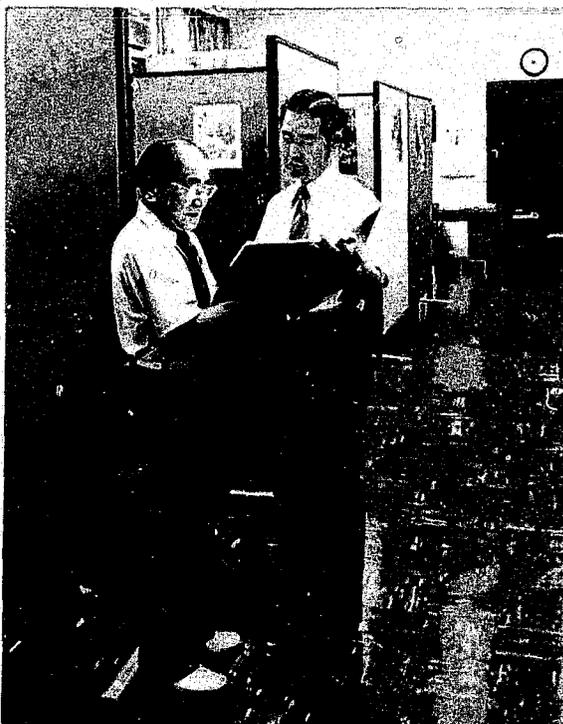
Louneille Medeiros, District Court Chief Clerk, assists Yvonne Quipolla, to prepare recorder for Family Court session.

### Other actions

Maui residents filed petitions to adopt 88 children, compared to 70 the year before.

Miscellaneous cases filed rose from 30 to 73, reflecting a change in State law requiring a hearing before a person is committed to a mental institution.

The Court also felt the impact of new federal regulations requiring absent parents in families receiving public assistance to pay child support. Paternity actions filed increased from 13 to 34.



Thomas Nakama, left, Family Court Director, and supervisor Fred Tamasaka, confer in new offices.

## District Court of the Second Circuit

*The District Court of the Second Circuit serves the Islands of Maui, Molokai and Lanai. Two judges are assigned to the Court, which has a staff of 16 to serve the three islands.*

### Services

The District Court of the Second Circuit is headquartered in Wailuku, Maui, however the two judges maintain an active schedule of travel. Sessions are held at Lahaina twice a week, at Paia once a week, in Hana and on Lanai once a month, and on Molokai twice a month.

For the last two years the District Court judges heard all cases for the Family Court of the Second Circuit. With the appointment of a second Circuit Court judge, their Family Court caseload was reduced to cases on Lanai and Molokai.

Towards the end of the 1976-77 fiscal year, the Second District functioned with only one judge because of the appointment of Judge Kase Higa to the Circuit Court. Arthur T. Ueoka was subsequently appointed to the District Court Bench.

### Facilities

The District Court is located in the old tax office building in Wailuku, with both judges sharing one courtroom. When the new Wailuku judicial complex is completed, all courts will be consolidated in the same building.

The Judiciary plans to renovate the facilities on the second floor of the old Lahaina Courthouse, to relocate the present inadequate court facilities at Paia in the proposed Makawao-Paia State Civic Center, and to move the Molokai court facilities into the State Office Building when the Kaunakakai Civic Center is developed.

### Actions Filed

The number of cases filed in the Second District Court has shown an increase for the last 10 years, except the energy-crisis year of 1974-75.

In the 1976-77 fiscal year, 24,982 cases were filed, up 9 per cent.

An additional 2,828 civil motions were filed which are not included in the above figure or listed on Page 82 of this report.

Cases terminated were up 8 per cent from 1975-76. More cases were filed than terminated, leaving actions pending on June 30, 1977, at 4,182, a jump of 48 per cent.

### Caseload

The caseload of the Second District Court (which includes new cases filed and those pending on July 1, 1976) was 27,806, up 12 per cent.

**Civil:** Regular civil and small claim suits filed increased by 19 per cent, with new cases totaling 1,683.

Caseload: 2,204

Terminated: 1,432

Pending: 772

**Criminal:** Filings were up 23 per cent; cases reported were 2,361.

Caseload: 2,720

Terminated: 2,368

Pending: 352

During the reporting period, 220 cases were committed to the Second Circuit Court. Jury trials were requested in 14 misdemeanor and 3 traffic cases, and 203 felony cases were sent to the grand jury.

### Violations

New traffic and other violation cases filed in Maui County totaled 20,938, up 6.5 per cent. The District Court caseload was 22,882, and 87 per cent of the cases were terminated.

Cases pending were 3,058, up by 57 per cent.

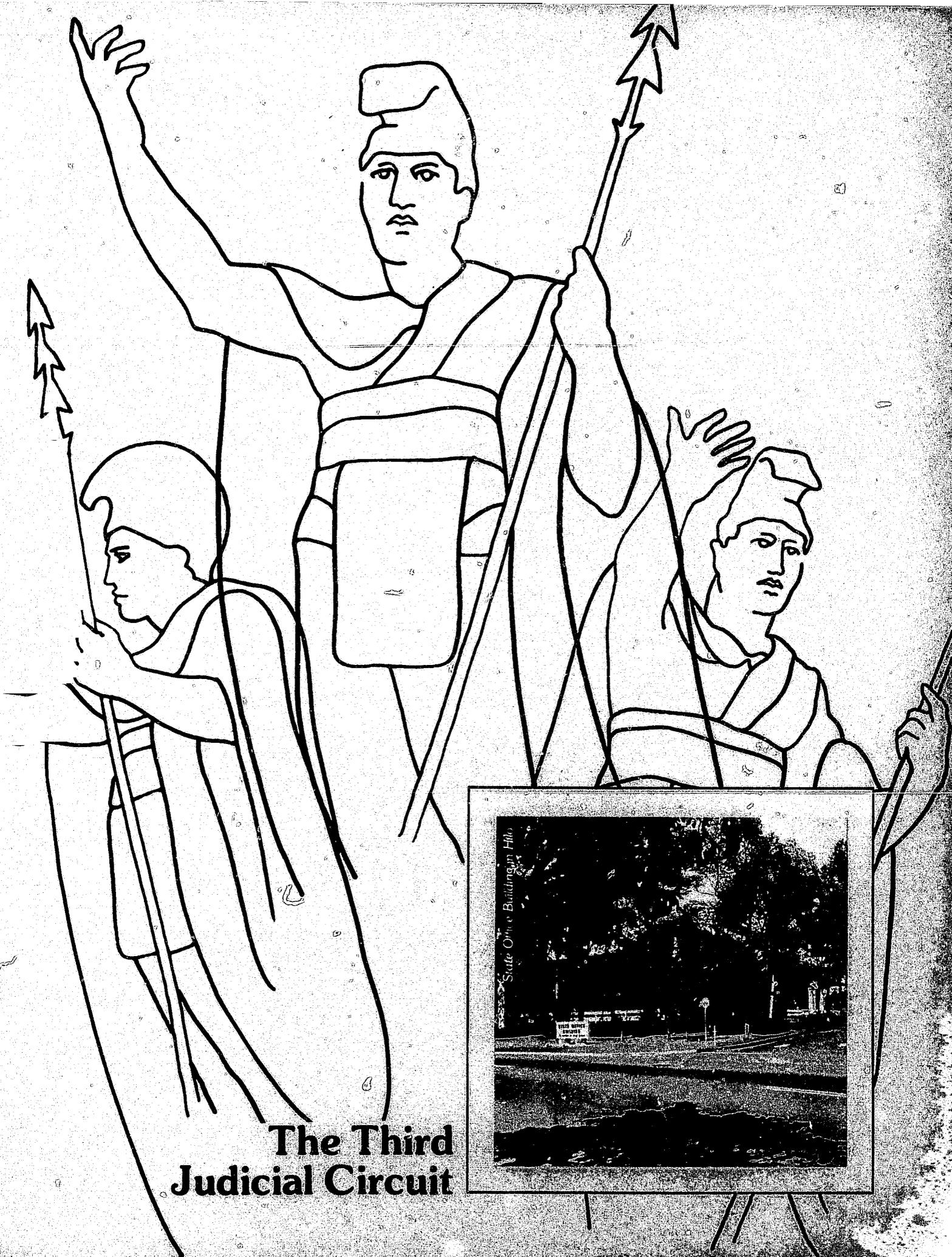
Traffic and other violation cases comprised 82.3 per cent of the Court's total caseload.

### Ten Year Review

	1967-68	1976-77	Per Cent Change
Filed	5,716	24,982	+337
Caseload	5,959	27,806	+367

*Kenneth Toguchi, a deputy sheriff, picking up papers from clerk Winona Iwata.*





**The Third  
Judicial Circuit**



State Office Building Hilo

## Circuit Court



Judge Ernest H. Kubota  
Administrative Judge



Judge Shunichi Kimura

## District Court



Judge Mark N. Olds  
Administrative Judge



Judge Robert T. Ito

## To the Year 2000

In the 1976-77 fiscal year, 32,797 cases were filed in the Circuit, Family and District Courts of the Third Judicial Circuit, which serves the Island of Hawaii.

Below are straight-line projections to June 30, the last day of the fiscal period, of the years 1990 and 2000, assuming the current jurisdictional functions of each court do not change and the growth rate from 1967-68 to present continues.

### Third Judicial Circuit

	Year 1990	Year 2000
Filings	55,872	73,541
Caseload	62,833	83,304

### Circuit Court Proper

	Year 1990	Year 2000
Filings	2,336	3,074
Caseload	5,243	6,952

### Family Court

	Year 1990	Year 2000
Filings	4,898	6,447
Caseload	6,173	8,184

### District Court

	Year 1990	Year 2000
Filings	48,638	64,020
Caseload	51,417	68,168

## Circuit Court Proper of the Third Circuit

The Third Circuit serves the Island of Hawaii which has an estimated population of 82,800. Two judges are assigned to the circuit and they hear cases at courtroom facilities located in the State Civic Complex in Hilo.

Once a month, a judge travels to Kona to hear Family Court matters and conduct hearings on motions and petitions. District Court judges hear family matters at the four other satellite court-houses serving the Island.

Twenty-nine cases were appealed to the Supreme Court during the reporting period.

The Third Circuit occupies space in the State Building in the Hilo Civic Center, but growing court activity has created crowded conditions, with some staff members having offices in store-rooms. The Judiciary is planning to acquire additional space, but if the present growth rate continues much larger quarters will be needed.

### Filing Activity

In the 1976-77 fiscal year, 1,416 cases were filed in the Third Circuit Court Proper, including 79 naturalization actions.

Excluding naturalizations, 1,337 new cases were filed in all civil and criminal categories, including related motions, a one-year increase of 9.5 per cent.

### Caseload Review

The review of caseload excludes applications for naturalization to provide for a uniform statewide comparison of all circuits. The term caseload counts the number of cases pending on July 1, 1976, and new cases filed.

Below is a review of the Third Circuit caseload and the percentage of change from the previous reporting period when 1,680 cases were pending.

	Total	Terminated	Pending
Caseload	3,017	1,111	1,906
Change	+6	-4.5	+13

Of the cases terminated, 500 involved a trial or hearing, including 24 jury trials.

### Civil

New civil suits reported totaled 480, a gain of sev-



During an electrical blackout, Circuit Court clerks pulled out the flashlights and continued waiting on people

en per cent. It was the fifth consecutive year civil filings have risen.

Caseload includes 593 pending cases.

	Total	Terminated	Pending
Caseload	1,073	388	685
Change	+6	-8	+15.5

### Criminal

A total of 300 criminal cases was filed, up three per cent.

Criminal charges filed in the Third Circuit during the reporting period increased slightly. Categories showing increases were burglary and assault. Narcotic drug law charges declined from 83 to 54. Complete statistical data is contained in the last section of this report.

Caseload includes 123 pending cases.

	Total	Terminated	Pending
Caseload	423	227	196
Change	+13	-10	+59

Members of the Third Circuit Jury Commission included Chief Clerk Terry Kaide, Dorothy Cross, Marjorie Mulhall, Harry Uyeda and Marion Victor.

Naturalization cases declined by 44 per cent, from 141 to 79. A total of 87 individuals were granted citizenship.

### 10-Year Review

	1967-68	1976-77	Per Cent Change
<b>Filings</b>	622	1,337	+114
Civil	202	480	+137
Criminal	82	300	+265
<b>Caseload</b>	1,711	3,017	+ 76

## Family Court of the Third Circuit

*The Family Court of the Third Circuit has a staff of 16 to serve the community. For most of fiscal year 1976-77, both Circuit and District Court judges heard Family Court matters. In February of 1977, District Court judges were assigned the caseload of the Family Court, with Circuit Court judges available when needed.*

*One case was appealed to the Supreme Court during the reporting period.*

### Actions Filed

At the end of the 1975-76 fiscal year, the Third Circuit Family Court transferred the majority of



*Stanley Shikuma, director, directs the second largest Family Court staff in the Judiciary.*

juvenile traffic cases to the District Court, the last circuit to complete the transfer.

In the 1976-77 fiscal year, 2,877 cases were filed, representing a one-year increase of 668 actions, up by 30 per cent.

The Family Court's caseload included 3,559 actions, up 20 per cent, including the 682 cases pending on July 1, 1976.

The number of cases terminated increased by 9 per cent to 2,508. Filings exceeded that number, however, leaving cases pending on June 30, 1977, at 1,051, up by 54 per cent.

### Juvenile Cases

The number of cases involving children referred to the Court dropped from 1,355 in 1975-76 to 1,253, reflecting the transfer of juvenile traffic cases. However, the number of juveniles referred to the Court for law violations increased by 339 cases to 987, a jump of 52 per cent.

Juvenile cases comprised 43 per cent of the Court's caseload.

In addition, 484 juveniles were on probation or some other type of supervision during the year, with 311 juveniles under the Court's jurisdiction at the end of the reporting period.

### Marital Actions

The number of marital actions filed increased by 37 per cent; 676 new cases were reported. Marital actions comprised 25 per cent of the total caseload.

Actions filed for family support payment enforcement under the reciprocal agreement the State of Hawaii has with other states jumped in one year from 57 to 222 cases.

Last year, 444 couples initiated divorce actions, 19 more than the year before.

### Other Actions

Hawaii County families filed petitions to adopt 68 children, the same number as the year before.

Miscellaneous actions filed showed a one-year increase of 285 cases, or 678 per cent, with 327 cases reported. The miscellaneous category reflects increased activity as the result of a new State law requiring a court hearing before an individual can be committed to a mental institution.

The Court also felt the impact of new federal regulations which require absent parents in families receiving public assistance to pay child support. Paternity cases filed in 1976-77 totaled 129, compared to 6 the previous year.

## District Court of the Third Circuit

*The District Court of the Third Circuit serves the Island of Hawaii. Two judges are assigned to the court, which has a staff of 14, plus a temporary worker, to serve the community.*

*Four cases were appealed during the reporting period to the Supreme Court.*

### Services

The District Court of the Third Circuit is headquartered in the State Office Building in the Hilo Civic Complex, with both judges sharing one courtroom, and court sessions are held daily. Judges travel to Kona on the average of six times a month and they hold weekly sessions in Puna, North Hilo and Ka'u, and monthly sessions in Hamakua and North and South Kohala.

The two judges have the most active travel schedule of any circuit and because of the long distances involved, a majority of all trips require a 6 to 7 a.m. departure time in order to convene court at 9 a.m. The judges often schedule sessions in two satellite courtrooms on the same day.

In February of 1977, the two District judges assumed a majority of the Third Circuit Family Court, although Circuit Court judges remain available to hear family matters.

### Kona Growth

The growing caseload in the Kona District has necessitated occasional two-day sessions at the Captain Cook Courthouse and requires the presence of a Circuit Court judge once a month to conduct hearings.

The Judiciary is requesting a third District judgeship to serve the Kona District, with the judge also being assigned to serve several of the neighboring satellite courtrooms.

A new courthouse is planned for the South Kohala District as part of the developing Waimea Civic Complex.

### Actions Filed

The number of cases filed in the Third District Court declined in the 1976-77 fiscal year, after filings jumped by 34 and 33 per cent the two previous reporting periods due to an intensive traffic enforcement campaign by the Hawaii County Police Department.

During the last reporting period, the number of



*Maile Nakayama, Chief District Court Clerk.*



*Because of its huge caseload, the Third District Court has its own probation officer funded from federal funds.*



Irene Higashi, District Court Clerk for Kona division.

moving traffic citations issued by police declined by 8,773. The elimination of parking meters at the Hilo airport was in part responsible for a drop in parking violations of 5,770.

Last year, the Court reported a total of 28,583 cases and motions, compared to 41,501 and 31,211 in the previous two periods. Cases filed declined by 31 per cent.

The number of cases pending on June 30, 1977, was 1,346.

### Workload

The caseload of the Third District Court (which includes new cases filed and those pending on July 1, 1976) totaled 29,933.

**Civil:** In all 108 fewer civil and small claim suits were reported; new actions filed totaled 625.

Caseload: 875

Terminated: 702

Pending: 173

**Criminal:** Filings increased by 2 per cent, to 1,976.

Caseload: 2,245

Terminated: 1,712

Pending: 533

During the reporting period a record 645 cases were committed to the Third Circuit Court. Jury trials were requested in 323 traffic cases and 196 other violation cases, compared to 4 the previous year.

Jury trials were also requested in 54 misdemeanor cases, and 71 felony cases were sent to the grand jury.

### Violations

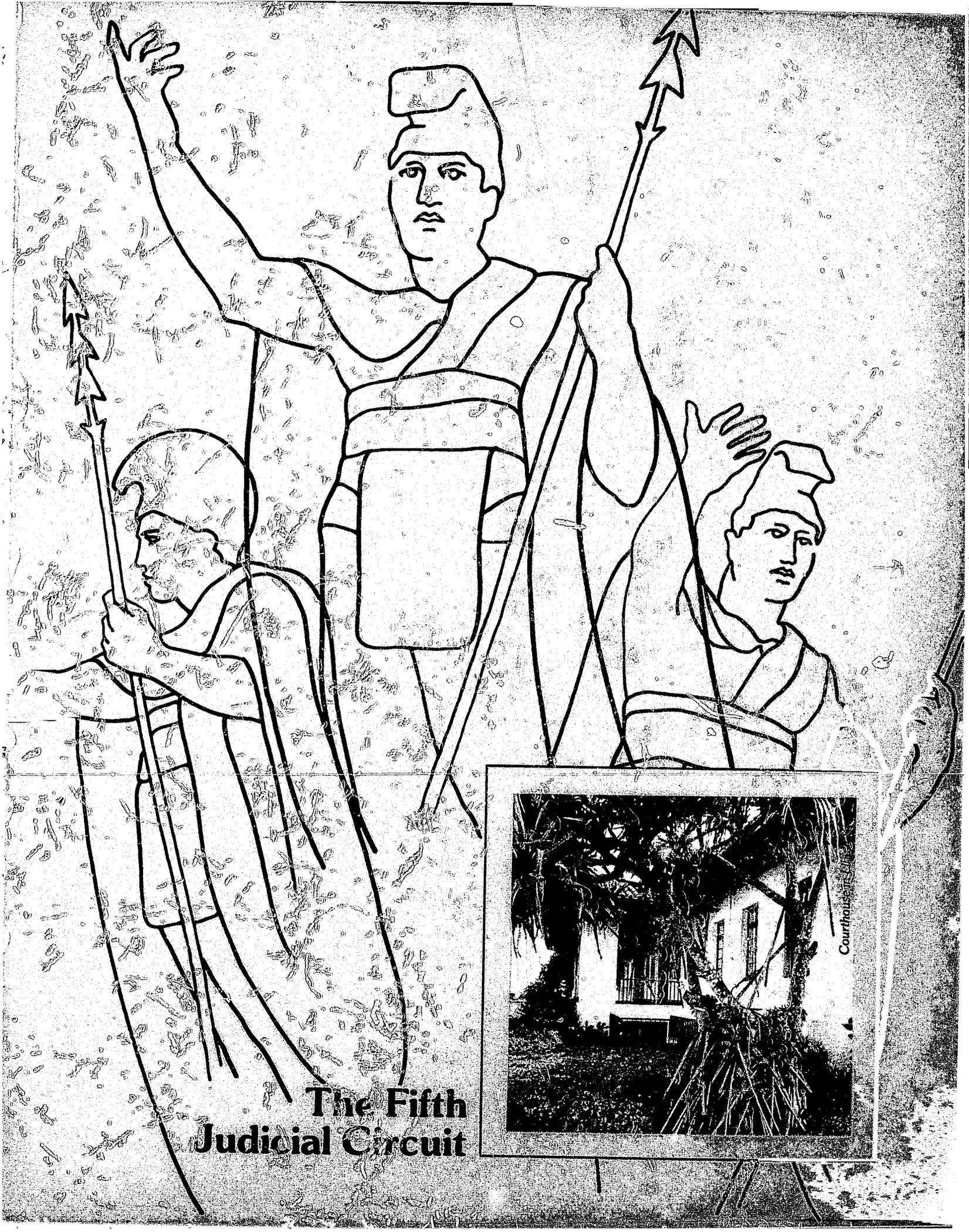
Tickets issued for traffic and other violations last year on the Island of Hawaii totaled 25,982. The District Court's caseload was 26,813 and 98 per cent of the cases were terminated.

Pending on June 30, 1977, were 640 actions.

The traffic/other violations caseload represented 90 per cent of the Court's total workload.

### 10-Year Review

	1967-68	1976-77	Per Cent Change
Filings	10,645	28,583	+168
Caseload	11,040	29,933	+171



# The Fifth Judicial Circuit



Courthouse

---

## Circuit Court



Judge Alfred Laurela

## District Court



Judge Kei Hirano

## To the Year 2000

In the 1976-77 fiscal year, 8,187 cases were filed in the Circuit, Family and District Courts of the Fifth Judicial Circuit, which serves the Island of Kauai.

Below are straight-line projections to June 30, the last day of the fiscal period, of the years 1990 and 2000, assuming the current jurisdictional functions of each court do not change and the growth rate from 1967-68 to present continues.

## Fifth Judicial Circuit

	Year 1990	Year 2000
Filings	14,277	18,791
Caseload	16,136	21,391

## Circuit Court Proper

	Year 1990	Year 2000
Filings	663	872
Caseload	1,748	2,317

## Family Court

	Year 1990	Year 2000
Filings	1,172	1,542
Caseload	1,847	2,448

## District Court

	Year 1990	Year 2000
Filings	12,442	16,377
Caseload	12,541	16,626

## Circuit Court Proper of the Fifth Circuit

The Fifth Circuit serves the Islands of Kauai and Niihau with an estimated population of 39,300. One judge is assigned to the circuit and hears all cases at the courthouse in Lihue, Kauai. The District Court judge is assigned to the Family Court Division.

The court has a staff of 10, including a temporary worker, to serve the community.

Six cases were appealed to the Supreme Court during the reporting period.

### Filing Activity

In the 1976-77 fiscal year, 588 new cases were filed in the Fifth Circuit Court Proper, including 214 naturalization actions.

Excluding naturalization actions, the total number of cases filed in all criminal and civil categories, including related motions, was 374, a one-year increase of 10 per cent.

Filings exceed terminations by 90 cases.

### Caseload Review

The caseload review excludes applications for naturalization to provide a uniform statewide comparison of all circuits. The term caseload counts the number of cases pending on July 1, 1976, and new cases filed.

Below is a review of the Fifth Circuit's caseload and the percentage of change from the previous reporting period and includes 618 pending cases.

	Total	Terminated	Pending
Caseload	992	323	669
Change	+9	+10	+8

Of the cases terminated, 106 involved a trial or hearing, including 14 jury trials.

### Civil

New civil suits filed totaled 121, a drop of 18 per cent. It was the first time in the last 4 years civil filings declined.

Caseload includes 197 pending cases.

	Total	Terminated	Pending
Caseload	318	115	203
Change	+2	-1	+3

### Criminal

A total of 137 criminal cases were filed, up by 101 per cent.



Chief Clerk John Ilalaole at work in his office.

Criminal prosecutions on Kauai increased last year, resulting in 26 grand jury hearings. Criminal categories in which notable increases were reported include assault and forcible rape. Complete statistical data is contained in the last section of this report.

Caseload includes 71 pending cases.

	Total	Terminated	Pending
Caseload	208	102	106
Change	+64	+82	+49

Members of the Fifth Circuit Jury Commission included Chief Clerk John Ilalaole, Mary Bender, Henry Shin, Kazue Kawakami and Tokiko Nakamura.

Naturalization cases filed jumped by 365 per cent, with 214 new actions filed, compared to 46 the previous period, and 175 individuals were granted citizenship.

### 10-Year-Review

	1967-68	1976-77	Per Cent Change
<b>Filings</b>	142	374	+163
Civil	41	121	+195
Criminal	15	137	+813
<b>Caseload</b>	523	992	+ 90



*Volunteer Coordinator Dennis Williams receives orientation.*



*Sherwood Hara, Family Court Director, and Probation Officer Jo Ann Shimamoto.*

## Family Court of the Fifth Circuit

*The Family Court of the Fifth Circuit has a staff of five, including a temporary worker, and provides counseling and presentence services to the District Court. The District Court judge hears a majority of the family cases, with the Circuit Court judge also available.*

### **Actions Filed**

The number of cases filed in the Fifth Circuit Family Court has shown an increase for the fourth year in a row.

The 694 actions reported in fiscal year 1976-77 represented a one-year increase of 15 per cent.

The growth in filings increased the Court's caseload to 1,058, up 17 per cent, including the 364 cases pending on July 1, 1976.

Although the number of cases terminated rose to 634, actions filed exceeded terminations, leaving 424 cases pending on June 30, 1977.

### **Juvenile Cases**

The number of cases involving children referrals totaled 305, up 22 per cent. Law enforcement agencies referred 249 juveniles to the Court for law violations, 59 more than in 1975-76.

Cases involving minors comprised 39.5 per cent of the total caseload.

In addition, 106 children were placed on probation or some other type of supervision during the year with 81 juveniles under the Court's jurisdiction at the end of the reporting period.

### **Marital Actions**

A total of 240 cases relating to marital actions were filed in the Fifth Circuit, up by 15 per cent. Marital actions comprised 35 per cent of the total caseload.

Actions filed for enforcement of family support payments under Hawaii's reciprocal agreement with other states increased from 41 to 64.

In the reporting period, 170 couples initiated divorce proceedings, 12 more than the year before.

Kauai residents filed petitions to adopt 16 children, compared to 33 the previous year.

## District Court of the Fifth Circuit

The District Court of the Fifth Circuit serves the Islands of Kauai and Niihau. One judge is assigned, and he also hears a majority of all Family Court cases. The District Court has a staff of seven to serve the public.

One case from the Court was appealed to the Supreme Court in the reporting period.

### Services

The District Court is headquartered at the courthouse in Lihue, Kauai. The judge holds daily sessions in Lihue and morning sessions once a week at Koloa, Kawaihau and Waimea, and every other week at Hanalei.

The Driver Improvement program was expanded to the Fifth Circuit with the addition of a specialist to the District Court staff, and the Kauai County Police Department provided an instructor for the Defensive Driving Course.

### Facilities

Court sessions in the Kawaihau District of the Island of Kauai are held in the conference room of the Kapaa Branch Library. The Judiciary is looking for a site for a new courtroom, preferably in a civic complex.

### Actions Filed

The number of cases filed in the Fifth District Court has shown an increase every year since 1968-69, with the exception of the last reporting period.

In the 1976-77 fiscal year, 7,119 cases were filed, a one-year decline of more than one per cent.

An additional 688 civil motions were filed which are not included in the above figure or in the cases listed on Page 84 of this report.

More cases were filed than terminated, increasing the backlog on June 30, 1977, to 475 cases, up by 34 per cent.

### Caseload

The Court's caseload (which includes new actions filed and those pending on July 1, 1976) totaled 7,473.

**Civil:** In all 106 fewer civil and small claims suits were reported; actions filed totaled 296.

Caseload: 546

Terminated: 255

Pending: 291



Kayo Mikasa, District Court Clerk.

**Criminal:** Cases filed increased by 10 per cent; filings reported were 527.

Caseload: 564

Terminated: 477

Pending: 87

During the reporting period, 87 cases were committed to the Fifth Circuit Court. Jury trials were requested in 44 misdemeanor and 5 violation cases, with 38 felony cases sent to the grand jury.

### Violations

The number of citations issued on Kauai for traffic offenses and other violations was down one per cent, with 6,296 cases reported. The District Court's caseload totaled 6,363, and 98 per cent of the cases were terminated.

The number of cases pending was 97.

Traffic and other violations comprised 85 per cent of the Court's total caseload.

The number of citations issued for traffic offenses increased, but fewer tickets were given for parking and violations of the County's dog leash ordinance.

### Ten Year Review

	1967-68	1976-77	Per Cent Change
Filed	2,389	7,119	+198
Caseload	2,521	7,473	+196



**Support Services**

## Support Services

Hawaii has a unified judicial system with the Chief Justice as the administrative head.

The Office of the Administrative Director of the Courts carries out the Chief Justice's constitutionally-mandated administrative responsibility. The director is appointed by the Chief Justice with the approval of the Supreme Court, and he is directly responsible for the day-to-day operations of all support services.

Within the administrative director's office are the offices of business management, budget, fiscal and personnel, which are directly involved in the management function, plus the offices of planning, public information and volunteer services.

Also attached to the administrator's office are the Supreme Court Law Library, which is a statewide system, and the Statistical Analysis Center.

In addition to his other functions, the deputy director has responsibility for the Office of the Sheriff.

### Advantages

The centralized administrative concept has allowed the Hawaii Judiciary to develop uniform operating and management procedures, take advantage of centralized purchasing and personnel procedures and plan on a statewide basis.

The administrators within the court system (Circuit Court Chief Clerks, District Court Clerks and Family Court Administrators) meet regularly to review operations and advise the administrative director.

All applications for federal and other funds for special programs are submitted by the central office.

The Judiciary's annual legislative initiative is coordinated through the administrative director's office, presenting the Legislature a single package of personnel, capital improvement and operational needs.

Prior to each annual legislative session, all judges are polled for their suggestions on new laws or changes in existing statutes. After review by the director and Chief Justice, bills are drafted by the Judiciary's staff attorney.

### Momentum

A number of significant events occurred in fiscal year 1976-77, which expanded judicial administrative services.

In December of 1976, with a grant from the Law



*Administrative Director of the Courts, Lester E. Cingcade.*

Enforcement Assistance Administration, and Office of Court Planner was created, and work began on preparing a comprehensive long-range plan, which should give the Judiciary an improved capability in adapting to the changing environment in which it exists.

The Volunteers in Public Service to the courts, which is administered by the Office of the Volunteer Coordinator, expanded its program statewide.

The 1977 Legislature passed Act 159, which expanded the administrative's office's authority in personnel matters by making the judicial personnel system independent of the Executive Branch.

### Business Management

Unlike many states where courts are semi-autonomous and funded from local revenues, the unified Hawaii Judiciary is financed by the Legislature from general tax revenues.

The Office of Business Management is responsible for the financial management of the Judiciary, with the manager assisted by a budget officer and a fiscal officer.

### Budget

The budget officer has the primary responsibility for the preparation of the Judiciary's budget for the Legislature.



*Deputy Administrative Director, Tom Okuda.*



*Personnel Director Emmie Shigezawa.*

The office prepares the biennial Multi-Year Program and Financial Plan and Budget, which is a six year projection of operational and capital improvement needs.

This document is accompanied by two others which outline current operational and CIP needs for the biennium, which is the Legislative budgeting period in Hawaii. Every other year, the budget office prepares supplemental requests for the Legislature's consideration.

## Fiscal

The Fiscal Officer is responsible for the Judiciary's centralized purchasing program and financial accounting system.

The fiscal office issues all purchase orders for the Judiciary, requests bids when necessary, and orders supplies and equipment. The office also issues travel vouchers and maintains a centralized record of all expenditures.

Employees' pay records are maintained by fiscal personnel, who also prepare the semi-monthly payroll.

The Fiscal Officer requests bids from firms which handle supplies that are used on a routine basis. Throughout the year, supplies are purchased at considerable savings in bulk quantities from the low bidders.

## Personnel

The Personnel Officer completes the Judiciary management team, with the responsibility for recruiting, hiring, classification of employees, employee training and all other matters relating to personnel management.

The responsibility of the personnel office was greatly increased by the creation of a separate Judiciary personnel system.

The new authority allows the administrative director's office to expand personnel services to employees by dealing with them directly in all matters relating to their careers in the Judiciary.

The transfer of the recruiting and employee classification responsibility to the Judiciary will enhance the personnel office's ability to develop rewarding and meaningful career opportunities.

The personnel office took on the added workload without an increase in staff positions.

Last year, the Personnel Officer completed work on an Affirmative Action Plan, completed a comprehensive revision of the Judiciary Position Clas-

sification and Compensation Plan, and readied for publication a Judiciary Employees Handbook.

### **Training**

The personnel office is responsible for employee training, including arranging for Hawaii's judges to attend judicial seminars and courses.

A member of the staff is designated as the training officer, and conducts orientation for new employees and arranges for Judiciary personnel to attend training sessions.

The training officer also keeps a record of all federal and other grant funds available to pay for travel and tuition expenses for judges.

In fiscal year 1976-77, grants were obtained for 18 of Hawaii's judges to attend nationally recognized judicial colleges or attend specialized conferences and seminars.

Six trial court judges took courses at the National College of the State Judiciary. Four Family Court judges attended seminars and two of Hawaii Supreme Court Justices participated in the Appellate Judges Seminar for members of state supreme courts and the U.S. Court of Appeals.

### **Public Information**

The Information Office is the arm of the administrative director's office that has the responsibility of creating a public awareness of how the courts work and services they offer.

The office also prepares internal publications, including a monthly newsletter, to inform employees about what is happening within the Judiciary.

In the First Circuit, the telephone number of the Public Information Office is prominently listed in the telephone directory, providing 81 per cent of Hawaii's population with direct access to information about the courts and where to go for the services they require.

To aid the public in understanding court procedures, the office assists divisions within the Judiciary in the publication of pamphlets which explain such things as how to file a small claim suit or services available from Family Court.

The annual report is produced by the information office.



*Budget Officer Russell Sakamoto.*



*Fiscal Officer Roy Shiraki and payroll clerk Jo-Ann Ikei.*

## Planning

With the establishment of the Office of Court Planner in December of 1976, the administrative director's office initiated a formal master planning process which will provide the Judiciary guidance in meeting the community's demands for judicial services.

One of the first steps in the planning process was to involve Hawaii's judges and court administrators.

In early 1977, the Court Planner conducted in-depth interviews with each of the Judiciary's 38 judges to obtain their perspectives.

The administrators met in Honolulu for two one-day planning workshops. During the first session, the 25 administrators were asked to identify operational problems, and as a group, assign priorities.

In the second workshop, the administrators spent the morning listening to a lecture on the development of the Western system of common law and how legal systems in other countries operate. They then divided into smaller groups and were asked, according to different scenarios, to stretch their imaginations 25 years ahead and discuss the role the Judiciary would play in society.

As the master plan develops, both judges and administrators will be asked to review the plan.

## A Decade of Change

As the Hawaii Judiciary undertakes the preparation of a formal plan to provide guidance in the future, it does so after a decade of dynamic movement and change.

One of the first acts of Chief Justice William S. Richardson on being appointed Chief Justice in 1966 was to organize, in cosponsorship with the late Gov. John A. Burns, a Citizens' Conference on the Administration of Justice, which was convened in 1967.

It was followed in 1972 by a second conference, which had as its theme: "The Judiciary in the Year 2000."

Since the unification of the Judiciary into a statewide system in 1965, a number of major changes have taken place under the leadership of the Chief Justice, who is also the administrative head of the court system.

Among the most notable are:

The organization of the Family Court in 1966 as a division of the Circuit Courts, the first such in the nation.

The reorganization of the District Courts as courts of record in 1972, and the development of alternative sentencing programs which rely on education and counseling.

The codification of the penal laws in 1972 by the State Legislature.

The establishment of the Hawaii Criminal Justice Statistical Analysis Center in 1973 to bring use of computer technology to the courts, the police departments and corrections division in developing analytical systems.

The adoption of a uniform probate code in 1976.

The creation of a centralized administrative staff for the entire Judiciary.

The creation of a state law library system to serve all courts.

The adoption of uniform rules and procedures for all courts.



Court administrators with Court Planner, Carol Takahashi.

## Volunteer Program

Volunteers in Public Service to the Courts (VIPs) serve as an extension of the professional Court staff, and in the 1976-77 fiscal year, volunteers donated 22,417 manhours, an increase of 21 per cent from the previous year.

Last year, the VIPs program completed its first year of statewide operation. With grant funds from state and federal sources, volunteer coordinators were hired for each of the Neighbor Island circuits and two were added in Honolulu, one at the District Court and one at the Family Court.

If the Judiciary were to have purchased the services provided by volunteers in 1976-77, it would have cost \$95,537.

The Chart below reflects the increased manhours donated statewide:

Oahu	Maui	Hawaii	Kauai
17,144	1,267	3,111	895

### Services

Traditionally, volunteers in the courts have provided assistance in the probation and supervision areas. In Hawaii, the volunteer program from its inception in 1971, has emphasized providing expanded areas of service for volunteers.

Volunteers work under job descriptions similar to those of their professional counterparts. Last year, approximately 60 per cent of the volunteers served as probation aides, probation companions and case aides, while the other 40 per cent performed duties ranging from volunteer bailiffs, to research and evaluation aides, to library aides, etc.

Before being assigned to work with a professional staff member, volunteers are screened and matched to an assignment. Each volunteer is required to complete a seven hour orientation session prior to beginning an assignment.

During the time a volunteer is in the program, the coordinators provide in-service training and evaluations.

In Hawaii, 54 per cent of the Court's professional staff utilized the services of volunteers last year.

### Administration

The statewide activities of the VIPs program are coordinated by the Office of the Volunteer Administrator in the administrative director's office.

The program is provided guidance by an eight-member advisory board elected annually from the ranks of active volunteers.

The volunteer administrator also has the responsibility for the recruiting program. In 1976-77, 290 new volunteers were recruited, 120 more than the previous year. A majority of new persons entering the program are referred by volunteers.

### Future Concerns

A majority of the volunteer coordinator positions are funded from temporary sources, and if the program is to become permanent on a statewide basis, the positions need to be made permanent.

With the present level of staffing, it is anticipated that a volunteer force of 1,500 could eventually be available to serve the Courts.

## Office of the Sheriff

The Office of the Sheriff is the arm of the Judiciary responsible for the serving criminal summons, and the office also provides assistance to attorneys in serving legal papers.

The Sheriff's Office is located in Honolulu, with deputies on each Island.

The office has a permanent staff of four, with deputy sheriffs being paid on the basis of the number of documents they serve.



Volunteer and friend.



*Law Librarian Margaret Setliff, (Retired, September 1977).*



*Hideo Nakasone is Third Circuit Court bailiff and librarian.*

## Supreme Court Law Library

The Supreme Court Law Library, located in Ali'iolani Hale, is a statewide system serving the Courts, attorneys and general public.

The system has a collection in excess of 127,000 reference materials, approximately half of which are housed in the main library. Last year, the Honolulu library served 80,732 individuals and circulated 30,912 different items. More than half of the patrons used the facilities outside of normal working hours.

Materials housed in the main library are available to the libraries in the Neighbor Island circuits.

During 1978, the library expects to make a microfiche system operational. With the system, a volume of several hundred pages can be reduced to a plastic disc the size of a postcard and read out on a machine similar to a microfilm reader. The reader can also make xerox copies.

Utilization of the new system will allow the Neighbor Island circuits to enlarge their collections.

### Standards

The Supreme Court Law Library last year received national recognition. The Law Librarian served as chairperson of a committee to establish national standards for Supreme Court Law Libraries in the United States and Canada, the first such guidelines enunciated.

On Kauai and Hawaii the Circuit Court bailiffs are assigned responsibility for the law library and on Maui a member of the staff was given responsibility for the library in addition to other duties.

On Maui, because of a shortage of space, the library occupies two floors of the Circuit Court building.

The main library, now located on the second floor of the Judiciary Building, will move to the first floor with the renovation of Ali'iolani Hale, with the main entrance on the Queen Street side of the building.

### Services

Hawaii is one of the few judicial systems which operates a statewide library system, which also serves as a reference library for the general public.

In addition to keeping the collection updated with major judicial publications, such as United States Supreme Court decisions, the library also subscribes to all major legal publications.

## Criminal Justice Information System

The Hawaii Criminal Justice Information System Data Center has the responsibility of providing a statewide statistical reporting and analytical system for all agencies involved in the criminal justice system.

Established in late 1973 with funds from the Law Enforcement Assistance Agency, and still funded from that source, the center brings a new dimension to the criminal justice system and when all of its programs are fully operational the police, prosecutors, courts and correctional institutions will have a comprehensive picture of how the system works.

The center has developed a statewide uniform reporting system between governmental agencies and the courts.

In 1976 and 1977, the center published "Crime in Hawaii," a uniform state-wide report of police arrest records, and at the same time assumed the responsibility of being the link between Hawaii's four police departments and the Federal Bureau of Investigation. Previously, each department reported statistical data direct to the FBI.



Judge Takashi Kitaoka, Analysis Center director.

### Offender Information

In 1978, the center will implement what is known as the Offender Based Transaction Statistical (OBTS) and Computerized Criminal Histories. In short, the center will maintain a history of all criminal offenders from the time of arrest to termination within the criminal justice system.

These records will be available to the Courts and other agencies, and will provide a base for developing an analysis of how effectively the criminal justice system works.

OBTS will also generate periodic reports which will:

- a. Provide information to each agency on its caseload in a given period.
- b. Provide an analysis of the disposition of each case.
- c. Provide an analysis of sentences imposed by the Courts.
- d. Provide an analysis of repeat offenders.
- e. Compare actual time served to the minimum sentences imposed.
- f. Compare the initial charge filed against a defendant with the actual charge at the time of disposition.
- g. Analyze elapsed time in the processing of felony cases.

Computerized criminal histories is a subsystem of the OBTS, which will provide updated histories of criminal offenders. Remote video terminals will be located in each police department, prosecutor's office, the Courts and intake service centers, which will allow for immediate retrieval and updating of information.

### Management

The comprehensive reporting system being developed by the center will allow it to develop management and administrative statistics which will measure the resources being expended by the agencies involved in the criminal justice system.

Additionally, the center will have the capability of developing special studies.

Studies which the center has undertaken or plans to conduct in the future include:

- a. Determining the extent of non-reported crimes.
- b. Determining a statistical correlation between households with non-working spouses and burglary rates.
- c. An analysis of what percentage of stolen property is actually recovered.
- d. An analysis of larceny-theft rates during summer months.

e. An analysis of probationers to determine the number who committed murder while on probation.

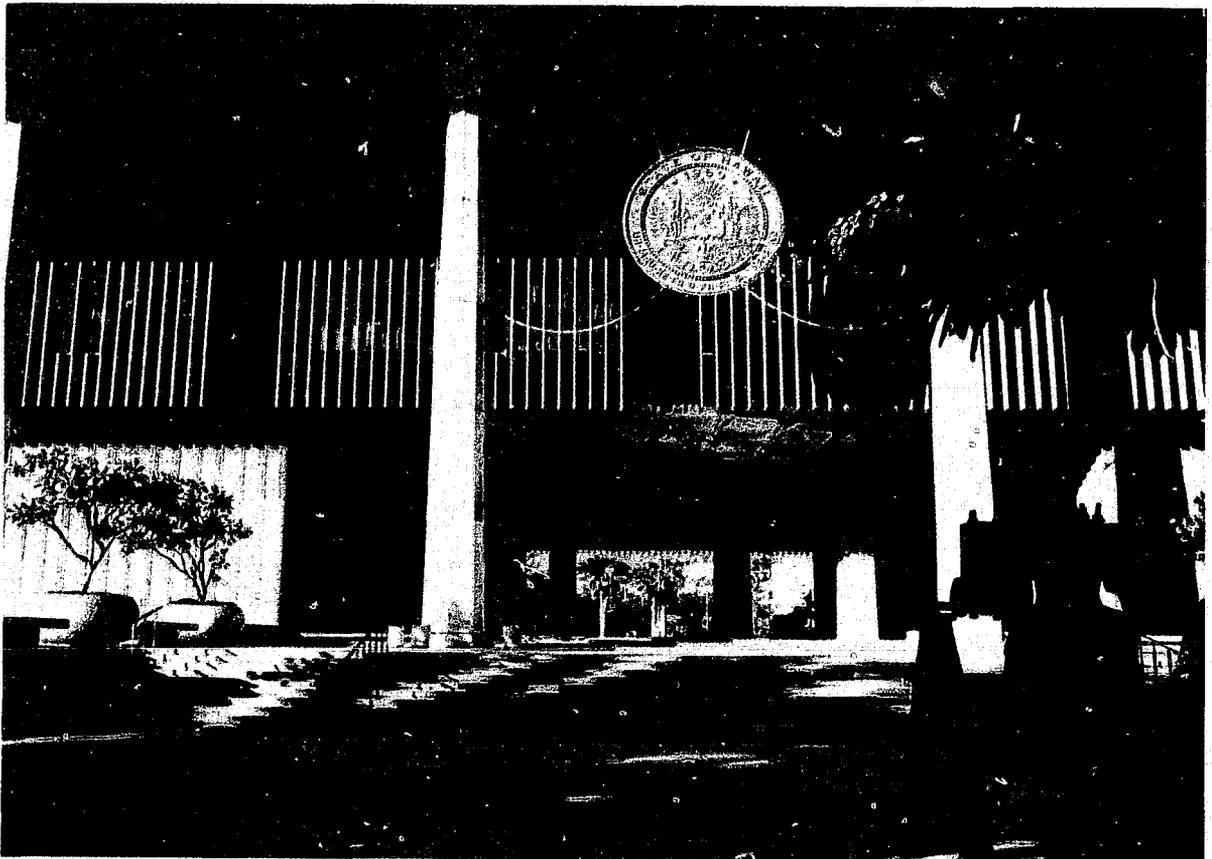
f. An analysis of individuals charged with murder in relation to how many were on probation or charged while under the Courts' supervision.

g. An analysis of gambling offenses and the effect of the law and enforcement policies for use by the Congressional Commission on Review of National Policy on Gambling.

### **The Future**

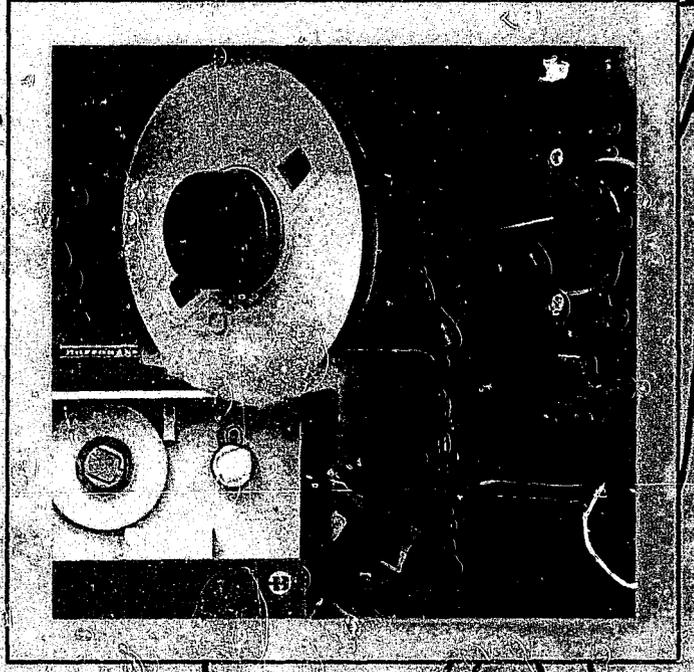
Under terms of the original LEAA grant, the amount of federal funds available for the statistical analysis center will be sharply reduced in 1978.

For administrative purposes, the center is attached to the Administrative Director of the Courts and the Judiciary is asking the Legislature to permanently fund 13 of the center's positions.





**Statistical Data  
on Judicial Caseloads**



## Table 1

SUPREME COURT CASELOAD ACTIVITY FY 1976-77

	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>	348	750	1,098	563	535	107	2	59	395
<b>PRIMARY CASES</b>	320	316	636	153	483	87	2	59	5
Appeals	316	303	619	144	475	82	2	58	2
Civil	196	184	380	97	283	55	1	39	2
Criminal	111	114	225	41	184	22	1	18	0
Other Appeals	9	5	14	6	8	5	0	1	0
Original Proceedings	4	13	17	9	8	5	0	1	3
<b>SUPPLEMENTAL PROCEEDINGS</b>	28	434	462	410	52	20	0	0	390
Motions	26	421	447	397	50	17	0	0	380
Petitions for Rehearing	2	13	15	13	2	3	0	0	10

## Table 2

SUPREME COURT CHANGES FY 1975-76 TO FY 1976-77  
A COMPARATIVE SUMMARY OF PRIMARY AND SUPPLEMENTAL PROCEEDINGS

	FISCAL 1975-76		FISCAL 1976-77		CHANGE IN 1976-77		CHANGE FROM 71-72	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
<b>TOTAL FILINGS</b>	640	100.0	750	100.0	+ 110	+ 17.2	+ 438	+ 140.4
Primary	265	41.4	316	42.1	+ 51	+ 19.2	+ 195	+ 161.2
Appeals	253	39.5	303	40.4	+ 50	+ 19.8	+ 187	+ 161.2
Original Proceedings	12	1.9	13	1.7	+ 1	+ 8.3	+ 8	+ 160.0
Supplemental	375	58.6	434	57.9	+ 59	+ 15.7	+ 243	+ 127.2
Motions	360	56.3	421	56.2	+ 61	+ 16.9	+ 253	+ 150.6
Petitions for Rehearing	15	2.3	13	1.7	- 2	- 13.3	- 10	- 43.5
<b>TOTAL BACKLOGS</b>	348	100.0	535	100.0	+ 187	+ 53.7	+ 405	+ 311.5
Primary	320	91.9	483	90.3	+ 163	+ 50.9	+ 366	+ 312.8
Appeals	316	90.8	475	88.8	+ 159	+ 50.3	+ 360	+ 313.0
Original Proceedings	4	1.1	8	1.5	+ 4	+ 100.0	+ 6	+ 300.0
Supplemental	28	8.1	52	9.7	+ 24	+ 85.7	+ 39	+ 300.0
Motions	26	7.5	50	9.3	+ 24	+ 92.3	+ 41	+ 455.6
Petitions for Rehearing	2	.6	2	.4	0	0.0	- 2	- 50.0
<b>TOTAL OPINIONS WRITTEN</b>	104		118		+ 14	+ 13.5	+ 8	+ 7.3
Deciding Cases	95		107		+ 12	+ 12.6	+ 25	+ 30.5
<b>APPEALS</b>	84	100.0	82	100.0				
Reversals (including remands)	27	32.1	22	26.8				
Affirmances (including reversed in part & modified & affirmed)	52	61.9	54	65.9				
Other Dispositions	5	6.0	6	7.3				
Additional	9		11		+ 2	+ 22.2	- 17	- 60.7

Primary Proceedings are original cases filed with the Supreme Court, including Appeals (Civil, Criminal and others) and Original Proceedings, most of which are Writs.

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 1975-76 TO FY 1976-77  
A COMPARATIVE SUMMARY OF PRIMARY AND SUPPLEMENTAL PROCEEDINGS**

	FISCAL 1975-76		FISCAL 1976-77		CHANGE IN 1976-77		CHANGE FROM 1971-72	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
<b>STATE FILINGS</b>								
<b>Both Courts</b>	<b>28,098</b>	<b>100.0</b>	<b>30,982</b>	<b>100.0</b>	<b>+ 2,884</b>	<b>+ 10.3</b>	<b>+ 4,097</b>	<b>+ 15.2</b>
Primary	24,822	88.3	27,246	87.9	+ 2,424	+ 9.8	+ 4,068	+ 17.6
Supplemental	3,276	11.7	3,736	12.1	+ 460	+ 14.0	+ 29	+ .8
<b>Circuit Court Proper</b>	<b>9,769</b>	<b>100.0</b>	<b>10,188</b>	<b>100.0</b>	<b>+ 419</b>	<b>+ 4.3</b>	<b>+ 1,050</b>	<b>+ 11.5</b>
Primary	9,051	92.7	9,507	93.3	+ 456	+ 5.0	+ 902	+ 10.5
Supplemental	718	7.3	681	6.7	- 37	- 5.2	+ 148	+ 27.8
<b>Family Court</b>	<b>18,329</b>	<b>100.0</b>	<b>20,794</b>	<b>100.0</b>	<b>+ 2,465</b>	<b>+ 13.4</b>	<b>+ 3,047</b>	<b>+ 17.2</b>
Primary	15,771	86.0	17,739	85.3	+ 1,968	+ 12.5	+ 3,166	+ 21.7
Supplemental	2,558	14.0	3,055	14.7	+ 497	+ 19.4	- 119	- 3.7
<b>STATE BACKLOGS</b>								
<b>Both Courts</b>	<b>26,832</b>	<b>100.0</b>	<b>30,178</b>	<b>100.0</b>	<b>+ 3,346</b>	<b>+ 12.5</b>	<b>+ 5,883</b>	<b>+ 24.2</b>
Primary	23,797	88.7	26,473	87.7	+ 2,676	+ 11.2	+ 5,826	+ 28.2
Supplemental	3,035	11.3	3,705	12.3	+ 670	+ 22.1	+ 57	+ 1.6
<b>Circuit Court Proper</b>	<b>17,096</b>	<b>100.0</b>	<b>18,658</b>	<b>100.0</b>	<b>+ 1,562</b>	<b>+ 9.1</b>	<b>+ 4,707</b>	<b>+ 33.7</b>
Primary	16,271	95.2	17,646	94.6	+ 1,375	+ 8.5	+ 4,069	+ 30.0
Supplemental	825	4.8	1,012	5.4	+ 187	+ 22.7	+ 638	+ 170.6
<b>Family Court</b>	<b>9,736</b>	<b>100.0</b>	<b>11,520</b>	<b>100.0</b>	<b>+ 1,784</b>	<b>+ 18.3</b>	<b>+ 1,176</b>	<b>+ 11.4</b>
Primary	7,528	77.3	8,827	76.6	+ 1,301	+ 17.3	+ 1,757	+ 24.9
Supplemental	2,210	22.7	2,693	23.4	+ 483	+ 21.9	- 581	- 17.7
<b>FIRST CIRCUIT: FILINGS</b>								
<b>Both Courts</b>	<b>21,388</b>	<b>100.0</b>	<b>22,666</b>	<b>100.0</b>	<b>+ 1,278</b>	<b>+ 6.0</b>	<b>+ 2,158</b>	<b>+ 10.5</b>
Primary	18,267	87.1	19,615	86.5	+ 1,348	+ 7.4	+ 2,229	+ 12.8
Supplemental	2,761	12.9	3,051	13.5	+ 290	+ 10.5	- 71	- 2.3
<b>Circuit Court Proper</b>	<b>7,190</b>	<b>100.0</b>	<b>6,910</b>	<b>100.0</b>	<b>- 280</b>	<b>- 3.9</b>	<b>- 163</b>	<b>- 2.3</b>
Primary	6,653	92.5	6,440	93.2	- 213	- 3.2	- 226	- 3.4
Supplemental	537	7.5	470	6.8	- 67	- 12.5	+ 63	+ 15.5
<b>Family Court</b>	<b>14,198</b>	<b>100.0</b>	<b>15,756</b>	<b>100.0</b>	<b>+ 1,558</b>	<b>+ 11.0</b>	<b>+ 2,321</b>	<b>+ 17.3</b>
Primary	11,974	84.3	13,175	83.6	+ 1,201	+ 10.0	+ 2,455	+ 22.9
Supplemental	2,224	15.7	2,581	16.4	+ 357	+ 16.1	- 134	- 4.9
<b>FIRST CIRCUIT: BACKLOGS</b>								
<b>Both Courts</b>	<b>21,351</b>	<b>100.0</b>	<b>23,538</b>	<b>100.0</b>	<b>+ 2,187</b>	<b>+ 10.2</b>	<b>+ 4,481</b>	<b>+ 23.5</b>
Primary	18,811	88.1	20,413	86.7	+ 1,602	+ 8.5	+ 4,605	+ 29.1
Supplemental	2,540	11.9	3,125	13.3	+ 585	+ 23.0	- 124	- 3.8
<b>Circuit Court Proper</b>	<b>13,257</b>	<b>100.0</b>	<b>14,297</b>	<b>100.0</b>	<b>+ 1,040</b>	<b>+ 7.8</b>	<b>+ 3,462</b>	<b>+ 32.0</b>
Primary	12,669	95.6	13,546	94.8	+ 877	+ 6.9	+ 2,966	+ 28.0
Supplemental	588	4.4	751	5.2	+ 163	+ 27.7	+ 496	+ 194.5
<b>Family Court</b>	<b>8,094</b>	<b>100.0</b>	<b>9,241</b>	<b>100.0</b>	<b>+ 1,147</b>	<b>+ 14.2</b>	<b>+ 1,019</b>	<b>+ 12.4</b>
Primary	6,142	75.9	6,867	74.3	+ 725	+ 11.8	+ 1,639	+ 31.4
Supplemental	1,952	24.1	2,374	25.7	+ 422	+ 21.6	- 620	- 20.7
<b>SECOND CIRCUIT: FILINGS</b>								
<b>Both Courts</b>	<b>2,151</b>	<b>100.0</b>	<b>2,741</b>	<b>100.0</b>	<b>+ 590</b>	<b>+ 27.4</b>	<b>+ 106</b>	<b>+ 4.0</b>
Primary	2,029	94.3	2,562	93.5	+ 533	+ 26.3	+ 99	+ 4.0
Supplemental	122	5.7	179	6.5	+ 57	+ 46.7	+ 7	+ 4.1
<b>Circuit Court Proper</b>	<b>832</b>	<b>100.0</b>	<b>1,274</b>	<b>100.0</b>	<b>+ 442</b>	<b>+ 53.1</b>	<b>+ 484</b>	<b>+ 61.3</b>
Primary	804	96.6	1,249	98.0	+ 445	+ 55.3	+ 499	+ 66.5
Supplemental	28	3.4	25	2.0	- 3	- 10.7	- 15	- 37.5
<b>Family Court</b>	<b>1,319</b>	<b>100.0</b>	<b>1,467</b>	<b>100.0</b>	<b>+ 148</b>	<b>+ 11.2</b>	<b>- 378</b>	<b>- 20.5</b>
Primary	1,225	92.9	1,313	89.5	+ 88	+ 7.2	- 400	- 23.4
Supplemental	94	7.4	154	10.5	+ 60	+ 63.8	+ 22	+ 16.7
<b>SECOND CIRCUIT: BACKLOGS</b>								
<b>Both Courts</b>	<b>2,011</b>	<b>100.0</b>	<b>2,433</b>	<b>100.0</b>	<b>+ 422</b>	<b>+ 21.0</b>	<b>+ 136</b>	<b>+ 5.9</b>
Primary	1,870	93.0	2,277	93.6	+ 407	+ 21.8	+ 134	+ 6.3
Supplemental	141	7.0	156	6.4	+ 15	+ 10.6	+ 2	+ 1.3
<b>Circuit Court Proper</b>	<b>1,415</b>	<b>100.0</b>	<b>1,629</b>	<b>100.0</b>	<b>+ 214</b>	<b>+ 15.1</b>	<b>+ 471</b>	<b>+ 40.7</b>
Primary	1,392	98.4	1,603	98.4	+ 211	+ 15.2	+ 462	+ 40.5
Supplemental	23	1.6	26	1.6	+ 3	+ 13.0	+ 9	+ 52.9
<b>Family Court</b>	<b>596</b>	<b>100.0</b>	<b>804</b>	<b>100.0</b>	<b>+ 208</b>	<b>+ 34.9</b>	<b>- 335</b>	<b>- 29.4</b>
Primary	478	80.2	674	83.8	+ 196	+ 41.0	- 328	- 32.7
Supplemental	118	19.8	130	16.2	+ 12	+ 10.2	- 7	- 5.1

### Table 3 (Continued)

**CIRCUIT COURT CHANGES FY 1975-76 TO FY 1976-77  
A COMPARATIVE SUMMARY OF PRIMARY AND SUPPLEMENTAL PROCEEDINGS**

	FISCAL 1975-76		FISCAL 1976-77		CHANGE IN 1976-77		CHANGE FROM 1971-72	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
<b>THIRD CIRCUIT: FILINGS</b>								
<b>Both Courts</b>	3,571	100.0	4,293	100.0	+ 722	+ 20.2	+ 1,529	+ 55.3
Primary	3,264	91.4	3,881	90.4	+ 617	+ 18.9	+ 1,439	+ 58.9
Supplemental	307	8.6	412	9.6	+ 105	+ 34.2	+ 90	+ 28.0
<b>Circuit Court Proper</b>	1,362	100.0	1,416	100.0	+ 54	+ 4.0	+ 540	+ 61.6
Primary	1,233	90.5	1,251	88.4	+ 18	+ 1.5	+ 423	+ 51.1
Supplemental	129	9.5	165	11.6	+ 36	+ 27.9	+ 117	+ 243.8
<b>Family Court</b>	2,209	100.0	2,877	100.0	+ 668	+ 30.2	+ 989	+ 52.4
Primary	2,031	91.9	2,630	91.4	+ 599	+ 29.5	+ 1,016	+ 62.9
Supplemental	178	8.1	247	8.6	+ 69	+ 38.8	- 27	- 9.9
<b>THIRD CIRCUIT: BACKLOGS</b>								
<b>Both Courts</b>	2,478	100.0	3,065	100.0	+ 587	+ 23.7	+ 916	+ 42.6
Primary	2,239	90.4	2,771	90.4	+ 532	+ 23.8	+ 790	+ 39.9
Supplemental	239	9.6	294	9.6	+ 55	+ 23.0	+ 126	+ 75.0
<b>Circuit Court Proper</b>	1,796	100.0	2,014	100.0	+ 218	+ 12.1	+ 583	+ 40.7
Primary	1,628	90.7	1,831	90.9	+ 203	+ 12.5	+ 459	+ 33.5
Supplemental	168	9.3	183	9.1	+ 15	+ 8.9	+ 124	+ 210.2
<b>Family Court</b>	682	100.0	1,051	100.0	+ 369	+ 54.1	+ 333	+ 46.4
Primary	611	89.6	940	89.4	+ 329	+ 53.8	+ 331	+ 54.4
Supplemental	71	10.4	111	10.6	+ 40	+ 56.3	+ 2	+ 1.8
<b>FIFTH CIRCUIT: FILINGS</b>								
<b>Both Courts</b>	988	100.0	1,282	100.0	+ 294	+ 29.8	+ 304	+ 31.1
Primary	902	91.3	1,188	92.7	+ 286	+ 31.7	+ 301	+ 33.9
Supplemental	86	8.7	94	7.3	+ 8	+ 9.3	+ 3	+ 3.3
<b>Circuit Court Proper</b>	385	100.0	588	100.0	+ 203	+ 52.7	+ 189	+ 47.4
Primary	361	93.8	567	96.4	+ 206	+ 57.1	+ 206	+ 57.1
Supplemental	24	6.2	21	3.6	- 3	- 12.5	- 17	- 44.7
<b>Family Court</b>	603	100.0	694	100.0	+ 91	+ 15.1	+ 115	+ 19.9
Primary	541	89.7	621	89.5	+ 80	+ 14.8	+ 95	+ 18.1
Supplemental	62	10.3	73	10.5	+ 11	+ 17.7	+ 20	+ 37.7
<b>FIFTH CIRCUIT: BACKLOGS</b>								
<b>Both Courts</b>	992	100.0	1,142	100.0	+ 150	+ 15.1	+ 350	+ 44.2
Primary	877	88.4	1,012	88.6	+ 135	+ 15.4	+ 297	+ 41.5
Supplemental	115	11.6	130	11.4	+ 15	+ 13.0	+ 53	+ 68.8
<b>Circuit Court Proper</b>	628	100.0	718	100.0	+ 90	+ 14.3	+ 191	+ 36.2
Primary	582	88.4	666	92.8	+ 84	+ 14.4	+ 182	+ 37.6
Supplemental	46	11.6	52	7.2	+ 6	+ 13.0	+ 9	+ 20.9
<b>Family Court</b>	364	100.0	424	100.0	+ 60	+ 16.5	+ 159	+ 60.0
Primary	295	81.0	346	81.6	+ 51	+ 17.3	+ 115	+ 49.8
Supplemental	69	19.0	78	18.4	+ 9	+ 13.0	+ 44	+ 129.4

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 paternity 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 activity of the succeeding statistical period. Circuit Court 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 combine the jurisdiction of the former Domestic Relations Court (Divorce, Annulment, Separation, and Uniform Reciprocal Enforcement of Support proceedings), and the jurisdiction of the former Juvenile Court.

### Table 4

**CASELOAD ACTIVITY FY 1976-77, ADULT PROBATION - ALL CIRCUITS**

	Pending at Start	New Placements	Total Caseload	Terminated	Pending at End	PROBATION EXPIRED		PROBATION REVOKED		DISCHARGE		OTHER TERMINATIONS	
						Probation Expired	New Conviction	Technical Violation	Discharge	Good Adjustment	Dismissed Proceedings	Other	
<b>ALL CIRCUITS</b>	1,938	1,174	3,112	440	2,672	235	2	11	17	96	8	71	
First Circuit	1,259	754	2,013	291	1,722	166	2	8	7	55	4	49	
Second Circuit	393	160	553	65	488	40	0	0	8	16	1	0	
Third Circuit	247	227	474	81	393	27	0	3	2	24	3	22	
Fifth Circuit	39	33	72	3	69	2	0	0	0	1	0	0	

## Table 5

### INVESTIGATION ACTIVITY FY 1976-77, ADULT PROBATION - ALL CIRCUITS

	ROR	Reduction of Bail	Supervised Release	DAGP	Pre Sentence	Post Sentence	Out-of-Town Inquiry	Courtesy Supervision	Other	Total
<b>ALL CIRCUITS</b>	<b>821</b>	<b>742</b>	<b>132</b>	<b>279</b>	<b>1,126</b>	<b>56</b>	<b>44</b>	<b>200</b>	<b>25</b>	<b>3,425</b>
First Circuit	708	709	131	234	625	23	28	145	21	2,624
Second Circuit	0	0	0	0	194	23	0	0	0	217
Third Circuit	103	23	1	41	270	10	16	55	4	523
Fifth Circuit	10	10	0	4	37	0	0	0	0	61

## Table 6

### CIRCUIT COURT CHANGES FY 1975-76 TO FY 1976-77 A COMPARATIVE SUMMARY OF STATUS DISPOSITIONS

	FISCAL 1975-76		FISCAL 1976-77		CHANGE IN 1976-77		CHANGE FROM 1971-72		
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	
<b>STATE FILINGS</b>									
Both Courts	1,770	100.0	2,080	100.0	+ 310	+ 17.5	+ 607	+ 41.2	
CCP (Adult Probation)	888	50.2	1,174	56.4	+ 286	+ 32.2	+ 697	+ 146.1	
FC (Juvenile)	882	49.8	906	43.6	+ 24	+ 2.7	- 90	- 9.0	
<b>STATE BACKLOGS</b>									
Both Courts	3,801	100.0	4,388	100.0	+ 787	+ 21.9	+ 609	+ 16.1	
CCP (Adult Probation)	1,838	53.8	2,672	60.9	+ 734	+ 37.9	+ 916	+ 52.2	
FC (Juvenile)	1,663	46.2	1,716	39.1	+ 53	+ 3.2	- 307	- 15.2	
<b>FIRST CIRCUIT: FILINGS</b>									
Both Courts	1,060	100.0	1,414	100.0	+ 354	+ 33.4	+ 463	+ 48.7	
CCP (Adult Probation)	578	54.5	754	53.3	+ 176	+ 30.4	+ 371	+ 96.9	
FC (Juvenile)	482	45.5	660	46.7	+ 178	+ 36.9	+ 92	+ 16.2	
<b>FIRST CIRCUIT: BACKLOGS</b>									
Both Courts	2,382	100.0	2,909	100.0	+ 527	+ 22.1	+ 249	+ 9.4	
CCP (Adult Probation)	1,259	52.9	1,722	59.2	+ 463	+ 36.8	+ 253	+ 17.2	
FC (Juvenile)	1,123	47.1	1,187	40.8	+ 64	+ 5.7	- 4	- .3	
<b>SECOND CIRCUIT: FILINGS</b>									
Both Courts	261	100.0	209	100.0	- 52	- 19.9	+ 109	+ 109.0	
CCP (Adult Probation)	195	74.7	160	76.6	- 35	- 17.9	+ 104	+ 185.7	
FC (Juvenile)	66	25.3	49	23.4	- 17	- 25.8	+ 5	+ 11.4	
<b>SECOND CIRCUIT: BACKLOGS</b>									
Both Courts	540	100.0	625	100.0	+ 85	+ 15.7	+ 127	+ 25.5	
CCP (Adult Probation)	393	72.8	488	78.1	+ 95	+ 24.2	+ 393	+ 413.7	
FC (Juvenile)	147	27.2	137	21.9	- 10	- 6.8	- 266	- 66.0	
<b>THIRD CIRCUIT: FILINGS</b>									
Both Courts	410	100.0	304	100.0	- 26	- 6.3	- 1	- .3	
CCP (Adult Probation)	98	23.9	227	59.1	+ 129	+ 131.6	+ 197	+ 656.7	
FC (Juvenile)	312	76.1	157	40.9	- 155	- 49.7	- 198	- 55.8	
<b>THIRD CIRCUIT: BACKLOGS</b>									
Both Courts	574	100.0	704	100.0	+ 130	+ 22.6	+ 222	+ 46.1	
CCP (Adult Probation)	247	43.0	393	55.8	+ 146	+ 59.1	+ 251	+ 176.8	
FC (Juvenile)	327	57.0	311	44.2	- 16	- 4.9	- 29	- 8.5	
<b>FIFTH CIRCUIT: FILINGS</b>									
Both Courts	39	100.0	73	100.0	+ 34	+ 87.2	+ 36	+ 97.3	
CCP (Adult Probation)	17	43.6	33	45.2	+ 16	+ 94.1	+ 25	+ 312.5	
FC (Juvenile)	22	56.4	40	54.8	+ 18	+ 81.3	+ 11	+ 37.9	
<b>FIFTH CIRCUIT: BACKLOGS</b>									
Both Courts	105	100.0	150	100.0	+ 45	+ 42.9	+ 11	+ 7.9	
CCP (Adult Probation)	39	37.1	69	46.0	+ 30	+ 76.9	+ 19	+ 38.0	
FC (Juvenile)	66	32.9	81	54.0	+ 15	+ 22.7	- 8	- 9.0	

Status Dispositions are not included in the courts' caseload statistics. The data represent persons placed on status orders, primarily adult and juvenile probation. Also included are juveniles placed under protective supervision and legal custody.

Filings represent persons admitted or placed on status order.

CCP means Circuit Court Proper.

FC means Family Court.

Backlogs as used in this table indicate persons remaining on status orders at the end of the fiscal year.

# Table 7

**CASELOAD ACTIVITY FY 1976-77, CIRCUIT COURT PROPER  
ALL CIRCUITS**

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	Trial Not Completed	Verdict	Trial Not Completed	No Trial Held	Contested		Uncontested				
<b>TOTAL CASES</b>	<b>17,096</b>	<b>10,188</b>	<b>27,284</b>	<b>8,626</b>	<b>18,658</b>	<b>455</b>	<b>561</b>	<b>122</b>	<b>398</b>	<b>943</b>	<b>840</b>	<b>245</b>	<b>8</b>	<b>313</b>	<b>18</b>	<b>813</b>	<b>120</b>	<b>2,248</b>	<b>1,544</b>	
<b>Primary Proceedings</b>	<b>16,271</b>	<b>9,507</b>	<b>25,778</b>	<b>8,132</b>	<b>17,646</b>	<b>455</b>	<b>561</b>	<b>122</b>	<b>398</b>	<b>943</b>	<b>809</b>	<b>243</b>	<b>8</b>	<b>310</b>	<b>18</b>	<b>813</b>	<b>56</b>	<b>2,185</b>	<b>1,211</b>	
<b>Civil Actions</b>	<b>6,281</b>	<b>4,212</b>	<b>10,493</b>	<b>3,732</b>	<b>6,761</b>	<b>85</b>	<b>561</b>	<b>122</b>	<b>398</b>	<b>922</b>	<b>680</b>	<b>138</b>	<b>6</b>	<b>80</b>	<b>4</b>	<b>191</b>		<b>96</b>	<b>448</b>	
Contract	1,778	1,428	3,206	1,327	1,879	34	396	56	149	288	113	44	1	5	1	44		46	170	
Personal Injury or Property Damage or Both, Motor Vehicle	1,376	655	2,031	763	1,268	16	45	11	69	196	279	8	2	29		76		5	27	
Personal Injury or Property Damage or Both, Non-Motor Vehicle	897	414	1,311	444	867	11	19	13	37	124	135	20	1	26	1	32		1	24	
Condemnation	133	131	264	44	220				2	1	1	1		1		2		1	34	
Other Civil Action	1,980	1,458	3,438	1,068	2,370	24	98	34	141	293	135	63	2	16	2	33		43	184	
District Court Transfers*	117	126	243	86	157				40	17		2		3		4			10	
<b>Probate Proceedings</b>	<b>3,004</b>	<b>1,720</b>	<b>4,724</b>	<b>1,585</b>	<b>3,139</b>					<b>16</b>							<b>5</b>	<b>1,129</b>	<b>435</b>	
Regular Probate	2,312	922	3,234	816	2,418					12							5	784	15	
Small Estate Over \$700	439	502	941	479	462					3								204	272	
Small Estate Under \$700	253	296	549	290	259					1								141	148	
<b>Guardianship Proceedings</b>	<b>4,022</b>	<b>315</b>	<b>4,337</b>	<b>294</b>	<b>4,043</b>					<b>5</b>							<b>3</b>	<b>210</b>	<b>76</b>	
Regular Guardianship	2,821	271	3,092	167	2,925					4								2	142	19
Small Guardianship	888	44	932	106	826					1								1	55	49
Special	313	0	313	21	292														13	8
<b>Miscellaneous Proceedings</b>	<b>831</b>	<b>1,274</b>	<b>2,105</b>	<b>989</b>	<b>1,116</b>					<b>66</b>	<b>9</b>						<b>48</b>	<b>750</b>	<b>116</b>	
Land Court	96	44	140	48	92												23	25		
Naturalization	183	723	906	690	216														671	19
Mechanics' and Materialman's Lien	131	198	329	152	177					32	3						12	23	82	
Other Special Proceeding	421	309	730	99	631					34	6						13	31	15	
<b>Criminal Actions</b>	<b>2,133</b>	<b>1,986</b>	<b>4,119</b>	<b>1,532</b>	<b>2,587</b>	<b>370</b>				<b>63</b>	<b>96</b>	<b>2</b>	<b>230</b>	<b>14</b>	<b>622</b>				<b>135</b>	
<b>Part I</b>	<b>845</b>	<b>1,007</b>	<b>1,852</b>	<b>766</b>	<b>1,086</b>	<b>139</b>				<b>29</b>	<b>44</b>	<b>1</b>	<b>124</b>	<b>5</b>	<b>383</b>				<b>41</b>	
Murder and Non-Negligent Manslaughter	26	33	59	25	34	4				1	1		12		4				3	
Negligent Homicide	17	22	39	18	21	2				1	3		3		6				3	
Forcible Rape	27	39	66	32	34	6				1	3		12		7				3	
Robbery	153	167	320	135	185	22				5	3		23	3	73				6	
Aggravated Assault	53	79	132	58	74	10				3	10		13		19				3	
Burglary	359	446	805	352	453	71				9	17		42	2	197				14	
Larceny Over \$50	101	106	207	57	150	8				5	1		6		36				1	
Larceny Under \$50	15	5	20	6	14	1				1			2		1				1	
Auto Theft	94	110	204	83	121	15				3	6	1	11		40				7	
<b>Part II</b>	<b>1,288</b>	<b>979</b>	<b>2,267</b>	<b>766</b>	<b>1,501</b>	<b>231</b>				<b>34</b>	<b>52</b>	<b>1</b>	<b>106</b>	<b>9</b>	<b>239</b>				<b>94</b>	
<b>Other Assaults</b>	<b>42</b>	<b>74</b>	<b>116</b>	<b>58</b>	<b>58</b>	<b>12</b>				<b>2</b>	<b>1</b>		<b>11</b>	<b>7</b>	<b>7</b>				<b>18</b>	
Arson	2	3	5	2	3										1				1	
Forgery and Counterfeiting	69	75	144	35	109	4				3	3		4		21					
Fraud	37	78	115	37	78	12				4	1		1		11				8	
Embezzlement	21	6	27	15	12	1				1	3		4		6					
Stolen Property	75	57	132	63	69	23				4	8		5		23					
Vandalism	8	21	29	13	16	3					2				4				4	
Weapons	42	35	77	34	43	10				2	1	1	6		12				2	
Prostitution	19	2	21	4	17						1				1				2	
Sex Offenses	42	29	71	25	46	4				2	1		7		9				2	
Narcotic Drug Laws	404	279	683	230	453	76				8	16		27	1	87				15	
Gambling	35	11	46	26	20	22									4					
Offenses Against Family and Children	0	0	0	0	0	0														
Driving Under the Influence	9	12	21	10	11	1				1			3		2				3	
Liquor Laws	0	0	0	0	0	0														
Disorderly Conduct	6	15	21	15	6	10							1		1				3	
Vagrancy	1	0	1	0	1															
All Other Offenses (Except Traffic)	442	261	703	183	520	52				7	14		35	1	48				26	
Traffic Offenses	34	21	55	16	39	1					1		2		2				10	
<b>Supplemental Proceedings</b>	<b>625</b>	<b>681</b>	<b>1,506</b>	<b>494</b>	<b>1,012</b>					<b>31</b>	<b>2</b>		<b>3</b>				<b>64</b>	<b>61</b>	<b>333</b>	
Order to Show Cause	72	14	86	13	73					1							4	2	6	
Re-opened Prior Case	753	667	1,420	481	939					30	2		3				60	59	327	

\*Cases Initiated in the District Court demanding jury trial.

# Table 8

## CASELOAD ACTIVITY FY 1976-77, 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	Notice of Slip. for	By Judge	Trial Trial Not Completed	Verdict Trial Not Completed	No Trial Held	Contested		Uncontested			
<b>TOTAL CASES</b>	<b>13,257</b>	<b>6,910</b>	<b>20,167</b>	<b>5,870</b>	<b>14,297</b>	<b>296</b>	<b>457</b>	<b>122</b>	<b>341</b>	<b>652</b>	<b>746</b>	<b>150</b>	<b>4</b>	<b>266</b>	<b>12</b>	<b>544</b>	<b>64</b>	<b>931</b>	<b>1,285</b>
<b>Primary Proceedings</b>	<b>12,669</b>	<b>6,440</b>	<b>19,109</b>	<b>5,563</b>	<b>13,546</b>	<b>296</b>	<b>457</b>	<b>122</b>	<b>341</b>	<b>652</b>	<b>740</b>	<b>150</b>	<b>4</b>	<b>266</b>	<b>12</b>	<b>544</b>	<b>42</b>	<b>901</b>	<b>1,036</b>
<b>Civil Actions</b>	<b>5,017</b>	<b>3,268</b>	<b>8,285</b>	<b>3,016</b>	<b>5,269</b>	<b>85</b>	<b>457</b>	<b>122</b>	<b>341</b>	<b>636</b>	<b>650</b>	<b>88</b>	<b>2</b>	<b>66</b>	<b>4</b>	<b>155</b>		<b>14</b>	<b>394</b>
Contract	1,225	1,029	2,254	995	1,259	34	317	56	117	166	98	29	1	3	1	25		10	138
Personal Injury or Property Damage or Both, Motor Vehicle	1,167	517	1,684	648	1,036	16	42	11	61	120	276	5	1	25		74			17
Personal Injury or Property Damage or Both, Non-Motor Vehicle	723	325	1,048	368	680	11	15	13	30	79	130	13		22	1	31			23
Condemnation	116	96	212	40	172				1	1		1		1				1	34
Other Civil Action	1,670	1,181	2,851	880	1,971	24	80	34	132	231	129	38		14	2	21		3	172
District Court Transfers*	116	120	236	85	151		2	8		39	17	2		3		4			10
<b>Probate Proceedings</b>	<b>2,178</b>	<b>1,255</b>	<b>3,433</b>	<b>1,113</b>	<b>2,320</b>					<b>11</b>							<b>3</b>	<b>697</b>	<b>402</b>
Regular Probate	1,650	678	2,328	586	1,742					9							3	568	6
Small Estate Over \$700	327	381	708	340	365					1								81	258
Small Estate Under \$700	201	196	397	187	214					1								48	138
<b>Guardianship Proceedings</b>	<b>3,200</b>	<b>231</b>	<b>3,431</b>	<b>206</b>	<b>3,225</b>					<b>5</b>							<b>2</b>	<b>142</b>	<b>57</b>
Regular Guardianship	2,317	204	2,521	116	2,405					4							1	110	1
Small Guardianship	608	27	635	72	563					1							1	22	48
Special	275	0	275	18	257													10	8
<b>Miscellaneous Proceedings</b>	<b>550</b>	<b>430</b>	<b>980</b>	<b>219</b>	<b>761</b>					<b>45</b>	<b>8</b>						<b>37</b>	<b>48</b>	<b>81</b>
Land Court	87	44	131	48	83												23	25	
Naturalization	0	0	0	0	0														
Mechanics' and Materialman's Lien	91	127	218	98	120					13	2						3	2	78
Other Special Proceeding	372	259	631	73	558					32	6						11	21	3
<b>Criminal Actions</b>	<b>1,724</b>	<b>1,256</b>	<b>2,980</b>	<b>1,009</b>	<b>1,971</b>	<b>211</b>				<b>45</b>	<b>54</b>	<b>2</b>	<b>198</b>	<b>8</b>	<b>389</b>				<b>102</b>
<b>Part I</b>	<b>670</b>	<b>684</b>	<b>1,354</b>	<b>520</b>	<b>834</b>	<b>72</b>				<b>27</b>	<b>22</b>	<b>1</b>	<b>108</b>	<b>3</b>	<b>252</b>				<b>35</b>
Murder and Non-Negligent Manslaughter	20	28	48	20	28	3				1	1		9	4					2
Negligent Homicide	12	18	30	10	20					1	2		2		2				3
Forcible Rape	19	21	40	20	20	3				2	1		10	3					2
Robbery	135	146	281	120	161	19				5	1		23	2	64				6
Aggravated Assault	38	37	75	34	41	3				3	4		11	11					2
Burglary	273	277	550	218	332	34				9	9		35	1	119				11
Larceny Over \$50	83	79	162	33	129	3				5	1		6	17					1
Larceny Under \$50	14	5	19	6	13	1				1			2	1					1
Auto Theft	76	73	149	59	90	6				2	2	1	10	31					7
<b>Part II</b>	<b>1,054</b>	<b>572</b>	<b>1,626</b>	<b>489</b>	<b>1,137</b>	<b>139</b>				<b>18</b>	<b>32</b>	<b>1</b>	<b>90</b>	<b>5</b>	<b>137</b>				<b>67</b>
Other Assaults	35	42	77	34	43	6				2			10	3					13
Arson	1	1	2	0	2														
Forgery and Counterfeiting	45	53	98	18	80	2				1	1		3		11				
Fraud	16	59	75	27	48	8				1	1		1		8				8
Embezzlement	19	6	25	15	10	1				1	3		4		6				
Stolen Property	43	11	54	26	28	6					4		5		9				
Vandalism	6	12	18	7	11	2									1				4
Weapons	32	15	47	23	24	4				2	1	1	6		8				1
Prostitution	19	2	21	4	17						1				1				2
Sex Offenses	36	16	52	18	34	2				2	1		7		6				
Narcotic Drug Laws	302	126	428	125	303	37				3	7		20	1	46				11
Gambling	35	4	39	26	13	22									4				
Offenses Against Family and Children	0	0	0	0	0														
Driving Under the Influence	8	10	18	7	11	1				1			2		1				2
Liquor Laws	0	0	0	0	0														
Disorderly Conduct	5	8	13	9	4	8							1						
Vagrancy	1	0	1	0	1														
All Other Offenses (Except Traffic)	420	191	611	139	472	38				5	12		30	1	34				19
Traffic Offenses	31	16	47	11	35							1		1	2				7
<b>Supplemental Proceedings</b>	<b>588</b>	<b>470</b>	<b>1,058</b>	<b>307</b>	<b>751</b>					<b>6</b>							<b>22</b>	<b>30</b>	<b>249</b>
Order to Show Cause	44	9	53	7	46					1								1	5
Re-opened Prior Case	544	461	1,005	300	705					5							22	29	244

\*Cases initiated in the District Court demanding jury trial.

# Table 9

CASELOAD ACTIVITY FY 1976-77, 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	Trial Not Completed	Verdict		Trial Not Completed	No Trial Held	Contested
<b>TOTAL CASES</b>	<b>1,415</b>	<b>1,274</b>	<b>2,689</b>	<b>1,060</b>	<b>1,629</b>	<b>39</b>	<b>32</b>	<b>23</b>	<b>110</b>	<b>29</b>	<b>13</b>	<b>3</b>	<b>14</b>	<b>1</b>	<b>136</b>	<b>7</b>	<b>617</b>	<b>36</b>
<b>Primary Proceedings</b>	<b>1,392</b>	<b>1,249</b>	<b>2,641</b>	<b>1,038</b>	<b>1,603</b>	<b>39</b>	<b>32</b>	<b>23</b>	<b>110</b>	<b>26</b>	<b>13</b>	<b>3</b>	<b>14</b>	<b>1</b>	<b>136</b>	<b>5</b>	<b>611</b>	<b>25</b>
<b>Civil Actions</b>	<b>474</b>	<b>343</b>	<b>817</b>	<b>213</b>	<b>604</b>		<b>32</b>	<b>23</b>	<b>108</b>	<b>7</b>	<b>9</b>	<b>3</b>	<b>5</b>		<b>10</b>		<b>15</b>	<b>1</b>
Contract	182	149	331	91	240		26	16	34	2	2		2		6		3	
Personal Injury or Property Damage or Both, Motor Vehicle	92	64	156	43	113		2	4	32		1				1		2	1
Personal Injury or Property Damage or Both, Non-Motor Vehicle	92	39	131	30	101		2	1	19	3	2	1	2					
Condemnation	6	12	18	0	18													
Other Civil Action	101	78	179	49	130		2	2	23	2	4	2	1		3		10	
District Court Transfers*	1	1	2	0	2													
<b>Probate Proceedings</b>	<b>314</b>	<b>134</b>	<b>448</b>	<b>157</b>	<b>291</b>					<b>2</b>						<b>1</b>	<b>153</b>	<b>1</b>
Regular Probate	241	66	307	52	255											1	51	
Small Estate Over \$700	47	37	84	62	22					2							59	1
Small Estate Under \$700	26	31	57	43	14												43	
<b>Guardianship Proceedings</b>	<b>295</b>	<b>15</b>	<b>310</b>	<b>25</b>	<b>285</b>												<b>24</b>	<b>1</b>
Regular Guardianship	183	14	197	8	189												7	1
Small Guardianship	82	1	83	17	66												17	
Special	30	0	30	0	30													
<b>Miscellaneous Proceedings</b>	<b>94</b>	<b>464</b>	<b>558</b>	<b>449</b>	<b>109</b>					<b>6</b>						<b>4</b>	<b>419</b>	<b>20</b>
Land Court	9	0	9	0	9													
Naturalization	57	430	487	428	59												409	19
Mechanics' and Materialman's Lien	17	21	38	17	21					6						3	8	
Other Special Proceeding	11	13	24	4	20											1	2	1
<b>Criminal Actions</b>	<b>215</b>	<b>293</b>	<b>508</b>	<b>194</b>	<b>314</b>	<b>39</b>				<b>13</b>	<b>4</b>		<b>9</b>	<b>1</b>	<b>126</b>			<b>2</b>
<b>Part I</b>	<b>92</b>	<b>141</b>	<b>233</b>	<b>105</b>	<b>128</b>	<b>15</b>					<b>1</b>		<b>6</b>	<b>1</b>	<b>82</b>			
Murder and Non-Negligent Manslaughter	2	1	3	2	1													
Negligent Homicide	3	2	5	4	1		1										3	
Forcible Rape	2	9	11	5	6		2										3	
Robbery	9	11	20	8	12								1				7	
Aggravated Assault	6	15	21	9	12						1						8	
Burglary	43	64	107	48	59		7						4				37	
Larceny Over \$50	16	24	40	23	17		4										19	
Larceny Under \$50	1	0	1	0	1													
Auto Theft	10	15	25	6	19		1										5	
<b>Part II</b>	<b>123</b>	<b>152</b>	<b>275</b>	<b>89</b>	<b>186</b>	<b>24</b>				<b>13</b>	<b>3</b>		<b>3</b>		<b>44</b>			<b>2</b>
Other Assaults	1	0	1	0	1													
Arson	0	0	0	0	0													
Forgery and Counterfeiting	17	7	24	4	20													
Fraud	13	7	20	7	13		2										2	
Embezzlement	2	0	2	0	2													
Stolen Property	13	20	33	7	26						3						4	
Vandalism	0	2	2	2	0												2	
Weapons	1	4	5	2	3												2	
Prostitution	0	0	0	0	0													
Sex Offenses	6	9	15	5	10		2										1	
Narcotic Drug Laws	62	72	134	53	81		17				3	3	2		28			2
Gambling	0	7	7	0	7													
Offenses Against Family and Children	0	0	0	0	0													
Driving Under the Influence	1	0	1	1	0								1					
Liquor Laws	0	0	0	0	0													
Disorderly Conduct	1	1	2	1	1		1											
Vagrancy	0	0	0	0	0													
All Other Offenses (Except Traffic)	6	22	28	7	21		2			2					3			
Traffic Offenses	0	1	1	0	1													
<b>Supplemental Proceedings</b>	<b>23</b>	<b>25</b>	<b>48</b>	<b>22</b>	<b>26</b>					<b>3</b>						<b>2</b>	<b>6</b>	<b>11</b>
Order to Show Cause	5	1	6	2	4												1	1
Re-opened Prior Case	18	24	42	20	22					3							1	5

\*Cases initiated in the District Court demanding jury trial.

# Table 10

**CASELOAD ACTIVITY FY 1976-77, CIRCUIT COURT PROPER  
THIRD 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 Slip. for By Judge	Trial Not Completed	Verdict Trial Not Completed	No Trial Held	Contested	Uncontested				
<b>TOTAL CASES</b>	1,796	1,416	3,212	1,198	2,014	84	53	15	123	50	45	1	23	1	123	43	474	163
<b>Primary Proceedings</b>	1,628	1,251	2,879	1,048	1,831	84	53	16	123	34	43	1	20	1	123	6	449	96
<b>Civil Actions</b>	593	480	1,073	388	685		53	15	120	21	30	1	7		24		64	53
Contract	277	200	477	192	285		39	9	46	11	9				13		33	32
Personal Injury or Property Damage or Both, Motor Vehicle	92	57	149	53	96		1	1	29	3	1	1	4		1		3	9
Personal Injury or Property Damage or Both, Non-Motor Vehicle	48	35	83	24	59				15	2	4		2					1
Condemnation	9	23	32	4	28			1		1					2			
Other Civil Action	167	160	327	114	213		13	4	29	4	16		1		8		28	11
District Court Transfers*	0	5	5	1	4					1								
<b>Probate Proceedings</b>	372	262	634	249	385					3						1	242	3
Regular Probate	310	137	447	135	312					3						1	128	3
Small Estate Over \$700	49	69	118	64	54												64	
Small Estate Under \$700	13	56	69	50	19												50	
<b>Guardianship Proceedings</b>	385	58	443	49	394											1	35	13
Regular Guardianship	250	45	295	32	263											1	18	13
Small Guardianship	134	13	147	16	131												16	
Special	1	0	1	1	0												1	
<b>Miscellaneous Proceedings</b>	155	151	306	135	171					11						4	108	12
Land Court	0	0	0	0	0													
Naturalization	116	79	195	87	108												87	
Mechanics' and Materialman's Lien	10	38	48	26	22					9						3	13	1
Other Special Proceeding	29	34	63	22	41					2						1	8	11
<b>Criminal Actions</b>	123	300	423	227	196	84					2	13	13	1	99			15
<b>Part I</b>	51	131	182	103	79	41						6	6	1	46			3
Murder and Non-Negligent Manslaughter	3	2	5	2	3	1												
Negligent Homicide	0	2	2	2	0	1												
Forcible Rape	2	2	4	3	1	1							1					
Robbery	4	8	12	5	7	3												
Aggravated Assault	3	11	14	9	5	6					1		2					
Burglary	33	89	122	70	52	23					3		1	1	39			3
Larceny Over \$50	2	1	3	1	2	1												
Larceny Under \$50	0	0	0	0	0	0												
Auto Theft	4	16	20	11	9	5					2		1		3			
<b>Part II</b>	72	169	241	124	117	43				2	7	7	7		53			12
Other Assaults	1	19	20	12	8	4									7			1
Arson	1	2	3	2	1										1			1
Forgery and Counterfeiting	7	10	17	10	7	1							1		8			
Fraud	6	10	16	1	15										1			
Embezzlement	0	0	0	0	0													
Stolen Property	8	15	23	11	12	5									6			
Vandalism	1	6	7	3	4	1					1				1			
Weapons	6	11	17	7	10	5									2			
Prostitution	0	0	0	0	0													
Sex Offenses	0	4	4	2	2										2			
Narcotic Drug Laws	30	54	84	44	40	17				2	5	5		12				3
Gambling	0	0	0	0	0													
Offenses Against Family and Children	0	0	0	0	0													
Driving Under the Influence	0	2	2	2	0										1			1
Liquor Laws	0	0	0	0	0													
Disorderly Conduct	0	3	3	2	1	1									1			
Vagrancy	0	0	0	0	0													
All Other Offenses (Except Traffic)	10	29	39	24	15	8					1	1		11				3
Traffic Offenses	2	4	6	4	2	1												3
<b>Supplemental Proceedings</b>	168	165	333	150	183					16	2	3				37	26	67
Order to Show Cause	22	4	26	4	22						16	2	3			3		1
Re-opened Prior Case	146	161	307	146	161											34	26	66

\*Cases initiated in the District Court demanding jury trial.

# Table 11

## CASELOAD ACTIVITY FY 1976-77, CIRCUIT COURT PROPER FIFTH CIRCUIT

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	Notice of	Stip. for	By Judge	Dismissal	NON-JURY	JURY	No Trial Held	HEARINGS	Others			
													Trial	Trial Not Completed	Verdict	Trial Not Completed	Contested	Uncontested		
<b>TOTAL CASES</b>	<b>628</b>	<b>588</b>	<b>1,216</b>	<b>498</b>	<b>718</b>	<b>36</b>	<b>19</b>		<b>19</b>	<b>58</b>	<b>15</b>		<b>37</b>		<b>10</b>	<b>4</b>	<b>10</b>	<b>6</b>	<b>224</b>	<b>60</b>
<b>Primary Proceedings</b>	<b>582</b>	<b>567</b>	<b>1,149</b>	<b>483</b>	<b>666</b>	<b>36</b>	<b>19</b>		<b>19</b>	<b>58</b>	<b>9</b>		<b>37</b>		<b>10</b>	<b>4</b>	<b>10</b>	<b>3</b>	<b>224</b>	<b>54</b>
<b>Civil Actions</b>	<b>197</b>	<b>121</b>	<b>318</b>	<b>115</b>	<b>203</b>		<b>19</b>		<b>19</b>	<b>58</b>	<b>2</b>		<b>11</b>				<b>2</b>		<b>3</b>	<b>1</b>
Contract	94	50	144	49	95		14		7	22	2		4							
Personal Injury or Property Damage or Both, Motor Vehicle	25	17	42	19	23				3	15			1							
Personal Injury or Property Damage or Both, Non-Motor Vehicle	34	15	49	22	27		2		6	11			1			1			1	
Condemnation	2	0	2	0	2															
Other Civil Action	42	39	81	25	56		3		3	10			5			1			2	1
District Court Transfers*	0	0	0	0	0															
<b>Probate Proceedings</b>	<b>140</b>	<b>69</b>	<b>209</b>	<b>66</b>	<b>143</b>														<b>37</b>	<b>29</b>
Regular Probate	111	41	152	43	109														37	6
Small Estate Over \$700	16	15	31	13	18															13
Small Estate Under \$700	13	13	26	10	16															10
<b>Guardianship Proceedings</b>	<b>142</b>	<b>11</b>	<b>153</b>	<b>14</b>	<b>139</b>														<b>9</b>	<b>5</b>
Regular Guardianship	71	8	79	11	68														7	4
Small Guardianship	64	3	67	1	66															1
Special	7	0	7	2	5														2	
<b>Miscellaneous Proceedings</b>	<b>32</b>	<b>229</b>	<b>261</b>	<b>186</b>	<b>75</b>						<b>4</b>	<b>1</b>						<b>3</b>	<b>175</b>	<b>3</b>
Land Court	0	0	0	0	0															
Naturalization	10	214	224	175	49															175
Mechanics' and Materialman's Lien	13	12	25	11	14						4	1						3		3
Other Special Proceeding	9	3	12	0	12															
<b>Criminal Actions</b>	<b>71</b>	<b>137</b>	<b>208</b>	<b>102</b>	<b>106</b>	<b>36</b>					<b>3</b>	<b>25</b>	<b>10</b>	<b>4</b>	<b>8</b>					<b>16</b>
<b>Part I</b>	<b>32</b>	<b>51</b>	<b>83</b>	<b>38</b>	<b>45</b>	<b>11</b>					<b>2</b>	<b>15</b>	<b>4</b>	<b>3</b>						<b>3</b>
Murder and Non-Negligent Manslaughter	1	2	3	1	2															1
Negligent Homicide	2	0	2	2	0								1		1					
Forcible Rape	4	7	11	4	7				1	1			1		1					1
Robbery	5	2	7	2	5								2							
Aggravated Assault	6	16	22	6	16	1							4							1
Burglary	10	16	26	16	10	7							5		2		2			
Larceny Over \$50	0	2	2	0	2															
Larceny Under \$50	0	0	0	0	0															
Auto Theft	4	6	10	7	3	3					1	2				1				
<b>Part II</b>	<b>39</b>	<b>86</b>	<b>125</b>	<b>64</b>	<b>61</b>	<b>25</b>					<b>1</b>	<b>10</b>	<b>6</b>	<b>4</b>	<b>5</b>					<b>13</b>
<b>Other Assaults</b>	<b>5</b>	<b>13</b>	<b>18</b>	<b>12</b>	<b>6</b>	<b>2</b>						<b>1</b>	<b>1</b>	<b>4</b>						<b>4</b>
Arson	0	0	0	0	0															
Forgery and Counterfeiting	0	5	5	3	2	1						2								
Fraud	2	2	4	2	2	2														
Embezzlement	0	0	0	0	0															
Stolen Property	11	11	22	19	3	10			1	4					4					
Vandalism	1	1	2	1	1							1								
Weapons	3	5	8	2	6	1														1
Prostitution	0	0	0	0	0															
Sex Offenses	0	0	0	0	0															
Narcotic Drug Laws	10	27	37	8	29	5					1				1					1
Gambling	0	0	0	0	0															
Offenses Against Family and Children	0	0	0	0	0															
Driving Under the Influence	0	0	0	0	0															
Liquor Laws	0	0	0	0	0															
Disorderly Conduct	0	3	3	3	0															3
Vagrancy	0	0	0	0	0															
All Other Offenses (Except Traffic)	6	19	25	13	12	4						1		4						4
Traffic Offenses	1	0	1	1	0									1						
<b>Supplemental Proceedings</b>	<b>46</b>	<b>21</b>	<b>67</b>	<b>15</b>	<b>52</b>						<b>6</b>							<b>3</b>		<b>6</b>
Order to Show Cause	1	0	1	0	1															
Re-opened Prior Case	45	21	66	15	51						6							3		6

\*Cases initiated in the District Court demanding jury trial.

# Table 12

## CASELOAD ACTIVITY FY 1976-77, FAMILY COURTS ALL CIRCUITS

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>9,736</b>	<b>20,794</b>	<b>30,530</b>	<b>19,010</b>	<b>11,520</b>	<b>15</b>	<b>6</b>	<b>11</b>	<b>8</b>	<b>473</b>	<b>2,070</b>	<b>8,780</b>	<b>4,088</b>	<b>3,549</b>	
<b>Primary Proceedings and Referrals</b>	<b>7,526</b>	<b>17,739</b>	<b>25,265</b>	<b>16,438</b>	<b>8,827</b>	<b>15</b>	<b>6</b>	<b>11</b>	<b>8</b>	<b>473</b>	<b>1,359</b>	<b>7,987</b>	<b>4,088</b>	<b>2,481</b>	
<b>Marital Actions and Proceedings</b>	<b>3,089</b>	<b>7,051</b>	<b>10,140</b>	<b>6,399</b>	<b>3,741</b>					<b>69</b>	<b>446</b>	<b>4,525</b>		<b>1,359</b>	
Divorce	2,692	5,548	8,140	5,193	2,947					26	295	4,311		561	
Annulment	22	22	44	31	13						1	24		6	
Separation and Separate Maintenance	92	143	235	115	120					1	11	67		36	
Uniform Reciprocal Enforcement of Support	383	1,338	1,721	1,060	661					42	139	123		756	
<b>Adoption Proceedings</b>	<b>409</b>	<b>721</b>	<b>1,130</b>	<b>694</b>	<b>436</b>						<b>15</b>	<b>662</b>		<b>17</b>	
<b>Paternity/Parental Proceedings</b>	<b>288</b>	<b>764</b>	<b>1,062</b>	<b>436</b>	<b>626</b>			<b>10</b>		<b>402</b>				<b>24</b>	
<b>Miscellaneous Proceedings</b>	<b>534</b>	<b>1,197</b>	<b>1,731</b>	<b>1,009</b>	<b>722</b>				<b>8</b>		<b>208</b>	<b>164</b>		<b>629</b>	
<b>Criminal Actions</b>	<b>15</b>	<b>39</b>	<b>54</b>	<b>24</b>	<b>30</b>	<b>15</b>	<b>6</b>	<b>1</b>		<b>2</b>					
<b>Adults' Referrals</b>	<b>284</b>	<b>784</b>	<b>1,068</b>	<b>700</b>	<b>368</b>							<b>2</b>	<b>685</b>	<b>13</b>	
Criminal Complaint	22	48	70	52	18							2	49	1	
Marriage Conciliation (Prior to Filing)	86	150	216	139	77								138	1	
Marriage Conciliation (Court Order)	16	12	28	17	11								17		
Social Study	120	363	483	370	113								360	10	
Other Adult Referral	40	231	271	122	149								121	1	
<b>Children's Referrals</b>	<b>2,897</b>	<b>7,183</b>	<b>10,080</b>	<b>7,176</b>	<b>2,904</b>						<b>690</b>	<b>2,634</b>	<b>3,413</b>	<b>439</b>	
Law Violation	2,121	5,157	7,278	5,242	2,036						664	2,145	2,134	309	
Traffic	70	75	145	100	45						7	35	44	14	
Needing Protective Supervision	461	1,478	1,939	1,421	518						16	269	1,079	57	
Needing Services	150	191	341	174	167						13	140	14	7	
Other Children's Referral	95	282	377	239	138							45	142	52	
<b>Supplemental Proceedings</b>	<b>2,210</b>	<b>3,055</b>	<b>5,265</b>	<b>2,572</b>	<b>2,693</b>						<b>711</b>	<b>793</b>		<b>1,068</b>	
Order to Show Cause, Matrimonial	1,016	1,365	2,381	1,061	1,320						509	90		462	
Order to Show Cause, Matrimonial, Concurrent	355	537	892	515	377						167	49		299	
Order to Show Cause, URES	101	71	172	44	128						7	20		17	
Order to Show Cause, Paternity	76	29	105	16	89						8	2		6	
Motion	76	58	134	55	79						8	10		37	
Children's Supplemental Proceeding	449	967	1,416	861	555						2	620		239	
Other Supplemental Proceeding	137	28	165	20	145						10	2		8	
<b>Status Dispositions*</b>	<b>1,663</b>	<b>806</b>	<b>2,569</b>	<b>853</b>	<b>1,716</b>						<b>1</b>	<b>534</b>		<b>318</b>	
Probation, Child	907	612	1,519	564	955						1	379		184	
Protective Supervision, Child	310	174	484	133	351							103		30	
Legal Custody, Child	359	83	442	109	333							47		62	
Other Status	87	37	124	47	77							5		42	
<b>Auxiliary Order*</b>	<b>7,743</b>	<b>1,611</b>	<b>9,354</b>	<b>181</b>	<b>9,183</b>						<b>37</b>	<b>61</b>		<b>94</b>	

\*Not included in caseload totals

# Table 13

## CASELOAD ACTIVITY FY 1976-77, FAMILY COURT FIRST 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>8,094</b>	<b>15,756</b>	<b>23,850</b>	<b>14,609</b>	<b>9,241</b>	<b>14</b>	<b>6</b>	<b>10</b>	<b>5</b>	<b>295</b>	<b>1,841</b>	<b>6,734</b>	<b>3,270</b>	<b>2,434</b>	
<b>Primary Proceedings and Referrals</b>	<b>6,142</b>	<b>13,175</b>	<b>19,317</b>	<b>12,450</b>	<b>6,867</b>	<b>14</b>	<b>6</b>	<b>10</b>	<b>5</b>	<b>295</b>	<b>1,278</b>	<b>6,057</b>	<b>3,270</b>	<b>1,515</b>	
<b>Marital Actions and Proceedings</b>	<b>2,577</b>	<b>5,871</b>	<b>8,248</b>	<b>5,171</b>	<b>3,077</b>					<b>1</b>	<b>422</b>	<b>3,669</b>		<b>1,079</b>	
Divorce	2,236	4,589	6,825	4,265	2,560					1	278	3,513		473	
Annulment	17	20	37	25	12						1	19		5	
Separation and Separate Maintenance	71	121	192	94	98						7	59		28	
Uniform Reciprocal Enforcement of Support	253	941	1,194	787	407						136	78		573	
<b>Adoption Proceedings</b>	<b>329</b>	<b>549</b>	<b>878</b>	<b>514</b>	<b>364</b>						<b>14</b>	<b>491</b>		<b>9</b>	
<b>Paternity/Parental Proceedings</b>	<b>265</b>	<b>592</b>	<b>857</b>	<b>316</b>	<b>541</b>			<b>10</b>		<b>293</b>				<b>13</b>	
<b>Miscellaneous Proceedings</b>	<b>408</b>	<b>784</b>	<b>1,192</b>	<b>680</b>	<b>512</b>				<b>5</b>		<b>187</b>	<b>123</b>		<b>365</b>	
<b>Criminal Actions</b>	<b>13</b>	<b>30</b>	<b>43</b>	<b>21</b>	<b>22</b>	<b>14</b>	<b>6</b>			<b>1</b>					
<b>Adults' Referrals</b>	<b>245</b>	<b>532</b>	<b>777</b>	<b>556</b>	<b>221</b>									<b>551</b>	<b>5</b>
Criminal Complaint	11	35	46	36	10									35	1
Marriage Conciliation (Prior to Filing)	86	128	214	137	77									136	1
Marriage Conciliation (Court Order)	16	12	28	17	11									17	
Social Study	94	238	332	262	70									259	3
Other Adult Referral	38	119	157	104	53									104	
<b>Children's Referrals</b>	<b>2,305</b>	<b>5,017</b>	<b>7,322</b>	<b>5,192</b>	<b>2,130</b>						<b>655</b>	<b>1,774</b>	<b>2,719</b>	<b>44</b>	
Law Violation	1,636	3,438	5,074	3,653	1,421						627	1,405	1,595	26	
Traffic	38	62	100	65	35						6	24	34	1	
Needing Protective Supervision	426	1,211	1,637	1,200	437						16	210	960	14	
Needing Services	141	151	292	140	152						6	117	14	3	
Other Children's Referral	64	155	219	134	85							18	116		
<b>Supplemental Proceedings</b>	<b>1,952</b>	<b>2,581</b>	<b>4,533</b>	<b>2,159</b>	<b>2,374</b>						<b>563</b>	<b>677</b>		<b>919</b>	
Order to Show Cause, Matrimonial	875	1,099	1,978	828	1,150						407	55		366	
Order to Show Cause, Matrimonial, Concurrent	321	430	751	423	328						134	24		265	
Order to Show Cause, URES	63	49	112	22	90						4	9		9	
Order to Show Cause, Paternity	68	23	91	13	78						8	1		4	
Motion	44	34	78	34	44						4	1		29	
Children's Supplemental Proceeding	449	930	1,379	827	552						2	586		239	
Other Supplemental Proceeding	128	16	144	12	132						4	1		7	
<b>Status Dispositions*</b>	<b>1,123</b>	<b>660</b>	<b>1,783</b>	<b>596</b>	<b>1,187</b>						<b>1</b>	<b>382</b>		<b>213</b>	
Probation, Child	592	427	1,019	392	627						1	286		125	
Protective Supervision, Child	232	141	373	94	279							74		20	
Legal Custody, Child	258	61	319	92	227							38		54	
Other Status	41	31	72	18	54							4		14	
<b>Auxiliary Order*</b>	<b>6,702</b>	<b>1,367</b>	<b>8,069</b>	<b>174</b>	<b>7,895</b>						<b>36</b>	<b>60</b>		<b>78</b>	

\*Not included in caseload totals



# Table 15

CASELOAD ACTIVITY FY 1976-77, 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>682</b>	<b>2,877</b>	<b>3,559</b>	<b>2,508</b>	<b>1,051</b>	<b>1</b>	<b>1</b>	<b>3</b>	<b>85</b>	<b>138</b>	<b>1,102</b>	<b>368</b>	<b>810</b>		
Primary Proceedings and Referrals	611	2,630	3,241	2,301	940	1	1	3	85	51	1,050	368	742		
Marital Actions and Proceedings	209	676	885	617	268					9	393		215		
Divorce	159	444	603	444	159					8	372		64		
Annulment	4	1	5	5	0						4		1		
Separation and Separate Maintenance	4	9	13	6	7						2		4		
Uniform Reciprocal Enforcement of Support	42	222	264	162	102					1	15		146		
Adoption Proceedings	24	68	92	76	17					1	68		6		
Paternity/Parental Proceedings	6	129	135	88	47				84				4		
Miscellaneous Proceedings	81	327	408	274	134			3		15	17		239		
Criminal Actions	2	9	11	3	8	1	1		1						
Adults' Referrals	13	168	181	69	112								65	4	
Criminal Complaint	0	1	1	1	0								1		
Marriage Conciliation (Prior to Filing)	0	0	0	0	0										
Marriage Conciliation (Court Order)	0	0	0	0	0										
Social Study	13	57	70	52	18								48	4	
Other Adult Referral	0	110	110	16	94								16		
Children's Referrals	276	1,253	1,529	1,175	354					26	572	303	274		
Law Violation	237	987	1,224	933	291					19	482	228	204		
Traffic	18	4	22	20	2						9	4	7		
Needing Protective Supervision	12	152	164	130	34						44	56	30		
Needing Services	2	20	22	19	3					7	10		2		
Other Children's Referral	7	90	97	73	24						27	15	31		
Supplemental Proceedings	71	247	318	207	111					87	52		68		
Order to Show Cause, Matrimonial	42	152	194	131	63					70	9		52		
Order to Show Cause, Matrimonial, Concurrent	12	47	59	38	21					15	8		15		
Order to Show Cause, URES	15	8	23	7	16					1	5		1		
Order to Show Cause, Paternity	0	2	2	0	2										
Motion	1	1	2	1	1						1				
Children's Supplemental Proceeding	0	32	32	29	3						29				
Other Supplemental Proceeding	1	5	6	1	5					1					
Status Dispositions*	327	157	46	173	311							91	82		
Probation, Child	190	119	309	105	204							65	40		
Protective Supervision, Child	50	19	69	28	41						19		9		
Legal Custody, Child	41	15	56	11	45						6		5		
Other Status	46	4	50	29	21						1		28		
Auxiliary Order*	191	83	264	10	244								10		

\*Not Included in caseload totals

# Table 16

## CASELOAD ACTIVITY FY 1976-77, FAMILY COURT FIFTH CIRCUIT

TYPE OF ACTION	CASELOAD ACTIVITY					TYPE OF TERMINATION									
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Not Re-Prosequi	Dismissal	Trial	NON-JURY Trial Not Completed	JURY Verdict Trial Not Completed	No Trial Held	HEARINGS		Counseling Service	Others
<b>TOTAL CASES</b>	364	694	1,058	634	424						14	30	357	69	164
<b>Primary Proceedings and Referrals</b>	295	621	916	570	346						14	16	332	69	139
<b>Marital Actions and Proceedings</b>	133	240	373	225	148						8	4	157		56
Divorce	80	170	250	167	83						1	3	140		23
Annulment	1	1	2	1	1								1		
Separation and Separate Maintenance	5	5	10	7	3							1	3		3
Uniform Reciprocal Enforcement of Support	47	64	111	50	61						7		13		30
<b>Adoption Proceedings</b>	13	16	29	18	11								16		2
<b>Paternity/Parental Proceedings</b>	5	9	14	6	8						6				
<b>Miscellaneous Proceedings</b>	21	13	34	10	24							3	5		2
<b>Criminal Actions</b>	0	0	0	0	0										
<b>Adults' Referrals</b>	10	38	48	37	11								2		35
Criminal Complaints	0	12	12	11	1								2		9
Marriage Conciliation (Prior to Filing)	0	0	0	0	0										
Marriage Conciliation (Court Order)	0	0	0	0	0										
Social Study	8	26	34	26	8										26
Other Adult Referral	2	0	2	0	2										
<b>Children's Referrals</b>	113	365	418	274	144							9	152	34	79
Law Violation	80	249	329	224	105							8	139	21	56
Traffic	12	8	20	12	8							1	2	3	6
Heeding Protective Supervision	5	32	37	24	13								10	9	5
Needing Services	2	5	7	3	4								1		2
Other Children's Referral	14	11	25	11	14									1	10
<b>Supplemental Proceedings</b>	69	73	142	64	78							14	25		25
Order to Show Cause, Matrimonial	41	37	78	30	48							6	13		11
Order to Show Cause, Matrimonial, Concurrent	8	13	21	13	8							3	4		6
Order to Show Cause, RES	8	1	6	2	4								1		1
Order to Show Cause, Paternity	0	0	0	0	0										
Motion	13	17	30	14	16							1	6		7
Children's Supplemental Proceeding	0	0	0	0	0										
Other Supplemental Proceeding	2	5	7	5	2							4	1		
<b>Status Dispositions*</b>	66	40	106	25	81								2		23
Probation, Child	32	32	64	21	43								2		19
Protective Supervision, Child	2	6	8	1	7										1
Legal Custody, Child	32	2	34	3	31										3
Other Status	0	0	0	0	0										
<b>Auxiliary Order*</b>	100	5	105	2	103										2

\*Not included in caseload totals

# Table 17

## CASELOAD ACTIVITY FY 1976-77, DISTRICT COURTS ALL CIRCUITS

	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>CIVIL, TRAFFIC &amp; OTHER VIOLATIONS</b>	52,198	647,281	699,459	638,579	60,380	3,024	6,641	580	70,084	3,152	45,645	446,073	623	62,757	
<b>CIVIL ACTIONS</b>	6,173	11,014	17,187	10,330	6,857	3,024	6,641	580			1		84		
Regular Civil	5,706	9,735	15,441	9,076	6,365	2,445	6,299	249			1		82		
Assumpsit	3,760	8,004	11,764	7,644	4,120	1,809	5,678	134			1		22		
Non-Payment of Taxes	252	47	299	47	252	11	36								
Tort	962	859	1,821	671	1,150	325	245	70					31		
Summary Possession	667	690	1,357	573	784	216	293	36					28		
Other	65	135	200	141	59	84	47	9					1		
Small Claims	467	1,279	1,746	1,254	492	579	342	331					2		
Assumpsit	404	784	1,188	777	411	374	244	157					2		
Tort	31	267	298	253	45	110	57	86							
Other	32	228	260	224	36	95	41	88							
<b>TRAFFIC VIOLATIONS</b>	45,437	617,009	662,446	609,323	53,123				68,319	2,628	45,055	431,180	339	61,802	
Moving-Arrest & Citation	29,422	132,532	161,954	131,912	30,042				18,245	903	26,556	49,506	103	36,599	
Non-Moving	15,322	49,005	64,327	45,406	18,921				3,659	625	8,592	19,818	32	12,650	
Parking	693	435,472	436,165	432,005	4,160				46,415	1,100	9,907	361,856	204	12,523	
<b>OTHER VIOLATIONS</b>	688	19,238	19,826	18,926	900				1,765	524	585	14,893	200	955	
Airport	81	11,914	11,995	11,634	361				1,135	303	172	9,774	188	62	
Dog Leash	235	2,961	3,196	2,920	276				155	21	63	2,344		337	
Fish & Game	42	428	470	435	35				40	16	3	233	8	135	
Harbor Violations	54	325	379	332	47				35	4	16	220		57	
Industrial Safety	2		2		2										
P.U.C. Violations	133	636	769	636	133				45	13	157	250		171	
Weights & Measures															
Other	41	2,974	3,015	2,869	46				355	167	178	2,072	4	193	

	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>	4,311	19,224	23,535	18,504	5,031	5,112	1,095	1,001	1,568	315	8,486	251	462	204	
<b>Part I</b>	849	3,455	4,304	3,254	1,050	1,011	122	209	204	15	1,033	232	332	96	
Murder & Non-Negligent Manslaughter	7	39	46	42	4							13	19	10	
Negligent Homicide	9	27	36	26	10	3	1					1	2		
Forcible Rape	1	53	54	50	4							13	30	7	
Robbery	36	135	171	146	25							46	91	9	
Aggravated Assault	14	65	79	56	23							23	29	4	
Burglary	45	202	247	217	30							91	89	34	
Larceny-Over \$50	93	454	547	425	122	133	17	24	18	3	130	24	57	19	
Larceny-Under \$50	633	2,418	3,051	2,236	815	869	101	183	185	2	888	7		1	
Auto Theft	11	62	73	56	17	6	3	2	1		3	14	15	12	
<b>Part II</b>	3,462	15,769	19,231	15,250	3,981	4,101	873	792	1,364	300	7,463	19	130	108	
Other Assaults	303	1,528	1,831	1,461	370	559	125	66	119	66	519	1		6	
Arson		9	9	7	2							1	4	2	
Forgery & Counterfeiting	6	23	29	23	6	1	2				1		16	2	
Fraud	61	227	288	222	66	77	54	10	1	15	64		1		
Embezzlement															
Stolen Property	11	42	53	35	18	13	4		4		10			4	
Vandalism	60	279	339	264	75	84	33	16	25	6	93	1		6	
Weapons	79	437	516	420	96	156	40	27	35	13	119	2	19	9	
Prostitution	137	447	584	404	180	205	49	29	45	1	75				
Sex Offenses	28	67	95	66	29	11	1	6	5		12	3	23	5	
Narcotic Drug Laws	214	1,808	2,022	1,574	448	543	164	96	117	24	533	8	42	47	
Gambling	354	1,491	1,845	1,510	335	423	257	12	102	65	650		1		
Offenses Against Family & Children	4	6	10	7	3	1	2				3			1	
Driving Under the Influence	819	1,877	2,696	1,785	911	117	32	77	45	13	1,501				
Liquor Laws	12	380	392	363	39	62	23	15	41	9	203				
Disorderly Conduct	152	823	975	819	146	244	29	74	115	5	362				
Vagrancy	8	51	59	46	13	3	15	5			23				
All Other Offenses	1,214	6,274	7,488	6,244	1,244	1,602	143	359	710	82	3,295	3	24	26	

# Table 18

## CASELOAD ACTIVITY FY 1976-77, 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>CIVIL, TRAFFIC &amp; OTHER VIOLATIONS</b>	<b>48,335</b>	<b>591,441</b>	<b>639,776</b>	<b>583,927</b>	<b>55,849</b>	<b>2,430</b>	<b>4,982</b>	<b>446</b>	<b>65,269</b>	<b>1,633</b>	<b>42,844</b>	<b>409,443</b>	<b>95</b>	<b>56,785</b>	
<b>CIVIL ACTIONS</b>	<b>5,152</b>	<b>8,410</b>	<b>13,562</b>	<b>7,941</b>	<b>5,621</b>	<b>2,430</b>	<b>4,982</b>	<b>446</b>					<b>83</b>		
Regular Civil	4,837	7,387	12,224	6,921	5,303	1,936	4,723	181					81		
Assumpsit	3,045	5,863	8,908	5,560	3,248	1,388	4,167	83					22		
Non-Payment of Taxes	250	47	297	47	250	11	36								
Tort	879	804	1,683	637	1,046	307	234	66					30		
Summary Possession	626	608	1,234	505	729	189	264	24					28		
Other	37	65	102	72	30	41	22	8					1		
Small Claims	315	1,023	1,338	1,020	318	494	259	265					2		
Assumpsit	264	548	812	559	253	294	169	94					2		
Tort	21	251	272	243	29	107	53	83							
Other	30	224	254	218	36	93	37	88							
<b>TRAFFIC VIOLATIONS</b>	<b>42,778</b>	<b>579,180</b>	<b>621,958</b>	<b>572,146</b>	<b>49,812</b>				<b>65,022</b>	<b>1,595</b>	<b>42,584</b>	<b>406,791</b>	<b>10</b>	<b>56,144</b>	
Moving-Arrest & Citation	28,171	120,391	148,562	119,453	29,109				17,076	594	25,697	43,766	6	32,314	
Non-Moving	13,977	40,528	54,505	37,007	17,498				2,399	397	7,207	15,578	4	11,422	
Parking	630	418,261	418,891	415,686	3,205				45,547	604	9,680	347,447		12,408	
<b>OTHER VIOLATIONS</b>	<b>405</b>	<b>3,851</b>	<b>4,256</b>	<b>3,840</b>	<b>416</b>				<b>247</b>	<b>30</b>	<b>260</b>	<b>2,852</b>	<b>2</b>	<b>641</b>	
Airport	3	6	9	7	2						2	4		1	
Dog Leash	199	2,522	2,721	2,503	216				121	19	63	2,010		290	
Fish & Game	25	274	299	272	27				32	1	2	159	2	76	
Harbor Violations	51	304	355	311	44				32	4	16	216		43	
Industrial Safety	2		2		2										
P.U.C. Violations	120	592	712	591	121				40	13	157	220		161	
Weights & Measures															
Other	5	153	158	156	2				22	1	20	43		70	

	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>3,846</b>	<b>14,380</b>	<b>18,006</b>	<b>13,947</b>	<b>4,059</b>	<b>4,130</b>	<b>679</b>	<b>848</b>	<b>1,221</b>	<b>203</b>	<b>6,385</b>	<b>117</b>	<b>354</b>	
<b>Part I</b>	<b>712</b>	<b>2,644</b>	<b>3,356</b>	<b>2,515</b>	<b>841</b>	<b>916</b>	<b>75</b>	<b>193</b>	<b>173</b>	<b>12</b>	<b>765</b>	<b>115</b>	<b>266</b>	
Murder & Non-Negligent Manslaughter	2	25	27	27								11	16	
Negligent Homicide	6	23	29	23	6	2	1			10	7	1	2	
Forcible Rape	1	38	39	36	3							11	25	
Robbery	31	122	153	134	19							43	91	
Aggravated Assault	9	37	46	35	11							11	24	
Burglary	11	83	94	86	8							24	62	
Larceny-Over \$50	60	312	372	273	99	96	9	22	17	1	83	11	34	
Larceny-Under \$50	589	1,999	2,578	1,884	694	817	65	170	156	1	675			
Auto Theft	3	15	18	17	1	1		1				3	12	
<b>Part II</b>	<b>2,934</b>	<b>11,716</b>	<b>14,650</b>	<b>11,432</b>	<b>3,218</b>	<b>3,214</b>	<b>604</b>	<b>655</b>	<b>1,048</b>	<b>191</b>	<b>5,630</b>	<b>2</b>	<b>86</b>	
Other Assaults	252	1,065	1,317	1,061	256	477	65	56	112	37	314			
Arson		7	7	5	2							1	4	
Forgery & Counterfeiting	1	15	16	15	1		1						14	
Fraud	43	95	138	105	33	32	30	9	1	14	19			
Embezzlement														
Stolen Property	7	37	44	27	17	12	4		4		7			
Vandalism	31	179	210	173	37	68	15	13	21	4	52			
Weapons	52	292	344	285	59	130	18	21	25	9	67		15	
Prostitution	136	446	582	403	179	205	49	29	44	1	75			
Sex Offenses	20	38	58	37	21	10	1	6			5	1	14	
Narcotic Drug Laws	80	992	1,072	815	257	340	45	63	86	11	243		27	
Gambling	351	1,358	1,709	1,377	332	423	246	12	28	65	603			
Offenses Against Family & Children	1		1	1			1							
Driving Under the Influence	766	1,428	2,194	1,329	865	81	16	49	30	7	1,146			
Liquor Laws	11	278	289	251	38	48	12	12	34	8	137			
Disorderly Conduct	122	638	760	660	110	213	22	74	103	1	237			
Vagrancy	1		1		1									
All Other Offenses	1,060	4,848	5,908	4,898	1,010	1,175	79	311	580	34	2,725		14	

# Table 19

## CASELOAD ACTIVITY FY 1976-77, 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>CIVIL, TRAFFIC &amp; OTHER VIOLATIONS</b>	2,465	22,621	25,086	21,256	3,830	262	1,113	57	1,521	22	884	15,085	3	2,309
<b>CIVIL ACTIONS</b>	521	1,683	2,204	1,432	772	262	1,113	57						
Regular Civil	461	1,601	2,062	1,374	688	248	1,107	19						
Assumpsit	383	1,517	1,900	1,323	577	225	1,084	14						
Non-Payment of Taxes	1		1		1									
Tort	46	20	66	14	52	8	6							
Summary Possession	27	46	73	32	41	11	16	5						
Other	4	18	22	5	17	4	1							
Small Claims	60	82	142	58	84	14	6	38						
Assumpsit	53	82	135	56	79	13	6	37						
Tort	7		7	2	5	1		1						
Other														
<b>TRAFFIC VIOLATIONS</b>	1,834	17,106	18,940	16,312	2,628				1,441	19	884	11,786	3	2,179
Moving-Arrest & Citation	740	5,052	5,792	5,178	614				753	16	70	2,604	3	1,732
Non-Moving	1,081	4,247	5,328	4,259	1,069				526	3	811	2,493		426
Parking	13	7,807	7,820	6,875	945				162		3	6,689		21
<b>OTHER VIOLATIONS</b>	110	3,832	3,942	3,512	430				80	3		3,299		130
Airport	26	3,248	3,274	2,933	341				17	1		2,915		
Dog Leash	36	393	429	371	58				32	2		310		27
Fish & Game	13	40	53	45	8				5			21		19
Harbor Violations	3	18	21	18	3				3			4		11
Industrial Safety														
P.U.C. Violations	13	43	56	44	12				5			30		9
Weights & Measures														
Other	19	90	109	101	8				18			19		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>	359	2,361	2,720	2,368	352	607	75	5	261	14	1,134	69	81	122
<b>Part I</b>	74	388	462	390	72	64	8	1	15	1	139	59	50	53
Murder & Non-Negligent Manslaughter	4	9	13	9	4								1	8
Negligent Homicide	1		1	1		1								
Forcible Rape		7	7	6	1							2	1	3
Robbery	2	11	13	10	3							3		7
Aggravated Assault	4	17	21	10	11							5	3	2
Burglary	14	79	93	79	14						3	36	24	16
Larceny-Over \$50	21	87	108	97	11	26	3		1	1	30	6	20	10
Larceny-Under \$50	21	161	182	162	20	35	5	1	13		105	2		1
Auto Theft	7	17	24	16	8	2			1		1	5	1	6
<b>Part II</b>	285	1,973	2,258	1,978	280	543	67	4	246	13	995	10	31	69
Other Assaults	27	148	175	149	26	47	13		4		84			1
Arson		2	2	2										2
Forgery & Counterfeiting	5	5	10	5	5	1					1		2	1
Fraud	5	58	63	58	5	30	4				22		1	
Embezzlement														
Stolen Property														
Vandalism	11	23	34	27	7	9	1		2	2	13			
Weapons	14	57	71	52	19	18	1		2		24		4	3
Prostitution	1	1	2	1	1				1					
Sex Offenses		25	25	19	6				5		7		1	5
Narcotic Drug Laws	53	368	421	354	67	100	17	1	10	4	168	6	13	35
Gambling	2	121	123	121	2				74		35		1	
Offenses Against Family & Children	2	1	3	1	2			1						
Driving Under the Influence	34	175	209	186	23	23	3		11	1	148			
Liquor Laws		54	54	54		6	1		5	1	41			
Disorderly Conduct	33	110	133	116	17	23	1		8		84			
Vagrancy														
All Other Offenses	108	825	933	833	100	285	15	3	124	4	368	3	9	22

## Table 20

### CASELOAD ACTIVITY FY 1976-77, 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>CIVIL, TRAFFIC &amp; OTHER VIOLATIONS</b>	1,081	26,607	27,688	26,875	813	232	408	60	2,474	1,496	1,911	17,586	520	2,188	
<b>CIVIL ACTIONS</b>	250	625	875	702	173	232	408	60			1		1		
Regular Civil	223	497	720	668	154	182	342	40			1		1		
Assumpsit	168	383	551	453	98	120	303	29			1				
Non-Payment of Taxes															
Tort	23	34	57	20	37	10	5	4					1		
Summary Possession	9	28	37	29	8	13	10	6							
Other	23	52	75	64	11	39	24	1							
Small Claims	27	128	155	136	19	50	66	20							
Assumpsit	24	110	134	123	11	46	59	18							
Tort	1	15	16	8	8	2	4	2							
Other	2	3	5	5			3								
<b>TRAFFIC VIOLATIONS</b>	765	16,756	17,521	16,930	591				1,053	1,013	1,582	10,884	323	2,075	
Moving-Arrest & Citation	488	5,531	6,079	5,791	288				172	293	786	2,819	91	1,830	
Non-Moving	227	2,577	2,804	2,511	293				178	224	572	1,155	28	354	
Parking	50	8,588	8,638	8,628	10				703	496	224	6,910	204	91	
<b>OTHER VIOLATIONS</b>	66	9,226	9,292	9,243	49				1,421	483	328	6,702	196	113	
Airport	51	6,443	6,494	6,477	17				1,112	302	170	4,648	188	57	
Dog Leash															
Fish & Game	1	76	77	77					3	15	1	47	4	7	
Harbor Violations		3	3	3										3	
Industrial Safety															
P.U.C. Violations		1	1	1										1	
Weights & Measures															
Other	14	2,703	2,717	2,685	32				306	166	157	2,007	4	45	

	CASELOAD ACTIVITY					TYPE OF TERMINATION									
	Pending at Start	Filed	Total Caseload	Pending at End	By Discharge/Dismissal	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>	269	1,976	2,245	1,712	533	281	297	148	55	54	771	35	10	61	
<b>Part I</b>	55	328	383	261	122	24	33	15	10	1	118	33	2	25	
Murder & Non-Negligent Manslaughter		3	3	3								1	1	1	
Negligent Homicide	2	4	6	2	4										
Forcible Rape															
Robbery	3		3		3										
Aggravated Assault	1	1	2	1	1							1			
Burglary	18	21	39	31	8							18		13	
Larceny-Over \$50	12	38	50	42	8	9	4	2				6		6	
Larceny-Under \$50	18	237	255	165	90	12	25	12	10	1	99	5			
Auto Theft	1	24	25	17	8	3	3	1			2	2	1	5	
<b>Part II</b>	214	1,648	1,862	1,451	411	257	264	133	45	53	653	2	8	36	
Other Assaults	21	252	273	197	76	23	41	10	3	18	98			4	
Arson															
Forgery & Counterfeiting		2	2	2			1							1	
Fraud	13	43	56	34	22	5	16	1			12				
Embezzlement															
Stolen Property	4	2	6	6										4	
Vandalism	16	61	77	53	24	5	14	3	2		23			6	
Weapons	11	68	79	64	15	6	18	6	8	1	19			6	
Prostitution															
Sex Offenses	8	1	9	7	2	1							6		
Narcotic Drug Laws	65	398	463	352	111	77	92	32	15	4	116	2	2	12	
Gambling	1	12	13	12	1						12				
Offenses Against Family & Children	1	5	6	5	1		1				3			1	
Driving Under the Influence	18	217	235	216	19	9	13	28	1	2	163				
Liquor Laws	1	47	48	47	1	8	10	3	2		24				
Disorderly Conduct	7	41	48	34	14	4	5				25				
Vagrancy	7	51	58	46	12	3	15	5			23				
All Other Offenses	41	448	489	375	113	116	38	45	14	28	133			2	

# Table 21

## CASELOAD ACTIVITY FY 1976-77, 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>CIVIL, TRAFFIC &amp; OTHER VIOLATIONS</b>	317	6,592	6,909	6,521	388	100	138	17	820	1	6	3,959	5	1,475	
<b>CIVIL ACTIONS</b>	250	296	546	255	291	100	138	17							
Regular Civil	185	250	435	215	220	79	127	9							
Assumpsit	184	241	405	203	197	76	124	8							
Non-Payment of Taxes	1		1		1										
Tort	14	1	15		15										
Summary Possession	5	8	13	7	6	3	3	1							
Other	1		1		1										
Small Claims	65	46	111	40	71	21	11	8							
Assumpsit	63	44	107	39	68	21	10	8							
Tort	2	1	3		3										
Other		1	1	1			1								
<b>TRAFFIC VIOLATIONS</b>	60	3,967	4,027	3,935	92				803	1	5	1,719	3	1,404	
Moving-Arrest & Citation	23	1,498	1,521	1,490	31				244		3	317	3	923	
Non-Moving	37	1,653	1,690	1,629	61				556	1	2	592		478	
Parking		816	816	816					3			810		3	
<b>OTHER VIOLATIONS</b>	7	2,329	2,336	2,331	5				17		1	2,240	2	71	
Airport	1	2,217	2,218	2,217	1				6			2,207		4	
Dog Leash		46	46	46					2			24		20	
Fish & Game	3	38	41	41								6	2	33	
Harbor Violations															
Industrial Safety															
P.U.C. Violations															
Weights & Measures															
Other	3	28	31	27	4				9		1	3		14	

	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>	37	527	564	477	87	94	44		31	44	196	30	17	21
<b>Part I</b>	8	95	103	88	15	7	6		6	1	11	25	14	18
Murder & Non-Negligent Manslaughter	1	2	3	3								1	1	1
Negligent Homicide														
Forcible Rape		8	8	8									4	4
Robbery		2	2	2										2
Aggravated Assault		10	10	10								6	2	2
Burglary	2	19	21	21								13	3	5
Larceny-Over \$50		17	17	13	4	2	1			1	2	1	3	3
Larceny-Under \$50	5	31	36	25	11	5	5		6		9			
Auto Theft		6	6	6								4	1	1
<b>Part II</b>	29	432	461	389	72	87	38		25	43	185	5	3	3
Other Assaults	3	63	66	54	12	12	6			11	23	1		1
Arson														
Forgery & Counterfeiting		1	1	1						1				
Fraud		31	31	25	6	10	4				11			
Embezzlement														
Stolen Property		3	3	2	1	1								
Vandalism	2	16	18	11	7	2	3					1		
Weapons	2	20	22	19	3	2	3			3	9	2		
Prostitution														
Sex Offenses		3	3	3								1	2	
Narcotic Drug Laws	16	50	66	53	13	26	10		6	5	6			
Gambling														
Offenses Against Family & Children														
Driving Under the Influence	1	57	58	54	4	4			3	3	44			
Liquor Laws		1	1	1										
Disorderly Conduct		34	34	29	5	4	1		4	4	16			
Vagrancy														
All Other Offenses	5	153	158	137	21	26	11		12	16	69		1	2

# Article V The Judiciary

## State of Hawaii Constitution

### Judiciary Power

**Section 1.** The judicial power of the State shall be vested in one supreme court, circuit courts, and in such inferior courts as the legislature may from time to time establish. The several courts shall have original and appellate jurisdiction as provided by law.

### Supreme Court

**Section 2.** The supreme court shall consist of a chief justice and four associate justices. When necessary, the chief justice shall assign a judge or judges of a circuit court to serve temporarily on the supreme court. As prescribed by law, retired justices of the supreme court also may serve temporarily on the supreme court at the request of the chief justice. In case of a vacancy in the office of chief justice, or if he is ill, absent or otherwise unable to serve, an associate justice designated in accordance with the rules of the supreme court shall serve temporarily in his place.

### Appointment of Justices and Judges

**Section 3.** The governor shall nominate and, by and with the advice and consent of the senate, appoint the justices of the supreme court and the judges of the circuit courts. No nomination shall be sent to the senate, and no interim appointment shall be made when the senate is not in session, until after ten days' public notice by the governor.

### Qualifications

No justice or judge shall hold any other office or position of profit under the State or the United States. No person shall be eligible for the office of justice or judge unless he shall have been admitted to practice law before the supreme court of this State for at least ten years. Any justice or judge who shall become a candidate for an elective office shall thereby forfeit his office.

### Tenure; Compensation; Retirement

The term of office of a justice of the supreme court and of a judge of a circuit court shall be ten years. They shall receive for their services such compensation as may be prescribed by law, but no less than twenty-eight thousand dollars for the chief justice, twenty-seven thousand dollars for associate justices and twenty-five thousand dollars for circuit court judges, a year. Their compensation

shall not be decreased during their respective terms of office, unless by general law applying to all salaried officers of the State. They shall be retired upon attaining the age of seventy years. They shall be included in any retirement law of the State.

### Retirement for Incapacity and Removal

**Section 4.** Whenever a commission or agency, authorized by law for such purpose, shall certify to the governor that any justice of the supreme court or judge of a circuit court appears to be so incapacitated as substantially to prevent him from performing his judicial duties or has acted in a manner that constitutes wilful misconduct in office, wilful and persistent failure to perform his duties, habitual intemperance, or conduct prejudicial to the administration of justice that brings the judicial office into disrepute, the governor shall appoint a board of three persons, as provided by law, to inquire into the circumstances. If the board recommends that the justice or judge should not remain in office, the governor shall remove or retire him from office.

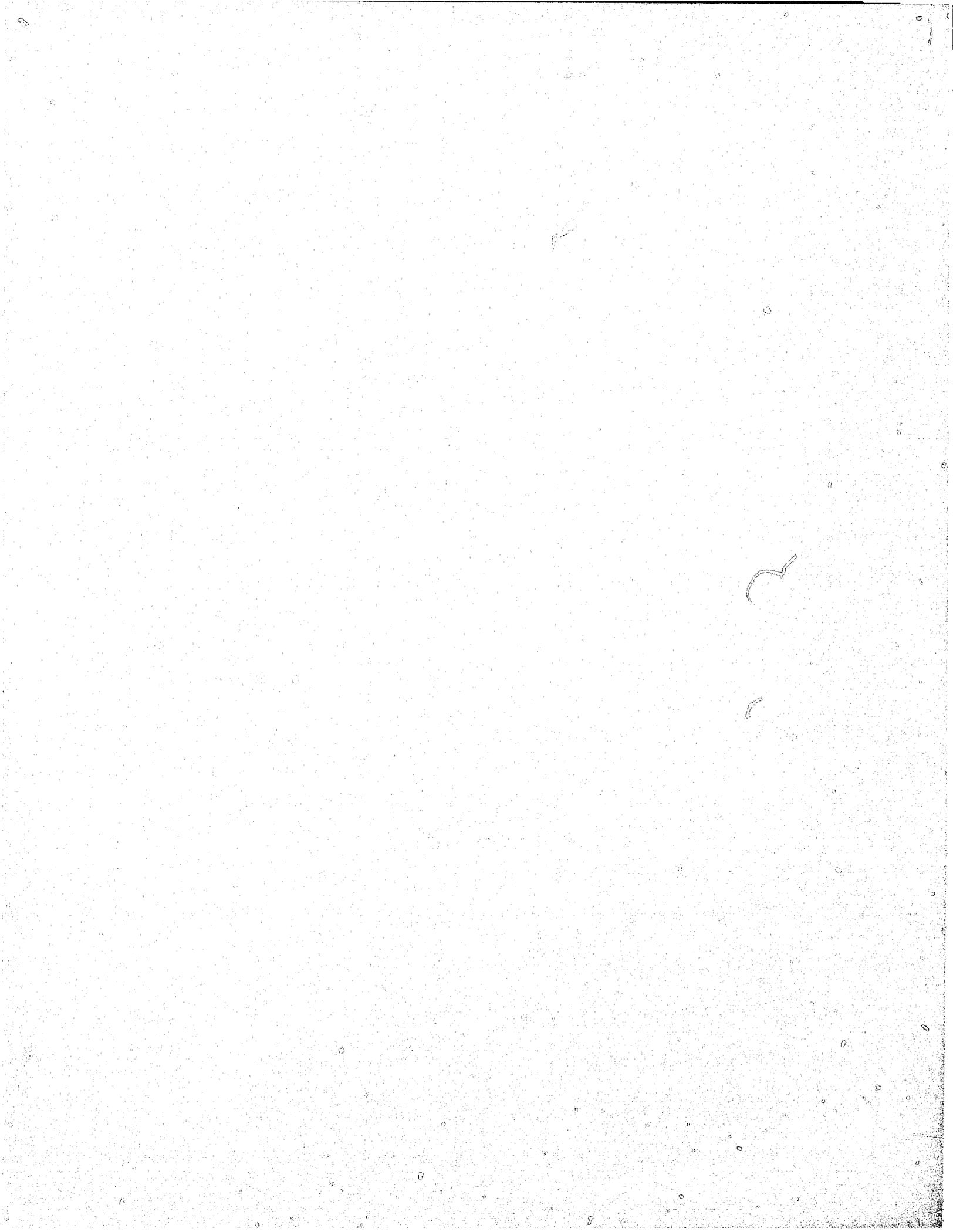
### Administration

**Section 5.** The chief justice of the supreme court shall be the administrative head of the courts. He may assign judges from one circuit court to another for temporary service. With the approval of the supreme court he shall appoint an administrative director to serve as his pleasure.

### Rules

**Section 6.** The supreme court shall have power to promulgate rules and regulations in all civil and criminal cases for all courts relating to process, practice, procedure and appeals, which shall have the force and effect of law.





**END**