

**Tennessee
District Attorneys General
Weighted Caseload Study**

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The research, technical assistance, and program affiliate of the National District Attorneys Association

Office of the President

April 12, 1999

Phillip E. Doss, Ph.D.
Senior Research Analyst
Office of Research and Education Accountability
Comptroller of the Treasury
505 Deaderick Street, Suite 500
Nashville, Tennessee 37243

Dear Dr. Doss:

With this letter I am pleased to submit the Final Report of the District Attorneys General Weighted Caseload Study conducted by the American Prosecutors Research Institute. As you are aware, this project was completed under a subcontract with the National Center for State Courts as part of the state's effort to conduct coordinated caseload studies of District Attorneys General, Judges, and Public Defenders in Tennessee. We are submitting this report to the Office of the Comptroller for your review and delivery to the appropriate committees of the Tennessee legislature.

The Tennessee legislature is to be commended for its commitment to developing and adopting an objective, uniform, and realistic method of assessing current and projecting future prosecutorial resource needs across all judicial districts in the state. As such, this represents a groundbreaking study on the part of a state to address these critical issues and we appreciate the opportunity to participate in this unique effort.

As the attorneys for the people, prosecutors across America face the constant challenge of enforcing our laws and protecting the public with limited resources. By commissioning this study, the legislature has taken the first step toward ensuring the effective and efficient administration of justice in Tennessee. We believe that the results of this weighted caseload study will provide the members of the Tennessee legislature with the type of information needed to deliberate and determine appropriate prosecutorial resource allocations throughout the state.

In closing, I would be remiss if I did not take this opportunity to recognize the outstanding work of Elaine Nugent and Jane Sigmon who led this important project on behalf of APRI. We look forward to your comments and the discussion of the study results with members of the Tennessee legislature's finance committees next week. If you have any questions about this report, please feel to contact Elaine Nugent or Jane Sigmon. Thank you for your guidance and continuous support of APRI's efforts during the study period.

Sincerely,

Newman Flanagan

Newman Flanagan

President

ACKNOWLEDGEMENTS

The American Prosecutor's Research Institute (APRI) would like to acknowledge the contributions of numerous individuals, without whom this study and final report would not have been possible.

The late Pat McCutcheon who provided early leadership and support for this study and whose commitment to serving the District Attorneys General in Tennessee, ensured the development of a reliable, objective, and feasible study design.

The Tennessee legislature for commissioning this groundbreaking study and taking the first step toward ensuring the efficient and effective administration of justice in the state.

Al Schmutzer, Jr., Acting Director of the District Attorneys General Conference, Guy Jones, Alice Ferguson, and the rest of the staff at the District Attorneys General Conference for providing logistical and administrative support for the study.

Elizabeth Sykes and Namsook Shin of the Administrative Office of the Courts for compiling and providing APRI with annual filing and disposition data for criminal and circuit courts. The Clerks of the General Sessions Courts across the State for providing information on the number of warrants issued and dispositions for general sessions court and juvenile court.

The District Attorneys General, their assistants, and staff of the 12 judicial districts selected for participation in the study for their consistent reporting of detailed information about their time and activities and willingness to provide additional information as needed.

The District Attorneys General in the remaining 19 judicial districts for providing detailed information about their office structure and staffing.

The project teams at the National Center for State Courts and the Spangenberg Group who carried out the weighted caseload studies of the judges and public defenders respectively.

APRI would also like to acknowledge the significant contributions made by APRI staff in the conduct of the study and preparation of the report. Elaine Nugent, Deputy Director of Research, and Jane Sigmon, Director of Research, deserve recognition for their outstanding efforts to design and conduct a valid weighted caseload study and for writing a report that will serve the District Attorneys General in Tennessee for years to come. In addition, the contributions of Chuck Rainville, Research Intern; Stevyn C. Fogg, Research Analyst; Heike Gramckow, Director of Management and Program Development; Nancy Baumgartner, Senior Attorney; Simone Engelhardt-Greer, Research Assistant; and Richard Lewis, Research Analyst; in support of this project are also appreciated.

Finally, we would like to thank Phil Doss and Rebecca Kimbrell of the State Comptroller's Office for their ongoing guidance, support, and oversight of the project.

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CHAPTER I

INTRODUCTION AND PROJECT OVERVIEW

The effectiveness of the criminal justice system in Tennessee is driven by the performance of key components of the system, including District Attorneys General, judges, and public defenders. As the range and severity of criminal activity have increased in the last decade, the demands placed upon the criminal justice system have also increased in many areas. The need for adequate resources to address this problem remains a constant concern of legislators, policy makers, and criminal justice professionals who are expected to protect and serve the public. In 1997, ongoing issues related to the allocation of sufficient resources for each of the above-mentioned criminal justice system components in Tennessee prompted the state legislature to direct the Comptroller of the Treasury to conduct a study of the caseload and work assignments of judges, Districts Attorneys General and their assistants, and public defenders and their assistants.

To achieve the desired goal, the National Center for State Courts (NCSC) joined with the American Prosecutors Research Institute and the Spangenberg Group to conduct coordinated weighted caseload studies of the courts, prosecutors, and public defenders in Tennessee. The purpose of this final report is to present the results of the District Attorneys General Weighted Caseload Study conducted by the American Prosecutors Research Institute, describe the methodology, data collection, and analysis, and discuss recommendations for the application of case weights in determining resource allocations.

1.1 PROJECT OVERVIEW

The overall purpose of this Weighted Caseload Study is to provide the Tennessee legislature, judicial branch leaders, District Attorneys General, and Public Defenders with

an objective, uniform, and realistic method of determining staffing needs and resource allocations for judges, District Attorneys General's offices, and public defenders' offices.

The specific objectives of the Tennessee District Attorneys General Weighted Case Study are to:

- Conduct a quantitative evaluation of prosecutorial resources on a statewide basis;
- Provide accurate, easily understandable criteria to assess the need for additional prosecutorial resources;
- Provide a valid method for allocating prosecutorial resources across the state's judicial districts; and,
- Provide a mechanism that will allow the state to assess the effect of changes in case dispositions for individual case types on prosecutorial resource needs in the future.

Although the question of how many cases a prosecutor can competently handle at any one time or throughout the course of a year has been an area of much concern to prosecutors for decades, no accepted national standard for prosecutor caseload or workload currently exists. Thus, APRI designed a weighted caseload study for Tennessee District Attorneys General that utilized a disposition-based methodology and was individualized for the characteristics of the Tennessee courts, criminal statutes, and organization and operation of District Attorneys General Offices. APRI collected detailed information about the case-related and non-case related work of a representative sample of prosecutors in Tennessee over a seven-week period in early 1999. APRI analyzed the results of the data collection and developed case weights and workload measures that serve as the basis for projecting prosecutor resource needs for the 31 judicial districts in Tennessee. A more in-depth discussion of the study methodology is presented in Chapter II.

While the title of this study specifically references the assessment of prosecutor caseload, APRI's assessment of caseload also includes an assessment of workload, which is a significant aspect of any caseload study. Caseload determinants involve assessing the average amount of time it takes an attorney to process a particular type of case, the number of cases processed and disposed over a given period of time, and the amount of attorney time that is available to process cases. However, a portion of attorney time in

every prosecutor's office is also spent performing a variety of tasks that are not tied to a specific case. The time devoted to these additional activities along with the time and activity devoted to case-related activities, combine to constitute the overall prosecutor workload.

For this study, APRI defines caseload as the number of cases that are open in a prosecutor's office and may include cases that are under review and not yet filed, as well as cases with convictions that require post-conviction activity. The term workload refers to the complete range of activities that are conducted in a prosecutor's office, including non case-specific activity, such as administrative tasks, law enforcement liaison, community outreach, and other activities.

1.2 COURT STRUCTURE

The Offices of District Attorneys General in the State of Tennessee handle a wide variety of cases before trial court judges. In addition to felony cases, District Attorneys General prosecute misdemeanor, traffic violations, child support enforcement, juvenile, and civil matters. In Tennessee these cases are handled in both general and limited jurisdictions courts.

The courts of general jurisdiction include Chancery, Criminal and Circuit Courts. Criminal courts exist in 13 of the state's 31 judicial districts and have jurisdiction over criminal cases. Some of the 13 courts also have jurisdiction over misdemeanor appeals. Circuit courts exist in all 31 of the state's judicial districts. Except in those districts in which there is a criminal court, the circuit court has jurisdiction over civil and criminal cases as well as appeals of decisions from general sessions, juvenile, and municipal courts.

Limited jurisdiction courts in Tennessee include General Sessions, Juvenile, and Municipal Courts. According to the Administrative Office of the Court FY96-97 Annual Report on the Judiciary, General Sessions Court jurisdiction varies based on the statutes and private acts of the Tennessee General Assembly. General Sessions Court may have both civil, restricted to specific monetary limits, and criminal jurisdiction. Criminal jurisdiction includes preliminary hearings in felony cases and misdemeanors trials when

the defendant waives the right to a jury trial. Juvenile courts have exclusive jurisdiction in proceedings in delinquency or dependency matters involving minors. In counties without separate juvenile courts, the General Sessions Court has jurisdiction over juvenile cases.

1.3 PROFILE OF DISTRICT ATTORNEY GENERAL OFFICES STATEWIDE

Experience has shown that many different factors affect the amount of time it takes for prosecutors to process a case. Consequently, any attempt to project the number of prosecutors needed to handle cases in a jurisdiction must consider the context in which the prosecutor performs his or her work. This context includes factors that operate within a prosecutor's office, referred to as *internal factors*, as well as *external factors*, which are related to the characteristics of the jurisdiction and the local criminal justice system.

Internal factors include conditions within an office that may enable the prosecutor to perform work more efficiently, such as the extent to which automation is used to accomplish routine tasks. In addition, the type and number of staff who perform specified case-related tasks, such as an investigator who interviews witnesses or a victim/witness advocate who keeps victims informed about key events in the case, will affect the amount of time a prosecutor spends on a case. Other internal factors that can influence the amount of time a prosecutor spends on a case include the experience level of the prosecutor, the complexity of the cases being handled, and the demands of other cases and non-case-related assignments.

A number of external factors can have a significant impact on how prosecutors are deployed within a jurisdiction and how staff time is spent. These factors include the geographic spread of the jurisdiction, the number of counties served, the different types of courts, and the number of courthouses and courtrooms in which court is convened. For example, whether a prosecutor walks across the street or has to travel 50 miles to a neighboring county courthouse to cover a preliminary hearing is an external factor that affects the overall amount of time needed for that case. The number of General Sessions courtrooms in a jurisdiction and the number of cases on the docket will influence the office's deployment of prosecutors in a given day. In addition, the number and the nature

of the working relationships with law enforcement agencies within the jurisdiction can also affect the amount of time required to process cases.

District Attorneys General Office Profiles

To obtain information for a profile of key factors related to the context of each District Attorneys General Office, APRI administered a survey to the 31 District Attorneys General in the state in March 1999. All District Attorneys Generals completed the survey yielding a response rate of 100 percent. APRI also obtained staffing allocation figures from the District Attorneys General Conference. A comparison of the tables produced from the two sources revealed some differences in the titles used to describe the positions or duties performed by various staff members. For example, the District Attorneys General Conference provided a more detailed and specific breakdown of prosecutors and other staff devoted to child support enforcement. In addition, since some administrative personnel perform more than one responsibility, for example financial management and secretarial support, some differences were seen in these categories. A complete presentation of the data that best describes each office appears in Appendix A. It should be noted that staff devoted to child support enforcement is reported separately in Appendix A-5.

Because of the vast differences in several characteristics of the 31 districts (geographic area, population density, and the relative numbers of cases disposed in the districts), the District Attorneys General Offices are grouped in three categories throughout the discussion:

- Urban (including four judicial districts—the 6th, 11th, 20th, and 30th);
- Transitional (including eight judicial districts—the 1st, 2nd, 4th, 16th, 18th, 19th, 21st, and 26th); and
- Rural (including 19 judicial districts—the 3rd, 5th, 7th, 8th, 9th, 10th, 12th, 13th, 14th, 15th, 17th, 22nd, 23rd, 24th, 25th, 27th, 28th, 29th, and 31st.)

The office profile includes staffing levels, the number of special units in the office and the use of vertical prosecution in case assignment, the availability of automation, the number of counties and courtrooms served by each office, and a relative measure of

population in each jurisdiction. A discussion of the office profile information is presented in the following sections.

Staff Resources

Support and other staff are an important consideration when determining how efficiently prosecutors can process cases. Legal secretaries, administrative assistants, and clerks can provide administrative support on case-related and other activities, such as preparing court documents and correspondence, scheduling appointments, and entering data in a case tracking system, all of which can be quite time consuming. Law clerks and legal interns may perform legal research and assist with interviews and the preparation of court documents. Paralegal staff may also assist with the organization of case files, evidence, or documents preparation. In addition, investigators and victim/witness coordinators are often responsible for carrying out a number of important case-related activities that involve communicating with victims and witnesses. To the extent that these personnel are available to support prosecution activities, the prosecutor's workload may be decreased.

District Attorneys General Offices in Tennessee employ staff in several types of positions including full time prosecutor, part-time prosecutor, victim/witness staff, investigator, paralegal/legal assistant or intern, office management and financial management personnel, information systems personnel, and secretarial support personnel. In Table 1–1 below, the median number of staff and the range of figures reported within each type of district (rural, transitional, and urban) are shown for prosecutors, investigators, victim/witness staff, and secretarial support staff.

The staffing levels for prosecutor offices vary greatly in most staff positions. The median number of prosecutors across all District Attorneys Offices is eight. The median number of prosecutors in the four urban jurisdictions is 38.5, thus two of the four offices in urban jurisdictions have more than 38.5 prosecutors and two have fewer than 38.5 prosecutors. The median number of prosecutors in the transitional jurisdictions is 8.5; and the median number of prosecutors in the rural jurisdictions is 6.5.

The number of prosecutors in urban districts ranges from a high of 79 in one urban prosecutor office to a low of 17 prosecutors in another, reflecting the significant

differences between the largest and smallest urban districts.. The same variation is seen in current staffing in other staff positions between the largest and smallest urban offices in the state. The variation in the number of prosecutors and other staff is significantly less for transitional and rural jurisdictions; in these districts staffing levels are not dramatically different in most areas. (See Table 1–1.)

TABLE 1-1
AVERAGE NUMBER OF PROSECUTORS, INVESTIGATORS,
VICTIM/WITNESS STAFF AND SECRETARIAL SUPPORT STAFF IN
DISTRICT ATTORNEYS GENERAL OFFICES

	Prosecutors*		Investigators		Victim/Witness		Secretaries	
	Median**	Range***	Median	Range	Median	Range	Median	Range
Rural	6.5	3-10	2	1-3	2	1-4	2	1-6
Transitional	8.5	7-13	1.5	1-2	2.5	2-3.5	3	2-6
Urban	38.5	17-79	6	5-27	11	5-16	19.5	8-29
All Districts	8	3-79	2	1-27	1.5	1-16	2.5	1-29

*Full time equivalent figures reported.

**The median represents the 50th percentile, or the midpoint of the distribution of offices, at which half the offices fall below this level and half fall above.

***The range represents the amount of variation in the distribution, from the lowest number to the highest number. It is an indication of the extent to which offices in the group are similar or different in this factor. For example, in urban jurisdictions, the largest office (the 30th District) has 79 prosecutors and the smallest office (the 11th District) has 17 prosecutors. The range of prosecutors in urban districts is 62 (79-17=62). Thus, the number of prosecutors in urban jurisdictions varies greatly.

A review of the statewide staffing levels of prosecutor offices in Tennessee indicates that the overall ratio of assistant prosecutors to victim/witness staff is 3.3:1, the ratio of assistant prosecutors to secretarial support staff is 2.3:1, and the ratio of assistant prosecutors to investigators is 3.9:1. (See Table 1-2.).

TABLE 1-2
RATIO OF ASSISTANT PROSECUTORS TO INVESTIGATORS, VICTIM/WITNESS STAFF AND
SECRETARIAL SUPPORT STAFF IN PROSECUTOR OFFICES IN TENNESSEE

Prosecutors to Investigators	Prosecutors to Victim/Witness	Prosecutors to Secretaries
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3.9:1	3.3:1	2.3:1
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More detailed information about the staffing levels in all District Attorneys General offices is presented in Appendix A1-A5. These tables provide a complete compilation of current staffing levels for 31 District Attorneys General Offices, and the funding source for all positions reported.

As shown in Appendix A-1, the total number of full-time prosecutors in Tennessee, is 369, only a few of which represent part-time positions (a total of 3 full-time equivalent positions.) State funding supports most (74%) of prosecutor positions (273). In addition, 63 full-time prosecutors and three (3) part-time prosecutors are employed using county funds, and another 28.5 positions are supported with Federal funds. Most of the prosecutor positions that are not supported with state funding are in urban districts. These represent a significant proportion of the prosecutors working in three of the four urban districts.

As shown in Appendix A-2, only five prosecutor offices have more than two investigators. As expected, four of these offices are in urban areas. One office (the 30th) has significantly more investigators (27) than other offices. The great majority of investigators (74%) are supported with state funding. Most of those who are not supported with state funds are in urban districts.

Most offices (81%) have two or more victim/witness coordinators. State funding supports only one-third (33%) of the victim/witness positions. Federal grants account for funding of more than half of the victim/witness positions. (See Appendix A-2). All of the District Attorneys General Offices have one staff member designated as office manager and/or financial/accounting staff supported by state funds. (See Appendix A-3). Only a handful of District Attorneys General offices report having legal assistants, law clerks or paralegal staff to support prosecution activities or information systems staff. (See Appendix A-4). Twenty prosecutor offices have responsibility for child support enforcement, which is supported by Federal funds administered by county agencies. (See Appendix A-5).

Office Organization

How an office is organized and staff is deployed may also affect the amount of time a prosecutor spends on various types of cases. Depending upon the number of prosecutors in an office and the organization of the office, prosecutors may be assigned to cases in various ways. If an office has a specialized prosecution unit, such as domestic violence, homicide, or major crimes, prosecutors often have an opportunity to become familiar with a particular type of case and develop efficiency in handling cases of that type. The use of vertical prosecution within an office may also influence the amount of time a prosecutor spends on particular types of cases. Offices practicing vertical prosecution assign prosecutors to handle a case from the onset, which enables them to become familiar with all of the issues related to the case throughout its duration in the criminal justice process.

As shown in Table 1-3 below, District Attorneys General Offices report that approximately two-thirds (65%) of the offices use vertical prosecution in the assignment of some or all of their cases. Approximately half (52%) report having established at least one specialized prosecution unit. As shown in Appendix A-5, the most common type of special unit is domestic violence. Nearly half of the offices (45%) report having a domestic violence unit. As expected, the District Attorneys General Offices in urban areas tend to have a greater number of specialized prosecution units. (See Appendix A-6 for more detail).

TABLE 1-3
NUMBER OF OFFICES WITH VERTICAL PROSECUTION AND SPECIALIZED UNITS AND
TOTAL PERCENTAGE FOR RESPONSES FOR ALL DISTRICTS

	Vertical Prosecution*		Specialized Units	
	Yes	No	Yes	No
Rural	13	4	7	12
Transitional	4	4	5	3
Urban	3	1	4	0
	20	9	16	15
All Districts	69%	31%	52%	48%

*29 of 31 District Attorneys General Offices responded to this question

Automation

Automation has significantly changed the practice of law in the last decade and has proven to be beneficial to prosecutors in several ways. Word processing and other software that is used to produce computerized forms and pre-written motions and victim/witness notification letters reduce the amount of time required to carry out routine case-related tasks. The use of automated systems for case tracking has improved the management of cases and personnel by providing ready access to information about case flow, case status, outcome, and staff assignments. The use and maintenance of automated databases also requires administrative support staff time to enter data and produce reports. In addition, access to automated databases for arrest records and criminal histories decreases the amount of time needed to screen cases and prepare sentencing recommendations, and the availability of an automated listing of each day's docket is also a useful tool in managing prosecutor resources.

The extent to which District Attorneys General Office have automation that supports prosecution activities is presented in Tables 1-4a and b, shown below. Specific information for each district is presented in Appendix 7. According to the self-reported information from District Attorneys General Offices, less than half (39%) indicate that they have sufficient computer resources. (See Table 1-4a.) Several District Attorneys

General offices commented that their computer equipment needs updating or would be more effective if it were linked within the primary office or with satellite offices. Approximately three-fourths of the offices (74%) report that documents and forms are automated. Of these, several report that only some of the forms or documents are produced in an automated format. Slightly more than half of the District Attorneys General Offices report using an automated case tracking system. For this purpose, most offices indicated they are using or are in the process of implementing CAIN (Criminal Accounts Internal Network), developed by the Tennessee District Attorneys General Conference.

TABLE 1-4
NUMBER OF OFFICES REPORTING HAVING AUTOMATED TECHNOLOGY AND
TOTAL PERCENTAGE FOR RESPONSES FOR ALL DISTRICTS

	Sufficient Computer Resources		Automated Legal Documents		Computerized Case Tracking	
	Yes	No	Yes	No	Yes	No
Rural	7	12	13	6	8	11
Transitional	3	5	6	2	7	1
Urban	2	2	3	1	2	2
All Districts	12 39%	19 61%	22 71%	9 29%	17 55%	14 45%

Nearly three-fourths of the District Attorneys General Offices report having computer access to other criminal justice agencies. (See Table 1-4b.) Several offices specifically referenced having automated access to the Tennessee Bureau of Investigation data for criminal history checks. Only two offices in urban jurisdictions (the 11th and the 20th) report that an information system that is integrated with other criminal justice agencies in the jurisdiction is under development.

TABLE 1-4B
NUMBER OF OFFICES REPORTING AUTOMATED ACCESS TO
CRIMINAL JUSTICE INFORMATION SYSTEMS AND TOTAL PERCENTAGE
FOR RESPONSES FOR ALL DISTRICTS

	Offices with Automated Access to Criminal Justice Agency Info Systems		Jurisdictions with Integrated Criminal Justice Information Systems	
	Yes	No	Yes	No
Rural	14	5	0	19
Transitional	5	3	0	8
Urban	4	0	2*	2
All Districts	23 74%	8 26%	2* 7%	29 93%

*Reported under development

Jurisdiction Characteristics

The number of counties and courthouses within the jurisdiction, the sheer size of the area covered, and the terrain will influence the amount of time that a prosecutor will spend traveling to perform case-related work. Several judicial districts in Tennessee include more than one county and have more than one office in the district. Personnel in a few districts are required to travel extensively across counties to handle cases.

The median number of counties that a District Attorneys General Office in Tennessee serves is three, with rural districts typically having more counties than transitional and urban districts. (See Table 1-5). The median number of satellite offices is two per district, with rural districts having more satellite offices.

TABLE 1-5
NUMBER OF COUNTIES SERVED AND SATELLITE OFFICES

	Counties		Satellite Offices	
	Median	Range	Median	Range
Rural	4	1-7	2	0-4
Transitional	2.5	1-4	1.5	0-4
Urban	1	1	1	0-2
All Districts	3	1-7	1.5	0-4

Information displayed in Appendix A-8 shows the number of counties, satellite offices and population strata for all 31 District Attorneys General Offices. While nine jurisdictions serve only one county, seven rural offices serve five or more counties. Most offices that serve more than one county report having at least one satellite office. Approximately half of the District Attorneys General Offices (48%) report two or more satellite offices, and five districts report having three or more satellite offices. Several offices that serve multiple counties (between three and seven) report having one or two satellite offices (the 3rd, 4th, 8th, 9th, 10th, 12th, 13th, 15th, 17th, 21st, 26th, and the 28th), which likely increases the amount of travel for staff.

Courts

The median number of criminal/circuit courtrooms for District Attorneys General Offices in all districts is 4, with transitional districts generally having fewer courtrooms per district than rural and urban districts. The median number of General Sessions courtrooms for all districts is four and the median for juvenile courts is three. (See Table 1-6 below.)

**TABLE 1-6
MEDIAN NUMBER OF COURTROOMS COVERED**

	Criminal/Circuit Courtrooms Covered		General Sessions Courtrooms Covered		Juvenile Courtrooms Covered	
	Median	Range	Median	Range	Median	Range
Rural	4	1-10	5	2-7	4	1-7
Transitional	3	2-4	4	1-5	3	1-5
Urban	4.5	3-10	4.5	4-8	1	1-3
All Districts	4	1-10	4	1-8	3	1-7

The number and types of courts served varies considerably across jurisdictions. Specific figures for all District Attorneys General Offices are presented in Appendix A-9. District Attorneys General Office report that there are a total 128 criminal/circuit courtrooms, 128 General Sessions courtrooms, and 101 juvenile courtrooms which they

cover throughout the 31 jurisdictions. While all offices serve Criminal/Circuit Court, General Sessions Court, and Juvenile Court, not all offices serve traffic or other courts. Approximately 32 percent of prosecutor offices report serving traffic court and 42 percent report serving other courts.

1.4 ORGANIZATION OF FINAL REPORT

This report is separated into five chapters. Chapter I introduces and provides a brief framework for the Weighted Caseload Study for the State of Tennessee. This chapter provides an overview of the project while describing the Tennessee court structure, statewide prosecutor offices, and caseload assessment strategy. Chapter II describes the methods used to select the sample, define a case, collect prosecutor time and activity data, and make comparisons with annual court data. Chapter III provides the formula for determining caseload and workload; and Chapter IV focuses on the application of case weights and provides recommendations on resource needs.

CHAPTER II

WEIGHTED CASELOAD STUDY METHODOLOGY

Answering the question of how many prosecutors are needed for a prosecutor's office to function effectively and efficiently requires an in-depth understanding of several factors. These factors include how the prosecutor's office operates within the criminal justice system, the types and numbers of cases processed, and how much time is typically needed for the array of cases handled and for the other responsibilities performed by prosecutors in the office. In other words, to accurately define resource needs, such a study must consider both caseload (the amount of cases of various types that are processed and the amount of time that it typically takes to process them) as well as the overall workload (case processing time combined with time spent on other prosecutorial responsibilities). The methodology employed by APRI for the Tennessee District Attorneys General Weighted Caseload Study has been designed to take into account these issues to produce accurate and reliable information about the caseload and workload of prosecutors statewide. The following sections describe the study methodology and the sampling procedures and provide an overview of the data sets used to determine prosecutor caseload and workload.

2.1 OVERVIEW OF THE STUDY METHODOLOGY

The weighted caseload methodology used to conduct the Tennessee Weighted Caseload Study of District Attorneys General provides a sound, objective, and quantitative assessment of prosecutor resources. APRI's study of the District Attorneys General caseload was a disposition-based assessment of prosecutor workload. In general, this means that prosecutor work and time on specific case types and the number of case dispositions are used to estimate the number of prosecutors needed to handle cases in a jurisdiction.

In a disposition-based assessment of caseload, the average amount of time spent bringing a case to a disposition is calculated for different types of cases in order to develop relative weights for each type of case. For example, first degree murder/capital cases typically require the concentrated time and attention of more than one prosecutor for an extended period of time. These cases often involve numerous pre-trial hearings and a jury trial. On average, they require more prosecutor time and resources than a felony E case, such as theft of \$501 to \$999. However, no accepted estimate or standard of exactly how much time a particular type of case should take exists. In the course of this weighted caseload study, the amount of time prosecutors spend on each type of case and whether or not a disposition is achieved is recorded by a representative group of prosecutors and used to calculate the average amount of time taken to process each type of case in the jurisdiction or state being studied.

The data elements used in this assessment are:

- The activities that prosecutors perform while working each day,
- The types of cases on which work is performed,
- The amount of time spent on each type of activity for each type of case,
- Whether or not a disposition is achieved in the course of the work performed, and
- The number of dispositions achieved during the study period and annually.

This information was collected from prosecutors participating in the study and statistically analyzed by type of case and by disposition. The results of this analysis were extrapolated to produce annual estimates of the amount of cases of various types that can be processed in a year by one full-time equivalent attorney. Workload measures were developed using a figure representing the amount of time a prosecutor has available in a year to process cases. This latter figure is adjusted downward to take into consideration time away from work for sick leave, vacation time, holidays, and annual conference meetings. Workload measures can be applied to annual case dispositions to estimate the average amount of prosecutorial resources needed in a year to handle each type of case in a jurisdiction. The sum of the resources needed for all case types will represent the total

annual prosecutorial resource needs of an office. In addition to the formula, APRI also provides information about the context within which Tennessee District Attorneys General Offices currently operate, and a discussion of how these factors should be considered in the final analysis of individual office resource needs. The remainder of this chapter provides detailed information on the sampling and data collection procedures. Specific analytic techniques and results are provided in Chapters III and IV.

2.2 SAMPLE SELECTION: JURISDICTIONS PARTICIPATING IN THE STUDY

Ideally, a statewide assessment of District Attorneys General caseload would involve the collection of information from all prosecutors in each of the 31 judicial districts in the State. Such data collection efforts are, however, monumental and cost-prohibitive. Instead, a representative sample of districts from across the state was selected for participation in the weighted caseload study.

In June 1998, the directors of the District Attorneys General Conference, Public Defenders Conference, and the Administrative Office of the Courts established a statewide steering committee to provide oversight and guidance for the Tennessee Weighted Caseload study. One of the primary tasks undertaken by the steering committee was the selection of districts to participate in the weighted caseload study.

In selecting the sample, the steering committee's goal was to ensure that the jurisdictions participating in the study represented the array of rural, transitional, and urban districts in the state. Among the factors considered in the sample selection were population density, the timing and results of key elections in the districts,¹ and willingness to participate. In total, 12 judicial districts, four rural districts, five transitional districts, and three urban districts, were selected for participation:

¹ An election was scheduled during the sample selection time period, and a decision was made to exclude districts in which several new judges, or a new district attorney general, or public defender had recently been elected.

Rural Districts

- 13th Judicial District—Clay, Cumberland, DeKalb, Overton, Pickett, Putnam, and White Counties
- 22nd Judicial District—Giles, Lawrence, Maury, and Wayne Counties
- 25th Judicial District—Fayette, Hardeman, Lauderdale, McNairy, and Tipton Counties
- 29th Judicial District—Dyer and Lake Counties

Transitional Districts

- 2nd Judicial District—Sullivan County
- 4th Judicial District—Cocke, Grainger, Jefferson, and Sevier Counties
- 16th Judicial District—Cannon and Rutherford Counties
- 19th Judicial District—Montgomery and Robertson Counties
- 26th Judicial District—Chester, Henderson, and Madison Counties

Urban Districts

- 6th Judicial District—Knox County
- 20th Judicial District—Davidson County
- 30th Judicial District—Shelby County

The sample was reduced by one district, the 19th Judicial District, after a devastating tornado hit the district during the second week of data collection and normal work was disrupted. Court operations ceased for several weeks and much of the attorneys' time was spent physically relocating to usable office space. The study team, along with the Office of the Comptroller, decided to discontinue data collection in this district because the data collected from prosecutors would not represent the normal activity and workload of that particular office.²

To ensure that the District Attorneys General Offices selected to participate in the study (and the attorneys within each participating office) were representative of all offices statewide, APRI conducted additional sampling and a number of analytic tests related to representativeness. The sampling procedures and analyses of the ratio of attorneys to all other staff that support prosecution and of attorney experience are described below.

² It should be noted that the District Attorney General wanted very much to participate in the study in any way possible.

Sampling of Three Urban Districts

Because one-quarter of the selected districts are large urban jurisdictions and the number of attorneys in these districts is substantially higher than other districts, the inclusion of all attorneys from these three districts would lead to a skewed sample that would not be representative of all districts and all prosecutors. Therefore, APRI designed and implemented a sampling methodology to select a representative sample of attorneys from each of the three urban districts—the 6th (Knox Co.), 20th (Davidson Co.), and 30th (Shelby Co.) Judicial Districts.

The first step in selecting the sample from these three districts was to determine how many attorneys from large urban jurisdictions should be included in the sample. Research revealed that district attorneys general from large urban jurisdictions account for 43 percent of the total population of district attorneys general statewide. Therefore, the sample was adjusted so that 43 percent of the district attorneys general were from large urban areas, resulting in a sample of 103 attorneys from urban districts.

APRI then randomly selected 103 attorneys to represent the three urban districts. APRI then analyzed the sample to ensure that the random selection had generated representation of all units, divisions, and court assignments within the 6th, 20th, and 30th judicial districts. On average, four substitutions were made for each district to adjust the sample so all units, divisions, and court assignments were included.

Ratio of Attorneys to Staff

Staff within a prosecutor's office may include criminal investigators, victim/witness advocates, paralegals, and other administrative support staff, who perform critical tasks in support of case preparation and case processing. The existence of additional staff increases the amount of time available for a prosecutor to handle cases; in offices without these staff, attorneys are responsible for carrying out these tasks. Thus, this is an important factor when considering how much time prosecutors spend processing cases. To ensure that the districts selected were comparable to other districts statewide, APRI obtained a roster of personnel in all 31 judicial districts and determined the ratio of attorneys to all other staff for the entire state and also within each district.

The overall ratio of attorneys to staff for the entirety of District Attorneys General Offices in Tennessee (referred to as the “universe”) is approximately 1:1 (state total=370 attorneys/369 staff). APRI was concerned about preserving this ratio in the districts that were selected for the sample. The selected jurisdictions that comprised the sample indeed had an attorney to staff ratio of approximately 1:1 (sample total= 187 attorneys/184 staff).³ Thus, the jurisdictions in the sample resembled the universe of District Attorneys General Offices in the state in terms of the ratio of attorneys to staff.

Attorney Level of Experience

An additional consideration in determining sample representativeness is attorney level of experience. APRI sought to verify that the prosecutors in the selected districts were no more or no less experienced than the universe of prosecutors across the state. Using the hire date of prosecutors in all 31 districts, APRI calculated the number of years and months of experience for each attorney. The average level of experience (in units of days) for the study’s universe was 2,790, or approximately seven years and seven months. Attorneys in the 12 districts in the sample had a slightly higher average level of experience—2,860 days, or approximately seven years and ten months. However, the difference in experience levels between the universe and the sample is not statistically significant,⁴ providing further validation that the sample selected for the study is representative of the universe of jurisdictions in the State.

Prosecutor Sample

The total sample size and number of attorneys participating in the study in each of the 12 districts is shown in Table 2-1. As indicated, the original sample size for the study was 187 attorneys. During the first week of data collection, three attorneys were excused from participation (removed from the sample):

- In the 4th Judicial District, the District Attorney General was asked to serve as the Acting Director of the District Attorneys General Conference. His time

³ The statistical probability of achieving this 1:1 ratio by chance is less than 1% [z-score= .01 p=.996], providing evidence that the selected sample is representative of the universe of DAG offices throughout the state.

⁴ z-score =.48; p=0.1848.

was bifurcated between conference duties and his prosecution responsibilities, and thus, his recorded time would not be a valid measure for determining resource needs.

- In the 22nd Judicial District, an attorney was removed from the sample because he retired immediately prior to the data collection period.
- In the 30th Judicial District, an attorney, who was placed on extended sick leave during the second week of data collection, was excused from the study.

Finally, as noted earlier, all 11 attorneys in the 19th Judicial District were excused from the study early in the data collection phase after a tornado damaged the community, including the district offices and courthouse. Therefore, the final sample size was 173 attorneys.

TABLE 2-1
TOTAL SAMPLE AND NUMBER OF PARTICIPATING ATTORNEYS

Judicial District	Total Number of Attorneys Selected to Participate	Number of Participating Attorneys
2 nd Judicial District	14	14
4 th Judicial District	8	7 ^a
6 th Judicial District	21	21
13 th Judicial District	10	10
16 th Judicial District	8	8
19 th Judicial District	11	0 ^b
20 th Judicial District	30	30
22 nd Judicial District	12	11 ^a
25 th Judicial District	10	10
26 th Judicial District	7	7
29 th Judicial District	4	4
30 th Judicial District	52	51 ^a
TOTAL	187	173

^a One attorney was dropped from the sample from each district indicated.

^b All 11 attorneys in District 19 were excused early in the study because of a tornado.

2.3 PROSECUTOR TIME & ACTIVITY DATA COLLECTION PROCEDURES

The accuracy and reliability of data collection procedures are essential to any research study in which conclusions will be drawn and recommendations will be made. This is particularly true when data are collected from a sample of a larger population—in this case 11 (originally 12) of the 31 judicial districts. Accurate and reliable data will produce results that can be generalized to the entire population (all 31 districts) with the

confidence that the results found in the sample will be approximately the same as those that would be found if the entire population were included in the study. To ensure the collection of accurate and reliable data, APRI designed and tested a data collection instrument, called the Daily Time & Activity Sheet, for the collection of key data elements related to how prosecutors spend their time.

With extensive input from prosecutors across the state of Tennessee, APRI staff designed the Daily Time & Activity Sheet (DTAS) for the collection of self-reported case-related and non-case related activity from attorneys participating in the study. The DTAS was designed to be as simple as possible for prosecutors to use while capturing critical information about their work. Specifically, prosecutors were asked to self-report four types of information each day throughout the seven-week data collection period (from January 11 to February 26, 1999):

- The type of activity being performed;
- The type of case being worked on and the volume (number) of cases;
- The amount of time each activity took; and
- Whether or not the case was disposed of or terminated at that point in the process.

A description of each type of information recorded on the DTAS is provided in the following sections.

Types of Activities

A key element of the data collection process was to capture all work-related activities of prosecutors. As differentiated from judges and public defenders, prosecutors' case-related work often begins prior to the filing of charges and extends long after the final disposition of a case. These activities may include a prosecutor's involvement with law enforcement related to cases under investigation or post-conviction victim contact and services, collection of restitution and fees, and parole board reviews. In addition, prosecutors have many other non-case related duties, such as providing training to law enforcement and working with victim services agencies, that impact the amount of time available for processing cases. Thus, APRI designed a methodology that would capture all the work of a prosecutor, which was divided into three distinct categories: 1) case-related activity not performed in court; 2) in-court activity; and 3)

non-case related activity. Table 2-2 shows the specific activities in each category along with abbreviated definitions of these activities.

**TABLE 2-2
TYPES OF PROSECUTOR ACTIVITIES**

Activity Category	Specific Activities
Case-related activities	<u>Case screening and initiation</u> : time spent <i>prior to the filing of charges</i> such as responding to law enforcement inquiries, screening potential warrants, and reviewing preliminary reports
	<u>Case preparation</u> : time spent <i>after a warrant has been issued, charge has been filed, or a True Bill has been returned</i> associated with the preparation of a case such as continuing investigation; interviewing victims; preparing for pre-trial hearings/motions; and plea negotiations, settlements, and nolle prosequis
	<u>Post-conviction activities</u> : time spent responding to victim inquiries, collection of fines/restitution, preparing for post-adjudication trials/hearings
	<u>Case-related administration</u> : time spent on case-related work not attributable to a specific case such as preparing a docket
In-court activities	<u>General sessions proceedings</u> : all time spent in general sessions court for arraignments, hearings, trial on the merits, and dispositional hearings
	<u>Juvenile court proceedings</u> : time spent in court for delinquency/ status offense proceedings and dispositional hearings including waiver hearings
	<u>Grand jury proceedings</u> : time spent making direct presentments to a grand jury, managing or preparing witnesses during grand jury proceedings, and conducting or monitoring proceedings
	<u>Pre-trial hearings/motions (circuit/criminal court)</u> : time spent in court for bond/docket modification hearings, other administrative docket control, arraignments, motions, and dispositional hearings
	<u>Bench trial (circuit/criminal court)</u> : time spent in court from when the judge takes the bench until a decision is reached
	<u>Jury trial (circuit/criminal court)</u> : time spent in court for a jury trial from when the judge takes the bench to the rendering of a verdict, including jury selection and waiting for the jury to return if waiting must be done in court
	<u>Post-adjudication trial/hearings</u> : time spent in court for sentencing hearings, probation revocation, post-conviction relief, parole hearings, and appeals from lower courts
	<u>In-court waiting</u> : time spent in the courtroom or courthouse waiting if no other chargeable work is performed, excluding waiting for the jury to return
Non-case related activities	<u>Non-case administration</u> : time spent on general office and administrative tasks and conducting legal research not attributable to a specific case
	<u>Community/outreach activities</u> : time spent fielding phone calls from the public (unrelated to the initiation of a case), making referrals, responding to media inquiries, attending community meetings, crime prevention activities, serving as a liaison with victims groups and community groups, etc.

TABLE 2-2 (CONT'D)
TYPES OF PROSECUTOR ACTIVITIES

Activity Category	Specific Activities
Non-case related activities (cont'd)	<u>Law enforcement coordination activities</u> : time spent conducting in-service training and participating in a general or administrative capacity in various task forces
	<u>Professional development</u> : time spent attending state and local DAG conference meetings, participating in continuing legal education, and attendance at professional conferences or seminars
	<u>Travel</u> : time spent traveling from the office to other work-related places/events such as court, crime scenes, etc.
	<u>Lunch/personal time away from the office</u> : time spent during normal office hours on break, at lunch, or away from the office on personal business

The specific activities within each of the three major categories were defined in a manner that makes them mutually exclusive to ensure that prosecutors consistently report the type of activity on which they were working in the same way. For example, prosecutors often interview witnesses as part of the screening process and again as part of case preparation. To make the two activities mutually exclusive, a distinction was made between interviews that occur prior to the filing of charges (as part of the screening process) and interviews that occur after the filing of charges (as part of case preparation).

Case Definition and Case Counting

A recurring and fundamental challenge in caseload studies and workload comparisons for prosecutors is how “a case” is defined. For courts, defense counsel, and others in the criminal justice system, a case has a set beginning (arrest or filing of charges) and ending (final disposition or termination from the system). For prosecutors, the beginning point varies in part because some prosecutors are involved in the initial investigation of a criminal matter before charges are filed. As a result, prosecutors across the state, and across the country, have different definitions of what constitutes a case and how cases are counted. Because the role of the prosecutor generally requires involvement prior to the filing of charges, it is important that such time be captured and reported. In order to capture this information, prosecutors were given the following working definition of a case: A case begins when information on a criminal matter comes to the attention of a prosecutor, regardless of whether or not charges have been filed.

A secondary consideration in defining a case is determining how cases should be counted, particularly cases involving multiple defendants and/or multiple charges. To ensure consistency in case counting, the following rules were developed and applied:

- Each case was defined by individual defendant and by the highest charge or count that was being handled at the time.
- Cases that involve multiple defendants were counted and recorded with separate entries for each defendant.
- Cases that involve multiple charges/counts were recorded with the highest charge as the case type.

To capture the actual number of cases of the same offense type, the DTAS allowed prosecutors to record the volume, or number of cases, for which an activity was being performed. For example, if an attorney was reviewing warrants issued for 10 misdemeanor cases, he/she would indicate on the DTAS that during the time for which case preparation was recorded, 10 misdemeanor cases were handled.

Case Types

Case types were defined by the Weighted Caseload Steering Committee with input from the Administrative Office of the Courts. For the purposes of the study, offense types were divided into 11 categories, as follows:

- Capital/1st Degree Murder, which includes capital murder and 1st degree murder but not other homicides.
- Felony A, which includes all Felony A crimes.
- Felony B, which includes all Felony B crimes.
- Felonies C, D, and E, which include all Felony C, D, and E crimes.
- Misdemeanors, which include all misdemeanors regardless of class.
- Juvenile, which includes status offenses, juvenile delinquency, juvenile appeals, waivers to adult court, and juvenile violation of probation, but not juvenile cases after transfer to criminal court.
- Probation violation, which includes all probation violation cases regardless of the original charge.

- Post-judgment actions, which include all post-judgment actions except probation violation and appeals.
- Appeals, which include all criminal appeals from a trial court.
- Civil, which includes child support enforcement, restoration of citizenship, parents' contempt, nuisance abatements and forfeitures, and other civil actions such as ousting a public official.
- Other, which is defined as habitual motor vehicle offenses, restoration of driver's license, and other petitions or writs excluding extraditions.

The case type definitions employed by APRI are consistent with those used in the related weighted caseload studies of judges and public defenders. In addition, the definitions are consistent with those used by the Administrative Office of the Courts.

Elapsed Time

Attorneys were asked to keep track of and self-report time spent conducting various activities throughout the workday. Recognizing that a standard 7.5 hour day, as defined by the state for state employees, is the exception rather than the norm for prosecutors, attorneys were asked to maintain a record of all time spent on work-related activities for the entire 24-hour period in a given day. Thus, for the purposes of the study, APRI defined a day as beginning at 12:01 a.m. and ending at 12:00 a.m. (midnight). Similarly, a workday was defined as any day in which work is performed and thus included Saturdays and Sundays, if work was conducted on those days. A week was defined as running from Saturday to Friday.⁵

Attorneys were asked to record time contemporaneously throughout the day to the extent possible. Participating attorneys were asked to record their time as precisely as they could in the smallest time increment possible. Short interruptions that temporarily ceased an activity that was then quickly resumed were incorporated into the recorded time for the activity which was interrupted. For example, if an attorney was consulting with a colleague on a case and stopped briefly to answer the telephone, the time taken to answer the telephone would not be differentiated from the colleague consultation time.

⁵ A week was defined in this manner as a function of the data collection process. Because attorneys were asked to submit their completed forms each Friday, Saturday became the beginning of the "work" week.

Disposition

Cases may be disposed of at several points along the continuum of the criminal justice process. Examples of case dispositions include: screened out, dismissed/nolle prosequi, pre-trial/judicial diversion, acquitted, guilty plea, convicted after trial, transferred to another court/remanded, retired/unapprehended defendant, judgment on violation of probation, informations, or other disposition. Because the study employed a disposition-based methodology, attorneys were asked to record whether or not a case was disposed during the course of the activity being recorded. As noted above, cases were defined by defendant and the highest charge being handled during the time reported, and as such, attorneys were asked to record the disposition status of the highest charge for the defendant.

DTAS Implementation and Response Rate

During the first week of January, APRI staff conducted extensive training sessions on the use of the DTAS for all attorneys participating in the study. Attorneys were asked to begin recording their time on January 11, 1999 and to continue recording all work-related time for the following seven weeks. The data collection period ended on February 26, 1999. A study coordinator was selected in each participating District Attorney General Office to coordinate the weekly submission of attorneys' completed DTA Sheets to APRI. To maintain the confidentiality of the participating attorneys, APRI assigned a unique attorney number to each participating attorney at the beginning of the data collection period. The name corresponding to each number was known only to APRI and the individual attorney assigned the number. When completing the DTAS, participating attorneys identified themselves by their assigned number on each sheet.

APRI monitored data submissions weekly, checking to ensure that all participating attorneys were completing and submitting their DTA Sheets and to review the data for consistency. This involved a two-person review process in which each sheet submitted was checked by APRI staff members for reporting errors, data omissions, discrepancies, and illegible entries. Upon completion of the data review, APRI notified study coordinators in each office if sheets were missing, and followed up individually with participating attorneys to clarify any omissions, discrepancies, or illegible entries.

At the end of the data collection period, the response rate for participating attorneys was 99.95 percent with a total of 61,131 completed entries on the Daily Time and Activity Sheets for analysis.

2.4 DISTRICT ATTORNEYS GENERAL FOCUS GROUPS

Because no accepted standard exists for prosecutors about how long cases should take to process, APRI wanted to establish a benchmark for how much time prosecutors in Tennessee believe cases currently take and how much time they should take. In March 1999, APRI held several focus group discussions via teleconference with attorneys in six District Attorneys' General Offices. Attorneys were asked to estimate, on average, how much time each case type currently takes to process—from the time a case comes to the attention of the office to disposition. APRI then asked attorneys to estimate, on average, how much time each case type *should* take if necessary resources were available. Each focus group discussion resulted in two estimated times by case type (the time it currently takes and the time it should take), which were then averaged to establish an expected value of current case processing time and ideal case processing time. APRI used the expected values to validate the case weights (i.e., attorney-time by disposition by case type).

2.5 COURT DATA

Annual disposition data are a necessary component of any disposition-based caseload study for the calculation of prosecutorial resource needs. Because of the court structure and court data collection practices in Tennessee, case disposition data were collected from multiple sources: county court clerks were asked to provide General Sessions disposition data (which in many counties includes Juvenile Court); and the Administrative Office of the Courts was asked to provide annual disposition data for Criminal/Circuit Courts. Both data sets are discussed below.

General Sessions Court Data

APRI had great difficulty in obtaining General Sessions and Juvenile Court data, and an analysis of the data collected indicates that there are limitations to the completeness and quality of the data. This problem arises because General Sessions

Court Clerks do not report case filings or dispositions to a central source. As a result, the study team was required to collect general sessions and juvenile disposition data directly from the court clerks in each of the 95 counties in the State.

The difficulty in obtaining general sessions and juvenile disposition data was complicated by the fact that most of the General Sessions and Juvenile Court records are not automated, so clerks had to manually count filings (based on the number of warrants or petitions) and dispositions to produce annual figures, requiring considerable time and effort. In addition, the clerks do not count cases using a standard definition of case. In general, the clerks count cases based on the number of warrants or petitions and dispositions, which may have multiple charges on a single warrant and disposition or multiple warrants and dispositions arising out of one incident. They were unable to recalculate the number of cases processed in General Sessions and Juvenile Court using the method of counting cases employed in this study. As a result of these and other factors, APRI received estimated warrant/petition and disposition data from 73 counties and incomplete or no data from 22 counties.

The problems described above presented the study team with several challenges. The limitations surrounding the General Sessions and Juvenile Court data were considered before workload measures were developed. Since there is no other available source for this data, APRI made calculated adjustments to the data that serve as a measure of cases disposed of in General Sessions and Juvenile Court in 1997-98 by calculating the average disposition rate for the 73 counties and applying that average rate to the remaining 22 counties to estimate the number of dispositions.⁶

⁶ APRI determined the margin of error for the estimated number of dispositions to be $\pm 5\%$; which means that there is a 95% probability that the actual number of dispositions falls within 5% of the estimated number.

Criminal/Circuit Court Data

To establish weights for workload measures for cases that are handled and disposed of in criminal/circuit court, APRI obtained fiscal year 1997-98 disposition data for all counties in the State from the Administrative Office of the Courts. Although originally it was not thought possible to use the state's reporting data for the criminal cases because of different counting schemes for dispositions, a statistical analysis of the data by the Administrative Office of the Courts made it possible to standardize the data. The review found that for FY97-98 statewide criminal dispositions, if multiple charges against one defendant were filed on the same date, then 98 percent of the time the charges would all be subsequently disposed of on one date. Knowing that, as a rule, a prosecutor would handle all of the charges against a defendant at the same time, it was possible to group all of a defendant's charges together into one package—i.e., by defendant name, distinct disposition date, and highest charge disposed. This standardized the differences in disposition counting and matched the case counting method used by prosecutors during the study period, allowing for comparisons across the state.

CHAPTER III

ASSESSMENT OF DISTRICT ATTORNEY GENERAL CASELOAD AND WORKLOAD

The assessment of District Attorney General caseload and workload requires extensive analysis of how attorneys spend their time processing cases and handling other prosecutorial responsibilities. This chapter focuses on the calculation of objective case weights and workload measures based on the data collected from attorneys about time spent conducting case-related and non-case related activities and case dispositions during the seven-week study period, and annual disposition information collected from general sessions court clerks and the Administrative Office of the Courts. Specifically, the following sections focus on the analytic techniques and resulting case weights, as well as the assessment of caseload in both general sessions and criminal/circuit courts, and non-case related workload. The final section in this chapter includes a discussion of the workload measures for prosecutors in Tennessee and the application of the formula to determine resource needs.

3.1 FORMULA FOR DETERMINING CASELOAD AND WORKLOAD

As indicated in the previous chapter, APRI chose to use a disposition-based methodology to assess caseload and workload. In a disposition-based methodology, caseload and workload for different case types are measured by attorney-time per disposition. The formula used to determine caseload and workload consists of several data elements and analytic steps. The data elements include the amount of time spent conducting prosecutor activities, case dispositions, and the amount of work time available in a year for a full-time prosecutor in Tennessee. Each of these data elements and the source is described in Table 3-1.

**TABLE 3-1
DATA ELEMENTS CONTAINED IN THE CASELOAD/WORKLOAD FORMULA**

Data Element	Description & Source
Attorney Time	Average amount of time required for different activities and case types based on attorney time reported on the Daily Time & Activity Sheets during the study period
Case Dispositions	Number of case dispositions reported by participating attorneys on the Daily Time & Activity Sheet
Annual Number of Case Dispositions	Total annual number of dispositions of different case types derived from General Sessions Court clerks' records and the Administrative Office of the Court's records
District Attorney General Year Value	A value derived by the District Attorneys General, who served on the Weighted Caseload Study Steering Committee, that represents the actual total amount of time available for processing cases per full-time attorneys (based on the State standard 7.5 hour workday) minus weekends (104 days); holidays (12 days) and time allotted for vacation (15 days), sick leave (5 days), and mandatory annual District Attorney General Conference trainings (9 days). For the purposes of this study, the total number of days available to process cases is 220 days (at 7.5 hours), resulting in a District Attorney General Year Value of 1650 hours

In general, the formula for determining caseload and workload involves three steps. The first step is the calculation of total attorney hours recorded during the study period for each case type, total attorney hours recorded for non-case related activities, and the total number of dispositions recorded. The second step is the assessment of prosecutor workload to determine the total time for each case type per disposition (i.e., the case weight) that takes into consideration both case-related and non-case related time. The third step is the application of attorney-time per case to disposition for different case types to the District Attorney General year value. The resulting workload measure (which indicates the number of cases of a specific type that an attorney can process in a year), when applied to annual case dispositions, reflects the number of full-time equivalent attorneys needed to handle the caseload and workload.

3.2 SUMMARY OF CASELOAD AND WORKLOAD DATA

As indicated above, step one in the assessment process is to examine the attorney work time reported during the study period to determine the average amount of time associated with the conduct of different case- and non-case related activities. To carry out this task, APRI first examined the total number of hours reported by prosecutors and then time spent on different case-related activities and case types, and the total number of hours spent on non-case related activities.

During the seven-week study period, prosecutors reported a total of 45,564.49 work hours (2,733,869 minutes). Nearly 81 percent of all attorney time (36,767.92 hours) is spent on case-related activity, while only 19 percent (8,796.57 hours) is spent on non-case related activity. In general, the proportion of time spent on all different activities relative to all work time is consistent across all 11 judicial districts participating in the study despite the differences in the size and characteristics of the districts such as staffing levels and volume of cases. For example, attorneys in all 11 districts spend approximately 20 percent of their time on case preparation.

The exception to this pattern is work-related travel. Travel accounted for a relatively higher amount of time in the following judicial districts:

- Nearly 8 percent of all attorney time (case-related and non-case related) in District 13 (Clay, Cumberland, DeKalb, Overton, Pickett, Putnam, & White Counties);
- Approximately 6 percent of all attorney time in Districts 22 (Giles, Lawrence, Maury, & Wayne Counties) and 25 (Fayette, Hardeman, Lauderdale, McNairy, & Tipton Counties); and
- 5 percent of all attorney time in District 26 (Chester, Henderson, & Madison Counties).

This finding suggests that travel is a significant factor to be considered for districts serving large geographic areas and districts with multiple counties and courts and few satellite offices.

The next sections provide detailed information about the amount of attorney time spent on different case-related activities and non-case related activities.

Attorney Time: Case-Related Activities

As shown in Table 3-2, attorneys recorded a total of 2,206,075 minutes or 3,767.92 hours during the seven-week study period for case-related activities. As indicated above, the relative distribution of attorney time across case-related activities is consistent among all 11 districts, following the pattern shown in Table 3-2. The distribution of time across the different case-related activities shows that nearly 37 percent of case-related time is spent on case preparation, followed by time spent in general sessions proceedings (14.55%), and time spent on case-related administration (13.69%).

**TABLE 3-2
ATTORNEY TIME FOR CASE-RELATED ACTIVITIES**

Activity		Total Minutes	No. of Hours	Percent of Time
Case-related activities	Case screening	205,125	3418.75	9.30%
	Case Preparation	817,721	13,628.68	37.07%
	Post-conviction activities	60,065	1001.08	2.72%
	Case-related administration	302,093	5,034.88	13.69%
In-Court activities	General sessions proceedings	320,954	5,349.23	14.55%
	Juvenile court proceedings	30,777	512.95	1.40%
	Grand jury proceedings	16,416	273.60	0.74%
	Pre-trial hearings/motions	193,613	3,226.88	8.78%
	Bench trial	17,289	288.15	0.78%
	Jury Trial	112,370	1,872.83	5.10%
	Post-adjudication/trial hearings	44,548	742.47	2.02%
	In-court waiting	85,104	1,418.40	3.85%
TOTAL		2,206,075	36,767.92	100.00%

Attorney Time: Non-Case Related Activities

While the data demonstrate that nearly 81 percent of attorney time is spent conducting case-related activities, 19 percent of time is spent on non-case related activities as shown in Table 3-3 below. Of the non-case related activities, the largest percentage of attorney time was spent on non-case administration, which includes general office administration, attending staff meetings, conducting general legal research, and other administrative activities. This general pattern also is observed across districts despite differences in the office and district size and characteristics.

TABLE 3-3
ATTORNEY TIME FOR NON-CASE RELATED ACTIVITIES

Non-Case Related Activity	Total Minutes	No. of Hours	Percent of Time
Non-Case Administration	302,002	5,033.37	57.22%
Community/Outreach Activities	56,599	943.32	10.72%
Law Enforcement Coordination Activities	27,780	463.00	5.26%
Professional Development	66,026	1,100.43	12.51%
Travel	75,387	1,256.45	14.28%
TOTAL	527,794	8,796.57	100.00%

Interestingly, attorneys recorded the least amount of time for law enforcement coordination activities, which includes serving in an administrative capacity on law enforcement task forces and conducting in-service training for law enforcement—a critical prosecutorial responsibility. It is possible, however, that the study period was not representative of the entire year (e.g., there may have been few or no police academy training sessions during the seven-week study period).

Attorney Time by Type of Case

All time spent on case-related activities, with the exception of case screening and case-related administration, was allocated to the specific type of case for which the activity was being performed.⁷ As illustrated in Table 3-4, the largest percentage of time by case type is spent processing felonies C, D, & E (nearly 30%) and misdemeanors (28%). This latter finding is due in part to the large volume of such cases handled by the District Attorneys General Offices. The findings also show that 11 percent of time is spent on capital/1st degree murder cases, primarily because of the complexity of the cases and not the volume. Summary information about the volume of cases handled during the study period, measured by the number of dispositions recorded, is provided in the next section.

TABLE 3-4
ATTORNEY TIME BY TYPE OF CASE*

⁷ Because of the nature of case screening (i.e., preliminary review of a suspected criminal offense), it is not always possible for attorneys to designate a specific case type. Therefore, APRI distributed the time reported for case screening and case administration, not attributed to a specific case type, proportionally across all case types.

Type of Case	Total Minutes	No. of Hours	Percent of Time
Capital/1 st Degree Murder	253,836.69	4,230.61	11.51%
Felony A	209,123.25	3,485.39	9.48%
Felony B	249,345.00	4,155.75	11.30%
Felonies C, D, & E	656,048.33	10,934.14	29.74%
Misdemeanors	617,884.29	10,298.07	28.01%
Juvenile	66,389.94	1,106.50	3.01%
Probation Violation	26,674.97	444.58	1.21%
Post-Judgment Actions	18,265.40	304.42	0.83%
Appeal	505.61	8.43	0.02%
Civil	99,452.04	1,657.53	4.51%
Other Case Type	8,549.49	142.49	0.38%
TOTAL	2,206,075.01	36,767.91	100.00%

* The data in this table represent all case-related time spent in relation to General Sessions Court, Juvenile Court, and Criminal/Circuit Court matters.

Disposition Points and Number of Dispositions

As the “gatekeeper” to the court system, the District Attorneys General wield substantial decision-making power about the filing of charges and whether or not to prosecute. Likewise, once charges have been filed, there are a number of points along the case processing continuum at which cases may be disposed. Some cases are disposed of quickly, during the screening process, before charges are even filed. For example, upon receiving a call from a law enforcement officer regarding a suspected burglary, a prosecutor may conclude that there is not enough evidence to charge the suspect, disposing of the case in a matter of minutes. On the other hand, some cases require an enormous amount of time to dispose of, such as a first degree murder case, involving extensive investigation, case preparation, numerous court appearances for pre-trial motions and hearings, and a lengthy trial. In total, such cases may take 600 or more hours to dispose. Other cases, such as drug offenses, may take a wide range of time to bring to closure—from 2 hours to several hours depending on a number of factors such as the quality of evidence.

One of the primary objectives of this study is to determine the average amount of time needed to dispose of various types of cases. In order to calculate the prosecutor caseload based on dispositions, APRI examined the total number of dispositions recorded during the study period for all case types. As shown in Table 3-5, nearly 76 percent of all

dispositions are for misdemeanor cases; followed by felonies C, D, and E cases (9.26%); civil cases (5.24%), and juvenile cases (3.28%).

**TABLE 3-5
DISPOSITIONS BY CASE TYPE**

Type of Case	Number of Dispositions	Percent of Dispositions
Capital/1 st Degree Murder	11.5 ^a	0.04%
Felony A	264.0	0.88%
Felony B	911.0	3.04%
Felonies C, D, & E	2,772.0	9.26%
Misdemeanors	22,660.0 ^b	75.69%
Juvenile	983.0	3.28%
Probation Violation	564.0	1.88%
Post-Judgment Actions	128.0	0.43%
Appeal	16.0	0.05%
Civil	1,568.0	5.24%
Other Case Type	61.0	0.20%
TOTAL	29938.5	100.00%

^a According to District Attorneys General in most districts, two assistant DAGs are assigned to handle capital/first degree murder cases due to the complexity of such cases, for which both recorded dispositions. For this reason, APRI divided the total number of dispositions (23) in half to compensate for the double entry.

^b The total number of misdemeanor dispositions recorded was 22,660 of which 21,172 were recorded in General Sessions Court and 1,488 were recorded in Criminal/Circuit Court.

To ensure that the dispositions recorded by attorneys during the study period were representative and thus reliable for the development of case weights, APRI staff calculated an expected number of dispositions for each case type for a seven-week period based on annual disposition data and compared the result to the number of dispositions recorded in the study period. In general, the number of dispositions recorded during the study period were higher than the expected range. For example, based on official annual court disposition data, the number of dispositions for felony C, D, and E cases was expected to be between 1682 and 2244; the actual recorded number of dispositions was 2,772 (higher than the expected value). Official court records do not capture case dispositions prior to the filing of charges or the issuance of warrants, and prosecutors often are involved in the review of criminal matters prior to the filing of charges or warrants. Therefore, APRI reviewed the prosecutor time related to the case screening process and found that when the number of felony C, D, and E dispositions that occurred

during case screening (556) was taken into account, the number of dispositions recorded after the filing of charges was 2,216—within the expected range. The same pattern was generally observed across all case types with two exceptions.

First, the total number of dispositions recorded for post-judgment actions was substantially higher than the expected value.⁸ Second, the number of dispositions reported for appeals fell far below the expected value, and APRI determined that the number of dispositions recorded was too low to produce reliable weights. Because misdemeanor appeals are heard in criminal/circuit court and the District Attorneys Generals do not handle felony appeals, APRI reallocated the time and dispositions associated with appeals to the criminal/circuit court time and dispositions for misdemeanors.

3.3 TOTAL DISTRICT ATTORNEY GENERAL WORKLOAD

As noted previously, district attorney general workload represents the combined case-related and non-case related activities of a prosecutor. Because it is important to consider case processing time in the context of the overall prosecutorial workload, APRI distributed the time spent conducting non-case related activities (that was not attributed specifically to a case type) proportionally across all case types, increasing the overall case processing time by approximately 20 percent as shown in Table 3-6. The total number of minutes and hours shown for each case type represents actual reported case processing time plus a relative proportion of non-case related time. The time shown in Table 3-6 also represents a combination of time relative to the handling of matters in general sessions, juvenile, and criminal/circuit courts.

TABLE 3-6
DISTRICT ATTORNEY GENERAL WORKLOAD BY CASE TYPE

Type of Case	Total Number of Minutes	Total Number of Hours
Capital/1 st Degree Murder	314,038.71	5,233.98

⁸ This higher than normal average may be related to the time period in which data were collected, that is, the data collection period began during the second week of court operation after the holiday season (during which time most courts were closed for some period). Therefore, a disproportionate amount of post-conviction actions may be indicative of a “backlog” of such cases as a result of the holiday break.

Felony A	259,224.98	4,320.42
Felony B	308,522.95	5,142.05
Felonies C, D, & E	810,688.27	13,511.47
Misdemeanors	764,045.88	12,734.10
Juvenile	83,102.16	1,385.04
Probation Violation	32,920.45	548.67
Post-Judgment Actions	22,724.78	378.75
Appeal	623.99	10.40
Civil	124,884.69	2,081.41
Other Case Type	13,092.14	218.20
TOTAL	2,733,869.00	45,564.49

Because of the disparity in the volume of misdemeanor cases disposed in general sessions courts as compared with criminal/circuit courts, APRI was concerned with the reliability of developing a single set of case weights. For this reason, APRI developed two sets of case weights: one set for cases disposed in general sessions/juvenile courts and one set for cases disposed in criminal/circuit courts.

General Sessions and Juvenile Court Workload

Based on the nature of general sessions work and juvenile court work, APRI established specific activity codes designed to capture all in-court time for cases heard in these courts. As expected, the majority of cases disposed of in general sessions court were misdemeanors. Likewise, because attorneys were asked to record in-court activity associated with all juvenile cases (except those cases waived to adult court), regardless of the offense, as a juvenile court proceeding, all cases handled and disposed of in juvenile court proceedings were juvenile cases.

During the study period, attorneys recorded a total of 21,172 dispositions of misdemeanor cases in general sessions court and 983 dispositions of juvenile cases in juvenile court. The number of hours associated with each case type includes case-related time not in court, such as case screening, as well as in-court time.⁹ In addition, a proportion of the non-case related time was allocated to both misdemeanor and juvenile case time to account for the overall workload of the prosecutor.

⁹ The hours recorded under general sessions proceedings for felony cases were taken out of the total number of general sessions hours and included in the hours for criminal/circuit court.

As shown in Table 3-7, on average it takes about 29 minutes to dispose of misdemeanor cases in general sessions court and a little more than 80 minutes to dispose of juvenile cases. In comparison to information gleaned from six District Attorneys General Offices during focus groups conducted in March 1999 (used to validate the information reported by attorneys during the study period), these average times are considerably lower than expected. The average time per case, as identified in the focus groups, was expected to be approximately 5 hours for misdemeanor cases and 5 hours for juvenile cases. For misdemeanor cases, APRI believes this disparity to be a result of the level of activity in general sessions court in urban districts. In reviewing the misdemeanor dispositions, APRI found that the 30th Judicial District accounted for 51 percent of all misdemeanor dispositions recorded during the study period. Because of the volume of cases in this district, the practice is to assign two attorneys to handle a general sessions court room. APRI believes that this may have resulted in double disposition counts. For example, one manner in which the two attorneys deploy is for one attorney to negotiate pleas in the back of the courtroom or in the “plea” room and the other attorney to present the plea agreement to the judge. In this manner, each attorney would report a disposition for the activity in which he or she was engaged. For this reason, APRI halved the number of misdemeanor dispositions in the 30th District and adjusted the total number of misdemeanor dispositions accordingly. This adjustment resulted in an average time by disposition of 0.67 of an hour (40 minutes) for misdemeanor cases. This yields an adjusted figure that is still lower than the expected value but represents a more accurate case weight.

TABLE 3-7
GENERAL SESSIONS MISDEMEANOR AND JUVENILE CASE WORKLOAD BY DISPOSITION

Case Type	Total Hours	Number of Dispositions	Time by Disposition (Case Weight)
Misdemeanors	10187.28	21,172 (15,297.5)*	0.48 (0.67)*
Juvenile	1385.04	983	1.41

* The numbers in parentheses reflect the adjusted values.

To determine the workload measure for District Attorneys General in Tennessee for misdemeanor and juvenile cases, APRI applied the average time by disposition to the District Attorney Year Value of 1650 hours, resulting in the following workload measures, or the number of cases an attorney can process in a year if he or she handles cases of the specific type only:

- Misdemeanor cases (general sessions) 2,462.69
- Juvenile cases (juvenile court) 1,171.05

These workload measures are then used to determine the number of full-time equivalent (FTE) attorneys needed to handle the workload that is associated with general sessions/juvenile court. The application of the workload measures to annual dispositions and the calculation of resource needs are discussed in Chapter IV.

Criminal/Circuit Court Workload

The determination of criminal/circuit court workload is more complex than the determination of general sessions/juvenile court workload. Nearly all cases are initiated in general sessions court, and many felony cases that began in general sessions are bound over to the grand jury and upon indictment, handled in criminal/circuit court. Therefore, in the calculation of time for cases disposed of in criminal/circuit court, APRI also took into consideration the amount of time spent on these cases while they were in general sessions. In addition, time spent conducting case-related activities (not in court) and a proportion of the non-case related activities also is included in the total number of hours.

As shown in Table 3-8, capital/1st degree murder cases require, on average, the greatest length of time to bring to disposition. In addition, it should be noted that most District Attorneys General Offices assign two attorneys to capital/1st degree murder cases,

and the focus group participants estimated that, on average, it takes between 600 and 800 hours for two attorneys to bring a capital/1st degree murder case to disposition (i.e., 300 to 400 hours for each attorney). The time reported for Felony B, C, D, & E cases as well as misdemeanor cases fall below the expected value, although not significantly.¹⁰

**TABLE 3-8
CRIMINAL/CIRCUIT COURT WORKLOAD BY DISPOSITION**

Type of Case	Total Number of Hours	Number of Dispositions	Time per Disposition (Case Weight)
Capital/1 st Degree Murder	5233.98	11.5	455.13
Felony A	4320.42	264	16.37
Felony B	5142.05	911	5.64
Felonies C, D, & E	13511.47	2772	4.87
Misdemeanors (including appeals)	2557.22	1504	1.70
Probation Violation	548.67	575	0.95
Post-Judgment Actions	378.75	128	2.96
Civil	2081.41	1568	1.33
Other Case Type	218.20	61	3.58

To determine the workload measures for different types of cases handled in criminal/circuit court, APRI applied the average time by disposition to the District Attorney Year Value of 1650 hours, resulting in the following workload measures:

- Capital/1st degree murder 3.63
- Felony A 100.82
- Felony B 292.33
- Felonies C, D, & E 338.51
- Misdemeanor (criminal/circuit court) 970.43
- Probation violation 1729.17
- Post-judgment action 557.63
- Civil 1243.00
- Other 461.27

The workload measures shown above are then used to determine the number of full-time equivalent (FTE) attorneys needed to handle the workload that is associated

¹⁰ It should be noted that in one of the focus groups, prosecutors representing a District Attorneys General Office in an urban district reported that felony As and Bs currently take 80 hours on average to bring to disposition, far above the average time estimated by other districts and the findings of this study.

with criminal/circuit court. The application of the case weights to annual dispositions and the calculation of resource needs is discussed in Chapter IV.

CHAPTER IV

CONCLUSIONS AND RECOMMENDATIONS

The case weights and workload measures derived from the information collected in the Tennessee District Attorney General Weighted Caseload Study provide a validated and objective method for projecting attorney resource needs based on case dispositions. As discussed in Chapter III, APRI developed two sets of workload measures to account for the disparity between the volume and type of activities being conducting in general sessions/juvenile court and criminal/circuit court. This chapter discusses the application of the workload measures in determining attorney resource needs and other critical factors that need to be considered in making resource allocations.

4.1 ATTORNEY RESOURCE NEEDS

To determine attorney resource needs, APRI applied the workload measures for each case type to annual case disposition data provided by the general sessions court clerks and the Administrative Office of the Court. The annual disposition data for general sessions/juvenile court were not complete and consistent, as discussed previously. To adjust for the incompleteness, APRI calculated the average case disposition rate of warrants issued and juvenile petitions filed for districts with complete information and used the average rate to determine general sessions and juvenile court dispositions for those districts with incomplete data.¹¹ These estimated values were used in the final determination of attorney resource needs and represent the only available statewide information about general sessions or juvenile court dispositions. General sessions

¹¹ As reported earlier, the margin of error for this calculation is ± 5 percent.

annual filing and disposition data are presented in Appendix B, and criminal/circuit annual disposition data are shown in Appendix C.¹²

The workload measures represent the number of cases an attorney could handle in a year, if he or she were only responsible for handling that type of case (e.g., felony A cases only). To calculate the number of attorneys needed to process each type of case, APRI divided the annual disposition data for each case type by the respective workload measure. Once the workload measures were applied to the annual disposition data for the general sessions, juvenile court and criminal/circuit court, APRI calculated the total number of attorneys required to efficiently process the mix of cases while still performing other non-case related activities.

Overall, APRI found that an additional 126.6 attorneys are needed statewide to handle the prosecutor workload. In addition, APRI found that, statewide, the average number of attorneys needed to handle the workload varies by type of district. Based on the data reported, APRI found that *on average*:

- Urban districts need 55.06 FTE attorneys total to handle the workload (ranging from 20.92 to 109.13);
- Transitional districts need 14.28 FTE attorneys total (ranging from 10.49 to 27.75); and
- Rural districts need 8.48 FTE attorneys total (ranging from 2.74 to 16.39).

These figures represent the average number of FTE attorneys overall to handle the workload, not the number of attorneys needed in excess of current staffing levels. Overall the total attorney FTE positions by case type for each judicial district are provided in Appendix D. The figures in Appendix D also represent totals and not FTEs needed above or below existing staffing levels.

It is important to note that the figures calculated for attorney FTEs do not include time required to process civil cases, which accounts for approximately 5 percent of the

¹² District Attorneys General are responsible for handling only a portion of civil cases such as denial of a handgun permit; some DAGs have county contracts to handle child support enforcement (civil cases). In order to develop a case weight for civil cases, annual disposition data by type of civil case is necessary, but such disposition data do not exist in a form that would allow for the determination of which cases were handled by DAGs and which were not.

total caseload and 4.5 percent of total case processing time. Therefore in interpreting resource needs and making resource allocations, APRI recommends that, for District Attorneys General Offices handling civil cases, additional consideration be given for the processing of these cases.

4.2 CRITICAL FACTORS IN MAKING RESOURCE ALLOCATIONS

In addition to the number of cases of various types that a district handles, several other factors should be considered in making decisions about prosecutor resource allocations. As discussed in Chapter I, several factors influence the way prosecutor time is spent and the efficiency with which cases are processed. Critical factors include:

- The type and number of staff (e.g., investigators, victim/witness coordinators, or secretarial staff) that are available to support prosecution activities;
- Whether automation is available to facilitate the production of documents, link offices within a district, and provide access to criminal justice information systems;
- The number of counties and geographic distance that an office covers, and the number of satellite offices; and
- The number of courts and courtrooms that the district attorney's general office has responsibility for covering.

Deficiencies in the number of key staff necessary to support the prosecution of cases and adequate automation will have a negative impact on the efficiency and effectiveness of prosecution efforts. Similarly, an insufficient number of satellite offices to adequately cover the district without excessive amounts of travel will also hinder attorney effectiveness, as will a lack of automation for routine activities or criminal records checks.

Chapter I and Appendix A present a profile of district attorneys general office resources with regard to these factors, including ratios of attorneys to other non-prosecutor staff. According to the information provided to APRI, several offices have insufficient computer resources and non-prosecutor staff, and too few satellite offices considering the size of the jurisdiction. Addressing these resource needs will increase the ability of affected offices to perform effectively. In addition, any additional prosecutor

positions that are allocated should be made with accompanying increases in these related support areas.

4.3 PROJECTING RESOURCE NEEDS INTO THE FUTURE

An important outcome of the Tennessee District Attorney General Weighted Caseload Study is the ability of the state legislature and the District Attorneys General Offices to project what resource needs will be in the future. Such projections for attorney resource needs can be made by estimating the number of case dispositions that can be expected based on filings and dispositions (the case disposition rate) and applying the workload measures to the estimated number of dispositions. Establishing an accepted ratio of attorney to other non-prosecutor staff will allow for the projection of non-prosecutor staff resource needs based on the attorney resource needs.

Adoption of the workload measures established as part of this study in conjunction with the consideration of other key factors that affect resource needs will help to ensure adequate attorney staffing levels, improving the overall efficiency and effectiveness of the Tennessee District Attorneys' General response to crime. Moreover, such standards will serve to improve the courts' handling of criminal cases and the administration of justice overall in the state.

APPENDIX A-1

**District Attorneys General Offices
Prosecutor Staffing Levels
By Funding Source**

	Judicial Dist	Full-time Prosecutors*				Part-time Prosecutors				TOTAL
		State	Local	Federal	Other	State	Local	Federal	Other	
Urban	6	17	8	5	1	0	0	0	0	31
	11	15	2	0	0	0	0	0	0	17
	20	26	13	7	0	0	0	0	0	46
	30	40	34	4	0	0	0.5	0.5	0	79
Transitional	1	9	0	1	0	0	0	0	0	10
	2	9	3	0	1	0	0	0	0	13
	4	7	1	0	0	0	0	0	0	8
	16	8	0	0	0	0	0	0	0	8
	18	6	0	1	0	0	0	0	0	7
	19	8	0	1	0	0	0	0	0	9
	21	7	0	0	1	0	0	0	0	8
	26	7	2	0	0	0	0	0	0	9
Rural	3	8	0	0	0	0.5	0	0	0	8.5
	5	5	0	1	0	0	0	0	0	6
	7	4	0	1	0	0	0	0	0	5
	8	6	0	1	0	0	0	0	0	7
	9	6	0	1	0	0	0	0	0	7
	10	10	0	0	0	0	0	0	0	10
	12	7	0	1	0	0	0	0	0	8
	13	8	0	2	0	0	0	0	0	10
	14	4	0	0	0	0	0	0	0	4
	15	7	0	0	0	0	0	0	0	7
	17	5	0	1	0	0	0	0	0	6
	22	8	0	1	0	0	0	0	0	9
	23	6	0	0	0	0	0.5	0	0	6.5
	24	6	0	0	0	0	0	0	0	6
	25	8	0	0	0	0	0	0	0	8
	27	4	0	0	0	0	0	0	0	4
28	5	0	0	0	0	0	0	0	5	
29	3	0	0	0	0	0.5	0.5	0	4	
31	3	0	0	0	0	0	0	0	3	
Total FTE		272	63	28	3	1	1.5	0.5	0	369

* Includes District Attorney General

APPENDIX A-2

**District Attorneys General Offices
Victim/Witness and Investigator Staffing Levels
By Funding Source**

	Judicial Dist	Victim/Witness Staff				Investigators				
		State	Local	Federal	TOTAL	State	Local	Federal	TOTAL	
Urban	6	1	1	6	8	2	3	0	5	*
	11	1	0	4	5	4	1	0	5	
	20	1	9	4	14	5	0	2	7	*
	30	1	3	12	16	13	8	6	27	
Transitional	1	1	0	2	3	2	0	0	2	
	2	1	0	2.5	3.5	2	0	0	2	
	4	1	0	1	2	2	0	0	2	
	16	1	0	1	2	1	0	0	1	
	18	1	0	1	2	2	0	0	2	*
	19	1	0	2	3	1	0	0	1	*
	21	1	0	2	3	1	0	0	1	*
	26	2	0	0	2	1	0	0	1	
Rural	3	1	0	2	3	3	0	0	3	
	5	1	0	0	1	1	0	0	1	*
	7	1	0	1	2	1	0	0	1	
	8	1	0	3	4	2	0	0	2	
	9	1	0	2	3	2	0	0	2	
	10	3	0	0	3	2	0	0	2	*
	12	1	0	1	2	2	0	0	2	
	13	1	0	2	3	2	0	0	2	
	14	1	0	0	1	1	0	1	2	
	15	1	0	1	2	2	0	0	2	*
	17	1	0	0	1	1	0	1	2	
	22	1	0	2	3	2	0	0	2	
	23	1	0	1	2	2	0	0	2	
	24	1	0	1	2	1	0	0	1	
	25	1	0	1	2	1	0	0	1	
	27	1	0	1	2	1	0	0	1	
28	1	0	0	1	1	0	0	1		
29	1	0	0	1	1	0	0	1		
31	1	0	0	1	1	0	0	1		
Total FTE		34	13	55.5	102.5	65	12	10	87	

* One investigator position filled with a prosecutor

APPENDIX A-3

**District Attorneys General Offices
Office & Financial Mgmt/Administrative Asst and Secretarial Staffing Levels
By Funding Source**

	Judicial Dist	Office & Financial Mgmt/Admin. Asst.				Secretaries				
		State	Local	Federal	TOTAL	State	Local	Federal	Other	TOTAL
Urban	6	1	0	0	1	5	12	0	0	17
	11	1	0	0	1	5	3	0	0	8
	20	1	2	0	3	7	13	2	0	22
	30	1	0	0	1	14	14	1	0	29
Transitional	1	1	0	0	1	3	0	0	0	3
	2	1	0	0	1	4	1	0	1	6
	4	1	0	0	1	3	0	0	0	3
	16	1	0	0	1	2	0	0	1	3
	18	1	0	0	1	2	0	0	0	2
	19	1	0	0	1	3	0	1	0.5	4.5
	21	1	0	0	1	2	0	0	1	3
	26	1	0	0	1	2	0	0	0	2
Rural	3	1	0	0	1	3	0	0	0	3
	5	1	0	0	1	2	0	0	0	2
	7	1	0	0	1	1	1	0	0	2
	8	1	0	0	1	3	0	0	0	3
	9	1	0	0	1	1	0	1	0	2
	10	1	0	0	1	3	0	0	0	3
	12	1	0	0	1	3	0	0	0	3
	13	1	0	0	1	5	0	1	0	6
	14	1	0	0	1	1	0	0	0	1
	15	1	0	0	1	2	0	0	0	2
	17	1	0	0	1	2	0	0	0	2
	22	1	0	0	1	3	0	0	1	4
	23	1	0	0	1	2	0	0	0	2
	24	1	0	0	1	2	0	0	0	2
	25	1	0	0	1	1	0	0	0	1
	27	1	0	0	1	1	1	0	0	2
28	1	0	0	1	2	0	0	0.5	2.5	
29	1	0	0	1	1	0	0	0	1	
31	1	0	0	1	1	0	0	0	1	
Total FTE		31	2	0	33	91	45	6	5	147

APPENDIX A-4

**District Attorneys General Offices
Paralegal/Legal Assistants & Information Systems Staffing Levels
By Funding Source**

	Judicial Dist	Paralegals/Legal Asst.				Information Systems Staff			
		State	Local	Federal	TOTAL	State	Local	Federal	TOTAL
Urban	6	0	10	0	10	1	1	0	2
	11	1	0	0	1	1	0	0	1
	20	0	4	0	4	0	0	0	0
	30	0	0	0	0	1	1	0	2
Transitional	1	0	0	0	0	0	0	0	0
	2	0	0	0	0	0	0	0	0
	4	0	0	0	0	0	0	0	0
	16	0	0	0	0	0	0	0	0
	18	0	0	0	0	0	0	0	0
	19	0	0	0	0	0	0	0	0
	21	0	0	0	0	0	0	0	0
	26	0	0	0	0	0	0	0	0
Rural	3	0	0	0	0	0	0	0	0
	5	0	0	0.5	0.5	0	0	0	0
	7	0	0	0	0	0	0	0	0
	8	0	0	0	0	0	0	0	0
	9	0	0	0	0	0	0	0	0
	10	0	0	0	0	0	0	0	0
	12	0	0	0	0	0	0	0	0
	13	0	0	0	0	0	0	0	0
	14	0	0	0	0	0	0	0	0
	15	0	0	0	0	0	0	0	0
	17	0	0	0	0	0	0	0	0
	22	0	0	0	0	0	0	0	0
	23	0	0	0	0	0	0	0	0
	24	0	0	0	0	0	0	0	0
	25	0	0	0	0	0	0	0	0
27	0	0	0	0	0	0	0	0	
28	0	0	0	0	0	0	0	0	
29	0	0	0	0	0	0	0	0	
31	0	0	0	0	0	0	0	0	
Total FTE		1	14	0.5	15.5	3	2	0	5

APPENDIX A-5

**District Attorneys General Offices
Child Support Staffing Levels**

		Asst Dist Attys	Investigators	Support Staff	
Judicial Dist		Federal			TOTAL
Urban	6	NA	NA	NA	NA
	11	NA	NA	NA	NA
	20	NA	NA	NA	NA
	30	NA	NA	NA	NA
Transitional	1	2	0	13	15
	2	1	0	10	11
	4	NA	NA	NA	NA
	16	1	0	8	9
	18	1	0	9	10
	19	2	0	11	13
	21	NA	NA	NA	NA
	26	2	4	15	21
Rural	3	2	0	16	18
	5	1	0	7	8
	7	NA	NA	NA	NA
	8	2	0	12	14
	9	1	0	8	9
	10	NA	NA	NA	NA
	12	2	0	10	12
	13	1	0	9	10
	14	1	0	5	6
	15	1	0	8	9
	17	1	1	6	8
	22	2	0	13	15
	23	2	0	8	10
	24	1	0	10	11
	25	2	0	23	25
	27	NA	NA	NA	NA
28	NA	NA	NA	NA	
29	NA	NA	NA	NA	
31	1	0	4	5	
Total FTE		29	5	205	239

NA - District Attorneys Office does not handle child support

APPENDIX A-6

**District Attorneys General Offices
Vertical Prosecution and Specialized Units***

	Judicial Dist.	Vert Pros	# Spec Units	Child Support	Special Units
Urban	6	yes	10	no	DUI, Fam Crisis/Sex Abuse, DV, Fel Drug, Juven, White Collar, Gen Sess Fel, Gen Sess Misd
	11	no	6	no	DUI, Child Abuse, DV, Juven, Grand Jury, Major Crimes
	20	yes	7	no	DUI, Child Sex Abuse, DV, Spec Ops, Fraud & Econ Crime, Intake & Warrant, Narcotics
	30	yes	6	no	DUI, Child Prot Invest, DV, Viol Crimes, Major Violators, Anti-Gang Team
Transitional	1	yes	1	yes	DV
	2	no	1	yes	
	4	yes	0	no	
	16	no	0	yes	
	18	yes	3	yes	Child Abuse/Sex Abuse, DV, Drugs
	19	no	1	yes	DV
	21	yes	0	no	
26	no	1	yes		
Rural	3	yes	0	yes	
	5	yes	1	yes	DV
	7	no	1	no	DV
	8	yes	2	yes	DV, Drug Pros
	9	yes	1	yes	DV
	10	yes	0	no	
	12	no	0	yes	
	13	yes	1	yes	DV
	14	yes	0	yes	
	15	N/A	0	yes	
	17	yes	1	yes	DV
	22	yes	1	yes	DV
	23	yes	0	yes	
	24	yes	0	yes	
	25	yes	0	yes	
27	no	0	no		
28	N/A	0	no		
29	no	0	no		
31	yes	0	yes		
TOTAL		20**	16**	20**	

*As Reported to APRI by District Attorneys General Offices in March 1999.

** Indicates the number of offices that reported employing vertical prosecution, having special units, or handling child support enforcement.

APPENDIX A-7

**District Attorneys General Offices
Automation***

	Judicial Dist.	Suffic Comput	Auto Doc	Case Track	CJA Info	Integr Info
Urban	6	no	no	no	yes	no
	11	yes	yes	yes	yes	yes**
	20	yes	yes	yes	yes	yes**
	30	no	yes	no	yes	no
Transitional	1	no	yes	yes	no	no
	2	no	yes	yes	yes	no
	4	no	yes	yes	yes	no
	16	yes	yes	yes	yes	no
	18	no	no	no	no	no
	19	yes	no	yes	yes	no
	21	yes	yes	yes	no	no
	26	no	yes	yes	yes	no
Rural	3	yes	yes	no	yes	no
	5	no	no	no	no	no
	7	no	no	no	yes	no
	8	no	yes	no	yes	no
	9	no	yes	yes	yes	no
	10	no	yes	yes	no	no
	12	yes	no	yes	yes	no
	13	no	yes	no	yes	no
	14	no	yes	yes	yes	no
	15	yes	yes	yes	yes	no
	17	yes	yes	yes	yes	no
	22	yes	yes	yes	no	no
	23	no	yes	no	yes	no
	24	yes	yes	no	yes	no
	25	yes	yes	no	yes	no
	27	no	no	no	no	no
	28	no	no	no	yes	no
29	no	no	no	yes	no	
31	no	yes	yes	no	no	
TOTAL ***		12	22	17	23	2

*As Reported to APRI by District Attorneys General Offices in March 1999.

** Integrated information systems are currently under development.

***Total number answering yes.

APPENDIX A-8

**District Attorneys General Offices
Counties, Satellite Offices & Population Strata***

	Judicial Dist.	# Counties	# Satellite Ofc	Pop/Strata**
Urban	6	1	1	5
	11	1	2	5
	20	1	1	6
	30	1	0	6
Transitional	1	4	4	4
	2	1	2	4
	4	4	2	4
	16	2	1	4
	18	1	0	4
	19	2	1	4
	21	4	2	4
	26	3	1	4
Rural	3	4	2	4
	5	1	0	3
	7	1	0	3
	8	5	2	4
	9	4	2	3
	10	4	2	4
	12	6	2	4
	13	7	2	4
	14	1	0	2
	15	5	1	4
	17	4	2	3
	22	4	3	4
	23	5	3	4
	24	5	4	4
	25	5	4	4
	27	2	1	3
	28	3	0	3
	29	2	0	2
31	2	0	3	
TOTAL		95	47	

*As reported to APRI by District Attorneys General Offices in March 1999.

**Population/Strata

1 = Less Than 20,000

2 = 20,001 - 50,000

3 = 50,001 - 100,000

4 = 100,001 - 250,000

5 = 250,001 - 500,000

6 = More Than 500,000

APPENDIX A-9

**District Attorneys General Offices
Courtrooms Served***

		Number of Courtrooms By District					
	Judicial Dist.	Circuit/Crim	Gen Sessions	Juvenile	Traffic	Other	TOTAL
Urban	6	3	4	1	1	6	15
	11	3	4	1	0	6	14
	20	6	5	1	0	0	12
	30	10	8	3	0	0	21
Transitional	1	4	5	5	0	8	22
	2	2	4	3	4	0	13
	4	4	5	4	0	4	17
	16	3	4	2	0	1	10
	18	2	1	1	0	1	5
	19	2	2	1	0	0	5
	21	4	4	4	0	5	17
26	3	3	3	3	1	4	14
Rural	3	4	4	3	0	0	11
	5	2	3	1	1	0	7
	7	1	2	2	0	0	5
	8	5	5	5	0	0	15
	9	4	5	4	0	0	13
	10	8	5	5	5	6	29
	12	6	6	6	6	0	24
	13	10	7	7	0	0	24
	14	2	2	1	0	0	5
	15	7	6	5	0	0	18
	17	4	4	4	4	0	16
	22	4	6	5	0	0	15
	23	5	5	5	0	4	19
	24	5	5	5	5	0	20
	25	5	5	5	0	5	20
	27	2	2	2	2	0	8
28	4	3	3	0	1	11	
29	2	2	2	0	2	8	
31	2	2	2	2	0	8	
TOTAL		128	128	101	31	53	441

*As Reported to APRI by District Attorneys General Offices in March 1999.

Appendix B

General Sessions and Juvenile Court Dispositions

County	Criminal Warrants		Petitions in Juvenile Court		Total	
	Issued	Disposed	Filed	Disposed	Issued/Filed	Disposed
1 Carter	6200	5000	1348	1213	7548	6213
1 Johnson	2500	2500	250	250	2750	2750
1 Unicoi	1450	1380	0	0	1450	1380
1 Washington	14142	9714	1432	481	15574	10195
1st District Totals	24292	18594	3030	2542	27322	20538
2 Sullivan	20897		1385	1814	22282	1814
2nd District Totals	20897	17537	1385	1814	22282	1814
3 Greene	4084	0	444	0	4528	0
3 Hamblen	5071	4947	0	0	5071	4947
3 Hancock	1052	Unknown	72	Unknown	1124	0
3 Hawkins	2540	2483	2413	2410	4953	4893
3rd District Totals	12747	10697	2929	2410	15676	9840
4 Coker	Unavailable	Unavailable	Unavailable	16	0	16
4 Grainger	1499	230	534	336	2033	566
4 Jefferson	4554	4130	0	0	4554	4130
4 Sevier	8423	6444	1295	1269	9718	7713
4th District Totals	14476	12148	1829	1588	16305	12425
5 Blount	8642	8468	1364	945	10006	9413
5th District Totals	8642	8468	1364	945	10006	9413
6 Knox	29682	24629	3949	2942	33631	27571
6th District Totals	29682	24629	3949	2942	33631	27571

County	Criminal Warrants		Petitions in Juvenile Court		Total	
	Issued	Disposed	Filed	Disposed	Issued/Filed	Disposed
7 Anderson	6370	6020	774	737	7144	6757
7th District Totals	6370	6020	774	737	7144	6757
8 Campbell	6200	6000	775	728	6975	6728
8 Claiborne	3913	3261	412	362	4325	3623
8 Fentress	880	880	81	71	961	951
8 Scott	1462	1218	502	491	1964	1709
8 Union	902	675	313	272	1215	947
8th District Totals	13357	12034	2083	1924	15440	13958
9 Loudon	3102	2413	862 Unknown		3964	2413
9 Meigs					0	0
9 Morgan	1408	1161	392	374	1800	1535
9 Roane	5309	Unknown	904	1477	6213	1477
9th District Totals	9819	8240	2158	1873	11977	5425
10 Bradley	7500	6100	1452	1172	8952	7272
10 McMinn	6846	5346	756	723	7602	6069
10 Monroe	2887	Unknown	451	Unknown	3338	0
10 Polk	1875	1675	61	56	1936	1731
10th District Totals	19108	16036	2720	2361	21828	15072
11 Hamilton	47895	38849	4348 Unavailable		52243	38849
11th District Totals	47895	38849	4348	3774	52243	38849
12 Bledsoe	1804	1444	249	249	2053	1693
12 Franklin	5712	5600	Unavailable Unavailable		5712	5600
12 Grundy	2506	2368	300	300	2806	2668
12 Marion	7089	6823	408	352	7497	7175
12 Rhea	5645	4753	495	480	6140	5233
12 Sequatchie	410	369	173	173	583	542
12th District Totals	23166	21357	1625	1735	24791	22911

County	Criminal Warrants		Petitions in Juvenile Court		Total	
	Issued	Disposed	Filed	Disposed	Issued/Filed	Disposed
13 Clay	907	907	0	0	907	907
13 Cumberland	4982	3798	0	0	4982	3798
13 DeKalb	1520	1450	310	275	1830	1725
13 Overton				12	0	12
13 Pickett				0	0	0
13 Putnam	6038	6000	1256	1173	7294	7173
13 White	2342	2025	180	165	2522	2190
13th District Totals	15789	14180	1746	1625	17535	15805
14 Coffee	5891	5071	1970	982	7861	6053
14th District Totals	5891	5071	1970	982	7861	6053
15 Jackson	1435	1230	70	55	1505	1285
15 Macon	3658	3062	544	464	4202	3526
15 Smith	1932	1246	532	532	2464	1778
15 Trousdale	1709	1519	219	159	1928	1678
15 Wilson	5724	4638	0	0	5724	4638
15th District Totals	14458	11695	1365	1210	15823	12905
16 Cannon	566	541	94	94	660	635
16 Rutherford	11009	10262	1976	2081	12985	12343
16th District Totals	11575	10803	2070	2175	13645	12978
17 Bedford	1560	1000	790	600	2350	1600
17 Lincoln	4925	4500	561	535	5486	5035
17 Marshall	1824	1824	522	509	2346	2333
17 Moore	689	668	39	39	728	707
17th District Totals	8998	7992	1912	1683	10910	9675
18 Sumner	15239	14337	2880	2778	18119	17115
18th District Totals	15239	14337	2880	2778	18119	17115

County	Criminal Warrants		Petitions in Juvenile Court		Total	
	Issued	Disposed	Filed	Disposed	Issued/Filed	Disposed
19 Montgomery	22298	26546	5895	Unavailable	28193	26546
19 Robertson	0	0	3010	2049	3010	2049
19th District Totals	22298	35306	8905	7730	31203	28595
20 Davidson	67321	51452	10436	8568	77757	60020
20th District Totals	67321	51452	10436	8568	77757	60020
21 Hickman	2419	1237	258	212	2677	1449
21 Lewis	1535	1487	288	216	1823	1703
21 Perry	957	718	99	84	1056	802
21 Williamson	12470	9353	3892	3626	16362	12979
21st District Totals	17381	12795	4537	4138	21918	16933
22 Giles		0			0	0
22 Lawrence	3329	3329	637	637	3966	3966
22 Maury	6981	6981	3523	3523	10504	10504
22 Wayne	3368	2942	0	0	3368	2942
22nd District Totals	13678	11479	4160	4160	17838	17412
		13252				
23 Cheatham	2436	2556	950	901	3386	3457
23 Dickson	2786	70	992	937	3778	1007
23 Houston	593	524	143	110	736	634
23 Humphreys	1528	1498	348	300	1876	1798
23 Stewart	1150	Unknown	262	262	1412	262
23rd District Totals	8493	6683	2695	2510	11188	7158
24 Benton	2346	1655	118	118	2464	1773
24 Carroll	2992	Unavailable	182	Unavailable	3174	0
24 Decatur	2597	1642	130	130	2727	1772
24 Hardin	5163	2768	449	435	5612	3203
24 Henry	5618	1420	313	312	5931	1732
24th District Totals	18716	8628	1192	995	19908	8480

County	Criminal Warrants		Petitions in Juvenile Court		Total	
	Issued	Disposed	Filed	Disposed	Issued/Filed	Disposed
25 Hardeman	4419	4069	756	690	5175	4759
25 Lauderdale	2852	3216	707	650	3559	3866
25 McNairy	7266	6101	495	344	7761	6445
25 Tipton	4840	4569	1222	722	6062	5291
25th District Totals	19377	17955	3180	2406	22557	20361
26 Chester	965	781.65	Unavailable	1	965	782.65
26 Henderson	4100	3321	856	432	4956	3753
26 Madison	4452	3561.6	Unavailable	10	4452	3571.6
26th District Totals	9517	7664.25	856	1160	10373	8107.25
27 Obion	1454	1298	818	566	2272	1864
27 Weakley	3350	2596	591	591	3941	3187
27th District Totals	4804	3894	1409	1157	6213	5051
28 Crockett	4023	1450	149	84	4172	1534
28 Gibson	8716	4720	1654	1064	10370	5784
28 Haywood	17593	1987	307	59	17900	2046
28th District Totals	30332	8157	2110	1207	32442	9364
29 Dyer					0	0
29 Lake	789	804	77	77	866	881
29th District Totals	789	804	77	77	866	881
30 Shelby	86463	82587	14304	16707	100767	99294
30th District Totals	86463	82587	14304	16707	100767	99294
31 Van Buren	462	425	42	42	504	467
31 Warren	7870	5900	1720	1290	9590	7190
31st District Totals	8332	6325	1762	1332	10094	7657

- NOTES: 1 District Attorney does not handle Juvenile Court in this county.
2 All figures are Estimates Only.
3 Warrants disposed in General Sessions Court are approximated.
4 General Sessions and Juvenile Court Filings are approximated.

APPENDIX C

Criminal/Circuit Disposition (Fiscal Year 1997-98)

County	Capital/First Degree Murder	Felony A	Felony B	Felony C, D & E	Misdemeanors	Probation Violation	Post-Conviction Relief	Appeal from Lower Court	Other	Total
Unicoi	2	0	3	47	17	1	3	1	4	78
Johnson	0	2	11	28	20	0	18	0	0	79
Carter	0	8	30	293	268	97	0	27	14	737
Washington	2	30	39	333	199	142	1	4	30	780
1st District Totals	4	40	83	701	504	240	22	32	48	1674
Sullivan	0	29	73	553	171	229	18	11	285	1369
2nd District Totals	0	29	73	553	171	229	18	11	285	1369
Hancock	0	0	0	4	0	0	0	0	0	4
Hawkins	1	4	19	121	27	13	0	3	12	200
Hamblen	1	6	37	169	54	16	1	0	16	300
Greene	7	1	32	134	401	96	6	9	9	695
3rd District Totals	9	11	88	428	482	125	7	12	37	1199
Grainger	0	0	7	24	5	3	0	0	0	39
Bledsoe	0	5	0	18	15	2	0	0	1	41
Jefferson	1	3	14	92	27	3	0	0	0	140
Cocke	5	8	15	119	38	33	0	0	133	351
Sevier	1	8	20	145	36	57	22	0	71	360
4th District Totals	7	24	56	398	121	98	22	0	205	931
Blount	1	10	50	279	109	164	2	12	51	678
5th District Totals	1	10	50	279	109	164	2	12	51	678
Knox	13	51	171	733	949	125	7	5	230	2284
6th District Totals	13	51	171	733	949	125	7	5	230	2284
Anderson	1	6	34	67	119	51	3	16	59	356
7th District Totals	1	6	34	67	119	51	3	16	59	356
Fentress	0	2	6	57	22	27	1	0	6	121
Scott	0	2	10	66	41	0	1	0	4	124
Claiborne	0	2	7	85	31	0	0	0	0	125
Union	1	1	5	89	30	0	0	0	4	130
Campbell	0	1	12	113	58	3	0	0	19	206
8th District Totals	1	8	40	410	182	30	2	0	33	706

County	Capital/First Degree Murder	Felony A	Felony B	Felony C, D & E	Misdemeanors	Probation Violation	Post-Conviction Relief	Appeal from Lower Court	Other	Total
Meigs	0	7	5	45	20	3	0	0	1	81
Morgan	0	6	3	39	26	1	0	0	29	104
Roane	0	6	19	54	42	0	0	3	5	129
Loudon	0	3	17	104	93	43	0	2	1	263
9th District Totals	0	22	44	242	181	47	0	5	36	577
Polk	0	1	4	59	23	7	0	2	1	97
Monroe	3	5	17	110	32	44	2	2	16	231
Macminn	3	12	29	152	70	35	1	1	9	312
Bradley	1	12	55	219	95	102	3	0	26	513
10th District Totals	7	30	105	540	220	188	6	5	52	1153
Hamilton	15	369	175	736	681	343	44	150	54	2567
11th District Totals	15	369	175	736	681	343	44	150	54	2567
Grundy	0	2	2	23	36	0	3	0	1	67
Sequatchie	1	1	2	49	35	1	0	0	0	89
Marion	2	5	8	64	86	0	0	0	0	165
Rhea	1	6	17	119	232	7	0	10	0	392
Franklin	0	5	21	213	286	136	0	3	32	696
12th District Totals	4	19	50	468	675	144	3	13	33	1409
Pickett	0	0	0	4	7	1	0	0	0	12
Clay	0	1	3	25	30	13	1	0	2	75
White	0	7	6	103	56	4	2	1	2	181
Dekalb	2	7	17	64	64	31	0	1	0	186
Overton	1	3	7	125	85	25	0	0	5	251
Cumberland	0	3	24	224	117	56	3	4	23	454
Putnam	1	8	21	163	276	86	0	3	25	583
13th District Totals	4	29	78	708	635	216	6	9	57	1742
Coffee	3	12	39	260	65	71	1	3	33	487
14th District Totals	3	12	39	260	65	71	1	3	33	487
Jackson	2	4	1	21	26	7	0	4	0	65
Smith	1	0	2	50	25	0	0	0	0	78
Trousdale	0	0	1	41	17	11	0	1	7	78
Macon	1	0	3	51	16	12	1	2	0	86
Wilson	6	10	76	304	338	134	0	15	0	883
15th District Totals	10	14	83	467	422	164	1	22	7	1190
Cannon	0	2	14	64	45	27	0	0	1	153
Rutherford	2	24	258	1142	2692	905	11	42	106	5182
16th District Totals	2	26	272	1206	2737	932	11	42	107	5335

County	Capital/First Degree Murder	Felony A	Felony B	Felony C, D & E	Misdemeanors	Probation Violation	Post-Conviction Relief	Appeal from Lower Court	Other	Total
Moore	0	0	0	15	1	4	0	0	0	20
Marshall	0	8	10	63	2	0	1	0	6	90
Bedford	1	11	23	116	11	41	0	6	10	219
Lincoln	1	5	13	277	15	0	1	0	3	315
17th District Totals	2	24	46	471	29	45	2	6	19	644
Sumner	2	13	72	350	114	353	6	38	100	1048
18th District Totals	2	13	72	350	114	353	6	38	100	1048
Robertson	5	12	54	234	221	100	4	46	1	677
Montgomery	5	29	81	399	580	370	8	29	50	1551
19th District Totals	10	41	135	633	801	470	12	75	51	2228
Davidson	58	179	829	2643	1233	1146	7	44	341	6480
20th District Totals	58	179	829	2643	1233	1146	7	44	341	6480
Perry	1	3	5	40	13	0	0	1	2	65
Hickman	1	0	13	56	34	18	0	0	0	122
Lewis	0	2	4	68	66	34	1	0	5	180
Williamson	2	3	37	337	166	148	8	10	13	724
21st District Totals	4	8	59	501	279	200	9	11	20	1091
Wayne	0	6	8	71	99	5	0	2	9	200
Giles	3	17	18	174	74	59	2	3	22	372
Lawrence	1	18	9	219	61	73	1	5	0	387
Maury	2	24	95	210	175	127	5	2	50	690
22nd District Totals	6	65	130	674	409	264	8	12	81	1649
Houston	0	1	2	30	27	11	3	1	7	82
Stewart	0	2	2	46	74	19	0	2	22	167
Humphreys	1	4	4	81	39	37	0	0	20	186
Cheatham	0	8	15	126	76	80	0	0	66	371
Dickson	1	4	40	207	128	119	1	8	31	539
23rd District Totals	2	19	63	490	344	266	4	11	146	1345
Decatur	3	2	2	28	9	5	0	0	0	49
Hardin	1	4	10	76	12	17	0	1	16	137
Benton	0	2	13	47	26	25	1	4	29	147
Henry	1	5	2	72	8	42	6	3	40	179
Carroll	1	4	25	97	14	38	0	4	25	208
24th District Totals	6	17	52	320	69	127	7	12	110	720

County	Capital/First Degree Murder	Felony A	Felony B	Felony C, D & E	Misdemeanors	Probation Violation	Post-Conviction Relief	Appeal from Lower Court	Other	Total
MacNairy	0	1	4	51	14	36	0	2	7	115
Hardeman	0	2	20	80	13	6	0	5	15	141
Lauderdale	1	5	24	98	21	7	2	4	17	179
Fayette	0	21	32	92	23	24	0	14	0	206
Tipton	7	3	31	157	38	28	1	0	29	294
25th District Totals	8	32	111	478	109	101	3	25	68	935
Chester	0	4	3	38	14	5	0	0	1	65
Henderson	0	2	9	95	109	0	0	1	3	219
Madison	17	45	120	436	177	11	0	10	15	831
26th District Totals	17	51	132	569	300	16	0	11	19	1115
Weakley	0	6	21	61	7	16	0	7	2	120
Obion	1	6	33	115	58	19	0	1	0	233
27th District Totals	1	12	54	176	65	35	0	8	2	353
Crockett	0	5	8	42	14	17	0	2	13	101
Haywood	0	8	28	90	39	1	1	12	0	179
Gibson	2	4	31	109	26	12	0	2	31	217
28th District Totals	2	17	67	241	79	30	1	16	44	497
Lake	3	2	15	58	5	13	0	0	0	96
Dyer	1	12	20	225	60	57	6	0	13	394
29th District Totals	4	14	35	283	65	70	6	0	13	490
Shelby	102	289	1353	6349	2889	1649	6	30	1368	14035
30th District Totals	102	289	1353	6349	2889	1649	6	30	1368	14035
Van Buren	0	0	0	10	11	2	0	0	1	24
Warren	1	5	22	122	29	26	0	1	11	217
31st District Totals	1	5	22	132	40	28	0	1	12	241
Totals	611	2972	9202	45012	30156	15934	452	1274	7442	113056

Appendix D
Total Attorney FTEs by District

Case Types	Workload Measure	District 1		District 2	
		Annual Dispos	FTEs Needed	Annual Dispos	FTEs Needed
Capital/1st Degree Murder	3.63	4	1.10	0	0.00
Felony A	100.82	40	0.40	29	0.29
Felony B	292.33	83	0.28	73	0.25
Felony C, D, & E	338.51	701	2.07	553	1.63
Misdemeanor (including appeals)	970.43	536	0.55	182	0.19
Probation Violation	1729.17	240	0.14	229	0.13
Post-Judgment Action	557.63	22	0.04	18	0.03
Civil	1243.00				
Other	461.27	48	0.10	285	0.62
General Sessions & Juvenile Court					
Misdemeanors	2462.69	18594	7.55	17537	7.12
Juvenile	1171.05	2542	2.17	1814	1.55
TOTAL FTE POSITIONS			14.41		11.81

Case Types	Workload Measure	District 3		District 4	
		Annual Dispos	FTEs Needed	Annual Dispos	FTEs Needed
Capital/1st Degree Murder	3.63	9	2.48	7	1.93
Felony A	100.82	11	0.11	24	0.24
Felony B	292.33	88	0.30	56	0.19
Felony C, D, & E	338.51	428	1.26	398	1.18
Misdemeanor (including appeals)	970.43	494	0.51	121	0.12
Probation Violation	1729.17	125	0.07	98	0.06
Post-Judgment Action	557.63	7	0.01	22	0.04
Civil	1243.00				
Other	461.27	37	0.08	205	0.44
General Sessions & Juvenile Court					
Misdemeanors	2462.69	10697	4.34	12148	4.93
Juvenile	1171.05	2410	2.06	1588	1.36
TOTAL FTE POSITIONS			11.23		10.49

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Case Types	Total Attorney FTEs by District			District 6	
	Workload Measure	Annual Dispos	FTEs Needed	Annual Dispos	FTEs Needed
Criminal/Circuit Court					
Capital/1st Degree Murder	3.63	1	0.28	13	3.59
Felony A	100.82	10	0.10	51	0.51
Felony B	292.33	50	0.17	171	0.58
Felony C, D, & E	338.51	279	0.82	733	2.17
Misdemeanor (including appeals)	970.43	121	0.12	954	0.98
Probation Violation	1729.17	164	0.09	125	0.07
Post-Judgment Action	557.63	2	0.00	7	0.01
Civil	1243.00				
Other	461.27	51	0.11	230	0.50
General Sessions & Juvenile Court					
Misdemeanors	2462.69	8468	3.44	24629	10.00
Juvenile	1171.05	945	0.81	2942	2.51
TOTAL FTE POSITIONS			5.95		20.92

Case Types	District 7			District 8	
	Workload Measure	Annual Dispos	FTEs Needed	Annual Dispos	FTEs Needed
Criminal/Circuit Court					
Capital/1st Degree Murder	3.63	1	0.28	1	0.28
Felony A	100.82	6	0.06	8	0.08
Felony B	292.33	34	0.12	40	0.14
Felony C, D, & E	338.51	67	0.20	410	1.21
Misdemeanor (including appeals)	970.43	135	0.14	182	0.19
Probation Violation	1729.17	51	0.03	30	0.02
Post-Judgment Action	557.63	3	0.01	2	0.00
Civil	1243.00				
Other	461.27	59	0.13	33	0.07
General Sessions & Juvenile Court					
Misdemeanors	2462.69	6020	2.44	12034	4.89
Juvenile	1171.05	737	0.63	1924	1.64
TOTAL FTE POSITIONS			4.03		8.51

Appendix D

Case Types	Total Attorney FTEs by District			District 10	
	Workload Measure	Annual Dispos	FTEs Needed	Annual Dispos	FTEs Needed
Criminal/Circuit Court					
Capital/1st Degree Murder	3.63	0	0.00	7	1.93
Felony A	100.82	22	0.22	30	0.30
Felony B	292.33	44	0.15	105	0.36
Felony C, D, & E	338.51	242	0.71	540	1.60
Misdemeanor (including appeals)	970.43	186	0.19	225	0.23
Probation Violation	1729.17	47	0.03	188	0.11
Post-Judgment Action	557.63	0	0.00	6	0.01
Civil	1243.00				
Other	461.27	36	0.08	52	0.11
General Sessions & Juvenile Court					
Misdemeanors	2462.69	8240	3.35	16036	6.51
Juvenile	1171.05	1873	1.60	2361	2.02
TOTAL FTE POSITIONS			6.33		13.17

Case Types	District 11			District 12	
	Workload Measure	Annual Dispos	FTEs Needed	Annual Dispos	FTEs Needed
Criminal/Circuit Court					
Capital/1st Degree Murder	3.63	15	4.14	4	1.10
Felony A	100.82	369	3.66	19	0.19
Felony B	292.33	175	0.60	50	0.17
Felony C, D, & E	338.51	736	2.17	468	1.38
Misdemeanor (including appeals)	970.43	831	0.86	688	0.71
Probation Violation	1729.17	343	0.20	144	0.08
Post-Judgment Action	557.63	44	0.08	3	0.01
Civil	1243.00				
Other	461.27	54	0.12	33	0.07
General Sessions & Juvenile Court					
Misdemeanors	2462.69	38849	15.78	21357	8.67
Juvenile (estimated for Dist 11)	1171.05	3774	3.22	1735	1.48
TOTAL FTE POSITIONS			30.82		13.87

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Case Types	District 14			District 16		
	Workload Measure	Annual Dispos	FTEs Needed	Annual Dispos	FTEs Needed	
Capital/1st Degree Murder	3.63	4	1.10	3	0.83	
Felony A	100.82	29	0.29	12	0.12	
Felony B	292.33	78	0.27	39	0.13	
Felony C, D, & E	338.51	708	2.09	260	0.77	
Misdemeanor (including appeals)	970.43	644	0.66	68	0.07	
Probation Violation	1729.17	216	0.12	71	0.04	
Post-Judgment Action	557.63	6	0.01	1	0.00	
Civil	1243.00					
Other	461.27	57	0.12	33	0.07	
General Sessions & Juvenile Court						
Misdemeanors	2462.69	14180	5.76	5071	2.06	
Juvenile	1171.05	1625	1.39	982	0.84	
TOTAL FTE POSITIONS			11.82		4.93	

Case Types	District 15			District 16		
	Workload Measure	Annual Dispos	FTEs Needed	Annual Dispos	FTEs Needed	
Capital/1st Degree Murder	3.63	10	2.76	2	0.55	
Felony A	100.82	14	0.14	26	0.26	
Felony B	292.33	83	0.28	272	0.93	
Felony C, D, & E	338.51	467	1.38	1206	3.56	
Misdemeanor (including appeals)	970.43	444	0.46	2779	2.86	
Probation Violation	1729.17	164	0.09	932	0.54	
Post-Judgment Action	557.63	1	0.00	11	0.02	
Civil	1243.00					
Other	461.27	7	0.02	107	0.23	
General Sessions & Juvenile Court						
Misdemeanors	2462.69	11695	4.75	10803	4.39	
Juvenile	1171.05	1210	1.03	2175	1.86	
TOTAL FTE POSITIONS			10.91		15.20	

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Case Types	District 18			District 18		
	Workload Measure	Annual Dispos	FTEs Needed	Annual Dispos	FTEs Needed	
Capital/1st Degree Murder	3.63	2	0.55	2	0.55	
Felony A	100.82	24	0.24	13	0.13	
Felony B	292.33	46	0.16	72	0.25	
Felony C, D, & E	338.51	471	1.39	350	1.03	
Misdemeanor (including appeals)	970.43	35	0.04	152	0.16	
Probation Violation	1729.17	45	0.03	353	0.20	
Post-Judgment Action	557.63	2	0.00	6	0.01	
Civil	1243.00					
Other	461.27	19	0.04	100	0.22	
General Sessions & Juvenile Court						
Misdemeanors	2462.69	7992	3.25	14337	5.82	
Juvenile	1171.05	1683	1.44	2778	2.37	
TOTAL FTE POSITIONS			7.13		10.74	

Case Types	District 19			District 20		
	Workload Measure	Annual Dispos	FTEs Needed	Annual Dispos	FTEs Needed	
Capital/1st Degree Murder	3.63	10	2.76	58	16.00	
Felony A	100.82	41	0.41	179	1.78	
Felony B	292.33	135	0.46	829	2.84	
Felony C, D, & E	338.51	633	1.87	2643	7.81	
Misdemeanor (including appeals)	970.43	876	0.90	1277	1.32	
Probation Violation	1729.17	470	0.27	1146	0.66	
Post-Judgment Action	557.63	12	0.02	7	0.01	
Civil	1243.00					
Other	461.27	51	0.11	341	0.74	
General Sessions & Juvenile Court						
Misdemeanors	2462.69	35306	14.34	51452	20.89	
Juvenile	1171.05	7730	6.60	8568	7.32	
TOTAL FTE POSITIONS			27.74		59.36	

Appendix D

Total Attorney FTEs by District

Case Types	Workload Measure	District 22			
		Annual Dispos	FTEs Needed	FTEs Needed	
Capital/1st Degree Murder	3.63	4	1.10	6	1.66
Felony A	100.82	8	0.08	65	0.64
Felony B	292.33	59	0.20	130	0.44
Felony C, D, & E	338.51	501	1.48	674	1.99
Misdemeanor (including appeals)	970.43	290	0.30	421	0.43
Probation Violation	1729.17	200	0.12	264	0.15
Post-Judgment Action	557.63	9	0.02	8	0.01
Civil	1243.00				
Other	461.27	20	0.04	81	0.18
General Sessions & Juvenile Court					
Misdemeanors	2462.69	12795	5.20	11479	4.66
Juvenile	1171.05	4138	3.53	4160	3.55
TOTAL FTE POSITIONS			12.07		13.73

Case Types	Workload Measure	District 23		District 24	
		Annual Dispos	FTEs Needed	Annual Dispos	FTEs Needed
Capital/1st Degree Murder	3.63	2	0.55	6	1.66
Felony A	100.82	19	0.19	17	0.17
Felony B	292.33	63	0.22	52	0.18
Felony C, D, & E	338.51	490	1.45	320	0.95
Misdemeanor (including appeals)	970.43	355	0.37	81	0.08
Probation Violation	1729.17	266	0.15	127	0.07
Post-Judgment Action	557.63	4	0.01	7	0.01
Civil	1243.00				
Other	461.27	146	0.32	110	0.24
General Sessions & Juvenile Court					
Misdemeanors	2462.69	6683	2.71	8628	3.50
Juvenile	1171.05	2510	2.14	995	0.85
TOTAL FTE POSITIONS			8.10		7.71

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Total Attorney FTEs by District

District 26

Case Types	Workload Measure	Annual Dispos	FTEs Needed	Annual Dispos	FTEs Needed
Criminal/Circuit Court					
Capital/1st Degree Murder	3.63	8	2.21	17	4.69
Felony A	100.82	32	0.32	51	0.51
Felony B	292.33	111	0.38	132	0.45
Felony C, D, & E	338.51	478	1.41	569	1.68
Misdemeanor (including appeals)	970.43	134	0.14	311	0.32
Probation Violation	1729.17	101	0.06	16	0.01
Post-Judgment Action	557.63	3	0.01	0	0.00
Civil	1243.00				0.00
Other	461.27	68	0.15	19	0.04
General Sessions & Juvenile Court					
Misdemeanors	2462.69	21915	8.90	7664.25	3.11
Juvenile	1171.05	3311	2.83	1159.65	0.99
TOTAL FTE POSITIONS			16.39		11.80

District 28

Case Types	Workload Measure	Annual Dispos	FTEs Needed	Annual Dispos	FTEs Needed
Criminal/Circuit Court					
Capital/1st Degree Murder	3.63	1	0.28	2	0.55
Felony A	100.82	12	0.12	17	0.17
Felony B	292.33	54	0.18	67	0.23
Felony C, D, & E	338.51	176	0.52	241	0.71
Misdemeanor (including appeals)	970.43	73	0.08	95	0.10
Probation Violation	1729.17	35	0.02	30	0.02
Post-Judgment Action	557.63	0	0.00	1	0.00
Civil	1243.00				
Other	461.27	2	0.00	44	0.10
General Sessions & Juvenile Court					
Misdemeanors	2462.69	3894	1.58	8157	3.31
Juvenile	1171.05	1157	0.99	1207	1.03
TOTAL FTE POSITIONS			3.77		6.22

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Case Types	District 30			District 31	
	Workload Measure	Annual Dispos	FTEs Needed	Annual Dispos	FTEs Needed
Criminal/Circuit Court					
Capital/1st Degree Murder	3.63	4	1.10	102	28.14
Felony A	100.82	14	0.14	289	2.87
Felony B	292.33	35	0.12	1353	4.63
Felony C, D, & E	338.51	283	0.84	6349	18.76
Misdemeanor (including appeals)	970.43	65	0.07	2919	3.01
Probation Violation	1729.17	70	0.04	1649	0.95
Post-Judgment Action	557.63	6	0.01	6	0.01
Civil	1243.00				
Other	461.27	13	0.03	1368	2.97
General Sessions & Juvenile Court					
Misdemeanors	2462.69	804	0.33	82587	33.54
Juvenile	1171.05	77	0.07	16707	14.27
TOTAL FTE POSITIONS			2.74		109.13

Case Types	District 31		
	Workload Measure	Annual Dispos	FTEs Needed
Criminal/Circuit Court			
Capital/1st Degree Murder	3.63	1	0.28
Felony A	100.82	5	0.05
Felony B	292.33	22	0.08
Felony C, D, & E	338.51	132	0.39
Misdemeanor (including appeals)	970.43	41	0.04
Probation Violation	1729.17	28	0.02
Post-Judgment Action	557.63	0	0.00
Civil	1243.00		
Other	461.27	12	0.03
General Sessions & Juvenile Court			
Misdemeanors	2462.69	6325	2.57
Juvenile	1171.05	1332	1.14
TOTAL FTE POSITIONS			4.58