Vermont Trial Court System
Judicial Officer and Court Staff
Weighted Caseload Study, 2015

REVISED Final Report
January 9, 2016

Court Consulting Division
National Center for State Courts

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Over the course of this study, we were fortunate to work with a distinguished advisory committee that was instrumental in refining the approach and content in our assessment. The Judicial Officer and Court Staff Steering Committees were comprised of judicial officers and court staff from across the state as well as members of the Court Administrator's Office.

We extend a special note of thanks to Teri Corsones and Linda Richard for their ongoing availability and behind-the-scenes assistance throughout this project. We also thank John McGlynn for his tireless work in helping us to get the staffing numbers correct.

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Vermont Trial Court System Judicial Officer and Court Staff Weighted Caseload Study, 2015 Errata

Several months following the submission of the final Weighted Caseload Study report to the Vermont Court Administrator's Office two errors were noted in the recording and computation of rotational and other travel in the judicial officer need model. Specifically, it was determined that the number of minutes associated with rotational travel (35 minutes per day per judicial officer) was recorded correctly in the needs model, but was reflected as 33 minutes per day in the report on page 6. Similarly, the need model indicated that the average daily "other" travel is 8 minutes, however, the computations erroneously incorporated 22 minutes per day, and this amount was also reflected in the written documentation on page 6 of the report. After consulting with staff in the Court Administrator's Office and reviewing notes from meetings and subsequent discussions, the correct figures for rotational and other travel were verified (35 minutes for rotational travel; 8 minutes for other travel) and these errors were corrected. This revised report updates the travel descriptions and the needs models. Specifically, the corrections to the travel times were corrected on pages 6 and 7. The needs model has also been corrected in three places in the report: in *Figure ES 1* on page ii, in *Figure 10* on page 14 and in *Appendix I*. Based on these corrections, the overall judicial officer need changed from 49.44 to 50.68.

The authors sincerely regret any inconvenience these errors may have caused.

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Executive Summary

Findings

This assessment establishes a set of workload standards for the Vermont Superior Court with Civil, Criminal, Family and Probate Divisions in each Unit, as well as the statewide Environmental Division and Judicial Bureau. The workload standards developed for the Vermont courts provide uniform and comparable measures of workload and help to determine the baseline number of judicial officers and court staff needed to provide effective case processing and case resolution. Application of the workload standards to fiscal year 2014 filings results in the baseline need for a total of 50.68 judicial officers and 212.00 court staff to handle the workload of the Vermont Courts.
Because the study is a quantitative assessment, qualitative analysis should also take place before finalizing necessary resource levels.

Adequate resources are essential if the Vermont Courts are to effectively manage and process court business without delay while also delivering quality service to the public. Meeting these challenges involves objectively assessing the number of state-level judicial officers and court staff required to handle the courts' caseload and determining whether these resources are being allocated properly and in the correct locations.

The Vermont Court Administrator's Office has relied on the use of a weighted caseload model to establish the baseline needs for trial court judicial officer and court staff resources since 2010, when the first weighted caseload study was conducted. Recognizing the need to update case weights, the Vermont Court Administrator's Office (CAO) contracted with the National Center for State Courts (NCSC) to help measure judicial and court staff workload. The 2015 weighted caseload study provides data to update the case weights derived from the 2010 study and has incorporated them into the weighted caseload models for judicial officers and court staff.

Recommendations

The NCSC proposes three recommendations to maintain the integrity and utility of the case weights and judicial and court staff need models.

1. The weighted caseload model presented in this report should be the ***starting point*** for determining need. There are a number of qualitative issues that an objective weighted caseload model cannot account for that should be taken into account when determining judicial and court staff needs. Those issues that result in longer or shorter case processing times should also be considered. Similarly, access to justice issues should always be considered when addressing judicial officer and court staff need.

2. The current judicial and court staff need models should be updated on an annual basis using the most recent case filings.

3. Over time, the integrity of the case weights is affected by multiple influences likely to impact case processing time. Unless significant case processing changes are implemented, the current case weights should be accurate for five to seven years. Thus, we recommend updating of the case weights in five to seven years, through the conduct of a time-and-motion study, so they continue to ensure that the case weights accurately represent the judicial and court staff workload. Updating of the case weights more frequently, as required by the current legislative 3-year mandate, should not be necessary.

Project Design

The current weighted caseload study of the Vermont Superior Court Civil, Criminal, Family and Probate Divisions in each Unit and the statewide Environmental Division and Judicial Bureau was completed in a series of interrelated steps, described below.

Advisory Committees

The initial step in the study was to establish two policy and review committees of judicial officers and court staff representatives to provide oversight and guidance throughout the life of the project. The committees were comprised of judicial officers, court staff and representatives from the Court Administrator's Office. The committees refined the approach and the content of the assessment and resolved important issues affecting data collection, interpretation and analysis. Also, they monitored the development of the workload assessment methodology and reviewed findings at each critical phase of the study and its completion.

Time Study

Second, the NCSC team utilized a time-and-motion study to measure the amount of time judicial officers and court staff currently spend on various activities throughout the day, including case-related and non-case-related activities. The committees encouraged all judicial officers and court staff to participate in the time study. During the 12-week time period spanning January 20 through April 10, 2015, 100% of trial court, probate, environmental and judicial bureau judicial officers and 100% percent of court staff participated in the time study. The strong participation rate, combined with a twelve-week data collection period, ensures the reliability of the data and guarantees that there are sufficient data points for the development of an accurate and valid picture of current judicial and court staff practice – the way judicial officers and staff process cases in Vermont.

Calculating Judicial Officer and Court Staff Resource Need

Third, the NCSC team applied the updated case weights to the fiscal year 2014 filings, which results in the expected judicial and court staff workload for the state of Vermont. The NCSC team divided the workload by the identified judicial officer and staff year values, while also accounting for non-case-related work and work-related travel, which yielded the number of judicial officers and court staff needed to effectively process the cases filed (see the full report for detail on the methodology). The updated model, based on the 2015 case weights and fiscal year 2014 case filings, indicates the baseline need for a total of 50.68 judicial officers and 212.00 court staff statewide, as shown in ES 1 and ES 2.

Figure ES 1: 2015 Vermont State Court System Judicial Officer Need Model

Judicial Officer Demand by Division:	
Civil Division	8.29
Criminal Division	11.14
Family Division (w/o child support)	14.44*
Family Division (child support only)	4.52
Probate Division	8.66**
Environmental Division	1.84
Judicial Bureau	1.79
Total Judicial Officer Demand	**50.68*** **

* Magistrate time spent hearing non-child-support matters is included in this calculation.
**Although there are 14 probate judges (one per unit), all but one of the probate judges is part-time.
***Law clerk time is factored separately from this total; if law clerks did not provide judicial officer assistance, more judicial officers would be needed to accomplish the research and legal writing work that law clerks perform.

Figure ES 2: 2015 Vermont State Court System Staff Need Model

Staff Demand by Division:	
Civil Division	40.34
Criminal Division	51.63
Family Division	77.26
Probate Division	23.27
Environmental Division	1.75
Judicial Bureau	17.75
Total Staff Demand	**212.00**

I. Introduction

Since 2010, the Vermont Court Administrator's Office (CAO) has relied on the use of a weighted caseload model to establish the baseline needs for trial court judicial and staff resources. The first weighted caseload study was conducted by the National Center for State Courts (NCSC) in 2009 (and implemented in 2010) and the CAO has been using that system as an aid in assessing judicial and court staff needs and allocations since that time.

Recognizing that case weights need to be reestablished periodically to adjust for system and case processing changes, the Vermont legislature requires the CAO to update the case weights every three years. To comply with this requirement, the CAO contracted with NCSC, using grant funds received from the State Justice Institute (grant number SJI-14-N-007), to perform an update to the existing judicial and court staff weighted caseload system. While the original model is still useful, periodic updating of the case weights is necessary to ensure that the model accurately reflects current case processing practices. A clear and objective assessment of court workload and the number of judicial officers and court staff required to handle that workload effectively is essential to the state's ability to evaluate whether judicial and court staff resources are being reasonably allocated based on need.

The current workload assessment study builds on the previous study, maintaining many of the same data elements, but improving on the original study design. Specifically, the current study accomplishes the following:

- Increases the participation rate of judges and court staff to 100% of all expected participants;[1]
- Includes a twelve-week data collection period (compared to a four-week data collection period used in 2009) to ensure sufficient data to develop judicial and court staff needs assessment model elements;
- Accounts for work at various phases of case processing;
- Accounts for non-case related work that is a normal part of judicial and court staff work;
- Accounts for variations in judicial travel time requirements by distinguishing between rotational travel (scheduled court coverage outside a judicial officer's assigned unit) and other travel, such as that required to attend meetings; and accounts for travel variations across locations for both judicial officers and court staff; and
- Incorporates feedback from judicial officers and court staff provided in focus groups that were held in seven different locations across the state.

Throughout the workload assessment process, the joint advisory committee provided oversight and guidance to the NCSC team. This technical report provides a detailed discussion of the workload assessment methodology and results and enumerates decisions made by the joint advisory committee.

II. Developing the Needs Assessment Study Parameters

Two advisory committees were formed to advise the NCSC in conducting the weighted caseload study and to ensure that the study accounted for the qualities that exist within the Vermont State Courts. The committees were made up of judicial and court staff employees representing all court divisions. The committees met jointly on November 6, 2014 to determine the details of the weighted caseload studies. The committees were reconvened (jointly) on May 12, 2015 to discuss the data collection process, draft case weights and to prepare for the focus groups. The committees met individually to review findings from the focus groups and to finalize the case weights on June 2, 2015. The committees' responsibilities included:

- Advising the project team on the case type categories and events along with their definitions;
- Making policy on any other decisions necessary throughout the project; and
- Reviewing and approving the case weights, non-case-related time and travel time incorporated into the final needs models.

[1] The participation rate in the 2009 time study was 90% for judicial officers and 91.4% for court staff.

The first step in developing a workload model was to identify the categories of work in which judicial officers and court staff are required to engage. Specifically, the NCSC and the committees identified the case types and activities that would be used by judicial officers and court staff to accurately capture and account for all of their work, across all divisions.

A. Case Type Categories

The case type categories represent a fundamental building block of the workload assessment. The workload model is based on the assumption that more complex case types require more time to resolve. The case types need to be logically distinct from one another and the CAO must have the ability to count the number of cases filed in each category across court divisions and counties. The committees refined the case types used in the 2009 study by combining categories and reducing the number of case types from 45 to 20 (some of these were further collapsed in the final meetings).

Figure 1 presents the case types selected by the committees for the time-and-motion study, the fiscal year 2014 case filings and the percentage of total filings of each case type. Appendix A also presents the listing of case types used.

Figure 1: Vermont Court System's Time Study Case Types and FY 2014 Filings by Category

Case Type Category		FY 2014 Cases Filed	% of Total Filings
Civil	Small claims	6,316	4.39%
	Stalking/Sexual assault	703	0.49%
	Other civil	6,868	4.77%
Criminal	Misdemeanor	12,970	9.01%
	Felony	3,433	2.39%
	Adult treatment courts	153	0.11%
	Civil suspension	1,691	1.18%
	Search warrants, Inquests, NTO	1,760	1.22%
	Other miscellaneous criminal	931	0.65%
Family	Domestic	4,682	3.25%
	Child support	8,013	5.57%
	Relief from abuse	3,445	2.39%
	Juvenile CHINS (Abuse & Neglect, Unmanageable)	893	0.62%
	Juvenile delinquency	719	0.50%
	Juvenile truancy	112	0.08%
	Juvenile TPR	237	0.16%
	Juvenile treatment court	10	0.01%
	Mental health	843	0.59%
Probate	Estates	2,461	1.71%
	Trusts	1,212	0.84%
	Adult Guardianship	495	0.34%
	Minor guardianship	501	0.35%
	Adoptions: agency & private	368	0.26%
	Adoptions: TPR	14	0.01%
	Other Probate[2]	881	0.61%
Environ.	De novo	128	0.09%
	On the record	4	0.00%
	Enforcement actions	66	0.05%
J.B.	Contested	12,441	8.64%
	Uncontested	71,562	49.73%
Total		**143,912**	**100.00%**

[2] The *Other Probate* case type does not include *Wills Filed for Safekeeping* in this table (n=1,261); these cases are included in the need model for court staff only, as judicial officers and law clerks do not process these cases.

B. Case-Related and Non-Case-Related Activities

To cover the full range of judicial and staff activities, the committees developed separate categories and definitions for case-related and non-case-related events. Case-related activities are the essential functions that judicial officers and court staff perform in processing a case from initial filing to final resolution. As with the case types, the essential functions were categorized into manageable groups for the time study. Figure 2 provides the case-related activity categories selected for the time study for judicial officers;[3] Figure 3 presents the case-related activities for court staff. Appendices B and C, respectively, provide the definitions of these activities.

Some activities and responsibilities, such as continuing education, general administrative responsibilities and committee work, are not directly related to a particular case, but they are nonetheless essential to a judicial officer's or court staff employee's work. These activities, defined as non-case-related activities, are presented in Figures 4 and 5, respectively; Appendices D and E provide the corresponding definitions. To simplify data collection, sick/vacation leave were included as non-case-related events; however, because the time is already built into the expected judicial and court staff working year (discussed later in this report), the data were treated differently analytically so as not to be counted twice.

Figure 2: Vermont Case-Related Activities: Judicial Officers

In-courtroom activities: All hearings, bench & jury trials
Out-of-courtroom activities
Post-judgment activities (whether in-courtroom or out)
Child support activities (domestic cases only)
Treatment court activities
Judicial Bureau: Contested activities
Judicial Bureau: Uncontested activities

Figure 3: Vermont Case-Related Activities: Court Staff

Case initiation, calendaring, financial management & jury
Case-related customer service
Courtroom support/Court monitoring
Child support activities (domestic cases only)
Treatment court activities

Figure 4: Vermont Non-Case-Related Activities: Judicial Officers

Non-case-related administration
Judicial education and training
Community activities, education, speaking
Rotational travel outside home court location
Other work-related travel
Vacation/illness/other leave
Other
Time study data reporting/entry

Figure 5: Vermont Non-Case-Related Activities: Court Staff

General customer service
Financial management, jury services, general administration
Work-related travel
Committees, meetings and special assignments
Education and training
Community activities
Vacation/illness/other leave
County functions
Other
Time study data reporting/entry

III. Time Study

To establish a baseline of current practice, NCSC consultants conducted a statewide time-and-motion study of all trial court judicial officers and court staff employees to measure the amount of time they currently devote to each case type category as well as to non-case-related events and work-related travel. Separately, the CAO provided counts of filings by case type category and county. Following the data collection, the project team used the time study results and caseload data to calculate the average number of minutes spent processing cases within each case type category (initial case weights), the average amount of time devoted to non-case-related activities, and the average time associated with

[3] Law clerks recorded their case-specific time in the judicial officer categories; law clerks did not record non-case-specific time, such as attending meetings, travel or training. Only law clerk time spent doing judicial officer work, such as conducting research, reviewing files and drafting memoranda was recorded in the time study.

work-related travel, including a separate category for rotational travel for judicial officers.

A. Data Collection

During the twelve-week period of January 20 through April 10, 2015, all state trial court judicial officers and court staff were asked to track their working time by case type category and case-related event (for case-related activities), or by non-case-related event (for non-case-related activities). The inclusion of 100% of judicial officers and court staff statewide obviates any concerns regarding sample representativeness.[4] The committees opted to collect data for a twelve-week period to ensure adequate data in all case type and event categories. The perfect participation rate paired with the twelve-week data collection period ensures sufficient data to develop an accurate and reliable picture of current practice in the Vermont Trial Courts.

Time study participants were asked to track their time in five-minute increments using a manual time tracking form and then to enter the information into an on-line data entry site. To maximize data quality, all time study participants were asked to attend training that was delivered via webinar format. During the data collection period, participants also had access to a Help Desk, staffed during weekday working hours, in which they could submit questions about data entry or report a data entry error. NCSC staff corrected all data entry errors that were reported. Additional data review and cleaning processes were undertaken to ensure data accuracy.

To translate the time study data into the average amount of time expended on each type of case (the initial case weights), it was first necessary to determine how many individual cases in each category were filed statewide. The CAO provided filing data for the 2014 fiscal year, disaggregated by case type and county (statewide data were provided for environmental division and judicial bureau cases).[5]

B. Initial Case Weights

Following the twelve-week data collection period, the time study and caseload data were used to calculate initial case weights. An initial case weight represents the average amount of time judicial officers and court staff currently spend to process a case of a particular type, from filing through all post-disposition activity, including time spent during normal working hours and time spent outside of the normal working day or week. The use of separate case weights for different case categories accounts for the fact that cases of varying levels of complexity require different amounts of time to resolve. It is important to note that not all case-related work is conducted inside the courtroom. Data from the time study indicate that judicial officers, on average, spend approximately half of their time in the courtroom and half outside of the courtroom. Throughout the day it is not unusual for judicial officers to move between chambers and courtroom to conduct court business.

To calculate the preliminary case weight for each case type category, all time associated with each case type during the time study was summed and weighted to the equivalent of one full year's worth of time, then divided by the corresponding annual filings. For example, the time study data indicate that Vermont judicial officers spend a total of 368,709 minutes annually processing misdemeanor cases. Dividing the total time by the 2014 fiscal year filings for misdemeanor cases (12,970) yields an initial case weight of 28 minutes. This means that, on average, judicial officers in Vermont spend roughly one half of one hour on each misdemeanor case throughout the life of the case, including those cases that are disposed of quickly and those cases that reach disposition via trial. Below Figure 6 presents the initial case weights for all case type categories for both judicial officers and court staff. Appendices F and G provide the calculation of the initial case weights. The committees reviewed the initial

[4] Expected judicial officer participants included: superior judges, judicial bureau hearing officers, probate judges, magistrates and assistant judges who sat alone. In addition, acting judges, law clerks and retired judges entered time when they engaged in judicial officer activity. Expected court staff employees included: superior court clerks, court operations managers, all clerk staff, probate registers, and family and environmental case managers; ancillary staff, whose primary job is not court clerk-related, but who sometimes contribute to court clerk work also participated when appropriate, such as some court officers. Vacancies in judicial officer and court staff positions were also factored into the calculations.

[5] Pending cases at the beginning of the year were used to compute trust case weights because the number of pending cases, instead of the number of new filings, was used to compute the case weights for trusts in 2009.

case weights during a jointly held session on May 12, 2015. The committees approved all but two of the initial case weights prior to the focus group sessions. The committees convened again to review the initial case weights in light of the responses their colleagues had during the focus group sessions.

Figure 6: Initial Case Weights: Judicial Officers and Court Staff

Case Type	Initial Case Weights: Judicial Officers	Initial Case Weights: Court Staff
Small Claims	13	136
Stalking/Sexual Assault	24	106
Other Civil	84	337
Misdemeanor	28	177
Felony	130	352
TX Court: Adult	231	1,083
Criminal Civil Suspension	6	30
Search Warrants Inquests, NTO	14	24
Other Miscellaneous Criminal	24	176
Domestic (without child support)	126	566
Child support	46	196
Relief from Abuse	31	170
CHINS	332	1,027
Juvenile Delinquency	59	288
Juvenile Truancy	103	212
Juvenile TPR	309	375
TX Court: Juvenile	923	3,354
Mental Health	64	179
Estates	101	337
Trusts	49	59
Adult Guardianship	429	880
Minor Guardianship	203	386
Adoptions	90	138
Adoptions: TPR	1,165	1,475
Other Probate	39	127
Environmental Div. De Novo	1,038	990
Environmental Div. On the Record	278	999
Environmental Div. Enforcement Actions	246	155
All Judicial Bureau Cases	1	16
Judicial Bureau Contested	6	NA[1]
Judicial Bureau Uncontested	1	NA

[1] For court staff, judicial bureau case time was *not* recorded separately for contested/uncontested cases , so only a single case weight could be computed.

C. Day and Year Values

In every workload study, three factors contribute to the calculation of resource need: case weights, caseload data (filings), and the expected year value. The expected year value is defined as the amount of time a judicial officer or court staff employee has available to work on an annual basis. The relationship among the case weights, filings, and year value is expressed as follows:

$$\frac{\text{Case Weights (minutes) x Filings}}{\text{Expected Year Value (minutes) – (Non-Case-Related Time + Travel)}} = \text{Resource Demand (FTE)}$$

Multiplying the case weights by the corresponding filings results in the total annual case-specific workload in minutes. Dividing the workload by the expected year value (minus the time required for non-case-related, plus travel time) yields the total baseline number of full-time equivalent (FTE) judicial officers/court staff needed to handle the work of the Vermont Trial Courts.

In order to develop the expected year value, the committees determined the number of days judicial officers and court staff have available to devote to work (expected year), as well as how to divide the workday between case-related and non-case-related time (expected day). The expected year is described below.

1. Judicial Officer Year Value

Development of the judicial officer-year value begins with a baseline of 365 days in the year and subtracts the 104 weekend days and 13 state holidays/personal days. The working group estimated that, on average, 25 days[7] is a reasonable amount for an *aspirational* combination of all leave time (vacation/illness/other) and 15 days per year are a reasonable amount for *aspirational* judicial conference attendance and other educational time.[8] The number of days available, after subtracting a the specified number of days away from case work described above, is 208 days per year. Figure 7 presents the year value for Vermont judicial officers.

2. Judicial Officer Day Value

The judicial officer day will separate into two parts: the amount of time devoted to (1) case-related matters and (2) non-case-related matters. The judicial model is based on an 8-hour day. This accounts for a traditional 8 a.m. to 5 p.m. working day, and allows for a one-hour lunch break resulting in 8 hours of work time.

Data collected during the time study established the average amount of time associated with non-case-related activities (45 minutes per day)[9] and the average amount of time associated with work-related travel (35 minutes per day per judicial officer is associated with rotational travel; approximately 8 minutes per day is associated with other travel).[10]

Multiplying the judicial officer year by the number of hours in a day available for case-related work (8 hours minus non-case-related time and travel time) yields the amount of time

[7] Twenty-five days is below the national average of 30 days of leave time applied in judicial models for all judicial workload studies conducted by the NCSC between 1996 and 2012.

[8] The year values for judicial officers and staff are built on aspirational values for vacation/sick leave and educational time. During the data collection period, which likely underrepresents vacation and educational leave, the actual time off (annualized) associated with vacation/sick leave was 16 days for judicial officers and 22 for court staff (compared to the 25 aspirational days); educational time taken during the time study was 1.5 days for judicial officers and 4 for court staff (compared to the 15 aspirational days). Probate judges noted that they typically have far fewer than 15 days of educational leave.

[9] Non-case-related time measured in the most recent judicial officer workload studies conducted by the NCSC ranges from a low of 43 minutes per day per judicial officer to a high of 120 minutes per day per judicial officer; the mean is 71 minutes per day per judicial officer.

[10] Eighteen judicial officers were assigned rotational assignments between September 2014 and September 2015. The actual average amount of travel associated with these assignments was 105 minutes per day. Dividing the total rotational travel reported across all judicial officers in the state derives the average rotational travel time. Given that rotational travel requirements change each year, the judicial officer steering committee thought it was most representative to apply this time evenly to all judicial officers. It should be noted; however, that judicial officers in certain areas of the state are less likely to have rotational travel as part of their assignments than judicial officers in other, more rural, areas of the state. The other travel requirements are also built into the model as a statewide average.

available per year for judicial officers allocated to case-specific work. Therefore, the average case-related judicial officer year value is 81,536 minutes per year, or 392 minutes per day (6.54 hours per day). The remaining 88 minutes of the 8-hour day are associated with non-case-related work and work-related travel.

Figure 7: Average Year and Day Components for Vermont Trial Court Judicial Officers

Judicial Officer Day		Working Minutes per Day	Working Hours per Day	Working Minutes per Year
Total time per day		480	8	99,840
Subtract				
Non-case-related time	-	45	.75	9,360
Average rotational travel per judicial officer		35	.58	7,280
Average travel per county	-	8	.13	1,664
Total case-related time available per judicial officer	-	392	6.54	81,536

1. Court Staff Year Value

Development of the staff-year value begins with a baseline of 365 days in the year and subtracts the 104 weekend days and 13 state holidays/personal days. The working group estimated that, on average, 40 days is a reasonable amount for an *aspirational* combination of all leave time and education/training. The number of days available, after subtracting the specified number of days away from casework described above, is 208 days per year. Figure 8 presents the year value for Vermont court staff.

2. Court Staff Day Value

The court staff day is separated into two parts: the amount of time devoted to (1) case-related matters and (2) non-case-related matters. The model of court staff need is based on an 8-hour day. This accounts for a traditional 8 a.m. to 4:30 p.m. working day, and allows for a one-half hour lunch break resulting in 8 hours of work time.

Data collected during the time study established the average amount of time associated with non-case-related activities (88 minutes per day)[11] and the average amount of time associated with work-related travel (5 minutes per day per court staff employee is associated with work-related travel).

Multiplying the court staff year by the number of hours in a day available for case-related work (8 hours minus non-case-related time and travel time) yields the amount of time available per year for court staff allocated to case-specific work. Therefore, the average case-related staff year value is 80,496 minutes per year, or 387 minutes per day (6.45 hours per day). The remaining 93 minutes of the 8-hour day are associated with non-case-related work and work-related travel.

Figure 8: Average Year and Day Components for Vermont Trial Court Staff

Staff Day		Working Minutes per Day	Working Hours per Day	Working Minutes per Year
Total time per day		480	8	99,840
Subtract				
Non-case-related time	-	88	1.47	18,304
Average travel per county	-	5	.08	1,040
Total case-related time available per court staff employee	-	387	6.45	80,496

IV. Focus Groups

To gain perspective on the nature of the data collection periods, reactions to initial study findings, variation in case processing issues across the state and the sufficiency of time to perform key case-related and non-case-related activities, the NCSC held a total of fourteen focus group sessions in seven locations. In each location, one session was dedicated to judicial officers and one was dedicated to court staff. In all, 24 judicial officers and 45 court staff representatives attended the focus group sessions.

Across the focus group locations, the NCSC team heard a variety of comments on each of the main topics of interest; however, several themes also emerged. Themes from the focus groups are presented below.

[11] Non-case-related time measured in the most recent court staff workload studies conducted by the NCSC ranges from a low of 88 minutes per day per court staff to a high of 134 minutes per day; the mean is 104 minutes per day per court staff. Vermont court staff spend the most amount of time nationwide, on average per day, on case-related activities.

Judicial Officer Focus Group Themes

Data collection period:
Most judicial officers reported the data collection period as a normal representation of their work. Of course, there were variations, for example, one judicial officer was in the retention process and chaired a committee with a short timeline, which increased her non-case-related time. A significant theme that was reported was the lack of judicial officers in certain areas; due to retirements that occurred prior to the data collection period and that took place during the data collection period. Because of the unusual number of judicial officer vacancies, much more "juggling" of time took place that taxed both judicial officer and staff resources.

Adequacy of Time:
When asked "Do you generally have enough time to complete your work on a daily basis to your personal satisfaction?" judicial officers all replied with an emphatic "No!" Most judicial officers indicated there is not enough time in a regular working day (8 hours per day) to keep up with the workload. Specific areas in which judicial officers cited having a difficult time keeping up with workload include the following:

- Taking the time to think about and write well-thought-out and reasoned decisions and finding time to write opinions. Some judicial officers indicated that they sometimes couldn't get back to a decision until up to 3 weeks after they took notes on an issue, making it difficult to get back into the case and remember what they were thinking at that time.
- Judicial officers who engage in committee work find that, while important, it takes precious time away from the other time-consuming activities that are directly related to case-related work.
- Some judicial officers indicated that there is simply not enough time to deal with all of the issues raised in a case during a regularly scheduled hearing, which requires rescheduling the case for continuation, often some two to four weeks later. Continuations like this result in frustrations by litigants and judicial officers (this is especially true in juvenile and family-related cases).
- Several judicial officers indicated that responding to motions, especially emergency motions, often leads to interruptions in their work, which further leads to bottlenecks in the system. Specifically, *relief from abuse* cases do not necessarily take a lot of time, but they are a major interruption; a judicial officer needs to read and re-read and deal with these immediately, because each one is literally a potential death. Habeas corpus petitions also push everything to the side, as do ex parte injunctions. It was estimated that, on average, such emergencies might occur as often as three times per day. Paperwork associated with activities identified here often gets done outside of work hours.
- Judicial officers must decide on, and respond to, motions for cases to move ahead, yet it often takes days or weeks to respond to these motions. In the case of emergency motions, judicial officers must drop everything to review and respond to the motion. Motions can get stacked up waiting for the judicial officer to make a decision (grant, deny, take under advisement and write an opinion, or dismiss). Motions often sit for a while before a judicial officer can focus attention on it. Some take 15 minutes, others take hours (e.g., summary judgments), and each deserves thoughtful responses.
- Some probate judges indicated that their courts are short-staffed, relative to other courts, meaning that clerk work falls to the judge to undertake.
- Magistrates concur with the judicial officers' views regarding adequacy of time. The fact that magistrates are called upon to cover several counties spreads them very thin.
- Rotational judicial assignments require significant duplication of effort. Judicial officers need to read the files and come up to speed on the entire case, including treatment plans and all other components. All of this work must be duplicated when the assignment changes.
- Some computer processes are adding to judicial officer workload as opposed to the staff workload. For example, while it may sound ideal for judicial officers to use the computer to generate their own orders, it was reported to be more burdensome for certain processes. Usually, in any stack of 40-50 files, the majority of the orders may only require a judicial officer's signature. This simple act of signing the document now requires the judicial officer to find the case in the queue, open the queue, check the appropriate box, send it, and delete the original version contained in two separate

computer screens before moving on to the next case. This process is very time consuming. This process is more efficient for staff, less so for judicial officers. This process applies to all case types.

- There are variations in practices among judicial officers and clerks: some result in time efficiencies, some result in longer case processing. In some locations, clerks generate motion reaction forms for judicial officers; in other counties, judicial officers have to go into VTADs and generate motion reaction forms themselves.
- Case preparation takes a lot of time on the part of judicial officers.
- Decreased clerk staffing impacts judicial officers' ability to get their work done in a timely manner, which transfers staff work to the judicial officer.
- Many judicial officers reported opting to rule from the bench instead of issuing written orders because there simply is not time to write decisions.

What work does not get done (or gets put off) on a routine basis?

When asked to identify the kinds of work that is put off to address immediate court concerns, judicial officers almost always identified the following two items:

- Written decisions, and
- Deciding on motions.

Differences across units:

Finally, judicial officers were asked to identify issues that differentially impact case processing times in their counties compared to other counties. Many judicial officers identified variations in the types and numbers of cases that are filed, for example, in Rutland County, there are more mental health case filed because of the presence of a mental health facility in that county. Similarly, the locations in which correctional facilities are located indicated that they conduct regional arraignments, which accounts for more time on criminal cases, since they are arraigning defendants whose cases will be filed in other counties. In Bennington County, they indicated that the State's Attorneys' practices result in more time on the bench and more trials than are experienced in other counties.

Court Staff Focus Group Themes

Data collection period:

Most court staff focus group participants indicated that the data collection period was normal, with some people referring to "the new normal," indicating consistent understaffing and fast-paced work expectations.

Several probate staff indicated that during the study period they were spending more time than normal engaging in data entry in an effort to update the case management system with cases from the old system. This effort to update the case management system may have resulted in artificially high staff case weights in the probate case types.

Most court staff also indicated that they often multi-task, so it was difficult to capture the actual amount of time associated with the individual tasks. For example, when a docket clerk oversees the recording system in the courtroom for a period of four hours, he/she is also often docketing entries at the same time. Rather than this four hours being recorded as eight hours of time, the time was split into two hours for each activity. The net effect of this is a somewhat diminished case weight.

Court staff also noted that those working in small courts are generally responsible for a number of dockets, lessening their ability to process the same cases as quickly as someone who might be able to focus exclusively on one of those dockets in a larger court.

Adequacy of Time:

When asked "Do you generally have enough time to complete your work on a daily basis to your personal satisfaction?" staff overwhelmingly said "No!" The following quote sums up the common sentiment expressed by nearly all staff members participating in the focus groups: *"There is not enough time to get the work done daily or to my satisfaction."*

When further probed regarding the challenges that prevent them from getting their work done, court staff overwhelmingly indicated that interruptions, especially those relating to the provision of customer service, both counter and phone, have the greatest impact on keeping up with their work. Often, telephone inquiries are general in nature and do not need to be handled by a court specialist. Such inquiries as court hours, court locations, telephone numbers or locations of other justice agencies, such as probation/parole, could easily, and more

efficiently, be managed by a central call center (which is being developed as a pilot project by the CAO). While customer service is provided both telephonically and at the counter, most participants indicated that the phone calls are the most time consuming. One participant stated "*I could do my job if it was not for the customer service component!*" Another participant had this to say: "*This difficulty could be addressed by cross-training those employees who provide customer service".* Another participant indicated that, while they do take time off, doing so can add to the stress of their work: "*When I take a vacation, my work stops and does not get done until I return. Nobody knows how to do my work; only the motions get attended to. This adds to the stress of the job and makes me reluctant to take a vacation. The job I do affects people's lives and I feel I am not given the time to do it well."* Other statements that capture the stressful nature of the work include the following: "*We never go home with a clean desk," "the work is never done," "I always leave with a case open ready for the next day and to pick it up the next day;" "There is never a caught up stage."*

Many staff participants indicated that the lack of training, especially cross-training, further creates problems with work, because staff are often expected to cover for other positions, but the limited knowledge base prevents them from doing so in an efficient manner. This is especially true in the judicial bureau, where staff are all specialized. In many cases, there is only one person who has a certain type of knowledge and if that person is out, due to vacation, illness or for some other reason, the work either does not get done or does not get done correctly and certainly not efficiently. Also, there was a recent effort by the State's Attorney in one location to clean up old tickets by offering a "Driver Restoration Day," in which licensed drivers with outstanding tickets could voluntarily pay $20 per each outstanding ticket. This effort had a huge impact on the judicial bureau staff, not just in processing the tickets, but also in terms of all of the additional work, such as reconciling the ticket dismissals in the DMV and other systems.

What work does not get done (or gets put off) on a routine basis?

In an effort to get a better sense of the work that does not get done when staff feel pressured, focus group participants were asked to identify the kinds of work that gets put off on a regular basis. The following were identified:

- Docketing and filing are not getting done regularly on all case types, meaning that cases are not kept up-to-date regularly, causing problems for the end user.
- One foreclosure specialist indicated she is behind in docketing and filing because of being short-staffed and taking on other tasks (for example, docketing mail puts her foreclosure work behind).
- The absence of court reporters in the courtroom requires docket clerks to rotate into the courtroom to run recorders, which can take 2-3 days per week away from their specific job duties. Since no overtime is allowed, the work falls behind. On those days when court runs late, court specialists must also stay late, putting them further behind. For example, in a weeklong criminal trial, a criminal file clerk must be in the courtroom the entire time, and is not able to keep up with the daily work outside of the courtroom.
- Many participants indicated that motions don't get out as quickly as they should (within the guidelines). A delay in getting motions out is easily impacted by such unexpected factors as general customer service, needing to attend to courtroom recording, self-surrenders on arrest warrants, etc.
- Some probate staff indicated that their work takes much longer than it should because they are entering data into three separate systems (old cases are manually stored, new cases are stored on VTADS and the calendar is in both Outlook and on VTADS).
- The work required by staff is largely dependent on the judicial officer's willingness to use the more efficient systems available to them.

Differences across units:

As with judicial officers, court staff were asked to identify local practices or issues that result in case processing differences in various units. Judicial bureau staff did indicate that there was one day during the time study when a state's attorney declared a *Driver Restoration Day*, in which drivers could pay a small fine for all outstanding traffic tickets and, if necessary, could have their license reinstated. The Driver Restoration Day created significant work for the judicial bureau staff for that day as well as in subsequent days. Staff participants identified a number of other issues that create differences,

but they essentially mirrored what the judicial officers identified, which is presented above.

V. Quality Adjustment and Discussion

The time studies conducted in Vermont measure the amount of time judicial officers and court staff currently spend handling cases, which includes the fast-paced and stressful case processing practices described in the focus group sessions. ***The time studies do not inform us about the amount of time judicial officers and court staff should spend on activities to ensure the quality processing of cases.***

Following the focus groups, the judicial officer and staff advisory committees met independently with the NCSC team to review all of the data gathered, both qualitative and quantitative. The committees reviewed each initial case weight and the qualitative data obtained from the focus groups. Using these data sources, while also relying on their own expert opinions, the committees made a determination for each case weight regarding the degree to which sufficient time exists to attend to all of the elements of a case.

Both steering committees agreed that the case weights reflect the practices of the "new normal" Both committees also recognize that these practices and decisions judicial officers and staff must make to process cases in the most efficient manner may adversely affect litigants. That is, judicial officers and court staff, at the current levels of understaffing, make decisions that may delay case processing in order to engage in the most pressing matters in front of them. In the words of one judicial officer "*we provide less service and wait for more people to settle out of court*."

When both committees were asked if they thought time should be added to the case weights to address the matters of quality that currently are not getting done – or that are delayed – they both agreed that it was best to leave the case weights as reflected in the time study, due to a lack of consensus as to how to accurately account for the work that is not getting done. There were; however, two case types that were collapsed to more accurately capture case processing times.

First, the *probate adoptions TPR* and *probate adoptions* were collapsed into a single adoptions case type; second, *adult and juvenile treatment courts* were collapsed into a single *treatment court* case type. Both of these case types were collapsed because of the small case filing numbers (in adoptions TPR and in juvenile treatment courts). Additionally, some court staff provided independent information regarding some misallocation of time in certain case type categories. Their time was moved to the correct categories, which slightly changed the initial court staff case weights. For court staff only, the Environmental Division case types of *De Novo* and *On the Record* were also collapsed because the work is very similar. No other changes were made to the case weights.

Although the probate court staff indicated that data entry time associated with the transition to VTADS likely increased the case weights somewhat, the committee decided to leave the case weights as recorded, because it was unclear how they could be accurately reduced. It is likely, however, that the case weights for the court staff probate case types will be lower in subsequent time studies, due to the VTADS transition work being done in roughly half of the units during the data entry period.

It should also be noted that magistrates' time hearing non-child support matters (parental rights and responsibilities, parentage and spousal maintenance) is reflected in the judicial officer demand for the family division, since magistrates occasionally hear those matters in addition to child support matters.

While the court staff steering committee did discuss the impact of the driver restoration day on the judicial bureau staff's work during the time study, they agreed that they could not reasonably decrease the case weight to adjust for any additional work. They also indicated that it is likely that such efforts may occur again in years to come.

The final case weights are presented below in Figure 9. (The only difference between the final case weights in Figure 9 and the initial case weights in Figure 6 is the collapsing of the Treatment Court and the Adoption case types in Figure 6.)

Figure 9: Final Case Weights: Judicial Officers and Court Staff (in minutes)

Case Type	Final Case Weights: Judicial Officers	Final Case Weights: Court Staff
Small Claims	13	136
Stalking/Sexual Assault	24	106
Other Civil	84	337
Misdemeanor	28	177
Felony	130	352
TX Court: Adult[12]	273	2,576
Criminal Civil Suspension	6	30
Search Warrants Inquests, NTO	14	24
Other Miscellaneous Criminal	24	176
Domestic (without child support)	126	566
Child support	46	196
Relief from Abuse	31	170
CHINS	332	1,027
Juvenile Delinquency	59	288
Juvenile Truancy	103	212
Juvenile TPR	309	375
TX Court: Juvenile[12]	273	2,576
Mental Health	64	179
Estates	101	337
Trusts	49	59
Adult Guardianship	429	880
Minor Guardianship	203	386
Adoptions: All	130	187
Other Probate	39	127
Environmental Div. De Novo	1,038	990
Environmental Div. On the Record	278	990
Environmental Div. Enforcement Actions	246	155
All Judicial Bureau Cases	NA	16[13]
Judicial Bureau Contested	6	NA
Judicial Bureau Uncontested	1	NA

[12] Case weights for adult and treatment courts were combined into a single case weight. They are listed separately on this table to be consistent with the models presented in this report, in which the adult and treatment court figures are listed separately.

[13] For court staff, judicial bureau case time was *not* recorded separately for contested/uncontested cases, so only a single case weight could be computed.

VI. Calculating Judicial Officer and Court Staff Resource Need

To determine the resource need for judicial officers and court staff, the final case weights were applied to fiscal year 2014 case filings. Judicial officer and staff need (referred to as "demand") is determined by first calculating the workload by multiplying each case weight by the number of cases of each case type in each unit (or statewide numbers for the environmental division and judicial bureau). Since travel time is computed as a sum total of minutes per year for judicial officers and staff, this time is subtracted from the judicial officer/staff year annual availability (to engage in case-specific work). The case-specific workload is then divided by the judicial officer/staff annual availability, which results in the baseline number of judicial officers and court staff needed to handle the annual workload.

Figure 10 contains the statewide need calculations for judicial officers in all court divisions in Vermont and Figure 11 provides this information for court staff. Appendices I and J, respectively, present the judicial officer and staff demand for each location.

The application of the case weights to fiscal year 2014 filings results in the expected case-specific work for the Vermont Trial Courts annually. Dividing the workload by expected year values for judicial officers and staff results in the baseline number of judicial officers and court staff needed to effectively process the cases filed in Vermont during fiscal year 2014. Statewide, the model indicates a baseline demand for a total of 50.68 judicial officers and 212.00 court staff as shown in Figures 10 and 11.

Again, a qualitative analysis needs to take place using the baseline levels that include only quantitative data. The qualitative analysis should consider what work is not getting done with current resources, as well as consider other anomalies such as the high judicial officer vacancy numbers, workload variances from unit to unit affected by the proximity of correctional facilities and mental health treatment facilities, and the VTADS transition work in the probate divisions, for example.

Figure 10: 2015 Vermont Trial Court Judicial Need Model

DIVISION	Case Type Category		Case Weights	State Filings
	Civil	Small claims	13	6,316
		Stalking/Sexual assault	24	703
		Other civil	84	6,868
	Criminal	Misdemeanor	28	12,970
		Felony	130	3,433
		Adult treatment courts[1]	273	153
		Civil suspension	6	1,691
		Search warrants, inquests, NTO	14	1,760
		Other miscellaneous criminal	24	931
	Family	Domestic (without child support)	126	4,682
		Child support	46	8,013
		Relief from abuse	31	3,445
		Juvenile CHINS (Abuse & Neglect, Unmanageable)	332	893
		Juvenile delinquency	59	719
		Juvenile truancy	103	112
		Juvenile TPR	309	237
		Juvenile treatment court[1]	273	10
		Mental health	64	843
	Probate	Estates	101	2,461
		Trusts[2]	49	1,212
		Adult guardianship	429	495
		Minor guardianship	203	501
		Adoptions: agency, private & TPR	130	382
		Other probate[3]	39	881
	Environ.	De novo	1,038	128
		On the record	278	4
		Enforcement actions	246	66
	JB	Contested	6	12,441
		Uncontested	1	71,562
	Judicial Demand Computations	**Total filings**		**143,912**
		Workload (weights x filings)		**4,132,360**
		Judge year (208 days per year, 8 hours per day)		99,840
		Average annual rotational travel (35 minutes per day)		7,280
		Average annual non-rotational travel per unit (8 minutes/day)		1,664
		Non-case-related time (45 minutes per day)		9,360
		Availability for case-specific work		**81,536**
		# Superior judges currently allocated[4]		30.00
		# Environmental division judges currently allocated		2.00
		# Probate judges currently allocated		6.70
		# Magistrates currently allocated		5.00
		# Hearing officers currently allocated		2.00
		Total judicial officers available		45.70
		Judicial officer demand		50.68
		Judicial officer FTE deficit (-) or surplus (+)		**-4.98**
		Judicial officer demand by division:		
		Judge demand: Civil division		**8.29**
		Judge demand: Criminal division		**11.14**
		Judge demand: Family division (w/o child support)		**14.44**
		Magistrate demand: Family division (child support only)		**4.52**
		Judge demand: Probate division		**8.66**
		Judge demand: Environmental division		**1.84**
		Hearing officer demand: Judicial bureau		**1.79**
		Total judicial officer demand		**50.68**

Notes:

1. The adult and juvenile treatment court caseload numbers are based on individuals, not cases filed.
2. Trust cases are based on pending cases at the beginning of the year.
3. The *Other Probate* case type does not include *Wills Filed for Safekeeping* in the judge/law clerk need models; 1,261 of these cases are included in the court staff model.
4. 32 Superior Judge FTE positions are funded, 1.0 serves as Chief Superior Judge and 1.0 has historically remained vacant due to lack of funding, leaving 30 available.

Figure 11: 2015 Vermont Trial Court Staff Need Model

		Case Type Category	Case Weights	State Filings
DIVISION	Civil	Small claims	136	6,316
		Stalking/Sexual assault	106	703
		Other civil	337	6,868
	Criminal	Misdemeanor	177	12,970
		Felony	352	3,433
		Adult treatment courts[1]	2,576	153
		Civil suspension	30	1,691
		Search warrants, inquests, NTO	24	1,760
		Other miscellaneous criminal	176	931
	Family	Domestic (without child support)	566	4,682
		Child support	196	8,013
		Relief from abuse	170	3,445
		Juvenile CHINS (Abuse & Neglect, Unmanageable)	1,027	893
		Juvenile delinquency	288	719
		Juvenile treatment court[1]	2,576	10
		Juvenile truancy	212	112
		Juvenile TPR	375	237
		Mental health	179	843
	Probate	Estates	337	2,461
		Trusts[2]	59	1,212
		Adult guardianship	880	495
		Minor guardianship	386	501
		Adoptions: Agency, private, & TPR	187	382
		Other probate[3]	127	2,142
	Env.	De novo/On the record	990	132
		Enforcement actions	155	66
	JB	All Judicial bureau cases	16	84,003
	Staff Demand Computations	**Total filings**		**145,173**
		Workload (weights x filings)		**16,981,016**
		Court staff year (208 days per year, 8 hours per day)		99,840
		Average annual travel (5 minutes per day)		1,040
		Non-case-related time (88 minutes per day)		18,304
		Availability for case-specific work		**80,496**
		# Court staff FTE currently allocated[4]		212.87
		Court staff FTE demand		212.00
		Court staff FTE deficit (-) or surplus (+)		**0.87**
		Court staff demand by division:		
		Court staff demand: Civil division		**40.34**
		Court staff demand: Criminal division		**51.63**
		Court staff demand: Family division		**77.26**
		Court staff demand: Probate division		**23.27**
		Court staff demand: Environmental division		**1.75**
		Court staff demand: Judicial bureau		**17.75**
		Total court staff demand		**212.00**

Notes:

1. The adult and juvenile treatment court caseload numbers are based on individuals, not cases filed.
2. Trust cases are based on pending cases at the beginning of the year.
3. The *Other Probate* case type does not include *Wills Filed for Safekeeping* in the judge/law clerk need models; 1,261 of these cases are included in the court staff model.
4. This figure represents the full complement of FTE allocated, including vacancies.

VII. Recommendations

The case weights adopted by the judicial officer and court staff workload assessment study advisory committees indicate the baseline need for 50.68 judicial officers and 212.00 court staff across all divisions to process the annual incoming caseload of the Vermont courts effectively. These case weights are grounded in current practices (as measured by the time study). Of course, as discussed previously in this report, the "new normal" reflected in the case weights presented here reflects a system in which there is a backlog of cases, not enough time in the normal work day for judicial officers and court staff to keep up with their workloads, and a shortage of trial time available for those who would like to settle disputes in that manner.

Three recommendations are made to maintain the integrity and utility of the case weights and the model developed herein.

Recommendation #1:

The NCSC recommends that the weighted caseload model presented in this report be the *starting point* for determining judicial officer, and court staff need in each county across the state. There are some considerations that an objective weighted caseload model cannot account for that should be taken into account when determining judicial officer staffing levels needs. For example, in Bennington County, it was identified that the State's Attorney takes cases to trial at a greater rate than in other counties, resulting in more judicial officer time on criminal cases. Also, regional arraignments conducted in counties with correctional facilities increases the time judicial officers spend on criminal cases in those counties. Such identifiable differences that account for longer or shorter case processing times should be considered.

Recommendation #2:

The judicial officer and court staff needs models should be updated on an annual basis using the most recent case filings.

Recommendation #3:

Over time, the integrity of the case weights is affected by multiple influences likely to impact case processing time. Unless significant case processing changes are implemented, the current case weights should be accurate for five to seven years. Thus, we recommend updating the case weights in five to seven years, through the conduct of a time-and-motion study, so they continue to ensure that the case weights accurately represent the judicial officer and court staff workload. Updating of the case weights more frequently, as required by the current 3-year legislative mandate, is not necessary.

Appendices

Appendix A: Vermont Trial Court Judicial Officer and Court Staff Weighted Caseload Study Case Type Categories

CIVIL
1. Small Claims - includes small claims appeals
2. Stalking/Sexual Assault
3. Other Civil – all other civil, including real property disputes, foreclosures, tort actions, breaches of contract, collections, landlord tenant, review of government actions, restraining orders, and appeals other than small claims.
CRIMINAL
4. Misdemeanor – includes domestic assaults, DUI, DLS, other misdemeanors.
5. Felony – includes sexual assault, domestic assault, DUI, other felony.
6. Treatment Court – includes all adult treatment court types.
7. Civil Suspension
8. Search warrants, inquests, NTO
9. Other Miscellaneous Criminal – includes Judicial Bureau appeals and other criminal division civil.
FAMILY
10. Domestic – includes divorce, annulment, legal separation, civil dissolution, parentage, child support, post-judgment motions, magistrate appeals, and UIFSA.
11. Relief from Abuse
12. Juvenile Abuse and Neglect
13. Juvenile Unmanageable & Delinquency
14. Juvenile TPR
15. Juvenile Treatment Court
16 Mental Health – includes adult guardianship (Act 248 review), continued treatment, involuntary medication.
PROBATE
17. Estates
18. Trusts
19. Adult Guardianship
20. Minor Guardianship
21. Adoptions: Agency & Private
22. Adoptions: TPR
23: Probate Other – includes name changes, uniform gifts to minors, conveyances to clear title, conveyances to discharge mortgages, letters to DMV, vital records, cemeteries, disposal of dead body, pre-marriage requests, and FOR COURT STAFF ONLY: wills filed for safekeeping.
ENVIRONMENTAL
24. De Novo
25. On the Record
26. Enforcement Actions
JUDICIAL BUREAU
27. All Judicial Bureau Cases Contested Uncontested

Appendix B: Vermont Trial Courts Judicial Officer Weighted Caseload Study Case-Related Activity Categories and Definitions[14]

1. In-Court Activities: All Hearings, Bench Trials and Jury Trials

This category includes all activities performed inside the courtroom up to the judgment/adjudication, such as the following: Summary hearings, including arraignments, status conferences, pretrial conferences, preliminary hearings, changes of plea, calendar calls and any non-evidentiary hearings for case management purposes, evidentiary hearings, bench trials, final hearings including contested or uncontested final divorce hearings, juvenile merits hearings, RFA final hearings, adoption hearings, merits hearings in small claims, jury trial activities such as jury selection and activities through the entry of verdict or through entry of a guilty plea, settlement or dismissal prior to verdict.

2. Out-of-Court Activities

This category includes research and writing opinions, decisions, orders and rulings; reviewing files, and signing routine orders.

3. Post-Judgment Activities

Any work on a case that occurs post-judgment.

4. Child Support Activities (this activity is limited to domestic case types only)

This category includes all activities associated with a child support determination, whether in-court, out-of-court or post-judgment.

5. Treatment Court Activities

This category includes all activities associated with treatment court, whether in-court or out-of-court.

6. Judicial Bureau - Contested case Activities

This category includes all activities associated with contested Judicial Bureau cases.

7. Judicial Bureau - Uncontested Activities

This category includes all activities associated with uncontested Judicial Bureau cases.

[14] Law clerks recorded their time in the judicial officer case-related activity categories; they did not record non-case-related time such as attending meetings or work-related travel.

Appendix C: Vermont Trial Courts Court Staff Weighted Caseload Study Case-Related Activity Categories and Definitions

1. Case Initiation, calendaring, financial Management & Jury Services

- This category includes all activities associated with case initiation, calendaring, financial management and jury services when specifically related to a case.
- Includes docketing cases, entering new cases, processing docket fees, processing orders related to educational requirements, collecting fees, monitoring compliance for COPE and Pre Se Ed., assigning docket numbers, processing case documents, servicing of parties, tracking incarcerated defendants, records management (sealing, purging, archiving, shredding, copying, public records transfer and retrieval, records requests, preparing files/cases for appeals), guardian ad litem/attorney assignment, reviewing and processing public defender applications, reviewing and processing applications for IFPs, case management conferences and related activities, criminal tax referrals, and posting case decisions on the internet.
- Includes tracking attorney and/or law enforcement availability, setting judicial calendars, coordinating video arraignment events, scheduling interpreters, managing the tickler system, mailing packets for hearings.
- Includes receiving payments and issuing receipts for monies received, processing physical checks, credit cards, tax offsets, etc., processing bad checks collections, bail/escrow/jury and refund accounting, and maintaining deferred payment orders/payment plans.
- Includes case specific jury work.

2. Case-Related Customer Service

This category includes responding to telephone/email requests for case information, and providing counter service specific to a particular case or case type.

3. Courtroom Support/Court Monitoring

This category includes testing recording equipment, setting up CD's or tapes for recording, recording, managing exhibits and telephone hearings in the courtroom, making docket entries that reflect events in the courtroom, and all court support work conducted in the courtroom.

4. Child Support Activities

This category includes all child support activities, using DOMESTIC as the case type.

5. Treatment Court Activities

This category includes all activities associated with treatment courts.

Appendix D: Vermont Trial Courts Judicial Officer Weighted Caseload Study Non-Case-Related Activity Categories and Definitions

A. Non-Case-Related Administration
Includes work directly related to the *administration or operation* of the court. Probate and Assistant Judges use this category only when your administrative work is related directly to the court. • Personnel issues • Case assignment • Calendaring • Management issues • Internal staff meeting • Facilities • Budget • Technology • Committee work/meetings/related work
B. Judicial education and training
Includes continuing education and professional development, statewide judicial meetings, and out-of-state education programs permitted by the state. Also includes reading professional journals and other methods of keeping current with matters pertaining to judicial responsibilities.
C. Community activities, education, speaking engagements
Includes time spent on community and civic activities in your role as a judicial officer, e.g., speaking at a local bar luncheon, attendance at rotary functions, or Law Day at the local high school.
D. Rotational Travel Outside Home Court Location
Includes traveling between home and court WHEN YOU ARE ASSIGNED TO A COURT OUTSIDE OF YOUR HOME COURT. Travel to/from court when assigned to your home court is NOT to be recorded.
E. Other Work-Related Travel
Includes all other work-related travel for which you are eligible for mileage reimbursement, such as attending meetings outside of the court.
F. Vacation/Illness/Other Leave
Includes any vacation/sick/other leave time. DOES NOT include recognized holidays as they have already been accounted for in the determination of the judicial officer year value.
G. Other
Includes all other work-related, but non-case-related tasks that do not fit in the above categories.
H. Time Study Data Reporting/Entry
Record time spent each day to record and log the time for the weighted caseload study.

Appendix E: Vermont Trial Courts Court Staff Weighted Caseload Study Non-Case-Related Activity Categories and Definitions

A. General Customer Service
Includes responding to general court-related questions (such as "how do I get to the courthouse?" "What time do you close?") and others.
B. Financial Management, Jury Services, General Administrative Work
Includes the following: • Making deposits, using postage meter, reconciling daily receipts and cash registers, determining appropriate accounts and processing deposits; allocating funds to appropriate accounts, processing revenue recapture claims, processing GAL and acting judges expense sheets. • Jury work NOT associated with a specific case; processing jury qualification questionnaires & supplemental questionnaires, creating jury panels, monthly jury draws, processing jury correspondence, processing jury attendance sheets, and processing juror payment documents. • Troubleshooting computer problems, etc., processing mail (opening and distributing) and general non-case-specific email, ordering supplies, shipping tickets/envelopes to law enforcement, assigning LE numbers, and administrative duties associated with mediation and other programs.
C. Work-Related Travel
Includes work-related travel for which you are eligible for mileage reimbursement, such as attending meetings outside of the court. Does NOT include regular commute to/from work.
D. Committees and Special Assignments
Includes attending committee meetings, engaging in committee-related work and doing any work that was specially assigned to you.
E. Education and Training
Includes continuing education and professional development, and in-court and out-of-court trainings.
F. Community Activities
Includes time spent on community and civic activities associated with your role in the courts.
G. Vacation/Illness/Other Leave
Includes any vacation/sick/other leave time. DOES NOT include recognized holidays as they have already been accounted for in the determination of the court staff year value
H. County Functions
Includes any county-specific work.
I. Other
Includes all other work-related, but non-case-related tasks that do not fit in the above categories.
J. Time Study Data Reporting/Entry
Record time spent each day to record and log the time for the weighted caseload study.

Appendix F: Vermont Trial Courts Judicial Officer Weighted Caseload Study Initial Case Weight Calculations

Initial case weight = Annualized Minutes from Time Study ÷ Annual filings.

Case Type	Annualized Minutes	N of Cases	Initial Case Weight
Small Claims	82,265	6,316	13
Stalking/Sexual Assault	16,871	703	24
Other Civil	576,612	6,868	84
Misdemeanor	368,709	12,970	28
Felony	445,594	3,433	130
TX Court: Adult	35,306	153	231
Criminal Civil Suspension	9,656	1,691	6
Search Warrants Inquests, NTO	24,728	1,760	14
Other Miscellaneous Criminal	22,687	931	24
Domestic (without child support)	589,939	4,682	126
Child support	369,532	8,013	46
Relief from Abuse	105,613	3,445	31
CHINS	296,257	893	332
Juvenile Delinquency	42,304	719	59
Juvenile Truancy	11,549	112	103
Juvenile TPR	73,213	237	309
TX Court: Juvenile	9,230	10	923
Mental Health	54,137	843	64
Estates	248,220	2,461	101
Trusts	59,570	1,212	49
Adult Guardianship	212,341	495	429
Minor Guardianship	101,717	501	203
Adoptions	33,196	368	90
Adoptions: TPR	16,314	14	1,165
Other Probate	34,079	881[15]	39
Environmental Div. De Novo	132,877	128	1,038
Environmental Div. On the Record	1,113	4	278
Environmental Div. Enforcement Actions	16,225	66	246
All Judicial Bureau Cases	97,048	84,003	1
Judicial Bureau Contested	74,614	12,441	6
Judicial Bureau Uncontested	22,435	71,562	1

[15] The *Other Probate* case type category for judicial officers does not include *Wills Filed for Safekeeping* (n=1,261) because judicial officers do not process these cases; these numbers are included in the court staff case weight calculations.

Appendix G: Vermont Trial Courts Court Staff Weighted Caseload Study Initial Case Weight Calculations

Initial case weight = Annualized Minutes from Time Study ÷ Annual filings.

Case Type	Annualized Minutes	N of Cases	Initial Case Weight
Small Claims	859,810	6,316	136
Stalking/Sexual Assault	74,175	703	106
Other Civil	2,313,699	6,868	337
Misdemeanor	2,301,935	12,970	177
Felony	1,208,650	3,433	352
TX Court: Adult	165,700	153	1,083
Criminal Civil Suspension	51,494	1,691	30
Search Warrants Inquests, NTO	43,067	1,760	24
Other Miscellaneous Criminal	163,615	931	176
Domestic (without child support)	2,650,059	4,682	566
Child support	1,571,229	8,013	196
Relief from Abuse	586,408	3,445	170
CHINS	917,121	893	1,027
Juvenile Delinquency	207,197	719	288
Juvenile Truancy	23,791	112	212
Juvenile TPR	88,842	237	375
TX Court: Juvenile	33,544	10	3,354
Mental Health	150,912	843	179
Estates	829,312	2,461	337
Trusts	71,144	1,212	59
Adult Guardianship	435,819	495	880
Minor Guardianship	193,203	501	386
Adoptions	50,717	368	138
Adoptions: TPR	20,653	14	1,475
Other Probate	272,193	2,142[16]	127
Environmental Div. De Novo	126,666	128	990
Environmental Div. On the Record	3,997	4	999
Environmental Div. Enforcement Actions	10,205	66	155
All Judicial Bureau Cases	1,365,151	84,003	16
Judicial Bureau Contested	NA	12,441	NA[17]
Judicial Bureau Uncontested	NA	71,562	NA

[16] The *Other Probate* case type category for court staff includes *Wills Filed for Safekeeping* (n=1,261); these numbers are not included in the judicial officer case weight calculations because judicial officers do not process these cases.

[17] For court staff, judicial bureau case time was *not* recorded separately for contested/uncontested cases , so only a single case weight could be computed.

Appendix H: Map of Vermont

Appendices I and J, respectively, present the judicial and court staff need model for the Vermont Trial Courts by location. The map below is presented to direct the reader's attention to the location of each of the identified judicial districts/counties.

Appendix I: Vermont Trial Courts Judicial Need Model by County

DIVISION		Case Type Category	Case Weights	1 Addison	2 Bennington	3 Caledonia	4 Chittenden	5 Essex	6 Franklin	7 Grand Isle	8 Lamoille
				Cases Filed by Unit (County)							
	Civil	Small claims	13	256	426	318	1,491	49	504	55	203
		Stalking/Sexual assault	24	42	63	47	110	9	83	8	30
		Other civil	84	263	447	335	1,344	64	535	68	256
	Criminal	Misdemeanor	28	528	815	738	3,452	62	990	112	475
		Felony	130	148	350	176	864	34	290	28	98
		Adult treatment courts[1]	273	0	0	0	69	0	0	0	0
		Civil suspension	6	88	94	108	431	3	128	22	105
		Search warrants, inquests, NTO	14	42	109	119	606	17	138	12	68
		Other miscellaneous criminal	24	39	38	37	369	16	51	14	23
	Family	Domestic (without child support)	126	242	349	284	996	51	380	38	240
		Child support	46	355	495	484	1,921	70	877	62	350
		Relief from abuse	31	147	305	195	589	34	309	42	164
		Juvenile CHINS (Abuse & Neglect, Unmanageable)	332	54	62	61	132	10	81	16	34
		Juvenile delinquency	59	48	77	42	131	3	86	1	28
		Juvenile truancy	103	3	9	5	42	0	2	0	5
		Juvenile TPR	309	11	10	18	41	5	38	3	2
		Juvenile treatment court[1]	273	0	0	0	0	0	10	0	0
		Mental health	64	21	16	14	175	3	9	0	35
	Probate	Estates	101	142	174	127	412	34	91	28	96
		Trusts[2]	49	26	189	172	68	4	98	12	26
		Adult guardianship	429	39	30	32	82	4	31	3	21
		Minor guardianship	203	27	21	21	78	16	53	8	13
		Adoptions: agency, private & TPR	130	32	15	20	106	0	44	8	1
		Other probate[3]	39	46	81	47	216	6	23	12	55
	Environ.	De novo	1,038								
		On the record	278								
		Enforcement actions	246								
	ES	Contested	6								
		Uncontested	1								
	Judicial Demand Computations	**Total filings**		2,599	4,175	3,400	13,725	494	4,851	552	2,328
		Workload (weights x filings)		183,477	271,364	217,623	812,687	37,787	312,517	37,106	145,667
		Judge year (208 days per year, 8 hours per day)		99,840	99,840	99,840	99,840	99,840	99,840	99,840	99,840
		Average annual rotational travel (35 minutes per day)		7,280	7,280	7,280	7,280	7,280	7,280	7,280	7,280
		Average annual non-rotational travel per unit (8 minutes/day)		1,664	1,664	1,664	1,664	1,664	1,664	1,664	1,664
		Non-case-related time (45 minutes per day)		9,360	9,360	9,360	9,360	9,360	9,360	9,360	9,360
		Availability for case-specific work		81,536	81,536	81,536	81,536	81,536	81,536	81,536	81,536
		# Superior judges currently allocated per unit[4]		1.22	2.41	1.64	6.78	0.15	2.68	0.20	1.09
		# Environmental Division judges currently allocated									
		# Probate judges currently allocated per unit		0.470	0.600	0.420	1.000	0.062	0.470	0.062	0.330
		# Magistrates currently allocated per unit		0.25	0.25	0.20	1.40	0.05	0.25	0.10	0.25
		# Hearing officers currently allocated									
		Total judicial officers available by unit		1.94	3.26	2.26	9.18	0.26	3.40	0.36	1.67
		Judge demand by unit		2.25	3.33	2.67	9.97	0.46	3.83	0.46	1.79
		Judge FTE deficit (-) or surplus (+)		-0.31	-0.07	-0.41	-0.79	-0.20	-0.43	-0.09	-0.12
		Judge demand by division:									
		Judge demand: Civil division		0.32	0.55	0.41	1.65	0.08	0.66	0.08	0.30
		Judge demand: Criminal division		0.44	0.87	0.57	3.04	0.08	0.85	0.09	0.35
		Judge demand: Family division (w/o child support)		0.75	1.03	0.88	2.74	0.16	1.28	0.15	0.63
		Magistrate demand: Family division (child support only)		0.20	0.27	0.27	1.09	0.04	0.49	0.03	0.20
		Judge demand: Probate division		0.54	0.60	0.54	1.45	0.10	0.55	0.11	0.31
		Judge demand: Environmental division									
		Hearing officer demand: Judicial bureau									
		Total judge demand		2.25	3.33	2.67	9.97	0.46	3.83	0.46	1.79

Notes:

1. The adult and juvenile treatment court caseload numbers are based on individuals, not cases filed.
2. Trust cases are based on pending cases at the beginning of the year.
3. The *Other Probate* case type does not include *Wills Filed for Safekeeping* in the judge/law clerk need models; 1,261 of these cases are included in the court staff model.
4. 32 Superior Judge FTE positions are funded, 1.0 serves as Chief Superior Judge and 1.0 has historically remained vacant due to lack of funding, leaving 30 available.

Appendix I: Vermont Trial Courts 2015 Judicial Need Model by County (continued)

DIVISION		Case Type Category	Case Weights	9 Orange	10 Orleans	11 Rutland	12 Washington	13 Windham	14 Windsor	Environ. Division State	Jud. Bureau State	State Filings
				Cases Filed by Unit (County)								
	Civil	Small claims	13	247	315	734	634	509	575			6,316
		Stalking/Sexual assault	24	26	31	133	20	37	64			703
		Other civil	84	268	351	821	825	574	717			6,868
	Criminal	Misdemeanor	28	473	522	1,501	1,074	1,053	1,175			12,970
		Felony	130	107	127	361	193	302	355			3,433
		Adult treatment courts[1]	273	0	0	49	25	0	10			153
		Civil suspension	6	84	34	128	127	115	224			1,691
		Search warrants, inquests, NTO	14	64	52	119	115	145	154			1,760
		Other miscellaneous criminal	24	21	59	48	36	96	84			931
	Family	Domestic (without child support)	126	185	220	495	499	327	376			4,682
		Child support	46	337	458	780	761	484	579			8,013
		Relief from abuse	31	137	177	546	324	195	281			3,445
		Juvenile CHINS (Abuse & Neglect, Unmanageable)	332	67	27	57	76	78	138			893
		Juvenile delinquency	59	31	33	70	76	44	49			719
		Juvenile truancy	103	5	4	15	4	14	4			112
		Juvenile TPR	309	20	4	13	31	19	22			237
		Juvenile treatment court[1]	273	0	0	0	0	0	0			10
		Mental health	64	27	9	138	93	274	29			843
	Probate	Estates	101	125	147	262	250	213	360			2,461
		Trusts[2]	49	79	58	142	102	66	170			1,212
		Adult guardianship	429	33	18	52	51	29	70			495
		Minor guardianship	203	34	18	51	39	44	78			501
		Adoptions: agency, private & TPR	130	13	16	34	27	24	42			382
		Other probate[3]	39	28	42	76	96	86	67			881
	Environ.	De novo	1,038							128		128
		On the record	278							4		4
		Enforcement actions	246							66		66
	JB	Contested	6								12,441	12,441
		Uncontested	1								71,562	71,562
	Judicial Demand Computations	Total filings		2,411	2,722	6,625	5,478	4,728	5,623	198	84,003	143,912
		Workload (weights x filings)		171,297	167,990	413,708	364,126	304,935	395,656	150,212	146,208	4,132,360
		Judge year (208 days per year, 8 hours per day)		99,840	99,840	99,840	99,840	99,840	99,840	99,840	99,840	99,840
		Average annual rotational travel (35 minutes per day)		7,280	7,280	7,280	7,280	7,280	7,280	7,280	7,280	7,280
		Average annual non-rotational travel per unit (8 minutes/day)		1,664	1,664	1,664	1,664	1,664	1,664	1,664	1,664	1,664
		Non-case-related time (45 minutes per day)		9,360	9,360	9,360	9,360	9,360	9,360	9,360	9,360	9,360
		Availability for case-specific work		81,536	81,536	81,536	81,536	81,536	81,536	81,536	81,536	81,536
		# Superior judges currently allocated per unit[4]		1.00	1.52	3.09	2.91	2.50	2.81			30.00
		# Environmental Division judges currently allocated								2.00		2.00
		# Probate judges currently allocated per unit		0.170	0.385	0.850	0.650	0.530	0.700			6.70
		# Magistrates currently allocated per unit		0.10	0.25	0.50	0.50	0.50	0.40			5.00
		# Hearing officers currently allocated									2.00	2.00
		Total judicial officers available by unit		1.27	2.16	4.44	4.06	3.53	3.91	2.00	2.00	45.70
		Judge demand by unit		2.10	2.06	5.07	4.47	3.74	4.85	1.84	1.79	50.68
		Judge FTE deficit (-) or surplus (+)		-0.83	0.09	-0.63	-0.41	-0.21	-0.94	0.16	0.21	-4.98
		Judge demand by division:										
		Judge demand: Civil division		0.32	0.42	1.00	0.96	0.68	0.85	0.00	0.00	8.29
		Judge demand: Criminal division		0.36	0.41	1.30	0.80	0.90	1.07	0.00	0.00	11.14
		Judge demand: Family division (w/o child support)		0.74	0.57	1.43	1.45	1.23	1.40	0.00	0.00	14.44
		Magistrate demand: Family division (child support only)		0.19	0.26	0.44	0.43	0.27	0.33	0.00	0.00	4.52
		Judge demand: Probate division		0.49	0.40	0.90	0.83	0.66	1.20	0.00	0.00	8.66
		Judge demand: Environmental division								1.84	0.00	1.84
		Hearing officer demand: Judicial bureau									1.79	1.79
		Total judge demand		2.10	2.06	5.07	4.47	3.74	4.85	1.84	1.79	50.68

Notes:

1. The adult and juvenile treatment court caseload numbers are based on individuals, not cases filed.
2. Trust cases are based on pending cases at the beginning of the year.
3. The *Other Probate* case type does not include *Wills Filed for Safekeeping* in the judge/law clerk need models; 1,261 of these cases are included in the court staff model.
4. 32 Superior Judge FTE positions are funded, 1.0 serves as Chief Superior Judge and 1.0 has historically remained vacant due to lack of funding, leaving 30 available.

Appendix J: Vermont Trial Courts Staff Need Model by County

DIVISION		Case Type Category	Case Weights	1 Addison	2 Bennington	3 Caledonia	4 Chittenden	5 Essex	6 Franklin	7 Grand Isle	8 Lamoille
				Cases Filed by Unit (County)							
	Civil	Small claims	136	256	426	318	1,491	49	504	55	203
		Stalking/Sexual assault	106	42	63	47	110	9	83	8	30
		Other civil	337	263	447	335	1,344	64	535	68	256
	Criminal	Misdemeanor	177	528	815	738	3,452	62	990	112	475
		Felony	352	148	350	176	864	34	290	28	98
		Adult treatment courts[1]	2,576	0	0	0	69	0	0	0	0
		Civil suspension	30	88	94	108	431	3	128	22	105
		Search warrants, inquests, NTO	24	42	109	119	606	17	138	12	68
		Other miscellaneous criminal	176	39	38	37	369	16	51	14	23
	Family	Domestic (without child support)	566	242	349	284	996	51	380	38	240
		Child support	196	355	495	484	1,921	70	877	62	350
		Relief from abuse	170	147	305	195	589	34	309	42	164
		Juvenile CHINS (Abuse & Neglect, Unmanageable)	1,027	54	62	61	132	10	81	16	34
		Juvenile delinquency	288	48	77	42	131	3	86	1	28
		Juvenile treatment court[1]	2,576	0	0	0	0	0	10	0	0
		Juvenile truancy	212	3	9	5	42	0	2	0	5
		Juvenile TPR	375	11	10	18	41	5	38	3	2
		Mental health	179	21	16	14	175	3	9	0	35
	Probate	Estates	337	142	174	127	412	34	91	28	96
		Trusts[2]	59	26	189	172	68	4	98	12	26
		Adult guardianship	880	39	30	32	82	4	31	3	21
		Minor guardianship	386	27	21	21	78	16	53	8	13
		Adoptions: Agency, private, & TPR	187	32	15	20	106	0	44	8	1
		Other probate[3]	127	222	81	47	216	6	221	70	55
	Env	De novo/On the record	990								
		Enforcement actions	155								
	JB	All Judicial Bureau Cases	16								
	Staff Demand Computations	**Total filings**		2,775	4,175	3,400	13,725	494	5,049	610	2,328
		Workload (weights x filings)		721,615	1,052,995	839,050	3,414,314	139,506	1,261,059	149,239	592,394
		Court staff year (208 days per year, 8 hours per day)		99,840	99,840	99,840	99,840	99,840	99,840	99,840	99,840
		Average annual travel (5 minutes per day)		1,040	1,040	1,040	1,040	1,040	1,040	1,040	1,040
		Non-case-related time (88 minutes per day)		18,304	18,304	18,304	18,304	18,304	18,304	18,304	18,304
		Availability for case-specific work		80,496	80,496	80,496	80,496	80,496	80,496	80,496	80,496
		# Court staff FTE currently allocated per unit[4]		8.35	15.00	11.00	45.39	2.60	15.37	2.00	9.00
		Court staff FTE demand by unit		8.96	13.08	10.42	42.42	1.74	15.67	1.85	7.36
		Court staff FTE deficit (-) or surplus (+)		-0.61	1.92	0.58	2.97	0.86	-0.30	0.15	1.64
		Court staff demand by division:									
		Court staff demand: Civil division		1.59	2.67	2.00	8.29	0.36	3.20	0.39	1.45
		Court staff demand: Criminal division		1.94	3.47	2.55	14.73	0.33	3.65	0.41	1.59
		Court staff demand: Family division		3.84	5.48	4.64	15.77	0.77	7.32	0.72	3.52
		Court staff demand: Probate division		1.59	1.46	1.23	3.63	0.28	1.50	0.33	0.80
		Court staff demand: Environmental division									
		Court staff demand: Judicial bureau									
		Total court staff demand		8.96	13.08	10.42	42.42	1.74	15.67	1.85	7.36

NOTES:

1. The adult and juvenile treatment court caseload numbers are based on individuals, not cases filed.
2. Trust cases are based on pending cases at the beginning of the year.
3. The *Other Probate* case type does not include *Wills Filed for Safekeeping* in the judge/law clerk need models; 1,261 of these cases are included in the court staff model.
4. This figure represents the full complement of FTE allocated per unit, including vacancies.

Appendix J: Vermont Trial Courts 2015 Court Staff Need Model by County (continued)

DIVISION		Case Type Category	Case Weights	9 Orange	10 Orleans	11 Rutland	12 Washington	13 Windham	14 Windsor	Environ. Division State	Jud. Bureau State	State Filings
				Cases Filed by Unit (County)								
	Civil	Small claims	136	247	315	734	634	509	575			6,316
		Stalking/Sexual assault	**106**	**26**	**31**	**133**	**20**	**37**	**64**			**703**
		Other civil	337	268	351	821	825	574	717			6,868
	Criminal	**Misdemeanor**	**177**	**473**	**522**	**1,501**	**1,074**	**1,053**	**1,175**			**12,970**
		Felony	352	107	127	361	193	302	355			3,433
		Adult treatment courts[1]	**2,576**	**0**	**0**	**49**	**25**	**0**	**10**			**153**
		Civil suspension	30	84	34	128	127	115	224			1,691
		Search warrants, inquests, NTO	**24**	**64**	**52**	**119**	**115**	**145**	**154**			**1,760**
		Other miscellaneous criminal	176	21	59	48	36	96	84			931
	Family	**Domestic (without child support)**	**566**	**185**	**220**	**495**	**499**	**327**	**376**			**4,682**
		Child support	196	337	458	780	761	484	579			8,013
		Relief from abuse	**170**	**137**	**177**	**546**	**324**	**195**	**281**			**3,445**
		Juvenile CHINS (Abuse & Neglect, Unmanageable)	1,027	67	27	57	76	78	138			893
		Juvenile delinquency	**288**	**31**	**33**	**70**	**76**	**44**	**49**			**719**
		Juvenile treatment court[1]	2,576	0	0	0	0	0	0			10
		Juvenile truancy	**212**	**5**	**4**	**15**	**4**	**14**	**4**			**112**
		Juvenile TPR	375	20	4	13	31	19	22			237
		Mental health	**179**	**27**	**9**	**138**	**93**	**274**	**29**			**843**
	Probate	Estates	337	125	147	262	250	213	360			2,461
		Trusts[2]	**59**	**79**	**58**	**142**	**102**	**66**	**170**			**1,212**
		Adult guardianship	880	33	18	52	51	29	70			495
		Minor guardianship	**386**	**34**	**18**	**51**	**39**	**44**	**78**			**501**
		Adoptions: Agency, private, & TPR	187	13	16	34	27	24	42			382
		Other probate[3]	**127**	**28**	**212**	**433**	**398**	**86**	**67**			**2,142**
	Env	De novo/On the record	990							132		132
		Enforcement actions	**155**							**66**		**66**
	JB	All Judicial Bureau Cases	16								84,003	84,003
	Staff Demand Computations	**Total filings**		**2,411**	**2,892**	**6,982**	**5,780**	**4,728**	**5,623**	**198**	**84,003**	**145,173**
		Workload (weights x filings)		**635,920**	**705,398**	**1,785,509**	**1,523,236**	**1,181,697**	**1,494,126**	**140,910**	**1,344,048**	**16,981,016**
		Court staff year (208 days per year, 8 hours per day)		**99,840**	**99,840**	**99,840**	**99,840**	**99,840**	**99,840**	**99,840**	**99,840**	**99,840**
		Average annual travel (5 minutes per day)		1,040	1,040	1,040	1,040	1,040	1,040	1,040	5,824	1,040
		Non-case-related time (88 minutes per day)		**18,304**	**18,304**	**18,304**	**18,304**	**18,304**	**18,304**	**18,304**	**18,304**	**18,304**
		Availability for case-specific work		**80,496**	**80,496**	**80,496**	**80,496**	**80,496**	**80,496**	**80,496**	**75,712**	**80,496**
		# Court staff FTE currently allocated per unit[4]		**7.21**	**11.75**	**21.43**	**16.00**	**15.00**	**17.20**	**2.13**	**13.44**	**212.87**
		Court staff FTE demand by unit		7.90	8.76	22.18	18.92	14.68	18.56	1.75	17.75	212.00
		Court staff FTE deficit (-) or surplus (+)		**-0.69**	**2.99**	**-0.75**	**-2.92**	**0.32**	**-1.36**	**0.38**	**-4.31**	**0.87**
		Court staff demand by division:										
		Court staff demand: Civil division		**1.58**	**2.04**	**4.85**	**4.55**	**3.31**	**4.06**			**40.34**
		Court staff demand: Criminal division		1.60	1.86	6.63	4.17	3.93	4.77			51.63
		Court staff demand: Family division		**3.54**	**3.55**	**7.92**	**7.65**	**5.78**	**6.76**			**77.26**
		Court staff demand: Probate division		1.18	1.31	2.78	2.55	1.66	2.97			23.27
		Court staff demand: Environmental division								**1.75**		**1.75**
		Court staff demand: Judicial bureau									17.75	17.75
		Total court staff demand		**7.90**	**8.76**	**22.18**	**18.92**	**14.68**	**18.56**	**1.75**	**17.75**	**212.00**

NOTES:

1. The adult and juvenile treatment court caseload numbers are based on individuals, not cases filed.
2. Trust cases are based on pending cases at the beginning of the year.
3. The *Other Probate* case type does not include *Wills Filed for Safekeeping* in the judge/law clerk need models; 1,261 of these cases are included in the court staff model.
4. This figure represents the full complement of FTE allocated per unit, including vacancies.