

COURT OF COMMON PLEAS OF BERKS COUNTY
TWENTY THIRD JUDICIAL DISTRICT OF PENNSYLVANIA

WEIGHTED CASE LOAD STUDY

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EXECUTIVE SUMMARY

The Court of Common Pleas of Berks County - 23rd Judicial District of Pennsylvania, is a trial court of general jurisdiction. It comprises three court divisions (Criminal, Civil and Family), and entertains a compliment of ten active and three Senior Judges. An annual case load consists of approximately 21,900 new filings and an inventory (backlog) of approximately 7,800 cases. By virtue of a recent legislative decision, the court was authorized an additional judicial position which is to become effective on January 1, 2000. Additionally, during the year two thousand, two of the three Senior Judges are expected to resign into full, inactive retirement and one active judge will be retiring into Senior Judge status. The court does not anticipate an expeditious appointment of a replacement jurist for the retiring active judge. Based on these anticipated changes in judicial staffing, the President Judge directed that a weighted case load study be conducted. The primary objectives of the study are to accurately determine, quantify and substantiate the judicial resource requirements within each court division, and, to evaluate the overall adequacy of the current compliment of judges to handle the existing and projected workload of the court. Ultimately, this study will serve as a basis for assignment of the new judge and for potential reassignment of judicial workload throughout the court.

The results of the analysis disclose a need for judicial resources beyond those currently authorized for the court, as well as a departure from the pattern of deployment commonly sustained. Conservatively, the court requires an additional 2.7 (3) judges, or a compliment of at least fourteen judges to handle the current number of new filings and at least seventeen judges would be necessary to accommodate basic filings, and eliminate and maintain a zero inventory (backlog). Regarding deployment within the court, the study indicates that the new additional judge should be assigned to the Family Division. Should additional judicial resources be authorized in the future, projected workload levels indicate the greatest need for additional resources remains within the Family Division, followed by the Criminal and then the Civil Divisions.

The study was conducted based on generally accepted methods and techniques of weighted case load analysis, as contained in instructional materials provided by the National Center for State Courts, (Victor E. Flango and Brian J. Ostrom, Assessing the Need for Judges and Court Staff, National Center for State Courts, State Justice Institute, 1996). Previously conducted weighted case load studies from New Hampshire and Minnesota were also used as procedural reference materials. In general, the research materials provided detailed information on methods and techniques used in conducting

weighted case load analysis on a state wide, multi court and/or multi county basis. Consequently, some modification of analytical technique, and, development of additional analytical methodology was necessary to accommodate application of the process theory to a single court structure. Notwithstanding these modifications, the materials proved to be of invaluable assistance in completing the project.

The research materials alluded to allegations or concerns that weighted case load systems of workload measurement tend to perpetuate or reward inefficiency. When the ultimate mission of a judicial system and complexities of law are realistically considered, the value of a weighted caseload system becomes readily apparent. Like the Executive and Legislative Branches of Government, the Judiciary performs tangible public services to accomplish a primarily intangible mission. While it is true that quantifiable standards of court performance are useful as guidelines for productivity, and, that case flow management systems measure and promote efficiency in case processing and disposition, the overwhelming concern is (or should be), the maintenance of a system that ensures the highest quality of justice and fair and equitable application of the law to each case and each individual. Although efficiency and productivity are vital to economy of operation, the assurance of equal justice must not be outweighed by indiscriminate distinctions regarding what is - or is not, efficient in a particular case or courtroom. While it is true that this court diligently works to achieve the highest possible levels of productivity, adherence to the highest standards and quality of judicial administration remains the paramount objective. Disposition of thousands of cases or achievement of the highest standards of productivity are of little or no value if the preservation of each individual's rights to the highest quality of equal justice are lost in the process. One of the most important measures of judicial performance is therefore not how many cases are disposed and completed, but rather, the extent to which each individual receives high quality and equal justice under the law. Given the court's tendency to strive to achieve the latter subjective goal over the former quantifiable goal, effective measurement of the adequacy of the number of judicial resources to ensure that all cases receive the highest possible standard and quality of justice is essential. The weighted case load system presumes the institution of these subjective, intangible goals and provides a credible, quantifiable basis from which to determine and substantiate actual judicial resource requirements.

Briefly explained, the weighted case load analysis involved development of individual weights for each type of case and application of these weights to the actual case load volume (including backlogs) of the court. Weights are established based on the average amount of time required to complete various tasks (or events) associated with the different types of cases, (first appearance, pretrial hearings, trials, etc.); the frequency with which these tasks/events occur; the average amount of judicial time available to perform these tasks/events; and, the total volume of workload being experienced. The results of the applicable equations disclose the number of judicial resources needed to effectively complete the identified workload. This study included compilation, calculation and analysis of empirical data derived from more than 7,800 in-court observations recorded during the four-month period June through September 1999; more than 25,300 filed/disposed cases recorded into the automated management information system between January 1, 1996 and December 31, 1998; more than 43,500 individual tasks/events applicable to these cases, recorded during the same period; and, actual and projected case load/filings covering the period 1990 through 2002. Information regarding judicial time available to complete case related work was developed based on empirical and estimated data provided by the judges. The study includes fourteen data tables, nine appendices and four graphs.

The benefits derived from this weighted case load study proved to be multifaceted. Judicial comments indicate that compilation, organization and presentation of this type and volume of detailed, comprehensive case related information has provided valuable insight into possible redistribution of judicial effort, courtroom process and procedural changes, and other activities with potential to

improve efficiency and productivity without impacting the quality of justice in each case. The analysis clearly disclosed judicial requirements within each court division and the most practicable assignment for the new judge. Additionally, the findings and data unequivocally show a valid need for judicial resources beyond those currently authorized for the court, and, provide a sound and credible analytical instrument to substantiate a request to the Legislature for additional resources.

The outcome of this initiative validates and substantiates the value and practicable application of weighted case load analysis as a sound workload measurement system in a single court, multi-judge environment, in addition to its value on a larger scale.

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