CSP | COURT STATISTICS PROJECT

State Court Guide
to Statistical Reporting

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State Court Guide to Statistical Reporting

A joint project of the Conference of State Court Administrators and the National Center for State Courts

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Overview

The *State Court Guide to Statistical Reporting* (hereafter, the *Guide*) is a standardized reporting framework for state court caseload statistics designed to promote intelligent comparisons among state courts. The statistics reported through this framework are compiled, analyzed, and published by the Court Statistics Project (CSP), a collaborative effort of the Conference of State Court Administrators (COSCA) and the National Center for State Courts (NCSC). Since 1975, the CSP has served as the de facto national archive of state court caseload information.

Comparable data from the state courts allows the CSP to publish national trends and analyze caseload statistics for use by state court leaders, policy makers, and local court managers. Being able to put each state's caseload in a jurisdictional, regional, or national context provides useful insights that inform policy, budgetary, and court management decisions.

State courts vary, sometimes dramatically, in their organizational structure and constitutional and statutory frameworks. But regardless of how the courts are organized in each state, the task the state court leadership has set for itself is the same in every state: to map the caseload data used in that state to the reporting framework defined by the *Guide*.

The CSP began compiling national court caseload statistics in 1975. At that time, it was evident that there were profound differences in how states defined and reported their caseload data. Without common caseload definitions and a standard format for classifying and reporting data, the goal of the CSP could never be achieved.

The *Guide* has been designed to provide a comprehensive set of model reporting matrices, case type definitions, and counting rules. Terms used in the reporting matrices are defined in order to ensure comparable reporting.

The *Guide* is divided into two main sections—one for trial courts and one for appellate courts. Within each section, subsections are organized by case category and each of these follows a similar outline.

Note that all case categories, case types, case status categories, manners of disposition, and case characteristics are defined as they apply to the *Guide*, and therefore may vary somewhat from other definitions or common usage in any particular state.

Trial Court Statistical Reporting Introduction

Trial courts are courts that decide the cases brought before them; they are the first courts in which the cases are decided. Sometimes referred to as courts of first instance or courts of original jurisdiction, they are the courts in which civil, domestic relations, criminal, juvenile, and traffic/parking/ordinance violations cases are filed.

The term "trial court" is used broadly in the *Guide* and is meant to encompass single-tiered courts, courts of general and limited jurisdiction, and courts of special jurisdiction (e.g., water court, probate court, and small claims court), regardless of whether they hold trials or not.

Courts of general jurisdiction go by many names—superior court, circuit court, district court, court of chancery, court of common pleas, and more—but whatever their name, they are the highest trial court in the state for the matters they hear. Felony criminal cases and high-stakes civil cases are heard in these courts. Courts of limited jurisdiction (which also go by many names, including some names that overlap those used for general jurisdiction courts) typically have jurisdiction over misdemeanors and ordinance violations and civil cases whose remedies have a lesser dollar-value than those in the general jurisdiction court. Juvenile and domestic relations cases are heard in both general and limited jurisdiction courts depending on the state. For the purposes of reporting in the national framework, trial court matters are reported by case type. Case types are divided into five major case categories: Civil, Domestic Relations, Criminal, Juvenile, and Traffic/Parking/Ordinance Violations. Within each case category, the *Guide* contains specific rules for how cases should be classified and counted. (See the Unit of Count and Case Type Definitions for each case category that follows for detailed descriptions.)

Trial court caseload data is divided into three sections: Status Category (e.g., Pending, Incoming, Outgoing); Case Characteristic (e.g., Case with Self-Represented Litigants, Case with Interpreters); and Manner of Disposition (e.g., Jury Trial, Bench Trial, Non-Trial Disposition). Each gathers detailed information regarding the caseload during the reporting period.

The trial court reporting framework described in the *Guide* is to be used when reporting the caseloads of trial courts to the Court Statistics Project. Reporting is accomplished by electronically submitting a NIEM-compliant XML document, which is defined in the Court Statistics Information Exchange Package Documentation (IEPD). This XML document can be generated by:

1) Completing the Trial Court Reporting Matrix then running the CSP Add-In to generate NIEM-compliant XML. An example of the Matrix is included in the Appendix, or

2) Working with your IT department, develop an application to automatically create the NIEM-compliant XML document from your CMS.

CASE CATEGORIES

Case type data is reported in five major case categories: Civil, Domestic Relations, Criminal, Juvenile, and Traffic/Parking/Ordinance Violations. Each case category and the case types that comprise each category are outlined in the pages to follow.

Civil Case Reporting

Introduction

Civil cases are a broad category of trial court cases in which a plaintiff requests the enforcement or protection of a right of the redress or prevention of a wrong. The complaint or petition that begins an action is the unit being counted in each civil case (see Unit of Count below).

Unit of Count

A petition or civil complaint begins a civil case in most trial courts. The civil complaint alleges the facts and legal grounds upon which the plaintiff bases a claim for legal redress and requests that legal action begin. The statistics reported in the Reporting Matrix are a count of *cases*, not plaintiffs, respondents/defendants, or legal issues/causes of action. A civil case with multiple parties or multiple causes of action is counted as one case.

- Count the *filing* of the complaint/petition with the clerk of court as the beginning of a civil case.
- Report the number of civil filings and dispositions by case type, as defined in the Civil Case Type Definitions below.
- For Guardianship or Conservatorship cases, when one petition contains multiple parties (e.g., spouses, siblings) count as only one case.

Notes Specific to Civil Cases

Do not include in the count of Civil cases issues that are not cases in controversy or issues that are administrative functions of the court. Although the court work comprises both case-related and non-case-related duties, the CSP captures only caseloads. For example, do not count: Issuing marriage, firearm, or fishing/game licenses.

Alternative Dispute Resolution (ADR): When a case has been referred *by the court* to alternative dispute resolution, the case remains on active status with the court. If the case is resolved through this court–annexed ADR, the disposition of the case is counted in the Entry of Judgment category and the non-trial manner of disposition category.

Consolidated: A case in which two or more actions are combined and tried/processed as one case. In reporting trial court dispositions, all the cases except the one into which the cases were consolidated should be reported as disposed at the time of consolidation. When the *consolidated case* has been decided, the disposition should be reported under the appropriate case status category and manner of disposition category.

Placed on Inactive Status: A count of cases whose status has been administratively changed to inactive during the reporting period due to events beyond the court's control. These cases

have been removed from court control, and the court can take no further action until an event restores the case to the court's active pending caseload.

Examples:
The following are legitimate reasons for placing Civil cases on inactive status:

- A stay is issued due to military duty or incarceration of one of the parties;
- A stay is issued due to filing of a bankruptcy proceeding in Federal court;
- The case is subject to mandated arbitration that is not under the court's control (e.g., attorney fee arbitration or contractually required private arbitration);
- A stay is issued from a higher court (Federal or state); or
- A stay is issued from a court of equal standing in another county, district, or state.

Reopened: A count of cases in which a judgment has previously been entered, but which have been restored to the court's pending caseload during the reporting period. These cases come back to the court due to the filing of a request to modify or enforce that existing judgment and a hearing before a judicial officer is requested to review the status of the case or initiate further proceedings in the case.

Example:
A contract case was previously disposed via Entry of Judgment requiring the defendant to pay a sum of money to the plaintiff. Later, the defendant files a motion requesting a change in the terms of payment originally ordered by the court. This motion reopens the case, which returns to the court's pending docket and is counted as a Reopened case.

Set for Review: A count of cases that, following an initial Entry of Judgment and at the end of the reporting period, are awaiting regularly scheduled reviews involving a hearing before a judicial officer.

Example:
A Guardianship case is filed with the court (counted as a New Filing), and the court makes its initial finding to appoint the guardian, thus disposing the case through this judgment (counted as an Outgoing case in the Entry of Judgment column). At that time, the court schedules a review 6 months in the future and an additional review 12 months in the future. This case gets counted in the Set for Review column, and not as part of the court's End Pending–Active caseload. In some states reviews of Guardianship or Conservatorship cases do not require a judicial hearing, and may only call for a hearing if there is a concern after staff or clerks first review case files. For guardianship and conservatorship cases ONLY, if cases are scheduled for administrative or audit reviews, count in the Set for Review section, even if they do not always result in a judicial hearing.

Civil Case Type Definitions

Automobile Tort: Cases involving personal injury, property damage, or wrongful death resulting from alleged negligent operation of a motor vehicle. [Similar terminology: auto tort, motor vehicle tort, auto negligence]

Note:
Negligent operation of air or water vehicles should be counted among "Tort–Other" cases (see below).

Intentional Tort: Cases involving injury to property or person alleged to be willfully brought upon one party by another. [Similar terminology: assault, battery, vandalism]

Malpractice–Medical: Cases alleging misconduct or negligence by a person in the medical profession acting in a professional capacity, such as doctors, nurses, physician's assistants, dentists, etc.

Malpractice–Other: Cases alleging misconduct or negligence by a professional. Use this case type for malpractice cases of unknown specificity, when malpractice cases are not attributable to another previously defined malpractice case type, or when all malpractice cases are reported as a single case type.

Example:
Legal malpractice

Premises Liability: Cases involving claims brought against the owner of real property, alleging the condition of the property to be the cause of personal injury. [Similar terminology: slip and fall]

Product Liability: Cases alleging that injury is caused by the manufacturer or seller of an article due to a defect in, or the condition of, the article sold or an alleged breach of duty to provide suitable instructions to prevent injury.

Examples:
Toxic/asbestos cases, tobacco cases

Slander/Libel/Defamation: Cases alleging harm to the reputation, community standing, or livelihood of the claimant caused by false or misleading statements made by the defendant.

Tort-Other: Cases alleging an injury or wrong committed against a person, their reputation, or their property by a party who either did something that he or she was obligated not to do or failed to do something that he or she was obligated to do. Use this case type for tort cases of unknown specificity, when tort cases are not attributable to one of the other previously defined tort case types, or when all tort cases are reported as a single case type [Similar terminology: negligence, personal injury, property damage]

Buyer Plaintiff: Cases involving a buyer of goods or services alleging failure of the seller to deliver said goods or services or to honor a warranty as promised in an expressed or implied contract.

Employment Dispute–Discrimination: Cases alleging that the defendant/employer denied hiring, salary increases, or other forms of advancement, or created a hostile work environment based on the plaintiff/employee's race, gender, national origin, or sexual orientation.

Note:
Although discrimination is typically regarded as a tort, for the purpose of statistical reporting, these cases arise from the contractual relationship between employer and employee and should be counted here, or in Employment Dispute-Other, or Contract-Other if not distinguishable from other case types.

Employment Dispute–Other: Cases involving any dispute between an employer and employee over the conditions, terms or termination of employment. Use this case type for employment dispute cases of unknown specificity, when employment dispute cases are not attributable to another previously defined employment dispute case type, or when all employment dispute cases are reported as a single case type.

Fraud: Cases alleging the intentional misrepresentation of fact for the purpose of financial or legal gain. [Similar terminology: bad faith]

Note:
Although certain aspects of contract fraud are, by nature, tortious, these cases should be counted among contract cases for the purpose of statistical reporting.

Landlord/Tenant Dispute–Unlawful Detainer: Cases alleging a breach of contract (lease/rental agreement) between a landlord and commercial or residential tenant in which a landlord alleges that the tenant's right to occupy the real property has terminated.

Note:
Although these cases are based on the unlawful habitation of real property, the underlying dispute involves the contractual agreement between the landlord and tenant, thus the case should be counted among contract cases for the purpose of statistical reporting.

Landlord/Tenant Dispute–Other: Cases alleging a breach of contract between a landlord and tenant. Use this case type for landlord/tenant dispute cases of unknown specificity, when landlord/tenant dispute cases are not attributable to another previously defined landlord/tenant case type, or when all landlord/tenant dispute cases are reported as a single case type.

Mortgage Foreclosure: Cases in which a mortgage holder petitions to sell mortgaged property to satisfy a mortgage debt.

Note:
Although these cases are typically brought by a mortgage holder for a failure on the part of the mortgagor to make complete or timely payments on real property, the foundation of the case is the breach of the contractual agreement between the parties. For this reason, these cases should be counted among contract cases for the purpose of statistical reporting.

Seller Plaintiff (Debt Collection): Cases in which the plaintiff/seller brings suit against a buyer of goods or services for failure to pay as promised in an expressed or implied contract.

Contract–Other: Cases alleging a dispute over an agreement (express or implied) between two or more parties. Use this case type for contract cases of unknown specificity, when contract cases are not attributable to one of the other previously defined contract case types (for example, *structured settlements*), or when all contract cases are reported as a single case type.

Eminent Domain: Cases in which a property owner challenges the amount of remuneration offered by the state or federal government for the taking of a parcel of land. [Similar terminology: condemnation, expropriation]

Real Property–Other: Cases involving disputes over the ownership, use, boundaries, or value of real property. Use this case type for real property cases of unknown specificity, when real property cases are not attributable to eminent domain, or when all real property cases are reported as a single case type.

Note:
The legal remedies sought to protect real property rights can involve both actions at law and suits in equity, thus cases should be classified according to the subject matter at issue.

Small Claims: Cases (tort, contract, or real property claims) that are governed by statutorily defined summary procedures and in which the remedy sought is a specific, limited amount of monetary damages. Typically, these cases dispense with written pleadings, legal counsel, and strict rules of evidence.

Guardianship–Adult: Cases involving the establishment of or a controversy over the relation existing between a person (guardian) and an adult's (ward's) personal care.

Note:
The guardian is lawfully vested with the power and charged with the duty of caring for and managing the personal affairs of an adult (ward) who is considered by the court to be incapable of caring for himself/herself. This case type should capture cases in which the guardian is granted power to make personal (health care, living condition, etc.) decisions. ***If in addition*** *to personal care decisions, the guardian* ***also*** *has control over financial and property decisions, count these cases as Adult Guardianship, not Conservatorship cases.*

Guardianship–Juvenile: Cases involving the establishment of or a controversy over the relation existing between a person (guardian) and a juvenile's (ward's) personal care.

Note:
The guardian is lawfully vested with the power and charged with the duty of caring for and managing the personal affairs of a juvenile (ward) who is considered by the court to be incapable of caring for himself/herself. This case type should capture cases in which the guardian is granted power to make personal (health care, living condition, etc.) decisions. ***If in addition*** *to personal care decisions, the guardian* ***also*** *has control over financial and property decisions, count these cases as Juvenile Guardianship, not Conservatorship cases.*

Guardianship-Unknown: Cases involving the establishment of or controversy over the relation existing between a guardian and a ward's personal

affairs. Use this case type for guardianship cases of unknown specificity and when all guardianship cases are reported as a single case type. See Trial Court Reporting Appendix Example (pg. 62) for further clarification.

Conservatorship/Trusteeship: Cases involving the establishment of, or a controversy over: 1) the relation existing between a person (conservator) and another person's (ward's) real and personal property or 2) the legal possession of real or personal property held by one person (trustee) for the benefit of another.

Note:
The conservator is lawfully vested with the power and charged with the duty of taking care of the property of another person (ward), adult or juvenile, who is considered by the court as incapable of managing his or her own affairs. If the conservator also has power over personal affairs (medical, living conditions, etc.), the case should be captured under Guardianship.

Probate/Wills/Intestate: Cases involving: 1) the determination of whether a will is a valid instrument; 2) the statutory method of establishing its proper execution; and 3) the determination, in the absence of a will, of the disposition of the decedent's estate or 4) court actions providing for estate administration, appointment of executors, inheritances, etc.

Probate/Estate–Other: Cases that include the establishment of guardianships, conservatorships, and trusteeships, and the administration of estates of deceased persons who died testate or intestate, including the settling of legal disputes concerning wills. Use this case type for probate/estate cases of unknown specificity, when probate/estate cases are not attributable to one of the other previously defined probate/estate case types, or when all Probate/Estate cases are reported as a single case type.

Mental Health: Cases in which a court is requested to make a legal determination as to whether an individual is mentally ill or incompetent and should be placed, or should remain, under care, in custody, and/or in treatment.

Appeal from Administrative Agency: Appeals brought to the court of general or limited jurisdiction disputing the ruling or finding of an administrative agency.

Appeal from Limited Jurisdiction Court: Appeals brought to the court of general jurisdiction or another limited jurisdiction court, disputing the ruling or judgment of a limited jurisdiction trial court.

Civil Appeals–Other: Appeals brought to the court of general jurisdiction disputing the finding of a limited jurisdiction trial court, department, or administrative agency. Use this case type for civil appeals of unknown specificity, when civil appeals are not attributable to one of the other previously defined civil appeals case types, or when all civil appeals cases are reported as a single case type.

Habeas Corpus: A type of writ designed to test the legality of the detention or imprisonment of an individual, not the question of guilt or innocence.

Non–Domestic Relations Restraining Order: Any petition for a restraining order that does not result from a domestic altercation or is not between parties considered to be in a domestic relationship.

Tax: Cases typically brought by a government agency against an individual or business for failure to pay taxes previously assessed.

Writ: Cases involving a written court order directed to a specific person, requiring that person to perform or refrain from performing a specific act.

Example:
Writs involving prison conditions

Civil–Other: Cases in which a plaintiff requests the enforcement or protection of a right or the redress or prevention of a wrong. Use this case type for civil cases of unknown specificity, when civil cases are not attributable to one of the other previously defined civil case *types (for example, name changes or constitutional claims)*, or when all civil cases are reported as a single case type.

Domestic Relations Case Reporting

Introduction

Domestic Relations cases involve actions between family members (or others considered to be in a domestic relationship), such as a divorce, the dissolution of a marriage or a civil union, paternity, custody, visitation, support, adoption, and civil protection/restraining orders. In addition, actions by unmarried individuals to resolve issues of support, custody, or visitation are included in this category.

Unit of Count

- Count the *filing* of a complaint or petition with the clerk of court as the beginning of a domestic relations case.
- For cases when one petition contains multiple parties (e.g., siblings) count as only one case.
- Report the number of domestic relations filings and dispositions by case type, as defined in the Domestic Relations Case Type Definitions below.
- Report cases involving a divorce or dissolution of a marriage and the dissolution of a civil union in the Dissolution/Divorce case subcategory.
- Dissolution/divorce cases often include provisions for custody, support, alimony, and the like in the decree or judgment. Thus, for purposes of statistical reporting, the initial filing and disposition of a dissolution/divorce

case (including all related issues) should be classified in the Dissolution/Divorce subcategory.

- Child support, custody, and visitation cases are only counted as a New Filing if they are not part of a marriage dissolution case. In general, cases of this type will be initiated by non–married individuals. By definition, cases that arise from previously decided dissolution/divorce cases should be reported as Reopened custody, support, and/or visitation cases, not New Filing cases.
- Cases including a combination of custody, support, and/or visitation issues should be counted as one case given the most serious issue, which appear in descending order: Custody, Support, and Visitation.
- A distinct case type labeled Private (non IV–D) has been defined to distinguish and report child support cases that are brought by private parties outside the framework of Title IV–D. Making this distinction allows courts to accurately record and analyze what percentage of the child support caseload qualifies for financial support from the federal government through the state IV–D agency.

Notes Specific to Domestic Relations Cases

Alternative Dispute Resolution (ADR): When a case has been referred *by the court* to alternative dispute resolution, the case remains on active status with the court. If the case is resolved through this court–annexed ADR, the disposition of the case is counted in the Entry of Judgment category and as a non-trial manner of disposition.

Placed on Inactive Status: A count of cases whose status has been administratively changed to inactive during the reporting period due to events beyond the court's control. These cases have been removed from court control, and the court can take no further action until an event restores the case to the court's active pending caseload.

Example:
A dissolution/divorce case is filed and counted as an Incoming case using the New Filing category. In the middle of the proceedings, the parties inform the court that they have decided to reconcile and the court suspends further activity in the case, pending the outcome of the reconciliation process. The case should be counted as an Outgoing case in the Placed on Inactive Status category. If the parties fail to reconcile, the case returns to the court and is counted as an Incoming case using the Reactivated category and proceeds toward a disposition. If the parties do reconcile, the case must be reactivated in order to be disposed.

Reopened: A count of cases in which a judgment has previously been entered, but which have been restored to the court's pending caseload during the reporting period. These cases come back to the court due to the filing of a request to modify or enforce that existing judgment *and a hearing before a judicial officer is requested* to review the status of the case or initiate further proceedings in the case. When the reopened case is disposed, report the case in the Outgoing column labeled Reopened Dispositions.

Example:
A dissolution/divorce case is originally filed as a New Filing and disposed through an Entry of Judgment but is later brought back to the court by one of the parties to request a change to the support order. When the case returns to court, it should be counted as Reopened in the Support case type, and when it is disposed, counted as a Reopened Disposition.

Set for Review: A count of cases that, following an initial Entry of Judgment and at the end of the reporting period, are awaiting regularly scheduled reviews involving a hearing before a judicial officer.

Example:
A civil protection/restraining order case is filed with the court (counted as a New Filing), and the court grants a restraining order, thus disposing the case through this judgment (counted as an Outgoing case in the Entry of Judgment column). At that time, the court schedules a review 6 months in the future and an additional review 12 months in the future. This case gets counted in the Set for Review column, and not as part of the court's End Pending–Active caseload.

Domestic Relations Case Type Definitions

Dissolution/Divorce: Cases involving dissolution, divorce, separation, or annulment of a marriage or civil union.

Paternity: Cases involving the establishment of the identity and/or responsibilities of the father of a minor child.

Custody: Cases in which an individual requests that a court make a determination regarding the control or care of a child.

Note:
Do not include in this category cases in which custody issues are part of a dissolution/divorce proceeding.

Support- IV-D: Cases filed to request maintenance of a parent/guardian or a minor child by a person who is required, under Title IV-D of the Social Security Act of 1973, to provide such maintenance.

Examples:
IV-D Intrastate, IV-D UIFSA

Note:
Do not include in this category cases in which IV-D issues are part of a dissolution/divorce proceeding.

Support- Private (non-IV-D): Cases filed to request maintenance of a parent/guardian or a minor child by a person who is required by law, but who is not under the auspices of Title IV-D of the Social Security Act of 1973, to provide such maintenance.

Note:
Do not include in this category cases in which private (non-IV-D) issues are part of a dissolution/divorce proceeding.

Support–Other: Cases filed to request maintenance of a party/parent/guardian or a minor child by a person who is required, by law, to provide such maintenance. Use this case type for Support cases of unknown specificity, when support cases are not attributable to one of the other previously defined support case types, or when all support cases are reported as a single case type.

Note:
Do not include in this category cases in which support issues are part of a dissolution/divorce proceeding.

Visitation: Cases in which an individual requests that a court schedule the time the individual will spend with the minor children. Such requests can be brought before the court by parents, grandparents, or other family members.

Note:
Do not include in this category cases in which visitation issues are part of a dissolution/divorce proceeding.

Adoption: Cases involving a request for the establishment of a new, permanent relationship of parent and child between persons not so biologically related.

Civil Protection Order/Restraining Order: Cases in which the court has been asked to issue a protection or restraining order designed to limit or eliminate the contact between two or more individuals who are considered to be in a domestic relationship.

Note:
Similar cases involving persons not in a domestic relationship would be reported as a non-domestic relations restraining order case in the Civil category.

Domestic Relations–Other: Cases involving actions between family members (or others considered to be involved in a domestic relationship). Use this case type for domestic relations cases of unknown specificity, when domestic relations cases are not attributable to one of the other previously defined domestic relations case types, or when all domestic relations cases are reported as a single case type.

Criminal Case Reporting

Introduction

Criminal cases are a broad category for trial court cases in which a defendant is charged with violation(s) of state law(s). The three subcategories of criminal cases are Felony, Misdemeanor, and Appeals from Limited Jurisdiction Court. It is important to note that some offenses may be classified as either felonies or misdemeanors, depending on the circumstances. Thus, the general definitions of case types for the Felony and Misdemeanor subcategories overlap to a great extent in this reporting framework; what differs is the seriousness of the offense and how it was charged in the case. Note that traffic offenses that are classified as criminal offenses (e.g., driving while intoxicated/driving under the influence) *are* included in the Criminal category, counted in the appropriate Felony or Misdemeanor subcategory. Lesser offenses such as non-criminal traffic offenses and violations of local ordinances are not included here, but are reported in the Non-Criminal Traffic/Parking/Ordinance Violation case category.

Unit of Count

A criminal case is generally initiated by a complaint. In two-tiered court systems, proceedings at the second step of a felony case are usually initiated by an information or indictment.

Note:
In some jurisdictions, the document filed to bind over a defendant until a grand jury decides whether to issue an indictment is also called a "complaint."

- Count the *filing* of the original charging document (complaint, information, or indictment) as the beginning of the case.
- Count the defendant *and all charges involved in a single incident* as a single case. If the charging document contains multiple defendants involved in a single incident, count each defendant as a single case.
- Do *not* count preliminary hearings as Incoming cases when they are held in the same court that will handle all subsequent proceedings in the case. However, in two-tiered court systems, if the lower court initiates the case with a preliminary hearing and disposes the case by binding it over to the higher court, the case should be counted in each court.
- Count a probation or parole violation that arises from a previous Felony case as a Reopened Felony case in the same Felony case type as the original case.
- Count a probation or parole violation that arises from a previous Misdemeanor case as a Reopened Misdemeanor case in the same Misdemeanor case type as the original case.
- Report the number of criminal filings and dispositions by case type, as defined in the Criminal Case Type Definitions below.
- Classify cases by the most serious offense, first based on subcategory (Felony or Misdemeanor) then on case

type listed in the Matrix in descending order of severity.

Example:
When a criminal case includes a felony drug offense, felony weapons offense, and a misdemeanor drug offense, report the case only as a felony drug offense.

- Report the disposition of a criminal case in the same case type that was used when the case was filed.

  Example:
  When a criminal case is filed as a Felony but is subsequently reduced to a Misdemeanor and a judgment is obtained on the Misdemeanor charge, report both the filing and disposition as a Felony on the Caseload Summary Matrix.

  Note:
  If the felony charge is nolle prosequi, and subsequently re-filed as a misdemeanor, count the original Felony case as Outgoing in the Entry of Judgment (and Non-Trial Manner of Disposition) then as a New Filing in the appropriate Misdemeanor case type row.

- Count the filing of a notice of appeal or a complaint in a trial court having incidental appellate jurisdiction as the beginning of an appeal case. If the reviewing court uses some other event, such as filing of the record, to determine the number of appeals, it should explain that it does so. If the notice of appeal in an appellate court case is filed in the trial court, do not count it as an appeal case in the trial court.

Expungements:

- Report any expunged case as a filed case even if it was later expunged. Whether expunged or not, these cases were processed through the courts and have court activity associated with them. Since CSP looks at caseloads in the aggregate, it is more accurate to include the expunged cases and aggregate reports do not reveal any personally identifiable information.
- If expungements are automatic (all misdemeanor marijuana cases, for example, or all juvenile records after a certain period of time), they do not count as reopened cases as they do not require any action by a judicial officer.
- If expungements require the defendant to file a petition or other pleading with the court, it counts as a reopened case of the same case type as the original case. The disposition of that reopened case should also be reported.

Notes Specific to Criminal Cases

Do not include in the count of Criminal cases issues that are not cases in controversy or issues that are administrative functions of the court. Although the court work comprises both case-related and non-case-related duties, the CSP captures only caseloads. For example, do not count: search warrants, investigative subpoenas, and extradition.

Felony

Felony cases are a subcategory of criminal cases involving an offense punishable by incarceration for a minimum of one year or more or death; thus, the most serious crimes are classified as felonies. Some states have developed classification schemes for ranking the seriousness of felony offenses (e.g., Part A or Class I), but those classification schemes are not relevant to the statistical reporting of these cases defined by the *Guide*.

Misdemeanor

Misdemeanor cases are a broad subcategory of criminal cases involving an offense punishable by incarceration for a maximum of one year and/or fines; thus, the less serious crimes are classified as misdemeanors. Some states have developed classification schemes for ranking the seriousness of misdemeanor offenses (e.g., Type A or Class II), but those classification schemes are not relevant to the statistical reporting of these cases defined by the *Guide*.

An important advantage of this national criminal case reporting framework is the ability to better match offense types with other national justice system coding schemes for purposes of case tracking and data unification. The definitions developed by the Court Statistics Project (CSP) are not meant to be legal definitions of crimes; rather, they are a means to map various criminal case types across states into comparable categories. Unlike state statutes, CSP definitions must be generic in order to include all state statutes relating to the same type of offense.

Consolidated: A case in which two or more defendants named in separate filing documents are tried/prosecuted together. In reporting trial court dispositions, all the cases except the one into which the cases were consolidated should be reported as disposed at the time of consolidation in the Entry of Judgment column and Manner of Disposition column. When the consolidated case has been disposed, the disposition should be reported under the appropriate Outgoing status event category (e.g., Entry of Judgment). The disposition of the consolidated case should not be reported until all parties/charges have been resolved.

Severance: In trial court criminal proceedings, if multiple charges against a particular defendant are severed for the purpose of being adjudicated separately, count each new or severed filing document as a New Filing.

Problem-solving court cases (e.g., Drug Court, Mental Health Court): Cases assigned to a specialized docket should be counted according to the legal issue that brought them to court. Thus a felony-drug case that is adjudicated through Drug Court would be counted in the as Felony-Drug column.

Placed on Inactive Status: Cases that are administratively classified as inactive should be reported in the Caseload Summary Matrix as Placed on Inactive Status. When the case is reactivated, report it in the Reactivated column.

Example:
A criminal case should be recorded as Placed on Inactive Status if the defendant has absconded, an arrest order has been issued, and the court has suspended activity until the defendant is apprehended and returned to court so that the court can resume proceedings in the case.

Reopened: Cases in which a judgment has previously been entered, but which have been restored to the court's active pending caseload due to the filing of a request to modify or enforce that existing judgment should be reported in the Caseload Summary Matrix as Reopened. When the reopened case is disposed, report the case in the Caseload Summary Matrix in the column labeled Reopened Disposition.

Example:
A criminal case that was previously disposed, but then returned to the court's pending docket by an allegation that the offender has violated the terms of his or her probation, should be considered a reopened case.

Uniform Crime Reporting (UCR and NIBRS coding)

The CSP case types represent groups of offenses based on the Uniform Crime Reporting (UCR) and National Incident-Based Reporting System (NIBRS) definitions maintained by the FBI. The FBI uses common legal definitions found in *Black's Law Dictionary*, the *Uniform Crime Reporting Handbook,* and the National Crime Information Center (NCIC) Uniform Offense Classifications.

Since many state statutes are also based on common legal definitions, trial courts should be able to translate their unique case types into the *Guide* case types. The table below shows UCR and NIBRS offenses cross-referenced to CSP case types. Complete definitions of UCR and NIBRS differences are available on the FBI UCR website at www.fbi.gov/ucr/ucr.htm.

CSP Case Types Mapped to FBI UCR and NIBRS Offenses

CSP Case Type	UCR Part I & II	NIBRS Offenses
Person	Murder/Manslaughter Rape Robbery Aggravated Assault Other Assaults Sex Offenses (not rape/prostitute)	Aggravated Assault (13A) Simple Assault (13B) Intimidation (13C) Murder & Non-negligent Manslaughter (09A) Negligent Manslaughter (09B) Justifiable Homicide (09C) Kidnapping/Abduction (100) Robbery (120) Forcible Rape (11A) Forcible Sodomy (11B) Sexual Assault with an Object (11C) Forcible Fondling (11D) Incest (36A) Statutory Rape (36B)
Domestic Violence	No analogous offense	No analogous offense
Elder Abuse	No analogous offense	No analogous offense
Property	Burglary Larceny Auto Theft Arson Forgery and Counterfeiting Fraud Embezzlement Stolen Property; Buying, Receiving	Arson (200) Bribery (510) Burglary/Breaking and Entering (220) Counterfeiting/Forgery (250) Destruction/Damage/Vandalism of Property (290) Embezzlement (270) Extortion/Blackmail (210) False Pretenses/Swindle/Confidence Game (26A)

CSP Case Type	UCR Part I & II	NIBRS Offenses
Property		Credit Card/Automated Teller Machine Fraud (26B) Impersonation (26C) Welfare Fraud (26D) Wire Fraud (26E) Stolen Property Offenses (Receiving, etc.) (280) Bad Checks (90A) Trespass of Real Property (90J)
Drugs	Drug Abuse Violations	Drug/Narcotic Violations (35A) Drug Equipment Violations (35B)
Weapons	Weapons; Carrying, Possessing	Weapon Law Violations (520)
Public Order	Prostitution & Commercial Vice Gambling Liquor Laws Drunkenness Disorderly Conduct Vagrancy	Betting/Wagering (39A) Operating/Promoting/Assisting Gambling (39B) Gambling Equipment Violations (39C) Sports Tampering (39D) Pornography/Obscene Material (370) Prostitution (40A) Assisting or Promoting Prostitution (40B) Curfew/Loitering/Vagrancy Violations (90B) Disorderly Conduct (90C) Drunkenness (90E) Liquor Law Violations (90G) Peeping Tom (90H)
Motor Vehicle–DWI/DUI	Driving Under the Influence	Driving Under the Influence (90D)
Motor Vehicle–Other	No analogous offense	No analogous offense
Felony–Other	No analogous offense	No analogous offense
Protection Order Violation	No analogous offense	No analogous offense
Misdemeanor–Other	No analogous offense	No analogous offense
Appeals from Limited Jurisdiction Courts	No analogous offense	No analogous offense
Criminal–Other	No analogous offense	No analogous offense

Criminal Case Type Definitions

Felony- Person: Cases alleging murder/manslaughter, sexual assault (including rape and sexual battery), robbery, and assault (including simple assault).

Felony- Domestic Violence: Cases alleging violence, coercion, or intimidation by a family or household member against another family or household member. Family or household members may include: (a) persons who are current or former spouses; (b) persons who are intimate partners and who live together or have lived together; (c) persons who are dating or who have dated; (d) persons who are engaged in, or have engaged in, a sexual relationship; (e) persons who are related by blood or adoption; (f) persons who are related or formerly related by marriage; (g) persons who have a child in common; and (h) minor children of a person in a relationship that is described in elements (a) through (g) above.

Note:
Classifying cases as domestic violence cases means the victim-offender relationship was known at the time of filing or disposition.

Felony- Elder Abuse: Cases alleging offenses committed against an elderly person. Types of offenses usually include: physical abuse, sexual abuse, psychological abuse, neglect, abandonment and isolation, and financial or fiduciary abuse. Physical abuse is generally defined as improper use of physical force that may or does result in bodily harm, injury, physical pain, or restraint of an elder. Sexual abuse is any non-consensual sexual touching or contact with an elder or a person who is incapable of giving consent (e.g., a mentally disabled individual). Psychological abuse is the intentional or reckless infliction of psychological pain, injury, suffering, or distress through verbal or nonverbal acts. Neglect is the failure to provide for the care and treatment or safety of an elder. Abandonment is the desertion of an elder by an individual responsible for providing care or by a person with physical custody of an elder. Financial or fiduciary abuse is the illegal or improper use of an elder's funds, property, or assets, or the conversion or misappropriation of such property, for uses other than for the elder.

Felony- Property: Cases alleging burglary, larceny, auto theft, arson, forgery and counterfeiting, fraud, embezzlement, stolen property (buying or receiving), and vandalism.

Felony- Drug: Cases alleging the illegal possession, sale, use, or manufacture of drugs. The following drug categories are included: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics—manufactured narcotics (Demerol, Methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

Felony- Weapon: Cases alleging violations of regulations or statutes controlling the carry, use, possession, furnishing, and manufacture of deadly weapons or silencers.

Felony- Public Order: Cases alleging violations of liquor laws, drunkenness, disorderly conduct, vagrancy, gambling, prostitution, and commercial vice. [Similar terminology: public nuisance or quality of life offenses and crimes against society]

Felony-Motor Vehicle–DWI/DUI: Cases alleging driving a motor vehicle while intoxicated (DWI), driving under the influence of either alcohol or drugs (DUI), or driving while impaired.

Note:
Report all DWI/DUI cases in this case type; if reported at state level as traffic cases, they should be extracted and mapped into this case type for national reporting purposes. Motor Vehicle DWI/DUI also includes those offenses that occurred while operating a boat.

Felony- Motor Vehicle–Other: Cases involving the operation of a motor vehicle. Use this case type for motor vehicle cases of unknown specificity, when motor vehicle cases are not attributable to one of the other previously defined motor vehicle case types, or when all motor vehicle cases are reported as a single case type.

Example:
Felony reckless driving

Felony–Other: Cases alleging an offense punishable by incarceration for a year or more or death. Use this case type for felony criminal cases of unknown specificity, when felony cases are not attributable to one of the other previously defined felony case types, or when all criminal felony cases are reported as a single case type.

For the following Misdemeanor case types, see the Felony definitions:
Misdemeanor-Person
Misdemeanor-Domestic Violence
Misdemeanor-Elder Abuse
Misdemeanor-Property
Misdemeanor-Drug
Misdemeanor-Weapon
Misdemeanor-Public Order
Misdemeanor-Motor Vehicle-DWI/DUI
Misdemeanor-Motor Vehicle-Other

Misdemeanor–Other: Criminal misdemeanor cases involving an offense punishable by incarceration for less than a year and/or fines that are not attributable to another defined case type. Use this case type for misdemeanor criminal cases of unknown specificity, when misdemeanor cases are not attributable to one of the other previously defined misdemeanor case types, or when all criminal misdemeanor cases are reported as a single case type.

Protection Order Violation: Misdemeanor cases alleging violation of a court order that was issued to help protect an individual from harassment or abuse.

Note:
Though these cases often stem from an earlier civil or criminal case, they should be counted as New Filing in this case type. This case type is intended to capture the majority of first-level violations that are generally misdemeanors. In cases when the violation is a felony, capture in Felony-Other.

Appeal from Limited Jurisdiction Court: Criminal appeals brought in the court of general jurisdiction disputing the ruling or judgment of a limited jurisdiction trial court.

Criminal–Other: Cases in which a defendant is charged with one or more violations of state criminal law. Use this case type for criminal cases of unknown specificity, when criminal cases are not attributable to one of the other previously defined criminal case types, or when all criminal cases are reported as a single case type.

Juvenile Case Reporting

Introduction

Juvenile cases are a broad category of trial court cases requesting the court to adjudicate a youth as a delinquent, status offender, or dependent child, or to waive jurisdiction and transfer a youth to criminal court. The three subcategories of Juvenile cases are Delinquency, Dependency/Child Victim, and Status Offense/Petition.

Delinquency

Delinquency cases are a subcategory of juvenile cases that includes cases involving an act committed by a juvenile, which, if committed by an adult, would result in prosecution in criminal court and over which the juvenile court has been statutorily granted original or concurrent jurisdiction. These may include petitions transferred to the juvenile or family court from the criminal court. Under certain conditions, a delinquency petition may include a motion/pleading to transfer jurisdiction of the case to criminal court.

Dependency

Dependency cases are a subcategory of juvenile cases in which it is alleged that a child has been abused or neglected or is otherwise without proper parental care and/or supervision. These cases may be referred to as child in need of services/assistance cases or child at risk cases.

Status Offense

Status Offense cases are a subcategory of juvenile cases involving non-criminal misbehavior by a juvenile. The behavior is an offense because of the youth's status as a minor. These cases are often called CHINS or CINS cases (child or children in need of supervision), PINS cases (person in need of supervision), or JINS cases (juvenile in need of supervision).

Examples:
Curfew violation, runaway, incorrigible/ungovernable, truancy

Unit of Count

The filing document in a juvenile action is generally called a petition. Count the *filing* of the petition with the clerk of court as the beginning of a juvenile case.

- For delinquency, dependency/child victim, and status offense cases, count the *filing* of the original petition as the beginning of the case in trial courts.
- For delinquency cases, count the juvenile and all allegations involved in a single incident as a single case. If the filing document contains multiple juveniles involved in a single incident, count each juvenile as a single and separate case.
- For dependency cases, count the petition as a single case. A dependency case that contains multiple parties (e.g., children/siblings) or multiple causes of action is counted as one case.

- Count the number of juvenile filings and dispositions by case type, as defined in the Juvenile Case Type Definitions below.

The following case types involving juveniles should *not* be reported in the Juvenile case category:

- Juvenile non-criminal traffic cases should be included in the appropriate Traffic, Parking, and Local Ordinance case type.
- Child support cases and paternity cases should be included in the appropriate Domestic Relations case type.
- Criminal cases involving the molesting or abuse of children should be included in the appropriate Criminal case type.
- Guardianship petitions involving juveniles are *civil* cases and should be reported in the Civil case category as part of the Probate/Estate caseload under the Guardianship–Juvenile case type.
- Juvenile mental health cases are *civil* cases and should be reported in the Civil case category under the Mental Health case type.
- All restraining or protection orders, including those involving juveniles, should be reported in the Civil case category under the Non-Domestic Relations Restraining Order case type *or* in the Domestic Relations case category under the Civil Protection/Restraining Order case type.
- Court actions that are directed against adults as the result of adult relationships to juveniles should not be classified as juvenile petitions.
- In some jurisdictions, juvenile court intake personnel are authorized to decide *not* to file a formal petition in response to a referral but to accept a case without a petition for "informal handling" by authorized court personnel. These cases should not be counted as juvenile cases for national statistical reporting purposes.
- Criminal cases in which the juvenile is being tried as an adult should be counted under the appropriate Criminal case type. However, hearings held to determine if a juvenile should be tried as an adult are captured in the appropriate Delinquency case type as both an incoming and outgoing case.

Notes Specific to Juvenile Cases

Alternative Dispute Resolution (ADR): When a case has been referred *by the court* to alternative dispute resolution, the case remains on active status with the court. If the case is resolved through this court-annexed ADR, the disposition of the case is counted in the Entry of Judgment category and the Non-Trial Manner of Disposition.

Problem-solving court cases (e.g., Juvenile Drug Court, Juvenile Mental Health Court): Cases assigned to a specialized docket should be counted according to the legal issue that brought them to court.

Example:
A delinquency-drug case that is adjudicated through Juvenile Drug Court would be counted as a Delinquency-Drug case.

Placed on Inactive Status: Cases that are administratively classified as inactive should be reported in the Caseload Summary Matrix as Placed on Inactive Status. When the case is reactivated, report it as a Reactivated case.

Example:
A juvenile case should be classified as Placed on Inactive Status if the juvenile has absconded, an arrest order has been issued, and the court has suspended activity until the juvenile is apprehended. When the juvenile is returned to court, the case is included in the Incoming caseload as a Reactivated case.

Reopened: Cases in which a judgment has previously been entered but which have been restored to the court's pending caseload due to the filing of a request to modify or enforce that existing judgment should be reported in the Caseload Summary Matrix as Reopened. When the Reopened case is disposed, report the case in the Reopened Dispositions column.

Example:
A juvenile case that was previously disposed but then returned to the court's pending docket by an allegation that the offender violated the terms of his or her probation should be considered a Reopened case.

Set for Review: A count of cases that, following an initial Entry of Judgment and at the end of the reporting period, are awaiting regularly scheduled reviews involving a hearing before a judicial officer.

Example:
A dependency case is filed with the court (counted as a New Filing), and the court makes its initial finding and order, thus disposing the case through this judgment (counted as an Outgoing case in the Entry of Judgment column). At that time, the court scheduled a review 6 months in the future and an additional review 12 months in the future. This case gets counted in the Set for Review column, and not as part of the court's End Pending-Active caseload.

Juvenile Case Type Definitions

Delinquency- Drug: Cases alleging the illegal possession, sale, use, or manufacture of drugs by a juvenile.

Delinquency- Person: Cases alleging murder/manslaughter, sexual assault (including rape and sexual battery), robbery, and/or assault by a juvenile.

Delinquency- Property: Cases alleging burglary, larceny, auto theft, arson, forgery and counterfeiting, fraud, embezzlement, stolen property (buying or receiving), buying or selling a weapon, and/or vandalism by a juvenile.

Delinquency- Public Order: Cases alleging violations of liquor laws, public drunkenness, DWI, disorderly conduct, vagrancy, gambling, prostitution, and/or commercial vice by a juvenile. [Similar terminology: public nuisance, quality of life, crimes against society]

Delinquency–Other: Cases alleging an act committed by a juvenile, which, if committed by an adult, would result in prosecution in criminal court and over which the juvenile court has been statutorily granted original or concurrent jurisdiction. Use this case type for delinquency cases of unknown specificity, when delinquency cases are not attributable to one of the other previously defined delinquency case types, or when all delinquency cases are reported as a single case type.

Note:
This includes possession of a weapon.

Dependency-Abuse/Neglect: Cases including 1) abuse cases alleging the hurting or injuring of a child by maltreatment; (Abuse, as defined by statutes in the majority of states, is generally limited to maltreatment that causes, or threatens to cause, lasting harm to a child.) 2) neglect cases alleging failure by a parent or custodian to render appropriate care to a child; an act of omission by the person legally responsible for a child's care that threatens the child's well-being; or failure to provide a child with suitable food, shelter, clothing, hygiene, medical care, or parental supervision.

Dependency- No Fault: Cases alleging one or more of the grounds for dependency without specifically faulting the parent(s) or guardian.

Dependency- Termination of Parental Rights (TPR): Cases requesting the severing of the parent-child relationship by the state due to allegations of abandonment, child abuse, unfitness of a parent, and other injuries to a child.

Dependency–Other: Dependency cases in which it is alleged that a child has been abused or neglected or is otherwise without proper parental care. Use this case type for dependency cases of unknown specificity, when dependency cases are not attributable to one of the other previously defined dependency case categories, or when dependency cases are reported as a single case type.

Status Offense: Cases alleging non-criminal misbehavior by a juvenile. The behavior is an offense because of the youth's status as a minor. These typically include curfew violation, runaway, incorrigible/ungovernable, and truancy.

Juvenile–Other: Cases in which the court adjudicates a youth as a delinquent,

status offender, dependent, or transfers youth to criminal court. Use this case type for juvenile cases of unknown specificity, when juvenile cases are not attributable to one of the other previously defined juvenile case types, or when all juvenile cases are reported as a single case type. Juvenile mental health cases and protection orders for juveniles should be reported under their respective civil case types and should *not* be reported under the juvenile case category.

Note: Unlike the other case categories, delinquency case types are not arranged in hierarchical order. The juvenile delinquency hierarchy is: Person, Property, Drug, and Public Order, in descending severity.

Traffic, Parking, and Local Ordinance Case Reporting

Introduction

Traffic, Parking, and Local Ordinance Violation cases are a broad category of trial court cases involving a violation of statutes and local ordinances governing traffic and parking, as well as a violation of other local ordinances. A key distinction for the traffic cases included here is that these are the *non-criminal* traffic cases; any traffic felony or misdemeanor (e.g., cases involving a charge of driving under the influence/driving while intoxicated) should be reported in the Criminal case category. In some instances, the offense itself determines whether a case is a Criminal case or a Traffic case (e.g., vehicular manslaughter), while in others it is the degree or extent of the violation that moves it from Traffic to Criminal (e.g., speeding 45 mph above the posted speed limit). For national reporting purposes, there are four subcategories of Traffic, Parking, and Local Ordinance Violations cases; as seen below, each is its own case type (see Traffic, Parking, and Local Ordinance Case Type Definitions).

Unit of Count

- Count the *filing* of the original charging document as the beginning of a traffic case in trial courts.
- For non-criminal traffic violations, count each original charging document (e.g., ticket, citation) filed as one case. If a citation contains more than one charge, it is still only counted as one case.
- For parking violations, count each original charging document (e.g. ticket, citation) filed as one case.
- Report the number of traffic, parking, and local ordinance violations cases by case type, according to the subject matter at issue as defined in the Traffic, Parking, and Local Ordinance Violations Case Type Definitions below.
- Non-criminal traffic violations and local ordinance violations should be reported separately from the other trial court case categories (e.g., civil, criminal, juvenile) because of the specialized case-processing procedures involved and to avoid inflation of criminal caseload figures due to the high volume of non-criminal traffic violations.
- Report a felony traffic violation as part of the criminal caseload (Motor Vehicle–DWI/DUI or Motor Vehicle–Other), rather than with the Traffic, Parking, and Local Ordinance Violation caseload.
- Report a misdemeanor traffic violation as part of the criminal caseload (Motor Vehicle–DWI/DUI or Motor Vehicle–Other), rather than with the Traffic, Parking, and Local Ordinance Violation caseload.
- Report parking violations separately from non-criminal traffic violations.

- Juvenile non-criminal traffic cases and local ordinance violations should be included in the appropriate Traffic, Parking, and Local Ordinance case type, not in the Juvenile case category.
- Juvenile criminal motor vehicle cases that are not attributable to another case type (i.e., Delinquency-person of Delinquency-Property), should be counted in Delinquency-Other
- Report appeals of non-criminal traffic violations under Appeals from Limited Jurisdiction Courts in the Criminal section of the Caseload Summary Matrix.

Notes Specific to Traffic, Parking, and Local Ordinance Cases

Consolidated: A case in which two or more actions are combined and tried/processed as one case. In reporting trial court dispositions, all the cases except the one into which the cases were consolidated should be reported as disposed at the time of consolidation using the Entry of Judgment status category. When the consolidated case has been disposed, the disposition should be reported under the appropriate Outgoing status event category (e.g., Entry of Judgment). The disposition of the consolidated case should not be reported until all parties/charges have been resolved.

Reopened: Cases in which a judgment has previously been entered but which have been restored to the court's pending caseload due to the filing of a request to modify or enforce that existing judgment should be reported in the Caseload Summary Matrix as Reopened. When the Reopened case is disposed of, report the case in the Caseload Summary Matrix in the column labeled Reopened Dispositions.

Example:
A non-criminal traffic violation case (e.g., speeding) that was previously disposed but then returned to the court's pending docket by a certification that the radar calibration had expired on the radar gun used to obtain the conviction in a speeding case should be considered a Reopened case.

Traffic, Parking, and Local Ordinance Case Type Definitions

Non-Criminal Traffic Violation (Infractions): Cases alleging non-criminal traffic offenses or infractions. [Non-criminal traffic cases are often referred to as infractions and typically include offenses like speeding (up to a defined number of miles per hour over the posted limit), failure to signal a turn, failure to stop at a stop sign, and failure to wear a seat belt.]

Parking Violation: Cases alleging parking a motor vehicle in violation of a state statute or local ordinance.

Ordinance Violation: Cases alleging violations of local regulations passed by county, city, state, or other local governing bodies.

Violation–Other: Cases involving a violation of statutes and local ordinances governing traffic and parking, and/or a violation of other local ordinances. Use this case type for traffic, parking, and local ordinance cases of unknown specificity, when cases are not attributable to another defined case types, or when all traffic, parking, and local ordinance violations cases are reported as a single case type.

CASELOAD DATA

Caseload data is reported in three sections: Status Categories, Case Characteristics, and Manner of Disposition. Each caseload section and the elements that comprise each section are outlined in the pages to follow.

Status Categories

The Trial Court Reporting Matrix captures detailed information about case status during the calendar year reporting period. These case status categories are consistent for each of the five major case categories: Civil, Domestic Relations, Criminal, Juvenile, and Traffic/Parking/Ordinance Violation.

The court's **Begin Pending** caseload is divided between Begin Pending–Active cases and Begin Pending–Inactive cases. The definitions below articulate the distinction between active and inactive cases. Making this distinction is essential for the court to be able to accurately manage its caseload and to be able to accurately compute performance measures such as the *CourTools* Measure 2: Clearance Rates, Measure 3: Time to Disposition, and Measure 4: Age of Active Pending Caseload.

Incoming cases are those cases that have been added to the court's caseload during the reporting period and include New Filing, Reopened, and Reactivated cases.

Outgoing case status categories include Entry of Judgment, Reopened Dispositions, and Placed on Inactive Status.

At the end of the reporting period, the **End Pending** caseload is summarized in three categories: End Pending–Active, End Pending–Inactive, and Set for Review.

The **Set for Review** category is designed to capture a count of cases that, at the end of the reporting period, have been filed and disposed, and are scheduled for regular, additional reviews in the future before a judicial officer. Juvenile dependency cases are an example of these cases; the court reviews the status of a juvenile in a series of regularly scheduled hearings at known and pre-determined intervals.

Similarly, in adult guardianship cases, the court reviews the status of the adult under court supervision through hearings that take place at regular, scheduled, and known intervals. After one of these cases is originally filed (New Filing) and the court makes its original order (Entry of Judgment), the court counts this case in the Set for Review category, and not in its End Pending-Active caseload (defined in the *Guide* as "a count of cases that at the end of the reporting period are awaiting disposition"). It is not unusual for these cases to extend for a period of years. When they are finally resolved, the case is simply removed from the Set for Review inventory count.

Case Status Definitions

Begin Pending–Active: A count of cases that, at the start of the reporting period, are awaiting disposition.

Begin Pending–Inactive: A count of cases that, at the start of the reporting period, have been administratively classified as inactive.

Note:
Business rules for this classification may be defined by a rule of court or administrative order.

Total Begin Pending: The sum of the count of Begin Pending-Active and Begin Pending-Inactive cases.

New Filing: A count of cases that have been filed with the court for the first time during the reporting period.

Reopened: A count of cases in which a judgment has previously been entered but which have been restored to the court's pending caseload during the reporting period. These cases come back to the court due to the filing of a request to modify or enforce that existing judgment and a hearing before a judicial officer is requested to review the status of the case or initiate further proceedings in the case. When the reopened case is disposed, report the case in the Caseload Summary Matrix in the Outgoing Cases column labeled Reopened Dispositions.

Example:
A fraud case is filed (New Filing) and disposed (Entry of Judgment). Subsequently, the defendant files a motion to submit new evidence that is granted. The case is now Reopened and disposed on the basis of the new evidence (a Reopened Disposition).

Reactivated: A count of cases that had previously been Placed on Inactive Status, but have been restored to the court's control during the reporting period. Further court proceedings in these cases can now be resumed during the reporting period and these cases can once again proceed toward disposition.

Note:
The rules for reactivating a case (sometimes referred to as restoring the case to the court's control) are the reverse of those listed below for placing a case on inactive status, (e.g., the lifting of a stay). The key is that courts should use the Placed on Inactive Status/Reactivated categories for specific reasons that are beyond the court's control and when events intervene (e.g., bankruptcy) that prevent the parties from being able to proceed. Delays in a case for other reasons, including inefficiencies in other parts of the justice system (e.g., delays in getting reports from crime labs or social service providers) are not a legitimate basis for placing a case on inactive status.

Total Incoming: The sum of the count of New Filing, Reopened, and Reactivated cases.

Entry of Judgment: A count of cases for which an original entry of judgment has been entered during the reporting period. For cases involving multiple parties/issues, the disposition should not be reported until all parties/issues have been resolved.

Reopened Dispositions: A count of cases that were disposed of by a modification to, and/or enforcement of, the original judgment of the court during the reporting period. For cases involving multiple parties/issues, the disposition should not be reported until all parties/issues have been resolved.

Placed on Inactive Status: A count of cases whose status has been administratively changed to inactive during the reporting period due to events beyond the court's control. These cases have been removed from court control, and the court can take no further action until an event restores the case to the court's active pending caseload.

Courts should refer to their local or statewide rules of court, statutes, or standards of administration and/or statistical reporting guidelines for precise definitions of the circumstances under which a case may be properly considered inactive. The following are illustrative examples of legitimate reasons for placing a case on inactive status:

- A stay is issued due to military duty or incarceration of one of the parties;
- A stay is issued due to filing of a bankruptcy proceeding in Federal court;
- A stay is issued due to an agreement, by the parties, to enter into *private* ADR;
- A stay is issued from a higher court (Federal or state);
- A stay is issued from an equal court in another county, district, or state; or
- Defendant absconded (i.e., fugitive)

Note:
Courts should use the Placed on Inactive Status/Reactivated categories only for specific reasons beyond the court's control and when events intervene (e.g., bankruptcy) that prevent the parties from being able to proceed. Delays in a case for other reasons, including inefficiencies in other parts of the justice system (e.g., delays in getting reports from crime labs or social service providers) are not a legitimate basis for placing a case on inactive status.

Total Outgoing: The sum of the count of Entry of Judgment, Reopened Dispositions, and Placed on Inactive Status.

End Pending–Active: A count of cases that, at the end of the reporting period, are awaiting disposition.

End Pending–Inactive: A count of cases that, at the end of the reporting period, have been administratively classified as inactive. Business rules for this classification may be defined by a rule of court or administrative order.

Total End Pending: The sum of the count of End Pending-Active and End Pending-Inactive cases.

Set for Review: A count of cases that, following an initial entry of judgment and at the end of the reporting period, are awaiting regularly scheduled reviews involving a hearing before a judicial officer.

Note:
If a case's status changes multiple times in a reporting period, each status change is counted separately. The most common occurrence is a case that is filed and disposed within a calendar year and reported as both a New Filing and an

Entry of Judgment. Another more complex example, if a case is filed, placed on inactive status, reactivated, and has an entry of judgment entered in the same reporting period, the case is reported once in each of the following categories: New Filing, Inactive, Reactivated, and Entry of Judgment. Similarly, if a case is reactivated, then placed on inactive status, then reactivated again in the same reporting period, it is counted twice in the Reactivated category and once in the Inactive category.

Case Characteristics

Introduction

Case Characteristics data capture information of key policy interest regarding the cases decided by a trial court during the reporting period (i.e., during a calendar year). These case characteristic data provide additional details about cases that have already been counted in the court's disposed caseload.

Two characteristics are of continued policy interest:

- Case with self-represented litigant(s)
- Case with interpreter(s)

Unit of Count

For each case type, count the number of disposed cases (Entry of Judgment, Reopened Disposition) that included the case characteristic at any time during the life of the case. The unit of count is the case, not the litigant(s).

- A case should be counted at the point of disposition of the case (i.e., when a new, reopened, or reactivated case receives an entry of judgment).
- A case with self-represented litigant(s) or a case with interpreter(s) should be counted as a single case, whether that case has one, two or more self-represented litigants or interpreters.

Notes Specific to Case Characteristics

Case with Self-Represented Litigants: Cases counted in this category must conform to the definition of a case with self-represented litigants, as defined below.

A case should be counted as a case with self-represented litigants if one or more parties (i.e., person(s) whose name is designated on the record as a plaintiff/petitioner or defendant/ respondent) were self-represented at any time during the life of the case. For plaintiffs/petitioners, the life of the case is from filing to disposition. For defendants/respondents, the life of the case is from arraignment/answer to disposition.

In criminal cases, although arraignment procedures may vary by state, the assumption is that the arraignment is the first opportunity that defendants have to provide the court with their representation status (i.e., to tell the court that an attorney has been retained, to request that the court appoint an attorney, or to inform the court of the defendant's wish to be self-represented). Therefore, in criminal cases, the arraignment (or an equivalent hearing) is considered to be the start of the case for the defendant. Do not count as cases with self-represented litigants cases where the defendant appears at arraignment without defense counsel, but requests a court-appointed attorney during the arraignment proceedings and subsequently obtains representation.

In juvenile cases, if all juveniles are assigned a guardian ad litem or a best interest attorney by statute then the Self-Represented Litigants case characteristic can be marked as No Jurisdiction (NJ).

Self-represented litigants in some states can take advantage of limited scope legal assistance (also known as limited assistance representation or unbundled legal services) to assist with the preparation of specific documents or to argue certain legal issues in a hearing before a judicial officer. While these self-represented litigants have representation for a specific and limited purpose, they remain fundamentally self-represented. Thus, cases in which self-represented litigants have obtained limited scope legal assistance are still considered cases with self-represented litigants and counted as such.

If a case is disposed by default, do not assume that the non-responding defendant/respondent was self-represented. If the plaintiff/petitioner was self-represented, the case can be correctly counted as one with a self-represented litigant. However, if the plaintiff/petitioner was represented and the defendant/respondent was at default due to a failure to respond at any point during the life of the case, the case is *not* to be counted as one with self-represented litigants. Cases with self-represented litigants only include instances that have been identified explicitly as involving a self-represented litigant. Thus, the case count will likely be much lower than the reality since cases with default judgments and unknown defendant representation are excluded.

Case with Interpreters: Cases counted in this category must conform to use of an interpreter, as defined below. Interpreter services can be provided in person, via telephone, or through other audio/visual technologies. The distinction being captured here is between interpretation as ordered by the court and interpretation that may be provided on an ad hoc basis by a family member, friend, or court employee. Interpretation ordered by the court may be provided by anyone the court deems qualified (e.g., certified interpreter, registered interpreter); the underlying assumption is that the court has formally taken note of the need for interpreter services and provided for them. Any interpreter *ordered by the court*, regardless if for a party, witness, etc., would be counted for a case with an interpreter.

Case Characteristic Definitions

Interpreter: An interpreter appointed by the court to provide interpretation services in any or all three modes of interpretation (consecutive interpretation, simultaneous interpretation, and sight translation) for a Limited English Proficient (LEP) party from that person's native language to English and vice versa. Sign language interpretation is included.

Self-Represented Litigant: A self-represented litigant is a person who advocates on his or her own behalf before a court, rather than being represented by an attorney. These litigants are also known as *pro se* or *pro per* litigants.

Case with Self-Represented Litigants: A count of disposed cases in which at any point during the life of the case one or more parties was self-represented.

Case with Interpreters: A count of disposed cases in which at any point during the life of the case one or more sign language or spoken language interpreters was ordered by the court.

Manners of Disposition

Introduction

Manner of Disposition reporting provides a means to report three distinct disposition types: jury trials, bench trials, and non-trial dispositions. Understanding trial rates and how they vary by case type, by state, and over time is of policy interest to court management and the legal profession.

Unit of Count

For each case type, count the number of disposed cases (Entry of Judgment and Reopened Dispositions) that were disposed by the disposition type.
For cases involving multiple parties/issues, the manner of disposition should not be reported until all parties/issues have been resolved. When there is more than one type of dispositive action in a case, count as the disposition the action requiring the most judicial involvement. Prioritize actions as follows: jury trials, bench/non-jury trials, non-trial dispositions.

Notes Specific to Manners of Disposition

Cases that have been placed on inactive status during the reporting period should not be counted in the Manner of Disposition categories unless the case was reactivated and an entry of judgment was issued on that case during the same reporting period. A case placed on inactive status is not disposed as there has been some action that has stopped the case from moving toward a disposition. Once reactivated, these cases can be counted in the Manner of Disposition categories when a final disposition is reached. Therefore, Manner of Disposition data should include fewer cases than those reported as Outgoing since the Outgoing data includes cases placed on inactive status.

Cases that are deferred to diversion or problem-solving court dockets (e.g., Drug Court) are not counted as dispositions until they return for final adjudication (e.g., imposition of sentence or dismissal).

Manner of Disposition Definitions

Jury Trial: A count of cases in which a jury is impaneled to determine the issues of fact in the case. A jury trial should be counted when the jury has been sworn, regardless of whether a verdict is reached.

Note:
Count juvenile delinquency cases disposed by an evidentiary hearing before a jury as a Jury Trial disposition.

Bench/Non-Jury Trial: A count of cases in which a judge or judicial officer is assigned to determine both the issues of fact and law in the case. A bench/non-jury trial should be counted when the first evidence is introduced, regardless of whether a judgment is reached.

Note:
Count juvenile delinquency cases disposed by an evidentiary hearing before a judge as a Bench/Non-Jury Trial disposition.

Non-Trial Disposition: A count of cases in which the disposition does not involve either a jury or a bench trial.

The following disposition types are all categorized as Non-Trial Dispositions:

- Summary judgment
- Settlement
- Alternative Dispute Resolution (ADR)
- Default judgment
- Dismissal
- Transfer to another court
- Bindover
- Guilty plea/Stipulation
- Nolle prosequi
- All delinquency and dependency non-trial hearings

Appellate Court Statistical Reporting

Introduction

Appellate courts review cases appealed from trial courts, intermediate appellate courts, and administrative agencies; preside over original proceedings and disciplinary matters involving the bench and bar; and serve in a supervisory capacity in the administration of the lower courts.

The term "appellate court" is used broadly in the *Guide* and encompasses both courts of last resort and intermediate appellate courts. Courts of last resort, most commonly named supreme courts, are the highest courts in the state, meaning that they are the final arbiters of disputes at the state level. Any additional appeals of a case that has been heard by a court of last resort are made to federal-level courts. Intermediate appellate courts, most commonly named court of appeals, often hear the majority of the state's appeals since states with a two-tier appellate system tend to restrict the type of cases that can be appealed directly to the court of last resort.

For the purposes of reporting in the national framework, appellate matters are reported by case type, and case types are divided into three major case categories: Appeal by Right, Appeal by Permission, and Original Proceeding/Other Appellate Matter. Within each case category, the *Guide* contains specific decision rules for how cases should be classified and counted. (See the Unit of Count and Case Type Definitions for each case category that follows for detailed descriptions.)

Appellate court caseload data is divided into four sections: Status Categories (e.g., Pending, Incoming, Outgoing); Case Characteristics (e.g., Interlocutory, Cases with Self-Represented Litigants); Manners of Disposition (e.g., Decided on the Merits, Disposed Prior to Decision), and Outcome of Cases Decided on the Merits (e.g., Affirmed, Reversed). Each gathers detailed information regarding the caseload during the reporting period.

The appellate court reporting framework described in the *Guide* is to be used when reporting the caseloads of appellate courts to the Court Statistics Project. Reporting is accomplished by completing the Appellate Court Reporting Matrix (Excel spreadsheet) for the calendar year being requested and returning the same to the CSP. An example of the Appellate Matrix is included in the Appendix.

CASE CATEGORIES

Case type data is reported in three major case categories: Appeal by Right, Appeal by Permission, and Original Proceeding/Other Appellate Matter. Each case category and the case types that comprise each category are outlined in the pages to follow.

Appeal by Right Case Reporting

Introduction

An appeal by right is a case that the appellate court *must* review. This mandatory review (also referred to as mandatory jurisdiction) is set by constitution, statute, or court rule and varies from court to court. For the purposes of national reporting, the Appeal by Right case category has been divided into 16 different case types (see Appeal by Right Case Type Definitions).

Unit of Count

A notice of appeal begins an appeal by right in most courts. The notice of appeal informs the trial court or administrative agency, the appellate court, and all parties to the case that the appellant intends to have the appellate court review an interlocutory decision or the final judgment of a trial court, intermediate appellate court, or administrative agency.

The statistics reported in the Status Category section are a count of *cases* (appeals), not of litigants or legal issues or causes of action. An appeal by right case with multiple parties or multiple causes of action is counted as one appeal.

- Count the *filing of the notice of appeal, or its functional equivalent, with the appellate court clerk* as the beginning of an appeal by right.
- Report the activity (e.g., Filed, Placed Inactive, Disposed, etc.) for such appeals by case type, according to the subject matter at issue as defined in the Appeal by Right Case Type Definitions (below). Information on case characteristics, manners of disposition, and outcomes of cases decided on the merits should also be reported by case type.

Notes Specific to Appeal by Right Cases

Mandatory versus Discretionary Jurisdiction: For statistical purposes, count as an Appeal by Right those appeals for which the court has mandatory jurisdiction as well as those appeals in which permission to appeal to the reviewing court is granted by *some other* court (often through the use of orders granting leave to appeal). Count as an Appeal by Permission only those cases in which permission is granted through the *discretion of the reviewing court* itself.

Bifurcated Proceedings: If the appellate review of a criminal case is bifurcated (i.e., the review of the conviction is done prior to and separate from a review of the sentence), count each review as one appeal.

Administrative Agency Appeals: Reviews of administrative agency decisions are to be reported as appeals, either by right or by permission. Such

appeals may come directly from the administrative agency or from a lower court that has issued an opinion about an administrative agency decision. While those appeals that come directly from an administrative agency may be considered, by the court, as original proceedings, all administrative agency appeals should be included in the appropriate Appeal by Right or Appeal by Permission case category.

Permission Denied: In the Manners of Disposition section of the Appellate Court Reporting Matrix, a disposition of Permission Denied is not appropriate for Appeals by Right since the appeals reported in this appellate case category are those over which the court has mandatory jurisdiction.

Appeal by Right Case Type Definitions

Felony (Death Penalty): An appeal of a trial court conviction, sentence, or both that resulted in the imposition of the death penalty.

Felony (non-Death Penalty): An appeal of a trial court conviction, non-death penalty sentence, or both for violation of an offense that, by state criminal law, is classified as a felony. Appeals from felony cases in which the death penalty was sought, but *not* imposed, are included in this definition.

Misdemeanor: An appeal of a trial court conviction, sentence, or both for violation of an offense that, by state criminal law, is classified as a misdemeanor.

Criminal–Other: Use this case type for criminal appeals of unknown specificity, when criminal appeals are not attributable to another previously defined criminal appeal case type, or when all criminal appeal cases are reported as a single case type.

Tort, Contract, and Real Property: An appeal of a trial court civil judgment concerning a dispute over the interpretation or application of tort, contract, or real property laws.

Probate: An appeal of a trial court civil judgment concerning the establishment of guardianships, conservatorships, and trusteeships and the administration of estates of deceased persons who died testate or intestate, including the settling of legal disputes concerning wills.

Family: An appeal of a trial court civil judgment concerning actions between family members (or others considered to be involved in a domestic relationship), such as marriage dissolution/divorce, paternity, custody/ visitation, support, adoption, civil protection/ restraining orders, and other family law issues. These may include actions by unmarried individuals to resolve issues of support or custody.

Juvenile: An appeal of a trial court civil judgment concerning the adjudication of a youth as a delinquent or dependent child or as a status offender. An adjudication of delinquent occurs when a juvenile is found to have committed an act that, if committed by an adult, would result in prosecution in criminal court. An adjudication of dependent occurs when it has been determined that a child has been abused or neglected or is otherwise without proper parental care. An adjudication as a status offender occurs when a juvenile is found to have been involved in non-criminal misbehavior that is an offense because of the youth's status as a minor.

Civil–Other: Use this case type for civil appeals of unknown specificity, when civil appeals are not attributable to another previously defined civil appeal case type, or when all civil appeal cases are reported as a single case type.

Workers' Compensation: An appeal of an administrative agency decision concerning a dispute over the eligibility and terms of compensation for workers injured on the job. Workers' compensation includes the areas of permanent total disability, permanent partial disability, temporary total disability, and temporary partial disability.

Revenue (Tax): An appeal of an administrative agency decision concerning a dispute over issues involving tax laws and their application.

Administrative Agency–Other: Use this case type for administrative agency appeals of unknown specificity, when administrative agency appeals are not attributable to another previously defined administrative agency appeal case type, or when all administrative agency appeal cases are reported as a single case type.

Note:
For cases involving judicial agencies (such as bar admission/discipline or judicial qualifications/discipline) see Original Proceeding/Other Appellate Matter.

Habeas Corpus/Post-Conviction Relief (Death Penalty): An appeal of a trial court decision on an application for habeas corpus or a petition for post-conviction relief that follows the imposition of the death penalty. Habeas corpus is a writ that challenges the legality of detention, and post-conviction relief is a procedure that permits a prisoner to challenge the constitutionality of his sentence or to make other constitutional claims.

Habeas Corpus/Post-Conviction Relief (non-Death Penalty): An appeal of a trial court decision on an application for habeas corpus or a petition for post-conviction relief that follows the imposition of a non-death penalty sentence. Habeas corpus is a writ that challenges the legality of detention, and post-conviction relief is a procedure that permits a prisoner to challenge the constitutionality of his sentence or to make other constitutional claims.

Writ–Other: An appeal of a trial court decision on an application for a writ that challenges the constitutionality or conditions of confinement or the actions of state and/or local officials (e.g., writ of mandamus, coram nobis, quo warranto, prohibition, etc.). Use this case type for appeals of writ decisions of unknown specificity, when appeals for writ decisions are not attributable to another defined writ case type, or when all appeals of writ decisions are reported as a single case type.

Appeal by Right–Other: Use this case type for appeal by right cases of unknown specificity, when appeal by right cases are not attributable to another previously defined appeal by right case type, or when all appeal by right case types are reported as a single case type.

Appeal by Permission Case Reporting

Introduction

An appeal by permission is a case that the appellate court *can choose to* review. This discretionary review (also referred to as discretionary jurisdiction) is set by constitution or statute and varies from court to court. For purposes of national reporting, the Appeal by Permission case category has been divided into 16 different case types (see Appeal by Permission Case Type Definitions).

An appeal by permission is the means used to present a case to an appellate court when the case is within the court's discretion. The court's discretion is exercised through a two-stage decision process. First, the court must decide whether or not to review the case, i.e., to either grant or deny permission. If the court chooses to review the case (i.e., permission is granted), the appeal is subject to the second stage of the decision process and may be decided on the merits, using the same procedures as those used to process an appeal by right. For the purposes of national reporting, this two-stage decision process is being represented in one reporting matrix, using dispositional information to determine the number of requests for review that were granted or denied.

Unit of Count

An application for leave to appeal (also called, among other names, an application for permission to appeal) begins an appeal by permission in most courts. The application for leave to appeal informs the trial court or administrative agency, the appellate court, and all parties to the case that the appellant intends to ask the appellate court to review an interlocutory decision or the final judgment of a trial court, intermediate appellate court, or administrative agency.

The statistics reported in the Status Categories section are a count of *cases* (appeals), not of litigants or legal issues or causes of action. An appeal by permission case with multiple parties or multiple causes of action is counted as one appeal.

- Count the *filing of the application for leave to appeal, or its functional equivalent, with the appellate court clerk* as the beginning of an appeal by permission.
- Report the activity (e.g., Filed, Placed Inactive, Disposed, etc.) for such appeals by case type, according to the subject matter at issue as defined in the Appeal by Permission Case Type Definitions (below). Information on case characteristics, manners of disposition, and outcomes of cases decided on the merits should also be reported by case type.

Notes Specific to Appeal by Permission Cases

Writ of Certiorari: For the purposes of national reporting, a request to review a lower court or administrative agency decision that is made by writ of certiorari should be counted as an Appeal by Permission rather than as an Original Proceeding.

Mandatory versus Discretionary Jurisdiction: For statistical purposes, count as an Appeal by Right those appeals for which the court has mandatory jurisdiction as well as those appeals in which permission to appeal to the reviewing court is granted by *some other* court (often through the use of orders granting leave to appeal). Count as an Appeal by Permission only those cases in which permission is granted through the *discretion of the reviewing court* itself.

Bifurcated Proceedings: If the appellate review of a criminal case is bifurcated (i.e., the review of the conviction is done prior to and separate from a review of the sentence), count each review as one appeal.

Administrative Agency Appeals: Reviews of administrative agency decisions are to be reported as appeals, either by right or by permission. Such appeals may come directly from the administrative agency or from a lower court that has issued an opinion about an administrative agency decision. While those appeals that come directly from an administrative agency may be considered, by the court, as original proceedings, all administrative agency appeals should be included in the appropriate Appeal by Right or Appeal by Permission case category.

Permission Denied: In the Manners of Disposition section of the Appellate Court Reporting Matrix, a disposition of Permission Denied has been added so that courts can track, by case type, the number of applications for leave to appeal that are denied, allowing for a better understanding of how a court uses its discretionary authority.

Permission Granted: For the purposes of national reporting, the granting of an application for leave to appeal is not a dispositive action. The dispositive action in the case occurs when the court either makes a decision (i.e., decides the merits of the case) or disposes the case prior to decision (e.g., by dismissal, withdrawal, or transfer), and the granting of permission is simply a step within the court's processing of the case. If the court requires the appellant to file a notice of appeal (which is a request for an appeal by right) before proceeding with the case, the court should make every effort to link the newly filed notice of appeal to the previously granted application for leave to appeal. This will allow the court to report the dispositive action of the case within the appropriate *Appeal by Permission* case type.

Appeal by Permission Case Type Definitions

Felony (Death Penalty): An appeal of a trial court conviction, sentence, or both that resulted in the imposition of the death penalty.

Felony (non-Death Penalty): An appeal of a trial court conviction, non-death penalty sentence, or both for violation of an offense that, by state criminal law, is classified as a felony. Appeals from felony cases in which the death penalty was sought, but *not* imposed, are included in this definition.

Misdemeanor: An appeal of a trial court conviction, sentence, or both for violation of an offense that, by state criminal law, is classified as a misdemeanor.

Criminal–Other: Use this case type for criminal appeals of unknown specificity, when criminal appeals are not attributable to another previously defined criminal appeal case type, or when all criminal appeals are reported as a single case type.

Tort, Contract, and Real Property: An appeal of a trial court civil judgment concerning a dispute over the interpretation or application of tort, contract, or real property laws.

Probate: An appeal of a trial court civil judgment concerning the establishment of guardianships, conservatorships, and trusteeships and the administration of estates of deceased persons who died testate or intestate, including the settling of legal disputes concerning wills.

Family: An appeal of a trial court civil judgment concerning actions between family members (or others considered to be involved in a domestic relationship), such as marriage dissolution/divorce, paternity, custody/visitation, support, adoption, civil protection/restraining orders, and other family law issues. These may include actions by unmarried individuals to resolve issues of support or custody.

Juvenile: An appeal of a trial court civil judgment concerning adjudication of a youth as either a delinquent or dependent child or as a status offender. An adjudication of delinquent occurs when a juvenile is found to have committed an act that, if committed by an adult, would result in prosecution in criminal court. An adjudication of dependent occurs when it has been determined that a child has been abused or neglected or is otherwise without proper parental care. An adjudication as a status offender occurs when a juvenile is found to have been involved in non-criminal misbehavior that is an offense because of the youth's status as a minor.

Civil–Other: Use this case type for civil appeals of unknown specificity, when civil appeals are not attributable to another previously defined civil appeal, or when all civil appeals are reported as a single case type.

Workers' Compensation: An appeal of an administrative agency decision concerning a dispute over the eligibility and terms of compensation for workers injured on the job. Workers' compensation includes the areas of permanent total disability, permanent partial disability, temporary total disability, and temporary partial disability.

Revenue (Tax): An appeal of an administrative agency decision concerning a dispute over issues involving tax laws and their application.

Administrative Agency–Other: Use this case type for administrative agency appeals of unknown specificity, when administrative agency appeals are not attributable to another defined administrative agency appeal case type, or when all administrative agency appeal cases are reported as a single case type.

Note:
For cases involving judicial agencies (such as bar admission/discipline or judicial qualifications/discipline), see Original Proceeding/Other Appellate Matter.

Habeas Corpus/Post-Conviction Relief (Death Penalty): An appeal of a trial court decision on an application for habeas corpus or a petition for post-conviction relief that follows the imposition of the death penalty. Habeas corpus is a writ that challenges the legality of detention, and post-conviction relief is a procedure that permits a prisoner to challenge the constitutionality of his sentence or to make other constitutional claims.

Habeas Corpus/Post-Conviction Relief (non-Death Penalty): An appeal of a trial court decision on an application for habeas corpus or a petition for post-conviction relief that follows the imposition of a non-death penalty sentence. Habeas corpus is a writ that challenges the legality of detention, and post-conviction relief is a procedure that permits a prisoner to challenge the constitutionality of his sentence or to make other constitutional claims.

Writ–Other: An appeal of a trial court decision on an application for a writ that challenges the constitutionality or conditions of confinement or the actions of state and/or local officials (e.g., writ of mandamus, coram nobis, quo warranto, prohibition, etc.). Use this case type for appeals of writ decisions of unknown specificity, when appeals for writ decisions are not attributable to another defined writ case type, or when all appeals of writ decisions are reported as a single case type.

Appeal by Permission–Other: Use this case type for appeal by permission appeals of unknown specificity, when appeal by permission appeals are not attributable to another previously defined appeal by permission appeal case type, or when all appeal by permission cases are reported as a single case type.

Original Proceeding/Other Appellate Matter Case Reporting

Introduction

An original proceeding is an action that comes to the appellate court in the first instance. These cases do not originate in trial courts or administrative agencies; instead, the appellate court has jurisdiction over these cases from inception. For the purposes of national reporting, the Original Proceeding/Other Appellate Matter appellate case category has been divided into 11 different case types (see Original Proceeding/Other Appellate Matter Case Type Definitions.

Unit of Count

An application for original jurisdiction (e.g., an application for writ, certified question, advisory opinion, etc.) begins an original proceeding/other appellate matter. Depending on the document filed, the application either informs the appellate court that it will accept jurisdiction for a case (if the court has mandatory jurisdiction) or requests that the court accept jurisdiction of the case (if the court has discretionary jurisdiction).

The statistics reported in the Status Category section are a count of cases (original proceedings), not of litigants or legal issues or causes of action. An original proceeding/other appellate matter case with multiple parties or multiple causes of action is counted as one proceeding.

- Count the *filing of the application for original jurisdiction, or its functional equivalent, with the appellate court clerk* as the beginning of an original proceeding/other appellate matter.
- Report the activity (e.g., Filing, Disposed, Placed Inactive, etc.) for such proceedings by case type, according to the subject matter at issue as defined in the Original Proceeding/Other Appellate Matter Case Type Definitions (below). Information on case characteristics, manners of disposition, and outcomes of cases decided on the merits should also be reported by case type.

Notes Specific to Original Proceeding/Other Appellate Matter Cases

Writ of Certiorari: For the purposes of national reporting, a request to review a lower court or administrative agency decision that is made by writ of certiorari should be counted as an Appeal by Permission rather than as an Original Proceeding.

Permission Denied: In the Manners of Disposition section of the Appellate Court Reporting Matrix, a disposition of Permission Denied has been added so that courts can track, by case type, the number of original proceeding/other appellate matter cases that are denied, allowing for a better understanding of how a court uses its discretionary authority.

Permission Granted: For the purposes of national reporting, the granting of an application for leave to appeal/application for writ is not a dispositive action. The dispositive action in the case occurs when the court either makes a decision (i.e., decides the merits of the case) or disposes the case prior to decision (e.g., by dismissal, withdrawal, or transfer), and the granting of permission is simply a step within the court's processing of the case.

Original Proceeding/Other Appellate Matter Case Type Definitions

Habeas Corpus Writ (Death Penalty): An application for a writ that challenges the legality of detention following the imposition of the death penalty when no other avenues for a remedy (e.g., Appeal by Permission) are available. Habeas corpus writ applications may also challenge the validity of the conviction, sentence, or both that resulted in the imposition of the death penalty by claiming that the criminal trial or state appellate process involved violations of the convicted defendant's constitutional rights.

Note:
Appeals of lower court decisions on death penalty-related applications for habeas corpus should be reported as Habeas Corpus/Post-Conviction Relief (Death Penalty) appeals, either by right or by permission.

Writ Application–Other (Death Penalty): An application for a writ that challenges the constitutionality or conditions of confinement or the actions of state and/or local officials (e.g., writ of mandamus, coram nobis, quo warranto, prohibition, etc.) that resulted in or followed the imposition of the death penalty. Use this case type for writs of unknown specificity, when writs are not attributable to another defined writ case type, or when all writs are reported as a single case type.

Note:
Appeals of lower court decisions on death penalty-related applications for writ should be reported as Writ-Other appeals, either by right or by permission.

Habeas Corpus Writ: An application for a writ that challenges the legality of detention when no other avenues for a remedy (e.g., Appeal by Permission) are available. The application may be filed in a criminal law context by offenders who are inmates in a jail or prison or by a person involuntarily committed for psychiatric treatment. Habeas corpus writ applications may also challenge the validity of the criminal conviction, sentence, or both by claiming that the criminal trial or state appellate process involved violations of the convicted defendant's constitutional rights.

Note:
Appeals of lower court decisions on non-death penalty applications for habeas corpus should be reported as Habeas Corpus/Post-Conviction Relief (non-Death Penalty) appeals, either by right or by permission.

Writ Application–Other: An application for a writ that challenges the constitutionality or conditions of confinement or the actions of state and/or local officials (e.g., writ of mandamus, coram nobis, quo warranto, prohibition, etc.). Use this case type for writ applications of unknown specificity, when writ applications are not attributable to another defined writ case type, or when all writ applications are reported as a single case type.

Note:
Appeals of lower court decisions on non-death penalty writ applications should be reported as Writ-Other appeals, either by right or by permission.

Bar Admission: A case concerning a dispute over an individual's application for admission to practice law.

Note:
Do not include in the count of Bar Admission cases the number of attorneys admitted to the bar. The Bar Admission case type is reserved for cases in which an attorney or other citizen disagrees with the decision to admit/not admit an attorney to the practice of law in that state or jurisdiction.

Lawyer Discipline/Eligibility: A case concerning a dispute over the discipline of an individual admitted to practice law or an individual's eligibility to continue to practice law. Underlying the dispute is an allegation of unethical conduct by an attorney, which has led to charges, a trial-like proceeding, and recommendations regarding discipline (e.g., reprimand, disbarment).

Judicial Discipline/Qualification: A case concerning a dispute over alleged improprieties by a judge. Generally, a judicial ethics board or judicial qualification commission will investigate the allegation and forward its recommendations to an appellate court.

Licensing/Discipline–Other: Use this category for licensing/discipline proceedings of unknown specificity, when licensing/discipline proceedings are not attributable to another previously defined licensing/discipline case type (e.g., the licensing or discipline of non-bar or non-judiciary professions), or when all licensing/discipline proceedings are reported as a single case type.

Certified Question: A case, filed by a state or federal court, which asks a state appellate court to interpret or resolve a question of state law that is part of a case before the requesting court.

Advisory Opinion: A case filed by a state officer (e.g., a governor or an attorney general) or the legislature asking an appellate court for an answer to a question of law.

Original Proceeding/Appellate Matter–Other: Use this category for original proceedings/appellate matters of unknown specificity, when original proceedings/appellate matters are not attributable to another previously defined original proceeding/appellate matter case type, or when all original proceeding/appellate matter cases are reported as a single case type.

CASELOAD DATA

Caseload data is reported in four sections: Status Categories, Case Characteristics, Manners of Disposition, and Outcomes of Cases Decided on the Merits. Each caseload section and the elements that comprise each section are outlined in the pages to follow.

Status Categories

The Appellate Court Reporting Matrix captures detailed information about case status during the calendar year reporting period. The case status categories are consistent for each of the three major case categories: Appeal by Right, Appeal by Permission, and Original Proceeding/Other Appellate Matter.

The court's **Begin Pending** caseload is divided between Begin Pending-Active cases and Begin Pending-Inactive cases. The definitions below articulate the distinction between active and inactive cases. Making this distinction is essential for the court to be able to accurately manage its caseload and to be able to accurately compute performance measures such as *Appellate CourTools* Measure 2: Time to Disposition, Measure 3: Clearance Rates, and Measure 4: Age of Active Pending Caseload.

Incoming cases are those cases that have been added to the court's caseload during the reporting period and include Filed and Reactivated cases.

Outgoing case status categories include cases that have been Disposed and Placed Inactive during the reporting period.

At the end of the reporting period, the court's pending caseload is summarized in the **End Pending** categories: End Pending-Active and End Pending-Inactive.

Case Status Definitions

Begin Pending-Active: A count of cases that, at the start of the reporting period, are awaiting disposition.

Begin Pending-Inactive: A count of cases that, at the start of the reporting period, have been administratively classified as inactive. Business rules for this classification may be defined by a rule of court or administrative order.

Incoming Cases: The sum of the count of Filed and Reactivated cases (see below).

Filed: A count of cases that have been filed with the court for the first time during the reporting period.

Reactivated: A count of cases that had previously been Placed Inactive, but have been restored to the court's control during the reporting period. Further court proceedings in these cases can now be resumed during the reporting period, and these cases can once again proceed to disposition.

Note:
The rules for reactivating a case (sometimes referred to as restoring the case to the court's control) are the reverse of those listed below for placing a case on inactive status, (e.g., the lifting of a stay, the end of private arbitration). The key is courts should use the Placed Inactive/Reactivated categories for specific reasons that are beyond the court's control and when events intervene that prevent the parties from being able to proceed. Other reasons for delay are not a legitimate basis for placing a case on inactive status.

Outgoing Cases: The sum of the count of Disposed and Placed Inactive cases (see below).

Disposed: A count of cases that have been resolved, irrespective of the manner of disposition (e.g., decided on the merits, dismissed prior to decision, withdrawn, etc.), during the reporting period.

Placed Inactive: A count of cases whose status has been administratively changed to inactive during the reporting period due to events beyond the court's control. These cases have been removed from court control, and the court can take no further action until an event restores the case to the court's active pending caseload.

Courts should refer to their local or statewide rules of court, statutes, or standards of administration and/or statistical reporting guidelines for precise definitions of the circumstances under which a case may be properly considered inactive. The following are illustrative examples of legitimate reasons for placing appeals and/or original proceedings on inactive status:

- A stay is issued due to military duty or incarceration of one of the parties;
- A stay is issued due to filing of a bankruptcy proceeding in Federal court;
- A stay is issued due to an agreement, by the parties, to enter into *private* ADR;
- A stay is issued from a higher court (Federal or state);
- A stay is issued from an equal court in another county, district, or state; or

- A stay is issued on the judgment due to an application for further appellate review.

Note:
Courts should use the Placed on Inactive Status/Reactivated categories only for specific reasons beyond the court's control and when events intervene (e.g., bankruptcy) that prevent the parties from being able to proceed. Delays in a case for other reasons, including inefficiencies in other parts of the justice system (e.g., delays in getting transcripts) are not a legitimate basis for placing a case on inactive status.

End Pending–Active: A count of cases that, at the end of the reporting period, are awaiting disposition.

End Pending–Inactive: A count of cases that, at the end of the reporting period, have been administratively classified as inactive. Business rules for this classification may be defined by a rule of court or administrative order.

Case Characteristics

Introduction

Case Characteristics data capture information of key policy interest regarding the cases brought to an appellate court during the reporting period (i.e., during a calendar year). The Case Characteristics data provide additional details about cases that have already been counted in the court's caseload.

Characteristics of continued policy interest include:

- Interlocutory appeals
- Self-represented litigants

Unit of Count

Interlocutory

For each case type, count the number of *Filed* cases that included the Case Characteristic. The statistics reported in the Case Characteristic section are a count of cases (appeals), not of litigants or legal issues or causes of action.

- A notice of appeal or application for leave to appeal, or *its functional equivalent*, begins an appeal that is interlocutory in nature.

  Count, by case type, the filing of an interlocutory appeal in the Filed Case Status Category, and count the case, by case type, as interlocutory in the Interlocutory Case Characteristic.

Self-Represented Litigants

For each case type, count the number of *Disposed* cases that included the Case Characteristic. The statistics reported in the Case Characteristic section are a count of cases (appeals), not of litigants or legal issues or causes of action.

- A case should be counted at the point of disposition of the case (i.e., when a new or reactivated case receives an entry of judgment).
- A case with self-represented litigants should be counted as a single case, whether that case has one, two, or more self-represented parties.

Notes Specific to Case Characteristics

Interlocutory

Cases counted in this category must conform to the definition of an interlocutory appeal, as defined below.

Interlocutory appeals generally concern the procedures used during case processing. The resolution of these appeals in *not* dispositive of the lower tribunal's proceeding.

Interlocutory appeals cannot be filed in a death penalty or original proceeding/ other appellate matter case. By definition, a death penalty case is a case in which the death penalty *has been* imposed. Should an interlocutory appeal be filed in the criminal trial in which the death penalty is a sentencing option, the appeal would be reported in the Felony (non-death penalty) case type.

Case with Self-Represented Litigants: Cases counted in this category must conform to the definition of a case with self-represented litigants, as defined below.

A case should be counted as a case with self-represented litigants if one or more parties (i.e., person(s) whose name is designated on the record as an appellant/petitioner or appellee/ respondent) were self-represented at any time during the life of the case. For appellants/petitioners, the life of the case is from filing to disposition. For appellees/respondents, the life of the case is from answer to disposition.

Self-represented litigants in some states can take advantage of limited scope legal assistance (also known as limited assistance representation or unbundled legal services) to assist with the preparation of specific documents. While these self-represented litigants have representation for a specific and limited purpose, they remain fundamentally self-represented. Thus, cases in which self-represented litigants have obtained limited scope legal assistance are still considered cases with self-represented litigants.

Case Characteristic Definitions

Interlocutory: A count of cases that have been filed with the court for the first time during the reporting period and that have been filed with the appellate court before the lower tribunal has disposed of the case at hand.

Self-Represented Litigant: A self-represented litigant is a person who advocates on his or her own behalf before a court, rather than being represented by an attorney. These litigants are also known as *pro se* or *pro per* litigants.

Case with Self-Represented Litigants: A count of disposed cases in which at any point during the life of the case one or more parties was self-represented.

Manners of Disposition

Introduction

Manner of disposition reporting provides a means to report three distinct types of disposition: Decided on the Merits, Permission Denied, and Disposed Prior to Decisions. The inclusion of these three categories into the Appellate Court Reporting Matrix takes into account the court's need for detailed information regarding the ways in which appellate matters are disposed.

Unit of Count

For each case type, count the number of cases that were disposed during the reporting period (i.e., the calendar year) by the disposition type. The statistics reported in the Manners of Disposition section are a count of cases (appeals/ original proceedings), not of litigants or legal issues or causes of action.

- For cases involving multiple parties/issues, the manner of disposition should not be reported until all parties/issues have been resolved. When there is more than one type of dispositive action in an appeal, count as the disposition that action which requires the most judicial involvement. For example, if the parties settle two issues through the court-annexed ADR program, but the third issue is resolved by the issuance of an opinion, the manner of disposition should be reported as Decided on the Merits rather than Disposed Prior to Decision since the writing of an opinion required more judicial involvement than did the ADR proceedings.

Notes Specific to Manners of Disposition

Placed Inactive: Cases that have been Placed Inactive during the reporting period should not be counted in the Manners of Disposition categories. A case placed on inactive status is not disposed as there has been some action that has stopped the case from moving toward a disposition. Once reactivated, these cases can be counted in the Manners of Disposition categories when a final disposition is reached.

Decided on the Merits: Only those appeals and original proceedings that are decided are to be counted in the Outcome of Cases Decided on the Merits section. The definition of Decided on the Merits (see below) requires that the court has issued an opinion regarding the facts and questions of law presented in the case. All other types of disposition (e.g., dismissed, court ADR, transferred) occur prior to the court's consideration of the merits of the appeal or original proceeding, should be reported as Disposed Prior to Decision (unless permission for review was denied) and should not be included in the Outcomes of Cases Decided on the Merits section.

Manner of Disposition Definitions

Decided on the Merits: A count of cases deliberated on by the court; such deliberation is a consideration of the facts and legal issues of the case and results in the issuance of an opinion.

Permission Denied: A count of cases for which the appellate court exercises its discretion and opts not to review the case. The reasoning for the denial of permission may or may not be stated. This manner of disposition is appropriate for use only when the court has discretionary jurisdiction over the case.

Disposed Prior to Decision: A count of cases disposed by the court without a review of the merits of the case. Such dispositions include dismissal (either voluntary or involuntary), court ADR, and transfers to another court.

Notes:
When cases are referred by the court to alternative dispute resolution, the case is considered active. It is only when the parties enter into private *ADR that the appeal or original proceeding may be considered Placed Inactive.*

Transferred cases include "lateral" transfers (e.g., civil appeal filed in a court of criminal appeals) or "assignment" transfers (e.g., case filed in a court of last resort is sent by that court to the intermediate appellate court for first review).

Outcomes of Cases Decided on the Merits

Introduction

Case outcome reporting provides a means to report the court's actions in the cases that it decides on the merits. Appeals can be affirmed, reversed, or modified (in whole or in part), and relief can be granted or denied in original proceedings. The inclusion of these outcomes takes into account the court's need for detailed information regarding the ways in which appellate matters are decided.

Unit of Count

For each case type, count the number of cases that were decided on the merits during the reporting period (i.e., the calendar year) by the type of outcome. The statistics reported in the Outcome of Cases Decided on the Merits section are a count of cases (appeals/original proceedings), not of litigants or legal issues or causes of action.

- For cases involving multiple parties/issues, the outcome should not be reported until all parties/issues have been resolved.

Notes Specific to Case Outcomes

Decided on the Merits: Only those appeals and original proceedings that are decided are to be counted in the Outcome of Cases Decided on the Merits section. The definition of Decided on the Merits (see previous page) requires that the court has issued an opinion regarding the facts and questions of law presented in the case. All other types of dispositions (e.g., dismissed, court ADR, transferred) occur prior to the court's consideration of the merits of the appeal or original proceeding, should be reported as Disposed Prior to Decision (unless permission for review was denied) and should not be included in the Outcomes of Cases Decided on the Merits section.

Reversed: Outcomes reversing the lower court judgment or administrative agency order may either reverse the entire decision or may only reverse part of the decision. Any reversal, whether in whole or in part, should be counted as an outcome of reversed.

Relief Granted/Denied: Since original proceeding cases are heard by an appellate court in the first instance, there is not a lower court judgment/administrative agency order for the court to affirm or reverse. Instead, the court will grant or deny the relief requested by the original proceeding application. When relief is granted, the court is essentially agreeing with the petitioner that the action that is the subject of the original proceeding was in error; alternatively, a denial of the relief sought is the court's disagreement with the petitioner that the action was in error.

Case Outcome Definitions

Affirmed/Relief Denied: A count of cases decided on the merits for which the appellate court upholds the result of the lower court or administrative agency decision. In writ application and other original proceeding cases, a decision denying the relief requested.

Reversed/Relief Granted (whole or part): A count of cases decided on the merits for which the appellate court does not uphold the result of the lower court or administrative agency decision. Outcomes reversing the lower court judgment/ administrative agency order under review often include corrective action awarding different relief than that awarded in the lower court and/or remitting the matter for a new trial or other appropriate action. In writ application or other original proceeding cases, a decision granting the relief requested.

Note: Any reversal, whether in whole or in part, should be counted as an outcome of reversed.

Other Outcome: Use this category for case outcomes of unknown specificity, when the case outcome is not attributable to one of the other previously defined case outcomes, or when all case outcomes are reported as a single type.

Appendix A

TRIAL COURT REPORTING

Trial court reporting is completed by court personnel (data specialists) who act as liaisons to the Court Statistics Project. The following materials are provided to assist data specialists in completing and submitting statistics for each reporting unit.

- Trial Court Reporting Matrix
- Trial Court Coding Instructions
- Aggregation Instructions
- Data Submission Instructions
- Other supporting materials
    - Calculating Pending Caseloads
    - Using the Set for Review Status Category

Trial Court Reporting Matrix

The Trial Court Reporting Matrix (an Excel spreadsheet) is based on the model reporting framework outlined in the *State Court Guide to Statistical Reporting.* This spreadsheet is the reporting format used for the Court Statistics Project's (CSP) annual data collection and therefore includes all the data elements to be submitted to the CSP. The terminology found within the Trial Court Reporting Matrix may be different than terminology used in a specific state or court. For this reason, please reference the *Guide* for the recommended usage of all terms and for the appropriate unit of count information for each case type.

A Snapshot of the Trial Court Reporting Matrix

Calendar Year:

Reporting Unit Code:

Reporting Unit Name: #N/A

CASELOAD DATA

Status Categories

Case Category	No Jurisdiction/Data	Row	Case Type	Begin Pending: Active	Begin Pending: Inactive	Begin Pending: Total Begin Pending	Code	Incoming Cases: New Filing	Incoming Cases: Reopened	Incoming Cases: Reactivated	Incoming Cases: Total Incoming	Code	Outgoing Cases: Entry of Judgment	Outgoing Cases: Reopened Disposition	Outgoing Cases: Placed on Inactive Status	Outgoing Cases: Total Outgoing	Code	End Pending: Active	End Pending: Inactive	End Pending: Total End Pending	Code
CIVIL		1.	Automobile Tort			0					0					0				0	
		2.	Intentional Tort			0					0					0				0	
		3.	Malpractice - Medical			0					0					0				0	
		4.	Malpractice - Other			0					0					0				0	
			Subtotal Malpractice (3,4)	0	0	0		0	0	0	0		0	0	0	0		0	0	0	
		5.	Premises Liability			0					0					0				0	
		6.	Product Liability			0					0					0				0	
		7.	Slander/Libel/Defamation			0					0					0				0	
		8.	Tort - Other			0					0					0				0	
			Total Tort (1,2,3,4,5,6,7,8)	0	0	0		0	0	0	0		0	0	0	0		0	0	0	
		9.	Buyer Plaintiff			0					0					0				0	
		10.	Employment - Discrimination			0					0					0				0	
		11.	Employment - Other			0					0					0				0	
			Subtotal Employment (10,11)	0	0	0		0	0	0	0		0	0	0	0		0	0	0	
		12.	Fraud			0					0					0				0	
		13.	Landlord/Tenant - Unlawful Detainer			0					0					0				0	
		14.	Landlord/Tenant - Other			0					0					0				0	
			Subtotal Landlord/Tenant (13,14)	0	0	0		0	0	0	0		0	0	0	0		0	0	0	
		15.	Mortgage Foreclosure			0					0					0				0	
		16.	Seller Plaintiff (Debt Collection)			0					0					0				0	
		17.	Contract - Other			0					0					0				0	
			Total Contract (9,10,11,12,13,14,15,16,17)	0	0	0		0	0	0	0		0	0	0	0		0	0	0	
		18.	Eminent Domain			0					0					0				0	
		19.	Real Property - Other			0					0					0				0	
			Total Real Property (18,19)	0	0	0		0	0	0	0		0	0	0	0		0	0	0	

Trial Court Coding Instructions

The codes that are used to denote caseload data availability and conformity to the *Guide* framework are defined below. Procedures for counting cases and examples of how to use the Trial Court Reporting Matrix are also provided.

No Jurisdiction or No Data

When data are not applicable or not available for a specific case type or an entire case category, the data elements *must* be designated as either No Jurisdiction or No Data.

> **NJ (No Jurisdiction)** = Data are not applicable because the reporting unit does not have jurisdiction over the case type or case category.
>
> **ND (No Data)** = Data are not available because the reporting unit cannot report this information, though it does have jurisdiction over the case type or case category.

Designating data as not applicable or not available for an entire case type (e.g., Automobile Tort) can be accomplished with the No Jurisdiction/Data column on the left side of the Matrix. By entering either NJ or ND in the No Jurisdiction/Data column, that entire row will be grayed out, and the CSP will interpret that as applying to each data element in that row.

A recommended first step when completing the Matrix is to go through all case categories and use the No Jurisdiction/Data column to designate the case type(s) where No Jurisdiction or No Data codes apply. Leave the No Jurisdiction/Data column blank if data is available. This initial pass through the Matrix will reduce the data elements that are required for submission.

When some, but not all, data elements in the caseload section are available, NJ or ND codes must be entered separately for each column. For example, if for all Civil case types, Incoming status category data are available but Outgoing status category data are not available, the No Jurisdiction/Data column must not be used. Instead, the ND code must be entered in the Code column for the Outgoing status category for each civil case type to which this applies.

Publishable or Not Publishable

Caseload data that are available should be reported to the CSP and designated as either Publishable or Not Publishable.

> **P (Publishable) =** Data are sufficiently representative of the reporting unit's caseload and conform to the *Guide's* definitions and counting rules. These data are approved by the Administrative Office of the Courts (AOC) and/or data specialist to be published in CSP reports comparing caseloads across states.
>
> **NP (Not Publishable) =** Data are available and are reported on the matrix; however, they are *not* sufficiently representative of the reporting unit's caseload and/or do *not* conform to the *Guide's* definitions and/or counting rules. These data are not approved by the AOC and/or data specialist to be published in CSP reports comparing caseloads across states, but will be used to help generate total caseloads at the aggregate, national level.

Criteria for Determining Whether Data are Publishable

For any caseload data (Status Category, Case Characteristic, or Manner of Disposition) to be coded as Publishable, three factors must first be considered: definition, unit of count, and completeness. These criteria are discussed below, but final determination as to whether they are met is left to the data specialist and court administration.

<u>Definition</u>

Case Type: Each reporting unit's data must be mapped to the appropriate *Guide* case type for national reporting. When data are coded as Publishable, the data should align to the specific case type definition outlined in the *Guide*.

The CSP recognizes that some information systems prevent disaggregating and/or aggregating case types. When that is true, a data specialist may determine that the statistics for a particular case type are either overinclusive (multiple case types that are <u>not</u> part of the CSP case type definition are grouped together) or underinclusive (case types that <u>are</u> part of the CSP case type definition are not combined with other appropriate case types). In these situations, a data specialist can report the aggregate case type information in the Other case type that is most closely aligned with the data available. For example, if tort cases cannot be broken into individual tort case types, report all tort data as Tort-Other and code as Not Publishable. However, the code associated with Total Tort can and should be coded as Publishable as all of the tort case types are included there.

When coding subtotals, totals, and grand totals it is important to remember that all case types over which the reporting unit has jurisdiction should be present for a subtotal, total, or grand total to be coded as Publishable. Whether reported in Other or specific case types, a total can only be publishable if all component case types are represented.

There may be instances when multiple case types are reported together and could still be publishable. For example, if Medical Malpractice cases are thought to be the clear majority of malpractice cases reported, yet it is known that a few rare types of other malpractice (e.g., legal) could also be included, discretion is left to the data specialist and court

administration. Together they may make the decision to count Medical Malpractice cases as Publishable since the known majority is correct (see completeness criteria below for further clarification), or if not, to report these cases in Malpractice-Other (Not Publishable) and Subtotal Malpractice could then be coded as Publishable if all other criteria are met.

Status Category: Each Status Category (e.g., Begin Pending, New Filing, Outgoing) has a definition outlined in the *Guide*. When data are coded as Publishable, the data should align to the specific status category definition. Because each separate status category does not have its own separate publish code, data specialists must make judgment calls when coding Status Category data. For further explanation see the following section: Applying Publishable/Not Publishable Codes to Status Category Data.

CSP recognizes that some information systems prevent disaggregating and/or aggregating case status information. For example, a CMS may not break Incoming caseload into New Filing, Reopened, and Reactivated. When that is true, a data specialist can still code the data as publishable as long as the Total Incoming Caseload meets all the other criteria (see Applying Publishable/Not Publishable Codes to Status Category Data section below for further instruction).

Case Characteristics: Each Case Characteristic (Case with Self Represented Litigants and Case with Interpreters) has a definition outlined in the *Guide*. When data are coded as Publishable, the data should align to the specific Case Characteristic definition.

Manner of Disposition: Each Manner of Disposition (e.g., Jury Trial) has a definition outlined in the *Guide*. When data are coded as Publishable, the data should align to the specific Case Characteristic definition.

Unit of Count

Each court's data must conform to the *Guide*'s unit of count to be considered Publishable. For example, when reporting criminal cases, the correct unit of count is the defendant and all charges involved in a single incident reported as a single case. If charges are counted and separately reported, the data does not conform to the *Guide* and should be coded Not Publishable (NP). Unit of count information for Case Categories, Case Characteristics, and Manners of Disposition can be found in the respective *Guide* sections.

Completeness

In addition to these rule-based determinations, each data specialist needs to assess whether their data are publishable by evaluating its completeness. This is a judgment call that must be made by the data specialist in conjunction with court administration based on their knowledge of their data. Note that for purposes of national reporting, it is not essential that a state's CSP caseload statistics are identical to those appearing in a state's own publications. The CSP statistics for a state are not the official and authoritative version of a state's data; only the state itself can provide that version.

The CSP recognizes that it may be unrealistic to think that every single case will be accurately counted within a given year since court information systems vary widely and not all courts within a state always meet their reporting deadlines. Each data specialist is responsible for determining the extent to which data are representative of that state's

caseload. For example, the absence of the largest urban jurisdiction in the state might mean 30% of the data are missing while the absence of a small rural jurisdiction might mean less than 2% of the state's data are missing. In the former scenario it is obvious that the case count does not represent the state's total caseload while in the latter scenario it does.

Applying Publishable/Not Publishable Codes to Status Category Data

Publishable/Not Publishable codes for caseload data pertain to the following status categories:

- Total Begin Pending
- Total Incoming
- Total Outgoing
- Total End Pending

Because each individual status category (e.g., New Filing, Reopened, Reactivated) does not have an individual Code column, the publish code decision applies only to the totals for the status categories (Begin Pending, Incoming, Outgoing, End Pending, and Set for Review). This means that the CSP will not be publishing or reporting the individual status category data, only the higher-level totals.

When deciding whether data should be marked as Publishable, consider the completeness of the Total status category only (e.g., Incoming completeness, not New Filing completeness). If status category data cannot be broken into the detailed categories and only totals are available, report them using the following guidelines:

1) If Status Category data can only be reported at one level (e.g., if Total Incoming is the only breakdown available, and New Filing, Reopened, and Reactivated are unable to be teased apart), place the Total data in the left most column within that Status Category section (e.g., New Filing). This total will then automatically be populated in the Total Incoming column where it can be coded as Publishable. As more detailed Status Category information is available, continue to fill in the Status Category columns moving to the right. For example, if New Filing and a combination and Reopened and Reactivated are available, report the data in the New Filing and Reopened columns. If New Filing and Reopened are combined, and Reactivated can be reported separately, report the combination of New Filing and Reopened in the New Filing column and Reactivated in the Reactivated column. When the Total column is calculated, it can be coded as Publishable.

2) If some Status Category data are not collected, for example if Reopened cases are not counted, it is up the data specialist and court administration to decide if the data should be coded as Publishable based on the completeness criteria outlined above.

In summary, when only one level of Status Category data are available (i.e., all Status categories are rolled into one statistic), report in the following columns:

- Begin-Pending Active
- New Filing
- Entry of Judgment
- End-Pending Active

Applying Publishable/Not Publishable Codes to Case Characteristics Data

Publishable/Not Publishable codes for Case Characteristics data pertain to the following case characteristics:

- Case with Self-Represented Litigants
- Case with Interpreters

In order to assign a Publishable code to the Case Characteristic data for a particular case type the Outgoing Status Category for that case type must have been coded as Publishable, and disposed data (Entry of Judgment and Reopened Dispositions) must be present. For example, if the unit of count for a certain case category (e.g., Criminal) is not correct, the caseload data are Not Publishable, it therefore follows that statistics about the number of cases with an interpreter are also Not Publishable.

Note:
If parties are not legally eligible to be self-represented for specific case types or case categories (e.g., Juvenile cases) the No Jurisdiction (NJ) code should be used to designate data is not applicable.

Applying Publishable/Not Publishable Codes to Manner of Disposition Data

Publishable/Not Publishable codes for caseload data pertain to the following Manner of Disposition categories:

- Jury Trial
- Bench Trial
- Total Dispositions

In order to assign a Publishable code to Manner of Disposition data for a particular case type, the Outgoing Status Category for that case type must have been coded as Publishable, and disposed data (Entry of Judgment and Reopened Dispositions) must be present. For example, if the Entry of Judgment data do not meet the definition, and, therefore, the caseload data are Not Publishable, it follows that statistics about the number of cases disposed by jury trial or bench trial are also Not Publishable.

A Publishable or Not Publishable code cannot be applied to Non-Trial Dispositions because the data element will never be published. Instead, this data will only be used to determine percentage of dispositions that are jury and/or bench trials. In order perform this calculation, Jury Trials, and/or Bench Trials, and Total Dispositions will all need to be coded Publishable.

Note:
If case types or case categories are not legally eligible for a specific manner of dispositions (e.g., jury trials are ineligible for small claims cases) the No Jurisdiction (NJ) code may be used to designate data is not applicable.

Example Scenarios

The following scenarios illustrate examples of how data would be reported in the Trial Court Reporting Matrix.

Example Scenario 1

Data Year: 2011 Enter Reporting Unit Number: 0
Court Name: Example

CASELOAD

Case Category	No Jurisdiction/Data	Row	Case Type	Begin Pending: Active	Begin Pending: Inactive	Begin Pending: Total Begin Pending	Code (2)	Incoming Cases: New Filing (3)	Incoming Cases: Reopened	Incoming Cases: Reactivated	Incoming Cases: Total Incoming	Code
		20.	Small Claims			0	ND	400			400	P
		21.	Guardianship - Adult			0	ND				0 (4)	ND
		22.	Guardianship - Juvenile			0	ND				0	ND
		23.	Guardianship - Unknown			0	ND	35			35	NP
			Subtotal Guardianship (21,22,23)	0	0	0	ND	35	0		35	P
		24.	Conservatorship/Trusteeship			0	ND	50			50	P
		25.	Probate/Wills/Intestate			0	ND	75			75	P
		26.	Probate/Estate - Other			0	ND	15			15	P
			Total Probate/Estate (24,25,26)	0	0	0	ND	140	0		140	P
(1)	NJ	27.	Mental Health			0					0	

In the above Matrix:

1) "NJ" was entered in the No Jurisdiction/Data column for the mental health case type as this reporting unit does not have jurisdiction over mental health cases. A row becomes shaded gray whenever NJ or ND is entered in the No Jurisdiction/Data column to indicate that no other codes need to be entered in that row. Please note that, even though the NJ or ND code will not appear in the other code cells in that row, the system software will insert that code into each of the appropriate cells during the submission process.
2) Begin Pending data are not collected so ND was coded for the Begin Pending status category for all case types.
3) Incoming data cannot be identified as New Filing, Reopened, and Reactivated. The entire incoming caseload was reported in the left-most column, New Filing.
4) This reporting unit cannot separately report Adult and Juvenile Guardianship; therefore, all guardianship cases were reported in Guardianship- Unknown. While Guardianship-Unknown is coded as Not Publishable, Subtotal Guardianship was coded Publishable.

Note:
Guardianship- Unknown will never be a Publishable data element. Because there are only two types of Guardianships (adult and juvenile), the Unknown category is merely a location to report data that cannot be attributed to one of the two types. Therefore, this category is not a true case type.

Example Scenario 2

No Jurisdiction/Data	Row	Case Type	Outgoing Cases: Entry of Judgment	Reopened Disposition	Placed on Inactive Status	Total Outgoing	Code	Case Characteristics: Case with Self-Represented Litigants (SRL)	1 Code	Manner of Disposition Data: Jury Trial	Code	Bench/ Non-Jury Trial	Code	Non-Trial Disposition	2 Total Dispositions	Code
	46.	Felony - Person	350	70	15	435	P	300	NP	10	P	25	P	385	420	P
	47.	Felony - Domestic Violence	124	18	0	142	P	100	NP		ND		ND		0	ND
	48.	Felony - Elder Abuse	80	15	0	95	P	80	NP		ND		ND		0	ND
	49.	Felony - Property	400	105	5	510	P	406	NP		ND		ND		0	ND
	50.	Felony - Drug	100	25	0	125	P	120	NP		ND		ND		0	ND
	51.	Felony - Weapon	65	10	0	75	P	55	NP		ND		ND		0	ND
	52.	Felony - Public Order	55	0	0	55	P	55	NP		ND		ND		0	ND
ND	53.	Felony - Motor Vehicle - DWI/DUI				0									0	
	54.	Felony - Motor Vehicle - Other	86	0	0	86	NP	84	NP		ND		ND		0	ND
		Subtotal Felony - Motor Vehicle (53,54)	86	0	0	86	P	84	NP	0	ND	0	ND	0	0	ND
	55.	Felony - Other	0	0	0	0	P	0	NP		ND		ND		0	ND
		Total Felony (46,47,48,49,50,51,52,53,54,55)	1,260	243	20	1,523	P	1,200	NP	10	NP	25	NP	385	420	NP

* Note: This Matrix has been altered (columns hidden) for illustrative purposes

In the above Matrix:

1) This reporting unit provides the number of cases with self-represented litigants (SRLs), but the count is taken at the filing of the case. Since this does not match the recommended unit of count for cases with SRLs, the data are coded as Not Publishable.
2) Manner of Disposition data are only available for one case type, Felony-Person. The number of jury trial, bench trial, and non-trial dispositions equal the number of disposed cases (Entry of Judgment and Reopened Dispositions). Although this information is coded Publishable for the Felony-Person case type, Total Felony Manner of Disposition are Not Publishable because data are available for only one felony case type.

Aggregation Instructions

For purposes of national reporting, each state is asked to submit one or two Matrices to capture aggregated caseloads from limited jurisdiction (LJ) and general jurisdiction (GJ) court levels. States that have a single-tiered court structure (CA, DC, GU, IL, IA, MN, MP, PR, VT) or who have two-tiered structures that were aggregated for CSP purposes (ID, ME, MO) submit one Matrix to represent the one general jurisdiction court level (e.g., Iowa District Court), while states with both general and limited jurisdiction courts will submit two Matrices, one representing general jurisdiction cases and one representing limited jurisdiction cases (e.g., Wisconsin Circuit Court (GJ) and Wisconsin Municipal Court (LJ)).

For states that have multiple general and/or limited jurisdiction courts, aggregating caseload data will be necessary for CSP submission. For example, Arizona has multiple courts at both the GJ and LJ level and would report the general jurisdiction courts (Superior Court and Tax Court) in one Matrix and the limited jurisdiction courts (Justice of the Peace Court and Municipal Court) in a second Matrix. For guidance on how to aggregate caseloads, contact CSP staff.

Coding Aggregated Matrices

When aggregating two or more limited or general jurisdiction court caseloads into one Matrix, the code applied to each aggregated data element should be applicable to the entirety of the caseload reported therein. For example, if one LJ court has jurisdiction but No Data (ND) for Small Claims cases and the state's only other LJ court has No Jurisdiction (NJ) over Small Claims cases, the aggregated code would be 'ND' because the only court with jurisdiction over these cases cannot report any caseload data. If both courts have jurisdiction but one has No Data and the other has Publishable (P) data, a decision must be made regarding the publishability of the resulting total when coding that element for the Matrix. That is, if the court with No Data represents a very small proportion of the state's total Small Claims LJ caseload, the aggregated data may still be deemed Publishable by the data specialist and court administration. See the below table for general rules on coding the aggregation of multiple courts.

Code For One Court	Code For Second Court	Code for Aggregated Total	Notes
NJ	ND	ND	The aggregate total is coded as No Data (ND) since the only court with jurisdiction has no data
NJ	P	P	The aggregate total comprises Publishable (P) data from the only court with jurisdiction
NJ	NP	NP	The aggregate total is Not Publishable (NP) as the only court with jurisdiction reports data that are not publishable
ND	P	NP*	The aggregated total is missing data from one court (ND) and therefore the reported data are Not Publishable (NP)
ND	NP	NP	The aggregated total is missing data from one court (ND) and contains data that are Not Publishable (NP) from the other
P	NP	NP*	The aggregated total contains data from one court that is Publishable (P) but data from the second court is Not Publishable (NP)

* Discretion is left to the data specialist and court administration to determine if reported data are *sufficiently* representative of the aggregated reporting units' caseloads to code the total as Publishable (P).

Data Submission Instructions

There are two routes to submit CSP data, Excel add-in-generated and CMS-generated submissions. Both methods generate NIEM-compliant XML data. Below the two methods are outlined.

Excel add-in-generated XML submission

This method allows data specialists to complete the Trial Court Reporting Matrix and from this Excel Matrix, generate XML code to be submitted to CSP. The following steps outline this process.

1. Data specialists install the Excel CSP Add-In from the NCSC CSP website (linked below). Permission to install software will be needed and may require communication with IT staff. This add-in is stored on the computer and therefore will be available for any CSP matrix once installed. Directions for installation are found on the NCSC CSP website. The CSP Add-In should be downloaded and installed as close to the time of submission as possible to ensure that the most recent version is used.

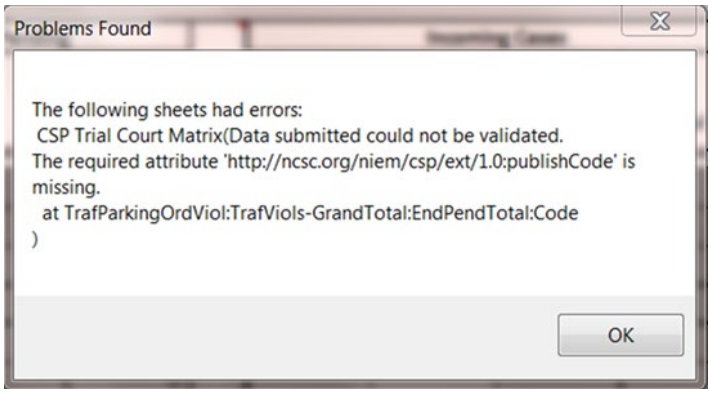
Note:
The Excel CSP Add-In will not work with MS Office versions older than 2007 and will also not work with the Mac version of Microsoft Office. Contact the CSP staff if this will be an issue for your state.

https://apps.ncsc.org/CSP_Addin/cspaddin.zip

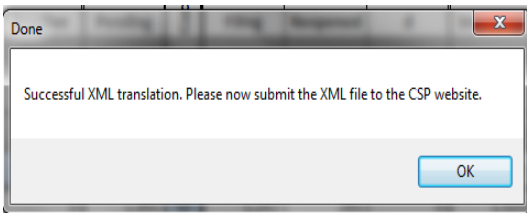
2. Data specialists complete the data entry process using the Trial Court Reporting Matrix. First, enter the reporting year and the Reporting Unit Code (e.g., AL-GJ, a list of unit codes can be found at the bottom of the Matrix). Once all the data are entered (all Code cells must either have a code, or be grayed out using the No Jurisdiction/Data column), save the Excel file in an appropriate location. This file location will also be the location where the XML file is saved, be sure to remember the location.

3. Once the Excel file is saved, translate the Matrix data into XML by clicking the add-in button located on the home tab navigation ribbon.

4. Any errors encountered when the add-in translates the Excel workbook to the XML schema will be relayed to the data specialist via a "Problems Found" pop-up message. In this message a description of the errors found will appear. All errors need to be fixed before moving to the next step. If no errors are found, the validation message will alert the data specialist that the XML code has been successfully written with a "Successful XML translation. Please now submit the XML file to the CSP website" message.

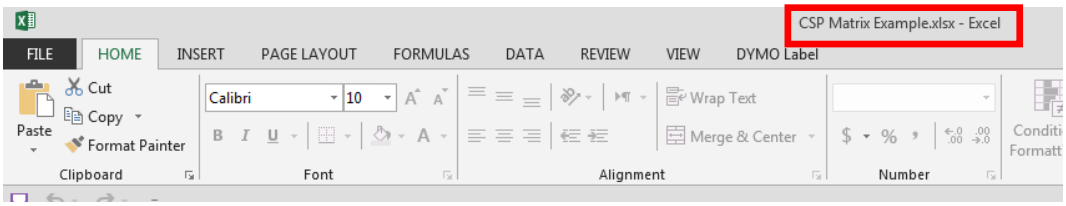


Error message alerting data specialist that Grand Total Traffic/Violations End Pending Caseload does not have the required accompanying code (P, NP, NJ, or ND)

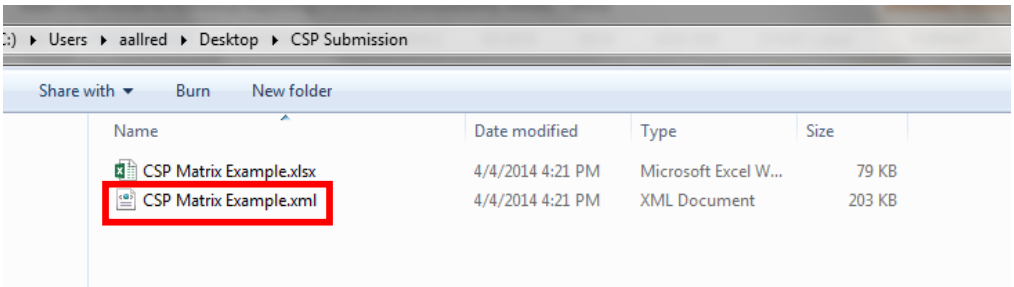


Successful validation message

5. Once successfully translated, the XML file is named after the file name on the Excel Matrix and is saved in the location where the data specialist saved the Excel Matrix.



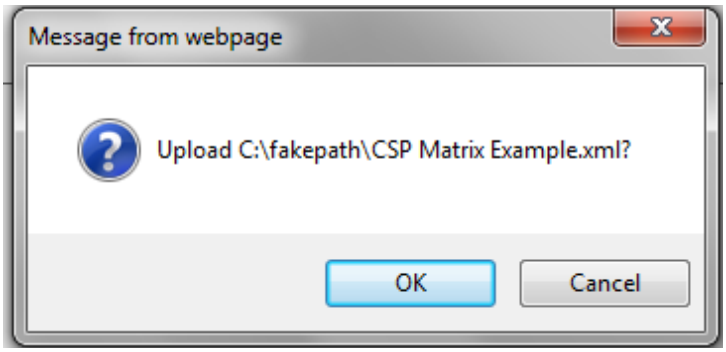
The file name of the Excel Matrix will be the saved name of the XML document.



The XML document will be saved in the same location where the original Excel Matrix was saved.

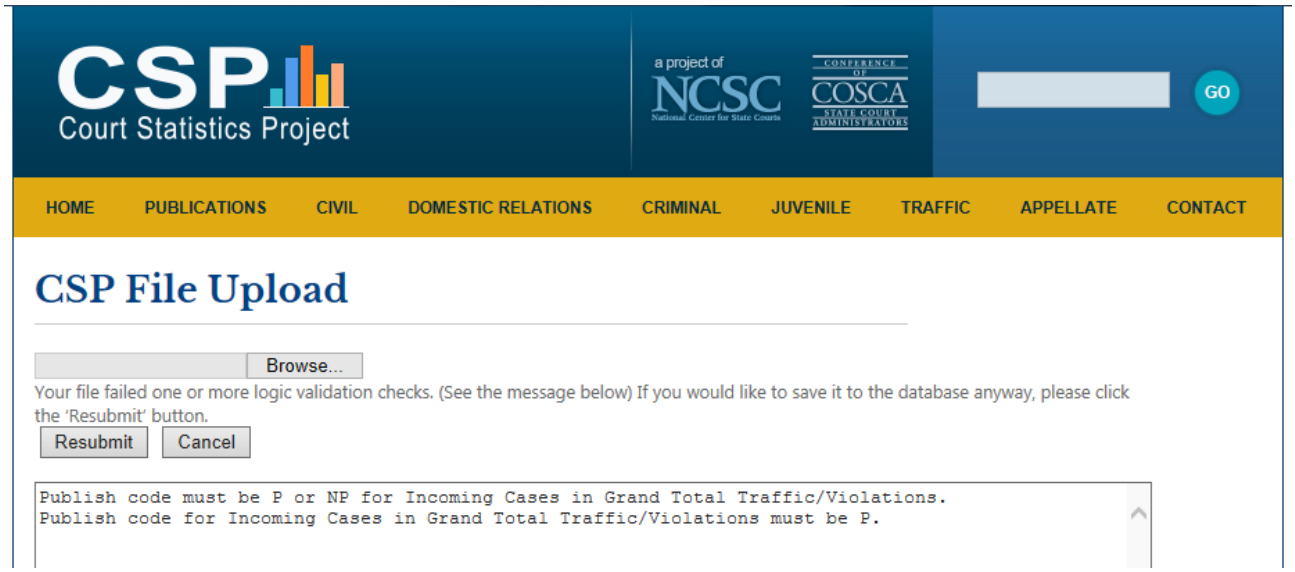
Note:
The XML file will be overwritten every time the add-in button is clicked. To save a new XML file, the file name must be changed.

6. Once the XML file has been saved, it needs to be submitted to the CSP. The saved file can be uploaded to the CSP via the CSP web form (linked below). Browse to the folder and file saved in step 5 and click ok.



7. Any logical errors encountered (e.g., If all case types contributing to a Total are NJ, the Total must also be NJ) will be relayed to the data specialist via a logical validation error check message. In this message the Case Type and Caseload data section at issue will be listed with the current problem. All errors must be fixed before the web form will allow submission to the CSP.

Upload files at: https://www.courtstatistics.org/data-specialists/submit-data



Error message

8. When the submission has been successfully received by the CSP, a confirmation message will appear.

Successful submission message

CMS-generated XML submission

This method of data submission requires data specialists to work with IT staff to map a state's current case management system (CMS) data to the CSP Schema. Both data elements and codes must be included. Once mapped, the schema can be used each year to submit the latest calendar year statistics. However, the mapping should be revisited every time the availability, completeness, or case types change within the CMS. The following steps outline this process.

1. Data specialist and IT staff configure a custom program for the CMS to produce an XML document that conforms to the CSP Schema. CSP staff will send data specialists a zip file containing all schema documentation.

2. Generate and save an XML data file in a designated folder.

3. Once the XML file has been saved, it must be submitted to the CSP. The saved file can be uploaded to the CSP website via the CSP web form (linked below). Browse to the folder and data file and click ok.

4. Upload files at: https://www.courtstatistics.org/data-specialists/submit-data

5. Any logical errors or problems with validation to schema will be relayed to the data specialist via an error check message. In this message, the Case Type and Caseload data section at issue will be listed with the current problem. All errors must be fixed before the web form will allow submission to the CSP.

6. When the submission has been successfully received by the CSP, a confirmation message will appear.

Data Submission FAQs

What is XML?

XML stands for Extensible Markup Language. XML is a structured language for describing information being sent electronically from one entity to another. Think of it like HTML—a way to tag data so that it is recognized when passed from one software/hardware system to another.

What is an XML Schema?

An XML Schema defines the rules and constraints for the characteristics of the data, such as structure, relationships, allowable values, and data types. It is used to define those things for specific information exchanges. The CSP schema is NIEM-compliant and is designed to facilitate the information exchange between you and CSP.

What is NIEM?

NIEM—the National Information Exchange Model—is a community-driven, government-wide, standards-based approach to exchanging information. NIEM uses Extensible Markup Language (XML) for schema definitions and element representation, which allows the structure and meaning of data to be defined through simple, but carefully defined XML syntax rules. This provides a common framework for information exchange. Visit https://www.niem.gov for more information.

How can I use the CSP XML schema for automating CSP reporting?

There are two ways to implement use of the schema: 1) program your information system to extract, transform, and load the relevant data into the schema, and 2) use the CSP Excel Add-In to generate the XML file.

What is an Excel Add-In program and how does it work?

An Excel Add-In program is a piece of software designed to allow Excel to perform a specific task efficiently. The NCSC developers have written an add-in program that will allow you to report your CSP data. After you have received the new Trial Court Reporting Matrix (Excel) document from CSP, you will need to download the CSP Excel Add-In. The Add-In will be available from the CSP site. Directions for downloading the CSP Add-In and installing it will be available on the download page.

You will need permissions to install software on your computer; please work with your IT staff to verify you have the required privileges.

Other Supporting Materials

Calculating Pending Caseloads

The calculation of pending caseloads is quite simple. The *End Pending–Active* caseload is calculated by adding the *Begin Pending–Active*, *New Filing*, *Reopened*, and *Reactivated* cases, then subtracting from that total the sum of *Entry of Judgment*, *Reopened Dispositions*, and *Placed on Inactive Status*.

Begin Pending–Active	80
+ New Filing	210
+ Reopened	40
+ Reactivated	25
	355
Entry of Judgment	240
+ Reopened Dispositions	40
+ Placed on Inactive Status	55
	(335)
End Pending–Active	**20**

The inactive caseload calculation is also straightforward. Add the number of *Begin Pending-Inactive* and *Placed on Inactive Status* cases and subtract the number of *Reactivated* cases.

Begin Pending–Inactive	25
+ Placed on Inactive Status	55
	80
Reactivated	25
	(25)
End Pending–Inactive	**55**

Using the *Set for Review* Status Category

Within the Reporting Matrix there is a *Set for Review* status category. Unlike the other ten status categories, the *Set for Review* status category is not part of the calculations for determining active and inactive pending caseloads. Instead, this status category is designed to capture a momentary "snapshot" of cases at the end of the calendar year that are awaiting regularly scheduled reviews involving a hearing before a judicial officer. Since this status category is an inventory, the data will provide the total number of cases in this status, rather than just those that were added to the status during the calendar year.

The following example illustrates how to calculate the number of cases to be reported in the *Set for Review* category if a system is unable to provide the snapshot.

At the beginning of the calendar year, the court has 300 Guardianship – Adult cases that have previously been adjudicated and are scheduled for periodic review before a judicial officer. During the calendar year, the court disposes of 250 additional Guardianship – Adult cases and, of those cases, 175 are now scheduled for a review hearing (e.g., so that the guardian can report back to the judge about the ward). During that same calendar year, 100 of the wards from the existing cases either regained competency (no longer requiring a hearing) or died. To calculate the new total of Guardianship – Adult cases that are *Set for Review*, add 175 cases to the beginning number of cases in the category (300) and then subtract 100 cases. The result is 375 cases in the inventory of *Set for Review* at the end of the calendar year.

Cases Set for Review at beginning of year	**300**
Cases added to the Set for Review inventory	**+175**
Cases subtracted from the Set for Review Inventory	**-100**
Cases Set for Review at the end of the calendar year	**375**

Appendix B:

Appellate Court Reporting

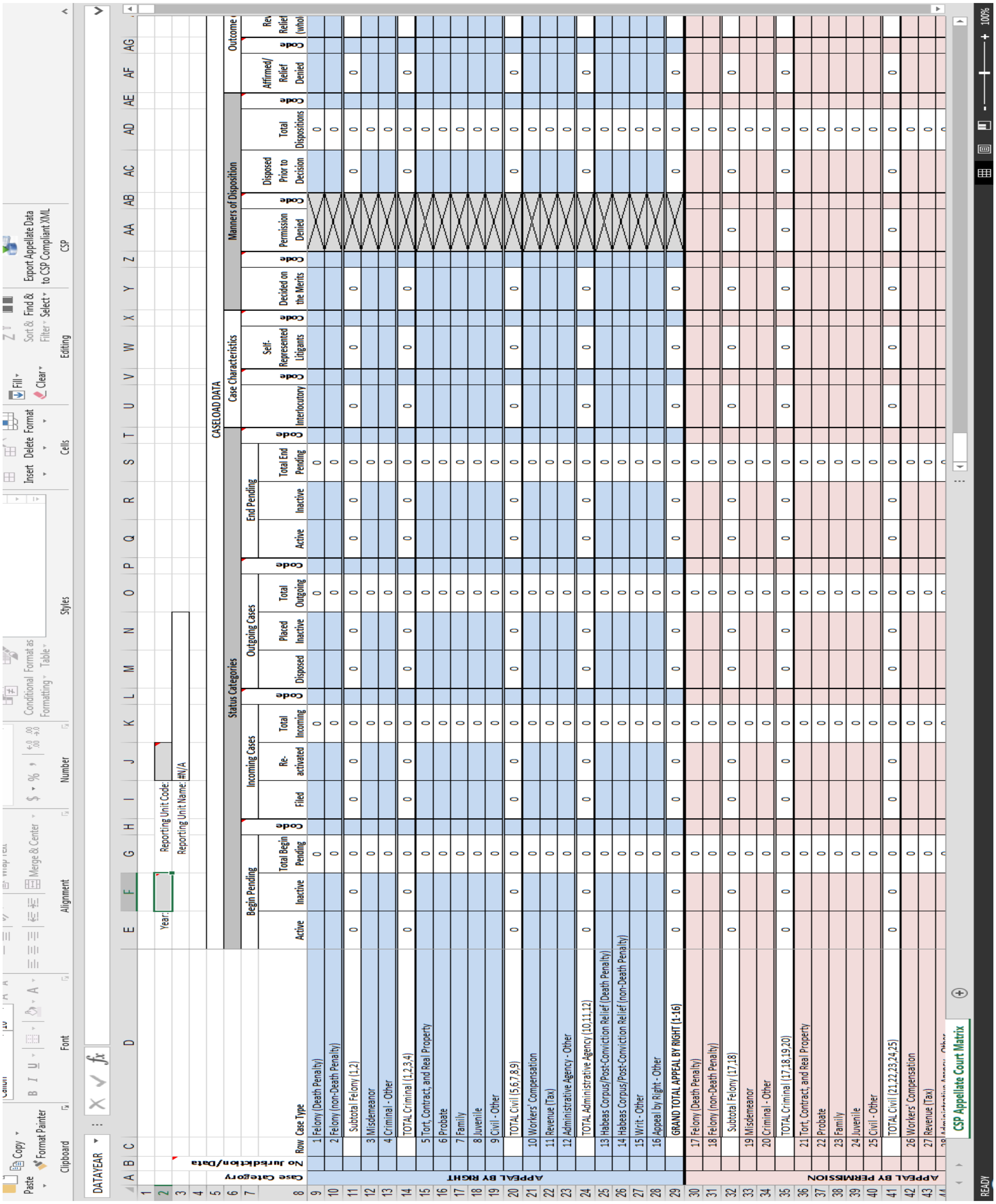
Appellate court reporting is completed by court personnel (data specialists) who act as liaisons to the Court Statistics Project. The following materials are provided to assist data specialists in completing and submitting calendar year statistics for each reporting unit.

- Appellate Court Reporting Matrix
- Appellate Court Coding Instructions
- Data Submission Instructions
- Other supporting materials
    - Calculating Pending Caseloads
    - Using the Interlocutory Case Characteristic
    - Disposed Cases and Manners of Disposition

Appellate Court Reporting Matrix

The Appellate Court Reporting Matrix (an Excel spreadsheet) is based on the model reporting framework outlined in the *State Court Guide to Statistical Reporting.* This spreadsheet is the reporting format used for the Court Statistics Project's (CSP) annual data collection and therefore includes all the data elements to be submitted to the CSP. The terminology found within the Appellate Court Reporting Matrix may be different than terminology used in a specific state or court. For this reason, please reference the *Guide* for the recommended usage of all terms and for the appropriate unit of count information for each case type.

A Snapshot of the Appellate Court Reporting Matrix



Appellate Court Coding Instructions

The codes that are used to denote caseload data availability and conformity to the *Guide* framework are defined below. Procedures for counting cases and examples of how to use the Appellate Court Reporting Matrix are also provided.

No Jurisdiction or No Data

When data are not applicable or not available for a specific case type or an entire case category, the data elements must be designated as either No Jurisdiction or No Data.

> **NJ (No Jurisdiction)** = Data are not applicable because the reporting unit does not have jurisdiction over the case type or case category.
>
> **ND (No Data)** = Data are not available because the reporting unit cannot report this information, though it does have jurisdiction over the case type or case category.

Designating data as not applicable or not available for an entire case type (e.g., Appeal by Permission-Juvenile) can be accomplished with the No Jurisdiction/Data column on the left side of the Matrix. By entering either NJ or ND in the No Jurisdiction/Data column, that entire row will be grayed out, and the CSP will interpret that as applying to each data element in that row.

A recommended first step when completing the Matrix is to go through all case categories and use the No Jurisdiction/Data column to designate the case type(s) where No Jurisdiction or No Data codes apply. Leave the No Jurisdiction/Data column blank if data is available. This initial pass through the Matrix will reduce the number of data elements that are required for submission.

When some, but not all, data elements in the caseload section are available, NJ or ND codes must be entered separately for each column. For example, if for all Appeal by Right-Felony case types, Incoming status category data are available but Outgoing status category data are not available, the No Jurisdiction/Data column must not be used. Instead, the ND code must be entered in the Code column for the Outgoing status category for each Appeal by Right-Felony case type to which this applies.

Publishable or Not Publishable

Caseload data that are available should be reported to the CSP and designated as either Publishable or Not Publishable.

> **P (Publishable) =** Data are sufficiently representative of the reporting unit's caseload and conform to the *Guide's* definitions and counting rules. These data are approved by the Court, Administrative Office of the Courts (AOC), and/or data specialist to be published in CSP reports comparing caseloads across states.

NP (Not Publishable) = Data are available and are reported on the matrix; however, they are *not* sufficiently representative of the reporting unit's caseload and/or do *not* conform to the *Guide's* definitions and/or counting rules. These data are not approved by the Court, AOC and/or data specialist to be published in CSP reports comparing caseloads across states, but will be used to help generate total caseloads at the aggregate, national level.

Criteria for Determining Whether Data are Publishable

For any caseload data (Status Categories, Case Characteristics, Manners of Disposition, or Outcomes of Cases Decided on the Merits) to be coded as Publishable, three factors must first be considered: definition, unit of count, and completeness. These criteria are discussed below, but final determination as to whether they are met is left to the data specialist and court administration.

Definition

Case Type: Each reporting unit's data must be mapped to the appropriate *Guide* case type for national reporting. When data are coded as Publishable, the data should align to the specific case type definition outlined in the *Guide*.

The CSP recognizes that some information systems prevent disaggregating and/or aggregating case types. When that is true, a data specialist may determine that the statistics for a particular case type are either overinclusive (multiple case types that are not part of the CSP case type definition are grouped together) or incomplete (case types that are part of the CSP case type definition are not combined with other appropriate case types). In these situations, a data specialist can report the aggregate case type information in the Other case type that is most closely aligned with the data available. For example, if civil appeal by right cases cannot be broken into individual civil case types, report all civil appeal by right data as Civil-Other and code as non-publishable. However, Total Civil can and should be coded as publishable as all of the civil appeal by right case types are included there.

When coding subtotals, totals, and grand totals it is important to remember that all case types over which the reporting unit has jurisdiction should be present for the subtotal, total, or grand total to be coded as Publishable. Whether reported in Other or specific case types, a total can only be publishable if all component case types are represented.

There may be instances when multiple case types are reported together and could still be considered publishable. For example, if felony (non-death penalty) appeal by permission cases are thought to be the clear majority of criminal cases reported, yet it is known that a few rare types of other criminal appeals (e.g., misdemeanor cases) could also be included, discretion is left to the data specialist and court administration. Together they may make the decision to count Felony (non-Death Penalty) cases as publishable ("P") since the known majority is correct (see completeness criteria below for further clarification), or if not, to report these cases in Criminal-Other (non-publishable) and Total Criminal could then be coded as publishable if all other criteria are met.

Status Categories: Each Status Category (e.g., Begin Pending, Filed, Placed Inactive) has a definition outlined in the *Guide*. When data are coded as publishable ("P"), the data should align to the specific status category definition.

Case Characteristics: Each Case Characteristic (e.g., Interlocutory) has a definition outlined in the *Guide*. When data are coded as publishable ("P"), the data should align to the specific Case Characteristic definition.

Manners of Disposition: Each Manner of Disposition (e.g., Decided on the Merits) has a definition outlined in the *Guide*. When data are coded as publishable ("P"), the data should align to the specific Manner of Disposition definition.

Outcomes of Cases Decided on the Merits: Each Case Outcome (e.g., Affirmed/Relief Denied) has a definition outlined in the *Guide*. When data are coded as publishable ("P"), the data should align to the specific Case Outcome definition.

CSP recognizes that some information systems prevent disaggregating and/or aggregating case status information. For example, a CMS may not break Incoming caseload into Filed and Reactivated. When that is true, a data specialist can still code the data as complete as long as the Filed caseload meets all the other criteria (see Applying Publishable/Not Publishable Codes to Status Category Data section below for further instruction).

Unit of Count

Each court's data must conform to the *Guide*'s unit of count to be considered complete. For example, when reporting appeals by right, the correct unit of count is the notice of appeal and it should be counted when the notice is filed with the appellate clerk. If appeals are not counted until briefing is completed, the data does not conform to the *Guide* and should be coded non-publishable ("NP"). Unit of count information for Case Categories, Case Characteristics, Manners of Disposition, and Outcomes of Cases Decided on the Merits can be found in the respective *Guide* sections.

Completeness

In addition to these rule-based determinations, each data specialist needs to evaluate the completeness of their caseload data. This is a judgment call that must be made by the data specialist in conjunction with court administration based on their knowledge of their data. Note that for purposes of national reporting, it is not essential that a state's CSP caseload statistics are identical to those appearing in a state's own publications. The CSP statistics for a state are not the official and authoritative version of a state's data; only the state itself can provide that version.

The CSP recognizes that it may be unrealistic to think that every single case will be accurately counted within a given calendar year since court information systems vary widely and since not all courts within a state always meet their reporting deadlines. Each data specialist is responsible for determining the extent to which data are representative of that state's caseload. For example, the absence of data from an entire quarter of the year might mean 30% of the data are missing while the absence of data from a single week might mean less than 3% of the state's data are missing. In the former scenario it is obvious that

the case count does not represent the state's total caseload while in the latter scenario it does.

Applying Publishable/Not Publishable Codes to Status Category Data
When deciding whether data should be marked as publishable, consider the completeness of each status category. If status category data cannot be broken into the detailed categories and only totals are available, report them using the following guidelines:

1. If Status Category data can only be reported at one level (e.g., if Total Incoming is the only breakdown available, and Filed and Reactivated are unable to be teased apart), place the Total data in the left most column within that Status Category section (e.g., Filed).

2. If some Status Category data are not collected, for example if Begin Pending-Inactive cases are not counted, it is up the data specialist and court administration to decide if the data should be coded as publishable based on the completeness criteria outlined above.

In summary, when only one level of Status Category data is available (i.e., all status categories are rolled into one statistic), report in the following columns:

- Begin-Pending Active
- Filed
- Disposed
- End-Pending Active

Applying Publishable/Not Publishable Codes to Case Characteristics Data

In order to assign a publishable ("P") code to the Interlocutory Case Characteristic data for a particular case type, the Filed Status Category data for that case type must have been coded as publishable. For example, if the unit of count for a certain case type (e.g., misdemeanor appeal by permission) is not correct, the caseload data are non-publishable; therefore, statistics about the number of interlocutory misdemeanor appeal by permission cases are also non-publishable.

Note:
If the court has jurisdiction over a case type, but does not have the authority to hear interlocutory appeals for that case type the No Jurisdiction (NJ) code should be used to designate that the case characteristic is not applicable.

In order to assign a publishable ("P") code to the Self-Represented Litigants Case Characteristic data for a particular case type, the Disposed Status Category data for that case type must have been coded as publishable. For example, if the disposed data reported for a certain case type (e.g., probate appeal by right) is not complete, the outgoing data are non-publishable; therefore, statistics about the number of probate appeal by right cases with self-represented litigants are also non-publishable.

Note:
If parties are not legally eligible to be self-represented for specific case types or case categories (e.g., Juvenile cases) the No Jurisdiction (NJ) code should be used to designate

that the case characteristic is not applicable.

Applying Publishable/Not Publishable Codes to Manners of Disposition Data

In order to assign a publishable ("P") code to Manner of Disposition data for a particular case type, the Disposed Status Category data for that case type must have been coded as publishable. For example, if the Disposed data do not meet the case type definition, the data are non-publishable. It therefore follows that statistics about the number of cases disposed by Decided on the Merits or Permission Denied are also non-publishable.

Note:
If case types or case categories are not legally eligible for a specific manner of disposition (e.g., a court has mandatory review of certified questions so permission denied is not an eligible disposition) the No Jurisdiction (NJ) code should be used to designate that the manner of disposition is not applicable.

Applying Publishable/Not Publishable Codes to Outcomes of Cases Decided on the Merits Data

In order to assign a publishable ("P") code to Case Outcome data for a particular case type, the Decided on the Merits Manner of Disposition data for that case type must have been coded as publishable. For example, if the Decided on the Merits data do not meet the manner of disposition definition, the data are non-publishable, and the statistics about the number of case outcomes are also non-publishable.

Example Scenarios

The following scenarios illustrate examples of how data would be reported in the Appellate Court Reporting Matrix.

Example Scenario 1

Year:

Reporting Unit Code:

Reporting Unit Name: #N/A

Case Category	No Jurisdiction/Data	Row	Case Type	CASELOAD DATA									
				Status Categories								Case Characteristics	
				Begin Pending 3			Code	Incoming Cases 4			Code	Interlocutory 5	Code
				Active	Inactive	Total Begin Pending		Filed	Re-activated	Total Incoming			
APPEAL BY RIGHT		5	Tort, Contract, and Real Property			0	ND	65		65	P	15	P
	NJ	6	Probate 1			0				0			
		7	Family 2			0	ND	12		12	NP	2	NP
	ND	8	Juvenile 2			0				0			
		9	Civil - Other			0	ND	42		42	P	8	P
			TOTAL Civil (5,6,7,8,9)	0	0	0	ND	119	0	119	P	25	P

*Note: This Matrix has been altered (columns hidden) for illustrative purposes.

In the Matrix above:

1) This reporting unit does not have jurisdiction over Probate appeals. In order to reflect that in the Appellate Court Reporting Matrix, "NJ" is entered into the left-hand "No Jurisdiction/Data" column, and the entire Probate row is grayed-out.
2) This reporting unit cannot separately report Family and Juvenile appeals, but knows that there were about an equal number of each case type within the reported total. The total Family and Juvenile caseload was entered within the Family case type with codes of "NP" in order to show that the Family caseload is non-publishable (because it does not meet the case type definition), and the left-hand "No Jurisdiction/Data" column for the Juvenile case type was coded as "ND" to signify that there are no caseload data available.
3) This reporting unit does not collect Begin Pending data so the Active and Inactive data cells are left empty and the entire Status Category of Begin Pending is coded with "ND." The exceptions are the Probate row, which has been grayed out due to the reporting unit not having jurisdiction over the case type, and the Juvenile row, which has been grayed out due to the reporting unit not having any data available for the case type.
4) This reporting unit cannot distinguish Incoming data as Filed and Reactivated so the entire incoming caseload was reported in the left-most column, Filed, with the publishable code of "P" since the Filed data does include all of the Reactivated data, thus making the Incoming caseload complete. The data cells for the Reactivated Status Category are left empty.

5) This reporting unit has jurisdiction for interlocutory appeals in each case type for which it reports data and is able to provide the number of interlocutory appeals for each of those case types. Since the publishibility of the Interlocutory case characteristic depends upon the publishibility of the Filing data for each case type, this reporting unit is able to code all but the Family case type as having publishable interlocutory data.

Example Scenario 2

#N/A

Case Category	No Jurisdiction/Data	Row	Case Type	CASELOAD DATA									
				Status Categories								Case Characteristics	
				Outgoing Cases 2			Code	End Pending 3			Code		
				Disposed	Placed Inactive	Total Outgoing		Active	Inactive	Total End Pending		Self-Represented Litigants 4	Code
APPEAL BY RIGHT		5	Tort, Contract, and Real Property	60	2	62	P	10		10	NP	25	P
	ND	6	Probate 1			0				0			
		7	Family	8	0	8	P	2		2	NP	3	P
		8	Juvenile	5	1	6	P	3		3	NP		NJ
		9	Civil - Other	43	1	44	P	56		56	NP		ND
			TOTAL Civil (5,6,7,8,9) 1	116	4	120	P	71		71	NP	28	NP

*Note: This Matrix has been altered (columns hidden) for illustrative purposes.

In the Matrix above:

1) This reporting unit has the authority to hear Probate appeals, but does not collect data on them. In order to reflect that in the Appellate Court Reporting Matrix, "ND" is entered into the left-hand "No Jurisdiction/Data" column, and the entire Probate row is grayed out. For this reporting unit, court rules create a situation in which the filing of a probate appeal is extremely rare, and the number of disposed probate appeals does not become included in the data for other civil cases (resulting in the complete absence of probate data). The court and data specialist decide that, due to the rarity of a probate appeal, the Total Civil caseload can nonetheless be coded as publishable ("P").
2) This reporting unit can separate its Outgoing Cases into the Disposed and Placed Inactive Status Categories. Caseload data are, therefore, entered into the data cells for each case type for which data are available, and the total Outgoing data are coded as publishable ("P").
3) This reporting unit tracks its active end pending caseload, but not its inactive end pending caseload. The court knows that it has a higher pending caseload at the end of the reporting period, but is not able to provide the missing data. For that reason,

the reporting unit chooses to code the End Pending Status Category as non-publishable ("NP"). The data cells for the Inactive End Pending caseload are left blank to signify that data are not available.

4) This reporting unit allows litigants to be self-represented in all Civil cases except Juvenile cases, but only reports the number of cases with self-represented litigants for two of the remaining three civil case types for which it has jurisdiction. The proper coding for this Case Characteristic is as follows: the Juvenile row is coded as no jurisdiction ("NJ") since the reporting unit does not allow litigants in Juvenile cases to participate without representation; the Tort, Contract, and Real Property and Family rows are coded as publishable ("P") since the reporting unit has both publishable outgoing data for these case types and can provide the number of those Disposed cases that had self-represented litigants; The Civil-Other row is coded as non-publishable ("NP") because the reporting unit does not know the number of these cases that included self-represented litigants; and the Total Civil row is coded as non-publishable ("NP") because the total number does not include those Civil-Other cases with self-represented litigants.

Example Scenario 3

#N/A

Case Category	No Jurisdiction/Data	Row	Case Type	CASELOAD DATA										
				Status Categories				Manners of Disposition						
				Outgoing Cases 1			Code							
				Disposed	Placed Inactive	Total Outgoing		Decided on the Merits 4	Code	Permission Denied	Code	Disposed Prior to Decision	Total Dispositions	Code
APPEAL BY PERMISSION		17	Felony (Death Penalty) 2	4	0	4	P	4	P	0	P	0	4	P
		18	Felony (non-Death Penalty) 2	32	2	34	P	10	P	14	P	8	32	P
			Subtotal Felony (17,18) 2	36	2	38	P	14	P	14	P	8	36	P
		19	Misdemeanor 3	58	0	58	P		ND	40	P	18	58	P
		20	Criminal – Other 3	44	5	49	P		ND	35	P	9	44	P
			TOTAL Criminal (17,18,19,20)	138	7	145	P	14	NP	89	P	35	138	P

*Note: This Matrix has been altered (columns hidden) for illustrative purposes.

In the Matrix above:

1) This reporting unit provided Outgoing data for its criminal caseload. Data for both the Disposed and Placed Inactive Status Category were available for all case types, and the Outgoing data for all case types was coded as publishable ("P").
2) This reporting unit also provided Manner of Disposition data for its felony caseload. All four of the Felony (Death Penalty) cases were Decided on the Merits. For the Felony (non-Death Penalty) cases, 10 were Decided on the Merits, 14 were disposed as Permission Denied, and the remaining 8 cases were Disposed Prior to Decision (either dismissed, withdrawn, or transferred to another reporting unit). Since the reporting unit was able to provide publishable disposed data and data for all of the Manners of Disposition for the felony caseload, all Manner of Disposition data is coded as publishable ("P"). The two Felony (non-Death Penalty) cases that were Placed Inactive are, correctly, not included in the Manner of Disposition data since placing a case in inactive status does not dispose of the case; it merely removes the case from the active pending caseload until some action occurs that allows the court to continue moving the case toward disposition.
3) This reporting unit provided partial Manner of Disposition Data (i.e., Permission Denied data) for the remainder of its criminal caseload. The reporting unit does not, however, know how many of the cases in each of the remaining case types were Decided on the Merits so those data elements must be coded as having no data ("ND"). The court and data specialist decide to report all of the remaining cases in the Disposed Prior to Disposition manner of disposition category and code the Total Dispositions as publishable ("P").
4) Since this reporting unit was not able to provide the total number of criminal cases that were Decided on the Merits, the Total Criminal row for that Manner of Disposition Category must be coded as non-publishable ("NP").

Example Scenario 4

Case Category	No Jurisdiction/Data	Row	Case Type	CASELOAD DATA								
				Manners of Disposition		Outcome of Cases Decided on the Merits 3						
				Decided on the Merits 3	Code	Affirmed/ Relief Denied	Code	Reversed/ Relief Granted (whole or part)	Code	Other Outcome	Total Outcomes	Code
APPEAL BY PERMISSION		17	Felony (Death Penalty)	4	P	2	P	2	P	0	4	P
		18	Felony (non-Death Penalty)	10	P	4	P	3	P	3	10	P
			Subtotal Felony (17,18)	14	P	6	P	5	P	3	14	P
	ND	19	Misdemeanor 1								0	
		20	Criminal – Other 1	18	NP	10	NP	6	NP	2	18	NP
			TOTAL Criminal (17,18,19,20) 2	32	P	16	P	11	P	5	32	P

*Note: This Matrix has been altered (columns hidden) for illustrative purposes.

In the Matrix above:

1) This reporting unit has the authority to hear all criminal appeals, but is only able to separately identify its felony caseload; all other criminal cases are combined into a single criminal case type. In order to properly reflect that in the Appellate Court Reporting Matrix, "ND" is entered into the left-hand "No Jurisdiction/Data" column for the misdemeanor case type, graying out the entire row, and the Criminal-Other case type is coded as non-publishable ("NP") since it includes misdemeanor cases.
2) This reporting unit can code its Total Criminal caseload as publishable ("P") since the total number of cases is accurate. The non-publishable ("NP") code used for the Criminal-Other case type does not prevent the total code from being publishable.
3) This reporting unit is able to provide the Outcomes of Cases Decided on the Merits for all case types for which it reports data. With the exception of the Criminal-Other case type (see#1 above for explanation), the case outcome data can be coded as publishable ("P") because it includes only those cases that were Decided on the Merits. Note that, while it is not necessary for a reporting unit to provide Decided on the Merits disposition data in order to provide case outcome data, case outcome data must equal the Decided on the Merits disposition data if both types of data are provided.

Example Scenario 5

Case Category	No Jurisdiction/Data	Row	Case Type	CASELOAD DATA							
				Status Categories							
				Incoming Cases			Code	Outgoing Cases			3 Code
				Filed	Re-activated	Total Incoming		Disposed	Placed Inactive	Total Outgoing	
APPEAL BY RIGHT		10	Workers' Compensation	12	2	14	P	10	1	11	P
	ND	11	Revenue (Tax) 2			0				0	
		12	Administrative Agency – Other	25	0	25	NP	26	0	26	NP
			TOTAL Administrative Agency (10,11,12)	37	2	39	P	36	1	37	P
APPEAL BY PERMISSION		26	Workers' Compensation	31	0	31	P	25	3	28	P
	NJ	27	Revenue (Tax) 2			0				0	
		28	Administrative Agency – Other	9	0	9	P				ND
			TOTAL Administrative Agency (26,27,28)	40	0	40	P	25	3	28	NP
TOTAL APPEALS 1			Workers' Compensation (10,26)	43	2	45	P	35	4	39	P
	ND		Revenue (Tax) (11,27) 2	0	0	0		0	0	0	
			Administrative Agency - Other (12,28)	34	0	34	NP	26	0	26	NP
			TOTAL Administrative Agency	80	2	82	P	61	4	65	NP

*Note: This Matrix has been altered (columns hidden) for illustrative purposes.

In the Matrix above:

1) The Appellate Court Reporting Matrix contains a section that combines Appeal by Right and Appeal by Permission data. Sums are automatically calculated in this section, but publishibility codes must still be entered for all of the data. There is also a row that combines all Death Penalty-related cases (not shown above) for which publishibility codes must also be entered.
2) This reporting unit has authority to hear Appeal by Right Revenue (Tax) cases, but does not collect data for those cases (instead, that caseload is included in the Appeal by Right Administrative Agency-Other case type, hence the non-publishable code). The reporting unit does not have jurisdiction to hear Appeal by Permission Revenue (Tax) cases. When combined, the Total Appeals Revenue (Tax) case type must be coded as no data collected ("ND"). Entering the ND in the left-hand "No Jurisdiction/Data" column grays out the entire Revenue (Tax) row.

3) This reporting unit was not able to provide Outgoing data for its Appeal by Permission Administrative-Other caseload and coded the Outgoing data for that case type as "ND." The Total Outgoing Appeal by Permission Administrative Agency caseload, therefore, must be coded as non-publishable ("NP") since it does not include the outgoing cases for the other administrative agency cases. When combined with the Appeal by Right Administrative Agency caseload, the Total Appeals caseload also becomes non-publishable for both Administrative Agency-Other cases and Total Administrative Agency cases.

Data Submission Instructions

The current method for submitting appellate data to the CSP is to email designated staff the updated Appellate Court Reporting Matrix. Additional material that may be requested, such as updates to the court's Structure Chart or other informational tables, can be included as text in the submission email or copies of marked-up documents can be attached.

Submission of appellate court caseload data will eventually change so that all data being submitted to the CSP will be electronically submitted via generated NIEM-compliant XML (Extensible Markup Language) data. Data specialists will have the option of choosing from an Excel add-in-generated or CMS-generated submission. The Excel add-in-generated XML submission allows the data specialist to complete the Appellate Court Reporting Matrix and, from the Excel Matrix, generate XML code to be submitted to the CSP. The CMS-generated XML submission requires the data specialist to work with IT staff to map a court's current case management system (CMS) to the CSP schema and, from the schema, generate an XML code to be submitted to the CSP.

Detailed instructions for the electronic submission of data will be included here when the methodology for submitting appellate data changes.

Other Supporting Materials

Calculating Pending Caseloads

When data are reported for the eight status categories, the calculation of pending caseloads is quite simple. The *End Pending–Active* caseload is calculated by adding the *Begin Pending–Active*, *Filed*, and *Reactivated* cases, then subtracting from that total the sum of *Disposed* and *Placed Inactive*.

Begin Pending–Active	30
+ Filed	110
+ Reactivated	10
	150
Disposed	120
+ Placed Inactive	5
	(125)
End Pending–Active	**25**

The *End Pending–Inactive* caseload calculation is also straightforward. Add the number of *Begin Pending-Inactive* and *Placed Inactive* cases and subtract the number of *Reactivated* cases.

Begin Pending–Inactive	15
+ Placed Inactive	5
	20
Reactivated	10
	(10)
End Pending–Inactive	**10**

Recording Case Characteristics

Interlocutory Cases

The Interlocutory column is designed to capture a characteristic of filed cases.

Using the example caseload above, assume that 25 of the 110 cases filed are appeals that arise from tort cases, and, of those 25 appeals, 10 are being filed prior to receiving a trial court judgment. The court would report all 25 of the appeals as Filed (within the appellate case type of Civil: Tort, Contract, and Real Property, appeal by right or appeal by permission, as appropriate), but would also report 10 as Interlocutory (also within the appellate case type of Civil: Tort, Contract, and Real Property). Having the Interlocutory column allows the court to track the number of appeals that are received prior to the end of trial court proceedings (i.e., the interlocutory characteristic of the appeal) without losing the detail of the appellate case type.

Total Filed Cases 110

Total Tort Cases Filed 25

Total Interlocutory Tort Cases Filed 10

Cases with Self-Represented Litigants

The Self-Represented Litigant (SRL) column is designed to capture a characteristic of disposed cases.

Again using the example above, assume that 30 of the 120 cases disposed are appeals that arise from tort cases, and, of those 30 appeals, 7 included litigants that were self-represented. Of those 7 cases, 2 cases had 3 self-represented appellants, 4 cases had 4 self-represented appellees, and 1 cases had both self-represented appellants (2) and appellees (2). Note that the number of self-represented litigants (a total of 11 people) is not what is counted; rather, the number of cases with self-represented litigants (7 cases) is what is reported on the Appellate Court Reporting Matrix.

Total Disposed Cases 120

Total Tort Cases Disposed 30

Total Tort Cases with SRLs Disposed 7

Reporting Disposed Cases, Manners of Disposition, and Outcomes of Cases Decided on the Merits

Reporting the court's dispositions is a three-step process. First, the number of appeals/original proceedings that are disposed during the calendar year should be recorded in the Disposed Status Category. Second, the way in which those cases are disposed should be reported in the Manners of Disposition section of the Matrix. Third, for those appeals/original proceedings that the court Decided on the Merits, the case outcome should also be reported.

Using the example caseload above, assume that 50 of the 120 disposed cases were for misdemeanor appeals. For Step 1, the court would report all 50 of those appeals as Disposed (within the appellate case type of Criminal: Misdemeanor). For Step 2, the court would report the manner in which those 50 appeals were disposed (also within the appellate case type of Criminal: Misdemeanor). For example:

Total Disposed Cases	120	
Total Misdemeanor Disposed Cases		50
Decided on the Merits		20
Permission Denied		5
Disposed Prior to Decision		25

For Step 3, the court would report the outcome of the 20 cases that were **Decided on the Merits**.

Total Disposed Cases	120		
Total Misdemeanor Disposed Cases		50	
Decided on the Merits			20
Affirmed/Relief Denied			10
Reversed/Relief Granted			5
Other Outcome			5

Resources and Related Links

National Center for State Courts
www.ncsc.org
The mission of NCSC is to improve the administration of justice through leadership and service to state courts, and courts around the world. Through original research, consulting services, publications, and national educational programs, NCSC offers solutions that enhance court operations with the latest technology; collects and interprets the latest data on court operations nationwide; and provides information on proven "best practices" for improving court operations.

Court Statistics Project
www.courtstatistics.org
Since 1975, the Court Statistics Project (CSP) has provided a comprehensive analysis of the work of state courts by gathering caseload data and creating meaningful comparisons for identifying trends, comparing caseloads, and highlighting policy issues. The CSP obtains policy direction from the Conference of State Court Administrators.

Self-Represented Litigants Page
https://www.courtstatistics.org/self-represented-litigants
The purpose of establishing a consistent approach to reporting cases with self-represented litigants (SRLs) is to allow comparative data to be produced within and among jurisdictions, facilitating the understanding of the nature and extent of self-representation in the state courts.

State Court Organization
www.ncsc.org/sco
Interactive online application presents detailed comparative data for state trial and appellate courts in the United States. Topics covered include: judicial branch governance, administrative staffing, the number of courts and judges, process for judicial selection, judicial funding, jury qualifications and verdict rules, and technology.

State Court Structure Charts
https://www.courtstatistics.org/state-courts/court-structures-by-state
/These charts summarize in one-page diagrams the key features of each state's court organization. The charts are comprehensive, showing all court systems in the state and their interrelationships and jurisdictions. The court structure charts employ the common terminology developed by the National Center for State Courts' Court Statistics Project (CSP) for reporting caseload statistics.

CourTools
www.courtools.org
CourTools is a set of ten trial court and six appellate court performance measures that offers court managers a balanced perspective on court operations. Published in a visual and accessible how-to format, the CourTools measures reflect the fundamental mission and vision of the courts, focus on outcomes, and are feasible, practical, and few.

High Performance Courts Framework
https://www.ncsc.org/consulting-and-research/areas-of-expertise/court-management-and-performance/high-performance-courts/high-performance-court-framework
The High Performance Court Framework clarifies what court leaders and managers can do to produce high quality administration of justice. It consists of six key elements: administrative principles, managerial culture, perspectives, performance measurement, performance management, and the quality cycle.