



**OPPORTUNITIES TO IMPROVE  
VERMONT COURT EFFICIENCY  
BASED ON THE RESULTS OF  
NCSC'S WEIGHTED CASE LOAD STUDY**

**Final Report  
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## **Background**

During the summer of 2009 the National Center for State Courts (NCSC) carried out a standard judicial and administrative workload and staffing study for the Vermont court system. This study produced average statewide weights for a comprehensive range of case types. (See Appendix B.) A case weight represents the average number of minutes required for judges and supporting staff to process a particular case type. For example, the average number of minutes it takes for a judge to process a small claims case in Vermont is 22 minutes. The average number of minutes it takes for staff to process a small claims case is 127 minutes. The standard methodology also collects information on quality by soliciting input about the extent to which judges and staff feel they have adequate time to deal with typical cases. (See Appendix C.)

The standard study does not directly analyze differences in efficiency between jurisdictions or courts. It takes current business processes as givens. Thus, it does not adjust for future improvements in efficiency as a result of more efficient business processes, the implementation of various technological capabilities or other innovative system redesigns. Stated another way, to the degree that the system is currently inefficient, those inefficiencies are incorporated into the weighted case study results.

The purpose of this follow up report is to suggest how the data from the study can be used both now and in the future as the Vermont Judiciary reorganizes and restructures itself to meet the challenges of budgetary reductions on the one hand, and the implementation of new technologies on the other. The data can also be used to better inform decisions with respect to some proposals currently under consideration. The data can also be used to suggest sources of possible staffing efficiencies and cost savings through improvement of business processes and new technology. In this context, it is helpful to view and analyze prospective changes to the system as a series of waves, rather than a one-time tsunami.

The first section of this report explores the first wave of changes currently under consideration by the Commission and how the weighted caseload study results can help to inform decisions with respect to those recommendations. The next section focuses on changes that could occur over the course of the next 12 to 24 months as the Judiciary

identifies business processes already in use in some of its more efficient courts. Adoption of these processes statewide can improve the efficiency of the overall operation and reduce the current amount of time required to process certain cases. Finally, we examine the potential impact of the third wave of change that will occur with the implementation of a new case management system, electronic files, and e-filing.

Based on the results of the weighted caseload study, it is the opinion of the National Center for State Courts that in order to achieve the budgetary goals set for the Commission on Judicial Operation by the Legislature, the Supreme Court must have the clear authority to take the following steps:

1. Reduce the number of managers and deputies in the trial courts through the consolidation of courts and staff.
2. Reduce the number of judges and supporting staff in the probate courts.
3. Identify the more efficient trial courts.
4. Investigate the business processes that make those courts more efficient.
5. Analyze the extent to which the special characteristics of the more efficient courts can be generalized to other courts.
6. Estimate the extent and timing of possible staff savings from technology projects.
7. Plan for the changes in the qualifications, skill sets, and core job functions of administrative staff as new technology is systematically implemented.

## **Section One: Changes Currently Under Consideration by the Commission**

The results of the weighted caseload study can assist in the consideration of some of the proposals currently under consideration by the Commission.

### **1. Consolidation of the Trial Courts and Management Staff**

A key proposal currently under consideration by the Commission is to fully unify the Vermont trial courts by folding together the current district, superior,

family and probate courts into one superior court with four divisions. Under this proposal, there will be only one court manager/clerk for each superior court. This change will significantly reduce the number of middle managers currently in the system. As we discuss in Section 2 below, the data from the weighted case study suggests a vast range in efficiency from court to court in Vermont. Consolidation of management staff will make it easier to improve efficiency through the uniform dissemination of efficient business processes. It will also greatly contribute to a more successful and rapid transition to the virtual court house of the future discussed in Section 3.

## **2. Full Time Probate Judges**

Currently, there are 17 elected probate judges, all of whom are part time with the exception of the probate judge in Chittenden County. The probate judge proposal currently under consideration by the Commission, would reduce the number of probate judges to 5 full time positions. The results of the weighted case load study indicate that given the current business processes and the current case load, probate could be handled by 5 to 6 full time probate judges.

If one assumes that judges only work an 8 hour day (excluding travel), the judicial case weights for the existing probate court cases indicate that the State would need 6.2 full time probate judges to handle the cases currently assigned to the probate court. (See Appendix D.) However, what we know from the results of the Vermont study, is that Vermont judges work on average a 9.5 hour day. If one assumes that full time probate judges would probably work the longer hours of the trial judges, the number of judges necessary to perform the work in probate court is 5.4. (See Appendix E.)

There are two study results that argue in favor of 5 rather than 6 probate judges even if one assumes that probate judges will only work a conventional eight hour day. First, when data from Chittenden Probate Court (the only court with a full time judge) is compared to the statewide data, the judicial

processing time for the two largest case types, estates and trusts, is considerably lower. If one assumes that the Chittenden case weights for estates and trusts could be replicated if judges were full time, the number of judges necessary to perform the work would be 5.1. Second, the results from the adequacy of time survey indicates that probate judges currently feel that they have as much time as they need to hear their cases. This result is in stark contrast to family court judges who frequently feel they rarely have adequate time to hear their cases, particularly in the juvenile area. (See Appendix C.) Similar adequacy of time data in other states has led those states to make a downward adjustment in the case weights for those casetypes.

### **3. Consolidation of Court Operations in Grand Isle and Essex Counties**

A third proposal under consideration involves the consolidation of trial court operations in Grand Isle and Essex into the Franklin and Caledonia courts respectively. Unfortunately, the number of case filings in Grand Isle and Essex are far too small to allow us to evaluate the relative efficiency of these courts as compared to larger courts based on the information from the weighted caseload study. What we do know, however, based on workload studies in larger states is that small courts tend to be less efficient than larger courts. There are certain economies of scale that require a threshold number of filings. This would account for the high clerical cost per case as indicated by the data on filings and cost provided by the Court Administrator.

## **Section Two: Using Case Weight Results to Improve Efficiency during the next 24 months**

During the second wave of change, the efficiency of court operations is improved through a process of identifying efficient business practices currently used in one court and adopting those practices statewide. The results of the weighted case load study are an important starting point for this process. Given a large enough number of cases, the

presence of efficiencies can be detected by comparing the case weights for a court or group of courts to the statewide case weights.

The data from the standard workload study suggests that there is a broad range in local court efficiency. It is not unusual for a state to exhibit very significant differences in staffing efficiencies at the local court level. As mentioned above, small courts with only one or two judges tend to be less efficient because they are too small to take advantage of labor efficiencies that come only with a certain volume of cases.

The data sets are too small in Vermont, due primarily to the limited time for the study and the relatively small number of filings in each court, to statistically estimate valid case weights for each individual court. Instead, based on input from the state court administrator, we selected three counties that are known to have district courts that are relatively efficient. We compared the case weight data for criminal cases from these counties to the statewide data to gain some insight into possible efficiency gains.

The three district courts selected were Chittenden, Windsor and Addison. They represent the largest court in the state, a mid size court and relatively small court. All three have low backlogs relative to other counties. The median time to disposition in all three counties is close to the disposition standards adopted by the Supreme Court. These are leading indicators of efficiency. In addition, their staff to judge and staff to case ratios<sup>1</sup> are also relatively low.

The following chart compares the judicial and staff case weights from these three courts to the statewide case weights. With only two exceptions for two relatively small groups of cases, the average staff time for the three courts is considerably lower than the statewide average. The judicial case weights are also by in large lower, but the difference is not as dramatic.

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<sup>1</sup> Nationally, a good rule of thumb is that the judge to staff ratio for clerical staff is often around five in trial courts. In courts where additional staff support the judge both in and out of the courtroom because of more complex case types and requirements to make the record or do legal research, the staff ratio may increase to eight or ten. Higher ratios may also occur in high volume courts dealing with mostly simple case types if automation of clerical tasks has not yet been implemented.

District Court Case Type	Clerical		Judicial	
	3 County	State	3 County	State
Misd Domestic Assault	186	231	59	64
Misd DUI	94	163	30	39
Misd DLS	66	123	9	10
Other Misd	123	142	24	34
Felony Sexual Assault	688	653	399	400
Felony Domestic Assault	464	398	86	111
Felony DUI	74	204	10	77
Other Felony	218	320	127	176
Civil Suspension	38	64	3	8
Search Warrants, Inquests, NTOs	12	20	11	11
VOP	44	71	11	17
Judicial Bureau Appeals	75	61	6	19
Other Civil	83	130	11	12

The significance of the case weight comparison becomes apparent when you use the case weights to determine the number of staff/judges needed to process Vermont’s criminal cases. Using the statewide case weights and assuming an 8 hour work day for the judge and staff, the number of judges needed statewide to process criminal cases is 13 and the number of staff is 48. Using the generally lower case weights from our three efficient counties, the number of judges needed statewide drops to 11 and the number of staff drops to 36.

Criminal Staffing Need	3 County	Statewide
Judge Need	11	13
Staff Need	36	48

Results of the case weight study can be used to perform a similar analysis for the superior, family and probate courts in Vermont once the more efficient courts are identified.

Identifying the reasons why one court is more efficient than another is not an easy process. There are many factors to be considered: Is it related to size and volume of cases? Is it something about the local legal culture? How do the business processes of



the more efficient courts differ from the processes used by other courts? Even once the more efficient business processes used by these courts are identified, it is not simply a matter of telling all courts that they should operate at that same level of efficiency and reduce their staff accordingly. The deployment of new, more efficient business processes must be carefully and systematically thought through.

Once the courts have some confidence that they understand the specifics of what makes certain courts more efficient, the next step is to determine the extent to which these business processes can be successfully used by other courts. Comprehensive training on the new processes is almost always required and significant changes can often cause a temporary drop in efficiency as staff learns new ways of doing things. Active support by judges and court managers is an indispensable requirement for success. A streamlined management structure for all of the courts will enhance the courts capability of providing the necessary support and encouragement to the local courts as they engage in this process.

It is not clear yet how much the more efficient performance of the three district courts is due to Chittenden's larger size and efficiencies that come from simple scale economies. That is an important question to investigate, since much smaller courts will not be able to implement improvements based on scale economies until new technologies enable them to act like larger virtual courts.

### **Section Three: The Virtual Courthouse**

The Vermont Judiciary is currently in the process of purchasing a state of the art case management system that includes the capability for electronic case files and electronic filing of documents. It is currently anticipated that it will take approximately three years to develop the system and roll it out to all of the courts. The third wave of change will come once this new system is fully implemented.<sup>2</sup> The new system will

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<sup>2</sup> Implementation of some changes in technology may occur even before the new case management system is fully operational allowing courts to benefit from some improved staff efficiency at an earlier date. The full benefit, however, will not be reaped until the new case management system including e-filing is fully in place.

allow a litigant to file a case anywhere in the state. Judges and staff will no longer be dependent on a paper file located in a particular court house to be able to work on the case. The system will dramatically change the work load of court staff and to some lesser degree the work load of the trial judges. The information from the weighted case load study can help the court predict the impact of the virtual clerk's office.

The standard workload study identifies functional process steps for administrative staff to handle typical cases. These clerical process weights can be adjusted to estimate the potential staff labor savings from the implementation of certain technological capabilities that eliminate or automate what are now manual process steps. These efficiencies are unlikely to be significant for the next year or two, but over the longer run they could be very large. In addition, the typical roles and skills sets for administrative staff are likely to change as the more menial aspects of their current jobs are automated.

Technology projects are most likely to affect the functional case-related weights for staff as follows:

**Case Initiation, processing and management** – This step includes many tasks that will be fully automated in the future. Examples include entering a new case, docketing in a case, processing fees, processing orders, secondary service, collection of fees, processing of case documents, sealing, purging, archiving, records requests, public records retrieval, and preparing the record on appeal. A very conservative estimate is that at least 60 percent of the time now spent by administrative staff on this step could be automated.

Some of these staff savings could be reaped by creating an electronic case file with supporting retrieval and management capabilities. In theory, a court could achieve some of these benefits by scanning all paper documents and establishing a full function document management system that is fully integrated with a modern case management system. Some of the benefits will accrue only when electronic filing is implemented and online payments of fines and fees are fully supported. Unfortunately, we

do not have the data to further divide the case weights by these different functions, which were lumped together for the standard workload study.

**Calendaring/scheduling** – This step includes setting judicial calendars, tracking attorney, law enforcement, and interpreter availability, and coordinating video arraignment events, as well as other duties. An extremely conservative estimate is that automation could reduce this weight by about 20 percent. Further study may suggest additional possibilities for labor savings. Most of these cost reductions will require only the new case management system to be in place.

**Case-related customer service** – This step includes responses to requests for information about cases over the counter or via phone or email. It is not unrealistic to expect up to 80 percent of the labor associated with this step to disappear. To accomplish that reduction in labor demand, the new case management system must be supplemented by online public access to case data and docket information like hearing dates, as well as online self-help for self-represented litigants. The current Vermont A2J project to develop a “turbo tax” type program for the preparation of court documents by pro se litigants is an excellent example of how electronic technology can reduce the case related customer service workload for staff.

**Financial management** – This step includes most manual handling of financial transactions. Up to 90 percent of this work could be automated. To do so requires the new case management system, automated fee splits, and online payments capability. Payments of filing fees will only be automated when e-filing is also implemented.

**Courtroom support/court monitoring** – This step includes support for taping equipment in the courtroom. It is possible that further automation of how the record is made during hearings could reduce labor by 10

percent or 15 percent, but other new technology may actually increase the use of courtroom clerks. Any change depends on the specifics of how digital audio or video are implemented and court rules about requirements to use court reporters in the courtroom.

**Jury services** – This step includes jury management tasks associated with cases. Given current plans, there is no expected reduction in labor requirements. If the court were to fully automate jury management primarily using online capabilities as in Travis County, Texas (Austin), then the potential reduction would be 90 percent.

To calculate estimates of actual staff FTE reductions, these estimates must be used to adjust the case weights and then the adjusted weights are multiplied by the actual filings to yield total minutes eliminated. Those minutes are then converted to FTE equivalents using the staff year. The calculations must be carried out in detail to accurately estimate FTE savings, since case types vary significantly in both the number of filings and the size of the overall case weights. Averaging the case weight reduction across the case weights will not yield an accurate estimate. Appendix A provides some adjusted case weights for the case types with the most filings.

## **Recommendations Based on the Study Results**

Based on the results of the weighted caseload study, it is the opinion of the National Center for State Courts that in order to achieve the budgetary goals set for the Commission on Judicial Operation by the Legislature, the Supreme Court must have the clear authority to take the following steps:

**Recommendation 1:**

*Reduce the number of managers and deputies in the trial courts through the consolidation of courts and staff.*

**Recommendation 2:**

*Reduce the number of judges and supporting staff in the probate courts.*

**Recommendation 3:**

*Identify the more efficient trial courts.*

**Recommendation 4:**

*Investigate the business processes that make those courts more efficient.*

**Recommendation 5:**

*Analyze the extent to which the special characteristics of the more efficient courts can be generalized to other courts.*

**Recommendation 6:**

*Estimate the extent and timing of possible staff savings from technology projects.*

**Recommendation 7:**

*Plan for the changes in the qualifications, skill sets, and core job functions of administrative staff as new technology is systematically implemented.*

## **Appendix A Some Technology-adjusted Case Weights**

The clerical case weights below have been adjusted according to the estimates made in the report above. In sum, those adjustments are:

	<b><u>Reduction</u></b>
Case initiation, processing and management:	60%
Calendaring/scheduling:	20%
Case-related customer service:	80%
Financial management:	90%
Courtroom support/court monitoring:	10%
Jury service:	0% (90%)

Here are the adjusted clerical case weights:

	<b><u>Study</u></b>	<b><u>Adjusted</u></b>	<b><u>Reduction</u></b>
Small claims	127	66	48%
Other civil	323	162	50%
Misdemeanor domestic assault	255	140	55%
Misdemeanor DUI	163	88	46%
Misdemeanor DLS	123	61	50%
Misdemeanor Other	176	72	59%
Divorce	537	257	52%
Parentage	397	186	53%
Post-judgment enforcement	190	101	47%
Child support	146	83	43%
Estates	416	168	60%
Trusts	85	35	59%
Adult Guardianships	813	365	55%
Minor Guardianships	607	263	57%

Although the largest proportionate reductions are for the functions of Case-related Service and Case-related Financial Management, the largest absolute impact comes from Case Initiation and Processing. The automated capabilities include electronic filing, electronic service, electronic noticing, electronic case file, automated docketing, automated financial transactions, online fee and fine payment, online access to case information, and online self-help. Because these reductions represent fractions of actual FTE's in most courts, the courts would need to be organized like one virtual court to realize actual FTE reductions in most cases.

**Appendix B**  
**Final Judicial Officer and Court Staff Case Weights**

<b>SUPERIOR COURT</b>		
<b>Case Type</b>	<b>Judicial Case Weight</b>	<b>Clerical Case Weight</b>
Small Claims	22	127
Stalking/Sexual Assault	43	208
Appeals: Small Claims & Other	280	296
Civil	133	323

<b>DISTRICT COURT</b>		
<b>Case Type</b>	<b>Judicial Case Weight</b>	<b>Clerical Case Weight</b>
Misdemeanor Domestic Assault	64	231
Misdemeanor DUI	39	163
Misdemeanor DLS	10	123
Misdemeanor Other	34	142
Felony Sexual Assault <sup>3</sup>	400	653
Felony Domestic Assault	111	398
Felony DUI	77	204
Felonies except sexual assault, domestic assault & DUI	176	320
Treatment Courts: All District Court Treatment court Types	80	677
Civil Suspension	8	64
Search Warrants/Inquests/NTO	11	20
VOPs	17	71
Judicial Bureau Appeals	19	61
Other District Court Civil	12	130

<sup>3</sup> The case weight for felony sexual assault was adjusted downward to account for a high-profile and time-consuming jury trial case that occurred in Chittenden County during the time study. Judicial and clerical staff's time was averaged to equate to co-worker's average times to equal out the time.



<b>FAMILY COURT</b>		
<b>Case Type</b>	<b>Judicial Case Weight</b>	<b>Clerical Case Weight</b>
DOMESTIC: Divorce, Annulment, Legal Separation, Civil Dissolution	121	513
DOMESTIC: Parentage	58	397
DOMESTIC: Post Judgment Enforcement & Modification	58	190
DOMESTIC: Child Support	56	161
DOMESTIC: Relief from Abuse	44	185
JUVENILE: Abused or Neglected (CHINS)	374	1,156
JUVENILE: Unmanageable (CHUMS)	79	202
JUVENILE: Delinquency	76	311
JUVENILE: Termination of Parental Rights	304	379
JUVENILE: Treatment Court -- All Juvenile Court Types	530	2,087
MENTAL HEALTH: Application for Involuntary or Continued Treatment	9	59
MENTAL HEALTH: Application for Involuntary Medication	97	191

<b>PROBATE COURT</b>		
<b>Case Type</b>	<b>Judicial Case Weight</b>	<b>Clerical Case Weight</b>
Estates	87	416
Trusts	22 <sup>4</sup>	85 <sup>14</sup>
Adoption: Agency & Private)	88	298
Adoption: TPR	459	166
Adult Guardianships: Voluntary & Involuntary	321	813
Minor Guardianships: Custodial & Financial	169	608
Vitals Adjudications	17 <sup>5</sup>	94 <sup>6</sup>
Other Probate	61 <sup>7</sup>	415 <sup>8</sup>

<b>ENVIRONMENTAL COURT</b>		
<b>Case Type</b>	<b>Judicial Case Weight</b>	<b>Clerical Case Weight</b>
Municipal Appeals: de Novo	1,095	678
Municipal Appeals: on-the-record	334	964
Act 250 Land Use Appeals	5,319	887
State Agency Appeals (ANR/NRB)	6,766	1,589
Municipal enforcement proceedings	343	829
Environmental enforcement proceedings	108	253

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<sup>4</sup> The denominator used to compute the Trust case weight was number of cases pending at the beginning of the year.

<sup>5</sup> Judicial and staff case weights for Vitals Adjudication and Other Probate have been adjusted since the original report to correct an error in the filing figures given to the NCSC for these case types.

<sup>6</sup> See FN 6.

<sup>7</sup> See FN 6.

<sup>8</sup> See FN 6.

<b>JUDICIAL BUREAU</b>		
<b>Case Type</b>	<b>Judicial Case Weight</b>	<b>Clerical Case Weight</b>
Judicial Bureau Cases	6 <sup>9</sup>	14

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<sup>9</sup> The denominator used to compute the Judicial case weight for Judicial Bureau cases is contested cases, compared to all cases filed, which was used to compute the court staff case weight.

### Appendix C Adequacy of Time Survey Results: Vermont Judicial Officers

<b>SUPERIOR COURT</b>	<b>AVG. SCORE</b>
SMALL CLAIMS CASES:.	<b>3.39</b>
REAL PROPERTY DISPUTES:	<b>3.22</b>
FORECLOSURE CASES:	<b>3.41</b>
TORT ACTIVITY CASES:	<b>3.30</b>
BREACH OF CONTRACT CASES:	3.42
COLLECTIONS CASES:	<b>3.50</b>
LANDLORD-TENANT CASES:	<b>3.43</b>
REVIEW OF GOVERNMENTAL ACTIONS:	<b>3.37</b>
STALKING/SEXUAL ASSAULT CASES:	<b>3.66</b>
RESTRAINING ORDERS:	<b>3.32</b>
OTHER SUPERIOR COURT CIVIL CASES:	<b>3.30</b>
SMALL CLAIMS APPEALS:	<b>3.43</b>
OTHER APPEAL CASES:	<b>3.34</b>

<b>DISTRICT COURT</b>	<b>AVG. SCORE</b>
MISDEMEANOR DOMESTIC ASSAULT CASES:	<b>3.07</b>
MISDEMEANOR DUIs:	<b>3.08</b>
MISDEMEANOR DLS CASES:	<b>3.25</b>
OTHER MISDEMEANOR CASES:	<b>2.82</b>
FELONY SEXUAL ASSAULT:	<b>2.71</b>
FELONY DOMESTIC ASSAULT:	<b>2.77</b>
FELONY DUIs:	<b>2.74</b>
FELONIES EXCEPT DOMESTIC ASSAULT, SEXUAL ASSAULT & DUI:	<b>2.71</b>
TREATMENT COURT CASES:	<b>3.31</b>
CIVIL SUSPENSION CASES:	<b>2.73</b>
SEARCH WARRANTS/INQUESTS/NTOs	<b>3.59</b>
VIOLATION OF PROBATION:	<b>2.76</b>
JUDICIAL BUREAU APPEALS:	<b>2.95</b>
OTHER DISTRICT COURT CIVIL CASES:	<b>3.00</b>

<b>FAMILY COURT</b>	<b>AVG. SCORE</b>
DIVORCE, ANNULMENT, ETC.	2.67
DOMESTIC-PARENTAGE:	2.72
DOMESTIC-POST-JUDGMENT ENFORCEMENT:	2.69
DOMESTIC-POST-JUDGMENT MODIFICATION:	2.66
DOMESTIC-CHILD SUPPORT ESTABLISHMENT:	3.16
DOMESTIC CHILD SUPPORT POST-JUDGMENT ENFORCEMENT:	3.32
DOMESTIC CHILD SUPPORT POST-JUDGMENT MODIFICATION:	2.34
DOMESTIC CHILD SUPPORT OTHER:	2.39
DOMESTIC-MAGISTRATE APPEAL:	3.35
DOMESTIC-RELIEF FROM ABUSE:	2.64
DOMESTIC-OTHER:	2.81
JUVENILE-CHINS	2.05
JUVENILE-CHUMS:	1.72
JUVENILE DELINQUENCY:	1.78
JUVENILE TPR:	1.88
JUVENILE YOUTHFUL OFFENDER:	2.15
JUVENILE TRUANCY:	2.53
JUVENILE TREATMENT COURT (all types):	2.00
MENTAL HEALTH APP FOR INVOLUNTARY OR CONTINUED	2.33
MENTAL HEALTH APP FOR INVOLUNTARY MEDICATION:	2.11
MENTAL HEALTH PETITION FOR GUARDIANSHIP SERVICE:	2.84
OTHER MENTAL HEALTH:	2.46

<b>PROBATE COURT</b>	<b>AVG. SCORE</b>
ESTATE CASES:	4.58
TRUST cases:	4.76
AGENCY ADOPTION cases:	4.76
PRIVATE ADOPTION cases:	4.75
TPR ADOPTION cases:	4.39
ADULT VOLUNTARY GUARDIANSHIP cases:	4.72
MINOR FINANCIAL GUARDIANSHIP cases:	4.74
MINOR CUSTODIAL GUARDIANSHIP cases:	4.53
VITALS ADJUDICATIONS:	4.98
OTHER PROBATE cases:	4.57

<b>ENVIRONMENTAL COURT</b>	<b>AVG. SCORE</b>
MUNICIPAL APPEALS-de NOVO:	<b>3.14</b>
ACT 250 LAND USE APPEALS:	<b>2.71</b>
STATE AGENCY APPEALS (ANR/NRB):	<b>3.00</b>
MUNICIPAL ENFORCEMENT PROCEEDINGS:	<b>2.86</b>
ENVIRONMENTAL ENFORCEMENT PROCEEDINGS:	<b>2.86</b>

<b>JUDICIAL BUREAU</b>	<b>AVG. SCORE</b>
ALL JUDICIAL BUREAU CASES:	<b>4.11</b>

**Adequacy of Time Survey Results: Vermont Court Staff**

<b>SUPERIOR COURT</b>	<b>AVG. SCORE</b>
SMALL CLAIMS CASES	3.21
REAL PROPERTY DISPUTES	3.35
FORECLOSURE CASES	3.28
TORT ACTIVITY CASES	3.29
BREACH OF CONTRACT CASES	3.30
COLLECTIONS CASES	3.22
LANDLORD-TENANT CASES	3.22
REVIEW OF GOVERNMENTAL ACTIONS	3.33
STALKING/SEXUAL ASSAULT CASES	3.54
RESTRAINING ORDERS	3.50
OTHER CIVIL CASES	3.29
SMALL CLAIMS APPEALS	3.37
OTHER APPEAL CASES	3.42

<b>DISTRICT COURT</b>	<b>AVG. SCORE</b>
MISDEMEANOR DOMESTIC ASSAULT CASES	3.35
MISDEMEANOR DUIs	3.50
MISDEMEANOR DLS CASES	3.44
OTHER MISDEMEANOR CASES	3.49
FELONY SEXUAL ASSAULT	3.41
FELONY DUI's	3.34
FELONIES EXCEPT DOMESTIC ASSAULT, SEXUAL ASSAULT OR DUI	3.33
TREATMENT COURT cases	3.47
CIVIL SUSPENSION cases	3.55
SEARCH WARRANTS/INQUESTS/NTO	3.40
VIOLATIONS OF PROBATION	3.39
JUDICIAL BUREAU APPEALS	3.46
OTHER CIVIL cases	3.21

<b>FAMILY COURT</b>	<b>AVG. SCORE</b>
DIVORCE, ANNULMENT, LEGAL SEPARATION, CIVIL DISSOLUTION	3.27
DOMESTIC-PARENTAGE cases	3.36
DOMESTIC-POST-JUDGMENT ENFORCEMENT	3.23
DOMESTIC-POST-JUDGMENT MODIFICATION	3.18
DOMESTIC-CHILD SUPPORT ESTABLISHMENT	3.50
DOMESTIC CHILD SUPPORT POST-JUDGMENT ENFORCEMENT	3.65
DOMESTIC CHILD SUPPORT POST-JUDGMENT MODIFICATION	3.48
DOMESTIC CHILD SUPPORT OTHER	3.57
DOMESTIC-MAGISTRATE APPEAL cases	3.55
DOMESTIC-RELIEF FROM ABUSE cases	3.23
DOMESTIC-OTHER cases	3.43
JUVENILE-CHINS cases	3.49
JUVENILE-CHUMS cases	3.56
JUVENILE DELINQUENCY cases	3.53
JUVENILE TPR cases	3.41
JUVENILE YOUTHFUL OFFENDER cases	3.58
JUVENILE TRUANCY cases:	3.70
JUVENILE TREATMENT COURT (all types) cases:	3.57
MENTAL HEALTH APPLICATION INVOLUNTARY OR CONTINUED TREATMENT cases:	3.24
MENTAL HEALTH APPLICATION INVOLUNTARY MEDICATION:	2.97
MENTAL HEALTH PETITION GUARDIANSHIP SERVICE:	3.30
OTHER MENTAL HEALTH cases:	3.36

<b>PROBATE COURT</b>	<b>AVG. SCORE</b>
ESTATE CASES:	4.01
TRUST cases:	4.12
AGENCY ADOPTION cases:	4.24
PRIVATE ADOPTION cases:	4.10
TPR ADOPTION cases:	4.18
ADULT VOLUNTARY GUARDIANSHIP cases:	4.21
ADULT INVOLUNTARY GUARDIANSHIP cases:	3.98
MINOR FINANCIAL GUARDIANSHIP cases:	4.13
MINOR CUSTODIAL GUARDIANSHIP cases:	4.10
VITALS ADJUDICATIONS:	4.27
OTHER PROBATE cases:	4.17

<b>ENVIRONMENTAL COURT</b>	<b>AVG. SCORE</b>
MUNICIPAL APPEALS-de NOVO:	4.67
MUNICIPAL APPEALS: ON THE RECORD:	4.62
ACT 250 LAND USE APPEALS	4.62
STATE AGENCY APPEALS (ANR/NRB)	4.62
MUNICIPAL ENFORCEMENT PROCEEDINGS	4.48
ENVIRONMENTAL ENFORCEMENT PROCEEDINGS	4.62



<b>JUDICIAL BUREAU</b>	<b>AVG. SCORE</b>
ALL JUDICIAL BUREAU CASES	<b>2.88</b>

**Appendix D  
Probate Judicial Officer Need Based on 8 Hour Work Day (no travel)**

<b>PROBATE COURT</b>							
<b>Case Type</b>	<b>Judicial Case Weight</b>	<b>Law Clerks' % of Work</b>	<b>Law Clerks' Portion of Case Weight</b>	<b>Filing #s</b>	<b>Net Judge weight</b>	<b>FTE Judicial Officer Availability for Case Specific Work</b>	<b>Net Judge Weight x Filings = Judge workload in Minutes</b>
Estates	<b>87</b>	7.21%	6	2,357	81		190917
Trusts	<b>22</b>	5.80%	1	1,533	21		32193
Adoption: Agency & Private	<b>88</b>	12.05%	11	372	77		28644
Adoption: TPR	<b>459</b>	37.01%	170	59	289		17051
Adult Guardianships: Voluntary & Involuntary	<b>321</b>	7.28%	23	536	298		159728
Minor Guardianships: Custodial & Financial	<b>169</b>	6.50%	11	617	158		97486
Vitals Adjudications	<b>17</b>	1.23%	0	838	17		14246
Other Probate	<b>61</b>	8.30%	5	518	56		29008
Subtotal						90,906	569273
Judge Demand							6.262215915

**Appendix E**  
**Probate Judicial Officer Need Based on 9.5 Hour Work Day (with 40 minutes travel time)**

PROBATE COURT							
Case Type	Judicial Case Weight	Law Clerks' % of Work	Law Clerks' Portion of Case Weight	Filing #s	Net Judge weight	FTE Judicial Officer Availability for Case Specific Work	Net Judge Weight x Filings = Judge workload in Minutes
Estates	87	7.21%	6	2,357	81		190917
Trusts	22	5.80%	1	1,533	21		32193
Adoption: Agency & Private	88	12.05%	11	372	77		28644
Adoption: TPR	459	37.01%	170	59	289		17051
Adult Guardianships: Voluntary & Involuntary	321	7.28%	23	536	298		159728
Minor Guardianships: Custodial & Financial	169	6.50%	11	617	158		97486
Vitals Adjudications	17	1.23%	0	838	17		14246
Other Probate	61	8.30%	5	518	56		29008
Subtotal						103,768	569273
Judge Demand							5.486016884