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STATE COURT ADMINISTRATOR

State of North Dakota
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September 14, 2018

TO: Sally Holewa

FROM: Don Wolf *DW*

SUBJECT: August 2018 Annualized Weighted Caseload Study

FILED
IN THE OFFICE OF THE
CLERK OF SUPREME COURT
SEPTEMBER 17, 2018
STATE OF NORTH DAKOTA

Attached is the weighted caseload (WCL) statistics for the eight month period ending August 31, 2018 annualized to project the total for calendar year 2018. Since we use a two-year average for these purposes, I have also attached the 2017/18 statistics.

Some comments regarding these numbers follow:

The total case filings are projected to be 163,739 for 2018 as compared to 159,765 for 2017, or an **increase** of 3,974 cases. Based on the estimated 2018 case filings, there will be a large increase in contract collection (871 cases), administrative traffic (2,597 cases) and juvenile deprivation (101 cases). However, case filings have decreased in felonies (166 cases) and child support (377 cases). The following charts summarize the WCL trends per district.

TOTAL JUDICIAL OFFICER NEED – 3 YEAR			
District	2016 WCL	2017 WCL	2018 WCL
NEJD	5.91	5.65	5.86
NECJD	6.26	6.57	6.62
SEJD	7.02	7.04	7.27
ECJD	12.63	12.92	13.16
SCJD	14.21	13.91	13.67
SWJD	3.98	3.86	3.78
NWJD	6.87	6.20	7.03
NCJD	7.89	7.70	7.07
Total	64.77	63.85	64.46

Districts Showing a Judicial Officer Shortage			
District	2016/2017 (Shortage)	2017/2018 (Shortage)	Net Change to Previous Study
NECJD	(1.42)	(1.60)	Increased need of 0.18
SEJD	(0.03)	(0.15)	Increased need of 0.12
ECJD	<i>(1.77)</i>	<i>(2.04)</i>	<i>Increased need of 0.27</i>
SCJD	(3.06)	(2.79)	Decreased need of 0.27
NWJD	(0.53)	(0.61)	Increased need of 0.08
NCJD	(1.80)	(1.39)	Decreased need of 0.41

Districts Showing a Judicial Officer Overage			
District	2016/2017 Overage	2017/2018 Overage	Net Change to Previous Study
NEJD	0.22	0.24	Decreased need of 0.02
SWJD	0.08	0.18	Decreased need of 0.10

2017/2018 Net Judicial Officer Shortage 8.17

2016/2017 Net Judicial Officer Shortage 8.31

ECJD – The total filings for the ECJD are estimated to **increase** by 432 from 2017 to 2018, primarily due to an increase in misdemeanor (148 cases), small claims (223 cases) and contract collection (297 cases). The net result is an **increase** in the one-year judge need of 0.24 as compared to 2017.

JUDICIAL OFFICER WEIGHTED CASELOAD STUDY

BASED ON 2018 CASE FILINGS THROUGH AUGUST 2018 - ANNUALIZED

Based on Total Judicial Officers as of August 31, 2018

Case Type	Case Weight	Unit 1			Unit 2			Unit 3			Unit 4		
		NE	NEC	SE	EC	SC	SW	NW	NC	ALL			
Criminal Major	181.29	473	635	575	1,601	1,946	294	779	827	7,127			
Criminal Minor	26.48	2,669	2,141	2,148	3,968	4,361	1,425	3,351	2,103	22,164			
Criminal Summary	0.37	9,714	8,171	12,582	13,607	16,886	8,192	12,665	12,501	94,316			
Civil Major	671.05	44	63	63	129	108	62	86	51	605			
Civil Minor	54.86	906	1,257	1,304	2,255	1,905	596	927	938	10,086			
Civil Summary	6.65	1,155	1,617	1,533	2,780	2,955	1,104	1,877	1,847	14,867			
Family Major	152.14	221	326	315	726	621	210	276	395	3,089			
Family Minor	53.63	368	330	299	438	630	131	236	347	2,777			
Family Summary	46.44	41	30	44	123	75	38	29	30	408			
Probate Major	228.76	66	56	101	107	77	35	65	65	569			
Probate Minor	32.02	168	137	402	428	261	102	188	204	1,889			
Probate Summary	9.93	404	179	350	329	449	309	762	351	3,131			
Juvenile Delinquency	106.60	72	138	96	320	162	32	44	45	908			
Juvenile Dependency	239.18	113	207	132	273	287	89	164	206	1,469			
Juvenile - Other	30.00	18	45	33	41	126	14	24	39	339			
Total Filings		16,428	15,329	19,974	27,120	30,846	12,629	21,468	19,946	163,739			
Weighted Filings		361,234	449,743	437,747	910,518	922,680	255,191	483,996	467,969	4,289,079			
Presiding judge time at 47.14 min/day		9,664	9,664	9,664	9,664	9,664	9,664	9,664	9,664	77,310			
Judge Year (Minutes) 205 Days	Total workload	370,898	459,407	447,411	920,182	932,344	264,855	493,660	477,633	4,366,389			
Avg. Non-Case time for all judicial FTEs 54.29 min/day		86,100	86,100	86,100	86,100	86,100	86,100	86,100	86,100				
Adjusted Judge Year (judge year less non case time)		11,130	11,130	11,130	11,130	11,130	11,130	11,130	11,130				
Travel Adjustment		74,970	74,970	74,970	74,970	74,970	74,970	74,970	74,970				
Adjusted min available after travel and non-case		-10,250	-2,116	-11,070	-2,888	-5,426	-4,979	-4,774	-4,774				
Number of Judges & Refs total		64,720	72,854	63,900	72,082	69,544	69,991	70,196	70,196				
Judge Minutes Available		6.00	5.00	7.00	11.00	11.00	4.00	6.00	6.00	56.00			
Workload compared to Resources (in minutes)		388,320	364,270	447,300	792,897	764,980	279,962	421,173	421,173	3,880,076			
Weighted Case Filing Judicial Officer Need		-17,422	95,137	111	127,285	167,363	-15,108	72,486	56,460	486,313			
Treatment Court Need		5.73	6.31	7.00	12.77	13.41	3.78	7.03	6.80	62.83			
Total Judicial Officer Need		0.133	0.316	0.266	0.399	0.266		7.03	0.266	1.646			
Current Total Judges/Referees		5.86	6.62	7.27	13.16	13.67	3.78	7.03	7.07	64.46			
2018 Excess (Shortage) of Judicial FTE		6.00	5.00	7.00	11.00	11.00	4.00	6.00	6.00	56.00			
2017 Excess (Shortage) of Judicial FTE		0.14	(1.62)	(0.27)	(2.16)	(2.67)	0.22	(1.03)	(1.07)	(8.46)			
2018 Percent Excess (Shortage) of Judicial FTE		0.35	(1.57)	(0.04)	(1.92)	(2.91)	0.14	(0.20)	(1.70)	(7.86)			
		2.3%	-32.4%	-3.8%	-19.7%	-24.3%	5.4%	-17.2%	-17.8%	-15.1%			

Total Judicial Officer Need Comparison

Year	NE	NEC	SE	EC	SC	SW	NW	NC	Total
2018 (est)	5.86	6.62	7.27	13.16	13.67	3.78	7.03	7.07	64.46
2017	5.65	6.57	7.04	12.92	13.91	3.86	6.20	7.70	63.85
2016	5.91	6.26	7.02	12.63	14.21	3.98	6.87	7.89	64.77
2015	6.62	6.07	7.27	11.94	14.01	4.55	7.97	8.60	67.03
2014	6.43	6.46	7.27	11.80	12.62	4.65	8.58	7.79	65.60

Treatment Courts:

East Central:

Fargo - adult (started in 2003) 0.133
 Fargo - adult (started in December 2007) 0.133
 Fargo - juvenile (2000) 0.133
0.399

Northeast Central:

Grand Forks - adult (started in August 2008) 0.133
 Grand Forks - domestic violence (started in August 2018) 0.050
 Grand Forks - juvenile (2000) 0.133
0.316

Southeast:

Jamestown/Valley City (Started October 2013) 0.133
 Richland County -DUI (Started in January 2014) 0.133
0.266

Northeast:

Devils Lake - juvenile (started in March 2009) **0.133**

South Central:

Bismarck - adult (started in 2001) 0.133
 Bismarck - juvenile (2002) 0.133
0.266

North Central:

Minot - adult (started in Jan 2009) 0.133
 Minot - juvenile (2007) 0.133
0.266

Northwest:

Williston - juvenile (started in Jan 2008 - currently inactive) 0
0.000

Total drug court need 1.646

A domestic violence court started in Grand Forks on August 15, 2018 (prorated weight)

Judicial officers as of August 31, 2018

	NE	NEC	SE	EC	SC	SW	NW	NC	Total
Referees	0.00	0.00	0.00	2.00	2.00	0.00	0.00	1.00	5.00
Judges	6.00	5.00	7.00	9.00	9.00	4.00	6.00	5.00	51.00
Total	6.00	5.00	7.00	11.00	11.00	4.00	6.00	6.00	56.00

JUDICIAL OFFICER WEIGHTED CASELOAD STUDY

BASED ON AVERAGE OF 2017 and 2018 CASE FILINGS - Case filings through August 31, 2018 annualized

Based on Total Judicial Officers as of August 31, 2018

Case Type	Case Weight	Unit 1			Unit 2			Unit 3			Unit 4		
		NE	NEC	SE	EC	SC	SW	NW	NC	ALL			
Criminal Major	181.29	474	632	608	1,592	1,957	320	717	910	7,209			
Criminal Minor	26.48	2,580	2,029	2,305	3,897	4,495	1,520	3,137	2,114	22,076			
Criminal Summary	0.37	9,096	7,941	12,325	13,703	16,026	8,524	12,573	12,843	93,030			
Civil Major	671.05	38	58	53	124	115	57	77	65	586			
Civil Minor	54.86	905	1,355	1,208	2,104	1,882	565	881	960	9,859			
Civil Summary	6.65	1,156	1,861	1,365	2,583	2,937	1,025	1,648	1,758	14,332			
Family Major	152.14	212	312	293	726	600	200	277	409	3,027			
Family Minor	53.63	390	330	335	526	705	137	254	343	3,020			
Family Summary	46.44	33	43	38	119	87	33	31	35	418			
Probate Major	228.76	61	54	98	114	84	36	67	70	584			
Probate Minor	32.02	135	139	411	431	262	114	178	201	1,869			
Probate Summary	9.93	389	162	365	326	461	303	682	387	3,075			
Juvenile Delinquency	106.60	83	151	80	364	149	30	50	43	950			
Juvenile Dependency	239.18	115	211	129	258	281	95	146	179	1,414			
Juvenile - Other	30.00	19	41	33	39	105	14	19	35	303			
Total Filings		15,686	15,316	19,644	26,904	30,144	12,971	20,736	20,351	161,752			
Weighted Filings		354,423	449,801	430,469	901,598	930,917	257,930	454,630	490,191	4,269,959			
Presiding Judge time at 47.14 min/day		9,664	9,664	9,664	9,664	9,664	9,664	9,664	9,664	77,310			
Judge Year (Minutes) 205 Days		364,087	459,465	440,133	911,262	940,580	267,594	464,294	499,855	4,347,269			
Avg. Non-Case time for all judicial FTEs 54.29 min/day		86,100	86,100	86,100	86,100	86,100	86,100	86,100	86,100				
Adjusted Judge Year (Judge year less non case time)		11,130	11,130	11,130	11,130	11,130	11,130	11,130	11,130				
Travel Adjustment		74,970	74,970	74,970	74,970	74,970	74,970	74,970	74,970				
Adjusted min available after travel and non-case		-10,250	-2,116	-11,070	-2,888	-5,426	-4,979	-4,774	-4,774				
Number of Judges & Refs total		64,720	72,854	63,900	72,082	69,544	69,991	70,196	70,196				
Judge Minutes Available		6.00	5.00	7.00	11.00	11.00	4.00	6.00	6.00	56.00			
Workload compared to Resources (in minutes)		388,320	364,270	447,300	792,897	764,980	279,962	421,173	421,173	3,880,076			
		-24,233	95,195	-7,167	118,365	175,600	-12,368	43,121	78,681	467,193			
Weighted Case Filing Judicial Officer Need		5.63	6.31	6.89	12.64	13.53	3.82	6.61	7.12	62.55			
Treatment Court Need		0.133	0.291	0.266	0.399	0.266			0.266	1.621			
Total Judicial Officer Need		5.76	6.60	7.15	13.04	13.79	3.82	6.61	7.39	64.17			
Current Total Judges/Referees		6.00	5.00	7.00	11.00	11.00	4.00	6.00	6.00	56.00			
2017/2018 Excess (Shortage) of Judicial FTE		0.24	(1.60)	(0.15)	(2.04)	(2.79)	0.18	(0.61)	(1.39)	(8.17)			
2016/2017 Excess (Shortage) of Judicial FTE		0.22	(1.42)	(0.03)	(1.77)	(3.06)	0.08	(0.53)	(1.80)	(8.31)			
2017/18 Percent Excess (Shortage) of Judicial FTE		4.0%	-32.0%	-2.2%	-18.6%	-25.4%	4.4%	-10.2%	-23.1%	-14.6%			

Treatment Courts:

Northeast:

Devils Lake - juvenile (started in March 2009) **0.133**

Northeast Central:

Grand Forks - adult (started in August 2008) 0.133

Grand Forks - domestic violence (started in August 2018) 0.025

Grand Forks - juvenile (2000) 0.133
0.291

Southeast:

Jamestown/Valley City - juvenile (started October 2013) 0.133

Richland County -DUI (Started in January 2014) 0.133

0.266

East Central:

Fargo - adult (started in 2003) 0.133

Fargo - adult (started in December 2007) 0.133

Fargo - juvenile (2000) 0.133
0.399

South Central:

Bismarck - adult (started in 2001) 0.133

Bismarck - juvenile (2002) 0.133

0.266

North Central:

Minot - adult (started in Jan 2009) 0.133

Minot - juvenile (2007) 0.133

0.266

Northwest:

Williston - juvenile (started in Jan 2008- currently inactive) 0

0.000

Total drug court need 1.621

A domestic violence court started in Grand Forks on August 15, 2018 (prorated weight)

Judicial officers as of August 31, 2018

	NE	NEC	SE	EC	SC	SW	NW	NC	Total
Referees	0.00	0.00	0.00	2.00	2.00	0.00	0.00	1.00	5.00
Judges	6.00	5.00	7.00	9.00	9.00	4.00	6.00	5.00	51.00
Total	6.00	5.00	7.00	11.00	11.00	4.00	6.00	6.00	56.00

WCL filings	2016										2017										2018										Variance				
	Criminal	Civil	Family	Probate	Juvenile	Total	Criminal	Civil	Family	Probate	Juvenile	Total	Criminal	Civil	Family	Probate	Juvenile	Total	Criminal	Civil	Family	Probate	Juvenile	Total	Criminal	Civil	Family	Probate	Juvenile	Total					
Grand Forks	9,236	2,895	700	324	353	13,508			9,669	3,513	671	317	411	14,581		10,490	2,853	668	350	375	14,735			821	(660)	(4)	33	(36)	154						
Nelson	443	88	23	23	8	585			589	96	13	22	3	723		456	84	18	21	15	594			(133)	(12)	5	(1)	12	(129)						
NEC Total	9,679	2,983	723	347	361	14,093			10,258	3,609	684	339	414	15,304		10,946	2,937	686	371	390	15,329			688	(672)	2	32	(24)	25						
Benson	630	159	66	39	11	905			666	125	75	30	10	906		797	146	32	32	11	1,016			131	21	(44)	2	1	110						
Bottineau	1,378	153	47	93	16	1,687			1,066	182	39	68	3	1,358		1,175	176	42	84	3	1,479			109	(7)	3	16	0	121						
Cavalier	375	77	30	28	3	513			433	94	24	26	6	583		440	63	33	45	8	588			7	(31)	9	19	2	5						
McHenry	1,214	150	28	40	14	1,446			1,597	153	35	49	5	1,839		1,668	159	30	60	17	1,934			71	6	(5)	11	12	95						
Pembina	1,047	196	62	49	16	1,370			1,048	222	48	55	10	1,383		1,071	177	41	56	17	1,361			23	(45)	(8)	1	7	(23)						
Pierce	837	99	45	31	10	1,022			579	73	32	37	26	747		689	108	26	42	5	869			110	35	(7)	5	(22)	122						
Ramsey	2,644	509	160	79	99	3,491			3,122	514	146	75	82	3,939		3,711	584	149	108	75	4,626			589	70	3	33	(7)	687						
Renville	320	40	23	32	2	417			431	63	7	32	2	535		345	57	15	27	3	447			(86)	(6)	8	(5)	1	(88)						
Rolette	734	233	189	41	37	1,234			418	195	122	54	20	809		465	170	158	60	24	876			47	(26)	36	6	4	67						
Towner	467	80	20	16	6	589			430	93	20	11	10	564		795	108	26	26	6	960			365	15	6	15	(4)	396						
Walsh	1,799	344	98	90	40	2,371			1,655	380	94	94	58	2,281		1,701	359	80	99	36	2,274			46	(22)	(15)	5	(22)	(7)						
NE Total	11,445	2,040	768	538	254	15,045			11,445	2,094	642	531	232	14,944		12,855	2,105	629	638	203	16,428			1,410	11	(14)	107	(30)	1,484						
Cass	16,390	4,034	1,417	828	648	23,317			16,859	4,212	1,401	811	671	23,954		16,949	4,920	1,233	807	602	24,510			90	708	(168)	(4)	(70)	556						
Steele	269	47	10	14	1	341			361	54	7	12	1	435		182	30	3	11	0	225			(180)	(24)	(4)	(2)	(1)	(210)						
Trail	1,872	213	54	41	22	2,202			1,988	192	46	56	17	2,299		2,045	213	51	45	32	2,385			57	21	5	(11)	15	86						
EC Total	18,531	4,294	1,481	883	671	25,860			19,208	4,458	1,454	879	689	26,688		19,175	5,163	1,287	863	633	27,120			(34)	705	(167)	(17)	(56)	432						
Barnes	2,200	318	114	72	37	2,741			2,375	307	86	76	46	2,890		2,334	378	104	96	48	2,960			(41)	71	18	20	2	70						
Dickey	935	131	37	36	17	1,156			858	111	38	41	17	1,065		981	155	44	26	30	1,235			123	44	6	(16)	13	170						
Eddy	935	81	19	23	10	1,068			547	45	26	30	4	652		633	81	26	26	8	773			86	36	(1)	(5)	4	121						
Kidder	512	87	21	29	7	656			407	73	31	31	8	550		1,158	120	26	17	8	1,328			751	47	(6)	(15)	(1)	778						
Foster	192	49	10	20	3	274			118	51	16	19	7	211		114	74	9	21	2	219			(4)	23	(7)	2	(6)	8						
Griggs	547	58	23	18	2	648			738	54	9	13	3	817		801	86	23	15	2	926			63	32	14	2	(2)	109						
LaMoure	604	84	17	33	3	741			646	100	17	45	2	810		579	117	20	35	8	758			(67)	17	3	(11)	6	(53)						
Logan	439	40	10	14	3	506			421	48	15	15	3	502		243	44	11	12	0	309			(178)	(5)	(5)	(3)	(3)	(193)						
McIntosh	408	40	17	11	0	476			344	68	8	30	4	454		248	80	20	17	2	365			(97)	12	12	(14)	(3)	(90)						
Ransom	765	156	36	35	6	998			710	137	48	30	14	939		852	225	33	30	8	1,148			142	88	(15)	0	(7)	209						
Richland	2,538	317	134	77	47	3,113			2,419	381	128	88	40	3,056		2,207	396	123	87	71	2,883			(213)	15	(5)	(1)	31	(173)						
Sargent	813	114	31	17	4	979			632	70	27	16	2	747		765	98	14	18	3	897			133	28	(14)	2	1	150						
Stutsman	4,323	749	226	361	71	5,730			4,229	798	195	425	63	5,710		3,986	920	186	411	72	5,574			(244)	122	(9)	(14)	9	(136)						
Wells	1,233	106	30	32	8	1,409			725	108	31	38	8	910		405	129	23	44	3	603			(320)	21	(9)	6	(5)	(307)						
SE Total	16,444	2,330	725	778	218	20,495			15,169	2,351	675	897	221	19,313		15,305	2,900	657	852	261	19,974			136	549	(18)	(45)	40	661						
Burleigh	11,075	2,891	934	481	299	15,680			10,623	3,093	915	497	328	15,456		11,790	3,003	782	492	369	16,436			1,167	(90)	(134)	(5)	41	980						
Emmons	525	62	17	18	0	622			467	71	7	26	6	577		615	57	14	27	0	713			148	(14)	7	1	(6)	136						
Grant	199	62	26	20	6	313			198	62	22	15	10	307		264	68	20	11	12	374			66	6	(3)	(5)	2	67						
McLean	2,992	165	57	62	22	3,298			2,386	221	72	71	18	2,768		2,307	212	59	63	29	2,669			(79)	(10)	(14)	(8)	11	(100)						
Mercer	1,016	211	54	45	25	1,351			1,232	198	67	53	23	1,573		1,119	215	60	41	27	1,461			(113)	17	(7)	(13)	4	(112)						
Morton	6,459	1,034	376	138	99	8,106			6,093	1,159	335	133	103	7,823		6,522	1,299	354	120	119	8,414			429	140	19	(13)	16	591						
Oliver	492	41	14	16	15	578			363	37	17	10	1	428		360	45	15	11	18	449			(3)	8	(2)	1	17	21						
Sheridan	720	33	8	9	9	779			286	32	5	19	4	346		177	33	11	17	0	237			(109)	1	6	(3)	(4)	(109)						
Sioux	188	15	16	10	2	231			117	25	15	5	2	164		38	38	14	6	2	96			(80)	13	(2)	1	(1)	(68)						
SC Total	23,666	4,514	1,502	799	477	30,958			21,765	4,898	1,455	829	495	29,442		23,192	4,968	1,326	786	575	30,846			1,427	70	(

WCL filings	2016						2017						2018						Variance					
	Criminal	Civil	Family	Probate	Juvenile	Total	Criminal	Civil	Family	Probate	Juvenile	Total	Criminal	Civil	Family	Probate	Juvenile	Total	Criminal	Civil	Family	Probate	Juvenile	Total
Divide	818	74	22	105	13	1,032	759	106	16	100	6	987	461	101	8	87	5	660	(299)	(6)	(9)	(13)	(2)	(327)
McKenzie	8,191	532	121	277	45	9,166	8,217	567	124	264	54	9,226	9,867	605	119	330	72	10,992	1,650	38	(6)	66	18	1,766
Williams	7,153	1,868	492	492	108	10,113	7,083	1,651	442	475	140	9,791	6,467	2,184	414	597	155	9,816	(617)	533	(28)	122	15	25
NW Total	16,162	2,474	635	874	166	20,311	16,059	2,324	582	839	200	20,004	16,794	2,889	540	1,014	231	21,468	735	565	(42)	175	31	1,464
Burke	679	62	14	80	2	837	759	73	9	135	1	977	678	65	12	68	2	824	(81)	(9)	3	(68)	1	(154)
Mountrail	3,381	227	80	209	11	3,908	3,546	255	57	209	16	4,083	3,335	285	48	161	33	3,861	(212)	30	(9)	(49)	17	(222)
Ward	10,585	2,411	869	301	189	14,355	11,999	2,402	737	352	206	15,696	11,418	2,486	711	392	255	15,261	(581)	84	(26)	40	49	(435)
NC Total	14,645	2,700	963	590	202	19,100	16,304	2,730	803	696	223	20,756	15,431	2,835	771	620	290	19,946	(874)	105	(32)	(77)	67	(811)
Grand Total	121,590	22,799	7,170	5,227	2,459	159,245	121,024	23,997	6,657	5,469	2,618	159,765	123,606	25,557	6,273	5,588	2,715	163,739	2,582	1,560	(384)	119	97	3,974