INDIANA JUDICIAL WEIGHTED CASELOAD

STUDY UPDATE

FINAL DRAFT
October 2002

JUDICIAL ADMINISTRATION COMMITTEE
JUDICIAL CONFERENCE OF INDIANA

SJI

Support for this study was provided by the
State Justice Institute
Technical Assistance Number SJI-00-T-257

Indiana Judicial Center
National City Plaza - South Tower
115 West Washington Street, Suite 1075
Indianapolis, Indiana 46204-3417
Phone (317) 232-1313
Fax (317) 233-3367

NOTE

This document was developed under grant number SJI-00-T-257 from the State Justice Institute. The points of view expressed are those of the Judicial Administration Committee of the Judicial Conference of Indiana and do not necessarily represent the official position or policies of the State Justice Institute.

ACKNOWLEDGMENTS

This project was made possible by the hard work and dedication of the Judicial Administration Committee, both past and present members. The State Court Administrator's Office also provided valuable support and assistance in the development of the data collection instruments, processes, and analysis. In particular, a special note of gratitude must be extended to Andy Straw and Ron Miller for their work with court clerks throughout the state in collecting file information and date, as well as for the various other activities and tasks they performed in carrying out this study. In addition, the following individuals deserve special thanks for the time and energy they gave in making the updated study a success:

Judge Scott R. Bowers
Vanderburgh Superior Court

Judge Roland W. Chamblee
St. Joseph Superior Court

Judge Steven M. Fleece
Clark Superior Court #3

Judge Frances C. Gull, Chair
Allen Superior Court

Judge James S. Kirsch, Liaison
Indiana Court of Appeals

Judge Karen M. Love
Hendricks Superior Court #3

Judge Clarence D. Murray
Lake Superior Court

Judge Tanya Walton Pratt
Marion Superior Court #1

Judge Judith S. Proffitt
Hamilton Circuit Court

Judge P. Thomas Snow
Wayne Superior Court #1

Judge Michael A. Shurn
Pulaski Circuit Court

Judge David L. Welch
Monroe Circuit Court Div. 6

Mr. Jeff Bercovitz
Indiana Judicial Center

TABLE OF CONTENTS

EXECUTIVE SUMMARY 5

INTRODUCTION 10

PURPOSE 12

PROJECT HISTORY 12

METHODOLGY 18

RESULTS 28

RECOMMENDATIONS 49

APPENDIX A 53

Instructions and Forms for Judicial Officers to record case related time

APPENDIX B 62

File review/Audit data collection form and Case Type data total

APPENDIX C 65

Methodology Reports/Documentation

APPENDIX D 78

Biographical/Professional Qualifications of the Researchers

APPENDIX E 87

Actual time in minutes recorded by Judicial Officers – by case type and type of action for all participating counties

APPENDIX F 100

Judicial Officer case filing information by County

APPENDIX G 104

Judicial case count of case types, and type of actions, pre and post judgment for all counties

APPENDIX H 113

Orders, memos, and other documents relative to the study

EXECUTIVE SUMMARY

This study is a snapshot in time consisting of four weeks of judicial activities and a review of over 3,500 randomly selected case files. In the course of this study, the committee and the consultants and researchers enlisted to work on the project gathered and reviewed data and information from 14,582 time entries registered by over 130 judicial officers from 45 Indiana counties, and 8,023 actions from 3,608 randomly selected case files pulled from courts in 17 small, medium, and large counties located throughout the state. Based on thorough analysis, the data was translated into a series of tables that the committee studied and used to arrive at the findings or results detailed below.

The Indiana University Public Opinion Laboratory randomly selected cases, and a team of researchers from the Lab and the Grau Group, Inc. collected and recorded data from the case files. The counties from which the files were selected were scientifically chosen to provide a representative mix of areas with different population and other demographic characteristics. The counties used in the case file review were 17 small, medium, and large counties.

The tables appear in the body of the report and in the appendices, and give a clear illustration of the findings upon which the results were determined. Where it was appropriate, the committee made comparisons with the results from the 1996 study, and those findings along with the observations made from the new case types chosen for the updated study contributed to a series of recommendations.

RESULTS

In sum, the committee primarily focused its efforts on determining the judicial time spent on the types of cases not included in the state's initial Weighted Caseload study concluded in 1996. For those types of cases this study establishes a foundation to build upon in future updates, since comparisons can now be drawn for a much more extensive list of case types. Furthermore, the committee agreed this study resulted in some key improvements in how data was collected and analyzed, especially in terms of the random sampling of case files, and a more comprehensive approach to recording judicial time. Consequently, as the state looks to future studies the cumulative results of this update and the initial study offer solid baseline information upon which to explore changes in judicial time and case actions in the studies to follow.

In general, the study revealed Capital Murder cases involved the most judicial, an average of 2,644 minutes was measured on those cases; and, Civil Collections involved the least amount of time, at an average of 26 minutes per case. The committee agreed the Civil Collection time may be somewhat low, so they recommended such cases be given additional consideration in future studies as outlined in the Recommendation section of this report.

In addition, there were distinct time differences for A Felony cases as compared to B and C Felony cases. The committee determined a potential explanation for those time variations would be the prevalence of plea agreements reached in B and C Felony cases, which would also explain the much higher average time spent on pre-judgment hearings in A Felony cases as compared to B and C Felony cases.

Clearly, the updated study supplied a much more vivid picture of judicial time spent on Capital Murder, Murder, A and B and C Felony cases. That is because those types of cases were not separated in the 1996 study, so the same time was registered for each of the five case types. Thus, the update gives a more extensive review of the judicial time spent on hearing these different types of cases that were all grouped together as Felony cases in the 1996 report. Incidentally, the time differences for those case types should not be construed to mean there was a dramatic increase in judicial effort being dedicated to those types of cases as much as it should be recognized as providing greater specificity in studying different felony cases. The committee acknowledged there were few capital murder cases from which to compile a statistically valid sample; and therefore, the complexity and time involved in this case type merits additional study.

On the other hand, the committee was struck by the time increases for juvenile cases, including; CHINS, Delinquency, and Termination of Parental Rights cases. In that regard, the committee agreed juvenile cases merited additional attention in future studies to determine the specific reasons that may be contributing to the increased judicial time being spent on those types of cases.

Judges reported post judgment activity in all case types. That included recording the judicial time spent on post judgment activities in all cases, which amounted to at least 15% of all of the judicial time recorded. Post judgment activities also comprised a significant portion of the case file review information according to the researchers for the project.

The committee believed the added time may be a result of more stringent state and federal laws demanding determinations be made sooner in such cases, but that open the door to more time being dedicated to post-judgment actions. There was some evidence of that theory in the age of case data collected for those types of cases.

RECOMMENDATIONS

The committee, upon examining the results of this updated study of Weighted Caseloads along with the initial study completed in 1996, arrived at the recommendations set forth below. The first series of recommendations pertain to the broader aspects of improving, maintaining, and sustaining a Weighted Caseload system in Indiana. Those recommendations are followed by more specific recommendations for future examination as well as the comparisons that can now be made for the types of cases included in 1996 and the recent study.

Certainly part of the purpose of completing updated Weighted Caseload studies is to provide a basis for future study and to dig deeper into the potential factors for changes in judicial time being spent on specific types of cases. Thus, the committee is confident the recommendations expressed here will contribute to the continuous improvement of Indiana's Weighted Caseload system and therefore lead to better distributions of workloads among the state's counties, courts, and judges.

- In order for a Weighted Caseload system to be most effective, the studies must be updated regularly – perhaps annually. The updates will show if there are increases in judges' time being spent on specific types of cases, and/or on specific types of actions, or activities relative to the cases. That will, in turn, supply valuable information pertaining to the resources necessary to manage the caseload assigned to a court, county, district, or judicial officer. Conducting regular updates and appropriately administering a state's Weighted Caseload system entails:

- Having staff dedicated to the system – both in terms of time and commitment to using the system and the data/information it produces to drive decisions pertaining to the judiciary. Without the commitment of staff, time, resources, and technology to the weighted caseload system, a state will not be able to make the needed changes in the mindset that persists in the handling of decisions on judicial caseloads.

- The uniform case management system being developed by the Judicial Technology and Automation Committee (JTAC), with the uniform CCS data entry system will enhance the accuracy of data collection in future studies. The committee determined individual courts count cases and actions with a case differently on an individual Chronological Case Summaries (CCS). Researchers collected information with variations among counties on how cases are counted and information is recorded in a CCS.

- The committee believed that the implementation of the statewide case management system will greatly enhance the accuracy and uniformity of case entries made and data collected for future weighted caseload studies.

Therefore, it is important to keep in mind that the ultimate result and benefit of weighted caseloads, if done properly, is standardization of caseloads and caseload assignments, as well as more effective and efficient case management throughout Indiana.

Beyond the more general recommendations for maintaining, improving, and sustaining the state's Weighted Caseload system, the committee arrived at specific recommendations based on the results of this update as summarized in the previous section of the report. Those recommendations are:

- There should be a review of what gets recorded in the case files or Chronological Case Summaries (CCS') and how that information is presented. For instance more precise data or information is needed to determine case types, especially in Civil Plenary, Collections, and Mortgage Foreclosure cases. In several courts it was impossible to distinguish those different types of cases. Thus, it diminished the ability of the committee to more accurately establish the judicial time involved in hearing and disposing of those types of cases, and in examining how those types of cases are affecting judicial caseloads.

- There should be additional study dedicated to juvenile cases, especially CHINS, Termination of Parental Rights, and Delinquency cases. The comparison of judicial time spent on such cases between the 1996 study and the update indicated judgments were being reached sooner, but the cases were remaining open for longer periods of time.

  While the committee cited factors such as new state and federal laws requiring quicker dispositions in most types of juvenile cases, it was determined further study could pinpoint the actual cause behind the increase in judicial time spent on those case types. Specifically, there should be additional examination of the age of case issues in CHINS cases, and perhaps some of the other areas of juvenile court caseloads. At a minimum more time should be spent studying why Indiana courts/judicial officers are getting to dispositions more quickly than was reflected in the 1996 study, while at the same time the cases remain open longer largely through more post-disposition hearings.

- There should be further study of Civil Collections cases to gauge how judges record their time, and more importantly how these cases are being presented in the case files. In particular, the committee determined there should be closer examination of the factors contributing to differences in time spent on pre-judgment hearings, and a more thorough study of how much time is actually spent on post-judgment actions.

- The Indiana Division of State Court Administration should include reporting of post-dispositional activities in their office.

- The committee concluded dispositions are a key element in a Weighted Caseload System, and should therefore be noted correctly in a CCS.

- Since Civil Collection and Mortgage Foreclosure cases have been separated out of the Civil Plenary case type, Civil Plenary cases should be reviewed again in the next study.

- The committee also concluded Capital Murder and Murder cases deserved to be studied further since the sample number of cases was small. The general sentiment was that such cases should be regularly monitored which would reduce time spent collecting and recording data on the cases selected for the study. A suggestion was made to enlist a researcher to regularly update the information and status of findings on Capital Murder and Murder cases being studied.

For more Information on Indiana's Weighted Caseload System or this study, please contact:

Mr. Jeff Bercovitz
Indiana Judicial Center
115 West Washington Street, Suite 1075
Indianapolis, Indiana 46204-3417
Phone (317) 232-1313
Fax (317) 233-3367

~ OR ~

Mr. Ron Miller
Indiana Supreme Court, Division of State Court Administration
1115 West Washington Street, Suite 1080
Indianapolis, Indiana 46204-3417
Phone (317) 232-2542
Fax (317) 233-6586

INTRODUCTION

In early 1993 the Judicial Administration Committee of the Judicial Conference of Indiana, hereafter referred to as the committee, began working on the Weighted Caseload Measure Study at the request of the Chief Justice. The initial study was launched since it was largely recognized by judges the previous method for gathering statistical data on Indiana's judicial caseload did not evaluate the state's judicial workload. Consequently, that lead to the creation of a method for comparing caseloads by attributing weights to various types of cases which enabled the judicial branch of Indiana state government to more accurately identify, analyze and evaluate judicial workloads, and to therefore serve the public more effectively.

The committee decided to use a weighted caseload method being utilized by a majority of states as presented by the National Center for State Courts. Once the method was adopted, the committee began collecting data through time studies conducted by judges, and reviewing case files as completed by court personnel. Data was collected from those two sources through 1995, and the committee issued its first Weighted Caseload Study report in 1996.

In December 1999, members of the Indiana Division of State Court Administration made a request to the committee to update the Weighted Caseload Study. In order to be assured the update would have the highest degree of credibility and quality, the committee decided to hire a national expert in weighted caseload systems, Mr. Jim Jezek; and noted research experts, the Indiana University Public Opinion Laboratory, and Mr. Larry Grau of The Grau Group, Inc. The committee determined it enhanced professionalism, increased objectivity, and ensured validity of the updated study by using these outside experts. (Please see Appendix D for professional biographical information and the qualifications of these experts).

After discussing the matter, the committee directed the Chair to contact the Chief Justice to indicate the committee's intent to initiate an update of the 1996 study. The committee then approved a timeline of activities for completing the update, and requested Mr. Jim Jezek, a national expert in Weighted Caseload studies to assist in organizing the study and analyzing data. In addition, the Indiana University Public Opinion Laboratory was hired to design the in-state data collection, and to assist in the research. Mr. Larry Grau, of the Grau Group, Inc. was later hired to help complete data collection and entry, as well as to provide assistance in drafting the update report.

The committee was able to secure a grant from the State Justice Institute (SJI-00-T-257) to supply funding for the research, data collection and analysis involved in the updated study.

The committee met over 20 times from 2000 through 2002 to: determine the structure of the study, review the selection of judges to complete the time study and the counties for case file audits, approve and define the types of cases to be used in the update, and examine data and information relative to the completion of the updated study. Committee members completed final reviews of the data and other relevant information gathered and analyzed for the updated study in the spring of 2002, which subsequently lead to the drafting of this report.

In the following pages the results of the updated study are presented along with references to the 1996 report, which offer a historical perspective of Indiana's Weighted Caseload findings, conclusions, and recommendations.

PURPOSE

The Judicial Administration committee determined the importance and relevance of the Weighted Caseload update study could best be expressed and defined in a revised mission statement from the 1996 study. That mission statement sets forth the purpose of the update in stating:

The purpose of the updated study builds upon the 1996 study, which was to provide Indiana with a mechanism to:

1. Evaluate Indiana's current judicial resources;
2. Maximize the delivery of services by determining the most effective use of existing resources;
3. Provide an accurate measure for determining the necessity for additional judicial resources;
4. Permit the self-evaluation of case management;
5. Aid in the structural evolution of the Indiana court system;
6. Provide the information required for assessing future needs for judicial officers, including education, training, and compensation;
7. Measure the comparative effect of particular types of cases or procedures on the efficiency of judicial resources;
8. Estimate the cost of legislative proposals and statutory changes on case processing; and,
9. Explain the increasing complexity of litigation.

PROJECT HISTORY

This historical timeline spanning from the inception of the 1996 Weighted Caseload study, and leading up to and including the updated study report, recaps the key events, activities, and determinations made by the committee.

1993

The Judicial Administration Committee began work on Judicial Weighted Caseload Measures in early 1993 at the request of the Chief Justice of Indiana. The committee developed a mission statement, purposes, and goals. After being presented an overview of the use of judicial weighted caseload measures in the United States by Mr. Gene Flango of the National Center for State Courts, the committee consulted with Hunter Slayton and Tricia Campbell of the Alabama Court Administrator's Office about the development of that state's Weighted Caseload System using the Delphi Survey Method.

The Delphi Method allows judges to estimate the time various cases take without actually measuring time spent in each individual activity of the case. Judges are then asked to estimate the time it takes to process specific case types. Those estimates are tabulated, averages and ranges are calculated, and results are returned to each judge with the request to adjust the original estimates in light of the new information.

The committee questioned the accuracy of the Delphi Method, and decided to complete an empirical study of actual case times instead. The committee believed empirically measured data from Indiana would be more accurate and the information from other states should be used only for comparison purposes.

1994

Mr. James (Jim) Jezek of the Colorado State Court Administrator's Office was chosen as a consultant to the committee. Mr. Jezek is widely recognized for his expertise in Weighted Caseloads, and has served as a consultant to eight other states on similar projects. He was able to bring the committee not only considerable analytical skills when reviewing the data collected by the study, but his practical experience from Colorado and other states in developing the use of weighted caseloads. (Mr. Jezek's professional biographical information appears in Appendix D, along with similar information on the other experts involved in the updated study).

Committee members agreed this initial study should consist of determining actual time judges and other judicial officers spend on various types of cases as well as events in those types of cases. An educational program for 67 judicial officers was held to provide an overview of weighted caseload measures and to train participants to keep time records for the study.

1995

In the second part of the study data was collected from randomly selected case files in the years 1988 through 1994. All 25 case types as defined in Administrative Rule 8 were included in the selection of files. Over 14,000 items of data were compiled for this portion of the study.

Counties representing approximately 80% of the state's caseload participated in the case file review part of the study. In July committee members reviewed the data and results of the two parts of the study.

1996

The committee finalized its review of the average times judges spend in various types of cases and those results were documented in the final report. The committee formed conclusions and recommendations based on those results, and issued its final report in December.

1999

After a presentation from members of the Division of State Court Administration, the committee directed the Chair to contact the Chief Justice to notify him of the decision to initiate an updated Weighted Caseload study. The committee approved a plan to secure Mr. Jezek's assistance in structuring the updated study based on the work he did on the 1996 study.

2000

The committee discussed further areas for study and agreed to include the following:
(1) Infractions;
(2) Ordinance violations;
(3) Capital cases;
(4) CHINS & Delinquency;
(5) Protective Orders;
(6) Termination of Parental Rights;
(7) Juveniles in paternity cases;
(8) Breaking civil cases into separate areas;
(9) Cases transferred in/transferred out;
(10) Community transition program;
(11) Post Conviction Relief or PCR's;
(12) Lake and Marion county issues;
(13) Special judges - how to report time for them;
(14) Separation of Murder and A felonies from B and C felonies as case types;
(15) Use of the Delphi method for capital cases and life without parole; and
(16) Methodology/rule for adjustments in weighted caseload measures.
The committee prepared a mission statement and list of concerns for the updated study, and established a time line of activities for the update.

The committee determined a series of modifications and additions had to be made to the 1996 study for the update. Those changes included the following:

- Capital Murder, Murder, A and B and C Felony cases would be studied and given separate weights; and those cases needed to be given new 'case' numbers so they could be counted;
- The Civil Plenary classification should be studied, and Mortgage Foreclosure and Civil Collection cases within that category would need to be separated with new weights developed for the three categories;
- Community Transition would be added to the time study forms as a Type of Action, and Case Complexity would be removed from the forms;
- A new time study form will be developed to collect Infraction and Ordinance Violation cases;

- Capital Murder, CHINS, Delinquency, Termination of Parental Rights, Paternity and Post Adjudication (dissolutions) would be studied by case audit along with the cases that were included in the time study;
- The average amount of time a judge spends on a particular case would be calculated to supply a statewide measure.

The committee reviewed the judicial time study form for case related activity, definitions of mortgage foreclosure and civil collection for instructions for this form, and they kept their time for one week to pilot the new form.

The committee recommended the data gathering system be amended to collect data for the following new case types: Capital Murder, Murder, A Felony, B Felony, C Felony, Mortgage Foreclosure and Civil Collection cases; and, CHINS cases were added to the time study form. These new case types were added to Indiana's caseload reporting statistics beginning in 2002 by the Indiana Supreme Court.

The committee also added domestic relations cases to those cases in which judges will keep times, and added language to the time sheet providing examples of how to record the same action occurring in multiple cases. The committee agreed: tax warrant cases should be included in the definition of civil collections for study purposes; PCR's should be included as a post judgment action in the underlying criminal case; life without parole cases should be included in the definition of capital murder cases; and, if multiple crimes are charged; the highest charged offense is where the judge time should be attributed.

The committee also agreed that judicial actions should be counted in as uniform a manner as possible, and they prepared a list of commonly used words and/or phrases matching them to the Type of Action for each of the 16 case types selected for the updated study. The reason the committee did that was so independent researchers could review cases on a consistent, objective basis and not have to rely on judicial/court staff to select the cases to be reviewed.

2001

The committee revised the counties to be used in the sample for case file reviews:

Large: Lake and Marion;

Medium: Clark, Johnson, Monroe, Porter, Tippecanoe, Wayne, Vigo and Madison as a backup;

Small: Boone, Clay; Fayette, Hancock, Henry, Jasper, Jefferson, Knox, Marshall, Montgomery, Owen, Rush, and Wells.

After considerable discussion over the course of several meetings, the committee agreed to examine the types of cases shown in Table #1 (below), and with the assistance of the researchers from the Indiana University Public Opinion Laboratory, the committee determined an appropriate number of judicial time entries and case files to be considered a statistically valid sample. The committee did initially include Infractions and Ordinance Violations in the list of case types, but later dropped those categories of cases due to concerns over the availability of data and lack of judicial actions in the vast majority of these cases.

Of the first 500 infraction and ordinance violation cases reviewed there were no judicial actions noted. Therefore, the committee re-examined these types of cases, consulted with judges who hear infractions and ordinance violations, and decided to use the numbers from the previous study.

TABLE #1:
CASE TYPES SELECTED TO STUDY IN THE WEIGHTED CASELOAD UPDATE

Case Types – Judicial Time Recorded	**Case Types – Case File Reviews**
Capital Murder and Life without parole (CF)	Capital Murder and Life without parole (CF)
Murder (CF)	Murder (CF)
A Felony (CF)	A Felony (CF)
B Felony (CF)	B Felony (CF)
C Felony (CF)	C Felony (CF)
Civil Plenary (CP)	Civil Plenary (CP)
Mortgage Foreclosure (CP)	Mortgage Foreclosure (CP)
Civil Collection (CP)	Civil Collection (CP)
Domestic Relations (DR)	Domestic Relations (DR)
CHINS (JC)	CHINS (JC)
Termination of Parental Rights (JT)	Termination of Parental Rights (JT)
	Juvenile Status (JS)
	Juvenile Delinquency (JD)
	Paternity (JP)
	Protective Orders (PO)

It is worth noting, no time study was completed for Juvenile Status, Juvenile Delinquency, Paternity, and Protective Order cases. The committee concluded the number of judicial actions was increasing but the length of time judges were spending was not. Thus, the committee believed it was more important to get the time study information for 12 case types due to fiscal priority. Therefore, given the limited monies available the committee chose to record the data or information on judicial times for the 12 case types noted in the first column of Table #1, above.

The committee decided to select cases to study from all cases filed, rather than only closed cases, in the categories the committee is studying, for 1995, 1996, 1999 and 2000. The Indiana University Public Opinion Laboratory then randomly selected cases to study for the number of judicial actions. It was concluded that this approach allowed for a mix of older cases to get the entire range of judicial actions and newer cases to see present practices of judges. It should also be noted, for some case types judges kept timesheets for four weeks (those case types are shown in the first column of Table #1, above), while judges only counted actions in other case types as a result of resource limitations. However, case file reviews were conducted on every case type as noted in the second column of Table #1.

2002

The committee revised the counties to be used in the sample for case file reviews, and the following list of counties was ultimately used for the case file review sample:

Large: Lake, and Marion;

Medium: Floyd, Johnson, Monroe, Porter, Tippecanoe, Wayne, Madison, and Vanderburgh;

Small: Boone, Clay, Morgan, Henry, Jefferson, Wabash, Perry, and Rush.

After reviewing tables of data, the committee drafted recommendations to include in the final report for the updated study. Upon reviewing an initial draft of the Weighted Caseload Update report the committee made various additions and edits to the document. Thereafter, members of the committee agreed to present the Weighted Caseload Update Report at the Judicial Conference Annual Meeting in September 2002.

METHODOLGY

There are distinct areas of this study that were combined to reach the study findings and conclusions. Those areas include; the judges' time study, case file reviews, and a comprehensive analysis of the data and information collected, which contributed to the various charts and tables, presented in this report. Different individuals and organizations carried out those areas of the study, and each was responsible for depicting the methodology used to complete the tasks that were necessary for successfully completing each area encompassed in this study. The committee, with the assistance of the consultants and experts enlisted to work on this update, designed the parameters to be used in the distinct components of the study, and that framework for the study methodology is presented first in an overview. The judges' time study, and case file review – sample and file selection, along with data entry and reporting – are then summarized with more detailed documentation provided in Appendix C.

Methodology Overview

After a presentation by Mr. Jezek and reviewing information on Weighted Caseload studies in other states, the committee decided the updated study should extend into further areas of judicial actions, including the following:

(1) Infractions;
(2) Ordinance violations;
(3) Capital cases;
(4) CHINS & Delinquency;
(5) Protective Orders;
(6) Termination of Parental Rights;
(7) Juveniles in paternity cases;
(8) Breaking civil cases into separate areas;
(9) Cases transferred in/transferred out;
(10) Community transition program;
(11) PCR's - reduced time needed for them;
(12) Lake and Marion county issues;
(13) Special judges - how to report time for them;
(14) Separation of Murder and A felonies from B and C felonies as case types;
(15) Use of the Delphi method for capital cases and life without parole; and
(16) Methodology/rule for adjustments in weighted caseload measures.

The committee recommended to the Supreme Court of Indiana that the data gathering system be amended to collect caseload data for the following new case types: Capital Murder, Murder, A Felony, B Felony, C Felony, Mortgage Foreclosure and Civil Collection cases. The Supreme Court implemented that recommendation through the Division of State Court Administration in January 2002.

The Committee also agreed to use the Non-related cases time sheet for the study. The Committee talked about Tax Warrant cases and decided not to take any action in the time study. Thereafter, the committee agreed to add CHINS cases to the time study form.

The members of the committee agreed that: tax warrant cases should be included in the definition of civil collections for study purposes, PCR's would be included as a post judgment action in the underlying criminal case, and life without parole cases will be included in the definition of capital murder cases. When multiple crimes were charged, the highest charged offense is where the judge time should be attributed.

The committee determined that judicial actions should be counted in as uniform manner as possible. They agreed to prepare a list of commonly used words and/or phrases and match them to the Type of Action for each of the 16 case types. Dr. Brian Vargus of the Indiana University Public Opinion Laboratory advised this was needed to assure judicial actions were counted consistently. The list would provide a framework to count judicial actions in case files.

In discussing how to record various case actions, Mr. Jezek suggested counting continuances as judicial actions tended to decrease the credibility of the case file audit, with potential study opponents stating that continuances permit judges to keep a case open longer and therefore increase the need for more judges. Thus, the committee decided if a hearing occurs, and a continuance is granted, the hearing would be counted as the action. If the judge spends time preparing the order for the continuance, the time to prepare the order would be counted as well. The continuance itself was not counted.

In examining the structure for collecting data on the new case categories to be considered in this study, the committee determined that almost all mortgage foreclosure actions had a bank or mortgage company name in their title and would be easy to distinguish from other civil actions. Furthermore, tax warrant cases always had the Indiana Department of Revenue listed as the plaintiff and those cases would be easy to find. Looking at the parties involved in and the nature of the case may provide enough information to determine other civil collection cases. All computer systems reviewed listed criminal charges separately and if programmed properly, these cases could be sorted by highest felony charged.

Andy Hutcherson of the Indiana University Public Opinion Laboratory suggested the committee should conduct file reviews in some of the same counties that were included in the study last time to verify the results from before. The committee then chose the following counties for case file reviews, which include counties with and without computerized Chronological Case Summaries (CCS'): Large: Lake and Marion; Medium: Clark, Monroe, Porter, Tippecanoe, Wayne, Vigo and Madison as a backup; Small: Clay, Fayette, Hancock, Henry, Jasper, Jefferson, Knox, Marshall, Montgomery, Owen, Rush, and Wells.

However, based on the data available and cooperation in gathering case file information, the committee members revised the counties to be used in the study for case file reviews to include the following:

Large: Lake and Marion;
Medium: Clark, Johnson, Monroe, Porter, Tippecanoe, Wayne, Vigo and Madison as a backup;
Small: Boone, Clay, Fayette, Hancock, Henry, Jasper, Jefferson, Knox, Marshall, Montgomery, Owen, Rush, and Wells.

Mr. Bercovitz distributed selected portions of Colorado's Trial Court Statistical Definition and Coding Manual. Based on the examples provided in that report, and a review of sample CCS' from Indiana, the committee agreed that action words including "grant, deny, order, issue, enter," and "held" generally denote a judicial action, and words including "paid, filing," and "served" did not.

Mr. Jim Jezek reviewed results of the judicial weighted caseload measures project with the committee members. The committee agreed to remove the bottom 2½ % and top 2½ % of numbers as was done in the study before to improve reliability of the judge time numbers.

The committee further defined how orders should be counted, and agreed on the following distinctions:

- If one long order was entered on one day, it should be counted as one order, not separate orders; "Copy to counsel" means an order was entered;
- The setting of a hearing was an order;
- A case could have more than one sentencing, e.g. a sentencing hearing that occurs on more than one day, but only one judgment when the sentencing order is entered;
- A guilty plea should only be scored one time as a guilty plea, and not a plea and an order.

Methodology – Judicial Time Study

In discussing the factors involved in collecting data, the committee concluded Capital Murder, CHINS, Delinquency, Termination of Parental Rights, Paternity and Post Adjudication (dissolutions) would be studied by case audit along with the cases that were included in the time study. Protective Orders were discussed and the committee determined the time to process cases was adequate and the increase in volume is factored into the weighted caseload by count, so no action was taken on that issue.

The committee resolved the number of cases filed are not necessarily based on population but could be based on local factors. The committee established the weighted caseload should recognize that there are times when judges are working when they are not on the bench in the courtroom. The weighted caseload is a fair and rational way to compare workloads of specialty courts to more general courts.

The committee prepared a list of counties in which judicial officers would participate in the judicial time study based on a statistical report distributed by Mr. Jezek. In addition, they agreed to invite judges from counties not selected to participate if they wish. The committee agreed to measure the average amount of time a judge spends on a particular case for statewide purposes.

The committee agreed to add domestic relations cases to those cases in which judges would keep times, and add language to the time sheet to indicate how to record the same action that occurs in multiple cases.

The committee reviewed the judicial time study form for case related activity, drawing special attention to the definitions of mortgage foreclosure and civil collection used in the instructions for this form, and kept their time for one week to pilot the form. They prepared a Total Annual Judicial Time Availability Worksheet and distributed the worksheet for completion by attendees of a kick-off session on September 22, 2000.

In order to arrive at the number of hours available to perform judicial related activities, a time evaluation was conducted. Judicial officers who participated in that time evaluation were provided forms to record time spent on the following events: average vacation time, number of holidays in which they were not in the court (which is not standard in Indiana), average sick time, conferences, continuing education, meetings, administrative duties, community service, on-call days, county council meetings, travel time and any other non-case related activity.

The final figures adopted by the committee for judicial time spent on each of the events noted above is reflected in Chart #1 below:

CHART #1: AVERAGE TOTAL AVAILABLE JUDICIAL TIME

TOTAL AVAILABLE TIME = 52.2 Weeks Per Year, and 40.0 Hours Per Week
• 21 Vacation Days Per Year • 13 Holidays Per Year • 2 Sick Days Per Year • 2 Other Personal Days Per Year

Chart #2 then shows the calculation for available judicial time per year in hours:

CHART #2: AVERAGE AVAILABLE JUDICIAL TIME PER YEAR (In Hours)

Time Available	Activity
52.2 x 40 (hours per week) = 2,088	Total hours
- 168	Vacation Days
- 104	Holidays
- 16	Sick Time
- 16	Personal Time
1,784	**Base Hours Available**

The next Chart (#3) details the how the calculation to determine the hours judicial officers have available for case related work was constructed and completed:

CHART #3:
CALCULATION FOR AVERAGE AVAILABLE JUDICIAL TIME FOR CASE RELATED WORK (In Hours)

Time Available	Type of Work
1,784	Base Hours (available)
- 56	Conferences
- 32	Continuing Education
- 56	Meetings
- 168	Administrative Time
- 48	Community Service
- 8	County Council Meetings
- 48	Travel Time
- 24	Other Time
1,344	**Total Judicial Time Available for Case Related Work**

The total time available of 1,344 hours equals 80,640 minutes, which is the unit of time used to calculate the weights discussed and utilized in this study and cited in this report.

Once the committee established the process and the form to use in recording judicial time, over 130 judicial officers from 45 counties participated in this portion of the time study. That resulted in 14,582 time entries across all of the case types selected for the updated study.

Those entries as recorded by county, participating judicial officers, case types, and type of action are shown in Tables #2-5, respectively.

TABLE #2:
JUDICIAL TIME ENTRY COUNT BY COUNTY (of the Participating Judicial Officer)

County	Number of Entries	Percent of Total
Allen	1850	12.7
Bartholomew	300	2.1
Benton	9	0.1
Blackford	1	0.0
Clark	143	1.0
Clay	68	0.5
Clinton	32	0.2
Dearborn	149	1.0
Decatur	47	0.3
Delaware	591	4.1
Elkhart	815	5.6
Fayette	230	1.6
Floyd	24	0.2
Fountain	141	1.0
Gibson	157	1.1
Grant	176	1.2
Greene	237	1.6
Hamilton	782	5.4
Hancock	243	1.7
Harrison	113	0.8
Hendricks	455	3.1
Henry	273	1.9
Howard	597	4.1
Jay	64	0.4
Jefferson	45	0.3
Johnson	329	2.3
Knox	185	1.3
Kosciusko	190	1.3
Lake	826	5.7
Laporte	272	1.9
Lawrence	50	0.3
Madison	123	0.8
Marion	2756	18.9
Marshall	160	1.1
Miami	62	0.4
Monroe	337	2.3

Montgomery	191	1.3
Pike	81	0.6
Porter	182	1.2
Posey	75	0.5
Pulaski	7	0.0
Ripley	96	0.7
Rush	33	0.2
St. Joseph	657	4.5
Spencer	116	0.8
Steuben	269	1.8
Switzerland	1	0.0
Tippecanoe	13	0.1
Union	29	0.2
TOTAL	14582	100.0

Note: The instructions and all of the forms given to judicial officers relative to the recording of their time for this study appear in Appendix A. Every judicial officer who participated in the study received the forms and instructions in a tri-fold folder, which is what the information in Appendix A is.

TABLE #3:

JUDICIAL TIME ENTRY COUNT BY PARTICIPATING JUDICIAL OFFICER

	Frequency	**Percent**
Judge	10876	74.6
Referee	262	1.8
Commissioner	1225	8.4
Magistrate	1886	12.9
Senior Judge	185	1.3
Special Judge	67	0.5
Temporary Judge	24	0.2
Judge Pro Tem	54	0.4
Other	3	0.0
TOTAL	14582	100.0

TABLE #4:
JUDICIAL TIME ENTRY COUNT BY CASE TYPE

	Frequency	Percent
Capital Murder	80	0.5
Murder	261	1.8
A Felony	717	4.9
B Felony	1591	10.9
C Felony	2558	17.5
Civil Plenary	2457	16.8
Mortgage Foreclosure	383	2.6
Civil Collection	800	5.5
Domestic Relations	4554	31.2
CHINS	1043	7.2
Term of Parental Rights	137	0.9
Other	1	0.0
TOTAL	14582	100.0

TABLE #5:
JUDICIAL TIME ENTRY COUNT BY TYPE OF ACTION

	Frequency	Percent
Pre Judgment Hearings	2747	18.6
Preparation for Hearing or Trial	918	6.3
Plea / Admission	341	2.3
Bench Trial / Settlement Conf Resulting in Judgment	693	4.8
Jury Trial	184	1.3
Opinions / Orders	5245	36.0
Sentencing / Disposition	669	4.6
Post Judgment Hearings	2191	15.0
Community Transition	86	0.6
Research	277	1.9
Other	1231	8.4
TOTAL	14582	100.0

Methodology – Case File Review/Audits

It was agreed that in order to prevent claims of bias in the selection process, a representative sampling of cases distributed across the state should be randomly selected by the team from the Indiana University Public Opinion Laboratory and not clerks or judicial officers. The committee discussed the selection and the review of case files for Capital Murder, Murder, A, B and C Felony cases to determine the number of judicial actions in each case.

The committee determined it would be possible to count judicial actions by looking at CCS entries. Each county's case management vendor was asked to prepare a list of case numbers and plaintiff and defendant names for 1999 and 2000. The Indiana University Public Opinion Laboratory then randomly selected cases in advance. Commonly used words and phrases were identified in each case type to count in as uniform a manner as possible.

The committee later decided to select cases to study judge actions from all cases filed, rather than only using closed cases, in the categories the committee is studying, for 1995, 1996, 1999 and 2000. The Indiana University Public Opinion Laboratory then randomly selected cases to study the number of judicial actions. This procedure permitted a mix of older cases to illustrate the entire range of judicial actions. In addition newer cases were reviewed to capture to show current judicial practices. In this way the committee was able to gain a comprehensive approach to a range of judicial practices. Appendix B contains samples of the forms used to record data and information from the case file reviews. The counties selected and used for the case file reviews or audits are shown in Chart #4 below, as categorized by population size:

CHART #4: COUNTIES SELECTED FOR CASE FILE REVIEWS/AUDITS

LARGE COUNTIES	MEDIUM COUNTIES	SMALL COUNTIES
Lake County	Floyd County	Boone County
Marion County	Johnson County	Clay County
	Monroe County	Henry County
	Porter County	Jefferson County
	Tippecanoe County	Morgan County
	Wayne County	Perry County
	Vanderburgh County	Rush County
		Wabash County

Andy Hutcherson, of the Public Opinion Laboratory and Larry Grau, of The Grau Group, Inc. reviewed and recorded 8,023 actions in 3,608 case files from courts in 17 counties. The breakdown of case files by type of case and county are reflected in Table #6 (below), and the data from the file reviews along with the methodology for the reviews is contained in Appendix C, which also provides the methodology for the judicial time study as conducted by Mr. Jezek.

TABLE #6: NUMBER OF CASE FILES REVIEWED BY CASE TYPE & COUNTY

County	MR	AF	BF	CF	CP	CC	MF	JC	JD	JS	JT	JP	DR	PO	Total
Lake	2	3	17	40	173	54	123	25	92	66	32	19	78	19	743
Marion	10	25	64	133	62	216	123	40	207	214	24	49	179	104	1450
Floyd	0	0	7	8	101	1	22	4	3	7	1	0	21	25	200
Johnson	1	0	8	14	48	0	31	0	20	20	0	9	35	4	190
Monroe	0	1	4	11	126	0	14	2	21	20	0	9	34	4	246
Porter	0	0	0	0	26	11	11	6	14	7	7	4	13	0	99
Tippecanoe[1]	0	2	2	9	6	19	11	0	0	0	0	0	24	11	84
Wayne	0	4	7	12	33	0	14	2	4	4	0	2	16	4	102
Vanderburgh	0	1	3	3	34	0	14	5	15	15	5	5	24	11	135
Boone	0	1	1	4	12	0	2	5	6	3	1	2	8	1	46
Clay	0	0	2	2	5	0	1	0	8	0	1	2	7	3	31
Morgan	0	0	2	2	44	0	7	2	3	3	0	1	12	4	80
Henry	0	0	1	2	40	3	8	3	2	3	0	1	10	6	79
Jefferson	0	1	1	3	18	6	0	1	1	1	0	1	8	2	43
Shelby[2]	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Wabash	0	0	1	2	11	0	8	0	2	2	0	0	10	2	38
Perry	0	0	0	2	4	2	4	2	4	1	2	1	6	0	28
Rush	0	0	1	1	4	0	1	0	1	0	0	1	4	1	14
Total	13	38	121	248	747	312	394	97	403	366	73	106	489	201	3608

Table #6 does not include the eight Capital Murder cases reviewed in this study. Those cases were from the following counties: Gibson, Johnson, Lake, Marion, Porter, Putnam, Tippecanoe, and Vanderburgh.

[1] Due to the recent installation of a new computer system in the Tippecanoe County Juvenile Courts, Tippecanoe County's Juvenile cases were not audited.
[2] No case audit information was obtained from Shelby County.

RESULTS

In the course of this study, the committee and the consultants and researchers enlisted to work on the project gathered and reviewed data and information from 14,582 time entries registered by over 130 judicial officers from 45 Indiana counties, and 8,023 actions from 3,608 randomly selected case files pulled from courts in 17 counties located throughout the state. Based on thorough analysis, the data was translated into a series of tables that the committee studied and used to arrive at the findings or results detailed below. Many of those tables are inserted in this section to give a clear illustration of the findings upon which the results were determined. Other tables and information appear in the appendices. Where it was appropriate, the committee made comparisons with the results for certain case types from Indiana's initial Weighted Caseload report from 1996, and those conclusions are provided as well, along with a table (Table #7) displaying the results of each study for the different case types included in the respective studies.

In sum, the committee primarily focused its efforts on determining the judicial (and court) time spent on the types of cases not included in the state's initial Weighted Caseload study concluded in 1996. For those types of cases this study establishes a foundation to build upon in future updates, since comparisons can now be drawn for a much more extensive list of case types. Furthermore, the committee agreed this study resulted in some key improvements in how data was collected and analyzed, especially in terms of the random sampling of case files, and a more comprehensive approach to recording judicial time. Consequently, as the state looks to future studies the cumulative results of this update and the initial study offer solid baseline information upon which to explore changes in judicial time and case actions in the studies to follow.

Table #7 compares judicial time spent on various case types examined in both the initial 1996 Weighted Caseload study and the update. In addition the table provides the average time spent on all of the case types considered in the present study or the earlier one. Clearly, the updated study supplied a clear picture of judicial time spent on: Capital Murder, Murder, A and B and C Felony cases. That is because those types of cases were not separated in the 1996 study, so the same time was registered for each of the five case types. Thus, the update gives a more extensive review of the judicial time spent on hearing these different types of cases that were all grouped together as Felony cases in the 1996 report. Incidentally, the time differences for those case types as shown in the table should not be construed to mean there was a dramatic increase in judicial effort being dedicated to those types of cases as much as it should be recognized as providing greater specificity in studying different felony cases. The committee was only able to capture a snapshot of activity for capital murder cases; and therefore, the complexity and time involved in this case type merits additional study.

The committee agreed juvenile cases merited additional attention in future studies to determine the specific reasons that may be contributing to the increased judicial time being spent on those types of cases. The committee believed the added time may be a result of more stringent state and federal laws demanding determinations be made sooner in such cases, but that opened the door to more time being dedicated to post-judgment actions. There was evidence of that theory in the age of case data collected for those types of cases (as displayed in Table #24).

The committee also recognized there are some significant differences in how CCS entries are made in different counties, courts, and even within different courts in the same county. Those differences can lead to varying interpretations of how to record data for different types of actions. For instance, in one court selected for this study all open juvenile cases involving the same individual are recorded in one continuous, chronological series of CCS entries with little or no distinction to which case an entry pertains. In other courts, there were only vague entries relative to different types of actions, and in other instances it was not possible to determine how a case was ultimately resolved or concluded, or if the case was closed. However, in spite of the difficulties in interpreting and recording data or information in some cases, courts, or individual CCS' there was no impact on the study's findings, since there were not enough cases or entries in which there were questions to statistically alter the results of this study.

In addition, but similar to the last point, the committee noted the average number of post-judgment actions in CHINS cases was inconsistent with the state's laws on holding review hearings. In exploring that issue further the researchers determined the information should not be interpreted as an indication the review hearings are not being held according to the law, but more a matter of differences in how specific actions are recorded on the CCS. This served as further verification for the committee to recommend clarifications to contribute to improvements in the recording of information in case files.

While the committee decided there was cause to look at post judgment activities more closely, they noted that conclusion did not reflect the effort to collect information on post judgment actions. Judges reported post judgment activity in all case types. That included recording the judicial time spent on post judgment activities in all cases, which amounted to at least 15% of all of the judicial time recorded. Post judgment activities also comprised a significant portion of the case file review information according to the project researchers.

Table #7 also shows a dramatic increase in time for Capital Murder, Murder, and A, B, and C Felony cases. The committee resolved that was because those types of cases were not separate in the 1996 study, and those cases were viewed separately in this study. Furthermore, the cases used in this study were randomly selected, and the data collection instruments for the judge time and number of judicial actions in a case was improved.

Table #8 then displays how the judicial time can be calculated for a specific county.

TABLE #7: COMPARISON OF 1996 & 2002 JUDICIAL TIME BY CASE TYPE

Type of Case	2002 Study Judge Times in Minutes	1996 Study Judge Times in Minutes	Difference In Times in Minutes
Capital Murder	2649	155	2494
Murder	453	155	298
A Felony	420	155	265
B Felony	260	155	105
C Felony	210	155	55
D Felony		75	
Crim. Misd.		40	
Crim. Misc.		18	
Infractions	2	3	-1
Ordinance Viol.	2	0	2
Juv. CHINS	111	112	-1
Juv. Crim Del.	60	62	-2
Juv. Status Del.	58	38	20
Juv. Termination	194	141	53
Juv. Paternity	82	106	-24
Civil Plenary	121	106	15
Mortgage Forecl.	23		
Civil Collections	26		
Domestic Relat.	185	139	46
Prot. Orders	37	34	3
1996 STUDY ONLY			
Civil Tort		118	
Small Claims		13	
Reciprocal Supp.		31	
Mental Health		37	
Adoption		53	
Adoption Hist.		53	
Estates		85	
Guardianship		93	
Trusts		40	
Civil Misc.		87	
Juvenile Misc.		12	

TABLE #8: COUNTY CALCULATION OF JUDICIAL TIME BY CASE TYPE

County Name	Type of Case	Projected 2002 New Filings for this Court		Average minutes per case type		Total minutes per case type			
	Capital Murder	0	x	2,649	=	0			
	Murder	4	x	453	=	1,812			
	A Felony	8	x	420	=	3,360			
	B Felony	40	x	260	=	10,400			
	C Felony	60	x	210	=	12,600			
	D Felony	80	x	75	=	6,000			
	Criminal Misdemeanor	424	x	40	=	16,960			
	Miscellaneous Criminal	8	x	18	=	144			
	Infractions	0	x	2	=	0			
	Ordinance Violations	0	x	2	=	0			
	Juvenile CHINS	12	x	111	=	1,332			
	Juvenile Delinquency	88	x	60	=	5,280			
	Juvenile Status	4	x	58	=	232			
	Juvenile Paternity	20	x	82	=	1,640			
	Juvenile Miscellaneous	0	x	12	=	0			
	Termination of Juvenile Parental Rights	0	x	194	=	0			
	Civil Plenary	44	x	121	=	5,324			
	Mortgage Foreclosure	156	x	23	=	3,588			
	Collection Cases	96	x	26	=	2,496			
	Civil Tort	12	x	118	=	1,416			
	Small Claims	0	x	13	=	0			
	Domestic Relations	232	x	185	=	42,920			
	Reciprocal Support	20	x	31	=	620			
	Mental Health	48	x	37	=	1,776			
	Adoptions	16	x	53	=	848			
	Estates	68	x	85	=	5,780			
	Guardianships	32	x	93	=	2,976			
	Trusts	4	x	40	=	160			
	Protective Orders	112	x	37	=	4,144			
	Civil Miscellaneous	76	x	87	=	6,612			
	TOTALS	1,664				138,420	80,640	=	1.72

In Tables# 9-23, the total time per type of action per case is displayed with the total average time per case noted in the bottom right hand corner of the table. The average time per action was derived from the judicial time study data, and the average number of actions was determined from the case file reviews except where the footnotes indicate variations in the calculations had to be made. All of the times are in minutes since that is how the judicial time entries were recorded.

It should also be noted the average amount of time in any one type of action may have been captured in another type of action, but the intent is to assure that all time was captured for the case type within that case type. For example, if a judge read a pre-sentence investigation report, one judge may have included this time as hearing preparation, and another may have included it as an opinion or in the sentencing action. Regardless of where the action was registered, all of the time was captured, even if not uniformly captured in the same "type of action" within a category of case type. Judges were encouraged to record all times. The intent was to count all time a judge spent on a case type while avoiding duplication.

The average number of actions used was Indiana numbers provided by the Division of State Court Administration from their annual reports. In contrast to the 1996 study, which used national figures, this study exclusively used the Indiana numbers as supplied by the Division of State Court Administration.

The tables provided in this section are for the "new" case types considered for this updated study, which include the following types of cases: Civil Plenary, Mortgage Foreclosure, Civil Collection, Murder, and Capital Murder, and A and B and C Felonies, respectively (Tables #9-16). In addition, there are updated tables for: Juvenile Status Delinquent, CHINS, Juvenile Delinquency, Termination of Parental Rights, Paternity, Domestic Relations, and Protective Orders (appearing in Tables #17-23).

Since several of the tables presented below concentrate on types of cases not covered in the state's initial Weighted Caseload study, the times noted are the results, and will serve as baseline data for future update studies. In general, it is not surprising that Capital Murder cases involved the most judicial, wherein an average of 2,644 minutes was spent on those cases; and, Civil Collections involved the least amount of time, at an average of 26 minutes per case. In addition, there were distinct time differences for A Felony cases as compared to B and C Felony cases. The committee determined a potential explanation for those time variations would be the prevalence of plea agreements reached in B and C Felony cases, which would also explain the much higher average time spent on pre-judgment hearings in A Felony cases as compared to B and C Felony cases.

TABLE #9: AVERAGE JUDICIAL TIME PER CASE PER ACTION – CIVIL PLENARY

Type of Case: Civil Plenary

Type of Action (a)	Average Time Per Action (b)		Average Number of Actions For All Cases Filed (c)		Total Minutes Per Action Per Case (d)
Prejudgment Hearings	29.00	x	1.20	=	35
Admission	10.00	x	1.00	=	10
Preparation for Hearing or Trial	25.00	x	0.12		3
Bench Trial/Settlement Conference resulting in judgment	108.00	x	0.12	=	13
Jury Trial (e)	332.00	x	0.002	=	0
Opinions/Orders	16.00	x	2.00	=	32
Disposition	9.00	x	0.80	=	7
Post Judgment Hearings	17.00	x	0.20	=	3
Research	69.00	x	0.10	= (f)	7
Other	11.00	x	1.00	=	11
Average Time per Case in Minutes					121

(a) The type of actions are case related events that occur throughout the processing of cases.
(b) Average time per action was recorded in the Update Time Study entries made by Judicial Officers.
(c) The average number of actions for all cases was calculated by reviewing both open and closed cases. These numbers include those cases that are pled, dismissed, defaulted, and settled.
(d) Total minutes per action per case is the average time (column b) times the average number of actions for all cases (column c).
(e) Jury trial average number of actions comes from the Indiana Division of Court Administration's 2001 Judicial report.
(f) Average number of actions were estimated by Judicial Officers.

TABLE #10: AVERAGE JUDICIAL TIME PER CASE PER ACTION – MORTGAGE FORECLOSURE

Type of Case: Mortgage Foreclosure

Type of Action (a)	Average Time Per Action (b)		Average Number of Actions For All Cases Filed (c)		Total Minutes Per Action Per Case (d)
Prejudgment Hearings	15.00	x	0.60	=	9
Admission	21.00	x	0.00	=	0
Preparation for Hearing or Trial	8.00	x	0.00		0
Bench Trial/Settlement Conference resulting in judgment	17.00	x	0.00	=	0
Jury Trial (e)	0.00	x	0.00	=	0
Opinions/Orders	7.00	x	1.00	=	7
Disposition	6.00	x	1.00	=	6
Post Judgment Hearings	13.00	x	0.01	=	0
Research	0.00	x	0.00	= (f)	0
Other	6.00	x	0.10	=	1
Average Time per Case in Minutes					23

(a) The type of actions are case related events that occur throughout the processing of cases.
(b) Average time per action was recorded in the Update Time Study entries made by Judicial Officers.
(c) The average number of actions for all cases was calculated by reviewing both open and closed cases. These numbers include those cases that are pled, dismissed, defaulted, and settled.
(d) Total minutes per action per case is the average time (column b) times the average number of actions for all cases (column c).
(e) Jury trial average number of actions comes from the Indiana Division of Court Administration's 2001 Judicial report.
(f) Average number of actions were estimated by Judicial Officers.

TABLE #11: AVERAGE JUDICIAL TIME PER CASE PER ACTION – CIVIL COLLECTION

Type of Case: Civil Collection

Type of Action (a)	Average Time Per Action (b)		Average Number of Actions For All Cases Filed (c)		Total Minutes Per Action Per Case (d)
Prejudgment Hearings	20.00	x	0.50	=	10
Admission	25.00	x	0.00	=	0
Preparation for Hearing or Trial	15.00	x	0.10		2
Bench Trial/Settlement Conference resulting in judgment	30.00	x	0.10	=	3
Jury Trial (e)	0.00	x	0.00	=	0
Opinions/Orders	7.00	x	0.50	=	4
Disposition	7.00	x	0.50	=	4
Post Judgment Hearings	20.00	x	0.20	=	4
Research	23.00	x	0.00	= (f)	0
Other	5.00	x	0.10	=	1
Average Time per Case in Minutes					26

(a) The type of actions are case related events that occur throughout the processing of cases.
(b) Average time per action was recorded in the Update Time Study entries made by Judicial Officers.
(c) The average number of actions for all cases was calculated by reviewing both open and closed cases. These numbers include those cases that are pled, dismissed, defaulted, and settled.
(d) Total minutes per action per case is the average time (column b) times the average number of actions for all cases (column c).
(e) Jury trial average number of actions comes from the Indiana Division of Court Administration's 2001 Judicial report.
(f) Average number of actions were estimated by Judicial Officers.

TABLE #12: AVERAGE JUDICIAL TIME PER CASE PER ACTION – MURDER

Type of Case: Murder

Type of Action (a)	Average Time Per Action (b)		Average Number of Actions For All Cases Filed (c)		Total Minutes Per Action Per Case (d)
Prejudgment Hearings	17.00	x	6.00	=	102
Plea	20.00	x	0.67	=	13
Preparation for Hearing or Trial (e)	53.00	x	0.12		6
Bench Trial	17.00	x	0.07	=	1
Jury Trial (f)	319.00	x	0.05	=	16
Opinions/Orders	17.00	x	13.00	=	221
Sentencing	18.00	x	1.00	=	18
Post Judgment Hearings	15.00	x	1.00	=	15
Research (g)	79.00	x	0.25	= (i)	20
Other (h)	16.00	x	2.51	=	40
Average Time per Case in Minutes					453

(a) The type of actions are case related events that occur throughout the processing of cases.
(b) Average time per action was recorded in the Update Time Study entries made by Judicial Officers.
(c) The average number of actions for all cases was calculated by reviewing both open and closed cases. These numbers include those cases that are pled, dismissed, defaulted, and settled.
(d) Total minutes per action per case is the average time (column b) times the average number of actions for all cases (column c).
(e) Trial preparation is related to only those cases that go to trial. Those cases that settle are captured in other categories.
(f) Jury trial average number of actions comes from the Indiana Division of Court Administration's 2001 Judicial report, and represents an average for all Felony cases.
(g) Research time spent on cases includes some cases that go to trial.
(h) Includes: letters from family members, jail printouts, and time spent on a case outside of the courtroom.
(i) Average number of actions were estimated by Judicial Officers.

TABLE #13: AVERAGE JUDICIAL TIME PER CASE PER ACTION – CAPITAL MURDER

Type of Case: Capital Murder

Type of Action (a)	Average Time Per Action (b)		Average Number of Actions For All Cases Filed (c)		Total Minutes Per Action Per Case (d)
Prejudgment Hearings	91.00	x	11.00	=	1001
Plea	5.00	x	0.67	=	3
Preparation for Hearing or Trial (e)	95.00	x	0.12		11
Bench Trial	10.00	x	0.07	=	1
Jury Trial (f)	2133.00	x	0.05	=	107
Opinions/Orders	47.00	x	28.00	=	1316
Sentencing	24.00	x	0.94	=	23
Post Judgment Hearings	30.00	x	5.00	=	150
Research (g)	24.00	x	0.25	= (i)	6
Other (h)	12.00	x	2.60	=	31
Average Time per Case in Minutes					2649

(a) The type of actions are case related events that occur throughout the processing of cases.
(b) Average time per action was recorded in the Update Time Study entries made by Judicial Officers.
(c) The average number of actions for all cases was calculated by reviewing both open and closed cases. These numbers include those cases that are pled, dismissed, defaulted, and settled.
(d) Total minutes per action per case is the average time (column b) times the average number of actions for all cases (column c).
(e) Trial preparation is related to only those cases that go to trial. Those cases that settle are captured in other categories.
(f) Jury trial average number of actions comes from the Indiana Division of Court Administration's 2001 Judicial report, and represents an average for all Felony cases.
(g) Research time spent on cases includes some cases that go to trial.
(h) Includes: letters from family members, jail printouts, and time spent on a case outside of the courtroom.
(i) Average number of actions were estimated by Judicial Officers.

TABLE #14: AVERAGE JUDICIAL TIME PER CASE PER ACTION – A FELONIES

Type of Case: A Felony

Type of Action (a)	Average Time Per Action (b)		Average Number of Actions For All Cases Filed (c)		Total Minutes Per Action Per Case (d)
Prejudgment Hearings	16.00	x	8.00	=	128
Plea	18.00	x	0.67	=	12
Preparation for Hearing or Trial (e)	28.00	x	0.12		3
Bench Trial	37.00	x	0.07	=	3
Jury Trial (f)	357.00	x	0.05	=	18
Opinions/Orders	11.00	x	12.00	=	132
Sentencing	24.00	x	1.00	=	24
Post Judgment Hearings	21.00	x	3.00	=	63
Research (g)	47.00	x	0.10	= (i)	5
Other (h)	13.00	x	2.51	=	33
Average Time per Case in Minutes					420

(a) The type of actions are case related events that occur throughout the processing of cases.
(b) Average time per action was recorded in the Update Time Study entries made by Judicial Officers.
(c) The average number of actions for all cases was calculated by reviewing both open and closed cases. These numbers include those cases that are pled, dismissed, defaulted, and settled.
(d) Total minutes per action per case is the average time (column b) times the average number of actions for all cases (column c).
(e) Trial preparation is related to only those cases that go to trial. Those cases that settle are captured in other categories.
(f) Jury trial average number of actions comes from the Indiana Division of Court Administration's 2001 Judicial report, and represents an average for all Felony cases.
(g) Research time spent on cases includes some cases that go to trial.
(h) Includes: letters from family members, jail printouts, and time spent on a case outside of the courtroom.
(i) Average number of actions were estimated by Judicial Officers.

TABLE #15: PER CASE PER ACTION – B FELONIES

Type of Case: B Felony

Type of Action (a)	Average Time Per Action (b)		Average Number of Actions For All Cases Filed (c)		Total Minutes Per Action Per Case (d)
Prejudgment Hearings	12.00	x	5.00	=	60
Plea	20.00	x	0.67	=	13
Preparation for Hearing or Trial (e)	24.00	x	0.12		3
Bench Trial	128.00	x	0.07	=	9
Jury Trial (f)	334.00	x	0.05	=	17
Opinions/Orders	9.00	x	8.00	=	72
Sentencing	27.00	x	0.82	=	22
Post Judgment Hearings	13.00	x	3.00	=	39
Research (g)	32.00	x	0.10	= (i)	3
Other (h)	11.00	x	2.00	=	22
Average Time per Case in Minutes					260

(a) The type of actions are case related events that occur throughout the processing of cases.
(b) Average time per action was recorded in the Update Time Study entries made by Judicial Officers.
(c) The average number of actions for all cases was calculated by reviewing both open and closed cases. These numbers include those cases that are pled, dismissed, defaulted, and settled.
(d) Total minutes per action per case is the average time (column b) times the average number of actions for all cases (column c).
(e) Trial preparation is related to only those cases that go to trial. Those cases that settle are captured in other categories.
(f) Jury trial average number of actions comes from the Indiana Division of Court Administration's 2001 Judicial report, and represents an average for all Felony cases.
(g) Research time spent on cases includes some cases that go to trial.
(h) Includes: letters from family members, jail printouts, and time spent on a case outside of the courtroom.
(i) Average number of actions were estimated by Judicial Officers.

TABLE #16: AVERAGE JUDICIAL TIME PER CASE PER ACTION – C FELONIES

Type of Case: C Felony

Type of Action (a)	Average Time Per Action (b)		Average Number of Actions For All Cases Filed (c)		Total Minutes Per Action Per Case (d)
Prejudgment Hearings	12.00	x	5.00	=	60
Plea	21.00	x	0.67	=	14
Preparation for Hearing or Trial (e)	18.00	x	0.12		2
Bench Trial	58.00	x	0.07	=	4
Jury Trial (f)	365.00	x	0.05	=	18
Opinions/Orders	8.00	x	7.00	=	56
Sentencing	24.00	x	1.00	=	24
Post Judgment Hearings	11.00	x	0.05	=	1
Research (g)	32.00	x	0.10	= (i)	3
Other (h)	11.00	x	2.51	=	28
Average Time per Case in Minutes					210

(a) The type of actions are case related events that occur throughout the processing of cases.
(b) Average time per action was recorded in the Update Time Study entries made by Judicial Officers.
(c) The average number of actions for all cases was calculated by reviewing both open and closed cases. These numbers include those cases that are pled, dismissed, defaulted, and settled.
(d) Total minutes per action per case is the average time (column b) times the average number of actions for all cases (column c).
(e) Trial preparation is related to only those cases that go to trial. Those cases that settle are captured in other categories.
(f) Jury trial average number of actions comes from the Indiana Division of Court Administration's 2001 Judicial report, and represents an average for all Felony cases.
(g) Research time spent on cases includes some cases that go to trial.
(h) Includes: letters from family members, jail printouts, and time spent on a case outside of the courtroom.
(i) Average number of actions were estimated by Judicial Officers.

TABLE #17: AVERAGE JUDICIAL TIME PER CASE PER ACTION – JUVENILE STATUS DELINQUENT

Type of Case: Juvenile Status Delinquent

Type of Action (a)	Average Time Per Action (b)		Average Number of Actions For All Cases Filed (c)		Total Minutes Per Action Per Case (d)
Prejudgment Hearings	11.60	x	2.00	=	23
Admission	7.96	x	0.53	=	4
Preparation for Hearing or Trial	5.94	x	0.10		1
Bench Trial/Settlement Conference resulting in judgment (fact finding)	30.33	x	0.11	=	3
Opinions/Orders	3.59	x	1.00	=	4
Pre Disposition Hearing	18.90	x	0.90	=	17
Post Disposition Hearing	7.20	x	0.20	=	1
Other	2.82	x	1.51	=	4
Average Time per Case in Minutes					58

(a) The type of actions are case related events that occur throughout the processing of cases.
(b) Average time per action was recorded in the Update Time Study entries made by Judicial Officers.
(c) The average number of actions for all cases was calculated by reviewing both open and closed cases. These numbers include those cases that are pled, dismissed, defaulted, and settled.
(d) Total minutes per action per case is the average time (column b) times the average number of actions for all cases (column c).

TABLE #18:

AVERAGE JUDICIAL TIME PER CASE PER ACTION –CHINS

Type of Case: CHINS

Type of Action (a)	Average Time Per Action (b)		Average Number of Actions For All Cases Filed (c)		Total Minutes Per Action Per Case (d)
Prejudgment Hearings	12.00	x	2.00	=	24
Admission	17.00	x	0.28	=	5
Preparation for Hearing or Trial	21.00	x	0.35		7
Bench Trial/Settlement Conference resulting in judgment (fact finding)	77.00	x	0.31	=	24
Opinions/Orders	17.00	x	2.00	=	34
Pre Disposition Hearing	24.00	x	0.50	=	12
Post Disposition Hearing	20.00	x	0.05	=	1
Research	32.00	x	0.03	=	1
Other	14.00	x	0.25	=	4
Average Time per Case in Minutes					111

(a) The type of actions are case related events that occur throughout the processing of cases.
(b) Average time per action was recorded in the Update Time Study entries made by Judicial Officers.
(c) The average number of actions for all cases was calculated by reviewing both open and closed cases. These numbers include those cases that are pled, dismissed, defaulted, and settled.
(d) Total minutes per action per case is the average time (column b) times the average number of actions for all cases (column c).

TABLE #19:
AVERAGE JUDICIAL TIME PER CASE PER ACTION – DELINQUENCY

Type of Case: Delinquency

Type of Action (a)	Average Time Per Action (b)		Average Number of Actions For All Cases Filed (c)		Total Minutes Per Action Per Case (d)
Prejudgment Hearings	11.55	x	2.00	=	23
Admission	10.39	x	0.53	=	6
Preparation for Hearing or Trial	12.93	x	0.20		3
Bench Trial/Settlement Conference resulting in judgment (fact finding)	29.32	x	0.15	=	4
Opinions/Orders	3.15	x	1.24	=	4
Pre Disposition Hearing	10.93	x	0.82	=	9
Post Disposition Hearing	9.70	x	0.50	=	5
Research	10.60	x	0.10	=	1
Other	5.19	x	1.00	=	5
Average Time per Case in Minutes					60

(a) The type of actions are case related events that occur throughout the processing of cases.
(b) Average time per action was recorded in the Update Time Study entries made by Judicial Officers.
(c) The average number of actions for all cases was calculated by reviewing both open and closed cases. These numbers include those cases that are pled, dismissed, defaulted, and settled.
(d) Total minutes per action per case is the average time (column b) times the average number of actions for all cases (column c).

TABLE #20:

AVERAGE JUDICIAL TIME PER CASE PER ACTION – TERMINATION OF PARENTAL RIGHTS

Type of Case: Termination of Parental Rights

Type of Action (a)	Average Time Per Action (b)		Average Number of Actions For All Cases Filed (c)		Total Minutes Per Action Per Case (d)
Prejudgment Hearings	9.00	x	3.00	=	27
Preparation for Hearing or Trial	17.00	x	0.25		4
Bench Trial/Settlement Conference resulting in judgment (fact finding)	96.00	x	0.51	=	49
Opinions/Orders (e)	34.00	x	2.50	=	85
Pre Disposition Hearing	10.00	x	0.82	=	8
Post Disposition Hearing	8.00	x	0.05	=	0
Research	37.00	x	0.10	= (f)	4
Other	16.00	x	1.00	=	16
Average Time per Case in Minutes					194

(a) The type of actions are case related events that occur throughout the processing of cases.
(b) Average time per action was recorded in the Update Time Study entries made by Judicial Officers.
(c) The average number of actions for all cases was calculated by reviewing both open and closed cases. These numbers include those cases that are pled, dismissed, defaulted, and settled.
(d) Total minutes per action per case is the average time (column b) times the average number of actions for all cases (column c).
(e) Disposition of case is covered under Opinions/Orders.
(f) Average number of actions were estimated by Judicial Officers.

TABLE #21:

AVERAGE JUDICIAL TIME PER CASE PER ACTION – PATERNITY

Type of Case: Paternity

Type of Action (a)	Average Time Per Action (b)		Average Number of Actions For All Cases Filed (c)		Total Minutes Per Action Per Case (d)
Prejudgment Hearings	12.47	x	2.00	=	25
Preparation for Hearing or Trial	13.02	x	0.60		8
Bench Trial/Settlement Conference resulting in judgment (fact finding)	38.23	x	0.52	=	20
Opinions/Orders	3.72	x	3.00	=	11
Pre Disposition Hearing	10.93	x	0.82	=	9
Post Disposition Hearing	15.30	x	0.05	=	1
Research	13.94	x	0.10	= (e)	1
Other	4.86	x	1.50	=	7
Average Time per Case in Minutes					82

(a) The type of actions are case related events that occur throughout the processing of cases.
(b) Average time per action was recorded in the Update Time Study entries made by Judicial Officers.
(c) The average number of actions for all cases was calculated by reviewing both open and closed cases. These numbers include those cases that are pled, dismissed, defaulted, and settled.
(d) Total minutes per action per case is the average time (column b) times the average number of actions for all cases (column c).
(e) Average number of actions were estimated by Judicial Officers.

TABLE #22:
AVERAGE JUDICIAL TIME PER CASE PER ACTION – DOMESTIC RELATIONS

Type of Case: Domestic Relations

Type of Action (a)	Average Time Per Action (b)		Average Number of Actions For All Cases Filed (c)		Total Minutes Per Action Per Case (d)
Prejudgment Hearings	28.00	x	2.00	=	56
Admission	21.00	x	0.50	=	11
Preparation for Hearing or Trial	17.00	x	1.00		17
Bench Trial/Settlement Conference resulting in judgment	64.00	x	0.79	=	51
Opinions/Orders	14.00	x	1.00	=	14
Disposition	12.00	x	0.90	=	11
Post Judgment Hearings	39.00	x	0.30	=	12
Research	31.00	x	0.10	= (e)	3
Other	11.00	x	1.00	=	11
Average Time per Case in Minutes					185

(a) The type of actions are case related events that occur throughout the processing of cases.
(b) Average time per action was recorded in the Update Time Study entries made by Judicial Officers.
(c) The average number of actions for all cases was calculated by reviewing both open and closed cases. These numbers include those cases that are pled, dismissed, defaulted, and settled.
(d) Total minutes per action per case is the average time (column b) times the average number of actions for all cases (column c).
(e) Average number of actions were estimated by Judicial Officers.

TABLE #23:
AVERAGE JUDICIAL TIME PER CASE PER ACTION – PROTECTIVE ORDERS

Type of Case: Protective Orders

Type of Action (a)	Average Time Per Action (b)		Average Number of Actions For All Cases Filed (c)		Total Minutes Per Action Per Case (d)
Prejudgment Hearings	10.31	x	1.00	=	10
Admission	0.00	x	0.00	=	0
Preparation for Hearing or Trial	9.61	x	1.00		10
Bench Trial/Settlement Conference resulting in judgment	14.77	x	0.44	=	6
Jury Trial	0.00	x	0.00	=	0
Opinions/Orders	5.26	x	1.00	=	5
Disposition	5.94	x	0.82	=	5
Post Judgment Hearings	13.69	x	0.01	=	0
Research	0.00	x	0.00	=	0
Other	5.75	x	0.00	=	0
Average Time per Case in Minutes					37

(a) The type of actions are case related events that occur throughout the processing of cases.
(b) Average time per action was recorded in the Update Time Study entries made by Judicial Officers.
(c) The average number of actions for all cases was calculated by reviewing both open and closed cases. These numbers include those cases that are pled, dismissed, defaulted, and settled.
(d) Total minutes per action per case is the average time (column b) times the average number of actions for all cases (column c).

Table #24 provides the average age of cases for each of the types of cases examined in the updated study. The information in the table is for all Indiana counties included in the study, and indicates the time (in days) from the time the case was filed – opened, to the time a judgment was rendered, or the case was dismissed. As the table reveals, the average duration for all of the cases studied was 180 days, and the case types taking the longest were Capital Murder cases. The type of case taking the least average time then was Juvenile Status cases, but the committee did have some concerns over how juvenile cases are being recorded and considered in the data produced for this study. More specifically, the committee has made some recommendations for further studying juvenile cases, particularly to focus more attention on the type of actions taken in the cases from the time the case is filed/opened, to when a judgment is entered, and then the case is ultimately closed. Those recommendations are contained in the next section of the report.

Table #24:

Average Age of Case by Case Type
(Totals for All Counties in the Study)

Average of Age Case Type	Total Days
A Felony	356
B Felony	289
C Felony	292
Capital Murder	548
CHINS	95
Civil Collection	161
Civil Plenary	215
Delinquency	90
Domestic Relations	234
Juvenile Status	65
Mortgage Foreclosure	194
Murder	296
Paternity	167
Protective Orders	92
Term of Parental Rights	255
Grand Total	**180**

RECOMMENDATIONS

The committee upon examining the results of this updated study of Weighted Caseload Standards along with the initial study completed in 1996, arrived at the recommendations which follow. The first series of recommendations pertain to the broader aspects of improving, maintaining, and sustaining a Weighted Caseload system in Indiana. Those recommendations are followed by more specific recommendations for future studies. Ideally, every updated study will build on the results from the previous studies as well as the comparisons that can be made for the types of cases included in past and present studies. Certainly part of the purpose of completing updated Weighted Caseload studies is to provide a basis for future study and to dig deeper into the potential factors for changes in judicial time being spent on specific types of cases. Thus, the committee is confident the recommendations expressed here will contribute to the continuous improvement of Indiana's Weighted Caseload system and therefore lead to better distributions of workloads among the state's counties, courts, and judges.

The committee confirmed through the findings in this update study there are certain aspects of establishing, maintaining and sustaining a Weighted Caseload that demand persistent attention. This updated study conveyed that in many ways, and lead to the following broader recommendations for improving Indiana's Weighted Caseload system:

- In order for a Weighted Caseload system to be most effective, the studies must be updated regularly – perhaps annually. The updates will show if there are increases in judges' time being spent on specific types of cases, and/or on specific types of actions, or activities relative to the cases. That will, in turn, supply valuable information pertaining to the resources necessary to manage the caseload assigned to a court, county, district, or judicial officer. Conducting regular updates and appropriately administering a state's Weighted Caseload system entails:

    - Having staff dedicated to maintaining and sustaining the Uniform Case Management System – both in terms of time and commitment to using the system and the data/information it produces to drive decisions pertaining to the judiciary is the only way to be assured that the system will continue to be updated and will therefore produce the long-term benefits it is capable of producing.

    - Without the commitment of staff, time, resources, and technology to the weighted caseload system, a state will not be able to make the needed changes in the mindset that persists in the handling of decisions on judicial caseloads.

- The uniform case management system under development by the Judicial Technology and Automation Committee (JTAC), with the uniform system of data entry for a Chronological Case Summary (CCS) would enhance the accuracy of data collection in future studies. The committee determined individual courts count cases and actions with a case differently on an individual CCS. Researchers collected information with variations among counties on how cases are counted and information is recorded in a CCS.

- The committee believed that the implementation of the statewide case management system will greatly enhance the accuracy and uniformity of case entries made and data collected for future weighted caseload studies.

➢ That level of dedication/commitment to the system clearly requires making it a priority in the budget, as well as committing staff time and dependable technology to the weighted caseload and all it encompasses (i.e., regular updates, educational efforts – for the general public and policymakers, etc.).

➢ If Indiana does not follow-up on the weighted caseload studies – generating data on which to make comparisons with the data from the initial studies, otherwise this will be a short-lived "program," and will not prove to meet its full potential. The committee specifically took note of the example of what occurred in California's Time-Method Study, where a lot of money and time was spent on measuring caseloads and producing data/information, only to not be regularly updated. In that example decisions/determinations on judicial need and caseload management were then made entirely through the political process.

Therefore, it is important to keep in mind that the ultimate result and benefit of weighted caseloads, if done properly, is standardization of caseloads and caseload assignments, as well as more effective and efficient case management throughout a state.

Beyond the more general recommendations for maintaining, improving, and sustaining the state's Weighted Caseload system, the committee arrived at specific recommendations based on the results of this update as summarized in the previous section of the report. Those recommendations are:

- There should be a review of what gets recorded in the case files or Chronological Case Summaries (CCS) and how that information is presented. The terminology used in a CCS should be uniform statewide.

- In addition, case files or CCS should use more precise data or information to specify case types, especially in Civil Plenary, Collections, and Mortgage Foreclosure cases. In several courts it was impossible to distinguish those different types of cases. Thus, it diminished the ability of the committee to more accurately establish the judicial time involved in hearing and disposing of those types of cases, and in subsequently examining how those types of cases are affecting judicial caseloads.

- There should be additional study dedicated to juvenile cases, especially CHINS, Termination of Parental Rights, and Delinquency cases. The comparison of judicial time spent on such cases between the 1996 study and the update indicated judgments were being reached sooner, but the cases were remaining open for longer periods of time. While the committee cited factors such as new state and federal laws requiring quicker dispositions in most types of juvenile cases, it was determined further study could pinpoint the actual cause behind the increase in judicial time spent on those case types. Specifically, there should be additional examination of the age of case issues in CHINS cases, and perhaps some of the other areas of juvenile court caseloads. At a minimum more time should be spent studying why Indiana courts/judicial officers are getting to dispositions more quickly than was reflected in the 1996 study, while at the same time the cases remain open longer largely through more post-disposition hearings.

- There should be further study of Civil Collections cases to gauge how judges record their time, and more importantly how these cases are being presented in the case files. In particular, the committee determined there should be closer examination of the factors contributing to differences in time spent on pre-judgment hearings, and a more thorough study of how much time is actually spent on post-judgment actions.

- The Indiana Division of State Court Administration should include reporting of post-dispositional activities in their office.

- The committee concluded dispositions are a key element in a Weighted Caseload System, and should therefore be noted correctly in a CCS.

- Since Civil Collection and Mortgage Foreclosure cases have been separated out of the Civil Plenary case type, Civil Plenary cases should be reviewed again in the next study.

- The committee also concluded Capital Murder and Murder cases deserved to be studied further since the sample number of cases was small. The general sentiment was that such cases should be regularly monitored which would reduce time spent collecting and recording data on the cases selected for the study. A suggestion was made to enlist a researcher to regularly update the information and status of findings on Capital Murder and Murder cases being studied.

APPENDICES

APPENDIX A

Instructions and Forms for Judicial Officers to record case related time

Instructions
Judicial Weighted Caseload Study Update

Judicial Administration Committee
Judicial Conference of Indiana

October, 2000

This Instruction Manual is for judges participating in the weighted caseload time study update.

I. Background

II. Introduction

III. Time Study Procedures

A. Time Study Form for Case Related Activity

B. Time Study Form for Infractions and Ordinance Violations

C. Time Study Form for Non-Case Related Judicial Activity

IV. Completed Forms, Questions, and Contacts

I. **Background**

This is an update of the original time study conducted by the committee. It includes judges and magistrates throughout Indiana. The time frame for the study is 4 weeks and includes only those case types that the Judicial Administration Committee believed needed updating.

The Judicial Administration Committee finished development of a weighted caseload system for judges in Indiana in 1997. The Supreme Court of Indiana used this as a basis of rule for the development of local caseload plans in 1999. This system is designed to serve as a basis for determining the need for additional judgeships, as well as a basic tool for local jurisdictions to assess allocation of workload.

II. Introduction

Three forms will be used during the study. A time study form (***Time Study Form For Case Related Activity)*** will collect case specific data on the amount of time required for certain judicial activities.

The goal of the study is to determine the average time it takes judges to process a case from filing through post-judgment status. Standards will be updated for all case types. You should complete the materials in this folder for the time a judge spends on the following case types:

1. Capital Murder
2. Murder
3. A Felony
4. B Felony
5. C Felony
6. Civil Plenary
7. Mortgage Foreclosure
8. Civil Collection
9. Domestic Relations
10. CHINS
11. Termination of Parental Rights

By combining the case specific data from the time study form with the time available worksheet, an average processing time will be determined and converted to a workload standard that will be expressed in terms of the number of cases a judge can handle in one year.

Judicial officers will complete a worksheet for Infractions and Ordinance Violations (***Time Study Form For Case Related Activity In Infraction and Ordinance Violation Cases***) to determine how much time is spent by judges only on infractions and ordinance violation cases.

Judicial officers will be asked to complete a worksheet to determine how much time is used in <u>non-case</u> related judicial activities***. (Time Study Form for Non-Case Related Activity***)

III. Time Study Procedures

A. Time Study Form for Case Related Activity

Numbers to use when completing the Time Study Form are included on the form itself for the following judicial actions: Type of Cases and Type of Action. ***Please Note: the entry of the number for case types and the number for types of actions must be made in different columns!***

The top of each page needs to be completed when beginning each new form (Court; County; Date (date when form was started) and Type of Judicial Officer).

The following is a description of each "column":

"Case Number."	Indicates the actual case docket number.
"Number of Cases."	When working on one case enter 1, or when working on several cases of the same "Type of Case" skip "Case Number" and enter the number of cases (example, 10 initial hearings.)
"Number for Type of Case."	Enter the number as indicated on the top of the time study form.
"Type of Action."	Enter the number as indicated on the time study form.
"Time in Minutes"	Convert all time spent into minutes and enter. If the action is taken in many cases enter the total number of cases and the total amount of time.

All time figures should be entered in minutes. Do not use fractions of hours or decimal representations. For example, one hour and thirty minutes would be 90 minutes, recorded as follows:

Number for Type of Action	**Amount of Time in Minutes**
11	90

The following notations of 90 minutes are **incorrect**:

Amount of Time in Minutes **1.5**, **1 ½**, and **90 min**.

Do not use *decimals*, *fractions*, or *add any letters after the numeric notation*

Note: ***If an action is being made on several cases at one time, as in advisement or initial hearings, enter the number of cases and the total time. For example, 10 case initial hearings in 60 minutes.*** Always round to the nearest minute. Please enter the totals on the form.

Note: Times for multiple charges against the same defendant should be recorded based on highest charge docketed.

Definitions

"Mortgage Foreclosure"	Where mortgages on real property are foreclosed.
"Civil Collection"	Includes proceedings supplemental as an independent action; lawsuits on notes and accounts; general collection lawsuits; includes any landlord-tenant lawsuits for collection, ejectment, and tax warrants, except any action filed in small claims court is excluded from this category.
"Post Conviction Relief"	This is not a separate category! The time for PCR's should be included as post judgment time in the underlying criminal case. Ex: If a PCR is filed in a court, based on a C felony, it should be recorded with the case number, as a C felony, post-judgment action, and the amount of time in minutes for that action.
"Capital Murder"	Includes Life without Parole cases.

B. Time Study Form for Infractions and Ordinance Violations

Please complete this specialized form for Infractions and Ordinance Violations only. You will note that it does not require the use of case numbers and has fewer columns to complete. It is separated by a colored sheet of paper behind the forms for other case related activity.

C. Time Study Form for Non-Case Related Judicial Activity

In order to capture completed information on judicial activities that are not directly related to a specific case, non-case related time must be identified and counted. The "non-case" judicial time includes administrative duties, staff supervision, en banc meetings, and community responsibilities generally. Please record the date, check the box indicating the action taken, and fill in the time in minutes on this form for non-case related judicial activity.

Definitions:

"Conference"	Judicial related conferences.
"Continuing Education"	Continuing education and training generally.
"Meetings"	All judicial related meetings.
"Administrative Time"	Docket management and staff management.
"Community Service"	Judicial related community service (ex. talk to local service club).
"On call"	Time spent on call.
"County Council Meetings"	Judicial related time spent on or at county council or county commissioner meetings.
"Travel"	Required judicial related travel
"Other"	All other judicial related duties. Please give a short description. You may use the reverse side if needed.

IV. Completed Forms, Questions and Contacts

It is important to note that each form does not identify an 8-hour day or 40-hour week. These forms are designed to capture the amount of time required to perform judicial duties.

At the end of the four-week pilot study period, please send the completed forms and direct any questions concerning the study procedure to: Jeffrey Bercovitz, c/o Indiana Judicial Center, 115 W. Washington St., Suite 1075, Indianapolis, IN 46204, (317) 232-1313, or jbercovi@courts.state.in.us. You may also contact Judge Frances Gull, Allen Superior Court, at (219) 449-7464 or fcgull@co.allen.in.us. A list of Judicial Administration Committee members is included if you have any comments or questions.

NOTE: This is a reproduction of the form used to record judicial time entries

Time Study Form For Case Related Activity
Judicial Administration Committee
Judicial Conference of Indiana

Court: _____ County: _____ Date: _____

Type of Judicial Officer:

(Circle One)	Judge	Magistrate	Temporary Judge
	Referee	Senior Judge	Judge Pro Tem
	Commissioner	Special Judge	

Type of Cases (Note: These are the only cases involved in the time study):

1. Capital Murder	5. C Felony	9. Civil Collection
2. Murder	6. CHINS	10. Domestic Relations
3. A Felony	7. Civil Plenary	11. Termination of Parental Rights
4. B Felony	8. Mortgage Foreclosure	

Type of Action:

1. Pre Judgment Hearings	8. Post Judgment Hearings
2. Preparation for hearing or Trial	9. Community Transition
3. Plea/Admisision	10. Research
4. Bench Trial/Settlement Conf. Resulting in Judgment	11. Other
5. Jury Trial	
6. Opinions/Orders	
7. Sentencing/Disposition	

Case Number	Number of Cases	Type of Case	Type of Action	Amount of Time in Minutes

Use the back side of the form to write any comments concerning these cases.

NOTE: This is a reproduction of the form used to record judicial time entries

Time Study Form For Case Related Activity
In Infraction and Ordinance Violation Cases

Court:_____ **County:_____** **Date:____/_____/_____**

MM/ DD/ YY

Type of Judicial Officer (CIRCLE ONE)	Judge	Magistrate	Temporary Judge
	Referee	Senior Judge	Judge Pro Tem
	Commissioner	Special Judge	

Type of Cases

1. **Infractions**
2. **Ordinance Violations**

Type of Action

1. Pre Judgment Hearings
2. Preparation for Hearing or Trial
3. Plea / Admission
4. Bench Trial / Settlement Conf Resulting in Judgment
5. Opinions / Orders
6. Sentencing / Disposition
7. Post Judgment Hearings
8. Other

Number of Cases	Type of Case	Type of Action	Amount of Time in Minutes

Use the back side of the form to write any comments concerning these cases.

NOTE: This is a reproduction of the form used to record judicial time entries

Time Study Form For Non-Case Related Activity
Judicial Administration Committee
Judicial Conference of Indiana

Court:_____ **County:**_____ **Date:**____/_____/_____

MM/ DD/ YY

Type of Judicial Officer (CIRCLE ONE)

Judge
Referee
Commissioner
Magistrate
Senior Judge
Special Judge
Temporary Judge
Judge Pro Tem

(enter date, check a category and enter amount of time in minutes)

Date	Conference	Continuing Education	Meetings	Administrative Time	Community Service	On Call	County Council Meetings	Travel	General Research	Other (give short description)	Time In Minutes

APPENDIX B

File review/Audit data collection form and Case Type data total

FILE AUDIT DATA COLLECTION FORM
WEIGHTED CASELOAD MEASURES STUDY
INDIANA JUDICIAL CENTER

1. Court _____

CASE IDENTIFICATION		**PRE-JUDGMENT**			**JUDGMENT**		**POST JUDGMENT**			
2. Case Number	3. Case Filing Date	4. Case Type	5. Type of Action	6. # of times action occurred	7. Judgment Type	8. Judgment Date	9. 1st Date after Judgment	10. Type of Action	11. # of times action occurred	12. Last date of activity
	/ /					/ /	/ /			/ /
	/ /					/ /	/ /			/ /
	/ /					/ /	/ /			/ /
	/ /					/ /	/ /			/ /
	/ /					/ /	/ /			/ /
	/ /					/ /	/ /			/ /
	/ /					/ /	/ /			/ /
	/ /					/ /	/ /			/ /
	/ /					/ /	/ /			/ /
	/ /					/ /	/ /			/ /
	/ /					/ /	/ /			/ /
	/ /					/ /	/ /			/ /
	/ /					/ /	/ /			/ /
	/ /					/ /	/ /			/ /
	/ /					/ /	/ /			/ /
	/ /					/ /	/ /			/ /
	/ /					/ /	/ /			/ /
	/ /					/ /	/ /			/ /

CASE TYPES

1. Capital Murder/Life without Parole (CF)
2. Murder (CF)
3. A Felony (CF)
4. B Felony (CF)
5. C Felony (CF)
6.
7. Juvenile Status (JS)
8. Juvenile CHINS (JC)
9. Juvenile Delinquency (JD)
10. Termination of Parental Rights (JT)
11. Paternity (JP)
12. Civil Plenary (CP)
13. Mortgage Foreclosure (CP-New Category)
14. Civil Collections (CP-New Category)
15. Domestic Relations (DR)
16. Protective Orders (PO)

TYPE OF ACTIONS

1. Prejudgment Hearings
2. Preparation for hearing or trial
3. Plea/Admission
4. Bench Trial/Settlement Conference Resulting in Judgment
5. Jury Trial
6. Bench Disposition
7. Opinions/Orders
8. Sentencing/Disposition
9. Post Judgment Hearings
10. Research
11. Dismissal
12. Default
14. Other

APPENDIX C

Methodology Reports/Documentation

Methodology for Data Analysis

Presented By: Mr. Jim Jezek
Colorado State Courts Administration

The weighted caseload provides an objective method to measure the need for judges and judicial officers. This process also identifies the differences between courts of different sizes. The weighted caseload creates weights for the mix of cases that are filed. The weighted caseload establishes other workload factors, like the amount of time available for judges to handle specific cases. The time available for judges to handle cases include, travel time, administrative duties and other judicial related activity that is required but does not necessarily resolve cases.

The data analysis includes the specific times recorded by judicial officers for case related events and the data collection from cases audits on the number of times events occur in cases. All data was keyed in an Excel using a data entry form to minimize the data entry errors. Each piece of data collected was identified as a number, the data was keyed into Excel in numeric format; using SPSS the numeric data was given the identifying labels. The time sheets that were recorded by judicial officers were the first part of the analysis.

The normal distribution is important to the statistical significance of the data, the times collected by case type and by event were examined to determine if they are normally distributed. A graphic display and statistical analysis of the data using SPSS determined that the data needed to be trimmed to get rid of the data that was extreme. The committee agreed to eliminate the top and bottom two-percent of the times recorded. The new trimmed mean was used for all case type and for all events recorded by judicial officers. The purpose of trimming data at the top and bottom was to clean those extremes that can change the average a great deal in some cases. These times represent on average the amount of time it takes judicial officers to handle that event.

The next part of the analysis is to determine the average number of times events occur within each type of case in the study. Since independent consultants to the project conducted the data collection and keying of the data the data was consistent and very little cleaning required. Minimal data cleaning was needed due to keying errors and no need to trim the data for extremes. It is important to note that not all events that are require to process cases are recorded in the physical files, therefore the case audit and data collection do not capture all the data. An example is the research time a judge might spend on a particular type of case is never recorded. The number of times cases go to a jury or court trial can not always be collected by sampling cases. In these examples the numbers were taken from national studies that were conducted for those specific data collection purposes.

The average times to process event by case types were multiplied by the average number of time they occur and the total by case type represent the average amount of time it takes to handle that particular case type. See the Results Section of the report and Appendix D for the combination of the data collection and analysis times for each case type in the study.

Methodological Report
Indiana Judicial Center's Weighted Caseload Study Update
Indiana University Public Opinion Laboratory

OVERVIEW

Jeff Bercovitz of the Indiana Judicial Center contacted the Indiana University Public Opinion Laboratory (IUPOL) in October 2000 regarding the implementation of follow-up research on the Judicial Center's 1995 Weighted Caseload Study. There were two phases of data collection that comprised this update to the Weighted Caseload Study Update. During the first phase of the study, selected judicial officers in the State of Indiana were asked to record their time over a span of four weeks from October 2, 2000 to October 27, 2000. The judicial officers recorded the time they spent during the course of their case and non-case related duties over this 4 week period. This phase of the study was conducted via the Indiana Judicial Center; the Indiana University Public Opinion Laboratory's involvement was limited to the data entry of the time sheets.

The second phase of the study update, conducted by the IUPOL, consisted of auditing chronological case summaries across various counties and case types in order to determine the number of judicial actions that occurred during the average case type (for example, the average A felony). After the two phases of data collection were completed, the data from the first phase was combined with data from the second phase to determine the average amount of time Indiana Judicial Officers spend each day on their various duties. As the only data collection IUPOL conducted occurred in phase two, this methodological report will be limited to that phase of the study.

SAMPLE

The Indiana Judicial Center commissioned the Indiana University Public Opinion Laboratory to audit chronological case summaries in several counties and across various case types from 4 years: 1995, 1996, 1999, and 2000. These years were chosen by the Judicial Administration Committee of the Judicial Conference of Indiana in order to provide the committee with data that ensured the proper balance of cases that were likely to have been "closed" and were likely to contain the entire range judicial actions for a case, as well as cases that reflected "current practice" among Indiana's judicial officers. This stratification by year was similar to the method used in the original 1995 study.

COUNTIES SELECTED

After several preliminary meetings, the Indiana Judicial Center, in conjunction with the Indiana University Public Opinion Laboratory and Jim Jezek[3] developed the following sample frame. The Judicial Administration Committee, composed of 12 trial court judges from Indiana, initially elected to include the following counties in the study:

LARGE COUNTIES	MEDIUM COUNTIES	SMALL COUNTIES
Lake County	Clark County	Boone County
Marion County	Johnson County	Clay County
	Monroe County	Hancock County
	Porter County	Henry County
	Tippecanoe County	Jefferson County
	Wayne County	Knox County
	Madison County (backup)	Montgomery County
		Owen County
		Rush County

The initial criteria in choosing counties was twofold: a) Counties were selected to ensure geographic representativeness, and b) Counties that were included in the 1995 study were given preference in order that the data obtained in this study could be compared to the 1995 data. The State Court Administrator's Office later requested the data by July 1 2002; Mr. Bercovitz met with Ron Miller of the State Court Administrator's Office and proposed to the Judicial Administration Committee the following substitutions of counties which would be likely to facilitate the timely completion of the data collection process. The committee agreed, by consensus, to the substitutions. Thus, the following table represents the final stratification of counties in the sampling frame:

[3] Jim Jezek also served as a consultant to the Judicial Administration Committee during the 1995 study.

LARGE COUNTIES	MEDIUM COUNTIES	SMALL COUNTIES
Lake County	Floyd County	Boone County
Marion County	Johnson County	Clay County
	Monroe County	Morgan County
	Porter County	Henry County
	Tippecanoe County	Jefferson County
	Wayne County	Shelby County
	Vanderburgh County (backup)	Wabash County
		Perry County
		Rush County

CASE TYPES AUDITED

The sampling frame was stratified by case type, in addition to stratification by county. The Judicial Administration Committee, in consultation with Jim Jezek, initially selected the following case types for inclusion in this study: Capital Murder, Murder, Criminal Felonies stratified by type A, B, and C, Civil Plenary stratified by type Mortgage Foreclosure, Civil Collections, and Civil Plenary, CHINS, Infractions, Ordinance Violations, Juvenile Delinquency, Termination of Parental Rights, Paternity, Domestic Relations, and Protective Orders. However, after data collection began it became apparent after looking at many Infractions and Ordinance Violations, little judicial activity could be found. The Judicial Administration Committee agreed to remove these case types from the data collection portion of the Weighted Caseload Study. Further, Mr. Bercovitz indicated that in addition to Juvenile Crime Delinquent cases he would like to include Juvenile Status Delinquent cases in the study update. This case type was then added.

The number of cases to be audited within each case type was determined by the Judicial Administration Committee, in consultation with Jim Jezek. The following represents the proposed number of each case type audited in this study:

CASE TYPE	TOTAL NUMBER OF CASES
1. Capital Murder and Life without parole	50
2. Murder	50
3. A Felony (CF)	75
4. B Felony (CF)	100
5. C Felony (CF)	200
6. Civil Plenary (CP)	500
7. Mortgage Foreclosure (CP)	225
8. Civil Collection (CP)	225
9. CHINS (JC)	100
10. Juvenile Delinquency (JD)	400
11. Juvenile Status (JS)	400
12. Termination of Parental Rights (JT)	75
13. Paternity (JP)	100
14. Domestic Relations (DR)	500
15. Protective Orders (PO)	225

Once the total number of each case type was determined, the cases for each case type were stratified across the counties based upon the proportion of filings for each case type in each county. The average number of filings for each case type during a year was provided to the IUPOL by the State Court Administrator's Office. Once these numbers were obtained for each county, the total number of filings for each case type in a year, across all of the counties included in the study was determined. Then the proportion of each county's filings for each case type compared to the filings for each case type across all of the counties was determined. These proportions were then applied to the numbers in the above table. Thus, the number of cases to be audited, by case type, in each county was determined by that county's proportion of the filings in the average year.

Finally, the number of cases to be audited was stratified across the four years using the following percentages suggested by Jim Jezek: 1/5 (20%) of the total from 1995, 1/5 (20%) of the total from 1996, 1/4 (27%) of the total from 1999 and 1/3 (33%) from 2000. These years were chosen by the Judicial Administration Committee of the Judicial Conference of Indiana in order to provide the committee with data that ensured the proper balance of cases that were likely to have been "closed" and were likely to contain the entire range judicial actions for a case, as well as cases that reflected "current practice" among Indiana's judicial officers. This dispersion across the four years is similar to that used in the original 1995 study. Table C-A contains a table outlining the final sample frame for this study.

DATA COLLECTION

The data for the case "audit"[4] phase of the Weighted Caseload Study was collected in the following manner for all of the counties in the study except Marion and Tippecanoe:

1. The State Court Administrator's Office contacted the computer vendors who administered each court's computer system. The vendor was asked to pull the case number of every case filed in the 4 years (1995, 1996, 1999, and 2000) for each case type. The vendor was asked to sort all Criminal Felony cases (CF's) by the highest charge filed so that the IUPOL would be able to select A felonies, B felonies, and C felonies as these are not currently separate case categories in Indiana. A similar process was used to distinguish Civil Collections cases and Mortgage Foreclosures from the broad category of Civil Plenary.

2. The State Court Administrator's Office forwarded the list of case filings for each case type and year to the IUPOL. Using StatPac for Windows the IUPOL selected the requisite number of case numbers on a random basis for each case type and year.

3. Once the case numbers were selected, the IUPOL forwarded the selected case number to the State Court Administrator's office, who in turn contacted the computer vendors to obtain the Chronological Case Summary (CCS) for each case number.

4. Once the State Court Administrator's Office received the CCS's for each county, the CCS's were forwarded to Larry Grau of the Grau Group, Inc. for auditing and data entry.

5. The data entry files were then forwarded to Jim Jezek for data analysis.

The audits for Marion County and Tippecanoe County were conducted differently than the balance of the counties. Tippecanoe County currently has their CCS files on-line. The Clerk of Tippecanoe County forwarded a list of case filings for each case type and year to the IUPOL. The IUPOL then randomly selected the proper number of case numbers for each case type and year. Once the case numbers were selected, the IUPOL accessed Tippecanoe County's website and audited the cases via the internet.

---

[4] Case audits was the name given to counting the number of judicial actions in a particular case.

Marion County's case audits were also conducted by the IUPOL. For the criminal and civil cases, the IUPOL obtained lists of case filings for each case type and year from the Marion County Justice Agency. Once these files were obtained, and the requisite number of random case numbers was selected, a researcher from the IUPOL audited the cases from a computer terminal in the Marion County Justice Agency's office. For Marion County's Juvenile cases, the IUPOL contacted the Marion County Juvenile Court for the lists of case filings. Once random case numbers were selected from the lists, the IUPOL sent a researcher to the Marion County Juvenile Court. The researcher was able to audit the case files using a terminal in the basement of the building housing the juvenile court. An agreement granting access to juvenile records was signed with each juvenile court in accordance with Indiana law.

DATA COLLECTION INSTRUMENT AND AUDIT GUIDELINES

The data collection instrument used for this study is similar to the one used for case audits in the 1995 study. This instrument is contained in Appendix B. The Judicial Administration Committee provided, first to the IUPOL and later to the Grau Group via training at the IUPOL's offices, guidelines and criteria to be used when auditing case files. The following are the major guidelines, as delineated by the Judicial Administration Committee:

1. The researchers at the IUPOL were instructed to look for the following action words in the CCS entries which typically denoted a judicial action: order, issue, enter, grant, and held. Members of the Judicial Administration Committee also composed lists of action words to be looked for when auditing certain case types.

2. Bench trials indicated both a hearing and an order. Thus bench trials would count for both actions.

3. When evidence is heard, this typically means a trial took place.

4. Copy to counsel is indicative of an order, as are the setting of hearing dates.

5. Only one order should be counted per day.

6. The date a final sentence or disposition occurs should serve as the judgment date.

Once the cases were audited and the data was collected on the data collection form, the data from these forms was then inputted into an Excel spreadsheet (either by the IUPOL or the Grau Group, depending upon the county). These Excel spreadsheets were then forwarded, via e-mail, to Jim Jezek for the final data analysis. The final distribution of audits across county and case type is shown in Table C-B.

TABLE C-A: Final Sampling Frame

County	MR[5]	AF	BF	CF	CP	CC	MF	JC	JD	JS	JT	JP	DR	PO
Lake	**3**	**11**	**18**	**35**	**33**	**103**	**59**	**25**	**92**	**92**	**32**	**19**	**76**	**19**
1995	0	2	3	7	7	21	12	5	18	18	6	4	15	4
1996	1	2	4	7	7	21	12	5	18	18	6	4	15	4
1999	1	3	5	9	9	27	16	7	25	25	9	5	20	5
2000	1	4	6	12	10	34	19	8	31	31	11	6	26	6
Marion	**10**	**27**	**68**	**139**	**71**	**222**	**125**	**40**	**211**	**211**	**23**	**52**	**189**	**101**
1995	2	5	14	28	14	44	25	8	42	42	5	10	38	20
1996	2	5	14	28	14	44	25	8	42	42	5	10	38	20
1999	3	7	18	37	19	59	33	11	56	56	6	14	50	27
2000	3	10	23	46	24	74	42	13	71	71	8	17	63	34
Floyd	**0**	**2**	**4**	**8**	**9**	**29**	**16**	**3**	**6**	**6**	**1**	**0**	**21**	**24**
1995	0	0	1	2	2	6	3	0	1	1	0	0	4	5
1996	0	0	1	2	2	6	3	1	1	1	0	0	4	5
1999	0	1	1	2	2	8	4	1	2	2	0	0	6	7
2000	0	1	1	3	3	10	5	1	2	2	1	0	7	8
Johnson	**0**	**1**	**3**	**7**	**8**	**23**	**13**	**2**	**21**	**21**	**0**	**8**	**35**	**4**
1995	0	0	0	1	2	5	3	0	4	4	0	2	7	1
1996	0	0	1	1	2	5	3	0	4	4	0	2	7	1
1999	0	0	1	2	2	6	3	1	5	5	0	2	9	1
2000	0	1	1	3	3	8	4	1	7	7	0	3	12	1
Monroe	**0**	**2**	**7**	**15**	**6**	**12**	**21**	**3**	**10**	**10**	**6**	**3**	**29**	**10**
1995	0	0	1	3	1	2	4	0	2	2	1	0	6	2
1996	0	0	1	3	1	2	4	1	2	2	1	1	6	2
1999	0	1	2	4	2	3	6	1	3	3	2	1	8	3
2000	0	1	2	5	2	4	7	1	3	3	2	1	10	3
Porter	**0**	**1**	**3**	**8**	**8**	**24**	**14**	**6**	**11**	**11**	**3**	**4**	**30**	**25**
1995	0	0	0	2	2	5	3	1	2	2	0	1	6	5
1996	0	0	1	2	2	5	3	1	2	2	1	1	6	5
1999	0	0	1	2	2	6	4	2	3	3	1	1	8	7
2000	0	1	1	2	2	8	5	2	4	4	1	1	10	8
Tippecanoe[6]	**0**	**2**	**2**	**9**	**7**	**19**	**12**	**0**	**0**	**0**	**0**	**0**	**24**	**11**
1995	0	0	0	2	1	4	2	0	0	0	0	0	5	2
1996	0	0	0	2	1	4	2	0	0	0	0	0	5	2
1999	0	1	1	2	2	5	3	0	0	0	0	0	6	3

[5] The Judicial Administration Committee determined that 8 Capital Murder/Life without Parole case would be sufficient for this study. Due to the infrequency of these filings, these were not allocated proportionately across the four years. The eight cases were obtained from the Indiana State Supreme Court which covered cases originally filed as death penalty cases, but may have later included a guilty plea to life without parole, or a lesser charge.

[6] Due to the recent installation of a new computer system in the Tippecanoe County Juvenile Courts, Tippecanoe County's Juvenile cases were not audited.

	MR	AF	BF	CF	CP	CC	MF	JC	JD	JS	JT	JP	DR	PO
2000	0	1	1	3	2	6	4	0	0	0	0	0	8	4
Wayne	**1**	**2**	**6**	**14**	**3**	**10**	**5**	**2**	**4**	**4**	**0**	**2**	**17**	**3**
1995	0	0	1	3	0	2	1	0	1	1	0	0	3	0
1996	0	0	1	3	1	2	1	0	1	1	0	0	3	1
1999	0	1	2	4	1	3	1	1	1	1	0	1	4	1
2000	1	1	2	5	1	3	2	1	1	1	0	1	6	1
Vanderburgh	**0**	**2**	**2**	**9**	**7**	**19**	**12**	**6**	**15**	**15**	**5**	**5**	**24**	**11**
1995	0	0	0	2	1	4	2	1	3	3	1	1	5	2
1996	0	0	0	2	1	4	2	1	3	3	1	1	5	2
1999	0	1	1	2	2	5	3	2	4	4	1	1	6	3
2000	0	1	1	3	2	6	4	2	5	5	2	2	8	4
Boone	**0**	**0**	**2**	**4**	**3**	**8**	**5**	**7**	**5**	**5**	**1**	**1**	**10**	**2**
1995	0	0	0	1	0	2	1	1	1	1	0	0	2	0
1996	0	0	0	1	1	2	1	2	1	1	0	0	2	0
1999	0	0	1	1	1	2	1	2	1	1	0	0	3	1
2000	0	0	1	1	1	3	2	2	2	2	1	1	3	1
Clay	**0**	**0**	**0**	**1**	**1**	**3**	**2**	**1**	**8**	**8**	**1**	**1**	**8**	**3**
1995	0	0	0	0	0	0	0	0	2	2	0	0	2	0
1996	0	0	0	0	0	1	0	0	2	2	0	0	2	1
1999	0	0	0	0	0	1	1	0	2	2	0	0	2	1
2000	0	0	0	1	1	1	1	1	2	2	1	1	2	1
Morgan	**0**	**0**	**1**	**2**	**4**	**11**	**4**	**1**	**3**	**3**	**0**	**1**	**13**	**4**
1995	0	0	0	0	1	0	1	0	0	0	0	0	3	1
1996	0	0	0	0	1	2	1	0	1	1	0	0	3	1
1999	0	0	0	1	1	3	1	0	1	1	0	0	3	1
2000	0	0	1	1	1	4	1	1	1	1	0	1	4	1
Henry	**0**	**0**	**1**	**3**	**3**	**8**	**6**	**2**	**3**	**3**	**1**	**2**	**15**	**7**
1995	0	0	0	0	0	2	1	0	0	0	0	0	3	1
1996	0	0	0	1	1	2	1	0	1	1	0	0	3	1
1999	0	0	0	1	1	2	2	1	1	1	0	1	4	2
2000	0	0	1	1	1	2	2	1	1	1	1	1	5	2
Jefferson	**0**	**1**	**1**	**3**	**1**	**5**	**3**	**1**	**1**	**1**	**0**	**1**	**8**	**2**
1995	0	0	0	0	0	1	0	0	0	0	0	0	2	0
1996	0	0	0	1	0	1	1	0	0	0	0	0	2	0
1999	0	0	0	1	0	1	1	0	0	0	0	0	2	1
2000	0	1	1	1	1	2	1	1	1	1	0	1	3	1
Shelby	**0**	**1**	**2**	**5**	**1**	**5**	**3**	**0**	**2**	**2**	**0**	**1**	**7**	**3**
1995	0	0	0	1	0	1	0	0	0	0	0	0	1	0
1996	0	0	0	1	0	1	1	0	0	0	0	0	1	1
1999	0	0	1	1	0	1	1	0	1	1	0	0	2	1
2000	0	1	1	2	1	2	1	0	1	1	0	1	2	1
Wabash	**0**	**0**	**1**	**2**	**1**	**5**	**3**	**0**	**2**	**2**	**0**	**0**	**9**	**2**
1995	0	0	0	0	0	1	0	0	0	0	0	0	2	0

	MR	AF	BF	CF	CP	CC	MF	JC	JD	JS	JT	JP	DR	PO
1996	0	0	0	0	0	1	1	0	0	0	0	0	2	0
1999	0	0	0	1	0	1	1	0	1	1	0	0	2	1
2000	0	0	1	1	1	2	1	0	1	1	0	0	3	1
Perry	**0**	**0**	**1**	**1**	**2**	**4**	**2**	**2**	**4**	**4**	**2**	**1**	**7**	**3**
1995	0	0	0	0	0	1	0	0	1	1	0	0	1	0
1996	0	0	0	0	0	1	0	0	1	1	0	0	2	1
1999	0	0	0	0	1	1	1	1	1	1	1	0	2	1
2000	0	0	1	1	1	1	1	1	1	1	1	1	2	1
Rush	**0**	**0**	**1**	**1**	**1**	**2**	**2**	**0**	**1**	**1**	**0**	**1**	**4**	**1**
1995	0	0	0	0	0	0	0	0	0	0	0	0	1	0
1996	0	0	0	0	0	0	0	0	0	0	0	0	1	0
1999	0	0	0	0	0	1	1	0	0	0	0	0	1	0
2000	0	0	1	1	1	1	1	0	1	1	0	1	1	1
TOTAL	**15**	**52**	**123**	**266**	**169**	**512**	**307**	**101**	**399**	**399**	**75**	**102**	**526**	**224**

TABLE C-B: Actual Number of Each Case Type Audited

County	MR	AF	BF	CF	CP	CC	MF	JC	JD	JS	JT	JP	DR	PO	Total
Lake	2	3	17	40	173	54	123	25	92	66	32	19	78	19	743
Marion	10	25	64	133	62	216	123	40	207	214	24	49	179	104	1450
Floyd	0	0	7	8	101	1	22	4	3	7	1	0	21	25	200
Johnson	1	0	8	14	48	0	31	0	20	20	0	9	35	4	190
Monroe	0	1	4	11	126	0	14	2	21	20	0	9	34	4	246
Porter	0	0	0	0	26	11	11	6	14	7	7	4	13	0	99
Tippecanoe[7]	0	2	2	9	6	19	11	0	0	0	0	0	24	11	84
Wayne	0	4	7	12	33	0	14	2	4	4	0	2	16	4	102
Vanderburgh	0	1	3	3	34	0	14	5	15	15	5	5	24	11	135
Boone	0	1	1	4	12	0	2	5	6	3	1	2	8	1	46
Clay	0	0	2	2	5	0	1	0	8	0	1	2	7	3	31
Morgan	0	0	2	2	44	0	7	2	3	3	0	1	12	4	80
Henry	0	0	1	2	40	3	8	3	2	3	0	1	10	6	79
Jefferson	0	1	1	3	18	6	0	1	1	1	0	1	8	2	43
Shelby[8]	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Wabash	0	0	1	2	11	0	8	0	2	2	0	0	10	2	38
Perry	0	0	0	2	4	2	4	2	4	1	2	1	6	0	28
Rush	0	0	1	1	4	0	1	0	1	0	0	1	4	1	14
Total	13	38	121	248	747	312	394	97	403	366	73	106	489	201	3608

[7] Due to the recent installation of a new computer system in the Tippecanoe County Juvenile Courts, Tippecanoe County's Juvenile cases were not audited.
[8] No case audit information was obtained from Shelby County.

Case File Review Data Recording and Entry Methodology

Presented By: Mr. Larry W. Grau
The Grau Group, Inc.

Mr. Larry Grau of The Grau Group, Inc. assisted the committee in the case file review portion of the study in coordination with the Indiana University Public Opinion Laboratory. After participating in training supplied by Mr. Andy Hutcherson from the lab, Mr. Grau began receiving case file CCS from the counties selected for the updated study. Mr. Grau specifically received files from all counties selected for the updated study except from Marion County, which the lab continued to review. Mr. Grau received copies of the CCS' from the Indiana Judicial Center and State Court Administration office.

Once Mr. Grau received the files (CCS') he would record the data on case types, events, and relevant dates on the data forms approved by the committee, as designed by the lab. In recording that data, Mr. Grau reviewed each CCS from a given court within a county selected for the study sample, and then entered the respective numbers for each type of action, along with the case types, and appropriate dates for when the case was filed, judgments or dismissals were made, and last court action was taken. When all of the data was entered from the courts in which cases selected for the sample, the data was entered onto computer spreadsheets. Those spreadsheets were provided by the Indiana University Public Opinion Laboratory, which allowed for uniformity in data entry across all of the counties chosen for the study sample. Mr. Grau then cross-checked the computer spreadsheets with the hard copy forms used for entering data to ensure the accuracy of the date recorded.

To avoid or to at least minimize subjectivity in entering data, Mr. Grau would consult with Mr. Hutcherson to be assured that certain types of case events or actions were consistently recorded in the same manner. However, in some courts in the counties selected for the study it was not possible to distinguish the case types. This was especially true for Civil Plenary, Civil Collection, and to a lesser degree Mortgage Foreclosure cases. In those instances, where it was not clear whether a case was a Civil Plenary or a Civil Collection case, the case type was recorded as a Civil Plenary case. That determination did contribute to what appeared to be an over-sampling of Civil Plenary cases, particularly in contrast to the number of Civil Collection cases entered in the study.

APPENDIX D

Biographical/Professional Qualifications of the Researchers

Biographical Information

Mr. James ("Jim") Jezek
Policy Analyst
Colorado Judicial Department
Denver, Colorado 80203-2416

Jim has worked for the Administrative Office of the Courts (AOC) in Colorado providing statistical analysis, budgeting, forecasting and the weighted caseload staffing models development and maintenance. He developed the weighted caseload models for Colorado in 1988 and has provided ongoing consultation to several other states on weighted caseload measures. He has also conducted data collection, analysis and implementation of the weighted caseload methodology for Colorado and eight other states. Mr. Jezek has been a consultant or research expert to: Colorado, Florida, Iowa, Minnesota, Nebraska, New Mexico, North Dakota, and Wisconsin.

In addition, Mr. Jezek developed the data collection and analysis for the Commission on Judicial Performance, which reviews and provides voters in Colorado information and recommendations on judges and justices standing for retention election. Prior to becoming a Policy Analyst, Mr. Jezek served as the Staff Accountant for the state's Judicial Department.

Jim received a B.A. in Economics and Business Administration from Regis University. He has experience and expertise in developing, and analyzing data collection using the following computer software: SPSS, CICS, TSO, Lotus, Excel, Paradox and several other programs.

The Public Opinion Laboratory

Indiana University - Purdue University, Indianapolis
425 University Blvd.
Indianapolis, IN 46202

"The Gathering and Analysis of Information For Decision-Making"

Telephone (317) 274-4105/(317)274-7226
Fax (317) 278-2383

E-mail sahutche@iupui.edu or **igem100@iupui.edu**
World Wide Web Page http://polecat.iupui.edu

WHAT IS THE PUBLIC OPINION LABORATORY?

The Indiana University Public Opinion Laboratory is an interdisciplinary survey research center that provides services to a wide variety of private, non-profit and governmental organizations. We also conduct research for faculty members, students and various University departments. The majority of the research conducted by the Public Opinion Laboratory is *applied* work in the fields of public opinion, marketing, health care and customer satisfaction.

WHAT IS THE MAIN PURPOSE OF THE POL?

The Public Opinion Laboratory's main purpose is to provide high quality data using the best and latest research techniques at our disposal.

WHAT SERVICE DOES THE POL PROVIDE?

We provide data collection through telephone, mail, focus groups, and intercepts. The Public Opinion Lab's services - - based on custom designing all research - - include:

*Telephone surveys
*Mail surveys
*Focus groups
*Consultation on research design and implementation
*Interviewer training
*Sampling design
*Questionnaire design and testing
*Data collection and entry
*Coding
*Data analysis
*Preliminary Reports
*Final Reports

The Technology To Do It Right:

The Public Opinion Laboratory uses the most advanced techniques available in survey research methodology. Interviews are conducted by professional interviewers from our special telephone/computer facilities in Cavanaugh Hall on the Indiana University-Purdue University, Indianapolis campus. Our advanced computer network employs a Sawtooth Computer Aided Telephone Interviewing (CATI) software system -- which utilizes 20 interviewing stations.

Trained Professionals:

The staff of the Public Opinion Laboratory has over seventy years of combined experience in the field of survey research and data collection.

The Director

Brian Vargus is Director of the Lab (since 1976) and a Professor of Political Science and Communication Sciences at IUPUI. Dr. Vargus is a leading survey research expert in the Midwest and has coordinated several hundred research surveys in Indiana and the United States. He holds degrees from the University of California and Indiana University. A former Fulbright Scholar to Japan, he has served on the faculties of several universities. He also serves as Political Analyst for WISH-TV in Indianapolis.

The Associate Director

Andy Hutcherson began working for the Public Opinion Laboratory in the fall of 1999. He has worked on scores of research studies. He is proficient in using StatPac statistical software, Ci3/Cati data collection software, and various database and spreadsheet programs such as Excel and Access.

As Associate Director, Andy's duties include consultation with clients, questionnaire design, programming questionnaire files into Cati format for data collection, coordination of data collection, coding data, analysis of data, and report writing. In addition, he is in charge of staff development and technical computer support. He holds a Bachelor's Degree in Psychology from Purdue University. As a Psychology major, Andy studied statistics, social science research methods, theory, and industrial/organizational psychology courses.

The Field Coordinator

Brianne (Breezy) O'Brien began working for the lab in the fall of 1997. She has over four years of experience in survey research and analysis. In addition, she has worked on over 100 research projects. As Field Coordinator, Breezy's primary duty is staff development, which includes the management of orientation, Interviewer instruction, Research Associate productivity, employee disciplinary action, and hiring. She insures that the Indiana University Public Opinion Laboratory has the most productive interviewers and that they are utilizing the best techniques and interviewing skills. She is also experienced in client consultation, StatPac statistical software, Ci3/Cati data collection software, questionnaire design, coordinating data collection and other database and spreadsheet applications. Breezy is currently pursuing a Communication and Linguistics Degree from Indiana University at Indianapolis.

Staff

Nyla Kelly, Eric Riddles, Natalie Tanquary, Uriaha Foust, Ben Dobbs and Natasha Rucker are the regular staff members of the Lab. Each has several years of experience in survey research and methodology.

After The Data Is Collected -- Analysis and Reports

After the data is collected, staff members at the Lab use a variety of software packages and employ the latest statistical procedures to "read" or analyze the data. Normally, we provide a brief summary of results from the data collection. However, if resources permit, the professional staff at the Lab can provide a thorough bound report of findings, complete with color graphs, executive summary, conclusions and recommendations.

RELEVANT PROJECT EXPERIENCE:

Legal Job Satisfaction Survey

The Public Opinion Laboratory surveyed 311 members of the legal community in Indiana on behalf of Indiana Lawyer and the Indiana State Bar Association. The research was designed to evaluate the condition of the legal profession in Indiana. Specifically, the questionnaire focused on legal professionals' general satisfaction with their careers, job-related pressures, and areas in which the legal profession in Indiana can be improved.

Philanthropic Giving Index

The Public Opinion Laboratory collaborated with the Indiana University Center on Philanthropy on this project as well. The POL collected the data for this important research. The Philanthropic Giving Index is conducted bi-annually by the Indiana University Center on Philanthropy. The Index is designed to measure attitudes about the philanthropic giving climate and reveal current trends and future expectations in American philanthropic giving. Click on the following link to go to the Center on Philanthropy's website to learn more: http://www.philanthropy.iupui.edu/announce.htm

Citizens' Trust in Courts in the United States

The National Center for State Courts commissioned the POL to conduct research concerning the public's perceptions of the United States court system. From March to May 2000, the POL conducted interviews with 1,000 randomly selected respondents in the U.S. as well as over samples of 300 African-Americans and 250 Hispanic Americans. The main goal of the research was to evaluate the experience people had with courts of all types and their perceptions of how they were treated by the court system, court personnel, and judicial officers.

Visitation Reform

A mail survey, consisting of sent to three different groups who deal with visitation and custody issues: 251 family law judges, 359 members of the Family Law State Bar Association, and 118 psychologists who deal with custody matters. The survey explored opinions on reform and modifications within visitation/custody cases, both on a local and state level. The survey was conducted on behalf of The Indiana Judicial Conference and The Indiana State Legislature.

PAST CLIENTS:

Indiana State Bar Association
Indiana Lawyer
National Center for State Courts
Legal Services of Indiana
Indiana Judicial Center
Indiana University Office of Communications & Marketing

Indiana University Center on Philanthropy
Hamilton Southeastern Schools
MSD of Lawrence Township
Keep Indianapolis Beautiful
Caldwell VanRiper
United Way of Central Indiana
Sagamore Health Network
Indiana University School of Medicine
American Philosophy Association
All Indiana University Campuses
WISH-TV
Indiana Business Modernization & Technology Corp.
The State of Indiana
The City of Indianapolis
The City of New York (NY)
WRTV-TV
The Indianapolis Star/News
The Indiana State Police
St. Vincent's Hospital
Indiana Municipal Power Agency
The City of Carmel
The Hoosier Lottery Commission
Melvin Simon and Associates
Blue Cross/Blue Shield
M-Plan
Plainfield Public Library
The Johnson County Library Board
The Legislative Services Agency of the State Of Indiana
Several Chambers of Commerce in Indiana
The Marion County Prosecutor's Office
Superior Courts in Allen, Wayne, Hendricks, and Marion Counties
The Economic Development Council of Shelby County
The Indiana Donor's Alliance
The Governor's Task Force on Impaired and Dangerous Driving
The Zionsville Public Library
The Metropolitan Planning Organization
Marion County Health and Hospital Corporation
Various newspapers (Hendricks County Flyer, Greenwood Gazette, Indianapolis Business Journal, TOPICS and many others)
Broadcast outlets (CBS, NBC, ABC),
Many others from both the public and private sector.

Biographical Information

Larry W. Grau
President and CEO, The Grau Group, Inc.
Indianapolis, Indiana

Larry Grau is the President and Chief Executive Officer of The Grau Group, Inc., a firm he founded in 1994. The Grau Group is a consulting business that specializes in education finance and policy issues, media relations, budgetary planning and fiscal management, and policy oriented research and analysis. The company has counted the Governor of Indiana, Indiana Supreme Court and Judicial Center, as well as numerous school districts, several statewide education, business, and research organizations, and state agencies among its clients. Mr. Grau has extensive experience in: conducting policy analysis, completing research studies, preparing analytical and financial reports, formulating legislative and fiscal strategies, and developing financial plans.

From 1998 to January, 2001 Mr. Grau was the Executive Assistant for Education for Indiana Governor, Frank O'Bannon, and Larry continues to serve as an informal policy advisor to the Governor. In his capacity as the top education advisor to Governor O'Bannon, Mr. Grau assisted the Governor in developing and enacting a new accountability system for Indiana, as well as other significant legislation to reshape the state's academic standards and assessment policies (under Public Law or PL221). Mr. Grau also helped develop the state's first alternative education and after school programs. Larry is currently working with school districts and the state in implementing those policies, and is leading the state's efforts to align Indiana's education finance and teacher licensing policies with the new accountability system. He continues to work on national education issues and policies; and is regularly asked to give presentations, sit on panels, and provide information to various national education policy groups.

Mr. Grau has been active in a variety of children's issues. As the Director of the Indiana Supreme Court's Court Improvement Project he assisted a panel consisting of Supreme Court justices, judicial officers from throughout the state, and representatives from advocacy and social service groups complete a study on the state's child abuse and neglect judicial system. Larry also served as a Researcher for the Domestic Relations Committee of the Indiana Judicial Center, and he directed the developmental stages of the Judicial Center's Juvenile Residential Roster program.

Mr. Grau also directed an independent education finance study committee that included policymakers, government, business and education leaders, as well as local school district administrators from across the state. He has served as an advisor to government officials from mayors to the Governor and United States Senators. Mr. Grau has completed research-based reports, education policy studies, and has written articles for several publications. He authored three books on education finance, property tax and fiscal policy. He has participated in education policy forums and panels in various states, and provided research for a report on Michigan's school finance system.

Prior to starting The Grau Group, Larry was the Education Finance Analyst for the Indiana House Ways and Means Committee. In that position, Mr. Grau was primarily responsible for developing a new education funding formula and various educational policy initiatives for the Committee's chairperson.

Mr. Grau was also the Chairperson of the Indianapolis Public Schools Education Foundation, and was a board member for over three years. During his service on the board as the Chair and as a member the Foundation raised over one million dollars in less than two years, and developed a new grant program along with a more focused mission.

In addition, Mr. Grau has served as a PTA President, a member of a youth development commission, and a classroom volunteer. He is currently on: the National Governors' Association's (NGA) Education Roundtable, First Lady, Judy O'Bannon's 2016 Task Force, and a local school improvement committee. He is an advisor to the Indiana Education Roundtable, and has served on several education-related boards and advisory committees in recent years. He is deeply involved in continuous improvement in education; starting a not-for-profit organization to provide technical assistance to school districts and states, and he has taught courses on continuous improvement and strategic planning through Indiana University and the Central Indiana Educational Service Center.

Grau has a Bachelors degree in Public Administration and a Masters degree in Public Policy from Indiana University.

APPENDIX E

Actual time in minutes recorded by Judicial Officers – by case type and type of action for all participating counties

Minimum, Maximum, and Mean Judicial Time in Minutes

By Case Type and Type of Action

Type of Case	Type of Action	Data	Total
Civil Plenary	Bench Trial / Settlement Conf Resulting in Judgment	Count	80
		Average	104
		Max	480
		Min	2
	Community Transition	Count	4
		Average	8
		Max	20
		Min	1
	Jury Trial	Count	31
		Average	332
		Max	792
		Min	5
	Opinions / Orders	Count	1229
		Average	13
		Max	320
		Min	1
	Other	Count	292
		Average	8
		Max	120
		Min	0
	Plea / Admission	Count	2
		Average	10
		Max	10
		Min	10
	Post Judgment Hearings	Count	159
		Average	12
		Max	180
		Min	1
	Pre Judgment Hearings	Count	332
		Average	28
		Max	390
		Min	1
	Preparation for Hearing or Trial	Count	176
		Average	20
		Max	215
		Min	1
	Research	Count	110
		Average	69
		Max	720
		Min	2
	Sentencing / Disposition	Count	42
		Average	6
		Max	25
		Min	1

Type of Case	Type of Action	Data	Total
Mortgage Foreclosure	Bench Trial / Settlement Conf Resulting in Judgment	Count	16
		Average	17
		Max	60
		Min	2
	Community Transition	Count	1
		Average	1
		Max	1
		Min	1
	Opinions / Orders	Count	248
		Average	6
		Max	25
		Min	0
	Other	Count	46
		Average	4
		Max	15
		Min	0
	Post Judgment Hearings	Count	11
		Average	9
		Max	20
		Min	1
	Pre Judgment Hearings	Count	19
		Average	15
		Max	50
		Min	2
	Preparation for Hearing or Trial	Count	7
		Average	8
		Max	15
		Min	2
	Research	Count	8
		Average	13
		Max	40
		Min	1
	Sentencing / Disposition	Count	27
		Average	5
		Max	20
		Min	2

Type of Case	Type of Action	Data	Total
Civil Collection	Bench Trial / Settlement Conf Resulting in Judgment	Count	35
		Average	10
		Max	60
		Min	1
	Community Transition	Count	1
		Average	4
		Max	4
		Min	4
	Jury Trial	Count	1
		Average	1
		Max	1
		Min	1
	Opinions / Orders	Count	420
		Average	4
		Max	80
		Min	0
	Other	Count	86
		Average	3
		Max	15
		Min	0
	Plea / Admission	Count	2
		Average	18
		Max	20
		Min	15
	Post Judgment Hearings	Count	139
		Average	8
		Max	180
		Min	0
	Pre Judgment Hearings	Count	49
		Average	18
		Max	72
		Min	2
	Preparation for Hearing or Trial	Count	33
		Average	15
		Max	75
		Min	1
	Research	Count	19
		Average	17
		Max	63
		Min	8
	Sentencing / Disposition	Count	15
		Average	4
		Max	10
		Min	0

Type of Case	Type of Action	Data	Total
Murder	Bench Trial / Settlement Conf Resulting in Judgment	Count	3
		Average	17
		Max	20
		Min	15
	Jury Trial	Count	61
		Average	319
		Max	900
		Min	30
	Opinions / Orders	Count	25
		Average	12
		Max	60
		Min	2
	Other	Count	20
		Average	16
		Max	60
		Min	1
	Plea / Admission	Count	2
		Average	20
		Max	30
		Min	10
	Post Judgment Hearings	Count	25
		Average	15
		Max	148
		Min	1
	Pre Judgment Hearings	Count	84
		Average	15
		Max	240
		Min	1
	Preparation for Hearing or Trial	Count	21
		Average	52
		Max	300
		Min	5
	Research	Count	13
		Average	79
		Max	180
		Min	15
	Sentencing / Disposition	Count	7
		Average	18
		Max	30
		Min	10

Type of Case	Type of Action	Data	Total
Capital Murder	Bench Trial / Settlement Conf Resulting in Judgment	Count	1
		Average	2
		Max	2
		Min	2
	Jury Trial	Count	14
		Average	221
		Max	395
		Min	3
	Opinions / Orders	Count	19
		Average	47
		Max	200
		Min	0
	Other	Count	8
		Average	11
		Max	33
		Min	3
	Plea / Admission	Count	2
		Average	5
		Max	8
		Min	2
	Post Judgment Hearings	Count	4
		Average	27
		Max	60
		Min	3
	Pre Judgment Hearings	Count	10
		Average	81
		Max	300
		Min	3
	Preparation for Hearing or Trial	Count	17
		Average	95
		Max	270
		Min	3
	Research	Count	6
		Average	24
		Max	40
		Min	10

Type of Case	Type of Action	Data	Total
A Felony	Bench Trial / Settlement Conf Resulting in Judgment	Count	5
		Average	37
		Max	105
		Min	10
	Community Transition	Count	3
		Average	2
		Max	3
		Min	1
	Jury Trial	Count	27
		Average	357
		Max	870
		Min	5
	Opinions / Orders	Count	138
		Average	8
		Max	90
		Min	1
	Other	Count	54
		Average	11
		Max	115
		Min	1
	Plea / Admission	Count	37
		Average	17
		Max	45
		Min	3
	Post Judgment Hearings	Count	41
		Average	19
		Max	180
		Min	1
	Pre Judgment Hearings	Count	277
		Average	11
		Max	90
		Min	1
	Preparation for Hearing or Trial	Count	53
		Average	26
		Max	180
		Min	1
	Research	Count	20
		Average	44
		Max	190
		Min	5
	Sentencing / Disposition	Count	62
		Average	22
		Max	120
		Min	1

Type of Case	Type of Action	Data	Total
B Felony	Bench Trial / Settlement Conf Resulting in Judgment	Count	17
		Average	125
		Max	480
		Min	2
	Community Transition	Count	37
		Average	12
		Max	120
		Min	1
	Jury Trial	Count	32
		Average	326
		Max	670
		Min	5
	Opinions / Orders	Count	250
		Average	7
		Max	90
		Min	1
	Other	Count	100
		Average	8
		Max	100
		Min	0
	Plea / Admission	Count	86
		Average	19
		Max	45
		Min	5
	Post Judgment Hearings	Count	240
		Average	11
		Max	133
		Min	1
	Pre Judgment Hearings	Count	557
		Average	9
		Max	90
		Min	0
	Preparation for Hearing or Trial	Count	113
		Average	22
		Max	315
		Min	1
	Research	Count	18
		Average	28
		Max	120
		Min	1
	Sentencing / Disposition	Count	141
		Average	26
		Max	217
		Min	0

Type of Case	Type of Action	Data	Total
C Felony	Bench Trial / Settlement Conf Resulting in Judgment	Count	23
		Average	58
		Max	305
		Min	2
	Community Transition	Count	32
		Average	7
		Max	30
		Min	1
	Jury Trial	Count	17
		Average	365
		Max	780
		Min	6
	Opinions / Orders	Count	439
		Average	6
		Max	140
		Min	0
	Other	Count	207
		Average	9
		Max	65
		Min	0
	Plea / Admission	Count	165
		Average	20
		Max	210
		Min	1
	Post Judgment Hearings	Count	401
		Average	9
		Max	85
		Min	1
	Pre Judgment Hearings	Count	837
		Average	9
		Max	450
		Min	1
	Preparation for Hearing or Trial	Count	157
		Average	16
		Max	90
		Min	1
	Research	Count	17
		Average	31
		Max	115
		Min	2
	Sentencing / Disposition	Count	263
		Average	22
		Max	155
		Min	1

Type of Case	Type of Action	Data	Total
CHINS	Bench Trial / Settlement Conf Resulting in Judgment	Count	34
		Average	62
		Max	220
		Min	1
	Community Transition	Count	1
		Average	15
		Max	15
		Min	15
	Jury Trial	Count	1
		Average	1
		Max	1
		Min	1
	Opinions / Orders	Count	167
		Average	9
		Max	90
		Min	0
	Other	Count	45
		Average	7
		Max	30
		Min	0
	Plea / Admission	Count	44
		Average	9
		Max	23
		Min	2
	Post Judgment Hearings	Count	387
		Average	15
		Max	150
		Min	1
	Pre Judgment Hearings	Count	140
		Average	18
		Max	150
		Min	1
	Preparation for Hearing or Trial	Count	153
		Average	6
		Max	35
		Min	1
	Research	Count	15
		Average	12
		Max	94
		Min	2
	Sentencing / Disposition	Count	56
		Average	13
		Max	45
		Min	2

Type of Case	Type of Action	Data	Total
Termination of Parental Rights	Bench Trial / Settlement Conf Resulting in Judgment	Count	23
		Average	72
		Max	360
		Min	3
	Opinions / Orders	Count	39
		Average	31
		Max	360
		Min	1
	Other	Count	12
		Average	11
		Max	70
		Min	0
	Plea / Admission	Count	1
		Average	5
		Max	5
		Min	5
	Post Judgment Hearings	Count	3
		Average	3
		Max	5
		Min	1
	Pre Judgment Hearings	Count	37
		Average	6
		Max	30
		Min	1
	Preparation for Hearing or Trial	Count	10
		Average	14
		Max	30
		Min	2
	Research	Count	9
		Average	35
		Max	145
		Min	2
	Sentencing / Disposition	Count	3
		Average	10
		Max	20
		Min	5

Type of Case	Type of Action	Data	Total
Domestic Relations	Bench Trial / Settlement Conf Resulting in Judgment	Count	456
		Average	55
		Max	420
		Min	1
	Community Transition	Count	7
		Average	28
		Max	60
		Min	5
	Opinions / Orders	Count	2271
		Average	12
		Max	420
		Min	0
	Other	Count	361
		Average	7
		Max	418
		Min	0
	Post Judgment Hearings	Count	781
		Average	33
		Max	540
		Min	0
	Pre Judgment Hearings	Count	405
		Average	24
		Max	185
		Min	1
	Preparation for Hearing or Trial	Count	178
		Average	12
		Max	80
		Min	1
	Research	Count	42
		Average	30
		Max	120
		Min	3
	Sentencing / Disposition	Count	53
		Average	11
		Max	70
		Min	1

TOTAL - Minimum, Maximum, and Mean Judicial Time in Minutes

For All Case Types and Types of Actions

Total Count	**14582**
Total Average	**20**
Total Max	**900**
Total Min	**0**

APPENDIX F

Judicial Officer case filing information by County

JUDICIAL CASE FILING & JUDICIAL OFFICER INFORMATION BY COUNTY

County	2000 Pop.	Tot. # Judges	Tot. Other Jud. Officers	Grand Tot. All Jud. Officers	Tot. All New Filings	%age of Tot Filings
1 ADAMS	33,625	2	0	2	6,468	0.48%
2 ALLEN	331,849	10	10	20	90,031	6.62%
3 BARTHOLOMEW	71,435	3	3	6	24,825	1.83%
4 BENTON	9,421	1	0	1	3,133	0.23%
5 BLACKFORD	14,048	2	0	2	2,453	0.18%
6 BOONE	46,107	3	1	4	5,465	0.40%
7 BROWN	14,957	1	1	2	2,752	0.20%
8 CARROLL	20,165	2	0	2	3,714	0.27%
9 CASS	40,930	3	0	3	7,520	0.55%
10 CLARK	96,472	4	1	5	26,264	1.93%
11 CLAY	26,556	2	0	2	7,922	0.58%
12 CLINTON	33,866	2	0	2	7,062	0.52%
13 CRAWFORD	10,743	1	0	1	2,730	0.20%
14 DAVIES	29,820	2	0	2	5,492	0.40%
15 DEARBORN	46,109	1.5	1	2.5	5,879	0.43%
16 DECATUR	24,555	2	0	2	8,790	0.65%
17 DEKALB	40,285	2	1	3	6,962	0.51%
18 DELAWARE	118,769	5	7	12	11,469	0.84%
19 DUBOIS	39,674	2	0	2	9,553	0.70%
20 ELKHART	182,791	7	3	10	29,995	2.21%
21 FAYETTE	25,588	2	0	2	6,242	0.46%
22 FLOYD	70,823	3	1	4	16,539	1.22%
23 FOUNTAIN	17,954	1	1	2	3,883	0.29%
24 FRANKLIN	22,151	1	0	1	3,283	0.24%
25 FULTON	20,511	2	0	2	6,071	0.45%
26 GIBSON	32,500	2	1	3	11,104	0.82%
27 GRANT	73,403	4	3	7	9,652	0.71%
28 GREENE	33,157	2	0	2	7,009	0.52%
29 HAMILTON	182,740	6	5	11	25,347	1.86%
30 HANCOCK	55,391	3	0	3	12,222	0.90%
31 HARRISON	34,325	2	0	2	8,230	0.61%
32 HENDRICKS	104,093	4	0	4	9,435	0.69%
33 HENRY	48,508	3	2	5	5,750	0.42%
34 HOWARD	84,964	4	1	5	19,332	1.42%
35 HUNTINGTON	38,075	2	0	2	9,693	0.71%
36 JACKSON	41,335	2	0	2	15,915	1.17%
37 JASPER	30,043	2	0	2	7,850	0.58%
38 JAY	21,806	2	0	2	2,010	0.15%
39 JEFFERSON	31,705	1.5	1	2.5	7,792	0.57%
40 JENNINGS	27,554	2	0	2	5,752	0.42%

41 JOHNSON	115,209	4	2	6	9,914	0.73%
42 KNOX	39,256	3	0	3	14,227	1.05%
43 KOSCIUSKO	74,057	4	0	4	15,090	1.11%
44 LAGRANGE	34,909	2	0	2	9,306	0.68%
45 LAKE	484,564	17	23	40	92,253	6.79%
46 LAPORTE	110,106	5	2	7	34,627	2.55%
47 LAWRENCE	45,922	3	1	4	13,225	0.97%
48 MADISON	133,358	6	6	12	16,019	1.18%
49 MARION	860,454	34	35	69	246,826	18.16%
50 MARSHALL	45,128	3	0	3	14,268	1.05%
51 MARTIN	10,369	1	0	1	2,348	0.17%
52 MIAMI	36,082	2	0	2	7,078	0.52%
53 MONROE	120,563	7	0	7	37,559	2.76%
54 MONTGOMERY	37,629	3	0	3	9,924	0.73%
55 MORGAN	66,689	4	1	5	5,744	0.42%
56 NEWTON	14,566	2	0	2	4,937	0.36%
57 NOBLE	46,275	3	0	3	11,900	0.88%
58 OHIO	5,623	1	1	2	1,160	0.09%
59 ORANGE	19,306	2	0	2	5,498	0.40%
60 OWEN	21,786	1	1	2	4,897	0.36%
61 PARKE	17,241	1	0	1	3,094	0.23%
62 PERRY	18,899	1	0	1	5,145	0.38%
63 PIKE	12,837	1	1	2	3,234	0.24%
64 PORTER	149,798	6	3	9	44,546	3.28%
65 POSEY	27,061	2	0	2	5,110	0.38%
66 PULASKI	13,755	2	0	2	3,798	0.28%
67 PUTNAM	36,019	2	0	2	7,541	0.55%
68 RANDOLPH	27,401	2	0	2	3,344	0.25%
69 RIPLEY	26,523	2	0	2	2,826	0.21%
70 RUSH	18,261	2	0	2	4,459	0.33%
71 ST JOSEPH	265,559	10	6	16	45,406	3.34%
72 SCOTT	22,960	2	0	2	5,080	0.37%
73 SHELBY	43,445	3	0	3	12,242	0.90%
74 SPENCER	20,391	1	0	1	6,454	0.47%
75 STARKE	23,556	1	1	2	2,763	0.20%
76 STEUBEN	33,214	2	1	3	9,129	0.67%
77 SULLIVAN	21,951	2	1	3	6,488	0.48%
78 SWITZERLAND	9,065	1	0	1	1,770	0.13%
79 TIPPECANOE	148,955	7	1	8	37,209	2.74%
80 TIPTON	16,577	1	1	2	947	0.07%
81 UNION	7,349	1	0	1	2,002	0.15%
82 VANDERBURGH	171,922	8	6	14	48,817	3.59%
83 VERMILLION	16,788	1	0	1	1,667	0.12%
84 VIGO	105,848	5	1	6	14,523	1.07%
85 WABASH	34,960	2	0	2	6,172	0.45%
86 WARREN	8,419	1	0	1	2,003	0.15%

87 WARRICK	52,383	3	0	3	11,297	0.83%
88 WASHINGTON	27,223	2	0	2	5,460	0.40%
89 WAYNE	71,097	4	1	5	19,144	1.41%
90 WELLS	27,600	2	0	2	2,876	0.21%
91 WHITE	25,267	2	0	2	7,187	0.53%
92 WHITLEY	30,707	2	0	2	9,217	0.68%
TOTAL	**6,083,685**	**299**	**138**	**437**	**1,359,340**	**100.00%**

APPENDIX G

Judicial case count of case types, and type of actions, pre and post judgment for all counties

DATA FOR ALL CASE TYPES BY TYPE OF ACTION

Count of # of Times		
Type of Action	Case Type	Total
Bench Trial / Settlement Conf Resulting in Judgment	A Felony	3
	B Felony	8
	C Felony	19
	Capital Murder	2
	CHINS	10
	Civil Collection	20
	Civil Plenary	9
	Delinquency	15
	Domestic Relations	126
	Mortgage Foreclosure	13
	Paternity	17
	Protective Orders	46
	Term of Parental Rights	4
Bench Trial / Settlement Conf Resulting in Judgment Total		292
Dismissal	Civil Collection	2
	Civil Plenary	2
	Domestic Relations	3
	Juvenile Status	2
Dismissal Total		9
Jury Trial	A Felony	9
	B Felony	10
	C Felony	15
	Capital Murder	2
	Murder	7
Jury Trial Total		43
Opinions / Orders	A Felony	42
	B Felony	129
	C Felony	259
	Capital Murder	6
	CHINS	88
	Civil Collection	110
	Civil Plenary	445
	Delinquency	355
	Domestic Relations	383
	Juvenile Status	220
	Mortgage Foreclosure	204
	Murder	13
	Paternity	92
	Protective Orders	199
	Term of Parental Rights	65

Opinions / Orders Total		2610
Plea / Admission	A Felony	24
	B Felony	75
	C Felony	150
	Capital Murder	2
	CHINS	22
	Civil Plenary	1
	Delinquency	125
	Domestic Relations	1
	Juvenile Status	98
	Murder	5
Plea / Admission Total		503
Post Judgment Hearings	Delinquency	1
Post Judgment Hearings Total		1
Pre Judgment Hearings	A Felony	41
	B Felony	119
	C Felony	249
	Capital Murder	7
	CHINS	68
	Civil Collection	46
	Civil Plenary	145
	Delinquency	348
	Domestic Relations	251
	Juvenile Status	199
	Mortgage Foreclosure	35
	Murder	13
	Paternity	56
	Protective Orders	127
	Term of Parental Rights	53
Pre Judgment Hearings Total		1757
Preparation for Hearing or Trial	C Felony	1
	Domestic Relations	7
	Mortgage Foreclosure	1
	Protective Orders	1
Preparation for Hearing or Trial Total		10
Sentencing / Disposition	A Felony	1
	CHINS	1
	Domestic Relations	1
Sentencing / Disposition Total		3
Grand Total		5228

Data Collected from Case Files for Events Through Judgment

				Count	Mean	Maximum	Minimum
Type of Case	Capital Murder	Type of Action	Pre Judgment Hearings	7	11	21	3
			Plea / Admission	2	1	1	1
			Bench Trial / Settlement Conf Resulting in Judgment	2	.	.	.
			Jury Trial	2	7	8	5
			Opinions / Orders	6	28	50	15
		Case Type Total		19	16	50	1
	Murder	Type of Action	Pre Judgment Hearings	13	6	12	2
			Plea / Admission	5	1	1	1
			Jury Trial	7	2	4	1
			Opinions / Orders	13	13	41	2
		Case Type Total		38	7	41	1
	A Felony	Type of Action	Pre Judgment Hearings	41	8	17	1
			Plea / Admission	24	1	2	1
			Bench Trial / Settlement Conf Resulting in Judgment	3	1	1	1
			Jury Trial	9	3	5	1
			Opinions / Orders	42	12	30	1
			Sentencing / Disposition	1	1	1	1
		Case Type Total		120	7	30	1
	B Felony	Type of Action	Pre Judgment Hearings	119	5	17	1
			Plea / Admission	75	1	1	1
			Bench Trial / Settlement Conf Resulting in Judgment	8	2	5	1
			Jury Trial	10	1	2	1
			Opinions / Orders	129	8	24	1
		Case Type Total		341	5	24	1
	C Felony	Type of Action	Pre Judgment Hearings	249	5	20	1
			Preparation for Hearing or Trial	1	.	.	.
			Plea / Admission	150	1	9	1
			Bench Trial / Settlement Conf Resulting in Judgment	19	2	4	1

			Jury Trial	15	2	7	1
			Opinions / Orders	259	7	31	1
		Case Type Total		693	5	31	1
	Juvenile Status	**Type of Action**	**Pre Judgment Hearings**	199	2	10	1
			Plea / Admission	98	1	1	1
			Opinions / Orders	220	2	16	1
			Dismissal	2	1	1	1
		Case Type Total		519	2	16	1
	CHINS	**Type of Action**	**Pre Judgment Hearings**	68	2	6	1
			Plea / Admission	22	1	1	1
			Bench Trial / Settlement Conf Resulting in Judgment	10	1	2	1
			Opinions / Orders	88	3	9	1
			Sentencing / Disposition	1	7	7	7
		Case Type Total		189	2	9	1
	Delinquency	**Type of Action**	**Pre Judgment Hearings**	348	2	10	1
			Plea / Admission	125	1	1	1
			Bench Trial / Settlement Conf Resulting in Judgment	15	1	1	1
			Opinions / Orders	355	3	16	1
			Post Judgment Hearings	1	.	.	.
		Case Type Total		844	2	16	1
	Term of Parental Rights	**Type of Action**	**Pre Judgment Hearings**	53	3	15	1
			Bench Trial / Settlement Conf Resulting in Judgment	4	1	2	1
			Opinions / Orders	65	4	15	1
		Case Type Total		122	4	15	1
	Paternity	**Type of Action**	**Pre Judgment Hearings**	56	2	8	1
			Bench Trial / Settlement Conf Resulting in Judgment	17	1	1	1
			Opinions / Orders	92	3	11	1
		Case Type Total		165	3	11	1
	Civil Plenary	**Type of Action**	**Pre Judgment Hearings**	145	2	12	1
			Plea / Admission	1	1	1	1

			Bench Trial / Settlement Conf Resulting in Judgment	9	1	1	1
			Opinions / Orders	445	3	36	1
			Dismissal	2	1	1	1
		Case Type Total		602	3	36	1
	Mortgage Foreclosure	Type of Action	Pre Judgment Hearings	35	1	2	1
			Preparation for Hearing or Trial	1	3	3	3
			Bench Trial / Settlement Conf Resulting in Judgment	13	1	1	1
			Opinions / Orders	204	2	17	1
		Case Type Total		253	2	17	1
	Civil Collection	Type of Action	Pre Judgment Hearings	46	2	8	1
			Bench Trial / Settlement Conf Resulting in Judgment	20	1	2	1
			Opinions / Orders	110	3	21	1
			Dismissal	2	2	2	2
		Case Type Total		178	3	21	1
	Domestic Relations	Type of Action	Pre Judgment Hearings	251	2	11	1
			Preparation for Hearing or Trial	7	3	6	1
			Plea / Admission	1	1	1	1
			Bench Trial / Settlement Conf Resulting in Judgment	126	1	4	1
			Opinions / Orders	383	4	38	1
			Sentencing / Disposition	1	2	2	2
			Dismissal	3	1	1	1
		Case Type Total		772	3	38	1
	Protective Orders	Type of Action	Pre Judgment Hearings	127	1	4	1
			Preparation for Hearing or Trial	1	2	2	2
			Bench Trial / Settlement Conf Resulting in Judgment	46	1	1	1
			Opinions / Orders	199	2	7	1
		Case Type Total		373	2	7	1
Total		# Of Times Action Occurred		5228	3	50	1

Data Collected from Case Files for Post Judgment Events

				Count	Mean	Maximum	Minimum
Type of Case	Capital Murder	Type Of Action	Opinion / Orders	5	26	63	3
			Post Judgment Hearing	7	5	12	1
		Case Type Total		12	13	63	1
	Murder	Type Of Action	Plea/Admission	1	1	1	1
			Jury Trial	1	1	1	1
			Opinion / Orders	8	2	7	1
			Sentencing/Disposition	1	1	1	1
			Post Judgment Hearing	3	1	1	1
			Dismissal	2	1	1	1
		Case Type Total		16	2	7	1
	A Felony	Type Of Action	Opinion / Orders	24	4	13	1
			Post Judgment Hearing	9	3	8	1
			Dismissal	1	1	1	1
		Case Type Total		34	4	13	1
	B Felony	Type Of Action	Opinion / Orders	69	6	23	1
			Sentencing/Disposition	1	1	1	1
			Post Judgment Hearing	41	3	9	1
			Dismissal	2	1	1	1
		Case Type Total		113	5	23	1
	C Felony	Type Of Action	Opinion / Orders	141	4	22	1
			Post Judgment Hearing	65	3	14	1
			Dismissal	9	1	1	1
		Case Type Total		215	4	22	1
	Juvenile Status	Type Of Action	Plea/Admission	6	1	1	1
			Bench Trial/Settlement Conf	2	1	1	1
			Opinion / Orders	216	5	22	1
			Post Judgment Hearing	184	4	15	1
			Dismissal	56	1	1	1
		Case Type Total		464	4	22	1
	CHINS	Type Of Action	Bench Trial/Settlement Conf	1	1	1	1
			Opinion / Orders	76	7	30	1
			Post Judgment Hearing	71	6	24	1
			Dismissal	6	1	1	1
		Case Type Total		154	6	30	1
	Delinquency	Type Of Action	Pre Judgment Hearing	1	1	1	1
			Plea/Admission	29	1	4	1
			Opinion / Orders	204	4	21	1
			Post Judgment Hearing	148	4	18	1
			Dismissal	26	1	2	1
		Case Type Total		408	3	21	1
	Term of Parental Rights	Type Of Action	Bench Trial/Settlement Conf	1	1	1	1
			Opinion / Orders	13	2	5	1
			Post Judgment Hearing	6	4	11	1
		Case Type Total		20	3	11	1

	Paternity	Type Of Action	Pre Judgment Hearing	3	6	14	2
			Bench Trial/Settlement Conf	1	1	1	1
			Opinion / Orders	37	4	27	1
			Post Judgment Hearing	19	4	20	1
			Dismissal	2	1	1	1
		Case Type Total		62	4	27	1
	Civil Plenary	Type Of Action	Pre Judgment Hearing	1	.	.	.
			Preparation for Hearing or Trial	1	1	1	1
			Bench Trial/Settlement Conf	1	2	2	2
			Opinion / Orders	361	4	30	1
			Post Judgment Hearing	108	2	10	1
			Dismissal	7	1	1	1
		Case Type Total		479	3	30	1
	Mortgage Foreclosure	Type Of Action	Pre Judgment Hearing	1	1	1	1
			Bench Trial/Settlement Conf	1	1	1	1
			Opinion / Orders	199	2	11	1
			Post Judgment Hearing	12	1	3	1
			Dismissal	12	1	1	1
			Default	2	1	1	1
		Case Type Total		227	2	11	1
	Civil Collection	Type Of Action	Preparation for Hearing or Trial	1	1	1	1
			Bench Trial/Settlement Conf	1	1	1	1
			Opinion / Orders	185	3	12	1
			Sentencing/Disposition	1	1	1	1
			Post Judgment Hearing	102	2	7	1
			Dismissal	19	1	1	1
			Default	1	1	1	1
		Case Type Total		310	3	12	1
	Domestic Relations	Type Of Action	Pre Judgment Hearing	2	2	2	2
			Preparation for Hearing or Trial	2	6	10	2
			Bench Trial/Settlement Conf	1	6	6	6
			Opinion / Orders	142	4	27	1
			Post Judgment Hearing	59	4	15	1
			Dismissal	4	1	1	1
			Other	1	1	1	1
		Case Type Total		211	4	27	1
	Protective Orders	Type Of Action	Pre Judgment Hearing	1	7	7	7
			Bench Trial/Settlement Conf	1	1	1	1
			Opinion / Orders	45	2	11	1
			Post Judgment Hearing	13	2	5	1
			Dismissal	10	1	1	1
		Case Type Total		70	2	11	1
Total		# Of Times Action Occurred		2795	4	63	1

Note: What appears to be a anomaly is a result of lack of standardization in juvenile case number assignments. The validity of the time standards is not affected by whether the event occurred in the pre-judgment or post-judgment phase.

APPENDIX H

Orders, memos, and other documents relative to the structure and process used to complete the study

IN THE

SUPREME COURT OF INDIANA

In the Matter of	)
	)No.
The Indiana Judicial Center's	)
	)
Weighted Caseload Study and	)
	)
Access to Confidential Information	)

<u>ORDER ALLOWING ACCESS TO CONFIDENTIAL RECORDS</u>

The Indiana Judicial Center, under the supervision of the Judicial Administration Committee, is conducting an update of its "weighted caseload measures" study, the purpose of which is to inform and better prepare this Court and the General Assembly to evaluate the state of the judiciary in Indiana. The study requires access to closed case files in order to determine the number of judicial actions that occur in various case types. Some of these case types are normally confidential, and are not usually open to the public without a court order. The Indiana Judicial Center has contracted with the Indiana University Public Opinion Laboratory to perform these tasks, and the Indiana University researchers need access to those confidential records in order to carry out the study. Therefore, after careful consideration of the needs of this important study, this Court finds that access to normally confidential records should be approved pursuant to the terms of I.C. 31-39-2-11 et. seq., which governs disclosure of confidential information in juvenile cases for research purposes.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the Courts Clerks of all counties covered by this study should grant the Indiana Judicial Center and its contractor, the Indiana University Public Opinion Laboratory, access to normally confidential records in their care when the terms of I.C. 31-39-2-11 et. seq. are satisfied.

This order shall expire on _____, unless extended.

The Clerk of this Court is directed to forward notice of this order to the Judges and Clerks of the Circuit Courts of the following counties participating in the study: Lake, Marion, Clark, Johnson, Monroe, Porter, Tippecanoe, Wayne, Madison, Boone, Clay, Hancock, Henry, Jefferson, Knox, Montgomery, Owen, and Rush. The Clerk of the Circuit Court for each of the fore-mentioned counties is directed to enter this Order in the Record of Judgments and Orders of each trial court in the county affected by this Order.

DONE at Indianapolis, Indiana, this _____ day of February, 2001.

FOR THE COURT

_____
Randall T. Shepard
Chief Justice of Indiana

STATE OF INDIANA) INTHE_____COURT
)SS:
COUNTY OF _____)

IN RE:

The Indiana Judicial Center's
Weighted Caseload Study and
Access to Confidential Information

AGREEMENT GRANTING ACCESS

This matter comes before the Court on its own motion. The Court now finds and concludes as follows:

1. The Indiana Judicial Center is conducting an update of its weighted caseload study and has hired the Indiana University Public Opinion Laboratory to gather information on the number of judicial actions from normally confidential juvenile court case files, in accordance with the order dated February 20, 2001, In the Matter of The Indiana Judicial Center's Weighted Caseload Study and Access to Confidential Information.

2. The purpose of the Judicial Center's project is to update the determination of how much time a judicial officer spends on each type of case.

3. Indiana University Public Opinion Laboratory will publish data in aggregated form. No documents with identifying information will be released. Individuals and families will not be referred to by the Public Opinion Laboratory in any report.

4. Data collected will be from Delinquency, CHINS, Paternity, Termination of Parental Rights cases in calendar years 1995, 1996, 1999 and 2000. The nature of the data collected will focus on the number and types of judicial actions in the case. For example, this includes the number of orders entered, the number and type of hearings held and the number and type of actions taken by judicial officers generally in a juvenile case.

5. Records reviewed will be the Chronological Case Summaries (CCS) contained on either the computer in either the courts or the clerk's office or the hard copy of the CCS in the case files. The number of CCS entries and case files selected will be by a random basis in a manner determined by the Public Opinion Laboratory with the Indiana Judicial Center.

6. Sufficient confidentiality safeguards have been taken by the researchers from the Public Opinion Laboratory and will protect the identities of each person whose file is reviewed.

7. The Court finds that the Public Opinion Laboratory has a legitimate interest in the work of the Court, particularly regarding access to the Court's legal records.

8. The Court grants access to the Public Opinion Laboratory under Indiana Code Sec. 31-39-2-11 and finds as follows:

   a. The Public Opinion Laboratory and the Indiana Judicial Center have provided in writing information about the purpose of the project, including the intent to publish the findings; the nature of the data sought to be collected and how it will be analyzed; the records sought for review; and the safeguards taken to protect the identity of the persons whose records will be reviewed.

   b. Safeguards are adequate to protect the identity of each person whose record the Public Opinion Laboratory will review.

   c. The Court has informed the Public Opinion Laboratory of the Indiana Code Sec. 31-39-1, including the criminal liability of any person who recklessly fails to protect the records.

   d. This agreement and order is executed between the Court and the Public Opinion Laboratory and specifies the terms of the researchers use of the records.

In Witness Whereof, the parties, with full and complete authority, have caused this agreement to be executed on the date(s) indicated below.

Court:

By: _____ Date: _____
Printed: , Judge

_____, Court

Indiana University Public Opinion Laboratory

By: _____ Date: _____
Printed:

I. U. Public Opinion Laboratory

Indiana Judicial Center
National City Center, 115 West Washington Street, Suite 1075
Indianapolis, Indiana 46204-3417 Phone: (317) 232-1313 Fax: (317) 233-3367

MEMORANDUM

TO: Judges, Magistrates and Referees

FROM: Frances C. Gull, Chair
Judicial Administration Committee

DATE: September 29, 2000

RE: **Judicial Weighted Caseload Update Forms**

Thank you for your participation in the update for Indiana's Judicial Weighted Caseload Measures system. In order to keep the measuring system accurate, it is important to keep the time records yourself as events take place. Please record the amount of time spent on the timesheets in the enclosed folder.

The time study period begins on Monday, October 2, 2000 and concludes on Friday, October 27, 2000. You should tear out the time sheets and return them to this office at the end of each week. Please note the separate sheets for infractions and ordinance violations after the divider in the middle of the folder.

The Judicial Administration Committee appreciated the input of the trial judges, magistrates and commissioners at an Early Bird session on September 22. Many of your concerns are addressed in the data collection forms or the instructions and are incorporated in the enclosed materials. Please understand that our limited resources made it imperative that we prioritize your problems addressing those that can be solved immediately and others solved over time. We appreciate your patience for the ongoing work of the committee.

If you have any questions, you may telephone or e-mail Judge Frances Gull, Allen Superior Court, and Chair, Judicial Administration Committee at (219) 449-7464 or *fcgull@co.allen.in.us* or Jeffrey Bercovitz, Indiana Judicial Center, (317) 232-1313, or *jbercovi@courts.state.in.us*.

MEMORANDUM

Indiana Judicial Center
National City Center, 115 West Washington Street, Suite 1075
Indianapolis, Indiana 46204-3417 Phone: (317) 232-1313 Fax: (317) 233-3367

TO: Judicial Weighted Caseload Measures Update Participants

FROM: Judge Frances C. Gull
Allen Superior Court
Chair, Judicial Administration Committee

Jeffrey Bercovitz, Director
Probation and Juvenile Services

RE: Judicial Weighted Caseload - Time Study Update
Frequently Asked Questions

DATE: October 16, 2000

A number of thoughtful questions have been raised during the Judicial Weighted Caseload Update. The following frequently asked questions and responses will assist in the uniform completion of the time study sheets.

Please remember to send in the completed forms each week. They must be legible in order for data entry!! You may make additional copies of the data collection forms, and make any comments on the back of the time study sheets.

The four week period for the time study is from Monday, October 2, through Friday, October 27, 2000. **However, at a minimum all time study sheets should be returned to the Judicial Center on October 27, 2000.**

1. **If a pro tem, temporary judge, special judge or a senior judge conducts a hearing in my courtroom, should the time they spend on a case be attributed to judicial officer they sat for or to them alone?**

Recording time should always be done by the judicial officer completing the event.

2. **a. If a judge has a special judge case in another county, (ex: C Felony) where should the travel time to that case be counted? b. If the special judge case is heard in the judge's court, how should the time be counted?**

a. The travel time for a special judge case heard in another county should be counted as travel time on the non-case related activity sheet. b. The case should be counted as a C felony if a special judge C felony case is heard in the judge's own court. Please include the complete case number in this instance in order to indicate that this is a special judge case.

3. **a. Must the complete case number be included each time? b. Must a separate time sheet be used each day?**

a. The complete case number does not have to be included on each line of the time sheet. The date, type of case, and sequential number, ex: 9912-CP-1204 is most important. The court should be listed once at the top of each page. Ex: 48CO2. b. More than one day may be placed on any time study sheets, even though a date space was left on the top of each sheet. Please make additional copies as needed.

4. **The case is filed as an A felony. Later, the charge is reduced to a C felony. How should it be recorded?**

The case should always be recorded as an A felony.

5. **Should Paternity cases be included in the Domestic Relations Case Type?**

Paternity cases (JP) are a separate Case Type from Domestic Relations and should not be included in that category. They are not in this update study, but may be examined at a future date.

6. **Should proceedings supplemental in a Civil Plenary case be included in Civil Collections case type?**

Proceedings supplemental at the end of a Civil Plenary case should be included in the Civil Plenary case type as a postjudgment hearing. Only proceedings supplemental as an independent action should be included in the Civil Collections case type. For example, a case reduced to judgment in Illinois and later filed in Indiana for collections purposes only, would be placed in the Civil Collections case type. This case type is limited to those independently filed civil collection cases. This would include, for example, a suit on a note filed as an independent action.

7. **How should I log time when I sign many routine docket entries or orders at the same time?**

It is important when logging time to list different Case Types on separate lines. However, you may wish to group them together using the followng summary method. If a judge spent 60 minutes signing orders and/or making routine docket entries in multiple cases, the following shows how to record them:

Case Number Cases	Number of of Case	Number for Type	Type of Action	Amount of Time in Minutes
Skip this column	13	5	11	13
Skip this column	20	4	11	20
Skip this column	20	6	11	20

In this example, 53 case orders were signed at the same time and took a total of 60 minutes to sign all of them. The cases were split into these categories: 5 (B Felony), 4(C Felony) and (6)Civil Plenary. They all get 11 (other) and the total time is divided by the number of cases in each Type of Case category. In this example, the total time recorded is 53 minutes, or 1 minute per action, which is 7 minutes less than the total time spent. In other examples, one may have 67 actions in 60 minutes which would be recorded as 67 minutes. Over the course of the entire study, these times average out. No event should be recorded in less than one minute intervals.

8. **A hearing is conducted, and an order is entered at the end of this hearing. Can it be entered on the time study form as a hearing and order on the same line?**

When a hearing is conducted, followed by an order, times should be given to these actions on separate lines. No two Type of Actions should be recorded on the same line.

Further questions may be directed by telephone or E-mail to Jeffrey Bercovitz at the Indiana Judicial Center (317) 232-1313, or *jbercovi@courts.state.in.us* or Judge Frances Gull, Allen Superior Court, and Chair, Judicial Administration committee at (219) 449-7464 or *fcgull@co.allen.in.us*.