



District Courts

January 26, 2001

Major Findings:

- By certain well-accepted measures, Minnesota's district courts processed their caseloads in a reasonable amount of time from 1991 through 1998 (p. 54 of the full report).
- Although some case-processing delay exists, judges and attorneys do not view delay as a serious problem. Judges are concerned, however, about the size of their caseloads and their ability to devote adequate time to each case (pp. 72, 74).
- When delay occurs, judges most frequently reported it is because there are too few judges, too few public defenders, or because attorneys do not have enough time to prepare their cases (p. 78).
- Between 1990 and 1998, the number of district court judges rose 5 percent, compared with a 13 percent increase in trials, a 36 percent increase in major case filings, and a 3 percent rise in total case filings (p. 21).
- Over the last five fiscal years, state expenditures for district courts (adjusted for inflation) have risen at a rate similar to increases in total case filings but less than increases in major case filings (p. 24).

District courts process cases in a reasonable amount of time, but judges and attorneys believe many cases need more judge time.



- A weighted caseload study is an accepted method for determining the need for judges, but Minnesota's study needs to be updated and improved (pp. 38, 43).
- Retired judges can be a valuable resource to districts that have shortages in full-time judges (p. 48).

Recommendations:

- The State Court Administrator's Office should conduct an updated, comprehensive weighted caseload study (p. 46).
- The Legislature should consider making the pay for retired judges uniform (p. 49).



Report Summary:

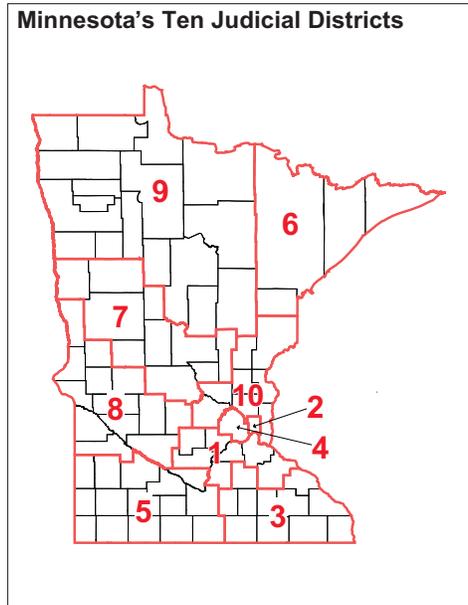
Minnesota has 10 judicial districts and 268 authorized district judge positions. District courts have original jurisdiction over all civil and criminal cases, and they now process more than 2 million cases annually. Judges within each

district elect a chief judge who has general administrative authority over that district's courts, including authority to assign judges to hear any case.

In every judicial district, a district administrator, appointed by the chief judge, manages the district's administrative affairs. Within multiple-county districts, each county has a court administrator who helps judges in processing court cases and setting

calendars; district administrators in the Second District (Ramsey County) and Fourth District (Hennepin County) also serve as court administrators there.

The Conference of Chief Judges, comprised of all chief judges and assistant chief judges around the state, is the policy-making body for the district courts. In addition, the Minnesota Supreme Court has certain authority related to district courts, including deciding whether to refill, transfer, or abolish judge positions when vacancies occur. Beyond that, the Chief Justice of the Supreme Court has supervisory powers and coordination responsibilities over the courts in the state. The State Court Administrator, who serves at the pleasure of the Supreme Court, conducts administrative business for the courts.



In 1998, most district courts met, or came close to meeting, final timing objectives for disposing of their major cases.

District Courts Process Cases in a Reasonable Amount of Time

Research indicates that timely disposition of cases is an important component of justice. Minnesota's Supreme Court adopted timing objectives on how much time courts should typically take to dispose of specific case types. The timing guidelines vary by case type. For instance, the timing objectives suggest that courts should dispose of 90 percent of felonies and gross misdemeanors within four months, 97 percent within six months, and 99 percent within a year. On the other hand, courts are expected to dispose of juvenile cases more quickly.

For major case types, Minnesota's ten judicial districts have come closer between 1991 and 1998 to meeting the final timing objectives. This varies by district and by case type. For civil cases, as an example, nine of the ten districts met the final timing objective in 1998 and the remaining district was close. On the other hand, for juvenile cases, only one district met the final timing objective while most others came close. Among all case types, timing performance varied by county within districts.

A second measure of timeliness is "case clearance rates"—the number of cases disposed of in a year divided by the number of cases filed during that period. Clearance rates of 100 percent indicate no added backlog of cases for the year. Average statewide clearance rates in 1998 varied from 96 to 103 percent, depending on case type. When comparing Minnesota with seven other Midwestern states that have similar court systems, Minnesota's case clearance rates exceeded those in other states for most years between 1993 and 1998.

Caseloads, Expenditures, and Judges Increased at Similar Rates, But Less than Major Cases and Trials

Between 1990 and 1998, the number of total cases filed in district courts went up at a rate similar to the increase in the number of authorized judge positions. However, for major cases, such as felonies and gross misdemeanors that usually consume more time and resources than minor cases, the increase in filings and trials was greater than that for judges. Major case filings increased 36 percent between 1990 and 1998, and major-case trials increased 25 percent, while district judge positions increased 5 percent.

State expenditures on district courts showed a similar pattern. Expenditures adjusted for inflation increased from \$71.9 million in fiscal year 1996 to \$75.4 million in fiscal year 2000, a 5 percent increase over the five years. During that same period, statewide filings in district courts increased at about the same rate. On the other hand, filings of major cases statewide in district courts increased twice as fast as expenditures, at a 10 percent rate between fiscal years 1996 and 2000.

The state should update and improve its method of estimating how many judges are needed.

The Means for Determining the Need for Judges Should be Improved

Minnesota uses a well-accepted method, called a weighted caseload study, for determining the need for judges statewide. A weighted caseload study recognizes that complex cases take more time than less complex ones. Consequently, the analysis will recommend a higher number of judges for caseloads with a heavy mix of

felonies than for caseloads with few felonies.

National experts recommend certain guidelines for conducting weighted caseload studies. Although Minnesota has taken several steps that meet these guidelines, it has not met all of them. A committee of the Conference of Chief Judges is currently reviewing the weighted caseload study in anticipation of updating it.

The State Court Administrator's Office should update and improve its weighted caseload study. The last comprehensive study was conducted in 1992, but to retain credibility, the study should be updated to better reflect current court practices. In addition to the study's quantitative analysis, the State Court Administrator's Office should consider qualitative factors, such as how actions of other criminal justice agencies affect court caseloads, to more realistically assess local variations. Ideally, to avoid enshrining existing court practices, as opposed to optimal practices, the State Court Administrator's Office should weigh the advantages and disadvantages of collecting data from only those courts that best balance timeliness and justice, although measuring "justice" presents practical difficulties. Further, it is important to conduct a weighted caseload study to determine the need for court clerks and support staff, especially if and when the state moves to full state funding for district courts.

To supplement full-time judges, district courts have occasionally used retired judges. Currently, different retired judges earn varying amounts for similar work solely because their pay is tied to the amount of their pensions. The Legislature should consider making the pay for retired judges uniform.

Delay is Not a Serious Problem, But Judges and Attorneys Believe Cases Need More Time

Judges and attorneys indicated that delay in case processing is not a serious problem. Depending on case type, only between 0 and 13 percent of judges reported that delay is a serious problem in their district. Higher percentages of judges viewed delay as a moderate problem for criminal, juvenile, and family cases. Judges' views on the seriousness of delay varied somewhat by district. Similarly, only between 3 and 18 percent of attorneys said delay is a serious problem, depending on case type. Family cases were the only case type where a majority of attorneys (54 percent) said that delay is a serious or moderate problem.

Nonetheless, judges are concerned about the size of their caseloads and their ability to devote adequate time to each case. At least three-quarters of judges agreed or strongly agreed that judges need more time per case on criminal, juvenile, and family cases if people are to feel their concerns are fully heard. Fewer reported the need for more time on civil cases, and fewer still on probate cases. Attorneys tended to agree;

76 percent of attorneys reported that judges sometimes, usually, or always need more time per case if people are to feel their concerns are fully heard.

When asked about causes of delay, judges most frequently said that delay occurs because there are too few judges, too few public defenders, or attorneys do not have enough time to prepare their cases. Attorneys said that delay most often occurs because too many minor offenses are brought to court, pretrial diversion is not used enough, or there are too few judges.

In describing what steps the courts or Legislature could take to improve case processing, judges and attorneys reported most frequently that increasing the number of judges would help. Many judges also mentioned the need for more public defenders, prosecutors, and court support staff; increased help for *pro se* litigants; and less frequent changes to laws or procedural requirements.

Most judges reported that they need to spend more time on criminal, juvenile, and family cases.

The full evaluation report, *District Courts (#pe01-02)*, includes the District Court response and is available at 651/296-4708 or:

www.auditor.leg.state.mn.us/ped/2001/pe0102.htm

Summary of District Court Response:

In a letter dated January 17, 2001, the Honorable Leslie Metzen, chair of Minnesota's Conference of Chief Judges, wrote that the report is "a fair and thorough evaluation of the court system's programs." She said that the Conference of Chief Judges "support[s] both recommendations of the study" and conveyed that the Conference is actively addressing them.

Judge Metzen's letter emphasized that the report "serves as independent verification of what the judicial branch has been struggling with for years: providing effective justice when resources have not kept pace with demands While judges have responded to [the increase in major case filings] by working harder than ever, they have been forced to shorten hearing times and handle many important matters in a cursory manner with little time for reflection. The advent of 'assembly line justice' has enormous implications for a citizenry dependent on us to resolve their most troubling disputes" Judge Metzen also said, "We believe your evaluation supports our legislative request, which is designed to ensure that the judiciary is able to provide the people we serve with the effective justice they deserve."

Finally, Judge Metzen pointed out that a number of judges initially expressed concerns "relative to separation of powers issues raised by a legislative audit of the judiciary" but went on to say, "In the final analysis, your report provides an opportunity for us to have an objective study of case management practices in Minnesota and will help us educate the public and other branches of government about the complex issues facing our courts."