

**New Hampshire Trial Courts
Weighted Workload
Assessment
Study 2022:
Superior Court and Circuit Court, Judges and Staff**

Final Report
July 2022

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National Center for State Courts

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Executive Summary

Introduction

New Hampshire's Superior and Circuit Court systems need adequate judicial and case processing resources to effectively manage and fairly resolve court cases without delay while also delivering quality services to the public. Meeting these challenges requires an objective means to determine: (1) the number of state-level judicial officers and case processing staff needed to handle the caseload, and (2) how to equitably allocate the judicial and staffing positions provided by the legislature.

The NCSC has conducted weighted caseload studies for judges in 35 states and for court staff in 24 states. Increasingly, state and local court systems understand the value of evidence-based weighted workload formulas to help determine judgeship and other court staffing needs, rather than relying solely on counting the number of filings – which treats all cases equally. A weighted workload formula enables court systems to distinguish differences in how much time is required to handle different types of cases, which, in turn can be used to determine the expected workload in each court location.

Weighted caseload studies are limited to measuring work that can be disaggregated into measurable pieces, such as the components of processing cases. It is also necessary to have a reliable denominator, such as the number of cases filed, that can be used to create a case weight. For this reason, only those Judicial Branch positions that engage in case processing work can be

evaluated using the weighted workload methodology, so many positions within the judicial branch could not be assessed. Several managerial and other positions, such as court service representatives, technical assistance specialists, and business analysts were not included in this study. Similarly, the weighted workload models do not specify level or type of positions needed in each location, or what the span of control for each manager should be. This type of analysis requires a more specific desk audit in which the specific responsibilities and duties assigned to a position can be assessed. All these factors should be considered when new positions are added to the current staffing complement.

Additionally, there are some key factors that are not directly accounted for in this weighted caseload model including, but not limited to: differences between urban and rural jurisdictions in their abilities to have judges or local case processing staff to specialize, and to effectively provide backup when needed; differences in jury trial rates among counties; variations in the proportion of civil and domestic cases involving self-represented parties; variations in the amount of foot traffic seeking assistance from case processing staff; and differences among counties in the percentage of persons who require court interpreting services (whose hearings require more time). These qualitative factors may need to be accounted for when consideration is given to requests for additional judicial officers and staff.

In 2005 the NCSC conducted the first judicial and clerical workload studies for the New Hampshire Superior, District, and Probate

Courts. Since that time, Court Administrators have employed the weighted workload model to assess and compare the need for judges and court staff across the State of New Hampshire; however, in the interim, the Judicial Branch has created several central processing systems, whose workloads have not been measured to date.

After the initial development of New Hampshire's weighted workload model for judicial officers and case-processing staff in 2005, significant changes have occurred in the nature of the courts' caseload and the management of cases. In terms of case processing, the most significant change included the implementation of an electronic filing system (e-file) for certain types of cases, and the second includes the development of centralized work units created to streamline case processing, including an e-filing group, protective orders registry center, information center, which answers calls for all courts in the state, a dictation center, central processing, and a warrant clerk center. Additionally, the structure of the courts was changed after the 2005 study. Specifically, the Family Court was in a pilot stage during the previous study, and that is now a permanent division within the Circuit Courts. Further, the District, Family, and Probate Courts were consolidated in 2011 to create the Circuit Court, which was a significant restructuring event. This study comes on the heels of a global pandemic, which also introduced changes in case processing, some of which will continue after the pandemic is over.

With guidance from the working committees established for each workgroup (hereafter, the committees), the NCSC conducted work time assessment studies for judges and case processing staff who work in New Hampshire's Superior and Circuit Courts. The time studies, conducted in 2022, used state-of-the-art research practices, including the following components:

- A perfect participation rate of 100% across all study groups during a six-week worktime study,
- A streamlined worktime data collection process that included a user-friendly electronic data entry process, along with a built-in process to correct data entry errors to ensure data accuracy,
- Use of nine focus groups involving representatives from each workgroup to review and discuss findings from the work time study. This input informed the discussion and decisions by the committee regarding the weighted workload model, and
- Development of new case weights for a revised set of case types.

The project was organized around the following primary tasks:

1. Development of the research design.

The working committees worked with senior consultants from the NCSC to oversee an update of the existing weighted workload models developed by the NCSC based the previous judicial and clerical work time studies. The committees provided feedback on the overall study design, the identification of the case types for which case weights would be developed, the methodology

and content of the training sessions prior to the work time study, the duration of the time study, and the composition of the focus groups. They also provided direction and feedback on key issues covered in the final report.

2. **Judicial officer and case processing staff worktime study.** All judges and case processing staff who were asked to participate in the worktime study did so, with a 100% participation rate from each of the workgroups. The time study was conducted during the six-week timeframe between January 31 and March 11, 2022. During the data collection effort, participants kept records of all time spent on case-specific and non-case-specific activities. Before the study began, the NCSC conducted numerous webinar-based training sessions to prepare participants for the study. The NCSC also provided recorded training sessions that could be viewed at any time, written instructions, and an on-line help desk for participants who had questions about data entry or who wished to report problems during the study. Senior NCSC staff analyzed the worktime data and produced multiple data tables for review by the working committees.
3. **Analysis of judicial and case processing staff work time data and preparation of preliminary case weights.** NCSC staff compiled and analyzed the data collected from the worktime study. For each of the case types, NCSC staff determined the total

amount of case-specific work time reported for all workgroups during the six-week study, then annualized that time and divided the total work time (minutes) by the average number of filings for each case type for the three-year period including FY 2017-FY 2019.¹ This calculation yields the *case weight* for each case type, which is the average number of minutes of work time required to handle all matters for the given case type for one year. The models to determine staffing needs were based on three-year average filings as well, because 2021 filings were still impacted by the pandemic.

4. **Nine focus groups.** In April 2022, senior NCSC staff conducted focus group discussions with judicial officers and case processing staff to review the project and discuss preliminary findings from the work time study.
5. **Adequacy of Time Survey.** Following the worktime study, an electronic survey regarding the perceived adequacy of time available to attend to all work duties was conducted.
6. **Production of tables showing details on the calculation of new case weights and a summary of focus group findings.** NCSC staff produced tables showing details on: (a) worktime by case type and activity type for each workgroup, (b) calculation of the new case weights, and (c) average time associated with non-case-specific work. They also produced a report summarizing the findings from the focus group discussions, and the

¹ Based on NCSCs expertise, case filings for 2020 and 2021 were not used to develop case weights because

they were significantly impacted by the COVID-19 pandemic.

adequacy of time survey. These tables and reports were distributed to the working committee for review prior to the final meetings in May 2022.

- 7. Working committees' review, discussion, and decision-making.** The working committees held meetings after the completion all other elements of this study. During the week of May 16, the committees met to review a detailed analysis of the quantitative and qualitative research findings and make various decisions regarding the composition of case types and whether qualitative adjustments needed to be made to the case weights. The only adjustments to case weights were in the Superior Court (judges and clerical staff), in which case weights were adjusted to reflect previous jury trial rates that existed prior to the pandemic. Jury trial rates had significantly decreased in 2020 and 2021 from previous jury trial rates, so this adjustment provides case weights that reflect the anticipated reality in coming years.
- 8. Preparation of the Final Report.** After the committees met in May 2022, NCSC staff developed a final report on the findings and recommendations for review by the committees. This report includes those findings.

Summary of Findings

This assessment establishes a set of case weights that reflect the average time judicial officers and case processing staff spend per case on each case type each year. Applying the case weights to the annual number of cases filed produces a uniform and

comparable measure of the number of Circuit and Superior Court Judicial Officers and other case processing staff needed to resolve cases effectively. The needs models derived from this study indicate that the Circuit Court has a need for 65.67 judges, 4.02 staff attorneys, and 333.68 case processing staff, for a total of 403.37 FTE, which is 37.09 more FTE than currently allotted. In the Superior Court, the models indicated the need for 25.5 judges, 13.1 law clerks, and 121.80 case processing staff, for a total of 160.40 FTE to process Superior Court work. This is 12.7 more FTE than are currently appropriated. Across both courts, there is a need for 563.77 judicial officers and case processing staff, for a total need of 49.79 additional FTE.

It is important to note that the needs models do not account for individual variances that exist in courts, nor do they account for minimum staffing requirements, such as ensuring at least one judge is present in each court or a minimum level of clerical staffing per court. These staffing needs counts include all centralized staff work, such as the e-filing centers, information center, and protective order registry staff, among others. A summary of staffing needs by workgroup is provided in Figure ES-1 below.

**Figure ES-1:
Summary of Need for Judicial Officers and
Case Processing Staff in Each Workgroup²**

	Current Allocation of Judges and Case Processing Staff	Total Number of Judges and Case Processing Staff Needed
CIRCUIT COURT		
Judicial Officers	44.32	65.67
Staff Attorneys	3.00	4.02
Circuit Clerical	246.97	255.51
Central Processing Staff	5.54	5.90
Circuit E-filing	26.68	26.96
Dictation Center	4.54	4.23
Protective Order Registry	4.54	3.91
Information Center	30.69	37.17
Circuit Court Total	366.28	403.37
SUPERIOR COURT		
Judicial Officers	22.00	25.50
Law Clerks	15.00	13.10
Superior Clerical	99.70	111.82
Superior E-filing	6.00	6.32
Jury Management Center	3.00	1.65
Warrant Clerks	2.00	2.01
Superior Court Total	147.70	160.40
Statewide Total Court Staffing Need	513.98	563.77

*The staffing needs represented in this table are based on worktime study data collected between January 31 and March 11, 2022.

**The needs models treat all staff, including Clerks and other Managers, as a full FTE case processor. Refer to Recommendation # 5 for a suggested approach, which acknowledges these positions have less time available for case processing due to other job duties.

The Final Report explains in detail each step in the research and data analysis process for this expansive workload assessment and the construction of the weighted workload formula. The weighted caseload formula is sufficiently flexible to allow the New Hampshire Judicial Branch to determine the approximate need for various types of judicial officers and case processing staff in each court location.

² "Circuit Court Judicial Officers" includes 40 FT judges, 1 marital master, 1.55 PT judges, and 1.77 child support

Recommendations

The NCSC proposes the following recommendations to maintain the integrity and utility of the case weights and staffing needs models.

Recommendation #1

The workload models presented in this report should be the starting point for determining the need for judicial officers and case processing staff across the Circuit and Superior Courts. There are some key factors that are not directly accounted for in this weighted caseload model including, but not limited to: differences between urban and rural jurisdictions in their abilities to have judges or local case processing staff to specialize and to effectively provide backup when needed; differences in jury trial rates among counties; variations in the proportion of civil and domestic cases involving self-represented parties; variations in the amount of foot traffic seeking assistance from case processing staff; and differences among counties in the percentage of persons who require court interpreting services (whose hearings require more time). These qualitative factors may need to be accounted for when consideration is given to requests for additional judicial officers and staff.

Recommendation #2

The National Center for State Courts developed national recommendations regarding the use of weighted caseload models during the pandemic to estimate the

hearing officers. The Circuit Judge FTE is 44.32 when including these positions.

need for judicial officers and court case processing staff. The primary recommendation is to avoid the use of FY2020 and FY2021 case filing numbers, because they were significantly depressed because of the COVID-19 pandemic, and this recommendation was adopted by the Judicial Branch workload committees. The better approach is to use a three-year average omitting case filings from FY2020 and FY2021.

As case filings return to what appears to be normal, the Judicial Branch should update the workload models using the most recent year case filing data.

Recommendation #3

The Judicial Branch should consider incorporating a minimum staffing level in each Superior and Circuit Court location, to improve customer service and access to justice.

For example, many states with large rural areas have set minimum staffing levels for each court location office at three FTE. This allows offices to operate in a manner that meets financial auditing guidelines, in-court work requirements, and to allow coverage for sick and vacation leave, even if the workload demand does not indicate the need for three FTE staff in the office, especially in standalone locations. Special minimum staffing levels should also be considered for standalone courts, where staff cannot be shared.

Similar minimum staffing levels for judicial officers should be considered, for example, such as one Judge per court location,

regardless of the empirical need. This minimum level of staffing ensures the presence of a judge in each court to address emergency orders, such as emergency protective orders, and to allow for the timely resolution of cases before the court.

Recommendation #4

The effective use of workload models requires active monitoring and attention by assigned individuals with the necessary skill sets to ensure that the models maintain as high a level of veracity as possible. This includes a high level of and statistical capacity to assess whether changes in case processing are likely to significantly impact case weights, and thus, the needs models, and that these impacts should be evaluated and adjusted as appropriate. The Judicial Branch should evaluate the current statistical resources that are presently assigned to this task and consider expanding the available resources to maintain the model and its upkeep.

Recommendation #5

The current distribution of work requires Clerks of Court and other managers to engage in case processing work, often to the detriment of performing their own critical job duties, due to line staff shortages. The NCSC strongly recommends that Clerks' offices should be fully staffed at levels such that Clerks of Court and managers are able to perform their oversight and management duties, leaving line staff to engage in the majority of case processing work. In addition, grant requirements stipulate that 25% of the Protective Order Registry manager's time be spent on grant management. The analysis

indicates that Clerks and other managers³ are contributing the equivalent of 57.3 FTE to line staff duties and responsibilities. This includes 39.8 FTE in the Circuit Courts (21 of the positions included in this analysis are Clerks/Managers) and 17.5 FTE in the Superior Courts (8 of the positions included in this analysis are Clerks). The case processing work conducted by these management positions accounts for 13% of the Circuit Court’s case processing staff and 16% of the Superior Court’s case processing staff. Figure ES-2 provides the breakdown of managements’ contribution to case processing by workgroup.

**Figure ES-2
Managements’ FTE Contribution to Case Processing Work**

		Management FTE Contribution to Case Processing
CIRCUIT COURT		
Circuit Clerical	Includes Clerks of Court and Deputy Clerks	36.2
Central Processing		0.1
E-filing		2.0
Protective Order Registry		1
Information Center		0.5
Circuit Court Total		39.8
SUPERIOR COURT		
Superior Clerical	Includes Clerks, Deputy Clerks/Court Assistant VIs	17.5
Superior Court Total		17.5
State Total Manager FTE		57.3

³ Positions included in this analysis are Circuit Clerks and Deputy Clerks; Superior Clerks, Deputy Clerks, and CA VIIs; Circuit E-Filing Manager and Assistant Manager; NHJB E-Court Probate Account Specialist;

Central Processing Supervisor; Domestic Violence Program Manager and Assistant Manager; and Information Center Manager and Assistant Manager.

I. Introduction

How do courts or legislatures determine the need for an adequate number of judicial officers to handle Courts' workload in a state in a fair, timely, and efficient manner? Historically, states and local jurisdictions have used population-based formulas (e.g., one judge for each 10,000 people), formulas based on total case filings (e.g., one judge for each 500 cases filed – regardless of the types of cases), or some combination of the two. However, it has become clear throughout the U.S. that such formulas provide only rough estimates of judicial workload. Social, demographic, geographic, and economic factors can produce substantial variations in the types, number, and proportion of criminal and civil cases filed in a jurisdiction. Similarly, a state's case processing practices and the laws that govern such, also impact case processing times. Given these variations, a reliance on simple case filings or population-based formulas are inadequate for effectively determining judicial and court staff needs.

What is the alternative? Responding to public demands to run the court system “more like a business,” judicial leaders and legislatures around the U.S. are increasingly turning to evidence-based workload assessment models that assign different weights to various case types to determine variations in case complexity based on the amount of judicial and staff time required to fairly handle the cases in a timely manner. These research-based models are known as weighted caseload or weighted workload-based need

models. The National Center for State Courts (NCSC) is a national leader in conducting judicial and court staff workload assessments and developing weighted workload models that determine the need for judicial officers and court staff.

The NCSC has conducted weighted caseload studies for judges in 35 states and for court staff in 24 states. Increasingly, state and local court systems have begun to understand the value of evidence-based weighted workload formulas to help determine judgeship and other court staffing needs, rather than relying solely on counting the number of filings – which treats all cases equally. A weighted workload formula enables court systems to distinguish differences in how much time is required to handle different types of cases.

Weighted caseload studies are limited to measuring work that can be broken into measurable pieces, such as the components of processing cases. It is also necessary to have a reliable denominator, such as the number of cases filed, that can be used to create a weight. For this reason, only those Judicial Branch positions that engage in case processing work can be evaluated using the weighted workload methodology, so many positions within the judicial branch could not be assessed. Several managerial and administrative and other positions, such as court service representatives, technical assistance specialists, and business analysts were not included in this study. Similarly, the weighted workload models do not specify level or type of positions needed in each location, or what the span of control for each manager should be. This type of analysis

requires a more specific desk audit in which the specific responsibilities and duties assigned to a position can be assessed. All of these factors should be considered when new positions are added to the current staffing complement.

Additionally, there are some key factors that are not directly accounted for in this weighted caseload model including, but not limited to: differences between urban and rural jurisdictions in their abilities to have judges or local case processing staff to specialize and to effectively provide backup when needed; differences in jury trial rates among counties; variations in the proportion of civil and domestic cases involving self-represented parties; variations in the amount of foot traffic seeking assistance from case processing staff; and differences among counties in the percentage of persons who require court interpreting services (whose hearings require more time). These qualitative factors may need to be accounted for when consideration is given to requests for additional judicial officers and staff.

The New Hampshire Judicial Branch has used evidence-based workload models for determining judgeship and case-processing staff needs since 2005, when the NCSC conducted the state's first judicial work time study (which was updated in 2007) and the first case-processing staff study and developed a weighted workload model for determining judgeship and court staff needs.

After the initial development of New Hampshire's weighted workload model for judicial officers and case processing staff in

2005, significant changes have occurred in the nature of the courts' caseload and the management of cases. In terms of case processing, the most significant change included the implementation of an electronic filing system (e-file) for certain types of cases, and the second includes the development of centralized work units created to streamline case processing, including an e-filing group, protective orders registry center, information center, which answers calls for all courts in the state, a dictation center, central processing, and a warrant clerk center. Additionally, the structure of the courts was changed after the 2005 study. Specifically, the Family Court was in a pilot stage during the previous study, and that is now a permanent division within the Circuit Courts. Further, the District, Family, and Probate Courts were consolidated in 2011 to create the Circuit Court, which was a significant restructuring event. This study comes on the heels of a global pandemic, which also introduced changes in case processing, some of which will continue after the pandemic is over.

This report describes the methods and results of the NCSC's comprehensive and evidence-based assessment of court case processing work in New Hampshire's Circuit and Superior Courts in 2022. The primary goals of the study were to produce case weights (or average case processing times) and a workload model that establishes a methodologically sound means to:

- (1) Determine the number of state-level judicial officers and related case processing staff needed to handle the Circuit and

Superior Courts' caseload fairly and effectively by jurisdiction and statewide, and

(2) Equitably allocate the judicial and court staff positions appropriated by the legislature. In the development of all staffing models the need for an accurate FTE count is imperative. In this instance the staffing models herein reflect management and supervisory positions as full-time equivalent contributors to the case processing staff work measured. While Clerks of Court and other management positions are included in the FTE counts for the case processing workgroups, the model does not account for the additional administrative work required of these positions. Rather, the model accounts for these positions as if they were non-management case processing staff.

II. Circuit and Superior Court Working Committees

The New Hampshire Trial Courts are organized in a multi-faceted manner to establish efficiencies. The Circuit and Superior Court Judges and "Local" Court staff are allocated across the jurisdictions; however, there are also many support positions that provide central support to either the Circuit Courts, Superior Courts or both. To ensure that the worktime studies conducted for the courts accurately depict the work conducted by each of these groups, ten separate working committees were

established. The ten working committees included the following:

- Circuit Court and Central Judges
- Circuit Court Clerical Staff,
- Superior Court Judges,
- Superior Court Clerical Staff
- and centralized staff groups, including⁴
 - Dictation Center Staff,
 - Protective Order Registry Group,
 - Central Processing Group,
 - Electronic Filing Center Groups (Circuit and Superior Courts)
 - Warrant Clerks,
 - Information Center Group, and
 - Jury Management Center.

Each of the working committees' membership was determined by Superior and Circuit Court Administrators.

The working committees provided guidance on critical issues throughout the workload assessment project, which included collection of three types of data:

- Judicial and staff worktime data,
- Adequacy of Time Survey, and
- Qualitative feedback from judicial officers and staff in nine focus groups conducted remotely with members from each of these workgroup areas.

The working committees met three times throughout the life of this project. The initial meetings, conducted in-person, occurred in February of 2020. Shortly after that meeting, the global COVID-19 pandemic arose, which

⁴ Please see Appendix A for a description of the work performed by the various centralized staff groups.

essentially shut down, or greatly impacted all work conducted by the courts. The pandemic required the project to be suspended in March of 2020. Planning work resumed on the project in December of 2021, with the completion of the project in June of 2022.

During the first in-person meetings in February 2020, the working committees identified and defined the parameters for which data would be collected during the workload assessment. This included identifying: (a) who should participate in each of the time studies; (b) the timeframe during which the data would be collected,⁵ and the length of time that needed to be captured; (c) the case types for which case weights were generated; (d) the tasks and activities (case-specific and non-case-specific) that judicial officers and court staff perform in and out of court; and (e) qualitative data to be collected, including an Adequacy of Time Survey and focus groups. The working committees served as focus group participants.

The project was temporarily suspended in March 2020, due to the interference in court operations resulting from court closures and other impacts of the COVID-19 pandemic.

Planning resumed in December 2021, when the second set of meetings of the working committees were held. During these meetings, the working committees met with

⁵ During the initial planning phase of this project, the time study was scheduled to occur between April 6 and May 1, 2020. Due to the impact of shelter-in-place orders associated with the COVID-19 pandemic, the

NCSC staff to verify that the data to be collected in the time studies was still accurate. Based on those meetings, the online data collection tools were developed, along with training materials on how time study participants should record their time.

In May 2022, the working committees met for a final time to review and discuss possible adjustments to the case weights derived from the time study findings, relying on results from the Adequacy of Time Survey and focus group findings. The working committees provided valuable feedback, and only made one adjustment to case weights related to jury trial time. Jury trial rates were significantly lower in FY2020 and FY2021 compared to previous years. To adjust for this COVID-19 related anomaly, time associated with jury trials was increased in the time study data to equate to the average jury trial rates for FY2017, 2018 and 2019.

III. Worktime Study

Participants

Although there were ten working committees, separate data collection instruments were developed for 14 workgroup areas. Figure 1 presents the participation rates from each of the workgroup areas, with 100% of expected participants entering data across all groups for the six-week time study, spanning from January 31, 2022, through March 11, 2022.⁶

time study was rescheduled to occur between January 31 and March 11, 2022.

⁶ For some workgroup areas, time study data was supplemented by ancillary participants. Ancillary participants are those employees who are not assigned

Figure 1: New Hampshire Trial Courts Participation Rate Summary by Workgroup Area

Workgroup Area	Number of Participants ⁷	Participation Rate
Superior Judges	19	100%
Superior Law Clerks	13	100%
Superior Clerical	96	100%
Circuit Judges	43	100%
Circuit Staff Attorneys	3	100%
Referee/Clerks	2	100%
Circuit Clerical	220	100%
Information Center ⁸	33	100%
Central Processing	7	100%
Dictation Center	4	100%
E-Filing: Circuit	28	100%
E-Filing: Superior	6	100%
Protective Order Registry	5	100%
Warrant Clerks	2	100%
Statewide Total	481	100%

Preparation for the Worktime Study

To ensure consistency in the tracking of time, NCSC consultants provided twelve webinar-based information and training sessions between January 24 and January 28, 2022, prior to data collection; one training session was also recorded, allowing participants to

to work in that specific area. For example, court navigators and court service representatives were ancillary participants for the Circuit Clerks; court assistants from Circuit Court and court service representatives were ancillary participants in the Circuit E-Filing time study and a retired justice provided ancillary data to the Superior Court Judges' time study.

⁷ The expected number of participants indicates individuals, not FTE counts.

access the training session as time allowed. NCSC staff also provided written training materials at the time of the training sessions and provided online access to those materials throughout the study. Additionally, the NCSC aided through a workload assistance help link that was available online and via telephone prior to and throughout the data collection period.

Worktime Data Collection Process

Time study participants recorded their work time each day for six weeks, from January 31 to March 11, 2022. Participants were instructed to record all work-related time including work that was done after regular work hours, at home or elsewhere, and on weekends or holidays. Participants recorded their time on a paper-based time tracking form, and then transferred this information to a web-based data entry program when it was convenient for them to do so. Once submitted, the data was automatically entered into NCSC's secure database, which was accessible only to NCSC staff that analyzed the data. Collecting data from all court case processing individuals across the state ensured that sufficient data were collected to provide an accurate average of case processing practices and times for all case types and workgroups included in the study.

⁸ Information Center staff did not participate in the time study. The calls are automatically tracked with time stamps to determine the call duration, wait time, and wrap-up time. These figures were summed and averaged across each call type to compute an average call time by case type. Call Center time used for this analysis include all calls in CY 2021, plus the call time occurring between the study period of January 31 through March 11, 2022.

The worktime study employed an event-based methodology, which allows analysts to collect data from a six-week period and translate that data into an annual representation of case processing work. (See Appendix B for a detailed description of this methodology.)

Data Elements in the Judicial and Staff Worktime Studies

As noted previously, the working committees identified the case type categories, case-specific and non-case-specific activities to be included in each of the work time studies. The following section provides a more detailed description of the time study elements.

Case Types

Suitable case type categories are important because they are the foundation of measured workload. Knowing the average time different types of cases take allows for the

estimation of judge and court case processing staff need in relation to the number and relative complexity of cases processed in the trial courts. The appropriate choice of case types must reflect the way cases are counted in a state. In addition, from a practical perspective, case types should be aggregated into a meaningful, but limited number of categories that are likely to remain stable over time. The goal is a manageable number of case types that are recognized by court employees as distinct, important, and covering the extent of court case processing work.

Figure 2 shows the case types along the left column of the table and the workgroups across the top row of the table. For each case type and workgroup, a dot indicates which case types were applicable to each workgroup. Appendix C provides a full description of the case types.

**Figure 2:
Case Types by Workgroup**

Workgroup Area	Superior Judges	Superior Law Clerks	Superior Clerks	Circuit Court Judges	Circuit Staff Attorneys	Circuit Clerks	Info. Center	Central Processing	Dictation Center	E-Filing: Circuit	E-Filing Superior	Jury Center	Protective Order Registry	Warrant Clerks
SUPERIOR COURT CASE TYPES														
Superior Criminal Complex	•	•	•				•				•	•		
Superior Criminal Routine	•	•	•				•				•	•	•	
Superior Civil Complex	•	•	•				•				•	•		
Superior Civil Routine	•	•	•				•				•	•		
Search Warrant	•		•											•
Parole Revocation			•										•	
Juvenile Certification	•		•									•		
CIRCUIT COURT CASE TYPES														
DISTRICT DIVISION														
Circuit Criminal				•	•	•	•	•	•				•	
Circuit Civil				•	•	•	•			•				
Civil Protective Order				•	•	•			•				•	
Small Claims				•	•	•	•		•	•				
Landlord Tenant				•	•	•	•		•					
Emergency Involuntary Admissions				•	•	•	•							
Search Warrant				•		•								•
FAMILY DIVISION														
Divorce/Parenting				•	•	•	•		•					
Divorce No Children				•	•	•	•		•					
Domestic Other				•	•	•	•		•					
Civil Protective Order				•	•	•			•				•	
Juvenile Abuse/Neglect				•	•	•	•		•				•	
Juvenile Delinquency/CHINS				•	•	•	•		•					
Guardianship				•	•	•	•		•	•				
Termination of Parental Rights				•	•	•	•		•					
Adoption/Surrender/Other				•		•	•							
Search Warrant				•		•								
Parole Revocation						•								
PROBATE DIVISION														
Estates				•	•	•	•		•	•				
Guardianship				•	•	•	•		•	•				
Non-Emergency Involuntary Admissions				•	•	•	•							
Adoption/Surrender/Other				•		•	•							
Equity				•		•	•		•					
Trust				•	•	•	•		•					
Name Change				•		•	•			•				
Circuit Civil				•	•	•	•							
Small Claims				•	•	•	•		•	•				
Landlord Tenant				•	•	•	•		•					

Time Study Activities

Judicial officers and court case processing staff perform a variety of functions in and out of court that are directly related to case processing (case-specific activities), as well as non-case-specific activities. NCSC staff worked closely with the working committees to develop a comprehensive list and description of these essential activities for each workgroup. Given the numerous workgroup types, the activities and their definitions are provided in Appendix D, for case-specific activities; and in Appendix E for non-case-specific activities for all workgroups.

Determining the Case Weights

A case weight represents the average amount of time judicial officers and court case processing staff spend on specific case types during a year. It is one of the critical elements in the weighted caseload formula. The data collected during the time study allows for the construction of case weights for the case types identified by the working committees and for each workgroup. As indicated above, the weighted caseload formula accounts for the

fact that case types vary in complexity and require different amounts of judicial and court case processing staff time and attention. Relying solely on the sheer number of cases to assess the demands placed on judicial officers and other court case processing staff ignores the varying levels of resources needed to process different types of cases.

The initial statewide case weights were calculated by: (1) adding all time spent within each workgroup on each case type during the 29-day data collection period, (2) dividing that total amount of time for each case type by 29 (the number of days in the work time study) – to determine the average daily amount of work time,⁹ (3) multiplying the daily average time by the number of days members of each workgroup are expected to work in a year (the year value),¹⁰ which yields the annual amount of work time on each case type, for each workgroup, and (4) dividing the annual work time by the number of cases filed for each case type during the most recent and representative three-year average filings (FY2017-2019).^{11, 12, 13} This result provides a picture of the average amount of case-specific time currently spent by all trial court judicial

⁹ While the work time study covered 30 working days, there was one holiday Presidents' Day on February 21), which decreased the time study period to 29 working days.

¹⁰ The formula to annualize time study data per case type is as follows: (case-specific time for each case type during the six-week study / 29) x the year value for each identified workgroup).

¹¹ Case filings were significantly affected by the pandemic in 2020 and in 2021. For this reason, the AOC and NCSC agreed that it was more reflective to compute case weights based the average filings for FY2017-2019.

¹² Note that the case weights for the Information Center were computed differently. Since the Information Center tracks all calls, and associated call time, the case weights were derived from real time data. The total time associated with each call type was divided by the number of calls for the associated call types to derive the average call time.

¹³ The model utilizes FY2017-2019 case filings per court location. In 2020 Circuit Court opened Family Divisions in Hampton, Candia, and Milford and closed the District Division in Plaistow. The Circuit Court Business Systems Analyst will reallocate the cases to the new locations to ensure the models reflect the updated court locations.

officers and case processing staff in New Hampshire on each of the identified case types. Figure 3 illustrates the calculations for determining the initial case weight for small claim cases for Circuit Court Judges.

**Figure 3:
Example -- Calculating Annualized Minutes and Preliminary Case Weight for Circuit Court Judicial Small Claims Cases**

Small Claims - Total Minutes Recorded During Data Collection Period	22,324
<i>Divide by</i>	÷
Days of Data Collection Period	29
Average Statewide Minutes per Day Working on Small Claims Cases	769.79
<i>Multiply by</i>	×
Total Judicial Working Days per Year	217
<i>Equals</i>	=
State-wide Annualized Minutes for Small Claims Cases	167,045
Developing Initial Case Weight	
Statewide Annualized Minutes for Small Claims Cases	167,045
<i>Divide by</i>	÷
Average FY 2017-2019 Filings	13,493
<i>Equals</i>	=
Initial Case Weight (minutes)	12.38

Based on the worktime study, Circuit Court Judges in New Hampshire spend a total of

167,045 minutes of case-specific time on small claims cases annually.¹⁴ Dividing that time by the average number of small claims cases filed in FY2017-2019 (13,493) yields a preliminary case weight of 12.38 minutes (rounded to 12 minutes in the needs model).

Figure 4 shows the complete set of initial case weights for all case types by workgroup. The initial weights represent the *average* amount of time judicial officers and case processing staff across the state *currently* spend processing cases, without differentiating work time by court size or location. The case weights also do not provide a basis for determining how much time judicial officers and court staff *should* spend on their caseloads to provide high quality Judicial Branch services in a timely manner. The amount of time judges and case processing staff *currently* spend – as reflected in the case weights – might be insufficient to achieve this goal. To obtain a better understanding of whether the current level of judicial branch case processing resources, reflected in the case weights, is sufficient, NCSC conducted an Adequacy of Time Survey and focus group discussions with workgroups within the judicial branch.

¹⁴ All time reported during the time study was weighted to reflect one year of time to ensure consistency with the average FY 2017-2019 filing data.

Figure 4: Initial Case Weights – All Case Types by Workgroup¹⁵

Workgroup Area	Superior Judges	Superior Law Clerks	Superior Clerks	Circuit Court Judges	Circuit Staff Attorneys	Circuit Clerks	Info. Center	Central Processing	Dictation Center	E-Filing: Circuit	E-Filing Superior	Jury Center	Protective Order Registry	Warrant Clerks
SUPERIOR COURT CASE TYPES														
Superior Criminal Complex	654	282	1,705				8				8	8		
Superior Criminal Routine	94	11	606				8				8		1	
Superior Civil Complex	226	408	393				9				57			
Superior Civil Routine	28	42	240				9				85			
Search Warrant	40		6											14
Parole Revocation			20											
Juvenile Certification	10		310											
CIRCUIT COURT CASE TYPES														
DISTRICT DIVISION														
Circuit Criminal				16	0.20	118	8	2.42	0.10				1	
Circuit Civil				27	0.05	156	9			68				
Civil Protective Order				56	3.72	129			1.03				30	
Small Claims				12	0.18	59	10		0.02	58				
Landlord Tenant				22	0.06	85	8		0.19					
Emergency Involuntary Admissions				23	0.38	33	6							
Search Warrant				4		1								14
FAMILY DIVISION														
Divorce/Parenting				360	6.77	846	8		27.21					
Divorce No Children				53	9.46	166	8		2.42					
Domestic Other				75	0.84	498	8		0.49					
Civil Protective Order				56	3.72	129			1.03				30	
Juvenile Abuse/Neglect				236	10.26	714	7		2.29				1	
Juvenile Delinquency/CHINS				78	1.65	276	7		0.56					
Guardianship				179	0.97	664	10		8.55	60				
Termination of Parental Rights				188	0.36	352	7		30.35					
Adoption/Surrender/Other				28		148	9							
Search Warrant				4		1								
Parole Revocation						20								
PROBATE DIVISION														
Estates				25	0.66	68	10		1.08	127				
Guardianship				179	0.97	664	9		8.55	60				
Non-Emergency Involuntary Admissions				50	0.37	236	6							
Adoption/Surrender/Other				28		148	8							
Equity				508		960	8		1.36					
Trust				335	58.37	2,042	8		8.70					
Name Change				12		20	10			64				
Circuit Civil				27	0.05	156	6							
Small Claims				12	0.18	59	10		0.02	58				
Landlord Tenant				22	0.06	85	8		0.19					

¹⁵ Case weights are generally rounded, unless they would round to zero (e.g., for Circuit Staff Attorneys, Referees, and the Dictation Center), in which case the raw case weight is provided.

IV. Qualitative Data Gathering: Survey on Adequacy of Time to Perform Case Processing Duties and Focus Group Findings

During the last week of the time study in March 2022, NCSC staff emailed a link to the Adequacy of Time (AOT) survey to all time study participants. This survey sought the views of judges and case processing staff regarding the extent to which they have sufficient time to adequately prepare for and engage in all phases of case processing.

There was strong participation in the survey across all respondent types, including 79% of judicial offices (including Circuit and Superior Court Judges, staff attorneys and law clerks) and 63% for case processing staff (including Circuit and Superior Court Clerks and other case processing staff). Participation rates and the complete survey results, by workgroup, can be found in Appendix F.

The AOT survey results provided the working committees with additional information to help evaluate the case weights and ensure that the needs assessment model provides adequate time for quality judicial branch case processing services. As previously noted, the case weights derived solely from the worktime study represent “what is,” i.e., the average amount of time judicial officers and case processing staff currently spend on each case type given the current level of staffing resources. The survey data provide information to help determine “what should be,” i.e., whether there is sufficient time to provide high quality services or employ “best practices.”

The web-based questionnaire focused on whether the data collection period was representative of a typical six-week period, whether participants feel they have adequate time to manage their workload, and related questions. The results are presented below in Figures 5 through 9 for judicial officers (including law clerks and staff attorneys) and in Figures 10 through 14 for case processing staff (including clerks and other centralized case processing staff. Figures 5 and 10 present participation rates for each workgroup; Figures 6 through 9 present combined responses for judicial officers (judges and law clerks/staff attorneys) and Figures 11 through 14 present combined responses for the case processing groups by court type (clerical staff and other centralized case processing staff). A discussion of the findings follows the figures presented below.

Following the Adequacy of Time Survey, NCSC staff conducted nine focus groups with judges and other court case processing staff who participated in the time study. During these sessions, NCSC staff asked participants about whether the data collection period was representative of a typical six-week period and probed deeper into some of the questions asked in the Adequacy of Time Survey.

**Figure 5:
Adequacy of Time Survey
Participation by Judicial Officers**

Workgroup	# in State	# Responded	Participation Rate
Circuit Court Judges	43	38	88%
Circuit Court Staff Attorneys	3	3	100%
Superior Court Judges	19	19	100%
Superior Court Law Clerks	13	2	15%
Total	78	62	79%

**Figure 6:
Nature of Data Collection Period: Judicial Officers¹⁶**

Workgroup	Data collection period was representative of a typical 6-week period.	Travel was typical during data collection period.	Some work did not get reported.
Circuit Court Judicial Officers	68%	90%	29%
Superior Court Judicial Officers	81%	90%	14%

**Figure 7:
Nature of Current Workload: Judicial Officers**

Answer Options: 1=Almost Never, 2=Rarely, 3=Sometimes, 4=Often, 5=Almost Always

Considering your current workload over the last 3 to 6 months:	Circuit Court Judicial Officers	Superior Court Judicial Officers
I have sufficient time, on a regular basis to get my work done.	2.59	3.14
I am able to accomplish what needs to be done during the workday.	2.54	3.29
I am able to get my work done with minimal interruptions.	2.29	2.43
When I start a task, I typically have the time to complete the task.	2.73	2.95
I have enough time to adequately assist court users and ensure they understand what is expected of them.	3.10	4.00
There is sufficient time for learning opportunities aligned with my job duties.	2.22	3.19
I am regularly able to meet deadlines without rushing at the last minute.	2.98	3.25

¹⁶ Law clerks and staff attorneys are included in the respective court type judicial officer responses in Figures 5 through 9.

Figure 8:

Perceived Levels of Stress of Judicial Officers

Answer Options: 1=Strongly Agree, 2=Agree, 3=Neutral, 4=Disagree, 5=Strongly Disagree

	Circuit Court Judicial Officers	Superior Court Judicial Officers
I feel stressed about deadlines or commitments.	1.83	2.10
I feel stressed or overwhelmed by the amount of work I have to complete.	2.05	2.57
My workload does not interfere with my ability to take lunch and breaks throughout the day.	1.61	2.76
The pace at which I work is sustainable.	2.27	2.95

Figure 9:

Case Types and Activities for Which Judicial Officers Feel Could Benefit from Having More Time

Circuit Court Case Types	Circuit Court Judicial Officers
Divorce/Parenting	78%
Juvenile Abuse/Neglect	54%
Civil Protective Order	46%
Circuit Court Activities	
Conduct legal research and new case law	76%
Prepare findings and orders related to trials	68%
Address the issues surrounding self-represented litigant	59%
Superior Court Case Types	Superior Court Judicial Officers
Civil Complex	81%
Criminal Complex	52%
Civil Routine	24%
Superior Court Activities	
Conduct legal research and new case law	71%
Prepare findings and orders related to non-dispositive pretrial motions	57%
Prepare findings and orders related to trials	48%

**Figure 10:
Adequacy of Time Survey
Participation by Case Processing Staff**

Workgroup	# in State	# Responded	Participation Rate
Circuit Court Clerical Staff	220	132	60%
Superior Court Clerical Staff	96	50	52%
Referees	2	2	100%
Circuit Court E-filing	28	22	79%
Superior Court E-filing	6	3	50%
Information Center	33	32	97%
Dictation Center	4	3	75%
Protective Order Registry	5	3	60%
Warrant Clerks	2	1	50%
Total	396	248	63%

**Figure 11:
Nature of Current Data Collection Period: Case Processing Staff**

Workgroup	Data collection period was representative of a typical 6-week period.	Travel was typical during data collection period.	Some work did not get reported.
Circuit Court Clerical Staff	82%	89%	30%
Superior Court Clerical Staff	84%	90%	12%
Central Staff	91%	90%	4%

**Figure 12:
Nature of Current Workload: Case Processing Staff**

Answer Options: 1=Almost Never, 2=Rarely, 3=Sometimes, 4=Often, 5=Almost Always

Considering your current workload over the last 3 to 6 months:	Superior Court Clerical Staff		
	Circuit Court Clerical Staff	Staff	Central Staff
I have sufficient time, on a regular basis to get my work done.	2.79	3.54	3.77
I am able to accomplish what needs to be done during the workday.	3.14	3.80	3.91
I am able to get my work done with minimal interruptions.	1.92	2.98	3.34
When I start a task, I typically have the time to complete the task.	2.87	3.52	4.06
I have enough time to adequately assist court users and ensure they understand what is expected of them.	3.48	3.80	4.04
I am able to respond promptly to request for information from court users.	3.58	4.06	4.29
There is sufficient time for learning opportunities aligned with my job duties.	2.49	2.98	3.53
I am regularly able to meet deadlines without rushing at the last minute.	3.11	3.90	4.05
I have adequate time to perform quality control measures such as running/using exception reports (including time standards), reviewing lingering cases, et.	2.65	3.26	3.57
When I take a vacation or need to use sick leave, others perform my job functions.	2.76	3.67	4.17

Figure 13:
Perceived Levels of Stress of Case Processing Staff
Answer Options: 1=Strongly Agree, 2=Agree, 3=Neutral, 4=Disagree, 5=Strongly Disagree

	Circuit Staff ²	Superior Staff ²	Central Staff ²
I feel stressed about deadlines or commitments.	2.55	3.20	2.92
I feel stressed or overwhelmed by the amount of work I have to complete.	2.62	3.12	3.00
I do not have to cut corners to complete work timely.	3.28	3.92	3.72
My workload does not interfere with my ability to take authorized breaks throughout the day.	2.37	2.88	3.74
The pace at which I work is sustainable.	3.06	3.56	3.79

Figure 14:
Case Types and Activities for Which Court Case Processing Staff Feel Could Benefit from Having More Time

Circuit Court Case Types	Circuit Court Clerical
Circuit Criminal General	31%
Divorce/Parenting	24%
Civil Protective Order and Guardianship (tied)	20%
Circuit Court Activities	
Case processing and management	32%
Case-specific customer service (counter, lobby, kiosk, and phones)	26%
Attending training and educational opportunities	15%
Superior Court Case Types	Superior Court Clerical
Criminal Routine	31%
Criminal Complex	19%
Civil Routine	17%
Superior Court Activities	
Attending training and educational opportunities	38%
Case processing and management	32%
Case-specific customer service (counter, lobby, kiosk, and phones)	24%
Central Staff Case Types	Central Staff
NA	
Central Staff Activities	
E-filing	49%
Case-specific customer service (counter, lobby, kiosk, and phones)	31%
Attending training and educational opportunities	29%

Judicial Officer Adequacy of Time Survey and Focus Group Findings Discussion

Figure 5 indicates a strong response rate to the Adequacy of Time Survey among judicial officers and across both court types. Figure 6 indicates that judicial officers generally viewed the data collection period as a typical six-week period of work.

For the data presented in Figure 7 judicial officers responded to a series of questions, to which they responded using a five-point Likert scale, with a low score of 1 indicating “Almost Never” to a high score of 5 indicating “Almost Always.” For brevity, the average scores are presented for each court type. An average rating of 3.0 (“Sometimes”) is considered a threshold to determine whether judicial officers believe they can manage their current workload; ratings lower than 3.0 suggests that judicial officers do not feel they have sufficient time to complete their work to their level of satisfaction. The average scores below the 3.0 threshold are bolded in Figure 7 to clearly identify those areas that Circuit and Superior Court Judicial Officers feel they do not have adequate time. Specifically, Circuit Court Judicial Officers indicated not having sufficient time to get their work done (2.59), and an inability to accomplish what needs to get done within the workday (2.54). Both Circuit and Superior Court Judicial Officers indicated they are unable to get work done without interruptions (Circuit: 2.29, Superior: 2.43), and are not able to complete a task, once started (Circuit: 2.73, Superior: 2.95).

Judicial officer focus group responses generally supported the findings shown in Figure 7.

The perceived levels of stress judicial officers feel, as shown in Figure 8, are quite significant. Rating the questions on a five-point scale rating of 1 “Strongly Agree” to 5 “Strongly Disagree,” both Circuit and Superior Court Judges had very low ratings to the four questions posed. These low rankings strongly suggest that judges feel stressed by their work and workload and that the pace of work at which they are currently working are not sustainable for the long run.

Finally, Figure 9 presents the top three case types and activities for which judicial officers feel they could use additional time to improve the quality of justice. Just over three-quarters of Circuit Court Judges indicated needing more time for Divorce/Parenting cases (78%), and approximately half reported needing additional time on Juvenile Abuse/Neglect cases (54%), and Civil Protective Orders (46%). Circuit Court Judicial Officers reported needing additional time to conduct legal research and new case law (76%), prepare findings and orders related to trials (68%), and address issues surrounding self-represented litigants (59%).

Superior Court Judicial Officers reported needing additional time on Complex Civil cases (81%), Complex Criminal cases (52%), and Routine Civil cases (24%).

The case types and activities which both Circuit and Superior Court Judges indicated needing more time are consistent with

comments provided during the focus group sessions.

Case Processing Staff Adequacy of Time Survey and Focus Group Findings Discussion

Like judicial officers, case processing staff provided a strong overall participation rate in the AOT survey, with an overall participation rate by 63% of the case processing staff engaging in the survey. Also, a strong majority of respondents across all three workgroup categories indicated the data collection period was typical of a six-week period of work, and that they were able to account for most of their work.

Case processing staff also responded to questions regarding the nature of their work over the past several months, rating their responses on the same five-point Likert scale used by the judicial officers. Shown in Figure 12, Circuit Court staff rated six of the ten statements presented in Figure 12 below the 3.0-point threshold, including not having sufficient time to complete their work on a regular basis (2.79), inability to complete a task once started (2.87), not having adequate time to engage in quality control measures (2.65), and not having their work covered while out on vacation or sick leave (2.76). Two of the six items on the list were rated below 3.0 by both Circuit and Superior Court staff, including the inability to complete work with minimal interruptions (Circuit: 1.92, Superior 2.98), and not having sufficient time for work-related education (Circuit: 2.49, Superior: 2.98). Central Processing staff rated all items

related to the nature of their work at or above 3.0.

Case processing staff are also experiencing high levels of stress related to their work but did not report it to the degree that judicial officers reported it. Specifically, as presented in Figure 13, Circuit Court staff indicated high stress levels related to deadlines and commitments below the 3.0 threshold, and Superior Court staff indicated a high level of stress related to their workload.

Figure 14 presents the case types and activities for which Circuit and Superior Court staff indicated could benefit from having more time to work on. Centralized case processing staff were not asked this question. Circuit Court staff rated Circuit Criminal General cases (31%), Divorce/Parenting cases (24%), and Civil Protective Order and Guardianship cases (20%) as the case types needing more time. Superior Court staff rated Criminal Routine cases (31%), Complex Civil cases (19%) and Routine Civil cases (17%) as needing more time. It is important to note that the percent of court staff indicating the need for more time in the identified cases is relatively low, especially when compared to judicial officers' responses. Though not shown in Figure 14, 26% of Circuit Court staff and 54% of Superior Court staff indicating needing no additional time to process any case type.

Also reported in Figure 14 are the activities for which clerical staff and central processing staff could use additional time. Circuit and Superior Court staff reported needing additional time for the same three activities; however, the order in which they were rated varied. Both

clerical groups indicated needing additional time for case processing and management (Circuit: 32%, Superior: 32%), case-specific customer service (Circuit: 26%, Superior: 24%), and attending training and educational opportunities (Circuit: 15%, Superior: 38%). Central Processing staff reported that they could use additional time for the following activities: e-filing (49%), and, like the clerical groups, case-specific customer service (31%), and attending training and educational opportunities (29%).

The Adequacy of Time survey and the focus group findings for case processing staff highlight the sense that Circuit Court staff feel more pressed for time to complete their work than Superior Court staff and central staff. This is likely because, according to the Circuit Court Clerk staffing model, they are significantly understaffed. It is interesting that all case processing staff feel there is insufficient time and opportunities for learning and educational opportunities, which is an issue that should be addressed throughout the courts.

V. Working Committees' Decisions on Case Weights

The working committees held their final meetings during the week of May 16 through 20, 2022 to review the time study data and qualitative input obtained through the Adequacy of Time survey and feedback from the focus groups.

No changes were made to case weights based only on the survey or focus group findings. However, given the lower-than-average jury trial rates in the Superior Court, case weights for criminal and civil cases were increased to account for lower jury trial rates experienced in FY 2021 compared to the average jury trial rates in FY 2017-FY2019. For those case types, the jury trial rates recorded in the time study were increased to reflect the rates of the previous, pre-COVID period. The final case weights for all workgroups are provided in Figure 15 below.

**Figure 15:
Final Case Weights - All Case Types by Workgroup**

Workgroup Area	Superior Judges	Superior Law Clerks	Superior Clerks	Circuit Court Judges	Circuit Staff Attorneys	Circuit Clerks	Info. Center	Central Processing	Dictation Center	E-Filing: Circuit	E-Filing Superior	Jury Center	Protective Order Registry	Warrant Clerks
SUPERIOR COURT CASE TYPES														
Superior Criminal Complex	706	282	1,779				8				8	8		
Superior Criminal Routine	98	11	614				8				8		1	
Superior Civil Complex	239	408	399				9				57			
Superior Civil Routine	29	42	242				9				85			
Search Warrant	40		6											14
Parole Revocation			20											
Juvenile Certification	10		310											
CIRCUIT COURT CASE TYPES														
DISTRICT DIVISION														
Circuit Criminal				16	0.20	118	8	2.42	0.10				1	
Circuit Civil				27	0.05	156	9			68				
Civil Protective Order				56	3.72	129			1.03				30	
Small Claims				12	0.18	59	10		0.02	58				
Landlord Tenant				22	0.06	85	8		0.19					
Emergency Involuntary Admissions				23	0.38	33	6							
Search Warrant				4		1								14
FAMILY DIVISION														
Divorce/Parenting				360	6.77	846	8		27.21					
Divorce No Children				53	9.46	166	8		2.42					
Domestic Other				75	0.84	498	8		0.49					
Civil Protective Order				56	3.72	129			1.03				30	
Juvenile Abuse/Neglect				236	10.3	714	7		2.29				1	
Juvenile Delinquency/CHINS				78	1.65	276	7		0.56					
Guardianship				179	0.97	664	10		8.55	60				
Termination of Parental Rights				188	0.36	352	7		30.35					
Adoption/Surrender/Other				28		148	9							
Search Warrant				4		1								
Parole Revocation						20								
PROBATE DIVISION														
Estates				25	0.66	68	10		1.08	127				
Guardianship				179	0.97	664	9		8.55	60				
Non-Emergency Involuntary Admissions				50	0.37	236	6							
Adoption/Surrender/Other				28		148	8							
Equity				508		960	8		1.36					
Trust				335	58.4	2,042	8		8.70					
Name Change				12		20	10			64				
Circuit Civil				27	0.05	156	6							
Small Claims				12	0.18	59	10		0.02	58				
Landlord Tenant				22	0.06	85	8		0.19					

VI. Calculating Judicial Branch Resource Needs

Determining Annual Available Time for Case Work

In every workload study, three factors contribute to the calculation of resource need: case filings, case weights, and the annual available for casework. The relationship of these elements is expressed as follows:

- **Case Workload** = Cases Filed x Case Weights,
- $Case\ Workload \div Annual\ Availability\ for\ Casework$
- = **Number of FTE Needed**

The annual availability for casework represents the amount of time in a year that judicial officers and court case processing staff have available to perform case-related work. Arriving at this value is a three-stage process:

- (1) Determine how many days per year are available to perform work.
- (2) Determine how many business hours per day are available for case-specific work as opposed to non-case-specific work; then
- (3) Multiply the numbers in steps 1 and 2, then multiply by 60 minutes, which yields the annual availability for casework value, which is an estimate of the amount of time (in minutes) the “average” judicial officer and case processing employee has available to engage in case-specific work during the year. Two separate values were derived for judicial officers and case

processing staff, and each are described below.

Step 1: The Judicial Officer and Court Case Processing Staff Work Year

Calculating the “average” work-year requires determining the number of days per year that judicial officers and court case processing staff have available to perform case specific matters. Obtaining this number involved working with the working committees to deduct time for weekends, holidays, vacation and sick leave and education/training days. Based on these calculations, it was determined that judicial officers in New Hampshire have, on average, 217 days available each year to perform judicial activities,¹⁷ and court case processing staff have 215 days each year to perform their work duties (see Figures 16 and 17).

Step 2: The Judicial Officer and Court Case Processing Staff Workday

For the New Hampshire Circuit and Superior Court judicial workload assessment calculations, it is assumed that all judicial officers and court case processing staff work 7 hours¹⁸ per day (per FTE) on their judicial branch duties.

¹⁷ The judge work year value is consistent with the judge year value used in the 2005 workload assessment study conducted with circuit court judges in New Hampshire.

¹⁸ The expectation for a seven-hour workday comes from the standard Judicial Branch 8am-4pm workday, which includes two 15-minute breaks and a 30-minute lunch break.

**Figure 16:
Calculating the Judicial Officer Work Year
(Days and Minutes)**

	Days	Minutes
Total Year (7 hours/ day x 60 minutes = 420 minutes per day)	365	153,300
Subtract		
Weekends (420 minutes x 104 days)	- 104	43,680
Holidays (420 minutes x 12 days)	- 12	5,040
Leave (vacation, sick & other) (420 minutes x 27 days)	- 27	11,340
Training and Judicial Education (420 minutes x 5 days)	- 5	2,100
Total Available Work Time (420 minutes x 217 days)	217	91,140

**Figure 17:
Calculating the Court Case Processing Staff
Work Year
(Days and Minutes)**

	Days	Minutes
Total Year (7 hours/ day x 60 minutes = 420 minutes per day)	365	153,300
Subtract		
Weekends (420 minutes x 104 days)	- 104	43,680
Holidays (420 minutes x 12 days)	- 12	5,040
Leave (vacation, sick & other) (420 minutes x 27 days)	- 28	11,760
Training and Judicial Education (420 minutes x 5 days)	- 6	2,520
Total Available Work Time (420 minutes x 215 days)	215	90,300

Step 3: Calculate the Annual Available Time for Case-Specific Work

Figures 16 and 17 show the total time judicial officers and case processing staff have available per year to perform their judicial branch duties. Figure 18, below, provides the

average non-case-specific and travel times for each workgroup. These are important figures in the development of the workload models, as they both subtract from average case processing availability.

**Figure 18:
Average Non-Case-Specific and Travel
Time for Each Workgroup
(per person per day)**

	Average Non-Case-Specific Time (minutes per day)	Average Travel Time (minutes per day)
Circuit Judges	41	7.9
Staff Attorneys (Circuit)	12	2.5
Superior Judges	51	1.8
Law Clerks (Superior)	13	0.54
Circuit Clerical	62	2.7
Superior Clerical	86	4.5
Central Proc. Staff	296	NA
Circuit E-filing	65	NA
Superior E-filing	26	NA
Dictation Center	207	NA
Protective Order Registry	170	NA
Jury Management Center	446	NA
Warrant Clerks	231	NA
Information Center	67	NA

Determining the Need for Judicial Officers and Court Case Processing Staff

Calculating the need for judicial officers and case processing staff relies on the use of the case weights, annual case filings, average available case-specific minutes to work, and travel. The calculation is made by taking the following steps:

- (1) Multiplying the case weight for each of the case types by the most recent three-year average number of filings for each case type, which yields the total estimated number of work minutes required to

handle the case-specific workload in each location.

- (2) Dividing the result in step 1 by the average available time (minutes) available for case-specific work, which varies by workgroup and location due to differences in the average amount of travel time.
- (3) The result in step two yields the number of full-time equivalent (FTE) positions needed to handle the case-specific work for each workgroup.

Taking the steps described above, staffing needs models were developed for each workgroup. Figure 19 presents the overall Full Time Equivalent (FTE) positions needed for each work group. The 2022 weighted workload formula, based on a three-year average of FY2017- FY2019 case filings, and applied to each workgroup’s case weights reveals that statewide the New Hampshire Circuit and Superior Court system should have a combined total of **563.77** full-time equivalent (FTE) judicial officer and case processing staff to effectively handle the trial courts’ workload. The FTE staffing needs are based on the workload models only, and do not account for minimum staffing requirements (e.g., a minimum of one judge per court location, or two clerks per court location) that may or should exist, or for any other variations that exist across courts in the state.

**Figure 19:
Summary of Need for Judicial Officers and
Court Case Processing Staff in Each
Workgroup¹⁹**

	Current Allocation of Judges and Case Processing Staff	Total Number of Judges and Case Processing Staff Needed
CIRCUIT COURT		
Judicial Officers	44.32	65.67
Staff Attorneys	3.00	4.02
Circuit Clerical	246.97	255.51
Central Processing Staff	5.54	5.90
Circuit E-filing	26.68	26.96
Dictation Center	4.54	4.23
Protective Order Registry	4.54	3.91
Information Center	30.69	37.17
Circuit Court Total	366.28	403.37
SUPERIOR COURT		
Judicial Officers	22.00	25.50
Law Clerks	15.00	13.10
Superior Clerical	99.70	111.82
Superior E-filing	6.00	6.32
Jury Management Center	3.00	1.65
Warrant Clerks	2.00	2.01
Superior Court Total	147.70	160.40
Statewide Total Court Staffing Need	513.98	563.77

*The staffing needs represented in this table are based on worktime study data collected between January 31 and March 11, 2022.

**The needs models treat all staff, including Clerks and other Managers, as a full FTE case processor. Refer to Recommendation # 5 for a suggested approach, which acknowledges these positions have less time available for case processing due to other job duties.

Conclusion

The new weighted workload models based on the 2022 study of judicial officer and case processing staff worktime, indicates a statewide need for an additional 49.79 FTE across the Circuit and Superior Courts, based on the workload assessment, to process the annual workload effectively (see Figure 19). Please refer to Appendix G for more detailed

models for each of the workgroups, by location.

VII. Looking to the Future

As the workload assessment study for the New Hampshire trial courts winds down, there remain outstanding issues that are likely to impact case processing times for various workgroups included in this study.

First, House Bill 1597 (2022) reverses the “Felonies First” process in which felonies and all accompanying misdemeanor and/or violation level charges are currently filed directly in Superior Court by County Attorneys. This reversal would require prosecutors to file all such cases in Circuit Court, rather, as they were in 2015. Between 2016 and 2017 Felonies First had a rolling implementation, so different counties had different dates this took effect. Prior to Felonies First, criminal complaints were filed by police departments in the appropriate District Division of Circuit Court. From there, a defendant would have an arraignment and then a probable cause hearing (unless waived), at which time the judge would decide if there was probable cause to send the matter to Superior Court. Sometimes the charges were reduced to allow for a resolution in Circuit Court and sometimes they proceeded to Superior Court. It appears at the time of this writing that this change will be implemented. As such, the time associated with processing felonies in both the Superior and Circuit Courts would be significantly changed from the time requirements laid out in this report.

Second, there is an expectation that some aspects of case oversight and processing associated with Involuntary Emergency Admissions (IEAs) will shift from the New Hampshire Department of Health and Human Services to the Circuit Court. New Hampshire State Law (RSA 135-C) requires anyone held for mental health treatment against their will to be admitted immediately to one of the state’s acute care hospitals and given a hearing to challenge their confinement within 72 hours. After that three-day deadline, the law requires the IEA petition to be dismissed and the person released. Historically, a statewide shortage of available treatment beds has contributed to delays in this process. This has resulted in dismissals for failure to meet statutory deadlines, or in the alternative, violations of a patient’s due process rights by holding them more than 72 hours.

The expected move will result in more overall cases than in past years because petitions will be received by the Circuit Court for patients who might have otherwise been discharged from the emergency room without any court involvement. Additionally, the process has added the adoption of a formal notice of hearing to all parties and preparing and sending of an order after each hearing to all parties delineating outcome.

This new process is estimated to require two judges and additional dedicated case processing staff to handle scheduling and hearings for the estimated 2,600 IEA cases per year. These changes were not yet accounted for during the data collection period of the study and at the time of the workload model development.

Third, the Judicial Branch is expecting to increase the number of case types for which e-filing is available in the Circuit Courts in the coming years. Currently, only certain cases are available for e-filing in the Circuit Courts. As e-filing becomes more widely used, this will clearly impact the e-filing center and could also impact some case weights in the Circuit Court for e-filing and clerical staff.

As these changes, and others, such as bail reform and changes in the child support system, both of which were unsuccessfully introduced during the 2022 legislative session, occur within the Judicial Branch, the case weights should either be adjusted by groups of well-informed individuals who can estimate the case processing time associated with the cases involved, or an entirely new weighted workload study should be conducted to empirically measure the case processing changes.

The final section of this report sets forth a set of recommendations related to the use and upkeep of the weighted caseload models developed from this assessment.

VIII. Recommendations

The NCSC proposes the following recommendations to maintain the integrity and utility of the case weights and Judicial Branch staff needs models as well as the accuracy of the models relative to current court policies and procedures.

Recommendation #1

The workload models presented in this report should be the starting point for determining the need for judicial officers and case processing staff across the Circuit and Superior Courts. There are some key factors that are not directly accounted for in this weighted caseload model including, but not limited to: differences between urban and rural jurisdictions in their abilities to have judges or local case processing staff to specialize and to effectively provide backup when needed; differences in jury trial rates among counties; variations in the proportion of civil and domestic cases involving self-represented parties; variations in the amount of foot traffic seeking assistance from case processing staff; and differences among counties in the percentage of persons who require court interpreting services (whose hearings require more time). These qualitative factors may need to be accounted for when consideration is given to requests for additional judicial officers and staff.

Recommendation #2

The National Center for State Courts developed national recommendations regarding the use of weighted caseload models during the pandemic to estimate the need for judicial officers and court case processing staff. The primary recommendation is to avoid the use of 2020 and 2021 case filing numbers, because they were significantly depressed because of the COVID-19 pandemic, and this recommendation was adopted by the Judicial Branch workload committees. The better approach is to use a three-year average omitting case filings from 2020 and 2021.

As case filings return to what appears to be normal, the Judicial Branch should update the workload models using the most recent year case filing data.

Recommendation #3

The Judicial Branch should consider incorporating a minimum staffing level in each Superior and Circuit Court location, to improve customer service and access to justice.

For example, many states with large rural areas have set minimum staffing levels for each court location office at three FTE. This allows offices to operate in a manner that meets financial auditing guidelines, in-court work requirements, and to allow coverage for sick and vacation leave, even if the workload demand does not indicate the need for three FTE staff in the office, especially in standalone locations. Special minimum staffing levels should also be considered for standalone courts, where staff cannot be shared.

Similar minimum staffing levels for judicial officers should be considered, for example, such as one Judge per court location, regardless of the empirical need. This minimum level of staffing ensures the presence of a judge in each court to address emergency orders, such as emergency protective orders, and to allow for the timely resolution of cases before the court.

Recommendation #4

The effective use of workload models requires active monitoring and attention by assigned individuals with the necessary skill sets to ensure that the models maintain as high a level of veracity as possible. This includes a high level of and statistical capacity to assess whether changes in case processing are likely to significantly impact case weights, and thus, the needs models, and that these impacts should be evaluated and adjusted as appropriate. The Judicial Branch should evaluate the current statistical resources that are presently assigned to this task and consider expanding the available resources to maintain the model and its upkeep.

Recommendation #5

The current distribution of work requires Clerks of Court and other managers to engage in case processing work, often to the detriment of performing their own critical job duties, due to line staff shortages. The NCSC strongly recommends that Clerks' offices should be fully staffed at levels such that Clerks of Court and managers are able to perform their oversight and management duties, leaving line staff to engage in the majority of case processing work. In addition, grant requirements stipulate that 25% of the Protective Order Registry manager's time be spent on grant management. The analysis indicates that Clerks and other managers²⁰ are contributing the equivalent of 57.3 FTE to line staff duties and responsibilities. This includes

²⁰ Positions included in this analysis are Circuit Clerks and Deputy Clerks; Superior Clerks, Deputy Clerks, and CA VIIIs; Circuit E-Filing Manager and Assistant Manager; NHJB E-Court Probate Account Specialist; Central

Processing Supervisor; Domestic Violence Program Manager and Assistant Manager; and Information Center Manager and Assistant Manager.

39.8 FTE in the Circuit Courts (21 of the positions included in the analysis are Clerks/Managers) and 17.5 FTE in the Superior Courts (8 of the positions included in this analysis are Clerks). The case processing work conducted by these management positions accounts for 13% of the Circuit Court’s case processing staff and 16% of the Superior Court’s case processing staff. Figure ES-2 provides the breakdown of managements’ contribution to case processing by workgroup.

Figure 20
Managements’ FTE Contribution to Case Processing Work

		Management FTE Contribution to Case Processing
CIRCUIT COURT		
Circuit Clerical	Includes Clerks of Court and Deputy Clerks	36.2
Central Processing		0.1
E-filing		2.0
Protective Order Registry		1
Information Center		0.5
Circuit Court Total		39.8
SUPERIOR COURT		
Superior Clerical	Includes Clerks, Deputy Clerks/Court Assistant Vlls	17.5
Superior Court Total		17.5
State Total Manager FTE		57.3

Appendices

Appendix A: Centralized Staff Workgroups and Work Description

Dictation Center

The central dictation center transcribes orders dictated by Circuit Court Judges in District, Family and Probate Divisions. Approximately 25 of the 57 judges regularly use the services of this center; other judges use transcription software, use court staff to develop orders or develop their own. Dictation Center staff also assist in other work, including front desk coverage and other administrative duties within the Administrative Office. The Dictation Center has five staff members; three are full-time and two are part-time.

Protective Order Registry

The primary goal of this group is to verify, enter and remove protection orders for cases in the Circuit Court and Superior Court. Protection Orders can be attached to the following case types: criminal (Circuit/District and Superior), domestic violence (Circuit/Family), stalking (Circuit/District), juvenile abuse 169-C:7-a (Circuit/Family) and juvenile abuse and neglect (Circuit/Family).

Central Processing

This group is responsible for conducting and processing payments for all Circuit and Superior Court-record checks requested (in criminal, civil, family and probate) and they do initial processing of all not-guilty plea by mails from the Division of Motor Vehicle. They also provide some back-up support to the E-Filing Center by processing Small Claims cases.

Circuit E-Filing

This section manages all Circuit e-filed documents coming into the court, including reviewing, accepting, and processing, researching where necessary, problem resolution, customer service, accepting payment and attending to relevant mail. This includes both the E-Filing Center and the Estates E-Filing Center.

Superior E-Filing

This section manages all Superior e-filed documents coming into the court, including reviewing, accepting, and processing, researching where necessary, problem resolution, customer service, accepting payment and attending to relevant mail. Superior Court E-Filing Center staff also assist customers at the Hills-North kiosks.

Information Center

The information center is a centralized call center that handles all calls coming into the Circuit and Superior Courts. They resolve as many issues as possible and only transfer to a local court if the issue cannot be addressed/resolved by the central staff.

Warrant Clerks

This section processes daytime search warrants and arrest warrants filed in the Circuit and Superior Courts.

Jury Center

The Jury Management Center (JMC) is a centralized call center that facilitates all incoming calls from jurors to the Superior Courts. The JMC provides jurors information pertaining to their service while also assisting some in filling out their questionnaire. They also assist all Superior Courts in processing deferral, excusal, and disqualification requests from jurors.

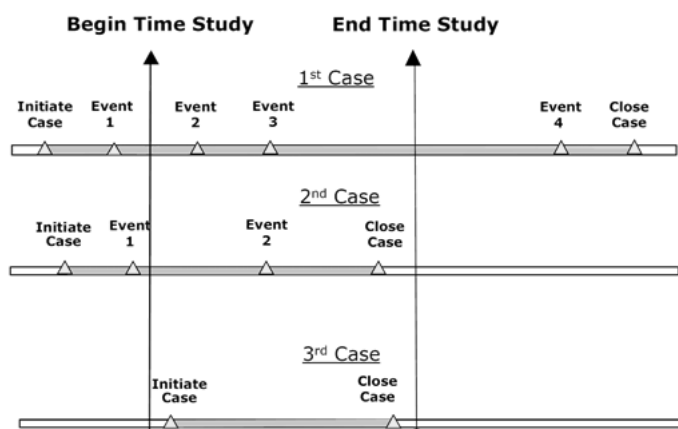
Appendix B: Event-Based Methodology

Event-based methodology is designed to take a snapshot of court activity and compare the judicial officer and court case processing staff time spent on primary case events to the number of cases entering the court. The study measures the total amount of judicial and court case processing staff time in an average six-week period devoted to processing each type of case for which case weights are being developed. Because this method is a snapshot, few cases complete the journey from filing to final resolution during the study period. However, courts throughout the state are processing a number of each type of case in varying stages of the case life cycle. For example, during the six-week time study period, a given court will handle the initiation of several new civil cases, while the same court will also have other civil cases (perhaps filed months or years earlier) on the docket, and still other civil cases in the post-judgment phase.

Moreover, if the sample period is representative, the mix of pre-trial, non-trial and trial dispositions, writing decisions and opinions, and post-judgment activities conducted for each type of case, as well as the time devoted to each type of activity, will be representative of the type of work entering the court throughout the year. Therefore, data collected during the study period provides a direct measure of the amount of judicial and court case processing time devoted to the full range of key case processing events.

Time data are then combined with a three-year average of case filing numbers. For example, if judicial officers spent 150,000 minutes processing circuit civil cases and there were 250 such cases entered, this would produce an average of 600 minutes (or ten hours) per civil case (150,000 minutes/250 cases). This ten-hour case weight is interpreted as the average time to process a civil case from filing to final resolution – even though no individual case is tracked from start to finish within the six weeks. Rather, the workload standard is a composite of separate (though likely similar) cases observed at various points in the case life cycle. Figure A1 illustrates the Event-Based Methodology concept.

Figure A1: Event-Based Time Study



Assume the figure above shows the progress of three separate Circuit Civil cases during the period of the six-week time study. It is not necessary that cases be tracked from start to finish. Instead, for each type of case examined, the study tracks the time spent on key processing events during each case's life cycle.

For example, Case 1 illustrates the time required to process the middle segment of case life; Case 2 the time required to process the end segment of case life; and Case 3 illustrates the time required to complete an entire case of minimal complexity. When the time spent on each event for these three cases is added together, the result is an estimate of the total amount of time needed to process a case, even though all cases are not tracked from start to finish. In the current study, because the time estimates are based on observations from thousands of individual case events for each case type, the methodology is highly reliable.

Appendix C: Case Type Units

For the Circuit Court Judicial Officer, Staff Attorney, and Clerical Workload Assessment Studies

DISTRICT DIVISION	CASE TYPE DESCRIPTION
Circuit Criminal General ²¹	Criminal, Personal Possession of Marijuana, and related obsolete case types where the most severe charge on the case was NOT filed under RSA 265-A:2 or 3. (This does not include Search Warrants.)
Circuit Criminal DUI ¹⁹	Criminal & related obsolete types where the most severe charge on the case was filed under RSA 265-A:2 or 3.
Circuit Civil	Civil Complaint, Foreign Judgment, Writ of Replevin, Other Civil, (Civil) Petition to Annul Arrest Record, Admin Inspection Warrant.
Civil Protective Order	Domestic Violence Petition, Civil Stalking, Telephonic/Emergency DV or Stalking, Juvenile Abuse Order of Protection Pursuant to 169-C:7-a.
Small Claims	
Landlord Tenant	
Emergency Involuntary Admissions (EA)	Petitionee was admitted on an emergency basis, needs PC hearing (RSA 135-C:27-33); include review of Complaint and Prayer forms.
Search Warrant	
Arrest Warrant	Although this is not a "case type" in the traditional sense (in Odyssey) it is listed as a category here for ease of data collection.
FAMILY DIVISION	
Divorce/Parenting	Individual or Joint Pet. for Divorce, Legal Sep, CU Diss, Petition to Register Foreign Decree - WITH CHILDREN, plus Parenting Petition, Petition to Register Foreign Support, Petition for Visitation, Petition.
Divorce No Children	Individual or Joint Pet. for Divorce, Legal Sep, CU Diss, Petition to Register Foreign Decree - WITHOUT CHILDREN.
Domestic (DM) Other	State Petition, UIFSA, Petitions for Legitimation, to Determine Paternity, for Separate Maintenance, or for Support.
Civil Protective Order	Domestic Violence Petition, Civil Stalking, Telephonic/Emergency DV or Stalking, Juvenile Abuse Order of Protection Pursuant to 169-C:7-a.
Juvenile Abuse/Neglect	Juvenile Abuse & Neglect Petition.
Juvenile Delinquency/CHINS	Juvenile CHINS Petition, Juvenile Delinquency Petition.
Guardianship	All GM and GI.
Termination of Parental Rights	
Adoption/Surrender/Other	Adoption, Surrender, Surrogacy, Emancipation, Marriage Waiver Petition, Petition to Expunge from State Registry, Reimbursement for Voluntary Services.
Parole Revocation	CLERICAL STUDY ONLY
PROBATE DIVISION	
Estate Complex ¹⁹	Auth Copy w/ Admin, Intestate Admin, Testate Admin, Temp Admin, Proof of Will During Life subtype.
Estate Simple ¹⁹	Auth Copy, Nursing Home Admin, Guardian Disposing of Ward's Estate, Waiver of Admin (w/ or w/out will) subtypes.
Guardianship	All GM and GI.
Non-Emergency Involuntary Admissions (IN)	Request for petitionee to be admitted on a non-emergency basis (RSA 135-C:34-54; 171-B; 464-A:25).
Adoption/Surrender/Other	Adoption, Surrender, Surrogacy, Emancipation, Marriage Waiver Petition, Petition to Expunge from State Registry, Reimbursement for Voluntary Services.
Equity (EQ)	
Trust (TU)	
Name Change	
Circuit Civil	Civil Complaint, Foreign Judgment, Writ of Replevin, Other Civil, (Civil) Petition to Annul Arrest Record, Admin Inspection Warrant.
Small Claims	
Landlord Tenant	

²¹ The worktime study participants did not track time in Circuit Criminal General and Circuit Criminal DUI cases in the way described in the table above, so these case types were merged into a single Circuit Criminal case type. Similarly, time included on Estate Complex and Estate Simple cases was not recorded according to the descriptions in the table, so they were combined into a single case type called Estates.

For the Superior Court Judicial Officer, Law Clerk, and Clerical Workload Assessment Studies

Case Type Unit	Case Type Description
Superior Criminal Complex ²²	Criminal, Criminal-DV & related obsolete types where the most severe charge on the case was a FELONY filed under RSAs 630, 631:1, 631:2, 632-A:2, 632-A:3, 649-A, 649-B.
Superior Criminal Routine ²³	Criminal, Criminal-DV, Personal Possession of Marijuana, and related obsolete case types where the most severe charge on the case was NOT a felony filed under RSAs 630, 631:1, 631:2, 632-A:2, 632-A:3, 649-A, 649-B. (This does not include Search Warrants.)
Superior Civil Complex	Complaint for: Discovery, Dissolution of Partnership/Corp, Receivership, Special School District Meeting, Special Town Meeting, Enjoin Foreclosure; Contract: Construction, Employment, Employer Discrimination, Fraud/Mis, Non-Compete, Notice of Claim on Bond, Other; GIBBS; Habeas Corpus; Interpleader; Labor Board Appeal; Pet to Term Registration Req; Planning Board Appeal; Real Property: Complaint to Quiet Title, Eminent Domain, Tax Abatement; Right to Know, Sexual Predator Petition, Tort: Intentional, Libel/Slander/Defamation, Medical Malpractice Panel, Malpractice-Legal, Malpractice-Other, Other, Premises Liability, Product Liability, Wrongful Discharge; Zoning Board Appeal.
Superior Civil Routine	Admin Appeal-Other; Complaint for/to: Accounting, Destruction of Drugs, Injunction, Return of Property, Specific Performance, Confirm Arbitration Award, Partition; Contract: Collection, Enforce Bond, Goods and Services, Landlord Tenant Dispute; Declaratory Judgment; District Court Bail Review; Forfeiture; Grand Jury Matter; Juror Show Cause; Mandamus; Mot to Dispose/Return of Property; Motor Vehicle Appeal; Out of State Criminal Case-NH Witness; Parental Notification of Requested Abortion; Plea of Indemnity; Registration of Foreign Decree/Order; Replevin; Restraining Order; Sobriety Checkpoint; Tort-Automobile; Wage Claim.
Search Warrant	
Arrest Warrant	Although this is not a “case type” in the traditional sense (in Odyssey) it is listed as a category here for ease of data collection.
Juvenile Certification & Appeals	

²² The Superior Criminal Complex definition included in the table above was not interpreted consistently during the worktime study, so during the data analysis phase, the definition was changed to “Criminal, Criminal DV” and related obsolete case types that contained a felony filed under RSAs 630, 631:1, 631:2, 632-A:2, 632-A:3, 649-A, and 649-B.

²³ The Superior Criminal Routine definition included in the table above was not interpreted consistently during the worktime study, so during the data analysis phase, the definition was changed to “Criminal, Criminal DV, Personal Possession of Marijuana,” and related obsolete case types that did not contain a felony filed under RSAs 630, 631:1, 631:2, 632-A:2, 632-A:3, 649-A, and 649-B. This does not include Search Warrants.

For the Workload Assessment Studies Conducted with Other Court Case Processing Staff

Workgroup Area	Info. Center	Central Processing	Dictation Center	E-Filing: Circuit	E-Filing Superior	Jury Center	Protective Order Registry	Warrant Clerks
SUPERIOR COURT CASE TYPES								
Superior Criminal Complex	•				•	•		
Superior Criminal Routine	•				•	•	•	
Superior Civil Complex	•				•	•		
Superior Civil Routine	•				•	•		
Search Warrant						•		•
Parole Revocation						•		
Juvenile Certification						•		
CIRCUIT COURT CASE TYPES								
DISTRICT DIVISION								
Circuit Criminal	•	•	•				•	
Circuit Civil	•			•				
Civil Protective Order			•				•	
Small Claims	•		•	•				
Landlord Tenant	•		•					
Emergency Involuntary Admissions	•							
Search Warrant								•
FAMILY DIVISION								
Divorce/Parenting	•		•					
Divorce No Children	•		•					
Domestic Other	•		•					
Civil Protective Order			•				•	
Juvenile Abuse/Neglect	•		•				•	
Juvenile Delinquency/CHINS	•		•					
Guardianship	•		•	•				
Termination of Parental Rights	•		•					
Adoption/Surrender/Other	•							
Search Warrant								
Parole Revocation								
PROBATE DIVISION								
Estates	•		•	•				
Guardianship	•		•	•				
Non-Emergency Involuntary Admissions	•							
Adoption/Surrender/Other	•							
Equity	•		•					
Trust	•		•					
Name Change	•			•				
Circuit Civil	•							
Small Claims	•		•	•				
Landlord Tenant	•		•					

Appendix D: Case-Specific Activity Definitions

For the Circuit Court Judicial Workload Assessment Study

A. Off-Bench Activities:

This category includes activities such as: Reviewing/signing documents in judge basket or in Local Judge e-filing queues, conferring with staff on case issues/questions, etc. This includes reviewing daytime search and arrest warrants.

B. On-Bench Activities

This category includes activities such as: conducting hearings (including coordination of video/phone if conducted remotely), reviewing documents during hearing, writing orders during hearing

C. Research & Writing Decisions

This category includes activities such as: reviewing documents or exhibits pre/post hearing, reviewing statutes, rules, case law, conferring with judges/listserv, composing/dictating orders after hearing

D. Emergency Off-Hours Work

This category is limited to work done on emergency requests that are submitted off-hours (i.e., evenings, weekends, holidays), such as law enforcement/DCYF requests for protective orders, removal of a child, search warrant, etc. This does NOT include time spent working off-hours on existing cases (ex: staying late to finish writing a divorce order).

E. Central Work

This category includes daytime statewide work performed as a “central” judicial officer (ex: working on Central Judge e-filing queues, conducting EFC Telephonic hearings) This does **not** include daytime emergency orders for another court, monitoring “EmergencyOrdersJudge” email, covering IEA hearings for another judge, or work on complex docket cases.

F. Problem Solving Court Activities

Any case-specific activities associated with Mental Health Court, Veterans Track, or Family Treatment Court

For the Circuit Court Clerk/Referee Workload Assessment Study

A. Off-Bench Activities:

This category includes activities such as: Reviewing/signing documents in judge basket or in Local Judge e-filing queues, conferring with staff on case issues/questions, etc.

B. On-Bench Activities

This category includes activities such as: conducting hearings (including coordination of video/phone if conducted remotely), reviewing documents during hearing, writing orders during hearing

C. Research & Writing Decisions

This category includes activities such as: reviewing documents or exhibits pre/post hearing, reviewing statutes, rules, case law, conferring with judges/listserv, composing/dictating orders after hearing

D. Central Work

This category includes daytime statewide work performed as a “central” judicial officer (ex: working on Central Judge e-filing queues, conducting EFC Telephonic hearings) This does **not** include daytime emergency orders for another court, monitoring EmergencyOrdersJudge email, covering IEA hearings for another judge, or work on complex docket cases.

For the Circuit Court Staff Attorney Workload Assessment Study

A. Off-Bench Activities

This category includes working on queues, conferring with staff on case issues/questions, and reviewing daytime search and arrest warrants.

B. On-Bench Non-Trial Activities:

This category includes motions hearings, status conferences, dispositional hearings, plea hearings, review hearings, sentencing hearings, settlement conferences, mediation conferences.

C. Researching and Writing Decisions / Opinions

Includes time spent doing research for and writing draft decisions.

E. Problem Solving Court Activities

Any case-specific activities associated with Mental Health Court, Veteran’s Track, or Family Treatment Court.

D. Central Work

Includes daytime statewide work performed as. “central” judicial officer (e.g., working on Central Judge e-filing queues, conducting EFC telephonic hearings). This does not include daytime emergency orders for another court, monitoring “*EmergencyOrdersJudge*” email, or work on complex docket cases.

For the Circuit Court Clerical Workload Assessment Study

A. Case Processing & Management

Docketing pleadings, orders, dispositions, sentences, etc.
Scheduling hearings, preparing notices/packets for service, working e-filing queues
Processing payments, fines, fees
Quality management – checking time standards, making corrections, looking into lingering cases
Searching for files
Procuring interpreters

B. Case-Specific Customer Service (Counter, Lobby Kiosk & Phone Work)

Answering Questions Related to a Specific Case
Responding to Correspondence, Email, Fax, etc. Related to a Specific Case
Record Searches for a Specific Case

C. Courtroom Support/Monitoring

Prepare Docket
Pull/Review Files for Court
Set Up and Test/Maintain Recording Equipment/Archiving
Manage Exhibits
Set Up Telephonic Hearings and Video Conferencing
All Court Support Work Conducted in the Courtroom

D. Problem Solving Court Activities

Any case-specific activities associated with Mental Health Court, Veterans Track, Family Treatment Court

For the Superior Court Judicial Workload Assessment Study (includes Law Clerks and Referees)

A. On-Bench Non-Trial Activities:

This category includes motions hearings, status conferences, dispositional hearings, plea hearings, review hearings, sentencing hearings, settlement conferences, mediation conferences.

B. Bench Trial Activities

This category includes all matters, whether in-or out-of-court, incident to the conduct of a trial or adjudicatory hearing in which the judge is the trier of fact.

C. Jury Trial Activities

This category includes all matters which are conducted during a jury trial, including jury selection, through entry of verdict or through entry of plea, settlement, or dismissal prior to verdict. All time spent preparing jury instructions, all time related to a view, travel, time spent in the office prior to commencement of a jury trial, should be included. If the judge is involved with matters relating to the same case during jury deliberation periods, that time should be recorded in this category. However, if during deliberations, the judge is involved in activities relating to other cases or court administration, the time should be recorded in another appropriate category.

D. Researching and Writing Decisions / Opinions

Includes time spent doing research for and writing decisions and editing law clerk drafts.

E. Off-Bench Activities

This category includes working on queues, conferring with staff on case issues/questions, and reviewing daytime search and arrest warrants.

F. Problem Solving Court Activities

Any case-specific activities associated with Drug Court, Mental Health Court, or Veteran's Track. This category is specifically limited to problem-solving court activities established pursuant to Supreme Court Rule 109A. This category includes all meetings with treatment or problem-solving court clients or staff, including bench time and case staffing time.

G. Emergency Off-Hours Work

This category is limited to work done on emergency requests that are submitted off-hours (i.e., evenings, weekends, holidays), such as a search or arrest warrants. This does NOT include time spent working off-hours on existing cases (ex: staying late to finish writing an order).

For the Superior Court Staff Clerical Workload Assessment Study

A. Case Initiation

Receive and Review electronic documents
File Stamp Pleadings/Initial File Stamp (if applicable)
Assign Case Number
Receipt Payment
Set Initial Hearing
Issue Summons/Warrant
Post Pleadings to ROA (Initial File Stamp)
Scanning/Imaging
Print Trial Docket/Minute Sheets

B. Case Processing – includes activities such as:

Process Return of Service
Appointment of Attorney
File Stamp and Process Subsequent Pleadings, if applicable
Set Hearings
Copy/Email Documents
Case Termination (Statistics)
Scanning/Imaging (Includes Batch Scanning)
Procuring interpreters
Post-Judgment Work
Filing and Processing all Documents after Disposition
Preparation of Appeal
Scanning/Imaging
Case Management
Scheduling Interpreters
Statistical Tracking
Scanning/Imaging
Filing/Maintaining Files
Accounting
Assess Court Costs, Fines, Restitution, Judgments Bonds and Fees
Receive any Payment (other than those at case initiation)
Sign arrest warrants

C. Case-Specific Customer Service (Counter & Phone Work)

Covering Counter for Questions Related to a Specific Case
Answering Phones
Responding to Correspondence, Email, Fax, etc. Related to a Specific Case
Record Requests Related to a Specific Case
Provide Customer Service to Pro Se Parties

D. Courtroom Support/Monitoring

Prepare Docket
Pull/Review Files for Court
Set Up and Test/Maintain Recording Equipment/Archiving
Manage Exhibits
Telephone Hearings
Video Conferencing
All Court Support Work Conducted in the Courtroom/or Resulting from Court Hearings

E. Jury Services

Case-specific Jury Work

F. Problem Solving Court Activities

Any **case-specific** activities associated with Drug Court, Mental Health Court, Veteran's Track

For Other Court Case Processing Staff

Information Center	Calls: Includes incoming and outgoing call duration, wait time, and wrap-up time.
Central Processing	Case-Specific Customer Service: Assisting court users. Processing Not-Guilty Pleas arriving through the mail.
Dictation Center	Dictation Services: Transcribing/producing orders, researching case-specific information. Responding to Case-Specific eSubscribers' Transcripts and Requests: Processing all requests obtained through email or e-subscriptions. Redirecting Case-Specific Phone Inquiries: Sending calls to the appropriate location.
E-Filing: Circuit/Superior	E-Filing Services: Process cases, case-specific customer service, conduct telephonic hearings, scan wills and death certificates, pull files for judge, sign default orders.
Protective Order Registry	Coordinating Protective Orders: Entering and removing orders/validations, quality check ("second set of eyes"), gun line maintenance (only civil protective orders), purging orders, addressing order-specific issues with court or law enforcement). Processing email-filed petitions.
Warrant Clerks	Processing Emailed and E-Filed Petitions: Processing all petitions received through e-services. Research and write decisions. Processing warrants.

Appendix E: Non-Case-Specific Activity Definitions

For the Circuit Court Judicial Workload Assessment Study

- 1. Non-Case-Specific Administration**

This includes work directly related to the administration or operation of the court, including discussion with court staff, other state/local public officials, etc. about case flow procedures, calendaring, facilities, technology, etc. Includes Non-Case-Specific Committees, Meetings, and Related Work.
- 2. Judicial education and training and presentation of CLE**

Includes continuing education and professional development, reading advance sheets, statewide judicial education days, and out-of-state education programs permitted by the state. Presentation of CLE includes preparation, research, travel and presentation of CLE.
- 3. Work-Related Travel Time**

Any Reimbursable Travel (does not include regular commute to home court).
- 4. Vacation/Illness/Military/Other Leave**

Any Personal Leave time (DOES NOT include 12 recognized holidays)
- 5. Other**

Includes all other work-related, but non-case-specific tasks that do not fit in the above categories.
- 6. Time Study Data Reporting & Entry**

Record time spent each day to record and log the time for the weighted caseload study.

For the Circuit Court Clerk/Referees

- 1. Work-Related Travel Time**

Any Reimbursable Travel (does not include regular commute to home court).
- 2. Vacation/Illness/Military/Other Leave**

Any Personal Leave Time – sick, annual, administrative, etc. (DOES NOT include holidays).
- 3. Other**

Includes all other work-related, but non-case-specific tasks that do not fit in the above categories.
- 4. Time Study Data Reporting & Entry**

Record time spent each day to record and log the time for the weighted caseload study.

For the Circuit Court Staff Attorneys

- 1. Education, Training, and CLEs**

Includes continuing education and professional development, reading advance sheets, statewide judicial education days, and out-of-state education programs permitted by the state. Presentation of CLE includes preparation, research, travel and presentation of CLE.
- 2. Committees, Other Meetings & Related Work**

Time Spent in State, Local or Other Work-Related Committee Meetings
Staff or Other Meetings that are Job-Related
Any Work done (Prep or Post-Meeting) for these Meetings Outside of the Actual Meeting Time
- 3. Work-Related Travel Time**

Any Reimbursable Travel (does not include regular commute to home court)
- 4. Vacation/Illness/Military/Other Leave**

Any Personal Leave Time – sick, annual, administrative, etc. (DOES NOT include holidays)
- 5. Other**

Includes all other work-related, but non-case-specific tasks that do not fit in the above categories.
- 6. Time Study Data Reporting & Entry**

Record time spent each day to record and log the time for the weighted caseload study.

For the Circuit Clerical Staff Workload Assessment Study

- 1. Non-Case-Specific Administration**
 - Email (not related to a specific case)
 - Incoming mail – opening, stamping, matching to file, Outgoing mail - stamping
 - Personnel Issues
 - Physical Inventory
 - Setting up calendar sessions
 - General records management – file destruction, moving files, bulk file retrieval (from off-site storage)
 - Financial management – end of day/month reconciliation
 - Technology management (non-case-specific)
- 2. Customer Service/Public Service (Counter & Phone Work)**
 - Answering general questions not related to a specific case
 - Responding to correspondence, email, fax, etc. regarding general court procedures
 - Directing courthouse traffic
- 4. Staff Education & Training**
 - Continuing education and professional development
 - Conferences
- 6. Committees, Other Meetings & Related Work**
 - Time spent in state, local or other work-related committee meetings
 - Staff or other meetings that are job-related
 - Any work done (pre- or post-meeting) for these meetings outside of the actual meeting time
- 7. Work-Related Travel Time**
 - Any reimbursable travel (does not include regular commute to home court)
- 8. Vacation/Illness/Military/Other Leave**
 - Any personal leave time – sick, annual, administrative, etc. (DOES NOT include 12 recognized holidays)
- 9. Other**
 - All other work-related, but non-case-specific tasks that do not fit in the above categories
- 10. Time Study Data Reporting & Entry**
 - Record time spent each day to log and record the time for the weighted caseload study

For the Superior Judicial Officer Workload Assessment Study (includes Law Clerks)

- 1. Non-Case-Specific Administration**
 - This includes work directly related to the administration or operation of the court, including Non-Case-Specific Committees, Meetings, and Related Work
- 2. Judicial education and training and presentation of CLE**
 - Includes continuing education and professional development, reading advance sheets, statewide judicial meetings. Presentation of CLE includes preparation, research, travel, and presentation of CLE.
- 3. Work-Related Travel Time**
 - Any Reimbursable Travel (does not include regular commute to home court)
- 4. Vacation/Illness/Military/Other Leave**
 - Any Personal Leave time (DOES NOT include 12 recognized holidays)
- 5. Other**
 - Includes all other work-related, but non-case-specific tasks that do not fit in the above categories.
- 6. Time Study Data Reporting & Entry**
 - Record time spent each day to record and log the time for the weighted caseload study.
- 7. Non-Case-Specific Administration**
 - This includes work directly related to the administration or operation of the court, including Non-Case-Specific Committees, Meetings, and Related Work

For the Superior Clerical Staff Workload Assessment Study (includes Jury Management Center)

- 1. Non-Case-Specific Administration**
 - Email (not related to a specific case)
 - Processing Mail
 - Personnel Issues
 - Physical Inventory
 - Calendaring/Scheduling Courtrooms
 - Records management

- 2. Customer Service/Public Service (Counter & Phone Work)**
 - Covering Counter for General Questions not related to a Specific Case
 - Answering Phones
 - Responding to Correspondence, Email, Fax, etc. Regarding general court procedures
 - Directing Courthouse Traffic

- 3. Financial Management**
 - Collections
 - Reconciling End-of-Day Books
 - Reconciling End-of-Month Books
 - Processing Unclaimed Property and sending to the State Treasurer
 - Pick up and Distribute Bond Money

- 4. Out-of-Courtroom Jury Services**
 - Creating Juror Source Lists
 - System Management
 - Prepare Summons Lists and Issue Summonses
 - Process Juror Correspondence and Calls
 - Preparation and submission of Jury Voucher to County Clerk

- 5. Staff Education & Training**
 - Continuing Education and Professional Development
 - Conferences

- 6. Committees, Other Meetings & Related Work**
 - Time Spent in State, Local or Other Work-Related Committee Meetings
 - Staff or Other Meetings that are Job-Related
 - Any Work done (Prep or Post-Meeting) for these Meetings Outside of the Actual Meeting Time

- 7. Work-Related Travel Time**
 - Any Reimbursable Travel (does not include regular commute to home court)

- 8. Vacation/Illness/Military/Other Leave**
 - Any Personal Leave Time – sick, annual, administrative, etc. (DOES NOT include 12 recognized holidays)

- 9. Other**
 - All Other Work-Related, but Non-Case-Specific Tasks that do not fit in the above Categories

- 10. Time Study Data Reporting & Entry**
 - Record Time Spent Each Day to Record and Log the Time for the Weighted Caseload Study

For Other Court Case Processing Staff

Information Center	Calls: Non-call-related time, such as meetings and training.
Central Processing	Records Requests: searches and process payments.
	FBI and state agency record requests.
	Staff education and training.
	Other non-case-specific work.
	Leave time (vacation, illness, other).
	Time study data tracking and entry.
Dictation Center	Front desk coverage/customer service.
	Redirecting non-case-specific phone inquiries.
	Administrative support (including judicial evaluation work).
	Committees, meetings, and related work.
	Other non-case-specific work.
	eSubscriber's transcription support (non case-specific).
	Leave time (vacation, illness, other).
	Time study data tracking and entry.
E-Filing: Circuit/Superior	Non-case-specific administration: records management, non-case-specific customer service, financial management.
	Committees, meetings, and related work.
	Staff education and training.
	Other non-case-specific work.
	Leave time (vacation, illness, other).
	Time study data tracking and entry.
Protective Order Registry	Supervision/personnel work.
	Committees, meetings, and related work.
	Staff education and training.
	Other non-case-specific work.
	Leave time (vacation, illness, other).
	Time study data tracking and entry.
Warrant Clerks	Non-case-specific administration: records management, non-case-specific customer service, financial management.
	Committees, meetings, and related work.
	Staff education and training.
	Other non-case-specific work.
	Leave time (vacation, illness, other).
	Time study data tracking and entry.

Appendix F: Adequacy of Time Findings - Circuit and Superior Judicial Officers and Court Case Processing Staff

Participation by Job Type: All Judicial Officer Respondents

Workgroup	# in State	# Responded	Participation Rate
Circuit Court Judges	43	38	88%
Circuit Court Staff Attorneys	3	3	100%
Superior Court Judges	19	19	100%
Superior Court Law Clerks	13	2	15%
Total	78	62	79%

Length of Service: All Judicial Officer Respondents

How many years have you worked for the New Hampshire Courts?		
Less than one year	12	19.4%
1-3 years	5	8.1%
4-5 years	9	14.5%
6-10 years	12	19.4%
11-15 years	8	12.9%
16+ years	16	25.8%
Total	62	100.0%

Time Study Period: For Circuit Court Judicial Officers

During the time study period, was your work and workload representative of a typical 6-week period?		
Yes	28	68%
No	13	32%
Total	41	100%

Was your travel time typical during the study period?		
Yes	37	90%
No	4	10%
Total	41	100%

During the time study period, was there work that you engaged in that did not get reported?		
Yes	12	29%
No	29	71%
Total	41	100%

	Circuit Court Judicial Officers
Considering your current workload over the last 3 to 6 months:	
I have sufficient time, on a regular basis to get my work done.	2.59
I am able to accomplish what needs to be done during the workday.	2.54
I am able to get my work done with minimal interruptions.	3.29
When I start a task, I typically have the time to complete the task.	2.73
I have enough time to adequately assist court users and ensure they understand what is expected of them.	3.10
There is sufficient time for learning opportunities aligned with my job duties.	2.22
I am regularly able to meet deadlines without rushing at the last minute.	2.98
<i>Answer Options: 1=Almost Never, 2=Rarely, 3=Sometimes, 4=Often, 5=Almost Always</i>	

	Circuit Court Judicial Officers
I feel stressed about deadlines or commitments.	1.83
I feel stressed or overwhelmed by the amount of work I have to complete.	2.05
My workload does not interfere with my ability to take lunch and breaks throughout the day.	1.61
The pace at which I work is sustainable.	2.27
<i>Answer Options: 1=Strongly Agree, 2=Agree, 3=Neutral, 4=Disagree, 5=Strongly Disagree</i>	

I feel I am asked to perform unnecessary tasks on a regular basis	
Yes	7%
Sometimes	10%
No	83%
Total	100%

*Activities and Case Types for Which Additional Time
Would Improve the Quality of Justice: Circuit Court Judicial Officers*

Please select up to 6 activities for which you feel more time would improve the quality of justice, if any.

Activities	% of Respondents
Conduct legal research and new case law	76%
Prepare findings and orders related to trials	68%
Conduct trials	56%
Address the issues surrounding self-represented litigants	59%
Attending training and educational opportunities	54%
Ensure that parties and their counsel feel that their questions/concerns are addressed	34%
Prepare for trials	29%
Explain orders and rulings	27%
Prepare findings and orders related to non-dispositive pretrial motions	20%
Review and hear dispositive pretrial motions	17%
Prepare findings and orders related to dispositive pretrial motions	17%
Review and hear non-dispositive pretrial motions	15%
Conduct settlement conferences	15%
Other	12%
Conduct pretrial and scheduling conferences	12%
Prepare findings and orders related to post-trial motions	10%
Staff and committee meetings	10%
Review and hear post-trial motions	7%
Personnel-related work	5%
Reading and responding to email	2%
Processing juror excusal requests	0%
I do not need additional time for any tasks	2%

Are there specific case types for which you feel more time would improve the quality of justice

Divorce/Parenting	78%
Juvenile Abuse/Neglect	54%
Civil Protective Order	46%
Termination of Parental Rights	41%
Guardianships	34%
Divorce No Children	32%
Circuit Criminal General	24%
Domestic Other	24%
Juvenile Delinquency/CHINS	24%
Estate Complex	24%
Landlord/Tenant	22%
Criminal DUI	20%
Equity	15%
Emergency Involuntary Admissions (IEA)	12%
Circuit Civil	10%
Estate Simple	7%
Trust	7%
Non-Emergence Involuntary Admissions	5%
Search Warrant	2%
Arrest Warrant	2%
Adoption/Surrender/Other	2%
Name Change	2%
I do not need additional time for any case types	7%

Time Study Period for Superior Court Judicial Officer Respondents

During the time study period, was your work and workload representative of a typical 6-week period?		
Yes	17	81%
No	4	19%
Total	21	100%

Was your travel time typical during the study period?		
Yes	19	90%
No	2	10%
Total	21	100%

During the time study period, was there work that you engaged in that did not get reported?		
Yes	3	14%
No	18	86%
Total	21	100%

Questions on Sufficiency of Time: Superior Court Judicial Officer Respondents

Considering your current workload over the last 3 to 6 months:	Superior Court Judicial Officers
I have sufficient time, on a regular basis to get my work done.	3.14
I am able to accomplish what needs to be done during the workday.	3.29
I am able to get my work done with minimal interruptions.	2.43
When I start a task, I typically have the time to complete the task.	2.95
I have enough time to adequately assist court users and ensure they understand what is expected of them.	4.00
There is sufficient time for learning opportunities aligned with my job duties.	3.19
I am regularly able to meet deadlines without rushing at the last minute.	3.25

Answer Options: 1=Almost Never, 2=Rarely, 3=Sometimes, 4=Often, 5=Almost Always

	Superior Court Judicial Officers
I feel stressed about deadlines or commitments.	2.10
I feel stressed or overwhelmed by the amount of work I have to complete.	2.57
My workload does not interfere with my ability to take lunch and breaks throughout the day.	2.76
The pace at which I work is sustainable.	2.95
<i>Answer Options: 1=Strongly Agree, 2=Agree, 3=Neutral, 4=Disagree, 5=Strongly Disagree</i>	

	Superior Court Judicial Officers
I feel I am asked to perform unnecessary tasks on a regular basis.	
Yes	0%
Sometimes	5%
No	95%
Total	100%

*Activities and Case Types for Which Additional Time
Would Improve the Quality of Justice: Superior Judicial Officers*

Please select up to 6 activities for which you feel more time would improve the quality of justice, if any.

Activities	% of Superior Judges
Conduct legal research and new case law	71%
Prepare findings and orders related to trials	48%
Address the issues surrounding self-represented litigants	19%
Attending training and educational opportunities	24%
Conduct trials	5%
Prepare findings and orders related to non-dispositive pretrial motions	57%
Ensure that parties and their counsel feel that their questions/concerns are addressed	14%
Prepare findings and orders related to dispositive pretrial motions	43%
Prepare for trials	14%
Explain orders and rulings	14%
Review and hear dispositive pretrial motions	33%
Review and hear non-dispositive pretrial motions	29%
Prepare findings and orders related to post-trial motions	19%
Conduct settlement conferences	10%
Other	10%
Staff and committee meetings	14%
Conduct pretrial and scheduling conferences	5%
Review and hear post-trial motions	%
Personnel-related work	%
Reading and responding to email	5%
Processing juror excusal requests	5%
I do not need additional time for any tasks	5%

Are there specific case types for which you feel more time would improve the quality of justice?

Case Types	% of Respondents
Superior Criminal Complex	52%
Superior Criminal Routine	24%
Superior Civil Complex	81%
Superior Civil Routine	29%
Search Warrant	5%
Arrest Warrant	0%
Juvenile Certification & Appeals	0%
I do not need additional time for any case types	10%

Participation by Job Type: All Court Case Processing Respondents

Workgroup	# in State	# Responded	Participation Rate
Circuit Court Clerks	220	132	60%
Superior Court Clerks	96	50	52%
Clerk/Referees	2	2	100%
Circuit Court E-filing	28	22	79%
Superior Court E-filing	6	3	50%
Information Center	33	32	97%
Dictation Center	4	3	75%
Protective Order Registry	5	3	60%
Warrant Clerks	2	1	50%
Total	396	248	63%

Workgroup	Data collection period was representative of a typical 6-week period.	Travel was typical during data collection period.	Some work did not get reported.
Circuit Court Clerks	82%	89%	30%
Superior Court Clerks	84%	90%	12%
Central Staff	91%	90%	4%

Length of Service: All Court Case Processing Respondents

How many years have you worked for the New Hampshire Courts?		
Lenth of Time Worked	N	%
Less than one year	33	13%
1-3 years	32	13%
4-5 years	28	11%
6-10 years	44	18%
11-15 years	34	14%
16+ years	79	32%
Total	250	100%

Time Study Period: For Circuit and Superior Court Case Processing Staff Respondents

During the time study period, was your work and workload representative of a typical 6-week period?	All Staff (n=250)	Circuit		
		Staff (n=132)	Superior Staff (n=50)	Central Staff (n=68)
Yes	85%	82%	84%	91%
No	15%	18%	16%	9%
Total	100%	100%	100%	100%

Was your travel time typical during the study period?	All Staff (n=250)	Circuit	Superior	Central Staff
		Staff (n=132)	Staff (n=50)	(n=68)
Yes	90%	89%	90%	90%
No	10%	11%	10%	10%
Total	100%	100%	100%	100%

During the time study period, was there work that you engaged in that did not get reported?	All Staff (n=250)	Circuit		
		Staff (n=132)	Superior Staff (n=50)	Central Staff (n=68)
Yes	19%	30%	12%	4%
No	81%	70%	88%	96%
Total	100%	100%	100%	100%

Questions on Sufficiency of Time: Circuit and Superior Court Case Processing Staff Respondents

Considering your current workload and your workload over the last 3 to 6 months, please respond to the following questions.	All Staff (n=250)	Circuit Staff (n=132)	Superior Staff (n=50)	Central Staff (n=68)
I have sufficient time, on a regular basis, to get my work done.	3.20	2.79	3.54	3.77
I am able to accomplish what needs to be done during the workday.	3.48	3.14	3.80	3.91
I am able to get my work done with minimal interruptions.	2.52	1.92	2.98	3.34
When I start a task, I typically have the time to complete that task.	3.32	2.87	3.52	4.06
I have the tools and resources to do my job efficiently and effectively.	3.93	3.70	3.84	4.44
The reliability and speed of the internet connections are sufficient for me to complete my work.	4.08	4.01	3.78	4.44
I have enough time to adequately assist court users and ensure they understand what is expected of them.	3.68	3.48	3.80	4.04
I am able to respond promptly to requests for information from court users.	3.86	3.58	4.06	4.29
There is sufficient time for learning opportunities aligned with my job duties.	2.86	2.49	2.98	3.53
I am regularly able to meet deadlines without rushing at the last minute.	3.50	3.11	3.90	4.05
I have adequate time to perform quality control measures such as running/using exception reports (including time standards), reviewing lingering cases, etc.	2.95	2.65	3.26	3.57
When I take a vacation or need to use sick leave, others perform my job	3.32	2.76	3.67	4.17

Answer Options: 1=Almost Never, 2=Rarely, 3=Sometimes, 4=Often, 5=Almost Always

	All Staff (n=250)	Circuit Staff (n=132)	Superior Staff (n=50)	Central Staff (n=68)
I feel stressed about deadlines or commitments.	2.78	2.55	3.20	2.92
I feel stressed or overwhelmed by the amount of work I have to complete.	2.82	2.62	3.12	3.00
I do not have to cut corners to complete work timely.	3.53	3.28	3.92	3.72
My workload does not interfere with my ability to take authorized breaks throughout the day.	2.85	2.37	2.88	3.74
The pace at which I work is sustainable.	3.36	3.06	3.56	3.79

Answer Options: 1=Strongly Agree, 2=Agree, 3=Neutral, 4=Disagree, 5=Strongly Disagree

I am asked to assist in duties outside my typical area of expertise on a regular basis.	All Staff (n=250)	Circuit Staff (n=132)	Superior Staff (n=50)	Central Staff (n=68)
Yes	21%	30%	18%	6%
Sometimes	29%	33%	30%	21%
No	50%	38%	52%	74%
Total	100%	100%	100%	100%

I feel I am asked to perform unnecessary tasks on a regular basis.	All Staff (n=250)	Circuit Staff (n=132)	Superior Staff (n=50)	Central Staff (n=68)
Yes	2%	3%	0%	1%
Sometimes	13%	17%	16%	4%
No	85%	80%	84%	94%
Total	100%	100%	100%	100%

*Activities and Case Types for Which Additional Time
Would Improve the Quality of Justice: Circuit and Superior Court Case Processing Staff*

Please select up to 6 activities for which you feel more time would improve the quality of justice, if any.

Activities	All Staff (n=250)	Circuit Staff (n=132)	Superior Staff (n=50)	Central Staff (n=68)
Case processing & management	46%	32%	32%	28%
Case-specific customer service (counter, lobby, kiosk & phones)	39%	26%	24%	31%
Attending training and educational opportunities	31%	15%	38%	29%
e-Filing	26%	11%	8%	49%
Staff and committee meetings	20%	12%	18%	16%
Problem solving court activities	16%	12%	8%	9%
Calendar management	16%	11%	10%	10%
Troubleshooting technology related issues	16%	7%	20%	16%
Courtroom support/monitoring	15%	12%	8%	4%
File maintenance and management	15%	11%	8%	7%
Reading and responding to email	14%	6%	16%	18%
Non-case-specific customer service	13%	7%	12%	15%
Processing mail	13%	11%	6%	3%
File destruction	12%	10%	8%	1%
Accounting and financial reviews	10%	7%	12%	3%
Personnel-related work	10%	5%	10%	12%
Record requests – searches, processing payments	10%	7%	6%	6%
Case initiation	8%	7%	4%	3%
Other	8%	3%	2%	13%
Coordinating protection orders	7%	5%	4%	6%
Annulments	6%	4%	6%	3%
Interpreter management	6%	5%	4%	3%
FBI + state agency record requests	4%	3%	2%	1%
Jury services	3%	%	14%	1%
Processing search or arrest Warrants	1%	%	4%	%
Dictation services	%	%	2%	%
I do not need additional time for any tasks	13%	4%	16%	22%

Are there specific case types for which you feel more time would improve the quality of justice?

Case Types	Number of Respondents	Number of Respondents
Circuit Criminal General	51	31%
Divorce/Parenting	39	24%
Civil Protective Order	33	20%
Guardianship	32	20%
Juvenile Abuse/Neglect	30	18%
Circuit Criminal DUI	29	18%
Estate Complex	23	14%
Termination of Parental Rights	21	13%
Small Claims	20	12%
Divorce No Children	20	12%
Adoption/Surrender/Other	19	12%
Juvenile Delinquency/CHINS	18	11%
Circuit Civil	17	10%
DM Other	17	10%
Landlord Tenant	15	9%
Estate Simple	15	9%
Equity	8	5%
Emergency Involuntary Admissions	7	4%
Trust	6	4%
Name Change	3	2%
Non-Emergency Involuntary Admissions	1	1%
Search Warrant	0	0%
Arrest Warrant	0	0%
I do not need additional time for any case types	42	26%

Are there specific case types for which you feel more time would improve the quality of justice?

Case Types	Number of Respondents	Number of Respondents
Superior Criminal Routine	17	31%
Superior Criminal Complex	10	19%
Superior Civil Routine	9	17%
Superior Civil Complex	7	13%
Arrest Warrant	2	4%
Search Warrant	1	2%
Juvenile Certification & Appeals	0	0%
I do not need additional time for any case types	20	54%

Appendix G: Weighted Workload Needs Assessment Summary

Circuit Court Staffing Needs by Workgroup

Workgroup	Judicial Officers	Staff Attorneys	Circuit Clerical	Central Processing	E-filing Center	Dictation Center	Protective Order Registry	Information Center	Circuit Court Total Staffing Need
Total Workload Minutes	5,077,111	127,377	20,094,723	157,523	2,095,515	193,418	268,390	2,820,907	
Year Value	÷ 77,311	31,697	78,646	26,682	77,737	45,741	68,708	75,895	
Staffing Need	65.67	4.02	255.51	5.90	26.96	4.23	3.91	37.17	403.37

Superior Court Staffing Needs by Workgroup

Workgroup	Judicial Officers	Law Clerks	Superior Clerical	E-filing Center	Warrant Clerks	Jury Management	Superior Court Total Staffing Need
Total Workload Minutes	2,039,462	1,155,376	8,484,094	534,558	81,536	7,080	
Year Value	÷ 80,023	88,214	75,871	84,636	40,553	4,300	
Staffing Need	25.50	13.10	111.82	6.32	2.01	1.65	160.40