

**Kansas District Court  
Judicial Officer  
Workload Assessment  
Study, 2020**

**Final Report**  
December 2020

THE NATIONAL CENTER FOR STATE COURTS

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Court Consulting Division  
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# Kansas Court Judicial Officer Workload Assessment Study, 2020 Final Report

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Hon. Paula Keller, District Magistrate Judge, 15<sup>th</sup> Judicial District  
Hon Tyler Roush, District Judge, 18<sup>th</sup> Judicial District  
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## Executive Summary

### Introduction

Legislatures and the public increasingly call upon the courts and other government agencies to be more efficient – to “operate more like a business.” One of the challenges for courts in responding to this demand is determining the appropriate number of judicial officers required to provide high-quality services.

Since 2011, the Kansas Judicial Branch has relied on a data-driven weighted caseload formula to establish the baseline needs for determining the need for judicial officers across the state. The 2011 weighted caseload model was based on a work time study involving judicial officers from each of the state’s 31 judicial districts. Eight years have passed, and the Judicial Branch has sought the assistance of the National Center for State Courts to conduct another work time study to generate new case weights based on the updated case processing methods within the courts.

The Supreme Court appointed a District Court Judicial Officer Weighted Caseload Advisory Group of ten judicial officers (hereafter, Advisory Group) to assist NCSC staff with this project. The NCSC consultants, with guidance from the Advisory Group, designed and conducted a study to produce a weighted caseload model for the District Court Judicial Officers.

The current study conducted by the NCSC included collection of three types of data: (1) actual work time data recorded by judicial

officers during a four-week study in all 31 judicial districts; (2) a statewide survey of participating judicial officers regarding their assessment of the extent to which they have adequate time to perform their duties to their satisfaction; and (3) collection of qualitative feedback from two focus group discussions with 13 judicial officers from across the state.

The new case weights reflect the average number of case-related minutes that judicial officers spend per year processing each of 21 different case types; they are based upon work time recorded by judicial officers in all judicial districts during the four-week study period. The case weights and other components of the weighted caseload model were reviewed and approved by the Advisory Group.

The new case weights take into account several changes that have occurred since the last work time study was conducted. Specifically, the new case weights account for lower case filing numbers, the impact of e-filing, the impact of managing a paperless system, use of digitickets and new county attorney case management systems. It should be noted that, while the NCSC develops standard case weights that are applied to each district across the state, judicial case processing practices vary across the state. Likewise, case processing practices frequently change to align with new requirements that are instituted, either by Supreme Court rule, local rule, case management system adjustments or for other reasons. In addition, shortly after the work time study was completed in February 2020, the COVID-19 pandemic was declared. Due to

court closures and stay-at-home orders, case processing was further impacted. Some hearings and trials have been delayed or postponed, and many hearings are being conducted virtually. Several months later, courts have partially opened, and cases are moving through the system, albeit at a different pace and with different processes than what was occurring pre-pandemic. While the data collected represented the way work was conducted at the time, it is unclear to what degree work will “go back to normal” in the future or whether certain changes, for example the continued use of remote hearings for certain interactions, will continue into the future.

The 2019 study was conducted in a similar manner to the 2011 study and included the following factors:

- It was designed and conducted by NCSC consultants who are national experts in the development of weighted caseload models for courts and other justice system agencies;
- An extraordinarily high percentage (98%) of all judicial officers statewide participated in the study, which lends to the credibility and validity of the data collected;
- It included the use of a statewide survey of judicial officers to assess whether they have adequate time to achieve reasonable levels of quality in performance of their duties; the Adequacy of Time Survey data assisted in determining the adequacy of the case weights based solely on the work time data;
- The NCSC consultants conducted two focus group meetings involving judicial officers

from across the state to review and discuss the findings from the work time study and the Adequacy of Time survey. They also provided feedback on other factors that might not have been captured in the work time study. This qualitative input from judicial officers with varied specialties and experience informed the discussion and decisions by the Advisory Group regarding the weighted caseload model.

NCSC consultants organized the project around the following primary tasks:

- 1. Development of the research design.** The Advisory Group, appointed by the Supreme Court, met with the senior NCSC consultants in September 2019 to provide guidance during the new weighted caseload assessment study. The Supreme Court selected members of the Advisory Group to ensure representation from geographically representative locations across the state, including representation from both rural and urban districts, and members with varied years of experience. The Advisory Group provided advice and comment on: the overall study design; the identification of the case types to be included in the weighted caseload model; the methodology and content of the training sessions prior to the work time study; the duration of the work time study; and the approach, location, and composition of the focus groups. The Advisory Group also provided feedback and recommendations on key issues covered in the final report.
- 2. Judicial Officer work time study.** Fully 98% of all District Court judicial officers

participated in the four-week study of work time conducted between February 3 through February 28, 2019.<sup>1</sup> Before the work time study began, a senior NCSC consultant conducted five one-hour training webinars to provide instructions on how judicial officers should record their work time. The NCSC also provided both written instructions and an online help link to participants who had questions about recording time or categorizing information. During the study, judicial officers kept records of all time spent on case-related and non-case specific activities and entered their work time data in the NCSC's secure online data entry website.

3. **Adequacy of Time Survey.** During the third week of the time study, approximately 57% of all judicial officers in Kansas 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 most of Kansas' judicial officers indicated they "usually" have enough time to effectively handle their daily tasks.
4. **Judicial officer focus groups.** In August 2020, NCSC staff conducted two focus group discussions with judicial officers to review the project and discuss

preliminary findings from the work time study and Adequacy of Time Survey.

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 reports, including tables and preliminary case weights for review and discussion by the Advisory Group.
6. **Advisory Group review, discussion, and decision-making.** The Advisory Group held two post-data collection review meetings. At a meeting on May 21, 2020, the group reviewed and discussed preliminary findings from the work time study, including preliminary case weights, and findings from the Adequacy of Time survey. After that meeting, NCSC staff conducted a more detailed analysis and developed more detailed and complete tables showing findings from the work time study and prepared for the focus group meetings in August. At the third in-person meeting on September 30, 2020, the Advisory Group reviewed the more detailed tables showing work time data and a complete presentation of the weighted caseload model prepared by NCSC staff, and it reviewed the feedback from the focus group meetings. After considerable discussion, the Advisory

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<sup>1</sup> The participation rate includes only judicial officers whose work time data are included in the calculation of the case weights: District Judges and Magistrates; data from Pro Tem Judges and Hearing Officers was also included in the study, but those individuals were not counted in the judicial officer participation rate, since their work is more limited than judicial officers. Hearing officers are restricted to child support hearings; pro time judges are employed by the county's in which they work.

Group declined to recommend any adjustments to the case weights. Despite the interim case processing changes due to the COVID-19 pandemic, the Advisory Group did not feel they had adequate empirical data to make any adjustments.

7. **Preparation of the Final Report.** Based on the discussions by the Advisory Group during the September meeting, NCSC staff developed a draft report of findings for review by the Advisory Group.
8. **Findings.** The Final Report explains in detail each step in the research and data analysis process for this judicial officer workload assessment and the construction of the weighted caseload formula. The weighted caseload model is sufficiently flexible to allow the Kansas Judicial Branch to determine the approximate need for judicial officers in each judicial district. Application of the new weighted caseload model reveals that statewide the Kansas District Courts should have at least **265.9** full-time equivalent (FTE) judicial officers to effectively handle the current workload. Statewide the District Courts currently have **246** judicial officers (district court judges and magistrate). This suggests statewide the District Courts are currently understaffed by 19.9 FTE judicial officers; however, the branch also does have additional resources in the form of senior judges, hearing officers and pro tem judges that can be – and are – used to reduce the work burden on full-time judicial officers.

## Recommendations

The NCSC offers the following recommendations:

1. The NCSC recommends updating the judicial officer need on an annual basis using the most recent case filings.
2. The NCSC recommends that the weighted caseload model presented in this report be the *starting point* for determining judicial officer need in each county across the state. There are considerations that an objective weighted caseload model cannot account for that should be taken into account when determining judicial staffing need levels.
3. Over time, the integrity of the case weights is affected by multiple influences, including but not limited to, changes in law, legal practice, technology and administrative factors. It should also be noted that, shortly after the work time data collection effort was completed, the COVID-19 pandemic that impacted the world changed some case processing practices, which will also likely impact case weights. Post-pandemic, no one knows if any of these changes, such as the use of remote hearings, will continue into the future. The OJA should monitor these case processing changes and consider reconvening the Advisory Group to determine whether any case weights should be adjusted in the next couple of years.



# I. Introduction

Legislatures and the public increasingly call upon the courts and other government agencies to be more efficient – to “operate more like a business.” One of the challenges for courts in responding to this demand is determining the appropriate number of judicial officers required to provide high-quality services in the District Courts.

Since 2011, the Kansas Judicial Branch has relied on a data-driven weighted caseload model to establish the baseline needs for District Court judicial officers. The 2011 weighted caseload model was based on a work time study involving judicial officers from each of the state’s 31 judicial districts. Nine years have passed, and the Judicial Branch has sought the assistance of the National Center for State Courts to conduct another work time study to generate new case weights based on the updated case processing methods used by judicial officers.

The Supreme Court appointed a District Court Judicial Officer Weighted Caseload Advisory Group (hereafter, Advisory Group) to assist NCSC staff with this project. The Advisory Group included ten judicial officers from across the state. The NCSC consultants, with guidance from the Advisory Group, designed and conducted a study to produce a weighted caseload model for District Court judicial officers.

The current judicial officer workload assessment built and improved upon the

previous study in Kansas by maintaining some of the same data elements but making some refinements in the case types for which case weights were developed and the activity types for which data were collected. The current study maintained the same comprehensive properties by collecting data on both case-related and non-case-related work time from participants in all 31 districts. The NCSC also substantially streamlined the work time data collection process and the training of participants prior to the start of the project by utilizing the newly developed online data entry system. Specifically, the current study accomplished the following:

- Utilized a methodology that bases the development of case weights on all work recorded by all judicial officers;
- Included participation from 98% of all judicial officers across the state;
- Included a four-week data collection period to ensure sufficient data to develop valid case weights;
- Accounted for judicial officer work for all phases of case processing;<sup>2</sup>
- Accounted for non-case-related activities that are a normal part of judicial officer work; and
- Established a transparent and flexible model that can determine the need for judicial officers in each judicial district.

The new case weights take into account several changes that have occurred since the last work time study was conducted. Specifically, the new case weights account for lower case filing numbers, the impact of e-

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<sup>2</sup> The work time study included work conducted by District Court Judges and Magistrates as well as ancillary staff, such as Pro Tem Judges and Hearing Officers.

filing, the impact of managing a paperless system, use of digitickets and new county attorney case management systems.

Based on a survey of judicial officers (Adequacy of Time), the participants ranged in the number of years in which they have been employed by the courts from less than one year to over 16 years. Slightly over 20% of the judicial officers have been employed by the courts for less than three years; approximately 31% have been employed by the branch for between four and ten years, and just under half have been judges for more than eleven years. This variation in time on the job likely translates into differing case processing times, which is one key reason for using a statewide average of those case processing times.

This report provides a detailed discussion of the workload assessment methodology and results and offers recommendations for the ongoing use of the model.

## **II. Judicial Officer Workload Study Advisory Committee**

The committee, appointed by the Supreme Court, functioned as a policy committee to provide oversight and guidance throughout the workload assessment project. The committee included: seven District Court Judges, five of whom are Chief Judges and three District Magistrate Judges, all representing different judicial districts. The NCSC consultants, with guidance from the committee, designed and conducted a study to produce a weighted caseload model for the District Court Judicial Officers. The

committee refined the approach and the content of the assessment and resolved important issues affecting data collection, interpretation, and analysis. During three meetings, the committee participated in the development of the workload assessment methodology and reviewed findings at each critical phase of the study and its completion.

One of the first responsibilities of the committee was to identify and define the parameters for which data would be collected during the workload assessment. This included identifying: (a) who should participate in the study; (b) the timeframe during which the data would be collected, and the length of time that needed to be captured; (c) the types of cases for which to generate case weights; and (d) the tasks and activities (case-related and non-case-related) that judicial officers routinely perform. The NCSC project team met with the committee in September 2019 to make decisions on these issues.

## **III. Work Time Study**

### **Participants**

After substantial discussion during the first committee meeting in September 2019, the group recommended that all District Court Judges and all District Magistrate Judges should record all their work time (case-related and non-case-related), and that Pro Tem Judges and Hearing Officers should record the time they work during the time study period.

### **Work Time Data Collection Period**

To ensure consistency in the tracking of work time, NCSC consultants provided seven

webinars between January 21 and 31 prior to data collection. One of the webinars was recorded and made available by the NCSC for viewing by those who could not attend one of the live webinars. The NCSC also provided written training materials and posted them online. Additionally, the NCSC provided assistance through a Workload Assistance Help-link, which was available both online and via telephone prior to and throughout the data collection period. Judicial officer participants reported their time each day via a secured and user-friendly data entry website maintained by the NCSC.

For this study, all judicial officers participated in a four-week data collection period from February 3 through February 28, 2020. Figure 1 shows the participation rate for judicial officers by judicial district.

**Figure 1: Kansas Judicial Officer Participation Rate Summary**

Judicial District	Expected	Actual	Participation Rate
1	6	6	100%
2	6	5	83%
3	14	14	100%
4	5	5	100%
5	4	4	100%
6	5	5	100%
7	5	5	100%
8	8	8	100%
9	4	4	100%
10	22	21	95%
11	6	6	100%
12	6	6	100%
13	5	5	100%
14	4	4	100%
15	8	8	100%
16	8	8	100%
17	6	6	100%
18	26	26	100%
19	3	3	100%
20	7	7	100%
21	4	4	100%
22	5	5	100%
23	5	5	80%
24	7	7	100%
25	9	8	89%
26	8	8	100%
27	5	5	80%
28	5	4	100%
29	16	16	100%
30	6	6	100%
31	5	4	80%
<b>Total</b>	<b>233</b>	<b>229</b>	<b>98%</b>

Figure 1 indicates a statewide participation rate of 98%; 229 of eligible 233 judicial officers participated in the study.<sup>3</sup> This exceptional participation rate assures confidence in the accuracy and validity of the case weights derived from the work time data. Participants were instructed to record

<sup>3</sup> There are 246 judicial officer positions in Kansas. During the time study, seven judicial officers were out on extended medical leave, and there were seven

vacancies, so the expected number of judicial officer participants was 233.

all work-related time – both case-related and non-case-related – including work that was done beyond a 7.5-hour working day.<sup>4</sup>

### Work Time Data Collection Process

Judicial officers recorded their time on a paper time-tracking form, and then transferred this information to the NCSC’s secure web-based data entry program. Once submitted, the data was 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 was collected to provide an accurate average of case processing practices and times for all case types included in the study.

The work time study methodology allowed the NCSC’s analysts to collect a four-week snapshot of data and translate that data into an annual representation of judicial officer work time. (See Appendix A for a detailed description of this methodology.)

### Survey on the Adequacy of Time

In addition to participating in the work time study, participants were invited to complete a web-based Adequacy of Time (AOT) survey after completion of the work time study. This survey sought the views of judicial officers regarding the extent to which they have sufficient time to complete their work tasks to their satisfaction for each of the case types included in the study. Approximately 57% of all judicial officers completed the survey (138 of 242 judicial officers). The NCSC conducted

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<sup>4</sup> The 7.5-hour day represents a 9-hour working day, minus a one-hour lunch break and two 15-minute breaks.

the AOT survey because the case weights derived solely from the work time study reflect the average amount of time judicial officers *currently* spend on each case type given the current level of staffing. The survey data provided information to help the Advisory Group determine whether the case weights derived from the work time data, which are grounded in the current level of staffing, are sufficient to allow judicial officers to complete work in a timely and high-quality manner. Section V of this report provides more detail about this and reviews a summary of the findings from the AOT survey.<sup>5</sup>

### Focus Groups

In August 2020, the NCSC consultants conducted focus group discussions with experienced judicial officers. The groups reviewed and offered feedback on preliminary results from the work time study and the AOT survey and discussed how the pandemic has changed the way in which they work, at least for the time being. Discussion of the feedback from the focus groups can be found in Section VI of this report.

### Data Elements in the Judicial Officer Work Time Study

NCSC project staff met with the committee in September 2019 to determine the case type categories, case-related and non-case-specific activities to be included in the work time study. The committee also discussed the purpose of the Adequacy of Time Survey and the purpose and locations of the focus groups.

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<sup>5</sup> Also see Appendix F, which shows the complete findings from the Adequacy of Time Survey.

A more detailed description of the time study elements is provided next.

### Case Types

Every weighted caseload formula needs a set of case types, each of which is distinctive in nature (e.g., probate, civil, criminal, domestic) and complexity (e.g., felonies vs. misdemeanors). Including case types that differ in nature and complexity should result in case types that differ in the average amount of judicial officer work time per case during the year. The greater the average amount of time required to process a case, the greater the case weight for a given case type. To the extent that judicial district caseloads vary not only in numbers, but also in nature and complexity, a weighted caseload model will more accurately reflect the need for judicial officers than a model based solely on counting the number of cases in a judicial district. Following this logic, the committee recommended including the 21 case types shown in Figure 2 in the weighted caseload model (a detailed description can be found in Appendix B).

### Filings

Figure 2 also shows the statewide percent of filings during fiscal year 2019 for each case type.

### Tasks and Activities

Judicial officers perform a variety of functions in and out of court that can be directly related to the processing of cases (case-related activities), as well as non-case-related activities. NCSC staff worked closely with the committee to develop a comprehensive list and description of these essential activities. The list of activities served as an organizing device to guide data collection during the time study. A list of the eight case-related and the nine non-case-related activities are provided in Figures 3 and 4. A more detailed description can be found in Appendices C and D, respectively.

The weighted caseload model determines the annual amount of time judicial officers have available to perform all their work, including both case-related and non-case-related tasks, then subtracts the average amount of time spent on non-case-related activities to determine the average amount of time available for judicial officers to perform case-related work. This is a critical component of the weighted caseload model, so knowing how much time judicial officers spend on both case-related and non-case-related work is important.

**Figure 2: Kansas District Court Case Filings Fiscal Year 2019**

Case Type	Percent of Total Filings
Care and Treatment/Sexually Violent Predator	.64%
All Other Probate Cases	2.39%
Regular Civil	2.93%
Small Claims	.64%
All Other Limited Civil Cases	22.43%
Protection from Abuse/Protection from Stalking (PFA/PFS)	2.69%
All Other Domestic	4.57%
Marriage Licenses	3.26%
Statutory Bond/Statutory Lien/State Tax/Misc. Civil	11.10%
Property Tax	2.74%
Felony Off-Grid/Capital Crimes	.07%
All Other Felonies (NOT including Felony DUI/Felony Traffic)	4.36%
Misdemeanors	2.72%
Other Criminal/Miscellaneous Criminal	.92%
Search Warrants	2.08%
DUI (Felony & Misdemeanor; Traffic & Criminal)	.76%
Misdemeanor Traffic (NOT including Misdemeanor DUI)	13.33%
Infractions (includes juvenile tobacco)	19.51%
Child in Need of Care	1.43%
Juvenile Offender (includes expungement)	1.33%
Problem-Solving Courts (all types)	.10%

**Figure 3: Case-Related Activities**

Pre-Trial Disposition In-Court Activities
Pre-Trial Disposition Out-of-Court Activities
Jury Trial Activities
Bench Trial Activities
Post-Trial Disposition In-Court Activities
Post-Trial/Post-Disposition Out-of-Court Activities
Case-Related Administration
Problem-Solving Court Activities

**Figure 4: Non-case-related Activities**

Non-Case-Related Administration
Judicial Education, Training and Presentation of CLE
Community Activities, Education, Speaking Engagements
Committees, District Meetings and Other Meetings and Related Work
Court or Case-Related Travel Time
Other Travel Time
Vacation/Illness/Military Leave
Other
Time study data reporting & entry

## Caseload vs Workload

A detailed picture of the percentage of case-related time judicial officers spend on cases statewide is presented in Figure 5. The greatest proportion of judicial officer time during the study period was spent on other felonies (26.67%), followed by time spent on other domestic (16.70%) and regular civil cases (13.83%).

Comparing the percentage of filings of each case type in Figure 2 with the percentage of time spent on each case type in Figure 5 reveals the utility of the weighted caseload methodology. As previously shown in Figure 2, other limited civil filings comprise 22.43% of all filings in the state, but Figure 5 shows

they account for 4.60% of the workload. In addition, other felonies comprise only 4.36% of all filings in the state, but Figure 5 shows that judicial officers spend the greatest amount of their case-related time (26.67%)

on other felonies. These two tables confirm that caseload is not the same as workload; rather case complexity drives workload.

**Figure 5: Percentage of Judicial Officer Time Reported by Case Type and Case-Related Activity Type During the Work time Study (February 2020)**

Case Type	Pre-Trial/Disposition In-Court Activities	Pre-Trial/Disposition Out-of-Court Activities	Jury Trial Activities	Bench Trial Activities	Post-Trial/Disposition In-Court Activities	Post-Trial/Disposition Out-of-Court Activities	Case-Related Administration	Problem Solving Court Activities	Percent of Total Time by Case Type
Care and Treatment/Sexually Violent Predator	0.35%	0.28%	0.05%	0.22%	0.11%	0.20%	0.08%	0.00%	1.30%
Probate Cases	0.80%	1.13%	0.00%	0.20%	0.19%	1.26%	0.53%	0.00%	4.11%
Regular Civil	2.52%	6.42%	1.51%	0.72%	0.22%	1.60%	0.84%	0.00%	13.83%
Small Claims	0.13%	0.17%	0.00%	0.29%	0.05%	0.06%	0.08%	0.00%	0.78%
Other Limited Civil Cases	1.06%	1.44%	0.00%	0.61%	0.28%	0.86%	0.35%	0.00%	4.60%
Protection from Abuse/Protection from Stalking (PFA/PFS)	0.89%	0.66%	0.01%	0.49%	0.05%	0.10%	0.25%	0.00%	2.44%
Other Domestic	3.65%	3.87%	0.00%	2.35%	1.93%	3.57%	1.33%	0.00%	16.70%
Marriage Licenses	0.03%	0.01%	0.00%	0.01%	0.00%	0.00%	0.04%	0.00%	0.09%
Statutory Bond/Statutory Lien/State Tax/Misc. Civil	0.03%	0.05%	0.00%	0.00%	0.00%	0.02%	0.01%	0.00%	0.12%
Property Tax	0.01%	0.01%	0.00%	0.00%	0.00%	0.08%	0.00%	0.00%	0.10%
Felony Off-Grid/Capital Crimes	1.01%	0.87%	1.15%	0.02%	0.08%	0.20%	0.14%	0.00%	3.46%
Other Felonies (NOT including Felony DUI/Felony Traffic)	10.78%	6.74%	2.32%	0.34%	2.36%	2.68%	1.45%	0.00%	26.67%
Misdemeanors	2.29%	1.35%	0.13%	0.55%	0.58%	0.54%	0.58%	0.00%	6.02%
Other Criminal/Miscellaneous Criminal	0.41%	0.49%	0.04%	0.06%	0.04%	0.24%	0.40%	0.00%	1.67%
Search Warrants	0.16%	0.62%	0.00%	0.00%	0.00%	0.01%	0.17%	0.00%	0.96%
DUI (Felony & Misdemeanor; Traffic & Criminal)	0.52%	0.32%	0.11%	0.09%	0.10%	0.10%	0.06%	0.00%	1.30%
Misdemeanor Traffic (NOT including Misdemeanor DUI)	1.51%	0.86%	0.00%	0.15%	0.14%	0.22%	0.22%	0.00%	3.11%
Infractions (includes juvenile tobacco)	0.22%	0.13%	0.00%	0.09%	0.01%	0.03%	0.06%	0.00%	0.54%
CINC (TPR)	2.21%	1.52%	0.01%	0.69%	1.20%	1.08%	0.60%	0.00%	7.32%
Juvenile Offender (includes expungement)	1.39%	0.76%	0.03%	0.08%	0.33%	0.24%	0.47%	0.00%	3.31%
Problem-Solving Courts (all types)	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	1.58%	1.58%
Column Totals	29.99%	27.67%	5.37%	6.95%	7.67%	13.10%	7.66%	1.58%	100.00%

#### IV. Initial Case Weights

The data collected during the work time study allows for the construction of case weights for the case types defined by the committee. As described previously, the judicial officer workload model accounts for the fact that case types vary in complexity and require different amounts of time and attention. Relying solely on the sheer number of cases to assess the demands placed on judicial officers ignores the varying levels of resources

needed to process different types of cases effectively, as can be seen by comparing the distribution of cases and time expenditures in Figures 2 and 5.

The initial statewide case weights were calculated using the following steps:

- (1) Start with the total case-related work time on a specified case type reported by judicial officers during the 19-day<sup>6</sup> study period;

<sup>6</sup> The work time study occurred during a four-week period of time, however, there was one holiday (Presidents' Day) during that period, so the study period actually included only 19 days.

(2) Divide that number by 19 (the number of workdays in the data collection period) to determine the daily average amount of work time,

(3) Multiply the result of that calculation by 214 – the number of workdays per year – which produces an estimate of the *annual* amount of case-related work time on the case type,<sup>7</sup> and then

(4) Divide the annual amount of work time on the case type by the number of cases filed for that case type during the most recent year.

Figure 6 provides an example of the calculation of the initial case weight for a misdemeanor. These same steps are used to calculate the case weight for each of the 21 case types in the Kansas weighted caseload model.

Based on the work time study, judicial officers in Kansas spend a total of 1,213,740 minutes of case-related time on misdemeanor cases annually. Dividing that time by the number of FY 2019 misdemeanor cases filed (13,715) yields a preliminary case weight of 88.50 (rounded to 89) minutes per case. This number indicates that, on average, Kansas judicial officers currently spend approximately 89 minutes per misdemeanor from filing to resolution, as determined by the work time study. The complete set of initial statewide case weights for Kansas judicial officers, developed using this method, is displayed in Figure 7.

**Figure 6: Calculating Annualized Minutes and Preliminary Case Weights for Misdemeanor Cases**

<b>Developing Annualized Minutes</b>	
(1) Total minutes of case-related time recorded for misdemeanors during the data collection period	107,762
(2) <i>Divide by</i>	÷
# of workdays in the data collection period	19
(3) <i>Multiply by</i>	X
Total # of judicial officer workdays per Year	214
<i>Equals</i>	=
Statewide annualized case-related work minutes for misdemeanor cases	1,213,740
<b>Developing Initial Case Weight</b>	
Statewide annualized case-related work minutes for misdemeanor cases	1,213,740
(4) <i>Divide by</i>	÷
# of FY 2019 filings	13,715
<i>Equals</i>	=
<b>Initial Case Weight</b> (average minutes spent per simple misdemeanor case)	<b>88.50</b> <b>(rounded to 89)</b>

<sup>7</sup> The formula to annualize time study data per case type is as follows: (case-related work time during the four-week study period / 19) \* 214); see Figure 6.



### How this Study Accounted for Leave Time and Vacant Positions

The methodology used in this study accounts for all authorized judicial officer positions, including those that were vacant and judicial officers who were on vacation or other leave during the work time study period. This was accomplished through a weighting process to approximate the full complement of authorized staff.

- **Leave time:** All leave time, time associated with judicial officer education and training, and time required to participate in the work time study were removed from the data and those minutes were weighted to reflect the work reported by the individual judicial officers when they were not on leave. (Leave and education time are accounted for in the judicial officer year described in Figure 11.)

- **Vacant positions:** The NCSC used a similar process to account for non-participating staff and vacant staff positions. For example, if a district had 10 authorized judicial officer positions, but only 8 of those were filled, the work time recorded by the 8 judicial officers who participated in the study was weighted by 1.25 to accommodate the vacancies ( $10/8=1.25$ ;  $8 \times 1.25=10$ ). Using this method, 100 minutes of work time was treated as 125 minutes of work time.

- **Note:** There were 7 vacant positions during the work time study and 6 judicial officers were out on extended medical leave. The methodology described above assumes those 13 positions were filled and working during the study.

**Figure 7: Initial Case Weights**

Case Type	Initial Case Weight (Minutes)
Care and Treatment/Sexually Violent Predator	82
Probate Cases	69
Regular Civil Cases	189
Small Claims	49
Other Limited Civil Cases	8
Protection from Abuse/Stalking (PFA/PFS)	36
Other Domestic	146
Marriage Licenses	1
Statutory Bond/Lien, State Tax, Misc. Civil	1
Property Tax	2
Felony Off-Grid/Capital Crimes	2,026
Other Felonies (not including Felony DUI/Felony Traffic)	245
Misdemeanors	89
Other Criminal/Miscellaneous Criminal	73
Search Warrants	18
DUI (Felony & Misdemeanor; Traffic & Criminal)	69
Misdemeanor Traffic (not including Misdemeanor DUI)	9
Infractions (includes juvenile tobacco)	1
Child in Need of Care (CINC)	204
Juvenile Offender (includes expungement)	100
Problem-Solving Courts (all types)	636

The initial case weights represent the *statewide average* amount of case-related time judicial officers across the state reported spending per case for each of the 21 case types during the study period.

In addition to obtaining work time data from judicial officers, the NCSC team obtained two types of qualitative data to supplement the findings derived from the quantitative analysis. The qualitative data included: (1) responses to the AOT survey distributed to judicial officers regarding their views on the adequacy of time to perform and complete



generated.<sup>8</sup> A complete set of the results can be found in Appendix E.

An average rating of 3.0 (“Sometimes”) was utilized as a threshold to determine whether judicial officers felt they had adequate time. An average rating of less than 3.0 was deemed to mean most judicial officers believe they do *not* usually have enough time to perform their daily tasks for a given case or activity type, while an average rating of greater than 3.0 was deemed to mean most judicial officers believe they do usually have enough time to perform their daily tasks. Figure 9 presents the statewide average ratings from respondents for each of the 21 case types and the non-case-related category. The findings show average scores ranged from a low of 3.71 (for Child in Need of Care – CINC cases) to a high of 4.48 (for Other Probate Cases), and average scores ranged from 3.03 to 3.70 for non-case-related activities (Figure 10). These findings support the belief that a majority of judicial officers believe they often have sufficient time to perform both the case-related and non-case-related work.

Only 19 judges provided additional comments to supplement their Adequacy of Time Survey ratings. These comments reflected a mix of experience, often apparently reflecting the difference between courts with a higher volume of cases and those with a lower volume. For example, a few judges indicated that their work time gets hampered by the need to provide adequate time for self-represented litigants to complete paperwork correctly, and the need to allow for extra time in hearings. A couple of Chief Judges indicated that maintaining an

active caseload while also performing the administrative requirements of the Chief Judge severely limits their ability to adequately attend to their casework. Some judges also indicated that finding time to conduct essential legal research and writing opinions can be difficult, and often occurs when expected trials or hearings get canceled. Finally, a couple of judges took this opportunity to indicate their skepticism of using weighted caseload methodology to determine the time it takes for judges to do their work.

**Figure 9: Adequacy of Time Survey Findings by Case Type**

Case Type	Average Score
Care and Treatment/Sexually Violent Predator	4.16
Other Probate Cases	4.48
Regular Civil	3.75
Small Claims	4.35
Other Limited Civil Cases	4.28
Protection from Abuse/Stalking (PFA/PFS)	4.11
Other Domestic	4.01
Marriage Licenses	4.39
Statutory Bond/Lien/State Tax/Misc. Civil	4.30
Property Tax	4.25
Felony Off-Grid/Capital Crimes	3.78
Other Felony	4.07
Misdemeanors	4.20
Other Criminal/Miscellaneous Criminal	4.18
Search Warrants	4.29
DUI (Felony & Misdemeanor - Traffic & Criminal)	4.15
Misdemeanor Traffic (NOT including Misdemeanor DUI)	4.08
Infractions	4.27
CINC	3.71
Juvenile Offender	4.04
Problem-Solving Courts	4.05

<sup>8</sup> Responses of “Does Not Apply” were excluded from the average.

**Figure 10: Adequacy of Time Survey Findings for Non-Case-Related Activities**

Non-Case-Related Activity	Average Score
Participate in judicial education & training	3.57
Supervise & evaluate staff	3.70
Prepare for/participate in community activities & speaking engagements	3.03
Prepare for/participate in committee meetings & work/prep	3.39
Conduct legal research	3.09
Non-case-related administration	3.43

## VI. Focus Groups

To gain perspective on the nature of the data collection period, reactions to initial study findings and the impact of the COVID-19 pandemic on case processing, the NCSC held two virtual focus groups with 13 judicial officers representing 10 judicial districts in August 2020. Prior to issuing travel bans and stay-at-home orders, four focus group sessions had been planned and would have been held in-person in four locations across the state. Given the impact of the pandemic on schedules and work, in general, the focus group schedule was moved from April to August. All judicial officers received an email allowing any judicial officer to volunteer to participate in the focus groups. Overall, 13 judicial officers did so.

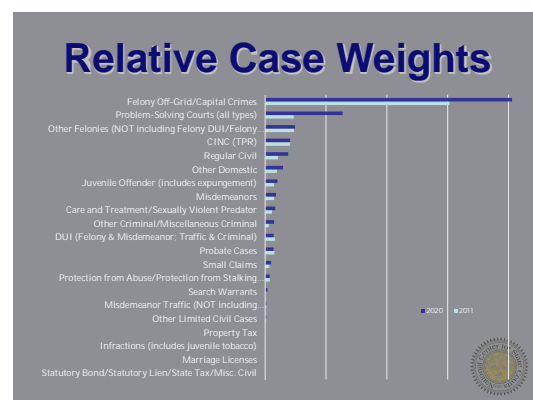
### Judicial Officer Focus Group Themes

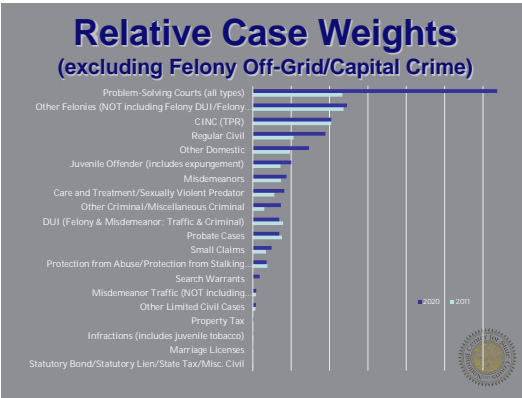
#### Relative Case Weights

Judicial officers were asked to review the initial case weights, in graphic form, ranging from the longest to shortest average case processing times. No numbers were presented, rather, participants were asked to

comment on the length of the graph's bars in relationship to one another. Two graphs were presented. The first graph showed all 21 of the case types included in the study; however, since the case weight for felony off-grid/capital crimes was so high, many of the other case types could not be evaluated by reviewing the graph. For this reason, a second graph was presented, this time without the inclusion of the felony off-grid/capital case type.

None of the participants indicated surprise at the order of the case weights (longest to shortest in terms of how long it takes to process each case type). Judges only commented on a couple of case types that they felt were out of order. Most judges indicated surprise that domestic cases had a lower case weight than civil cases, noting that domestic cases involve more self-represented litigants than civil cases, and because many domestic cases continue on for years. Some judges were also surprised that DUIs had a lower case weight than misdemeanors, but reasoned this was likely due to the fact that fewer DUIs go to trial compared to misdemeanors, which the time study data bears out.





**Non-Case-Related Time**

Non-case-related time is defined as work in which judges engage that cannot be directly associated with a specific case. Included in this category are activities such as general administrative duties, community activities and committee work. Across the state, work time data indicated that judges spend an average of 71 minutes per day per judge on non-case-related work. As is typical, judges had difficulty in assessing how much time they average on this type of work, some felt it seemed like a low number, others thought it sounded about right. In the end, they agreed that, while there are wide variations in the time they spend on non-case-related work, the 71-minute average is probably accurate. Travel time was also included in the non-case-related time. When asked, some judges indicated that travel time for their court seemed correct while others thought it seemed low, even for the pre-COVID period. Of course, travel time has been significantly reduced since the pandemic has hit.

**Impact of COVID-19**

The COVID-19 pandemic changed the way business is done in nearly every facet of our society in 2020, and there is no apparent end

in sight. To get a sense of how the need to social distance and prevent further spread of the virus is impacting their work, judges were asked to share the ways in which their work has changed since the original stay-at-home orders were issued in March; they were also asked to discuss which of these changes they believe are likely to continue in the future.

When the pandemic was first declared in March, the Governor of Kansas issued a stay at home order. Around the same time, the Chief Justice issued an administrative order (2020-PR-016) that, among other things, ordered the suspension of all scheduled trials until further order, the need to continue to conduct all *essential* court business through hearings that utilized two-way telephone or electronic video conferencing technology and suspended deadlines and time limitations associated with criminal trials. On May 1, another administrative order was issued (2020-PR-045) again allowing the use of communication devices to be used for hearings in essential and nonessential court hearings and requiring that these hearings be recorded to enable a transcript to be produced after the court activity has concluded. As it became clear that the spread of the virus was not under control, and instead was moving across the country, judges and other court employees found ways to conduct court business while still maintaining the public health measures necessary to limit the spread of the virus. To keep those broader court operations moving, it was inevitable that technology must play a large role. Disruption to court business was experienced pretty significantly in March and April. Beginning in May, most judges reported they were getting back to regular schedules and getting much busier.

The vast majority of court activity, of course, is not a jury trial; there's a continuous flow of arraignments, status hearings, motions and sentencings that must be managed. Most cases are resolved by plea rather than a verdict, so the suspension of trials certainly does not mean courts cannot function; however, since trials, especially jury trials, are more time consuming than non-trial hearings, the fact that trials are not occurring at this time will certainly have a long-lasting impact on the backlog work in the courts.

For judges, the biggest impact of the COVID-19 pandemic has been the reliance on video conferencing to conduct remote hearings. As of mid-August, most judges are back to working in the courthouse, at least part-time, and some are holding in-person hearings, but this all depends on the level of the virus in each community. Some judges also indicated that they have held hearings where some parties appear in person and others appear remotely, and this seems to work. The biggest hurdle was having to learn how to use the software without any training. Judges, along with their staff, had to figure things out on the fly. One judge, in particular, indicated having difficulty with the electronic display of exhibits. Another judge reported that the district attorney's office has been reluctant to proceed with remote hearings requiring evidence presentation. One challenge with remote hearings, especially in rural districts, is the poor quality of the internet service. Most judges reported that the actual case processing, though different from the pre-COVID-19 period, takes about the same amount of time, but setting up the hearings adds approximately ten minutes to each case. If they continue to conduct hearings remotely

in the future, this added time will surely have an impact on their schedules.

One judge indicated that the pandemic has brought some much-needed changes to his district. Prior to the pandemic, judges were content to "do their work the way it's always been done." Since the pandemic, judges have been forced to change the way they do their work and they have changed their assignments as well. In this judge's opinion, the work is more evenly spread out now and judges are working on a wider range of case types.

Post-pandemic, judges indicated they do not believe "things will ever go back to the way they were." The greatest concern is managing what is expected to be a large number of jury trials. Not only is there a concern about managing the number of jury trials that will need to be held in the upcoming years, but there is also a concern about the need to socially distance into the future. In courthouses where courts have been retrofitted to conduct jury trials and plans have been developed to allow for social distancing, it can take up to three courtrooms to hold a single trial. Judges will need to set a schedule for all of the trials that have been postponed and make room for new ones that have yet to be scheduled.

Most of the judges agreed that continuing to do some hearings remotely into the future makes sense. Judges especially agreed that conducting non-trial hearings, such as status and detention hearings can be done remotely in the future. This would relieve the need for attorneys and litigants to appear in court and they can be completed in a relatively short period of time.

One judge speculated that, now that they have all had experience with conducting remote hearings, it would be possible to engage in work-sharing across districts. This could allow rural judges who have a lighter caseload to help the busier urban judges by conducting hearings remotely. Others indicated support for the idea but did not think judges in the urban courts would agree. Additionally, there may be statutory impediments that prevent this type of cross-district work. Whatever the future brings, the judges all agreed the “new normal” will be here for the foreseeable future, and courts will need to continue to figure out the best way to manage their workloads while keeping the justice process moving.

## VII. Advisory Group Review of Case Weights and Qualitative Feedback

After completing the work time study, the AOT survey, and the focus group discussions, the NCSC staff conducted its third meeting with the Advisory Group on September 30, 2020. The committee reviewed tables prepared by NCSC staff showing findings from the work time study, the proposed final case weights, and the qualitative input from the Adequacy of Time survey and focus groups. The primary issue discussed at this meeting was whether to recommend any adjustment to any of the case weights based on the qualitative data from the AOT survey and focus group feedback.

After substantial discussion of this issue, and despite the concerns raised by some participants in the focus groups regarding the

adequacy of time to perform their daily work, the Advisory Group agreed not to recommend any adjustments to the case weights or the non-case-related time. While the Advisory Group believes that the case processing changes resulting from the pandemic has definitely impacted the way they work, they did not feel they had adequate empirical data to make such changes at this time; they also could not say whether or how these case processing changes would continue into the future.

**Figure 11: Final Case Weights**

Case Type	Final Case Weight (Minutes)
Care and Treatment/Sexually Violent Predator	82
Probate Cases	69
Regular Civil Cases	189
Small Claims	49
Other Limited Civil Cases	8
Protection from Abuse/Stalking (PFA/PFS)	36
Other Domestic	146
Marriage Licenses	1
Statutory Bond/Lien, State Tax, Misc. Civil	1
Property Tax	2
Felony Off-Grid/Capital Crimes	2,026
Other Felonies (not including Felony DUI/Felony Traffic)	245
Misdemeanors	89
Other Criminal/Miscellaneous Criminal	73
Search Warrants	18
DUI (Felony & Misdemeanor; Traffic & Criminal)	69
Misdemeanor Traffic (not including Misdemeanor DUI)	9
Infractions (includes juvenile tobacco)	1
Child in Need of Care (CINC)	204
Juvenile Offender (includes expungement)	100
Problem-Solving Courts (all types)	636

The final case weights, shown in Figure 11, are critical factors in the calculation of the

need for judicial officers. Their calculation is the focus of the next section of this report.

## VIII. Calculating the Need for Judicial Officers

In every weighted caseload assessment, three factors contribute to the calculation of judicial officer need: case filings, case weights, and the judicial officers' *annual available time for case work* (ATCW). The relationship of these elements is expressed as follows:

- **Case-related work time** = *Cases Filed x Case Weights*
- **Number of FTE staff needed**  
= *Case-related work time ÷ Judicial Officer ATCW value*

The judicial officer ATCW value represents the amount of time in a year that judicial officers have to perform case-related work. Arriving at this value is a three-stage process:

- (1) Determine how many days per year are available for judicial officers to perform work (the judicial officer work year),
- (2) Determine how many business hours per day are available for case-related work as opposed to non-case-related work,
- (3) Multiply the numbers in steps 1 and 2, then multiply the result of that calculation by 60 minutes; this yields the judicial officer ATCW value, which is an estimate of the amount of time (in minutes) the “average” judicial officer has to do *case-related work* during the year.

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<sup>9</sup> The day value is consistent with that used in the 2011 judicial weighted caseload study conducted with Kansas district court judges. This day value is consistent with

## Step 1: Determine the Judicial Officer Work Year

Calculating the “average” judicial officer work-year requires determining the number of days per year that judicial officers have to perform case-related work. Obtaining this number involved working closely with the committee to deduct time for weekends, holidays, vacation, sick and personal leave and education/training days. After deducting these constants from 365 days, it was determined that judicial officers in Kansas have, on average, 214 days available each year to perform judicial officers' work (see Figure 12).

## Step 2: Determine the Judicial Officer Workday

The workload formula assumes all judicial officers work a standard 7.5 hours per day (nine hours, minus a one-hour lunch break and two personal 15-minute breaks).<sup>9</sup> For purposes of the workload model, the workday is separated into two parts: the amount of time devoted to *case-related* activities (see Figure 3) and *non-case-related* activities (see Figure 4).

Fair Labor Standards Act (FLSA) guidelines for a working day for professional staff.



**Figure 12: Calculating the Judge Work Year**

	Days	Minutes
<b>Total Year</b> (7.5 hours/day x 60 minutes = 450 minutes per day)	365	164,250
<b>Subtract</b>		
<b>Weekends</b> (450 minutes x 104 days)	- 104	46,800
<b>Holidays</b> (450 minutes x 11 days)	- 11	4,950
<b>Leave (vacation, sick &amp; other)</b> (450 minutes x 30 days)	- 30	13,500
<b>Professional development</b> (450 minutes x 4 days)	- 6	2,700
<b>Total Available Work Time</b> (450 minutes x 214 days)	214	96,300

Data collected during the work time study revealed that the average amount of time spent on non-case-related activities, excluding work-related travel, is 70.78 minutes per day per full-time judicial officer (33.66 days per year). Chief Judges spend an additional 77 minutes per day on administrative duties exclusive to their position. This is shown in the model as a one-time deduction of 16,478 minutes.

**Step 3: Calculate the Judicial Officer’s Annual Available Time for Case Work (ATCW) Value**

Figure 13 shows the calculation of the ATCW value for judicial officers:

(1) Determine the total work time available each year. The committee determined that there are 214 workdays per year. Multiply 214 by 7.5 hours (total work

time per day), then multiply that number by 60 (minutes per hour) to calculate the total available work minutes per year (96,300),

(2) Determine the average amount of non-case-related work time per year. This work time study found that judicial officers spent an average of 70.78 minutes per day on non-case-related work (excluding judicial officers’ travel time). Multiply 70.78 by 214 total workdays, which yields 15,147 non-case-related work minutes (or 33.66 days) per year. Additionally, judicial travel time must be removed. The average travel time of 23.85 minutes per day per judge is shown in Figure 13; however, the actual average travel time by judicial district is used in the model.

(3) Subtract the average non-case-related time in step 2 from the total available time in step 1; then deduct the average travel time of 23.85 minutes per day (5,103 minutes per year) to determine the average available time for case-related work per year (i.e., 171.55 days, which equals 76,050 minutes per year).

**Figure 13: Judicial Officer Annual Available Time for Case-Related Work**

	Minutes per Day	Minutes per Year
Total Available Work Time	450	96,300
<i>Subtract</i>		
Average Non-Case-Related Time	70.78	15,147
Average Travel Time	23.85	5,103
Total Working Minutes Available	355.37	76,050 <sup>10</sup>

**Step 4: Calculate the Need for Judicial Officers**

<sup>10</sup> The actual average, when factoring in the varied travel across districts is 76,050.

Figure 14 shows the basic calculations to determine the total need for FTE judicial officers in Kansas.

(1) Determine the statewide *case-related work minutes* by judicial officers by multiplying the case weights for the 21 case types by the number of case filings for each of those case types during the most recent year for which filing statistics are available (FY 2019 for this study). The sum of these 21 calculations yields the estimated *annual case-related work minutes* for judicial officers.

(2) Divide the annual case-related work minutes in step 1 by the *annual available time for casework* (76,050 – as calculated in Figure 13).

As shown in Figure 14, these calculations indicate there is a need for 265.9 FTE judicial officers statewide.

**Figure 14: 2020 Statewide Judicial Officer Need Model Summary**

	<b>Minutes per Year</b>
(1) Total FY 2019 casework minutes (sum of case weights x filings)	20,221,694
(2) <i>Divide step 1 by</i> Annual available minutes for casework (not shown, as this number varies based on the varying travel requirements)	÷ 76,050*
Equals	=
Total FTE judicial officers needed	265.9

\*The available minutes for casework are an average of all judicial districts, and incorporates the actual travel time for each district.

These same steps were applied to the case filings in judicial district. Figure 14 shows a summary of the findings from this analysis.

## Findings

Figure 15 (below) shows the weighted caseload model estimates for the number of FTE judicial officer need (demand) in each judicial district and compares those numbers to the current number of *allocated* judicial officer positions. The last column indicates the difference between the number of positions allocated and the number needed. Figure 14 indicates that the Kansas District Courts *need 265.9* FTE judicial officer positions statewide, which is 19.9 fewer than the 246 positions currently *allocated*. It is important to note, however, that there are some judicial districts that need additional judicial officers and some that do not.

**Figure 15: Summary of the Weighted Caseload Model Applied to Each District**

District	Judicial Officer Demand	Current Judicial Officer Allocation	Difference ("-" = surplus)
1	7.7	6.00	1.7
2	5.1	6.00	-.9
3	20.6	15.00	5.6
4	6.0	5.00	1.0
5	4.2	4.00	.2
6	6.8	5.00	1.8
7	7.3	6.00	1.3
8	9.4	8.00	1.4
9	6.1	4.00	2.1
10	32.3	23.00	9.3
11	8.0	7.00	1.0
12	3.4	7.00	-3.6
13	5.6	6.00	-.4
14	4.5	4.00	.5
15	3.4	8.00	-4.6
16	6.7	8.00	-1.3
17	2.3	7.00	-4.7
18	42.4	28.00	14.4
19	4.2	3.00	1.2
20	6.8	7.00	-.2
21	5.1	5.00	.1
22	3.5	5.00	-1.5
23	4.7	5.00	-.3
24	3.2	7.00	-3.8
25	6.3	11.00	-4.7
26	6.3	8.00	-1.7
27	7.2	5.00	2.2
28	8.2	5.00	3.2
29	15.6	16.00	-.4
30	5.6	7.00	-1.4
31	7.4	5.00	2.4
<b>Statewide Total</b>	<b>265.9</b>	<b>246.00</b>	<b>19.9</b>

Across the 31 judicial districts, just over half (16) indicated having more judicial officers than they need as indicated by the need formula. The 17 districts that show a shortage of judicial officers range in need from .1 to 14.4 additional judicial officers.

## IX. Recommendations

The NCSC offers the following recommendations.

1. The NCSC recommends updating the judicial officer need on an annual basis using the most recent case filings.
2. The NCSC recommends that the weighted caseload model presented in this report be the *starting point* for determining judicial officer need in each county across the state. There are considerations that an objective weighted caseload model cannot account for that should be taken into account when determining judicial staffing need levels.
3. Over time, the integrity of the case weights is affected by multiple influences, including but not limited to, changes in legislation, legal practice, technology and administrative factors. This is especially true with the current study, in that the pandemic that impacted the world essentially changed the way many courts process their cases, which will also likely impact case weights. Post-pandemic, no one knows if any of these changes, such as the use of remote hearings, will continue into the future. The OJA should consider conducting another time study for judges after the pandemic and when they believe the courts are fully functioning again.

# Appendices

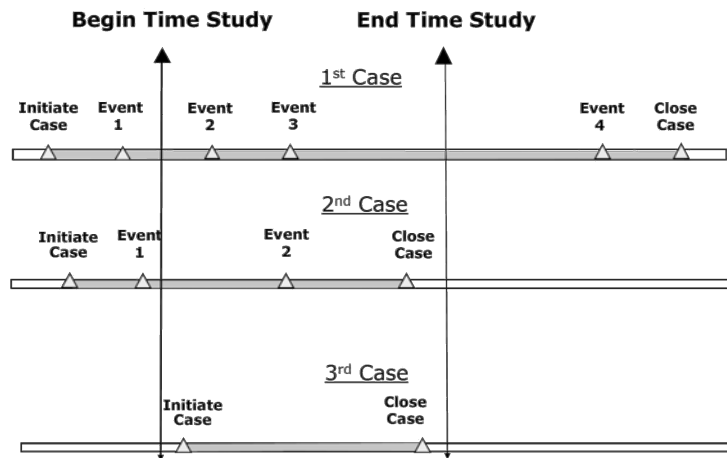
## Appendix A: Event-Based Methodology

Event-based methodology is designed to take a snapshot of judicial officer activity and compare the time spent on primary case events to the number of cases entering the court. The study measures the total amount of judicial officer time in an average four-week period devoted to processing each particular type of case for which case weights are being developed. Because this method is a snapshot, few cases actually complete the journey from filing to final resolution during the study period. However, judicial officers in each court throughout the state are processing a number of each type of case in varying stages of the case life cycle. For example, during the four-week time study period, a given judicial officer will handle the initiation of a number of new civil cases, while the same court will also have other civil cases (perhaps filed months or years earlier) on the trial docket, and still other civil cases in the post-judgment phase.

Moreover, if the sample period is representative, the mix of 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 officer time devoted to the full range of key case processing events.

Time data are then combined with new filing numbers. For example, if a judicial officer spent 150,000 minutes processing small claims cases and there were 2,500 such cases entered, this would produce an average of 60 minutes (or one hour) per small claims case ( $150,000 \text{ minutes} / 2,500 \text{ cases}$ ). This one-hour case weight is interpreted as the average time to process a small claims case from filing to final resolution – even though no individual case is tracked from start to finish within the four-week study period. Rather, the case weight is a composite of separate (though likely similar) cases observed at various points in the case life cycle. The figure below illustrates the Event-Based Methodology concept.

### Event-Based Time Study



Assume the figure above shows the progress of three separate small claims cases during the period of the four-week time study. 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 life cycle (case initiation, case processing, etc.). 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 of minimal complexity. When the time spent on each event for these three cases is added together, 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, because the time estimates are based on observations from thousands of individual case events for each case type, the methodology is highly reliable.

## Appendix B: Judicial Officer Case Types

<b>1.</b>	<b>Care and Treatment/Sexually Violent Predator</b>
<b>2.</b>	<b>Probate Cases</b> Includes Adoption, Guardianship – Adult, Guardianship – Minor, Guardian/Conservatorship – Adult, Guardian/Conservatorship – Minor, Conservatorship/Trusteeship, Decedent Estate, Determination of Descent, and Other Probate (e.g. Will and Affidavit, Term of Life Estate, Term of Joint Tenancy, Transcripts from another venue, and Foreign Wills)
<b>3.</b>	<b>Regular Civil</b> Includes Administrative Agency Appeals, Other Civil Appeals, Contracts (e.g. Buyer Plaintiff, Employment Dispute – Discrimination, Employment Dispute – Other, Fraud, Landlord/Tenant Dispute – Other, Landlord/Tenant Dispute - Unlawful Detainer, Other Contract, Seller Plaintiff or debt collection), Miscellaneous Civil (e.g. 60-1507, Habeas Corpus, Other Civil, Other Writs), Real Property (e.g. Eminent Domain, Mortgage Foreclosure, Other Real Property), and Torts (e.g. Asbestos Product Liability, Automobile Tort, Intentional Tort, Legal Malpractice, Medical Malpractice, Other Professional Malpractice, Other Tort, Premises Liability, Slander/Libel/Defamation, Tobacco Product Liability, Toxic/Other Product Liability)
<b>4.</b>	<b>Small Claims</b>
<b>5.</b>	<b>Other Limited Civil Cases</b> Includes Contracts (e.g. Buyer Plaintiff, Employment Dispute – Discrimination, Employment Dispute – Other, Fraud, Landlord/Tenant Dispute – Other, Landlord/Tenant Dispute - Unlawful Detainer, Other Contract, Seller Plaintiff or debt collection), Other Real Property, Other Limited Civil, and Real Property (e.g. Eminent Domain, Mortgage Foreclosure, Other Real Property), and Torts (e.g. Asbestos Product Liability, Automobile Tort, Intentional Tort, Legal Malpractice, Medical Malpractice, Other Professional Malpractice, Other Tort, Premises Liability, Slander/Libel/Defamation, Tobacco Product Liability, Toxic/Other Product Liability)
<b>6.</b>	<b>Protection from Abuse/Protection from Stalking (PFA/PFS)</b>
<b>7.</b>	<b>Other Domestic</b> (e.g. Marriage Dissolution/Divorce, Non Divorce - Visitation, Custody, Support, Other Domestic, Paternity, UIFSA)
<b>8.</b>	<b>Marriage Licenses</b>
<b>9.</b>	<b>Statutory Bond/Statutory Lien/State Tax/Misc. Civil</b> Includes Liens (e.g. Hospital Lien, Lis Pendens, Mechanics Lien, Oil & Gas Mechanics Lien, Subcontractor's Lien) and Miscellaneous (e.g. Coroner Report, Foreign Judgment - Out of County, Foreign Judgment - Out of State, Medical Malpractice Screening Panel, Miscellaneous Other)
<b>10.</b>	<b>Property Tax</b>
<b>11.</b>	<b>Felony Off-Grid/Capital Crimes</b> Includes Capital Murder, First Degree Murder, and Jessica's Law. Not to include Non-Grid/Capital Crimes (not to include non-grid)
<b>12.</b>	<b>Other Felonies (NOT including Felony DUI/Felony Traffic)</b>
<b>13.</b>	<b>Misdemeanors</b>
<b>14.</b>	<b>Other Criminal/Miscellaneous Criminal</b> Includes Coroner Inquest, Fugitive / Extradition, Grand Jury, Inquisitions, Miscellaneous Other
<b>15.</b>	<b>Search Warrants</b>
<b>16.</b>	<b>DUI (Felony &amp; Misdemeanor; Traffic &amp; Criminal)</b>
<b>17.</b>	<b>Misdemeanor Traffic (NOT including Misdemeanor DUI)</b>
<b>18.</b>	<b>Infractions (includes juvenile tobacco)</b>
<b>19.</b>	<b>CINC (TPR)</b>
<b>20.</b>	<b>Juvenile Offender (includes expungement)</b>
<b>21.</b>	<b>Problem-Solving Courts</b>

## Appendix C: Case-Related Activity Definitions

<b>A.</b>	<p><b>Pre-Trial/Disposition In-Court Activities:</b></p> <p>This category will include all hearings preliminary to conducting a trial, adjudicatory hearing, or grand jury proceeding. It includes hearings at which evidence is taken as well as hearings at which only legal arguments or arguments upon agreed-upon facts are considered and it is not necessary that a record be taken in order to be considered as an in-court activity. A hearing would normally be considered as any proceeding in the courtroom and would include in-camera inspections. It would not be necessary that the hearing be open to the public. Examples in criminal cases could include preliminary examinations, motions to suppress, or any other type of motion considered preparatory to trial. In addition, this category includes hearings in which pleas or admissions are taken. Examples in domestic cases include all temporary orders (including ex parte orders where a formal hearing is not conducted), and hearings to establish valuation dates or similar matters. Examples in civil cases include hearings relating to temporary restraining orders, discovery issues and formal pretrial conferences. All case management (often called scheduling) conferences (whether done with or without a record or in chambers, in court, or via conference call) are included in this category. Different terms are used to describe pre-trial hearings in other case types such as juvenile offender, CINC, and care and treatment cases, but this category is designed to include any hearing, including ex parte custody hearings, in a matter before the formal adjudicatory hearing.</p> <p>*See special comments regarding judicial activities related to establishment and meetings of statutorily created juvenile offender or CINC Multi-Disciplinary Teams (MDT's).</p>
<b>B.</b>	<p><b>Pre-Trial/Disposition Out-of-Court Activities</b></p> <p>This category includes all activities conducted by a judge in chambers preliminary to conducting of a trial, adjudicatory hearing, or grand jury proceeding. It includes review of motions or memoranda, research and writing, reviewing files, signing orders, and settlement conferences, excepting a hearing to memorialize an agreement reached. Includes signing search warrants.</p>
<b>C.</b>	<p><b>Jury Trial Activities</b></p> <p>This category includes all matters which are conducted during a jury trial, including jury selection, through entry of verdict or through entry of plea, settlement or dismissal prior to verdict. All time spent preparing jury instructions, including time spent in the office prior to commencement of a jury trial, should be included. If the judge is involved with matters relating to the same case during jury deliberation periods, that time should be recorded in this category. However, if during deliberations, the judge is involved in activities relating to other cases or court administration, the time should be recorded in another appropriate category.</p>
<b>D.</b>	<p><b>Bench Trial Activities</b></p> <p>This category includes all matters, whether in-or out-of-court, incident to the conduct of a trial or adjudicatory hearing in which the judge is the trier of fact and includes hearings to memorialize an agreement.</p>
<b>E.</b>	<p><b>Post-Trial/Disposition In-Court Activities</b></p> <p>This category includes all hearings conducted subsequent to completion of a bench or jury trial or adjudicatory proceeding. It would include, but not be limited to sentencing or disposition hearings, post-judgment motions to set aside, reconsider or for new trial, extradition and foreign judgment hearings, post-judgment contempt, annual or other periodic reviews, permanency reviews, motions to modify support, child residency/custody, or parenting time/visitation, hearings in-aid-of-execution, etc.</p> <p>*See special comments regarding judicial activities related to establishment and meetings of statutorily created juvenile offender or CINC Multi-Disciplinary Teams (MDT's).</p>
<b>F.</b>	<p><b>Post-Trial/Post-Disposition Out-of-Court Activities</b></p> <p>This category includes all activities conducted by a judge subsequent to the completion of a bench or jury trial or adjudicatory proceeding. It includes review of motions or memoranda, research and writing, review of files, and signing orders.</p>



<b>G.</b>	<b>Case-Related Administration</b> This category includes most other activities not included in one of the previous categories that are related to administration of a judge’s cases but are not specific to any individual case. These activities could include scheduling of dockets, conferences with clerks or assistants, providing instructions to staff or similar routine matters. *See special comments regarding judicial activities related to establishment and meetings of statutorily created juvenile offender or CINC Multi-Disciplinary Teams (MDT’s).
<b>H.</b>	<b>Problem Solving Court Activities</b> This category is specifically limited to problem-solving court activities established pursuant to Supreme Court Rule 109A. This category includes all meetings with treatment or problem-solving court clients or staff, including bench time and case staffing time. This category does not include time spent on dedicated docket calls, e.g. child support enforcement or similar dockets, which should be reported as either pre- or post-trial court activities. This category does not include any judicial activities related to the administration or operation of MDT’s. *See Special Comments Section below

## Appendix D: Non-Case-Related Activity Definitions

1.	<p><b>Non-Case-Related Administration</b> Includes work directly related to the administration or operation of the court, including, but not limited to:</p> <ul style="list-style-type: none"> <li>• Personnel issues</li> <li>• Case assignment</li> <li>• Calendaring</li> <li>• Management issues</li> <li>• Internal staff meeting</li> <li>• Facilities</li> <li>• Budget</li> <li>• Technology</li> </ul> <p>This activity also includes time spent meeting or communicating with other state and local public officials on matters related to the administration or operation of the court.</p>
2.	<p><b>Judicial education and training and presentation of CLE</b> Includes continuing education and professional development, reading advance sheets, statewide judicial meetings, and out-of-state education programs permitted by the state. Presentation of CLE includes preparation, research, travel and presentation of CLE.</p>
3.	<p><b>Community activities, education, speaking engagement</b> Includes time spent on community and civic activities in your role as a judge, i.e., 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.</p>
4.	<p><b>Committees, district meetings and other meetings and related work</b> Includes time spent in district judge’s meetings, state, local or other work-related committee meetings, staff or other meetings that are job related. Also include any work done (prep or post-meeting) for these meetings outside of the actual meeting time.</p>
5.	<p><b>Court or case-related travel time</b> Includes any reimbursable travel to and from a court or other facility outside one’s county of residence for any matter related to cases or dockets. Traveling to the court in one’s own county is local “commuting time,” which should NOT be counted as travel time.</p>
6.	<p><b>Other travel time</b> This includes time spent traveling to meetings, continuing education and any other travel that is reimbursable that is not case or docket related.</p>
7.	<p><b>Vacation/Illness/Military Leave</b> Includes any non-recognized holiday/military leave time. DOES NOT include recognized holidays as they have already been accounted for in the determination of the Judge Year Value.</p>
8.	<p><b>Other</b> Includes all other work-related, but non-case-related tasks that do not fit in the above categories.</p>
9.	<p><b>Time Study Data Reporting &amp; Entry</b> Record time spent each day to record and log the time for the weighted caseload study.</p>

## Appendix E: Adequacy of Time Survey Results

The Adequacy of Time Survey was completed by 138 of 242 employed judicial officers (57%) at the time the survey was available.

### Survey Demographics

In which location do you work?		
1st District	1	.7%
2nd District	3	2.2%
3rd District	10	7.2%
4th District	1	.7%
5th District	2	1.4%
6th District	4	2.9%
7th District	7	5.1%
8th District	5	3.6%
9th District	3	2.2%
10th District	14	10.1%
11th District	2	1.4%
12th District	5	3.6%
13th District	2	1.4%
14th District	1	.7%
15th District	7	5.1%
16th District	8	5.8%
17th District	5	3.6%
18th District	12	8.7%
19th District	3	2.2%
20th District	5	3.6%
21st District	3	2.2%
22nd District		.0%
23rd District	3	2.2%
24th District	2	1.4%
25th District	3	2.2%
26th District	2	1.4%
27th District	2	1.4%
28th District	4	2.9%
29th District	10	7.2%
30th District	5	3.6%
31st District	4	2.9%
<b>Total</b>	<b>138</b>	<b>100.0%</b>

How many years have you worked for the Kansas Courts?		
Less than one year	8	5.8%
1-3 years	20	14.5%
4-5 years	18	13.0%
6-10 years	26	18.8%
11-15 years	34	24.6%
16+ years	32	23.2%
<b>Total</b>	<b>138</b>	<b>100.0%</b>

During the course of a normal workweek, do you have sufficient time to keep up with the case-related work you are expected to do?		
5 = Almost always	<b>41</b>	<b>30%</b>
4 = Often	<b>44</b>	<b>32%</b>
3 = Sometimes	<b>43</b>	<b>31%</b>
2 = Rarely	<b>7</b>	<b>5%</b>
1 = Almost Never	<b>3</b>	<b>2%</b>
N/A = I do not do non-case-related work	<b>0</b>	<b>0%</b>
<b>TOTAL/AVERAGE SCORE</b>	<b>138</b>	<b>3.8</b>

### All Case Types – Average Overall Scores

During the course of a normal work week or month, to what extent do you have sufficient time to perform the following types of work in a timely and high-quality manner to your satisfaction?							
Case Types	5 Almost Always	4 Often	3 Sometimes	2 Rarely	1 Almost Never	N/A I do not work on these cases	Average Score
Care and Treatment/Sexually Violent Predator	39	26	16	3	1	53	4.16
Probate Cases	49	23	5	3	0	58	4.48
Regular Civil	22	30	20	10	1	55	3.75
Small Claims	33	14	8	1	1	81	4.35
Other Limited Civil Cases	37	18	9	3	1	70	4.28
Protection from Abuse/Protection from Stalking	38	38	18	3	1	40	4.11
Other Domestic	31	28	23	2	1	53	4.01
Marriage Licenses	18	12	2	0	1	105	4.39
Statutory Bond/Statutory Lien/State Tax/Misc.	21	12	5	2	0	98	4.30
Property Tax	14	8	5	1	0	110	4.25
Felony Off-Grid/Capital Crimes	23	32	24	6	2	51	3.78
Other Felonies (NOT including Felony DUI/Felony	41	42	23	5	0	27	4.07
Misdemeanors	45	37	15	5	0	36	4.20
Other Criminal/Miscellaneous Criminal	44	42	17	4	0	31	4.18
Search Warrants	57	45	13	2	2	19	4.29
DUI (Felony & Misdemeanor; Traffic & Criminal)	43	42	19	4	0	30	4.15
Misdemeanor Traffic (NOT including Misdemeanor	31	24	10	6	1	66	4.08
Infractions (includes juvenile tobacco)	31	20	5	2	2	78	4.27
CINC (TPR)	24	22	21	7	4	60	3.71
Juvenile Offender (includes expungement)	28	20	17	4	0	69	4.04
Problem-Solving Courts (all types)	16	15	10	2	0	95	4.05

### Case-Related Activities

Please check up to FIVE impediments to keeping up with your expected case related work:		
Activities	Number of Respondents	% of Respondents
Prepare for/ conduct pre-trial/preliminary matters	61	44%
Consider pre-trial motions and conduct pre-trial hearings	40	29%
Prepare for/ conduct non-trial disposition activities	12	9%
Conduct pre-trial settlement and management conferences	3	2%
Review the case file/evaluation reports	30	22%
Prepare for bench trials	40	29%
Conduct bench trials	17	12%
Prepare for jury trials	24	17%
Conduct jury trials	13	9%
Write decisions/opinions	88	64%
Conduct post-trial/post-adjudication activities	31	22%
Hold sentencing hearings	7	5%
Review and consider pre-sentence reports	4	3%
Prepare findings and orders	52	38%
Explain orders and rulings	6	4%
Conduct specialty court activities	11	8%
Ensure parties/counsel feel that their questions/concerns are addressed	11	8%
Address the issues surrounding self-represented litigants	29	21%
Case-related administration	18	13%
<b>NA - I do not need additional time</b>	<b>23</b>	<b>17%</b>

### Non-Case-Related Activities

During the course of a normal work week or month, to what extent do you have sufficient time to perform the following types of NON-case-related work in a timely and high-quality manner?							
	5 Almost Always	4 Often	3 Sometimes	2 Rarely	1 Almost Never	N/A	Average Score
Participate in judicial education & training	31	39	49	13	5	1	3.57
Supervise and evaluate staff	26	38	33	10	2	29	3.70
Prepare for/participate in community activities & speaking engagements	16	23	43	24	14	18	3.03
Prepare for/participate in committee meetings & committee work/prep	14	32	42	25	6	19	3.19
Conduct general legal research	13	33	55	27	10		3.09
Non-case-related administration	19	36	61	10	4	8	3.43

### Additional Comments (All comments are verbatim)

1	These categories are too limiting. For example, I typically don't do care and treatment cases but I do handle the sexual predator cases. They are lumped into one category. I also occasionally will be assigned CINC cases (usually on severance matters) but not typically. Same with Drug Court. So it is a problem in answering what I do in a "normal" work week, as I don't want to suggest that I never handle certain cases, but at the same time I don't want to mislead in making it sound like it is a "normal" part of my duties. All in all though, I have time to get my responsibilities done, and done in a timely manner.
2	I do not feel over worked, though as many jobs, it comes in waves. I will go a month just getting it done, then have a light week. I am sure I work nowhere as hard as a large metro area, yet much harder than some of our sparsely populated areas.
3	Pro se litigants eat me up. Trial judges are inconsistently instructed to treat represented & self-represented parties the same; yet, to treat the pro se parties with special accommodations. In this context, great confusion reigns. It would be helpful if more appellate personnel had trial experience from which to draw when ruling on trial scenarios.
4	The workload in my county is usually fairly light. Accordingly, when I am asked to fill in for judges in other counties, I readily do so. Only a couple of such requests came up during this rating period, which is unusual. Also, I don't think I did a good job of keeping track of every order I reviewed and signed on reflex, each time I answered a question or clarified an issue for the clerk, etc. Usually, dealing with self-represented litigants is one of the most time-consuming things I do, especially in domestic cases. It's easier to prepare a divorce decree for them, rather than to keep continuing their case because they're unprepared.
5	First, this study is not anonymous if you are asking which judicial district we are in and which cases we handle. Second, you cannot put into a study such as this the time it takes a Judge to do their job. This is not a position where we are reduced to numbers of hours works equals product produced which equals a profit. Many times, a Judge puts in hours preparing for a case only to have the matter settle etc. The idea of this study just adds to the backlog of getting Justice done in a timely manner
6	Biggest time problem is if something must be taken under advisement or needs research. Trying to carve out research time, writing time, typing time, proofreading time and then have time to deal with administration is very challenging.
7	As a Chief Judge, the Administrative duties are a problem. In our district I still take on the same duties as other judges and also handle the Chief Judge issues. This has become more burdensome over the last 5 years.
8	The administrative and supervision duties are not only time consuming; they are by far the most frustrating part of the job.

9	I frequently feel overwhelmed by the caseload under the new individual assignment case management system.
10	I'm not sure how much longer our district can keep going like this. We are on the bench constantly with no time for paperwork, writing, and research. I am gravely concerned about the effect on the judicial system, in addition to the physical and mental health of the judges.
11	Approximately 65% of the case-related work in our domestic cases is POST-disposition. The number of PENDING cases does not adequately reflect the workload of our family law department. I find it necessary to work late and weekends almost every week to complete my work. At this time, March 3, 2020, my evidentiary hearing schedule is extended out 6 months through late September with each non-docket day (Wednesday, Thursday, Friday) filled, a "waiting/will call" list for earlier hearing dates and attorneys are offered double booking dates. When cases have settled and no attorneys want to move their hearings forward, I use those dates for special settings and to catch up on opinions. The attorneys who practice in our department have adapted, but frequently express their annoyance at the delays.
12	As a judge in a domestic assignment, I spend a tremendous amount of time dealing with various issues that involve self-represented litigants. Hearings take longer. SRL's are likely to need assistance from my AA and they are in my office often throughout each day. These encounters are ongoing, and the parties do not have appointments. We are fitting them in as we can between our general duties.
13	I take time from what I believe is my own time to do what needs to be done to be a good judge.
14	In my criminal assignment I am in court virtually all the time which leaves little time to research and write decisions.
15	I sometimes feel like a factory with an assembly line because we have so many cases. I don't feel like I give anything enough time. I would like to spend more time on my cases - in court and out. I also have numerous other committees and boards on which I serve and need time. On-call duties add to the stress of a busy criminal docket.
16	I do not believe that putting the judicial branch within an administratively centered workload program is beneficial. It creates false premises and is a waste of time.
17	The day to day flow of work is steady and consumes most of the day, just to keep up. A day a week goes to criminal docket calls, pleas, revocations, etc. Criminal pre-trial hearings and other criminal matters are scheduled as can be fitted in. Approximately one day a week goes to limited trials, paperwork, and hearings, such as evictions. When bench or jury trials arise, or when hearings are held with decisions on findings of fact and conclusions of law to be written, it is hard sometimes to get ready and prepared on top of the volume of work, or to complete the decision in a timely way afterwards. Difficult cases in particular, which require more time, get shunted to the side for legal research while the day-to-day workflow continues. People come in regularly with questions and administrative things that need to be done. We could use more staff in the clerk's office, a law clerk for research and writing, and more help in general.
18	We have built in several efficiencies with our e-filing development and use of other electronic support. Additionally, with the County's assistance, we have at least some limited (3 for 23 Judges) research attorney assistance. The simplicity and availability of the JIMS staff is essential.
19	I've only been a judge for less than 3 months, doubt my experience so far is very representative

## Appendix F: Kansas District Court Judicial Officer Workload Model by Judicial District Based Upon Fiscal Year 2019 Case Filings

Case Type	Case Filings																
	Case Weight	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Care and Treatment/Sexually Violent Predator	82.00	52	47	179	46	22	351	163	79	63	207	26	16	28	67	48	60
Probate Cases	69.00	282	270	848	275	140	238	298	295	292	1,636	375	245	301	158	214	209
Regular Civil	189.00	461	278	954	258	138	517	411	487	339	2,555	376	113	367	213	170	287
Small Claims	49.00	142	95	278	75	49	74	105	112	80	577	139	111	85	59	114	103
Other Limited Civil Cases	8.00	2,438	1,458	18,919	1,627	2,126	1,233	3,402	3,042	4,427	13,121	2,142	1,042	1,369	1,744	745	1,648
Protection from Abuse/Protection from Stalking (PFA/PFS)	36.00	668	176	1,150	331	129	197	609	418	246	1,086	411	63	206	118	107	77
Other Domestic	146.00	697	321	1,461	696	263	425	571	856	390	3,010	658	239	396	359	167	355
Marriage Licenses	1.00	534	237	914	337	199	295	716	670	377	2,721	333	156	308	170	149	294
Statutory Bond/Statutory Lien/State Tax/Misc. Civil	1.00	1,075	698	13,287	714	356	641	1,247	768	766	10,200	1,024	341	948	514	425	936
Property Tax	2.00	349	35	1	398	153	508	1	540	83	238	137	104	176	604	154	480
Felony Off-Grid/Capital Crimes	2,026.00	4	6	22	7	2	3	8	16	8	28	11	7	6	10	3	19
Other Felonies (NOT including Felony DUI/Felony Traffic)	245.00	580	435	1,768	388	364	484	666	946	653	2,369	816	250	420	419	285	705
Misdemeanors	89.00	520	513	1,240	468	243	652	467	408	237	2,455	259	180	383	105	311	339
Other Criminal/Miscellaneous Criminal	73.00	148	87	1,257	52	22	290	43	122	39	373	109	17	45	3	47	38
Search Warrants	18.00	238	182	2,036	249	241	35	644	357	248	674	371	140	229	136	155	304
DUI (Felony & Misdemeanor; Traffic & Criminal)	69.00	100	153	286	94	52	95	216	106	84	541	87	36	94	25	48	112
Misdemeanor Traffic (NOT including Misdemeanor DUI)	9.00	1,362	1,765	4,186	1,485	1,082	1,334	1,916	1,152	1,365	7,181	1,691	848	1,628	385	801	1,939
Infractions (includes juvenile tobacco)	1.00	1,185	2,309	4,404	2,525	2,946	1,400	3,297	3,223	2,141	8,260	2,554	2,387	3,353	1,436	2,977	5,718
CINC (TPR)	204.00	274	126	452	149	137	200	181	285	61	704	396	160	197	79	86	193
Juvenile Offender (includes expungement)	100.00	288	82	553	109	69	65	147	234	171	1,597	179	65	100	124	21	129
Problem-Solving Courts (all types)	636.00	0	0	46	0	37	0	0	0	0	70	0	0	0	0	0	0
Chief Judge Admin Time (@77 minutes/day)	16,478.00	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Total Cases by Location		11,397	9,273	54,241	10,283	8,770	9,037	15,108	14,116	12,070	59,603	12,094	6,520	10,639	6,728	7,027	13,945
Case-specific Work Minutes (sum of WT x cases)		598,519	398,700	1,658,934	442,901	312,791	515,726	590,442	725,995	466,667	2,607,468	634,343	254,550	422,092	318,597	250,917	497,890
Judicial Officer Annual Availability		96,300	96,300	96,300	96,300	96,300	96,300	96,300	96,300	96,300	96,300	96,300	96,300	96,300	96,300	96,300	96,300
Subtract Annual Non-Case-Related Time		15,147	15,147	15,147	15,147	15,147	15,147	15,147	15,147	15,147	15,147	15,147	15,147	15,147	15,147	15,147	15,147
Subtract District-Specific Annual Travel Time		3,120	3,020	448	7,729	7,541	5,762	0	3,953	4,576	496	1,743	6,941	5,251	11,001	7,351	6,875
Judicial Officer Annual Case-Related Availability		78,033	78,132	80,705	73,424	73,612	75,391	81,153	77,200	76,577	80,657	79,410	74,212	75,902	70,152	73,802	74,278
Judicial Officer FTE Demand		7.7	5.1	20.6	6.0	4.2	6.8	7.3	9.4	6.1	32.3	8.0	3.4	5.6	4.5	3.4	6.7
Current Judicial Officer FTE Allocated		6.0	6.0	15.0	5.0	4.0	5.0	6.0	8.0	4.0	23.0	7.0	7.0	6.0	4.0	8.0	8.0
Total Judicial Officer Surplus(-)/Deficit		1.7	- .9	5.6	1.0	2	1.8	1.3	1.4	2.1	9.3	1.0	- 3.6	- .4	.5	- 4.6	- 1.3



Kansas District Court Judicial Officer Weighted Caseload Assessment Study, 2020

Case Type	Case Filings																
	Case Weight	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	State Total
Care and Treatment/Sexually Violent Predator	82.00	25	620	55	108	85	27	78	277	51	39	97	62	136	50	50	3,214
Probate Cases	69.00	204	2,037	178	390	224	242	226	176	223	261	339	285	593	316	264	12,034
Regular Civil	189.00	128	2,918	138	300	363	148	183	118	244	229	404	295	983	260	151	14,786
Small Claims	49.00	59	870	70	86	175	147	80	74	91	133	119	85	139	105	100	4,531
Other Limited Civil Cases	8.00	766	23,466	2,420	2,211	2,097	976	1,515	462	2,104	1,712	2,637	2,431	6,350	1,601	1,810	113,041
Protection from Abuse/Protection from Stalking (PFA/PFS)	36.00	84	3,726	220	238	378	108	145	82	104	109	409	425	1,159	178	188	13,545
Other Domestic	146.00	168	5,836	326	440	457	324	270	149	418	325	636	547	1,477	368	441	23,046
Marriage Licenses	1.00	138	3,271	184	285	760	192	223	93	278	288	383	338	1,124	286	196	16,449
Statutory Bond/Statutory Lien/State Tax/Misc. Civil	1.00	254	8,464	495	625	849	416	459	280	963	1,010	759	2,326	4,013	588	495	55,936
Property Tax	2.00	833	2,715	251	346	117	152	786	7	765	1,411	554	168	6	885	829	13,786
Felony Off-Grid/Capital Crimes	2,026.00	2	66	5	8	8	2	4	6	9	9	5	9	33	6	12	344
Other Felonies (NOT including Felony DUI/Felony Traffic)	245.00	145	2,990	354	630	348	237	473	249	539	641	630	848	1,337	443	552	21,964
Misdemeanors	89.00	120	394	404	363	462	189	359	224	295	288	419	291	76	370	681	13,715
Other Criminal/Miscellaneous Criminal	73.00	40	423	18	14	53	19	41	202	9	70	1	11	31	134	863	4,621
Search Warrants	18.00	109	1,096	209	250	307	110	253	111	133	199	4	210	749	220	284	10,483
DUI (Felony & Misdemeanor; Traffic & Criminal)	69.00	23	400	77	94	83	44	105	50	107	106	90	98	178	142	89	3,815
Misdemeanor Traffic (NOT including Misdemeanor DUI)	9.00	730	13,353	919	1,748	615	1,037	1,749	864	1,945	1,813	1,139	1,435	5,518	2,464	1,722	67,171
Infractions (includes juvenile tobacco)	1.00	1,484	10,383	849	4,977	1,302	1,498	5,349	3,011	2,502	2,196	1,648	2,356	2,483	5,509	2,664	98,326
CINC (TPR)	204.00	50	613	71	225	108	121	116	70	220	197	343	278	745	170	223	7,230
Juvenile Offender (includes expungement)	100.00	62	1,050	59	111	109	66	58	38	93	129	218	240	339	83	120	6,708
Problem-Solving Courts (all types)	636.00	0	131	50	0	0	0	0	0	0	0	18	82	20	0	46	500
Chief Judge Admin Time (@77 minutes/day)	16,478.00	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
Total Cases by Location		5,424	84,822	7,352	13,449	8,900	6,055	12,472	6,543	11,093	11,165	10,852	12,820	27,489	14,178	11,780	505,245
Case-specific Work Minutes (sum of WT x cases)		176,605	3,416,555	343,348	497,838	412,512	257,933	357,275	248,211	432,162	445,191	584,181	630,130	1,254,419	420,081	559,539	20,221,694
Judicial Officer Annual Availability		96,300	96,300	96,300	96,300	96,300	96,300	96,300	96,300	96,300	96,300	96,300	96,300	96,300	96,300	96,300	
Subtract Annual Non-Case-Related Time		15,147	15,147	15,147	15,147	15,147	15,147	15,147	15,147	15,147	15,147	15,147	15,147	15,147	15,147	15,147	
Subtract District-Specific Annual Travel Time		5,204	624	0	8,460	710	7,571	5,893	3,123	12,667	10,657	0	4,345	780	5,809	5,528	
Judicial Officer Annual Case-Related Availability		75,949	80,529	81,153	72,693	80,443	73,582	75,260	78,030	68,486	70,496	81,153	76,808	80,373	75,344	75,625	
Judicial Officer FTE Demand		2.3	42.4	4.2	6.8	5.1	3.5	4.7	3.2	6.3	6.3	7.2	8.2	15.6	5.6	7.4	265.9
Current Judicial Officer FTE Allocated		7.0	28.0	3.0	7.0	5.0	5.0	5.0	7.0	11.0	8.0	5.0	5.0	16.0	7.0	5.0	246.0
Total Judicial Officer Surplus(-)/Deficit		- 4.7	14.4	1.2	- .2	.1	- 1.5	- .3	- 3.8	- 4.7	- 1.7	2.2	3.2	- .4	- 1.4	2.4	19.9