



MAGISTRATES' CONFERENCE

NEWS FROM THE ADMINISTRATIVE OFFICE OF THE COURTS

ANDREW T. HEATH
SUPERIOR COURT JUDGE
AOC DIRECTOR
3/18/22



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AGENDA:

- Backlog Reduction
- Implementing Technology
- Swifter Justice
- Short Session Update
- Thank You



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COMMITMENT TO 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.



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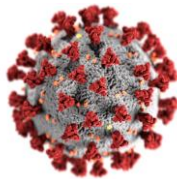
AOC MISSION STATEMENT: TIMELY JUSTICE AND CUSTOMER SERVICE

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.

- Provide Excellent Customer Service
- Be the Chic-fil-A of State Government
- Find a way to "Yes"



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Everyone has a plan until they get punched in the mouth.

-Mike Tyson



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COVID-19 TIMELINE OF EVENTS – 2020



Local Control Removed
Jury Trials Stopped



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2021 v 2022: BACK IN THE GAME



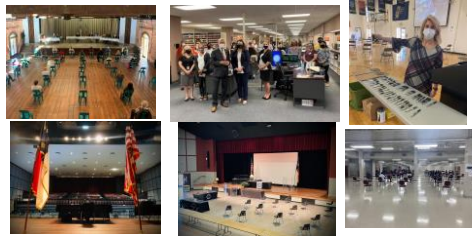
CLT Hornets 2021 TOTAL Attendance: 13,787
(http://www.espn.com/nba/attendance)

CLT Hornets 2022 AVG Attendance: 17,076
(http://www.espn.com/nba/attendance)



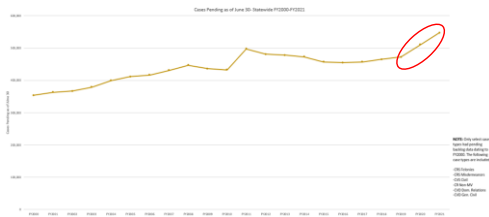
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COURT OPERATIONS: COURT STAFF NEVER SUBBED OUT



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WHERE ARE WE? IN A BACKLOG.



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BACKLOG OVERVIEW

From 8/31/19 to 8/31/2021, Statewide:

- Total Pending Felony Cases up **21.2%**
- Total Pending District Court Criminal and Infraction Cases up **15.2%**
- Total Pending Driving While Impaired Cases up **28.0%**
- Total Pending Superior Court Misdemeanors up **18.9%**
- Total Pending Superior Court Civil cases up **23.3%**
- Total Pending District Court Civil Cases up **16.0%**

Pending Case Backlog Report Prepared by AOC Research, Policy & Planning 2/27/22



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TOP PRIORITY: ELIMINATING THE COVID BACKLOG

- Backlog Reduction and Swifter Justice Toolkit
 - Local Action Plans
 - Courthouse Leadership Teams
 - Continuance Policies



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ELIMINATING 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.



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PENDING DRIVING WHILE IMPAIRED CASES

Trend Analysis of Cases
Prepared by
Research, Policy, and Planning

Total Pending Driving While Impaired Cases
County Comparison - Sorted Alphabetically

County	DWI Cases Pending as of 8/31/2019	DWI Cases Pending as of 1/31/2022	Total Change from CY2019 to CY2022	% Change from CY2019 to CY2022
Alameda	1,022	1,140	118	11.5%
Albany	110	130	20	18.2%
Allegheny	17	14	-3	-17.6%
Anson	91	102	11	12.1%
Ashe	97	79	-18	-18.6%
Avery	64	62	-2	-3.1%



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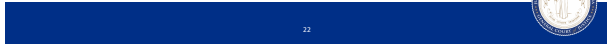
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ELIMINATING THE COVID BACKLOG

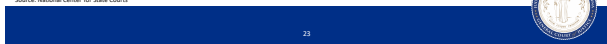
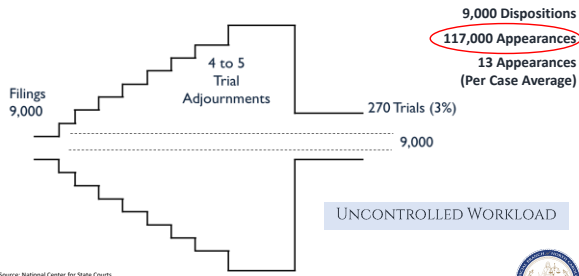
Backlog Reduction & Swifter Justice Toolkit

Develop a Local Action Plan

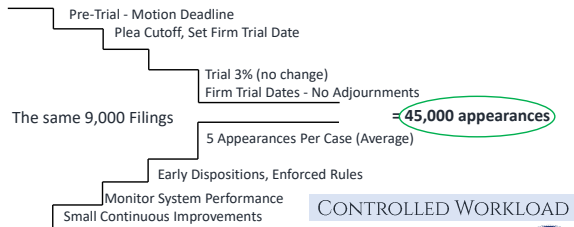
- Step 3 - Incorporate Continuance Policy
 - Use the model continuance policy and revise as necessary to cut down on unnecessary continuances.



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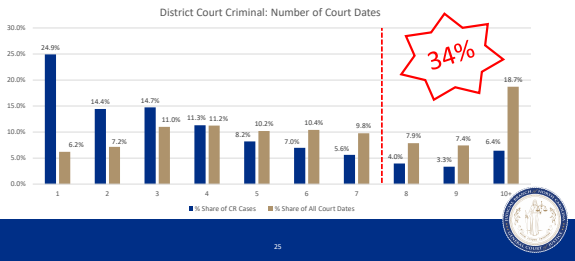


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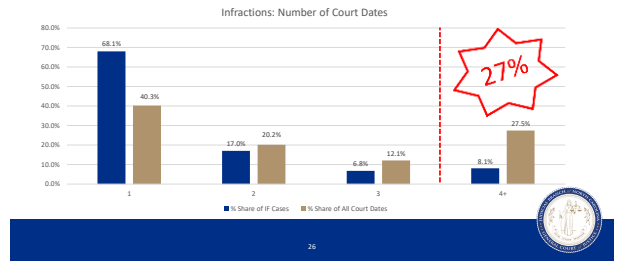
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MAJOR BACKLOG DRIVER: CONTINUANCES



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MAJOR BACKLOG DRIVER: CONTINUANCES



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FIRST PRIORITY: ELIMINATING THE COVID BACKLOG

Backlog Reduction & Swifter Justice Toolkit

Develop a Local Action Plan

- Step 4 – Complete and Submit Local Action Plan
Complete the [Action Plan Form](#), and email to ActionPlans@nccourts.org.

Include requests for technology, additional staff resources, and emergency judges.



ACTION PLAN FORM

Purpose:
NCCAJC would like to collect information from each judicial district to determine how best to support efforts to overcome existing court backlogs. The partnership has impacted nearly every level of the court system, and it is our goal to help bring and assist court leaders across the state in addressing areas of concern.

District / County Name: _____

District/County Action Plan Point of Contact:

Name	_____
Title	_____
Email	_____
Phone	_____

Creation of Plan

Consult the [Existing Case List](#) available on-line, and statistics provided by NCCAJC, on time to disposition and pending cases, to better understand current backlog in your district. Then, using available data, identify case types of concern that the district would like to target in this action plan. Please list our statistics which helped identify the concerns in the below. Some agencies can also act as a Resource for completion timing forecasts.

We have provided space for your district's leadership to include at least three separate action plans addressing key areas of concern. Each action item should include three separate components: first, identification of the area of concern using the statistics available on the NCCAJC and case statistics; second, steps your district will take to address this concern; and lastly, establish date informed, estimated goals with which you can gauge the success of your action plan.

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IMPLEMENTING AUDIO VISUAL TECHNOLOGY

LAPTOP DEPLOYMENT PROJECT

- Over 5,000 laptops have been deployed throughout the branch
- All Judicial Branch employees projected to have mobile devices (laptop) by August 30, 2022

*Completion date could be extended based on supply chain issues



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COURTHOUSE WIRELESS EXPANSION PROJECT

- All courtrooms currently have Wi-Fi access
- Expanding Wi-Fi coverage from courtroom-only to entire courthouse facility
- Expansion began in February 2022
- Projected completion date of June 30, 2023

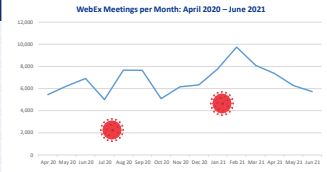


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USING TECHNOLOGY FOR REMOTE JUDICIAL PROCEEDINGS

Month	Total Meetings	Meetings Using Video	Total Meeting Minutes	Total Participants
Apr 20	5,410	2,774	231,521	29,409
May 20	6,234	3,702	333,731	36,665
Jun 20	6,916	4,412	405,974	43,127
Jul 20	4,996	3,231	311,009	31,997
Aug 20	7,663	4,998	477,080	48,148
Sep 20	7,653	5,233	492,333	50,879
Oct 20	5,084	3,239	361,241	34,916
Nov 20	6,356	4,187	390,046	43,678
Dec 20	6,334	4,288	431,785	43,014
Jan 21	7,779	5,424	545,366	60,375
Feb 21	9,742	6,060	638,362	67,170
Mar 21	8,096	5,974	611,725	62,369
Apr 21	7,338	5,737	574,652	55,673
May 21	6,269	4,595	506,893	49,399
Jun 21	5,723	3,948	458,932	44,786

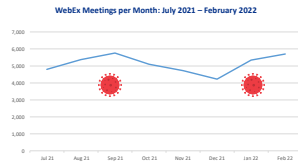


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USING TECHNOLOGY FOR REMOTE JUDICIAL PROCEEDINGS

Month	Total Meetings	Meetings Using Video	Total Meeting Minutes	Total Participants
Jul 21	4,800	3,483	375,432	35,295
Aug 21	5,377	3,724	405,551	38,659
Sep 21	5,756	4,181	443,329	42,701
Oct 21	5,011	3,888	398,334	39,892
Nov 21	4,724	3,792	361,995	37,529
Dec 21	4,220	3,345	335,587	30,110
Jan 22	5,344	4,274	392,844	35,214
Feb 22	5,700	4,600	426,600	40,600



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GRAVE: COURTROOM AUDIO VIDEO EXPERIENCE

- Minimum 2 systems per county
- Schedule
 - New Hanover - Complete
 - Brunswick - Complete
 - Cabarrus - Complete
 - Perquimans - Complete
 - Burke - Complete
 - 25 in process
 - 11 site surveys in process
 - Remainder to be completed 2Q 2023

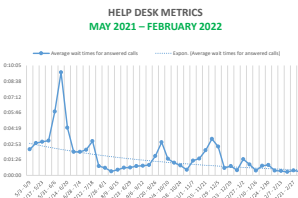


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CUSTOMER SERVICE: IT SUPPORT FOR LOCAL COURTS

- Average Help Desk calls per week - 2,000
- Before:
 - Average caller wait times exceeded 5 minutes
 - Abandoned calls in excess of 400 per week
- Now:
 - Average wait time is 40 seconds.
 - Abandoned calls per week: 76



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BACKLOG SUMMER 2021

From 8/31/19 to 8/31/2021, Statewide:

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BACKLOG REDUCTION

From 8/31/21 to 2/28/22, Statewide:

- Total Pending Felony Cases Down 5,406 **-2.8%**
- Total Pending District Court Criminal and Infraction Cases Down 90,641 **-10.0%**
- Total Pending Driving While Impaired Cases Down 1,001 **-2.1%**
- Total Pending Superior Court Misdemeanors Cases Down 699 **-2.7%**
- Total Pending Superior Court Civil Cases Down 53 **-0.3%**
- Total Pending District Court Civil Cases Down 4,175 **-3.8%**

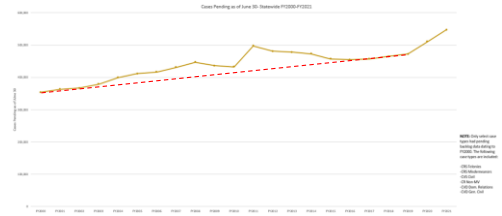
Pending Case Backlog Rankings Report Prepared by AOC Research, Policy & Planning 3/9/22



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STATEWIDE BACKLOG INCREASING (EVEN BEFORE COVID)



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SECOND PRIORITY: PROVIDE SWIFTER JUSTICE

- Decrease Time to Disposition
 - Apply Case Management Best Practices to Meet Time Standards



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FOCUSING ON TIME TO CASE DISPOSITION

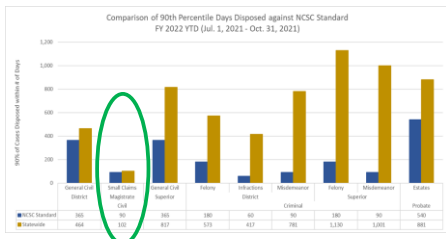
- How is the North Carolina Judicial Branch performing?
- Is there really a problem?
 - Performance can be measured relative to two sets of case processing time standards
 - North Carolina Supreme Court *Time Guidelines for Trial Court Cases* (1996)
 - National Center for State Courts *Model Time Standards for State Trial Courts* (2011)



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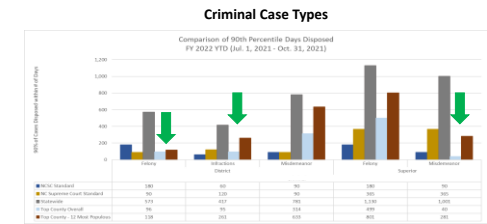
TIME TO CASE DISPOSITION



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IMPROVEMENT IS POSSIBLE IN NORTH CAROLINA

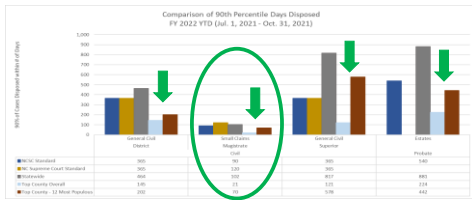


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IMPROVEMENT IS POSSIBLE IN NORTH CAROLINA

Civil / Probate Case Types



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RECENT LEGISLATION IMPACTING MAGISTRATES

- House Bill 243, Section 8.4. Approved by the General Assembly on March 10, 2022.
- Not yet signed into law by the Governor.
- A technical corrections bill with a retroactive effective date of July 1, 2021.

ALLOW MAGISTRATES TO PERFORM CRIMINAL FIRST APPEARANCES UNDER CERTAIN CIRCUMSTANCES

SECTION 8.4. G.S. 15A-601(c) reads as rewritten:
 "(c) The clerk of the superior court in the county in which the defendant is taken into custody may conduct a first appearance as provided in this Article if a district court judge is not available in the county within 72 hours after the defendant is taken into custody, or 96 hours after the defendant is taken into custody if the courthouse is closed for transactions for a period longer than 72 hours. A magistrate may conduct the first appearance if the clerk is not available. The ~~clerk or magistrate, in~~ conducting a first appearance, shall proceed under this Article as would a district court judge."



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SHORT SESSION UPDATE

- Still in long session!
- Budget Requests to OSBM next week
- Short session will likely start mid May
 - Unsatisfied position requests
 - Asked for 30 FTE last session, got 22 for biennium
 - Hiring and Retention
 - Pay Increases
 - Raising Retirement Age
 - Magistrate Requests
 - Modify nomination/appointment/retention process
 - Temporary assignment of magistrates across county lines
 - Mandate Chief Magistrate and provide increase compensation for increased duties



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THANK YOU



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