

Montana District Courts

Caseload and Workload Information

Presented to:
Judicial Redistricting Commission
September 2015

Background

- Montana's 56 District Courts
 - **Since 2001 Shared Funding:**
 - State appropriations cover the cost of judges, judges' direct staff, youth court and certain court costs (witness, jury, travel, etc.)
 - County appropriations cover the cost of courtroom and office space and the individual Clerk of the District Court offices in each county

Why HB435?

- Responsibility to manage taxpayer resources in an efficient manner
- Responsibility to equalize – to the degree possible – the workload
- Public policy decision about how the districts can best be configured
- Access (i.e. how long you have to wait for your day in court) is critical

District Court Financials

- 2016-17 biennial District Court budget - \$57 million
- Personal services - 90% of the District Court budget
- Percentage of funding invested in personal services requires careful planning and management of resources

Historical Perspective:

- State assumption created the need for a consistent method for managing court files and counting cases across the District Court system and,:
 - Meaningful caseload data to support an accurate analysis of workload and resource need in each of the state's 22 Judicial Districts

How We Got Here

Uniform Case Filing Standards

Counting court cases the same in all counties

Adoption of Minimum Staff Standards

Consistency across all districts (*not in place*)

Workload Study

Assessing the workload – not just counting cases

Developing Case Processing Measures

Giving judges tools to manage the workload

Equitably Distributing the Work

Judicial Redistricting Study

13 Case Types

Criminal

Civil

Adoptions

Guardian & Conservator

Juvenile

Child Abuse and Neglect

13 Case Types

Probate

Domestic Relations

Paternity

Commitment, Developmental Disability

Commitment, Mental Illness

Investigative Subpoena

Search Warrant

(Treatment Court Cases)*

What Does this Mean for Workload?

Caseload

How many cases?

What type of cases?

How long does it take to “judge” those cases?

Other Work

How much travel?

How many hours is a day?

How much non-judicial time for training, staff supervision, community work?

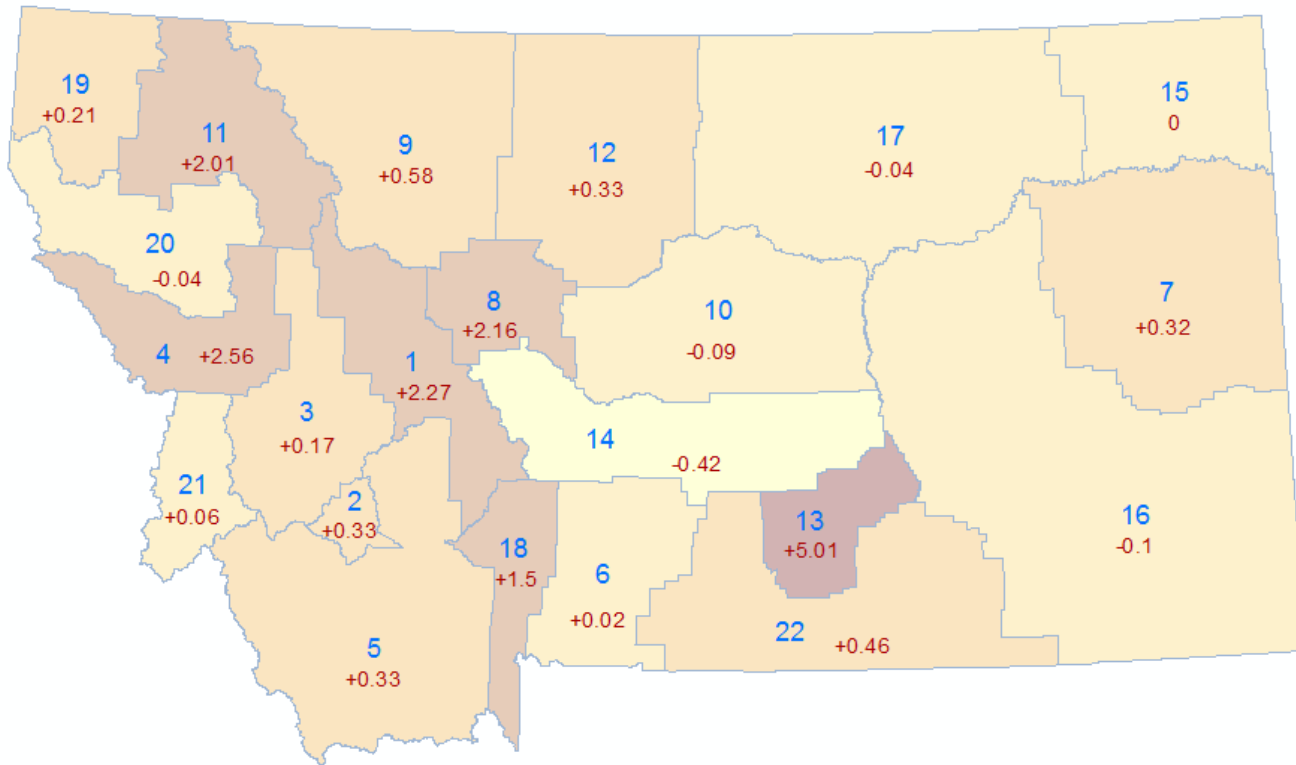
Weighted Workload Study

- The Gold Standard for court case management studies
 - Studies conducted and calculated by the National Center for State Courts in 2006 and 2014
 - Updated yearly with new caseload and travel information
- How is the work measured?
 - A “judge year” is established allowing time for leave, education, staff supervision, etc.
 - Judges recorded time worked for 8 weeks on a 15-minute basis
 - NCSC aggregated the time to establish an average time per minute for each case type
 - Travel was added based on reported time and actual mileage

Workload Study Spreadsheet

- Caseload and workload analysis
 - Case weights by case type
 - District by district judicial need
 - Annual travel
 - Analyze judicial need in single-judge districts versus multi-judge districts
 - Timeliness and access
 - Judicial substitution

Judicial Need by District (2014)



Judicial Need by District (2014)

Judicial District	CY2008	CY2009	CY2010	CY2011	CY2012	CY2013	CY2014	Sparkline
13	1.67	2.21	3.10	1.77	2.91	3.75	5.01	
4	0.53	1.28	1.37	1.47	1.89	2.02	2.59	
1	1.67	2.82	2.74	1.45	1.82	1.84	2.27	
8	0.93	1.28	1.06	0.94	1.27	1.67	2.16	
11	1.44	2.61	2.77	1.53	2.16	2.29	2.01	
18	1.29	1.30	0.78	0.42	0.43	0.69	1.50	
9	0.47	0.58	0.54	0.46	0.55	0.68	0.58	
22	0.65	0.59	0.53	0.43	0.42	0.50	0.46	
5	0.51	0.57	0.61	0.57	0.40	0.48	0.33	
12	0.21	0.40	0.35	0.34	0.46	0.45	0.33	
2	0.42	0.35	0.33	0.23	0.27	0.23	0.33	
7	0.17	-0.09	0.07	0.12	0.22	0.34	0.32	
19	0.22	0.26	0.37	0.38	0.35	0.32	0.21	
3	0.34	0.34	0.24	0.24	0.26	0.31	0.17	
21	0.38	0.31	0.36	0.29	0.24	0.40	0.06	
6	0.25	0.32	0.32	0.27	0.33	0.24	0.02	
15	-0.15	-0.15	-0.12	-0.17	-0.11	-0.07	0.00	
20	0.29	0.41	0.43	0.34	0.27	0.34	-0.04	
17	0.02	0.09	0.06	0.13	0.19	0.18	-0.04	
10	0.04	0.16	0.18	0.05	0.00	0.10	-0.09	
16	0.04	0.14	0.12	0.01	0.10	0.06	-0.10	
14	-0.26	-0.22	-0.21	-0.20	-0.21	-0.22	-0.42	
ALL	11.13	15.56	16.00	11.07	14.22	16.60	17.63	

What Drives the Growth

Case Types

Child Abuse and
Neglect Cases

Criminal Cases

Rebound in Civil Cases

Other

Probate

Search Warrants

Drug Treatment Courts

Managing the Current Growth

■ Steps taken

- Court Help Program
- Videoconferencing
- Drug Treatment Dockets
- Standing master

■ Targeted impact

- Self-Represented Litigants
- Reduce travel
- Time-intensive but reduce repeat offenders
- Removing cases from judge

Additional Information

- 2015 case numbers and workload study by mid-January
- Travel information
- Additional caseload information
- Other information as requested

2015 DISTRICT COURT CASE FILING REVIEW

The following tables summarize District Court case filings by major case category for calendar years 2008 – 2014. The sparkline is a trendline. Tables include: all Judicial Districts and summaries for JD 1, 4, 8, 11, 13, 15 & 7, and 18.

Judicial District		District Court Case Filing Summary (All)								
(All) ▾		CY2008	CY2009	CY2010	CY2011	CY2012	CY2013	CY2014	Sparkline	Average Case Filings (2008-2014)
Case Category ▾										
Adoption		855	751	728	746	766	665	840		764
Child Abuse and Neglect		1087	1006	1030	1208	1494	1527	1609		1280
Civil		18920	18245	19649	17518	18051	18899	20113		18771
Commitment of a Person with a Mental Illness		946	1098	1114	1201	1188	1240	1213		1143
Commitment of a Person with Dev. Disability		38	33	35	38	42	50	50		41
Criminal		7264	7755	7454	7249	8312	9147	9339		8074
Domestic Relations		8510	9426	10329	10404	10813	10732	10438		10093
Drug & Other Treatment Courts		115	153	165	235	299	344	405		245
Guardian/Conservator		975	888	998	1004	1034	1061	1124		1012
Investigative Subpoena/Search Warrant		1501	1910	2322	2498	2849	3525	3519		2589
Juvenile		1390	1303	1140	1220	1667	1565	1379		1381
Paternity		48	61	78	79	76	70	73		69
Probate		3075	3107	3067	3568	3616	3624	3485		3363
Total Cases		44724	45736	48109	46968	50207	52449	53587		48826

*Child Abuse & Neglect, Civil, Criminal, Drug & Other Treatment Courts and Juvenile cases are typically the most time intensive case types.

Judicial District		JD1 Case Filing Summary								
1 ▾		CY2008	CY2009	CY2010	CY2011	CY2012	CY2013	CY2014	Sparkline	Average Case Filings (2008-2014)
Case Category ▾										
Adoption		74	81	74	68	60	63	64		69
Child Abuse and Neglect		54	49	41	64	87	88	110		70
Civil		2186	1998	1959	1763	1984	2020	2299		2030
Commitment of a Person with a Mental Illness		85	101	110	102	79	101	79		94
Commitment of a Person with Dev. Disability		0	0	4	2	6	8	4		3
Criminal		1092	932	887	754	752	833	936		884
Domestic Relations		1167	1159	1223	1269	1217	1193	1059		1184
Drug & Other Treatment Courts		0	0	0	5	7	11	24		7
Guardian/Conservator		71	56	56	84	81	64	76		70
Investigative Subpoena/Search Warrant		92	68	91	138	154	214	234		142
Juvenile		162	130	107	122	279	142	88		147
Paternity		2	2	0	0	1	0	4		1
Probate		198	163	188	199	202	204	196		193
Total Cases		5183	4739	4740	4570	4909	4941	5173		4894

Judicial District		4							JD4 Case Filing Summary	
Case Category	CY2008	CY2009	CY2010	CY2011	CY2012	CY2013	CY2014	Sparkline	Average Case Filings (2008-2014)	
Adoption	99	71	79	96	54	75	89		80	
Child Abuse and Neglect	68	83	60	80	133	153	162		106	
Civil	2056	2049	2254	2097	2132	2158	2221		2138	
Commitment of a Person with a Mental Illness	136	165	235	241	229	212	237		208	
Commitment of a Person with Dev. Disability	2	4	6	8	5	6	5		5	
Criminal	879	963	812	935	1056	1162	1145		993	
Domestic Relations	984	1039	1131	1184	1364	1309	1330		1192	
Drug & Other Treatment Courts	7	30	30	30	47	33	52		33	
Guardian/Conservator	133	116	155	147	143	163	174		147	
Investigative Subpoena/Search Warrant	156	247	375	306	403	439	392		331	
Juvenile	233	241	203	219	202	179	182		208	
Paternity	5	2	4	6	8	7	12		6	
Probate	241	268	222	246	251	276	288		256	
Total Cases	4999	5278	5566	5595	6027	6172	6289		5704	

Judicial District		8							JD8 Case Filing Summary	
Case Category	CY2008	CY2009	CY2010	CY2011	CY2012	CY2013	CY2014	Sparkline	Average Case Filings (2008-2014)	
Adoption	87	79	75	87	104	77	70		83	
Child Abuse and Neglect	153	112	166	251	217	309	343		222	
Civil	1723	1468	1592	1421	1541	1633	1847		1604	
Commitment of a Person with a Mental Illness	38	50	51	42	32	35	42		41	
Commitment of a Person with Dev. Disability	0	2	3	3	8	10	7		5	
Criminal	482	696	798	747	906	999	913		792	
Domestic Relations	612	1002	1245	1232	1246	1160	1145		1092	
Drug & Other Treatment Courts	42	40	30	30	30	36	46		36	
Guardian/Conservator	70	75	90	79	102	99	88		86	
Investigative Subpoena/Search Warrant	141	213	263	387	375	631	596		372	
Juvenile	92	125	91	108	140	204	204		138	
Paternity	0	5	10	13	11	7	7		8	
Probate	227	256	272	324	279	305	264		275	
Total Cases	3667	4123	4686	4724	4991	5505	5572		4753	

Judicial District		11							JD11 Case Filing Summary	
Case Category	CY2008	CY2009	CY2010	CY2011	CY2012	CY2013	CY2014	Sparkline	Average Case Filings (2008-2014)	
Adoption	71	59	67	73	62	56	85		68	
Child Abuse and Neglect	59	102	87	77	117	92	90		89	
Civil	1999	2063	2264	1966	2041	2076	2026		2062	
Commitment of a Person with a Mental Illness	100	79	106	195	166	179	142		138	
Commitment of a Person with Dev. Disability	2	0	1	1	4	8	6		3	
Criminal	807	835	706	643	897	935	829		807	
Domestic Relations	848	897	1059	1118	1261	1234	1257		1096	
Drug & Other Treatment Courts	0	0	0	0	0	0	0		0	
Guardian/Conservator	91	99	81	97	83	107	99		94	
Investigative Subpoena/Search Warrant	202	246	248	317	260	276	307		265	
Juvenile	137	111	93	141	211	277	205		168	
Paternity	11	4	6	10	4	5	2		6	
Probate	207	208	229	239	253	245	257		234	
Total Cases	4534	4703	4947	4877	5359	5490	5305		5031	

Judicial District		13							JD13 Case Filing Summary		
Case Category	CY2008	CY2009	CY2010	CY2011	CY2012	CY2013	CY2014	Sparkline	Average Case Filings (2008-2014)		
Adoption	160	159	154	117	143	137	153		146		
Child Abuse and Neglect	144	124	143	185	303	266	223		198		
Civil	2491	2444	2825	2364	2522	2885	3141		2667		
Commitment of a Person with a Mental Illness	76	107	75	106	116	113	137		104		
Commitment of a Person with Dev. Disability	3	1	3	3	5	4	8		4		
Criminal	825	846	977	1022	1346	1601	1695		1187		
Domestic Relations	1517	1689	1928	1891	2012	2035	1808		1840		
Drug & Other Treatment Courts	18	18	15	60	83	132	110		62		
Guardian/Conservator	142	150	164	144	177	177	237		170		
Investigative Subpoena/Search Warrant	356	410	486	555	662	798	799		581		
Juvenile	161	111	186	159	328	350	313		230		
Paternity	8	13	25	27	27	27	23		21		
Probate	321	341	323	350	355	365	378		348		
Total Cases	6222	6413	7304	6983	8079	8890	9025		7559		

Judicial District		(Multiple Items)							JD7 & JD 15 Case Filing Summary		
Case Category	CY2008	CY2009	CY2010	CY2011	CY2012	CY2013	CY2014	Sparkline	Average Case Filings (2008-2014)		
Adoption	32	23	13	18	28	37	45		28		
Child Abuse and Neglect	54	20	47	27	43	48	37		39		
Civil	703	494	638	582	601	666	677		623		
Commitment of a Person with a Mental Illness	34	28	29	23	12	11	7		21		
Commitment of a Person with Dev. Disability	0	0	0	0	0	0	0		0		
Criminal	188	238	210	215	304	363	429		278		
Domestic Relations	293	235	212	267	274	235	290		258		
Drug & Other Treatment Courts	5	15	30	50	54	50	85		41		
Guardian/Conservator	59	32	42	17	27	23	20		31		
Investigative Subpoena/Search Warrant	48	42	33	38	76	127	78		63		
Juvenile	48	26	27	34	22	29	25		30		
Paternity	5	11	5	5	8	6	3		6		
Probate	366	328	356	456	539	540	492		440		
Total Cases	1835	1492	1642	1732	1988	2135	2188		1859		

Judicial District		18							JD18 Case Filing Summary		
Case Category	CY2008	CY2009	CY2010	CY2011	CY2012	CY2013	CY2014	Sparkline	Average Case Filings (2008-2014)		
Adoption	61	71	55	48	68	46	63		59		
Child Abuse and Neglect	102	47	40	37	52	45	63		55		
Civil	1492	1655	1798	1600	1518	1534	1839		1634		
Commitment of a Person with a Mental Illness	63	71	69	46	62	87	70		67		
Commitment of a Person with Dev. Disability	1	1	1	2	1	0	0		1		
Criminal	582	543	545	488	485	580	666		556		
Domestic Relations	698	672	761	715	784	912	941		783		
Drug & Other Treatment Courts	25	25	25	25	25	22	29		25		
Guardian/Conservator	47	39	65	46	50	59	76		55		
Investigative Subpoena/Search Warrant	69	195	238	204	232	293	310		220		
Juvenile	102	65	68	75	82	67	39		71		
Paternity	2	3	1	3	2	1	4		2		
Probate	147	143	160	156	187	192	183		167		
Total Cases	3391	3530	3826	3445	3548	3838	4283		3694		

Montana District Courts Judicial Need Model: 2014 Case Weights with 2014 Case Filings

Case Type Category	Case Weight in Minutes	District 1 Cases Filed Broadwater Lewis & Clark	District 2 Cases Filed Silver Bow	District 3 Cases Filed Dear Lodge Granite Powell	District 4 Cases Filed Mineral Missoula	District 5 Cases Filed Beaverhead Jefferson Madison	District 6 Cases Filed Park Sweet Grass	District 7 Cases Filed Dawson McCone Prairie Richland Wibaux	District 8 Cases Filed Cascade	District 9 Cases Filed Glacier Pondera Teton Toole	District 10 Cases Filed Fergus Judith Basin Petroleum	District 11 Cases Filed Flathead	District 12 Cases Filed Chouteau Hill Liberty	District 13 Cases Filed Yellowstone	District 14 Cases Filed Golden Valley Meagher Musselshell Wheatland	District 15 Cases Filed Daniels Sheridan Roosevelt	District 16 Cases Filed Carter Custer Garfield Fallon Power River Rosebud Treasure	District 17 Cases Filed Blaine Phillips Valley	District 18 Cases Filed Gallatin	District 19 Cases Filed Lincoln	District 20 Cases Filed Lake Sanders	District 21 Cases Filed Ravalli	District 22 Cases Filed Big Horn Carbon Stillwater	Statewide Totals
Child Abuse and Neglect (DN)	204	110	75	25	162	11	15	31	343	70	48	90	41	223	18	6	77	34	63	51	45	29	42	1,609
Criminal (DC)	140	936	276	172	1,145	164	111	310	913	187	149	829	262	1,695	44	119	218	119	666	153	361	321	189	9,339
Civil (DV)	109	2,299	693	377	2,221	426	362	459	1,847	434	200	2,026	380	3,141	246	218	391	234	1,839	395	621	799	505	20,113
Juvenile (DJ)	75	88	78	6	182	23	11	20	204	25	12	205	35	313	14	5	15	21	39	10	24	30	19	1,379
Domestic Relations (DR)	99	1,059	356	124	1,330	137	194	167	1,145	170	142	1,257	152	1,808	71	123	210	117	941	200	271	317	147	10,438
Commitment of a Person with Dev. Disability (DI)	88	4	3	3	5	7	0	0	7	0	2	6	2	8	0	0	0	0	0	0	1	2	0	50
Paternity (DF)	37	4	0	0	12	1	0	3	7	4	1	2	3	23	1	0	2	2	4	0	0	4	0	73
Commitment of a Person with a Mental Illness (D)	47	79	61	183	237	19	13	5	42	12	100	142	16	137	2	2	26	9	70	11	14	29	4	1,213
Guardian/Conservator (DG)	60	76	36	23	174	15	16	8	88	28	23	99	26	237	7	12	22	23	76	20	36	56	23	1,124
Adoptions (DA)	37	64	23	7	89	18	11	21	70	19	8	85	10	153	4	24	70	21	63	19	15	30	16	840
Probate (DP)	23	196	122	79	288	91	75	280	264	144	60	257	117	378	67	212	172	97	183	98	109	108	88	3,485
Investigative Subpoena/Search Warrant (IS SW)	14	234	37	58	392	25	22	67	596	35	40	307	56	799	28	11	152	15	310	16	198	86	35	3,519
Drug & Other Treatment Courts	669	24	23	0	52	0	0	85	46	15	0	0	0	110	0	0	21	0	29	0	0	0	0	0
Total Annual Filings		5,173	1,783	1,057	6,289	937	830	1,456	5,572	1,143	785	5,305	1,100	9,025	502	732	1,376	692	4,283	973	1,695	1,811	1,068	53,182
Case-Specific Workload = (Weights x Filings)		550,493	195,424	96,132	653,413	92,481	82,100	183,634	583,679	123,403	75,939	521,642	110,581	948,973	47,357	60,930	136,101	67,355	440,906	100,327	164,778	181,425	110,725	5,256,853
Annual Travel per District		6,486	11,116	7,500	20,609	25,560	8,640	22,175	7,749	17,220	4,620	12,394	7,140	28,734	4,380	27,887	32,466	17,520	3,016	6,772	9,495	1,956	18,900	573,280
Case Specific Workload + Annual Travel		556,979	206,540	103,632	674,022	118,041	90,740	205,809	591,428	140,623	80,559	534,036	117,721	977,707	51,737	88,817	168,567	84,875	443,922	107,099	174,273	183,381	129,625	5,830,133
Annual Per Judge Availability (212 days * 480 minutes)		101,760	101,760	101,760	101,760	101,760	101,760	101,760	101,760	101,760	101,760	101,760	101,760	101,760	101,760	101,760	101,760	101,760	101,760	101,760	101,760	101,760	101,760	101,760
Average Annual Non-Case Related Work (61 minutes/day * 212)		12,932	12,932	12,932	12,932	12,932	12,932	12,932	12,932	12,932	12,932	12,932	12,932	12,932	12,932	12,932	12,932	12,932	12,932	12,932	12,932	12,932	12,932	12,932
Annual Availability per Judge (in minutes)		88,828	88,828	88,828	88,828	88,828	88,828	88,828	88,828	88,828	88,828	88,828	88,828	88,828	88,828	88,828	88,828	88,828	88,828	88,828	88,828	88,828	88,828	88,828
Allocated Judge per District (includes Standing Masters @ .627)		4	2	1	5	1	1	2	4.5	1	1	4	1	6	1	1	2	1	3.5	1	2	2	1	48.00
Total Judicial Demand		6.27	2.33	1.17	7.59	1.33	1.02	2.32	6.66	1.58	0.91	6.01	1.33	11.01	0.58	1.00	1.90	0.96	5.00	1.21	1.96	2.06	1.46	65.63
Judge Need per District		2.27	0.33	0.17	2.59	0.33	0.02	0.32	2.16	0.58	-0.09	2.01	0.33	5.01	-0.42	0.00	-0.10	-0.04	1.50	0.21	-0.04	0.06	0.46	17.63