

Scope of Weighted Workload Assessment Project for Vermont Judges and Court Clerk Staff

As the Vermont Judicial Branch redesigns its critical services to meet budget shortfalls it must have a method to accurately assess the impact of any proposed changes and evaluate the effect of those changes in the future. Since 90% of the Vermont Judicial Branch budget is personnel any changes will affect the functions performed by judges and staff. A “Weighted Caseload System” will provide that critical data. Currently, the Judicial Branch is not able to generate workload data at this level. The project should be overseen by two committees appointed by the Chief Justice (one for judges and one for staff). The study, which must be scaled to meet time and resource constraints, can be completed in four months at an estimated cost of \$30,000 to \$40,000 for the key components. Grant funds from the State Justice Institute and technical assistance from the National Center for State Courts (NCSC) are available to cover this amount.

Weighted workload assessment is a proven methodology that is used in court systems throughout the country to determine the need for judicial officers and court staff. The method “weights” cases to account for the varying complexity across various case types (e.g. criminal, civil, domestic, juvenile, traffic, etc.). Case weights show the time it takes to do the critical functions associated with each case type. The model will provide an objective, standardized assessment of judicial and staff needs among courts that vary in population and caseload composition. The Commission and the courts will be able to use this analysis for assessment and planning purposes, provide a baseline to measure the demand for court services and assess the impact those services have on staffing. It will also allow the Chief Justice and State Court Administrator to objectively allocate resources across the state.

Recognizing the urgency of the Vermont effort, the weighted caseload can be completed in four months. Generally speaking: one month for design and training, one month to conduct the study, one month to analyze the data, and one month for the committee to review and recommend a set of weights. NCSC has nearly twenty years of experience in this field and has found that a time study conducted for approximately four weeks yields the most accurate and reliable results. Briefly, time study participants record the amount of time they spend on the various defined case-related functions (pre-trial matters, non-trial disposition activities, bench trial activities, jury trial activities, post-trial activities, writing decisions and rulings, etc.) and non-case-specific activities (attending meetings, attending to administrative duties, etc.). Time-study data are joined with the annual case filing figures to construct a “case weight” for each case type. The case weights represent the average amount of time required for judges and court staff to process a case within a one year period. When the case weights are applied to current or projected case filing numbers, the result is the judge and court staff workload for the state. This figure is then divided by the amount of time available per judge and court staff, and an estimate of human resource requirements results. When the advisory committees reviews these weights it will have the opportunity to consider any adjustments to the workload standards based on factors that might not have been adequately covered in the time study or point out any regional differences to case processing and case management that may affect time spent on various functions

Attached is a brief outline of the tasks associated with the study.

Project Tasks

Task 1: Initiate project and hold Advisory Committee meeting #1.

Since two studies are being conducted (one for clerks and one for judges), two full-day back-to-back meetings will be held with separate committees for each study. The purpose of this meeting is to identify the specific needs of the studies for Vermont Judges and court staff in terms of case types, functions and special analytical needs, if any. Additionally, study-related tasks and a detailed project timeline will be presented to the Committee, and adjusted, if necessary.

Task 2: Generate data collection tools

The NCSC project staff will develop two electronic data collection tools for the time study; one for judges and one for court staff. The time study data tool will allow study participants to directly enter their time into an electronic database. This database is accessible only by NCSC project staff, thus assuring study participant anonymity. The Advisory Committee members will be asked to review and approve the final versions of the data collection tools before data collection begins.

Task 3: Data collection training

NCSC staff will develop a written set of instructions that clearly explain the data collection process for all participants engaged in the study. Since it is critical that time be recorded comprehensively, accurately, and consistently according to an established set of rules. NCSC will provide training using Webex technology to acquaint the participants with the workload concept, the proposed project design, the data collection requirements, and answer any questions related to the study and its implications. The Webex technology allows participants to receive training while sitting at their desk. Participants will be given a website address to log into and a telephone number to call. This training format allows participants to view all training materials on their own computer while listening and asking questions over the telephone. Several training sessions will be made available to accommodate the schedules of the study's participants.

Task 4: Time Study

Judges and court clerks will record their daily work activities and enter this information into an on-line tool. The length of time for which data are collected will be determined by the committees but we estimate a month. NCSC staff will provide assistance to the study's participants via a help desk, which will be available during working hours, Monday through Friday for the duration of the study.

Task 4: Data cleaning and analysis

The time study database and adequacy of time survey data will be downloaded and cleaned. The NCSC staff will synthesize all of the data received during the project data collection period. From this information, the analysts will begin to construct workload standards that are related to the previously identified functions and tasks. Next, they will begin to determine the average amount of time that is spent on each of these functions and tasks by each type of case. Finally, draft case weights will be generated.

Task 5: Generate draft report

Upon completion of the data analysis, an initial report will be constructed. This technical report will display and explain the case weights and the methodology used to develop them.

Task 6: Advisory Committee meeting #2

NCSC project staff will meet with the Advisory Committees to review the analysis of the time study data. Advisory Committee members will be asked to review and comment on the time study results in light of any recent legislative changes; established procedures and practices; and personal “real world” experience. At this meeting, Advisory Committee members will have the opportunity to recommend any “quality” adjustments to the workload standards or point out any regional differences to case processing and case management that may affect time spent on various functions. With this information, the NCSC will make any agreed upon final adjustments to the workload model. These discussions will serve to validate the overall time study model and finalize the results.

Task 7: Generate final report

Based upon feedback at the second advisory committee meeting, adjustments will be made to the draft report. Specifically, NCSC project staff will incorporate agreed upon changes and modifications from the Advisory Committee meeting to the workload standards. This report will constitute a final report.