



## **NEW MEXICO DISTRICT AND MAGISTRATE COURT STAFF WORKLOAD COMPARISON 2012**

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### ***Final Report***

**DECEMBER 2012**

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## Executive Summary

The New Mexico courts face the challenging goal of efficiently managing caseloads while ensuring the highest quality of service to the public. The AOC uses case weights from 2004 to calculate the number of court staff needed to achieve this goal. These weights have come into question due to the recent upgrade of the trial court case management system, various reengineering efforts, and a shift to paper-on-demand records management. This sample workload assessment was conducted to estimate the extent to which actual weights may have been impacted.

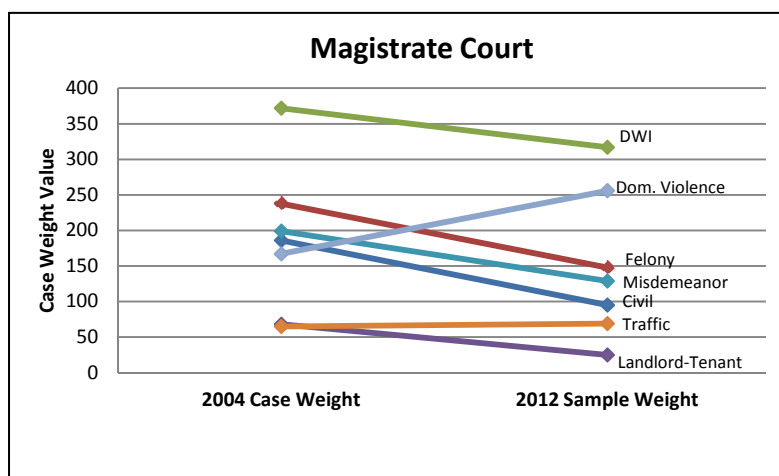
### Sample Workload Study Protocol

This sample workload study compares 2004 case weights with newly calculated case weights from the 13<sup>th</sup> Judicial District (Sandoval, Valencia, and

Cibola counties) and three selected magistrate courts (San Juan - Aztec, Torrance - Moriarty, and Chaves - Roswell). These six courts are considered to operate efficiently and utilize the latest case processing technology (Odyssey, e-filing and document management). This provides an opportunity to measure changes in particular functions and/ or tasks, and provide insight regarding increased efficiencies due to the use of modern technologies.

### Results

Sample case weights were generated for each case type category and compared to those used since 2004. The comparisons are illustrated in the charts below.

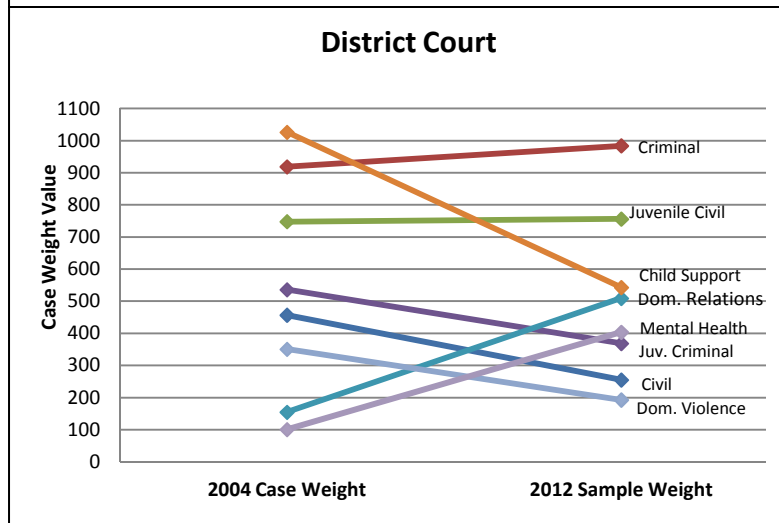


In Magistrate Court, 5 of 7 case type weights declined:

- Landlord-Tenant -63%
- Civil -49%
- Felony -38%
- Misdemeanor -35%
- DWI -15%

While 2 case type weights increased:

- Traffic +6%
- Domestic Violence +53%



In District Court, 4 of 8 case type weights declined:

- Child Support -47%
- Domestic Violence -45%
- Civil -44%
- Juvenile Criminal -31%

While 4 case type weight increased:

- Mental Health +300%
- Domestic Relations +228%
- Criminal +7%
- Juvenile Civil +1%

In addition, case weights for both Adult & Juvenile Drug Courts rose; 186% and 30% respectively.

### **Notable Changes since 2004:**

Differences in court staff case weights from one period to another are generally attributable to changes in case processing procedures including the use of technology applications, reassignment of job duties, and statutory or policy revisions. Both of the Drug Court programs have instituted dramatic program changes since 2004, leading to increases in the case weights.

- The courts now perform data entry functions in the courtroom as cases are heard. This is a tremendous time saver for the staff.
- All court staff now schedule cases, eliminating a previously specialized and time-consuming manual process.
- Customer service time has increased because staff members are now able to assist the public by providing information related to cases filed in other courts.
- All functions in Odyssey are easier and more logical than in the prior FACTS system.
- Financial entries in Odyssey require slightly increased staff time but provide increased detail and functionality.
- Dual entry of case related information is significantly reduced because Odyssey generates forms from its own database.
- The power and functionality of Odyssey requires staff to have a more detailed understanding of the court process. Because Odyssey establishes links between events and parties, staff must know what should be linked and what might occur next.
- The time saved through the various efficiencies enable court staff to take on tasks not previously performed, such as providing procedural assistance to *pro-se* litigants, increased judicial support, data entry assistance to other courts that may be experiencing staff shortages a by providing information related to cases filed in other courts.

### **Conclusion:**

The results of this comparative staff workload study indicate that most case weights have changed significantly in the past 8 years. The technologies and related procedural changes implemented by the courts have created increased efficiencies. The courts have also experienced increased responsibilities and expectations in certain case types such as Adult & Juvenile Drug Courts, Domestic Relations, and Domestic Violence that have contributed to increases in those and other case type weights.

It must be noted that the individual case type weights resulting from this limited staff workload study should not be considered as applicable to the New Mexico courts on a statewide basis. The staff time data was obtained from a relatively small sample size of specifically selected courts that may not represent average case processing time across the state. For that purpose, New Mexico should conduct a complete time study and staff workload study with participation from all of the state court locations.

This executive summary is intended to provide a snapshot of the results obtained from this sample workload assessment. Complete background information regarding this assessment, including the methodology used and a detailed presentation of the results are provided in the complete report.

## Background

The New Mexico district and magistrate courts face the challenging goal of managing caseloads as effectively and efficiently as possible while ensuring the highest quality of service to the public. The district and magistrate courts and staff serve a critical resource in achieving this goal. As such, the necessary number of court staff must be objectively evaluated. New Mexico has utilized time and motion workload analyses to assess the need for and allocation of additional court staff. The most recent study was conducted in 2004 and is currently regarded as potentially out of date due to a recent upgrade of the trial court case management system, various reengineering efforts, and a shift to paper-on-demand records management. This limited weighted caseload study is designed to compare the 2004 case weights with newly calculated case weights from the 13<sup>th</sup> Judicial District (Sandoval, Valencia, and Cibola counties) and three magistrate courts (San Juan - Aztec, Torrance- Moriarty, and Chavez counties). For the purposes of this comparison study, efficient courts currently utilizing the latest case processing technology (Odyssey, e-filing or document management) were identified and studied. This study allows the National Center for State Courts to measure with confidence changes in the activity level of particular functions and/ or tasks, and

which changes are due to increased efficiencies within the courts due to the use of modern technologies. This will enable the Administrative Office of the Courts (AOC) to estimate how much case weights have changed and to prioritize the need to conduct a full workload study on a statewide basis.

For this study, the NCSC project team employed the same workload assessment methodology that was utilized in 2004 to determine court staff resource needs. This method has been adopted by over thirty states, because assessing workload through the development of a needs assessment model is a rational, reliable, and practical method for determining the need for court staff.

This methodology “weights” cases based upon complexity and as such, accounts for the varying levels of staff attention necessary to process a case from filing to disposition. By weighting court cases by case type, a more accurate assessment can be made concerning the amount of staff time required to process the court staffs’ entire workload. Moreover, staff needs assessment models have the advantage of providing an objective and standardized evaluation of staff resource needs across courts that vary in size and caseload composition. Although this project model is derived from a limited sample size, this New Mexico court staff workload assessment model is based on a full-fledged time study data collection

approach, which establishes weighted caseload standards that more accurately reflect the court case processing environment.

***Specific objectives of the case weight comparison study***

*To replicate the methodology used in the 2004 New Mexico Workload Study in a sample of district and magistrate courts, and*

*To provide current quantitative workload values representing 2012 case processing protocols so they can be contrasted to 2004 case weights.*

*To determine the extent to which efficiencies were gained from 2004 by implementing a new case management system and other technologies.*

New Mexico has a history of assessing staff need through weighted needs assessment models. The AOC, who commissioned the present study, recognizes the need to update workload studies on a regular basis. Such studies should be updated every five to seven years to account for changes in case types, case processing, the use of technology, and personnel structures and job classifications.

In order to get a true picture of the actual amount of work required for each case type, this study includes data collected from all staff who worked on the cases, regardless of their job title. Depending on the assignment of duties within each judicial district, other staff may include district administration secretaries, calendar control s, court reporters, court recorders, and juvenile court support staff.

This report details the methodology employed for the New Mexico district and magistrate court staff case weight comparison study.

## **Overview of New Mexico's District Court s' Offices**

The district courts in New Mexico are trial courts with original and general jurisdiction in all cases, including criminal felony and misdemeanor cases and all civil cases.

The district courts also serve as the juvenile courts in the state and have exclusive and original jurisdiction over any minor who is alleged to be unruly, delinquent, or deprived.

The state is divided into thirteen judicial districts with eighty-nine judges presiding. The Court Executive Officer of the District Court is the official custodian of the many documents filed in court each day. Additionally, the s' offices have fiscal and administrative duties and responsibilities related to the court's functioning. As case filings and workload increases in the courts, the workload in the s' offices increases as well.

## **Overview of New Mexico's Magistrate Court s' Offices**

The magistrate courts in New Mexico are the courts of limited jurisdiction. They have original

and limited jurisdiction in all cases, including tort, contract, landlord/tenant rights (\$0-10,000), felony preliminary hearings, misdemeanor DWI/DUI and other traffic violations. Sixty-six judges preside over the 54 magistrate courts statewide.

## **Staff Needs Assessment: An Overview**

### **Theory and National Context of Staff Needs Assessment**

Cases in the New Mexico district courts vary in form and complexity. Different types of cases require different amounts of time and attention from judges and court staff. Focusing on raw case counts without allowing for differences in the amount of work associated with each case type creates an opportunity for the misperception that equal numbers of cases filed for two different case types result in an equivalent amount of work for the judge's Office. For example, a typical DWI case in the magistrate court has a much greater impact on the resources of the judge's Office than a traffic case because the higher level cases have significantly more court appearances, register entries, and paper work that must be handled much more frequently. Therefore, a method that can reliably account for the differences in the workload generated across various case types is necessary to accurately determine the staff needed to handle the entire court caseload.

The National Center for State Courts has been conducting judicial and staff workload assessment studies for over two decades. These assessments provide court systems with meaningful and easily understandable criteria for determining overall staff requirements, taking into consideration both case-related and non-case-related functions performed by staff. Workload assessment is a resource evaluation methodology that has been adopted by 34 states to determine the need for court staff and judicial officers.<sup>1</sup> The needs assessment "weights" cases to account for the varying complexity among court cases. By weighting court cases, an accurate estimate can be made of the amount of staff work time required to process the court's caseload (i.e., court staff workload) from filing to case closure. Moreover, needs assessment models have the advantage of providing objective and standardized evaluations of staff resource needs among courts that vary in size and caseload mix.

The core of the workload assessment model is a time study, whereby court staff tracks the amount of time they spend on the various case

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<sup>1</sup> During the past twenty years, the National Center for State Courts has conducted weighted workload assessment studies for judges and/or judge's offices in thirty-four states. In addition, the NCSC has conducted weighted workload studies for probation departments and public defender offices.

types under investigation. When the time-study data are joined with filing data for the same time period, it is possible to construct a “case weight” for each case type. Each case weight represents the average amount of time (in minutes) required for court staff to process a case from filing to case closure. Applying the case weights to current or projected annual case filing numbers results in a measure of court staff workload. An estimate of court staff resource requirements results can be generated by dividing the workload requirement by the amount of annual time available per court staff. This approach, which involves few complicated procedures, in terms of the data gathering is sufficiently rigorous to measure staff resource needs and evaluate resource allocations.

It is important to remember that even the most widely used and accepted resource assessment techniques, including the court staff needs assessment model, will not objectively determine the *exact* number of staff needed to stay current with caseloads. No quantitative resource assessment model by itself can accomplish that goal. It is important to weigh the quantitative results of this study with qualitative factors, such as minimum staffing level needs, physical court layout, and other such factors that impact staffing needs.

In order to reliably compare the 2004 results with the current limited sample, the same approach and methodology utilized in 2004 was duplicated in 2012. The same definition of case

types, case related functions and defined participation group was utilized. The resulting case weights are then compared with those developed in 2004 to determine their continued reliability. This comparison will inform the AOC on the effects of recent changes as well as prioritize the need for development of a new statewide clerical staffing study.

### **Time Study**

A time study literally captures the amount of time that court staff spends on each case type under investigation. The resulting case weights provide a measure of case complexity in terms of the average amount of court staff time spent processing different types of cases, from the initial filing to case closure. The essential element in a time study is collecting time data on all court staff activities. For this study, court staff recorded all time spent on various case types on a daily time log and then entered their time on an internet-based data collection instrument. Court staff activities include time spent processing cases as well as non case-specific work. Non case-specific work is a category that includes activities that cannot be attributed to a specific case, such as general customer service and administrative duties, technology support, and meetings.

The NCSC project team provided training on how the time study participants should record their



time using the internet-based data collection tool.<sup>2</sup> The accuracy and validity of the data also depends on the participation rate - the more participants the more reliable the data. All court staff members were invited to participate in the time study. Data was collected for a three-week period of August 13 through August 31, 2012. The participation rate for the time study was 96.42% in the Magistrate Courts and 94.87% in the District Courts (this includes staff members who may only spend a small amount of their work day on case-specific work). This strong participation rate assures confidence in the accuracy and validity of the resulting case weights.

### Data Elements

The NCSC project team met with the Weighted Caseload Study Advisory Committee on June 27, 2012, to confirm the case type categories, and case-related and non case-related activities to be included in the study. All 2004 data elements used were replicated for this study.

Generally, selecting the number of case types and case events to be used in a weighted caseload study involves a trade-off between having enough information to ensure the accuracy of the

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<sup>2</sup> Two on-line training sessions were provided in webinar format on August 10, 2012. These sessions provided an overview of the time study as well as instructions on how to manually record and electronically enter all work-related time.

workload standards and minimizing the data collection burden on the participating court staff. The more case types and events that are included in a weighted caseload study, the larger the data samples and the longer the data collection period need to be in order to guarantee statistical accuracy. Figure 1 presents the 10 district case types for which data were collected in this study and Figure 2 presents the 7 magistrate court case types for which data were collected in this study. (See Appendix A for a complete listing of all case type categories).

**Figure 1:**  
**Case Type Categories - District**

- 
- Civil
  - Criminal
  - Juvenile Civil
  - Juvenile Criminal
  - Domestic Relations
  - Child Support
  - Domestic Violence
  - Adult Drug Court
  - Juvenile Drug Court
  - Mental Health
- 

**Figure 2:**  
**Case Type Categories - Magistrate**

- 
- Felony
  - Civil
  - DWI
  - Landlord Tennant
  - Misdemeanor
  - Domestic Violence
  - Traffic
-

### Case-Related Activities

Case-related activities are the essential functions that court staff performs in the course of processing court cases. As with the case types, the essential functions were categorized into manageable groups for the time study. Figure 3 identifies the case-related activity categories measured in the time study and, as stated, are the same case-related events used in 2004. (See Appendix B for a full explanation of the case-related activities).

**Figure 3:**  
**Case-Related Activities**

- Case processing, records management, calendaring, and caseflow management
- In-courtroom support
- Compliance monitoring and enforcement
- Out of courtroom judicial support
- Financial management
- Out of courtroom jury services
- Therapeutic and evaluative services

### Non Case-Related Activities

Activities that do not relate to the processing of a specific case but must be done by court staff are defined as non case-related activities. The key distinction between case-related and non case-related activities is whether the activity can be tied to a specific case. Figure 5 lists the non-case-related activities measured. (See Appendix D for a description of all non case-related activities.)

**Figure 5:**

### Non Case –Related Activities

- Customer service
- Technology support (district court only)
- Security
- Managerial and support services
- Financial management
- Out of courtroom jury services
- Therapeutics and evaluative services
- Travel
- Leave
- Committee work and related meetings
- NCSC project time
- Other

### Case Weight Calculation & Comparisons

Upon the conclusion of the data gathering period, NCSC staff compiled the total time reported by activity and case type. The case weights were then generated by summing the time recorded for each case type category, annualizing the total time, and dividing the results by the number of case filings for each case type category. These computations provide the average staff minutes per case. AOC staff provided the total 2012 case filing figures for the sample court locations and each case type category.

The 2012 case weights were then compared to the 2004 case weights. The 2004 study provided weights for district court cases in four categories: Large Districts, Medium Districts, Small Districts and Statewide Average. The 13<sup>th</sup> Judicial District, which was selected for the 2012 study, is categorized as a Medium District. Correspondingly, the comparison here is to the

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2004 case weight value for Medium Districts. Case weights for magistrate courts were reported only as a single statewide value in the 2004 study.

The 2012 case filings and comparisons of the 2004 and 2012 case weights are presented in Figure 6 below.

<b>Figure 6: COMPARISON OF CASE WEIGHTS - 2004 and 2012</b>					
<b>District Case Weight Comparison Using 2004 Medium Weights</b>					
<b>Case types</b>	<b>2012 Filings</b>	<b>2004 Case Weight</b>	<b>2012 Case Weight</b>	<b>Case Weight Difference</b>	<b>Percent Difference</b>
Civil	4789	457	255	-202	-44.2%
Criminal	1290	919	984	65	7%
Juvenile Civil	140	748	756	8	1.1%
Juvenile Criminal	367	536	369	-167	31.2%
Domestic Relations	1452	155	509	354	228.4%
Child Support	283	1026	543	-483	-47.1%
Domestic Violence	938	351	193	-158	-45%
Adult Drug Court	48	2028	5811	3783	186.50%
Juvenile Drug Court	77	4301	5607	1306	30.4%
Mental Health	48	101	404	303	300%
<b>Magistrate Case Weight Comparison Using Statewide 2004 Weights</b>					
<b>Case types</b>	<b>2012 Filings</b>	<b>2004 Case Weight</b>	<b>2012 Case Weight</b>	<b>Case Weight Difference</b>	<b>Percent Difference</b>
Felony	1498	238	148	-90	37.8%
Civil	1083	186	95	-91	-48.9%
DWI	819	372	317	-55	-14.8%
Landlord Tenant	572	68	25	-43	-63.2%
Misdemeanor	3238	199	129	-70	35.2%
Domestic Violence	713	167	256	89	53.3%
Traffic	7932	65	69	4	6.2%

Comparing the results reveals several significant changes in case weights from 2004 to 2012. Four of the 10 court case types in the district courts indicate a reduction in case weights, while 6

of the case weights increased. In the magistrate courts, 5 of the 7 case types indicate a reduction in case weights while 2 of the case weights increased.

## **Magistrate Court**

The Magistrate Court reflected greater overall changes in case processing time when compared to the District Court. The hypothesis that the Odyssey case management system would, in fact, reduce case processing time appears to be substantiated for the majority of case types. This means that from a macro perspective, the sum total of all case processing work currently performed by court staff is now performed more efficiently in terms of processing time.

### **Efficiencies Introduced into the Process by Odyssey**

The Odyssey case management system saves court staff time. Significant time savings was observed and reported due to the lack of double entry in the production and generation of forms, which is a primary function of the majority of clerk staff. FACTS the former case management system did not have a forms module, which required staff to retype data into Word Perfect in order to generate any particular form. Once forms are generated they must be mailed or served to the appropriate parties. Odyssey provides Clerks the ability to generate and hand deliver forms while in the courtroom and in session; therefore, alleviating the need for clerks to return to their desk, generate the necessary forms and then mail them to accomplish service. Successful service reduces the need to continue cases and reduces overall case processing time by, eliminating the need to verify

bad addresses, reschedule the matters and generate and send the second notice.

The Odyssey case management system introduces more quality control checks into the case processing procedures by requiring the completion of various fields of information. This process which is more time consuming than typical FACTS data entry generates useful case information for judges and court administrators which was formerly unavailable. One aspect of this is Odysseys' ability to electronically link all subsequent court events under one court event. This function not only gives the judge a more complete picture of all matters pertaining to a specific litigant, but also requires that all court staff be more aware of all court processes, their interaction and time relevance between them.

One aspect of the Odyssey case management system does not contribute to case processing time savings is the financial module. The receipting and accounting for fines and fees within the Odyssey is a more cumbersome process and does not contribute to a more efficient case processing operation.

The efficiencies gained in case processing time enables the Clerks to dedicate more time to other functions and activities such as assisting pro se litigants, providing assistance to the judge and assisting other courts, who may be behind, with their case initiation and data entry. Additionally, customer service was reported to have improved

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with the ability to look up cases on a statewide basis.

**Case weight Comparison**

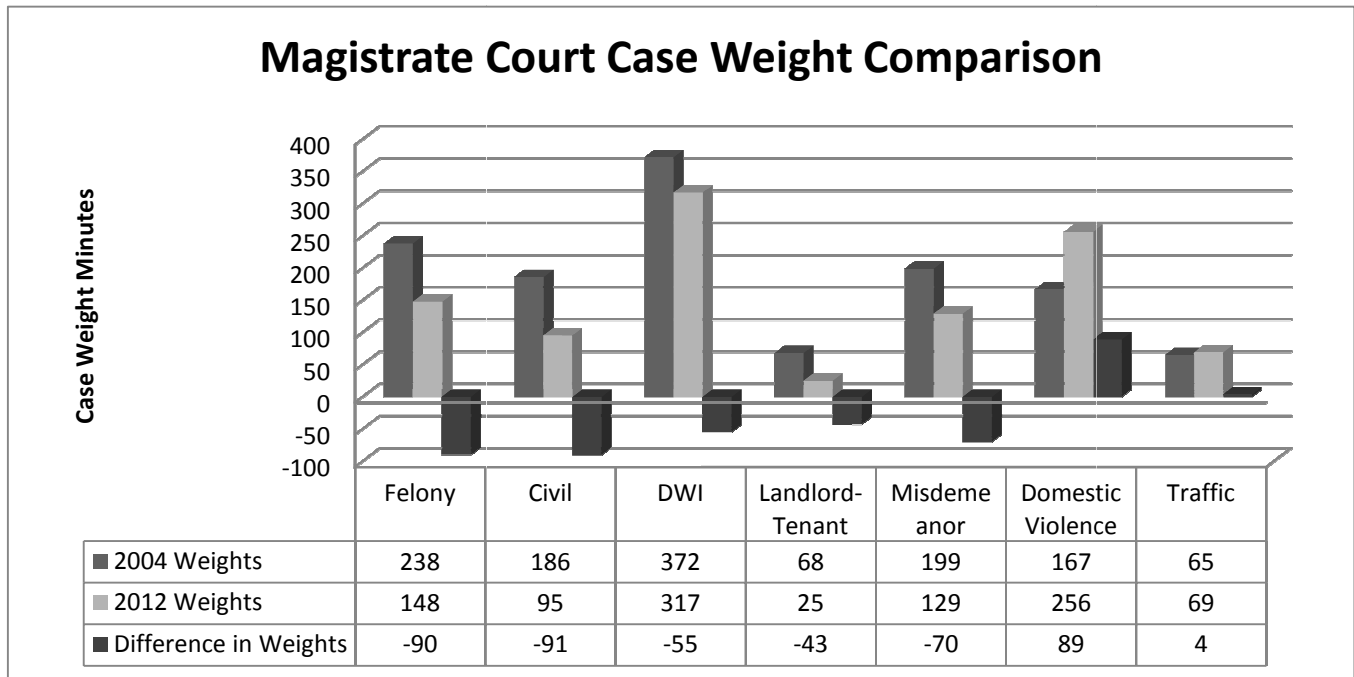
The time staff spent on Landlord-Tenant cases in the sample courts was reduced 63.2% while the smallest decrease in time were *DWI* cases which showed a reduction of 14.8%. The remaining case types, specifically *Civil*, *Felony*, and *Misdemeanor*, all showed substantial reductions in case processing

times by at least 35%. The second highest reduction was in *Civil* cases at 48.9%; other reductions were in *Felony* cases at 37.8% and *Misdemeanor* cases at 35.2%.

The two case types that showed an increase were *Traffic* and *Domestic Violence*. *Traffic* increased only slightly by 6.2%. The more noteworthy change is the increase in case processing time for *Domestic Violence* cases of 53.3% from the 2004 statewide time

Figure 7 below provides an alternate view of the Magistrate Court case weight comparisons. Here large reductions in case processing times are more easily illustrated. (Felony, Civil Misdemeanor).

**Figure 7:**



### Magistrate Court: Case-Related Activities

As stated above, case-related activities are the essential functions that court staff performs in the course of processing court cases. As with the case types, the essential functions were categorized and analyzed for comparison with 2004 results. In order to obtain a deeper perspective of the case weight changes since 2004, figure 8 was developed. Figure 8 below shows a comparison of the 2004 and 2012 distribution of the case-related activities by case type and percentage change.

**Figure 8:**  
**Comparison of 2004 and 2012 Distribution of Case-Related Time by Functional Area**

Magistrate Court Distribution of Case Related Time	Year Comparison	Case Processing, Records Management, Calendaring and Caseload Management		In Courtroom Support		Compliance Monitoring and Enforcement		Out of Courtroom Judicial Support		Financial Management		Out of Courtroom Jury Services		Therapeutic and Evaluative Services	
		2012	2012	2012	2012	2012	2012	2012	2012	2012	2012	2012	2012	2012	2012
<b>Felony</b>	2012	74.3%	▼	22.5%	▲	1.1%	▼	0.3%	▼	1.7%		.		0.1%	▼
	2004	83.4%		12.0%		3.3%		0.9%		.		.		0.4%	
<b>Civil</b>	2012	87.4%	▼	11.3%	▲	.		0.7%	▼	0.6%		.		.	
	2004	90.6%		5.5%		0.31%		3.6%		.		.		0.0%	
<b>DWI + Drug Ct</b>	2012	68.0%	▼	17.4%	▲	3.7%	▼	0.6%	▼	6.8%		3.1%		0.4%	▲
	2004	76.6%		9.8%		12.6%		0.85%		.		.		0.1%	
<b>Landlord Tenant</b>	2012	65.4%	▼	25.3%	▲	.		1.9%	▲	7.4%		.		.	
	2004	94.2%		3.8%		0.5%		1.5%		.		.		0.0%	
<b>Misdemeanor</b>	2012	74.8%	▼	15.3%	▲	2.5%	▼	1.4%	▲	5.8%		0.2%		.	
	2004	76.0%		12.5%		10.3%		1.3%		.		.		0.0%	
<b>Domestic Violence</b>	2012	74.2%	▼	13.6%	▲	7.2%	▼	0.2%	▼	4.0%		0.3%		0.5%	▼
	2004	77.2%		5.2%		13.8%		1.2%		.		.		2.6%	
<b>Traffic</b>	2012	81.3%	▼	6.0%	▲	1.8%	▼	0.5%	▼	10.5%		.		.	
	2004	89.4%		5.1%		3.9%		1.6%		.		.		0.0%	

Percent Decrease from 2004 to 2012

Percent Increase from 2004 to 2012

Figure 8 reveals several interesting results, most strikingly, that the functional area of *Case Processing, Records Management, Calendaring and Caseflow Management* **decreased** in every case type category, (all arrows pointed downward) while the overall case processing percentage of time under *In Courtroom Support* **increased** for every case type (all arrows pointed upward). A more thorough discussion of the rationale for this change is discussed later in this report. Regardless, the results in the Magistrate court support the assertion that many case processing tasks have shifted into the court room as a result of the Odyssey case management system.

Analysis also reveals an overall decrease in staff time devoted to *Compliance Monitoring and Enforcement, and Out of Courtroom Judicial Support*. *Compliance Monitoring and Enforcement* show a percentage of decreased activities ranging from a low of 48% in Domestic Violence cases to a decreased high of 76% in Misdemeanor cases. *Out of Courtroom Judicial Support* was not uniformly lower. However, five of the seven case types show a decrease in staff time devoted to this case related activity. For a complete list of the tasks associated with each case related functional area please see Appendix C.

**Magistrate Court: Non Case-Related Activities and Travel**

Activities that do not relate to the processing of a specific case but are necessary functions performed by court staff are defined as non case-related activities. The key distinction between case-related and non case-related activities is whether the activity can be tied to a specific case. Figure 5 lists the non case-related activities measured. (See Appendix C for a description of all non case-related activities.)

In Figure 9 below, the data reflects the annualized time devoted to case related work, non case related work, and travel time combined for all three of our sample Magistrate courts. It should be noted that the time staff spent processing cases for any other jurisdiction was *not* recorded for the purposes of this study. To do so would have counted case processing time for cases not included in the analysis and, therefore, would have skewed the results. Court staff in both Moriarty and Roswell spent time during the three week data collection period processing cases for other jurisdictions, which accounts for the 6.72 total work hours per day in Figure 9 below.

**Figure 9:**

<b>Magistrate Time Distribution</b>		
	Minutes Per Day	Hours Per Day
Case Related	302.90	5.05
Non Case Related	98.24	1.64
Travel	2.22	0.04
Total	403.36	6.72

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Figure 10 was developed to display a side by side comparison to further explore non case-related time and the average reported travel in the 2004 model with the 2012 sample. The figures below in this case represent the percentage of time relative to one full time equivalent (FTE) position. In Roswell, the data shows a negligible change in the amount of travel and the amount of non case-related activities reported. In Moriarty, while higher, there was only a small percentage of change. Aztec showed the greatest amount of change with a significant drop in the amount of non case-related time, meaning that staff are spending more time in case-related activities. Overall, the rate of change in travel for all of the courts is negligible by all accounts. The variation could be attributable to the particular month data was recorded. In 2004, data was recorded in mid-September, whereas in the 2012 study, data was collected in August when court activity slows down due to summer holidays.

**Figure 10:**

NCR & Travel Comparison	Chaves County Roswell		San Juan County Aztec		Torrance County Moriarty	
	2004	2012	2004	2012	2004	2012
Travel (-) # of FTE	0.68	0.60	0.14	0.04	0.21	0.02
Non-case related activity (-) # of FTE	2.60	2.32	3.72	2.18	1.3	0.82

**District Court**

The District court showed many of the same trends as in the Magistrate court, however, not to the same degree. The general assumption that work

is processed faster and a higher percentage of the work is performed in the courtroom is still applicable.

**Efficiencies Introduced into the Process by Odyssey**

Significant time savings was observed and reported due to the lack of double entry in the production and generation of forms similar to the Magistrate courts.

However, unlike the Magistrate court, District court staff scan documents into the Odyssey case management system upon receipt, in order to create an electronic image. Although this is an additional step in case processing the electronic document generation creates efficiencies on the backend of the case with document retrieval which results in overall time savings.

Odyssey is set up to facilitate the generation of forms in the court room which creates a significantly more efficient use of courtroom time for the courtroom clerk. The production and hand delivery of forms in the courtroom alleviates the need for clerks to return to their desk, generate the necessary forms and then mail them to accomplish service. Successful service reduces the need to continue cases and reduces overall case processing time by, eliminating the need to verify a bad address, reschedule the matter and then generate and send the second notice. More specifically, civil judgment forms which formerly took approximately 30 minutes to



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complete and was performed outside the courtroom are now completed during the court session saving a significant amount of clerk case processing time.

Not all case types have increased functionality. Criminal clerks are still performing many functions manually including mailing notices and manually linking notices to court events. Criminal Clerks' responsibilities have expanded to include scheduling in-custody probation revocation hearings which was previously performed by trial court administrative assistants. (TCAAs).

The Odyssey case management system introduces more quality control checks into the case processing procedures by requiring the completion of various fields of information. This process which is more time consuming than typical FACTS data entry generates useful case information for judges and court administrators which was formerly unavailable. One aspect of this is Odysseys' requirement to electronically link all subsequent court events under one court event. This function gives the judge a more complete picture of a litigant, but also requires that all court staff know more overall court processes, their relationship and time requirements between them, and what needs to occur next within a case.

One aspect of the Odyssey case management system does not contribute to case processing time savings is the financial module. The receipting and accounting for fines and fees within the Odyssey is cumbersome and does not contribute

to a more efficient case processing operation.

Similar to the Magistrate court staff the efficiencies gained in case processing time enables the Clerks to dedicate more time to other functions and activities such as assisting pro se litigants, providing assistance to the judge and assisting other courts, who may be behind, with their case initiation and data entry. Additionally, customer service was reported to have improved with the Clerk's ability to look up cases on a statewide basis.

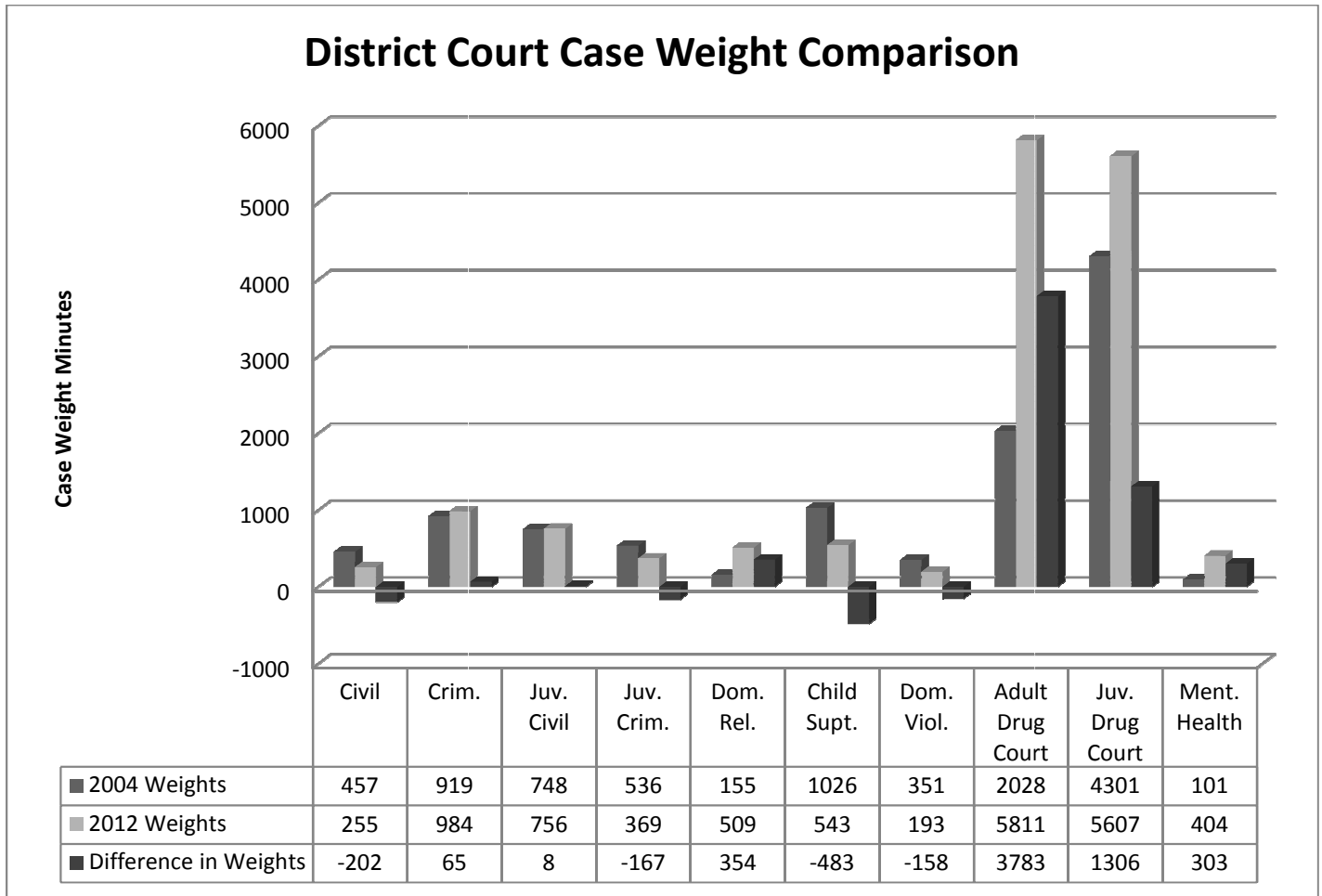
### Case weight Comparison

In reference to Figure 6, four of the ten case weights decreased by a range of 31% to 47%. The processing time for *Child Support* decreased the greatest amount showing a decrease in average case processing time by 47.1%. The four case types which showed decreased processing times are the following: *Civil*, *Juvenile Criminal*, *Child Support*, and *Domestic Violence*. The category of case types where case processing times increased are the specialty courts, *Adult Drug and Juvenile Drug Courts*, which increased 186.5% and 30.4% respectively. *Domestic Relations* and *Mental Health* showed enormous percentage increases in case processing times reporting at 228.4% and 300% respectively. The criminal case types showed increases in case processing time to a lesser degree. The two case types with the smallest increases were *Criminal* at 7.1% and *Juvenile Civil* at a negligible 1.1% increase.

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Figure 11 below provides an alternate view of the District Court case weight comparisons. Here large reductions in case processing times are more easily demonstrated. (Child Support, Civil, Juvenile Criminal).

Figure 11:



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**District Court: Case Related Activities**

As stated above, case-related activities are the essential functions that the court staff performs in the course of processing court cases. As with the case types, the essential functions were categorized and analyzed for comparison with 2004 results. In order to obtain a deeper perspective of the case weight changes from 2004, Figure 12 was developed. Figure 12 below shows a comparison of the 2004 and 2012 distribution of the case-related activities by case type and percentage change.

**Figure 12:  
Comparison of 2004 and 2012 Distribution of Case-Related Time by Functional Area**

District Court Distribution of Case Related Time	Year Comparison	Case Processing, Records Mgmt, Calendaring and Caseflow Mgmt		In Courtroom Support		Compliance Monitoring and Enforcement		Out of Courtroom Judicial Support		Financial Mgmt		Out of Courtroom Jury Services		Therapeutic and Evaluative Services	
		2012	2004	2012	2004	2012	2004	2012	2004	2012	2004	2012	2004	2012	2004
<b>Civil</b>	<b>2012</b>	64.9%		25.8%		.		8.1%		1.0%		0.1%		0.09%	
	<b>2004</b>	75.5%	▼	11.6%	▲	0.2%	▲	12.6%	▼					0.10%	▼
<b>Criminal</b>	<b>2012</b>	51.6%		29.1%		0.0%		6.5%		0.2%		0.9%			
	<b>2004</b>	53.9%	▼	26.0%	▲	1.9%	▼	17.3%	▼					1.0%	
<b>Juvenile Civil</b>	<b>2012</b>	64.1%		32.5%		.		3.5%		.		.		.	
	<b>2004</b>	61.9%	▲	27.3%	▲	0.6%	▲	10.1%	▼					0.1%	
<b>Juvenile Criminal</b>	<b>2012</b>	71.1%		25.4%		0.4%		3.1%		.		.		.	
	<b>2004</b>	55.0%	▲	21.9%	▲	1.7%	▼	6.5%	▼					14.9%	
<b>Domestic Relations</b>	<b>2012</b>	74.4%		18.5%		.		6.8%		0.1%		0.02%		0.2%	
	<b>2004</b>	66.3%	▲	11.9%	▲	0.3%		7.6%	▼					13.9%	▼
<b>Child Support</b>	<b>2012</b>	89.4%		7.7%		.		2.8%		0.1%		.		.	
	<b>2004</b>	62.1%	▲	25.3%	▼	2.6%		9.3%	▼					0.7%	
<b>Domestic Violence</b>	<b>2012</b>	71.4%		16.2%		.		12.1%		.		.		0.3%	
	<b>2004</b>	63.7%	▲	23.6%	▼	0.9%		6.0%	▲					5.8%	▼
<b>Adult Drug Court</b>	<b>2012</b>	16.6%		6.0%		68.9%		3.2%		0.9%		.		4.3%	
	<b>2004</b>	53.2%	▼	9.0%	▼	21.9%	▲	12.4%	▼					3.5%	▲
<b>Juvenile Drug Court</b>	<b>2012</b>	13.9%		4.7%		76.1%		2.4%		0.3%		.		2.6%	
	<b>2004</b>	33.3%	▼	10.3%	▼	32.6%	▲	2.4%	▲					21.4%	▼
<b>Mental Health (Adult and Juvenile)</b>	<b>2012</b>	68.8%		29.9%		.		1.3%		.		.		.	
	<b>2004</b>	71.0%	▼	20.2%	▲	3.7%		1.8%	▼					3.3%	

Percent Decrease from 2004 to 2012

Percent Increase from 2004 to 2012

Figure 12 for the District court reveals a somewhat even distribution of overall change in the percentage break-out of the case weights compared to the magistrate court results. Five of the ten case types **decreased** in the areas of *Case Processing, Records Management Calendaring, and Caseflow Management*. On the other hand, the other five case types **increased**. The largest decrease in time is reported in Adult Drug Court with a reduction of 36.6% of the dedicated case processing time in this functional area. However, this decrease is offset by a significant increase in the time that court staff dedicates to *Compliance Monitoring and Enforcement* in Drug court cases. *Compliance Monitoring and Enforcement* increased from 21.9% in 2004 to 68.9% in 2012. This means that given the current Drug Court Case weight of 5811 minutes, a court staff will spend 68.9% of that total time on *Compliance Monitoring and Enforcement* activities. It should be noted that the case processing procedures for Adult Drug Court cases are not typical of any other case type. Additionally, the Drug court program has significantly changed since their approximate introduction prior to the 2004 study. Coupled with the drug court staff's limited use of the Odyssey program and the drastic program changes the drug court results should be considered anomalous for the purposes of this report.

Similarly, six of the case types show an **increase** in *In Courtroom Support* with three case

types showing offsetting **decreases** in the percentage of time dedicated to case processing. The most overwhelming statistical change is in the *Out of Courtroom Judicial Support* category. This functional area reported a decrease in seven of the ten case types demonstrating the most uniform change in the District Courts sampled.

### **District Court: Non Case-Related Activities and Travel**

Activities that do not relate to the processing of a specific case, but are necessary functions performed by court staff, are defined as non case-related activities. The key distinction between case-related and non case-related activities is whether the activity can be tied to a specific case. Figure 13 lists the non case-related activities measured. A description of all non case-related activities is provided in Appendix C.

The figure below reflects the annualized time devoted to case-related work; non case-related work; and travel time combined for all three of our sample district courts representing District 13. Figure 13 demonstrates that, on average per day, District 13 staff are engaged in 7.36 hours of court related work and 10.83 minutes of time devoted to work related travel.

**Figure 13:**

District Time Distribution		
	Minutes Per Day	Hours Per Day
Case Related	304.81	5.08
Non Case Related	137.07	2.28
Travel	10.83	0.18
Total	452.72	7.55

In order to further explore non case-related time and the average reported travel from the 2004 model with the 2012 sample, figure 14 was developed for a side by side comparison. The figures below in this case represent the percentage of time relative to one full time equivalent position.

District 13 reported a yearly “loss” of 1.97 FTE in terms of being available to perform work per year in 2004. The most recent model shows a slight decrease to 1.51 FTE, which is dedicated to travel when extrapolated for the entire year. The non case-related time shows an increase in the number of FTEs dedicated to non-case related activities. An alternate way to interpret this number is to consider that it would require 19.40 FTEs in the district to perform all the non case-related work alone.

**Figure 14:**

NCR & Travel Comparison	District 13	
	2004	2012
Travel (-) # of FTE	1.97	1.51
Non-case related activity (-) # of FTE	15.71	19.40

## Qualitative Interviews

The 2012 workload values produced for this report were developed in order to compare and contrast statewide case weight values developed in the District and Magistrate Courts in 2004. The comparison of these values are instrumental in determining any time variations in case processing due to specific case processing changes, in this instance, the introduction of the Odyssey case management system. The hypothesis tested in the quantitative model therefore is: The Odyssey case management system has introduced efficiencies into the clerical case management process which has resulted in faster case processing times.

Court staff was interviewed on two separate occasions. First, they were interviewed prior to data collection in order to gain the general impressions of process changes that the Odyssey case management system has introduced. Second, they were interviewed again after the data was collected and analyzed to validate assumptions made for general and, in some instances, specific changes to the case weights.

## Pre survey

Anecdotally, staff reported that Odyssey offers greater ease of data entry and retrieval and requires overall greater knowledge of court processes and procedures. In that regard, NCSC staff conducted staff interviews at all sample court locations to document the qualitative impact that

the Odyssey case management system has on the work, as well as the knowledge, skills and abilities that staff must possess in order to efficiently and effectively operate the Odyssey program.

During each site visit, NCSC staff asked court staff the following open-ended questions from which a general discussion ensued.

1. Has case processing time significantly changed since the previous 2004 weighted caseload analysis?
2. Have job functions expanded and/or changed after the introduction of the Odyssey case management system?

The interview and site visit schedule is contained in the table below in Figure 15.

**Figure 15:**

Court	Date	Total number of employees interviewed
Aztec Magistrate	07/11/12	9
Roswell Magistrate	07/31/12	6
Moriarty Magistrate	8/9/2012	5
Bernalillo District	8/8/2012	5
Grants District	7/12/2012	3
Los Lunas District	8/8/2012	5

The interview protocols consisted of interviewing court staff who currently have work experience with the Odyssey case management system and also had experience with the former case management system, FACTS. The individual results for the Magistrate and District Courts are contained below.

## Magistrate Courts

### Roswell

The Roswell magistrate court is the second largest of the three sample magistrate courts, which allows greater staffing flexibility. The larger staff size allows the court to have dedicated counter clerks, a dedicated warrant clerk (which is a separately funded position), and two staff persons in the courtroom who process court events. The Roswell court has been on-line with Odyssey for approximately three years.

The staff reported significant time savings due to the lack of double entry regarding the generation of forms. FACTS did not have a forms module, which required staff to retype data into Word Perfect in order to generate a particular form. Because Odyssey is able to generate forms while hearings are still in session, notices are hand delivered contemporaneously for subsequent court dates. This eliminates the need to mail notices. In the courtroom, courtroom s must know mandatory sentencing guidelines in order to generate forms while in court. Previously, s could only record the judge’s ruling. Currently, with Odyssey s are equipped to “remind” and assist the judge when sentencing guidelines are required.

Because scheduling was formerly a specialized desk function, Odyssey has expanded court staffs’ skills. Currently, all staff are able to schedule cases within the Odyssey case

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management system, which alleviates the need to utilize a manual scheduling book. A general advantage of Odyssey is that it relates subsequent court events under one court event. This function generally requires that all court staff be more aware of all court processes. Court staff is able to accomplish more because of the overall efficiency of the Odyssey case management system.

### **Moriarty**

Moriarty is the smallest of the three magistrate courts. Moriarty went on-line with the Odyssey case management system in 2009. Staff reported that Odyssey provides more courtroom support in terms of forms generation. Although Odyssey requires more detailed docketing, the benefit of a system that contains more data eases the workload required toward the end of a case.

Because Odyssey requires court staff to do more quality control checks throughout the process, staff develops an increased knowledge base. This requires an increased overall knowledge of case and court processing.

The staff reported that Odyssey saves time which enables them to dedicate their time to other functions and activities such as assisting pro se litigants, providing assistance to the judge and assisting other courts with their case initiation and data entry. Additionally, customer service has improved with the ability to look up cases on a statewide basis. Odyssey allows courts to help each

other when needed. Further, it gives court staff the confidence to work outside of their particular specialty.

### **Aztec**

The Aztec court is the largest of the three magistrate courts in terms of budgeted FTE. Similar to Roswell, court staff participate in courtroom proceedings so that minute entries and the distribution of forms can occur while court is in session. The primary difference between Roswell and Aztec is that three clerks are able to process courtroom proceedings.

Similar to Roswell, the staff reported significant time savings due to the lack of double entry regarding the generation of forms. Because Odyssey is able to generate forms while hearings are still in session, notices are hand delivered for subsequent court dates. This eliminates the need to mail and generate hand written notices.

The staff reported that functions in Odyssey are easier and more logical than in the FACTS system. However, entries are linked, and the system includes many edit checks that FACTS did not. As a result, individual entries may often take a little bit longer in Odyssey, but they are more functional and informative later in the case.

The staff also felt that anyone with basic computer skills could learn and become proficient in Odyssey – no special knowledge or skills are



necessary. (Training was also better and included dedicated sessions.)

### Summary Main Points: Magistrate

- Completing the data entry in the courtroom is a tremendous time saver for the staff. However, it takes a bit longer for the judges because they must wait to make sure the courtroom clerks are ready to proceed. The forms that are produced through Odyssey provide a much better appearance than the hand-written variety.
- All functions in Odyssey are easier and more logical than in the FACTS system. However, because entries are linked and the system includes many logical edit checks that FACTS did not, individual entries are slightly more time consuming, but ultimately more functional and informative later in the case. That said, the financial interface with Odyssey requires significant more time case processing time than FACTS
- Many staffers in Magistrate Court could think of no NEW functions that they are doing because of the implementation of Odyssey.
- The staff also felt that anyone with basic computer skills could learn and become proficient in Odyssey, as no special knowledge or skills are necessary. (Training was also better and included dedicated sessions.)
- Now, with Odyssey, all court staff are able to schedule cases. Previously, there was a specialized clerk who handled scheduling, and FACTS used a manual scheduling book.
- There is a time savings because staff does not need to create double entries. FACTS did not have a forms module, which

required clerks to manually retype data into Word Perfect generated forms.

### District Court

#### Bernalillo

The majority of comments from staff in the Bernalillo District Court centered on the expanded utility that Odyssey is able to provide, including the following:

- Utilizing the List Manager Program in Odyssey to transfer cases;
- Creating an electronic list of pending/closed cases;
- Developing a greater variety of reports;
- Sharing capabilities increases the amount of information available and saves time;
- Linking cases is extremely beneficial, as relating cases across the district allows judges to see all open issues;
- Scanning image is the best feature. Although it adds a few steps to the front end of the process, it alleviates steps on the backend; and
- Completing civil judgment forms in the courtroom, which formerly took 30 minutes and was completed after each court session?

The staff reported that the expanded functionality as outlined above has increased the efficiency of court staff and has reduced potential data entry errors in the s' office. Case processing time has not necessarily increased or decreased in their view. In many instances, added steps are

now required in order to capture additional data, for example, scanning documents or linking relative court events in the system. More specifically, relating events provides staff with a better overall knowledge of court processes, and also gives judges a better view of all open issues before them. Odyssey essentially requires that courtroom clerks check attorneys' work when they relate case events.

Additionally, staff reported an increase in overall internal and external customer service. Now, court staff is able to assist other courts in docketing due to the universal case management system and access to other courts' records to assist the general public in providing case information

Not all case types are enjoying the added increase in efficiency. Criminal clerks are now performing additional tasks, for example, scheduling in-custody probation revocation hearings, which judicial secretaries or trial Court Administrative Assistants (TCAAs) previously handled. Additionally, the Criminal clerks are still performing some functions manually, including mailing notices and manually linking notices to court events.

### **Los Lunas**

The Los Lunas court staffs' responses were similar to the Bernalillo clerks. They reported that Odyssey does more regarding the quality of data. While the act of data entry takes longer, more information is available. The quality control aspect of data entry was reported to be better using Odyssey.

The ability to "log in" on any computer is an additional function of Odyssey that expands court staff efficiency, and to minor degree job knowledge. This enables an individual to perform their normal functions at their work station and, for example, if called to the front counter, they are able to assist court customers without having to separately log in and out.

A continuing theme emphasized in Los Lunas was the ability to access other courts and their case files electronically in order to assist courts and court customers. As previously stated, this requires court staff to have a well rounded understanding of all court processing and procedures in order to assist court customers on essentially a statewide basis.

### **Grants**

In Grants, all of the court staff reported that the Odyssey case management system was a big improvement over FACTS in terms of functionality. E-mail and imaging were also favored by the staff because they make document

retrieval and processing easier. The Grants court prints all e-filed documents in order to maintain a paper case file for all cases. The judge uses an electronic file, but the magistrate uses paper files. However, the court staff agreed that it was probably just a matter of time before the court actually goes paperless.

Staff thought that data entry was more time consuming, in particular, at case initiation. However, the extra time spent is more than made up for later in the life of the case when court staff are able to take advantage of the functionality of Odyssey and the ability to view images.

The staff did not think that any special skills or expertise in technology was necessary, yet they did believe that it was critical for staff to have a more in-depth understanding of the court process. Because Odyssey requires links between events and parties, staff must know what should be linked and what might occur next. This was not necessary in FACTS because each entry stood alone.

#### **Summary Main Points: District**

- All of the court staff thought that Odyssey was a big improvement over FACTS with regard to functionality. Although similar to the Magistrate Court the financial module within Odyssey required was more time consuming.
- The staff did not think that any special skills or expertise in technology was necessary, but they did think that it was critical for

staff to have a more in-depth understanding of the court process. Because Odyssey requires links between events and parties, staff must know what should be linked and what might occur next. This was not necessary in FACTS because each entry stood alone.

- Relating events provides court staff with a better overall knowledge of court processes and also give judges a better view of all open issues before them.
- Odyssey essentially requires that courtroom clerks check attorneys' work when they relate case events.
- Court staff reported an increase in overall internal and external customer service as they are able to assist other courts in docketing due to the universal case management system and access to other courts' records to assist the general public in providing case information.
- The staff did not think that any special skills or expertise in technology was necessary but they did think that it was critical for s to have a more in-depth understanding of the court process.

#### **Post Survey**

In order to obtain a general understanding of how and why case processing numbers have changed from the 2004 statewide study results, NCSC project staff conducted a brief follow-up survey with the Chief and/or lead in each location where data was collected. The opinions and rationale reported from each was generally

consistent with minor regional logistical differences. The combined responses from each court location are reported below.

**Magistrate Court follow-up questions:**

The staff was asked each of the following questions:

1. Was the data collection period representative?
2. In courtroom support increased in every category. Is this due to Odyssey requirements and the number of clerks in the courtroom?
3. Out of courtroom support went down in 5 of 7 case types. Has the role of judicial secretary changed?
4. Compliance Monitoring and Enforcement went down in DWI, Domestic Violence, and Misdemeanor. What are the reasons why, in your opinion?

The Magistrate s reported the following:

1. Was the data collection period representative?

Every court reported that the data collection period was usual and normal without any particular case processing anomalies.

2. In courtroom support increased in every category. Is this due to Odyssey requirements and the number of clerks in the courtroom?

Currently, staff are far more productive in the courtroom compared to 2004. The Odyssey case management system enables clerks to produce notices and other required documents in addition to requiring that clerks match cases, and manage exhibits. Each court surveyed has increased the

number of clerks in the courtroom during regular courtroom dockets which will increase time to this activity.

3. Out of courtroom support went down in 5 of 7 case types. Has the role of judicial secretary changed?

Out of court room judicial support dropped, in some part, due to the increase of the in Courtroom support activities that could impact this category. Currently, staff are far more productive in the courtroom compared to 2004. The s reported that they are able to complete more work in “real time,” which would alleviate or reduce many of the tasks they would perform under out of courtroom judicial support.

4. Compliance Monitoring and Enforcement went down in DWI, Domestic Violence, and Misdemeanor. What are the reasons why, if any, in your opinion?

The primary agreed upon reason for this decline is that courts are utilizing compliance monitoring programs that are housed outside the clerk’s office. This was particularly relevant to DWI and Misdemeanor cases. Two of the three clerks surveyed were perplexed regarding the decrease in Domestic Violence cases, but eventually concluded that the increase in probation staff may account for the decrease. Probation staff is monitoring compliance where court staff formerly was performing some of those tasks.

**District Court follow-up questions:**

The staff were asked each of the questions outlined below:

1. Was the data collection period representative?
2. The Child Support case type in courtroom support activity dropped significantly. What are the reasons why?
3. Drug Court case weight increased significantly. What are the reasons why?
4. Out of courtroom judicial support dropped in every case type. Were there significant changes in the role of the s versus judicial secretaries?
5. In Courtroom support increased in 6 of 10 case types. Was this expected?

The District Courts reported the following:

1. Was the data collection period representative?

Every reported that the data collection period was usual and normal without any particular case processing anomalies.

2. The Child Support case type in courtroom support activity dropped significantly; what are the reasons why?

The Child support hearing officer secretary will perform many in courtroom support tasks and they are not a part of the clerk's office staff. Many cases

are settled during pre-trial conferences. Hearings are usually conducted to place settlement agreements on the record. Therefore, this minimizes the time spent in court.

3. Drug Court case weight increased significantly. What are the reasons why?

In 2004, the 13<sup>th</sup> Judicial District Drug court was in its infancy. The clerks reported that the Drug Court was staffed by 1 FTE in each court who was responsible for both Adult and Juvenile Drug Court. They have since been split into two separate courts and are staffed by 2-3 more FTEs, accounting for the dramatic increase in dedicated time. Additionally, the Odyssey implementation had little to no effect on case processing in Adult Drug Courts. Drug court staff utilize a separate and distinct database for tracking program participants. As stated earlier in this report for the reasons stated and the drastic program changes the drug court results should be considered anomalous for the purposes of this report.

It should be noted that the case processing procedures for Adult Drug Court cases are not typical of any other case type. Additionally, the Drug court program has significantly changed since their approximate introduction prior to the 2004 study. Coupled with the drug court staff's limited use of the Odyssey program and the drastic program changes

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4. Out of courtroom judicial support dropped in every case type. Were there significant changes in the role of the s versus judicial secretaries?

Out of courtroom judicial support time dropped, in some part due to the increase of in courtroom support activities impacting this category. Currently, staff are far more productive in the courtroom compared to 2004. One thought that the drop was partially supported by the changing role of Staff Attorneys who may have assumed some of the out of courtroom judicial support tasks.

5. In Courtroom support increased in 6 of 10 case types. Was this expected?

Currently, clerks are far more productive in the courtroom compared to 2004. The Odyssey case management system enables clerks to produce notices, and other required documents in addition to requiring s to match cases and manage exhibits. For example, in one court, staff formerly did not participate in criminal hearings. In 2004, judicial secretaries performed activities in these matters. These additional responsibilities were surmised to contribute to the increase in this area.

### **Conclusion**

Differences in court staff case weights from one period to another are generally attributable to changes in case processing procedures including the use of technology applications, reassignment of job duties, and statutory or policy revisions that result

in more or less effort by staff. The courts which took part in the 2012 study have all implemented a new case management system, Odyssey, since 2004. In addition, the 13<sup>th</sup> Judicial District has implemented electronic filing and document imaging technologies.

Based upon discussion with clerk's office and court staff in both the district and magistrate courts studied, several specific effects of these technological applications support the changes in case weights. According to the clerks, these effects include:

- Odyssey enables data entry to be completed in the courtroom as cases are heard. Overall, this is a significant time saver for the clerks because they no longer are required to record minutes by hand and perform data entry from their notes after all cases have been heard. Because the volume of cases requires cases to be heard quickly, this generally requires multiple clerks to be in the courtroom simultaneously.
- All functions in Odyssey are easier and more logical than in FACTS, the prior case management system. However, entries are linked and the system includes many logical edit checks that FACTS did not. As a result, individual entries may often take a little bit longer in Odyssey but they are more functional and informative later in the case.
- Many of the duties requiring court staff to monitor compliance with court orders in misdemeanor and DWI cases were transferred to programs outside of the clerk's offices. In addition, compliance officers have assumed

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much of the compliance monitoring duties in domestic violence cases.

- Data entry in Odyssey, particularly at case initiation, is more time-consuming for the s. However, the extra time spent is more than made up later in the life of the case as clerks take advantage of the functionality of Odyssey and the ability to view images.
- E-mail and imaging were favored by the staff because they make document retrieval and processing easier. However, some courts print all e-filed documents in order to maintain a paper case file for all cases.
- Courtroom support duties in Child Support cases were reassigned to the hearing officer's secretary who is not a part of the clerk's office. In addition, a significant number of these cases are settled during pre-trial conferences, thus, minimizing overall court time.
- Drug Court had no case filing activity in 2004 for the 13<sup>th</sup> Judicial District. In addition, the drug court process has changed significantly, and the program increased from 1 staff person at its inception to currently approximately 3 staff in each court location.
- Data entry in the courtroom allows the courtroom clerks to be more productive by producing forms and notices. In addition, in at least one of the district locations, criminal case courtroom support was performed by the trial court administrative assistant (TCAAS) during the 2004 time study and was not captured. Those duties are now performed by clerk's office staff and are included in the 2012 study.

The purpose of this limited time study is to assist the AOC in estimating the degree to which case weights have been impacted by staffing efficiencies from recently implemented automation and reengineering efforts and to prioritize the need to conduct a new workload and staff needs study on a statewide basis. This limited time study replicated the 2004 workload and staff needs assessment in approach and general methodology. Both included a three week data collection period. However, the 2004 study included all courts throughout New Mexico, while the 2012 study included six courts. These courts included 3 District Courts in the Thirteenth Judicial District and the 3 Magistrate Courts in Aztec, (San Juan County), Roswell (Chaves County) and Moriarty (Torrance County). All of these six courts had implemented the new Odyssey case management system and the staff were experienced in the use of that system. The courts of the Thirteenth Judicial District were also using electronic filing and document imaging systems.

A comparison of the case weights resulting from the 2012 limited study with those from 2004 shows that there has been a significant amount of reduction in many of the case weights. These reductions appear to have resulted from the automation of various clerical tasks. However, weights for several case types also showed sizeable increases. In the District Court, these were in the Adult and Juvenile Drug Courts, Domestic Relations and Mental Health case types. In Drug courts, where the work is essentially performed by court

## FINAL REPORT

staff other than clerk's office staff, the programs instituted dramatic program changes since 2004. Domestic Relations and Mental Health are somewhat similar in nature in that staff, other than court staff, provides the bulk of case processing services. In the Magistrate Court, the case weight for Domestic Violence cases increased sizably due to utilization of compliance monitoring programs housed outside the 's office

It must be noted that, while the results of this comparative study do indicate that case weights have changed significantly in the past eight years and that the technologies implemented by

the courts have created increased efficiencies, the individual weights resulting from this limited study should not be considered applicable to the New Mexico courts on a statewide basis. The data was obtained from a relatively small sample size of specifically selected courts that may not represent average case processing time across the state. For that purpose, we recommend that the New Mexico AOC conduct a complete time study and staff needs assessment study that includes all of the state court locations.



## Acknowledgements

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We have many people to thank for contributing to the success of the New Mexico District and Magistrate Court Staff Workload Comparison Study. The direction, assistance and information we received from the Administrative Office of the Courts, especially Fern Goodman, Louise Baca-Sena, Peter Bouchert and Stephen Prisoc was invaluable. Also, we could not have completed this work without the assistance and direction of the Weighted Caseload Study Advisory Committee whose members made time in their busy schedules to meet with us and make critical decisions for the study. The Advisory Committee members are listed below:

<b>Jamie Goldberg</b> Court Executive Officer Thirteenth Judicial District Court	<b>Crystal Hyer</b> Deputy Court Executive Officer Thirteenth Judicial District Court	<b>Christal Bradford</b> Court Clerk Lead Worker Thirteenth Judicial District Court
<b>Kathy Gallegos</b> Court Supervisor Thirteenth Judicial District	<b>Phillip Romero</b> Court Supervisor Thirteenth Judicial District	<b>Heather Benavidez</b> Trial Court Administrative Assistant Thirteenth Judicial District
<b>Tobie Fouratt</b> <b>Court Manager II</b> Roswell Magistrate Court	<b>Kathryn Reynolds</b> <b>Court Clerk Supervisor</b> Roswell Magistrate Courts	<b>Julie Tindell</b> <b>Court Manager II</b> Moriarty Magistrate Court
<b>Sherry Weingarten</b> <b>Judicial Lead Worker</b> Moriarty Magistrate Court	<b>Lori Proctor</b> <b>Court Manager II</b> Aztec Magistrate Court	<b>Stevie Neil</b> <b>Court Clerk Lead Worker</b> Aztec Magistrate Court

All of these individuals devoted time and attention to the planning and methodology of the study, and their substantial contributions are greatly appreciated. The National Center for State Courts (NCSC) project team also would like to thank all of the participating court staff for their conscientious and cooperative participation in the time study.

## Appendices

## Appendix A: New Mexico Court Staff Case Types

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### *DISTRICT COURT CASE TYPES*

#### Civil

Civil Appeals  
 License Revocation  
 Adult Adoption  
 Violation Statute Ordinances  
 Lower Court Competency  
 Misc. Civil  
 Probate Estates  
 Probate Formal  
 No Will  
 Probate Protective Proceedings  
 Probate Misc.  
 Contract/ Debt & Money Due  
 Real Estate  
 Student Loans  
 Auto  
 Malpractice Product Liability  
 Tort  
 Habeas Corpus

#### Criminal

Adult Motor Vehicle Offenses  
 Criminal Misc.  
 Felony  
   First Degree Felony  
   Felony Property  
   Felony Crimes - against a Person  
   Felony Domestic Violence  
   Felony Drug Offense  
   Felony DWI/ DUI  
   Felony Habitual  
   Felony Homicide  
   Felony Misc.  
   Felony Public Safety  
   Felony Sexual Offenses  
   Felony Vehicular Homicide  
 Lower Court Appeal  
 Lower Court Appeal DWI/ DUI  
 Misdemeanor  
 Misdemeanor DWI/ DUI  
 Extraditions  
 Serious Youthful Offender (first degree felony)

#### Juvenile Criminal

Crimes - Public Safety  
 Crimes - against Property  
 Crimes - against Person  
 Delinquent Felony  
 Delinquent Non-Felony  
 Drug Offenses  
 Graffiti Offenses  
 Homicide  
 Miscellaneous  
 Motor Vehicle Offenses  
 Sex Offenses  
 Vehicular Homicide  
 Youthful Offender

#### Juvenile Civil

Abuse and Neglect  
 Adoptions  
 Chins/ Fins  
 Termination of Parental Rights  
 Guardian of Minor  
 Substance Abuse Commitment  
 Miscellaneous

#### Domestic Relations

Custody and Visitation  
 Dissolution  
 Dissolution with Custody  
 DM Miscellaneous  
 Domestic Relations Conversions  
 Parentage

#### Child Support

#### Domestic Violence

#### Adult Drug Court

#### Juvenile Drug Court

#### Grand Jury, Search Warrants, Criminal Misc.

#### Mental Health (Adult & Juvenile)

Voluntary Commitments  
 Involuntary Commitments

#### Stream Adjudication\*

Only in Districts 1, 3, 5, 11, and 13

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**MAGISTRATE COURT CASE TYPES**

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**Felony**

Felony

Extradition

**DWI**

DWI/ DUI – Felony

DWI – Misdemeanor

**Misdemeanor**

Misdemeanor

**Traffic**

**Civil**

Civil

Interpleader

Mobile Home Park

**Landlord Tenant**

Landlord Tenant

Forcible Detainer

**Domestic Violence**

DV - Felony

DV - Misdemeanor

**Drug Court**

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## **Appendix B: Court Staff Case Related/ Non Case Related Activities**

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### **Functional Areas for District and Magistrate Courts**

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#### **Case Related**

Case Processing, Records Managements, Calendaring and Caseflow Management  
In Courtroom Support  
Compliance Monitoring and Enforcement  
Out of Courtroom Judicial Support  
Financial Management\*  
Out of Courtroom Jury Services\*  
Therapeutic and Evaluative Services\*

#### **Non-Case Related**

Customer Service  
Technology Support (District Only)  
Security  
Managerial and Support Services  
Financial Management\*  
Out of Courtroom Jury Services\*  
Therapeutic and Evaluative Services\*  
Travel  
Leave  
Committee Work and related meetings  
NCSC time study reporting  
Other

\* Functional Area can be case related or non-case related depending upon the task performed

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## Appendix C: Case Related Activities: Functional Task Descriptions

### Case Processing, Records Management, Calendaring and Caseflow Management

#### Examples

- Process E-filing queue
- Process issue documents queue
- Queue service for new case filings and documents: receive, assign case number, stamp, route to data entry, etc.
- Record required data regarding parties, documents and events in Odyssey.
- Analyze, research, prepare/record all post proceeding judgments/sentences, notices, executions, and writs.
- Judgment processing and recording: maintain records relating to judgments, including assignment of judgment number/identifier; index/record in appropriate registers; issue notices to judgment debtors/creditors; prepare abstracts and satisfaction of judgments, etc.
- Appeals and change of venue: prepare required documents (e.g., transcript or CD/ tape, number and index file documents); maintain internal case tracking records, compute costs of appeals processing, forward case records to other court, record and process higher court judgments, etc.
- Notice: provide notices to relevant parties of necessary court dates and requirements, including form notices linked to calendars, custom notices to individuals.
- Prepare files for court, including routine review for apparent completeness of the file, check for documents in process that may not be in the file.
- Process documents for jail commitment and release: maintain records of in-custody defendants, process documents for jail release, coordinate with custodial officials.
- Warrant management: issue and process warrants and return of service on warrants, process warrant cancellations and notify law enforcement; monitor action on cancellations.
- Prepare change of venue.
- Process and prepare special case certification records for state and federal executive branch agencies (e.g., licensing, adoption, marriage dissolution, background checks, etc.) personal representatives in probate and guardianship cases, etc.
- Caseload statistics: gather and report statistics for required state and local reports. (e.g., race surveys and SJIS forms)
- Miscellaneous counter services: provide files or case-specific information to litigants and the public, duplicate/certify/conform copies (e.g., certify DWIs) of case documents and CD/ tapes, provide forms and/or direct customers to appropriate offices/units.
- Respond to phone and/or e-mail requests for general and case-specific information.
- File folder management: create file folders, shelve files, add documents to files after they are processed, pull and re-shelve files.
- Make files available for court hearings: ensure that case files needed for court are identified, pulled and transported to courtrooms.
- Maintain file check out system: record file check out/delivery; track and retrieve all case files when they are not on the shelves; locate misplaced case files.
- Record retention: archive and microfilming/ scanning case documents and files, reconstruct and/or purge files when necessary.
- Maintain exhibits: index, store, provide notification to reclaim; return to owner, destroy when appropriate.

- Sealing and purging: identification and processing of sealed records; processing expungement orders.
- Electronic records processing: scanning and related services to support digital record storage.
- Assign cases to regularly scheduled calendars, produce calendars, publish and post calendars.
- Schedule individually set trials and hearings (lengthy motions, conferences, etc.)
- Coordinate with law enforcement and other agencies regarding schedules for traffic and other high volume calendars.
- Coordinate with jail/transportation officers to assure timely and reliable appearance of in-custody defendants.
- Review case files prior to hearings: ensure that required actions are complete, and that information needed by court is available and conforms to court policy.
- Monitor readiness of parties for hearings and trials and confirm appearances; notify relevant individuals prior to hearings about missing information/documents or non-compliant legal forms.
- Research/monitor status of individual cases, and follow-up with lawyers/parties when cases are “off track.”
- Maintain accurate inventory of cases pending: distinguish inactive (e.g., interlocutory appeals; fugitive status) from active cases; produce list of active cases, consult with managing judges when cases are “off track.”
- Monitor continuances, scheduled vs. actual appearances; and implement correctives.
- Identify and dismiss inactive cases.
- Collect and use statistical data to help judges maintain timely case processing.
- Determine needed frequency and scheduling formulas for periodic regularly scheduled hearing sessions.
- Track cases referred to alternative dispute resolution and initiate reminders or other actions when case resolution exceeds standards for timely processing.
- Coordinate video arraignments, participants, calendars, and outside agencies for video arraignment events.
- Operate and monitor video arraignment equipment.
- Provide information to unrepresented persons about court requirements and assist unrepresented litigants with procedural compliance (e.g., domestic violence, child support).
- Provide information to court users about court and procedural compliance.
- Judge reassignments

### **In Courtroom Support**

#### **Examples**

- Record in court required data regarding parties, documents and events in Odyssey. (in court REAL time recording steno, audio/ CD monitoring)
- Record minutes in Odyssey.
- Manage exhibits: identify, mark, and record status; maintain inventory of all received; deliver admitted to jury; oversee custody and return.
- Manage documents: ensure that files/documents are available in the courtroom when needed; documents filed in courtroom are accounted for and returned to central 's unit.
- Provide clerical and admin follow-through after court hearings to issue required notifications to parties, service providers or executive branch agencies. (e.g., jail, bondsmen)
- Prepare paperwork required for forfeiture or exoneration of bonds; warrant-related notices, etc.
- Jury related duties: call/seat jurors for voir dire; record juror status (seated, excused, reasons); administer oaths, maintain attendance record; poll jurors.

- Courtroom order, security and protocol: maintain quiet and order in courtroom before, during, and after court hearings; direct and provide information to participants and public.
- Operate and monitor electronic recording equipment in court sessions. (including; daily equipment checks; make log of proceeding; supplies and equipment maintenance; index and store tapes or files)
- Provide in-court interpreting services.
- Make recommendations to Judges(s) regarding release bonds, treatment, linkage, progress, sentence, settings. (i.e. treatment)

## **Compliance Monitoring and Enforcement**

### **Examples**

- Supervise and monitor defendants pending trial, monitor compliance with treatment (mental health, substance abuse treatment by defendants); network with outside community agencies; conduct case staffing/reviews with providers and case managers.
- Set up case for monitoring court ordered sentences, judgments, probation reports, deferred prosecutions, diversion conditions, including mediation agreements and preparing pre-sentence reports etc.
- Monitor and document behavioral terms of orders. (including site visits)
- Implement informal compliance enforcement measures when appropriate. (e.g., written and telephone notices, interview or mediation, revised payment plan, community service alternatives, etc.)
- Report non-compliance to enforcing authority with documentation; executing bench warrants.
- Special traffic or motor vehicle monitoring procedures: monitor civil motor vehicle judgments for satisfaction and reporting non-compliance to appropriate authorities with documentation.

## **Out of Courtroom Judicial Support**

### **Examples**

- Legal research and writing in support of judge or administration.
- Administrative support duties for judges: prepare correspondence, answer phones; maintain office files; receptionist duties, update statute books.
- Produce transcripts and store stenotyped notes in centrally available storage location or medium to ensure accessibility of notes to court officials in absence of the original reporter.
- Provide interpreting services in interview settings for lawyers, bail screening personnel, probation staff, and others.
- Provide translations of written documents in languages other than English that are *evidence* needed for case adjudication or disposition.
- Provide services for court users and/or non-English speaking individuals of *written* documents needed for case adjudication or disposition.
- Run criminal history, III on defendants as requested by Judge(s).



## **Financial Management**

### **Examples**

- Bail/bond accounting: e.g., receipt and post, apply bail/bond monies held in trust to fine/penalty accounts, refund monies, disburse unclaimed funds to appropriate account, follow up on bond payments when partially satisfied.
- Establish and maintain time payment agreement records and statements.
- Monitor and document compliance with financial payments.
- Determine financial eligibility and contribution for public defenders.
- Process revenue recapture claims. (e.g. tax intercept)
- Receipt, review, and payment of accounts receivables. (e.g., witness fees, office supplies, contract services, transcripts, etc.)
- Coordinate payment of restitution by defendant between the district attorney and the court.
- EFT/ credit card processing.

## **Out of Courtroom Jury Services**

### **Examples**

- Copy jury questionnaire for attorneys.
- File folder management including the creation and filing of new documents.
- Manage juror appearance including counter service for jurors who walk in, record attendance, provide forms to be completed by jurors.
- Provide juror orientation; interpret for non–English speaking jurors, assign jurors to cases and track assignments and related duties: call/seat jurors for voir dire; administer oaths, poll jurors.
- Record all required data and maintain records for juror payment.
- Maintain jury utilization, financial statistics and caseload statistics.
- Determine and input data for juror qualification based on juror questionnaires.

## **Therapeutic and Evaluative Services**

### **Examples**

- Investigation and Evaluation: evaluate and assess individuals for specific problems and make recommendations for referral. (e.g., substance abuse, parental fitness, competency to stand trial, etc.)
- Diagnostic/social report preparation: prepare reports and recommendations to assist judges with findings, conclusions, orders, and refer to appropriate programs.
- Mediate disputes between parties to lawsuits to assist parties achieve voluntary settlement or narrow issues for judge.
- Provide individual, family and group counseling for youth, and/or adult litigants and their families that are involved in the justice system.

## **Appendix D: Non Case Related Activities Functional Task Descriptions**

### **Customer Service (Not Case Specific)**

#### **Examples:**

- Covering counter for general questions not related to a specific case.
- Answering phones. (e.g., directions, receptionist , “how to questions”)
- Responding to correspondence, email, faxes, etc., regarding court procedures.
- Assisting with weddings.
- Directing traffic.
- Handling media requests.
- Copying tapes/ CD for public requests. (not copying tapes for appeal purposes or for a party to a specific case)
- Handling complaints.
- Lost and found.
- Opening incoming mail.
- Logging in checks received in the mail.
- Distributing incoming mail and parcels.

### **Technology Support (District Court Only)**

#### **Examples:**

- Work with Court management to establish and submit short and long range strategic plans to the Departments.
- Identify emerging technologies to meet the Court’s changing needs.
- Provide application software and hardware support to staff via Help Desk and one on one tutelage.
- Attend training conferences, workshop, on new and emerging technology.
- Establish, monitor and maintain all necessary security standards and policies.
- Implement and coordinate disaster recovery plan and implement data protection and access controls established by the institutional policy.
- Provide field maintenance for all hardware.
- Evaluate hardware/software acquisition(s).
- Perform case management system modifications.
- Support court’s internet/intra net site.
- Install and evaluate software application upgrades. (Site Coordinators)
- Prepare management reports.

### **Security\***(Performed periodically)

#### **Examples:**

- Prepare evacuation plans, train monitor and evaluate readiness of court.
- Prepare and implement security plans.

- Monitor and screen court employees and the public.
- Take necessary security measures when appropriate.
- Prepare and submit incident reports.

### **Managerial & Support Services**

#### **Examples:**

- Manage personnel functions including administration of the court, budget preparations and evaluation.
- Human resource activities: hiring, firing, functions related to disciplinary actions, oversight of employee benefits, training record keeping, etc.
- Oversight of operation level supervisors and line staff.
- Supervise staff, e.g. review performance, hire & fire, disciplinary actions, determine “on call, etc.
- Review, prioritize, and assign projects to teams and Meet regularly to evaluate and coordinate ongoing support activities and projects.
- Research and prepare grants.
- Purchasing: needs assessment, research resources, maintain relevant records.
- Facilities maintenance: maintaining court grounds and physical plant.
- Inventory supplies management.
- Train new employees.
- Operate criminal history background checks/NCIC/ III/ terminal monitor NCIC compliance with FBI and DPS standards.

### **Financial Management**

#### **Examples**

- Receive payments and fees and issue receipt for monies received, reconcile daily receipts and cash registers.
- Prepare and submit financial reports.
- Receive payments and fees and issue receipt for monies received and prepare and maintain check received log.
- Identify and process irregular checks received (e.g., improperly tendered, illegible, returned for non-sufficient funds), including notification of tender, adjustment of payment records, etc.
- Reconcile daily receipts and cash registers.
- Process deposits: determine appropriate accounts (general, trust, etc.), prepare deposit slips for appropriate accounts, transmit deposits, maintain deposit records, etc.
- Distribute and disburse payments: determine appropriate distribution of payments (e.g., statutory fund accounts, child support accounts, individual payees, restitution, etc.) and disburse funds to treasurer and other payees as appropriate.
- Bail/bond accounting: e.g., receipt and post, apply bail/bond monies held in trust to fine/penalty accounts, refund monies, disburse unclaimed funds to appropriate account, follow up on bond payments when partially satisfied.
- Identify and determine of ownership and disposition of apparently abandoned cash trust monies and cash exhibits.
- Accept, endorse and forward wage withholding checks for deposit to appropriate account.

- Grant and budget monitoring.

### **Out of Courtroom Jury Services**

#### **Examples**

- Create juror source lists, prepare jury summons lists and summon jurors.
- Process juror correspondence and respond to phone and/or e-mail requests regarding excuse requests, questions, rescheduled dates, etc.
- Create and manage juror call-in information system.
- File folder management including the creation and filing of new documents.
- Manage juror appearance including counter service for jurors who walk in, record attendance, provide forms to be completed by jurors.
- Provide juror orientation; interpret for non-English speaking jurors, assign jurors to cases and track assignments and related duties: call/seat jurors for voir dire; administer oaths, poll jurors.
- Record all required data and maintain records for juror payment.
- Maintain jury utilization, financial statistics and caseload statistics.

### **Therapeutic and Evaluative Services**

#### **Examples**

- Screen and refer cases to alternative dispute resolution; provide alternative dispute services; track cases in ADR.
- Alcohol and other drug screening activities.
- Recruit, train, schedule and coordinate mediators and maintain relevant statistical reports.
- Provide individual, family and group counseling for youth, and/or adult litigants and their families that are involved in the justice system.
- Respond to crisis intervention situations by acting as on-call staff.

## Appendix E: Additional Data Analysis

The analysis in the attached report is a comparison of the 2004 *statewide* weights compared with the three sample courts which make up the 13<sup>th</sup> Judicial District and the three Magistrate Courts as a combined unit. Additional analysis was requested to compare and contrast the 2012 data with weights derived from the 2004 raw data in both the 13<sup>th</sup> Judicial District and the participating Magistrate Courts. The 2012 District weights depicted below represent this analysis. Due to the sample size, the 2004 weights constructed for the magistrate court represents all three magistrate courts combined.

### Magistrate

The Magistrate data analysis utilizing the 2004 tri-county weights and the 2004 statewide weights are relatively consistent. Four of the seven case weights show a *decrease* in average case processing time. Utilizing the statewide weights compared with the 2012 tri-county weights show five case types with a reduction in case processing time. The one inconsistency is the DWI case type. Here, the data show a *decrease* in case processing time using the statewide comparison and an *increase* in case processing time when the current 2012 tri-county weight is compared with the 2004 tri-county weight.

**Graph 1: Analysis using State to Tri-County and Tri-County to Tri-County Case Weights**

MAGISTRATE CASE WEIGHT COMPARISONS				2004 State vs. 2012 Tri-County	Tri-County Weights 2004 vs. 2012
Case types	2004 State	2004 Tri-County	2012 Tri-County	Case Weight Difference Statewide	Case Weight Difference Tri- County
Felony	238	220	148	-90	-72
DWI	372	264	317	-55	53
Traffic	65	61	69	4	8
Civil	186	196	95	-91	-101
Misdemeanor	199	211	129	-70	-82
Landlord/Tenant	68	55	25	-43	-30
Domestic Violence	167	141	256	89	115

**District**

This analysis shows that four of the ten case types have *decreased* in case processing time. Whereas, the *statewide* data reflects a decrease in five of the ten case types. One of the more enlightening aspects is that the data show that except for two case types, Criminal and Juvenile Civil there is a consistency of change for all other case types. The variation lies in the degree of change whether there is an increase or decrease in case processing.

**Graph 2: Analysis using State to District and District to District Case Weights**

DISTRICT COURT CASE WEIGHT COMPARISONS				2004 State vs 2012 13th Weights	2004 13th vs 2012 13th Weights
Case types	2004 State Case Weights	2004 13th District Case Weights	2012 13th District Case Weights	Case Weight Difference Statewide	Case Weight Difference District
Civil	526	383	255	-271	-128
Domestic Relations	184	113	509	325	396
Child Support	934	953	543	-391	-410
Domestic Violence	452	293	193	-259	-100
Criminal	1120	828	984	-136	156
Adult Drug Court	1088	NA	5811	4723	NA
Juvenile Civil	812	406	756	-56	350
Juvenile Criminal	665	617	369	-296	-248
Juvenile Drug Court	5444	603	5607	163	5004
Mental Health	193	251	404	211	150

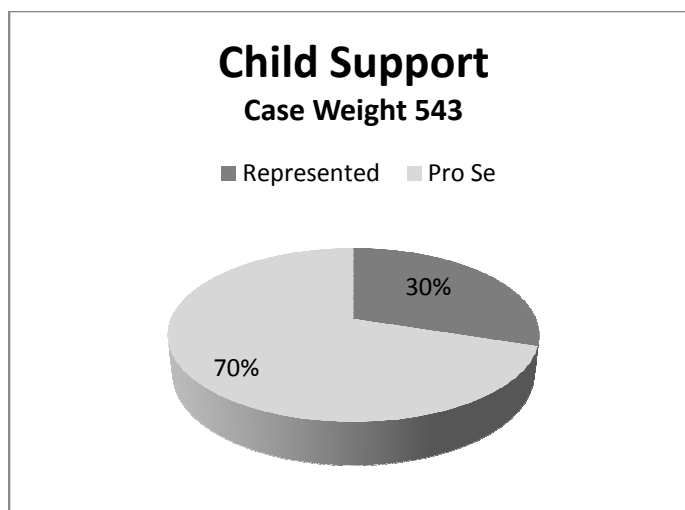
Comparing the 2012 case weights with the 2004 court specific weights in all likelihood offers a more accurate comparison for the purposes of this study. The reported time from each location from 2004 is compared with the same relative data set from data collected in 2012. The relative consistency of the data gives the Project Team confidence that the general hypothesis has been satisfied: are s operating in a more efficient manner in regard to case processing? Both sets of results would suggest that they are. Given the introduction of new technologies, the expansion of court programs, and the focus on customer service, etc. as defensible rationale for the increase or decrease in case processing time, the data suggests that the 2004 case weights are no longer valid and do not reflect the true or accurate time that s spend on average to process cases.

## Appendix F: Pro Se Data Discussion (District Court Only)

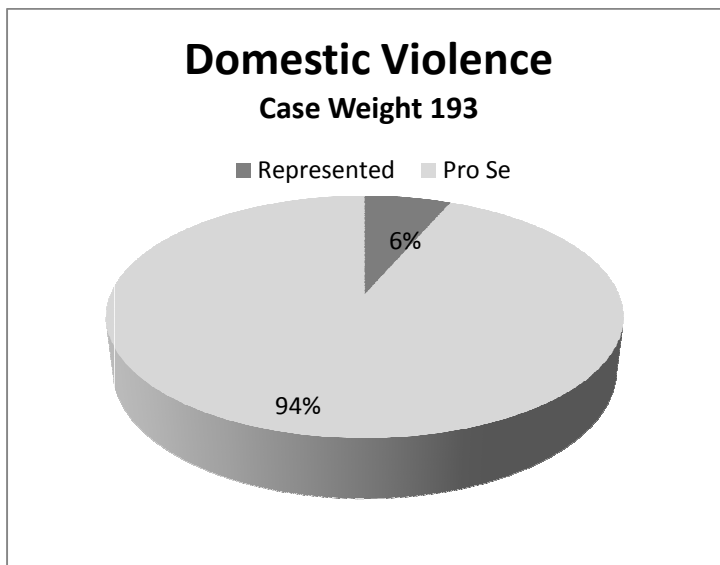
Nationally courts are continually dealing with increasing numbers of self represented (pro se) litigants. These litigants generally require more judge and clerk resources to explain court processes and paperwork to ensure that the pro se litigant is making informed decisions along the way. In this comparison workload study one of the data elements clerks were asked to differentiate was the time they spent on cases with represented versus self represented litigants. A self represented litigant was defined as any one party not represented by a lawyer. The pro se time recorded during the data collection period was analyzed to produce the graphs below for the 13<sup>th</sup> Judicial District only.

The three graphs below represent three case types which were identified in discussions with Administrative Office staff as potentially best representing the affect pro se cases have on case processing. Pro Se case analysis is a relatively new endeavor; consequently, the best comparative analysis with the data obtained is the pro se and represented overall time clerks recorded time during the data collection period. In this instance, in each of the three case types, Child Support, Domestic Violence, and Domestic Relations when looking at the total time submitted by District clerks and staff substantially more time was recorded as pro se contact or as defined as a pro se case in this study.

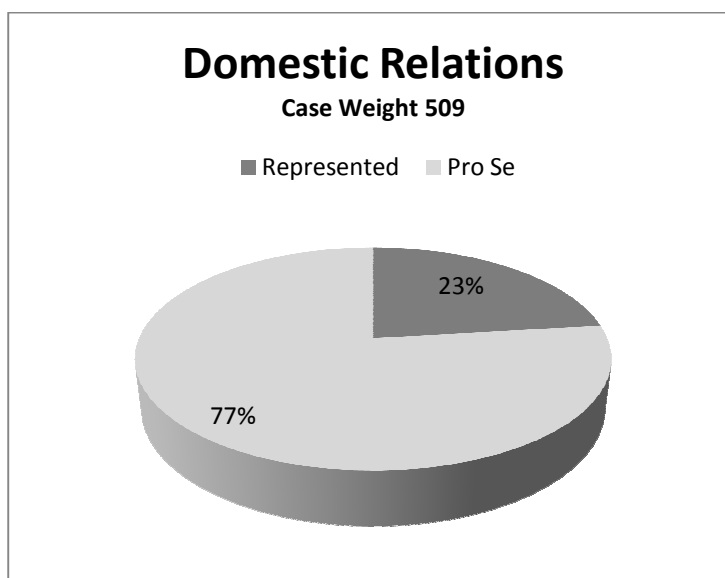
The graph below represents the Represented and Pro Se division of all the time recorded for Child Support cases during the data collection period. Seventy percent of the total minutes submitted were Pro Se with 30% of the total time recorded as Represented time.



The Domestic Violence graph shows that of all the time recorded during the data collection period for Domestic Violence Cases that 94% of the total time was Pro Se contact compared to 6% contact with Represented litigants. Ninety four percent of the total minutes submitted were Pro Se



Similarly, the Domestic Relation graph shows that of all the time recorded during the data collection period for Domestic Relations Cases, 77% of the total time was Pro Se contact compared to 23% of the total time representing contact with Represented litigants. Seventy seven percent of the total minutes submitted were Pro Se



This simple analysis shows clerks and court staff spent more time with unrepresented litigants during the data collection period. Further extrapolation would conclude that in the normal course of court business,



working within these case types, clerks and staff will spend considerable more time dealing with unrepresented litigants than with litigants with attorneys. Overall this comparison is an initial step in attempting to capture precise case processing time. More research and further adjustments to the data collection process is needed in order to provide any definitive data regarding the differences in case processing times.