



JUDICIAL COUNCIL
OF CALIFORNIA

WORKLOAD ASSESSMENT
ADVISORY COMMITTEE

WORKLOAD ASSESSMENT ADVISORY COMMITTEE

MATERIALS FOR AUGUST 15, 2019

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WORKLOAD ASSESSMENT ADVISORY COMMITTEE

NOTICE AND AGENDA OF OPEN IN-PERSON MEETING

Open to the Public (Cal. Rules of Court, rule 10.75(c)(1) and (e))

THIS MEETING IS BEING RECORDED

Date: August 15, 2019
Time: 10:00 a.m.–2:00 p.m.
Location: 455 Golden Gate Avenue, San Francisco CA 94102
3rd Floor, Redwood Room
Public Call-in Number: 1-877-820-7831; passcode 3826880 (Listen Only)

Meeting materials will be posted on the advisory body web page on the California Courts website at least three business days before the meeting.

Members of the public seeking to make an audio recording of the meeting must submit a written request at least two business days before the meeting. Requests can be e-mailed to waac@jud.ca.gov.

Agenda items are numbered for identification purposes only and will not necessarily be considered in the indicated order.

I. OPEN MEETING (CAL. RULES OF COURT, RULE 10.75(C)(1))

Call to Order and Roll Call

Approval of Minutes

Approve minutes of the May 29 and July 29, 2019, Workload Assessment Advisory Committee meeting.

II. PUBLIC COMMENT (CAL. RULES OF COURT, RULE 10.75(K)(1)-(2))

In-Person Public Comment

Members of the public requesting to speak during the public comment portion of the meeting must place the speaker's name, the name of the organization that the speaker represents if any, and the agenda item that the public comment will address, on the public comment sign-up sheet. The sign-up sheet will be available at the meeting location at least one hour prior to the meeting start time. The Chair will establish speaking limits at the beginning of the public comment session. While the advisory body welcomes and

encourages public comment, time may not permit all persons requesting to speak to be heard at this meeting.

Written Comment

In accordance with California Rules of Court, rule 10.75(k)(1), written comments pertaining to any agenda item of a regularly noticed open meeting can be submitted up to one complete business day before the meeting. For this specific meeting, comments should be e-mailed to waac@jud.ca.gov or mailed or delivered to Judicial Council of California, 455 Golden Gate Avenue, San Francisco, California 94102, attention: Office of Court Research. Only written comments received by 10:00 a.m. on August 14, 2019 will be provided to advisory body members prior to the start of the meeting.

III. DISCUSSION AND POSSIBLE ACTION ITEM (ITEM 1)

Item 1

2018 Judicial Workload Study Update (Action Required)

Review and discuss the Judicial Workload Study focusing on additional analysis performed at the direction of the Judicial Council following the July 2019 meeting.

Presenter: Hon. Lorna A. Alksne, Chair

Ms. Kristin Greenaway, Supervising Analyst, Judicial Council Business
Management Services, Office of Court Research

IV. ADJOURNMENT

Adjourn



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MINUTES OF OPEN MEETING

May 29, 2019

10:00 a.m.–2:00 p.m.

Judicial Council San Francisco Office, 455 Golden Gate Avenue, 3rd Floor, Sequoia Room

Advisory Body Members Present: Hon. Lorna A. Alksne, Hon. Charles R. Brehmer, Hon. Joyce Hinrichs, Hon. Kirk H. Nakamura, Ms. Stephanie Cameron, Ms. Sheri Carter, Ms. Arlene D. Junior, Mr. James Kim, Mr. Michael Planet, Hon. Lawrence P. Riff, Hon. Jennifer K. Rockwell, Ms. Bonnie Sloan (by phone), Hon. Garrett L. Wong

Advisory Body Members Absent: Ms. Kim Turner

Others Present: Ms.Carolynn Bernabe, Ms. Khulan Erdenebaatar, Ms. Leah Rose-Goodwin, Ms. Kristin Greenaway

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 10:03 a.m., and took roll call.

Approval of Minutes

The advisory body reviewed and approved the minutes of the February 26, 2019, Workload Assessment Advisory Committee meeting.

DISCUSSION AND ACTION ITEMS (ITEMS 1-2)

Item 1

Review of 2018 Judicial Workload Study Update to Caseweights (Action Required)

Presenters: Hon. Lorna A. Alksne, Chair
Ms. Kristin Greenaway, Supervising Analyst, Judicial Council Office of Court Research
Ms. Khulan Erdenebaatar, Senior Analyst, Judicial Council Office of Court Research

Ms. Kristin Greenaway provided an update on the Judicial Workload Study which is a workload-based model used to assess judicial workload and to determine total judicial need in the trial courts. The study has been conducted twice in California in 2001 and 2011. These were conducted by the National Center for State Courts (NCSC) with assistance of Judicial Council of California (JCC) staff. The 2018 study is the first time the judicial workload study update has been conducted in-house by JCC staff. The study is updated periodically to reflect changes in the

law, technology, and practice, biennial when the judicial needs report is updated every even numbered year using the most recent filings data available, and to make interim adjustments as needed.

JCC staff provided an overview of the Study:

- A two-week pilot study in two courts in Spring 2018;
- A four-week time study in October and November 2018;
- Participation included small, median, and large courts from all regions across the state;
- A combination of in-person, web-based, and video trainings for the participating judicial officers were conducted in each of the study sites in Fall 2018.
- Nineteen (19) courts with over 900 judicial officers participated across the state, all clusters represented.
- JCC staff used a time data collection method, in which judicial officers were asked to record their daily activities using a web-based form.
- Data was collected on thirty-one (31) case types within five (5) case processing phases capturing case-related and non-case-related activities.
- JCC staff provided dedicated email and phone help line to answer questions, monitored data reporting, contacted courts to ensure data completeness, and updated roster of participants as needed.
- Qualitative data was collected to further validate the data.
 - Supplemental survey sent to study courts for input on where participants felt the quality of justice would be improved if they had more time.
 - JCC staff conducted validation calls with each of the study courts to gather input about what was happening at the court during the study that may have impacted the data collected.

The methodology used to calculate caseweights incorporate other model parameters including (1) three-year average filings and (2) a judicial work year value. JCC staff proposed calculating the set of judicial caseweights using the median value for each casetype.

The committee recommended using the average and not the median for one casetype, Complex Civil. There are fewer datapoints for Complex Civil, therefore the data is best represented by an average and not a median value.

Action: The committee reviewed and adopted the proposed Judicial Workload Study caseweights which are used as part of the formula for assessing judicial need in the trial courts. Complex civil to use methodology to determine weight which will be different for the other casetypes using aggregated average instead of median.

Item 2

2019 Judicial Needs Assessment and Prioritization (Action Required)

Presenters: Hon. Lorna A. Alksne, Chair
Ms. Leah Rose-Goodwin, Manager, Judicial Council Office of Court Research
Ms. Khulan Erdenebaatar, Senior Analyst, Judicial Council Office of Court Research

Ms. Leah Rose-Goodwin provided a summary update on the 2019 Judicial Needs Assessment (JNA) policy decisions on prioritization, ranking based on the 2018 draft caseweights for years 2016-18 filings, and methodology to determine needs relative to judgeship need of court using most recent filings data. Ms. Rose-Goodwin walked the committee through the materials on judicial positions, draft caseweights and judicial need. Biennial judicial need report is due to the Legislature on November 1 of every even numbered year. A preliminary report on the allocation for judgeships need was issued in the Fall of 2018. JCC staff will reissue an updated report with the proposed new caseweights from the 2018 judicial workload study once approved by the Judicial Council at its July meeting.

Action: The committee reviewed and adopted the proposed prioritization methodology for new judgeships and the priority ranking list for judgeships based on the new judicial caseweights, updated filings data, and prioritization parameters.

Next Steps

1. Submit report proposing adoption of the 2018 Judicial Workload Study Model update at the JCC July 18-19 meeting.
2. Resubmit the 2018 Judicial Needs Assessment with New Model Parameters and Updated Filings proposing adoption of the priority ranking list for judgeships based on the 2018 Judicial Workload Study Model update.

INFORMATION ONLY ITEMS (ITEM 1)

Item 1

2019-20 Resource Assessment Study Model (RAS) Need

Presenter: Ms. Kristin Greenaway, Supervising Analyst, Judicial Council Office of Court Research

The RAS model is used as the basis for budget allocations via the Workload Formula. The 2019-20 RAS FTE need is based on filings from fiscal years 2015-16, 2016-17 and 2017-18; caseweights from the 2017 RAS study update; and two recent modifications to the RAS model: an adjustment to account for the need for court reporters in family law and a work-year value of 98,550 minutes.

Ms. Kristin Greenaway reported changes made to the RAS Model:

1. Approve applying the 1.25 to 1 ratio of court reporters to judicial officers needed in family law cases to quantify the workload estimate for court reporters in family law.

2. Approve a 1.25 to 1 ratio for court reporters in civil unlimited and probate cases, discounted by 50% to account for the smaller pool of eligible litigants, efficiencies realized through pooling, and efficiencies offset by the need to have reporters available in multiple locations simultaneously. Re-evaluate this workload model annually to see whether additional data can be used to increase the precision of the estimate.
3. Update the work year value to 98,550.

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 11:39 a.m..

Pending approval by the advisory body on August 15, 2019.



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MINUTES OF OPEN MEETING

July 29, 2019

8:00 a.m.

Teleconference

Advisory Body Members Present: Hon. Lorna A. Alksne, Hon. Charles R. Brehmer, Ms. Stephanie Cameron, Ms. Sheri Carter, Hon. Joyce Hinrichs, Mr. James Kim, Hon. Kirk H. Nakamura, Mr. Michael Planet, Hon. Jennifer K. Rockwell, Ms. Kim Turner

Advisory Body Members Absent: Ms. Arlene D. Junior, Hon. Lawrence P. Riff, Ms. Bonnie Sloan, Hon. Garrett L. Wong

Others Present: Mr. Nicholas Armstrong, Ms.Carolynn Bernabe, Ms. Khulan Erdenebaatar, Ms. Leah Rose-Goodwin, Ms. Kristin Greenaway

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 8:01 a.m., and staff took roll call.

Approval of Minutes

There are no meeting minutes to approve.

There were no written public comments received for this meeting.

DISCUSSION AND ACTION ITEMS (ITEM 1)

Item 1

Discuss Next Steps for Judicial Workload Study Update (Action Required)

Presenters: Ms. Kristin Greenaway, Supervising Research Analyst, Judicial Council Office of Court Research

Ms. Kristin Greenaway provided an update on the proposed timeline for additional Judicial Workload Study review and discussed the next steps for preparing the study for the September Judicial Council meeting. Staff will perform additional analysis to ensure summary data best represents the current court environment.

INFORMATION ONLY ITEMS (NO ACTION REQUIRED)

Info 1

Update Committee on the July 2019 Judicial Council Meeting

Presenter: Hon. Lorna A. Alksne, Chair

Judge Lorna Alksne provided overview of the Judicial Council meeting as it relates to the Judicial Workload Study. The Judicial Council at its July 18 business meeting requested that the staff perform additional analysis on the methodology used to calculate judicial caseweights by looking at court clusters to ensure proper representation of courts of different sizes. Judge Alksne encouraged members to attend the committee's August 15 in person meeting to review and discuss the proposed revisions to the Judicial Workload Study.

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 8:14 a.m..

Pending approval by the advisory body on August 15, 2019.

Attachment A

2018 Judicial Workload Study Update - Draft Caseweights and Standards

Work Year Value	77,400
3-Year Average Filings	FY2015, FY2016, FY2017
Case Type	Draft 2018 Caseweights¹ 1 Caseweight / Median minutes per filing
<i>Criminal</i>	
Felony	204
Misdemeanor - Traffic	17
Misdemeanor - Non-Traffic	45
Infractions	1.2
<i>Civil</i>	
Complex	707
Asbestos	553
Unlimited Civil	109
Limited Civil (without UD)	16
Limited Civil - Unlawful Detainer	20
Small Claims	30
<i>Family Law</i>	
Family Law- Dissolution	120
Family Law- Parentage	127
Family Law- Child Support	45
Family Law - Domestic Violence	66
Family Law - Other Petitions	133
<i>Juvenile</i>	
Juvenile Dependency	244
Juvenile Delinquency	149
<i>Probate and Mental Health</i>	
Probate - Other	73
Conservatorship/Guardianship	134
Mental Health	52
EDD	0.4

¹ Caseweights are minutes per filing (from initial filing to post disposition)

1B.2018 Judicial Workload Study Update - Draft Caseweight Models and Standards

Work Year Value					77,400	
3-Year Average Filings					FY2015, FY2016, FY2017	
Case Type	Model 1 4 Cluster Caseweights ¹				Model 2 Trimmed Median Caseweights ¹	Model 3 Median Caseweights ¹ (Cluster 2, 3 & 4 courts)
	Cluster 1	Cluster 2	Cluster 3	Cluster 4		
<i>Criminal</i>						
Felony	220	186	221	220	184	204
Misdemeanor - Traffic	28	17	10	15	16	15
Misdemeanor - Non-Traffic	52	42	34	46	43	45
Infractions	1.4	1.4	1.2	1.6	1.2	1.3
<i>Civil</i>						
Complex	707	707	707	707	707	707
Asbestos	511	511	511	511	553	553
Unlimited Civil	192	127	68	121	107	115
Limited Civil (without UD)	42	20	12	11	15	15
Limited Civil - Unlawful Detainer	45	16	10	21	19	13
Small Claims	30	34	14	13	25	20
<i>Family Law</i>						
Family Law- Dissolution	207	106	77	74	119	85
Family Law- Parentage	271	158	125	94	117	127
Family Law- Child Support	103	46	37	10	42	43
Family Law - Domestic Violence	118	61	46	60	63	56
Family Law - Other Petitions	170	118	122	47	126	133
<i>Juvenile</i>						
Juvenile Dependency	367	249	181	136	241	199
Juvenile Delinquency	156	213	145	151	144	149
<i>Probate and Mental Health</i>						
Probate - Other	77	57	70	84	69	79
Conservatorship/Guardianship	276	136	105	125	125	119
Mental Health	49	61	57	35	37	46
EDD	0.4	0.4	0.4	0.4	0.4	0.4
Total Need (FTE)	1898				1986	1976
Assessed Judge Need	141				174	173

¹ Caseweights are minutes per filing (from initial filing to post disposition)