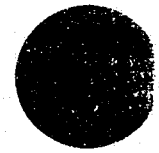

THE AMERICAN UNIVERSITY
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Technical Assistance Report

COURTS TECHNICAL ASSISTANCE PROJECT

Services to State and Local Courts Under a Grant From the State Justice Institute

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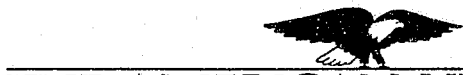

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Joseph A. Trotter, Jr.
Director

Technical Assistance Assignment No. 3-002

Review of the Felony Case Process in the Baltimore City Circuit Court and Recommendations For Expediting Dispositions

July 1991

Consultant:

Hon. Legrome D. Davis

Staff:

Caroline S. Cooper

COURTS TECHNICAL ASSISTANCE PROJECT
Services to State and Local Courts Under a Grant From the State Justice Institute

COURTS TECHNICAL ASSISTANCE PROJECT
ASSIGNMENT DATA SHEET

Technical Assistance No.:	**3-002**
Requesting Jurisdiction:	**Baltimore City, Maryland**
Requesting Agency:	**Circuit Court of Baltimore City**
Requesting Official:	**Hon. Joseph H. H. Kaplan**
Dates of On-Site Study:	**February 19, March 8, 1991 (& March 24 ff for data collection)**
Consultants Assigned:	**Hon. Legrome D. Davis**
CTAP Staff Coordinator:	**Caroline S. Cooper**
Central Focus of Study:	**Development of a Drug Case Management Program**

This report was prepared in conjunction with the Courts Technical Assistance Project, which is conducted under a grant from the State Justice Institute to The American University. The points of view expressed do not necessarily represent the official position or policies of the State Justice Institute.

TABLE OF CONTENTS

I. INTRODUCTION

A. Background

In December 1990, Hon. Joseph H. H. Kaplan, Administrative Judge for the Circuit Court for Baltimore City, Maryland, requested the State Justice Institute (SJI) sponsored Courts Technical Assistance Project (CTAP) at American University to review the Court's felony case processing system. Judge Kaplan noted a particular concern, shared by the Court's Management Committee, regarding the decreasing number of guilty pleas occurring at Arraignment. From 1983 to January 1990, twenty to thirty percent of all felony arraignment cases had been disposed of by guilty pleas. Since January 1990, the number of guilty pleas at arraignment had been decreasing, with only 4.8% of the cases arraigned resulting in guilty pleas in September 1990.

The CTAP assigned Judge Legrome D. Davis of the Philadelphia Court of Common Pleas to serve as principal consultant to respond to this technical assistance request. Judge Davis, a former prosecutor, had been involved with the design and implementation of Philadelphia's Expedited Drug Case Management Program and had served as Arraignment Judge for the first year of the program's operation in 1990.

Judge Davis and Caroline Cooper, CTAP Deputy Director who also directed the Bureau of Justice Assistance pilot Differentiated Case Management/Expedited Drug Case Management Program, conducted an initial site visit to Baltimore on February 19, 1991 to meet with court officials and review the felony case process. During the visit, they observed the arraignment process and met with the following individuals:

Judge Joseph H. H. Kaplan, Administrative Judge
Judge Edward Angeletti, Presiding Criminal Judge and former Arraignment Judge
Judge Kenneth Johnson, Current Arraignment Judge
Robert Ignatowski, Criminal Assignment Commissioner
Will Howard, Court Administrator
Joy Ferguson, Assistant Public Defender in charge of the Felony Division
Alexander Palenscar, Deputy State's Attorney for Baltimore City
Alan C. Woods, Chief of Research and Development for the Baltimore City State's Attorney's Office

On March 8, Judge Davis and Ms. Cooper returned, accompanied by Susan Kahn, Law Clerk to Judge Davis who had worked with him in developing Philadelphia's Expedited Drug Case Management Program. During this visit, they met further with Mr. Palenscar and other prosecutors and with Judges Kaplan, Angeletti and Johnson, and with Mr. Palenscar.

During the next several weeks, the CTAP assigned Harper Whitman, a graduate student at The American University's Justice Studies program to conduct a sample of cases filed during May, June and July 1990 to ascertain the methods by which these cases were disposed, the event at which disposition occurred, and the average and median age of the disposed cases. During this process, Mr. William Zellers, of the Criminal Court Clerk's Office, was especially helpful in explaining data codes and assuring that the information sought in each case was retrieved. The results of this sample are included in Appendix A. In addition, during the course of the study, Mr. Ignatowski readily responded to the information requests of the study team and provided them with comparative data concerning various aspects of case disposition activity in the Arraignment and other courtrooms, and Mr. Howard graciously coordinated the study team's site visits, interivewing and data gathering activities.

The following sections of this report present the CTAP study team's observations and recommendations regarding the criminal case process generally and the arraignment process specifically.

B. Description of the Baltimore City Circuit Court

1. Court Structure/Organization/Jurisdiction

The jurisdiction of the Circuit Court extends to all civil (over $ 10,000), felony, juvenile, domestic relations, guardianship/probate matters and to civil and criminal appeals and jury trial requests from the District Court[1].

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[1] In Maryland, there is a right to trial de novo for any District Court misdemeanor offense as well as a right to request a jury trial of the offense in the Circuit Court. (The District Court has no jury trial capability). Many defendants request jury trials simply as a means of delaying the proceedings since the case must then be sent to the Circuit Court, scheduled for an arraignment, etc., which can delay the trial for several months. The misdemeanor jury demands have put a great burden on Maryland Circuit Courts; in Baltimore City, it was estimated that the District Court appeals/jury demands constituted more criminal cases than the felony docket. Several years ago, the Baltimore City Circuit Court instituted an "instant jury trial" procedure which enabled defendants in the District Court who requested a jury trial to obtain it the same day in the Circuit Court. The number of jury requests has decreased from 2400 to 215 for last

Felony cases are handled by the District (limited jurisdiction) and Circuit Courts. Preliminary hearings are heard in the District Court for felony matters which proceed on an information (estimated to be about 65% of the felony caseload). It is estimated that the preliminary hearing occurs approximately 30 days prior to the Circuit Court arraignment. Cases brought on a grand jury indictment (estimated to be approximately 35% of the caseload) are filed directly in the Circuit Court.

The Baltimore City Circuit Court is authorized 25 judges, with one of these judicial positions now vacant. Judges of the Circuit Court are organized in six divisions, including misdemeanor (handling District Court appeals and jury requests); civil; criminal; juvenile; and domestic relations. Judges rotate among these divisions every six months. The heads of each of these divisions constitute the Court's managing team.

2. Geographic Jurisdiction

The jurisdiction of the Baltimore City Circuit Court extends only to Baltimore City.

3. Criminal Case Scheduling Practices

Motions are generally heard the day of trial although sometimes are scheduled prior to the trial date before the judge scheduled for the trial. Priority in trial scheduling is given to jail cases. All cases are scheduled for a jury trial. On the day of trial, however, a defendant can waive his/her jury trial and have a bench trial. It is estimated that more jury trials are held than bench trials but exact figures were not available. On the day of trial, if, by 9:30, the judge assigned does not feel he/she can dispose of a case that day, the parties are referred back to the Criminal Assignment Commissioner who then refers them to an available judge. If, by 11:30 a.m., it is not known whether a case can be disposed of that day, it is put on a "move" list which means that it is sent to the next available judge, that day or the next.

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year as a result of this new procedure.

4. Relevant Statutory and Other Provisions

A "speedy trial" (Hicks) rule requires all cases to be disposed of within 180 days from arraignment. Custody cases must be tried within 110 days. Sentencing guidelines exist but are not mandatory; judges may deviate from the guidelines with written justification.

5. Criminal Case Filings

Currently, approximately 85% of the criminal cases filed are estimated to be drug related; felony filings generally have increased 40% in the last two years. The following is a summary of case filing and disposition activity since 1979:

	Defendants Filed	Defendants Disposed
1979	3391	3316
1980	2858	3045
1981	3878	3170
1982	4263	4041
1983	3817	4469
1984	3845	3662
1985	4290	4394
1986	4118	4044
1987	3660	3778
1988	4030	3620
1989[2]	4951	4729
1990 (projected)	5099	4919

Court officials indicated that recently filed cases appear to involve an increasing number of repeat offenders and that probation violations have risen significantly.

6. Management Reports

The court receives a report every two weeks listing all cases close to reaching the 180 day period. The Assignment Commissioner notifies the prosecutor immediately regarding these cases.

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[2] The 24th and 25th judges were added during 1989 and 1990.

7. Public Defender Resources

Most felony cases (estimated at least 85%) are represented by the public defender. At the time of arraignment, the assignment commissioner schedules the trial date, with great effort to assure that the public defender assigned has no scheduling conflicts.

A federal court order regarding the jail population has been in effect for over ten years.

II. ANALYSIS OF EXISTING SITUATION

A. Study Focus

This technical assistance request was prompted by a gradually decreasing rate of dispositions at arraignment which, at its lowest point, was 4.7% In November 1990, a new judge was assigned to handle arraignments and the disposition rate of cases at arraignment has steadily increased, reaching 46% in February 1991. While this most recent rate of dispositions is exceptional, it is generally attributed to the sentencing philosophy and personality of the assigned judge. Indeed, a major goal in submitting this technical assistance request appears to be the desire to develop procedures for case processing, the success of which do not so critically depend upon the personal attributes of a particular judge, and which, therefore, are not subject to such intense and extreme fluctuations. Secondly, the management of the Baltimore Court has expressed concerns as to how, if possible, to effectively reduce the criminal inventory without additional resources.

B. The Arraignment Process

1. Observations

The number of dispositions generated at arraignment have fluctuated tremendously over the last year. Judge Angeletti scrupulously adhered to the sentencing guidelines and during his tenure as Arraignment Judge, with dispositions at arraignment ranging from a high of approximately 20% to a low of 4.7% Under Judge Johnson, dispositions have steadily increased, reaching a high of 46% in February, 1991.

The tremendous success of the arraignment process under Judge Johnson is undoubtedly due to his sentencing philosophy. In most cases where a plea is tendered at arraignment, the defendant is placed on probation with a long suspended sentence which is imposed upon violation.

Both the prosecution and the defense expressed strong concerns about these sentencing practices. The Defender's office objects because, in its view, there is a strong likelihood that many defendants will eventually violate probation and the sentences they receive upon violation will be higher than would have been imposed had the defendant opted for a trial. Moreover, no viable mechanisms exists to appeal

sentences imposed following violation of probation hearings. Accordingly, in the view of defense counsel, this unique plea structure results in the eventual confinement of most defendants for longer terms of imprisonment with diminished appellate rights. Similarly, prosecutors expressed strong objections to the sentencing philosophy presently practiced at arraignment. In their view, most violations occur upon commission of a subsequent crime, and the plea structure at arraignment operates to create additional civilian victims.

From the study team's perspective, the significance of the plea process at arraignment is not whether it represents "correct" or "incorrect" judicial practice; rather, the present procedures were created out of necessity as a mechanism developed by a court which assumes sole responsibility for generating dispositions in the absence of meaningful participation by the litigants. Stated differently, the criminal justice system would be better served if, rather than focussing on the particular philosophy of the judge assigned to arraignment, counsel focussed their energies on developing mechanisms which would result in the fair and just resolution of cases at arraignment regardless of the particular judge assigned.

All parties advised the study team that the state's present offers at arraignment were extremely high and often represent the maximum sentence. These extreme offers were sometimes attributed to the state's attorney's lack of familiarity with the specific facts of an individual case. Additionally, the defenders frequently have not received discovery at arraignment and cannot advise their clients in a meaningful manner as to the appropriate strategy to pursue. Moreover, most often the defender has not interviewed the client, and accordingly has not developed with the client a professional relationship or rapport. This problem is reflected by the fact that the defendant presently often disregards the advice of his attorney at arraignment and accepts the proffered sentence of probation with a high suspended sentence.

The variance between the disposition rates at arraignment of Judge Angeletti and Judge Johnson are a function of the absence of meaningful participation in the arraignment process by the prosecutor and the defender.[3] The Court has had to

[3] See Appendix B.

fill the dispositional vacuum which exists. Counsel, however, have an equal stake in the sentencing process at arraignment and it is critical that their role be transformed from that of detached observer to active participant. The rate of dispositions at arraignment will fluctuate widely, depending primarily upon the sentencing philosophy of the assigned judge, until this occurs.

The fact that both the prosecution and the defense indicated that they believe that a substantial number of cases should be disposed at arraignment will assist in the creation of procedures which involve attorneys in the arraignment negotiation process. Indeed, although the experiences of the Philadelphia system are not a predicate, the existing attorney attitudes in Baltimore City are akin to those in Philadelphia in 1989, prior to the implementation of a criminal differentiated case management program which focussed on very early screening by both counsel and very early and meaningful plea negotiation between them. In Philadelphia within the last year, the prosecutor has departed from a fourteen year public opposition to plea negotiating, and presently a large majority of all pretrial pleas are negotiated pleas.

2. Recommendations

a. *An incentive should be created to dispose of appropriate cases at arraignment, rather than at trial*

In order for the present Baltimore cycle to be broken, certain attitudes and procedures should be aggressively addressed. Initially, the arraignment court, as supervised by Judge Angeletti, was ultimately unproductive because trial judges undercut his plea offers. (See Appendix A). If the expectation to dispose of a large number of cases at arraignment is going to be actualized over time, an incentive needs be created to dispose of appropriate cases at arraignment, rather than at trial. In reality, the only true incentive that transcends the personalities of the judge and defense counsel is a reduced sentence. Trial judges must sentence within the guidelines, and must not sentence below the arraignment offer. Unless this practice is changed, it will be impossible to institutionalize a meaningful negotiation process at arraignment.

b. *Discovery should be exchanged prior to arraignment*

Secondly, the State's Attorney should obtain discovery and provide it to defense counsel prior to arraignment so that a meaningful attorney client relationship can develop. The State's Attorney's Office has indicated that it must prepare individualized discovery responses in many cases, and, because of a shortage of typists, many discovery requests are outstanding. If this is, in fact, the case, this problem needs to be addressed promptly. In most jurisdictions, discovery is primarily satisfied by supplying police generated paperwork.

c. *The defense attorney must interview the client prior to the arraignment date*

Defense counsel must interview their clients prior to the arraignment, advise them of the state's offer, the likelihood of success at trial and the increased punishment which would be imposed upon a finding of guilt at a trial listing. The procedure that has been institutionalized in Baltimore, however, is one in which the arraignment judge is put in a position of convincing defendants of the benefits of pleading guilty at that point; in most jurisdictions, defense counsel perform this function. Counsel cannot, however, be expected to perform this function until he or she can meaningfully communicate with their client about the factors of this case.

d. *The attorneys must take on responsibility for generating dispositions at arraignment*

It must be recognized that the next judge assigned to arraignment court cannot necessarily expect to be as successful as Judge Johnson in generating dispositions, and this approaching reality needs to be addressed quickly. In Philadelphia, for example, certain types of cases which are likely to result in non-trial dispositions are targeted by the Court Administrator's Office for possible non-trial resolution at arraignment. These cases include felony retail thefts, commercial burglaries, and car thefts. Prior to arraignment, the litigants discuss these targeted cases and an offer is made which defense counsel communicate to his or her client before the case is called to the bar of the Court. In 1990, Philadelphia was able to dispose of over 40% of the targeted cases at arraignment whereas previously, no cases were disposed of at

arraignment. The offers by the state, however, were reasonable, or slightly less than the sentence expected following a guilty verdict in a trial court. These sentences were within the state's sentencing guidelines and often involved incarceration. Coincidentally, the prosecutors were pleased with this process as they recognized the incidence of nolle prosequis diminished tremendously. Interestingly, no judge participated in the arraignment plea negotiation process -- the judge became involved only when complaints were made that the offers were unreasonable, or when it appeared that the number of dispositions generated was too low.

Essential to the process of attorneys' assuming responsibility for generating dispositions at arraignment is the assignment of experienced and reasonable counsel who can produce likely trial results. The same counsel must also be permanently assigned to the Arraignment Court for four to six month periods. Continuity of counsel is essential to a successful arraignment negotiation process. Moreover, the assigned attorneys should be reasonable negotiators rather than strident advocates who create a spirit of animus. They should also have sufficient experience to be able to meaningfully assess the merits of each case and credibly enter into plea negotiations.

e. *Consider revising method of assigning prosecutors and defenders to courtrooms*

As a related matter, it would appear to be more productive to assign defenders to courtrooms where they handle all of the cases on that judge's list. Presently, a defender at the Arraignment Court is eventually responsible for trying all of the cases for a particular day's arraignment list without regard to where they are listed for trial. This system institutionalizes delay, unavailability and continuances, because it is impossible to efficiently coordinate the trial lists of six criminal judges when they are utilizing the same prosecutors and defenders. Thus, all defenders and all prosecutors should be permanently assigned by team to a particular judge, and they would receive their trial caseload after arraignment. This change in procedure would diminish the number of cases on the "move-list", many of which cannot be disposed of due to the unavailability of one of the counsel assigned.

C. The Special Felony Courts

1. Observations

It was generally acknowledged that the two special felony courts are far more productive than the regular trial courts. (See Appendix B.) Several reasons were isolated as the causes of this enhanced productivity. Initially, vertical prosecution is utilized in the two special felony courts. Secondly, a professional familiarity develops between the litigants with a mutuality of trust and a knowledge of the judge's sentencing practices which is conductive to non-trial resolution of cases. Finally, many of the cases assigned to the special felony courts are multi-defendant drug cases and, if a plea is to be entered, the state's Attorney's Office requires all defendants to plead a the same time. Thus, when a plea occurs, a large number of dispositions are generated.

While the special felony courts appear to be operating reasonably well, consideration should be given to modifying several practices to enhance the productivity of these courts.

2. Recommendations

a. *Pleas in multi-defendant cases*

Presently, the State Attorneys' office requires all co-defendants in drug cases to plead at the same time. This practice increases the inventory of cases. Nevertheless, while many of these cases may be ripe for disposition, the disposition will not be received out of a fear that a lower-level defendant will plead and then "take the fall" for the drug kingpin at trial. Apparently, this defense strategy has had some success.

This strategy only succeeds, however, because the defendants at the District Court level do not plead under oath. It would seem that, if a defendant pled, under oath, to the facts as stated by the prosecutor, a full and complete colloquy would be sufficient protection for the prosecution at the trial of any subsequent defendants. This particular practice of requiring simultaneous pleas from all defendants is peculiar to Baltimore and most prosecutors view the sworn admission of a defendant to all of the relevant facts and charges to be an adequate safeguard against perjury. Indeed, at the initial plea, following the prosecution's statement of facts, the court might require the defendant to state his involvement in his own words.

b. *Consider creating a third Special Felony Court to focus on drug cases*

Secondly, both the prosecution and the defense expressed a desire for a third special felony court, and indicated that they are prepared to commit resources to that court. Moreover, both the prosecution and the defense expressed a desire to see procedures established which would permit trial judges to conduct their own arraignments. The study team concurs in the desirability of creating a third special felony court which would conduct its own arraignments and suggest that such a court hear only drug cases.

While, apparently, a rule change is required to permit this special felony court to continue cases, this change in procedures presents a special opportunity to involve both sides in the negotiation process at arraignment. The impediment of a trial judge undercutting an arraignment offer would be removed, as the case once assigned, would be permanently assigned. Finally, judges should be rotated out of the special felony court on a yearly basis, as many judges may find this assignment to be less than stimulating.

C. **Other Observations**

1. Consider establishing pre-trial conferences for cases not disposed of at arraignment

Consideration should be given to scheduling a pre-trial status conference in all regular felony courtrooms three to four weeks prior to the first assigned trial date. This status date should be set prior to the issuance of subpoenas, and at that listing, counsel should complete discovery, if it has not already been done and attempt to resolve the case in a non-trial fashion. While the Court's resolution of 87 percent of all cases by plea is an excellent rate, the Court must create procedures to accept these pleas early in the "life" of a case. The average plea now occurs after the case has been listed two and one half times which (See Appendix A), by national standards, is very late. A status listing should operate to facilitate the entry of pre-trial pleas and/or assure that cases are disposed at the first trial date scheduled.

2. Consider the impact of the State's Attorney's Office Screening Unit on the Circuit Court caseload

Finally, attention should be paid to the activities of the screening unit in the State's Attorney's Office. The prosecutor's office indicated that its pre-trial screening unit is short-staffed, but they are willing to participate on an increased level. While previously, 65 percent of all felony charges were reduced through screening, presently only 45 percent are reduced due to a shortage of attorneys to serve in the unit.

III. SUMMARY

In summary, the Court must require the litigants to participate in the negotiation process at arraignment, for only in this manner can a process be developed which is not tied to the personality or practices of an individual judge. Secondly, greater communication between the criminal justice principals must be developed. Reasonable minds may differ, but only if they communicate can they improve the criminal justice system.

APPENDICES

A. Summary of Disposition of Cases Filed: May, June and July 1990

   1. Criminal Cases Filed in May 1990
   2. Criminal Cases Filed in June 1990
   3. Criminal Cases Filed in July 1990

B. Dispositions by Criminal Courts (October - December 1990)

C. Jail/Bail Defendants Offering Pleas at Arraignment: Analysis for the Period February 4 - 15, 1991

D. Impact of District Court Screening on Circuit Court Caseload: 1973 - 1989

Appendix A: Summary of Disposition of Cases Filed: May, June and July 1990

I. Criminal Cases Filed in May 1990

Total Cases on the Docket Sheets:	**546**	
Total Cases Sampled:	**145**	**(27%)**
Narcotics Cases in Sample:	**80**	
Percentage of Narcotics Cases to Total Cases Sampled:	**55%**	

A. Summary

Total Cases Disposed:	156	(85%)
Cases Still Active[4]:	28	(15%)

B. Analysis of Dispositions

1. Methods of Dispositions

Plea:	105	(67%)
Nolle Prossed:	28	(18%)
Stet:	13	(9%)
Dismissed:	2	(1%)
Trial:[5]	6	(4%)
Guilty: 5		
Not Guilty:	1	
Abated by Death:	2	(1%)

2. Dispositions By Event

Arrt:	15	(10%)
Rearrgt:	5	(3%)
Jury Trial 1:	52	(34%)
Jury Trial 2:	45	(29%)
Jury Trial 3:	25	(16%)
Jury Trial 4	7	(5%)
Jury Trial 5:	4	(3%)

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[4] as of April 1, 1991

[5] The information system lists only "Jury Trial"; it does not distinguish which cases actually went to a jury trial and which went to a bench trial.

3. Days from filing to Disposition

Average Days:	132
Median Days:	120

II. Criminal Cases Filed in June 1990

Total Cases on the Docket Sheets:	**342**	
Total Cases Sampled:	**134**	**(39%)**
Narcotics Cases in Sample:	**68**	
Percentage of Narcotics Cases to Total Cases Sampled:	**(517%)**	

A. Summary

Total Cases Disposed:	121	(90%)
Cases Still Active[6]:	13	(10%)

B. Analysis of Dispositions

1. Methods of Dispositions

Plea:	90	(74%)
Nolle Prossed:	12	(10%)
Stet:	9	(7%)
Dismissed:	2	(2%)
Trial:[7]	8	(7%)
Guilty:	7	
Not Guilty:	1	

2. Dispositions By Event

Arrt:	7	(6%)
Rearrgt:	6	(5%)
Jury Trial 1:	54	(45%)
Jury Trial 2:	43	(36%)
Jury Trial 3:	10	(8%)
Jury Trial 4	1	(.1%)

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[6] as of April 1, 1991

[7] The information system lists only "Jury Trial"; it does not distinguish which cases actually went to a jury trial and which went to a bench trial.

3. Days from filing to Disposition

Average Days:	127
Median Days:	119

III. Criminal Cases Filed in July 1990

Total Cases on the Docket Sheets:	**536**
Total Cases Sampled:	**135**
Narcotics Cases Sampled:	**62**
Percentage of Narcotics Cases to Total Cases Sampled:	**(46%)**

A. Summary

Total Cases Disposed:	122	(90%)
Cases Still Active[8]:	13	(10%)

1. Methods of Dispositions

Plea:	90	(74%)
Nolle Prossed:	12	(10%)
Stet:	13	(11%)
Dismissed:	2	(2%)
Trial:[9]	5	(4%)
Guilty:	2	
Not Guilty:	3	

2. Dispositions By Event

Arrt:	18	(15%)
Rearrgt:	4	(3%)
Jury Trial 1:	58	(47%)
Jury Trial 2:	29	(23%)
Jury Trial 3:	7	(6%)
Jury Trial 4	6	(5%)

3. Days from filing to Disposition

Average Days:	108
Median Days:	107

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[8] as of April 1, 1991

[9] The information system lists only "Jury Trial"; it does not distinguish which cases actually went to a jury trial and which went to a bench trial.

Appendix B: Dispositions by Criminal Courts (October - December 1990)

Court	October	November	December
1	not crim.	30	38
3	17	21	31
4	8	15	11
5	44	6	25
6	25	23	21
7	55	31	25
8SF	82	106	68
21SF	109	43	38
Arrgnt.	55	123	139

Appendix C: Jail/Bail Defendants Offering Pleas at Arraignment: Analysis for the Period February 4 - 15, 1991

	Jail Defendants		Bail Defendants		Defs: Unkn. Stat.		Total	Total
	Total	# Pleas	Total	# Pleas	Total	# Pleas	Cases (By Date)	Pleas
Feb. 4:	28	14 (50%)	11	1 (9%)	1	-	40	15 (37%)
Feb. 5:	19	5 (26%)	15	4 (27%)	-	-	34	9 (26%)
Feb. 6:	20	4 (20%)	5	3 (60%)	5	1 (20%)	30	8 (27%)
Feb. 7:	17	1 (6%)	10	4 (40%)	9	0 (0%)	36	5 (14%)
Feb. 8:	31	16 (52%)	8	3 (38%)	4	4 (100%)	43	23 (54%)
Feb. 11:	13	6 (46%)	5	1 (20%)	1	0 (0%)	19	7 (37%)
Feb. 12:	21	2 (10%)	12	2 (17%)	7	0 (0%)	40	4 (10%)
Feb. 13:	27	9 (33%)	6	2 (33%)	3	1 (33%)	36	12 (33%)
Feb. 14:	24	8 (33%)	16	2 (13%)	2	0 (0%)	42	10 (24%)
Feb. 15:	23	8 (35%)	5	5 (100%)	5	2 (40%)	33	15 (46%)
Total:	**223**	**73 (33%)**	**93**	**27 (29%)**	**37**	**8 (22%)**	**353**	**108 (31%)**

Total Cases: 353
Total Pleas: 108 (31%)

APPENDIX D: Impact of District Court Screening on Circuit Court Caseload: 1973 - 1989

Year	Number of Felony Complaints (Defendants) in District Court	Number of Felony Complaints (Defendants) Filed in Circuit Court and Percent of District Court Complaints Filed	
1973	8123	3420	(42%)
1974	8953	3175	(36%)
1975	7920	4203	(53%)
1976	6565	3061	(47%)
1977	6056	3096	(51%)
1978	5576	3587	(64%)
1979	6693	4069	(61%)
1980	7182	3480	(49%)
1981	8861	4874	(55%)
1982	8792	5347	(61%)
1983	8825	4650	(53%)
1984	8594	4542	(53%)
1985	8796	5139	(58%)
1986	8364	4982	(60%)
1987	9197	4385	(48%)
1988	8407	5091	(60%)
1989	9589	6051	(63%)