



Office of Court Administration
Montgomery County

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Hon. Claudia Laird, County Courts at Law

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MEMO

From: Nate Jensen, Director of Court Administration

To: OCA Committee

Date: March 15, 2016

RE: Weighted Caseload Study

As you may recall, back in 2007, the State Office of Court Administration contracted with the National Center for State Courts to research the amount of judicial time spent on various types of cases. This research culminated in the Weighted Caseload Study, portions of which I am attaching for reference.

The basic model involves using a generally accepted Texas rubric for total number of minutes available for judges to hear cases. This does not count time spent in meetings for in conducting other administrative business for which the judge is responsible. Individual types of cases are then studied for total length of judicial time spent on them from filing to disposition. The **average** amount of time spent on a single casetype then becomes that case's weight.

The equation for determining the number of judicial officers needed for a specific casetype then is as follows:

Total number of casetype filings X case weight = total needed minutes

Total needed minutes / total available minutes = number of judicial officers needed

While the weighted caseload study model is important to determining how many judges are needed overall as a jurisdiction, it can also be a useful measure of how many judges are needed hearing a specific type of case. With the current topic of caseload management in general and specialization in particular, I have taken the liberty of applying 2015 case filing numbers to the case weights used in the statewide 2007 study. I've done this for two reasons:

1. Discussion on specialization after the 2012 case allocation has consistently come down on the side of whether there is a need for a court to become specialized. The purpose behind weighted caseload is specifically to determine how many judicial officers are necessary for a particular casetype or all casetypes. The solution fits the problem.
2. The State Office of Court Administration routinely uses the weighted caseload study as a jumping off point when a new court is requested by a county. It is not the final say in the eyes of the Legislature, but it is certainly a more evidence based approach than prior methods used.

Acknowledging the complexity of ascertaining judicial time, these numbers are a reasonably accurate picture of what we are doing right now. Due to the study being conducted in 2007, the state reporting categories have changed somewhat, but the case weights can still be applied to how cases are reported currently.

FELONY

Felony Category A (defined as the columns on the state report of Capital murder through Aggravated Robbery, including Aggravated Assault, Sexual Assault, Indecency and Family Violence)

Number of Filings (1,376) X Case Weight (186) = Total Minutes Needed (255,936)
Total Minutes Needed (255,936) / Total Available Minutes (77,400) = Needed Judicial Officers (**3.3**)

Felony Category B (defined as columns on the state report of Burglary through Other Felonies, including Theft, Auto Theft, Drug sale/manufacture/possession, and Felony DWI)

6,064 X 39 = 236,496
236,496 / 77,400 = **3**

Total Felony Judicial Officers Needed: 6.3

MISDEMEANOR

11,382 X 12 = 136,584
136,584 / 77,400 = **1.8**

Total Misdemeanor Judicial Officers Needed: 1.8

CIVIL

Injury or Damage

647 X 126 = 81,522
81,522 / 77,400 = **1.05**

Contract

$$1590 \times 53 = 84,270$$
$$84,270 / 77,400 = \underline{\mathbf{1.08}}$$

Other Civil

$$2,178 \times 27 = 58,806$$
$$58,806 / 77,400 = \underline{\mathbf{0.75}}$$

Total Civil Judicial Officers Needed: 2.9*

*** N.B. The total number does not include probate, guardianship and mental health**

FAMILY

Divorce

$$2,855 \times 47 = 134,185$$
$$134,185 / 77,400 = \underline{\mathbf{1.75}}$$

Modification/Enforcement

$$732 \times 33 = 24,156$$
$$24,156 / 77,400 = \underline{\mathbf{0.3}}$$

All Other Family

$$841 \times 48 = 40,368$$
$$40,368 / 77,400 = \underline{\mathbf{0.5}}$$

Total Family Judicial Officers Needed: 2.5

JUVENILE

Delinquency

$$391 \times 54 = 21,114$$
$$21,114 / 77,400 = \underline{\mathbf{0.3}}$$

CINS

$$2 \times 14 = 28$$
$$28 / 77,400 = \underline{\mathbf{0}}$$

Total Juvenile Judicial Officers Needed: 0.3

Total Judicial Officers Needed: 13.8

With two Chapter 201 Family Law Associate Judges and one Chapter 54A Criminal Associate Judge, the Montgomery County Judiciary is within the accepted standard for use of judicial time overall. This study does bring up several specific issues of discussion, including the following:

- Civil caseload allocation needs to be addressed, as the 2015 case filings dictate 2.9 Judicial Officers needed, without addressing the time requirements of probate, guardianship or mental health.
- Under current conditions, it makes sense for the Juvenile Judge position to remain with the Statutory County Courts for the foreseeable future.
- The number of judicial officers needed for felony cases should be consistently evaluated as there has been movement downward in the trend lines.
- Likewise, the number of judicial officers needed for misdemeanor cases should be weighed carefully against other factors that may include additional time constraints, including specialized dockets like the family violence docket.

Taking all these facts into consideration should aid as we continue the conversation regarding how best to administer the work of the Courts in Montgomery County. If you wish to discuss this study at any time, please don't hesitate to contact me.