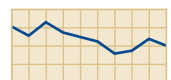
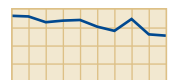
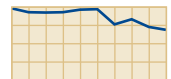
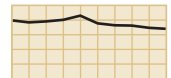
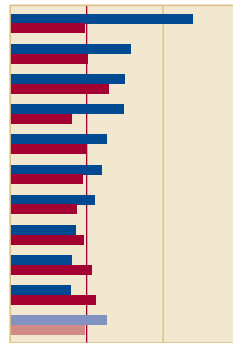
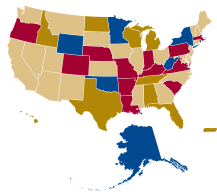
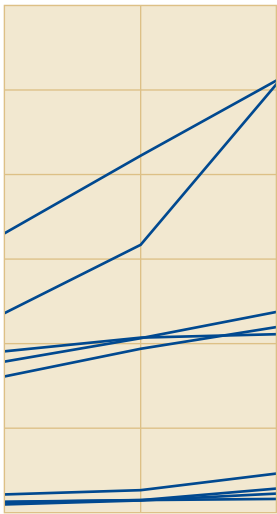




# Examining the Work of State Courts: *An Analysis of 2008 State Court Caseloads*

[www.courtstatistics.org](http://www.courtstatistics.org)







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BJS



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U.S. Department of Justice. Points of view in this document are those  
of the authors and do not necessarily represent the official position  
or policies of the U.S. Department of Justice.



The Court Statistics Project (CSP) is made possible by the continued support of state court administrators. We owe a special debt of gratitude to the staff of the administrative offices of the courts and of the appellate courts who serve as liaisons between their offices and the CSP and who continuously seek to improve the quality, depth, and consistency of their state court data.

In our continued attempt to recognize the efforts of states that improve their statistical reporting, the CSP is again awarding the CSP Reporting Excellence Award. This icon will appear on pages that highlight particular states whose data reflects the counting rules, case type definitions, and case status categories defined in the *State Court Guide to Statistical Reporting*. These feature pages will highlight some of the benefits and insights that these complete data make possible.



A number of other states also made improvements in the level of detail provided by their trial courts. The enhancements to these data come as a result of implementing the data definitions, counting rules, and reporting framework published in the *State Court Guide to Statistical Reporting*.

We would like to acknowledge the work of the offices of the state court administrator in the following states for their important data improvement efforts: Alabama (juvenile), Arizona (civil), Colorado (juvenile), Connecticut (juvenile), District of Columbia (criminal, traffic/ordinance, and domestic relations), Georgia (criminal, traffic/ordinance), Idaho (civil), Indiana (criminal), Iowa (domestic relations), Kansas (limited jurisdiction court data), Maryland (criminal), Massachusetts (civil, criminal, traffic/ordinance), Minnesota (civil, criminal, juvenile, domestic relations, traffic/ordinance), New Hampshire (criminal), New York (domestic relations), Oklahoma (civil, domestic relations, criminal, juvenile, traffic/ordinance), South Carolina (civil, criminal), South Dakota (civil, juvenile), Tennessee (domestic relations, juvenile), Utah (civil).

This year also marks the second year since implementation of the new reporting framework for appellate court caseload statistics. We appreciate the active involvement of staff from the administrative offices of the courts and appellate courts who continue to strive toward accurately reporting appellate data.

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

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

Special thanks again to Neal Kauder of VisualResearch, Inc., for his innovative information design.

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The Court Statistics Project (CSP) provides the most comprehensive, up-to-date information regarding the nation's state courts through its annual print publication, *Examining the Work of State Courts*, and on-line publication, *State Court Caseload Statistics*. These reference works are supplemented by the *Caseload Highlights* and *Notes from the Field* series. All of these publications are available at the Courts Statistics Project's Web site, [www.courtstatistics.org](http://www.courtstatistics.org).

The purpose of *Examining the Work of State Courts* is to provide a concise, graphically oriented volume that makes state court statistics highly accessible. *Examining the Work of State Courts* has been designed to be interactive, giving the reader on-line access in its interactive PDF version to information that cannot reasonably be included in the text of the document. The links provided in this format encourage the use of the Web and provide the reader with additional resources that help to facilitate the understanding of the work of state courts.

*State Court Caseload Statistics* is a discrete on-line reference volume, containing structure charts, statewide aggregate caseload data and reporting practices, population trends, and a detailed explanation of the Court Statistics Project methodology. *State Court Caseload Statistics* is exclusively available on the Web at [www.courtstatistics.org](http://www.courtstatistics.org).

The *Caseload Highlights* series continues to provide short, periodic reports on specific, significant, and timely issues. *Notes from the Field* is a platform for use by practitioners from the state courts from which they can share their experiences and knowledge of court statistics and the implementation of data systems. The CSP recognizes that informed judges and court managers want information on a range of policy-relevant topics and want it in a timely fashion and in a condensed, readable format.

These publications are developed through a cooperative agreement with and generous support from the Bureau of Justice Statistics (BJS), part of the Office of Justice Planning at the U.S. Department of Justice.

Detailed descriptive information on court structure is provided by another National Center for State Courts (NCSC) and BJS joint project, State Court Organization. Topics covered include the number of courts and judges, judicial selection, jury qualifications and verdict rules, and processing and sentencing procedures of criminal cases. Court structure diagrams summarize the key features of each state's court organization. The most recent edition is available through BJS and at [www.ojp.usdoj.gov/bjs/abstract/sco04.htm](http://www.ojp.usdoj.gov/bjs/abstract/sco04.htm).

Finally, the CSP continues to promote the implementation and use of the *State Court Guide to Statistical Reporting* (hereafter referred to as the *Guide*). Developed with support from the State Justice Institute and with close guidance from the Conference of State Court Administrators' Court Statistics Committee, the *Guide* is a tool for improving court administration by providing a national model for data reporting with concise descriptions and definitions of case types and disposition types as well as a standardized framework in which to report these categories. The recently revised version of the *Guide* is available in PDF on the NCSC Web site at [www.courstatistics.org](http://www.courstatistics.org).

Statistics should  
never say,  
"Look at me."  
They should say,  
"Look at this."

– Anonymous

Approximately 95 percent of all legal cases initiated in the United States are filed in state courts, and *Examining the Work of State Courts* is the authoritative analysis of the best available data on cases processed in those courts. Whether the reader's objective is to assess the current legal landscape, to improve the management of a court or a state court system, to develop public policy, or to gain a better understanding of the work of our third branch of government, this publication provides the independent interpretation of reliable data that will speak to the reader's need. In fact, without the benefit of this foundational data and its expert analysis, state court leaders and managers, policy makers, and the media are too often left with little more than random anecdote and unsupported opinion as the basis for their work.

The analysis in this publication is provided by the staff of the Court Statistics Project of the National Center for State Courts. With over thirty years of experience in the collection, compilation, and interpretation of state court data, the Court Statistics Project has no peer.

State court administrators from the 50 states, the District of Columbia, and Puerto Rico have all contributed to the data that are presented in this publication. The commitment of these state court leaders and their staff to the accuracy and consistency of these data ensures the integrity of the data and analysis reported here.

While anecdote and opinion may have been useful in the past, the demand today is for accountability, performance measures, and evidence-based programs. Reliable empirical data provide the basis for the modern tools of court administration, including workload studies, performance measures like the *CourtTools* developed by the National Center for State Courts, and the analysis of court process and outcome that can lead to improved administration of justice, enhanced service to the public, and informed public policy.

In the current era of declining state revenues and shrinking state court budgets, the need for reliable data and for the expert analysis of those data is greater than ever. *Examining the Work of State Courts* illustrates the value of good data and dependable analysis and offers a high-level perspective of the current work and prevailing trends in state courts.

This publication, like much of the work of the Court Statistics Project since 1982, has benefitted from the keen insights and shrewd analysis of Dr. Hugh Collins, Judicial Administrator, Supreme Court of Louisiana. For almost three decades, Hugh has encouraged development of reliable empirical data concerning court operations through his hard work, leadership, hospitality, and good humor. With sincere respect and affection this volume of *Examining the Work of State Courts* is dedicated to Hugh Collins.



Don Goodnow

Chair, Court Statistics Committee  
Conference of State Court Administrators

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## Appellate Courts

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**Begin Pending - Active**—A count of cases that, at the start of the reporting period, are awaiting disposition.

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

**Incoming Cases**—The sum of the count of New Filing, Reopened, and Reactivated cases.

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

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

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

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

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

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

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


**End Pending - Active**—A count of cases that, at the end of the reporting period, are awaiting disposition.

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

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

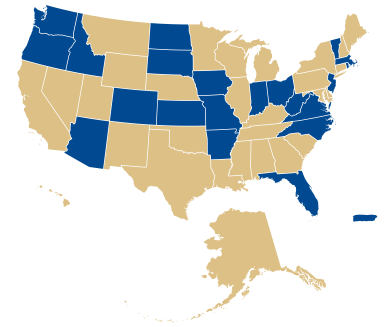
For the third year, *Examining the Work of State Courts* (EWSC) is being published in both a print and electronic format. By closely aligning their designs, the printed and electronic documents provide the user with an efficient on-line experience by delivering an interactive and seamless transition from one reading platform to another. The user still has complete access to the printed document, but also has a portable electronic document (PDF) that gives instant access to underlying data and links to external resources that give broader context to traditional Court Statistics Project data analysis. The added functionality will be seen by readers through special symbols and icons on EWSC pages (in both printed and PDF formats). Features and the corresponding navigation aides are as follows:

**Bookmarks**—a listing of section headings, tables, and charts located in a separate window on the left side of the electronic (PDF) file which allows quick and efficient navigation throughout the document.

 **Data Icon**—clicking the ‘Excel’ icon opens a file containing the raw data for the graphic.

**US Map Icon**—The map indicates which states are included in the adjacent information graphic, when state names are not listed in the table or chart.

**Hot Links**—integrated into the text with programmed Web site destinations. Hot links are indicated by blue underlined type and supplement the subject being discussed.

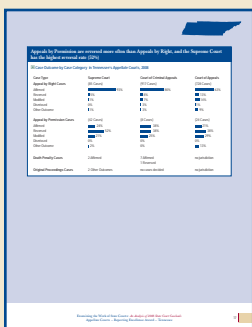
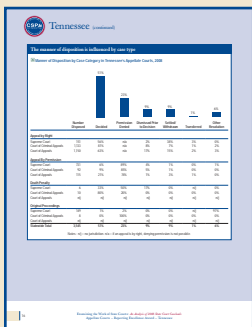
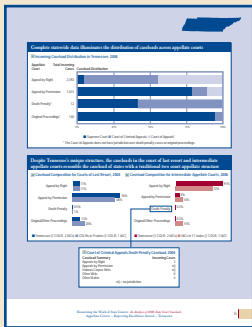


**CSP Reporting Excellence Award**—appears on pages that highlight particular states whose data reflects the counting rules, case type definitions, and case status categories defined in the *State Court Guide to Statistical Reporting*. These feature pages will highlight the benefits and insights that these complete data make possible.





**Special Recognition:**  
Tennessee Appellate Courts



## Appellate courts processed nearly 300,000 cases in 2008

### Summary

- Appellate court caseloads consist of Appeal by Right, Appeal by Permission, Death Penalty, and Original Proceeding/Other Appellate Matter cases.
- Appellate caseloads are influenced by a number of factors, including the route of appeal and the appellate court structure. For example, states that permit rulings from limited jurisdiction courts to be appealed directly to an appellate court can see larger appellate caseloads while states that do not have an intermediate appellate court will see larger caseloads in their court of last resort.
- Approximately 300,000 incoming appellate cases were reported in state courts in 2008, with nearly two-thirds processed in intermediate appellate courts.
- Appeals by right represent 57 percent of incoming appellate cases.
- Courts of last resort process more civil appeals (45%) while intermediate appellate courts process more criminal appeals (51%).
- Over half of cases disposed of in intermediate appellate courts are fully briefed and decided on the merits.
- Most decided cases in intermediate appellate courts (52%) have a full opinion issued while courts of last resort issue full opinions in less than half of decided cases (46%). This may be due to the need for intermediate appellate courts to produce more explanatory opinions in the event that the case is appealed to the court of last resort.
- Nearly twice as many decision reversals are issued in death penalty cases than in all other case types (31 percent of death penalty versus only 17 percent of all appellate cases).

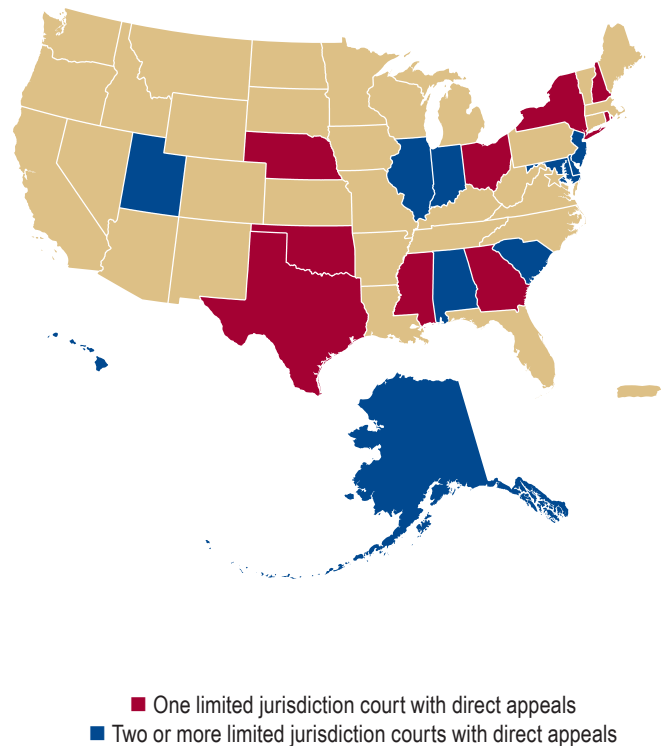
## Route of appeal and court structure can greatly impact appellate caseloads

### ☒ Total Incoming Cases in Appellate Courts, 2008

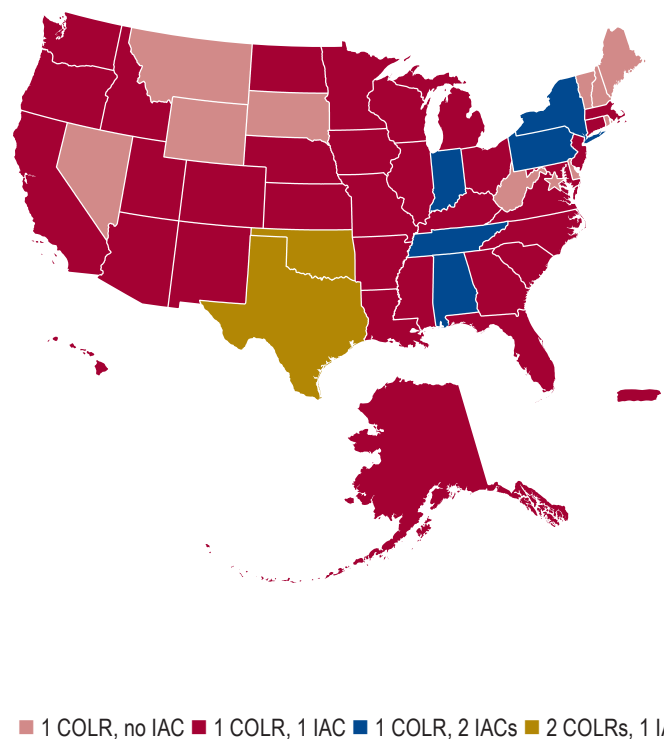
State	Total Incoming Cases	Population Rank
California	35,720	1
Florida	28,440	4
Texas	21,087	2
New York	16,141	3
Pennsylvania	14,932	6
Ohio	13,866	7
Illinois	10,885	5
Louisiana	10,792	25
Michigan	9,338	8
New Jersey	8,004	11
Puerto Rico	7,079	27
Washington	5,743	13
Virginia	5,723	12
Alabama	5,283	23
Georgia	5,252	9
Arizona	4,781	14
Oregon	4,460	28
Colorado	4,410	22
Missouri	4,265	18
Wisconsin	4,088	20
Indiana	4,026	16
Oklahoma	3,822	29
Massachusetts	3,688	15
Tennessee	3,559	17
Kentucky	3,479	26
North Carolina	3,189	10
South Carolina	3,175	24
Iowa	3,163	31
Maryland	3,102	19
Minnesota	2,915	21
Kansas	2,742	34
West Virginia	2,411	38
Nevada	2,248	36
Nebraska	1,979	39
Arkansas	1,916	33
Mississippi	1,809	32
District of Columbia	1,757	51
New Mexico	1,696	37
Utah	1,443	35
Connecticut	1,399	30
Idaho	1,024	40
New Hampshire	964	42
Maine	755	41
Hawaii	747	43
Montana	699	45
Delaware	670	46
Alaska	648	48
Vermont	503	50
South Dakota	361	47
North Dakota	342	49
Rhode Island	323	44
Wyoming	284	52
<b>Total</b>	<b>281,127</b>	

Note: States in Bold do not have an Intermediate Appellate Court (IAC).

### ☒ States that Permit Appeals Directly from Limited Jurisdiction Courts in Addition to the General Jurisdiction Court(s)

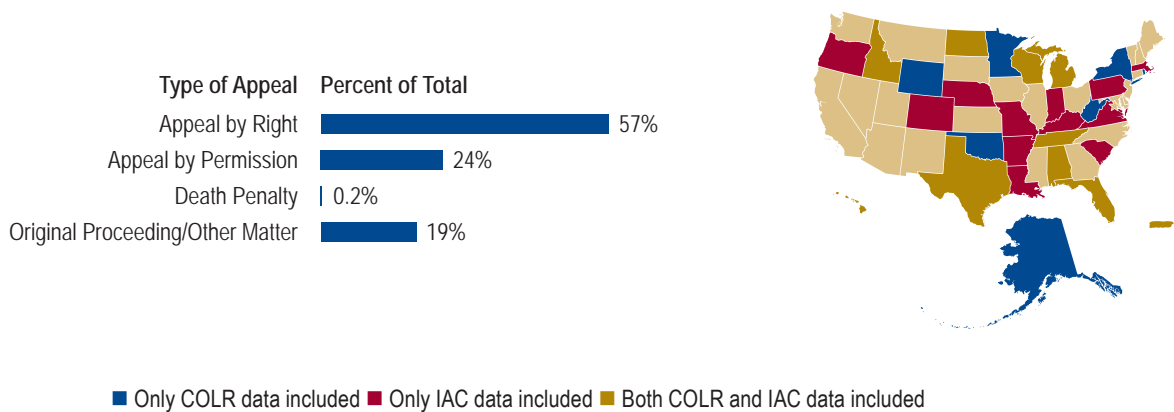


### ☒ Appellate court structure



## The majority of cases processed by appellate courts are Appeals by Right

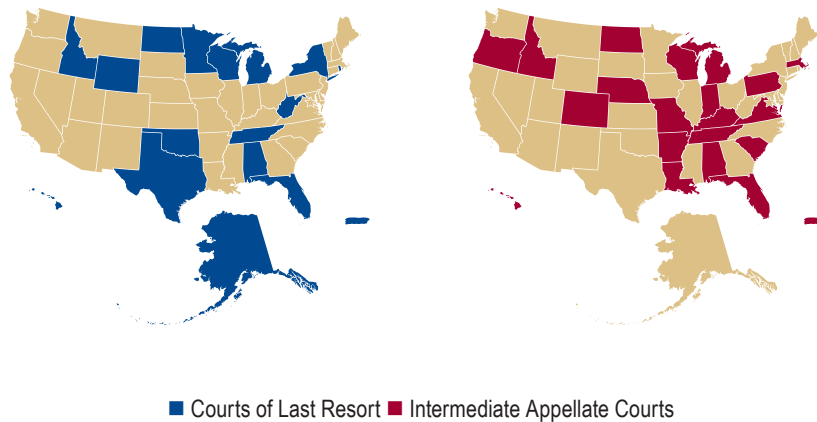
☒ Incoming Caseload Composition in 41 Appellate Courts, 2008



Approximately 64,000 Appeals by Right were filed in appellate courts, of which only five percent were processed in courts of last resort

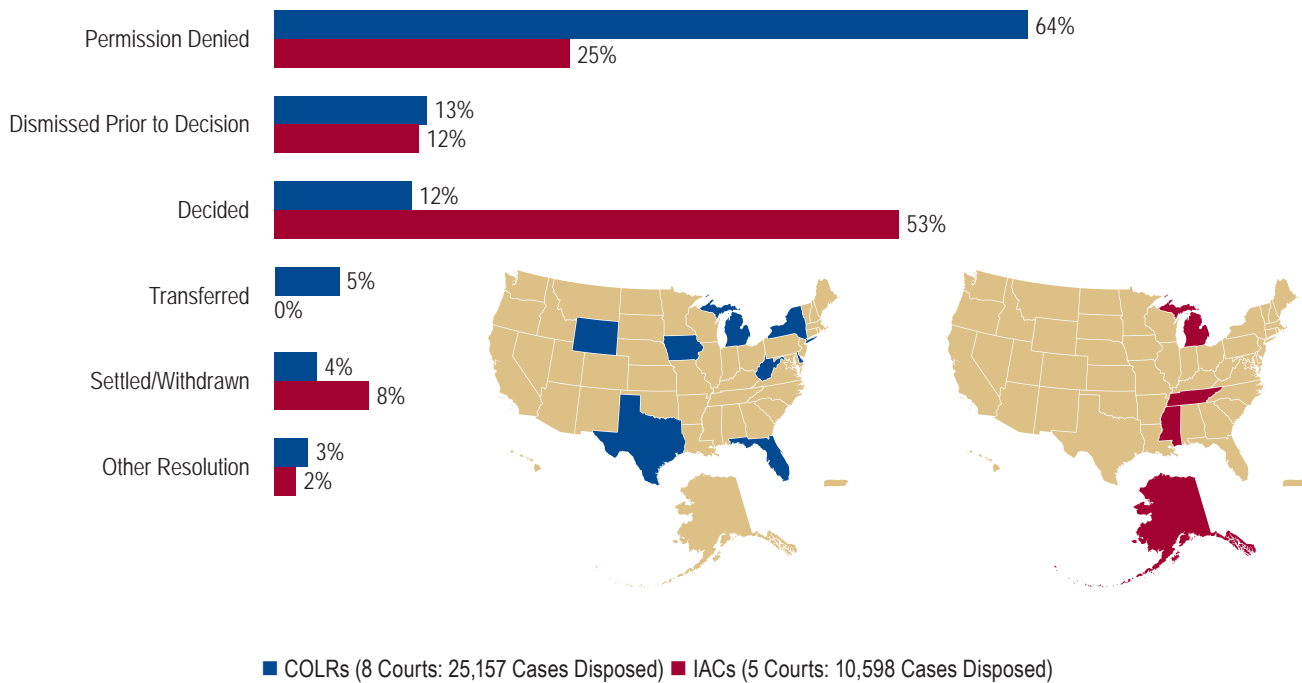
☒ Appellate Caseload Distribution in 18 COLRs and 23 IACs, 2008

Type of Appeal	Total	Appellate Caseload Distribution	
Appeal by Right	64,051	5%	95%
Appeal by Permission	27,281	63%	37%
Death Penalty	272	91%	9%
Original Proceeding/Other Matter	21,255	45%	55%
<b>Total Appeals</b>	<b>112,859</b>		



## The manner by which cases are disposed is influenced by the type of appellate court

### Manner of Disposition in 13 Appellate Courts, 2008



Notes: Only 2 of the 13 courts (1 IAC and 1 COLR) have an ADR program and neither disposed of any cases this way. Mississippi does not have appeal by permission jurisdiction

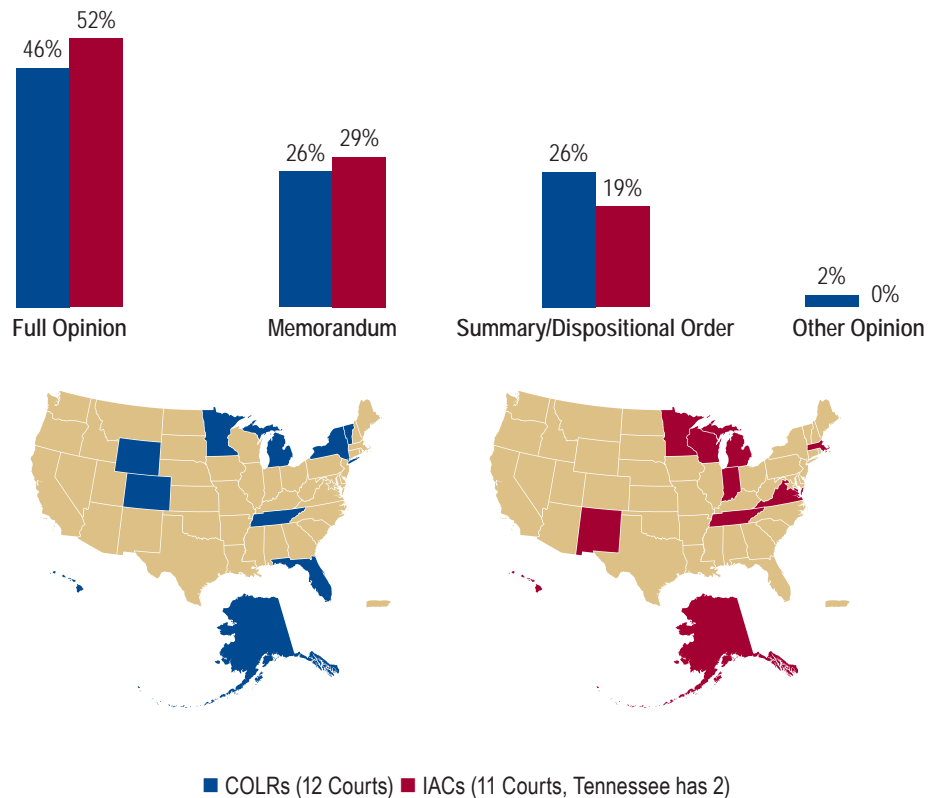
### Comparison of Decided Cases in 9 States, 2008

State	Court	Percent of Total Dispositions Decided
Alaska	Supreme Court	49%
	Court of Appeals	71%
Florida	Supreme Court	25%
	District Courts of Appeal	62%
Michigan	Supreme Court	13%
	Court of Appeals	44%
Minnesota	Supreme Court	25%
	Court of Appeals	86%
New York*	Court of Appeals	5%
	Appellate Terms of Supreme Court	63%
Puerto Rico	Supreme Court	15%
	Circuit Court of Appeals	58%
Tennessee	Supreme Court	13%
	Court of Criminal Appeals	75%
	Court of Appeals	59%
Washington	Supreme Court	10%
	Court of Appeals	48%
Wisconsin	Supreme Court	12%
	Court of Appeals	66%

Notes: \* New York has 2 IACs, but only one is represented in the table. Table only includes data from those states with 2 or more appellate courts.

## The composition of opinions is similar for courts of last resort and intermediate appellate courts

☒ Type of Court Opinion in 23 Appellate Courts, 2008



☒ Percent of Decided Cases with Full Opinion in 26 Courts, 2008

Courts of Last Resort	Percent with Full Opinion	Intermediate Appellate Courts	Percent with Full Opinion
Wyoming	95%	Tennessee Court of Appeals	100%
Colorado	91%	Tennessee Court of Criminal Appeals	93%
Rhode Island	84%	Minnesota	87%
Alaska	76%	Michigan	83%
Hawaii	68%	Virginia	77%
New York	64%	Wisconsin	55%
Minnesota	59%	Alabama Court of Civil Appeals*	46%
Tennessee	40%	Alaska	36%
Florida	39%	New Mexico	21%
Vermont	29%	Massachusetts	19%
Michigan	22%	Illinois	15%
West Virginia	20%	Hawaii	14%
Delaware	16%		
Oregon	14%		

Note: \* Alabama has 2 IACs, but only one is represented in this table.

Note: States in Bold do not have an IAC.

## Affirmed cases outnumber reversals more than two-to-one in courts of last resort and more than four-to-one in intermediate appellate courts

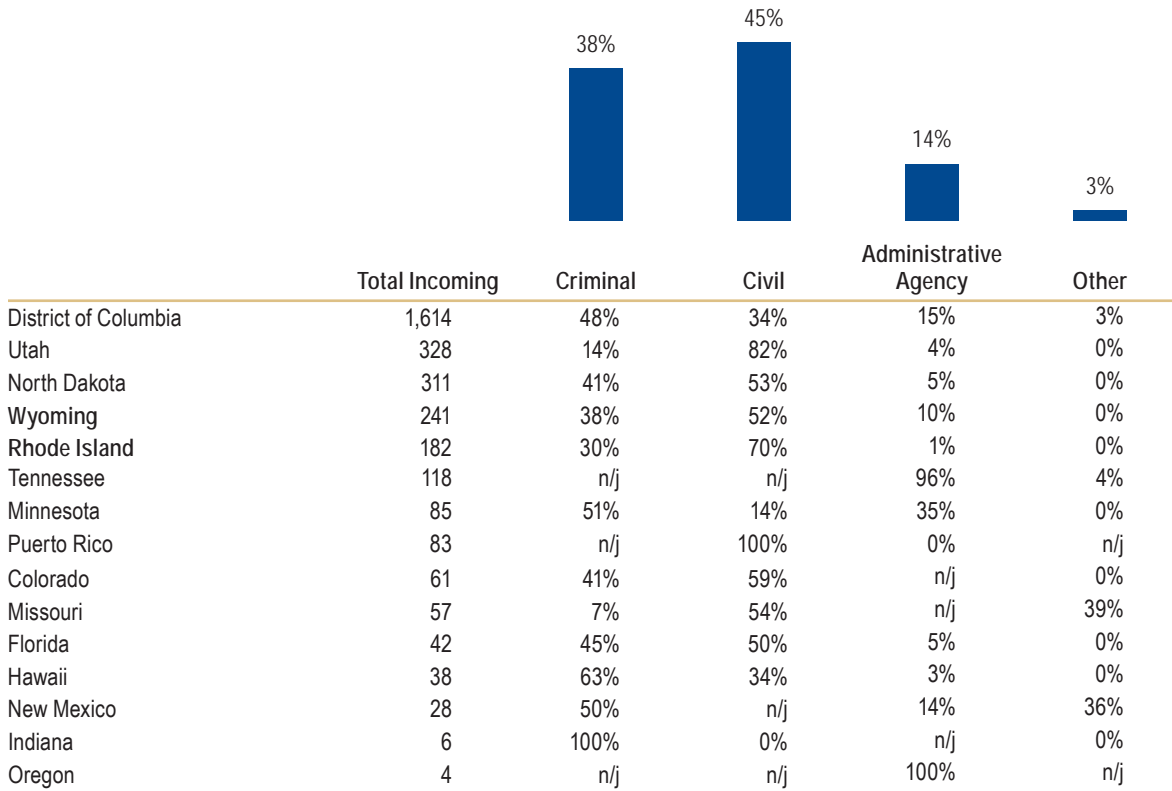
Percent of Total Decided Cases, by Case Outcome, in 33 Appellate Courts, 2008

	Total Decided Cases	Affirmed	Reversed	Modified	Dismissed	Other Outcome
<b>Courts of Last Resort</b>						
Florida	650	76%	14%	6%	3%	2%
Texas Court of Criminal Appeals	496	56%	28%	1%	13%	2%
Delaware	454	88%	7%	2%		2%
North Dakota	292	71%	20%	8%	1%	0%
Kansas	248	47%	12%	19%	8%	0%
Mississippi	225	48%	25%			
Alaska	221	60%	17%	14%	0%	
Minnesota	187	40%	14%	9%	5%	32%
Puerto Rico	185	21%	70%	9%	0%	0%
Texas Supreme Court	159	17%	49%	14%	8%	12%
Wyoming	159	67%	18%	8%	1%	5%
Iowa	143	36%	22%	7%	0%	24%
Tennessee	131	69%	20%	8%	0%	3%
Rhode Island	129	71%	19%	3%		
Colorado	109	34%	54%	9%	0%	3%
<b>Total</b>	<b>3,788</b>	<b>59%</b>	<b>22%</b>	<b>7%</b>	<b>3%</b>	<b>7%</b>
<b>Intermediate Appellate Courts</b>						
Florida	15,725	81%	13%	4%	2%	0%
Illinois	5,274	73%	16%	8%	3%	0%
Puerto Rico	3,273	53%	37%	10%	0%	0%
Minnesota	2,046	64%	16%	8%	12%	0%
Wisconsin	2,028	52%	10%			
Alabama Court of Criminal Appeals	1,652	68%	2%	0%	28%	0%
Maryland	1,400	73%	12%	0%	5%	10%
Massachusetts	1,330	81%	13%	0%	0%	7%
Kansas	1,265	62%	14%	16%	9%	0%
New York Appellate Terms of Sup. Ct.*	1,171	54%	30%	8%	5%	4%
Iowa	1,014	77%	12%	10%		
Tennessee Court of Criminal Appeals	933	80%	8%	7%	3%	2%
New Mexico	759	68%	15%	8%	8%	0%
Tennessee Court of Appeals	752	61%	14%	15%	1%	9%
Virginia	726	73%	12%		0%	
Alabama Court of Civil Appeals	656	64%	15%	7%		14%
Mississippi	540	79%	16%			
Alaska	175	71%	16%	3%	0%	10%
<b>Total</b>	<b>40,719</b>	<b>72%</b>	<b>15%</b>	<b>6%</b>	<b>4%</b>	<b>3%</b>

Notes: \* New York has 2 IACs, but only one court is represented in the table. States in Bold do not have an IAC. Blank cells indicate incomplete data.

**Courts of last resort process a higher percentage of civil Appeals by Right**

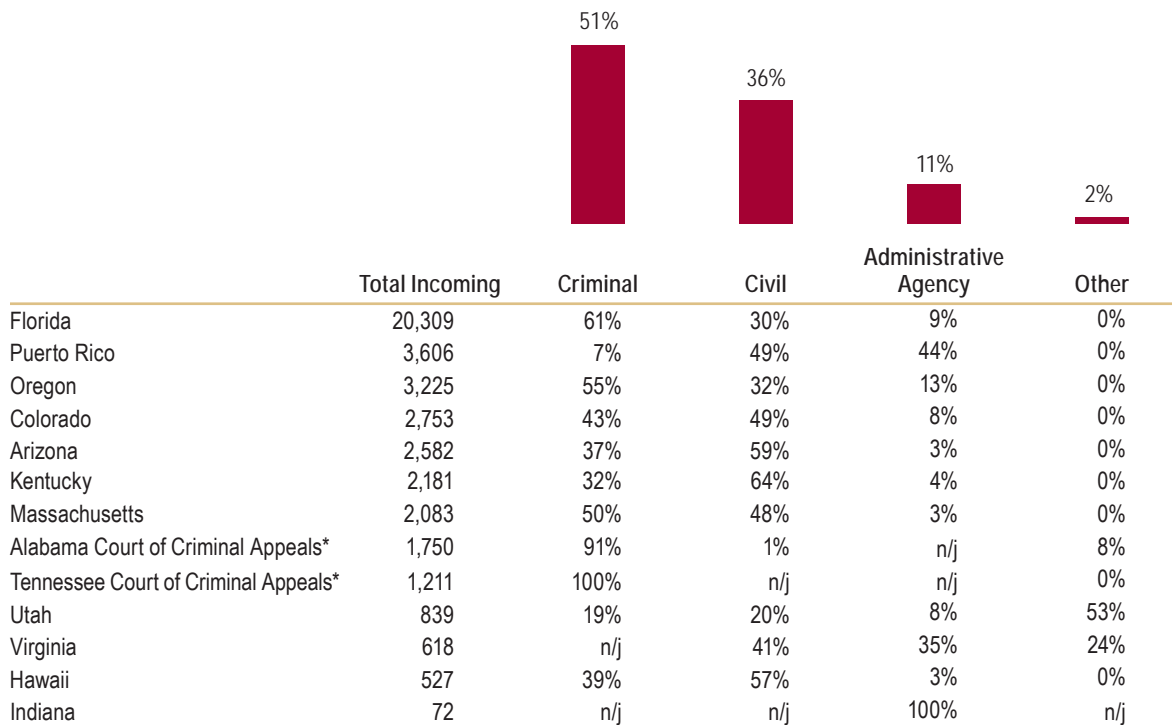
☒ Appeal by Right Caseload in 15 Courts of Last Resort, 2008



Notes: States in Bold do not have an IAC. n/j = Court does not have jurisdiction over the case type.

## Intermediate appellate courts process a higher percentage of criminal Appeals by Right

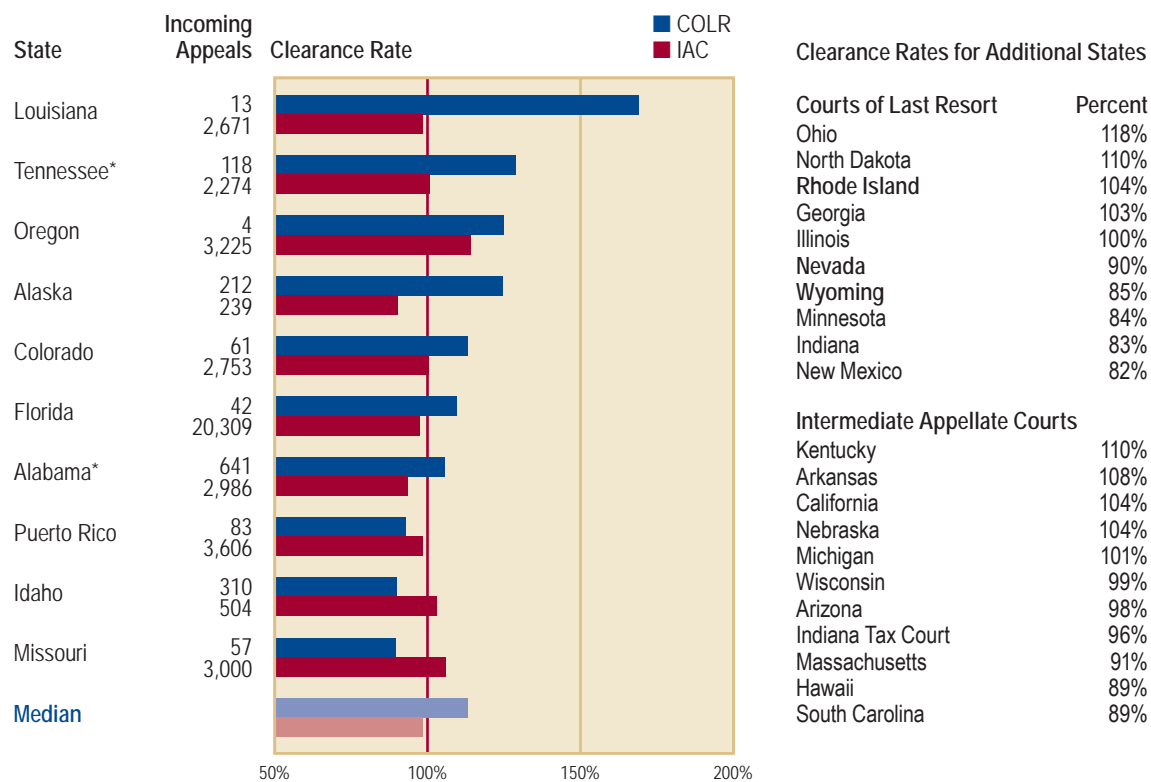
☒ Appeal by Right Caseload in 13 Intermediate Appellate Courts, 2008



Notes: \* State has 2 IACs but only one court is represented. n/j = Court does not have jurisdiction over the case type.

## Small caseloads often lead to high clearance rates

Appeal by Right Clearance Rates in 10 States, 2008

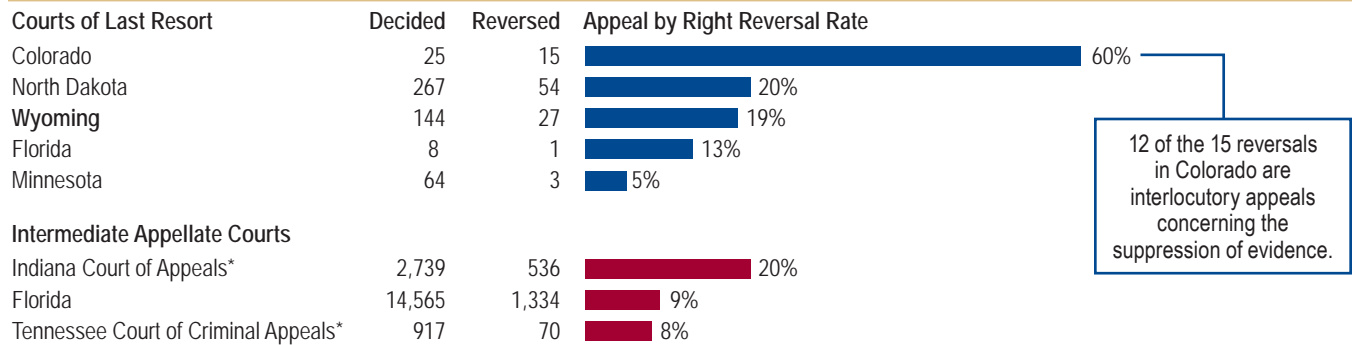


Notes: States in Bold do not have an IAC. \* State has more than one IAC. Data shown is combined total for both IACs.

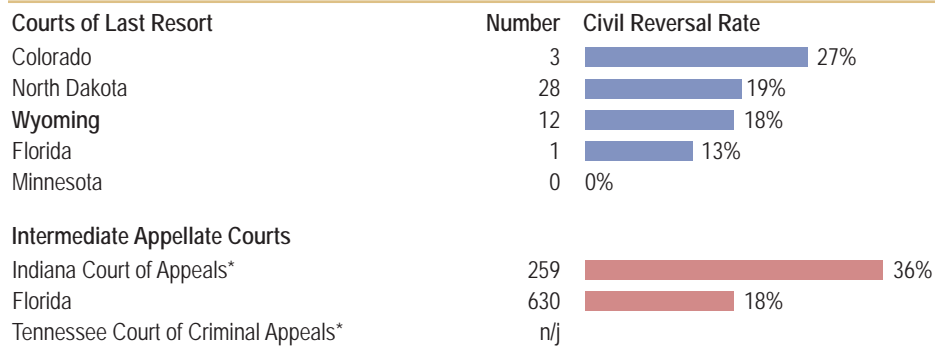
## Reversals occur in less than a quarter of decided appeal by right cases

### Appeal by Right Reversals in 8 Appellate Courts, 2008

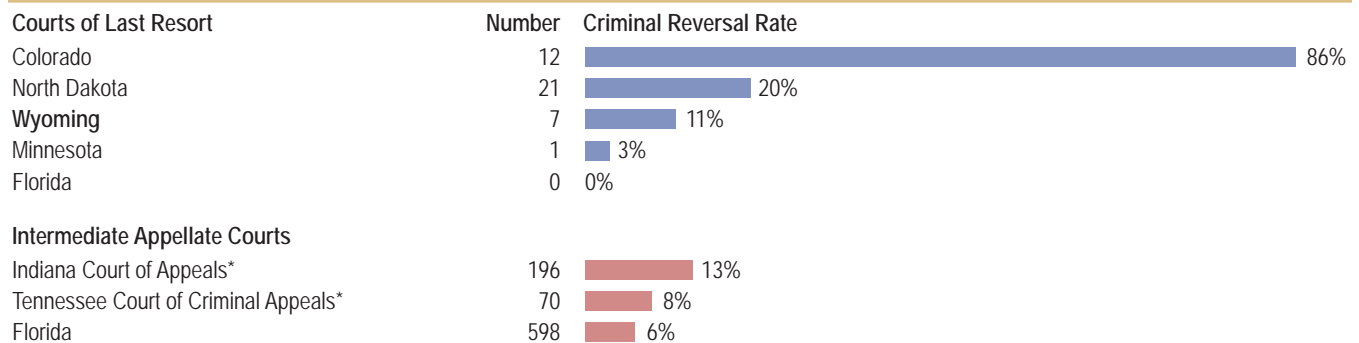
#### Total Appeals Decided and Reversed



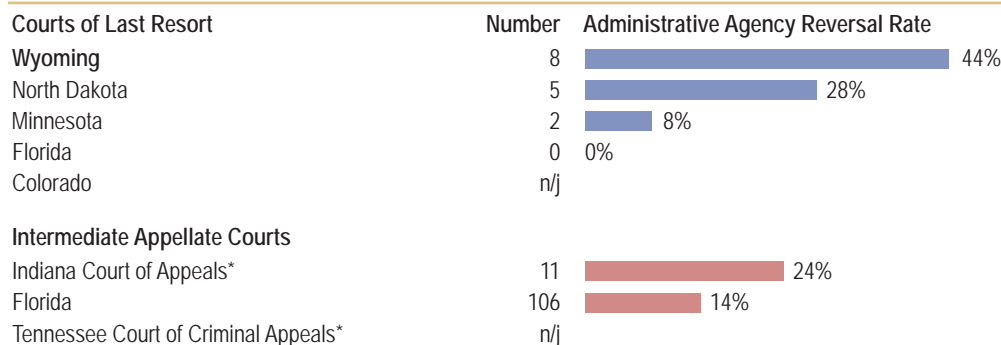
#### Civil Reversed



#### Criminal Reversed



#### Administrative Agency Reversed



Notes: States in **Bold** do not have an IAC. \* State has 2 IACs, but only one is shown. n/j = Court does not have jurisdiction over the case type.

## Criminal Appeals by Permission cases comprise the majority of incoming cases

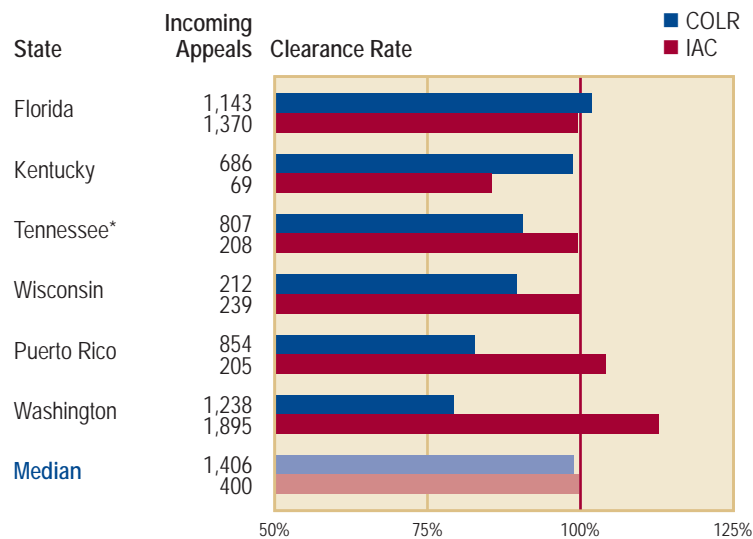
### ☒ Appeal by Permission Incoming Caseload Composition in 9 Appellate Courts, 2008

State	Total Incoming	Criminal	Civil	Administrative Agency	Other
<b>Courts of Last Resort</b>					
Texas Court of Criminal Appeals*	1,804	100%	n/j	n/j	0.3%
Oregon	1,017	76%	14%	9%	0.0%
Florida	1,143	62%	34%	4%	0.0%
Minnesota	624	56%	42%	2%	0.0%
Maine	195	50%	n/j	50%	0.0%
<b>Total</b>	<b>4,783</b>	<b>78%</b>	<b>17%</b>	<b>5%</b>	<b>0.1%</b>
<b>Intermediate Appellate Courts</b>					
Virginia	2,463	100%	n/j	n/j	n/j
Tennessee Court of Criminal Appeals*	99	99%	n/j	n/j	1%
Puerto Rico	1,895	25%	74%	0%	2%
Florida	1,370	23%	75%	2%	0%
<b>Total</b>	<b>5,827</b>	<b>57%</b>	<b>42%</b>	<b>0.4%</b>	<b>0.5%</b>

Notes: States in **Bold** do not have an IAC. \* Texas has 2 COLRs, but only one court is represented in the table. Tennessee has 2 IACs, but only one is represented. n/j = Court does not have jurisdiction over the case type.

## Clearance rates vary by type of appellate court

### ☒ Appeal by Permission Clearance Rates in 6 States, 2008



Clearance rates for states with no IAC or those unable to report complete caseload data for all appellate courts

Courts of Last Resort	Percent
West Virginia**	172%
Alaska	115%
Colorado	108%
Idaho	104%
Hawaii	104%
Texas Court of Criminal Appeals	103%
New Mexico	101%
New York	100%
Minnesota	99%
Oregon	98%
Alabama	97%
South Dakota	97%
Rhode Island	97%
Ohio	93%
Illinois	90%
District of Columbia	71%

Intermediate Appellate Courts	Percent
Kentucky	110%
Michigan	109%
Massachusetts	100%
Virginia	85%
Georgia	77%

Notes: States in **Bold** do not have an IAC. \* Data shown for Tennessee IAC is combined total for both IACs.

\*\* The high clearance rate in West Virginia was due, in part, to the Court's progress in clearing a backlog of worker's compensation cases.

**Death penalty cases represent a very small number of appellate cases**

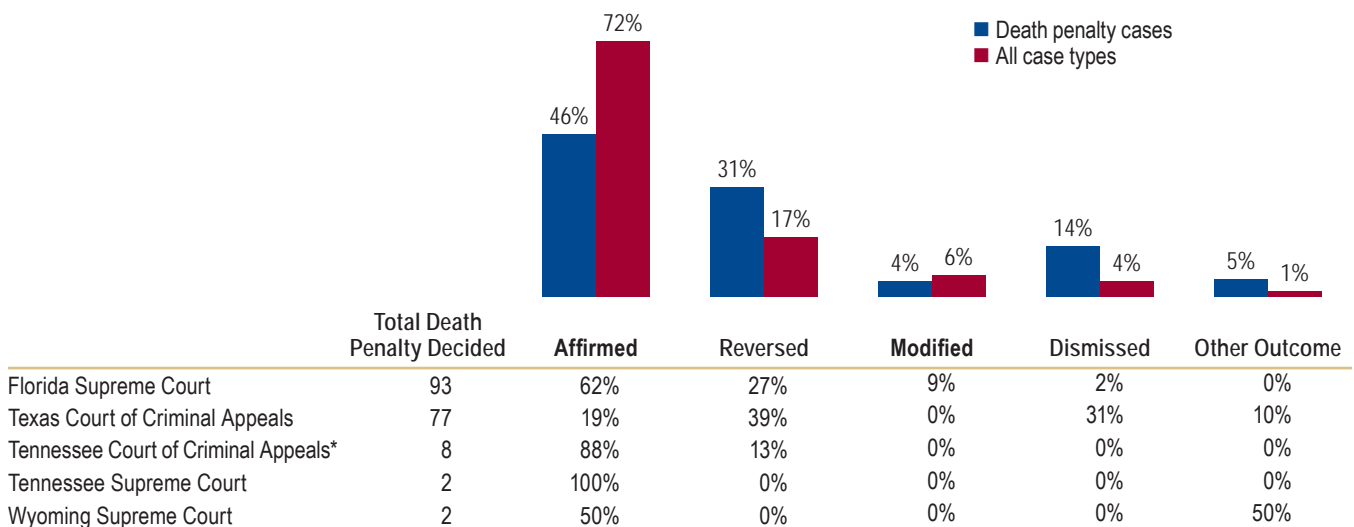
☒ **Death Penalty Caseload Composition in 9 Appellate Courts, 2008**

State	Total Incoming	Total Death Penalty Cases	Type of Case		
			Appeals By Right/ By Permission	Writs	Other
<b>Courts of Last Resort</b>					
Texas Court of Criminal Appeals	9,191	114	15	83	16
Florida	2,541	95	67	19	9
California	10,521	55	17	38	0
Alabama	1,745	21	21	n/j	0
Idaho	474	11	0	11	0
Tennessee	1,063	5	2	n/j	3
Wyoming	284	1	0	1	0
<b>Intermediate Appellate Courts</b>					
Alabama Court of Criminal Appeals	2,302	18	18	0	0
Tennessee Court of Criminal Appeals	1,324	7	3	0	4

Notes: States in Bold do not have an IAC. n/j = Court does not have jurisdiction over the case type.

**Nearly half of death penalty cases are affirmed, but they have a higher rate of reversal than all cases types**

☒ **Death Penalty Case Outcomes in 5 Appellate Courts, 2008**

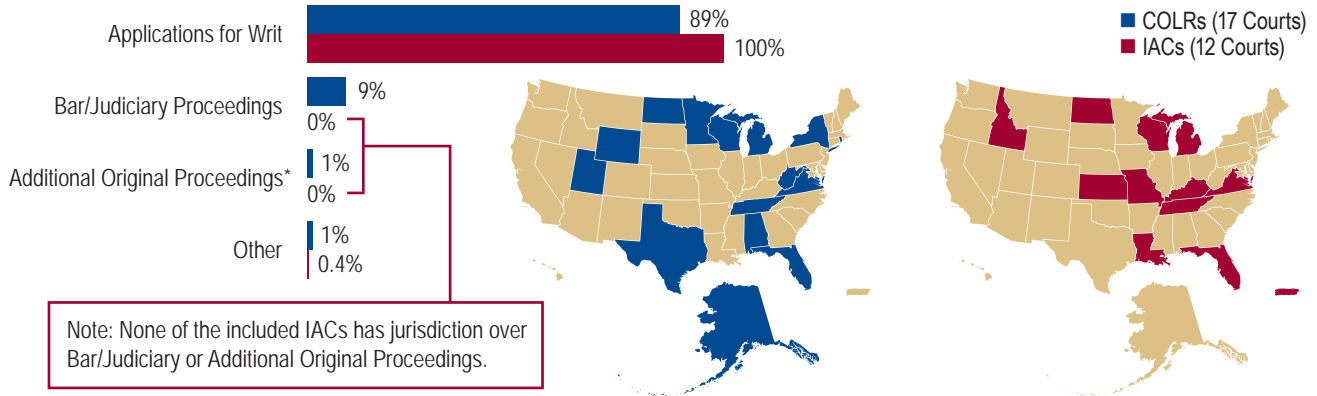


Notes: \* Tennessee Court of Criminal Appeals is the only IAC represented in the table. Only one other state (Alabama) has an IAC with death penalty jurisdiction.

# Original Proceeding/Other Appellate Matter Caseloads

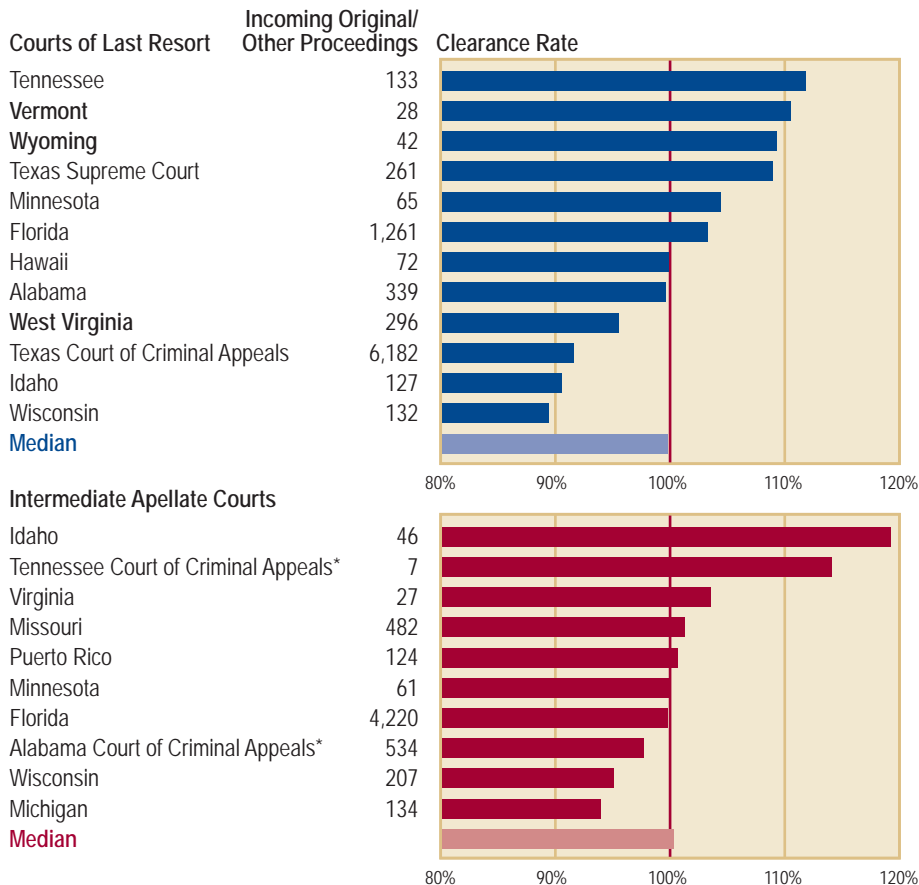
Applications for writ represent the overwhelming majority of original proceeding/other appellate cases

Original Proceeding/Other Appellate Matter Caseload Composition in 29 Appellate Courts, 2008

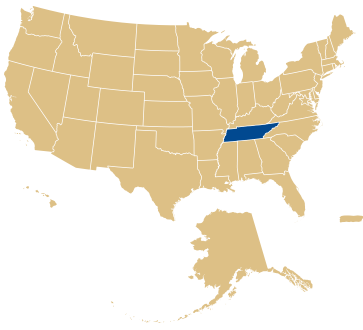


Roughly half the states have original proceeding/other appellate matter clearance rates above 100%

Original Proceeding Clearance Rates in 12 COLRs and 10 IACs, 2008



Notes: States in Bold do not have an IAC. \* State has 2 IACs but only one is represented in the table.



# Tennessee

## Tennessee Appellate Courts Recognized

Two years after the release of the appellate section of the *State Court Guide to Statistical Reporting (Guide)*, many appellate courts are providing data in greater detail, consistent with *Guide* definitions. Tennessee, for example, provides complete statewide manner of disposition, type of court opinion, and case outcome data for all major case type categories and nearly complete caseload summary data.

Tennessee's accomplishment in reporting this data is even more impressive considering the state's unusual appellate court structure. Tennessee is one of only five states that has one court of last resort and two intermediate appellate courts. Together, the jurisdiction of the two IACs is similar to that seen in more traditionally structured states (i.e., one COLR and one IAC), and this similarity manifests itself in caseload composition. Both appellate court levels in Tennessee show incoming caseload compositions comparable to those of states with a traditional appellate court structure. One exception to this is death penalty jurisdiction. Tennessee's Court of Criminal Appeals has jurisdiction over death penalty appeals by right, applications for writ (excluding habeas corpus), and other death penalty matters. This is a unique characteristic of an IAC, and only one other state (Alabama) shares it.

The success of Tennessee's data reporting is largely attributable to the hard work of staff from the Tennessee Administrative Office of the Courts (AOC) who supply data to the Court Statistics Project (CSP). In an effort to ensure data accuracy, the AOC staff requested technical assistance from CSP staff to map their data into the CSP reporting categories. As a result, the detail and quality of Tennessee's data allows for a more accurate and in-depth look at the state's appellate courts.

## Tennessee Appellate Court Structure

### Supreme Court

CSP Case Types:

- Appeal by right workers' compensation and death penalty.
- Appeal by permission criminal, civil, administrative agency, and death penalty. Interlocutory appeals in criminal, civil, and administrative agency.
- Original proceeding bar admission, bar discipline/eligibility, and certified question.

### Court of Appeals (3 divisions)

CSP Case Types:

- Appeal by right civil and administrative agency (except workers' compensation).
- Appeal by permission civil and administrative agency (except workers' compensation).
- Interlocutory appeals in civil and administrative agency.

### Court of Criminal Appeals (3 divisions)

CSP Case Types:

- Appeal by right criminal and death penalty.
- Appeal by permission criminal.
- Interlocutory appeals in criminal.
- Original proceeding application for writ (excluding habeas corpus; including death penalty application for writ).

Route of Appeal

## Tennessee reports detailed data for all three appellate courts

### ☒ Caseload Data Reported by Tennessee's Appellate Courts, 2008

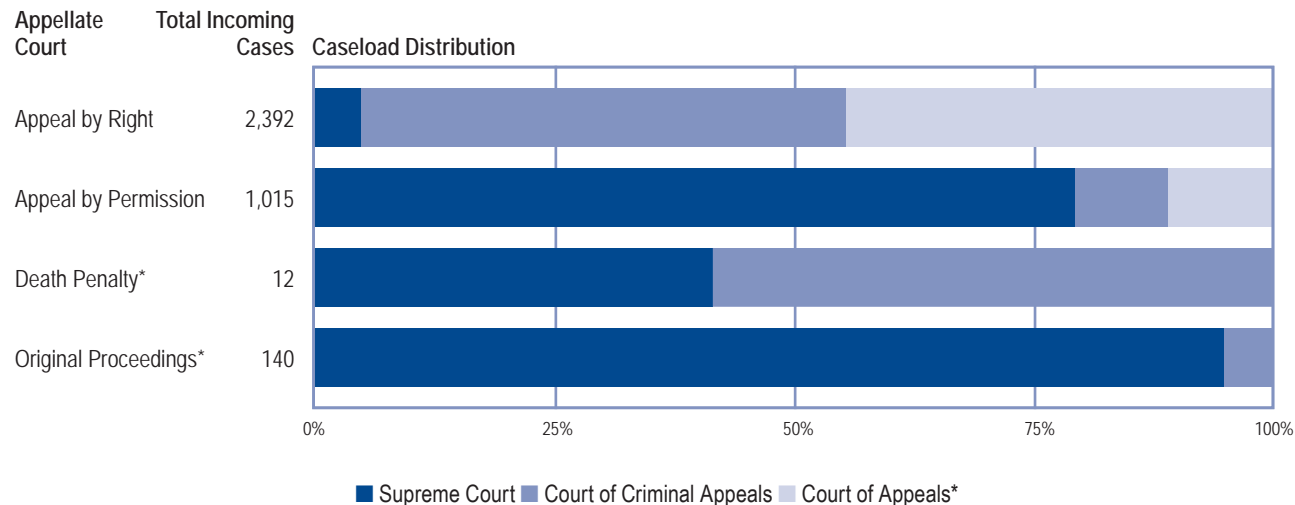
	Appeal by Right	Appeal by Permission	Death Penalty	Original/Other Proceedings
Begin Pending - Active				
Begin Pending - Inactive				
Filed	✓	✓	✓	✓
Reactivated	✓	✓	✓	✓
Disposed	✓	✓	✓	✓
Placed Inactive	✓	✓	✓	✓
End pending - Active				
End Pending - Inactive				
Interlocutory	n/j	✓	n/a	n/a
Decided	✓	✓	✓	✓
Permission Denied	✓	✓	✓	✓
Dismissed Prior to Decision	✓	✓	✓	✓
Settled/ Withdrawn	✓	✓	✓	✓
Court ADR	n/j	n/j	n/a	n/a
Transferred	✓	✓	✓	✓
Other Resolution	✓	✓	✓	✓
Full Opinion	✓	✓	✓	✓
Memorandum	✓	✓	✓	✓
Summary/ Dispositional Order	n/j	n/j	n/j	n/j
Other Opinion	✓	✓	✓	✓
Affirmed	✓	✓	✓	✓
Reversed	✓	✓	✓	✓
Modified	✓	✓	✓	✓
Dismissed	✓	✓	✓	✓
Other Outcome	✓	✓	✓	✓

Notes: blank = not reported. n/a = caseload data are not applicable for this case status. n/j = no jurisdiction.



## Complete statewide data illuminates the distribution of caseloads across appellate courts

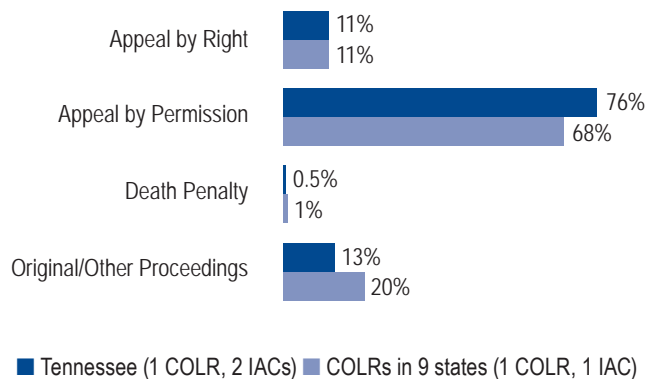
### ☒ Incoming Caseload Distribution in Tennessee, 2008



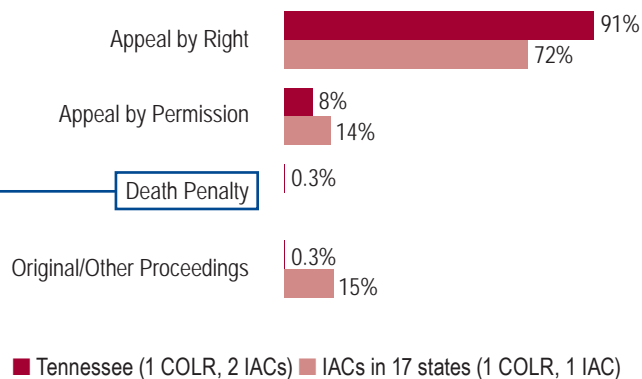
\* The Court of Appeals does not have jurisdiction over death penalty cases or original proceedings.

## Despite Tennessee's unique structure, the caseloads in the court of last resort and intermediate appellate courts resemble the caseload of states with a traditional two court appellate structure

### ☒ Caseload Composition for Courts of Last Resort, 2008



### ☒ Caseload Composition for Intermediate Appellate Courts, 2008



### ☒ Court of Criminal Appeals Death Penalty Caseload, 2008

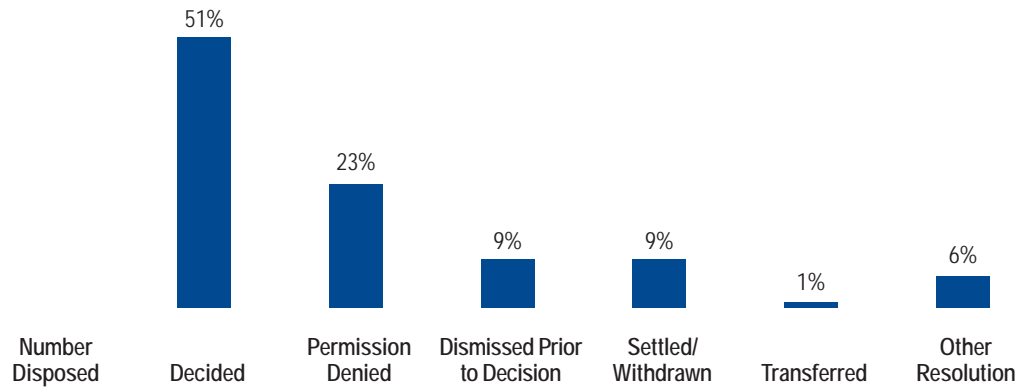
Caseload Summary	Incoming Cases
Appeals by Right	3
Appeals by Permission	n/j
Habeas Corpus Writs	n/j
Other Writs	0
Other Matter	4

n/j = no jurisdiction.



## The manner of disposition is influenced by case type

☒ Manner of Disposition by Case Category in Tennessee's Appellate Courts, 2008



### Appeal by Right

	Number Disposed	Decided	Permission Denied	Dismissed Prior to Decision	Settled/Withdrawn	Transferred	Other Resolution
Supreme Court	151	56%	n/a	2%	38%	3%	0%
Court of Criminal Appeals	1,133	81%	n/a	8%	7%	1%	2%
Court of Appeals	1,150	63%	n/a	17%	15%	2%	3%

### Appeal By Permission

	Number Disposed	Decided	Permission Denied	Dismissed Prior to Decision	Settled/Withdrawn	Transferred	Other Resolution
Supreme Court	731	6%	89%	4%	1%	0%	1%
Court of Criminal Appeals	92	9%	85%	5%	1%	0%	0%
Court of Appeals	115	21%	74%	1%	3%	1%	0%

### Death Penalty

	Number Disposed	Decided	Permission Denied	Dismissed Prior to Decision	Settled/Withdrawn	Transferred	Other Resolution
Supreme Court	6	33%	50%	17%	0%	n/j	0%
Court of Criminal Appeals	10	80%	20%	0%	0%	0%	0%
Court of Appeals	n/j	n/j	n/j	n/j	n/j	n/j	n/j

### Original Proceedings

	Number Disposed	Decided	Permission Denied	Dismissed Prior to Decision	Settled/Withdrawn	Transferred	Other Resolution
Supreme Court	149	1%	2%	0%	0%	n/j	97%
Court of Criminal Appeals	8	0%	100%	0%	0%	0%	0%
Court of Appeals	n/j	n/j	n/j	n/j	n/j	n/j	n/j
Statewide Total	3,545	51%	23%	9%	9%	1%	6%

Notes: n/j = no jurisdiction. n/a = if an appeal is by right, denying permission is not possible.



## Appeals by Permission are reversed more often than Appeals by Right, and the Supreme Court has the highest reversal rate (52%)

Case Outcome by Case Category in Tennessee's Appellate Courts, 2008

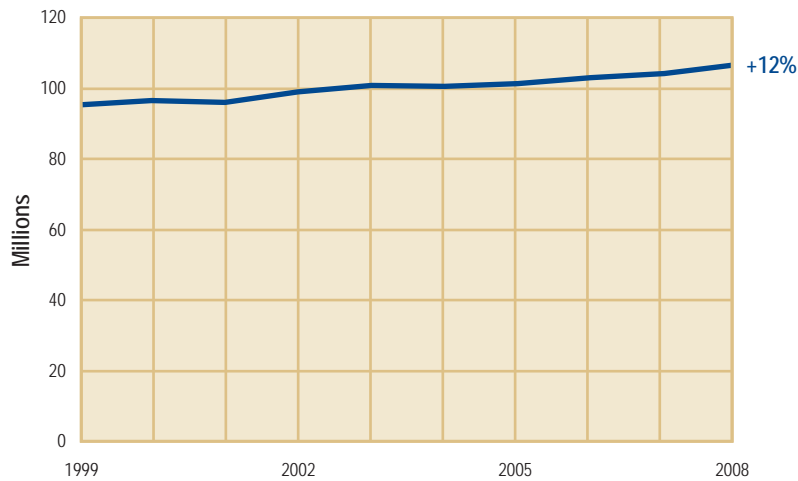
Case Type	Supreme Court	Court of Criminal Appeals	Court of Appeals
<b>Appeal by Right Cases</b>	(85 Cases)	(917 Cases)	(728 Cases)
Affirmed	93%	80%	63%
Reversed	5%	8%	13%
Modified	1%	7%	14%
Dismissed	0%	3%	11%
Other Outcome	1%	3%	9%
<b>Appeal by Permission Cases</b>	(42 Cases)	(8 Cases)	(24 Cases)
Affirmed	24%	38%	21%
Reversed	52%	38%	38%
Modified	21%	25%	29%
Dismissed	0%	0%	0%
Other Outcome	2%	0%	13%
<b>Death Penalty Cases</b>	2 Affirmed	7 Affirmed 1 Reversed	no jurisdiction
<b>Original Proceedings Cases</b>	2 Other Outcomes	no cases decided	no jurisdiction



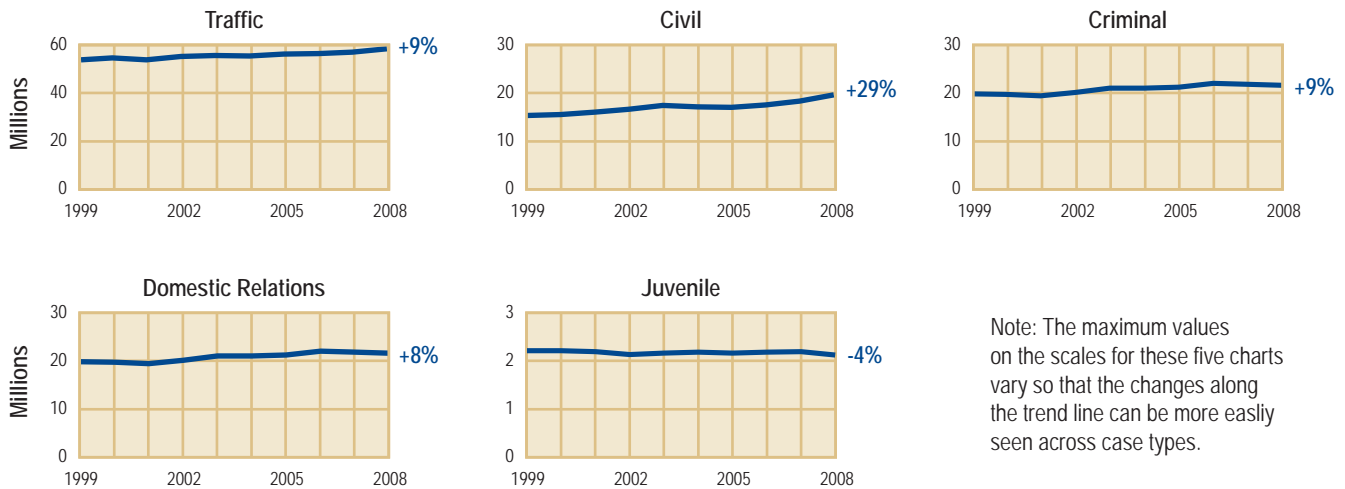
**106 million incoming trial court cases in 2008—the most ever reported**

More incoming cases were reported by state trial courts in 2008 than at any other time in the 35 year history of the Court Statistics Project—a record 106 million cases. Though the overall increase since 2007 was slightly over 2 percent, civil cases—likely spurred by the faltering economy—increased by 1.3 million, or 7 percent.

**Total Incoming Cases in State Courts, All States, 1999-2008**



**Total Incoming Cases in State Courts by Case Category, All States, 1999-2008**



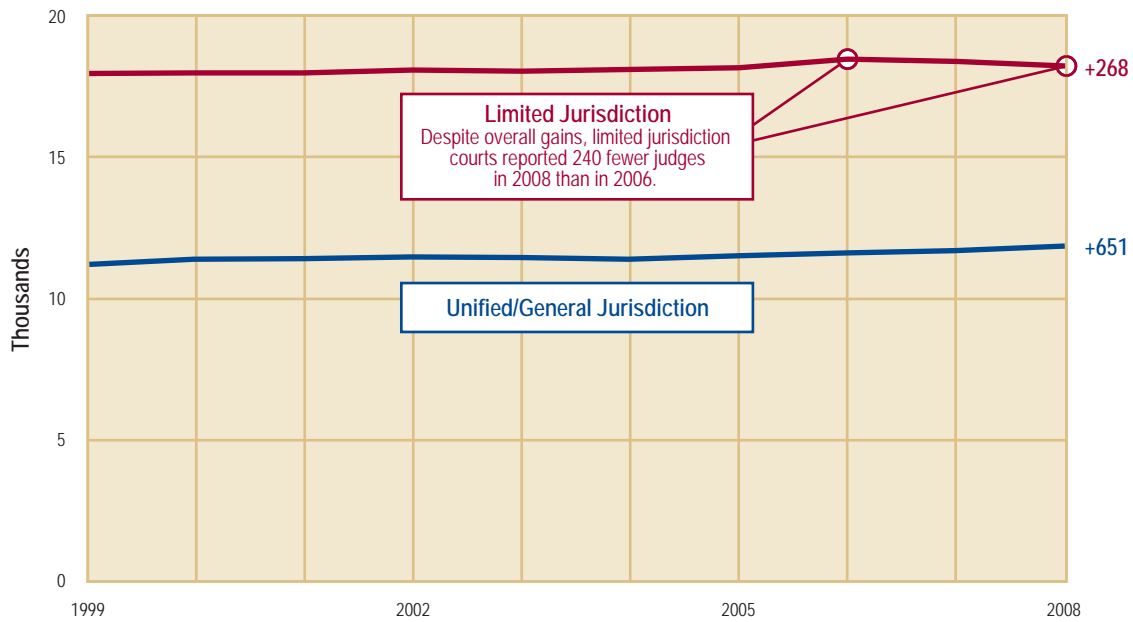
Domestic relations and criminal caseloads held steady in 2008 while juvenile caseloads actually declined by 5 percent. The increase in reported traffic/ordinance violations cases equaled that of the overall increase (2.2 percent), clearly showing the influence of those huge numbers (57.5 million cases) on the total.

## Limited jurisdiction courts are losing judges

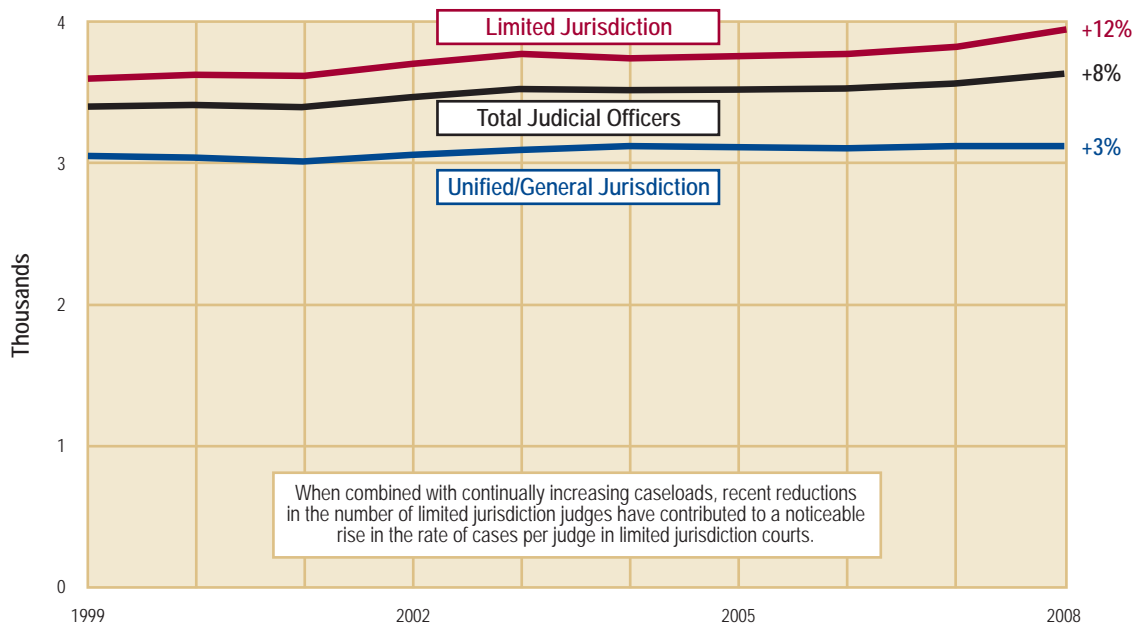
☒ Total Incoming Cases in State Courts, by Jurisdiction, 2008 (in millions)

Case Categories	Jurisdiction				Total	Percent Change, 2007-2008
	Unified	General	Unified & General	Limited		
Traffic/Violations	12.2	1.9	14.1	43.5	57.5	+2.2%
Criminal	3.2	3.3	6.6	14.7	21.3	-0.6%
Civil	3.5	5.2	8.7	10.8	19.4	+7.3%
Domestic Relations	1.0	3.1	4.1	1.6	5.7	+0.2%
Juvenile	0.4	1.0	1.4	0.7	2.1	-5.3%
All Cases	20.2	14.5	34.7	71.3	106.0	+2.2%

☒ Judicial Officers in General and Limited Jurisdiction Courts, 1999-2008



☒ Total Incoming Cases per Judicial Officer, by Jurisdiction, 1999-2008



## Incoming cases per general jurisdiction judge typically reach into the thousands

### Full-Time Judges in Unified and General Jurisdiction Courts, 2008

State	Number of Full-time Judges		Incoming Non-Traffic Cases per Judge	Population Rank
	Total	Per 100,000 Population		
<b>Unified Courts</b>				
South Dakota	39	4.8	2,886	47
North Dakota	42	6.5	2,394	49
Connecticut	179	5.1	2,326	30
California	1,614	4.4	2,157	1
Wisconsin	246	4.4	2,101	20
District of Columbia	62	10.5	1,968	51
Missouri	334	5.6	1,890	18
Kansas	163	5.8	1,829	34
Minnesota	289	5.5	1,780	21
Iowa	196	6.5	1,702	31
Illinois	898	7.0	1,475	5
Puerto Rico	326	8.2	726	27
<b>Median</b>		5.7	1,929	
<b>General Jurisdiction</b>				
South Carolina <sup>1</sup>	46	1.0	4,842	24
North Carolina <sup>1</sup>	109	1.2	3,384	10
New Jersey	411	4.7	3,253	11
Florida	599	3.3	2,939	4
Indiana	308	4.8	2,719	16
Maine	53	4.0	2,543	41
Utah <sup>2</sup>	71	2.6	2,479	35
Georgia	202	2.1	2,196	9
Nevada	64	2.5	2,130	36
Oregon	174	4.6	2,059	28
Ohio	391	3.4	2,041	7
Maryland	153	2.7	2,022	19
Texas	444	1.8	1,982	2
Tennessee <sup>2</sup>	154	2.5	1,979	17
Vermont	32	5.2	1,968	50
Virginia <sup>2</sup>	157	2.0	1,858	12
Arkansas	118	4.1	1,816	33
Arizona	174	2.7	1,644	14
Washington	188	2.9	1,622	13
Louisiana	231	5.2	1,600	25
Alabama	143	3.1	1,570	23
Pennsylvania	439	3.5	1,564	6
Oklahoma	241	6.6	1,546	29
Delaware <sup>1</sup>	19	2.2	1,438	46
New Mexico	88	4.4	1,432	37
Michigan	221	2.2	1,415	8
Kentucky	146	3.4	1,332	26
New Hampshire	19	1.4	1,312	42
Colorado	153	3.1	1,232	22
New York <sup>2</sup>	455	2.3	1,109	3
Hawaii	46	3.6	1,056	43
Montana	45	4.7	961	45
Rhode Island <sup>1</sup>	22	2.1	800	44
Nebraska <sup>2</sup>	55	3.1	778	39
Wyoming	22	4.1	778	52
West Virginia	65	3.6	771	38
Alaska	40	5.8	512	48
Mississippi <sup>1</sup>	51	1.7	497	32
Idaho	43	2.8	475	40
Massachusetts <sup>1</sup>	82	1.3	384	15
<b>Median</b>		3.1	1,585	

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

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

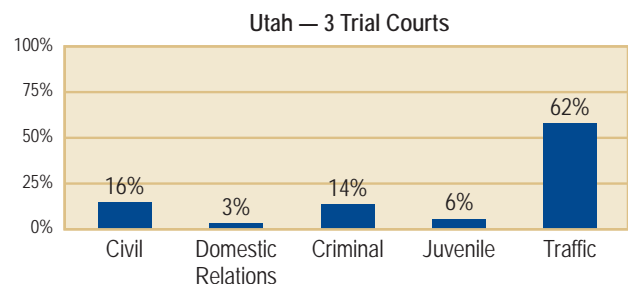
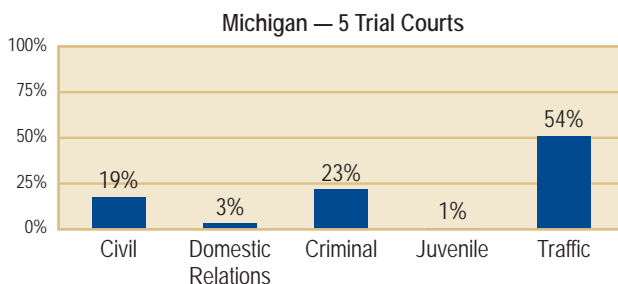
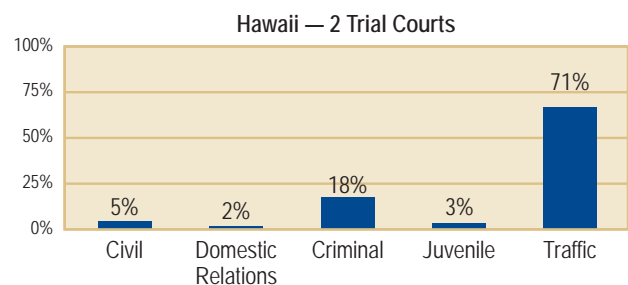
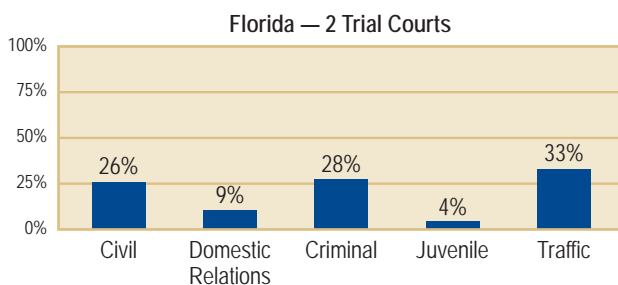
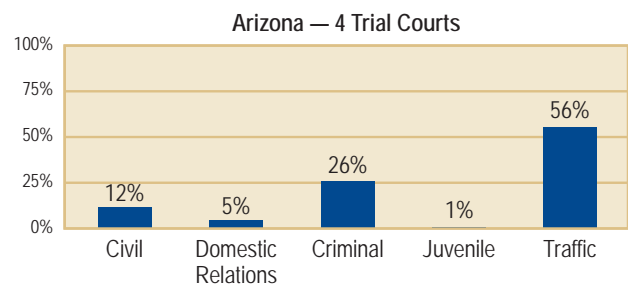
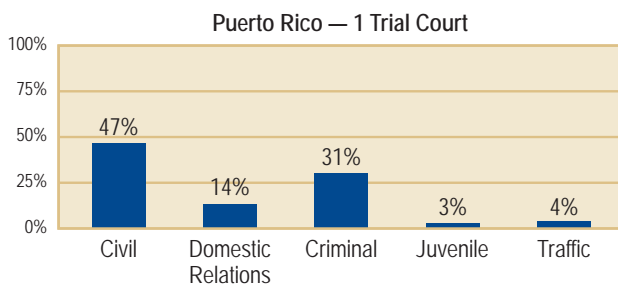
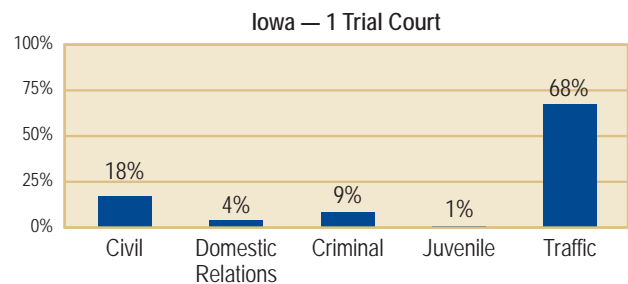
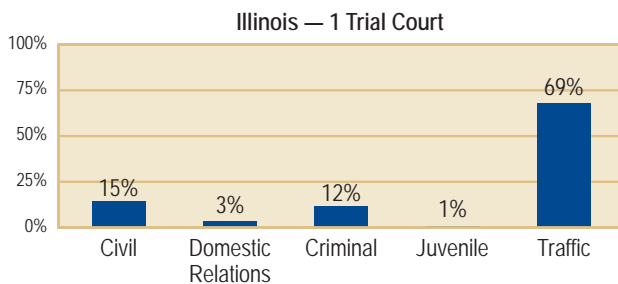


## Individual statewide caseload composition shows subtle variation

The way states organize their court systems varies almost as much as the states themselves. Some states have a single trial court (“structurally unified”) in which all cases are processed, but most states have a two-tiered system with separate limited and general jurisdiction courts. Among those states, systems can range from a simple two-tiered structure with just one limited and one general jurisdiction court to more complex systems with multiple limited and general jurisdiction courts. Despite all the combinations, one thing is universally applicable to every state court system in the U.S.—each one has at least one court of general jurisdiction.

The eight states below are being highlighted by virtue of having reported complete caseloads from all of their trial courts in all of the five major categories of cases. With the exception of the island of Puerto Rico, traffic caseloads dominated overall caseload composition. Puerto Rico was also unusual due to high proportions of civil and domestic relations cases.

### ☒ Caseload Composition in 8 States, 2008



## Record civil caseloads in 2008

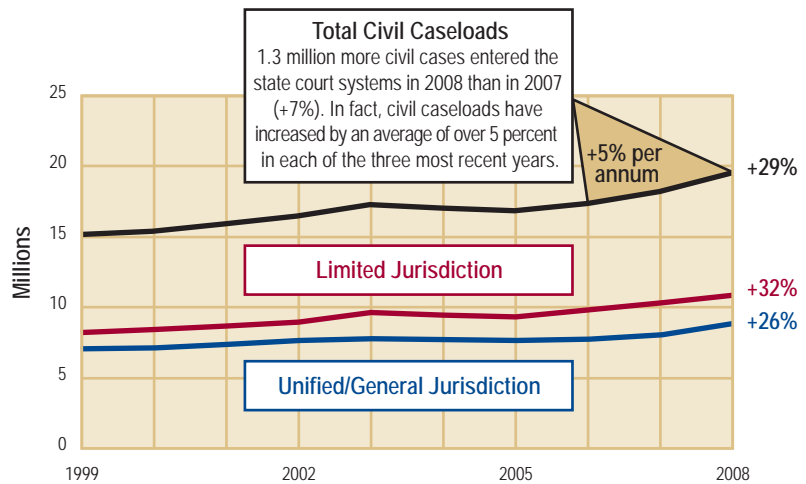
Civil actions—those that involve tort, contract, real property, small claims, probate, mental health, and civil appeals cases—are increasing at a time when many courts are struggling due to diminished resources. The same recession that is applying pressure to the courts through tightening budgets also appears to be driving up caseloads. Nowhere is this more apparent than in the civil arena, where state courts reported 1.3 million more cases in 2008 than in the previous year.



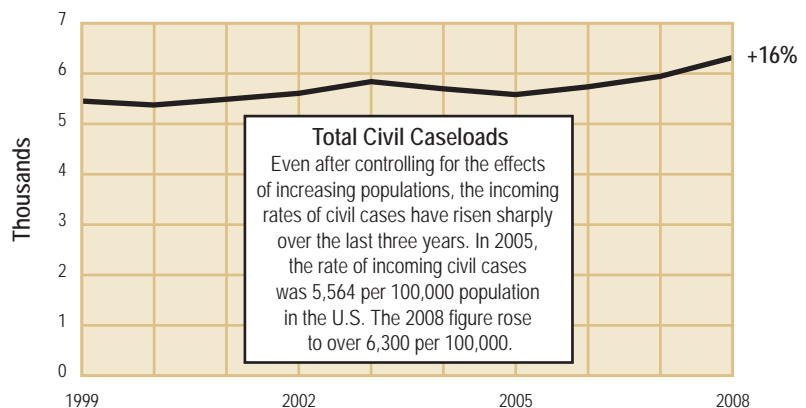
**Special Recognition:**

Minnesota is Recognized for Increasing Civil Case Type Reporting

### Incoming Civil Caseloads, 1999-2008



### Incoming Civil Cases per 100,000 Population, 1999-2008



## Nearly one in 5 trial court cases is civil in nature

### Total Incoming Cases in State Courts, by Jurisdiction, 2008 (in millions)

Case Categories	Jurisdiction				Total	Percent of Total
	Unified	General	Unified & General	Limited		
Traffic/Violations	12.2	1.9	14.1	43.5	57.5	54.3%
Criminal	3.2	3.3	6.6	14.7	21.3	20.1%
<b>Civil</b>	<b>3.5</b>	<b>5.2</b>	<b>8.7</b>	<b>10.8</b>	<b>19.4</b>	<b>18.3%</b>
Domestic Relations	1.0	3.1	4.1	1.6	5.7	5.4%
Juvenile	0.4	1.0	1.4	0.7	2.1	2.0%
All Cases	20.2	14.5	34.7	71.3	106.0	100.0%
Increase in Number of Civil Cases Since 2007	0.3	0.5	0.8	0.6	1.3	

Note: Totals may not sum due to rounding.

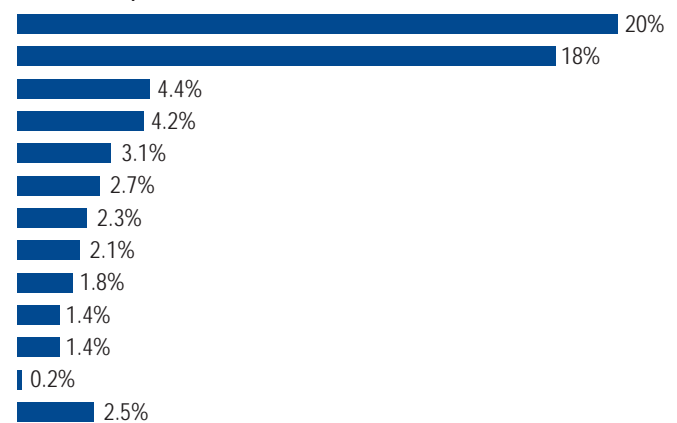
## Most states still lack the ability to report reopened and reactivated caseloads

### Total Incoming Civil Caseloads and Rates in 29 States, 2008

State	Total Incoming Civil Cases	Civil Cases Per 100,000 Population
<b>States that do not report separate Reopened/Reactivated Caseloads</b>		
New York	1,852,112	9,503
Indiana	512,956	8,044
Delaware	65,265	7,475
Connecticut	260,218	7,432
Nebraska	119,386	6,694
Kentucky	284,899	6,673
Colorado	324,301	6,566
Oklahoma	209,142	5,742
Idaho	82,253	5,398
Missouri	318,115	5,381
Wisconsin	300,005	5,331
Arkansas	140,867	4,933
Utah	133,650	4,884
Washington	307,898	4,701
Minnesota	236,782	4,536
New Hampshire	55,361	4,207
Hawaii	32,116	2,493
<b>Median</b>		<b>5,398</b>
<b>States that report separate Reopened/Reactivated Caseloads</b>		
Florida	1,419,204	7,743
North Dakota	33,727	5,258
Puerto Rico	116,918	2,957
Illinois	642,701	4,982
Ohio	915,127	7,967
New Jersey	918,527	10,579
Vermont	27,677	4,455
District of Columbia	69,104	11,676
Michigan	824,665	8,244
Arizona	354,566	5,455
Kansas	195,021	6,960
Iowa	184,370	6,140
<b>Median</b>		<b>6,550</b>

The *State Court Guide to Statistical Reporting* recommends that all state courts capture and report reopened and reactivated caseload data. Reopened cases are those that have previously reached a disposition but have unexpectedly returned to the court for further judicial action. Reactivated cases have not been disposed; instead, they are placed on inactive status while the case is out of the court's control, such as during a bankruptcy proceeding. When the case is ready to resume movement toward a disposition, it is reactivated and assumes its place on the court's active docket. Since most states presently do not or cannot distinguish these two case status categories, they are aggregated here to provide more consistency to the analysis.

#### Percent Reopened/Reactivated

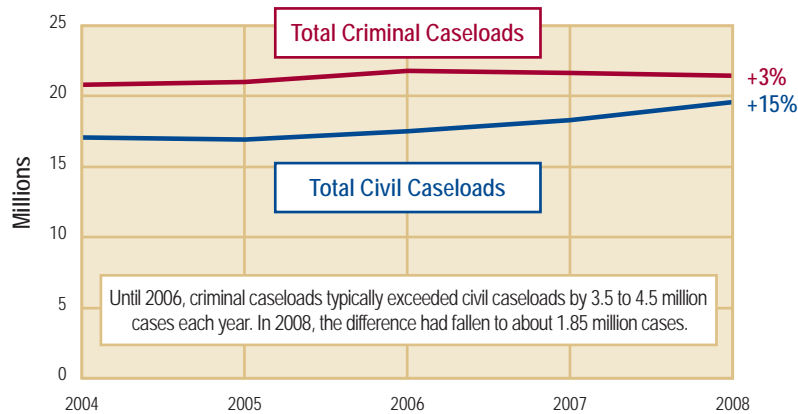


Note: States in Bold have a unified court system.

## If present trends continue, civil caseloads may soon outnumber criminal caseloads

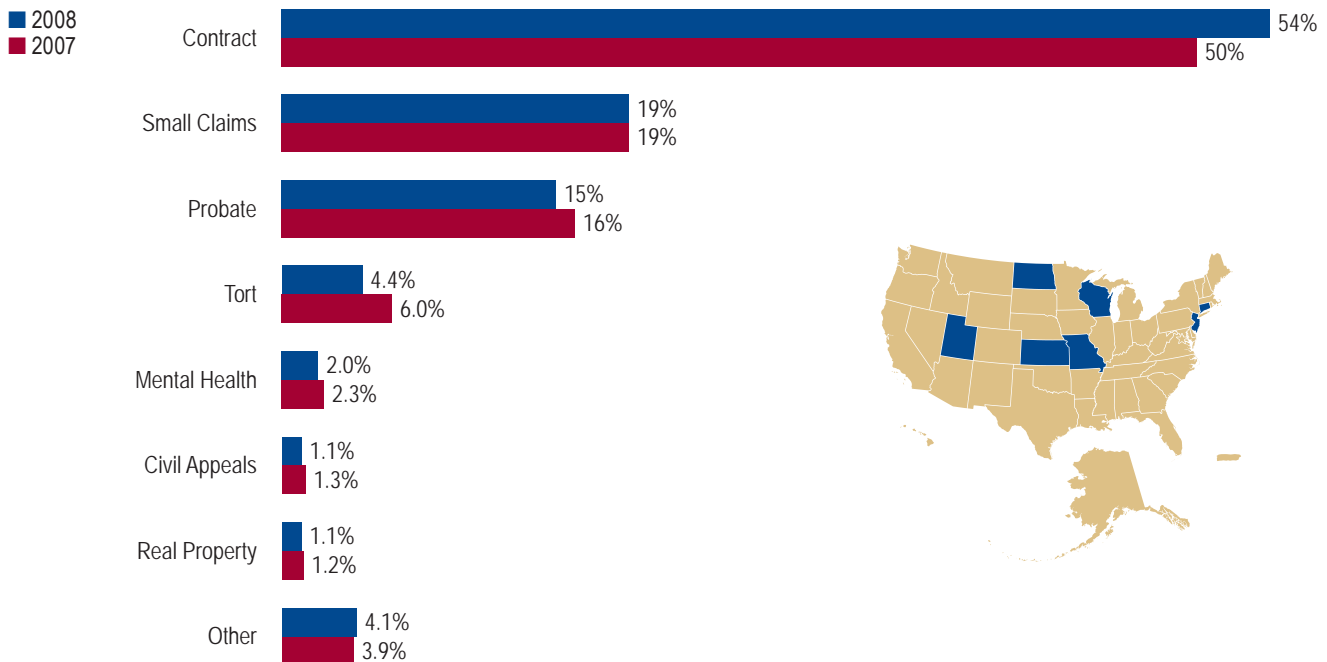
Criminal caseloads are somewhat different than other categories of cases in that, in two-tiered court systems, felony cases can be legitimately counted twice—once in the limited jurisdiction court for a preliminary hearing and again if it is bound over to the general jurisdiction court for trial. Though these are recommended counts of cases for each level of court, it does exaggerate the actual number of defendants in the criminal court system. Since most states have two-tiered systems and count criminal cases at both levels of court, it is conceivable that civil cases have already exceeded the number of criminal defendants being processed in state courts.

☒ Total Incoming Civil and Criminal Caseloads, 2004-2008



## Contracts comprise an increasingly large share of civil caseloads

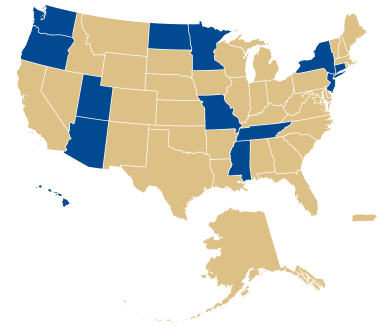
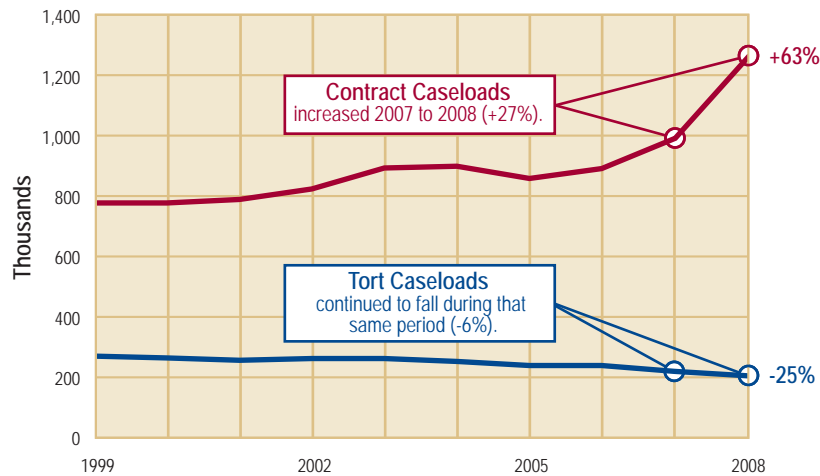
☒ Incoming Civil Caseload Composition in 7 States, 2007 vs. 2008



Note: In 2008, contract and small claims cases combined for 73 percent of all civil cases in these 7 states (up 4% from 2007) while tort cases comprised less than 5 percent.

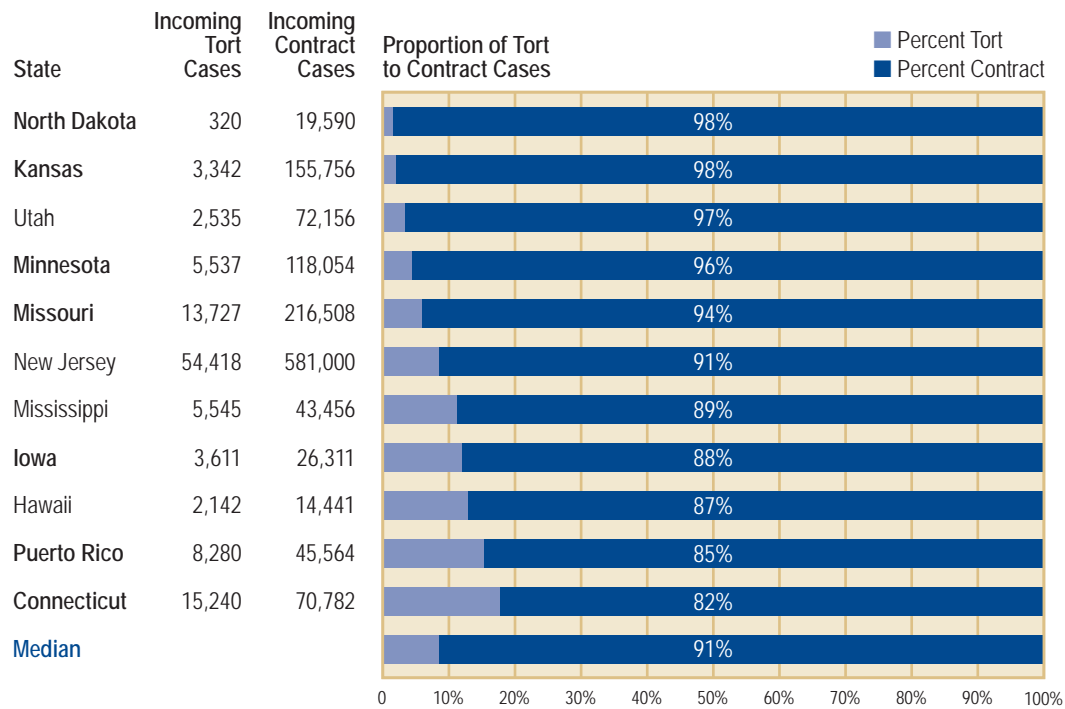
## Contract caseloads continue to climb

Contract and Tort Caseloads in 13 General Jurisdiction Courts, 1999-2008



## Incoming contract cases are nine times that of torts

Incoming Tort and Contract Rates in 11 States, 2008



When tort and contract caseloads are examined side by side, contracts dominate in every jurisdiction. With the overall and median proportion of contracts in these 11 states above 90 percent, and given their growing numbers, contract case processing is doubtless an increasing concern for all state courts.

Note: States in Bold have a unified court system.

## Debt collections dominate contract caseloads...

The *State Court Guide to Statistical Reporting* includes definitions for 8 individual contract case types plus a residual “Other” category. These case types capture various landlord/tenant and employment disputes as well as fraud, mortgage foreclosure, and buyer and seller plaintiff cases. The latter, also known as debt collection cases, appear to account for the bulk of contract caseloads in the states able to make the distinction, ranging from 34 to 92 percent of all contracts in those states.

Similarly, torts are separated into 8 individual case types plus a residual “Other” category. Data from 17 unified and general jurisdiction courts indicate that automobile accident litigation generally comprises the majority of tort caseloads, with proportions ranging from 18 to 69 percent.

### ☒ Seller Plaintiff/Debt Collection Caseloads in 7 States, 2008

	Incoming Seller Plaintiff/Debt Collection Cases	Percent of Total Contract Caseload	Cases per 100,000 Population	
			Contract	Seller Plaintiff
Utah	66,205	92%	2,637	2,419
Mississippi	34,971	80%	1,479	1,190
Kansas	112,093	72%	5,558	4,000
Minnesota	77,088	65%	2,261	1,477
Iowa	13,689	52%	876	456
Puerto Rico	21,945	48%	1,152	555
Connecticut	23,713	34%	2,022	677
<b>Median</b>		65%	2,022	1,190

Note: States in Bold have a unified court system.

## ... while automobile cases comprise the majority of torts

### ☒ Incoming Automobile Tort Caseloads in 17 Unified and General Jurisdiction Courts, 2008

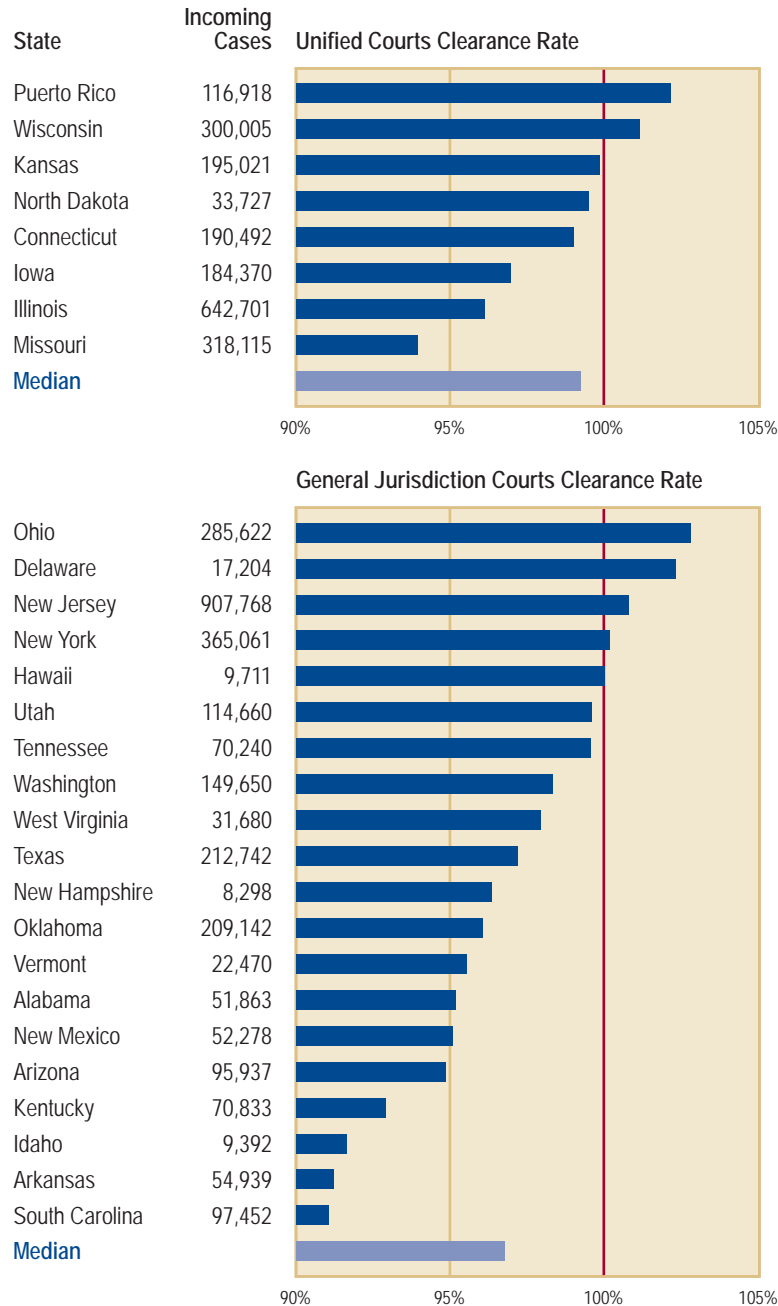
	Incoming Automobile Cases	Percent of Tort Caseload	Cases per 100,000 Population	
			Tort	Automobile Tort
North Carolina	5,947	69%	94	64
Connecticut	10,335	68%	435	295
Arizona	7,101	64%	171	109
Wisconsin	4,440	62%	127	79
Kansas	1,927	58%	119	69
Texas	14,555	56%	107	60
Maryland	5,624	56%	179	100
Colorado	2,753	55%	101	56
New Mexico	2,311	55%	210	116
Hawaii	740	55%	105	57
Iowa	1,906	53%	120	63
New Jersey	28,356	52%	627	327
Florida	22,671	52%	240	124
New York	28,744	50%	293	147
Rhode Island	1,178	40%	283	112
Mississippi	1,595	39%	141	54
Puerto Rico	1,528	18%	209	39
<b>Median</b>		55%	171	79

Note: States in Bold have a unified court system.

## Some courts are struggling to clear their civil caseloads

A clearance rate is calculated by dividing the number of outgoing cases (disposed or placed inactive) by the number of incoming cases (newly filed, reopened, or reactivated). Increasing numbers of contract cases, already known to comprise the preponderance of civil caseloads, appear to be having a negative effect on some courts' civil clearance rates. Of the 28 unified and general jurisdiction courts shown below, only 7 have achieved rates at or above 100 percent.

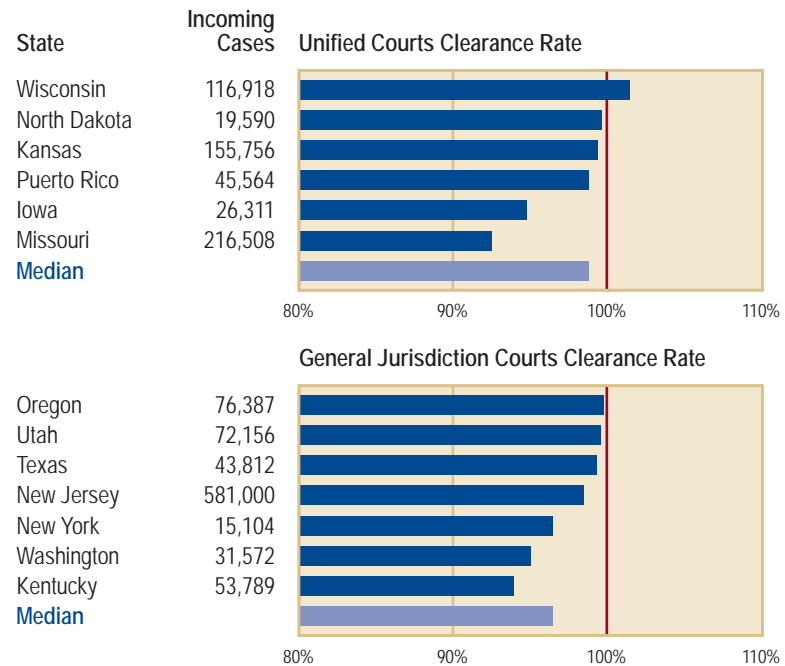
☒ **Civil Caseload Clearance Rates in 28 Unified and General Jurisdiction Courts, 2008**



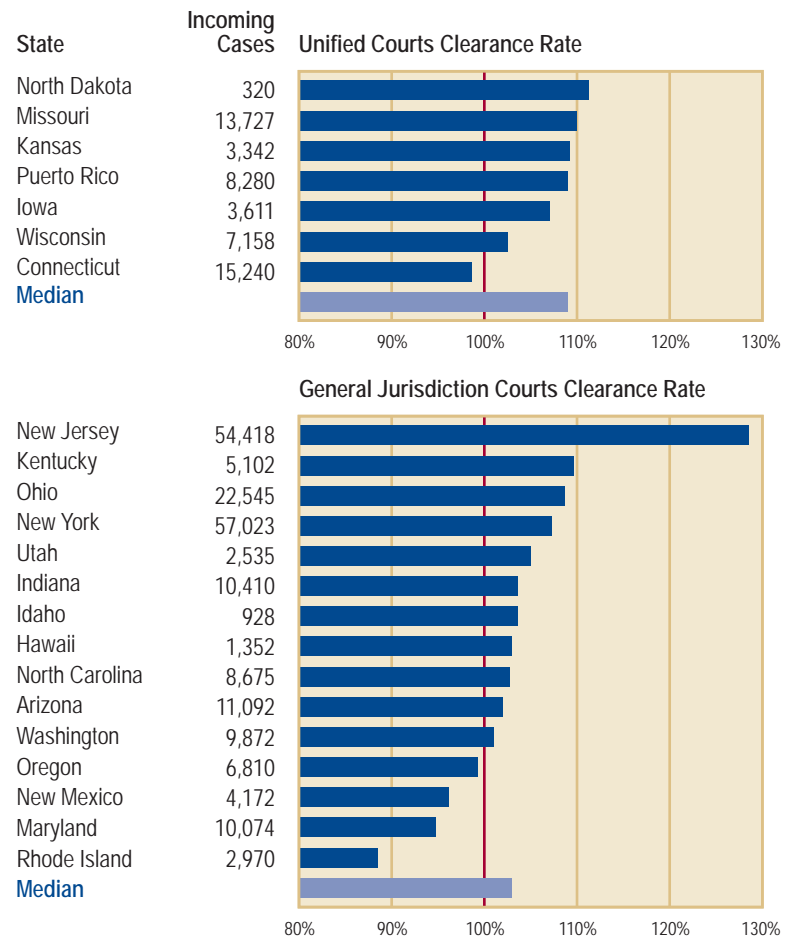
## Contract clearance rates are consistently lower than those for tort caseloads

Examination of two of the aforementioned components of civil caseloads—contract and tort cases—confirms that increasing contract caseloads may be hampering courts’ efforts to clear civil cases. The median clearance rates for the larger contract caseloads in 13 unified and general jurisdiction courts are under 100 percent (99% and 96%, respectively) while both types of courts were more successful clearing the smaller (although sometimes more complex) tort caseloads, with medians above 100 percent.

☒ **Contract Clearance Rates in 13 Unified and General Jurisdiction Courts, 2008**



☒ **Tort Clearance Rates in 22 Unified and General Jurisdiction Courts, 2008**



## Like other torts, medical malpractice claims continue to decline

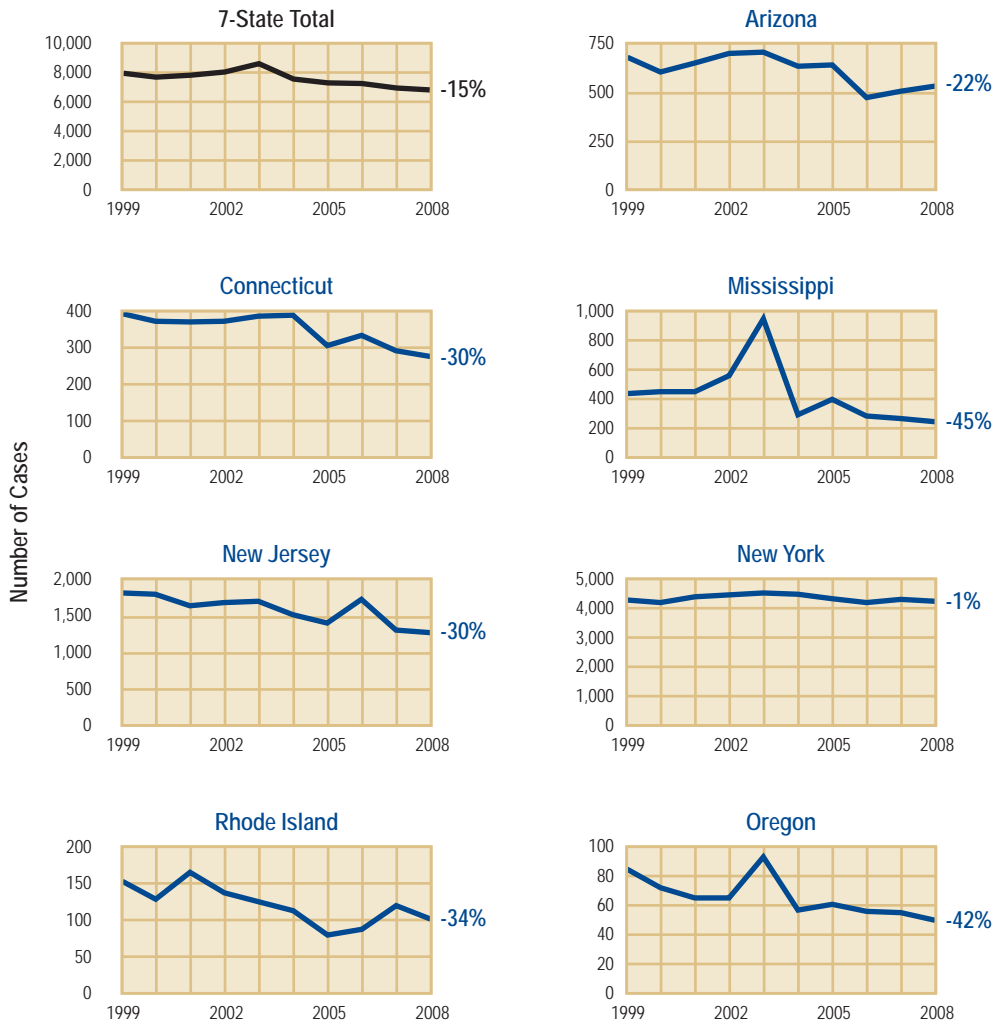
Just as torts typically represent a single-digit proportion of civil caseloads, medical malpractice cases comprise a similar proportion of torts. Despite their continued notoriety, rarely does a medical malpractice caseload exceed a few hundred cases in any one state in one year.

### ☒ Incoming Medical Malpractice Cases in 9 States, 2008

State	Incoming Cases	Percent of Tort Caseload
Kansas	248	7.4%
<b>Puerto Rico</b>	496	6.0%
Iowa	168	4.7%
Mississippi	241	4.3%
New Jersey	1,249	2.3%
Wisconsin	139	1.9%
Connecticut	272	1.8%
Oregon	49	0.7%
Minnesota	37	0.7%
<b>Total</b>	3,437	2.8%

Note: States in Bold have a unified court system.

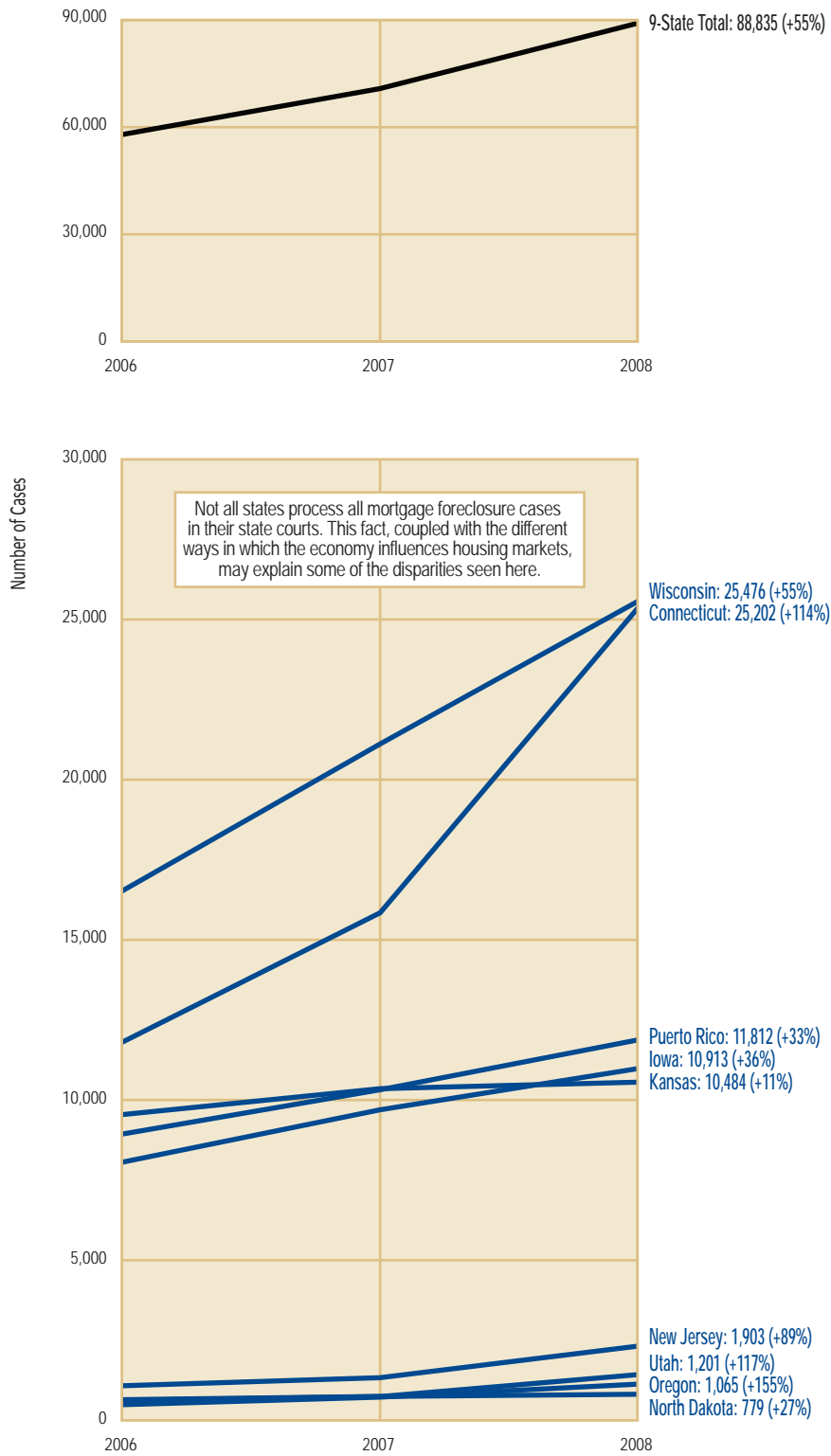
### ☒ Incoming Medical Malpractice Cases in General Jurisdiction Courts in 7 States, 1999-2008



As was seen in Mississippi in 2003, the enactment of tort reform legislation can profoundly affect the filing patterns of medical malpractice caseloads. However, medical malpractice caseloads are often so small that a change of as few as 50 or 100 filings can create a similar effect.

# Mortgage foreclosure cases—increasing everywhere, but at vastly different rates

☒ Incoming Mortgage Foreclosure Caseloads in 9 States, 2006-2008



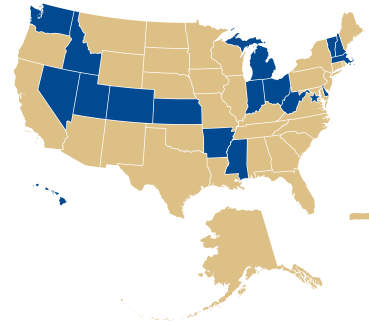
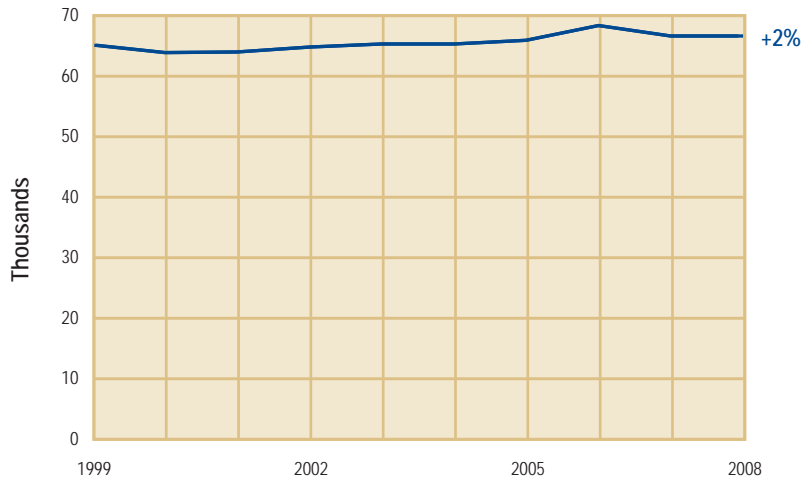
## Guardianship caseload data remains incomplete

A guardianship case is generated when the state grants the power to make personal, financial, and/or property decisions to one person on behalf of another. As a huge proportion of the population of the United States ages, adult guardianships of the elderly are expected to increase.

However, guardianship data from state courts are not well reported; some states cannot distinguish between juvenile and adult guardianships, while others cannot distinguish between probate cases dealing with estates and those dealing with persons. In addition, counting these cases accurately can also be difficult as most of them return to the court periodically for review to determine whether the guardian is performing his or her duties properly. Such reappearances before the court qualify as neither a new filing or as a reopened case and should be counted in the status category in the *State Court Guide to Statistical Reporting* called “Set for Review.”

The data reported here depict total (adult and juvenile) guardianships for 18 states but do not reflect the expected increase in caseload. More complete reporting by an increasing number of states will be required to paint an improved picture of guardianship caseloads.

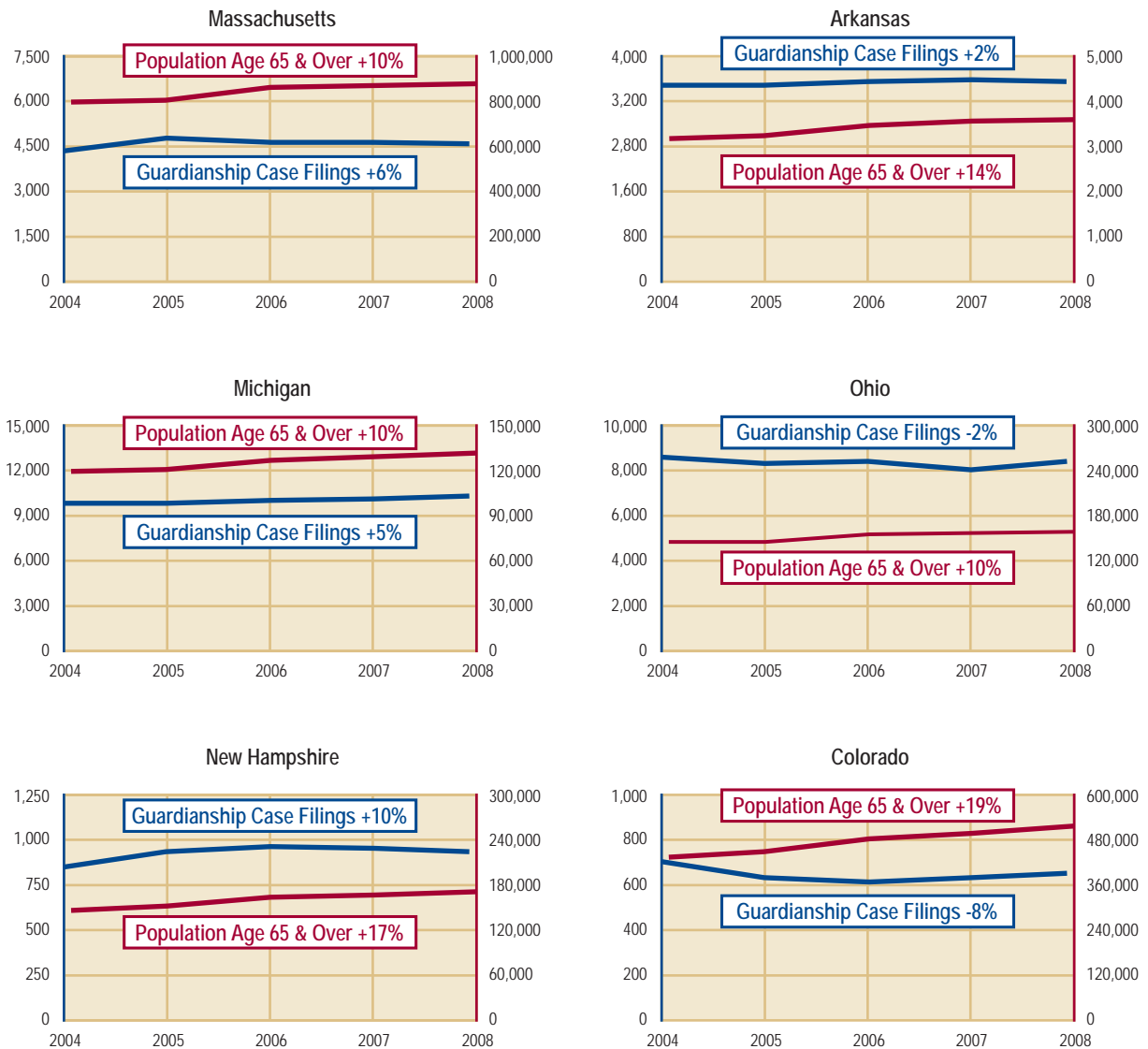
### Incoming Total Guardianship Caseloads in 18 States, 1999-2008



## Changes in guardianship caseloads and adult population growth vary among states

The trends lines below show three different patterns in the relationship between population growth of elders and adult guardianship caseloads. The expected pattern is illustrated by Massachusetts, Michigan, and New Hampshire, where there are sizeable increases in caseloads and population. In two states, Arkansas and Ohio, caseloads remain flat despite population growth. Finally, in Colorado the caseload has declined in the face of population growth, although the decline was most noticeable between 2005 and 2006; since that time, caseloads have remained flat. The small number of states that report these data, and the relatively small number of cases, make these trends difficult to see and interpret.

### Incoming Guardianship Caseloads and Population Age 65 & Over in 6 States, 2004-2008



## The adult and juvenile guardianship case mix is as diverse as the states themselves

### ☒ Incoming Guardianship Caseloads in 20 States, 2008

State	Total Incoming Guardianship Cases	Total Population	Incoming Cases per 100,000 Population
Vermont	1,165	621,270	188
New Hampshire	2,238	1,315,809	170
Michigan	16,977	10,003,422	170
Massachusetts	10,125	6,497,967	156
Arkansas	3,544	2,855,390	124
Oklahoma	4,347	3,642,361	119
Indiana	7,190	6,376,792	113
<b>Wisconsin</b>	6,106	5,627,967	108
Missouri	5,869	5,911,605	99
Idaho	1,295	1,523,816	85
Ohio	9,577	11,485,910	83
Nevada	2,074	2,600,167	80
District of Columbia	455	591,833	77
Hawaii	833	1,288,198	65
Kansas	1,670	2,802,134	60
Delaware	515	873,092	59
West Virginia	979	1,814,468	54
Utah	1,433	2,736,424	52
Washington	2,861	6,549,224	44
Colorado	1,216	4,939,456	25
<b>Median</b>		80,057,305	84

Notes: States in Bold have a unified court system. Adult and juvenile guardianship cases compose total guardianships.

### ☒ Incoming Guardianship Caseloads in 14 States, 2008

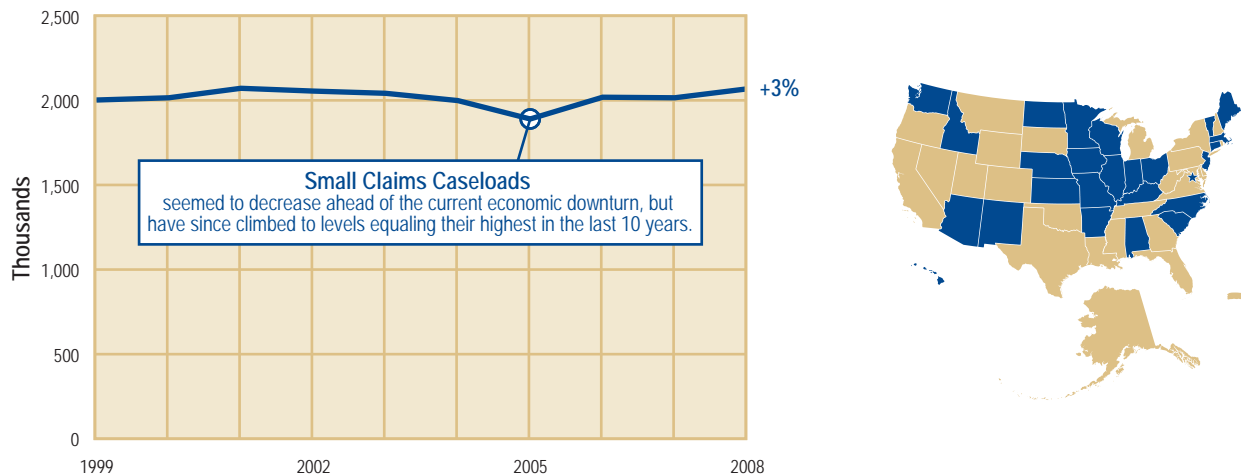
	Incoming Guardianship Cases	Population Rank	Percent of Guardianship Caseloads		Adult Cases per 100,000 Adults Age 65 & Over	Juvenile Cases per 100,000 Juveniles
			Adult	Juvenile		
Arkansas	3,544	33	99%	1%	872	2
Michigan	16,977	8	59%	41%	772	266
Vermont	1,165	50	47%	53%	630	410
<b>Wisconsin</b>	6,106	20	77%	23%	628	98
District of Columbia	455	51	90%	10%	583	37
New Hampshire	2,238	42	42%	58%	550	398
Massachusetts	10,125	15	45%	55%	522	364
Idaho	1,295	40	71%	29%	501	88
Ohio	9,577	7	70%	30%	425	99
Missouri	5,869	18	49%	51%	357	199
Kansas	1,670	34	54%	46%	244	104
Utah	1,433	35	33%	67%	193	109
Delaware	515	46	45%	55%	192	131
Colorado	1,216	22	53%	47%	126	45
<b>Median</b>			53%	47%	512	107

Note: States in Bold have a unified court system.

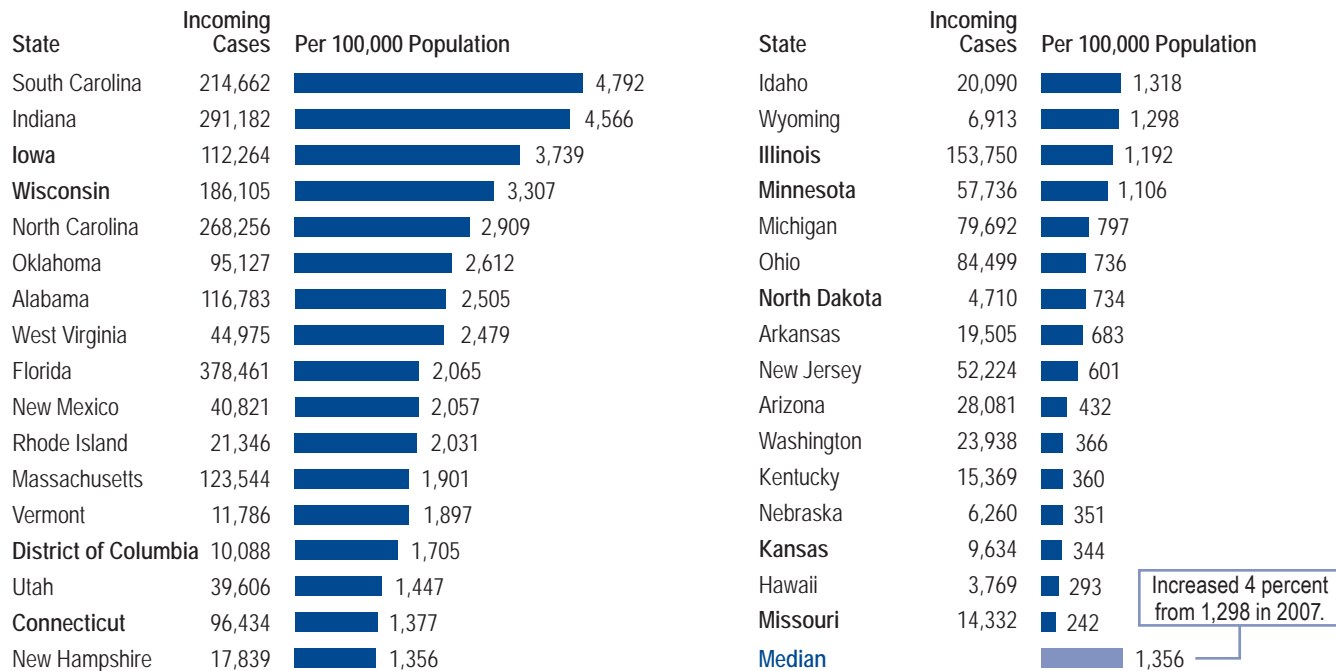
## Despite their inherent similarities, small claims are not increasing like contracts

Tort, contract, and real property cases valued below a maximum statutory amount are usually termed “small claims” cases. However, due to the variation in the limits that states use for small claims cases, there is little state-to-state consistency in the cases included in these caseloads. For example, Kentucky has a maximum value limit of \$1,500 for small claims cases while Alaska caps theirs at \$10,000. Most states’ limits fall in between with a median of \$5,000. The result is that a case valued at \$4,500 in one state may be filed as a small claims case there, while the same case could be filed as a “limited civil” case in another state and still as a “general civil” case elsewhere. States will occasionally change (increase) the maximum allowable amount for small claims cases and consequently increase their small claims caseload.

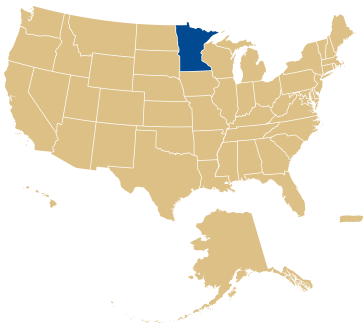
### Small Claims Caseloads in 27 States, 1999-2008



### Incoming Small Claims Cases in 33 States, 2008



Note: States in Bold have a unified court system.



# Minnesota



## Minnesota is Recognized for Increasing Civil Case Type Reporting

The CSP Reporting Excellence Awards are designed to recognize successful efforts of administrative offices of the courts to improve their statistical reporting. This year's award in Civil goes to the Minnesota State Court Administrator's Office (SCAO), whose staff made a concerted effort to expand the number of civil case types it reports and thus improve the national picture of the work of the state courts.

States do not report complete caseload data for a variety of reasons. In the case of Minnesota, the data for many civil case types were being collected, but the statistical reporting system had not been set up to distinguish or report these specific data. For decades, the SCAO has engaged in data-driven court research, case management, and statewide judicial administration. Minnesota has at its disposal a wealth of court data with which it can, among other things, generate the foundational information for judicial and staff workload assessments and measure court performance. Thus, it was surprising that Minnesota historically reported caseload data for fewer than half of the civil case types outlined in the *Guide*. SCAO staff investigated and discovered that data for many of the "missing" case types were indeed available from their data warehouse, but the necessary code to retrieve these data had never been written. The staff at the SCAO then took the time to generate the code to extract these data and literally doubled the number of civil case types that they report. As a result, the CSP recognizes the Minnesota State Court Administrator's Office with this year's Reporting Excellence Award for Civil.

## Minnesota now reports over 80% of civil case types

Civil Case Type	Prior Case Types Reported	Case Types Now Reported
Automobile Tort		
Malpractice – medical		✓
Malpractice – legal		✓
Malpractice – other	✓	✓
Premises liability		
Product liability – asbestos		✓
Product liability – tobacco		
Product liability – other		✓
Slander/libel/defamation		✓
Other tort	✓	✓
Buyer plaintiff		
Employment – discrimination		✓
Employment – other	✓	✓
Fraud		
Landlord/tenant – Unlawful detainer	✓	✓
Landlord/tenant – Other		✓
Mortgage Foreclosure		✓
Seller plaintiff (debt collection)		✓
Other contract	✓	✓
Eminent domain	✓	✓
Other real property		✓
Small Claims	✓	✓
Guardianship – adult	✓	✓
Guardianship – juvenile		✓
Conservatorship/trusteeship	✓	✓
Probate/wills/intestate	✓	✓
Other probate/estate	✓	✓
Total Mental Health	✓	✓
Administrative agency appeals		✓
Other civil appeals	✓	✓
Habeas corpus		✓
Non-dom. rel. restraining order	✓	✓
Tax cases		✓
Writ involving prison conditions		
Other writs		
Total Other Civil	✓	✓
<b>Total Case Types Reported</b>	<b>15</b>	<b>29</b>

## Domestic relations caseloads comprise 12 percent of all non-traffic cases

Domestic relations caseloads include divorce/dissolution, paternity, custody, support, visitation, adoption, and civil protection/restraining order cases.

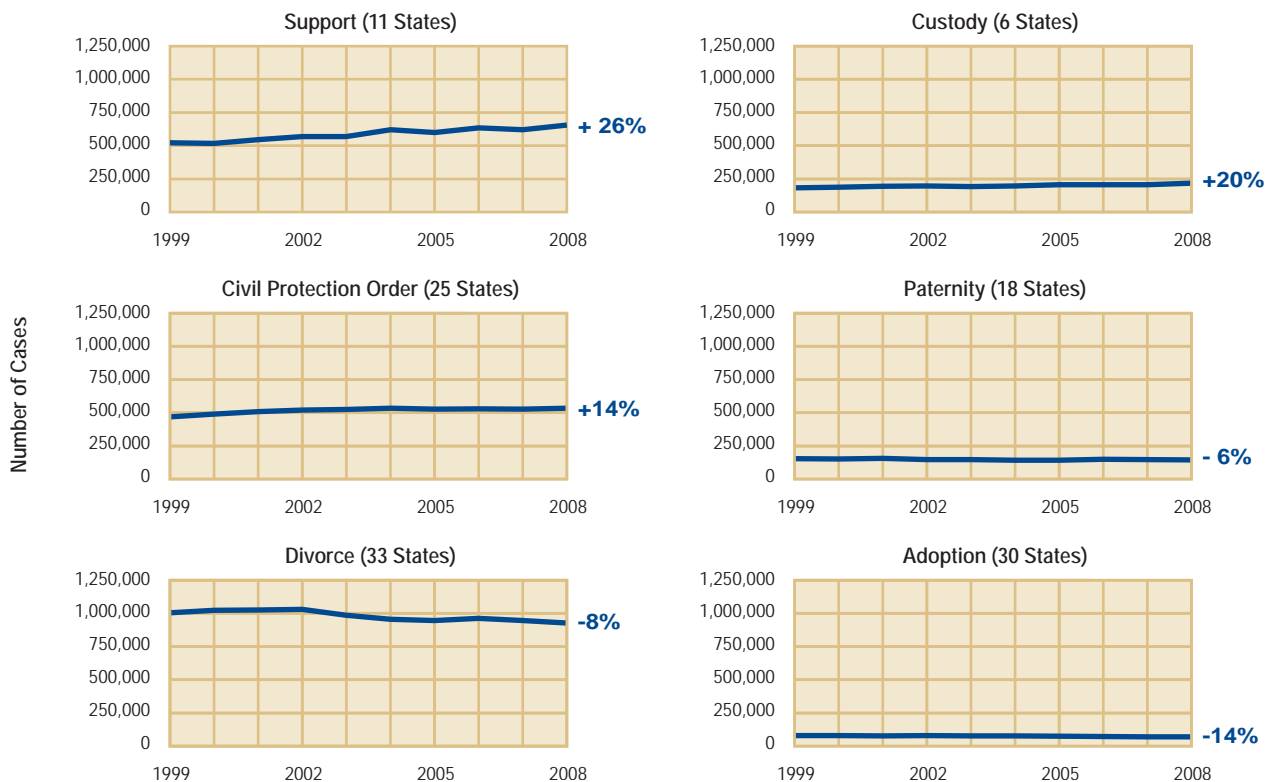
☒ Total Incoming Cases in State Courts, by Jurisdiction, 2008 (in millions)

Case Categories	Jurisdiction				Total	Percent of Total	Percent of Non-Traffic Total
	Unified	General	Unified & General	Limited			
Traffic/Violations	12.2	1.9	14.1	43.5	57.5	54.3%	--
Criminal	3.2	3.3	6.6	14.7	21.3	20.1%	43.9%
Civil	3.5	5.2	8.7	10.8	19.4	18.3%	40.1%
<b>Domestic Relations</b>	<b>1.0</b>	<b>3.1</b>	<b>4.1</b>	<b>1.6</b>	<b>5.7</b>	<b>5.4%</b>	<b>11.8%</b>
Juvenile	0.4	1.0	1.4	0.7	2.1	2.0%	4.3%
All Cases	20.2	14.5	34.7	71.3	106.0	100.0%	100.0%

Note: Totals may not sum due to rounding.

## Support, custody, and protection order caseloads continue to increase

☒ Domestic Relations Caseloads, 1999-2008



## Despite noticeable declines, divorce cases usually dominate domestic relations caseloads

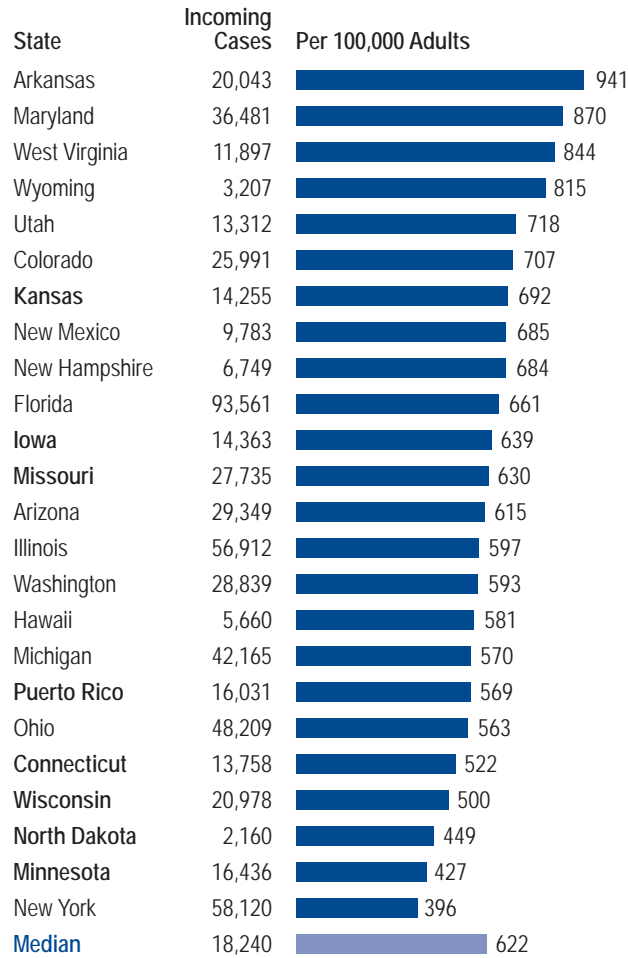
Percent of Total Incoming Domestic Relations Caseloads by Case Type in 23 States, 2008

State	Divorce	CPO	Support	Paternity	Adoption	Custody	Visitation
<b>Utah</b>	60%	22%	1%	6%	8%	3%	
Colorado	51%	14%	14%	6%	6%	9%	
Puerto Rico	46%		39%	1%	1%	5%	3%
Washington	43%	27%	0%	10%	5%	2%	
Hawaii	43%	34%	3%	15%	5%		
Wyoming	41%	15%	26%	10%	5%	1%	
Illinois	41%	35%	1%		3%		
Wisconsin	40%	15%	14%	27%	4%		
Arkansas	39%	18%	18%	12%	4%	7%	
Connecticut	38%	24%	15%	5%	4%	11%	1%
Minnesota	34%	23%	22%	10%	4%	5%	
Michigan	34%	21%	20%	15%	4%	2%	
Iowa	33%	15%	10%	16%	4%	4%	
Maryland	29%	24%		16%	2%		
Missouri	25%	46%	14%	9%	3%		1%
New Mexico	25%	27%	27%	15%	2%	2%	
West Virginia	22%	60%	6%	3%	2%	2%	
Arizona	22%	30%	31%		1%		
Ohio	20%	8%	41%	6%	2%	15%	1%
Florida	19%	23%	37%				
North Dakota	13%	5%	69%	10%	2%	2%	
New York	9%	8%	48%	6%	1%	28%	Reported as one aggregate caseload.
Idaho		20%	16%		4%		
<b>Median</b>	34%	22%	17%	10%	4%	3%	1%
Number of States Reporting	22	22	22	19	22	15	4

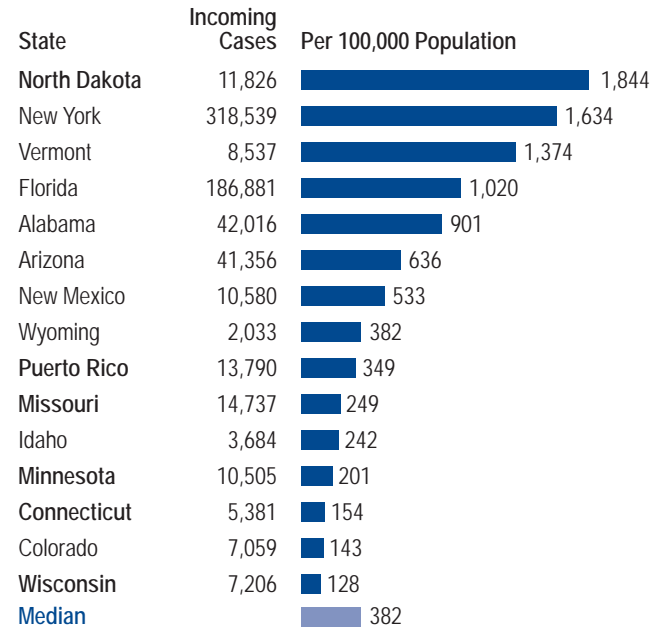
Notes: States in Bold have a unified court system. Blank cells indicate the state did not report data for this case type. CPO = Civil Protection Order.

## Even when adjusted for population, incoming domestic relations rates show wide variation

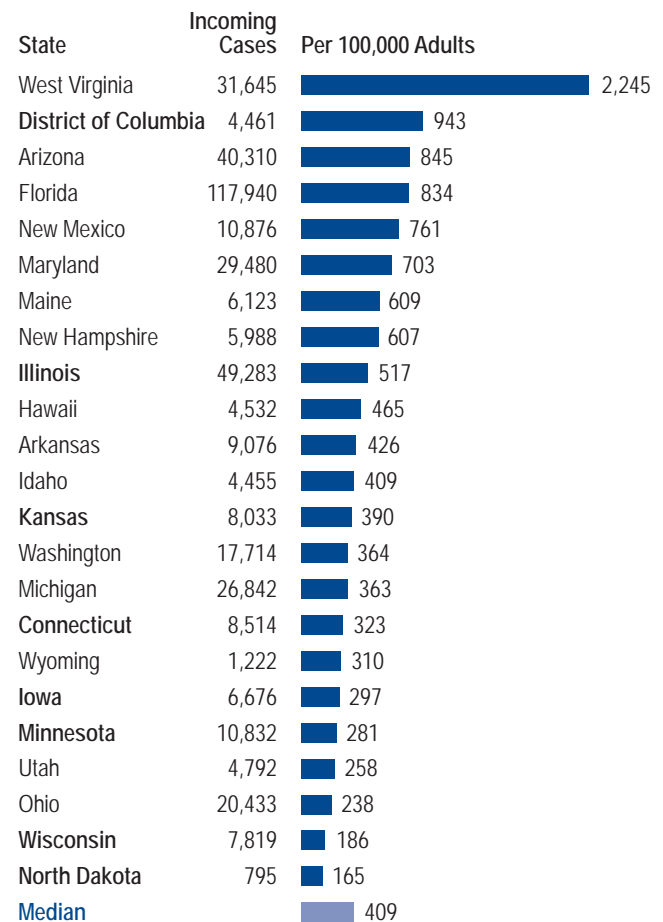
☒ Incoming Divorce Caseloads in 24 States, 2008



☒ Incoming Support Caseloads in 15 States, 2008



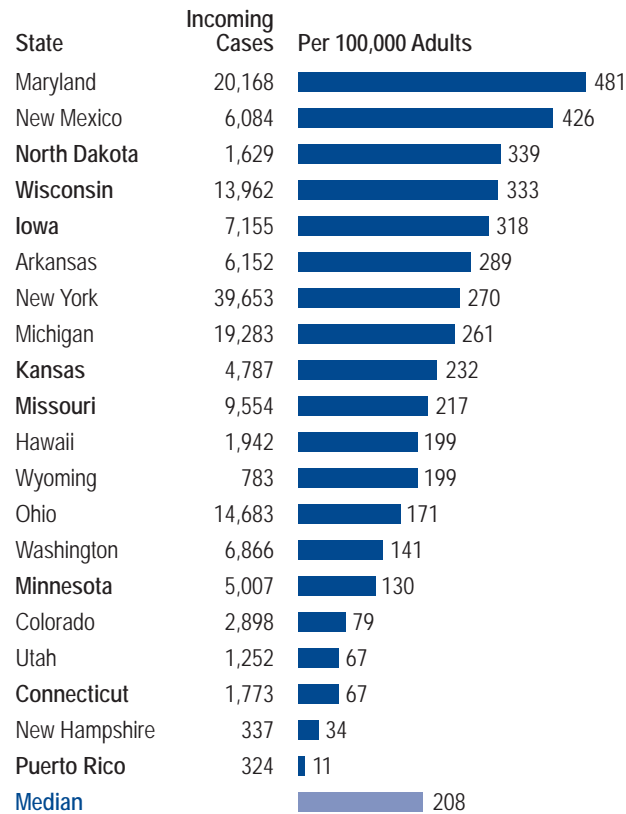
☒ Civil Protection Order Cases in 23 States, 2008



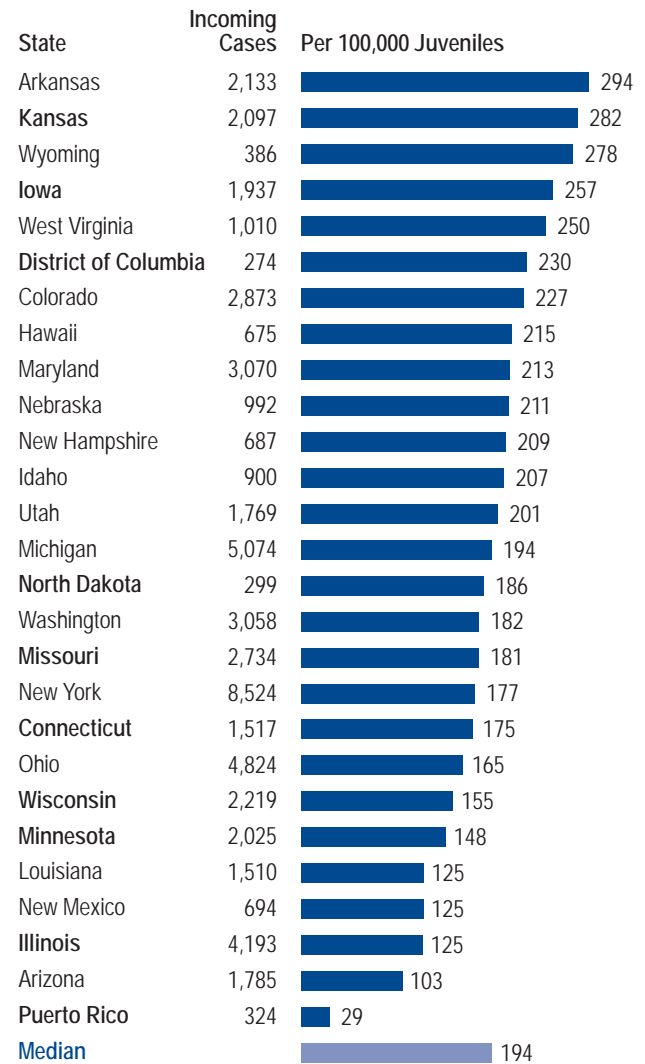
Note: States in Bold have a unified court system.

## States still have difficulty reporting visitation and child custody caseloads

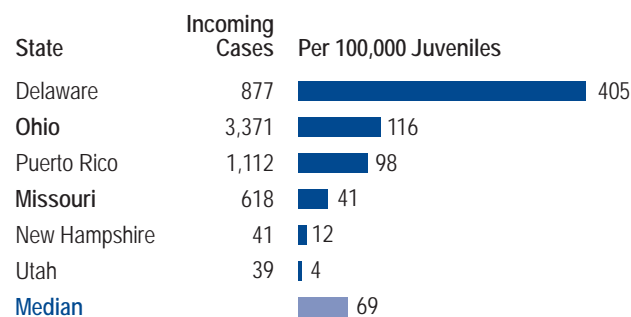
### ☒ Incoming Paternity Caseloads in 20 States, 2008



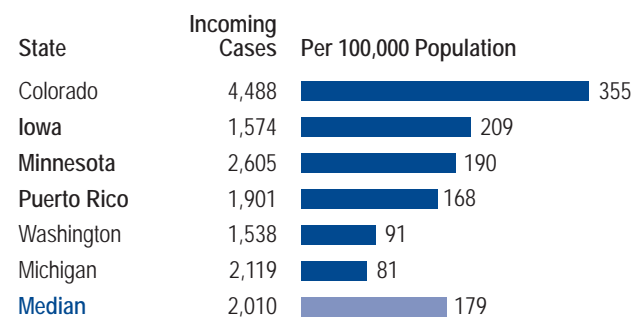
### ☒ Incoming Adoption Caseloads in 27 States, 2008



### ☒ Incoming Visitation Caseloads in 6 States, 2008



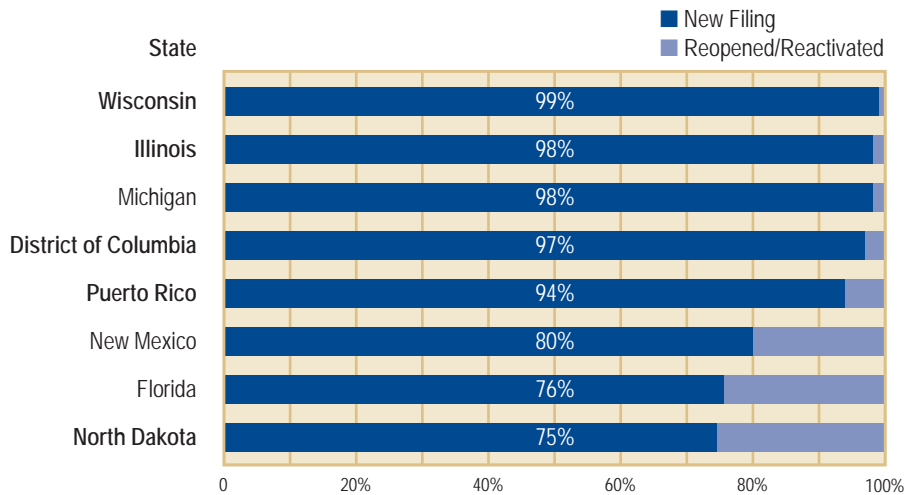
### ☒ Incoming Child Custody Caseloads in 6 States, 2008



Note: States in Bold have a unified court system.

## Eight states report a reopened/reactivated domestic relations caseload

☒ Proportion of New Filings to Reopened/Reactivated Caseloads in 8 States, 2008

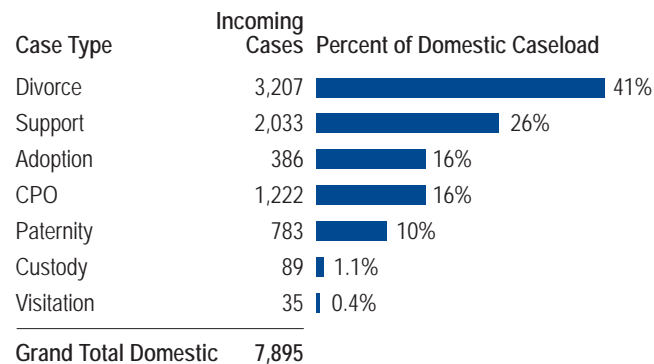


Note: States in Bold have a unified court system.

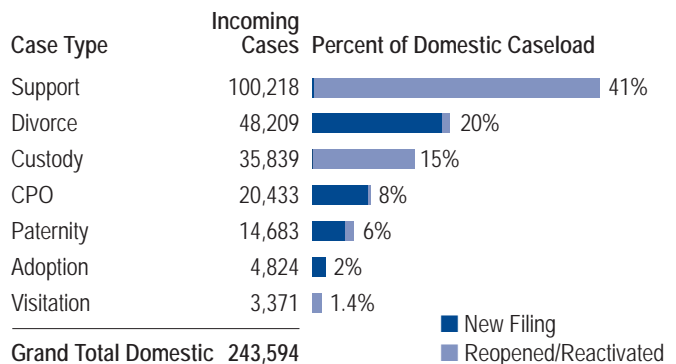
Certain domestic relations actions—such as support, custody, visitation, and even civil protection order cases—have an increased likelihood of requiring occasional revisiting by the court. Child or spousal support amounts may need to be adjusted, custody agreements can be revised, and a temporary civil protection orders may need to be renewed upon expiration. Each of these events would necessitate that the court “reopen” the case to modify the existing judgment. The [Guide](#) recommends that reopened cases, along with new filings and reactivated cases, be counted as the elements of a court’s incoming caseloads.

## Wyoming reports new filings for each of the seven domestic relations case types; Ohio can also distinguish new filings from reopened/reactivated caseloads

☒ Domestic Relations Caseload Composition in Wyoming, 2008



☒ Domestic Relations Caseload Composition in Ohio, 2008



Note: CPO = Civil Protection Order

## High clearance rates confirm that courts pay close attention to domestic relations cases

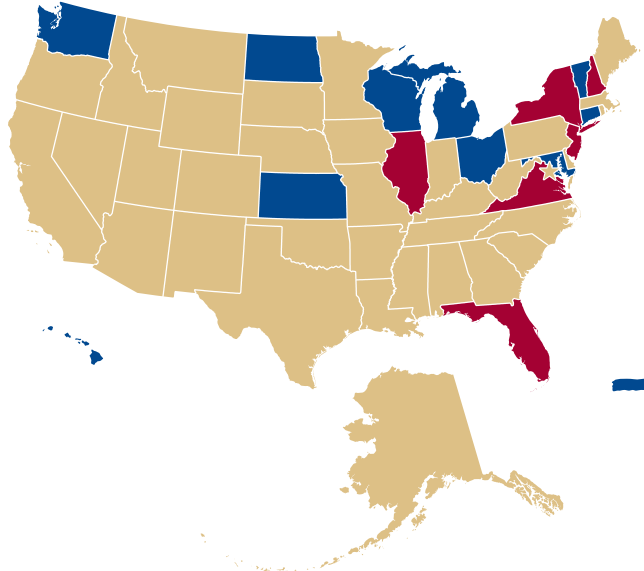
### Domestic Relations Clearance Rate by Case Type in 17 Unified and General Jurisdiction Courts, 2008

State	Divorce	Adoption	CPO	Paternity	Support	Custody	Visitation
Puerto Rico	105%	96%		108%	95%	101%	101%
Michigan	103%	101%	100%	104%		96%	
Wisconsin	103%	99%	104%	101%	109%		
Connecticut	102%		100%		96%	100%	105%
Washington	101%	98%	99%	107%		111%	
Ohio	95%	106%	101%	109%			103%
North Dakota	102%	102%	99%	98%			
Vermont	101%		101%	95%	103%		
Hawaii	100%	113%	100%	127%			
Maryland	100%	101%	99%	98%			
Kansas	100%	100%	97%	102%			
New Jersey	100%	100%			99%		
Illinois	98%	99%	97%				
New Hampshire	97%		96%				
New York	103%						
Virginia	103%						
Florida	100%						

Notes: States in Bold have a unified court system. Blank cells indicate the state did not report data for this case type. CPO = Civil Protection Order.

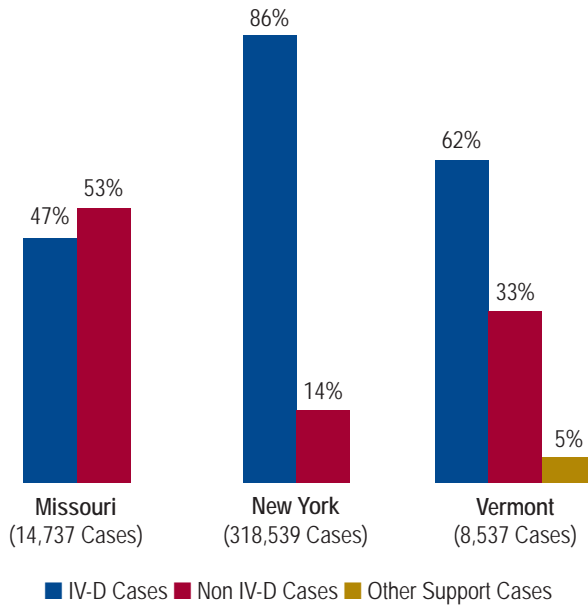
### States that Reported Clearance Rates for One or More Domestic Relations Case Types, 2008

- 1 to 3 Case Types
- 4 to 6 Case Types



**Approximately half of the support cases in Missouri, New York, and Vermont qualify for Title IV-D financial support**

Support Composition in Three States, 2008



Title IV-D of the Social Security Act is a state-run child support enforcement program that helps locate noncustodial parents, establish paternity, and establish and enforce support orders. Under Title IV-D, states are required to provide child support services in order to receive federal funding. Title IV-D assistance is available to all who request it, regardless of a child's eligibility for other state or federally funded programs.

For the purposes of the CSP, IV-D cases are defined as those cases that request maintenance of a parent/guardian or minor child by a person living in the same state ("IV-D Intrastate") or different state (Uniform Interstate Family Support Act—"UIFSA") who is required, under Title IV-D of the Social Security Act of 1973, to provide such maintenance. Non IV-D cases are support cases filed to request maintenance of a parent/guardian or a minor child by a person who is required by law, but who is not under the auspices of Title IV-D of the Social Security Act of 1973, to provide such maintenance.

## Over 21 million criminal cases were reported in 2008

Though aggregate criminal caseloads have traditionally exceeded civil caseloads by a wide margin, the recent flat trend in criminal case filings has allowed increasing civil caseloads to catch up; there are now less than 2 million cases separating criminal and civil caseloads. The effect of the economy on criminal cases is not clearly known, but according to the FBI, the number of arrests has fallen slightly in each of the last four years.

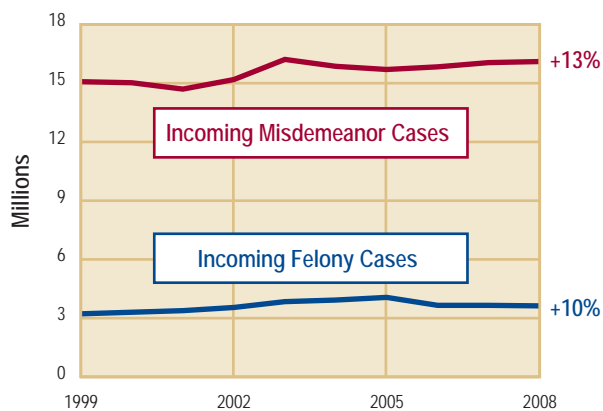
☒ Total Incoming Cases in State Courts, by Jurisdiction, 2008 (in millions)

Case Categories	Jurisdiction				Total	Percent of Total
	Unified	General	Unified & General	Limited		
Traffic/Violations	12.2	1.9	14.1	43.5	57.5	54.3%
Criminal	3.2	3.3	6.6	14.7	21.3	20.1%
Civil	3.5	5.2	8.7	10.8	19.4	18.3%
Domestic Relations	1.0	3.1	4.1	1.6	5.7	5.4%
Juvenile	0.4	1.0	1.4	0.7	2.1	2.0%
All Cases	20.2	14.5	34.7	71.3	106.0	100.0%

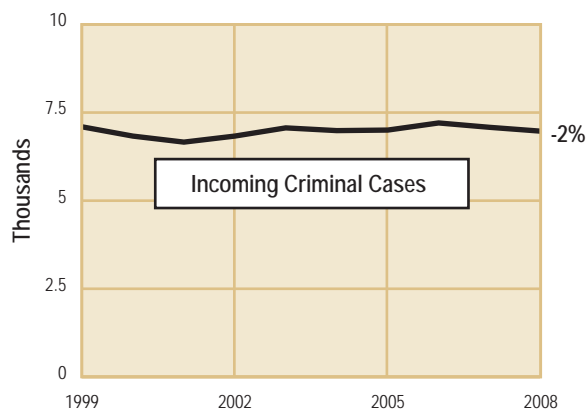
Note: Totals may not sum due to rounding.

## Over the past decade, population-adjusted criminal caseloads have declined slightly

☒ Incoming Criminal Caseloads in State Courts, 1999-2008



☒ Incoming Criminal Cases per 100,000 Population, 1999-2008



## Limited jurisdiction courts typically process 5 times as many criminal cases as do their general jurisdiction counterparts

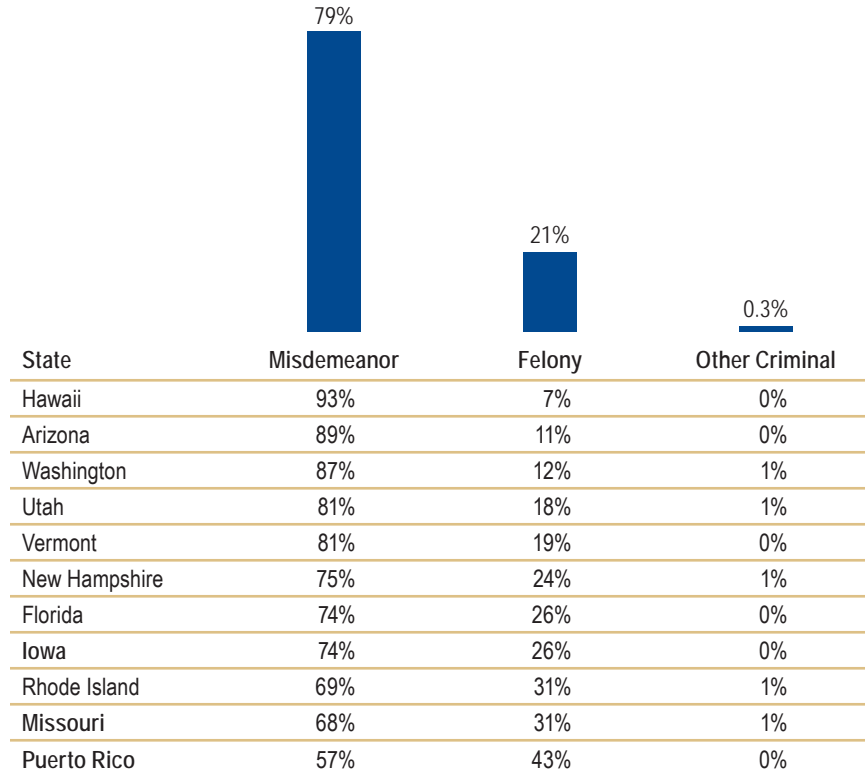
### ☒ Incoming Criminal Caseloads and Rates in 19 States, 2008

State	Incoming Criminal Cases			Criminal Cases Per 100,000 Adults		
	General Jurisdiction	Limited Jurisdiction	Total	General Jurisdiction	Limited Jurisdiction	Total
<b>Unified Courts</b>						
Illinois	512,133		512,133	5,372		5,372
Missouri	189,227		189,227	4,297		4,297
Iowa	91,962		91,962	4,089		4,089
Puerto Rico	76,655		76,655	2,719		2,719
<b>Median</b>				4,193		4,193
<b>Two-Tiered Courts</b>						
Virginia	186,261	976,965	1,163,226	3,180	16,678	19,857
Arizona	61,322	701,716	763,038	1,285	14,708	15,993
Michigan	70,941	941,425	1,012,366	960	12,735	13,694
Idaho	10,832	122,863	133,695	994	11,277	12,271
Hawaii	7,537	104,672	112,209	774	10,748	11,522
Louisiana	161,855	202,905	364,760	5,047	6,328	11,375
Florida	392,338	1,111,647	1,503,985	2,773	7,856	10,629
New Hampshire	12,685	65,089	77,774	1,285	6,596	7,881
Kentucky	31,950	219,302	251,252	993	6,813	7,805
Washington	44,976	313,487	358,463	924	6,442	7,367
Utah	39,267	82,655	121,922	2,116	4,455	6,572
Indiana	256,628	50,647	307,275	5,431	1,072	6,503
Rhode Island	5,739	36,544	42,283	715	4,552	5,267
Oklahoma	110,209	n/j	110,209	4,083	n/j	4,083
Vermont	17,862	n/j	17,862	3,793	n/j	3,793
<b>Median</b>				1,285	6,813	7,881

Notes: n/j = Court does not have jurisdiction over the case type. Blank cells indicate incomplete data.

## Misdemeanor cases comprise the overwhelming majority of criminal caseloads

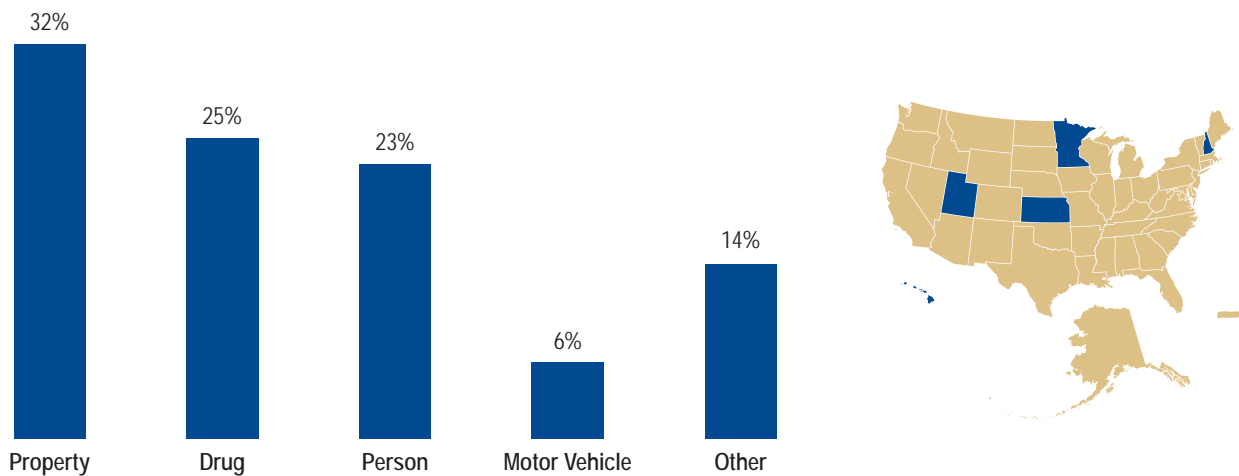
☒ Criminal Caseload Composition in 11 States, 2008



Note: States in Bold have a unified court system.

## Property cases account for one-third of the felony caseload

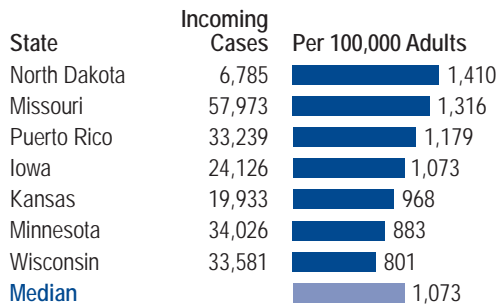
☒ Felony Caseload Composition in 5 States, 2008



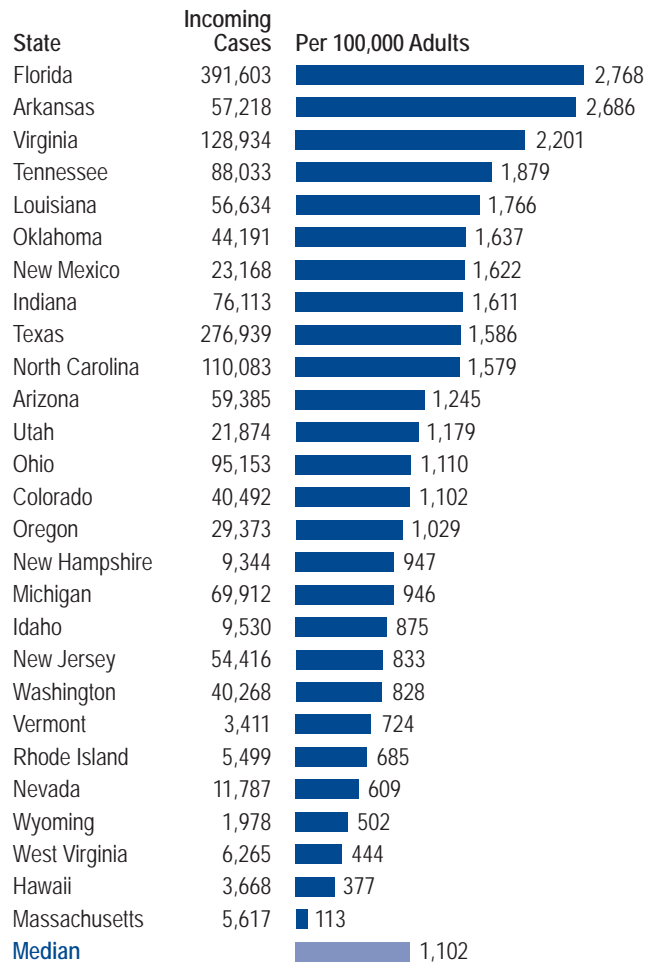
# Unified and general jurisdiction courts report about one felony case for every 92 adults

## ☒ Incoming Felony Caseloads and Rates in 34 Unified and General Jurisdiction Courts, 2008

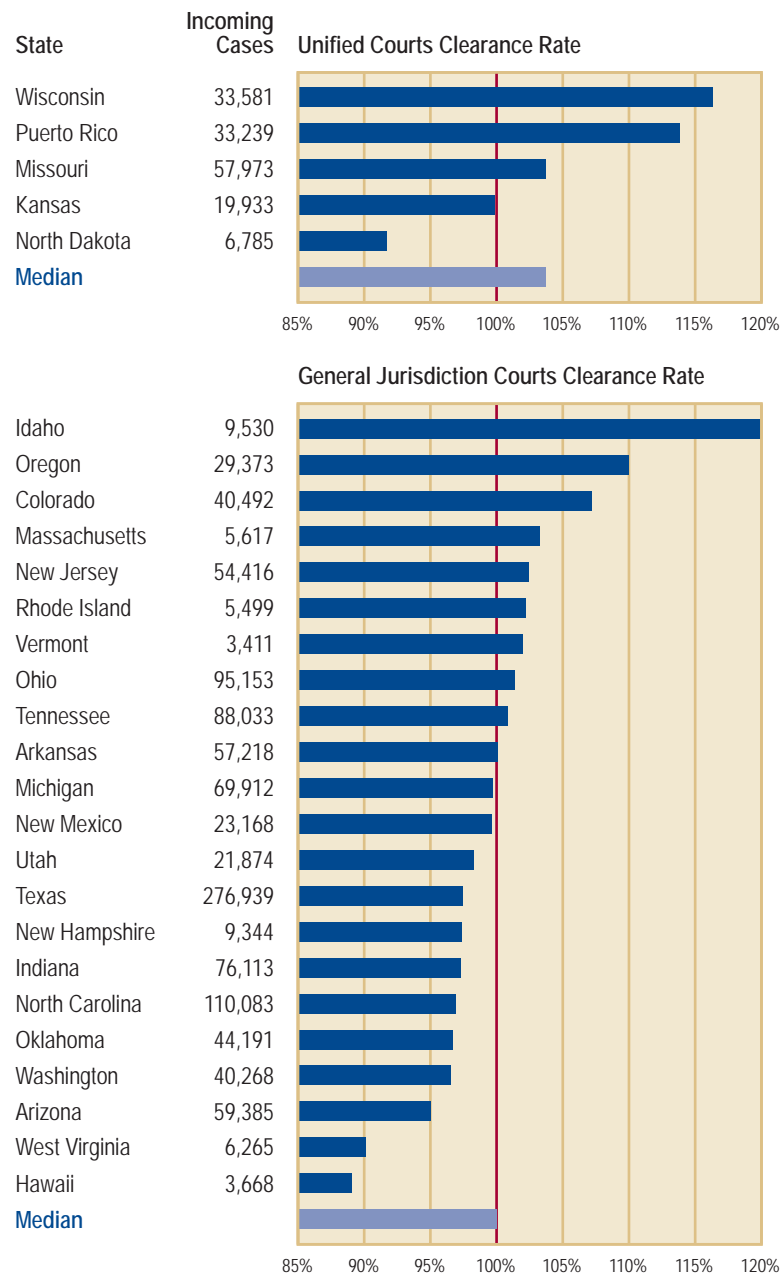
### Unified Courts



### General Jurisdiction Courts



☒ **Felony Clearance Rates in Unified and General Jurisdiction Courts in 27 States, 2008**



## Misdemeanor filing rates range from about 1,000 to 22,000 cases per 100,000 adults

### Incoming Misdemeanor Caseloads and Rates in 20 Unified and Limited Jurisdiction Courts, 2008

#### Unified Courts

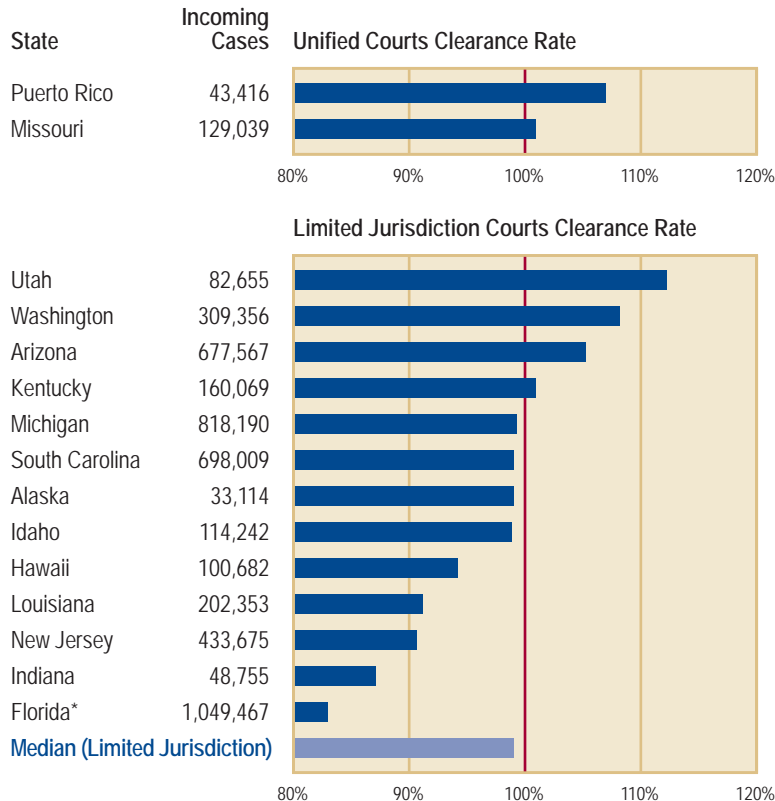
State	Incoming Cases	Per 100,000 Adults
Iowa	67,836	3,016
Missouri	129,039	2,930
Puerto Rico	43,416	1,540

#### Limited Jurisdiction Courts

State	Incoming Cases	Per 100,000 Adults
Arkansas	472,285	22,172
South Carolina	698,009	20,831
Arizona	677,567	14,201
Virginia	727,126	12,413
Michigan	818,190	11,068
Idaho	114,242	10,485
Hawaii	100,682	10,338
Florida	1,111,647	7,856
Alaska	33,114	6,933
New Jersey	433,675	6,642
Washington	309,356	6,357
Louisiana	202,353	6,310
New Hampshire	55,921	5,667
Kentucky	160,069	4,973
Utah	82,655	4,455
Rhode Island	29,110	3,626
Indiana	48,755	1,032
<b>Median</b>		<b>6,933</b>

## Despite enormous caseloads, many states attain high misdemeanor clearance rates

### Misdemeanor Clearance Rates in 15 Unified and Limited Jurisdiction Courts, 2008



Note: \* Florida's clearance rate is based on new filings and entries of judgment only.

## Juvenile caseloads make up the smallest share of all incoming cases

☒ Total Incoming Cases in State Courts, by Jurisdiction, 2008 (in millions)

Case Categories	Jurisdiction				Total	Percent of Total
	Unified	General	Unified & General	Limited		
Traffic/Violations	12.2	1.9	14.1	43.5	57.5	54.3%
Criminal	3.2	3.3	6.6	14.7	21.3	20.1%
Civil	3.5	5.2	8.7	10.8	19.4	18.3%
Domestic Relations	1.0	3.1	4.1	1.6	5.7	5.4%
Juvenile	0.4	1.0	1.4	0.7	2.1	2.0%
All Cases	20.2	14.5	34.7	71.3	106.0	100.0%

Notes: Includes all 50 states, District of Columbia and Puerto Rico. Totals may not sum due to rounding.

☒ Incoming Juvenile Cases in 36 States, 2008

State	Incoming Cases	Per 100,000 Juveniles	State	Incoming Cases	Per 100,000 Juveniles
<b>North Dakota</b>	9,806	6,115	Nebraska	12,623	2,691
Hawaii	18,063	5,747	New York	125,734	2,612
Utah	50,570	5,739	West Virginia	9,571	2,365
Ohio	166,671	5,713	Michigan	59,787	2,290
<b>South Dakota</b>	11,787	5,469	North Carolina	40,945	1,820
Virginia	100,315	5,249	Colorado	22,157	1,752
Alabama	59,012	5,003	Oklahoma	15,706	1,665
Florida	196,204	4,695	<b>Iowa</b>	12,215	1,621
Rhode Island	9,878	3,983	<b>Wisconsin</b>	19,748	1,376
<b>Minnesota</b>	53,287	3,896	Alaska	2,853	1,367
Idaho	16,150	3,719	New Mexico	7,576	1,364
<b>District of Columbia</b>	4,407	3,705	Vermont	2,042	1,358
New Jersey	76,420	3,549	Arizona	21,355	1,235
<b>Connecticut</b>	30,611	3,540	Wyoming	1,708	1,229
Arkansas	25,357	3,496	<b>Missouri</b>	15,270	1,013
Maryland	40,007	2,774	Montana	2,420	981
Washington	46,364	2,755	<b>Illinois</b>	29,248	869
Kansas	20,025	2,697	Puerto Rico	7,827	690
			<b>Median</b>		2,694

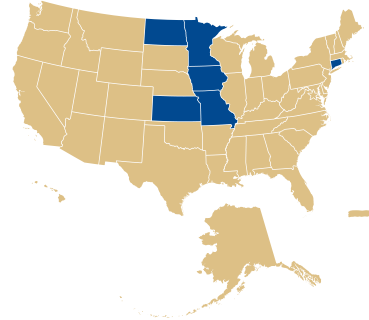
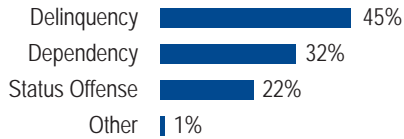
Note: States in Bold have a unified court system.

## Caseload compositions are similar regardless of the jurisdiction hearing the case

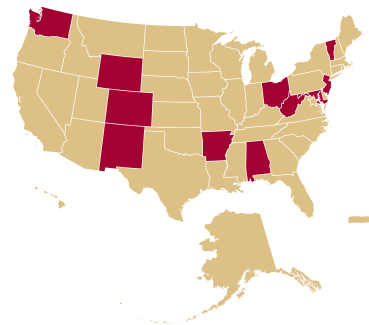
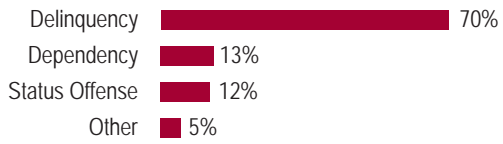
Although courts may opt to grant jurisdiction for delinquency, dependency, and status offense cases to specific courts or court levels within their state, caseload compositions among unified, general and limited jurisdiction courts are similar.

### ☒ Incoming Juvenile Caseload Composition in 23 States, by Jurisdiction, 2008

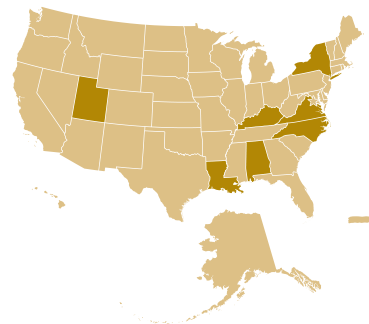
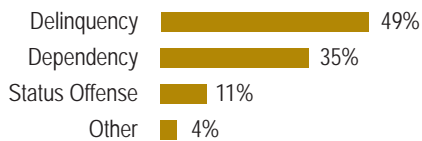
#### Unified Courts (6 States)



#### General Jurisdiction Courts (11 States)

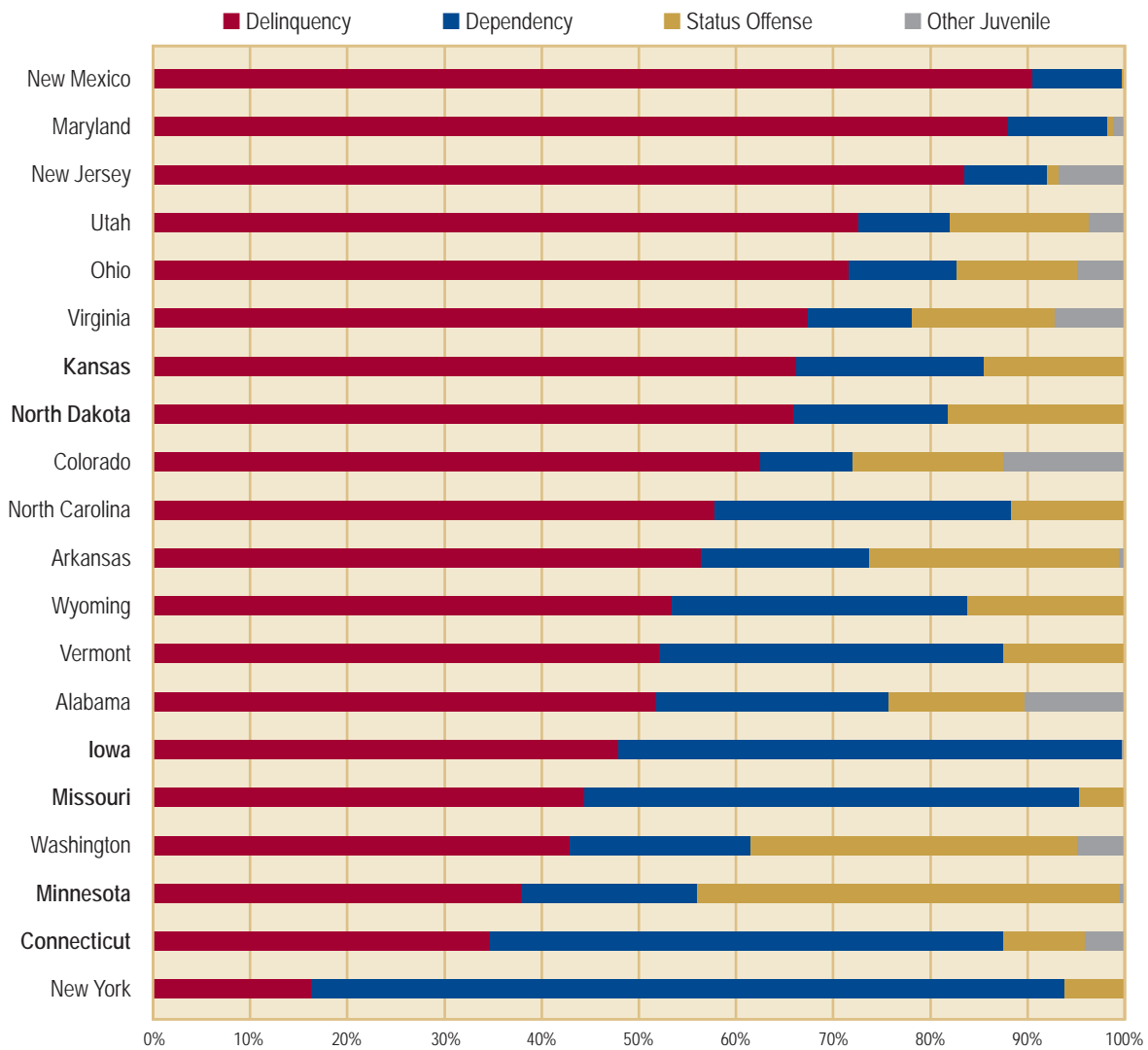


#### Limited Jurisdiction Courts (7 States)



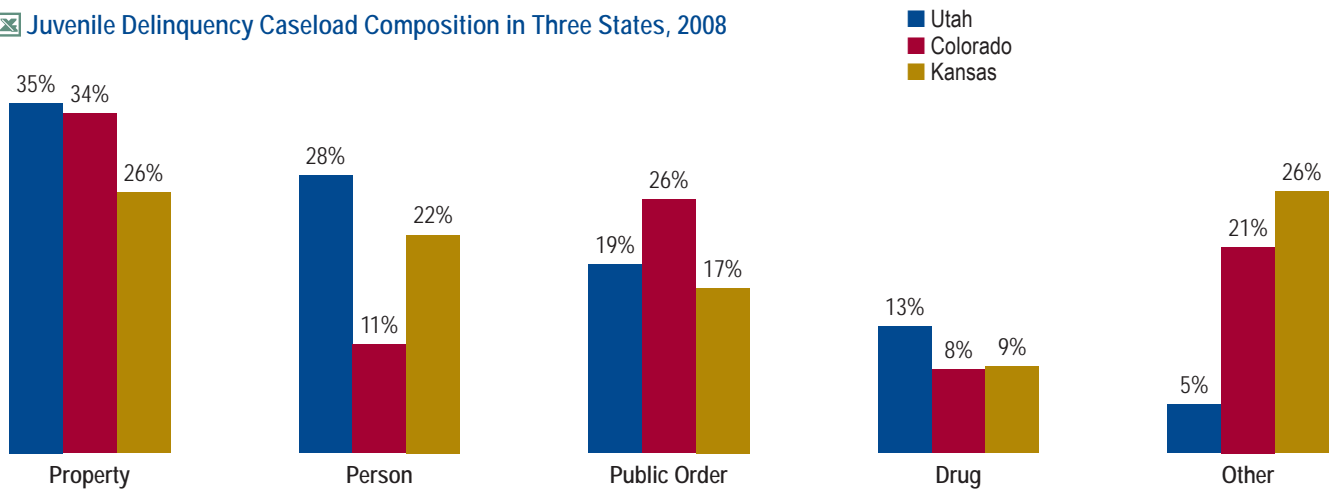
## Overall, delinquency cases outnumber all other juvenile cases at least three to one

Juvenile Caseload Composition in 20 States, 2008



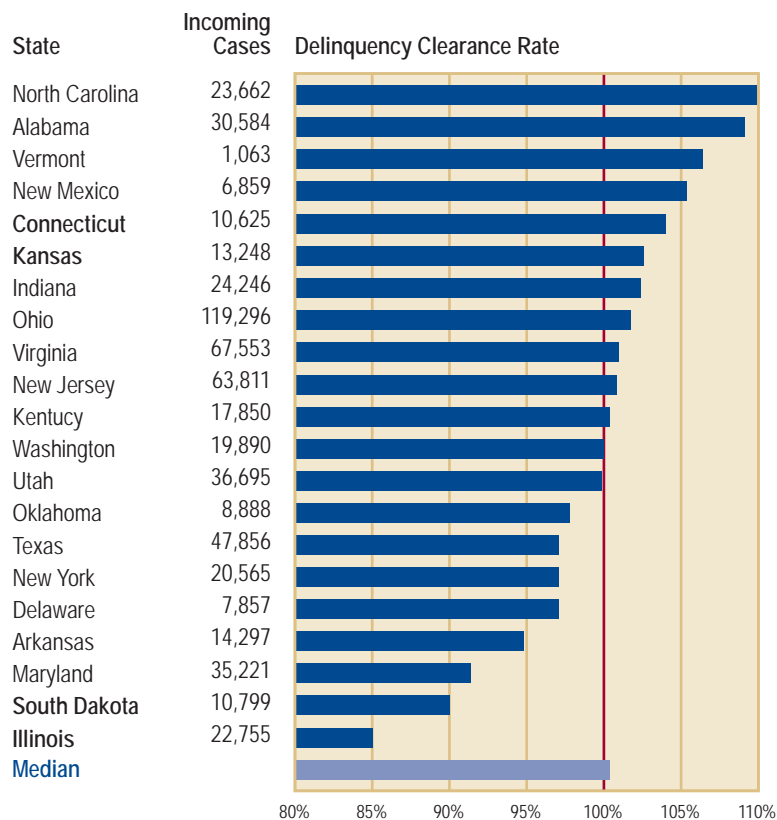
## Detailed reporting of delinquency case types permits more meaningful comparisons

Juvenile Delinquency Caseload Composition in Three States, 2008



## Most states clear 100 percent of their delinquency caseloads

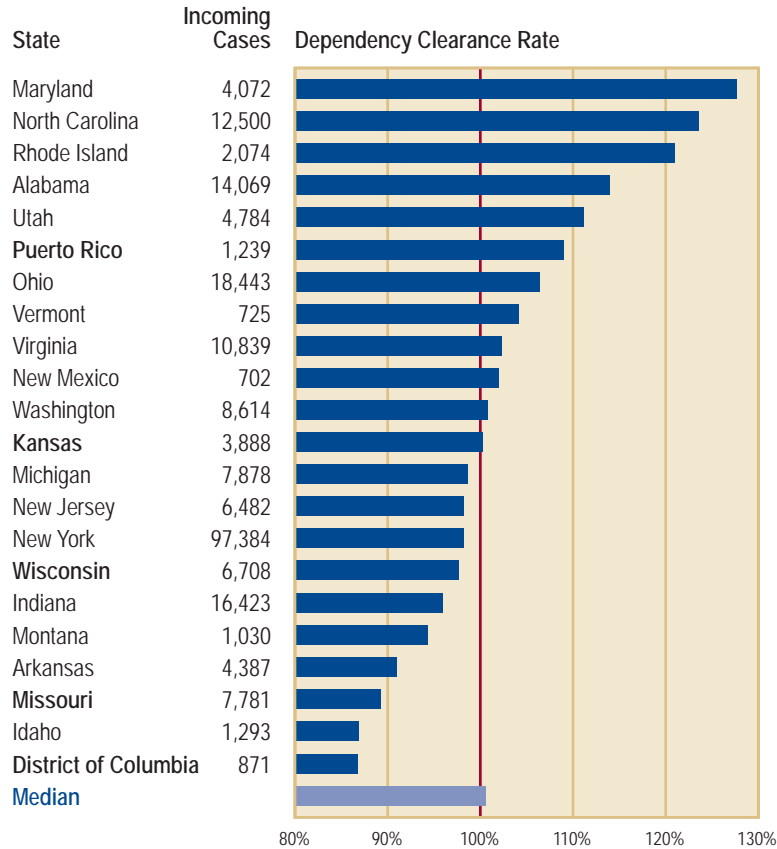
Delinquency Clearance Rates in 21 States, 2008



Note: States in Bold have a unified court system.

## Over half of these states cleared 100 percent of their dependency caseloads

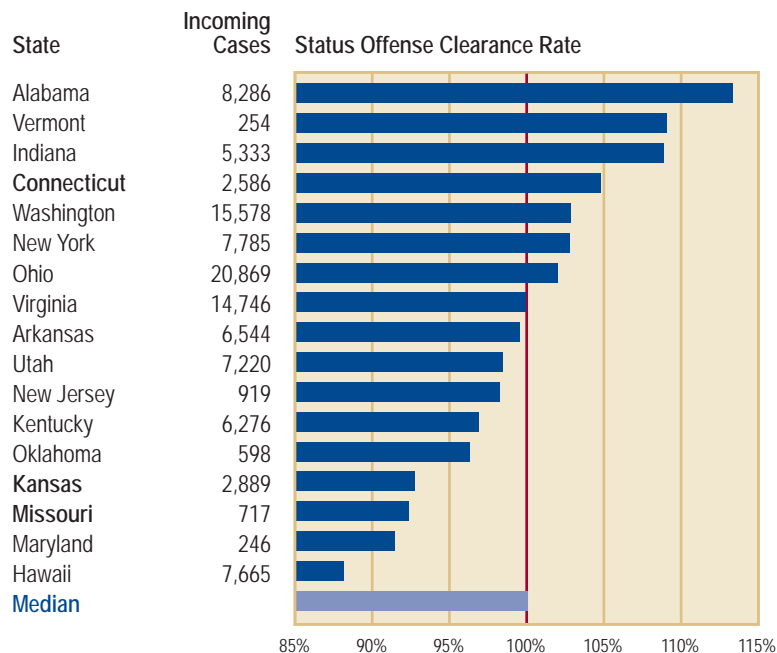
☒ Dependency Clearance Rates in 22 States, 2008



Note: States in Bold have a unified court system.

## Clearing status offense caseloads proved slightly more difficult

☒ Status Offense Clearance Rates in 17 States, 2008



Note: States in Bold have a unified court system.

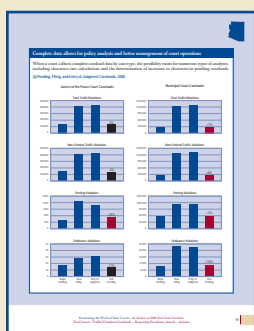
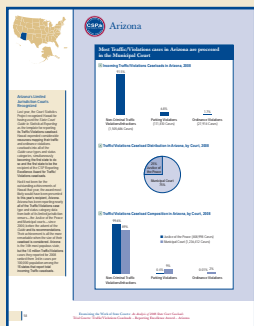
## Traffic/Violations cases invariably dominate caseloads in state trial courts

☒ Total Incoming Cases in State Courts, by Jurisdiction, 2008 (in millions)

Case Categories	Jurisdiction				Total	Percent of Total
	Unified	General	Unified & General	Limited		
<b>Traffic/Violations</b>	12.2	1.9	14.1	43.5	57.5	54.3%
Criminal	3.2	3.3	6.6	14.7	21.3	20.1%
Civil	3.5	5.2	8.7	10.8	19.4	18.3%
Domestic Relations	1.0	3.1	4.1	1.6	5.7	5.4%
Juvenile	0.4	1.0	1.4	0.7	2.1	2.0%
<b>All Cases</b>	<b>20.2</b>	<b>14.5</b>	<b>34.7</b>	<b>71.3</b>	<b>106.0</b>	<b>100.0%</b>



Special Recognition:  
Arizona's Limited Jurisdiction Courts



## One traffic, parking, or ordinance violation case is filed for every 5 people in the U.S.

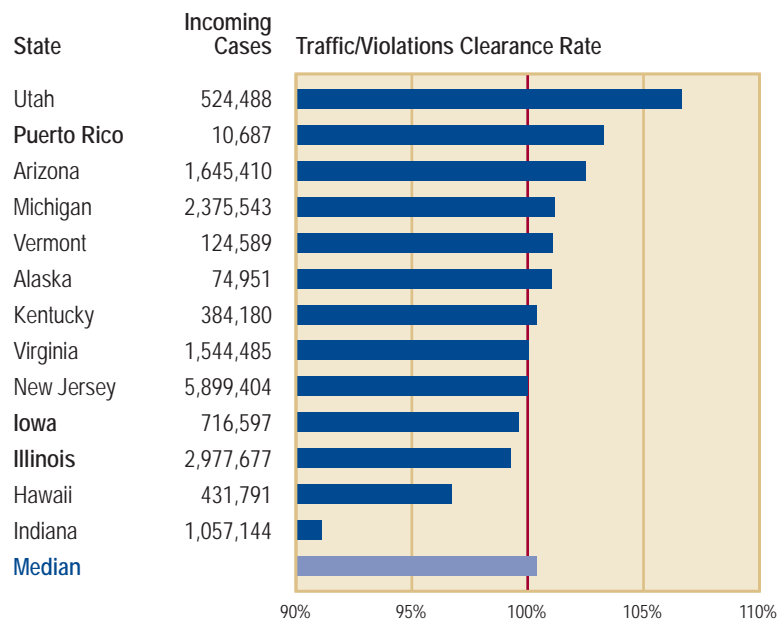
☒ Incoming Traffic/Violations Caseloads in 16 States, 2008

State	Incoming Cases	Per 100,000 Population
<b>New Jersey</b>	5,899,404	67,945
<b>Hawaii</b>	431,791	33,519
<b>Arizona</b>	1,645,410	25,313
<b>Iowa</b>	716,597	23,866
<b>Michigan</b>	2,375,543	23,747
<b>Illinois</b>	2,977,677	23,080
<b>Arkansas</b>	655,334	22,951
<b>Vermont</b>	124,589	20,054
<b>Virginia</b>	1,544,485	19,880
<b>Utah</b>	524,488	19,167
<b>Indiana</b>	1,057,144	16,578
<b>Alaska</b>	74,951	10,921
<b>Florida</b>	1,808,304	9,866
<b>Kentucky</b>	384,180	8,999
<b>New Hampshire</b>	72,395	5,502
<b>Puerto Rico</b>	10,687	270
<b>Median</b>		19,967

Note: States in Bold have a unified court system.

## Many states are able to achieve high clearance rates despite huge incoming caseloads

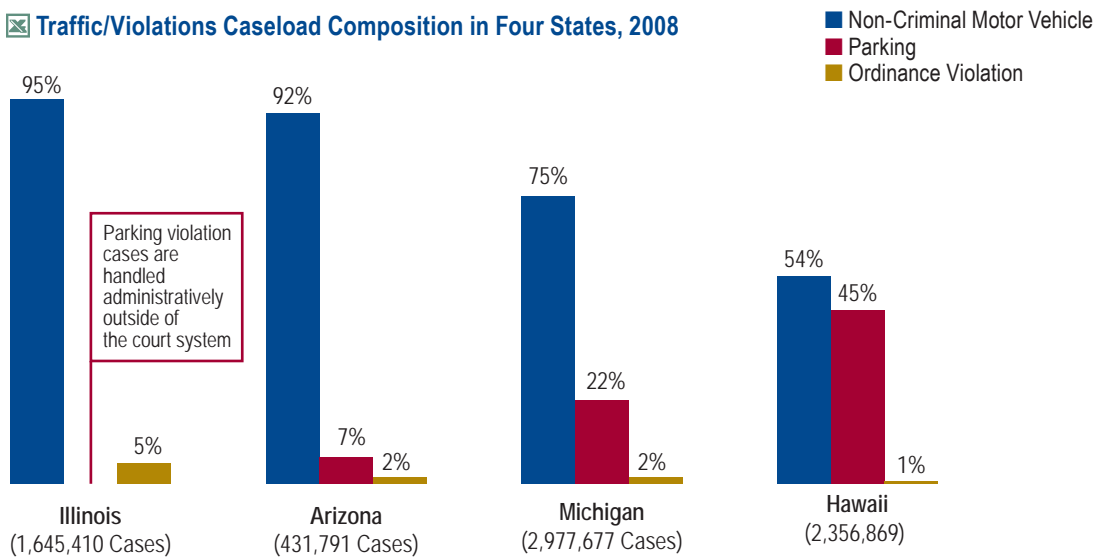
☒ Clearance Rates for Traffic/Violations in 13 States, 2008

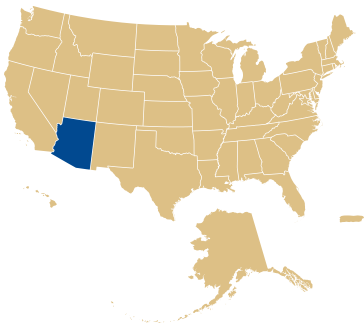


Note: States in Bold have a unified court system.

## Non-criminal motor vehicle cases comprise the majority of Traffic/Violations caseloads

☒ Traffic/Violations Caseload Composition in Four States, 2008

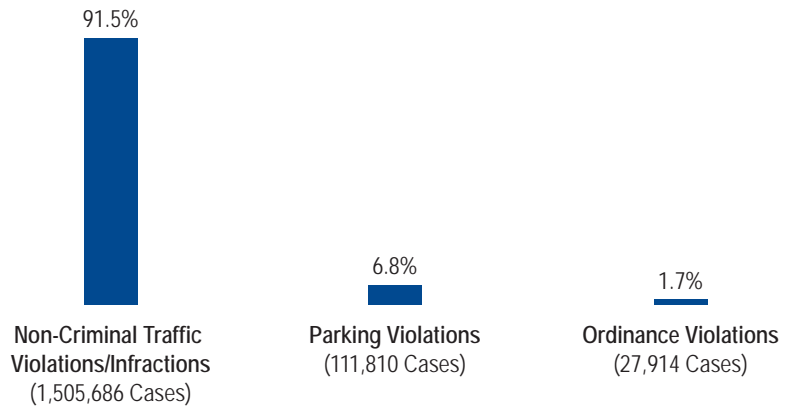




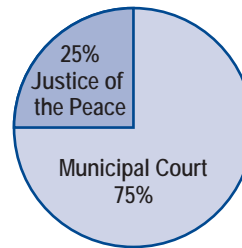
# Arizona

## Most Traffic/Violations cases in Arizona are processed in the Municipal Court

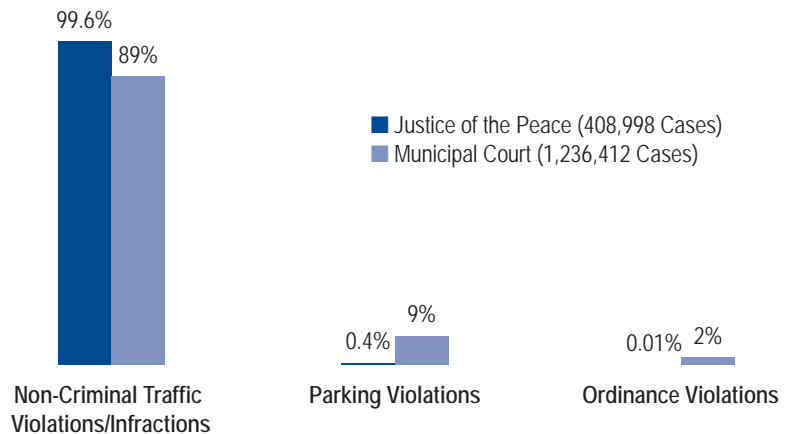
### ☒ Incoming Traffic/Violations Caseloads in Arizona, 2008



### ☒ Traffic/Violations Caseload Distribution in Arizona, by Court, 2008



### ☒ Traffic/Violations Caseload Composition in Arizona, by Court, 2008



### Arizona's Limited Jurisdiction Courts Recognized

Last year, the Court Statistics Project recognized Hawaii for having used the *State Court Guide to Statistical Reporting* as the template for reporting its Traffic/Violations caseload. Hawaii expended considerable resources mapping their traffic and ordinance violations caseloads into all of the *Guide* case types and status categories, simultaneously becoming the first state to do so and the first state to be the recipient of the CSP Reporting Excellence Award for Traffic/Violations caseloads.

Had it not been for the outstanding achievements of Hawaii that year, the award most likely would have been presented to this year's recipient, Arizona. Arizona has been reporting nearly all of the Traffic/Violations case type and status category data from both of its limited jurisdiction venues—the Justice of the Peace and Municipal courts—since 2000, before the advent of the *Guide* and its recommendations. Their achievement is all the more remarkable when the size of their caseload is considered. Arizona is the 14th most populous state, but the 1.6 million Traffic/Violations cases they reported for 2008 ranked them 3rd in cases per 100,000 population among the 16 states that report total incoming Traffic caseloads.

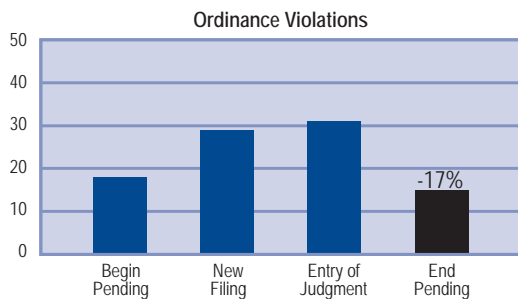
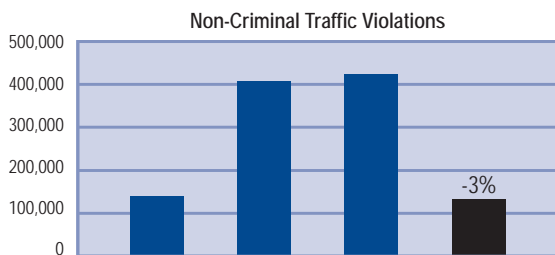
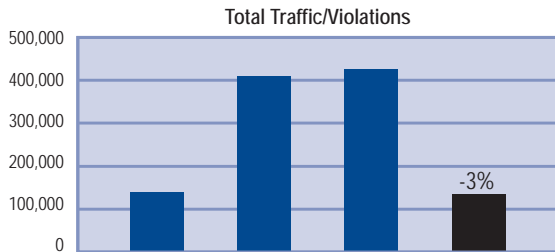


## Complete data allows for policy analysis and better management of court operations

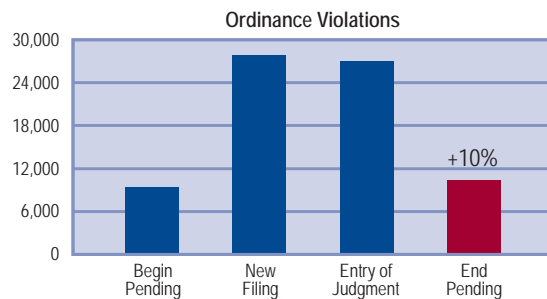
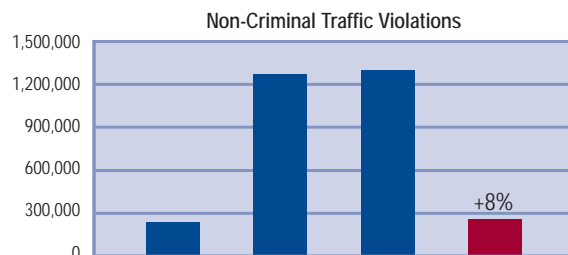
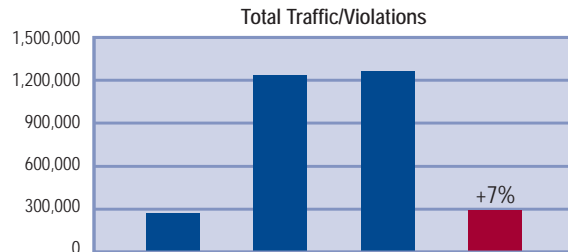
When a court collects complete caseload data by case type, the possibility exists for numerous types of analyses, including clearance rate calculations and the determination of increases or decreases in pending caseloads.

### ☒ Pending, Filing, and Entry of Judgment Caseloads, 2008

Justice of the Peace Court Caseloads



Municipal Court Caseloads



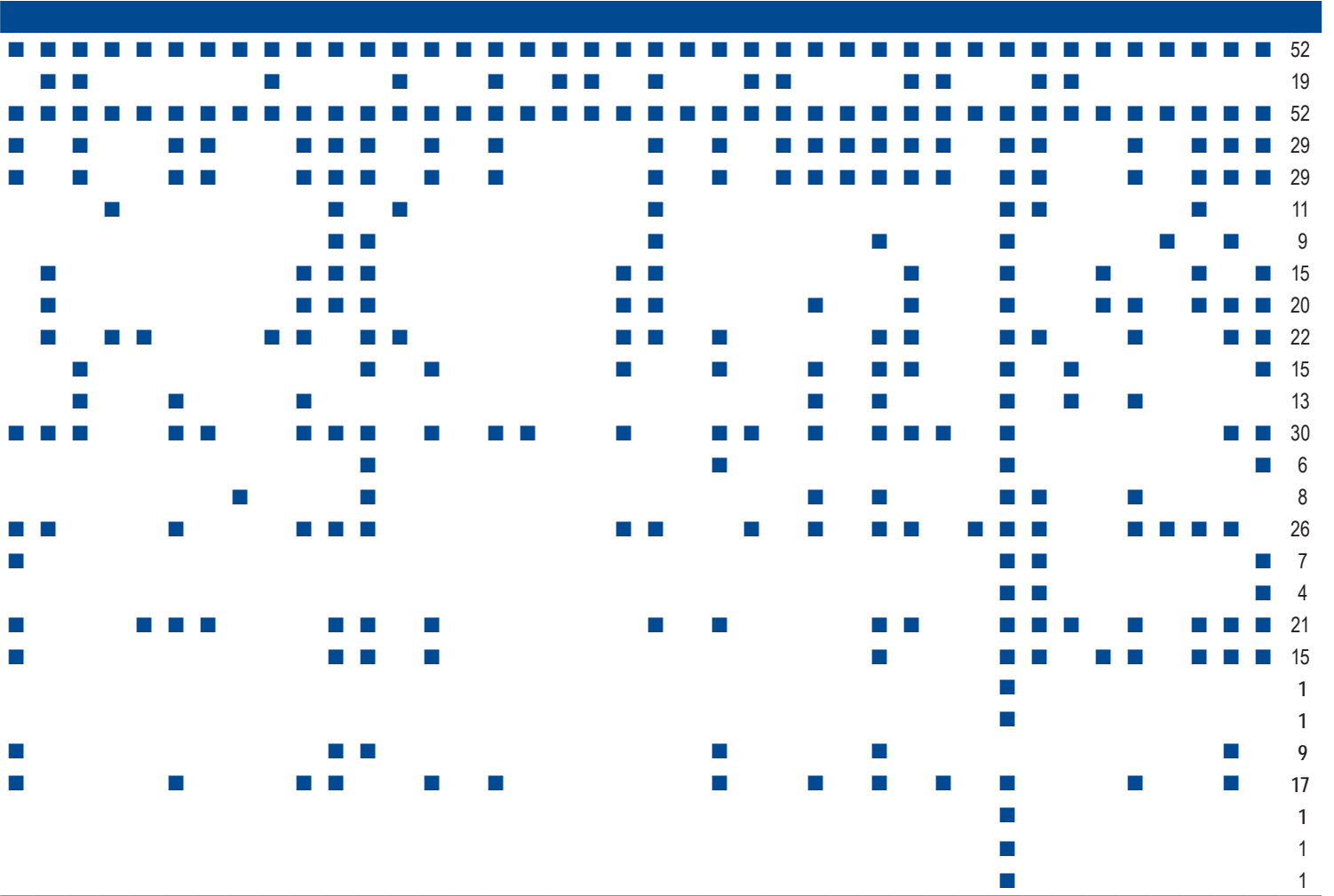


## Summary

- Index of States Included in Section Graphics
- Court Statistics Project Methodology
- State Court Caseload Statistics

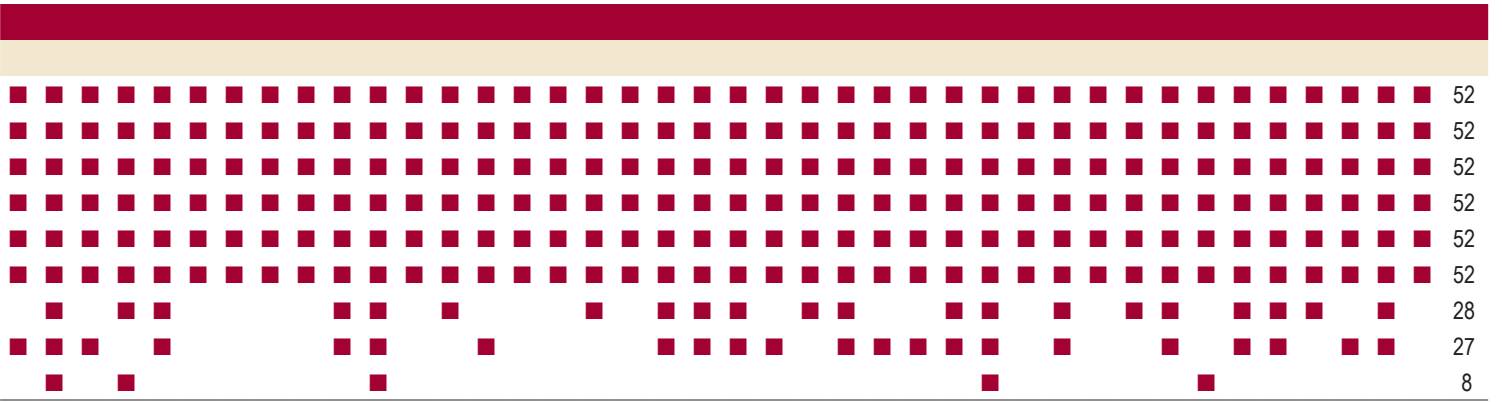


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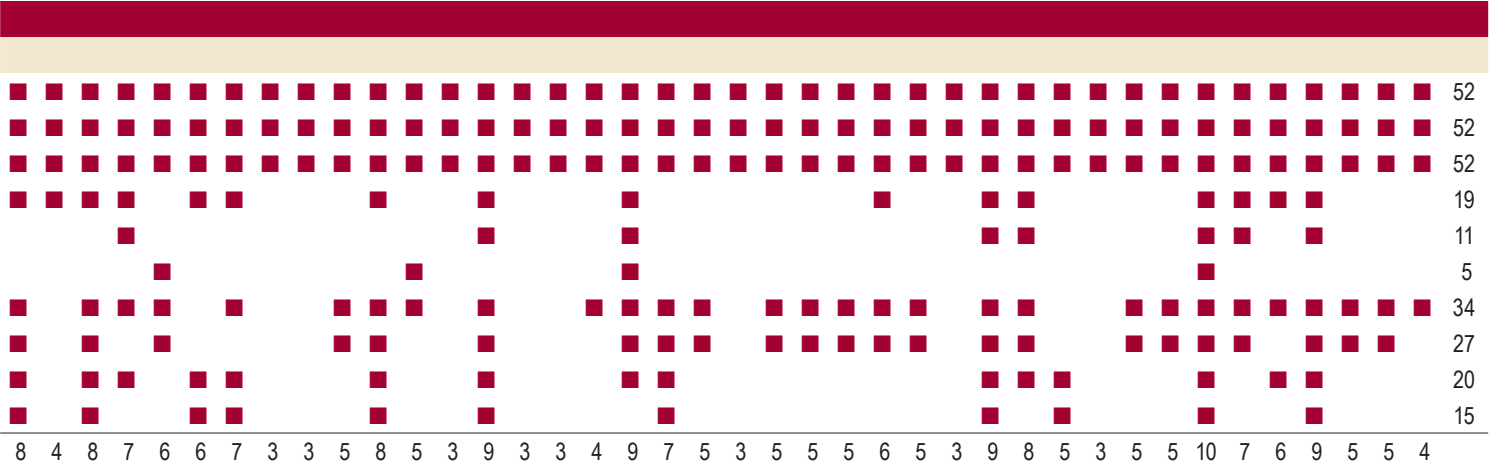
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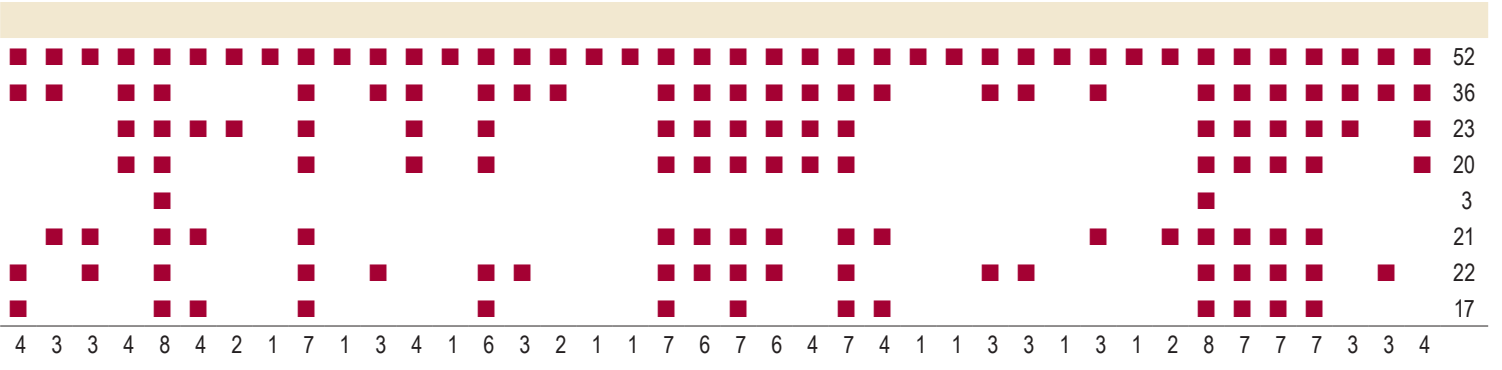




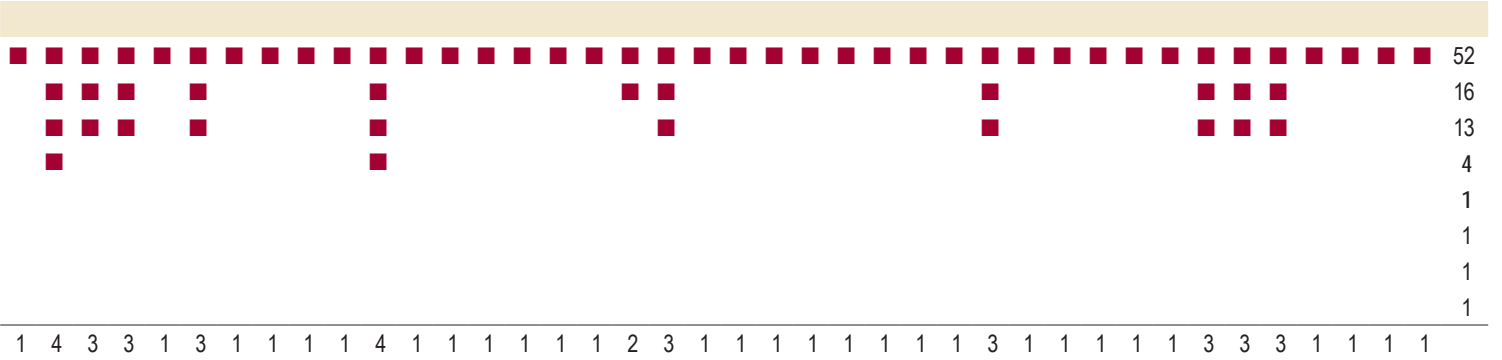
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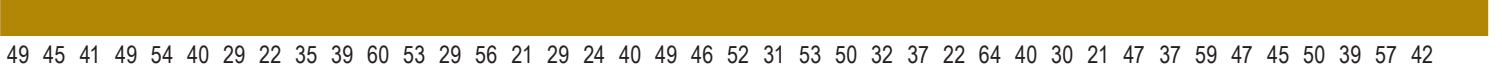
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Information for the CSP's national caseload databases comes from published and unpublished sources supplied by state court administrators and appellate court clerks. Published data are typically taken from official state court annual reports and Web sites. Data from published sources are often supplemented by unpublished data received from the state courts in many formats, including internal management reports and computer-generated output. States report and verify data electronically through spreadsheet templates provided by the Court Statistics Project.

The CSP data collection effort to build a comprehensive statistical profile of the work of state appellate and trial courts nationally is underway throughout the year. Extensive telephone contacts and follow-up correspondence are used to collect missing data, confirm the accuracy of available data, and verify the legal jurisdiction of each court. Information is also collected on the number of judges per court or court system (from annual reports, offices of state court administrators, and appellate court clerks); the state population (based on U.S. Bureau of the Census revised estimates); and special characteristics regarding subject matter jurisdiction and court structure.

*Examining the Work of State Courts* is intended to enhance the potential for meaningful state court caseload comparisons. Because this volume examines 50 states, the District of Columbia, and the Commonwealth of Puerto Rico (and thus 52 different court systems) the biggest challenge is to organize the data for valid state-to-state comparison among states and over time.

The Court Statistics Project can provide advice and clarification on the use of the statistics from this and previous reports. Project staff can also provide the full range of information available from each state. Most states provide far more detailed caseload information than can be presented in project publications. Information from the CSP is also available on the NCSC Web site at:

[www.courtstatistics.org](http://www.courtstatistics.org).

Comments, corrections, suggestions, and requests for information from readers of *Examining the Work of State Courts*, *State Court Caseload Statistics*, and the *Caseload Highlights* series are invited; please submit on the form on the CSP Web page at: [www.courtstatistics.org](http://www.courtstatistics.org).

The analysis presented in *Examining the Work of State Courts* is derived in part from the data found in *State Court Caseload Statistics*. *State Court Caseload Statistics* is published exclusively online at the Court Statistics Project's Web site: [www.courtstatistics.org](http://www.courtstatistics.org). This Web-based format allows users to take advantage of improved functionality and make possible electronic access to the data.

The information and tables found in *State Court Caseload Statistics* are intended to serve as a detailed reference on the work of the nation's state courts and are organized in the following manner:

**State Court Structure Charts** display the overall structure of each state court system on a one-page chart. Each state's chart identifies all the courts in operation in that state during 2008, describes their geographic and subject matter jurisdiction, notes the number of authorized judicial positions, indicates whether funding is primarily local or state, outlines the routes of appeal between courts, and provides links to each court with its own Web site. Readers can access the state court structure charts through the map located on the CSP's Web site.

**Jurisdiction and State Court Reporting Practices** review basic information that affects the comparability of caseload information reports by the courts. Information is also provided that defines what constitutes a case in each court, making it possible to determine which appellate and trial courts compile caseload statistics on a similar basis. Finally, the numbers of judges and justices working in state trial and appellate courts are displayed.

**State Court Caseload Tables** contain detailed information from the nation's state courts. Seven tables detail information on appellate courts, and an additional nine tables contain data on trial courts. Other tables describe trends in the volume of incoming and outgoing cases for the period 1999-2008. The tables also indicate the extent of standardization in the data for each state and the comparability of caseload information across the states.



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### Court Statistics Project

Since 1975, the Court Statistics Project has provided a comprehensive analysis of the work of state courts by gathering caseload data and creating meaningful comparisons for identifying trends, comparing caseloads, and highlighting policy issues.

A joint project of the Conference of State Court Administrators, the Bureau of Justice Statistics, and the National Center for State Courts.

