

Superior Court Operations, 1995 to 2007

Jennifer L. Zipoy

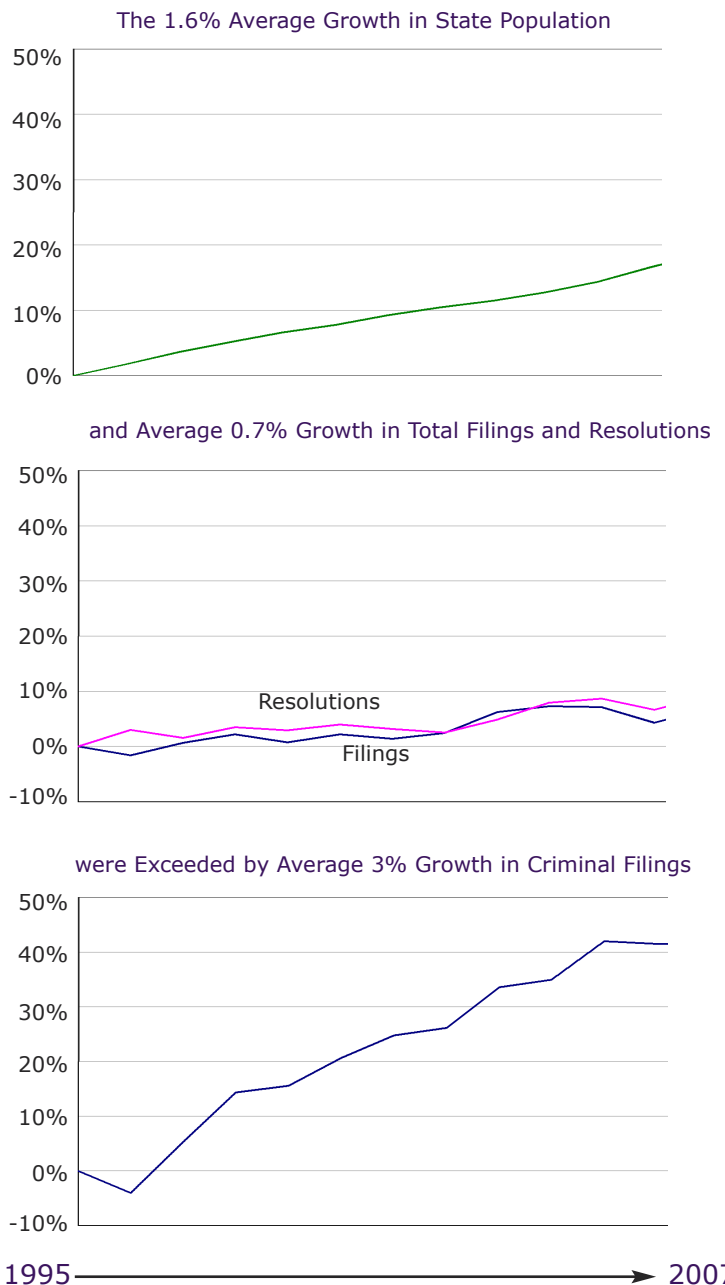
Growth in Caseload Primarily from Criminal, Dependency Cases

This report examines superior court operations in Washington State from 1995 to 2007. The report describes trends in court operations, as manifested by filings, resolutions, the mix of case types handled by the courts, and the timeliness of case processing. The report also depicts trends in court operations against the backdrops of trends in population growth and levels of reported crime within the State.

In general, changes in population relate to a change in the volume of cases handled by superior courts. About 80% of the change to the number of statewide superior court filings since 1996 can be attributed to changes in Washington's population. From 1995 to 2007, the State's population grew by 19%, superior court filings increased by 15%, and superior court resolutions increased by 20%. But within the total caseload there was wide variation in growth across case types, with some case types nearly unchanged or even declining across the period. For example, criminal case filings increased by an average of 3% per year. In contrast, parentage cases declined on average of 4.8% per year in the same period.

The remainder of this report takes a more detailed look at trends in filings, resolutions, and timeliness of case processing, with special attention given to criminal cases.

Annual Growth

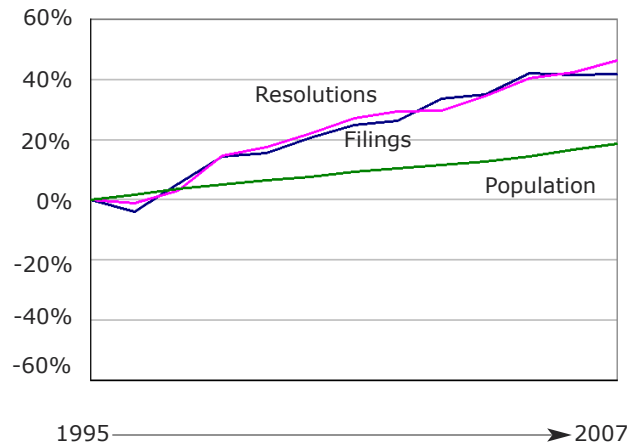


Criminal Caseload Growth More than Twice the Growth in Population

Criminal

Filings & Resolutions Statewide

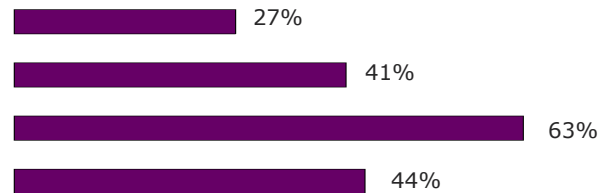
- From 1995 to 2007, criminal filings (including both felony and misdemeanors) increased by 42% and resolutions increased by 47%, while the State's population increased by 19%.
- The number of criminal filings increased from 33,965 in 1995 to 48,141 in 2007, while the number of resolutions increased from 32,748 in 1995 to 47,971 in 2007.
- In 2007, there were 15,422 controlled substance cases filed and 12,916 theft/burglary cases filed, the two largest categories of criminal filings.



Filings by Court Size¹

	1995	2007
King County	8,605	10,966
Large Courts	17,788	25,113
Medium Courts	6,135	10,010
Small Courts	1,437	2,062

Percent Change Since 1995

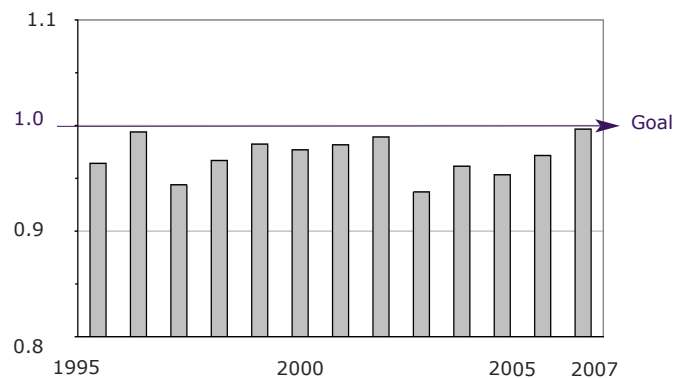


¹ King County – King County Superior Court; Large courts (total 8) – 8 or more judicial officers; Medium courts (total 13) – 2 to 7 judicial officers; Small courts (total 9) – 1 judicial officer

Clearance Ratio²

Across the past decade, criminal case clearance ratios have fluctuated from a low of 0.94 in 1997 to a high of 1.00 in 2007. Courts are keeping up with the influx of cases.

	2004	2005	2006	2007
King County	1.00	1.01	0.95	1.02
Large Courts	0.96	0.94	0.97	0.98
Medium Courts	0.93	0.94	0.98	0.97
Small Courts	0.95	0.91	1.00	1.00



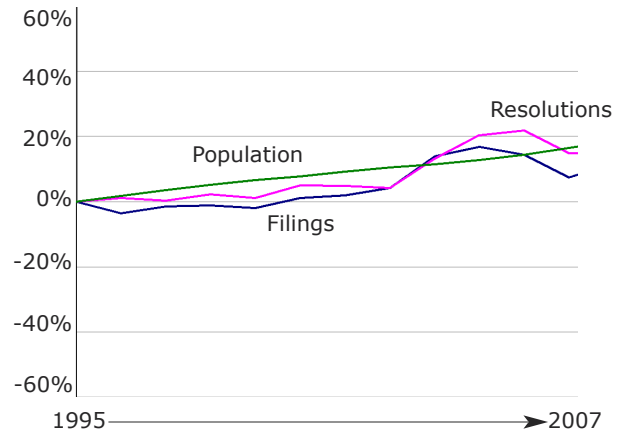
² The clearance ratio is one indicator of court's ability to keep up with case volume and is constructed as the ratio of resolutions to filings. If resolutions exceed filings, the clearance ratio will be above 1.0, suggesting that courts are working within their capacity. Clearance ratios below 1.0 suggest that courts' capacity to handle cases is being exceeded.

Civil Caseload Grows with Population

Civil

Filings & Resolutions Statewide

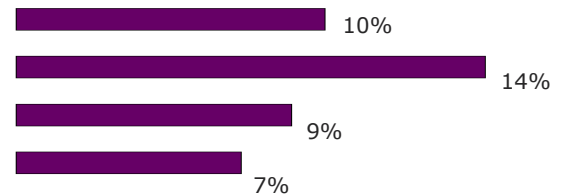
- Compared to 1995, 2007 civil filings were 12% higher and resolutions were 15% higher.
- Civil filings numbered 76,433 in 1995 and 85,459 in 2007; resolutions numbered 71,886 in 1995 and 82,848 in 2007.
- The 14,763 domestic violence filings comprised 17.2% of all civil filings in 2007.
- Commercial and property rights filings accounted for 63% of all civil cases filed in 2007.



Filings by Court Size

	1995	2007
King County	23,850	26,115
Large Courts	39,170	44,827
Medium Courts	11,260	12,215
Small Courts	2,153	2,302

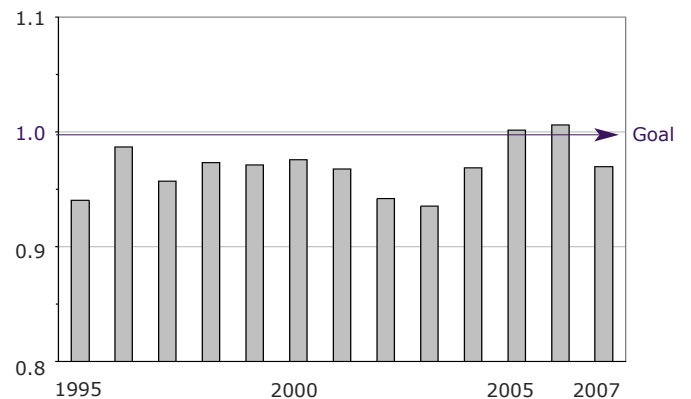
Percent Change Since 1995



Clearance Ratio

Following a notable 14% jump in filings in 2003 that temporarily set back courts' ability to keep pace, superior courts improved their clearance trends. Clearance improved in 2005 and 2006, then fell in 2007.

	2004	2005	2006	2007
King County	1.02	1.10	1.03	1.02
Large Courts	0.96	0.98	1.02	0.97
Medium Courts	0.91	0.92	0.91	0.88
Small Courts	0.88	0.80	0.90	0.84

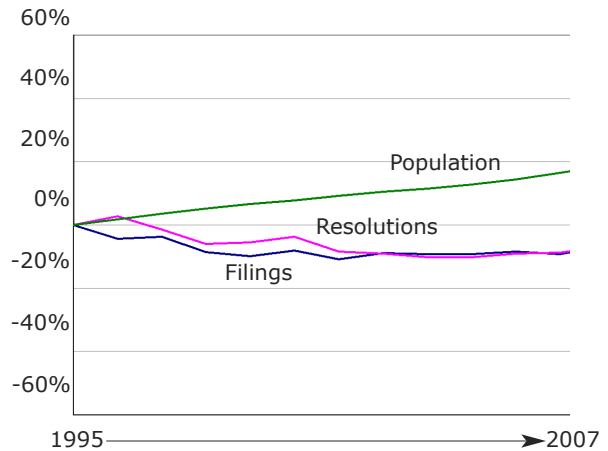


Domestic Filings were lower in 2007 than 1995, Except in Small Courts

Domestic

Filings and Resolutions Statewide

- Compared to 1995, domestic filings and resolutions (primarily custody and dissolution cases) were both 7% lower in 2007.
- Domestic filings and resolutions declined from 1995 to 1998, and were stable from 1999 to 2007.
- Domestic filings numbered 41,531 in 1995 and 38,768 in 2007; resolutions numbered 39,659 in 1995 and 36,981 in 2007.
- Nearly half (46%) of dissolution cases filed involved one or more children.
- In 2007, 93% of parenting plans were entered by agreement of the parties, 5% by default and 2% were contested ³.



Filings by Court Size

	1995	2007
King County	9,889	7,720
Large Courts	20,261	19,084
Medium Courts	7,150	6,501
Small Courts ⁴	4,231	5,463

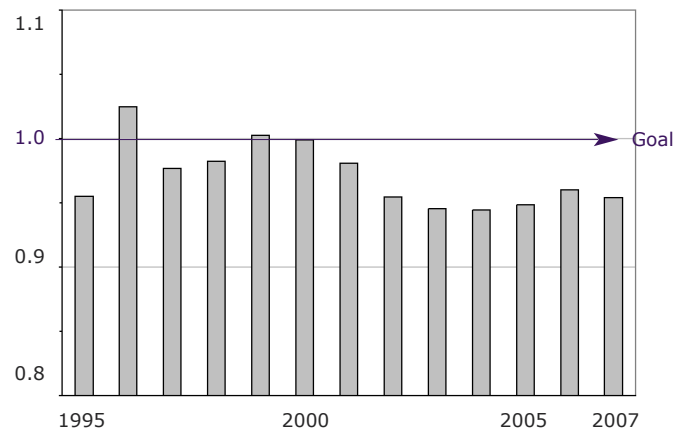
Percent Change Since 1995



Clearance Ratio

Since 1999, domestic clearance rates have modestly but steadily fallen to their most recent level of 0.95. The downward trend warrants monitoring in order to identify factors affecting courts' abilities to process domestic cases.

	2004	2005	2006	2007
King County	1.02	0.98	1.01	1.00
Large Courts	0.92	0.92	0.94	0.96
Medium Courts	0.91	0.90	0.95	0.92
Small Courts	0.96	1.07	0.97	0.90



³ For additional information about parenting plans, custody and residential time, please review the Residential Time Summary Report available at <http://www.courts.wa.gov/wscrr/docs/ResidentialTimeSummaryReport.pdf>

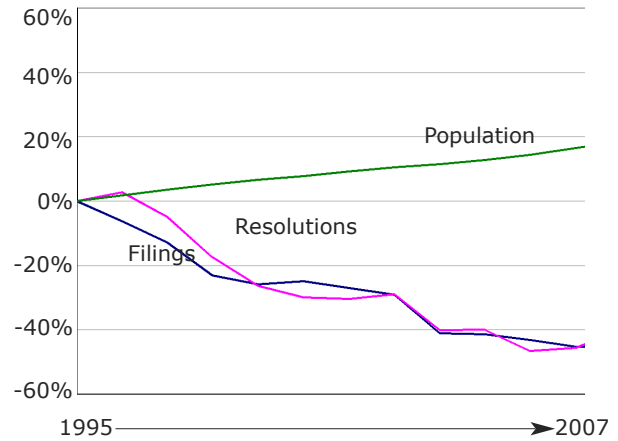
⁴ The domestic caseload for small courts is much higher because one small county allows parties anywhere in the state to mail in dissolution paperwork and never have to appear in court. This county accounted for 67% of small courts' domestic caseload in 1995, and 80% in 2007. Not including this county, the other small courts percent change since 1995 was -19%, while the percent change for this county was 53%.

Parentage Filings Show Opposite Trends to Population

Parentage

Filings and Resolutions Statewide

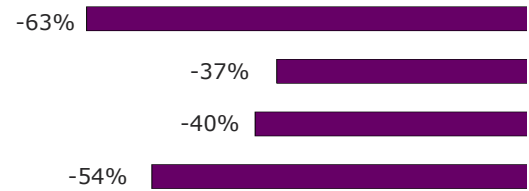
- Compared to 1995, 2007 parentage filings were 46% lower and resolutions were 40% lower.
- Parentage filings and resolutions fell most dramatically between 1995-1999, and 2002-2004.
- The number of parentage filings fell from 13,767 in 1995 to 7,474 in 2007; resolutions fell from 13,106 to 7,861.
- Of the 7,391 strictly paternity cases filed in 2007, approximately 1% (86) were related to the Uniform Interstate Family Support Act (UIFSA) or child support.
- The steady decline in caseload may be explained by the presence of the Division of Child Support's Paternity Affidavit Program, in place since 1989⁵.



Filings by Court Size

	1995	2007
King County	3,848	1,425
Large Courts	7,045	4,415
Medium Courts	2,276	1,360
Small Courts	598	274

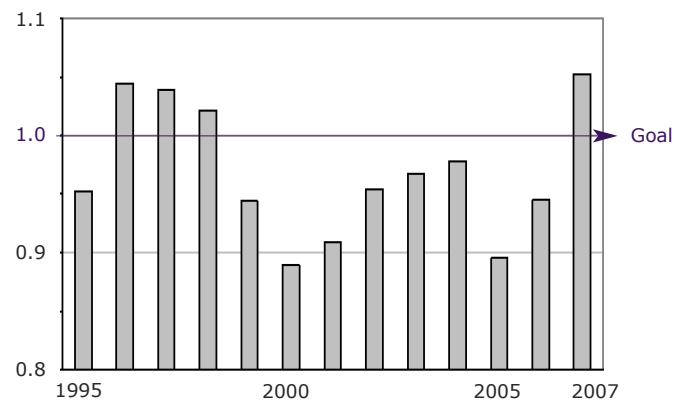
Percent Change Since 1995



Clearance Ratio

Parentage clearance rates have fluctuated over the past decade. Rates were lower in 2000 and 2005, but recently reached a high of 1.05 in 2007.

	2004	2005	2006	2007
King County	1.19	0.96	1.19	0.94
Large Courts	0.96	0.88	0.89	1.09
Medium Courts	0.86	0.92	0.92	1.03
Small Courts	0.75	0.65	0.91	0.94



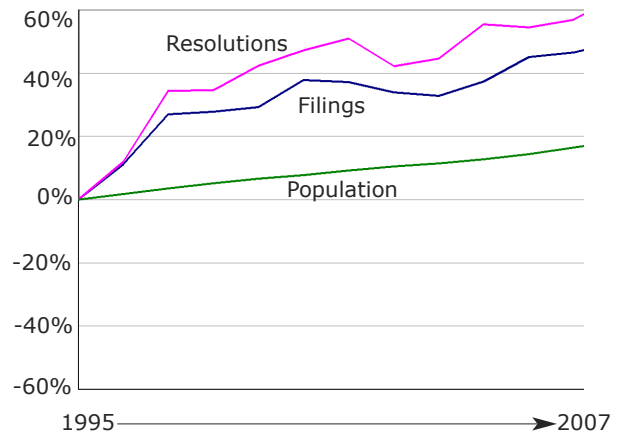
⁵ For additional information about the State of Washington Division of Child Support's Paternity Affidavit Program, please review the information available at <http://www.dshs.wa.gov/dcs/services/paternity.asp>

Juvenile Dependency Filings Nearly Double in Medium Courts since 1995

Juvenile Dependency

Filings and Resolutions Statewide

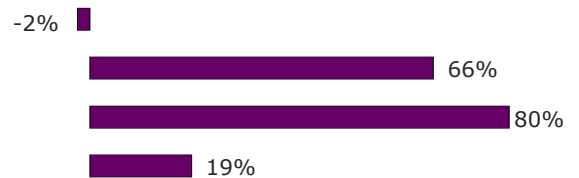
- Compared to 1995, 2007 juvenile dependency filings (dependency, termination, CHINS, and ARY but not truancy cases) were 50% higher and resolutions were 65% higher. The period from 1995-1997 was marked by exceptional growth.
- Dependency filings were 5,929 in 1995 and 8,899 in 2007; the resolutions were 5,207 in 1995 and 8,585 in 2007.
- Dependency cases alone accounted for 4,547 filings and 4,464 resolutions in 2007.
- At-Risk Youth (ARY) and Children in Need of Services (CHINS) were 27% of all dependency filings in 2007.
- In 2007, 69% of dependency cases achieved fact-finding within 75 days and 29% achieved permanency before 15 months in out-of-home care ⁶.



Filings by Court Size

	1995	2007
King County	1,416	1,385
Large Courts	2,996	4,965
Medium Courts	1,218	2,195
Small Courts	299	357

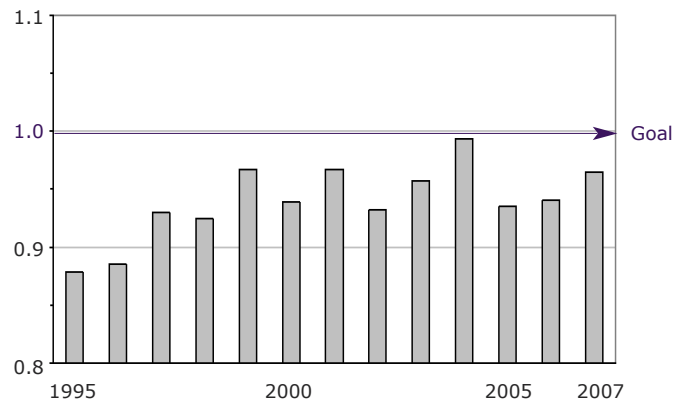
Percent Change Since 1995



Clearance Ratio

Dependency clearance rates owe their irregular nature, in part, to underlying trends in filings. Examination of legal and processing changes as well as possible community efforts over the years could yield insights into these patterns.

	2004	2005	2006	2007
King County	1.26	0.92	0.94	1.04
Large Courts	0.93	0.95	0.92	0.93
Medium Courts	0.95	0.94	0.99	1.01
Small Courts	0.88	0.76	0.96	0.89



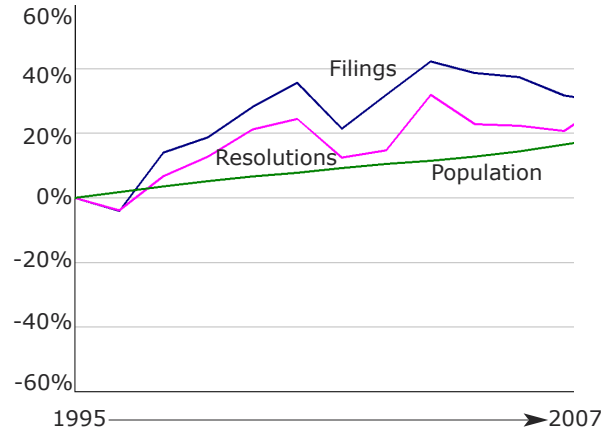
⁶ For additional information about dependency case processing, please review the Annual Timeliness of Dependency Case Processing Report available at <http://www.courts.wa.gov/wscpr/?fa=ccr.publicationList&list=Timeliness>

Adoption Filings Decrease in Recent Years

Adoption

Filings and Resolutions Statewide

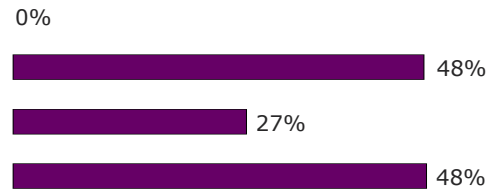
- Compared to 1995, 2007 adoption filings were 30% higher and resolutions were also 30% higher.
- Adoption filings and resolutions increased largely in two periods: from 1996 to 2000, and from 2001 to 2003.
- The number of adoption filings increased from 2,311 in 1995 to 2,994 in 2007; resolutions increased from 2,395 to 3,109.



Filings by Court Size

	1995	2007
King County	706	706
Large Courts	1,126	1,661
Medium Courts	389	494
Small Courts	90	133

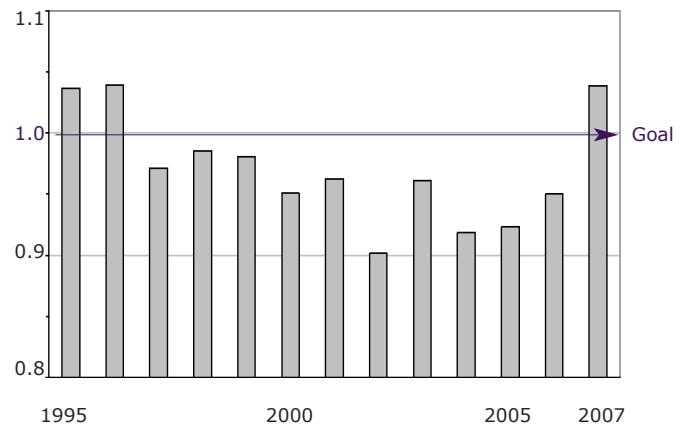
Percent Change Since 1995



Clearance Ratio

Adoption clearance rates fell from a high in 1996 of 1.04 to their 2002 low of 0.90, although there has been a recent upward trend. In 2007, the adoption clearance rate was equivalent to that of 1996. However, small courts continue to show a steady decline in clearance rates for adoption cases since 2004.

	2004	2005	2006	2007
King County	0.94	0.98	1.04	1.11
Large Courts	0.91	0.89	0.92	1.03
Medium Courts	0.93	0.96	0.95	1.01
Small Courts	0.89	0.87	0.85	0.75

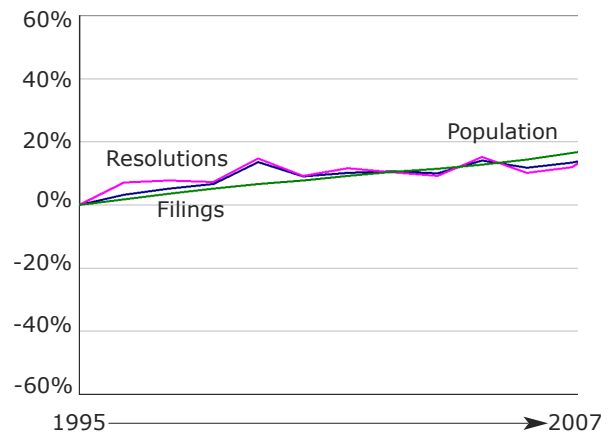


Probate/Guardianship Caseload Grows in Step with State's Population

Probate and Guardianship

Filings and Resolutions Statewide

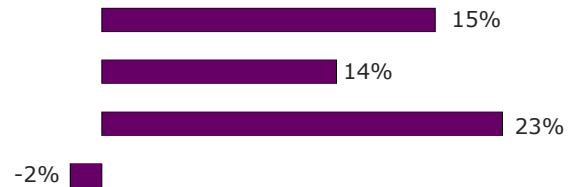
- Compared to 1995, 2007 probate and guardianship filings were 17% higher and resolutions were 21% higher.
- The probate/guardianship cases increased in line with state population growth.
- The probate/guardianship filings were 16,559 in 1995 and 19,283 in 2007; resolutions increased from 15,615 in 1995 to 18,870 in 2007.
- Probate cases accounted for 86% of the 2007 filings.



Filings by Court Size

	1995	2007
King County	5,232	6,248
Large Courts	7,555	8,589
Medium Courts	2,953	3,642
Small Courts	819	804

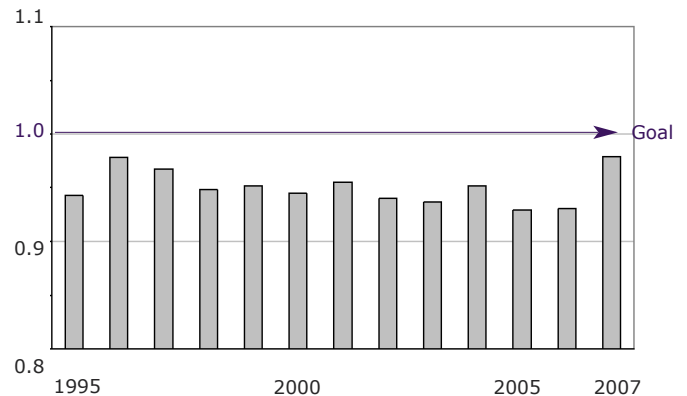
Percent Change Since 1995



Clearance Ratio

Rates have gradually trended downward across the decade, although 2007 demonstrated an increase in clearance. This statewide trend may result from changes to practice in the handling of probate and guardianship cases, such as longer periods of court monitoring for guardianships.

	2004	2005	2006	2007
King County	0.98	0.95	0.94	1.02
Large Courts	0.94	0.92	0.94	0.99
Medium Courts	0.94	0.94	0.91	0.89
Small Courts	0.85	0.86	0.88	0.89

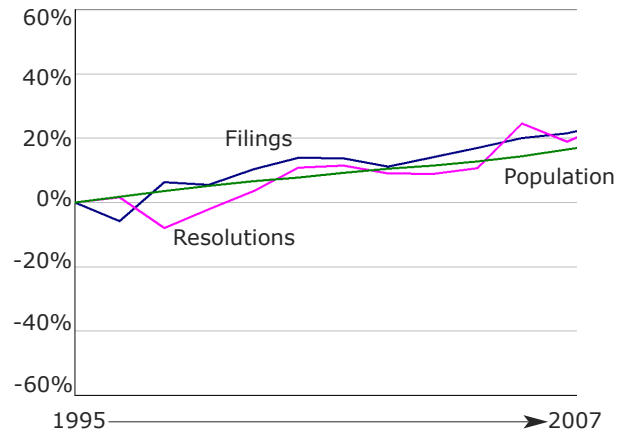


Small Courts Have Fewer Mental Illness and Alcohol Filings

Mental Illness and Alcohol⁷

Filings and Resolutions Statewide

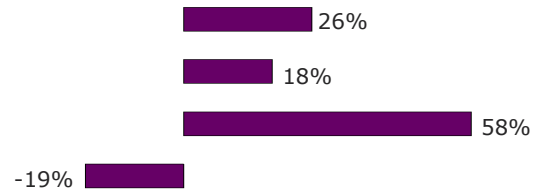
- Compared to 1995, 2007 mental illness and alcohol filings were 25% higher and resolutions were also 25% higher, slightly above the population growth rate.
- Mental illness and alcohol filings grew from 7,911 in 1995 to 9,868 in 2007; resolutions grew from 7,756 to 9,694.
- Of the 8,691 mental illness filings, 335 (4%) involved minors.
- Nearly all the filings involving minors occurred in King County and large courts.



Filings by Court Size

	1995	2007
King County	1,903	2,397
Large Courts	4,695	5,536
Medium Courts	1,131	1,789
Small Courts	182	146

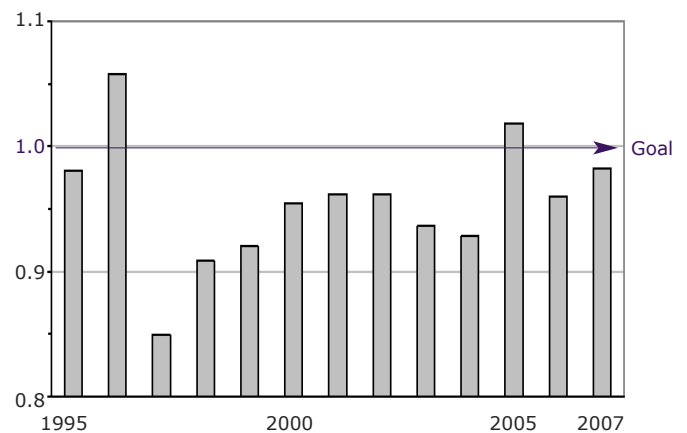
Percent Change Since 1995



Clearance Ratio

Marked fluctuation has occurred in mental illness clearance, leaving the most recent year's increase as an unclear signal of courts' future ability to keep up with workload.

	2004	2005	2006	2007
King County	1.01	1.01	0.97	0.97
Large Courts	0.94	1.01	0.95	0.94
Medium Courts	0.71	1.06	0.98	1.15
Small Courts	0.97	0.92	0.90	0.90



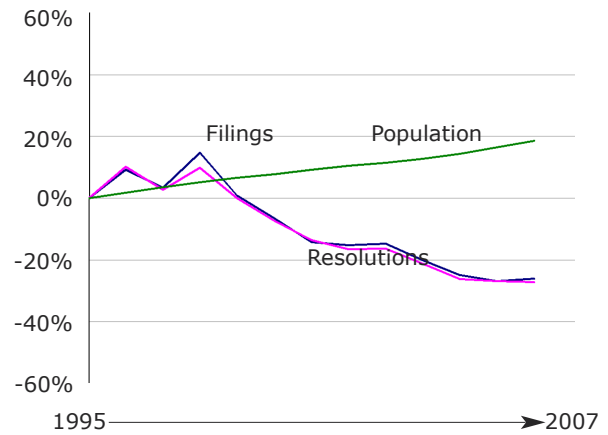
⁷ Mental illness and alcohol cases are those that involve the determination of whether the individual is incapacitated by mental illness or alcohol and should be placed into treatment or care/custody of another.

Juvenile Offender Filings Drop More than 25% since 1995

Juvenile Offenders

Filings and Resolutions Statewide

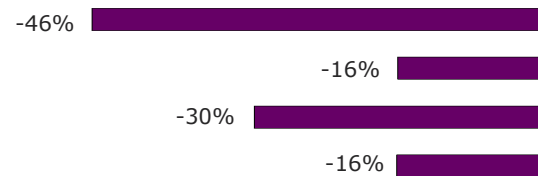
- Compared to 1995, 2007 juvenile delinquency filings (including both felony and misdemeanors) and resolutions were 26–27% lower.
- Juvenile offender filings were 27,716 in 1995 and 20,496 in 2007; the resolutions were 28,202 in 1995 and 20,477 in 2007. The majority of cases were resolved by a guilty plea or deferred disposition.
- Of all 2007 referrals, 30% had a Diversion Agreement signed, and 88% of those were completed.
- Juvenile offender filings included 7,994 felonies and 12,502 misdemeanors/gross misdemeanors in 2007. The most common felony committed was theft/burglary.



Filings by Court Size

	1995	2007
King County	7,563	3,734
Large Courts	14,282	11,326
Medium Courts	5,080	4,191
Small Courts	1,277	1,095

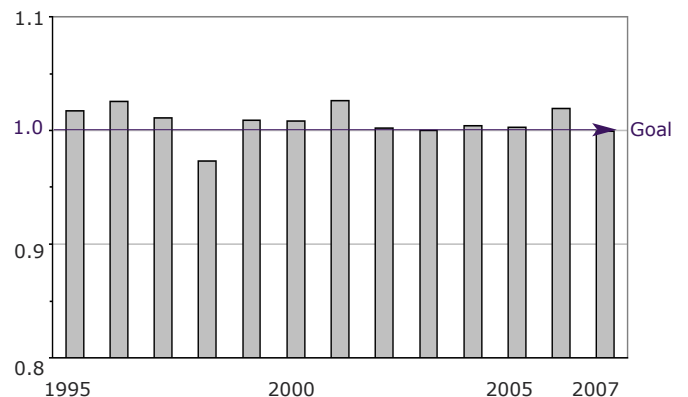
Percent Change Since 1995



Clearance Ratio

Since 1999, juvenile offender cases have consistently remained in a desirable range near 1.0. This may in part be driven by statutory requirements giving these cases calendar priority.

	2004	2005	2006	2007
King County	1.00	0.99	1.00	1.01
Large Courts	0.99	0.99	1.02	0.98
Medium Courts	1.02	1.03	1.05	1.03
Small Courts	1.09	0.99	1.00	1.07

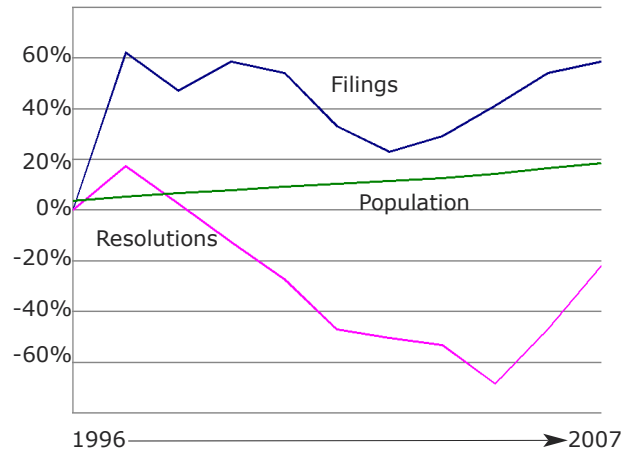


Truancy Filings Show Volatile Pattern since 1996

Truancy

Filings and Resolutions Statewide

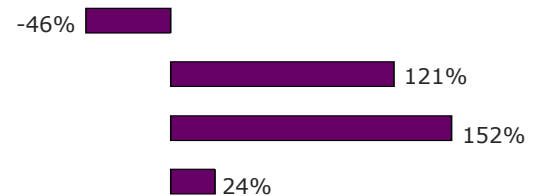
- The Becca Bill (RCW 28A.225) was signed into law in 1995, and courts began seeing changes in 1996; therefore 1996 is used as the baseline for these comparisons.
- Truancy filings were 10,232 in 1996 and 16,236 in 2007; the resolutions were 9,017 in 1996 and 15,736 in 2007, a 58% increase.
- Truancy filings declined steadily from 1998 to 2003, and have risen between 5–10% per year through 2006. The increase slowed to 3% in 2007.
- Approximately half of all truants were also involved in an offender case by the age of 18.
- Approximately 10% of truants with no prior court contact committed a felony by age 18.



Filings by Court Size

	1996	2007
King County	3,895	2,111
Large Courts	4,307	9,531
Medium Courts	1,619	4,085
Small Courts	411	509

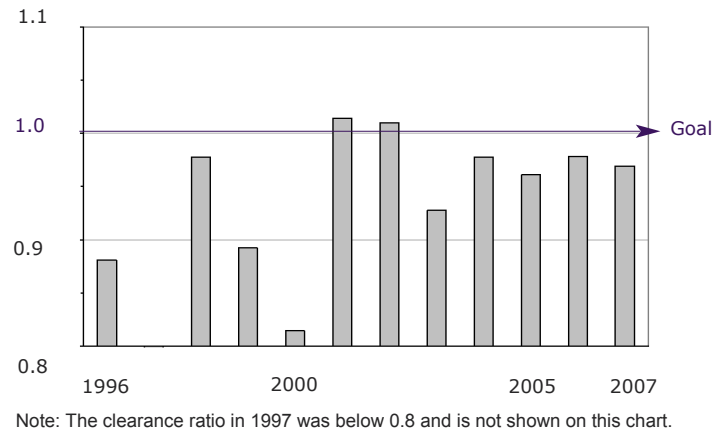
Percent Change Since 1996



Clearance Ratio

The Becca Bill was enacted in 1995, and courts required time to implement and adjust to the influx of cases. Clearance ratios have been relatively inconsistent year to year, likely due to the variations in the Becca process in schools.

	2004	2005	2006	2007
King County	1.22	0.78	0.84	1.09
Large Courts	0.93	0.97	0.97	0.96
Medium Courts	0.96	1.00	1.07	0.95
Small Courts	0.97	0.92	0.91	0.81



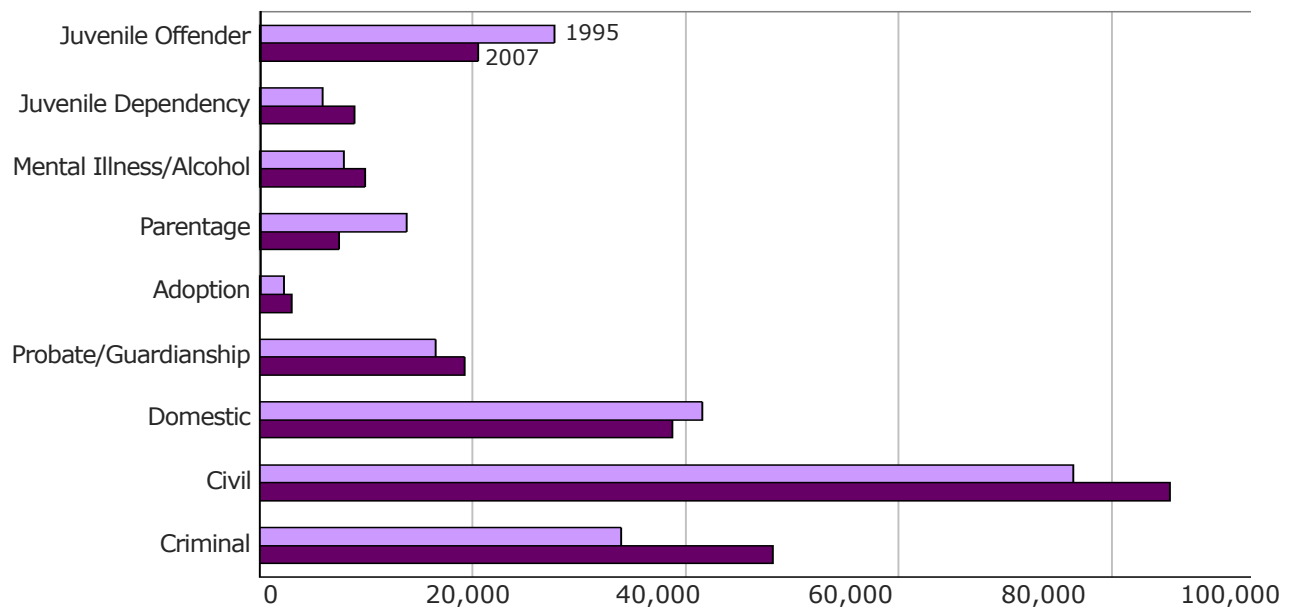
Note: The clearance ratio in 1997 was below 0.8 and is not shown on this chart.

Civil, Criminal, and Domestic Case Types Account for the Majority of All Filings in both 1995 and 2007

Statewide

- In 1995, case filings totaled 226,122 and by 2007, the total had increased by 4% to 235,746 cases.
- Civil filings accounted for 34% and 35% of all superior court filings in 1995 and 2007, respectively.
- When combined, civil, criminal, and domestic cases accounted for 67% of all superior court cases in 1995 and 71% of all superior court cases in 2007.

Filings by Case Type*



Composition of Superior Court Caseloads

Case Type	1995	2007
Statewide Cases	100%	100%
Civil	34	35
Criminal	15	20
Domestic	18	16
Probate/Guardianship	7	8
Adoption	1	1
Parentage	6	3
Mental Illness/Alcohol	3	4
Juvenile Dependency	3	4
Juvenile Offender	12	9

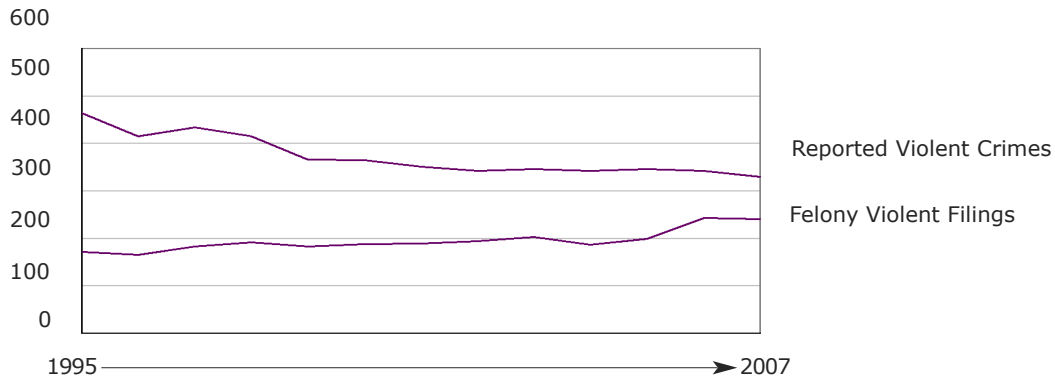
*NOTE: Truancy cases have not been included in this analysis due to the fact that the law was enacted in 1995; 1996 is therefore the baseline year for measuring truancy.

Reported Crimes and Criminal Filings*: Opposing Trends

Substantial overlap exists between the definitions of (1) the superior court felony violent and felony property crimes and (2) the Index crimes reported by local law enforcement to the Federal Bureau of Investigation. Violent Index crimes are murder, forcible rape, robbery, and aggravated assault. Property Index crimes are burglary, larceny-theft, and motor vehicle theft.

- The rate of violent crime known to law enforcement in Washington State declined by 29% from 1995 to 2007, from 464 to 330 per 100,000 population. Across the same period, the rate of reported property crime fell by 28%, from 5,533 to 3,965 per 100,000 population. The reported property crime rate dropped sharply between 2005 and 2007, falling 16%.
- In contrast, from 1995 to 2007 the rate of felony violent offense filings in Washington superior courts increased by 40%, from 172 to 241 filings per 100,000 population (the adult rate rose 77% while the juvenile rate dropped 38%). Across the same period, the rate of felony property crime filings (theft, burglary, and motor vehicle theft filings) increased by 24%, from 344 to 426 per 100,000 population. Property crimes demonstrated a 24% increase in the rate of filings between 2005 and 2007 (the adult rate rose 95% while the juvenile rate dropped 53%).
- Caseload trends suggest that a steadily smaller proportion of reported crimes in Washington State go unapprehended and unprosecuted. Additional research would be necessary to reliably credit these advances to any of several possible explanations, such as actual declines in criminal acts, reduced propensity of victims to report crimes, improved policing, et cetera.

Statewide Violent Crimes and Filings per 100,000 Population



Reported Crimes and Filings per 100,000 Population, 1995 and 2007

Statewide/Crime Type	Reported Crimes			Filings		
	1995	2007	% Change	1995	2007	% Change
Homicide	5	3	-43%	7	6	-18%
Robbery	127	93	-27	32	30	-5
Assault	276	195	-29	86	135	57
Sex Crimes	56	39	-29	47	70	49
Theft/Burglary	5000	3396	-32	279	396	42
Motor Vehicle Theft	533	569	7	65	30	-54
Controlled Substance	-	-	-	228	323	41
Other Felony	-	-	-	175	275	58

*NOTE: Both "Reported Crimes" and "Criminal Filings" include adult criminal and juvenile offender cases.

Reported Crimes and Criminal Filings*

While most reductions or increases in reports of crimes corresponds with an increase or reduction in filings, there are several crime types that do not match.

- Reports of assault are down in all courts size groups, yet filings increased 30–73%.
- Motor vehicle theft filings are down in all courts, yet reports increased 10–30% in medium and large courts.

Reported Crimes and Filings per 100,000 Population, 1995 and 2007

Court Size/Crime Type	Reported Crimes			Filings		
	1995	2007	% Change	1995	2007	% Change
King County						
Homicide	5	3	-34%	5	4	-7%
Robbery	212	147	-31	37	30	-20
Assault	251	191	-24	69	91	31
Sex Crimes	53	30	-44	26	38	46
Theft/Burglary	5869	3718	-37	146	237	62
Motor Vehicle Theft	860	751	-13	78	29	-62
Controlled Substance	-	-	-	197	241	22
Other Felony	-	-	-	119	139	17
Large Courts						
Homicide	5	3	-42	8	6	-23
Robbery	114	85	-25	35	35	0
Assault	319	224	-30	88	143	62
Sex Crimes	58	42	-27	53	70	33
Theft/Burglary	4598	3130	-32	324	450	39
Motor Vehicle Theft	458	592	29	59	29	-52
Controlled Substance	-	-	-	253	324	28
Other Felony	-	-	-	190	307	62
Medium Courts						
Homicide	4	2	-62	8	8	-7
Robbery	42	40	-6	17	20	15
Assault	211	131	-38	102	177	73
Sex Crimes	54	48	-11	62	108	74
Theft/Burglary	4945	3819	-23	348	495	42
Motor Vehicle Theft	256	281	10	60	34	-44
Controlled Substance	-	-	-	227	449	98
Other Felony	-	-	-	224	390	74
Small Courts						
Homicide	4	2	-55	7	3	-57
Robbery	16	17	3	14	14	-1
Assault	219	122	-44	115	170	48
Sex Crimes	55	33	-40	64	137	113
Theft/Burglary	3722	2694	-28	412	449	9
Motor Vehicle Theft	185	172	-7	64	42	-34
Controlled Substance	-	-	-	169	375	121
Other Felony	-	-	-	205	390	90

*NOTE: Both "Reported Crimes" and "Criminal Filings" include adult criminal and juvenile offender cases.

Delays in Adult Felony Case Processing Down

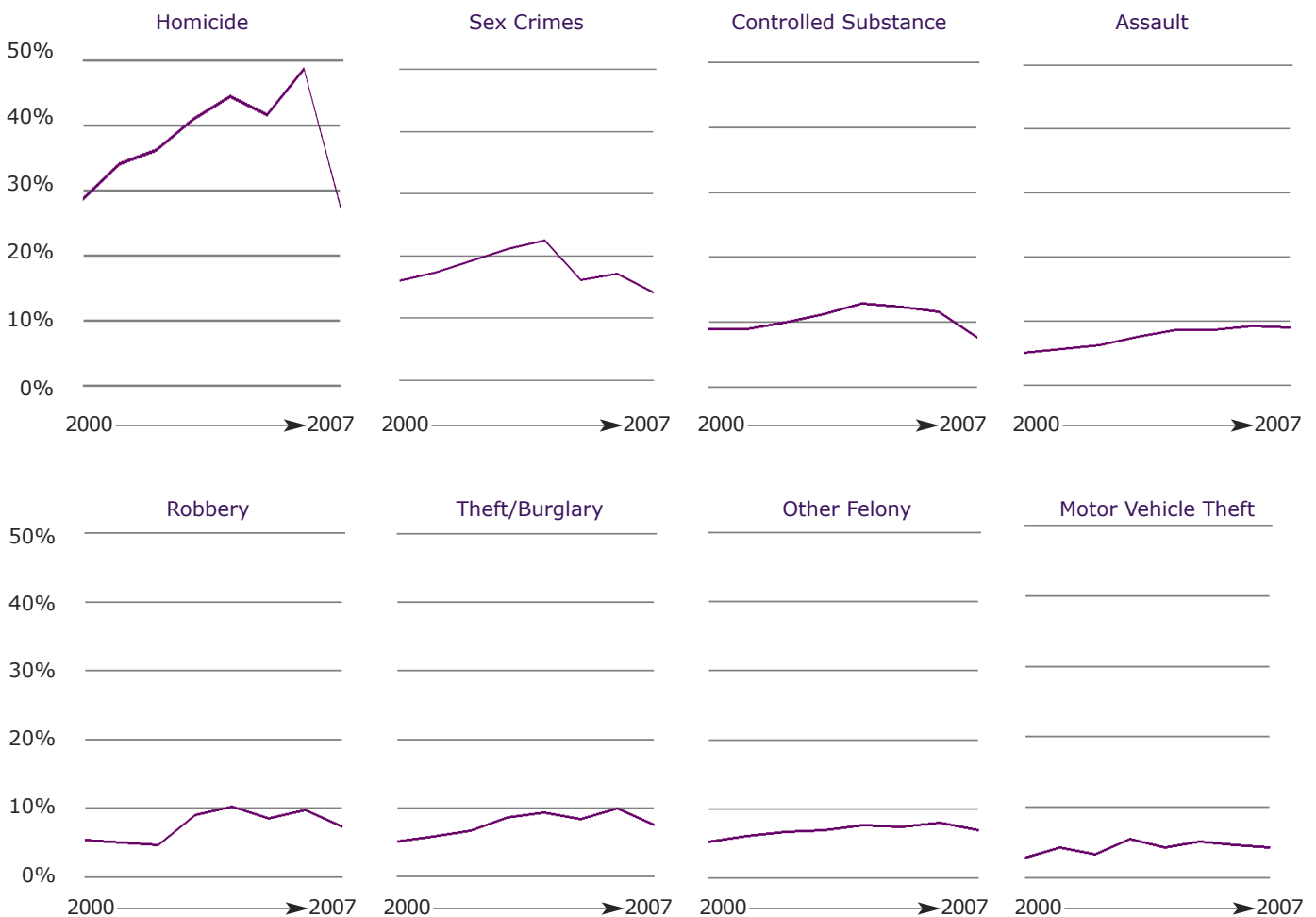
Washington State’s advisory case-processing time standards specify that resolution of all criminal cases should occur within 9 months (270 days) of filing. In 2007, approximately 92% of adult felony cases were processed within time standards.

Two categories of felonies depart dramatically from this goal:

(1) Over 40% of homicides failed to meet the standard between 2003 and 2006, representing a steady increase from the 29% that failed in 2000. In 2007, there was a significant improvement, dropping the percent of delayed homicide cases from 48% to 27%. However, because homicide is a very small category of cases (only 292 filings statewide in 2007), this translates into a small contribution (80 cases) to the courts’ total of 3,677 felonies that failed to meet the goal in 2007.

(2) Similarly, the proportion of sex crimes failing to meet the goal climbed steadily through 2004, although there has been a reduction of 8% since its 2004 high of 22%. But, as with homicides, sex crimes are a small proportion of overall felonies, and so contributed only 347 (9%) of the 3,677 felonies failing to meet the goal in 2007. Controlled substances (1,177 cases) and theft/burglary (996 cases) represent the bulk of felonies that exceed 270 days (32% and 27%, respectively).

Percentage of Felony Cases Disposed Exceeding 9 Months (Filing Year 2000 to 2007)



Analysis Notes

1. Court Size

- King County – King County Superior Court
- Large courts (total 8) – 8 or more judicial officers
- Medium courts (total 13) – 2 to 7 judicial officers
- Small courts (total 9) – 1 judicial officer

2. Clearance Ratio

The clearance ratio is one indicator of court's ability to keep up with case volume and is constructed as the ratio of resolutions to filings. If resolutions exceed filings, the clearance ratio will be above 1.0, suggesting that courts are working within their capacity. Clearance ratios below 1.0 suggest that courts' capacity to handle cases is being exceeded.

Data Exclusion

- *Non-Charge Cases* (in Criminal and Juvenile Offender sections) – A matter brought before the court for which no formal charges have been filed, such as a preliminary appearance prior to the filing of an information. A non-charge matter for which a charging document is eventually filed becomes a criminal or juvenile offender filing as of the date the information is filed.
- *Matters Filed with the Clerk* (in Civil) – Matters that are primarily handled by the clerk. Examples are tax warrants, abstracts of judgment, transcripts of judgment, and foreign judgments.
- *Cases with Confidential Name Change* (in Parentage) – Petition for a confidential change of name for a victim of domestic violence.
- *Cases with Initial Pre-Placement Reports Filed with the Clerk* (in Parentage) – A report by the DSHS submitted to the court prior to the filing of adoption papers on a child.
- *Truancy Cases* (in Juvenile Dependency) – Petition to request the juvenile court to intervene on behalf of a juvenile who is unjustifiably absent from school. NOTE: These cases have been included in a separate section.

Data Imputation

From 1995 to 1997, Pierce County resolution data in the juvenile delinquency case type were not reported due to non-availability of data information. Also, such data were not fully counted in 1998. The incompleting resolution data were imputed based on the yearly growth rate of all comparable large courts from 1996 to 1999. The estimated resolutions were then used in related analysis.

Data Sources

- Filings and Resolutions – Caseload Reports of the Superior Courts of Washington (1995 to 2007)
- Population Data – Office of Financial Management, State of Washington
- FBI Uniform Crime Reports (UCR) – Office of Financial Management, State of Washington
- Felony delay data were generated from the Judicial information System's Data Warehouse as of 12/04/2008