




APPELLATE TRAINING

UPDATE FROM THE ADMINISTRATIVE OFFICE OF THE COURTS

JUDGE ANDREW HEATH
AOC DIRECTOR
12/8/22




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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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COURT OPERATIONS STATISTICS
N.C. GEN. STAT. § 7A-343(i)

Strong Growth in Judicial Branch Appropriations

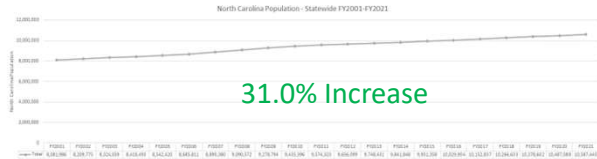
YoY Certified Budget Increases:

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




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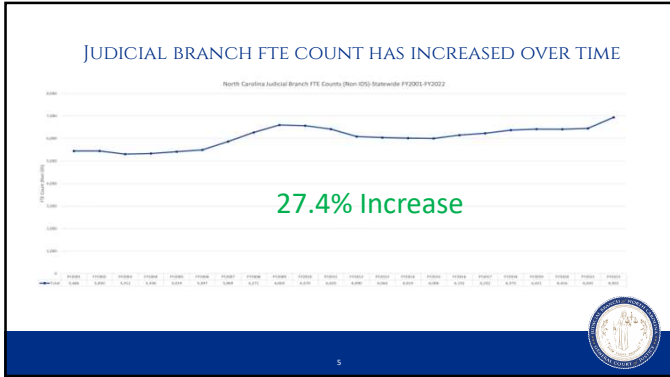
NORTH CAROLINA POPULATION HAS INCREASED OVER TIME



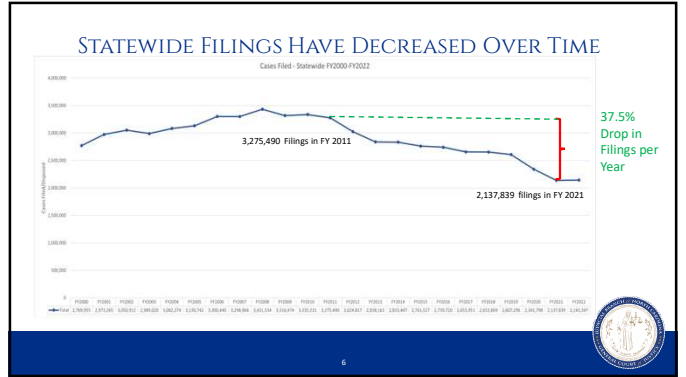
31.0% Increase



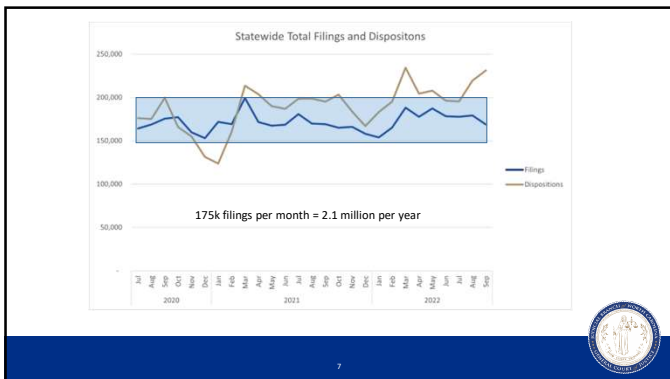
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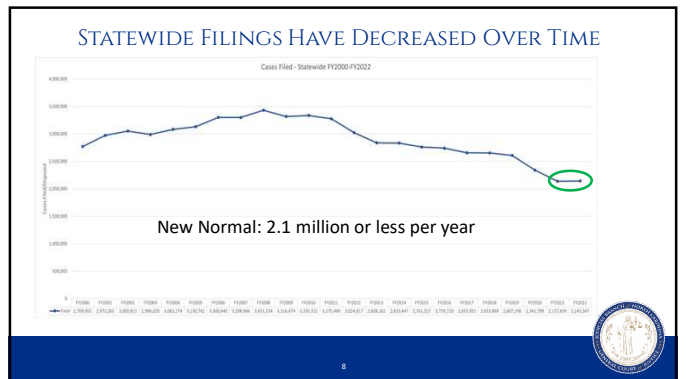
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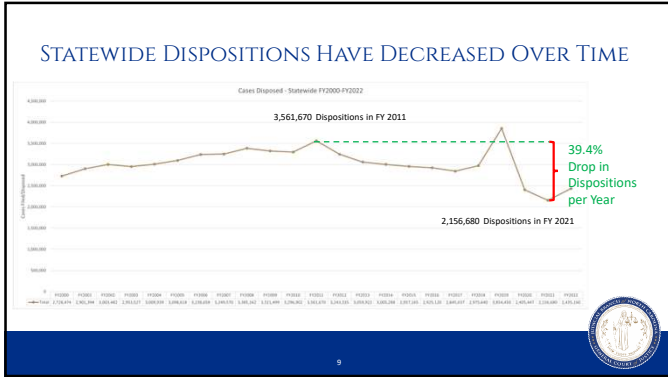
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COURT OPERATIONS STATISTICS

N.C. GEN. STAT. § 7A-343(I)

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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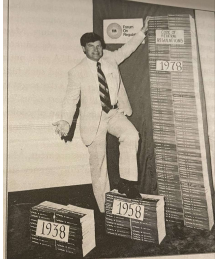
EXPONENTIAL INCREASE IN DIGITAL EVIDENCE

Total Size of Uploaded Files by Year (GB)

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

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OTHER FACTORS THAT IMPACT DISPOSITIONS



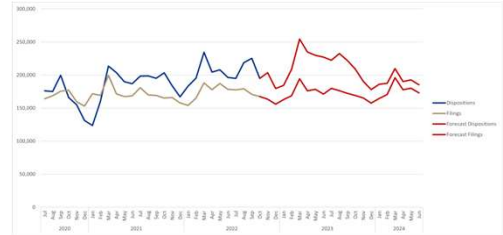
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TRIAL COURT FILINGS AND DISPOSITION PROJECTIONS



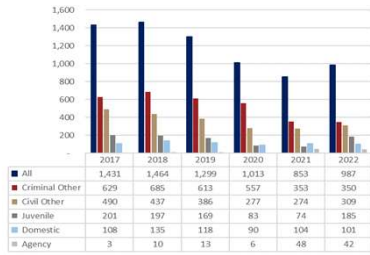
Data Note: Data represented from October 2022 to June 2024 in red are projections based on prior trends and assumptions made about the backlog reduction efforts.



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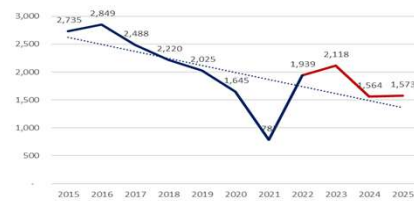
COURT OF APPEALS INCOMING APPEALS BY CASE TYPE



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SUPERIOR COURT JURY TRIALS TO VERDICT

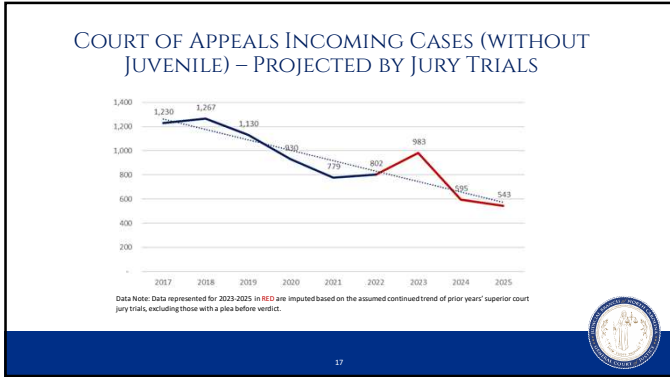


Data Notes:
 1. Data represented for 2023 in red is imputed based on extrapolating July 1 – October 31, 2022 data, assuming the monthly rates remain consistent.
 2. Data represented for 2024 and 2025 in red are imputed based on the assumed continued trend of prior years' records.

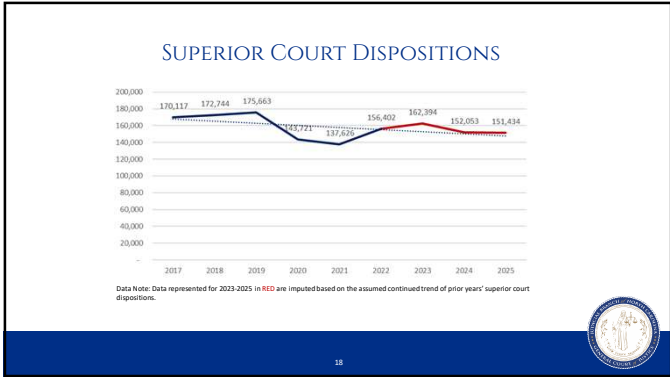


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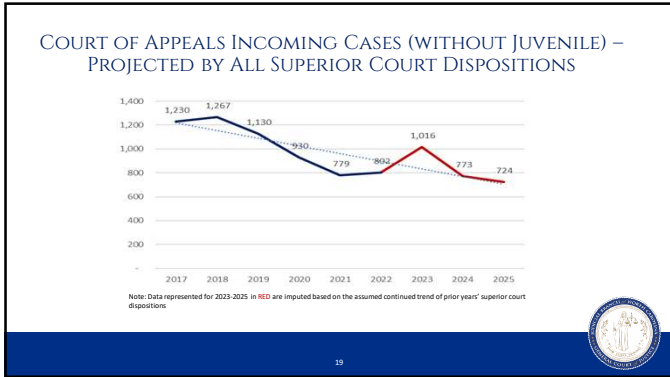
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- ### OPERATIONS OF THE COURTS
- NCGS 7A-343(1) Collect and compile statistical data on the judicial operation of the courts.
 - Strong budget
 - More employees
 - Fewer filings
 - Conclusion: Judicial Branch is well positioned to meet operational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

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DUTIES OF THE DIRECTOR N.C. GEN. STAT. § 7A-343

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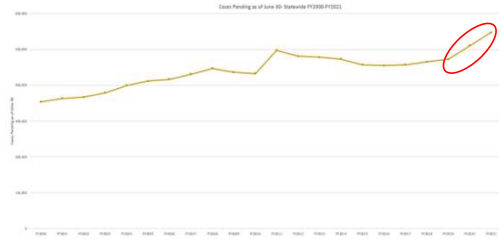
- (1) Collect and compile statistical data on the judicial operation of the courts.
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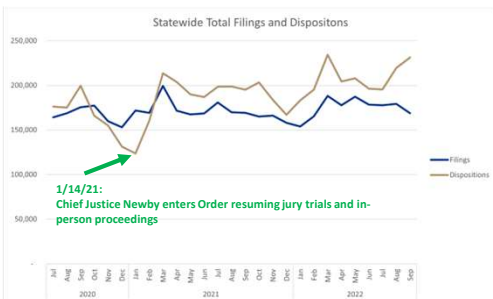
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STATE OF THE DOCKETS: STEEP INCREASE IN PENDING CASES CAUSED BY COVID



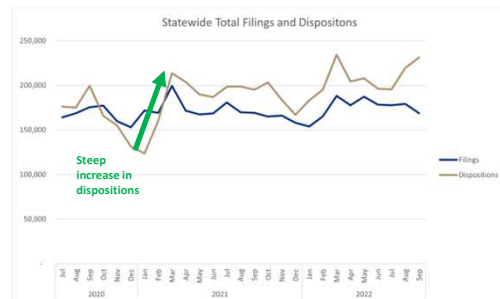
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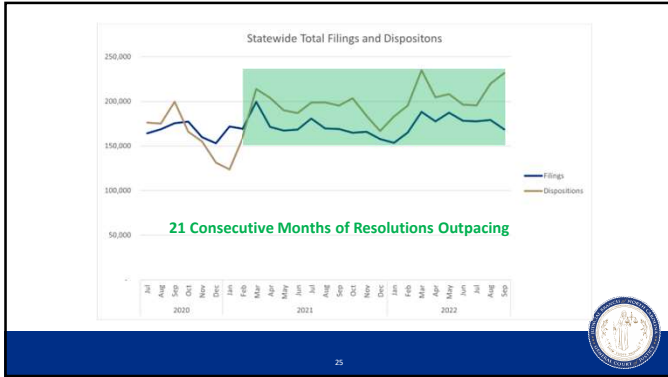
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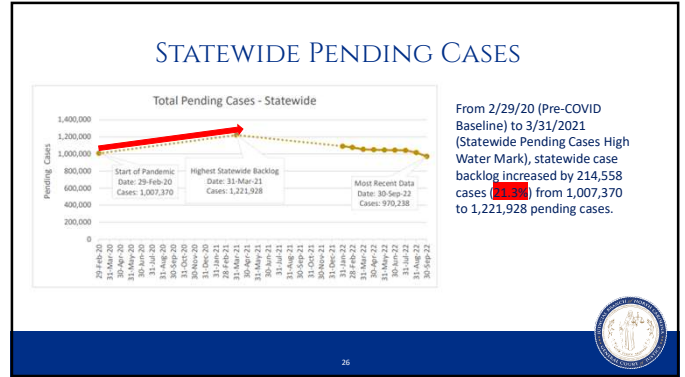


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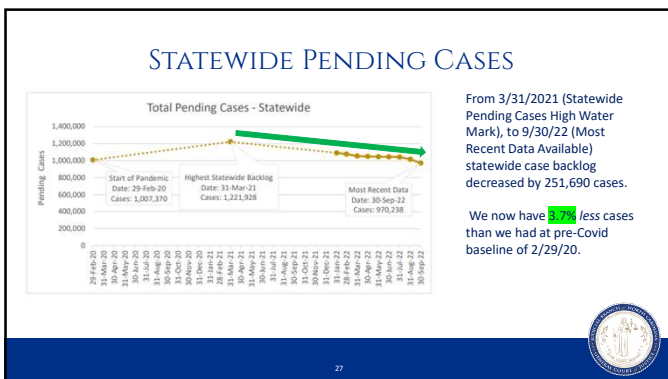
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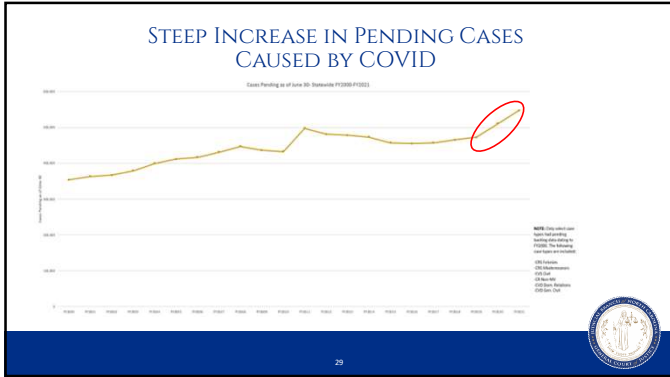
REDUCING THE COVID BACKLOG

Backlog Reduction & Swifter Justice Toolkit

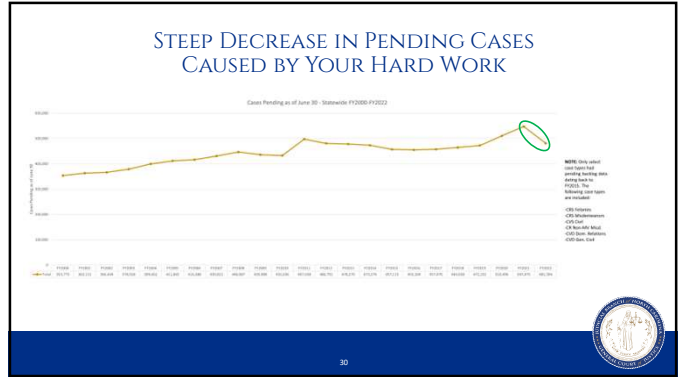
- **Step 1 - Convene Meeting with Courthouse Leadership Team**
District Attorney, Senior Resident Judge, Chief District Judge, Clerk, PD
- **Step 2 - Make Data Driven Decisions**
Utilize the [Pending Case Backlog Report](#) and [Pending Case Inventory Tools](#) to identify areas of concern and take action.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

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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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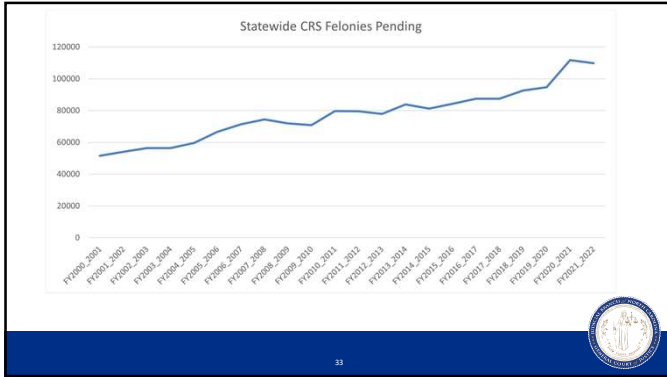
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STATE OF THE DOCKETS: 10/31/22 V. PRE-COVID BASELINE

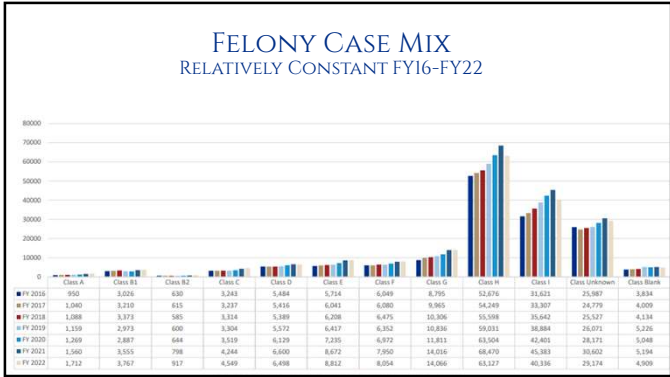
- Pending District Court Criminal + Infractions down 9.3%
- Pending District Court Civil cases up 3.3%
- Pending Felonies up 6.0%
- Pending DWIs up 11.3%
- Pending Superior Court Civil cases up 24.1%

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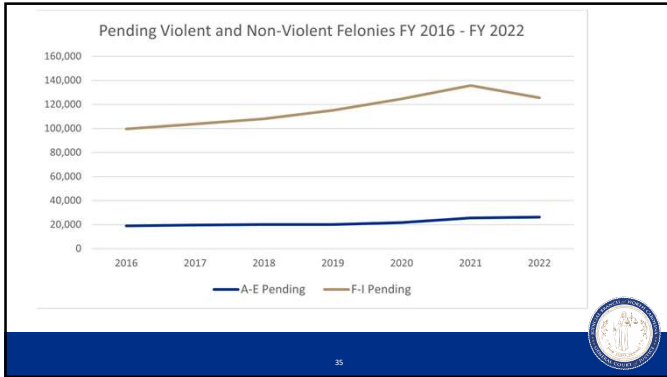
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STATE OF THE DOCKETS


- 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
 - Focus on A-E felonies, civil matters
 - Conclusion: State of the Dockets is good and getting better.

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DUTIES OF THE DIRECTOR N.C. GEN. STAT. § 7A-343

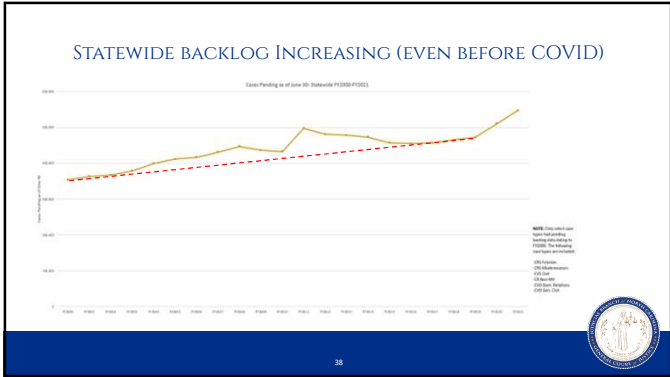
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FOCUS ON TIMELY JUSTICE

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.

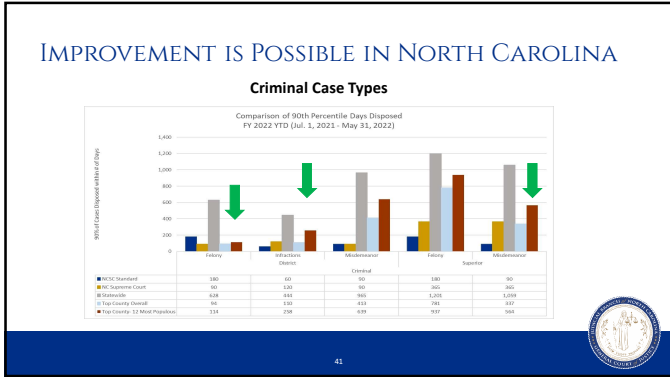


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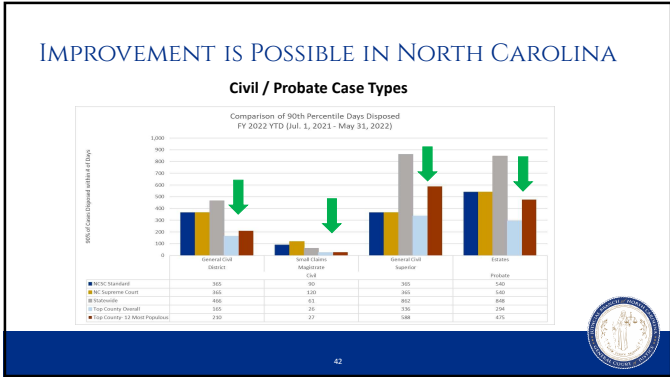
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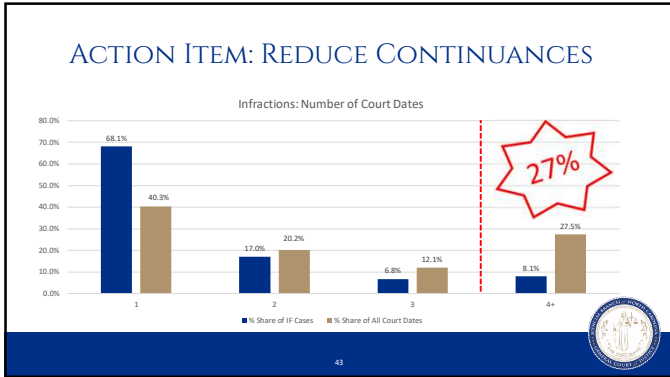
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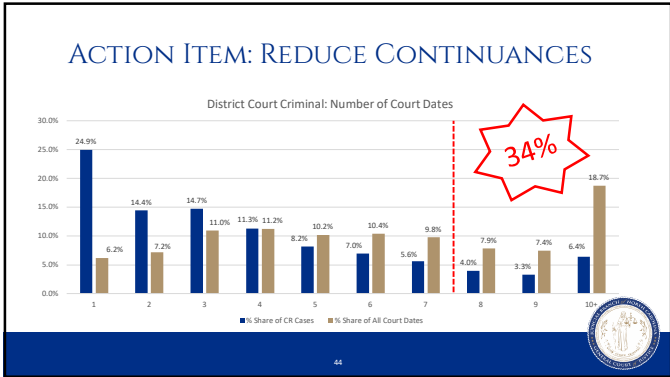
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CONTINUANCE POLICIES

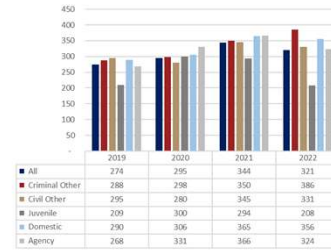
- **More than half of the 100 counties have submitted for both Superior and District Court**
- **7 counties have submitted for District Court only**
- **1 county has submitted for Superior Court only**



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AVERAGE TIME FROM DOCKET TO OPINION



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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

- Shift from requesting new positions to requesting higher pay
- Despite possibility of strong consensus revenue forecast, economic indicators are flashing red

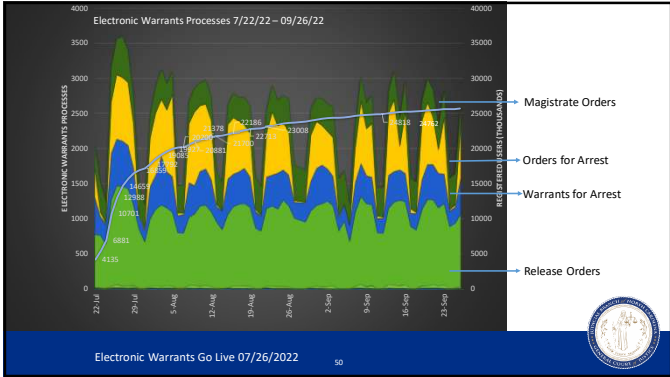


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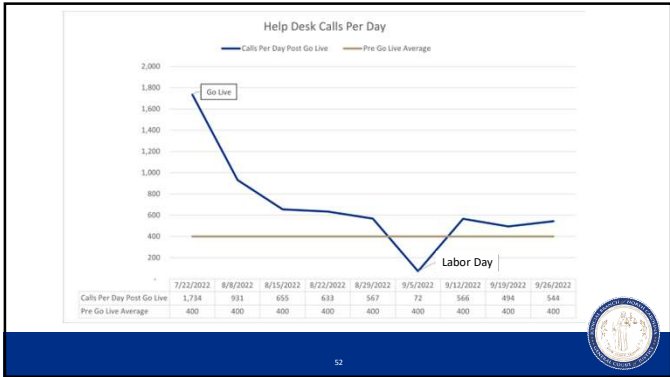


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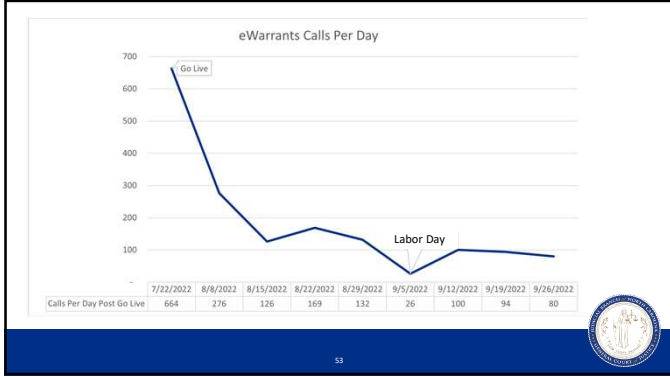
EWARRANTS

- Integrations Stabilized
- Network / Application Performance Stabilized
- Issues / Defects being prioritized and Resolved

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