



# JUDICIAL COUNCIL OF CALIFORNIA

455 Golden Gate Avenue  
San Francisco, CA 94102-3688  
Tel 415-865-4200  
TDD 415-865-4272  
Fax 415-865-4205  
www.courts.ca.gov

HON. TANI G. CANTIL-SAKAUYE  
*Chief Justice of California  
Chair of the Judicial Council*

HON. DOUGLAS P. MILLER  
*Chair, Executive and Planning Committee*

HON. DAVID M. RUBIN  
*Chair, Litigation Management Committee*

HON. KENNETH K. SO  
*Chair, Policy Coordination and  
Liaison Committee*

HON. HARRY E. HULL, JR.  
*Chair, Rules and Projects Committee*

HON. MARSHA G. SLOUGH  
*Chair, Technology Committee*

*Hon. Marla O. Anderson  
Hon. Brian John Back  
Hon. Richard Bloom  
Mr. Mark G. Bonino  
Hon. Daniel J. Buckley  
Hon. Ming W. Chin  
Hon. Emilie H. Elias  
Hon. Samuel K. Feng  
Hon. James M. Humas  
Sen. Hannah-Beth Jackson  
Mr. Patrick M. Kelly  
Ms. Donna D. Melby  
Hon. Gary Nadler  
Ms. Debra Elaine Pole  
Hon. Dean T. Stout  
Hon. Martin J. Tangeman*

#### ADVISORY MEMBERS

*Mr. Jake Chatters  
Mr. Richard D. Feldstein  
Ms. Kimberly Flener  
Hon. David E. Gunn  
Hon. Dalila C. Lyons  
Hon. Brian L. McCabe  
Mr. Frank A. McGuire  
Hon. Eric C. Taylor  
Hon. Charles D. Wachob*

MR. MARTIN HOSHINO  
*Administrative Director,  
Judicial Council*

November 16, 2015

Ms. Diane F. Boyer-Vine  
Legislative Counsel  
State Capitol, Room 3021  
Sacramento, California 95814

Mr. Daniel Alvarez  
Secretary of the Senate  
State Capitol, Room 400  
Sacramento, California 95814

Mr. E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California 95814

*Re: Judicial Administration Standards and Measures That Promote the  
Fair and Efficient Administration of Justice, as required under  
Government Code section 77001.5*

Dear Ms. Boyer-Vine, Mr. Alvarez, and Mr. Wilson:

Attached is the Judicial Council report required under Government Code section 77001.5 on judicial administration standards and measures that promote the fair and efficient administration of justice.

If you have any questions related to this report, please contact Donna S. Hershkowitz, Director, Judicial Council, Court Operations Services, at 818-558-3068 or [Donna.Hershkowitz@jud.ca.gov](mailto:Donna.Hershkowitz@jud.ca.gov).

Sincerely,

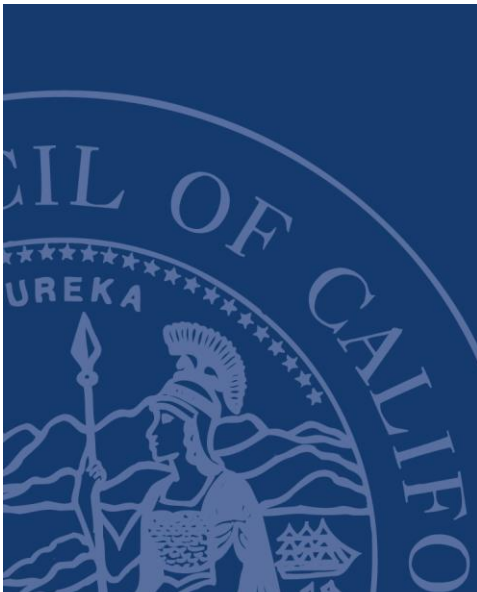
Martin Hoshino  
Administrative Director  
Judicial Council

Ms. Diane F. Boyer-Vine  
Mr. Daniel Alvarez  
Mr. E. Dotson Wilson  
November 16, 2015  
Page 2

MH/DSH/bma  
Attachment

cc:

Margie Estrada, Policy Consultant, Office of Senate President pro Tempore Kevin de León  
Fredericka McGee, Special Assistant to Assembly Speaker Toni G. Atkins  
Anita Lee, Senior Fiscal and Policy Analyst, Legislative Analyst's Office  
Tina McGee, Executive Secretary, Legislative Analyst's Office  
Benjamin Palmer, Chief Counsel, Senate Judiciary Committee  
Mike Petersen, Consultant, Senate Republican Policy Office  
Alison Merrilees, Chief Counsel, Assembly Judiciary Committee  
Paul Dress, Consultant, Assembly Republican Office of Policy & Budget  
Cory T. Jaspersen, Director, Judicial Council, Governmental Affairs  
Peter Allen, Senior Manager, Judicial Council, Communications  
Yvette Casillas-Sarcos, Administrative Coordinator, Judicial Council, Governmental Affairs



# **Judicial Administration Standards and Measures That Promote the Fair and Efficient Administration of Justice**

REPORT TO THE LEGISLATURE UNDER  
GOVERNMENT CODE SECTION 77001.5

NOVEMBER 2015



JUDICIAL COUNCIL  
OF CALIFORNIA

---

OPERATIONS AND PROGRAMS DIVISION

COURT OPERATIONS SERVICES

Judicial Council of California  
Operations & Programs Division  
Court Operations Services  
Office of Court Research  
455 Golden Gate Avenue  
San Francisco, California 94102-3688

More information about the state judicial system may be found on the California Courts website at [www.courts.ca.gov](http://www.courts.ca.gov).

**JUDICIAL COUNCIL OF CALIFORNIA**

**Hon. Tani G. Cantil-Sakauye**  
*Chief Justice of California and  
Chair of the Judicial Council*

**Mr. Martin Hoshino**  
*Administrative Director*

**OPERATIONS & PROGRAMS DIVISION**

**Ms. Jody Patel**  
*Chief of Staff*

**COURT OPERATIONS SERVICES**

**Ms. Donna S. Hershkowitz**  
*Director*

**OFFICE OF COURT RESEARCH**

**Ms. Leah Rose-Goodwin**  
*Manager*

**Primary Author**

*Mr. Brian Aho, Staff Analyst II*

## Judicial Council Members

**Hon. Tani G. Cantil-Sakauye**  
Chief Justice of California and  
Chair of the Judicial Council

**Hon. Harry E. Hull, Jr.**  
Associate Justice of the Court of Appeal  
Third Appellate District

**Hon. Marla O. Anderson**  
Presiding Judge of the Superior Court of  
California, County of Monterey

**Hon. James M. Humes**  
Presiding Justice of the Court of Appeal  
First Appellate District  
Division One

**Hon. Brian John Back**  
Judge of the Superior Court of California,  
County of Ventura

**Hon. Hannah-Beth Jackson**  
Member of the California State Senate  
Sacramento

**Hon. Richard Bloom**  
Member of the California State Assembly  
Sacramento

**Mr. Patrick M. Kelly**  
Attorney at Law  
Los Angeles

**Mr. Mark G. Bonino**  
Attorney at Law  
Redwood City

**Ms. Donna D. Melby**  
Attorney at Law  
Los Angeles

**Hon. Daniel J. Buckley**  
Assistant Presiding Judge of the Superior Court of  
California, County of Los Angeles

**Hon. Douglas P. Miller**  
Associate Justice of the Court of Appeal,  
Fourth Appellate District  
Division Two

**Hon. Ming W. Chin**  
Associate Justice of the Supreme Court

**Hon. Gary Nadler**  
Judge of the Superior Court of California,  
County of Sonoma

**Hon. Emilie H. Elias**  
Judge of the Superior Court of California,  
County of Los Angeles

**Ms. Debra Elaine Pole**  
Attorney at Law  
Los Angeles

**Hon. Samuel K. Feng**  
Judge of the Superior Court of California,  
County of San Francisco

## Judicial Council Members

**Hon. David M. Rubin**

Judge of the Superior Court of California,  
County of San Diego

**Hon. David E. Gunn**

Commissioner of the Superior Court of California,  
County of Butte

**Hon. Marsha G. Slough**

Presiding Judge of the Superior Court of  
California, County of San Bernardino

**Hon. Dalila C. Lyons**

Judge of the Superior Court of California,  
County of Los Angeles

**Hon. Dean T. Stout**

Assistant Presiding Judge of the  
Superior Court of California,  
County of Inyo

**Hon. Brian L. McCabe**

Presiding Judge of the Superior Court of  
California, County of Merced

**Hon. Martin J. Tangeman**

Assistant Presiding Judge of the  
Superior Court of California,  
County of San Luis Obispo

**Mr. Frank A. McGuire**

Clerk of the California Supreme Court

**Hon. Kenneth K. So**

Judge of the Superior Court of California,  
County of San Diego

### **ADVISORY MEMBERS**

**Mr. Jake Chatters**

Court Executive Officer  
Superior Court of California, County of Placer

**Hon. Eric C. Taylor**

Supervising Judge of the Superior Court of  
California, County of Los Angeles

**Mr. Richard D. Feldstein**

Court Executive Officer  
Superior Court of California, County of Napa

**Hon. Charles D. Wachob**

Assistant Presiding Judge of the Superior Court of  
California, County of Placer

**Ms. Kimberly Flener**

Court Executive Officer  
Superior Court of California, County of Butte

### **JUDICIAL COUNCIL STAFF**

**Mr. Martin Hoshino**

Administrative Director  
and Secretary of the Judicial Council

## Introduction

Government Code section 77001.5 requires the Judicial Council to adopt and annually report on “judicial administration standards and measures that promote the fair and efficient administration of justice, including, but not limited to, the following subjects:

- (1) Providing equal access to courts and respectful treatment for all court participants.
- (2) Case processing, including the efficient use of judicial resources.
- (3) General court administration.”

This annual report to the Legislature focuses the analysis on four key quantitative measures of trial court performance:

- Caseload Clearance Rates;
- Time to Disposition;
- Stage of Case at Disposition; and
- Trials by Type of Proceeding.

In addition to these measures, this report also provides information on the availability of branch resources including:

- Assessed need for new judgeships (Gov. Code, § 69614); and
- Status of the conversion of subordinate judicial officer positions to judgeships (Gov. Code, § 69615).<sup>1</sup>

Finally, this report provides a brief narrative describing work conducted since the last reporting period to improve the standards and measures of judicial administration.

---

<sup>1</sup> For more information on the rationale for selecting these quantitative measures and how they align with the legislative mandate contained in Government Code Section 77001.5, see 2012 report to the Legislature on Judicial Administration Standards located at <http://www.courts.ca.gov/documents/lr-Jud-Admin-Stand-and-measures-122712.pdf>.



## Quantitative Measures of Court Performance

### *The CourTools*

The National Center for State Courts (NCSC) developed the *CourTools* in an effort to provide trial courts with “a set of balanced and realistic performance measures that are practical to implement and use.”<sup>2</sup> The *CourTools* draw on previous work conducted on trial court performance—primarily the Trial Court Performance Standards developed by the NCSC and published in the late 1990s—but also on relevant measures from other successful public and private organizations.

Previous years’ reports to the Legislature contained a description of all ten *CourTools* performance measures, including those for which complete data is unavailable. This year, data are shown on the two measures for which data in the California trial courts are available: Clearance Rates and Time to Disposition.

<b>NCSC’s CourTools</b>	<b>Table 1: Status of <i>CourTools</i> Data in California Trial Courts</b>			
	<b>Availability</b>	<b>Scope</b>	<b>Data Quality</b>	<b>Location in This Report</b>
Clearance Rates	Monthly Reports	All courts	Good	Appendix B
Time to Disposition	Monthly Reports	Missing data from some courts on some case types	Fair	Appendix C

### *Clearance Rates*

Clearance rates show the number of outgoing cases as a percentage of the number of incoming cases. They provide an indirect measure of whether the court is disposing of cases in a timely fashion or whether a backlog of cases is growing. Monitoring clearance rates by case type helps a court identify those areas needing the most attention. Viewed over a time period, the clearance rate is expected to hover closely around 1.0 or 100 percent.

### *Time to Disposition*

The time to disposition is the amount of time it takes a court to dispose of cases within established time frames. Trial court case disposition time goals serve as a starting point for monitoring court performance.

These measures of court operations were adopted by the Judicial Council as Standard of Judicial Administration 2.2. This standard establishes caseload clearance in civil case processing as a judicial administration goal and sets time-to-disposition goals for six civil and criminal case types: felony, misdemeanor, unlimited civil, limited civil, small claims, and unlawful detainer (see Appendix A).

### *Other Caseflow Management Data*

<sup>2</sup> See “CourTools: Giving Courts the Tools to Measure Success” (NCSC 2005), <http://www.courtools.org/>.

In addition to the *CourTools* data, additional information reported by the trial courts can also be used as diagnostic measures of a court’s calendar management practices. How cases move through and out of the system—in other words, the stage of cases at disposition—can be useful indicators of effective case-processing practices and court operational efficiency. Efficient and effective case management can improve not only the timeliness of case disposition but also the quality of justice in resolution of these cases.

*Stage of Case at Disposition*

The stage and manner in which a case is disposed (i.e., how and when a case is disposed) can be a useful diagnostic measure of a court’s case management practices and the timeliness and quality of case resolution.<sup>3</sup>

*Trials by Type of Proceeding*

The number and type of trials is an important data element to break out separately from the data on the stage of case at disposition. Given the significance of trials on a court’s operations and resources, it is important to consider this measure in conjunction with other court performance data.

Table 2 below describes the quality of the data on these additional measures of court operations.

<b>Caseflow Management Data</b>	<b>Table 2: Status of Data in California Trial Courts</b>			
	<b>Availability</b>	<b>Scope</b>	<b>Quality</b>	<b>Location in This Report</b>
Stage of Case at Disposition	Monthly Reports	All courts	Good	Appendix D
Trials by Type of Proceeding	Monthly Reports	All courts	Good	Appendix E

**Findings<sup>4</sup>**

*Caseload Clearance Rates (See Appendix B):*

- In fiscal year 2013–2014, the most recent year for which data are available, clearance rates improved for some case types and declined for others.
  - Civil unlimited clearance rates declined, whereas civil limited clearance rates increased or were mostly stable. Clearance rates fell from 91 percent to 80 percent for motor vehicle unlimited cases, from 85 percent to 79 percent for “other” personal injury unlimited, and from 99 percent to 94 percent for other civil complaints. Civil limited increased from 102 percent to 104 percent and small claims appeals increased

<sup>3</sup> The stage of case at disposition is not entirely under the control of the court. For example, if the district attorney and public defender are unable or unwilling to reach a mutually agreeable plea, or if parties do not settle civil cases, despite the courts’ best efforts, the stage and manner of disposition may be beyond the power of the court to affect substantially.

<sup>4</sup> All of the findings reported here refer to trial court data submitted through June 30, 2014. These data are reported in more detail in the 2015 Court Statistics Report, <http://www.courts.ca.gov/13421.htm>.

from 75 percent to 80 percent. Small claims (other than appeals) rates declined but remained above 100 percent.

- Criminal clearance rates mostly increased, although nontraffic infractions decreased from 81 percent to 69 percent. Traffic misdemeanors remained at 78 percent. Traffic infractions increased from 83 percent to 91 percent. Felony rates and nontraffic misdemeanors each increased by one percentage point to 93 percent and 84 percent, respectively.
- Family and juvenile cases clearance rates fluctuated by case type. Within family law, the clearance rate for marital petitions increased from 98 percent to 99 percent, while the rate for family law petitions decreased from 87 percent to 85 percent. While the clearance rate for delinquency cases remained at 92 percent, the rate for dependency cases declined from 70 percent to 68 percent.

*Time to Disposition (See Appendix C):*

- Time-to-disposition data show a similar variation across case types:
  - The percentages of civil unlimited cases disposed of at 12, 18, and 24 months declined two to four percentage points each to 66 percent, 77 percent, and 84 percent. Limited civil cases at 12 and 18 months remained at 86 percent and 93 percent; cases at 24 months declined one percentage point to 95 percent. Unlawful detainer time decreased from 54 percent to 49 percent at the 30-day milestone, and from 72 percent to 68 percent at the 45-day milestone. The percentage of small claims cases disposed of in less than 70 days increased from 59 percent to 60 percent, and cases disposed of in less than 90 days increased by one percentage point to 71 percent.
  - Criminal case processing times improved by one percentage point for felonies resulting in bindovers or certified pleas at the 30-, 45-, and 90-day milestones, to 50 percent, 60 percent, and 76 percent. Misdemeanor processing times all decreased by one to two percentage points to 61 percent disposed of in less than 30 days, 79 percent in 90 days, and 83 percent in 120 days.
- Time standards for family law cases are set forth in rule 5.83 of the California Rules of Court, and time standards for juvenile cases can be found in rule 5.505. However, at this time, courts are not able to consistently and accurately report on these measures. Future reports will include this data as collection of these measures improves.

*Stage of Case at Disposition (See Appendix D):*

Civil

- Slightly less than four of every five unlimited civil cases—78 percent—are disposed before trial.
- Of the remaining unlimited civil cases disposed by a trial, the vast majority—86 percent—are bench trials. Only 3 percent of unlimited civil trials are jury trials. The remaining dispositions of unlimited civil cases are small claims appeals.

- In limited civil cases, only 6 percent of filings are disposed by trial and over 99 percent of these cases are bench trials.
- In small claims, the majority (58 percent) of dispositions are after trial.

#### Criminal

- Nearly all felony cases (97 percent) are disposed before trial.
- Of the felonies disposed after trial, 88 percent are jury trials.
- In felonies disposed before trial, 70 percent result in felony convictions. In felonies disposed after jury trial, 81 percent result in a felony conviction.
- The vast majority of nontraffic misdemeanors (99 percent) and traffic misdemeanors (99 percent) are disposed before trial.
- Of the misdemeanors disposed after trial, 47 percent of nontraffic cases and 74 percent of traffic cases are by bench trial, with the remainder disposed by jury trial.

#### *Trials by Type of Proceeding (See Appendix E):*

- The total number of jury trials increased for the first time in five years, rising five percent to 9,900 trials. The number of felony jury trials increased by 13 percent over 2012–2013 to 5,545. Probate and mental health trials increased by 215 percent from 59 to 186. During the same period, jury trials decreased in misdemeanors, civil unlimited, civil limited, and other civil limited cases.
- The total number of court trials increased slightly to 472,763 across all case types. Felony court trials increased by 31 percent to 785. Court misdemeanor trials increased by 4 percent to 376,906, and probate/mental health trials increased by 6 percent to 31,292. Personal injury/property damage civil unlimited, other civil unlimited, and civil limited court trial cases each declined slightly.

#### *Judicial Workload and Resources (See Appendices F and G):*

- The 2014 Judicial Workload Assessment shows a statewide need of 2,171.3 full-time equivalent judicial officers. The judicial workload assessment is slated to be updated in 2016. The 2014 Judicial Needs Assessment shows that a total of 269.8 FTE judicial officers are needed to meet the workload need, representing a shortfall of just under 14 percent over the total number of authorized and funded positions in the state (see Appendix F).
- In fiscal year 2013–2014 a total of 11 conversions were completed (see Appendix G). Nine additional conversions were completed in FY 2014–2015. With those nine additional conversions, the statewide total positions converted to judgeships since 2007–2008 is 117.
- Although the conversion of SJOs does not provide much-needed *new* resources to the courts, it does provide the courts with greater flexibility in the assignment of judicial officers. Moreover, it begins to restore the proper balance between judges and SJOs in the court, enabling constitutionally empowered judges who are held accountable by standing for election before their communities to hear cases that are appropriate to their rank.

## Workload Models Update

Weighted caseload has been the national standard for evaluating the workload of judges and court staff for almost two decades.<sup>5</sup> The number and types of cases that come before the court—the court’s caseload—is the starting point for any evaluation of workload. However, without using weighted case data, it is impossible to make meaningful calculations about the differences in the amount of work required. For example, while a felony and infraction case each represent one filing for the court, they have very different impacts on the court’s workload. Weighted caseload is therefore required to account for the types of cases coming before the court and to translate that information into effective and usable workload data.

The Judicial Council has approved workload models that utilize weighted caseload to assess where new judgeships and additional nonjudicial resources are most urgently needed and will have the biggest impact. The relative weight applied to different types of cases, however, requires periodic review due to changes in the law, technology, and practice, which all affect the average amount of time required for case processing. Periodic review and, where necessary, revision of caseweights, ensures that the allocation formulas reported to the Legislature and the Governor accurately reflect the current amount of time required to resolve cases.

The Workload Assessment Advisory Committee has recommended that the judicial and staff workload models be updated every five years to ensure that the models used to measure workload and allocate resources are using the most up-to-date information possible. The staff workload model is slated to be updated over the next two years, with a time study to be conducted in spring 2016 and new weights finalized in early 2017. The update of the judicial workload model will follow.

In addition to updates to these two models, the Judicial Council also recently adopted a recommendation to refresh the model that is used to allocate subordinate judicial officer (SJO) conversions. Under Government Code section 69615, a total of 162 SJO positions were identified as being in need of conversion in order to ensure that there were sufficient judicial officers of each type. The positions were identified on the basis of a 2007 workload analysis, using caseweights from the 2001 Judicial Officer Study and filings data from fiscal years 2002–2003 through 2004–2005. Since filings and the underlying weights used to measure workload have changed since that initial analysis was completed in 2007, refreshing the analysis with more current workload data ensures that the remaining 45 conversions will be allocated in the most effective manner.

## Conclusion

This report has summarized *quantitative* measures of trial court performance and provides information on updates to the Resource Assessment Study model. Future reports will continue to provide updated and comparative information on these measures to permit an analysis of the courts’ ability to provide fair and efficient administration of justice.

---

<sup>5</sup> See *Assessing the Need for Judges and Court Support Staff* (National Center for State Courts 1996).

## **Appendix A: Standards of Judicial Administration, Standard 2.2. Trial Court Case Disposition Time Goals**

### **(a) Trial Court Delay Reduction Act**

The recommended goals for case disposition time in the trial courts in this standard are adopted under Government Code sections 68603 and 68620.

*(Subd (a) amended effective January 1, 2007; adopted effective July 1, 1987; relettered effective January 1, 1989; previously amended effective January 1, 2004.)*

### **(b) Statement of purpose**

The recommended time goals are intended to guide the trial courts in applying the policies and principles of standard 2.1. They are administrative, justice-oriented guidelines to be used in the management of the courts. They are intended to improve the administration of justice by encouraging prompt disposition of all matters coming before the courts. The goals apply to all cases filed and are not meant to create deadlines for individual cases. Through its case management practices, a court may achieve or exceed the goals stated in this standard for the overall disposition of cases. The goals should be applied in a fair, practical, and flexible manner. They are not to be used as the basis for sanctions against any court or judge.

*(Subd (b) amended effective January 1, 2007; adopted effective July 1, 1987, as (1); relettered effective January 1, 1989; previously amended effective January 1, 2004.)*

### **(c) Definition**

The definition of “general civil case” in rule 1.6 applies to this section. It includes both unlimited and limited civil cases.

*(Subd (c) amended effective January 1, 2007; adopted effective January 1, 2004.)*

### **(d) Civil cases—processing time goals**

The goal of each trial court should be to process general civil cases so that all cases are disposed of within two years of filing.

*(Subd (d) amended and relettered effective January 1, 2004; adopted effective July 1, 1987, as (2); previously amended effective July 1, 1988; amended and relettered as subd (c) effective January 1, 1989.)*

### **(e) Civil cases—rate of disposition**

Each trial court should dispose of at least as many civil cases as are filed each year and, if necessary to meet the case-processing goal in (d), dispose of more cases than are filed. As the court disposes of inactive cases, it should identify active cases that may require judicial attention.

*(Subd (e) amended effective January 1, 2007; adopted effective July 1, 1987, as (3); previously amended effective July 1, 1988; previously amended and relettered as subd (d) effective January 1, 1989, and as subd (e) effective January 1, 2004.)*

**(f) General civil cases—case disposition time goals**

The goal of each trial court should be to manage general civil cases, except those exempt under (g), so that they meet the following case disposition time goals:

(1) *Unlimited civil cases:*

The goal of each trial court should be to manage unlimited civil cases from filing so that:

- (A) 75 percent are disposed of within 12 months;
- (B) 85 percent are disposed of within 18 months; and
- (C) 100 percent are disposed of within 24 months.

(2) *Limited civil cases:*

The goal of each trial court should be to manage limited civil cases from filing so that:

- (A) 90 percent are disposed of within 12 months;
- (B) 98 percent are disposed of within 18 months; and
- (C) 100 percent are disposed of within 24 months.

(3) *Individualized case management*

The goals in (1) and (2) are guidelines for the court's disposition of all unlimited and limited civil cases filed in that court. In managing individual civil cases, the court must consider each case on its merits. To enable the fair and efficient resolution of civil cases, each case should be set for trial as soon as appropriate for that individual case consistent with rule 3.729.

*(Subd (f) amended effective January 1, 2007; adopted as subd (g) effective July 1, 1987; relettered as subd (h) effective January 1, 1989; amended effective July 1, 1991; previously amended and relettered as subd (f) effective January 1, 2004.)*

**(g) Exceptional civil cases**

A general civil case that meets the criteria in rules 3.715 and 3.400 and that involves exceptional circumstances or will require continuing review is exempt from the time goals in (d) and (f). Every exceptional case should be monitored to ensure its timely disposition consistent with the exceptional circumstances, with the goal of disposing of the case within three years.

*(Subd (g) amended effective January 1, 2007; adopted effective January 1, 2004.)*

**(h) Small claims cases**

The goals for small claims cases are:

- (1) 90 percent disposed of within 75 days after filing; and
- (2) 100 percent disposed of within 95 days after filing.

*(Subd (h) adopted effective January 1, 2004.)*

**(i) Unlawful detainer cases**

The goals for unlawful detainer cases are:

- (1) 90 percent disposed of within 30 days after filing; and
- (2) 100 percent disposed of within 45 days after filing.

*(Subd (i) adopted effective January 1, 2004.)*

**(j) Felony cases—processing time goals**

Except for capital cases, all felony cases disposed of should have a total elapsed processing time of no more than one year from the defendant's first arraignment to disposition.

*(Subd (j) amended effective January 1, 2007; adopted effective January 1, 2004.)*

**(k) Misdemeanor cases**

The goals for misdemeanor cases are:

- (1) 90 percent disposed of within 30 days after the defendant's first arraignment on the complaint;
- (2) 98 percent disposed of within 90 days after the defendant's first arraignment on the complaint; and
- (3) 100 percent disposed of within 120 days after the defendant's first arraignment on the complaint.

*(Subd (k) adopted effective January 1, 2004.)*



**(l) Felony preliminary examinations**

The goal for felony cases at the time of the preliminary examination (excluding murder cases in which the prosecution seeks the death penalty) should be disposition by dismissal, by interim disposition by certified plea of guilty, or by finding of probable cause, so that:

- (1) 90 percent of cases are disposed of within 30 days after the defendant's first arraignment on the complaint;
- (2) 98 percent of cases are disposed of within 45 days after the defendant's first arraignment on the complaint; and
- (3) 100 percent of cases are disposed of within 90 days after the defendant's first arraignment on the complaint.

*(Subd (l) adopted effective January 1, 2004.)*

**(m) Exceptional criminal cases**

An exceptional criminal case is not exempt from the time goal in (j), but case progress should be separately reported under the Judicial Branch Statistical Information System (JBSIS) regulations.

*(Subd (m) amended effective January 1, 2007; adopted effective January 1, 2004.)*

**(n) Cases removed from court's control excluded from computation of time**

If a case is removed from the court's control, the period of time until the case is restored to court control should be excluded from the case disposition time goals. The matters that remove a case from the court's control for the purposes of this section include:

- (1) Civil cases:
  - (A) The filing of a notice of conditional settlement under rule 3.1385;
  - (B) An automatic stay resulting from the filing of an action in a federal bankruptcy court;
  - (C) The removal of the case to federal court;
  - (D) An order of a federal court or higher state court staying the case;
  - (E) An order staying the case based on proceedings in a court of equal standing in another jurisdiction;
  - (F) The pendency of contractual arbitration under Code of Civil Procedure section 1281.4;
  - (G) The pendency of attorney fee arbitration under Business and Professions Code section 6201;

- (H) A stay by the reporting court for active military duty or incarceration; and
  - (I) For 180 days, the exemption for uninsured motorist cases under rule 3.712(b).
- (2) Felony or misdemeanor cases:
- (A) Issuance of warrant;
  - (B) Imposition of a civil assessment under Penal Code section 1214.1;
  - (C) Pendency of completion of diversion under Penal Code section 1000 et seq.;
  - (D) Evaluation of mental competence under Penal Code section 1368;
  - (E) Evaluation as a narcotics addict under Welfare and Institutions Code sections 3050 and 3051;
  - (F) 90-day diagnostic and treatment program under Penal Code section 1203.3;
  - (G) 90-day evaluation period for a juvenile under Welfare and Institutions Code section 707.2;
  - (H) Stay by a higher court or by a federal court for proceedings in another jurisdiction;
  - (I) Stay by the reporting court for active military duty or incarceration; and
  - (J) Time granted by the court to secure counsel if the defendant is not represented at the first appearance.

*(Subd (n) amended effective January 1, 2007; adopted effective January 1, 2004.)*

**(o) Problems**

A court that finds its ability to comply with these goals impeded by a rule of court or statute should notify the Judicial Council.

*(Subd (o) amended effective January 1, 2007; adopted effective January 1, 2004.)*

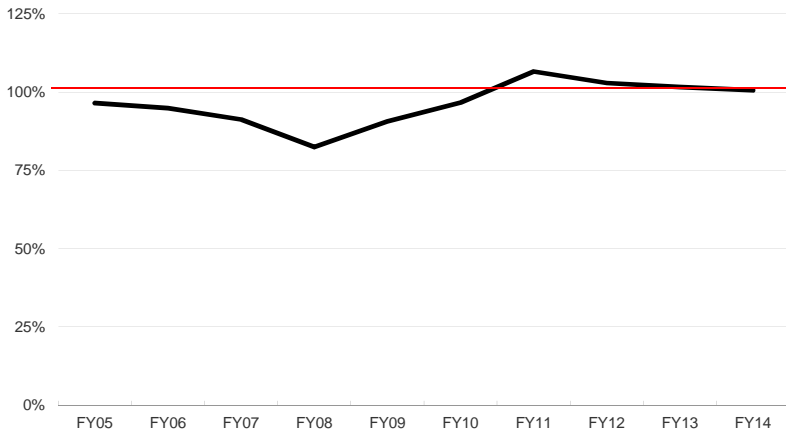
*Standard 2.2 amended and renumbered effective January 1, 2007; adopted as sec. 2.1 effective July 1, 1987; previously amended effective January 1, 1988, July 1, 1988, January 1, 1989, January 1, 1990, July 1, 1991, and January 1, 2004.*

**Appendix B: CalCourTools—Caseload Clearance Rates  
Civil Unlimited, Civil Limited, Small Claims**

**Superior Courts  
Figures 1–7**

Fiscal Years 2004–05 through 2013–14

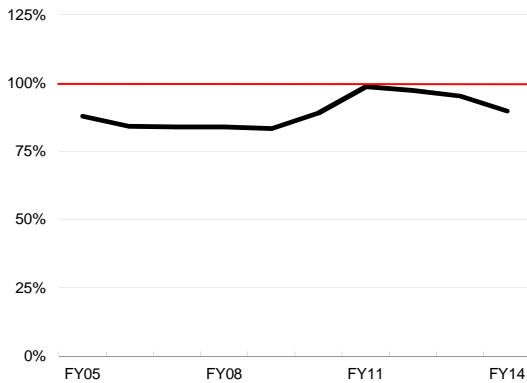
**Figure 1: Total Civil**



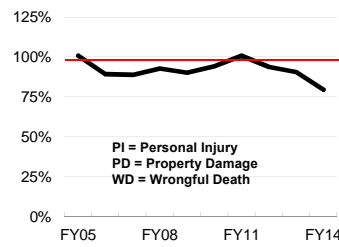
Clearance Rate equals the number of outgoing cases as a percentage of the number of incoming cases. A clearance rate of 100% indicates that the number of cases disposed of in any given year equals the number of cases filed.

$$\text{Clearance Rate} = \frac{\text{Dispositions}}{\text{Filings}}$$

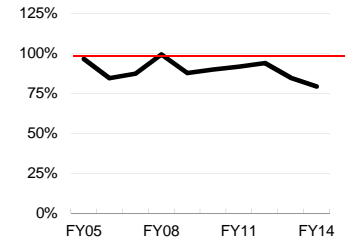
**Figure 2: Civil Unlimited**



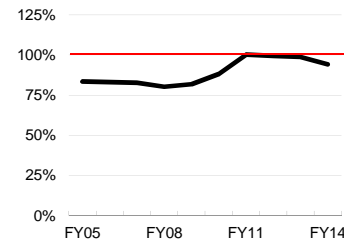
**Figure 3: Motor Vehicle PI/PD/WD**



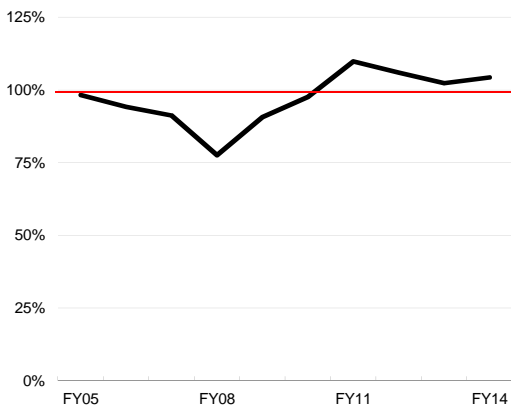
**Figure 4: Other PI/PD/WD**



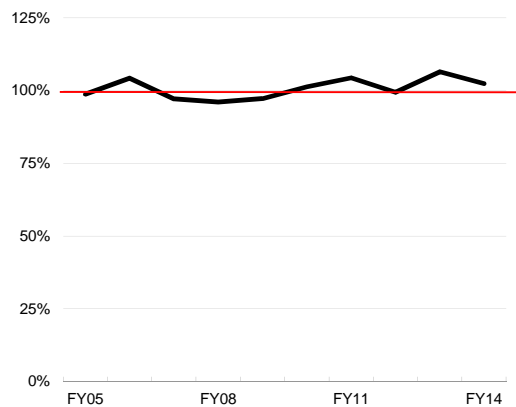
**Figure 5: Civil Complaints**



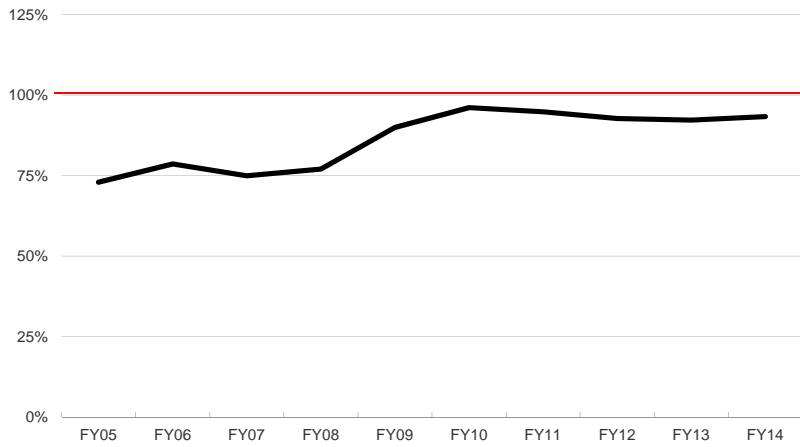
**Figure 6: Civil Limited**



**Figure 7: Small Claims**



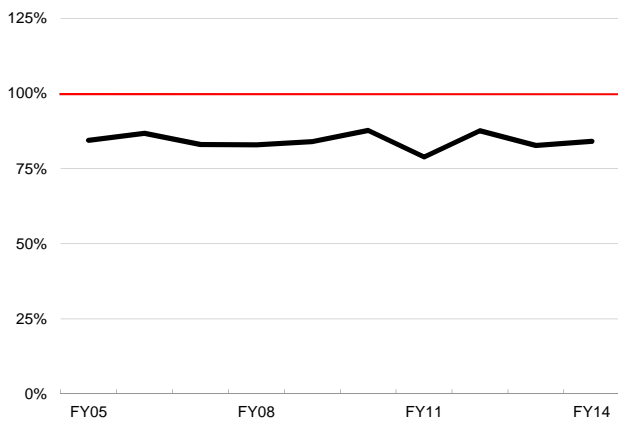
**Figure 8: Felony**



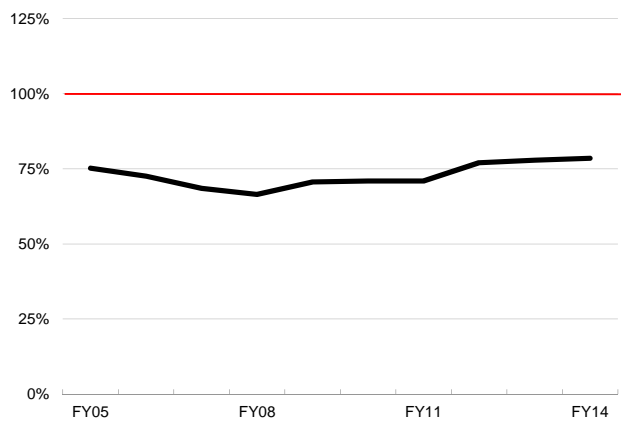
Clearance Rate equals the number of outgoing cases as a percentage of the number of incoming cases. A clearance rate of 100% indicates that the number of cases disposed of in any given year equals the number of cases filed.

$$\text{Clearance Rate} = \frac{\text{Dispositions}}{\text{Filings}}$$

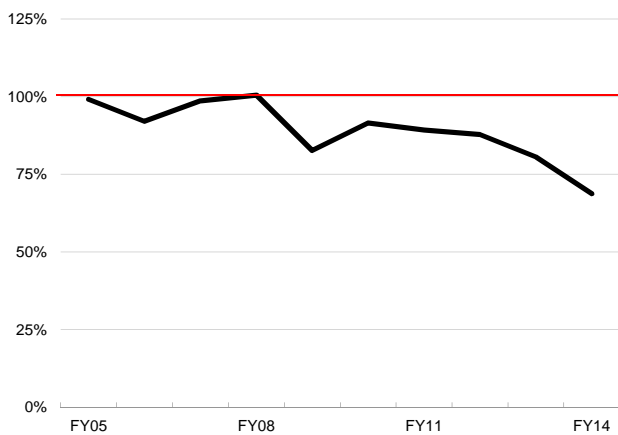
**Figure 9: Nontraffic Misdemeanor**



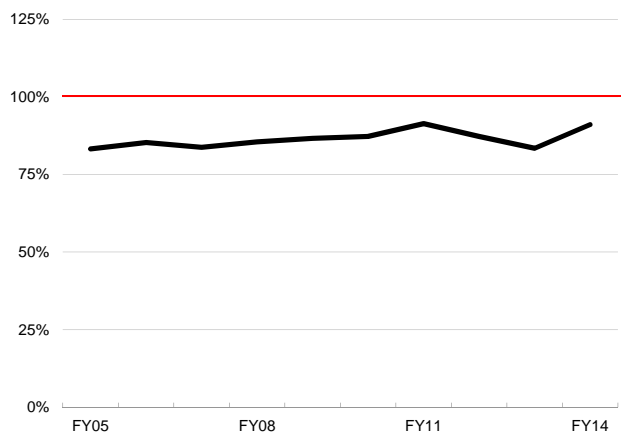
**Figure 10: Traffic Misdemeanor**



**Figure 11: Nontraffic Infraction**



**Figure 12: Traffic Infraction**



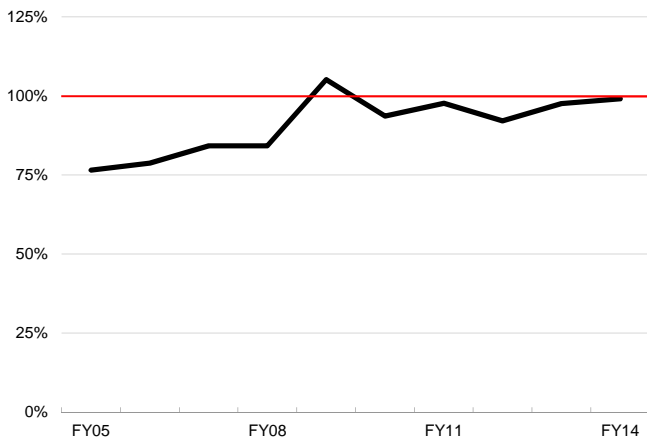
**Appendix B (continued): CalCourTools—Caseload Clearance Rates**  
**Family Law, Juvenile Delinquency, Juvenile Dependency**  
**Fiscal Years 2004–05 through 2013–14**

**Superior Courts**  
**Figures 13–16**

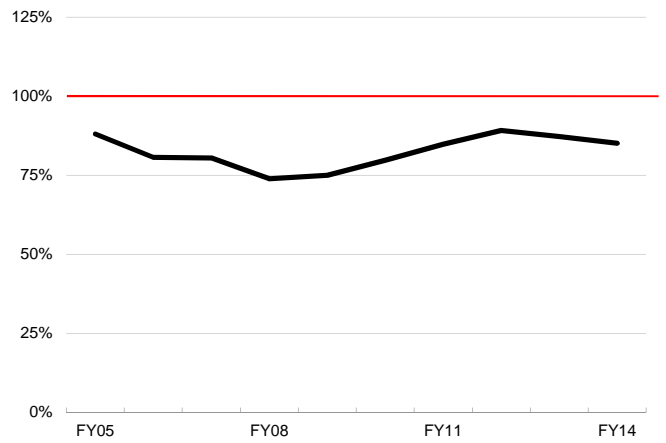
Clearance Rate equals the number of outgoing cases as a percentage of the number of incoming cases. A clearance rate of 100% indicates that the number of cases disposed of in any given year equals the number of cases filed.

$$\text{Clearance Rate} = \frac{\text{Dispositions}}{\text{Filings}}$$

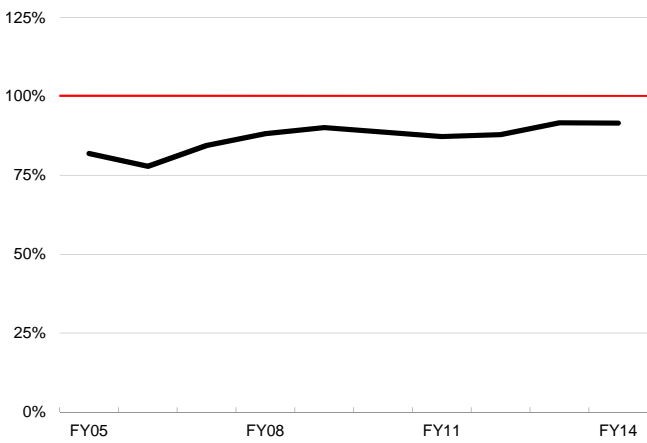
**Figure 13: Family Law — Marital**



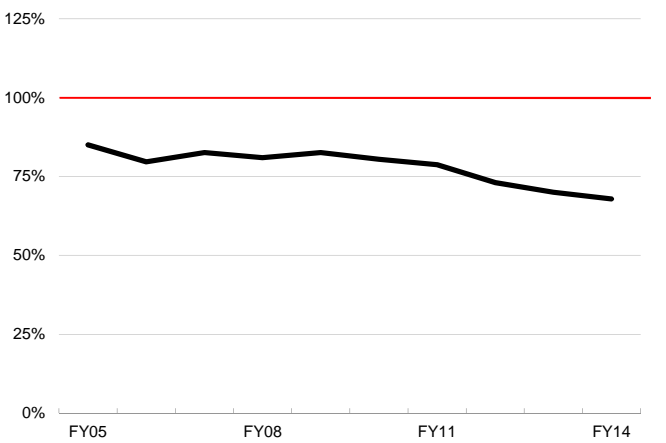
**Figure 14: Family Law Petitions**



**Figure 15: Juvenile Delinquency**



**Figure 16: Juvenile Dependency**



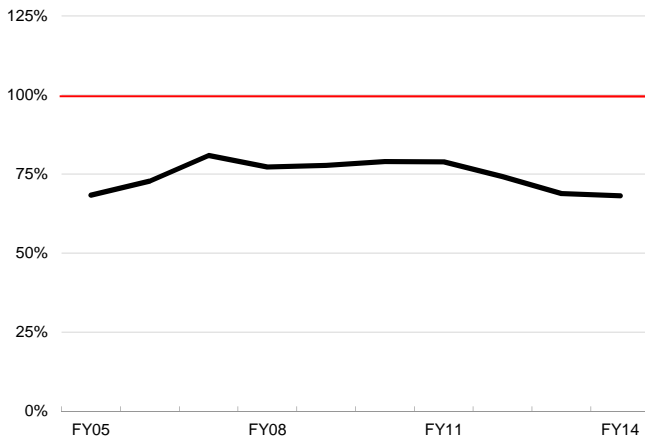
**Appendix B (continued): CalCourTools—Caseload Clearance Rates**  
**Probate, Mental Health, Appeals, Habeas Corpus**  
**Fiscal Years 2004–05 through 2013–14**

**Superior Courts**  
**Figures 17–20**

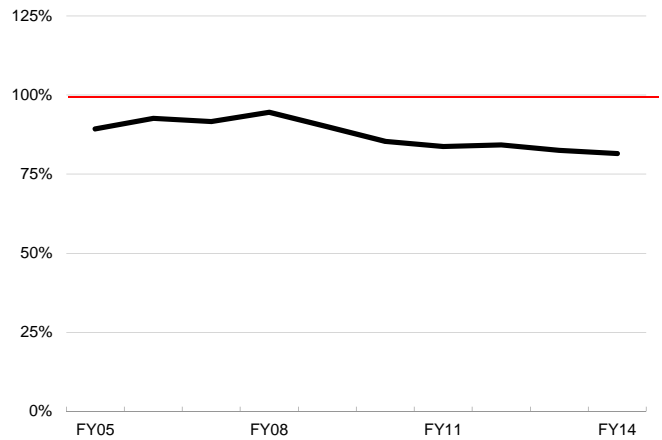
Clearance Rate equals the number of outgoing cases as a percentage of the number of incoming cases. A clearance rate of 100% indicates that the number of cases disposed of in any given year equals the number of cases filed.

$$\text{Clearance Rate} = \frac{\text{Dispositions}}{\text{Filings}}$$

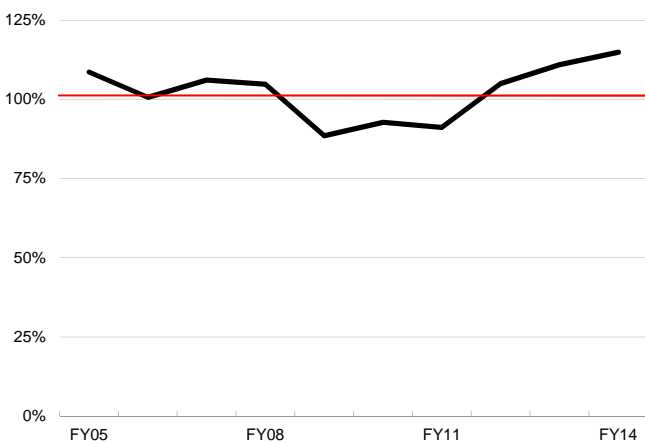
**Figure 17: Probate**



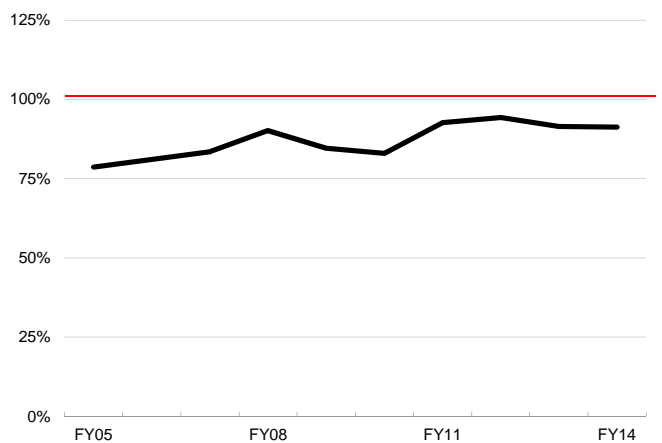
**Figure 18: Mental Health**



**Figure 19: Appeals**



**Figure 20: Criminal Habeas Corpus**

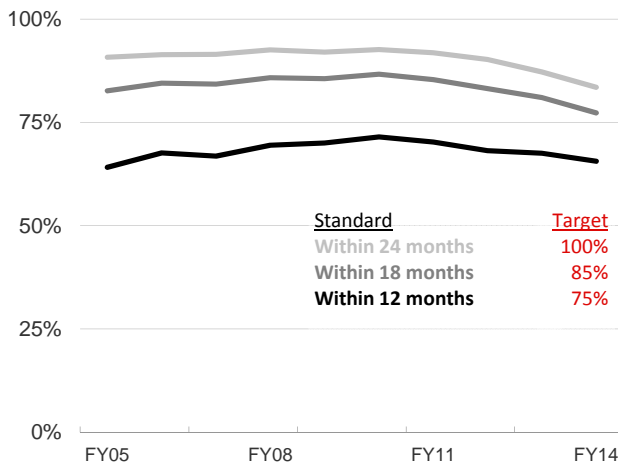


**Civil Case Processing Time** (percent of cases disposed within specified periods)

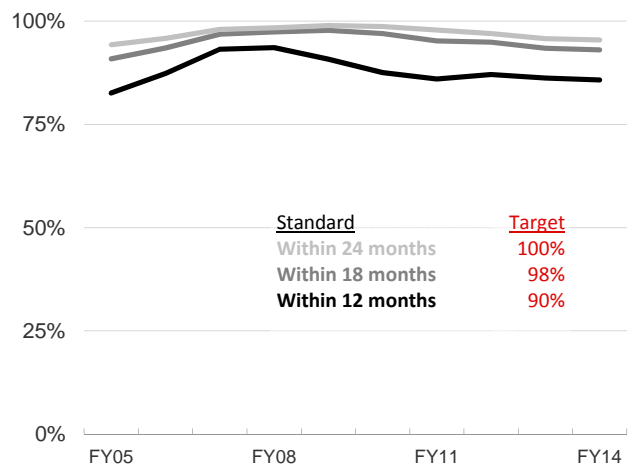
The Standards of Judicial Administration establish case processing time-to-disposition goals for different types of civil cases, which are presented below with the specific time standards and target performance level.

<u>Standard</u>	<u>Target</u>
Time standard	Goal

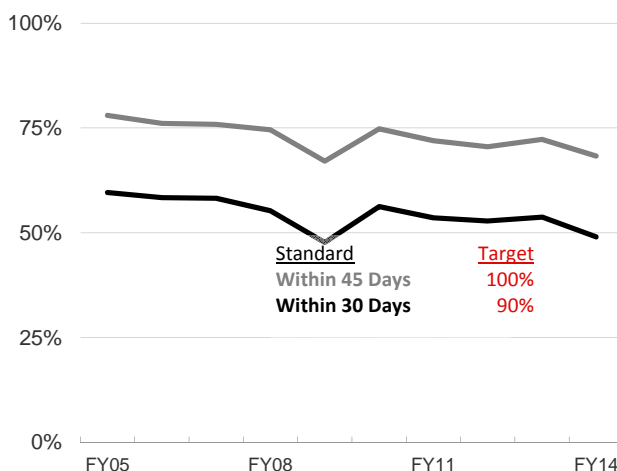
**Figure 21: Civil Unlimited**



**Figure 22: Limited Civil**



**Figure 23: Unlawful Detainer**



**Figure 24: Small Claims**

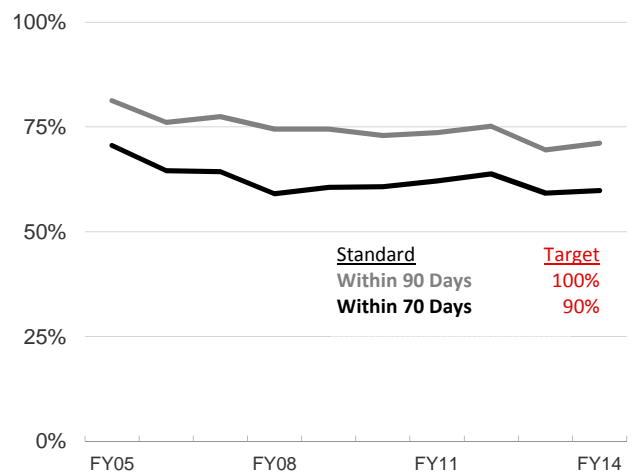
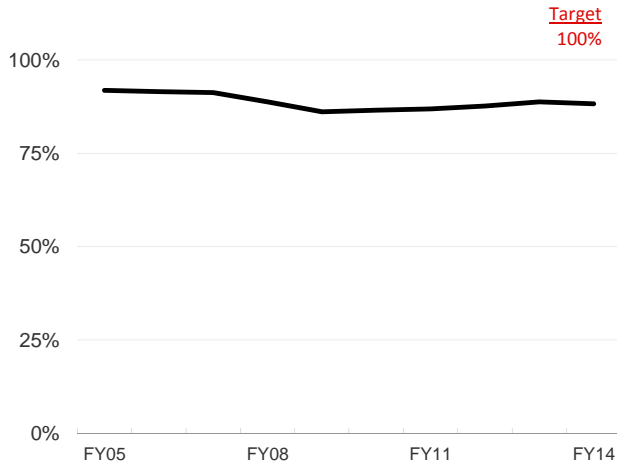


Figure 25: Felonies disposed within 12 months



**Criminal Case Processing Time**  
 (percent of cases disposed within specified periods)

The Standards of Judicial Administration establish case processing time to disposition goals for different types of criminal cases, which are presented below with the specific time standards and target performance level.

Figure 26: Felonies resulting in bindover or certified pleas

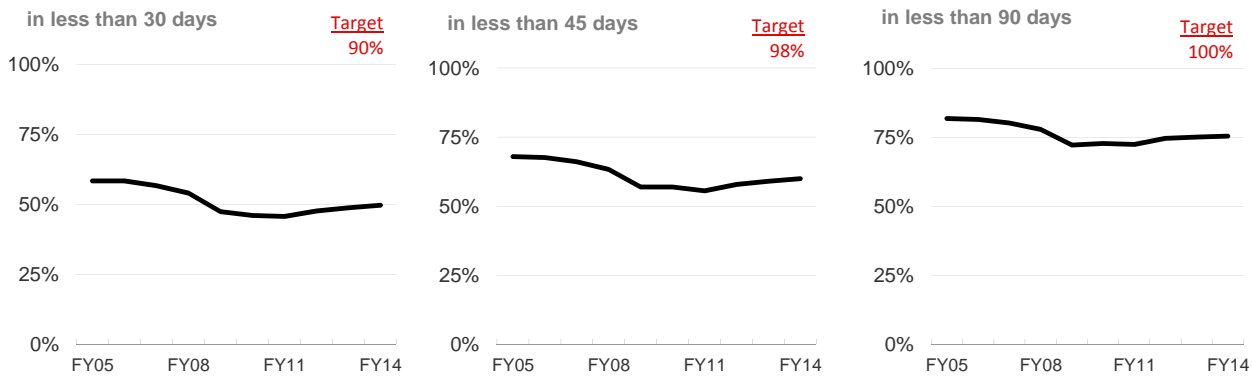
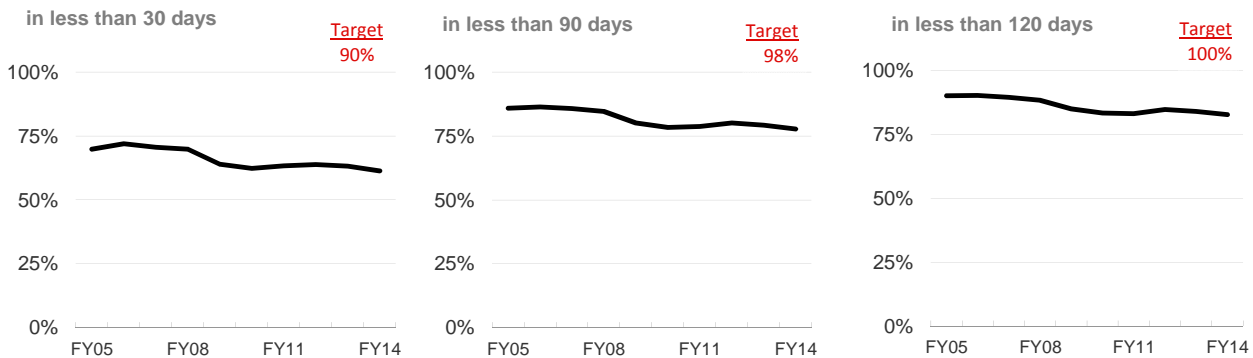


Figure 27: Misdemeanors disposed





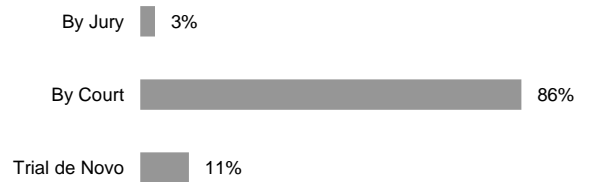
**Figure 28: How and at what stage are civil cases resolved?**

**Unlimited Civil**

Number disposed before trial



Number disposed after trial

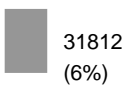


**Limited Civil**

Number disposed before trial



Number disposed after trial



**Small Claims**

Number disposed before trial



Number disposed after trial

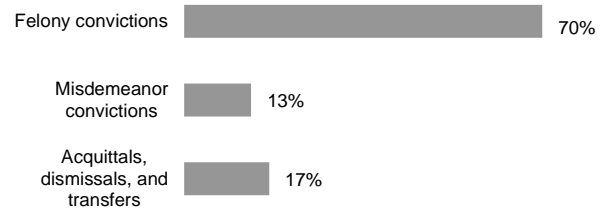


Figure 29: How and at what stage are felony cases resolved?

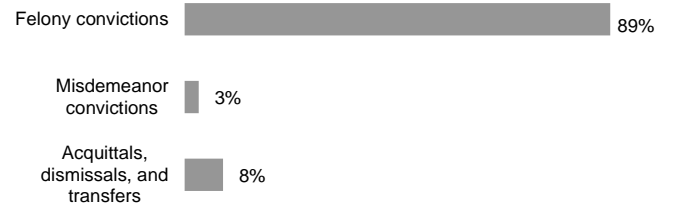
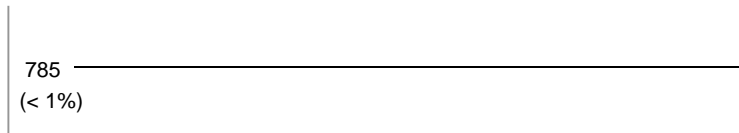
Total felony dispositions (not including felony petitions)



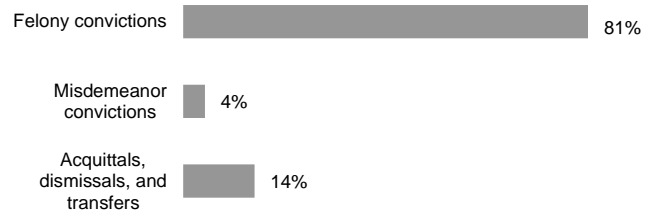
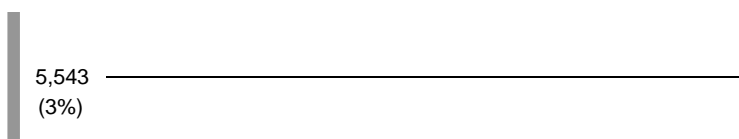
Number disposed before trial



Court trials



Jury trials

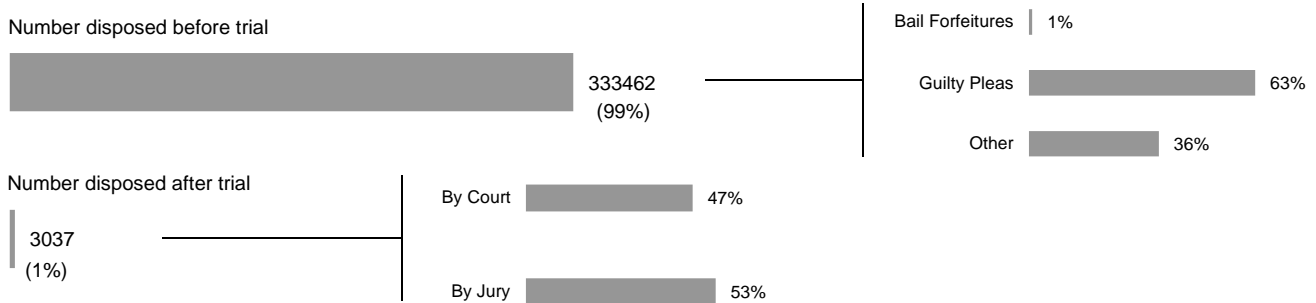


**Appendix D (continued): Caseflow Management Data  
Stage of Case at Disposition — Misdemeanors and Infractions**

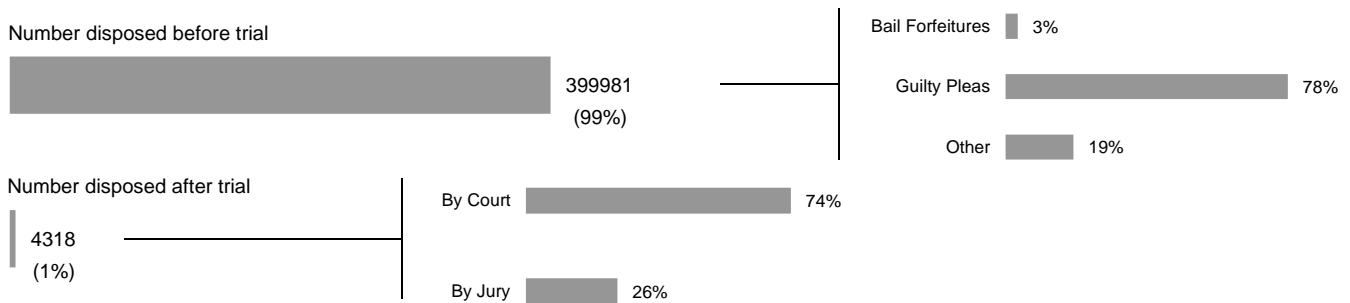
Fiscal Year 2013–14

**Figure 30: How and at what stage are misdemeanor and infraction cases resolved?**

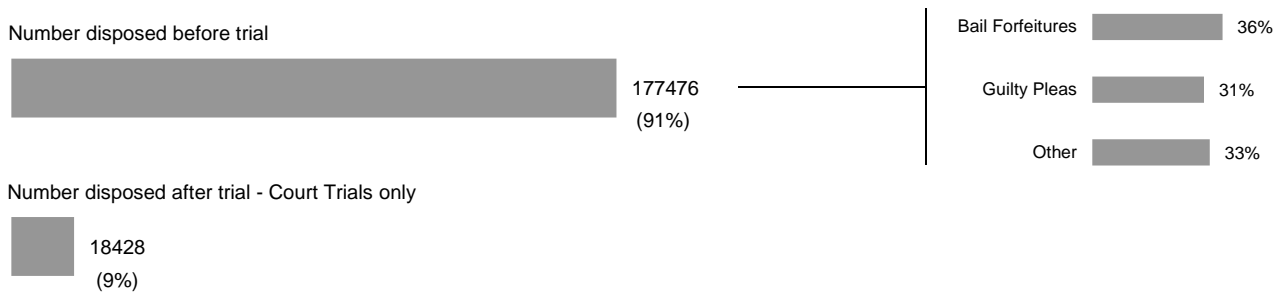
**Nontraffic Misdemeanors**



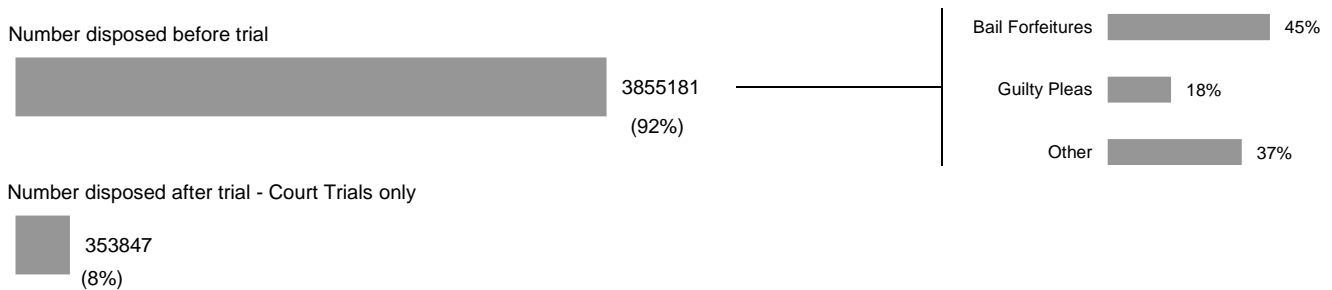
**Traffic Misdemeanors**

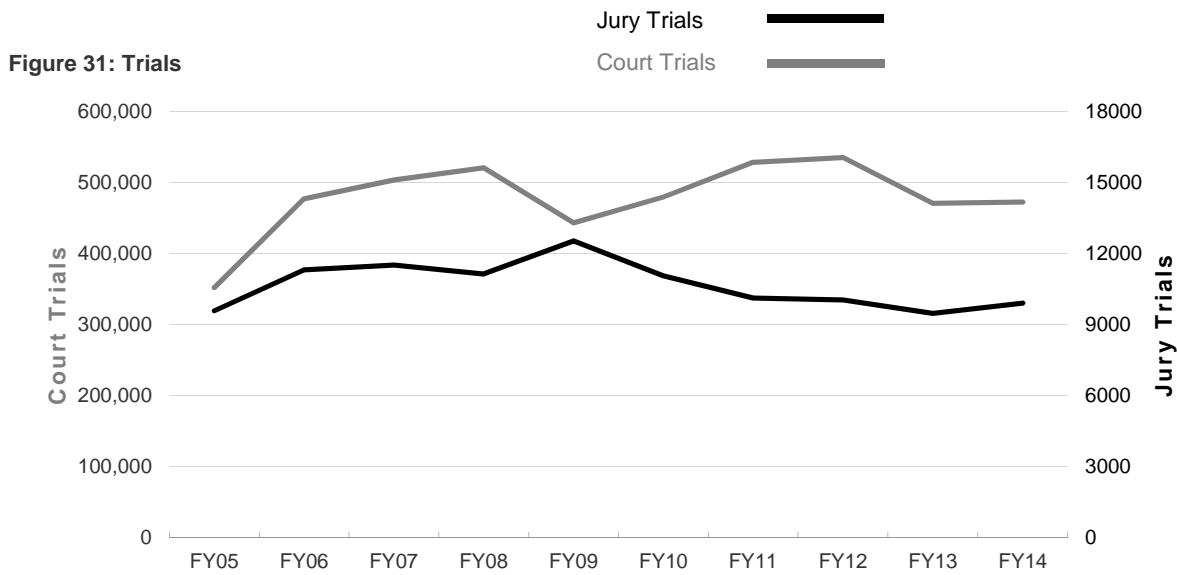


**Nontraffic Infractions**



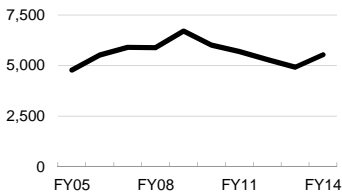
**Traffic Infractions**



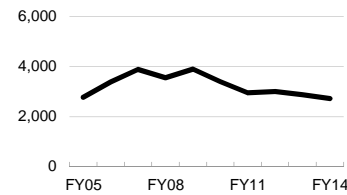


**Jury Trials**

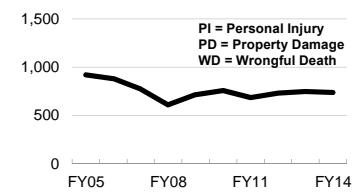
**Figure 32: Felony**



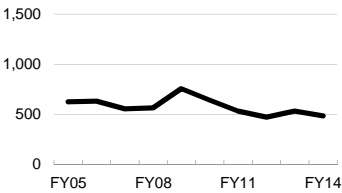
**Figure 33: Misdemeanor**



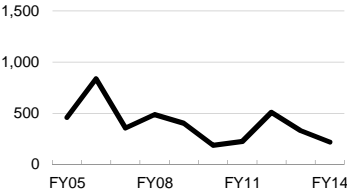
**Figure 34: PI/PD/WD Civil Unlimited**



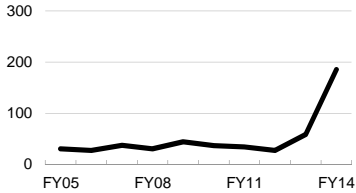
**Figure 35: Other Civil Unlimited**



**Figure 36: Civil Limited**

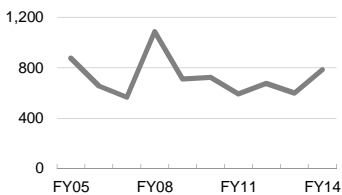


**Figure 37: Probate and Mental Health**

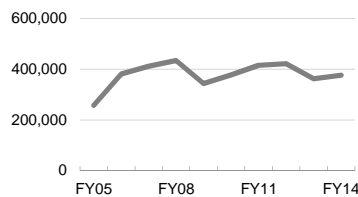


**Court Trials**

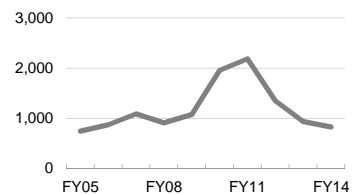
**Figure 38: Felony**



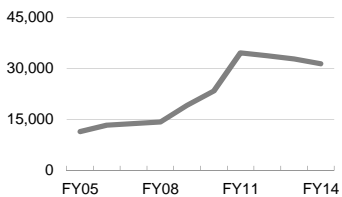
**Figure 39: Misdemeanor and Infractions**



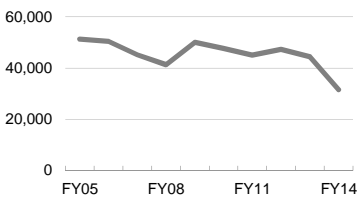
**Figure 40: PI/PD/WD Civil Unlimited**



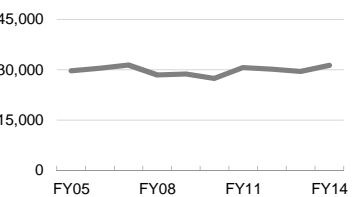
**Figure 41: Other Civil Unlimited**



**Figure 42: Civil Limited**



**Figure 43: Probate and Mental Health**



## Appendix F: Assessed Judicial Need, 2014 Update<sup>1</sup>

**Table 1: Judicial Need**

County	Authorized and funded Judicial Positions (AJP) <sup>2</sup>	2014 Assessed Judicial Need (AJN)	AJN-AJP
Amador	2.3	2.7	0.4
Butte	13.0	14.2	1.2
Calaveras	2.3	2.8	0.5
Del Norte	2.8	3.7	0.9
El Dorado	9.0	9.9	0.9
Fresno	49.0	60.7	11.7
Humboldt	8.0	10.6	2.6
Imperial	11.3	13.8	2.5
Kern	43.0	58.0	15.0
Kings	8.6	11.4	2.8
Lake	4.8	5.2	0.4
Lassen	2.3	3.2	0.9
Los Angeles	585.3	629.5	44.2
Madera	9.3	10.9	1.6
Merced	12.0	16.7	4.7
Monterey	21.2	21.8	0.6
Napa	8.0	8.2	0.2
Orange	144.0	155.6	11.6
Placer	14.5	19.4	4.9
Riverside	76.0	127.4	51.4
Sacramento	72.5	81.8	9.3
San Benito	2.3	2.8	0.5
San Bernardino <sup>3</sup>	86.0	143.0	57.0
San Joaquin	33.5	42.3	8.8
San Luis Obispo	15.0	17.9	2.9
Santa Cruz	13.5	14.2	0.7
Shasta	12.0	16.4	4.4
Solano	23.0	25.0	2.0
Sonoma	23.0	26.1	3.1
Stanislaus	24.0	32.6	8.6
Sutter	5.3	6.7	1.4
Tehama	4.3	5.8	1.5
Tulare	23.0	25.9	2.9
Ventura	33.0	40.4	7.4
Yuba	5.3	5.6	0.3
<b>Total need:</b>			269.8
<sup>1</sup> Assessed Judicial Need to be updated in 2016. <sup>2</sup> Authorized judicial positions, not including judgeships that were authorized under AB 159. <sup>3</sup> AJP increased since the last assessment because the Superior Court of California, County of San Bernardino, was authorized to add two SJO positions in FY 2011–12 based on workload need.			

## Appendix G: Subordinate Judicial Officer Conversions

Fiscal Years 2007–08 through 2013–14

### Background

California rule of court 10.700 provides for the use of subordinate judicial officers (SJOs) to perform subordinate judicial duties. A presiding judge may also assign an SJO to act as a temporary judge where lawful if the presiding judge determines that it is necessary for the effective administration of justice because of a shortage of judges.

During the 1980s and 1990s, the shortage of judicial positions across the state led many trial courts to create SJO positions to manage their caseloads. The stagnation in the number of new judgeships combined with the growth in the number of SJO positions created an imbalance in many courts, with SJOs spending much of their time working as temporary judges.

To restore the appropriate balance between judges and SJOs in the trial courts, in 2007 the Legislature passed AB 159 which authorized the conversion of 162 SJO positions to judgeships in 25 courts where the judicial workload assessment determined that the number of SJOs exceeded the workload appropriate to SJOs.

**Table 1: Subordinate Judicial Officer Conversions**

	Total Eligible for Conversion	2007–08	2008–09	2009–10	2010–11	2011–12	2012–13	2013-14	Positions Remaining for Conversion
Alameda	6	0	0	1	2	3	0	0	0
Contra Costa	6	3	0	1	0	0	0	0	2
El Dorado	2	0	1	0	1	0	0	0	0
Fresno	3	0	1	0	1	0	0	1	0
Imperial	1	0	0	0	1	0	0	0	0
Kern	2	0	1	0	0	0	0	0	1
Los Angeles	78	4	5	7	7	8	6	7	34
Marin	2	0	0	0	0	1	1	0	0
Merced	2	0	1	0	0	1	0	0	0
Napa	1	0	0	0	0	0	0	0	1
Orange	14	1	2	2	2	3	2	2	0
Placer	1	0	0	0	0	0	0	0	1
Riverside	6	1	1	0	0	1	3	0	0
Sacramento	5	1	2	0	0	2	0	0	0
San Diego	7	2	0	0	0	0	1	1	3
San Francisco	9	1	0	1	0	0	0	0	7
San Luis Obispo	2	1	0	0	0	0	0	0	1
San Mateo	2	0	0	0	0	0	0	0	2
Santa Barbara	2	0	0	2	0	0	0	0	0
Santa Cruz	1	0	0	0	0	1	0	0	0
Solano	3	1	2	0	0	0	0	0	0
Sonoma	2	0	0	1	1	0	0	0	0
Stanislaus	1	0	0	0	1	0	0	0	0
Tulare	2	0	0	1	0	0	0	0	1
Yolo	2	1	0	0	0	0	0	0	1
<b>Total</b>	<b>162</b>	<b>16</b>	<b>16</b>	<b>16</b>	<b>16</b>	<b>20</b>	<b>13</b>	<b>11</b>	<b>54</b>