

# EXAMINING THE WORK OF STATE COURTS:

AN ANALYSIS OF 2010  
STATE COURT CASELOADS

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# EXAMINING THE WORK OF STATE COURTS: AN ANALYSIS OF 2010 STATE COURT CASELOADS



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*A joint project of the Conference of State Court Administrators, the Bureau of Justice Statistics, and  
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### A Comment from the Chair

*Examining the Work of State Courts* contains empirical data on case filings and dispositions in the courts of the fifty states, the District of Columbia, and Puerto Rico. Those data were provided by the state court administrators in those jurisdictions. There is no more reliable source of information on the work of state courts.

The analysis of the state court data is provided by staff of the Court Statistics Project at the National Center for State Courts. Their extensive experience in collecting, compiling, and interpreting state court data ensures the reader of informed and thoughtful analysis.

The foundations of good court administration are quality data and informed analysis of those data. This volume provides both. Furthermore, exposure of those data and analyses to public scrutiny ensures that the nation's state courts are transparent, accountable, and efficient. Careful review of this publication will assure policy makers and members of the public that state court leaders around the country are accountable to the public they serve.



**Don Goodnow**  
Chair, Court Statistics Committee  
Conference of State Court Administrators

# FOREWORD

**“All statistics are a tradeoff of the value to the common good versus the burden they impose on people.”**

Robert M. Groves  
Director, Bureau of Census

The purpose of *Examining the Work of State Courts* is to make state court statistics highly accessible. This year, we have continued our evolution as both a print and Web publication by moving more content to the Web. The print version provides an overview of state court caseloads, while detail previously found in print is now published on the Web at [www.courtstatistics.org](http://www.courtstatistics.org).

The analysis presented here is based on the data provided by staff of the Administrative Offices of the Courts and the Appellate Court Clerks' Offices. Statewide aggregate caseload data and reporting practices, population trends, and a detailed explanation of the Court Statistics Project methodology are available on the Web at [www.courtstatistics.org](http://www.courtstatistics.org).

The reporting framework for this publication is the *State Court Guide to Statistical Reporting*. Developed with guidance from the Conference of State Court Administrators' Court Statistics Committee, the *Guide* provides a national model for data reporting, making state court data more comparable and thus developing a more accurate national picture of the work of the state courts. States that significantly improved their statistical reporting through implementation of the *Guide* are acknowledged with the awarding of a CSP Reporting Excellence Award. The *Guide* is available in PDF at [www.courtstatistics.org](http://www.courtstatistics.org).

The content and design of CSP's reports and Web site are guided by the members of the Court Statistics Committee of the Conference of State Court Administrators (COSCA). The committee members have given generously of their time, talent, and experience, and their participation has been invaluable to project staff.

The Court Statistics Project is funded through a cooperative agreement with the Bureau of Justice Statistics (BJS). The authors wish to acknowledge the editorial review and helpful comments provided by Tracey Kyckelhahn and Howard Snyder at BJS.

Special thanks to Neal Kauder and Daniel Regan of  Visual **Research**, for their innovative information design.

# REPORTING EXCELLENCE AWARDS



Each year in *Examining the Work of State Courts*, the Court Statistics Project recognizes states that have taken the time and applied the resources necessary to improve the quantity or quality of their reported caseload data. Improvements may include increases in the number of case types detailed within a case category, in the number of status categories (such as reopened or pending) for which data are provided, in the quality or completeness of data that had previously been reported, or in some combination of the three. This year we are pleased to recognize administrative office staff in Missouri, Nevada and New Hampshire for their continued dedication to the enhancement of nationally collected court caseload statistics.

## Missouri

Missouri began a review of their appellate court statistics during a CSP staff site visit in 2010. During 2011, staff of the Office of the State Courts Administrator continued that review by comparing the data elements collected with those recommended in the *State Court Guide to Statistical Reporting*. The end result of their review is the 2012 addition of both case types and status categories for the Supreme Court and the Court of Appeals. The caseload data for both courts now include detail regarding the number of administrative agency appeals, the number of new filings that are interlocutory in nature, the manner in which all cases are disposed, the type of opinions for cases that have been decided on the merits, and the outcomes of those cases. The Supreme Court caseload also includes additional information on the number of pending cases, and the Court of Appeals caseload now provides a breakdown of civil cases for which there is an appeal by right.

## Nevada

Nevada's Administrative Office of the Courts is in the process of implementing new statewide reporting standards for court statistics. The new system adheres to the national reporting framework outlined in the *State Court Guide to Statistical Reporting*. In 2010 Nevada applied their new reporting standards to the Criminal case category and reported all criminal case types for New Filing, Reopened, and Entry of Judgment data. Next year, the Nevada AOC plans to apply the new standards to the Civil case category.

## New Hampshire

After reviewing data available and the *State Court Guide to Statistical Reporting*, New Hampshire Administrative Office of the Courts' staff improved data reporting for 2010, increasing both the number of case types reported and the quality and completeness of the reported data. For the general jurisdiction Superior Courts, case types were added to the Civil and Juvenile case categories, and quality was improved in all five case categories, resulting in complete grand total data. In limited jurisdiction courts, Entry of Judgment data were added in addition to quality improvements and the addition of case types.

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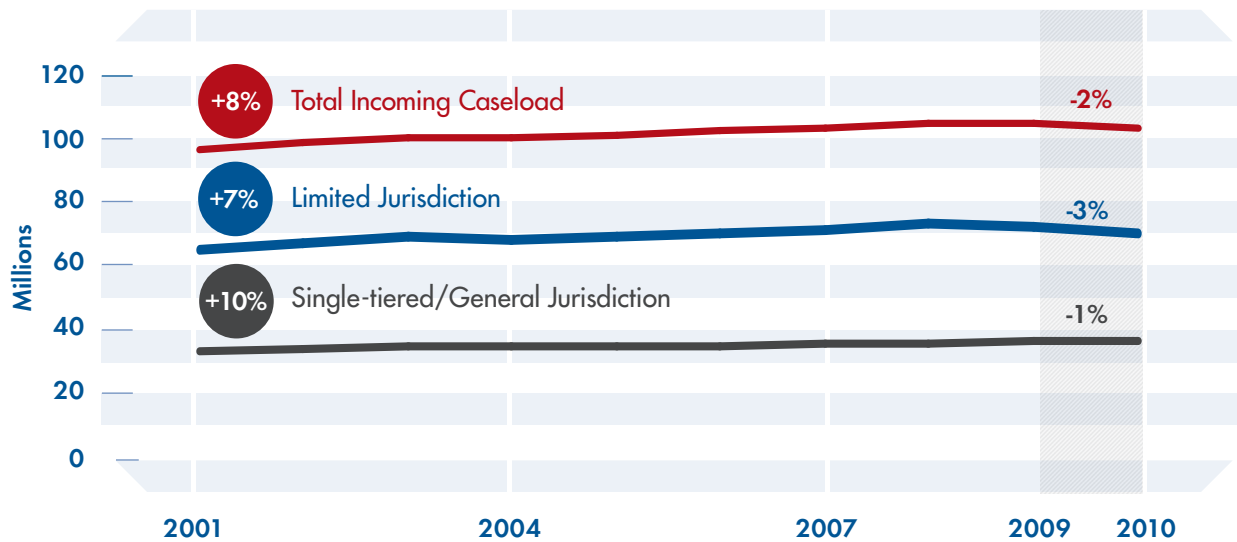


# TRIAL COURTS OVERVIEW

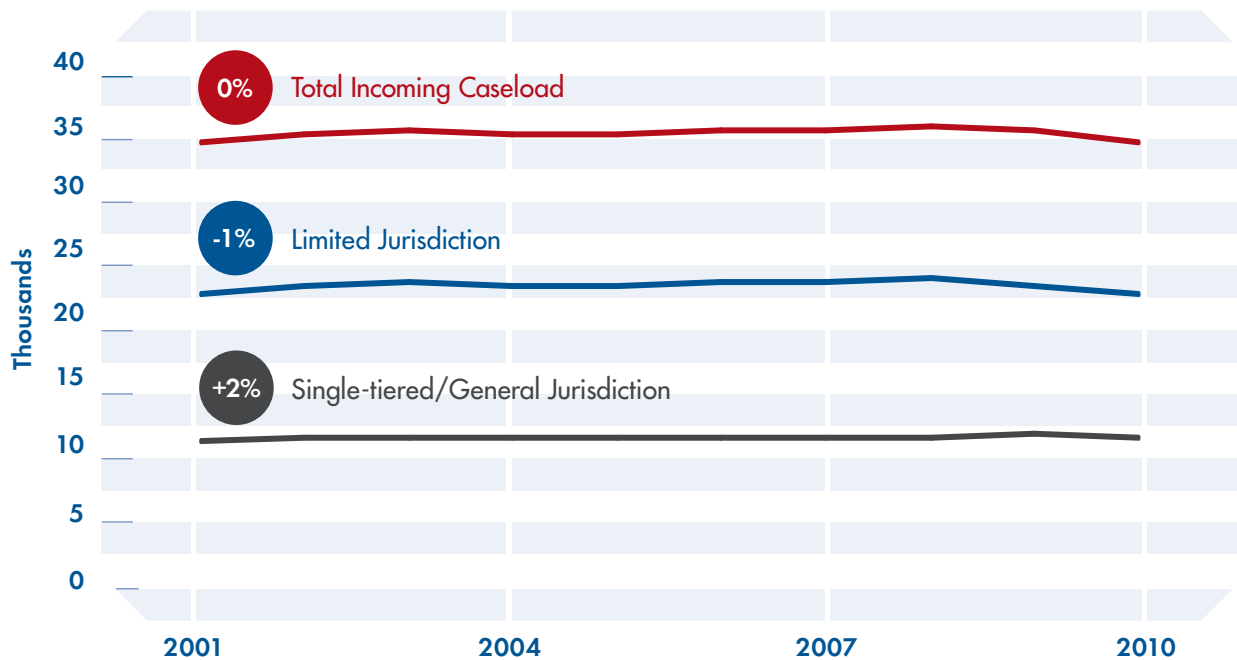
After two consecutive years of caseloads that exceeded 106 million, the state courts experienced an aggregate decline of about 2.5 million cases from 2009 to 2010. Most of the decrease occurred in traffic/violations caseloads (-2 million), but reductions in the numbers of juvenile (-112,000) and even civil cases (-545,000) also were reported. Of the 103.5 million incoming cases in 2010, 68 million (66%) were processed in limited jurisdiction courts while the remaining 35 million were heard in general jurisdiction and single-tiered courts. The number of judicial officers in state courts declined slightly but were essentially unchanged from 2009.

## TOTAL CASELOADS FELL BY 2 PERCENT IN 2010

Total Incoming Caseloads Reported by State Courts, by Jurisdiction, All States, 2001-2010



Total Incoming Cases per 100,000 Population Reported by State Courts, by Jurisdiction, All States, 2001-2010

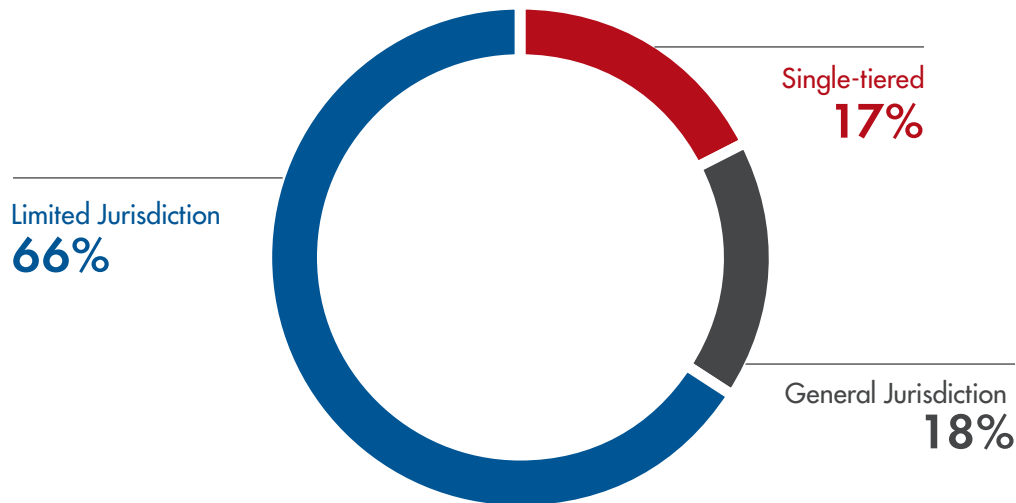


Despite overall increases since the benchmark year of 2001, each of the indicators for total incoming caseloads declined between 2009 and 2010. Limited jurisdiction courts—in which most of the declining traffic caseloads are processed—showed an aggregate decrease of 2.1 million cases, or 3 percent, from 2009. The decrease in courts of general jurisdiction was less apparent, falling by about 428,000 cases (-1%).

When adjusted for the increasing U.S. population, the aggregate rate of incoming cases per 100,000 was unchanged from 2001—slightly higher in general jurisdiction courts but slightly lower in limited jurisdiction courts.

## TWO OF EVERY THREE CASES PROCESSED IN LIMITED JURISDICTION COURTS

Distribution of Total Incoming Caseloads, by Jurisdiction, 2010



Total Incoming Caseloads Reported by State Courts, by Jurisdiction, 2010 (in Millions)

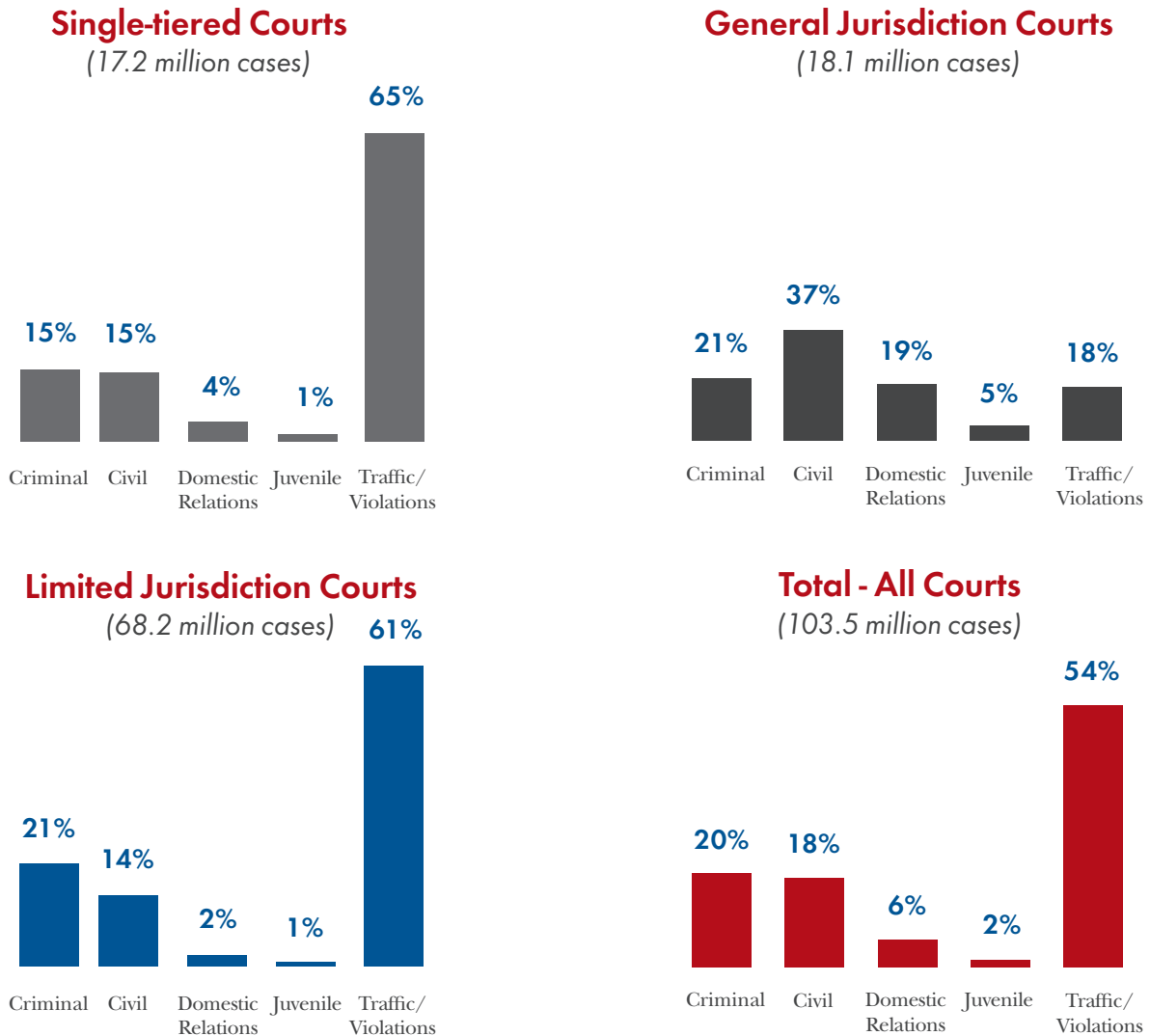
Case Category	Jurisdiction				Total	Percent of Total
	Single-tiered	General	Single-tiered + General	Limited		
Traffic	11.1	+ 3.3	= 14.4	41.9	56.3	54%
Criminal	2.6	+ 3.7	= 6.3	14.1	20.4	20%
Civil	2.5	+ 6.6	= 9.2	9.8	19.0	18%
Domestic Relations	0.7	+ 3.5	= 4.2	1.7	5.9	6%
Juvenile	0.2	+ 0.9	= 1.2	0.7	1.9	2%
<b>TOTAL INCOMING</b>	<b>17.2</b>	<b>+</b>	<b>18.1</b>	<b>=</b>	<b>35.3</b>	
<b>PERCENT OF TOTAL</b>	<b>17%</b>		<b>18%</b>		<b>34%</b>	
					<b>68.2</b>	<b>103.5</b>

Note: Totals may not sum due to rounding.

California, the District of Columbia, Illinois, Iowa, Minnesota, and Puerto Rico have single-tiered court systems. The primary distinction of a single-tiered system is that it processes the entire spectrum of cases in a single general jurisdiction court, whereas the other systems divide caseloads between general and limited jurisdiction courts based on such things as case complexity, case type, monetary value, and geography. Due to the inclusion of traffic/violations, small claims, and other cases that are numerous and typically processed in limited jurisdiction courts elsewhere, as well as the presence of 2 of the 5 most populous states (CA and IL), the combined number of incoming cases in the 6 single-tiered courts (17.2 million) was coincidentally similar in volume to the general jurisdiction caseloads in the remaining 46 states (18.1 million). The courts of limited jurisdiction in these same 46 states together processed nearly twice as many cases (68.2 million) as single-tiered and general jurisdiction courts combined.

## THE INFLUENCE OF STRUCTURE ON CASELOAD COMPOSITION IS CLEAR

Incoming Caseload Composition in State Courts, by Jurisdiction, All States, 2010



Caseload composition describes a caseload in terms of its case categories. Displayed are the percentages of total incoming caseloads comprising the five major categories of Civil, Domestic Relations, Criminal, Juvenile, and Traffic/Violations cases for single-tiered courts, general jurisdiction courts, limited jurisdiction courts, and the combined total. Whether a state has a single- or two-tiered system clearly influences composition, as seen in the differences exhibited between single-tiered and general jurisdiction courts. While both are courts of general jurisdiction, Traffic/Violations cases are processed in the same court as all other cases in a single-tiered system, whereas most two-tiered systems consign Traffic/Violations cases to limited jurisdiction courts. As a result, general jurisdiction caseloads in two-tiered systems typically consist of higher percentages of the four remaining categories.

## TWO-TIERED SYSTEMS HAVE THREE GENERAL JURISDICTION JUDGES PER 100K POPULATION

### Full-time Judges in Single-tiered and General Jurisdiction Courts, 2010

	Full-Time Judges		Incoming Non-Traffic Cases		Population Rank
	Total	Per 100k Population	Total	Per Judge	
California	1,646	4.4	3,652,298	2,219	1
District of Columbia	62	10.3	107,985	1,742	51
Iowa	198	6.5	310,647	1,569	31
Minnesota	289	5.4	423,839	1,467	21
Illinois	906	7.1	1,280,498	1,413	5
Puerto Rico	338	9.1	288,007	852	29

Median  
6.8

Median  
1,518

	Full-Time Judges		Incoming Non-Traffic Cases		Population Rank
	Total	Per 100k Population	Total	Per Judge	
<b>General Jurisdiction Courts</b>					
South Carolina <sup>1</sup>	46	1.0	232,741	5,060	24
New Jersey	412	4.7	1,404,837	3,410	11
Florida	599	3.2	1,856,917	3,100	4
South Dakota	41	5.0	112,369	2,741	47
Utah <sup>2</sup>	71	2.6	187,690	2,644	35
Indiana	315	4.9	830,978	2,638	15
Maine	53	2.0	135,428	2,555	42
North Carolina <sup>1</sup>	111	1.2	245,712	2,214	10
North Dakota	44	6.5	96,439	2,192	49
Georgia	205	2.1	442,176	2,157	9
Maryland	157	2.7	324,657	2,068	19
Vermont	30	1.6	61,324	2,044	50
Tennessee <sup>2</sup>	154	2.4	310,669	2,017	17
Oregon	174	2.3	344,850	1,982	27
Texas	454	1.8	897,309	1,976	2
Connecticut	201	5.6	393,882	1,960	30
Wisconsin	248	4.4	485,053	1,956	20
Ohio	394	3.4	748,505	1,900	7
Missouri	334	5.6	633,960	1,898	18
Arkansas	120	4.1	223,594	1,863	33
Virginia <sup>2</sup>	157	2.0	289,378	1,843	12
Nevada	72	2.7	131,469	1,826	36
Kansas	167	5.8	297,667	1,782	34
Arizona	174	1.4	309,391	1,778	16
Delaware <sup>1</sup>	19	1.1	32,831	1,728	46
Pennsylvania	450	3.5	776,192	1,725	6
Louisiana	236	5.2	383,098	1,623	25
New Mexico	88	4.3	138,062	1,569	37
Alabama	144	3.0	225,608	1,567	23
Oklahoma	241	6.4	359,100	1,490	28
Colorado	164	1.6	233,693	1,425	22
Michigan	228	1.2	306,413	1,344	8
Kentucky	146	1.7	195,643	1,340	26
Washington	188	2.8	249,913	1,329	13
New York <sup>2</sup>	455	2.3	560,101	1,231	3
Montana	44	4.4	45,849	1,042	45
Hawai'i	48	3.5	49,113	1,023	41
Nebraska	55	3.0	55,083	1,002	39
New Hampshire	21	1.6	21,024	1,001	43
Wyoming	22	3.9	19,042	866	52
Rhode Island <sup>1</sup>	22	2.1	17,080	776	44
West Virginia	70	3.8	48,404	691	38
Mississippi <sup>1</sup>	51	1.7	27,611	541	32
Alaska	40	5.6	21,487	537	48
Idaho	43	2.7	22,189	516	40
Massachusetts <sup>1</sup>	82	1.3	31,102	379	14

Median  
2.8

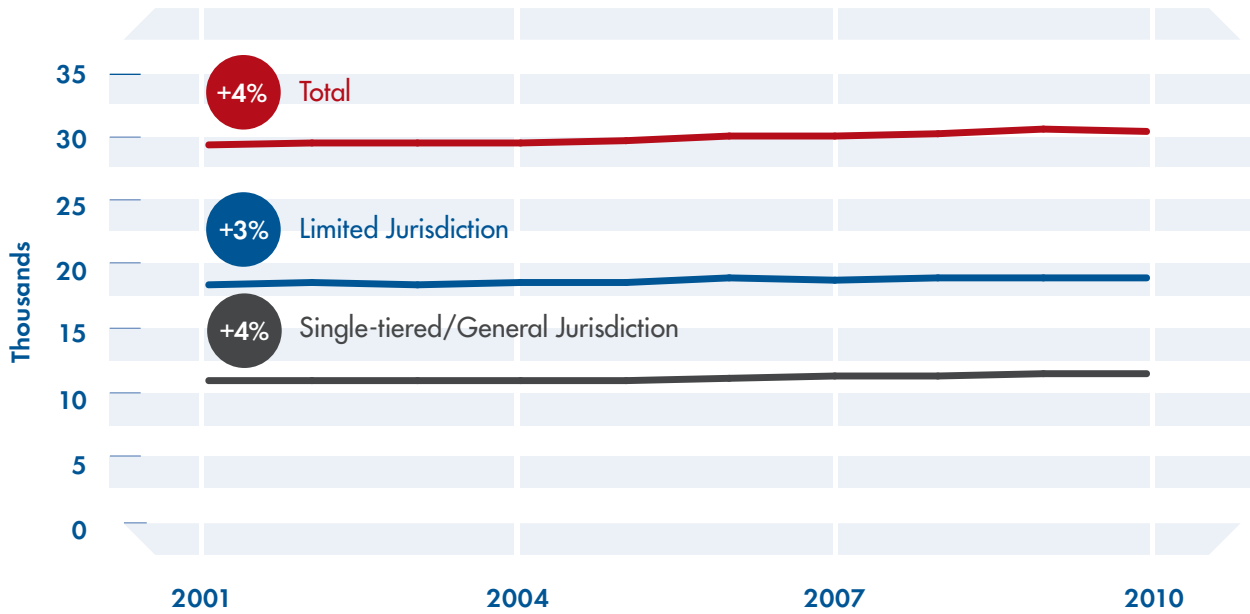
Median  
1,780

<sup>1</sup> These states do not have domestic relations or juvenile jurisdiction in their general jurisdiction courts.

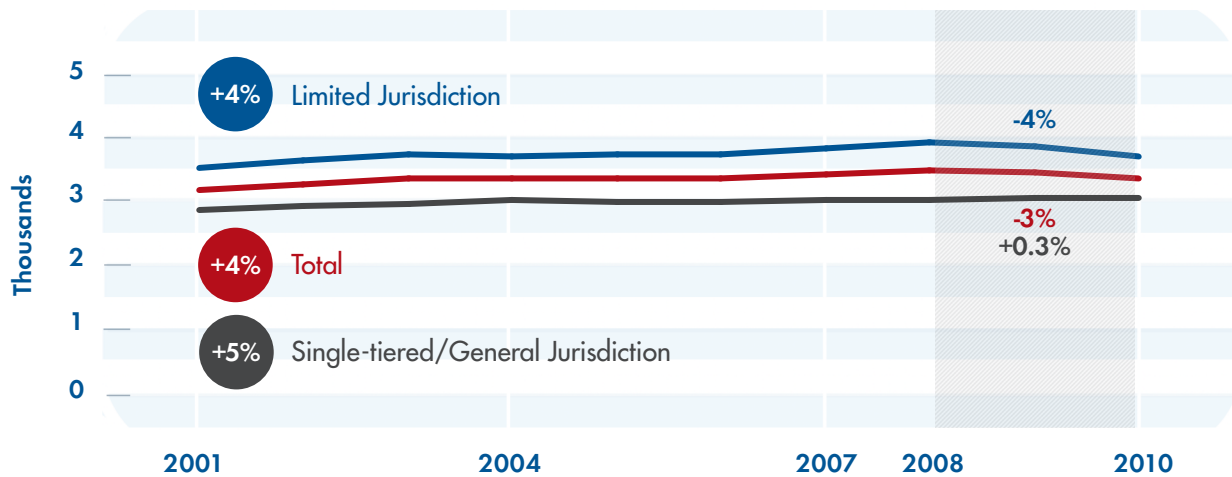
<sup>2</sup> These states do not have juvenile jurisdiction in their general jurisdiction courts.

## NUMBER OF CASES PER JUDGE EDGED DOWN SLIGHTLY IN 2010

Number of Judicial Officers in State Courts, by Jurisdiction, 2001-2010



Total Incoming Cases per Judicial Officer, by Jurisdiction, 2001-2010



The first chart shows the total number of judicial officers reported by state courts for the last 10 years, with an overall increase in judicial officers over this period. However, after 9 years of increases that averaged about 110 judicial officers per year, general jurisdiction courts lost 60 in 2010 and limited jurisdiction courts gained just 2, for a total net decrease of 58 for 2010.

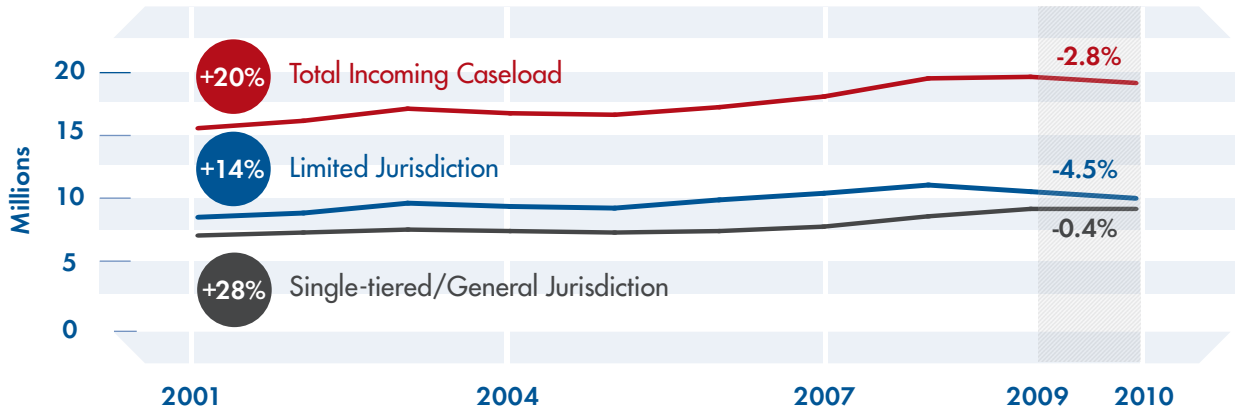
Unlike caseloads, which increase at an average of about 1 percent per year, the number of judicial officers typically increases at half that rate. As a result, the average number of cases per judicial officer increases in most years. However, the recent decline in total caseloads has translated into a decrease of about 100 cases per judicial officer per year from its high of 3,515 in 2008 to about 3,415 in 2010.

# TRIAL COURTS CIVIL CASELOADS

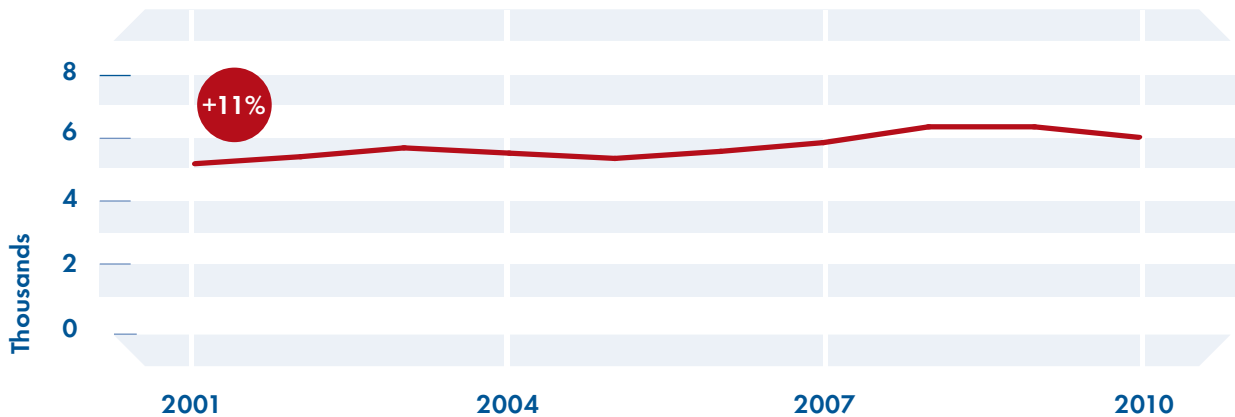
The Civil case category comprises an extensive array of case types, including: tort (e.g., automobile, malpractice, product liability), contract (e.g., seller plaintiff/debt collection, buyer plaintiff, landlord/tenant), real property (e.g., condemnation, title disputes), small claims, probate/estate, mental health, civil appeals, and miscellaneous civil cases, such as habeas corpus and writs. In 2010, Civil cases accounted for over 18 percent of the 103.5 million incoming cases processed in state trial courts.

## CIVIL CASELOADS FELL 3 PERCENT IN 2010

Total Incoming Civil Caseloads Reported by State Courts, All States, 2001-2010



Total Incoming Civil Cases per 100,000 Population, All States, 2001-2010



Civil caseloads declined in 2010 in both general and limited jurisdiction courts. Ninety-three percent of the total decrease of 545,000 cases occurred in limited jurisdiction courts, where small claims and other less complex civil cases are typically processed.

## STRUCTURE OF COURTS SHAPES DISTRIBUTION OF CASELOADS

Incoming Civil Caseloads and Rates in 30 States, by Jurisdiction, 2010

State	Cases by Jurisdiction			Percent by Jurisdiction		Cases per 100k Population	Population Rank
	General	Limited	Total	General	Limited		
New Jersey	1,004,778	18,426	1,023,204	98%	2%	11,625	11
<b>District of Columbia</b>	61,556	-	61,556	100%	-	10,184	51
New York*	414,973	1,299,889	1,714,862	24%	76%	8,843	3
Wyoming	8,139	36,013	44,152	18%	82%	7,822	52
Florida	855,720	615,980	1,471,700	58%	42%	7,810	4
Delaware	19,244	48,279	67,523	28%	72%	7,504	46
Colorado	130,716	248,129	378,845	35%	65%	7,503	22
Michigan	67,329	668,219	735,548	9%	91%	7,447	8
Nebraska	17,645	115,233	132,878	13%	87%	7,259	39
Kansas	193,402	n/j	193,402	100%	n/j	6,764	34
Connecticut	149,029	76,785	225,814	66%	34%	6,313	30
Nevada	44,046	122,146	166,192	27%	73%	6,145	36
Kentucky	73,902	192,563	266,465	28%	72%	6,131	26
Arizona	127,186	256,567	383,753	33%	67%	5,983	16
Idaho	10,168	73,386	83,554	12%	88%	5,317	40
<b>Iowa</b>	162,142	-	162,142	100%	-	5,316	31
Missouri	317,613	n/j	317,613	100%	n/j	5,297	18
North Dakota	35,633	n/j	35,633	100%	n/j	5,283	49
Utah	125,670	19,753	145,423	86%	14%	5,238	35
<b>Illinois</b>	671,908	-	671,908	100%	-	5,232	5
Wisconsin	293,153	n/j	293,153	100%	n/j	5,151	20
<b>Puerto Rico</b>	181,573	-	181,573	100%	-	4,878	29
North Carolina	106,166	352,637	458,803	23%	77%	4,798	10
New Hampshire	7,864	46,888	54,752	14%	86%	4,158	43
Arkansas	56,315	62,249	118,564	47%	53%	4,058	33
<b>Minnesota</b>	211,898	-	211,898	100%	-	3,990	21
Washington	102,813	144,759	247,572	42%	58%	3,671	13
<b>California</b>	1,235,421	-	1,235,421	100%	-	3,308	1
Hawai'i	12,998	30,552	43,550	30%	70%	3,194	41
New Mexico	61,733	n/j	61,733	100%	n/j	2,988	37

Note: States in bold have a single-tiered court system which are courts of general jurisdiction.

\* New York is missing civil data from its Town and Village Justice Courts.

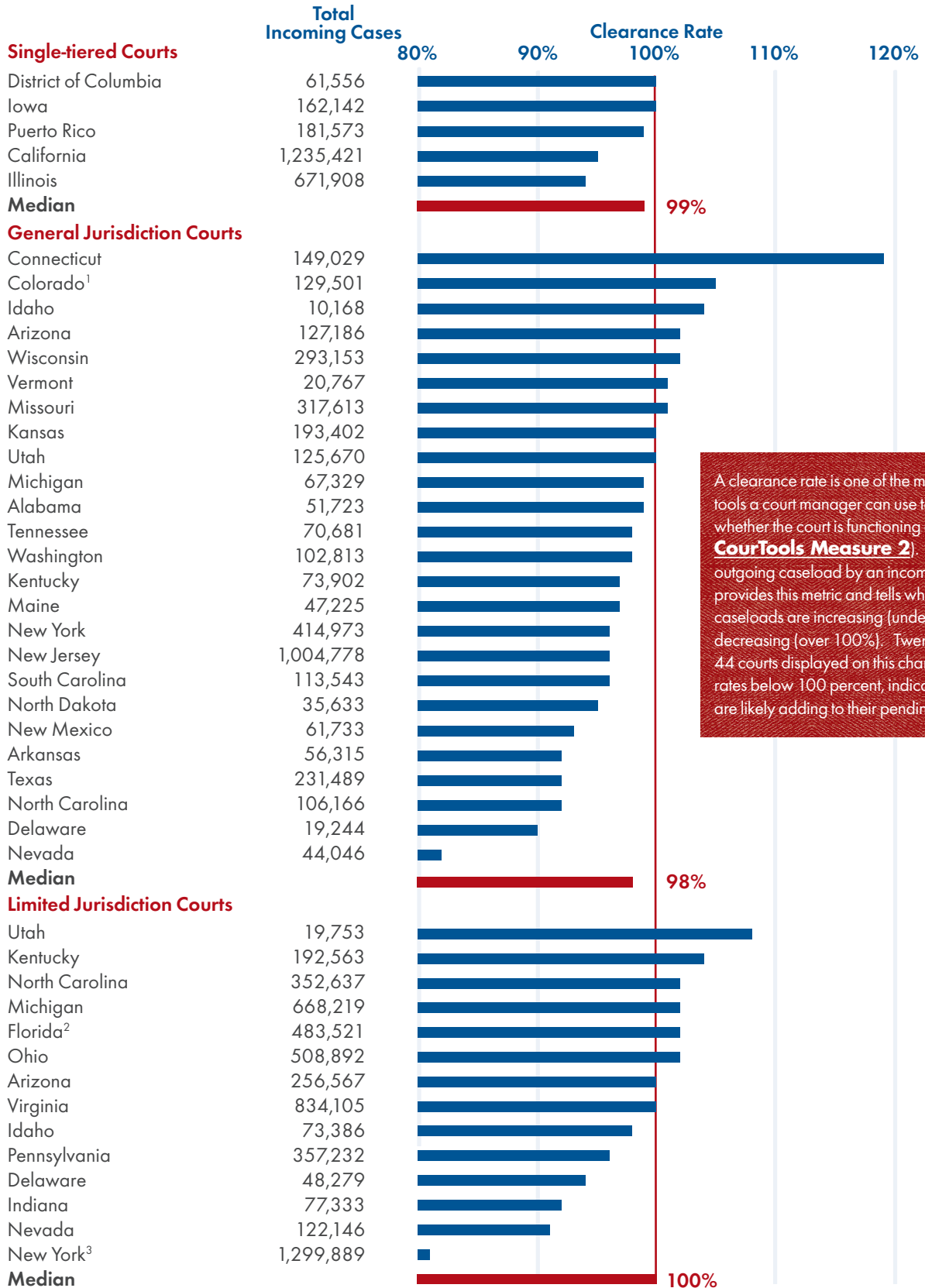
"n/j" = no civil jurisdiction in that court tier.

Median  
5,317

This table displays not only the total incoming caseloads and population-adjusted rates of Civil cases, it also gives further insight into structural differences by illustrating the percentage of caseloads that are processed in general versus limited jurisdiction courts. The 6 states with single-tiered courts obviously report no limited jurisdiction caseloads. However, 5 of the remaining 24 states with two-tiered systems also report no limited jurisdiction caseloads as those courts have no jurisdiction over Civil cases. For the other two-tiered states, the proportion of cases processed in limited jurisdiction courts range from as low as 2 percent in New Jersey to as high as 91 percent in Michigan, a reflection of differences in how their courts are structured.

# CLEARANCE RATES SUFFER DESPITE DECLINING CASELOADS

## Civil Caseload Clearance Rates in 35 States, by Jurisdiction, 2010



A clearance rate is one of the most basic tools a court manager can use to determine whether the court is functioning efficiently (see **CourTools Measure 2**). Dividing an outgoing caseload by an incoming caseload provides this metric and tells whether pending caseloads are increasing (under 100%) or decreasing (over 100%). Twenty-five of the 44 courts displayed on this chart achieved rates below 100 percent, indicating that they are likely adding to their pending caseloads.

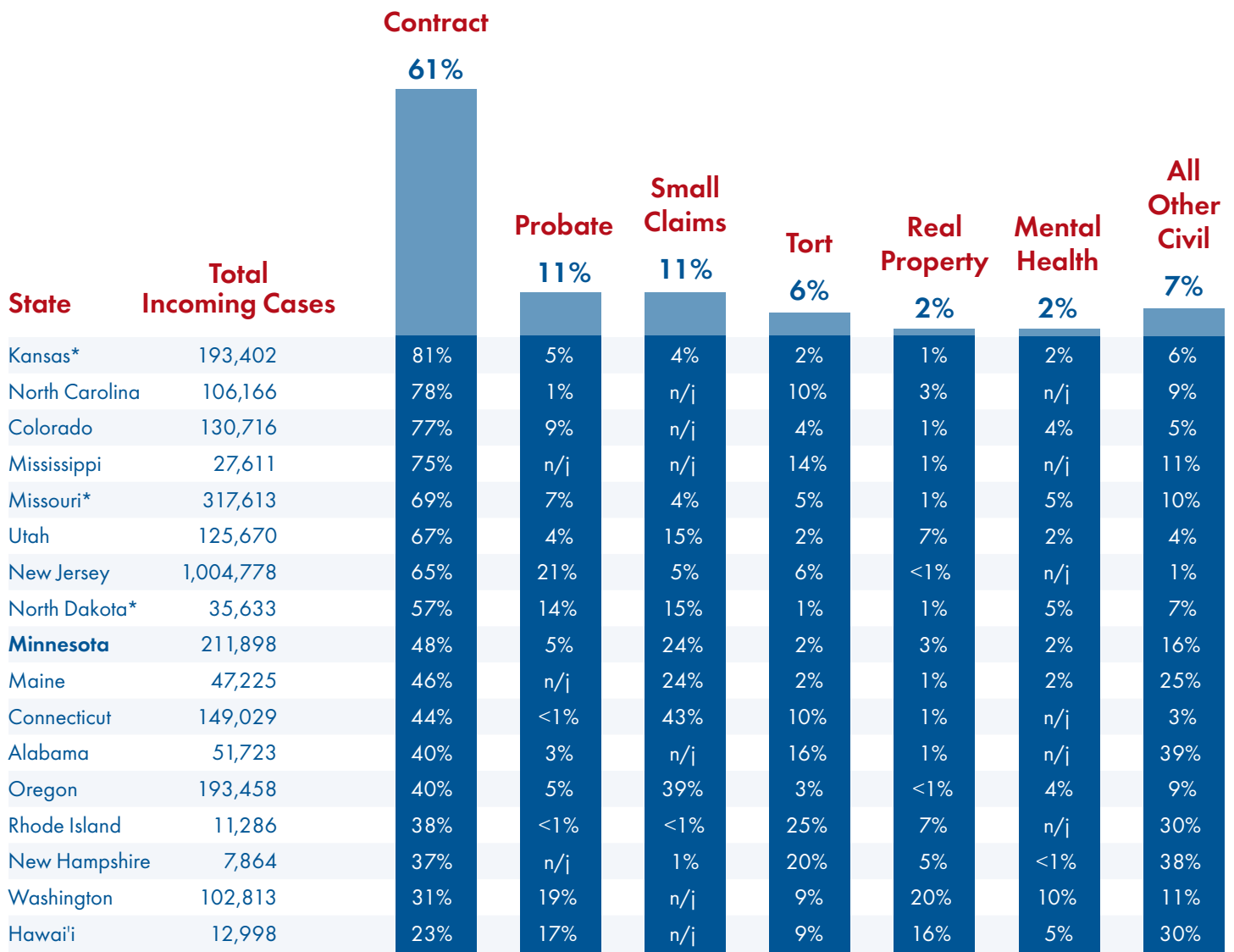
<sup>1</sup> Colorado's rate does not include data from its Water Court.

<sup>2</sup> Florida's rate is based on new filings and dispositions only.

<sup>3</sup> New York's rate does not include data from its Town and Village Justice Courts.

## CONTRACT CASES CONTINUE TO DOMINATE GENERAL JURISDICTION CIVIL CASELOADS

Incoming Civil Caseload Composition in 17 General Jurisdiction Courts, 2010



Note: States in bold have a single-tiered court system. “n/j” indicates no jurisdiction over that case type.

\* These states process all civil cases in their general jurisdiction courts.

“All Other Civil” cases include civil appeals, habeas corpus, non-domestic restraining orders, tax cases, writs, and other civil cases.

Though there are many case types that comprise Civil caseloads, the 7 subcategories shown in the chart encompass all of them. Two things are immediately apparent from these figures: contract cases typically dominate general jurisdiction court caseloads and not all general jurisdiction courts have jurisdiction over all civil cases. For example, 6 of these 17 courts do not process any of their state’s small claims cases, 3 states have separate probate courts to handle those matters, and 6 states likewise process their mental health cases in a limited jurisdiction court.

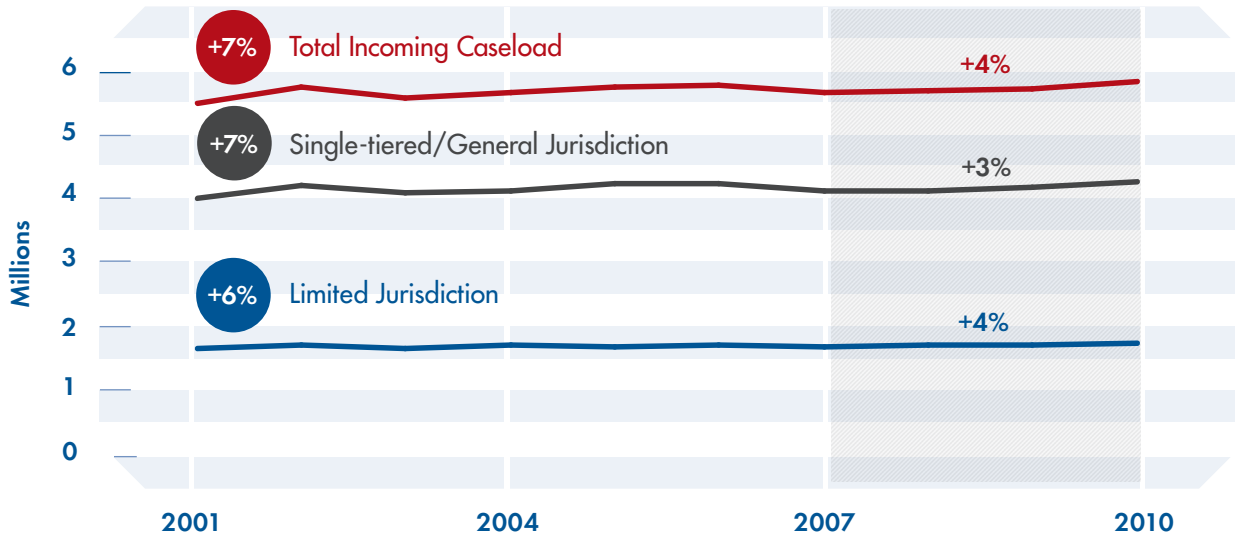


# TRIAL COURTS DOMESTIC RELATIONS CASELOADS

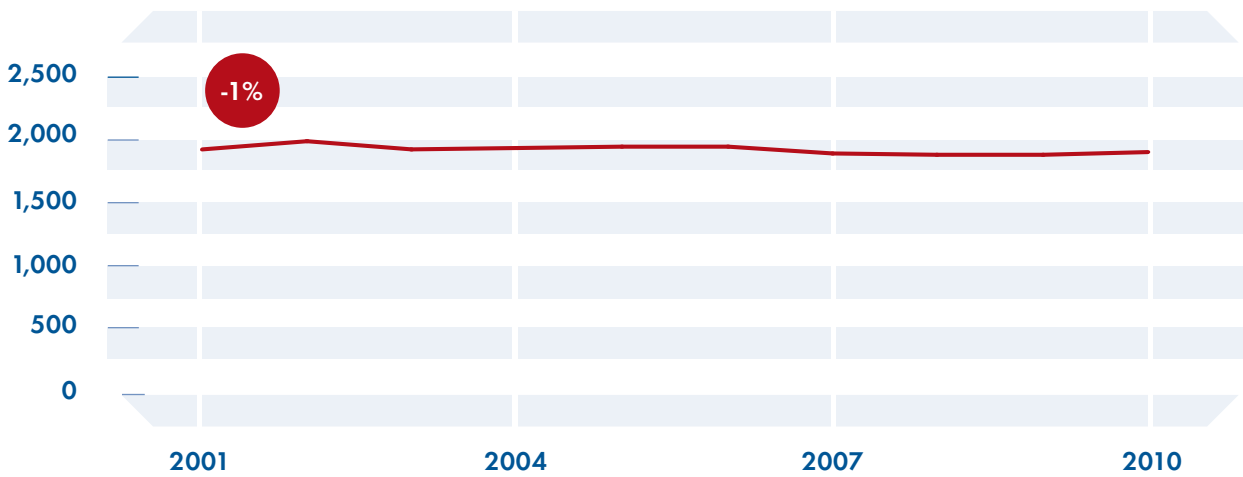
Domestic Relations caseloads are typically dominated by divorce/dissolution cases. With the divorce rate in the U.S. estimated to be 50 percent, many adults are initiated to the judicial system through these cases. Due to the serious, personal, and sometimes contentious nature of divorce cases, both the litigants and the courts find them difficult and resource intensive. Further, data from some states suggest that Domestic Relations matters, more so than any other category of cases, are the most likely to re-enter the court after an initial disposition as reopened cases, possibly several times, to revisit custody or support issues. For these and other reasons, the relatively small proportion of domestic relations cases (6% of all incoming cases) likely belies their impact on those involved as well as on the courts.

## DOMESTIC RELATIONS CASELOADS ON THE RISE

Total Incoming Domestic Relations Caseloads Reported by State Courts, All States, 2001-2010



Total Incoming Domestic Relations Cases per 100,000 Population, All States, 2001-2010



Contrary to the inclinations of each of the other trial court case categories, Domestic Relations cases essentially have been on the rise since 2007. And despite an overall decrease of 1 percent in the population-adjusted rate since 2001, even that rate began to climb once again in 2010. Whether these increases are in any way connected to the suffering economy is unknown, but regardless of the cause, the growth in these difficult and resource-intensive matters coincide with a difficult time for courts that are themselves struggling with reduced resources.

## COUNTING REOPENED CASES GIVES A MORE COMPLETE PICTURE

	Cases by Jurisdiction		Percent Reopened	Percent by Jurisdiction		Cases per 100k Population	Population Rank
	General	Limited		General	Limited		
<b>States that report a reopened caseload</b>							
New Jersey	277,256	n/j	60%	100%	0%	3,150	11
Florida	487,096	n/j	43%	100%	0%	2,585	4
Arizona	109,993	27,210	36%*	80%	20%	2,139	16
New Mexico	43,251	n/j	32%	100%	0%	2,094	37
Alabama	71,484	24,791	41%*	74%	26%	2,012	23
<b>District of Columbia</b>	11,961	-	3%	100%	-	1,979	51
North Dakota	12,683	n/j	37%	100%	0%	1,880	49
<b>Iowa</b>	44,515	-	12%	100%	-	1,460	31
Kansas	40,226	n/j	1%*	100%	0%	1,407	34
Michigan	124,807	n/j	27%	100%	0%	1,264	8
<b>California</b>	454,105	-	<1%*	100%	-	1,216	1
<b>Illinois</b>	149,548	-	1%	100%	-	1,164	5
<b>Puerto Rico</b>	35,589	-	7%	100%	-	956	29

Median  
1,880

### States that do not report a reopened caseload

West Virginia	1,324	53,527		2%	98%	2,959	38
Maryland	101,011	25,091		80%	20%	2,179	19
Missouri	129,845	n/j		100%	0%	2,165	18
Arkansas	54,570	n/j		100%	0%	1,868	33
Georgia	177,816	n/j		100%	0%	1,831	9
Idaho	97	25,612		<1%	100%	1,636	40
Wyoming	7,281	1,457		83%	17%	1,548	52
North Carolina	n/j	143,545		0%	100%	1,501	10
New Hampshire	2,202	15,114		13%	87%	1,315	43
Louisiana	58,935	379		99%	1%	1,305	25
Nebraska	22,948	846		96%	4%	1,300	39
Oklahoma	43,636	n/j		100%	0%	1,160	28
Connecticut	34,927	4,318		89%	11%	1,097	30
Colorado	46,814	7,480		86%	14%	1,075	22
Hawai'i	14,084	n/j		100%	0%	1,033	41
<b>Minnesota</b>	49,410	-		100%	-	930	21
Wisconsin	50,573	n/j		100%	0%	889	20
Utah	22,412	n/j		100%	0%	807	35

Median  
1,310

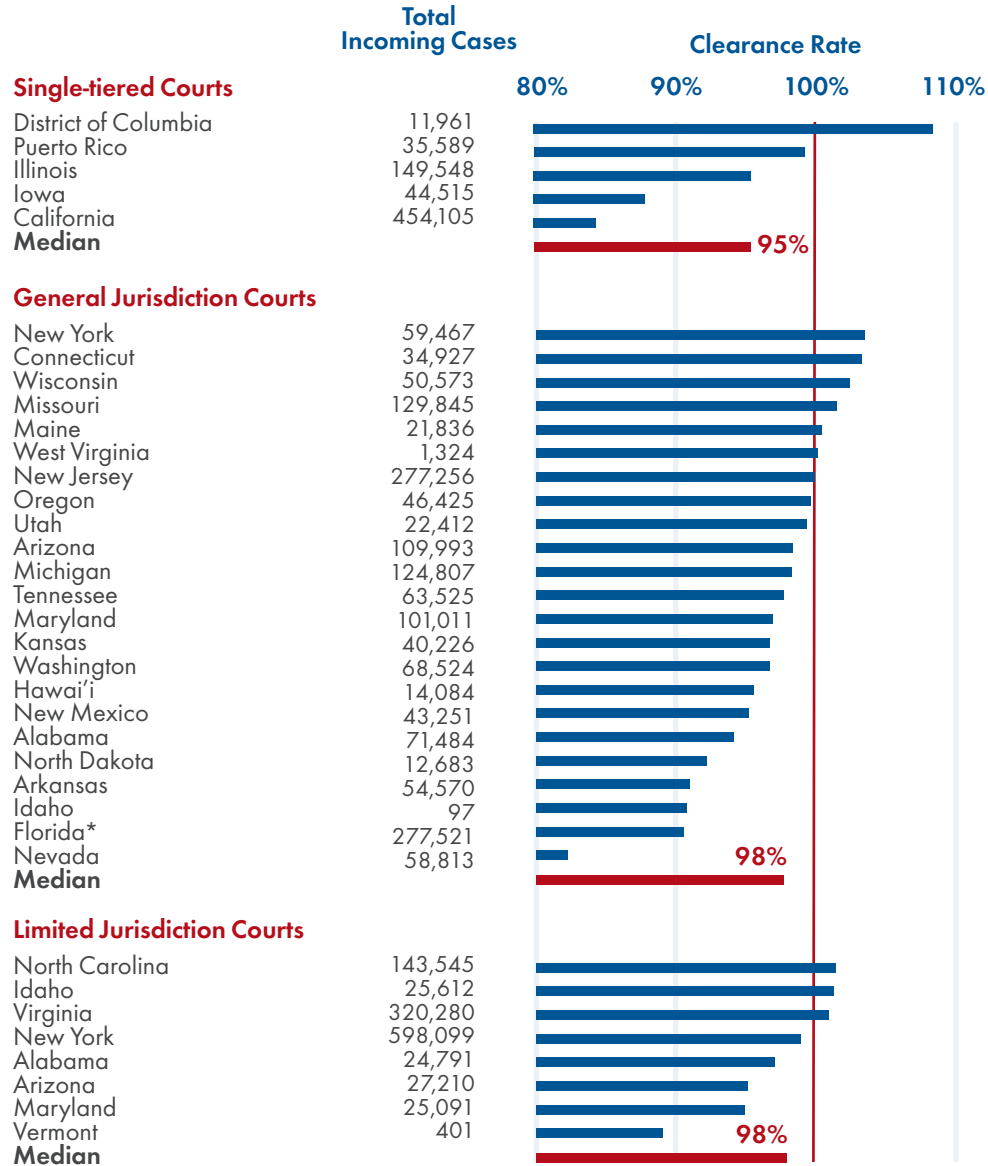
Notes: States in bold have a single-tiered court system. Single-tiered courts are courts of general jurisdiction. "n/j" = no domestic relations jurisdiction in that court tier.

\* Reopened caseload percentage may be underrepresented as some cases were not reported.

The table above is segregated into two groups: states that report a reopened Domestic Relations caseload (as recommended by the [State Court Guide to Statistical Reporting](#)) and states that do not. (It should be noted that some of the states in the latter group may be counting reopened cases but are unable to distinguish them in their total caseload reports.) Understandably, the 13 states that reported reopened caseloads have a median population-adjusted rate 44 percent higher than the 18 that did not. New Jersey, whose rate is the highest at 3,150 cases per 100,000 population, reported a reopened caseload comprising 60 percent of its total.

## CLEARANCE RATES LAG FOR DOMESTIC RELATIONS CASES

Domestic Relations Caseload Clearance Rates in 31 States, by Jurisdiction, 2010



\* This clearance rate is based on new filings and dispositions only.

A clearance rate is a basic indicator of how well a court is keeping up with its incoming caseload. Several variables may influence whether a court can dispose of as many cases as are filed in a year, such as case complexity, reduced court resources, and increasing caseloads. All of these factors may be at work here, as 25 of the 36 courts in this display were unable to achieve a rate of 100 percent or greater.

## DIVORCE DRIVES DOMESTIC RELATIONS CASELOADS

Incoming Domestic Relations Caseload Composition in 15 States, by Jurisdiction, 2010

Jurisdiction	Percent of Total Caseload	Divorce/Dissolution	Paternity	Custody/Visitation	Support	Adoption	Civil Protection Order	Other Domestic Relations	Total Incoming Cases	
<b>Single-tiered Courts</b>										
Iowa	General <sup>1</sup>	100%	34%	16%	3%	9%	4%	15%	19%	44,515
Minnesota	General <sup>2</sup>	100%	35%	10%	6%	22%	3%	23%	1%	49,410
Puerto Rico	General <sup>3</sup>	100%	46%	2%	9%	37%	1%	n/a	6%	35,589
<b>Two-tiered Courts -all cases processed in a single court level</b>										
North Dakota	General	100%	21%	11%	3%	56%	2%	6%	0%	12,683
New Mexico	General	100%	24%	17%	2%	28%	2%	27%	1%	43,251
North Carolina	Limited <sup>2</sup>	100%	28%	10%	4%	7%	3%	28%	20%	143,545
Missouri	General <sup>4</sup>	100%	30%	8%	<1%	14%	2%	41%	5%	129,845
Michigan	General <sup>2</sup>	100%	36%	15%	2%	18%	4%	23%	3%	124,807
Utah	General <sup>5</sup>	100%	61%	4%	5%	1%	6%	23%	<1%	22,412
<b>Two-tiered Courts - cases processed in both court levels</b>										
Nebraska	General	96%	37%	15%	15%	4%	n/j	28%	0%	22,948
	Limited	4%	n/j	1%	n/j	n/j	99%	n/j	0%	846
Connecticut	General	89%	40%	5%	11%	15%	n/j	26%	2%	34,927
	Limited	11%	n/j	2%	68%	n/j	29%	n/j	1%	4,318
Alabama	General	74%	40%	5%	1%	21%	<1%	10%	24%	71,484
	Limited	26%	n/j	20%	1%	79%	<1%	n/j	0%	24,791
Wyoming	General	83%	48%	12%	2%	30%	5%	n/j	3%	7,281
	Limited	17%	n/j	n/j	n/j	n/j	n/j	100%	n/j	1,457
New Hampshire	General	13%	51%	4%	<1%	18%	n/j	9%	17%	2,202
	Limited	87%	36%	<1%	<1%	12%	4%	36%	12%	15,114
New York	General	9%	100%	n/j	n/j	n/j	n/j	n/j	0%	59,467
	Limited	91%	n/j	7%	34%	47%	1%	11%	<1%	598,099

Notes: “n/j” indicates that court does not have jurisdiction for that case type. “n/a” indicates data were not available.

<sup>1</sup> Visitation cases are included with the Support caseload.

<sup>2</sup> Visitation cases are included with the Other Domestic Relations caseload.

<sup>3</sup> Civil Protection Order cases are included with the Other Domestic Relations caseload.

<sup>4</sup> Custody cases are included in the Other Domestic Relations caseload.

<sup>5</sup> Support cases are included in the Custody/Visitation caseload.

This table displays the composition of Domestic Relations caseloads based on the differing ways in which their courts are structured. Single-tiered courts naturally process all cases in their general jurisdiction courts. Two-tiered courts can choose a variety of ways to assign their caseloads between the two tiers. Similar to the single-tiered courts, half of the 12 two-tiered states shown here process their entire Domestic Relations caseloads in general jurisdiction courts. The other six disperse all or part of the component case types into one or the other tier. For example, Nebraska’s general jurisdiction courts essentially process all Domestic Relations cases except for paternity, which are handled by their limited jurisdiction County Courts. Conversely, New York handles all divorce cases in the general jurisdiction court while processing the entire remaining caseload in the specialized limited jurisdiction Family Court.



# TRIAL COURTS CRIMINAL CASELOADS

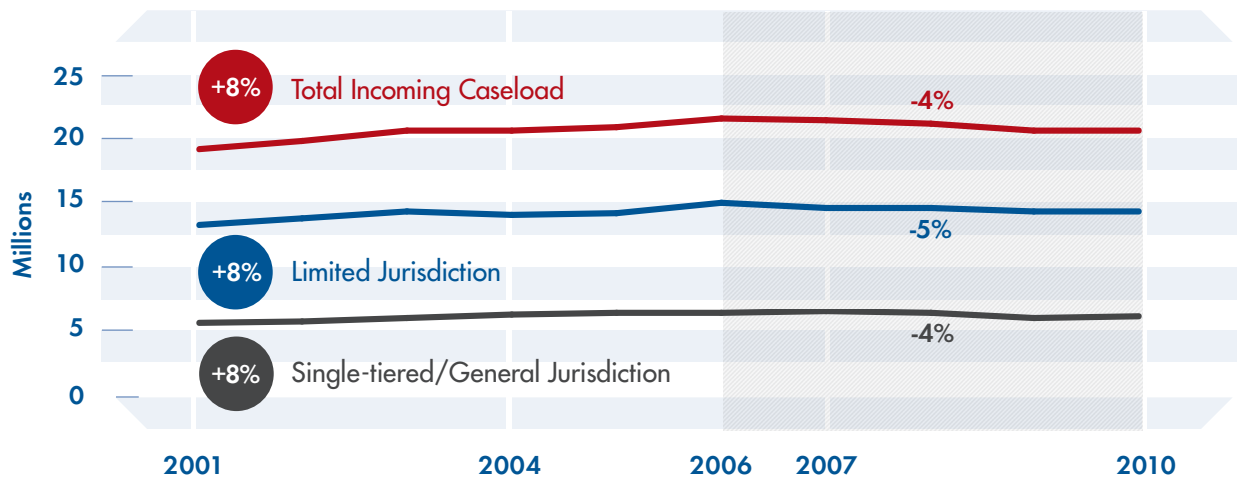
Understanding Criminal caseloads requires both a knowledge of the criminal justice system as well as how Criminal cases are processed and counted in state courts.

The **State Court Guide to Statistical Reporting** recommends to “count the defendant and all charges involved in a single incident as a single case.” Though this counting method is relatively straightforward, one must also understand that most states with two-tiered court systems correctly count felonies at both levels of their court—once in the limited jurisdiction court when a preliminary hearing is held, and, if the prosecutor convinces that court that there is sufficient evidence to bind the case over for trial, again in the general jurisdiction court.

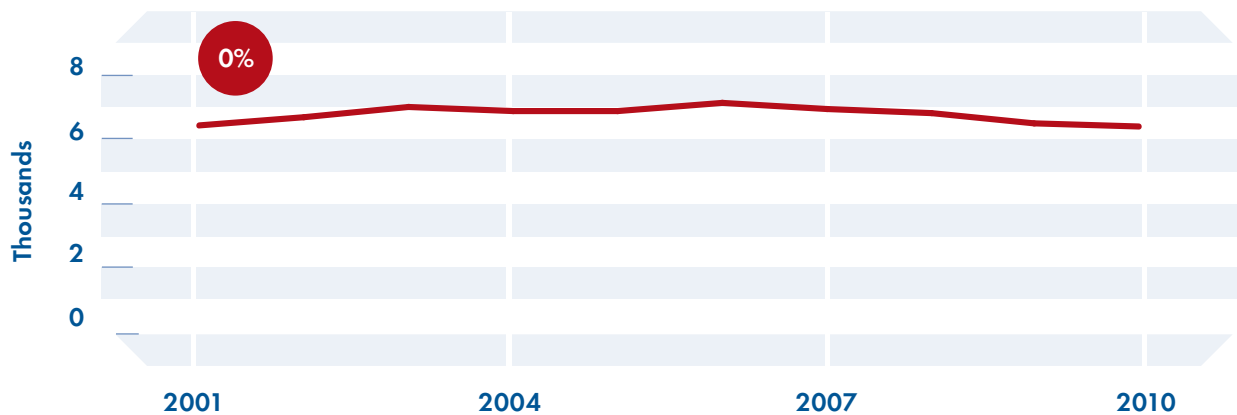
Single-tiered court systems, by their nature, have no such transition of cases between courts and count felony cases only once during their process. For this reason, population-adjusted rates of incoming cases in single-tiered states will typically appear lower than in those of two-tiered systems. Two states that appear frequently in this section, Missouri and Vermont, despite having two-tiered systems, process all Criminal cases in their general jurisdiction courts, rendering their caseloads more comparable to states with single-tiered systems.

## CRIMINAL CASELOADS CONTINUE TO DECLINE

Total Incoming Criminal Caseloads Reported by State Courts, All States, 2001-2010



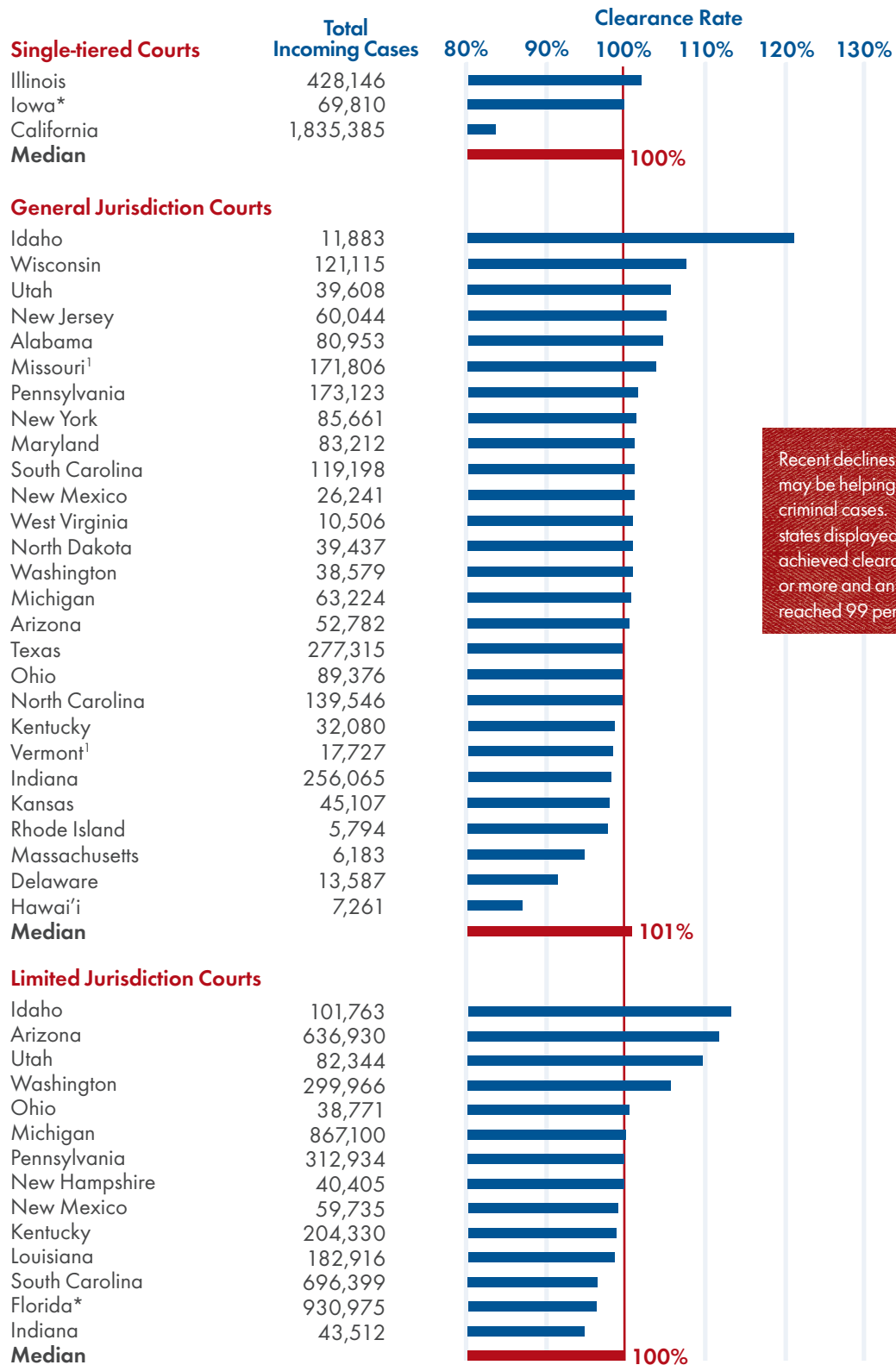
Total Incoming Criminal Cases per 100,000 Population, All States, 2001-2010



The combined number of incoming felony, misdemeanor, and other criminal cases reported by state courts was virtually identical to that which was reported in 2009 but nearly 1 million fewer (-4%) than reported in 2006, when incoming caseloads reached a record 21.4 million cases. Caseloads in limited jurisdiction courts, where most misdemeanor cases are processed and preliminary hearings in felony cases are conducted, have fallen in each of the last four years. However, the 2010 population-adjusted rate of just over 6,500 cases per 100,000 population is essentially unchanged from that of 2001.

## MOST STATES KEEP PACE WITH CRIMINAL CASELOADS

Criminal Caseload Clearance Rates in 33 States, by Jurisdiction, 2010



Recent declines in criminal caseloads may be helping some state courts clear criminal cases. Of the 43 courts in 33 states displayed on this chart, 29 (67%) achieved clearance rates of 100 percent or more and an additional 5 (12%) reached 99 percent.

\* These clearance rates are based on new filings and dispositions only.

<sup>1</sup> These states have criminal jurisdiction only in their courts of general jurisdiction.

## POPULATION-ADJUSTED RATES REFLECT WIDE VARIATION

Incoming Criminal Caseloads and Rates in Single-tiered and General Jurisdiction Courts in 38 States, 2010

	Total Cases	Cases per 100k Population	Population Rank
<b>Single-tiered Courts</b>			
California	1,835,385	4,914	1
Illinois	428,146	3,334	5
Iowa	91,388	2,996	31
		<b>Median 3,334</b>	
<b>General Jurisdiction Courts</b>			
North Dakota	39,437	5,847	49
Indiana	256,065	3,945	15
Louisiana	169,309	3,726	25
South Dakota	25,967	3,180	47
Missouri <sup>1</sup>	171,806	2,865	18
Vermont <sup>1</sup>	17,727	2,832	50
South Carolina	119,198	2,571	24
Wisconsin	121,115	2,128	20
Florida <sup>2</sup>	342,305	1,817	4
Alabama	80,953	1,692	23
Kansas	45,107	1,578	34
Delaware	13,587	1,510	46
North Carolina	139,546	1,459	10
Maryland	83,212	1,438	19
Utah	39,608	1,427	35
Pennsylvania	173,123	1,362	6
New Mexico	26,241	1,270	37
Texas	277,315	1,098	2
New Hampshire	10,926	830	43
Arizona	52,782	823	16
Ohio	89,376	775	7
Idaho	11,883	756	40
Montana	7,454	752	45
Kentucky	32,080	738	26
New Jersey	60,044	682	11
Michigan	63,224	640	8
Washington	38,579	572	13
West Virginia	10,506	567	38
Rhode Island <sup>2</sup>	5,794	550	44
Hawai'i	7,261	532	41
Nebraska	9,433	515	39
Nevada	13,585	502	36
New York	85,661	442	3
Wyoming <sup>2</sup>	2,124	376	52
Massachusetts <sup>2</sup>	6,183	94	14
		<b>Median 1,098</b>	

<sup>1</sup> These states process all criminal cases in their general jurisdiction court(s).

<sup>2</sup> These states do not process misdemeanor cases in their general jurisdiction court(s).

## Incoming Criminal Caseloads and Rates in Limited Jurisdiction Courts in 18 States, 2010

Limited Jurisdiction Courts	Total Cases	Cases per 100k Population	Population Rank
North Carolina	1,747,311	18,274	10
Arkansas	516,581	17,681	33
South Carolina <sup>1</sup>	696,399	15,021	24
Arizona	636,930	9,931	16
Michigan	867,100	8,778	8
Idaho	101,763	6,476	40
Nebraska	115,996	6,337	39
Nevada	151,181	5,590	36
Florida <sup>1</sup>	930,975	4,941	4
Kentucky	204,330	4,701	26
Washington <sup>1</sup>	299,966	4,448	13
Louisiana	182,916	4,025	25
Massachusetts	249,299	3,802	14
Rhode Island	35,218	3,345	44
New Hampshire	40,405	3,069	43
Utah <sup>1</sup>	82,344	2,966	35
Colorado	135,055	2,675	22
Indiana	43,512	670	15

<sup>1</sup> These states do not process felony cases in their limited jurisdiction court(s).

**Median  
4,821**

The tables above and on the preceding page show total incoming Criminal caseloads in single-tiered, general, and limited jurisdiction courts. Most states with two-tiered systems process the majority of felony cases in their courts of general jurisdiction and the majority of misdemeanors in courts of limited jurisdiction. However, many of these states also conduct preliminary hearings for felony cases in the limited jurisdiction courts, creating a double-counting of felony cases if and when they enter the general jurisdiction court after being bound over for trial.

Unlike the other states with two-tiered systems shown on these tables, Missouri and Vermont process all Criminal cases in their courts of general jurisdiction.

## COURT STRUCTURE SHAPES DISTRIBUTION OF CRIMINAL CASES

Criminal Caseload Composition in 17 States, by Jurisdiction, 2010

	Jurisdiction G = General L = Limited	Total Incoming Cases	Percent of Total Caseload	Percent of Criminal Caseload by Case Type		
				Felony	Misdemeanor	Other
<b>Single-tiered Courts</b>						
Iowa	G	91,388	100%	27%	73%	
California	G	1,835,385	100%	16%	84%	<1%
<b>Two-tiered Courts</b>						
Florida	G	342,305	27%	100%		<1%
	L	930,975	73%		100%	
	<b>Total</b>	<b>1,273,280</b>	<b>100%</b>	<b>27%</b>	<b>73%</b>	
Michigan	G	63,224	7%	98%		2%
	L	867,100	93%	13%	87%	<1%
	<b>Total</b>	<b>930,324</b>	<b>100%</b>	<b>18%</b>	<b>81%</b>	<b>1%</b>
Arizona	G	52,782	8%	96%		4%
	L	636,930	92%	3%	97%	
	<b>Total</b>	<b>689,712</b>	<b>100%</b>	<b>10%</b>	<b>89%</b>	<b>1%</b>
Rhode Island	G	5,794	14%	96%		4%
	L	35,218	86%	21%	79%	
	<b>Total</b>	<b>41,012</b>	<b>100%</b>	<b>32%</b>	<b>68%</b>	
Nebraska	G	9,433	8%	93%	5%	2%
	L	115,996	92%	10%	90%	
	<b>Total</b>	<b>125,429</b>	<b>100%</b>	<b>17%</b>	<b>83%</b>	
Idaho	G	11,883	10%	90%	10%	
	L	101,763	90%	9%	91%	
	<b>Total</b>	<b>113,646</b>	<b>100%</b>	<b>17%</b>	<b>83%</b>	
Washington	G	38,579	11%	88%	3%	9%
	L	299,966	89%	2%	98%	
	<b>Total</b>	<b>338,545</b>	<b>100%</b>	<b>12%</b>	<b>87%</b>	<b>1%</b>
Nevada	G	13,585	8%	86%	13%	1%
	L	151,181	92%	26%	74%	0%
	<b>Total</b>	<b>164,766</b>	<b>100%</b>	<b>30%</b>	<b>69%</b>	<b>&lt;1%</b>
New Hampshire	G	10,926	21%	83%	17%	
	L	40,405	79%	18%	82%	
	<b>Total</b>	<b>51,331</b>	<b>100%</b>	<b>31%</b>	<b>69%</b>	
North Carolina	G	139,546	7%	72%	14%	14%
	L	1,747,311	93%	1%	99%	
	<b>Total</b>	<b>1,886,857</b>	<b>100%</b>	<b>7%</b>	<b>92%</b>	<b>1%</b>
Utah	G	39,608	32%	59%	39%	2%
	L	82,344	68%		94%	6%
	<b>Total</b>	<b>121,952</b>	<b>100%</b>	<b>19%</b>	<b>76%</b>	<b>5%</b>
Louisiana	G	169,309	48%	39%	61%	
	L	182,916	52%		100%	<1%
	<b>Total</b>	<b>352,225</b>	<b>100%</b>	<b>19%</b>	<b>81%</b>	
Indiana	G	256,065	85%	29%	58%	13%
	L	43,512	15%		99%	1%
	<b>Total</b>	<b>299,577</b>	<b>100%</b>	<b>25%</b>	<b>64%</b>	<b>11%</b>
Missouri*	G	171,806	100%	32%	66%	2%
Vermont*	G	17,727	100%	19%	81%	

\* These states process criminal cases only in their courts of general jurisdiction.

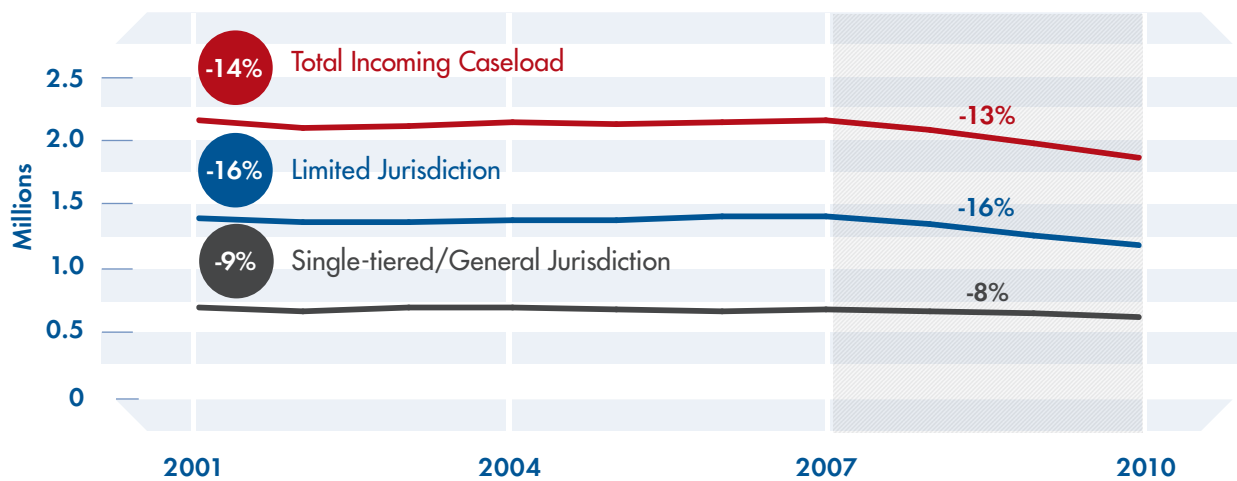
This table further illustrates the different strategies states use to manage Criminal caseloads. Single-tiered courts (as well as Missouri and Vermont) process all Criminal cases in courts of general jurisdiction. Most states divide the caseload between courts, but not always in the same way. For example, Florida processes felonies only in general jurisdiction and misdemeanors only in limited jurisdiction courts. Still others, such as Utah, Louisiana, and Indiana, process no felonies in limited jurisdiction courts although some misdemeanors are processed in the general jurisdiction courts.

# TRIAL COURTS JUVENILE CASELOADS

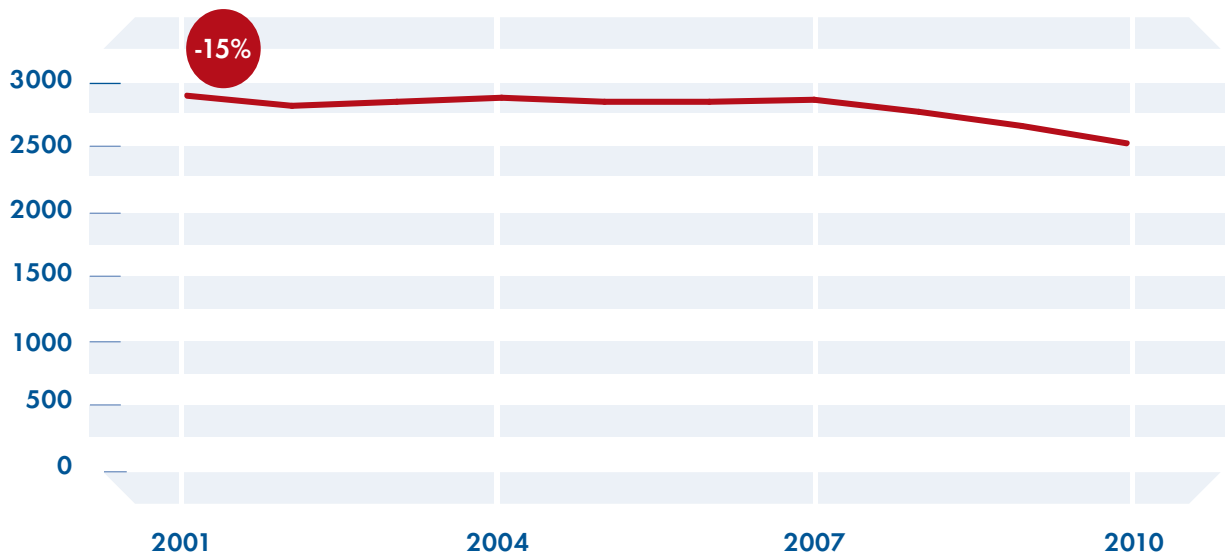
Juvenile caseloads comprise incidents in which those below the age of majority are adjudicated for delinquency (breaking a law), dependency (victim of abuse or neglect), status offenses (acts that are unlawful due to being a minor), or other juvenile matters. Though these cases represent a small share of the total nationwide incoming caseload—less than 2% for 2010—with juveniles as defendants, these cases can have a profound impact on the current and future lives of these young people.

## JUVENILE CASELOADS DOWN FOR THE THIRD CONSECUTIVE YEAR

Total Incoming Juvenile Caseloads Reported by State Courts, All States, 2001-2010





Total Incoming Juvenile Cases per 100,000 Juveniles, All States, 2001-2010



As the charts above clearly show, Juvenile caseloads have decreased substantially over the last decade, but much of these declines occurred in the most recent three years. From 2007 to 2010, Juvenile caseloads dropped 13 percent in the aggregate: 16 percent in general jurisdiction courts (where about two-thirds of the total caseloads are processed) and 8 percent in courts of limited jurisdiction. There are undoubtedly multiple factors influencing this downward trend. Increasingly scarce resources in the public sector, such as tighter law enforcement budgets during the recent economic crisis, may have reduced the level of enforcement that was available to apprehend and prosecute delinquent offenders. Similar budget pressure may be limiting the ability of child protective services offices from identifying and adjudicating abuse and neglect cases. Another likely contributor to these noticeable declines are states' increased deployment of evidence-based programming for troubled youths and the use of diversions designed to limit entry of juvenile offenders into the judicial system.

## REOPENED CASES COMPRISE AS MUCH AS 60 PERCENT OF JUVENILE CASELOADS

### Incoming Juvenile Caseloads and Rates in 40 States, by Jurisdiction, 2010

	Cases by Jurisdiction		Percent Reopened	Percent by Jurisdiction		Cases per 100k Juveniles	Population Rank
	General	Limited		General	Limited		
<b>States that report a reopened caseload</b>							
North Dakota	8,686	n/i	17%	100%	n/i	5,782	49
South Dakota	9,966	n/i	27%	100%	n/i	4,905	47
Florida	171,796	n/i	60%	100%	n/i	4,293	4
<b>District of Columbia</b>	4,183	-	3%	100%	-	4,130	51
Arkansas*	24,737	n/i	13%	100%	n/i	3,477	33
New Jersey	62,759	n/i	6%	100%	n/i	3,041	11
New York	n/i	119,315	62%	n/i	100%	2,763	3
Kansas	18,932	n/i	1%	100%	n/i	2,603	34
Washington*	39,997	n/i	<1%	100%	n/i	2,526	13
<b>Iowa</b>	12,602	-	2%	100%	-	1,733	31
Vermont	1,915	n/i	2%	100%	n/i	1,482	50
<b>California</b>	127,387	-	26%	100%	-	1,368	1
New Mexico	6,837	n/i	25%	100%	n/i	1,316	37
Missouri	14,696	n/i	17%	100%	n/i	1,032	18
<b>Illinois</b>	30,896	-	1%	100%	-	988	5
<b>Puerto Rico*</b>	6,206	-	1%	100%	-	691	29
<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  <p>Median 13%</p> </div> <div style="text-align: center;">  <p>Median 2,565</p> </div> </div>							
<b>States that do not report a reopened caseload</b>							
Tennessee	n/i	136,904		n/i	100%	9,157	17
Utah	n/i	43,670		n/i	100%	5,000	35
Ohio	133,223	n/i		100%	n/i	4,891	7
Hawai'i	14,770	n/i		100%	n/i	4,867	41
Alabama	21,448	28,636		43%	57%	4,429	23
Virginia	n/i	82,051		n/i	100%	4,423	12
Rhode Island	n/i	8,477		n/i	100%	3,789	44
<b>Minnesota</b>	47,774	-		100%	n/i	3,723	21
Nebraska	5,057	11,172		31%	69%	3,532	39
Idaho	41	14,146		0%	100%	3,304	40
Connecticut	24,786	506		98%	2%	3,099	30
West Virginia	7,336	1,971		79%	21%	2,406	38
Maryland	31,964	n/i		100%	n/i	2,363	19
Michigan	51,053	n/i		100%	n/i	2,185	8
New Hampshire	32	5,918		1%	99%	2,074	43
Pennsylvania	51,200	n/i		100%	n/i	1,837	6
North Carolina	n/i	36,633		n/i	100%	1,604	10
Colorado	19,170	n/i		100%	n/i	1,560	22
Wisconsin	20,212	n/i		100%	n/i	1,511	20
Alaska	2,737	n/i		100%	n/i	1,455	48
Arizona	19,430	n/i		100%	n/i	1,190	16
Oklahoma	10,541	n/i		100%	n/i	1,133	28
Wyoming	1,498	n/i		100%	n/i	1,105	52
Montana	2,170	n/i		100%	n/i	971	45

Note: States in bold have a single-tiered court system. "n/i" indicates no juvenile jurisdiction in that court tier.

\* These states' reopened caseloads are reported as incomplete.

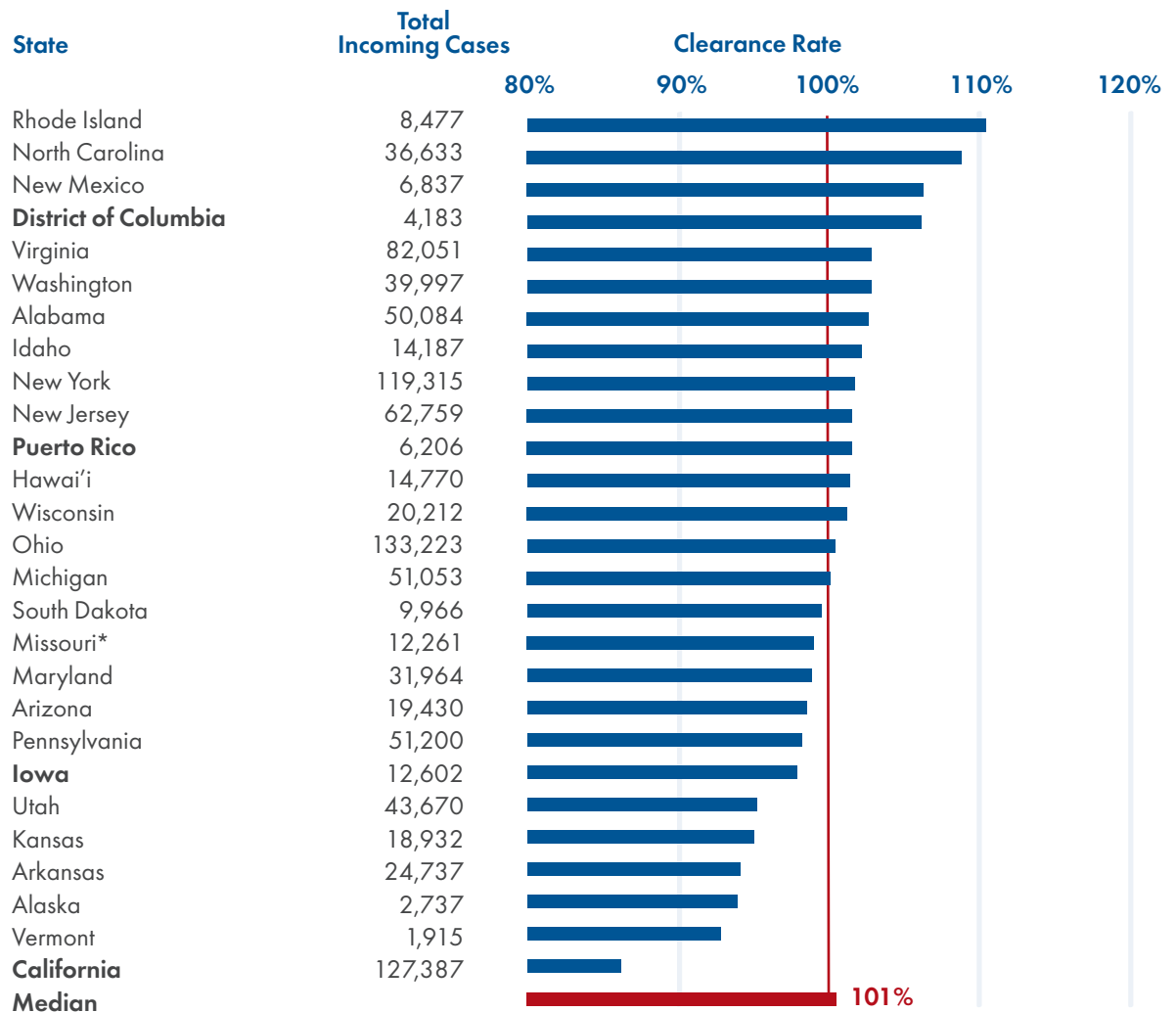
Median  
2,385

This table illustrates that the majority (70%) of the listed states process juvenile matters in general jurisdiction courts. States processing juvenile cases in limited jurisdiction courts often have a specialized juvenile or family court to handle such cases. Of note is that only 5 of these 40 states have concurrent jurisdiction over juvenile cases in both their general and limited jurisdiction courts.

Sixteen of these 40 states report a reopened caseload—cases that re-enter the system for some unanticipated post-adjudicative judicial action. The percentage of reopened cases varied substantially by state, with Illinois and Puerto Rico reporting 1 percent reopened while Florida and New York reported 60 percent or more.

## MOST STATES CLEAR JUVENILE CASELOADS IN A TIMELY MANNER

Juvenile Caseload Clearance Rates in 27 States, 2010



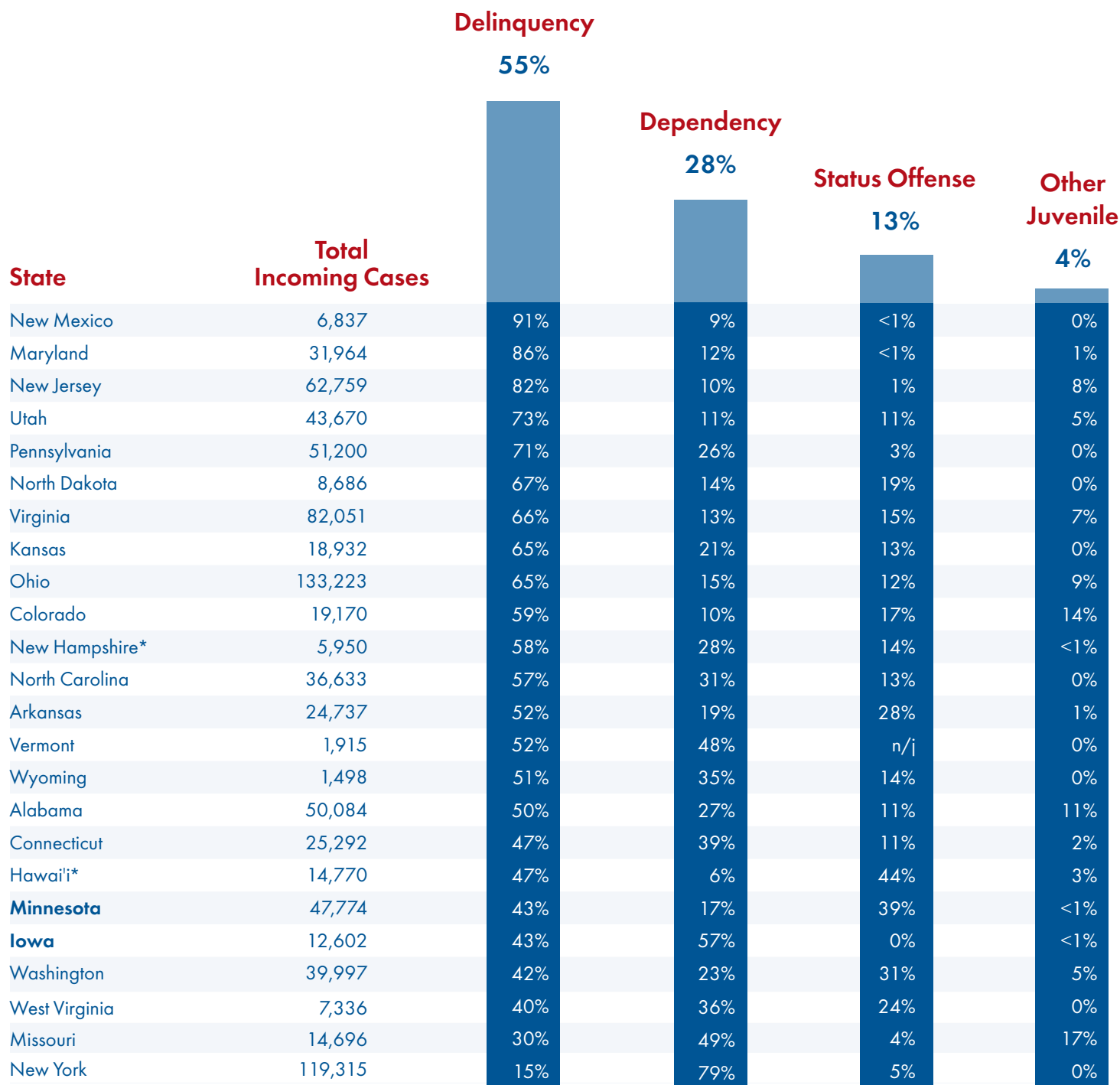
Note: States in bold have a single-tiered court system.

\* Clearance rate based on new filings and dispositions only.

With the sensitivity and importance of juvenile cases, states continue to process these matters in a timely fashion. The new Conference of State Court Administrators/American Bar Association **Model Time Standards for State Trial Courts** set the most stringent processing deadlines for juvenile cases compared to the other case categories. The majority (59%) of states shown in this table have clearance rates of at least 100 percent.

## DELINQUENCY THE DOMINANT CASE TYPE IN MOST STATES

Incoming Juvenile Caseload Composition in 24 States, 2010



Notes: States in bold have a single-tiered court system. "n/i" = no jurisdiction over that case type.

\* These states report some dependency cases with Other Juvenile.

Although the composition of Juvenile caseloads clearly varies from state to state, delinquency cases represent the largest percentage in all but three of the listed states: Iowa, Missouri, and New York. In 2010, property crimes were the most common delinquency case for the states that reported that level of detail (not shown).

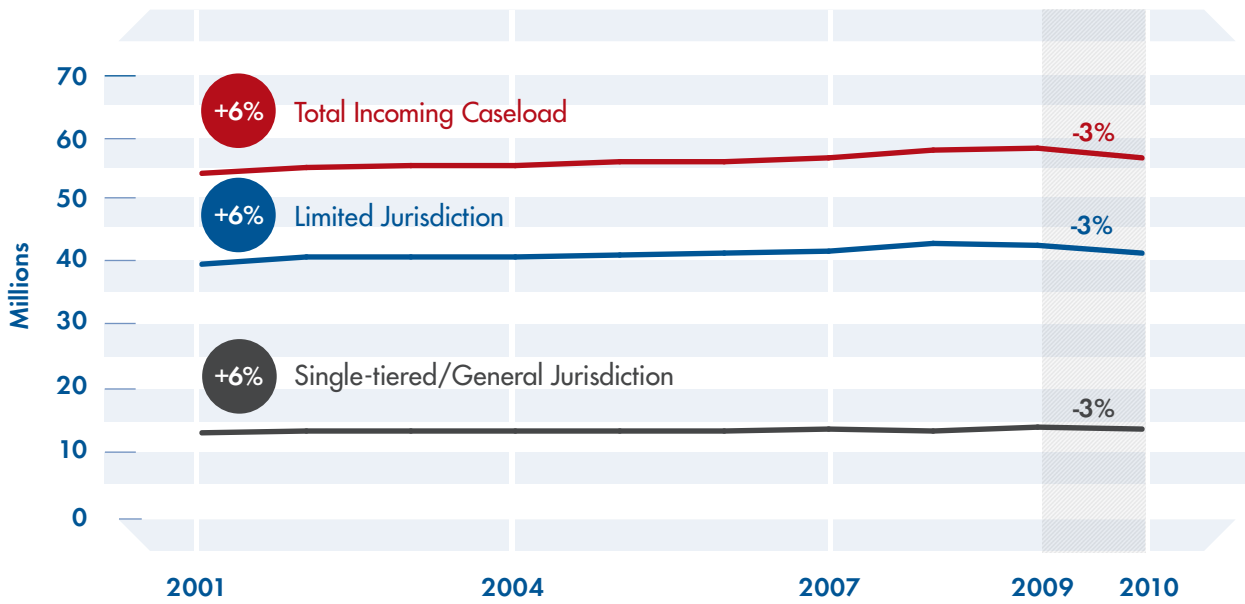


# TRIAL COURTS TRAFFIC/VIOLATIONS CASELOADS

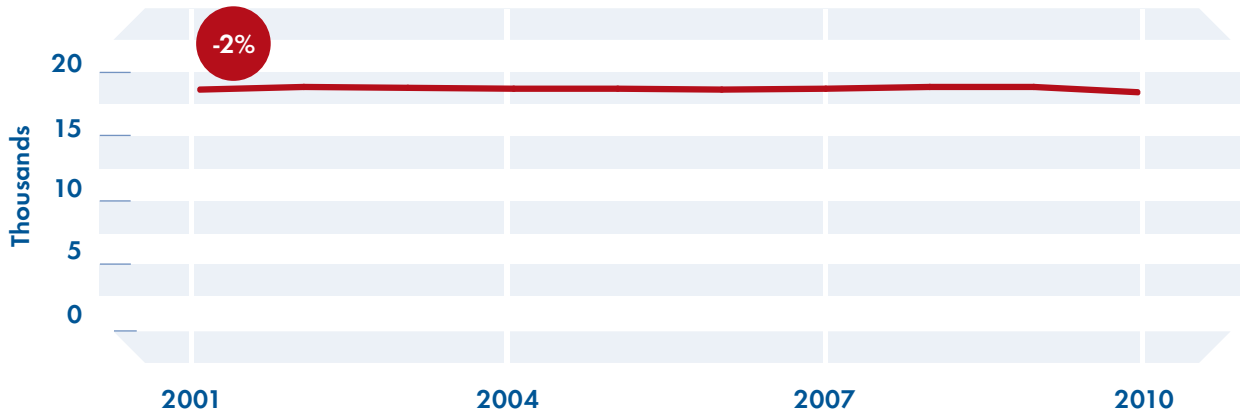
Traffic/Violations is unique among other case categories in that it includes a variety of case types that may be handled administratively, i.e., without judicial involvement. Non-criminal traffic cases (speeding, failure to wear a seat belt, etc.), parking violations, as well as local ordinance violations (panhandling, public nuisance, exceeding noise limits, etc.) are all counted within this category. Each year, Traffic/Violations cases account for the largest share of the states' trial court caseloads. In 2010, there were over 56 million incoming cases, equaling 54 percent of the aggregate trial court total.

## AFTER YEARS OF INCREASES, TRAFFIC/VIOLATIONS CASES FALL IN 2010

Total Incoming Traffic/Violations Caseloads Reported by State Courts, All States, 2001-2010



Total Incoming Traffic/Violations Cases per 100,000 Population, All States, 2001-2010



Overall, Traffic/Violations caseloads have increased since the benchmark year of 2001. However, from 2009 to 2010 the caseload dropped by approximately 2 million cases (3%). The causes of this drop are not fully known but may include deployment of law enforcement officers to non-traffic duties and changes in enforcement strategies. Additionally, administrative agencies may be processing more Traffic/Violations cases to generate much needed revenue for municipalities and cities, in which case these incidents would not be reported to the courts. When considering the increased population, this caseload decrease results in an overall drop of cases per 100,000 population since 2001.

## STATES AVERAGE 18 TRAFFIC/VIOLATIONS CASES PER 100 PERSONS

Incoming Traffic/Violations Caseloads and Rates in 20 States, by Jurisdiction, 2010

State	Cases by Jurisdiction			Percent by Jurisdiction		Percent Change from 2009	Cases per 100k Population	Population Rank
	General	Limited	Total	General	Limited			
New Jersey	n/j	5,406,533	5,406,533	n/j	100%	-4%	61,427	11
Hawai'i	n/j	393,615	393,615	n/j	100%	-8%	28,865	41
Arkansas	n/j	757,486	757,486	n/j	100%	4%	25,927	33
Arizona	n/j	1,475,930	1,475,930	n/j	100%	-6%	23,012	16
<b>Iowa</b>	648,325	-	648,325	100%	-	-11%	21,257	31
Michigan	8,311	2,079,368	2,087,679	<1%	100%	-6%	21,136	8
Virginia	n/j	1,606,038	1,606,038	n/j	100%	-2%	20,014	12
<b>Illinois</b>	2,547,530	-	2,547,530	100%	-	-9%	19,836	5
Utah	34,583	486,173	520,756	7%	93%	-3%	18,756	35
Vermont	469	112,609	113,078	<1%	100%	-5%	18,065	50
<b>California</b>	6,699,430	-	6,699,430	100%	-	<1%	17,937	1
South Dakota	124,968	n/j	124,968	100%	n/j	-7%	15,306	47
Indiana	655,006	320,424	975,430	67%	33%	-5%	15,028	15
Alaska	n/j	80,229	80,229	n/j	100%	6%	11,237	48
Florida	n/j	1,714,872	1,714,872	n/j	100%	-14%	9,101	4
Nebraska	9	159,420	159,429	<1%	100%	n/a	8,710	39
Kentucky	n/j	347,011	347,011	n/j	100%	-5%	7,984	26
North Carolina	n/j	747,593	747,593	n/j	100%	n/a	7,819	10
New Hampshire	19	50,325	50,344	<1%	100%	<1%	3,823	43
<b>Puerto Rico</b>	10,007	-	10,007	100%	-	-1%	269	29

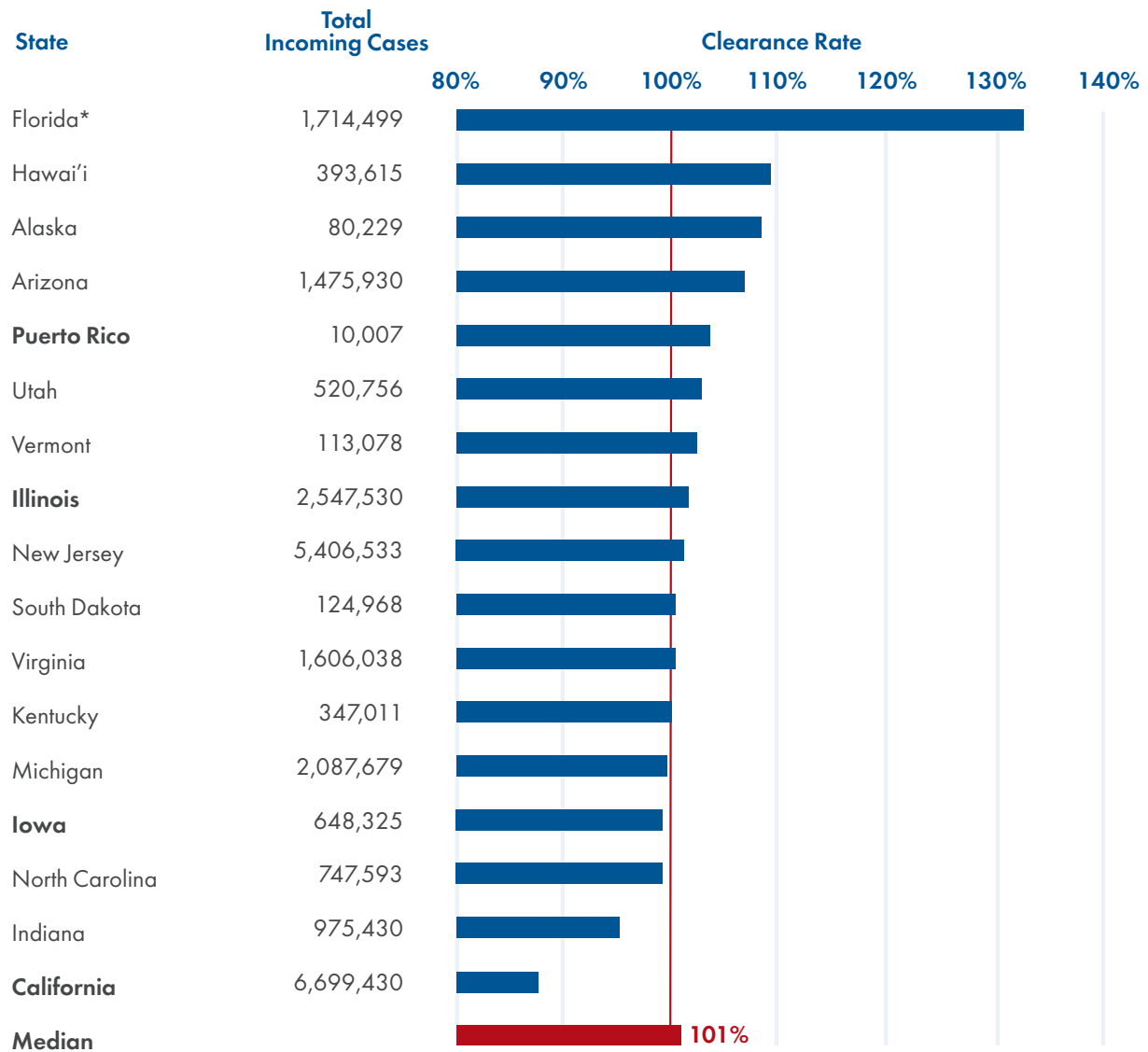
Note: States in bold have a single-tiered court system.  
 "n/j" indicates no Traffic/Violations jurisdiction in that court tier.  
 "n/a" indicates Traffic/Violations data for 2009 were not available.

**Median  
18,001**

This table shows the variability in the volume of incoming Traffic/Violations caseloads, as well as the differences in where these cases are processed, i.e., general or limited jurisdiction courts. Although most states handle the majority, if not all, of these cases in limited jurisdiction courts, single-tiered states, as well as South Dakota, process these cases in general jurisdiction courts. Fourteen of the 20 states in this table reported a decreased Traffic/Violations caseload compared to 2009, the majority of which stemmed from fewer motor vehicle violations (not shown).

## MOST STATES ARE KEEPING UP WITH PRODIGIOUS TRAFFIC/VIOLATIONS CASELOADS

Traffic/Violations Caseload Clearance Rates in 17 States, 2010



Note: States in bold have a single-tiered court system.

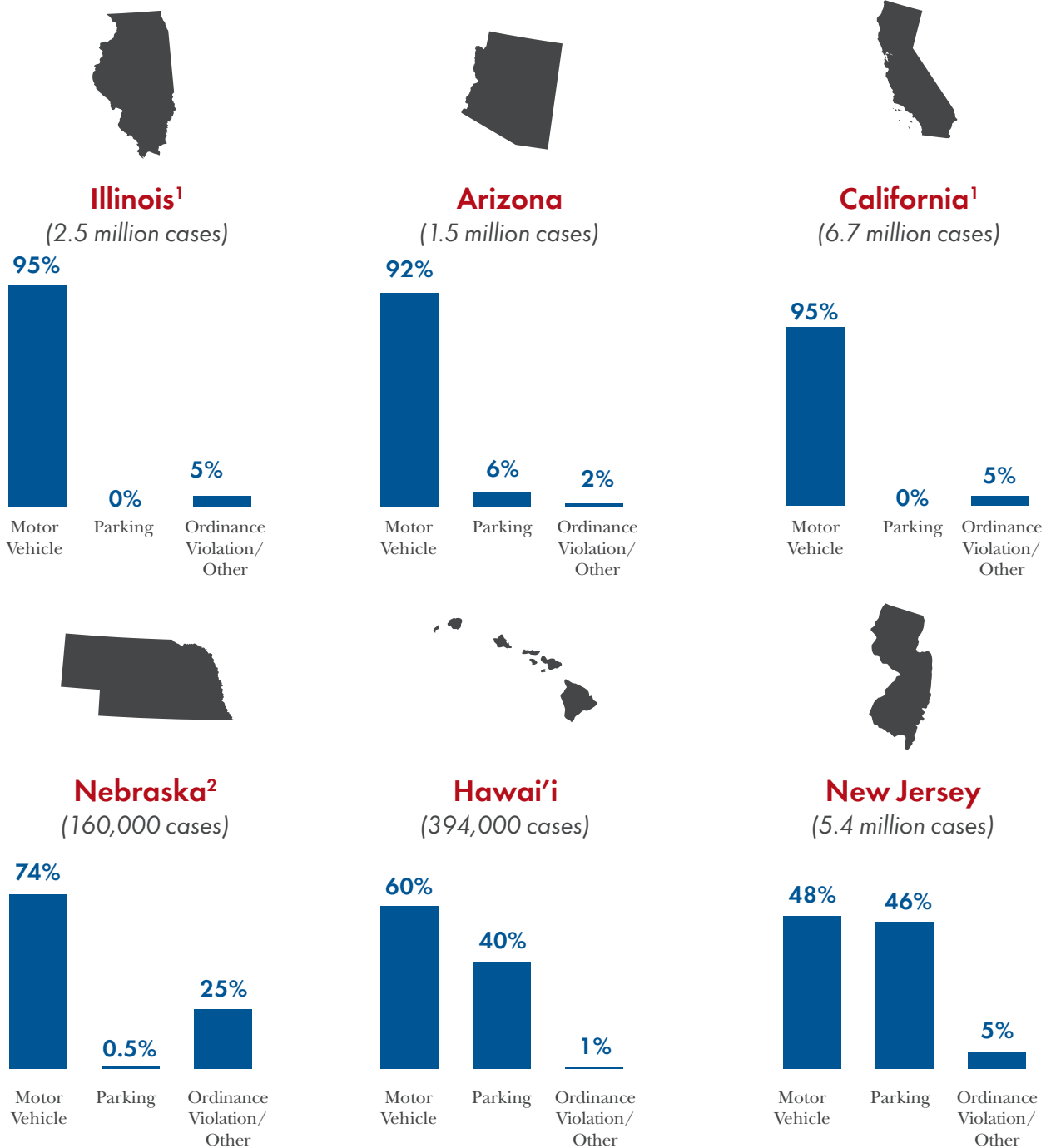
\* This rate is based on new filings and dispositions only.

Although Traffic/Violations caseloads are high volume, states typically are able to dispose of them quickly as they are less complex than most other matters. In 2010, clearance rates were generally high, with a median rate of over 100 percent.

Courts should periodically review older cases that have languished in the system for extended periods and dispose of them if possible. Florida's clearance rate of over 130 percent is partly due to this kind of ongoing effort.

# MOTOR VEHICLE CASES DOMINATE TRAFFIC/VIOLATIONS CASELOADS

Traffic/Violations Caseload Composition in 6 States, 2010



<sup>1</sup> Parking violations cases in Illinois and California are handled exclusively by administrative agencies.

<sup>2</sup> Nearly all of Nebraska's parking violations cases are handled by local municipalities.

The way states choose to handle parking violations greatly affects caseload composition. Of the 6 states reporting complete case type data for Traffic/Violations composition, California and Illinois use administrative agencies to process all parking violations. Through a somewhat different approach but yielding similar results, Nebraska's municipalities process nearly all parking cases, which are thus rarely heard by the courts. As seen in Hawai'i and New Jersey, Traffic/Violations caseload composition changes dramatically if parking cases are processed exclusively in the courts, as they are often a significant portion of the caseload.

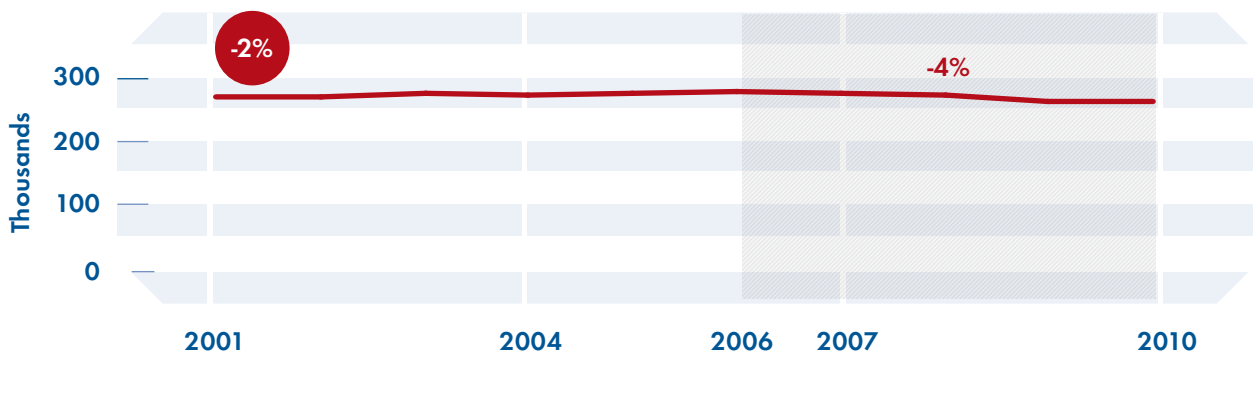


# APPELLATE COURT CASELOADS

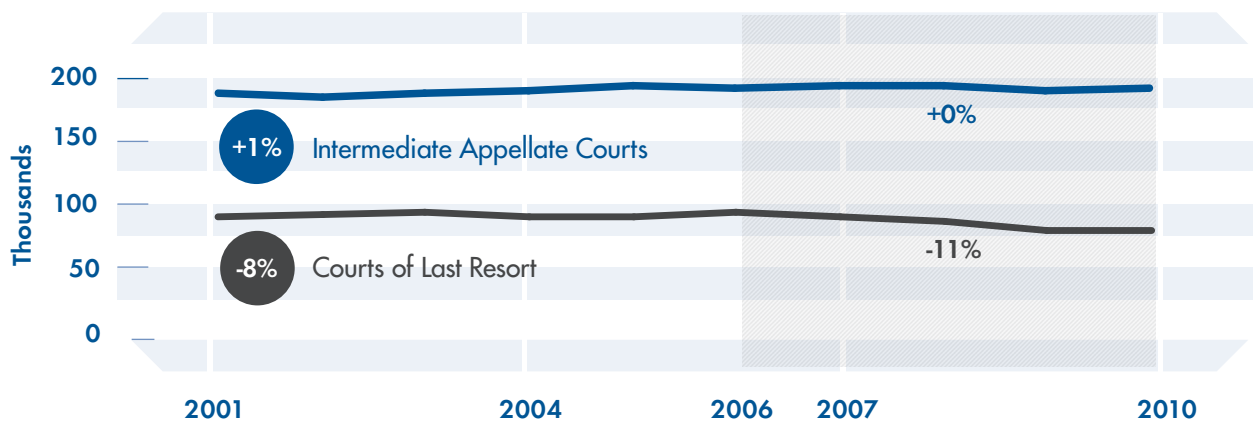
Appellate court caseloads consist of four categories of cases: *appeals by right*—reviews of lower tribunal decisions that a court must accept; *appeals by permission*—reviews of lower tribunal decisions that a court may choose to accept; *death penalty cases*— appeals and writs from those criminal cases in which the death penalty has been imposed; and *original proceedings/other appellate matters* such as writs, bar and judiciary proceedings, advisory opinions, and certified questions. Appeals by right and by permission are additionally distinguished as appeals from criminal, civil, or administrative agency cases. In 2010, the total caseload in state appellate courts was nearly identical to that of 2009, totaling just under 273,000 cases.

## DECLINE OF APPELLATE CASELOADS SLOWS IN 2010

Total Incoming Caseloads in State Appellate Courts, All States, 2001-2010



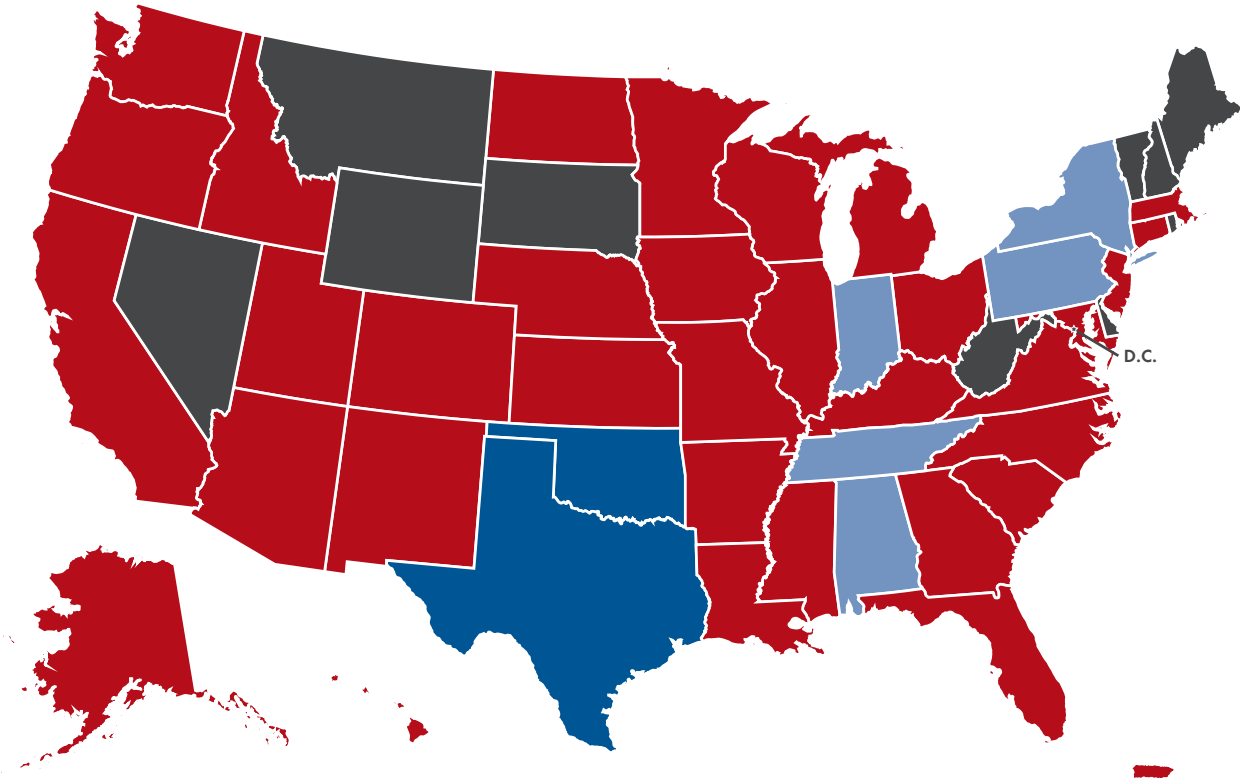
Total Incoming Caseloads in State Appellate Courts, by Court Type, 2001-2010



Appellate court caseloads dropped almost imperceptibly between 2009 and 2010, slowing a decline that began in 2007 after reaching an apex of over 284,000 cases the previous year. Most of the decrease has occurred in the courts of last resort, where caseloads have fallen over 11 percent in the last four years. This drop in court of last resort cases has driven the decline in total caseloads, as the caseloads of intermediate appellate courts are essentially unchanged.

# THE FOUR TYPES OF APPELLATE COURT STRUCTURE

## Appellate Court Structure



- No Intermediate Appellate Court
- One Intermediate Appellate Court
- Two Intermediate Appellate Courts
- Two Courts of Last Resort

## POPULATION SIZE AND APPELLATE CASELOAD ARE OFTEN RELATED

### Total Incoming Cases in Appellate Courts, 2010

State	Total Incoming Cases	Population Rank	State	Total Incoming Cases	Population Rank
California	34,077	1	Minnesota	3,016	21
Florida	28,952	4	North Carolina	2,968	10
Texas	19,106	2	Maryland	2,885	19
New York	15,898	3	Kansas	2,825	34
Pennsylvania	15,868	6	Massachusetts	2,446	14
Ohio	12,782	7	<b>Nevada</b>	2,288	36
Illinois	11,303	5	New Mexico	2,241	37
Louisiana	10,646	25	<b>District of Columbia</b>	1,745	51
Michigan	8,137	8	<b>West Virginia</b>	1,668	38
New Jersey	7,658	11	Nebraska	1,567	39
Puerto Rico	6,816	29	Idaho	1,545	40
Washington	5,668	13	Utah	1,503	35
Indiana	5,474	15	Arkansas	1,287	33
Virginia	5,206	12	Connecticut	1,188	30
Georgia	5,144	9	<b>New Hampshire</b>	1,073	43
Arizona	5,049	16	Hawai'i	842	41
Alabama	4,996	23	<b>Delaware</b>	770	46
Missouri	4,863	18	<b>Maine</b>	684	42
Oregon <sup>1,2</sup>	4,520	27	<b>Montana</b>	650	45
Colorado	4,408	22	Alaska	629	48
Wisconsin	3,934	20	<b>Vermont</b> <sup>1</sup>	479	50
Oklahoma	3,638	28	<b>Rhode Island</b>	418	44
Tennessee	3,424	17	North Dakota	406	49
Iowa	3,322	31	<b>South Dakota</b>	345	47
Kentucky	3,224	26	<b>Wyoming</b>	270	52
South Carolina <sup>1</sup>	3,124	24			

Note: States in bold do not have an IAC.

Mississippi did not provide incoming caseload data.

<sup>1</sup> Oregon Court of Appeals, South Carolina Court of Appeals, and Vermont Supreme Court data are for 2009.

<sup>2</sup> Oregon Supreme Court data are for 2008.

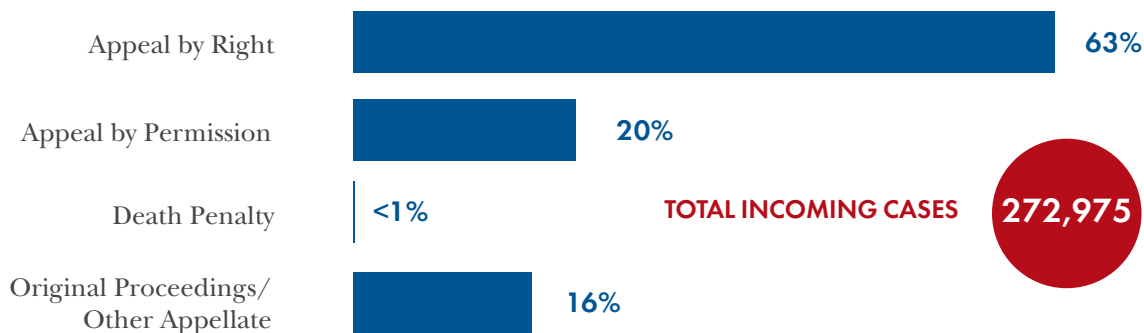
TOTAL INCOMING CASES

272,975

Incoming caseloads ranged from approximately 270 (Wyoming) to a little more than 34,000 (California) during the 2010 reporting period. In most instances, states with higher populations had larger total caseloads, but an examination of population rankings of the states shows this is not always the case. For example, Louisiana ranks 25th in population, but its appellate courts have the 8th highest incoming caseload.

## APPEALS BY RIGHT CONTINUE TO DOMINATE INTERMEDIATE APPELLATE COURT CASELOADS

Incoming Caseload Composition in Appellate Courts, 2010



Case Type	Total Incoming Cases	Cases by Court		Percent by Court	
		Courts of Last Resort	Intermediate Appellate Courts	Courts of Last Resort	Intermediate Appellate Courts
Appeal by Right	172,632	15,754	156,878	9%	91%
Appeal by Permission	55,189	43,558	11,630	79%	21%
Death Penalty	390	366	24	94%	6%
Original Proceedings/Other Appellate	44,764	21,761	23,003	49%	51%
<b>Total</b>	<b>272,975</b>	<b>81,439</b>	<b>191,535</b>		

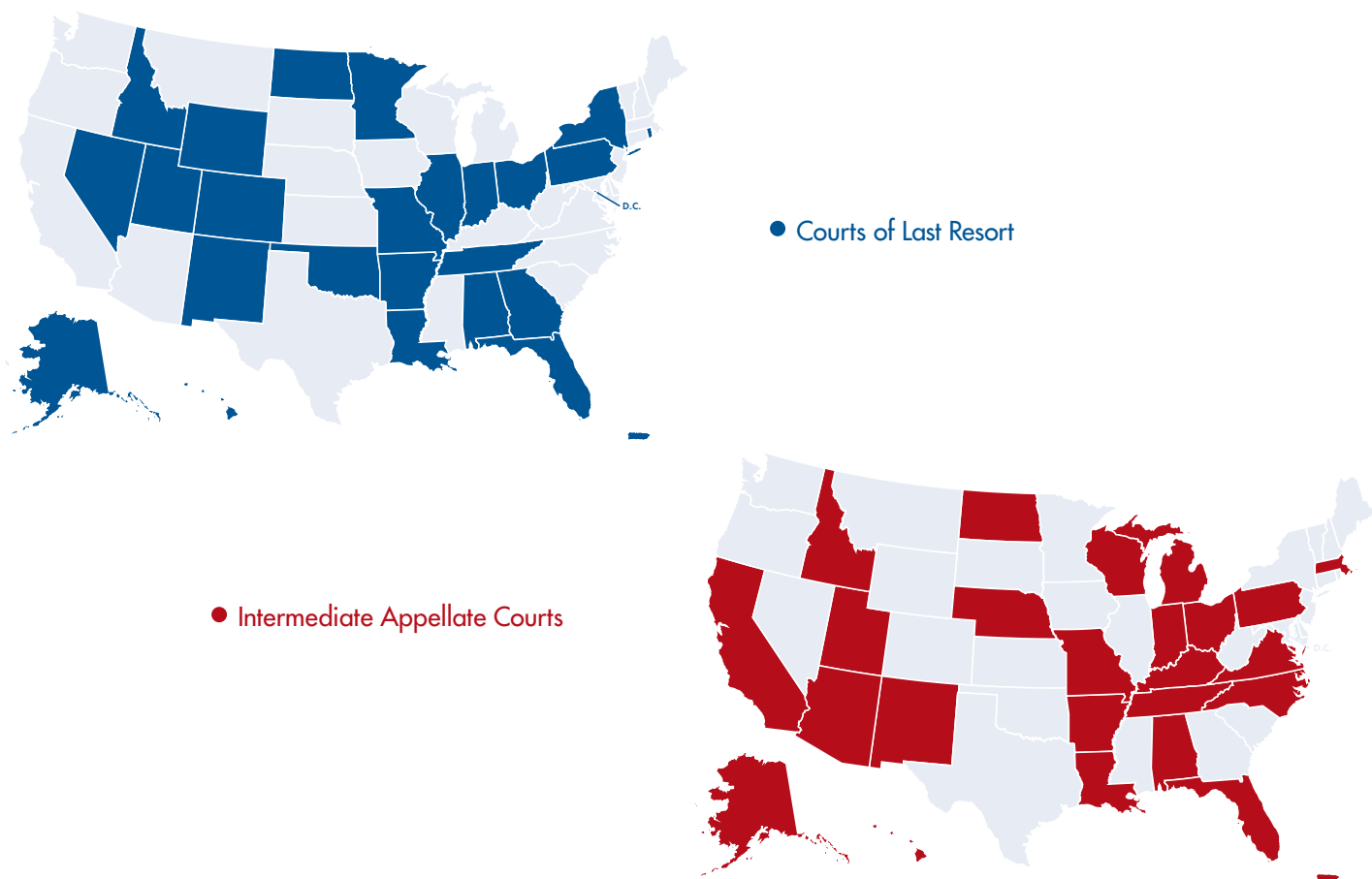
Note: Totals may not sum due to rounding.

Appeals by right constitute 63 percent of the total number of incoming appellate court cases, and the majority of these cases (91%) are handled by the intermediate appellate courts. Courts of last resort, on the other hand, handle more appeals by permission (79%), death penalty (94%), and an equivalent proportion of original proceeding/other appellate cases (49%).

# APPEALS BY RIGHT CONSTITUTE THREE-QUARTERS OF INTERMEDIATE APPELLATE COURT CASELOADS

Appellate Caseload Composition in Select Courts, 2010

	Courts of Last Resort				Intermediate Appellate Courts			
	Case Type Total	Total Incoming for Reporting Courts	Percent of Total	Number of Courts Reporting	Case Type Total	Total Incoming for Reporting Courts	Percent of Total	Number of Courts Reporting
Appeal by Right	9,164	38,369	24%	26	88,662	118,947	75%	28
Appeal by Permission	30,336	53,453	57%	34	10,300	66,635	15%	14
Death Penalty	317	30,220	1%	12	13	1,198	1%	1
Original Proceeding/Other Appellate	9,705	33,407	29%	22	12,265	77,457	16%	16



For the 2010 reporting period, 26 courts of last resort and 28 intermediate appellate courts reported complete appeal by right caseloads. For these courts, appeals by right equaled 24 percent and 75 percent of the total caseload, respectively. The fact that intermediate appellate courts handle more appeals by right than courts of last resort is an artifact of having a two-tiered appellate system in which the appellant’s first appeal, or the appeal as of right, is filed with and considered by the intermediate appellate court. State courts of last resort have, over the years, given more of this first appeal responsibility to the intermediate appellate courts, but all courts of last resort maintain some type of appeal by right jurisdiction.

# CIVIL MATTERS COMPRISE MORE THAN HALF OF THE APPEAL BY RIGHT CASELOADS IN COURTS OF LAST RESORT

Appeal by Right Caseloads in 13 Courts of Last Resort and 15 Intermediate Appellate Courts, 2010

<b>Courts of Last Resort</b>	<b>Total Incoming Cases (4,138)</b>	<b>Criminal 45%</b>	<b>Civil 42%</b>	<b>Administrative Agency 11%</b>	<b>Other 2%</b>
<b>District of Columbia</b>	1,574	48%	34%	14%	4%
Idaho	979	69%	28%	3%	0%
North Dakota	356	39%	54%	6%	0%
Utah	337	14%	82%	4%	0%
<b>Rhode Island</b>	241	28%	72%	0%	0%
<b>Wyoming</b>	222	39%	50%	12%	0%
Tennessee	115	n/j	n/j	94%	6%
Puerto Rico	114	3%	97%	0%	n/j
Minnesota	57	51%	14%	35%	0%
New Mexico	56	64%	n/j	29%	7%
Hawai'i	45	49%	47%	4%	0%
Florida	39	31%	64%	5%	0%
Indiana	3	33%	33%	n/j	33%

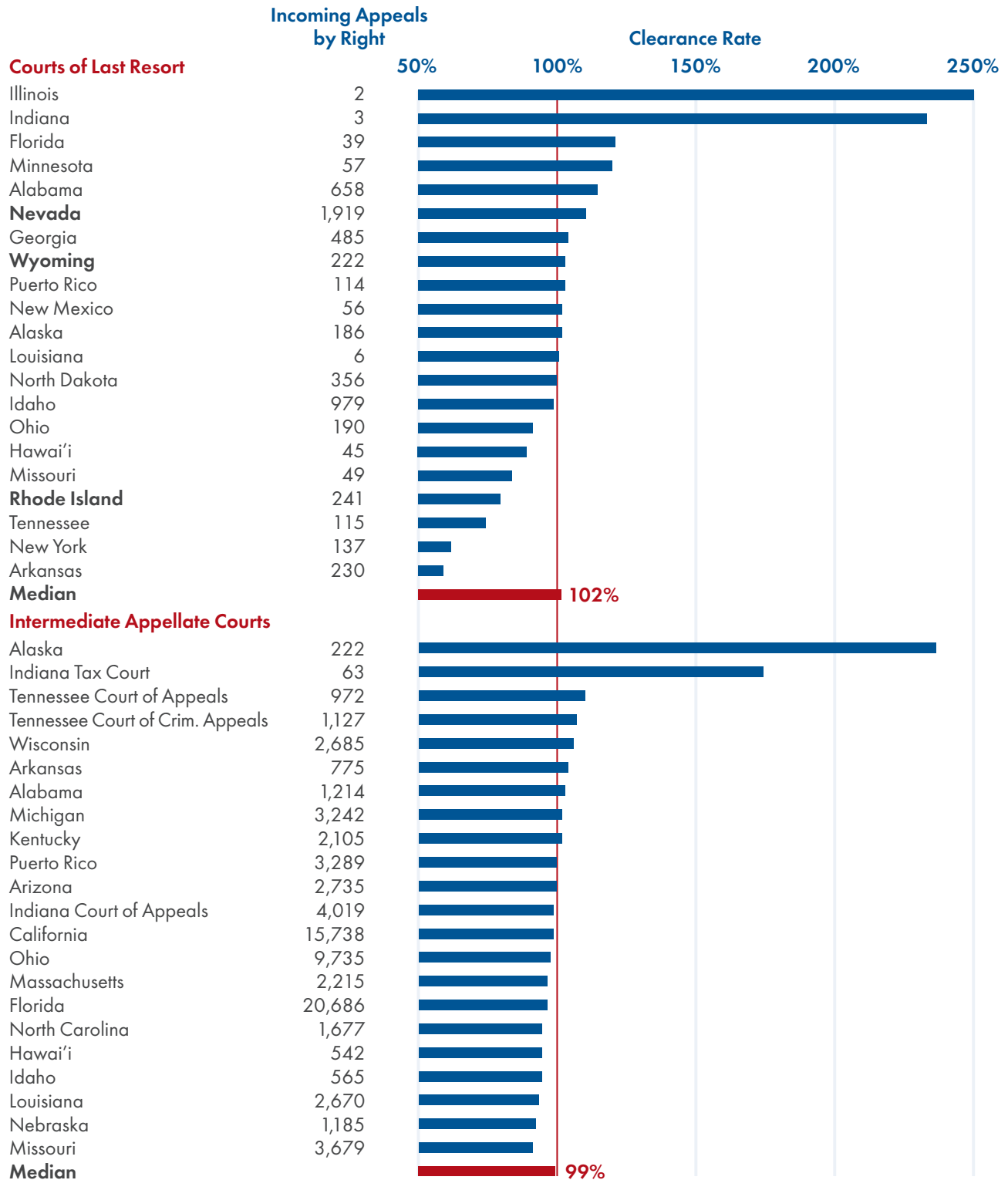
<b>Intermediate Appellate Courts</b>	<b>Total Incoming Cases (50,243)</b>	<b>Criminal 49%</b>	<b>Civil 39%</b>	<b>Administrative Agency 10%</b>	<b>Other 2%</b>
Florida	20,686	56%	33%	11%	0%
Ohio	9,735	50%	49%	1%	0%
Indiana Court of Appeals	4,019	58%	30%	2%	10%
Puerto Rico	3,289	5%	54%	41%	0%
Arizona	2,735	36%	60%	4%	0%
Kentucky	2,105	27%	69%	4%	0%
North Carolina	1,677	43%	50%	7%	0%
Alabama Court of Crim. Appeals	1,538	88%	2%	n/j	10%
Tennessee Court of Crim. Appeals	1,127	100%	n/j	n/j	0%
Utah	817	19%	17%	12%	52%
Arkansas	775	29%	30%	41%	0%
Virginia	570	n/j	40%	36%	24%
Idaho	565	90%	10%	0%	0%
Hawai'i	542	45%	52%	3%	0%
Indiana Tax Court	63	n/j	n/j	100%	n/j

Note: States in bold do not have an IAC. n/j indicates no jurisdiction over that case type.

Appeal by right civil matters (civil and administrative agency cases) collectively accounted for 53 percent of the appeal by right caseload in courts of last resort in 2010. In contrast, the composition of appeals by right in intermediate appellate courts was somewhat more evenly distributed, with criminal and civil matters being filed at the same rate.

## APPEAL BY RIGHT CLEARANCE RATES REMAIN HIGH

Appeal by Right Clearance Rates in 21 Courts of Last Resort and 22 Intermediate Appellate Courts, 2010



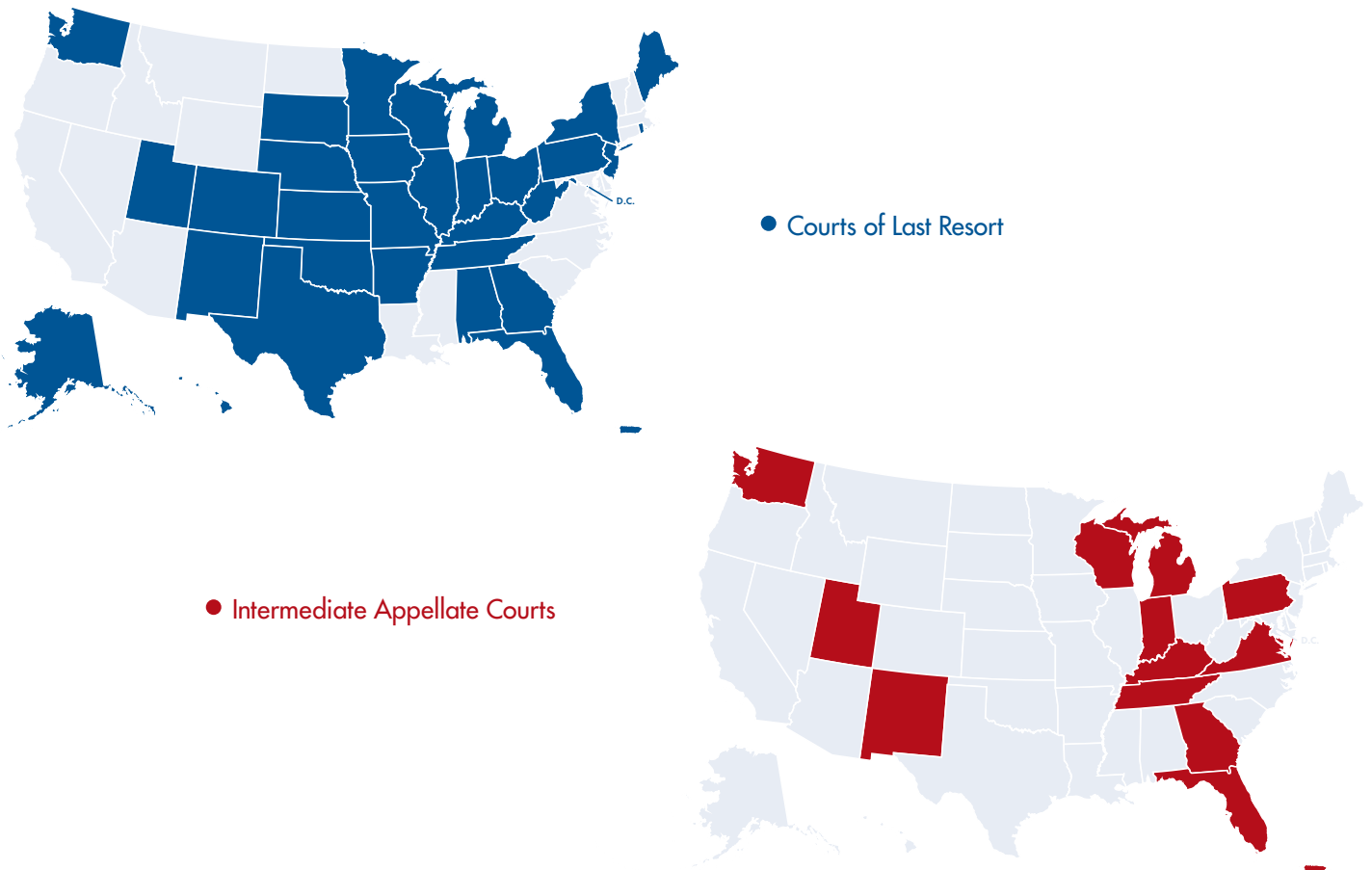
Note: States in bold do not have an IAC.

Of the 22 intermediate appellate courts for which clearance rates could be calculated, almost half had clearance rates exceeding 100 percent of their appeal by right caseloads. Courts of last resort were also keeping up with their appeal by right caseloads, with 12 of 21 courts of last resort clearing 100 percent or more of their appeal by right cases.

# OVER HALF OF COURT OF LAST RESORT CASELOADS ARE APPEALS BY PERMISSION

Appellate Caseload Composition in Select Courts, 2010

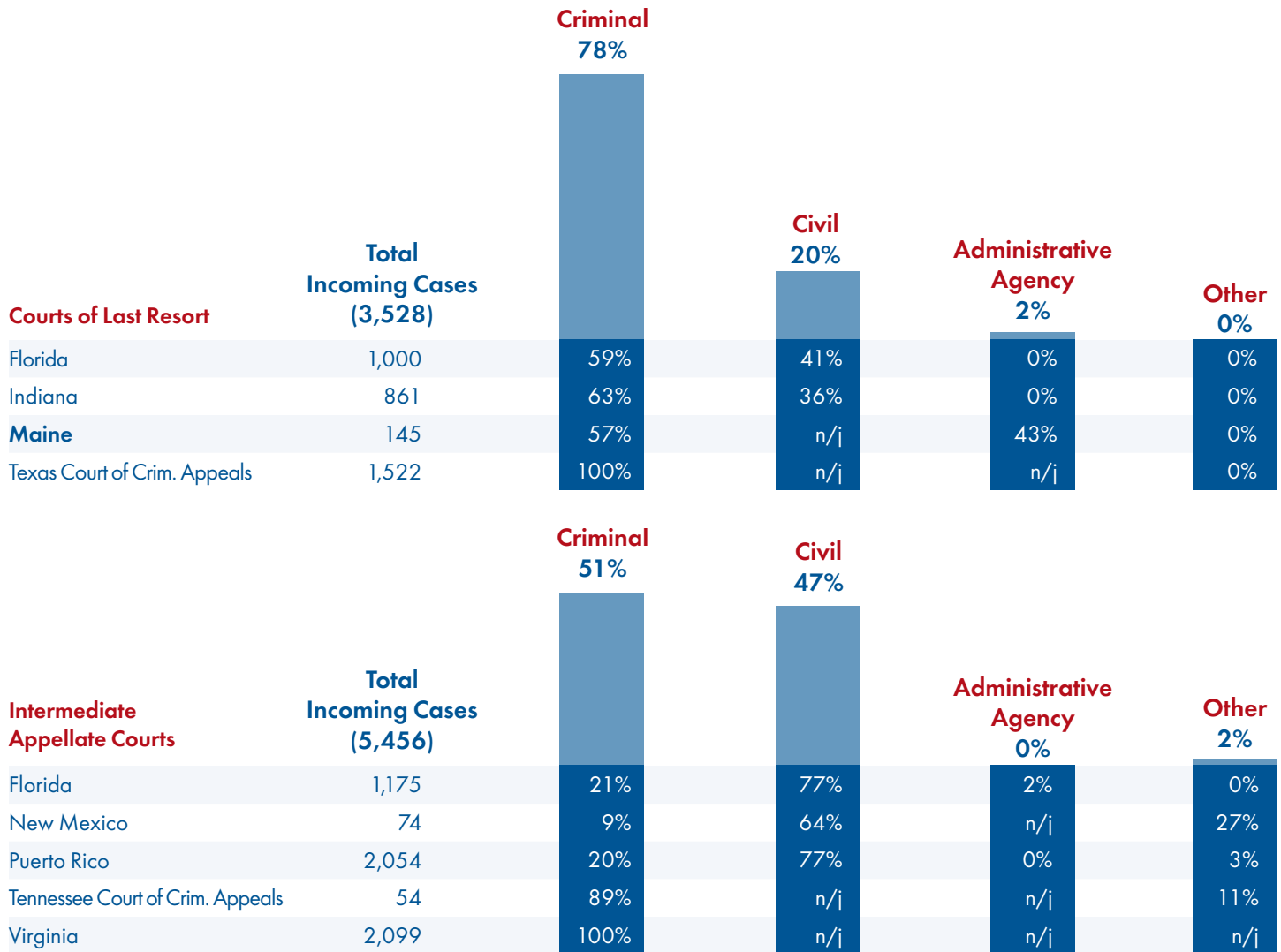
	Courts of Last Resort				Intermediate Appellate Courts			
	Case Type Total	Total Incoming for Reporting Courts	Percent of Total	Number of Courts Reporting	Case Type Total	Total Incoming for Reporting Courts	Percent of Total	Number of Courts Reporting
Appeal by Right	9,164	38,369	24%	26	88,662	118,947	75%	28
<b>Appeal by Permission</b>	<b>30,336</b>	<b>53,453</b>	<b>57%</b>	<b>34</b>	<b>10,300</b>	<b>66,635</b>	<b>15%</b>	<b>14</b>
Death Penalty	317	30,220	1%	12	13	1,198	1%	1
Original Proceeding/Other Appellate	9,705	33,407	29%	22	12,265	77,457	16%	16



Complete appeal by permission caseloads were reported by 34 courts of last resort and 14 intermediate appellate courts for 2010. For these courts, appeals by permission equaled 57 percent and 15 percent of the total caseload, respectively. Courts of last resort are tasked with handling those appeals, among others, in which there is a disputed constitutional question, those whose decisions resulted in conflicting interpretations of the law among districts or divisions of the state’s intermediate appellate courts, and those whose decision serves to set legal precedent. Thus, courts of last resort are designed to select (“permit”) most of the cases they will consider.

## APPEALS FROM CRIMINAL CASES ARE THE MOST PROMINENT APPEAL BY PERMISSION CASE TYPE

Appeal by Permission Caseloads in 4 Courts of Last Resort and 5 Intermediate Appellate Courts, 2010

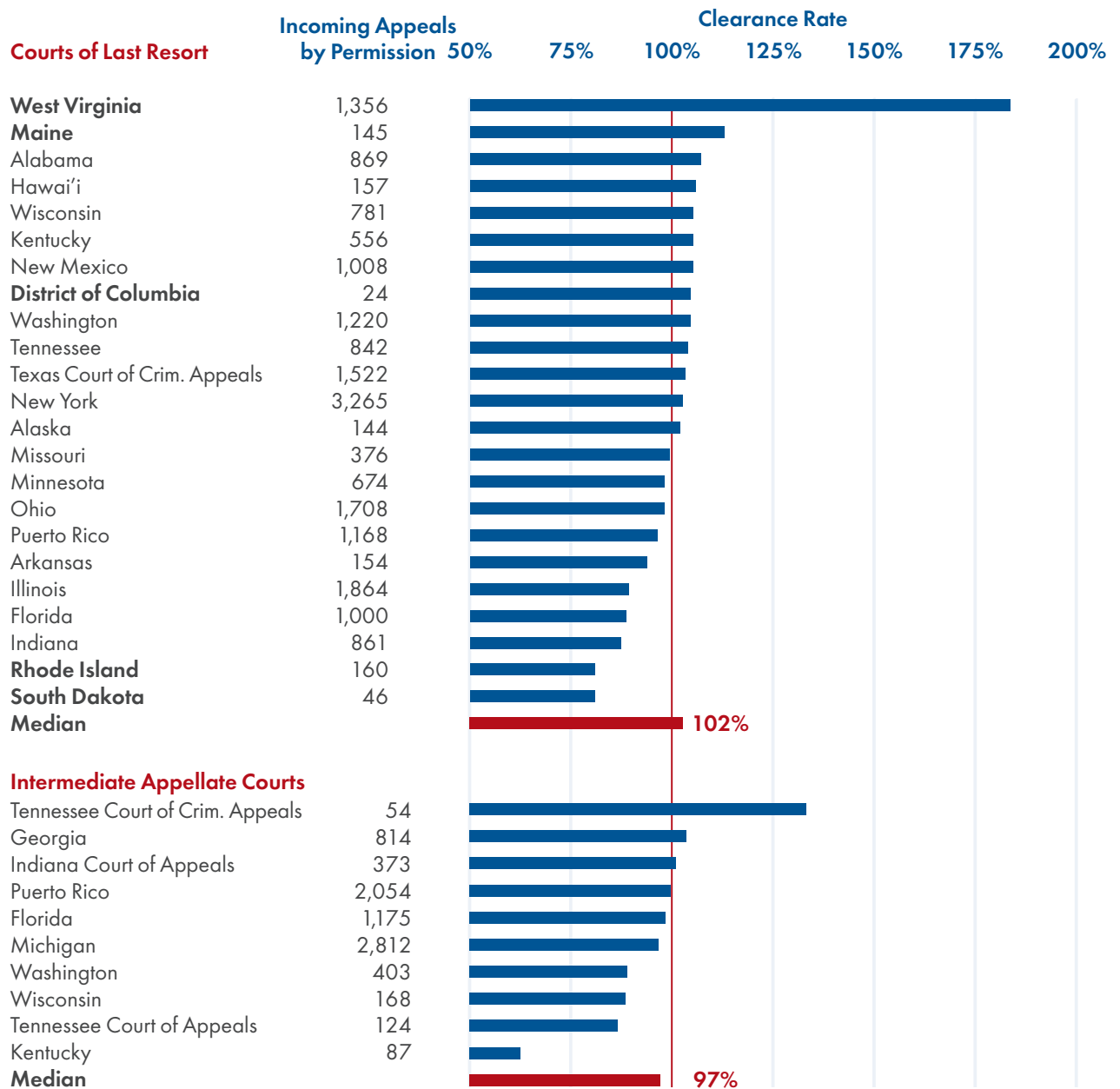


Note: States in bold do not have an IAC. n/j indicates no jurisdiction over that case type.

In 2010, criminal appeals by permission comprised 78 percent of court of last resort caseloads for the four courts that reported complete composition data and 51 percent of the intermediate appellate court caseloads in the five reporting courts. Civil cases were filed at a greater rate in intermediate appellate courts (47%) than in courts of last resort (20%). This is likely the result of differences in the case type jurisdictions of the two courts; courts of last resort tend to hear civil cases when they are appeals by right (e.g., cases that exceed a certain dollar amount or pertain to certain case types).

## MOST COURTS CLEAR 100 PERCENT OR MORE OF APPEALS BY PERMISSION

Appeal by Permission Clearance Rates in 23 Courts of Last Resort and 10 Intermediate Appellate Courts, 2010



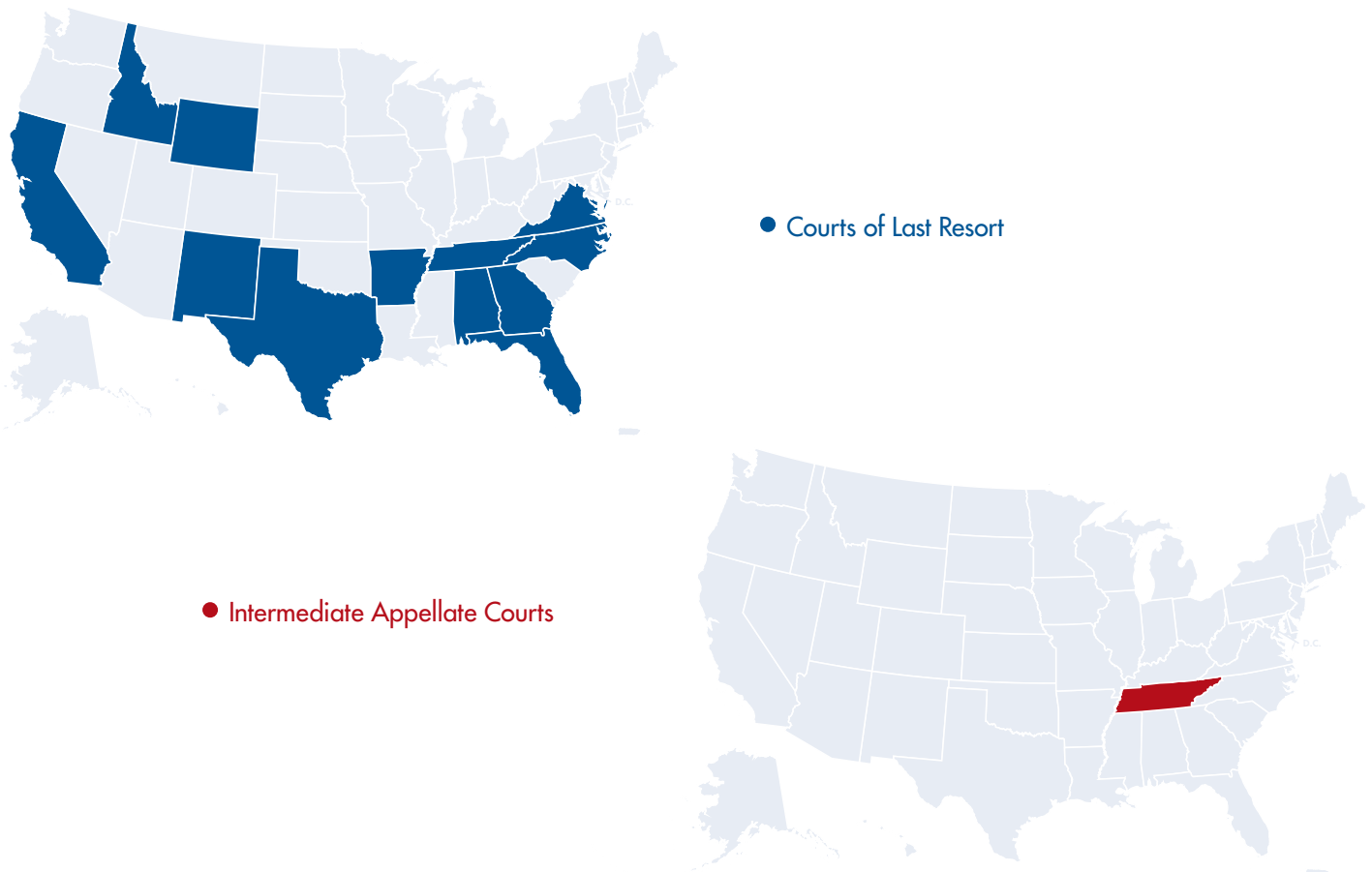
Note: States in bold do not have an IAC.

Of the 23 courts of last resort for which clearance rates could be calculated, 13 achieved clearance rates over 100 percent. Of the 10 intermediate appellate courts, four were able to clear 100 percent or more of their pending appeal by permission cases.

# DEATH PENALTY CASES ACCOUNT FOR 1 PERCENT OF APPELLATE COURT CASELOADS

Appellate Caseload Composition in Select Courts, 2010

	Courts of Last Resort				Intermediate Appellate Courts			
	Case Type Total	Total Incoming for Reporting Courts	Percent of Total	Number of Courts Reporting	Case Type Total	Total Incoming for Reporting Courts	Percent of Total	Number of Courts Reporting
Appeal by Right	9,164	38,369	24%	26	88,662	118,947	75%	28
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Original Proceeding/Other Appellate	9,705	33,407	29%	22	12,265	77,457	16%	16

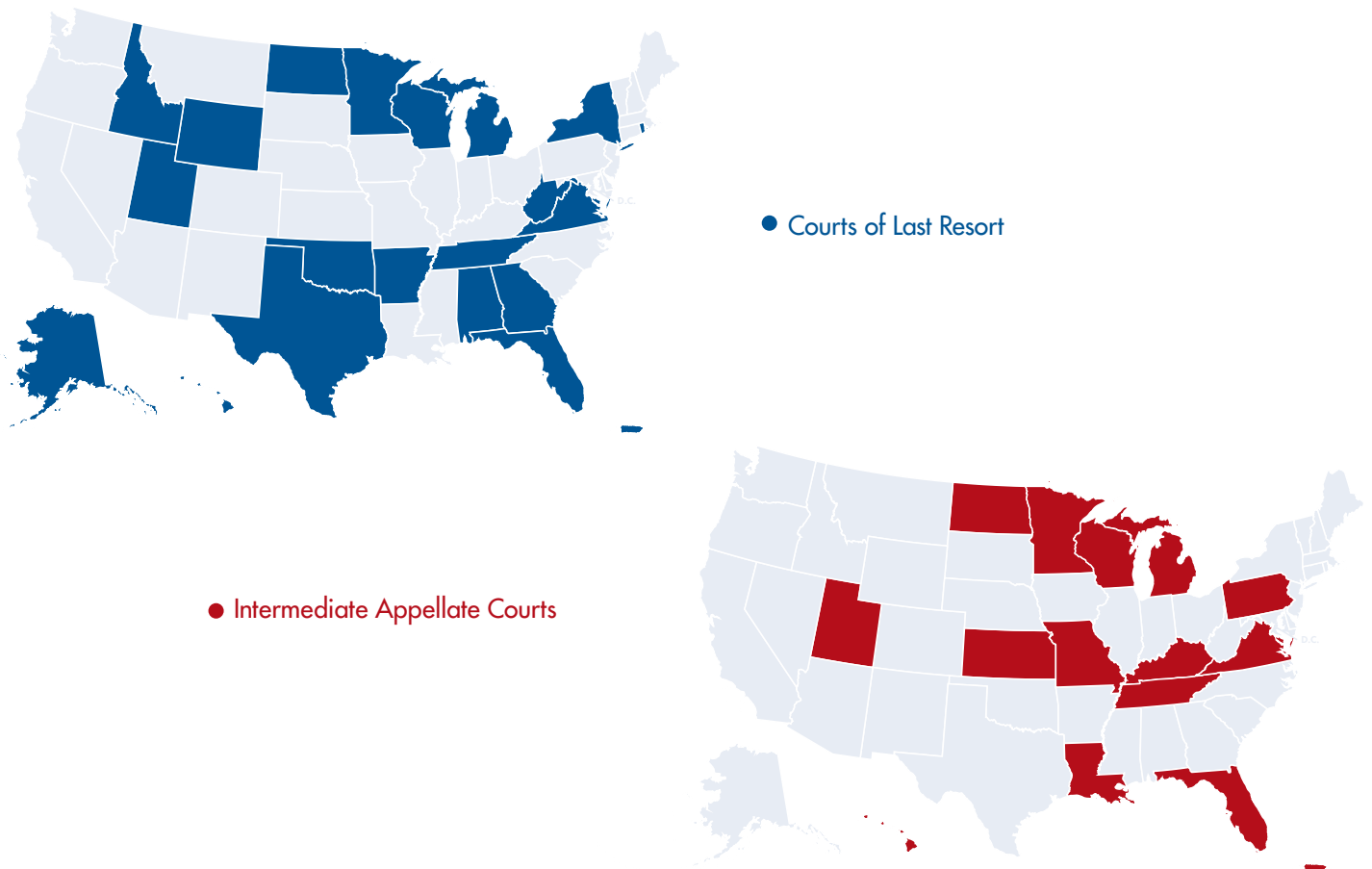


For the 2010 reporting period, 12 courts of last resort and one intermediate appellate court reported complete death penalty caseloads. For these courts, death penalty cases equaled 1 percent of the total caseload for each court type. Death penalty appeals are typically appeals by right in a state’s court of last resort. The two exceptions are Alabama and Tennessee, both of which have intermediate appellate courts dedicated to hearing criminal appeals, including death penalty appeals.

## ALMOST ONE-THIRD OF THE CASES IN COURTS OF LAST RESORT ARE ORIGINAL PROCEEDING CASES

Appellate Caseload Composition in Select Courts, 2010

	Courts of Last Resort				Intermediate Appellate Courts			
	Case Type Total	Total Incoming for Reporting Courts	Percent of Total	Number of Courts Reporting	Case Type Total	Total Incoming for Reporting Courts	Percent of Total	Number of Courts Reporting
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Death Penalty	317	30,220	1%	12	13	1,198	1%	1
Original Proceeding/Other Appellate	9,705	33,407	29%	22	12,265	77,457	16%	16



Twenty-two courts of last resort and 16 intermediate appellate courts reported complete original proceeding/other appellate matter caseloads for 2010. For these courts, original proceedings cases equaled 29 percent and 16 percent of the total caseload, respectively. Original proceedings are cases that appellate courts decide in the first instance. In other words, these cases are not appeals of a lower tribunal's decision, but are instead cases that the appellate courts have jurisdiction to consider from the beginning of the case.

# GLOSSARY

## COURT JURISDICTIONS FOR CSP TRIAL COURT DATA ANALYSIS

### General Jurisdiction Court

A trial court having original jurisdiction over all subject matter or persons within its geographical limits except those that may be assigned by law to a special or limited jurisdiction court.

### Limited Jurisdiction Court

A trial court having legal jurisdiction over only the specific subject matter or persons assigned by law or statute to that court.

### Single-tiered Court

A trial court having original jurisdiction over all subject matter or persons within its geographical limits and sharing no jurisdiction with any special or limited jurisdiction court.

## FREQUENTLY USED TERMS

### Begin Pending - Active

A count of cases that, at the start of the reporting period, are awaiting disposition.

### Begin Pending - Inactive

A count of cases that, at the start of the reporting period, have been administratively classified as inactive. Business rules for this classification may be defined by a rule of court or administrative order.

### Incoming Cases

#### New Filing

A count of cases that have been filed with the court for the first time during the reporting period.

#### Reopened

A count of cases in which a judgment has previously been entered but which have been restored to the court's pending caseload during the reporting period. These cases come back to the court due to the filing of a request to modify or enforce that existing judgment and a hearing before a judicial officer is requested to review the status of the case or initiate further proceedings in the case.

#### Reactivated

A count of cases that had previously been Placed on Inactive Status, but have been restored to the court's control during the reporting period. Further court proceedings in these cases can now be resumed during the reporting period and these cases can once again proceed toward disposition.

### Outgoing Cases

The sum of the count of Entry of Judgment, Reopened Dispositions, and Placed on Inactive Status cases counted during the reporting period.

#### Entry of Judgment

A count of cases for which an original entry of judgment has been filed during the reporting period. For cases involving multiple parties/issues, the disposition should not be reported until all parties/issues have been resolved.

#### Reopened Dispositions

A count of cases that were disposed of by a modification to, and/or enforcement of, the original judgment of the court during the reporting period. For cases involving multiple parties/issues, the disposition should not be reported until all parties/issues have been resolved.

#### Placed on Inactive Status

A count of cases whose status has been administratively changed to inactive during the reporting period due to events beyond the court's control. These cases have been removed from court control, and the court can take no further action until an event restores the case to the court's active pending caseload.

### End Pending - Active

A count of cases that, at the end of the reporting period, are awaiting disposition.

### End Pending - Inactive

A count of cases that, at the end of the reporting period, have been administratively classified as inactive. Business rules for this classification may be defined by rule of court or administrative order.

### Set for Review

A count of cases that, following an initial Entry of Judgment, are awaiting regularly scheduled reviews involving a hearing before a judicial officer.

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