

DISTRICT COURT JUDGES' FALL CONFERENCE



Judicial Branch Update

Judge Andrew Heath
AOC Director
10/12/22

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Court Operations Statistics

N.C. Gen. Stat. § 7A-343(1)

Strong Growth in Judicial Branch Appropriations

YoY Certified Budget Increases:

- 12.40% in FY 21-22
- 6.01% in 22-23



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Duties of the Director

N.C. Gen. Stat. § 7A-343

The Director's duties include all of the following:

- ★ (1) Collect and compile statistical data on the judicial operation of the courts.
- (2) Determine the state of the dockets and evaluate the practices and procedures of the courts.
- (7) Make recommendations for the improvement of the operations of the Judicial Department.



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North Carolina population has increased over time



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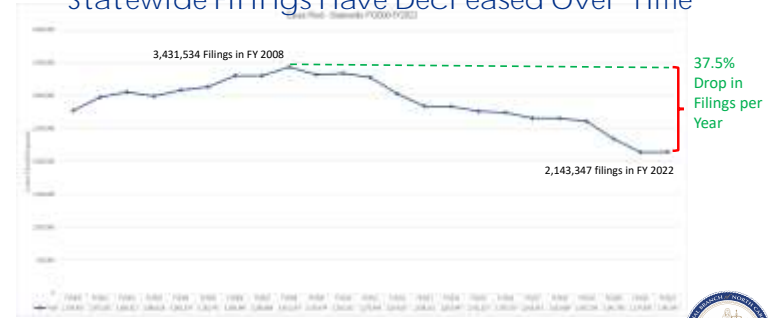
Judicial branch fte count has increased over time



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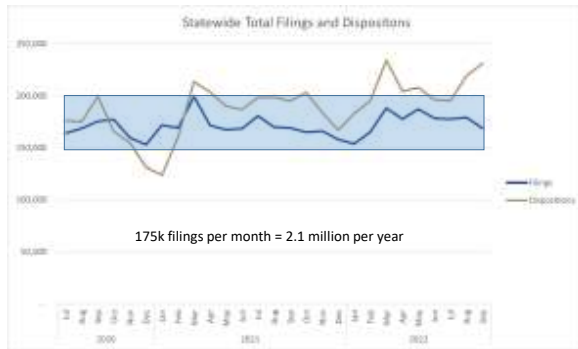
Statewide Filings Have Decreased Over Time



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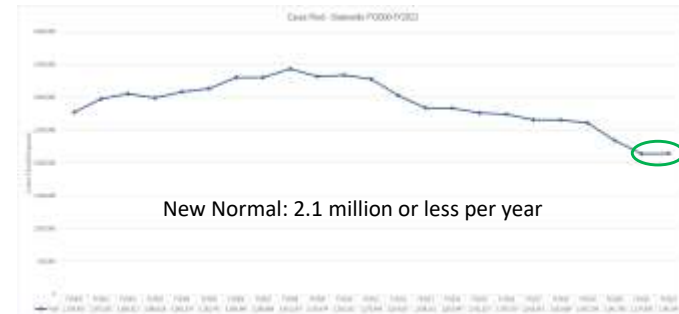
Statewide Total Filings and Dispositions



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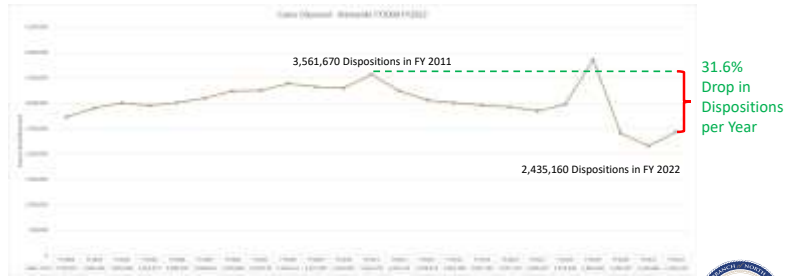
Statewide Filings Have Decreased Over Time



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Statewide Dispositions Have Decreased Over Time



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Court Operations Statistics

N.C. Gen. Stat. § 7A-343(1)

Hundreds more employees
 1.3 million less cases filed per year
 1.1 million less cases disposed per year



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Other Factors that Impact Dispositions



- Factors Affecting Disposition Rates:
 - Justice Reinvestment Act
 - Juvenile Justice Reinvestment Act (“Raise the Age”)
 - Crime Victims’ Rights Act (“Marsy’s Law”)
 - Open File Discovery
 - Motions for Appropriate Relief
 - Numerous Expunction Law Changes
 - Biological and Toxicological Evidence
 - Digital Evidence
 - Continuances

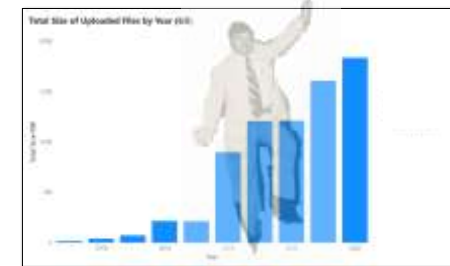


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Exponential Increase in Digital Evidence

- Discovery data, including bodycam footage and cell phone dumps, contribute to ~85% of storage



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Operations of the Courts

- NCGS 7A-343(1) Collect and compile statistical data on the judicial operation of the courts.
 - Strong budget
 - More employees
 - Fewer filings
- Conclusion: Judicial Branch is well positioned to meet the operational needs.



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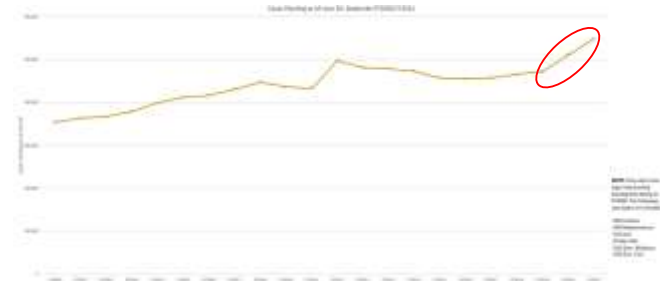
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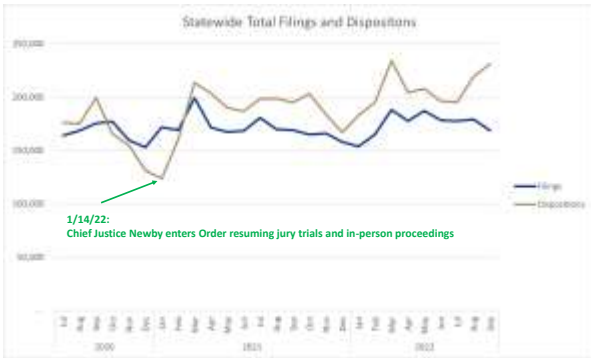
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State of the Dockets: Steep Increase in Pending Cases Caused by COVID



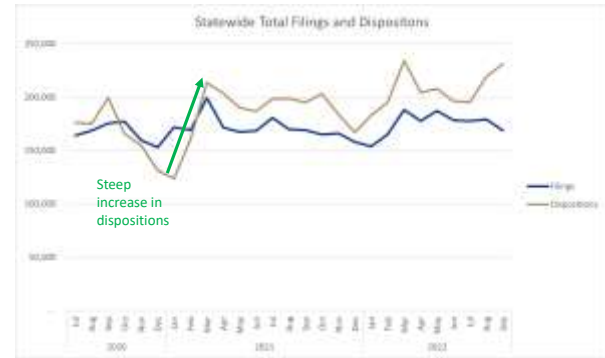
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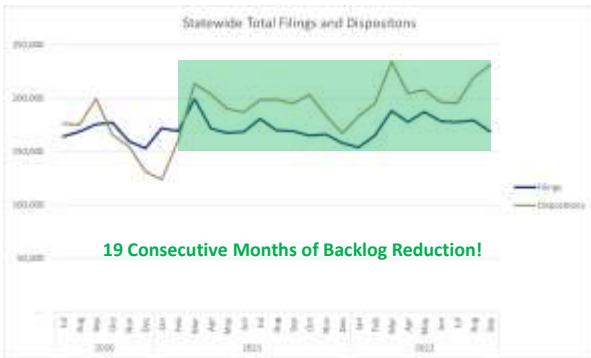
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Statewide Pending Cases



From 2/29/20 (Pre-COVID Baseline) to 3/31/2021 (Statewide Pending Cases High Water Mark), statewide case backlog increased by 214,558 cases (21.3%) from 1,007,370 to 1,221,928 pending cases.



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Statewide Pending Cases



From 3/31/2021 (Statewide Pending Cases High Water Mark), to 8/31/22 (Most Recent Data Available) statewide case backlog decreased by 251,690 cases.

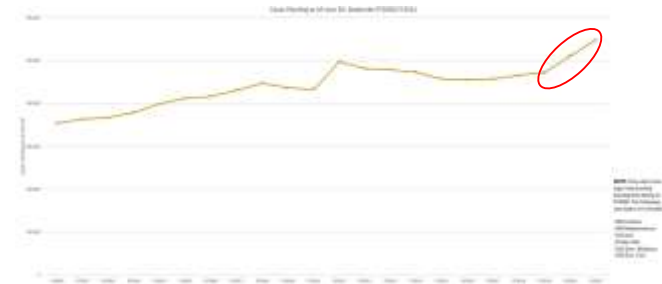
We now have only **3.7%** less cases than we had at pre-Covid baseline of 2/29/20.



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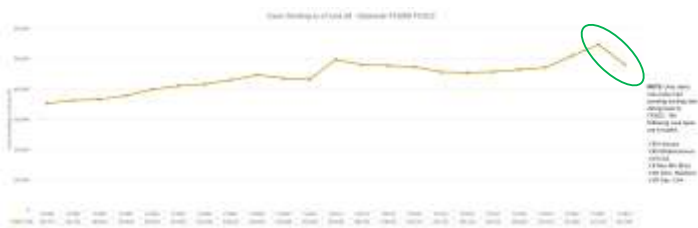
Step Increase in Pending Cases Caused by COVID



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Step Decrease in Pending Cases Caused by Your Hard Work



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Reducing the COVID Backlog

Backlog Reduction & Swifter Justice Toolkit

Develop a Local Action Plan

- **Step 1 – Convene Meeting with Courthouse Leadership Team**
District Attorney, Senior Resident Judge, Chief District Judge, Clerk, PD
- **Step 2 – Make Data Driven Decisions**
Utilize the [Pending Case Backlog Report](#) and [Pending Case Inventory Tools](#) to identify areas of concern and take action.
- **Step 3 – Incorporate Continuance Policy**



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Local Action Plans

68 Counties submitted action plans

- **11 of the largest 12 counties**
- **116 temporary positions authorized**
- **400 employees authorized for overtime compensation**
- **16 time-limited positions for ICMS pilot counties**



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State of the Dockets: 9/30/22 v. pre-COVID baseline

- Pending District Court Criminal + Infractions down 8.2%
- Pending District Court Civil cases up 3.9%
- Pending Felonies up 7.8%
- Pending DWIs up 12.6%
- Pending Superior Court Civil cases up 23.3%



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State of the Dockets

- NCGS 7A-343(2) Determine the state of the dockets.
 - Sustained high performance in disposition rate
 - COVID Backlog eliminated in terms of raw case count
 - Work to do in certain case categories, certain counties
- Conclusion: State of the Dockets is good and getting better.



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Statewide backlog increasing (even before COVID)



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Focus on Timely Justice

North Carolina State Constitution:

- Article I, Sec. 18. states that all courts shall be open, and that justice shall be administered **without favor, denial, or delay.**

Judicial Branch Mission Statement:

- The mission of the North Carolina Judicial Branch is to protect and preserve the rights and liberties of all the people, as guaranteed by the Constitution and laws of the United States and North Carolina, by providing a fair, independent, and accessible forum for the just, **timely**, and economical resolution of their legal affairs.

AOC Mission Statement:

- The mission of the Administrative Office of the Courts is to assist and equip the General Court of Justice to fulfill its constitutional mandate of **timely** dispensing equal justice under the law.



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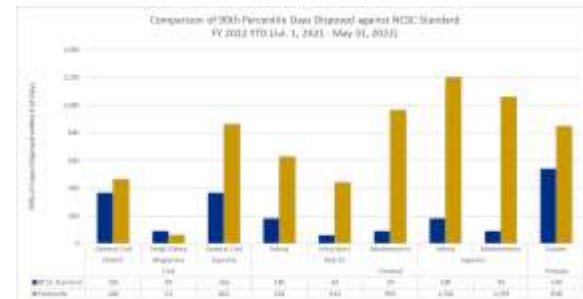
Goal : Maintain High Level of Dispositions



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Focus: Time to Case Disposition

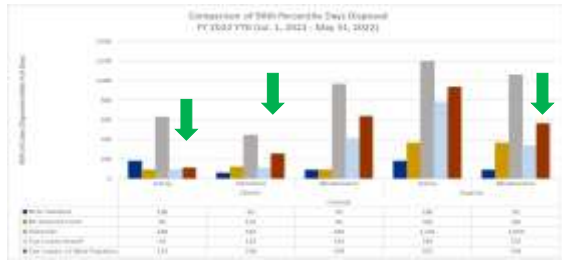


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Improvement is Possible in North Carolina

Criminal Case Types

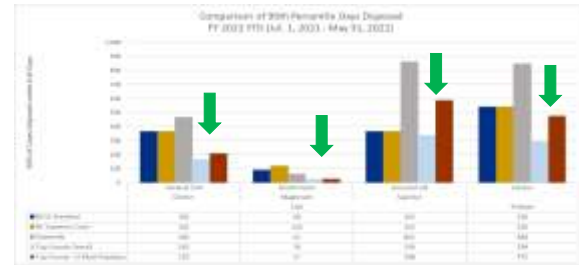


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Improvement is Possible in North Carolina

Civil / Probate Case Types

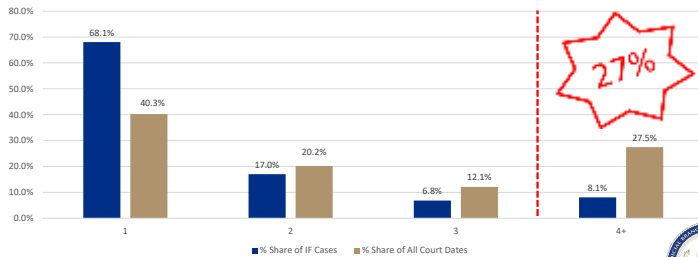


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Action Item: Reduce Continuances

Infractions: Number of Court Dates

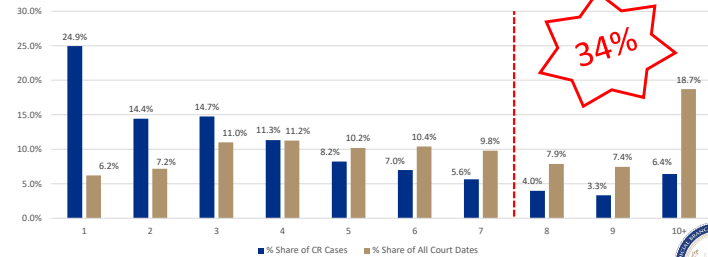


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Action Item: Reduce Continuances

District Court Criminal: Number of Court Dates



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N.C. Gen. Stat. § 7A-343 Recommendation for Improving Operations: Continuance Policy

- Senior Resident Superior Court and Chief District Court Judges adopt policies, including continuance policies, designed to meet those time standards and submit to AOC in the form of Local Rules (Summer 2022- January 2023)
- AOC will work with Senior Resident Superior Court Judges Chief District Court Judges to propose any necessary revisions to existing Supreme Court Time Standards (Summer / Fall 2022)
- Measure county performance against Supreme Court Time Standards (2023 and beyond)



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Continuance Policies

- **52 counties have submitted for both Superior and District Court**
- **7 counties have submitted for District Court only**
- **1 county has submitted for Superior Court only**
- **Requests from District Attorneys:**
 - **Be equitable in granting continuances**
 - **Continuances on eve of trial are particularly disruptive**



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Court Operations Statistics N.C. Gen. Stat. § 7A-343(2)

“Determine the state of the dockets and evaluate the practices and procedures of the courts, and make recommendations concerning the number of judges, district attorneys, and magistrates required for the efficient administration of justice.”



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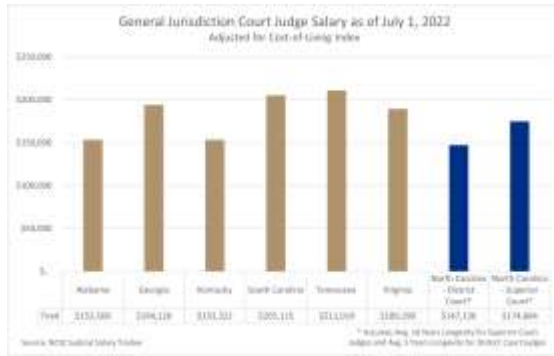
Recommendations Concerning the Number of Judges

- Worked with District Court Judges to Adjust Workload Formula
- Despite Possibility of strong Consensus Revenue Forecast, economic indicators are flashing red
- Additional Positions versus higher compensation



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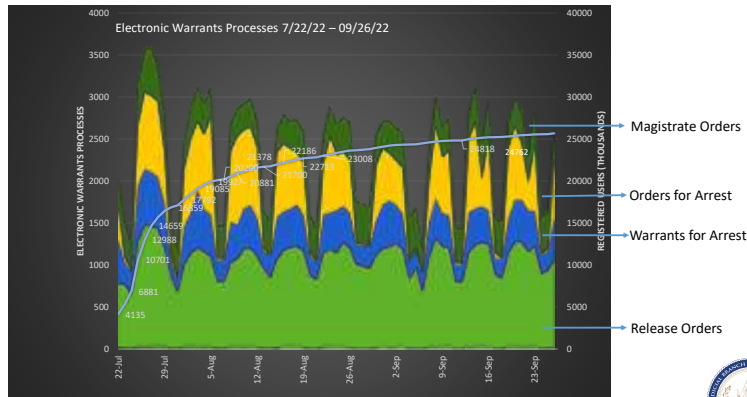
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EWARRANTS



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Electronic Warrants Go Live 07/26/2022

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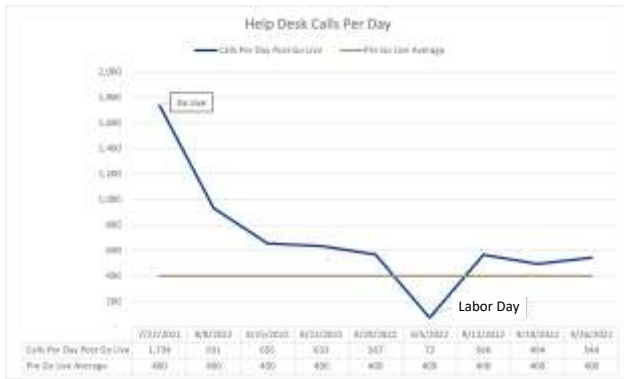
eWarrants

- ~25,000 registered users
- ~3,000 processes per day
- eWarrants to Odyssey Integration Stabilized
- Odyssey to ACIS Integration Dramatically Improved
- Network / Application Performance Stabilized
- Issues / Defects being prioritized and Resolved
 - 301 Reported and 179 Resolved as of 9/21/22



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Going Forward

TOP MAGISTRATE ISSUES	
ISSUE	STATUS
Completed file should not appear on defendant file	Open issue - We are working to review the address and return number of all copies of the form which would solve the issue.
Information should carry long from CDAs, backlinks, and signatures (links to defendant file)	This is an open issue that fell on working with ADO. This procedure is under review for when they start using long term.
Ability to search/audit information after office has submitted request - including removal and change of records and other parts.	This is an open issue that fell on the jurisdiction for the ADO. We are also in the process of changing definition and what party information.
Prohibit those of Publishing officials engaged in processes.	This is a longer issue and will be addressed, but it is not on our current priorities. We will be working on this as it is a long term issue and we are working on this as it is a long term issue and we are working on this as it is a long term issue.

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- Top 10 Priorities
- Routinely Updated
- Searchable Format
- Workarounds Noted
- Email Notification of Major Issue Resolution

Continued Investment in IT Support

- Remote Support
 - 3 Tier assistance = 24/7 day, night, weekend
 - On call supervisor and tech
- Onsite Support
 - 35 regionally staged engineers



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Recent Benefits to District Court Judges

- **7% pay increase over the biennium**
- **Additional, significant pay increases for many Judicial Support Staff**
- **Increase in number of Judicial Support Staff**
- **Parking Reimbursement**
- **Payment of State Bar Dues**
- **Increase in Hotel / Mileage Reimbursement**



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Great Job!



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Great Job!

- **Decrease in 5 out of 6 Categories**
 - Catawba
 - Cumberland
 - Davie
 - Granville
 - New Hanover
 - Scotland
 - Vance
 - Watauga
 - Yadkin
- **Decrease in All Major Case Categories**
 - Ashe
 - Avery
 - Hyde
 - Jones
 - Madison
 - Pitt
 - Wayne



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Thank You

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