

REPORT OF THE 2004-2005 JOINT COMMITTEE
ON
OREGON TRIAL COURT JUDICIAL RESOURCES

DECEMBER 30, 2004

Submitted to: **The Honorable Wallace P. Carson, Jr.**
 Chief Justice, Oregon Supreme Court

and

William G. Carter, President
Oregon State Bar

By: **The Joint Oregon Judicial Department / Oregon State Bar**
 Committee on Trial Court Judicial Resources

PREFACE

The Joint Committee on Oregon Trial Court Judicial Resources firmly believes that an understaffed trial judiciary negatively impacts both the public safety of Oregonians and the economic health of Oregon. If citizen concerns and law enforcement issues cannot be timely heard in the trial court system, the quality of life in this State will certainly be less.

The budget problems facing the 2003 Legislature impacted all branches of government. No new trial judgeships were created despite the demonstrated need presented in the Report from this Committee dated November 15, 2002. While the 2005 Legislature again faces budget problems, the Legislature would be making a serious mistake by not creating any new trial judgeships for a second consecutive biennium.

Table of Contents

	<u>Page</u>
Executive Summary:.....	(i)
Report:	
I. Background.....	1
II. Information Considered.....	1
III. Conclusion.....	4
Appendices.....	5
Appendix A Definitions for the Judicial Workload Assessment Model	
Appendix B Oregon Circuit Court Judicial Workload Assessment Model – Executive Summary	
Appendix C Workload Assessment Model Based on 2003 Case Filings	
Appendix D Circuit Courts by District and Circuit Courts by Rank for 2003	
Appendix E Suggested Discussion Items	

EXECUTIVE SUMMARY REPORT
OF
2004-2005
JOINT COMMITTEE ON TRIAL COURT JUDICIAL RESOURCES

The Joint Committee on Trial Court Judicial Resources (the "Committee") is composed of members appointed jointly by the Chief Justice of the Oregon Supreme Court and the Oregon State Bar. It is currently composed of the following members:

The Honorable Paul G. Crowley	Judge, Seventh Judicial District
The Honorable Janet Schoenhard Holcomb	Presiding Judge, Twenty-First Judicial District, Corvallis
The Honorable Charles Luukinen	Presiding Judge, Twelfth Judicial District, Dallas
Gordon Mallon	Burns Attorney
The Honorable David Nelson	State Senator, Pendleton
Frank Papagani, Jr.	Assistant United States Attorney, Eugene
Tim Willis	Corvallis attorney, Chair
The Honorable Cameron Wogan	Presiding Judge, Thirteenth Judicial District, Klamath Falls

The Committee was asked to study and make recommendations regarding the need for additional trial court judges in the State of Oregon.

Because no additional judicial positions were created by the 2003 Legislature, the Committee decided to supplement the report submitted to that Legislature in 2003 and update our statistical analysis based on case filings for the year 2003. Even though the Judicial Districts were invited to provide additional written information, the Committee continued to consider the testimony and information that provided the background for the previous report dated November 15, 2002.

The Judicial Department requested the Committee to prioritize its recommendations for consideration by the 2005 Legislative Session. After updating the Oregon Circuit Court Judicial Work Load Assessment Study by using the 2003 Circuit Court filings and reviewing the additional information submitted by the some of the Judicial Districts, the Committee has prioritized the need of the top ten Districts in the following order:

<u>2005 Priority Number</u>	<u>Judicial District</u>
1	First Judicial District (Jackson County)
2	Fifth Judicial District (Clackamas County)
3	Sixth Judicial District (Morrow/Umatilla Counties)
4	Eighteenth Judicial District (Clatsop County)
5	Fourth Judicial District (Multnomah County)
6	Fourteenth Judicial District (Josephine County)
7	Third Judicial District (Marion County)
8	Twentieth Judicial District (Washington County)
9	Twenty-Third Judicial District (Linn County)
10	Twenty-Fourth Judicial District (Grant/Harney Counties)

This ranking does not diminish the needs being experienced in each of these districts.

Special consideration is to be given to the Twenty-Second Judicial District (Crook/Jefferson Counties). The Oregon Department of Corrections has proposed a new correctional facility to be located near Madras in Jefferson County. The Governor's budget includes the creation of a men's minimum security facility of 864 beds by October of 2006. This would result in a very major impact on the operations of the Twenty-Second Judicial District and would make that District one of the top priorities.

Because no additional judicial positions were created by the 2003 Legislature, the Committee recommendations to that session are relevant. The priorities from the Committee in 2003 were as follows:

<u>2003 Priority Number</u>	<u>Judicial District</u>
1	Sixth District (Morrow/Umatilla Counties)
2	First Judicial District (Jackson County)
3	Fourth Judicial District (Multnomah County)
4	Third Judicial District (Marion County)
5	Twentieth Judicial District (Washington County)
6	Fourth Judicial District (Multnomah County) for an additional four judges.

**REPORT OF THE 2004-2005 JOINT COMMITTEE ON
TRIAL COURT JUDICIAL RESOURCES**

I. BACKGROUND

Members of the Committee were re-appointed in 2004 by the President of the Oregon State Bar and the Chief Justice of the Oregon Supreme Court. The charge for the Committee's work is to review and make recommendations on requests for new full or part-time trial court judicial positions. Similar committees have functioned for approximately 14 years and similar reports were issued by each of those committees.

The Committee's recommendation to the 2003 Legislature was for the creation of funding for judges and adequate staff for the equivalent of 14.833 FTE positions (9 full-time judicial positions and 5.833 FTE pro tem judges) plus funding for 6.3 referees. The 2003 Legislature did not provide the funding for any new judicial positions. In August of 2004, the Committee notified the Presiding Judges of each of the Judicial Districts that the Committee would be making recommendations to the 2005 Legislature regarding the need for additional judgeships. Given the increasing demands on the Presiding Judges and their staffs, the Committee decided not to hold hearings. The Committee did invite the Judicial Districts to provide written information supplementing the information and testimony that had been taken by the Committee before the last two Legislative Sessions.

II. INFORMATION CONSIDERED

A. The Committee Report dated November 15, 2002.

The Committee Report submitted to the 2003 Legislature provided detailed descriptions of the challenges facing the Judicial Districts and the particular issues affecting each individual District. A copy of the Report can be made available. The 2004-2005 Committee agreed that the information contained in that Report continues to be relevant to the needs being presented to the 2005 Legislature. The Committee agrees with the previous report in that (i) Legislative and Congressional action significantly

increases the demand upon judicial resources; (ii) the Trial Courts continue to become more efficient; and (iii) there is a significant delay between the demonstration of need for and the actual creation of a new judicial position.

B. Updated Oregon Circuit Court Judicial Workload Assessment Study Based on 2003 Case Filings.

Prior committees have concluded that recommendations for new trial court judges should be based on objective criteria, principally a uniform weighted caseload study. Until 2000 those committees did not have the benefit of a weighted caseload study based on actual studies of the time Oregon judges spend on various types of cases, plus the additional duties imposed upon trial court judges.

In 1999, the Office of the State Court Administrator (“SCA”) engaged the National Center for State Courts (“NCSC”) to conduct an Oregon Circuit Court Judicial Workload Assessment Study (“Study”). At that time the NCSC had conducted judicial workload assessment studies for 11 other states in the prior seven years. The final Study report was issued on June 22, 2000. The definitions for the Judicial Workload Assessment Model are attached as Appendix A and the Executive Summary of that report is attached as Appendix B (the “2000 Study”).

The 2000 Study has now been updated twice. Based upon the Best Practices Model and utilizing 2001 actual case filings, the SCA prepared schedules that were used in the report presented to the 2003 Legislature.

The SCA again updated the 2000 Study using 2003 actual case filings covering each of the Districts, which schedules are attached as Appendix C. The statistical ranking of this predicted need is shown in the attached Appendix D.

C. Additional Information from the Judicial Districts.

Some states make decisions regarding the need for additional judgeships based solely upon a weighted caseload study. Prior committees and this Committee concluded that additional factors should be considered. This is one of the reasons why the Committee requested that each requesting District respond to the questions shown in the attached Appendix E in 2002. Written materials and testimony were presented to the Committee in 2002. Each District was provided the opportunity to provide additional information in 2004.

Some of the additional factors which the Committee has considered are (i) availability of referees to assist with the judicial workload in particular Districts; (ii) concentration of complex cases; (iii) drug courts; (iv) family courts; (v) Measure 11 cases; (vi) use of settlement conferences; (vii) greater numbers of jury trials; (viii) post-judgment time such as felony and misdemeanor cases re-opened for probation violations and family cases requiring on-going hearings and supervisions; (ix) aggravated murder cases that generally are complex and lengthy; (xi) District Attorney charging practices; and (xii) post-conviction and habeas corpus proceedings in Districts with state correctional facilities

Even though special issues exist for each of the Judicial Districts in our top priority list, several Districts deserve special note. The Fifth Judicial District (Clackamas County) has had a shortage of judges for many years but has not requested full time judicial positions because of a lack of space. The Fifth Judicial District would likely have been the top priority in the 2002 Report if the District would have had available space and requested judicial positions. The Clackamas County Commissioners have now identified additional space for the trial court system and the Presiding Judge is confident that funds can be found to do the remodeling necessary. Clackamas County is now requesting full-time judicial positions because of the expanded space.

The Sixth Judicial District (Morrow/Umatilla Counties) has had a judicial shortage for many years. This is partially based on the additional workload generated from two state correctional facilities located in the District along with the Umatilla Indian Reservation. The 2001 Legislature created six judicial positions. That Legislature accepted five of our recommendations but chose another judicial district over our sixth recommendation, the Sixth Judicial District. That District was the number one priority recommendation to the 2003 Legislature and is the current number three priority in our recommendation to the 2005 Legislature.

The state correctional facility projected to be constructed near Madras will have a drastic impact on the workload for the Twenty-Second District (Crook/Jefferson Counties) and will greatly increase the population in that District (these two counties are already two of the fastest growing counties in the State). The Department of Corrections construction schedule shows completion of the 864 bed minimum security facility by October of 2006 and completion of the 1240 bed medium security facility by November of 2007. The Governor's budget includes the creation of the 864 bed minimum security facility by October of 2006. If construction proceeds as projected, the need for additional judicial resources in this District would rate a very high priority.

III. CONCLUSION

The Committee recognized in our report to the 2003 Legislature and continues to recognize that all parts of government, including the Judicial Department, are required to do more with less. Statutory and other changes are continuing to increased the workload of the Judicial Department. The Committee strongly believes that the Districts are attempting to be efficient and use technology in making good use of available resources. Without the creation of new judgeships, the Districts will not be able to meet the increasing demands on the trial court system and the citizens of Oregon will not receive the judicial services that they expect and deserve. The Committee's top priorities for additional judicial resources are as follows:

Priority Number

Judicial District

- | | |
|----|---|
| 1 | First Judicial District (Jackson County) |
| 2 | Fifth Judicial District (Clackamas County) |
| 3 | Sixth Judicial District (Morrow/Umatilla Counties) |
| 4 | Eighteenth Judicial District (Clatsop County) |
| 5 | Fourth Judicial District (Multnomah County) |
| 6 | Fourteenth Judicial District (Josephine County) |
| 7 | Third Judicial District (Marion County) |
| 8 | Twentieth Judicial District (Washington County) |
| 9 | Twenty-Third Judicial District (Linn County) |
| 10 | Twenty-Fourth Judicial District (Grant/Harney Counties) |
| ? | Twenty-Second Judicial District (Crook/Jefferson Counties). |

RESPECTFULLY SUBMITTED:



R. Tim Willis, Chair

Joint Committee on Trial Court Judicial Resources

APPENDIX A

DEFINITIONS FOR THE JUDICIAL WORKLOAD ASSESSMENT MODEL

DEFINITIONS FOR THE JUDICIAL WORKLOAD ASSESSMENT MODEL

Weight: The weight (or case weight) is the average number of minutes it takes a judge to process a case of a particular case category. The weight is the total number of minutes for a particular case category reported during the two-month time study divided by one-sixth of the total annual number of dispositions for that case category in the participating districts. The total number of dispositions includes dismissed, defaulted, and withdrawn cases, not just those that a judge worked on or those that went to trial.

1999 Filings: The weights are not applied to ALL the 1999 filings but only those case types that are typically processed by a judge rather than a clerk. For example, the civil filings on line 3 do not include confession of judgments, registration of foreign judgments, and transcriptive judgments.

Case-Specific Workload: The case-specific workload is calculated for each district. It is the sum of all the individual products of the weights multiplied by one year of filings for a district. The case-specific workload is the number of minutes required to process cases at the 1999 filing rate. For example, the model predicts it will take 644,226 minutes to process the 1999 District I caseload. The case-specific workload does not include the impact of any backlog.

Average Annual Availability (AAA): The average annual availability is the average number of minutes that a judge has in a year to "work" based upon reasonable expectations. It allows for a reasonable amount of time away for state holidays, professional development, and personal leave. The same AAA value is used for every judge in the Oregon circuit courts.

AAA Adjustments: Deductions are made to the AAA to account for all judicial activities that are not directly involved with case processing. For example, all judges must attend and travel to work-related meetings and perform work that is not related to a specific case. This is time that is not available to the judge for processing cases. These adjustments may differ by district and are shown in minutes per year per judge.

AAA for Case-Specific Workload: This is the average amount of time that a judge has available to process cases. It will vary among districts because different districts have different amounts of travel time.

Authorized Judicial Positions: The authorized judicial positions are the number of judgeships statutorily authorized for each district. It does not include referees, senior judges, Plan B judges, or judges pro tempore. There are no deductions made for vacancies.

FTE Adjustments: The FTE (full-time equivalent) adjustments are deductions to the number of authorized judicial positions by district to account for time lost to a district because of demands not directly related to case processing. For example, a district loses docket time when there is a need to circuit ride, perform court administration, attend statutory committee meetings, or attend presiding judge meetings. These adjustments may differ by district and are shown in fractions of an FTE judge per year.

FTE Judicial Resource Supply: This is the number of FTE judicial resources available to process the case-specific workload in a district. It is the number of authorized judicial positions minus the FTE adjustments.

FTE Judicial Resource Predicted Demand: The FTE Judicial Resource Predicted Demand is the case-specific workload for a district divided by the AAA for case-specific workload for a district. The result is the predicted number of FTE judicial resources needed to process the case-specific workload. It does not address the amount of time needed to process any backlog.

Difference: The value shown on line 34 is the difference between the judicial resource supply and the predicted judicial resource demand in a district. A positive number usually indicates that there are sufficient judicial resources in a district to process cases at the 1999 filing rate. A negative number may indicate that additional judicial resources are needed. The difference needs to be interpreted in light of other unique characteristics such as an unusually high proportion of complex civil cases or an unusually high use of interpreters.

% Predicted Demand to Existing Supply: The percentage of predicted demand to existing supply indicates the comparative need for additional judicial resources - the larger the percentage, the greater the district's need.

APPENDIX B

**OREGON CIRCUIT COURT JUDICIAL
WORKLOAD ASSESSMENT MODEL**

EXECUTIVE SUMMARY

Executive Summary

We commend the State of Oregon for its willingness to undertake a project of this scope and bring it to successful completion. This final report presents the steps, methodology, and a summary of the data used in the study. Some of the principal issues and findings are discussed below:

- State judicial leaders are increasingly turning to more sophisticated techniques to provide data that show how many judges state trial courts need to manage their workload.
- Workload assessment is a methodology that assigns weights to defined case categories based on their complexity and need for judicial attention. This is an improvement over counting the number of case filings irrespective of their relative impact on judicial resources.
- Assessing judicial workload through a workload assessment model is a rational, credible, and practical method for evaluating the need for judges and judicial officers.
- The Oregon Judicial Department (OJD) does not have a current workload assessment, or weighted caseload, model to use to evaluate the demand for new judgeships.
- The Office of the State Court Administrator (OSCA) of the OJD commissioned the National Center for State Courts (NCSC) to conduct a judicial workload assessment study because the NCSC is in the forefront of judicial workload assessment research and application. In the last seven years, NCSC has conducted statewide judicial workload assessment studies for 11 states: Florida, Michigan, Minnesota, Nebraska, New Mexico, North Dakota, South Dakota, Tennessee, West Virginia, Wisconsin, and Wyoming.
- NCSC designed this judicial workload assessment study to measure the circuit court workload of the Oregon state court system, encompassing 163 circuit court judges in 26 judicial districts
- The objectives of the study were to:
 - conduct a quantitative evaluation of current judicial resources on a statewide basis;
 - provide accurate, easily understood criteria to assess the need for additional judicial resources as conditions change;

- provide a valid method for allocating new judicial resources among the state's judicial districts;
 - provide a mechanism to compare relative need among districts; and
 - provide a mechanism to measure how changes in case filings for individual case types or case processing procedures affect judicial resource demand.
- Fifteen districts participated, representing 20 of Oregon's 36 counties, with a total of 116 judicial positions and approximately 80% of the caseload.
 - NCSC consultants developed a workload assessment model that accounted for all judicial activities, both case-specific workload and non-case-specific workload.
 - The model includes case weights (the average amount of time to process a case) for 13 different case categories. All case types listed in the Oregon Judicial Information Network (OJIN) that involve judge time are included in the 13 aggregate case categories.
 - Non-case-specific workload factors tracked in the study include circuit, substitute and other travel; statutory, non-statutory, and presiding judge meetings; judicial court administration, community and civic activities in a judicial capacity; and general legal research and writing.
 - A comparison of needed judicial resources predicted by the model and the existing supply measured in full-time equivalent positions shows some districts appeared to have sufficient resources for the workload at 1999 filing and disposition rates and other districts did not appear to have sufficient resources.
 - There are unique factors that will influence a district's demand for judicial resources; they include the number of referees; the frequency of complex civil cases, Measure 11 criminal cases, or aggravated murder cases; the jury trial rate; the frequency of settlement conferences; the existence of a specialized drug or family court; and the level of interpreter demand. Although the workload assessment model does not incorporate these unique characteristics, information is provided on these characteristics to aid in interpretation of the model.
 - The case weights developed in this study should be reliable for several years in the absence of any significant changes in case processing, disposition rates, court structure, or jurisdiction in Oregon's circuit courts.

- Periodic updating is necessary to maintain the integrity of the case weights and ensure that they continue to represent the judicial workload and court environment.
- A workload assessment model is an effective tool in judicial resource management and planning, allowing analysis of the effect of projected filings.
- The workload assessment study results indicate that the Oregon Circuit Court Judicial Workload Assessment Model is sound and valid for several reasons:
 - More than half of the judges participated in the time study collection. The demonstrated cooperation and conscientiousness of the judges, referees, Plan B judges, senior judges, and judges pro tempore in the time study collection was critical to the success of the study.
 - The disposition and filings data from OJIN were of a high quality.
 - The time study recording sheets were optically scanned and electronically transferred from the recording sheet to the statistical database, eliminating error in transcription.
 - The study collected a lot of detailed non-case-specific data on work-related meetings, committee meetings, court administration, and different types of travel. This information helped to define where judges' time went and aided in constructing a more realistic model.
 - The large volume of detailed data collected during the two-month time study makes the likelihood of sampling error minimal.

APPENDIX C

**WORKLOAD ASSESSMENT MODEL
BASED ON 2003 CASE FILINGS**

Oregon Circuit Court Workload Assessment Model										
1	Judicial District	1	2	3	4	5	6	7	8	
2	Case Type	Weight (Minutes)	Jackson	Lane	Marion	Multnomah	Clackamas	Morrow	G/HR/S/ W/W	Baker
3	Civil	61	1,954	4,369	4,168	12,843	4,009	725	527	132
4	Domestic Relations	44	1,924	3,219	3,318	6,272	2,902	993	391	187
5	FAPA/ElderAbuse	27	602	1,341	1,129	3,191	1,227	387	186	69
6	Felony-Adult	86	2,387	3,720	3,369	6,564	2,083	1,030	643	197
7	Infraction/Violation	2	14,555	8,712	7,455	150,023	25,145	7,765	9,547	74
8	Juvenile Delinquency	73	557	309	904	886	537	210	196	102
9	Juvenile Dependency	244	331	542	741	1,115	284	80	96	42
10	Juvenile TPR	176	88	238	228	269	131	47	17	5
11	Mental Health/Probate	27	977	667	1,253	6,132	1,491	312	134	39
12	Misdemeanor-Adult	33	3,715	3,292	3,759	23,737	4,604	1,329	1,329	35
13	Parking	0.14	0	0	0	266,147	0	0	0	0
14	Post Conviction Relief/Habeas	132	8	19	245	76	5	172	2	6
15	Small Claims/FED	4	7,190	7,031	5,817	21,867	6,379	2,229	1,201	2
16	Total Filings		34,288	33,459	32,386	499,122	48,797	15,279	14,269	890
17	Case-Specific Workload (Weights x Filings)		770,199	1,135,666	1,235,777	3,477,826	984,712	329,499	222,032	56,815
18	Average Annual Availability (AAA)		93,600	93,600	93,600	93,600	93,600	93,600	93,600	93,600
19	AAA Adjustments per Judge									
20	Non-Statutory Work-Related Meetings (-)		6,210	6,210	6,210	6,210	6,210	6,210	6,210	6,210
21	Other Non-Case-Specific Work (-)		8,358	8,358	8,358	8,358	8,358	8,358	8,358	8,358
22	Judicial Court Administration (-)		3,768	3,768	3,768	3,768	3,768	3,768	3,768	3,768
23	Travel:Substitute (-)		75	75	350	75	75	750	75	1,650
24	Travel:Other (-)		2,860	2,077	1,770	1,996	1,952	2,989	2,288	3,450
25	AAA for Case-Specific Workload		72,329	73,112	73,144	73,193	73,237	71,525	72,901	70,164
26	Authorized Judicial Positions (as of 6/30/03)		8	15	14	38	10	4	4	1
27	FTE Adjustments by District									
28	Travel:Circuit (-)		0.07	0.00	0.00	0.12	0.00	0.11	0.25	0.00
29	Core Court Administration (-)		0.06	0.06	0.06	0.06	0.06	0.06	0.06	0.06
30	Statutory Committees (-)		0.11	0.11	0.11	0.11	0.11	0.08	0.11	0.05
31	Presiding Judge Meetings (-)		0.04	0.03	0.03	0.03	0.03	0.04	0.03	0.05
32	FTE Judicial Resource Supply		7.72	14.80	13.80	37.68	9.80	3.71	3.55	0.84
33	FTE Judicial Resource Predicted Demand		10.65	15.53	16.90	47.52	13.45	4.61	3.05	0.81
34	Difference*		-2.93	-0.73	-3.10	-9.84	-3.65	-0.90	0.50	0.03
35	% Predicted Demand to Existing Supply*		-38%	-5%	-22%	-26%	-37%	-24%	14%	4%

* A negative number in the "difference" and "% predicted demand to existing supply" indicates a need for additional judicial resources.

Oregon Circuit Court Workload Assessment Model												
	Judicial District	9	10	11	12	13	14	15	16			
	Case Type	Malheur	Union Wallowa	Deschutes	Polk	Klamath	Josephine	Coos Curry	Douglas			
	Weight (Minutes)											
1		219	302	1,499	442	777	735	822	1,269			
2	Civil	299	338	1,266	513	580	798	895	1,292			
3	Domestic Relations	114	92	565	130	455	456	300	668			
4	FAPA/ElderAbuse	471	398	1,688	578	1,117	1,039	1,110	1,297			
5	Felony-Adult	99	9,104	9,397	4,308	9,779	10,435	11,739	10,007			
6	Infraction/Violation	155	89	343	167	279	277	266	237			
7	Juvenile Delinquency	59	66	125	126	165	135	168	174			
8	Juvenile Dependency	12	15	40	19	51	33	44	43			
9	Juvenile TPR	15	107	425	211	212	329	413	594			
10	Mental Health/Probate	794	847	2,588	901	2,613	1,808	2,015	1,110			
11	Misdemeanor-Adult	0	0	0	0	0	0	0	0			
12	Parking	193	0	6	2	1	5	13	1			
13	Post Conviction Relief/Habeas	156	478	2,559	1,122	2,510	2,611	3,165	2,963			
14	Small Claims/FED	2,586	11,836	20,501	8,519	18,539	18,661	20,950	19,655			
15	Total Filings	150,827	146,207	496,846	197,829	372,550	341,103	376,736	415,826			
16	Case-Specific Workload (Weights x Filings)	93,600	93,600	93,600	93,600	93,600	93,600	93,600	93,600			
17	Average Annual Availability (AAA)											
18	AAA Adjustments per Judge											
19	AAA Adjustments per Judge	6,210	6,210	6,210	6,210	6,210	6,210	6,210	6,210			
20	Non-Statutory Work-Related Meetings (-)	8,358	8,358	8,358	8,358	8,358	8,358	8,358	8,358			
21	Other Non-Case-Specific Work (-)	3,768	3,768	3,768	3,768	3,768	3,768	3,768	3,768			
22	Judicial Court Administration (-)	1,650	1,650	350	350	350	75	750	350			
23	Travel/Substitute (-)	3,570	3,239	2,399	1,842	2,893	2,725	2,706	2,404			
24	Travel/Other (-)	70,044	70,375	72,515	73,072	72,021	72,464	71,808	72,510			
25	AAA for Case-Specific Workload	2	2	7	3	5	4	6	5			
26	Authorized Judicial Positions											
27	FTE Adjustment by District											
28	Travel/Circuit (-)	0.00	0.05	0.00	0.00	0.00	0.02	0.01	0.00			
29	Core Court Administration (-)	0.06	0.06	0.06	0.06	0.06	0.06	0.06	0.06			
30	Statutory Committees (-)	0.05	0.08	0.05	0.05	0.05	0.05	0.08	0.05			
31	Presiding Judge Meetings (-)	0.05	0.05	0.03	0.03	0.04	0.04	0.03	0.03			
32	FTE Judicial Resource Supply	1.84	1.76	6.86	2.86	4.85	3.83	5.82	4.86			
33	FTE Judicial Resource Predicted Demand	2.15	2.08	6.85	2.71	5.17	4.71	5.25	5.73			
34	Difference*	-0.31	-0.32	0.01	0.15	-0.32	-0.88	0.57	-0.87			
35	% Predicted Demand to Existing Supply*	-17%	-18%	0%	5%	-7%	-23%	10%	-18%			

Oregon Circuit Court Workload Assessment Model												
	17	18	19	20	21	22	23	24				
	Lincoln	Clatsop	Columbia	Washington	Benton	Crook	Linn	Grant				
Case Type	Weight (Minutes)											
1 Judicial District	472	510	521	4,720	566	387	1,338	139				
2 Civil	61	472	510	4,720	566	387	1,338	139				
3 Domestic Relations	44	524	484	3,791	546	386	1,253	154				
4 FAPA/ElderAbuse	27	249	234	1,075	111	189	547	33				
5 Felony-Adult	86	539	441	3,384	542	468	1,437	137				
6 Infraction/Violation	2	3,307	2,446	6,725	4,226	7,692	4,775	37				
7 Juvenile Delinquency	73	107	244	341	115	220	290	41				
8 Juvenile Dependency	244	65	127	601	27	72	218	47				
9 Juvenile TPR	176	32	20	94	13	13	44	9				
10 Mental Health/Probate	27	185	222	729	182	114	283	21				
11 Misdemeanor-Adult	33	1,372	361	5,716	1,614	1,459	1,230	176				
12 Parking	0.14	0	0	0	0	0	0	0				
13 Post Conviction Relief/Habeas	132	3	1	33	3	4	5	3				
14 Small Claims/FED	4	1,384	1,032	8,580	1,219	923	2,464	12				
15 Total Filings		8,239	9,606	35,789	9,164	11,927	13,884	809				
16 Case-Specific Workload (Weights x Filings)		197,045	174,295	1,223,291	197,330	192,687	425,504	50,866				
17 Average Annual Availability (AAA)		93,600	93,600	93,600	93,600	93,600	93,600	93,600				
18 AAA Adjustments per Judge												
19 Non-Statutory Work-Related Meetings (-)		6,210	6,210	6,210	6,210	6,210	6,210	6,210				
20 Other Non-Case-Specific Work (-)		8,358	8,358	8,358	8,358	8,358	8,358	8,358				
21 Judicial Court Administration (-)		3,768	3,768	3,768	3,768	3,768	3,768	3,768				
22 Travel:Substitute (-)		750	350	350	75	75	75	7,300				
23 Travel:Other (-)		2,168	2,423	2,135	2,010	1,938	1,885	3,023				
24 AAA Tot Case Specific Workload		72,346	72,491	72,779	73,179	72,976	73,304	64,941				
25 Authorized Judicial Positions		3	2	3	14	3	5	1				
26 FTE Adjustment by District												
27 Travel:Circuit (-)		0.00	0.00	0.00	0.00	0.14	0.00	0.19				
28 Core Court Administration (-)		0.06	0.06	0.06	0.06	0.06	0.06	0.06				
29 Statutory Committees (-)		0.05	0.05	0.05	0.11	0.08	0.05	0.08				
30 Presiding Judge Meetings (-)		0.03	0.03	0.03	0.03	0.03	0.03	0.04				
31 FTE Judicial Resource Supply		2.86	1.86	2.86	13.80	2.69	4.86	0.63				
32 FTE Judicial Resource Predicted Demand		2.72	2.40	2.40	16.72	2.70	5.80	0.78				
33 Difference*		0.14	-0.54	0.46	-2.92	0.16	-0.94	-0.15				
34 % Predicted Demand to Existing Supply*		5%	-29%	16%	-21%	6%	-19%	-24%				
35						1%						

Oregon Circuit Court Workload Assessment Model		25	26	27	TOTAL
1	Judicial District	Yamhill	Lake	Tillamook	TOTAL
2	Case Type	Weight (Minutes)			
3	Civil	61	790	328	44,639
4	Domestic Relations	44	854	256	33,901
5	FAPA/ElderAbuse	27	419	128	14,116
6	Felony-Adult	86	1,052	280	36,508
7	Infraction/Violation	2	5,851	95	330,251
8	Juvenile Delinquency	73	219	162	7,431
9	Juvenile Dependency	244	60	37	5,612
10	Juvenile TPR	176	19	2	1,562
11	Mental Health/Probate	27	231	27	15,580
12	Misdemeanor-Adult	33	1,083	602	69,055
13	Parking	0.14	0	0	266,147
14	Post Conviction Relief/Habeas	132	2	12	822
15	Small Claims/FED	4	2,110	87	85,675
16	Total Filings		12,690	2,038	911,299
17	Case-Specific Workload (Weights x Filings)		283,904	105,610	13,770,588
18	Average Annual Availability (AAA)		93,600	93,600	
19	AAA Adjustments per Judge				
20	Non-Statutory Work-Related Meetings (-)		6,210	6,210	
21	Other Non-Case-Specific Work (-)		8,358	8,358	
22	Judicial Court Administration (-)		3,768	3,768	
23	Travel:Substitute (-)		75	350	
24	Travel:Other (-)		1,895	2,125	
25	AAA for Case-Specific Workload		283,904	105,610	13,770,588
26	Authorized Judicial Positions		4	2	169
27	FTE Adjustment by District				
28	Travel:Circuit (-)		0.00	0.00	
29	Core Court Administration (-)		0.06	0.06	
30	Statutory Committees (-)		0.05	0.05	
31	Presiding Judge Meetings (-)		0.03	0.03	
32	FTE Judicial Resource Supply		3.86	1.86	164
33	FTE Judicial Resource Predicted Demand		3.87	1.45	189
34	Difference*		-0.01	0.35	-26
35	% Predicted Demand to Existing Supply*		-0%	42%	22%

APPENDIX D

CIRCUIT COURTS BY DISTRICT
AND
CIRCUIT COURTS BY RANK
FOR
2003

**Joint Committee on Trial Court Judicial Resources
Circuit Courts by Judicial District**

District	2002 W*F	Trend	2003 W*F	Authorized Positions	Supply	Predicted Demand	Predicted Need (Difference)	Demand to Supply	Rank
1 Jackson	745,672	3.29%	770,199	8	7.72	10.65	2.93	38%	1
2 Lane	1,196,782	-5.11%	1,135,666	15	14.80	15.53	0.73	5%	15
3 Marion	1,219,867	1.30%	1,235,777	14	13.80	16.90	3.10	22%	8
4 Multnomah	3,227,178	7.77%	3,477,826	38	37.68	47.52	9.84	26%	4
5 Clackamas	981,055	0.37%	984,712	10	9.80	13.45	3.65	37%	2
6 Morrow/Umatilla	377,050	-12.61%	329,499	4	3.71	4.61	0.90	24%	5
7 Hood River/W/GW/h/S	224,213	-0.97%	222,032	4	3.55	3.05	-0.50	-14%	24
8 Baker	54,353	4.53%	56,815	1	0.84	0.81	-0.03	-4%	19
9 Malheur	155,448	-2.97%	150,827	2	1.84	2.15	0.31	17%	13
10 Union/Wallowa	131,383	11.28%	146,207	2	1.76	2.08	0.32	18%	11
11 Deschutes	497,775	-0.19%	496,846	7	6.86	6.85	-0.01	-0%	17
12 Polk	204,818	-3.41%	197,829	3	2.86	2.71	-0.15	-5%	21
13 Klamath	368,552	1.08%	372,550	5	4.85	5.17	0.32	7%	14
14 Josephine	341,051	0.02%	341,103	4	3.83	4.71	0.88	23%	7
15 Coos/Curry	367,866	2.41%	376,736	6	5.82	5.25	-0.57	-10%	23
16 Douglas	393,683	5.62%	415,826	5	4.86	5.73	0.87	18%	12
17 Lincoln	236,404	-16.65%	197,045	3	2.86	2.72	-0.14	-5%	20
18 Clatsop	168,638	3.35%	174,295	2	1.86	2.40	0.54	29%	3
19 Columbia	183,915	-4.97%	174,776	3	2.86	2.40	-0.46	-16%	25
20 Washington	1,180,000	3.67%	1,223,291	14	13.80	16.72	2.92	21%	9
21 Benton	199,286	-0.98%	197,330	3	2.86	2.70	-0.16	-6%	22
22 Crook/Jefferson	205,987	-6.46%	192,687	3	2.69	2.65	-0.04	-1%	18
23 Linn	414,922	2.55%	425,504	5	4.86	5.80	0.94	19%	10
24 Grant/Harney	58,378	-12.87%	50,866	1	0.63	0.78	0.15	24%	6
25 Yamhill	287,041	-1.09%	283,904	4	3.86	3.87	0.01	0%	16
26 Lake	38,971	-10.63%	34,830	1	0.84	0.49	-0.35	-42%	27
27 Tillamook	111,289	-5.10%	105,610	2	1.86	1.45	-0.41	-22%	26
TOTALS	13,571,577	1.47%	13,770,588	169	163.56	189.15	25.59	16%	

Notes:

- Case weights (W) are from the Oregon Circuit Court Judicial Workload Assessment Model developed by the National Center for State Courts (NCSC).
- Filings (F) are from the *Statistical Report Relating to the Circuit Courts of the State of Oregon* for 2002 and 2003.
- "Supply" is the number of positions authorized as of June 30, 2003, less deductions to account for time lost to a district because of demand not directly related to case processing.
- "Predicted demand" is the number of FTE judicial resources needed to process a district's case-specific workload at 2003 filing rates as predicted by the NCSC Model.
- The percentage of "demand to supply" is an indicator of a district's need relative to its current judicial resource "supply."

Joint Committee on Trial Court Judicial Resources
Circuit Courts by Rank

(Based on Need Predicted by Judicial Workload Assessment Model)

District	2002 W*F	Trend	2003 W*F	Authorized Positions	Supply	Predicted Demand	Predicted Need (Difference)	Demand to Supply	Rank
1 Jackson	745,672	3.29%	770,199	8	7.72	10.65	2.93	38%	1
5 Clackamas	981,055	0.37%	984,712	10	9.80	13.45	3.65	37%	2
18 Clatsop	168,638	3.35%	174,295	2	1.86	2.40	0.54	29%	3
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14 Josephine	341,051	0.02%	341,103	4	3.83	4.71	0.88	23%	7
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26 Lake	38,971	-10.63%	34,830	1	0.84	0.49	-0.35	-42%	27
TOTALS	13,571,577	1.47%	13,770,588	169	163.56	189.15	25.59	16%	

Notes:

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2. Filings (F) are from the Statistical Report Relating to the Circuit Courts of the State of Oregon for 2002 and 2003.
3. "Supply" is the number of positions authorized as of June 30, 2003, less deductions to account for time lost to a district because of demand not directly related to case processing.
4. "Predicted demand" is the number of FTE judicial resources needed to process a district's case-specific workload at 2003 filing rates as predicted by the NCSC Model.
5. The percentage of "demand to supply" is an indicator of a district's need relative to its current judicial resource "supply."

APPENDIX E

SUGGESTED DISCUSSION ITEMS

SUGGESTED DISCUSSION ITEMS

1. Your district's case disposition statistics, including the average time to trial for civil, criminal and domestic relations cases for the past two years.
2. The extent to which your district is administratively creating maximum efficiencies and using management techniques, including a discussion of any technological changes or improvements planned for the 2003-2005 biennium that will impact judicial case processing or use of judicial resources.
3. Does your district comply with the time frames set out in Chapter 7 of the UTCR?
4. Does your district utilize any specialized docket programs?
5. The effects diversion programs and mediation, arbitration or other alternative dispute resolution methods may have on case filings, case processing, and case dispositions for your court during the next biennium.
6. The extent, if any, of the use of pro tem judges, senior judges, Plan B judges, attorneys, volunteers, or regular out-of-district judge exchanges or assignments. Describe the type and use of these resources.
7. The effect, if any, on the availability of Plan B judges within the district.
8. Whether your district utilizes hearing officers or referees or other judicial department personnel to dispose of cases. If you do, please explain what you perceive to be the advantages and disadvantages of using hearings referees or other judicial department personnel for that purpose. Also indicate if any have pro tem authority and for what types of cases.
9. Whether your court complies with the latest Oregon Judicial Department Policy/Procedure (Volume 2, Chapter 4, Section 1) regarding statistical reporting procedures. If not, please explain any variation.
10. Any anticipated changes in the number of deputy district attorneys, district attorney staffing increases or decreases, the number of law enforcement officers, the opening or closing of any municipal or justice courts in your district, the opening or enlarging of detention or correction facilities and any other factors which you believe will impact the courts of your district in 2003-2005. Explain the impact of any of these types of changes occurring in 2001-2003.

11. The policy of your district attorney concerning joinder of multiple charges against an accused or other charging practices that significantly affect your caseload (positive and negative).
12. The problems and effects, if any, of Measure 11 requirements and District Attorney practices concerning charging or plea negotiations for these cases.
13. Any other changes experienced in the last biennium or anticipated in the next biennium which significantly impact the operations of the courts within your district. This should include discussion of issues such as juvenile, family court, drug court and domestic violence programs and compliance with the 2020 Vision. What has been the effect on your court of federal and state mandated programs and procedures. If possible quantify as best you can the time commitments required for these programs and procedures.
14. The impact, if any, in your district regarding assessment of the mandatory sanctions for violation of ORCP 17 and the discretionary imposition of sanctions for violations of ORCP Rules 46, 47 and any other statutes or ORCP Rules permitting imposition of sanctions.
15. Whether you have an effective program for the early disposition of felony and misdemeanor offenses such as the program utilized by Lane County. If not, have you considered such a program.
16. If an additional judge is or judges are authorized for your district for the next biennium, how would the services of that judge or judges be utilized? What public benefits would result from any additional judgeships in your district? What do you project the impact on the operation of the court in your district will be if an additional judge or judges are not authorized for your district by the 2003 legislature?
17. Do you presently have space available for the judge, staff and support services for the requested judgeship or judgeships? If not, when do you reasonably anticipate that courtroom, staff and support services space would be available?
18. Do the county commissioners being required to provide additional courtroom and other space and to pay the costs and other expenses to the county resulting from creation of additional judges support or oppose your request? Written confirmation from your board of commissioners is suggested.
19. The impacts on your courts of budget reductions for the 2002-2003 year and what actions you are taking to deal with these impacts.
20. Any other facts or special circumstances which you believe are relevant to the request of your district.