

North Central Regional Office

Minnesota Supreme Court

Automated Caseflow Management and Docketing

Feasibility Report

A joint publication of the
National Center for State Courts

and the

Office of the Minnesota State Court Administrator

45945



National Center for State Courts

NCJRS

MAR 29 1978

ACQUISITIONS

Minnesota Supreme Court

Automated Caseflow Management and Docketing

Feasibility Report

A joint publication of the

National Center for State Courts

and the

Office of the Minnesota State Court Administrator

Lynn A. Jensen
Senior Staff Associate
National Center for State Courts

Judith L. Rehak
Deputy Court Administrator
Minnesota Supreme Court

This project publication was supported by a grant awarded by the Adjudication Division Office of Regional Operations, Law Enforcement Assistance Administration, United States Department of Justice. Points of view or opinions stated in this publication are those of the staff of the National Center for State Courts and the Office of the Minnesota State Court Administrator and do not necessarily represent the official position of the United States Department of Justice.

TABLE OF CONTENTS

	Page
LIST OF TABLES AND FORMS	v
SUMMARY OF RECOMMENDATIONS	vii
INTRODUCTION	1
Organizational Goals	1
Methodology	2
Report Structure	3
CHAPTER I - ANALYSIS OF EXISTING CASEFLOW MANAGEMENT PROCEDURES	5
Record Creation and Maintenance	6
Calendaring	9
Opinion Preparation Process	11
Oral Argument Cases	11
Non-Oral Cases	13
For All Cases	13
Case Monitoring Procedures	14
Civil Appeals Prehearing Conference	14
Procedures for Monitoring All Appeals	15
Procedures for Monitoring Special Matters, Writs, or Motions	18
Analysis and Recommendations	21
Define Organizational Responsibilities	23
Define Case Processing Responsibilities	23
Revise Case Processing System to Improve Monitoring Capability	24

Identify the Impact of the Prehearing Conference	26
Use of the Scheduling Order	26
Prehearing Conference Administrator.	27
Special Matters Processing	27
Establish Performance Goals	29
Publication of the Minnesota Reports	30
Elimination of the Minute Book	31
Revise the Recordkeeping and Filing Procedures	32
Bar Admissions	33
Summary	33
CHAPTER II - SUPREME COURT INFORMATIONAL REQUIREMENT	35
CHAPTER III - A BASIC CASEFLOW MANAGEMENT SYSTEM	42
General Description	43
Docket and Related Action Books Module	44
Indexing Module	45
Notice Preparation Module	46
Management and Statistical Reports Module	46
Semi-Automated Scheduling Module	47
System Wide Implementation	48
Management Commitment	49
CHAPTER IV - EXISTING AUTOMATED APPELLATE DOCKETING SYSTEM EFFORTS	52
Oregon	53
New Jersey	56
Missouri	58

	iv
Analysis of Existing Efforts	59
Summary	60
CHAPTER V - DATA PROCESSING ALTERNATIVES	62
1. Court Operated and Controlled Data Processing Facility	63
Mini-Computer Analysis	65
Burroughs B730 Series	66
IBM System 3	68
NCR 8200 Series	70
Conclusion	70
Cost/Benefit Analysis Technique	72
SJIS Capability	74
System Reliability	74
Organizational Impact	74
Timeliness of Information	74
System Hardware/Software Flexibility	75
Extent of Caseflow Information	75
Summary of the Cost/Benefit Method	75
2. Use of Computer Services Provided by a Commercial Data Processing Agency	76
3. State Administrative Agency that Serves As a Central Data Processing Center	78
4. Court Employed Systems and Support Personnel Using a State Central Data Processing Facility	82
5. Improved Manual System	86
CHAPTER VI - SUMMARY OF FINDINGS	90
BIBLIOGRAPHY	93
APPENDICES	94

LIST OF TABLES

	Page
Table 1 - General Case Processing Procedures	5
Table 2 - Cases Older Than 90 Days in Which No Notice of Release for Circulation Has Been Received by the Court Administrator	19
Table 3 - Average Processing Times for Opinions Released in 1976	20
Table 4 - Burroughs B730 Series	67
Table 5 - IBM System 3 Minimal Configuration	69
Table 6 - NCR 8200 Series Minimal Configuration	71
Table 7 - A Simplified Approach to Cost/Benefit Analysis for Evaluating Available System Alternatives for Appellate Caseload Processing	73
Table 8 - The Effect of Three Alternative ADP Approaches on Management and Data Processing Control	83
Table 9 - Control Considerations for Alternative ADP Agencies	88

LIST OF FORMS

Form 1 - Case Status Report	16
Form 2 - Basic Statistical Card	17
Form 3 - Diary Card	22
Form 4 - Case Progress Report	22

SUMMARY OF RECOMMENDATIONS

- Recommendation 1: Organizational responsibilities for differing phases of case processing should be clearly specified to avoid duplication of efforts.
- Recommendation 2: The clerk's office should have the responsibility for recording, monitoring, and processing all case related documents. Responsibilities of all other court personnel should also be clearly defined.
- Recommendation 3: The case processing system should be revised to reduce the unnecessary gaps in the process. These gaps include time between notice of appeal and the prehearing conference, and time on the calendar without action.
- Recommendation 4: The effectiveness of the prehearing conference in reducing the number of appeals to be considered by the court should be carefully studied and any appropriate changes to improve the procedures should be made immediately.
- Recommendation 5: Only in extraordinary situations should attorneys be allowed more than 20 days after a prehearing conference to settle a case. A scheduling order should be issued immediately if a settlement does not appear attainable.

- Recommendation 6: A lawyer, not a member of the court, should handle prehearing conferences.
- Recommendation 7: The processing time for special matters should be reduced by closer monitoring of processing time and by assigning additional personnel or relieving existing personnel from other duties.
- Recommendation 8: The court should establish a policy requiring issuance of an order within 2 weeks of submission of a motion.
- Recommendation 9: The Supreme Court should establish performance standards for each key area of court activity and develop a mechanism for monitoring achievement of these standards.
- Recommendation 10: The court should authorize West Publishing to publish the official Minnesota Reports after establishing edit criteria and distribution responsibility.
- Recommendation 11: To simplify recordkeeping procedures within the clerk's office, the minute book should be eliminated.
- Recommendation 12: The recordkeeping and filing system should be revised by eliminating the bound docket books, the built-in file drawers, and the folded files. They should be replaced by preprinted docket cards, flat record file folders, and open shelving.
- Recommendation 13: The court should analyze the need for a word processor to reduce clerical effort and assist in administrative matters.

- Recommendation 14: The Supreme Court should adopt and implement immediately the recommendations made in this report that affect the case processing information system. The court should then setup a periodic review process to determine the impact these recommendations have on case delay and backlog.
- Recommendation 15: The Supreme Court should take a direct interest in reviewing the current and future informational requirements of the state judiciaries and should establish a procedure to evaluate these informational requirements for consistency with its long-range planning and State Judicial Information System efforts.
- Recommendation 16: Prior to making a final decision a system-wide cost/benefit analysis should be conducted by the court for each viable data processing alternative available to them. The results of this analysis should be combined with a system-wide information requirements analysis to determine which data processing alternative is best for both the appellate and trial courts' long-term operations.
- Recommendation 17: The Supreme Court should request the Director of Information Services and the Deputy State Court Administrator to analyze thoroughly and evaluate existing automated appellate systems, especially the Oregon Appellate Court Docketing System, prior to any decision to automate the Minnesota Appellate Caseflow System.

- Recommendation 18: Any decision to automate the Appellate Caseflow Docketing System should be made in conjunction with and closely coordinated with all long-term planning efforts of the court including the current SJIS program.
- Recommendation 19: Since initial costs are too excessive, the Supreme Court should not establish at this time a court data processing capability to automate the appellate caseflow management and docketing system.
- Recommendation 20: The Supreme Court should develop a long-range judicial information system master plan that includes a statement of intent to administer and manage the state courts and incorporate all information system development efforts into the long-range planning efforts of the court.
- Recommendation 21: The Supreme Court should establish a policy that clearly identifies what internal judicial management information can be transferred to other agencies (CJIS) or to the public to protect judicial integrity and individual privacy.
- Recommendation 22: The Supreme Court should have the State Court Administrator establish procedures that control the distribution of internal judicial management information to other agencies (CJIS) or to the public to protect judicial integrity and individual privacy.

Recommendation 23: The Supreme Court should obtain a written legally binding agreement with ISD consistent with the above policies and procedures that establishes management control by the Court over all existing judicial applications and data.

INTRODUCTION

Organizational Goals

The Supreme Court as a public body and court of last resort has several important organizational goals, some of which may conflict. At a minimum these goals are:

1. To adjudicate fairly and swiftly the rights and obligations of litigants in individual cases.
2. To interpret and express clearly the law where substantial doubt exists so that the parties and the public may understand their rights and obligations and adjust their future action accordingly, and
3. To disseminate the determinations of the court quickly and accurately to the parties and the public.

The organizational structure and management system of the court can affect the attainment of these goals by contributing to or hindering the quality or the timeliness of opinions.

During the past two years the court has been able to reduce and maintain case processing time on the average at 14.9 months in spite of a rising caseload. The American Bar Association, however, recommends substantially less time for case processing in its final draft of Standards Relating to Appellate Courts. Rule 3.52 provides that the time for processing an appeal, except in cases of extraordinary complexity, should not exceed 180 days.¹

¹Standards Relating to Appellate Courts, American Bar Association Commission on Standards of Judicial Administration, Final Draft, 1977, p. 75.

Several judges of the court have expressed a desire to explore the feasibility of automating the appellate docketing procedures as a way to improve case processing further. The Supreme Court recognized that in order to have an effective automated system, the underlying manual system must be sound and efficient or the same problems and inefficiencies that exist in the manual system will be built into the automated system. As a result the court contracted with the National Center for State Courts to assist the Deputy State Court Administrator to examine and describe the current case processing and information system supporting the Supreme Court operations, to make recommendations for the strengthening the system to improve current operations, and to discuss the feasibility of computerizing, now or at a later date, all or part of the information system.

Methodology

The primary staff work for the project was provided by Judith L. Rehak, Deputy State Court Administrator of Minnesota, and Lynn A. Jensen, Senior Staff Associate of the National Center for State Courts. Mr. Robert Lipscher, Circuit Executive of the Second Court of Appeals, contributed immeasurably to the effort by freely giving of his time, energy, and advice to assist the staff in their analysis.

The staff reviewed and documented the manual case processing procedures currently in existence in the offices of the Supreme Court Clerk, the Commissioner, the Court Reporter and the State Court Administrator. The staff conducted interviews with each Justice of the Supreme Court, the

Commissioner, the Clerk of Court, the Court Reporter, and the State Court Administrator to determine their perceptions of the needs and problems of the existing system. After reviewing their findings, the staff discussed in depth with Mr. Robert Lipscher their perceptions. The staff then conducted a review of published studies on appellate caseflow and familiarized themselves with the standards relating to appellate courts adopted by the American Bar Association. Preliminary statements of their findings, analysis, and recommendations were prepared and distributed to interested parties. After further interviews, research, and analysis a preliminary draft was prepared for review, verification, and approval by the office of the State Court Administrator. This report was then revised, incorporating the recommendations of the Court Administrator, and prepared for submission to the Supreme Court for final approval.

Report Structure

The report is divided into an introduction, a summary of recommendations, six chapters, and an appendix. The introduction provides a background discussion of this project's purpose and scope. The summary of recommendations lists in one convenient location all substantive recommendations found in this report.

Chapter I describes the current case processing procedures used to prepare and to monitor case progress toward disposition. This includes analyzing the record creation, calendar, and opinion preparation processes. Several recommendations that will strengthen the existing processing system and increase its effectiveness are included in this chapter.

Chapter II discusses the current information requirements and the perceived informational needs of the Supreme Court if an automated system were implemented. Reference is made to the American Bar Association monitoring standards relating to appellate courts.

Chapter III discusses the concept of caseflow management and more particularly the modular make-up of an automated caseflow docketing system. In addition, the chapter stresses the need for the court to make a firm commitment to assume the cost and management associated with an automated system if one is adopted.

Chapter IV examines three operational appellate caseflow management docketing system efforts. The discussion centers on the three systems' capabilities and design considerations.

Chapter V analyzes the basic data processing alternatives available to the Supreme Court to process the information generated by an automated caseflow management docketing system. The chapter contains an analysis of estimated projected costs and examines several management considerations that must be dealt with if the court decides to develop an automated caseflow management system.

Chapter VI summarizes the findings of Chapters I thru V and contains several recommendations concerning the implementation of an automated caseflow management docketing system. The appendix contains supportive material too bulky for inclusion in the body of the report.

CHAPTER I

ANALYSIS OF EXISTING CASEFLOW

MANAGEMENT PROCEDURES

Caseflow management procedures are the processes by which cases are prepared and brought to the attention of the court for disposition. The procedures or systems used to handle criminal and civil appeals are identical with the exception of the use of prehearing conferences at the beginning of the civil procedures. In general, the steps involved in the process for handling both civil and criminal appeals can best be illustrated by Table 1.

Table 1

General Case Processing Procedures

<u>Criminal</u>	<u>Civil</u>
Initial Filings	Initial Filings
	Prehearing Conference
Preparation and Submission of Transcripts and Briefs	Preparation and Submission of Transcripts and Briefs
Screened and Set on Calendar	Screened and Set on Calendar
Hearing (either division of 3 or en banc)	Hearing (either division of 3 or en banc)
Opinion Writing	Opinion Writing
Opinion Review Procedures	Opinion Review Procedures
Court Reporter Opinion Preparation	Court Reporter Opinion Preparation
Distribution of Opinion to the Public	Distribution of Opinion to the Public

An information system has been developed within the administrative structure of the Supreme Court to compile, transmit, and monitor operational information concerning the status of cases within the case processing system. The purpose of this report is to examine this information system and to make recommendations for its improvement. In general, four basic processes are involved in the dissemination of information within the Supreme Court. They are the record creation and maintenance system, the calendaring process, the opinion preparation process, and the case monitoring system. The steps, actors, and methodologies in each of these systems will be described and analyzed for effectiveness, and recommendations will be made that will increase their efficiency and hopefully have the effect of reducing the time necessary to process appeals.

Record Creation and Maintenance

An appeal is initiated when the attorney serves a notice of appeal on opposing counsel, files it with the clerk of the trial court, and pays a fee. The clerk of the trial court sends a copy of the notice of appeal with the appropriate portion of the fee to the clerk of the Supreme Court. All cases, regardless of type, are indexed alphabetically (by name of appellant and respondent) in a common book in chronological order. All cases, regardless of type are recorded in a common docket in order of receipt. Each case is assigned a number which corresponds to its page in this docket book. Thereafter, each document filed and the hearing date are recorded in the docket book under the case number. Each document is annotated with the case file number and filed in a file drawer with related case documents under the case number. These are the basic records which are maintained by the

clerk's office: the index which is searched by either appellant's or respondent's name and which is cross referenced to the docket case number, the docket book which is a chronological listing of all cases denoting all documents and critical events in a given case, and the actual case file containing all documents filed with the Supreme Court except the lower court record. Any member of the court has access to these basic records.

If documents for a case are received before a case is officially filed, they are filed in a suspense file alphabetically. Periodically the clerk will review the suspense file and retrieve documents which pertain to active cases.

In addition the clerk maintains a minute book in which is recorded the activities of the court such as hearings, entry of non-case related orders, e.g., orders promulgating rules, admission of attorneys, et cetera. This book is maintained on a daily basis with an index to significant activities in the front of the book. Pages are removable and entries are typewritten. Non-case related documents are filed chronologically by subject matter in a separate file.

The clerk has followed statutory procedures to retire inactive court records by releasing them to the Historical Society. Because of space limitations only the current active files are maintained in the working area. Periodically files are moved from the work area to the secretarial area behind the clerk's office allowing ready access if necessary.

During the course of the appeal the trial court records are

received by the clerk of the Supreme Court. An inventory sheet is used to verify receipt of the trial court material and to insure its return to the trial court after the hearing. The receipt is noted in the docket book along with a code denoting the location of the trial court record in the clerk's office.

In addition to the basic court records noted above, the clerk prepares a court calendar which lists the cases which will be heard during a given period, the judgment or order appealed from, the attorneys, the hearing date, and the type of hearing. As each case is placed on the calendar it is given a consecutive number, starting with 1 for the first case in January. This number indicates how many cases the court is called upon to dispose of by hearing or non-oral procedure in a given year. This calendar is distributed to members of the press and public who request copies. Attorneys are sent copies of the calendar at least 60 days prior to the commencement of the calendar period so that scheduling conflicts are usually avoided and the attorneys are able to insure that the trial court record is forwarded to the court. The clerk maintains a "permanent" working copy of the calendar in which additions, deletions, the names of the arguing attorneys, and the sitting judges are recorded. Much of this information is recopied in the minute book in the same format. All the basic information is scattered throughout the docket book under the appropriate case number. The calendar is used to respond to questions about the court schedule and the attorneys who will argue a case. The calendar is the end product of the screening and assignment process described next.

Calendaring

Calendaring is the process by which the type of hearing and the hearing date are established, a judge assigned to the case, and the attorneys notified. This process more than any other involves the several departments of the court and requires close coordination if the court is to achieve its goal of keeping the caseload current.

When the first respondent's brief is filed, the clerk will place the name of the case on a chronological list of cases ready for hearing. By rule the calendar is prepared at a time which will allow 60 days notice to attorneys. Therefore, approximately 30 days prior to the issuance of the calendar, the clerk gathers the briefs of the cases at the top of the list and submits them to the commissioner's office for screening. The number of cases submitted (usually 60 per month) is established by an associate justice depending on the availability of cases, the time available to hear cases, and the currency of the calendar.

The commissioner's office screens the cases to establish the type of hearing--en banc, division of three judges, or non-oral. For each case a descriptive issue is written and a hearing type recommended. A list of the descriptive issues is sent to the court and the Attorney General who then publishes it as a service to attorneys to alert them to pending case issues. The list of recommended hearing types is submitted to the associate justice for review and approval. He may suggest changes which are discussed with the commissioners. The judge then establishes the necessary number of hearing dates by type of hearing and sends the calendar format to the clerk who types the actual calendar. The calendar

is printed on a lithograph owned by the court. Copies are sent to the court administrator for distribution within the court and to the clerk for distribution to attorneys. If an attorney has a case on the calendar, he is sent a copy of the calendar with a notice reminding him to have the trial court record sent from the trial court to the Supreme Court.

The court administrator and the associate judge assign cases to individual judges on a random rotational basis. The court administrator maintains records of the numbers of different types of cases assigned to each judge. The panel assignment is varied each month as is the case assignment to insure that each judge is assigned the same cumulative number of cases during the court year. The court administrator then notifies members of the court and support staff of the case assignments. This is an internal document only.

Changes to the calendar may be made in several ways. If vacant slots exist in the calendar, the clerk responds to requests to expedite cases by inserting the case in the vacant slot, entering an order which is sent to all concerned attorneys, and notifying all members of the court. The court administrator then assigns a judge and notifies all members of the court. If no vacant slot exists, the clerk sends the request to the court administrator who suggests an additional time or date to the chief justice for approval. Once an additional setting has been approved, the court administrator notifies all members of the court. The court administrator then assigns a judge. When a case is dismissed, the clerk notifies all members of the court. Upon special request by an attorney, a case may be continued for good cause. The clerk will notify all members

of the court and submit it with the calendar list for a subsequent month. If a special matter is submitted for full court consideration by hearing, the commissioner will get a date from the court administrator, verify the date with the chief justice and draft an order for the signature of the Chief Justice setting the case on the calendar which is filed in the clerk's office. The clerk will mail copies of the order to the attorneys and notify the entire court. The chief justice may handle the case, suggest a judge assignment, or leave the judge assignment to the court administrator. Two weeks before the hearing the opinion clerk will send a card to each attorney or firm of record requesting notification of the name of the attorney who will argue on the hearing date. The opinion clerk furnishes this information to the marshall and the court to facilitate the oral argument procedures.

Opinion Preparation Process

While a general, diffuse, dissatisfaction with the present opinion release system exists, the specific definition of problems within the present system differs with each assessor but generally concerns the availability of law clerks to perform special research requests, the timeliness with which memoranda are submitted to the judges prior to hearing, the availability of law clerks to draft and edit opinions, the availability of secretarial help, and the timeliness of the release of the opinions from the court reporter's office. The opinion release process is outlined below.

Oral Argument Cases. Once the case which is to be orally argued is assigned to a specific judge, his law clerk will prepare a legal memorandum stating the facts and analyzing the legal issues. A copy of

this memorandum will be circulated to all judges a week before the hearing. A conference will be held immediately after the oral argument. The judges retire to the conference room to discuss the case. On the basis of the discussions, the judge to whom a case is assigned will prepare an opinion which will be circulated among the judges of the court. Each judge will review the opinion and if he agrees with the reasoning and conclusions will initial it and pass it on to the next judge in the rotation pattern. The last judge to initial the opinion forwards it to the court reporter's office.

If a judge dissents, he discusses the case with the author in an attempt to resolve the disagreement. If agreement is not possible, a dissent is written and circulated with the opinion for approval. After complete circulation, the opinion and the dissent will be forwarded to the court reporter's office for editing.

The court reporter will assign the case for editing. The editor will verify the statements of the facts and the law and make revisions for grammatical clarity. The revisions must be approved by the judge who wrote the opinion. The opinion clerk types the final copy of the opinion and returns it to the secretary of the judge who wrote it with the original for proof reading. Errors are identified, and the opinion is returned to the opinion clerk for corrections. The corrections are proofread by the court reporter. Once the opinion is proofread, the judge reviews it for the last time and the opinion is returned to the opinion clerk for release. The composite syllabus is

typed and the opinion is printed. Copies are mailed to attorneys and distributed to the press.

Non-Oral Cases. A legal memorandum is prepared for each non-oral case by a member of the commissioner's office. A copy of the memoranda is distributed to each judge. Two panels of judges meet each month on a specified day to consider the non-oral cases. Each case is assigned to a judge who will author the opinion. After discussion, the opinion or summary affirmance order will be written and circulated in much the same manner as oral argument cases.

For All Cases. A judge has the option of releasing an opinion on any case without editing. If this is done the case by-passes the court reporter's office except to have the syllabus and the statement of facts written.

The court reporter is also responsible for preparing the opinions for publication. In addition to editing the opinions before release, the court reporter prepares the statement of facts, the index and the table of cases, proofreads the page proofs and prepares the cover.

As the opinion is released, it is filed in the clerk's office. Notices of taxation of costs are mailed to the prevailing party. After an appropriate time, judgment is entered and costs and disbursements are taxed.

Case Monitoring Procedures

Rule 3.51 of the American Bar Association's Standards Relating to Appellate Courts recommends the use of continuous monitoring to control the flow of cases and to reduce total processing delay. Specifically the rule states that:

The appellate court should monitor compliance with procedural rules and time requirements for preparation of the record and submission of briefs. It should have a record and information system to aid this supervision and to permit periodic review of the status and progress of all cases.²

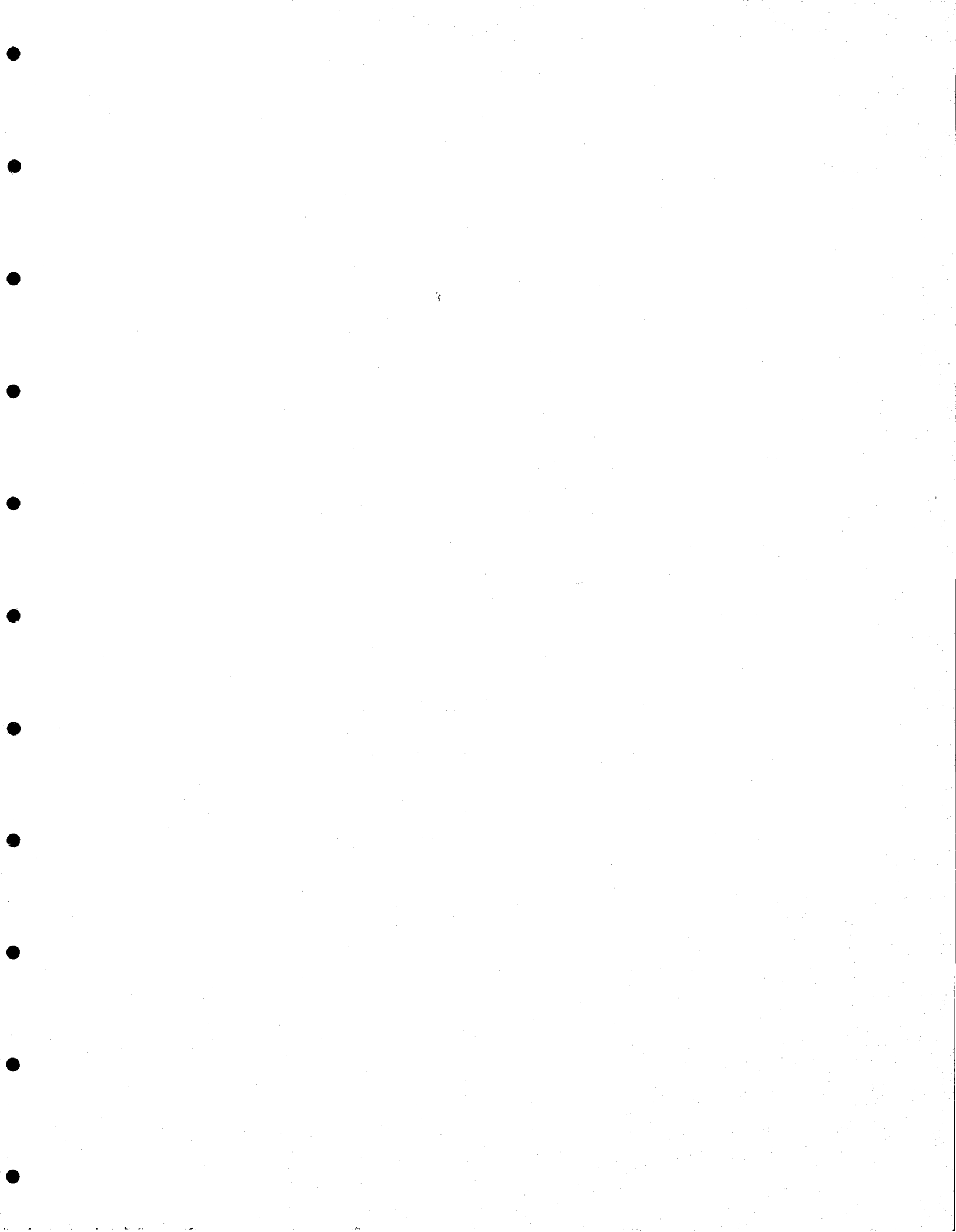
The clerk of the Supreme Court and the State Court Administrator have already established several procedures to monitor and control the flow of cases through the Supreme Court. These procedures are discussed and analyzed in the paragraphs that follow.

Civil Appeals Prehearing Conference. Prehearing conferences are not held in a criminal case. When a civil appeal is filed, the clerk's office notifies the prehearing conference judge of the arrival of the case. The Rules of Civil Appellate Procedure specify that when a notice of appeal is served, both parties shall prepare and file with the prehearing judge a prehearing statement of the facts and issues in the case. When prehearing statements are received, the secretary for the prehearing judge will log the case in a control ledger, create an active file, contact the attorneys by phone, establish a date for a prehearing conference, and send a form order requiring their appearance at the conference.

²Standards Relating to Appellate Courts, American Bar Association, Final Draft, 1977, p. 72.

At the prehearing conference, the judge will explore the possibility of settlement with the attorneys or narrow the issues on appeal. If settlement is likely but not immediately forthcoming, the judge's secretary will diary the case for further contact. After several telephone contacts a second conference may be scheduled or the attorneys may be ordered to order the transcript and begin preparation of the briefs. This briefing order is filed in the clerk's office. If no settlement is likely, the briefing order may be entered immediately. A copy of the briefing order is also sent to the administrator's office where appropriate monitoring dates are entered on the case card which is date filed.

Procedures for Monitoring All Appeals. The office of the court administrator is charged with monitoring the process of appeals through the Supreme Court. In order to accomplish this goal, the following procedure has been established. When a notice of appeal, notice of delivery of a transcript, appellant's or respondent's brief are filed, the clerk's office records the case number on Form I in the appropriate column and sends the form daily to the secretary of the court administrator. Upon receipt of the notice of appeal, the secretary will create two cards, the basic statistical card (Form 2) and diary card (Form 3). The statistical card will be used to collect the time lapse data which is used to monitor performance and to prepare the annual report. The statistical card is filed numerically by category of the last completed action. These categories include: cases awaiting prehearing conference, transcript, appellant's brief filed, respondent's brief filed, argument



FORM 1

Case Status Report

Date Filed:

Notice Of Appeal Or Petition	Order For Transcript	Transcript Acceptance & Del'y Date File# Date	Transcript Delivered File# Date	Appellant's Brief	Respondent's Brief	Appeal Dismissed	Orders Consolidated

Basic Statistical Card

File No.

Case Name:

Cal. No.

Judge No.

Activity	Date	Day of Yr.	El. Time
Appeal or Petition for Writ Filed			
Transcript Filed			
Appellant's Brief Filed			
Respondent's Brief Filed			
Argument or Conference Held			
Opinion Released for Comment			
Opinion Held for Dissent by Judge No.			
Dissent Released			
Received by Reporter			
Released by Reporter			
Opinion or Order Filed			
Rehearing Granted			
Case Type:		Total Time Elapsed	

held, opinion released for circulation by the judge, dissent released by the judge, received by the court reporter, released by the court reporter, and opinion released. In this way the number of cases in each phase of the proceeding can be readily determined. The diary card (Form 3, page 22 is filed in an action date file and is used to trigger delinquency notices to attorneys. On any given date the diary cards are checked against the statistical card and the docket book to insure that the appropriate action has occurred. If the appropriate action has not occurred, a form letter is sent to the attorney reminding him of the action which must be taken and notifying him that his case will be dismissed in 30 days if the deficiency is not corrected or an extension of time is not requested. Requests for extensions of time are received by the court administrator who recommends a course of action in the case to the chief justice.

Once the case has been heard and the decision issuance process commenced, the secretary to a judge uses Form 4 to report the progress of a case to the court administrator's secretary. If an opinion is not released for circulation 90 days after hearing, the case is placed on a delinquent list which is circulated to all judges at the monthly court meeting (see Table 2). Notice is also given to the judges of cases circulating more than 60 days.

At the end of the year the statistical cards are used to compute the time lapse statistics. A report such as that in Table 3 is prepared for both civil and criminal cases.

Procedures for Monitoring Special Matters, Writs, or Motions. A different procedure is used to monitor special matters, writs, or motions. When a writ or motion is received by the clerk's office, it is recorded

Cases Older Than 90 Days
In Which No Notice of Release
For Circulation Has Been Received
By The Court Administrator

<u>Case No.</u>	<u>Judge No.</u>	<u>Case Name</u>	<u>Heard</u>	<u>Rehearing</u>
45290	2	Tolbert v. Gerber Industries		0-07-76
46074	5	Cornfeldt v. Tongen, et al.	10-06-76	
46085) 46165)	8	McKee v. Likins*	3-24-76*	
46195	3	Busch v. City of Duluth	10-22-76	
46328	5	Fassbinder v. Mpls. Fire Dept. Relief Association	10-13-76	
46343	5	William Nelson, et al. Wilking Dodge, et al.	10-25-76	
46345	1	Helder B. Munson, et al. v. Thompson Yeager, et al. v. Carrigan Properties	10-05-76	
46353	5	Austin Mutual Ins. Co. v. Modern Service Ins. Co.	10-27-76	
46354	4	Joe Leoni d.b.a. Power-O-Peat Co. v. Bemis Co., Inc. d.b.a. Cello Vision	9-28-76	
46444	5	Winona National Savings Bank v. Dahlen Transport	9-30-76	
46490	5	Aho v. Quality Park Prod., et al.	10-22-76	
46513	5	Lange v. City of Byron	10-12-76	
46519	3	Schonfield v. Brass Rail Bar	Sept./Oct.	WOA
46532	4	Jerabek v. Teleprompter Corp.	9-27-76	
46617	5	Sheby Mutual Ins. Co. v. Bradley Kleman	10-28-76	

*Being held for U.S. Supreme Court opinion deciding the issues in this case.

Average Processing Times For
Opinions Released In 1976

	<u>Total</u>	<u>Per Curiam</u>	<u>Regular</u>	<u>Concur Specially Or Dissent</u>
Number of Cases	354	135	196	23
Total Average Time to Disposition	14.25	12.96	14.8	17.15
Time from Notice of Appeal to Appellant's Brief	3.6	3.5	3.7	3.7
Time from Appellant's to Respondent's Brief	1.9	1.7	2.0	2.3
Average Time from Respondent's Brief to Hearing	4.6	4.6	4.6	4.6
Average Time from Hearing to Release for Circulation	1.4	1.0	1.5	2.7
Circulation Among Judges	.9	.7	.9	2.2
Court Reporter	1.4 1.5 (26*)	1.1 1.2 (18*)	1.6 1.6 (7*)	1.2 1.3 (1*)
Opinion Typing and Release	.4	.4	.4	.5

*Unedited

in the docket book. The moving papers are placed in a suspense file by response date, i.e., the date by which the motion should have been answered by the opposing council. On that date the clerk submits the motion to the commissioner's office and records the submission on the calendar for that date and on a pending list. The commissioner's office logs the motion in an index book, prepares a case information sheet for the pending cases book, and assigns a chronological number to it. A memorandum is prepared and the case is submitted to the special term panel. The date of submission is noted on the commissioner's file. Once a month the clerk's office submits the pending motions list to the commissioner's office and to the chief justice, who is a permanent member of the special term panel. The assistant commissioner in charge of special term matters then assists the judges in expediting delayed cases. Since briefing time is tolled during the pendency of most motions, the commissioner's office submits Form 4 to the secretary of the court administrator when an order disposing of a motion is filed so that case monitoring can recommence.

Analysis and Recommendations

During the study of existing procedures used to process appeals through the Supreme Court to determine the feasibility of automating court records and scheduling procedures, a number of related procedural and managerial issues surfaced. Since these issues have a direct relationship to the efficiency with which cases are processed and would affect any attempt at automating the existing system, it is important that they

FORM 3

Diary Card

FILE NO. _____
ORDER FOR TRANSCRIPT DUE: _____
ACCEPTANCE OF ORDER DUE: _____
TRANSCRIPT DUE: _____
APPELLANT'S BRIEF DUE: _____
EXTENDED DUE DATE: _____
RESPONDENT'S BRIEF DUE: _____
EXTENDED DUE DATE: _____
RULE 142.02 DISMISSAL DATE: _____

FORM 4

Case Progress Report

JO ANNE KUKOWSKI:
JUDGE _____ IS RELEASING TODAY: _____
CALENDAR NO. _____
CASE NO. _____
DATE _____

are discussed and addressed at this time.

Define Organizational Responsibilities. During discussions with court personnel in the various departments it became evident that several individuals were performing nearly identical duties. For example, correspondence on prisoners' rights may be handled by the clerk's office, the assistant commissioner for special matters, or the chief justice's law clerk. Amicus brief issues may be handled by the clerk's office, the chief justice's law clerk, or the deputy court administrator. Scheduling of cases may be handled by the clerk's office, the commissioner's office, the administrator's office, the chief justice, or an associate justice. The prehearing conference judge or the commissioner for special matters may handle petitions for leave to appeal a county court matter reviewed by district court. The diversity of responsibility leads to confusion among support personnel within the court who are unsure of their own responsibilities or those of their co-workers. Unwarranted time is spent identifying the person who has responsibility for a project or in discovering answers or procedures which are someone else's routine responsibility.

Recommendation 1: Organizational responsibilities for differing phases of case processing should be clearly specified to avoid duplication of efforts.

Define Case Processing Responsibilities. As the central repository for court records, the clerk's staff is the most familiar with the current status of court files and can best respond to inquiries from attorneys and other members of the court if all records are centralized in that office.

All incoming mail should be screened by the clerk's office so that all case documents and written inquiries about specific cases will be received and recorded before the disbursement to the appropriate department by the clerk's office. All routine requests for information should be handled by the clerk's office. Correspondence requiring responses within court established guidelines should be handled by the clerk's office. Motions concerning amicus or facsimilized briefs should be handled by the clerk's office. Matters outside the purview of established policy or matters requiring legal or special factual determinations should be referred to the special matters commissioner along with all procedural and substantive motions. Law clerks should perform case related research only. All administrative matters should be handled by permanent staff. By allocating responsibility, processing will be expedited because experienced personnel will be completing the work. A more uniform application of policy can be achieved. Most importantly all important case information will be recorded in the court docket book so that the various departments will not make contradictory decisions in a case. Better control of court records will be maintained because the clerk's office will be able to log and monitor all motions and pertinent correspondence.

Recommendation 2: The clerk's office should have the responsibility for recording, monitoring, and processing all case related documents. Responsibilities of all other court personnel should also be clearly defined.

Revise Case Processing System to Improve Monitoring Capability.

Implementation of the following process would eliminate processing dead time. When the attorney files his notice of appeal in the district court,

the attorney for appellant would be required to complete a form ordering the transcript which would be sent by the court to the court reporter. The form would have a detachable section for the court reporter to complete and return to the Supreme Court acknowledging acceptance, estimating the length of transcript, delivery time, and the number of other outstanding transcripts. A copy of the briefing order would state the time for delivery of the transcript and would be sent to the court reporter who would be held to the time specified for delivery of the transcript. This would insure that the transcript would be ordered and prepared in a timely fashion, would preserve the bargaining leverage at the prehearing conference and may have the effect of discouraging dilatory appeals and court reporters. The prehearing conference officer would establish a briefing schedule which would be set forth in a date specific order. Transcript delivery date, appellant's brief due date, respondent's brief due date, and the type and week of hearing would be specified. This procedure would give the attorneys at least the 60 day notice required by the Rules of Civil Appellate Procedures and would reduce if not alleviate the extraneous 60 day delay after filing of the notice of appeal now experienced by cases presently set on the calendar. Times less than those specified by the rules should be used where the issues warrant less preparation time.

The court administrator at the beginning of each term would establish a hearing schedule specifying certain days for en banc and division hearings. The prehearing officer would receive a copy of the schedule and would use it to establish the probable week of hearing. The clerk would

use the calendar to set a specific date as case records are completed. If continuances become necessary, they should only be granted for good cause and only by the court administrator. A new scheduling order would be issued only if the court administrator grants such a continuance.

Recommendation 3: The case processing system should be revised to reduce the unnecessary gaps in the process. These gaps include time between notice of appeal and the prehearing conference and time on the calendar without action.

Identify the Impact of the Prehearing Conference. Preliminary observation indicates that the prehearing conference has cut down or slowed the flow of cases to the court. This decline in calendared cases has natural consequences for the workload of the judges, law clerks, and the court reporters. An increase in the workload for the special matters attorney has been noted as summary affirmance motions increase. A more detailed assessment of the overall impact of the prehearing conference over time must be made because of the important implications which the shift in workload may have for staffing. The judges participating in the prehearing conference program should discuss their respective procedures and strategies to achieve uniformity and to establish reduced processing time goals.

Recommendation 4: The effectiveness of the prehearing conference in reducing the number of appeals to be considered by the court should be carefully studied and any appropriate changes to improve the procedures should be made immediately.

Use of the Scheduling Order. A potential exists for undue delay in the prehearing conference procedures when lawyers continue to discuss

settlement but make no progress toward formalizing an agreement. In those instances where settlement does not take place at the prehearing conference and does not appear attainable, the scheduling order should be issued immediately. A scheduling order issued in this manner will have the dual affect of pressuring the attorneys to settle or to prepare to proceed with the case. In either instance, undue case delay will be reduced.

Recommendation 5: Only in extraordinary situations should attorneys be allowed more than 20 days after a prehearing conference to settle a case. A scheduling order should be issued immediately if a settlement does not appear attainable.

Prehearing Conference Administrator. One of the purposes of administrative reform is to release a judge from administrative tasks so that he has more time to devote to the decision-making process. An experienced lawyer should be able to handle the give and take of negotiations which take place at a prehearing conference. Non-judicial personnel, for example, adeptly handle the settlement conferences in the Second U.S. Circuit Court of Appeals. By releasing an additional judge to write opinions the per/judge caseload will be reduced allowing each individual judge additional time to devote to case or opinion preparation.

Recommendation 6: A lawyer, not a member of the court, should handle prehearing conferences.

Special Matters Processing. It is important to remember that

efficient caseflow management is dependent upon the continuous monitoring of all case activity. The manner in which motions and special matter requests are handled has a direct effect upon case delays. Time lapse from filing of a motion to issuance of an order in special matters is often three months. Since all other action in a case often ceases during the pendency of the motion substantial time loss occurs. One partial solution to reducing this time gap is to have the clerk's office monitor the submission of an answer to a motion to insure that it occurs within the time specified by the rules, thus when the moving papers are submitted to the commissioner they are ready for research and a recommended decision. Additional personnel or additional time for existing personnel should be made available for the preparatory phase. This would enable the commissioner's office to submit special matters to the judges faster, thereby increasing the chances for an earlier decision. The court should also establish a policy requiring issuance of an order within two weeks after its submission.

Recommendation 7: The processing time for special matters should be reduced by closer monitoring of processing time and by assigning additional personnel or relieving existing personnel from other duties.

Recommendation 8: The court should establish a policy requiring issuance of an order within 2 weeks of submission of a motion.

Establish Performance Goals. Within the administrative structure of the Supreme Court there is a lack of formally defined standards or guidelines for employees to accept and attempt to meet. The court should establish performance goals or standards for each area of court activity to insure that the overall goals of the court are achieved and that employees are aware of the expectations of the court. This goal statement, when reinforced by personnel management and administrative support procedures, will increase employees' perceptions of the importance of their role in the organization and the necessity to comply with those standards. This concept is not new to the court. For example, a current goal for law clerks is to submit the memorandum at least 5 days prior to hearing. If the 5 day goal is met the judges can be assured of adequate time for case preparation prior to scheduled hearings. Some clerks comply; others do not. This can be remedied by establishing a thorough, organized training program for law clerks upon their arrival, by instituting a supervisory technical assistance program from the commissioners to reduce wasted research effort, and, if necessary, by instituting a monitoring program to readjust the workload.

This same type of performance goal may also be applied to the court reporter's office. The court could establish a time frame beyond which opinions may not remain in the court reporter's office. This time schedule may be 2 weeks or a month.

Performance standards can also reduce the amount of required work. For example, edit criteria could be specified so that the amount and type of editing is reduced. The court could decide that the reporter should edit only for errors of fact, thus reducing materially that work effort. The law clerk training program could be used to emphasize the need for correct citations and complete quotations. This former responsibility of the court reporter for insuring the accuracy of citations or quotations could then be placed on the law clerks, the judge's secretary, or West Publishing. With a reduced caseload, that responsibility may well remain with the court reporter. However, there is no reason that the reporter's efforts could not be supplemented by a repeated emphasis on complimentary law clerks.

This same management tool could be used for all administrative personnel and for certain activities of the judges. For example, general guidelines could be established on the opinion process. Cases that have been circulating for more than 30 or 60 days could automatically be scheduled for discussion at the next court conference.

Recommendation 9: The Supreme Court should establish performance standards for each key area of court activity and develop a mechanism for monitoring achievement of these standards.

Publication of the Minnesota Reports: A great percentage of the court reporter's efforts and budget are expended on the preparation and publication of the official Minnesota Reports. By eliminating the publishing responsibility in the court reporter's office, the staff should have additional time to devote to editing cases to be released by the court.

If reduced scope of responsibility is coupled with editing guidelines, the reporter's office should be able to release opinions faster, thereby reducing unnecessary delay. Retention of a permanent staff of editors assures a continuity of format, a knowledge of proper form, and an expertise in Minnesota caselaw necessary to insure the continued high quality of court opinions.

Recommendation 10: The court should authorize West Publishing to publish the official Minnesota Reports after establishing edit criteria and distribution responsibility.

Elimination of the Minute Book. The minute book developed as a result of the oral tradition within which English Common Law evolved. During medieval times, legal proceedings were initiated by writs prepared by chancery clerks. The writ constituted a formal written notice to the defendant and the court. However, with the exception of judgment and execution, other proceedings including appellate court opinions, were rendered orally. Consequently, there were never any individual court files. Because there were no written pleadings or opinions a clerk or reporter recorded the official oral proceedings and judgments in the daily minute book. The minute book was the official and only court record which afforded a means of information retrieval.

In the United States the oral tradition has been discontinued in all courts of record. Case-related transactions are now recorded on the case record document. This has eliminated the necessity to keep a minute book. All indices should now be correlated to that document and not to the daily minute book. Non-case related orders should be filed by subject matter docket cards or some

smaller, less costly index book. Since attorney admissions are recorded in several other documents, it is not necessary to record them in the minute book.

Recommendation 11: To simplify recordkeeping procedures within the clerk's office, the minute book should be eliminated.

Revise the Recordkeeping and Filing Procedures. The court should recognize the space problem which forces physical limitations on the clerk's office and its operating procedures. Staff size has not reached its necessary size due to physical constraints in the present clerical office location. The file format, structure, and procedures used are presently dictated and limited by the built-in file drawers and cramped quarters.

In view of the fact that it is likely to be 4 years or more before there is any legislative reorganization, which will force the Supreme Court to relocate, the clerk and the administrator should examine the possibility of reallocating space within the allocated Supreme Court area to provide for an expanded operation. With the expanded space the filing system within the clerk's office could be revised to use preprinted docket cards which would eliminate the need for many of the hand entries and the large docket books. The file cards can be locked in filing trays thereby insuring the same degree of safety as the docket book.

The case documents should be inserted in a file folder so that they are readily accessible. They should be stored on open shelf files which are not

only economical but also one of the most efficient filing systems available. Where financing and statute permit, the court should consider the use of microfilm and should establish a regular records retention and destruction program.

Recommendation 12: The recordkeeping and filing system should be revised by eliminating the bound docket books, the built-in file drawers, and the folded files. They should be replaced by preprinted docket cards, flat record file folders, and open shelving.

Bar Admissions. The administrative record system for admitting attorneys to the bar should be streamlined to eliminate the numerous retyping of lists. The court administrator should investigate securing a mag-card or mag-tape typewriter for use in preparing bar admissions lists, form letters, drafts of rules, reports, and other repetitive matters in both the clerk's and the administrator's offices. The machine should be compatible with the one selected by the Director of Bar Admissions to make full use of technology transfer.

Recommendation 13: The court should analyze the need for a word processor to reduce clerical effort and assist in administrative matters.

Summary

The basic record keeping system established by the clerk of court is simple, yet complete. A single docket and single index are used for all cases coming into the Supreme Court. This recording system insures a minimum of search time and would be easily adaptable to a computer should computerization become necessary. Critical documents and events are recorded on a single or annotated subsequent page in the docket book.

so that the researcher can tell at a glance the current status in a given case. Cross references are used to direct the searcher to related cases.

From this basic record developed by the clerk, case monitoring cards are prepared by the office of the court administrator to track the progress of the case through critical events and to prepare case statistics. One set of cards is filed by action date. The statistical data cards are filed by case number within the critical event category, e.g., appellant's brief filed, respondent's brief filed, set on the calendar. In this manner the number of cases at each stage can be counted and the projected caseload can be determined. Because of the small Supreme Court caseload and the limited amount of time necessary to maintain the monitoring system and to derive the statistics, it is doubtful that a computer will greatly improve the speed or the efficiency of the system at the present time.

By defining the organizational and case processing responsibilities and by streamlining the existing operational procedures, it is anticipated that the Supreme Court's docketing system will respond with adequate information and timeliness to meet current needs. It is also felt that the time delay experienced by most cases will be significantly reduced. However, if the court wants to increase the monitoring capabilities of its administrative office and thereby further reduce case delay and backlog, it will be necessary to develop performance goals and may be necessary to make further changes in the case processing system.

CHAPTER II

SUPREME COURT INFORMATIONAL REQUIREMENTS

The preceding study of the existing manual system attempted to analyze the present flow of cases through the court. It reviewed the activities and duties of both the administrative and judicial staff. After interviewing all affected participants, several key recommendations were made. The intent of these recommendations was to simplify the existing system, to establish control points and procedures to monitor caseflow, to identify administrative and judicial responsibilities, and to establish standards that, if attained, will insure smooth handling of case activity.

During the analysis it became apparent that the major requirement of the revised information system would be to provide data that could be used for both internal control and external reporting of case activity. It was felt that increased information was necessary to accomplish this and that the same information was necessary to eliminate case delay and to reduce backlog. The recommendations made by the project staff to improve the existing manual system will, if implemented, provide most of this information and will correct most of the current case monitoring and reporting difficulties. It is strongly urged that the Supreme Court implement the recommendations from Chapter I prior to any decision to design or implement an automated appellate docketing system. If necessary, after these recommendations have been

adopted other appropriate steps can be taken.

The American Bar Association's Commission on Standards of Judicial Administration has outlined the minimum control points that should be monitored by any appellate information system to insure smooth caseflow. As stated in their Standards Relating to Appellate Courts:

- A system that maintains current information on all cases is essential to affirmative caseflow control. The critical stages to be kept under the court's administrative scrutiny include:
- . Filing of the notice of appeal;
 - . Filing of the transcript;
 - . Receipt of the file from the trial court;
 - . Filing of the briefs;
 - . Oral argument or decision conference;
 - . Preparation of the opinion;
 - . Circulation of the opinion and any dissents or concurrences;
 - . Filing of the opinion.

It is interesting to note that the existing information system will provide information that will satisfy each of the above control points.

As part of the State Judicial Information System (SJIS) effort, the Supreme Court identified the dates of the following events as being significant for monitoring caseflow.²

- . Notice of appeal
- . Motion for extension of time to file transcript
- . Transcript of record received
- . Motion for extension of time to file appellant's brief
- . Appellant's brief filed
- . Motion for extension of time to file respondent's brief

¹ Standards Relating to Appellate Courts, American Bar Association Commission on Standards of Judicial Administration, Final Draft, 1977, p. 73.

² SJIS Assessment Visit, State of Minnesota, SEARCH Group, Inc., October 1976, p. 2-8.

- . Respondent's brief filed
- . Case placed on calendar for hearing
- . Case assigned
- . Case continued
- . Case argued and submitted for a decision
- . Proposed opinion circulated
- . Dissenting or concurring opinions circulated
- . Opinion adopted and filed
- . Motion for rehearing or transfer to Supreme Court

It is again interesting to note that the existing system, as revised, will provide in readily accessible monitoring documents (Forms 1, 2, and 3) all but three of the dates of the above events. However, those three events (1) case placed on the calendar for hearing, (2) case assigned, and (3) case continued, are easily obtained from the clerk or deputy state court administrator. It should also be noted that events (1) and (2) occur within a non-critical time frame and do not impede the progress of a case.

A summary of the information provided for each appeal by the existing system, as extracted from forms 1-3, is listed below:

- * . Notice of Appeal or Petition for Writ Filed
- . Order for Transcript Due
- . Acceptance of Order Due
- . Transcript Due
- . Transcript Acceptance and Delivery Date
- * . Transcript Filed
- . Appellant's Brief Due/Extended Due Date
- * . Appellant's Brief Filed
- . Respondent's Brief Due/Extended Due Date
- * . Respondent's Brief Filed
- . Rule 142.02 Dismissal Date
- * . Argument or Conference Held
- * . Opinion Released for Comment
- * . Opinion Held for Dissent by Judge No.
- * . Dissent Released
- * . Received by Reporter
- * . Released by Reporter
- * . Opinion or Order Filed
- . Appeal Dismissed
- . Orders Consolidated

* In addition, elapsed time data is available on these information elements.

The automated system requested by the court would be similar to the Oregon appellate docketing system. It would consist of three cathode ray terminals. They would be located in the clerk's office, the Supreme Court Administrator's Office, and in the office of the justice selected by the court to monitor caseflow. Bi-weekly and monthly reports would be prepared and distributed to each justice, the clerk, and the Supreme Court Administrator. Appropriate court rules and administrative actions would be promulgated to ensure the swift elimination of cases that are being unnecessarily delayed.

Tracking and monitoring of case activity by the court would remain an on-going effort. Each justice and all responsible administrative personnel would be monitoring case activity on a daily basis. Scheduling of cases and balancing of case workloads would become a routine matter; thus the smooth court operations and fair distribution of work between each justice would be insured.

The minimum information requirements of the proposed system compiled after extensive discussions with the Supreme Court, the Court Clerk, and the Supreme Court Administrator are listed below:

- . Date of notice of filing of appeal.
- . Date transcript ordered.
- . Motion for extension of time to file a transcript.
- . Transcript of record received.
- . Date all briefs are filed.
 - . Motion for extension of time to file appellant's brief.
 - . Appellant's brief filed.
 - . Motion for extension of time to file respondent's brief.
- . Date case placed on calendar for hearing.
- . Date case assigned to judge.
- . Date case continued.
- . Date case argued and submitted for an opinion.

- . Date opinion issued from preparing judge.
- . Date opinion issued/released from each reviewing judge.
- . Date opinion returned to preparing judge.
- . Date dissent interposed.
- . Date dissent circulated to each reviewing judge.
- . Date opinion adopted and filed.
- . Date sent to court reporter for publication.
- . Date reporter completes edit.
- . Date reporter files corrected opinion.
- . Date opinion released for publication.
- . Dates any past motions are filed.
- . Date remanded to trial court.

The project staff recommends that in addition to the above caseflow management data the following judicial statistics be considered for collection. These statistics should be reported in the Supreme Court's annual report of case activity and used to analyze the total performance of the court on a periodic basis:

- . Number of appeals pending unheard at the beginning of a period;
- . Number of new appeals disposed of during the period;
- . Number of appeals undisposed of at the end of the period;
- . Number of appeals argued and number submitted on briefs during period;
- . Number of opinions filed;
- . Ages of pending appeals (calculated from the date appeal taken);
- . Time from date of appeal to date of submission on briefs or argument;
- . Time from date argued or submitted to date disposed of by decision or judgment.

Since Minnesota is a participating state in the Judicial Information System project, a listing of additional significant data elements recommended by that project from the SJIS Appellate Module are given below:³

- . Date of Trial Court Judgment
- . Type of Filing
- . Source of Filing
- . Basis of Supreme Court Jurisdiction
- . Filing Party
- . Type of Appeal
- . Type of Original Action

³ State Judicial Information System, Final Report (Phase II) Technical Report No. 17, SEARCH Group, Inc., September, 1976.

- . Type of Special Matter
- . Motions by Tape
- . Type of Disposition of Appeal
- . Date of Disposition of Appeal
- . Opinion Type
- . Manner of Disposition of Original Action
- . Outcome of Original Proceeding

If the Supreme Court chooses to implement automated appellate docketing, the system should be designed to satisfy the operational and caseflow management needs of the Supreme Court, the Clerk of Court, and administrative personnel. The system should be designed to provide statistical and planning data for use by the State Court Administrator's office to project and determine present and future state court needs. Therefore, it is recommended that the listed information requirements identified by the Supreme Court and court personnel be consolidated with the listed data elements suggested by the SJIS project. This set of data elements should be considered a basic list of informational requirements for Supreme Court operations. Appendix A, pages 24-31, of Technical Report No. 17, SJIS Final Report (Phase II) illustrates several possible reports that can be generated by an automated system that collects, stores, and processes the type of information recommended in this basic list. Before a decision is made to develop an automated appellate docketing system, the Supreme Court should carefully analyze these current and future informational requirements and determine that these requirements can best be obtained from that system. It may be that these same information requirements can be provided by a less costly and less sophisticated system. For this purpose, adequate criteria must be established to evaluate this information for its

actual necessity. Too much information is as difficult to work with as too little information. Both tangible and intangible criteria should be used as a part of this evaluation and any decision to automate should review and analyze all available data processing alternatives for ability to provide this information on a timely basis. The chapters that follow in this report attempt to further define, address, and partially fulfill portions of this analysis for the court.

Recommendation 14: The Supreme Court should adopt and implement immediately the recommendations made in this report that affect the case processing information system. The court should then setup a periodic review process to determine the impact these recommendations have on case delay and backlog.

Recommendation 15: The Supreme Court should take a direct interest in reviewing the current and future informational requirements of the state judiciary as outlined in this report. The court should establish a procedure to evaluate these informational requirements for consistency with its long-range planning and State Judicial Information System efforts.

CHAPTER III

A BASIC CASEFLOW MANAGEMENT SYSTEM

As stated earlier, one of the objectives of the Minnesota Supreme Court is to improve the flow of cases through the appeals process. The Supreme Court has recognized that to have effective caseflow management their case processing and information system must be capable of collecting, processing, and retrieving the information required by the clerk, administrator, and other judicial personnel when they need it to perform their duties. If more timely information is provided to these court officers it may lead to a reduction in the number of delinquent cases and decrease the likelihood of requests for continuances. It is felt that more complete information will improve case scheduling and judge assignment and that this will ultimately reduce case delay, thereby eliminating the court's current backlog. Several justices support the development of an automated appellate docketing system to provide this information.

An automated docketing system is intended to increase information availability and to provide clerical, case management, and monitoring support. It accomplishes this by capturing detailed filing, event, and disposition data on each case, special actions, motions, or writs filed with the Supreme Court. The resulting centralized data base is used to generate periodic management reports that simplify the tracking of documents and cases through the appeals process. The data base is used

to produce registers of action, all required indices, and calendars necessary for daily court operations. Further, the data base can be used to aid in case monitoring and to project future trends through statistical analysis.

The design of an automated docketing system is highly dependent upon the information requirements and structure of the court for which it is developed. In addition, case volumes, case turnover rates, court rules, staffing availabilities, and data processing resources are critical factors. In general, the system consists of on-line access by clerk of court personnel and an adequate hardware and software system for entering, retrieving, storing, and processing the required information. Case documents are maintained in traditional case files which are updated as new documents are filed. The computer helps the clerk, court administrator, and judges to monitor actions affecting the case; provides information on the status of the case; and generates cumulative reports and statistics on the court's activities.¹

General Description

Caseflow management is a complicated court application. Because of this inherent complexity, it is best to develop any automated caseflow management or docketing system as a series of modules. As each module is developed it can be pilot tested and operated in parallel with the existing system until its reliability is established. The timing of the implementation of each module is critical and should be coordinated with any other data processing activity (such as SJIS) facing the court.

¹See Data Processing and the Courts: Reference Manual, Pub. No. R00331, National Center for State Courts, 1977, for a more detailed description of the modules that can be found in automated docketing systems.

The caseflow modules usually conceptualized as being necessary to develop an automatic appellate docketing system include:

1. Docket and Related Action Books Module;
2. Indexing Module;
3. Notice Preparation Module;
4. Management and Statistical Reports Module; and
5. Semi-automated Scheduling Module.

The complexity of each of these modules and the amount of information maintained by the system depend, of course, on the specific needs of the court. In the paragraphs that follow, each of these modules is briefly described to further clarify the structure and capability of an automated appellate docketing system.

Docket and Related Action Books Module. Manually recording each case event in the docket book is a tedious and time-consuming task. In manual systems, this information is posted onto ledger sheets or into hard-bound volumes. Information posted by hand is often unreadable and is rarely up-to-date. This information can be entered and stored in the computer and viewed as an "electronic file." This electronic file may contain a short synopsis of every action and document affecting a particular case. The registry of action electronic file forms the basis for the caseflow management system. It serves as the data base for all other modules of the system. Information from the registry of action file can be retrieved to answer queries about an individual case or combined with information from other cases to produce various calendars, listings, and statistical reports.

Data preparation should normally be performed in batch mode, off-line to the computer. In most cases, the clerk will access the registry of action file on-line to answer queries which arise in the ordinary course of court business. Even though the information required must normally be accessed in several different forms, such as an index, a case docket listing, or a court calendar, an on-line system may not be the only way to meet this need. Due to the nature and the limited volume of the Minnesota Supreme Court's inquiries and other activities requiring data output may not require immediate response. If this is the case, a batch computer system might be sufficient to handle the court's demands. The court must weigh the benefits offered by rapid availability of information against the greater costs of an on-line inquiry system.

Indexing Module. Automated indexing is one of the easiest tasks for a data processing system to perform. It can provide alphabetical or numerical listings in timely and accurate fashion. Automated indexing enables case files to be located by case number, case name, attorney name, etc. If the indexing module is the first application performed in caseflow management, the relevant data is entered in batch mode. When the docket and indexing modules are implemented jointly, most indexing activities can be done without significant additional data entry. In a batch system, the case indexes are provided in printed form. In an on-line system, the case indexes are normally accessed for inquiries by using on-line terminals. In most advanced indexing systems, a consolidated index is produced directly from the docket book entries so

that all search keys on participants can be searched either collectively or individually.

Notice Preparation Module. The notice preparation module is usually designed after the docket book and indexing modules have been designed, developed, pilot tested, and implemented. This module automatically produces notices for all designated participants (defendants, attorneys, witnesses, etc.) prior to the court hearing. The output of this module is always in printed form that can be mailed directly to the participants without major involvement of clerical personnel in the administrative office or the clerk of court's office.

Management and Statistical Reports Module. The key to caseflow management is monitoring case progress through the system and noting the specific problem areas in the court. The Clerk of Court, the judges, or the Court Administrator may need summary information on a monthly, weekly, or even daily basis in order to assess the health and efficiency of the court operation. These reports are also used by the administrative staff to analyze the need for additional personnel to assist the court in its work. With the information provided in the docket, the automated system can provide exception management reports that indicate patent problems in caseflow progress. The system can generate reports indicating case status and the last date of activity on a particularly delinquent case. Other reports can be provided with limited analysis when special problems arise. For example, this type of system has been used to generate an analysis of the cause of a large number of requests

for continuance. Often this type of analysis will reveal that a particular attorney is overscheduled due to circumstances often beyond his immediate control, but correctable by court action.

It should be cautioned that courts have a tendency to generate an overabundance of computer reports. As a result, excellent reports are often ignored and their potential value for controlling caseflow lost. Reports should be carefully designed so that the information is useful and complete. Court managers and personnel should be trained in using these reports. Since too much information can be as disruptive as too little, users should be consulted by the staff before developing any report to insure its value and necessity. This module is perhaps the most useful application for monitoring caseflow and for fulfilling the administrative responsibilities of the court. As such, it should be carefully designed.

Semi-Automated Scheduling Module. Courts must prepare a variety of calendars to facilitate their operations. Court scheduling is the process of preparing these calendars. This requires assembling the schedules of all participants and resources that affect the handling of the case and determining a time and place for the judicial proceeding. Typical by-products of this process include the calendars generated for court use and the notices from the notice preparation module that are sent to all parties of the case, indicating where and when the proceeding will take place. Even though many courts claim to have automated scheduling, no court has a complete and comprehensive automated scheduling

system. Typically, scheduling personnel schedule the events manually and enter the information into the computer. The computer is merely used to maintain the total court calendar and to provide printouts and displays.

As an example of its capability, periodically this system can produce each judge's long-range calendar of cases. This long-range calendar can be maintained by the clerk to reflect changes occasioned by settlement, dismissal, or disposition.

In practice, the semi-automated scheduling and calendaring module is the last to be designed, developed, and implemented. In many respects this is because of the great complexity of the scheduling/calendaring process. However, it is also due to the desire of the court to be able to change schedules at will and to accommodate unexpected but significant cases. Most courts will implement a basic calendaring module and leave all scheduling activities to the clerk, administrator, or judge already responsible for them.

System Wide Implementation

The State of Oregon implemented an automated appellate docketing system for its Supreme Court and Court of Appeals 18 months ago. The primary justification for that system was to develop an appellate system to serve as a model to encourage state-wide implementation of the trial court docketing system recommended by the Supreme Court. The State Court Administrator has stated that the "good will" obtained from the trial courts by this gesture has paid for the system's cost many times.

In Minnesota local courts will begin reporting on a transactional basis starting in early 1978 so the need for a prototype system is partially alleviated. However, there may be some intangible benefit of importance that could be obtained if the appellate system was also implemented in 1978.

On-line information systems are usually associated with the larger volume trial courts where there is a need for more complete and timely information. Although the case volume of the Minnesota Supreme Court (921 filings) cannot compare to that of Hennepin County (11,000 filings), the benefit of having data readily available for case tracking and monitoring should not be overlooked. However, before making a final decision the court needs to determine how often and how much information needs to be available to manage appellate and trial court caseflow and to reduce total system delay.

Recommendation 16: Prior to making a final decision a system wide cost/benefit analysis should be conducted by the court for each viable data processing alternative available to them. The results of this analysis should be combined with a system wide information requirements analysis to determine which data processing alternative is best for both the appellate and trial courts' long-term operations.

Management Commitment. Too often computer systems and their associated technologies are thought of as instant panaceas when in reality less sophisticated non-automated systems could be more effective and less costly. To prevent the misuse and unnecessary implementation of an automated docketing system, the court needs to address directly its willingness to assume the cost and the management associated with the system.

To design and implement an automated system requires a firm long-term management commitment. The Supreme Court recently demonstrated its willingness to make this commitment by appointing a Director of Information Services to the staff of the State Court Administrator's office. Although his primary responsibility will be to oversee the development and implementation of the State Judicial Information System project, this individual should be directly involved in all court information system projects. Adequate staffing and funding will have to be planned for and provided for so that improvement in court administrative services can continue smoothly.

Although the following list is not exhaustive, it does illustrate the extensiveness of the cost and management involved in operating an automated system.

1. staffing requirements - i.e., data entry clerks, computer and terminal operators, systems and programming professionals, supervisory personnel;
2. space requirements - i.e., site preparations, space availability for personnel, equipment, and supplies;
3. initial startup costs - i.e., system design and development, application software development, training costs, initial supply and communications costs;
4. on-going operating costs - i.e., salaries and personnel administration costs, utilities, insurance, supplies, and maintenance; and

5. equipment purchase or rental - i.e., hardware rental or purchase costs, on-going line costs, hardware usage costs if shared facilities are used, and implementation of physical and data security arrangements.

Chapter IV contains a brief description and analysis of three existing automated caseflow appellate docketing systems to give the Supreme Court a better idea of the structure, cost, and management commitment involved in designing and implementing such a system.

CHAPTER IV

EXISTING AUTOMATED APPELLATE

DOCKETING SYSTEM EFFORTS

This chapter describes three known efforts by State Court Administrative offices to automate the caseflow management and docketing procedures of their appellate courts. It is intended that the chapter will focus the attention of the court on several critical issues. The most critical issue is that the development of an automated system requires a long-term financial and management commitment by the court. In addition, it is hoped that the Court will recognize the need to perform a comprehensive system analysis of their total court operations. As indicated in the following pages, it takes 2 to 3 years to develop an automated docketing system which may not be cost justified. A cost/benefit analysis, however, cannot be performed without a thorough understanding of the court's goals, objectives, and total system informational requirements. The three systems that are discussed below are the Oregon Appellate Court Docketing system, the New Jersey Appellate Automatic Docketing and Management Information System, and the Missouri Appellate Module of the State Wide Judicial Information System. All three systems have been developed in connection with or in coordination with that state's State Judicial Information System (SJIS) effort.

Oregon

One operational appellate court docketing system is part of the State Judicial Information System (SJIS) project being developed by the State of Oregon. The Oregon docketing system serves both the Oregon Supreme Court and the Oregon Court of Appeals. It was developed over a period of two years as a demonstration project to illustrate to the trial courts of general jurisdiction that on-line docketing of cases is not only feasible but beneficial. The system has been operational for over one year and plans for implementing the on-line docketing concept in selected trial courts are proceeding as scheduled.

It should be mentioned that the decision to implement the on-line docketing system at the appellate court level was not based on cost/benefit criteria. Nor were Supreme Court and Court of Appeals caseload totals direct factors in deciding to automate. In fact, it is openly conceded by the Office of the State Court Administrator that case volume, delay, and backlog statistics (See Appendix I) could not justify the system's cost. However, it is felt that the good will gained by implementing the system on the appellate level prior to requesting trial court action has been worth the system's development costs many times over. The experience gained by court and systems personnel and the ability to convert some of the appellate programs to the trial court system have been added benefits of the Oregon approach.

The Oregon appellate docketing system provides the Office of the State Court Administrator with operational, research, and planning data on the activities of both appeals courts. Currently, three cathode ray terminals (CRT's) are used by appellate court clerical personnel to enter

case related information into the computer system. The clerical personnel also have the ability to display individual case records on the CRT's for purposes of updating, correcting, or closing case files. The resulting data base is used to produce each court's registers of action and all indices required for daily operations. Special management reports, pending and delinquent action lists, and comparative statistical reports are generated on a periodic basis. Sample copies of five of these reports are included in Appendix II of this paper. These reports enable the clerk, the administrator, and the judges to monitor case flow by providing lists of:

1. Cases Pending Court Action;
2. Origin of Cases Coming Before Each Court;
3. Cases Not Yet Submitted Yet Filed More Than Six Months Ago;
4. Case Time Lapse Data from Filing to Disposition;
and
5. Comparative Statistics on the Status of Pending Cases.

The appellate docketing system was designed and implemented by the Trial Court Services Department of the Office of the State Court Administrator. The IBM 370/155 hardware utilized by the system is located in the state Data Processing Center and is under the direct control of the Oregon State Executive Department. All hardware usage, systems support, and operational personnel are provided by the state Data Processing Center

at established interagency rates.* The docketing system uses the Oregon Law Enforcement Data System (LEDS) software previously developed by the State Data Processing Center for all file processing and on-line communications.

The on-line and batch reporting application software necessary to support and maintain the docketing system was developed by the SJIS effort. These individuals are employees of the Trial Court Services Department of the Office of the State Court Administrator and are responsible for maintaining the currently operating appellate system. They are also responsible for continuing the development of the application software required for state-wide SJIS trial court implementation.

Although the Oregon State Court Administrator's office has not maintained detailed cost figures for the appellate docketing system it was possible to obtain general estimates. During the first twenty-one months of the SJIS project a total of \$226,000 was expended. Of that, over \$120,000 was directly allocated to develop the conceptual and detailed designs, write the application software, and implement the system. The on-going operational data processing costs for the past budget year were approximately \$14,000. Trial Court Services has allocated \$14,000 (or 10% of this year's \$140,000 data processing budget) for the daily operation of the system during the next budget year. Trial Court Services personnel remain responsible for maintaining, converting, and updating

*During the 1st two years of the SJIS project while the Trial Court Services Dept. and their SJIS activities were funded by LEAA, the State Court Administrator's office had a formal written contract for services and security arrangements with the Data Processing Center.

the application software. Since this department is heavily involved in developing the SJIS system, it is impossible to estimate the actual amount of time or cost expended on the docketing system. However, for reference purposes, the department employed the following professional staff during the first two years of SJIS development to design and implement the docketing system:

Administrator of Trial Court Services	\$1,950/mo	\$23,400/yr
Supervisor of Systems & Programming	1,800/mo	21,600/yr
Systems Analyst	1,600/mo	19,200/yr
Programmer Analyst	1,400/mo	16,800/yr
Senior Programmer	<u>1,300/mo</u>	<u>15,600/yr</u>
	\$8,050/mo	\$96,600/yr

In addition, there are four field management analysts and a secretary assigned to the unit. These employees work primarily on the SJIS project.

New Jersey

New Jersey has another promising effort to develop an appellate automated caseflow management docketing system. The New Jersey Appellate Automatic Docketing and Management Information System (ADAMIS) has been operational since September of 1976. The computerized on-line, real-time system now serves the Appellate Division of the Superior Court. The Administrative Office of the Courts (AOC) has plans to develop a similar system for the Supreme Court. The system's purpose is to permit the correction of conditions which impede the court's caseflow, thereby reducing

or eliminating case backlog.

ADAMIS captures and stores in a computerized data base detailed filing and event information on each case appealed to the Appellate Division of the Superior Court. The centralized data base is used by the Appellate Division's Clerk's Office as an automated docket and to generate a semi-automated calendar. It is used by the AOC and the Clerk for case flow management purposes, document tracking, and statistical analysis.

The IBM 370/145 hardware used to implement ADAMIS is operated and controlled by the Division of Systems and Communications under the Department of Law and Public Safety. It should be noted that the hardware used to process ADAMIS software programs is a dedicated criminal justice computer. That is, it is used to process only state and local criminal justice programs. All hardware usage, systems support, and daily operational costs are billed at established interagency rates and paid for by the Supreme Court through the normal interdepartmental budgetary processes.

The appellate docketing system was designed by the Judicial Management Information Systems (JMIS) section of the AOC. JMIS staff are responsible for all AOC systems development and implementation. The project was part of the continuing effort by the New Jersey AOC to develop a state-wide judicial information system to improve caseload and to administer to the court system. A on-line and batch-oriented application software necessary to support ADAMIS were developed while JMIS staff were working on other SJIS projects. Therefore, cost data are not readily available. See Appendix I for caseload information on the New Jersey Supreme Court

and the Appellate Division of the Superior Court.

Missouri

In Missouri, the appellate system is part of the State Wide Judicial Information System (SWJIS) project of the Office of the State Court Administrator. This system is being developed and implemented completely by state court personnel. The Burroughs Model 1726 computer and associated hardware is owned and operated by the Missouri Supreme Court. The SWJIS system will be a batch-oriented system that has on-line capabilities for data entry. On-line data entry will be used only by courts with large caseload and by the appellate courts. The SWJIS system will be used by all state courts to store and process court related statistics and operational information.

The Appellate Court Recordkeeping System, which is part of SWJIS, is not yet operational. When completed it will serve both the Supreme Court and the Court of Appeals. The system will consist of four CRT's and a line printer. A CRT will be located in the office of the Clerk of Court of the Supreme Court in Jefferson City. Additional CRT's will be placed in each office of the Clerk of Appeals Court in Kansas City, St. Louis, and Springfield. Currently, the CRT in Kansas City is operational and is being used for on-line data entry. Actual implementation of the total system is anticipated for early 1978. Three programmer/analysts are currently assigned to the project. Caseload figures are shown in Appendix I. No reliable cost data is available for the appellate recordkeeping system since it is part of the total SWJIS effort.

Analysis of Existing Efforts

The Oregon, New Jersey, and Missouri appellate docketing systems are all part of concerted efforts to develop state-wide judicial information systems. All three states have not only a Supreme Court but a type of intermediate appellate court. The caseload of the Supreme Court of each of the three states ranged from 1,100 to 2,200 filings per year in 1975, while Minnesota's caseload was only 921 in 1975. The caseload of the intermediate appellate courts range from 1,600 to 4,800 filings per year. Staff of the State Court Administrator's Office of both Oregon and Missouri have stated that caseload alone could not have been used as cost justification for developing or implementing their systems. It is apparent that Minnesota's lower caseload can not cost justify an automated system.

The intent of all three systems is to develop an SJIS module that will replace manually generated dockets and indices with computer generated reports. Oregon has successfully achieved this for both appellate court levels. New Jersey has computer generated dockets and indices on the intermediate appellate court level. Missouri is not yet operational. All three states are emphasizing SJIS data elements to ensure completeness of court records. All are attempting to develop a state-wide system that will provide operational and caseflow management data that will be useful for the Supreme Court, the Clerk of Court and the AOC. This suggests that all three states have recognized the importance of a state-wide approach to systems development that should be adopted by Minnesota.

Oregon and New Jersey have chosen to use existing state data processing facilities under the control of another state agency. They have entered into formal service contracts with these agencies to store and

process all court related data and to guarantee its security and integrity. Missouri has chosen to own, operate, and control the computer facilities necessary to gather, store, and process data for all state courts. The Missouri data processing facility controls the dissemination of information to non-court agencies thus ensuring the security and integrity of court data. Thus, all three states have taken steps to control information dissemination and to protect data integrity.

All three states have established a department consisting of data processing professionals under the direct guidance and control of the State Court Administrator. In each instance, this department is responsible for the design and implementation of the state's SJIS. As such, all three offices were responsible for the design and development of the application software necessary to implement the appellate docketing system. In Oregon and New Jersey the docketing system was designed and implemented prior to trial court implementation. Missouri plans to implement its system in parallel with the trial court effort. Thus each state has maintained management control of all judicial data processing applications in the office of the State Court Administrator and have developed their appellate system in coordination with and as part of SJIS development.

Summary

In all cases the design and development costs were the two largest initial expenses. On-going operational and maintenance costs seem to be minimal (10% of the total estimated data processing budget) due to the small caseload involved. In the final analysis, it is apparent that caseload alone is not used to justify automated docketing systems. An analyst would be hard pressed to prove cost effectiveness of such a system.

However, the intangible benefits received from implementing such a system seem to outweigh the initial design and development costs. Predominant among these intangible benefits are the goodwill generated by the system with the lower courts and the ability of the Supreme Court to closely monitor appellate caseflow thus reducing appellate court delay and backlog. If the Supreme Court elects to develop an appellate docketing system the National Center recommends that the system be designed using the Oregon system as a model. The computer hardware system used to process Oregon's appellate data is software compatible with the system located in Information Services Division, thus increasing the chance for transferability of existing software application programs. However, as stressed throughout this report, the Supreme Court must recognize that a decision to automate the existing docketing system will require a strong operational and caseflow management commitment. The added costs, both short-term and long-term, require a major financial commitment by both the court and the legislature. Therefore, the decision to automate should be closely coordinated with all long-term planning efforts of the court including the SJIS efforts in which the court is currently involved.

Recommendation 17: The Supreme Court should request the Director of Information Services and the Deputy State Court Administrator to analyze thoroughly and evaluate existing automated appellate systems, especially the Oregon Appellate Court Docketing System, prior to any decision to automate the Minnesota Appellate Caseflow System.

Recommendation 18: Any decision to automate the Appellate Caseflow Docketing System should be made in conjunction with and closely coordinated with all long-term planning efforts of the court including the current SJIS program.

CHAPTER V

DATA PROCESSING ALTERNATIVES

Generally, it is in the best interest of the judiciary to use data processing facilities that are not controlled by another operating agency. This enables the Supreme Court, through its administrative office, to establish management control of all judicial applications. Court operated facilities provide the ability to have complete control over the security and integrity of the information stored in the data base. Court owned facilities also allow the court to have complete control of the dissemination of judicial data without having to seek formal agreement to do so from another agency.

However, it may not be economically or administratively feasible for the Supreme Court to operate and control its own data processing facility. A shared environment, such as the Information Services Division of the Department of Administration may be the best alternative. If so, appropriate agreements must be obtained with ISD to give the court management control of its data. Formal agreements ensuring the securing and integrity of the court's data must be obtained prior to any outside development or use of the court's data base.

There are five basic data processing alternatives that should be considered by the Minnesota Supreme Court for implementing and operating the appellate court docketing system being discussed throughout this report.

They are:

1. court operated and controlled data processing facility;
2. use of computer services provided by a commercial data processing agency;
3. state administrative agency (ISD) that serves as a central data processing facility;
4. court employed systems and support personnel using state central data processing facility; and
5. improved current manual information system to provide the proposed data identified in the requirements analysis.

The advantages and disadvantages of each of these alternatives are discussed in the sections that follow.

1. Court Operated and Controlled
Data Processing Facility

This type of facility is usually referred to as a dedicated facility. The advantage is obvious. The court will have complete administrative control over all phases of the data processing effort. This will give the court the greatest ability to guarantee the completeness and integrity of all data collected and stored in the appellate data base. The basic assumptions are that administrative control and direction insure the quality and effectiveness of the data, and that court employed personnel are more dedicated to the administration of justice than others.

The disadvantage of this type of arrangement is that the Supreme Court could become heavily involved in financing and managing a major data

processing function. Total court needs may not be sufficient to support or justify a permanent data processing installation. Further, if the court is able to have 100% utilization of a computer's capability it would imply that there is a need for additional computing power to accommodate increased volume and management demands in future years. This requires an additional commitment for long term financing and support that the courts will have to justify to the legislature. As a corollary, if the system, as acquired, is able to accommodate the demands of the future, it will, of necessity, be under-utilized today. Dedicated facilities will require the court to assume the financial burden of renting or buying equipment, providing adequate facilities (in an already tight spatial situation), hiring and supporting data processing personnel, and administratively operating the entire data processing facility. Court operated backup facilities would not be available. Since backup facilities under the control of the court will not be available, the court will be forced to establish secondary processing facilities and security arrangements with ISD in case of an unforeseeable emergency. This will necessitate the establishment of an on-going agreement to provide these services and require regular communications between the two organizations to ensure compatibility of processing equipment. The extensiveness of this financial and management commitment may not be feasible for the Supreme Court.

The initial costs to establish and operate a dedicated court data processing facility are highly dependent on the intended use of the facility. A system dedicated to Supreme Court caseload and the

appellate docketing system does not need to be as large as a facility to process all trial court transactional (SJIS) data, appellate caseflow data, and State Court Administrator case analysis and statistical reports. The Supreme Court should not purchase or rent any computer system to process appellate court data before determining the long-range data processing requirements of the entire state court system. It is imperative that the Supreme Court address the intended extent of its SJIS information systems efforts. The management structure of the State Court Administrator's office must be projected prior to making a decision on the appellate docketing system and its hardware requirements.

Mini-Computer Cost Analysis. The National Center feels that the volume of the data to be process by the appellate docketing system is insufficient to support any dedicated system. However, the following discussion illustrates a basic cost analysis for the rental or purchase of a small on-line terminal-orientated mini-computer system that is capable of performing the functions required to process the data for the appellate docketing system and that is upward compatible to be able to provide SJIS requirements and support. If the court feels that significant intangible benefits (such as elimination of case delay and backlog) justify the system, these cost estimates will be extremely useful.

Mini-computer systems for the courts have not developed at the rate which many experts had initially anticipated.

Peripheral equipment for mini-computers often cost the same as similar gear for large scale systems. However, the central processing unit or memory costs substantially less (often up to 10 times less). While overall equipment costs for a mini-computer system are relatively low, the software development costs are as high as larger systems. For the newer mini-computer system and for smaller manufacturers that have not developed software support packages, the development costs often range as high as \$100,000. Since mini-computers do not have large support packages and have the capability of processing only certain languages, the court should carefully weigh any decision to utilize them.

The three systems costed below are all capable of upward or modular expansion. All have multiple terminal data entry and query capabilities. All three support a basic level of COBOL, thus enabling data stored in the appellate caseflow data base to be transferred to or merged with the future SJIS data base. The price quoted for each alternative is from the latest published price list of each manufacturer. Equipment capabilities are extracted from Auerbach and field service personnel in the manufacturer's sales offices.

Burroughs B730 Series. The B730 Series is a disc oriented system offering multiple station, direct entry/display capabilities. The system offers both on-line and off-line data entry devices. It is upward compatible through the new B800 series in both hardware and software. The system is designed for the purpose of entering data and inquiring into data files. It is not primarily designed to be an interactive system. A cost breakdown of the basic B730 system is given in Table 4.

Burroughs B730 Series

* Packages Systems:	Purchase	1 Yr Rental
Hardware:		
*B731-304 CPU, B730, 48K Disc, 9480-22 Extended Memory Printer A 9249 Keyboard Printer Control Poll/Select +D701 Display Terminal 2 Add TD 800 Displays	44,900	1,283 x 12 = 15,396
	5,000 approx	1,260 approx
*B731-404 CPU, 48K Disc Printer & Printer Control DDE Station & Control 2 Add TD 800 Displays	45,900	1,311 x 12 = 15,732
	6,000 approx	1,260 approx
Software:		
RPG I and RPG II	N/C	N/C
COBOL	N/C	N/C
Utilities	N/C	N/C
Software Packages	N/C	N/C
Caseflow Management Program Development	50-100,000 (1 Time Dependent on Complexity)	50-100,000
Personnel:		
Analyst	16-19,000	16-19,000
Programmer/Operator	12-15,000	12-15,000
Operational Budget Supplies	12,000 avg	12,000 avg
TOTAL BUDGET	191,800-247,800	123,648-179,648

*Burroughs has package price fixing for the cost benefit of the customer.

The transaction mode of input would be satisfactory for data entry in an appellate caseflow system. The system is capable of multiprogramming and can handle nine CRT's and four additional Direct Data Entry Stations (DDES). The software languages supported by the system include RPG I, RPG II, and COBOL. Burroughs supports several application programs and utility packages available free to each user. The B730 Series is competitive with the IBM System 3 Model 4 and the NCR 8200. The main advantage of B730 over System 3 Model 4 and NCR 8200 is COBOL language availability without having to upgrade the system's basic capability. All three systems provide compatible growth within their basic computer families.

IBM System 3. The System 3 Model 4 is IBM's data entry/display computer designed expressly for interactive transaction and management-oriented data processing. It is ideal for caseflow management. The system is capable of controlling data entry/display for a maximum of five CRT's. With the addition of a communications adapter, the system can handle 32 remote terminals. System 3 Model 4 is upward compatible and is capable of multiprogramming or acting as a link in a distributed processing network. System 3 Model 4 supports RPG II as its higher level language. A Disc Sort and Conversational Utility software package is also supported. COBOL is not. To obtain COBOL capability in the System 3 line, a user must move upward in the family to the Model 8. System 3 Model 8 supports RPG II, Assembler, COBOL, and Fortran IV. Additionally the Model 8 supports several application programs written by IBM as well as Disc and Tape SORTS, Library Maintenance, and Utilities programs. Other Manufacturers offer systems

IBM System 3 Minimal Configuration

	MODEL 4		MODEL 8	
	Purchase	1 Yr Rental	Purchase	1 Yr Rental
Hardware:				
1 CPU, #5404-5408	19,150	7,536	35,230	12,408
3 CRT, #3277, 480 Char	8,820	3,024	8,820	3,024
1 Printer, #5213, 115 Char	6,400	3,360	6,400	3,360
1 Typewriter Keyboard	520	192	520	192
1 Disk, Mod 2, #5447, 10M	14,190	6,720	14,190	6,720
Software:				
System Software Control Prog.	Free	Free	Free	Free
RPG-II - Compiler	468/yr	468	1,668/yr	1,668
Disc Sort	180/yr	180	180/yr	180
Utilities Package	192/yr	192	192/yr	192
COBOL	-	-	1,080/yr	1,080
Assembler/Fortran			2,400/yr	2,400
Caseflow Management Program Development (In-House)	50-100,000	50-100,000	50-100,000	50-100,000
	(1 Time - Dependent on Complexity)			
Personnel: (Minimal)				
Analyst	16-19,000	16-19,000	16-19,000	16-19,000
Programmer/Operator	12-15,000	12-15,000	12-15,000	12-15,000
Operational Budget: Supplies, etc.	12,000 avg	12,000 avg	12,000 avg	12,000 avg
	139,920-	111,672-	160,680-	121,224-
TOTAL BUDGET	195,920	167,672	216,680	177,224

that combine the best features of Models 4 and 8 at prices lower than either machine. A cost breakdown of the basic System 3/Mod. 4 is given in Table 5.

The advantages of System 3 are its IBM terminals, well proven operating system, and its marketable name.

NCR 8200 Series. The NCR 8200 is a minicomputer interactive general purpose real time operating system. It is an effective system for the small data processing user. It is competitive with the IBM System 3 Model 4 and the Burroughs B730 Series discussed in this report. The system is capable of controlling data entry/display for a maximum of seven CRT's. With a communications adapter, the system can handle several more terminals. The 8200 series is upward compatible. It has been significantly enhanced by the introduction of the 8250. The system is capable of multiprogramming and of acting as a stand alone device or as part of a distributed network. Series 8200 supports IMOS, a disc based operating system that utilizes COBOL as its language processor. It also supports various utilities and application programs developed by NCR. NCR has also updated IMOS to give the system concurrent, remote batch communications capability. Series 8200/8250 is also cost competitive with Burroughs 730 and IBM System 3/Mod. 4 as seen in Table 6.

Conclusion

The cost figures indicate that the initial costs to establish and operate a court data processing facility to automate the appellate docketing system are too excessive (approximately \$110,000 - 170,000 per year) to warrant current consideration. The Supreme Court does not have adequate staffing or facilities to handle such an EDP operation. The volume of data to be processed and the reports to be generated by the system are not large or urgent enough to require dedicated facilities.

NCR 8200 Series Minimal Configuration

	8200		8250	
	Purchase	1 Yr Rental	Purchase	1 Yr Rental
Hardware:				
1 CPU, 32K, 48K	17,425	4,980	20,075	7,860
3 CRT	6,000	1,260	6,000	1,380
1 Printer	6,325	2,580	6,325	2,580
1 Typewriter Keyboard	N/C	N/C	N/C	N/C
1 Disc 9.8 MB	12,500	4,500	12,500	4,500
1 Cabinet & Additional Memory 16K	4,000	1,560	4,000	1,440
Software:				
IMOS	180/yr	180	180/yr	180
IMOS III	420/yr	420	420/yr	420
IMOS III Utilities	120/yr	120	120/yr	120
NCR 101 Simulation	180/yr	180	180/yr	180
Concurrent Batch	-	-	-	-
Communications	840/yr	840	840/yr	840
Caseflow Management Program:	50-100,000	50-100,000	50-100,000	50-100,000
	(1 Time Dependent on Complexity)			
Personnel:				
Analyst	16-19,000	16-19,000	16-19,000	16-19,000
Programmer/Operator	12-15,000	12-15,000	12-15,000	12-15,000
Operational Budget:				
Supplies, etc.	12,000 avg	12,000 avg	12,000 avg	12,000 avg
TOTAL BUDGET	137,990- 193,990	106,620- 162,620	140,640- 196,640	109,500- 165,500

After the Supreme Court has evaluated its long-range court information system requirements and defined its managerial intent for administering these functions, a re-evaluation of this posture could be considered.

Cost/Benefit Analysis Technique. Table 7 illustrates an approach that can be used by the Supreme Court to evaluate the available alternatives that can be used to satisfy its long-range court information system requirements and to process the proposed appellate and SJIS caseflow information. Although micro-computers are illustrated, they should be immediately discounted since they are not capable of handling COBOL and other high-level languages required by the proposed SJIS. Large scale computers should be discounted due to their cost, size, personnel, space and volume requirements. Before the remaining alternatives can be eliminated, the court must address the extent of its future financial and management commitment in this area. The technique illustrated in Table 7 is even more effective if weights are assigned to each benefit. In the suggested technique, six qualitative benefits are used in the comparison of the available alternatives. None of these benefits are intended to be mutually exclusive (i.e., given unlimited financial, personnel, and other resources it is possible to optimize each of the six listed benefits; however, in reality this is not possible.) Rather their use often requires highly subjective analysis and evaluation. The six qualitative benefits illustrated in Table 7 are:

- SJIS Capability
- System Reliability
- Organizational Impact
- Timeliness of Information
- System Hardware/Software Flexibility
- Extent of Caseflow Information

Table 7

A Simplified Approach to Cost/Benefit Analysis for Evaluating
Available System Alternatives for Appellate Caseload Processing¹

Type of System	Storing and Reporting Capabilities	Cost in Dollars		Qualitative Benefits					
		Minimum Initial Setup	Minimum Yearly Operation	SJIS Capability	System Reliability	Organization Impact	Timeliness of Information	System Hardware Software Flexibility	Extent of Caseload Information
Manual	Very small data base, few management reports	Existing	1,000-1,500	Poor	Fair	Very Limited	Poor	N/A	Very Limited
Micro-Computer	Small data base, few management reports	25,000	2,000-5,000	Poor	Poor/Fair	Limited	Fair	Poor	Limited
Mini-Computer	Intermediate data base, several management reports, limited terminal queries	80,000	5,000-10,000	Fair	Good	Medium	Good	Fair	Medium
Medium Scale Computer	Intermediate data base, considerable number of management reports, more query capability	160,000	12,000-16,000	Good	Good	Considerable	Good	Good	Considerable
Large Scale Computer	Large data base, multiple query capability, operational and planning management reports.	225,000	20,000-50,000	Very Good	Good	Considerable	Very Good	Very Good	Considerable

¹A more detailed discussion of this technique may be found in A Study of the Connecticut Judicial Departments Computer Options, National Center for State Courts, November, 1975.

Each of these benefits are briefly defined in the paragraphs that follow to further indicate the complexity of establishing a good cost/benefit analysis technique to evaluate available alternatives to process caseflow information.

SJIS Capability. "SJIS Capability" refers to the ability of the data processing alternative to support the information processing requirements of the proposed State Judicial Information System project. The alternative should be capable of modular expansion to meet growing processing demands. It should be capable of utilizing the COBOL language, preferably not just the basic COBOL subset initially developed for new or small systems. On-line query and data entry are mandatory.

System Reliability. "System Reliability" is a measure of the system's ability to meet expected performance criteria. A system's reliability is dependent on the reliability of its component parts and the presence of adequate backup equipment, software, and procedures. Indications of good reliability include a central processor backup, data entry backup, adequate security, and internal error-checking procedures.

Organizational Impact. The overall impact of the new system on the organization is difficult to predict. However, systems will affect the organization in varying degrees. Dependent upon its size, complexity, and resource demands, an alternative can affect daily operating procedures, personnel structure, personnel availability, amount of available information, and type of procedures necessary to maintain court control.

Timeliness of Information. "Timeliness of Information" refers to the ability of the system to provide the required information at a time when it is needed. The more responsive to user information demands,

the greater the benefit of the system. This is especially true where timely information is critical (i.e., data is perishable or useless if not provided to the requestor when needed).

System Hardware/Software Flexibility. "Software flexibility" refers to the ability to support a wide range of applications in a broad range of software languages. Industry standard COBOL is preferable to manufactured developed subsets. "Hardware flexibility" refers to the ability of the system to support a wide variety of applications without requiring a substantial change in equipment specifications. Minimum requirements would include query and data base capabilities, interactive and batch environments, and modular expansion capabilities.

Extent of Caseflow Information. This qualitative benefit refers to the ability to provide data entry and query, extensive management reports of an exception reporting and summary nature, and a large multiple access data base from which to answer queries or develop reports. An automated appellate caseflow system requires multiple data entry and query capability. It also requires immediate update of the data base to permit timely access of complete records.

Summary of the Cost/Benefit Method

To be most useful, this type of Cost/Benefit analysis requires the establishment of appropriate weights for each indentifiable qualitative benefit. There has been no attempt to do this in this report. In reality, these weights can only be assigned after a thorough review of organizational goals and objectives by members of the court. However, the analysis presented in the table if used properly provides a valid guide for determining which, if any, alternative hardware option is most viable given the known limited financial and other resources, the desired caseflow reporting capabilities, and the desired communications capability of the proposed system.

2. Use of Computer Services Provided by a Commercial Data Processing Agency

An independent service bureau is a commercial firm organized for the purpose of making a profit. Its capabilities will be reflected in programming schedules and processing costs. These will exceed the costs of comparable services provided by public data processing centers. Typically, employees are not required to pass as vigorous a security screening process as employees in government facilities. Site locations are generally in commercial areas, removed from courthouses, thus increasing the risk of transporting data.

An important advantage of renting information processing power is that it requires no long-range commitment in either data processing equipment or operating personnel. There is potential for substantially decreased costs due to competitive bidding and the possibility of better utilizing or balancing available resources to the requirements of the job. In some instances, a service bureau may be able to provide better applications flexibility due to the size of their operation.

Smaller courts and courts with limited processing requirements have considered the use of a service bureau to provide their necessary data processing requirements.

Service bureaus are often willing to assume any segment of the data processing operation. Therefore, the services provided by such an organization vary from simply processing a customer's data using a customer prepared program to systems development, programming, and processing of a user's data. In addition, some bureaus furnish staff to operate a user's existing computer system. This latter activity

is often called facilities management.

The National Center considers the need for profit orientation in a private service bureau to be potentially detrimental to public data processing. In addition, the Supreme Court cannot exercise sufficient controls over private employees to insure data integrity. Since the employees of the bureau will be directly responsible to their employer and subject to his control and management, the courts do not have direct control over the staff and as a result lack assurances of the security and integrity of their data when it is processed. Security arrangements, though good, are typically not high enough to protect the physical security and confidentiality of judicial data. Backup facilities are usually not available, thus forcing the courts to establish secondary processing facilities as backup in case of an unforeseeable emergency.

One answer to this lack of control is to require the bureau through a binding contract to process and handle court data in a specified manner. Such a contract should include provisions for insuring data accuracy, completeness, security, and integrity.

The disadvantages of loss of management control, unaccountability of staff in a direct relationship to the court, and uncertainty of security and integrity far outweigh cost considerations. Table 8 on page 83 schematically illustrates the differences between a court owned computer system and a commercial or state provided data processing center in the key management areas of data processing cost, turnaround time and run priorities, privacy and security of court records, operational control, and capacity and expansion capabilities.

3. State Administrative Agency that
Serves as a Central Data Processing Center

The Information Services Division of the Department of Administration is an executive branch agency that functions as the state central data processing center for most administrative departments in Minnesota. It functions solely for its clients and not as an independent administrative agency. It operates on a cost reimbursement basis with funds for services being transferred from each agencies' data processing budget through normal interagency fund transfer. The Supreme Court is responsible for justifying the need for the required data processing budget before certain legislative committees during the budgetary process.

ISD would process the appellate docketing system data on an IBM 370-158 computer system. All necessary hardware would be provided by ISD including the required CRT communication devices. ISD is willing to contract to develop all application software required by the proposed system and to provide all operational personnel. Of course, the court would be required to train the court clerks responsible for entering and accessing case data on the communication terminals.

If the Supreme Court chooses to implement an automated docketing system under the above arrangement the need for experienced data

processing personnel will be minimized. The Director of Information Services should assist the Supreme Court Administrator in designing and implementing the system and in obtaining legal agreements from ISD that establish accountability and responsibility for actions that affect the judiciary.

It is important that these agreements permit the Supreme Court to exercise "management control" over its own data.² The agreements should stipulate that the ownership of judicial data rests with the Supreme Court. The right to use and to disseminate judicial data must be reserved solely to the court. All job-run priorities, level and type of systems and maintenance services, and operating costs must be agreed upon and held to be binding. Dates for completion of application software and for going on-line must be established and firmly agreed to. In light of current developments concerning ISD, these stipulations become even more important.

What must be remembered is that it is the court's responsibility to insure the security and integrity of all judicially generated information. The court can only guarantee this protection if it obtains operational agreements to have administrative control over its own data. ISD has expressed an understanding of and an agreement with this position and has entered into similar agreements with other state agencies. Again see Table 8 on page 83 for a comparative analysis of these considerations between court owned and operated facilities, state service bureau facilities, and commercial service bureau facilities.

²"Management control" is defined as the ability to review, evaluate, and establish policy relative to the security and integrity of judicial data and the operation of the data processing facility where it affects judicial data.

To put these costs in another perspective, personnel and application software costs are dependent upon the extent of original design and development involved in implementing the system. If the Supreme Court chooses to adapt the Oregon appellate docketing system to meet the information requirements of Minnesota, the total cost to revise and implement the software will be less than if a decision is made to start from scratch or to use IBM's basic court package.³ ISD currently has a copy of IBM's basic court package which contains an automated docketing system for an on-line CRT environment. The purchase price for this software package is \$29,000. If it were used in developing the proposed system, actual programming and systems costs would again be reduced. Although the National Center believes the Oregon system to be more adaptable, a thorough analysis of the IBM BASIC court system package and the Oregon Appellate Docketing System should be conducted by the Director of Information Services and the Supreme Court Administrator prior to any final decision.

Again, based on the case volume and activity of the Oregon appellate courts, it is possible to estimate that the yearly operating costs of the proposed appellate system should not exceed \$12,000/yr. Programming and systems costs for developing a new system should not exceed \$80,000-100,000 (dependent on the complexity and extensiveness of the system). ISD should be able to complete it within a 12 month

³Since Oregon developed their appellate docketing system with LEAA funds, all programs and systems documentation are free to any prospective user for the purpose of technology transfer and utilization.

time frame. This cost includes hardware usage during development and testing, initial system and hardware setup, and the necessary system documentation once it becomes operational. All figures quoted are for a basic appellate system designed to provide the already defined appellate informational requirements. The costs do not include system interfacing requirements with a criminal justice information system or a state judicial information system. The costs do not include Supreme Court personnel time or costs expended guiding and controlling the development process.

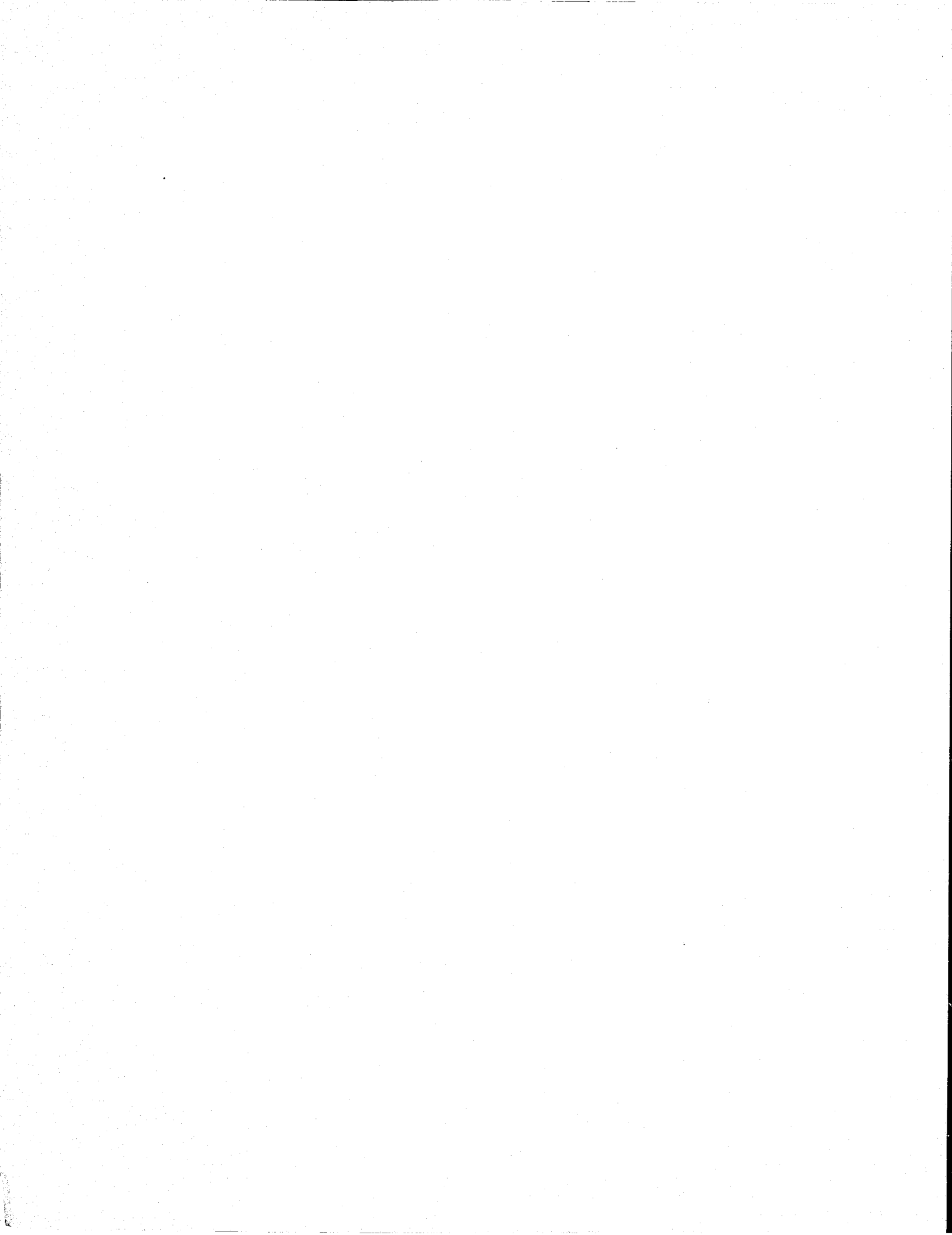
The costs that the Supreme Court would incur if the resources of ISD are used are considerably lower than those incurred if dedicated facilities were obtained. However, since the actual system conceptual design is not available it is more difficult to identify and control the actual costs to develop and implement the system. A cost structure for the on-line environment in which the appellate docketing system would operate is outlined below. All costs quoted are based on actual ISD charges to state agencies effective July 1, 1977.

Personnel and Application Software Costs:

Senior Analyst	\$16.85/hr.
Programmer	13.57/hr.
Operator/Programmer	11.22/hr.

Hardware & Associated Costs:

CRU Usage	\$286/hr.
CRT Usage	80 to 180/mo/device
Selector Channel	17 hr.
Time Cost	2.7¢/transaction
Multiplexor Channel	12/hr.
Core Occupancy	.25/thousand used
Disk Storage	3.85/hr./dedicated pack, plus \$.12/ pack for permanent storage
Printing	.90/1,000 lines
Cards	.70/1,000



CONTINUED

1 OF 2

Table 8 summarizes the major management and data processing considerations discussed in the previous three sections on commercial service bureaus, state operated agencies, and court operated computer facilities.

4. Court Employed Systems and Support Personnel
Using a State Central Data Processing Facility

Since ISD is a central data processing service facility, the Supreme Court can choose to use the available IBM 370 hardware system for processing appellate data without requesting application software or systems support. Both the Oregon and New Jersey Supreme Courts elected to utilize their central data processing facilities in this manner. Both states have established a department of data processing professionals under the direct control of the State Court Administrator. All computer and associated processing costs incurred by ISD are paid for by the Supreme Court through an inter-agency agreement according to established budgetary guidelines. All other professional costs for systems design, application software development, and on-going system maintenance are provided by court employed professionals that must be planned and budgeted for prior to each fiscal year. The professional employees of this department of the Minnesota State Court Administrator's Office would be under the supervision of the Director of Information Services.

The advantage of this arrangement is obvious. It permits the Supreme Court to maintain direct management control of all court systems efforts. The court has the ability to hire and terminate personnel and to setup policies relative to the development and implementation of

Table 8

The Effect of Three Alternative ADP Approaches On
Management and Data Processing Control⁴

	Court Operated Computer Facility	Commercial Data Processing Agency	State Agency (ISD)
Cost	High cost, but often justified for large courts or by nature of qualitative benefits received.	Lower cost for small application; lower initial costs; potentially higher long term cost because no equity accumulated in equipment.	Development and modification costs often lower than in-house system; operating costs less than both in-house and commercial.
Turnaround Time and Priority	Court can expect to receive service and information according to a designated timetable.	Service may be slower since service bureau is remote from the court and has other priorities.	Same as in-house if agreement made by court with processing agency in form of contract.
Privacy and Security of Court Records	Court has complete control over paper and computerized records.	Court may relinquish control over records for batch data entry; computerized records are under service bureau control but security measure can still be enforced.	Same as in-house if agreement made by court with processing agency in form of binding contract.
Operations	Court is responsible for equipment, personnel, facilities, and supplies	Service bureau is responsible for all operations:	State agency responsible for equipment and software; operating personnel and supplies.
Capacity	Court computer system capabilities may be limited.	Service bureau is equipped to provide all types of data processing services.	System should be adequate to perform services as stated in contract. In many cases state agency is the largest service center in the area that the court has access to.

⁴ A more detailed discussion of this analysis may be found in A Study of the Connecticut Judicial Department's Computer Options, National Center for State Courts, November, 1975.

all information system programs. However, the court still has to form an agreement with ISD giving it the ability to review, evaluate, and establish policies relative to the security and dissemination of judicial data and the operation of the data processing facility when it directly affects the judiciary. This agreement should contain all the provisions relating to job-run priorities, level and type of systems efforts, and operating costs required to guarantee judicial integrity.

The Supreme Court is currently using ISD to prepare and process some State Judicial Information System programs and data. Formal agreements controlling management, information dissemination, and data security should already be in existence. If they do not exist, it is recommended that such agreements be obtained immediately. At a minimum this agreement should address and satisfactorily establish for the court:

1. job-run priorities: to the extent of guaranteeing efforts to meet deadlines and maximum run and processing times;
2. existence control: to insure the physical existence of the data base, through proper backup and recovery operations;
3. access control: to protect the data base from unauthorized disclosure or dissemination to unauthorized persons;
4. update control: to insure that the requested update is legal and that the individual requesting the update has the authority to request it;
5. software control: to establish that all software and the associated data base are owned and controlled by the Supreme Court;

6. distribution control: to provide that no reports compiled from judicial data can be made or released without prior judicial approval; and
7. quality control: to detect and correct errors in the data so as to maintain its accuracy, completeness, and consistency.

The major disadvantage of this approach is that the extent of financial and management commitment to the data processing area has been increased significantly over that required by the use of the facilities provided by ISD. However, it is still less than that required to finance and maintain a court operated computer system with court employed personnel. Although the costs involved in this alternative are difficult to estimate, it can be noted that the professional data processing staff alone cost the office of the Oregon State Court Administrator \$96,000 in 1976. This average cost of \$8,050 per month does not include administrative personnel nor does it include the data processing costs that ISD would levy on the court. These additional costs are averaging roughly \$1,000 per month or \$12,000 per year in Oregon. This presents an operational budget of \$108,000 that does not include initial setup and development costs which have been estimated at \$50,000 - \$100,000 dependent on the complexity of the caseflow management program that is developed. The estimated costs that the Supreme Court would incur if the data processing resources of ISD are used and if the court hired their own systems and programming staff would be as follows:

Supreme Court Systems Personnel Costs:

1 Senior Analyst	\$16-19,000
1 Programmer/Analyst	\$12-15,000
1 Administrative Aid	\$ 7 - 8,000

ISD Personnel, Hardware, and Associated Costs:

Programmer/Operator	\$11.22/hr
CRU Usage	286/hr.
CRT Usage	80 to 180/mo/device
Selector Channel	17 hr.
Time Cost	2.7¢/transaction
Multiplexor Channel	12/hr.
Core Occupancy	.25/thousand used
Disk Storage	3.35/hr/dedicated pack, plus \$.12/pack for permanent storage

The ISD costs should average no more than \$1,000 per month.

The courts direct personnel costs should average \$35,000 - 42,000 per year (not including the cost of the Director of Information Services who should be placed in charge of this type of operation.) Therefore, the first year's cost of this option is approximately \$80,000. The project staff recommends that the court consider this option only after they have addressed the intended scope of the existing State Judicial Information System project.

5. Improved Manual System

What becomes evident is that the development of an on-line appellate docketing system, even if limited in scope of effort, is a long-term and expensive proposition. When the yearly costs of any of the preceding alternatives are far from insignificant, the implementation of the improvements to the existing system recommended in Chapter I requires little or no additional data processing or administrative expense.

While the management commitment needs to be strengthened in all alternatives, it can most easily and immediately be accomplished by improving the manual system.

Control over information dissemination can become extremely important when management reports are generated by a caseflow system or when a court caseflow system provides information to a criminal justice agency or system. The best way to control this dissemination is to control the information at its source; i.e., in the administrative office where the data is assembled and compiled. As a result, the court is able to exercise more control and insure data privacy in the alternatives that utilize court employees to generate, assemble, compile, and disseminate the data. The manual system, whether by intent or by chance, is currently able to provide that control. Before any new data processing alternative is implemented the court should establish policies that clearly define information dissemination rules for the judicial data. This will enable the administrative office to establish its procedures to carry out these policies prior to or during the implementation of any new system. The Table on the following page summarizes several of the control issues that must be considered before a new system is implemented.

Table 9

Control Considerations for Alternative ADP Agencies

Alternative ADP Service Agencies	Management/Operational Control	Control Over/Information Dissemination	Control Over Organizational Structure	Control Over Cost
In-house Manual System	Complete	Complete	Complete	Complete
Use of Commercial Computer Services	Limited	Poor/Good	Very Limited	Limited
State Administrative Agency (ISD)	Limited	Good	Limited	Limited
Court Employed Staff Using State Administrative Agency as DP Facility	Medium	Very Good	Medium	Medium
Court Operated and Controlled DP Facility Using Court Employed Staff	Complete	Considerable	Considerable	Considerable

The organizational impact of any of the proposed systems will be significant. There will be new space needs, personnel requirements, and realignment of jobs and job duties. These should be carefully studied and anticipated. The changes to the current manual system can be effective without drastically altering personnel responsibilities or special needs. When the changes are implemented, they will provide the necessary status reports and monitoring capabilities now sought by the Supreme Court and they will also improve the calendaring procedures of the clerk's office. The staff recommends that the manual system be improved to take

care of the immediate needs of the court and that the court's administrative staff be requested to evaluate the significance of the information system program in light of the courts long-range planning efforts. The role of the appellate docketing and information system should be determined and prioritized at that time.

Recommendation 19: Since initial costs are too excessive, the Supreme Court should not establish at this time a court data processing capability to automate the appellate caseflow management and docketing system.

Recommendation 20: The Supreme Court should develop a long-range judicial information system master plan that includes a statement of intent to administer and manage the state courts and incorporate all information system development efforts into the long-range planning efforts of the court.

Chapter VI

SUMMARY OF FINDINGS

The Supreme Court should adopt the recommendations for improving the existing case processing system as outlined in Chapter I. The court should not implement an automated appellate docketing system at this time. The cost figures to establish and implement any of the data processing alternatives are too excessive to justify present consideration. The volume of cases processed by the existing appellate caseflow processing system is too low to justify an automated docketing system on a strictly cost justified basis. The slow turnaround and infrequent inquiry situation that typifies the Minnesota Supreme Court caseflow system also make it difficult to justify an automated system on a cost basis. A thorough cost/benefit analysis on a system-wide basis would be necessary to determine if an automated docketing system would be beneficial. This system-wide analysis should consider both the appellate and trial court requirements now and in the future. If intangible benefits (such as reduction in case delay or increased management control of case activity) are used to justify the design and implementation of an automated appellate docketing system, the system should be designed in such a manner as to be compatible with and to provide support to the proposed State Judicial Information System. To meet this end the court should request the Deputy State Court Administrator and the Director of Information Systems to review in depth the judicial information system efforts of the state. These two individuals should develop a system-wide

long range information system master plan. The document should be prepared in a realistic manner, projecting future system's development in light of perceived financial availabilities. The plan should be based on a system-wide information requirements analysis for all court levels. This should be done in terms of the information needs of the Supreme Court to monitor and manage caseflow and to perform its other constitutional supervisory responsibilities.

The master plan should recognize that the appellate docketing system should not be treated as an entity in itself. Rather the appellate case processing system should be considered a part of or a module of the total proposed State Judicial Information System effort. A thorough analysis of the proposed SJIS should be accompanied by an equally thorough analysis of the capabilities of the IBM Basic court system module; the Oregon, New Jersey, and Missouri appellate docketing systems; and any other available operational court system that may aid future systems development efforts through technology transfer.

Implementation of any automated judicial information system requires a major cost and management commitment by the court. The current SJIS effort is an ideal example of this point. The Supreme Court must determine its own management responsibilities and then express its intent and willingness to carry out these responsibilities in a clearly defined statement. This commitment must take into consideration the issues of data security and privacy, operational and management control, and cost/management commitment. In summary, the project staff has determined that the proposed changes to the existing case processing system will improve that system substantially.

The staff has further determined that there is no current need to or justification for designing or implementing an automated caseflow docketing system. Finally, future efforts to develop such a system should be carried out in conjunction with the SJIS developmental efforts which should be carefully planned and consistent with a well documented long-range master plan for information systems development.

Recommendation 21: The Supreme Court should establish a policy that clearly indentifies what internal judicial management information can be transferred to other agencies (CJIS) or to the public to protect judicial integrity and individual privacy.

Recommendation 22: The Supreme Court should have the State Court Administrator establish procedures that control the distribution of internal judicial management information to other agencies (CJIS) or to the public to protect judicial integrity and individual privacy.

Recommendation 23: The Supreme Court should obtain a written legally binding agreement with ISD consistent with the above policies and procedures that establish management control by the Court over all existing judicial applications and data.

BIBLIOGRAPHY

Appellate Courts, Staff and Process in the Crisis of Volume, National Center for State Courts, 1974.

Caseflow Management in the Trial Court, Maureen Solomon, American Bar Association Commission on Standards of Judicial Administration, 1973.

Data Processing and the Courts: Reference Manual, Publication Number R0033r, National Center for State Courts, 1977.

Data Processing and the Courts: Guide for Court Managers, Publication Number R0033g, National Center for State Courts, 1977.

Managing the Courts, Friesen and Gallas (Bobbs-Merrill Company, Inc., New York, 1971).

National Evaluation Program, Phase I Report: Court Information Systems, Kreindel, B., et.al., MITRE Corporation, August 1976.

SJIS Assessment Visit, State of Minnesota, SEARCH Group, Inc., October, 1976.

Selected Readings - Court Congestion and Delay, ed. Glenn R. Winters, The American Judicature Society, 1971.

Standards Relating to Appellate Courts, American Bar Association Commission on Standards of Judicial Administration, Final Draft, 1977.

State Judicial Information System, Final Report (Phase I), Technical Report Number 12, SEARCH Group, Inc., June, 1975.

State Judicial Information System, Final Report (Phase II), Technical Report Number 17, SEARCH Group, Inc., September, 1976.

A Study of the Connecticut Judicial Department's Computer Options, National Center for State Courts, November, 1975.

A P P E N D I X I

Appellate Court Caseload Data

- Chart 1: State of Minnesota Supreme Court
- Chart 2: State of Missouri Supreme Court
- Chart 3: State of Missouri Court of Appeals
- Chart 4: State of New Jersey Supreme Court
- Chart 5: State of New Jersey Appellate Division of Superior Court
- Chart 6: State of Oregon Supreme Court
- Chart 7: State of Oregon Court of Appeals

Chart 1
State of Minnesota
Supreme Court
9 Justices

	<u>1971</u>	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>
Filings					
TOTAL	584	603	677	781	921
Dispositions					
Appeals	311	322	300	330	342
Other Regular	28	51	41	54	64
Special Matters	196	223	219	234	304
TOTAL	535	596	560	618	710

Chart 2
State of Missouri
Supreme Court
7 Justices

	1972	1973	1974	1975	1976
Filings					
Appeals			137	119	170
Writs			95	320	409
Motions			807	465	591
TOTAL	998	387	1,039	904	1,170
Dispositions					
Appeals			430	252	215
Writs			162	281	434
Motions			663	516	601
TOTAL	898	967	1,275	1,049	1,250
Pending 6/30					
Appeals			249	116	71
Writs			10	49	24
Motions			78	27	17
TOTAL	1,153	573	337	192	112

Chart 3
 State of Missouri
 Court of Appeals
 22 Judges

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>
Filings					
Appeals	1,097	1,616	1,405	1,552	1,805
Writs				266	376
TOTAL				1,818	2,181
Dispositions					
Appeals	817	1,088	1,069	1,145	1,617
Writs				272	367
TOTAL				1,417	1,984
Pending 6/30					
Appeals	834	1,362	1,507	1,815	2,003
Writs			27	21	30
TOTAL			1,534	1,836	2,033

Chart 4
State of New Jersey
Supreme Court
7 Justices

	<u>1974</u>	<u>1975</u>	<u>1976</u>
Filings			
Appeals	183	221	232
Petitions for Certification	776	754	837
Other Petitions and Motions	552	1,058	1,058
Disciplinary Proceedings	46	73	95
TOTAL	1,557	2,106	2,222
Dispositions			
Appeals	179	182	187
Petitions for Certification	817	704	705
Other Petitions and Motions	565	936	1,144
Disciplinary Proceedings	44	44	93
TOTAL	1,605	1,866	2,129
Pending 8/31			
Appeals	111	150	195
Petitions for Certification	203	253	385
Other Petitions and Motions	66	188	102
Disciplinary Proceedings	11	40	42
TOTAL	391	631	724

Chart 5
State of New Jersey
Appellate Division of Superior Court
22 Judges

	<u>1975</u>	<u>1976</u>
Filings		
Appeals	4,383	4,819
Motions and Petitions	2,686	3,149
TOTAL	7,069	7,968
Dispositions		
Appeals	3,898	4,349
Motions and Petitions	2,489	3,011
TOTAL	6,387	7,360
Pending 8/31		
Appeals	4,210	4,736
Motions and Petitions	271	270
TOTAL	4,481	5,006

Chart 6
State of Oregon
Supreme Court
7 Justices

	1972	1973	1974	1975	1976
Filings					
Appeals	374	365	412	472	549
Petitions for Review	254	206	288	301	467
 TOTAL	 628	 571	 700	 773	 1,016
 Dispositions					
Appeals	389	370	379	424	498
Petitions for Review	247	196	300	282	456
 TOTAL	 636	 566	 679	 706	 954
 Pending					
Appeals	222	217	250	298	349
Petitions for Review	20	30	18	37	48
 TOTAL	 242	 247	 268	 335	 397

Chart 7

State of Oregon

Court of Appeals

6 Judges

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>
Filings					
Appeals	766	843	1,046	1,539	1,847
Dispositions					
Appeals	804	822	929	1,299	1,786
Pending					
Appeals	291	312	429	669	730

A P P E N D I X II

State of Oregon

Automated Appellate Information System

The statistical reports in this Appendix permit analysis of the present state of the courts' business to be made in a number of different ways. The use of statistical reports over a period of time permit the courts to anticipate what changes in practice and use of resources may be required to properly execute their responsibilities in the future.

The statistical reports contained in this appendix have been placed in the following groupings to facilitate presentation:

- Report 1: Cases Pending Court Action
- Report 2: Origin of Cases Coming Before Each Court
- Report 3: Cases Not Yet Submitted Yet Filed More Than Six
Months Ago
- Report 4: Comparative Statistics On The Status of Pending Cases
- Report 5: Case Time Lapse Data From Filing To Disposition



TRIAL COURT	CONFLICT TYPE	CASE NO.	CASE TITLE
	AK	6416	CAMPBELL RANCH INC/WATER RESOURCES DEPT
	AK	6417	TAYLOR BROS FARMS/WATER RESOURCES DEPT
	AK	6419	TABANAQ/PUBLIC WELFARE DIVISION
	AK	6420	FAK-WEST FARMS OREG LTD/WATER RESOURCES DEPT
	AK	6427	U & B SUPPLY CO/EMPLOYMENT DIVISION
	AK	6435	DEERING/PUBLIC WELFARE DIVISION
	AK	6438	CLARK/PUBLIC WELFARE DIVISION
	AK	6456	MURLEY/BOARD OF DENTAL EXAMINERS
	AK	6459	FITCH/PUBLIC WELFARE DIVISION
	AK	6472	VINCENT/REAL ESTATE DIVISION
	AK	6481	STRATIS/PUBLIC WELFARE DIVISION
	AK	6494	NEWMAN/PORTLAND FIRE CODE BOARD
	AK	6495	NEWMAN/STATE FIRE MARSHAL
	AK	6496	CUTTRELL/OREGON LIQUOR CONTROL COMM
	AK	6498	LUOMA/EMPLOYMENT DIVISION
	AK	6515	OAKRIDGE MOOSE LODGE/OREGON LIQUOR CONTROL COMMS
	AK	6538	CALDWELL/OREGON LIQUOR CONTROL COMM
	DR	6410	MORRIS, TERRY L/OREGON STATE CORRECTIONAL INST
	DR	6411	MORRELL, DALE/OREGON STATE PENITENTIARY
	DR	6412	BALLARD, JOSEPH GUITIERREZ/OREGON STATE CORRECTIONAL INST
	DR	6421	PULK, WILBERT/FIELD SERV CORRECTIONS DIV
	DR	6430	WHILEY, JOHN/OREGON STATE PENITENTIARY
	DR	6431	WHILEY, JOHN/OREGON STATE PENITENTIARY
	DR	6432	WHILEY, JOHN/OREGON STATE PENITENTIARY
	DR	6436	LITTLE, GARY/OREGON STATE PENITENTIARY
	DR	6437	GANT, DENNIS/OREGON STATE PENITENTIARY
	DR	6439	MC KINNEY, ELMER/OREGON STATE PENITENTIARY
	DR	6447	LUNDY, MICHAEL/OREGON STATE PENITENTIARY
	DR	6448	LUNDY, MICHAEL/OREGON STATE PENITENTIARY
	DR	6450	PALAI, JOHN/OREGON STATE PENITENTIARY
	DR	6462	MARTIN, ROGER/OREGON STATE PENITENTIARY
	DR	6464	HAWLEY, DANIEL/OREGON STATE PENITENTIARY
	DR	6465	HARGROVE, JAMES H/OREGON STATE PENITENTIARY
	DR	6474	RAMIREZ, JOE/OREGON STATE PENITENTIARY
	DR	6485	HOSS, JAMES C/OREGON STATE PENITENTIARY
	DR	6486	SHARP, LARRY C/OREGON STATE PENITENTIARY
	DR	6490	ALLEN, ERNEST H/OREGON STATE PENITENTIARY
	DR	6491	PALAI, JOHN/OREGON STATE PENITENTIARY
	DR	6492	PALAI, JOHN/OREGON STATE PENITENTIARY
	DR	6493	PALAI, JOHN/OREGON STATE PENITENTIARY
	DR	6499	MALAER, EARL STEVEN/OREGON STATE CORRECTIONAL INST
	DR	6510	HUIZ, RAMIRO/OREGON STATE PENITENTIARY
	DR	6511	HUIZ, RAMIRO/OREGON STATE PENITENTIARY
	DR	6512	HUIZ, RAMIRO/OREGON STATE PENITENTIARY
	DR	6518	MC LIMANS, JAMES H/OREGON STATE CORRECTIONAL INST
	DR	6519	GIBSONS, DENNIS WAYNE/OREGON STATE PENITENTIARY
	DR	6524	EUSTEO, MICHAEL/OREGON STATE PENITENTIARY
	DR	6525	SABO, RONALD H/OREGON STATE PENITENTIARY

ORIGIN OF CASES
FOR THE MONTH OF JUNE, 1976

TRIAL COURT	CONFLICT TYPE	CASE NO.	CASE TITLE
	CR	0526	SABO, RONALD P/OREGON STATE PENITENTIARY
	CR	0528	GOVER, RICHARD/OREGON STATE PENITENTIARY
	CR	0531	FLEISCHMAN, BENJAMIN B JR/OREGON STATE PENITENTIARY
	CF	0532	JOHNSON, GREGORY ALLEN/OREGON STATE CORRECTIONAL INST
	CR	0536	FARR, LEROY/OREGON STATE PENITENTIARY
	CR	0537	DASH, GARY/OREGON STATE PENITENTIARY
	CR	0554	HANCOCK, GORDON C/OREGON STATE PENITENTIARY
	CR	0559	BAKER, JOHN W/OREGON STATE CORRECTIONAL INST
	PR	0476	WHEELER, JOHN M/BOARD OF PAROLE
	PR	0513	WAGNER, FREDERICK ALLEN/BOARD OF PAROLE
	PR	0514	CUPPS, SANDRA KAY/BOARD OF PAROLE
BENT C	CR	0463	ST/RUBY, JAMES REESE
BENT C	DO	0558	BARTZ/BARTZ
BENT C	JV	0480	SER/JUVENILE DEPT OF BENTON CO/TOOHILL
CLAC C	CR	0440	ST/MYERS, HENSLEY DAVID JR
CLAC C	CV	0542	WHITAKER/TELFORD
CLAC C	DO	0497	BRUCKEN/BRUCKEN
CLAC C	JV	0451	SER/JUVENILE DEPT OF CLACKAMAS CO/WELLS
CLAC C	JV	0454	SER/JUV DEPT OF CLACKAMAS CO/DU BELL
COLU C	DO	0424	WALKER/WALKER
COLU C	PR	0479	LOUNSBURY/WILMARTH
COOS C	CR	0425	ST/MC ALLISTER, RANDOLPH BRUCE
COOS C	CR	0426	ST/MC ALLISTER, RANDOLPH BRUCE
CROU C	DO	0482	GRIDLEY/GRIDLEY
DESC C	CR	0487	ST/HENLEY, CLYDE
DESC C	CR	0540	ST/MC DONALD, MICHAEL IRA
DESC C	CV	0522	SISTERS SHAKE CO INC/MORGAN
DOUG C	CR	0415	ST/COMBS, DAVID IRVING
DOUG C	CR	0488	ST/WHITE, RICHARD
DOUG C	CR	0501	ST/WELBORN, RANDY DEAN
DOUG C	CR	0502	ST/WELBORN, RANDY DEAN
DOUG C	WC	0552	THE BENEFITS OF WENDELL D CORDER/STATE ACCIDENT INSURANCE FUND
JACK C	CR	0433	ST/LIVELY, GORDON ALEX
JACK C	CR	0539	STATE OF OREGON/FOULON, WILLIAM STEPHEN
JACK C	CR	0555	SI/REICHERT, GEORGE PHILIP
JACK C	CV	0551	STATE OF OREGON/FENLEY
JOSE C	CR	0509	ST/MC CURDY, PATTY JEAN
KLAM C	CR	0527	ST/VALDEZ, WILLIAM ANTONIO

TRIAL COURT	CONFLICT TYPE	CASE NO.	CASE TITLE
LANE C	CR	6445	ST/MURPHY, STANLEY NEAL
LANE C	CR	6452	ST/MC JUNKIN, ARTHUR LEE
LANE C	CR	6457	STATE OF OREGON/JACKSON, IVAN IVY
LANE C	CR	6466	ST/PAYTON, MICHAEL
LANE C	CR	6473	ST/HIGGS, WILLIAM ROGER
LANE C	CR	6507	ST/BERNARD, DAVID
LANE C	CR	6541	ST/JENKINS, MATT WILLIAMS
LANE C	DO	6442	COOK/COOK
LANE C	DO	6484	GROVE/GROVE
LANE C	WC	6483	SMITH/ED'S PANCAKE HOUSE
LINC C	CR	6434	ST/LEEK, DONALD MINOR
LINC C	CR	6557	ST/STONE, DANNY FLOYD
LINC C	JV	6443	SER/JUVENILE DEPT OF LINCOLN CO/SCHROEDER
LINN C	CR	6500	ST/ATKINS, WAYNE
LINN C	DO	6516	ABRAHAM/ABRAHAM
LINN C	WC	6460	LEISER/STAYTON CANNING COMPANY
MARI C	CR	6449	ST/WAKEFIELD, RONALD GLENN
MARI C	DO	6453	MAC NAB/MAC NAB
MARI C	HC	6545	JAMISON, BOBBY DEAN/CUPP
MULT C	CR	4764	ST/BANDARRAE, WILLIAM JOHN
MULT C	CR	6413	ST/JACK, BENNIE ROGER
MULT C	CR	6414	ST/CANSLER, RAYMOND
MULT C	CR	6422	ST/JENKINS, YVONNE
MULT C	CR	6423	ST/ANDERSON, JIMMY J
MULT C	CR	6428	STATE OF OREGON/FLURY, DONALD WAYNE
MULT C	CR	6444	ST/LARSON, ALVIN ROBERT
MULT C	CR	6446	ST/MOORE, THOMAS FRANCIS
MULT C	CR	6455	ST/DAVIS, LONNIE DEE
MULT C	CR	6461	ST/BROWN, CHARLES EDWARD
MULT C	CR	6467	ST/LAKE, GEORGE ANDREW
MULT C	CR	6468	ST/LAKE, GEORGE ANDREW
MULT C	CR	6469	ST/LAKE, GEORGE ANDREW
MULT C	CR	6471	ST/BORNSON, THOMAS ARTHUR
MULT C	CR	6489	ST/MARKLEY, DAVID JAMES JR
MULT C	CR	6508	ST/HOLLINGQUEST, ROBERT LEE
MULT C	CR	6523	HUN SHIRLEY FIELD/HOLLENBECK, LAVERNE DONALD
MULT C	CR	6535	ST/HUM, ROY LEE
MULT C	CR	6544	ST/ALLISON, GERALD RAY
MULT C	CR	6546	ST/MANOS, RICHARD STANLEY
MULT C	CR	6553	ST/HOCKINGS, COLIN JOSEPH
MULT C	CR	6556	ST/YOST, DONALD FRANK
MULT C	CV	6506	METRO SERVICE DIST OF PORTLAND/DEPT OF ENVIRONMENTAL QUALITY
MULT C	CV	6547	OREGON MEDICAL ASSOCIATION/RAWLS
MULT C	CV	6548	HAGMEIER/RAWLS

TRIAL COURT	CONFLICT TYPE	CASE NO.	CASE TITLE
MULT C	CV	0550	SER/COOK/RADAKOVICH
MULT C	CO	0429	KENT/KENT
MULT C	DC	0478	UTTING/UTTING
MULT C	DO	0503	STEFIUK/STEFIUK
MULT C	DC	0504	LARSEN/LARSEN
MULT C	DC	0505	DURIG/DURIG
MULT C	DO	0520	BRYAN/BRYAN
MULT C	FF	0560	RIEMAN/RIEMAN
MULT C	WC	0441	ANDERSON/STATE ACCIDENT INSURANCE FUND
MULT C	WC	0477	DAHLSTROM/HUNINGTON RUBBER MILLS
MULT C	WC	0521	WILSON/NORTHWEST MARINE IRON WORKS
MULT C	WC	0549	LARSON/STATE ACCIDENT INSURANCE FUND
MULT C	WC	0561	VELASQUEZ/STATE ACCIDENT INSURANCE FUND
MULT C	WC	0562	ANDERSON/STATE ACCIDENT INSURANCE FUND
UMAT C	CR	0475	ST/CRONEN, RAY
UMAT C	JV	0418	SER/JUVENILE DEPT. UMATILLA CO/THOMPSON
WASC C	PB	6530	CRITTENDEN/HANNA
WASH C	CR	0529	ST/ LASNER, GENE RAYMOND
WASH C	CR	0533	ST/BROWN, DURAN, ANDREW
WASH C	CR	0534	ST/BROWN, DURANT ANDREW
WASH C	DO	0543	KONSTEN/KONSTEN
WASH C	JV	0458	SER/JUV DEPT OF WASHINGTON CO/MATTINGLY
YAMH C	CR	0470	ST/STACEY, ALFRED EUGENE
YAMH C	DO	0517	OSBORNE/OSBORNE

TOTAL NEW CASES IN THIS COURT 154

CASE NO.	EVENT	EVENT DATE	PARTY FILING DOCUMENT	FILING DATE	CASE TITLE
5031	MORE MORE	06/07/76 06/15/76	STATE OF OREGON STATE OF OREGON	08/25/75	ST/SPENCER, ROLLIN LEE
5081	MOSR	01/16/76	FORD, ROBERT D JR	08/27/75	FORD/FORD
5120	MODM	05/14/76	KASER, NEIL JR ET AL	09/04/75	CARD/FLEGEL
5361	MOPF	04/21/76	GOEBEL, GEORGE	11/13/75	SER/JUVENILE DEPT OF MULTNOMAH CO/GOEBEL
5486	MOPF	05/13/76	LEMAY, WILFORD JOSEPH PRO PER	12/08/75	ST/LEMAY, WILFORD JOSEPH
5519	MOSR	01/20/76	SELOVER, CHARLES E	12/12/75	SELVER/DIVISION OF PUBLIC WELFARE
5741	MOST	05/06/76	TRUEBLOOD, SAMUEL E	01/28/76	TRUEBLOOD/HEALTH DIVISION
5767	MOSR	04/23/76	INTERNAT'L COUNCIL SHOPNG CTRS	02/04/76	INTERNAT'L COUNCIL SHOPNG CTRS/OR ENVIRONMENTAL QUALITY COMM
5892	MODM	06/01/76	BROOKS PRODUCTS, INC	02/13/76	WAMSHER/BROOKS PRODUCTS, INC
5994	MOWF	03/11/76	SANITI, STEPHEN M	03/11/76	SANITI/OREGON CORRECTIONS DIVISION
6044	MODM	03/26/76	OREGON STATE PENITENTIARY	01/19/76	AKINS, PAUL/OREGON STATE PENITENTIARY
6055	MODM	03/24/76	OREGON STATE PENITENTIARY	03/22/76	ANDERSON, CHRIS/OREGON STATE PENITENTIARY
6115	MODM	06/01/76	MAYEDA, ESTHER ILLEN	03/23/76	MAYEDA/MAYEDA
6256	MOWF	04/28/76	FLOYD, EVELYN	04/28/76	FLOYD/MOTOR VEHICLES DIVISION
6319	MOSR	06/25/76	THURBER, KENT B	05/13/76	MAHETIEFF/PUBLIC WELFARE DIVISION
6388	MODM	06/23/76	PUBLIC EMPLOYEES RETIREMENT SY	05/25/76	MITCHELL/PUBLIC EMPLOYEES RETIREMENT SY
6427	MOSR	06/18/76	JOSEPH, STEVEN J	06/03/76	D & B SUPPLY CO/EMPLOYMENT DIVISION
6443	MOWF	06/21/76	HEARN, JAMES A	06/08/76	SER/JUVENILE DEPT OF LINCOLN CO/SCHROEDER
6451	MOWF	06/22/76	HINGSON, JOHN HENRY III	06/09/76	SER/JUVENILE DEPT OF CLACKAMAS CO/WELLS
6456	MOST	06/10/76	HURLEY, KIM A	06/10/76	HURLEY/BOARD OF DENTAL EXAMINERS
6458	MOST	06/14/76	WATKINS, MICHAEL	06/09/76	SER/JUV DEPT OF WASHINGTON CO/MATTINGLY
6482	MOAD	06/17/76	MAC DONALD, ANNE	05/13/76	GRIDLEY/GRIDLEY
6494	MODM	06/24/76	PORTLAND FIRE CODE BOARD	06/17/76	NEWMAN/PORTLAND FIRE CODE BOARD

CASES NOT YET SUBMITTED
FILED MORE THAN 6 MONTHS AGO
AS OF 07/07/76

DATE FILED	CASE NO.	CASE TITLE	CASE STATUS	FUTURE EVENT	STATUS DATE
06/20/75	4764	ST/BANDARRAE, WILLIAM JOHN	PND	BRRS	06/20/75
07/24/75	4897	SER/JUVENILE DEPT OF CLACK CITY/GEORGE	ISS		10/29/75
08/18/75	5017	BAY RIVER INC/ENVIRONMENTAL QUALITY COMM	PND	BRCA	08/18/75
08/27/75	5046	SER/COX/WILSON	PND	BRRP	08/27/75
09/04/75	5126	CAMP/FLEGEL	ISS		04/23/76
10/15/75	5224	KESSLER/OREGON STATE PENITENTIARY	PND	BR01	10/15/75
10/17/75	5238	FOSTER/EMPLOYMENT DIVISION	ISS		04/08/76
10/22/75	5257	ST/FREEMAN, ROY ALLEN	ISS		06/11/76
10/24/75	5291	OLIVER/SABIN	ISS		06/28/76
10/27/75	5292	CITY OF PORTLAND/DAVIS	ISS		07/01/76
10/30/75	5425	COMPTON/MYERS	PND	BRRS	10/30/75
11/04/75	5311	PUBLIC WELFARE DIVISION/BROWN	PND	BRCA	11/04/75
11/12/75	5342	VANDERZANDEN/SEXSON	ISS		06/17/76
11/12/75	5404	SER/RILEY/HOYT	PND	BRRP	11/12/75
11/17/75	5393	SIEGENTHALER/N TILLAMOOK CO SANITARY AUTH	ISS		06/18/76
11/18/75	5380	ST/MC CARTY, RONALD DALE	PND	BR01	11/18/75
11/24/75	5410	ST/ADDICKS, RODERICK RAYMOND	PND	BR01	11/24/75
11/24/75	5459	STATE OF OREGON/WELLS, GEORGE GILBERT	PND	BRR1	11/24/75
11/26/75	5444	FIFTH AVENUE CORPORATION/WASHINGTON COUNTY	PND	BRRS	11/26/75
12/01/75	5443	WILTON/EMPLOYMENT DIVISION	PNO	BRR2	12/01/75
12/01/75	5476	SER/JUV DEPT OF CLACKAMAS CO/MADISON	PND	BRRS	12/01/75
12/03/75	5466	STATE OF OREGON/FREEMAN, ROY ALLEN	PND	BRR1	12/03/75
12/04/75	5470	GRAY, SCOTTY/OREGON STATE PENITENTIARY	ISS		06/29/76
12/05/75	5497	HOOVER/TROWBRIDGE	PND	BRRP	12/05/75
12/08/75	5486	ST/LEMAY, WILFORD JOSEPH	PND	BRR1	12/08/75
12/10/75	** 5500	STATE OF OREGON/GAINES, GEORGE ARMSTEAD	PND	BR01	01/21/76
12/10/75	5518	SER/WASH ST DEPT SOC & HEALTH SERV/ANDERSON	ISS		06/14/76
12/17/75	5558	CULVER/ANDRES	ISS		06/23/76
12/18/75	5555	STATE OF OREGON/DELKER, ROBERT ARTHUR	ISS		08/24/76
12/19/75	5559	STATE OF OREGON/HOWE, MAX RAYMOND	PND	BRRS	12/19/75
12/19/75	5615	STATE OF OREGON/ENGLISH	PND	BRRP	12/19/75
12/19/75	5616	STATE OF OREGON/ALEXANDER	PND	BRRP	12/19/75
12/22/75	5586	MAULDING/CLACKAMAS COUNTY	PND	BRRS	12/22/75
12/22/75	5659	SER/HEALY/MARYLAND CASUALTY CO	PND	BRRP	12/22/75
12/23/75	5588	STATE OF OREGON/DAULTON	PND	BRRS	12/23/75
12/23/75	5595	TEETER/TEETER	ISS		06/17/76
12/24/75	5587	UNITED PARCEL SERVICE INC/OREGON TRANSPORTATION COMM	ISS		07/06/76
12/26/75	5594	WELBORN/ROGUE COMMUNITY COLLEGE DIST	PND	BRRP	12/26/75
01/05/76	5620	ST/JOHNSON, STEVEN ANTHONY	PND	BRR1	01/05/76
01/05/76	5628	ST/DAVID, PETER JR	PND	BRR1	01/05/76
01/05/76	5674	BROOKS/SMITH	PND	BRR1	01/05/76
01/08/76	5652	STATE OF OREGON/WHITE, TROY	ISS		07/01/76
01/08/76	5661	PORT OF PORTLAND/MUNICIPAL EMPLOYEES	ISS		07/02/76
01/08/76	5665	PETERSEN/MAYOR & COUNCIL OF KLAM FALLS	PND	BRR1	01/08/76
01/08/76	5678	YORK/YORK	ISS		06/21/76

TOTAL IN THIS COURT .45

** CASES THAT ARE FLAGGED WITH ASTERISKS HAVE BEEN REINSTATED.

DESCRIPTION	----- CURRENT YEAR -----			----- PRIOR YEAR -----		
	AMOUNT	SUBTOTAL	TOTAL	AMOUNT	SUBTOTAL	TOTAL
CASES PENDING AT 06/01/76		788				0
1. NEW CASES FILED:						
CIVIL						
CV	7			0		
AD	0			0		
DO	16			0		
JV	6			0		
PH	3			0		
TR	0			0		
OTHER	0			0		
CRIMINAL	53			0		
COMPENSATION	9			0		
PC/HC	1			0		
JUDICIAL REVIEW						
ADMIN REVIEW	17			0		
DISCIPLINARY REVIEW	39			0		
PAROLE REVIEW	3			0		
SUBTOTAL NEW CASES FILED		154				0
2. REINSTATED CASES:						
CIVIL						
CV	0			0		
AD	0			0		
DO	0			0		
JV	0			0		
PH	0			0		
TR	0			0		
OTHER	0			0		
CRIMINAL	0			0		
COMPENSATION	0			0		
PC/HC	0			0		
JUDICIAL REVIEW						
ADMIN REVIEW	1			0		
DISCIPLINARY REVIEW	0			0		
PAROLE REVIEW	0			0		
SUBTOTAL REINSTATED CASES		1				0
3. TRANSFERRED FROM SUPREME COURT:						
CIVIL						
CV	0			0		
AD	0			0		
DO	0			0		
JV	0			0		
PH	0			0		
TR	0			0		
OTHER	0			0		
CRIMINAL	0			0		
COMPENSATION	0			0		
PC/HC	0			0		
JUDICIAL REVIEW						
ADMIN REVIEW	0			0		
DISCIPLINARY REVIEW	0			0		
PAROLE REVIEW	0			0		
SUBTOTAL TRANSFERRED CASES		0				0

DESCRIPTION	CURRENT YEAR			PRIOR YEAR		
	AMOUNT	SUBTOTAL	TOTAL	AMOUNT	SUBTOTAL	TOTAL
TOTAL CASE LOAD			943			0
CASES CLOSED DURING REPORTING PERIOD --						
CLOSURES BASED ON A DECISION OF MERITS						
BY OPINION	71			0		
BY CONSOLIDATION	3			0		
PER CURIAM	12			0		
BENCH DECISIONS	59			0		
MEMORANDUM DECISIONS	3			0		
OTHER	0			0		
SUBTOTAL DECIDED ON MERITS		148			0	
DISMISSED	45			0		
TRANSFERRED TO SUPREME COURT	0			0		
SUBTOTAL		45			0	
TOTAL CASES CLOSED DURING REPORTING PERIOD			193			0
CASES PENDING AT 06/30/76 --						
UNDER ADVISEMENT	81			0		
AT ISSUE	73			0		
NOT AT ISSUE	596			0		
TOTAL CASES PENDING			750			0
PENDING CASES NET GAIN (LOSS)			(38)			0
CASES PRESENTATION ANALYSIS --						
ORAL ARGUMENTS HEARD	111			0		
CASES PRESENTED ON BRIEFS	6			0		
TOTAL CASES PRESENTED			117			0
TIME PERIOD (IN MONTHS) THAT OLDEST CASE HAS BEEN AT ISSUE			8			0

DESCRIPTION	---- CURRENT YEAR ----			----- PRIOR YEAR -----		
	AMOUNT	SUBTOTAL	TOTAL	AMOUNT	SUBTOTAL	TOTAL
CASES PENDING AT 01/01/76		669				0
1. NEW CASES FILED:						
CIVIL						
CV	77			0		
AD	2			0		
DO	89			0		
JV	24			0		
PR	9			0		
TR	0			0		
OTHER	0			0		
CRIMINAL	380			0		
COMPENSATION	48			0		
PC/HC	16			0		
JUDICIAL REVIEW						
ADMIN REVIEW	105			0		
DISCIPLINARY REVIEW	186			0		
PAROLE REVIEW	14			0		
SUBTOTAL NEW CASES FILED		950				0
2. REINSTATED CASES:						
CIVIL						
CV	0			0		
AD	0			0		
DO	1			0		
JV	0			0		
PB	0			0		
TR	0			0		
OTHER	0			0		
CRIMINAL	2			0		
COMPENSATION	0			0		
PC/HC	0			0		
JUDICIAL REVIEW						
ADMIN REVIEW	2			0		
DISCIPLINARY REVIEW	0			0		
PAROLE REVIEW	0			0		
SUBTOTAL REINSTATED CASES		5				0
3. TRANSFERRED FROM SUPREME COURT:						
CIVIL						
CV	0			0		
AD	0			0		
DO	0			0		
JV	0			0		
PR	0			0		
TR	0			0		
OTHER	0			0		
CRIMINAL	0			0		
COMPENSATION	0			0		
PC/HC	0			0		
JUDICIAL REVIEW						
ADMIN REVIEW	0			0		
DISCIPLINARY REVIEW	0			0		
PAROLE REVIEW	0			0		
SUBTOTAL TRANSFERRED CASES		0				0

DESCRIPTION	---- CURRENT YEAR ----			----- PRIOR YEAR -----		
	AMOUNT	SUBTOTAL	TOTAL	AMOUNT	SUBTOTAL	TOTAL
TOTAL CASE LOAD			1624			0
CASES CLOSED DURING REPORTING PERIOD --						
CLOSURES BASED ON A DECISION OF MERITS						
BY OPINION	269			0		
BY CONSOLIDATION	19			0		
PER CURIAM	48			0		
BENCH DECISIONS	275			0		
MEMORANDUM DECISIONS	26			0		
OTHER	1			0		
SUBTOTAL DECIDED ON MERITS		638			0	
DISMISSED	235			0		
TRANSFERRED TO SUPREME COURT	1			0		
SUBTOTAL		236			0	
TOTAL CASES CLOSED DURING REPORTING PERIOD			874			0
CASES PENDING AT 06/30/76 --						
UNDER ADVISEMENT	81			0		
AT ISSUE	73			0		
NOT AT ISSUE	596			0		
TOTAL CASES PENDING			750			0
PENDING CASES NET GAIN (LOSS)			81			0
CASES PRESENTATION ANALYSIS --						
ORAL ARGUMENTS HEARD	620			0		
CASES PRESENTED ON BRIEFS	45			0		
TOTAL CASES PRESENTED			665			0
TIME PERIOD (IN MONTHS) THAT OLDEST CASE HAS BEEN AT ISSU			8			0

CASE TYPE	DECISION	CASE NO.	CASE TITLE	FILING TO AT ISSUE	AT ISSUE TO DECISION	FILING TO DECISION
DECIDED ON MERITS						
AR	AFF	4727	MARRET/PORTLAND GENERAL ELECTRIC CO	212	144	356
AR	AFF	5192	THE DALLES CHEPKY GROWERS/EMPLOYMENT DIVISION	184	67	251
AR	AFF	5340	GURCOHAN/BU OF EXAM FOR SPEECH PATH	148	74	222
AR	AFF	5348	TOLONEN/EMPLOYMENT DIVISION	129	71	200
AP	AFF	5364	WHITAKER/FAIR DISMISSAL APPEALS BOARD	116	81	197
AP	AFF	5392	GRAHAM/OREGON LIQUOR CONTROL CUMM	122	91	213
AP	AFF	5401	GLENNE/EMPLOYMENT DIVISION	112	81	193
AR	AFF	5553	ANDERSON/EMPLOYMENT DIVISION	98	95	193
AR	REV	5604	BABCOCK/EMPLOYMENT DIVISION	93	73	166
AR	AFF	5618	HANNA/EMPLOYMENT DIVISION	128	33	161
AR	AFF	5672	CARSON/EMPLOYMENT DIVISION	84	57	141
AR	DIS	5715	WESNER/OREGON ST SYSTEM OF HIGHER ED	117	33	150
AR	AFF	5758	KOACH/EMPLOYMENT DIVISION	69	50	119
AR	AFF	5839	ELLIS/EMPLOYMENT DIVISION	90	28	118
AR	REV	5842	BOISE CASCADE CORP/EMPLOYMENT DIVISION	114	18	132
AR	KRV	5843	MALSOM/PUBLIC WELFARE DIVISION	113	12	125
AR	REV	5844	BLOOMFIELD/EMPLOYMENT DIVISION	56	69	125
AR	AFF	5862	VAN HUIS/EMPLOYMENT DIVISION	81	35	116
AP	AFB	5944	JACKSON/OREGON STATE PENITENTIARY	84	21	105
AP	AFB	5945	JACKSON/OREGON STATE PENITENTIARY	84	21	105
AP	AFB	5946	LITTLE/OREGON STATE PENITENTIARY	78	27	105
AR	DIS	6218	FAVELEY/OREGON GOVT ETHICS COMMISSION			68
CP	AFF	4613	ST/PIERSALL, WILLIAM OWEN	369	35	404
CR	AFF	4676	ST/MOZOROSKY, RICHARD M	282	83	365
CR	AFF	4905	STATE OF OREGON/MOZOROSKY, RICHARD M	229	83	312
CR	AFF	4906	STATE OF OREGON/MOZOROSKY, RICHARD M	229	83	312
CP	AFF	4907	STATE OF OREGON/MOZOROSKY, RICHARD M	229	83	312
CR	AFF	4908	STATE OF OREGON/MOZOROSKY, RICHARD M	229	83	312
CR	AFF	4909	STATE OF OREGON/MOZOROSKY, RICHARD M	229	83	312
CR	AFF	5195	ST/ROBINSON, THOMAS LEE	219	31	250
CP	AFF	5253	ST/EICHENFELGER, RICHARD BRUCE	158	67	225
CR	KRV	5263	ST/LAKESIDE, ENSIO RUBEN	152	70	222
CR	AFF	5295	ST/SPRAGUE, MICHAEL BRUCE	168	59	227
CR	AFF	5329	ST/SCHMIDTKE, FRED IRVING	211	20	231
CR	AFF	5357	ST/CASTRO, RAMON	171	56	227
CR	AFF	5367	ST/DODSON, VAUGHN ALLEN	115	109	224
CR	AFB	5395	ST/WILLIAMS, GEORGE EDWARD	193	16	209
CR	AFF	5405	ST/COLLIER, CATHERINE A	129	74	203
CR	AFF	5406	ST/COLLIER, CATHERINE A	129	74	203
CR	AFF	5407	ST/YEAPPA, FRANCISCO MACIAS	129	74	203
CR	AFF	5408	ST/YBARRA, FRANCISCO MACIAS	129	74	203
CR	AFF	5435	STATE OF OREGON/MORRISON, RICHARD PAUL	168	18	186
CR	AFF	5478	STATE OF OREGON/MARTIN, ALIEK	136	43	179
CR	REV	5481	STATE OF OREGON/SCHALABACH, DONALD EDWARD	138	41	179
CR	AFF	5486	ST/GHANT, CHARLES ALBERT	147	42	189
CR	AFF	5489	ST/GHANT, CHARLES M M	147	42	189
CR	AFF	5494	STATE OF OREGON/MICHENER, DAVID E	122	53	175

CASE TYPE	DECISION	CASE NO.	CASE TITLE	FILING TO AT ISSUE	AT ISSUE TO DECISION	FILING TO DECISION
DU	AMC	5255	WHITLEY/WHITLEY	154	89	243
DU	REV	5343	BERG/BERG	144	60	204
DU	AFB	5509	WHITLOW/WHITLOW	112	90	202
DU	FRV	5513	SETTLE/SETTLE	104	75	179
DU	EFF	5561	LASSELL/LASSELL	167	32	199
DU	AFB	5594	POITTE/POITTE	127	48	175
DU	FRV	5638	VAUGHN/VAUGHN	92	75	167
DU	AFB	5651	JAY/JAY	110	48	158
DU	AMC	5734	PENCE/PENCE	112	33	145
DR	AFB	5737	MANNING, YVONNE/OREGON WOMENS CORP CENTER	113	27	140
DR	AFB	5760	THOMAS, BRADLEY/OREGON STATE PENITENTIARY	109	23	132
DR	AFB	5781	DAVIS, SKILLFUL/OREGON STATE PENITENTIARY	113	19	132
DR	AFB	5826	BEKINS, STEPHEN/OREGON STATE PENITENTIARY	95	29	124
DR	AFB	5829	BEKINS, STEPHEN/OREGON STATE PENITENTIARY	95	29	124
DR	AFB	5830	BEKINS, STEPHEN/OREGON STATE PENITENTIARY	95	29	124
DR	AFB	5871	MULLINS, HENRY M/OREGON STATE PENITENTIARY	94	23	117
DR	AFB	5872	OLSON, RANDALL B/OREGON STATE PENITENTIARY	95	22	117
DR	AFB	5873	BRADLEY, ALAN DALE/OREGON STATE PENITENTIARY	108	10	118
DR	AFB	5874	WILKERSON, COY E/OREGON STATE PENITENTIARY	94	23	117
DR	AFB	5875	WILKERSON, COY E/OREGON STATE PENITENTIARY	94	23	117
DR	AFB	5876	COLAY, CHRIS/OREGON STATE PENITENTIARY	94	23	117
DR	AFB	5884	STONE STREET, MIKE/OREGON STATE PENITENTIARY	92	22	114
DR	AFB	5885	LEADLEY, SMELLEY R/OK WOMEN'S CORRECTIONAL CENTER	93	21	114
DR	AFB	5886	MEKSHON, FREDDIE/OREGON STATE PENITENTIARY	91	23	114
DR	AFB	5909	GIBBONS, DENNIS W/OREGON STATE CORRECTIONAL INST	101	10	111
DR	AFB	5924	BEKTOLING, CHRISTUS/OREGON STATE PENITENTIARY	93	15	108
DR	AFB	5925	BEKTOLING, CHRISTUS/OREGON STATE PENITENTIARY	92	16	108
DR	AFB	5926	BEKTOLING, CHRISTUS/OREGON STATE PENITENTIARY	92	16	108
DR	AFB	5974	GRINDEL, PAUL L/OREGON STATE CORRECTIONAL INST	86	13	101
DR	AFB	5979	MULLINS, HENRY M/OREGON STATE CORRECTIONAL INST	90	10	100
DR	AFB	5982	BEKTOLING, CHRISTUS/OREGON STATE PENITENTIARY	78	21	99
DR	AFB	5983	LITTLE, GARY ALAN/OREGON STATE PENITENTIARY	93	6	99
DR	AFB	6002	GOSS, DAVID K/OREGON STATE PENITENTIARY	76	21	97
DR	AFB	6005	MEULA, MITCH M/OREGON STATE CORRECTIONAL INST	89	8	97
DR	AFB	6026	CHALMERS, JAMES/OREGON STATE PENITENTIARY	71	21	92
MC	AFB	5736	CORNELL, DONALD EDWARD/CUPP	105	46	151
MC	AFB	5895	BRUDOS, JEROME H/CUPP	116	2	118
JV	AFB	5441	SER/JUVENILE DEPT OF MARION CTY/NEA	175	25	200
JV	REV	5797	SER/JUVENILE DEPARTMENT OF COUS CO/BISHOP	118	18	136
JV	PVI	5290	SER/JUVENILE DEPT OF MULTNOMAH CO/SHARPE	105	24	129
PR	AFB	6007	LEWIS, DONALD LEE/BOARD OF PAROLE	84	13	97
MC	REV	5592	DILLRICH/PACIFIC NORTHWEST BELL	151	35	186
MC	REV	5614	GILTNER/CUMMUDGE CONTRACT CARRIERS	141	47	188
MC	AFB	5709	BENEFICIARIES OF MERVAN MACKREY/CONTINENTAL BAKING COMPANY	73	80	153
MC	AFB	5710	HARLEY/WILLAMETTE WESTERN COMP	107	60	167
MC	REV	5717	SUMMIT/WELTERMEUSER COMPANY	64	101	165
MC	AFB	5737	DAGGETT/WAGNER MINING EQUIPMENT INC	86	60	146
MC	FRV	5754	COUNT/STATE ACCIDENT INSURANCE FUND	111	32	143
MC	AFB	5942	AGUC/STATE ACCIDENT INSURANCE FUND	61	47	108

CASE TIME LAPSE
FOR THE MONTH OF JUNE, 1976

CASE TYPE	DECISION	CASE NO.	CASE TITLE	FILING TO AT ISSUE	AT ISSUE TO DECISION	FILING TO DECISION
WC	APP	5955	WING/OREGON STEEL MILLS, INC	72	38	110
WC	REV	5991	LATTIN/STATE ACCIDENT INSURANCE FUND	49	54	103
WC	REV	5933	HILL/STATE ACCIDENT INSURANCE FUND	57	40	97
TOTAL DAYS				18537	6160	24868
AVERAGE TIME PER CRIMINAL CASE				135	40	174
AVERAGE TIME PER NON-CRIMINAL CASE				121	44	164
TOTAL AVERAGE TIME PER CASE				127	42	168

DISMISSED BY TRIAL COURT

CR		5685	ST/CHAMBERLAIN, ALLEN KIM			159
CH		5882	ST/STRICKLAND, EDDIE RAY			128
CR		6014	ST/CESSNUN, PATRICK MICHAEL			98
CR		6112	ST/GILL, PENNY O			79
CR		6148	ST/CUDE, SHANNON			69
CR		6149	ST/CUDE, SHANNON			69
CR		6194	ST/TOLLE, DANIEL AUGUST			73
CR		6201	ST/BEENE, DONALD LEE			63
CR		6251	STATE OF OREGON/GREELEY, MERTON BOYD			50
CR		6252	STATE OF OREGON/GREELEY, MERTON BOYD			50
CR		6390	ST/NEWELL, ROBERT WADE JR			26
DO		6103	ROBERT/ROBERT			79
TOTAL DAYS				0	0	943
AVERAGE TIME PER CRIMINAL CASE				0	0	79
AVERAGE TIME PER NON-CRIMINAL CASE				0	0	79
TOTAL AVERAGE TIME PER CASE				0	0	79

DISMISSED BY APPELLATE COURT

AR		5948	KHODES/OREGON STATE PENITENTIARY			95
AR		5959	TAYLOR/OREGON STATE PENITENTIARY			94
AR		6415	TAPANAD/PUBLIC WELFARE DIVISION			17
CR		5801	ST/WHITE, EDWARD ALLEN			128
CR		5931	JOHNSON, HENRY JERREL/STATE OF OREGON			106
CR		5985	STATE OF OREGON/MAURER, KEVIN DOUGLAS			89
CR		6073	ST/US MARI & DISTRIBUTING CORP			92
CH		6134	CITY OF LAKE OSWEGO/TERRY, STANLEY G			76
CH		6226	STATE OF OREGON/RUELLE, PATRICK JAMES			62
CR		6227	STATE OF OREGON/BUMGARDNER, ROBERT BRYAN			47
CR		6374	ST/MEYER, GILBERT L JR			9
CH		6405	CITY OF GRESHAM/KIRCHEN, KEN			27
CH		6523	HON SHIRLEY FIELD/HULLENBECK, LAVERNE DONALD			7
CV		5930	FOWARTY/LINCOLN COUNTY			125

CASE TYPE	DECISION	CASE NO.	CASE TITLE	FILING TO AT ISSUE	AT ISSUE TO DECISION	FILING TO DECISION
CV		5994	LONGENECKER/OREGON TRANSPORTATION DEPT			97
CV		5210	TIMPELEY/MODRES			62
DO		5642	HESS/HESS			175
DO		6114	SLOYS/SLOYS			74
DO		5317	CHURCH/CHURCH			25
DO		6360	BOWERS/BOWERS			41
DR		5910	AKINS, PAUL/OREGON STATE PENITENTIARY			101
DR		5937	BERTOLINO, CHRISTUS/OREGON STATE PENITENTIARY			98
DR		5972	ANDERSON, CHRIS/OREGON STATE PENITENTIARY			91
DR		5976	ANDERSON, CHRIS/OREGON STATE PENITENTIARY			91
DR		6109	BERTOLINO, CHRISTUS/OREGON STATE PENITENTIARY			68
DR		6111	ARCHULETTA, JUANITA/OREGON WOMEN'S CORR CNTR			75
DR		6202	WHITE, ROGER R/OREGON STATE PENITENTIARY			50
DR		6269	HILL, JAMES E III/OREGON STATE CORRECTIONAL INST			55
PR		6266	JACKSON, FULTON ESTELL/BOARD OF PAROLE			55
PR		6261	ROBERTS, EARL LESLEY/BOARD OF PAROLE			45
WC		5675	BENEFS OF DAVID RICE /SWF PLYWOOD COMPANY			152
WC		6274	HUGHES/ROSEBURG LUMBER CO			39

TOTAL DAYS	0	0	2368
AVERAGE TIME PER CRIMINAL CASE	0	0	64
AVERAGE TIME PER NON-CRIMINAL CASE	0	0	78
TOTAL AVERAGE TIME PER CASE	0	0	74

DISMISSED BY APPELLANT

WC		6136	BENEFS. OF HAROLD M PADDEN JR/TERMINAL TRANSFER INC			67	
				TOTAL DAYS	0	0	67
				AVERAGE TIME PER CRIMINAL CASE	0	0	0
				AVERAGE TIME PER NON-CRIMINAL CASE	0	0	67
				TOTAL AVERAGE TIME PER CASE	0	0	67

DISMISSED BY RESPONDENT

				TOTAL DAYS	0	0	0
				AVERAGE TIME PER CRIMINAL CASE	0	0	0
				AVERAGE TIME PER NON-CRIMINAL CASE	0	0	0
				TOTAL AVERAGE TIME PER CASE	0	0	0
				TOTAL AVERAGE TIME PER DISMISSED CRIMINAL CASE	0	0	72
				TOTAL AVERAGE TIME PER DISMISSED NON-CRIMINAL CASE	0	0	78
				TOTAL AVERAGE TIME PER DISMISSED CASE	0	0	75

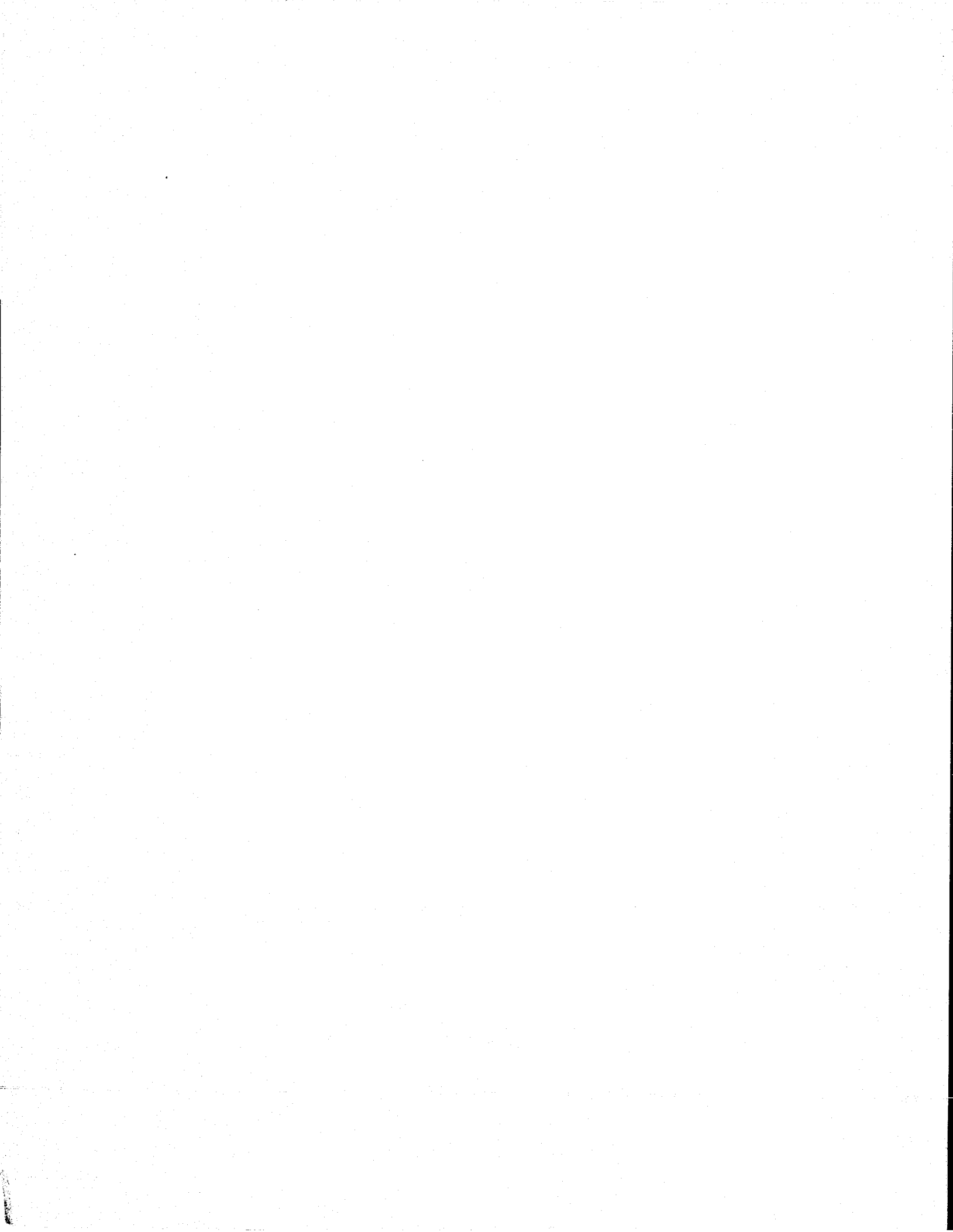
CASE TYPE	DECISION	CASE NO.	CASE TITLE	FILING TO AT ISSUE	AT ISSUE TO DECISION	FILING TO DECISION
-----------	----------	----------	------------	--------------------	----------------------	--------------------

DECIDED BY OPINION

AFFIRMED FROM BENCH						59
AFFIRMED						54
AFFIRMED AS MODIFIED						2
DISMISSED						3
REVERSED						14
REMANDED WITH INSTRUCTION						2
REVERSED AND REMANDED						9
TOTAL FOR THIS COURT						148

CASES DISMISSED

DISMISSED - APPELLANT MOTION						1
DISMISSED - COURT MOTION						32
DISMISSED BY TRIAL COURT						12
TOTAL FOR THIS COURT						45



END