



STATE OF TENNESSEE

COMPTROLLER OF THE TREASURY

STATE CAPITOL

NASHVILLE, TENNESSEE 37243-9034

PHONE (615) 741-2501

Justin P. Wilson
Comptroller

TO: The Honorable Ron Ramsey, Speaker of the Senate
The Honorable Beth Harwell, Speaker of the House of Representatives
Members of the General Assembly

FR: Justin P. Wilson
Comptroller of the Treasury

SUBJECT: Tennessee Trial Courts Judicial Weighted Caseload Study, 2013

DATE: October 30, 2013

Transmitted herewith is the *Tennessee Trial Courts Judicial Weighted Caseload Study, 2013* as funded by the Tennessee General Assembly through Public Chapter 453 of 2013, Section 1, Title III-22. *Tennessee Code Annotated* 16-2-513 requires the Comptroller of the Treasury to maintain and update a weighted caseload study for the state judges.

As directed by the General Assembly, in 2013, the Comptroller's Office contracted with the National Center for State Courts (NCSC) to conduct a new time study by the state trial judges to update the 2007 weighted caseload study. This report reflects the *estimated* judicial resources needed to resolve cases coming before the courts in FY 2012-13. According to NCSC, the weighted caseload model presented in this report should be a *starting point* for determining judicial need; other qualitative factors should also be taken into account when determining judicial staffing needs.

Thank you.

Tennessee Trial Courts Judicial Weighted Caseload Study, 2013

Final Report
October 2013

Court Consulting Division
National Center for State Courts



Tennessee Trial Courts Judicial Weighted Caseload Study, 2013

Final Report, October 2013

Project Staff

Suzanne Tallarico
John Douglas
Erika Friess

National Center for State Courts

Court Consulting Division
Daniel J. Hall, Vice President



Acknowledgments

The authors wish to acknowledge the invaluable contributions of the Tennessee judges in this weighed caseload study. An undertaking of this nature requires the assistance of the informed and dedicated members of the Tennessee judiciary who gave their valuable time to this project.

Over the course of this study, we were fortunate to work with a distinguished advisory committee that was instrumental in refining the approach and content in our assessment. The Workload Assessment Advisory Committee (WAAC) was comprised of the Chief Justice, trial court judges from across the state and staff from the Administrative Office of the Courts and the Office of the State Comptroller.

We extend a special note of thanks to Tammy Hawkins from the Administrative Office of the Courts and Susan Mattson from the Office of the State Comptroller for their roles in ongoing availability and behind-the-scenes assistance throughout this project.

Judicial Workload Assessment Advisory Committee

Judges: Committee Chair Hon. E. Shayne Sexton (8th District); Hon. Jeffery M. Atherton (11th District); Hon. Claudia Bonnyman (20th District); Hon. Michael Binkley (21st District); Hon. Jerri Bryant (10th District); Hon. Robert L. Childers (30th District); Hon. Tony Childress (29th District); Hon. James B. Cox (17th District); Hon. Chris Craft (30th District, *not present*); Hon. Daryl R. Fansler (6th Judicial); Hon. Ross H. Hicks (19th District); Hon. Robert L. Holloway (22nd District); Hon. Vanessa Jackson (14th District); Hon. Philip E. Smith (20th District); Chief Justice Gary Wade (Supreme Court); Hon. Dale C. Workman (6th District).

AOC Staff: Libby Sykes, Administrative Director; Ann Lynn Walker; Tammy Hawkins; Lance Griffin.

Comptroller's Office Staff: Susan Mattson, Elizabeth Jones.

Table of Contents

EXECUTIVE SUMMARY	i
Findings	i
Recommendations	i
Project Design	ii
I. INTRODUCTION	1
II. WORKLOAD ASSESSMENT ADVISORY COMMITTEE (WAAC)	1
III. TIME STUDY	4
IV. QUALITY ADJUSTMENT	7
V. CALCULATING JUDICIAL RESOURCE NEED	12
VI. RECOMMENDATIONS	14
APPENDICES	15
APPENDIX A: CASE TYPE DEFINITIONS	16
APPENDIX B: CASE-RELATED ACTIVITY DEFINITIONS	20
APPENDIX C: NON-CASE-RELATED ACTIVITY DEFINITIONS	21
APPENDIX D: TRAVEL REQUIREMENTS BY JUDICIAL DISTRICT	22
APPENDIX E: AN OVERVIEW OF THE SUFFICIENCY OF TIME SURVEY	23
APPENDIX F: SUFFICIENCY OF TIME SURVEY RESULTS - AT-A-GLANCE	24
APPENDIX G: INSIDE THE NUMBERS FOR ALL CASE TYPES	25
APPENDIX H: JUDICIAL NEED MODEL BY JUDICIAL DISTRICT	29

Executive Summary

Findings

Adequate resources are essential if the Tennessee judiciary is to effectively manage and resolve court business without delay while also delivering quality service to the public. Meeting these challenges involves assessing objectively the number of state-level judicial officers required to handle the trial court's caseload and whether the judicial resources are being allocated and used prudently.¹

At the direction of the General Assembly, the Tennessee Office of the State Comptroller contracted with the National Center for State Courts (NCSC) to help measure judicial workload in the Tennessee trial courts. Both the NCSC and the State Comptroller's Office worked closely with the Administrative Office of the Courts (AOC) to design and implement this study. A clear measure of court workload is critical to determining how many judicial officers are needed to resolve all cases coming before the court, and the measures should be re-established every five to seven years to keep up with changing laws and practices. The updated weighted caseload study replaces the Tennessee judicial weighted caseload model that was last updated in 2007.

This assessment establishes a set of workload standards that provide uniform and comparable measures of the number of judicial officers needed to provide effective case resolution. Application of the workload standards to FY 2012-13 filings results in the need for 60.46 criminal judges, 53.91 civil judges and 42.76 domestic relations judges.

¹ This study only addresses the work of state-level trial court judges, and does not address the work conducted in the general sessions courts or their judges.

Recommendations

The NCSC proposes four recommendations to maintain the integrity and utility of the case weights and judicial needs model.

1. First, judge need should be updated on an annual basis using the most recent case filings. Calculating judge need on an annual basis necessitates that cases be counted consistently and accurately across jurisdictions for all case type categories defined in this report.
 2. Over time, the integrity of the case weights is affected by multiple influences that are likely to impact case processing time. Periodic updating should continue to ensure that the case weights continue to accurately represent the judicial workload.
 3. The weighted caseload model presented in this report should be the *starting point* for determining judicial need. There are qualitative issues that an objective weighted caseload model cannot account for that should be taken into account when determining judicial staffing level needs. Those issues that result in longer or shorter case processing times should be considered.
 4. The AOC should work to identify and count those cases that are tried and, for a variety of reasons, are re-tried without going through the appeals process. When such cases are re-tried, they are counted as a single case in the workload model, but they may account for a significant amount of time in conducting a subsequent trial.
-

Project Design

The NCSC study, in cooperation with the criminal, civil and domestic court judges and members of the AOC and the Comptroller's Office was completed in a series of interrelated steps.

Workload Assessment Advisory Committee

An initial step in the study was the establishment of a policy committee to provide oversight and guidance throughout the life of the project. Specifically, the committee, called the Workload Assessment Advisory Committee (WAAC), refined the approach and the content of the assessment and resolved important issues affecting data collection, interpretation and analysis. During a series of in-person and telephone meetings, the WAAC monitored the development of the workload assessment methodology and reviewed findings at each critical phase of the study and its completion. The committee was chaired by the Honorable E. Shayne Sexton, Criminal Court Judge from the 8th Judicial District, and was comprised of judges representing trial courts in jurisdictions across the state.

Time Study

To establish a baseline of current practice, NCSC staff utilized a time study to measure the amount of time judicial officers currently spend on various activities throughout the day, including case-related and non-case-related activities. The WAAC decided that all judicial officers would participate in the time study. During the 11-week time period spanning June 16 through August 31, 2013, 95.3 percent of Tennessee judges participated in the time study.² The large number of participants, statewide, ensures the reliability of the study and guarantees that there are sufficient data for the development of an accurate and valid picture of current practice – the way judicial officers in Tennessee process cases.

² Judges were asked to enter six weeks of data during the eleven-week period. This method allowed the NCSC team to accommodate a summer data collection period without losing time to summer vacations.

Sufficiency of Time Survey

To gain perspective on the sufficiency of time to perform key case-related and administrative activities, the NCSC administered a survey to all judges. The aim of the survey was to determine whether judges feel they have enough time to do a reasonable job in performing necessary duties under the current staffing and casework levels. Overall, the numerical ratings provided by judges indicated that they generally have adequate time to perform the duties they are expected to complete. However, many judges provided additional comments to explain the various kinds of issues that can complicate time availability. These comments contained information relating to scheduling of trials, taking work home to be prepared for hearings and not having enough time to adequately write thoughtful decisions and opinions. Ultimately, most judges indicated that they typically work more than 8 hours a day in order to complete their work to their level of satisfaction.

Focus Groups

Focus group meetings were held in six locations across the state. Focus groups were held with judges for two primary reasons. First, judges were asked to review and provide feedback on the data collected, including the case weights developed from the time study and the average travel and non-case specific time. Second, the focus group sessions provided an opportunity for judges to present additional information to NCSC facilitators and the WAAC that might be helpful in analyzing the time study data and to better understand the data reported during the time study. For the most part, judges who participated in the focus groups were able to validate the case weights presented to them. Some judges indicated that the summer months were not representative of typical court work, especially in terms of the number of trials that are held. A review of the data indicated that the proportion of time recorded for trial time was equivalent to – or greater than – the proportion of time spent in trial during the 2007 time study. Based on this information and the fact that judges were able to select the most representative six weeks of an eleven-week data collection period convinced the WAAC that the data collected were sound, representative and reliable.

Calculating Judicial Resource Need

The application of the updated case weights to FY 2012-13 filings results in the expected judicial workload for the state of Tennessee. Dividing the workload by the identified judge year value results in the number of judicial officers needed to effectively process the cases filed (see the full

report for detail on the methodology). The updated model, based on the 2013 case weights and FY 2012-13 case filings indicates the need for a total of 157.13 judicial officers statewide (the judicial need displayed is based upon the individual travel requirements per district, the statewide average travel time is displayed in the need table below).

2013 Tennessee Trial Court Judges Need Model

	Case Type	Case Weight	Total Filings FY 2012-13
Criminal	First Degree Murder	776	540
	Post Conviction Relief	381	561
	Felony A & B	157	6,931
	Felony (C, D, E)	45	33,680
	DUI	89	3,661
	Recovery (Drug) Court ***	167	1,012
	Criminal Appeals (incl. juvenile delinquency)	11	376
	Misdemeanor	29	9,252
	Other Petitions, Motions, Writs	28	1,998
	Other Petitions, Motions, Writs-Prison Districts	57	3,065
Probation Violation	18	28,601	
General Civil/Other	Administrative Hearings **	204	404
	Contract/Debt/Specific Performance	104	5,917
	Damages/Tort	135	9,876
	Guardianship/Conservatorship	70	2,225
	Judicial Hospitalization	19	641
	Juvenile Court Appeal (Civil)	287	193
	Medical Malpractice	1320	385
	Probate/Trust	24	13,168
	Other General Civil	58	12,396
	Real Estate	259	1,662
Domestic Relations	Child Support	20	12,704
	Divorce with Children	106	12,871
	Divorce without Children	40	16,905
	Residential Parenting	108	2,228
	Protection of Children (paternity, adoption, legitimation, surrender, TPR)	65	3,900
	Orders of Protection	32	8,042
	Contempt	14	8,483
	Other Domestic Relations	73	2,377
Need Computation	Total Filings		204,054
	Workload (Weights x Filings)		12,353,923
	Judge Year (210 days per year, 8 hrs per day)		100,800
	Average District Travel per year		5,376.00
	Non-case related Time (78 minutes/day)		16,380
	Availability for Case-Specific Work		79,044
	# Judges		152
	Total Judicial Officer Demand		157.13
	FTE Deficit or Excess		-5.13
	Criminal Judges Needed		60.46
	Civil Judges Needed		53.91
	Domestic Relations Judges Needed		42.76
	Total Judicial Officer Demand		157.13

Source: National Center for State Courts, 2013. Data on Filings provided by the Tennessee Administrative Office of the Courts.

*To account for a reporting error for one county in the 4th district, the number of OPMW filings was reduced to include data from the remaining counties.

** The 20th Judicial district is statutorily mandated jurisdiction in UPA Administrative Hearing cases. A case weight of 496 minutes is used in this district.

*** Workload is based on the FY2014 Capacity of the Drug Courts.

Workers Compensation	41	7,607
Judicial workload associated with Workers Comp. cases (minutes)		311,887
Judicial FTE associated with Workers Comp. cases		3.95

Note: For planning purposes, workers' compensation cases are not included in the estimated judge need. Workers' compensation cases will not be filed in state trial courts beginning July 1, 2014.

I. Introduction

The Tennessee Office of the Comptroller contracted with the National Center for State Courts (NCSC), working closely with the Tennessee Administrative Office of the Courts (AOC), to measure the amount of judicial work in the Tennessee Trial Courts. Clear and comprehensible information on the amount of work to be done is central to determining how many judges are needed to process cases coming before the courts. Adequate resources are essential if the Tennessee judiciary is to effectively manage and resolve court business without delay, while also delivering quality service to the public. Meeting these expectations requires an objective method to assess the number of judges required to handle cases and how closely resources are allocated equitably across the State. In responding to these challenges, judicial leaders around the country are increasingly turning to empirically based workload assessments to provide a strong foundation of judicial resource needs.¹

A basic premise of workload assessment is that all cases are not equal. Workload assessment is a resource methodology that weights cases to capture the varying complexity and corresponding need for individual attention. As a result, a more accurate assessment of the amount of time required to manage the courts' work is gained.

Workload studies have the added advantage of providing standardized assessments of need among jurisdictions that vary in geography, population and caseload composition.

¹ The NCSC has conducted judicial weighted caseload studies in 25 states since 2000. Many weighted caseload studies for court staff, probation officers and others have also been conducted since 2000. Two such judicial studies have been previously conducted in Tennessee; the first in 1999 and the second in 2007.

This report describes the methods and results of the NCSC's comprehensive assessment of judicial officers in Tennessee's state-level trial courts.² The current assessment addresses the pertinent question of how many judges are needed in Tennessee to provide for the effective management of cases in an empirically based, rigorous manner. Based on this rationale, the primary goals of the study were to:

1. Develop a clear measure of judicial workload in Tennessee.
2. Establish a transparent formula for the Comptroller's Office and the AOC to use in assessing the appropriate levels of judicial resources necessary to provide for the effective handling of cases.

II. Workload Assessment Advisory Committee (WAAC)

The first step in the workload assessment was to establish a policy committee to provide oversight and guidance throughout the life of the project. Specifically, the committee, called the Workload Assessment Advisory Committee (WAAC), was charged with refining the approach and content of the evaluation and resolving important issues affecting data collection, interpretation and analysis. Over a series of in-person meetings, the advisory committee monitored the development of the workload assessment methodology, worked closely with the NCSC project staff to identify issues particularly relevant to specific jurisdictions (e.g., extensive travel requirements, fluctuating case filings) and reviewed and finalized each phase and the results of the

² This study only addresses the judicial needs for the state-level trial courts and not the needs for general sessions court judges.

study. The Honorable E. Shayne Sexton, Criminal Court Judge from the 8th Judicial District, chaired the committee. The committee was comprised of trial court judges representing jurisdictions across the state. A complete list of members of the WAAC can be found in the *Acknowledgments* section of this report.

One of the first responsibilities of the WAAC was to identify and define the parameters for which data would be collected during the workload assessment. This included identifying: (a) the types of cases for which to generate case weights, (b) the tasks and activities (case-related and non-case-related activities) that judges perform in- and out-of-court, (c) the timeframe during which the data would be collected, and (d) the length of time that needed to be captured. Members of the NCSC project team met with the WAAC in April 2013 to establish these study details.

Case Types

A fundamental assumption of the study is that the more complex a case, the more judicial time is necessary to handle it. Knowing the average amount of time devoted to different types of cases allows for the estimation of judicial need in relation to the number of and relative complexity of cases handled. Developing an appropriate set of case type categories is important because they should reflect the way cases are actually counted in Tennessee. They also should be aggregated into a meaningful but limited number of categories that are likely to remain stable for the foreseeable future. Following this logic, the WAAC determined that time study data should be collected on 30 case types. Figure 1 shows the trial court case types, FY 2012-13 case filings and the percentage of total filings for each case type.³

³ The WAAC also included a case type category for out of jurisdiction case-related work. This category is not shown as a case type in Figure 1 because the data was treated differently in the workload model. The time associated with this work may be used in the future to

A full description of the case types is presented Appendix A.

Figure 1: Tennessee Trial Court Filings

Case Types	FY 2012-13 Filings	% of Total Filings
Criminal	First Degree Murder	0.26%
	Post-Conviction Relief	0.27%
	Felony A & B	3.27%
	Felony (C, D & E)	15.91%
	DUI	1.73%
	Recovery (Drug) Court	0.48%
	Criminal Appeals (includes Juvenile Delinquency)	0.18%
	Misdemeanor	4.37%
	Other Petitions, Motions & Writs	0.94%
	Other Petitions, Motions & Writs – Prison Districts	1.45%
Probation Violation	13.51%	
General Civil/Other	Administrative Hearings	0.13%
	Administrative Hearings – Davidson County	0.06%
	Contract Debt/Specific Performance	2.80%
	Damages/Tort	4.67%
	Guardianship/Conservatorship	1.05%
	Judicial Hospitalization	0.30%
	Juvenile Court Appeal (Civil)	0.09%
	Medical Malpractice	0.18%
	Probate/Trust	6.22%
	Other General Civil	5.86%
Real Estate	0.79%	
Workers Compensation	3.59%	
Domestic Relations	Child Support	6.00%
	Divorce with Minor Children	6.08%
	Divorce without Minor Children	7.99%
	Residential Parenting	1.05%
	Protection of Children	1.84%
	Orders of Protection	3.80%
	Other Domestic Relations	4.01%
	Contempt	1.12%
Total Filings	211,661	100.00%

Tasks and Activities

Judges perform a variety of functions in- and out-of-court that can be directly related to the processing of cases (case-related activities) or non-case-related activities. NCSC staff worked closely with the WAAC who developed a comprehensive list of judicial activities. The list of activities served

develop a “credit” that can be applied to the need model for jurisdictions that engage in this type of work.

as an organizing device to guide data collection during the time study. In addition, these categories were the foundation for a structured quality adjustment review process (see Section IV Quality Adjustment of this report). A list of the seven case-related and the eight non-case-related activities are provided in Figures 2 and 3. A more detailed description can be found in Appendices B and C.

In addition to the activities for which time was recorded, three check-box items were placed on the data collection instrument. For cases involving re-opened files (this option applied to eight specific case types identified in Appendix A), the use of interpreters or when one or both parties included a self-represented litigant, judges were asked to identify that time through the use of a check box.⁴

Figure 2: Case-Related Activities

Pre-Trial Activities - Routine matters that occur in cases before a trial or other disposition is reached and/or before a case goes to trial. Examples of activities include: initial appearance/arraignment; pre-trial hearings and motions; pre-trial conference; calendar or docket call; pre-trial management conferences; non-trial disposition activities and administrative activities occurring pre-trial.

Bench Trial Activities - All activities associated with bench trials, whether the work is done in or out of the courtroom, incident to the conduct of a trial or adjudicatory hearing in which the judge is the trier of fact and includes hearings to memorialize an agreement. Also includes administrative activities that occur during the bench trial phase of a case.

Jury Trial Activities - All activities associated with conducting a jury trial, including jury selection and activities through entry of verdict – or – through a guilty plea, settlement or dismissal prior to verdict. Also includes administrative activities that occur during the jury trial phase of a case.

Post-trial Activities - Activities related to a case after a disposition has been reached, including sentencing, post-judgment hearings and orders, post-judgment writs and petitions (for cases not included in the Reopened Domestic Relations case types) and any administrative activities that occur post-trial/post-disposition.

Judicial Settlement Conferences - All time spent conducting settlement conferences (for cases filed in another district).

Out of Jurisdiction Worker’s Comp. Panels - All time spent working on workers’ compensation panel cases.

Out of Jurisdiction Other - Other time spent on out of jurisdiction case-related work.

⁴ By also providing the amount of time associated with these special circumstances, NCSC analysts were able to determine the additional time associated with case processing when these conditions existed. The WAAC determined that, since the time associated with these pro se and non-English speaking litigants is included in the case weights, that this information should not be incorporated differentially in the model.

Figure 3: Non-Case-Related Activities

General Administration - Includes all time associated with general court administration, such as personnel issues, case assignment, non-specific legal research, professional reading of law journals and other related literature.

Committees, Meetings and Related Work - Includes all time spent in committee meetings, including en banc meetings, state or local committee meetings and local staff meetings. Also includes work associated with such meetings, such as reviewing materials or developing meeting materials.

Community Activities and Speaking Engagements - Includes all time associated with community outreach and community activities in which work was conducted in the official capacity as a judge, such as speaking at local bar luncheon, school/college or community organizations.

Work-Related Travel - Includes all non-commuting travel time for activities required in your capacity as a judge/elected official.

Vacation, Holiday, Illness or Other Leave - Includes all time away from the court due to vacation, state-authorized holiday, illness or other personal leave time.⁵

Other - Includes any non-case-related activities that are not included in the list but are required of you in your capacity as a judicial officer.

NCSC Data Reporting Time - All time associated with tracking and entering data for the current time study.

III. Time Study

To establish a baseline of current practice, NCSC staff used a time-and-motion study to measure the amount of time judicial officers currently spend on various activities throughout the day, including case-related and non-case-related activities. The WAAC agreed that *all* judges should participate in the time study to ensure the most accurate and reliable data.

⁵ Allowance for judicial leave is provided in the judge year value, described later in this report. Since this time is accounted for in the year value, it is necessary for judges to record time off so it can be addressed by statistically replacing actual leave time with the average of the work time recorded.

During the eleven-week time period (June 16 to August 31, 2013), 95.3 percent of judges (143 of 150 filled judicial positions) in Tennessee participated in the time study.⁶ The large number of participants, statewide, establishes the reliability of this study and ensures that there are sufficient data for the development of an accurate and valid picture of current practice—the way judicial officers in Tennessee currently process cases. During the time study, judges tracked and recorded the time they spent conducting court business. Specifically, they tracked case-related work by case type and activity and, for non-case-specific work, they tracked the amount of time by the activity category.

Figure 4 presents a detailed picture of the percentage of case-related time trial court judges are currently spending on cases, statewide. There are three primary case types in which the majority of the trial court judges' time is spent. These three case types are felony C, D and E (12.4%), divorce with minor children (11.42%) and damages/tort (10.37%). In terms of activities, the greatest proportion of time for all case types (44.82%) is spent on trial activities, which is interesting, given that trial dispositions are a relatively rare event (1.03% of all dispositions in FY 2012-13). This data highlights the fact that the use of trials as a dispositive option is a very time consuming activity for judges.

Taking a closer look at filings and the percent of time spent on each case type provides an illustration of the utility of the weighted caseload methodology. As previously shown in Figure 1, filings for probation violations represent over 13 percent of the total trial court filings. In

⁶ To ensure consistency in the tracking of time, NCSC staff held training sessions for judges. Three in-person sessions were held during the week of May 20, 2013; two webinars were held (one on May 29 and one on June 5), and a plenary session was held at the Judicial Conference in June 2013. Additionally, written materials were made available to all judges prior to and during the time study period.

contrast, Figure 4 reveals that trial court judges only spend less than four percent of their case-related time on these cases. Conversely, medical malpractice cases represent less than one percent of filings and nearly four percent of the time. In other words, caseload is not the same as workload.

Figure 4: Percentage of Judge Time Reported by Case Type and Case-Related Events During the June-August 2013 Time Study

Case Types	Pre-Trial	All Trial Work	Post-Trial	Total
Criminal				
First Degree Murder	.97%	2.13%	.24%	3.34%
Post-Conviction Relief	.32%	.37%	.93%	1.62%
Felony A & B	3.46%	4.37%	.86%	8.69%
Felony (C, D & E)	6.89%	4.05%	1.45%	12.40%
DUI	1.22%	1.08%	.12%	2.42%
Recovery (Drug) Court	1.05% (all recovery court time)			1.05%
Criminal/Juvenile Delinquency Appeals	.02%	.01%	0%	.03%
Misdemeanor	1.44%	.60%	.19%	2.23%
Other Petitions, Motions & Writs (all)	.99%	.08%	.51%	1.58%
Probation Violation	1.25%	.92%	1.59%	3.77%
General Civil/Other				
Administrative Hearings (Non-Davidson County)	.28%	.29%	.11%	.58%
Administrative Hearings (Davidson County)	.26%	.16%	.19%	.60%
Contract Debt/Specific Performance	2.72%	1.79%	.69%	5.21%
Damages/Tort	5.14%	4.48%	.74%	10.37%
Guardianship/Conservatorship	.38%	.53%	.31%	1.22%
Judicial Hospitalization	.02%	.07%	0%	.09%
Juvenile Court Appeal (Civil)	.16%	.28%	.03%	.47%
Medical Malpractice	1.34%	2.45%	.04%	3.83%
Probate/Trust	.90%	1.01%	.50%	2.41%
Other General Civil	2.98%	1.84%	.67%	5.50%
Real Estate	1.12%	1.24%	.64%	3.00%
Worker's Compensation	1.01%	1.17%	.35%	2.53%
Domestic Relations				
Child Support	.34%	.98%	.57%	1.90%
Divorce with Minor Children	2.89%	6.08%	2.45%	11.42%
Divorce without Minor Children	1.36%	3.16%	.90%	5.41%
Residential Parenting	.29%	1.25%	.36%	1.89%
Protection of Children	.49%	1.36%	.10%	1.95%
Orders of Protection	.50%	1.40%	.14%	2.14%
Contempt	.16%	.60%	.17%	.93%
Other Domestic Relations	.43%	.86%	.21%	1.49%
Total Judge Case-Related Time	39.77%	44.82%	15.41%	100.00%

Preliminary Case Weights

The data collected during the time study allows for the construction of preliminary case weights for the case types defined by the WAAC. By developing separate case weights for different case types, the model accounts for the fact that case types vary in complexity and require different amounts of judicial time and attention. Relying solely on the sheer number of cases to assess the demands placed on judges ignores the varying levels of resources needed to process different types of cases effectively, as can be seen by comparing the distribution of cases and time expenditure in Figures 1 and 4.

The preliminary case weights are calculated by first annualizing all data recorded, then summing the judicial officer time recorded for each case type and dividing the number of cases disposed for each case type during FY 2012-13.⁷ This result provides a picture of current practice: the average amount of time currently spent by trial court judges in Tennessee on each of the identified case types. An example of the calculation of preliminary case weights for a DUI case is presented in Figure 5.

Figure 5: Calculating Preliminary Case Weights for DUI Cases

Time Recorded Annualized (minutes)	÷	FY 2012-13 Dispositions	=	Preliminary Case Weight
306,670	÷	3,462	=	89

During the time study, trial court judges in Tennessee reported a total of 306,670 minutes of weighted case-related time devoted to DUI cases.⁸ Dividing the time by the number of FY 2012-13 DUI case dispositions (3,462) yields a preliminary

⁷ The AOC provided case disposition data.

⁸ All time reported during the time study was weighted to reflect one year of time in order to ensure consistency with the FY 2012-13 disposition data.

case weight of 89 minutes. This number indicates that on average, trial court judges in Tennessee are currently spending 1.48 hours (89 minutes) processing a DUI case from filing to resolution, as determined by the time study. The complete set of preliminary case weights for the Tennessee trial courts, developed using this method, are displayed in Figure 6.

Figure 6: Preliminary Case Weights (minutes)

Case Types	Preliminary Case Weights		
Criminal Case Types	First Degree Murder	776	
	Post-Conviction Relief	381	
	Felony A & B	157	
	Felony (C, D & E)	45	
	DUI	89	
	Recovery (Drug) Court	167	
	Criminal Appeals (includes Juvenile Delinquency)	11	
	Misdemeanor	29	
	Other Petitions, Motions & Writs	28	
	Other Petitions, Motions & Writs – Prison Districts	57	
	Probation Violation	18	
	General/Civil/Other	Administrative Hearings – Davidson County	496
		Administrative Hearings – Non Davidson County	204
Contract Debt/Specific Performance		104	
Damages/Tort		135	
Guardianship/Conservatorship		70	
Judicial Hospitalization		19	
Juvenile Appeal (Civil)		287	
Medical Malpractice		1,320	
Probate/Trust		24	
Other General Civil		58	
Real Estate		259	
Workers Compensation	41		
Domestic Relations	Child Support	20	
	Divorce with Minor Children	106	
	Divorce without Minor Children	40	
	Residential Parenting	108	
	Protection of Children	65	
	Orders of Protection	32	
	Contempt	14	
	Other Domestic Relations	73	

The preliminary weights represent the amount of time judicial officers *currently* spend on processing cases. They do not necessarily capture the full amount of time necessary for trial court judges to perform essential tasks and functions with maximum effectiveness – the time they *should* be

spending. The process of moving from “what is” to “what ought to be” is documented in Section IV of this report. Before determining whether any quality adjustments must be made, it is necessary to assess the validity of the preliminary case weights to see whether the implied workload could have been accomplished with the judicial officers currently in place. To do this requires determining the judge year value.

Determining the Judge Year Value

In every workload study, three factors contribute to the calculation of resource need: case filings, case weights and the judge year value. The relationship of these elements is expressed as follows:

$$Workload = Cases\ Filed * Case\ Weights$$

$$Resource\ Need = Workload \div Judge\ Year\ Value$$

The judge year value represents the amount of time in a year judges have to complete their work. Arriving at this value is a three-stage process that entails calculating how many days per year are available for judges to perform work (the *judge work-year*) and then determining how many business hours each day are available for case-related work as opposed to non-case-related work (the *judge day*). Multiplying these two measures together and then by 60 minutes gives the *judge year value*, which is an estimate of the amount of time (in minutes) the “average” judge has to process cases during the year.

a. The judge work-year. Calculating the “average” judge work-year requires determining the number of days per year that judges have to perform case-related matters. Obtaining this number involved working closely with the WAAC to deduct time for weekends, holidays, personal days, vacation, short-term illness and education days. After deducting these constants from 365 days, it was determined that *judges in Tennessee have, on average, 210 days*

available each year to perform judicial activities (Figure 7).

Figure 7: Calculating the Judge Work-Year

Total Days in a Year		365
Subtract non-working days		
Weekends	-	104
Holidays	-	12
Vacation/sick/other	-	27
Education/training	-	12
Total Days Available for Assignment	-	210

b. The judge day. The judge day is separated into two parts: the amount of time devoted to (1) case-related and (2) non-case-related activities.

1. Case-related time for judges includes all time devoted to activities such as the following:
 - Pre-trial activities
 - Bench trial activities
 - Jury trial activities
 - Post-trial activities
 - Judicial settlement conferences

2. Non-case-related time for judges includes time devoted to activities such as the following:
 - General administration
 - Committees, meetings and related work
 - Community activities, speaking engagements, etc.
 - Education and training
 - Work-related travel (differentiated by judicial district)
 - Other non-case-related activities

The Tennessee judicial needs model is built on a standard judge workday of 8 hours per day.⁹ Data collected during the time study established the average amount of time associated with non-case-related activities

⁹ In 2007, the Tennessee judicial needs model was built on a 7.5-hour day. For the current study, the judges executive committee agreed to use an 8-hour day in the judicial needs model.

(78 minutes per day) and the average amount of time associated with work-related travel (differentiated by judicial district). Given the variation in travel requirements by district, the actual average travel time *per judicial district* was included in the judicial need model (see Appendix D for individual judicial district travel requirements).

c. The judge year value. Multiplying the judge year by the number of hours in a day available for case-related work (8 hours minus non-case-related time and travel time) yields the amount of time available per year for judges to work. Therefore, the judge year value for judges ranges from 65,856 minutes per year in the 12th judicial district (a high-travel district) to 84,420 in the 7th judicial district (a no-travel district), with an average of 79,044 minutes per year (210 days x 6.5 hours per day – average travel time x 60 minutes per hour).

Figure 8: Average Judge Year Calculations for Tennessee Trial Court Judges

Total Hours per Day		9.0
Subtract		
Lunch break	-	1.0
Travel time	-	.43
Other non-case related time	-	1.30
Total Case-Related Hours per Day	-	6.27 ¹⁰

IV. Quality Adjustment

Sufficiency of Time Survey

The time study is intended to measure the amount of time judges currently spend handling cases, but it does not inform us of the amount of time judges should spend on activities to ensure the quality processing of cases. To gain perspective on the sufficiency

¹⁰ Rounding processes preclude the number of hour and minute translations to add precisely. The average amount of travel time rounds down to .4267, and this number accounts for the variation in translation from number of hours per day to minutes per year.

of time to perform key case-related and non-case-related activities, the NCSC administered a web-based organizational assessment survey to all judges in August 2013. The results of the survey were reviewed and discussed by the WAAC to evaluate the preliminary case weights and ensure that they provide sufficient time for quality service to the public.

The web-based survey first asked respondents to rank the average case processing time, for each caseload type (criminal, civil and domestic relations), from lowest to highest. This information was obtained in order to compare the time requirements with the actual case weights. Next, the questionnaire focused more specifically on judicial tasks, and respondents were asked to assess whether they have enough time to do a reasonable job in performing necessary judicial duties. The list of specific judicial duties was organized around the major court categories (criminal, civil and domestic relations) for which judges tracked their time during the time study: pretrial activities, bench trial, jury trial and post-trial.¹¹

Specifically, for each of the four separate case activity categories identified, judges were asked to evaluate the statement, “When I think about the following [CRIMINAL, CIVIL, DOMESTIC RELATIONS] case types, I feel that I am generally provided with adequate time – without feeling rushed – to complete the identified phases of the case with a level of quality with which I am satisfied.” Survey respondents were offered a five-point response scale ranging from the positive “Almost Always” (5), to the negative “Almost Never” (1). For duties that respondents did not regularly perform or did not apply to their position or caseload, a response of “Does Not Apply” was available. An example of the survey layout, illustrating one activity, is provided in Figure 10.

¹¹ NCSC staff developed the initial survey, which was reviewed and revised by AOC staff.

Overall, 98 of the 150 trial court judges statewide (65.3%)¹² participated in the survey.

Figure 10: Sufficiency of Time Survey Layout

When I think about the following CRIMINAL CASE TYPES - I feel that I am generally provided with adequate time to complete the following tasks to a level of quality with which I am satisfied:

***1st Degree Murder**

Pretrial activities:

5	4	3	2	1	NA
Almost Always	Frequently	Occasionally	Seldom	Almost Never	Does Not Apply

NCSC staff compiled the responses and analyzed the results of the survey. For each activity an average response score was generated.¹³ A general overview of the survey is provided in Appendix E, and a complete set of the results can be found in Appendix F.

Generally, an average rating of 3.0 or greater indicates that, as a group, judges generally have sufficient time to adequately complete their work. In the current survey, there were no areas that scored below this threshold, suggesting that *judges have sufficient time to complete most of their work.*

Several respondents provided comments to further explain the nature of their time constraints regarding various case types. While the overall ratings indicated that judges have sufficient time to do their work, their comments provide insight into the specific difficulties they have juggling the work demands. One judge’s comment sums up a common sentiment regarding time availability: *“I almost never have adequate time; however, whether or not I have the adequate time, I make the time to be certain that I perform the task to the best of my ability. This frequently means working considerably more than an 8 hour day.”* Many

¹² There are 152 judicial positions in Tennessee; however, two were vacant at the time this survey was conducted.

¹³ Responses of “Does Not Apply” were treated as missing data.

judges reported the need to take work home in order to prepare for hearings on the following day, as indicated by this comment: *“Almost without fail, I review all court files the night before hearing or trial.”* Judges also indicated that trials frequently take time away from other regularly scheduled events, as indicated by comments such as this: *“In my court there are usually six cases set for trial every Monday, Tuesday and Wednesday. Other matters (motions, petitions, probation hearings, etc.) are usually set on Thursday and Friday. When a matter comes on to be heard we give it the time needed to deal with it properly. The pressure is the backlog of cases that have to be reset when one case is being heard.”* It was also a common concern that judges have limited time to write thorough decisions, such as this: *“I need more time to write complete opinions. Currently I feel that to finish one case I’m stealing time from the prep for the next case.”* Finally, this last comment characterizes the theme of comments throughout the survey and likely conveys the reason for the high ratings in terms of perceived adequacy of time for judges to do their work: *“I began serving the court after (many) years of private practice. I did not go to court unprepared during the years of private practice and I do not go to court unprepared now. I do not work 7 ½ or 8 hour days. I generally get to work around 8:15 and generally leave around 7 p.m. I generally take work home on the weekends.”*

To highlight those case types judges reported having some struggles meeting work and time demands, Figure 11 presents, the case types and case processing phases for which average scores were *less than 3.5*, which is slightly higher than the threshold scoring we typically use to indicate time constraints.

Figure 11: Sufficiency of Time Survey Findings – Activities for Which Judges Lack Time

Case Type & Activity	Average Score
Complex Administrative Hearings	
<i>Pre-trial activities</i>	3.47
<i>Post-trial activities</i>	3.30
Medical Malpractice	
<i>Pre-trial activities</i>	3.46
Residential Parenting	
<i>Pre-trial activities</i>	3.41

Focus Groups

After the sufficiency of time survey data and the preliminary case weights were reviewed by the WAAC, NCSC staff held six focus groups across the state to obtain impressions and feedback about both pieces of information from judges across the state.¹⁴ At each focus group, NCSC staff provided a brief orientation to the process used in preparing the preliminary time study case weights and a review of the non-case specific and travel time recorded by judges during the time study.

The focus groups had two additional aims in terms of information gathering. First, since time study data were collected during the summer months¹⁵ (which we generally do not recommend), NCSC staff queried the participants about the degree to which the work in which they engaged is representative – or not – of work they do at other times of the year. Second, NCSC staff provided an opportunity for judge participants to inform them about qualitative

¹⁴ Focus groups were held on September 16, 17 and 18 in Nashville, Memphis, Jackson, Morristown, Chattanooga and Knoxville.

¹⁵ NCSC consultants who regularly conduct workload assessment studies do not recommend collecting data during the summer months. Historically, many judges indicated that court work slows down during the summer months due to vacations taken by both staff and judges. Given the urgency of the need to have the study completed, a summer data collection was the NCSC’s only option. In an effort to ensure the highest quality of data, judges were provided an eleven-week time period in which to capture six full weeks of data.

issues regarding their specific court or judicial district that they felt we needed to understand to have a complete picture of judicial staffing needs.

Quality Adjustment Process

After convening the focus groups and obtaining feedback on the preliminary case weights and the data collection period and process, the WAAC met to review all of the data. The focus group participants' views on the process and the preliminary case weights were shared with the WAAC. This information was used as a guide when reviewing the preliminary case weights with an eye toward making any necessary quality adjustments.

For each case type, the WAAC members were asked to indicate whether they believed the case weight provided sufficient time to achieve a level of quality. The members voted on each case type, one by one. If a committee member or members had particular issues or concerns about a particular case weight, that issue was tabled for later discussion. Once all of the case types had been reviewed, those items that had been tabled were brought back before the committee for further discussion.

Several issues discussed by the WAAC are worth mentioning in this report. First, the administrative hearing case weight was computed separately for the 20th judicial district, Davidson County, and the rest of the state. The WAAC reasoned that, legislatively, certain types of cases that fall within this category can only be filed in Davidson County, and these cases are often more complex and time-consuming. An analysis of the data confirmed that all time associated with all administrative hearings (including those recorded as complex and those recorded as routine) was greater, on average, than time spent on this type of case in all of the other districts. For this reason, the administrative hearing case weight was

computed separately for Davidson County and for the non-Davidson County districts.

Second, a similar discussion occurred in relation to the case type category for other petitions, motions and warrants. The WAAC reasoned that the overwhelming majority of these cases come in from prison inmates and the cases are filed in the county in which the prison is located. As a result, courts in which prisons are located have a different type of case makeup in this case type category, and these cases often are more complicated and time-consuming to resolve. An analysis of the data confirmed this differentiation, and so separate case weights were computed for the counties in which prisons exist and those in which there are no prisons.

Third, the committee reviewed the data associated with reopened cases to determine whether separate case weights should be computed when certain case types, such as divorce cases, are reopened. After reviewing the data, the committee agreed that combining the original and the reopened adequately accounts for all judicial work associated with reopened cases.¹⁶

Finally, law clerks were asked to record their case-related time during the data collection period. The WAAC reviewed case weights that included law clerk time and case weights that did not. In the end, the law clerk time was excluded from the case weights for two reasons. First, not all law clerk time was recorded, and second, since law clerks do not exist uniformly across the state, the WAAC agreed that this time should be excluded from the case weight computations.

¹⁶ Some of the data associated with reopened case types was unusually high, and some unusually low, either because of incorrect data recording associated with reopened cases or because of the relatively rare occurrence of reopened cases in some categories. By combining original and reopened case time, the committee ensured that all time associated with those case types was included in the final case weight.

Interpretation of the time study findings were supported by looking “inside the numbers” for each case weight to see how total time is distributed across pretrial, trial and post-trial activities. Perspectives on the way judicial officer time is spent over the life of a case can add focus and precision to the case weight discussions. Completed “inside the numbers” information was provided to the WAAC for all case types under investigation in the workload assessment study. For example, Figure 12 illustrates these results for divorce with minor children.

Figure 12: “Inside the Numbers” Example for Divorce with Minor Children case type

Divorce with Minor Children	Average time when event occurs (minutes)	*	Event Frequency	=	Preliminary Case Weight (minutes)
Pre-trial	27	*	100%	=	27
Bench/Jury Trial	493	*	11.48%	=	56
Post-Trial	23	*	100%	=	23
					106

Considering divorce with minor children cases, it is known that 100% of all cases include pre-trial activity and the estimated average time spent on such matters is 27 minutes (derived from the time study). As such, pre-trial activities contribute 27 minutes to the total case weight of 106 minutes. Trials (jury and bench) occurred in 11.48% of the divorce with children cases that were disposed in FY 2012-13; but when they occur, typical trials last 493 minutes (8.22 hours). Combining these two factors (493 * .1148 event frequency) means that trial time contributes 56 minutes to the overall case weight.

The utility of the event level analysis is that it allows the WAAC to see the average time currently being spent by event as they evaluate whether current practice is sufficient to do a job of reasonable quality. In addition, if an adjustment to current practice seems warranted to improve the

quality of case processing, the overall impact of the adjustment on the case weight can be calculated. The WAAC reviewed each of the case types for their areas of expertise. Upon seeing how the trial time can be estimated by using actual trial rates, the WAAC members found the case weights to be more meaningful.

The final case weights (presented in Figure 13), which are the same as the initial case weights, have a direct impact on total workload and ultimately on the overall need for judges in Tennessee. This relationship is the focus of the next section of this report.

Figure 13: Final Case Weights (minutes)

Case Types	Preliminary Case Weights
Criminal Case Types	
First Degree Murder	776
Post-Conviction Relief	381
Felony A & B	157
Felony (C, D & E)	45
DUI	89
Recovery (Drug) Court	167
Criminal Appeals (includes Juvenile Delinquency)	11
Misdemeanor	29
Other Petitions, Motions & Writs	28
Other Petitions, Motions & Writs – Prison Districts	57
Probation Violation	18
General/Civil/Other	
Administrative Hearings – Davidson County	496
Administrative Hearings – Non Davidson County	204
Contract Debt/Specific Performance	104
Damages/Tort	135
Guardianship/Conservatorship	70
Judicial Hospitalization	19
Juvenile Appeal (Civil)	287
Medical Malpractice	1,320
Probate/Trust	24
Other General Civil	58
Real Estate	259
Workers Compensation	41
Domestic Relations	
Child Support	20
Divorce with Minor Children	106
Divorce without Minor Children	40
Residential Parenting	108
Protection of Children	65
Orders of Protection	32
Contempt	14
Other Domestic Relations	73

V. Calculating Judicial Resource Need

To determine the staffing needs for judges the final case weights were applied to FY 2012-13 filings. Judicial need is determined by first calculating the workload by multiplying each case weight by the number of cases for that case weight in each judicial district. The product is then divided by the judge year value, which results in the number of judges needed to handle the annual workload. Figure 14 contains the statewide need calculations for trial court judges in Tennessee. Appendix H presents this information for each judicial district.

The application of the quality adjusted case weights to FY 2012-13 filings results in over 12 million minutes of work for the trial courts. Dividing the workload by judge year value and accommodating travel and non-case-related work requirements results in the number of trial court judges needed to effectively process the cases filed in FY 2012-2013 in the state of Tennessee. Statewide, the model indicates the need for 157.13 trial court judges across the state.¹⁷

¹⁷ More specifically, the sum of 157.13 is derived by determining judicial need for each district individually, and accounts for the individual travel requirements of each district. When the average travel time, shown in this table is used to compute judicial need, the resulting judicial need is 156.29.

Figure 14: Statewide Trial Court Implied Judge Need

	Case Type	Case Weight	Total Filings FY 2012-13
Criminal	First Degree Murder	776	540
	Post Conviction Relief	381	561
	Felony A & B	157	6,931
	Felony (C, D, E)	45	33,680
	DUI	89	3,661
	Recovery (Drug) Court ***	167	1,012
	Criminal Appeals (incl. juvenile delinquency)	11	376
	Misdemeanor	29	9,252
	Other Petitions, Motions, Writs	28	1,998
	Other Petitions, Motions, Writs-Prison Districts	57	3,065
	Probation Violation	18	28,601
General Civil/Other	Administrative Hearings **	204	404
	Contract/Debt/Specific Performance	104	5,917
	Damages/Tort	135	9,876
	Guardianship/Conservatorship	70	2,225
	Judicial Hospitalization	19	641
	Juvenile Court Appeal (Civil)	287	193
	Medical Malpractice	1320	385
	Probate/Trust	24	13,168
	Other General Civil	58	12,396
	Real Estate	259	1,662
Domestic Relations	Child Support	20	12,704
	Divorce with Children	106	12,871
	Divorce without Children	40	16,905
	Residential Parenting	108	2,228
	Protection of Children (paternity, adoption, legitimation, surrender, TPR)	65	3,900
	Orders of Protection	32	8,042
	Contempt	14	8,483
	Other Domestic Relations	73	2,377
Need Computation	Total Filings		204,054
	Workload (Weights x Filings)		12,353,923
	Judge Year (210 days per year, 8 hrs per day)		100,800
	Average District Travel per year		5,376.00
	Non-case related Time (78 minutes/day)		16,380
	Availability for Case-Specific Work		79,044
	# Judges		152
	Total Judicial Officer Demand		157.13
	FTE Deficit or Excess		-5.13
	Criminal Judges Needed		60.46
	Civil Judges Needed		53.91
	Domestic Relations Judges Needed		42.76
Total Judicial Officer Demand		157.13	

Source: National Center for State Courts, 2013. Data on Filings provided by the Tennessee Administrative Office of the Courts.

*To account for a reporting error for one county in the 4th district, the number of OPMW filings was reduced to include data from the remaining counties.

** The 20th Judicial district is statutorily mandated jurisdiction in UPA Administrative Hearing cases. A case weight of 496 minutes is used in this district.

*** Workload is based on the FY2014 Capacity of the Drug Courts.

Workers Compensation	41	7,607
Judicial workload associated with Workers Comp. cases (minutes)		311,887
Judicial FTE associated with Workers Comp. cases		3.95

Note: For planning purposes, workers' compensation cases are not included in the estimated judge need. Workers' compensation cases will not be filed in state trial courts beginning July 1, 2014.

VI. Recommendations

The case weights adopted by the WAAC indicate the need for 157.13 FTE trial court judges to process the annual incoming caseload of Tennessee effectively. These case weights are grounded in current practices (as measured by the time study), and were reviewed for quality by members of the Tennessee judiciary. Four recommendations are made to maintain the integrity and utility of the case weights and the model developed herein.

Recommendation #1:

The NCSC recommends updating the judge need on an annual basis using the most recent case filings. Calculating judge need on an annual basis necessitates that cases be counted consistently and accurately across jurisdictions for all case type categories defined in this report. For example, a single criminal defendant and the corresponding most serious charge should constitute one case. For the weighted caseload study to remain valid, the AOC should work with the district clerks to ensure the accurate and reliable reporting of comparable filing data between and across districts.

Recommendation #2:

Over time, the integrity of the case weights is affected by multiple influences, including but not limited to, changes in legislation, legal practice technology and administrative factors. Examples may include the increasing number of treatment courts across the state as well as new policies such as e-filing. Periodic updating should continue to ensure that the case weights

continue to accurately represent the judicial workload.

Recommendation #3:

The NCSC recommends that the weighted caseload model presented in this report be the *starting point* for determining judicial need in each judicial district across the state. There are some considerations that an objective weighted caseload model cannot account for that should be taken into account when determining judicial staffing levels needs. For example, in smaller jurisdictions where caseloads are likely to be smaller than in more populace jurisdictions, issues related to the citizens' access to justice should be considered. In larger jurisdictions, where many attorneys' practices require them to be in several courtrooms at the same time, scheduling conflicts may result in longer case processing times. Therefore, issues of local culture that result in longer or shorter case processing times should be considered.

Recommendation #4:

The NCSC recommends that the AOC work to identify and count those cases that are tried and, for a variety of reasons, are re-tried without going through the appeals process. When such cases are re-tried, they are counted as a single case in the workload model, but they may account for a significant amount of time in conducting a subsequent trial. Discussions that arose during the weighted caseload study suggested that this issue arises frequently enough that such cases should be counted, for workload purposes, as a separate case (or that such cases should at least receive the weight of a second trial).

Appendices

Appendix A: Case Type Definitions

CRIMINAL CASE TYPES	
1	1ST DEGREE MURDER Includes all cases involving a 1 st degree murder.
2	MAJOR FELONY (A & B FELONIES) Includes all class A or B felonies.
3	OTHER FELONY (C, D & E FELONIES) Includes all C through E felonies.
4	DUI Includes all DUI's (regardless of type or class).
5	TREATMENT COURTS Includes any case that has been placed in problem solving court (DUI, Family, Drug and Mental Health Courts).
6	MISDEMEANOR Includes all <i>non-DUI</i> misdemeanor cases.
7	PROBATION VIOLATION Includes any cases involving a probationer who has violated the terms of his/her probation sentence (regardless of the original offense type).
8	CRIMINAL/JUVENILE DELINQUENCY APPEALS Includes both adult criminal appeals and juvenile delinquency appeals.
9	OTHER PETITION, MOTIONS & WRITS Includes any cases where the defendant has filed a post-judgment petition, motion or writ, including habeas corpus, suspended sentence and habitual motor vehicle offenders.
10	POST-CONVICTION RELIEF Includes any case involving the filing of a petition challenging the lawfulness of his/her conviction and/or sentence.

DOMESTIC RELATIONS CASE TYPES	
11	PROTECTION OF CHILDREN- PATERNITY, ADOPTION, LEGITIMATION, SURRENDER, TPR (361, 362, 363, 364) Cases involving court actions to prove that a person is the father of an illegitimate child and to enforce support obligations; legalizing the status of an illegitimate child; adoption of a minor child; and parental or guardian termination of parental rights.
12	DIVORCE WITH MINOR CHILDREN (371) Includes all cases involving the termination of a marriage, permanent separation between husband and wife, where there are minor children involved.
13	DIVORCE WITHOUT MINOR CHILDREN (372) Includes all cases involving the termination of a marriage, permanent separation between husband and wife, and annulment where there are no minor children involved.
14	CHILD SUPPORT, WAGE ASSIGNMENT, INTERSTATE SUPPORT (385, 387, 391, 392) Includes all case type activity to set the terms of child support or wage assignments; and cases received from another state or sent to another state.
15	ORDERS OF PROTECTION (381) Includes petitions for orders of temporary protection filed by a person seeking relief from an allegedly violent person, who is currently or formerly a household family member.
16	OTHER DOMESTIC RELATIONS (401) Includes domestic cases that do not logically fit into any of the above categories.
17	RESIDENTIAL PARENTING WITH OR WITHOUT CHILD SUPPORT (383, 384) Includes cases to set the terms of a parenting plan for unmarried parent; reopened cases for purposes of modifying visitation or custody arrangements whether or not it includes a modification of child support issues.
18	CONTEMPT (382) A reopened case alleging the order of the court has been violated or an original case where the order was handed down from an outside jurisdiction

Use the “*Reopened Case*” box if you are recording time on a reopened case in any of the following categories:

REOPENED DOMESTIC RELATIONS CASE TYPES	
14	CHILD SUPPORT, WAGE ASSIGNMENT, INTERSTATE SUPPORT (385, 387, 391, 392) Includes all case type activity to set the terms of child support or wage assignments; and cases received from another state or sent to another state.
15	ORDERS OF PROTECTION (381) Includes petitions for orders of temporary protection filed by a person seeking relief from an allegedly violent person, who is currently or formerly a household family member.
17	RESIDENTIAL PARENTING WITH OR WITHOUT CHILD SUPPORT (383, 384) Includes cases to set the terms of a parenting plan for unmarried parent; reopened cases for purposes of modifying visitation or custody arrangements whether or not it includes a modification of child support issues.
18	CONTEMPT (382) A reopened case alleging the order of the court has been violated or an original case where the order was handed down from an outside jurisdiction

GENERAL CIVIL CASE TYPES

NOTE: All General Sessions Appeals should be recorded under the case type of the original appeal, e.g. Damages/Torts, Contract/Debt or Real Estate Matters).

19 ROUTINE ADMINISTRATIVE HEARINGS (APPEALS) (513)

Includes judicial review of a state or local administrative agency proceedings.

20 COMPLEX ADMINISTRATIVE HEARINGS

Cases filed under the Administrative Procedures Act.

21 CONTRACT/DEBT/SPECIFIC PERFORMANCE (461, 462)

Includes any action involving agreements or contracts (expressed or implied). This includes recovery of money for services performed, sales of goods, money loaned, damages for performance of simple contracts (expressed or implied), and liens by a builder or furnisher. Where damages would be an inadequate compensation for the breach of an agreement, the contractor or vendor will be compelled to perform specifically what he has agreed to do. Examples include: Agreements in writing to buy or sell land; Contracts to execute or renew leases; Contracts to execute a mortgage; Contracts to insure; Contracts for chattels of special value.

If a payment for personal injury or death is involved, it should be coded under 471 - Damages/Torts.

22 DAMAGES/TORT (471)

Includes all cases involving action to recover money as compensation or indemnity for personal injury or death. For this study, a tort is an injury or wrong committed against a person by a party who either did something he or she was obligated not to do, or failed to do something that he or she was obligated to do.

23 MEDICAL MALPRACTICE (451)

Includes all tort actions involving medical malpractice claims.

24 REAL ESTATE MATTERS (481)

Includes all matters pertaining to land, including contracts for the sale of land, suits dealing with ownership, foreclosure proceedings, easements, water rights, rights of way, boundary disputes, condemnation proceedings, and partitions.

25 WORKER'S COMPENSATION (491)

Includes all cases involving action to determine the right to compensation under the Worker's Compensation Act.

26 PROBATE/TRUST (501, 573)

Includes all cases involving the administration of decedents' estates and all cases involving the legal possession of real or personal property held by one person for the benefit of another.

27 JUVENILE COURT APPEAL (CIVIL)

Includes all CIVIL juvenile court appeals.

28 GUARDIANSHIP/CONSERVATORSHIP (571, 572)

Cases in which a person (conservator/guardian) is lawfully invested with the power and charged with the duty of taking care of the property or rights of another person who is considered by the court as incapable of managing his or her own affairs or caring for him/herself.

29 OTHER GENERAL CIVIL (581)

Includes actions that are not included in any of the other categories. Common examples are: property damage suits, employment discrimination suits, un-liquidated damages, salary suit initiated by a county official; non-domestic relations contempt; tax matters; special remedy injunctions; writs of mandamus; quo warrant; name change; foreign judgments; minor settlements.

30 JUDICIAL HOSPITALIZATION (541)

Cases in which a person (conservator/guardian) is lawfully invested with the power and charged with the duty of taking care of the property or rights of another person who is considered by the court as incapable of managing his or her own affairs or caring for him/herself.

Use the “*Reopened Case*” box if you are recording time on a reopened case in any of the following categories:

REOPENED GENERAL CIVIL CASE TYPES

26 PROBATE/TRUST (501, 573)

Includes all cases involving the administration of decedents’ estates and all cases involving the legal possession of real or personal property held by one person for the benefit of another.

28 GUARDIANSHIP/CONSERVATORSHIP (571, 572)

Cases in which a person (conservator/guardian) is lawfully invested with the power and charged with the duty of taking care of the property or rights of another person who is considered by the court as incapable of managing his or her own affairs or caring for him/herself.

29 OTHER GENERAL CIVIL (581)

Includes actions that are not included in any of the other categories. Common examples are: property damage suits, employment discrimination suits, unliquidated damages, salary suit initiated by a county official; non-domestic relations contempt; tax matters; special remedy injunctions; writs of mandamus; quo warrant; name change; foreign judgments; minor settlements.

30 JUDICIAL HOSPITALIZATION (541)

Cases in which a person (conservator/guardian) is lawfully invested with the power and charged with the duty of taking care of the property or rights of another person who is considered by the court as incapable of managing his or her own affairs or caring for him/herself.

OUT OF JURISDICTION CASE-RELATED WORK

31 OUT OF JURISDICTION CASE-RELATED WORK

Includes casework done on cases not filed in your jurisdiction (Note: settlement conferences will be recorded under the specific case type even though they are out-of-jurisdiction cases).

Appendix B: Case-Related Activity Definitions

A. PRE-TRIAL ACTIVITIES

Includes routine matters that occur in cases before a trial or other disposition is reached and/or before a case goes to trial. Examples of activities include the following:

- Initial appearance/arraignment
- Pre-trial hearings and motions;
- Pre-trial conferences;
- Calendar or docket call;
- Pre-trial management conferences;
- Non-trial disposition activities (plea uncontested dissolution; nolle prosequi, dismissal);
- Administrative activities occurring pre-trial

B. BENCH TRIAL ACTIVITIES

Includes all activities associated with bench trials, whether the work is done in or out of the courtroom, incident to the conduct of a trial or adjudicatory hearing in which the judge is the trier of fact and includes hearings to memorialize an agreement. Also includes administrative activities that occur during the bench trial phase of a case.

C. JURY TRIAL ACTIVITIES

Includes all activities associated with conducting a jury trial, including jury selection and activities through entry of verdict – or – through a guilty plea, settlement or dismissal prior to verdict. Also includes administrative activities that occur during the jury trial phase of a case.

D. POST-TRIAL ACTIVITIES

Includes activities related to a case after a disposition has been reached, including sentencing, post-judgment hearings and orders (for cases not included in the Reopened Domestic Relations case types), post-judgment writs and petitions (for cases not included in the Reopened Domestic Relations case types) and any administrative activities that occur post-trial/post-disposition.

E. JUDICIAL SETTLEMENT CONFERENCES

Includes all time spent conducting settlement conferences (for cases filed in another district).

F. OUT OF JURISDICTION: WORKERS' COMP. PANELS – USED ONLY FOR OUT OF JURISDICTION

Includes all time spent working on workers' compensation panel cases.

G. OUT OF JURISDICTION: OTHER – USED ONLY FOR OUT OF JURISDICTION

Includes other time spent on other case-related work (count settlement conference work as

Appendix C: Non-Case-Related Activity Definitions

H. GENERAL ADMINISTRATION

Includes all time associated with general court administration, such as personnel issues, case assignment, non-specific legal research, professional reading of law journals and other related literature.

I. COMMITTEES, MEETINGS AND RELATED WORK

Includes all time spent in committee meetings, including en banc meetings, state or local committee meetings and local staff meetings. Also include work associated with such meetings, such as reviewing materials or developing meeting materials.

J. COMMUNITY ACTIVITIES, SPEAKING ENGAGEMENTS, ETC.

Includes all time associated with community outreach and community activities in which you engage in your official capacity as a judge, such as speaking at local bar luncheon, school/college or rotary club.

K. EDUCATION AND TRAINING

Includes all time spent in judicial training, judicial continuing education and attending judicial conferences, whether in-person or on-line.

L. WORK-RELATED TRAVEL

Includes all non-commuting travel time that for activities required in your capacity as a judge/elected official.

M. VACATION, HOLIDAY, ILLNESS OR OTHER LEAVE

Include all time away from the court due to vacation, state-authorized holiday, illness or other personal leave time.

N. OTHER

Include any non-case-related activities that are not included in the list but are required of you in your capacity as a judicial officer.

O. NCSC DATA REPORTING TIME

All time associated with tracking and entering data for the current time study.

Appendix D: Travel Requirements by Judicial District

AVERAGE Daily Travel Time per Judge by District 2013	
District 1	23.0
District 2	16.5
District 3	56.7
District 4	29.1
District 5	0.2
District 6	11.3
District 7	0.0
District 8	73.3
District 9	60.9
District 10	38.8
District 11	0.2
District 12	88.4
District 13	79.8
District 14	4.7
District 15	43.0
District 16	3.0
District 17	57.1
District 18	2.2
District 19	46.4
District 20	5.8
District 21	27.7
District 22	33.3
District 23	84.6
District 24	51.1
District 25	67.7
District 26	15.9
District 27	64.5
District 28	40.6
District 29	39.8
District 30	1.4
District 31	3.2
State Average	25.6

Appendix E: An Overview of the Sufficiency of Time Survey

The Sufficiency of Time survey results are contained in Appendix F. To help in interpreting the results, a brief guide is outlined below.

Basic Survey Overview:

The survey is organized around the 30 case types and four functional case processing areas (Pre-trial activities, Bench trial activities, Jury trial activities and Post-trial activities). Within each functional area, the survey questions are listed along with the number of the question as it was contained within the online survey. In the results, the questions have been sorted based on the responses (see the explanation below).

Survey Results:

For each case type and each activity, the average time sufficiency rating is provided. This rating is the average of scores from 5 (high) to 1 (low) for all judges that responded to each of the case types and activities listed. Only respondents that chose one of the five applicable responses to each statement (“almost always,” “frequently,” “occasionally,” “seldom,” and “almost never”) are included. Individuals that did not answer a question, or reported that the task “does not apply” to their work, are not included in the response rate. For example, 40 judges recorded a valid response to the question regarding pre-trial activities for first degree murder cases.

Appendix F: Sufficiency of Time Survey Results – At-A-Glance

Activity	Average Rating by Case Type									
	1st Degree Murder	Felony A & B Cases	Felony C, D & E Cases	DUI	Treatment Courts	Misdemeanor	Probation Violation	Criminal/Juvenile Delinquency Appeals	Other Petition, Motions and Writs	Post Conviction Relief
Pre-trial activities	4.05	4.17	4.29	4.17	4.07	4.28	4.05	3.84	3.93	4.00
Bench trial activities	4.19	4.22	4.21	4.44	4.31	4.36	4.00	3.97	4.11	3.85
Jury trial activities	4.00	4.20	4.26	4.27	4.10	4.40	4.22	4.00	3.92	3.87
Post trial activities	4.03	4.23	4.20	4.20	4.15	4.26	4.08	3.80	3.97	3.47

Activity	Average Rating by Case Type											
	Routine Administrative Hearings	Complex Administrative Hearings	Contract/Debt/Specific Performance	Damages /Tort	Medical Malpractice	Real Estate Matters	Worker's Compensation	Probate/Trust	Juvenile Court Appeal (Civil)	Guardianship / Conservatorship	Judicial Hospitalization	Other General Civil
Pre-trial activities	3.89	3.47	3.73	3.76	3.46	3.90	4.23	4.22	3.80	4.27	4.29	3.75
Bench trial activities	3.94	3.55	4.00	3.98	3.64	4.00	4.36	4.19	3.93	4.33	4.39	3.96
Jury trial activities	3.89	3.87	4.08	4.00	3.58	4.04	4.34	4.21	4.05	4.27	4.38	4.11
Post trial activities	3.74	3.30	3.93	3.85	3.64	3.87	4.28	4.19	3.89	4.31	4.38	3.81

Activity	Average Rating by Case Type								
	Protection of Children	Divorce with Minor Children	Divorce without Minor Children	Child Support, Wage Assignment, Inter-State Support	Orders of Protection	Other Domestic Relations	Residential Parenting (w/ or w/o child support)	Contempt	
Pre-trial activities	3.64	3.54	3.91	3.89	3.96	3.83	3.41	3.53	
Bench trial activities	3.92	3.72	4.02	4.04	3.87	3.91	3.59	3.64	
Jury trial activities	3.57	3.61	3.94	3.93	3.86	4.12	3.87	3.50	
Post trial activities	3.76	3.54	3.83	4.00	3.93	3.91	3.60	3.70	

Appendix G: Inside the Numbers for All Case Types

“Inside the Numbers” provides a breakdown of the case weights by the activity¹. The tables show how the time and frequency of each activity contribute to the overall case weight. In the example of divorce with minor children cases, below, pretrial activities of some type occur in 100% of these cases, so the impact on the overall case weight of 106 minutes is 27. When a bench or jury trial occurs (in 11.48% of the cases), the trial takes, on average, 493 minutes or approximately 8.21 hours. Since trials occur relatively infrequently, the total amount of the case weight attributed to jury trials is 56 minutes.

An “inside the numbers” breakdown for all case types is provided in the next pages.

Divorce with Minor Children	Average Activity Time	*	Event Frequency	=	Case Weight (minutes)
Pre-trial	27	*	100%	=	27
Bench/Jury Trial	493	*	11.48%	=	56
Post-Trial	23	*	100%	=	23
					106

¹ Actual trial (bench and jury combined) frequencies were used to compute the figures in the tables below.

CRIMINAL	Average Event Time		Estimated Event Frequency		Average Activity Time in Case Weight	Case Weight
First Degree Murder					Case Wt=	776
Pre-trial activities	225.56	x	100%	=	225.56	
All trial activities	2,522.98	x	19.63%	=	495.34	
Post trial activities	55.47	x	100%	=	55.47	
Post Conviction Relief					Case Wt=	381
Pre-trial activities	74.27	x	100%	=	74.27	
All trial activities	23,532.50	x	0.37%	=	87.48	
Post trial activities	219.56	x	100%	=	219.56	
Felony A & B					Case Wt=	157
Pre-trial activities	62.35	x	100%	=	62.35	
All trial activities	2,593.64	x	3.03%	=	78.63	
Post trial activities	15.52	x	100%	=	15.52	
Felony C, D & E					Case Wt=	45
Pre-trial activities	24.80	x	100%	=	24.80	
All trial activities	1,587.17	x	0.92%	=	14.59	
Post trial activities	5.24	x	100%	=	5.24	
DUI					Case Wt=	89
Pre-trial activities	44.68	x	100%	=	44.68	
All trial activities	1,069.28	x	3.70%	=	39.53	
Post trial activities	4.36	x	100%	=	4.36	
Recovery (Drug) Court					Case Wt=	167
Tx Court Activities	167.00	x	100%	=	167.00	
Criminal Appeals (includes juvenile delinquency)					Case Wt=	11
Pre-trial activities	5.79	x	100%	=	5.79	
All trial activities	-	x	0.00%	=	4.00	
Post trial activities	1.44	x	100%	=	1.44	
Misdemeanor					Case Wt=	29
Pre-trial activities	18.90	x	100%	=	18.90	
All trial activities	783.52	x	1.02%	=	7.97	
Post trial activities	2.46	x	100%	=	2.46	
Other Petition, Motions & Writs (prison and non-prison districts)*					Case Wt=	37
Pre-trial activities	22.96	x	100%	=	22.96	
All trial activities	419.99	x	0.42%	=	1.77	
Post trial activities	11.88	x	100%	=	11.88	
Probation Violation					Case Wt=	18
Pre-trial activities	5.83	x	100%	=	5.83	
All trial activities	3,251.10	x	0.13%	=	4.30	
Post trial activities	7.37	x	100%	=	7.37	

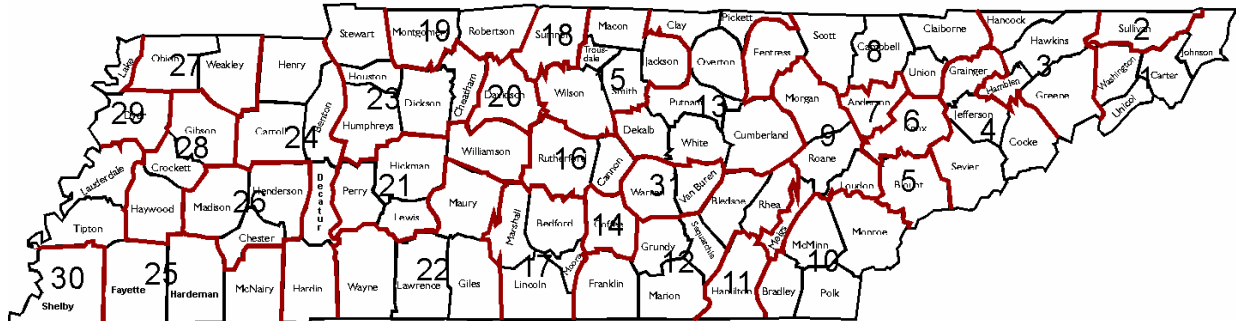
* Trial rate data were not available for the breakdown of prison and non-prison districts.

CIVIL	Average Activity Time	Estimated Event Frequency	Average Activity Time in Case Weight	Case Weight
Administrative Hearings			Case Wt=	204
Pre-trial activities	57.73	x 100%	= 57.73	
All trial activities	1,465.86	x 6.85%	= 100.35	
Post trial activities	46.20	x 100%	= 46.20	
Admin Hearings - Davidson Only			Case Wt=	496
Pre-trial activities	218.92	x 100%	= 218.92	
All trial activities	144.08	x 100%	= 144.08	
Post trial activities	132.70	x 100%	= 132.70	
Contract/Debt/Specific Performance			Case Wt=	104
Pre-trial activities	54.41	x 100%	= 54.41	
All trial activities	410.78	x 8.73%	= 35.85	
Post trial activities	13.86	x 100%	= 13.86	
Damages/Tort			Case Wt=	135
Pre-trial activities	66.91	x 100%	= 66.91	
All trial activities	1,368.19	x 4.27%	= 58.38	
Post trial activities	9.64	x 100%	= 9.64	
Guardianship/Conservatorship			Case Wt=	70
Pre-trial activities	21.99	x 100%	= 21.99	
All trial activities	139.86	x 21.79%	= 30.48	
Post trial activities	17.60	x 100%	= 17.60	
Judicial Hospitalization			Case Wt=	19
Pre-trial activities	96.86	x 100%	= 4.03	
All trial activities	34.22	x 40.79%	= 13.96	
Post trial activities	31.63	x 100%	= 0.92	
Juvenile Court Appeal (Civil)			Case Wt=	287
Pre-trial activities	97.35	x 100%	= 97.35	
All trial activities	876.51	x 19.62%	= 171.95	
Post trial activities	17.43	x 100%	= 17.43	
Medical Malpractice			Case Wt=	1320
Pre-trial activities	97.35	x 100%	= 97.35	
All trial activities	12,894.68	x 6.54%	= 843.25	
Post trial activities	13.26	x 100%	= 13.26	
Probate/Trust			Case Wt=	24
Pre-trial activities	9.09	x 100%	= 9.09	
All trial activities	171.30	x 6.01%	= 10.29	
Post trial activities	5.07	x 100%	= 5.07	
Other General Civil			Case Wt=	58
Pre-trial activities	31.30	x 100%	= 31.30	
All trial activities	246.76	x 7.84%	= 19.36	
Post trial activities	7.09	x 100%	= 7.09	
Real Estate			Case Wt=	259
Pre-trial activities	96.86	x 100%	= 96.86	
All trial activities	736.83	x 14.51%	= 106.91	
Post trial activities	54.75	x 100%	= 54.75	
Workers Compensation			Case Wt=	41
Pre-trial activities	16.23	x 100%	= 16.23	
All trial activities	399.49	x 4.67%	= 18.66	
Post trial activities	5.63	x 100%	= 5.63	

DOMESTIC RELATIONS	Average Event Time		Estimated Event Frequency		Average Activity Time in Case Weight	Case Weight
Child Support					Case Wt=	20
Pre-trial activities	3.63	x	100%	=	3.63	
All trial activities	60.55	x	17.53%	=	10.61	
Post trial activities	6.19	x	100%	=	6.19	
Divorce with Minor Children					Case Wt=	106
Pre-trial activities	26.87	x	100%	=	26.87	
All trial activities	493.15	x	11.48%	=	56.61	
Post trial activities	22.78	x	100%	=	22.78	
Divorce without Minor Children					Case Wt=	40
Pre-trial activities	10.02	x	100%	=	10.02	
All trial activities	287.55	x	8.06%	=	23.17	
Post trial activities	6.58	x	100%	=	6.58	
Residential Parenting					Case Wt=	108
Pre-trial activities	16.43	x	100%	=	16.43	
All trial activities	715.67	x	9.93%	=	71.06	
Post trial activities	20.34	x	100%	=	20.34	
Protection of Children					Case Wt=	65
Pre-trial activities	16.33	x	100%	=	16.33	
All trial activities	277.57	x	16.44%	=	45.64	
Post trial activities	3.21	x	100%	=	3.21	
Orders of Protection					Case Wt=	32
Pre-trial activities	7.88	x	100%	=	7.88	
All trial activities	68.62	x	31.96%	=	21.93	
Post trial activities	2.15	x	100%	=	2.15	
Contempt					Case Wt=	14
Pre-trial activities	2.42	x	100%	=	2.42	
All trial activities	51.87	x	17.19%	=	8.92	
Post trial activities	2.46	x	100%	=	2.46	
Other Domestic Relations					Case Wt=	73
Pre-trial activities	20.72	x	100%	=	20.72	
All trial activities	245.18	x	17.08%	=	41.87	
Post trial activities	10.09	x	100%	=	10.09	

Appendix H: Judicial Need Model by Judicial District

The following pages present the judicial need model for Tennessee by judicial district. The map below is presented to direct the reader's attention to the location of each of the identified judicial districts.



- District 1 - Carter, Johnson, Unicoi, and Washington Counties
- District 2 - Sullivan County
- District 3 - Greene, Hamblen, Hancock, and Hawkins Counties
- District 4 - Cocke, Grainger, Jefferson, and Sevier Counties
- District 5 - Blount County
- District 6 - Knox County
- District 7 - Anderson County
- District 8 - Campbell, Claiborne, Fentress, Scott, and Union Counties
- District 9 - Loudon, Meigs, Morgan, and Roane Counties
- District 10 - Bradley, McMinn, Monroe, and Polk Counties
- District 11 - Hamilton County
- District 12 - Bledsoe, Franklin, Grundy, Marion, Rhea, and Sequatchie Counties
- District 13 - Clay, Cumberland, DeKalb, Overton, Pickett, Putnam, and White Counties
- District 14 - Coffee County
- District 15 - Jackson, Macon, Smith, Trousdale, and Wilson Counties
- District 16 - Cannon and Rutherford Counties
- District 17 - Bedford, Lincoln, Marshall, and Moore Counties
- District 18 - Sumner County
- District 19 - Montgomery and Robertson Counties
- District 20 - Davidson County
- District 21 - Hickman, Lewis, Perry, and Williamson Counties
- District 22 - Giles, Lawrence, Maury, and Wayne Counties
- District 23 - Cheatham, Dickson, Houston, Humphreys, and Stewart Counties
- District 24 - Benton, Carroll, Decatur, Hardin, and Henry Counties
- District 25 - Fayette, Hardeman, Lauderdale, McNairy, and Tipton Counties
- District 26 - Chester, Henderson, and Madison Counties
- District 27 - Obion and Weakley Counties
- District 28 - Crockett, Gibson, and Haywood Counties
- District 29 - Dyer and Lake Counties
- District 30 - Shelby County
- District 31 - Van Buren and Warren Counties

Tennessee Trial Courts Judicial Weighted Caseload Study, 2013

	Case Type	Case Weight	1	2	3	4*	5	6	7	8	9	10
Criminal	First Degree Murder	776	17	8	7	9	3	36	4	3	5	14
	Post Conviction Relief	381	2	15	1	8	1	2	0	12	5	11
	Felony A & B	157	174	124	127	173	41	292	51	111	76	204
	Felony (C, D, E)	45	1,149	1,016	1,070	1,500	620	1,224	424	932	613	1,082
	DUI	89	73	54	39	197	22	138	48	60	77	90
	Recovery (Drug) Court ***	167				40	60		30	40		31
	Criminal Appeals (incl. juvenile delinquency)	11	24	7	2	11	3	1	18	0	1	0
	Misdemeanor	29	262	125	134	615	130	205	146	106	76	165
	Other Petitions,Motions, Writs	28		228	97	136	17	135	12	44		188
	Other Petitions,Motions, Writs-Prison Districts	57	26									20
	Probation Violation	18	1,157	826	618	1,365	804	1,464	526	1,088	320	1,270
	Administrative Hearings **	204	3	0	14	5	1	11	0	29	3	2
	Contract/Debt/Specific Performance	104	344	172	164	320	96	470	62	106	106	158
Damages/Tort	135	286	193	189	281	170	898	132	198	158	308	
Guardianship/Conservatorship	70	54	50	60	28	18	483	20	24	32	56	
Judicial Hospitalization	19	4	25	3	0	13	4	1	1	0	0	
Juvenile Court Appeal (Civil)	287	3	7	3	11	0	27	9	1	10	1	
Medical Malpractice	1320	8	20	1	2	1	40	2	6	1	9	
Probate/Trust	24	611	627	729	214	2	1,354	302	351	231	429	
Other General Civil	58	325	332	475	467	159	788	140	116	121	379	
Real Estate	259	35	45	46	50	26	218	19	52	47	46	
Workers Compensation	0	40	27	99	101	34	954	116	90	64	140	
Domestic Relations	Child Support	20	332	218	1,017	1,354	188	636	291	376	811	430
	Divorce with Children	106	426	364	419	494	189	839	182	203	77	544
	Divorce without Children	40	704	489	602	708	217	1,164	175	237	102	690
	Residential Parenting	108	51	67	88	104	25	110	4	10	11	86
	Protection of Children (paternity,adoption,legitimation,surrender,TPR)	65	141	80	184	200	156	344	106	70	93	207
	Orders of Protection	32	43	199	148	594	0	2,465	79	14	76	546
	Contempt	14	272	272	311	678	174	483	425	9	273	536
	Other Domestic Relations	73	231	21	97	131	313	101	341	19	21	17
	Total Filings		6,777	5,611	6,744	9,796	3,483	14,886	3,665	4,308	3,430	7,639
	Workload (Weights x Filings)		376,474	315,806	330,415	470,463	190,343	854,912	177,713	230,482	168,883	403,392
Judge Year (210 days per year, 8 hrs per day)		100,800	100,800	100,800	100,800	100,800	100,800	100,800	100,800	100,800	100,800	
Average District Travel per year		4,830	3,465	11,907	6,111	42	2,373	0	15,393	12,789	8,148	
Non-case related Time (78 minutes/day)		16,380	16,380	16,380	16,380	16,380	16,380	16,380	16,380	16,380	16,380	
Availability for Case-Specific Work		79,590	80,955	72,513	78,309	84,378	82,047	84,420	69,027	71,631	76,272	
# Judges		5	4	5	5	2	10	2	3	3	5	
Total Judicial Officer Demand		4.73	3.90	4.56	6.01	2.26	10.42	2.11	3.34	2.36	5.29	
FTE Deficit or Excess		0.27	0.10	0.44	-1.01	-0.26	-0.42	-0.11	-0.34	0.64	-0.29	
Criminal Judges Needed		1.63	1.32	1.31	2.24	0.80	2.17	0.64	1.48	0.86	1.86	
Civil Judges Needed		1.64	1.51	1.50	1.60	0.62	4.89	0.61	1.19	0.90	1.56	
Domestic Relations Judges Needed		1.47	1.07	1.74	2.17	0.84	3.36	0.86	0.67	0.61	1.87	
Child Support Referee		No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	

Source: National Center for State Courts, 2013. Data on Filings provided by the Tennessee Administrative Office of the Courts.

*To account for a reporting error for one county in the 4th district, the number of OPMW filings was reduced to include data from the remaining counties.
 ** The 20th Judicial district is statutorily mandated jurisdiction in UPA Administrative Hearing cases. A case weight of 496 minutes is used in this district.
 *** Workload is based on the FY2014 Capacity of the Drug Courts.

Workers Compensation	41	40	27	99	101	34	954	116	90	64	140
Judicial workload associated with Workers Comp. cases (minutes)		1640	1107	4059	4141	1394	39114	4756	3690	2624	5740
Judicial FTE associated with Workers Comp. cases		0.02	0.01	0.06	0.05	0.02	0.48	0.06	0.05	0.04	0.08

Note: For planning purposes, workers' compensation cases are not included in the estimated judge need. Workers' compensation cases will not be filed in state trial courts beginning July 1, 2014.

Tennessee Trial Courts Judicial Weighted Caseload Study, 2013

Case Type	11	12	13	14	15	16	17	18	19	20	21
Criminal											
First Degree Murder	51	13	5	3	7	19	13	4	11	114	5
Post Conviction Relief	31	14	9	0	3	15	16	14	40	73	7
Felony A&B	448	197	277	76	151	260	100	94	274	1093	104
Felony (C, D, E)	1929	909	1228	421	910	1235	402	698	1117	3278	736
DUI	323	80	185	22	109	103	7	24	201	546	173
Recovery (Drug) Court	65	75			25	60		50		190	50
Criminal Appeals (incl. juvenile delinquency)	44	6	14	0	17	4	1	18	31	35	15
Misdemeanor	1232	211	571	72	411	444	30	117	597	721	237
Other Petitions,Motions, Writs	58	34	162	14	84	128	76	54	285		
Other Petitions,Motions, Writs-Prison Districts										452	141
Probation Violation	1295	880	1423	240	702	1247	115	671	863	3039	700
General Civil/Other											
Administrative Hearings	14	7	18	0	8	2	13	4	7	131	43
Contract/Debt/Specific Performance	343	72	153	37	142	183	45	133	218	877	287
Damages/Tort	684	222	256	112	226	416	94	249	389	1513	241
Guardianship/Conservatorship	319	38	83	17	64	46	29	69	60	235	101
Judicial Hospitalization	220	13	2	0	3	9	0	1	0	216	2
Juvenile Court Appeal (Civil)	2	14	6	0	7	6	0	4	10	23	11
Medical Malpractice	27	3	7	2	7	15	1	11	4	58	1
Probate/Trust	831	267	456	189	540	51	409	619	496	1707	532
Other General Civil	843	258	223	117	224	887	209	365	464	1502	452
Real Estate	74	61	102	20	48	68	21	32	47	166	76
Workers Compensation	536	89	172	50	112	208	97	70	98	3311	75
Domestic Relations											
Child Support	183	1012	341	129	129	310	511	317	872	593	393
Divorce with Children	702	354	396	150	326	768	267	398	882	861	536
Divorce without Children	1026	418	460	189	479	781	335	463	1080	1390	484
Residential Parenting	141	81	79	38	73	231	88	114	170	84	84
Protection of Children (paternity,adoption,legitimation,surrender,TPR)	256	73	147	32	115	166	62	132	184	157	113
Orders of Protection	725	177	5	6	26	581	41	446	8	1283	10
Contempt	726	393	111	147	63	198	429	162	200	292	443
Other Domestic Relations	327	130	24	7	19	60	7	26	6	225	18
Total Filings	13,455	6,101	6,915	2,090	5,030	8,501	3,418	5,359	8,614	24,165	6,070
Workload (Weights x Filings)	799,087	326,439	379,385	116,248	288,038	526,116	179,710	301,745	504,016	1,492,276	357,114
Judge Year (210 days per year, 8 hrs per day)	100,800	100,800	100,800	100,800	100,800	100,800	100,800	100,800	100,800	100,800	100,800
Average District Travel per year	42	18,564	16,758	987	9,030	630	11,991	462	9,744	1,218	5,817
Non-case related Time (78 minutes/day)	16,380	16,380	16,380	16,380	16,380	16,380	16,380	16,380	16,380	16,380	16,380
Availability for Case-Specific Work	84,378	65,856	67,662	83,433	75,390	83,790	72,429	83,958	74,676	83,202	78,603
# Judges	9	4	5	2	4	5	3	3	4	18	4
Total Judicial Officer Demand	9.47	4.96	5.61	1.39	3.82	6.28	2.48	3.59	6.75	17.94	4.54
FTE Deficit or Excess	-0.47	-0.96	-0.61	0.61	0.18	-1.28	0.52	-0.59	-2.75	0.06	-0.54
Criminal Judges Needed	3.67	1.99	2.50	0.50	1.49	2.09	0.77	0.98	2.36	7.42	1.37
Civil Judges Needed	3.34	1.32	1.79	0.47	1.34	2.04	0.70	1.35	1.87	7.63	1.80
Domestic Relations Judges Needed	2.47	1.65	1.31	0.42	0.99	2.15	1.01	1.27	2.52	2.88	1.38
Child Support Referee	No	Yes	No	No	No	Yes	No	No	Yes	No	No

Source: National Center for State Courts, 2013. Data on Filings provided by the Tennessee Administrative Office of the Courts.

*To account for a reporting error in the 4th district, the number of OPMW filings was reduced to include data from the remaining counties.

** The 20th Judicial district is statutorily mandated jurisdiction in UPA Administrative Hearing cases. A case weight of 496 minutes is used in this district.

*** Workload is based on the FY2014 Capacity of the Drug Courts.

Workers Compensation	536	89	172	50	112	208	97	70	98	3311	75
Judicial workload associated with Workers Comp. cases (minutes)	21976	3649	7052	2050	4592	8528	3977	2870	4018	135751	3075
Judicial FTE associated with Workers Comp. cases	0.26	0.06	0.10	0.02	0.06	0.10	0.05	0.03	0.05	1.63	0.04

Note: For planning purposes, workers' compensation cases are not included in the estimated judge need. Workers' compensation cases will not be filed in state trial courts beginning July 1, 2014.

Tennessee Trial Courts Judicial Weighted Caseload Study, 2013

Case Type	22	23	24	25	26	27	28	29	30	31	Totals
Criminal											
First Degree Murder	14	4	8	7	29	5	9	0	112	1	540
Post Conviction Relief	40	6	4	10	19	2	10	6	184	1	561
Felony A&B	275	130	129	214	178	134	104	187	1052	81	6,931
Felony (C, D, E)	1258	889	434	1031	651	232	326	512	5608	246	33,680
DUI	216	140	16	64	60	5	25	3	538	23	3,661
Recovery (Drug) Court		50		30	35	46		20		115	1,012
Criminal Appeals (incl. juvenile delinquency)	7	65	15	5	0	2	7	6	15	2	376
Misdemeanor	547	335	33	60	212	19	72	46	1175	146	9,252
Other Petitions,Motions, Writs		141	24		8	1	98			8	1,998
Other Petitions,Motions, Writs-Prison Districts	431			29				71	1861		3,065
Probation Violation	1378	904	581	1107	680	173	212	293	2299	361	28,601
General Civil/Other											
Administrative Hearings	3	0	1	4	14	2	7	8	48	2	404
Contract/Debt/Specific Performance	133	81	62	159	221	43	54	10	639	27	5,917
Damages/Tort	180	124	124	171	228	52	79	28	1631	64	9,876
Guardianship/Conservatorship	60	20	36	86	14	33	43	34	1	12	2,225
Judicial Hospitalization	0	0	0	122	2	0	0	0	0	0	641
Juvenile Court Appeal (Civil)	9	3	0	6	1	0	1	1	15	2	193
Medical Malpractice	5	7	5	2	9	7	3	2	119	0	385
Probate/Trust	539	166	370	295	118	227	216	145	4	141	13,168
Other General Civil	326	206	162	348	317	134	119	192	1659	87	12,396
Real Estate	36	33	44	44	23	15	21	22	109	16	1,662
Workers Compensation	137	39	116	35	144	296	41	55	218	43	7,607
Domestic Relations											
Child Support	754	333	24	95	129	136	266	273	187	64	12,704
Divorce with Children	393	322	174	320	539	135	112	97	1316	86	12,871
Divorce without Children	440	434	209	834	881	155	127	136	1398	98	16,905
Residential Parenting	77	62	42	21	133	23	21	26	74	10	2,228
Protection of Children (paternity,adoption,legitimation,surrender,TPR)	120	180	56	73	82	41	27	16	246	41	3,900
Orders of Protection	214	46	0	39	3	1	3	58	3	203	8,042
Contempt	85	751	173	119	145	232	116	11	156	98	8,483
Other Domestic Relations	70	8	3	1	9	40	4	1	86	14	2,377
Total Filings	7,747	5,479	2,845	5,331	4,884	2,191	2,123	2,259	20,753	1,992	211,661
Workload (Weights x Filings)	407,321	267,527	161,476	294,292	331,192	123,096	123,540	128,199	1,618,254	109,969	12,353,923
Judge Year (210 days per year, 8 hrs per day)	100,800	100,800	100,800	100,800	100,800	100,800	100,800	100,800	100,800	100,800	100,800
Average District Travel per year	6,993	17,766	10,731	14,217	3,339	13,545	8,526	8,358	294	672	5,376
Non-case related Time (78 minutes/day)	16,380	16,380	16,380	16,380	16,380	16,380	16,380	16,380	16,380	16,380	16,380
Availability for Case-Specific Work	77,427	66,654	73,689	70,203	81,081	70,875	75,894	76,062	84,126	83,748	79,044
# Judges	4	3	3	4	4	2	2	2	22	1	152
Total Judicial Officer Demand	5.26	4.01	2.19	4.19	4.08	1.74	1.63	1.69	19.24	1.31	157.13
FTE Deficit or Excess	-1.26	-1.01	0.81	-0.19	-0.08	0.26	0.37	0.31	2.76	-0.31	-5.13
Criminal Judges Needed	2.72	1.76	0.83	1.76	1.44	0.68	0.69	0.91	9.56	0.68	60.46
Civil Judges Needed	1.20	0.92	0.84	1.31	1.20	0.57	0.56	0.42	6.92	0.31	53.91
Domestic Relations Judges Needed	1.34	1.34	0.52	1.13	1.45	0.49	0.37	0.36	2.75	0.32	42.76
Child Support Referee	No	Yes	No	No	No	No	No	No	No	No	

Source: National Center for State Courts, 2013. Data on Filings provided by the Tennessee Administrative Office of the Courts.

*To account for a reporting error in the 4th district, the number of OPMW filings was reduced to include data from the remaining counties.

** The 20th Judicial district is statutorily mandated jurisdiction in UPA Administrative Hearing cases. A case weight of 496 minutes is used in this district.

*** Workload is based on the FY2014 Capacity of the Drug Courts.

Workers Compensation	137	39	116	35	144	296	41	55	218	43	7,607
Judicial workload associated with Workers Comp. cases (minutes)	5617	1599	4756	1435	5904	12136	1681	2255	8938	1763	311,887
Judicial FTE associated with Workers Comp. cases	0.07	0.02	0.06	0.02	0.07	0.17	0.02	0.03	0.11	0.02	3.95

Note: For planning purposes, workers' compensation cases are not included in the estimated judge need. Workers' compensation cases will not be filed in state trial courts beginning July 1, 2014.