

INTRODUCTION

The *Court Statistics Report (CSR)* is published annually by the Judicial Council of California. The CSR combines 10-year statewide summaries of Superior Court filings and dispositions with similar workload indicators for the California Supreme Court and Courts of Appeal. The appendixes to this report provide detailed information on filings and dispositions in the Superior Courts for the most recent fiscal year, 2016–2017.

The CSR is designed to fulfill the provisions of Article VI, Section 6 of the California Constitution, which requires the Judicial Council to survey the condition and business of the California Courts.

The CSR is published on the California Courts website at <http://www.courts.ca.gov/13421.htm>.

Snapshot of Court Caseload

The *Court Statistics Report* contains essential information about the annual caseload of the California Judicial Branch, with a particular emphasis on the number and types of cases that are filed and disposed of in the courts. This information is submitted to the California Legislature and used in numerous Judicial Branch reports. As with any published data, the numbers in this report represent a snapshot of the most complete and reliable information available at the time of compilation.

To ensure that the statistics used for making policy decisions are as accurate as possible, courts may amend the data they submit to the Judicial Council should new, more detailed or more complete information become available. For this reason, the data in this report may change slightly over time as courts revise their calculations and submit new caseload estimates.

Weighted Caseload and Court Workload

In the Judicial Branch the most reliable and consistent measure of workload is the number of case filings. Because different types of cases require different amounts of judicial and staff resources, a weighted caseload approach is the standard method, nationwide, to estimate the workload and resource needs of the courts. Accordingly, the Judicial Council has adopted a weighted caseload methodology to measure judicial and court staff resource needs in California. Weighted caseload distinguishes between different categories of filings so that the resources required to process a felony case, for example, are recognized as being much greater than the resources required to process a traffic infraction. Individual caseweights have been assigned to the many different types of cases filed in the courts. Caseweights are used along with the data published in the Court Statistics Report to estimate the number of judicial officers and court staff needed to fully adjudicate each case filed in the 58 Superior Courts.

The Judicial Council has adopted caseweights for two workload models used by the Judicial Branch—the Judicial Workload Assessment and the Resource Assessment Study (RAS) model. The Judicial Workload Assessment model was originally developed and adopted by the Judicial Council in 2001, and the Judicial Council adopted updated caseweights or judicial workload standards in 2012. The Resource Assessment Study (RAS) model was originally developed and adopted by the Judicial Council in 2005, and the RAS model was updated in 2016 and adopted by the Judicial Council in 2017.

With the introduction of a new budget development and allocation process for the trial courts in 2013, the data published in the Court Statistics Report is being used by the Judicial Branch for a critically important new purpose. The Judicial Council adopted the Workload-based Allocation and Funding Methodology, or WAFM, which uses the Resource Assessment Model (RAS) and other workload factors in a new budget development process that alters baseline funding for most trial courts based on court workload. WAFM is consistent with Goal II, Independence and Accountability, of Justice in Focus: The Strategic Plan for California Judicial Branch 2006-2012, in that the methodology strives to “allocate resources in a transparent and fair manner that promotes efficiency and effectiveness in the administration of justice, supports the strategic goals of the Judicial Branch, promotes innovation, and provides for effective and consistent court operations” (Goal II.B.3).

Variations in Data Totals

Statewide trends in filings and dispositions may be influenced by a number of factors. For example, changes in the number of filings and dispositions may reflect shifting needs or behavior of residents of a court’s service area as well as new policy emphases in the work of justice system partners. The following are some of the more common causes of statistical variations.

Missing Data

Statewide totals in the *CSR* may be influenced by missing data for certain courts. Typically, when courts do not report data to the Judicial Council, it is because they have encountered difficulties generating automated reports from their case management systems. Filings data submitted by the courts tend to be more complete than disposition data.

Incomplete Data

The reporting of incomplete data typically occurs when courts transmit partial data totals for a particular case type because of the limits of their case management systems. It should be noted that incomplete data are more difficult to spot in the tables that follow, but in general they will cause downward shifts in the number of filings and dispositions. (Incomplete data for FY 2016–2017 are also detailed in Appendix A.)

Variation in Local Business Practices

Data reported in the *CSR* are compiled in a data warehouse, the Judicial Branch Statistical Information System (JBSIS). Because many different case management systems are used in the courts, data must be “mapped” from local systems into the standard categories used for reporting purposes. One essential function of JBSIS is to standardize the basic definitions of case types and case events across all courts in California. Another important aspect of JBSIS is its role in the extraction of court data through different transmission methods that include manual reports, web-based reports through the JBSIS Portal, and automated JBSIS reports. Through this process JBSIS contributes to the warehousing of this data in a structure that is comparable from one court to another.

Maintaining quality control over the data contained in the JBSIS data warehouse involves:

- Training court staff on the standards for the classification, entry, and reporting of data;
- Providing information to the courts for resolving technical questions associated with data definitions, processing, and aggregation;
- Developing and adopting a new case management system infrastructure in the courts; and
- Documenting and disseminating information related to changes in the ways that courts define or report data.

Although a growing number of courts now transmit their data electronically from their case management system to the Judicial Council, there continue to be differences among Superior Courts' case processing and other business practices that reflect the histories of individual courts and the unique needs of the communities they serve. These differences may influence the ways in which Superior Courts report data to the Judicial Council. On that basis, while the filings and disposition data reported by any one court are largely comparable to data from other courts, some local variations in the classification and reporting of cases still occur.

Statistical Overview

This section contains summaries of filings and dispositions for the California Supreme Court, Courts of Appeal, and Superior Courts for fiscal year 2016–2017.

Supreme Court

- The Supreme Court issued 92 written opinions during the year.
- 7,317 matters were filed with the court, with 7,262 matters disposed of during the same period.
- The court received 4,113 petitions seeking review from a Court of Appeal decision in an appeal or an original writ proceeding and disposed of 3,960 such petitions.
 - 988 of these petitions for review arose from civil matters, and 3,125 from criminal matters.
 - The court disposed of 990 civil petitions and 2,970 criminal petitions.
- The court received 2,354 petitions seeking original writ relief and disposed of 2,243 of such petitions.
 - Of the petitions seeking original writ relief, 252 arose out of civil matters and 2,102 arose out of criminal matters.
 - The court disposed of 237 civil and 2,006 criminal petitions.
- A total of 14 automatic appeals were filed with the court following a judgment of death, and the court disposed of 20 automatic appeals by written opinion.
- The court received 35 habeas corpus petitions related to automatic appeals and disposed of 10 such petitions.
- A total of 801 State Bar matters were filed with the court, and 1,029 such matters were disposed of during the year.
- The Supreme Court ordered 5 Court of Appeal opinions depublished in this fiscal year.

Courts of Appeal

- Contested matters for the Courts of Appeal totaled 18,717, and dispositions totaled 20,824.
- Contested matters included 12,313 records of appeal and 6,404 original proceedings.
- The 12,313 filings of records of appeal comprised 4,004 civil cases, 5,401 criminal cases, and 2,908 juvenile cases. The 6,404 filings of original proceedings included 1,803 civil, 4,249 criminal, and 352 juvenile cases.
- Filings of notices of appeal in the Superior Court totaled 14,597: 5,975 civil cases, 5,593 criminal cases, and 3,029 juvenile cases.
- Disposition of notices of appeal totaled 15,343 and included 5,514 civil, 6,675 criminal, and 3,154 juvenile cases.

- Dispositions of notices of appeal by written opinion totaled 9,295: 2,531 civil cases, 5,282 criminal cases, and 1,482 juvenile cases.
- Dispositions without written opinion totaled 3,921 cases: 1,215 civil, 1,132 criminal, and 1,574 juvenile.
- Dispositions of notices of appeal with no record filed totaled 2,127 cases: 1,768 civil, 261 criminal, and 98 juvenile.
- Disposition of filings of original proceedings is composed of 1,795 civil, 4,199 criminal, and 285 juvenile cases.
 - Disposition of original proceedings decided with written opinion totaled 373 cases: 90 civil cases, 108 criminal cases, and 175 juvenile cases.
 - Disposition of original proceedings without written opinion totaled 5,906 cases: 1,705 civil, 4,091 criminal, and 110 juvenile.
- Of the cases disposed of by written opinion, 7,748 were affirmed, 958 were reversed, and 256 were dismissed.
- Of those cases affirmed by the Courts of Appeal, 6,303 received full affirmance, while 1,445 received affirmance with modification.
- Statewide, 9 percent of Court of Appeal majority opinions were published in this fiscal year.

Superior Court

Superior Court case filings across all case categories totaled 5,837,625 cases, while reported dispositions numbered 4,768,103. Within these aggregate numbers, the following totals by major case category and case type were recorded:

Civil Cases. Civil filings totaled 774,202 and civil dispositions totaled 703,498, with a caseload clearance rate of 91% attained over all civil case types in this fiscal year.

- **UNLIMITED:** Civil unlimited filings totaled 210,028 cases, while civil unlimited dispositions numbered 180,230.
 - Method of disposition for civil unlimited cases: 141,250 cases disposed of before trial and 38,980 after trial.
 - Caseload clearance rate for civil unlimited cases: 86%.
 - Case processing time for civil unlimited cases was 66% within 12 months, 77% in 18 months, and 84% in 24 months.
- **LIMITED:** Civil limited filings totaled 400,599 cases, while civil limited dispositions numbered 363,340.
 - Method of disposition for civil limited trials: 341,723 cases were disposed of before trial and 21,617 after trial.
 - The caseload clearance rate for civil limited cases was 91%.
 - Case processing time for civil limited was as follows: 83% in 12 months, 91% in 18 months, and 93% in 24 months.
- **SMALL CLAIMS:** Small claims filings reached a total of 163,575 cases, while small claims dispositions numbered 159,928.

- Method of disposition for small claims cases: 63,829 cases were disposed of before trial and 96,099 after trial.
- The caseload clearance rate for small claims cases was 98%.
- Case processing time in small claims cases was as follows: 59% in 70 days, 70% in 90 days.

Criminal Cases. Criminal filings totaled 4,518,482 and criminal dispositions numbered 3,563,961, with a caseload clearance rate of 79% attained over all criminal case types in this fiscal year.

- **FELONIES:** Felony filings reached a total of 189,013 cases, while felony dispositions numbered 172,308.
 - Method of disposition: 167,484 felony cases were disposed of before trial and 4,824 after trial.
 - Caseload clearance rate for felony cases was 91%.
 - Case processing time in felony cases resulting in bindovers or certified pleas: 42% in 30 days, 52% in 45 days, 68% in 90 days—with 87% of all felonies disposed of in less than 12 months.
- **MISDEMEANORS:** Misdemeanor filings reached a total of 766,782 cases, while misdemeanor dispositions numbered 528,682.
 - Method of disposition: 522,873 misdemeanor cases were disposed of before trial and 5,918 after trial.
 - Caseload clearance rate for misdemeanor cases ranged from 70% for nontraffic misdemeanors to 68% for traffic misdemeanors.
 - Case processing time for misdemeanors: 52% in 30 days, 70% in 90 days, and 76% in 120 days.
- **INFRACTIONS:** Infraction filings reached a total of 3,562,687 cases, while infraction dispositions numbered 2,862,971.
 - Method of disposition: 2,582,128 infraction cases were disposed of before trial and 280,856 after trial.
 - The caseload clearance rate for infraction cases ranged from 53% for nontraffic infractions to 82% for traffic infractions.

Family Law. Family law filings totaled 375,529, and family law dispositions numbered 375,813, with a caseload clearance rate of 100% attained over all family law case types in this fiscal year.

- **FAMILY LAW (MARITAL):** Family law (marital) filings reached a total of 134,756 cases, while this type of family law dispositions numbered 125,899.
 - Method of disposition: 124,245 family law (marital) cases were disposed of before trial and 1,654 after trial.
 - The caseload clearance rate for family law (marital) cases was 93%.
- **FAMILY LAW PETITIONS:** Family law petition filings reached a total of 240,773 cases, while this type of family law dispositions numbered 249,914.
 - Method of disposition: 247,776 family law petition cases were disposed of before trial and 2,138 after trial.
 - The caseload clearance rate for family law petition cases was 104%.

Juvenile Law. Juvenile filings totaled 74,507, and juvenile dispositions numbered 55,249.

- JUVENILE DELINQUENCY: Juvenile delinquency filings reached a total of 32,806 cases, while juvenile delinquency dispositions numbered 25,762.
 - Method of disposition: 4,770 juvenile delinquency cases were disposed of before hearing and 20,992 after hearing.
 - The caseload clearance rate for juvenile delinquency cases ranged from 82% for original petitions to 71% for subsequent petitions, with an average of 79% for this case type.
- JUVENILE DEPENDENCY: Juvenile dependency filings reached a total of 41,701 cases, while juvenile dependency dispositions numbered 29,487.
 - Method of disposition: 1,293 juvenile dependency cases were disposed of before hearing and 28,194 after hearing.
 - The caseload clearance rate for juvenile dependency cases ranged from 79% for original petitions to 26% for subsequent petitions, with an average of 71% for this case type.

Probate and Mental Health Cases.

- PROBATE: Probate (estate, guardianship, and conservatorship) filings reached a total of 49,152 cases, while probate dispositions numbered 29,462.
 - Method of disposition: 20,023 probate cases were disposed of before hearing and 9,439 after hearing.
 - The caseload clearance rate for all types of probate cases was 60%.
- MENTAL HEALTH: Mental health filings reached a total of 35,316 cases, while mental health dispositions numbered 30,377.
 - Method of disposition: 6,629 mental health cases were disposed of before hearing and 23,748 after hearing.
 - The caseload clearance rate for all types of mental health cases was 86%.

Trials, By Type of Proceeding

- JURY TRIALS: A total of 10,165 jury trials were recorded across all case types. Jury trials held in the Superior Courts in fiscal year 2016–2017 included 4,563 felony, 4,229 misdemeanor, 1,127 civil unlimited, 229 civil limited, and 17 probate and mental health cases.
- ALL COURT TRIALS: A total of 372,120 court trials were recorded across all the case types detailed above (excluding small claims). These included 261 felony, 282,545 misdemeanor and infractions, 34,756 civil unlimited, 21,388 civil limited, and 33,170 probate and mental health cases.
- SMALL CLAIMS TRIALS: A total of 96,099 small claims court trials were recorded, which may be distinguished from criminal and civil court trials for their tendency to be resolved in a single hearing.

Trial Court Workload and Judicial Resources

- Authorized judicial positions in the California Courts in fiscal year 2016–2017 totaled 2,004: 1,732 judges and 272 subordinate judicial officers.
- As of 2016-2017, the 50 new judgeships authorized by Assembly Bill 159, effective January 2008, are still unfunded but are included in the statewide number of judgeships.
- While the number of authorized judicial positions for the year was 2,004, the assessed number of judges needed (AJN) was 2,049 based on the 2016 assessment presented to the Judicial Council at the October 2016 meeting.

The California Court System

California's court system serves a population of more than 39 million people—about 12 percent of the total U.S. population—and processed about 5.8 million cases in fiscal year 2016–2017. The Judicial Branch budget for the 2016-2017 fiscal year of \$3.6 billion (excluding infrastructure) represents about 1.4 percent of the California state budget and makes possible the case-processing activity detailed above while also providing the basis of support for approximately 2,000 judicial officers and just over 17,000 Judicial Branch employees statewide.

The vast majority of cases in the California Courts begin in one of the 58 superior, or trial, courts, which reside in each of the state's 58 counties. With more than 500 court buildings throughout the state, these courts hear both civil and criminal cases as well as family, probate, mental health, and juvenile cases. The equivalent of more than 2,000 judicial positions statewide address the full range of cases heard each year by the Superior Courts, as reflected in the sheer number of case filings and dispositions reported here. The Superior Courts report summaries of their case filing counts to the Judicial Council, and the CSR reports those figures here in aggregate form.

The next level of court authority within the state's Judicial Branch resides with the Courts of Appeal. Most of the cases that come before the Courts of Appeal involve the review of a Superior Court decision that is being contested by a party to the case. The Legislature has divided the state geographically into six appellate districts, each containing a Court of Appeal. Currently, 105 appellate justices preside in nine locations in the state to hear matters brought for review. Totals of Court of Appeal case filings are forwarded to the Judicial Council; these are summarized in the tables that follow.

The Supreme Court sits at the apex of the state's judicial system, and has discretion to review decisions of the Courts of Appeal in order to settle important questions of law and resolve conflicts among the courts of appeal. Although the Supreme Court generally has considerable discretion in determining in which cases to grant review, it must review the appeal in any case in which a trial court has imposed the death penalty. The Supreme Court sends the Judicial Council its annual case filing figures, which are reported here in summary form.

Terminology and Rules for Counting Filings

Technical definitions of most terms used in this CSR can be found in the appendixes. Some core definitions are presented here in more detail.

Appellate Courts

APPEAL. An *appeal* is a proceeding undertaken to have a decision of a lower trial court reviewed by a court with appellate authority over the matter. (Certain limited matters are reviewed by the appellate department of the Superior Courts.) A *notice of appeal* is a written notification filed in the Superior Court to initiate the appeal of a judgment to the Court of Appeal. The Courts of Appeal have appellate jurisdiction in all trial court matters, except when a judgment of death is entered, in which case the Supreme Court has appellate jurisdiction. If the matter is appealable, the court must hear the appeal. A *fully briefed* appeal is one in which all briefs have been filed with the court. *Dismissal* of an appeal involves the termination of a case for reasons other than its merit. An appeal that is awaiting a final decision is said to be *pending*. **Each notice of appeal is counted as one new filing.**

PETITION FOR REVIEW. A *petition for review* is filed in the California Supreme Court to ask that court to exercise its discretion to review a decision issued by a Court of Appeal in an appeal or an original proceeding. The Supreme Court has a total of 90 days to consider a petition for review, after which it loses jurisdiction. If a petition for review is granted by the Supreme Court then full briefing occurs on the case; if a petition is denied then the judgment of the lower court becomes final as to the case.

AUTOMATIC APPEAL. An *automatic appeal* is the appeal following a judgment of death in the trial court. This type of appeal is unique because it moves directly from a Superior Court to the Supreme Court without first being reviewed by a Court of Appeal. Like other types of appeals, is fully briefed before being heard. **An automatic appeal is counted as one new filing.**

ORIGINAL PROCEEDING. An *original proceeding* is an action that may be filed and heard for the first time in an appellate court. This action is not an appeal; rather, it is ordinarily a petition for a writ. Examples of original proceedings include a writ of mandamus, which instructs a lower court to perform mandatory duties correctly; a writ of prohibition, or an order that forbids certain actions; and a writ of habeas corpus, which is described below. **Each original proceeding is counted as one new filing.**

PETITION FOR A WRIT OF HABEAS CORPUS. A petition for the issuance of a *writ of habeas corpus* is typically filed to contest the legality of a party's imprisonment or conditions of confinement. **Each habeas corpus petition is counted as one new filing.**

WRITTEN OPINION. A *written opinion* is a document issued by an appellate court explaining the terms and reasoning in its disposition of a case. The written opinion includes a statement of the legal facts in the case, relevant points of law, and the court's analysis and rationale for its decision. In addition to the written majority opinion in a case, concurring and dissenting opinions also may be filed in each case. **For each case, only the majority opinion is counted as a written opinion in these tables.**

DISPOSITIONS. The appellate court may dispose of a case by affirming or reversing the action of the lower court, or it may send the case back to the lower court for further proceedings if appropriate.

RECORD OF APPEAL. A *record of appeal* is the compilation of documents and transcripts associated with a given Superior Court case under review by an appellate court. The record is a component of a new appellate case and as such **is not counted separately from the initial appeal.**

REVERSAL OF CASE DECISION. A *reversal* is the overturning of a lower court's decision by an appellate court.

Superior Courts

FILING. In the most general sense, a *filing* is the initiation of a legal action with the court through a carefully prescribed legal procedure.

How Filings Are Counted. The procedure used to count filings for this report follows a set of rules consistent with national standards for statistical reporting. These rules differ according to case type:

- Each filing in a *civil* case pertains to the complaint or petition that has been submitted to the court for action. A given civil complaint may name one or more individuals or groups as its object. However, **regardless of the number of parties named in a case, each civil case is reported as one filing or one disposition.**
- Each filing in a *criminal* case is associated with a single defendant against whom criminal charges have been filed. Multiple criminal charges may occur in a case where different charges have been brought against the same defendant, but **only the single most severe charge against a defendant in a given case is counted as a new criminal filing. When multiple defendants are charged with a crime, multiple filings are reported.**
- Each filing in a *juvenile* case pertains to a minor who is the subject of a petition made to the court for adjudication. A minor may have an initial filing that brought him or her to the attention of the court, and subsequent filings if new petitions or charges are filed over time. This practice continues until termination of the dependency or delinquency jurisdiction by the court or when the minor has reached the legal definition of adulthood. **In a single case involving multiple minors, each minor is counted as a separate filing.**

DISPOSITION. In a general sense, a *disposition* may be described as a final settlement or determination in a case. A disposition may occur either before or after a civil or criminal case has been scheduled for trial. A final judgment, a dismissal of a case, and the sentencing of a criminal defendant are all examples of dispositions. In certain case types, however, a disposition may merely signal the beginning of the court's authority over a case. For example, after the petition to appoint a conservator is disposed of in conservatorship cases, the court assumes control over that case. Rules for counting and reporting dispositions mirror those for filings, although a case filed in one year may be disposed of by the court in a subsequent year.

California Judicial Branch: Structure and Duties

The Courts

CALIFORNIA SUPREME COURT

www.courts.ca.gov/supremecourt.htm

- Has discretionary authority to review decisions of the Courts of Appeal; jurisdiction to review original petitions for writ relief; direct responsibility for automatic appeals after death penalty judgments
- Hears oral arguments in San Francisco, Los Angeles, and Sacramento

COURTS OF APPEAL

www.courts.ca.gov/courtsofappeal.htm

- Review the majority of appealable orders or judgments from the Superior Courts; jurisdiction to review original petitions for writ relief
- Six districts, 19 divisions, 9 court locations

SUPERIOR COURTS

www.courts.ca.gov/superiorcourts.htm

- Have trial jurisdiction over all criminal and civil cases filed in their respective counties; guided by state and local laws that define crimes and specify punishments, as well as defining civil duties and liabilities
- A total of 58 courts—one for each California county—each operating in 1 to 46 branches depending on county population, total local caseload, and other factors

Branch and Administration Policy

JUDICIAL COUNCIL OF CALIFORNIA

www.courts.ca.gov/policyadmin-jc.htm

The constitutionally created policymaking body of the California Courts

Branch Agencies

COMMISSION ON JUDICIAL APPOINTMENTS

www.courts.ca.gov/5367.htm

Confirms gubernatorial appointments to the Supreme Court and appellate courts

COMMISSION ON JUDICIAL PERFORMANCE

<http://cjp.ca.gov>

Responsible for maintaining statewide standards for administration of justice and empowered with disciplinary authority to effect the censure, removal, retirement, or private admonishment of judges and commissioners

Decisions subject to review by the California Supreme Court

HABEAS CORPUS RESOURCE CENTER

www.courts.ca.gov/5361.htm

Handles state and federal habeas corpus proceedings; provides training and support for private attorneys who take these cases

Related

STATE BAR OF CALIFORNIA

www.calbar.ca.gov

Serves the Supreme Court in administrative and disciplinary matters related to attorneys