

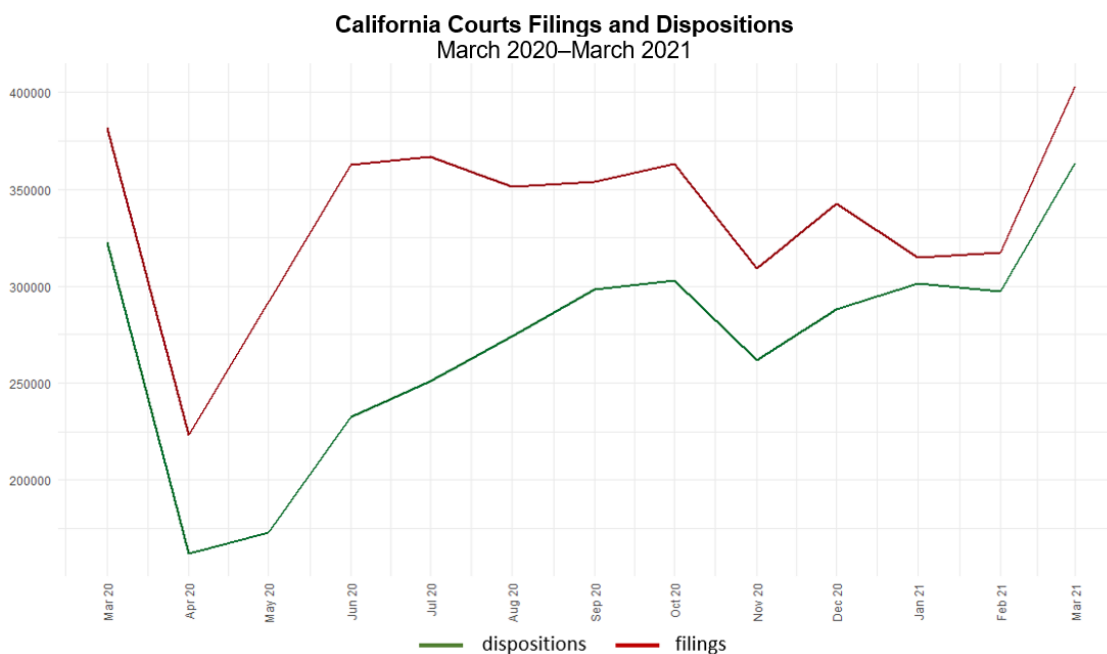
# TRENDS IN CASELOADS DURING COVID-19



JUDICIAL COUNCIL OF CALIFORNIA

## Resiliency of California Courts During COVID-19 Pandemic

Since the onset of the COVID-19 pandemic in early spring 2020, California courts have transformed business operations to remain accessible while addressing public health and safety concerns arising from the pandemic. Not surprisingly, case filings—the initiation of a legal action—significantly dropped during the initial surge of the pandemic. Between March and August of 2020, case filings fell by 39 percent compared to filings in the same period of 2019. At the same time, case dispositions—the final settlement or determination in a case—dropped by 49 percent, illustrating the challenges to court operations resulting from physical distancing requirements and a reduction in resources. Despite these challenges, California courts have implemented technology and operational changes to help maintain safe access to justice, including remote and online solutions for court users. As filing volumes began to return to pre-pandemic levels this past year, case dispositions increased as well.



## National Case Filings Data

A recent study by the Court Statistics Project of the National Center for State Courts (NCSC)<sup>1</sup> confirmed California findings with the experience of courts in other states: the number of case filings since the onset of the pandemic were pointedly lower than historical averages. According to this research—based on data from 12 geographically diverse state court systems across the country, not including California—2020 case filings significantly lagged 2019 filings in civil, domestic relations, dependency, juvenile, traffic, and criminal cases. For these six case types, not a single month of filings data (post February 2020) met or exceeded 2019 filings, and only probate filings for these 12 states returned to normal by June of 2020. As courts reopen in other states, researchers anticipate a surge in civil, domestic relations, and dependency filings that will challenge state courts across the United States in 2021 and beyond, especially as debt, eviction, and foreclosure cases rise as a result of the pandemic.

<sup>1</sup>NCSC, *2020 data shed light on pandemic-related backlogs*, @ the Center, [www.ncsc.org/newsroom/at-the-center/2021/2020-data-shed-light-on-pandemic-related-backlogs](http://www.ncsc.org/newsroom/at-the-center/2021/2020-data-shed-light-on-pandemic-related-backlogs) (as of Sept. 14, 2021).

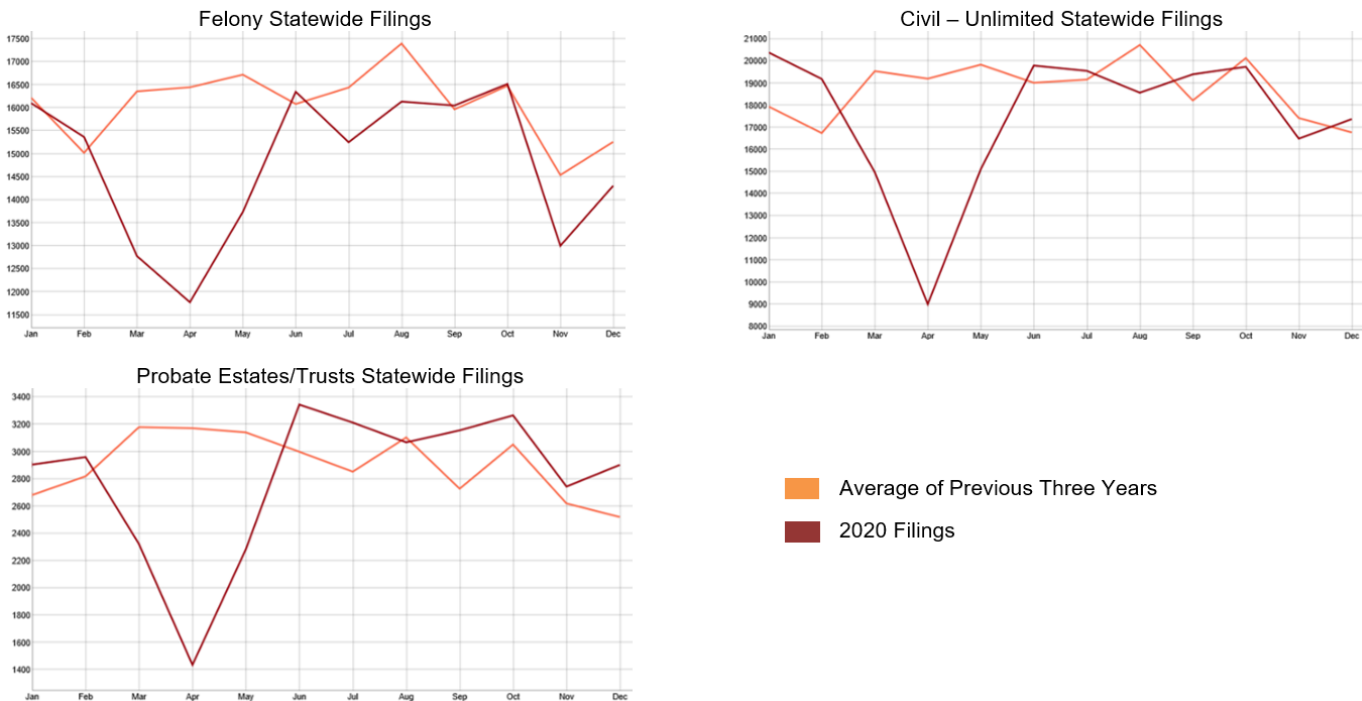
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## California Case Filings

Unlike the national trend, California’s felony and civil unlimited case volumes begin to quickly return to typical volumes. Like national data, probate estates/trusts cases quickly returned to typical levels, but California’s case filings exceeded even historical levels.

**2020 Filings Compared to Historical Averages**  
January–December 2020 vs. Average of January–December 2017, 18 and 19



## California Backlogs

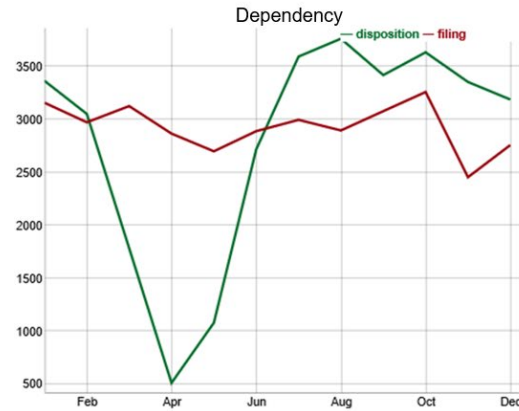
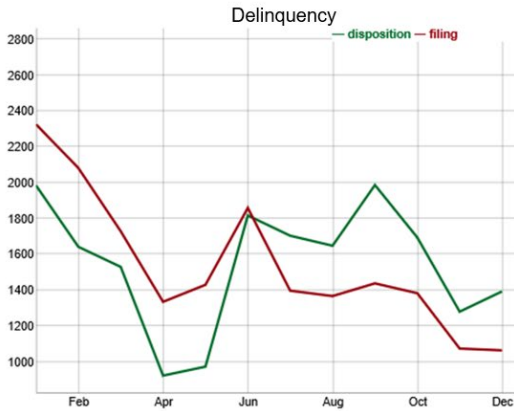
Typically, court case filings exceed case dispositions, and when dispositions lag filings, courts accumulate new cases faster than they can close current cases, in turn causing current caseloads to grow. Before the pandemic, court clearance rates—defined as dispositions as a percentage of filings—averaged 86 percent. During the early part of the pandemic, California courts, like other state court systems, saw clearance rates drop and backlogs increase. Between March and August of 2020, California’s clearance rate dropped to 73 percent. Areas that experienced the largest reduction in clearance rates, and consequently the largest backlogs, were criminal case types: felony, nontraffic misdemeanor, and traffic misdemeanor.

However, California rapidly deployed the use of remote proceedings, leading to an improvement in clearance rates in some case types and, therefore, a lower likelihood of backlogs. Areas that relied heavily on remote proceedings, such as juvenile justice (delinquency) and juvenile dependency, saw large improvements in clearance rates, and case dispositions even exceeded pre-pandemic levels. Almost all courts in California are now offering remote proceedings in at least one case type, and 38 courts made remote proceedings available in all case types.

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Juvenile Case Filings and Dispositions  
January – December 2020



In some areas, case filings dropped significantly, but a major backlog of cases is not anticipated. For example, infractions cases are not experiencing a backlog because traffic and commute patterns were disrupted and fewer citations were issued—essentially, it is workload that never happened. In the area of unlawful detainer (evictions), it’s anticipated that some of the cases not filed during the pandemic may be filed when eviction moratoriums expire. However, because of government support programs and the additional time people have to address their housing situations, how much backlog there will be in this area is unclear.

## Looking Forward

Technology changes, operational enhancements, remote services, and other innovations have positioned California to manage workload well as filings increase across many case types. Continued funding and policy changes will allow courts to address backlog demands and increase innovation. Further technological adoption is essential to maintain and improve access to justice for all Californians.