
Survey of Court Administrators

On September 11, 2000, we mailed the following questionnaire to all 87 court administrators using a mailing list from the State Court Administrator's Office. In addition, the two deputy court administrators at the Hibbing and Virginia courthouses received questionnaires. The questionnaire addressed a broad range of issues, including case flow management, collection of fees and fines, and general court operations. We sent a follow-up questionnaire to nonrespondents on October 4, 2000. We received 84 completed questionnaires, for a response rate of 94 percent. Response rates ranged from 100 percent in the First, Second, Fourth, Fifth, Sixth, and Ninth Districts to 75 percent in the Tenth Judicial District. Additional information on our survey methodology is in Appendix A of the report. The following pages present the number of responses from court administrators in the aggregate.

Responses for 84 Court Administrators

Office of the Legislative Auditor

SURVEY OF COURT ADMINISTRATORS

Thank you for answering this survey of Minnesota's court administrators. The questionnaire is part of a study on the state's district courts and is intended to assess how courts manage their caseloads. *Minn. Stat.* (1999 Supplement) §3.978, sub. 2 gives our office authority to collect this information from public officials and requires them to respond. Results from the survey will be reported only in the aggregate; we will treat your individual responses as "private data," as defined by *Minn. Stat.* (1999) §13.02, sub. 12.

Unless otherwise directed, please respond to the following questions based on your court experiences during the past year. Direct questions about the survey to Jody Hauer at 651/296-8501 or jody.hauer@state.mn.us.

Please return the completed survey in the postage-paid envelope by **September 29, 2000**.

(Please print your name if different from label)

(Area Code/Telephone)

CASE FLOW MANAGEMENT

1. In your county, at what point are *criminal* cases typically assigned to individual judges to oversee through to disposition? (Mark one answer each for adult and juvenile cases under each column of case types.)

	a. Felonies		b. Gross Misdemeanors		c. Misdemeanors		d. Petty Misd. and Traffic	
	Adult	Juv.	Adult	Juv.	Adult	Juv.	Adult	Juv.
1. When case is filed	24	31	23	29	19	28	19	26
2. At first appearance or arraignment	15	17	16	17	14	14	10	12
3. At omnibus hearing	17	4	17	5	7	2	2	1
4. At pretrial conference	6	7	5	7	8	6	2	5
5. When setting trial date	–	4	–	4	8	7	13	8
6. At time of trial	7	6	8	6	8	8	11	10
7. Other (Please describe below.)	2	1	2	–	1	–	1	1
Master calendar or not assigned	7	7	7	9	13	10	22	13
When not guilty plea entered	6	6	6	6	6	8	4	6

2. At what point are *civil* cases typically assigned to individual judges to oversee through to disposition? (Mark one for each column of case types listed.)

	a. <u>Civil</u> (Exclude Conciliation)	b. <u>Probate</u> <u>Cases</u>	c. <u>Family</u> <u>Cases</u>
1. When filing the first court document	66	31	66
2. When parties' informational statements are received	2	–	2
3. After motions have been heard	2	6	4
4. Following completion of alternative dispute resolution	1	–	1
5. At pretrial conference or trial management conference	2	2	1
6. When setting trial date	1	10	1
7. At time of trial	5	4	5
8. Other (Please specify below.)	2	1	–
Master calendar or not assigned	3	11	3
When contested or objection filed	–	13	1

3. At what point are most juvenile protection matters typically assigned to individual judges to oversee through to disposition? (Mark one.)

17	At emergency protective care hearing
18	At filing of petition for child in need of protection or services
29	At the admit/deny hearing
3	At pretrial conference
1	When setting trial date
4	At time of trial
3	Other (Please specify.) _____
8	Master calendar or not assigned

4. How frequently has the case assignment system in the county been reviewed for possible modifications or to respond to changing circumstances? (Mark one.)

27 At least annually 6 Biannually 31 Every few years 16 Rarely, if at all

5. Which of the following activities does court administration do to help manage case flows? (If the activity is done in your county, please specify whether primary responsibility for the activity rests with court administration, district administration, both court and district administration, or an assigned judge(s).)

<u>Activity</u>	<u>Court</u> <u>Admin.</u> <u>Does</u>	<u>District</u> <u>Admin.</u> <u>Does</u>	<u>Both Court</u> <u>& District</u> <u>Admin. Do</u>	<u>Assigned</u> <u>Judge</u> <u>Does</u>	<u>Not</u> <u>Currently</u> <u>Done</u>	<u>Other</u>
a. Monitor the age of cases to identify "old" cases	47	1	22	1	1	12
b. Screen "old" cases to determine reasons for delay	54	–	14	1	3	12

<u>Activity</u>	<u>Court Admin. Does</u>	<u>District Admin. Does</u>	<u>Both Court & District Admin. Do</u>	<u>Assigned Judge Does</u>	<u>Not Currently Done</u>	<u>Other</u>
c. Monitor the percentage of trials that are continued to later dates	21	5	13	3	38	2
d. Determine the cause of trial date continuances	40	2	8	13	15	4
e. Report on percentage of cases that meet timing guidelines (such as 97% of felonies are to be disposed of within 6 months)	24	27	16	1	5	7
f. Notify judges when cases exceed timing guidelines	31	16	21	–	15	–
g. Notify attorneys when cases exceed timing guidelines	37	–	–	8	37	1
h. Identify more complex civil or criminal cases and assign to separate management track	14	2	1	14	47	3
i. Identify criminal cases likely to be resolved before a trial date to reduce cases on trial calendars	34	–	1	10	27	12
j. Measure backlog of cases	34	10	19	–	13	4
k. Implement backlog reduction strategies (when backlogs exist)	35	–	13	7	17	9
l. Document unjustified late appearances by attorneys or judges	13	1	–	4	61	1
m. Maintain accurate and reliable inventory of cases awaiting court action	51	3	17	1	6	5
n. Consider availability of prosecutors and public defenders in setting criminal case calendars	72	–	1	5	2	–
o. Build into calendars a “back-up” block of judge time or another way to cover judge absences	29	16	9	3	23	3
p. Regularly discuss calendaring and scheduling issues with attorneys, law enforcement, and probation services personnel	55	–	4	2	9	14

6. Within your county, does court administration follow specific practices to assist in making sure that trials occur when originally scheduled (unless settled prior to trial)?

58 Yes

24 No (If no, go to question 8.)

7. If yes, what are the practices? (Attach additional sheets, if necessary.)

8. Within the last five years, has court administration in your county taken steps that have improved case processing?

66 Yes 15 No (*If no, go to question 10.*)

9. If yes, please briefly describe these steps. (*Attach additional sheets, if necessary.*)

10. How automated are your systems for setting calendars and assigning cases? (*Mark a level of automation for each case type.*)

	<u>Automated</u>	<u>Moderately Automated</u>	<u>Fairly Equal Combination of Automation and Manual Work</u>	<u>Little Automation</u>	<u>No Automation</u>
a. Setting calendars					
1. Criminal	21	9	35	4	11
2. Juvenile	21	9	36	2	12
3. Family	20	10	35	3	12
4. Civil	21	10	35	2	12
5. Probate	21	9	35	3	12
b. Assigning cases					
1. Criminal	16	7	30	10	15
2. Juvenile	16	8	30	9	15
3. Family	16	8	30	9	15
4. Civil	18	7	30	9	14
5. Probate	15	7	31	10	15

11. In the last five years, has your county undertaken any technological initiatives that you believe assist case processing?

36 Yes

47 No (*If no, go to question 13.*)

12. If yes, please briefly describe these initiatives. (*Attach additional sheets, if necessary.*)

FEES AND FINES

13. In your county, are any personnel specifically designated to monitor and collect fees and fines imposed by the courts? (*Mark one.*)

24 The courts have a screener-collector specifically responsible for collections

48 Court administration staff are responsible for collections among their other duties

1 Responsibility for fee and fine collections rests with other county staff outside the courts

1 No court staff or other county staff is specifically designated to enforce fees and fines

9 Other (*Please specify.*)

14. In your county, does the court have written policies that specify when and how to collect fees and fines?

51 Yes

32 No (*If no, go to question 16.*)

15. If yes, how are the appropriate collection policies communicated to those sentenced to pay? (*Mark all that apply.*)

17 a. Policies are posted in the courtroom or at the clerk's counter

30 b. Policies are distributed to defendants

41 c. Policies are orally described to each defendant

2 d. Policies are not actively communicated to defendants

11 e. Other (*Please specify.*)

16. In collecting court-imposed fees and fines, which of the following practices does your county use? (*Mark all that are used.*)

68 a. Encourage same-day payments prior to leaving the courthouse

44 b. Locate collection personnel in or adjacent to courtrooms

21 c. Allow use of credit cards

81 d. Allow use of personal checks (by suitable defendants)

80 e. Allow payment in installments

73 f. Tailor payment plans to individual's financial circumstances

– g. Provide early payment discounts

19 h. Require minimum down payment if full payment is not immediately possible

11 i. Offer secure lockbox or other remote locations for after-hours payments

39 j. Use violations bureau (for fines on county fine schedule or uniform fine schedule)

17. What practices does your county use to follow-up on nonpayments? (*Mark all that are used.*)

- 77 a. Ongoing monitoring of fees and fines assessed and amounts collected
- 45 b. Compiling reports on nonpayment
- 63 c. Taking steps to keep defendants' addresses current
- 67 d. Collecting payments from tax refunds due the debtor, using the Minnesota Department of Revenue's "Minnesota Collection Enterprise" revenue recapture
- 77 e. Mailing past-due notices within a set time following nonpayment
- 18 f. Contacting defendants via telephone within a set time following nonpayment
- 17 g. Personally serving delinquency notices within a set time following nonpayment
- 64 h. Defining accounts as uncollectible after suitable time or effort has been expended
- 7 i. Charging interest or fee on late payments
- 2 j. Reporting nonpayments to credit reporting agencies
- 68 k. Notifying the court when nonpayment represents a probation violation
- 79 l. Initiating license suspensions
- 22 m. Initiating garnishment of wages or property liens
- 70 n. Initiating service of warrants for arrest
- 15 o. Other (*Please specify.*)

18. In your opinion, how successful are current efforts in your county to collect fees and fines from defendants? (*Mark one.*)

24 Successful	48 Somewhat successful	7 Neither successful nor unsuccessful	3 Somewhat unsuccessful	– Unsuccessful
---------------	------------------------	---------------------------------------	-------------------------	----------------

19. Within the last five years, has your county taken steps that have improved the collection of fees and fines imposed by the courts?

70 Yes 13 No (*If no, go to question 21.*)

20. If yes, please briefly describe these steps. (*Attach additional sheets, if necessary.*)

GENERAL COURT OPERATIONS

21. In your opinion as court administrator, how adequate are the following for the needs in your county? *(Mark one for each row.)*

	<u>Adequate</u>	<u>Somewhat Adequate</u>	<u>Inadequate</u>
a. Number of court administration staff	34	25	23
b. Funding for court administration	19	36	26
c. Number of court rooms and other court space	25	17	40
d. Condition of court facilities	35	31	16
e. Number of judges	35	32	15

22. If you marked “inadequate” for any resource in question 21, please explain how you believe it needs to change. *(Attach additional sheets, if necessary.)*

23. How would you describe the change in need for the following services in your courts over the past five years? *(Mark one for each row.)*

	<u>50% or More Increase</u>	<u>25 to 49% Increase</u>	<u>1 to 24% Increase</u>	<u>Little or No Change</u>	<u>Decrease</u>
a. Interpreters	30	19	17	15	1
b. Chemical dependency assessments	13	23	37	5	1
c. Mental health assessments	10	22	32	14	1
d. Guardians ad litem	50	23	7	1	-

24. How serious are the following related to your current need for court interpreters? *(Mark one for each row.)*

	<u>Serious</u>	<u>Moderately Serious</u>	<u>Not Serious</u>
a. No interpreters available in certain languages	10	35	33
b. Insufficient number of interpreters to meet the demand	11	27	39
c. Need to wait for interpreters to arrive in courtroom	8	19	50
d. Inadequately trained interpreters	4	27	47

25. Do you have any additional comments about case flow management or court operations in your county?

Thank you for completing this questionnaire!

Please send the completed form in the postage-paid envelope by *Sept. 29, 2000*.

Office of the Legislative Auditor

Room 140, Centennial Building, 658 Cedar Street, St. Paul, MN 55155
651/296-4708