



Bureau of Justice Statistics

State Court Organization 1998

Courts and judges
Judicial selection and service
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Trial courts
The jury
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Court structure

PART V: Trial court administration, procedures, and specialized jurisdiction

One defining feature of state trial court systems is the distribution of subject matter jurisdiction among courts. The pattern followed in a state and the differences among states are most readily considered through use of the court structure charts found in Part VIII.

Trial court administration generally involves judges, clerks of court, and trial court administrators with managerial responsibility. Although clerks of court and trial court administrators handle most administrative tasks, trial courts typically designate one judge or a group of judges to make administrative decisions. Typically he/she is called the presiding, chief, administrative, or president judge. Table 30 outlines the various responsibilities that each court assigns to these judges.

The information on the selection and responsibilities of clerks of court can be found in Table 31 and for trial court administrators in Table 32. In some trial court systems, the same official is both administrator and clerk.

A clerk of court typically has responsibility for docketing cases, collecting court fees, overseeing jury selection, and maintaining all court records. In whole or in part, these vital administrative tasks are the responsibility of an elected, autonomous official in most states. Partisan elections are used to select clerks of general jurisdiction courts in 27 states and non-partisan elections in a further four states. Clerks of court are appointed in 19 states, Puerto Rico, and the District of Columbia, usually by the chief judge or the bench. The method of selection varies within the state of Washington and between the several general jurisdiction courts in another four states (Delaware, Michigan, Montana, and Tennessee). Table 31 also reports the number of clerks serving each court system in a state, the length of their terms of office, and whether their salary is paid from state or local funds.

Clerks of court are venerable offices in most state court systems. Trial court administrators are more recent participants in the management of court operations. Table 32 lists the number of authorized and serving trial court administrators, differentiating between regional and local officials. The administrator of the general jurisdiction court sometimes also serves in that capacity for the courts of limited jurisdiction in a particular district or region. The source of court administrators' salaries is also identified.

The last decade has seen the rapid growth of specialized court forums in the states. The first drug court was created in Dade County, Florida in 1989; all but ten states followed that example within the next decade. Table 33 provides the number of drug courts in each state, when the state implemented its first drug

court, and the number of courts classified as family and juvenile drug courts. The label drug court refers to a special docket or calendar in a court to which a judge has been assigned.

Family courts have been in existence for far longer than drug courts and sometimes have the formal status of a "court" (a judicial body to which judges are specifically appointed and are considered for subsequent terms), but the last decade has seen a marked increase in their use. The use of Family Courts is outlined on Table 34. The table shows the number of counties, districts, or circuits served by a family court in a state. Also, the family court's subject-matter jurisdiction is defined and the year the court was founded is noted.

Native American tribal courts bear a significant proportion of adjudicatory responsibilities in many states. Cross-state comparisons may not be accurate unless these courts are taken into consideration. Also important is the relationship between the state judicial system and the Native American judicial system. Federal Public Law 280 gave states discretionary authorization to assume jurisdiction over tribal lands. Table 36 identifies the number of federally recognized tribes and the number of tribal justice forums. Then, the table provides the number of CFR courts by state and the jurisdictional issues relevant to the applicability of state law on reservations (Public Law 280). Table 36 was compiled from the Federally recognized tribes listed in the March 13, 2000 Federal Register and the National American Indian Court Judges Association (NAICJA) database of all known tribal systems operating in the United States.

All but four states have provisions for live or taped media coverage of court proceedings. The provisions for media in trial and appellate courts are described on a state by state basis in Table 37. Television cameras, still photographers, still cameras, and audio systems may be allowed in some courts and not others. The table indicates who must consent to the media coverage before it will be allowed. Also, states give certain parties the right to object. An objection may result in the cessation of coverage of that particular party or a total ban on coverage of the proceeding. There are also different limits on coverage. The table shows the courts' limits on the number of cameras and media personnel, on some types of proceedings, and on certain persons involved in the trial. Almost all courts require that the media personnel allowed in the court must provide access to its video transmissions and its pictures to others requesting such access. The courts encourage "pooling" arrangements when multiple parties wish to cover a proceeding.

Table 38 examines the policies each state uses for criminal defendants claiming the insanity defense. First, the table identifies state's burden of proof when determining the defendant's capacity to stand trial. The next section of the table identifies how the court decides insanity cases. Ten states provide for a bifurcated trial where the elements of the crime are decided in one proceeding and the determination of insanity is decided in a separate proceeding. Each state's test for insanity is then identified as a variation of one of the major tests defined in the notes after the table. The table then indicates the burden of proof and who has it, what testimony is allowed, and whether the jury is informed of the consequences of an insanity verdict. Then the table identifies what the insanity verdict is called in each state and the consequences of that verdict by identifying whether treatment is mandatory or discretionary and identifying who has post-conviction release authority.

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Table 33:

U.S. Department of Justice, *Drug Court Activity Summary Information*, May 1988
<http://www.ojp.usdoj.gov/dcpo/dcasumin.htm>

Table 34:

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Table 35:

Barbara J. Hart, Esq., *State Codes on Domestic Violence: Analysis, Commentary and Recommendations*, Reno, Nevada: National Council of Juvenile and Family Court Judges, 1992

Richard A. Leiter, Editor, *National Survey of State Laws: Second Edition*, New York: Gale, 1997.

Table 36:

Bureau of Indian Affairs, *Native American Tribal Court Profiles*, Washington D.C., 1985.

Carole Goldberg-Ambrose, *Planting Tail Feathers: Tribal Survival and Public Law 280* (UCLA American Studies Center: 1997)(with Tim Seward).

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Table 30. Authority of Administrative Judges

	Title of Administrative Judge	Extent of Authority	Extra Compensation Received?	Supervises Non-Judicial Employees	Assigns Cases to Trial Judges	Assigns Judges
Alabama						
Circuit Court	Presiding Circuit Judge	Varies within the state	No	No	Yes	Yes
District Court	Presiding Judge	Varies within the state	No	No	No	No
Municipal Court	Presiding Judge ¹	~	~	~	~	~
Probate Court	None	~	~	~	~	~
Alaska						
Superior Court	Presiding Judge	Multiple counties/cities	No	Yes	Yes	Yes
District Court	Presiding Judge	Multiple counties/cities	No	Yes	Yes	Yes
Arizona						
Superior Court	Presiding Judge	All of a county/city	No	Yes	Yes	Yes
Justice of the Peace Court	None ²	~	~	~	~	~
Municipal Court	Presiding Judge ³	All of a county/city ⁴	Yes ⁵	Yes	Yes	Yes
Tax Court ⁶	None	~	~	~	~	~
Arkansas						
Chancery and Probate Court	None	~	~	~	~	~
Circuit Court	None	~	~	~	~	~
City Court	None	~	~	~	~	~
Justice of the Peace Court ⁷	None	~	~	~	~	~
County Court ⁸	None	~	~	~	~	~
Court of Common Pleas	None	~	~	~	~	~
Municipal Court	None	~	~	~	~	~
Police Court	None	~	~	~	~	~
California						
Superior Court	Presiding Judge	All of a county/city	No	N/S ⁹	Yes	Yes
Municipal Court	Presiding Judge	Varies within the state ¹⁰	No	N/S ⁹	Yes	Yes
Colorado						
District Court	Chief Judge	Varies within the state	No	Yes	Yes	Yes
Denver Probate Court	Presiding Judge ¹¹	All of a county/city	No	Yes	No	No
Water Court ¹²	Chief Judge	Varies within the state	No	Yes	Yes	Yes
Denver Juvenile Court	Chief Judge of District Court ¹³	All of a county/city	No	Yes	Yes	Yes
County Court ¹⁴	None ¹⁵	~	~	~	~	~
Municipal Court	None	~	~	~	~	~
Connecticut						
Superior Court	Administrative Judge	Varies within the state	Yes	Yes	No	Yes
Probate Court	None	~	~	~	~	~
Delaware						
Court of Chancery	Chancellor	Multiple counties/cities	~	~	~	~
Superior Court	President Judge	Multiple counties/cities	Yes	Yes	Yes	Yes
Alderman's Court	None	~	~	~	~	~
Court of Common Pleas	Chief Judge	Multiple counties/cities	Yes	Yes	Yes	Yes
Family Court	Chief Judge	Multiple counties/cities	~	~	~	~
Justice of the Peace Court	Chief Magistrate	Multiple counties/cities	No	Yes	Yes	Yes
District of Columbia						
Superior Court	Chief Judge	All of a county/city	Yes	Yes	Yes	Yes
Florida						
Circuit Court	Chief Judge	Varies within the state	No	Yes	Yes	Yes
County Court	Chief Judge ¹⁷	Varies within the state	No	Yes	Yes	Yes
Georgia						
Superior Court	District Administrative Judge	Multiple counties/cities	Yes ¹⁸	Yes	No	No
Civil Court	Chief Judge ¹⁹	All of a county/city	Yes	N/S	N/S	N/S
County Recorder's Court	Chief Judge	All of a county/city	N/S	N/S	N/S	N/S
Juvenile Court	Chief Judge	All of a county/city	No	Yes	No	No
Magistrate Court	Chief Magistrate	All of a county/city	Yes	Yes	Yes	Yes
Municipal Court	None ²⁰	All of a county/city	~	~	~	~
Municipal Court—Muscogee County	None	All of a county/city	~	~	~	~
Probate Court	None	All of a county/city	~	Yes	~	~
State Court	Chief Judge	All of a county/city	Yes ²¹	Yes	No	No
City Court of Atlanta	Chief Judge	All of a county/city	Yes	Yes	Yes	N/S

Table 30. Authority of Administrative Judges

	Makes Requests for Visiting Judges	Selects Quasi-Judicial Officers	Supervises Fiscal Affairs	Establishes Special Committees of Judges	Involved With Public Relations Matters	Maintains Statistical and Management Information	Evaluates Effectiveness of Court
Alabama							
Circuit Court	Yes	No	Yes	Yes	Yes	Yes	Yes
District Court	No	Yes	No	No	Yes	No	No
Municipal Court	~	~	~	~	~	~	~
Probate Court	~	~	~	~	~	~	~
Alaska							
Superior Court	Yes	Yes	Yes	Yes	Yes	Yes	No
District Court	Yes	Yes	Yes	Yes	Yes	Yes	No
Arizona							
Superior Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Justice of the Peace Court	~	~	~	~	~	~	~
Municipal Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Tax Court ⁶	~	~	~	~	~	~	~
Arkansas							
Chancery and Probate Court	~	~	~	~	~	~	~
Circuit Court	~	~	~	~	~	~	~
City Court	~	~	~	~	~	~	~
Justice of the Peace Court ⁷	~	~	~	~	~	~	~
County Court ⁸	~	~	~	~	~	~	~
Court of Common Pleas	~	~	~	~	~	~	~
Municipal Court	~	~	~	~	~	~	~
Police Court	~	~	~	~	~	~	~
California							
Superior Court	Yes	No	Yes	Yes	Yes	Yes	Yes
Municipal Court	Yes	No	Yes	Yes	Yes	Yes	Yes
Colorado							
District Court	Yes	Yes	Yes	Yes	Yes	No	Yes
Denver Probate Court	Yes	Yes	Yes	No	Yes	No	Yes
Water Court ¹²	Yes	Yes	Yes	Yes	Yes	No	Yes
Denver Juvenile Court	Yes	Yes	Yes	Yes	Yes	No	Yes
County Court ¹⁴	~	~	~	~	~	~	~
Municipal Court	~	~	~	~	~	~	~
Connecticut							
Superior Court	Yes	No	No	No	Yes	No	No
Probate Court	~	~	~	~	~	~	~
Delaware							
Court of Chancery	~	~	~	~	~	~	~
Superior Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Alderman's Court	~	~	~	~	~	~	~
Court of Common Pleas	Yes ¹⁶	N/S	Yes	Yes	Yes	Yes	Yes
Family Court	~	~	~	~	~	~	~
Justice of the Peace Court	~	~	Yes	Yes	Yes	Yes	Yes
District of Columbia							
Superior Court	Yes	Yes	Yes	Yes	Yes	No	No
Florida							
Circuit Court	Yes	Yes	Yes	Yes	Yes	Yes	N/S
County Court	Yes	Yes	Yes	Yes	Yes	Yes	N/S
Georgia							
Superior Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Civil Court	N/S	No	Yes	N/S	N/S	N/S	N/S
County Recorder's Court	N/S	N/S	N/S	N/S	N/S	N/S	N/S
Juvenile Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Magistrate Court	Yes	No	Yes	Yes	Yes	Yes	Yes
Municipal Court	~	~	~	~	Yes	~	~
Municipal Court—Muscogee County	~	~	Yes	~	Yes	~	~
Probate Court	Yes	~	Yes	~	Yes	~	~
State Court	Yes	No	Yes	Yes	Yes	Yes	Yes
City Court of Atlanta	N/S	N/S	Yes	Yes	Yes	N/S	Yes

Table 30. Authority of Administrative Judges

	Title of Administrative Judge	Extent of Authority	Extra Compensation Received?	Supervises Non-Judicial Employees	Assigns Cases to Trial Judges	Assigns Judges
Hawaii						
Circuit Court	Administrative Judge ²²	All of a county/city	No	Yes	Yes	Yes
District Court	Administrative Judge	All of a county/city	No	Yes	Yes	Yes
Family Court	Senior Family Court Judge	All of a county/city	No	Yes	Yes	Yes
Idaho						
District Court	Administrative Judge	Multiple counties/cities	Yes	Yes	Yes	Yes
Illinois						
Circuit Court	Chief Judge	Varies within the state	No	Yes	Yes	Yes
Indiana						
Superior Court ²³	Presiding Judge	All of a county/city	No	Yes	No	Yes
Circuit Court ²³	Presiding Judge	All of a county/city	No	Yes	No	Yes
City Court	None	~	~	~	~	~
County Court ²³	Presiding Judge	All of a county/city	No	Yes	No	Yes
Probate Court ²³	Presiding Judge	All of a county/city	No	Yes	No	Yes
Town Court	None	~	~	~	~	~
Small Claims Court of Marion	None	~	~	~	~	~
Iowa						
District Court	Chief Judge	Multiple counties/cities	Yes	Yes	Yes	Yes
Kansas						
District Court	Presiding Judge	Multiple counties/cities	Yes	Yes	Yes	Yes
Municipal Court	Administrative Judge	All of a county/city	Yes	Yes	Yes	Yes
Kentucky						
Circuit Court	Chief Judge	Varies within the state	Yes	No	No	No
District Court	Chief Judge	Varies within the state	Yes	Yes	No	No
Louisiana						
District Court	Chief Judge	Multiple counties/cities	No	Yes	No	No
Family Court	Chief Judge	All of a county/city	No	Yes	No	No
Juvenile Court	Chief Judge	All of a county/city	No	Yes	No	No
City and Parish Court	Chief, Senior or Admin Judge	Varies within the state	N/S	~	~	No
Justice of the Peace Court	None	~	~	~	~	~
Mayor's Court	None	~	~	~	~	~
Maine						
Superior Court	Chief Justice ²⁴	Multiple counties/cities	Yes	Yes	Yes	Yes
Administrative Court	Judge of the Admin. Court ²⁵	Multiple counties/cities	Yes	Yes	No	No
District Court	Chief Judge ²⁶	Multiple counties/cities	Yes	Yes	Yes	Yes
Probate Court	None	~	~	~	~	~
Maryland						
Circuit Court	Administrative Judge	Multiple counties/cities	No	Yes	Yes	Yes
District Court	Administrative Judge	Varies within the state	No	Yes	Yes	Yes
Orphan's Court ²⁷	Chief Judge	All of a county/city	N/S	No	N/S	No
Massachusetts						
Superior Court	Regional Administrative Judge ²⁸	Varies within the state	No	~	Yes	Yes
District Court	None ²⁹	Varies within the state	No	Yes	Yes	Yes
Boston Municipal Court	None ²⁹	~	~	~	~	~
Housing Court	First or Presiding Judge	Varies within the state	No	Yes	Yes	Yes
Juvenile Court	First or Presiding Judge	Varies within the state	No	Yes	Yes	Yes
Land Court ³⁰	None	~	~	~	~	~
Probate & Family Court	First or Presiding Justice	All of a county/city	No	Yes	Yes	Yes
Michigan						
Circuit Court	Chief Judge	Multiple counties/cities ³¹	No	Yes	Yes	Yes
Court of Claims	Chief Judge	All of a county/city	No	Yes	Yes	Yes
District Court	Chief Judge	Varies within the state ³²	No	Yes	Yes	Yes
Municipal Court	Chief Judge ³³	All of a county/city	No	Yes	Yes ³⁴	Yes
Probate Court	Chief Judge	Multiple counties/cities	No	Yes	Yes	Yes

Table 30. Authority of Administrative Judges

	Makes Requests for Visiting Judges	Selects Quasi-Judicial Officers	Supervises Fiscal Affairs	Establishes Special Committees of Judges	Involved With Public Relations Matters	Maintains Statistical and Management Information	Evaluates Effectiveness of Court
Hawaii							
Circuit Court	Yes	No	Yes	Yes	Yes	Yes	Yes
District Court	Yes	No	Yes	Yes	Yes	No	Yes
Family Court	Yes	No	Yes	Yes	Yes	Yes	Yes
Idaho							
District Court	Yes	No	Yes	Yes	Yes	Yes	Yes
Illinois							
Circuit Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Indiana							
Superior Court ²³	~	Yes	Yes	Yes	Yes	Yes	Yes
Circuit Court ²³	N/S	Yes	Yes	Yes	Yes	Yes	Yes
City Court	~	~	~	~	~	~	~
County Court ²³	N/S	Yes	Yes	Yes	Yes	Yes	Yes
Probate Court ²³	N/S	Yes	Yes	Yes	Yes	Yes	Yes
Town Court	~	~	~	~	~	~	~
Small Claims Court of Marion	~	~	~	~	~	~	~
Iowa							
District Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Kansas							
District Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Municipal Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Kentucky							
Circuit Court	Yes	No	No	Yes	Yes	Yes	Yes
District Court	Yes	Yes	No	Yes	Yes	Yes	Yes
Louisiana							
District Court	No	Yes	Yes	Yes	Yes	Yes	Yes
Family Court	No	Yes	Yes	Yes	Yes	Yes	Yes
Juvenile Court	No	Yes	Yes	Yes	Yes	Yes	Yes
City and Parish Court	No	Yes	Yes	Yes	Yes	Yes	Yes
Justice of the Peace Court	~	~	~	~	~	~	~
Mayor's Court	~	~	~	~	~	~	~
Maine							
Superior Court	Yes	No	No	Yes	Yes	No	Yes
Administrative Court	No	No	No	No	No	No	Yes
District Court	Yes	Yes	No	Yes	Yes	No	Yes
Probate Court	~	~	~	~	~	~	~
Maryland							
Circuit Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
District Court	Yes	Yes	No	No	Yes	Yes	Yes
Orphan's Court ²⁷	N/S	No	Yes	No	Yes	N/S	N/S
Massachusetts							
Superior Court	Yes	~	~	~	~	~	~
District Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Boston Municipal Court	~	~	~	~	~	~	~
Housing Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Juvenile Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Land Court ³⁰	~	~	~	~	~	~	~
Probate & Family Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Michigan							
Circuit Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Court of Claims	Yes	Yes	Yes	Yes	Yes	Yes	Yes
District Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Municipal Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Probate Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Table 30. Authority of Administrative Judges

	Title of Administrative Judge	Extent of Authority	Extra Compensation Received?	Supervises Non-Judicial Employees	Assigns Cases to Trial Judges	Assigns Judges
Minnesota						
District Court	Chief Judge	Varies within the state	Yes	Yes	No	Yes
Mississippi						
Chancery Court	None	~	~	~	~	~
Circuit Court	None	~	~	~	~	~
County Court	None	~	~	~	~	~
Family Court	None	~	~	~	~	~
Justice Court	None	~	~	~	~	~
Municipal Court	None	~	~	~	~	~
Missouri						
Circuit Court	Presiding Judge	Varies within the state	No	Yes	Yes	Yes
Municipal Court	Presiding Judge	Varies within the state	No	Yes	No	No
Montana						
District Court	Chief Judge	Varies within the state	No	Yes	Yes	Yes
Water Court	Chief Water Judge	Multiple counties/cities	No	Yes	Yes	Yes
Workers' Compensation Court	Judge	Multiple counties/cities	No	Yes	Yes	Yes
City Court	None	~	~	~	~	~
Justice of the Peace Court	None	~	~	~	~	~
Municipal Court	None	~	~	~	~	~
Nebraska						
District Court	None	~	~	~	~	~
County Court	None	~	~	~	~	~
Separate Juvenile Court	None	~	~	~	~	~
Workers' Compensation Court	Presiding Judge ³⁵	Multiple counties/cities	No	Yes	Yes	No
Nevada						
District Court	Chief Judge	Varies within the state	No	No	No	No
Justice Court	Chief Judge	Varies within the state	No	No	No	No
Municipal Court	Chief Judge/Administrative Judge ³⁸	Varies within the state	No	Yes	Yes	Yes
New Hampshire						
Superior Court	Supervisory Justice	Varies within the state	No	No	No	No
District Court	Presiding Judge	Varies within the state	No	No	No	Yes
Municipal Court ³⁹	None	~	~	~	~	~
Probate Court	None	~	~	~	~	~
New Jersey						
Superior Court	Assignment Judge	Varies within the state ⁴⁰	Yes	Yes	Yes	Yes
Municipal Court	Chief Judge ⁴²	All of a county/city	No ⁴³	Yes ⁴⁴	Yes ⁴⁵	No
Tax Court	Presiding Judge	Multiple counties/cities	No	Yes	Yes	No
New Mexico						
District Court	Chief District Judge	Varies within the state	No	Yes	Yes	Yes
Magistrate Court	Presiding Judge	Varies within the state	No	Yes	Yes	Yes
Municipal Court	Depends on locality	Varies within the state	No	Yes	Yes	No
Probate Court	None	~	~	~	~	~
Metro Court of Bernalillo	Chief Judge	All of a county/city	No	Yes	Yes	Yes
New York						
Supreme Court	Administrative Judge	Varies within the state ⁵¹	Yes	Yes	Yes ⁵²	Yes ⁵³
District Court	Supervising Judge	Varies within the state	No	Yes	Yes	Yes
Court of Claims	Presiding Judge	Multiple counties/cities	Yes	Yes	Yes ⁵⁵	Yes ⁵⁶
County Court	Supervising Judge ⁵⁸	All of a county/city	No	Yes	Yes ⁵⁹	Yes
City Court	Supervising Judge ⁶¹	Part of a county/city	Yes	Yes	Yes ⁶²	Yes
Family Court	Supervising Judge ⁶⁴	All of a county/city ⁶⁵	Yes	Yes	Yes	Yes
Surrogates' Court	None	All of a county/city	~	~	~	~
Town and Village Justice Court	None	All of a county/city	~	~	~	~
Civil Court of the City of NY	Administrative Judge ⁶⁶	All of a county/city	Yes	Yes	Yes ⁶⁷	Yes ⁶⁸
Criminal Court of the City of NY	Administrative Judge ⁷⁰	All of a county/city	Yes	Yes	Yes ⁷¹	Yes ⁷²
North Carolina						
Superior Court	Senior Resident Sup Ct Judge	All of a county/city	Yes	Yes	Yes	Yes
District Court	Chief District Court Judge	All of a county/city	Yes	Yes	Yes	Yes

Table 30. Authority of Administrative Judges

	Makes Requests for Visiting Judges	Selects Quasi-Judicial Officers	Supervises Fiscal Affairs	Establishes Special Committees of Judges	Involved With Public Relations Matters	Maintains Statistical and Management Information	Evaluates Effectiveness of Court
Minnesota							
District Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Mississippi							
Chancery Court	~	~	~	~	~	~	~
Circuit Court	~	~	~	~	~	~	~
County Court	~	~	~	~	~	~	~
Family Court	~	~	~	~	~	~	~
Justice Court	~	~	~	~	~	~	~
Municipal Court	~	~	~	~	~	~	~
Missouri							
Circuit Court	Yes	No	Yes	Yes	Yes	Yes	Yes
Municipal Court	No	No	No	Yes	No	No	No
Montana							
District Court	Yes	Yes	Yes	No	Yes	No	No
Water Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Workers' Compensation Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
City Court	~	~	~	~	~	~	~
Justice of the Peace Court	~	~	~	~	~	~	~
Municipal Court	~	~	~	~	~	~	~
Nebraska							
District Court	~	~	~	~	~	~	~
County Court	~	~	~	~	~	~	~
Separate Juvenile Court	~	~	~	~	~	~	~
Workers' Compensation Court	Yes ³⁶	No	Yes	Yes ³⁷	Yes	Yes	Yes
Nevada							
District Court	Yes	No	Yes	Yes	Yes	Yes	Yes
Justice Court	No	No	No	No	No	No	No
Municipal Court	Yes	No	Yes	Yes	Yes	Yes	Yes
New Hampshire							
Superior Court	No	No	No	No	Yes	No	Yes
District Court	No	Yes	No	No	Yes	No	Yes
Municipal Court ³⁹	~	~	~	~	~	~	~
Probate Court	~	~	~	~	~	~	~
New Jersey							
Superior Court	Yes	Yes ⁴¹	Yes	Yes	Yes	Yes	Yes
Municipal Court	Yes ⁴⁶	No	Yes ⁴⁷	Yes ⁴⁸	No ⁴⁹	Yes	Yes ⁵⁰
Tax Court	Yes	No	Yes	Yes	Yes	Yes	Yes
New Mexico							
District Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Magistrate Court	Yes	~	Yes	Yes	Yes	Yes	Yes
Municipal Court	Yes	No	Yes	Yes	Yes	No	Yes
Probate Court	~	~	~	~	~	~	~
Metro Court of Bernalillo	Yes	~	Yes	Yes	Yes	Yes	Yes
New York							
Supreme Court	Yes	Yes	Yes	Yes	Yes	Yes ⁵⁴	Yes
District Court	Yes	Yes	No	Yes	Yes	Yes	Yes
Court of Claims	Yes	Yes	Yes	Yes	Yes	Yes ⁵⁷	Yes
County Court	Yes	Yes	No	Yes	Yes	Yes ⁶⁰	Yes
City Court	Yes	Yes	No	Yes	Yes	Yes ⁶³	Yes
Family Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Surrogates' Court	~	~	~	~	~	~	~
Town and Village Justice Court	~	~	~	~	~	~	~
Civil Court of the City of NY	Yes	Yes	Yes	Yes	Yes	Yes ⁶⁹	Yes
Criminal Court of the City of NY	Yes	Yes	Yes	Yes	Yes	Yes ⁷³	Yes
North Carolina							
Superior Court	Yes	Yes	No	Yes	Yes	Yes	Yes
District Court	Yes	Yes	No	Yes	Yes	Yes	Yes

Table 30. Authority of Administrative Judges

	Title of Administrative Judge	Extent of Authority	Extra Compensation Received?	Supervises Non-Judicial Employees	Assigns Cases to Trial Judges	Assigns Judges
North Dakota						
District Court	Presiding Judge	Varies within the state	Yes	Yes	Yes	Yes
Municipal Court	None	~	~	~	~	~
Ohio						
Court of Common Pleas	Administrative Judge	All of a county/city	Yes	Yes	Yes	No
County Court	Administrative Judge	Varies within the state	Yes	Yes	Yes	Yes
Court of Claims	None	~	~	~	~	~
Mayors Court	None	~	~	~	~	~
Municipal Court	Administrative Judge	All of a county/city	Yes	Yes	Yes	Yes
Oklahoma						
District Court	Presiding Judge	Multiple counties/cities	No	No	Yes	No
Court of Tax Review ⁷⁴	None	~	~	~	~	~
Municipal Court Not of Record	None	~	~	~	~	~
Municipal Court of Record	Presiding Judge	All of a county/city	Yes	No	Yes	Yes
Oregon						
Circuit Court	Presiding Judge	All of a county/city	No	Yes	Yes	Yes
Tax Court	Presiding Judge	All of a county/city	No	Yes	Yes	Yes
County Court	None	~	~	~	~	~
Justice of the Peace Court	None	~	~	~	~	~
Municipal Court	None	~	~	~	~	~
Pennsylvania						
Court of Common Pleas	President Judge	All of a county/city	Yes	Yes	Yes	Yes
District Justice Court	President Judge	All of a county/city	Yes	Yes	Yes	~
Philadelphia Municipal Court	President Judge ⁷⁵	Part of a county/city	Yes	Yes ⁷⁶	Yes ⁷⁶	Yes ⁷⁶
Philadelphia Traffic Court	President Judge	Part of a county/city	Yes	Yes ⁷⁶	Yes ⁷⁶	Yes ⁷⁶
Pittsburgh City Magistrate Court	Chief Magistrate	Part of a county/city	N/S	N/S	N/S	N/S
Puerto Rico						
Court of First Instance:						
Superior Division	Presiding Judge	All of a county/city ⁷⁸	Yes	Yes	Yes	Yes
District Subsection	Auxiliary Presiding Judge	All of a county/city	No	Yes	No	No
Municipal Division	None	~	~	~	~	~
Rhode Island						
Superior Court	Presiding Justice	N/S	Yes	No	Yes	Yes
Workers' Compensation Court	Chief Judge	N/S	Yes	No	Yes	Yes
District Court	Chief Judge	N/S	Yes	No	Yes	Yes
Family Court	Chief Judge	N/S	Yes	No	Yes	Yes
Municipal Court	Varies	Varies within the state	N/S	N/S	N/S	N/S
Probate Court	N/S	Varies within the state	N/S	N/S	N/S	N/S
Administrative Adjudication Court ⁸⁰	None	~	~	~	~	~
South Carolina						
Circuit Court	Chief Judge for Admin Purposes	Multiple counties/cities	No	No	Yes	No
Family Court	Chief Judge for Admin Purposes	Multiple counties/cities	No	No	Yes	No
Magistrate Court	Chief Magistrate	All of a county/city	Yes	Yes	Yes	No
Municipal Court	None	~	~	~	~	~
Probate Court	None ⁸¹	~	~	~	~	~
South Dakota						
Circuit Court	Presiding Circuit Judge	Multiple counties/cities	Yes	Yes	Yes	Yes
Tennessee						
Circuit Court	Presiding Judge	Varies within the state ⁸²	No	No	Yes	Yes
Criminal Court	Presiding Judge	Varies within the state ⁸²	No	No	Yes	Yes
General Sessions Court	None	~	~	~	~	~
Chancery Court	Presiding Judge	All of a county/city	No	Yes ⁸³	Yes	Yes
Juvenile Court	None	~	~	~	~	~
Municipal Court	None	~	~	~	~	~
Probate Court ⁸⁶	Presiding Judge ⁸⁷	All of a county/city	No	No	Yes	Yes

Table 30. Authority of Administrative Judges

	Makes Requests for Visiting Judges	Selects Quasi-Judicial Officers	Supervises Fiscal Affairs	Establishes Special Committees of Judges	Involved With Public Relations Matters	Maintains Statistical and Management Information	Evaluates Effectiveness of Court
North Dakota							
District Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Municipal Court	~	~	~	~	~	~	~
Ohio							
Court of Common Pleas	Yes	Yes	Yes	Yes	Yes	Yes	Yes
County Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Court of Claims	~	~	~	~	~	~	~
Mayors Court	~	~	~	~	~	~	~
Municipal Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Oklahoma							
District Court	Yes	No	Yes	Yes	No	Yes	No
Court of Tax Review ⁷⁴	~	~	~	~	~	~	~
Municipal Court Not of Record	~	~	~	~	~	~	~
Municipal Court of Record	No	No	No	No	No	No	No
Oregon							
Circuit Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Tax Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
County Court	~	~	~	~	~	~	~
Justice of the Peace Court	~	~	~	~	~	~	~
Municipal Court	~	~	~	~	~	~	~
Pennsylvania							
Court of Common Pleas	Yes	Yes	Yes	Yes	Yes	Yes	Yes
District Justice Court	Yes	Yes	Yes	Yes	Yes	No	Yes
Philadelphia Municipal Court	Yes ⁷⁶	Yes ⁷⁶	Yes ⁷⁶	Yes ⁷⁷	Yes ⁷⁶	Yes ⁷⁶	Yes ⁷⁶
Philadelphia Traffic Court	Yes ⁷⁶	Yes ⁷⁶	Yes ⁷⁶	Yes ⁷⁷	Yes ⁷⁶	Yes ⁷⁶	Yes ⁷⁶
Pittsburgh City Magistrate Court	N/S	N/S	N/S	N/S	N/S	N/S	N/S
Puerto Rico							
Court of First Instance:							
Superior Division	Yes	Yes	Yes	Yes	Yes	Yes	Yes
District Subsection	Yes	No	No	No	Yes	No	Yes
Municipal Division	~	~	~	~	~	~	~
Rhode Island							
Superior Court	~	Yes	Yes ⁷⁹	Yes	Yes	No	Yes
Workers' Compensation Court	~	Yes	Yes ⁷⁹	Yes	Yes	No	Yes
District Court	~	Yes	Yes ⁷⁹	Yes	Yes	No	Yes
Family Court	~	Yes	Yes ⁷⁹	Yes	Yes	No	Yes
Municipal Court	N/S	N/S	N/S	N/S	N/S	N/S	N/S
Probate Court	N/S	N/S	N/S	N/S	N/S	N/S	N/S
Administrative Adjudication Court ⁸⁰	~	~	~	~	~	~	~
South Carolina							
Circuit Court	Yes	No	No	No	No	No	No
Family Court	Yes	No	No	No	No	No	No
Magistrate Court	No	No	Yes	No	Yes	Yes	Yes
Municipal Court	~	~	~	~	~	~	~
Probate Court	~	~	~	~	~	~	~
South Dakota							
Circuit Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Tennessee							
Circuit Court	Yes	Yes	No	Yes	Yes	Yes	Yes
Criminal Court	Yes	Yes	No	Yes	Yes	Yes	Yes
General Sessions Court	~	~	~	~	~	~	~
Chancery Court	Yes	Yes	Yes ⁸⁴	Yes	Yes ⁸⁵	Yes	Yes
Juvenile Court	~	~	~	~	~	~	~
Municipal Court	~	~	~	~	~	~	~
Probate Court ⁸⁶	Yes	Yes	No	Yes	Yes	Yes	Yes

Table 30. Authority of Administrative Judges

	Title of Administrative Judge	Extent of Authority	Extra Compensation Received?	Supervises Non-Judicial Employees	Assigns Cases to Trial Judges	Assigns Judges
Texas						
District Court	Local Admin. District Judge	All of a county/city	No	Yes	Yes	No
Constitutional County Court	None	~	~	~	~	~
Probate Court	Presiding Judge ⁸⁸	Multiple counties/cities	Yes	No	Yes	No
Justice of the Peace Court	None	~	~	~	~	~
County Court at Law	Admin. County Court Judge	All of a county/city ⁸⁹	No	Yes	Yes	No
Municipal Court	Presiding Municipal Judge ⁹⁰	All of a county/city	~	~	~	~
Utah						
District Court	Presiding Judge	Multiple counties/cities	Yes ⁹¹	No	Yes ⁹²	Yes
Justice Court	None	~	~	~	~	~
Juvenile Court	Presiding Judge	Multiple counties/cities	Yes ⁹¹	No	Yes ⁹²	Yes
Vermont						
District Court	Administrative Judge ⁹⁴	Multiple counties/cities	Yes	No	Yes	Yes
Superior Court	Presiding Judge ⁹⁵	All of a county/city	No	No	Yes	Yes
Family Court	Presiding Judge	Multiple counties/cities ⁹⁶	Yes	No	Yes	Yes
Probate Court	Probate Judge	Varies within the state	No	Yes	No	No
Environmental Court	Environmental Judge ⁹⁷	Multiple counties/cities ⁹⁶	No	No	No	No
Judicial Bureau Court	Judicial Bureau Hearing Officer ⁹⁸	Multiple counties/cities	No	No	No	No
Virginia						
Circuit Court	Chief Judge	Multiple counties/cities	No	No	Yes	Yes
District Court	Chief Judge	Multiple counties/cities	No	Yes	Yes ⁹⁹	Yes ⁹⁹
Washington						
Superior Court	Varies ¹⁰⁰	Varies within the state	No	Yes	Yes	Yes
District Court	Presiding Judge	Varies within the state	No	Yes	Yes	Yes
Municipal Court	Presiding Judge	All of a county/city	No	Yes	Yes	Yes
West Virginia						
Circuit Court	Chief Judge	Varies within the state	No	Yes	Yes	Yes
Magistrate Court	Chief (Circuit) Judge	All of a county/city	No	No	No	No
Municipal Court	None	~	~	~	~	~
Wisconsin						
Circuit Court	Chief Judge	Multiple counties/cities	No	No ¹⁰¹	Yes	Yes
Municipal Court	None	~	~	~	~	~
Wyoming						
District Court	None	~	~	~	~	~
County Court	None	~	~	~	~	~
Justice of the Peace Court	None	~	~	~	~	~
Municipal Court	None	~	~	~	~	~

FOOTNOTES:

Alabama:

¹Municipal Courts do not have Administrative Judges; some Municipal Courts have Presiding Judges, when the city has two or more judges. Additionally, Municipal Courts use magistrates/clerks as "Administrative Hearing Officers" to hear disputes concerning parking violations.

Arizona:

²Each Justice Court precinct has one, elected Justice of the Peace.

³Not all have.

⁴Single municipality.

⁵Varies.

⁶This is not a separate court. It is a department of the Superior Court.

Arkansas:

⁷Although authorized, there are no justice of the peace courts operating in the state at this time.

⁸County courts do not exercise any judicial function. Rather they exist only to hear county administrative disputes.

California:

⁹Varies within the state. Presiding judge is ultimately responsible for supervising the administrative business of the court.

¹⁰Entire judicial district, which may be countywide, or the county may be divided into more than one judicial district.

Colorado:

¹¹The Denver Probate Court consists of only one judge and one magistrate.

¹²Water Court operates as part of the District Court. It does not have separate funding or administrative authority.

¹³The Denver Juvenile Court is under the authority of the Chief Judge of the Denver District Court.

¹⁴The Denver County Court is not funded by the state.

¹⁵The County Court does not have a separate Chief Judge—it falls under the authority of the Chief Judge for the district.

Delaware:

¹⁶Advisory only.

Table 30. Authority of Administrative Judges

	Makes Requests for Visiting Judges	Selects Quasi-Judicial Officers	Supervises Fiscal Affairs	Establishes Special Committees of Judges	Involved With Public Relations Matters	Maintains Statistical and Management Information	Evaluates Effectiveness of Court
Texas							
District Court	Yes	No	Yes	Yes	No	Yes	Yes
Constitutional County Court	~	~	~	~	~	~	~
Probate Court	Yes	No	No	Yes	Yes	Yes	Yes
Justice of the Peace Court	~	~	~	~	~	~	~
County Court at Law	Yes	No	Yes	Yes	No	Yes	Yes
Municipal Court	~	~	~	~	~	~	~
Utah							
District Court	Yes	Yes	No	Yes	Yes ⁹³	No	Yes
Justice Court	~	~	~	~	~	~	~
Juvenile Court	Yes	Yes	No	Yes	Yes	No	Yes
Vermont							
District Court	Yes	Yes	No	Yes	Yes	No	Yes
Superior Court	Yes	No	No	Yes	Yes	No	Yes
Family Court	Yes	Yes	No	Yes	Yes	No	Yes
Probate Court	No	No	Yes	No	Yes	No	Yes
Environmental Court	No	No	No	No	Yes	No	No
Judicial Bureau Court	No	No	No	No	Yes	No	Yes
Virginia							
Circuit Court	Yes	Yes	No	Yes	Yes	Yes	Yes
District Court	Yes ⁹⁹	No	No	Yes	Yes	Yes ⁹⁹	Yes ⁹⁹
Washington							
Superior Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
District Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Municipal Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
West Virginia							
Circuit Court	Yes	Yes	No	Yes	Yes	No	No
Magistrate Court	No	No	No	No	Yes	No	No
Municipal Court	~	~	~	~	~	~	~
Wisconsin							
Circuit Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Municipal Court	~	~	~	~	~	~	~
Wyoming							
District Court	~	~	~	~	~	~	~
County Court	~	~	~	~	~	~	~
Justice of the Peace Court	~	~	~	~	~	~	~
Municipal Court	~	~	~	~	~	~	~

Florida:

¹⁷The Chief Judge of a circuit has authority over circuit and county courts in his or her jurisdiction.

Georgia:

¹⁸Sometimes Chief Circuit Judge does.

¹⁹One of two courts has a Chief Judge.

²⁰Only in Atlanta Municipal Court—incorporated Municipality limits.

²¹Sometimes.

Hawaii:

²²Administration of the Circuit Courts is a shared responsibility with the Court Administrators of each court.

Indiana:

²³The Superior, Circuit, Probate, and County Courts have combined their responses into one survey. All but one county in Indiana lacks a separate probate court. In those counties, the circuit or superior courts exercise probate jurisdiction.

Maine:

²⁴There is a Chief Justice of the Superior Court with statewide responsibility.

²⁵Statewide position.

²⁶A Chief Judge of the District Court has statewide responsibility.

Maryland:

²⁷Different information reported from three different Orphan's Courts.

Massachusetts:

²⁸Five Regional Administrative Justices; sixty-nine First or Presiding Justices.

²⁹This court, similar in subject matter jurisdiction to the District Court Department, sits at one location in Boston. Other than its Chief Justice, there is no judge with general administrative authority within the Boston Municipal Court Department.

³⁰The land court department consists of a single court with a chief justice. There is no other judge with administrative authority in the land court.

Table 30. Authority of Administrative Judges

Michigan:

- ³¹Entire circuit, which includes one or more counties.
³²Chief Judge presides over entire court, which may be a part of a county, a single county, or multiple counties.
³³Each court but not each site.
³⁴It is an exception to the blind draw system.

Nebraska:

- ³⁵The court has statewide jurisdiction, and there is one Presiding Judge for the entire state.
³⁶The Governor appoints acting judges, who are subject to call by the Presiding Judge.
³⁷Trial court judges also sit on three judge review panels as the first stage of appeal. The Presiding Judge assigns judges to review panels.

Nevada:

- ³⁸There is only a head judge if there is more than one judge in the court. There are two with title "Chief Judge" and one "Administrative Judge".

New Hampshire:

- ³⁹Only one remains, part-time.

New Jersey:

- ⁴⁰There are four multi-county vicinages and eleven single-county vicinages.
⁴¹For juvenile referees and domestic violence hearing officers.
⁴²Municipal Courts with more than one judge may have one judge designated as the "Chief Judge."
⁴³Chief Municipal Court Judges are compensated by the municipality at a rate agreed to by the municipality and the judge.
⁴⁴Municipal Court Judges are responsible for virtually all areas of Municipal Court operations. However, with regard to general personnel issues, such as determining compensation and making hiring/firing decisions, that responsibility rests statutorily with the municipality. It is not uncommon, however, for municipalities to consult with the Municipal Court Judge, Municipal Court Administrator or even Vicinage management with personnel issues that impact the Municipal Courts.
⁴⁵Chief Municipal Court Judges are responsible for assigning cases to other judges in their Municipal Court. Unless specifically directed to by their Assignment Judges, and in cases which require a change in venue, PJMC's are not responsible for assigning cases to individual Municipal Court Judges.
⁴⁶PJMC's are only involved in cross-assigning of Municipal Court judges at the direction of the Vicinage Assignment Judge.
⁴⁷Municipal Court judges are responsible for the Supervision of the Fiscal Affairs of their Court. PJMC's are not responsible for fiscal affairs at the Vicinage level, unless specifically authorized as such by the Assignment Judge.
⁴⁸PJMC's have the authority, at the discretion of the Vicinage Assignment Judge, to convene standing or special committees, comprised of Municipal Court Judges and/or other individuals, study specific functions related to Municipal Court practice.
⁴⁹Given that the judiciary is a separate branch of government, Municipal Court judges are precluded from involvement in local political or public relations issues. Media relations are conducted in consultation with the Vicinage Assignment Judge. However, with regard to representing their Municipal Courts on Administrative issues, Municipal Court judges are encouraged to take the lead and educate Municipal judges and other officials on the needs and responsibilities of the Municipal courts. For example, presenting the annual Municipal Court budget to the Municipal leadership is appropriate. The role of the PJMC in the administrative and/or public relations functions of the Municipal Division at the Vicinage level is defined by the Vicinage Assignment Judge.
⁵⁰The Municipal Court Judge is responsible for evaluating the efficiency and professionalism of their Municipal Court. The PJMC's and Vicinage Municipal Division Managers are similarly responsible for evaluating the effectiveness of the Municipal Courts within their vicinages. The degree of oversight is determined in consultation with the Vicinage Assignment Judge.

New York:

- ⁵¹Generally, the Supreme Courts are administered by an Administrative Judge who oversees an entire Judicial District and not an individual court. In certain counties within New York City, (Bronx, Kings and Queens) the Judicial District is comprised of only one Supreme Court location and accordingly the Administrative Judge oversees one court location. In New York County Supreme Court, there are two Administrative Judges, one who oversees the Criminal Term and one who oversees the Civil Term.

⁵²The Administrative Judge's authority to assign cases to individual trial judges is limited since as cases are assigned according to a plan.

⁵³The Administrative Judge makes assignments of judges to specialized divisions of the court after consultation with the Chief Administrative Judge.

⁵⁴Done by both the courts and centrally by the AOC.

⁵⁵The Presiding Judge's authority to assign cases to individual judges is extremely limited since cases are assigned according to a plan.

⁵⁶The Administrative Judge makes assignments of judges to specialized divisions of the court after consultation with the Chief Administrative Judge.

⁵⁷Done by both the courts and centrally by the AOC.

⁵⁸In Judicial Districts 3, 4, and 6, there are no supervising judges in the County Courts. In all other districts outside New York City, there are supervising judges in the County Courts.

⁵⁹The Administrative Judge's authority to assign cases to individual trial judges is limited as cases are assigned through a wheel system.

⁶⁰Done by both the courts and centrally by the AOC.

⁶¹The City Courts in the larger cities (Rochester, Syracuse, Buffalo, and Yonkers) have Supervising Judges. All other City Courts do not.

⁶²The Supervising Judge's authority to assign cases to individual trial judges is limited as cases are assigned through a wheel system.

⁶³Done by both the courts and centrally by the AOC.

⁶⁴Outside New York City, in Judicial Districts 3, 4, and 6, there are no supervising judges in the Family Courts. In all other districts outside New York City, there are supervising judges in the Family Courts.

⁶⁵While most Supervising Judges of the Family Court administer all of a Family Court, this is not true throughout the whole state. In the 5th, 7th, 8th, and 9th Judicial Districts, the Supervising Judge of the Family Court supervises all of the Family Courts within that Judicial District.

⁶⁶In this court, there is an Administrative Judge who administers the entire court and its various court locations (there is a branch of the Civil Court in each county within New York City as well as a separate Housing Court in Bronx County). There is a Supervising Judge in each of the major counties (there is no Supervising Judge in Richmond County).

⁶⁷The Administrative Judge's authority to assign cases to individual trial judges is extremely limited as cases are assigned according to a plan or by random assignment.

⁶⁸The Administrative Judge makes assignments of judges to specialized divisions of the court after consultation with the Chief Administrative Judge.

⁶⁹Done by both the courts and centrally by the AOC.

⁷⁰In the NYC Criminal Court, there is an Administrative Judge who administers the entire court and its various court locations (there is a branch of the Criminal Court in each county within New York City). There is a Supervising Judge in each of the major counties (Kings and Richmond Counties share one supervising judge). The answers pertain to the Administrative Judge.

⁷¹The Administrative Judge's authority to assign cases to individual trial judges is extremely limited as cases are assigned according to a plan.

⁷²The Administrative Judge makes assignments of judges to specialized divisions of the court after consultation with the Chief Administrative Judge.

⁷³Done by both the courts and centrally by the AOC.

Oklahoma:

⁷⁴This court sits on an ad hoc basis. It has no personnel. It uses judges from the district court. It has no appropriation.

Pennsylvania:

⁷⁵President Judge (note: by Supreme Court Order, an Administrative Judge appointed with specified areas of authority).

⁷⁶Administrative Judge.

⁷⁷Both.

Puerto Rico:

⁷⁸Judicial region.

Rhode Island:

⁷⁹Limited.

⁸⁰This court went out of existence July 1, 1999. It is now a part of the district court.

South Carolina:

⁸¹Each county has one probate judge.

Table 30. Authority of Administrative Judges

Tennessee:

⁸²Only nine single-county districts.

⁸³Unknown—there is no statute, but they may operate as such.

⁸⁴Unknown, but may operate as such.

⁸⁵No authority but probably operate as such.

⁸⁶There are two “Probate Courts” in the state. The rest of probate is handled by limited/trial courts.

⁸⁷Not as to the specific, separate two probate courts.

Texas:

⁸⁸The judges of the statutory Probate Courts throughout the state elect a presiding judge of the statutory Probate Courts who receives extra compensation for performing the duties of presiding judge.

⁸⁹Serves as local administrative judge for all statutory county courts in the county.

⁹⁰For Municipal Courts of Record, other than those in certain specified cities, Texas Government Code section 30.00006(e) provides that the presiding municipal judge shall: maintain a central docket for cases filed within the territorial limits of the city over which the courts have jurisdiction; provide for the distribution of business in the courts; call the jury docket and request the jurors needed for cases that are set for trial by jury; and temporarily assign judges or relief judges to act for each other in a proceeding pending in a court if necessary for the expeditious disposition of business in the courts. The statutes creating Municipal Courts of Record in specific cities may provide different types of authority to the presiding municipal judge in each of those cities.

Utah:

⁹¹Additional \$1,000 if district has five or more judges and court commissioners.

⁹²Presiding judge is authorized to assign cases, but many districts use automatic random assignment by the computer.

⁹³Presiding judge and the local court administrator work together in deciding what is appropriate in dealing with public relations and administrative matters.

Vermont:

⁹⁴The Administrative Judge for Trial Courts has the same authority over the Superior Courts as over the Family and District Courts. Each of the fourteen Family, Superior, and District Courts also has a presiding judge.

⁹⁵Each of the fourteen Family, Superior, and District Courts (one in each of Vermont’s fourteen counties) also has a presiding judge with the authority within the county.

⁹⁶The entire state.

⁹⁷The state has one Environmental Judge, subject administratively to the Administrative Judge for Trial Courts.

⁹⁸The state has four Judicial Bureau Hearing Officers, subject administratively to the Administrative Judge for Trial Courts.

Virginia:

⁹⁹Varies.

Washington:

¹⁰⁰Varies from court to court.

Wisconsin:

¹⁰¹The Chief Judge is not the appointing authority or employer in a personnel sense except as to his/her official court reporter and secretary, if there is one.

Table 31. Trial Court Clerks

Court type: G=general jurisdiction L=limited jurisdiction	Method of Selection	Selector	Number of Court Clerks	Term of Office	Source of Salary Funding
Alabama					
G Circuit Court	Partisan election	~	68	6 yrs	100% state ²
L District Court	~ ¹	~	3	At pleasure	100% state
L Municipal Court	Appointed	Local governing body	258	At pleasure	100% local
L Probate Court	Appointed	Probate judge	68	6 yrs	100% local
Alaska					
G Superior Court	3	~	13	4	100% state
L District Court	3	~	20	4	100% state
Arizona					
G Superior Court	Partisan election	~	15	4 yrs	100% local
L Justice of the Peace Court	Appointed	Judge	84 ⁵	Varies	100% local
L Municipal Court	Appointed	Varies	85 ⁵	Varies	100% local
Arkansas					
G Circuit Court	Partisan election	~	75	2 yrs	100% local
G Chancery/Probate Court	Partisan election	~	1 ⁶	2 yrs	100% local
L Municipal Court	Appointed	Judge	126	At pleasure	100% local
L County Court	Partisan election	~	75	2 yrs	100% local
L Police Court	Appointed	Local governing body	4	At pleasure	100% local
L Court of Common Pleas	(Same as county court clerk)	~		County Court Clerks serve	100% local
L City Court	Appointed	Mayor	111	At pleasure	100% local
L Justice of the Peace Court					
California					
G Superior Court	Appointed	Judges	58 ⁷	At pleasure	100% state
L Municipal	Appointed	Judges	17 ⁷	At pleasure	100% state
Colorado					
G District Court	Appointed	District court judges with approval of chief judge	63	At pleasure	100% state
G Denver Probate Court			1		
G Denver Juvenile Court			1		
G Water Court	Appointed	Court	7	At pleasure	100% state
L County Court	Appointed	Court	17	At pleasure	100% state
L Municipal Court	N/S	N/S	N/S	N/S	100% local
Connecticut					
G Superior Court	Appointed	Superior court judges	55 ⁸	1 yr	100% state
L Probate Court	Appointed	Probate court judges	133	At pleasure	100% local ⁹
Delaware					
G Court of Chancery	Partisan election	Electorate	3	4 yrs	100% local
G Superior Court	Appointed	Superior court	3	At pleasure	100% state
L Justice of the Peace Court	Appointed	Chief magistrate	19	At pleasure	100% local
L Family Court	Appointed	Chief judge	3	At pleasure	100% state
L Court of Common Pleas	Appointed	Chief judge	3	At pleasure	100% state
L Alderman's Court	Appointed	Town official	11	At pleasure	100% local
District of Columbia					
G Superior Court	Appointed	Executive officer subject to approval by chief judge	1	At pleasure	100% Federal
Florida					
G Circuit Court	Non-partisan election	~	67	4 yrs	100% local
L County Court	Served by circuit court clerk	~	Served by circuit court clerk	~	~

Legend: N/S=None Stated, ~=Not applicable
SCA=State Court Administrator

Table 31. Trial Court Clerks

Court type: G=general jurisdiction L=limited jurisdiction		Method of Selection	Selector	Number of Court Clerks	Term of Office	Source of Salary Funding
Georgia						
G	Superior Court	Partisan election	~	159	4 yrs	100% local
L	Juvenile Court	Appointed	~	36 ¹⁰	At pleasure	100% local
L	Civil Court	Varies	~	2	Varies	100% local
L	State Court	Appointed ¹¹	~	7 ¹¹	At pleasure	100% local
L	Probate Court	Appointed	Court	103 ¹²	At pleasure	100% local
L	Magistrate Court	Appointed	Chief magistrate	65 ¹³	At pleasure	100% local
L	Municipal Court of Columbus	Elected	~	1	4 yrs	100% local
L	County Recorder's Court	Appointed	County Board	N/S	At pleasure	100% local
L	Municipal Court and City Court of Atlanta	Appointed	Chief Judge	N/S	At pleasure	100% local
Hawaii						
G	Circuit and Family Court	Appointed ¹⁴	~	4 ¹⁵	Civil Service tenure	100% state
L	District Court	Appointed ¹⁴	~	4	Civil Service tenure	100% state
Idaho						
G	District Court	Partisan election	~	44	4 yrs	100% local
Illinois						
G	Circuit Court	Partisan election	~	102	4 yrs	State/local
Indiana						
G	Superior Court	~	~	~	~	~
G	Circuit Court	Partisan election	~	92	4 yrs	100% local
G	Probate Court	~	~	~	~	~
L	County Court	~	~	~	~	~
L	City Court	Appointed	Judge	N/S	4 yrs	100% local
L	Town Court	Appointed	Judge	N/S	4 yrs	100% local
L	Small Claims Court of Marion County	Partisan election	~	N/S	4 yrs	100% local
Iowa						
G	District Court	Appointed	District judges	99	At pleasure	100% state
Kansas						
G	District Court	Appointed	Administrative Judge	105	At pleasure	100% state
L	Municipal Court	Appointed	Judges	~	At pleasure	100% local
Kentucky						
G	Circuit Court	Partisan election	~	120	6 yrs	100% state
L	District Court	(same as circuit clerk)	~	~	~	~
Louisiana						
G	District Court	Nonpartisan election	~	65	4 yrs	100% local
G	Juvenile and Family	Varies	Varies ¹⁶	2	~	100% local
L	Justice of the Peace Court	~	~	~	~	~
L	Mayor's Court	~	~	~	~	~
L	City and Parish Courts	Appointed (generally)	Court ¹⁷	49	At pleasure	100% local
Maine						
G	Superior Court	Appointed	Chief justice of superior court	15	¹⁸	100% state
L	District Court	Appointed	Chief judge of district court	33	¹⁸	100% state
L	Probate Court	Partisan election	~	16	4 yrs	100% local
L	Administrative Court	Appointed	Administrative Court Judge	1	¹⁸	100% state

Legend: N/S=None Stated, ~=Not Applicable
SCA=State Court Administrator

Table 31. Trial Court Clerks

Court type: G=general jurisdiction L=limited jurisdiction	Method of Selection	Selector	Number of Court Clerks	Term of Office	Source of Salary Funding
Maryland					
G Circuit Court	Partisan election – Judges of court, if vacancy, for unexpired term	~	24	4 yrs	100% state
L District Court	Appointed	Chief judge	13	At pleasure	100% state
L Orphan's Court	Partisan election	~	24	4 yrs	100% state
Massachusetts					
G Superior Court	Partisan election	~	15	6 yrs	100% state
L District Court	Appointed	Governor ¹⁹	68	No mandatory retirement	100% state
L Boston Municipal Court	Appointed	Governor ¹⁹	2	No mandatory retirement	100% state
L Juvenile Court	Appointed	Governor ¹⁹	11	No mandatory retirement	100% state
L Housing Court	Appointed	Governor ¹⁹	5	No mandatory retirement	100% state
L Probate & Family Court	Partisan election	~	14	6 yrs	100% state
L Land Court	Appointed	Governor ¹⁹	1	No mandatory retirement	100% state
Michigan					
G Circuit Court	Partisan election	~	83 ²⁰	4 yrs	100% local
G Court of Claims	Appointed	Chief judge	1	At pleasure	100% local
L District Court	Appointed	Chief judge	147	At pleasure	100% local
L Probate Court	Appointed	Chief judge	83	At pleasure	100% local
L Municipal Court	Appointed	Chief judge	6	Varies	100% local
Minnesota					
G District Court	Appointed	District Court judges	85 ²¹	At pleasure	100% local ²²
Mississippi					
G Circuit Court	Partisan election	~	82	4 yrs	100% local
G Chancery Court	Partisan election	~	82	4 yrs	100% local
L County Court	Usually served by circuit court clerk	~	~	~	~
L Family Court	Usually served by chancery court clerk	~	~	~	~
L Municipal Court	Appointed(a)	Mayor/Board	200	Varies	100% local
L Justice Court	Appointed	Board	86	Varies	100% local
Missouri					
G Circuit Court ²³	Partisan election	~	114	4 yrs	100% state
L Municipal Court	Appointed	Judge and/or city administrator	N/S	At pleasure	100% local
Montana					
G District Court	Partisan election	~	1	4 yrs	100% local
G Workers' Comp. Court	Appointed	Judge	1	At pleasure	100% state
G Water Court	Appointed	Judge	1	At pleasure	100% state
L Justice of the Peace Court	Appointed	County commission	55	At pleasure	100% local
L Municipal Court	Appointed	Judge	1	At pleasure	100% local
L City Court	~	~	~	~	~
Nebraska					
G District Court	Partisan election	~	93	4 yrs	100% local
L Separate Juvenile Court	~	~	Served by District Court clerk	~	~
L Worker's Compensation	Appointed	Court	1	At pleasure	100% state
L County Court	Appointed	Court	93	At pleasure	100% state

Legend: N/S=None Stated, ~=Not applicable
SCA=State Court Administrator

Table 31. Trial Court Clerks

Court type: G=general jurisdiction L=limited jurisdiction	Method of Selection	Selector	Number of Court Clerks	Term of Office	Source of Salary Funding
Nevada					
G District Court	Partisan election	~	17	Varies	100% local
L Justice Court	Appointed	Judge	N/S	At pleasure	100% local
L Municipal Court	Appointed	Judge	N/S	At pleasure	100% local
New Hampshire					
G Superior Court	Appointed	Justices of the superior court	11	At pleasure	100% state
L District Court	Appointed	By the justice of each district court with approval of administrative judge	37	At pleasure	100% state
L Municipal Court	Appointed	By the justice of each municipal court	3	At pleasure	100% state
L Probate Court	Partisan election	~	10	2 yrs	100% state
New Jersey					
G Superior Court	Appointed	Supreme Court	1 ²⁴	At pleasure	100% state
L Tax Court	Appointed	Supreme court	1	At pleasure	100% state
L Municipal Court	Appointed	Municipal governing body ²⁵	537	²⁶	100% local
New Mexico					
G District Court	Appointed	Presiding judge	13	Classified employee	100% state
L Magistrate Court	Appointed	Local judge & AOC	45	Classified employee	100% state
L Bernalillo County Metropolitan Court	Appointed	Chief Judge	1	At pleasure	100% state
L Municipal Court	Appointed	Local governing body	N/S	At pleasure	100% local
L Probate Court	Partisan election	~	33	4 yrs	100% local
New York					
G Supreme Court	Appointed	Administrative judge	69	At pleasure	100% state
G County Court	Appointed	District administrative judge	57	At pleasure	100% state
L District Court	Appointed	District administrative judge	2	At pleasure	100% state
L City Court	Appointed	District administrative judge	61	At pleasure	100% state
L Criminal Court of NYC	Appointed	Administrative Judge	1	At pleasure	100% state
L Town and Village	Appointed	Town or village board	N/S	At pleasure	100% local
L Court of Claims	Appointed	Presiding judge	1	At pleasure	100% state
L Surrogates' Court	Appointed	Administrative Judge	62	At pleasure	100% state
L Family Court	Appointed	Administrative judge	58	At pleasure	100% state
L Civil Court of NYC	Appointed	Administrative Judge	1	At pleasure	100% state
North Carolina					
G Superior Court	Partisan election	~	100	4 yrs	100% state
L District Court	²⁷	~	²⁷	4 yrs	100% state
North Dakota					
G District Court	Nonpartisan election	~	53	4 yrs	100% local
L Municipal Court	Appointed	Municipal Court Judge	N/S	At pleasure	100% local
Ohio					
G Court of Common Pleas	Partisan election	~	88	4 yrs	100% local ²⁸
L Municipal Court	Appointed ²⁹	Court	118	At pleasure ²⁹	100% local
L County Court	³⁰	Board of County Commissioners	N/S	At pleasure	100% local
L Court of Claims	Appointed	Supreme court/chief justice	1	At pleasure	100% state
L Mayors Court	Appointed	³¹	1	~	100% local

Legend: N/S=None Stated, ~=Not Applicable
SCA=State Court Administrator

Table 31. Trial Court Clerks

Court type: G=general jurisdiction L=limited jurisdiction	Method of Selection	Selector	Number of Court Clerks	Term of Office	Source of Salary Funding
Oklahoma					
G District Court	Partisan election	~	77	4 yrs	100% local
L Municipal Court Not of Record	Appointed	Municipal court clerk serves ex-officio	340	4 yrs	100% local
L Municipal Criminal Court of Record	Appointed	City governing body	2	At pleasure	100% local
L Workers' Compensation Court	Appointed	Administrative, presiding judge	1	At pleasure	100% state
L Court of Tax Review	Statutory	~	32	~	100% state
Oregon					
G Circuit Court	Appointed	Presiding judge	26	At pleasure	100% state
G Tax Court	Appointed	COLR Chief Justice	1 (same as SCA)	At pleasure	100% state
L County Court	~	~	~	~	~
L Justice Court	~	~	~	~	~
L Municipal Court	~	~	~	~	~
Pennsylvania					
G Court of Common Pleas	Partisan election	~	67 ³³	4 yrs	100% local
L Philadelphia Municipal	~	~	~	~	~
L District Justice Court	~	~	~	~	~
L Philadelphia Traffic Court	~	~	~	~	~
L Pittsburgh City Magistrates	~	~	~	~	~
Puerto Rico					
G Superior Court	Appointed	Regional Court Administrator	13	At pleasure	100% state
L District Court	Appointed	Regional Court Administrator	38	At pleasure	100% state
L Municipal Court	34	34	34	34	34
Rhode Island					
G Superior Court	Appointed	Governor, senate confirmation	1	5 yrs	100% state
L Worker's Compensation	Appointed	Governor, senate confirmation	1 (same as SCA)	12 yrs	100% state
L District Court	Appointed	Governor, senate confirmation	1	5 yrs	100% state
L Family Court	Appointed	Chief judge	1	At pleasure	100% state
L Probate Court	Same as city/town clerk	Varies	~	~	100% local
L Municipal Court	Appointed	Chief judge	7	At pleasure	100% local
South Carolina					
G Circuit Court	Partisan election	~	46	4 yrs	100% local
L Family Court	Appointed	Circuit court clerk	~	~	~
L Magistrate Court	~	~	~	~	~
L Probate Court	Appointed	Judge	46	At pleasure	100% local
L Municipal Court	Appointed	Local governing body	N/S	At pleasure	100% local
South Dakota					
G Circuit Court	Appointed	Presiding circuit judge	64	At pleasure	100% state
Tennessee					
G Circuit Court	Partisan election	~	95	4 yrs	state, local
G Chancery Court	Appointed	Chancellor	99	6 yrs	state, local
G Criminal Court	Partisan election	~	4	4 yrs	state, local
G Probate Court	Partisan election	~	1	4 yrs	state, local
L Juvenile Court	Partisan election	~	6	4 yrs	state, local
L Municipal Court	Partisan election	~	1	4 yrs	local
L General Sessions Court	Partisan election	~	2	4 yrs	local
L County Clerks	Partisan election	~	95	4 yrs	local

Legend: N/S=None Stated, ~=Not applicable
SCA=State Court Administrator

Table 31. Trial Court Clerks

Court type: G=general jurisdiction L=limited jurisdiction	Method of Selection	Selector	Number of Court Clerks	Term of Office	Source of Salary Funding
Texas					
G District Courts	Partisan election	~	254 ³⁵ 35	4 yrs	100% local
L Constitutional County Court	Partisan election				
L County Courts at Law	Partisan election	~	35	4 yrs	100% local
L Probate Court	Partisan election		35		
L Justice of the Peace Court	Varies	Varies	N/S	At pleasure	100% local
L Municipal Court	Varies	Varies	N/S	At pleasure	100% local
Utah					
G District Court	Appointed	Trial Court Administrator	12	At pleasure	100% state
L Justice Court	Appointed	Judge	~	~	100% local
L Juvenile Court	Appointed	Trial Court Administrator	8	At pleasure	100% state
Vermont					
G Superior Court	Appointed	Assistant judges	14	At pleasure	100% state
G District Court	Appointed	SCA	14	Indefinite	100% state
G Family Court	Appointed	SCA	14	Indefinite	100% state
L Probate Court	Appointed	Probate judge	19	At pleasure	100% state
L Environmental Court	Appointed	SCA	1	Indefinite	100% state
Virginia					
G Circuit Court	Partisan election	~	122	8 yrs	State, local
L District Court	Appointed	Chief judge	134	At pleasure	100% state
Washington					
G Superior Court	Varies; Majority elected	~	39	4 yrs	100% local
L District Court	Appointed	Presiding judge	63	At pleasure	100% local
L Municipal Court	Appointed	Presiding judge	133	At pleasure	100% local
West Virginia					
G Circuit Court	Partisan election	~	55	6 yrs	100% local
L Magistrate Court	Appointed	Chief judge	55	At pleasure	100% state
L Municipal Court	~	~	~	~	~
Wisconsin					
G Circuit Court	Partisan election	~	72	2 yrs	100% local
L Municipal Court	Appointed	Municipal judge	257	At pleasure	100% local
Wyoming					
G District Court	Partisan election	~	23	4 yrs	100% local
L Justice of the Peace Court	Appointed	Court	14	At pleasure	100% local
L Municipal Court	Appointed	Court	73	At pleasure	100% local
L County Court	Appointed	Court	14	At pleasure	100% state

FOOTNOTES:

Alabama:

¹By state court administrator with advice and consent of presiding court judges and a majority of the district court judges.

²Some clerks receive a county supplement or expense allowance.

Alaska:

³Superior and District Court appointment by trial court administrator with assistance of presiding judge of the judicial district or local judicial officer.

⁴State employees (under state personnel rules).

Arizona:

⁵Assuming 1 per court at each court location identified in the "1998 Report of the Arizona Judicial Branch."

Arkansas:

⁶Chancery/Probate Courts: only Pulaski County has a separate clerk.

California:

⁷As of 7/31/98, 47 of the 58 counties have unified the Superior and Municipal Courts and one executive officer serves for the unified court. This is changing rapidly as unification votes are taken.

Connecticut:

⁸15 Clerks serve the Judicial Districts; 21 serve the Geographical Areas; 6 serve the Housing Session; 13 serve the Juvenile Matters.

⁹Generated by fees paid to court.

Georgia:

¹⁰Juvenile Court: in 36 counties a separate Juvenile Court clerk serves; in all other counties except the six counties of the southwestern circuit, superior court clerks serve. In the southwestern circuit counties, a court services worker serves as the clerk.

¹¹State Court: 7 counties have a separate court clerk, all other state courts are served by the superior court clerk.

¹²Probate Court: number is approximate. 3 clerks are part-time

¹³Magistrate Court: number is approximate.

Table 31. Trial Court Clerks

Hawaii:

¹⁴Civil Service

¹⁵Circuit/Family Courts: referred to as court administrators.

Louisiana:

¹⁶In Parish Courts, the District Court clerks are ex-officio clerks of the Parish Courts. See R.S. 13:2561.12; 2562.12; 2563.4.

¹⁷In some parishes, such as Jefferson, the clerk of the 29th Judicial District Court serves as ex-officio clerk of the juvenile court. See, R.S. 13:1597. However, the juvenile court of New Orleans has its own clerk. See, R.S. 13:1587.1.

Maine:

¹⁸Subject to collective bargaining contract.

Massachusetts:

¹⁹Gubernatorial appointment from nominating commission with approval of governor's council.

Michigan:

²⁰The number includes Circuit Court clerks serving the Court of Claims.

Minnesota:

²¹Called court administrators.

²²A pilot project in one judicial district provides for state funding of the trial court. There are 13 counties in the judicial district. All other offices are funded by the county government.

Missouri:

²³Two circuit court clerks are appointed. Appointed clerks are paid by the county, but the state pays the county a sum equivalent to the salary that would be paid for an elected circuit clerk.

New Jersey:

²⁴The 15 Trial Court Administrators serve as deputy clerks of Superior Court for the 21 counties, the trial court administrators are state funded.

²⁵A gubernatorial appointment for courts serving more than one municipality.

²⁶The position is referred to as Municipal Court Administrator (NJSA 2B:12-10). There are no set terms of office. Upon certification, an administrator is granted tenure (NJSA 2B:12-11).

North Carolina:

²⁷Served by Superior Court clerk.

Ohio:

²⁸Local, but extra paid by state funds for acting as clerk for court of appeals.

²⁹Twenty-two municipal court clerks are elected on a partisan ballot for a 6 year term (area with 100,000 population).

³⁰Appointed or existing court of common pleas clerk.

³¹Appointed by mayor; or mayor will serve. If mayor serves, there is no additional salary.

Oklahoma:

³²Appellate court clerk serves as clerk for the Court of Tax Review.

Pennsylvania:

³³Office of the Clerk of Court in Pennsylvania refers to the criminal division of the courts of common pleas, the civil division clerk is termed "prothonotary" these officials are elected, with a few exceptions in home rule counties.

Puerto Rico:

³⁴The clerk of the district court simultaneously serves as court clerk for the Municipal Court.

Texas:

³⁵Each county has a county clerk. Texas has 254 counties. The county clerk serves as clerk of the Constitutional County Court, County Court(s) at Law, and Statutory Probate Court(s) in the county.

Table 32. Trial Court Administrators

	Number of Court Administrators	Number of Non-Clerk Administrators	The Role of the AOC in Selecting Trial Court Administrators					Amount of Salary Paid by State
			Nominates Candidates	Interviews Candidates	Makes Final Decision	AOC Has Some Other Role	Trial or Chief Judge Makes Decision	
Alabama								
Circuit Court	5	0					■	●
District Court	0	0					■	~
Municipal Court	0	6 ¹				■ ²	■	○
Probate Court	~	~	~	~	~	~	~	~
Alaska								
Superior Court	4 ³	0 ³					■	●
District Court	4 ³	0 ³					■	●
Arizona								
Superior Court	13	0					■	○
Justice of the Peace Court	1	5 ⁴					■	○
Municipal Court	15	1 ⁵					■	○
Tax Court	~	~	~	~	~	~	~	~
Arkansas								
Chancery and Probate Court	2	0					■	○
Circuit Court	2	0					■	○
City Court	~	~	~	~	~	~	~	~
Justice of the Peace Court ⁶	~	~	~	~	~	~	~	~
County Court ⁷	~	~	~	~	~	~	~	~
Court of Common Pleas	~	~	~	~	~	~	~	~
Municipal Court	~	~	~	~	~	~	~	~
Police Court	~	~	~	~	~	~	~	~
California								
Superior Court	58	0					■	●
Municipal Court	19	0					■	●
Colorado								
District Court	20	0				■	■	●
Denver Probate Court	1	0				■	■	●
Water Court	N/S	N/S				■	■	●
Denver Juvenile Court	1	0				■	■	●
County Court	~	~	~	~	~	~	~	~
Municipal Court	~	~	~	~	~	~	~	~
Connecticut								
Superior Court	10	0	■	■	■			●
Probate Court	1 ⁸	0				■ ⁶		●
Delaware								
Court of Chancery	1	~						●
Superior Court	1	0					■	●
Alderman's Court	0	0	~	~	~	~	~	~
Court of Common Pleas	1	0					■	●
Family Court	1 ⁹	0					■	●
Justice of the Peace Court	1	0					■	●
District of Columbia								
Superior Court	1	0	~	~	~	~	~	○
Florida								
Circuit Court	20	0					■	● ¹⁰
County Court	0 ¹¹	0					■	●
Georgia ¹²								
Superior Court	11	11					■	○
City Court of Atlanta	3	2					■	○
Civil Court	0	0					■	○
County Recorder's Court	N/S	N/S					■	○
Juvenile Court	11	10					■	○

Legend: ~=Not Applicable, N/S=None Stated, ■=yes
 ●=All of salary, ○=None of salary, ●=Some of salary, Blank = No role

Table 32. Trial Court Administrators

	Number of Court Administrators	Number of Non-Clerk Administrators	The Role of the AOC in Selecting Trial Court Administrators					Amount of Salary Paid by State
			Nominates Candidates	Interviews Candidates	Makes Final Decision	AOC Has Some Other Role	Trial or Chief Judge Makes Decision	
Georgia (Continued)								
Magistrate Court	1	1					■	○
Municipal Court	N/S	0					■	○
Municipal/Muskogee County Court	0	0	~	~	~	~	~	○
Probate Court	N/S	N/S					■	○
State Court	5	5					■	○
Hawaii								
Circuit Court	4	0					■	●
District Court	4	0					■	●
Family Court	4	0					■	●
Idaho								
District Court	~	0	■	■			■ ¹³	●
Illinois								
Circuit Court	11 ¹⁴	0					■	● ¹⁵
Indiana								
Superior Court	N/S	0					■	○
Circuit Court	N/S	0					■	○
Probate Court	N/S	0					■	○
City Court	N/S	0	N/S	N/S	N/S	N/S	N/S	N/S
County Court	N/S	0					■	○
Town Court	N/S	0	N/S	N/S	N/S	N/S	N/S	N/S
Small Claims Court of Marion County	0	0	N/S	N/S	N/S	N/S	N/S	○
Iowa								
District Court	~	8					■	●
Kansas								
District Court	14	0		■			■	●
Municipal Court	6	0					■	○
Kentucky								
Circuit Court	14	0					■	●
District Court	2	0					■	●
Louisiana								
District Court	19	19					■	○ ¹⁶
Family Court	1	1					■	○
Juvenile Court	4	4					■	○
City and Parish Court	20	4					■	○
Justice of the Peace Court	~	~	~	~	~	~	~	~
Mayor's Court	~	~	~	~	~	~	~	~
Maine								
Superior Court	0	4 ¹⁷			■			●
Administrative Court	1 ¹⁸	0			■			●
District Court	0	4 ¹⁹			■			●
Probate Court	~	~	~	~	~	~	~	~
Maryland								
Circuit Court	7	1					■	○
District Court	1 ²⁰	12 ²⁰					■	●
Orphan's Court	0	0	~	~	~	~	~	~
Massachusetts								
Superior Court	1 ²¹	5 ²¹					■	●
District Court	1 ²²	5 ²²					■	●
Boston Municipal Court	1	0					■	●
Housing Court	1	0					■ ²³	●
Juvenile Court	1 ²⁴	0					■	●

Legend: ~=Not Applicable, N/S=None Stated, ■=yes
 ●=All of salary, ○=None of salary, ◐=Some of salary, Blank = No role

Table 32. Trial Court Administrators

	Number of Court Administrators	Number of Non-Clerk Administrators	The Role of the AOC in Selecting Trial Court Administrators				AOC Has Some Other Role	Trial or Chief Judge Makes Decision	Amount of Salary Paid by State
			Nominates Candidates	Interviews Candidates	Makes Final Decision				
Massachusetts, continued									
Land Court	1	0				■ ²³	■	●	
Probate & Family Court	1	0				■	■	●	
Michigan									
Circuit Court	43	~					■	○	
Court of Claims	1	0					■	○	
District Court	128	~					■	○	
Municipal Court	6 ²⁵	0	N/S	N/S	N/S	N/S ²⁶	N/S	○	
Probate Court	33	~					■	○	
Minnesota									
District Court	10	~	■	■			■	●	
Mississippi									
Circuit Court	34	0			■			●	
Chancery Court	28	0			■			●	
County Court	11	0			■			○	
Family Court	1	0					■	○	
Justice Court	0	0				■ ²⁷		○	
Municipal Court	1	0				■ ²⁸		○	
Missouri									
Circuit Court	6	0					■	○	
Municipal Court	2	0					■	○	
Montana									
District Court	0	0	~	~	~	~	~	~	
Water Court	0	0	~	~	~	~	~	~	
Workers' Compensation Court	0	0	~	~	~	~	~	~	
City Court	0	0	~	~	~	~	~	~	
Justice of the Peace Court	0	0	~	~	~	~	~	~	
Municipal Court	0	0	~	~	~	~	~	~	
Nebraska									
District Court	1	0	~	~	~	~ ²⁹	~	~	
County Court	2	0	■	■			■	●	
Separate Juvenile Court	~	~	~	~	~	~	~	~	
Workers' Compensation Court	1 ³⁰	0					■	~	
Nevada									
District Court	15	2					■	○	
Justice Court	8	8					■	○	
Municipal Court	6	6					■	○	
New Hampshire									
Superior Court	10	0		■			■	●	
District Court	0	3		■				●	
Municipal Court ³¹	~	~	~	~	~	~	~	~	
Probate Court	0	1		■				●	
New Jersey									
Superior Court	15	0		■	■ ³²			●	
Municipal Court	0 ³³	0 ³³	~	~	~	~	~	~	
Tax Court	1	0		■			■	●	
New Mexico									
District Court	13	0	■				■	●	
Magistrate Court	0	6 ³⁴	■	■	■	35		●	
Municipal Court	20	0	~	~	~	~ ³⁶	~	○	
Probate Court	0	0	~	~	~	~	~	~	
Metropolitan Court of Bernalillo County	1	0	■				■	●	

Legend: ~=Not Applicable, N/S=None Stated, ■=yes
 ●=All of salary, ○=None of salary, ◐=Some of salary, Blank = No role

Table 32. Trial Court Administrators

	Number of Court Administrators	Number of Non-Clerk Administrators	The Role of the AOC in Selecting Trial Court Administrators					Amount of Salary Paid by State
			Nominates Candidates	Interviews Candidates	Makes Final Decision	AOC Has Some Other Role	Trial or Chief Judge Makes Decision	
New York								
Supreme Court	63	10				■ ³⁹		●
County Court	63 ³⁷	10 ³⁸				■ ³⁹		●
District Court	2 ⁴⁰	2 ⁴¹				■ ³⁹		●
Court of Claims	1 ⁴²	1 ⁴³				■ ³⁹		●
City Court	61 ⁴⁰	10 ⁴⁴				■ ³⁹		●
Family Court	58 ⁴⁰	10 ⁴⁴				■ ³⁹		●
Surrogates' Court	58 ⁴⁰	10 ⁴⁴				■ ³⁹		●
Town and Village Justice Court	0	0	~	~	~	~	~	~
Civil Court of the City	1 ⁴⁰	1 ⁴⁵				■ ³⁹		●
Criminal Court of the City	1	1 ⁴⁵				■ ³⁹		●
North Carolina								
Superior Court	11 ⁴⁶	0		■			■	●
District Court	11	0		■			■	●
North Dakota								
District Court	7	0	■				■	●
Municipal Court	0	0	~	~	~	~	~	~
Ohio								
Court of Common Pleas	N/S ⁴⁷	N/S ⁴⁷					■	○
County Court	47	0					■	○
Court of Claims	1	0				■ ⁴⁸		●
Mayors Court	400	0				49	■	○
Municipal Court	N/S	N/S					■	○
Oklahoma								
District Court	2	0					■	●
Court of Tax Review ⁵⁰	~	~	~	~	~	~	~	~
Municipal Court Not of Record	N/S ⁵¹	0	~	~	~	~	~	~
Municipal Court of Record	1	0				■ ⁵²		○
Oregon								
Circuit Court	26	0					■	●
Tax Court	26	0					■	●
County Court	N/S	N/S	N/S	N/S	N/S	N/S	N/S	N/S
Justice Court	N/S	N/S	N/S	N/S	N/S	N/S	N/S	N/S
Municipal Court	N/S	N/S	N/S	N/S	N/S	N/S	N/S	N/S
Pennsylvania								
Court of Common Pleas	165 ⁵³	0				■ ⁵⁴		○
District Justice Court	165 ⁵⁵	0				■ ⁵⁴		○
Philadelphia Municipal Court	3 ⁵⁶	0				■ ⁵⁴		○
Philadelphia Traffic Court	1	0				■ ⁵⁴		○
Pittsburgh City Magistrate Court	N/S	N/S						○
Puerto Rico								
Court of First Instance:								
Superior Court	13 ⁵⁷	13	■	■				●
District Subdivision	0	0	~	~	~	~	~	~
Municipal Division	0	0	~	~	~	~	~	~

Legend: ~=Not Applicable, N/S=None Stated, ■=yes
 ●=All of salary, ○=None of salary, ◐=Some of salary, Blank = No role

Table 32. Trial Court Administrators

	Number of Court Administrators	Number of Non-Clerk Administrators	The Role of the AOC in Selecting Trial Court Administrators				AOC Has Some Other Role	Trial or Chief Judge Makes Decision	Amount of Salary Paid by State
			Nominates Candidates	Interviews Candidates	Makes Final Decision				
Rhode Island									
Superior Court	1	0					■	●	
Workers' Compensation Court	1	0				■ ⁵⁸		●	
District Court	1	0					■	●	
Family Court	1	0					■	●	
Municipal Court	N/S ⁵⁹	N/S	~	~	~	~ ⁶⁰	~	○	
Probate Court	N/S ⁶¹	N/S	~	~	~	~ ⁶⁰	~	○	
Administrative Adjudication Court	1	0				■ ⁵⁸		●	
South Carolina									
Circuit Court	~	~	~	~	~	~	~	~	
Family Court	~	~	~	~	~	~	~	~	
Magistrate Court	0	0	~	~	~	~	~	~	
Municipal Court	0	0	~	~	~	~	~	~	
Probate Court	~	~	~	~	~	~	~	~	
South Dakota									
Circuit Court	2	0	■	■			■	●	
Tennessee									
Circuit Court	2	0					■	○	
Criminal Court	0	0	~	~	~	~	~	~	
Chancery Court	2 ⁶²	0					■	○	
Probate Court	N/S	N/S					■	○	
General Sessions Court	2	2	N/S	N/S	N/S	N/S	N/S	○	
Juvenile Court	N/S	N/S					■	○	
Municipal Court	0	0	~	~	~	~	~	~	
Texas									
District Court	N/S	N/S	~	~	~	~	~	○	
Constitutional County Court	N/S	N/S	~	~	~	~	~	○	
Probate Court	N/S	N/S	~	~	~	~	~	○	
Justice of the Peace Court	N/S	N/S	~	~	~	~	~	○	
County Court at Law	N/S	N/S	~	~	~	~	~	○	
Municipal Court	N/S	N/S	~	~	~	~	~	○	
Utah									
District Court	1	8	■ ⁶³	■ ⁶⁵	■ ⁶³			●	
Justice Court	1 ⁶⁴	0	■ ⁶⁵	■ ⁶⁵	■ ⁶⁵			●	
Juvenile Court	1	8	■	■	■	■ ⁶⁶		●	
Vermont									
District Court	14	0			■			●	
Superior Court	14	0				■ ⁶⁷		●	
Family Court	14	0			■			●	
Probate Court	14	0					■	●	
Environmental Court	1	0			■			●	
Traffic/Municipal Ordinance Court	1	0			■			●	
Virginia									
Circuit Court	0	0	~	~	~	~ ⁶⁸	~	~	
District Court	1	0		■				●	
Washington									
Superior Court	23	0					■	○	
District Court	50	0	~	~	~	~	~	○	
Municipal Court	67	0	~	~	~	~	~	○	
West Virginia									
Circuit Court	2	0				■ ⁶⁹		●	
Magistrate Court	0	0	~	~	~	~	~	~	
Municipal Court	0	0	~	~	~	~	~	~	

Legend: ~=Not Applicable, N/S=None Stated, ■=yes
 ●=All of salary, ○=None of salary, ◐=Some of salary, Blank = No role

Table 32. Trial Court Administrators

	Number of Court Administrators	Number of Non-Clerk Administrators	The Role of the AOC in Selecting Trial Court Administrators					Amount of Salary Paid by State
			Nominates Candidates	Interviews Candidates	Makes Final Decision	AOC Has Some Other Role	Trial or Chief Judge Makes Decision	
Wisconsin								
Circuit Court	0	10	■	■	■		■	●
Municipal Court	0	2 ⁷⁰					■	○
Wyoming								
District Court	0	0	~	~	~	~	~	~
County Court	0	0	~	~	~	~	~	~
Justice of the Peace Court	0	0	~	~	~	~	~	~
Municipal Court	0	0	~	~	~	~	~	~

FOOTNOTES:

Alabama:

¹There are approximately six Municipal Court administrators who also serve as court clerk/magistrates.

²The city council hires the court administrator, and may or may not receive the judge's advice on the selection of court administrator. The AOC does not select or nominate candidates.

Alaska:

³State is divided into four administrative districts. One area court administrator per district, twenty-eight court sites with clerk-court managers.

Arizona:

⁴The regional court administrators serve all of the Justice Courts in a single county. At least one of these also works with Municipal Courts in the county.

⁵One county has an administrator who works with Justice Courts and Municipal Courts in that county.

Arkansas:

⁶Although authorized, there are no justice of the peace courts operating in the state at this time.

⁷County courts do not exercise any judicial function. Rather they exist only to hear county administrative disputes.

Connecticut:

⁸There is one Probate Court Administrator for the state. The Administrator is appointed by the Chief Justice of Connecticut, who serves indefinitely at his or her pleasure. Connecticut now has 30 probate court districts.

Delaware:

⁹There is one state "family" court, with one administrator who serves at pleasure of Chief Judge with no AOC input.

Florida:

¹⁰In two or three jurisdictions the county pays the TCA's salary.

¹¹There are 67 counties and 20 judicial circuits in Florida. There is one TCA for each of the 20 circuits. This TCA is responsible for all counties within the circuit.

Georgia:

¹²Does not include ten regional court administrators for the superior courts.

Idaho:

¹³AOC and judges make hiring decision.

Illinois:

¹⁴Six are 100 percent state funded positions; five are 100 percent county funded positions.

¹⁵Depends on whether state or county funded positions.

Louisiana:

¹⁶Salary of Orleans Parish Criminal District Court judicial administrator is state appropriated.

Maine:

¹⁷There are four regional court administrators responsible for all courts within their region including Superior Court, District Court, Administrative Court, and the Supreme Court.

¹⁸Regional Court Administrators (RCA) are responsible for all courts in their region. The Administrative Courts have a single location. The RCA is responsible for this court. Also has Superior, District, and Supreme Court responsibilities.

¹⁹There are four regional court administrators responsible for all courts within their region including Superior Court, District Court, Administrative Court, and the Supreme Court.

Maryland:

²⁰The District Court of Maryland is a uniform statewide court of limited jurisdiction with one Chief Clerk. The state is divided by regions into twelve districts. There is one Administrative Clerk in each district who administers to the nonjudicial needs of that district.

Massachusetts:

²¹The Chief Justice is assisted by a court administrator and three regional coordinators.

²²The Chief Justice has designated five regional administrative justices to advise and assist him with respect to the administration of that department.

²³AOC assures compliance with applicable personnel standards.

²⁴A court administrator assists the Chief Justice. There are no regional administrative Justices or regional coordinators.

Michigan:

²⁵Five Municipal Courts: 3 with 1 site and 1 judge each, 1 with 2 sites and 1 judge total, 1 with 1 site and 2 judges. These are totally funded by their local communities which did not convert from Municipal Courts to District Courts after 1968 as did all the other communities throughout the state. They receive no funds for judicial salaries. All but one of the municipal courts has only one judge. In the court staffed by 2 judges, the Chief Judge enjoys all of the responsibilities of District Court Chief Judges. Assigning cases to other judges may be done under certain conditions. However, court rule requires that cases be assigned by blind draw unless a local administrative order is entered.

²⁶SCAO staff have assisted courts on occasion, in selecting court administrators. There is no mandate to do so.

Mississippi:

²⁷No role.

²⁸Local governing board makes appointment.

Nebraska:

²⁹No role.

³⁰State Court Administrator.

New Hampshire:

³¹Only one remains, part-time.

Table 32. Trial Court Administrators

New Jersey:

³²There is a screening and interview committee, including an AOC representative, that recommends approximately three top candidates to the Assignment Judge. The Assignment Judge then selects the prospective top candidate subject to the approval of the Administrative Director.

³³There are no Trial Court Administrators or Regional Court Administrators in New Jersey with the sole responsibility of overseeing the operations of the Municipal Courts. The New Jersey court system is divided into fifteen geographic areas. Each Vicinage has a Trial Court Administrator (TCA) who, along with the Assignment Judge, has responsibility over all Municipal and Superior Court operations. Working for each TCA is a Municipal Division Manager responsible for overseeing the Municipal Courts in that Vicinage. Together, their role is to provide oversight, supervision and guidance to the Municipal Court Judges and Administrators. It is important to note that the PJMC/Division Manager component does not run the day-to-day operations of any Municipal Court.

New Mexico:

³⁴Administrative support for Magistrate Courts is provided by the AOC. The Magistrate Court Division consists of six persons involved in support and three involved in revenue collection.

³⁵Magistrates are involved in selection of Director of Magistrate Court Division.

³⁶No role.

New York:

³⁷Court Administrators: sixty-three chief clerks include separate Supreme and County Court Clerks in eight large jurisdictions, clerks of combined Supreme and County Courts in other large to mid-sized counties and chief clerks of multi-bench courts who spend all or a portion of their time in Supreme and County Court supervision.

³⁸Regional non-clerk administrators: one per upstate Judicial District Administrative Office, plus one per New York City Administrative Judge.

³⁹Trial court administrators are selected after interviews by a panel of judges and local court administrators.

⁴⁰One Chief Clerk per court.

⁴¹One per upstate Judicial District Administrative Office.

⁴²One Chief Clerk.

⁴³One Executive Assistant, Deputy Chief Administrative Judge's Office.

⁴⁴One per upstate Judicial District Administrative Office and one per New York City Administrative Judge's Office.

⁴⁵One per New York City Administrative Judge's Office.

North Carolina:

⁴⁶In addition to the eleven trial court administrators, several judges have positions called "trial court coordinators" that perform somewhat similar functions.

Ohio:

⁴⁷Unknown exactly—more than 88, less than 202.

⁴⁸Supreme Court appoints the clerk, who is the administrator.

⁴⁹No role.

Oklahoma:

⁵⁰This court sits on an ad hoc basis. It has no personnel. It uses judge from the district court. It has no appropriation.

⁵¹There are approximately 364 municipal courts not of record. The elected city of town clerk is normally the court clerk/de facto court administrator.

⁵²Trial Court Administrator is selected by Chief Administrative Office of the city.

Pennsylvania:

⁵³60 District Court Administrators; 105 Deputy Court Administrators.

⁵⁴PA Rule of Judicial Administration 503(b): appointment subject to the written approval of the Court Administrator of Pennsylvania.

⁵⁵See information for Common Pleas Court. Some of the 165 court administrators are in charge of the district justice courts in their judicial district.

⁵⁶One Court Administrator and two Deputy Court Administrators.

Puerto Rico:

⁵⁷The Court Administrator has responsibility for the whole judicial region or district.

Rhode Island:

⁵⁸No role—Appointed by the Governor for a term.

⁵⁹Each Municipal Court has its own administrative person.

⁶⁰No role.

⁶¹Each municipality has its own separate administration.

Tennessee:

⁶²Two known; rest unknown.

Utah:

⁶³Judges of the District Board must concur with the State Court Administrator's selection.

⁶⁴One state level administrator, and some of the larger courts have local administrators (2-4).

⁶⁵For the state level administrator. No involvement for the local.

⁶⁶Selection made by state court administration with concurrence from the Board of Juvenile Court Judges.

Vermont:

⁶⁷Hired by county-elected assistant judges with the consent of state-appointed presiding judge.

Virginia:

⁶⁸No role.

West Virginia:

⁶⁹AOC recommends to Supreme Court, which has final approval.

Wisconsin:

⁷⁰There are 216 municipal courts, all are locally funded and operated. Only Milwaukee and Madison have an administrator.

Table 33. Specialized Jurisdiction: Drug Courts

	First Drug Court Implemented	Number of Drug Courts			First Drug Court Implemented	Number of Drug Courts	
		Adult	Family & Juvenile ¹			Adult	Family & Juvenile ¹
Alabama	February 1993	8	1	Mississippi	1998	1	0
Arizona	October 1992	5	4	Missouri	October 1993	8	2
Arkansas	June 1994	1	0	Montana		0 (1)	1 (2)
California	January 1991	61 ²	9	Nebraska		1	0
Colorado	July 1994	1	0	Nevada	September 1992	5 (1)	4 (1)
Connecticut	July 1996	2	0	New Jersey	April 1996	4	2
Delaware	April 1992	3	1	New Mexico	September 1995	5	2
District of Columbia	October 1994	1	1	New York	January 1995	14	2 ⁴
Florida	June 1989	23	10	North Carolina	February 1995	6	0
Georgia	January 1994	3	1	Ohio	June 1995	11	2
Hawaii	January 1996	1	0	Oklahoma	March 1995	7	1
Idaho		0 (1)	0	Oregon	August 1991	6	0
Illinois	January 1996	6	1	Pennsylvania	April 1997	3	1
Indiana	September 1996	4	0	Puerto Rico	April 1996	4	0
Iowa	January 1995	1	1	South Carolina	July 1996	2	2
Kansas	August 1995	1	0	South Dakota		0 (1)	0
Kentucky	July 1993	3	2	Tennessee	October 1996	2	0
Louisiana	January 1993	12	6	Texas	March 1993	4	0
Maine	January 1998	1	0	Utah	June 1996	2	1
Maryland	March 1994	4	6	Virginia	September 1995	6	1
Massachusetts ³	June 1995	~	~	Washington	August 1994	8	0
Michigan	June 1992	9	3	Wisconsin	1990	1	0
Minnesota	January 1997	1	0	Wyoming	November 1997	2	0
				Total Courts		253 (4)	67 (3)

Note: Tribal Courts are indicated with ()

FOOTNOTES:

¹Includes total number of courts that have a family drug docket or a juvenile drug court docket; this column and the adult drug court column may overlap because several courts have both adult and family/juvenile dockets.

California:

²Sixty-one were in operation and fourteen were planned.

Massachusetts:

³There are no drug courts per se in Massachusetts. Approximately ten district courts and one juvenile court are considering, are in the process of developing, or have established grant funded drug sessions and related programs. The issue of drug courts is under review by the administrative office.

New York:

⁴Only two drug courts exist that are permanently funded. There are several other funded with federal money—set up as pilot programs.

Table 34. Specialized Court Jurisdiction: Family Courts

Year Founded	Type	Use	Family Law Jurisdiction
Alabama year not stated ¹	Division of Circuit Court	8 Circuits	Varies: usually divorce, annulment, custody and support of children, granting and enforcement of alimony, and all other domestic and marital matters over which the circuit court has jurisdiction.
California year not stated	Division of Superior Court	Statewide	Varies: usually dissolution, annulment, legal separation, property distribution, child custody and visitation, spousal and child support, paternity, adoption, termination of parental rights, emancipation, domestic violence, underage marriage evaluation, mandatory mediation for child custody and visitation. Additional matters related to juveniles, such as guardianship of minor or dependency are handled by these courts in some locations.
Colorado 1997	Division of District Court	3 Districts	Varies: usually divorce, annulment, and property distribution; child custody and visitation; alimony and child support; paternity, adoption, and termination of parental rights; juvenile causes; and domestic violence.
Delaware 1971	Independent	Statewide	Divorce, annulment, property distribution; child custody and visitation; alimony and child support; paternity, adoption, and termination of parental rights; juvenile causes; domestic violence; criminal non-support; guardianship of minor.
District of Columbia 1970	Division of Superior Court	All of D.C.	Divorce, annulment, property distribution; child custody and visitation; alimony and child support; paternity, adoption, and termination of parental rights; juvenile causes; domestic violence; criminal non-support; name change; guardianship of minor and disabled persons.
Florida 1992	Division of Circuit Court	Statewide	Dissolution of marriage, custody, visitation, property, reciprocal support, name change, paternity, adoption, and domestic violence.
Georgia 1998	Division of Superior Court	1 County	Divorce, annulment, property distribution; child custody and visitation; alimony and child support; paternity, adoption, and termination of parental rights; juvenile causes; domestic violence; criminal non-support; guardianship of minor and disabled persons; child abuse, legitimacy child molestation.
Hawaii 1965	Division of Circuit Court	Statewide	Divorce, annulment, property distribution; child custody and visitation; alimony and child support; paternity, adoption, and termination of parental rights; juvenile causes; domestic violence; criminal non-support; name change; guardianship of minor and disabled persons; and withholding or withdrawal of life-sustaining medical procedures, involuntary admissions and emergency evaluations.
Illinois 1986	Division of Circuit Court	1 County	Divorce cases, separation, invalidity of marriage, child custody and visitation, child support enforcement, collection and civil orders of protection; juvenile delinquency and child protection matters.
Kansas 1977	Division of District Court	1 District	Divorce, annulment, separate maintenance, custody, support, paternity, visitation and related matters; child in need of care, termination, adoption and related matters; juvenile offenders and traffic offenses committed by juveniles; and protection from abuse in domestic violence cases.
Kentucky 1991	Divisions of District Superior Courts	1 County	Divorce, adoption, termination of parental rights, dependency, neglect, abuse, paternity, status, and emergency protective orders.
Louisiana 1954	Independent	1 Parish	Divorce, annulment, paternity, spousal and child support, custody and visitation, and all matters incidental to any of these proceedings; and writs of habeas corpus for the determination and enforcement of rights to the custody of minors or for the release of any person in custody where the family court has original jurisdiction; claims for contributions made by one spouse to the education of the other.
Maine 1998	Division of District Court	Statewide	Divorce, post-divorce motions, paternity, protection from abuse, parental rights and responsibilities, and unmarried parents, legal separation, child support, emancipation, grandparents visitation, protection orders.
Maryland 1997	Division of Circuit Court	5 Counties	Divorce, annulment, property distribution; child custody and visitation; alimony and child support; paternity, adoption, and termination of parental rights; juvenile causes; domestic violence; criminal non-support; guardianship of minor, legitimization of child, civil protection orders.
Massachusetts 1978	Department of Trial Court	Statewide	Probate of wills, administration of trusts and estates, the appointment of guardians and conservators, adoption, change of names, divorce, and annulment, paternity, child custody and support.
Michigan 1998	Division of Circuit Court	Statewide	Divorce, annulment, property distribution; child custody and visitation; alimony and child support; paternity, adoption, and juvenile causes; criminal non-support; name change; guardianship of minor and disabled persons; emancipation of minors, minor abortions, and civil protection orders.
Minnesota 1971	Division of District Court	2 Districts	Divorce, annulment, legal separation, paternity, and criminal nonsupport.

Table 34. Specialized Court Jurisdiction: Family Courts

Year Founded	Type	Use	Family Law Jurisdiction
Missouri 1993	Division of Circuit Court	8 Circuits	Dissolution of marriage, legal separation, separate maintenance, child custody and modification actions; annulment; adoption; juvenile proceedings; paternity; child support and enforcement; adult abuse and child protection actions; name change; and marriage license waiting period waivers.
Mississippi 1964	Independent	1 County	Delinquent or neglected child and as provided in the Youth Court Law of 1946.
Nevada 1991	Division of District Court	2 Districts (4 districts start Jan '99)	Divorce, annulment, property distribution; child custody and visitation; alimony and child support; paternity, adoption, and termination of parental rights; juvenile causes; domestic violence; criminal non-support; name change; guardianship of minor and disabled persons; emancipation of minors.
New Hampshire 1996	Independent	2 Counties	Divorce, annulment, alimony, paternity, child custody and visitation, child support, domestic violence, juvenile delinquency, abused and neglected children, children in need of assistance, adoption, guardianships, termination of parental rights, name change, separation, paternity.
New Jersey 1983	Part of Chancery Division of Superior Court	Statewide	Divorce, annulment, property distribution; child custody and visitation; alimony and child support; paternity, adoption, and termination of parental rights; juvenile causes; domestic violence; criminal non-support; name change; guardianship of minor and disabled persons; child abuse and neglect.
New Mexico year not stated	Division of District Court	2 Districts	Divorce, annulment, property distribution, child custody, visitation, alimony, child support, paternity, termination of parental right, grandparent visitation, and domestic violence.
New York 1962	Independent	Statewide	Child abuse and neglect; support proceedings; child custody; distribution of marital property; conciliation; proceedings concerning physically handicapped and mentally defective or retarded children; paternity; termination of custody based on neglect; proceedings concerning whether a person is in need of supervision; and proceedings concerning juvenile delinquency.
Ohio 1953	Division of Court of Common Pleas	31 Counties	Divorce and support (12 counties); divorce, support; and juvenile matters (6); juvenile and probate (7); divorce, support and paternity (5); divorce, support, juvenile matters, and probate (1).
Oklahoma 1997	Division of Unified District Court	2 Districts	Divorce, annulment, property distribution, child custody and visitation, alimony, child support, paternity, and termination of parental rights.
Oregon 1993	Department of Circuit Court	5 Counties	Divorce, child custody, child support, visitation, filiation, proceedings to commit a mentally is person, guardianship for minors, juvenile proceedings, domestic violence, adoption, and any other proceedings dealing with domestic relationship disputes.
Pennsylvania 1978	Division of Court of Common Pleas	Local	Desertion or non-support of wives, children and indigent parents; child custody; divorce, annulment and property matters relating thereto; dependent, delinquent and neglected children; adoptions; and delayed birth certificates.
Rhode Island 1961	Independent	Statewide	Divorce, annulment, property distribution; child custody and visitation; alimony and child support; paternity, adoption, and termination of parental rights; juvenile causes; domestic violence; criminal non-support; name change; guardianship of minor and disabled persons; and withholding or withdrawal of life-sustaining medical procedures, involuntary admissions and emergency evaluations.
South Carolina 1977	Independent	Statewide	Divorce, annulment, property distribution; child custody and visitation; alimony and child support; paternity, adoption, and termination of parental rights; juvenile causes; domestic violence; criminal non-support; name change; guardianship of minor and disabled persons; and withholding or withdrawal of life-sustaining medical procedures, involuntary admissions and emergency evaluations.
Texas 1985	Independent in larger counties; Division of District Courts in others	N/S	Adoptions, birth records, divorce, annulment, child welfare, custody, child support, reciprocal support, termination of parental rights, dependency, neglect, delinquency, paternity and custody.
Vermont 1990	Independent	Statewide	Desertion, support, paternity, custody, rights of married women, divorce, annulment, and property distribution; child custody and visitation; alimony; paternity; juvenile causes; domestic violence; criminal non-support; name change; and mental health, child abuse, emancipation of minors, and involuntary sterilization.
Washington 1949	Division of Superior Court	Statewide	Parental plans, child custody, visitation, support and the distribution of property or obligations.

Table 34. Specialized Court Jurisdiction: Family Courts

Year Founded	Type	Use	Family Law Jurisdiction
West Virginia 1986	Subsidiary of Circuit Court ²	Statewide	Enforcement of support order; reciprocal enforcement; divorce, annulment, maintenance, custody, paternity, child support, spousal support, habeas corpus where child custody is issue; motion for temporary relief, visitation, and modification of orders.
Wisconsin 1980	Division of Circuit Court	1 Circuit	Divorce, child custody, visitation, child support and maintenance, family support, division of property, reciprocal support actions, and guardian ad litem.

Note: Only those states with family courts appear on this table.

Source: Babb, Barbara A. 1998. "Fashioning an Interdisciplinary Framework of Court Reform in Family Law: A Blueprint to Construct a United Family Court." *Southern California Law Review*, Vol. 71

Footnotes

Alabama:

¹Varies per local acts.

West Virginia:

²All permanent orders must be approved by a circuit judge before entry.

Table 35. Provisions for Processing Domestic Violence Cases

	Protective Orders (PO)			Law enforcement obligations			Other provisions	
	Who may obtain?	What provisions may be included?	Maximum Duration: Temporary/Regular	Type of Arrest	Notify Victim of Release Required?	Other Services Provided by Officers	Civil Compromise/ Consent Agreement	Other
Alabama	Any eligible adult, or any adult relative, guardian, custodian or household member on behalf of a minor or a disabled person	RA, PO, PS, NH, TC, ON, PP, VR, NC, ST, PR, EV CS, VS, NA, AT, PC, PD	Ex parte until final hearing/ 1 year (unless otherwise provided by court)	Officer discretion	N/S	N/S	No/Yes as to alternate living arrangements	Matching funds program for DV shelters
Alaska	Any victim of DV or any parent, guardian, or court appointee on behalf of a minor	RA, NH, PO, EV, ST, PS, TC, VR, PP, CS, VS, PC, AT, OL, AC, ON, SF	72 hours/ 20 days/ 6 months ¹	Officer discretion ²	Required for DV victims	Victim notification of victim rights and resources; confiscation of deadly weapons	Yes/No	State Council on DV and sexual assault; no-drop policy
Arizona	Any person	PO, ST, PS, ON, AC, RA, PC, AT, SF	1 year	Arrest mandated if physical injury or weapon involved	N/S	Inform victim of available resources and appropriate legal procedures	No/No	Judges on-call for over the phone protective orders
Arkansas	Any family or household member or on behalf of another member who is a minor or legally incompetent	AT, ON, PC, VS, CS, PO, EV, PS, TC, VR,	30 days/ 1 year (90 day minimum)	Officer discretion within 4 hours	N/S	N/S	No/No	N/S
California	Any victim, household member, or guardian ad litem for minors under age 12 or legally incompetent	RA, PS, NH, NC, PO, ST, CS, TC, VR, NA, PC, AT, OL, ON, SF, AC	18-21 days/ 3 years	Officer discretion	Required for DV victims	Inform victim of available resources and appropriate legal procedures, confiscation of deadly weapons	Yes (not allowed in elder, child, or domestic abuse cases)/Yes	Judges on-call for over the phone protective orders. Mandatory training on DV for all new judges
Colorado	N/S	RA, NH, PS, PO, EV, TC, VR, ON, NC	3 days/ indefinite	Arrest mandated	Required for all victims	N/S	No/No	Mandatory treatment of those convicted of DV crimes
Connecticut	Any family or household member	NH, RA, ST, TC, VR, PO, ST, NC	No temporary order/ 6 months	Arrest mandated	Required for all victims	Assist in providing medical attention; notification of legal rights and services	No/No	Police officer and state's attorneys training program
Delaware	Any abused person or anyone on behalf of an abused child	RA, NH, PO, PP, TC, VR, CS, VS, RR, AT, PC, OL, AC, ON, SF	30 days/ 1 year	Officer Discretion	N/S	24-Hour notice to jurisdiction of residence regarding Protective Order	No/No	Has a first offender DV diversion program

Table 35. Provisions for Processing Domestic Violence Cases

	Protective Orders (PO)			Law enforcement obligations			Other provisions	
	Who may obtain?	What provisions may be included?	Maximum Duration: Temporary/Regular	Type of Arrest	Notify Victim of Release Required?	Other Services Provided by Officers	Civil Compromise/ Consent Agreement	Other
District of Columbia	Any person related by blood, marriage, having a child in common, roommate, dating or romantic relationship. Must live in DC or incident occurred in DC	RA, AC, PS, EY, ST, PO, PP, TC, VR, PC, AT, ON, NC	14 days/ 1 year	Arrest Mandated	No	N/S	No/Yes	Domestic Violence Intervention Program; Deferred Sentencing Agreement for first time offenders; training for judicial, court staff and advocacy community
Florida	Any person who is the victim of any act of domestic violence or may become a victim	RA, PO, ST, TC, VR, CS, AC, ON, VS, NC	15 days/ 1 year	Officer discretion	Required for all victims	Must inform victim of rights and remedies; assist in procurement of medical treatment	No/No	State attorneys are required to provide special training to prosecutors of DV cases
Georgia	Any person on his own behalf or any adult on behalf of a minor	RA, NH, PO, ST, PR, TC, VR, EV, PP, CS, PC, AT, AC, VS	30 days/ 6 months	Officer discretion	N/S	Officer required to document all DV calls for statistical purposes	No/Yes	N/S
Hawaii	Any family or household member on his own behalf or on behalf of a minor or an incapacitated adult	RA, PS, NH, ST, TC, VR, AC, EV, ON, SF	90 days/ 3 years	Officer discretion	N/S	May order 24 hour cooling off period where a party may be required to leave for that period	No/No	N/S
Idaho	A person on behalf of himself or any other member of his household	TC, RA, PO, ST, AC, ON, PC, AT, VR, PS	14 days/ 3 months ³	Officer discretion	N/S	24 hr update of state system; alert potential victim of rights and resources; transport to hospital	Yes (not allowed in domestic abuse cases)/No	N/S
Illinois	Abused person or by any person on behalf of an abused child or adult with disabilities	RA, PO, PR, ST, PS, AC, PP, PD, CS, VS, OL, ST	14 to 21 days/ 30 days/ 2 years ⁴	Officer discretion	N/S	Daily updates to state police database of protection orders. Use reasonable means to prevent further abuse	No/No	N/S
Indiana	Any person	RA, NH, DP, ST, EV, TC, VR	30 days/ 1 year	Officer discretion in stalking and battery cases only	N/S	N/S	No/No	N/S

Table 35. Provisions for Processing Domestic Violence Cases

	Protective Orders (PO)			Law enforcement obligations			Other provisions	
	Who may obtain?	What provisions may be included?	Maximum Duration: Temporary/Regular	Type of Arrest	Notify Victim of Release Required?	Other Services Provided by Officers	Civil Compromise/ Consent Agreement	Other
Iowa	A person seeking relief of abuse	PS, PO, ST, RA, AC, ON, TC, VR, CS, VS, AT, PC, EV	72 hours/1 year	Arrest mandated only if threat or weapon displayed	Required for all victims	Take reasonable means to prevent further abuse. Advise victim of legal rights, and assist with medical attention	No/No (3 rd)	N/S protection order terms may be agreed upon by parties)
Kansas	Any person or any parent of or adult living with a child being abused by someone the abused lives with	RA, PO, PR, ST, TC, EV, CS, AT, PP, AC, PC, NH, VS	72 hours/1 year	Arrest mandated	N/S	Officer may be required to evict abuser. Must advise victim of rights under law	No/Yes	N/S
Kentucky	Any family member or any member of an unmarried couple	AC, ST, RA, EV, PO, TC, CS, PP, ON, NC, PS, NH, VR, PD, SF	14 days/3 years	Officer discretion/ mandated for Protective Order violations	N/S	Assist in obtaining medical treatment and advise of legal rights	No/No	N/S
Louisiana	Married adult or adult co-habitant with child, the District Attorney on behalf of a minor or one alleged incompetent, and parents or grandparents abused by adult child or grandchild	PS, NH, EV, ST, PP, TC, RA, NC, PO, CS, VR, NA, PC, VS, AT, PD, OM, ON, AC	10 days/6 months	Arrest mandated if injury or weapon displayed	N/S	Officers shall take a reasonable means prevent abuse; notification of legal remedies to victim. Assist abused in obtaining medical treatment and provide transportation to place of safety or shelter	No/Yes	Statewide protection order registry to assist enforcement. Development of standardized forms to be used— "Louisiana Uniform Abuse Prevention Order".
Maine	Individual presently or formerly living as spouses, natural parents of the same child, adult household member related by consanguinity or affinity or minor children when the offender is an adult household member	ST, PS, VR, NH, PP, AC, VS	21 days/2 years	Arrest mandated if felony assault	N/S	Take reasonable means to prevent abuse	No/Yes	Privileged advocate communication statute
Maryland	Any household member; or state's attorney, law enforcement officer, social worker, relative, or household member on behalf of a vulnerable person.	RA, NH, NC, PO, ST, TC, VR, VS, PP, AC, SF, PC	7 Days/1 year ⁵	Officer discretion within 48 hours/ mandated for Protective Order violations	N/S	Accompany victim to retrieve belongings	Yes/No	N/S

Table 35. Provisions for Processing Domestic Violence Cases

	Protective Orders (PO)			Law enforcement obligations			Other provisions	
	Who may obtain?	What provisions may be included?	Maximum Duration: Temporary/Regular	Type of Arrest	Notify Victim of Release Required?	Other Services Provided by Officers	Civil Compromise/ Consent Agreement	Other
Massachusetts	Persons who are or were dating, have a common child, spouse or former spouse, cohabitants, are or were related	RA, ST, PO, TC, VS, CS, OL, OM, AT, AC, SF	Until full hearing/ 1 year	Officer discretion/ mandatory for Protective Order violations	N/S	Assist in obtaining medical treatment; getting a safe place for shelter; and notify of legal rights	No/No	Temporary Protective orders issued over the phone.
Michigan	Spouse, former spouse, cohabitants, former cohabitants, common child, those involved in non-domestic stalking situation, and dating relationships	RA, PO, NH, SF, NA, PP	182 days	Officer discretion	N/S	Notice of rights, services, other options, requirement of filing a domestic violence report	No/No	N/S
Minnesota	Persons who are spouse, former spouse, parents, children, related by blood, cohabitants, child in common, romantic/ sexual partners	RA, EV, ST, TC, VR, VS, AC, MC, OL, PP, OM, ON	1 year/ 1 year	Officer discretion within 12 hours	N/S	N/S	No/No	N/S
Mississippi	Any parent, adult household member, or friend of the abused if person is incompetent	RA, PO, PR, CS, VR, VS, AT, EV, TC, AC, PC, PP, OM	10 days/ 1 year	Arrest mandated if within 24 hours	Required for all victims	Advise victim of resources; transport to medical facility	No/No	Violation of protection order; court can hold def. In contempt of court; 6 mo. Jail or fine not to exceed \$1,000 or both
Missouri	A victim of abuse or stalking by a current or former household member	RA, NH, ST, TC, VR, CS, VS, Alt housing, PC, AC, PP, PS, NC, PR	Until the Protective Order hearing/ 1 year with a 180 day minimum	Officer discretion/ mandated for Protective Order violations	N/S	Advise victim of legal rights and shelters; arrange transport to a medical facility	No/No	Officers may not assign lower priority to DV calls
Montana	A parent or guardian on behalf of a minor, or a victim, or one who is in reasonable apprehension of bodily injury	RA, PS, NH, PP, EV, PO, TC, VR, ON, SF, AC,	20 Days/ indefinite	Officer discretion	N/S	N/S	No/No	5 yr/ \$10,000
Nebraska	Any victim of DV abuse; spouse former spouse, children, cohabitants, child in common, other related	RA, NC, EV, ST, TC, ON	No temporary order/ 1 year	Officer discretion/ mandated for protective order violations	N/S	⁶	No/No	N/S

Table 35. Provisions for Processing Domestic Violence Cases

	Protective Orders (PO)			Law enforcement obligations			Other provisions	
	Who may obtain?	What provisions may be included?	Maximum Duration: Temporary/Regular	Type of Arrest	Notify Victim of Release Required?	Other Services Provided by Officers	Civil Compromise/ Consent Agreement	Other
Nevada	Any victim of DV as described in NRS §33.010	RA, NH, PO, ST, TC, ON, VR, CS, PC, AT	30 days/1 year	Arrest mandated if within 24 hours	N/S	Advise victim of legal rights and shelters;	No/No	Court must be open for phone Protective Orders 24hour/day in large counties
New Hampshire	Any person (a minor need not have a parent or guardian to file)	RA, ST, PS, NH, PP, TC, VR, CS, VS, AC, AT, OC,	Until the next court day/1 year	Officer discretion if within 6 hours	N/S	Advise victim of legal rights	No/No	Restraining Order may be ordered by telephone or facsimile
New Jersey	Any adult who is a victim of a current or former household member; dating partner; or one who is a parent of the victim's child	SF, RA, PO, PR, VS, VR, PP, TC, CS, VS, ST, PS, NH, AC, OL, AT, ON, AC, punitive damages	Until the hearing/ N/S	Arrest mandated if injury or weapon displayed	Required for DV victims	Give victim a written notice of all rights and resources; help victim contact an on-call judge for a temporary order	No/No	N/S
New Mexico	Any household member as defined in NMSA §40-13-3	RA, PO, TC, CS, VS, VR, NC, ON, PP,	10 days/6 months	Officer discretion/ mandated for Protective Order violation	Required for all victims	Advise victim of legal rights and shelters and counseling available; arrange transport to medical facility	No/No	N/S
New York	Any household member as defined in CPL §530-12	NC, EV, PO, RA, PS, NH, NC, ST	Varies/ Varies	Arrest mandated	Required for all victims	N/S	No/No	N/S
North Carolina	Any person or any person on behalf of a minor	RA, PO, EV, ALT HOU, TC, VR, CS, VS, PP, NH, PC, AT,	Varies/ 1 year	Officer discretion/ mandated for Protective Order violations	N/S	Advise victim of available medical and victim resources and legal remedies	No/Yes	N/S
North Dakota	Any family or household member or by anyone who can prove a sufficient relationship to the abuser	RA, PS, NH, PO, ST, TC, VR, AC, PC, AT, VS, CS, PP, SF	72 hours/ 30 days/ indefinite ⁷	Officer discretion if within 4 hours/ mandated for Protective Order violations	Required for all victims	N/S	No/No	N/S
Ohio	Any 'household member' as defined in ORC §3113.31 or a victim advocate	RA, PO, ST, EV, ALT HOU, TC, CS, VR, VS, AC, PS, ON, PP	Until a full hearing/ 5 years	Arrest mandated w/ injury	N/S	N/S	No/Yes	N/S
Oklahoma	A victim or any adult household member on behalf of a minor	RA, PS, NH, PO, ST, PC, AT, SF	Until the full hearing/ indefinite	Officer discretion if within 4 hours	N/S	Advise the victim of 24-hour telephone service that provides information for victims	No/No	N/S

Table 35. Provisions for Processing Domestic Violence Cases

	Protective Orders (PO)			Law enforcement obligations			Other provisions	
	Who may obtain?	What provisions may be included?	Maximum Duration: Temporary/Regular	Type of Arrest	Notify Victim of Release Required?	Other Services Provided by Officers	Civil Compromise/ Consent Agreement	Other
Oregon	Any person who has been a victim of abuse in the last 180 days	TC, VR, PO, ST, AT, PC, NH, PP, RA, ON, AC	No temporary order/ 1 year	Arrest mandated	N/S	N/S	Yes (not allowed in domestic abuse cases/Yes	N/S
Pennsylvania	Spouses or persons who have been spouses, persons living as spouses or who have lived as spouses, parents and children, other persons related by consanguinity or affinity, current or former sexual or intimate partners or persons who share biological parenthood	PO, RA, EV, ST, PS, TC, VR, CS, VS, PR, OL, SF, AT, PC, NH, ON	As necessary (until final hearing)/ 1 year	N/S	N/S	N/S	N/S	N/S
Puerto Rico	Any person who has been adversarial to victim in the context of a couple relationship	TC; EV; RA; PS; CS; ON; PP; PO; OL; SF	5 days/ 90 days	Warrantless; mandatory if officer has grounds to believe abuse has occurred	Yes—parole board or corrections executive	Medical treatment; transport; accompany victim to home; advise victim of rights and services and importance of preserving evidence	No/No	No-drop policy
Rhode Island	Any person suffering from domestic abuse	RA, NH, ST, PS, EV, TC, CS,	21 days/ 3 years	Arrest mandated if within 24 hours and fear or actual injury	N/S	Assist in obtaining medical treatment, advise victim of rights and resources for DV victims	No/No	N/S
South Carolina	Currently or formerly married or cohabitating; parents, children, and persons having a child in common	RA; NH; PS; TC; VR; VS; CS; PO; PP; AT; ON	No temporary order/ 1 year (6 month minimum)	Arrest mandated if injury	N/S	Advise of rights; transport; accompany victim to home	No/Yes	N/S
South Dakota	On behalf of minor child; currently or formerly married or cohabitating; persons having a child in common; related by blood or law	RA; PO; TC; VR; VS; CS; AC; ON; SF	30 days/ 3 years	Arrest mandated if within 4 hours	N/S	Dept. spec transport accompany advise of rights	No/No	N/S
Tennessee	Current or former spouse, cohabitants, or sexual relationship; relatives by blood or adoption	RA; NH; PO; NC; PR; TC; VR; VS; CS; AC; PS	15 days/ 1 year	Officer discretion/ mandated for Protective Order violations	Limited – arresting officer must notify victim of eligibility to post bond	Seize weapon; transport; advise of services and legal rights	No/No	N/S

Legend: N/S=Not stated

Table 35. Provisions for Processing Domestic Violence Cases

	Protective Orders (PO)			Law enforcement obligations			Other provisions	
	Who may obtain?	What provisions may be included?	Maximum Duration: Temporary/Regular	Type of Arrest	Notify Victim of Release Required?	Other Services Provided by Officers	Civil Compromise/ Consent Agreement	Other
Texas	Family or household member regardless of relatedness	NA, PP, PR, TC, VR, VS, CS, AC, RA, NH, PS	20 days/1 year	Officer discretion	N/S	Accompany	No/No	N/S
Utah	Any cohabitant or child residing with a cohabitant	RA, NH, PS, SF, PP, TC, ON, VS, CS, VR, NC, PO, ST, PR, EV, NA, PC, AT, PD, OL, OM, EM, AC, MC	20 days/150 days for civil and 3 years for criminal	Arrest mandated	Required for DV victims	Confiscate weapons; arrange emergency shelter; accompany victim to home; arrange for immediate treatment; advise of rights and services	No/No	No-drop policy
Vermont	Household members; current or former cohabitants, sex partners, minors dating	RA; NH; PS; PO; CS; TC; VR; VS	10 days/ N/S	Officer discretion	N/S	N/S	No/No	N/S
Virginia	Family or household member; persons having child in common; spouse or former spouse; family residing present; cohabitants in the last 12 months	RA; NH; PS; PO; PP; PR	72 hours/ N/S	Officer discretion	N/S	Transport; inform of legal and community resources	No/No	N/S
Washington	Family or household members; e.g., blood or marital relations; currently or formerly living together or dating	RA; PS; TC; AC; ON; PC; AT; NH; EM; PP	14-24 days/1 year ⁸	Arrest mandated if felony assault/ mandated if Protective Order violations	N/S	Accompany victim to home	No/No	N/S
West Virginia	DV victim; a reporter or witness of a DV act who has been intimidated on behalf of child or incapacitated person	PO; TC; VR; CS; VS; PS; AC; NH; PP; SF; OL; OM	5 days/180 days	Officer discretion/ mandated in Protective Order violation with injury	No	Inform of rights, services, and laws; provide transport	No/No	N/S
Wisconsin	Spouse or former spouse; cohabitant or former cohabitant; persons with a child in common	RA; PS; NH; SF	7 days/2 years	Arrest mandated if injury or threat and within 28 days/ mandated for Protective Order violations	N/S	Accompany to home	No/No	Deferred Prosecution Program

Table 35. Provisions for Processing Domestic Violence Cases

	Protective Orders (PO)		Law enforcement obligations			Other provisions		
	Who may obtain?	What provisions may be included?	Maximum Duration: Temporary/Regular	Type of Arrest	Notify Victim of Release Required?	Other Services Provided by Officers	Civil Compromise/ Consent Agreement	Other
Wyoming	Household member	PO; PR; TC; PP; ON; AC; NC; VR; NA; CS; VS; OM	72 hours/3 months	Officer discretion	N/S	Transport; accompany victim to home; advise of rights and services and importance of preserving evidence	No/No	N/S

Protective Order Contents Abbreviations:

- | <u>Abuse</u> | <u>Residence</u> | <u>Children</u> | <u>Money & Property</u> | <u>Other</u> |
|---|---|--|---|--|
| <ul style="list-style-type: none"> • RA: Refrain from abuse • PS: Require alleged abuser to maintain a physical separation from victim • NH: Require alleged abuser to not harass the victim • NC: No contact order | <ul style="list-style-type: none"> • PO: Awards possession of residence • ST: Instruct alleged abuser to stay away from victim • PR: Instruct alleged abuser to provide an alternative residence for victim • EV: Order law enforcement officer to evict the alleged abuser | <ul style="list-style-type: none"> • CS: Award child support • TC: Award temporary child custody • VR: Award visitation rights for non-custodial parent • NA: No abduction order | <ul style="list-style-type: none"> • PC: Require payment of court costs • VS: Award victim support • AT: Award attorney's fees • PP: Make arrangements for personal property • PD: Order alleged abuser not to damage the victim's property • OL: Payment for any losses resulting from abuse. • OM: Payment of medical expenses/insurance | <ul style="list-style-type: none"> • ON: Other necessary injunctive relief • SF: Order alleged abuser to surrender firearms/deadly weapons • EM: Electronic monitoring • AC: Require abuse counseling • MC: Require marriage counseling |

FOOTNOTES:

Alaska:

¹Alaska has three types of Protective Orders: emergency, ex-parte and general.
²Arrest mandated if physical injury or weapon involved.

Idaho:

³May be renewed for additional three-month period for up to one year.

Illinois:

⁴Temporary 14-21 days; interim order up to 30 days; and plenary order up to 2 years.

Maryland:

⁵Temporary restraining orders may be extended to 30 days; regular restraining orders may be extended by an additional 6 months.

Nebraska:

⁶Department of Health & Human Services provides emergency services up to 72 hours of transportation, medical services, counseling, emergency financial aid, safe living environment.

North Dakota:

⁷ND has a three tiered system of protective orders as follows: an Emergency Relief Order; a Temporary Protection Order, and a Domestic Violence Protection Order.

Washington:

⁸Permanent protective order may be issued if the court finds that the abuse is likely to continue.

Table 36. Tribal Courts

	Number of Federally Recognized Tribes ¹	Number of Tribal Justice Forums ²	Number of CFR Courts ³	State Jurisdiction Under Public Law 280 ⁴	Treatment "as if" Under Public Law 280 ⁶
Alabama	1	1	~	~	~
Alaska	223	232	~	Mandatory ⁷	~
Arizona	20	24	~	Optional ⁸	~ ⁹
California	103	3	1	Mandatory	~
Colorado	2	2	1	~	Parts of the Southern Ute Reservation ¹⁰
Connecticut	2	5	~	~	Mashentucket Pequot Tribe ¹¹
Florida	2	2	~	Optional ¹²	~
Idaho	4	6	~	Optional ¹³	~
Iowa	1	1	~	Optional ¹⁴	~
Kansas	4	4	~	~	Statewide ¹⁵
Louisiana	4	3	~	~	~
Maine	4	4	~	~	Passamaquoddy, Penobscot, and Houlton Tribes ¹⁶
Massachusetts	1	0	~	~	Gay Head Wampanoag Tribe ¹⁷
Michigan	12	11	~	~	~
Minnesota	6	13	~	Mandatory ⁵ (except Red Lake)	~
Mississippi	1	1	~	~	~
Montana	7	7	~	Optional ¹⁸	~
Nebraska	4	3	~	Mandatory ⁵	~
Nevada	17	16	2	Optional ¹⁹	~
New Mexico	21	21	~	~	~
New York	7	3	~	~	Statewide ²⁰
North Carolina	1	2	1	~	~
North Dakota	4	5	~	Optional ²¹	~
Oklahoma	37	35	17	~	~
Oregon	9	8	~	Mandatory ⁵ (except Warm Springs Reservation)	Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians; ²² Confederated Tribes of the Grand Ronde Community of Oregon; ²³ Klamath Tribe; ²⁴ Coquille Tribe ²⁵
Rhode Island	1	1	~	~	Narragansett Tribe ²⁶
South Carolina	1	1	~	~	~
South Dakota	8	8	~	Optional ²⁷	~
Texas	3	3	~	~	Ysleta Del Sur Pueblo; ²⁸ Alabama and Coughatta Tribe; ²⁹ Texas Band of Kickapoo Indians ³⁰
Utah	5	3	1	Optional ³¹	~
Washington	28	28	~	Optional ³²	~
Wisconsin	11	11	~	Mandatory (except Menominee)	~
Wyoming	2	1	~	~	~
Totals	556	468	23		

Table 36. Tribal Courts

Note: Only States with Federally recognized tribes are listed.

FOOTNOTES:

¹The number of Federally Recognized Tribes was obtained from the Federal Register (65 F.R. 13298), March 13, 2000. Transtate tribes are counted in the State where the tribal office or capital is located.

²The number of tribal justice forums was compiled from the National American Indian Court Judges Association (NAICJA) database of all known tribal justice forums operating in the United States. These may include "...traditional forums for dispute resolution, trial courts, appellate courts, alternative dispute resolution systems, and inter-tribal systems established by inherent tribal authority whether or not they constitute a court or record." In some cases a court serves more than one tribe; in other cases a tribal justice system contains more than one type of justice forum. Appellate courts are not consistently listed separately in the database.

³CFR Courts or Court of Indian Offenses are "Federally recognized" and were established by the Department of the Interior in 1884. These courts are held to be instrumentalities of the Federal government.

⁴For most of Indian Country, in terms of area and population, the Department of Justice provides general felony law enforcement concerning crimes by or against Indians. Tribal law enforcement agencies act as first responders to felony and misdemeanor crime. Further, tribal courts are vested with jurisdiction over crimes by Indians and have authority to stop, detain, and transport non-Indian offenders to Federal or State law enforcement agencies.

Other areas of Indian Country are under Public Law 280, which delegated general law enforcement authority over crimes by and against Indians to the States. In these areas, Indian tribes retain their original, inherent jurisdiction over misdemeanor crimes by Indians and may stop, detain, and transport other offenders to the relevant Federal or State authorities.

Public Law 280, enacted in 1953, was the first comprehensive Federal legislation to introduce State criminal jurisdiction into Indian Country. Public Law 280 identified six *mandatory* States where State criminal jurisdiction over offenses by Indians would immediately supplant Federal Indian Country criminal jurisdiction. It also identified *optional* States that were permitted to assume complete or partial jurisdiction over crimes committed by Indians within Indian Country. For more detailed information about the application of Public Law 280, see Carole Goldberg-Ambrose, *Planting Tail Feathers: Tribal Survival and Public Law 280* (UCLA American Studies Center: 1997)(with Tim Seward).

⁵Within these mandatory states, jurisdiction over the following reservations has been retroceded: Nett Lake (Minnesota), Umatilla (Oregon), Omaha and Winnebago (Nebraska).

⁶Since Public Law 280 was enacted, several land settlement, restoration, and recognition acts have provided for State jurisdiction "in accordance with" Public Law 280 (in mandatory States) or "as if" it had been properly assumed under Public Law 280 (in optional States). In some post-1953 Federal statutes delegating jurisdiction to States, there is no reference to Public Law 280. Prior to Public Law 280 the following States were delegated similar jurisdiction: New York (civil and criminal Statewide), Kansas (criminal).

Alaska

⁷Concurrent jurisdiction is authorized over the Annette Islands Reservation by the Metlakatla Indian Community.

Arizona

⁸Arizona accepted jurisdiction over air and water pollution only. The State subsequently repealed the provision concerning water pollution because this jurisdiction is almost entirely regulatory in nature.

⁹Jurisdiction was conferred upon Arizona over Pascua Yaqui Tribe, later retroceded (25 U.S.C. §1300f(c)).

Colorado

¹⁰Pub.L.98-290, May 21, 1984, 98 Stat.201 Sec. 5

Connecticut

¹¹25 U.S.C. §1755

Florida

¹²Florida assumed full Public Law 280 jurisdiction, except for the Miccosukee Reserve Area Act of 1999 (16 U.S.C. § 410).

Idaho

¹³Idaho accepted jurisdiction over seven subject areas and full Public Law 280 jurisdiction with tribal consent. Idaho Code §§67-5101 to 67-5103 (1963).

Iowa

¹⁴Iowa assumed civil jurisdiction over the Sac and Fox Reservation, Tama County. Partial criminal jurisdiction has been delegated to Iowa in an earlier and separate Federal statute.

Kansas

¹⁵Includes Iowa Tribe of Kansas and Nebraska, Kickapoo of Kansas, Prairie Band of Potawatomi Indians, and Sac and Fox of Missouri.

Maine

¹⁶25 U.S.C. §1725

Massachusetts

¹⁷25 U.S.C. §1771e

Montana

¹⁸In Montana, the governor was empowered to proclaim State criminal or civil jurisdiction at the request of any tribe and with the consent of affected counties. Tribal consent was revocable within two years of the governor's proclamation. Mont. Stat. Ann. §§2-1-301 through 2-1-306 (1963). The confederated Salish and Kootenai Tribes consented to jurisdiction under this provision, some of which was subsequently retroceded by the State.

Nevada

¹⁹Nevada originally accepted full Public Law 280 jurisdiction, but permitted individual counties to exclude themselves from acceptance of jurisdiction. This provision was amended in 1971 to require tribal consent. A 1975 amendment provided for retrocession except for those tribes already subject to the Act who consented to continue. Nev. Rev. Stat. §41.430 (1968). Jurisdiction now has been retroceded for most reservations.

New York

²⁰Includes Cayuga Nation, Oneida Nation, Onondaga Nation, Seneca Nation, Tonawanda Band of Seneca Indians, Tuscarora Nation, and St. Regis Band of Mohawk Indians.

North Dakota

²¹North Dakota accepted civil jurisdiction only, subject to tribal or individual consent. N.D. Cent. Code §§27-19-01 to 27-10-13 (1963). Both the condition of individual acceptance and the condition of tribal acceptance (§§27-19-05, 27-19-06) have been declared invalid under Federal law. Criminal jurisdiction over Devils Lake Reservation was delegated to North Dakota prior to Public Law 280 in a separate Federal statute.

Oregon

²²25 U.S.C. §714e(c)

²³25 U.S.C. §713f(c)(6)

²⁴25 U.S.C. §566e

²⁵25 U.S.C. §715(d)

Rhode Island

²⁶25 U.S.C. §1708

South Dakota

²⁷South Dakota assumed jurisdiction over criminal offenses and civil causes of action arising on highways, and conditioned acceptance of full Public Law 280 jurisdiction on Federal government reimbursement of the State for the cost of the additional jurisdiction assumed. S.D. Compiled Laws Ann. §§1-1-12 to 1-1-21 (1957). This acceptance was ruled invalid in *Rosebud Sioux Tribe v. South Dakota*, 900 F.2d 1164 (8th Cir. 1990).

Texas

²⁸25 U.S.C. § 105(f)

²⁹25 U.S.C. §206(f)

³⁰25 U.S.C. § 1300b-15

Utah

³¹In 1971, Utah passed legislation accepting jurisdiction subject to subsequent tribal consent. No tribe has consented.

Washington

³²Washington assumed full Public Law 280 jurisdiction over non-Indians and over Indians on trust land. Jurisdiction over Indians on trust land was limited to eight subject areas unless a tribe consents to full Public Law 280 jurisdiction. Wash. Rev. Code Ann. §§37.12.010, 37.12.21, 37.12.30, 37.12.40 (1963) – 37.12.050 and 37.12.070 (1957) (§37.12.020 repealed by Laws 1963, ch.36, §6). Washington has retroceded jurisdiction for a number of tribes, including the Port Madison Reservation, the Quinault Reservation, the Confederated Tribes of the Chehalis Reservation, Quileute Reservation and the Swinomish Tribal Community, and the Colville Tribe.

Table 37. Media Coverage of Trial and Appellate Courts

	Effective Date:	Who must consent?	Who may object?	Effect of Objection	Limitations on Coverage		
					Number	Procedures	Personal
Alabama							
Supreme Court Court of Criminal Appeals Court of Civil Appeals Circuit Court District Court Municipal Court Probate Court	2/1/76	Attorneys, parties present, and judge	Witness, attorney, party, or judge	Personal exclusion	4 SP, 2 TV	~	Objecting witness, attorney, party, or judge
		Judge, accused, prosecution, plaintiffs, and defendants	Witness, juror, attorney, or party	Personal exclusion	~	~	Objecting witness, juror, attorney, or party
Alaska¹							
Supreme Court Court of Appeals Superior Court District Court	1/15/90	Judge, victim, all parties in family proceedings	~	~	2 TV; 2 SP; 2 AS	Conferences of counsel	Jurors, except for return of verdict
Arizona							
Supreme Court Court of Appeals Superior Court Tax Court Justice of the Peace Court Municipal Court	7/1/83	Judge	Party, witness	~	At judge's discretion	Juvenile court, adoption proceedings, conference of counsel	Adversely impacted witnesses, jurors
Arkansas							
Supreme Court Court of Appeals Circuit Court Chancery/Probate Court	3/8/82	Judge	Party, attorney, or witness	Total exclusion for party or attorney; personal exclusion for witness	1 TV; 1 SP; 1 AS	Conferences of counsel, juvenile and domestic relations proceedings	Objecting witness, jurors, victims of sex offenses, undercover police, informants, minors without parental consent
California							
Supreme Court Courts of Appeal Superior Court Municipal	7/1/84	Judge	~	~	1 TV; 1 SP	Proceedings held in chambers or closed to public, jury selection, conferences of counsel	Jurors, spectators
Colorado²							
Supreme Court Court of Appeals District Court Denver Probate Court Denver Juvenile Court Water Court	2/27/56	Judge	Witness, party	Judge's discretion	1 TV, 2 TV w/ permission, 1 SP	Pretrial hearings other than advisements and arraignments; voir dire; conferences of counsel	Jury
Connecticut							
Supreme Court Appellate Court Superior Court	10/1/84	Judge, parties	Party, witness, lawyer	Personal exclusion	1 TV, 1 SP, 1 AS	Family relations matters, Conferences of counsel, recess, cases involving sex offenses or trade secrets	~
		Judge	Party, witness, lawyer	Personal exclusion	1 TV, 1 AS, 1SP	Voir dire, family relations, sentencing hearing of trial not broadcast, conferences of counsel, recess	Jury
Delaware							
All Courts	5/1/82	~	~	~	~	~	~
Florida							
Supreme Court District Courts of Appeal Circuit Court County Court	1/1/93	Judge	~	~	2 TV, 1 SP, 1 AS	Conference of counsel	~
		Judge	~	~	~	1 TV, 1 SP, 1 AS	Conference of counsel

Legend: ~=Not Applicable, TV=Television Cameras, SP=Still Photographers, SC=Still Cameras, AS=Audio Systems

Table 37. Media Coverage of Trial and Appellate Courts

	Effective Date:	Who must consent?	Who may object?	Effect of Objection	Limitations on Coverage		
					Number	Procedures	Personal
Georgia							
Supreme Court		~	~	~	4 TV, 4 SP	~	~
Superior Court	5/12/77	Judge	~	~	1 AS, 1 SP, 1 TV	~	Jurors
State Court							
Juvenile Court	3/21/91	Judge	~	~	1 AS, 1 SP, 1 TV	~	Juvenile
Probate Court	7/1/85						~
Hawaii³							
Supreme Court		None required					
Intermediate Court of Appeals	12/7/87		Party, judge	Hearing	1 TV, 1 AS, 1 SP; 2 TV and SP w/ judge's permission	Conferences of counsel, proceedings in judicial chambers	Jurors
Circuit and Family Court		Judge					
District Court							
Idaho							
Supreme Court	~ ⁴	~	Court	Total exclusion	~	Conferences of counsel	~
Court of Appeals	11/12/81					~	~
Illinois							
Supreme Court	1/2/85	None required	Judge	Total exclusion	1 TV, 1 AS, 1 SP	Conferences of counsel	~
Appellate Court							
Iowa							
Supreme Court							
Court of Appeals	1/1/82	Judge	Witness, victim	Personal exclusion ⁵	1 AS, 2 SP, 2 TV	Juvenile, dissolution, adoption, child custody, trade secrets, voir dire, conferences of counsel	Jurors (except return of verdict)
District Court							
Kansas							
Supreme Court			Judge, witness, victim, informant, undercover agent, relocated witness, juvenile	Personal exclusion, total exclusion possible by judge	1 TV, 1 SP, 1 AS	Conferences of counsel, audio, evidentiary suppression hearing, divorce case involving trade secrets	Jurors, accused while in restraints
Court of Appeals	1993	~					
District Court							
Municipal Court							
Kentucky							
Supreme Court							
Court of Appeals	7/1/81	Judge	~	~	2 TV, 1 SP, 1 AS	Conferences of council	~
Circuit Court					1 TV, 1 SP, 1 AS		
District Court							
Louisiana							
Supreme Courts							
Courts of Appeal	4/30/85	Judge	Party, attorney	Hearing	2 TV, 1 SP, 1 AS	Private proceedings, recess, conferences of counsel	~
Maine							
Supreme Judicial Court	3/13/84	Court	~	~	1 TV, 1 SP, 1 AS	~	~
Maryland							
Court of Appeals	7/1/82						
Court of Special Appeals		All parties except a government party; judge	Party, witness, Juror	Hearing	1 TV, 1 AS, 1 SP	Divorce and custody, evidence suppression proceedings, cases involving trade secrets, private hearings, conferences of counsel, criminal cases	Determined by judge
Circuit Court							
District Court	7/1/84						
Orphan's Court							

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Table 37. Media Coverage of Trial and Appellate Courts

	Effective Date:	Who must consent?	Who may object?	Effect of Objection	Limitations on Coverage		
					Number	Procedures	Personal
Massachusetts							
Supreme Judicial Court Appeals Court Superior Court District Court Boston Municipal Court Juvenile Court Housing Court Land Court Probate & Family Court	1/1/83	Judge	~	~	1 TV, 1 SP	Voir dire, hearing of motions to suppress or dismiss or of probable cause, conferences of counsel	Person likely to incur harm due to coverage, jurors
Michigan							
Supreme Court Court of Appeals Circuit Court Court of Claims District Court Probate Court Municipal Court	1/1/89	Judge	~	~	2 TV, 2 SP, 1 AS	Conferences of counsel	Witnesses as determined by judge, jurors
Minnesota							
Supreme Court Court of Appeals	9/28/83	~	~	~	1 TV, 2 SP	~	~
District Court	4/18/83	Judge and all parties	Witness	Personal exclusion	1 TV, 1 SP, 1AS	Voir dire, hearings away from jury, judge not present, child custody, divorce, sex crimes and trade secrets	Objecting witness, jurors, informants, relocated witnesses and undercover agents
Missouri							
Supreme Court Court of Appeals Circuit Court Municipal Court	8/21/95	Judge	Any participant	Partial/ personal exclusion	1 SP with 2 SC; 1 TV; 1 AS	Private, juvenile or family proceedings; jury selection; conferences of counsel or bench	Jurors
Montana							
Supreme Court District Court	4/18/80	No consent required	~	~	~	~	~
Nebraska							
Supreme Court Court of Appeals	10/1/83 1/1/92	No consent required	Any person authorized by Chief Justice	At discretion of Chief Justice	1 SC, 1 TV, 1 AS	Conferences of counsel	None
District Court Separate Juvenile Court Workers' Compensation County Court	~	Fourth Judicial District Court has prohibited coverage. Other courts have not made any rules pertaining to media as authorized by Rule 18.					
Nevada							
Supreme Court District Court Justice Court Municipal Court	5/30/88	Judge	~	Personal exclusion	1 TV; 1 SP; 1 AS	Conferences of counsel; voir dire; (only public proceedings)	Jury ⁶ , non-consenting participants
New Hampshire							
Supreme Court Superior Court District Court Municipal Court Probate Court	3/97 3/94	Judge	~ Judge, attorney, party, witness	~ Total exclusion	~ ~ ⁷	~ Conferences of counsel	~ Jury (in criminal cases)

Legend: ~ = Not Applicable, TV = Television Cameras, SP = Still Photographers, SC = Still Cameras, AS = Audio Systems

Table 37. Media Coverage of Trial and Appellate Courts

	Effective Date:	Who must consent?	Who may object?	Effect of Objection	Limitations on Coverage		
					Number	Procedures	Personal
New Jersey							
Supreme Court	10/8/80 6/9/81 9/1/86	Judge ⁸	~	~	2 TV; 2 SC; 1 AS	Conferences of counsel; cases involving minors; family, or trade secrets	Jury
Appellate Division of Superior Court							
Tax Court							
Municipal Court							
New Mexico							
Supreme Court	1/1/83 ⁹ 3/1/87 ⁹	No consent required	Any party	Total exclusion if judge grants motion; otherwise, no effect	1 TV; 2 AS; 2 SP	Conferences of counsel or bench, jury selection, admissibility hearings	Jury, certain witnesses at discretion of court
Court of Appeals							
District Court							
Bernalillo County Metropolitan Court							
New York							
Court of Appeals	1/1/81	Court	Counsel and parties, for good cause only	Court's discretion	2 TV, 2 SC, 1 AS	Conferences of counsel	~
Appellate Divisions of Supreme Court							
Appellate Terms of Supreme Court							
North Carolina							
Supreme Court	6/13/90	No consent required	~	~	2 TV, 1 SC, 1 AS	Proceedings involving children or families, probable cause hearings, evidence suppression, trade secrets, and proceedings in camera; proceedings before clerks of court and magistrates; jury selection; conferences of counsel	Jury, certain categories of witnesses
Court of Appeals							
Superior Court							
District Court							
North Dakota							
Supreme Court	7/1/80 ¹⁰	Court	Any party, or other person specifically authorized by judge	Total/ partial exclusion on good cause shown	1 TV, 1 SC, 1 AS	Prosecution of sex offenses	Certain witnesses; juveniles if illegal sexual activity is part of offense
District Court							
Municipal Court							
Ohio							
Supreme Court	1/1/82	Chief judge	~	~	1 portable camera, 1 SC, 1 AS	Proceedings while court not in session, conferences of counsel	~
Court of Appeals		Judge	Victims, witnesses	Personal exclusion	1 TV; 1 SC; 1 AS	Conferences of counsel	Jurors
Court of Common Pleas							
Municipal Court							
Oklahoma							
Supreme Court	2/22/82 ¹¹	Judge; accused in criminal trial	Party, witness, juror	Personal exclusion	~	Private proceedings	~
Court of Criminal Appeals							
Court of Civil Appeals							
District Court							
Municipal Court Not of Record	~						
Municipal Criminal Court of Record							
Workers' Compensation Court							
Court of Tax Review							

Legend: ~ = Not Applicable, TV = Television Cameras, SP = Still Photographers, SC = Still Cameras, AS = Audio Systems

Table 37. Media Coverage of Trial and Appellate Courts

	Effective Date:	Who must consent?	Who may object?	Effect of Objection	Limitations on Coverage		
					Number	Procedures	Personal
Oregon							
Supreme Court	8/1/92	Judge	Witness	Personal exclusion	1 TV	At victims request, Sex offense proceedings; court recess proceedings in chambers; proceedings without the jury; voir dire; conferences of counsel; family/ children proceedings	Jurors
Court of Appeals	8/1/92						
Circuit Court	9/1/97						
Tax Court	~						
County Court	~						
Justice Court	~						
District Court	8/1/90						
Municipal Court	~						
Pennsylvania							
Commonwealth Court	10/1/80	All parties, witnesses	Anyone	Total exclusion	1 TV	Only civil non-jury proceedings may be recorded	~
Court of Common Pleas							
Philadelphia Municipal							
Rhode Island							
Supreme Court	3/8/93	No consent required	Any participant	Personal exclusion	2 TV; 2 SC; 1 AS	Hearings taking place outside presence of jury; conferences of counsel; voir dire	Jurors
Superior Court							
Workers' Compensation							
District Court							
Family Court							
Probate Court	~				1 TV; 2 SC; 1 AS	Hearings taking place outside presence of jury; conferences of counsel; voir dire; juvenile/ adoption proceedings	Jurors, juveniles
Municipal Court							
South Carolina							
Supreme Court	10/21/93	Judge	~	~	2 TV; 1 radio recorder; 2 SC	Procedures which are closed to public; conferences of counsel	Jury
Court of Appeals							
Circuit Court							
Family Court							
Magistrate Court							
Probate Court							
Municipal Court							
Tennessee¹²							
Supreme Court	1/1/96	Pursuant to Supreme Court Rule 30, the presiding judge has the discretion to refuse, limit, terminate, or temporarily suspend media coverage of an entire case or portions thereof, in order to (i) control the conduct of the proceedings before the court; (ii) maintain decorum and prevent distractions; (iii) guarantee the safety of any party, witness or juror; and (iv) ensure the fair administration of justice in the pending cause.		Total exclusion if party; partial exclusion if witness	2 TV; 2 SC; 1 AS	Jury selection, closed proceedings, conferences of counsel; any proceeding when jury out; out-of-court activities of sequestered jurors	Jurors, juveniles
Court of Appeals							
Court of Criminal Appeals							
Circuit Court							
Chancery Court							
Criminal Court							
Probate Court							
Municipal Court							
General Sessions Court							
Juvenile Court							
Texas							
Supreme Court	1/1/90 ¹³	Court	Any party	At discretion of court	~	~	~
Court of Criminal Appeals							
Courts of Appeals							
District Courts		Parties, witnesses	~	Total exclusion	~	~	~
Constitutional County							

Legend: ~ = Not Applicable, TV = Television Cameras, SP = Still Photographers, SC = Still Cameras, AS = Audio Systems

Table 37. Media Coverage of Trial and Appellate Courts

	Effective Date:	Who must consent?	Who may object?	Effect of Objection	Limitations on Coverage		
					Number	Procedures	Personal
Utah¹⁴							
Supreme Court	4/1/97	Court	Any party	Total exclusion at discretion of court	1 TV, SC	~	~
Court of Appeals		Judge	Any party	Personal or total exclusion at discretion of court	SC only	~	Jurors
District Court							
Justice Court							
Juvenile Court ¹⁵							
Vermont							
Supreme Court	3/12/92	No consent required	~	~	2 TV; 1 SP w/ 2 SC; 1 AS	Conferences of counsel or bench	~
Superior Court		No consent required	Party or witness	Total exclusion if court grants motion	1 TV; 1 SP w/ 2 SC; 1 AS	Court recesses; conference of counsel	Jurors
District Court							
Probate Court							
Environmental Court							
Virginia							
Supreme Court	7/1/92	No consent required	Parties	Partial/ total at discretion of judge	2 TV; 1 SP with 2 SC; 1 AS	Jury selection; conference of counsel; family proceedings; juvenile proceedings; trade secrets; sex offenses, in camera proceedings	Certain categories of witnesses; jurors; juveniles
Court of Appeals							
Circuit Court							
District Court							
Washington							
Supreme Court	9/20/76	Judge	~	~	~	~	~
Court of Appeals							
Superior Court							
District Court							
Municipal Court							
West Virginia							
Supreme Court of Appeals	2/1/89	AOC Information Services Director	Parties, witnesses, counsel	Partial exclusion	1 TV; 2 SP (2 total); 1 AS	Proceedings closed to public; conferences of counsel	~
Circuit Court	2/1/89	Presiding Judge					
Magistrate Court	2/1/89	Presiding Magistrate					
Wisconsin							
Supreme Court	7/1/79	No consent required	Any participant	Partial/total exclusion at discretion of judge, but presumption favors coverage	3 TV; 3 SP; 1 AS	Conferences of counsel; recesses of court	Jurors (unless they consent)
Court of Appeals							
Circuit Court							
Municipal Court							
Wyoming							
Supreme Court	9/2/82	Court	Any participant	Personal exclusion	~	Conference of counsel	Jury
District Court	12/27/91						
Justice of the Peace Court	~						
Municipal Court							
County Court							
Federal Courts¹⁶							
	~	~	Judge	Discretion of court			

Note: Only states and courts that allow media coverage appear on the table. DC, IN, MS, and SD do not have any camera coverage.

FOOTNOTES:

Alaska:

¹Interlocutory appellate review is available.

Colorado:

²A party only may seek review of ruling by original proceeding, if otherwise appropriate, or by post-trial appeal.

Hawaii:

³Interlocutory appellate review available.

Idaho:

⁴Supreme court in Boise 8/27/79; supreme court on circuit 10/1/80.

Table 37. Media Coverage of Trial and Appellate Courts

Iowa:

⁵Only victims of sex offenses get automatic exclusion; other victim and witness objections are presumed valid but may be rebutted.

Nevada:

⁶Rule 238 recognizes that it may be impossible not to photograph some jurors as part of the proceedings, but the media may not deliberately photograph the jury.

New Hampshire:

⁷TV cameras only allowed in courtrooms with facilities for cameras and media personnel that obscure cameras from view of jury.

New Jersey:

⁸Any party or media representative aggrieved by any decision of the court concerning coverage may move for leave to appeal to the appellate division.

New Mexico:

⁹Amended, effective 9/1/89.

North Dakota:

¹⁰Amended effective 7/1/95.

Oklahoma:

¹¹Amended effective 11/1/97.

Tennessee:

¹²The rules listed on this table for Tennessee were formerly articulated in its Canons of Judicial Conduct (Supreme Court Rule 10, Canon 3(A)(7)). Several Tennessee courts adopted rules for the media pursuant to those guidelines and have kept those rules despite the removal of media guidelines from the Canons in 1996. The media rules adopted by the individual types of courts tend to be more limiting than the rules listed on the table.

Texas:

¹³Amended effective 9/1/97.

Utah:

¹⁴Only still photography allowed in trial courts.

¹⁵Still photography in the juvenile courts is subject to the same regulations as in district court but becomes applicable only in hearings designated by statute or rule as public hearings.

Federal Courts:

¹⁶On September 13, 1990, the Federal Judicial Conference approved a three year experiment allowing cameras in two appellate courts and six district courts, beginning on July 1, 1991. The experiment was limited to civil cases and gives judges total discretion to refuse, limit, or stop camera coverage. In 1994, Federal Judicial Conference voted down a proposal to make the experiment permanent. In 1996, the Judicial Conference voted to permit each court of appeals to decide for itself whether to allow cameras access. Currently only the second and ninth circuits allow coverage. No cameras are permitted in US district courts.

Table 38. The Defense of Insanity: Standards and Procedures

	Pre-Trial	Trial				Post-Trial			
	Standard of proof in disposition hearing:	Bifurcated	Standard of proof	Burden of Proof: Defendant (D) Prosecutor (P)	Jury informed of verdict consequences	Test for Insanity	Insanity verdict	Treatment: Mandatory (M) Discretionary (D)	Post-conviction release authority
Alabama	C		C	D		M'N	NGBD	D	Court
Alaska	C		P	D	■	M'N (nature and quality prong only) ¹	NGBI/GBMI	D for NGBI; M for GBMI	Court
Arizona	C		C	D		M'N (nature and quality) ²	NGBI/GBI	D	Court
Arkansas	P ³		P	D	■	A.L.I. (minus "substantial")	NGBD	D	Court
California	P	■	P	D	■	M'N	NGBI	D	Court
Colorado	P		B	P	■	M'N and Irresistible Impulse	NGBI	M	Court
Connecticut	C		P	D	■	A.L.I. (requires lack of capacity to conform)	NGBD	D	Court
Delaware	P		P	D		A.L.I. (criminal prong only)	NGBI	M	Court
District of Columbia	P ⁴	■ ⁵	P	D	■	A.L.I.	NGBI	M	Court
Florida	P	■	B	P	■	M'N	NGBI	D	Court
Georgia	P		P for NGBI; B for GBMI/GBMR	D	■	M'N and delusional compulsion.	NGBI/GBMI/GBMR	M for NGBI; D for GBMI/GBMR	Court
Hawaii	P		P	D	■	A.L.I. ⁶	Acquitted for physical or mental disorder	D	Court
Idaho ⁷	g			<i>No Insanity Defense</i>			GBI	D	Court
Illinois	P		C	D		A.L.I. (requires lack of substantial capacity to conform)	NGBI	D	Court
Indiana	P		B	P		A.L.I. (no control prong) ⁹	Not responsible by Insanity	D	Court
Iowa	P		P	D		M'N	NGBI	M	Court
Kansas	P		B	P	■	M'N	NGBD	M	Court
Kentucky	P ¹⁰		P	D	■	A.L.I.	NGBI	D	Court
Louisiana	P		P	D		M'N	NGBI	M	Court
Maine	P	■	P	D		A.L.I. (no control prong) ¹¹	Not responsible for mental defect reasons	M	Court
Maryland	B	■	P	D	■	A.L.I.	Not responsible by reason of insanity	D	Court

Legend: B=Beyond a Reasonable Doubt, P=Preponderance of the Evidence, C=Clear and Convincing Evidence, GBI=Guilty But Insane, GBMI=Guilty But Mentally Ill, GBMR=Guilty But Mentally Retarded, NGBD=Not Guilty by Reason of Mental Disease or Defect, NGBI=Not Guilty by Reason of Insanity, N/S = Not stated; ■ = Yes
 ABI=Acquitted by Reason of Insanity, M'N=M'Naghten, A.L.I.=American Legal Institute

Table 38. The Defense of Insanity: Standards and Procedures

	Pre-Trial	Trial				Post-Trial			
	Standard of proof in disposition hearing:	Bifurcated	Standard of proof	Burden of Proof: Defendant (D) Prosecutor (P)	Jury informed of verdict consequences ■, if requested by defendant	Test for Insanity	Insanity verdict	Treatment: Mandatory (M) Discretionary (D)	Post-conviction release authority
Massachusetts	P		B	P	■	A.L.I.	NGBI	D	State Hospital ¹²
Michigan	P		P	D		A.L.I.	NGBI	M	N/S
Minnesota	P	■	P	D		M'N	NGBI	M	Court
Mississippi	P	■	B	P		M'N	ABI	D	N/S
Missouri	P		P	D		M'N and incapacity to conform conduct to requirements of law	NGBD	M	Court
Montana ¹³	P					N/A	GBI	D	Court
Nebraska	P ¹⁴		P	D		M'N	NGBI	D	Court
Nevada	P		P	D		N/S	GBMI	D	
New Hampshire	P	■	C	D	■	¹⁵	NGBI	M	Court
New Jersey	P		P	D	■	M'N	NGBI	D	Court
New Mexico	P		B	P		MN or Irresistible Impulse	NGBI	D	Court
New York	P		P	D	■	A.L.I.	Not responsible by reason of mental defect	D	Court
North Carolina	P		Jury Satisfied	D	■	M'N	NGBI	M	Court
North Dakota ¹⁶	P	■	P	D	■	A.L.I.	NG, lack of criminal responsibility	D	Court Annual Review
Ohio	P		P	D		M'N	NGBI	D	Court
Oklahoma	B	■	B	P		M'N	AGI	D	Court
Oregon	P		P	D	■	A.L.I.	Guilty except for insanity	D	Psych. Security Review Board
Pennsylvania	P	■	B	P	■	M'N	NGBI	D	Court
Puerto Rico	Reasonable Grounds		B	P		A.L.I.	NGBI	D ¹⁷	Court
Rhode Island	P		P	D		A.L.I.	NGBI	D	Court
South Carolina	P		P	D	■ ¹⁸	M'N	NGBI	M (120 days)	Chief Admin. Judge
South Dakota	P		C	D		M'N	NGBI	D	Court
Tennessee	P		C	D	■	A.L.I.	NGBI	M	Court
Texas	P		P	D		M'N and Irresistible Impulse	NGBI	D for nonviolent, M for violent	Court
Utah ¹⁹			<i>No Insanity Defense</i>				GBI	D	Court
Vermont	P		B	P		A.L.I.	NGBI	D	Dev/Men Health Services ²⁰

Legend: B=Beyond a Reasonable Doubt, P=Preponderance of the Evidence, C=Clear and Convincing Evidence, GBI=Guilty But Insane, GBMI=Guilty But Mentally Ill, GBMR=Guilty But Mentally Retarded, NGBD=Not Guilty by Reason of Mental Disease or Defect, GBI=Not Guilty by Reason of Insanity, N/S=Not stated, ■ = Yes, ABI=Acquitted by Reason of Insanity, M'N=M'Naghten, A.L.I.=American Legal Institute

Table 38. The Defense of Insanity: Standards and Procedures

	Pre-Trial	Trial				Post-Trial			
	Standard of proof in disposition hearing:	Bifurcated	Standard of proof	Burden of Proof: Defendant (D) Prosecutor (P)	Jury informed of verdict consequences	Test for Insanity	Insanity verdict	Treatment: Mandatory (M) Discretionary (D)	Post-conviction release authority
Virginia	P		P	D		M'N and Irresistible Impulse	NGBI	D	Court
Washington	P		P	D		M'N	NGBI	D	Court
West Virginia	P		B	P	■	A.L.I.	NGBD	M	Court
Wisconsin	²¹	■	²¹	D	■	A.L.I.	NGBD	D	Court
Wyoming	P		P	D		A.L.I.	NGMI/D	D	Court
Federal	P		C	D		M'N	NGBI	M ²²	Court ²³

Definitions:

M'Naghten

Accused party, at the time of committing the act, was laboring under a defect of reason from disease of the mind, not to know the nature and quality of the act he/she was doing, or if he/she knew it, that he/she did not know it was wrong.

A.L.I.

Accused lacks substantial capacity to appreciate the criminality (wrongfulness) of his/her conduct or conform his/her conduct to the requirements of the law.

Irresistible Impulse

If a mental disorder caused individual to experience an irresistible impulse to commit the offense, even if he/she remained able to understand the nature of the offense and its wrongfulness.

FOOTNOTES:

Alaska

¹Wrongfulness prong is basis for GBMI verdict.

Arizona

²Wrongfulness prong is basis for GBI verdict.

Arkansas

³Burden of proof is not explicitly stated, but sounds like P in caselaw.

District of Columbia

⁴Burden of proof not explicitly stated, but caselaw sounds like P with heavy reliance on expert witness conclusions.

⁵At discretion of trial court.

Hawaii

⁶Expands disability defense so conduct can be a result of 'physical or mental disease, disorder, or defect'.

Idaho

⁷Insanity defense abolished; evidence of mental defect may negate an offense element.

⁸Burden of proof is not explicitly stated, but sounds like P in caselaw.

Indiana

⁹Mental disease/defect must be a severely abnormal mental condition that grossly and demonstrably impairs perception.

Kentucky

¹⁰Burden of proof is not explicitly stated, but sounds like P in caselaw.

Maine

¹¹Mental disease/defect must be a severely abnormal mental condition that grossly and demonstrably impairs perception.

Massachusetts:

¹²District attorney must be informed of release and given opportunity to file civil commitment.

Montana

¹³Insanity defense abolished; evidence of mental defect may negate an offense element.

Nebraska

¹⁴Burden of proof is not explicitly states, but sounds like P in caselaw.

New Hampshire

¹⁵Legislature has not adopted a test: Courts have held that the insanity must negate criminal intent for NGBI verdict.

North Dakota

¹⁶Availability of insanity defense tied to the elements of offense. Effectively abolishes insanity defense for crimes not requiring intention, knowledge, or recklessness.

Puerto Rico

¹⁷If court has reasonable grounds to believe imposition is necessary due to his/her dangerous character.

South Carolina

¹⁸But only if the jury has the right to fix punishment as well as decide guilt or innocence.

Utah

¹⁹Insanity defense abolished, evidence of mental defect may negate an offense element.

Vermont

²⁰Court may retain the release authority.

Wisconsin:

²¹Greater weight of the credible evidence.

Federal

²²Unless defense can prove by C that his release would not create a substantial risk of bodily injury or serious damage to property due to a present mental disease or defect.

²³Upon certification by director of mental facility that defendant's release or conditional release would no longer create a substantial risk.

Legend: B=Beyond a Reasonable Doubt, P=Preponderance of the Evidence, C=Clear and Convincing Evidence, GBI=Guilty But Insane, GBMI=Guilty But Mentally Ill, GBMR=Guilty But Mentally Retarded, NGBD=Not Guilty by Reason of Mental Disease or Defect, NGBI=Not Guilty by Reason of Insanity, N/S = Not stated; ■ = Yes
ABI=Acquitted by Reason of Insanity, M'N=M'Naghten, A.L.I.=American Legal Institute