Iowa District Court
Judicial Workload Assessment Study

Final Report
November 2008

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Additionally, nine separate focus groups were held with District Judges, District Associate Judges and Magistrates in three locations across the state. The judges and magistrates who participated in these focus groups provided essential insight and comments on the work performed by judges across Iowa.

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Executive Summary

State court systems need adequate resources to fairly and effectively resolve court cases and manage important court business without unnecessary delay. When adequate judicial resources are not available, a state court system also needs a valid means to determine how to equitably allocate the available judicial resources. The question is: how does a state court system determine the number of judicial officers it needs to fairly and effectively handle its caseload?

Increasingly, state and local court systems are moving toward weighted caseload formulas to help determine judgeship needs, rather than relying solely on counting the number of filings – which treats all cases equally. A weighted caseload formula enables court systems to distinguish differences in how much judicial time is required to handle different types of cases. In the past ten years, the National Center for State Courts (NCSC) has conducted judicial workload assessments and developed weighted caseload formulas for at least 23 states and two U.S. territories. [1] In 2000, Iowa's State Court Administrator's Office contracted with the NCSC to conduct a judicial workload assessment and develop a weighted case formula for the district courts. Beginning in 2004, the Iowa Judicial Council employed that weighted case formula to assess and compare the need for district court judges in the fourteen judicial election districts, and the state court administrator used it to allocate magistrate positions in 2005. During 2007, after considering the changes in conditions and priorities in the district courts, the Iowa Supreme Court appointed a Judicial Workload Formula Assessment Committee (JWFAC) to recommend a strategy for updating the weighted caseload formula based on the study in 2000 to more accurately reflect current and future judgeship needs. After considering various options for updating the weighted caseload formula, the JWFAC recommended hiring NCSC to conduct a new study of judicial work-time for the purpose of developing a new weighted caseload formula. The Supreme Court approved this recommendation.

[1] During the past ten years, the National Center for State Courts has conducted weighted workload assessment studies for judges in the following states: Alabama, California, Georgia, Guam, Florida, Hawaii, Iowa, Louisiana, Maryland, Maine, Missouri, Minnesota, Montana, Nebraska, New Hampshire, New Mexico, North Carolina, North Dakota, Oregon, Puerto Rico, South Dakota, Tennessee, Virginia, West Virginia and Wyoming. The NCSC has conducted weighted workload studies for use with court clerks, probation and local courts as well, and several such projects are currently under way.

With guidance from the JWFAC, the NCSC conducted a judicial workload assessment in Iowa's district courts during 2008 using state-of-the-art research practices. Specifically, the 2008 study improved the quality and accuracy of the data compared to the workload assessment in 2000 in the following ways:

- Substantially increased the judicial participation rate (from about 55% in 2000 to over 94% in 2008) to more accurately estimate the time required to process cases
- Employed a streamlined data collection process intended to improve the accuracy of work-time data
- Developed case weights for an expanded set of case types
- Used a statewide survey of judicial officers to assess whether they have adequate time to achieve reasonable levels of quality in case resolution, which assisted in determining the adequacy of the case weights based solely on work-time data
- Conducted nine focus groups involving knowledgeable judicial officers from each judicial district to review and discuss findings from the work-time study and the "adequacy of time" survey. This input informed the discussion and decisions by the JWFAC regarding the weighted caseload formula.

The project work was organized around the following primary tasks:

1. Development of the research design. The JWFAC, formed by the Iowa Supreme Court, worked with senior consultants from the NCSC to oversee an update of the weighted caseload formula developed by the NCSC based on a study in 2000. The members of the JWFAC included judges, magistrates, a court administrator and a court clerk who were selected to ensure representation from each judicial district and to bring gender balance and credibility to the committee. The committee provided advice and comment on the overall study design; the identification of the case types; the location and content of the training sessions prior to the work-time study; the duration of the time study; the approach, and the location and composition of the focus groups. It also provided feedback and recommendations on key issues covered in the final report.
2. Judicial workload study. More than 94% of all district court judicial officers participated in the four-week study of judicial work-time between April 21 and May 16, 2008. During the study, judicial officers kept records of all time spent on case-related and non-case specific activities, including work-related travel time. Both written instructions and an on-line help desk were available to judicial officers who had questions about recording time or categorizing information. Senior research staff at the NCSC analyzed the data by judicial election district and statewide as requested by the JWFAC.

3. Adequacy of Judicial Time Survey. In June, approximately 70% of all judicial officers in Iowa completed this online questionnaire regarding the sufficiency of time available during the course of normal working hours to do their work. This survey revealed that Iowa's judicial officers believe they do not have enough time to fairly and effectively handle almost every case type. The area in which additional time appears to be most needed is for writing rulings.
4. Nine judicial focus groups. NCSC staff conducted focus group discussions with nine groups of judicial officers in three locations across the state in July, 2008, to review the project and discuss preliminary findings from the work-time study and Adequacy of Time Survey.[2]
5. Analysis of data and preparation of preliminary case weights. NCSC staff analyzed the data collected from the work-time study, Adequacy of Time Survey, and focus group discussions – then drafted tables and preliminary case weights for review and discussion by the JWFAC.
6. JWFAC review, discussion and decision-making. The JWFAC conducted a two-day meeting on September 11 and 12, 2008 to review the research findings and make various decisions regarding the composition of some case types and whether qualitative adjustments needed to be made to the case weights, which are the heart of a weighted caseload formula. The committee, after considerable discussion of the issue, chose the most conservative approach by deciding not to adjust the case weights. The case weights in this report are based solely on the work-time reported by judicial officers during the study period.
7. Preparation of the Final Report. Given the final decisions made by the JWFAC, NCSC staff developed a draft report of findings for review by the JWFAC. After obtaining feedback from the JWFAC during a conference call on October 14, 2008, NCSC staff produced this final report.

The Final Report explains in detail each step in the research and data analysis process for this judicial workload assessment and the construction of the weighted caseload formula. The weighted caseload formula is sufficiently flexible to allow the Iowa court system to determine the approximate need for various types of judicial officers in each judicial district, election district, or county. How the various types of cases are allocated among the types of judicial officers will vary by district according to the available judicial resources.

In a nutshell, the new weighted case formula developed by the 2008 judicial workload assessment project reveals that statewide the Iowa district courts should have at least 295[3] full-time equivalent (FTE) judicial officers to effectively handle the current workload. However,

[2] Focus groups were organized by judicial officer type: District Judges, Associate Judges, and Magistrates
[3] This number is rounded up from 294.6 (see Figure 11, row 30).

statewide the Iowa district courts currently have about 250 FTE judicial officers of all types[4] -- which means Iowa's district courts are approximately 18 percent short of the number indicated by the new formula.

[4] There are 189 full-time judges and 152 part-time magistrates. The 2008 judicial workload study found that magistrates work an average of about 14 hours (almost 2 work days) per week – or approximately 40 percent of full-time [152 X .40 = 61 full-time equivalent judicial officers]; 189 + 61 = 250. See Appendix F, attached.

I. Introduction

A clear and valid method for measuring judicial workload is the keystone to determining the number of judicial officers needed to efficiently resolve all cases coming before the Iowa's district courts. Court systems also need a valid and objective basis for equitably allocating available judicial resources among judicial districts – especially when the number of available judicial officers falls short of the number needed. To meet these needs, judicial leaders across the country are increasingly turning to empirically-based weighted caseload studies to provide a strong foundation for determining judgeship needs.

Raw, unadjusted case filing numbers offer only minimal guidance regarding the amount of judicial *work* generated by those case filings. A judgeship formula based only on a count of filings wrongly assumes that all jurisdictions (counties, judicial districts) have a similar mix of case types in their caseloads. In fact, some jurisdictions, because of their location, population density, or concentration of medical facilities or heavy industries, have a larger proportion of some types of complex cases than other jurisdictions. A fair and valid formula for assessing judgeship needs should account for these differences. A weighted caseload study addresses this issue by producing a case weight for each selected case type. A case weight reflects the average amount of judicial time required to manage a given case type from filing through disposition. Applying the case weights to the filings in a jurisdiction provides a more accurate assessment of the amount of judicial time required to effectively handle the judicial workload in each jurisdiction.

The desire to use a weighted workload formula to determine judicial resource needs is not new to the Iowa Judicial Branch or the Iowa Legislature. In 2000, the Iowa State Court Administrator's Office, with support from the state legislature, contracted with the National Center for State Courts to conduct the first objective weighted workload study in the state. More than half of the state's judicial officers participated in that study, including judges and magistrates from all eight judicial districts. In 2007, the Iowa General Assembly, at the request of the Judicial Branch, amended Iowa Code section 602.6201 by striking the long-standing statutory district judgeship formula, and in its place, authorizing the Supreme Court to adopt a

new formula, which must be based upon a model that measures and applies an estimated case-related workload.[5]

Subsequently, the Iowa Supreme Court appointed the Judicial Workload Formula Assessment Committee (JWFAC) to recommend a means for updating the weighted caseload formula. After a meeting in October 2007 to discuss the various options for updating the formula, the JWFAC recommended that the NCSC be hired to conduct a new study of judicial work-time and develop a new weighted caseload formula. After the Judicial Council and Supreme Court approved this recommendation, the Iowa State Court Administrator contracted with the NCSC to conduct the weighted caseload assessment and develop a new weighted caseload formula for judicial officers in the district courts.

The current study is based upon the same basic theory of workload assessment as the 2000 study in Iowa. However, the 2008 study employed improved, state-of-the-art research practices to enhance the accuracy of the judicial work-time data and included additional efforts to assess the adequacy and appropriateness of the case weight produced by the study. The research methodology is outlined and described in the following section.

II. Research Design

The NCSC consultants met with the JWFAC in December 2007 to discuss and develop the research strategy for this project. This study employed three specific data collection efforts: a study of judicial work-time, a survey of judicial officers on the adequacy of time to perform judicial duties, and focus groups of judicial officers to provide feedback on the findings from the time study and survey.

A. Judicial Work-Time Study

The major data collection effort in this project was the four-week study of judicial work time, which provided the basis for development of the case weights. (See section IV, below, for a discussion of the data elements in the judicial work-time study.) To ensure accurate and reliable data, the JWFAC and NCSC consultants developed a strategy for maximizing

[5] Supreme Court of Iowa Order, *In the matter of appointment to the judicial council subcommittee to update the judicial workload assessment formula*, dated July 23, 2007.

participation by judicial officers and training them on how to accurately code and enter their work-time data for this study.

Training to Prepare Judicial Officers for the Work-Time Study

State Court Administration staff and the NCSC consultants organized a series of 18 ninety-minute training sessions between March 26 and April 11. One of the NCSC consultants conducted each training session via telephone conference and an internet-based Powerpoint presentation (i.e., webinar). Each judicial officer who was to participate in the study attended one of these programs. The NCSC consultants also provided a written set of instructions to each participant, which included the lists of case and activity types to be included in the study, suggested forms for keeping track of work-time by case and activity type, and instructions on how to enter the work-time data through the NCSC's easy-to-use internet-based data entry program. The NCSC also provided a "Help Desk" via email and phone for those who had data collection or data entry questions during the study period.

Judicial Participation Rates

During the 2000 study, approximately 56% of the state's judges and magistrates volunteered to participate in the work-time study. The JWFAC strongly believed that *all* trial court judicial officers in Iowa should participate in the 2008 time study to obtain the most reliable and representative data available. At the request of the committee, the Chief Justice of the Iowa Supreme Court communicated her wish that all judicial officers participate in the study. The Chief Judges in the eight judicial districts followed up to encourage their judges and magistrates to participate. These efforts produced a much higher participation rate than achieved in the 2000 study. During the four-week study period, from April 21 through May 16, 2008, 180 of 187 full-time judges available during the study period (96%) – and 141 of 152 magistrates (93%) participated in the study.[6] Figure 1 shows details on participation rates.

[6] Senior judges, law clerks and mental health referees were also asked to participate, to the extent that they engaged in "judicial work" during the time study period. Forty-seven of the 64 individuals in this category also participated in the time study.

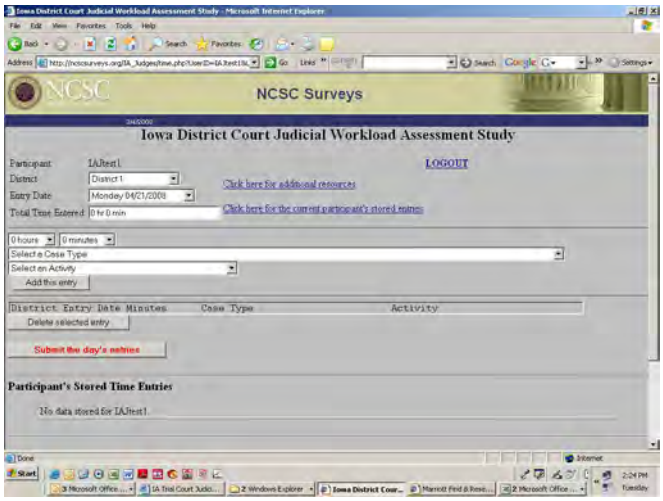
Figure 1: Time Study Participation Rates by Judicial Officer Group

Judicial Officer Group	Total Possible Participants	Actual Number of Participants	Percentage of Participation
District Judges	114[7]	111	97.4%
All Associate Judges[8]	73	69	94.5%
Magistrates	152	141	92.8%
Senior Judges	27	15	55.6%
Law Clerks	27	25	92.6%
Mental Health Referees	10	7	70.0%
Total	403	368	91.3%

Data Collection Process

Judicial officers recorded their time on a paper-based time tracking form, and then transferred this information to a web-based data entry program (see Figure 2). Once submitted, the data were automatically entered into NCSC's secure database, which was accessible only to NCSC staff who analyzed the data. Collecting data from judicial officers across the state ensured that sufficient data were collected to provide an accurate average of case processing practices and times for all case types included in the study.

Figure 2: Data Entry Screen for Iowa Judicial Workload Study



[7] There are 116 district judges in Iowa. However, two district judges were on FMLA leave during the time study, so these positions are not included in the total number of possible participants.
[8] This group includes District Associate (61), Associate Juvenile (11), and Associate Probate (1) Judges.

B. Survey on the Adequacy of Judicial Time

In addition to participating in the time study, judicial officers in Iowa were invited to complete a web-based Adequacy of Time Survey. This survey sought the views of judicial officers regarding the extent to which they have sufficient time to adequately prepare for hearings, listen to arguments, and write high quality rulings. Approximately 70% of all judicial officers completed the survey. The results provided the JWFAC additional information to help evaluate the case weights and ensure that the needs assessment model provides adequate time for quality judicial services. The case weights derived solely from the work-time study represent "what is," i.e., the average amount of time judicial officers currently spend on each case type given the current level of judicial resources. The survey data provide information to help determine "what should be," i.e., whether there is sufficient time to provide high quality services or employ "best practices." Results of the Adequacy of Time Survey are discussed in Section V of this report.[9]

C. Focus Groups

The NCSC consultants conducted nine separate focus groups of experienced judicial officers from various judicial election districts across the state to discuss the results from the time study and the adequacy of time survey. The case weights derived from the time study represent the average time spent on the various case types given the existing levels of judicial resources -- not the average time that judicial officers "should" spend on cases to provide high quality services. Accordingly, the case weights based solely on the judicial work-time study might not include sufficient time necessary for judges to perform essential tasks in accordance with best practices. The focus groups were held to allow judicial officers to discuss current practice as measured by the time study and, based on their own knowledge of the system and their personal experiences, to make recommendations on the final case weights to the JWFAC. More discussion on the focus groups can be found in Section V of this report.

III. Data Elements in the Judicial Work-Time Study

NCSC project staff met with the JWFAC in December, 2007 to determine the case type categories, case related and non-case specific activities to be included in the work-time study

[9] Also see Appendix E, which shows the findings from the Adequacy of Time Survey.

and the Adequacy of Time Survey. A more detailed description of all of the time study elements is provided in Appendices B through D.

A. Case Types

Selecting the number of case types and case events to be used in a weighted workload time study involves a trade-off between having enough information to ensure the accuracy of the case weights and minimizing the data collection burden on the participating judicial officers. The more case types and events that are included in a weighted workload study, the larger the data samples and the longer the data collection period need to be to guarantee statistical accuracy. More importantly, determining the appropriate types of cases to be weighted is particularly important because the case weights must be used in conjunction with readily available statistics on case filings to determine workload. Figure 3 shows the case types for which data were collected in the judicial work-time study. These same case types were used in the Adequacy of Time Survey.

The weighted caseload formula developed in 2000 involved only 17 case types. For the 2008 study, the JWFAC decided to add some new case types to enhance the ability of the new weighted caseload formula to distinguish jurisdictions that had a higher incidence or proportion of the following: complex civil (medical malpractice, other professional malpractice, product liability/toxic substance, and other complex contract or commercial cases),[10] other torts, forcible felonies, administrative appeals, and drug/therapeutic court cases.[11] The JWFAC believed that these additional case types typically required more judicial time than the average case type and that judicial districts that had disproportionately more of these types of cases than other districts should be allotted additional judicial resources accordingly.

[10] See part VI of this report for a discussion of the "complex civil" case type.
[11] The JWFAC also decided to create a case type called "all indictable misdemeanors" – rather than use the two categories that were included in the 2000 study (OWI 1 & 2 – and – other indictable misdemeanors)

Figure 3: Case Type Categories in Iowa's Judicial Workload Study

1-Domestic: Dissolution & Modification

2-Domestic: Civil Abuse

3-Domestic: Other

4- Complex Civil[12]
- Medical/dental malpractice
- Other professional malpractice
- Product liability/Toxic substance cases
- Contract/commercial: other

5-Torts: Other
- Motor vehicle, premises liability, other personal injury, property/financial damage

6-Civil: All other law & equity cases

7-Administrative appeals

8-Small claims
- Forcible entry & detainer, money judgment, civil infractions, small claims appeals

9-Simple misdemeanors
- State traffic, other state, ordinance, domestic abuse assault

10-Indictable misdemeanors *(all)*
- Domestic abuse assault, other violent, property, drugs, OWI (1st & 2nd), driving with license revoked, other non-violent

11-Felonies: Forcible
- Sex assault, domestic abuse assault, other violent

12-Felony OWI (3+)

13-Felonies: Other
- Property, drugs, other non-violent

14-Probate: Estates, trusteeships, guardianships, conservatorships

15-Probate: Adult commitments.
- Involuntary mental health, substance abuse, other mental health

16-All Adoptions

17-Juvenile: Commitments
- Mental health, substance abuse, other

18-Juvenile: CINA, FINA, & Parent notification

19-Juvenile: TPR

20-Juvenile: Delinquency
- Sex assault, other violent, property offense, alcohol, other drugs, other non-violent delinquency

21-Search warrant applications

22-Therapeutic courts (drug and mental health courts)

[12] The complex civil case type represents a new case type for the current study. While there is no clearly defined complex civil case type currently represented in the Iowa judicial branch's statistical reports, the JWFAC felt strongly that there are a sufficient number of civil cases that are complex and are also time consuming enough to warrant a separate case weight category. To this end, the Committee defined Complex Civil cases for data collection purposes to include: medical, dental and other malpractice cases; product liability cases and toxic substance cases; and any additional contract or commercial civil cases that judicial officers, using their own definition, determined to be complex. See Section VI of this report for further discussion of complex civil cases.

B. *Case-Specific Activities*

Case-specific activities are the essential functions that judicial officers perform in resolving a case from initial filing to final resolution. As with the case types, the essential functions were categorized into manageable groups for the time study. Figure 4 shows the case-specific activities measured in the time study.

Figure 4: Case-Specific Activities

Reviewing files/signing routine orders
Pre-trial activities
Jury trial activities
Bench trial/adjudication/stipulated trials
Post-trial/post adjudication activities
Probation violations/compliance

C. Non-Case Specific Activities

Activities that do not relate to the resolution of a specific case but must be done by judicial officers are defined as non-case specific activities. The key distinction between case specific and non-case specific activities is whether the activity can be tied to a specific case. Figure 5 lists the non-case specific activities measured in this study.

Figure 5: Non-Case Specific Activities

Non-case related administration
Judicial education and training
Community activities/speaking engagements
Committee & other meetings and related work
Work Related Reimbursable Travel[13]
Vacation/illness or other Leave
General Administration
Time study project (filling out form and entry)

IV. Determining the Average Annual Judicial Time on Case-Work

A key factor in a weighted caseload formula is the average annual judicial time on case-related work – or the "average annual judicial time (AAJT) on case-work" value. Calculating the AAJT on case-work value is a four-step process, which is explained in this section.

[13] See Appendix D for a definition of reimbursable travel.

A. Judicial Officer Year

The average judicial officer year is the number of days judicial officers have to handle all judicial duties. Many assumptions underlie the judicial officer year value. Weekends, state holidays, and days for vacations, illness, and judicial conferences or other professional education programs are subtracted from the calendar year to determine the number of days available to handle cases. The number of weekend days (104) and state holidays (9) are clearly established. However, determining the average time taken (or that is reasonable for judges to take) for vacation, illness, judicial conferences, and other professional development is more difficult to determine. The four-week period designated for the judicial work-time study may not be representative for all these types of "leave time," so the JWFAC assigned days for each of them in the manner described below.

To begin, a year includes 365 days – from which we subtract 104 weekend days and 9 state holidays. The JWFAC assumed that judges take the maximum number days available for judicial conferences and education programs (13) and the maximum number of vacation days each year. But judges earn more vacation days as they increase their years of service, so the JWFAC used the average number of vacation days (24) among all the full-time judges employed by the judicial branch in January 2008.[14] Judges are not allocated a specific number of "sick days" per year, and judicial sick days are not tracked by district court administrators. However, the JWFAC determined that it is reasonable to allow 3 days for sick leave per judge. After subtracting days for weekends, holidays, and the various types of leave time, the average judicial year value in Iowa is 212 days per year (see Figure 6, below). It is important to note that the judicial year value in this study (212 days) is identical to the average judge year value across

[14] Judges earn more vacation days as they increase their years of service. To calculate the average number of available vacation days, state court administration staff obtained a list of the judges employed by the judicial branch in January 2008 and the years of service for each judge – and used this list to calculate the average years of service among judges. Based on the average years of service, they determined the average vacation time per judge (24 days).

all the judicial workload studies conducted by the NCSC over the past ten years.[15] Figure 6 presents these calculations.

Figure 6: Calculating the Judicial Officer Year Value

Judge Year	Days
Total Days per Year	365
Subtract Non-Working Days:	
Weekends	- 104
Holidays	- 9
Vacation (24), sick & other leave (3)	- 27
Prof. Development/CLEs	- 13
Total Available Work Days per Year	212

B. Judicial Officer Day

Next, the NCSC consultants worked with the JWFAC to determine the average number of hours in a judicial work-day. The Committee concluded that the average work day in court is 9 hours: from 8:00 .m. to 5:00 p.m. Courts typically allow one hour for lunch and a total 30 minutes for breaks (15 minutes during the morning session and 15 minutes during the afternoon session). Therefore, the expected actual work-day is 7.5 hours of time to perform all judicial duties. (Note: This value is used to compute workload even though some or many judicial officers in Iowa work more than a 7.5-hour day and may work on evenings, weekends, and holidays).[16]

C. Judicial Day on Case-work

While the expected judicial work day is 7.5 hours, judicial officers are rarely able to spend all that time on case-related work because they must also perform other necessary duties, which are referred to in this study as "non-case-specific activities." These include:

- Activities required of judges to contribute to the efficient and effective operation of the court (e.g. supervising personnel, meeting with clerks and others about administrative matters; participating in state and local committees)

[15] The average judge year value derived in 37 studies conducted by the NCSC between 1996 and 2006 is 212 days. This figure can be found in the study *Examination of NCSC Workload Assessment Projects and Methodology: 1996-2006*, by John Douglas. The judge year value in these 37 studies ranges between 193 and 223 days.
[16] Some judicial officers are required to work weekends; however, it is accepted as a reasonable expectation that weekend work should be able to be subsumed within a typical 37.5-hour work week.

- Cooperation and coordination with other justice system agencies on matters of policy and practice
- Community outreach and public education.

Based on the judicial work-time study, judicial officers spend an average of one hour per day on these activities;[17] and this time must be subtracted from the 7.5 hours to determine the number of hours available to work on cases. In addition, many judicial officers spend time traveling to other counties to provide court services, and this time must also be subtracted from the hours available to handle cases.[18] Because the judicial election districts vary considerably in their mix of urban and rural counties, they also vary in the average travel time per judicial officer.[19] Based on the travel time reported during the one-month study of judicial work-time, the annual travel time ranges from slightly less than 15 minutes per day (per judge) in District 5C to just over 96 minutes per day (per judge) in District 5B (see Figure 7, below). After subtracting one hour per day for non-case-specific activities and the average travel time per judge in the judicial election district, the remainder of the 7.5 hour work-day is then dedicated to case-specific work, which includes:

- Hearing cases on the bench or by jury
- Taking pleas, processing uncontested dissolutions, dismissals
- Reviewing case files and documents in preparation for hearings and making decisions on cases
- Researching specific points of law related to cases
- Writing orders and decisions (findings of fact, conclusions of law and orders).

Figure 7 presents calculations of the judicial case-work day value using a low travel district, medium travel district and a high travel district. The Figure shows how the case-related availability varies among judicial election districts depending upon the travel time requirements. Distinguishing between case-specific and non-case specific time provides clear recognition that judicial officers have many responsibilities during the day.

[17] See Decision 2 in Section VI of this report for a discussion of how the Committee decided to apply 60 minutes per day per judicial officer for non-case-specific activities.
[18] The average non-case specific time allocated to this formula is based on time recorded in the judicial time study. The average travel time is based on actual time recorded by judges during the time study in each judicial election district. Separate travel times were calculated per judicial election district and allocated per FTE judicial officer.
[19] Court-related travel time includes: reimbursable travel time to courts outside the county where a judicial officer resides and reimbursable travel to work-related meetings outside the county where a judicial officer resides.

Figure 7: Calculating the Average Annual Judicial Time on Case-Work

	Sample Judicial Election Districts		
Hours per Day per Judicial Officer Ú	5C	2A	5B
1. Total Hours Per Day	9.00	9.00	9.00
2. Minus: Lunch & breaks	-1.50	-1.50	-1.50
3. Minus: Non-case-specific time	-1.00	-1.00	-1.00
4. *Minus: Travel time (varies)*	*-.25*	*-.66*	*-1.61*
5. Average DAILY case-specific hours	6.25	5.84	4.89
Average ANNUAL Judicial Time (AAJT) On Case-work (minutes)*	79,538	74,279	62,255

* See Figure 11, row 29. The AAJT on case-work is calculated by multiplying row 5 X 60 minutes per hour X 212 days per year. Average annual judicial time is based on an Excel spreadsheet calculation, using the most precise calculations.

D. Average Annual Judicial Time (AAJT) on Case-Work

We are now ready to calculate the AAJT on case-work: (1) Multiply the judicial officer year value (212 days) by the number of hours in a day available for *case*-specific work (which ranges from 4.89 to 6.25 hours per day in Figure 7); and (2) multiply the result in the first step by 60 minutes per hour. This yields the average amount of time (in minutes) available per year for judicial officers to work on cases. Thus, the AAJT on case-work value in Iowa ranges from approximately a low of 62,200 minutes to a high of approximately 79,500 minutes of *case*-specific time per judicial officer per year – depending on the judicial election district and how much the typical judicial officer must spend on travel time (see Figure 7).

V. Calculation and Assessment of the Case Weights

A. Calculation of the Case Weights

As discussed earlier, about 94% of all district court judicial officers participated in a four-week time study between April 21 and May 16, 2008. Based on these data, NCSC staff calculated the case weights for 22 case types chosen by the JWFAC. NCSC staff started with the total amount of judicial time (in minutes) recorded on each case type during the study period, extrapolated that time to the 212-day judicial officer year, then divided that number by the number of filings for each respective case type during calendar year 2007.[20] These calculations

[20] When we annualize this time, it is based on the 212-day judicial officer year described earlier in this report. Thus, the formula for annualizing the time study data is this: Divide the minutes recorded during the 20 work-day study period by 20 to get the average for 1 day; then multiply this figure by 212. For example, the case weight for forcible felonies is 309 minutes, which was calculated by: (A) 66,316 minutes reported by judges during the study

yield the average amount of time judicial officers spend per year on each case type (i.e., the case weight). Figure 8 shows the case weights for all 22 case types.

Of course, some cases take more judicial time than the case weight and some cases require less judicial time than the case weight. However, because case weights reflect the average judicial time spent on cases, a weighted case formula can be used to calculate the total judicial workload for the state, a judicial election district, or a county by applying the case weights to the most recent or projected annual case filing numbers.

The utility of a weighted caseload system is now easy to illustrate. For example, the number of administrative appeals cases and the number of forcible felony cases filed in calendar year 2007 were similar: 2,358 and 2,273 respectively. However, the average case weight for administrative appeals is 118 compared to 309 for a forcible felony. So, while the number of cases filed is similar, the time to process these cases is significantly different. Annually, administrative appeals cases require a total of 278,244 minutes of judicial time (2,358 cases filed x 118 minutes per case). In contrast, forcible felonies require 702,357 minutes of judicial time (2,273 cases filed x 309 minutes per case). Clearly, caseload is not the same thing as workload.

period ÷ 20 days = 3,315.8 minutes per day; (B) 3,315.8 x 212 days = 702,949 minutes per year; (C) 702,949 ÷2,273 cases filed during 2007 = 309 [average judicial work minutes per forcible felony filed].

Figure 8: Final District Court Judicial Case Weights

Case Type	Case Weight
1-Domestic: Dissolution & Modification	129
2-Domestic: Civil Abuse	59
3-Domestic: Other	24
4- Complex Civil*	2,938*
5-Torts: Other	206
6-Civil: All other law & equity cases	91
7-Administrative appeals	118
8-Small claims	32
9-Simple misdemeanors	11
10-Indictable misdemeanors *(all)*	58
11-Felonies: Forcible	309
12-Felony OWI (3+)	112
13-Felonies: Other	129
14-Probate: Estates, trusteeships, guardianships, conservatorships	42
15-Probate: Adult commitments.	98
16-All Adoptions	25
17-Juvenile: Commitments	43
18-Juvenile: CINA, FINA, & Parent notification	253
19-Juvenile: TPR	233
20-Juvenile: Delinquency	90
21-Search warrant applications	34
22-Therapeutic / problem-solving courts	532, 29[21]

*See section VI of this report for a discussion of the "complex civil" case type and case weight.

B. Survey on Adequacy of Judicial Time

The Adequacy of Time Survey was made available to all district judges, district associate judges and magistrates via internet access between May 13 and June 30, 2008. Two hundred thirty-seven of the 339 judicial officers invited participated in the survey, representing 69.9 percent of the state's permanent district court judicial officers. This participation rate is sufficiently high to ensure confidence in the results.

[21] Two separate weights were derived for therapeutic courts, based on who the primary decision maker is. When the Judge is the decision-maker, the case weight is 532, when a lay panel is the decision-maker, the judicial case weight (the amount of judicial time required per case) is 29.

The survey allowed judicial officers to indicate whether they *do* or *do not* have sufficient time to effectively attend to essential job-related activities within each case type. Thus, where survey results demonstrate that judicial officers believe more time is necessary to meet judicial work mandates, the data might suggest case types for which weights could be adjusted to indicate the greater need; survey findings also can be used to validate that additional resources are needed to address the work of courts. Survey respondents were asked to rank specific activities for each case type pertaining to their work by responding to the following statement: "During a typical work week I generally have enough time to become sufficiently informed and to engage in sufficient deliberation before I make decisions at each of the following stages of a case." For each case type, the activities were as follow:

- Reviewing files; signing routine orders
- Pre-trial hearings/activities
- Bench trials
- Writing decisions/rulings
- Post-trial hearings
- Compliance/contempts (in civil cases) OR
- Probation revocations (in criminal case types)

Respondents were also asked to rank their adequacy of time for non-case specific activities:

- Non-case related administration
- Judicial education and training
- Community activities, education, speaking engagements
- Committee and other meetings

The respondent could rate each question with a score of one through five. All scores were anchored with statements indicating varying levels of time availability. The corresponding response options were "Very inadequate time (1)" "Somewhat inadequate time (2)," "Adequate time (3)," "Somewhat more than adequate time (4)", and "I almost always have enough time (5)." An average rating of 3.0 or greater indicates that, as a group, judges reported having adequate time to perform the specified task most of the time. NCSC staff compiled the responses. The results are expressed as the average response for questions for each case type. A detailed report with the breakdown of activities for each case type is available in Appendix E. Thus, an average rating for activities of less than 3.0 indicated to the committee that weights could be adjusted to provide for more time.

NCSC staff compiled responses and analyzed the results. For each judicial activity an average response score was generated. A summary of the results is provided in Figure 9. The average scores for each case type as well as for the non-case specific activities are all under the acceptable average of 3.0. The average composite score for every case type is less than 3.0, indicating that judges across Iowa feel they do not have adequate time to process cases, in general. Of particular interest is that in nearly all of the case type categories, the lowest scoring activity was "writing decisions/rulings" (data shown in Appendix E). This consistently low scoring item indicates that, while judges across Iowa feel pressed for time in most of their work, they are particularly concerned about the lack of sufficient time to write decisions and rulings, including conducting the necessary research associated with this activity.

Figure 9: Adequacy of Time Survey Results

Case Type	Average Score
Domestic: Dissolution & modification	2.53
Domestic abuse (civil)	2.57
Domestic: Other (excluding adoptions)	2.60
Complex civil (e.g., medical, dental and other malpractice; product liability; toxic substances cases; other complex commercial cases)	2.42
Other civil law & equity (excluding 4 & 5)	2.68
Administrative appeals to district court	2.59
Small claims, infractions & small claims appeals	2.64
Simple misdemeanors	2.67
Indictable misdemeanors (all)	2.62
Felonies: Forcible	2.64
Felonies: OWI 3+	2.70
Felonies: Other	2.66
Adult commitments	2.56
Probate: Estate, guardianship, conservatorship, trusteeship	2.68
Adoptions (all)	2.95
Juvenile Commitments	2.64
Juvenile: CINA, FINA, Parent notification	2.39
Juvenile: TPRs	2.43
Juvenile delinquency	2.59
Search warrant applications	2.78
Therapeutic court cases	2.64
Non-case specific activities	2.53

C. Focus Groups: Review of the Workload Study and Case Weights

To determine whether the case weights adequately and accurately represent average amount of time judicial officers need to bring court cases to resolution, two complementary sets of meetings were held. First, nine focus groups of judicial officers were held in three locations across the state to discuss the Adequacy of Time Survey findings and the preliminary case weights derived from the time study. Second, after the focus group meetings were held and the information was summarized, the NCSC team met with the JWFAC to discuss the findings from the Adequacy of Time Survey and the focus group.

Focus group discussions provided an opportunity for the judicial participants to present additional information to NCSC facilitators that might be helpful in finalizing the case weights. The focus group sessions were held between July 15 and July 17, 2008.[22]

Judicial officers were asked to discuss four main topics related to the time study. The topics and a summary of the discussion highlights are presented below.

- *Did the data collection occur within a typical month? If not, why was it atypical?*

In all of the focus groups, the judges reported that the data collection period reflected a typical month of work in terms of case types and general work flow. Some focus group participants noted that the data collection period included such anomalies as a longer-than-usual trial, or some time away for training. It would be expected that such anomalies occur, so that these variations to the "typical" case processing practice are built into the average case weights. Knowing that the time study period was reflective of a typical month of judicial work reinforces a high level of confidence in the time study data.

- *Based on your review of the Adequacy of Time Survey findings, do you believe there is justification for making adjustments to the case weights?*

Judicial officers in the focus groups all resonated with the low scores recorded for all of the case types, and specifically agreed with the lack of time available to write decisions and rulings. They especially noted time constraints in dissolution and modification cases, as well as in indictable misdemeanors.

[22] Focus groups were held in Onawa (July 15), Des Moines (July 16) and Iowa City (July 17).

- *Given a comparison graph of all of the draft case weights (the graph did not include the actual case weight figures), did the "relative" case weights have face validity (for example, does it make sense that a forcible felony case would require approximately six times as much as an indictable misdemeanor case)?*

Focus group participants viewed and discussed a bar graph *without numbers* that compared case weight for all case types, from highest to lowest. The graph did not include the case weight numbers, because the NCSC consultants wanted participants to respond to the relative comparisons of case weights rather than actual numbers. The overwhelming message from focus group participants was that the relative case weights appeared to be quite accurate.

- *Are there differences or any unique aspects of your district or area of the state that should be considered and used to adjust any particular case weight up or down?*

None of the focus group participants recommended that certain local issues should be considered when interpreting the results of the time study in any specific location.

- *Comments on how to determine a factor for travel time per judge*

NCSC staff told the focus group participants that the JWFAC would be discussing work-related travel at its next meeting, and that there were two options: (1) calculate a statewide average travel time per judicial officer and apply that average in all judicial districts, or (2) calculate the average travel time per judicial officer in each of the 14 judicial election districts – so the travel time factor will vary by judicial election district. Focus group participants all agreed the latter option was the best, because it accounts for differing travel requirements in each districts.

VI. Committee Decisions and Recommendations

The JWFAC met on September 11 and 12, 2008 to discuss the project, review the draft case weights in light of the focus group information, and make any quality adjustments to case weights, if necessary. To help committee members interpret and evaluate the case weights, NCSC staff disaggregated the preliminary case weights into their individual event components (see the case-related activities in Appendix C). This allowed the committee members to look

"inside" each of the preliminary case weights to understand where and how judges currently spend their time on cases. The Committee also spent a significant amount of time reviewing the Adequacy of Time Survey results, the feedback from the focus groups, and the draft case weights. Through these deliberations the Committee made four key decisions and three recommendations.

Decision 1 – Case Weights: The Committee reviewed and discussed at length the draft case weights in light of the Adequacy of Time Survey and focus group discussions. The Advisory Committee agreed that judges generally do not have adequate time to write decisions and rulings. However, after a great deal of discussion, the Committee decided to take the most conservative approach and not adjust any of the case weights based upon this information. The Committee agreed that the time-stress issues could be alleviated with sufficient judicial staffing based on the weighted caseload formula as originally drafted, rather than by making somewhat subjective adjustments to the case weights based on the findings from the Adequacy of Time Survey.

Decision 2 – Non-Case Specific Time: The initial analysis of the judicial work-time data found that judicial officers spent an average of 50 minutes per day on non-case-specific administrative activities. However, after discussion with the NCSC consultants, the JWFAC raised this factor to 60 minutes per day. This adjustment was based on the low score attributed to this set of activities in the Adequacy of Time Survey. Also, the NCSC consultants explained to JWFAC members that the average amount of time for non-case-specific activities generally ranges from 60 to 90 minutes for judges in most states where the NCSC has conducted judicial workload assessments. Again, the committee chose a conservative route and adjusted this category by only 10 minutes.

Decision 3 – Complex Civil Case Type and Case Weight: As indicated earlier, Iowa currently does not have a designated case type called "Complex Civil Cases." However, JWFAC members felt very strongly that certain civil cases are indeed very complex and time-consuming and, therefore, merit having a case weight to account for these cases. For the time study, "complex civil cases" were defined to include the following "core" complex civil case types, for which the judicial branch does have reliable statistics: (1) medical and dental malpractice, (2) other professional malpractice, and (3) product liability/toxic substance cases. But the data

collection instructions also directed judges to include "Other complex contract/commercial cases" determined to be complex by the judge. While there is an "Other contract/ commercial cases" category in the judicial branch's statistical reports, there is no clear basis for knowing what percentage of those cases are "complex." The Committee had a lengthy discussion regarding how to most accurately estimate the percentage of these cases to be added to the "core" of complex cases identified above. NCSC staff presented six options for incorporating different case-count configurations for the "complex civil" case type. After a thorough discussion, the Committee agreed that -- for the purpose of calculating the filings for the "Complex Civil" case type – the weighted case formula table (Figure 11) should include all the "core" complex case types identified above *plus* 10% of the "Other contract/commercial cases" in the judicial branch's statistical reports on Regular Civil filings. The Committee reasoned that a minimum of 10% of the "other contract/commercial cases" filed across the state would qualify as "complex." This 10% is likely a conservative estimate and may be subject to change in future years if better data become available on complex civil cases.

Decision 4 – Travel Time Computation: Judges were asked to record the amount of time they spent on reimbursable travel during the four-week time study. The Committee debated the merits of using the travel time as reported by judicial officers during the four-week study as the basis for estimating annual travel time per judge – versus using data from actual travel claim forms submitted by judges and court reporters in each judicial election district. The Committee concluded that, on balance, the data from the four-week study are probably a better, more reliable indicator of travel time and recommends using it in the weighted caseload formula.

Recommendation 1 – Verify travel factor with data from travel claims: Although the Committee decided to use the travel time reported by judicial officers during the four-week study of judicial work-time as the basis for determining the travel time factors for each judicial election district in this study, the Committee recommends that data from travel claims submitted by judges and court reporters should be examined and compared to the travel time recorded in the time study to validate these figures. This task should be performed by state court administration staff.

Recommendation 2 – Magistrate formula: The Committee discussed ways that the new weighted case formula might be used to calculate the need for magistrates in each county. After deliberation on this issue, the committee recommended that the need for magistrate positions be determined using the following formula in each county:

(1) Multiply the most recent annual filings by the respective case weights for: small claims, simple misdemeanors, adult commitments, and search warrant applications.
(2) Multiply the number of filings of all indictable criminal cases by 15 minutes for initial appearances.[23]
(3) Sum the products of the calculations in steps 1 and 2.
(4) Divide the number in step 3 by 82,680 minutes (212 work days per year X 6.5 hours per day X 60 minutes per hour). This calculation omits a factor for travel time because magistrates typically serve only in their county of residence.[24]

Recommendation 3 – Caution in comparing the weighted caseload "demand" for judicial officers with the total "supply" of judicial officers: Figure 11 in this report shows the total demand for FTE judicial officers (295) statewide and for each judicial election district. Appendix F shows the total number of full-time judges and part-time magistrates – the supply of judicial officers – statewide and by judicial election district. While it would be tempting to merge these two tables and show the difference between the demand for – and supply of – judicial officers in each judicial election district, the JWFAC recommended not including such a merger of data in this report. There are several reasons for this recommendation. Most districts have exchanged three magistrate positions for one district associate judge -- or have made multiple such exchanges. There is substantial variation in the caseload assignments of these district

[23] The NCSC consultants asked three focus groups of magistrates – including representatives from each judicial district – to estimate the average amount of time they spend on initial appearances. The general consensus from these focus groups was that the average was between 10 and 20 minutes, depending on the nature of the case. The JWFAC discussed the focus group estimates and chose the midpoint (15 minutes) as the average time on initial appearances. The committee may want to explore this average time further and adjust this factor, if necessary.
[24] While some travel time was recorded by magistrates during the time study, the amounts varied so greatly (between 10 and 66 minutes per week), that the JWFAC determined that it was best not to include travel time in the magistrate's model.

associate judges. Some handle a substantial portion of the magistrate workload in their counties, while others handle little or none of the magistrate workload. In addition, every county receives at least one magistrate position under the Iowa Code, regardless of the demand of FTE magistrates in the county. These factors and others make it very difficult to compare the supply of -- and demand for – FTE judicial officers among the judicial election districts. Readers who are unfamiliar with these nuances are likely to misinterpret the findings and comparisons. Rather than including a detailed analysis and presentation of comparative data in this report, the JWFAC recommends that the state court administrator's office perform further, more detailed analysis of judicial workloads in a manner that more accurately determines the relative need for judicial officers in each judicial election district. The Judicial Council should be informed about this further analysis and should participate in decisions regarding requests for additional judicial positions.

VII. The New Weighted Caseload Formula

Once the judge year value and final case weights have been established, the calculation of the judicial officer demand to manage the workload of the Iowa District Courts is completed. The number of FTE Judicial officer needed to perform case-related work is calculated by dividing the judicial case-specific workload value (i.e., the annual number of minutes of case-related work required given the number of cases filed – multiplied by the respective case weights) by the "average annual judicial time (AAJT) on case-work" – which varies by judicial election district depending on the demand for travel time. The resulting number represents the full time equivalent (FTE) judicial officers needed to manage the work of the court. Figure 10 displays the steps taken to compute judicial officer demand.

Figure 10: Calculation of Total Need for FTE Judicial Officers

Step 1	*For each of the 22 case types:* *Case Weight x Case Filings = Case-Related Workload*
Step 2	*Sum the Workloads for each case type to obtain Total Workload for each jurisdiction (judicial election district)*
Step 3	*Divide the Total Workload by the Average Annual Judicial Time on Case-work (AAJT) to obtain the number of FTE judicial officers needed*

Figure 11 (below) displays the model in terms of FTE judicial officers needed statewide and by judicial election district. The new weighted case formula developed by the 2008 judicial workload assessment project reveals that statewide the Iowa district courts should have at least 295 full-time equivalent judicial officers to effectively handle the current workload. The Iowa district courts currently have 250 full-time equivalent judicial officers statewide[25] -- which means Iowa's district courts are approximately 18 percent short of the number indicated by the new formula. The adequacy of current judicial resources varies by judicial election district, though that analysis is not presented in this report.

Although Figure 11 shows the total demand for FTE judicial officers statewide and in each judicial election district, the weighted caseload formula is sufficiently flexible to determine the need for judicial officers in each county, if necessary, by applying the case weights to filings from each county. The formula can also be used to estimate the need for judicial officers to handle specific case types (e.g., juvenile cases) by multiplying the number of filings of those case types by their respective case weights and dividing by the sum of those calculations by the average annual judicial time on case-work value (Figure 11, row 29) for the judicial election district.

Finally, it is important to understand that the weighted caseload formula produces an estimate of the demand for FTE judicial officers in whatever jurisdiction – or for whatever case types – are of interest to the court system. The weighted caseload formula is a tool for determining where the needs are for judicial resources. Each judicial district is responsible for determining how that workload is covered by its array of available judicial officers. Of course, when the weighted caseload formula reveals a substantial difference between the supply of – and demand for – judicial officers, it can provide a sound basis for justifying additional judicial resources.

[25] See Appendix F for the number of current judicial officers in each judicial election district.

Figure 11: Application of the Weighted Caseload Formula to Assess Judgeships Needs in Each Judicial Election District

			CY 2007 Filings in each judicial election district														
Row	Case Types	Case wght*	1A	1B	2A	2B	3A	3B	D4	5A	5B	5C	D6	D7	8A	8B	STATE
1	Domestic: dissol. & modif.	129	724	1,036	757	1,714	621	948	1,167	1,222	418	1,873	2,077	1,819	1,036	686	16,098
2	Domestic: civil abuse	59	236	308	182	430	160	345	534	326	149	994	879	932	302	170	5,947
3	Domestic: other	24	873	1,635	774	1,576	598	1,207	1,409	520	342	1,613	2,145	2,665	948	761	17,066
4	Complex civil[1]	2,938	20	29	17	31	13	15	28	24	6	114	56	36	24	14	427
5	Other torts	206	149	232	122	254	132	200	250	173	56	819	394	323	166	120	3,390
6	Other law & equity	91	988	1,747	1,058	2,096	921	1,453	2,025	1,924	618	5,449	3,379	2,547	1,216	1,008	26,429
7	Admin Apls to Dist Ct	118	116	163	92	162	99	119	214	145	84	405	338	222	86	113	2,358
8	Sm claims & infractions[2]	32	3,566	4,193	1,853	4,036	2,281	2,664	5,213	4,607	1,129	10,378	8,217	7,877	2,450	2,393	60,857
9	Simple misdemeanors[3]	11	13,105	17,329	10,107	19,014	10,117	16,348	23,583	10,349	3,694	34,844	34,023	32,513	12,320	9,216	246,562
10	Indictable misdems.	58	2,693	4,146	2,627	4,565	2,195	3,362	3,375	2,446	863	6,768	7,903	5,868	2,586	2,180	51,577
11	Felonies: forcible	309	93	211	115	205	134	120	204	105	41	306	233	259	149	98	2,273
12	Felony: OWI-3+	112	38	85	59	119	65	92	75	61	29	125	231	126	84	62	1,251
13	Felonies: other	129	703	1,053	534	1,132	542	866	1,319	578	258	3,149	1,460	2,070	643	791	15,098
14	Probate[4]	42	671	1,022	1,041	1,979	1,034	1,001	1,026	864	459	1,322	1,590	1,208	977	569	14,763
15	Adult commitments	98	530	688	348	817	347	517	788	389	224	424	1,328	707	617	421	8,145
16	Adoptions (all)	25	57	144	83	201	82	211	124	71	42	401	295	212	107	71	2,101
17	Juv: commitments	43	155	126	104	210	102	98	231	39	42	30	280	311	121	64	1,913
18	Juv: Cina/Fina/ParentNotif[5]	253	220	251	248	461	315	493	509	189	62	410	721	318	427	111	4,735
19	Juv: term. of parent rights	233	49	124	83	134	65	188	121	53	44	399	259	189	124	57	1,889
20	Juv: delinquency	90	362	610	172	630	283	403	580	288	62	667	1,048	777	283	384	6,549
21	Search warrant applics	34	121	262	119	352	145	223	225	154	56	275	513	185	141	95	2,866
22	Therapeutic ct (Lay panel)[6]	29			16	35	35	145									231
23	Therapeutic ct (Judge)[6]	522		17			23	29	39			121	30	36	48	11	354
24	Total Filings		25,469	35,411	20,511	40,153	20,309	31,047	43,039	24,527	8,678	70,886	67,399	61,200	24,855	19,395	492,879
25	Total case-specific work minutes/yr [Sum of Case Weights X Filings]		1,051,446	1,562,523	929,493	1,858,108	917,104	1,356,245	1,793,249	1,173,850	419,758	3,446,599	2,932,640	2,453,300	1,203,651	885,938	21,983,904
	Calculation of Demand for Full-time Equivalent (FTE) Judicial Officers (JOs)																
26	Avg JO work yr [212 days in minutes][7]		95,400	95,400	95,400	95,400	95,400	95,400	95,400	95,400	95,400	95,400	95,400	95,400	95,400	95,400	
27	Avg JO non-case minutes/yr		-12,720	-12,720	-12,720	-12,720	-12,720	-12,720	-12,720	-12,720	-12,720	-12,720	-12,720	-12,720	-12,720	-12,720	
28	Avg JO travel minutes/yr [varies]		-12,054	-5,698	-8,401	-9,173	-8,871	-3,929	-16,535	-8,700	-20,425	-3,142	-4,461	-6,073	-13,578	-9,006	
29	Avg JO minutes for case-work/yr		70,626	76,982	74,279	73,507	73,809	78,751	66,145	73,980	62,255	79,538	78,219	76,607	69,102	73,674	
30	Total Demand for All Types of Judic. Officers (FTEs): [Row 25 / Row 29]		14.9	20.3	12.5	25.3	12.4	17.2	27.1	15.9	6.7	43.3	37.5	32.0	17.4	12.0	294.6

*Case weight = the average time spent by judicial officers on a given case type from filing through disposition. (Based on all work time reported by judicial officers on the given case type during the 4-week study period in 2008 -- extrapolated to one year -- then divided by the number of filings of the given case type during the calendar year.)

Figure notes continued on next page

Figure notes (continued)

1. Complex civil: The "filings" shown for this case type –and the denominator for calculating the case weight – include the annual filings for: (1) medical/dental malpractice, (2) other professional malpractice, (3) product liability/toxic substance, and (4) 10% of filings categorized as "Other contract/commercial" cases in the Regular Civil Caseload Activity Report on district court caseload statistics.
2. Small claims & infractions: Approximately one-third of small claims cases statewide are disposed by clerks (i.e., defaults), without assistance from judicial officers. The "filings" in this row include annual filings of these cases in the judicial election district multiplied by the % of these cases disposed by judicial officers in the election district during the year.
3. Simple misdemeanors: Approximately two-thirds of simple misdemeanors statewide are disposed by clerks (e.g., by payment of traffic fines without a court hearing), without assistance from judicial officers. The "filings" in this row include annual filings of these cases in the judicial election district multiplied by the % of these cases disposed by judicial officers in the election district during the year.
4. Probate: Includes estates, guardianships, conservatorships, and trusteeships.
5. Cina/Fina/ParentNotif: Child in need of assistance; Family in need of assistance; Parental notification (for a minor to receive an abortion).
6. Therapeutic courts: These include drug and other problem-solving courts. "Lay panels" (row 22) are drug/therapeutic courts in which panels of three lay persons (volunteers) serve the judicial function by handling the regularly scheduled appearances by drug/therapeutic court participants – which are handled by judges in the judge-directed courts (row 23). In both types of courts, a judge presides at hearings in which a participant is removed from the program and at graduation ceremonies. The number of "filings" in these rows reflects the average number of defendants/parties in the drug/therapeutic court program at any given time during 6 months prior to October 2008.
7. Average Judicial Officer work-year: The average work year is 212 days after subtracting weekends, state holidays, and leave time for vacation, illness, and judicial education programs. It also assumes 7.5 hours of actual work time per day (an 8-hour day with 15 minute breaks in the morning and afternoon). Calculation: (212 days) X (7.5 hours per day) X (60 minutes per hour) = 95,400 work minutes per year per judicial officer.

VIII. Qualitative Factors and the Weighted Caseload Formula

The judicial resource need presented in this report is based upon a set of case weights that represent the average amount of time it takes a judge in Iowa to handle a case from filing to case resolution within one year. While this objective model of judicial resource need is an excellent objective tool, it should be considered the *starting point* from which resource needs are assessed. There are additional qualitative factors that should be considered when assessing resource needs in any state or local jurisdiction.

Urban counties, with larger caseloads, often afford the opportunity for judges and court staff to specialize, which can improve efficiency in case processing. Urban courts are also more likely to have additional support staff to assist in case processing. This factor might be taken into account when applying the weighted caseload formula. There might also be differences in "local legal culture" that cause differences in the effective use of judicial time, though this is not a strong rationale for adjusting the weighted caseload formula.

The weighted caseload approach provides an objective measure of the judicial resources needed to effectively handle the courts' workload. Like any model, it is most effective as a *guide* to workloads, not a rigid formula. The numbers need to be tempered by a qualitative assessment that should be an integral part of any judicial weighted caseload assessment.

IX. Conclusion: Keeping the Case Weights Current

The 2008 weighted caseload study indicates the need for a total of 293 judicial officers to effectively handle the current workload in the Iowa District Courts. These case weights are grounded in current practice (as measured by the time study). Although the case weights developed during the course of this study should be accurate for many years, periodic updating is necessary to ensure that the standards continue to accurately represent judicial workload.

The case weights generated in this study are valid and credible due to the methodology employed. The time study provided a quantitative basis for assessing judicial need, and forms the final case weights.

Over time, the integrity of case weights are affected by multiple influences, including changes in legislation, court rules, legal practice, technology and administrative factors. Examples of such factors include legislative mandates that increase the number of required

hearings (e.g., additional review hearings in dependency cases), the development of additional or different specialized courts (e.g., mental health courts or family drug courts), and the introduction of more efficient case management practices (e.g. expanded e-filing). In addition, of critical importance to the effective use of case weights is complete and accurate case filing and disposition data collected in comparable fashion from each of the eight judicial districts.

For the workload standards to remain reliable and accurate over time, the NCSC recommends the following initiatives:

Recommendation 1:
The JWFAC should validate the average annual judicial travel time using travel reimbursement data. We recommend that the Judicial Workload Assessment Formula Committee compare the judicial annual travel reimbursement data (mileage data must be computed to produce time per mile traveled) to the time study travel data recorded by judges to determine whether adjustments should be made to the average travel time portion of the model presented in this report. Such validation of travel figures could be conducted annually to ensure consistency with travel practices.

Recommendation 2:
Annual review of factors affecting the case weights for specific types of cases. We recommend that the Judicial Workload Assessment Formula Committee meet on an annual basis to review the impact of new legislation or other contextual factors on judicial case weights. This review process will serve to identify areas in which specific research may be needed to quantify the impact of new laws, policy, or court procedures on the weights for specific types of cases. Because this process will target for review only those standards where there is evidence of recent change, it will be more cost effective than updating the entire set of workload standards.

An annual review of this kind will require that SCAO staff commit to gathering and analyzing relevant data to estimate the likely impact of change within the state's justice system. There should be no reason to redo the study or to undertake a complete, statewide sampling of time-study data on an annual basis. Instead, efforts should be made to identify only those case types of which time data may have changed significantly from the initial study results. Relatively small-scale samples can then be taken to assess whether any adjustments to selected workload standards are warranted. However, over time, there will be sufficient changes in legislation, case processing, court structure and/or jurisdiction to justify a complete study.

Recommendation 3:
The SCAO should plan to conduct a systematic update of the workload standards approximately every five to seven years, depending on the judgment of the Judicial Workload Formula Assessment Committee. Funding for this should be part of the regular budget request within this timeframe.

Integrity of the workload standards also depends on maintaining the quality of record keeping and statistical reporting.

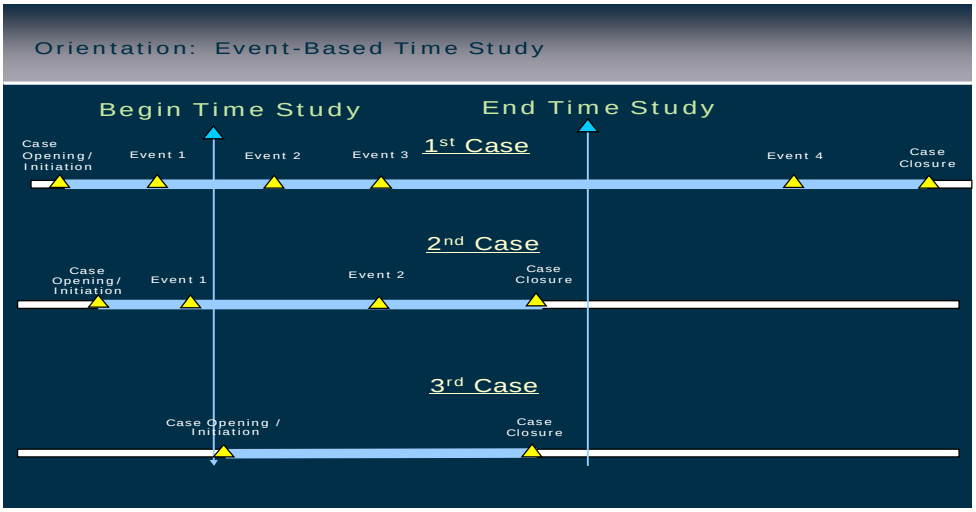
Appendix A

Event-Based Methodology for Weighted Caseload Studies

The event-based methodology is designed to take a snapshot of court activity and compare the judge-time spent on primary case events to the number of cases entering the court. The study thus measures the total amount of judicial time in an average month devoted to processing each particular type of case for which case weights are being developed (e.g. complex civil, simple misdemeanors and juvenile delinquency). Because it is a snapshot, few cases actually complete the journey from filing to final resolution during the study period. However, courts in each district are processing a number of each type of case in varying *stages* of the case life cycle. For example, during the one-month time study period, a given court will handle the initiation of a number of new dissolution and modification cases, while the same court will also have other dissolution and modification cases (perhaps filed months or years earlier) on the trial docket, and still other dissolution and modification cases in the post-judgment phase. Moreover, if the sample period is typical (and therefore, representative), the mix of new, non-trial and trial dispositions, and post-judgment activities conducted for each type of case, as well as the time devoted to each type of activity, will be representative of the type of work entering the court throughout the year. Therefore, data collected during the study period provides a direct measure of the amount of judicial time devoted to the full range of key case processing events.

Time data is then combined with case filing numbers. For example, if three judges spent a total of 1,120 minutes processing dissolution and modification cases and there were 19 such cases filed during the study period this would produce an average of 59 minutes (or approximately 1 hour per dissolution and modification case (1,120 hours/19 cases). This 59 minute case weight is interpreted as the average time to process a dissolution and modification case from filing to final resolution – even though all cases were not tracked from start to finish. Rather, the workload standard is a composite of separate (though likely similar) cases observed at various points in the case life cycle. Figure A illustrates the event based methodology concept.

Figure A: Event Based Methodology



Assume Figure 3 shows the progress of three separate dissolution and modification cases during the period of the time study (April 21 through May 16). It is not necessary that cases be tracked from start to finish. Instead, for each type of case examined, the study tracks the time spent on key processing events during each case's lifecycle (pre-trial activities, jury trial activities and post-trial activities). For example, Case 1 illustrates the time required to process the middle segment of case life; Case 2 the time required to process the end segment of case life; and Case 3 illustrates the time required to complete an entire case. When the time spent on each event for these three cases is summed and then divided by the number of cases filed during that period, the result is an estimate of the total amount of time needed to process a case – even though all cases are not tracked from start to finish. In the current study (as in all of our studies), the time estimates are based on observations from thousands of individual case events for each case type.

To illustrate this issue with numbers, Figure B illustrates an example of three judges' time recorded for dissolution and modification cases for a month. The computations illustrate how the time is accounted. In this example, Judge 1 attended to various issues related to dissolution and modification cases during weeks one through three of the study period,; Judge 2 engaged in dissolution and modification case related work for in weeks one and two; and Judge 3 heard various matters pertaining to dissolution and modification cases in weeks three and four of the study period. Recall that this single month of data entry is representative of an

entire year of work. Assuming that 19 new dissolution and modification were filed during the study period, the average case weight for dissolution and modification cases in this example is 59 minutes.

Figure B: Sample Time Recorded for Dissolution and Modification Cases

Date	Judge 1	Judge 2	Judge 3	Total
21-Apr	25			25
22-Apr		45		45
23-Apr	15	120		135
24-Apr				0
25-Apr				0
28-Apr	30			30
29-Apr		90		90
30-Apr	55			55
1-May				0
2-May		75		75
5-May	60			60
6-May	60			60
7-May			240	240
8-May			120	120
9-May				0
12-May				0
13-May			90	90
14-May			55	55
15-May			40	40
16-May				0
Total Minutes Recorded	245	330	545	1,120
Cases filed during study period				19
Average minutes during study period (case weight)				59

While the above illustrations represent only three judges, the time study included 368 judicial officers and all of the work they engaged in during the four-week study period.

Appendix B

Case Type Categories in the Iowa Judicial Workload Study

A weighted caseload study responds to the fact that court cases differ in the amount of judicial time they typically require from filing through disposition. A study of judicial work-time provides an objective basis for determining the *average amount of time* judges spend on various case types – which is reflected in the *case weights* assigned to those case types. The Judicial Workload Formula Assessment Committee (JWFAC) selected the following case types for this study.

1-Domestic: Dissolution & Modification

2-Domestic: Civil Abuse

3-Domestic: Other

4- Complex Civil
- Medical/dental malpractice
- Other professional malpractice
- Product liability/Toxic substance cases
- Contract/commercial: other

5-Torts: Other
- motor vehicle, premises liability, other personal injury, property/financial damage

6-Civil: All other law & equity cases

7-Administrative appeals

8-Small claims
- Forcible entry & detainer, money judgment, civil infractions, small claims appeals

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9-Simple misdemeanors
- State traffic, other state, ordinance, domestic abuse assault

10-Indictable misdemeanors *(all)*
- Domestic abuse assault, other violent, property, drugs, OWI (1st & 2nd), driving with license revoked, other non-violent

11-Felonies: Forcible
- Sex assault, domestic abuse assault, other violent

12-Felony OWI (3+)

13-Felonies: Other
- Property, drugs, other non-violent

14-Probate: Estates, trusteeships, guardianships, conservatorships

15-Probate: Adult commitments.
- Involuntary mental health, substance abuse, other mental health

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16-All Adoptions

17-Juvenile: Commitments
- Mental health, substance abuse, other

18-Juvenile: CINA, FINA, & Parent notification

19-Juvenile: TPR

20-Juvenile: Delinquency
- Sex assault, other violent, property offense, alcohol, other drugs, other non-violent delinquency

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21-Search warrant applications

22-Drug/Therapeutic court cases
- Adult Criminal Drug Courts, Juvenile Delinquency Drug Courts, Mental Health Courts, Family/Child Welfare Courts, Driver License Reinstatement Court and other specialty treatment oriented courts

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Appendix C

Case Specific Activities in the Iowa Judicial Workload Study

Case specific activities are the essential functions that Iowa judges perform throughout the life of a court case. The study will produce weights or average times in minutes that judges need to accomplish these critical tasks. Case specific activities are those activities that can be attributed to a specific case. The case specific activities were categorized by the Advisory Committee into manageable groups for the collection of time study data.

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1. Reviewing files and signing routine orders

2. Pre trial
Includes: initial appearance/arraignment, pretrial hearings & motions, pretrial conferences, calendar call, settlement conferences, pretrial management conferences, administrative activities occurring pre trial, etc.

3. Jury trial
Includes all activities occurring during a jury trial, including jury selection and activities through entry of verdict – or – through entry of guilty plea, settlement or dismissal prior to verdict.

4. Bench trial/ Adjudication hearing / Stipulated trial
Includes: all judicial activities occurring during a non-jury trial through entry of final judgment/decision by the judicial officer – or—through entry of guilty plea, settlement or dismissal prior to final judgment/decision by the judicial officer (excluding "writing opinions / decisions"—see #5 below).

5. Writing decisions / opinions
Includes time spent doing research for and writing decisions.

6. Post-trial / Post-adjudication
Includes: sentencing/dispositional hearings, post judgment activity writs and activity, sentence review hearings, administrative activities occurring post trial

7. Juvenile review hearings and activities [NEW]

8. Probation violations / Compliance
For criminal cases only, includes all activity related to probation violations, unsupervised probation and collections compliance review

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[Note 1: Mental health cases -- *Travel time* to and from a courthouse to a hospital during the regular work-day – AND – travel after regular work hours (while on-call) from home to a hospital for a mental health case should be counted as *case-related* time.]

[Note 2: On-call time – Record only the time that you are "called into action" to perform judicial duties. Count all the time (including travel time) from the phone call until the judicial duties are completed and you return to your previous location as case-related time.]

Appendix D

Non-Case Specific Activities in the Iowa Judicial Workload Study

1. Non-case-related administration - Includes work directly related to the *administration or operation* of the court, but not related to a particular case:

- Personnel issues
- Management issues
- Facilities
- Budget
- Technology

2. Judicial education and training - Includes continuing education and professional development, reading advance sheets/recent appellate opinions, and out-of-state education programs permitted by the state.

3. Community outreach, public speaking - Includes time spent on community and civic activities in your role as a judge, e.g., speaking at a local bar luncheon, attendance at rotary functions, or Law Day at the local high school. This activity also includes preparing or officiating at weddings for which you are not paid. DO NOT record weddings where you are paid.

4. Committees, other meetings, and related work – Includes time spent in state, local or other work-related committee meetings, staff or other meetings that are job related. Also include any work done for these meetings outside of the actual meeting time.

5. Travel time - Includes any reimbursable travel. This includes time spent traveling to and from a court or other facility outside one's county of residence for any court-related business, including meetings. Traveling to the court in one's own county is local "commuting time," which should NOT be counted as travel time. [Note: Mental health cases -- Travel time to and from a courthouse to a hospital within your county during the work-day – AND – travel after regular work hours (while on-call) -- from home to a hospital and back -- for a mental health case should be counted as *case-related* time.]

6. Vacation /Illness /Military - Includes any non-recognized holiday/military leave time.

7. Other - Includes all other work-related, but non-case-related tasks that do not fit in the above categories.

8. NCSC project time – record the time it takes you to record your time for the current workload time study.

Appendix E

Adequacy of Time Survey Results by Case Type

Judicial officers were asked to rate the adequacy of time to prepare and conduct various types of proceedings for each case type in the study. Their ratings were on a scale of 1 to 5 (1: Very inadequate time; 2: Somewhat inadequate time; 3: Adequate time; 4: Somewhat more than adequate time; 5: Almost always have adequate time)

Adequacy of Time Survey (N=238)	Average Score
Domestic: Dissolution & modification	2.53
Reviewing files; signing routine orders	2.72
Pre-trial hearings/activities	2.47
Bench trials	2.64
Writing decisions/rulings	2.00
Post-trial hearings	2.71
Compliance/contempts	2.62
Domestic abuse (civil)	2.57
Reviewing files; signing routine orders	2.81
Pre-trial hearings/activities	2.68
Bench trials	2.33
Writing decisions/rulings	2.38
Post-trial hearings	2.68
Compliance/contempts	2.52
Domestic: Other (excluding adoptions)	2.60
Reviewing files; signing routine orders	2.81
Pre-trial hearings/activities	2.59
Bench trials	2.66
Writing decisions/rulings	2.23
Post-trial hearings	2.70
Compliance/contempts	2.59
Complex civil cases (see Appendix B)	2.42
Reviewing files; signing routine orders	2.48
Pre-trial hearings/activities	2.21
Jury trials	2.72
Bench trials	2.48
Writing decisions/rulings	1.73
Post-trial hearings	2.58
Compliance/contempts	2.71
Other torts (personal injury; property damage)	2.63
Reviewing files; signing routine orders	2.79
Pre-trial hearings/activities	2.65
Jury trials	2.77
Bench trials	2.64
Writing decisions/rulings	2.06
Post-trial hearings	2.73
Compliance/contempts	2.76

Other civil law & equity (excluding 4 & 5)	2.68
Reviewing files; signing routine orders	2.83
Pre-trial hearings/activities	2.69
Jury trials	2.80
Bench trials	2.72
Writing decisions/rulings	2.18
Post-trial hearings	2.78
Compliance/contempts	2.79
Administrative appeals to district court	2.59
Reviewing files; signing routine orders	2.71
Pre-trial hearings/activities	2.64
Jury trials	2.85
Bench trials	2.63
Writing decisions/rulings	1.96
Post-trial hearings	2.62
Compliance/contempts	2.71
Small claims, infractions, & small claims appeals	2.64
Reviewing files; signing routine orders	2.70
Pre-trial hearings/activities	2.77
Bench trials	2.61
Writing decisions/rulings	2.16
Post-trial hearings	2.80
Compliance/contempts	2.77
Simple misdemeanors	2.67
Reviewing files; signing routine orders	2.77
Pre-trial hearings/activities	2.74
Jury trials	2.69
Bench trials	2.66
Writing decisions/rulings	2.35
Post-trial hearings	2.77
Probation revocations	2.72
Compliance reviews/contempts	2.66
Indictable misdemeanors (all)	2.62
Reviewing files; signing routine orders	2.71
Pre-trial hearings/activities	2.62
Jury trials	2.80
Bench trials	2.78
Writing decisions/rulings	2.30
Post-trial hearings	2.69
Probation revocations	2.55
Compliance reviews/contempts	2.52

Felonies: Forcible	2.64
Reviewing files; signing routine orders	2.77
Pre-trial hearings/activities	2.63
Jury trials	2.79
Bench trials	2.73
Writing decisions/rulings	2.21
Post-trial hearings	2.70
Probation revocations	2.66
Felonies: OWI 3+	2.70
Reviewing files; signing routine orders	2.79
Pre-trial hearings/activities	2.71
Jury trials	2.81
Bench trials	2.79
Writing decisions/rulings	2.39
Post-trial hearings	2.75
Probation revocations	2.68
Felonies: Other	2.66
Reviewing files; signing routine orders	2.78
Pre-trial hearings/activities	2.67
Jury trials	2.76
Bench trials	2.73
Writing decisions/rulings	2.25
Post-trial hearings	2.76
Probation revocations	2.68
Adult commitments	2.56
Reviewing files; signing routine orders	2.59
Pre-trial hearings/activities	2.55
Bench trials	2.49
Writing decisions/rulings	2.51
Post-trial hearings	2.61
Compliance/contempts (civil)	2.61
Probate: Estate, guardianship, conservatorship, trusteeship	2.68
Reviewing files; signing routine orders	2.84
Pre-trial hearings/activities	2.68
Bench trials	2.79
Writing decisions/rulings	2.23
Post-trial hearings	2.73
Compliance/contempts (civil)	2.83

Adoptions (all)	2.95
Reviewing files; signing routine orders	2.87
Pre-trial hearings/activities	2.93
Bench trials	2.96
Writing decisions/rulings	2.92
Post-trial hearings	2.99
Compliance/contempts (civil)	3.03

Juvenile Commitments	2.64
Reviewing files; signing routine orders	2.62
Pre-trial hearings/activities	2.62
Bench trials	2.54
Writing decisions/rulings	2.63
Post-trial hearings	2.75
Compliance/contempts (civil)	2.70
Juvenile: CINA, FINA, Parent notification	2.39
Reviewing files; signing routine orders	2.41
Pre-trial hearings/activities	2.53
Bench trials	2.26
Writing decisions/rulings	1.88
Post-trial hearings	2.56
Compliance/contempts (civil)	2.70
Juvenile: TPRs	2.43
Reviewing files; signing routine orders	2.56
Pre-trial hearings/activities	2.61
Bench trials	2.19
Writing decisions/rulings	1.76
Post-trial hearings	2.65
Compliance/contempts (civil)	2.78
Juvenile delinquency	2.59
Reviewing files; signing routine orders	2.74
Pre-adjudication/disposition hearings & activities	2.64
Adjudication hearings	2.46
Disposition hearings	2.63
Writing decisions/rulings	2.30
Review hearings	2.79
Search warrant activities	2.78
Reviewing files; signing routine orders	2.78

Drug or therapeutic court cases	2.64
Reviewing files; signing routine orders	2.65
Pre-trial hearings/activities	2.69
Staffing cases	2.47
Jury trials	2.72
Bench trials	2.68
Writing decisions/rulings	2.45
Post-trial hearings	2.74
Probation revocations	2.74

Non Case Specific Activities:	2.53
Non-Case-Related Administration	2.48
Judicial education and training	2.60
Community activities, education, speaking engagements	2.53
Committee & other meetings	2.51

Appendix F

Number of Judicial Officers in Each Judicial Election District in Iowa

(Updated: 10-17-08)

Judicial Election Districts

Judicial Officer Types	1A	1B	2A	2B	3A	3B	4	5A	5B	5C	6*	7	8A	8B	State
District	5	9	6	11	5	8	8	7	4	17	13	12	6	5	**116**
District Associate	2	4	3	6	3	4	4	5	1	10	7	5	3	4	**61**
Associate Juvenile	1	2	0	2	1	1	0	0	0	2	1	0	1	0	**11**
Associate Probate										1					**1**
Magistrates[1]	9	11	13	19	8	7	16	6	10	7	17	15	11	3	**152**
Total Positions	**17**	**26**	**22**	**38**	**17**	**20**	**28**	**18**	**15**	**37**	**38**	**32**	**21**	**12**	**341**
Total FTEs (if Magistrates = .33)[2]	**11.0**	**18.6**	**13.3**	**25.3**	**11.6**	**15.3**	**17.3**	**14.0**	**8.3**	**32.3**	**26.6**	**22.0**	**13.6**	**10.0**	**239.2**
Total FTEs (if Magistrates = .40)[3]	**11.6**	**19.4**	**14.2**	**26.6**	**12.2**	**15.8**	**18.4**	**14.4**	**9.0**	**32.8**	**27.8**	**23.0**	**14.4**	**10.2**	**249.8**

[1] The number of magistrates excludes the 54 positions exchanged to obtain 18 full-time District Associate Judges; DAJ positions are included in row 2 (District Associate Judges). There currently are 206 total magistrate positions available for allocation, but due to the exchanges of the 54 magistrates for DAJs, there are only 152 magistrates.

[2] Under the Iowa Code, a judicial district can exchange 3 magistrate positions for 1 full-time District Associate Judge, which is the basis for treating magistrates as one-third of an FTE judicial officer.

[3] During the four-week study of judicial work-time in 2008, magistrates averaged approximately 14 hours of work per week, which is 37.3% of an FTE judicial officer. For purposes of this table, the JWFAC decided to round this to .40 of an FTE.