



## **Bureau of Justice Statistics**

# **State Court Organization 1998**

**Courts and judges**

**Judicial selection and service**

**Judicial branch**

**Appellate courts**

**Trial courts**

**The jury**

**The sentencing context**

**Court structure**

# State Court Organization 1998

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*A joint effort of  
Conference of State Court Administrators  
and National Center for State Courts*

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Please bring suggestions for information that should be included in future editions to the attention of the Director of the Court Statistics Project, National Center for State Courts, 300 Newport Avenue, Williamsburg, Virginia 23187-8798.

An electronic version of this report may be found on the Internet at  
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## Acknowledgments

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This volume like its three predecessors is a product of the court community. The Conference of State Court Administrators sponsors the *State Court Organization* series and makes available its Court Statistics Committee to guide compilation of each edition. Committee members participated in selecting the contents of the volume, designing the data collection strategy, and volunteered their states for pilot testing of survey instruments. At meetings and through mailing the Committee provided an on-going check on the accuracy and usefulness of the volume's contents. The bulk of the volume and the detailed nature of the contents make the Committee members' contribution above and beyond that which can reasonably be expected, even of members of a committee devoted to court statistics.

The state court administrators of the 50 states, District of Columbia, and Puerto Rico and their staff, the more than 135 clerks and deputy clerks of appellate courts, and staff from the Administrative Office of the United States Courts were the original source for most information included in the volume. In that capacity, administrators and clerks completed surveys, updated forms, and responded to requests for clarification and elaboration by telephone, fax and e-mail over a twelve-month period. The generosity of their investment of time and effort and the patience with which they endured what must have seemed an endless process of clarification and verification are greatly appreciated.

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The NCSC's Information Service gave access to its records of recent information requests and offered recommendations in the search for new topics for the 1998 edition. We were also able to rely upon our colleagues in the NCSC Research Division to identify and frame questions to tap emerging trends within the state courts. Particular thanks are due Pamela Casey, Paula Hannaford, Susan Keilitz, Brian Ostrom, Tom Munsterman, Dawn Spinozza, and Karen Way. Lin Walker provided the information on court automation in Table 21 and John Rockwell the information on cameras in the courtroom in Table 37.

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Court Structure Charts **317**

### Courts and judges

- In 1998, there were 208 statewide general and limited jurisdiction trial court systems in the United States, the District of Columbia, and Puerto Rico. About 9,065 full time authorized judges served in the 71 statewide trial court systems of general jurisdiction alone (table 3).
- In 1998, there were 132 courts of appeal, including the U.S. Supreme Court and U.S. Courts of Appeal. The combined full-time Federal and State appellate bench in 1998 had a reported 1,474 members. About 75% or 1,108 appellate judges served on intermediate appellate courts (table 2).

### Judicial selection and service

- General jurisdiction trial judges were selected through non-partisan elections in 18 and through partisan elections in 10 of the 50 States in 1998. In 15 States, general jurisdiction trial court judges were selected by gubernatorial appointment and in 3 States by appointment by State legislatures. The remaining States varied in their method of selection (table 7).
- General jurisdiction trial court judges must possess a law degree in all but 2 States — Maine and Massachusetts (table 8).
- Twenty one (42%) of the 50 States selected their appellate judges through a gubernatorial appointment and 3 by legislative appointment in 1998. An additional 14 States used non-partisan elections, 8 partisan elections and 4 retention elections (table 4).
- Initial/pre-bench education for general jurisdiction judges was required in 30 States (including Puerto Rico), for limited jurisdiction judges in 31 States, and in 9 States for appellate judges. Continuing education for general jurisdiction judges was required in 44 States, for limited jurisdiction judges in 42 States, and in

38 States for appellate judges (table 10).

- By 1998, 18 States, the District of Columbia, and Puerto Rico had formal provisions for an ongoing evaluation of judicial performance (table 11).
- All States had judicial conduct organizations which investigated complaints against members of the judiciary. Most of these organizations were composed of about 5 to 15 members including judges, lawyers and ordinary citizens (table 12).

### The judicial branch

- Every State has a judicial branch which is headed by the court of last resort in 13 States, the Chief Justice of the court of last resort in 36 States, and in one State, Utah, the Judicial Council. In the majority of States (33), the head of the judicial branch is established by the State Constitution. In the remaining States, authority is established either by State statute or some combination of both (table 13).
- In 1998, 20 States had a compensation commission that examined and reported on the salaries of judges. Fourteen of these commissions had broader mandates, also examining and reporting on non-judicial public officials. Six States by 1998 has created commissions specifically for judicial compensation review (table 16).
- In most States the Administrative Office of the Courts prepared the judicial branch budget (33 States, the District of Columbia, and Puerto Rico), generally followed by a review of the budget submissions by the State's Court of Last Resort. In most States, the judicial branch budget is either included in a general appropriation bill or included in one of several bills. Only in 14 States is it filed as a separate appropriation bill.
- On average in 1998, judicial budgets accounted for about 1.5% of State budget appropriations, ranging from

0.1% in Washington to 3.6% in Oregon (table 17).

- In more than 8 in 10 statewide trial courts of general jurisdiction during 1998, judicial salaries were funded totally by State sources. By contrast, in just under half of Statewide trial courts of limited jurisdiction, judicial salaries were funded totally by State sources, about one third by local sources, and the remaining by either county funding sources or some combination of the three (table 18).

### State appellate court systems

- The courts of last resort in the State appellate systems ranged in size from 5 to 9 judges in 1998. A majority of State courts of last resort had 7 members, including the most populous States, California and New York. Iowa, Mississippi, and Washington had 9 Justices.
- A common State response to increasing appeals is to create an intermediate court of appeals. In 1998, 35 States had 1 intermediate court of appeal (including Puerto Rico), 5 States had 2, while 12 States had no intermediate court of appeal (including the District of Columbia).
- Appellate courts typically have an appointed clerk of the court. Only in the Supreme Court of Indiana and the regional intermediate appellate courts of Ohio are popular elections used to select appellate court clerks (table 24).
- Appellate courts implement various strategies to make the workload of appellate courts more efficient. Thirty seven States, by 1998, for example, had some expedited briefing procedures in their appellate court systems (table 26). Eighteen States had accelerated or special calendars in some courts for specific case types (table 27), and all but 12 States had some limitation on oral arguments in criminal and/or civil cases (table 28).

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## Trial court clerks

- In 1998, there were over 7,500 clerks in state trial courts. Over half of these clerks served in trial courts of limited jurisdiction. Typically, trial court clerks have the responsibility for docketing cases, collecting court fees, overseeing jury selection, and maintaining all court records (table 31).
- Partisan elections were used to select clerks of general jurisdiction trial courts in 27 States and non-partisan elections in an additional 4 States. General jurisdiction trial court clerks were appointed in 19 States, the District of Columbia, and Puerto Rico. In the remaining States, selection of these clerks varied (table 31).

## Specialized courts

- There were 327 drug courts across 43 States, the District of Columbia and Puerto Rico in 1998. The majority of drug courts were established between 1992 and 1996. During 1998, drug courts were established in Maine and Mississippi (table 33).
- By 1998, all but 17 States had family courts that served some number of counties, districts, or were statewide. These courts typically had jurisdiction over domestic and marital matters such as divorce, child custody and support, and domestic violence (table 34).
- There are currently over 450 tribal justice forums among the 556 Federally recognized tribes in the United States. Sixteen States have assumed mandatory or optional jurisdiction over tribal lands, pursuant to Public Law 280 (table 36).

## Insanity defense

- A defense of insanity was allowed in 48 of the 50 States, the District of Columbia and Puerto Rico in 1998.

Only Idaho and Utah had no insanity defense provision (table 38).

- When determining the defendant's capacity to stand trial, the majority of States require a preponderance of evidence – the burden of proof typical in a civil trial. Ten States provide for a bifurcated trial where the elements of the crime are decided in one proceeding and the determination of insanity in a separate proceeding (table 38).
- In most States, the defendant carries the burden proof in an insanity defense trial, while the plaintiff carries this burden in 12 States (table 38).
- In 18 States in 1998, post trial treatment was mandatory for all or some defendants (table 38).

## The jury

- In 1998, voter registration was the most common source, though not the only source, used by States to create a master list of potential jurors. Other sources included motor vehicle registration, telephone directories, and tax rolls (table 39).
- In most States, the minimum age to serve on a jury was 18. The minimum age in Missouri and Montana, however, was 21 years of age. There was some residency requirement to serve on a jury in all States, and literacy and/or language requirements in all but 8 States (table 39).
- In 8 States employers were responsible, at least partially, for maintaining the salaries of employees while on jury duty. Daily fees paid to serving jurors ranged from \$2.00 to \$50.00 in 1998 (table 40).
- Grand jury indictments for all felony prosecutions were required in 14 States and in an additional 4 States for capital and/or life imprisonment cases. The size of grand juries ranged from 6 members in Indiana to 23 members in Maryland and Massachusetts (table 43).

## The sentencing context

- In non-capital felony cases, original sentences were set by a jury in 46 States, the District of Columbia and Puerto Rico, and by a judge in 6 States. The judge can alter the jury sentence or recommendation in 4 States – Arkansas, Indiana, Kentucky and Missouri (table 46).
- Of the 37 States with the death penalty in capital felony cases during 1998, original sentences were set by a jury in 23 States, by a judge in 5 States, and by a judge with the recommendation of the jury in 7 States. In Missouri and New Mexico either a jury or a judge may impose a sentence of death. In all States where the sentence was set by a jury, the decision must be unanimous. If the jury cannot reach an agreement, life without parole is available in 12 States. A judge can alter a jury sentence of death in 12 States (table 46).
- Some type of intermediate sanctions were available in all 50 States, the District of Columbia and Puerto Rico. Intensive probation and/or work release was available in 47 States and Puerto Rico, house arrest and/or electronic monitoring in 48 States and the District of Columbia, and shock incarceration in 30 States (table 47).
- By 1998, active sentencing commissions had been established in 17 States. All but 1, South Carolina, had sentencing guidelines. In most States these guidelines were mandatory with room for justified deviations (table 48).
- In 1998 collateral consequences for felony convictions were in place in all States. In most States, a felony conviction was associated with the restriction of voting rights, parental rights, public employment, jury duty service, and firearm ownership (table 49).

## INTRODUCTION: Purpose, format, and method of compilation

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### *What is the purpose of the volume?*

This volume, the fourth edition in a series, describes the highly diverse world of the state courts as of July 1, 1998, while also providing some corresponding information on the federal courts. Information distributed across 50 tables details the main features of how courts operate, ranging from the names of the various courts established in each state to whether jury verdicts must be unanimous to convict in criminal cases or to decide on liability in civil matters. Such fundamental matters vary from state to state, and between the state courts and the federal system--there is no single, uniform court system in the United States.

One reason, then, for compiling the *State Court Organization* series (previous editions refer to court organization in 1980, 1987, and 1993) is to provide answers in a single volume to fundamental questions about what each state's court system looks like: How many appellate and trial courts have been established? What specific categories of cases does each court have the jurisdiction to decide?

A second purpose for compiling *State Court Organization* is to permit comparative examination of how courts are organized. Information on how court administration and procedure are organized assists states in effecting change by identifying options and specific examples for their consideration.

Most states have two appellate courts and at least two trial courts, but differ in such basics as where jurisdiction over juvenile cases is found and whether civil appeals are heard as a matter of right or at the discretion of the reviewing appellate court. The essential point is that these matters are not standardized across the United States. The federal system and individual states have evolved, knocking against one another from time to time in ways that lead to some shared tendencies, but no uniformity. To a limited extent, the federal court system offers a prototype that states can follow. This edition of *State Court Organization* encourages and facilitates examination of federal and state approaches to court administration, procedures, and rules.

There is still much about state courts that continues to be rooted in geographical areas within states, defined by counties, townships, cities, or other forms of local government. The more important points of variations within states are noted, such as methods for judicial selection, sometimes in the table proper but more often through the use of footnotes in the tables.

A third purpose for this volume is to address noteworthy features of statutes and policy that affect how the courts function. In this edition, emphasis is placed upon the

sentencing context: the provisions of state constitutions, statutes, and court rules that govern how sentences are imposed and reviewed on appeal. This encompasses options provided for sentencing. "What is the most serious penalty other than the death penalty?" What specific sentencing provisions exist for "habitual offenders"? What is the array of intermediate sanctions that judges (and in some states, juries) can impose? Other features of the sentencing process considered include the presence of sentencing guidelines, the jurisdiction of each trial court to sentence felons, and the manner in which sentences, once imposed, can be reviewed. Parole or "good time" provisions that affect sentence length are also outlined.

Another topic given emphasis is how the judicial branch is governed. Who is the head of the judicial branch? What official or institution formulates and submits the budget for operating the courts? What items of trial court expenditure are funded by the state and which are financed either by local government or from court fees? What is the rule-making authority of state courts of last resort? What use is made of judicial councils and conferences in setting policy for the courts? At the level of individual trial courts is the clerk of court, an independently elected official or an appointee of the bench? What is the formal relationship between the clerk of court and the trial court administrator? What is the authority of presiding or administrative judges? The advent of professional trial court managers--administrators, clerks, and judges who view much of their role as managerial--is one of the more significant waves of change that buffeted the nation's courts in recent decades. The governance of the judicial branch is becoming a more substantial undertaking that merits close description.

Yet another emphasis is on the jury. The role of the grand jury has generally diminished in the initiation of felony court cases, but the institution retains considerable significance in some states. Trial court juries retain their importance in both civil and criminal matters, but juries have changed in how they are selected and in their size and verdict rules. Does a jury need to be unanimous, or can a verdict be returned by a majority of the jurors? A 12-person jury required to reach a unanimous verdict is no longer typical. The U.S. Supreme Court, in a series of opinions during the 1960s, relaxed requirements that verdicts be unanimous and rendered by 12-person juries. Today, there is marked variation among states and also, within many states by the type of case (felony versus misdemeanor, for example). The main dynamic today is in efforts to enhance the representativeness of jury pools and ease the burdens associated with jury service. This is reflected in changes to the source lists from which the

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jury pool is drawn, the elimination of occupational exemptions, and improved levels of juror fees. Which states have eliminated occupational exemptions from jury service? What obligations do employers have to pay the regular salaries of employees who serve on juries?

New topics covered in this volume include the proliferation of specialized courts, new legislative mandates in the adjudication of domestic violence cases, current standards regarding the insanity defense, and efforts in automating court information systems. To support the three purposes just described, *State Court Organization 1998* expands the coverage of court administration and court procedure by introducing four new tables. New topics include judicial compensation commissions (Table 16), clerks of court responsibilities for providing services to appellate courts (Table 19), the authority of trial court administrative judges (Table 30), and standards and procedures governing the use of the insanity defense in criminal cases (Table 38). In addition, the format for reporting on automation in the courts has been completely revised (Table 21).

A fourth purpose for compiling this volume is to provide authoritative base-line information through which important changes in the nation's courts can be tracked. The 1998 edition of *State Court Organization* gives particular attention to the growing importance of specialized state court forums. Special forums are divisions, dockets, courtrooms or procedures dedicated to a designated set of cases and to which a specific judge has been assigned by a court's presiding or chief judge. Such forums typically are created through local court rules or custom, and carry the label of "court" as a matter of convenience. Information is included on two such forums: drug courts (Table 33) and family courts (Table 34). Special provisions for processing domestic violence cases are also described (Table 35).

Finally, three topics included in the 1993 edition have been omitted from the new edition: state/federal judicial councils, the characteristics of "RICO" statutes, and the making of the trial court record. The latter topic will be covered in future editions of the *State Court Organization* series.

A truly comprehensive volume on the nation's courts would include the military criminal justice system because U.S. military personnel worldwide are subject to the Uniform Code of Military Justice. Appellate courts have narrowed the jurisdiction of military courts to "service-connected" offenses, but some potential for overlap with the state and federal courts remains. Individual commands operate their own trial courts, convened as needed. The Court of Military Appeals in Washington D.C. is the one standing court. The U.S. Congress provided, in 1984, for appeals from the Court

of Military Appeals to the U.S. Supreme Court via a writ of certiorari (R.C.M. 1205).

### ***How should the volume be used?***

The 1998 edition of *State Court Organization* contains 397 items of information (up from 344 items in 1993) spread across 50 tables. These tables are divided into seven parts according to broad topical areas:

- Part I:* Courts and Judges (Tables 1-3)
- Part II:* Judicial Selection and Terms (Tables 4-12)
- Part III:* The Judicial Branch: Governance, Funding, and Administration (Tables 13-21)
- Part IV:* Appellate Courts: Jurisdiction, Staffing, and Procedures (Tables 22-29)
- Part V:* Trial Court Administration and Procedures (Tables 30-38)
- Part VI:* The Jury (Tables 39-43)
- Part VII:* The Sentencing Context (Tables 44-50)

An eighth part contains a one page court structure chart for each state, Puerto Rico, and the District of Columbia. The charts complement the information provided in the tables by depicting for each state the essential structure of its court system in terms of subject matter jurisdiction and routes of appellate review.

Each part begins with a brief explanatory note. A bibliography of sources used in the data collection or that cover subject matter particularly relevant to the topic under consideration is offered. The introductions indicate why the information provided in a section is important to understand the nation's courts and how that information relates to the contents of other parts. Another objective is to highlight some of the factors that affect comparability across states, and between the state and federal systems, for the specific subject area being considered.

Two kinds of tables are presented. One is formatted to describe what is defined at the state level, such as the juror source lists, definitions of a felony offense, the functions of administrative offices of the courts, and other aspects of court organization that apply to all appellate or trial courts within a state.

The second kind of table reports on features that differ from court to court within a state, such as the number of judges, or procedures for selecting a presiding judge. The "court" in trial court generally applies to a statewide court system--for example, the Circuit Court of Virginia is divided into 31 circuits each serving a specific geographical area. Some trial courts, though, include an entire state within their geographic jurisdiction, as in the Tax Court of New Jersey. Appellate courts are more typically statewide in their jurisdiction, but intermediate appellate courts are established on a regional basis in

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Arizona, California, Florida, Illinois, Indiana, Louisiana, Missouri, New York, Ohio, Oklahoma, Tennessee, Texas, Washington, and Wisconsin. In these states, intermediate appellate courts may establish rules and procedures that vary between regions (usually called a district or division). A few states have multiple intermediate appellate courts (Alabama, New York, Pennsylvania, and Tennessee) and two states--Oklahoma and Texas--have two courts of last resort. (See Table 1).

Some tables contain extensive footnotes. Footnotes appear in tables that cover topics for which a simple answer was deemed unhelpful, and consideration of the footnote's content is necessary to make comparisons across states or to grasp fully the nature of the arrangements that pertain in individual states.

A general cautionary statement is offered here. This volume covers an unusually diverse set of topics. There is no single state authority that maintains current and complete information on each topic. Therefore several sources were contacted in each state and extensive searches were undertaken of court rules and state statutes.

### ***How was the volume compiled?***

The contents for this edition were selected and the relevant data collected through the following main steps.

The first step was a project staff review of contents from previous *State Court Organization* editions. In the course of that review in March of 1998 all members of the Conference of State Court Administrators were asked in a survey to express their opinions on the merits of the usefulness of all individual information items published in *State Court Organization 1993* and to nominate additional topics that could usefully be included in the new edition. Some information items were judged to be essential for the continuity of the series, new information was identified to keep pace with the changing shape and interests of the court community, and still other information items were found to be of limited contemporary interest. These decisions were made in consultation with other National Center for State Court staff members, organizations such as the Federal Judicial Center, and relevant academic and research experts in court-related topics. Staff from the Bureau of Justice Statistics also participated in the review process.

A tentative list of information contents was compiled by project staff and then reviewed in detail by the members of the Conference of State Court Administrator's Court Statistics Committee. At a subsequent meeting, the

Committee members reviewed the data collection design and drafts of data collection instruments.

The chosen information items were divided according to the most reliable and cost-effective data collection method. Those methods were:

- A survey of administrative offices of the court was designed for distribution by mail to the state court administrators of the 50 states, the District of Columbia, Puerto Rico, and the U.S. Administrative Office of the Courts. The questionnaire, which was mailed on December 4, 1998, dealt with aspects of court organization that are primarily administrative in nature and either new to the 1998 edition or likely to have changed significantly since 1993. The questionnaire used a different format than the one developed for the 1993 version with help from Bureau of Justice Statistics staff. Various versions of the new survey were pilot-tested through the cooperation of states represented on the Court Statistics Committee. All the surveys were completed and returned.
- A similar survey relating to information concerning appellate courts was designed to collect new or changeable descriptive information on courts of last resort and intermediate appellate courts. Approximately 150 surveys were mailed on January 14, 1999 and were completed and returned.
- A third survey form was developed to update information items carried over from the last edition and judged unlikely to have changed significantly over the previous five years. Respondents were presented with the question at issue, the response given in the 1993 edition, and with a request to update the information to the situation as of July 1, 1998. Separate update surveys were prepared for administrative offices of the courts and appellate court clerks.
- Protocols were developed to conduct statute and rule searches that would compile tables of information on specific laws, legal procedure and legal practices that applied statewide. Searches were the primary source of data about juries and sentencing.

Figure 1 indicates the primary data collection methods for each table of information.

Upon return, surveys were reviewed for completeness and clarity by project staff. Telephone calls and Fax messages were used to ensure that accurate and comparable information was available from all survey

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respondents. Once screened, survey contents were entered into an SPSS database. Information collected through update surveys and through statute and rule searches were entered in table form as Microsoft Word documents.

The main step in the verification process was to return all tables completed through surveys, or update forms, back to the original respondent in June of 1999. This provided a second check on the information, often by a second person, and also served as a check on the accuracy of any revisions made by project staff to maximize comparability across states and courts. All tables compiled through statute or rule searches also were sent to the state court administrator and, as appropriate, to the appellate court clerk with a request that the contents be examined and modified or corrected as necessary. Verification often involved a series of iterations passed back and forth between project staff and the administrative office of the courts or appellate court clerk. Also, tables of information on various topics were sent for review to relevant national experts.

It should be noted that even after such an extensive data collection and data verification process, room for ambiguity remains. This is inevitable in any best faith effort to collect comparable information on multiple topics for which no individual or office can claim to be a definitive authority. Some leading authorities on specific topics were consulted, notably Tom Munsterman on juries and Roger Hanson and Teb Marvel on appellate courts, as an additional check on the accuracy and comparability of information.

The result is a reference source that roams widely through the world of trial and appellate courts and of state court administration. There are some obvious limitations. Provisions and procedures that relate to criminal cases receive more attention than those concerning civil dockets. The focus, moreover, is on statewide (or national for the federal courts) court organization. Within states and within the federal court system there is significant variation by locality that is beyond the scope of this volume to describe.

Finally, *State Court Organization* is a companion series to the series of annual State Court Caseload Statistics reports, prepared by the Court Statistics Project of the National Center for State Courts.

**Figure 1: Primary Source of Data Collection**

<i>Table</i>	<i>AOC* Survey</i>	<i>AOC*/Appellate Clerks Update Survey</i>	<i>Special Surveys**</i>	<i>Statute and Rule Search</i>
1		X		
2		X		
3		X		
4		X		
5		X		
6		X		
7		X		
8		X		
9		X		
10	X			
11				X
12		X		
13				X
14	X			
15		X		
16			X	
17	X			
18	X			
19			X	
20	X			
21			X	
22		X		
23		X		
24		X		
25		X		
26		X		
27		X		
28		X		
29		X		
30	X			
31		X		
32	X			
33				X
34				X
35				X
36				X
37				X
38				X
39				X
40				X
41				X
42				X
43				X
44				X
45				X
46				X
47				X
48				X
49				X
50				X

\*AOC=administrative offices of the courts, \*\*Information from another NCSC survey



## Part I: Courts and judges

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Coming to grips with the number and variety of courts is the essential starting point for anyone interested in court organization. The fundamental distinction is between trial courts, which are courts of first instance that decide a dispute by examining the facts, and appellate courts, which review the trial court's application of law to those facts.

How many appellate courts have been established in the United States? Table 1 provides the answer. There are two basic kinds of appellate courts. Courts of last resort (COLR) have final jurisdiction over appeals. Each state has a COLR. Oklahoma and Texas split final appellate review between separate civil and criminal COLRs. Intermediate appellate courts (IAC) hear initial appeals, the outcome of which is subject to further review by the state's COLR. Courts of last resort typically were established in the state's constitution and sit in one location, the state capital. Intermediate appellate courts, a more contemporary institution, have multiple locations in 21 states. In 10 states, each location serves a region within the state and has its own chief judge and a permanently assigned complement of judges (Table 1). Other state appellate courts travel *en banc* to various locations, while still other courts travel in smaller panels. How many judges are authorized to serve and were actually serving, as of July 1, 1998, on each court? The number of appellate judgeships, authorized and serving, for the state and federal courts is shown in Table 2. The combined full-time federal and state appellate bench has 1,474 members. Most appellate judges serve on intermediate appellate courts (1,108).

The allocation of judgeships to appellate courts illustrates the divergence between the federal and state courts, as well as state court diversity. All COLRs are established with an odd number of justices, in contrast to the structure of the jury as a decision-making institution, which usually entails an even number of jurors. This follows the federal model. However, state COLRs have fewer justices than the U.S. Supreme Court. The most common arrangement is a seven judge COLR, found in 27 states and Puerto Rico. Five justices serve on COLRs in 18 state courts, including the Oklahoma Court of Criminal Appeals. Seven courts, including both Texas COLRs and the Oklahoma Supreme Court (Civil COLR), follow the federal nine-justice model (as does the District of Columbia).

Intermediate appellate courts often undertake review through panels of three or more judges rather than by the full court sitting *en banc* (see Table 23). California has the largest state IAC, with 93 authorized judgeships. This court is divided into nine divisions. (Table 1) There are 179 authorized judgeships for the 13 circuits of the U.S. Circuit Courts of Appeal. Three judge IACs are

found in Alabama (Court of Civil Appeals), Alaska, Hawaii, and Idaho.

Trial courts are listed state by state in Table 3, distinguishing between courts of general jurisdiction (GJ) and courts of limited (or special) jurisdiction (LJ). General jurisdiction trial courts are always the highest trial court in a state where felony criminal cases and high stakes civil suits are adjudicated. They often exercise some form of appellate review over outcomes in limited jurisdiction courts or decisions by administrative agencies, exercising what is termed incidental appellate jurisdiction (Table 29).

A limited jurisdiction trial court, one or more of which is to be found in all but five states and the District of Columbia, typically holds preliminary hearings in felony cases and typically has jurisdiction over misdemeanor and ordinance violation cases (Table 45 details the jurisdiction over felony cases by courts of limited jurisdiction). Civil jurisdiction is restricted to a fixed maximum amount, and typically includes a separate category of small claims cases for which simplified procedures are established. Juvenile, domestic relations, and drug cases are typically heard in a court of general jurisdiction, however, there is a trend to create special courts reserved for special dockets for these case types. See Table 33 and 34 detailing the use of family and drug courts.

Table 3 also indicates the number of judges authorized for and serving on each trial court statewide. Some courts use part-time or senior judges to help with caseloads, the resulting judicial power is therefore expressed as full-time equivalent positions. Courts typically also make use of quasi-judicial staff to hear cases as referees, commissioners, or hearing officers. Quasi-judicial officers are usually appointed by the trial bench for a fixed period of time and can be dismissed by that bench. General jurisdiction trial courts are usually divided into circuits or districts. In some states (e.g., California) the county serves as the judicial district. Most states, however, construct judicial districts that embrace a number of counties. Limited jurisdiction trial courts vary in whether they possess jurisdiction across a county or serve a specific local government unit, such as a city or village. Jurisdiction beyond a specific county is rare; exceptions are for those courts with special jurisdiction that applies statewide (water courts and workers' compensation courts are examples).

The information contained in this section is basic because there is no generic court system in the United States. Even the nomenclature varies. Supreme Courts are usually courts of last resort, but in New York the designation "supreme" is assigned to the main trial court,

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while The Court of Appeals is the state's court of last resort. Justices and a Chief Justice usually serve on courts of last resort, but a number of COLRs have judges and a chief judge. Judge is the standard title for those serving on intermediate appellate courts.

The closest to a generic form of court structure in the United States is a court system with two appellate courts, one a court of last resort and one an intermediate appellate court, and two or more trial courts. But many states, and the federal courts, do not neatly fit that pattern, and even those states that do add diversity in how the allocation of subject matter jurisdiction to courts is made, how appellate review is designated as being on a mandatory (appeal of right) or discretionary (through a petition) basis, and in the use made of quasi-judicial officers.

### Select Bibliography:

Carl Baar, *One Trial Court: Possibilities and Limitations*, Ottawa: Canadian Judicial Council, 1991.

Howard Ball, "The Federal Court System," *Encyclopedia of the American Judicial System*, Vol. II, R. Janosik (Ed.). New York: Charles Scribner's, 1987.

Marie T. Finn (Ed.) *The American Bench: Judges of the Nation, Ninth Edition 1997/98*, Sacramento: Forster-Long, 1993 [includes maps of federal and state judicial boundaries].

Henry Glick, "State Court Systems," *Encyclopedia of the American Judicial System*, Vol. II, R. Janosik (Ed.). New York: Charles Scribner's, 1987.

Erick B. Low, "Accessing the Judicial System: The State's Response," *The Book of the States, 1994-95 Edition*, Vol. 30. Lexington, KY: The Council of State Governments.

**Table 1. Appellate Courts in the United States**

	Number of court locations that have:		Place of session
	Separate administrative rules	Chief justice/judge	
<b>Alabama</b>			
Supreme Court	1	1	Montgomery <sup>1</sup>
Court of Civil Appeals	1	1	Montgomery <sup>1</sup>
Court of Criminal Appeals	1	1	Montgomery <sup>1</sup>
<b>Alaska</b>			
Supreme Court	1	1	Anchorage, Fairbanks, Juneau <sup>2</sup>
Court of Appeals	1	1	Anchorage
<b>Arizona</b>			
Supreme Court	1	1	Phoenix
Court of Appeals	2	2	Phoenix (16 judges) Tucson (6 judges)
<b>Arkansas</b>			
Supreme Court	1	1	Little Rock
Court of Appeals	0	1	Little Rock
<b>California</b>			
Supreme Court	–	1	3 cities
Courts of Appeal	–	9 <sup>3</sup>	6 districts <sup>4</sup> , 9 locations
<b>Colorado</b>			
Supreme Court	1	1	Denver <sup>5</sup>
Court of Appeals	1	1	Denver
<b>Connecticut</b>			
Supreme Court	1	1	Hartford <sup>6</sup>
Appellate Court	1	1	Hartford <sup>6</sup>
<b>Delaware</b>			
Supreme Court	0	1	Dover
<b>District of Columbia</b>			
Court of Appeals	1	1	Washington DC
<b>Florida</b>			
Supreme Court	1	1	Tallahassee <sup>7</sup>
District Courts of Appeal	0	5 <sup>8</sup>	Varies by district <sup>9</sup>
<b>Georgia</b>			
Supreme Court	1	1	Atlanta
Court of Appeals	1	1	Atlanta <sup>10</sup>
<b>Hawaii</b>			
Supreme Court	1	1	Honolulu
Intermediate Court of Appeals	1	1	Honolulu
<b>Idaho</b>			
Supreme Court	1	1	Varies <sup>11</sup>
Court of Appeals	1	1	Varies <sup>12</sup>
<b>Illinois</b>			
Supreme Court	1	1	Springfield
Appellate Court	5	5	5 cities or districts <sup>13</sup>
<b>Indiana</b>			
Supreme Court	1	1	Indianapolis
Court of Appeals	1	1	Indianapolis
Tax Court	1	– <sup>14</sup>	
<b>Iowa</b>			
Supreme Court	1	1	Des Moines
Court of Appeals	1	1	Des Moines
<b>Kansas</b>			
Supreme Court	1 <sup>15</sup>	1	Topeka
Court of Appeals	1 <sup>15</sup>	1	– <sup>16</sup>
<b>Kentucky</b>			
Supreme Court	1	1	Frankfort
Court of Appeals	1	1	Varies

**Table 1. Appellate Courts in the United States**

	Number of court locations that have:		Place of session
	Separate administrative rules	Chief justice/judge	
<b>Louisiana</b>			
Supreme Courts	1	1	New Orleans
Courts of Appeal	5	5	Varies by circuit <sup>17</sup>
<b>Maine</b>			
Supreme Judicial Court	1	1	Portland <sup>18</sup>
<b>Maryland</b>			
Court of Appeals	1	1	Annapolis
Court of Special Appeals	1	1	Annapolis
<b>Massachusetts</b>			
Supreme Judicial Court	1	1	Boston
Appeals Court	1	1	Boston
<b>Michigan</b>			
Supreme Court	1	1	Lansing
Court of Appeals	1	1	4 designated cities <sup>19</sup>
<b>Minnesota</b>			
Supreme Court	1	1	St. Paul
Court of Appeals	1	1	Hennepin and Ramsey Counties
<b>Mississippi</b>			
Supreme Court	1	1	Jackson
Court of Appeals	1	1	Jackson
<b>Missouri</b>			
Supreme Court	1	1	Jefferson City
Court of Appeals	3	3	Varies <sup>20</sup>
<b>Montana</b>			
Supreme Court	1	1	Helena
<b>Nebraska</b>			
Supreme Court	1	1	Lincoln
Court of Appeals	1	1	Lincoln
<b>Nevada</b>			
Supreme Court	1	1	Carson City <sup>21</sup>
<b>New Hampshire</b>			
Supreme Court	1	1	Concord
<b>New Jersey</b>			
Supreme Court	1	1	Trenton
Superior Court, Appellate Division	1	1	Varies <sup>22</sup>
<b>New Mexico</b>			
Supreme Court	1	1	Santa Fe
Court of Appeals	1	1	Varies <sup>23</sup>
<b>New York</b>			
Court of Appeals	1	1	Albany
Supreme Court, Appellate Div.	4	4	Varies <sup>24</sup>
<b>North Carolina</b>			
Supreme Court	1	1	Raleigh
Court of Appeals	1	1	Raleigh
<b>North Dakota</b>			
Supreme Court	1	1	Bismarck <sup>25</sup>
<b>Ohio</b>			
Supreme Court	1	1	Columbus
Courts of Appeals	12	12	Varies <sup>26</sup>
<b>Oklahoma</b>			
Supreme Court	1	1	Oklahoma City
Court of Criminal Appeals	1	1	Oklahoma City
Court of Civil Appeals	1	1	Oklahoma City and Tulsa (divisions of 3)

**Table 1. Appellate Courts in the United States**

	Number of court locations that have:		Place of session
	Separate administrative rules	Chief justice/judge	
<b>Oregon</b>			
Supreme Court	1	1	Salem
Court of Appeals	1	1	Salem
<b>Pennsylvania</b>			
Supreme Court	1	1	Pittsburgh, Harrisburg, and Philadelphia
Superior Court	1	1	"Ride circuit" throughout the state <sup>27</sup>
Commonwealth Court	1	1	"Ride circuit" throughout the state <sup>28</sup>
<b>Puerto Rico</b>			
Supreme Court	1	1	San Juan
Court of Appeals	1	1	San Juan and throughout the island
<b>Rhode Island</b>			
Supreme Court	1	1	Providence
<b>South Carolina</b>			
Supreme Court	1	1	Columbia
Court of Appeals	1	1	Columbia
<b>South Dakota</b>			
Supreme Court	1	1	Pierre
<b>Tennessee</b>			
Supreme Court	1	1	Knoxville, Nashville, and Jackson
Court of Appeals	1	1	Varies <sup>29</sup>
Court of Criminal Appeals	1	1	Varies <sup>29</sup>
<b>Texas</b>			
Supreme Court	1	1	Austin
Court of Criminal Appeals	1	1	Austin
Courts of Appeals	14	14	Designated for each of the 14 IACs <sup>30</sup>
<b>Utah</b>			
Supreme Court	1	1	Salt Lake City
Court of Appeals	1	1	Salt Lake City
<b>Vermont</b>			
Supreme Court	1	1	Montpelier <sup>31</sup>
<b>Virginia</b>			
Supreme Court	1	1	Richmond
Court of Appeals	1	0	Richmond, Norfolk, Salem, and Alexandria
<b>Washington</b>			
Supreme Court	1	1	Olympia
Courts of Appeals	3 <sup>34</sup>	3 <sup>32</sup>	Varies by division <sup>33</sup>
<b>West Virginia</b>			
Supreme Court of Appeals	1	1	Charleston
<b>Wisconsin</b>			
Supreme Court	1	1	Madison <sup>34</sup>
Court of Appeals	1	1	Milwaukee, Waukesha, Wausau, and Madison
<b>Wyoming</b>			
Supreme Court	1	1	Cheyenne <sup>35</sup>
<b>Federal</b> <sup>38</sup>			
U.S. Supreme Court	1	1	Washington DC
U.S. Courts of Appeals	1	14	Each of the 14 courts of appeal has a designated city to conduct court

**FOOTNOTES:**

**Alabama:**

<sup>1</sup>Sometimes sessions for oral argument are held in other cities.

**Alaska:**

<sup>2</sup>The supreme court holds regular sessions in other cities occasionally.

**California:**

<sup>3</sup>There are ninety-three authorized judgeships. As of June 1998, ninety judgeships are filled. There is an administrative presiding judge in each of the

**Table 1. Appellate Courts in the United States**

three multi-division districts, and the presiding judges serve this function in the other three districts.

<sup>4</sup>District One—San Francisco; District Two—Los Angeles, Ventura; District Three—Sacramento; District Four—San Diego, San Bernadino, Santa Ana; District Five—Fresno; District Six—San Jose.

**Colorado:**

<sup>5</sup>Twice each year the court will travel and hold arguments at a public school as part of a public education program.

**Connecticut:**

<sup>6</sup>One day each year the court meets at a Connecticut law school or university.

**Florida:**

<sup>7</sup>The supreme court facility for all seven justices is located in the state capital.

<sup>8</sup>There are five district courts of appeal (DCA) that are located in five different judicial districts throughout the state. The first district has fifteen judges; the second, fourteen; the third, eleven; the fourth, twelve, and the fifth, nine. The chief judge for each DCA is chosen by a majority of the court, and if there is no majority, by the chief justice.

<sup>9</sup>District One—Tallahassee; District Two—Tampa; District Three—Miami; District Four—West Palm Beach; District Five—Daytona Beach.

**Georgia:**

<sup>10</sup>Court may sit outside Atlanta by special court order.

**Idaho:**

<sup>11</sup>Boise, Coeur d'Alene, Idaho Falls, Lewiston, Moscow, Pocatello, and Twin Falls.

<sup>12</sup>Boise, Coeur d'Alene, Idaho Falls, Lewiston, Moscow, Pocatello, Twin Falls, Blackfoot, and Hailey.

**Illinois:**

<sup>13</sup>Court sits in Chicago, Elgin, Ottawa, Springfield and Mount Vernon.

**Indiana:**

<sup>14</sup>Tax court does not have a chief judge; but one permanently assigned judge.

**Kansas:**

<sup>15</sup>Both the COLR and IAC operate under the same rules of appellate practice although each court drafts its own internal operating procedures.

<sup>16</sup>Judges are authorized to sit in any courthouse in the state.

**Louisiana:**

<sup>17</sup>First Circuit—Baton Rouge, LA; Second Circuit—Shreveport, LA; Third Circuit—Lake Charles, LA; Fourth Circuit—New Orleans, LA; Fifth Circuit—Jefferson, LA

**Maine:**

<sup>18</sup>The justices have permanent chambers in the superior courthouse near their residence. The supreme court is not lodged in its own building.

**Michigan:**

<sup>19</sup>All IAC judges rotate throughout court locations in the state, although there are four designated election districts (1st, 2nd, 3rd, and 4th).

**Missouri:**

<sup>20</sup>Eastern District—St. Louis; Western District—Kansas City; Southern District—Springfield.

**Nevada:**

<sup>21</sup>Court sits in Las Vegas three times a year. (In January 1999, court will expand to seven justices and will commence to meet in panels.)

**New Jersey:**

<sup>22</sup>Judges not assigned to permanent locations.

**New Mexico:**

<sup>23</sup>Oral argument often scheduled in different locations.

**New York:**

<sup>24</sup>First Department—New York City; Second Department—Brooklyn; Third Department—Albany; Fourth Department—Rochester.

**North Dakota:**

<sup>25</sup>Court sits in special session at the law school.

**Ohio:**

<sup>26</sup>District One—Cincinnati; District Two—Dayton; District Three—Lima; District Four—Portsmouth; District Five—Canton; District Six—Toledo; District Seven—Youngstown; District Eight—Cleveland; District Nine—Akron; District Ten—Columbus; District Eleven—Warren; District Twelve—Middleton.

**Pennsylvania:**

<sup>27</sup>One set of rules for three locations.

<sup>28</sup>Commonwealth court usually meets in Pittsburgh, Harrisburg, and Philadelphia, with one en banc session per argument week.

**Tennessee:**

<sup>29</sup>Eastern Section—Knoxville; Middle Section—Nashville; Western Section—Jackson.

**Texas:**

<sup>30</sup>District One—Houston; District Two—Fort Worth; District Three—Austin; District Four—San Antonio; District Five—Dallas; District Six—Texarkana; District Seven—Amarillo; District Eight—El Paso; District Nine—Beaumont; District Ten—Waco; District Eleven—Eastland; District Twelve—Tyler; District Thirteen—Corpus Christi; District Fourteen—Houston.

**Vermont:**

<sup>31</sup>Special court sessions are held at Vermont Law School and at trial courts.

**Washington:**

<sup>32</sup>There is one presiding judge over all divisions, as well as a chief judge in each of the three divisions. All have local administrative rules in addition to general administrative rules.

<sup>33</sup>Division I—Seattle; Division II—Tacoma; Division III—Spokane.

**Wisconsin:**

<sup>34</sup>Although it is not customary, in October of 1993 the court sat in Green Bay as part of a more general public information/education program. The court has continued this practice, traveling to selected sites in Wisconsin approximately once a year.

**Wyoming:**

<sup>35</sup>On occasion the court sits at the Wyoming Law School and various community colleges and high schools.

**Federal:**

<sup>36</sup>The federal military appeals system, established primarily by federal legislation, Articles 66 and 67 of the Uniform Code of Military Justice, 10 U.S.C. §§ 866, 867, created four intermediate appellate courts and one court of last resort, whose decisions are subject to review by the U.S. Supreme Court. The intermediate courts are: the U.S. Air Force Court of Criminal Appeals, U.S. Army Court of Criminal Appeals, U.S. Navy-Marine Corps Court of Criminal Appeals, and the U.S. Coast Guard Court of Criminal Appeals. The court of last resort is the U.S. Court of Appeals for the Armed Forces. While the courts of criminal appeals are governed by joint rules issued by the Judge Advocates General of the respective services (General Counsel of the Department of Transportation for the Coast Guard), the chief judge of each court is authorized to issue internal rules for that court. Accordingly, the internal rules vary according to service needs.

**Table 2. Number of Appellate Court Justices**

	Number of Court of Last Resort (COLR) justices		Number of Intermediate Appellate Court (IAC) justices	
	Authorized	Serving	Authorized	Serving
Alabama	9	9	10 <sup>1</sup>	10 <sup>1</sup>
Alaska	5	5	3	3
Arizona	5	5	22	22
Arkansas	7	7	12	12
California	7	7	93	93
Colorado	7	7	16	16
Connecticut	7	7 <sup>2</sup>	9	9 <sup>2</sup>
Delaware	5	5	~	~
District of Columbia	9	9	~	~
Florida	7	7	61	61
Georgia	7	7	10	10
Hawaii	5	5	4	4
Idaho	5	5	3	3
Illinois	7	7	53	53
Indiana	5	5	16 <sup>3</sup>	16 <sup>3</sup>
Iowa	9	9	6	6
Kansas	7	7	10	10
Kentucky	7	7	14	14
Louisiana	7	8 <sup>4</sup>	55	54 <sup>4</sup>
Maine	7	7	~	~
Maryland	7	7	13	13
Massachusetts	7	7	14	16 <sup>5</sup>
Michigan	7	7	28	28
Minnesota	7	7	16	16
Mississippi	9	9	10	10
Missouri	7	7	32	32
Montana	7	7	~	~
Nebraska	7	7	6	6
Nevada	5	5	~	~
New Hampshire	5	5	~	~
New Jersey	7	7	32	32
New Mexico	5	5	10	10
New York	7	7	71 <sup>6</sup>	63 <sup>6</sup>
North Carolina	7	7	12	12
North Dakota	5	5	~	~
Ohio	7	7	66	66
Oklahoma	14 <sup>7</sup>	14 <sup>7</sup>	12	12
Oregon	7	7	10	10
Pennsylvania	7	7	24 <sup>8</sup>	24 <sup>8</sup>
Puerto Rico	7	7	33	33
Rhode Island	5	5	~	~
South Carolina	5	5	9	9
South Dakota	5	5	~	~
Tennessee	5	5	24 <sup>9</sup>	24 <sup>9</sup>
Texas	18 <sup>10</sup>	18 <sup>10</sup>	80	80
Utah	5	5	7	7
Vermont	5	5	~	~
Virginia	7	7	10	10
Washington	9	9	23	21
West Virginia	5	5	~	~
Wisconsin	7	7	16	16
Wyoming	5	5	~	~
Federal:				
US Supreme Court	9	9	~	~
US Courts of Appeals	~	~	179	153 <sup>11</sup>

Legend: ~ = Not applicable

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## Table 2. Number of Appellate Court Justices

Note: Information is current as of July 1, 1998.

### FOOTNOTES:

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**Alabama:**

<sup>1</sup>Five judges on court of criminal appeals; five judges on court of civil appeals.

**Connecticut:**

<sup>2</sup>Figure does not include senior justice in supreme court or senior judge in appellate court.

**Indiana:**

<sup>3</sup>One judge in the Indiana Tax Court.

**Louisiana:**

<sup>4</sup>One judge elected to a temporary judgeship on the courts of appeal was assigned, effective 1/1/93 to sit on the supreme court. Appointment will expire on or before December 31, 2000.

**Massachusetts:**

<sup>5</sup>Figure includes three recall justices.

**New York:**

<sup>6</sup>Figure includes fifty-six justices on appellate divisions of supreme court and fifteen on appellate terms of supreme court.

**Oklahoma:**

<sup>7</sup>Figure includes 9 justices in the supreme court and 5 justices in the court of criminal appeals

**Pennsylvania:**

<sup>8</sup>Figure includes 15 justices in the superior court and 9 in the commonwealth court.

**Tennessee:**

<sup>9</sup>Figure includes twelve judges on the court of appeals; twelve judges on the court of criminal appeals.

**Texas:**

<sup>10</sup>Figure includes nine justices in the supreme court and nine justices in the court of criminal appeals.

**Federal:**

<sup>11</sup>Figure includes the court of appeals for the federal circuit. Information is current as of June 1, 1997.



**Table 3. Trial Courts and Trial Court Judges of the United States**

Court Type	Full-time Authorized Judges
G = General jurisdiction	
L = Limited jurisdiction	
<b>Alabama</b>	
G Circuit Court	131
L District Court	99
L Municipal Court	242
L Probate Court	68
<b>Alaska</b>	
G Superior Court	32
L District Court	17
~ Magistrates Division	67
<b>Arizona</b>	
G Superior Court <sup>1</sup>	134
L Justice of the Peace Court	84
L Municipal Court	84
<b>Arkansas</b>	
G Circuit Court	30 <sup>2</sup>
G Chancery and Probate Court	33 <sup>2</sup>
L Municipal Court	110
L City Court	81
L Police Court	4
L Court of Common Pleas	4
L County Court	75
L Justice of the Peace	55
<b>California</b>	
G Superior Court	807
L Municipal Court	673
<b>Colorado</b>	
G District Court	115 <sub>3</sub>
G Denver Probate Court	
G Denver Juvenile Court	4 <sup>4</sup>
G Water Court	5 <sup>5</sup>
L County Court	47 <sup>6</sup>
L Municipal Court	250 <sup>6</sup>
<b>Connecticut</b>	
G Superior Court	89 <sup>7</sup>
L Probate Court	133
<b>Delaware</b>	
G Court of Chancery	5
G Superior Court	17
L Justice of the Peace Court	57
L Family Court	13
L Court of Common Pleas	7
L Alderman's Court	8
<b>District of Columbia</b>	
G Superior Court	59
<b>Florida<sup>8</sup></b>	
G Circuit Court	468
L County Court	263

Court Type	Full-time Authorized Judges
G = General jurisdiction	
L = Limited jurisdiction	
<b>Georgia</b>	
G Superior Court	169
L Juvenile Court	28
L Civil Court	3
L State Court	51
L Probate Court	159
L Magistrate Court	~
L Municipal Court of Columbus	1
L County Recorder's Court	9
L Municipal/City Courts of Atlanta	307
<b>Hawaii</b>	
G Circuit Court	27 <sup>9</sup>
G Family Court	15 <sup>10</sup>
L District Court	22
<b>Idaho</b>	
G District Court	37
~ Magistrate's Division	81
<b>Illinois</b>	
G Circuit Court	865
<b>Indiana</b>	
G Superior Court	182
G Circuit Court	96
G Probate Court	1
L County Court	13
L City Court	47
L Town Court	25
L Small Claims Court of Marion County	9
<b>Iowa</b>	
G District Court	179 <sup>11</sup>
<b>Kansas</b>	
G District Court	156
L Municipal Court	259
<b>Kentucky</b>	
G Circuit Court	97
L District Court	126
<b>Louisiana</b>	
G District Court	204
G Juvenile & Family Courts	18
L Justice of the Peace Court	390
L Mayor's Court	250
L City and Parish Courts	73
<b>Maine</b>	
G Superior Court <sup>12</sup>	16
L District Court <sup>13</sup>	27 <sup>14</sup>
L Probate Court	
L Administrative Court	2
<b>Maryland</b>	
G Circuit Court	140
L District Court	101
L Orphan's Court	66

**Table 3. Trial Courts and Trial Court Judges of the United States**

Court Type	Full-time Authorized Judges
G = General jurisdiction	
L = Limited jurisdiction	
<b>Massachusetts</b>	
G Superior Court	80
L District Court	172
L Probate/Family Court	49
L Juvenile Court	37
L Housing Court	9
L Boston Municipal Court	11
L Land Court	4
<b>Michigan<sup>15</sup></b>	
G Circuit Court	210 <sup>16</sup>
L Court of Claims	~
L District Court	259 <sup>17</sup>
L Probate Court	92
L Municipal Court	6
<b>Minnesota</b>	
G District Court	254
<b>Mississippi</b>	
G Circuit Court	49
L Chancery Court	45
L County Court	24
L Family Court	1
L Municipal Court	215
L Justice Court	191
<b>Missouri</b>	
G Circuit Court	310 <sup>18</sup>
L Municipal Court	331 <sup>19</sup>
<b>Montana</b>	
G District Court	37
G Workers' Compensation Court	1
G Water Court	1
L Justice of the Peace Court	73
L Municipal Court	3
L City Court	36 <sup>20</sup>
<b>Nebraska</b>	
G District Court	53 <sup>21</sup>
L Separate Juvenile Court	8 <sup>22</sup>
L County Court	59
L Workers' Compensation Court	7
<b>Nevada</b>	
G District Court	48 <sup>23</sup>
L Justice Court	67 <sup>24</sup>
L Municipal Court	18 <sup>25</sup>
<b>New Hampshire</b>	
G Superior Court	28
L District Court	14
L Municipal Court	0 <sup>26</sup>
L Probate Court	4
<b>New Jersey</b>	
G Superior Court	384 <sup>27</sup>
L Tax Court	12
L Municipal Court	40 <sup>28</sup>

Court Type	Full-time Authorized Judges
G = General jurisdiction	
L = Limited jurisdiction	
<b>New Mexico</b>	
G District Court	72
L Magistrate Court	59
L Metropolitan Court	15
L Municipal Court	85
L Probate Court	33
<b>New York</b>	
G Supreme Court	369 <sup>29</sup>
G County Court	127
L Court of Claims	72 <sup>30</sup>
L Surrogates' Court	~
L Family Court	124
L District Court	50
L City Court	158
L NYC Civil Court	120
L NYC Criminal Court	107
L Town and Village Justice Court	2,300
<b>North Carolina</b>	
G Superior Court <sup>31</sup>	99
L District Court	204 <sup>32</sup>
<b>North Dakota</b>	
G District Court	44 <sup>33</sup>
L Municipal Court	79
<b>Ohio</b>	
G Court of Common Pleas	372
L Municipal Court	202
L County Court	55
L Court of Claims <sup>34</sup>	~
L Mayors Court	428 <sup>35</sup>
<b>Oklahoma</b>	
G District Court	223
L Municipal Court Not of Record	350
L Municipal Court of Record	23
L Worker's Compensation Court	9
L Court of Tax Review	3
<b>Oregon</b>	
G Circuit Court	160 <sup>36</sup>
G Tax Court	1 <sup>37</sup>
L County Court	7
L Justice Court	30
L Municipal Court	141
<b>Pennsylvania</b>	
G Court of Common Pleas	386
L Philadelphia Municipal Court	25
L District Justice Court	549
L Philadelphia Traffic Court	7
L Pittsburgh City Magistrates	6
<b>Puerto Rico</b>	
G Superior Court	168
L District Subsection <sup>38</sup>	42
L Municipal Court	105

**Table 3. Trial Courts and Trial Court Judges of the United States**

Court Type G = General jurisdiction L = Limited jurisdiction	Full-time Authorized Judges	Court Type G = General jurisdiction L = Limited jurisdiction	Full-time Authorized Judges
<b>Rhode Island</b>		<b>Vermont</b>	
G Superior Court	22	G Superior Court	12
L Workers' Compensation Court	10	G District Court	17
L District Court	13	G Family Court	~ <sup>42</sup>
L Family Court	12	L Probate Court	~
L Probate Court	39	L Environmental Court	1
L Municipal Court	21	<b>Virginia</b>	
<b>South Carolina</b>		G Circuit Court	147
G Circuit Court	46	L District Court	222
L Family Court	52	<b>Washington</b>	
L Magistrate Court	300	G Superior Court	167 <sup>43</sup>
L Probate Court	46	L District Court	113
L Municipal Court	300	L Municipal Court	102
L Administrative Law Division	6	<b>West Virginia</b>	
<b>South Dakota</b>		G Circuit Court	62
G Circuit Court	37	L Magistrate Court	156
<b>Tennessee</b>		L Municipal Court <sup>44</sup>	~
G Circuit Court	85	<b>Wisconsin</b>	
G Chancery Court	33	G Circuit Court <sup>45</sup>	234
G Criminal Court	31	L Municipal Court <sup>46</sup>	217
G Probate Court	2	<b>Wyoming</b>	
L Juvenile Court	16	G District Court	17
L Municipal Court	231 <sup>39</sup>	L Justice of the Peace Court	0 <sup>47</sup>
L General Sessions Court	156 <sup>40</sup>	L Municipal Court	2 <sup>48</sup>
<b>Texas</b>		L County Court	19
G District Courts	396	<b>Federal<sup>49</sup></b>	
L Constitutional County Court	254	U.S. District Court	642
L County Courts at Law	181	U.S. Magistrate	436
L Justice of the Peace Court	842	U.S. Bankruptcy	326
L Municipal Court	1,122		
L Statutory Probate	16		
<b>Utah</b>			
G District Court	70		
L Justice Court	128 <sup>41</sup>		
L Juvenile Court	22		

Note: Information is current as of July 1, 1998.

Note: See the court structure charts in section eight of this volume for data on commissioners, referees, magistrates, and other quasi-judicial officers and part-time judges.

**FOOTNOTES:**

**Arizona:**

<sup>1</sup>Total includes the superior court judge/judges who also serve on the tax court.

**Arkansas:**

<sup>2</sup>In addition to 30 circuit judges and 33 chancery/probate judges, 43 judges have the statutory authority to hear cases in both Circuit and Chancery Courts. The total number of general jurisdiction judges in the state is 106.

**Colorado:**

<sup>3</sup>The Denver probate court has 1 district court judge serving and 1 magistrate.

<sup>4</sup>The Denver juvenile court has 3 district court judges serving and 3 magistrates.

<sup>5</sup>The water court is served by 7 judges from the district court, full-time referee and 6 part-time water referees.

<sup>6</sup>Denver County Court and Municipal Court are not part of the state judicial system.

**Connecticut:**

<sup>7</sup>There are also 61 trial referees and 17 superior court senior judges.

**Florida:**

<sup>8</sup>The court system uses retired judges on a part-time basis. County judges are assigned to serve on the circuit bench by administrative order of the Supreme Court.

**Hawaii:**

<sup>9</sup>Total number of circuit court judges equals 29, however 2 judges are assigned to the family court.

<sup>10</sup>District family court judges.

**Iowa:**

<sup>11</sup>Includes 112 authorized district judges, 54 district associate judges, 12 associate juvenile judges, and one associate probate judge.

**Maine:**

<sup>12</sup>Active retired justices of the Superior Court serve as senior judges.

<sup>13</sup>Active retired judges of the District Court serve as senior judges.

<sup>14</sup>All are part-time judges.

**Table 3. Trial Courts and Trial Court Judges of the United States**

**Michigan:**

<sup>15</sup>Michigan has a family court division that became operational on January 1, 1998, but data is not yet available.

<sup>16</sup>The court of claims operates within the 30<sup>th</sup> Circuit Court.

<sup>17</sup>There are 14 part-time judges with a full-time equivalency of approximately seven FTE.

**Missouri:**

<sup>18</sup>334 total: 135 circuit judges, 175 associate circuit judges, 15 family court commissioners, one family court referee, one family court hearing officer, one drug commissioner, 3 probate and 3 deputy probate commissioners.

<sup>19</sup>This number represents the established municipal courts.

**Montana:**

<sup>20</sup>Also, 41 justices of the peace who also serve as city court judges.

**Nebraska:**

<sup>21</sup>The district court has 53 judges as of 7/1/98 to be increased to 54 by 7/1/2000.

<sup>22</sup>The separate juvenile court has 8 judges as of 7/1/98 to be increased to 9 by 7/1/2000.

**Nevada:**

<sup>23</sup>3 additional district judges January 1999 (will be 51).

<sup>24</sup>2 additional justices of the peace January 1999 (will be 69).

<sup>25</sup>Also served by 11 justices of the peace.

**New Hampshire:**

<sup>26</sup>The municipal court has 2 part-time judges.

**New Jersey:**

<sup>27</sup>Excludes appellate division judges.

<sup>28</sup>40 of the current 390 municipal court judges serve full-time. The remaining judges sit part-time. Also, many municipal court judges sit in more than one court.

**New York:**

<sup>29</sup>Also has 50 "acting" supreme court judges and 12 quasi-judicial staff. The court also uses full-time certified retired justices of supreme court.

<sup>30</sup>50 court of claims judges also sit on the supreme court.

**North Carolina:**

<sup>31</sup>There is statutory authority for use of emergency and retired judges. This authority is used regularly, as justified by need, although unable to translate for any typical year how many "FTE" positions such use incurs.

<sup>32</sup>District court also has 696 magistrates of which 32 are part-time.

**North Dakota:**

<sup>33</sup>Number of authorized judges drops to 43 effective 1/1/99, and may be reduced to 42 by the year 2001.

**Ohio:**

<sup>34</sup>Judges are assigned by supreme court.

<sup>35</sup>These are mayors.

**Oregon:**

<sup>36</sup>160 as of 1/1/98; the total will change to 163 effective 1/1/99. There are 94 senior (retired) judges who serve as needed and when available.

<sup>37</sup>Tax court has 1 judge and 5 magistrates.

**Puerto Rico:**

<sup>38</sup>The Judicial Reform Act of 1994 establishes the eventual abolition of the district subsection. The superior division has concurrent jurisdiction with the district subsection during the process of its abolition.

**Tennessee:**

<sup>39</sup>Municipal court number is estimated, number is unknown.

<sup>40</sup>Some judges serve in another capacity so juvenile judge numbers overlap in juvenile and general sessions courts.

**Utah:**

<sup>41</sup>Justice courts are formed at the option of local governments, therefore no specific number of judges is fixed by statute or rule.

**Vermont:**

<sup>42</sup>District and superior court judges are assigned to preside in family court.

**Washington:**

<sup>43</sup>Authorized number. May be higher than judges actually seated.

**West Virginia:**

<sup>44</sup>No full-time and 22 part-time judges.

**Wisconsin:**

<sup>45</sup>Reserve judges are retired judges who serve as needed and when available. FTE reserve judge service estimate includes case-specific assignments (calculated at an average of 2.5 days per assignment) and general assignments.

<sup>46</sup>Municipal courts are local option, and locally funded and administered. In the event of a municipal judicial vacancy, for whatever reason, the chief judge of the district must either assign another municipal judge or transfer pending municipal cases to circuit court. (SCR-70.24)

**Wyoming:**

<sup>47</sup>There are 10 justices of the peace (part-time).

<sup>48</sup>Also has 73 part-time judges.

**Federal:**

<sup>49</sup>As of January 1, 1999.

## PART II: Judicial selection and service

How judges are selected and their terms of service on the bench differ sharply between the federal and state courts, and the differences among states are often nearly as significant. All federal judges are nominated by the President and serve “during good behavior” once confirmed by the U.S. Senate unless they resign or are impeached and convicted by the U.S. Congress. State court judges are likely to face an election as a part of their selection process and to serve fixed terms, which for COLR justices range between six and 14 years (15 years in the District of Columbia). Only Rhode Island offers appellate judges lifetime appointments, while the judges of the New Hampshire and Massachusetts Supreme Courts serve until age 70.

Judicial selection occurs for three purposes in the state courts: to fill an unexpired term upon the retirement, resignation, or death of an incumbent judge; to select for a full term (often referred to as the initial selection); and at the end of a term. Table 4 describes the various ways in which appellate justices and judges are selected, while Table 7 describes procedures for selecting trial court judges. The resulting national picture can be summarized by reference to the nature of the selection process for general jurisdiction judges shown below.<sup>1</sup>

Initial Term	Subsequent Terms
Appointment: 648 (52.1%)	Appointment: 199 (16.4%)
Partisan Election: 421 (33.9%)	Partisan Election: 326 (26.7%)
Non-partisan Election: 174 (14.0%)	Non-partisan Election: 174 (14.3%)
	Retention Elections Only: 518 (42.6%)

One marker for examining the diverse selection methods adopted by the states is the “Missouri Plan.” In 1940 the State of Missouri amended its constitution to establish a statewide nominating committee for appellate judgeships and circuit-level commissions for general jurisdiction trial court judgeships. A judge, representatives of the state bar association, and nonlawyers appointed by the governor make up the commissions. The governor must appoint one of a commission’s three nominees to fill a vacancy. The new appointee then faces a retention election in one year’s time, running against his or her own record, and then further retention elections at 12-year intervals. Thirty-nine states use some form of judicial nominating commission in judicial selection, which became popular in the 1970s (Table 9), although only 16 combine such a commission with retention elections on the Missouri model.

<sup>1</sup> American Bar Association, *Report and Recommendations of the Task Force on Lawyers’ Political Contributions: Part Two*. Washington, DC: ABA, 1998.

All appellate courts and most trial courts have a chief judge. Table 4 explains how chief justices and chief judges of COLRs and IACs are selected in each state. The length of their term in office and whether they can succeed themselves can be found in Table 5. How trial court chief judges (sometimes styled presiding judges) are selected is also detailed in Table 5. The judges in a district or circuit typically select one of their peers to serve as the chief judge for a fixed number of years, but the appointment may be made at the state level by the governor, Chief Justice of the COLR, or the COLR collectively. In some instances a specific individual is elected or appointed as the chief judge and holds that title throughout his or her tenure. In other trial courts, seniority establishes who is the chief judge.

Qualifications for service as a judge are stated in the constitutions and statutes of the various states. Tables 6 and 8 indicate the qualifications in terms of residency, age, and legal credentials that are mandated for appellate and trial court judgeships, respectively. In addition to specifying the legal credentials, if any, necessary to qualify for judicial selection, many states require judges to participate in some form of legal education beyond the Continuing Legal Education expected of all members of the state bar. Mandatory judicial education is accomplished through a wide range of judicial branch and private entities and is paid for by a variety of funding sources (Table 10).

Eighteen states, the District of Columbia, Puerto Rico, and the Navajo Nation make formal provisions for an ongoing evaluation of judicial performance. States with retention elections for judges are the most likely to evaluate performance, but states with nonpartisan elections do so as well (Michigan, Minnesota, and Tennessee), as do many with a system of judicial appointments (Connecticut, Delaware, Massachusetts, New Hampshire, Rhode Island, South Carolina, and Vermont). Table 11 indicates for these and other states with performance evaluation structures the implementing authority, the body responsible for operating the program, the evaluation procedures, the evaluating committee duties, and evaluation committee membership.

Formal judicial discipline is accomplished through regional judicial councils in the federal system (under The Judicial Councils Reform and Judicial Conduct and Disability Act of 1980). The Councils investigate complaints of any “conduct prejudicial to the effective and expeditious administration of the business of the courts.” However, the Councils’ disciplinary powers stop short of removal from office. Removal is the sole

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prerogative of the U.S. Congress. A Council can certify a finding that impeachment is warranted to the U.S. House of Representatives.

Judicial conduct organizations are the main arbiters of what constitutes judicial misconduct and disability in the states. Conduct organizations investigate complaints against members of the judiciary, and typically include a mix of judges, lawyers, and ordinary citizens. The adjudicatory function is usually exercised by the COLR, although sometimes the original conduct organization both investigates and adjudicates complaints. In such instances there is a right of appeal to the state's COLR. The name and composition of the states' conduct organizations are shown in Table 12. The table also indicates which court or other entity adjudicates complaints, hears appeals, has final disciplinary authority, and at what point reprimands are made public.

### Select Bibliography:

- American Bar Association, *Report and Recommendations of the Task Force on Lawyers' Political Contributions: Part Two*. Washington, DC: ABA, 1998.
- Philip J. Dubois, *From Ballot to Bench: Judicial Elections and the Quest for Accountability*. Austin, TX: University of Texas Press, 1980.
- Doris Marie Provine, *Judging Credentials: Nonlawyer Judges and the Politics of Professionalism*, Chicago: University of Chicago Press, 1986.
- Judith Rosenbaum, *Practices and Procedures of State Judicial Conduct Organizations*, Chicago: American Judicature Society, 1990.
- Lyle Warrick, *Judicial Selection in the United States: A Compendium of Provisions, Second Edition*, Chicago: American Judicature Society, 1993.
- Mary Volcansek, *Judicial Impeachment: None Called for Justice*, Urbana: University of Illinois Press, 1993 [offers a general historical account, but focuses on federal impeachment proceedings during the 1980s and its relationship to judicial discipline in the federal court system].

### Table 11:

- Susan Keilitz and Judith White McBride, "Revised Chart for 'Judicial Performance Evaluation Comes of Age,'" *State Court Journal* Vol. 16, No. 3, Summer, 1992. [Supporting text can be found in the *State Court Journal*, Vol. 16, No. 1, Winter, 1992.]

**Table 4. Selection of Appellate Court Judges**

	Method of selection for unexpired term	Method of selection for full term	Method of retention	Geographic basis for selection
<b>Alabama</b> Supreme Court, Court of Criminal Appeals, Court of Civil Appeals	Gubernatorial appointment	Partisan election	Partisan election	Statewide
<b>Alaska</b> Supreme Court, Court of Appeals	Same as full term	Gubernatorial appointment from judicial nominating commission	Retention election <sup>1</sup>	Statewide
<b>Arizona</b> Supreme Court, Court of Appeals	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission	Retention election	Statewide (Supreme Court) County/region within division (Court of Appeals)
<b>Arkansas</b> Supreme Court, Court of Appeals	Gubernatorial appointment	Partisan election	Partisan election	Statewide (Supreme Court) District (Court of Appeals)
<b>California</b> Supreme Court, Court of Appeals	Gubernatorial appointment	Unopposed retention election	Unopposed retention election	Statewide (Supreme Court) District (Courts of Appeal)
<b>Colorado</b> Supreme Court, Court of Appeals	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission	Retention election	Statewide
<b>Connecticut</b> Supreme Court, Appellate Court	Legislative appointment <sup>2</sup>	Legislative appointment <sup>2</sup>	Legislative appointment <sup>2</sup>	Statewide
<b>Delaware</b> Supreme Court	Gubernatorial appointment from judicial nominating commission with consent of senate	Gubernatorial appointment from judicial nominating commission with consent of senate	Gubernatorial appointment from judicial nominating commission with consent of senate	Statewide
<b>District of Columbia</b> Court of Appeals	Presidential appointment from judicial nominating commission with senate confirmation	Presidential appointment from judicial nominating commission with senate confirmation	Judicial nominating commission or Presidential appointment with senate confirmation	District of Columbia
<b>Florida</b> Supreme Court, District Courts of Appeal	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission	Retention election	Regional (5) Statewide (2) Regional based on District Courts of Appeal (Supreme Court) District (District Courts of Appeal)
<b>Georgia</b> Supreme Court, Court of Appeals	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election	Statewide
<b>Hawaii</b> Supreme Court, Intermediate Court of Appeals	Gubernatorial appointment from judicial nominating commission with consent of senate for a full term	Gubernatorial appointment from judicial nominating commission with consent of senate	Judicial nomination commission reappoints	Statewide
<b>Idaho</b> Supreme Court, Court of Appeals	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election	Statewide

**Table 4. Selection of Appellate Court Judges**

	Method of selection for unexpired term	Method of selection for full term	Method of retention	Geographic basis for selection
<b>Illinois</b> Supreme Court, Appellate Court	Court selection (Supreme Court) COLR selection (Appellate Court)	Partisan election	Retention election	District
<b>Indiana</b> Supreme Court, Tax Court, Court of Appeals	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission	Retention election	Statewide (Supreme Court, Tax Court) District (Court of Appeals)
<b>Iowa</b> Supreme Court, Court of Appeals	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission	Retention election	Statewide
<b>Kansas</b> Supreme Court, Court of Appeals	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission	Retention election	Statewide
<b>Kentucky</b> Supreme Court, Court of Appeals	Nonpartisan election	Nonpartisan election	Nonpartisan election	District
<b>Louisiana</b> Supreme Courts, Court of Appeals	Supreme Court selection <sup>3</sup>	Nonpartisan election	Nonpartisan election	District
<b>Maine</b> Supreme Judicial Court	Gubernatorial appointment	Gubernatorial appointment	Gubernatorial reappointment	Statewide
<b>Maryland</b> Court of Appeals, Court of Special Appeals	Gubernatorial appointment from judicial nominating commission with consent of senate	Gubernatorial appointment from judicial nominating commission with consent of senate	Retention election	Circuit
<b>Massachusetts</b> Supreme Judicial Court, Appeals Court	<sup>4</sup>	Gubernatorial appointment from judicial nominating commission with approval by Governor's council <sup>5</sup>	<sup>6</sup>	Statewide
<b>Michigan</b> Supreme Court, Court of Appeals	Gubernatorial appointment	Nonpartisan election	Nonpartisan election	Statewide (Supreme Court) District (Court of Appeals)
<b>Minnesota</b> Supreme Court, Court of Appeals	Gubernatorial appointment	Nonpartisan election	Nonpartisan election	Statewide
<b>Mississippi</b> Supreme Court, Court of Appeals	Gubernatorial appointment	Nonpartisan election	Nonpartisan election	District
<b>Missouri</b> Supreme Court, Court of Appeals	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission	Retention election	Statewide (Supreme Court) District (Court of Appeals)
<b>Montana</b> Supreme Court	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election (if unopposed, retention election)	Statewide



**Table 4. Selection of Appellate Court Judges**

	Method of selection for unexpired term	Method of selection for full term	Method of retention	Geographic basis for selection
<b>Nebraska</b> Supreme Court, Court of Appeals	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission	Retention election	Statewide: chief justices; district: associate justices (Supreme Court) All by district (Court of Appeals)
<b>Nevada</b> Supreme Court	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election	Statewide
<b>New Hampshire</b> Supreme Court	Same as full term	Gubernatorial appointment with approval of elected executive council	Gubernatorial reappointment	Statewide
<b>New Jersey</b> Supreme Court, Superior Court-Appellate Division	Gubernatorial appointment	Gubernatorial appointment with consent of senate (Supreme Court) Chief Justice designation of Superior court judge (Superior Court, Appellate Division)	Gubernatorial reappointment with consent of senate (Supreme Court) Annual assignment by the Chief Justice (Superior Court, Appellate Division) <sup>7</sup>	Statewide
<b>New Mexico</b> Supreme Court, Court of Appeals	Gubernatorial appointment <sup>8</sup>	Partisan election	Nonpartisan retention election	Statewide
<b>New York</b> Court of Appeals	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission	Gubernatorial reappointment with consent of senate	Statewide
Supreme Court, Appellate Divisions	Gubernatorial appointment	Gubernatorial appointment	Gubernatorial reappointment	Statewide <sup>9</sup>
<b>North Carolina</b> Supreme Court, Court of Appeals	Gubernatorial appointment	Partisan election	Partisan election	Statewide
<b>North Dakota</b> Supreme Court	Gubernatorial appointment from judicial nominating commission or elections <sup>10</sup>	Nonpartisan election	Nonpartisan election	Statewide
<b>Ohio</b> Supreme Court, Court of Appeals	Gubernatorial appointment	Nonpartisan election	Nonpartisan election	Statewide (Supreme Court) Appellate District (Court of Appeals)
<b>Oklahoma</b> Supreme Court, Court of Criminal Appeals, Court of Civil Appeals	Gubernatorial appointment from judicial nominating commission	Retention election	See full term	District
<b>Oregon</b> Supreme Court, Court of Appeals	Gubernatorial appointment	Nonpartisan election	Nonpartisan election	Statewide
<b>Pennsylvania</b> Supreme Court, Superior Court, Commonwealth Court	Gubernatorial appointment with consent of senate	Partisan election	Retention election	Statewide
<b>Rhode Island</b> Supreme Court	Gubernatorial appointment from judicial nominating commission	Life tenure	Life tenure	Statewide

**Table 4. Selection of Appellate Court Judges**

	Method of selection for unexpired term	Method of selection for full term	Method of retention	Geographic basis for selection
<b>South Carolina</b> Supreme Court, Court of Appeals	Legislative election	Legislative election	Legislative election (Supreme Court) Legislative reelection (Court of Appeals)	Statewide
<b>South Dakota</b> Supreme Court	Gubernatorial appointment from judicial nominating commission	Retention election	Retention election	Initial District Retention-Statewide
<b>Tennessee</b> Supreme Court, Court Appeals, Court of Criminal Appeals	Gubernatorial appointment from judicial nominating commission	Retention election	Nonpartisan election	Statewide
<b>Texas</b> Supreme Court, Court of Criminal Appeals, Court of Appeals	Gubernatorial appointment	Partisan election	Partisan election	Statewide (Supreme Court, Court of Criminal Appeals) District (Courts of Appeals)
<b>Utah</b> Supreme Court, Court of Appeals	Gubernatorial appointment from judicial nominating commission with consent of senate	Gubernatorial appointment from judicial nominating commission with consent of senate	Retention election	Statewide
<b>Vermont</b> Supreme Court	Gubernatorial appointment from judicial nominating commission with consent of senate	Gubernatorial appointment from judicial nominating commission with consent of senate	Legislative election	Statewide
<b>Virginia</b> Supreme Court, Court of Appeals	Legislative appointment	Legislative appointment	Legislative appointment	Statewide
<b>Washington</b> Supreme Court, Courts of Appeals	Gubernatorial appointment	Nonpartisan election	Nonpartisan election	Statewide (Supreme Court) District (Courts of Appeals)
<b>West Virginia</b> Supreme Court of Appeals	Gubernatorial appointment <sup>11</sup>	Partisan election	Partisan election	District
<b>Wisconsin</b> Supreme Court, Court of Appeals	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election	Statewide (Supreme Court) District (Court of Appeals)
<b>Wyoming</b> Supreme Court	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission	Retention election	Statewide
<b>Federal</b> U.S. Supreme Court, U.S. Courts of Appeals	Nominated and appointed by the President with the advice and consent of the Senate	Nominated and appointed by the President with the advice and consent of the Senate	–	United States (U.S. Supreme Court) Circuit (U.S. Courts of Appeals)

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## Table 4. Selection of Appellate Court Judges

### FOOTNOTES:

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**Alaska:**

<sup>1</sup>Judge must run for retention election at the next general election, immediately following the third year from the time of initial appointment.

**Connecticut:**

<sup>2</sup>Governor nominates from candidates submitted by the Judicial Selection Commission.

**Louisiana:**

<sup>3</sup>Person selected by the supreme court is prohibited for running for that judgeship; election held within one year to serve remainder of term.

**Massachusetts:**

<sup>4</sup>There are no unexpired judicial terms. A judicial term expires upon the death, resignation, retirement or removal of an incumbent.

<sup>5</sup>The governor's council is made up of nine people elected by geographical area and presided over by the lieutenant governor.

<sup>6</sup>There is no retention process. Judges serve during good behavior to age 70.

**New Jersey:**

<sup>7</sup>All superior court judges, including appellate division judges, are subject to gubernatorial reappointment and consent by the senate after an initial 7-year term.

**New Mexico:**

<sup>8</sup>The governor shall select a candidate from a list submitted by the appellate judges' nominating commission created by the constitution.

**New York:**

<sup>9</sup>Presiding justice of each appellate division must be a resident of the department.

**North Dakota:**

<sup>10</sup>The governor may appoint from a list of names or call a special election at his discretion.

**West Virginia:**

<sup>11</sup>Appointment effective only until the next election year; appointee must run for election to any remaining portion of the unexpired term.

**Table 5. Terms of Appellate Court Judges**

	Length of term	Selection of chief justice/judge	Term of office for chief justice/judge	Chief justices/judges—can they succeed themselves?
<b>Alabama</b>				
Supreme Court	6 years	Popular election	6 years	Yes
Court of Criminal Appeals	6 years	Court selection	Indefinite	Yes
Court of Civil Appeals	6 years	Seniority	Indefinite	Yes
<b>Alaska</b>				
Supreme Court	10 years	Court selection	3 years	No
Court of Appeals	8 years	Supreme court, chief justice appointment	2 years	Yes
<b>Arizona</b>				
Supreme Court	6 years	Court selection	5 years	Yes
Court of Appeals	6 years	Court selection	1 year	Yes
<b>Arkansas</b>				
Supreme Court	8 years	Popular election	8 years	Yes
Court of Appeals	8 years	Supreme court, chief justice appoints	4 years	Yes
<b>California</b>				
Supreme Court	12 years	Gubernatorial appointment	12 years	Yes
Courts of Appeal	12 years	Gubernatorial appointment	12 years	Yes
<b>Colorado</b>				
Supreme Court	10 years	Court selection	Indefinite	Yes
Court of Appeals	8 years	Supreme court, chief justice appoints	At pleasure	Yes
<b>Connecticut</b>				
Supreme Court	8 years	Legislative appointment <sup>1</sup>	8 years	Yes
Appellate Court	8 years	Supreme court's chief justice appoints	Indefinite	Yes
<b>Delaware</b>				
Supreme Court	12 years	Gubernatorial appointment	12 years	Yes
<b>District of Columbia</b>				
Court of Appeals	15 years	Judicial nominating commission appointment	4 years	Yes
<b>Florida</b>				
Supreme Court	6 years	Court selection	2 years	Yes
District Courts of Appeal	6 years	Court selection	2 years	Yes
<b>Georgia</b>				
Supreme Court	6 years	Court selection	4 years	No
Court of Appeals	6 years	Rotate by seniority	2 years	Yes
<b>Hawaii</b>				
Supreme Court	10 years	Judicial Selection Commission nominates, governor appoints with consent of senate	10 years	Yes
Intermediate Court of Appeals	10 years	Judicial Selection Commission nominates, governor appoints with consent of senate	10 years	Yes
<b>Idaho</b>				
Supreme Court	6 years	Court selection	4 years	Yes
Court of Appeals	6 years	Supreme court, Chief Justice appointment	2 years	Yes
<b>Illinois</b>				
Supreme Court	10 years	Court selection	3 years	Yes
Appellate Court	10 years	Court selection	1 year	Yes

**Table 5. Terms of Appellate Courts Judges**

	Length of term	Selection of chief justice/judge	Term of office for chief justice/judge	Chief justices/judges—can they succeed themselves?
<b>Indiana</b>				
Supreme Court	Initial=2 yrs Retention=10 yrs	Judicial nominating commission appointment	5 years	Yes
Court of Appeals	Initial=2 yrs Retention=10 yrs	Chief judge by full court selection	3 years	Yes
Tax Court	Initial=2 yrs Retention=10 yrs	~	~	~
<b>Iowa</b>				
Supreme Court	8 years	Court selection	8 years or duration of term	Yes
Court of Appeals	6 years	Court selection	2 years	Yes
<b>Kansas</b>				
Supreme Court	6 years	Rotation by seniority	Indefinite	Yes
Court of Appeals	4 years	Supreme court appointment	Indefinite	Yes
<b>Kentucky</b>				
Supreme Court	8 years	Court selection	4 years	Yes
Court of Appeals	8 years	Court selection	4 years	Yes
<b>Louisiana</b>				
Supreme Court	10 years	Seniority	Duration of service	Yes
Courts of Appeal	10 years	Seniority	Duration of service	Yes
<b>Maine</b>				
Supreme Judicial Court	7 years	Gubernatorial appointment	7 years	Yes
<b>Maryland</b>				
Court of Appeals	10 years	Gubernatorial appointment	Indefinite	Yes
Court of Special Appeals	10 years	Gubernatorial appointment	Indefinite	Yes
<b>Massachusetts</b>				
Supreme Judicial Court	Until age 70	<sup>2</sup>	To age 70	~
Appeals Court	Until age 70	<sup>2</sup>	To age 70	~
<b>Michigan</b>				
Supreme Court	8 years	Court selection	2 years	Yes
Court of Appeals	6 years	Appointed by supreme court	2 years	Yes
<b>Minnesota</b>				
Supreme Court	6 years	Popular election	6 years	Yes
Court of Appeals	6 years	Gubernatorial appointment	3 years	Yes
<b>Mississippi</b>				
Supreme Court	8 years	Seniority	Duration of service	Yes
Court of Appeals	8 years	Appointment by Supreme Court Chief Justice	4 years	Yes
<b>Missouri</b>				
Supreme Court	12 years	Court selection	2 years	Yes <sup>3</sup>
Court of Appeals	12 years	Court selection	2 years <sup>4</sup>	Yes
<b>Montana</b>				
Supreme Court	8 years	Popular election	8 years	Yes
<b>Nebraska</b>				
Supreme Court	More than 3 years for first election; every 6 years thereafter	Gubernatorial appointment from judicial nominating commission	Duration of service	Yes
Court of Appeals	More than 3 years for first election; every 6 years thereafter	IAC by majority vote; upon ratification of selection by Supreme Court	2 years as presiding	Yes

**Table 5. Terms of Appellate Court Judges**

	Length of term	Selection of chief justice/judge	Term of office for chief justice/judge	Chief justices/judges—can they succeed themselves?
<b>Nevada</b> Supreme Court	6 years	Rotation	2 years	<sup>5</sup>
<b>New Hampshire</b> Supreme Court	Until age 70	Gubernatorial appointment with approval of elected executive council	Until age 70	~
<b>New Jersey</b> Supreme Court	7 years, followed by tenure	Gubernatorial appointment with consent of senate	Duration of service	Yes
Superior Court, Appellate Division	Annual assignment by Chief Justice <sup>6</sup>	Designation by Chief Justice	At the pleasure of the Chief Justice	~
<b>New Mexico</b> Supreme Court	8 years	Court selection	2 years	Yes
Court of Appeals	8 years	Court selection	2 years	Yes
<b>New York</b> Court of Appeals	14 years	Gubernatorial appointment from judicial nominating commission	14 years	Yes
Supreme Court, Appellate Divisions	5 years or duration	Gubernatorial appointment from judicial screening commission	Duration of service	Yes
<b>North Carolina</b> Supreme Court	8 years	Popular election	8 years	--
Court of Appeals	8 years	Supreme court, chief justice appointment	At the pleasure of the chief justice of the Supreme court	~
<b>North Dakota</b> Supreme Court	10 years	Selection by the judges of the supreme and district courts	5 years or until term expires, whichever occurs first	Yes
<b>Ohio</b> Supreme Court	6 years	Popular election	6 years	Yes
Courts of Appeals	6 years	Selected by Judges of District	Calendar year	Yes
<b>Oklahoma</b> Supreme Court	6 years	Court selection	2 years	Yes
Criminal Appeals	6 years	Court selection	2 years	Yes
Court of Civil Appeals	6 years	Court selection	1 year	Yes
<b>Oregon</b> Supreme Court	6 years	Court selection	6 years	Yes
<b>Pennsylvania</b> Supreme Court	10 years	Rotation by seniority	Duration of term	—
Superior Court	10 years	Court selection	5 years	No
Commonwealth Court	10 years	Court selection	5 years	No
<b>Rhode Island</b> Supreme Court	Life	Gubernatorial appointment from the judicial nominating commission	Life	~
<b>South Carolina</b> Supreme Court	10 years	Legislative election	10 years	Yes
Court of Appeals	6 years	Legislative election	6 years	Yes
<b>South Dakota</b> Supreme Court	8 years	Court selection	4 years	Yes
<b>Tennessee</b> Supreme Court	8 years	Court selection	4 years	Yes
Courts of Appeal	8 years	Court selection	1 term	Yes
Court of Criminal Appeals	8 years	Court selection	1 term	Yes

**Table 5. Terms of Appellate Courts Judges**

	Length of term	Selection of chief justice/judge	Term of office for chief justice/judge	Chief justices/judges—can they succeed themselves?
<b>Texas</b>				
Supreme Court	6 years	Partisan election	6 years	Yes
Court of Criminal Appeals	6 years	Partisan election	6 years	Yes
Courts of Appeals	6 years	Partisan election	6 years	Yes
<b>Utah</b>				
Supreme Court	Initial=3 yrs; Retention=10 yrs	Court selection	4 years	Yes
Court of Appeals	Initial=3 yrs; Retention=6 yrs	Court selection	2 years	Yes <sup>7</sup>
<b>Vermont</b>				
Supreme Court	6 years	Gubernatorial appointment from judicial nominating commission with consent of senate	6 years	Yes
<b>Virginia</b>				
Supreme Court	12 years	Seniority	Indefinite	~
Court of Appeals	8 years	Court selection	4 years	Yes
<b>Washington</b>				
Supreme Court	6 years	Court selection Presiding chief judge by court selection	4 years	Yes
Courts of Appeals	6 years	selection; however, position rotates among the 3 divisions; chief judge by division judges	1 year for presiding judge and 2 years for chief judge	Not the presiding judge
<b>West Virginia</b>				
Supreme Court	12 years	Rotation by seniority	1 year	No
<b>Wisconsin</b>				
Supreme Court	10 years	Seniority	Until declined	~
Court of Appeals	6 years	Supreme court appointment	3 years	Yes
<b>Wyoming</b>				
Supreme Court	8 years	Court selection	At the pleasure of the court	~
<b>Federal</b>				
U.S. Supreme Court	Life	Nominated and appointed by the President with advice and consent of Senate	Life	~
U.S. Courts of Appeals	Life	Seniority <sup>8</sup>	7 years or until age 70	No
U.S. Court of Veterans Appeals	15 years	Nominated and appointed by president with advice and consent of Senate	15 years	Yes

**FOOTNOTES:**

**Connecticut:**

<sup>1</sup>Governor nominates from candidates submitted by Judicial Selection Commission.

**Massachusetts:**

<sup>2</sup>Chief Justice, in the appellate courts, is a separate judicial office from that of an Associate Justice. Chief Justices are appointed, until age 70, by the Governor with the advice and consent of the Executive (Governor's) Council.

**Missouri:**

<sup>3</sup>Selection is typically rotated among the judges.

<sup>4</sup>Two years in western and southern districts; one year in eastern district.

**Nevada:**

<sup>5</sup>Not immediately; later, as part of rotation.

**New Jersey:**

<sup>6</sup>All Superior Court judges, including Appellate Division judges, are subject to gubernatorial reappointment and consent by the senate after an initial 7-year term.

**Utah:**

<sup>7</sup>Presiding judge can serve no more than two successive terms.

**Federal:**

<sup>8</sup>The chief judge is the active circuit judge who is senior of those judges who (1) are 64 years or under, (2) have served for one or more years as a circuit judge, and (3) have not served previously as chief judge. Per 28 U.S.C. § 45(a).

**Table 6. Qualifications to Serve as an Appellate Court Judge**

	Local residency	State residency	Minimum age	Maximum age	Legal credentials
<b>Alabama</b>					
Supreme Court	N/S	1 year	N/S	70 <sup>1</sup>	Licensed attorney
Court of Criminal Appeals	N/S	1 year	N/S	70	Licensed attorney
Court of Civil Appeals	N/S	1 year	N/S	70	Licensed attorney
<b>Alaska</b>					
Supreme Court	N/S	5 years	N/S	70	8 years practice
Court of Appeals	N/S	5 years	N/S	70	8 years practice
<b>Arizona</b>					
Supreme Court	N/S	10 years	N/S	70	10 years state bar
Court of Appeals	Yes	5 years	30	70	5 years state bar
<b>Arkansas</b>					
Supreme Court	N/S	2 years	30	N/S	8 years practice
Court of Appeals	Yes	2 years	30	N/S	8 years practice
<b>California</b>					
Supreme Court	N/S	N/S	N/S	N/S	10 years state bar
Courts of Appeal	N/S	N/S	N/S	N/S	10 years state bar
<b>Colorado</b>					
Supreme Court	N/S	Yes	N/S	N/S	5 years state bar
Court of Appeals	N/S	Yes	N/S	N/S	5 years state bar
<b>Connecticut</b>					
Supreme Court	No	Yes	N/S	70	10 years state bar
Appellate Court	No	Yes	N/S	70	10 years state bar
<b>Delaware</b>					
Supreme Court	No	Yes	N/S	N/S	"Learned in law"
<b>District of Columbia</b>					
Court of Appeals	90 days	District	N/S	74	5 years state bar
<b>Florida</b>					
Supreme Court	- <sup>2</sup>	Yes	N/S	70	10 years state bar
District Courts of Appeal	- <sup>2</sup>	Yes <sup>3</sup>	N/S	70	10 years state bar
<b>Georgia</b>					
Supreme Court	N/S	Yes	N/S	N/S <sup>4</sup>	7 years state bar
Court of Appeals	N/S	Yes	N/S	N/S <sup>4</sup>	7 years state bar
<b>Hawaii</b>					
Supreme Court	N/S	Yes	N/S	70	10 years state bar
Intermediate Court of Appeals	N/S	Yes	N/S	70	10 years state bar
<b>Idaho</b>					
Supreme Court	N/S	2 years	30	N/S	10 years state bar
Court of Appeals	N/S	2 years	30	N/S	10 years state bar
<b>Illinois</b>					
Supreme Court	Yes	Yes	N/S	75	Licensed attorney
Appellate Court	Yes	Yes	N/S	75	Licensed attorney
<b>Indiana</b>					
Supreme Court	N/S	N/S	N/S	75	10 years state bar <sup>5</sup>
Court of Appeals	Yes	N/S	N/S	75	10 years state bar <sup>5</sup>
Tax Court	N/S	Yes	N/S	N/S	5 years state bar
<b>Iowa</b>					
Supreme Court	N/S	N/S	N/S	72	Licensed attorney
Court of Appeals	N/S	N/S	N/S	72	Licensed attorney
<b>Kansas</b>					
Supreme Court	N/S	N/S	30	70 <sup>6</sup>	10 years active and continuous practice <sup>7</sup>
Court of Appeals	N/S	N/S	30	70 <sup>6</sup>	10 years active and continuous practice <sup>7</sup>



**Table 6. Qualifications to Serve as an Appellate Court Judge**

	Local residency	State residency	Minimum age	Maximum age	Legal credentials
<b>Kentucky</b>					
Supreme Court	2 years	2 years	N/S	N/S	8 years state bar/licensed attorney
Court of Appeals	2 years	2 years	N/S	N/S	8 years state bar/licensed attorney
<b>Louisiana</b>					
Supreme Courts	2 years	2 years	N/S	70 <sup>8</sup>	5 years state bar
Courts of Appeal	2 years	2 years	N/S	70	5 years state bar
<b>Maine</b>					
Supreme Judicial Court	N/S	N/S	N/S	N/S	"Learned in law"
<b>Maryland</b>					
Court of Appeals	6 months	5 years	30	70	State bar member
Court of Special Appeals	6 months	5 years	30	70	State bar member
<b>Massachusetts</b>					
Supreme Judicial Court	N/S	N/S	N/S	70	N/S
Appeals Court	N/S	N/S	N/S	70	N/S
<b>Michigan</b>					
Supreme Court	N/S	N/S	N/S	70	State bar member, practice at least 5 years
Court of Appeals	Reside within district	N/S	N/S	70	State bar member
<b>Minnesota</b>					
Supreme Court	N/S	N/S	N/S	70	State bar member
Court of Appeals	Varies	N/S	N/S	70	State bar member
<b>Mississippi</b>					
Supreme Court	District Resident	5 years	30	N/S	5 years state bar
Court of Appeals	District Resident	5 years	30	N/S	5 years state bar
<b>Missouri</b>					
Supreme Court	N/S	State voter for 9 years	30	70	State bar member
Court of Appeals	Yes	State voter for 9 years	30	70	State bar member
<b>Montana</b>					
Supreme Court	N/S	2 years	N/S	N/S	5 years state bar
<b>Nebraska</b>					
Supreme Court	Yes	3 years	30	N/S	5 years practice
Court of Appeals	Yes	N/S	30	N/S	5 years practice
<b>Nevada</b>					
Supreme Court	N/S	2 years	25	N/S	State bar member
<b>New Hampshire</b>					
Supreme Court	N/S	N/S	N/S	70	N/S
<b>New Jersey</b>					
Supreme Court	N/S	N/S	N/S	70	Admitted to practice in state for at least 10 years.
Superior Court, Appellate Division	N/S	N/S	N/S	70	Admitted to practice in state for at least 10 years.
<b>New Mexico</b>					
Supreme Court	N/S	3 years	35	N/S	10 years active practice and/or judgeship in any court of the state
Court of Appeals	N/S	3 years	35	N/S	10 years active practice and/or judgeship in any court of the state
<b>New York</b>					
Court of Appeals	N/S	Yes	N/S	70	10 years state bar
Supreme Court, Appellate Divisions	Yes, for presiding judge	Yes	18	70 <sup>9</sup>	10 years state bar

**Table 6. Qualifications to Serve as an Appellate Court Judge**

	Local residency	State residency	Minimum age	Maximum age	Legal credentials
<b>North Carolina</b>					
Supreme Court	N/S	N/S	N/S	72	State bar member
Court of Appeals	N/S	N/S	N/S	72	State bar member
<b>North Dakota</b>					
Supreme Court	N/S	Yes	N/S	N/S	License to practice law
Court of Appeals	N/S	N/S	N/S	N/S	License to practice law
<b>Ohio</b>					
Supreme Court	No	Yes	N/S	70	6 years practice
Courts of Appeals	District	N/S	N/S	70	6 years practice
<b>Oklahoma</b>					
Supreme Court	1 year	N/S	30	N/S	5 years state bar
Court of Criminal Appeals	1 year	N/S	30	N/S	5 years state bar
Court of Civil Appeals	<sup>-10</sup>	N/S	N/S	N/S	<sup>-11</sup>
<b>Oregon</b>					
Supreme Court	N/S	3 years	N/S	75	State bar member
Court of Appeals	N/S	3 years	N/S	75	State bar member
<b>Pennsylvania</b>					
Supreme Court	No	1 year	N/S	70	State bar member
Superior Court	No	1 year	N/S	70	State bar member
Commonwealth Court	No	1 year	N/S	70	State bar member
<b>Puerto Rico</b>					
Supreme Court	N/S	5 years	N/S	70	10 years state bar
Court of Appeals	N/S	5 years	N/S	70	10 years state bar
<b>Rhode Island</b>					
Supreme Court	N/S	N/S	21	N/S	License to practice law
<b>South Carolina</b>					
Supreme Court	N/S	5 years	32	72	8 years state bar
Court of Appeals	N/S	5 years	32	72	8 years state bar
<b>South Dakota</b>					
Supreme Court	Yes	Yes	N/S	70	State bar member
<b>Tennessee</b>					
Supreme Court	Yes <sup>12</sup>	5 years	35	N/S	Qualified to practice law
Court of Appeals	Yes <sup>13</sup>	5 years	30	N/S	Qualified to practice law
Court of Criminal Appeals	Yes <sup>13</sup>	5 years	30	N/S	Qualified to practice law
<b>Texas</b>					
Supreme Court	N/S	Yes	35	75	<sup>-14</sup>
Court of Criminal Appeals	N/S	Yes	35	75	<sup>-14</sup>
Courts of Appeals	Yes	Yes	35	75	<sup>-14</sup>
<b>Utah</b>					
Supreme Court	N/S	5 years	30	75	State bar member
Court of Appeals	N/S	3 years	25	75	State bar member
<b>Vermont</b>					
Supreme Court	N/S	5 years	N/S	70	5 years state bar
<b>Virginia</b>					
Supreme Court	N/S	N/S	N/S	70 <sup>15</sup>	5 years state bar
Court of Appeals	N/S	N/S	N/S	70 <sup>16</sup>	5 years state bar
<b>Washington</b>					
Supreme Court	1 year	1 year	N/S	75	State bar member
Courts of Appeals	1 year	1 year	N/S	75	5 years state bar
<b>West Virginia</b>					
Supreme Court	N/S	5 years	30	N/S	10 years state bar
<b>Wisconsin</b>					
Supreme Court	10 days	10 days	N/S	N/S	5 years state bar
Court of Appeals	10 days	10 days	N/S	N/S	5 years state bar
<b>Wyoming</b>					
Supreme Court	N/S	3 years	30	70	9 years state bar

**Table 6. Qualifications to Serve as an Appellate Court Judge**

	Local residency	State residency	Minimum age	Maximum age	Legal credentials
<b>Federal</b>					
U.S. Supreme Court	N/S	N/S	N/S	N/S	N/S
U.S. Courts of Appeals	- <sup>17</sup>	N/S	N/S	N/S	N/S
U.S. Court for Veterans Claims	~	~	~	~	State or federal bar

**FOOTNOTES:**

**Alabama:**

<sup>1</sup>The age prohibition of §6.16 is not a qualification for office, but only deals with retirement.

**Florida:**

<sup>2</sup>Initial appointment: must be resident of district at the time of original appointment.  
<sup>3</sup>Must reside within the territorial jurisdiction of the court.

**Georgia:**

<sup>4</sup>There is a maximum retirement age in order to be eligible for certain benefits.

**Indiana:**

<sup>5</sup>In the supreme court and court of appeals, 5 years' service as a general jurisdiction judge may be substituted.

**Kansas:**

<sup>6</sup>May complete term in which age 70 is attained.  
<sup>7</sup>Relevant legal experience, such as being a member of a law faculty or sitting as a judge, may qualify under the 10-year requirement.

**Louisiana:**

<sup>8</sup>75 for judges who began serving under old constitution.

**New York:**

<sup>9</sup>Up to 76 if certified for continuing service.

**Oklahoma:**

<sup>10</sup>Must be a qualified elector in district.  
<sup>11</sup>Appellate judges must be member of the state bar and have at least 4 years' experience as a practicing attorney or as judge of a court of record.

**Tennessee:**

<sup>12</sup>One justice from each of three divisions and two seats at large.  
<sup>13</sup>Must reside in the grand division served.

**Texas:**

<sup>14</sup>Ten years practicing law or a lawyer and judge of a court of record at least 10 years.

**Virginia:**

<sup>15</sup>Applies only to those justices elected or appointed to an original or subsequent term commencing after July 1, 1993.  
<sup>16</sup>Unless 'grandfathered.'

**Federal:**

<sup>17</sup>Circuit residency is required 28 U.S.C. § 44(c), except in D.C. Judges in the U.S. Court of Appeals for the federal circuit must reside within 50 miles of D.C.

**Table 7. Selection and Terms of Trial Court Judges**

Court type: G=general jurisdiction L=limited jurisdiction	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention	Geographic Basis for Selection	Length of Term	Administrative Judges				
						Method of Selection	Term of Office	Can each Succeed Himself?	Do they have Administrative Authority?	What is their source of authority?
<b>Alabama</b>										
G Circuit Court	Gubernatorial appointment <sup>1</sup>	Partisan election	Partisan election	Circuit	6 yrs	Majority vote of circuit judges <sup>2</sup>	3 yrs	Yes	Yes	Statutes and administrative rules
L District Court	Gubernatorial appointment <sup>2</sup>	Partisan election	Partisan election	County	6 yrs	Administrative circuit judge w/ advice and consent of majority of circuit court judges	1 yr	Yes	Yes	Statutes and administrative rules
L Municipal Court	Governing municipal body appointment	Governing municipal body appointment	Re-appointment	Municipality	4 yrs <sup>3</sup>	Mayor	At pleasure	Yes	Yes	Statutes and administrative rules
L Probate Court	Gubernatorial appointment	Partisan election	Partisan election	County	6 yrs	~	~	~	~	~
<b>Alaska</b>										
G Superior Court	Same as full term	Gubernatorial appointment from judicial nominating commission <sup>4</sup>	Retention election	District <sup>6</sup>	6 yrs	Chief Justice appointment	1 yr	Yes	Yes	Statutes, Administrative Rules
L District Court	Same as full term	Gubernatorial appointment from judicial nominating commission <sup>5</sup>	Retention election	District <sup>7</sup>	4 yrs	No administrative judge	~	~	~	~
~ Magistrates	Same as full term	Administrative judge appoints in each judicial district	Same as full term	District	At pleasure	No administrative judge	~	~	~	~
<b>Arizona</b>										
G Superior Court	Gubernatorial appointment <sup>8</sup>	Non-partisan elections <sup>9</sup>	Non-partisan elections/Retention elections <sup>10</sup>	County	4 yrs	Supreme Court appointment	5 yrs	Yes	Yes	Constitution, Court Rules, Admin. Order of Supreme Court
L Justice of the Peace	County board appointment	Partisan election	Partisan election	Precinct	4 yrs	<sup>10</sup>	2 yrs	Yes	Yes	Administrative Order of Supreme Court
L Municipal Court	Varies	Varies	Varies	Municipality	Varies—2 yr. minimum	Court selection	Locally decided	Locally decided	Yes	Administrative Order and Local Delegation
<b>Arkansas</b>										
G Circuit Court	Gubernatorial appointment <sup>11</sup>	Partisan election	Partisan election	District	4 yrs	No administrative judge	~	~	~	~
G Chancery/Probate Court	Gubernatorial appointment <sup>11</sup>	Partisan election	Partisan election	District	6 yrs	No administrative judge	~	~	~	~
L Municipal Court	Gubernatorial appointment	Nonpartisan election	Nonpartisan	County	4 yrs	No administrative judge	~	~	~	~
L County Court	Gubernatorial appointment	Partisan election	Partisan election	County	2 yrs	No administrative judge	~	~	~	~
L Police Court	City council	Nonpartisan election	Nonpartisan	City	4 yrs	No administrative judge	~	~	~	~
L Court of Common Pleas	Gubernatorial appointment	Partisan election	Partisan election	County	2 yrs	No administrative judge	~	~	~	~
L City Court	Locally determined	Locally determined	Locally determined	City	2 yrs	No administrative judge	~	~	~	~
<b>California</b>										
G Superior Court	Gubernatorial appointment	Nonpartisan election	Nonpartisan election <sup>12</sup>	County	6 yrs	Court selection	Not less than 1 year	Yes	Yes	Statute and Rules of Court
L Municipal Court	Gubernatorial appointment	Nonpartisan election	Nonpartisan election <sup>12</sup>	District	6 yrs	Court selection	1 year	Yes	Yes	Statute and Rules of Court

**Table 7. Selection and Terms of Trial Court Judges**

Court type: G=general jurisdiction L=limited jurisdiction	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention	Geographic Basis for Selection	Length of Term	Method of Selection	Administrative Judges			
							Term of Office	Can each Succeed Himself?	Do they have Administrative Authority?	What is their source of authority?
<b>Colorado</b>										
G District Court	Same as full term	Gubernatorial appointment from judicial nominating commission	Retention election	County	6 yrs	Court selection	Generally 1 yr	Varies	Yes	Chief Justice
G Denver Probate Court	Same as full term	Gubernatorial appointment from judicial nominating commission	Retention election	District	6 yrs	Supreme court, Chief Justice appointment	At pleasure	Yes	Yes	Chief Justice
G Denver Juvenile Court	Same as full term	Gubernatorial appointment from judicial nominating commission	Retention election	District	6 yrs	Supreme court, Chief Justice appointment	At pleasure	Yes	Yes	Chief Justice
G Water Court	Same as full term	Gubernatorial appointment from judicial nominating commission	Retention election	District	6 yrs	Supreme court, Chief Justice appointment	At pleasure	Yes	Yes	Chief Justice
L County Court	Same as full term	Gubernatorial appointment from judicial nominating commission <sup>13</sup>	Retention election	County	4 yrs	District court judges appointment	At pleasure	Yes	No	Chief Justice
L Municipal Court	Same as full term	Governing municipal body appointment	Re-appointment	Municipality	Varies	No administrative judge	~	~	~	~
<b>Connecticut</b>										
G Superior Court	Legislative appointment <sup>14</sup>	Legislative appointment <sup>14</sup>	Legislative appointment <sup>14</sup>	State	8 yrs	Chief Court Administrator appointment	At pleasure	Yes	No <sup>14</sup>	<sup>15</sup>
L Probate Court	Partisan election	Partisan election	Partisan election	District	8 yrs	No administrative judge	~	~	~	~
<b>Delaware</b>										
G Court of Chancery	Same as full term	Gubernatorial appointment from judicial nominating commission with consent of senate	Gubernatorial reappointment from judicial nominating commission with consent of senate	State	12 yrs	Gubernatorial appointment	12 yrs	Yes	Yes	Constitution
G Superior Court	Same as Court of Chancery	Same as Court of Chancery	Same as Court of Chancery	Resident: County; State County	12 yrs	Gubernatorial appointment	12 yrs	Yes	Yes	Constitution
L Justice of the Peace Court	Same as full term	Gubernatorial appointment from Magistrate Screening Commission with consent of senate	Re-appointment by governor	County	4yrs; reappoint. 6 yr term	Gubernatorial appointment	4 yrs	Yes	Yes	Constitution
L Family Court	Gubernatorial appointment from judicial nominating commission with consent of senate	Gubernatorial appointment from judicial nominating commission with consent of senate	Same as Superior Court	County (Chief Judge statewide)	12 yrs.	Gubernatorial appointment	12 yrs	Yes	Yes	Constitution
L Court of Common Pleas	Gubernatorial appointment from judicial nominating commission with consent of senate	Gubernatorial appointment from judicial nominating commission with consent of senate	Same as Superior Court	County	12 yrs	Gubernatorial appointment	12 yrs	Yes	Yes	Constitution
L Alderman's Court	Varies	Town Council selection	Varies	Town	Varies	~	~	~	~	~

**District of Columbia**

Legend: ~ = Not Applicable

**Table 7. Selection and Terms of Trial Court Judges**

Court type: G=general jurisdiction L=limited jurisdiction	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention	Geographic Basis for Selection	Length of Term	Administrative Judges					
						Method of Selection	Term of Office	Can each Succeed Himself?	Do they have Administrative Authority?	What is their source of authority?	
G Superior Court	Same as full term	Presidential appointment from judicial nominating commission with consent of senate	<sup>16</sup>	District of Columbia	15 yrs	Chief judge appointment	4 yrs	Yes	Yes	Appointment of the Chief Judge	
<b>Florida</b>											
G Circuit Court	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election	Circuit	6 yrs	Circuit and county court selection	2 yrs	Yes	Yes	Statute & Florida Rules of Court	
L County Court	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election	County	4 yrs	No administrative judge	~	~	~	~	
<b>Georgia</b>											
G Superior Court	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election	Circuit	4 yrs	Court selection	Varies	Varies	Yes	Local Court Rules	
L Juvenile Court <sup>17</sup>	Superior Court judge appointment	Superior Court judge appointment	Superior Court judge appointment	County/circuit	4 yrs	Varies	Varies	Varies	Varies	Local Court Rules	
L Civil Court	Gubernatorial appointment	Partisan election	Partisan election	County	4 yrs	Seniority	Varies	Varies	~	~	
L State Court	Gubernatorial appointment	Nonpartisan election	Nonpartisan election	County	4 yrs	Seniority	Varies	Yes	~	~	
L Probate Court	Gubernatorial appointment	Partisan election <sup>18</sup>	Partisan election <sup>18</sup>	County	4 yrs	No administrative judge	~	~	~	~	
L Magistrate Court	Varies	Varies	Varies	County	4 yrs	Most are elected	4 yrs	Yes	Yes	~	
L Municipal Court of Columbus	Mayoral Appointment	Elected	Elected	Municipality	4 yrs	~	~	~	~	~	
L County Recorder's Ct.	Varies	Varies	Varies	County	Varies	Seniority	Seniority	Yes	~	~	
L Municipal Courts and City Court of Atlanta	Appointed by municipal authority	Appointed by municipal authority	Appointed by municipal authority	Municipality	At pleasure	Generally no administrative judge	~	~	~	~	
<b>Hawaii</b>											
G Circuit Court <sup>19</sup>	Same as full term	Gubernatorial appointment from judicial nominating commission with consent of senate	Judicial nominating commission reappoints	Circuit	10 yrs	Chief Justice appointment	At pleasure	Yes	Yes	Hawaii revised statutes/org. charts	
L District Court <sup>19</sup>	Same as full term	Appointment by Chief Justice from judicial nominating commission and consent of senate	Judicial nominating commission reappoints	District	6 yrs	Chief Justice appointment	At pleasure	Yes	Yes	Sup. Ct. Rules and HRS 604-1	
<b>Idaho</b>											
G District Court	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election	District	4 yrs	Majority of other district judges within the district judges or majority of supreme court justices	Varies <sup>19</sup>	Yes	~	~	
Magistrate Division	Magistrate Commission appointment <sup>20</sup>	Magistrate Commission appointment <sup>20</sup>	Retention election	District	4 yrs	No administrative judge	~	~	~	~	
<b>Illinois</b>											
G Circuit Court	COLR selection	Partisan election	Retention election	Circuit/County <sup>21</sup>	6 years (associate judges 4 yrs)	Court selection	Varies	Yes	Yes	State Constitution	

**Table 7. Selection and Terms of Trial Court Judges**

Court type: G=general jurisdiction L=limited jurisdiction	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention	Geographic Basis for Selection	Length of Term	Method of Selection	Administrative Judges			
							Term of Office	Can each Succeed Himself?	Do they have Administrative Authority?	What is their source of authority?
<b>Indiana</b>										
G Superior Court	Supreme Court appointment <sup>22</sup>	Partisan election <sup>23</sup>	Partisan election <sup>23</sup>	County	6 yrs	Varies	Varies	Varies	Varies	Varies
G Circuit Court	Supreme Court appointment <sup>22</sup>	Partisan election <sup>23</sup>	Partisan election <sup>23</sup>	County	6 yrs	Varies	Varies	Varies	Varies	Varies
G Probate Court	Supreme Court appointment <sup>22</sup>	Partisan election	Partisan election	County	6 yrs	~	~	~	~	~
L County Court	Supreme Court appointment <sup>22</sup>	Partisan election	Partisan election	County	6 yrs	Varies	Varies	Varies	Varies	Varies
L City Court	Supreme Court appointment <sup>22</sup>	Partisan election	Partisan election	Municipality	4 yrs	Varies	Varies	Varies	Varies	Varies
L Town Court	Supreme Court appointment <sup>22</sup>	Partisan election	Partisan election	Municipality	Varies	~	~	~	~	~
L Small Claims Court of Marion County	Supreme Court appointment <sup>22</sup>	Partisan election	Partisan election	Township	4 Years	Varies	Varies	Varies	~	~
<b>Iowa</b>										
G District Court	Same as full term	Gubernatorial appointment from judicial nominating commission	Retention election	District	6 yrs	Chief Justice appointment with Supreme Court approval <sup>26</sup>	2 yrs	Yes	Yes	Statutory and Rule
L District Associate	Same as full term	District judge appointment <sup>24</sup>	Retention election	District	4 yrs	~	~	~	~	~
L Magistrates	Same as full term	County judicial magistrate appointment commission <sup>25</sup>	Reappointed by county. Judicial magistrate commission	County	2 yrs	~	~	~	~	~
<b>Kansas</b>										
G District Court	Gubernatorial appointment from judicial nominating commission in 17 districts; Gubernatorial appointment in 14 districts	Gubernatorial appointment from judicial nominating commission in 17 districts; partisan election in 14 districts	Retention election in 17 districts; partisan election in 14 districts	District	4 yrs	Supreme Court appointment	2 yrs	Yes	Yes	Statute; Supreme Court Rules; District Court Rules
L Municipal Court	Local governing body appointment <sup>27</sup>	Local governing body appointment <sup>27</sup>	Local governing body re-appointment <sup>27</sup>	City	Varies	Local governing body appointment	At pleasure	Yes	Yes	Appointing authority
<b>Kentucky</b>										
G Circuit Court	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election	Circuit	8 yrs	Circuit Court selection <sup>28</sup>	Generally 2 yrs	Yes	Yes	Court Rule
L District Court	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election	District	4 yrs	District Court selection <sup>28</sup>	Generally 2 yrs	Yes	Yes	Court Rule

Legend: ~=Not Applicable

**Table 7. Selection and Terms of Trial Court Judges**

Court type: G=general jurisdiction L=limited jurisdiction	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention	Geographic Basis for Selection	Length of Term	Administrative Judges					
						Method of Selection	Term of Office	Can each Succeed Himself?	Do they have Administrative Authority?	What is their source of authority?	
<b>Louisiana</b>											
G District Court	Supreme Court selection <sup>29</sup>	Nonpartisan election	Nonpartisan election	District	6 yrs	Varies	Varies	Varies	Varies	Varies	Court Rule (Local Rule)
L Justice of the Peace	Supreme Court selection <sup>29</sup>	Nonpartisan election	Nonpartisan election	Wards	6 yrs	No administrative judge	~	~	~	~	~
L Mayor's Court	(Mayor or mayor pro temp)	Nonpartisan election	(Mayor serves as judge)	City	4 yrs	No administrative judge	~	~	~	~	~
L City and Parish Courts	Supreme Court selection <sup>29</sup>	Nonpartisan election	Nonpartisan election	City or parish	6 yrs	Varies	Varies	Varies	~	~	~
<b>Maine</b>											
G Superior Court	Re-appointment by governor with consent of senate	Re-appointment by governor with consent of senate	Re-appointment by governor with consent of senate	Statewide	7 yrs	Supreme Court, Chief Justice appointment	At pleasure of Chief Justice	Yes	No	~	~
L District Court	Re-appointment by governor; confirmed by legislature	Re-appointment by governor; confirmed by legislature	Re-appointment by governor; confirmed by legislature	State & District <sup>30</sup>	7 yrs	Supreme Court, Chief Justice appointment	At pleasure of Chief Justice	Yes	No	~	~
L Probate Court	appointment by governor	Partisan election	Partisan election	County	7 yrs	~	~	~	~	~	~
L Administrative Court	Re-appointment by governor; confirmed by legislature	Re-appointment by governor; confirmed by legislature	Re-appointment by governor; confirmed by legislature	State	7 yrs	Gubernatorial appointment with consent of senate	7 yrs	~	~	~	~
<b>Maryland</b>											
G Circuit Court	Same as full term	Gubernatorial appointment from judicial nominating commission with consent of senate and contested election 1 year later	Contested election	Circuit	15 yrs	Chief Judge – by seniority; Circuit/County Administrative Judge appointment by Supreme Court's Chief Justice	At pleasure	~	<sup>32</sup>	~	~
L District Court	Same as full term	Gubernatorial appointment from judicial nominating commission with consent of senate	Mandatory gubernatorial re-appointment with consent of senate	District	10 yrs	Chief Judge appointment by Supreme Court's Chief Justice <sup>31</sup>	At pleasure	~	<sup>32</sup>	~	~
L Orphan's Court	Gubernatorial appointment	Partisan election	Partisan election	Orphans	4 yrs	Unknown	Unknown	Unknown	<sup>32</sup>	~	~
<b>Massachusetts</b>											
G Superior Court	There are no unexpired judicial terms.	Gubernatorial appointment from judicial nominating commission approved by Governor's Council	No retention process.	State	Age 70	Appointed by Supreme Judicial Court <sup>33</sup>	5 yrs	Yes	Yes	~	Statutes/court rules
L District Court	There are no unexpired judicial terms.	Gubernatorial appointment from judicial nominating commission approved by Governor's Council	No retention process.	State	Age 70	Appointed by Supreme Judicial Court <sup>33</sup>	5 yrs	Yes	Yes	~	Statutes/court rules



**Table 7. Selection and Terms of Trial Court Judges**

Court type: G=general jurisdiction L=limited jurisdiction	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention	Geographic Basis for Selection	Length of Term	Method of Selection	Administrative Judges			
							Term of Office	Can each Succeed Himself?	Do they have Administrative Authority?	What is their source of authority?
L Boston Municipal Court	There are no unexpired judicial terms.	Gubernatorial appointment from judicial nominating commission approved by Governor's Council	No retention process.	State	Age 70	Appointed by Supreme Judicial Court <sup>33</sup>	5 yrs	Yes	Yes	Statutes/court rules
<b>Massachusetts, continued</b>										
L Juvenile Court	There are no unexpired judicial terms.	Gubernatorial appointment from judicial nominating commission approved by Governor's Council	No retention process.	State	Age 70	Appointed by Supreme Judicial Court <sup>33</sup>	5 yrs	Yes	Yes	Statutes/court rules
L Housing Court	There are no unexpired judicial terms.	Gubernatorial appointment from judicial nominating commission approved by Governor's Council	No retention process.	State	Age 70	Appointed by Supreme Judicial Court <sup>33</sup>	5 yrs	Yes	Yes	Statutes/court rules
L Land Court	There are no unexpired judicial terms.	Gubernatorial appointment from judicial nominating commission approved by Governor's Council	No retention process.	State	Age 70	Appointed by Supreme Judicial Court <sup>33</sup>	5 yrs	Yes	Yes	Statutes/court rules
L Probate and Family Court	There are no unexpired judicial terms.	Gubernatorial appointment from judicial nominating commission approved by Governor's Council	No retention process.	State	Age 70	Appointed by Supreme Judicial Court <sup>33</sup>	5 yrs	Yes	Yes	Statutes/court rules
<b>Michigan</b>										
G Circuit Court (includes Court of Claims and Family Division)	Gubernatorial appointment	Nonpartisan election	Nonpartisan election	District	6 yrs	Court selection	2 yrs	Yes	Yes	Michigan Court Rule 8/110
L District Court	Gubernatorial appointment	Nonpartisan election	Nonpartisan election	District	6 yrs	Court selection	2 yrs	Yes	Yes	~
L Probate Court	Gubernatorial appointment	Nonpartisan election	Nonpartisan election	District	6 yrs	Court selection	2 yrs	Yes	Yes	~
L Municipal Court	Governing municipal body appointment	Nonpartisan election	Nonpartisan election	District	4 yrs	Court selection	2 yrs	Yes	Yes	~
<b>Minnesota</b>										
G District Court	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election	District	6 yrs	Court selection	2 yrs	Yes	<sup>34</sup>	<sup>34</sup>
<b>Mississippi</b>										
G Circuit Court	Gubernatorial appointment	Nonpartisan election	Nonpartisan election	District	4 yrs	Seniority	Duration of term	~	Yes	Statutory
L Chancery Court	Gubernatorial appointment	Nonpartisan election	Nonpartisan election	District	4 yrs	Seniority	Duration of term	~	Yes	Statutory
L County Court	Gubernatorial appointment	Nonpartisan election	Nonpartisan election	County	4 yrs	No administrative judge	~	~	~	~
L Family Court	Gubernatorial appointment	Nonpartisan election	Nonpartisan election	County	4 yrs	No administrative judge	~	~	~	~
L Municipal Court	Locally determined	Locally determined	Locally determined	Municipality	Locally determined	No administrative judge	~	~	~	~
L Justice Court	Locally determined	Partisan election	Partisan election	District in county	4 yrs	No administrative judge	~	~	~	~

Legend: ~ = Not Applicable

**Table 7. Selection and Terms of Trial Court Judges**

Court type: G=general jurisdiction L=limited jurisdiction	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention	Geographic Basis for Selection	Length of Term	Administrative Judges				
						Method of Selection	Term of Office	Can each Succeed Himself?	Do they have Administrative Authority?	What is their source of authority?
<b>Missouri</b>										
G Circuit Court	Gubernatorial appointment in partisan circuits (40) Gubernatorial appointment from judicial nominating commission in nonpartisan circuits (5)	Gubernatorial appointment from judicial nominating commission in counties with nonpartisan election (5 metropolitan circuits) Partisan election in 40 circuits	Retention election for 5 metropolitan circuits, partisan election in 40 circuits	Circuit	6 yrs	Court selection	2 yrs	Yes	Yes	Constitution
~ Associate Circuit Court	Gubernatorial appointment in partisan circuits (40) Gubernatorial appointment from judicial nominating commission in nonpartisan circuits (5)	Gubernatorial appointment from judicial nominating commission in counties with nonpartisan election (5 metropolitan circuits) Partisan election in 40 circuits	Retention election for 5 metropolitan circuits, partisan election in 40 circuits	County	4 yrs	No administrative judge	~	~	~	~
L Municipal Court	Locally determined	Locally determined	Locally determined	City	Varies	No administrative judge	~	~	~	~
<b>Montana</b>										
G District Court	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election	District	6 yrs	Varies	Varies	Varies	Yes - Limited	Constitution
G Workers' Compensation Court	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission	State	6 yrs	No administrative judge	~	~	~	~
G Water Court	Chief Justice appointment from judicial nominating commission	Chief Justice appointment from judicial nominating commission	Chief Justice reappointment from judicial nominating commission	State	4 yrs	Chief Justice appointment from judicial nominating commission	4 yrs	Yes	Yes - Limited	Statute
L Justice of the Peace Court	County commission appointment	Nonpartisan election	Nonpartisan election	County	4 yrs	No administrative judge	~	~	~	~
L Municipal Court	Local governing body appointment	Nonpartisan election	Nonpartisan election	City	4 yrs	No administrative judge	~	~	~	~
L City Court	City commission appointment	Nonpartisan election	Nonpartisan election	City	4 yrs	No administrative judge	~	~	~	~
<b>Nebraska</b>										
G District Court	Same as full term	Gubernatorial appointment from judicial nominating commission	Retention election	District	6 yrs <sup>35</sup>	Court selection	1 yr	Yes	~	~
L Separate Juvenile Court	Same as full term	Gubernatorial appointment from judicial nominating commission	Retention election	District	6 yrs <sup>35</sup>	Court selection	1 yr	Yes	~	~

**Table 7. Selection and Terms of Trial Court Judges**

Court type: G=general jurisdiction L=limited jurisdiction	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention	Geographic Basis for Selection	Length of Term	Administrative Judges				
						Method of Selection	Term of Office	Can each Succeed Himself?	Do they have Administrative Authority?	What is their source of authority?
<b>Nebraska, continued</b>										
L Worker's Compensation	Same as full term	Gubernatorial appointment from judicial nominating commission	Retention election	District	6 yrs <sup>35</sup>	Court selection	1 yr	Yes	Yes	Court Rule
L County Court	Same as full term	Gubernatorial appointment from judicial nominating commission	Retention election	District	6 yrs <sup>35</sup>	Court selection	1 yr	Yes	Yes	Court Rule
<b>Nevada</b>										
G District Court	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election	District	6 yrs	Varies	Varies	Varies	Yes	Statute (NRS 3.025)
L Justice Court	County commission appointment	Nonpartisan election	Nonpartisan election	Township	6 yrs	Elected by Justices of the Peace in individual townships having three or more Justices of the Peace	1 year	Yes	Yes	Statute (JC RCP 84)
L Municipal Court	City council appointment	Nonpartisan election or appointment	Nonpartisan election or appointment	City	Varies	Varies	Varies	Yes	Varies	Individual City Charters
<b>New Hampshire</b>										
G Superior Court	Same as full term	Gubernatorial appointment subject to approval by executive council	~	State	Until age 70	Gubernatorial appointment subject to approval by executive council	Age 70	~	Yes	Chief Justice
L District Court	Same as full term	Gubernatorial appointment subject to approval by executive council	~	District	Until age 70	Gubernatorial appointment subject to approval by executive council	Age 70	~	Yes	Law
L Municipal Court	Same as full term	Gubernatorial appointment subject to approval by executive council	~	District/Municipality	Until age 70	~	~	~	~	~
L Probate Court	Same as full term	Gubernatorial appointment subject to approval by executive council	~	County	Until age 70	~	~	~	~	~
<b>New Jersey</b>										
G Superior Court	Same as full term	Gubernatorial appointment with consent of senate	Re-appointment by governor with consent of senate	State	7 <sup>38</sup>	Chief Justice appointment	At pleasure	~	Yes	Court Rule
L Tax Court	Same as full term	Gubernatorial appointment with consent of senate	Re-appointment by governor with consent of senate	State	7 <sup>38</sup>	Chief Justice appointment	At pleasure	~	Yes	Statute
L Municipal Court	Same as full term	Appointment by mayor or governing body of municipality <sup>36</sup>	Re-appointment by mayor or governing body of municipality <sup>37</sup>	Municipality/Municipality	3 yrs	Governing body <sup>37</sup>	3 yrs	Yes	<sup>39</sup>	<sup>39</sup>

**Table 7. Selection and Terms of Trial Court Judges**

Court type: G=general jurisdiction L=limited jurisdiction	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention	Geographic Basis for Selection	Length of Term	Administrative Judges					
						Method of Selection	Term of Office	Can each Succeed Himself?	Do they have Administrative Authority?	What is their source of authority?	
<b>New Mexico</b>											
G District Court	Gubernatorial appointment <sup>40</sup>	Partisan election	Nonpartisan retention election	District	6 yrs	Election by district judges	3 yrs	Yes	Yes	Statute	
L Magistrate Court	Gubernatorial appointment	Partisan election	Partisan election	County	4 yrs	Director of AOC appointment	Varies	Yes	Yes	Policy Directive	
L Bernalillo County	Gubernatorial appointment <sup>40</sup>	Partisan election	Nonpartisan retention election	County	4 yrs	Election by metropolitan judges	3 yrs	Yes	Yes	Statute	
L Municipal Court	Appointment by governing body	Partisan election	Partisan election	City	4 yrs	No administrative judge	~	~	~	~	
L Probate Court	County commission appointment	Partisan election	Partisan election	County	4 yrs	No administrative judge	~	~	~	~	
<b>New York</b>											
G Supreme Court	Gubernatorial appointment with consent of senate	Partisan election	Partisan election	District	14 yrs	No Administrative Judge	~	~	~	~	
G County Court	Gubernatorial appointment with consent of senate	Partisan election	Partisan election	County	10 yrs	No Administrative Judge	~	~	~	~	
L District Court	<sup>41</sup>	Partisan election	Partisan election	District	6 yrs	Partisan election	6 yrs	Yes	No	~	
L City Court	Varies—most elected	Varies--most elected	Locally determined	City(with some exceptions)	10 yrs	No Administrative Judge	~	~	~	~	
L Criminal Court of NYC	Mayoral appointment	Mayoral appointment	Mayoral appointment	City	10 yrs	No Administrative Judge	~	~	~	~	
L Civil Court of NYC	Mayoral appointment <sup>42</sup>	Partisan election	Partisan election	City	10 yrs <sup>42</sup>	No Administrative Judge	~	~	~	~	
L Town and Village	Town board/village mayoral appointment	Partisan election	Partisan election	Town or village	4 yrs	~	~	~	~	~	
L Court of Claims	Gubernatorial appointment from judicial screening committee with consent of senate	Gubernatorial appointment from judicial screening committee with consent of senate	Re-appointment by governor	State	9 yrs	Gubernatorial appointment	Balance of term	Yes	Yes	Inherent	
L Surrogates' Court	Gubernatorial appointment from judicial screening committee with consent of senate	Partisan election	Partisan election	County	10 yrs (except NYC is 14)	No administrative judge	~	~	~	~	
L Family Court	Gubernatorial appointment from judicial screening committee with consent of senate/By mayor in New York City	Partisan election/appointment by mayor in New York City	Partisan election/reappointment by mayor in New York City	County outside NYC	10 yrs	No administrative judge	~	~	~	~	

**Table 7. Selection and Terms of Trial Court Judges**

Court type: G=general jurisdiction L=limited jurisdiction	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention	Geographic Basis for Selection	Length of Term	Administrative Judges				
						Method of Selection	Term of Office	Can each Succeed Himself?	Do they have Administrative Authority?	What is their source of authority?
<b>North Carolina</b>										
G Superior Court	Gubernatorial appointment	<sup>43</sup>	As of 1998, Nonpartisan election	State	8 (resident), 4 (special)	Seniority of service within district	8 yrs	Yes	Yes	Statute
L District Court	Gubernatorial appointment	Partisan election	Partisan election	District	4 yrs	Chief Justice appointment	At pleasure	Yes	Yes	Statute
<b>North Dakota</b>										
G District Court	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election	District	6 yrs	Elected by district judges	3 yrs	Yes	Yes	Law
L Municipal Court	Mayoral appointment	Nonpartisan election	Nonpartisan election	City	4 yrs	No administrative judge	~	~	~	~
<b>Ohio</b>										
G Court of Common Pleas	Gubernatorial appointment	Nonpartisan election	Nonpartisan election	County	6 yrs	Elected by court judges	1 year	Yes	Yes	Statute and rules of superintendence
L Municipal Court	Gubernatorial appointment	Nonpartisan election	Nonpartisan election	County/city / part of county	6 yrs	Elected by court judges	1 year	Yes	Yes	Statute and rules of superintendence
L County Court	Gubernatorial appointment	Nonpartisan election	Nonpartisan election	County/ part of county	6 yrs	~	~	~	~	~
L Court of Claims	Chief Justice assignment	Chief Justice assignment	Chief Justice appointment	~	44	~	~	~	~	~
L Mayors Court	Varies; usually elected	Partisan election	Partisan election	City/Village	~	~	~	~	~	~
<b>Oklahoma</b>										
G District Court	Gubernatorial appointment from Judicial Nominating Commission	Nonpartisan election	Nonpartisan election	District	4 yrs	Selected by District and Associate District judges within each judicial administrative district	Varies	Yes	Yes	Statute
~ Associate	Gubernatorial appointment from Judicial Nominating Commission	Nonpartisan election	Nonpartisan election	District	4 yrs	No administrative judge	~	~	~	~
~ Special	Selection by District Court Judge in each Judicial Nominating Commission	Same as unexpired term	Same as unexpired term	District	At pleasure	No administrative judge	~	~	~	~
L Municipal Court Not of Record	City governing body appointment	City governing body appointment	City governing body appointment	Municipality	2 yrs	No administrative judge	~	~	~	~
L Municipal Criminal Court of Record	City governing body appointment	City governing body appointment	City governing body appointment	Municipality	2 yrs	City governing body appointment	Varies	Unknown	~	~
L Workers' Compensation Court	Gubernatorial appointment from Judicial Nominating Commission	Gubernatorial appointment from Judicial Nominating Commission	Re-appointment by governor from Judicial Nominating Commission	State	6 yrs	Gubernatorial appointment	2 yrs	Yes	~	~

Legend: ~ = Not Applicable

**Table 7. Selection and Terms of Trial Court Judges**

Court type: G=general jurisdiction L=limited jurisdiction	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention	Geographic Basis for Selection	Length of Term	Administrative Judges				
						Method of Selection	Term of Office	Can each Succeed Himself?	Do they have Administrative Authority?	What is their source of authority?
<b>Oklahoma, continued</b>										
L Court of Tax Review	Supreme Court appointment	Supreme Court appointment	Supreme Court appointment	Judicial District	Term is for remainder of service as District Court judge	No administrative judge	~	~	~	~
<b>Oregon</b>										
G Circuit Court	Gubernatorial appointment	Nonpartisan election	Nonpartisan election	Circuit	6 yrs	Chief Justice appointment	2 yrs	Yes	Yes	Statute
G Tax Court	Gubernatorial appointment	Nonpartisan election	Nonpartisan election	State	6 yrs	No administrative judge	~	~	~	~
L County Court	County commission appointment	Nonpartisan election	Nonpartisan election	County	4 yrs	No administrative judge	~	~	~	~
L Justice Court	Gubernatorial appointment	Nonpartisan election	Nonpartisan election	County	6 yrs	No administrative judge	~	~	~	~
L Municipal Court	City council appointment	City council appointment	City council re-appointment	Municipality	Varies	No administrative judge	~	~	~	~
<b>Pennsylvania</b>										
G Court of Common Pleas	Gubernatorial appointment from Judicial Advisory Commission with consent of senate	Partisan election	Retention election	County	10 years	Seniority (if 8 or more judges, court selection)	5 yrs	No	Yes	Statute 42 Pa.C.S. §325
L Philadelphia Municipal	Gubernatorial appointment from Judicial Advisory Commission with consent of senate	Partisan election	Retention election	County	10 years	Seniority (if 8 or more judges, court selection)	5 yrs	No	Yes	Statute 42 Pa.C.S. §325
L District Justice Court	Gubernatorial appointment from Judicial Advisory Commission with consent of senate	Partisan election	Partisan election	Magisterial District	6 yrs	No administrative judge	~	~	~	Statute 42 Pa.C.S. §325
L Philadelphia Traffic	Gubernatorial appointment from Judicial Advisory Commission with consent of senate	Partisan election	Partisan election	County	6 yrs	Gubernatorial appointment	5 yrs	Yes	Yes	Statute 42 Pa.C.S. §325
L Pittsburgh City Magistrates	Mayoral appointment with city council's consent	Mayoral appointment	Mayoral appointment	City of Pittsburgh	4 yrs	Mayoral appointment	1 yr	Yes	Yes	Statute 42 Pa.C.S. §325
<b>Puerto Rico</b>										
Court of First Instance: G Superior Court	Gubernatorial appointment w/senate confirmation	Gubernatorial w/senate confirmation	Gubernatorial reappointment w/senate confirmation	Statewide	12 yrs	~	~	~	~	~

**Table 7. Selection and Terms of Trial Court Judges**

Court type: G=general jurisdiction L=limited jurisdiction	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention	Geographic Basis for Selection	Length of Term	Administrative Judges				
						Method of Selection	Term of Office	Can each Succeed Himself?	Do they have Administrative Authority?	What is their source of authority?
<b>Puerto Rico, continued</b>										
G District Court <sup>52</sup>	~	~	~	Statewide	8 yrs <sup>52</sup>	~	~	~	~	~
G Municipal Court	Gubernatorial appointment w/senate confirmation	Gubernatorial appointment w/senate confirmation	Gubernatorial reappointment w/senate confirmation	Statewide	8 yrs	~	~	~	~	~
<b>Rhode Island</b>										
G Superior Court	Gubernatorial appointment with consent of senate	Gubernatorial appointment with consent of senate	~	State	Life	Gubernatorial appointment	Life	~	Yes	Statute
L District Court	Gubernatorial appointment with consent of senate	Gubernatorial appointment with consent of senate	~	State	Life	Gubernatorial appointment	Life	~	Yes	Statute
L Family Court	Gubernatorial appointment with consent of senate	Gubernatorial appointment with consent of senate	~	State	Life	Gubernatorial appointment	Life	~	Yes	Statute
L Probate Court	Town Council Appointed	Town council reappointed	Town Council Reappointed	Town	Varies	No administrative judge	~	~	~	~
L Municipal Court	City council appointed	Locally determined	Locally determined	Town	2 yrs	No administrative judge	~	~	~	~
L Administrative Adjudication Court	Gubernatorial appointment with consent of senate	Gubernatorial appointment with consent of senate	~	State	Varies	No administrative judge	~	~	~	~
<b>South Carolina</b>										
G Circuit Court	Legislative election	Legislative election	Legislative election	Circuit	6 yrs	Chief Justice appointment	6 months	Yes	Yes	Chief Justice
L Family Court	Legislative election	Legislative election	Legislative election	Circuit	6 yrs	Chief Justice appointment	6 months	Yes	Yes	Chief Justice
L Magistrate Court	Gubernatorial appointment with consent of senate	Gubernatorial appointment with consent of senate	Gubernatorial appointment with consent of senate	County	4 yrs	Chief Justice appointment	6 months	Yes	Yes	Chief Justice
L Probate Court	Gubernatorial appointment	Partisan election	Partisan election	County	4 yrs	No administrative judge	~	~	~	~
L Municipal Court	Council appointment	Council appointment	Council appointment	District	2-4 yrs	No administrative judge	~	~	~	~
<b>South Dakota</b>										
G Circuit Court	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election	Circuit	8 yrs	Chief Justice appointment <sup>45</sup>	At pleasure	~	~	~
~ Law Magistrates	Same as full term	Appointment by Circuit Court administrative judge with approval of Supreme court	Re-appointment by Circuit Court administrative judge with approval of Supreme Court	Circuit	4 yrs	~	~	~	~	~
~ Clerk/Magistrates	Division of Circuit Court	~	~	Circuit	~	~	~	~	~	~

Legend: ~=Not Applicable

**Table 7. Selection and Terms of Trial Court Judges**

Court type: G=general jurisdiction L=limited jurisdiction	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention	Geographic Basis for Selection	Length of Term	Administrative Judges				
						Method of Selection	Term of Office	Can each Succeed Himself?	Do they have Administrative Authority?	What is their source of authority?
<b>Tennessee</b>										
G Circuit Court	Gubernatorial appointment	Partisan election	Partisan election	District	8 yrs	Court selection	1 yr	Yes	~	~
G Chancery Court	Gubernatorial appointment	Partisan election	Partisan election	District	8 yrs	Court selection	1 yr	Yes	~	~
G Criminal Court	Gubernatorial appointment	Partisan election	Partisan election	District	8 yrs	Court selection	1 yr	Yes	~	~
G Probate Court	Established by special legislative act	Partisan election	Partisan election	Varies	Locally determined	No administrative judge	~	~	~	~
L Juvenile Court	Established by special legislative act	Partisan election	Partisan election	County	8 yrs	No administrative judge	~	~	~	~
L Municipal Court	Locally determined	Established by ordinance	Established by ordinance	Municipality	8 yrs	No administrative judge	~	~	~	~
L General Sessions Court	Local legislative body appointment	Partisan election	Partisan election	County	8 yrs	Varies	Varies	Varies	~	~
<b>Texas</b>										
G District Courts	Gubernatorial appointment with consent of senate	Partisan election	Partisan election	District	4 yrs	Varies	2 yrs	Yes	Yes	Texas Govt. code §74.092
L Constitutional County Court and County Courts at Law	Appointment by county commissioners	Partisan election	Partisan election	County	4 yrs	Varies <sup>46</sup>	2 yrs	Yes	Yes	Texas Govt. code §74.092
L Justice of the Peace Court	Appointment by county commissioners	Partisan election	Partisan election	Precinct	4 yrs	No administrative judge	~	~	~	~
L Municipal Court	Appointment by city council	Varies	Varies	None	Varies	Varies	Varies	Yes	Varies	Varies
<b>Utah</b>										
G District Court	Same as full term	Gubernatorial appointment from judicial nominating commission with consent of senate <sup>47</sup>	Retention election	District	6 yrs	Court selection	Presumptively 2 yrs	Yes	Yes	Utah Code Ann. 7878-3-29 Code of Judicial Admin 3-104
L Justice Court	Same as full term	Appointment by local government executive with confirmation by local government legislative body.	County: Retention election Municipal: Reappointment by city executive	County/Municipality	4 years	~	~	~	~	~
L Juvenile Court	Same as full term	Gubernatorial appointment from judicial nominating commission with consent of senate <sup>47</sup>	Retention election	District	6 yrs	Court selection	Presumptively 2 yrs	Yes	Yes	Utah Code Ann. 7878-3-29 Code of Judicial Admin 3-104
<b>Vermont</b>										
G Superior Court	Same as full term	Gubernatorial appointment from judicial nominating commission with consent of senate	Legislative election	State	6 yrs	Supreme Court appointment <sup>48</sup>	4 yrs	Yes	Yes	Statute & Supreme Court Admin. Order



**Table 7. Selection and Terms of Trial Court Judges**

Court type: G=general jurisdiction L=limited jurisdiction	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention	Geographic Basis for Selection	Length of Term	Method of Selection	Administrative Judges			
							Term of Office	Can each Succeed Himself?	Do they have Administrative Authority?	What is their source of authority?
<b>Vermont, continued</b>										
G District Court	Same as full term	Gubernatorial appointment from judicial nominating commission with consent of senate	Legislative election	State	6 yrs	Supreme Court appointment <sup>48</sup>	~	One administrative judge for Superior, District, and family court	~	~
G Family Court	Superior/District judges	Serve as Family Court judges	~	~	~	~	~	~	~	~
L Probate Court	Gubernatorial appointment	Partisan election	Partisan election	District	4 yrs	No administrative judge	~	~	~	~
<b>Virginia</b>										
G Circuit Court	Interim appointments Governor appointment	Legislative appointment	Legislative appointment	Circuit	8 yrs	Court selection	2 yrs	Yes	Limited	Statute
L District Court	Circuit court judge appointment	Legislative appointment	Legislative appointment	District	6 yrs	Court selection	2 yrs	Yes	Limited	Statute
<b>Washington</b>										
G Superior Court	Gubernatorial appointment	Nonpartisan election	Nonpartisan election	Superior	4 yrs	Varies	Varies	Varies	Yes	Court Rule
L District Court	County appointment	Nonpartisan election	Nonpartisan election	District	4 yrs	Court selection	Max: 1 yr	Yes	Yes	Court Rule
L Municipal Court	City appointment	Mayoral/city council appointed	Mayoral/city council appointed Full time Municipal Court judges must stand for nonpartisan election	Municipality	4, unless mayor changes	Court selection	Max: 1 yr	Yes	Yes	Court Rule
<b>West Virginia</b>										
G Circuit Court	Gubernatorial appointment	Partisan election	Partisan election	District	8 yrs	Court selection	At pleasure	Yes	~	~
L Magistrate Court	Supervising judge appointment	Partisan election	Partisan election	County	4 yrs	Supervising judge appointment	At pleasure	Yes	~	~
L Municipal Court	Locally determined	Locally determined	Locally determined	Municipality	Locally determined	No administrative judge	~	~	~	~
<b>Wisconsin</b>										
G Circuit Court	Gubernatorial appointment	Nonpartisan election	Nonpartisan election	County	6 yrs	COLR appointment <sup>49</sup>	2 yrs	Yes <sup>50</sup>	Yes	Supreme Court Rule
L Municipal Court	Nonpartisan election	Nonpartisan election	Nonpartisan election	Municipality	Not less than 2 or more than 4 years	Locally determined <sup>51</sup>	Locally determined	Locally determined	Locally determined	Locally determined
<b>Wyoming</b>										
G District Court	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission	Retention election	District	6 yrs	No administrative judge	~	~	~	~
L Justice of the Peace Court	Nonpartisan election	Nonpartisan election	Nonpartisan election	County	4 yrs	No administrative judge	~	~	~	~
L Municipal Court	Mayoral appointment	Mayoral appointment	Locally determined	Municipality	Varies	No administrative judge	~	~	~	~

Legend: ~ = Not Applicable

**Table 7. Selection and Terms of Trial Court Judges**

Court type: G=general jurisdiction L=limited jurisdiction	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention	Geographic Basis for Selection	Length of Term	Administrative Judges				
						Method of Selection	Term of Office	Can each Succeed Himself?	Do they have Administrative Authority?	What is their source of authority?
<b>Wyoming, continued</b>										
L County Court	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission	Retention election	County	4 yrs	No administrative judge	~	~	~	~
<b>Federal</b>										
US District Court	Same as full term	Presidential appointment subject to Senate confirmation	~	District	Life	Seniority <sup>65</sup>	7 yrs	No	~	~
US Magistrate	Same as full term	Appointed by US District Court Panels	Circuit Judicial Council recall <sup>63</sup>	District	8 yrs full-time, 4 yrs part-time	<sup>66</sup>	~	~	~	~
US Bankruptcy	Same as full term	Appointed by US Appellate Court Panels	Ad hoc recall <sup>64</sup>		14 yrs	Designated by a majority of the District judges of the courts	~	~	~	~

**FOOTNOTES:**

**Alabama:**

<sup>1</sup>The counties of Baldwin, Jefferson, Madison, Mobile and Tuscaloosa use gubernatorial appointment from the recommendations of judicial nominating commission.

<sup>2</sup>If court cannot agree, Supreme Court decides.

<sup>3</sup>Length of term is 2 years, if position is part-time.

**Alaska:**

<sup>4</sup>Judge must run for retention at next general election immediately following the third year from time of initial appointment.

<sup>5</sup>Judges must run for retention at first general election held more than one year after appointment.

<sup>6</sup>Judges selected on a statewide basis but run for retention on a district-wide basis.

<sup>7</sup>Gubernatorial appointment from judicial nominating commission. The judge must run for retention at first general election held more than one year after appointment.

**Arizona:**

<sup>8</sup>In the two most populous counties (Maricopa and Pima), such appointments are from a list submitted by the Judicial Nominating Commission. The method for submitting names for the other 13 counties varies.

<sup>9</sup>Maricopa and Pima counties use the Gubernatorial appointment process for all vacancies. The other 13 counties hold non-partisan elections.

<sup>10</sup>There is one justice of the peace per precinct. In counties having four or more justices of the peace, a presiding justice of the peace is chosen by a vote of the justices of the peace in that county, with the advice and consent of the Presiding Judge of the Superior Court in that county.

**Arkansas:**

<sup>11</sup>In circuit and chancery courts the office can be held till December 31 following the next general election, and then partisan election for remainder of term.

**California:**

<sup>12</sup>If unopposed for reelection, incumbent's name does not appear on ballot unless a petition was filed 83 days before the election date requesting the name to appear. An unopposed incumbent is not declared elected until the election date. This is for the general election. Different timing for primary elections. See Elec. Code §8203.

**Colorado:**

<sup>13</sup>The mayor appoints Denver County Court judges.

**Connecticut:**

<sup>14</sup>Governor nominates from candidates submitted by Judicial Selection Commission.

<sup>15</sup>The Chief Court Administrator appoints an Administrative Judge for each Judicial District. The Administrative Judges serve at the pleasure of the Chief Court Administrator and may succeed themselves. Sec. 51-5a(3) of the Connecticut General Statutes is the source of the authority for their appointment. Their jurisdiction is the Judicial District.

**District of Columbia:**

<sup>16</sup>Judicial Nomination Commission nominates for presidential appointment. If the Commission on Judicial Disabilities and Tenure evaluates a sitting judge as "well qualified" the judge is automatically reappointed for a new term of 15 years. If the commission evaluates the judge as "qualified" the President may renominate him/her subject to Senate confirmation; if the commission evaluates the judge unqualified the judge is ineligible for reappointment. (Please note: There are two entities involved in judicial appointments and reappointments in D.C.: The Judicial Nomination Commission and the Commission on Judicial Disabilities and Tenure.)

**Georgia:**

<sup>17</sup>In one county election. Associate judges (formerly referees) must be a member of the state bar or a law school graduate. They serve at the pleasure of the judge(s). Most juvenile courts have only one judge, therefore no presiding judge. Otherwise, seniority.

<sup>18</sup>In 29 of 159 counties probate judges are selected in non-partisan elections.

**Hawaii:**

<sup>19</sup>The family courts are a division of circuit courts. Family court judges are either circuit court judges assigned to the family court or are district court-level judges (district/family judges).

**Idaho:**

<sup>19</sup>The Supreme Court appoints the administrative judge for up to two years if District Court judges unable to elect.

<sup>20</sup>The Magistrate Commission consists of the administrative judge, 3 mayors and 2 electors appointed by the Governor; and 2 attorneys, nominated by the District Bar and appointed by the State Bar. There is one commission in each district.

**Illinois:**

<sup>21</sup>Unit less than county in Cook County.

## Table 7. Selection and Terms of Trial Court Judges

### Indiana:

<sup>22</sup>Until gubernatorial appointment or next general election.

<sup>23</sup>Nominating commissions are used in Superior Courts in Allen and St. Joseph counties. Non-partisan elections in Vanderburgh and in some Lake county courts.

### Iowa:

<sup>24</sup>The District Court chief judge serves the entire court, including the District Associate judges and the judicial magistrates.

<sup>25</sup>The county judicial magistrate appointing commission consists of 3 members appointed by county board and 2 elected by county bar, presided over by a District Court judge.

<sup>26</sup>Shall supervise all judicial officers and court employees serving within the district. Fix the times and places of holding court, and shall designate the respective presiding judges, supervise the performance of all administrative and judicial business of the district, allocate the workloads of District Associate judges and magistrates, and conduct judicial conferences to consider, study, and plan for improvement of the administration of justice.

### Kansas:

<sup>27</sup>In two counties the municipal court judges are selected and appointed by the District Court judges.

### Kentucky:

<sup>28</sup>In addition, there are 16 chief regional judges (8 circuit, 8 district), selected by the Chief Justice of the Supreme Court for regional administration of cases.

### Louisiana:

<sup>29</sup>Depending upon the amount of time remaining, selection may be by nonpartisan election following Supreme Court appointment.

### Maine:

<sup>30</sup>At least one judge must be appointed from each of the thirteen districts who is a resident of the county in which the district lies.

### Maryland:

<sup>31</sup>Administrative judges are appointed by the Chief Justice of District Court with the approval of the Chief Justice of Court of Appeals.

<sup>32</sup>Presiding judge for trial assigned by county administrative judge. Unsure whether "presiding" judge is administrative position. Maryland has 3 chief judges (COA; CSA; District Court). Chief judges by seniority and circuit/county administrative judges.

### Massachusetts:

<sup>33</sup>The administrative head of the trial court is the "Chief Justice for Administration and Management." Each department has a Chief Justice appointed by the "CJAM" to a 5 year term.

### Minnesota:

<sup>34</sup>In each judicial district, the Chief Judge, subject to the authority of the Chief Justice, shall exercise general administrative authority over the courts within the judicial district. The Chief Judge shall make assignments of judges to serve on the courts within the judicial district, and assignments may be made without the consent of the judges affected. The Chief Judge may assign any judge of any court within the judicial district to hear any matter in any court of the judicial district. When a judge of a court is assigned to another court the judge is vested with the powers of a judge of the court of assignment. A judge may not be assigned to hear matters outside the judge's judicial district pursuant to this subdivision.

### Nebraska:

<sup>35</sup>The initial term is for at least 3 but not more than 5 years.

### New Jersey:

<sup>36</sup>In multimunicipality joint or countywide municipal courts, selection is by governor with senate's consent.

<sup>37</sup>In municipalities with more than one judge, the governing body may appoint a "chief" judge. Regional Presiding Judges (Superior or Municipal Court Judges) are selected by the Chief Justice to assist in the administrative operations of the municipal courts in any of the 15 judicial administrative districts (i.e., vicinages). There are currently 9 Presiding Judges-Municipal Courts representing 12 the state's 15 vicinages.

<sup>38</sup>On reappointment till age 70.

<sup>39</sup>The position of Presiding Judge-Municipal Court is established by Statute (N.J.S.A. 2B:12-9). Presiding Judges exercise the powers delegated to them by the Chief Justice and the Rules of Court.

### New Mexico:

<sup>40</sup>The Governor must select a candidate from a list submitted by the district or metropolitan judges committee created by the constitution.

### New York:

<sup>41</sup>Appointment by Chief Executive Officer of county with confirmation by Board of Supervisors of district.

<sup>42</sup>Housing judges are appointed for five year terms by the chief administrator of the courts.

### North Carolina:

<sup>43</sup>Partisan election (resident judges), gubernatorial appointment (special judges).

### Ohio:

<sup>44</sup>Temporary assignment by chief justice of Supreme Court.

### South Dakota:

<sup>45</sup>The circuit court presiding judge serves the entire court, including the law magistrates division.

### Texas:

<sup>46</sup>There is a local administrative judge for statutory county courts (CCL) but no Constitutional County courts.

### Utah:

<sup>47</sup>Initial term of appointment is until the next general election, immediately following the third year from the time of initial appointment.

### Vermont:

<sup>48</sup>Administrative Judge for trial courts.

### Wisconsin:

<sup>49</sup>The chief judge of a district can appoint a presiding judge in each multi-judge circuit.

<sup>50</sup>Restricted to three successive terms.

<sup>51</sup>There is only 1 multi-judge Municipal Court.

### Puerto Rico:

<sup>52</sup>The 1994 Judiciary Act states that upon expiration of a district court judge term the position becomes a superior court judge position.

### Federal:

<sup>53</sup>May be recalled by the Circuit Judicial Council with consent of the Chief Justice for a maximum of up to one year.

<sup>54</sup>Ad hoc recall may be for a fixed (renewable) period of three years.

<sup>55</sup>The office is filled by the judge in regular active service who, at the time of vacancy: (1) is senior in commission, (2) is under the age of 65, (3) has served at least one year as a District judge, and (4) who has not previously served as chief judge.

<sup>56</sup>A "chief" or "administrative" magistrate judge position has not been formally established by statute or regulation.

**Table 8. Qualifications to Serve as a Trial Court Judge**

Court Type G = General jurisdiction L = Limited jurisdiction	Local Residency	State Residency	Minimum Age	Maximum Age	Law Degree	Other Legal Qualifications
<b>Alabama</b>						
G Circuit Court	1 yr	1 yr	N/S	70 <sup>1</sup>	Yes	Licensed attorney
L District Court	1 yr	1 yr	N/S	70	Yes	Licensed attorney
L Municipal Court	Yes	1 yr	18	70	Yes	Licensed attorney
L Probate Court	1 yr <sup>2</sup>	Citizen <sup>2</sup>	N/S <sup>2</sup>	70	No <sup>2</sup>	N/S
<b>Alaska</b>						
G Superior Court	N/S	5 yrs	N/S	70	Yes	5 yrs practice
L District Court	N/S	5 yrs	21	70	Yes	~ <sup>3</sup>
~ Magistrates <sup>4</sup>	N/S	6 mos	21	N/S	No	N/S
<b>Arizona</b>						
G Superior Court <sup>5</sup>	1 yr	5 yrs	30	70	Yes	Admitted to the practice of law in Arizona 5 years
L Justice of the Peace Court	Yes	Yes	18	70	No	N/S
L Municipal Court	Varies	Varies	Varies	Varies	Varies	Varies
<b>Arkansas</b>						
G Circuit Court	N/S	2 yrs	28	N/S	Yes	6 yrs practice/bench
G Chancery/Probate Court	N/S	2 yrs	28	N/S	Yes	6 yrs practice/bench
L Municipal Court	Yes	2 yrs	25	N/S	Yes	3 yrs practice/bench
L County Court	Yes	N/S	25	N/S	No	N/S
L Police Court	N/S	N/S	N/S	N/S	Yes	N/S
L Court of Common Pleas	Yes	N/S	25	N/S	No	N/S
L City Court	N/S	N/S	N/S	N/S	No	N/S
L Justice of the Peace Court	N/S	N/S	N/S	N/S	No	N/S
<b>California</b>						
G Superior Court	N/S	N/S	N/S	N/S	Yes	10 yrs state bar
L Municipal	54 days	Yes	N/S	N/S	Yes	5 yrs state bar
<b>Colorado</b>						
G District Court	Yes	Yes	N/S	72	Yes	5 yrs state bar
G Denver Probate Court	Yes	N/S	N/S	72	Yes	5 yrs state bar
G Denver Juvenile Court	Yes	N/S	N/S	72	Yes	5 yrs state bar
G Water Court	Yes	N/S	N/S	N/S	N/S	N/S
L County Court	Yes	N/S	N/S	72	No <sup>6</sup>	N/S
L Municipal Court	N/S	N/S	N/S	72	No	N/S
<b>Connecticut</b>						
G Superior Court	No	Yes	N/S	70	Yes	Member of the bar
L Probate Court	Yes <sup>7</sup>	Yes	18	70	No	No
<b>Delaware</b>						
G Court of Chancery	No	Yes	N/S	N/S	Yes	"Learned in Law"
G Superior Court	Yes	Yes	N/S	N/S	Yes	"Learned in Law"
L Justice of the Peace Court	Yes	Yes	N/S	N/S	No	N/S
L Family Court	Yes <sup>8</sup>	5 yrs	N/S	N/S	Yes	5 yrs state bar
L Court of Common Pleas	Yes	Yes	N/S	N/S	Yes	5 yrs state bar
L Alderman's Court	N/S	N/S	N/S	N/S	No <sup>9</sup>	No
<b>District of Columbia</b>						
G Superior Court	90 days	District residency	N/S	74	Yes	5 yrs state bar <sup>10</sup>
<b>Florida</b>						
G Circuit Court	Yes <sup>11</sup>	Yes	N/S	70	Yes	5 yrs state bar
L County Court	Yes <sup>12</sup>	Yes	N/S	70	Yes	5 yrs state bar

**Table 8. Qualifications to Serve as a Trial Court Judge**

Court Type G = General jurisdiction L = Limited jurisdiction	Local Residency	State Residency	Minimum Age	Maximum Age	Law Degree	Other Legal Qualifications
<b>Georgia</b>						
G Superior Court	N/S	3 yr	30	N/S <sup>13</sup>	Yes	7 yrs state bar
L Juvenile Court	N/S	3 yr	30	N/S	Yes	5 yrs state bar
L Civil Court	Varies	Varies	Varies	N/S	Yes	Varies
L State Court	Yes	3 yr	25	N/S <sup>14</sup>	Yes	5 yrs state bar
L Probate Court	2 yrs	N/S	25 <sup>15</sup>	N/S	Varies	Not required of all <sup>16</sup>
L Magistrate Court	1 yr	N/S	25	N/S	No	N/S <sup>17</sup>
L Municipal Court of Columbus	Yes	N/S	25	N/S	Yes	5 yrs state bar
L County Recorder's Courts	Varies	Yes	Varies	N/S	Yes	Varies
L Municipal and City Courts of Atlanta	Varies	N/S	Varies	Varies	Varies	Varies
<b>Hawaii</b>						
G Circuit Court	N/S	Yes	N/S	70	Yes	10 yrs state bar
L District Court	N/S	Yes	N/S	70	Yes	5 yrs state bar
<b>Idaho</b>						
G District Court	N/S	1 yr	N/S	N/S	Yes	10 yrs state bar
~ Magistrates Division	N/S	1 yr	30	N/S	Yes	5 yrs state bar
<b>Illinois</b>						
G Circuit Court	Yes	Yes	N/S	75	Yes	N/S
<b>Indiana</b>						
G Superior Court	Yes	1 yr	N/S	N/S	Yes	N/S
G Circuit Court	Yes	1 yr	N/S	N/S	Yes	N/S
G Probate Court	Yes	1 yr	N/S	N/S	Yes	N/S
L County Court	Yes	1 yr	N/S	N/S	Yes	N/S
L City Court	Yes	N/S	N/S	N/S	No	N/S
L Town Court	Yes	N/S	N/S	N/S	No	N/S
L Small Claims Court of Marion County	Yes	N/S	N/S	N/S	Yes <sup>18</sup>	N/S
<b>Iowa</b>						
G District Court	Yes	N/S	N/S	72	Yes	N/S
~ Magistrates	Yes	N/S	18	72	No	N/S
<b>Kansas</b>						
G District Court	Yes	N/S	N/S	70 <sup>19</sup>	Yes <sup>20</sup>	5 yrs state bar
L Municipal Court	N/S	N/S	18	N/S	Varies <sup>21</sup>	N/S
<b>Kentucky</b>						
G Circuit Court	2 yrs	2 yrs	N/S	N/S	Yes	8 yrs state bar
L District Court	2 yrs	2 yrs	N/S	N/S	Yes	2 yrs state bar
<b>Louisiana</b>						
G District Court	2 yrs	2 yrs	N/S	70	Yes	5 yrs state bar
G Family and Juvenile Court	2 yrs	2 yrs	N/S	70	Yes	5 yrs state bar
L Justice of the Peace Court	2 yrs	2 yrs	N/S	70	No	N/S
L Mayor's Court	N/S	N/S	N/S	N/S	No	N/S
L City and Parish Courts	2 yrs	2 yrs	N/S	70	Yes	5 yrs state bar
<b>Maine</b>						
G Superior Court	N/S	N/S	N/S	N/S	No	"Learned in the Law"
L District Court	N/S	Yes	N/S	N/S	Yes	State bar member
L Probate Court	N/S	Yes	N/S	N/S	Yes	State bar member
L Administrative Court	N/S	Yes	N/S	N/S	Yes	State bar member
<b>Maryland</b>						
G Circuit Court	6 mos	5 yrs	30	70	Yes	State bar member
L District Court	6 mos	5 yrs	30	70	Yes	State bar member
L Orphan's Court	1 yr	N/S	N/S	N/S	No	N/S

**Table 8. Qualifications to Serve as a Trial Court Judge**

Court Type	Local Residency	State Residency	Minimum Age	Maximum Age	Law Degree	Other Legal Qualifications
<b>Massachusetts</b> G = General jurisdiction L = Limited jurisdiction						
G Superior Court	N/S	N/S	N/S	70	No	N/S
L District Court	N/S	N/S	N/S	70	No	N/S
L Boston Municipal Court	N/S	N/S	N/S	70	No	N/S
L Juvenile Court	N/S	N/S	N/S	70	No	N/S
L Housing Court	N/S	N/S	N/S	70	No	N/S
L Land Court	N/S	N/S	N/S	70	No	N/S
L Probate and Family Court	N/S	N/S	N/S	70	No	N/S
<b>Michigan</b> G Circuit Court G Court of Claims L District Court L Probate Court L Municipal Court						
G Circuit Court	N/S	N/S	N/S	70	Yes	State bar member
G Court of Claims	N/S	N/S	N/S	70	Yes	State bar member
L District Court	N/S	N/S	N/S	70	Yes	State bar member
L Probate Court	N/S	N/S	N/S	70	Yes	State bar member
L Municipal Court	Yes	N/S	N/S	70	Yes	State bar member
<b>Minnesota</b> G District Court						
G District Court	N/S	N/S	N/S	70	Yes	State bar member
<b>Mississippi</b> G Circuit Court G Chancery Court L County Court L Family Court L Municipal Court L Justice Court						
G Circuit Court	N/S	5 yrs	26	N/S	Yes	5 yrs practice
G Chancery Court	N/S	5 yrs	26	N/S	Yes	5 yrs practice
L County Court	Yes	5 yrs	26	N/S	Yes	5 yrs practice
L Family Court	N/S	5 yrs	26	N/S	Yes	5 yrs practice
L Municipal Court	Yes	Yes	N/S	N/S	Yes <sup>22</sup>	N/S
L Justice Court	Yes	Yes	18	N/S	No	N/S
<b>Missouri</b> G Circuit Court ~ Associates L Municipal Court						
G Circuit Court	Circuit	State votes for 3 yrs	30	70	Yes	State bar member
~ Associates	County	Yes	25	70	Yes	State bar member
L Municipal Court	Determined by municipality	Yes	21	75 <sup>23</sup>	Varies	State bar member if population of 7,500 or more <sup>24</sup>
<b>Montana</b> G District Court G Workers' Compensation Court G Water Court L Justice of the Peace Court L Municipal Court L City Court						
G District Court	N/S	2 yrs	N/S	N/S	Yes	5 yrs state bar
G Workers' Compensation Court	N/S	N/S	N/S	N/S	Yes	N/S
G Water Court	N/S	2 yrs	N/S	N/S	Yes	5 yrs state bar
L Justice of the Peace Court	1 yr	N/S	N/S	N/S	No <sup>25</sup>	N/S
L Municipal Court	Yes	N/S	N/S	N/S	Yes	2 yrs state bar
L City Court	County	N/S	N/S	N/S	No	N/S
<b>Nebraska</b> G District Court L Separate Juvenile Court L Worker's Compensation Court L County Court						
G District Court	Yes	N/S	30	N/S	Yes	5 yrs practice
L Separate Juvenile Court	Yes	N/S	30	N/S	Yes	5 yrs practice
L Worker's Compensation Court	Yes	N/S	30	N/S	Yes	5 yrs practice
L County Court	Yes	N/S	30	N/S	Yes	5 yrs practice
<b>Nevada</b> G District Court L Justice Court L Municipal Court						
G District Court	N/S	2 yrs	25	N/S	Yes	N/S
L Justice Court	30 days	6 months	N/S	N/S	Varies	Varies
L Municipal Court	Varies	Varies	N/S	N/S	Varies	Varies
<b>New Hampshire</b> G Superior Court L District Court L Municipal Court L Probate Court						
G Superior Court	N/S	N/S	N/S	70	N/S	N/S
L District Court	N/S	N/S	N/S	70	Yes	State bar member
L Municipal Court	N/S	N/S	N/S	70	Yes	State bar member
L Probate Court	N/S	N/S	N/S	70	N/S	N/S
<b>New Jersey</b> G Superior Court L Tax Court L Municipal Court						
G Superior Court	26	26	N/S	70	Yes	10 yrs practice law
L Tax Court	N/S	N/S	N/S	70	Yes	10 yrs practice law
L Municipal Court	N/S	Yes	N/S	N/S	Yes	5 yrs practice law

**Table 8. Qualifications to Serve as a Trial Court Judge**

Court Type	Local Residency	State Residency	Minimum Age	Maximum Age	Law Degree	Other Legal Qualifications
<b>New Mexico</b>						
G District Court	Yes	3 yrs	35	N/S	Yes	6 yrs active practice
L Magistrate Court	Yes	Yes	18	N/S	No	N/S
L Bernalillo County Metropolitan	Yes	3 yrs	N/S	N/S	Yes	3 yrs active practice and state bar member
L Municipal Court	Yes	Yes	18	N/S	No	N/S
L Probate Court	Yes	Yes	18	N/S	No	N/S
<b>New York</b>						
G Supreme Court	N/S	Yes	18	70 <sup>27</sup>	Yes	10 yrs state bar
G County Court	County	Yes	18	70	Yes	5 yrs state bar
L District Court	Yes	Yes	18	70	Yes	5 yrs state bar
L City Court	Yes	Yes	18	70	Yes	5 yrs state bar
L Criminal Court of NYC	Yes	Yes	18	70	Yes	10 yrs state bar
L Town and Village	Yes	Yes	18	N/S	No	N/S
L Court of Claims	N/S	Yes	18	70	Yes	10 yrs state bar
L Surrogates' Court	County	Yes	18	70	Yes	10 yrs state bar
L Family Court	Yes	Yes	18	70	Yes	10 yrs state bar
<b>North Carolina</b>						
G Superior Court	~ <sup>28</sup>	~	N/S	72	~ <sup>29</sup>	State bar member
L District Court	Yes	~	N/S	72	~ <sup>29</sup>	State bar member
<b>North Dakota</b>						
G District Court	Yes	N/S	N/S	N/S	Yes	State bar member
L Municipal Court	Yes	N/S	N/S	N/S	N/S <sup>30</sup>	N/S <sup>30</sup>
<b>Ohio</b>						
G Court of Common Pleas	County	Yes	N/S	70	Yes	6 yrs practice
L Municipal Court	Territorial	Yes	N/S	70	Yes	6 yrs practice
L County Court	Territorial	Yes	N/S	70	Yes	2 yrs practice
L Court of Claims	N/S	Yes	N/S	No	Yes	~ <sup>31</sup>
L Mayors Court	N/S	Yes	N/S	No	No	N/S
<b>Oklahoma</b>						
G District Court	District	6 mos, if elected	N/S	N/S	Yes	~ <sup>32</sup>
Associate	County	6 mos, if elected	N/S	N/S	Yes	~ <sup>33</sup>
Special	N/S	Yes	N/S	N/S	No	N/S
L Municipal Criminal Court	N/S	Yes	N/S	N/S	No	~ <sup>33</sup>
L Municipal Court Not of Record	N/S	Yes	N/S	N/S	Yes	N/S
L Workers' Compensation Court	N/S	N/S	N/S	N/S	Yes	N/S
L Court of Tax Review	N/S	N/S	N/S	N/S	Yes	N/S
<b>Oregon</b>						
G Circuit Court	Yes	Yes	N/S	75	Yes	State bar member
G Tax Court	N/S	3 yrs	N/S	75	Yes	3 yrs state bar
L County Court	N/S	N/S	N/S	75	No	N/S
L Justice Court	1 yr	3 yrs	N/S	75	No	N/S
L Municipal Court	N/S	N/S	N/S	75	No	N/S
<b>Pennsylvania</b>						
G Court of Common Pleas	Yes	1 yr	N/S	70	Yes	State bar member
L Philadelphia Municipal Court	Yes	1 yr	N/S	70	Yes	State bar member
L District Justice Court	Yes	1 yr	N/S	70	No	Not required
L Philadelphia Traffic Court	Yes	1 yr	N/S	70	No	Not required
L Pittsburgh City Magistrates	Yes	Yes	N/S	70	No	Not required
<b>Puerto Rico</b>						
Court of First Instance:						
G Superior Court	N/S	N/S	N/S	70	Yes	7 yrs state bar
L District Court <sup>34</sup>	N/S	N/S	N/S	70	Yes	~ <sup>34</sup>
L Municipal Court	N/S	N/S	N/S	70	Yes	3 yrs State bar member

**Table 8. Qualifications to Serve as a Trial Court Judge**

Court Type	Local Residency	State Residency	Minimum Age	Maximum Age	Law Degree	Other Legal Qualifications
<b>Rhode Island</b> G = General jurisdiction L = Limited jurisdiction						
G Superior Court	N/S	N/S	N/S	N/S	Yes	State bar member
L District Court	N/S	N/S	N/S	N/S	Yes	State bar member
L Family Court	N/S	N/S	N/S	N/S	Yes	State bar member
L Probate Court	N/S	N/S	N/S	N/S	Yes	State bar member
L Municipal Court	N/S	N/S	N/S	N/S	Yes	State bar member
L Workers' Compensation Court	N/S	N/S	N/S	N/S	Yes	State bar member
L Administrative Adjudication Court	N/S	N/S	N/S	N/S	Yes	State bar member
<b>South Carolina</b>						
G Circuit Court	N/S	5 yrs	32	72	Yes	8 yrs state bar
L Family Court	N/S	5 yrs	32	72	Yes	8 yrs state bar
L Magistrate Court	N/S	5 yrs	21	72	No	No
L Probate Court	County elector	Citizen	21	N/S	No	No
L Municipal Court	N/S	N/S	N/S	N/S	No	No
<b>South Dakota</b>						
G Circuit Court	Yes	Yes	N/S	70	Yes	State bar member
~ Law Magistrates	Yes	Yes	N/S	N/S	Yes	State bar member
~ Lay Magistrates	Yes	Yes	N/S	N/S	No	H.S. graduate or GED
~ Clerk/Magistrates	Yes	Yes	N/S	N/S	No	H.S. graduate or GED
<b>Tennessee</b>						
G Circuit Court	1 yr	5 yrs	30	N/S	Yes	Qualified to practice law
G Chancery Court	1 yr	5 yrs	30	N/S	Yes	Qualified to practice law
G Criminal Court	1 yr	5 yrs	30	N/S	Yes	Qualified to practice law
G Probate Court	1 yr	5 yrs	30	N/S	Yes	Qualified to practice law
L Juvenile Court	1 yr	5 yrs	30	N/S	Yes	Qualified to practice law w/grandfathering provisions
L Municipal Court	1 yr	5 yrs	30	N/S	Yes	Qualified to practice law w/grandfathering provisions
L General Sessions Court	1 yr	5 yrs	30	N/S	Yes	Qualified to practice law w/grandfathering provisions
<b>Texas</b>						
G District Courts	2 yrs	N/S	25	75	Yes	Yes <sup>35</sup>
L Constitutional County Court	N/S	N/S	N/S	N/S	No	No
L County Courts at Law	2 yrs	N/S	25	N/S	Yes	Yes <sup>36</sup>
L Justice of the Peace Court	N/S	N/S	N/S	N/S	No	No
L Municipal Court	Varies	N/S	Varies	Varies	Varies	Varies
<b>Utah</b>						
G District Court	Yes	3 yrs	25	75	Yes	State bar member
L Justice Court	6 mos	3 yrs	25	75	No	N/S
L Juvenile Court	Yes	3 yrs	25	75	Yes	State bar member
<b>Vermont</b>						
G Superior Court	N/S <sup>38</sup>	5 yrs	N/S	70	Yes <sup>37</sup>	5 yrs state bar
G District Court	<sup>38</sup>	5 yrs	N/S	70	Yes	5 yrs state bar
G Family Court	<sup>39</sup>	~	~	~	~	~
L Probate Court	N/S	1 yr	N/S	70	No	N/S
L Environmental Court	N/S	5 yrs	N/S	70	Yes	5 yrs state bar
<b>Virginia</b>						
G Circuit Court	Yes	Yes	N/S	70	Yes <sup>40</sup>	5 yrs state bar
L District Court	Yes	Yes	N/S	70	Yes <sup>40</sup>	5 yrs state bar
<b>Washington</b>						
G Superior Court	1 yr	1 yr	N/S	75	Yes	State bar member
L District Court	1 yr	1 yr	N/S	75	Yes <sup>41</sup>	N/S
L Municipal Court	County	N/S	N/S	N/S	Yes <sup>41</sup>	N/S
<b>West Virginia</b>						
G Circuit Court	Yes	Yes	30	N/S	Yes	5 yrs state bar
L Magistrate Court	Yes	Yes	21	N/S	<sup>42</sup>	N/S
L Municipal Court	No	Yes	N/S	N/S	No	N/S



**Table 8. Qualifications to Serve as a Trial Court Judge**

Court Type G = General jurisdiction L = Limited jurisdiction	Local Residency	State Residency	Minimum Age	Maximum Age	Law Degree	Other Legal Qualifications
<b>Wisconsin</b>						
G Circuit Court	10 days	10 days	N/S	N/S	Yes	5 yrs state bar
L Municipal Court	10 days	10 days	N/S	N/S	Locally determined	Locally determined
<b>Wyoming</b>						
G District Court	N/S	2 yrs	28	70	Yes	N/S
L Justice of the Peace Court	N/S	Yes	N/S	N/S	No	N/S
L Municipal Court	N/S	N/S	N/S	N/S	No	N/S
L County Court	N/S	N/S	N/S	N/S	Yes	N/S
<b>Federal</b>						
US District Court Judges	Yes <sup>43</sup>	~	N/S	N/S	N/S	N/S
US Magistrate Judges	~	~	N/S	70 <sup>44</sup>	N/S	5 yrs state bar <sup>45</sup>
US Bankruptcy Judges	Yes <sup>43</sup>	~	N/S	N/S	N/S	and 5 yrs practice N/S

**FOOTNOTES:**

**Alabama:**

<sup>1</sup>The age prohibition of §6.16 is not a qualification for office, but only deals with retirement.

<sup>2</sup>One of probate judgeships in Jefferson County requires that judge be learned in the law, a minimum age of 25 and resident of county for one year.

**Alaska:**

<sup>3</sup>District Court: trial judge must have three years practice or have served as a magistrate for seven years.

<sup>4</sup>Magistrates serve in district court.

**Arizona:**

<sup>5</sup>The tax court is a department of the Superior Court; it is not a separate court.

**Colorado:**

<sup>6</sup>County Court: a law degree is required in metropolitan areas.

**Connecticut:**

<sup>7</sup>Probate Court: must be an elector of a town within the district.

**Delaware:**

<sup>8</sup>There are local residency requirements for the Chief Judge of family court.

<sup>9</sup>Alderman's Court: in the city of Newark, a law degree is required.

**District of Columbia:**

<sup>10</sup>Superior court: judge must also be an active member of the unified District of Columbia bar and have been engaged, during the five years immediately preceding the judicial nomination, in the active practice of law in the District, or the faculty of a law school in the District, or employed as an attorney by the United States, or District of Columbia government.

**Florida:**

<sup>11</sup>Circuit court: must reside within the territorial jurisdiction of the court.

<sup>12</sup>County court: judges must reside within the territorial jurisdiction of the court.

**Georgia:**

<sup>13</sup>Superior court: there is no maximum age stated; however, judges who are members of the 1976 retirement plan and serve beyond age 75 may not be eligible for retirement benefits.

<sup>14</sup>State court: no maximum age stated; however, if a member of the Trial Judges Retirement Plan after 1/1/80 and serves beyond age 70, benefits are forfeited.

<sup>15</sup>The minimum age requirement for probate judges is 25. If law practice is required, the minimum age is 30.

<sup>16</sup>Where the population exceeds 96,000, the probate judge must have practiced law for seven years.

<sup>17</sup>Magistrate court: the laws of local application may provide for additional legal qualifications.

**Indiana:**

<sup>18</sup>Small Claims Court of Marion County: a law degree is required unless a non-attorney judge has been grandfathered in.

**Kansas:**

<sup>19</sup>Judge may complete term in which he/she attains age 70.

<sup>20</sup>District court: a law degree is required for 149 of 218 judgeships. The remaining sixty-nine judgeships are district magistrate judges, not required to have a law degree, but must be certified by the supreme court if not an attorney.

<sup>21</sup>Municipal courts require admission to practice law in Kansas in first class cities (24); other municipal judges and district magistrate judges are required to be certified as qualified to serve by the supreme court, if not admitted to practice law in Kansas.

**Mississippi:**

<sup>22</sup>For cities over 10,000 population.

**Missouri:**

<sup>23</sup>Maximum age reduced to 70 effective 8/28/93.

<sup>24</sup>If not an attorney, must complete course prescribed by supreme court.

**Montana:**

<sup>25</sup>Justice of the peace court: although a law degree is not required, the judges may be attorneys, must have served in judicial capacity for at least 5 years; and passed the certification exam (the requirement of passing the certification exam may be waived by the supreme court).

**New Jersey:**

<sup>26</sup>Superior court: out of a total of 416 authorized judgeships (including thirty-three in the appellate division), there are 274 restricted superior court judgeships that require residence within the particular county of assignment at time of appointment and reappointment; there are 142 unrestricted judgeships for which assignment of county is made by the chief justice.

**New York:**

<sup>27</sup>Supreme court: the maximum age of 70 may be extended up to three intervals of two years each.

**North Carolina:**

<sup>28</sup>Yes, resident judges. No, special judges.

<sup>29</sup>Law degree not required if elected prior to January 1, 1981.

**North Dakota:**

<sup>30</sup>Municipal court: a law degree and state bar membership is required in cities with over 3,000 population.

**Ohio:**

<sup>31</sup>Must be incumbent or retired judges, justices of supreme court, court of appeals, or court of common pleas.

**Oklahoma:**

<sup>32</sup>District court: judges must be a state bar member for four years or a judge of court of record.

<sup>33</sup>Associate judges and municipal court of records: judges must be a state bar member for two years or a judge of court record.

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## Table 8—Qualifications to Serve as a Trial Court Judges

### **Puerto Rico:**

<sup>34</sup>The 1994 Judiciary Act states that upon expiration of a district judge term the position turns into a superior court judge until district court judges positions are all converted into superior judges positions.

### **Texas:**

<sup>35</sup>District court: judges must have been a practicing lawyer or a judge of a court in this state, or both combined, for four years.

<sup>36</sup>County court at law: judges must be a licensed attorney in this state who has practiced law or served as a judge at a court in this state, or both combined, for at least four years, unless otherwise provided for by law.

### **Vermont:**

<sup>37</sup>Required only for superior court judges; not for assistant judges.

<sup>38</sup>Must reside in geographic unit.

<sup>39</sup>Superior or district court judges are assigned to serve as family court judges; qualifications are the same.

### **Virginia:**

<sup>40</sup>Circuit/district courts: judges must have a law degree or have completed an approved three-year course of study under the supervision of a practicing attorney.

### **Washington:**

<sup>41</sup>Statute allows non attorneys to serve in districts less than 5,000 population, after being certified on a qualifying examination.

### **West Virginia:**

<sup>42</sup>Magistrate court: all magistrates must take a course in rudimentary principles of law before assuming duties.

### **Federal:**

<sup>43</sup>District residency is required, except in the District of Columbia, and the Southern and Eastern Districts of NY.

<sup>44</sup>For initial appointment, must not be 70 years or older. However, a magistrate judge may continue to serve and be reappointed after age 70 upon a majority vote of the active district judges of the court, which is taken when the judge reaches age 70 and upon each anniversary thereafter.

<sup>45</sup>The bar requirement may be waived for a part-time magistrate judge if the appointing court and the Judicial Conference of the US determine that no qualified individual who is a member of the bar is available to serve at a specific location.

**Table 9. Judicial Nominating Commissions**

	Name of Commission	Offices Encompassed	Authorization	Year Established	Interim	Full	Retention
Alabama	Judicial Commission	Jefferson County Circuit Court, Madison County Circuit and District Court, Tuscaloosa County Circuit and District Court, Mobile County Circuit and District Court	Jefferson County Authorization: 2 Constitutional Amendments; Madison County Authorization: Constitutional Amendments and Local Act; Mobile County Authorization: Constitutional Amendment; Tuscaloosa County Authorization: Local Act	Jefferson County, 1950; Madison County, 1973; Mobile County, 1982; Tuscaloosa County, 1990	Yes	No	No
Alaska	Judicial Council	Supreme Court, Court of Appeals, Superior Court, and District Court	Constitutional and Statutory	1959	~	Yes	No
Arizona	Commission on Appellate Court Appointments, Maricopa County Commission on Trial Court Appointments; Pima County Commission on Trial Court Appointments	Arizona Supreme Court Court of Appeals Superior Court in Maricopa County Superior Court in Pima County	Constitutional	1974	Yes	Yes	No
Colorado	Appellate Court Nominating Commission, Judicial District Nominating Commission	Appellate Court Nominating Committee: Supreme Court and Court of Appeals; Judicial District Nominating Committee: District and County Courts (except Denver County Court)	Constitutional	1966	~	Yes	No
Connecticut	Judicial Selection Commission	Supreme, Appellate, and Superior Courts	Constitutional	1986	Yes	Yes	Yes
Delaware	Judicial Nominating Committee Magistrates Screening Committee	Judicial Nominating Committee: All, including Chief Magistrate (not JOP); Magistrate Screening Committee: Justices of the Peace (except Chief Magistrate)	Executive order	1979	Yes	Yes	Yes
District of Columbia	Judicial Nomination Commission	Court of Appeals and Superior Court	Statutory	1973	~	Yes	Yes
Florida	Supreme Court Nominating Committee; District Courts of Appeal Nominating Committee; Circuit Judicial Nominating Committee	Appellate Court Nominating Committee, Supreme Court and District Court of Appeal Circuit, County Court Nominating Committee Circuit Judicial	Appellate: Constitutional; Circuit Constitutional	Appellate: 1973; Circuit: 1973	Appellate: Yes; Circuit: Yes	Appellate: Yes; Circuit: No	Appellate: No; Circuit: No
Georgia	Judicial Nominating Commission	Supreme Court, Court of Appeals, Superior, State Court: All where Governor appoints or fills vacancies	Executive Order	1973	Yes	No <sup>1</sup>	No
Hawaii	Judicial Selection Commission	Supreme Court, Intermediate Court of Appeals, Circuit, Family, and District Courts	Constitutional	1978	~	Yes	Yes
Idaho	Judicial Council	Supreme Court, Court of Appeals, and District Court Judges	Statutory	1967	Yes	No <sup>2</sup>	No

Legend: ~ = Not applicable

**Table 9. Judicial Nominating Commissions**

	Name of Commission	Offices Encompassed	Authorization	Year Established	Interim	Full	Retention
Indiana	Judicial Nominating Commission	Supreme Court, Court of Appeals, and Tax Court	Constitutional	1970	~	Yes	No
Iowa	Judicial Nominating Commission and District Judicial Nominating Commission	JNC: Supreme Court and Court of Appeals; DJNC: District Court	JNC: Constitutional, DJNC: Constitutional and statutory	1962	Yes	Yes	No
Kansas	Appellate: Supreme Court and Court of Appeals Nominating Commissions; Trial Court: District Judicial Nominating Commission	Appellate: Supreme Court and Court of Appeals; DJNC: District Court	Both: Constitutional and Statutory, Statutory (IAC) and Trial Courts	Appellate: 1959 (Supreme Ct), 1976 (Court of Appeals); Trial Court: 1975	Appellate: Yes; Trial Court: Yes	Appellate: Yes; Trial Court: Yes	Both: No
Kentucky	Judicial Nominating Commission	Supreme Court, Court of Appeals, Circuit Court, and District Court	Constitutional	Ratified: Nov. 1975 Effective: 1/76	Yes	No	No
Maryland	Appellate Judicial Nominating Commission and Trial Courts Judicial Nominating Commission	Appellate Court Nominating Commission: Judges of the Court of Appeals and Court of Special Appeals; Trial Courts Judicial Nominating Commission: Judges of the Circuit Courts and the District Court	Executive order	1970 <sup>3</sup>	Yes	Appellate: Yes; Trial: Yes	Appellate: No; Trial: No; Circuit: Yes; District: No
Massachusetts	Judicial Nominating Commission	Justices of the Supreme Judicial Court, Appeals Court, and Trial Court of the Commonwealth; some clerk-magistrates	Executive order	Temporarily 1972 Permanently 1975	~	Yes	~
Minnesota	Judicial Nominating Committee	District Court	Statutory	~	Yes	No <sup>4</sup>	No
Missouri	Appellate Judicial Commission; and Circuit Judicial Commission	Appellate: Supreme Court and Court of Appeals; Circuit: Circuit Court	Constitutional	Appellate: 1940; Circuit: varies	~	Yes	No
Montana	Judicial Nominating Committee	Supreme Court, District Court, Workers' Compensation Court, and Water Court	Statutory (from earlier survey)	1973	Yes	Yes, Workers' Compensation Court and Water Court only	Yes, Workers' Compensation Court and Water Court only
Nebraska	Judicial Nominating Commission	All Nebraska courts	Constitutional	1962	~	Yes	No
Nevada	Commission on Judicial Selection	Supreme Court and District Court	Constitutional	1976	Yes	No	No
New Mexico	Appellate Judges Nominating Commission; District Judges Nominating Committee; Metropolitan Court Judges Nominating Committee	Supreme Court, Court of Appeals, District Courts, and Metropolitan Court	Constitutional	1988	Yes	Yes	No
New York	Court of Appeals Nominating Commission	Court of Appeals	Constitutional and Statutory	1978	No	Yes	No
	State Judicial Screening Committee	Court of Claims	Executive Order	1983	Yes	Yes	Yes
	Departmental Judicial Screening Committee	Appellate Divisions of Supreme Court and Supreme Court	Executive Order	1983	Supreme Court only	Appellate Division only	Yes

**Table 9. Judicial Nominating Commissions**

	Name of Commission	Offices Encompassed	Authorization	Year Established	Interim	Full	Retention
New York, continued	County Judicial Screening Committee	County, Surrogates', and Family (outside NYC) Courts	Executive Order	1983	County, Surrogates', Family (outside NYC)	No	Yes
	Mayor's Committee on the Judiciary	Criminal, Civil, and Family Courts	Executive Order (mayor)	~	Yes	Yes (Criminal, Family only)	No
North Dakota	Judicial Nominating Committee	Supreme and District Courts	Constitutional: Supreme Court and District Courts	1981	Yes	No	No
Oklahoma	Judicial Nominating Committee	Supreme Court, Court of Appeals, Court of Criminal Appeals, District Court, and Workers' Compensation Court	Constitutional: Supreme Court and Court of Criminal Appeals; Statutory: Court of Appeals, District Court, and Workers' Compensation Court	1967	Yes	No	No
Pennsylvania	Office of General Counsel for Governor Judicial Advisory Commission	Office of General Counsel Appellate Court Judges Judicial Advisory Commission Trial Court Judges	Executive Order 1995-1 (dated 2/27/95)	When need arises	Yes	No	No
Rhode Island	Judicial Nominating Commission	~	~	~	~	~	~
South Carolina	Judicial Merit Selection Commission	Supreme Court of Appeals, Circuit and Family	~	~	~	~	~
South Dakota	Judicial Qualifications Committee	Supreme and Circuit Courts	Constitutional	1980	Yes	No	No
Tennessee	Judicial Section	Supreme Court, Court of Appeals, Court of Criminal Appeals	Statutory	1971	Yes	No	No
Utah	Appellate Court Nominating Commission, Trial Court Nominating Commission <sup>5</sup>	Supreme Court, Court of Appeals, District Court, and Juvenile Court	Constitutional (statutory for composition)	1984	Yes	Yes	No
Vermont	Judicial Nominating Commission	Supreme, Superior, District, and Environmental Courts and Family Court magistrates	Constitutional and Statutory	1967	Yes	Yes	No
Wisconsin	Governor's Advisory Committee on Judicial Selection	Supreme Court, Court of Appeals, and Circuit Court	Executive Order	~	Yes	No	No
Wyoming	Judicial Nominating Committee	Supreme, District, and County Court	Constitutional	1972	Yes	Yes	No

Note: Only those states with Judicial Nominating Commissions appear on this table.

**FOOTNOTES:**

**Georgia:**

<sup>1</sup>Frequently the governor makes an initial appointment for a new judgeship, dependent upon the legislation.

**Idaho:**

<sup>2</sup>If a new position is created, applicants are screened by the judicial council.

**Maryland:**

<sup>3</sup>The first nominating commissions were established in 1970; however, additional commissions have been instituted since that time and the commissions restructured.

**Minnesota:**

<sup>4</sup>If a new position is created, applicants are screened by the judicial council.

**Utah:**

<sup>5</sup>There is a trial court nominating commission for each of eight judicial districts.

**Table 10. Provisions for Mandatory Judicial Education**

	General Jurisdiction Judges					
	Initial/Pre-Bench Education			Continuing Education		
	Required	Mandated Hours	Sources of Funding	Required	Annual Mandated Hours	Sources of Funding
Alabama	■	None	S	■	None	S
Alaska		None	S	■	None	S <sup>1</sup>
Arizona	■	60 <sup>3</sup>	S/M/T	■	16	S/M/T
Arkansas	6	None	S	■	12	S
California	■	168	S		None	S/M
Colorado	■ <sup>7</sup>	None	S	■ <sup>8</sup>	15	S
Connecticut	■	101 <sup>9</sup>	S	■	24 <sup>9</sup>	S
Delaware	13	None	~	■	30	S
District of Columbia		None	~		None	~
Florida	■	80	F	■	10	S/F
Georgia	■	12	S	■	12	S
Hawaii		None	~	■	32	S
Idaho		None	~	■	None	S
Illinois	■	None	S		None	~
Indiana	16	None	S	■	36	S/M/T
Iowa	17	None	S	■	15	S
Kansas	■	None	S	■	12	S/F
Kentucky	■	25	S	■	25 <sup>18</sup>	S
Louisiana	19	None	~	■	15	T
Maine	20	None	~	20	None	~
Maryland	■	None	S	■	28	S
Massachusetts	21	None	S	21	None	S
Michigan	■	56	S	■	12	S
Minnesota	■	None	S	■	15	S
Mississippi	■	N/S	F	■	12	S/F
Missouri		None	S		15	S
Montana		None	~	■	15	S
Nebraska		None	S		None	S
Nevada	■	120	F	■	12	M/F
New Hampshire	■	None	S	■	12	S
New Jersey	■	70	S	■	15	S
New Mexico		None	~	■	15	S/F/T
New York	■	35	N/S	■	12 <sup>22</sup>	S
North Carolina	■	15 <sup>23</sup>	S	■	15 <sup>24</sup>	S
North Dakota	■	40	S	■	15	S
Ohio		None	S	■	20	S/M/T
Oklahoma		None	~	■	12	S
Oregon		None	~	■	45 <sup>25</sup>	~
Pennsylvania	■	40	S		None	~
Puerto Rico	■	None	S	■	None	S
Rhode Island	■ <sup>28</sup>	None	S	■	10	S
South Carolina	■	17	S	■	15 <sup>29</sup>	S/T
South Dakota		None	~	■	None	S
Tennessee		None	S	■	15	S
Texas		30	S <sup>30</sup>	■	16	S/M <sup>30</sup>
Utah	■	None	S	■	30	S
Vermont	■	100	S	■	64	S
Virginia	■	86	S	■	12	S
Washington	■ <sup>32</sup>	None	S	■ <sup>32</sup>	15	S
West Virginia	■	None	S	■	15	S
Wisconsin	■	30	S	■	30	S
Wyoming		None	~	■	15	S

Legend: ~ = Not Applicable, N/S = None Stated, S = State, M = Local, F = Fees, T = Tuition, ■ = Yes

**Table 10. Provisions for Mandatory Judicial Education**

	Limited Jurisdiction Judges					
	Initial/Pre-Bench Education			Continuing Education		
	Required	Mandated Hours	Sources of Funding	Required	Annual Mandated Hours	Sources of Funding
Alabama	■	None	S	■	None	S
Alaska		None	S	■	None	S <sup>2</sup>
Arizona	■	75 <sup>4</sup>	S/M/T	■	16	S/M/T
Arkansas		None	S	■	12	S
California	■	168	S	■	None	S/M
Colorado	■ <sup>7</sup>	None	S	■ <sup>8</sup>	15	S
Connecticut	■	20	~ <sup>10</sup>	■	15	~ <sup>10</sup>
Delaware	■	375	S	■	30	S
District of Columbia	~	~	~	~	~	~
Florida	■	80	F	■	10	M/F
Georgia	■	N/S <sup>15</sup>	S/M/F	■	N/S <sup>15</sup>	S/M/F
Hawaii		None	~	■	32	S
Idaho		None	~	■	None	S
Illinois	~	~	~	~	~	~
Indiana	~ <sup>16</sup>	None	S/M	■	36	S/M/T
Iowa	■	13	S	■	15	S
Kansas	■	None	S	■	12	S
Kentucky	■	25	S	■	25 <sup>18</sup>	S
Louisiana		None	~	■	15	T
Maine	~ <sup>20</sup>	None	~	~ <sup>20</sup>	None	~
Maryland	■	None	S	■	28	S
Massachusetts	~ <sup>21</sup>	None	S	~ <sup>21</sup>	None	S
Michigan	■	56	S	■	12	S
Minnesota	~	~	~	~	~	~
Mississippi	■	32	F	■	18	F
Missouri		None	S	■	15	S
Montana		None	~	■	None	M
Nebraska		None	S		None	S
Nevada	■	80	F	■	1	M/F
New Hampshire	■	None	S	■	12	S
New Jersey	■	24	S/M	■	6	S/M
New Mexico	■	40	S/F	■	15	S/F
New York	■	35	S	■	12 <sup>22</sup>	S
North Carolina	■	15 <sup>23</sup>	S	■	15 <sup>24</sup>	S
North Dakota	■	16	M	■	8	M
Ohio		None	S	■	20	S/M/T
Oklahoma		None	~		None	~
Oregon	~ <sup>26</sup>	None	~		None	~
Pennsylvania	■	160 <sup>27</sup>	S		32	S
Puerto Rico	■	None	S	■	None	S
Rhode Island	■ <sup>28</sup>	None	S	■	10	S
South Carolina	■	22	S	■	15 <sup>29</sup>	S/T
South Dakota		None	~	■	None	S
Tennessee		None	S/M	■	15	S/M
Texas		30	S <sup>30</sup>	■	16	S/M <sup>30</sup>
Utah	■	None	S	■	30	S/T
Vermont	■	100	S	■	64	S
Virginia	■	86	S	■	12	S
Washington	■ <sup>32</sup>	None	S	■ <sup>32</sup>	15	S
West Virginia	■	None	S	■	None	S
Wisconsin	■	12	M	■	12	M
Wyoming		None	~	■	15	S

Legend: ~=Not Applicable, N/S=None Stated, S=State, M=Local, F=Fees, T=Tuition, ■=Yes

**Table 10. Provisions for Mandatory Judicial Education**

	Appellate Court Judges					
	Initial/Pre-Bench Education Mandated			Continuing Education Annual Mandated		
	Required	Hours	Sources of Funding	Required	Hours	Sources of Funding
Alabama		None	~		None	~
Alaska		None	S	■	None	S
Arizona	■	~ <sup>5</sup>	~	■	16	S/T
Arkansas	6	None	S	■	12	S
California	■	None	S		None	S
Colorado	7	None	~	■ <sup>8</sup>	15	S
Connecticut	11	None	~		None	~
Delaware	13	None	~	■	30	S
District of Columbia	14	None	~	14	None	~
Florida	■	40	F	■	10	F
Georgia		None	~	■	12	S
Hawaii		None	~		None	~
Idaho		None	~	■	None	S
Illinois		None	~		None	~
Indiana	16	None	S	■	36	S/T
Iowa		None	~	■	15	S
Kansas		None	S	■	12	S
Kentucky		None	~	■	25 <sup>18</sup>	S
Louisiana		None	~	■	15	T
Maine	20	None	~	20	None	~
Maryland	■	None	S	■	28	S
Massachusetts	21	None	S		None	S
Michigan		None	~	■	12	S
Minnesota		None	S	■	15	S
Mississippi	■	None	S/F	■	12	S/F
Missouri		None	S		15	S
Montana		None	~	■	15	S
Nebraska		None	S		None	S
Nevada		None	~	■	12	S
New Hampshire		None	~	■	12	S
New Jersey		None	~	■	15	S
New Mexico		None	~	■	15	S/F/T
New York		None	~	■	12 <sup>22</sup>	S
North Carolina		None	~	■	15 <sup>24</sup>	S
North Dakota		None	~	■	15	S
Ohio		None	S	■	20	S/M/T
Oklahoma		None	~		12	S
Oregon		None	~	■	45	T
Pennsylvania		None	~		None	~
Puerto Rico	■	None	S	■	None	S
Rhode Island	■ <sup>28</sup>	None	S	■	10	S
South Carolina	■	6	S	■	15 <sup>29</sup>	S/T
South Dakota		None	~	■	None	S
Tennessee		None	S	■	15	S
Texas		30	S	■	16	S/M
Utah		None	~	■	30	S
Vermont	■	50	S	■ <sup>31</sup>	64	S
Virginia		None	~	■	12	S
Washington		None	S		None	S
West Virginia		None	~		None	~
Wisconsin		None	S	■	30	S
Wyoming		None	~	■	15	S

Legend: ~ = Not Applicable, N/S = None Stated, S = State, M = Local, F = Fees, T = Tuition, ■ = Yes



**Table 10. Provisions for Mandatory Judicial Education**

**FOOTNOTES:**

**Alaska:**

<sup>1</sup>Court conducts annual judicial training at the Judicial Conference—Mandatory. CLE credits given if curriculum is co-developed with Alaska Bar Association. New judges are sent to National Judicial College, if funding is available, in first year of appointment to the bench.

<sup>2</sup>Magistrates have in-state training course and annual conference.

**Arizona:**

<sup>3</sup>One program—several days.

<sup>4</sup>One program—several days.

<sup>5</sup>Done individually—varies.

**Arkansas:**

<sup>6</sup>AOC provides pre-bench training and all judges attend, but it is not required.

**Colorado:**

<sup>7</sup>Initial/pre-bench education is a one-time training.

<sup>8</sup>Continuing education is the requirement of the Colorado Bar Association, which requires forty-five hours every three years for all members.

**Connecticut:**

<sup>9</sup>There is no credit based requirement in Connecticut.

<sup>10</sup>Funding comes from a probate administration fund. This is public money.

<sup>11</sup>Although not mandatory, many new appellate judges participate in initial appellate conferences/seminars.

<sup>12</sup>Although not mandatory, many of the appellate judges attend the annual New England Appellate Judges Conference.

**Delaware:**

<sup>13</sup>Delaware is currently developing a pre-bench orientation program for newly appointed judges.

**District of Columbia:**

<sup>14</sup>By statute, the Chief Judge of the Appellate Court is required to hold an annual judicial training conference.

**Georgia:**

<sup>15</sup>Varies.

**Indiana:**

<sup>16</sup>Initial or pre-bench education is not required, but is provided through the Indiana Judicial Center.

**Iowa:**

<sup>17</sup>Offered but not required by law or rule. Most all new judges attend the two-day in-state program and a three-week course at the National Judicial College.

**Kentucky:**

<sup>18</sup>In a two-year period.

**Louisiana:**

<sup>19</sup>Strongly encouraged, but not mandatory.

**Maine:**

<sup>20</sup>Although neither pre-bench or continuing education is required, our Judicial Education Committee budgets for our judges to attend courses at the National Judicial College and elsewhere and offers a number of seminars for the education of judges.

**Massachusetts:**

<sup>21</sup>The Judicial Institute, a statutory body integrated into the organization of the Administrative Office of the Trial Court, conducts educational and training programs. The Judicial Institute is funded by state appropriations. The Flaschner Institute, a non-governmental charitable corporation supported by contributions, grants and contracts, also conducts educational programs for MA judges. While no requirement for on-going judicial education exists, judges are mandated to participate in specified programs and courses developed and identified on the basis of current and future needs of the system. The number of mandated programs varies each year.

**New York:**

<sup>22</sup>Biannual cycle—24 hours are required every two years.

**North Carolina:**

<sup>23</sup>Every judge in the general jurisdiction court and the limited jurisdiction court is required to attend a course of instructional orientation for new judges within the first year after appointment or election, which counts toward the thirty-hour biennial continuing education requirements.

<sup>24</sup>Every justice or judge is required to complete thirty hours biennially of continuing legal or judicial education and at least twenty hours of it shall be judicial education.

**Oregon:**

<sup>25</sup>Same for all lawyers/judges: a mandatory CLE requirement through state bar and rules approved by state Supreme Court. No separate "judge" CLE requirement.

<sup>26</sup>No, none mandatory; but AOC offers a two-week "New Judge Orientation" program that is strongly encouraged and most attend.

**Pennsylvania:**

<sup>27</sup>Four-week certification course and test must be completed. Members of the Pennsylvania Bar are exempt from the course and the test.

**Rhode Island:**

<sup>28</sup>The pre-bench requirement is attendance at the National Judicial College.

**South Carolina:**

<sup>29</sup>Annual Judicial Conference (8 hours).

**Texas:**

<sup>30</sup>There is a \$1.00 assessment in all criminal convictions. This money goes into a fund, Fund 540, which is specifically allocated for Judicial and Court Support Personnel Training. The Court of Criminal Appeals includes in its appropriations request to the legislature, a line item for Fund 540. These funds are then available, through a grant application process, to various judicial education entities in the state.

**Vermont:**

<sup>31</sup>Continuing education for appellate court judges, while not mandated, is available and provided on an as-needed basis.

**Washington:**

<sup>32</sup>Education requirements are set forth in judicial association by-laws. No sanctions exist for non-compliance.

**Table 11. Judicial Performance Evaluation**

	Name/ Authorization	Evaluation Procedures	Evaluation Committee	
			Duties	Membership
Alaska	Alaska Judicial Council/ Statutes: §22.05.100 §22.07.060 §22.10.150 §22.15.155	Uses evaluation forms completed by court participants. Only judges up for retention election are evaluated.	The judicial council will conduct an evaluation of each judge in time for inclusion in the election pamphlet when a judge is up for retention election. These pamphlets are mailed to every registered Alaskan voter.	7 members: 3 state bar appointed attorneys; 3 non-attorneys, and the Chief Justice of the Supreme Court.
Arizona	Arizona Const. Art.6, Section 42	Anonymous survey forms distributed to court participants seeking evaluation of a judge's abilities and skills (includes anonymous narrative comments). Also public comment and hearings, all of which result in a factual report issued in the judge's election year.	Develop, review, and recommend written performance standards by which judicial performance is to be evaluated. Create and supervise a system of periodic review of judges. Identify areas in need of improvement. Request public comment on performance of all judges. Prepare a report for voters.	30 members: includes the public, lawyers, and judges.
Colorado	State Commission on Judicial Performance/ §13-5.5-101	State Commission (for appellate judges) or District Commission (for trial judges) prepares evaluation profile on each judge standing for re-election and provides this to the public.	Develops techniques, guidelines, and forms for judicial evaluation and dissemination of information to public; develops and distributes surveys to court participants, and promulgates rules for effectuating duties. Performs judicial evaluations. Colo. Rev. Stat. §§13-5.5-103, 105.	10 members each: 4 attorneys, 6 non-attorneys. 4 year terms.
Connecticut	Judicial Selection Commission/ §51-44a	Investigation and interview of judge's skills resulting in a recommendation for reappointment or a hearing to further examine judge's abilities.	Seeks qualified candidates for the Governor to consider nomination; evaluates incumbent judges who seek reappointment.	12 members; six attorneys and six non-attorneys appointed by legislative leaders.
District of Columbia	D.C. Commission on Judicial Disabilities and Tenure/Title 11 Appx. IV433	Written evaluation when active associate judge declares himself/herself a candidate, and requests reappointment to another fifteen year term. Committee must determine if he/she is well qualified (automatic reappointment); qualified (subject to nomination and approval); or unqualified.	The Commission's jurisdiction embraces four areas: (1) a judge's conduct warranting disciplinary action, (2) involuntary retirement of a judge due to a physical or mental disability, (3) evaluation of a judge at the end of his/her term and who seeks reappointment to another term, (4) fitness review of a judge who retires and wishes to continue his/her judicial service as a senior judge.	7 members. All serve 6 year terms except the President's appointee who serves a 5 year term. 1 member is appointed by the President of the U.S.; 2 are appointed by the Mayor, 1 of which must be an attorney; 1 is appointed by the City Council of D.C.; and 1 is appointed by the Chief Judge of the U.S. District Court for D.C. All must be residents of D.C.
Florida	Joint project of the state judiciary and the Florida Bar; authorized by the supreme court	A confidential means by which attorneys can communicate perceived strengths and weaknesses of judicial performance, thereby assisting the judges in eliminating weaknesses and enhancing strengths. Participation is voluntary	Committee developed the process only. The evaluation forms go directly to the judge, no committee reviews the evaluations. The evaluations are confidential under Florida Rule of Judicial Administration 2.051(c)(4).	~
Hawaii	Judicial Performance Committee (Supreme Court, Rule 19)	Confidential attorney-completed questionnaires.	To improve individual judges' performance; to provide information for retention and appointment decisions; to facilitate the effective assignment of judges; to improve judicial education programs; to help the chief justice with administrative responsibilities.	Supreme Court special committee on judicial performance; 13 members appointed by the chief justice.

**Table 11. Judicial Performance Evaluation**

	Name/ Authorization	Evaluation Procedures	Evaluation Committee	
			Duties	Membership
Illinois	Planning and Oversight Committee for a Judicial Performance Evaluation Program/SCR58	Must be confidential. Details of evaluation procedure determined by contractee (currently Loyola University).	Improvement of Judiciary as a whole through confidential evaluation. Contracts out actual evaluation (currently Loyola University).	N/S
Maryland	Judicial Administration Section Council/ State Bar Association	Exit polling of attorneys	Development and Implementation of an evaluation process	Eighteen members of the State Bar Association
Massachusetts	Supreme Judicial Court/ 211§26 to 26b	Anonymous questionnaires given to court participants in a representative sample of cases. Completed evaluation shall be available to judge and discussed with him.	Design and implement program for performance evaluation of judges. Evaluate judges with 4 years experience once every 12-18 months, evaluate judges with > 4 years experience every 18-36 months. Design programs for judges who do not meet standards.	Supreme Judicial Court and Chief Justice for administration and management.
Michigan	Supreme Court/ §600.238	Trial Court Performance Standards Commission appointed by Supreme Court to develop performance standards.	Develop standards for evaluating courts.	N/S
Minnesota	Joint Supreme Court, Conference of Chief Judges, and Minnesota District Judges Association Committee	Each judicial district has developed an individualized process with varying procedures. All processes are voluntary. The Appellate Court review process is expected to be implemented in July 1999.	The joint committee offers technical assistance to judges and districts.	Trial and appellate court judges
Nebraska	State Bar Association	Survey of attorneys	N/S	N/S
New Hampshire	Trial Court Administrative Judge	Anonymous questionnaires given to court staff and constituents supplemented with self-assessment questionnaires. Administrative Judge reviews results with Judge being evaluated.	Design and implement periodic judicial performance evaluations; confer with evaluated judge, including recommended changes, training, and education	Administrative Judge
New Jersey	Judicial Performance Committee/ RGA 1:35A-1	During review period for a judge (about 9 months), anonymous surveys are sent to all attorneys who appeared before that judge and to appellate judges who have heard a case from that judge.	Administer the Judicial Performance Program; evaluate judges and educational programs to enable judges to improve their performance.	At least 6 judges, 3 attorneys, 2 members of public with additional number of people fixed by Supreme Court 3-year terms.
Puerto Rico	Judicial Evaluation Commission	Evaluates judges every 3 years.	Performs evaluations; surveys attorneys, peers, jurors, presiding judge, self-evaluation. Report is discussed with judge. Report submitted to judge and used for self-improvement. Makes recommendations on renomination, promotion to the Governors, and continuing education of judges. Evaluates the work, productivity and judiciary load of the courts.	9 members: supreme court judge; 1 member experienced in administrative/ managerial matters; and at least 1 non-attorney; 3 year terms.
Rhode Island	Judicial Performance Evaluation Committee	All judges evaluated biannually employing "acceptable, professionally recognized methods of data collection."	Implement and administer the judicial performance evaluation program. Goals are to improve judiciary and judicial education programs.	6 judges; 3 members of state bar; 2 members of public familiar with judicial system; 2-year terms.

**Table 11. Judicial Performance Evaluation**

	Name/ Authorization	Evaluation Procedures	Evaluation Committee	
			Duties	Membership
Tennessee	Judicial Evaluation Commission expires 6/30/2002/ §17-4-201; §4-29-223	All appellate judges evaluated using results of evaluation surveys, personal information in a self-reporting form, and any other comments/information. Final report of less than 600 words per judge published not less than 180 days before the qualifying deadline in a general circulation daily newspaper in specified parts of the state. Trial judges evaluated for self-improvement only.	Perform evaluations; submit reports to public; conduct public interviews; submit copies of evaluations to judges and allow response.	12 members: 4 state court judges; 2 non-lawyers; 3 members appointed by speaker of senate; 3 members appointed by speaker of house of representatives
Utah	Utah Judicial Council with Standing Committee on Judicial Performance Evaluation/ CJA R3-111 CJA R3-110 §78-3-21	Surveys attorneys and jurors, combines results with case under advisement, rating compliance with education standards, the code of judicial conduct and the code of judicial administration, as well as physical and mental competency to produce evaluation for certification.	Determine if each judge meets standards of performance, certify each judge who is entitled; notify judges not entitled to certification; hold hearings with requesting judges provide information to Office of Lt. Governor for publication in voter information pamphlet; provide information to appointing authority for municipal judges. Certify commissioners and remove those not entitled from office; Administer Judicial Evaluation Program.	14 members: Chief Justice of Supreme Court; 12 members to be elected by judges of various courts; and 1 member of Board of Commissioners. 3-year terms. <sup>1</sup>
Vermont	Judicial Performance Evaluation Committee/ Supreme Court charge and designation	Under development <sup>2,3</sup>	2	2

Note: Only those states with judicial performance evaluation appear on this table.

**FOOTNOTES:**

**Utah:**

<sup>1</sup>The evaluation of judges and court commissioners is conducted by the Utah Judicial Council. The Standing Committee on Judicial Performance Evaluation (SCJPE) administers the program and recommends policies and procedures for the program. The membership of the SCJPE is 2 lawyers, one of whom serves as chair, 3 members of the public, 1 court commissioner and one judge from each of five levels of court.

**Vermont**

<sup>2</sup>A pilot program was implemented. The Judicial Performance Evaluation Committee is now reviewing the results of the pilot program.

<sup>3</sup>The pilot program used attorney questionnaires, litigant exit surveys, self-assessment, and caseload management reports.

**Table 12. Judicial Discipline: Investigating and Adjudicating Bodies**

	Investigating Body	Number of:			Adjudicating Body	Appeals from Adjudication Are Filed with:	Name of Final Disciplining Body	Point at Which Reprimands Are Made Public
		Judges	Lawyers	Lay Persons				
Alabama	Judicial Inquiry Committee	3	2	2	Court of the Judiciary	Supreme Court	Court of the Judiciary	Filing of complaint with Court of the Judiciary
Alaska	Committee on Judicial Conduct	3	3	3	Supreme Court	~	Supreme Court	Filing of recommendation with Supreme Court
Arizona	Commission on Judicial Conduct	6	2	3	Commission on Judicial Conduct	No appeal	Supreme Court	Commission on Judicial Conduct determines if there is probable cause to bring formal charges.
Arkansas	Judicial Discipline and Disability Committees	3	3	3	Commission	Supreme Court	Supreme Court	At disposition of case
California	Committee on Judicial Performance	5	2	2	Supreme Court	No appeal	Supreme Court	Upon filing of record by committee with Supreme Court
Colorado	Committee on Judicial Discipline	4	2	4	Commission on Judicial Discipline	No appeal	Supreme Court	Adjudication
Connecticut	Judicial Review Council	3	3	6	Judicial Review Council; Supreme Court	Supreme Court	Supreme Court	Public censure is issued at least 10 days after notice to the judge, provided that if the judge appeals, there is an automatic stay of disclosure.
	Council on Probate Judicial Conduct	2	1	2	Council on Probate Judicial Conduct	Supreme Court	Supreme Court	
Delaware	Preliminary Committee of the Court on the Judiciary	0	4	2	Court on the Judiciary	No appeal	Court on the Judiciary	Upon issuance of opinion and imposition of sanction
	Investigatory Committee of the Court on the Judiciary	7	0	0				
District of Columbia	Commission on Judicial Disabilities and Tenure	1 <sup>1</sup>	4 <sup>1</sup>	2 <sup>1</sup>	Commission on Judicial Disabilities and Tenure	Federal judge panel 3 appointments by chief justice of Supreme Court	Committee on Judicial Disabilities and Tenure	Filing of order with D.C. Court of Appeals <sup>2</sup>
Florida	Judicial Qualifications Commission	6 <sup>3</sup>	2	5	Judicial Qualifications Commission <sup>4</sup>	No appeal	Supreme Court <sup>5</sup>	Filing of formal charges by Committee with Supreme Court Clerk
Georgia	Judicial Qualifications Commission	2	3	2	Supreme Court	No appeal	Supreme Court	Formal Hearing

Legend: ~=Not applicable

**Table 12. Judicial Discipline: Investigating and Adjudicating Bodies**

	Investigating Body	Number of:			Adjudicating Body	Appeals from Adjudication Are Filed with:	Name of Final Disciplining Body	Point at Which Reprimands Are Made Public
		Judges	Lawyers	Lay Persons				
Hawaii	Commission on Judicial Conduct	0	3	4	Supreme Court	~	Supreme Court	Imposition of public discipline by Supreme Court
Idaho	Judicial Council	2	2	3	Supreme Court	No appeal	Supreme Court	Filing with Supreme Court
Illinois	Judicial Inquiry Board	2	3	4	Courts Commission	No appeal	Courts Commission	Filing of complaint by Judicial Inquiry Board to Courts Commission
Indiana	Judicial Qualifications Committee	1	3	3	Supreme Court	~	Supreme Court	Institution of Formal Proceedings
Iowa	Commission on Judicial Qualifications	1	2	4	Supreme Court	~	Supreme Court	Application by the commission to the Supreme Court
Kansas	Commission on Judicial Qualifications	4	3	2	Supreme Court	Supreme Court	Supreme Court	Reprimand is published by Supreme court if approved by Supreme Court.
Kentucky	Judicial Retirement and Removal Commission	3	1	2	Judicial Retirement and Removal Commission	Supreme Court	Judicial Retirement and Removal Commission	Application of judge under investigation
Louisiana	Judiciary Commission	3	3	3	Supreme Court	No appeal	Supreme Court	After final disposition by Supreme Court
Maine	Committee on Judicial Responsibility and Disability	2	2	3	Supreme Judicial Court	No appeal	Supreme Judicial Court	Filing of report to Supreme Judicial Court
Maryland	Commission on Judicial Disabilities	4	2	1	Court of Appeals	~	Court of Appeals	Filing of record by Committee to Court of Appeals
Massachusetts	Commission on Judicial Conduct	3	3	3	Supreme Judicial Court	~	Supreme Judicial Court	After final disposition of complaint
Michigan	Judicial Tenure Commission	5	2	2	Supreme Court	Supreme Court	Supreme Court	Filing of formal complaint by commission with Supreme Court
Minnesota	Board of Judicial Standards	3	2	4	Supreme Court	No appeal	Supreme Court	Filing of formal charges by Committee with Supreme Court
Mississippi	Commission on Judicial Performance	4	1	2	Supreme Court	~	Supreme Court	Recommendation of Commission to Supreme Court

**Table 12. Judicial Discipline: Investigating and Adjudicating Bodies**

	Investigating Body	Number of:			Adjudicating Body	Appeals from Adjudication Are Filed with:	Name of Final Disciplining Body	Point at Which Reprimands Are Made Public
		Judges	Lawyers	Lay Persons				
Missouri	Commission on Retirement, Removal and Discipline	2	2	2	Commission on Retirement, Removal and Discipline	Supreme Court	Supreme Court	Filing of recommendation by Committee to Supreme Court
Montana	Judicial Standards Commission	2	1	2	Supreme Court	No appeal	Supreme Court	Filing of record by Committee with Supreme Court
Nebraska	Commission on Judicial Qualification	4	3	3	Supreme Court	No appeals	Supreme Court	Filing of complaint instigating formal hearing
Nevada	Commission on Judicial Discipline	2	2	3	Commission on Judicial Discipline	Supreme Court	Commission on Judicial Discipline	Upon filing of report by Committee and service upon judge
New Hampshire	Committee on Judicial Conduct	4	2	3	Supreme Court	~	Supreme Court	Final written opinion and judgment ordering disciplinary action or if subject of the complaint has received a total of three or more private reprimands, or other informal adjustments during the four years preceding the filing of the most recent complaint
New Jersey	Advisory Committee on Judicial Conduct	2 (retired)	3 (min)	4 (max)	Supreme Court	~	Supreme Court	Filing of presentment by Committee with Supreme Court
New Mexico	Judicial Standards Commission	2	2	5	Supreme Court	~	Supreme Court	Filing of record by Commission with Supreme Court
New York	Commission on Judicial Conduct	4	1	2	Commission on Judicial Conduct	Court of Appeals	Commission on Judicial Conduct and Court of Appeals	Completion of service of record on respondent
North Carolina	Judicial Standards Commission	3	2	2	Supreme Court	No appeals	Supreme Court	Upon recommendation of Commission to Supreme Court
North Dakota	Commission on Judicial Conduct	2	1	4	Supreme Court	~	Supreme Court	At formal hearing

**Table 12. Judicial Discipline: Investigating and Adjudicating Bodies**

	Investigating Body	Number of:			Adjudicating Body	Appeals from Adjudication Are Filed with:	Name of Final Disciplining Body	Point at Which Reprimands Are Made Public
		Judges	Lawyers	Lay Persons				
Ohio	Board of Commissioners on Grievance and Discipline <sup>6</sup>	7	17	4	Board of Commissioners on Grievance and Discipline	Supreme Court	Supreme Court	Adjudication
Oklahoma	Court on the Judiciary Trial Division Council	8	1	0	Court on the Judiciary Trial Division	Court on the Judiciary Division	Court on the Judiciary Appellate Division	Filing with clerk of the Appellate Court
	Council on Judicial Complaints	0	2	1	Council on Judicial Complaints	no appeal		
Oregon	Commission of Judicial Fitness and Disability	3	3	3	Commission on Judicial Fitness and Disability	Supreme Court	Commission on Judicial Fitness and Disability w/Supreme Court	Recommended by Commission to Supreme Court
Pennsylvania	Judicial Inquiry and Review Board	3	1	1	Judicial Inquiry and Review Board	Supreme Court	Supreme Court	Recommended by Judicial Inquiry and Review Board
Puerto Rico	Disciplinary and Service Commission	~	5	1	Supreme Court	~	Supreme Court	Filing of formal complaint by Attorney General with Discipline Commission
Rhode Island	Commission on Judicial Tenure and Discipline	4 (+3 from General Assembly)	3	3	Supreme Court	No appeals	Supreme Court	When Supreme Court affirms a recommendation for reprimand or removal
South Carolina	Board of Commissioners on Judicial Standards	8	2	2	Supreme Court	~	Supreme Court	Adjudication
South Dakota	Judicial Qualifications Commission	2	3	2	Supreme Court	No appeals	Supreme Court	Filing with the Supreme Court
Tennessee	Court of the Judiciary	9	3	2	Court of the Judiciary	Supreme Court, then General Assembly	Court of the Judiciary	Filing of complaint in Appellate Court Clerk's office
Texas	State Commission on Judicial Conduct	5	2	4	Supreme Court, Commission on Judicial Conduct, or review tribunal consisting of Justices of Courts of Appeals	Supreme Court	Supreme Ct. Committee on Judicial Conduct, or review tribunal consisting of Justices of the Courts of Appeals	Convening of formal hearing by the Commission on Judicial Conduct
Utah	Judicial Conduct Commission	1	3	2 <sup>7</sup>	Supreme Court	No appeal	Supreme Court	After final disposition
Vermont	Judicial Conduct Board	2	2	3	Supreme Court	Supreme Court	Supreme Court	Filing of formal charges by Board with Supreme Court



**Table 12. Judicial Discipline: Investigating and Adjudicating Bodies**

	Investigating Body	Number of:			Adjudicating Body	Appeals from Adjudication Are Filed with:	Name of Final Disciplining Body	Point at Which Reprimands Are Made Public
		Judges	Lawyers	Lay Persons				
Virginia	Judicial Inquiry and Review Commission	3	2	2	Supreme Court	Supreme Court	Supreme Court	Filing of formal complaint by Committee with Supreme Court
Washington	Commission on Judicial Conduct	3	2	6	Supreme Court	No appeal	Committee on Judicial Conduct or Supreme Court	Beginning of fact finding hearing by Committee
West Virginia	Judicial Investigation Committee and Judicial Hearing Board	2 (+ one magistrate + one family law master)	2	3	Judicial Hearing Board (JHB)	JHB recommends to SCA <sup>9</sup>	Supreme Court of Appeals <sup>8</sup>	Upon decision by Supreme Court of Appeals
Wisconsin	Judicial Commission	2	2	5	Supreme Court <sup>9</sup>	No appeal	Supreme Court	Filing of petitioner formal complaint by Judicial Commission w/Supreme Court
Wyoming	Judicial Supervisory Commission	2	2	3	Supreme Court	~	Supreme Court	Filing with Supreme Court
Federal	Chief judges and judicial councils of respective circuits <sup>10</sup>	Varies	0	0	Chief judges and judicial councils of respective circuits <sup>10</sup>	Judicial councils of respective circuits and judicial conference of US <sup>10</sup>	Judicial councils of respective circuits and judicial conference of US <sup>10</sup>	After final disposition(a)

**FOOTNOTES**

**District of Columbia:**

<sup>1</sup>Plus 3 alternates, 1 from each category.

<sup>2</sup>Only in cases involving removal or suspension wherein the Chief Justice appoints a 3 member federal judge panel to review commission's recommendations.

**Florida:**

<sup>3</sup>Two judges of each of the District Courts of Appeal, Circuit, and County courts.

<sup>4</sup>The Judicial Qualifications Commission investigates and recommends to the Supreme Court for discipline or removal.

<sup>5</sup>The Supreme Court power of removal is alternative and cumulative to the power of impeachment and suspension by the Governor and senate.

**Ohio:**

<sup>6</sup>Initial review by panel of 3 commissioners.

**Utah:**

<sup>7</sup>Supreme Court, at its discretion, may include 2 members of House, and 3 special members.

**West Virginia:**

<sup>8</sup>Same for both the Commission and Judicial Hearing Board.

**Wisconsin:**

<sup>9</sup>The Judicial Conduct and Disability Panel, through an ad hoc 3-judge panel (2 must be Court of Appeals, 1 can be a retired, reserve judge or Court of Appeals judge) appointed as a hearing examiner, makes a report to the Supreme Court.

**Federal:**

<sup>10</sup>The Chief Judge of the federal judicial circuit renders the initial determination whether a complaint will be dismissed or investigated. The judicial council for the circuit reviews chief judge dismissals and adjudicates whether and what discipline is appropriate regarding an investigated complaint. The Judicial Conference of the United States, through a standing committee, reviews circuit judicial council resolutions following investigation.

## PART III: The judicial branch: governance, funding, and administration

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Each state, like the federal government, has an independent judicial branch. Generally, either the Court of Last Resort (13 states) or the Chief Justice of the Court of Last Resort (36 states) is the designated head of the judicial branch. In one state, Utah, the Judicial Council is the designated head (Table 13).

The formulation of rules for court procedure is basic to the governance of the judicial branch. Table 14 indicates whether the COLR has rule-making authority for some key procedural areas, and also whether that authority stems from the state constitution, statute law, or is an inherent power of the courts as an independent branch of government. Where statute law is the source of authority, the state legislature has delegated rule-making authority to the COLR. The table also indicates where rule-making is the preserve of the legislative branch. The specific areas covered in Table 14 are appellate procedure, civil procedure, criminal procedure, attorney discipline, court costs, judicial discipline, appellate administrative rules, and trial court administrative rules.

The federal judicial branch and many state judicial branches incorporate councils or conferences in either a policy-making or advisory capacity. Table 15 lists the relevant bodies by name and cites their purpose, composition, frequency of meeting, and tenure of membership. Notable characteristics include the presence of non-judges as members and the source of the authority for the council or conference's role. Most councils or conferences were established by statute, but several are explicitly established in the state constitution, and still others by a COLR rule.

Twenty states have a compensation commission that examines and reports on the salaries of judges. Fourteen of these commissions have broader mandates, also examining and reporting on non-judicial public officials. Six states have created commissions specifically for judicial compensation review. Table 16 identifies each commission's authorization, year established, scope of authority, membership, meeting schedule, reporting structure, and the effect of its recommendations.

Preparation of the judicial branch budget is explained in Table 17. In most states the Administrative Office of the Courts prepares the judicial branch budget (33 states, D.C., and Puerto Rico), generally followed by a review of budget submissions by the state's COLR. The situation in many states is complex, and this is reflected in the number of footnotes appended to the table. Table 17 focuses on the role of the executive branch in submitting and possibly amending the judicial branch budget. It is rare for the judicial branch budget to be filed as a separate appropriation bill (14 states). In most states it is either included in a general appropriation bill or included in one of several bills. Finally, the table provides

an estimate of the percentage of the total state budget accounted for by the judicial branch in each state.

The coverage of state funding varies substantially among states, especially in reference to trial court expenditures. Table 18 lists 17 expenditure areas for each trial court system in a state and explains whether the source of funding is state, county, other local government, or fees. Each court system is identified as being either a court of general jurisdiction or a court of limited jurisdiction. Some types of expenditures are funded through several sources. Where state funding is applicable, the table shows the percentage that is provided from that source. The last column of the table indicates the total amount of state funding provided for each trial court and the percentage of total expenditure that is provided by the state. In using this table it should be noted that it refers only to the funding of trial courts, and is therefore not directly comparable to the information in Table 17, which describes the entire judicial branch budget. Table 18 does highlight some important differences in the scope of state judicial branches, specifically whether they encompass functions such as child support enforcement, juvenile probation and detention, or indigent defense. Such differences in scope, along with differences in which expenditures are state funded and which are locally funded or fee supported, explain to a substantial extent, differences in the magnitude of the judicial branch budget.

Every state has a central office that has day to day administrative responsibilities for the state courts. The head of that office, the state court administrator, is usually an appointee of the state judiciary, with the chief justice or the COLR exercising the appointment authority. The administrative office's role in the budget process was described in Table 17. A more comprehensive description of what administrative offices do is provided in Tables 19 and 20, which indicate the nature of the responsibility of the administrative office for 21 functional areas relating to a state's appellate courts (Table 19) and 22 functional areas relating to a state's trial courts (Table 20). Where the administrative office has total or partial responsibility for a functional area, the number of full-time equivalent staff assigned to that function is given. The last column of the table reports the number of authorized and funded staff in the administrative office, expressed as full-time equivalent positions. The size of the administrative office staff reflects both the degree to which there is centralized coordination of key functions and the allocation of some substantial responsibilities, such as juvenile probation, to the administrative office of the courts.

More courts are taking advantage of technology to automate their information systems. Most states have a uniform case management system at the appellate level. Table 21 indicates which courts within each state have a

**Table 13. Governance of the Judicial Branch**

	Who is the head of the judicial branch?	What authority establishes the head of the judicial branch?	Source of Authority
Alabama	Chief Justice of Supreme Court	Constitution	AL Const. AM 328 §6.10
Alaska	Chief Justice of Supreme Court	Constitution	AK Const Art IV §16
Arizona	Chief Justice of Supreme Court	Constitution	AZ Const Art VI §3
Arkansas	Chief Justice of Supreme Court	Statute	A.C.A. §16-10-101
California	Chief Justice of Supreme Court	Constitution	CA Const Art VI §6
Colorado	Chief Justice of Supreme Court	Constitution	CO Const Art VI §5
Connecticut	Chief Justice of Supreme Court	Statute	C.G.A. §51-1b(a)
Delaware	Chief Justice of Supreme Court	Constitution	DE Const Art IV §13
District of Columbia	Chief Judge of Court of Appeals	Statute	DC §11-1701
Florida	Chief Justice of Supreme Court	Constitution	FL Const Art V §2
Georgia	Supreme Court	Constitution	GA Const Art 6 §9 Para. 1
Hawaii	Chief Justice of Supreme Court	Constitution	HI Const Art VI §6
Idaho	Chief Justice of Supreme Court	Constitution	ID Const Art 5, §6
Illinois	Chief Justice of Supreme Court	Constitution	IL Const Art 6 §16
Indiana	Chief Justice of Supreme Court	Statute	IC §33-13-14-2
Iowa	Supreme Court	Statute	Iowa Code §602.1201
Kansas	Chief Justice of Supreme Court	Constitution/Statute	KS Const Art III §1; K.S. §20-101
Kentucky	Chief Justice of Supreme Court	Constitution	KY Const §110(5)(b)
Louisiana	Chief Justice of Supreme Court	Constitution	LA Const Art V §6
Maine	Chief Justice of Supreme Court	Statute	4 M.R.S.A. §1
Maryland	Chief Justice of Court of Appeals	Constitution	MD Const Art IV §18B
Massachusetts	Supreme Judicial Court	Constitution/Statute	MGL C.h.211 §3; Const. Pt I, Art. 29
Michigan	Chief Justice of Supreme Court	Constitution	MI Const Art VI §3-4
Minnesota	Chief Justice of Supreme Court	Statute	MS §2.724 Subd. 4
Mississippi	Chief Justice of Supreme Court	Statute	MSC §9-3-61; §9-3-39; §9-21-3
Missouri	Supreme Court	Constitution	MO Const Art V §4
Montana	Supreme Court	Constitution	MT Const Art VII §2
Nebraska	Chief Justice of Supreme Court	Constitution	NE Const Art V §1
Nevada	Chief Justice of Supreme Court	Constitution	NV Const Art VI §19
New Hampshire	Chief Justice of Supreme Court	Constitution	NH Const Pt.2 Art. 73-A
New Jersey	Chief Justice of Supreme Court	Constitution	NJ Const Art 6 §7 Pt. 1
New Mexico	Supreme Court	Constitution	NM Const Art 6 §3
New York	Chief Judge of Court of Appeals	Constitution	NY Const Art VI §28
North Carolina	Supreme Court	Constitution/Statute	NC Const Art IV §13; NCGS §7A-33,34
North Dakota	Supreme Court	Statute	NDCC §27-02-05.1
Ohio	Chief Justice of Supreme Court	Constitution	OH Const Art IV §5
Oklahoma	Chief Justice of Supreme Court	Constitution	OK Const Art 7 §6
Oregon	Chief Justice of Supreme Court	Statute	ORS §1.002 (1)
Pennsylvania	Supreme Court	Constitution	PA Const Art V §10
Puerto Rico	Chief Justice of Supreme Court	Constitution/Statute	PR Const Art 5§7; T.4 App1-A R.7
Rhode Island	Chief Justice of Supreme Court	Statute	RI GL §8-15-2
South Carolina	Chief Justice of Supreme Court	Constitution	SC Const Art V §4
South Dakota	Chief Justice of Supreme Court	Constitution	SD Const Art 5 §11-12
Tennessee	Supreme Court	Judicial Branch Rule/Statute	TCA 16-3-501-502; S. Ct. R. 11
Texas	Supreme Court	Constitution /Statute	TX Const Art 5 §31; Gov. §74.021
Utah	Judicial Council	Constitution	UT Const Art 8 §12
Vermont	Supreme Court	Constitution	VT Const Ch. II §30
Virginia	Chief Justice of Supreme Court	Constitution	VA Const Art VI §4
Washington	Supreme Court	Statute	RCWA §2.04.190
West Virginia	Chief Justice of Supreme Court	Constitution	WV Const Art 8 §3
Wisconsin	Chief Justice of Supreme Court	Constitution	WI Const Art 7 §4 (3)
Wyoming	Chief Justice of Supreme Court	Constitution/Statute	WY Const Art 5 §2; W.S. §5-2-102
Federal	Supreme Court	US Constitution	US Const Art III §1-2

**Table 14. The Rule Making Authority of Courts of Last Resort by Specific Areas**

	Appellate Procedure	Civil Procedure	Criminal Procedure	Attorney Discipline	Trial Court Costs and Fees Assessments	Judicial Discipline	Rules of Administration in Appellate Courts	Rules of Administration in Trial Courts
Alabama	C	C	C	C	L/S/C/I <sup>1</sup>	L/S/C/I	C	C
Alaska	C <sup>2</sup>	C	C	I	L/S/C <sup>3</sup>	L/C/I <sup>4</sup>	C	C
Arizona	C	C	C	I	S/C <sup>5</sup>	C	S/C	S/C
Arkansas	C/I	C/I	C/I	C	L	C	C	C
California	L/S/I <sup>6</sup>	L <sup>7</sup>	L <sup>7</sup>	S/I	L	C	L <sup>8</sup>	L <sup>8</sup>
Colorado	C/I	C/I	C/I	C	L	C	C/I	C/I <sup>9</sup>
Connecticut	I <sup>10</sup>	~ <sup>11</sup>	~ <sup>12</sup>	~ <sup>13</sup>	L <sup>14</sup>	L <sup>15</sup>	L/C/I <sup>16</sup>	~ <sup>17,18</sup>
Delaware	S/I	C/I	C/I	I	L/C/I <sup>19</sup>	C	C/I	C
Dist. of Columbia	S	S <sup>20</sup>	S	S	~ <sup>21</sup>	~ <sup>22</sup>	S	~ <sup>23</sup>
Florida	C	C	C	C	L	L/S <sup>24</sup>	C	C
Georgia	L/C <sup>25</sup>	L	L	C	L	C	C <sup>26</sup>	C <sup>27</sup>
Hawaii	S/C/I	C/I	C/I	C/I	L <sup>28</sup>	C	S/C/I	S/C/I
Idaho	S/C	S/C	S/C/I	S	L	C	S/C/I	S/C
Illinois	L/S/C <sup>29</sup>	L/S <sup>30</sup>	L/S <sup>31</sup>	C	L	C	C	C <sup>32</sup>
Indiana	C	C	C	C	L	C	C	C
Iowa	L/S/C/I <sup>33</sup>	L/S <sup>33</sup>	L/S/C <sup>33</sup>	S/I	L	L/S/C/I	L/C	S/C/I
Kansas	S/C/I	L/S/C/I <sup>34</sup>	L/S/C/I <sup>34</sup>	S/C/I	L	S/C/I	S/C/I	S/C/I
Kentucky	C	C	C	C	L/S <sup>35</sup>	C	C	C
Louisiana	L/C/I <sup>36</sup>	L/S/C/I <sup>36</sup>	L/S/C/I <sup>36</sup>	C/I	L/I <sup>37</sup>	C/I	L/C/I <sup>38</sup>	L/C/I <sup>38</sup>
Maine	S/C/I	S/C/I	S/C/I	S/C/I	S	S/C/I	S/C/I	S/C/I
Maryland	S/C/I	S/C/I	S/C/I	S	L/S/I <sup>39</sup>	S/C/I	S/C/I	S/C/I
Massachusetts	S/I <sup>40</sup>	L/S/I <sup>40</sup>	L/S/I <sup>40</sup>	I	L <sup>41</sup>	S/I <sup>42</sup>	I	S/I <sup>43</sup>
Michigan	C	C	C	C	L	C	C	C
Minnesota	I	I	S/I	S/C/I	L	S/I	I	I
Mississippi	I <sup>44</sup>	I	I	I	L	I	I	I
Missouri	L/C <sup>45</sup>	L/C <sup>45</sup>	L/C <sup>45</sup>	I	S	L/S <sup>46</sup>	C	C
Montana	C	C	C	C	L	C	C	C
Nebraska	C/I	C/I	C/I	C/I	L	I	C/I	C/I
Nevada	C	C	C	L	L/C <sup>47</sup>	L	C	C
New Hampshire	C	C	C	S/C	S/C	C	C	C
New Jersey	C	C	C	C	L/S <sup>48</sup>	S/C	C	C
New Mexico	C/I	C/I	C/I	C/I	L	C/I	C/I	C/I
New York	L/S <sup>49</sup>	L/S	L/S	L	L	L <sup>50</sup>	C <sup>51</sup>	C
North Carolina	C	L/S/C <sup>52</sup>	L/S/C <sup>52</sup>	L/S/I <sup>53</sup>	L	L/S/I <sup>54</sup>	C	L/S/C/I <sup>55</sup>
North Dakota	C	C	C	S	L	S	C	C
Ohio	C	C	C	C/I	L	C/I	C <sup>56</sup>	C <sup>56</sup>
Oklahoma	S/C/I	S/C/I	S/C/I	S/C/I	L	S/C/I	S/C/I	S/C/I
Oregon	S	L <sup>57</sup>	L	L/S <sup>58</sup>	L/S <sup>59</sup>	S	S	S
Pennsylvania	S/C	S/C	S/C	S/C	L/S/C <sup>60</sup>	L	S/C	S/C
Puerto Rico	S	L/C <sup>61</sup>	L/C <sup>61</sup>	I	L	C	C	C
Rhode Island	S	S	S	S	L	S	S	S
South Carolina	S/C/I	L	L/S/C/I <sup>62</sup>	S/C/I	L	S/C/I	S/C/I	S/C/I
South Dakota	L/S/C	L/C/I <sup>63</sup>	L/S/C <sup>63</sup>	C	L	C	L/S/C <sup>63</sup>	C
Tennessee	L/S/I <sup>64</sup>	L/S/I <sup>65</sup>	L/S/I <sup>65</sup>	S	L/S/I <sup>66</sup>	L/S/I <sup>67</sup>	S/I <sup>68</sup>	L/S/I <sup>69</sup>
Texas	S	S/C	L	S	L	C	S/C	S/C <sup>70</sup>
Utah	L/C <sup>71</sup>	L/C <sup>71</sup>	L/C <sup>71</sup>	C	L	L/S/C/I <sup>72</sup>	C <sup>73</sup>	C
Vermont	C	C	C	C	L	C	C	C
Virginia	L/S/C <sup>74</sup>	L/S/C <sup>74</sup>	L/S/C <sup>74</sup>	L/S <sup>75</sup>	L/S <sup>76</sup>	L/S <sup>77</sup>	L/S/C <sup>78</sup>	L/S/C <sup>78</sup>
Washington	S/I	S/I	S/I	S/I	S/I	C/I	S/I	S/I
West Virginia	C	L/S/C/I <sup>79</sup>	L/S/C/I <sup>79</sup>	S/C/I	L	C/I	S/C/I	S/C/I
Wisconsin	L/S/I <sup>80</sup>	L/S/I <sup>80</sup>	L/S/I <sup>80</sup>	C/I	L <sup>81</sup>	L/C/I <sup>82,83</sup>	C/I	C/I
Wyoming	S/C/I	S/C/I	S/C/I	S	L/S/C/I <sup>84</sup>	C	S/C/I	C/I

Legend: L=Legislature; S=Statutory; C=Constitutional; I=Inherent; ~=Not applicable

**Table 14. The Rule Making Authority of Courts of Last Resort by Specific Areas**

**FOOTNOTES:**

**Alabama:**

<sup>1</sup>Although court costs are generally assessed pursuant to legislation, the supreme court has established fees by rule in certain instances (i.e., transcript fees, appellate docket fees, docket fees for post-conviction petitions, etc.).

**Alaska:**

<sup>2</sup>Supreme court has the authority to adopt rules governing practice and procedures in state courts. Legislature has the power to amend rules, but not adopt them.

<sup>3</sup>Legislature can set court fees and surcharges for filing and court use; COLR sets awards of attorneys' fees and costs.

<sup>4</sup>Constitution sets powers and duties of Judicial Conduct Commission and the basis for judicial disqualification is established by law. Code of Judicial Conduct is promulgated by the supreme court.

**Arizona:**

<sup>5</sup>Supreme court establishes all rules, but does not establish fees unless given statutory authority.

**California:**

<sup>6</sup>Also, the Judicial Council has policy setting and rule making authority. The Council's rules must be consistent with any statutes passed by the legislature.

The court may adopt rules for its own procedures not inconsistent with the rules of the Council or statute.

<sup>7</sup>Legislature is higher authority. Council rules must not be inconsistent with statute.

<sup>8</sup>Also, the Judicial Council has the authority.

**Colorado:**

<sup>9</sup>Rules are established by the supreme court, however some may be modified at the district level.

**Connecticut:**

<sup>10</sup>Both the appellate court and supreme court have input into the *Rules of Appellate Procedure*.

<sup>11</sup>The superior court judges establish the rules of civil procedure.

<sup>12</sup>The superior court judges establish the rules of criminal procedure.

<sup>13</sup>Connecticut Superior Court has adopted Rules of Professional Conduct for attorneys. Additionally, the court has adopted Grievance Rules to be followed for discipline of attorneys.

<sup>14</sup>Court costs are assessed by the courts. The superior court has the ability to charge fees in connection with the regulation of attorneys.

<sup>15</sup>Connecticut has adopted the Code of Judicial Conduct. There also exists a Judicial Review Council within the legislative branch that examines the conduct of judicial officers.

<sup>16</sup>Connecticut does not have formal "rules of administration" in appellate courts. The supreme court (highest appellate court) and the appellate court (intermediate level appellate court) are served by the same administrative offices and by one appellate clerk's office. There is one chief administrative judge for the appellate courts.

<sup>17</sup>The superior court does not have formal "rules of administration". The chief court administrator directly and through the Court Operations' Division issues administrative policies for the trial courts and the judicial branch.

<sup>18</sup>Superior court—the statutes designate the powers and duties of the chief court administrator who serves at the pleasure of the chief justice of the supreme court.

**Delaware:**

<sup>19</sup>Court costs and fees are set by statute for justice of the peace courts. All other courts fees and costs are set by individual court rules.

**District of Columbia:**

<sup>20</sup>The trial court establishes its own rules of civil procedure. If there is a conflict with federal rules, the appeals court establishes rules.

<sup>21</sup>Trial courts establish their own rules concerning trial court costs and fees.

Authority granted to trial court by statute.

<sup>22</sup>As a part of the Home Rule Charter for the District of Columbia, the DC Commission on Judicial Disabilities and Tenure was created. The responsibility for judicial discipline resides with the Commission.

<sup>23</sup>Trial courts make their own rules of administration under statutory authority provided to them. Some rules are also based on inherent authority.

**Florida:**

<sup>24</sup>Judicial Qualifications Commission, established by the Florida constitution, adopts rules, such as its proceedings on judicial discipline. Court of last resort establishes Code of Judicial Conduct.

**Georgia:**

<sup>25</sup>The supreme court shall have full power and authority to make all rules. It may, by rules, provide and declare when the court shall sit, how its minutes shall be kept, and how the cases on its dockets shall be apportioned; and it generally may make all regulations as to practice and procedure.

<sup>26</sup>Also for the court of appeals.

<sup>27</sup>With the advice of the trial court council.

**Hawaii:**

<sup>28</sup>The legislature has given the supreme court the authority to modify and add to statutory fees.

**Illinois:**

<sup>29</sup>General rules apply to both civil and criminal proceedings. The rules on proceedings in the trial court, together with the Civil Practice Law and the Code of Criminal Procedure, govern all proceedings in the trial court, except procedures regulated by statute. The rules on appeals govern all appeals.

<sup>30</sup>The supreme court has power to make rules of pleading, practice and procedure for the circuit, appellate and supreme courts. Subject to the rules of the supreme court, the circuit and appellate courts may make rules regulating their dockets, calendars, and business. General rules apply to both civil and criminal proceedings. The rules on proceedings in the trial court, together with the Civil Practice Law and the Code of Criminal Procedure, govern all proceedings in the trial court, except those regulated by statute. The rules on appeals govern all appeals.

<sup>31</sup>These provisions govern the procedures for all criminal proceedings except where provision is specifically provided by law. General rules apply to both civil and criminal proceedings. The rules on proceedings in the trial court, together with the Civil Practice Law and the Code of Criminal Procedure, govern all proceedings in the trial court, except those procedures regulated by statute. The rules on appeals govern all appeals.

<sup>32</sup>Supreme Court Rule 21(b) allows chief judges to enter orders relating to the assignment of judges, times of holding court, etc. Trial judges in each circuit also adopt local administrative rules, usually by a majority vote.

**Iowa:**

<sup>33</sup>Statutory—The Iowa Constitution makes a general jurisdictional statement granting to the COLR "supervisory and administrative control over all inferior judicial tribunals." The legislature codified what that meant to include procedural rule-making authority and disciplinary power over judges and attorneys.

**Kansas:**

<sup>34</sup>Legislature creates rules for civil procedure; COLR makes case law.

**Kentucky:**

<sup>35</sup>Legislature set fines, most fees. Supreme court can set filing fees, must notify legislature when changing them.

**Louisiana:**

<sup>36</sup>Legislature establishes procedure through the enactment of the Louisiana Revised Statutes. Courts promulgate the Uniform Rules of Appellate Procedure sanctioned by the supreme court.

<sup>37</sup>The legislature has the constitutional authority to establish limits on fees and costs. However, statutes also allow the supreme court to establish costs and fees in certain circumstances.

<sup>38</sup>Legislature establishes rules of administration for appellate courts through enactment of statutes. Supreme court has the constitutional inherent authority to also establish rules of administration.

**Maryland:**

<sup>39</sup>Both have equal power.

**Table 14. The Rule Making Authority of Courts of Last Resort by Specific Areas**

**Massachusetts:**

<sup>40</sup>It has never been determined whether procedural rule making authority ultimately resides in the courts, i.e., the supreme judicial court, or in the legislature. Since the mid-1970s a cooperative relationship has developed between the judicial and legislative branches with respect to the adoption of court rules in appropriate circumstances and the enactment or repeal, as necessary, of corollary legislation.

<sup>41</sup>The supreme judicial court has not established court fees and costs by court rule. The legislature has, at times, established court costs and fees by statute and, at other times, has delegated such authority to judicial personnel.

<sup>42</sup>The supreme judicial court has adopted, as a court rule, the Code of Judicial Conduct. The legislature has established, by statute, the Commission on Judicial Conduct to investigate allegations of judicial misconduct, including violation of the Code of Judicial Conduct. The Commission adopts its own rules subject to the approval of the supreme judicial court.

<sup>43</sup>Statutory rule making authority is dispersed throughout the judicial department. However, all such rules must be approved by the supreme judicial court.

**Mississippi:**

<sup>44</sup>Under all categories, legislative enactments, which do not impede any court-ordered rules, are allowed.

**Missouri:**

<sup>45</sup>The Missouri Constitution provides the rules of practice and procedure, with limited exceptions, may be adopted by the supreme court. The general assembly may amend any such rule in a bill limited to that purpose.

<sup>46</sup>The Commission on Retirement, Removal and Discipline investigates allegations of misconduct. It is a constitutional body. The basis for discipline is stated in the constitution. Violations of the Codes of Ethics may constitute grounds for discipline if within the constitutional language. The supreme court reviews commission recommendations for discipline and makes the final decision. Impeachment is an alternative means of discipline.

**Nevada:**

<sup>47</sup>The court has the authority to establish rules through the adoption of court rules. The legislature has the ability to establish rules by enacting legislation concerning trial court costs and fees assessments.

**New Jersey:**

<sup>48</sup>The court has exercised authority to set costs and fees when the statute specifically gives the court that authority.

**New York:**

<sup>49</sup>The power to promulgate rules of practice and procedure in the courts of the New York State Unified Court System—both trial and appellate; both civil and criminal—is placed in the legislature. (Art. VI, §30 of the State Const.), which in turn has the power to delegate that authority to a court. The legislature has enacted a comprehensive series of practice and procedure statutes for all courts, both civil and criminal, and has also delegated, by statute, to the court of appeals, each appellate division, and to the chief administrator of the courts the power to promulgate additional rules of practice and procedure not inconsistent with statute. Individual trial courts retain the power to enact their own rules as long as they are consistent with statute and general rules (as set forth in Art. VI, §30).

<sup>50</sup>Judicial discipline is regulated and enforced by an independent State Commission on Judicial Conduct (State Const., Art. VI, §22).

<sup>51</sup>Rules of administration for both the trial and appellate courts are established by the chief administrator of the courts on behalf of the chief judge of New York State (State Const., Art. VI, §28). The chief judge has delegated back to the appellate courts the power to adopt most administrative rules for their respective courts; the chief administrator's rules predominantly affect the trial courts.

**North Carolina:**

<sup>52</sup>Authority to make rules of procedure and practice for the trial courts is constitutionally placed with the general assembly which has delegated this authority to the supreme court, as allowed for in the constitutional provision.

<sup>53</sup>The NC State Bar, established by statute, makes rules regarding attorney discipline that are subject to certain review of the chief justice of the supreme court.

<sup>54</sup>The legislature has delineated the grounds for censure or removal; the supreme court is authorized, by rule, to prescribe standards of judicial conduct. The legislature also has established the Judicial Standards Commission to investigate allegations of judicial misconduct and to make recommendations for disciplinary action to the supreme court.

<sup>55</sup>The senior resident superior court judge and the chief district court judge have statutory and constitutional administrative authorities over the trial courts in their districts. The court of last resort also has supervisory authorities.

**Ohio:**

<sup>56</sup>Legislature creates the courts and boundaries, creates judgeships and makes other statutory provision. Rules of operation are promulgated by the supreme court.

**Oregon:**

<sup>57</sup>Although, there is a Council of Court Procedures that makes the changes, legislature can do nothing until they go into effect. Or through other statutory changes, legislature makes amendments to the rules, as they are part of the statutes.

<sup>58</sup>Some requirements are statutory—e.g., minimum standards. The actual authority is with supreme court (through bar association committees usually) to approve the detailed rules and changes.

<sup>59</sup>Filing fees are statutory. Fees for certain incidental charges, e.g., costs of duplicating tapes, test costs, etc. are by chief justice order pursuant to statutory authority.

**Pennsylvania:**

<sup>60</sup>The supreme court enacts these rules to ensure the efficient and effective administration of justice. In general, the legislature enacts cost and fee legislation to implement newly passed initiatives.

**Puerto Rico:**

<sup>61</sup>The constitution authorizes the supreme court to establish the rules. The rules should be submitted to the legislature for approval.

**South Carolina:**

<sup>62</sup>SC Code §14-3-950 requires rules governing practice and procedure in all courts be submitted to the judiciary committees of both houses. They become effective ninety days after submission unless disapproved by 3/5 of the members of each house voting.

**South Dakota:**

<sup>63</sup>The supreme court has authority to adopt rules of practice and procedure which may then be amended by the legislature.

**Tennessee:**

<sup>64</sup>By legislative authority, the supreme court appoints an advisory commission on rules of appellate procedure. Revisions are adopted by court order and sent to legislature for approval. The court of appeals, supreme court and court of criminal appeals may make and amend rules governing practice not inconsistent with rules.

<sup>65</sup>Advisory committee, statutorily created but appointed by supreme court, recommends or submits revisions to supreme court. The court then adopts by court order and introduces to legislature for joint resolution passage.

<sup>66</sup>Legislature by statute and court rules.

<sup>67</sup>Gives authority to supreme court.

<sup>68</sup>And also for intermediate courts.

<sup>69</sup>Legislature authorizes court to establish.

**Texas:**

<sup>70</sup>Supreme court has the authority to establish rules of administration in trial courts. However, the supreme court must request the advice of the court of criminal appeals before adopting rules affecting the administration of criminal justice.

**Utah:**

<sup>71</sup>The supreme court can adopt and amend rules of procedure. The legislature can amend rules of procedure by a 2/3 majority of both houses.

<sup>72</sup>The supreme court adopts and amends the Code of Judicial Conduct. The legislature provides for the composition and procedures of the Judicial Conduct Commission. The supreme court reviews the orders of the Judicial Conduct Commission.

<sup>73</sup>Rules of administration are the exclusive responsibility of the Utah Judicial Council.

**Virginia:**

<sup>74</sup>The court can establish rules which do not conflict with statutory provisions.

<sup>75</sup>The supreme court can promulgate only rules which are consistent with enactments of the legislature.

<sup>76</sup>The legislature has delegated to the supreme court the authority to set the amount for certain offenses if they are "pre-paid" before trial.

<sup>77</sup>The supreme court promulgates canons of judicial discipline.

<sup>78</sup>The court can make rules not consistent with legislative enactments.

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## Table 14. The Rule Making Authority of Courts of Last Resort by Specific Areas

### West Virginia:

<sup>79</sup>Legislature may do so, but court rules may supersede.

### Wisconsin:

<sup>80</sup>The legislature and the court of last resort have independent and complementary roles. Section 751.12 Wisconsin statutes.

<sup>81</sup>Rules concerning trial court costs and fee assessments are the exclusive domain of the legislature with the exception of the hourly rate of court appointed counsel which is set by supreme court rule.

<sup>82</sup>The rules do not overlap. The legislature establishes the procedures for investigation. The court of last resort establishes the Code of Judicial Conduct.

<sup>83</sup>The legislature makes its rules of judicial discipline under constitutional authority. The court of last resort makes its rules of judicial discipline under constitutional and inherent authority.

### Wyoming:

<sup>84</sup>What the legislature prescribes in terms of fees and costs governs; however, absent legislature preemption, the supreme court has established court costs.

**Table 15. Judicial Councils and Conferences: Composition and Function**

	Name	Authority	Purpose	Composition/ Who Appoints	Frequency	Tenure
Alabama	Judicial System Study Commission	Statute	Studies judicial systems; make recommendations for improvement of administration of justice to legislature.	6 from Alabama House; 6 from Alabama Senate; Judicial Conference Legal Advisor to Governor; Lt. Governor; Speaker of House; 1 member attorney general's staff.	Reports as Commission deems necessary	Term of office. Attorney General may replace his staff member at any time
	Juvenile Coordinating Council	Statute	Improves interagency coordination of services to children; make recommendations to the Governor and Legislature for improvements to the juvenile justice system.	Chief Justice; legal advisor to the Governor; Lieutenant Governor; Speaker of the House; Attorney General; Representatives of juvenile agencies; three appointees from business and industry by the Governor; and 5 persons to be appointed by the Council	At least annually	Council and Governor's appointees serve for 2 years; other members serve for term of office
Alaska	Judicial Council	Constitution	Studies judicial system for improvements in administration; nominate candidates for judgeships.	3 attorneys appointed by the governing body of the organized state bar; 3 non-attorneys appointed by governor subject to confirmation by a majority of the members of the legislature in joint session; chief justice	At least one biennial meeting	6 year terms
Arizona	Arizona Judicial Council	Administrative order of the Supreme Court	The Arizona Judicial Council assists the Supreme Court in developing and implementing policies and procedures designed to accomplish the full and complete integration of the court system pursuant to the Court's constitutional mandate. The Council identifies the needs of the judiciary, studies the internal operation of the courts, analyzes and plans for future developments, and recommends uniform administrative policies and procedures to improve judicial administration at all levels.	The Council is composed of the following members: the Chief Justice of the Supreme Court; the chief judges of the Court of Appeals; the presiding judges of Maricopa and Pima counties; the President of the State Bar of Arizona or designee; the administrative director of the courts; two presiding judges of the Superior Court from non-metropolitan counties, a justice of the peace; a city magistrate, and a public member, all appointed by the Chief Justice; and such other members as may be appointed at the discretion of the Chief Justice.	Quarterly	Some by virtue of position; others have varying terms
Arkansas	Judicial Council	Statute	Directs and develops criteria for new judgeships and types of judges. Adopts legislative agenda.	Consists of all judges of circuit and chancery courts, court of appeals, justices of the supreme court	October and April of each year	Term in office
California	Judicial Council	Constitution	Chief administrative body of court system. The administrative director of the court is responsible for setting the direction and providing the leadership for improving the quality and advancing the consistent independence and accessible administration of justice.	Chief Justice and 1 associate justice; 3 judges of Court of Appeals; 5 Superior Court judges; 5 Municipal Court judges; 4 state bar members; 1 senate member; 1 assembly member; 4 trial court administrators; 1 court commissioner; president of the California Judges Association; and 1 appellate court clerk	Seven times a year	3 years, so long as the person retains their status



**Table 15. Judicial Councils and Conferences: Composition and Function**

	Name	Authority	Purpose	Composition/ Who Appoints	Frequency	Tenure
Colorado	Judicial Advisory Council	Supreme Court Rule	Studies the needs of the judicial system; develops an intermediate and long-range plan for the judicial system; identifies particular problems and recommends solutions; recommends ways of improving the judicial system and suggests appropriate measures to achieve the recommended improvements; provides policy guidance to the Chief Justice; coordinates planning efforts among groups, associations, and governmental bodies concerned with improving the judicial system.	1 Supreme Court Justice; 1 Court of Appeals judge; 3 District Court judges; 1 Juvenile Court judge; 2 County judges; 1 member of SCAO; 1 probation officer; 1 district administrator; 1 clerk of County/District court; 1 member from County public defenders' office; 1 District Attorney; 6-10 members appointed from public at large; Chief Justice appoints	Quarterly	3 years
Connecticut	Meetings of Supreme Court Justices	Statute	Establish personnel policy/positions/compensation; conduct annual statewide rules hearing; establish appellate rules; approve appointments of appellate personnel; approve case transfers.	Chief Justices and Associate Justices of the Supreme Court	As needed	~
Delaware	Judicial Conference	Supreme Court Rule	Studies courts to improve the administration of justice.	Members of the: Supreme Court; Court of Chancery; Superior Court; Family Court, Court of Common Pleas; Municipal Court; City of Wilmington, and the Chief Magistrate of the Justice of the Peace System	Biennial	Term of office
	Meetings of Superior Court Judges	Statute	Discusses operations of the court.	The 11 Superior Court judges	Monthly	Term in office
District of Columbia	Joint Committee on Judicial Administration	Statute	Establishes administrative policy of court system.	Chief Judge of District of Columbia Court of Appeals, Court of Appeals associate judge; Chief Judge of superior court; 2 Superior Court judges. Appointments: Chief judges of respective courts appoint associate judges, with approval from the Board of Judges	Monthly	Term of office
	Judicial Conference	Statute	Annual meeting to make recommendations for improvements in court system.	Active judges of District of Columbia, Court of Appeals and Superior Court, Bar Members and Invitees	Annual	Term of office
	Board of Judges	Statute	Determines internal operating policy of court.	Judges of Superior Court of District of Columbia	Monthly	Term of office
Florida	Rules of Judicial Administration Commission <sup>1</sup>	Rule	Recommend changes in the procedural rules of the court.	Attorneys and judges appointed by the Florida Bar <sup>2</sup>	Propose changes by June 30 of every 4th year	3 year terms (staggered)
	Judicial Management Council	Rule	Recommends changes related to the efficient and effective administration of justice.	Judicial and legislative representatives	At least quarterly	Differing terms

**Table 15. Judicial Councils and Conferences: Composition and Function**

	Name	Authority	Purpose	Composition/ Who Appoints	Frequency	Tenure
Georgia	Judicial Council	Statute and Supreme Court Rule	Studies court organization and rules of practice and procedures.	24 representatives of the appellate and trial courts make up the Judicial Council. The Chief Justice and Presiding Justice act as the Chairperson and Vice-Chairperson respectively.	At least semi-annually	By virtue of position on appellate court or on trial court council
Hawaii	Judicial Council	Statute	Studies administration of justice and reports to the Supreme Court (advisory only).	Chief Justice and not more than 15 other members to include laymen, judges, and lawyers, as provided by the Supreme Court / Appointed by Supreme Court.	Biennial report	3 years
Idaho	Judicial Council	Statute	Conducts studies to improve court system; reports to the Supreme Court and legislature submit nominations for judgeships; recommends removal or discipline of judicial officer.	Permanent: 3 attorneys (1 is a district judge) appointed by state bar; 3 non-attorneys appointed by governor; Chief Justice as chair. Chair who appoints adjunct, a magistrate judge, when the removal or discipline of a magistrate judge is before the council.	Reports at least every 2 years	6 years
Illinois	Judicial Conference	Constitution and Statute	Studies business of court system.	Judges of Supreme Court and selected judges of the Appellate and Circuit Courts as approved by Supreme Court.	Annual	Term of office
Indiana	Judicial Conference	Statute	Discusses operations of courts and promotes continuing education of judges.	State judges <sup>3</sup>	Annual	Term of office
Iowa	Judicial Conference	Rule pursuant statute	Considers administrative rules, directives, and regulations; recommends to Supreme Court for adoption.	Chief judges of judicial districts, Court of Appeal chief judge, Supreme Court chief justice/ Statutory	Chief judge's discretion	2 years
Kansas	Judicial Council	Statute	Recommends probate, civil, criminal, and juvenile code; conduct research for court system. Annual meeting of judiciary to discuss judicial business, to make justice more efficient.	Supreme Court justice, Court of Appeals judge, 2 District Court judges, 4 resident lawyers, chairs of House and Senate judiciary committees	Monthly	Appointed by Chief Justice for 4 years, except Senate and House members, who serve their term of office.
Kentucky	Judicial Council	Statute	Studies ways to improve administration of justice; recommend changes in rules and procedure (advisory only).	State judges <sup>4</sup>	Twice per year	Appointed to serve for no longer than 4 years
	Judicial Conference	Repealed	Studies court system; receives reports and recommendations from Judicial Council.	~	~	~
Louisiana	Judicial Council	Supreme Court Rule	Studies court organization, rules, and procedures; recommends improvements.	Seventeen voting member maximum <sup>5</sup> /Varies	Semiannual	3 year terms, no more than 2 successive terms
Maine	Judicial Conference	Statute	Advises and consults with the Supreme Court in matters of judicial administration.	Judges and Justices	Annually	Term of office

**Table 15. Judicial Councils and Conferences: Composition and Function**

	Name	Authority	Purpose	Composition/ Who Appoints	Frequency	Tenure
Maryland	Executive Committee of Judicial Council	Rule 16-802d	Between plenary sessions: "to consider the status of judicial business..., to devise means of relieving congestion of dockets..., to consider improvements of practice and procedures..., to consider and recommend legislation, and to exchange ideas with respect to the improvement of the administration of justice...and the judicial system in Maryland", [s]ubmit recommendations for the improvement of the administration of justice..., [e]stablish committees...and approve and coordinate the[ir] work..., [p]lan sessions of the conference in conjunction with the Conference Chairman".	17 elected members and 1 ex-officio (Chief Judge)	Monthly	2 years
	Conference of Circuit Judges	Rule 16-108	"...for the purpose of exchanging ideas and views with respect to the circuit courts and the improvement of the administration of justice and making recommendations with respect thereto; to initiate complaints to disabilities concerning alleged judicial misconduct or disability".	Circuit administrative judges – Ex-officio, 1 elected judge from each circuit – 2 year term	At least 4 times a year but, in practice, bi-monthly	
Massachusetts	Judicial Council	Statute	Study organization, rules, and methods of practice and procedures.	Chief Justice of the Supreme Judicial Court, Chief Judge of Appeals Court, Chief Judge of each department of the Trial Court, and 4 bar members	Reports annually to the Governor	Bar members appointed-no longer than 4 years; justices serve term of office
	Judicial Conference	Statute and Court Rule	Considers matters relating to judicial administration and improvement.	Supreme court determines which judges and others shall comprise conference	Court's discretion	Term of office
Michigan	Judicial Conference	Statute and Court Rule	Studies organization, rules, methods of procedure, and practice of the judicial system in general; studies the problems of administration confronting the courts and judicial system in general; and recommends modifying or ameliorating existing conditions, harmonizing and improving laws and amending the rules and statutes relating to practice and procedures.	All judges	Annually – called by State Court Administrator	~
Minnesota	Annual Conference of Judges	Statute	Considers improvements in administration of justice.	All judges	Annually-called by chief justice	Term of office

**Table 15. Judicial Councils and Conferences: Composition and Function**

	Name	Authority	Purpose	Composition/ Who Appoints	Frequency	Tenure
Mississippi	Commission on Judicial Performance	Statute	Recommends to Supreme Court practice and procedures regarding complaints and inquires about judicial performance.	Circuit Court judge, Chancellor, County Court judge, Justice Court judge, attorney, 2 lay people	As needed	6 year terms, cannot succeed a full term
	Judicial Advisory Study Committee	Statute	Makes recommendations to the AOC, makes studies and recommendations for the improvement of the judicial system.	Appointments by Supreme Court Chief Justice, Court of Appeals, Chief Judge, Chancery Judges Conference, Circuit Judges Conference, County Judges Conference, Justice Court Judges Conference, Chancery Clerks Association, Circuit Clerks Association, Governor, Lt. Governor, Speaker of House, MS Bar President, Magnolia Bar President. House and Senate Judiciary Chairmen serve as legislative liaisons.	Quarterly	3 years
Missouri	Judicial Conference	Statute	Studies organization, rules and methods of practice procedure.	Supreme Court and Court of Appeals judges and commissioners, Circuit Court judges and associate judges, all retired judges / Appointment is automatic.	Once a year	Term of office or retirement
Nevada	Regional Judicial Council	Statute	Assists in improvement of the court system within their region.	District Court judge, Justice of the Peace and municipal judge of region, elected by a majority of respective colleagues.	3 times a year	3 year terms, except: Chief Judges of 2nd and 8th Judicial Districts
	Judicial Council of State of Nevada	Statute	Improves courts by implementing policies and procedures.	Members of each regional judicial council, the Chief Justice and an associate justice, plus ex officio members—Presidents of Nevada Judges Association, Nevada District Judges Association, Nevada Association of Court Clerks and Administrators	3 times a year	3 year terms, except: term of office for Chief Judge and terms as Chief Judge for judges of 2nd and 8th Judicial Districts
New Hampshire	Judicial Council	Statute	Studies administration of justice; devises ways to improve procedure; collects; analyzes, and publishes statistics.	Judicial Branch administrative council (5), attorney general, state court clerk, legislative representatives (2), appointees of governor and council (8), appointees of Supreme Court (5)	Biennial Reports	3 years, except attorney general, administrative council, chairpersons of senate and house of judiciary, president of bar serve terms of office
New Jersey	Judicial Council	Supreme Court	Assists Supreme Court and Chief Justice in development and implementation of policy on all matters affecting the trial courts.	Chief Justice, Assignment Judges (15), Chairs of Presiding Judge Conferences (3), Administrative Director, Deputy Administrative Director/Appointed by Chief Justice	Monthly	At pleasure
	Conferences of Presiding Judges	Chief Justice	One conference each for Civil, Criminal, and Family. Serves as forum for exchange of ideas, identification of problems, and recommendation of best practices.	Each vicinage has a Presiding Judge for Civil, Criminal, and Family, designated by Chief Justice	Monthly	At pleasure
New Mexico	Chief Judges Council	Chief Justice with advice from council	Budget, decision making, statewide judiciary matters/issues	Presiding Judges, President Judge, Magistrate Judges Association	Monthly	As long as President Judge

**Table 15. Judicial Councils and Conferences: Composition and Function**

	Name	Authority	Purpose	Composition/ Who Appoints	Frequency	Tenure
New York	Judicial Conference	Statute	Advise the Chief Judge; recommendations to the Governor and legislature for changes in statutes rules and practices.	State judges/administrative board appoints the members of the bar and the justice from a town or village court <sup>6</sup>	Annually (or as needed)	2 years except judges term of office
	Administrative Board of the Courts	Constitution	Assists the Chief Judge in establishment of administrative standards and policies for the State Court system.	Chief Judge of Court of Appeals, Presiding Justice of the Appellate Division of the Supreme Court of each judicial department	Meet as needed	Term of Office
North Carolina	North Carolina Courts Commission	Statute	Studies structure organization, jurisdiction, procedures, and personnel of court system; makes recommendations for change to the legislature.	24 voting members, including: representatives from the Judicial Branch, the Legislative Branch and practicing attorneys, 3 non-voting, ex officio members	At discretion of the chair	4 years
	North Carolina Judicial Advisory Commission	Supreme Court	Determines better processes/procedures for the efficient administration of court operations.	Includes representatives from the Supreme Court of N.C. (Chair), Superior Court judges, District Court judges, district attorneys, clerks of Superior Court, magistrates; and public defenders, established by Supreme Court Chief, Chief Justice and Director of the Administrative Office of the Courts.	Meet as needed	~
North Dakota	Judicial Conference	Statute	Studies operation of courts in state to see that procedures are simplified and business expedited.	All judges Supreme and District Courts, attorney general, dean North Dakota School of Law, five members of bar, all Surrogate judges, two Municipal judges, clerk of Supreme Court	Twice per year	Throughout term of office, and bar members five years
Ohio	Judicial Conference	Statute	Considers problems in administration of justice and make recommendations for improvement to legislature and courts.	Judges of Supreme Court, Court of Appeals, Common Pleas Court, Probate Courts, Municipal and County Courts	Biennial reports to legislature. Report as needed to courts and legislature	Term of office
Oregon	Judicial Conference	Statute	Studies organization, jurisdiction, procedures, and practices of courts in the state; holds an annual education session and business meeting.	Judges of Supreme Court, Court of Appeals, Tax Court, Circuit Courts and senior judges of these courts.	At least once annually	Term of office
Pennsylvania	Judicial Council of Pennsylvania	Supreme Court	Studies administration of justice; make recommendations to Supreme Court on matters referred by court or raised by Council sua sponte.	27 members <sup>7</sup>	As called by Chief Justice	3 years for office holder
Puerto Rico	Judicial Conference	Supreme Court	Review the state of the administration of justice; promote the study of rules and procedures and make recommendations for improvement of the judicial system.	Ex officio: Justices and former Justices of the Supreme Court, Trial court judges, Secretary of Justice, and the Attorney General. Also Board of Directors of the State Bar, deans of law schools, appointed attorneys, and citizen non-attorneys.	Annual meeting	Ex officio: term of office, others at pleasure of the Supreme Court.

**Table 15. Judicial Councils and Conferences: Composition and Function**

	Name	Authority	Purpose	Composition/ Who Appoints	Frequency	Tenure
Rhode Island	Judicial Council	Statute	Studies organization of judicial system; makes recommendations to courts.	6 members of Rhode Island Bar / Statute (Gov.)	Report Annually	3 years
	Judicial Conference	Statute	Considers matters relating to judicial business and administration.	All justices Supreme, Superior, District Courts and Family Courts / Statute (Gov.) with consent of Senate	Annually	Term of office
South Carolina	Judicial Council	Statute	Studies organization of judicial system; collects and publishes statistics.	Judicial and Legislative representatives <sup>8</sup>	Report as needed	Attorney General, dean, circuit judges, probate and family court judges and magistrates, and appointees 4 years, all others term of their office
South Dakota	Judicial Conference	Statute	Studies organization, rules, methods, and practices of all courts; recommendations to the Supreme Court.	Justices and judges of Supreme Court and Circuit Court as members, Magistrate judges	Annual	Term of office
Tennessee	Judicial Council	Statute	Studies operation of judicial department; consider recommendations for improvement.	Legislative and judicial representatives-6 at large members may be selected <sup>9</sup>	Biennial	All judges and appointees 4 year terms
	Judicial Conferences	Statute	Considers rules and laws to improve administration of justice; draft suitable legislation for General Assembly.	All judges of courts or records whose salary is paid in whole or part by state, including retired judges and probate courts. Courts where county population is less than 300,000.	Annually	Term of office or retirement
Texas	Judicial Council	Statute	Studies and improves administration of justice.	Chief Justice of Supreme Court; presiding judge of Court of Criminal Appeals; chair of Senate Jurisprudence Committee; one member of senate, appointed by lieutenant governor; chair of the House Judicial Affairs Committee; one member of the House of Representatives, appointed by the speaker of the house; two justices of courts of appeals designated by chief justice of the supreme court; two district judges designated by the chief justice of the supreme court; Two judges of county courts, statutory county, or statutory probate courts designated by the chief justice of the supreme court; two justices of the peace designated by the chief justice of the supreme court; and two municipal court judges designated by the chief justice of the supreme court. Also six citizen members appointed by the governor.	Annual meeting	Citizens serve staggered 6 year terms appoint 3 biennially
Utah	Judicial Council	Statute  State Constitution	Develops uniform administrative policies for the courts of Utah.  Adopts rules for the administration of all courts.	Chief Justice and one associate justice Supreme Court, one judge Court of Appeals; 5 District and 2 Juvenile Court judges, three Justice Court judges, member of Utah State Bar Commission. All judges elected, except Chief Justice.	Annual	3 year terms

**Table 15. Judicial Councils and Conferences: Composition and Function**

	Name	Authority	Purpose	Composition/ Who Appoints	Frequency	Tenure
Vermont	Judicial Council <sup>10</sup>	Statute	~	~	~	~
Virginia	Judicial Conference	Statute	Discusses matters to improve administration of justice. Continuing legal education.	Justices of Supreme Court, judges of Court of Appeals; Circuit Courts, and all retired justices and judges	Semi Annual	Term of office
	Judicial Conference for District Courts	Statute	Discusses matters to improve administration of justice. Continue legal education.	Judges of every general District Court, and Juvenile and Domestic Relations Courts	Semi Annual	Term of office
	Judicial Council	Statute	Studies organization, rules, procedure, and practices of the judicial system.	One Judge from Court of Appeals, 6 Circuit Court judges, one General Circuit judge, one Juvenile and Domestic Relations judge, 2 attorneys, and chairman of Committees for Courts of Justice of Senate and House	Quarterly	4 year terms, maximum of 2 consecutive terms
	Committee on District Courts	Statute	Studies organization, rules, procedure, and practices of the District Courts' and clerks' offices; determines number of District Court judges, substitute judges, clerks' offices and court personnel; establishes practices and procedures for District Courts.	Speaker of House, chairman of House and Senate Judiciary Committees, 2 members of each Committees for Justice, one judge of Circuit Court, one Juvenile Domestic Relations District Court judge	Monthly	Term of office Judges – one year term
Washington	Judicial Conference	Statute	Considers matters relating to administration of justice.	All judges of courts of record and courts of limited jurisdiction	Annual meeting	Term of office
	Board of Judicial Administration	Supreme Court Rule		Chief justice and acting chief justice of Supreme Court, 3 judges of Court of Appeals, Superior Court and limited jurisdiction courts, 2 members of bar, appointed by each association.	Monthly	Appointed 3 years
West Virginia	Judicial Council	Statute	Studies organization, rules, and methods of practice and procedure; collects statistics.	~	~	~

**Table 15. Judicial Councils and Conferences: Composition and Function**

	Name	Authority	Purpose	Composition/ Who Appoints	Frequency	Tenure
Wisconsin	Planning and Policy Advisory Committee	Supreme Court Rule	Advises the Supreme Court and the Director of State Courts in the director's capacity as planner and policy advisor for the judicial system.	Chief Justice of Supreme Court/Supreme Court appoints; one judge of the Court of Appeals/appointed by court of appeals; thirteen circuit judges/one judge elected by the judges of each of judicial administrative districts; one municipal judge/elected by Wisconsin Municipal Judges Association; two persons selected by the board of governors of the state bar, three non-lawyers/one elected county official, appointed by Chief Justice; a public defender; a court administrator, a prosecutor, a clerk of court/all appointed by Chief Justice	At least quarterly; currently meeting monthly at Chairperson's call	Judges elected by Administrative District for 3 year terms, other members appointed for 3 year terms.
	Judicial Conference	Supreme Court Rule	Studies problems in administration of justice; makes recommendations for improvement, conducts instructive programs and seminars.	Justices of Supreme Court, Court of Appeals, Circuit Court and reserve judges.	Annual meeting	Term of office
	Judicial Council	Statute	Studies pleading, practice, and procedure; makes recommendations to Supreme Court and legislature.	Justices of Supreme Court, Court of Appeals, Circuit Court and reserve judges. <sup>11</sup>	At least quarterly on Chairperson's call, or call signed by 5 members.	Term of office, or until successor is selected.
Wyoming	Judicial Council	Supreme Court order	Studies matters relating to administration of justice.			
Federal Courts	Judicial Conference of the United States	28 USC 331	Surveys condition of business in the courts and prepares plans for the assignment of judges. Promotes uniformity of management procedures and expeditious conduct of the courts.	Supreme Court Justices, District Court judges, County Court judges, Justices of the Peace and Municipal Court judges	Once per year	Term of office

Note: The following states do not have Judicial Councils and Conferences: Montana, Nebraska, New Mexico and Oklahoma.

**FOOTNOTES:**

**Florida:**

<sup>1</sup>Judicial Administration Commission coordinates the Florida Bar Rules Committees.

<sup>2</sup>Chief justice of supreme court, 3 district court of appeals judges, 3 circuit court judges, 3 county court judges, one state attorney, one public defender, one clerk of the court, 4 members of Florida Bar, including the president of the Florida Bar, president of the senate and speaker of the house, general council of the governor, attorney general, 6 members of the public, and 1 member of the Florida Conference of District Court of Appeals Judges.

**Indiana:**

<sup>3</sup>All justices of the supreme court; all judges of the court of appeals, the judge of the tax court; all circuit, superior, probate, and county court judges; all municipal court judges who are serving on a full time basis; any retired judge who serves as a special judge and notifies the conference of the service; full-time magistrate is non-voting member.

**Kentucky:**

<sup>4</sup>Chief justice of the supreme court; chief judge of the court of appeals; 4 circuit judges, and four district judges; president of the Kentucky Association of Circuit Court Clerks; 3 members of the State Bar of Kentucky, and the chairman of the House and Senate Judiciary Committees.

**Louisiana:**

<sup>5</sup>Chief justice of the supreme court, one associate justice, 2 court of appeals judges, 2 district court judges, 1 member of the Louisiana City Judges Association, 1 member of the Juvenile and Family Court Judges Association, 2 members of Louisiana State Bar Association, a member of the Young Lawyers Section, 1 member of the Louisiana State Law Institute, 1 member of the House, one member of the Senate, a member of the Louisiana District Attorneys Association, 1 member of the Louisiana Clerk of Court Association, 1 non-attorney, and a non-voting secretary.



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## Table 15. Judicial Councils and Conferences: Composition and Function

### **New York:**

<sup>6</sup>Chief judge of court of appeals, presiding justice of appellate division of each judicial department, one trial justice of the supreme court for each court for each judicial department, one judge each: court of claims, county court, surrogate's court, family court, civil court of New York City, the criminal court of New York City, one judge of a city court outside NYC, one judge of a district court, one justice of a town or village court, and from each judicial department, one member of the bar of the state. The chair and ranking minority members of each of the committees on judiciary and on codes of the senate and assembly are ex officio members.

### **Pennsylvania:**

<sup>7</sup>Chief justice of Pennsylvania, 2 justices of supreme court, court administrator, president judge of superior court, president judge of commonwealth court, president judge of the court of common pleas of Philadelphia and Allegheny counties, president of the Pennsylvania Conference of State Trial Judges, 3 judges of court of common pleas, 1 judge not from appellate or court of common pleas, 3 non-judge members of the bar of the supreme court, 1 non-judge member of the bar of the supreme court, 3 non-lawyers electors, 1 member of each the Senate and the House, 3 members appointed by the Governor one member of Senate of Pennsylvania appointed by minority leader of Senate, one member of House of Representatives appointed by minority leader of House of Representatives.

### **South Carolina:**

<sup>8</sup>Chief justice of the supreme court, two circuit court judges; 2 family court judges; 2 probate judges; attorney general, dean or faculty member of Law School of University of South Carolina; president of the South Carolina Bar; lieutenant governor; speaker of the House of Representatives; chairman of the Senate Finance Committee; chair of House Ways and Means Committee; chairmen of House and Senate Judiciary Committees, director of the legislative council; 6 others, at least 4 of whom are members of the bar; two judges of magistrate courts and two masters-in-equity.

### **Tennessee:**

<sup>9</sup>One judge each from the: supreme court, court of appeals, court of criminal appeals, circuit court judge, criminal court judge, general sessions court judge; one chancellor, the speaker of the Senate, chairman of House Judiciary Committee, attorney general, administrative director to supreme court, 2 layman, 2 members of bar of Tennessee who practiced law at least 3 years.

### **Vermont:**

<sup>10</sup>Although authorized by statute the Council has not been called together for 20 years and has no function.

### **Wisconsin:**

<sup>11</sup> One supreme court justice designated by the supreme court; a court of appeals judge designated by the court of appeals; director of state courts or his or her designee; 4 circuit judges designated by the Judicial Conference; chairpersons of the Senate and the Assembly Committees dealing with judicial affairs or member of each committee designated by the respective chairperson; attorney general or his or her designee; revisor of statutes or an assistant designated by the revisor; deans of the law schools of the University of Wisconsin and Marquette University or a member of the respective law school faculties designated by the deans; the state public defender or his or her designee; president-elect of the state bar or a member of the board of governors of the state bar designated by the president-elect and 3 additional members thereof selected by the state bar to serve 3-year terms; one district attorney appointed by the governor; and 2 citizens at-large appointed by the governor to serve 3-year terms.

**Table 16. Judicial Compensation Commissions**

	Commission Name	Authorization/ Year Established	Members and Appointment Process	Positions Reviewed	Meeting Schedule	Commission Reports To:	Effect of Commission Recommendation
Alabama	Judicial Compensation Commission	Ala. Const. amend. 328 § 6.09 and Const amend. 426; Ala. Code §§ 12:10-1 et seq (1995) Established in 1973.	5 members; 1 appointed by governor, 1 by president of the senate, 1 by speaker of house, 2 by governing body of state bar; no member shall hold any other public office or office in a political party; members serve a four year term.	All state judges, trial and appellate/ all judges except judges of probate courts and municipal courts	Meet annually	May submit a report to the legislature at any time during first five calendar days of any session	Becomes law "upon confirmation by joint resolution or such recommendations may be altered by an act of the legislature at the session to which the report is submitted". Const amend. 426
Alaska	State Officers Compensation Commission	Alaska Stat. § 39.23.200-400 (1962 & Supp. 1996) Established in 1986.	7 members; appointed by governor, subject to confirmation by legislature; staggered 4 year terms; includes 1 business executive, 1 representative of a nonpartisan voter's organization, 1 person with experience in public administration, 1 labor organization representative; no state employees or holders of public office	Must review members of legislature, may review governor, lieutenant governor, justices and judges, heads of departments	Meet every other year and may meet every year	Legislature during first 10 days of any session	Advisory
Arizona	Commission on Salaries for Elective State Officers	Ariz. Const. art. V, § 13; Ariz Rev. Stat. Ann. § 41-1901- 1905 (1992 & Supp. 1997) Established in 1970.	5 members, from private sector, 2 appointed by governor, 1 each appointed by president of senate and speaker of house, and chief justice; comprised of new members biennially	All elected state officers	"At such times as may be directed by the legislature," reports at least biennially	Governor, no later than Oct 1	Governor makes recommendation to Legislature, which becomes law unless either House disapproves or alters
Colorado	State Officials' Compensation Commission	Colo. Rev. Stat. § 2-3-801-901 (1997) Established in 1973.	9 members; 2 appointed by president of senate and speaker of house, (only 2 members may be members of general assembly); 3 by governor, 2 by chief justice, these may not be elected or appointed officials nor state employees; staggered terms of 2 and 4 years	Members of the general assembly, justices and judges of the state judicial system, district attorneys, elected and appointed officials of executive branch not included in the state personnel system	At least twice a year	Report filed with president of senate, speaker of house, governor, and chief justice no later than the 10th day of regular session in odd numbered years	Advisory
Connecticut	Compensation Commission for Elected State Officers and Judges	Conn. Gen. Stat. § 2-9a (West 1988 & Supp. 1998) Established in 1971.	11 members; 3 appointed by governor, 2 by president pro tem of senate, 2 by speaker of house, 2 by minority leader of senate and 2 by minority leader of house; no state officials or employees; 4 year terms	Governor, lieutenant governor, secretary of state, attorney general, treasurer, comptroller, members of general assembly, and all judges except probate judges	4 times a year	Legislative Management Committee of the General Assembly	Advisory

**Table 16. Judicial Compensation Commissions**

	Commission Name	Authorization/ Year Established	Members and Appointment Process	Positions Reviewed	Meeting Schedule	Commission Reports To:	Effect of Commission Recommendation
Delaware	Delaware Compensation Commission	Del. Code Ann. tit. 29, § 3301-3304 (1997) Established in 1984.	6 members; 2 appointed by governor, 1 by president pro tem of senate, 1 by speaker of house; president of Delaware Roundtable and personnel director of state shall be members; no state officers or employees; 6 year terms	General assembly, governor, governors cabinet, lieutenant governor, state auditor, state treasurer, attorney general, insurance commissioner, justices of the supreme court, judges and public defender	Every 4 years	Governor, chief justice, and general assembly every 4 years on 1st day of session	Becomes law within a month of submission unless the general assembly, by joint resolution, rejects the report in its entirety
Georgia	State Commission on Compensation	Ga. Const. art. 5; Ga. Code Ann. § 45-7-90-96 (1990) Established in 1981.	12 members (private citizens); 4 appointed by governor, one person with business background, 2 by lt. governor, <sup>1</sup> 2 by speaker of house, <sup>2</sup> 4 by supreme court justices, 4 year terms; no state officers or employees	Constitutional officers, including judges and members of the general assembly and full-time department heads of executive branch	Annually	General assembly, 30 days prior to its convening along with filing a bill. Also reports to Governor, Lieutenant Governor, Speaker of House, Chief Justice and Chief Judge of Court of Appeals	Advisory
Hawaii	Judicial Salary Commission	Haw. Const. Art. 6 § 3; Haw. Rev. Stat. § 608-1.5 (1993) Established in 1989.	5 members; 2 members appointed by governor, 1 each appointed by chief justice, pres. of senate and speaker of house; 4 year terms	All justices and judges	Every 2 years	Legislature, by October 15 of each year preceding a fiscal biennium with copies to the governor and chief justice	Advisory
Illinois	Compensation Review Board 1984	Ill. Ann. Stat. ch. 25 para 120 (Smith-Hurd 1993 & Supp. 1998) Established in 1984.	12 members; 3 appointed by speaker of house, 3 by minority leader, 3 by president of senate, 3 by minority leader of senate; no current or past state employees; staggered 3 year terms	Members of general assembly, judges, state's attorneys, elected constitutional officers of state and certain appointed officers of state government, and certain appointed officers of state government was added with P.A. 90-375 effective 1997	Even number years	General Assembly	Becomes law unless rejected by legislature (can be disapproved within 30 days)

**Table 16. Judicial Compensation Commissions**

	Commission Name	Authorization/ Year Established	Members and Appointment Process	Positions Reviewed	Meeting Schedule	Commission Reports To:	Effect of Commission Recommendation
Iowa	Judicial Compensation Commission	Iowa Code Ann. § 602.1514 (West 1946 & Supp. 1996) Established in 1987.	8 members; 4 appointed by governor, 4 by legislative council; no state officials or employees; 4 year terms	Statutory judicial officers	Biennially	Governor and general assembly no later than February 1 of each odd- numbered year	Advisory
Louisiana	Judicial Compensation Commission	La. Rev. Stat. Ann. § 13:41-13:49 (West 1983 supp. 1998) Established in 1989.	10 member confirmed by Senate; 1 appt. by governor, 2 by president of senate, 2 by speaker of house, 1 by chief justice of supreme court, 1 by Conference of Court of Appeals, 1 by District Judges Association, 1 by City Judges Association, and 1 by state bar association for 4 year terms	Judges	Biennially in even numbered years	Legislature 60 days before regular session in an even numbered year and thereafter every 2 years	Shall be passed if approved by concurrent resolution adopted by majority of house and senate
Maine	Judicial Compensation Commission	Me. Rev. Stat. Ann. title 4 § 1701. Established in 1995.	3 members selected from the registered voters of the state, 1 appointed by governor, 1 by president of senate, 1 by speaker of house; 4 year terms are staggered	All justices and judges of supreme judicial court, the superior court, the district court, and administrative court	First meeting is 5 days after appointment, following meetings occur at request of at least 2 members	Commission makes biennial reports in even numbered years sent to joint standing committee of legislature	Advisory Commission is authorized to submit with report any proposed legislation the commission deems necessary
Maryland	Judicial Compensation Commission	Md. Code Ann. Cts. & Jud. Proc. § 1-708 (1995 Supp. 1997) Established in 1980.	7 members appointed by governor; 2 appointed by list of 5 submitted by president. of senate, 2 from list of five submitted by speaker of house, 1 from list of 3 submitted by state bar, and 2 at- large; staggered 6 year terms	Judges of court of appeals, court of special appeals, circuit courts, district court	At least once every 2 years	Governor and general assembly, at least every 4 years	Becomes law if not amended, rejected, or adopted after 50 days. May be totally rejected before that point
Michigan	State Officers Compensation Commission	Mich. Const. art. 4, §12; Mich. Comp. Laws Ann. § 15-211-17 (West 1994 Established in 1984.	7 members appointed by governor; may not be reappointed; cannot be from three branches; staggered 4 year terms	Governor, lieutenant governor, supreme court justices, legislative members	After July 1 in every even numbered year for not more than 15 session days	Legislature, between Dec 1 - Dec. 31 with clerk of house, with secretary of senate and with department director of management and budget	Both houses must reject by 2/3 vote, otherwise becomes law
Minnesota	Minnesota State Compensation Council	Minn. Stat. Ann. § 15A (West 1997 & Supp. 1998) Established in 1983.	16 members; 2 members of house appointed by speaker of house, 2 members of senate appointed by majority leader of senate, 1 member of house appointed by minority leader of house, 1 member of senate appointed by minority leader of senate, 2 nonjudges appointed by chief judge, 1 member from each of the eight congressional districts appointed by governor, of whom no more than 4 may belong to same political party; new committee every two years	Constitutional officers, members of legislature, justices of the supreme court, judges of court of appeals, district court, and heads of state and metropolitan agencies.	Every two years	Speaker of house and president of senate	May be expressly modified or rejected

**Table 16. Judicial Compensation Commissions**

	Commission Name	Authorization/ Year Established	Members and Appointment Process	Positions Reviewed	Meeting Schedule	Commission Reports To:	Effect of Commission Recommendation
Missouri	Missouri Citizen's Commission on Compensation for Elected Officials	Mo. Const. art. 13, § 3 Established in 1996.	22: 1 randomly selected member from each of 9 congressional districts, 12 by governor, 1 retired judge by supreme court; 4 year appointment	Judges, members of legislature, elected state officials	Biennially	Secretary of state and reviser of statutes	Commission filed first report in 1996 and then every 2 years thereafter. Schedule of compensation shall be effective unless disapproved by general assembly
Oregon	Public Officials Compensation Commission	Or Rev. Stat. § 292.907-930 (1993) Established in 1983.	7 members; 2 appointed by governor, 2 appointed by speaker of house, 2 by pres. of senate, 1 by chief justice; 4 year terms	Elected officials, including the judiciary	As frequently as necessary	Legislative assembly	Advisory
Rhode Island	Unclassified Pay Plan Board	R.I. Gen. Laws § 36-4-16 (1997) Established in 1978.	7 members; 2 from house appointed by speaker, 2 from senate appointed by majority leader; 3 of whom shall be: director of administration, state court administrator and, general treasurer; no terms	Judges and directors of all executive departments and unclassified state employees	As needed—at least once each January	General assembly	Goes into effect unless rejected by formal action of the house and senate within 30 day time period.
Utah	Executive and Judicial Compensation Commission	Utah Code Ann. § 67-8-1 (1996) Established in 1981.	6 members; not more than 3 from same political party, 1 appointed by governor, 1 by president of senate, 1 by speaker of house, 2 by other 3 appointed members, 1 by state bar commission; 4 year terms	Governor, lieutenant governor, attorney general, state auditor, state treasurer, justices of supreme court, judges of the constitutional and statutory court of records, full time commissioners and executive directors of executive departments	Every year	Legislature	Advisory
Washington	Citizen's Commission on Salaries for Elected Officials	Wash. Rev. Code § 43.03.305 (1983 & Supp. 1997) Established in 1987.	16 members, 9 drawn by lot from voter lists, 7 by speaker of senate and house; 4 year terms	Members of legislature, all elected officials of executive branch, all judges of supreme court, court of appeals, superior courts and district courts	At least every two years	Secretary of state	Becomes law with no action by the legislature. Commission has resulted in significant increases for judiciary.

Note: Only states with a judicial compensation commission appear on this table.

**FOOTNOTES:**

**Georgia:**

<sup>1</sup>One of each of these two is to have labor-management relations experience.

**Table 17. Preparation and Submission of the Judicial Branch Budget**

	Who Prepares the Budget?	Branch Review of Budget?	Where Submitted?
Alabama	AOC	Yes, by AOC	To the executive branch
Alaska	AOC <sup>2</sup>	Yes, by COLR	To the legislature
Arizona	AOC	Yes, other <sup>3</sup>	To legislature and executive branch
Arkansas	AOC	Yes, by AOC	To the legislature
California	AOC	Both the AOC and COLR <sup>6</sup>	To legislature and executive branch
Colorado	AOC	Yes, by COLR	To the legislature
Connecticut	AOC	Yes, by AOC	To the executive branch
Delaware	Other <sup>8</sup>	Yes, other <sup>9</sup>	To legislature and executive branch
District of Columbia	AOC	Yes, other <sup>13</sup>	~ <sup>13</sup>
Florida	AOC	Yes, other <sup>14</sup>	To the legislature
Georgia	Other <sup>15</sup>	Yes, by COLR	To the executive branch
Hawaii	Individual courts	Yes, by AOC <sup>17</sup>	To the legislature
Idaho	COLR	Yes, by COLR	To the legislature
Illinois	AOC	Yes, by COLR	To the legislature
Indiana	COLR <sup>19</sup>	Yes, by COLR	To the executive branch
Iowa	AOC	Yes, by COLR	To the legislature
Kansas	AOC	Yes, by COLR	To legislature and executive branch <sup>20</sup>
Kentucky	AOC	Yes, by COLR	To the legislature
Louisiana	Other <sup>22</sup>	Both the AOC and COLR <sup>23</sup>	To the legislature
Maine	AOC <sup>24</sup>	Yes, by AOC	To the executive branch
Maryland	AOC <sup>26</sup>	Yes, by AOC	To the executive branch <sup>27</sup>
Massachusetts	Other <sup>29</sup>	Yes, other <sup>29</sup>	To the executive branch <sup>29</sup>
Michigan	AOC	Yes, by COLR	To the legislature <sup>31</sup>
Minnesota	AOC	Both the AOC and COLR <sup>33</sup>	To the executive branch <sup>34</sup>
Mississippi	COLR	Yes, by COLR	To the legislature
Missouri	AOC	Yes, by COLR	To the executive branch
Montana	AOC	Yes, by AOC	To the executive branch
Nebraska	AOC	Yes, by COLR	To the legislature
Nevada	AOC	Yes, by COLR	To the legislature
New Hampshire	AOC	Yes, by COLR	To the executive branch
New Jersey	AOC <sup>39</sup>	Yes, by AOC	To the executive branch <sup>40</sup>
New Mexico	Individual courts	Yes, other <sup>41</sup>	To legislature and executive branch <sup>42</sup>
New York	AOC <sup>44</sup>	Yes, by AOC	To legislature and executive branch
North Carolina	AOC	Yes, by AOC	To legislature and executive branch <sup>47</sup>
North Dakota	AOC <sup>52</sup>	Yes, by COLR	To the executive branch
Ohio	AOC	Yes, by AOC	To the executive branch
Oklahoma	AOC	Yes, by COLR	To the legislature
Oregon	Other <sup>54</sup>	Yes, by AOC	To the legislature
Pennsylvania	AOC <sup>55</sup>	Yes, by AOC	To legislature and executive branch <sup>56</sup>
Puerto Rico	AOC	Yes, by AOC	To the legislature
Rhode Island	Individual courts	Yes, by AOC	To the legislature
South Carolina	COLR	Yes, by COLR	To the executive branch
South Dakota	AOC	Yes, by COLR <sup>57</sup>	To the executive branch
Tennessee	Other <sup>58</sup>	Yes, by COLR	To the executive branch
Texas	Individual courts	Yes, by AOC <sup>59</sup>	To the legislature
Utah	Other <sup>60</sup>	Yes, other <sup>61</sup>	To the legislature <sup>62</sup>
Vermont	AOC	Yes, by COLR	To the legislature
Virginia	AOC	Yes, by AOC	To the executive branch
Washington	AOC <sup>65</sup>	Yes, by COLR	To the legislature
West Virginia	AOC	Yes, by COLR <sup>66</sup>	To the executive branch
Wisconsin <sup>69</sup>	AOC	Yes, by COLR	To legislature and executive branch <sup>70</sup>
Wyoming	Individual courts <sup>72</sup>	No <sup>73</sup>	To the legislature

Legend: ~ = Not applicable  
AOC = Administrative Office of the Courts

**Table 17. Preparation and Submission of the Judicial Branch Budget**

Can Executive Branch Amend Budget?	Does Legislature Take Official Cognizance of Budget?	Is Judicial Appropriation Filed as Separate Bill?	Budget Period	Judicial Percentage of State Budget Appropriation	
Yes, routinely	No <sup>1</sup>	No	Biennial, Oct-Sep	1.9	Alabama
No	No	No	Annual, Jul-Jun	1.3	Alaska
No	Yes	No	Biennial, <sup>4</sup> Jul-Jun	2.4	Arizona
No	Yes	Yes <sup>5</sup>	Biennial, Jul-Jun	.5	Arkansas
Yes, routinely	Yes	No	Annual, Jul-Jun	2.0	California
No	Yes	No	Annual, Jul-Jun	3.0 <sup>7</sup>	Colorado
Yes, routinely	Yes	No	Biennial, Jul-Jun	2.0	Connecticut
Yes, routinely <sup>10</sup>	Yes <sup>11</sup>	No	Annual, <sup>12</sup> Jul-Jun	2.9	Delaware
No	~	~	Annual, Oct-Sep	~	District of Columbia
No	Yes	No	Annual, Jul-Jun	.6	Florida
No	Yes <sup>16</sup>	No	Annual, Jul-Jun	1.0	Georgia
No	Yes	Yes	Biennial, <sup>18</sup> Jul-Jun	2.8	Hawaii
No	Yes	No	Annual, Jul-Jun	1.0	Idaho
No	Yes	Yes	Annual, Jul-Jun	.7	Illinois
Yes, routinely	Yes	No	Biennial, Jul-Jun	.4	Indiana
No	Yes	Yes	Annual, Jul-Jun	2.3	Iowa
Yes, routinely	Yes	No	Annual, Jul-Jun	1.0	Kansas
No	Yes	Yes	Annual, <sup>21</sup> Jul-Jun	2.4	Kentucky
No	Yes	Yes	Annual, Jul-Jun	.5	Louisiana
~ <sup>25</sup>	~	No	Biennial, Jul-Jun	1.9	Maine
No	Yes <sup>28</sup>	No	Annual, Jul-Jun	1.5	Maryland
Yes	Yes	No <sup>30</sup>	Annual, Jul-Jun	2.0	Massachusetts
No <sup>32</sup>	Yes	Yes	Annual, Oct-Sep	1.0	Michigan
No	Yes	No	Biennial, Jul-Jun	1.0	Minnesota
No	Yes	Yes	Annual, Jul-Jun	1.5	Mississippi
~ <sup>35</sup>	~ <sup>36</sup>	No	Annual, Jul-Jun	1.4	Missouri
Yes, routinely <sup>37</sup>	Yes	No	Annual, Jul-Jun	1.0	Montana
Yes, routinely <sup>38</sup>	Yes	No	Biennial, Jul-Jun	2.0	Nebraska
No	Yes	Yes	Biennial, Jul-Jun	1.0	Nevada
No	Yes	No	Biennial, Jul-Jun	1.7	New Hampshire
Yes, routinely	Yes	No	Annual, Jul-Jun	2.1	New Jersey
No	Yes	Yes <sup>43</sup>	Annual, Jul-Jun	2.5	New Mexico
No <sup>45</sup>	Yes	Yes <sup>46</sup>	Annual, Apr-Mar	1.2	New York
Yes, occasionally <sup>48</sup>	Yes	No <sup>49</sup>	Biennial, <sup>50</sup> Jul-Jun	3.0 <sup>51</sup>	North Carolina
No	~	Yes	Biennial, Jun-Jun <sup>53</sup>	.9	North Dakota
No	Yes	No	Biennial, Jul-Jun	.4	Ohio
Yes, occasionally	Yes	Yes	Annual, Jul-Jun	1.0	Oklahoma
No	Yes	Yes	Biennial, Jul-Jun	3.6	Oregon
Yes, routinely	Yes	No	Annual, Jul-Jun	.5	Pennsylvania
No	Yes	No	Annual, Jul-Jun	3.0	Puerto Rico
~	~	No	Annual, Jul-Jun	2.0	Rhode Island
Yes, routinely	Yes	No	Annual, Jul-Jun	.8	South Carolina
No	Yes	No	Annual, Jul-Jun	1.2	South Dakota
Yes, routinely	Yes	No	Annual, Jul-Jun	.5	Tennessee
No	Yes	No	Biennial, Sep-Aug	.4	Texas
Yes, routinely <sup>63</sup>	Yes	No	Annual, Jul-Jun	2.5	Utah
No <sup>64</sup>	Yes	No	Annual, Jul-Jun	2.0	Vermont
Yes, routinely	No	No	Biennial, Jul-Jun	1.2	Virginia
No	Yes	No	Biennial, Jun-Jun	.1	Washington
No <sup>67</sup>	Yes <sup>68</sup>	No	Annual, Jul-Jun	1.5	West Virginia
Yes, routinely	No	No	Biennial, <sup>71</sup> Jul-Jun	.9	Wisconsin
No	Yes	No	Biennial, Jul-Jun	2.0	Wyoming

Legend: ~ = Not applicable;  
AOC = Administrative Office of the Courts

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## Table 17. Preparation and Submission of the Judicial Branch Budget

### FOOTNOTES:

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- Alabama:**  
<sup>1</sup>The AOC may be asked to appear before the legislature for direct presentation of the budget in budget hearings.
- Alaska:**  
<sup>2</sup>Four area Court Administrators create initial input to the Administrative Fiscal Office. The Administrative Office creates the initial budget submission document.
- Arizona:**  
<sup>3</sup>Chief Justice and Vice Chief Justice.  
<sup>4</sup>FY99 is annual; FY00-01 is first biennial.
- Arkansas:**  
<sup>5</sup>Only judicial salaries are in the General Appropriations Act.
- California:**  
<sup>6</sup>Judicial Council also involved.
- Colorado:**  
<sup>7</sup>This percentage represents the judicial operating budget from the General Fund. It does not include the Public Defender's Office or the Alternate Defense Counsel.
- Delaware:**  
<sup>8</sup>Each court and judicial agency submits a draft budget request to the Chief Justice through the AOC. The Chief Justice for the entire court system prioritizes major adjustments, enhancements, and new initiatives after considering AOC recommendations. The court office making the request strikes requests not shown on the Chief Justice's prioritized listing. The adjusted budget requests are then filed electronically by each area.  
<sup>9</sup>Chief Justice through AOC.  
<sup>10</sup>The Governor recommends all appropriations to the General Assembly.  
<sup>11</sup>The courts' budget requests are available to the General Assembly because they receive copies of it. But it is the Governor's recommended budget that the General Assembly reviews together with the Judiciary's budget requests presented by the Chief Justice.  
<sup>12</sup>By law, the period is biennial; by practice it is annual.
- District of Columbia:**  
<sup>13</sup>With the enactment of the National Capital Revitalization and Self-Government Improvement Act of 1997, DC Courts began to receive direct funding from the federal government. The AOC continues to have responsibility for the initial preparation of the budget. After review by the Joint Committee on Judicial Administration, the budget is submitted directly to the Office of Management and Budget, through the President and sent to Congress.
- Florida:**  
<sup>14</sup>Chief Justice.
- Georgia:**  
<sup>15</sup>Court of Last Resort and Councils of Trial Courts (AOC).  
<sup>16</sup>Judicial Branch budget is included in Governor's Budget request to legislature. Legislative Budget Office reviews continuation budget, and can make adjustments. The legislature also reviews requests for new funding.
- Hawaii:**  
<sup>17</sup>The central budget office directs the preparation and consolidation of the budget.  
<sup>18</sup>State operates on a biennial budget cycle; however, a supplemental budget request is prepared for the off years.
- Indiana:**  
<sup>19</sup>The Division of State Court Administration, an agency of the Court of Last Resort, prepares most of the state-funded portion of the state judicial branch's budget. The Intermediate Appellate Court prepares a separate budget for its operations.
- Kansas:**  
<sup>20</sup>Budget is submitted simultaneously to both the legislature and the Governor.
- Kentucky:**  
<sup>21</sup>Annual budgets enacted biennially.
- Louisiana:**  
<sup>22</sup>Judicial Budgetary Control Board.  
<sup>23</sup>Prior to each session of the legislature, the Judicial Budgetary Control Board submits a proposed budget for the judicial branch to the Supreme Court for its approval.
- Maine:**  
<sup>24</sup>In consultation with the Chief Justice.  
<sup>25</sup>If the Governor does not include in state's budget anything in the Judicial Branch budget, the reason must be stated.
- Maryland:**  
<sup>26</sup>The lower trial court (District Court) prepares its own budget section which is consolidated by the AOC with all other judiciary components.  
<sup>27</sup>The executive branch combines the Judicial budget into a single budget for legislative approval. The Executive Branch can comment upon but cannot reduce Judiciary budget.  
<sup>28</sup>Legislature can reduce or add to Judiciary budget. Executive Branch can only comment.
- Massachusetts:**  
<sup>29</sup>The Chief Justice of the Supreme Judicial Court submits the budget requests of the judicial branch to the budget director for inclusion in the budget submitted by the Governor. (G.L.c. 211, §2A.) In doing so, the Chief Justice may use estimates prepared by the Chief Justice of the Appeals Court and the Trial Court's Chief Justice for Administration and Management. The Governor may amend the Chief Justice's requests.  
<sup>30</sup>Copies of judicial branch budget estimates are routinely sent to the House and Senate Committees on Ways and Means when submitted to the Governor. The annual appropriation bill notes the judicial estimates as well as the Governor's requests for the courts.
- Michigan:**  
<sup>31</sup>The budget is submitted directly to both the executive and legislative branches.  
<sup>32</sup>The Governor makes recommendations regarding the judicial budget.
- Minnesota:**  
<sup>33</sup>Conference of Chief Judges is a representative trial court body. Each district elects a Chief Judge and Assistant Chief Judge.  
<sup>34</sup>The executive branch incorporates judicial branch budget requests without recommendation.
- Missouri:**  
<sup>35</sup>They may recommend a different amount or recommend nothing.  
<sup>36</sup>They get a judicial budget request with the governor's recommendation and do what they choose.
- Montana:**  
<sup>37</sup>Statute states that the executive branch must submit budget without charge but does not require executive branch to fund the total request.
- Nebraska:**  
<sup>38</sup>Executive branch makes a request which includes the Judicial budget—based upon their analysis of AOC's request to the legislature and copied to the executive branch. The practice also is that the legislature introduces its own legislation, which becomes the budget bill.
- New Jersey:**  
<sup>39</sup>Each vicinage (judicial district) prepares a request which is reviewed by the AOC and a Budget Committee made up of Assignment Judges (Chief Judges) and senior management. Those requests are consolidated into one judicial branch budget submission.  
<sup>40</sup>AOC also sends information to the legislature.



**Table 17. Preparation and Submission of the Judicial Branch Budget**

**New Mexico:**

<sup>41</sup>The Chief Judges Council, primarily through its Budget Committee, reviews all budget submissions and sets priorities among them.

<sup>42</sup>To the legislature and executive branch simultaneously.

<sup>43</sup>As of last year's appropriation process. Some parts of the courts' budget continue to be included in the over-all appropriations legislation, such as across-the-board salary increases.

**New York:**

<sup>44</sup>Courts prepare initial estimates, regional offices (District Administrative Judges Offices) modify and prioritize court estimates and the AOC prepares final state budget request amounts and submission for certification and approval of the Court of Appeals.

<sup>45</sup>The Governor may comment on submission in the executive budget, but may not change the requested amounts.

<sup>46</sup>The judiciary budget and legislative budget are combined in a single appropriation bill.

**North Carolina:**

<sup>47</sup>It is first formally submitted to the executive branch for inclusion in the Governor's budget. In practice, however, it is presented directly to the legislature by the judicial branch.

<sup>48</sup>Yes, but in practice the executive branch does not, and the judicial branch presents its budget directly to the legislature.

<sup>49</sup>Generally, this is no. Judicial branch appropriations are set forth in separate sections of the statewide current operations and/or expansion bill. Separate "omnibus courts" bills have also been used.

<sup>50</sup>Biennial budgets are prepared for each "long session" of the General Assembly (odd-numbered years), subject to revision in the "short session" (even years); a separate budget is prepared for each year.

<sup>51</sup>This includes appropriations for non-core functions placed in the court budget, including prosecution, indigent defense, juvenile probation, and other programs.

**North Dakota:**

<sup>52</sup>Input is provided from each district.

<sup>53</sup>For a two year period, from July 1 of an odd number year to June 30 of an odd number year.

**Oregon:**

<sup>54</sup>Trial courts, appellate courts submit their request to AOC. AOC does its own and all the statewide charges and accounts.

**Pennsylvania:**

<sup>55</sup>The appellate courts each prepare their own initial budget requests (and are reviewed and compiled into a comprehensive budget request by AOC). The AOC prepares the initial requests for the lower courts.

<sup>56</sup>The judiciary submits its budget to the governor in October, and to the legislature in February.

**South Dakota:**

<sup>57</sup>Unified Judicial System is completely state funded. All budgetary matters are administered by the SCAO under the authority of the Supreme Court.

**Tennessee:**

<sup>58</sup>AOC after input from Supreme Court and trial judges.

**Texas:**

<sup>59</sup>The Judiciary section of the Comptroller of Public Accounts Department submits the state-funded portion of the budget for courts, other than the appellate courts, to the legislature.

**Utah:**

<sup>60</sup>Budget recommendations are prepared by each court level and program. They are submitted to the Judicial Council which prepares the final budget through the AOC. In Utah, the Judicial Council is created by Constitution and is the Administrative Authority for the Judiciary.

<sup>61</sup>By Judicial Council

<sup>62</sup>The budget is submitted to both the Governor and the legislature. The Governor, by law, must submit a balanced budget to the legislature. The courts also submit their original request to the legislature.

<sup>63</sup>The Governor submits a budget for the state as a whole—including the state courts. The executive branch is bound by the Governor's request. The courts submit their original request also to the legislature. They are not bound by the Governor's request.

**Vermont:**

<sup>64</sup>The executive branch includes the judiciary's budget (as amended by the executive branch) in its budget submission.

**Washington:**

<sup>65</sup>For appellate courts only. Budgets of trial courts are prepared locally.

**West Virginia:**

<sup>66</sup>Administrative Director of the Courts prepares budget submission for review and approval by the Supreme Court. The Supreme Court may seek supplemental appropriations. The legislature may or may not grant.

<sup>67</sup>The Governor may increase the judicial budget submission, but may not reduce it. WV Const., Art. 6, Section 51 (10).

<sup>68</sup>Legislature may increase, but may not decrease judicial budget submission. WV Const., Art. 6, Section 51 (5).

**Wisconsin:**

<sup>69</sup>The judicial budget, in general, is treated the same as those of executive branch agencies. The primary difference is that 60% of the courts funds is contained in "sum sufficient" rather than "sum certain" appropriations.

<sup>70</sup>By statute, all executive branch agency budgets are submitted simultaneously to the executive branch and the legislature. This procedure is also followed by the judicial branch.

<sup>71</sup>The executive budget bill contains appropriations for the biennium, but is comprised of separate annual appropriations for each year of the biennium.

**Wyoming:**

<sup>72</sup>Each District Court submits their own budget requests. The AOC prepares the budget request that includes the Supreme Court, county courts and law library.

<sup>73</sup>The AOC reviews and makes recommendations to the Supreme Court and county court, law library budget's—Justices are the final review. The District Court judges have a District Court Judges' Budget Review Committee which reviews the District Court requests.

**Table 18. Sources of Trial Court Funding and Staffing by Selected Expenditure Items**

Court Type: G=general jurisdiction L=limited jurisdiction	Judicial Salaries		Clerks of Court Salaries		Trial Court Administrators' Salaries		Court Reporters' Salaries	
	Source	State %	Source	State %	Source	State %	Source	State %
<b>Alabama</b>								
G Circuit Court	S/C	100 <sup>1</sup>	S/C	98 <sup>2</sup>	S	100	S/F	95
L District Court	S/C	70	S	100	S	100	~	~
L Municipal Court	M	0	M	0	M	0	~	~
L Probate Court	C	0	C	0	C	0	F	0
<b>Alaska</b>								
G Superior Court	S	100	S	100	S	100	S	100 <sup>6</sup>
L District Court	S	100	S	100	S	100	S	100 <sup>6</sup>
<b>Arizona</b>								
G Superior Court	S/C	50	C	0	C	0	C	0
G Tax Court <sup>9</sup>	C	0	~	~	~	~	~	~
L Justice of the Peace Court	S/C	40	C	0	C	0	C	0
L Municipal Court	M	0	M	0	M	0	M	0
<b>Arkansas</b>								
G Chancery and Probate Court	S	100	C	0	C	0	S	100
G Circuit Court	S	100	C	0	C	0	S	100
L City Court	M	0	M	0	~	~	~	~
L Justice of the Peace Court <sup>14</sup>	~	~	~	~	~	~	~	~
L County Court <sup>15</sup>	~	~	~	~	~	~	~	~
L Court of Common Pleas	C	0	C	0	~	~	~	~
L Municipal Court	C/M	0	C/M	0	~	~	~	~
L Police Court	M	0	M	0	~	~	~	~
<b>California</b>								
G Superior Court	S	100	S	100	S	100	S	100
L Municipal Court	S	100	S	100	S	100	S	100
<b>Colorado</b>								
G District Court	S	100	S	100	S	100	S	100
G Denver Probate Court	S	100	S	100	S	100	S	100
G Water Court <sup>22</sup>	S	100	S	100	S	100	S	100
G Denver Juvenile Court	S	100	S	100	S	100	S	100
L County Court	S	100	S	100	S	100	S	100
L Municipal Court <sup>23</sup>	M/F	0	M/F	0	M/F	0	M/F	0
<b>Connecticut</b>								
G Superior Court	S	100	S	100	S	100	S	100
L Probate Court	F	0	F	0	~	~	~	~
<b>Delaware</b>								
G Court of Chancery	S	100	C	100 <sup>24</sup>	S	100	S	100
G Superior Court	S	100	S	100	S	100	S	100
L Alderman's Court	M	0	M	0	~	~	M	0
L Court of Common Pleas	S	100	S	100	S	100	S	100
L Family Court	S	100	S	100	S	100	~	~
L Justice of the Peace Court	S	100	S	100	S	100	~	~
<b>District of Columbia</b>								
G Superior Court	~	~	~	~	~	~	~	~
<b>Florida</b>								
G Circuit Court	S	100	C/F <sup>34</sup>	0	S	100 <sup>35</sup>	S/C	20
L County Court	S	100	C/F	0	S	100 <sup>40</sup>	S/C	20
<b>Georgia</b>								
G Superior Court	S	100 <sup>41</sup>	C	0	S/C	N/S <sup>42</sup>	C	0
L City Court of Atlanta	M	0	M	0	M	0	M	0
L Civil Court	C	0	C	0	~	~	C	0
L County Recorder's Court	C	0	C	0	~	~	C	0
L Juvenile Court	C	0	C	0	C	0	C	0
L Magistrate Court	C	0	C	0	C	0	C	0

Legend: G=General Jurisdiction, L=Limited Jurisdiction, S=State, C=County, M=Local (municipal/village), F=Fees, ~=Not Applicable, N/S=None Stated

**Table 18. Sources of Trial Court Funding and Staffing by Selected Expenditure Items**

Court Type:	Other Salaries		Automation Equipment		Other Capital Equipment		Creating Court Record for Appeal	
	Source	State %	Source	State %	Source	State %	Source	State %
G=general jurisdiction L=limited jurisdiction								
<b>Alabama</b>								
G Circuit Court	S	100	S/F	100	S	100	S	100
L District Court	S	100	S	100	S	100	F	0
L Municipal Court	M	0	M	0	M	0	N/S	N/S
L Probate Court	C	0	C	0	C	0	F	0
<b>Alaska</b>								
G Superior Court	S	100	S	100	S	100	S	100
L District Court	S	100	S	100	S	100	S	100
<b>Arizona</b>								
G Superior Court	C	0	C	0	S/C/F	30	C	0
G Tax Court <sup>9</sup>	C	0	C	0	C	0	C	0
L Justice of the Peace Court	C	0	C/F	0	C	0	C	0
L Municipal Court	M	0	M/F	0	M	0	M	0
<b>Arkansas</b>								
G Chancery and Probate Court	S/C	50 <sup>11</sup>	S/C	50	C	0	S	10 <sup>11</sup>
G Circuit Court	S/C	50 <sup>11</sup>	S/C	50	C	0	S	10 <sup>12</sup>
L City Court	~	~	M	0	M	0	F	0
L Justice of the Peace Court <sup>14</sup>	~	~	~	~	~	~	~	~
L County Court <sup>15</sup>	~	~	~	~	~	~	~	~
L Court of Common Pleas	C	0	C	0	C	0	~	~
L Municipal Court	~	~	C/M/F	0	C/M/F	0	F	0
L Police Court	~	~	M	0	M	0	F	0
<b>California</b>								
G Superior Court	S	100	S/F	100	S	100	S	100 <sup>16</sup>
L Municipal Court	S	100	S/F	100	S	100	S	100 <sup>16</sup>
<b>Colorado</b>								
G District Court	S	100	S	100	S	100	S	100
G Denver Probate Court	S	100	S	100	S	100	S	100
G Water Court <sup>22</sup>	S	100	S	100	S	100	S	100
G Denver Juvenile Court	S	100	S	100	S	100	S	100
L County Court	S	100	S	100	S	100	S	100
L Municipal Court <sup>23</sup>	M/F	0	M/F	0	M/F	0	M/F	0
<b>Connecticut</b>								
G Superior Court	S	100	S	100	S	100	S	100
L Probate Court	~	~	~	~	M	0	F	0
<b>Delaware</b>								
G Court of Chancery	S	100	S	100	S	100	C <sup>25</sup>	0
G Superior Court	S	100	S	100	S	100	S	100
L Alderman's Court	M	0	M	0	M	0	M	0
L Court of Common Pleas	S	100	S	100	S	100	S	100
L Family Court	S	99 <sup>30</sup>	S	99 <sup>30</sup>	S	100	S	100
L Justice of the Peace Court	S	100	S	100	S	100	S	100
<b>District of Columbia</b>								
G Superior Court	~	~	~	~	~	~	~	~
<b>Florida</b>								
G Circuit Court	S/C	50	C/F	0	C	0	C/F	0 <sup>36</sup>
L County Court	S/C	50	C/F	0	C	0	C/F	0 <sup>36</sup>
<b>Georgia</b>								
G Superior Court	S/C	N/S	S/C	N/S	C	0	C	0
L City Court of Atlanta	M	0	M	0	M	0	M	0
L Civil Court	C	0	C	0	C	0	C	0
L County Recorder's Court	C	0	C	0	C	0	C	0
L Juvenile Court	C	0	C	0	C	0	C	0
L Magistrate Court	C	0	C	0	C	0	C	0

Legend: G=General Jurisdiction, L=Limited Jurisdiction, S=State, C=County, M=Local (municipal/village), F=Fees, ~=Not Applicable, N/S=None Stated

**Table 18. Sources of Trial Court Funding and Staffing by Selected Expenditure Items**

Court Type: G=general jurisdiction L=limited jurisdiction	Buildings/Real Property		Travel Expenses		General Operating Expenses		Indigent Defense	
	Source	State %	Source	State %	Source	State %	Source	State %
<b>Alabama</b>								
G Circuit Court	~	~	S/M	100 <sup>3</sup>	S	100	S	100
L District Court	~	~	S	100	S	100	S	100
L Municipal Court	M	0	S/M	N/S	M	0	S/M/F	N/S
L Probate Court	C	0	C	0	C	0	C	0
<b>Alaska</b>								
G Superior Court	S	100	S	100	S	100	S	100
L District Court	S	100	S	100	S	100	S	100
<b>Arizona</b>								
G Superior Court	C	0	C	0	C	0	C	0
G Tax Court <sup>9</sup>	S/C	50	C	0	C	0	C	0
L Justice of the Peace Court	C	0	C	0 <sup>10</sup>	C	0	~	~
L Municipal Court	M	0	M	0	M	0	~	~
<b>Arkansas</b>								
G Chancery and Probate Court	C	0	S	100	C	0	S/C	90
G Circuit Court	C	0	S	100	C	0	S/C	90
L City Court	M	0	M	0	M	0	S/C/M/F	85
L Justice of the Peace Court <sup>14</sup>	~	~	~	~	~	~	~	~
L County Court <sup>15</sup>	~	~	~	~	~	~	~	~
L Court of Common Pleas	C	0	C	0	C	0	~	~
L Municipal Court	C/M	0	C/M	0	C/M/F	0	S/C/M/F	85
L Police Court	M	0	M	0	M	0	S/C/M/F	85
<b>California</b>								
G Superior Court	C	0	S	100	S	100	N/S	N/S <sup>17</sup>
L Municipal Court	C	0	S	100	S	100	N/S	N/S <sup>17</sup>
<b>Colorado</b>								
G District Court	C	0	S	100	S	100	S	100
G Denver Probate Court	C	0	S	100	S	100	S	100
G Water Court <sup>22</sup>	C	0	S	100	S	100	S	100
G Denver Juvenile Court	C	0	S	100	S	100	S	100
L County Court	C	0	S	100	S	100	S	100
L Municipal Court <sup>23</sup>	M/F	0	M/F	0	M/F	0	M/F	0
<b>Connecticut</b>								
G Superior Court	S	100	S	100	S	100	S	100
L Probate Court	M	0	F	0	M	0	S	100
<b>Delaware</b>								
G Court of Chancery	S	100	S	100	S	100	~	~
G Superior Court	S	100	S	100	S	100	S	100
L Alderman's Court	M	0	M	0	M	0	M	0
L Court of Common Pleas	S/C	66	S	100	S	100	S	100
L Family Court	S	100	S	100	S	100	S	100
L Justice of the Peace Court	S	100	S	100	S	100	~	~
<b>District of Columbia</b>								
G Superior Court	~	~	~	~	~	~	~	~
<b>Florida</b>								
G Circuit Court	C	0	S/C	85	S/C	50	S/C	20
L County Court	C	0	S/C	85	S/C	50	S/C	20
<b>Georgia</b>								
G Superior Court	C	0	S/C	N/S	C	0	S/C	N/S
L City Court of Atlanta	M	0	M	0	M	0	M	0
L Civil Court	C	0	C	0	C	0	C	0
L County Recorder's Court	C	0	C	0	C	0	C	0
L Juvenile Court	C	0	C	0	C	0	S/C	N/S
L Magistrate Court	C	0	C	0	C	0	C	0

Legend: G=General Jurisdiction, L=Limited Jurisdiction, S=State, C=County, M=Local (municipal/village), F=Fees, ~=Not Applicable, N/S=None Stated

**Table 18. Sources of Trial Court Funding and Staffing by Selected Expenditure Items**

Court Type:	Child Support Enforcement		Juvenile Probation/Detention		Security		Jury Interpreters	
	Source	State %	Source	State %	Source	State %	Source	State %
G=general jurisdiction L=limited jurisdiction								
<b>Alabama</b>								
G Circuit Court	S	100	S/C	0	~	~	S	100
L District Court	S	100	S/C	50	S	100	S	100
L Municipal Court	~	~	~	~	M	0	~	~
L Probate Court	~	~	~	~	C	0	C	0
<b>Alaska</b>								
G Superior Court	~	~	~	~	S	100	S	100
L District Court	~	~	~	~	S	100	S	100
<b>Arizona</b>								
G Superior Court	~	~	S/C	~ <sup>7</sup>	S/C	60	C	0
G Tax Court <sup>9</sup>	C	0	C	0	C	0	C	0
L Justice of the Peace Court	~	~	~	~	C	0	C	0
L Municipal Court	~	~	~	~	M	0	M	0
<b>Arkansas</b>								
G Chancery and Probate Court	S	100	S/C	50	C	0	~	~
G Circuit Court	S	100	S/C	50	C	0	~	~
L City Court	~	~	~	~	M	0	~	~
L Justice of the Peace Court <sup>14</sup>	~	~	~	~	~	~	~	~
L County Court <sup>15</sup>	~	~	~	~	~	~	~	~
L Court of Common Pleas	~	~	~	~	C	0	~	~
L Municipal Court	~	~	~	~	C/M	0	~	~
L Police Court	~	~	M	0	M	0	~	~
<b>California</b>								
G Superior Court	C	0	C	0	S	100 <sup>18</sup>	S	100
L Municipal Court	C	0	C	0	S	100 <sup>18</sup>	S	100
<b>Colorado</b>								
G District Court	C	0	S	100	C	0	S	100
G Denver Probate Court	C	0	S	100	C	0	S	100
G Water Court <sup>22</sup>	C	0	S	100	C	0	S	100
G Denver Juvenile Court	C	0	S	100	C	0	S	100
L County Court	C	0	S	100	C	0	S	100
L Municipal Court <sup>23</sup>	M/F	0	M/F	0	M/F	0	M/F	0
<b>Connecticut</b>								
G Superior Court	S	100	S	100	S	100	S	100
L Probate Court	~	~	~	~	~	~	~	~
<b>Delaware</b>								
G Court of Chancery	~	~	~	~	S	100	~	~
G Superior Court	S	100	S	100	S	100	S	100
L Alderman's Court	M	0	M	0	M	0	M	0
L Court of Common Pleas	S	100	S	100	S	100	S	100
L Family Court	S	100	~	~	S	100	~	~
L Justice of the Peace Court	~	~	~	~	S	100	S	100
<b>District of Columbia</b>								
G Superior Court	~	~	~	~	~	~	~	~
<b>Florida</b>								
G Circuit Court	~	~	~	~	C	0	C <sup>37</sup>	0
L County Court	~	~	~	~	C	0	C <sup>37</sup>	0
<b>Georgia</b>								
G Superior Court	S/C	N/S	~	~	C	0	C	0
L City Court of Atlanta	~	~	~	~	M	0	M	0
L Civil Court	~	~	~	~	C	0	C	0
L County Recorder's Court	~	~	~	~	C	0	C	0
L Juvenile Court	C	0	S/C	N/S	C	0	C	0
L Magistrate Court	~	~	~	~	C	0	C	0

Legend: G=General Jurisdiction, L=Limited Jurisdiction, S=State, C=County, M=Local (municipal/village), F=Fees, ~=Not Applicable, N/S=None Stated

**Table 18. Sources of Trial Court Funding and Staffing by Selected Expenditure Items**

Court Type: G=general jurisdiction L=limited jurisdiction	Jury Costs		Total Expenses (\$)	Expenses Paid by State (\$)	Expenses Paid by Local Government (\$)	Budget Generated by Fees and Surcharges (%)
	Source	State %				
<b>Alabama</b>						
G Circuit Court	S	100	25,000,000	64,125,325	0	0
L District Court	S	100	N/S	26,832,584	N/S	0
L Municipal Court	~	~	N/S <sup>4</sup>	N/S	95	N/S
L Probate Court	C	0	N/S <sup>5</sup>	N/S <sup>5</sup>	N/S <sup>5</sup>	N/S <sup>5</sup>
<b>Alaska</b>						
G Superior Court	S	100	38,438,700	38,438,700	0	0
L District Court	S	100	38,438,700	38,438,700	0	0
<b>Arizona</b>						
G Superior Court	C/F	0	239,784,680 <sup>8</sup>	78,846,986 <sup>8</sup>	165,065,921 <sup>8</sup>	N/S
G Tax Court <sup>9</sup>	C	0	~	~	~	~
L Justice of the Peace Court	C/F	0	24,779,324 <sup>8</sup>	2,621,875 <sup>8</sup>	22,157,449 <sup>8</sup>	N/S
L Municipal Court	M/F	0	50,433,277 <sup>8</sup>	924,022 <sup>8</sup>	49,509,255 <sup>8</sup>	N/S
<b>Arkansas</b>						
G Chancery and Probate Court	C	0	N/S <sup>13</sup>	N/S	N/S	N/S
G Circuit Court	C	0	N/S <sup>13</sup>	N/S	N/S	N/S
L City Court	~	~	~	~	~	~
L Justice of the Peace Court <sup>14</sup>	~	~	~	~	~	~
L County Court <sup>15</sup>	~	~	~	~	~	~
L Court of Common Pleas	~	~	N/S	N/S	N/S	N/S
L Municipal Court	~	~	N/S	N/S	N/S	N/S
L Police Court	~	~	~	~	~	~
<b>California</b>						
G Superior Court	S	100 <sup>19</sup>	2,133,067,455 <sup>20</sup>	1,561,003,429 <sup>20</sup>	572,064,026 <sup>20</sup>	N/S
L Municipal Court	S	100 <sup>19</sup>	N/S <sup>20</sup>	N/S <sup>20</sup>	572,064,026 <sup>20</sup>	N/S
<b>Colorado</b>						
G District Court	S	100	N/S <sup>21</sup>	N/S	N/S	N/S
G Denver Probate Court	S	100	N/S <sup>21</sup>	N/S	N/S	N/S
G Water Court <sup>22</sup>	S	100	N/S	N/S	N/S	N/S
G Denver Juvenile Court	S	100	N/S <sup>21</sup>	N/S	N/S	N/S
L County Court	S	100	~ <sup>21</sup>	~	~	~
L Municipal Court <sup>23</sup>	M/F	0	N/S	0	N/S	N/S
<b>Connecticut</b>						
G Superior Court	S	100	78,300,000	78,300,000	0	~
L Probate Court	~	~	15,000,000	1,000,000	N/S	95
<b>Delaware</b>						
G Court of Chancery	~	~	2,901,800	1,904,800	997,000	1
G Superior Court	S	100	13,552,600 <sup>26</sup>	13,552,600	0	11 <sup>27</sup>
L Alderman's Court	M	0	N/S <sup>28</sup>	0	N/S <sup>29</sup>	N/S
L Court of Common Pleas	S	100	5,110,800	5,110,800	N/S	37
L Family Court	~	~	14,000,000	14,000,000	0	1 <sup>31</sup>
L Justice of the Peace Court	S	100	11,500,000	11,500,000	0	74 <sup>32</sup>
<b>District of Columbia</b>						
G Superior Court	~	~	111,103,000	0 <sup>33</sup>	0 <sup>33</sup>	0
<b>Florida</b>						
G Circuit Court	S/C	70	N/S <sup>38,39</sup>	120,053,148 <sup>39</sup>	N/S <sup>39</sup>	N/S <sup>39</sup>
L County Court	S/C	70	N/S <sup>38,39</sup>	40,652,034 <sup>39</sup>	N/S <sup>39</sup>	N/S <sup>39</sup>
<b>Georgia</b>						
G Superior Court	C	0	N/S	60,725,063	N/S	N/S <sup>44</sup>
L City Court of Atlanta	~	~	N/S	N/S	N/S	N/S
L Civil Court	C	0	N/S	0	N/S	N/S <sup>44</sup>
L County Recorder's Court	~	~	N/S	0	N/S	N/S <sup>44</sup>
L Juvenile Court	~	~	N/S	N/S	N/S	N/S <sup>44</sup>
L Magistrate Court	~	~	N/S	N/S	N/S	N/S <sup>44</sup>

Legend: G=General Jurisdiction, L=Limited Jurisdiction, S=State, C=County, M=Local (municipal/village), F=Fees, ~=Not Applicable, N/S=None Stated

**Table 18. Sources of Trial Court Funding and Staffing by Selected Expenditure Items**

Court Type:	Judicial Salaries		Clerks of Court Salaries		Trial Court Administrators' Salaries		Court Reporters' Salaries	
	Source	State %	Source	State %	Source	State %	Source	State %
G=general jurisdiction L=limited jurisdiction								
<b>Georgia (Continued)</b>								
L Municipal Court	M	0	M	0	M	0	~	~
L Municipal Court—Muscogee County	M	0	M	0	~	~	M	0
L Probate Court	C	0	C	0	~	~	C	0
L State Court	C	0	C	0	C	0	C	0
<b>Hawaii</b>								
G Circuit Court	S	100	S	100	S	100	S	100
L District Court	S	100	S	100	S	100	S	100
L Family Court	S	100	S	100	S	100	~	~
<b>Idaho</b>								
G District Court	S	100	C	0	S	100	S	100
<b>Illinois</b>								
G Circuit Court	S	100	S/C	N/S <sup>49</sup>	S/C	N/S <sup>50</sup>	S	100
<b>Indiana</b>								
G Superior Court <sup>55</sup>	S/C	N/S <sup>56</sup>	C	0	C	0	C	0
G Circuit Court <sup>55</sup>	S/C	N/S <sup>56</sup>	C	0	C	0	C	0
G Probate Court <sup>55</sup>	S/C	N/S <sup>56</sup>	C	0	C	0	C	0
L City Court	M	0	M	0	~	~ <sup>59</sup>	~	~
L County Court <sup>55</sup>	S/C	N/S <sup>56</sup>	C	0	C	0	C	0
L Town Court	M	0	M	0	~	~	~	~
L Small Claims Court of Marion	M	0	M	0	M	0	~	~
<b>Iowa</b>								
G District Court	S	100	S	100	S	100	S	100
<b>Kansas</b>								
G District Court	S	100	S	100	S	100	S	100
L Municipal Court	M	0	M	0	M	0	M	0
<b>Kentucky</b>								
G Circuit Court	S	100	S	100	S	100	S	100
L District Court	S	100	S	100	S	100	~	~
<b>Louisiana</b>								
G District Court	S	100	C/F	0	C/F	0	S/C/F	N/S
G Family Court	S	100	C/F	0	C/F	0	C/F	N/S
G Juvenile Court	S	100	C/F	0	C/F	0	C/F	0
L City and Parish Court	S/C/M/F	N/S <sup>70</sup>	C/M/F	0	C/M/F	0	C/M/F	0
L Justice of the Peace Court	S/C/F	N/S	~	~	~	~	~	~
L Mayor's Court	M/F	0	~	~	~	~	~	~
<b>Maine</b>								
G Superior Court	S	100	S	100	S	100	S	100
L Administrative Court	S	100	S	100	S	100	~	~
L District Court	S	100	S	100	S	100	~	~
L Probate Court <sup>75</sup>	~	~	~	~	~	~	~	~
<b>Maryland</b>								
G Circuit Court	S	100	S	100	M	0	M	0
L District Court	S	100	S	100	S	100	S	100
L Orphan's Court	C	0	~	~	~	~	~	~
<b>Massachusetts</b>								
G Superior Court	S	100	S	100	S	100	S	100
L District Court	S	100	S	100	S	100	S	100
L Boston Municipal Court	S	100	S	100	S	100	S	100
L Housing Court	S	100	S	100	S	100	S	100
L Juvenile Court	S	100	S	100	S	100	S	100
L Land Court	S	100	S	100	S	100	S	100
L Probate & Family Court	S	100	S	100	S	100	S	100

Legend: G=General Jurisdiction, L=Limited Jurisdiction, S=State, C=County, M=Local (municipal/village), F=Fees, ~=Not Applicable, N/S=None Stated

**Table 18. Sources of Trial Court Funding and Staffing by Selected Expenditure Items**

Court Type: G=general jurisdiction L=limited jurisdiction	Other Salaries		Automation Equipment		Other Capital Equipment		Creating Court Record for Appeal	
	Source	State %	Source	State %	Source	State %	Source	State %
<b>Georgia (Continued)</b>								
L Municipal Court	M	0	M	0	M	0	M	0
L Municipal Court—Muscogee County	M	0	M	0	M	0	M	0
L Probate Court	C	0	C	0	C	0	C	0
L State Court	C	0	C	0	C	0	C	0
<b>Hawaii</b>								
G Circuit Court	S	100	S	100	S	100	S	100
L District Court	S	100	S	100	S	100	S	100
L Family Court	S	100	S	100	S	100	S	100
<b>Idaho</b>								
G District Court	C	0	S	100	C	0	C	0
<b>Illinois</b>								
G Circuit Court	S/C	10	C/F	0	C	0	S/C/F	N/S <sup>51</sup>
<b>Indiana</b>								
G Superior Court <sup>55</sup>	C	0	C	0	C	0	C	0
G Probate Court <sup>55</sup>	C	0	C	0	C	0	C	0
G Circuit Court <sup>55</sup>	C	0	C	0	C	0	C	0
L City Court	M	0	M	0	M	0	~	~
L County Court <sup>55</sup>	C	0	C	0	C	0	C	0
L Town Court	M	0	M	0	M	0	~	~
L Small Claims Court of Marion	M	0	M	0	M	0	~	~
<b>Iowa</b>								
G District Court	S	100	S	100	S	100	F	100
<b>Kansas</b>								
G District Court	S	100	S/C	10	C	0	C	0
L Municipal Court	M	0	M	0	M	0	M	0
<b>Kentucky</b>								
G Circuit Court	S	100	S	100	S	100	S	100
L District Court	S	100	S	100	S	100	S	100
<b>Louisiana</b>								
G District Court	C/F	0	C/F	0	C/F	0	C/F	0
G Family Court	C	0	C/F	N/S	C/F	N/S	C/F	N/S
G Juvenile Court	C	0	C/F	0	C/F	0	C/F	0
L City and Parish Court	C/M/F	0	C/M/F	0	C/M/F	0	C/M/F	0
L Justice of the Peace Court	C/F	~	C/F	0	C/F	0	~	~
L Mayor's Court	M/F	0	M/F	0	M/F	0	~	~
<b>Maine</b>								
G Superior Court	S	100	S	100	S	100	S	100
L Administrative Court	S	100	S	100	S	100	S	100
L District Court	S	100	S	100	S	100	S	100
L Probate Court <sup>75</sup>	~	~	~	~	~	~	~	~
<b>Maryland</b>								
G Circuit Court	S/M	78 <sup>76</sup>	M	0	M	0	M	0
L District Court	S	100	S	100	S	100	F	0
L Orphan's Court	~	~	C	0	~	~	C	0
<b>Massachusetts</b>								
G Superior Court	S	100	S	100	S	100	S	100
L District Court	S	100	S	100	S	100	S	100
L Boston Municipal Court	S	100	S	100	S	100	S	100
L Housing Court	S	100	S	100	S	100	S	100
L Juvenile Court	S	100	S	100	S	100	S	100
L Land Court	S	100	S	100	S	100	S	100
L Probate & Family Court	S	100	S	100	S	100	S	100

Legend: G=General Jurisdiction, L=Limited Jurisdiction, S=State, C=County, M=Local (municipal/village), F=Fees, ~ = Not Applicable, N/S=None Stated



**Table 18. Sources of Trial Court Funding and Staffing by Selected Expenditure Items**

Court Type:	Buildings/Real Property		Travel Expenses		General Operating Expenses		Indigent Defense	
	Source	State %	Source	State %	Source	State %	Source	State %
G=general jurisdiction L=limited jurisdiction								
<b>Georgia (Continued)</b>								
L Municipal Court	M	0	M	0	M	0	M	0
L Municipal Court—Muscogee County	M	0	M	0	M	0	M	0
L Probate Court	C	0	C	0	C	0	C	0
L State Court	C	0	C	0	C	0	S/C	N/S
<b>Hawaii</b>								
G Circuit Court	S	100	S	100	S	100	S	100
L District Court	S	100	S	100	S	100	S/F	N/S
L Family Court	~	~	S	100	S	100	S	100
<b>Idaho</b>								
G District Court	C	0	S	100	C	0	S	100
<b>Illinois</b>								
G Circuit Court	C/F	0	S/C	N/S <sup>52</sup>	C	0	C	0
<b>Indiana</b>								
G Superior Court <sup>55</sup>	C	0	S/C	N/S <sup>57</sup>	C	0	C	0
G Circuit Court <sup>55</sup>	C	0	S/C	N/S <sup>57</sup>	C	0	C	0
G Probate Court <sup>55</sup>	C	0	S/C	N/S <sup>57</sup>	C	0	C	0
L City Court	M	0	M	0	M	0	M	0
L County Court <sup>55</sup>	C	0	S/C	N/S <sup>57</sup>	C	0	C	0
L Town Court	M	0	M	0	M	0	M	0
L Small Claims Court of Marion	M	0	M	0	M	0	~	~
<b>Iowa</b>								
G District Court	C	0	S	100	S	100	S	100
<b>Kansas</b>								
G District Court	C	0	S/C	80 <sup>62</sup>	C	0	C	0
L Municipal Court	M	0	S/M	2 <sup>65</sup>	M	0	M	0
<b>Kentucky</b>								
G Circuit Court	S	100 <sup>66</sup>	S	100	S	100	S	100
L District Court	S	100	S	100	S	100	S	100
<b>Louisiana</b>								
G District Court	C	0	S/F	50	C/F	0	S/F	N/S
G Family Court	C/M	0	S/M/F	N/S	S/M/F	N/S	S/F	N/S
G Juvenile Court	C	0	S/C/F	N/S	C/F	0	S/F	N/S
L City and Parish Court	C/M/F	0	C/M/F	0	C/M/F	0	C/M/F	0
L Justice of the Peace Court	F	0	F	0	F	0	~	~
L Mayor's Court	M	0	M/F	0	M/F	0	~	~
<b>Maine</b>								
G Superior Court	S/C	N/S <sup>71</sup>	S	100	S	100	S	100
L Administrative Court	S	100	S	100	S	100	S	100
L District Court	S	100	S	100	S	100	S	100
L Probate Court <sup>75</sup>	~	~	~	~	~	~	~	~
<b>Maryland</b>								
G Circuit Court	M	0	S/M	50 <sup>77</sup>	M	0	S	100
L District Court	S	100	S	100	S	100	~	~
L Orphan's Court	~	~	~	~	C	0	~	~
<b>Massachusetts</b>								
G Superior Court	S	100	S	100	S	100	S	100
L District Court	S	100	S	100	S	100	S	100
L Boston Municipal Court	S	100	S	100	S	100	S	100
L Housing Court	S	100	S	100	S	100	S	100
L Juvenile Court	S	100	S	100	S	100	S	100
L Land Court	S	100	S	100	S	100	S	100
L Probate & Family Court	S	100	S	100	S	100	S	100

Legend: G=General Jurisdiction, L=Limited Jurisdiction, S=State, C=County, M=Local (municipal/village), F=Fees, ~ =Not Applicable, N/S=None Stated

**Table 18. Sources of Trial Court Funding and Staffing by Selected Expenditure Items**

Court Type:	Child Support Enforcement		Juvenile Probation/Detention		Security		Jury Interpreters	
	Source	State %	Source	State %	Source	State %	Source	State %
<b>Georgia (Continued)</b>								
L Municipal Court	~	~	~	~	M	0	M	0
L Municipal Court—Muscogee County	~	~	~	~	C	0	C	0
L Probate Court	~	~	~	~	C	0	C	0
L State Court	~	~	~	~	C	0	C	0
<b>Hawaii</b>								
G Circuit Court	~	~	~	~	S	100	S	100
L District Court	~	~	~	~	S	100	~	~
L Family Court	S	100	S	100	S	100	~	~
<b>Idaho</b>								
G District Court	S	100	C	0	C	0	C	0
<b>Illinois</b>								
G Circuit Court	S	100 <sup>53</sup>	S/C/F	N/S <sup>54</sup>	C/F	0	C	0
<b>Indiana</b>								
G Superior Court <sup>55</sup>	C	0	C	0	C	0	C	0
G Circuit Court <sup>55</sup>	C	0	C	0	C	0	C	0
G Probate Court <sup>55</sup>	C	0	C	0	C	0	C	0
L City Court	~	~	~	~	M	0	M	0
L County Court <sup>55</sup>	C	0	C	0	C	0	C	0
L Town Court	~	~	~	~	M	0	M	0
L Small Claims Court of Marion	~	~	~	~	M	0	M	0
<b>Iowa</b>								
G District Court	S	100	S	100	C	0	S	100
<b>Kansas</b>								
G District Court	S/C	70	C	0	C	0	C	0
L Municipal Court	M	0	M	0	M	0	M	0
<b>Kentucky</b>								
G Circuit Court	~	~	~	~	S	90	S	100
L District Court	~	~	~	~ <sup>68</sup>	S	100	S	100
<b>Louisiana</b>								
G District Court	S/F	N/S	S/C	N/S	C	0	C/F	0
G Family Court	S/F	N/S	~	~	C	0	~	~
G Juvenile Court	S/F	N/S	S/C	N/S	C	0	~	~
L City and Parish Court	S/F	N/S	C/M	0	M/F	0	~	~
L Justice of the Peace Court	~	~	~	~	~	~	~	~
L Mayor's Court	~	~	~	~	M	0	~	~
<b>Maine</b>								
G Superior Court	S	95 <sup>72</sup>	S	100 <sup>73</sup>	S	100	S	100
L Administrative Court	~	~	~	~	S	100	~	~
L District Court	~	~ <sup>74</sup>	~	~ <sup>73</sup>	S	100	~	~
L Probate Court <sup>75</sup>	~	~	~	~	~	~	~	~
<b>Maryland</b>								
G Circuit Court	M	0	~	~	M	0	S	100
L District Court	~	~	~	~	S	100	S	100
L Orphan's Court	~	~	~	~	C	0	~	~
<b>Massachusetts</b>								
G Superior Court	S	100	S	100	S	100	S	100
L District Court	S	100	S	100	S	100	S	100
L Boston Municipal Court	S	100	S	100	S	100	S	100
L Housing Court	S	100	S	100	S	100	S	100
L Juvenile Court	S	100	S	100	S	100	S	100
L Land Court	S	100	S	100	S	100	~	~
L Probate & Family Court	S	100	S	100	S	100	~	~

Legend: G=General Jurisdiction, L=Limited Jurisdiction, S=State, C=County, M=Local (municipal/village), F=Fees, ~=Not Applicable, N/S=None Stated

**Table 18. Sources of Trial Court Funding and Staffing by Selected Expenditure Items**

Court Type: G=general jurisdiction L=limited jurisdiction	Jury Costs		Total Expenses (\$)	Expenses Paid by State (\$)	Expenses Paid by Local Government (\$)	Budget Generated by Fees and Surcharges (%)
	Source	State %				
<b>Georgia (Continued)</b>						
L Municipal Court	~	~	N/S	0	N/S	N/S <sup>44</sup>
L Municipal Court—Muscogee County	C	0	N/S	0	N/S	N/S
L Probate Court	C	0 <sup>43</sup>	N/S	N/S	N/S	N/S <sup>44</sup>
L State Court	C	0	N/S	N/S	N/S	N/S <sup>44</sup>
<b>Hawaii</b>						
G Circuit Court	S	100	25,000,000 <sup>45</sup>	25,000,000 <sup>46</sup>	0	N/S
L District Court	~	~	117,433,938	117,433,938	0	N/S <sup>47</sup>
L Family Court	~	~	N/S	N/S	0	0
<b>Idaho</b>						
G District Court	C	0	50,252,494	14,253,577	36,000,000 <sup>48</sup>	60
<b>Illinois</b>						
G Circuit Court	C/F	0	N/S	N/S	N/S	N/S
<b>Indiana</b>						
G Superior Court <sup>55</sup>	C	0	N/S <sup>58</sup>	N/S <sup>58</sup>	N/S <sup>58</sup>	N/S <sup>58</sup>
G Circuit Court <sup>55</sup>	C	0	N/S <sup>58</sup>	N/S <sup>58</sup>	N/S <sup>58</sup>	N/S <sup>58</sup>
G Probate Court <sup>55</sup>	C	0	N/S <sup>58</sup>	N/S <sup>58</sup>	N/S <sup>58</sup>	N/S <sup>58</sup>
L City Court	M	0	N/S <sup>60</sup>	N/S <sup>60</sup>	N/S <sup>60</sup>	N/S <sup>60</sup>
L County Court <sup>55</sup>	C	0	N/S <sup>58</sup>	N/S <sup>58</sup>	N/S <sup>58</sup>	N/S <sup>58</sup>
L Town Court	M	0	N/S	N/S	N/S	N/S
L Small Claims Court of Marion	M	0	2,059,369	0	2,059,369	0
<b>Iowa</b>						
G District Court	S	100	120,000,000	93,000,000	20,000,000 <sup>61</sup>	60
<b>Kansas</b>						
G District Court	C	0	78,000,000 <sup>63</sup>	N/S	N/S <sup>64</sup>	N/S
L Municipal Court	M	0	N/S	0	N/S	N/S
<b>Kentucky</b>						
G Circuit Court	S	100 <sup>67</sup>	21,753,900	21,753,900	0	0
L District Court	S	100 <sup>69</sup>	15,845,200	15,845,200	0	0
<b>Louisiana</b>						
G District Court	C/F	0	63,210,349	26,959,087	20,829,825	30.8
G Family Court	~	~	805,844	455,844	350,000	0
G Juvenile Court	~	~	8,586,800	1,805,640	6,000,000	20.9
L City and Parish Court	~	~	30,324,822	2,070,909	11,480,189	55.9
L Justice of the Peace Court	~	~	9,793,365	0	1,913,365	80.4
L Mayor's Court	~	~	5,000,000	0	0	100
<b>Maine</b>						
G Superior Court	S	100	8,092,000	8,092,000	0	0
L Administrative Court	~	~	290,000	290,000	0	0
L District Court	~	~	12,153,000	12,153,000	0	0
L Probate Court <sup>75</sup>	~	~	~	~	~	~
<b>Maryland</b>						
G Circuit Court	S/M	N/S <sup>78</sup>	124,505,455	74,895,770	49,609,678	0
L District Court	~	~	89,621,945	89,621,945	0	0
L Orphan's Court	~	~	30,070	0	30,070	0
<b>Massachusetts</b>						
G Superior Court	S	100	35,000,000	35,000,000	0	0
L District Court	S	100	125,300,000	125,300,000	0	0
L Boston Municipal Court	S	100	9,100,000	9,100,000	0	0
L Housing Court	S	100	4,200,000	4,200,000	0	0
L Juvenile Court	S	100	30,000,000	30,000,000	0	0
L Land Court	S	100	2,900,000	2,900,000	0	0
L Probate & Family Court	~	~	31,000,000	31,000,000	0	0

Legend: G=General Jurisdiction, L=Limited Jurisdiction, S=State, C=County, M=Local (municipal/village), F=Fees, ~ = Not Applicable, N/S=None Stated

**Table 18. Sources of Trial Court Funding and Staffing by Selected Expenditure Items**

Court Type: G=general jurisdiction L=limited jurisdiction	Judicial Salaries		Clerks of Court Salaries		Trial Court Administrators' Salaries		Court Reporters' Salaries	
	Source	State %	Source	State %	Source	State %	Source	State %
<b>Michigan</b>								
G Circuit Court	S	100	C	0	C	0	C	0
G Court of Claims	S	100	C	0	C	0	C	0
L District Court	S	100	C/M	0	C/M	0	C/M	0
L Municipal Court	M	0	M	0	M	0	M	0
L Probate Court	S	100	C	0	C	0	C	0
<b>Minnesota</b>								
G District Court	S	100	S/C	20	S	100	S	100
<b>Mississippi</b>								
G Circuit Court	S	100	F	0	S/C	35	C	0
L Chancery Court	S	100	F	0	S/C	33	C	0
L County Court	C	0	F	0	C	0	C	0
L Family Court	C	0	C	0	C	0	C	0
L Justice Court	C	0	C	0	C	0	~	~
L Municipal Court	M	0	M	0	M	0	~	~
<b>Missouri</b>								
G Circuit Court	S	100	S/C	98	C	0	S/C	98
L Municipal Court	M	0	M	0	M	0	~	~
<b>Montana</b>								
G District Court	S	100	M	0	~	~	M	0
G Water Court	S	100	S	100	~	~	S	100
G Workers' Compensation Court	S	100	S	100	~	~	S	100
L City Court	M	0	M	0	M	0	M	0
L Justice of the Peace Court	M	0	M	0	~	~	M	0
L Municipal Court	M	0	M	0	M	0	M	0
<b>Nebraska</b>								
G District Court	S	100	M	0	M	0	F	100
L County Court	S	100	S	100	S	100	S	100
L Separate Juvenile Court	S	100	M	0	~	~	S	100
L Workers' Compensation Court <sup>89</sup>	S	100	S	100	S	100	~ <sup>90</sup>	~
<b>Nevada</b>								
G District Court	S	100	M	0	M	0	M	0
L Justice Court	M	0	M	0	M	0	M	0
L Municipal Court	M	0	M	0	M	0	M	0
<b>New Hampshire</b>								
G Superior Court	S	100	S	100	S	100	S	100
L District Court	S	100	S	100	S	100	~	~
L Municipal Court <sup>93</sup>	~	~	~	~	~	~	~	~
L Probate Court	S	100	S	100	S	100	~	~
<b>New Jersey</b>								
G Superior Court	S	100	S	100	S	100	S	100
L Municipal Court	M	0	M	0	~	~ <sup>100</sup>	~	~
L Tax Court	S	100	S	100	~	~ <sup>100</sup>	~	~
<b>New Mexico</b>								
G District Court	S	100	S	100	S	100	S	100
L Magistrate Court	S	100	S	100	~	~	~	~
L Municipal Court	M	0	M	0	M	0	~	~
L Probate Court	C	0	C	0	~	~	~	~
L Metro Court of Bernalillo	S	100	S	100	S	100	S	100
<b>New York</b>								
G Supreme Court	S	100	S	100	S	100	S	100
G County Court	S	100	S	100	S	100	S	100
L District Court	S	100	S	100	S	100	S	100
L Court of Claims	S	100	S	100	S	100	~	~ <sup>112</sup>

Legend: G=General Jurisdiction, L=Limited Jurisdiction, S=State, C=County, M=Local (municipal/village), F=Fees, ~=Not Applicable, N/S=None Stated

**Table 18. Sources of Trial Court Funding and Staffing by Selected Expenditure Items**

Court Type: G=general jurisdiction L=limited jurisdiction	Other Salaries		Automation Equipment		Other Capital Equipment		Creating Court Record for Appeal	
	Source	State %	Source	State %	Source	State %	Source	State %
<b>Michigan</b>								
G Circuit Court	C	0	C	0	C	0	C	0
G Court of Claims	C	0	C	0	C	0	C	0
L District Court	C/M	0	C/M	0	C/M	0	C/M	0
L Municipal Court	M	0	M	0	M	0	M	0
L Probate Court	C	0	C	0	C	0	C	0
<b>Minnesota</b>								
G District Court	S/C	5	S/C	60	S/C	10	S/C	90
<b>Mississippi</b>								
G Circuit Court	S/C	90	S/C	90	S/C	80	C	0
L Chancery Court	S/C	90	S/C	90	S/C	25	C	0
L County Court	C	0	C	0	C	0	C	0
L Family Court	C	0	C	0	C	0	C	0
L Justice Court	C	0	C	0	C	0		~
L Municipal Court	M	0	M	0	M	0		~
<b>Missouri</b>								
G Circuit Court	S	98	S/C	75	C	0	S	100
L Municipal Court	M	0	M	0	M	0	~	~
<b>Montana</b>								
G District Court	M	0	S	100	M	0	M	0
G Water Court	S	100	S	100	S	100	S	100
G Workers' Compensation Court	S	100	S	100	S	100	S	100
L City Court	M	0	S	100	M	0	M	0
L Justice of the Peace Court	M	0	S	100	M	0	M	0
L Municipal Court	M	0	S	100	M	0	M	0
<b>Nebraska</b>								
G District Court	M	0	S/M	60	M	0	F	0
L County Court	S	100	S	100	S/M	100	F	100
L Separate Juvenile Court	M	0	S/M	10	M	0	F	100
L Workers' Compensation Court	S	100	S	100	S	100	~	~ <sup>91</sup>
<b>Nevada</b>								
G District Court	M	0	M/F	0	M	0	M	0
L Justice Court	M	0		20	M	0	M	0
L Municipal Court	M	0		20	M	0	M	0
<b>New Hampshire</b>								
G Superior Court	S	100	S	100	S	100	S	100
L District Court	S	100	S	100	S	100	~	~
L Municipal Court <sup>93</sup>	~	~	~	~	~	~	~	~
L Probate Court	S	100	S	100	S	100	~	~
<b>New Jersey</b>								
G Superior Court	S	100	S	100	S	100	S	100
L Municipal Court	M	0	F	0 <sup>98</sup>	M	0	M	0
L Tax Court	S	100	S	100	S	100	S	100
<b>New Mexico</b>								
G District Court	S	100	S	100	S	100	S	100
L Magistrate Court	S	100	S	100	S	100	~	~ <sup>105</sup>
L Municipal Court	M	0	S	100	M	0	~	~ <sup>105</sup>
L Probate Court	C	0	C	0	C	0	~	~
L Metro Court of Bernalillo	S	100	S	100	S	100	S	100
<b>New York</b>								
G Supreme Court	S	100	S	100	S	100	S	100
G County Court	S	100	S	100	S	100	S	100
L District Court	S	100	S	100	S	100	S	100
L Court of Claims	S	100	S	100	S	100	S	100

Legend: G=General Jurisdiction, L=Limited Jurisdiction, S=State, C=County, M=Local (municipal/village), F=Fees, ~ = Not Applicable, N/S=None Stated

**Table 18. Sources of Trial Court Funding and Staffing by Selected Expenditure Items**

Court Type:	Buildings/Real Property		Travel Expenses		General Operating Expenses		Indigent Defense	
	Source	State %	Source	State %	Source	State %	Source	State %
G=general jurisdiction L=limited jurisdiction								
<b>Michigan</b>								
G Circuit Court	C	0	S/C	80	C	0	C	0
G Court of Claims	C	0	S/C	80	C	0	C	0
L District Court	C/M	0	C/M	0	C/M	0	C/M	0
L Municipal Court	M	0	M	0	M	0	M	0
L Probate Court	C	0	S/C	30	C	0	C	0
<b>Minnesota</b>								
G District Court	C	0	S	100	S/C	5	S/C	90
<b>Mississippi</b>								
G Circuit Court	C	0	S/C	90	S/C	50	C	0
L Chancery Court	C	0	S/C	90	S/C	50	C	0
L County Court	C	0	C	0	C	0	C	0
L Family Court	C	0	C	0	C	0	C	0
L Justice Court	C	0	C	0	C	0	C	0
L Municipal Court	M	0	M	0	M	0	M	0
<b>Missouri</b>								
G Circuit Court	C	0	S/C	90	C	0	S	100
L Municipal Court	M	0	M	0	M	0	M	0
<b>Montana</b>								
G District Court	M	0	S	100	M	0	M	0
G Water Court	S	100	S	100	S	100	S	100
G Workers' Compensation Court	S	100	S	100	S	100	S	100
L City Court	M	0	M	0	M	0	M	0
L Justice of the Peace Court	M	0	M	0	M	0	M	0
L Municipal Court	M	0	M	0	M	0	M	0
<b>Nebraska</b>								
G District Court	M	0	S/M	90 <sup>88</sup>	M	0	M	0
L County Court	M	0	S	100	M	0	M	0
L Separate Juvenile Court	M	0	S	100	M	0	M	0
L Workers' Compensation Court	S/C	75	S	100	S	100	~	~
<b>Nevada</b>								
G District Court	M	0	M/F	0	M	0	M	0
L Justice Court	M	0		20	M	0	M	0
L Municipal Court	M	0		20	M	0	M	0
<b>New Hampshire</b>								
G Superior Court	S	100	S	100	S	100	~	~
L District Court	S	100	S	100	S	100	~	~
L Municipal Court <sup>93</sup>	~	~	~	~	~	~	~	~
L Probate Court	S	100	S	100	S	100	S	100
<b>New Jersey</b>								
G Superior Court	C	0	S	100	S	100	S	100 <sup>94</sup>
L Municipal Court	M	0	M	0	M	0	F	0 <sup>99</sup>
L Tax Court	S/C <sup>101</sup>	N/S	S	100	S	100	~	~
<b>New Mexico</b>								
G District Court	C	0	S	100	S	100	S	100
L Magistrate Court	S	100	S	100	S	100	S	100
L Municipal Court	M	0	M	0	M	0	~	~
L Probate Court	C	0	C	0	C	0	~	~
L Metro Court of Bernalillo	S	100	S	100	S	100	S	100
<b>New York</b>								
G Supreme Court	~	~	S	100	S	100	~	~
G County Court	~	~	S	100	S	100	~	~
L District Court	M	0	S	100	S	100	~	~
L Court of Claims	S	100	S	100	S	100	~	~

Legend: G=General Jurisdiction, L=Limited Jurisdiction, S=State, C=County, M=Local (municipal/village), F=Fees, ~=Not Applicable, N/S=None Stated

**Table 18. Sources of Trial Court Funding and Staffing by Selected Expenditure Items**

Court Type:	Child Support Enforcement		Juvenile Probation/Detention		Security		Jury Interpreters	
	Source	State %	Source	State %	Source	State %	Source	State %
G=general jurisdiction L=limited jurisdiction								
<b>Michigan</b>								
G Circuit Court	S/C	N/S <sup>79</sup>	S/C	85	C	0	C	0
G Court of Claims	~	~	~	~	C	0	C	0
L District Court	~	~	C/M	0	C/M	0	C/M	0
L Municipal Court	~	~	M	0	M	0	M	0
L Probate Court	~	~	S/C/F	25	C	0	C	0
<b>Minnesota</b>								
G District Court	S/C	50	~	~	C	0	S/C	10
<b>Mississippi</b>								
G Circuit Court	S/C	N/S <sup>86</sup>	S/C/M	50	C	0	C	0
L Chancery Court	S/C	N/S <sup>86</sup>	S/C/M	50	C	0	C	0
L County Court	S/C	N/S <sup>86</sup>	S/C/M	50	C	0	C	0
L Family Court	C	0	S/C/M	50	C	0	C	0
L Justice Court	S/C/M	N/S	C	0	C	0	C	0
L Municipal Court	S/C/M	N/S	M	0	M	0	M	0
<b>Missouri</b>								
G Circuit Court	S/C	66	S/C	33	C	0	S/C	50
L Municipal Court	~	~	~	~	M	0	M	0
<b>Montana</b>								
G District Court	S	100	M	0	M	0	M	0
G Water Court	S	100	S	100	S	100	S	100
G Workers' Compensation Court	S	100	S	100	S	100	S	100
L City Court	M	0	M	0	M	0	M	0
L Justice of the Peace Court	M	0	M	0	M	0	M	0
L Municipal Court	M	0	M	0	M	0	M	0
<b>Nebraska</b>								
G District Court	S/M	N/S	~	0	M	0	M	0
L County Court	S/M	N/S	~	~	M	0	M	0
L Separate Juvenile Court	S/M	N/S	~	~	M	0	~	~
L Workers' Compensation Court	~	~	~	~	S	100	C	0
<b>Nevada</b>								
G District Court	M	0	M	0	M	0	M	0
L Justice Court	~	~	M	0	M	0	M	0
L Municipal Court	~	~	M	0	M	0	M	0
<b>New Hampshire</b>								
G Superior Court	~	~	~	~	S	100	S	100
L District Court	~	~	~	~	S	100	S	100
L Municipal Court <sup>93</sup>	~	~	~	~	~	~	~	~
L Probate Court	~	~	~	~	S	100	S	100
<b>New Jersey</b>								
G Superior Court	S/C	N/S <sup>95</sup>	S/C	N/S <sup>96</sup>	S/C	N/S	S	100
L Municipal Court	~	~	~	~	M	0	~	~
L Tax Court	~	~	~	~	S/C	N/S <sup>102</sup>	~	~
<b>New Mexico</b>								
G District Court	~	~ <sup>103</sup>	~	~ <sup>103</sup>	C	100	S	100
L Magistrate Court	~	0 <sup>103</sup>	~	0 <sup>103</sup>	S	100	S	100
L Municipal Court	~	~	~	~	M	0	~	~
L Probate Court	~	~	~	~	C	0	~	~
L Metro Court of Bernalillo	~	0 <sup>103</sup>	S	100	S	100	S	100
<b>New York</b>								
G Supreme Court	~	~	~	~	S	100	S	100
G County Court	~	~	~	~	S	100	S	100
L District Court	~	~	~	~	S	100	S	100
L Court of Claims	~	~	~	~	S	100	~	~

Legend: G=General Jurisdiction, L=Limited Jurisdiction, S=State, C=County, M=Local (municipal/village), F=Fees, ~ = Not Applicable, N/S=None Stated

**Table 18. Sources of Trial Court Funding and Staffing by Selected Expenditure Items**

Court Type: G=general jurisdiction L=limited jurisdiction	Jury Costs		Total Expenses (\$)	Expenses Paid by State (\$)	Expenses Paid by Local Government (\$)	Budget Generated by Fees and Surcharges (%)
	Source	State %				
<b>Michigan</b>						
G Circuit Court	C	0	250,000,000 <sup>80</sup>	27,000,000	158,000,000	12
G Court of Claims	C	0	511,900	511,900	0	0
L District Court	C/M	0	222,000,000 <sup>81</sup>	27,000,000	195,000,000 <sup>82</sup>	70
L Municipal Court	M	0	200,000	0	200,000	38 <sup>83</sup>
L Probate Court	C	0	240,000,000 <sup>84</sup>	42,000,000	198,000,000	9
<b>Minnesota</b>						
G District Court	S/C	98	160,000,000	73,000,000	87,000,000	0 <sup>85</sup>
<b>Mississippi</b>						
G Circuit Court	C	0	14,000,000	7,000,000	7,000,000	N/S <sup>87</sup>
L Chancery Court	C	0	14,000,000	7,000,000	7,000,000	N/S <sup>87</sup>
L County Court	C	0	N/S	0	N/S	N/S
L Family Court	C	0	N/S	0	N/S	N/S
L Justice Court	C	0	N/S	0	N/S	N/S
L Municipal Court	M	0	N/S	0	N/S	N/S
<b>Missouri</b>						
G Circuit Court	M	0	180,000,000	80,000,000	100,000,000	10
L Municipal Court	M	0	N/S	0	N/S	N/S
<b>Montana</b>						
G District Court	M	0	N/S	N/S	N/S	N/S
G Water Court	S	100	597,629	597,629	0	0
G Workers' Compensation Court	S	100	~	~	~	~
L City Court	M	0	N/S	N/S	N/S	N/S
L Justice of the Peace Court	M	0	N/S	N/S	N/S	N/S
L Municipal Court	M	0	N/S	N/S	N/S	N/S
<b>Nebraska</b>						
G District Court	M	0	15,000,000	5,000,000	10,000,000	0
L County Court	M	0	20,000,000	15,000,000	5,000,000	0
L Separate Juvenile Court	~	~	2,000,000	1,000,000	1,000,000	0
L Workers' Compensation Court	~	~	2,800,000	2,800,000	0	3 <sup>89</sup>
<b>Nevada</b>						
G District Court	M	0	8,705,104	5,668,353	8,705,104	N/S
L Justice Court	M	0	4,853,369	0	4,853,369	N/S
L Municipal Court	M	0	7,572,673	0	7,572,673	N/S
<b>New Hampshire</b>						
G Superior Court	S	100	23,000,000	23,000,000	0	0 <sup>92</sup>
L District Court	S	100	17,100,000	17,100,000	0	0
L Municipal Court <sup>93</sup>	~	~	~	~	~	~
L Probate Court	S	100	3,000,000	3,000,000	0	0
<b>New Jersey</b>						
G Superior Court	S	100	341,219,000	299,709,000	N/S <sup>97</sup>	0
L Municipal Court	~	~	N/S	N/S	N/S	N/S
L Tax Court	~	~	2,709,000	2,709,000	0	100
<b>New Mexico</b>						
G District Court	S	100 <sup>104</sup>	N/S	31,413,100	N/S	1
L Magistrate Court	S	100 <sup>104</sup>	N/S	11,287,700	N/S	0
L Municipal Court	~	~	7,000,000 <sup>106</sup>	0	7,000,000	1
L Probate Court	~	~	700,000 <sup>107</sup>	0	700,000	1
L Metro Court of Bernalillo	S	100 <sup>104</sup>	N/S	10,502,900	N/S	1
<b>New York</b>						
G Supreme Court		N/S <sup>108</sup>	385,400,000 <sup>109</sup>	385,400,000	0	0
G County Court		N/S <sup>108</sup>	385,400,000 <sup>109</sup>	385,400,000	0	0
L District Court	S	100 <sup>110</sup>	32,600,000	32,600,000 <sup>111</sup>	0	0
L Court of Claims	~	~	13,600,000	13,600,000	0	0

Legend: G=General Jurisdiction, L=Limited Jurisdiction, S=State, C=County, M=Local (municipal/village), F=Fees, ~=Not Applicable, N/S=None Stated



**Table 18. Sources of Trial Court Funding and Staffing by Selected Expenditure Items**

Court Type:	Judicial Salaries		Clerks of Court Salaries		Trial Court Administrators' Salaries		Court Reporters' Salaries	
	Source	State %	Source	State %	Source	State %	Source	State %
G=general jurisdiction L=limited jurisdiction								
<b>New York (Continued)</b>								
L City Court	S	100	S	100	S	100	S	100 <sup>113</sup>
L Family Court	S	100	S	100	S	100	S	100 <sup>113</sup>
L Surrogates' Court	S	100	S	100	S	100	~	~ <sup>112</sup>
L Town and Village Justice Court	M	0	M	0	M	0	M	0
L Civil Court of the City	S	100	S	100	S	100	S	100
L Criminal Court of the City	S	100	S	100	S	100	S	100
<b>North Carolina</b>								
G Superior Court	S	100	S	100	S	100	S	100
L District Court	S	100	S	100	~	~	~	~
<b>North Dakota</b>								
G District Court	S	100	C	0	S	100	S	100
L Municipal Court	M	0	M	0	~	~	~	~
<b>Ohio</b>								
G Court of Common Pleas	S/C	86	S/M	11	M/F	0	M	0
L County Court	S/M	33	M	0	M	0	M	0
L Court of Claims	S	100	S	100	S	100	S	100
L Mayors Court	M	0	M	0	M	0	M	0
L Municipal Court	S/M	33	M	0	M	0	M	0
<b>Oklahoma</b>								
G District Court	S/F	50	M	0	S/F	50	S/F	50
L Court of Tax Review <sup>129</sup>	~	~	~	~	~	~	~	~
L Municipal Court Not of Record	M	0	M	0	M	0	M	0
L Municipal Court of Record	M	0	M	0	M	0	M	0
<b>Oregon</b>								
G Circuit Court	S	100	S	100	S	100	S	100
G Tax Court	S	100	S	100	S	100	S	100
L County Court	M	0	M	0	M	0	M	0
L Justice of the Peace Court	M	0	M	0	M	0	M	0
L Municipal Court	M	0	M	0	M	0	M	0
<b>Pennsylvania</b>								
G Court of Common Pleas	S	100	M	0	S/M	50 <sup>131</sup>	M	0
L District Justice Court	S	100	M	0	S/M	50 <sup>131</sup>	M	0
L Philadelphia Municipal Court	S	100	M	0	S/M	50 <sup>131</sup>	M	0
L Philadelphia Traffic Court	S	100	M	0	S/M	50 <sup>131</sup>	M	0
L Pittsburgh City Magistrate	M	0	M	0	M	0	M	0
<b>Puerto Rico</b>								
Court of First Instance:								
G Superior Division	S	100	S	100	S	100	S	100
L District Subsection	S	100	S	100	~	~	S	100
L Municipal Division	S	100	S	100	~	~	~	~
<b>Rhode Island</b>								
G Superior Court	S	100	S	100	S	100	S	100
L Workers' Compensation Court <sup>141</sup>	~	~	~	~	~	~	~	~
L District Court	S	100	S	100	S	100	S	100
L Family Court	S	100	S	100	S	100	S	100
L Municipal Court	M	0	M	0	M	0	~	~
L Probate Court	M	0	M	0	M	0	~	~
L Administrative Adjudication Court	S	100	S	100	S	100	~	~
<b>South Carolina</b>								
G Circuit Court	S	100 <sup>143</sup>	M	100	~	~	S	100
L Family Court	S	100	M	0	~	~	S	100
L Magistrate Court	C	0	C	0	C	0	~	~
L Municipal Court	M	0	M	0	M	0	~	~
L Probate Court	C	0	C	0	~	~	~	~

Legend: G=General Jurisdiction, L=Limited Jurisdiction, S=State, C=County, M=Local (municipal/village), F=Fees, ~=Not Applicable, N/S=None Stated

**Table 18. Sources of Trial Court Funding and Staffing by Selected Expenditure Items**

Court Type:	Other Salaries		Automation Equipment		Other Capital Equipment		Creating Court Record for Appeal	
	Source	State %	Source	State %	Source	State %	Source	State %
<b>New York (Continued)</b>								
L City Court	S	100	S	100	S	100	S	100
L Family Court	S	100	S	100	S	100	S	100
L Surrogates' Court	S	100	S	100	S	100	S	100
L Town and Village Justice Court	M	0	M	0	M	0	M	0
L Civil Court of the City	S	100	S	100	S	100	S	100
L Criminal Court of the City	S	100	S	100	S	100	S	100
<b>North Carolina</b>								
G Superior Court	S	100	S	100	S	100	S/F	N/S
L District Court	S	100	S	100	S	100	S/F	N/S
<b>North Dakota</b>								
G District Court	S	100	S	100	S	100	S/F	~ <sup>118</sup>
L Municipal Court	~	~	M	0	M	0	~	~ <sup>122</sup>
<b>Ohio</b>								
G Court of Common Pleas	S/C	N/S <sup>123</sup>	C	0	C	0	C	0
L County Court	M	0	M	0	M	0	M	0
L Court of Claims	S	100	S	100	S	100	S	100
L Mayors Court	M	0	M	0	M	0	M	0
L Municipal Court	M	0	M	0	M	0	M	0
<b>Oklahoma</b>								
G District Court	C/M	0	S	100	C/M	0	S/F	50
L Court of Tax Review <sup>129</sup>	~	~	~	~	~	~	~	~
L Municipal Court Not of Record	M	0	M	0	M	0	~	~
L Municipal Court of Record	M	0	M	0	M	0	M	0
<b>Oregon</b>								
G Circuit Court	S	100	S	100	S	100	S	100
G Tax Court	S	100	S	100	S	100	S	100
L County Court	M	0	M	0	M	0	M	0
L Justice of the Peace Court	M	0	M	0	M	0	M	0
L Municipal Court	M	0	M	0	M	0	M	0
<b>Pennsylvania</b>								
G Court of Common Pleas	M	0	M	0	M	0	M	0
L District Justice Court	M	0	S	100	M	0	M	0
L Philadelphia Municipal Court	M	0	M	0	M	0	M	0
L Philadelphia Traffic Court	M	0	M	0	M	0	M	0
L Pittsburgh City Magistrate	M	0	M	0	M	0	M	0
<b>Puerto Rico</b>								
Court of First Instance:								
G Superior Division	S	100	S	100	S	100	S	100
L District Subsection	S	100	S	100	S	100	S	100
L Municipal Division	S	100	S	100	S	100	~	~
<b>Rhode Island</b>								
G Superior Court	S	100	S	100	S	100	F	0
L Workers' Compensation Court	~	~	~	~	~	~	~	~
L District Court	S	100	S	100	S	100	F	0
L Family Court	S	100	S	100	S	100	F	0
L Municipal Court	M	0	M	0	M	0	F	0
L Probate Court	M	0	M	0	M	0	F	0
L Administrative Adjudication Court	S	100	S	100	S	100	F	0
<b>South Carolina</b>								
G Circuit Court	S	100	S	100	M	0	~	~ <sup>144</sup>
L Family Court	S	100	S	100	M	0	~	~ <sup>149</sup>
L Magistrate Court	C	0	C	0	C	0	C	0
L Municipal Court	~	~	M	0	M	0	M	0
L Probate Court	C	0	C	0	C	0	C	0

Legend: G=General Jurisdiction, L=Limited Jurisdiction, S=State, C=County, M=Local (municipal/village), F=Fees, ~ = Not Applicable, N/S=None Stated

**Table 18. Sources of Trial Court Funding and Staffing by Selected Expenditure Items**

Court Type:	Buildings/Real Property		Travel Expenses		General Operating Expenses		Indigent Defense	
	Source	State %	Source	State %	Source	State %	Source	State %
G=general jurisdiction L=limited jurisdiction								
<b>New York (Continued)</b>								
L City Court	M	~	S	100	S	100	~	~
L Family Court	M	~	S	100	S	100	~	~
L Surrogates' Court	M	0 <sup>114</sup>	S	100	S	100	~	~
L Town and Village Justice Court	M	0	M	0	M	0	M	0
L Civil Court of the City	M	0	S	100	S	100	~	~
L Criminal Court of the City	M	0	S	100	S	100	~	~
<b>North Carolina</b>								
G Superior Court	M/F	N/S	S	100	S	100	S	100 <sup>115</sup>
L District Court	M/F	0	S	100	S	100	S	100
<b>North Dakota</b>								
G District Court	C	0	S	100	S	100	S	100
L Municipal Court	M	0	M	0	M	0	M	0
<b>Ohio</b>								
G Court of Common Pleas	C	0	C	0	C	0	S/C/F	N/S <sup>124</sup>
L County Court	M	0	M	0	M	0	M	0
L Court of Claims	S	100	S	100	S	100	~	~
L Mayors Court	M	0	M	0	M	0	M	0
L Municipal Court	M	0	M	0	M	0	M	0
<b>Oklahoma</b>								
G District Court	C	0	S	100	M/F	0	C/M/F	0
L Court of Tax Review <sup>129</sup>	~	~	~	~	~	~	~	~
L Municipal Court Not of Record	M	0	M	0	M	0	M	0
L Municipal Court of Record	M	0	M	0	M	0	M	0
<b>Oregon</b>								
G Circuit Court	S	100	S	100	S	100	S	100
G Tax Court	S	100	S	100	S	100	S	100
L County Court	M	0	M	0	M	0	M	0
L Justice of the Peace Court	M	0	M	0	M	0	M	0
L Municipal Court	M	0	M	0	M	0	M	0
<b>Pennsylvania</b>								
G Court of Common Pleas	M	0	S/M	N/S <sup>132</sup>	M	0	M	0
L District Justice Court	M	0	S/M	N/S <sup>136</sup>	M	0	M	0
L Philadelphia Municipal Court	M	0	S/M	N/S <sup>137</sup>	M	0	M	0
L Philadelphia Traffic Court	M	0	S/M	N/S <sup>137</sup>	M	0	M	0
L Pittsburgh City Magistrate	M	0	M	0	M	0	M	0
<b>Puerto Rico</b>								
Court of First Instance:								
G Superior Division	S	100	S	100	S	100	~	~
L District Subsection	S	100	S	100	S	100	~	~
L Municipal Division	S	100	S	100	S	100	~	N/S
<b>Rhode Island</b>								
G Superior Court	S	100	S	100	S	100	S	100
L Workers' Compensation Court	S	100	~	~	~	~	~	~
L District Court	S	100	S	100	S	100	S	100
L Family Court	S	100	S	100	S	100	S	100
L Municipal Court	M	0	M	0	M	0	~	~
L Probate Court	M	0	M	0	M	0	~	~
L Administrative Adjudication Court	S	100	S	100	S	100	~	~
<b>South Carolina</b>								
G Circuit Court	C	0	S	100	M	0	S/F	23 <sup>145</sup>
L Family Court	C	0	S	100	M	0	S/F	23
L Magistrate Court	C	0	C	0	C	0	~	~
L Municipal Court	M	0	M	0	M	0	S	100
L Probate Court	C	0	C	0	C	0	S	100

Legend: G=General Jurisdiction, L=Limited Jurisdiction, S=State, C=County, M=Local (municipal/village), F=Fees, ~ = Not Applicable, N/S=None Stated

**Table 18. Sources of Trial Court Funding and Staffing by Selected Expenditure Items**

Court Type:	Child Support Enforcement		Juvenile Probation/Detention		Security		Jury Interpreters	
	Source	State %	Source	State %	Source	State %	Source	State %
<b>New York (Continued)</b>								
L City Court	~	~	~	~	S	100	S	100
L Family Court	~	~	~	~	S	100	~	~
L Surrogates' Court	~	~	~	~	S	100	S	100
L Town and Village Justice Court	M	0	M	0	M	0	M	0
L Civil Court of the City	~	~	~	~	S	100	S	100
L Criminal Court of the City	~	~	~	~	S	100	S	100
<b>North Carolina</b>								
G Superior Court	S/M	N/S <sup>116</sup>	S/M	N/S	M	0	S	100
L District Court	S/M	N/S	S/M	N/S	M	0	S	100
<b>North Dakota</b>								
G District Court	S	100	S/F	90 <sup>119</sup>	S	100	S	100
L Municipal Court	~	~	~	~	M	0	~	~
<b>Ohio</b>								
G Court of Common Pleas	S/C	N/S <sup>125</sup>	S/C	N/S	S/C	N/S	C	0
L County Court	M	0	M	0	M	0	M	0
L Court of Claims	~	~	~	~	S	100	S	100
L Mayors Court	M	0	M	0	M	0	M	0
L Municipal Court	M	0	M	0	M	0	M	0
<b>Oklahoma</b>								
G District Court	S	100	S	100	C	0	M/F	0
L Court of Tax Review <sup>129</sup>	~	~	~	~	~	~	~	~
L Municipal Court Not of Record	~	~	M	0	M	0	M	0
L Municipal Court of Record	M	0	M	0	M	0	M	0
<b>Oregon</b>								
G Circuit Court	~	~ <sup>130</sup>	~	~	F	100	S	100
G Tax Court	~	~ <sup>130</sup>	~	~	S	100	S	100
L County Court	M	0	M	0	M	0	M	0
L Justice of the Peace Court	M	0	M	0	M	0	M	0
L Municipal Court	M	0	M	0	M	0	M	0
<b>Pennsylvania</b>								
G Court of Common Pleas	M	0	M	0	M	0	M	0
L District Justice Court	M	0	M	0	M	0	M	0
L Philadelphia Municipal Court	M	0	M	0	M	0	M	0
L Philadelphia Traffic Court	M	0	M	0	M	0	M	0
L Pittsburgh City Magistrate	M	0	M	0	M	0	M	0
<b>Puerto Rico</b>								
Court of First Instance:								
G Superior Division	S	100	~	~	S	100	~	~
L District Subsection	~	~	~	~	S	100	~	~
L Municipal Division	~	~	~	~	S	100	~	~
<b>Rhode Island</b>								
G Superior Court	S	100	~	~	S	100	S	100
L Workers' Compensation Court	~	~	~	~	~	~	~	~
L District Court	~	~	~	~	S	100	~	~
L Family Court	S	100	~	~	S	100	S	100
L Municipal Court	~	~	~	~	M	0	~	~
L Probate Court	~	~	~	~	M	0	~	~
L Administrative Adjudication Court	~	~	~	~	S	100	~	~
<b>South Carolina</b>								
G Circuit Court	~	~	F	N/S	C	0	C	0
L Family Court	F	100	F	100	C	0	~	~
L Magistrate Court	~	~	~	~	C	0	S/M	N/S <sup>153</sup>
L Municipal Court	~	~	~	~	M	0	~	~
L Probate Court	~	~	~	~	C	0	~	~

Legend: G=General Jurisdiction, L=Limited Jurisdiction, S=State, C=County, M=Local (municipal/village), F=Fees, ~=Not Applicable, N/S=None Stated

**Table 18. Sources of Trial Court Funding and Staffing by Selected Expenditure Items**

Court Type: G=general jurisdiction L=limited jurisdiction	Jury Costs		Total Expenses (\$)	Expenses Paid by State (\$)	Expenses Paid by Local Government (\$)	Budget Generated by Fees and Surcharges (%)
	Source	State %				
<b>New York (Continued)</b>						
L City Court	S	100 <sup>110</sup>	39,900,000	39,900,000	0	0
L Family Court	~	~	120,400,000	120,400,000	0	0
L Surrogates' Court	S	100 <sup>110</sup>	45,500,000	45,500,000	0	0
L Town and Village Justice Court	M	0	N/S	0	N/S	N/S
L Civil Court of the City	S	100 <sup>110</sup>	66,700,000	66,700,000	0	0
L Criminal Court of the City	S	100 <sup>110</sup>	81,600,000	81,600,000	0	0
<b>North Carolina</b>						
G Superior Court	S	100	26,720,538 <sup>117</sup>	26,720,538 <sup>117</sup>	N/S	N/S
L District Court	S	100	53,499,480	53,499,480	N/S	N/S
<b>North Dakota</b>						
G District Court	S	100	19,000,000	19,000,000	0 <sup>120</sup>	0 <sup>121</sup>
L Municipal Court	~	~	N/S	N/S	N/S	N/S
<b>Ohio</b>						
G Court of Common Pleas	C	0	N/S	N/S <sup>126</sup>	N/S	N/S
L County Court	M	0	N/S	N/S	N/S	N/S
L Court of Claims	S	100	2,439,674	2,415,203	0	1
L Mayors Court	M	0	N/S	0	N/S	N/S
L Municipal Court	M	0	N/S	N/S <sup>127</sup>	N/S	N/S
<b>Oklahoma</b>						
G District Court	M/F	0	57,000,000	37,000,000	20,000,000 <sup>128</sup>	N/S <sup>128</sup>
L Court of Tax Review <sup>129</sup>	~	~	~	~	~	~
L Municipal Court Not of Record	M	0	N/S	N/S	N/S	N/S
L Municipal Court of Record	M	0	2,000,000	0	2,000,000	0
<b>Oregon</b>						
G Circuit Court	S	100	2,600,000	2,600,000	0	0
G Tax Court	S	100	2,600,000	2,600,000	0	0
L County Court	M	0	N/S	0	N/S	N/S
L Justice of the Peace Court	M	0	N/S	0	N/S	N/S
L Municipal Court	M	0	N/S	0	N/S	N/S
<b>Pennsylvania</b>						
G Court of Common Pleas	M	0 <sup>133</sup>	N/S <sup>134</sup>	84,325,000 <sup>135</sup>	N/S	N/S
L District Justice Court	M	0	N/S	42,626,000	N/S	N/S
L Philadelphia Municipal Court	M	0	N/S	4,631,000 <sup>138</sup>	N/S	N/S
L Philadelphia Traffic Court	M	0	N/S	667,000 <sup>139</sup>	N/S	N/S
L Pittsburgh City Magistrate	M	0	N/S	1,200,000 <sup>140</sup>	N/S	N/S
<b>Puerto Rico</b>						
Court of First Instance:						
G Superior Division	S	100	86,463,711	86,463,711	0	0
L District Subsection	~	~	22,603,711	22,603,711	0	0
L Municipal Division	~	~	9,853,459	9,853,459	0	0
<b>Rhode Island</b>						
G Superior Court	S	100	14,000,000	14,000,000	0	0
L Workers' Compensation Court	~	~	4,000,000	0	0	0
L District Court	~	~	6,000,000	6,000,000	0	0
L Family Court	S	100	11,000,000	11,000,000	0	0
L Municipal Court	~	~	N/S	0 <sup>142</sup>	N/S	N/S
L Probate Court	~	~	N/S	0 <sup>142</sup>	N/S	0
L Administrative Adjudication Court	~	~	5,500,000	5,500,000	0	0
<b>South Carolina</b>						
G Circuit Court	C	0	9,877,444 <sup>146</sup>	9,877,444	N/S <sup>147</sup>	N/S <sup>148</sup>
L Family Court	~	~	7,819,117 <sup>150</sup>	7,819,117	N/S <sup>147</sup>	N/S <sup>148</sup>
L Magistrate Court	C	0	20,699,248 <sup>151</sup>	0	20,699,248 <sup>151</sup>	100 <sup>152</sup>
L Municipal Court	M	0	10,102,965 <sup>151</sup>	0	10,102 <sup>151</sup>	100 <sup>154</sup>
L Probate Court	C	0	8,799,413	0	8,799,413	N/S <sup>148</sup>

Legend: G=General Jurisdiction, L=Limited Jurisdiction, S=State, C=County, M=Local (municipal/village), F=Fees, ~=Not Applicable, N/S=None Stated

**Table 18. Sources of Trial Court Funding and Staffing by Selected Expenditure Items**

Court Type: G=general jurisdiction L=limited jurisdiction	Judicial Salaries		Clerks of Court Salaries		Trial Court Administrators' Salaries		Court Reporters' Salaries	
	Source	State %	Source	State %	Source	State %	Source	State %
<b>South Dakota</b>								
G Circuit Court	S	100	S	100	S	100	S	100
<b>Tennessee</b>								
G Circuit Court	S	100	M	0	M	0	S	75
G Criminal Court <sup>160</sup>	S	100	M	0	M	0	S	100
G Chancery Court	S	100	M	0	M	0	S	N/S <sup>161</sup>
G Probate Court <sup>163</sup>	M	0	M/F	0	M	0	~	~
L General Sessions Court	M	0	M	0	M	0	S/M	10
L Juvenile Court	M	0	M	0	M	0	~	~
L Municipal Court	M	0	M	0	~	~	~	~
<b>Texas</b>								
G District Court	S/M	92 <sup>165</sup>	M	0	M	0	M	0
L Constitutional County Court	C	0	C	0	C	0	C	0
L Probate Court	S/C	30 <sup>172</sup>	C	0	C	0	C	0
L Justice of the Peace Court	M	0	M	0	M	0	M	0
L County Court at Law	S/C	30 <sup>177</sup>	C	0	C	0	C	0
L Municipal Court	M	0	M	0	M	0	M	0
<b>Utah</b>								
G District Court	S	100	S	100	S	100	S	100
L Justice Court	C/M	0	C/M	0	S/M	25 <sup>183</sup>	~	~
L Juvenile Court	S	100	S/F	95	S	100	~	~
<b>Vermont</b>								
G District Court	S	100	S	100	S	100	S	100
G Superior Court	S	100	S	100	~	~	S	100
G Family Court	S	100	S	100	S	100	S	100
L Probate Court	S	100	S	100	~	~	S	100
L Environmental Court	S	100	S	100	S	100	S	100
L Judicial Bureau Court	S	100	S	100	S	100	S	100
<b>Virginia</b>								
G Circuit Court	S	100	S	100	S	100	~	~
L District Court	S	100	S	100	~	~	~	~
<b>Washington</b>								
G Superior Court	S/C	50 <sup>189</sup>	C	0	C	0	C	0
L District Court	C	0	C	0	C	0	~	~
L Municipal Court	M	0	M	0	M	0	~	~
<b>West Virginia</b>								
G Circuit Court	S	100	C	0	S	100	S	100
L Magistrate Court	S	100	S	100	~	~	~	~
L Municipal Court	M	0	M	0	~	~	~	~
<b>Wisconsin</b>								
G Circuit Court	S	100	C	0	S	100	S	100 <sup>193</sup>
L Municipal Court	M/F	0	M/F	0	M/F	0	~	~
<b>Wyoming</b>								
G District Court	S	100	C	0	~	~	S	100
L County Court	S	100	S	100	~	~	~	~
L Justice of the Peace Court	C	0	C	0	~	~	~	~
L Municipal Court	M	0	M	0	~	~	~	~

Legend: G=General Jurisdiction, L=Limited Jurisdiction, S=State, C=County, M=Local (municipal/village), F=Fees, ~ = Not Applicable, N/S=None Stated

**Table 18. Sources of Trial Court Funding and Staffing by Selected Expenditure Items**

Court Type: G=general jurisdiction L=limited jurisdiction	Other Salaries		Automation Equipment		Other Capital Equipment		Creating Court Record for Appeal	
	Source	State %	Source	State %	Source	State %	Source	State %
<b>South Dakota</b>								
G Circuit Court	S	100	F	100	S	100	S	100
<b>Tennessee</b>								
G Circuit Court	S	100 <sup>159</sup>	S	59	S/M	50	S/M/F	90
G Criminal Court <sup>160</sup>	S	100	S	59	S/M	50	S/M/F	95
G Chancery Court	S/M	90 <sup>159</sup>	S	59	S/M	50	M/F	0
G Probate Court	M	0	M	0	M	0	M	0
L General Sessions Court	M	0	~	~	~	~	~	~
L Juvenile Court	M	0	M	0	M	0	M/F	0
L Municipal Court	M	0	M	0	M	0	M	0
<b>Texas</b>								
G District Court	M	0	M	0	M	0	M	0
L Constitutional County Court	C	0	C	0	C	0	C	0
L Probate Court	C	0	C	0	C	0	C	0
L Justice of the Peace Court	M	0	M	0	M	0	~	~ <sup>174</sup>
L County Court at Law	C	0	C	0	C	0	C	0
L Municipal Court	M	0	M	0	M	0	M	0
<b>Utah</b>								
G District Court	S	100	S	100	S	100	F	100
L Justice Court	C/M	0	S/C/M	5	C/M	0	F	0
L Juvenile Court	S/F	85 <sup>184</sup>	S	100	S	100	S	100
<b>Vermont</b>								
G District Court	S	100	S	100	S	100	S	100
G Superior Court	C	0	S/C	50	S/C	40	S	100
G Family Court	S	100	S	100	S	100	S	100
L Probate Court	S	100	C	0	C	0	S	100
L Environmental Court	S	100	S	100	S	100	S	100
L Judicial Bureau Court	S	100	S	100	S	100	S	100
<b>Virginia</b>								
G Circuit Court	S/C/M	80	S/C/M	90	C/M	0	~	~
L District Court	S	100	S	100	C/M	0	~	~
<b>Washington</b>								
G Superior Court	C	0	S	100	C	0	C	0
L District Court	C	0	S	100	C	0	C	0
L Municipal Court	M	0	S	100	M	0	M	0
<b>West Virginia</b>								
G Circuit Court	S	100	S	100	S	100	S	100
L Magistrate Court	S	100	S	100	S	100	S	100
L Municipal Court	M	0	M	0	M	0	M	0
<b>Wisconsin</b>								
G Circuit Court	C	0	C/F	0 <sup>194</sup>	C	0	F	0 <sup>195</sup>
L Municipal Court	M/F	0	M/F	0	M/F	0	M/F	0
<b>Wyoming</b>								
G District Court	S/C	32	C	0	C	0	S	100
L County Court	S	100	S	100	S	100	S	100
L Justice of the Peace Court	C	0	S	100		0		0
L Municipal Court	M	0	S/M	25	M	0	M	0

Legend: G=General Jurisdiction, L=Limited Jurisdiction, S=State, C=County, M=Local (municipal/village), F=Fees, ~=Not Applicable, N/S=None Stated

**Table 18. Sources of Trial Court Funding and Staffing by Selected Expenditure Items**

Court Type: G=general jurisdiction L=limited jurisdiction	Buildings/Real Property		Travel Expenses		General Operating Expenses		Indigent Defense	
	Source	State %	Source	State %	Source	State %	Source	State %
<b>South Dakota</b>								
G Circuit Court	M	0	S	100	S	100	M/F	0
<b>Tennessee</b>								
G Circuit Court	S/M	50	S	100	S/M	50	S/M	50
G Criminal Court <sup>160</sup>	S/M	50	S	100	S/M	50	S/M	50
G Chancery Court	S/M	50	S	100	S/M	50	S/M	10
G Probate Court	M	0	S	100	M	0	~	~
L General Sessions Court	M	0	M	0	M	0	S/M	10
L Juvenile Court	M	0	M	0	M	0	S/M	50
L Municipal Court	M	0	M	0	M	0	M	0
<b>Texas</b>								
G District Court	M	0	S/M	N/S <sup>166</sup>	M	0	M	0 <sup>167</sup>
L Constitutional County Court	C	0	C	0	C	0	C	0 <sup>171</sup>
L Probate Court	C	0	C	0	C	0	~	~
L Justice of the Peace Court	M	0	M	0	M	0	M	0 <sup>175</sup>
L County Court at Law	C	0	C	0	C	0	C	0 <sup>175</sup>
L Municipal Court	M	0	M	0	M	0	M	0
<b>Utah</b>								
G District Court	S	100	S	100	S	100	C	0
L Justice Court	S/C/M	20	C/M	0	C/M	0	C/M	0
L Juvenile Court	S	100	S	100	S	100	C	0
<b>Vermont</b>								
G District Court	S/C	65	S	100	S	100	S	100 <sup>185</sup>
G Superior Court	C	0	S	100	S	100	S	100
G Family Court	S/C	50	S	100	S	100	S	100
L Probate Court	C	0	S	100	S	100	~	~
L Environmental Court	S	100	S	100	S	100	~	~
L Judicial Bureau Court	S	100	S	100	S	100	~	~
<b>Virginia</b>								
G Circuit Court	C/M	0	S	100	S/C/M	80	S	100
L District Court	C/M	0	S	100	S	100	S	100
<b>Washington</b>								
G Superior Court	C	0	C	0	C	0	C	0
L District Court	C	0	C	0	C	0	C	0
L Municipal Court	M	0	M	0	M	0	M	0
<b>West Virginia</b>								
G Circuit Court	C	0	S	100	S	100	~	~
L Magistrate Court	C	0	S	100	S	100	~	~
L Municipal Court	M	0	M	0	M	0	~	~
<b>Wisconsin</b>								
G Circuit Court	C	0	S	100	C	0	C	0
L Municipal Court	M/F	0	M/F	0	M/F	0	~	~
<b>Wyoming</b>								
G District Court	C	0	S	100	S/C	32	S	100
L County Court	C	0	S	100	S	100	S	100
L Justice of the Peace Court	C	0	C	0	C	0	S	100
L Municipal Court	M	0	M	0	M	0	~	~

Legend: G=General Jurisdiction, L=Limited Jurisdiction, S=State, C=County, M=Local (municipal/village), F=Fees, ~ =Not Applicable, N/S=None Stated



**Table 18. Sources of Trial Court Funding and Staffing by Selected Expenditure Items**

Court Type: G=general jurisdiction L=limited jurisdiction	Child Support Enforcement		Juvenile Probation/Detention		Security		Jury Interpreters	
	Source	State %	Source	State %	Source	State %	Source	State %
<b>South Dakota</b>								
G Circuit Court		0 <sup>155</sup>	S	100 <sup>156</sup>	M <sup>157</sup>	0	M	0
<b>Tennessee</b>								
G Circuit Court	S/M	50	M	0	M	0	S/M	10
G Criminal Court <sup>160</sup>	S/M	50	M	0	M	0	S/M	10
G Chancery Court	S/M	10	~	~	M	0	S/M	10
G Probate Court	S/M	N/S	M	0	M	0	M	0
L General Sessions Court	S/M	5	M	0	M	0	M	0
L Juvenile Court	M	0	M	0	M	0	M	0
L Municipal Court	M	0	M	0	M	0	M	0
<b>Texas</b>								
G District Court	S	34 <sup>168</sup>	S/M	65	M	0	M	0
L Constitutional County Court	~	~	S/C	34	C	0	C	0
L Probate Court	~	~	~	~	C	0	C	0
L Justice of the Peace Court	~	~	M	0	M	0	M	0
L County Court at Law	S	34 <sup>178</sup>	S/C	34	C	0	C	0
L Municipal Court	~	~	M	0	M	0	M	0
<b>Utah</b>								
G District Court	S	100	~	~	S/C	90	S	100
L Justice Court	~	~	~	~	S/C/M	10	C/M	0
L Juvenile Court	S	100	S/F	85 <sup>184</sup>	C	0	S	100
<b>Vermont</b>								
G District Court	S	100 <sup>185</sup>	S	100 <sup>185</sup>	S	100	S	100
G Superior Court	~	~	~	~	S/C	75	S	100
G Family Court	S	100	S	100	S	100	S	100
L Probate Court	~	~	~	~	S	100	~	~
L Environmental Court	~	~	~	~	S	100	~	~
L Judicial Bureau Court	~	~	~	~	S	100	~	~
<b>Virginia</b>								
G Circuit Court	~	~	~	~	C/M	0	~	~
L District Court	~	~	~	~	~	~	~	~
<b>Washington</b>								
G Superior Court	C	0	C	0	C	0	C	0
L District Court	~	~	~	~	C	0	C	0
L Municipal Court	~	~	~	~	M	0	M	0
<b>West Virginia</b>								
G Circuit Court	~	~	C <sup>191</sup>	0	S/C/F	5	S	100
L Magistrate Court	~	~	~	~	S/C/F	5	S	100
L Municipal Court	~	~	~	~	M	0	M	0
<b>Wisconsin</b>								
G Circuit Court	~	~ <sup>196</sup>	~	~ <sup>196</sup>	C	0	S/C	N/S <sup>197</sup>
L Municipal Court	~	~	~	~	M/F	0	M/F	0
<b>Wyoming</b>								
G District Court	C	0	C	0	C	0	C	0
L County Court	~	~	~	~	C	0	S	100
L Justice of the Peace Court	~	~	~	~	C	0	C	0
L Municipal Court	~	~	~	~	M	0	~	~

Legend: G=General Jurisdiction, L=Limited Jurisdiction, S=State, C=County, M=Local (municipal/village), F=Fees, ~ = Not Applicable, N/S=None Stated

**Table 18. Sources of Trial Court Funding and Staffing by Selected Expenditure Items**

Court Type: G=general jurisdiction L=limited jurisdiction	Jury Costs		Total Expenses (\$)	Expenses Paid by State (\$)	Expenses Paid by Local Government (\$)	Budget Generated by Fees and Surcharges (%)
	Source	State %				
<b>South Dakota</b>						
G Circuit Court	M	0	19,074,614	19,074,614	N/S <sup>158</sup>	7
<b>Tennessee</b>						
G Circuit Court	M	0	N/S	N/S	N/S	N/S
G Criminal Court <sup>160</sup>	M	0	N/S	N/S	N/S	N/S
G Chancery Court	M	0	N/S <sup>162</sup>	N/S	N/S	N/S
G Probate Court	M	0	N/S	0 <sup>164</sup>	N/S	N/S
L General Sessions Court	M	0	N/S	N/S	N/S	N/S
L Juvenile Court	M	0	N/S	N/S	N/S	N/S
L Municipal Court	M	0	N/S	N/S	N/S	N/S
<b>Texas</b>						
G District Court	M	0	N/S	N/S <sup>169</sup>	N/S	5 <sup>170</sup>
L Constitutional County Court	~	~	N/S	0	N/S	5 <sup>170</sup>
L Probate Court	C	0	N/S	N/S <sup>173</sup>	N/S	5 <sup>170</sup>
L Justice of the Peace Court	M	0	N/S	0	N/S	1 <sup>176</sup>
L County Court at Law	C	0	N/S	N/S <sup>179</sup>	N/S	5 <sup>170</sup>
L Municipal Court	M	0	N/S	0	N/S	1 <sup>180</sup>
<b>Utah</b>						
G District Court	S	100	50,000,000	49,000,000 <sup>181</sup>	1,000,000	N/S <sup>182</sup>
L Justice Court	C/M	0	N/S	120,000	N/S	0
L Juvenile Court	~	~	25,000,000	24,000,000	~	4
<b>Vermont</b>						
G District Court	S	100	4,500,000	4,500,000	0	4
G Superior Court	S	100	4,400,000	2,200,000	2,200,000	44
G Family Court	~	~	5,900,000	5,900,000	0	7 <sup>186</sup>
L Probate Court	~	~	2,500,000	2,000,000	500,000	20
L Environmental Court	~	~	200,000	200,000	0	6
L Judicial Bureau Court	~	~	800,000	800,000	0	142 <sup>187</sup>
<b>Virginia</b>						
G Circuit Court	~	~ <sup>188</sup>	95,407,560	79,506,300	15,901,260	N/S
L District Court	~	~	115,012,760	109,535,962	5,476,798	N/S
<b>Washington</b>						
G Superior Court	C	0	N/S	N/S	N/S	N/S
L District Court	C	0	N/S	N/S	N/S	0
L Municipal Court	M	0	N/S <sup>190</sup>	0	~	0
<b>West Virginia</b>						
G Circuit Court	S	100	N/S	9,640,225	N/S	N/S
L Magistrate Court	S	100	N/S	11,054,863	N/S	N/S
L Municipal Court	M	0	N/S <sup>192</sup>	N/S	N/S	N/S
<b>Wisconsin</b>						
G Circuit Court	C/F	0	179,585,314 <sup>198</sup>	68,294,697 <sup>199</sup>	105,654,196 <sup>200</sup>	N/S
L Municipal Court	~	~	N/S	0	N/S <sup>201</sup>	N/S
<b>Wyoming</b>						
G District Court	C	0	9,100,283	3,614,531	5,485,752	0
L County Court	S	100	3,693,881	3,693,881	0	0
L Justice of the Peace Court	C	0	151,032	0	151,032	0
L Municipal Court	~	~	N/S	N/S	N/S	N/S

Legend: G=General Jurisdiction, L=Limited Jurisdiction, S=State, C=County, M=Local (municipal/village), F=Fees, ~=Not Applicable, N/S=None Stated

**Table 18. Sources of Trial Court Funding and Staffing by Selected Expenditure Items**

**FOOTNOTES:**

**Alabama:**

<sup>1</sup>Most counties provide local salary supplements—highest is forty-five percent of state salary.

<sup>2</sup>Eight counties give supplements to clerks of court.

<sup>3</sup>Currently municipalities supplement travel expenses. This is in the process of being phased out over a three-year period.

<sup>4</sup>Varies according to the population of the municipality, as reflected by its caseload.

<sup>5</sup>Since probate courts are county-funded, information is unavailable and must be obtained from each county commission.

**Alaska:**

<sup>6</sup>No court reporters. Electronic recording only.

**Arizona:**

<sup>7</sup>County pays 100 percent of detention; state is paying for new facilities in some counties.

<sup>8</sup>FY97 figures.

<sup>9</sup>This is not a separate court. It is a department of the superior court.

<sup>10</sup>AOC offers to pay for travel related to service on supreme court committees.

**Arkansas:**

<sup>11</sup>State pays 100 percent of case coordinators and 50 percent of juvenile intake and probation. All others are county paid.

<sup>12</sup>Paid by parties unless indigent.

<sup>13</sup>There is no central reporting of trial court expenditures by counties. The last survey of such information was in 1994.

<sup>14</sup>Although authorized, to our knowledge there are no justice of the peace courts operating in the state at this time.

<sup>15</sup>County courts do not exercise any judicial function. Rather they exist only to hear county administrative disputes.

**California:**

<sup>16</sup>Civil litigants pay for record.

<sup>17</sup>State pays for court appointed counsel in juvenile dependency.

<sup>18</sup>Only costs allowable under California Rules of Court, rule 810.

<sup>19</sup>Fees collected for jury services are deposited in Trial Court Operations Fund.

<sup>20</sup>The information provided applies to municipal courts as well, as 53 of the 58 counties have voted to unify their respective trial courts into a single superior court. Date reflects actual expenditures for 7/1/97-6/30/98 (FY 97-98).

**Colorado:**

<sup>21</sup>All allocations are made by district for all court locations within the district. The state pays for all expenses except the actual facility (courthouse).

<sup>22</sup>Water court operates as part of the district court. It does not have separate funding or administrative authority.

<sup>23</sup>All municipal courts operate independently of the state. Responses vary by municipality. These courts are funded by fees in addition to allocated funds.

**Delaware:**

<sup>24</sup>The official clerks of the court are county employees.

<sup>25</sup>The clerks' offices pay for the creation of the appellate file and the mailing, but transcriptions are usually the responsibility of the litigants.

<sup>26</sup>The expenses for the court itself are paid by the state. The expenses of the clerks' offices are paid by the counties in which the offices are located. The only fees received by the court are reimbursement costs for copying of judicial decisions.

<sup>27</sup>All revenue goes to the general fund; FY98 revenue to general fund: \$1,445,946.

<sup>28</sup>The state receives no fiscal information from alderman courts.

<sup>29</sup>100 percent.

<sup>30</sup>1 percent grant.

<sup>31</sup>All fees and surcharges revert to the general fund.

<sup>32</sup>The court collects and disburses approximately \$8.5 million to state, towns and municipalities.

**District of Columbia:**

<sup>33</sup>Since enactment of the National Capital Revitalization and Self-Government Improvement Act of 1997 the federal government directly funds the DC courts. The courts' budget is submitted directly to the Office of Management and Budget, through the President and then sent to Congress.

**Florida:**

<sup>34</sup>Approximately forty percent paid by fees.

<sup>35</sup>Most TCA salaries are paid by the state; in a few jurisdictions the county pays the salaries.

<sup>36</sup>Litigant pays; county pays for indigent criminal defendants.

<sup>37</sup>Sign language interpreters only; courts do not provide foreign language interpreters for jurors.

<sup>38</sup>Unable to break out total expenses for circuit courts.

<sup>39</sup>In November 1998, a constitutional amendment (Revision 7) resulted in a shift of funding for the court system. The state will assume more court costs, over a period of several years.

<sup>40</sup>In two or three jurisdictions the county pays the TCA's salary.

**Georgia:**

<sup>41</sup>Judges may receive county supplements.

<sup>42</sup>Regional paid by state; circuit paid by counties.

<sup>43</sup>Only a few courts have authority to hold jury trials.

<sup>44</sup>Fees and surcharges go to general county treasury or special funds, not directly to court. Court must seek budget from county governing authority.

**Hawaii:**

<sup>45</sup>Different information received from each circuit. 1<sup>st</sup> Circuit = \$15,379,176; 2<sup>nd</sup> Circuit = \$2,933,601; 5<sup>th</sup> Circuit = \$1,037,895. Nothing reported from 3<sup>rd</sup> Circuit.

<sup>46</sup>100 percent.

<sup>47</sup>Although the court assesses a number of filing fees to litigants, these funds are generalized into the state general fund. This is true for all fees and monetary assessments required by the courts.

**Idaho:**

<sup>48</sup>Cities: \$958,499; counties: \$35,040,418.

**Illinois:**

<sup>49</sup>State pays a set amount per year to each clerk. Clerk salaries vary by county.

<sup>50</sup>Some are 100 percent state funded; others are 100 percent county funded.

<sup>51</sup>State pays for transcripts for indigents.

<sup>52</sup>State pays 100 percent for trial judges and 100 percent for state funded trial court administrators, county pays for other trial court administrators.

<sup>53</sup>Six counties have.

<sup>54</sup>State provides salaries for probation officers.

**Indiana:**

<sup>55</sup>The superior, circuit, probate, and county courts have been combined 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.

<sup>56</sup>State funds the majority of all judicial salaries; however, a county may supplement these salaries.

<sup>57</sup>Both state and county funds are used. The source of funds is dependent upon nature of travel.

<sup>58</sup>Figures are not available. County expenditures on superior, circuit, probate, and county courts in fiscal year 1997 totaled \$28,007,251. State expenditures on the state judicial system totaled \$57,431,504 in fiscal year 1997, but the portion devoted to superior, circuit, probate and county courts is unknown. Revenues generated through operation of the circuit, superior, probate, and county courts totaled \$101,423,441 in fiscal year 1997.

<sup>59</sup>City courts typically do not have a full-time administrator.

<sup>60</sup>No separate figure for city courts is available. Instead, city and town courts are combined for statistical purposes. Total city/town expenditures for city/town courts during fiscal year 1997 were \$5,168,206. Revenues generated through operation of the city/town courts totaled \$18,819,123 during fiscal year 1997. No state or county funds were used to fund the city/town courts.

**Iowa:**

<sup>61</sup>Facilities, office space, courtrooms.

**Table 18. Sources of Trial Court Funding and Staffing by Selected Expenditure Items**

<p><b>Kansas:</b>  <sup>62</sup>For judges, 80 percent; administrators, 40 percent.  <sup>63</sup>98 percent goes to salaries.  <sup>64</sup>Local courts pay for all operating expenses.  <sup>65</sup>Training sessions sponsored by supreme court.</p> <p><b>Kentucky:</b>  <sup>66</sup>Pay counties for use of their facilities.  <sup>67</sup>State funded, not by or through courts.  <sup>68</sup>Not part of court system.  <sup>69</sup>Not in court budget. 100 percent elsewhere in state budget.</p> <p><b>Louisiana:</b>  <sup>70</sup>Varies.</p> <p><b>Maine:</b>  <sup>71</sup>All funding comes from the state but counties provide space for superior court.  <sup>72</sup>Very little child support is in superior court. Some child support work is eligible for federal reimbursement.  <sup>73</sup>An executive branch function.  <sup>74</sup>Supplemented by federal reimbursement.  <sup>75</sup>Probate courts are county funded.</p> <p><b>Maryland:</b>  <sup>76</sup>The state funds the salaries of clerk of court staff.  <sup>77</sup>The state funds approved travel expenses for judges and clerks, while the local jurisdiction funds travel expenses for court administrators.  <sup>78</sup>State contributes \$5 per juror for reimbursement.</p> <p><b>Michigan:</b>  <sup>79</sup>Amount cannot be estimated.  <sup>80</sup>These expenses are estimates before the legislature created the family division of the circuit court and shifted juvenile expenses and related state revenues to the circuit court in January 1998.  <sup>81</sup>Operating and capital expenses are paid by the county or municipality that is the local funding unit. Judicial salaries are paid 100 percent by the state, partly through direct salary payment to judges and partly through reimbursement of local salary supplements. The state has established a state fund which is allocated to counties based on caseload and number of judges within the county, to offset operating and capital expenses other than judicial salaries.  <sup>82</sup>Includes general fund and fees.  <sup>83</sup>Budgetary figures have been extrapolated from data collected in previous years. No Michigan courts are funded by fees or surcharges. Costs may be assessed along with fines, but the courts are not responsible for self-support.  <sup>84</sup>Expenses are estimates before the legislature created the family division of the circuit court and shifted juvenile expenses and related state revenues to the circuit court in January 1998.</p> <p><b>Minnesota:</b>  <sup>85</sup>The trial court does not fund itself with dedicated revenue.</p> <p><b>Mississippi:</b>  <sup>86</sup>No available figure.  <sup>87</sup>No data available.</p> <p><b>Nebraska:</b>  <sup>88</sup>Judges only; administrators are local.  <sup>89</sup>The court is primarily funded from a cash fund supported by assessments against workers' compensation insurers, risk management pools, and self-insured employers.  <sup>90</sup>Court reporter fees are generally paid by the parties.  <sup>91</sup>The ordering party generally pays for the transcript and bill of exceptions.</p> <p><b>New Hampshire:</b>  <sup>92</sup>Fees and fines go to general fund of state.  <sup>93</sup>Only one remains, part-time.</p>	<p><b>New Jersey:</b>  <sup>94</sup>Not in judicial branch. State executive branch responsibility.  <sup>95</sup>State pays for all but county welfare office and county sheriff functions as well as court facilities and security. Most functions are in judicial branch; some in executive branch.  <sup>96</sup>Probation is a judicial function; detention is executive, both state and county.  <sup>97</sup>Facilities and security. The superior court budget includes all probation costs and expenses associated with child support enforcement, and the difference between the total (line 1) and the state share (line 2) is the \$41,510,000 for the federal share of the child support enforcement program.  <sup>98</sup>The Statewide Automated Traffic/Automated Complaint System (ATS/ACS) is completely offender financed through a \$2 surcharge on all defendants found guilty of a violation in municipal court.  <sup>99</sup>The Municipal Public Defender Act (P.L. 1997, c. 256) provides municipalities with the ability to enact an ordinance that allows an application fee of up to \$200 on defendants who apply for the services of a municipal public defender.  <sup>100</sup>Clerk/administrator.  <sup>101</sup>Some chambers and staff offices are in state buildings, but several chambers are in county courthouses.  <sup>102</sup>State responsibility when chambers are in state buildings, county when chambers are in county courthouses.</p> <p><b>New Mexico:</b>  <sup>103</sup>Executive branch function.  <sup>104</sup>Jury costs in civil trials paid in part by parties.  <sup>105</sup>De novo review on appeal.  <sup>106</sup>Municipal courts are eligible for reimbursement for automation related costs from a legislatively mandated fund. A \$6 per conviction fee is the source of money.  <sup>107</sup>The thirty-three counties support probate courts.</p> <p><b>New York:</b>  <sup>108</sup>Not a supreme court responsibility. Fees and expenses for jurors, salaries and office expenses for employees responsible for maintaining juror lists and summoning prospective jurors, are budgeted in a separate jury program. In fiscal year 1998-99, the jury program spent a total of \$47,128,000. (Most jurors are called for duty in the supreme and county courts.)  <sup>109</sup>This amount is the total anticipated fiscal 1998-99 expenditure for the supreme and county court program and for the portion of multi-jurisdictional courts in smaller jurisdictions devoted to supreme and county court matters. In most of the larger and mid-sized counties of New York State the supreme and county courts are combined entities for both budgeting and operational purposes. In the thirty-five smallest counties, multi-bench courts have supreme and county court jurisdiction along with jurisdiction over other matters. In New York City, the supreme court also has criminal jurisdiction over felonies. Elsewhere in the state, county courts hear felony criminal matters and, with a few exceptions, civil matters not exceeding \$25,000.  <sup>110</sup>Including fees and expenses for jurors and salary and office expenses for employees responsible for maintaining juror lists and summoning prospective jurors, are budgeted in a separate jury program. In fiscal year 1997-98, a total of \$34,121,688 was spent by the jury program. Most jurors are called for duty in the supreme and county courts.  <sup>111</sup>Two counties (Nassau and Suffolk) have district courts.  <sup>112</sup>Electronic recordings used.  <sup>113</sup>Some courts use electronic recordings.  <sup>114</sup>Not judiciary responsibility.</p> <p><b>North Carolina:</b>  <sup>115</sup>Convicted indigent defendants may have judgment liens entered against them for the value of the legal representation. Collections on such judgments are retained to defray the costs of indigent defense (about \$5.6 million in collections during fiscal 1997-98).  <sup>116</sup>County based division of social services agencies have substantial IV-D child support responsibilities and receive some state and federal funds. The state funds enforcement in other cases are administered primarily by clerks of superior court.  <sup>117</sup>Total expenditures in 1997-98 were \$345,547,018. Totals shown for superior and district court are limited substantially to judicial salaries and judicial support staff and expense. Additional areas of expenditures include clerk's operations (\$85,574,303), indigent defense (\$58,622,732), district attorney offices (\$42,673,386), the AOC (\$22,553,634), and other items. There are no data on total spending by counties and municipalities on court facilities.</p>
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Legend: G=General Jurisdiction, L=Limited Jurisdiction, S=State, C=County, M=Local (municipal/village), F=Fees, ~=Not Applicable, N/S=None Stated

**Table 18. Sources of Trial Court Funding and Staffing by Selected Expenditure Items**

**North Dakota:**

- <sup>118</sup>Criminal—indigent, state pays 100 percent nonindigent, individual pays. Civil—litigant pays.
- <sup>119</sup>Ten percent individual.
- <sup>120</sup>Except building and maintenance costs.
- <sup>121</sup>All fees and surcharges are paid directly to the state general fund.
- <sup>122</sup>De novo appeals only.

**Ohio:**

- <sup>123</sup>Most court of appeals employees are fully or partially state funded; others are not.
- <sup>124</sup>Varies.
- <sup>125</sup>Local and executive branch.
- <sup>126</sup>Eighty-five percent of judges' salaries.
- <sup>127</sup>Thirty-three percent of judges' salaries.

**Oklahoma:**

- <sup>128</sup>Fees collected by local courts are the primary source of funds for local operations. Usually counties provide only space.
- <sup>129</sup>This court sits on an ad hoc basis. It has no personnel. It uses judges from the district court. It has no appropriation.

**Oregon:**

- <sup>130</sup>The Support Enforcement Division is in the executive branch.

**Pennsylvania:**

- <sup>131</sup>The state will pay 100% of personnel costs for county court administrators and certain assistants and deputies beginning in January 2000 as part of Phase I of the unification process. Therefore, the state's share of the fiscal year costs will be 50%. The FY1999-2000 appropriation for the county court administrator's appropriation is \$13,136,000.
- <sup>132</sup>Certain travel expenses for judges only are state funded; county pays for administrators' expenses.
- <sup>133</sup>A portion of these costs is reimbursed by the state through a grant. The FY 1998-99 appropriation for this grant is \$1,469,000.
- <sup>134</sup>The state provides an annual grant to the counties to defray the county costs associated with the courts of common pleas. The FY 1998-99 grant appropriated is \$29,071,000.
- <sup>135</sup>\$53,785,000 (FY 1998-99 Appropriation) + 29,071,000 (County Court Reimbursement Grant) + 1,469,000 (Juror Cost Grant) = \$84,325,000.
- <sup>136</sup>Some travel expenses for district justices are state-funded.
- <sup>137</sup>Some travel expenses for the judges are state-funded.
- <sup>138</sup>The state provides money in the form of grants to assist in funding law clerk salaries and staff costs related to off-hours services for protection of abuse. The FY 1998-99 appropriations for these grants are \$39,000 and \$200,000 respectively. \$4,392,000 (FY 1998-99 Appropriation) + 39,000 (Law Clerk Grant) + 200,000 (Domestic Violence Grant) = \$4,631,000.
- <sup>139</sup>FY 1998-99 appropriation.
- <sup>140</sup>The state in recent years has provided a grant to the City of Pittsburgh to defray a portion of the costs of this court. The FY 1998-99 appropriation for this grant is \$1.2 million. (The state grant provided in FY 1997-98 was \$5,475,000.)

**Rhode Island:**

- <sup>141</sup>All workers' compensation court expenses paid by workers' compensation insurance.
- <sup>142</sup>100 percent—amount unknown.

**South Carolina:**

- <sup>143</sup>There are twenty Masters-in-Equity funded by the counties.
- <sup>144</sup>Court reporters are state employees. Transcripts are paid for by the parties. Parties are responsible for creating record for appeal.
- <sup>145</sup>Funding is for both the circuit and family courts.
- <sup>146</sup>This amount does not include local funding of \$24,994,319 for the clerks of court or local funding of \$2,159,488 for the Masters-in-Equity.
- <sup>147</sup>This amount is unavailable.
- <sup>148</sup>This percentage is unavailable.
- <sup>149</sup>Court reporters are paid by state. Transcripts paid by parties.
- <sup>150</sup>This amount does not include local funding of \$24,994,319 for the clerks of court.
- <sup>151</sup>1996-1997.
- <sup>152</sup>1996-1997 collected fees and fines \$60,630,262.
- <sup>153</sup>Percentage not known.
- <sup>154</sup>1996-1997 collected fees and fines \$31,517,497.

**South Dakota:**

- <sup>155</sup>Not a part of court system.
- <sup>156</sup>Detention is not a part of the court system.
- <sup>157</sup>AOC has \$50,000 that is granted to local government for security.
- <sup>158</sup>Local government provides facilities, pays for juries, indigent defense, transcripts, law libraries and witness fees. AOC does not have any cost estimates on these.

**Tennessee:**

- <sup>159</sup>Secretaries paid by state; others funded locally.
- <sup>160</sup>There are thirty-one separate criminal courts in the state, primarily located in the metro area.
- <sup>161</sup>All are employed by parties in civil cases or on a case-by-case basis.
- <sup>162</sup>Unknown because of state vs. local funding sources.
- <sup>163</sup>There are two "probate courts" in the state. The rest of probate is handled by limited/trial courts.
- <sup>164</sup>For two probate courts except conference travel for judges.

**Texas:**

- <sup>165</sup>The basic salary of \$92,217 for a district judge is paid by the state. Most counties supplement the salary of a district judge by about five to ten percent. \$38,579,438 was appropriated by the Texas legislature for state fiscal 1998 (September 1, 1997 through August 31, 1998) for the salaries of district judges and visiting district judges.
- <sup>166</sup>The state pays up to \$1,500 per judge for the expenses of judges whose judicial district is composed of more than one county. \$505,000 was appropriated by the Texas legislature for state fiscal 1998. The percentage that is state funded is unknown.
- <sup>167</sup>Texas Government Code Section 51.903, effective September 1, 1997, establishes a Basic Civil Legal Services Account. The account is administered by the supreme court and funded by additional filing fees collected by the courts. The account is used to provide basic civil legal services to indigents. In state fiscal 1998 (September 1, 1997 through August 31, 1998), the account receipts were approximately \$2,000,000.
- <sup>168</sup>Federal government pays 66 percent.
- <sup>169</sup>Total includes the amount paid from the \$39,084,439 appropriated for the salaries and expenses of district judges for state fiscal 1998 (September 1, 1997 through August 31, 1998).
- <sup>170</sup>Some fees are required for court operations, e.g., the records management fee. Such fees probably account for less than five percent of the budgets for county courts at law.
- <sup>171</sup>Texas Government Code Section 51.903, effective September 1, 1997, establishes a Basic Civil Legal Services Account. The account is administered by the supreme court and is funded by additional filing fees collected by the supreme court, courts of appeal, district courts, county courts, and justice of the peace courts. The account is used to provide basic civil legal services to indigents. In state fiscal 1998 (September 1, 1997 through August 31, 1998), the account receipts were approximately \$2,000,000. The only disbursements during the year were for administrative costs. Disbursements to provide basic civil legal services to indigents will begin state fiscal year 1999.
- <sup>172</sup>The salaries for county court at law judges and statutory probate court judges are paid by counties. However, the state reimburses \$30,000 per judge to counties that participate in a program to raise salaries to specified levels. The state reimbursed counties approximately \$5,100,000 during the last fiscal year. The percentage that \$5,100,000 represents of the total of all salaries for county court at law judges and statutory probate judges is estimated at thirty percent.

**Table 18. Sources of Trial Court Funding and Staffing by Selected Expenditure Items**

**Texas, continued**

<sup>173</sup>The estimate would be the \$5,100,000 reimbursed by the state to counties for the salaries of the statutory probate court judges.

<sup>174</sup>All trials are de novo.

<sup>175</sup>Texas Government Code section 51.903, effective September 1, 1997, establishes a Basic Civil Legal Services Account. The account is administered by the supreme court and is funded by additional filing fees collected by the supreme court, courts of appeal, district courts, statutory and constitutional county courts, and justice of the peace courts. The account is used to provide basic civil legal services to indigents. In state fiscal 1998 (September 1, 1997 through August 31, 1998), account receipts were approximately \$2,000,000. The only disbursements during the year were for administrative costs. Disbursements to provide basic civil legal services to indigents will begin in state fiscal 1999.

<sup>176</sup>Some fees are required for court operations, e.g., the administrative fee for requesting a driving safety course. Such fees probably account for less than one percent of the budgets for justice of the peace courts.

<sup>177</sup>Judges salaries are paid directly by counties. However, the state reimburses a portion of those salaries to counties that participate in a program to raise the salaries to specified levels. The amount reimbursed is \$30,000 per judge. Of the approximately 200 county court at law judges and statutory probate court judges, in the state, counties representing 145 judges participated in the program in state fiscal 1998 (September 1, 1997 through August 31, 1998). The state reimbursed counties approximately \$5,100,000 during that fiscal year. The percentage that \$5,100,000 represents of the total of all salaries for county court at law judges and statutory probate court judges is unknown, but is estimated to be around thirty percent.

<sup>178</sup>Federal government pays 66 percent.

<sup>179</sup>The total includes the \$5,100,000 reimbursed for the salaries of the county court at law judges and statutory probate court judges.

<sup>180</sup>Some fees are required to be used for municipal court operations. An example is the municipal court building security fee, which is adopted on a local option basis. Although unknown, all such fees probably account for less than one percent of the budgets for municipal courts.

**Utah:**

<sup>181</sup>Indigent defense, some security and some small miscellaneous.

<sup>182</sup>Fees and surcharges do not come to the courts directly but go to general fund. A building fund is financed by fees and three and one-half million is needed to pay for the yearly cost of the Salt Lake courthouse bond.

<sup>183</sup>There is one state level justice court administrator, 100 percent state-funded.

There are some local administrators, 100 percent local-funded.

<sup>184</sup>Some probation officers funded by fees.

**Vermont:**

<sup>185</sup>Executive branch.

<sup>186</sup>All fees and surcharges are deposited into the general fund of state government.

<sup>187</sup>Fees are approximately \$1.1 million.

**Virginia:**

<sup>188</sup>County/local funds civil jury costs. State funds criminal jury costs.

**Washington:**

<sup>189</sup>State pays half of salary, half of benefits, all of retirement.

<sup>190</sup>Latest figures from 1995: general jurisdiction—superior court \$47,432,868, county clerk (separately elected county clerk's offices) \$28,202,299, juvenile (includes detention and probation costs) \$63,707,458. Limited jurisdiction—district court \$52,253,868.

**West Virginia:**

<sup>191</sup>The West Virginia court system funds probation services, but not detention services.

<sup>192</sup>Municipal courts are not part of the unified state court system and are not subject to administration by the supreme court or the AOC.

**Wisconsin:**

<sup>193</sup>The state pays 100 percent of the salaries of official court reporters who provide court reporting for circuit court judges. This does not include court reporting services provided to full-time court commissioners paid by the county.

<sup>194</sup>Court fees are collected by the clerks of courts and forwarded to the state to administer the trial court automation program.

**Wisconsin, continued**

<sup>195</sup>Official court reporters and freelance court reporters charge a fee for producing transcripts. The court reporters retain the fees earned for transcript production. In criminal actions, both the county and the state's public defender office pay the transcript fees to court reporters. In civil actions both the county and third parties pay transcript fees to court reporters.

<sup>196</sup>Executive branch functions.

<sup>197</sup>The Interpreter Services Reimbursement Program (\$182,500 annually) allows counties to submit reimbursement requests to the state court administrator's office for interpreter services paid for by the counties for in-court services provided to an indigent client who is either (1) a person charged with a crime; (2) a child or parent involved with child welfare of juvenile justice; (3) a person subject to proceedings involving competency, mental health, alcohol or other drug abuse, or development disabilities issues; or (4) a witness in either a criminal proceeding or a proceeding identified in (2) or (3) above. Statutes allow the SCAO to reimburse a county up to a maximum of \$70 per day per interpreter.

<sup>198</sup>This represents judicial branch expenditures only.

<sup>199</sup>This includes expenditures paid for by the state's judicial branch for the operation of the circuit courts and excludes total expenditures paid by the state public defender and other executive branch agencies.

<sup>200</sup>Unaudited amount reported by counties to the state court administrator's office. Counties vary in what they include in this figure.

<sup>201</sup>The municipal courts are funded solely by municipalities with a municipal court. By statute the courts may charge \$15 to \$23 in court costs. The state gets \$5 of the amount; the rest is kept by the municipality. No other costs, fees or surcharges remain in the municipality—they are all distributed to the county and state.

Legend: G=General Jurisdiction, L=Limited Jurisdiction, S=State, C=County, M=Local (municipal/village), F=Fees, ~=Not Applicable, N/S=None Stated

**Table 19. Appellate Court Responsibilities and Staffing by Function**

	Accounting		Accounts Payable		Administrative Meetings	
	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff
<b>Alabama</b>						
Supreme Court	●	1	●	1	●	1
Court of Civil Appeals	●	.5	●	.5	●	N/S
Court of Criminal Appeals	●	.2	●	.2	●	.1
<b>Alaska</b>						
Supreme Court/Court of Appeals	○		●	.1	●	.2
<b>Arizona</b>						
Supreme Court <sup>1</sup>	N/S	N/S	~	~	~	~
Court of Appeals, Division One	●	2	●	2	●	2
Court of Appeals, Division Two	●	.1	●	.1	○	
<b>Arkansas</b>						
Supreme Court/Court of Appeals	●	2	●	2	○	
<b>California</b>						
Supreme Court	●	.3	●	.3	●	N/S
Court of Appeal, 1 <sup>st</sup> District	○		○		○	
Court of Appeal, 2 <sup>nd</sup> District	●	1	●	1	○	
Court of Appeal, 3 <sup>rd</sup> District	●	.2	●	.1	●	.1
Court of Appeal, 4 <sup>th</sup> District	○	1	○	1	●	
Court of Appeal, 5 <sup>th</sup> District	●	.3	●	.3	●	.1
Court of Appeal, 6 <sup>th</sup> District	●	.1	●	.1	○	
<b>Colorado</b>						
Supreme Court	○	1	○	1	○	
Court of Appeals	●	1	●	1	●	
<b>Connecticut</b>						
Supreme Court/Appellate Court	○		○		●	.1
<b>Delaware</b>						
Supreme Court	○		●	1	○	
<b>District of Columbia</b>						
Court of Appeals	○	.5	○	.5	●	1
<b>Florida</b>						
Supreme Court	○		●	.1	●	.3
1 <sup>st</sup> District Court of Appeals	○		○		●	.3
2 <sup>nd</sup> District Court of Appeals	○		○		○	
3 <sup>rd</sup> District Court of Appeals	○		○		○	
4 <sup>th</sup> District Court of Appeals	○	.5	○		●	.3
5 <sup>th</sup> District Court of Appeals	○		○		○	
<b>Georgia</b>						
Supreme Court	●	.3	●	.3	○	
Court of Appeals	○		○		●	.1
<b>Hawaii</b>						
Supreme Court	●	2	●	2	○	.1
Intermediate Court of Appeals	●	2	●	2	●	.1
<b>Idaho</b>						
Supreme Court/Court of Appeals	○		○		○	
<b>Illinois</b>						
Supreme Court	○	.5	○	.5	○	1
Appellate Court, 1 <sup>st</sup> District	●	1	●	1	●	1
Appellate Court, 2 <sup>nd</sup> District	○	1	○	.5	○	.2
Appellate Court, 4 <sup>th</sup> District	○	.3	○	.3	○	.1
Appellate Court, 5 <sup>th</sup> District	○	1	○	1	○	
<b>Indiana</b>						
Supreme Court	○		○	2	○	
Court of Appeals	○		○	2	○	
Tax Court	○		○	2	○	

Legend: ●=Total, ○=Partial, ○=None, ~=Not Applicable, N/S=None Stated

**Table 19. Appellate Court Responsibilities and Staffing by Function**

	Assignments for <u>Administrative Staff</u>		<u>Attorney Admissions</u>		<u>Attorney Registration</u>	
	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff
<b>Alabama</b>						
Supreme Court	●	1	○	1	○	1
Court of Civil Appeals	●	N/S	○		○	
Court of Criminal Appeals	○	.1	○		○	
<b>Alaska</b>						
Supreme Court/Court of Appeals	○	.2	○	.1	○	.1
<b>Arizona</b>						
Supreme Court <sup>1</sup>	N/S	N/S	N/S	N/S	~	~
Court of Appeals, Division One	●	2	○		○	
Court of Appeals, Division Two	○		○		○	
<b>Arkansas</b>						
Supreme Court/Court of Appeals	○		●	1	○	1
<b>California</b>						
Supreme Court	●	N/S	○	.1	○	.2
Court of Appeal, 1 <sup>st</sup> District	○		○	.1	○	
Court of Appeal, 2 <sup>nd</sup> District	●	1	○		○	.2
Court of Appeal, 3 <sup>rd</sup> District	●	.1	○	1	○	
Court of Appeal, 4 <sup>th</sup> District	○		○		○	
Court of Appeal, 5 <sup>th</sup> District	●	1	○	.3	○	.3
Court of Appeal, 6 <sup>th</sup> District	○		○		○	
<b>Colorado</b>						
Supreme Court	○	2	○	4	●	4
Court of Appeals	○	1	○		○	
<b>Connecticut</b>						
Supreme Court/Appellate Court	○		○		○	
<b>Delaware</b>						
Supreme Court	○		○	1	○	1
<b>District of Columbia</b>						
Court of Appeals	●	5	○	4	○	4
<b>Florida</b>						
Supreme Court	○		○	.1	○	.3
1 <sup>st</sup> District Court of Appeals	○		○		○	
2 <sup>nd</sup> District Court of Appeals	○		○		○	
3 <sup>rd</sup> District Court of Appeals	○		○		○	
4 <sup>th</sup> District Court of Appeals	○		~	~	○	
5 <sup>th</sup> District Court of Appeals	○		○		○	
<b>Georgia</b>						
Supreme Court	○	.3	●	.2	~	~
Court of Appeals	○	.2	●	.3	●	.3
<b>Hawaii</b>						
Supreme Court	●	.1	●	4	○	1
Intermediate Court of Appeals	○	.1	●	4	○	1
<b>Idaho</b>						
Supreme Court/Court of Appeals	○		●	1	○	
<b>Illinois</b>						
Supreme Court	○		○	1	○	
Appellate Court, 1 <sup>st</sup> District	○		○		○	
Appellate Court, 2 <sup>nd</sup> District	○	.8	○		○	
Appellate Court, 4 <sup>th</sup> District	○		○		○	
Appellate Court, 5 <sup>th</sup> District	●	1	○		○	
<b>Indiana</b>						
Supreme Court	○		○	1	○	1
Court of Appeals	○		○	1	○	1
Tax Court	○		○	1	○	1



**Table 19. Appellate Court Responsibilities and Staffing by Function**

	Bar Grievance Matters		Budget Preparation		Commissions and Boards	
	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff
<b>Alabama</b>						
Supreme Court	●	1	●	1	~	~
Court of Civil Appeals	○		●	1	○	
Court of Criminal Appeals	○		●	.1	○	
<b>Alaska</b>						
Supreme Court/Court of Appeals	●	.1	○	.1	○	
<b>Arizona</b>						
Supreme Court <sup>1</sup>	~	~	~	~	N/S	N/S
Court of Appeals, Division One	○		●	4	○	
Court of Appeals, Division Two	○		●	.1	○	
<b>Arkansas</b>						
Supreme Court/Court of Appeals	●	.1	○	.1	●	.3
<b>California</b>						
Supreme Court	●	N/S	○	.3	●	.1
Court of Appeal, 1 <sup>st</sup> District	○		○		○	
Court of Appeal, 2 <sup>nd</sup> District	○		●	1	○	
Court of Appeal, 3 <sup>rd</sup> District	○		●	.2	○	
Court of Appeal, 4 <sup>th</sup> District	○		○	1	●	
Court of Appeal, 5 <sup>th</sup> District	○		●	.5	○	
Court of Appeal, 6 <sup>th</sup> District	●	.1	●	.1	○	
<b>Colorado</b>						
Supreme Court	●	2	○	2	○	20
Court of Appeals	○		●	1	○	
<b>Connecticut</b>						
Supreme Court/Appellate Court	○		○	.1	○	
<b>Delaware</b>						
Supreme Court	○		○		○	
<b>District of Columbia</b>						
Court of Appeals	●	1	○	.3	○	
<b>Florida</b>						
Supreme Court	●	1	○		○	
1 <sup>st</sup> District Court of Appeals	○		○	.1	○	
2 <sup>nd</sup> District Court of Appeals	○		○		○	
3 <sup>rd</sup> District Court of Appeals	○		○		○	
4 <sup>th</sup> District Court of Appeals	○	.1	○		○	
5 <sup>th</sup> District Court of Appeals	○		○		○	
<b>Georgia</b>						
Supreme Court	●	.3	○	.3	○	.1
Court of Appeals	●	.1	○	.1	●	.2
<b>Hawaii</b>						
Supreme Court	●	2	●	2	○	.1
Intermediate Court of Appeals	●	2	●	2	○	.1
<b>Idaho</b>						
Supreme Court/Court of Appeals	○		○		○	
<b>Illinois</b>						
Supreme Court	●	1	○	1	○	10
Appellate Court, 1 <sup>st</sup> District	○		●	1	○	
Appellate Court, 2 <sup>nd</sup> District	○		○	.2	○	.1
Appellate Court, 4 <sup>th</sup> District	○		○		○	
Appellate Court, 5 <sup>th</sup> District	○		○	1	○	
<b>Indiana</b>						
Supreme Court	○		○	3	○	20
Court of Appeals	○		○	3	○	20
Tax Court	○		○	3	○	20

**Table 19. Appellate Court Responsibilities and Staffing by Function**

	Court Statistics		Data Processing		Facility Management	
	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff
<b>Alabama</b>						
Supreme Court	●	10	◐	30	○	
Court of Civil Appeals	●	10	●	10	●	1
Court of Criminal Appeals	●	.1	◐	.1	◐	.1
<b>Alaska</b>						
Supreme Court/Court of Appeals	●	10	●	1.5	◐	.1
<b>Arizona</b>						
Supreme Court <sup>1</sup>	N/S	N/S	~	~	N/S	N/S
Court of Appeals, Division One	●	20	●	160	◐	.1
Court of Appeals, Division Two	●	.1	●	.8	●	.1
<b>Arkansas</b>						
Supreme Court/Court of Appeals	◐	.3	◐	.1	◐	.1
<b>California</b>						
Supreme Court	◐	N/S	◐	1	◐	1
Court of Appeal, 1 <sup>st</sup> District	◐	.1	●	30	○	
Court of Appeal, 2 <sup>nd</sup> District	●	1.4	●	40	●	11
Court of Appeal, 3 <sup>rd</sup> District	●	.15	●	20	●	.1
Court of Appeal, 4 <sup>th</sup> District	◐	.5	◐		●	
Court of Appeal, 5 <sup>th</sup> District	●	.3	●	20	●	.5
Court of Appeal, 6 <sup>th</sup> District	●	.1	◐	10	●	.1
<b>Colorado</b>						
Supreme Court	●	10	●	50	◐	2
Court of Appeals	●	10	◐	10	◐	1
<b>Connecticut</b>						
Supreme Court/Appellate Court	◐	.1	●	50	○	
<b>Delaware</b>						
Supreme Court	●	10	~	~	●	1
<b>District of Columbia</b>						
Court of Appeals	●	.3	●	10	◐	.3
<b>Florida</b>						
Supreme Court	●	.1	◐	90	○	
1 <sup>st</sup> District Court of Appeals	●	10	◐	.3	○	
2 <sup>nd</sup> District Court of Appeals	●	10	◐	10	○	
3 <sup>rd</sup> District Court of Appeals	●	10	◐	150	○	
4 <sup>th</sup> District Court of Appeals	●	.5	●	120	○	
5 <sup>th</sup> District Court of Appeals	●	10	◐	10	○	
<b>Georgia</b>						
Supreme Court	●	.2	●	20	◐	.2
Court of Appeals	◐	.1	○		○	
<b>Hawaii</b>						
Supreme Court	◐	.5	●	70	◐	.1
Intermediate Court of Appeals	◐	.5	●	70	◐	.1
<b>Idaho</b>						
Supreme Court/Court of Appeals	○		○		○	
<b>Illinois</b>						
Supreme Court	●	10	◐	10	◐	1
Appellate Court, 1 <sup>st</sup> District	●	20	◐	10	◐	1
Appellate Court, 2 <sup>nd</sup> District	●	.3	●	50	●	3
Appellate Court, 4 <sup>th</sup> District	●	.5	○		○	
Appellate Court, 5 <sup>th</sup> District	●	10	◐	10	●	3
<b>Indiana</b>						
Supreme Court	○		○		◐	1
Court of Appeals	○		○		◐	1
Tax Court	○		○		◐	1

**Table 19. Appellate Court Responsibilities and Staffing by Function**

	Legal Research		Liaison with Legislature and Other Courts		Payroll	
	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff
<b>Alabama</b>						
Supreme Court	●	5	○	4	●	1
Court of Civil Appeals	○	N/S	○	N/S	●	1
Court of Criminal Appeals	○	1	○	.1	●	.1
<b>Alaska</b>						
Supreme Court/Court of Appeals	○	.1	○	.1	○	.1
<b>Arizona</b>						
Supreme Court <sup>1</sup>	~	~	~	~	N/S	N/S
Court of Appeals, Division One	○		○	20	●	2
Court of Appeals, Division Two	○		○	.1	●	.1
<b>Arkansas</b>						
Supreme Court/Court of Appeals	○	.1	○		●	2
<b>California</b>						
Supreme Court	○	N/S	○	N/S	○	.1
Court of Appeal, 1 <sup>st</sup> District	○		○	.1	○	
Court of Appeal, 2 <sup>nd</sup> District	○	.6	○	.2	○	2
Court of Appeal, 3 <sup>rd</sup> District	○		○	.2	●	.1
Court of Appeal, 4 <sup>th</sup> District	○		○		○	1
Court of Appeal, 5 <sup>th</sup> District	○		○	.3	○	.3
Court of Appeal, 6 <sup>th</sup> District	○		○	.1	●	.1
<b>Colorado</b>						
Supreme Court	○	1	○	20	○	1
Court of Appeals	○		○	10	●	1
<b>Connecticut</b>						
Supreme Court/Appellate Court	○		○		○	
<b>Delaware</b>						
Supreme Court	○	2	○		○	
<b>District of Columbia</b>						
Court of Appeals	○	8	○		○	.1
<b>Florida</b>						
Supreme Court	○	.5	○	.1	○	
1 <sup>st</sup> District Court of Appeals	○	.5	○	.1	○	
2 <sup>nd</sup> District Court of Appeals	○	.5	○		○	
3 <sup>rd</sup> District Court of Appeals	○		○		○	
4 <sup>th</sup> District Court of Appeals	○		○	.1	○	
5 <sup>th</sup> District Court of Appeals	○		○		○	
<b>Georgia</b>						
Supreme Court	○	.3	○		●	.3
Court of Appeals	○	.1	○	.1	○	
<b>Hawaii</b>						
Supreme Court	○		○	1.5	●	.5
Intermediate Court of Appeals	○		○	1.5	●	.5
<b>Idaho</b>						
Supreme Court/Court of Appeals	○		○		○	
<b>Illinois</b>						
Supreme Court	○	2	○		○	1
Appellate Court, 1 <sup>st</sup> District	○		○		●	1
Appellate Court, 2 <sup>nd</sup> District	○	N/S	○	.2	○	.2
Appellate Court, 4 <sup>th</sup> District	○	.5	○		○	
Appellate Court, 5 <sup>th</sup> District	○	4	○	10	○	1
<b>Indiana</b>						
Supreme Court	○		○	30	●	2
Court of Appeals	○		○	30	●	2
Tax Court	○		○	30	●	2

Legend: ●=Total, ○=Partial, ○=None, ~=Not Applicable, N/S=None Stated

**Table 19. Appellate Court Responsibilities and Staffing by Function**

	Personnel		Property Control		Purchasing	
	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff
<b>Alabama</b>						
Supreme Court	●	1	●	1	●	1
Court of Civil Appeals	●	1	●	1	●	1
Court of Criminal Appeals	○	.1	●	.1	●	.1
<b>Alaska</b>						
Supreme Court/Court of Appeals	○	.2	○	.1	○	.1
<b>Arizona</b>						
Supreme Court <sup>1</sup>	~	~	~	~	~	~
Court of Appeals, Division One	●	3	●	2	●	3
Court of Appeals, Division Two	●	.1	●	.1	●	.1
<b>Arkansas</b>						
Supreme Court/Court of Appeals	○	1	○	.3	●	1
<b>California</b>						
Supreme Court	○	.3	●	N/S	○	.3
Court of Appeal, 1 <sup>st</sup> District	○	.1	○		○	
Court of Appeal, 2 <sup>nd</sup> District	●	3	●	3	●	3
Court of Appeal, 3 <sup>rd</sup> District	●	.2	●	.1	●	.2
Court of Appeal, 4 <sup>th</sup> District	○	1	●		○	
Court of Appeal, 5 <sup>th</sup> District	●	.5	●	.3	●	.3
Court of Appeal, 6 <sup>th</sup> District	●	.1	○		●	.1
<b>Colorado</b>						
Supreme Court	●	1	●	1	●	1
Court of Appeals	○	1	●	1	●	1
<b>Connecticut</b>						
Supreme Court/Appellate Court	○		○		○	
<b>Delaware</b>						
Supreme Court	○	1	~	~	○	1
<b>District of Columbia</b>						
Court of Appeals	○	.5	○	.3	○	1
<b>Florida</b>						
Supreme Court	○		○		○	
1 <sup>st</sup> District Court of Appeals	○	.3	○		○	
2 <sup>nd</sup> District Court of Appeals	○		○		○	
3 <sup>rd</sup> District Court of Appeals	○		○		○	
4 <sup>th</sup> District Court of Appeals	○	.3	○	.1	○	
5 <sup>th</sup> District Court of Appeals	○		○		○	
<b>Georgia</b>						
Supreme Court	●	.3	●	.2	●	.5
Court of Appeals	○	.2	○	.1	○	
<b>Hawaii</b>						
Supreme Court	○	.1	●	.1	○	1
Intermediate Court of Appeals	○	.1	●	.1	○	1
<b>Idaho</b>						
Supreme Court/Court of Appeals	○		○		○	
<b>Illinois</b>						
Supreme Court	○	1	○	1	○	1
Appellate Court, 1 <sup>st</sup> District	●	1	○		●	1
Appellate Court, 2 <sup>nd</sup> District	●	.3	○	.1	○	.3
Appellate Court, 4 <sup>th</sup> District	○	.3	○	.3	○	.5
Appellate Court, 5 <sup>th</sup> District	○	2	○	.5	○	1
<b>Indiana</b>						
Supreme Court	●	3	●	1	●	1
Court of Appeals	●	3	●	1	●	1
Tax Court	●	3	●	1	●	1

**Table 19. Appellate Court Responsibilities and Staffing by Function**

	Records Management		Research/Planning		Technical Assistance to Lower Courts	
	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff
<b>Alabama</b>						
Supreme Court	●	1	○	N/S	○	10
Court of Civil Appeals	●	1	●	1	●	10
Court of Criminal Appeals	●	1	○	.5	○	.1
<b>Alaska</b>						
Supreme Court/Court of Appeals	●	.2	○	.3	○	.1
<b>Arizona</b>						
Supreme Court <sup>1</sup>	~	~	~	~	N/S	N/S
Court of Appeals, Division One	●	2	○	3	○	
Court of Appeals, Division Two	●	.5	○	.1	○	.1
<b>Arkansas</b>						
Supreme Court/Court of Appeals	●	1	○	.1	○	1
<b>California</b>						
Supreme Court	●	.1	○	N/S	○	N/S
Court of Appeal, 1 <sup>st</sup> District	●	2	○	1	○	10
Court of Appeal, 2 <sup>nd</sup> District	●	2	○	2	○	20
Court of Appeal, 3 <sup>rd</sup> District	●	16	○	.5	●	30
Court of Appeal, 4 <sup>th</sup> District	●	1	○		○	
Court of Appeal, 5 <sup>th</sup> District	●	1	●	.5	○	.3
Court of Appeal, 6 <sup>th</sup> District	●	.1	○	1	●	1
<b>Colorado</b>						
Supreme Court	●	5	○	2	○	
Court of Appeals	●	1	○	1	○	
<b>Connecticut</b>						
Supreme Court/Appellate Court	●	5	○	.1	○	.1
<b>Delaware</b>						
Supreme Court	○	1	○	1	○	20
<b>District of Columbia</b>						
Court of Appeals	●	4	○	N/S	○	
<b>Florida</b>						
Supreme Court	●	10	○		○	
1 <sup>st</sup> District Court of Appeals	●	.3	○	.3	○	10
2 <sup>nd</sup> District Court of Appeals	○	2	○		○	.5
3 <sup>rd</sup> District Court of Appeals	○		○		○	
4 <sup>th</sup> District Court of Appeals	●	14	○	1	○	10
5 <sup>th</sup> District Court of Appeals	●	1	○		●	80
<b>Georgia</b>						
Supreme Court	●	3.3	○	.2	○	
Court of Appeals	●	1.5	○	.3	○	
<b>Hawaii</b>						
Supreme Court	●	7	○	.1	○	.1
Intermediate Court of Appeals	●	7	○	.1	○	.1
<b>Idaho</b>						
Supreme Court/Court of Appeals	○	1	○		○	
<b>Illinois</b>						
Supreme Court	●	7	○	1	○	10
Appellate Court, 1 <sup>st</sup> District	●	1	○		○	
Appellate Court, 2 <sup>nd</sup> District	●	3	○	.2	○	.1
Appellate Court, 4 <sup>th</sup> District	○	.5	○	.3	○	
Appellate Court, 5 <sup>th</sup> District	●		○		○	
<b>Indiana</b>						
Supreme Court	●	3	○	2	○	
Court of Appeals	●	3	○	2	○	
Tax Court	●	3	○	2	○	

Legend: ●=Total, ○=Partial, ○=None, ~=Not Applicable, N/S=None Stated

**Table 19. Appellate Court Responsibilities and Staffing by Function**

	<u>Accounting</u>		<u>Accounts Payable</u>		<u>Administrative Meetings</u>	
	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff
<b>Iowa</b>						
Supreme Court/Court of Appeals	○	2	○		○	2
<b>Kansas</b>						
Supreme Court/Court of Appeals	○	.3	○		○	
<b>Kentucky</b>						
Supreme Court	○	.3	○	.3	○	
Court of Appeals	○	.4	○		○	1
<b>Louisiana</b>						
Supreme Court	●	1.5	●	.5	○	.3
Court of Appeal, 1 <sup>st</sup> Circuit	●	.3	●	.3	○	.3
Court of Appeal, 2 <sup>nd</sup> Circuit	●	1	●	1	○	.2
Court of Appeal, 3 <sup>rd</sup> Circuit	●	1	●	2	●	1
Court of Appeal, 5 <sup>th</sup> Circuit	●	2	●	2	○	
<b>Maine</b>						
Supreme Judicial Court	○	N/S <sup>3</sup>	○		○	
<b>Maryland</b>						
Court of Appeals	●	.5	●	.5	○	
Court of Special Appeals	○	.1	○	.1	○	
<b>Massachusetts</b>						
Supreme Judicial Court	○		○	1	○	1
Appeals Court	●	3	●	3	○	.1
<b>Michigan</b>						
Supreme Court	○		○		○	N/S
Court of Appeals	○		○		○	1
<b>Minnesota</b>						
Supreme Court/Court of Appeals	○		○		○	
<b>Mississippi</b>						
Supreme Court/Court of Appeals	○		○		○	N/S
<b>Missouri</b>						
Supreme Court	○	1	○		○	
Court of Appeals, Southern	○		●	1	○	2
Court of Appeals, Western	●	1	●	1	○	.5
<b>Montana</b>						
Supreme Court	○	1	○	1	○	
<b>Nebraska</b>						
Supreme Court/Court of Appeals	○	.1	○		○	1
<b>Nevada</b>						
Supreme Court	○		○		●	1
<b>New Hampshire</b>						
Supreme Court	○	.1	○	.1	●	.1
<b>New Jersey</b>						
Supreme Court	○	1	○		●	.1
Appellate Div. of Superior Court	○		○		○	.3 <sup>4</sup>
<b>New Mexico</b>						
Supreme Court	●	2	●	2	○	
Court of Appeals	●	2	●	2	○	3 <sup>7</sup>
<b>New York</b>						
Court of Appeals	○	1	○	1	○	2
Appellate Division, 1 <sup>st</sup> Dept.	○	1	○		○	1
Appellate Division, 2 <sup>nd</sup> Dept.	○	2	○		○	1
Appellate Division, 3 <sup>rd</sup> Dept.	●	1	●	1	○	2
Appellate Division, 4 <sup>th</sup> Dept.	●	1	●	1	○	2
Appellate Terms of Superior Ct.	○	1	●	1	○	1

**Table 19. Appellate Court Responsibilities and Staffing by Function**

	Assignments for Administrative Staff		Attorney Admissions		Attorney Registration	
	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff
<b>Iowa</b>						
Supreme Court/Court of Appeals	○		●	2	●	2
<b>Kansas</b>						
Supreme Court/Court of Appeals	○		●	2	●	1.3
<b>Kentucky</b>						
Supreme Court	○		●	.3	●	.3
Court of Appeals	○		○		○	
<b>Louisiana</b>						
Supreme Court	●	.2	●	.2	●	.3
Court of Appeal, 1 <sup>st</sup> Circuit	●	.3	○		○	
Court of Appeal, 2 <sup>nd</sup> Circuit	●	.3	○		○	
Court of Appeal, 3 <sup>rd</sup> Circuit	●	3	○		○	
Court of Appeal, 5 <sup>th</sup> Circuit	●	2	○		○	
<b>Maine</b>						
Supreme Judicial Court	○		○		○	
<b>Maryland</b>						
Court of Appeals	○		●	.5	●	.5
Court of Special Appeals	○		○		○	
<b>Massachusetts</b>						
Supreme Judicial Court	○		○		○	
Appeals Court	○		○		○	
<b>Michigan</b>						
Supreme Court	○		●	N/S	○	
Court of Appeals	●	4	○		○	
<b>Minnesota</b>						
Supreme Court/Court of Appeals	○		○		●	1.3
<b>Mississippi</b>						
Supreme Court/Court of Appeals	○		●	N/S	●	N/S
<b>Missouri</b>						
Supreme Court	●	.1	●	4	~	~
Court of Appeals, Southern	●	2	○		○	
Court of Appeals, Western	●	1	○		○	
<b>Montana</b>						
Supreme Court	○		●	5	●	5
<b>Nebraska</b>						
Supreme Court/Court of Appeals	●	.1	●	.1	○	
<b>Nevada</b>						
Supreme Court	○		●	.5	○	
<b>New Hampshire</b>						
Supreme Court	●	.1	●	1	○	
<b>New Jersey</b>						
Supreme Court	●	1	●	13	●	2
Appellate Div. of Superior Court	○		○		○	
<b>New Mexico</b>						
Supreme Court	~	~	●	1	●	1
Court of Appeals	●	1	○		○	
<b>New York</b>						
Court of Appeals	●	2	●	1.5	○	
Appellate Division, 1 <sup>st</sup> Dept.	●	.5	○		○	
Appellate Division, 2 <sup>nd</sup> Dept.	●	1	○	2	○	
Appellate Division, 3 <sup>rd</sup> Dept.	●	1	●	2	○	
Appellate Division, 4 <sup>th</sup> Dept.	●	3	●	2	●	1
Appellate Terms of Superior Ct.	●	1	○		○	

**Table 19. Appellate Court Responsibilities and Staffing by Function**

	<u>Bar Grievance Matters</u>		<u>Budget Preparation</u>		<u>Commissions and Boards</u>	
	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff
<b>Iowa</b>						
Supreme Court/Court of Appeals	●	2	●	2	●	20
<b>Kansas</b>						
Supreme Court/Court of Appeals	○		●	.1	●	5
<b>Kentucky</b>						
Supreme Court	●	.3	○		○	
Court of Appeals	○		●	1	○	
<b>Louisiana</b>						
Supreme Court	●	.2	●	.2	○	.24
Court of Appeal, 1 <sup>st</sup> Circuit	○		●	.2	○	
Court of Appeal, 2 <sup>nd</sup> Circuit	○		●	1	○	
Court of Appeal, 3 <sup>rd</sup> Circuit	○		●	2	○	
Court of Appeal, 5 <sup>th</sup> Circuit	○		●	2	○	
<b>Maine</b>						
Supreme Judicial Court	●	N/S <sup>3</sup>	○		○	
<b>Maryland</b>						
Court of Appeals	●	.5	○		○	
Court of Special Appeals	○		○		○	
<b>Massachusetts</b>						
Supreme Judicial Court	○		○		○	
Appeals Court	○		●	4	○	
<b>Michigan</b>						
Supreme Court	●	N/S	●	N/S	●	N/S
Court of Appeals	○		●	1	○	
<b>Minnesota</b>						
Supreme Court/Court of Appeals	○		○		●	.3
<b>Mississippi</b>						
Supreme Court/Court of Appeals	●	N/S	●	N/S	○	
<b>Missouri</b>						
Supreme Court	○		●	.5	●	1
Court of Appeals, Southern	○		●	1	○	
Court of Appeals, Western	○		●	.5	○	
<b>Montana</b>						
Supreme Court	●	1	●	1	○	
<b>Nebraska</b>						
Supreme Court/Court of Appeals	●	.1	○		●	.3
<b>Nevada</b>						
Supreme Court	●	.1	●	.3	●	.3
<b>New Hampshire</b>						
Supreme Court	●	.1	○		●	.1
<b>New Jersey</b>						
Supreme Court	●	3.5	●	1	●	30
Appellate Div. of Superior Court	○		●	.1	○	
<b>New Mexico</b>						
Supreme Court	○		●	2	●	10
Court of Appeals	○		●	1.5	○	
<b>New York</b>						
Court of Appeals	○		●	2	○	
Appellate Division, 1 <sup>st</sup> Dept.	○		●	.5	○	
Appellate Division, 2 <sup>nd</sup> Dept.	○		●	1.5	○	
Appellate Division, 3 <sup>rd</sup> Dept.	●	2	●	2	○	
Appellate Division, 4 <sup>th</sup> Dept.	●	2	●	2	○	
Appellate Terms of Superior Ct.	○		●	1	○	



**Table 19. Appellate Court Responsibilities and Staffing by Function**

	Court Statistics		Data Processing		Facility Management	
	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff
<b>Iowa</b>						
Supreme Court/Court of Appeals	●	20	○		○	1
<b>Kansas</b>						
Supreme Court/Court of Appeals	○	.1	● <sup>2</sup>	90	○	
<b>Kentucky</b>						
Supreme Court	○	.1	○	.1	○	.1
Court of Appeals	●	20	○	10	○	1
<b>Louisiana</b>						
Supreme Court	●	.3	●	8.3	●	6.5
Court of Appeal, 1 <sup>st</sup> Circuit	●	.3	●	20	●	.3
Court of Appeal, 2 <sup>nd</sup> Circuit	●	.4	●	10	●	.3
Court of Appeal, 3 <sup>rd</sup> Circuit	●	10	●	50	●	1
Court of Appeal, 5 <sup>th</sup> Circuit	●	20	○	10	●	2
<b>Maine</b>						
Supreme Judicial Court	○	N/S <sup>3</sup>	○		○	
<b>Maryland</b>						
Court of Appeals	○		○		○	
Court of Special Appeals	○	.3	○	10	○	.2
<b>Massachusetts</b>						
Supreme Judicial Court	○	20	○		○	
Appeals Court	○	20	●	100	○	
<b>Michigan</b>						
Supreme Court	●	N/S	○	10	○	
Court of Appeals	●	10	○	10	○	1
<b>Minnesota</b>						
Supreme Court/Court of Appeals	○		○		○	
<b>Mississippi</b>						
Supreme Court/Court of Appeals	●	N/S	○		○	N/S
<b>Missouri</b>						
Supreme Court	○		N/S	N/S	○	.2
Court of Appeals, Southern	●	10	●	30	●	1
Court of Appeals, Western	○	.5	●	10	●	1
<b>Montana</b>						
Supreme Court	●	50	○		○	1
<b>Nebraska</b>						
Supreme Court/Court of Appeals	●	.1	●	60	○	.2
<b>Nevada</b>						
Supreme Court	●	10	○	.3	○	.5
<b>New Hampshire</b>						
Supreme Court	●	.3	○		○	.1
<b>New Jersey</b>						
Supreme Court	●	10	○	1.8	○	.1
Appellate Div. of Superior Court	●	.3	●	350	○	.1
<b>New Mexico</b>						
Supreme Court	●	10	○	10	●	2
Court of Appeals	○	.5	●	50	○	.5
<b>New York</b>						
Court of Appeals	●	20	●	40	○	1
Appellate Division, 1 <sup>st</sup> Dept.	○	.5	○		○	
Appellate Division, 2 <sup>nd</sup> Dept.	○	20	●	40	●	3
Appellate Division, 3 <sup>rd</sup> Dept.	●	10	●	40	●	2
Appellate Division, 4 <sup>th</sup> Dept.	●	10	●	30	●	2
Appellate Terms of Superior Ct.	○	10	●	100	○	1

Legend: ●=Total, ○=Partial, ○=None, ~=Not Applicable, N/S=None Stated

**Table 19. Appellate Court Responsibilities and Staffing by Function**

	Legal Research		Liaison with Legislature and Other Courts		Payroll	
	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff
<b>Iowa</b>						
Supreme Court/Court of Appeals	○	1	○	20	○	
<b>Kansas</b>						
Supreme Court/Court of Appeals	○		○		○	.1
<b>Kentucky</b>						
Supreme Court	○	.1	○		○	
Court of Appeals	○		○	.5	○	
<b>Louisiana</b>						
Supreme Court	○	2.8	○	.3	○	.5
Court of Appeal, 1 <sup>st</sup> Circuit	○	.3	●	.3	●	.3
Court of Appeal, 2 <sup>nd</sup> Circuit	○	.5	○	.1	●	1
Court of Appeal, 3 <sup>rd</sup> Circuit	●	14	○	10	●	2
Court of Appeal, 5 <sup>th</sup> Circuit	○		○	20	●	1
<b>Maine</b>						
Supreme Judicial Court	○	N/S <sup>3</sup>	○		○	
<b>Maryland</b>						
Court of Appeals	○		○		○	
Court of Special Appeals	○	.5	○	.2	○	
<b>Massachusetts</b>						
Supreme Judicial Court	○		○	10	○	
Appeals Court	●	5	○	.3	●	3
<b>Michigan</b>						
Supreme Court	○		○	N/S	○	N/S
Court of Appeals	○	4	○	10	○	
<b>Minnesota</b>						
Supreme Court/Court of Appeals	○		○		○	
<b>Mississippi</b>						
Supreme Court/Court of Appeals	○	N/S	○	N/S	○	
<b>Missouri</b>						
Supreme Court	○		○	1.5	●	.1
Court of Appeals, Southern	○	2	○	10	●	1
Court of Appeals, Western	○	.5	○	.3	●	1
<b>Montana</b>						
Supreme Court	○		○	20	○	
<b>Nebraska</b>						
Supreme Court/Court of Appeals	○		○		○	
<b>Nevada</b>						
Supreme Court	○	4	○	.3	○	
<b>New Hampshire</b>						
Supreme Court	●	1	○	.5	○	
<b>New Jersey</b>						
Supreme Court	○	2.5	○	.1	○	
Appellate Div. of Superior Court	○		○ <sup>5</sup>	.1	○	.3
<b>New Mexico</b>						
Supreme Court	○	1	○	1	●	2
Court of Appeals	○	2	○	20	●	2
<b>New York</b>						
Court of Appeals	○	2.5	○	10	○	2
Appellate Division, 1 <sup>st</sup> Dept.	○		○		○	
Appellate Division, 2 <sup>nd</sup> Dept.	○		○	10	○	
Appellate Division, 3 <sup>rd</sup> Dept.	○	3	○	10	○	1
Appellate Division, 4 <sup>th</sup> Dept.	○	3	○	20	○	1
Appellate Terms of Superior Ct.	○	1	○	120	○	

**Table 19. Appellate Court Responsibilities and Staffing by Function**

	<u>Personnel</u>		<u>Property Control</u>		<u>Purchasing</u>	
	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff
<b>Iowa</b>						
Supreme Court/Court of Appeals	◐	2	◐	2	◐	2
<b>Kansas</b>						
Supreme Court/Court of Appeals	◐	N/S	○		◐	N/S
<b>Kentucky</b>						
Supreme Court	◐	.1	◐	.1	◐	.1
Court of Appeals	◐	2	◐	1	◐	1
<b>Louisiana</b>						
Supreme Court	◐	.7	●	.3	●	1.1
Court of Appeal, 1 <sup>st</sup> Circuit	◐	.2	●	.2	●	.2
Court of Appeal, 2 <sup>nd</sup> Circuit	●	.3	●	.3	●	.3
Court of Appeal, 3 <sup>rd</sup> Circuit	●	2	●	1	●	1
Court of Appeal, 5 <sup>th</sup> Circuit	●	2	●	1	●	2
<b>Maine</b>						
Supreme Judicial Court	○		○		○	
<b>Maryland</b>						
Court of Appeals	○		○		○	
Court of Special Appeals	◐	.3	○		◐	.2
<b>Massachusetts</b>						
Supreme Judicial Court	◐	1	○		◐	1
Appeals Court	●	1	○		◐	7
<b>Michigan</b>						
Supreme Court	◐	N/S	○		○	
Court of Appeals	◐	1	○		○	
<b>Minnesota</b>						
Supreme Court/Court of Appeals	○		○		○	
<b>Mississippi</b>						
Supreme Court/Court of Appeals	◐	N/S	◐	N/S	◐	
<b>Missouri</b>						
Supreme Court	◐	.5	N/S	N/S	●	.2
Court of Appeals, Southern	●	1	●	1	●	1
Court of Appeals, Western	●	1	●	1	●	1
<b>Montana</b>						
Supreme Court	●	6	◐	2	◐	1
<b>Nebraska</b>						
Supreme Court/Court of Appeals	◐	2	◐	.1	◐	.1
<b>Nevada</b>						
Supreme Court	○		◐	.3	◐	.3
<b>New Hampshire</b>						
Supreme Court	◐	.1	○		◐	.1
<b>New Jersey</b>						
Supreme Court	○		◐	.1	◐	.2
Appellate Div. of Superior Court	◐ <sup>6</sup>	1	○		○	
<b>New Mexico</b>						
Supreme Court	●	2	●	2	●	2
Court of Appeals	●	2	●	2	●	2
<b>New York</b>						
Court of Appeals	◐	2	◐	1	◐	3
Appellate Division, 1 <sup>st</sup> Dept.	○		○		○	
Appellate Division, 2 <sup>nd</sup> Dept.	●	4	○		○	
Appellate Division, 3 <sup>rd</sup> Dept.	◐	1	●	2	●	1
Appellate Division, 4 <sup>th</sup> Dept.	◐	1	●	1	●	1
Appellate Terms of Superior Ct.	○		●	1	●	2

**Table 19. Appellate Court Responsibilities and Staffing by Function**

	Records Management		Research/Planning		Technical Assistance to Lower Courts	
	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff
<b>Iowa</b>						
Supreme Court/Court of Appeals	●	7	○	2	○	20
<b>Kansas</b>						
Supreme Court/Court of Appeals	○	N/S	○	N/S	○	N/S
<b>Kentucky</b>						
Supreme Court	○	.1	○	.1	○	
Court of Appeals	○	3	○	2	○	30
<b>Louisiana</b>						
Supreme Court	●	7.3	○	.3	○	1.8
Court of Appeal, 1 <sup>st</sup> Circuit	●	6	○	.3	●	2.4
Court of Appeal, 2 <sup>nd</sup> Circuit	●	.3	○	.3	○	.2
Court of Appeal, 3 <sup>rd</sup> Circuit	●	5	○		○	40
Court of Appeal, 5 <sup>th</sup> Circuit	●	5	○	3	○	50
<b>Maine</b>						
Supreme Judicial Court	○	N/S <sup>3</sup>	○		○	N/S <sup>3</sup>
<b>Maryland</b>						
Court of Appeals	○		○		○	
Court of Special Appeals	○	.5	○	.3	○	.3
<b>Massachusetts</b>						
Supreme Judicial Court	●	5	○		○	
Appeals Court	●	12	○	2	○	30
<b>Michigan</b>						
Supreme Court	●	1.5	○	N/S	○	
Court of Appeals	○	2	○	1	○	
<b>Minnesota</b>						
Supreme Court/Court of Appeals	○		○		○	
<b>Mississippi</b>						
Supreme Court/Court of Appeals	●	N/S	○	N/S	○	
<b>Missouri</b>						
Supreme Court	●	4	~	~	○	
Court of Appeals, Southern	●	4	○	2	○	20
Court of Appeals, Western	●	1	~	~	○	.3
<b>Montana</b>						
Supreme Court	●	6	○		○	
<b>Nebraska</b>						
Supreme Court/Court of Appeals	○	.1	○	.1	○	
<b>Nevada</b>						
Supreme Court	●	2	○	.3	○	
<b>New Hampshire</b>						
Supreme Court	●	.3	○	.1	○	
<b>New Jersey</b>						
Supreme Court	●	1.3	●	.1	○	
Appellate Div. of Superior Court	●	4	○	.2	○	
<b>New Mexico</b>						
Supreme Court	●	3	●	1	●	10
Court of Appeals	●	1	○	3	○	30
<b>New York</b>						
Court of Appeals	●	4	○	4	●	10
Appellate Division, 1 <sup>st</sup> Dept.	○		○		○	
Appellate Division, 2 <sup>nd</sup> Dept.	○	2	~	~	○	
Appellate Division, 3 <sup>rd</sup> Dept.	●	1	●	1	○	
Appellate Division, 4 <sup>th</sup> Dept.	●	2	●	3	○	
Appellate Terms of Superior Ct.	○	1	○		○	

**Table 19. Appellate Court Responsibilities and Staffing by Function**

	Accounting		Accounts Payable		Administrative Meetings	
	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff
<b>North Carolina</b>						
Supreme Court	●	1	●	1	○	1
Court of Appeals	○		○		●	1
<b>North Dakota</b>						
Supreme Court/Court of Appeals	○		●	.1	●	1
<b>Oklahoma</b>						
Appellate Courts	○		○		○	
<b>Oregon</b>						
Supreme Court/Court of Appeals	●	.5	●	.2	○	
<b>Pennsylvania</b>						
Supreme Court	○		○		○	
Superior Court	○		●	.5	●	1
Commonwealth Court	○		○		○	
<b>Puerto Rico</b>						
Supreme Court	○		○		●	1
Circuit Court of Appeals	●	1	●	1	●	1
<b>Rhode Island</b>						
Supreme Court	●	1	●	1	●	1
<b>South Carolina</b>						
Supreme Court	●	.1	●	.1	●	.1
Court of Appeals	●	.1	●	.1	●	.4
<b>South Dakota</b>						
Supreme Court	○		●	2	●	1
<b>Tennessee</b>						
Supreme Court, Eastern	●	1	●	1	○	
Supreme Court, Western	●	1	●	1	●	1
Court of Appeals	●	1	●	1	○	
Court of Criminal Appeals	●	1	●	1	○	
<b>Texas</b>						
Supreme Court	○		○		○	
Court of Criminal Appeals	●	2	●	2	●	15
Court of Appeals, 1 <sup>st</sup> District	●	2	●	2	○	
Court of Appeals, 2 <sup>nd</sup> District	●	1	●	1	○	
Court of Appeals, 3 <sup>rd</sup> District	●	2	●	.5	●	1
Court of Appeals, 5 <sup>th</sup> District	○		○		●	1
Court of Appeals, 6 <sup>th</sup> District	●	2	●	2	○	
Court of Appeals, 7 <sup>th</sup> District	●	2	●	2	○	
<b>Utah</b>						
Supreme Court	●	.5	●	.5	○	
Court of Appeals	●	.5	●	.5	○	
<b>Vermont</b>						
Supreme Court	○		○		○	
<b>Virginia</b>						
Supreme Court	●	.3	●	.3	○	
Court of Appeals	●	N/S	●	N/S	●	N/S
<b>Washington</b>						
Supreme Court	●	.5	○		○	
Court of Appeals	○		●	N/S	○	
<b>West Virginia</b>						
Supreme Court of Appeals	●	1	○		●	1
<b>Wisconsin</b>						
Supreme Court/Court of Appeals	○		●	.1	○	

Legend: ●=Total, ●=Partial, ○=None, ~=Not Applicable, N/S=None Stated

**Table 19. Appellate Court Responsibilities and Staffing by Function**

	Assignments for <u>Administrative Staff</u>		<u>Attorney Admissions</u>		<u>Attorney Registrations</u>	
	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff
<b>North Carolina</b>						
Supreme Court	●	1	●	1	●	1
Court of Appeals	○		○		○	
<b>North Dakota</b>						
Supreme Court/Court of Appeals	○		●	.5	●	.5
<b>Oklahoma</b>						
Appellate Courts	○		●		●	
<b>Oregon</b>						
Supreme Court/Court of Appeals	○		○		○	
<b>Pennsylvania</b>						
Supreme Court	○		●	1	○	
Superior Court	●	1	○		○	
Commonwealth Court	○		○		○	
<b>Puerto Rico</b>						
Supreme Court	○		●	2	●	2
Circuit Court of Appeals	●	1	○		○	
<b>Rhode Island</b>						
Supreme Court	●	3	●	1.5	●	3
<b>South Carolina</b>						
Supreme Court	●	.1	●	2.5	~	~
Court of Appeals	●	.1	○		○	
<b>South Dakota</b>						
Supreme Court	○		●	2	○	
<b>Tennessee</b>						
Supreme Court, Eastern	○		●	1	○	
Supreme Court, Western	○		●	1	○	
Court of Appeals	○		●	1	○	
Court of Criminal Appeals	○		●	1	○	
<b>Texas</b>						
Supreme Court	○		●	1	●	1
Court of Criminal Appeals	~	~	○		○	
Court of Appeals, 1 <sup>st</sup> District	○		○		○	
Court of Appeals, 2 <sup>nd</sup> District	○		○		○	
Court of Appeals, 3 <sup>rd</sup> District	○		○		○	
Court of Appeals, 5 <sup>th</sup> District	○		○		○	
Court of Appeals, 6 <sup>th</sup> District	○		○		○	
Court of Appeals, 7 <sup>th</sup> District	○		○		○	
<b>Utah</b>						
Supreme Court	○		●	1	●	1/
Court of Appeals	○		○		○	
<b>Vermont</b>						
Supreme Court	○		●	.1	○	
<b>Virginia</b>						
Supreme Court	○		●	.1	●	.1
Court of Appeals	●	N/S	○		○	
<b>Washington</b>						
Supreme Court	○		●	1	○	
Court of Appeals	○		○		○	
<b>West Virginia</b>						
Supreme Court of Appeals	●	2	●	1	●	1
<b>Wisconsin</b>						
Supreme Court/Court of Appeals	○		●	.2	●	.2

**Table 19. Appellate Court Responsibilities and Staffing by Function**

	<u>Bar Grievance Matters</u>		<u>Budget Preparation</u>		<u>Commissions and Boards</u>	
	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff
<b>North Carolina</b>						
Supreme Court	●	1	●	1	○	
Court of Appeals	○		●	1	○	
<b>North Dakota</b>						
Supreme Court/Court of Appeals	●	1	●	.3	●	10
<b>Oklahoma</b>						
Appellate Courts	●		●		○	
<b>Oregon</b>						
Supreme Court/Court of Appeals	○		●	.1	○	
<b>Pennsylvania</b>						
Supreme Court	●	.5	○		●	.2
Superior Court	○		○		○	
Commonwealth Court	○		○		○	
<b>Puerto Rico</b>						
Supreme Court	●	1	●	1	●	20
Circuit Court of Appeals	○		●	2	○	
<b>Rhode Island</b>						
Supreme Court	○		○		●	.5
<b>South Carolina</b>						
Supreme Court	●	1.5	●	.1	●	.1
Court of Appeals	○		●	.1	○	
<b>South Dakota</b>						
Supreme Court	●	1	●	1	●	10
<b>Tennessee</b>						
Supreme Court, Eastern	●	1	●	1	○	
Supreme Court, Western	●	1	○		○	
Court of Appeals	●	1	●	1	○	
Court of Criminal Appeals	●	1	●	1	○	
<b>Texas</b>						
Supreme Court	○		○		○	
Court of Criminal Appeals	○		●	3	○	
Court of Appeals, 1 <sup>st</sup> District	○		●	2	○	
Court of Appeals, 2 <sup>nd</sup> District	○		●	2	○	
Court of Appeals, 3 <sup>rd</sup> District	○		●	1	○	
Court of Appeals, 5 <sup>th</sup> District	○		●	1	○	
Court of Appeals, 6 <sup>th</sup> District	○		●	2	○	
Court of Appeals, 7 <sup>th</sup> District	○		●	2	○	
<b>Utah</b>						
Supreme Court	●	1	●	.5	○	
Court of Appeals	○		●	.5	○	
<b>Vermont</b>						
Supreme Court	○		○		●	.1
<b>Virginia</b>						
Supreme Court	○		●	.1	○	
Court of Appeals	○		●	N/S	●	N/S
<b>Washington</b>						
Supreme Court	○		○		●	.5
Court of Appeals	○		●	N/S	○	
<b>West Virginia</b>						
Supreme Court of Appeals	●	2	●	1	○	
<b>Wisconsin</b>						
Supreme Court/Court of Appeals	●	.3	●	.1	○	

**Table 19. Appellate Court Responsibilities and Staffing by Function**

	<u>Court Statistics</u>		<u>Data Processing</u>		<u>Facility Management</u>	
	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff
<b>North Carolina</b>						
Supreme Court	●	10	●	10	●	1
Court of Appeals	●	10	○		●	1
<b>North Dakota</b>						
Supreme Court/Court of Appeals	●	.4	●	.5	●	.4
<b>Oklahoma</b>						
Appellate Courts	●		○		○	
<b>Oregon</b>						
Supreme Court/Court of Appeals	●	.2	●	10	●	1
<b>Pennsylvania</b>						
Supreme Court	●	.1	○		●	.1
Superior Court	●	20	●	400	○	
Commonwealth Court	●	.1	○		○	
<b>Puerto Rico</b>						
Supreme Court	●	10	●	90	○	
Circuit Court of Appeals	●	10	○		●	2
<b>Rhode Island</b>						
Supreme Court	●	1.5	○		○	
<b>South Carolina</b>						
Supreme Court	●	.5	●	4.5	●	.3
Court of Appeals	●	.2	●	50	●	.2
<b>South Dakota</b>						
Supreme Court	●	20	●	30	●	1
<b>Tennessee</b>						
Supreme Court, Eastern	●	10	●	10	●	1
Supreme Court, Western	●	10	●	60	●	1
Court of Appeals	●	10	●	10	●	1
Court of Criminal Appeals	●	10	●	10	●	1
<b>Texas</b>						
Supreme Court	●	10	●	.5	●	.5
Court of Criminal Appeals	●	20	●	10	●	1
Court of Appeals, 1 <sup>st</sup> District	●	30	●	120	●	2
Court of Appeals, 2 <sup>nd</sup> District	●	10	●	1.5	●	1
Court of Appeals, 3 <sup>rd</sup> District	●	10	●	.5	●	1
Court of Appeals, 5 <sup>th</sup> District	●	10	●	100	○	
Court of Appeals, 6 <sup>th</sup> District	●	20	●	20	●	2
Court of Appeals, 7 <sup>th</sup> District	●	10	●	10	○	
<b>Utah</b>						
Supreme Court	●	.5	●	.5	●	.3
Court of Appeals	●	.8	●	.5	●	.3
<b>Vermont</b>						
Supreme Court	●	.1	○		○	
<b>Virginia</b>						
Supreme Court	●	.2	●	40	●	.1
Court of Appeals	●	N/S	●	N/S	●	N/S
<b>Washington</b>						
Supreme Court	●	.5	●	40	○	
Court of Appeals	●	N/S	○		●	N/S
<b>West Virginia</b>						
Supreme Court of Appeals	●	20	●	80	●	2
<b>Wisconsin</b>						
Supreme Court/Court of Appeals	●	.3	●	.1	○	



**Table 19. Appellate Court Responsibilities and Staffing by Function**

	<u>Legal Research</u>		<u>Liaison with Legislature and Other Courts</u>		<u>Payroll</u>	
	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff
<b>North Carolina</b>						
Supreme Court	●	1	●	10	●	1
Court of Appeals	○		○		○	
<b>North Dakota</b>						
Supreme Court/Court of Appeals	●	1	●	.3	○	
<b>Oklahoma</b>						
Appellate Courts	○		○		○	
<b>Oregon</b>						
Supreme Court/Court of Appeals	○		●	.5	○	
<b>Pennsylvania</b>						
Supreme Court	●	.9	○		○	
Superior Court	●	2	●	20	○	
Commonwealth Court	○		○		○	
<b>Puerto Rico</b>						
Supreme Court	●	5	●	10	○	
Circuit Court of Appeals	○		●	10	○	
<b>Rhode Island</b>						
Supreme Court	●	3	●		○	
<b>South Carolina</b>						
Supreme Court	●	.1	●	.1	○	
Court of Appeals	○		●	.1	○	
<b>South Dakota</b>						
Supreme Court	●	1	○		○	
<b>Tennessee</b>						
Supreme Court, Eastern	●	1	○		●	1
Supreme Court, Western	●	1	○		○	
Court of Appeals	●	1	○		●	1
Court of Criminal Appeals	●	1	○		●	1
<b>Texas</b>						
Supreme Court	○		○		○	
Court of Criminal Appeals	○		●	20	●	2
Court of Appeals, 1 <sup>st</sup> District	●	21	●	30	●	2
Court of Appeals, 2 <sup>nd</sup> District	○	13	●	20	●	1
Court of Appeals, 3 <sup>rd</sup> District	○		●	10	●	.5
Court of Appeals, 5 <sup>th</sup> District	●	1	○		○	
Court of Appeals, 6 <sup>th</sup> District	●	4	●	40	●	2
Court of Appeals, 7 <sup>th</sup> District	●	N/S	●	20	●	1
<b>Utah</b>						
Supreme Court	○		○		●	.3
Court of Appeals	○		○		●	.3
<b>Vermont</b>						
Supreme Court	●	3	●	.1	○	
<b>Virginia</b>						
Supreme Court	●	.3	●	.3	○	
Court of Appeals	●	N/S	●	N/S	●	N/S
<b>Washington</b>						
Supreme Court	●	.5	●	.5	○	
Court of Appeals	●	N/S	●	N/S	○	
<b>West Virginia</b>						
Supreme Court of Appeals	●	1	●	10	○	
<b>Wisconsin</b>						
Supreme Court/Court of Appeals	○		○		○	

**Table 19. Appellate Court Responsibilities and Staffing by Function**

	Personnel		Property Control		Purchasing	
	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff
<b>North Carolina</b>						
Supreme Court	◐	1	◐	1	◐	1
Court of Appeals	○		◐	1	●	1
<b>North Dakota</b>						
Supreme Court/Court of Appeals	◐	1	○		◐	.3
<b>Oklahoma</b>						
Appellate Courts	●	1	◐		◐	
<b>Oregon</b>						
Supreme Court/Court of Appeals	◐	.2	◐	.1	◐	.3
<b>Pennsylvania</b>						
Supreme Court	○		◐	.1	◐	.1
Superior Court	○		○		○	
Commonwealth Court	○		○		○	
<b>Puerto Rico</b>						
Supreme Court	○		○		○	
Circuit Court of Appeals	◐	2	◐	2	◐	2
<b>Rhode Island</b>						
Supreme Court	○		○		○	
<b>South Carolina</b>						
Supreme Court	◐	.1	◐	.1	◐	.3
Court of Appeals	◐	.2	◐	.1	◐	.3
<b>South Dakota</b>						
Supreme Court	◐	1	◐	1	◐	1
<b>Tennessee</b>						
Supreme Court, Eastern	●	1	●	1	●	1
Supreme Court, Western	◐	1	○		◐	1
Court of Appeals	●	1	◐	1	◐	1
Court of Criminal Appeals	●	1	◐	1	◐	1
<b>Texas</b>						
Supreme Court	○		○		○	
Court of Criminal Appeals	●	2	●	2	●	3
Court of Appeals, 1 <sup>st</sup> District	◐	2	●	2	●	2
Court of Appeals, 2 <sup>nd</sup> District	●	1	●	1	●	1
Court of Appeals, 3 <sup>rd</sup> District	◐	.3	●	.3	●	.5
Court of Appeals, 5 <sup>th</sup> District	◐	1	○		◐	1
Court of Appeals, 6 <sup>th</sup> District	●	2	●	2	●	2
Court of Appeals, 7 <sup>th</sup> District	●	2	●	1	●	2
<b>Utah</b>						
Supreme Court	◐	.5	◐	.3	◐	.5
Court of Appeals	◐	.5	◐	.3	◐	.3
<b>Vermont</b>						
Supreme Court	○		○		○	
<b>Virginia</b>						
Supreme Court	◐	.1	◐	.1	◐	.3
Court of Appeals	◐	N/S	◐	N/S	◐	N/S
<b>Washington</b>						
Supreme Court	◐	.5	○		○	
Court of Appeals	◐	N/S	◐	N/S	◐	N/S
<b>West Virginia</b>						
Supreme Court of Appeals	◐	2	◐	1	◐	1
<b>Wisconsin</b>						
Supreme Court/Court of Appeals	◐	.3	○		◐	.1

**Table 19. Appellate Court Responsibilities and Staffing by Function**

	Records Management		Research/Planning		Technical Assistance to Lower Courts	
	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff
<b>North Carolina</b>						
Supreme Court	●	4	○	1	○	30
Court of Appeals	●	2	○		○	
<b>North Dakota</b>						
Supreme Court/Court of Appeals	●	3	○		○	.3
<b>Oklahoma</b>						
Appellate Courts	○		○		○	
<b>Oregon</b>						
Supreme Court/Court of Appeals	●	.5	○		○	.3
<b>Pennsylvania</b>						
Supreme Court	○	.1	○		○	.1
Superior Court	●	6	○		○	
Commonwealth Court	●	16	○	1	○	
<b>Puerto Rico</b>						
Supreme Court	○	1	○	N/S	○	
Circuit Court of Appeals	●	2	○	2	○	20
<b>Rhode Island</b>						
Supreme Court	○	2	○		○	
<b>South Carolina</b>						
Supreme Court	●	4.5	○	.3	○	
Court of Appeals	○	4.5	○	.3	○	
<b>South Dakota</b>						
Supreme Court	○	2	○	1	○	30
<b>Tennessee</b>						
Supreme Court, Eastern	●	1	○	1	○	
Supreme Court, Western	○	2	○	1	○	20
Court of Appeals	○	1	○	1	○	
Court of Criminal Appeals	○	1	○	1	○	
<b>Texas</b>						
Supreme Court	○	3	○		○	
Court of Criminal Appeals	●	2	●	2	●	90
Court of Appeals, 1 <sup>st</sup> District	●	6	○	2	○	
Court of Appeals, 2 <sup>nd</sup> District	●	1	○	2	○	70
Court of Appeals, 3 <sup>rd</sup> District	●	1	○	1	○	.3
Court of Appeals, 5 <sup>th</sup> District	●	10	○		○	
Court of Appeals, 6 <sup>th</sup> District	●	2	○	2	○	20
Court of Appeals, 7 <sup>th</sup> District	●	2	○	2	○	40
<b>Utah</b>						
Supreme Court	○	1.5	○		○	10
Court of Appeals	○	1	○		○	10
<b>Vermont</b>						
Supreme Court	○		○		○	
<b>Virginia</b>						
Supreme Court	○	2	○	.5	○	
Court of Appeals	●	N/S	○	N/S	○	N/S
<b>Washington</b>						
Supreme Court	●	2	○	.5	○	
Court of Appeals	○		○	N/S	○	N/S
<b>West Virginia</b>						
Supreme Court of Appeals	●	8	○	2	○	10
<b>Wisconsin</b>						
Supreme Court/Court of Appeals	●	9	○		○	

**Table 19. Appellate Court Responsibilities and Staffing by Function**

	<u>Accounting</u>		<u>Accounts Payable</u>		<u>Administrative Meetings</u>	
	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff
<b>Wyoming</b>						
Supreme Court	○		○		○	
<b>United States</b>						
Supreme Court	◐	.5	○		◐	.5
Court of Appeals, Federal Circuit	◐	.3	◐	.3	○	
Court of Appeals, 1 <sup>st</sup> Circuit	●	1	●	1	◐	N/S
Court of Appeals, 2 <sup>nd</sup> Circuit	◐	.3	○		○	
Court of Appeals, 3 <sup>rd</sup> Circuit	●	2.3	◐	1	◐	.5
Court of Appeals, 5 <sup>th</sup> Circuit	◐	1.5	◐	1	◐	.1
Court of Appeals, 6 <sup>th</sup> Circuit	N/S	N/S	N/S	N/S	N/S	N/S
Court of Appeals, 9 <sup>th</sup> Circuit	●	2	●	1	◐	2

**Table 19. Appellate Court Responsibilities and Staffing by Function**

	Assignments for <u>Administrative Staff</u>		<u>Attorney Admissions</u>		<u>Attorney Registrations</u>	
	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff
<b>Wyoming</b>						
Supreme Court	●	1	●	1	●	1
<b>United States</b>						
Supreme Court	○		●	1	●	.3
Court of Appeals, Federal Circuit	●	.1	●	.3	●	.1
Court of Appeals, 1 <sup>st</sup> Circuit	●	1	●	1	●	1
Court of Appeals, 2 <sup>nd</sup> Circuit	○		●	.5	○	
Court of Appeals, 3 <sup>rd</sup> Circuit	○	.5	●	.5	●	.5
Court of Appeals, 5 <sup>th</sup> Circuit	●	1	●	.3	●	.3
Court of Appeals, 6 <sup>th</sup> Circuit	N/S	N/S	N/S	N/S	N/S	N/S
Court of Appeals, 9 <sup>th</sup> Circuit	●	1	●	.5	○	

**Table 19. Appellate Court Responsibilities and Staffing by Function**

	<u>Bar Grievance Matters</u>		<u>Budget Preparation</u>		<u>Commissions and Boards</u>	
	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff
<b>Wyoming</b>						
Supreme Court	●	1	○		●	10
<b>United States</b>						
Supreme Court	●	.3	●	.3	○	
Court of Appeals, Federal Circuit	●	.1	○		○	
Court of Appeals, 1 <sup>st</sup> Circuit	●	1	●	N/S	~	~
Court of Appeals, 2 <sup>nd</sup> Circuit	○		●	.1	○	
Court of Appeals, 3 <sup>rd</sup> Circuit	●	.5	○		○	
Court of Appeals, 5 <sup>th</sup> Circuit	●	.3	●	1	○	
Court of Appeals, 6 <sup>th</sup> Circuit	N/S	N/S	N/S	N/S	N/S	N/S
Court of Appeals, 9 <sup>th</sup> Circuit	●	.3	●	.3	●	10

**Table 19. Appellate Court Responsibilities and Staffing by Function**

	Court Statistics		Data Processing		Facility Management	
	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff
<b>Wyoming</b>						
Supreme Court	●	10	○	10	○	
<b>United States</b>						
Supreme Court	○	.3	○	.5	○	
Court of Appeals, Federal Circuit	●	10	●	.1	○	.5
Court of Appeals, 1 <sup>st</sup> Circuit	●	10	●	10	○	N/S
Court of Appeals, 2 <sup>nd</sup> Circuit	○	10	~	~	○	
Court of Appeals, 3 <sup>rd</sup> Circuit	○	10	○	.1	○	.3
Court of Appeals, 5 <sup>th</sup> Circuit	●	20	○	10	○	.1
Court of Appeals, 6 <sup>th</sup> Circuit	N/S	N/S	N/S	N/S	N/S	N/S
Court of Appeals, 9 <sup>th</sup> Circuit	○	.5	●	120	●	1

**Table 19. Appellate Court Responsibilities and Staffing by Function**

	<u>Legal Research</u>		<u>Liaison with Legislature and Other Courts</u>		<u>Payroll</u>	
	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff
<b>Wyoming</b>						
Supreme Court	○		◐	20	○	
<b>United States</b>						
Supreme Court	●	10	◐	.3	○	
Court of Appeals, Federal Circuit	○		◐	.1	○	
Court of Appeals, 1 <sup>st</sup> Circuit	◐	N/S	◐	N/S	●	1
Court of Appeals, 2 <sup>nd</sup> Circuit	○		◐	.1	◐	.3
Court of Appeals, 3 <sup>rd</sup> Circuit	◐	1	◐	.5	◐	.5
Court of Appeals, 5 <sup>th</sup> Circuit	◐	.5	◐	.1	◐	1
Court of Appeals, 6 <sup>th</sup> Circuit	N/S	N/S	N/S	N/S	N/S	N/S
Court of Appeals, 9 <sup>th</sup> Circuit	◐	7	◐	.5	●	.5



**Table 19. Appellate Court Responsibilities and Staffing by Function**

	<u>Personnel</u>		<u>Property Control</u>		<u>Purchasing</u>	
	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff
<b>Wyoming</b>						
Supreme Court	○		○		○	
<b>United States</b>						
Supreme Court	○		○		○	
Court of Appeals, Federal Circuit	●	.1	○		●	.2
Court of Appeals, 1 <sup>st</sup> Circuit	●	1	●	1	●	1
Court of Appeals, 2 <sup>nd</sup> Circuit	●	.3	○		●	.1
Court of Appeals, 3 <sup>rd</sup> Circuit	●	1	●	.1	●	.1
Court of Appeals, 5 <sup>th</sup> Circuit	●	2	●	.3	●	1
Court of Appeals, 6 <sup>th</sup> Circuit	N/S	N/S	N/S	N/S	N/S	N/S
Court of Appeals, 9 <sup>th</sup> Circuit	●	1	●	.3	●	3

**Table 19. Appellate Court Responsibilities and Staffing by Function**

	Records Management		Research/Planning		Technical Assistance to Lower Courts	
	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff	Clerk's Office Responsibility	Number of FTE Staff
<b>Wyoming</b>						
Supreme Court	●	1	○		○	
<b>United States</b>						
Supreme Court	◐	4	◐	.5	◐	.25
Court of Appeals, Federal Circuit	◐	.3	◐	.1	●	.3
Court of Appeals, 1 <sup>st</sup> Circuit	●	1	●	1	○	
Court of Appeals, 2 <sup>nd</sup> Circuit	●	2.5	○		○	
Court of Appeals, 3 <sup>rd</sup> Circuit	●	2	◐	.5	◐	10
Court of Appeals, 5 <sup>th</sup> Circuit	◐	2	◐	1	◐	.5
Court of Appeals, 6 <sup>th</sup> Circuit	N/S	N/S	N/S	N/S	N/S	N/S
Court of Appeals, 9 <sup>th</sup> Circuit	●	6	◐	2	○	

**FOOTNOTES:**

Note: Only the courts that provided data appear on the table.

**Arizona:**

<sup>1</sup>Arizona returned survey, but was unable to provide accurate data.

**Kansas:**

<sup>2</sup>For cases.

**Maine:**

<sup>3</sup>Maine has three staff members who perform all functions. Unable to accurately divided time between functions.

**New Jersey:**

<sup>4</sup>Biweekly supervisor's meetings.

<sup>5</sup>With other courts only.

<sup>6</sup>All hiring, but not benefits, etc.

**New Mexico:**

<sup>7</sup>Task done by Chief Clerk, Chief Staff Attorney, and Chief Judge.

**Table 20. Administrative Office of the Courts: Trial Court Responsibilities and Staffing by Function**

	Accounting		Alternative Dispute Resolution		Alternative Sanction Programs		Assignments for Sitting Judges	
	Responsibility	FTE	Responsibility	FTE	Responsibility	FTE	Responsibility	FTE
Alabama	●	6	○		○		●	1
Alaska	●	8.3	○		○		●	.1
Arizona	●	15	●	.3	○		○	
Arkansas	●	.5	●	1.5	○		●	.3
California	●	19	●	6	○		○	
Colorado	○	6	●	2.5	○		○	
Connecticut	●	28	●	2	●	N/S	●	N/S
Delaware	○	3	○	.1	○		○	
District of Columbia	●	14	○		●	15	○	
Florida	●	13	●	5 <sup>9</sup>	●	N/S	○	
Georgia	○	4	○		○		○	
Hawaii	○	8	●	4	○		○	
Idaho	●	2.5	○		○		●	.2
Illinois	●	34	●	1	○		○	
Indiana	○	1	○		○		●	1
Iowa	○	3	○		○		○	
Kansas	○	3	○	1	○		●	.5
Kentucky	●	7	●	.1	●	.1	●	.1
Louisiana	○	5.5	○	1	○		●	1
Maine	●	3	●	1	○		○	
Maryland	○	18	○	3	○		○	.25
Massachusetts	●	28 <sup>12</sup>	○	.5 <sup>13</sup>	~	~	~	~ <sup>14</sup>
Michigan	●	4	○	2	○	1	●	1
Minnesota	○	3	○	.1	~	~	○	.1
Mississippi	○	7	○	2 <sup>1</sup>	○	2 <sup>1</sup>	○	
Missouri	○	5	○	.1	○	.3	●	.9
Montana	●	1	○		○		○	
Nebraska	○	3	○	1.5	○		○	
Nevada	●	2	○		○		○	
New Hampshire	●	10	○		○		○	
New Jersey	●	22	○	6	●	2	●	1
New Mexico	○	6	○		○		○	.1
New York	● <sup>29</sup>	21	○	4	○		●	1
North Carolina	●	49	○	4	●	28	●	1.8
North Dakota	○	.1	~	~	○		○	
Ohio	○		○	5	○	4	●	1
Oklahoma	○		○	2	○		○	.5
Oregon	○	12	○	1	○		○	
Pennsylvania	○	4.5	○ <sup>36</sup>	N/S	○ <sup>36</sup>	N/S	○	
Puerto Rico	●	54	●	4	○		●	2
Rhode Island	●	2	○		○		○	
South Carolina	○		○	1	○		●	1.5
South Dakota	●	2	○		○		○	
Tennessee	●	11	●	2	~	~	○	1
Texas	○	.3	○		○		○	
Utah	●	9	●	6.5	○		○	
Vermont	○	.2	○	.1 <sup>41</sup>	○		○ <sup>42</sup>	.2
Virginia	●	7	○	2	○		●	1
Washington	○	2	○	.5	○		○	.5
West Virginia	●	6.5	○		○		○	.4
Wisconsin	○	3.5	○	5	○		○	3
Wyoming	●	2	○		○		○	

Legend: ~=Not Applicable, N/S=Not Stated

●=Total, ○=Partial, ○=None

**Table 20. Administrative Office of the Courts: Trial Court Responsibilities and Staffing by Function**

	Assignments for Supplemental Judges		Budget Preparation		Data Processing		Facility Management	
	Responsibility	FTE	Responsibility	FTE	Responsibility	FTE	Responsibility	FTE
Alabama	●	1	●	1	●	17	○	
Alaska	●	.1	●	1.3	●	12	●	2.5
Arizona	○		●	1.3	●	59	●	34
Arkansas	●	.3	●	.5	●	3	●	.3
California	●	6	●	11	○	N/S <sup>6</sup>	○	5
Colorado	●	1	●	3	●	42	●	1
Connecticut	●	N/S	●	2	●	61	●	11
Delaware	○		○	1	○	24	○	1
District of Columbia	○		●	3	●	29	●	4
Florida	○		●	2.5	○	20	○	1
Georgia	○		○	4	○	1	○	
Hawaii	○		○	6	●	44	●	49
Idaho	○	.1	●	.2	●	7	○	
Illinois	○		●	10	●	18	○	2
Indiana	●	1	○	.5	○	7	○	
Iowa	○		●	2	●	12	○	
Kansas	●	.5	●	3	●	8	○	1
Kentucky	○	.1	●	5	●	26	●	8
Louisiana	●	1	○	1	○	14	○	
Maine	○		●	1	○	.5	○	1
Maryland	○	1	●	N/S <sup>11</sup>	●	120	○	1
Massachusetts	~	~ <sup>14</sup>	○	12	●	39	●	16 <sup>15</sup>
Michigan	●	1	●	2	○	40	○	.5
Minnesota	○	.1	○	.5	○	81	○	.3
Mississippi	○		○	3	○	9	○	2 <sup>1</sup>
Missouri	●	.1	○	3	○	80	○	
Montana	○		●	1	○		○	
Nebraska	○		●	1	○	10	○	
Nevada	○		●	1	○	2	●	.5
New Hampshire	○		●	1	●	11	○	
New Jersey	●	1	○	11	● <sup>27</sup>	149	○	9
New Mexico	○	.1	○	1	○	39	○	1
New York	●	1	● <sup>30</sup>	19	●	162	○	14
North Carolina	●	.3	●	2	●	91	○	
North Dakota	○		●	1	●	2	○	
Ohio	●	1.5	○	N/S	○	8	○	
Oklahoma	○	.5	●	2	●	12	○	
Oregon	○	1	○	3	○	27	○	1
Pennsylvania	●	1	○	4	○	88	○ <sup>37</sup>	3.5
Puerto Rico	~	~	●	7	●	44	●	12
Rhode Island	○		●	4	○	19	●	4
South Carolina	●	1.5	○		●	6	○	
South Dakota	○		●	1	○	1	○	
Tennessee	○	1	●	1	●	23	○	.5
Texas	○		○		○	2	○	
Utah	●	1.3	●	2	●	25	●	2.3
Vermont	● <sup>42</sup>	.1	●	4.5	○	5	○	.1
Virginia	○	.1	●	3	●	56	○	
Washington	○		○	2	●	75	○	
West Virginia	○	.4	●	.1	●	3	○	.1
Wisconsin	○	.5	●	1	●	39.5	○	
Wyoming	○		●	1	●	2	~	~

Legend: ~ = Not Applicable, N/S = Not Stated

● = Total, ○ = Partial, ○ = None

**Table 20. Administrative Office of the Courts: Trial Court Responsibilities and Staffing by Function**

	Foster Care Review		Judicial Education		Law Libraries		Legal Research (Law Clerks)	
	Responsibility	FTE	Responsibility	FTE	Responsibility	FTE	Responsibility	FTE
Alabama	○		●	4	○		●	4
Alaska	○		●	N/S <sup>3</sup>	●	8.5	○	
Arizona	●	30	○	18	○		○	
Arkansas	○		●	1.5	●	3	●	4
California	○		●	54	○	2	○	
Colorado	○		●	1.5	○		○	
Connecticut	○		●	5	●	21	●	33
Delaware	○	6	○	2	○	4.5	○	
District of Columbia	○		○	2	○		○	
Florida	○	7	●	11	○		○	
Georgia	○		○	1	○		○	
Hawaii	○		●	3	●	8	○	
Idaho	○		○	.5	●	7	○	16
Illinois	○		●	4	○	1	○	
Indiana	○	.5	○	.3	○		○	1
Iowa	○		●	2	○	.3	○	1
Kansas	○	1	○	3	●	6	●	1
Kentucky	●	10	●	3	●	6.5	○	.1
Louisiana	○	2	○		○		●	1
Maine	○		○		●	1	○	
Maryland	○	2	○	7	○		○	
Massachusetts	○		○	8 <sup>16</sup>	●	4	○	
Michigan	●	14	●	17	○	1	●	1
Minnesota	~	~	○	3 <sup>22</sup>	~	~	○	3
Mississippi	○		○		○		○	
Missouri	○	.3	●	20	○		○	
Montana	○	3	●	1	●	7.5	○	
Nebraska	○		○	.3	○		○	
Nevada	○		●	2	○	.5	○	
New Hampshire	○		○	1	○		○	
New Jersey	○	1	●	15	○	1	○	
New Mexico	○	1	○		○		○	.5
New York	○		●	7	○	20	○	
North Carolina	○		○	2	○		○	1
North Dakota	○		○	.5	○		○	
Ohio	○		●	6.5	○	5	○	N/S
Oklahoma	○		●	2	○	2	○	
Oregon	○	12	○	1	○	2	○	
Pennsylvania	○ <sup>36</sup>	N/S	○	2.5	○		○	1
Puerto Rico	○		●	6	●	9	●	5
Rhode Island	○		●	2	●	11	○	
South Carolina	○		○	1	○		○	
South Dakota	○		●	1	○		○	
Tennessee	○ <sup>39</sup>	4	●	4	●	1	○	
Texas	○		○	2	○		○	
Utah	○	1 <sup>40</sup>	●	3.5	○	.3	○	1
Vermont	○	.2	●	1.5	○	.2	○	11 <sup>43</sup>
Virginia	○		●	3	○		○	4
Washington	○		●	4	○		○	
West Virginia	○		●	2	●	10.1	○	
Wisconsin	○		●	4.8	○		○	
Wyoming	○		○	1	○		○	

Legend: ~=Not Applicable, N/S=Not Stated

●=Total, ○=Partial, ○=None

**Table 20. Administrative Office of the Courts: Trial Court Responsibilities and Staffing by Function**

	Representation/ General Counsel		Legal Services		Liaison with Legislature		Probation—Adult	
	Responsibility	FTE	Responsibility	FTE	Responsibility	FTE	Responsibility	FTE
Alabama	○		●	4	●	1	○	
Alaska	●	1	●	3.5	●	.8	○	
Arizona	○		●	4	●	3	●	20
Arkansas	~	~	●	1	●	1	○	
California	●	6	●	310	●	9	○	
Colorado	●	.6	●	1.5	●	1.5	●	8
Connecticut	●	7.5	●	18.5	●	N/S	●	N/S
Delaware	○		○		●	1	○ <sup>8</sup>	
District of Columbia	●	2	○		●	1	○ <sup>8</sup>	
Florida	●	1	●	2	●	2	○	
Georgia	○		○		●	1	○	
Hawaii	●	2	○		●	2	○	
Idaho	●	1	●	1	●	.5	○	
Illinois	○		●	5.5	●	1	●	23
Indiana	●	.5	●	.5	●	.5	○	
Iowa	○		●	7	●	1	○	
Kansas	●	1	○		●	3	●	.5
Kentucky	●	1	●	3	●	2	○	
Louisiana	●	2	●	2	●	1	○	
Maine	●		●		●	1	○	
Maryland	○		●	2	●	2	○	
Massachusetts	●	2.5	N/S	2.5	●	1	●	~ <sup>17</sup>
Michigan	●	.1	●	.1	●	3	●	.3
Minnesota	●	N/S	~	~	●	1	~	~
Mississippi	○		○		●	21	○	
Missouri	○		○		○		○	
Montana	○		○		●	23	○	
Nebraska	○		○		●	1	○	3
Nevada	○		○		●	.5	○	
New Hampshire	●	.5	○		●	.5	○	
New Jersey	●	4	●	25	●	3	●	7
New Mexico	●	.5	●	.2	●	1	○	
New York	●	10.5	○ <sup>32</sup>		●	10.5	○	
North Carolina	●	2	● <sup>32</sup>	101	●	1.5	○	
North Dakota	●	1	●		●	.5	○	
Ohio	●	1.5	●	.5	●	.5	○	
Oklahoma	○		○		●	.5	○	
Oregon	●	1	●	3	●	3	○	
Pennsylvania	●	8	●	3	●	2.3	● <sup>36</sup>	N/S
Puerto Rico	○	6	●	6	○		○	
Rhode Island	●	1	●	1	●	2	○	
South Carolina	○		●	2	○		○	
South Dakota	○		○		●	1	●	35 <sup>38</sup>
Tennessee	○		●	1	●	1	○	
Texas	○		●	3	●	1.5	○	
Utah	●	1.5	●	2.5	●	2	○	
Vermont	○		○		●	.3	○	
Virginia	○		●	3	●	.5	○	
Washington	●	1.5	●	4	●	2	○	
West Virginia	●	10.1	●	.1	●	.5	●	.5
Wisconsin	○		○		●	1	○	
Wyoming	○		○		●	1	○	

Legend: ~=Not Applicable, N/S=Not Stated

●=Total, ●=Partial, ○=None

**Table 20. Administrative Office of the Courts: Trial Court Responsibilities and Staffing by Function**

	Probation—Juvenile		Public Information		Purchasing		Research/Planning	
	Responsibility	FTE	Responsibility	FTE	Responsibility	FTE	Responsibility	FTE
Alabama	○		●	1	●	3	●	2
Alaska	○		●	N/S <sup>3</sup>	●	2.5	●	2
Arizona	●	31	●	2	●	.5	●	5
Arkansas	●	.5	●	1	●	.5	●	.5
California	○		●	6	●	5	●	8
Colorado	●	8	●	2	●	2	●	9
Connecticut	●	N/S	●	N/S	●	9	●	2
Delaware	○		●	1	●	1	○	1
District of Columbia	●	170	●	7	●	10	●	10
Florida	○		○	1	○	3	●	4
Georgia	○		○	2	○		○	4
Hawaii	○		●	2	●	3	●	6
Idaho	○		○		○		○	
Illinois	●	23	●	1	●	5	●	18
Indiana	○		○	.2	○	.2	○	.3
Iowa	○		●	1	●	2	●	1
Kansas	●	.5	●	1	●	3	●	1
Kentucky	○		●	1	●	4	●	4
Louisiana	○		●	3	○	.5	○	2
Maine	○		●	.3	●	1	●	.5
Maryland	○		●	3	●	N/S <sup>11</sup>	○	2
Massachusetts	●	~ <sup>17</sup>	○	~ <sup>18</sup>	●	10	●	2
Michigan	●	.3	○	1	○	.5	●	4
Minnesota	~	~	●	2	○	.3	~	~
Mississippi	○		●	2 <sup>21</sup>	○	2 <sup>21</sup>	●	2
Missouri	○		~	~	○	.1	○	.3
Montana	○		○	2 <sup>23</sup>	●	1	○	2 <sup>23</sup>
Nebraska	○	3	○	.2	○	.1	○	2
Nevada	○		○	.3	●	.5	●	1.5
New Hampshire	○		○	.5	●	.5	○	.5
New Jersey	○	7	○	6	○	16	●	41
New Mexico	○		○	.5	○	1	○	.5
New York	○		●	10	○	8	○	5
North Carolina	● <sup>33</sup>	463	○	2	●	22.8	●	11
North Dakota	○	1	○	.1	●	.3	●	.3
Ohio	○		○	N/S	○		~	~
Oklahoma	○		●	1	○	2	●	1
Oregon	○		○	1	○	1	●	1
Pennsylvania	○ <sup>36</sup>	N/S	○	1.5	○	1.5	○	5.5
Puerto Rico	○		●	5	●	10	●	5
Rhode Island	○		○	.3	○	4	●	4
South Carolina	○		○		○		○	2
South Dakota	●	34 <sup>38</sup>	●	.5	●	1	●	5
Tennessee	○		●	2	○	2	○	1
Texas	○		○	2.5	○		○	5
Utah	○	4.5	●	2	●	2	●	9
Vermont	○		○	.1	○	1	●	3 <sup>44</sup>
Virginia	○		○	.2	●	6	●	4
Washington	○		○	2	○	2	●	5
West Virginia	○	.5	○	.9	○	.5	●	1
Wisconsin	○		●	1	○	1.6	●	3.5
Wyoming	○		○	1	●	1	●	1

Legend: ~=Not Applicable, N/S=Not Stated

●=Total, ○=Partial, ○=None

**Table 20. Administrative Office of the Courts: Trial Court Responsibilities and Staffing by Function**

	Techni Assistance to Courts		Other	
	Responsibility	FTE	Responsibility	FTE
Alabama	●	10	● <sup>2</sup>	25
Alaska	●	6.5	● <sup>4</sup>	26
Arizona	○	47	~	~
Arkansas	●	1	● <sup>5</sup>	7
California	●	70	~	~
Colorado	○		~	~
Connecticut	●	21	~	~
Delaware	○	1	○ <sup>7</sup>	9
District of Columbia	○	1	●	58
Florida	●	17	○ <sup>10</sup>	12
Georgia	○	2	~	~
Hawaii	○		~	~
Idaho	○	1.5	~	~
Illinois	○	25	~	~
Indiana	●	5	~	~
Iowa	●	8	~	~
Kansas	●	4	~	~
Kentucky	●	26	●	26
Louisiana	○	5.5	●	51.5
Maine	●	.5	~	~
Maryland	○	13	~	~
Massachusetts	●	N/S	●	13 <sup>19</sup>
Michigan	●	4	~	~
Minnesota	○	2	● <sup>20</sup>	1.5
Mississippi	●	1	~	~
Missouri	○	5	~	~
Montana	●	5	~	~
Nebraska	○	2	~	~
Nevada	●	3	● <sup>24</sup>	1.8
New Hampshire	○	.5	● <sup>25</sup>	3
New Jersey	●	42	○ <sup>26</sup>	53
New Mexico	●	11.5	○ <sup>28</sup>	9
New York	○	33	○ <sup>31</sup>	201
North Carolina	●	27.5	● <sup>34</sup>	47.5
North Dakota	●	2	~	~
Ohio	●	4	~	~
Oklahoma	●	10	~	~
Oregon	○	1	● <sup>35</sup>	50
Pennsylvania	○ <sup>36</sup>	N/S	~	~
Puerto Rico	●	47	~	~
Rhode Island	●	2	~	~
South Carolina	●	5	●	3
South Dakota	●	4	~	~
Tennessee	○	1	~	~
Texas	○	10	~	~
Utah	●	4	~	~
Vermont	●	3 <sup>44</sup>	~	~
Virginia	●	11	● <sup>45</sup>	18
Washington	●	4	● <sup>46</sup>	2
West Virginia	○	2	~	~
Wisconsin	●	23	● <sup>47</sup>	9
Wyoming	●	1	~	~

Legend: ~ = Not Applicable, N/S = Not Stated

● = Total, ○ = Partial, ○ = None



**Table 20. Administrative Office of the Courts: Trial Court Responsibilities and Staffing by Function**

**FOOTNOTES:**

**Alabama:**

<sup>1</sup>Attorney General provides.  
<sup>2</sup>Printing services; personnel.

**Alaska:**

<sup>3</sup>No dedicated positions.  
<sup>4</sup>Micrographics; printing; human resources/training; transcript supervision; grant administration; general supplies.

**Arkansas:**

<sup>5</sup>Data (casefile) audits of local courts; interpreter services.

**California:**

<sup>6</sup>This number cannot be estimated. Data processing is done by the Information Services Bureau. FTE staff for this is included in the seventy listed for Technical Assistance to courts.

**Delaware:**

<sup>7</sup>Human resources; Office of State Court Collections Enforcement. AOC has had partial budget responsibility for Violent Crimes Board, Public Guardian, Foster Care Review Board and the Educational Surrogate Parent Program. Together these agencies employ 24 FTEs. The AOC, Judicial Information Center and Office of State Court Collections and Law Libraries have a combined staff of 54 FTEs.

**District of Columbia:**

<sup>8</sup>As of October 1, 1997 all functions associated with the supervision of adult probationers in DC were transferred to the Court Services and Offender Supervision Agency.

**Florida:**

<sup>9</sup>Support of local positions.  
<sup>10</sup>Grants administration; personnel services; family court initiative; court services.

**Maryland:**

<sup>11</sup>Part of accounting.

**Massachusetts:**

<sup>12</sup>In addition to an accounting staff (thirteen) which oversees the payment of trial court bills from centralized accounts, the Administrative Office of the Trial Court also maintains a separate internal auditing staff (fifteen) which conducts audits of the accounts and activities of the trial court.

<sup>13</sup>Generally the responsibility of the Office of Community Corrections.

<sup>14</sup>Primarily the responsibility of departmental chief justices.

<sup>15</sup>Six employees of the Administrative Office of the Trial Court are engaged in the management of capital projects. In addition, a centralized staff of ten persons is responsible for overseeing the maintenance of courthouses statewide. Additional maintenance and custodial personnel are assigned regionally and locally to courthouses throughout the state.

<sup>16</sup>The Judicial Institute, a statutory body integrated into the organization of the Administrative Office of the Trial Court, conducts educational and training programs. The Flaschner Institute, a non-governmental charitable corporation supported by contributions, grants and contracts, also conducts educational programs for MA judges. While no requirement for on-going judicial education exists, judges are mandated to participate in specified programs and courses developed and identified on the basis of current and future needs of the system. The number of mandated programs varies each year.

<sup>17</sup>Vested in the Commissioner of Probation.

<sup>18</sup>The Public Information Officer is an employee of the Supreme Judicial Court but works in cooperation with the trial court.

<sup>19</sup>Grant management, records management, interpreter services, child care development, video-conference coordination, and judicial response system.

**Minnesota:**

<sup>20</sup>Interpreter technical assistant.

**Mississippi:**

<sup>21</sup>No full-time positions.

<sup>22</sup>Limited to groups not trained by the Judicial College.

**Montana:**

<sup>23</sup>Court Administrator handles.

**Nevada:**

<sup>24</sup>Special AOC Projects; supreme court personnel.

**New Hampshire:**

<sup>25</sup>Personnel; security.

**New Jersey:**

<sup>26</sup>Personnel; court reporting; printing services; volunteer management.

**New Mexico:**

<sup>27</sup>The AOC is responsible for designing, developing, procuring, installing, maintaining, supporting and training on all automated systems. The courts enter all data into the systems.

<sup>28</sup>Revenue collection; human resources. There are also 10.5 people employed on grants, not state general funds or other revenue sources.

**New York:**

<sup>29</sup>Functions include voucher processing primarily performed by courts and district offices.

<sup>30</sup>Staff also responsible for centralized fiscal management functions including Budget Management Plan oversight, maintenance of the Financial Planning and Control Manual and statewide coordination of revenue reporting and fiscal/budget information systems.

<sup>31</sup>Personnel; centralized payroll; employee relations; workforce diversity; judicial benefits; career services; administrative services; attorney registration; matrimonial case administration; inspectors general; deputy chief administrative judges' offices; executive direction.

**North Carolina:**

<sup>32</sup>This includes the guardian ad litem services program (97 FTE).

<sup>33</sup>During fiscal 1998-99, the functions related to juvenile services are being moved from the judicial branch to the executive branch.

<sup>34</sup>The other category includes 21 FTE in the human resources function.

**Oregon:**

<sup>35</sup>Indigent defense administration; personnel; family law; statistics; court interpreters; appellate records office; court publications; court service center; staff education.

**Pennsylvania:**

<sup>36</sup>"Technical Assistance" and court management functions presently unfilled, but seven unfilled staff positions exist to carry out the court management function.

<sup>37</sup>Only relates to the Administrative Office of the Pennsylvania Courts—occupied leased facilities.

**South Dakota:**

<sup>38</sup>There are sixty-nine probation officers who do both juvenile and adult.

**Tennessee:**

<sup>39</sup>Setting up, training and assisting boards takes a majority of time.

**Utah:**

<sup>40</sup>Through guardians ad litem program.

**Vermont:**

<sup>41</sup>There is an ADR committee. The AOC contracts with someone to do this work.

<sup>42</sup>For purposes of this survey, and judge assignments in particular, the AOC includes the Administrative Judge for Trial Courts (Court Administrator).

<sup>43</sup>Law clerks work for trial courts. They do research for judges and report to the judges.

<sup>44</sup>Technology and automation functions.

**Virginia:**

<sup>45</sup>Personnel; payroll; court improvement program; family-domestic violence prevention program.

Legend: ~=Not Applicable, N/S=Not Stated

●=Total, ◐=Partial, ○=None

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**Table 20. Administrative Office of the Courts: Trial Court Responsibilities and Staffing by Function**

**Washington:**

<sup>46</sup>Limited practice officers—LPO exam; CLE and grievance procedure.  
Personnel/human resources—100 percent appellate; partial/trial courts recruitment; screening policy development; training.

**Wisconsin:**

<sup>47</sup>Human resources; payroll; deputy directors.

Legend: ~=Not Applicable, N/S=Not Stated  
●=Total, ◐=Partial, ○=None

**Table 21. Court Automation**

Court Type: C=court of last resort I=intermediate appellate court G=general jurisdiction L=limited jurisdiction	Who is primarily responsible for automation?	Is there a uniform case mgmt. system at this level?	Who created the software?	Who is responsible for maintaining the software?	On what type of platform does the application run?
<b>Alabama</b>					
C Supreme Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	LAN
I Court of Criminal Appeals	Judicial Branch	Yes	Judicial Branch	Judicial Branch	LAN
I Court of Civil Appeals	Judicial Branch	Yes	Judicial Branch	Judicial Branch	LAN
G Circuit Court	Judicial Branch	Yes	In-house	In-house	Mainframe
L District Court	Judicial Branch	Yes	In-house	In-house	Mainframe
L Municipal Court	Local Court	No	~	~	~
L Probate Court	Local Court	No	~	~	~
<b>Alaska</b>					
C Supreme Court	Judicial Branch	N/S	~	~	~
I Court of Appeals	Judicial Branch	N/S	~	~	~
G Superior Court	Judicial Branch	Yes	Vendor	Vendor/In-house	Client/server
L District Court	Judicial Branch	Yes	Vendor	Vendor/In-house	Client/server
<b>Arizona<sup>1</sup></b>					
C Supreme Court	Judicial Branch	Yes	Judicial Branch	In-house	Client/server
I Court of Appeals	Judicial Branch	Yes	Judicial Branch	In-house	Client/server
G Superior Court	Shared	Yes	Vendor	In-house/vendor	Client/server
G Tax Court	N/S	N/S	~	~	~
L Justice of the Peace Court	Judicial Branch	Yes	Vendor	In-house/vendor	Client/server
L Municipal Court	Shared	Yes	Vendor	In-house/vendor	Client/server
<b>Arkansas</b>					
C Supreme Court	Judicial Branch	Yes	Vendor	Vendor	Client/server
I Court of Appeals	Judicial Branch	Yes	Vendor	Vendor	Client/server
G Circuit Court	Local	No	~	~	~
G Chancery/Probate Court	Local	No	~	~	~
L Municipal Court	Local	No	~	~	~
L County Court	Local	No	~	~	~
L Police Court	Local	No	~	~	~
L Court of Common Pleas	Local	No	~	~	~
L City Court	Local	No	~	~	~
L Justice of Peace	Local	No	~	~	~
<b>California<sup>2</sup></b>					
C Supreme Court	Judicial Branch	Yes	Vendor	Vendor/In-house	Unix
I Courts of Appeal	Judicial Branch	Yes	Vendor	Vendor/In-house	Unix
G Superior Court	Local	No	~	~	~
L Municipal	Local	No	~	~	~
<b>Colorado</b>					
C Supreme Court	Not automated	No	~	~	~
I Court of Appeals	Judicial Branch	Yes	Judicial Branch	Judicial Branch	AS/400
G District Court	Judicial Branch	Yes	In-house	In-house	AS/400
G Denver Probate Court	Judicial Branch	Yes	In-house	In-house	AS/400
G Denver Juvenile Court	Judicial Branch	Yes	In-house	In-house	AS/400
G Water Court	Judicial Branch	Yes	In-house	In-house	AS/400
L County Court	Judicial Branch	Yes	In-house	In-house	AS/400
L Municipal Court	Local	No	~	~	~
<b>Connecticut</b>					
C Supreme Court	Judicial Branch	Yes	Vendor	Vendor	Oracle
I Appellate Court	Judicial Branch	Yes	Vendor	Vendor	Oracle
G Superior Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Mainframe
L Probate Court	Local	No	~	~	~
<b>Delaware</b>					
C Supreme Court	Judicial Branch	No	~	~	~
G Court of Chancery	Judicial Branch	No	~	~	~
G Superior Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Mainframe
L Justice of the Peace Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Mainframe
L Family Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Mainframe
L Court of Common Pleas	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Mainframe
L Alderman's Court	Local	No	~	~	~

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**Table 21. Court Automation**

Court Type: C=court of last resort I=intermediate appellate court G=general jurisdiction L=limited jurisdiction	Who is primarily responsible for automation?	Is there a uniform case mgmt. system at this level?	Who created the software?	Who is responsible for maintaining the software?	On what type of platform does the application run?
<b>District of Columbia</b>					
C Court of Appeals	Judicial Branch	Yes	Vendor	In-house/Vendor	Mainframe/LAN <sup>3</sup>
G Superior Court	Judicial Branch	No	~	~	Mainframe/LAN
<b>Florida</b>					
C Supreme Court	Judicial Branch	Yes	In-house	Judicial Branch	Unix
I District Courts of Appeal	Judicial Branch	Yes	In-house	Judicial Branch	Unix
G Circuit Court	Local	No	~	~	~
L County Court	Local	No	~	~	~
<b>Georgia</b>					
C Supreme Court	Judicial Branch	Yes	In-house	In-house	LAN
I Court of Appeals	Judicial Branch	Yes	In-house	In-house	LAN
G Superior Court	State/local	Partial <sup>4</sup>	Vendor	Judicial Branch	PC single or LAN
L Juvenile Court	Local	Partial <sup>4</sup>	Vendor	Judicial Branch	PC single or LAN
L Civil Court	Local	No	~	~	~
L State Court	Local	No	~	~	~
L Probate Court	Local	No	~	~	~
L Magistrate Court	Local	No	~	~	~
L Municipal Court	Local	No	~	~	~
L County Recorder's Court	Local	No	~	~	~
L Municipal Courts and City Court of Atlanta	Local	No	~	~	~
<b>Hawaii</b>					
C Supreme Court	Judicial Branch	Yes	Vendor	Judicial Branch	Minicomputer
I Intermediate Court of Appeals	Judicial Branch	Yes	Vendor	Judicial Branch	Minicomputer
G Circuit and Family Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Mainframe
L District Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Mainframe
<b>Idaho</b>					
C Supreme Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Minicomputer
I Court of Appeals	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Minicomputer
G District Court	Judicial Branch	Yes	Vendor	Vendor	AS/400
L Magistrate Division	Judicial Branch	Yes	Vendor	Vendor	Minicomputer
<b>Illinois</b>					
C Supreme Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Client/server
I Appellate Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Client/server
G Circuit Court	Local	No	~	~	~
<b>Indiana</b>					
C Supreme Court	Judicial Branch	Yes	In-house	In-house	AS/400
I Court of Appeals	Judicial Branch	Yes	In-house	In-house	AS/400
I Tax Court	Judicial Branch	No	~	~	~
G Superior Court	Judicial Branch	No	~	~	~
G Circuit Court	Judicial Branch	No	~	~	~
G Probate Court	Judicial Branch	No	~	~	~
L County Court	Judicial Branch	No	~	~	~
L City Court	Judicial Branch	No	~	~	~
L Town Court	Judicial Branch	No	~	~	~
L Municipal Court of Marion County	Judicial Branch	No	~	~	~
L Smaller Claims Court of Marion County	Judicial Branch	No	~	~	~
<b>Iowa</b>					
C Supreme Court	Judicial Branch	Yes	Vendor	In-house	RS/6000
I Court of Appeals	Judicial Branch	Yes	Vendor	In-house	RS/6000
G District Court	Judicial Branch	Yes	Vendor	In-house	RS/6000

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<b>Kansas</b>					
C Supreme Court	Judicial Branch	Yes	In-house	In-house	Oracle
I Court of Appeals	Judicial Branch	Yes	In-house	In-house	Oracle
G District Court	Local	No	~	~	~
L Municipal Court	Local	No	~	~	~
<b>Kentucky</b>					
C Supreme Court	Judicial Branch	Yes	Judicial Branch	In-house	LAN
I Court of Appeals	Judicial Branch	Yes	Judicial Branch	In-house	LAN
G Circuit Court	Judicial Branch	Yes	Vendor	In house	LAN
L District Court	Judicial Branch	Yes	Vendor	In house	LAN
<b>Louisiana</b>					
C Supreme Courts	Judicial Branch	Yes	In-house	In-house	Client/server
I Courts of Appeal	Judicial Branch	Yes	In-house	In-house	Client/server
G District Court	Local	No	~	~	~
G Juvenile Court	Local	No	~	~	~
G Family Court	Local	No	~	~	~
L Justice of the Peace Court	Local	No	~	~	~
L Mayor's Court	Local	No	~	~	~
L City and Parish Courts	Local	No	~	~	~
<b>Maine</b>					
C Supreme Judicial Court	Judicial Branch	Yes	In-house	In-house	PC
G Superior Court	Judicial Branch	Yes	In-house	In-house	Client/server
L District Court	Judicial Branch	Yes	In-house	In-house	Client/server
L Probate Court	Local	No	~	~	~
L Administrative Court	Judicial Branch	Yes	In-house	In-house	Client/server
<b>Maryland</b>					
C Court of Appeals	Judicial Branch	No	~	~	~
I Court of Special Appeals	Judicial Branch	No	~	~	~
G Circuit Court	State/Local	Yes	In-house/Vendor	In-house/Vendor	Client/server
L District Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Mainframe
L Orphan's Court	Local	No	~	~	~
<b>Massachusetts</b>					
C Supreme Judicial Court	Judicial Branch	Yes	Vendor	Vendor	Minicomputer
I Appeals Court	Judicial Branch	Yes	Vendor	Vendor	Minicomputer
G Trial Court of the Commonwealth	Judicial Branch	Planning	In-house/ multiple vendors	In-house/ multiple vendors	Multiple platforms
<b>Michigan</b>					
C Supreme Court	Judicial Branch	Yes	In-house/ Vendor/SCAO	In-house/ Vendor/SCAO	Mixed
I Court of Appeals	Judicial Branch	Yes	In-house/ Vendor/SCAO	In-house/ Vendor/SCAO	Mixed
G Circuit Court	SCAO	Partial-60%	In-house/ Vendor/SCAO	In-house/ Vendor/SCAO	Mixed
L Court of Claims	SCAO	Partial-60%	In-house/ Vendor/SCAO	In-house/ Vendor/SCAO	Mixed
L District Court	Local	Partial-55%	In-house/ Vendor/SCAO	In-house/ Vendor/SCAO	Mixed
L Probate Court	Local	Partial-65%	In-house/ Vendor/SCAO	In-house/ Vendor/SCAO	Mixed
L Municipal Court	Local	Partial-90%	In-house/ Vendor/SCAO	In-house/ Vendor/SCAO	Mixed
<b>Minnesota</b>					
C Supreme Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Mainframe and client/server
I Court of Appeals	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Mainframe and client/server
G District Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Mainframe and client/server

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<b>Mississippi</b>					
C Supreme Court	Judicial Branch	Yes	In-house	In-house	client/server
G Circuit Court	Local	No	~	~	PC
L Chancery Court	Local	Planning	~	~	~
L County Court	Local	Planning	~	~	~
L Family Court	Local	Planning	~	~	~
L Municipal Court	Local	Planning	~	~	~
L Justice Court	Local	Planning	~	~	~
<b>Missouri</b>					
C Supreme Court	Judicial Branch	Planning <sup>5</sup>	Vendor	Vendor	Client/server
I Court of Appeals	Judicial Branch	Planning <sup>5</sup>	Vendor	Vendor	Client/server
G Circuit Court	Judicial Branch	Planning <sup>6</sup>	Vendor	Vendor	Client/server
L Municipal Court	Local	Planning	~	~	~
<b>Montana</b>					
C Supreme Court	Judicial Branch	Yes	In-house	In-house	PC
G District Court	State Office	Yes	State Office	State Office	PC
G Workers' Comp. Court	WC Court	No	~	~	~
G Water Court	Judicial Branch	No	~	~	~
L Justice of the Peace Court	Judicial Branch	Yes	In-house	In-house	PC
L Municipal Court	Judicial Branch	Yes	In-house	In-house	PC
L City Court	Judicial Branch	Yes	In-house	In-house	PC
<b>Nebraska</b>					
C Supreme Court	Supreme Court	Yes	Vendor	In-house	AS/400
I Court of Appeals	Supreme Court	Yes	Vendor	In-house	AS/400
G District Court	State/Local	Partial	Judicial Branch	Judicial	AS/400
L Separate Juvenile Court	State/Local	No	~	~	~
L Workers' Compensation Court	State	Yes	N/S	N/S	N/S
L County Court	State/Local	Partial	Judicial Branch	Judicial Branch	AS/400
<b>Nevada</b>					
C Supreme Court	Judicial Branch	Partial	Vendor	Vendor	Oracle
G District Court	Local	No	~	~	~
L Justice Court	Local	No	~	~	~
L Municipal Court	Local	No	~	~	~
<b>New Hampshire</b>					
C Supreme Court	Judicial Branch	Planning	Vendor	Vendor	Windows
G Superior Court	Judicial Branch	Yes	Vendor	Vendor	LAN
L District Court	Judicial Branch	Yes	Vendor	Vendor	LAN
L Municipal Court	Judicial Branch	Yes	Vendor	Vendor	LAN
L Probate Court	Judicial Branch	Yes	Vendor	Vendor	LAN
<b>New Jersey</b>					
C Supreme Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Mainframe
I Appellate Division of Superior Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Mainframe
G Superior Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Mainframe <sup>7</sup>
L Tax Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Client/server
L Municipal Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Mainframe
<b>New Mexico</b>					
C Supreme Court	Judicial Branch	Planning	~	~	~
I Court of Appeals	Judicial Branch	Planning	~	~	~
G District Court	Judicial Branch	Yes	Vendor	Vendor	Client/server
L Magistrate Court	Judicial Branch	Yes	Vendor	Vendor	Client/server
L Bernalillo County Metropolitan Court	Local	Yes	In-house	In-house	AS/400
L Municipal Court	Local	No	~	~	~
L Probate Court	Local	No	~	~	~

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<b>New York</b>					
C Court of Appeals	Judicial Branch	Yes	In-house	In-house	Mainframe/PC
I Appellate Divisions of Supreme Court	Judicial Branch	Yes	In-house	In-house	Mainframe/PC
I Appellate Terms of Supreme Court	Judicial Branch	Yes	In-house	In-house	Mainframe/PC
I Supreme Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Mainframe/PC
G County Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Mainframe
L Court of Claims	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Mainframe
L Surrogates' Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	PC
L Family Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Mainframe/PC
L District Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Mainframe/PC
L City Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Mainframe/PC
L Civil Court of City of New York	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Mainframe
L Criminal Court of City of New York	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Mainframe
L Town and Village Justice Court	Local	No	~	~	~
<b>North Carolina</b>					
C Supreme Court	Judicial Branch	N/S	N/S	N/S	N/S
I Court of Appeals	Judicial Branch	N/S	N/S	N/S	N/S
G Superior Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Mainframe <sup>8</sup>
L District Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Mainframe
<b>North Dakota</b>					
C Supreme Court	Supreme Court	Yes	Vendor/In-house	Vendor/In-house	Client/server
I Court of Appeals	Supreme Court	Yes	Vendor/In-house	Vendor/In-house	AS/400
G District Court	Judicial Branch	Yes	Vendor	Judicial Branch	AS/400
L Municipal Court	Local	No	~	~	~
<b>Ohio</b>					
C Supreme Court	Judicial Branch	Partial	In-house	In-house	LAN
I Court of Appeals	Judicial Branch	Partial	N/S <sup>9</sup>	N/S <sup>9</sup>	LAN
G Court of Common Pleas	Local	No <sup>9</sup>	N/S <sup>9</sup>	N/S <sup>9</sup>	LAN
L Municipal Court	Local	No <sup>9</sup>	N/S <sup>9</sup>	N/S <sup>9</sup>	LAN
L County Court	Local	No <sup>9</sup>	N/S <sup>9</sup>	N/S <sup>9</sup>	LAN
L Court of Claims	Local	No <sup>9</sup>	N/S <sup>9</sup>	N/S <sup>9</sup>	LAN
L Mayors Court	Local	No <sup>9</sup>	N/S <sup>9</sup>	N/S <sup>9</sup>	LAN
<b>Oklahoma</b>					
C Supreme Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Mainframe
C Court of Criminal Appeals	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Mainframe
I Court of Appeals	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Mainframe
G District Court	State/Local	Yes	Judicial Branch	Judicial Branch	Mainframe
L Municipal Court Not of Record	Local	No	~	~	~
L Municipal Criminal Court of Record	Local	No	~	~	~
L Workers' Compensation Court	Judicial Branch	No	~	~	~
L Court of Tax Review	Judicial Branch	No	~	~	~
<b>Oregon</b>					
C Supreme Court	Judicial Branch	Yes	AOC	In-house	AS/400
I Court of Appeals	Judicial Branch	Yes	AOC	In-house	AS/400
G Circuit Court	Judicial Branch	Yes	AOC	In-house	AS/400
G Tax Court	Judicial Branch	Yes	AOC	In-house	AS/400
L County Court	Local	No	~	~	~
L Justice Court	Local	No	~	~	~
L District Court	Local	No	~	~	~
L Municipal Court	Local	No	~	~	~

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<b>Pennsylvania</b>					
C Supreme Court	Supreme Court	Partial	Vendor	In-house	LAN/WAN
I Superior Court	Superior Court	Partial	Vendor	In-house	LAN/WAN
I Commonwealth Court	Commonwealth Court	Partial	Vendor	In-house	LAN/WAN
G Court of Common Pleas	County	Planning	~	~	~
L Philadelphia Municipal District Justice Court	Judicial Branch	Yes	In-house	In-house	ES/9000
L Philadelphia Traffic Court	Judicial Branch	Yes	Vendor	Judicial Branch	AS/400
L Philadelphia Traffic Court	Judicial Branch	Yes	Vendor	Vendor	Mainframe
L Pittsburgh City Magistrates	Local	No	~	~	~
<b>Rhode Island</b>					
C Supreme Court	Judicial Branch	Yes	Judicial Branch	In-house	Minicomputer
G Superior Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Minicomputer
G Workers' Compensation	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Minicomputer
L District Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Minicomputer
L Family Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Minicomputer
L Probate Court	Local	No	~	~	~
L Municipal Court	Local	No	~	~	~
<b>South Carolina</b>					
C Supreme Court	Judicial Branch	Yes	In-house	In-house	LAN
I Court of Appeals	Judicial Branch	Yes	In-house	In-house	LAN
G Circuit Court	Judicial Branch	Planning	~	~	~
L Family Court	Judicial Branch	Planning	~	~	~
L Magistrate Court	Local	No	~	~	~
L Probate Court	Local	No	~	~	~
L Municipal Court	Local	No	~	~	~
<b>South Dakota</b>					
C Supreme Court	Judicial Branch	Partial	Judicial Branch	Judicial Branch	LAN
G Circuit Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Mainframe
<b>Tennessee</b>					
C Supreme Court	AOC	Yes	Vendor	Vendor	AS/400
I Court of Appeals	AOC	Yes	Vendor	Vendor	AS/400
I Court of Criminal Appeals	AOC	Yes	Vendor	Vendor	AS/400
G Circuit Court	Judicial Branch	Planning	Vendor	Vendor	LAN
G Chancery Court	Judicial Branch	Planning	Vendor	Vendor	LAN
G Criminal Court	Judicial Branch	Planning	Vendor	Vendor	LAN
G Probate Court	Judicial Branch	Planning	Vendor	Vendor	LAN
L General Sessions Court	Judicial Branch	Planning	Vendor	Vendor	LAN
L Juvenile Court	Local	No	~	~	~
L Municipal Court	Local	No	~	~	~
<b>Texas</b>					
C Supreme Court	AOC	Yes	AOC	AOC	PC
C Court of Criminal Appeals	AOC	Yes	AOC	AOC	PC
I Courts of Appeals	OCA	Yes	AOC	AOC	PC
G District Courts	Local	Yes	AOC	AOC	PC
L County Courts at Law	Local	No	~	~	~
L Justice of the Peace Court	Local	Yes	AOC	AOC	PC
L Municipal Court	Local	Yes	AOC	AOC	PC
L Constitutional County	Local	Yes	AOC	AOC	PC
<b>Utah<sup>10</sup></b>					
C Supreme Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Client/server
I Court of Appeals	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Client/server
G District Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Client/server
L Justice Court	Local	No	~	~	~
L Juvenile Court <sup>11</sup>	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Mainframe

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<b>Vermont</b>					
C Supreme Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Unix
G Superior Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Unix
G District Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Unix
G Family Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Unix
L Probate Court	Local	No	~	~	~
L Environmental Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Unix
<b>Virginia</b>					
C Supreme Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Mainframe
I Court of Appeals	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Mainframe
G Circuit Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Mainframe
L District Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Mainframe
<b>Washington</b>					
C Supreme Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Mainframe
I Court of Appeals	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Mainframe
G Superior Court	State/Local	Yes	Judicial Branch	Judicial Branch	Mainframe
L District Court	State/Local	Yes	Judicial Branch	Judicial Branch	Mainframe
L Municipal Court	State/Local	Yes	Judicial Branch	Judicial Branch	Mainframe
<b>West Virginia</b>					
C Supreme Court of Appeals	Judicial Branch	Yes	Vendor	Vendor	AS/400
G Circuit Court	AOC	No	~	~	~
L Magistrate Court	AOC	Partial	Vendor	Vendor	Minicomputer
L Municipal Court	Local	No	~	~	~
<b>Wisconsin</b>					
C Supreme Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Client/server
I Court of Appeals	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Client/server
G Circuit Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	Client/server
L Municipal Court	Local	No	~	~	~
<b>Wyoming<sup>12</sup></b>					
C Supreme Court	Judicial Branch	Yes	~	~	~
G District Court	Local	Partial	Vendor	Vendor	~
L Justice of the Peace Court	Local	Yes	Vendor	Vendor	LAN
L Municipal Court	Local	No	~	~	~
L County Court	Judicial Branch	Yes	Judicial Branch	Judicial Branch	LAN

Note: Puerto Rico and the Federal Courts were not included in this survey.

**FOOTNOTES:**

**Arizona:**

<sup>1</sup>Unix software from PSI rolled out in 1999.

**California:**

<sup>2</sup>Many local courts have extensive and innovative applications of technology.

**District of Columbia:**

<sup>3</sup>Banyan vines.

**Georgia:**

<sup>4</sup>Georgia Courts Automation Commission has a contract with Choice Information Systems for standardized system; 50 courts have signed up to participate. The Council of Juvenile Court Judges has a contract for their system from Canyon Software. About forty courts have this.

**Missouri:**

<sup>5</sup>Scheduled for ten counties by end of year 1999. Scheduled for ALPHA installation by end of year 1999.

<sup>6</sup>Installed in one pilot (Montgomery County).

**New Jersey:**

<sup>7</sup>Jury processing system runs on client/server technology.

**North Carolina:**

<sup>8</sup>The District Attorney and Public Defender applications run on a client/server platform.

**Ohio:**

<sup>9</sup>Through a group of private sector vendors 90 percent of the courts are automated.

**Utah:**

<sup>10</sup>Currently developing data warehousing and electronic filing.

<sup>11</sup>Reengineering project to redesign juvenile court case management system and move from mainframe to client/server platform.

**Wyoming:**

<sup>12</sup>New case management capabilities are being developed at the county and justice-of-the-peace court levels.

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uniform case management system and who is responsible for that system. The table also identifies who created the software, who maintains the software, and what type of platform the application runs on.

**Select Bibliography:**

American Bar Association (Judicial Administration Division), *Standards Relating to Court Organization: 1990 Edition*, Chicago: The ABA Press, 1990.

Larry Berkson and Susan Carbon, *Court Unification: History, Politics and Implementation*, Washington D.C.: National Institute of Law Enforcement and Criminal Justice, 1978.

Thomas Henderson, *et al.*, *The Significance of Judicial Structure: The Effect of Unification on Trial Court Operations*, Washington D.C.: National Institute of Justice, 1984.

Victor E. Flango and Brian J. Ostrom, *Assessing the Need for Judges and Court Support Staff*, Williamsburg, VA: National Center for State Courts, 1996.

Robert G. Nieland, Rachel N. Doan (revised by Mayo H. Stiegler), *State Court Administrative Offices: Second Edition*, Chicago: American Judicature Society, 1982.

Felix F. Stumpf, *Inherent Powers of the Courts*, Reno, NV: National Judicial College, 1994.

**Table 14:**

Donald Pugh, Chris A. Korbakes, James J. Alfini, Charles W. Grau, *Judicial Rulemaking: A Compendium*, Chicago: American Judicature Society, 1984.

**Table 20:**

Lin Walker, "Survey on State Court Automation in 1998," NCSC Working Report, 1998.

## PART IV: Appellate courts: jurisdiction, staffing, and procedures

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Appellate courts do not decide questions of guilt and innocence in criminal cases or liability in civil cases; nor do they ensure that each trial court proceeding was perfect. Appellate courts instead review selected issues concerning the conduct and results of a trial and decide if errors were committed. However, in the course of focusing on specific issues, appellate courts may create broad public policies.

Table 1 lists the names of all appellate courts established in a state, gives the number of locations at which those appellate courts hold sessions, and indicates whether each court has separate administrative rules and a chief justice or chief judge. Appellate court systems vary greatly in structure, jurisdiction, and method of judicial selection. Tables in this section describe 53 appellate systems, each with its own court of last resort: the fifty states, the District of Columbia, the Commonwealth of Puerto Rico and the federal system. The courts of last resort in these systems range in size from five to nine judges. A majority of state courts of last resort (COLRs) have seven members, including those in the most populous states (e.g., California, New York). The U. S. Supreme Court and a few state supreme courts have nine Justices (e.g., Iowa, Mississippi, Washington). Texas and Oklahoma depart from the national pattern by establishing two courts of last resort: one for civil cases and one for criminal cases.

A common state response to increasing appeals is to create an intermediate court of appeals (IAC). In 11 states, the intermediate appellate court is similar in size to the court of last resort. In 29 states, the intermediate appellate courts have more than nine members and as many as 93 (California) authorized Judges who serve on panels within geographically based districts. In Alabama, New York, Pennsylvania, and Tennessee there is more than one IAC.

While it is accepted that all losing litigants have the opportunity as a matter of right to a review in an appellate court, it is also believed that one review is sufficient to protect a litigant's interest in an error-free trial proceeding. The division of responsibility between COLR and IAC rests on the premise that all appellate work can be sorted into the two categories of error correcting and lawmaking. In performing its lawmaking responsibility, a court of last resort chooses the cases it will consider and decide from among the petitions filed with it. Cases that are further appealed to the court of last resort are likely to be more complex, and to have broader policy implications beyond the interests of the parties. Error correcting is assigned to IACs, which receive appeals directly from trial courts and typically have no discretion to decline to decide a case. Table 23 indicates, for each appellate court with discretionary jurisdiction, who makes the decision to grant a petition—

the court en banc, a panel, a commissioner, or a single justice. The number of justices needed to make a decision on the size of the reviewing panel and its structure is also described in that table.

In most states, appeals of trial court and administrative agency decisions reach IACs as a matter of right (that is, the court has broad mandatory jurisdiction over such appeals. Litigants may appeal their case further to the court of last resort, although courts of last resort in states with an IAC, have discretionary jurisdiction to reject the litigant's petition without further review. Each state's substantive law also has an impact on the route appeals take. For example, appeals in death-penalty cases are taken directly from the trial courts to courts of last resort, except in those states (Alabama, Ohio, Tennessee) where death penalty appeals go directly to the intermediate appellate court. Table 22 describes the allocation of mandatory and discretionary jurisdiction for eight types of appeals. Table 29 indicates which courts review administrative agency decisions in each state. Trial courts exercising what is termed their incidental appellate jurisdiction sometimes undertake agency review.

The manner in which appellate courts do their work continues to evolve. Several tables in this section describe how appellate courts have streamlined the appellate process. Table 26 on expedited procedures consider five ways to speed the appeal process: Preargument settlement conferences, advanced queues, expedited briefs, substitution of oral argument for full written briefs, and submission on briefs alone. Table 27 lists the states that have adopted special calendars and the case types to which they apply. Restriction on oral argument for routine cases is another way appellate courts use their resources more efficiently. Table 28 indicates whether oral argument is restricted, whether it is restricted for civil or criminal appeals, and who decides on the appeals to which the restriction applies.

Finally, there are several tables that report on appellate court staff. Table 24 provides details on the designated clerk of court, the number of clerks, their selection method, their terms of office and specified qualifications. (Only the supreme courts of Indiana, Montana, and the 12 regional IACs in Ohio hold popular elections when selecting clerks).

The respective responsibility of the clerk's office and the administrative office of the courts for 21 functional areas is stated in table 19. This table is new to State Court Organization, 1998 and shows the extent of responsibility for each function and the number of full time equivalent staff used for each function.

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Law clerks provide direct support to appellate justices and judges, or to the court in general, through a central legal staff. Recent studies<sup>1</sup> have established the importance of appellate court staff in accounting for variation in court processing time in intermediate appellate courts. The number of law clerks for each justice and the number of central law staff are found on Table 25.

Appellate practice is a complex area, and the information presented here is offered as a basic guide that provides the framework to undertake more detailed examination of procedural innovations in the appellate courts. The bibliography that follows lists sources where detailed information on appellate procedures can be found.

### Select Bibliography

Joy Chapper and Roger Hanson, *Intermediate Appellate Courts: Improving Case Processing*, Williamsburg, VA: National Center for State Courts, 1990.

Carol R. Flango and David B. Rottman, *Appellate Court Procedures*, Williamsburg, VA: National Center for State Courts, 1998.

Victor E. Flango and Carol R. Flango, *A Taxonomy of Appellate Court Organization*, Williamsburg, VA: National Center for State Courts, July 1997.

Roger A. Hanson, *Appellate Court Performance Standards*, Williamsburg, VA: National Center for State Courts, 1995.

Roger A. Hanson, *Time on Appeal*, Williamsburg, VA: National Center for State Courts, 1996.

Robert A. Leflar, *Internal Operating Procedures of Appellate Courts*, Chicago, 1976.

Daniel J. Meador, Maurice Rosenberg, and Paul D. Carrington, *Appellate Courts: Structures, Functions, Processes, and Personnel*, Charlottesville, VA: The Michie Company, 1994.

Robert L. Stern, *Appellate Practice in the United States: Second Edition*, Washington, D.C. The Bureau of National Affairs, 1989.

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<sup>1</sup> Roger A. Hanson, *Time on Appeal*, Williamsburg, Va.: National Center for State Courts, 1996.

**Table 22. Mandatory and Discretionary Jurisdiction of Appellate Courts**

Court type (C= Court of Last Resort) (I= Intermediate Court Of Appeals)	Civil Appeals	Criminal Appeals	Administrative Agency Appeals	Extraordinary Writs	Guilty Pleas	Post Conviction Relief	Death Penalty Cases	Sentencing Issues
<b>Alabama</b>								
C Supreme Court	m	nj	m	m	nj	d	m	d
I Court of Civil Appeals	m	nj	m	d	nj	nj	nj	nj
I Court of Criminal Appeals	nj	m	nj	m	nj	m	m	m
<b>Alaska</b>								
C Supreme Court	m	d	m	both	nj	m	nj	d
I Court of Appeals	nj	both	nj	both	nj	m	nj	m
<b>Arizona</b>								
C Supreme Court	both	both	d <sup>2</sup>	d	d	d	m	1
I Court of Appeals	m	m	m <sup>2</sup>	m	nj	m	nj	m
<b>Arkansas</b>								
C Supreme Court	m	m	m	m	m	m	m	m
I Court of Appeals	m	m	m	nj	m	nj	nj	m
<b>California</b>								
C Supreme Court	d <sup>3</sup>	d <sup>3</sup>	d <sup>3</sup>	d <sup>3</sup>	d <sup>3</sup>	d <sup>3</sup>	m	d <sup>3</sup>
I Court of Appeals	m	m	d	d	m	d	nj	m
<b>Colorado</b>								
C Supreme Court	both	both	both	both	d	d	m	d
I Court of Appeals	m	m	m	nj	m	m	nj	m
<b>Connecticut</b>								
C Supreme Court	d	d <sup>4</sup>	d	m	d <sup>4</sup>	d	m	nj
I Appellate Court	m	m	m	m	m	m	nj	nj
<b>Delaware</b>								
C Supreme Court	m	m	m	m	m	m	m	m
<b>District of Columbia</b>								
C Court of Appeals	m	m	m	m	5	m	nj	m
<b>Florida</b>								
C Supreme Court	both	both <sup>6</sup>	both <sup>7</sup>	d	nj <sup>8</sup>	both <sup>6</sup>	m	both
I District Courts of Appeal	m	m	m	d	nj <sup>8</sup>	m	nj	m
<b>Georgia</b>								
C Supreme Court	both	both	d	both	m	d	m	m
I Court of Appeals	both	both	d	nj	m	nj	nj	m
<b>Hawaii</b>								
C Supreme Court	m	m	m	d	m	m	nj	m
I Intermediate Court of Appeals	m	m	m	d	m	m	nj	m
<b>Idaho</b>								
C Supreme Court	m	m	m	m	m	m	m	m
I Court of Appeals	m	m	nj	nj	m	m	nj	m
<b>Illinois</b>								
C Supreme Court	d	both	both	d	d	d	m	d
I Appellate Court	m	m	m	nj	m	m	nj	m
<b>Indiana</b>								
C Supreme Court	both	both	d	m	both	both	m	m
I Court of Appeals	m	m	m	m	m	m	nj	m
I Tax Court	nj	nj	m	nj	nj	nj	nj	nj
<b>Iowa</b>								
C Supreme Court	both	both	m	both	m	both	nj	both
I Court of Appeals	both	both	m	both	m	both	nj	both
<b>Kansas</b>								
C Supreme Court	both	both	both	m	both	d	m	both
I Court of Appeals	m	m	m	m	m	m	nj	m
<b>Kentucky</b>								
C Supreme Court	both	both <sup>9</sup>	both	m	both <sup>9</sup>	both <sup>9</sup>	m	both <sup>10</sup>
I Court of Appeals	m	m	m	m	m	m	nj	m

**Table 22. Mandatory and Discretionary Jurisdiction of Appellate Courts**

Court type (C= Court of Last Resort) (I= Intermediate Court Of Appeals)	Civil Appeals	Criminal Appeals	Administrative Agency Appeals	Extraordinary Writs	Guilty Pleas	Post Conviction Relief	Death Penalty Cases	Sentencing Issues
<b>Louisiana</b>								
C Supreme Court	both	both	both	d	both	d	m	d
I Courts of Appeal	m	m	m	d	both	d	nj	d
<b>Maine</b>								
C Supreme Judicial Court	m	m <sup>11</sup>	m <sup>12</sup>	nj	m	d	nj	d
<b>Maryland</b>								
C Court of Appeals	d	d	d	d	d	d	m	d
I Court of Special Appeals	m	m	m	m	d	d	nj	d
<b>Massachusetts</b>								
C Supreme Judicial Court	both	both	both	d	nj	d	nj	nj
I Appeals Court	m	m	m	d	nj	d	nj	nj
<b>Michigan</b>								
C Supreme Court <sup>13</sup>	d	d	d	both	d	d	nj	d
I Court of Appeals	both	both	both	d	d	both	nj	both
<b>Minnesota</b>								
C Supreme Court	both	both	d	d	d	d	nj	d
I Court of Appeals	m	m	m	m	m	m	nj	m
<b>Mississippi</b>								
C Supreme Court	m	m	m	m	nj	m	m	nj
I Court or Appeals	m	m	m	m	nj	m	nj	nj
<b>Missouri</b>								
C Supreme Court	both	d	d	d	d	d	m	d
I Court of Appeals	m	m	m	m	m	m	nj	m
<b>Montana</b>								
C Supreme Court	m	m	d	d	m	m	m	<sup>14</sup>
<b>Nebraska</b>								
C Supreme Court	d	d	d	m	d	d	m	d
I Court of Appeals	m	m	m	m	m	m	nj	m
<b>Nevada</b>								
C Supreme Court	m	m	m	m	m	m	m	m
<b>New Hampshire</b>								
C Supreme Court	d	d	d	d	d	d	m	d
<b>New Jersey</b>								
C Supreme Court <sup>15</sup>	both	both	both	both	both	both	m	both
I Appellate Division of Superior Court	m	m	m	m	m	m	nj	m
<b>New Mexico</b>								
C Supreme Court	both	both <sup>16</sup>	m <sup>17</sup>	d	nj	d	m	nj
I Court of Appeals	m	m	m	nj	m	nj	nj	m
<b>New York</b>								
C Court of Appeals	m	m	m	m	d	d	m	d
I Appellate Division of Superior Court	m	m	m	m	m	d	nj	m
I Appellate Terms of Superior Court	m	m	nj	m	m	m	nj	nj
<b>North Carolina</b>								
C Supreme Court	d	d	both	d	d	d	m	both
I Court of Appeals	m	m	m	both	both	both	nj	m
<b>North Dakota</b>								
C Supreme Court	m	m	m	d	m	m	nj	m
I Court of Appeals	m	m	m	d	m	m	nj	m
<b>Ohio</b>								
C Supreme Court	both	both	both	m	d	d	m	d
I Court of Appeals	m	m	m	m	m	m	m	m

**Table 22. Mandatory and Discretionary Jurisdiction of Appellate Courts**

Court type (C= Court of Last Resort) (I= Intermediate Court Of Appeals)	Civil Appeals	Criminal Appeals	Administrative Agency Appeals	Extraordinary Writs	Guilty Pleas	Post Conviction Relief	Death Penalty Cases	Sentencing Issues
<b>Oklahoma</b>								
C Supreme Court	m	nj	m	both	nj	nj	nj	nj
C Court of Criminal Appeals	nj	m	nj	m	m	m	m	m
I Court of Appeals	m <sup>18</sup>	nj	m	m	nj	nj	nj	nj
<b>Oregon</b>								
C Supreme Court	both	both	m	d	nj	nj	m	d
I Court of Appeals	m	m	m	m	m	m	nj	m
<b>Pennsylvania</b>								
C Supreme Court	both	both	both	both	nj	d	m	nj
I Superior Court	both	m	nj	nj	nj	m	nj	m
I Commonwealth Court	m	m	both	both	nj	both	nj	nj
<b>Puerto Rico</b>								
C Supreme Court	d	d	d	d	d	d	nj	m
I Circuit Court of Appeals	both	both	both	both	d	d	nj	m
<b>Rhode Island</b>								
C Supreme Court	m	m	d	d	nj	m	nj	m
<b>South Carolina</b>								
C Supreme Court	m	m	m	d	m	d	m	m
I Court of Appeals	m	m	m	m	m	nj	nj	nj
<b>South Dakota</b>								
C Supreme Court	m	m	m	d	m	m	m	m
<b>Tennessee</b>								
C Supreme Court	d	d	d	d	d	d	m	d
I Court of Appeals	m	nj	m	d	nj	nj	nj	nj
I Court of Criminal Appeals	nj	m	nj	d	m	m	m	m
<b>Texas</b>								
C Supreme Court	d	nj	d	m	nj	nj	nj	nj
C Court of Criminal Appeals	nj	d	nj	m	d	d	m	both
I Courts of Appeal	m	m	m	m	m	m	nj	m
<b>Utah</b>								
C Supreme Court	m	m	m	d	m	d	m	m
I Court of Appeals	m	m	m	d	m	d	nj	m
<b>Vermont</b>								
C Supreme Court	m	m	m	m	m	m	nj	d
<b>Virginia</b>								
C Supreme Court	d	d	both	d	d	d	m	d
I Court of Appeals	nj	d	m	d	d	d	nj	d
<b>Washington</b>								
C Supreme Court	d	d	d	d	d	d	m	d
I Court of Appeals	m	m	m	nj	m	m	nj	m
<b>West Virginia</b>								
C Supreme Court of Appeals	d	d	d	d	d	d	nj	d
<b>Wisconsin</b>								
C Supreme Court	nj	nj	nj	nj	nj	nj	nj	nj
I Court of Appeals	m	m	m	m	m	m	nj	m
<b>Wyoming</b>								
C Supreme Court	m	m	m	m	m	d	m	m
<b>Federal</b>								
C US Supreme Court <sup>19</sup>	d	d	d	d	d	d	d	d
I US Court of Appeals <sup>20</sup>	m	m	m	d	m	m	m	m
I US Court of Veterans Appeals <sup>21</sup>	nj	nj	m	d	nj	nj	nj	nj

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## Table 22. Mandatory and Discretionary Jurisdiction of Appellate Courts

### FOOTNOTES:

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**Arizona:**

<sup>1</sup>Sentencing issues might be raised in any case.

<sup>2</sup>Division I has discretion in unemployment appeals.

**California:**

<sup>3</sup>Review of IAC decision.

**Connecticut:**

<sup>4</sup>Mandatory if maximum sentence which could be imposed for felony offense exceeds 20 years.

**District of Columbia:**

<sup>5</sup>There is no direct appeal of a guilty plea. However, review is possible from a "conditional plea" (reserving the right to review the adverse determination of specified pretrial motions).

**Florida:**

<sup>6</sup>Death penalty.

<sup>7</sup>Public Service Commission hears these appeals.

<sup>8</sup>No jurisdiction over the conviction but there is mandatory jurisdiction over the sentence after the guilty plea.

**Kentucky:**

<sup>9</sup>Mandatory jurisdiction if sentence is more than 20 years, life or death.

<sup>10</sup>Mandatory jurisdiction in capital cases.

**Maine:**

<sup>11</sup>Except extradition cases, which are discretionary.

<sup>12</sup>Except workers' compensation appeals, which are discretionary.

**Michigan:**

<sup>13</sup>This court has mandatory jurisdiction over judicial tenure commission matters where the commission has entered a disciplinary order.

**Montana:**

<sup>14</sup>Handled by a sentence review division.

**New Jersey:**

<sup>15</sup>Mandatory when there is a dissent in the Appellate Division or when substantial constitutional question of first impression is presented.

**New Mexico:**

<sup>16</sup>Original jurisdiction only in murder cases if life or death sentence imposed.

<sup>17</sup>Only from Public Regulatory Commission, not other administrative agencies.

**Oklahoma:**

<sup>18</sup>Includes cases assigned by the supreme court.

**Federal:**

<sup>19</sup>All petitions for writs of certiorari are discretionary. Appeals are mandatory, but constitute a small percentage of the caseload. 28 U.S.C. §§1251-1259.

<sup>20</sup>See 28 U.S.C. §§1291-1296 and the 1996 Prisoner Litigation Reform Act.

<sup>21</sup>Effective March 1, 1999, this is the U.S. Court of Appeals for Veterans Claims.

Decisions from this court are reviewed by the U.S. Court of Appeals for the federal circuit.



**Table 23. Structure of Panels Reviewing Discretionary Petitions**

Court Type: C=court of last resort I=intermediate appellate court	Who Makes Decision on Granting Petitions?				Number Necessary to Grant Review
	En banc	Panel	Commissioner	Single Justice	
<b>Alabama</b>					
C Supreme Court	Yes	No	~	No	5
I Court of Criminal Appeals	No discretionary jurisdiction	~	~	~	~
I Court of Civil Appeals	No discretionary jurisdiction	~	~	~	~
<b>Alaska</b>					
C Supreme Court	Yes	~	~	No <sup>1</sup>	3
I Court of Appeals	Yes	~	~	No <sup>1</sup>	2
<b>Arizona</b>					
C Supreme Court	Yes	~	No	No	3
I Court of Appeals	No	Yes	~	No	2
<b>Arkansas</b>					
C Supreme Court	Yes	~	~	No	4
I Court of Appeals	No discretionary jurisdiction	~	~	~	~
<b>California</b>					
C Supreme Court	Yes	~	No	No <sup>4</sup>	4
I Courts of Appeal	No	Yes	No	No <sup>4</sup>	2
<b>Colorado</b>					
C Supreme Court	Yes	~	~	No	3
I Court of Appeals	No discretionary jurisdiction	~	~	~	~
<b>Connecticut</b>					
C Supreme Court	Yes	No	~	No	3
I Appellate Court	Yes	No	~	No	2
<b>Delaware</b>					
C Supreme Court	Yes	Yes	~	No	3
<b>District of Columbia</b>					
C Court of Appeals	No	Yes	~	No	1 or 2 <sup>8</sup>
<b>Florida</b>					
C Supreme Court	No	Yes	~	No	4
I District Courts of Appeal	No	Yes	~	No	2
<b>Georgia</b>					
C Supreme Court	Yes	~	~	No	4
I Court of Appeals	No	Yes	~	No	1
<b>Hawaii</b>					
C Supreme Court	Yes	~	~	No	3
I Court of Appeals	No <sup>10</sup>	3	~	No	2
<b>Idaho</b>					
C Supreme Court	Yes	~	~	No	3
I Court of Appeals	No discretionary jurisdiction <sup>11</sup>	~	~	~	~
<b>Illinois</b>					
C Supreme Court	Yes	~	~	No	4
I Appellate Court	No	Yes	~	No	2
<b>Indiana</b>					
C Supreme Court	Yes	~	No	No	3
I Court of Appeals	No	Yes	No	No	2
I Tax Court	No discretionary jurisdiction	~	~	~	~
<b>Iowa</b>					
C Supreme Court	No	Yes	~	No	2
I Court of Appeals	No discretionary jurisdiction	~	~	~	~
<b>Kansas</b>					
C Supreme Court	Yes	~	~	No	3
I Court of Appeals	No	Yes	~	No	3

**Table 23. Structure of Panels Reviewing Discretionary Petitions**

	Number Deciding Whether to Grant Review	Structure of Panels			
		Number of Panels	Size of Panels	Permanent or Rotating Membership	Frequency of Membership Rotation
<b>Alabama</b>					
Supreme Court	9	2	5	Permanent	~
Court of Criminal Appeals	~	Court does not sit in panels	~	~	~
Court of Civil Appeals	~	Court does not sit in panels	~	~	~
<b>Alaska</b>					
Supreme Court	5	Court does not sit in panels	~	~	~
Court of Appeals	3	Court does not sit in panels	~	~	~
<b>Arizona</b>					
Supreme Court	5	Court does not sit in panels	~	~	~
Court of Appeals	3	7 <sup>2</sup>	3	Rotating	3 times/yr
<b>Arkansas</b>					
Supreme Court	~	Court does not sit in panels	~	~	~
Court of Appeals	~	4	3	Rotating	~ <sup>3</sup>
<b>California</b>					
Supreme Court	7	Court does not sit in panels	~	~	~
Courts of Appeal	3	Varies	3	<sup>5</sup>	Case/calendar
<b>Colorado</b>					
Supreme Court	3	Court does not sit in panels	~	~	~
Court of Appeals	~	3 <sup>6</sup>	3	Rotating	3 times/yr
<b>Connecticut</b>					
Supreme Court	7	1	5	Rotating	Daily
Appellate Court	9	3	3 <sup>7</sup>	Rotating	Daily
<b>Delaware</b>					
Supreme Court	3	10	3	Rotating	By case
<b>District of Columbia</b>					
Court of Appeals	3	Varies	3	Rotating	Half-day
<b>Florida</b>					
Supreme Court	5	Varies <sup>9</sup>	~	Rotating	~
District Courts of Appeal	3	Varies	3	Rotating	Varies
<b>Georgia</b>					
Supreme Court	7	Court does not sit in panels	~	~	~
Court of Appeals	3	3	3	Rotating	Yearly
<b>Hawaii</b>					
Supreme Court	5	Court does not sit in panels	~	~	~
Court of Appeals	3	Varies	3	Rotating	Varies
<b>Idaho</b>					
Supreme Court	5	Court does not sit in panels	~	~	~
Court of Appeals	~	Court does not sit in panels	~	~	~
<b>Illinois</b>					
Supreme Court	7	Court does not sit in panels	~	~	~
Appellate Court	3	Varies	3 <sup>12</sup>	Rotating	By case <sup>13</sup>
<b>Indiana</b>					
Supreme Court	5	Court does not sit in panels	~	~	~
Court of Appeals	3	5	3	Permanent	~
Tax Court	~	Court does not sit in panels	~	~	~
<b>Iowa</b>					
Supreme Court	3	2	5 <sup>14</sup>	Rotating	Monthly
Court of Appeals	~	2	3	Rotating	Monthly
<b>Kansas</b>					
Supreme Court	7	Court does not sit in panels	~	~	~
Court of Appeals	3	3 or 4 <sup>15</sup>	3	Rotating	~ <sup>16</sup>

**Table 23. Structure of Panels Reviewing Discretionary Petitions**

Court Type: C=court of last resort I=intermediate appellate court	Who Makes Decision on Granting Petitions?				Number Necessary to Grant Review
	En banc	Panel	Commissioner	Single Justice	
<b>Kentucky</b>					
C Supreme Court	Yes	~	~	No	4
I Court of Appeals	No	Yes	~	No	2
<b>Louisiana</b>					
C Supreme Court	Yes	~	~	No	4
I Courts of Appeal	No	Yes	~	No	2
<b>Maine</b>					
C Supreme Judicial Court	Yes	Yes <sup>18</sup>	~	No	Varies
<b>Maryland</b>					
C Court of Appeals	Yes	~	~	No	3
I Court of Special Appeals	No	Yes	~	Yes	Varies
<b>Massachusetts</b>					
C Supreme Judicial Court	Yes	~	~	No	2 or 3 <sup>19</sup>
I Appeals Court	No	No	~	Yes	1
<b>Michigan</b>					
C Supreme Court	Yes	~	No	No	4
I Court of Appeals	No	Yes	No	No	2
<b>Minnesota</b>					
C Supreme Court	Yes	No	No	No	3
I Court of Appeals	No	Yes	~	No	2
<b>Mississippi</b>					
C Supreme Court	Yes	Yes <sup>20</sup>	~	Yes <sup>20</sup>	Varies
I Court of Appeals	No	~	~	~	~
<b>Missouri</b>					
C Supreme Court	Yes	~	~	No	4
I Court of Appeals	No discretionary jurisdiction	~	~	~	~
<b>Montana</b>					
C Supreme Court	Yes	~	~	No	4
<b>Nebraska</b>					
C Supreme Court	Yes	No	~	No	4
I Court of Appeals	No	Yes	~	No	2
<b>Nevada</b>					
C Supreme Court	No discretionary jurisdiction	~	~	~	~
<b>New Hampshire</b>					
C Supreme Court	Yes	~	~	No	1
<b>New Jersey</b>					
C Supreme Court	Yes	~	~	No	3
I Superior Court, Appellate Division	No	Yes <sup>24</sup>	No	No	2 <sup>24</sup>
<b>New Mexico</b>					
C Supreme Court	Yes	No	~	No	~
I Court of Appeals	No	No	No	Yes <sup>26</sup>	1 <sup>26</sup>
<b>New York</b>					
C Court of Appeals	Yes	~	~	Yes <sup>27</sup>	2(civil)
I Supreme Court, Appellate Divisions	No	Yes	~	No	3
<b>North Carolina</b>					
C Supreme Court	Yes	~	~	No	3
I Court of Appeals	No	Yes	~	No	2
<b>North Dakota</b>					
C Supreme Court	No discretionary jurisdiction	~	~	~	~

**Table 23. Structure of Panels Reviewing Discretionary Petitions**

	Number Deciding Whether to Grant Review	Structure of Panels			
		Number of Panels	Size of Panels	Permanent or Rotating Membership	Frequency of Membership Rotation
<b>Kentucky</b>					
Supreme Court	4	Court does not sit in panels	~	~	~
Court of Appeals	3	4	3	Rotating	Monthly
<b>Louisiana</b>					
Supreme Court	7	Varies <sup>17</sup>	7	Rotating	6-7 weeks
Courts of Appeal	3	Varies <sup>17</sup>	3 or 5	Rotating	Monthly
<b>Maine</b>					
Supreme Judicial Court	Varies	Court does not sit in panels	~	~	~
<b>Maryland</b>					
Court of Appeals	7	Court does not sit in panels	~	~	~
Court of Special Appeals	Varies	Varies	3	Rotating	Varies
<b>Massachusetts</b>					
Supreme Judicial Court	7	1	7	Rotating	Monthly
Appeals Court	1	5	3	Rotating	Monthly
<b>Michigan</b>					
Supreme Court	7	Court does not sit in panels	~	~	~
Court of Appeals	3	9	3	Rotating	Monthly
<b>Minnesota</b>					
Supreme Court	7	Varies	3	Rotating	Monthly
Court of Appeals	3	4	3	Rotating	Monthly
<b>Mississippi</b>					
Supreme Court	Varies	3	3	Rotating	Every 6 weeks
Court of Appeals	Varies	3	3	Rotating	Every 6 weeks
<b>Missouri</b>					
Supreme Court	7	Court does not sit in panels	~ <sup>22</sup>	~	~ <sup>23</sup>
Court of Appeals	~	~ <sup>21</sup>		Rotating	
<b>Montana</b>					
Supreme Court	7	2	5	Rotating	By case
<b>Nebraska</b>					
Supreme Court	7	Court does not sit in panels	~	~	~
Court of Appeals	3	2	3	Rotating	3 Months
<b>Nevada</b>					
Supreme Court	~	2	3	Rotating	6 Months
<b>New Hampshire</b>					
Supreme Court	5	Court does not sit in panels	~	~	~
<b>New Jersey</b>					
Supreme Court	5	Court does not sit in panels	~	~	~
Superior Court, Appellate Division	2 <sup>24</sup>	7 parts of 4 judges	2-3	Rotating	~ <sup>25</sup>
<b>New Mexico</b>					
Supreme Court	3	Court does not sit in panels	~	~	~
Court of Appeals	1 <sup>26</sup>	Varies	3	Rotating	By case
<b>New York</b>					
Court of Appeals	7 (civil)	Court does not sit in panels	~	~	~
Supreme Court, Appellate Divisions	4 or 5 <sup>28</sup>	Varies	~ <sup>29</sup>	Rotating	Daily
<b>North Carolina</b>					
Supreme Court	7	Court does not sit in panels	~	~	~
Court of Appeals	3	4	3	Rotating	Every 3rd week
<b>North Dakota</b>					
Supreme Court	~	Court does not sit in panels	~	~	~

**Table 23. Structure of Panels Reviewing Discretionary Petitions**

Court Type: C=court of last resort I=intermediate appellate court	Who Makes Decision on Granting Petitions?				Number Necessary to Grant Review
	En banc	Panel	Commissioner	Single Justice	
<b>Ohio</b>					
C Supreme Court	Yes	~	~	No	4
I Courts of Appeals	No discretionary jurisdiction	~	~	~	~
<b>Oklahoma</b>					
C Supreme Court	Yes	~	~	~	5
C Criminal Appeals	Yes	~	~	~	3
I Court of Appeals	No discretionary jurisdiction	~	~	~	~
<b>Oregon</b>					
C Supreme Court	Yes	~	~	No	3
I Court of Appeals	~	~	~	~	~
<b>Pennsylvania</b>					
C Supreme Court	Yes	~	~	No	3
I Superior Court	Yes	Yes	~	No	Majority
I Commonwealth Court	Yes	Yes	~	Yes	No
<b>Puerto Rico</b>					
C Supreme Court	Yes	No	~	No	4
I Court of Appeals	No	Yes	~	No	2
<b>Rhode Island</b>					
C Supreme Court	Yes	No	~	No	1
<b>South Carolina</b>					
C Supreme Court	Yes	~	~	No	2
I Court of Appeals	No discretionary jurisdiction	~	~	~	~
<b>South Dakota</b>					
C Supreme Court	Yes	~	~	No	3
<b>Tennessee</b>					
C Supreme Court	Yes	~	~	No	2
I Court of Appeals	No	Yes	~	No	2
I Court of Criminal Appeals	No	Yes	~	No	2
<b>Texas</b>					
C Supreme Court	Yes	~	~	No	4
C Courts of Criminal Appeals	Yes	~	~	No	4
I Courts of Appeals	No discretionary jurisdiction	~	~	~	~
<b>Utah</b>					
C Supreme Court	Yes	~	~	No	3
I Court of Appeals	No	Yes	~	No	2
<b>Vermont</b>					
C Supreme Court	Yes	~	~	No	3
<b>Virginia</b>					
C Supreme Court	No	Yes	~	Yes	1
I Court of Appeals	No	Yes	~	Yes	1
<b>Washington</b>					
C Supreme Court	No	Yes <sup>34</sup>	Yes <sup>35</sup>	No	5
I Courts of Appeals	No	No	Yes	No	1
<b>West Virginia</b>					
C Supreme Court	Yes	~	~	No	3
<b>Wisconsin</b>					
C Supreme Court	Yes	~	No	No	3-4 <sup>37</sup>
I Court of Appeals	No	Yes <sup>38</sup>	~	Yes <sup>39</sup>	2
<b>Wyoming</b>					
C Supreme Court	Yes	~	~	No	3
<b>Federal</b>					
C U.S. Supreme Court	Yes	~	~	No	4
I U.S. Courts of Appeals	Yes	Yes	~	No	4 <sup>40</sup>

**Table 23. Structure of Panels Reviewing Discretionary Petitions**

States/Courts:	Number Deciding Whether to Grant Review	Structure of Panels			
		Number of Panels	Size of Panels	Permanent or Rotating Membership	Frequency of Membership Rotation
<b>Ohio</b>					
Supreme Court	7	Court does not sit in panels	~	~	~
Courts of Appeals	~	Varies	3	Rotating	Weekly
<b>Oklahoma</b>					
Supreme Court	9	Court does not sit in panels	~	~	~
Criminal Appeals	5	Court does not sit in panels	~	~	~
Court of Appeals	~	4	3	Rotating	Annually
<b>Oregon</b>					
Supreme Court	7	Court does not sit in panels	~	~	~
Court of Appeals	~	3	3	Rotating	<sup>30</sup>
<b>Pennsylvania</b>					
Supreme Court	3	Court does not sit in panels	~	~	~
Superior Court	No	Varies	3	Rotating <sup>31</sup>	Discretionary
Commonwealth Court	No	Varies	3	Rotating	Discretionary
<b>Puerto Rico</b>					
Supreme Court	4	Court does not sit in panels	~	~	~
Court of Appeals	3	11	3	3	Yearly
<b>Rhode Island</b>					
Supreme Court	5	1	3	Rotating	Monthly
<b>South Carolina</b>					
Supreme Court	5	Court does not sit in panels	~	~	~
Court of Appeals	~	3	3	Rotating	<sup>32</sup>
<b>South Dakota</b>					
Supreme Court	5	Court does not sit in panels	~	~	~
<b>Tennessee</b>					
Supreme Court	5	Court does not sit in panels	~	~	~
Court of Appeals	3	3	3	Permanent	~
Court of Criminal Appeals	3	3	3	Permanent	~
<b>Texas</b>					
Supreme Court	9	Court does not sit in panels	~	~	~
Court of Criminal Appeals	9	Court does not sit in panels	~	~	~
Courts of Appeals	–	Varies	3	Rotating	Varies
<b>Utah</b>					
Supreme Court	5	Court does not sit in panels	~	~	~
Court of Appeals	3	Varies	3	Rotating	Monthly
<b>Vermont</b>					
Supreme Court	5	<sup>33</sup>	3	Rotating	Monthly
<b>Virginia</b>					
Supreme Court	3	3	3	Permanent	~
Court of Appeals	4	Varies	3	Rotating	Varies
<b>Washington</b>					
Supreme Court	5	Court does not sit in panels	~	~	~
Courts of Appeals	1 <sup>36</sup>	Varies	3	Rotating	Varies by division
<b>West Virginia</b>					
Supreme Court	5	Court does not sit in panels	~	~	~
<b>Wisconsin</b>					
Supreme Court	<sup>35</sup>	Court does not sit in panels	~	~	~
Court of Appeals	3	4	3	<sup>37</sup>	By case
<b>Wyoming</b>					
Supreme Court	5	Court does not sit in panels	~	~	~
<b>Federal</b>					
U.S. Supreme Court	9	Court does not sit in panels	~	~	~
U.S. Courts of Appeals	<sup>41</sup>	Varies	3	Rotating	Varies by circuit

**Table 23. Structure of Panels Reviewing Discretionary Petitions**

**FOOTNOTES:**

**Alaska:**

<sup>1</sup>Single justice or court of appeals judge makes recommendation to full court, which then votes en banc.

**Arizona:**

<sup>2</sup>Five in Division 1; two in Division 2.

**Arkansas:**

<sup>3</sup>Every four weeks during submissions.

**California:**

<sup>4</sup>Theoretically possible in habeas cases, but not done by single justice.

<sup>5</sup>Court of Appeals: Divisions of 3 judges are permanent; divisions of four or more rotate within division.

**Colorado:**

<sup>6</sup>Court of Appeals: The panels draft all opinions; then submit drafts to full court for final approval.

**Connecticut:**

<sup>7</sup>Appellate Court: five for motions, 9 for en banc.

**District of Columbia:**

<sup>8</sup>Usually one, two are necessary for interlocutory appeals only.

**Florida:**

<sup>9</sup>Oral arguments and merit panel are en banc. Five are on the original writ panel.

**Hawaii:**

<sup>10</sup>Discretionary jurisdiction only if assigned by Supreme Court.

**Idaho:**

<sup>11</sup>Court of Appeals: All cases are assigned to the court of appeals by the Supreme Court.

**Illinois:**

<sup>12</sup>Except for "Industrial Division" IAC, which is a panel of five.

<sup>13</sup>In Cook County there are six divisions of four judges each. They sit in rotating panels of three.

**Iowa:**

<sup>14</sup>Three-member panels screen cases and handle non-oral fast track cases.

**Kansas:**

<sup>15</sup>Court of Appeals: Panels may be supplemented by other judges from time to time, and the composition of a panel may vary from case to case.

<sup>16</sup>Chief judge designates as necessary; once every three weeks.

**Louisiana:**

<sup>17</sup>Use of panels ceases on 12/31/00 when Court reverts to seven justices.

**Maine:**

<sup>18</sup>Court sits in panel during sentence review cases only.

**Massachusetts:**

<sup>19</sup>Direct appellate review may be granted by two justices of the supreme judicial court or by a majority of justices of the appellate court. M.R.A.P. III. Further appellate review may be granted by three justices of the supreme judicial court or by a majority of the justices of the appeals court or by a majority of the justices of the appeals court deciding the case. M.R.A.P. 27.1.

**Mississippi:**

<sup>20</sup>Depending upon emergency nature of situation.

**Missouri:**

<sup>21</sup>Four in western district, five in eastern district, and two in southern district.

<sup>22</sup>Three in western and eastern districts; southern district has one three-member panel and one four-member panel.

<sup>23</sup>Yearly in eastern and southern districts; quarterly in western district.

**New Jersey:**

<sup>24</sup>Court of Appeals: Interlocutory appeals only. The presiding judge of a panel makes the final determination as to whether a matter will be decided by 2 or 3 judges.

<sup>25</sup>Yearly for parts; panels rotate by case.

**New Mexico:**

<sup>26</sup>For interlocutory appeals, one calendaring judge may grant review; to deny review, one judge must concur.

**New York:**

<sup>27</sup>Court of Appeals: a single judge grants review for criminal cases.

<sup>28</sup>Appellate Divisions of Supreme Court: varies by department.

<sup>29</sup>Appellate Divisions of Supreme Court: 4 in second divisions; 5 in first, third and fourth departments.

**Oregon:**

<sup>30</sup>At the discretion of the chief judge.

**Pennsylvania:**

<sup>31</sup>Appointed by the president judge.

**South Carolina:**

<sup>32</sup>At the discretion of the chief judge.

**Vermont:**

<sup>33</sup>On "fast track" cases.

**Washington:**

<sup>34</sup>Reviews on trial courts.

<sup>35</sup>Reviews from IAC

<sup>36</sup>At the IAC a commissioner rules on a motion for discretionary review.

**Wisconsin:**

<sup>37</sup>A commissioner makes a recommendation on review. If there is no objection during conference, the recommendation is accepted. If there is an objection to a petition for review, the court votes and three of the seven members must agree to grant review. If a justice who initially voted to grant review makes a motion to dismiss as improvidently granted, it is dismissed when at least four members agree to do so. Petitions to bypass and certification are granted by a vote of four.

<sup>38</sup>Either a panel of 3 or 1 judge may make the decision to grant or deny discretionary petitions for leave to leave appeal, determined by case type and interpreted through statute.

<sup>39</sup>Permanent in District 3. Judges in Districts 1, 2, and 4 rotate.

**Federal:**

<sup>40</sup>Requires majority of judges eligible to vote.

<sup>41</sup>Requires a majority to grant en banc review.

**Table 24. Clerks of Appellate Courts: Numbers and Method of Selection**

	Number of Clerks	Method of Appointment	Term of Office	Minimum Qualifications
<b>Alabama</b>				
Supreme Court	1	COLR	At pleasure	None stated
Court of Criminal Appeals	1	IAC	At pleasure	None stated
Court of Civil Appeals	1	IAC	At pleasure	None stated
<b>Alaska</b>				
Supreme Court	1	COLR	At pleasure	Law degree, admittance to bar
Court of Appeals	(same as COLR)			
<b>Arizona</b>				
Supreme Court	1	COLR	At pleasure	Law degree
Court of Appeals	2	IAC	At pleasure	
<b>Arkansas</b>				
Supreme Court	1	COLR	6 years	None stated
Court of Appeals	(same as COLR)			
<b>California</b>				
Supreme Court	1	COLR	At pleasure	None stated
Courts of Appeal	6	IAC	At pleasure	Bachelor's Degree, six years management experience
<b>Colorado</b>				
Supreme Court	1	COLR	At pleasure	Law degree and judicial administration
Court of Appeals	1	IAC	At pleasure	Degree in business, public or judicial administration; 6 years' court administration experience; 2 years at supervisory level
<b>Connecticut</b>				
Supreme Court	1	COLR	At pleasure	Law degree
Appellate Court	(same as COLR)			
<b>Delaware</b>				
Supreme Court	1	COLR	At pleasure	None stated
<b>District of Columbia</b>				
Court of Appeals	1	Executive officer subject to chief judge's approval	At pleasure	Law degree and 10 years of legal and managerial experience
<b>Florida</b>				
Supreme Court	1	COLR	At pleasure	None stated
District Courts of Appeal	5	IAC	At pleasure	None stated
<b>Georgia</b>				
Supreme Court	1	COLR	6 years	Court's practice is to appoint attorney
Court of Appeals	1 <sup>1</sup>	IAC	At pleasure	Admittance to bar
<b>Hawaii</b>				
Supreme Court	1	COLR	Civil service	High school
Intermediate Court of Appeals	(same as COLR)			
<b>Idaho</b>				
Supreme Court	1	COLR	At pleasure	None stated
Court of Appeals	(same as COLR)			
<b>Illinois</b>				
Supreme Court	1	COLR	At pleasure	None stated
Appellate Court	5	IAC	At pleasure	None stated
<b>Indiana</b>				
Supreme Court	1	Popular election	4 years	None stated
Court of Appeals	(same as COLR)			
Tax Court	(same as COLR)			
<b>Iowa</b>				
Supreme Court	1	COLR	At pleasure	None stated
Court of Appeals	(same as COLR)			
<b>Kansas</b>				
Supreme Court	1	COLR	2 years	Admittance to bar
Court of Appeals	(same as COLR)			



**Table 24. Clerks of Appellate Courts: Numbers and Method of Selection**

	Number of Clerks	Method of Appointment	Term of Office	Minimum Qualifications
<b>Kentucky</b>				
Supreme Court	1	COLR	At pleasure	None stated
Court of Appeals	1	IAC	At pleasure	None stated
<b>Louisiana</b>				
Supreme Courts	1	COLR	At pleasure	None stated
Courts of Appeal	5	IAC	At pleasure	None stated
<b>Maine</b>				
Supreme Judicial Court	1	Tenure after 6 months	- <sup>2</sup>	Admittance to bar
<b>Maryland</b>				
Court of Appeals	1	COLR	At pleasure	Admittance to bar
Court of Special Appeals	1	IAC	At pleasure	Admittance to bar
<b>Massachusetts</b>				
Supreme Judicial Court	2 <sup>3</sup>	COLR	5 years	None stated
Appeals Court	1	IAC	5 years	None stated
<b>Michigan</b>				
Supreme Court	1	COLR	At pleasure	Law degree, admittance to bar
Court of Appeals	1	IAC	At pleasure	None stated
<b>Minnesota</b>				
Supreme Court	1	COLR, IAC	At pleasure	None stated
Court of Appeals	(same as COLR)			
<b>Mississippi</b>				
Supreme Court	1	COLR	At pleasure	None stated
Court of Appeals	(same as COLR)			
<b>Missouri</b>				
Supreme Court	1	COLR	At pleasure	No <sup>4</sup>
Court of Appeals	3	IAC	At pleasure	No <sup>4</sup>
<b>Montana</b>				
Supreme Court	1	Popular election	6 years	None stated
<b>Nebraska</b>				
Supreme Court	1	COLR	At pleasure	None stated
Court of Appeals	(same as COLR)			
<b>Nevada</b>				
Supreme Court	1	COLR	At pleasure	Law degree, admittance to bar, 21 years of age, state citizen 1 year
<b>New Hampshire</b>				
Supreme Court	1	COLR	At pleasure	Law degree, admittance to bar
<b>New Jersey</b>				
Supreme Court	1	COLR	At pleasure	Law degree, admittance to bar
Superior Court, Appellate Division	1	COLR	At pleasure	Law degree, admittance to bar
<b>New Mexico</b>				
Supreme Court	1	COLR	At pleasure	Law degree, admittance to bar
Court of Appeals	1	IAC	At pleasure	Law degree, admittance to bar
<b>New York</b>				
Court of Appeals	1	COLR	At pleasure	Admission to the NYS Bar and 10 years' relevant legal experience
Supreme Court, Appellate Divisions	4	IAC	At pleasure	Admission to NY bar and 10 years' relevant legal experience
<b>North Carolina</b>				
Supreme Court	1	COLR	At pleasure	Law degree, law experience.
Court of Appeals	1	IAC	At pleasure	Law degree
<b>North Dakota</b>				
Supreme Court	1	COLR	At pleasure	4 years of college, law degree preferred, 4 years experience in court or legal setting

**Table 24. Clerks of Appellate Courts: Numbers and Method of Selection**

	Number of Clerks	Method of Appointment	Term of Office	Minimum Qualifications
<b>Ohio</b>				
Supreme Court	1	COLR	At pleasure	None stated
Courts of Appeals	12 <sup>5</sup>	Popular election	4 years	None stated
<b>Oklahoma</b>				
Supreme Court	1	COLR/IAC	At pleasure	Admittance to bar
Court of Criminal Appeals	(same as COLR)			
Court of Civil Appeals	(same as COLR)			
<b>Oregon</b>				
Supreme Court	1	Chief Justice	At pleasure	None stated
Court of Appeals	(same as COLR)			
<b>Pennsylvania</b>				
Supreme Court	1	COLR	At pleasure	Lawyer
Superior Court	1	Presiding judge	At pleasure	Lawyer
Commonwealth Court	1	Presiding Judge	At pleasure	Lawyer
<b>Puerto Rico</b>				
Supreme Court	1	COLR	At pleasure	Admittance to bar
Court of Appeals <sup>6</sup>	1	IAC	At pleasure	Admittance to bar
<b>Rhode Island</b>				
Supreme Court	1 (same as SCA)	Gubernatorial	5 years	None stated
<b>South Carolina</b>				
Supreme Court	1	COLR	At pleasure	None stated
Court of Appeals	1	IAC	At pleasure	None stated
<b>South Dakota</b>				
Supreme Court	1	COLR	At pleasure	None stated
<b>Tennessee</b>				
Supreme Court	1 <sup>7</sup>	COLR	6 years	None stated
Court of Appeals	1 <sup>8</sup>			
Court of Criminal Appeals	1 <sup>8</sup>			
<b>Texas</b>				
Supreme Court	1	COLR	4 years	None stated
Court of Criminal Appeals	1	COLR	4 years	None stated
Courts of Appeals	14	IAC	4 years	None stated
<b>Utah</b>				
Supreme Court	1	Appellate Court Administrator appoints with approval of Justices <sup>9</sup>	At pleasure	8 years of progressively responsible experience in court operations or bachelor's degree plus 4 years' experience in court operations
Court of Appeals	1	Appellate Court Administrator with approval of judges <sup>9</sup>	At pleasure	8 years of progressively responsible experience in court operation or bachelor's degree plus 4 years' experience in court operation
<b>Vermont</b>				
Supreme Court	1 <sup>10</sup>	COLR	At pleasure	None stated
<b>Virginia</b>				
Supreme Court	1	COLR	At pleasure	None stated
Court of Appeals	1	IAC	At pleasure	None stated
<b>Washington</b>				
Supreme Court	1	COLR	At pleasure	Admittance to bar
Courts of Appeals	3	IAC	At pleasure	Bachelor's degree and 6 years experience or JD with 3 years experience
<b>West Virginia</b>				
Supreme Court of Appeals	1	COLR	At pleasure	None stated
<b>Wisconsin</b>				
Supreme Court	1	COLR	At pleasure	College, 2 years' related experience
Court of Appeals	(same as COLR)			

**Table 24. Clerks of Appellate Courts: Numbers and Method of Selection**

	Number of Clerks	Method of Appointment	Term of Office	Minimum Qualifications
<b>Wyoming</b>				
Supreme Court	1	COLR	At pleasure	None stated
<b>Federal</b>				
U.S. Supreme Court	1	COLR	At pleasure	11
U.S. Courts of Appeals	1 each	IAC	At pleasure	

**FOOTNOTES:****Georgia:**

<sup>1</sup>Serves dual capacity—clerk/court administrator.

**Maine:**

<sup>2</sup>Subject to collective bargaining contract.

**Massachusetts:**

<sup>3</sup>There is a clerk of the Supreme Judicial Court (SJC) for the Commonwealth (appointed to a five-year term by the justices; the jurisdiction of the purely appellate function of the court comes under the Commonwealth Office) and a clerk of the SJC for Suffolk County (elected to a six-year term by the voters of Suffolk County; this office processes bar applications, bar disciplines and complaints which by statute come within the court's original jurisdiction of the court—concurrently, for the most part, with the trial court).

**Missouri:**

<sup>4</sup>The court's practice has been to appoint an attorney.

**Ohio:**

<sup>5</sup>Clerk of Common Pleas court is also clerk of the Court of Appeals.

**Puerto Rico:**

<sup>6</sup>The first intermediate appellate court of Puerto Rico was established November 1992, but was abolished in August 1993. Later, a Circuit Court of Appeals was established by law through the Judicial Branch's Reorganization Plan of July 28, 1994. It consists of 33 judges and is divided in 7 circuits.

**Tennessee:**

<sup>7</sup>COLR appoints one chief clerk for all those divisions (3) and three chief deputy clerks.

<sup>8</sup>COLR appoints three chief deputy clerks, one each in Knoxville, and Jackson, serving the COLR and IAC in that region.

**Utah:**

<sup>9</sup>Appellate court administrator must have a law degree and is selected by the state court administrator with concurrence of chief justice of COLR and presiding judge of the IAC.

**Vermont:**

<sup>10</sup>Same as state court administrator.

**Federal:**

<sup>11</sup>See 28 U.S.C. § 711.

**Table 25. Provisions of Law Clerks to Appellate Court Judges**

Court type: C=court of last resort I=intermediate appellate court	Number of clerks for chief justice/ judge	Number of clerks for each associate justice/ judge	Number of central law staff
<b>Alabama</b>			
C Supreme Court	3 <sup>1</sup>	3 <sup>1</sup>	4
I Court of Criminal Appeals	4	4	1
I Court of Civil Appeals	3	3	0
<b>Alaska</b>			
C Supreme Court	3	3	0
I Court of Appeals	2	2	2
<b>Arizona</b>			
C Supreme Court	3	2	8 FTE
I Court of Appeals, Division 1	1	2	18
I Court of Appeals, Division 2	1	1.5	9
<b>Arkansas</b>			
C Supreme Court	2	2	0
I Court of Appeals	2	2	5
<b>California</b>			
C Supreme Court	8	5	29
I Court of Appeals	2	2 <sup>2</sup>	3
<b>Colorado</b>			
C Supreme Court	2	2	1
I Court of Appeals	1	1	16
<b>Connecticut</b>			
C Supreme Court	2	1.5	44 <sup>4</sup>
I Appellate Court	2	1	44 <sup>4</sup>
<b>Delaware</b>			
C Supreme Court	1.5	1.5	2
<b>District of Columbia</b>			
C Court of Appeals	3	2	8
<b>Florida</b>			
C Supreme Court	3	2	6
I District Courts of Appeal	2	2	19 <sup>5</sup>
<b>Georgia</b>			
C Supreme Court	3	2	5
I Court of Appeals	3	3	5
<b>Hawaii</b>			
C Supreme Court	3	2	5
I Intermediate Court of Appeals	2	2	0
<b>Idaho</b>			
C Supreme Court	2	2	1
I Court of Appeals	2	2	1
<b>Illinois</b>			
C Supreme Court	3	3	19 <sup>6</sup>
I Appellate Court	2	2	88
<b>Indiana</b>			
C Supreme Court	3	2	5
I Court of Appeals	3 <sup>7</sup>	3 <sup>7</sup>	7
I Tax Court	3	~	0
<b>Iowa</b>			
C Supreme Court	1	1	2
I Court of Appeals	1	1	2
<b>Kansas</b>			
C Supreme Court	1	1	2
I Court of Appeals	1	1	13
<b>Kentucky</b>			
C Supreme Court	1	1	7 <sup>8</sup>
I Court of Appeals	2	2	8

**Table 25. Provisions of Law Clerks to Appellate Court Judges**

Court type: C=court of last resort I=intermediate appellate court	Number of clerks for chief justice/ judge	Number of clerks for each associate justice/ judge	Number of central law staff
<b>Louisiana</b>			
C Supreme Court	3 <sup>9</sup>	3	14
I Courts of Appeal	3	2	55
<b>Maine</b>			
C Supreme Judicial Court	2	1.5	1
<b>Maryland</b>			
C Court of Appeals	2	2	0
I Court of Special Appeals	2	2	8
<b>Massachusetts</b>			
C Supreme Judicial Court	2	2	20
I Appeals Court	2	1	18
<b>Michigan</b>			
C Supreme Court	3	3	17
I Court of Appeals	1	1	80 <sup>10</sup>
<b>Minnesota</b>			
C Supreme Court	2	1.5	3
I Court of Appeals	2	2	15
<b>Mississippi</b>			
C Supreme Court	2	2	8
I Court of Appeals	2	2	5
<b>Missouri</b>			
C Supreme Court	2	2	0
I Court of Appeals	2	2	2
<b>Montana</b>			
C Supreme Court	2	2	14
<b>Nebraska</b>			
C Supreme Court	2	2	1
I Court of Appeals	2	2	1
<b>Nevada</b>			
C Supreme Court	2	2	19
<b>New Hampshire</b>			
C Supreme Court	2	2	3
<b>New Jersey</b>			
C Supreme Court	3	2-4 <sup>11</sup>	5
I Superior Court, Appellate Division	2	1	27
<b>New Mexico</b>			
C Supreme Court	2	2	0
I Court of Appeals	1	1	14
<b>New York</b>			
C Court of Appeals	3	2	14 <sup>12</sup>
I Appellate Divisions of Supreme Court	1	1	110 <sup>13</sup>
<b>North Carolina</b>			
C Supreme Court	3	2	0
I Court of Appeals	3	2	7
<b>North Dakota</b>			
C Supreme Court	1	1	6
<b>Ohio</b>			
C Supreme Court	3	3	10
I Court of Appeals	2	2	Varies
<b>Oklahoma</b>			
C Supreme Court	2	2	5
C Court of Criminal Appeals	2	2	5
I Court of Appeals	2	2	1

**Table 25. Provisions of Law Clerks to Appellate Court Judges**

Court type: C=court of last resort I=intermediate appellate court	Number of clerks for chief justice/ judge	Number of clerks for each associate justice/ judge	Number of central law staff
<b>Oregon</b>			
C Supreme Court	1	1	2
I Court of Appeals	1	Varies <sup>14</sup>	7
<b>Pennsylvania</b>			
C Supreme Court	Varies	Varies	~ <sup>15</sup>
I Superior Court	5	4	Varies
I Commonwealth Court	4	4	Varies
<b>Puerto Rico</b>			
C Supreme Court	4	3	10
I Court of Appeals	1	~	22
<b>Rhode Island</b>			
C Supreme Court	3	2	6
<b>South Carolina</b>			
C Supreme Court	2	2	9
I Court of Appeals	2	2	5
<b>South Dakota</b>			
C Supreme Court	1	1	3
<b>Tennessee</b>			
C Supreme Court	2	2	8
I Court of Appeals	2	2	3
I Court of Criminal Appeals	2	2	3
<b>Texas</b>			
C Supreme Court	3	3	0
C Court of Criminal Appeals	2	2	14
I Courts of Appeals	14 <sup>16</sup>	80 <sup>16</sup>	110 <sup>17</sup>
<b>Utah</b>			
C Supreme Court	2	2	2
I Court of Appeals	2	2	4
<b>Vermont</b>			
C Supreme Court	2	1	2
<b>Virginia</b>			
C Supreme Court	1	1	10 <sup>18</sup>
I Court of Appeals	1	1	9
<b>Washington</b>			
C Supreme Court	2	2	8
I Court of Appeals	2	2	Varies <sup>19</sup>
<b>West Virginia</b>			
C Supreme Court of Appeals	3	3	Varies <sup>20</sup>
<b>Wisconsin</b>			
C Supreme Court	1	1	4
I Court of Appeals	1	1	13
<b>Wyoming</b>			
C Supreme Court	2	2	1
<b>Federal</b>			
C US Supreme Court	4 <sup>21</sup>	4 <sup>21</sup>	2 <sup>22</sup>
I US Courts of Appeals	4	3 <sup>23</sup>	Varies
I US Court of Appeals for Veterans Claims	2	2	7

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## Table 25. Provisions of Law Clerks to Appellate Court Judges

### FOOTNOTES:

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**Alabama:**

<sup>1</sup>Justices may have three positions. No more than two can be staff attorneys. The remainder may be law clerks.

**California:**

<sup>2</sup>Pilot project in Fifth District with three per justice.

<sup>3</sup>Varies.

**Connecticut:**

<sup>4</sup>Includes twenty-six attorneys and eighteen paralegals. Staff is shared by COLR and IAC, except executive assistants (one in COLR and one in IAC).

**Florida:**

<sup>5</sup>This is the total number of central law staff for all five courts of appeal in Florida. The number varies by each court. In the Fourth District there are six.

**Illinois:**

<sup>6</sup>Seven attorneys for research department; ten attorneys for administrative office of courts; two attorneys for clerk's office.

**Indiana:**

<sup>7</sup>Judges may at their own discretion have more than three clerks.

**Kentucky:**

<sup>8</sup>One attorney serves as Supreme Court Administrator and general counsel.

**Louisiana:**

<sup>9</sup>In addition to an executive assistant that is an attorney.

**Michigan:**

<sup>10</sup>Court of appeals has forty temporary, thirty-two permanent, and eight supervisory.

**New Jersey:**

<sup>11</sup>One justice may have a fourth law clerk to work as one of two law clerks assigned to death penalty cases.

**New York:**

<sup>12</sup>Court of appeals has one Deputy Chief Court Attorney, eight senior court attorneys, and five court attorneys.

<sup>13</sup>Appellate Divisions have twenty-seven in First Department, sixteen in Third Department, and seventeen in Fourth Department.

**Oregon:**

<sup>14</sup>Sixteen total: seven justices have two clerks; two justices have one clerk.

**Pennsylvania:**

<sup>15</sup>Supreme court does not employ central staff attorneys.

**Texas:**

<sup>16</sup>Generally, one law clerk is assigned to the chief justice of each court of appeals, and one law clerk is assigned to each justice of each court of appeals.

<sup>17</sup>This is the total number of central law staff for all fourteen courts of appeals. The number of central law staff varies from court to court.

**Virginia:**

<sup>18</sup>Five are part-time employees.

**Washington:**

<sup>19</sup>Division I with ten judges has seven and one-half attorneys, division II with six judges has four, and division III with five judges has one. Duties vary.

**West Virginia:**

<sup>20</sup>Clerks screen applications but do not draft opinions or orders.

**Federal:**

<sup>21</sup>Not all justices have four; some have three.

<sup>22</sup>Not including law-trained research librarians.

<sup>23</sup>Court of appeals justices may elect to have four law clerks and one secretary or three law clerks and two secretaries.

**Table 26. Expediting Procedures in Appellate Courts**

Court type: C=court of last resort I=intermediate appellate court	Use of Preargument Settlement Conference	Advance Queue (fast tracking)	Expedited Briefing Procedures	Use of Oral Argument in Lieu of Full Written Briefs	Submission on Briefs Alone
<b>Alabama</b>					
C Supreme Court	No	Yes	Yes	No	No
I Court of Criminal Appeals	No	No	Yes	No	Yes
I Court of Civil Appeals	No	No	No	No	No
<b>Alaska</b>					
C Supreme Court	No	Yes	Yes	No	No
I Court of Appeals	No	Yes	No	No	No
<b>Arizona</b>					
C Supreme Court	No	No	No	No	1
I Court of Appeals	Yes <sup>2</sup>	Civil/criminal	Civil	Civil	Civil/criminal
<b>Arkansas</b>					
C Supreme Court	No	No	Yes <sup>3</sup>	No	Yes
I Court of Appeals	No	No	No	No	Yes
<b>California</b>					
C Supreme Court	No	No	No	No	No
I Courts of Appeal	Civil <sup>4</sup>	Yes <sup>4</sup>	Civil/criminal <sup>5</sup>	No	Civil/criminal
<b>Colorado</b>					
C Supreme Court	No	Yes	Yes	No	No
I Court of Appeals	Yes	Upon request	Upon request <sup>6</sup>	No	No
<b>Connecticut</b>					
C Supreme Court	Civil	Civil/criminal	Civil/criminal	No	No
I Appellate Court	Civil	Civil/criminal	Civil/criminal	No	Civil <sup>7</sup>
<b>Delaware</b>					
C Supreme Court	No	No	No	No	Yes
<b>District of Columbia</b>					
C Court of Appeals	No <sup>8</sup>	Yes <sup>8</sup>	Yes <sup>8</sup>	No	Yes
<b>Florida</b>					
C Supreme Court	No	No	Yes	No	Yes
I District Courts of Appeal	No <sup>9</sup>	Yes	Yes	No	Yes
<b>Georgia</b>					
C Supreme Court	No	No	Yes	No	Yes
I Court of Appeals	Civil	No	No	No	Yes
<b>Hawaii</b>					
C Supreme Court	Yes	No	No	No	Yes
I Intermediate Court of Appeals	Yes	No	No	No	Yes
<b>Idaho</b>					
C Supreme Court	Yes	No	Yes	No	Yes
I Court of Appeals	Yes	No	No	No	Yes
<b>Illinois</b>					
C Supreme Court	No	Yes	Yes	No	Yes
I Appellate Court	No	Yes	Yes	No	Yes
<b>Indiana</b>					
C Supreme Court	No	No	No	No	No
I Court of Appeals	No	No	No	No	No
I Tax Court	No	No	No	No	No
<b>Iowa</b>					
C Supreme Court	No	Civil/criminal	Yes	No	Yes
I Court of Appeals	No	Civil/criminal	Yes	No	Yes
<b>Kansas</b>					
C Supreme Court	No	Yes	No	No	Civil/criminal <sup>10</sup>
I Court of Appeals	No	Yes	Yes	No	Civil/criminal <sup>10</sup>
<b>Kentucky</b>					
C Supreme Court	No	No <sup>11</sup>	Yes <sup>12</sup>	No	Yes
I Court of Appeals	Civil	Yes	No	No	No



**Table 26. Expediting Procedures in Appellate Courts**

Court type: C=court of last resort I=intermediate appellate court	Use of Preargument Settlement Conference	Advance Queue (fast tracking)	Expedited Briefing Procedures	Use of Oral Argument in Lieu of Full Written Briefs	Submission on Briefs Alone
<b>Louisiana</b>					
C Supreme Court	No	Civil/criminal <sup>13</sup>	Civil/criminal	No	No <sup>13</sup>
I Courts of Appeal	No	Civil/criminal	Civil/criminal	No	Yes
<b>Maine</b>					
C Supreme Judicial Court	No	No	Ad hoc basis	No	Civil/criminal
<b>Maryland</b>					
C Court of Appeals	No	No	No	No	No
I Court of Special Appeals	Civil	Civil/criminal	Civil/criminal	No	Civil/criminal
<b>Massachusetts</b>					
C Supreme Judicial Court	No	No	No	No	No
I Appeals Court	Yes	No	No	No	No
<b>Michigan</b>					
C Supreme Court	No <sup>14</sup>	No	No	No	No
I Court of Appeals	Yes <sup>15</sup>	Yes	Yes	No	Yes
<b>Minnesota</b>					
C Supreme Court	No	No	No <sup>16</sup>	No	No
I Court of Appeals	No	No	No	No	No
<b>Mississippi</b>					
C Supreme Court	Limited	Yes	Limited	No	Yes
I Court of Appeals	No	Yes	Limited	No	Yes
<b>Missouri</b>					
C Supreme Court	No	<sup>17</sup>	<sup>18</sup>	No	If requested
I Court of Appeals	Civil	Civil/criminal	<sup>18</sup>	No	Civil/criminal
<b>Montana</b>					
C Supreme Court	No	No	No	No	No
<b>Nebraska</b>					
C Supreme Court	No	No	No	No	If requested, and criminal <sup>19</sup>
I Court of Appeals	No	Yes	No	No	If requested, and criminal <sup>19</sup>
<b>Nevada</b>					
C Supreme Court	Civil	Yes	Capital Child Custody Criminal - Non life sentence	No	Civil/criminal
<b>New Hampshire</b>					
C Supreme Court	Civil	Yes <sup>20</sup>	Civil	No	Civil/criminal
<b>New Jersey</b>					
C Supreme Court	No	Yes	No	No	No
I Appellate Division of Superior Court	Yes	Yes	Yes	Yes	Yes
<b>New Mexico</b>					
C Supreme Court	No	Yes <sup>21</sup>	Yes <sup>21</sup>	No	Yes <sup>22</sup>
I Court of Appeals	Civil	Civil/criminal	Yes	No	Yes
<b>New York</b>					
C Court of Appeals	No	Civil/criminal	Civil/criminal	No	Civil/criminal
I Appellate Divisions of Supreme Court	Yes	No	Criminal	No	Yes
<b>North Carolina</b>					
C Supreme Court	No	Yes <sup>23</sup>	Yes <sup>23</sup>	No	Civil/criminal <sup>23</sup>
I Court of Appeals	No	Civil/criminal	No	No	Civil/criminal
<b>North Dakota</b>					
C Supreme Court	No	Yes <sup>24</sup>	Yes	No	Yes

**Table 26. Expediting Procedures in Appellate Courts**

Court type: C=court of last resort I=intermediate appellate court	Use of Preargument Settlement Conference	Advance Queue (fast tracking)	Expedited Briefing Procedures	Use of Oral Argument in Lieu of Full Written Briefs	Submission on Briefs Alone
<b>Ohio</b>					
C Supreme Court	No	No	Yes <sup>25</sup>	No	Yes
I Court of Appeals	No	Yes	Civil/criminal	No	Civil/criminal
<b>Oklahoma</b>					
C Supreme Court	Yes	Yes	No	No	Yes
C Court of Criminal Appeals	No	Yes	No	Yes	No
I Court of Appeals	No	Yes	No	No	Yes
<b>Oregon</b>					
C Supreme Court	Yes <sup>26</sup>	No	Civil	Civil	Civil
I Court of Appeals	Yes <sup>26</sup>	No	Limited Civil	No	Yes
<b>Pennsylvania</b>					
C Supreme Court	No	Case-by-case basis	Case-by-case basis	No	Yes
I Superior Court	No	Yes	No	No	Yes
I Commonwealth Court	Yes	Yes	Yes	No	Yes
<b>Puerto Rico</b>					
C Supreme Court	Civil/criminal	Civil/criminal	Civil/criminal	Yes	Civil/criminal
I Court of Appeals	No	Yes	No	Yes	No
<b>Rhode Island</b>					
C Supreme Court	Civil/criminal	Civil/criminal	Civil/criminal	Yes	Civil/criminal
<b>South Carolina</b>					
C Supreme Court	No	No	No	No	Civil/criminal
I Court of Appeals	No	No	No	No	Civil/criminal
<b>South Dakota</b>					
C Supreme Court	No	No	No	No	No
<b>Tennessee<sup>27</sup></b>					
C Supreme Court	No	No	No	No	No
I Court of Appeals	No	No	No	No	No
I Court of Criminal Appeals	No	No	No	No	No
<b>Texas</b>					
C Supreme Court	No	Yes	Yes	No	Civil
C Court of Criminal Appeals	No	No	No	No	Criminal
I Courts of Appeals	Yes <sup>28</sup>	No	No	No	Civil/criminal
<b>Utah</b>					
C Supreme Court	No	No	No	No	Yes
I Court of Appeals	Yes	No	No	No	Yes
<b>Vermont</b>					
C Supreme Court	Yes	Yes	Yes	Yes	Civil/criminal
<b>Virginia</b>					
C Supreme Court	No	No	No	No	No
I Court of Appeals	No	No	No	No	Yes
<b>Washington</b>					
C Supreme Court	No	No	No	No	No
I Court of Appeals	No	Yes <sup>29</sup>	No	No	Yes
<b>West Virginia</b>					
C Supreme Court of Appeals	Yes <sup>30</sup>	Yes <sup>31</sup>	Yes <sup>32</sup>	No	Yes <sup>31</sup>
<b>Wisconsin</b>					
C Supreme Court	No	No	No	No	No
I Court of Appeals	No	Civil <sup>33</sup>	Civil <sup>33</sup>	No	Civil/criminal
<b>Wyoming</b>					
C Supreme Court	No	Yes	Yes	No	Yes
<b>Federal</b>					
C U.S. Supreme Court	No	No	Yes	No	Yes <sup>34</sup>
I U.S. Court of Appeals <sup>35</sup>	Varies	Varies	Varies	Varies	Varies

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## Table 26. Expediting Procedures in Appellate Courts

### FOOTNOTES

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**Arizona:**

<sup>1</sup>The supreme court may permit submission on briefs alone.  
<sup>2</sup>Division One.

**Arkansas:**

<sup>3</sup>By motion only.

**California:**

<sup>4</sup>Juvenile dependency.  
<sup>5</sup>Varies by district.

**Colorado:**

<sup>6</sup>Upon request per rules in right to die cases.

**Connecticut:**

<sup>7</sup>At court's discretion.

**District of Columbia:**

<sup>8</sup>Expedited scheduling may be ordered in individual cases. It may include shortened briefing deadlines and advancing an argument date.

**Florida:**

<sup>9</sup>Settlement conferences are used by the first district.

**Kansas:**

<sup>10</sup>Cases may be assigned to a summary calendar.

**Kentucky:**

<sup>11</sup>In cases in which parties request immediate relief, such is available upon the request.  
<sup>12</sup>Certain categories of appeals are expedited by statute, case law, or court policy. Expedition may consist of shortened briefing deadlines and advance querying.

**Louisiana:**

<sup>13</sup>Upon joint motion of all parties, a case may be submitted without oral argument.

**Michigan:**

<sup>14</sup>The court can curtail briefing schedules, or make other adjustments but do so as a routine matter.  
<sup>15</sup>Experimental.

**Minnesota:**

<sup>16</sup>Child custody and mental commitment.

**Missouri:**

<sup>17</sup>The court uses an advance queue if requested by the parties or on court's own motion.  
<sup>18</sup>The court uses expedited briefing procedures if request is by the parties or on court's own motion.

**Nebraska:**

<sup>19</sup>Where accused entered plea of guilty or no contest or where sole allegation of error is an excessive or excessively lenient sentence.

**New Hampshire:**

<sup>20</sup>Expedited oral argument is scheduled in interlocutory appeals, cases involving the status of a child, domestic violence appeals, and landlord/tenant cases. Others are on a case by case basis.

**New Mexico:**

<sup>21</sup>Only by court order in special circumstances.  
<sup>22</sup>Oral argument in civil and criminal only upon request of party and permission of court.

**North Carolina:**

<sup>23</sup>Occurs very rarely, and at the discretion of the court.

**North Dakota:**

<sup>24</sup>Clerk's office also uses a prescreening process to identify appeals that do not comply with the statutes or rules regarding appeals.

**Ohio:**

<sup>25</sup>Expedited briefing procedures are by order in election cases.

**Oregon:**

<sup>26</sup>Civil workers' compensation/domestic relations cases.

**Tennessee:**

<sup>27</sup>In worker's compensation cases presently fixed in the Western Division, the cases may be mediated. This was to be a pilot project for this division and the court is deciding on whether or not to continue it at the appellate level. When we first began the project in August of 1998, mediation was required unless otherwise ordered by our western Tennessee justice. It may, in the future, become an option inasmuch as the WC cases are mediated at the trial level.

**Texas:**

<sup>28</sup>Some courts.

**Washington:**

<sup>29</sup>By court rule the IAC must accelerate juvenile dependency and termination cases. The court also accelerates cases where the only issue on appeal is a sentence outside the guidelines. These are all initially decided by a commissioner. Also, commissioners decide motion on the merits cases affirming a trial court decision if the appeal is determined to be clearly without merit.

**West Virginia:**

<sup>30</sup>Some worker's compensation cases are settled through the court's mediation program.  
<sup>31</sup>Discretionary with supreme court (case-by-case basis).  
<sup>32</sup>Mandatory in workers' compensation cases; discretionary with supreme court in all other cases.

**Wisconsin:**

<sup>33</sup>Eliminated in criminal (only) as of 1/1/94.

**Federal:**

<sup>34</sup>Oral argument only in cases in which petition for writ of certiorari is granted.  
<sup>35</sup>The expedited procedures vary by circuit and are defined by the local rules of each court.

**Table 27. Special Calendars in Appellate Courts**

Court type (C=Court of Last Resort) (I=Intermediate Court Of Appeals)	Special Calendars	Types of Appeals on Calendars
<b>Alabama</b>		
C Supreme Court	■	Extraordinary Writs
I Court of Civil Appeals		~
I Court of Criminal Appeals		~
<b>Alaska</b>		
C Supreme Court	~	~
I Court of Appeals	~	~
<b>Arizona</b>		
C Supreme Court		~
I Court of Appeals	■	Workers' Compensation Appeals (clustered)
<b>Arkansas</b>		
C Supreme Court		~
I Court of Appeals		~
<b>California</b>		
C Supreme Court		~
I Court of Appeals	■	Juvenile Dependency Appeals (streamlined track)
<b>Colorado</b>		
C Supreme Court		~
I Court of Appeals		~
<b>Connecticut</b>		
C Supreme Court		~
I Appellate Court		~
<b>Delaware</b>		
C Supreme Court		~
<b>District of Columbia</b>		
C Court of Appeals		~
<b>Florida</b>		
C Supreme Court		~
I District Courts of Appeal	■	Original Writs
<b>Georgia</b>		
C Supreme Court		~
I Court of Appeals		~
<b>Hawaii</b>		
C Supreme Court		~
I Intermediate Court of Appeals		~
<b>Idaho</b>		
C Supreme Court	■	Adoption, Parent-Child Termination, Child Custody
I Court of Appeals	■	Parent-Child Termination, Child Custody
<b>Illinois</b>		
C Supreme Court	■	Accelerated docket
I Appellate Court	■	Accelerated docket
<b>Indiana</b>		
C Supreme Court	■	Public Service Commission Appeals, Industrial Board of Indiana Appeals
I Court of Appeals		~
I Tax Court	~	~
<b>Iowa</b>		
C Supreme Court	■	Attorney Discipline, Adoption, Child Placement, Child Custody, Parent-Child Termination, Review of Court of Appeal's Opinions
I Court of Appeals	■	Adoption, Child Placement, Child Custody, Parent-Child Termination
<b>Kansas</b>		
C Supreme Court		~
I Court of Appeals	■	Fast Track Cases

**Table 27. Special Calendars in Appellate Courts**

Court type (C=Court of Last Resort) (I=Intermediate Court Of Appeals)	Special Calendars	Types of Appeals on Calendars
<b>Kentucky</b>		
C Supreme Court		~
I Court of Appeals		~
<b>Louisiana</b>		
C Supreme Court	■	Attorney Discipline, Appeals in which state is a party
I Courts of Appeal	■	Appeals in which state is a party, Post-Conviction Proceedings
<b>Maine</b>		
C Supreme Judicial Court		~
<b>Maryland</b>		
C Court of Appeals		~
I Court of Special Appeals		~
<b>Massachusetts</b>		
C Supreme Judicial Court		~
I Appeals Court		~
<b>Michigan</b>		
C Supreme Court <sup>13</sup>		~
I Court of Appeals	~	Summary Calendar (routine cases without oral argument); Conflict Panels (7 judges decide if 3-judge panel disagrees)
<b>Minnesota</b>		
C Supreme Court		~
I Court of Appeals		~
<b>Mississippi</b>		
C Supreme Court	~	~
I Court of Appeals		
<b>Missouri</b>		
C Supreme Court		~
I Court of Appeals		~
<b>Montana</b>		
C Supreme Court		~
<b>Nebraska</b>		
C Supreme Court		~
I Court of Appeals		~
<b>Nevada</b>		
C Supreme Court	■	Child Custody, Capital Criminal Appeals and Direct Appeals in criminal cases with less than life sentence.
<b>New Hampshire</b>		
C Supreme Court		~
<b>New Jersey</b>		
C Supreme Court <sup>15</sup>		~
I Appellate Division of Superior Court	■	Defined Sentencing Issues Appeals (oral argument calendars, considered without briefs but with transcript and court record)
<b>New Mexico</b>		
C Supreme Court		~
I Court of Appeals	■	(1) Expedited Bench Decisions - oral argument held soon after briefing - decision made from bench (2) Summary calendar (3) Legal calendar
<b>New York</b>		
C Court of Appeals	■	Election Matters (Motions and Appeals Calendar)
I Appellate Division of Superior Court	■	Sentencing Appeals, Election Laws
I Appellate Terms of Superior Court	■	Incarcerated Appellants
<b>North Carolina</b>		
C Supreme Court		~
I Court of Appeals		~

**Table 27. Special Calendars in Appellate Courts**

Court type (C=Court of Last Resort) (I=Intermediate Court Of Appeals)	Special Calendars	Types of Appeals on Calendars
<b>North Dakota</b>		
C Supreme Court		~
<b>Ohio</b>		
C Supreme Court		~
I Court of Appeals	■	Accelerated Calendar (no casetype specific)
<b>Oklahoma</b>		
C Supreme Court		~
C Court of Criminal Appeals		~
I Court of Appeals		~
<b>Oregon</b>		
C Supreme Court		~
I Court of Appeals	■	Land Use Board of Appeal, Termination of Parental Rights
<b>Pennsylvania</b>		
C Supreme Court		~
I Superior Court		~
I Commonwealth Court		~
<b>Puerto Rico</b>		
C Supreme Court		~
I Circuit Court of Appeals		~
<b>Rhode Island</b>		
C Supreme Court		~
<b>South Carolina</b>		
C Supreme Court		~
I Court of Appeals		~
<b>South Dakota</b>		
C Supreme Court		~
<b>Tennessee</b>		
C Supreme Court	■	Workers' Compensation Appeals (by three-judge panel of senior judges)
I Court of Appeals		~
I Court of Criminal Appeals		~
<b>Texas</b>		
C Supreme Court		~
C Court of Criminal Appeals		~
I Courts of Appeal		~
<b>Utah</b>		
C Supreme Court		~
I Court of Appeals		~
<b>Vermont</b>		
C Supreme Court		~
<b>Virginia</b>		
C Supreme Court		~
I Court of Appeals		~
<b>Washington</b>		
C Supreme Court		~
I Court of Appeals		~
<b>West Virginia</b>		
C Supreme Court of Appeals	■	Workers' Compensation
<b>Wisconsin</b>		
C Supreme Court		~
I Court of Appeals		~

**Table 27. Special Calendars in Appellate Courts**

Court type (C=Court of Last Resort) (I=Intermediate Court Of Appeals)	Special Calendars	Types of Appeals on Calendars
<b>Wyoming</b>		
C Supreme Court		~
<b>Federal</b>		
C US Supreme Court		
I US Courts of Appeals		
I US Court of Veterans Appeals		

**Table 28. Limitations on Oral Argument in Appellate Courts**

	Limitations on Oral Arguments in Civil Cases?	Limitations on Oral Arguments in Criminal Cases?	Reasoned Opinions Required in Appellate Court Decisions?
<b>Alabama</b>			
Supreme Court	■	■	
Court of Criminal Appeals	NJ	■	■
Court of Civil Appeals	■	NJ	
<b>Alaska</b>			
Supreme Court	■ <sup>1</sup>	■	■
Court of Appeals	■	■	~
<b>Arizona</b>			
Supreme Court	■	■	■
Court of Appeals	■	■	■
<b>Arkansas</b>			
Supreme Court			
Court of Appeals			
<b>California</b>			
Supreme Court			■
Courts of Appeal	Varies <sup>2</sup>	Varies <sup>2</sup>	■
<b>Colorado</b>			
Supreme Court	■	■	
Court of Appeals	■	■	
<b>Connecticut</b>			
Supreme Court			
Appellate Court	■	■	
<b>Delaware</b>			
Supreme Court	■	■	
<b>District of Columbia</b>			
Court of Appeals	■	■	
<b>Florida</b>			
Supreme Court	■	■	
District Courts of Appeal	■	■	
<b>Georgia</b>			
Supreme Court	■ <sup>3</sup>	■	
Court of Appeals	■	■	
<b>Hawaii</b>			
Supreme Court			
Intermediate Court of Appeals			
<b>Idaho</b>			
Supreme Court	■	■	■
Court of Appeals	■	■	■
<b>Illinois</b>			
Supreme Court	■	■	■
Appellate Court	■	■	■
<b>Indiana</b>			
Supreme Court	■	■	
Court of Appeals	■	■	
Tax Court	~	~	~
<b>Iowa</b>			
Supreme Court	■	■	■ <sup>4</sup>
Court of Appeals	■	■	■ <sup>4</sup>
<b>Kansas</b>			
Supreme Court			
Court of Appeals			
<b>Kentucky</b>			
Supreme Court			
Court of Appeals	■	■	■



**Table 28. Limitations on Oral Argument in Appellate Courts**

	Limitations on Oral Arguments in Civil Cases?	Limitations on Oral Arguments in Criminal Cases?	Reasoned Opinions Required in Appellate Court Decisions?
<b>Louisiana</b>			
Supreme Court	■	■	5
Courts of Appeal	■	■	5
<b>Maine</b>			
Supreme Judicial Court	■	■	
<b>Maryland</b>			
Court of Appeals			■
Court of Special Appeals			■
<b>Massachusetts</b>			
Supreme Judicial Court			■
Appeals Court			■
<b>Michigan</b>			
Supreme Court	■	■ <sup>6</sup>	■
Court of Appeals	■	■	
<b>Minnesota</b>			
Supreme Court	■	■	
Court of Appeals	■	■	■
<b>Mississippi</b>			
Supreme Court			
<b>Missouri</b>			
Supreme Court			
Court of Appeals	■ <sup>7</sup>	■ <sup>7</sup>	
<b>Montana</b>			
Supreme Court	■	■	
<b>Nebraska</b>			
Supreme Court			
Court of Appeals			
<b>Nevada</b>			
Supreme Court	■ <sup>8</sup>	■ <sup>8</sup>	
<b>New Hampshire</b>			
Supreme Court			
<b>New Jersey</b>			
Supreme Court			
Appellate Division of Superior Court	■	■	9
<b>New Mexico</b>			
Supreme Court	■	■	
Court of Appeals	■	■	
<b>New York</b>			
Court of Appeals	■	■	■ <sup>10</sup>
Appellate Divisions of Supreme Court	■	■	■ <sup>10</sup>
Appellate Terms of Supreme Court			■
<b>North Carolina</b>			
Supreme Court	■	■	
Court of Appeals	■	■	
<b>North Dakota</b>			
Supreme Court	■ <sup>11</sup>	■	■
Court of Appeals	■	■	■
<b>Ohio</b>			
Supreme Court			■
Court of Appeals		12	■
<b>Oklahoma</b>			
Supreme Court	■	~	
Court of Criminal Appeals	~	■	
Court of Appeals	■	~	

Legend: NJ=No jurisdiction, ~=Not applicable, ■=Yes

**Table 28. Limitations on Oral Argument in Appellate Courts**

	Limitations on Oral Arguments in Civil Cases?	Limitations on Oral Arguments in Criminal Cases?	Reasoned Opinions Required in Appellate Court Decisions?
<b>Oregon</b>			
Supreme Court			
Court of Appeals	■	■	
<b>Pennsylvania</b>			
Supreme Court		■	
Superior Court		■	
Commonwealth Court	13		
<b>Puerto Rico</b>			
Supreme Court	■	■	
Court of Appeals	■	■	■
<b>Rhode Island</b>			
Supreme Court	■	■	■
<b>South Carolina</b>			
Supreme Court	■	■	
Court of Appeals	■	■	■
<b>South Dakota</b>			
Supreme Court	■	■	
<b>Tennessee</b>			
Supreme Court			■
Court of Appeals			
Court of Criminal Appeals	■	■	
<b>Texas</b>			
Supreme Court	■	~	
Court of Criminal Appeal	~	■	
Courts of Appeals	■	■	■
<b>Utah</b>			
Supreme Court			14
Court of Appeals	15	15	14
<b>Vermont</b>			
Supreme Court	■	■	
<b>Virginia</b>			
Supreme Court			
Court of Appeals			■
<b>Washington</b>			
Supreme Court			■
Court of Appeals <sup>16</sup>			■
<b>West Virginia</b>			
Supreme Court of Appeals			
<b>Wisconsin</b>			
Supreme Court			■
Court of Appeals	■	■	■
<b>Wyoming</b>			
Supreme Court	■	■	■
<b>Federal</b>			
Supreme Court	■	■	
U.S. Courts of Appeal	■	■	

**FOOTNOTES:**

**Alaska:**  
<sup>1</sup>Request must be made within ten days. Rule 213.

**Georgia:**  
<sup>3</sup>Oral arguments are mandatory in death penalty appeals.

**California:**  
<sup>2</sup>Limited to 30 minutes in 5<sup>th</sup> District

**Iowa:**  
<sup>4</sup>Required by court rule

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## Table 28. Limitations on Oral Argument in Appellate Courts

### Louisiana:

<sup>5</sup>No express requirement, but implicit (LSA-C.C.P. Art. 2167).

### Michigan:

<sup>6</sup>Oral argument is held where attorneys have preserved their right to argument; IAC may decide cases without argument per MCR 7.214(E).

### Missouri:

<sup>7</sup>Varies by district.

### Nevada:

<sup>8</sup>The court decides which case will be heard.

### New Jersey:

<sup>9</sup>Court rules require written opinion in sentencing, oral argument appeals, and appeals without merit.

### New York:

<sup>10</sup>A statute requires some statement of reason if the court reverses or modifies without opinion. The court's policy is to give some statement of reason in all cases.

### North Dakota:

<sup>11</sup>There are time limitations, as well as limitations of keeping to the record.

### Ohio:

<sup>12</sup>For prisoner appeals, oral argument is not held unless attorneys request and obtain the court's approval.

### Pennsylvania:

<sup>13</sup>10 minutes for panel, 15 minutes en banc

### Utah:

<sup>14</sup>Rules of appellate procedure require statement of reasons if the court reverses or modifies on appeal.

<sup>15</sup>The court decides which cases will be heard.

### Washington:

<sup>16</sup>Each division of the Court of Appeals determines the length of time for oral argument and whether or not it will hear argument. In some divisions a significant number of cases are decided without oral argument.

**Table 29. Type of Court Hearing Administrative Agency Appeals**

	Medical Malpractice	Worker's Compensation	Public Service	Unemployment Insurance	Public Welfare	Insurance	Tax Review	Other Agencies
Alabama	~	~	G	G	~	G	G	G
Alaska	~	G, then COLR	G, then COLR	G, then COLR	G, then COLR	G, then COLR	G, then COLR	G, then COLR
Arizona	~	G/IAC/COLR	G	IAC	G	G	G	G
Arkansas	~	IAC	IAC	IAC	~	~	~	G
California	G	IAC	IAC/COLR	G	G	G	G	G
Colorado	~	IAC	COLR	IAC	IAC	G	IAC	~
Connecticut	~	IAC	G	G	G	G	G	~
Delaware	G	G	G	G	G	G	G	G
District of Columbia	COLR	COLR	COLR	COLR	COLR	G	G	COLR <sup>1</sup> , G
Florida	<sup>2</sup>	IAC	IAC/COLR	IAC	IAC <sup>3</sup>	IAC	IAC	IAC
Georgia <sup>4</sup>	G <sup>5</sup>	G	G	G	G	G	G	G
Hawaii	COLR	COLR <sup>6</sup>	COLR <sup>6</sup>	G/COLR <sup>6</sup>	G	G	<sup>7</sup>	COLR <sup>6</sup>
Idaho	<sup>8</sup>	COLR	COLR	COLR	G	G	G	G
Illinois	~	IAC	IAC	G	G	G	G	IAC
Indiana	G	IAC	IAC	IAC	~	~	IAC <sup>9</sup>	G
Iowa	~	G	G	G	G	G	G	G
Kansas	G	IAC	G <sup>10</sup>	G	G	G	G/IAC	G/COLR
Kentucky	~	IAC	G	G	G	G	G	G
Louisiana	G	IAC	G/COLR	G	~	G	G	G/IAC
Maine	~	COLR	COLR	G	G	G	G	G
Maryland	G	G	G	G	G	G	G	G
Massachusetts	~	IAC/COLR	G	G	G	G	G	G
Michigan	~	L	L	L	L	L	L	L
Minnesota	~	COLR	IAC	IAC	~	~	COLR	~
Mississippi	G	G	COLR	G	G	G	G	G
Missouri	<sup>11</sup>	G/IAC	G	IAC	G	G	G	G
Montana	G	G	G	~	~	~	G	G
Nebraska	~	IAC	IAC	IAC	IAC	~	IAC	IAC
Nevada	~	G	G	G	G	G	G	G
New Hampshire	~	COLR	COLR	COLR	<sup>12</sup>	COLR	COLR	COLR
New Jersey	~	IAC <sup>13</sup>	IAC <sup>13</sup>	IAC <sup>13</sup>	IAC <sup>13</sup>	IAC <sup>13</sup>	L <sup>13,14</sup>	IAC <sup>13</sup>
New Mexico	~	IAC	COLR	IAC	IAC	IAC	IAC	IAC
New York <sup>15</sup>	~	IAC	IAC	IAC	G	IAC	G/IAC	G/IAC
North Carolina	~	IAC	IAC	G	IAC	IAC	IAC	IAC <sup>16</sup>
North Dakota	~	G	G	G	G	G	G	G
Ohio	~	IAC/COLR	IAC/COLR	G	~	~	IAC/COLR	~
Oklahoma	~	<sup>17</sup>	G or IAC/COLR	G or IAC/COLR	~	G or COLR	IAC/COLR	~
Oregon	~	IAC	IAC	IAC	IAC	IAC	COLR	IAC
Pennsylvania	COLR or IAC	COLR or IAC	COLR or IAC	COLR or IAC	COLR or IAC	COLR or IAC	COLR or IAC	COLR or IAC
Puerto Rico	IAC	IAC	IAC	IAC	IAC	IAC	IAC	IAC
Rhode Island	~	COLR	COLR	L	IAC	G	L	G
South Carolina	~	G	G	G	G	G	G	G
South Dakota	~	G	G	G	G	G	G	G
Tennessee	<sup>18</sup>	G	IAC	G	G	G	G	G
Texas	G	G or L	G	G or L	~	G	G	G
Utah	G	IAC	COLR	IAC	G	G	G/COLR	G/IAC/COLR
Vermont	G	COLR	COLR	COLR	G	G	COLR	COLR
Virginia	G	IAC	G	G	G	COLR	G	G or L
Washington	~	<sup>19</sup>	<sup>19</sup>	<sup>19</sup>	<sup>19</sup>	<sup>19</sup>	<sup>19</sup>	<sup>19</sup>
West Virginia	~	COLR	G	G	~	~	G	G
Wisconsin	<sup>20</sup>	G	G	G	G	G	G	~
Wyoming	<sup>21</sup>	G <sup>22</sup>	G <sup>22</sup>	G <sup>22</sup>	~	G <sup>22</sup>	G <sup>22</sup>	~
Federal <sup>23</sup>	~	~	~	~	~	~	~	~

Legend: COLR=Court of Last Resort, IAC=Intermediate Appellate Court  
G=General Jurisdiction, L=Limited Jurisdiction, ~=Not applicable

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## Table 29. Type of Court Hearing Administrative Agency Appeals

### FOOTNOTES:

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**District of Columbia:**

<sup>1</sup>COLR if agency provided trial-type hearing in a contested case, otherwise it is general jurisdiction.

**Florida:**

<sup>2</sup>Actions concerning medical licensing disciplinary proceedings by the Department of Professional Regulation are appealed to IAC.

<sup>3</sup>Final agency action regarding recovery of overpayments of welfare fraud appeals heard by IAC.

**Georgia:**

<sup>4</sup>If the case is brought by discretionary application such as worker's compensation and unemployment insurance, any one of three judges on the Division may grant the application. On the direct appeal, a dissent of one judge on the panel causes the case to be reviewed by that Division and the next Division in succession and a seventh judge. If the majority of the panel, or a majority of the seven judge court, determines the case should be heard by all ten judges, then the case will be reviewed by all ten judges.

<sup>5</sup>Tried in general jurisdiction court or as an alternative process with appeal in general jurisdiction.

**Hawaii:**

<sup>6</sup>The COLR may transfer a case to the IAC.

<sup>7</sup>Tax Appeal Court (specialized court) presided over by circuit court judge.

**Idaho:**

<sup>8</sup>Cases are initially brought to a medical malpractice hearing panel (conclusions are not binding); case may be filed in the district court (G).

**Indiana:**

<sup>9</sup>Tax court (IAC)

**Kansas:**

<sup>10</sup>Rate cases to IAC

**Missouri:**

<sup>11</sup>No tribunals exist. Declared unconstitutional.

**New Hampshire:**

<sup>12</sup>By petition for writ of certiorari to superior or supreme court (concurrent jurisdiction).

**New Jersey:**

<sup>13</sup>The COLR may, on its own motion certify any action or class of actions for appeal, or the litigant may move for certification of an appeal pending in the appellate division.

<sup>14</sup>Appeals from county boards of taxation are heard by the tax court which is a limited jurisdiction court.

**New York:**

<sup>15</sup>Appeals from final decisions of all administrative agencies go to either the supreme court or the appellate division of supreme court in Article 78 proceedings.

**North Carolina:**

<sup>16</sup>Superior court; some to IAC; COLR hears general rate cases from utilities commission.

**Oklahoma:**

<sup>17</sup>Worker's Compensation Court (L)

**Tennessee:**

<sup>18</sup>Chancery Court of Davidson County (G)

**Washington:**

<sup>19</sup>Most administrative agency rulings are appealed first to the superior court (G) and then to the IAC. Only cases that meet specific statutory criterion are reviewed by the IAC directly from the administrative ruling.

**Wisconsin:**

<sup>20</sup>Cases are taken to the circuit court (G) and are required to go through a medical mediation panel, organized through the AOC.

**Wyoming:**

<sup>21</sup>Medical malpractice tribunals have been eliminated.

<sup>22</sup>District courts may hear appeals or certify directly to COLR.

**Federal:**

<sup>23</sup>Judicial review of decisions by federal administrative agencies is usually defined by specific statutory authority relating to those agencies.

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

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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.

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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.

### Select Bibliography:

- American Bar Association, *Unified Family Courts: A Progress Report*, 1998.
- Charles A. Shanor and L. Lynn Hogue, *Military Law, Second Edition*, St. Paul, Minnesota: West Publishing Company, 1996.
- David A. Schlueter, *Military Criminal Justice: Practice and Procedure, Fourth Edition*, Charlottesville, VA: Michie, 1996.
- Edward F. Sherman, "Military Law," *Encyclopedia of the American Judicial System*, Vol. I, R. Janosik (Ed.). New York: Charles Scribner's, 1987.
- Federal Courts Study Committee, *Report*, Washington D.C: Judicial Conference of the United States, 1990.
- H. Barry Holt and Gary Forrester, *Digest of American Indian Law*, Littleton, CO: Fred B. Rothman, 1990.
- H. Clifton Grandy and Ted Rubin, *Tribal Court--State Court Forums*, Williamsburg, Virginia: National Center for State Courts, 1993.
- Jesse C. Trentadue, "Tribal Court Jurisdiction over Collection Suits by Local Merchants and Lenders," *American Indian Law Review*, 13, No. 1, 1988.
- Mark J. A. Yannone, *National Directory of Courts of Law*, Arlington, VA: Information Resources Press, 1991.
- Myron Moskowitz, *Criminal Law Defenses: 1998 Supplement*, Volume 1 & 2, St. Paul, Minn.: West Publishing, 1998.
- Paul H. Robinson, *Criminal Law Defenses*, Volume 1 and 2, St. Paul, Minnesota: West Publishing, 1984.
- Radio-Television News Directors Association, "Cameras in the Courts," *The News Media and The Law*, Spring, 1993.
- Steven W. Hays and Cole Blease Graham, Jr., *Handbook of Court Administration and Management*, New York: Marcel Dekker, 1993.
- "Symposium on Judicial Administration Research," *The Justice System Journal*, Volume 12, Number 1, 1987.
- William C. Canby, Jr., *American Indian Law in a Nutshell: Second Edition*, St. Paul, MN: West Publishing, 1993.
- William E. Hewitt, Geoff Gallas, and Barry Mahoney, *Courts That Succeed: Six Profiles of Successful Courts*, Williamsburg, VA: National Center for State Courts, 1990.
- Table 33:**  
U.S. Department of Justice, *Drug Court Activity Summary Information*, May 1988  
<http://www.ojp.usdoj.gov/dcpo/dcasumin.htm>
- Table 34:**  
Contents derived from Barbara A. Babb, *Fashioning an Interdisciplinary Framework for Court Reform in Family Law: A Blueprint to Construct a Unified Family Court*, Southern California Law Review, Volume 71, Number 3, University of Southern California: March 1998.
- 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).
- Department of the Interior, Bureau of Indian Affairs, *Indian Entities Recognized as Eligible to Receive Services for the United States Bureau of Indian Affairs*, <http://www.doi.gov/bia/tribes/telist97.html>, July 1998.

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National American Indian Court Judges Association,  
*Tribal Court Database*, May 28, 1998.

National Indian Court Justices Association, *Indian Court  
Judges Directory: Third Edition*, Washington D.C.,  
1991.



**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
<b>Alabama</b>						
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 <sup>1</sup>	~	~	~	~	~
Probate Court	None	~	~	~	~	~
<b>Alaska</b>						
Superior Court	Presiding Judge	Multiple counties/cities	No	Yes	Yes	Yes
District Court	Presiding Judge	Multiple counties/cities	No	Yes	Yes	Yes
<b>Arizona</b>						
Superior Court	Presiding Judge	All of a county/city	No	Yes	Yes	Yes
Justice of the Peace Court	None <sup>2</sup>	~	~	~	~	~
Municipal Court	Presiding Judge <sup>3</sup>	All of a county/city <sup>4</sup>	Yes <sup>5</sup>	Yes	Yes	Yes
Tax Court <sup>6</sup>	None	~	~	~	~	~
<b>Arkansas</b>						
Chancery and Probate Court	None	~	~	~	~	~
Circuit Court	None	~	~	~	~	~
City Court	None	~	~	~	~	~
Justice of the Peace Court <sup>7</sup>	None	~	~	~	~	~
County Court <sup>8</sup>	None	~	~	~	~	~
Court of Common Pleas	None	~	~	~	~	~
Municipal Court	None	~	~	~	~	~
Police Court	None	~	~	~	~	~
<b>California</b>						
Superior Court	Presiding Judge	All of a county/city	No	N/S <sup>9</sup>	Yes	Yes
Municipal Court	Presiding Judge	Varies within the state <sup>10</sup>	No	N/S <sup>9</sup>	Yes	Yes
<b>Colorado</b>						
District Court	Chief Judge	Varies within the state	No	Yes	Yes	Yes
Denver Probate Court	Presiding Judge <sup>11</sup>	All of a county/city	No	Yes	No	No
Water Court <sup>12</sup>	Chief Judge	Varies within the state	No	Yes	Yes	Yes
Denver Juvenile Court	Chief Judge of District Court <sup>13</sup>	All of a county/city	No	Yes	Yes	Yes
County Court <sup>14</sup>	None <sup>15</sup>	~	~	~	~	~
Municipal Court	None	~	~	~	~	~
<b>Connecticut</b>						
Superior Court	Administrative Judge	Varies within the state	Yes	Yes	No	Yes
Probate Court	None	~	~	~	~	~
<b>Delaware</b>						
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
<b>District of Columbia</b>						
Superior Court	Chief Judge	All of a county/city	Yes	Yes	Yes	Yes
<b>Florida</b>						
Circuit Court	Chief Judge	Varies within the state	No	Yes	Yes	Yes
County Court	Chief Judge <sup>17</sup>	Varies within the state	No	Yes	Yes	Yes
<b>Georgia</b>						
Superior Court	District Administrative Judge	Multiple counties/cities	Yes <sup>18</sup>	Yes	No	No
Civil Court	Chief Judge <sup>19</sup>	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 <sup>20</sup>	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 <sup>21</sup>	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
<b>Alabama</b>							
Circuit Court	Yes	No	Yes	Yes	Yes	Yes	Yes
District Court	No	Yes	No	No	Yes	No	No
Municipal Court	~	~	~	~	~	~	~
Probate Court	~	~	~	~	~	~	~
<b>Alaska</b>							
Superior Court	Yes	Yes	Yes	Yes	Yes	Yes	No
District Court	Yes	Yes	Yes	Yes	Yes	Yes	No
<b>Arizona</b>							
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 <sup>6</sup>	~	~	~	~	~	~	~
<b>Arkansas</b>							
Chancery and Probate Court	~	~	~	~	~	~	~
Circuit Court	~	~	~	~	~	~	~
City Court	~	~	~	~	~	~	~
Justice of the Peace Court <sup>7</sup>	~	~	~	~	~	~	~
County Court <sup>8</sup>	~	~	~	~	~	~	~
Court of Common Pleas	~	~	~	~	~	~	~
Municipal Court	~	~	~	~	~	~	~
Police Court	~	~	~	~	~	~	~
<b>California</b>							
Superior Court	Yes	No	Yes	Yes	Yes	Yes	Yes
Municipal Court	Yes	No	Yes	Yes	Yes	Yes	Yes
<b>Colorado</b>							
District Court	Yes	Yes	Yes	Yes	Yes	No	Yes
Denver Probate Court	Yes	Yes	Yes	No	Yes	No	Yes
Water Court <sup>12</sup>	Yes	Yes	Yes	Yes	Yes	No	Yes
Denver Juvenile Court	Yes	Yes	Yes	Yes	Yes	No	Yes
County Court <sup>14</sup>	~	~	~	~	~	~	~
Municipal Court	~	~	~	~	~	~	~
<b>Connecticut</b>							
Superior Court	Yes	No	No	No	Yes	No	No
Probate Court	~	~	~	~	~	~	~
<b>Delaware</b>							
Court of Chancery	~	~	~	~	~	~	~
Superior Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Alderman's Court	~	~	~	~	~	~	~
Court of Common Pleas	Yes <sup>16</sup>	N/S	Yes	Yes	Yes	Yes	Yes
Family Court	~	~	~	~	~	~	~
Justice of the Peace Court	~	~	Yes	Yes	Yes	Yes	Yes
<b>District of Columbia</b>							
Superior Court	Yes	Yes	Yes	Yes	Yes	No	No
<b>Florida</b>							
Circuit Court	Yes	Yes	Yes	Yes	Yes	Yes	N/S
County Court	Yes	Yes	Yes	Yes	Yes	Yes	N/S
<b>Georgia</b>							
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
<b>Hawaii</b>						
Circuit Court	Administrative Judge <sup>22</sup>	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
<b>Idaho</b>						
District Court	Administrative Judge	Multiple counties/cities	Yes	Yes	Yes	Yes
<b>Illinois</b>						
Circuit Court	Chief Judge	Varies within the state	No	Yes	Yes	Yes
<b>Indiana</b>						
Superior Court <sup>23</sup>	Presiding Judge	All of a county/city	No	Yes	No	Yes
Circuit Court <sup>23</sup>	Presiding Judge	All of a county/city	No	Yes	No	Yes
City Court	None	~	~	~	~	~
County Court <sup>23</sup>	Presiding Judge	All of a county/city	No	Yes	No	Yes
Probate Court <sup>23</sup>	Presiding Judge	All of a county/city	No	Yes	No	Yes
Town Court	None	~	~	~	~	~
Small Claims Court of Marion	None	~	~	~	~	~
<b>Iowa</b>						
District Court	Chief Judge	Multiple counties/cities	Yes	Yes	Yes	Yes
<b>Kansas</b>						
District Court	Presiding Judge	Multiple counties/cities	Yes	Yes	Yes	Yes
Municipal Court	Administrative Judge	All of a county/city	Yes	Yes	Yes	Yes
<b>Kentucky</b>						
Circuit Court	Chief Judge	Varies within the state	Yes	No	No	No
District Court	Chief Judge	Varies within the state	Yes	Yes	No	No
<b>Louisiana</b>						
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	~	~	~	~	~
<b>Maine</b>						
Superior Court	Chief Justice <sup>24</sup>	Multiple counties/cities	Yes	Yes	Yes	Yes
Administrative Court	Judge of the Admin. Court <sup>25</sup>	Multiple counties/cities	Yes	Yes	No	No
District Court	Chief Judge <sup>26</sup>	Multiple counties/cities	Yes	Yes	Yes	Yes
Probate Court	None	~	~	~	~	~
<b>Maryland</b>						
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 <sup>27</sup>	Chief Judge	All of a county/city	N/S	No	N/S	No
<b>Massachusetts</b>						
Superior Court	Regional Administrative Judge <sup>28</sup>	Varies within the state	No	~	Yes	Yes
District Court	None <sup>29</sup>	Varies within the state	No	Yes	Yes	Yes
Boston Municipal Court	None <sup>29</sup>	~	~	~	~	~
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 <sup>30</sup>	None	~	~	~	~	~
Probate & Family Court	First or Presiding Justice	All of a county/city	No	Yes	Yes	Yes
<b>Michigan</b>						
Circuit Court	Chief Judge	Multiple counties/cities <sup>31</sup>	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 <sup>32</sup>	No	Yes	Yes	Yes
Municipal Court	Chief Judge <sup>33</sup>	All of a county/city	No	Yes	Yes <sup>34</sup>	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
<b>Hawaii</b>							
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
<b>Idaho</b>							
District Court	Yes	No	Yes	Yes	Yes	Yes	Yes
<b>Illinois</b>							
Circuit Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
<b>Indiana</b>							
Superior Court <sup>23</sup>	~	Yes	Yes	Yes	Yes	Yes	Yes
Circuit Court <sup>23</sup>	N/S	Yes	Yes	Yes	Yes	Yes	Yes
City Court	~	~	~	~	~	~	~
County Court <sup>23</sup>	N/S	Yes	Yes	Yes	Yes	Yes	Yes
Probate Court <sup>23</sup>	N/S	Yes	Yes	Yes	Yes	Yes	Yes
Town Court	~	~	~	~	~	~	~
Small Claims Court of Marion	~	~	~	~	~	~	~
<b>Iowa</b>							
District Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
<b>Kansas</b>							
District Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Municipal Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
<b>Kentucky</b>							
Circuit Court	Yes	No	No	Yes	Yes	Yes	Yes
District Court	Yes	Yes	No	Yes	Yes	Yes	Yes
<b>Louisiana</b>							
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	~	~	~	~	~	~	~
<b>Maine</b>							
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	~	~	~	~	~	~	~
<b>Maryland</b>							
Circuit Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
District Court	Yes	Yes	No	No	Yes	Yes	Yes
Orphan's Court <sup>27</sup>	N/S	No	Yes	No	Yes	N/S	N/S
<b>Massachusetts</b>							
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 <sup>30</sup>	~	~	~	~	~	~	~
Probate & Family Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
<b>Michigan</b>							
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
<b>Minnesota</b>						
District Court	Chief Judge	Varies within the state	Yes	Yes	No	Yes
<b>Mississippi</b>						
Chancery Court	None	~	~	~	~	~
Circuit Court	None	~	~	~	~	~
County Court	None	~	~	~	~	~
Family Court	None	~	~	~	~	~
Justice Court	None	~	~	~	~	~
Municipal Court	None	~	~	~	~	~
<b>Missouri</b>						
Circuit Court	Presiding Judge	Varies within the state	No	Yes	Yes	Yes
Municipal Court	Presiding Judge	Varies within the state	No	Yes	No	No
<b>Montana</b>						
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	~	~	~	~	~
<b>Nebraska</b>						
District Court	None	~	~	~	~	~
County Court	None	~	~	~	~	~
Separate Juvenile Court	None	~	~	~	~	~
Workers' Compensation Court	Presiding Judge <sup>35</sup>	Multiple counties/cities	No	Yes	Yes	No
<b>Nevada</b>						
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 <sup>38</sup>	Varies within the state	No	Yes	Yes	Yes
<b>New Hampshire</b>						
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 <sup>39</sup>	None	~	~	~	~	~
Probate Court	None	~	~	~	~	~
<b>New Jersey</b>						
Superior Court	Assignment Judge	Varies within the state <sup>40</sup>	Yes	Yes	Yes	Yes
Municipal Court	Chief Judge <sup>42</sup>	All of a county/city	No <sup>43</sup>	Yes <sup>44</sup>	Yes <sup>45</sup>	No
Tax Court	Presiding Judge	Multiple counties/cities	No	Yes	Yes	No
<b>New Mexico</b>						
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
<b>New York</b>						
Supreme Court	Administrative Judge	Varies within the state <sup>51</sup>	Yes	Yes	Yes <sup>52</sup>	Yes <sup>53</sup>
District Court	Supervising Judge	Varies within the state	No	Yes	Yes	Yes
Court of Claims	Presiding Judge	Multiple counties/cities	Yes	Yes	Yes <sup>55</sup>	Yes <sup>56</sup>
County Court	Supervising Judge <sup>58</sup>	All of a county/city	No	Yes	Yes <sup>59</sup>	Yes
City Court	Supervising Judge <sup>61</sup>	Part of a county/city	Yes	Yes	Yes <sup>62</sup>	Yes
Family Court	Supervising Judge <sup>64</sup>	All of a county/city <sup>65</sup>	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 <sup>66</sup>	All of a county/city	Yes	Yes	Yes <sup>67</sup>	Yes <sup>68</sup>
Criminal Court of the City of NY	Administrative Judge <sup>70</sup>	All of a county/city	Yes	Yes	Yes <sup>71</sup>	Yes <sup>72</sup>
<b>North Carolina</b>						
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
<b>Minnesota</b>							
District Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
<b>Mississippi</b>							
Chancery Court	~	~	~	~	~	~	~
Circuit Court	~	~	~	~	~	~	~
County Court	~	~	~	~	~	~	~
Family Court	~	~	~	~	~	~	~
Justice Court	~	~	~	~	~	~	~
Municipal Court	~	~	~	~	~	~	~
<b>Missouri</b>							
Circuit Court	Yes	No	Yes	Yes	Yes	Yes	Yes
Municipal Court	No	No	No	Yes	No	No	No
<b>Montana</b>							
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	~	~	~	~	~	~	~
<b>Nebraska</b>							
District Court	~	~	~	~	~	~	~
County Court	~	~	~	~	~	~	~
Separate Juvenile Court	~	~	~	~	~	~	~
Workers' Compensation Court	Yes <sup>36</sup>	No	Yes	Yes <sup>37</sup>	Yes	Yes	Yes
<b>Nevada</b>							
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
<b>New Hampshire</b>							
Superior Court	No	No	No	No	Yes	No	Yes
District Court	No	Yes	No	No	Yes	No	Yes
Municipal Court <sup>39</sup>	~	~	~	~	~	~	~
Probate Court	~	~	~	~	~	~	~
<b>New Jersey</b>							
Superior Court	Yes	Yes <sup>41</sup>	Yes	Yes	Yes	Yes	Yes
Municipal Court	Yes <sup>46</sup>	No	Yes <sup>47</sup>	Yes <sup>48</sup>	No <sup>49</sup>	Yes	Yes <sup>50</sup>
Tax Court	Yes	No	Yes	Yes	Yes	Yes	Yes
<b>New Mexico</b>							
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
<b>New York</b>							
Supreme Court	Yes	Yes	Yes	Yes	Yes	Yes <sup>54</sup>	Yes
District Court	Yes	Yes	No	Yes	Yes	Yes	Yes
Court of Claims	Yes	Yes	Yes	Yes	Yes	Yes <sup>57</sup>	Yes
County Court	Yes	Yes	No	Yes	Yes	Yes <sup>60</sup>	Yes
City Court	Yes	Yes	No	Yes	Yes	Yes <sup>63</sup>	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 <sup>69</sup>	Yes
Criminal Court of the City of NY	Yes	Yes	Yes	Yes	Yes	Yes <sup>73</sup>	Yes
<b>North Carolina</b>							
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
<b>North Dakota</b>						
District Court	Presiding Judge	Varies within the state	Yes	Yes	Yes	Yes
Municipal Court	None	~	~	~	~	~
<b>Ohio</b>						
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
<b>Oklahoma</b>						
District Court	Presiding Judge	Multiple counties/cities	No	No	Yes	No
Court of Tax Review <sup>74</sup>	None	~	~	~	~	~
Municipal Court Not of Record	None	~	~	~	~	~
Municipal Court of Record	Presiding Judge	All of a county/city	Yes	No	Yes	Yes
<b>Oregon</b>						
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	~	~	~	~	~
<b>Pennsylvania</b>						
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 <sup>75</sup>	Part of a county/city	Yes	Yes <sup>76</sup>	Yes <sup>76</sup>	Yes <sup>76</sup>
Philadelphia Traffic Court	President Judge	Part of a county/city	Yes	Yes <sup>76</sup>	Yes <sup>76</sup>	Yes <sup>76</sup>
Pittsburgh City Magistrate Court	Chief Magistrate	Part of a county/city	N/S	N/S	N/S	N/S
<b>Puerto Rico</b>						
Court of First Instance:						
Superior Division	Presiding Judge	All of a county/city <sup>78</sup>	Yes	Yes	Yes	Yes
District Subsection	Auxiliary Presiding Judge	All of a county/city	No	Yes	No	No
Municipal Division	None	~	~	~	~	~
<b>Rhode Island</b>						
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 <sup>80</sup>	None	~	~	~	~	~
<b>South Carolina</b>						
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 <sup>81</sup>	~	~	~	~	~
<b>South Dakota</b>						
Circuit Court	Presiding Circuit Judge	Multiple counties/cities	Yes	Yes	Yes	Yes
<b>Tennessee</b>						
Circuit Court	Presiding Judge	Varies within the state <sup>82</sup>	No	No	Yes	Yes
Criminal Court	Presiding Judge	Varies within the state <sup>82</sup>	No	No	Yes	Yes
General Sessions Court	None	~	~	~	~	~
Chancery Court	Presiding Judge	All of a county/city	No	Yes <sup>83</sup>	Yes	Yes
Juvenile Court	None	~	~	~	~	~
Municipal Court	None	~	~	~	~	~
Probate Court <sup>86</sup>	Presiding Judge <sup>87</sup>	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
<b>North Dakota</b>							
District Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Municipal Court	~	~	~	~	~	~	~
<b>Ohio</b>							
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
<b>Oklahoma</b>							
District Court	Yes	No	Yes	Yes	No	Yes	No
Court of Tax Review <sup>74</sup>	~	~	~	~	~	~	~
Municipal Court Not of Record	~	~	~	~	~	~	~
Municipal Court of Record	No	No	No	No	No	No	No
<b>Oregon</b>							
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	~	~	~	~	~	~	~
<b>Pennsylvania</b>							
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 <sup>76</sup>	Yes <sup>76</sup>	Yes <sup>76</sup>	Yes <sup>77</sup>	Yes <sup>76</sup>	Yes <sup>76</sup>	Yes <sup>76</sup>
Philadelphia Traffic Court	Yes <sup>76</sup>	Yes <sup>76</sup>	Yes <sup>76</sup>	Yes <sup>77</sup>	Yes <sup>76</sup>	Yes <sup>76</sup>	Yes <sup>76</sup>
Pittsburgh City Magistrate Court	N/S	N/S	N/S	N/S	N/S	N/S	N/S
<b>Puerto Rico</b>							
Court of First Instance:							
Superior Division	Yes	Yes	Yes	Yes	Yes	Yes	Yes
District Subsection	Yes	No	No	No	Yes	No	Yes
Municipal Division	~	~	~	~	~	~	~
<b>Rhode Island</b>							
Superior Court	~	Yes	Yes <sup>79</sup>	Yes	Yes	No	Yes
Workers' Compensation Court	~	Yes	Yes <sup>79</sup>	Yes	Yes	No	Yes
District Court	~	Yes	Yes <sup>79</sup>	Yes	Yes	No	Yes
Family Court	~	Yes	Yes <sup>79</sup>	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 <sup>80</sup>	~	~	~	~	~	~	~
<b>South Carolina</b>							
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	~	~	~	~	~	~	~
<b>South Dakota</b>							
Circuit Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
<b>Tennessee</b>							
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 <sup>84</sup>	Yes	Yes <sup>85</sup>	Yes	Yes
Juvenile Court	~	~	~	~	~	~	~
Municipal Court	~	~	~	~	~	~	~
Probate Court <sup>86</sup>	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
<b>Texas</b>						
District Court	Local Admin. District Judge	All of a county/city	No	Yes	Yes	No
Constitutional County Court	None	~	~	~	~	~
Probate Court	Presiding Judge <sup>88</sup>	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 <sup>89</sup>	No	Yes	Yes	No
Municipal Court	Presiding Municipal Judge <sup>90</sup>	All of a county/city	~	~	~	~
<b>Utah</b>						
District Court	Presiding Judge	Multiple counties/cities	Yes <sup>91</sup>	No	Yes <sup>92</sup>	Yes
Justice Court	None	~	~	~	~	~
Juvenile Court	Presiding Judge	Multiple counties/cities	Yes <sup>91</sup>	No	Yes <sup>92</sup>	Yes
<b>Vermont</b>						
District Court	Administrative Judge <sup>94</sup>	Multiple counties/cities	Yes	No	Yes	Yes
Superior Court	Presiding Judge <sup>95</sup>	All of a county/city	No	No	Yes	Yes
Family Court	Presiding Judge	Multiple counties/cities <sup>96</sup>	Yes	No	Yes	Yes
Probate Court	Probate Judge	Varies within the state	No	Yes	No	No
Environmental Court	Environmental Judge <sup>97</sup>	Multiple counties/cities <sup>96</sup>	No	No	No	No
Judicial Bureau Court	Judicial Bureau Hearing Officer <sup>98</sup>	Multiple counties/cities	No	No	No	No
<b>Virginia</b>						
Circuit Court	Chief Judge	Multiple counties/cities	No	No	Yes	Yes
District Court	Chief Judge	Multiple counties/cities	No	Yes	Yes <sup>99</sup>	Yes <sup>99</sup>
<b>Washington</b>						
Superior Court	Varies <sup>100</sup>	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
<b>West Virginia</b>						
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	~	~	~	~	~
<b>Wisconsin</b>						
Circuit Court	Chief Judge	Multiple counties/cities	No	No <sup>101</sup>	Yes	Yes
Municipal Court	None	~	~	~	~	~
<b>Wyoming</b>						
District Court	None	~	~	~	~	~
County Court	None	~	~	~	~	~
Justice of the Peace Court	None	~	~	~	~	~
Municipal Court	None	~	~	~	~	~

**FOOTNOTES:**

**Alabama:**

<sup>1</sup>Municipal 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:**

<sup>2</sup>Each Justice Court precinct has one, elected Justice of the Peace.

<sup>3</sup>Not all have.

<sup>4</sup>Single municipality.

<sup>5</sup>Varies.

<sup>6</sup>This is not a separate court. It is a department of the Superior Court.

**Arkansas:**

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

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

**California:**

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

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

**Colorado:**

<sup>11</sup>The Denver Probate Court consists of only one judge and one magistrate.

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

<sup>13</sup>The Denver Juvenile Court is under the authority of the Chief Judge of the Denver District Court.

<sup>14</sup>The Denver County Court is not funded by the state.

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

**Delaware:**

<sup>16</sup>Advisory 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
<b>Texas</b>							
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	~	~	~	~	~	~	~
<b>Utah</b>							
District Court	Yes	Yes	No	Yes	Yes <sup>93</sup>	No	Yes
Justice Court	~	~	~	~	~	~	~
Juvenile Court	Yes	Yes	No	Yes	Yes	No	Yes
<b>Vermont</b>							
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
<b>Virginia</b>							
Circuit Court	Yes	Yes	No	Yes	Yes	Yes	Yes
District Court	Yes <sup>99</sup>	No	No	Yes	Yes	Yes <sup>99</sup>	Yes <sup>99</sup>
<b>Washington</b>							
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
<b>West Virginia</b>							
Circuit Court	Yes	Yes	No	Yes	Yes	No	No
Magistrate Court	No	No	No	No	Yes	No	No
Municipal Court	~	~	~	~	~	~	~
<b>Wisconsin</b>							
Circuit Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Municipal Court	~	~	~	~	~	~	~
<b>Wyoming</b>							
District Court	~	~	~	~	~	~	~
County Court	~	~	~	~	~	~	~
Justice of the Peace Court	~	~	~	~	~	~	~
Municipal Court	~	~	~	~	~	~	~

**Florida:**

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

**Georgia:**

<sup>18</sup>Sometimes Chief Circuit Judge does.

<sup>19</sup>One of two courts has a Chief Judge.

<sup>20</sup>Only in Atlanta Municipal Court—incorporated Municipality limits.

<sup>21</sup>Sometimes.

**Hawaii:**

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

**Indiana:**

<sup>23</sup>The 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:**

<sup>24</sup>There is a Chief Justice of the Superior Court with statewide responsibility.

<sup>25</sup>Statewide position.

<sup>26</sup>A Chief Judge of the District Court has statewide responsibility.

**Maryland:**

<sup>27</sup>Different information reported from three different Orphan's Courts.

**Massachusetts:**

<sup>28</sup>Five Regional Administrative Justices; sixty-nine First or Presiding Justices.

<sup>29</sup>This 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.

<sup>30</sup>The 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:

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

### Nebraska:

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

### Nevada:

- <sup>38</sup>There 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:

- <sup>39</sup>Only one remains, part-time.

### New Jersey:

- <sup>40</sup>There are four multi-county vicinages and eleven single-county vicinages.  
<sup>41</sup>For juvenile referees and domestic violence hearing officers.  
<sup>42</sup>Municipal Courts with more than one judge may have one judge designated as the "Chief Judge."  
<sup>43</sup>Chief Municipal Court Judges are compensated by the municipality at a rate agreed to by the municipality and the judge.  
<sup>44</sup>Municipal 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.  
<sup>45</sup>Chief 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.  
<sup>46</sup>PJMC's are only involved in cross-assigning of Municipal Court judges at the direction of the Vicinage Assignment Judge.  
<sup>47</sup>Municipal 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.  
<sup>48</sup>PJMC'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.  
<sup>49</sup>Given 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.  
<sup>50</sup>The 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:

- <sup>51</sup>Generally, 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.

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

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

<sup>54</sup>Done by both the courts and centrally by the AOC.

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

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

<sup>57</sup>Done by both the courts and centrally by the AOC.

<sup>58</sup>In 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.

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

<sup>60</sup>Done by both the courts and centrally by the AOC.

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

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

<sup>63</sup>Done by both the courts and centrally by the AOC.

<sup>64</sup>Outside 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.

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

<sup>66</sup>In 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).

<sup>67</sup>The 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.

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

<sup>69</sup>Done by both the courts and centrally by the AOC.

<sup>70</sup>In 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.

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

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

<sup>73</sup>Done by both the courts and centrally by the AOC.

### Oklahoma:

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

### Pennsylvania:

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

<sup>76</sup>Administrative Judge.

<sup>77</sup>Both.

### Puerto Rico:

<sup>78</sup>Judicial region.

### Rhode Island:

<sup>79</sup>Limited.

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

### South Carolina:

<sup>81</sup>Each county has one probate judge.

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## Table 30. Authority of Administrative Judges

### Tennessee:

<sup>82</sup>Only nine single-county districts.

<sup>83</sup>Unknown—there is no statute, but they may operate as such.

<sup>84</sup>Unknown, but may operate as such.

<sup>85</sup>No authority but probably operate as such.

<sup>86</sup>There are two "Probate Courts" in the state. The rest of probate is handled by limited/trial courts.

<sup>87</sup>Not as to the specific, separate two probate courts.

### Texas:

<sup>88</sup>The 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.

<sup>89</sup>Serves as local administrative judge for all statutory county courts in the county.

<sup>90</sup>For 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:

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

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

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

### Vermont:

<sup>94</sup>The 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.

<sup>95</sup>Each 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.

<sup>96</sup>The entire state.

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

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

### Virginia:

<sup>99</sup>Varies.

### Washington:

<sup>100</sup>Varies from court to court.

### Wisconsin:

<sup>101</sup>The 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
<b>Alabama</b>					
G Circuit Court	Partisan election	~	68	6 yrs	100% state <sup>2</sup>
L District Court	~ <sup>1</sup>	~	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
<b>Alaska</b>					
G Superior Court	3	~	13	4	100% state
L District Court	3	~	20	4	100% state
<b>Arizona</b>					
G Superior Court	Partisan election	~	15	4 yrs	100% local
L Justice of the Peace Court	Appointed	Judge	84 <sup>5</sup>	Varies	100% local
L Municipal Court	Appointed	Varies	85 <sup>5</sup>	Varies	100% local
<b>Arkansas</b>					
G Circuit Court	Partisan election	~	75	2 yrs	100% local
G Chancery/Probate Court	Partisan election	~	1 <sup>6</sup>	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					
<b>California</b>					
G Superior Court	Appointed	Judges	58 <sup>7</sup>	At pleasure	100% state
L Municipal	Appointed	Judges	17 <sup>7</sup>	At pleasure	100% state
<b>Colorado</b>					
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
<b>Connecticut</b>					
G Superior Court	Appointed	Superior court judges	55 <sup>8</sup>	1 yr	100% state
L Probate Court	Appointed	Probate court judges	133	At pleasure	100% local <sup>9</sup>
<b>Delaware</b>					
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
<b>District of Columbia</b>					
G Superior Court	Appointed	Executive officer subject to approval by chief judge	1	At pleasure	100% Federal
<b>Florida</b>					
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
<b>Georgia</b>						
G	Superior Court	Partisan election	~	159	4 yrs	100% local
L	Juvenile Court	Appointed	~	36 <sup>10</sup>	At pleasure	100% local
L	Civil Court	Varies	~	2	Varies	100% local
L	State Court	Appointed <sup>11</sup>	~	7 <sup>11</sup>	At pleasure	100% local
L	Probate Court	Appointed	Court	103 <sup>12</sup>	At pleasure	100% local
L	Magistrate Court	Appointed	Chief magistrate	65 <sup>13</sup>	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
<b>Hawaii</b>						
G	Circuit and Family Court	Appointed <sup>14</sup>	~	4 <sup>15</sup>	Civil Service tenure	100% state
L	District Court	Appointed <sup>14</sup>	~	4	Civil Service tenure	100% state
<b>Idaho</b>						
G	District Court	Partisan election	~	44	4 yrs	100% local
<b>Illinois</b>						
G	Circuit Court	Partisan election	~	102	4 yrs	State/local
<b>Indiana</b>						
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
<b>Iowa</b>						
G	District Court	Appointed	District judges	99	At pleasure	100% state
<b>Kansas</b>						
G	District Court	Appointed	Administrative Judge	105	At pleasure	100% state
L	Municipal Court	Appointed	Judges	~	At pleasure	100% local
<b>Kentucky</b>						
G	Circuit Court	Partisan election	~	120	6 yrs	100% state
L	District Court	(same as circuit clerk)	~	~	~	~
<b>Louisiana</b>						
G	District Court	Nonpartisan election	~	65	4 yrs	100% local
G	Juvenile and Family	Varies	Varies <sup>16</sup>	2	~	100% local
L	Justice of the Peace Court	~	~	~	~	~
L	Mayor's Court	~	~	~	~	~
L	City and Parish Courts	Appointed (generally)	Court <sup>17</sup>	49	At pleasure	100% local
<b>Maine</b>						
G	Superior Court	Appointed	Chief justice of superior court	15	<sup>18</sup>	100% state
L	District Court	Appointed	Chief judge of district court	33	<sup>18</sup>	100% state
L	Probate Court	Partisan election	~	16	4 yrs	100% local
L	Administrative Court	Appointed	Administrative Court Judge	1	<sup>18</sup>	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
<b>Maryland</b>					
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
<b>Massachusetts</b>					
G Superior Court	Partisan election	~	15	6 yrs	100% state
L District Court	Appointed	Governor <sup>19</sup>	68	No mandatory retirement	100% state
L Boston Municipal Court	Appointed	Governor <sup>19</sup>	2	No mandatory retirement	100% state
L Juvenile Court	Appointed	Governor <sup>19</sup>	11	No mandatory retirement	100% state
L Housing Court	Appointed	Governor <sup>19</sup>	5	No mandatory retirement	100% state
L Probate & Family Court	Partisan election	~	14	6 yrs	100% state
L Land Court	Appointed	Governor <sup>19</sup>	1	No mandatory retirement	100% state
<b>Michigan</b>					
G Circuit Court	Partisan election	~	83 <sup>20</sup>	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
<b>Minnesota</b>					
G District Court	Appointed	District Court judges	85 <sup>21</sup>	At pleasure	100% local <sup>22</sup>
<b>Mississippi</b>					
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
<b>Missouri</b>					
G Circuit Court <sup>23</sup>	Partisan election	~	114	4 yrs	100% state
L Municipal Court	Appointed	Judge and/or city administrator	N/S	At pleasure	100% local
<b>Montana</b>					
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	~	~	~	~	~
<b>Nebraska</b>					
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
<b>Nevada</b>					
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
<b>New Hampshire</b>					
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
<b>New Jersey</b>					
G Superior Court	Appointed	Supreme Court	1 <sup>24</sup>	At pleasure	100% state
L Tax Court	Appointed	Supreme court	1	At pleasure	100% state
L Municipal Court	Appointed	Municipal governing body <sup>25</sup>	537	<sup>26</sup>	100% local
<b>New Mexico</b>					
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
<b>New York</b>					
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
<b>North Carolina</b>					
G Superior Court	Partisan election	~	100	4 yrs	100% state
L District Court	<sup>27</sup>	~	<sup>27</sup>	4 yrs	100% state
<b>North Dakota</b>					
G District Court	Nonpartisan election	~	53	4 yrs	100% local
L Municipal Court	Appointed	Municipal Court Judge	N/S	At pleasure	100% local
<b>Ohio</b>					
G Court of Common Pleas	Partisan election	~	88	4 yrs	100% local <sup>28</sup>
L Municipal Court	Appointed <sup>29</sup>	Court	118	At pleasure <sup>29</sup>	100% local
L County Court	<sup>30</sup>	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	<sup>31</sup>	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
<b>Oklahoma</b>					
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
<b>Oregon</b>					
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	~	~	~	~	~
<b>Pennsylvania</b>					
G Court of Common Pleas	Partisan election	~	67 <sup>33</sup>	4 yrs	100% local
L Philadelphia Municipal	~	~	~	~	~
L District Justice Court	~	~	~	~	~
L Philadelphia Traffic Court	~	~	~	~	~
L Pittsburgh City Magistrates	~	~	~	~	~
<b>Puerto Rico</b>					
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
<b>Rhode Island</b>					
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
<b>South Carolina</b>					
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
<b>South Dakota</b>					
G Circuit Court	Appointed	Presiding circuit judge	64	At pleasure	100% state
<b>Tennessee</b>					
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
<b>Texas</b>					
G District Courts	Partisan election	~	254 <sup>35</sup> 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
<b>Utah</b>					
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
<b>Vermont</b>					
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
<b>Virginia</b>					
G Circuit Court	Partisan election	~	122	8 yrs	State, local
L District Court	Appointed	Chief judge	134	At pleasure	100% state
<b>Washington</b>					
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
<b>West Virginia</b>					
G Circuit Court	Partisan election	~	55	6 yrs	100% local
L Magistrate Court	Appointed	Chief judge	55	At pleasure	100% state
L Municipal Court	~	~	~	~	~
<b>Wisconsin</b>					
G Circuit Court	Partisan election	~	72	2 yrs	100% local
L Municipal Court	Appointed	Municipal judge	257	At pleasure	100% local
<b>Wyoming</b>					
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:**

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

<sup>2</sup>Some clerks receive a county supplement or expense allowance.

**Alaska:**

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

<sup>4</sup>State employees (under state personnel rules).

**Arizona:**

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

**Arkansas:**

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

**California:**

<sup>7</sup>As 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:**

<sup>8</sup>15 Clerks serve the Judicial Districts; 21 serve the Geographical Areas; 6 serve the Housing Session; 13 serve the Juvenile Matters.

<sup>9</sup>Generated by fees paid to court.

**Georgia:**

<sup>10</sup>Juvenile 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.

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

<sup>12</sup>Probate Court: number is approximate. 3 clerks are part-time

<sup>13</sup>Magistrate Court: number is approximate.

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## Table 31. Trial Court Clerks

### Hawaii:

<sup>14</sup>Civil Service

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

### Louisiana:

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

<sup>17</sup>In 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:

<sup>18</sup>Subject to collective bargaining contract.

### Massachusetts:

<sup>19</sup>Gubernatorial appointment from nominating commission with approval of governor's council.

### Michigan:

<sup>20</sup>The number includes Circuit Court clerks serving the Court of Claims.

### Minnesota:

<sup>21</sup>Called court administrators.

<sup>22</sup>A 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:

<sup>23</sup>Two 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:

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

<sup>25</sup>A gubernatorial appointment for courts serving more than one municipality.

<sup>26</sup>The 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:

<sup>27</sup>Served by Superior Court clerk.

### Ohio:

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

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

<sup>30</sup>Appointed or existing court of common pleas clerk.

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

### Oklahoma:

<sup>32</sup>Appellate court clerk serves as clerk for the Court of Tax Review.

### Pennsylvania:

<sup>33</sup>Office 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:

<sup>34</sup>The clerk of the district court simultaneously serves as court clerk for the Municipal Court.

### Texas:

<sup>35</sup>Each 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	
<b>Alabama</b>								
Circuit Court	5	0					■	●
District Court	0	0					■	~
Municipal Court	0	6 <sup>1</sup>				■ <sup>2</sup>	■	○
Probate Court	~	~	~	~	~	~	~	~
<b>Alaska</b>								
Superior Court	4 <sup>3</sup>	0 <sup>3</sup>					■	●
District Court	4 <sup>3</sup>	0 <sup>3</sup>					■	●
<b>Arizona</b>								
Superior Court	13	0					■	○
Justice of the Peace Court	1	5 <sup>4</sup>					■	○
Municipal Court	15	1 <sup>5</sup>					■	○
Tax Court	~	~	~	~	~	~	~	~
<b>Arkansas</b>								
Chancery and Probate Court	2	0					■	○
Circuit Court	2	0					■	○
City Court	~	~	~	~	~	~	~	~
Justice of the Peace Court <sup>6</sup>	~	~	~	~	~	~	~	~
County Court <sup>7</sup>	~	~	~	~	~	~	~	~
Court of Common Pleas	~	~	~	~	~	~	~	~
Municipal Court	~	~	~	~	~	~	~	~
Police Court	~	~	~	~	~	~	~	~
<b>California</b>								
Superior Court	58	0					■	●
Municipal Court	19	0					■	●
<b>Colorado</b>								
District Court	20	0				■	■	●
Denver Probate Court	1	0				■	■	●
Water Court	N/S	N/S				■	■	●
Denver Juvenile Court	1	0				■	■	●
County Court	~	~	~	~	~	~	~	~
Municipal Court	~	~	~	~	~	~	~	~
<b>Connecticut</b>								
Superior Court	10	0	■	■	■			●
Probate Court	1 <sup>8</sup>	0				■ <sup>6</sup>		●
<b>Delaware</b>								
Court of Chancery	1	~						●
Superior Court	1	0					■	●
Alderman's Court	0	0	~	~	~	~	~	~
Court of Common Pleas	1	0					■	●
Family Court	1 <sup>9</sup>	0					■	●
Justice of the Peace Court	1	0					■	●
<b>District of Columbia</b>								
Superior Court	1	0	~	~	~	~	~	○
<b>Florida</b>								
Circuit Court	20	0					■	● <sup>10</sup>
County Court	0 <sup>11</sup>	0					■	●
<b>Georgia</b> <sup>12</sup>								
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	
<b>Georgia (Continued)</b>								
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					■	○
<b>Hawaii</b>								
Circuit Court	4	0					■	●
District Court	4	0					■	●
Family Court	4	0					■	●
<b>Idaho</b>								
District Court	~	0	■	■			■ <sup>13</sup>	●
<b>Illinois</b>								
Circuit Court	11 <sup>14</sup>	0					■	● <sup>15</sup>
<b>Indiana</b>								
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	○
<b>Iowa</b>								
District Court	~	8					■	●
<b>Kansas</b>								
District Court	14	0		■			■	●
Municipal Court	6	0					■	○
<b>Kentucky</b>								
Circuit Court	14	0					■	●
District Court	2	0					■	●
<b>Louisiana</b>								
District Court	19	19					■	○ <sup>16</sup>
Family Court	1	1					■	○
Juvenile Court	4	4					■	○
City and Parish Court	20	4					■	○
Justice of the Peace Court	~	~	~	~	~	~	~	~
Mayor's Court	~	~	~	~	~	~	~	~
<b>Maine</b>								
Superior Court	0	4 <sup>17</sup>			■			●
Administrative Court	1 <sup>18</sup>	0			■			●
District Court	0	4 <sup>19</sup>			■			●
Probate Court	~	~	~	~	~	~	~	~
<b>Maryland</b>								
Circuit Court	7	1					■	○
District Court	1 <sup>20</sup>	12 <sup>20</sup>					■	●
Orphan's Court	0	0	~	~	~	~	~	~
<b>Massachusetts</b>								
Superior Court	1 <sup>21</sup>	5 <sup>21</sup>					■	●
District Court	1 <sup>22</sup>	5 <sup>22</sup>					■	●
Boston Municipal Court	1	0					■	●
Housing Court	1	0					■ <sup>23</sup>	●
Juvenile Court	1 <sup>24</sup>	0					■	●

**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				
<b>Massachusetts, continued</b>									
Land Court	1	0				■ <sup>23</sup>	■	●	
Probate & Family Court	1	0				■	■	●	
<b>Michigan</b>									
Circuit Court	43	~					■	○	
Court of Claims	1	0					■	○	
District Court	128	~					■	○	
Municipal Court	6 <sup>25</sup>	0	N/S	N/S	N/S	N/S <sup>26</sup>	N/S	○	
Probate Court	33	~					■	○	
<b>Minnesota</b>									
District Court	10	~	■	■			■	●	
<b>Mississippi</b>									
Circuit Court	34	0			■			●	
Chancery Court	28	0			■			●	
County Court	11	0			■			○	
Family Court	1	0					■	○	
Justice Court	0	0				■ <sup>27</sup>		○	
Municipal Court	1	0				■ <sup>28</sup>		○	
<b>Missouri</b>									
Circuit Court	6	0					■	○	
Municipal Court	2	0					■	○	
<b>Montana</b>									
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	~	~	~	~	~	~	
<b>Nebraska</b>									
District Court	1	0	~	~	~	~ <sup>29</sup>	~	~	
County Court	2	0	■	■			■	●	
Separate Juvenile Court	~	~	~	~	~	~	~	~	
Workers' Compensation Court	1 <sup>30</sup>	0					■	~	
<b>Nevada</b>									
District Court	15	2					■	○	
Justice Court	8	8					■	○	
Municipal Court	6	6					■	○	
<b>New Hampshire</b>									
Superior Court	10	0		■			■	●	
District Court	0	3		■				●	
Municipal Court <sup>31</sup>	~	~	~	~	~	~	~	~	
Probate Court	0	1		■				●	
<b>New Jersey</b>									
Superior Court	15	0		■	■ <sup>32</sup>			●	
Municipal Court	0 <sup>33</sup>	0 <sup>33</sup>	~	~	~	~	~	~	
Tax Court	1	0		■			■	●	
<b>New Mexico</b>									
District Court	13	0	■				■	●	
Magistrate Court	0	6 <sup>34</sup>	■	■	■	35		●	
Municipal Court	20	0	~	~	~	~ <sup>36</sup>	~	○	
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	
<b>New York</b>								
Supreme Court	63	10				■ <sup>39</sup>		●
County Court	63 <sup>37</sup>	10 <sup>38</sup>				■ <sup>39</sup>		●
District Court	2 <sup>40</sup>	2 <sup>41</sup>				■ <sup>39</sup>		●
Court of Claims	1 <sup>42</sup>	1 <sup>43</sup>				■ <sup>39</sup>		●
City Court	61 <sup>40</sup>	10 <sup>44</sup>				■ <sup>39</sup>		●
Family Court	58 <sup>40</sup>	10 <sup>44</sup>				■ <sup>39</sup>		●
Surrogates' Court	58 <sup>40</sup>	10 <sup>44</sup>				■ <sup>39</sup>		●
Town and Village Justice Court	0	0	~	~	~	~	~	~
Civil Court of the City	1 <sup>40</sup>	1 <sup>45</sup>				■ <sup>39</sup>		●
Criminal Court of the City	1	1 <sup>45</sup>				■ <sup>39</sup>		●
<b>North Carolina</b>								
Superior Court	11 <sup>46</sup>	0		■			■	●
District Court	11	0		■			■	●
<b>North Dakota</b>								
District Court	7	0	■				■	●
Municipal Court	0	0	~	~	~	~	~	~
<b>Ohio</b>								
Court of Common Pleas	N/S <sup>47</sup>	N/S <sup>47</sup>					■	○
County Court	47	0					■	○
Court of Claims	1	0				■ <sup>48</sup>		●
Mayors Court	400	0				49	■	○
Municipal Court	N/S	N/S					■	○
<b>Oklahoma</b>								
District Court	2	0					■	●
Court of Tax Review <sup>50</sup>	~	~	~	~	~	~	~	~
Municipal Court Not of Record	N/S <sup>51</sup>	0	~	~	~	~	~	~
Municipal Court of Record	1	0				■ <sup>52</sup>		○
<b>Oregon</b>								
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
<b>Pennsylvania</b>								
Court of Common Pleas	165 <sup>53</sup>	0				■ <sup>54</sup>		○
District Justice Court	165 <sup>55</sup>	0				■ <sup>54</sup>		○
Philadelphia Municipal Court	3 <sup>56</sup>	0				■ <sup>54</sup>		○
Philadelphia Traffic Court	1	0				■ <sup>54</sup>		○
Pittsburgh City Magistrate Court	N/S	N/S						○
<b>Puerto Rico</b>								
Court of First Instance:								
Superior Court	13 <sup>57</sup>	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				
<b>Rhode Island</b>									
Superior Court	1	0					■	●	
Workers' Compensation Court	1	0				■ <sup>58</sup>		●	
District Court	1	0					■	●	
Family Court	1	0					■	●	
Municipal Court	N/S <sup>59</sup>	N/S	~	~	~	~ <sup>60</sup>	~	○	
Probate Court	N/S <sup>61</sup>	N/S	~	~	~	~ <sup>60</sup>	~	○	
Administrative Adjudication Court	1	0				■ <sup>58</sup>		●	
<b>South Carolina</b>									
Circuit Court	~	~	~	~	~	~	~	~	
Family Court	~	~	~	~	~	~	~	~	
Magistrate Court	0	0	~	~	~	~	~	~	
Municipal Court	0	0	~	~	~	~	~	~	
Probate Court	~	~	~	~	~	~	~	~	
<b>South Dakota</b>									
Circuit Court	2	0	■	■			■	●	
<b>Tennessee</b>									
Circuit Court	2	0					■	○	
Criminal Court	0	0	~	~	~	~	~	~	
Chancery Court	2 <sup>62</sup>	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	~	~	~	~	~	~	
<b>Texas</b>									
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	~	~	~	~	~	○	
<b>Utah</b>									
District Court	1	8	■ <sup>63</sup>	■ <sup>65</sup>	■ <sup>63</sup>			●	
Justice Court	1 <sup>64</sup>	0	■ <sup>65</sup>	■ <sup>65</sup>	■ <sup>65</sup>			●	
Juvenile Court	1	8	■	■	■	■ <sup>66</sup>		●	
<b>Vermont</b>									
District Court	14	0			■			●	
Superior Court	14	0				■ <sup>67</sup>		●	
Family Court	14	0			■			●	
Probate Court	14	0					■	●	
Environmental Court	1	0			■			●	
Traffic/Municipal Ordinance Court	1	0			■			●	
<b>Virginia</b>									
Circuit Court	0	0	~	~	~	~ <sup>68</sup>	~	~	
District Court	1	0		■				●	
<b>Washington</b>									
Superior Court	23	0					■	○	
District Court	50	0	~	~	~	~	~	○	
Municipal Court	67	0	~	~	~	~	~	○	
<b>West Virginia</b>									
Circuit Court	2	0				■ <sup>69</sup>		●	
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	
<b>Wisconsin</b>								
Circuit Court	0	10	■	■	■		■	●
Municipal Court	0	2 <sup>70</sup>					■	○
<b>Wyoming</b>								
District Court	0	0	~	~	~	~	~	~
County Court	0	0	~	~	~	~	~	~
Justice of the Peace Court	0	0	~	~	~	~	~	~
Municipal Court	0	0	~	~	~	~	~	~

**FOOTNOTES:**

**Alabama:**

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

<sup>2</sup>The 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:**

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

**Arizona:**

<sup>4</sup>The 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.

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

**Arkansas:**

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

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

**Connecticut:**

<sup>8</sup>There 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:**

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

**Florida:**

<sup>10</sup>In two or three jurisdictions the county pays the TCA's salary.

<sup>11</sup>There 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:**

<sup>12</sup>Does not include ten regional court administrators for the superior courts.

**Idaho:**

<sup>13</sup>AOC and judges make hiring decision.

**Illinois:**

<sup>14</sup>Six are 100 percent state funded positions; five are 100 percent county funded positions.

<sup>15</sup>Depends on whether state or county funded positions.

**Louisiana:**

<sup>16</sup>Salary of Orleans Parish Criminal District Court judicial administrator is state appropriated.

**Maine:**

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

<sup>18</sup>Regional 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.

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

**Maryland:**

<sup>20</sup>The 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:**

<sup>21</sup>The Chief Justice is assisted by a court administrator and three regional coordinators.

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

<sup>23</sup>AOC assures compliance with applicable personnel standards.

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

**Michigan:**

<sup>25</sup>Five 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.

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

**Mississippi:**

<sup>27</sup>No role.

<sup>28</sup>Local governing board makes appointment.

**Nebraska:**

<sup>29</sup>No role.

<sup>30</sup>State Court Administrator.

**New Hampshire:**

<sup>31</sup>Only one remains, part-time.

**Table 32. Trial Court Administrators**

**New Jersey:**

<sup>32</sup>There 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.

<sup>33</sup>There 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:**

<sup>34</sup>Administrative 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.

<sup>35</sup>Magistrates are involved in selection of Director of Magistrate Court Division.

<sup>36</sup>No role.

**New York:**

<sup>37</sup>Court 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.

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

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

<sup>40</sup>One Chief Clerk per court.

<sup>41</sup>One per upstate Judicial District Administrative Office.

<sup>42</sup>One Chief Clerk.

<sup>43</sup>One Executive Assistant, Deputy Chief Administrative Judge's Office.

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

<sup>45</sup>One per New York City Administrative Judge's Office.

**North Carolina:**

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

**Ohio:**

<sup>47</sup>Unknown exactly—more than 88, less than 202.

<sup>48</sup>Supreme Court appoints the clerk, who is the administrator.

<sup>49</sup>No role.

**Oklahoma:**

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

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

<sup>52</sup>Trial Court Administrator is selected by Chief Administrative Office of the city.

**Pennsylvania:**

<sup>53</sup>60 District Court Administrators; 105 Deputy Court Administrators.

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

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

<sup>56</sup>One Court Administrator and two Deputy Court Administrators.

**Puerto Rico:**

<sup>57</sup>The Court Administrator has responsibility for the whole judicial region or district.

**Rhode Island:**

<sup>58</sup>No role—Appointed by the Governor for a term.

<sup>59</sup>Each Municipal Court has its own administrative person.

<sup>60</sup>No role.

<sup>61</sup>Each municipality has its own separate administration.

**Tennessee:**

<sup>62</sup>Two known; rest unknown.

**Utah:**

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

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

<sup>65</sup>For the state level administrator. No involvement for the local.

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

**Vermont:**

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

**Virginia:**

<sup>68</sup>No role.

**West Virginia:**

<sup>69</sup>AOC recommends to Supreme Court, which has final approval.

**Wisconsin:**

<sup>70</sup>There 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 <sup>1</sup>			Adult	Family & Juvenile <sup>1</sup>
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 <sup>2</sup>	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 <sup>4</sup>
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 <sup>3</sup>	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
<b>Total Courts</b>						<b>253 (4)</b>	<b>67 (3)</b>

Note: Tribal Courts are indicated with ( )

**FOOTNOTES:**

<sup>1</sup>Includes 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:**

<sup>2</sup>Sixty-one were in operation and fourteen were planned.

**Massachusetts:**

<sup>3</sup>There 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:**

<sup>4</sup>Only 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 <sup>1</sup>	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 <sup>2</sup>	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:**

<sup>1</sup>Varies per local acts.

**West Virginia:**

<sup>2</sup>All 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 <sup>1</sup>	Officer discretion <sup>2</sup>	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 <sup>3</sup>	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 <sup>4</sup>	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 <sup>rd</sup> protection order terms may be agreed upon by parties)	N/S
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 <sup>5</sup>	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	<sup>6</sup>	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 <sup>7</sup>	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 <sup>8</sup>	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 &amp; Property</u>   | <u>Other</u>   |
|---|---|--|---|--|
| <ul style="list-style-type: none"> <li>RA: Refrain from abuse</li> <li>PS: Require alleged abuser to maintain a physical separation from victim</li> <li>NH: Require alleged abuser to not harass the victim</li> <li>NC: No contact order</li> </ul> | <ul style="list-style-type: none"> <li>PO: Awards possession of residence</li> <li>ST: Instruct alleged abuser to stay away from victim</li> <li>PR: Instruct alleged abuser to provide an alternative residence for victim</li> <li>EV: Order law enforcement officer to evict the alleged abuser</li> </ul> | <ul style="list-style-type: none"> <li>CS: Award child support</li> <li>TC: Award temporary child custody</li> <li>VR: Award visitation rights for non-custodial parent</li> <li>NA: No abduction order</li> </ul> | <ul style="list-style-type: none"> <li>PC: Require payment of court costs</li> <li>VS: Award victim support</li> <li>AT: Award attorney's fees</li> <li>PP: Make arrangements for personal property</li> <li>PD: Order alleged abuser not to damage the victim's property</li> <li>OL: Payment for any losses resulting from abuse.</li> <li>OM: Payment of medical expenses/insurance</li> </ul> | <ul style="list-style-type: none"> <li>ON: Other necessary injunctive relief</li> <li>SF: Order alleged abuser to surrender firearms/deadly weapons</li> <li>EM: Electronic monitoring</li> <li>AC: Require abuse counseling</li> <li>MC: Require marriage counseling</li> </ul> |

**FOOTNOTES:**

**Alaska:**

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

**Washington:**

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

**Idaho:**

<sup>3</sup>May be renewed for additional three-month period for up to one year.

**Illinois:**

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

**Maryland:**

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

**Nebraska:**

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

**North Dakota:**

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

**Table 36. Tribal Courts**

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

<sup>1</sup>The 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.

<sup>2</sup>The 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.

<sup>3</sup>CFR 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.

<sup>4</sup>For 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).

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

<sup>6</sup>Since 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

<sup>7</sup>Concurrent jurisdiction is authorized over the Annette Islands Reservation by the Metlakatla Indian Community.

### Arizona

<sup>8</sup>Arizona 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.

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

### Colorado

<sup>10</sup>Pub.L.98-290, May 21, 1984, 98 Stat.201 Sec. 5

### Connecticut

<sup>11</sup>25 U.S.C. §1755

### Florida

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

### Idaho

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

### Iowa

<sup>14</sup>Iowa 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

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

### Maine

<sup>16</sup>25 U.S.C. §1725

### Massachusetts

<sup>17</sup>25 U.S.C. §1771e

### Montana

<sup>18</sup>In 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

<sup>19</sup>Nevada 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

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

### North Dakota

<sup>21</sup>North 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

<sup>22</sup>25 U.S.C. §714e(c)

<sup>23</sup>25 U.S.C. §713f(c)(6)

<sup>24</sup>25 U.S.C. §566e

<sup>25</sup>25 U.S.C. §715(d)

### Rhode Island

<sup>26</sup>25 U.S.C. §1708

### South Dakota

<sup>27</sup>South 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 (8<sup>th</sup> Cir. 1990).

### Texas

<sup>28</sup>25 U.S.C. § 105(f)

<sup>29</sup>25 U.S.C. §206(f)

<sup>30</sup>25 U.S.C. § 1300b-15

### Utah

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

### Washington

<sup>32</sup>Washington 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
<b>Alabama</b>							
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
<b>Alaska<sup>1</sup></b>							
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
<b>Arizona</b>							
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
<b>Arkansas</b>							
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
<b>California</b>							
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
<b>Colorado<sup>2</sup></b>							
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
<b>Connecticut</b>							
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
<b>Delaware</b>							
All Courts	5/1/82	~	~	~	~	~	~
<b>Florida</b>							
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
<b>Georgia</b>							
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						~
<b>Hawaii<sup>3</sup></b>							
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							
<b>Idaho</b>							
Supreme Court	~ <sup>4</sup>	~	Court	Total exclusion	~	Conferences of counsel	~
Court of Appeals	11/12/81					~	~
<b>Illinois</b>							
Supreme Court	1/2/85	None required	Judge	Total exclusion	1 TV, 1 AS, 1 SP	Conferences of counsel	~
Appellate Court							
<b>Iowa</b>							
Supreme Court							
Court of Appeals	1/1/82	Judge	Witness, victim	Personal exclusion <sup>5</sup>	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							
<b>Kansas</b>							
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							
<b>Kentucky</b>							
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							
<b>Louisiana</b>							
Supreme Courts							
Courts of Appeal	4/30/85	Judge	Party, attorney	Hearing	2 TV, 1 SP, 1 AS	Private proceedings, recess, conferences of counsel	~
<b>Maine</b>							
Supreme Judicial Court	3/13/84	Court	~	~	1 TV, 1 SP, 1 AS	~	~
<b>Maryland</b>							
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							

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
<b>Massachusetts</b>							
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
<b>Michigan</b>							
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
<b>Minnesota</b>							
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
<b>Missouri</b>							
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
<b>Montana</b>							
Supreme Court District Court	4/18/80	No consent required	~	~	~	~	~
<b>Nebraska</b>							
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.					
<b>Nevada</b>							
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 <sup>6</sup> , non-consenting participants
<b>New Hampshire</b>							
Supreme Court Superior Court District Court Municipal Court Probate Court	3/97 3/94	Judge	~ Judge, attorney, party, witness	~ Total exclusion	~ ~ <sup>7</sup>	~ 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
<b>New Jersey</b>							
Supreme Court	10/8/80 6/9/81 9/1/86	Judge <sup>8</sup>	~	~	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							
<b>New Mexico</b>							
Supreme Court	1/1/83 <sup>9</sup> 3/1/87 <sup>9</sup>	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							
<b>New York</b>							
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							
<b>North Carolina</b>							
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							
<b>North Dakota</b>							
Supreme Court	7/1/80 <sup>10</sup>	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							
<b>Ohio</b>							
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							
<b>Oklahoma</b>							
Supreme Court	2/22/82 <sup>11</sup>	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
<b>Oregon</b>							
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	~						
<b>Pennsylvania</b>							
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							
<b>Rhode Island</b>							
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					1 TV; 2 SC; 1 AS	Hearings taking place outside presence of jury; conferences of counsel; voir dire; juvenile/ adoption proceedings	Jurors, juveniles
District Court							
Family Court							
Probate Court	~						
Municipal Court							
<b>South Carolina</b>							
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							
<b>Tennessee<sup>12</sup></b>							
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		Accused parties; witnesses	Witness; accused party (criminal case); any party (civil case)				
<b>Texas</b>							
Supreme Court	1/1/90 <sup>13</sup>	Court	Any party	At discretion of court	~	~	~
Court of Criminal Appeals							
Courts of Appeals		Parties, witnesses	~	Total exclusion	~	~	~
District Courts							
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
<b>Utah<sup>14</sup></b>							
Supreme Court	4/1/97	Court	Any party	Total exclusion at discretion of court	1 TV, SC	~	~
Court of Appeals							
District Court		Judge	Any party	Personal or total exclusion at discretion of court	SC only	~	Jurors
Juvenile Court <sup>15</sup>							
<b>Vermont</b>							
Supreme Court	3/12/92	No consent required	~	~	2 TV; 1 SP w/ 2 SC; 1 AS	Conferences of counsel or bench	~
Superior Court							
District 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
Probate Court							
Environmental Court							
<b>Virginia</b>							
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							
<b>Washington</b>							
Supreme Court	9/20/76	Judge	~	~	~	~	~
Court of Appeals							
Superior Court							
District Court							
Municipal Court							
<b>West Virginia</b>							
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					
<b>Wisconsin</b>							
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							
<b>Wyoming</b>							
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							
<b>Federal Courts<sup>16</sup></b>							
	~	~	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:**

<sup>1</sup>Interlocutory appellate review is available.

**Colorado:**

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

**Hawaii:**

<sup>3</sup>Interlocutory appellate review available.

**Idaho:**

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

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## Table 37. Media Coverage of Trial and Appellate Courts

### Iowa:

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

### Nevada:

<sup>6</sup>Rule 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:

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

### New Jersey:

<sup>8</sup>Any 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:

<sup>9</sup>Amended, effective 9/1/89.

### North Dakota:

<sup>10</sup>Amended effective 7/1/95.

### Oklahoma:

<sup>11</sup>Amended effective 11/1/97.

### Tennessee:

<sup>12</sup>The 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:

<sup>13</sup>Amended effective 9/1/97.

### Utah:

<sup>14</sup>Only still photography allowed in trial courts.

<sup>15</sup>Still 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:

<sup>16</sup>On 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) <sup>1</sup>	NGBI/GBMI	D for NGBI; M for GBMI	Court
Arizona	C		C	D		M'N (nature and quality) <sup>2</sup>	NGBI/GBI	D	Court
Arkansas	P <sup>3</sup>		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 <sup>4</sup>	■ <sup>5</sup>	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. <sup>6</sup>	Acquitted for physical or mental disorder	D	Court
Idaho <sup>7</sup>	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) <sup>9</sup>	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 <sup>10</sup>		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) <sup>11</sup>	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 <sup>12</sup>
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 <sup>13</sup>	P					N/A	GBI	D	Court
Nebraska	P <sup>14</sup>		P	D		M'N	NGBI	D	Court
Nevada	P		P	D		N/S	GBMI	D	
New Hampshire	P	■	C	D	■	<sup>15</sup>	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 <sup>16</sup>	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 <sup>17</sup>	Court
Rhode Island	P		P	D		A.L.I.	NGBI	D	Court
South Carolina	P		P	D	■ <sup>18</sup>	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 <sup>19</sup>			<i>No Insanity Defense</i>				GBI	D	Court
Vermont	P		B	P		A.L.I.	NGBI	D	Dev/Men Health Services <sup>20</sup>

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	<sup>21</sup>	■	<sup>21</sup>	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 <sup>22</sup>	Court <sup>23</sup>

**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**

<sup>1</sup>Wrongfulness prong is basis for GBMI verdict.

**Arizona**

<sup>2</sup>Wrongfulness prong is basis for GBI verdict.

**Arkansas**

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

**District of Columbia**

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

<sup>5</sup>At discretion of trial court.

**Hawaii**

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

**Idaho**

<sup>7</sup>Insanity defense abolished; evidence of mental defect may negate an offense element.

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

**Indiana**

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

**Kentucky**

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

**Maine**

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

**Massachusetts:**

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

**Montana**

<sup>13</sup>Insanity defense abolished; evidence of mental defect may negate an offense element.

**Nebraska**

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

**New Hampshire**

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

**North Dakota**

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

**Puerto Rico**

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

**South Carolina**

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

**Utah**

<sup>19</sup>Insanity defense abolished, evidence of mental defect may negate an offense element.

**Vermont**

<sup>20</sup>Court may retain the release authority.

**Wisconsin:**

<sup>21</sup>Greater weight of the credible evidence.

**Federal**

<sup>22</sup>Unless 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.

<sup>23</sup>Upon 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

## PART VI: The jury

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Our legal system is founded on the jury system. Traditionally this has been a twelve-person jury that must reach a unanimous verdict. That is no longer the standard in the state courts. This section of *State Court Organization 1998* uses four tables to describe the selection and verdict rules of the petite juries in the state and federal courts. A fifth table describes the composition and function of the grand jury.

States use various methods to procure lists for which they identify potential jurors. Table 39 identifies the statutorily authorized sources that may be used by each state to create its master list. These sources are generally not mandatory; only sources followed by an asterisk *must* be used. States often do not use all of the authorized sources to generate their master lists. The local jury commissioner usually determines the use made of the discretionary sources. Qualifications for jury service in terms of age, time elapsed since prior jury service, convicted felon status, residency, and literacy are also specified in this table. Finally, court policy toward jurors with disabilities is described.

Many states exempt or excuse some potential jurors from jury duty. Table 40 explains the factors that exempt a person from jury duty, as well as factors that represent a valid basis for excusal from jury service. Exemptions are generally based on age or occupation. Twenty-three states and the District of Columbia do not grant automatic occupational exemptions; several other states limit exemptions to those on active military duty. Excusals from jury service are allowed for claims of undue hardship, extreme inconvenience, public necessity, or mental disability. These claims typically have no specific definition; the application of these claims is typically up to the trial judge. Table 40 also details the obligations that employers bear in each state toward maintaining the salaries of employees while on jury service. Finally, the daily fee, if any, paid to serving jurors is also indicated.

The formal process of jury selection in each relevant court is described in Table 41. First, the table indicates who conducts voir dire: the judge, the attorneys, or both the judge and the attorneys. Typically, the provisions are the same for all courts within a state holding a jury trial, but there are a few states that conduct voir dire differently in general and in limited jurisdiction courts. The remainder of the table indicates the number of peremptory challenges available to each party in different types of cases. The number generally differs between civil and criminal cases, and for criminal cases, between capital felony, other felony, and misdemeanor cases. In civil cases each side gets the same number of challenges while the number of peremptory challenges for each side in a criminal case may differ. Most states also have statutes regarding the distribution of

peremptory challenges for multiple party plaintiffs and defendants. In some cases this varies the total number of peremptory challenges allowed and in others the total number stays the same, but are split among the parties.

Since 1970, U.S. Supreme Court decisions have allowed states to move away from the traditional federal jury standard of 12 members who must reach a unanimous verdict. Specifically, six-member juries were found to be constitutional in *Williams v. Florida*, 399 U.S. 78 (1970) and non-unanimous verdicts in *Apodaca v. Oregon*, 406 U.S. 404 (1972). The relaxation of traditional size and verdict requirements is most prevalent for misdemeanor criminal cases. Table 42 lists jury size and verdict rules. Seven states use eight or six-member juries for non-capital felonies, and two states (Louisiana and Oregon) do not require a unanimous verdict in such cases. Some states that continue to use a 12-member, unanimous verdict jury typically allow the parties to stipulate to a smaller, non-unanimous jury. Twenty-one states, the District of Columbia, and the federal courts still require a unanimous verdict in all civil cases while twenty-nine states require a super majority.

“No person shall be held to answer for a capital, or other infamous crime, unless on a presentment or indictment at a grand jury.” This clause from the Fifth Amendment to the U.S. Constitution applies to all felony prosecutions in the federal courts. The information in Table 43 shows that while most states retain the option of a grand jury indictment, few require it to begin felony proceedings. A trend toward a diminished role for the state grand jury in processing felony cases began early in the Twentieth Century. Grand jury indictments were largely replaced by the practice of prosecutors filing a document called a criminal information, a practice ultimately upheld by the U.S. Supreme Court (*In re McNaught*, 1909; *Palko v. Connecticut*, 1937). Table 43 indicates whether a grand jury indictment is required for all felony prosecutions, the size of the grand jury, the number needed to indict, the statutory term of grand jury sittings, and the scope of the grand jury’s purview.

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**Select Bibliography:**

Jeffrey Abramson, *We, The Jury: The Jury System and the Ideal of Democracy*, New York: Basic books, 1994.

Gebert L. Litan (Ed.), *Verdict: Assessing the Civil Jury System*, Washington D.C., 1993.

G. Thomas Munsterman, Paula L. Hannaford, and G. Marc Whitehead (eds.) *Jury Trial Innovations*, Williamsburg, VA: National Center for State Courts, 1997.

G. Thomas Munsterman and Paula L. Hannaford, "Reshaping the Bedrock of Democracy: American Jury Reform During the Last Thirty Years," *Judicature*, Vol. 36, Number 4.

"Symposium Issue on the Selection and Function of the Modern Jury," *The American University Law Review*, Vol. 40, Number 2, Winter, 1991

**Table 43:**

Loren P. Beth, "The Fuller Court and Era," *Encyclopedia of the American Judicial System*, Vol. I, R. Janosik

**Table 39. Trial Juries: Qualifications and Source Lists for Juror Service**

		Jurors						
Juries: Statutory Authority	Sources of Master List (See footnotes for Legend)	Minimum Age (yrs)	Time since Prior Jury Service	Are Convicted Felons Disqualified?	Residency Requirement	Literacy and Language Qualifications	Disabilities, Other Provisions	
Alabama	§12-16-60	May include VR, DL, and other lists such as UC, TR <sup>1</sup> , MVR.	19	~	Yes. If lost the right to vote for any crime involving moral turpitude.	1 year county resident	Must be able to read, speak, understand and follow any instructions given by the judge in English.	Is capable by reason of physical and mental ability to render satisfactory jury service and is not afflicted with any permanent disease or physical weakness.
Alaska	§09.20.050	All applicants for permanent fund income.*	18	1 year or no more than 3 months in a 2 year period.	Yes	District resident	Able to read or speak English.	Court shall provide, and pay the cost of, an interpreter or reader, in the case of hearing or sight impaired juror.
Arizona	§21-101-428	VR, DL and persons from other lists as determined by the Supreme Court.*	18	Varies	Yes, unless civil rights are restored.	Resident of jurisdiction	Able to write his name or make his mark.	Adjudicated mentally incompetent or insane.
Arkansas	§16-31-101	VR*	18	2 years	Yes	County resident, Registered voter	Able to read or write English, except that judge may waive this requirement for persons found otherwise capable.	Persons who are not of good character or approved integrity, are lacking in sound judgment or reasonable information, are intemperate, or are not of good behavior. Persons who, by reason of a physical or mental disability are unable to render satisfactory jury service.
California	CCP 190	May include, in addition to other lists, customer mailing lists, TD, UC, VR, DL <sup>2</sup>	18	1 year	Yes, also "malfeasance in office".	County resident	Possessed of sufficient knowledge of English.	No person shall be deemed incompetent solely because of the loss of sight or hearing, or any other disability.
Colorado	§13-71-101	VR supplemented with DL and CD.*	18	1 year	~	County resident- more than 50% of time	Able to read, speak and understand English.	Physically impaired persons shall serve, except where the court finds that such service is not feasible.
Connecticut	§51-217	TR, VR, DL* Discretion exercised by town civil servants.	18	2 years (Juror must request to be excused because of prior jury service within the two prior jury service years.)	Yes, for 7 years following conviction or a defendant in a pending felony case.	Electors and state residents	Able to speak and understand English.	No person shall be disqualified on the basis of deafness or hearing impairment.
Delaware		VR*; may be supplemented with other sources.	18	~	Yes, unless civil rights are restored.	County resident	Able to read, speak and understand English.	Incapable, by reason of physical or mental disability of rendering satisfactory jury service.
District of Columbia	§11-1906	DL, VR* and names from other sources or lists as may be provided in the jury system plan.	18	2 years	Yes, for 10 years after sentence completion, or if pending felony or misdemeanor charge- 10 years since probation or parole is completed.	Resident of DC	Able to read, speak and understand English.	No person shall be deemed incompetent solely because of the loss of sight or hearing, or any other disability.

Legend: CD=City/County Directories, DL=Driver's License  
MVR=Motor Vehicle Registration, TD=Telephone Directory, TR=Tax Roll  
UC=Utility Customer, VR=Voter Registration, \*=Mandatory List

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Florida	§40.013	DHSMV database <sup>3</sup> and volunteers who execute an affidavit at the office of the clerk, even if not on the DHSMV database list.*	18	1 year	Yes, includes bribery, forgery, perjury, larceny.	County resident	~	Adjudicated mentally incompetent. No person shall be excused from service on a civil trial jury solely on the basis that the person is deaf or hearing impaired.
Georgia	§15-12-60	VR, supplemented with other sources if necessary to assure a fairly representative cross section.* Discretion exercised by the board of jury commissioners.	18	No more than 4 weeks in 1 year.	No. Except to the extent that they are not "upright and intelligent" citizens. Yes, Grand Jurors.	Grand juror=6 months prior to service	~	Jury commission uses lists that will yield a fairly representative cross section of the intelligent and upright citizens of the county.
Hawaii <sup>4</sup>	§612-1	VR, supplemented with other lists such as TR, DL.	18	1 year	Yes	Resident of circuit	Able to read, speak and understand English.	Physical or mental disability (with physician's certificate).
Idaho <sup>5</sup>	§2-201	VR, supplemented with names from other lists, such as UC, TR, DL MVR, "which the Supreme Court from time to time designates.**	18	No more than 10 days in 2 years.	Yes, if lost the right to vote.	County resident	Able to read, speak and understand English.	Physical or mental disability (with physician's certificate). Over 70 if requested. A mother raising her child may postpone jury duty.
Illinois	705 ILCS 305	VR, DL, Illinois Disabled Person identification card.* & Illinois ID Card holder.	18	~	Yes. Free from all legal exception.	County resident	Able to understand English.	Of fair character, of approved integrity, of sound judgment, well informed.
Indiana <sup>6</sup>	§33-4-5-7	VR, supplemented with other lists such as UC, TR, CD, DL, TD, MVR.* <sup>7</sup>	18	1 year	Yes, any person under a sentence. In Lake County, Felony conviction only.	County resident	Able to read, speak and understand English with sufficient proficiency to fill out qualification form.	Physical or mental disability (with physician's certificate).
Iowa	§607A.2	VR, DL*. May use other lists, including but not limited to UC, which the jury commission or jury manager determines suitable.	18	Not to exceed 3 months of service in a two year period.	~	County resident or division of county	Able to understand English in a written, spoken or manually signed mode.	Be able to receive and evaluate information. Will be disqualified if person requests to be put on juror list.
Kansas	§43-155	VR, DL.* Lists of state-issued nondrivers' identification cards may be used.	18	1 year	Yes, within 10 years of conviction, guilty plea, or nolo contendere to felony charge.	County resident, qualifications of elector	Able to read, speak and understand English with sufficient proficiency to fill out qualification form.	Persons under adjudication of incompetency.
Kentucky	§29A.80 Adm. Proc. Part II S III	VR, DL*	18	1 year	Yes, or presently under indictment.	County resident	Able to read, speak and understand English.	Incapable, by reason of physical or mental disability of rendering satisfactory jury service.
Louisiana	S.Ct.R. 25; La. CCRP, Art. 401 et seq.	VR, DL (Discretionary) sometimes supplemented with other lists.	18	2 Years. District courts may change this to 4.	Yes, or presently under indictment.	1 year Parish resident	Able to read, speak and understand English and be possessed of sufficient knowledge of English.	Mental or physical infirmity provided that no person deemed incompetent solely because of loss of hearing in any degree. <sup>8</sup>

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					Are Convicted Felons Disqualified?	Residency Requirement	Literacy and Language Qualifications	Disabilities, Other Provisions
Maine <sup>9</sup>	S. 1201-A	DL, Volunteers.* These lists may be supplemented with names from other lists specified by the Supreme Judicial Circuit. ID card holders.	18	No more than 15 days in 5 years.	~	County resident	Able to read, speak and understand English.	~
Maryland	§8-207	VR and from such additional sources permitted by juror selection plan.* Volunteers and recommendations not accepted.	18	3 years <sup>10</sup>	Yes, or a charge pending for crime exceeding \$500 or 6 months punishment.	Qualified to vote in county	Able to read, speak and understand English with sufficient proficiency to fill out qualification form.	Is a party to a civil suit pending in court called to serve. Physical or mental infirmity (physician's certificate).
Massachusetts	234A	Numbered resident files.*	18	3 years	Convicted of felony within past 7 years, or defendant in felony case, or is in custody of correctional institution.	Lives within district more than 50% of time, whether or not registered to vote.	Able to speak and understand English.	Physically handicapped persons shall serve except where the court find service is not feasible.
Michigan	§600.1307a	DL, personal identification cardholder lists.*	18	1 year	Must not be under sentence for felony at time of selection.	County resident	Conversant with the English language.	Must be physically and mentally able to carry out functions of a juror.
Minnesota	§593	VR, DL*	18	4 years	Yes, unless civil rights restored.	County resident	Able to communicate in English.	Physical or mental disability (with physician's certificate) if incapable of rendering satisfactory jury service.
Mississippi <sup>11</sup>	§13-5-1	VR*	21	2 years	Convicted of an infamous crime, bootleggers, habitual drunkards, common gamblers.	Qualified elector or 1 year as resident freeholder.	Able to read and write.	No person who within past 12 months the overseer of a public road or road contractor (for grand jury only).
Missouri	§494.4	"One or more public records."* plus DL, VR on request.	21	1 year <sup>12</sup>	Yes, unless civil rights restored.	County resident or resident of city not within a county	Able to read, speak and understand English.	Incapable, by reason of physical or mental disability of rendering satisfactory jury service.
Montana	§3-15-303	VR*	18	1 year	Malfeasance in office or any felony or high crime.	Registered elector	~	Chronic incapacitation by illness/injury. Affidavit required.
Nebraska	§25-1601	VR, DL*	19	Not more than 4 weeks in any 5 year period.	Yes, and all other legal exceptions.	County resident	Able to read, speak and understand English.	Physical or mental disability (with physician's certificate). Husband and wife may not serve together. Persons party to pending suit.
Nevada	§§6.045	VR*, Other lists. Discretion exercised by county jury commissioners.	18	1 year	Yes, if convicted of treason, felony, or other infamous crime.	Qualified elector	Sufficient knowledge of English.	Incapable, by reason of physical or mental disability of rendering satisfactory jury service.

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New Hampshire	§500A	DL	18	3 years	No	~ <sup>13</sup>	By statute, prospective juror must state on juror qualification form whether able to read, speak and understand the English language.	Unfit, by reason of physical or mental disability to act as a juror.
New Jersey	§2A:69-1	DL, VR*, TR and homestead rebate filers.	18	3 years	Yes	County resident.	Able to read and understand English.	No Prior Mental Disability which will prevent from properly serving.
New Mexico	§38-5-1	VR, DL*	18	3 years	Yes	County resident	~	Incapable, by reason of physical or mental disability of rendering satisfactory jury service.
New York	§16-506	VR, DL, TR, unemployment, welfare, and volunteers.	18	4 years	Yes	County resident	Able to understand and communicate in the English language.	~
North Carolina	§9-3	VR, DL* May use other sources deemed to be reliable.	18	2 years	Yes, or pleaded nolo contendere to indictment charging a felony.	State citizen, County resident	Able to communicate and understand English.	Physically and mentally competent, not adjudged non compos mentis.
North Dakota <sup>14</sup>	§27.091-08	Actual voters, supplemented with other lists such as UC, TR, DL, MVR which the Supreme Court designates.	18	2 years	Lost right to vote.	County and state resident	Able with reasonable accommodation to communicate and understand English.	Physical or mental disability (with physician's certificate).
Ohio	§1901.25, §1907.28	VR, DL* <sup>15</sup>	18, eligible if driver	1 year	Yes	County or Municipality's territory	~	~
Oklahoma	§38s28	DL, Volunteers* <sup>16</sup>	18	2 years	Yes, unless civil rights are restored.	State residents and qualified electors	~	Of sound mind and of good moral character; over 70 years of age shall not be required to serve.
Oregon	ORS Ch. 10	VR, DL, "and any other sources approved by the Chief Justice of the Supreme Court that will furnish a fair cross section." <sup>17</sup>	18	2 years	Yes, unless civil rights are restored.	County resident and US citizen	~	Blind, hearing or speech impaired, or physically handicapped not ineligible based solely on handicap.
Pennsylvania	Chapter 45 of the Judicial Code 42 P.A.C.S. §4501 et seq	VR.* May supplement with lists such as TD, CD, TR, persons participating in any state, local or federal program, school census list, volunteers.	18	3 years if service more than 3 days, 1 year otherwise.	Yes	Commonwealth citizen, county resident.	Able to read, write, speak and understand English.	Incapable, by reason of physical or mental infirmity, to render efficient jury service.
Puerto Rico	§2s11	List of actual voters.	18	1 year	Yes	Resident 1 year and 90 days within judicial district	Able to read and write Spanish.	Must be in possession of mental and physical faculties.
Rhode Island	§9-9-1.1	VR*, MVR, random selection.	18	2 years	Yes, until sentence completion.	Resident voter (30 days)	Able to understand and participate in court proceedings.	Physically and mentally competent, not adjudged non compos mentis. Handicapped person not ineligible solely on basis of handicap.

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South Carolina	§14-7-110 et seq	DL, VR.* Discretion exercised by a jury commission composed of civil servants.	18	3 years	Yes, unless civil rights are restored.	County resident	Able to read, write, speak or understand English.	Must have at least a sixth grade education or its equivalent. Legal blindness does not disqualify an otherwise qualified juror.	
South Dakota	§16-13-10	VR, supplemented with DL.*	18	2 years	Yes	State citizen, and jury or county resident	Able to read, write and understand English.	Of sound mind. Potential jurors may not be excluded on the basis of a visual or hearing impairment.	
Tennessee	§22-1-101	TR, DL, VR, or other available and reliable sources, "but shall not include the VR as the sole or primary source." Discretion exercised by a jury commission composed of civil servants.	18	2 years	Yes, if convicted of infamous offenses, theft, perjury.	County resident for ~ 12 months	~	Unsound mind and habitual drunkards. Persons not in full possession of the senses of hearing or seeing if the court determines that such person cannot provide adequate service.	
Texas	Gov. §62-102	VR, DL.*	18	3 months City Court; 6 months District Court	Yes, and if under indictment or other legal accusation of misdemeanor or felony.	State citizen, county resident and qualified elector	Able to read and write.	Of sound mind and good moral character. Blind and deaf not disqualified based solely on handicap. If related by consanguinity or affinity within the third degree.	
Utah	§78-46-7	DL*, VR* <sup>17</sup>	18	2 years	Yes, unless expunged.	County resident	Able to read, speak and understand English.	Judicial discretion if incapable (because of Prior Mental Disability) of jury service.	
Vermont	Jurors R.1	VR, DL, and other residents who request it.	18	No more than 3 times in 2 years	Yes	Resident of court's geographical jurisdiction.	Able to read, write and understand English.	Incapable, by reason of physical or mental disability of rendering satisfactory jury service.	
Virginia	§8.01-337	VR, and, where feasible, DL CD, TD, TR, and "other such lists as approved by the chief judge of the Circuit."*	18	3 years	Yes, and treason.	1 year commonwealth resident, 6 months local. Excludes military stationed here.	Able to communicate in English.	No person deemed incompetent by reason of blindness. Persons under a disability. Persons adjudicated mentally incompetent. Persons who seek to serve as jurors.	
Washington	§2.36.070	VR*, DL*	18	1 year (if served more than 2 weeks)	Yes, unless civil rights are restored.	County resident	Able to communicate in English.	~	
West Virginia	§52-1-8	Not less than two of the following: TR, VR, DL or chauffeurs license.*	18	2 years	Yes, and perjury, false swearing or other infamous crime.	County resident	Able to read, speak and understand English, or ability to communicate in American sign language.	Persons physically disabled can render competent service with reasonable accommodation, persons claiming disqualification based on substantial physical or mental disability may be required to submit physician's certificate.	

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Wisconsin	§756.01	DL*, may be supplemented with other lists, including but not limited to VR, TD, UC, TR, high school graduates, welfare lists. <sup>18</sup>	18	4 years <sup>19</sup>	Yes, unless civil rights are restored.	Resident of Circuit Court area	Able to understand the English language.	Cannot fulfill the responsibilities of a juror.
Wyoming	§1-11-101	VR*, DL	18	Remainder of calendar year	Yes	County resident 30 days	Possessed of sufficient knowledge of English.	In possession of natural facilities, of ordinary intelligence and without mental or physical infirmity.
Federal	§28-1865	Plan for random selection developed by each district. Several use VR and DL.	18	No more than 30 days in any 2 year period (unless finishing trial)	Yes, unless civil rights are restored.	Resident 1 year within judicial district	Able to read, speak and understand English with sufficient proficiency to fill out qualification form.	Incapable, by reason of physical or mental disability of rendering satisfactory jury service.

**NOTE:** All states require their jurors to be U.S. citizens. The Uniform Jury Selection and Service Act (UJSSA), drafted in 1970 by the National Conference of Commissioners on Uniform State Laws.

**FOOTNOTES:**

**Alabama:**

<sup>1</sup>All counties use automated one-step juror summoning and qualification program which uses the state's driver's license list, except for Montgomery County and Tuscaloosa County which use the voter's registration list.

**California:**

<sup>2</sup>The VR and DL lists alone, if purged of duplicate names, shall be considered a representative cross section.

**Florida:**

<sup>3</sup>Not "drivers' license" list, because that is discriminatory for persons with disabilities and other individuals who do not drive.

**Hawaii:**

<sup>4</sup>Hawaii has adopted the UJSSA.

**Idaho:**

<sup>5</sup>Idaho has adopted the UJSSA.

**Indiana:**

<sup>6</sup>Indiana has adopted the UJSSA.

<sup>7</sup>Discretion exercised by court-appointed commissioners.

**Louisiana:**

<sup>8</sup>Judge may disqualify a juror when there is reasonable doubt of his competency.

**Maine:**

<sup>9</sup>Maine has adopted the UJSSA.

**Maryland:**

<sup>10</sup>In cases where petit juror service is less than 5 days, the limitation is reduced to 1 year.

**Mississippi:**

<sup>11</sup>Mississippi has adopted the UJSSA.

**Missouri:**

<sup>12</sup>Any person who has served on a state or federal petit or grand jury within the preceding year shall be excused upon timely application to the court.

**New Hampshire:**

<sup>13</sup>By statute, prospective juror must state on juror qualification form whether a citizen of United States and resident of county. Constitution requires trial for crime in county or judicial district commitment.

**North Dakota:**

<sup>14</sup>North Dakota has adopted the UJSSA.

**Ohio:**

<sup>15</sup>Random selection followed by personal interview with 2-member citizen jury commission.

**Oklahoma:**

<sup>16</sup>Discretion exercised by jury commission except in Oklahoma and Tulsa counties.

**Utah:**

<sup>17</sup>Judicial Council shall designate one or more regularly maintained lists of persons as the source for the master lists. In San Juan County, the Council has designated the Navajo Tribal Roll as a third source list.

**Wisconsin:**

<sup>18</sup>Each year the Department of Transportation prepares and transmits by county a master list of all persons licensed or holding DOT identification cards in that county. Each county has the option of using the master list only, or in combination with any other comparable list, from which to randomly select potential jurors. At the option of the county board, either the Clerk of Circuit Court or a panel of 3 jury commissioners screen responses to juror questionnaires to determine eligibility for service.

<sup>19</sup>1 day rule in those jurisdictions that choose to adopt in which jurors not required to do more than a day in any 2 year period.

Legend: CD=City/County Directories, DL=Driver's License  
MVR=Motor Vehicle Registration, TD=Telephone Directory, TR=Tax Roll  
UC=Utility Customer, VR=Voter Registration, \*=Mandatory List

**Table 40. Trial Juries: Exemptions, Excusals and Fees**

	Age at which may be exempt	Exemptions: Judicial Officers (JO), Public Officials (PO), Elected Legislators (EL), Physicians (DR), Attorneys (AT)	Excusals: Undue Hardship (UH), Extreme Inconvenience (EI), Public Necessity (PN), Physical or Mental Disability (PMD)	Employer Pays?	Jury fees (Per day)
Alabama	N/S	No exemptions.	UH, EI, PN	Yes	\$10
Alaska	70 and request in writing	Health exemption if expected to last more than 2 years or a JO.	UH, EI, PN, all excusals for current year only unless for disability or old age.	No	\$25
Arizona	N/S	No exemptions.	UH, PN, and where absence from employment would tend materially and adversely to affect the public safety, health, welfare and interest	No	\$12
Arkansas	N/S	No exemptions.	Excusals where state of health or that of family reasonably requires absence, or where personal and public interests materially injured by attendance	No	\$20
California	N/S	No exemptions.	Excused only for undue hardship upon themselves or the public as defined by the Judicial Council.	No	\$5 <sup>1</sup>
Colorado	N/S	No exemptions.	UH, EI	Yes	\$0 for 3 days, then \$50 <sup>2</sup>
Connecticut	70	JO and EL disqualified while General Assembly in session. Specified State Officials.	PMD, UH. A person shall be capable if able to perform a sedentary job requiring close attention for six hours per day, with short breaks, for at least 3 consecutive business days.	Yes, first 5 days only	\$0 for 5 days, then \$50 <sup>3</sup>
Delaware	N/S	No exemptions.	UH, EI, PN	No	\$20
District of Columbia	N/S	No exemptions.	UH, EI, PMD	Yes, up to 5 days	\$30 <sup>4</sup>
Florida	70	JO, PO, Governor, Lieutenant Governor, cabinet officer, clerk of court.	UH, EI, PN, PMD, expectant mothers and persons responsible for care of disabled person. Also police, attorneys, physicians, the physical infirm.	No	\$15 for first 3 days, \$30 after
Georgia	70 <sup>5</sup>	Permanently mentally or physically disabled.	Work necessary for the public health, safety, or good order, or other good cause <sup>6</sup> .	Yes <sup>7</sup>	\$5-\$35
Hawaii	N/S	JO, PO, EL, DR, AT, police, active military, clergy, dentists, fire fighters, any person who has served as juror in Hawaii within one year preceding the time of filling out the juror qualification form.	Excused only for serious personal hardship or other good cause.	No	\$30
Idaho	70 and request in writing	No exemptions.	UH, EI, PN	No	\$10 for half day
Illinois	N/S	No exemptions.	UH on occupation, health, family situation, active duty in military, or other personal affairs.	No	\$4 - \$15.50, varies among counties
Indiana	65	JO, PO, EL and active military, dentists.	UH, EI, PN	No	\$7.50 if not selected - \$17.50 if selected

**Table 40. Trial Juries: Exemptions, Excusals and Fees**

	Age at which may be exempt	Exemptions: Judicial Officers (JO), Public Officials (PO), Elected Legislators (EL), Physicians (DR), Attorneys (AT)	Excusals: Undue Hardship (UH), Extreme Inconvenience (EI), Public Necessity (PN), Physical or Mental Disability (PMD)	Employer Pays?	Jury fees (Per day)
Iowa	N/S	No exemptions.	Automatic excuse for care of disabled person. Discretionary for UH, EI, PN or it would threaten economic, physical or emotional well being.	No	\$10
Kansas	N/S	National guard when active or in training. Kansas State Guard, observers of the Sabbath shall be exempt from Saturday Jury services.	PMD, UH, PN	No	\$10
Kentucky	None	No exemptions.	UH, EI, PN	No	\$12.50
Louisiana	N/S	No exemptions. <sup>8</sup>	UH or EI	No	~ <sup>9</sup>
Maine	N/S	Governor, JO, AT, physicians and dentists providing active patient care, sheriffs, active military.	UH, EI, PN, PMD	No	\$10
Maryland	70 and request in writing	No exemptions except military.	UH, EI, PN	No	\$10-20 varies among counties
Massachusetts	70	No exemptions.	PMD or care of permanently disabled person requires physician's letter. A person shall be capable if able to perform a sedentary job requiring close attention for six hours per day, with short breaks, for at least 3 consecutive business days.	Yes, first 3 days	Employer pays first 3 days, then state pays \$50/day <sup>10</sup>
Michigan	70	No exemptions.	Material injury to public or individual interests, health of juror or family member.	No	\$15 minimum
Minnesota	70	JO and EL and EL's staff while legislature is in session.	Continuing hardship to them or members of the public, must be in writing. Ability to receive or evaluate information is so impaired they are unable to perform duties of juror	No	Rate set by Supreme Court
Mississippi	65	No exemptions.	Illness, serious financial loss, emergency. Illness requires a physician's statement.	No	\$25
Missouri	N/S	JO, AT, active military.	Absence from work would affect public health, safety, interest or welfare, extreme hardship, has served within preceding year, practicing dentist, pharmacist, physician, performing clergy, police officer.	No	\$6
Montana	N/S	No exemptions.	Chronic incapacity; UH for person or public served, must be by affidavit.	No	\$25
Nebraska	65	JO, court clerks, jailers, sheriffs, husband and wife not allowed on same panel, national guard, volunteer firefighters, and parties to a pending suit.	PMD, requires physician's certificate. UH, EI, PN.	No	\$35
Nevada	70, 65 if lives +65 miles from court	JO, PO, county clerk, recorder, assessor, sheriff, police, locomotive operator, correctional officer, physician, optometrist or dentist, legislators and legislative employee during session, and AT.	PMD, illness or death of immediate family member, UH, EI, PN. PMD requires physician's certificate. Sickness or physical disability.	No	\$15 for first 5 days, then \$30

**Table 40. Trial Juries: Exemptions, Excusals and Fees**

	Age at which may be exempt	Exemptions: Judicial Officers (JO), Public Officials (PO), Elected Legislators (EL), Physicians (DR), Attorneys (AT)	Excusals: Undue Hardship (UH), Extreme Inconvenience (EI), Public Necessity (PN), Physical or Mental Disability (PMD)	Employer Pays?	Jury fees (Per day)
New Hampshire	70	JO, PO, EL while in session, AT, DR, firemen and police.	UH, EI, PN, PMD if unfit to act as juror.	No	\$10 for half day
New Jersey	75	School teachers (full-time while school is in session), hospital employees, caretakers of children (where jury services would interfere), firemen, first aid, police (excused from grand jury only).	PMD, medical inability (physician-certified), severe financial hardship, personal obligation of care for another, technical health care worker that can't be replaced, school employees while school in session, volunteer firefighters/rescue squad.	Employer pays salary minus jury fees	\$5
New Mexico	N/S	No exemptions.	May be excused at the discretion of judge upon satisfactory evidence.	No	State minimum wage
New York	N/S	No exemptions.	UH, EI to applicant or person under care or supervision, or the public, mental or physical condition incapacitating person from service.	Partial <sup>11</sup>	\$40
North Carolina	65	No exemptions.	Compelling personal hardship, contrary to public health, safety and welfare.	No	\$12 for first 5 days, then \$30
North Dakota	N/S	No exemptions.	UH, EI, PN	No	\$25
Ohio	N/S	N/S	Necessarily absent from county, material injury to interest of public or juror, physical inability, spouse or near relative ill or recently deceased.	No	Varies among counties
Oklahoma	70	JO, sheriffs, jailers, police, AT, EL.	Substantial hardship.	No	\$20
Oregon	70	No exemptions.	UH, EI to person, person's family, employer or public served.	No	\$10
Pennsylvania	N/S	No exemptions except active military.	UH, EI	No	\$9 first 3 days, then \$25
Puerto Rico	N/S	PO, JO, EL, DR, AT, military, public employees, clergy, school employees, hospital/medical employees, morticians, employees of prisons, employees of ships/shippers, carrier employees, police, news employees, public transportation employees, small business owners, US District Court jurors.	Material injury/destruction of property would result, serious illness or death of family member, housewives.	No	\$20 minimum per day
Rhode Island	N/S	EL, JO, AT, sheriffs, marshals, police, firemen, active military, P.O., parole officers.	PMD, UH, serious illness of juror/family.	No	\$15
South Carolina	65	"Any person employed within the walls of any courthouse".	Good and sufficient cause, woman with children under 7, school employees, students during school term.	No	\$2-12
South Dakota	N/S	JO, AT, clergy if conflicts with religious beliefs.	N/S	No	\$40
Tennessee	65	EL, AT, teachers, firemen, national guard, pharmacists, PO, JO, sole proprietors of businesses, nurses, certified public accountants, persons not fully possessed of sight or hearing.	Material injury to person's health, family, public. UH, care for children, grandchildren, or wards, relation to 6th degree of any party, aged 70.	No	\$10 minimum; may be supplemented by local body

**Table 40. Trial Juries: Exemptions, Excusals and Fees**

	Age at which may be exempt	Exemptions: Judicial Officers (JO), Public Officials (PO), Elected Legislators (EL), Physicians (DR), Attorneys (AT)	Excusals: Undue Hardship (UH), Extreme Inconvenience (EI), Public Necessity (PN), Physical or Mental Disability (PMD)	Employer Pays?	Jury fees (Per day)
Texas	65	Officer or an employee of the senate, house of representatives, or any department commission, board, office, or other agency in the legislative branch of state government.	PMD with physician's affidavit, consanguinity or affinity within third degree, student, persons caring for children under 10, primary caretaker of invalid.	No	\$6 - \$50, varies among counties
Utah	None	No exemptions.	PMD, UH, EI, PN	No	Day 1= \$18.50; subsequent days=\$49
Vermont	N/S	No exemptions.	UH on prospective juror or his employer.	No	\$30
Virginia	70	President and Vice President of U.S., EL, PO, AT, sheriffs, police, correctional employees.	Person whose spouse is summoned to serve on same jury; persons caring for children under 16 or invalids, mariners and sole operators of business, commercial, or agricultural enterprises.	No	\$30
Washington	N/S	No exemptions.	UH, EI, PN	No	\$10 - \$25, varies among counties
West Virginia	65	No exemptions.	UH, EI, PN, person age 65 or older must be excused upon request.	No	\$15
Wisconsin	N/S	No exemptions.	Cannot fulfill responsibilities of a juror.	No	\$16 minimum per day
Wyoming	73	EL, elected PO, police, firemen.	Material injury or destruction to property threatened, health or family sickness, care of young children.	No	\$30 for first 5 days, then \$50 at discretion of the court.
Federal Courts	N/S	Active military, firemen, police, PO, JO, EL.	Varies, District Court may formulate a plan.	No	\$40 <sup>12</sup>

**FOOTNOTES:**

**California:**

<sup>1</sup>Minimum unless county stipulates higher fee.

**Colorado:**

<sup>2</sup>Fees include expenses to unemployed jurors.

**Connecticut:**

<sup>3</sup>Employer pays full-time employed jurors regular wages for first five days. Part-time employed jurors and unemployed jurors are reimbursed for out-of-pocket expenses.

**District of Columbia:**

<sup>4</sup>For second day and thereafter.

**Georgia:**

<sup>5</sup>A person 70 years or older can request to have name removed from jury list.

<sup>6</sup>If state legislator during term of General Assembly.

<sup>7</sup>By opinion of the Attorney Journal.

**Louisiana:**

<sup>8</sup>All exemptions were eliminated in 1994.

<sup>9</sup>\$12 for civil cases, criminal cases not less than \$12, nor more than \$25, for each day of attendance in court. Orleans Parish civil cases are \$16.

**Massachusetts:**

<sup>10</sup>Fees include expenses to unemployed jurors. Such expenses may be paid from first day of service.

**New York:**

<sup>11</sup>Employers with more than ten employees pay \$40 for the first three days; thereafter, the state pays. If the employer pay the entire salary then state pays nothing. Jurors who work for employers with ten or fewer employees (who do not pay regular wages while on jury duty) or jurors who are not employed received \$40 per day from the state.

**Federal Courts:**

<sup>12</sup>A juror required to attend for more than thirty days may be paid, at the discretion of the trial judge, an additional fee not to exceed \$10 per day.

**Table 41. Trial Juries: Who Conducts Voir Dire and the Allocation of Peremptory Challenges**

Court type: G=general jurisdiction L=limited jurisdiction	Who conducts voir dire?	Number of Peremptory Challenges							Civil Cases
		Criminal				Civil			
		Capital: State	Capital: Defense	Felony: State	Felony: Defense	Misdemeanor: State	Misdemeanor: Defense		
<b>Alabama</b>									
G Circuit	Attorneys or parties and Judge	12	12	6	6	3	3	6	
<b>Alaska</b>									
G Superior	Attorneys and/or Judge	~	~	10	10	3	3	3	
L District	Attorneys and/or Judge	~	~	~	~	3	3	3	
<b>Arizona</b>									
G Superior	Judge	10	10	6	6	6	6	4	
L Justice of the Peace	Judge	~	~	~	~	2	2	3	
L Municipal	Judge	~	~	~	~	2	2	~	
<b>Arkansas</b>									
G Circuit	Attorneys and Judge	10	12	6	8	3	3	3	
G Chancery & Probate	Attorneys and Judge	~	~	~	~	~	~	3	
<b>California</b>									
G Superior	Judge <sup>1</sup>	20	20	20/10 <sup>2</sup>	20/10 <sup>2</sup>	10/6 <sup>3</sup>	10/6 <sup>3</sup>	6	
L Municipal	Judge <sup>1</sup>	~	~	~	~	10/6 <sup>3</sup>	10/6 <sup>3</sup>	~	
<b>Colorado</b>									
G District	Attorneys and Judge	10	10	5	5	3	3	4	
G Probate	Attorneys and Judge	~	~	~	~	~	~	4	
G Water	Attorneys and Judge	~	~	~	~	~	~	4	
L County	Attorneys and Judge	~	~	~	~	3	3	1	
<b>Connecticut</b>									
G Superior	Attorneys	25	25	15/6 <sup>4</sup>	15/6 <sup>4</sup>	3	3	3	
<b>Delaware</b>									
G Superior	Judge	12	20	6	6	6	6	3	
L Common Pleas	Judge	~	~	~	~	6	6	3	
L Justice of the Peace	Magistrates	~	~	~	~	6	6	3	
<b>District of Columbia</b>									
G Superior	Attorneys and/or Judge	~	~	10	10	3	3	3	
<b>Florida</b>									
G Circuit	Attorneys and Judge	10	10	6/10 <sup>5</sup>	6/10 <sup>5</sup>	3	3	3	
L County	Attorneys and Judge	~	~	~	~	3	3	3	
<b>Georgia</b>									
G Superior	Attorneys and Judge	10	20	6	12	2	4	3/6 <sup>6</sup>	
L State	Attorneys and Judge	~	~	~	~	2	4	3/6 <sup>6</sup>	
L Civil	Attorneys and Judge	~	~	~	~	~	~	3	
L Municipal	No juries	~	~	~	~	~	~	~	
<b>Hawaii</b>									
G Circuit	Attorneys and Judge	~	~	3/12 <sup>7</sup>	3/12 <sup>7</sup>	3	3	3	
<b>Idaho</b>									
G District	Attorneys and Judge	10	10	6	6	4	4	4	
<b>Illinois</b>									
G Circuit	Judge <sup>8</sup>	20	20	10	10	5	5	5	
<b>Indiana</b>									
G Superior	Attorneys and Judge	20	20	10	10	5	5	3	
G Circuit	Attorneys and Judge	20	20	10	10	5	5	3	
L County	Attorneys and Judge	~	~	10	10	5	5	3	
<b>Iowa</b>									
G District	Attorneys and Judge	10	~	10/6 <sup>9</sup>	10/6 <sup>9</sup>	4	4	4	
<b>Kansas</b>									
G District	Attorneys and Judge	12	12	12/8/6 <sup>10,11</sup>	12/8/6 <sup>10,11</sup>	3	3	3	

Legend: ~ = Not applicable

**Table 41. Trial Juries: Who Conducts Voir Dire and the Allocation of Peremptory Challenges**

Court type: G=general jurisdiction L=limited jurisdiction	Who conducts voir dire?	Number of Peremptory Challenges						
		Criminal						Civil
		Capital: State	Capital: Defense	Felony: State	Felony: Defense	Misdemeanor: State	Misdemeanor: Defense	Civil Cases
<b>Kentucky</b>								
G Circuit	Attorneys and Judge	8	8	8	8	~	~	3
L District	Attorneys and Judge	~	~	~	~	3	3	3
<b>Louisiana</b>								
G District	Attorneys and Judge	12	12	12/6 <sup>12</sup>	12/6 <sup>12</sup>	6	6	6/3 <sup>13</sup>
<b>Maine</b>								
G Superior	Attorneys and Judge	~	~	8/10 <sup>14</sup>	8/10 <sup>14</sup>	4	4	3
<b>Maryland</b>								
G Circuit	Attorneys and Judge	10	20	5	10	4	4	4
<b>Massachusetts</b>								
G Superior	Judge <sup>15</sup>	12	12	4	4	4	4	4
L District	Judge <sup>15</sup>	~	~	2	2	2	2	2
L Boston Municipal	Judge <sup>15</sup>	~	~	2	2	2	2	~
<b>Michigan</b>								
G Circuit	Attorneys and Judge	12	~	5/12 <sup>16</sup>	5/12 <sup>16</sup>	~	~	3
L District	Attorneys and Judge	~	~	~	~	3	3	3
L Municipal	Attorneys and Judge	~	~	~	~	3	3	3
L Probate	Attorneys and Judge	~	~	5	5	5	5	~
<b>Minnesota</b>								
G District	Attorneys and Judge	9	~	9/3 <sup>17</sup>	15/5 <sup>17</sup>	3	5	2
<b>Mississippi</b>								
G Circuit	Attorneys and Judge	12	12	6	6	6	6	4
G Chancery	Attorneys and Judge	~	~	~	~	~	~	4
L County	Attorneys and Judge	~	~	~	~	4/2 <sup>18</sup>	4/2 <sup>18</sup>	4/2 <sup>18</sup>
L Justice	Judge	~	~	~	~	2	2	2
<b>Missouri</b>								
G Circuit	Attorneys and Judge	9	9	6	6	2	2	3
<b>Montana</b>								
G District	Attorneys and Judge	8	8	6/3 <sup>19</sup>	6/3 <sup>19</sup>	6/3 <sup>19</sup>	6/3 <sup>19</sup>	4
L Justice of the Peace	Attorneys and Judge	~	~	~	~	6/3	6/3	4/2 <sup>20</sup>
L Municipal	Attorneys and Judge	~	~	~	~	6/3	6/3	4/2 <sup>20</sup>
L City	Attorneys and Judge	~	~	~	~	6/3	6/3	4/2 <sup>20</sup>
<b>Nebraska</b>								
G District	Attorneys and Judge	12	12	6	6	3	3	3
L County	Attorneys and Judge	~	~	~	~	3	3	3
<b>Nevada</b>								
G District	Attorneys and Judge	8	8	4	4	4	4	4
L Justice	Attorneys and Judge	~	~	~	~	4	4	4
<b>New Hampshire</b>								
G Superior	Judge <sup>21</sup>	10	20	15/3 <sup>22</sup>	15/3 <sup>22</sup>	3	3	3
<b>New Jersey</b>								
G Superior	Judge <sup>23</sup>	12 <sup>24</sup>	20 <sup>24</sup>	12	20	10	10	6
<b>New Mexico</b>								
G District	Attorneys and Judge	8	12	3	5	3	5	5/3 <sup>26</sup>
L Magistrate	Attorneys and Judge	~	~	~	~	2/1 <sup>25</sup>	2/1 <sup>25</sup>	1
L Bernalillo City Metropolitan	Attorneys and Judge	~	~	~	~	2/1 <sup>25</sup>	2/1 <sup>25</sup>	1



**Table 41. Trial Juries: Who Conducts Voir Dire and the Allocation of Peremptory Challenges**

Court type: G=general jurisdiction L=limited jurisdiction	Who conducts voir dire?	Number of Peremptory Challenges							Civil Cases
		Capital: State	Capital: Defense	Felony: State	Felony: Defense	Misdemeanor: State	Misdemeanor: Defense	Criminal	
<b>New York</b>									
G Supreme	Criminal: Attorneys and Judge	20	20	20/15/10	20/15/10	10	10		3
G County	Civil: Attorneys Criminal: Attorneys and Judge	20	20	20/15/10 <sup>27</sup>	20/15/10 <sup>27</sup>	10	10		3
L District	Civil: Attorneys Criminal: Attorneys and Judge	~	~	~	~	10	10		3
L City	Civil: Attorneys Criminal: Attorneys and Judge	~	~	~	~	10	10		3
L N.Y.C. Civil	Civil: Attorneys Attorneys and Judge	~	~	~	~	~	~		3
L N.Y.C. Criminal	Attorneys and Judge	~	~	~	~	10	10		~
L Town and Village	Criminal: Attorneys and Judge Civil: Attorneys	~	~	~	~	10	10		3
<b>North Carolina</b>									
G Superior	Attorneys	14	14	6	6	6	6		8
L District	Attorneys	~	~	~	~	~	~		8
<b>North Dakota</b>									
G District	Attorneys and Judge	~	~	6/4 <sup>28</sup>	6/4 <sup>28</sup>	6/4 <sup>28</sup>	6/4 <sup>28</sup>		4/4 <sup>29</sup>
<b>Ohio</b>									
G Common Pleas	Attorneys and Judge	6	6	4	4	3	3		3
L Municipal	Attorneys and Judge	~	~	~	~	3	3		3
L County	Attorneys and Judge	~	~	~	~	3	3		3
L Claims	Attorneys and Judge	~	~	~	~	~	~		3
<b>Oklahoma</b>									
G District	Attorneys and Judge	9	9	5	5	3	3		3
<b>Oregon</b>									
G Circuit	Attorneys and Judge	12	12	6	6	6	6		3
L Justice	Attorneys and Judge	~	~	~	~	2	2		3
L Municipal	Attorneys and Judge	~	~	~	~	6	6		3
<b>Pennsylvania</b>									
G Common Pleas	Attorneys and/or Judge	20	20	7	7	5	5		4 <sup>30</sup>
<b>Puerto Rico</b>									
G Superior	Attorneys and Judge	~	~	10/5 <sup>31</sup>	10/5 <sup>31</sup>	5	5		No jury
<b>Rhode Island</b>									
G Superior	Attorneys and Judge	~	~	6	6	3	3		~ <sup>32</sup>
L Family	Attorneys	~	~	6	6	~	~		~ <sup>32</sup>
<b>South Carolina</b>									
G Circuit	Attorneys and Judge	5	10	5	10	5	5		4
L Magistrate	Attorneys and Judge	~	~	~	~	6	6		6
L Municipal	Attorneys and Judge	~	~	~	~	6	6		~
<b>South Dakota</b>									
G Circuit	Attorneys and Judge	20	20	20/10 <sup>33</sup>	20/10 <sup>33</sup>	3	3		3
<b>Tennessee</b>									
G Circuit	Attorneys and Judge	15	15	8	8	3	3		4
G Criminal	Attorneys and Judge	15	15	8	8	3	3		~
G Chancery	Attorneys and Judge	~	~	~	~	~	~		4

**Table 41. Trial Juries: Who Conducts Voir Dire and the Allocation of Peremptory Challenges**

Court type: G=general jurisdiction L=limited jurisdiction	Who conducts voir dire?	Number of Peremptory Challenges						Civil Cases
		Capital: State	Capital: Defense	Felony: State	Felony: Defense	Misdemeanor: State	Misdemeanor: Defense	
<b>Texas</b>								
G District	Attorneys	15	15	10	10	5	5	6
L County	Attorneys	~	~	~	~	3	3	3
L Justice of the Peace	Attorneys	~	~	~	~	3	3	3
L Municipal	Attorneys	~	~	~	~	3	3	3
<b>Utah</b>								
G District	Attorneys and Judge	10	10	4	4	3	3	3
L Justice	Attorneys and Judge	~	~	~	~	3	3	~
<b>Vermont</b>								
G Superior	Attorneys and Judge	~	~	6	6	6	6	6
G District	Attorneys and Judge	~	~	6	6	6	6	6
<b>Virginia</b>								
G Circuit	Attorneys and Judge	4	4	4	4	3	3	3
<b>Washington</b>								
G Superior	Attorneys and Judge	12	12	6	6	3	3	3
L District	Attorneys and Judge	~	~	~	~	3	3	3
L Municipal	Attorneys and Judge	~	~	~	~	3	3	3
<b>West Virginia</b>								
G Circuit	Attorneys and Judge	~	~	2	6	4	4	4
L Magistrate	Attorneys and Judge	~	~	~	~	4	4	4
<b>Wisconsin</b>								
G Circuit	Attorneys and Judge	~	~	6/4 <sup>34</sup>	6/4 <sup>34</sup>	4	4	3
<b>Wyoming</b>								
G District	Attorneys	12	12	8	8	4	4	3
L Municipal	Attorneys	~	~	~	~	4	4	~
L County	Attorneys	~	~	~	~	4	4	3
L Justice of the Peace	Attorneys	~	~	~	~	4	4	3
<b>Federal</b>								
G District	Attorneys and Judge	20	20	6	10	3	3	3

**NOTE:** States with no death penalty statute are AK, DC, HI, IA, ME, MA, MI, MN, ND, RI, VT, WI, WV

**FOOTNOTES:**

**California:**

<sup>1</sup>Judge alone, with discretionary supplementing by attorneys (Code Cv. Pro. §223, Court Rule 228).

<sup>2</sup>Twenty challenges for either capital or life punishments.

<sup>3</sup>Six for a penalty of 90 days or less, 10 for other misdemeanors.

**Connecticut:**

<sup>4</sup>Fifteen peremptory challenges if offense is punishable for life, 6 for other.

**Florida:**

<sup>5</sup>Ten challenges allowed for each side when the defendant faces life imprisonment; six for all other cases.

**Georgia:**

<sup>6</sup>Six challenges are allowed for each side when a party requests a jury of twelve (minimum of \$10,000 at stake); three challenges for all other cases.

**Hawaii:**

<sup>7</sup>Twelve challenges allowed for each side when the defendant faces life imprisonment; three for all other cases.

**Illinois:**

<sup>8</sup>May permit attorneys to participate.

**Iowa:**

<sup>9</sup>Ten if Class A felony.

**Kansas:**

<sup>10</sup>Twelve for Class A felony, 8 for B felony, 6 for C, D, E.

<sup>11</sup>After July 1, 1993 12 for off-grid or any severity level 1, 8 for severity level 2-6 person felonies, or greater non-person felony or severity level 2 or 3 drug felony, 6 for any other felony.

**Louisiana:**

<sup>12</sup>Louisiana's criminal statutes provide that some felonies are punishable "with or without hard labor.. For those punishable without hard labor, the state and the defense have six peremptory challenges each.

<sup>13</sup>If a trial is by a jury of twelve, each side is allowed six peremptory challenges. If a trial is by a jury of six, each side is allowed three peremptory challenges.

**Maine:**

<sup>14</sup>Ten if charged with murder.

**Massachusetts:**

<sup>15</sup>May permit attorneys to participate.

**Michigan:**

<sup>16</sup>Twelve challenges if tried for life imprisonment, otherwise 5.

**Minnesota:**

<sup>17</sup>Nine for state, 15 for defense if life imprisonment possible.

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## Table 41. Trial Juries: Who Conducts Voir Dire and the Allocation of Peremptory Challenges

### Mississippi:

<sup>18</sup>Four for 12-person jury, 2 for 6-person.

### Montana:

<sup>19</sup>Six challenges for 12-person jury, 3 for 6-person jury.

<sup>20</sup>Two for 6-person jury, not to exceed total of 4 challenges if jury less than 12-person.

### New Hampshire:

<sup>21</sup>Counsel is allowed to propose voir dire questions, especially in murder cases.

<sup>22</sup>If offense is first degree murder, then 15 per side.

### New Jersey:

<sup>23</sup>May permit attorneys to participate.

<sup>24</sup>May be increased by trial judge.

### New Mexico:

<sup>25</sup>One for petty misdemeanors, 2 for others.

<sup>26</sup>Five for 12-person jury, 3 for 6-person.

### New York:

<sup>27</sup>Twenty for Class A felony; fifteen for Class B or C felony, ten for all other.

### North Dakota:

<sup>28</sup>Six challenges for 12-person jury, 4 for 6-person jury.

<sup>29</sup>Four challenges for 9-person jury, 4 for 6-person jury.

### Pennsylvania:

<sup>30</sup>May be varied to achieve a fair distribution of challenges.

### Puerto Rico:

<sup>31</sup>Ten if punishable by life imprisonment, 5 for all other felonies.

### Rhode Island:

<sup>32</sup>Peremptory challenges not to exceed 1/3 of qualified jurors (qualified jurors are jurors who are not subject to challenge for cause).

### South Dakota:

<sup>33</sup>Twenty peremptory challenges when life imprisonment is a potential penalty, 10 challenges for all else.

### Wisconsin:

<sup>34</sup>Six per side for life sentence, otherwise 4.

**Table 42. Trial Juries: Size and Verdict Rules**

Court Type G=general jurisdiction L=limited jurisdiction	Trial Type					
	Felony		Misdemeanor		Civil	
	Size	Decision-Rule	Size	Decision-Rule	Size	Decision-Rule
<b>Alabama</b>						
G Circuit	12	Unanimous	12	Unanimous	12	Unanimous
<b>Alaska</b>						
G Superior	12	Unanimous	12	Unanimous	12	5/6-rule
L District			6	Unanimous	6	5/6-rule
<b>Arizona</b>						
G Superior	12/8 <sup>1</sup>	Unanimous	6	Unanimous	8	3/4-rule
L Justice of the Peace			6	Unanimous	6	5/6-rule
L Municipal			6	Unanimous		
<b>Arkansas</b>						
G Circuit	12	Unanimous	12 <sup>2</sup>	Unanimous	12	3/4 rule
G Common Pleas					12	3/4 rule
<b>California</b>						
G Superior	12	Unanimous	12 <sup>3</sup>	Unanimous	12 <sup>3</sup>	3/4 rule
L Municipal			12 <sup>3</sup>	Unanimous	12 <sup>3</sup>	3/4 rule
<b>Colorado</b>						
G District	12	Unanimous	6	Unanimous	6	Unanimous
L County			6	Unanimous	6	Unanimous
G Probate, Water					6	Unanimous
<b>Connecticut</b>						
G Superior	6 <sup>4</sup>	Unanimous	6	Unanimous	6	Unanimous
<b>Delaware</b>						
G Superior	12	Unanimous	12	Unanimous	12	Unanimous
L Common Pleas, Just. Peace			12	Unanimous	6	Unanimous
<b>District of Columbia</b>						
G Superior	12	Unanimous	12	Unanimous	6 <sup>5</sup>	Unanimous
<b>Florida</b>						
G Circuit	6 <sup>6</sup>	Unanimous	6	Unanimous	6 <sup>6</sup>	Unanimous
L County			6	Unanimous	6	Unanimous
<b>Georgia</b>						
G Superior	12	Unanimous	6	Unanimous	12	Unanimous
L State			6	Unanimous	6 <sup>7</sup>	Unanimous
L Civil					6	Unanimous
<b>Hawaii</b>						
G Circuit	12	Unanimous	12 <sup>8</sup>	Unanimous	12 <sup>9</sup>	5/6-rule <sup>10</sup>
<b>Idaho</b>						
G District	12	Unanimous	6	Unanimous	12/6 <sup>11</sup>	3/4-rule
<b>Illinois</b>						
G Circuit	12	Unanimous	12	Unanimous	12/6 <sup>12</sup>	Unanimous
<b>Indiana</b>						
G Superior, Circuit	12/6 <sup>13</sup>	Unanimous	6	Unanimous	6	Unanimous
L County	6 <sup>13,14</sup>	Unanimous	6	Unanimous	6	Unanimous
L City, Town	15		6	Unanimous	6	Unanimous
<b>Iowa</b>						
G District	12	Unanimous	12/6 <sup>16</sup>	Unanimous	8	7/8-rule or Unanimous <sup>17</sup>
<b>Kansas</b>						
G District	12 <sup>18</sup>	Unanimous	6	Unanimous	6/12 <sup>19</sup>	5/6-rule, or Unanimous <sup>20</sup>
<b>Kentucky</b>						
G Circuit	12	Unanimous	12	Unanimous	12	3/4-rule
L District			6	Unanimous	6	5/6-rule

**Table 42. Trial Juries: Size and Verdict Rules**

Court Type G=general jurisdiction L=limited jurisdiction	Trial Type					
	Felony		Misdemeanor		Civil	
	Size	Decision-Rule	Size	Decision-Rule	Size	Decision-Rule
<b>Louisiana</b>						
G District	12 <sup>21</sup>	Unanimous/ 10/12 <sup>22</sup>	6	Unanimous	12 <sup>23</sup>	5/6-rule, 9/12-rule
<b>Maine</b>						
G Superior	12	Unanimous	12	Unanimous	8	3/4-rule
<b>Maryland</b>						
G Circuit	12	Unanimous	12	Unanimous	6	Unanimous
<b>Massachusetts</b>						
G Superior	12	Unanimous	12	Unanimous	12	5/6-rule
L District	6	Unanimous	6	Unanimous	6	5/6 rule
L Boston Municipal	6	Unanimous	6	Unanimous		
<b>Michigan</b>						
G Circuit	12	Unanimous	12	Unanimous	6	5/6-rule
L District, Municipal			6	Unanimous	6	5/6-rule
<b>Minnesota</b>						
G District	12	Unanimous	6	Unanimous	6	5/6-rule, or Unanimous <sup>24</sup>
<b>Mississippi</b>						
G Circuit	12	Unanimous	6	Unanimous	12	3/4-rule
G Chancery					12	3/4-rule
L County			6	Unanimous	6	5/6-rule
L Justice			6	Unanimous	6	Unanimous
<b>Missouri</b>						
G Circuit	12	Unanimous	12	Unanimous	12	3/4-rule
<b>Montana</b>						
G District	12	Unanimous	12 <sup>25</sup>	Unanimous	12 <sup>25</sup>	2/3-rule
L Justice Peace, Municipal			6 <sup>25</sup>	Unanimous	6 <sup>25</sup>	Unanimous
L City			6 <sup>25</sup>	Unanimous	6 <sup>25</sup>	Unanimous
<b>Nebraska</b>						
G District	12	Unanimous	12	Unanimous	12	5/6-rule, or Unanimous <sup>26</sup>
L County			6	Unanimous	6	5/6-rule, or Unanimous <sup>26</sup>
<b>Nevada</b>						
G District	12	Unanimous	12	Unanimous	12 <sup>27</sup>	3/4 rule
L Justice			6	Unanimous	6 <sup>27</sup>	3/4-rule
<b>New Hampshire</b>						
G Superior	12	Unanimous	6	Unanimous	12	Unanimous
<b>New Jersey</b>						
G Superior	12	Unanimous	12	Unanimous	6/12	5/6-rule
<b>New Mexico</b>						
G District	12	Unanimous	12	Unanimous	12	5/6-rule
L Magistrate, Bernalillo Metro.			6	Unanimous	6	5/6-rule
<b>New York</b>						
G Supreme, County	12	Unanimous	12	Unanimous	6	5/6-rule
L District			6	Unanimous	6	5/6-rule
L City, Town and Village			6	Unanimous	6	5/6-rule
L N.Y.C. Civil					6	5/6-rule
L N.Y.C. Criminal			6	Unanimous		
<b>North Carolina</b>						
G Superior	12	Unanimous	12	Unanimous	12 <sup>28</sup>	Unanimous <sup>28</sup>
L District					12 <sup>28</sup>	Unanimous <sup>28</sup>
<b>North Dakota</b>						
G District	12	Unanimous	12/6	Unanimous	6/9	Unanimous

**Table 42. Trial Juries: Size and Verdict Rules**

Court Type G=general jurisdiction L=limited jurisdiction	Trial Type					
	Felony		Misdemeanor		Civil	
	Size	Decision-Rule	Size	Decision-Rule	Size	Decision-Rule
<b>Ohio</b>						
G Common Pleas	12	Unanimous	8	Unanimous	12/8 <sup>29</sup>	3/4-rule
L Municipal, County			8	Unanimous	8	3/4-rule
L Claims					8	3/4-rule
<b>Oklahoma</b>						
G District	12	Unanimous	6 <sup>30</sup>	<b>Unanimous</b>	6/12 <sup>31</sup>	<b>Unanimous</b>
<b>Oregon</b>						
G Circuit	12	5/6 (of 12) not murder <sup>32</sup>	6	5/6-rule	6/12 <sup>33</sup>	3/4-rule
L Justice			6	5/6-rule	6	5/6-rule
L Municipal			6	Unanimous	6	Unanimous
<b>Pennsylvania</b>						
G Common Pleas	12 <sup>34</sup>	Unanimous	12 <sup>34</sup>	Unanimous	12 <sup>35</sup>	5/6-rule
<b>Puerto Rico</b>						
G Superior	12	9	12	9	No jury	No jury
<b>Rhode Island</b>						
G Superior	12	Unanimous	12	Unanimous	12	Unanimous
L Family					6	Unanimous
<b>South Carolina</b>						
G Circuit	12	Unanimous	12	Unanimous	12	Unanimous
L Magistrate			6	Unanimous	6	Unanimous
L Municipal			6	Unanimous		
<b>South Dakota</b>						
G Circuit	12	Unanimous	12	Unanimous	12 <sup>36</sup>	5/6-rule
<b>Tennessee</b>						
G Circuit	12	Unanimous	12	Unanimous	12	Unanimous
G Criminal	12	Unanimous	12	Unanimous		
G Chancery					12	Unanimous
<b>Texas</b>						
G District	12	Unanimous	12	Unanimous	12	5/6-rule
L County, Justice Peace, Municipal			6	Unanimous	6	5/6-rule
<b>Utah</b>						
G District	8/12 <sup>37</sup>	Unanimous	6/4 <sup>38</sup>	Unanimous	8	3/4-rule or Majority
L Justice			4/6 <sup>38</sup>	Unanimous	~	~
<b>Vermont</b>						
G Superior, District	12	Unanimous	12	Unanimous	12	Unanimous
<b>Virginia</b>						
G Circuit	12	Unanimous	7	Unanimous	5/7 <sup>39</sup>	Unanimous
<b>Washington</b>						
G Superior	12 <sup>40</sup>	Unanimous	12 <sup>40</sup>	Unanimous	6 <sup>41</sup>	5/6-rule
L District, Municipal			6	Unanimous	6	5/6-rule
<b>West Virginia</b>						
G Circuit	12	Unanimous	12	Unanimous	6	Unanimous
L Municipal			12	Unanimous		
L Magistrate			6	Unanimous	6	Unanimous
<b>Wisconsin</b>						
G Circuit	12 <sup>42</sup>	Unanimous	6	Unanimous	6 <sup>43</sup>	5/6-rule
<b>Wyoming</b>						
G District	12	Unanimous	6	Unanimous	6 <sup>44</sup>	Unanimous
L Municipal			6	Unanimous		
L County, Justice Peace			6	Unanimous	6 <sup>44</sup>	Unanimous

**Table 42. Trial Juries: Size and Verdict Rules**

Court Type G=general jurisdiction L=limited jurisdiction	Trial Type					
	Felony		Misdemeanor		Civil	
	Size	Decision-Rule	Size	Decision-Rule	Size	Decision-Rule
<b>Federal</b>						
G District	12	Unanimous	12	Unanimous	6 <sup>45</sup>	Unanimous

**FOOTNOTES:**

**Arizona:**

<sup>1</sup>Twelve-member jury if death penalty or sentence of thirty years or more.

**Arkansas:**

<sup>2</sup>May be six at judge's discretion.

**California:**

<sup>3</sup>Or fewer by agreement of parties.

**Connecticut:**

<sup>4</sup>Twelve-member jury in capital cases, defendant may elect otherwise.

**District of Columbia**

<sup>5</sup>In civil trials, six-member jury unless a jury of twelve is demanded.

**Florida:**

<sup>6</sup>Capital and eminent domain cases require a twelve-member jury (Unanimous verdict).

**Georgia:**

<sup>7</sup>In state court civil trials, twelve-member jury may be demanded if damages are greater than \$10,000, otherwise six.

**Hawaii:**

<sup>8</sup>Crimes punishable by six months or more.

<sup>9</sup>May stipulate that the jury consist of any number less than twelve or that a verdict on finding of a stated majority of jurors is taken as the verdict or finding of the jury.

<sup>10</sup>Can stipulate to six-member with 5/6-rule.

**Idaho:**

<sup>11</sup>Limited to six in cases involving less than \$500.00.

**Illinois:**

<sup>12</sup>In civil trials, six-member jury unless twelve are requested.

**Indiana:**

<sup>13</sup>Twelve for class A, B, and C felonies; six for other felonies.

<sup>14</sup>Only tries class D felonies.

<sup>15</sup>No jurisdiction over felonies.

**Iowa:**

<sup>16</sup>In misdemeanor trials, twelve-member jury if "serious" or "aggravated," six if "simple."

<sup>17</sup>In civil trials, 7/8-rule applies after six hours of deliberation.

**Kansas:**

<sup>18</sup>In felony trial, must start with twelve members.

<sup>19</sup>In civil trials, twelve-member jury if damages are greater than \$10,000, otherwise six.

<sup>20</sup>In civil trials, 5/6-rule applies with twelve jurors, otherwise must be unanimous.

**Louisiana:**

<sup>21</sup>Capital cases and cases where punishment necessarily is confinement at hard labor=twelve jurors. Cases where punishment may be confinement at hard labor=six jurors.

<sup>22</sup>Capital cases=unanimous; cases where punishment necessary is confinement at hard labor=10/12; cases where punishment may be confinement at hard labor=unanimous.

<sup>23</sup>Parties may stipulate to a six person jury.

**Minnesota:**

<sup>24</sup>If deliberate more than six hours.

**Montana:**

<sup>25</sup>In misdemeanor and civil trials, four-member jury if both parties agree.

**Nebraska:**

<sup>26</sup>In civil trials, 5/6-rule after six hours deliberation.

**Nevada:**

<sup>27</sup>Parties may stipulate to a jury of 4-8.

**North Carolina:**

<sup>28</sup>Except in actions in which a jury is required by statute, the parties may stipulate that the jury shall consist of any number less than twelve or that a verdict or a finding of a stated majority of the jurors shall be taken as the verdict or finding of the jury.

**Ohio:**

<sup>29</sup>Twelve person only when action for appropriation of right-of-way by a corporation.

**Oklahoma:**

<sup>30</sup>In cases where imprisonment is authorized for more than six months, all jurors must concur in the verdict.

<sup>31</sup>In civil trials, twelve-member jury if damages are greater than \$2,500, otherwise six.

**Oregon:**

<sup>32</sup>In murder trials, verdict must be unanimous.

<sup>33</sup>Six person if cause of action less than \$10,000.00.

**Pennsylvania:**

<sup>34</sup>Upon consent, may be less than twelve, but not less than six.

<sup>35</sup>Twelve is subject to waiver.

**South Dakota:**

<sup>36</sup>Small claims actions – six person jury allowed (beginning 7/1/98 pilot

**Utah:**

<sup>37</sup>Twelve member jury for capital offense.

<sup>38</sup>In class A misdemeanor trials, a six-member jury is required. In class C and D misdemeanor trials, a four-member jury is required.

**Virginia:**

<sup>39</sup>In civil trials, a twelve-member jury may be allowed by judge.

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**Table 42. Trial Juries: Size and Verdict Rules****Washington:**

<sup>40</sup>In non-capital cases, defendant may elect trial before a six-member jury.

<sup>41</sup>In a civil trial, may demand a twelve-member jury.

**Wisconsin:**

<sup>42</sup>Both parties may agree, in writing or on the record, to any number less than twelve.

<sup>43</sup>In civil or traffic cases, a party may request, or the court on its own motion may require a greater number, not to exceed twelve.

**Wyoming:**

<sup>44</sup>In civil trials, six-member jury unless demand made for twelve.

**Federal:**

<sup>45</sup>In civil trials, six-member jury unless a jury of twelve is demanded. If a twelve member jury is used, even absent stipulation, a valid verdict may be returned by the remaining eleven jurors if the court finds it necessary to excuse a juror.



**Table 43. Grand Juries: Composition and Functions**

	Is Indictment Required for all Felony Prosecutions?*	Number of Jurors	Number Needed to Indict	Statutory Term	Scope of Activities
Alabama	Yes	18	12	Minimum of 2 per year if population is less than 50,000; minimum of 4 per year if population is over 50,000	Criminal investigations, indictments, inspect jails, examines county bookkeeping records
Alaska	Yes	12 to 18	Majority	4 months maximum	Criminal investigations, indictments, investigates and makes recommendations concerning public safety or welfare
Arizona	No	12 to 16	9	County grand jury, up to 120 days; statewide grand jury, 6 months	Criminal indictments
Arkansas	No	16 plus reasonable number of alternates	12	1 year maximum	Criminal investigations, indictments, inspects jails, public corruption investigations, examines public records
California	No	23/19/11 <sup>1</sup>	14/12/8	1 year	Criminal investigations, indictments, operation of local government, public records
Colorado	No	12	9	12 months, may be extended for another 6	Criminal investigations, indictments
Connecticut	Grand jury required only in capital or life imprisonment cases	18	12	Varies	Criminal investigations, indictments
Delaware	Yes, capital offenses only	15 (New Castle),10 (Kent and Sussex)	9 (New Castle), 7 (Kent and Sussex)	Serves until discharged by court, usually 1 year	Criminal investigations, indictments
District of Columbia	Yes, defendant may waive rights in non-capital cases	16 to 23	12	Until discharged (up to 18 months)	All matters brought before it, regardless of whether an indictment is returnable.
Florida	Capital cases only, a separate state-wide jury is available in special cases	15 to 18	12	May be recalled at any time during the same term of court.	Criminal investigations, indictments, political corruption investigations
Georgia	No, defendant can waive right to grand jury	16 to 23	12	4 weeks or until end of case.	Criminal investigations, indictments, inspects jails and public buildings, inspects offices of superior court, probate court, county treasurer, district attorney, school superintendent. Appoints committee to inspect any county office or officer
Hawaii	No	16, 8 is a quorum	3/4, but not less than 8 of the jurors present	1 year	Criminal investigations, indictments
Idaho	No	16, 12 is a quorum	12	6 months	Criminal investigations, indictments
Illinois	No	16, 12 is a quorum	9	18 months maximum	Criminal investigations, indictments, inspection of jails
Indiana	No	6	5	6 months, may be extended to 2 years	Criminal investigations, indictments, status report on county homes, and correctional facilities

**Table 43. Grand Juries: Composition and Functions**

	Is Indictment Required for all Felony Prosecutions?*	Number of Jurors	Number Needed to Indict	Statutory Term	Scope of Activities
Iowa	No	7	5	1 year, may be extended	Criminal investigations, indictments, condition of public prisons, county institutions, places of detention, and misconduct of public officers
Kansas	No	15, 12 is a quorum	12	3 months, may be extended to 6	Criminal investigations, indictments
Kentucky	No	12	9	20 court days, special grand jury 90 days	Criminal investigations, indictments, public corruption investigations
Louisiana	No	12	9	4 to 8 months except up to 1 year in Cameron Parish	Criminal investigations, indictments, inspects public facilities
Maine	Yes	13 to 23	12	No set term, not to exceed 1 year	Criminal indictments
Maryland	No	23	12	Coterminous with term of court for which summoned	Criminal investigations, indictments, investigates local jail conditions
Massachusetts	No	23	12	Grand jurors serve for 3 months, but that time may be extended.	Criminal investigations, indictments
Michigan <sup>2</sup>	No	13 to 17	9	6 months	Criminal investigations, indictments
Minnesota	No	16 to 23	12	Not to exceed 1 year	Criminal investigations, indictments, investigates public corruption, inspects prison management
Mississippi	Yes	15 to 20	12	6 months	Criminal indictments, inspects county owned facilities, inspects tax books
Missouri	No	12	9	Not to exceed 6 months; extension up to 60 days to complete work	Criminal investigations, indictments, examines public buildings
Montana	No	11	8	Varies	Criminal indictments, investigates public corruption, inspects prisons
Nebraska	No	16	12	Varies	Criminal investigations, indictments, inspects county jails
Nevada <sup>3</sup>	No	17	12	1 year	Criminal investigations, indictments, inspects prisons and public records
New Hampshire	Yes	13 to 23	12	30 days maximum	Criminal indictments and investigations
New Jersey	Yes	Not more than 23	12	Not more than 20 weeks	Criminal investigations, indictments, investigation of public affairs or conditions
New Mexico	No	12	8	3 months	Criminal investigations, or as charged by district judge
New York	Yes	16 to 23	12	No set term	Criminal investigations, investigates public corruption
North Carolina	Yes	12 to 18	12	1 year (Judicial discretion to fix term at 6 months if judge finds jury service to be disproportionate burden on jurors and their employers.)	Criminal investigations, indictments, inspects jails and other county offices, reports to the court
North Dakota	No	8 to 11	6	10 days	Criminal investigations, indictments, investigates public corruption, inspects prisons
Ohio	No/Yes <sup>4</sup>	15/9 <sup>4</sup>	12/7 <sup>4</sup>	Up to 4 months, extendible to 9 months	Criminal investigations, indictments, inspects correctional houses

**Table 43. Grand Juries: Composition and Functions**

	Is Indictment Required for all Felony Prosecutions?*	Number of Jurors	Number Needed to Indict	Statutory Term	Scope of Activities
Oklahoma	No; multi-county limited grand jury available in special cases	12	9	18 months	Criminal indictments, examines public officer conduct, investigates prison management
Oregon	No	7	5	Varies by county (depends on juror, term) service	Criminal investigations, indictments, investigates public corruption and deaths of law enforcement officers, inspects jails
Pennsylvania	No, all counties have abolished the indicting grand jury system	23, 15 is a quorum; 7 alternate jurors	~	18 months, but can be extended to 24 months	Criminal investigations
Rhode Island	Capital or life imprisonment cases only	13 to 23	12	18 months maximum	Criminal investigations, indictments
South Carolina	Yes	18	12	2 year maximum	Criminal investigations, indictments, investigates public officials
South Dakota	No	6 to 10	6	18 months	Criminal investigations, indictments, examines public records and prisons
Tennessee	Yes	13	12	Foreman serves for 2 years. The other 12 serve until dismissed by the judge or until the next term.	Criminal investigations, indictments, inspects conditions and management of prisons and other county buildings, inquire into abuse of office and bonds of county officers, and inquire into condition of county treasury.
Texas	No	12, 9 is a quorum	9	Varies	Criminal investigations, indictments
Utah	No	9 to 15	3/4 of jury	18 months	Criminal investigations
Vermont	No	18-23	12	6 months	Criminal investigations, indictments
Virginia	Yes	5 to 7	4	1 year	Criminal investigations, indictments
Washington	No	12	3/4 of jury	60 days	Criminal investigations, indictments, investigates public corruption
West Virginia	Yes	16, 15 is a quorum	12	1 term (4 months), may be extended	Criminal indictments (circuit court only)
Wisconsin <sup>5</sup>	No	17	12	31 consecutive days	Criminal investigations, indictments
Wyoming	No	12, 9 is a quorum	9	Up to 1 year	Criminal indictments, inspects jails
Federal Courts	Yes	16 to 23	12	18 months, may be extended another 6 months	Criminal investigations, indictments

\*Unless waived by the accused, "No" = not required but available.

**FOOTNOTES:**

**California:**

<sup>1</sup>23 in counties having a population exceeding 4 million; 11 in counties having a population less than 20,000; 19 in all other counties.

**Michigan:**

<sup>2</sup>For multi-county grand juries, the court of appeals shall designate the number of jurors to be drawn. (MCL 767.7e)

**Nevada:**

<sup>3</sup>Every public offense must be prosecuted by indictment or information, except removal of civil officer, offenses arising in militia and offenses tried in municipal or justice court.

**Ohio:**

<sup>4</sup>State and County grand jury: for felonies in County Courts, grand jury indictment by 7 of 9 grand jurors required for all felony prosecutions. Not required by state court grand juries which have 15 members and 12 are needed to indict.

**Wisconsin:**

<sup>5</sup>Wisconsin has not convened a grand jury in at least twenty-five years, although the grand jury statute is still on the books. As a practical matter, it serves no function.

## PART VII: The sentencing context

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The seven tables in this section describe different facets of the sentencing process. The tables provide definitions of basic sentencing terms in each state; powers and procedures of the courts in the sentencing process; the use of intermediate sanctions and sentencing guidelines; the consequences of a felon conviction, and provisions affecting sentence reductions.

In Table 44, basic definitions are given for key terms used in the sentencing process. First, felony and misdemeanor offenses are described in terms of minimum and maximum sentence lengths, and for felonies in terms of possible fines. Next, the table defines the sentence enhancement provisions and mandatory minimums resulting from the use of deadly weapons in the course of a crime and from habitual offender statutes. Finally, the table indicates what is the most severe sentence other than the death penalty in a state. For those states with capital punishment, this specific sentence is often the default if the jury cannot agree on the appropriate sentence. Many states have provisions for a sentence to “life without the possibility of parole.”

Courts of general jurisdiction have unlimited authority to hear and dispose of felony cases. However, courts of limited jurisdiction in most states conduct preliminary hearings and bind over felony defendants for trial, and in the course of doing so may have the jurisdiction to accept a guilty plea to a misdemeanor and then impose sentence. In some states, this extends to accepting a guilty plea to a felony charge and, rarely, to imposing sentence. Table 45 describes how jurisdiction over felony cases is distributed within each state’s court system. Also described are the authority of a trial court judge to alter a sentence once it has been implemented and the authority of an appellate justice or court to alter a sentence.

Sentencing responsibilities in felony cases are presented in Table 46. The table addresses capital felony cases and non-capital felony cases separately because of the different responsibilities in each type of case. For capital cases the table identifies who sets the sentence, whether the jury must be unanimous, whether there is an automatic default when the jury fails to agree, and whether the judge can alter the jury’s sentence. In non-capital cases, the table also identifies who sets the original sentence and whether the judge may alter the jury’s sentence, and whether there is a separate sentencing hearing. The jury sets the sentence for non-capital cases in only five states and gives a recommendation in just two other states. Of those five states, only Texas does not allow the trial judge to change the jury’s sentence. This contrasts with capital felony cases where the jury sets the original sentence in a majority of states.

Sentencing options in the form of intermediate sanctions, those less severe than imprisonment but more intrusive than ordinary probation, are described in Table 47. Specific reference is made to intensive probation, work release, house arrest, electronic monitoring, and shock incarceration, the most widely used intermediate sanctions. Other intermediate sanctions are also noted. Short descriptions of the programs identified in the table are given in notes after the table.

Table 48 offers a look at states which have sentencing commissions or sentencing guidelines (states with neither sentencing commissions nor sentencing guidelines have been omitted from the table). Sentencing commissions are described by noting when each was established, the nature of its authorization, its membership composition, its responsibilities, and whether its jurisdiction is to advise or review sentences. The table also indicates what year the state implemented sentencing guidelines and whether the guidelines are voluntary or mandatory.

Conviction for a felony offense can bring certain “civil disabilities” in the form of collateral consequences. These typically extend beyond the point at which a person leaves prison or is released from probation or parole supervision. However, states differ in whether collateral consequences apply to all convicted felons or only to those incarcerated. Table 49 considers the impact that a felony conviction has on voting rights, parental rights, eligibility for public employment, jury service, and firearm ownership. Whether there is a registration requirement for convicted felons is also indicated. Information is also provided on the duration of the disability.

Truth-in-sentencing laws, which specify a proportion of a sentence length that an offender must serve, are reshaping sentence-reducing mechanisms in state courts. Table 50 describes some important aspects of “back end discretion,” which refers to the reduction of actual prison time served through parole board discretion and by accumulation of “good time.” The availability of “good time” and the rate at which it accrues are detailed, as is the existence of a parole board with discretionary release authority.

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## Select Bibliography:

- Neal Kauder, Brian Ostrom, Meredith Peterson, and David Rottman, *Sentencing Commission Profiles Profiles: State Sentencing Policy and Practice*, Williamsburg, VA: National Center for State Courts, 1997.
- Brian Ostrom, Neal Kauder, David Rottman, and Meredith Peterson, *Sentencing Digest: Examining Current Sentencing Issues and Policies*, Williamsburg, VA: National Center for State Courts, 1998
- "A Symposium on Sentencing Reform in the States," *University of Colorado Law Review*, 64, No. 3, 1993.
- "'Black Box Decisions' on Life or Death--If They're Arbitrary, Don't Blame the Jury: A Reply to Judge Patrick Higginbotham," *Case Western Reserve Law Review*, Volume 41, Number 4, 1991.
- Barbara S. Vincent and Paul J. Hofer, *The Consequences of Mandatory Minimum Prison Terms: A Summary of Recent Findings*, Washington D.C.: Federal Judicial Center, 1994.
- Derral Cheatwood, "The Life-Without-Parole Sanction: Its Current Status and a Research Agenda", *Crime and Delinquency*, Volume 34, Number 1, January 1988.
- J. Mark Lane, "Is There Life Without Parole?: A Capital Defendant's Right to a Meaningful Alternative Sentence," *Loyola of Los Angeles Law Review*, Volume 26, January 1993.
- James M. Byrne, Arthur J. Lurigio, Joan Petersilia, *Smart Sentencing: The Emergence of Intermediate Sanctions*, Newbury Park: Sage, 1992.
- Julian H. Wright, "'Life-Without-Parole: An Alternative to Death or Not Much of a Life at All?," *Vanderbilt Law Review*, Volume 43, 1990.
- Kathleen Maguire and Ann L. Pastore (Eds.) *Sourcebook of Criminal Justice Statistics, 1993*, Washington D.C.: U.S. Department of Justice, Bureau of Justice Statistics, USGPO, 1994.
- Kent H. Ronhovde and Gloria P. Sugars, "Survey of Select State Firearm Control Laws," *Federal Regulation of Firearms*, Washington, D.C.: U.S. Government Printing Office (prepared for the U.S. Senate Judiciary Committee), 1982.
- Micheal H. Tonry, *Intermediate Sanctions in Sentencing Guidelines*. Washington D.C.: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, 1997.
- NAACP Legal Defense and Education Fund, *Death Row U.S.A.* (a periodical).
- Patrick A. Langan, "Between Prison and Probation: Intermediate Sanctions," *Science*, Vol. 264, May 1994
- Patrick E. Higginbotham, "Juries and the Death Penalty," *Case Western Reserve Law Review*, Volume 41, Number 4, 1991.
- Richard Koehler and Charles Lindner, "Alternative Incarceration: An Inevitable Response to Institutional Overcrowding," *Federal Probation*, September 1992.
- Ruthanne De Wolfe, "Prison Law Developments: Alternatives to Incarceration," *Clearinghouse Review*, January 1991.
- Sandra Shane-DuBow, Alice Brown, and Erik Olsen, *Sentencing Reform in the United States: History, Content, and Effect*. Washington D.C.: U.S. Government Printing Office, 1985.
- "Symposium on Federal Sentencing," *Southern California Law Review*, 99, 1992.
- William McDonald, *Repeat Offender Law in the United States: Their Form, Use, and Perceived Value*. Washington D.C.: National Institute of Justice, 1986
- Table 49:**  
"Richard G. Singer, "Conviction: Civil Disabilities," *Encyclopedia of Crime and Justice*, Vol. I, S. Kadish (Ed.). New York: The Free Press, 1983.
- Walter Matthews Grant, John LeCornu, John Andrew Pickens, Dean Hill Rivkins, and C. Roger Vinson, "The Collateral Consequences of a Felony Conviction," *Vanderbilt Law Review*, Volume 23 Number 5, October 1970.
- Velmer S. Burton, Jr., Francis T. Cullen, and Lawrence F. Travis III, "The Collateral Consequences of a Felony Conviction: A National Study of State Statutes," *Federal Probation*, September 1987.

**Table 44. Sentencing Statutes: Key Definitions and Provisions for Sentence Enhancement**

	Felony Sentence Range	Misdemeanor Maximum Sentence	Felony Fine Range	Deadly Weapon Use—Mandatory Minimum (MM)	Habitual Offender Definition*	Most Serious Non-Capital Sentence
Alabama	More than 1 yr./ Death	1 Yr.	\$0 - 20,000 or twice the pecuniary gain. Up to \$500,000 for drug trafficking depending on quantity.	Not less than 20 yrs. for Class A, 10 for Class B felony.	Punished under next highest class of felony for each prior conviction. On conviction of a Class A felony after 3 priors, MM = LWOP.	LWOP. Governor may not commute sentence.
Alaska	More than 1 yr./ 99 yrs.	1 Yr.	\$0 - 75,000 (\$500,000 for organizations).	MM 7 yrs. for Class A felony.	MM for a Class A, 2nd felony, 10 yrs. 3rd felony, 15 yrs.	20 - 99 yrs., prescribed minimum may not be reduced.
Arizona	6 months/ Death	6 months first offense, up to 22 for 2 <sup>nd</sup> .	\$0 - 150,000	MM Class 2 felony 7 yrs.	MM 2 <sup>nd</sup> Class 2 felony 6 yrs. 3 <sup>rd</sup> Class 2 felony 14 yrs.	LWOP
Arkansas	No minimum/ Death	1 yr.	\$0 - 15,000	Maximum sentenced may extended 15 yrs.	Sentence may be enhanced after 2nd offense and again after 4 <sup>th</sup> offense.	LWOP
California	16 months/ Death <sup>1</sup>	1 yr.	No minimum, maximum varies according to crime. <sup>2</sup>	Additional term of 3, 4 or 10 years depending upon aggravating or mitigating factors.	Felony sentence doubled if one prior "serious" or "violent" felony. If two "serious" or "violent" prior felonies, life with parole (25 to life). Third violent felony, MM=LWOP. Additional 3-year enhancement for each prior serious felony conviction.	Life with parole (15 to life or 25 to life) or LWOP
Colorado	1 yr./ Death	18 months	\$0 - 1 million	N/S	3rd offense within past 10 yrs.; 3 times the presumptive range maximum. 4 <sup>th</sup> offense ever 4 times presumptive range maximum.	LWOP
Connecticut	More than 1 yr./ Death	1 yr.	\$0 - 20,000 <sup>3</sup>	MM = 5 yrs., however, may not be convicted of both criminal use of firearm and underlying felony	Upon 3 <sup>rd</sup> felony conviction, court allows use of sentence of next most serious felony.	LWOP
Delaware	No minimum/ Death	1 yr.	No min/max, for corporations, 2,3 times amount of gain or \$11,500.	Possession of a deadly weapon is Class B felony: MM = 2 yrs.	4th or subsequent, up to LWOP, 3rd conviction of serious felony (22 listed), then MM = LWOP.	LWOP
District of Columbia	1 yr./ Life	1 yr.	\$0 minimum, maximum varies according to crime.	Additional imprisonment up to life. Minimum 5 yrs. for first offense; 3 times minimum (not less than 5 yrs.) for second or subsequent offense.	2nd felony, up to 1 1/2 maximum sentence, 3rd or more conviction, up to and including life.	LWOP
Florida	More than 1 yr./ Death	1 yr.	\$0-15,000	MM 3 or 8 yrs. additional sentence for any of 17 specified felonies. Firearm use = aggravated battery, felony reclassified to more serious grade.	Where defendant has 2 prior felony convictions (within time constraints). 1 <sup>st</sup> degree – up to life; 2 <sup>nd</sup> degree – up to 30 yrs.	Life = 25 yrs. no parole.
Georgia	More than 1 yr./ Death	1 yr.	\$0-100,000 or max any statute. Max penalties related to water resources and endangering life: if by organization, fine up to \$1 million.	First offense, 10 yrs. additional. 2nd or subsequent, life imprisonment.	2nd felony, sentenced to longest period for that offense, may be suspended. 4th felony, MM = maximum sentence w/o parole. 2 <sup>nd</sup> serious violent felony, MM=LWOP.	Murder: 25 yrs. w/o parole for 2nd life sentence, 30 yrs. max for consecutive life sentences. Capital cases with mitigating circumstances = LWOP.

Legend: N/S=None Stated, MM=Mandatory Minimum  
LWOP=Life Without Parole

**Table 44. Sentencing Statutes: Key Definitions and Provisions for Sentence Enhancement**

	Felony Sentence Range	Misdemeanor Maximum Sentence	Felony Fine Range	Deadly Weapon Use—Mandatory Minimum (MM)	Habitual Offender Definition*	Most Serious Non-Capital Sentence
Hawaii	No minimum/LWOP which is ordered to be commuted after 20 yrs. <sup>4</sup>	1 yr.	No minimum, maximum varies according to crime; \$50,000 maximum for Class A felony.	Use of firearms in a separate felony is a Class A felony MM decided by parole authority.	3rd Offense: murder and attempted murder in the 2nd degree, 20 yrs.; Class A felony, 13 yrs., 4 months; Class B felony, 6 yrs., 8 months, Class C felony, 3 yrs., 4 months.	Life without possibility of parole to be commuted after 20 yrs.
Idaho	No minimum/Death	6 months	\$0-50,000	Use in serious felony, 15 yrs. added to maximum, applies even where firearm is an element of the offense.	3rd felony, MM = 5 yrs. extendible to Life.	Life = 10 yrs. w/o possibility of parole. LWOP is possible under parole statute.
Illinois	1 yr./ Death	Less than 1 yr.	\$0 - 25,000 for individual \$0-50,000 for corporation.	Use of firearms in armed violence = Class X felony MM = up to 25 years depending on type of weapon used and prior conviction for certain felonies.	MM, 3rd offense (only Class X felony, criminal sexual assault, aggravated kidnapping, or first degree murder) within 20 yrs. = Life.	Minimum of 20, maximum of 60 if brutal or heinous. LWOP for 2nd homicide.
Indiana	1 yr./ Death	1 yr.	\$0 - 10,000	Use in specified felonies, add 5 yrs. to sentence.	3rd or subsequent felony MM = presumptive sentence for current conviction; max = 3 x minimum.	Life = 55 yrs., up to 10 added for aggravating circumstances, 10 subtracted for mitigating. LWOP for 3 <sup>rd</sup> felony.
Iowa	No minimum <sup>5</sup> /LWOP	2 yrs. for aggravated; 1 yr. otherwise.	\$0 - 10,000 + surcharge of 30% for criminal justice programs.	MM = 5 yrs.	MM for 3rd offense, not eligible for parole until served at least 3 yrs.	Class A felon, LWOP.
Kansas	No minimum/Death	1 yr.	\$500,000 maximum.	Part of severity level of crime.	Criminal history used in every sentencing decision.	Life, parole possible after 25 yrs.
Kentucky	1 yr./ Death	1 yr.	\$1,000-\$10,000 for individual; \$20,000 for corporation.	N/S	MM 2nd felony, sentenced for the next highest degree, no probation or conditional discharge. 3rd or more, not less than 20 nor more than Life, 10 yrs. served w/o parole.	Life without parole for 25 yrs., life, or a term of yrs. not less than 20.
Louisiana	No minimum/Death	1 yr. <sup>6</sup>	No minimum, maximum varies according to crime.	MM 5 yrs. or maximum sentence for crime where used, 5 yrs. no parole.	2nd felony, not less than 1/2 max term. 3rd not less than 2/3 maximum 3rd serious felony or 4th or subsequent, MM = LWOP.	LWOP (only for Habitual Offenders).
Maine	No minimum/Life <sup>7</sup>	County jail imprisonment may not exceed 1 yr. <sup>7</sup>	\$0 - 50,000 or twice pecuniary gain. (100,000 for organizations).	MM 1 - 4 yrs. depending on crime. Sentencing class for crime one class higher than normal.	N/S	LWOP or any term of yrs. not less than 25.
Maryland	18 months/Death	3 yrs.	\$500 minimum, maximum varies according to crime.	MM 5 yrs., not eligible for parole.	MM for 4th crime of violence, life no parole. MM for 3rd offense, 25 yrs. w/o parole.	LWOP, or Life. Life = 25 yrs.
Massachusetts	No minimum/Life	30 months	No minimum, maximum varies according to crime.	MM=1year (maximum=5years).	3rd felony punished by maximum term provided by law for the felony for which he is to be sentenced.	Life = 15 yrs. Murder in 1st degree, LWOP.
Michigan	More than 1 yr./Life	Less than 1 yr.	\$0 - 10,000 for any indictable common law offense. Other limits vary with offense.	MMs: 1st Offense, 2 yrs.; 2nd offense, 5 yrs.; 3rd or more, 10 yrs.	Max sentence: 1.5 times for 2 <sup>nd</sup> , 2 times for 3 <sup>rd</sup> .	Life = 15 yrs. no eligibility for parole. (LWOP possible under parole statutes).

Legend: N/S=None Stated, MM=Mandatory Minimum, LWOP=Life Without Parole

**Table 44. Sentencing Statutes: Key Definitions and Provisions for Sentence Enhancement**

	Felony Sentence Range	Misdemeanor Maximum Sentence	Felony Fine Range	Deadly Weapon Use—Mandatory Minimum (MM)	Habitual Offender Definition*	Most Serious Non-Capital Sentence
Minnesota	More than 1 yr./ Life	Less than 90 days; 1 yr. for gross misdemeanors.	\$0 - 50,000 + 20% surcharge for crime victim account and \$20 fee.	MM 3 yrs., 5 yrs. for 2nd or subsequent offense.	Enhanced sentences for dangerous repeat offender (see 609.152).	Life = 30 yrs. no eligibility for parole.
Mississippi	More than 1 yr./ Death	1 yr.	No minimum, maximum varies according to crime.	Robbery, MM = 3 yrs.	MM for 2nd or subsequent violent offense = LWOP 3 <sup>rd</sup> offenders generally shall be sentenced to max term possible.	LWOP (only for Habitual Offenders).
Missouri	More than 1 yr./ Death	1 yr.	\$0 - 5,000 (10,000 for corporations) or twice gain, not more than \$20,000.	MMs: additional sentence 1st offense, 3 yrs.; 2nd offense, 5 yrs.; 3rd or more, 10 yrs.	Up to 30 years. Extended terms of imprisonment may be ordered for persistent offenders convicted of two or more felonies committed at different times.	LWOP
Montana	More than 1 yr./ Death	1 yr. in state prison or any term in county jail.	\$0 - 50,000	MMs: Additional sentence 1st offense, 2 yrs.; 2nd offense, 4 yrs.	If 21 or older, MM 5 yrs. for 2nd or subsequent offense, 10 yrs. if prior was within past 5 yrs.	LWOP, <sup>8</sup> Life or a term of yrs. not less than 10 nor more than 100.
Nebraska	6 months/ Death	1 yr.	\$0 - 25,000	N/S	MM for 3rd offense = 10 yrs.	Life, indeterminate sentencing.
Nevada	1 yr./ Death	6 months, "Gross" Misdemeanor, 1 yr.	\$0 - 10,000 unless greater provided by statute (i.e., up to \$500,000 for drug trafficking).	Use of firearm doubles the sentence of underlying crime.	For 3rd felony, MM is 5 to 20 years or 10 to life without possibility of parole.	LWOP or Life without parole for 20 yrs.
New Hampshire	More than 1 yr./ Death <sup>9</sup>	1 yr.	\$0 - 4,000 (100,000 for corporations).	MMs: 1st offense, 3 yrs.; 2nd offense, 6 yrs.	N/S	Life without eligibility for parole.
New Jersey <sup>10</sup>	5 yrs./Death for 1 <sup>st</sup> and 2 <sup>nd</sup> degree "crime"	6 months for "offenses"; 3-5 yrs. for 3 <sup>rd</sup> degree; up to 18 months for 4 <sup>th</sup> degree "crime". <sup>11</sup>	\$0-200,000 for 1 <sup>st</sup> degree; \$0-150,000 for 2 <sup>nd</sup> degree "crime".	MM = 1/3 or 1/2 of sentence or 3 yrs., whichever is greater.	May be sentenced to extended term of imprisonment.	30 yrs. to life, no parole for 30 yrs.
New Mexico	18 months/ Death	364 days	\$5,000-15,000	MM: additional yr. for 1st offense, 3 yrs. additional for 2nd or subsequent. 3 <sup>rd</sup> violent felony = life; 2 <sup>nd</sup> violent sexual offense = life.	MM = additional yr. for 2nd offense, 4 yrs. additional for 3rd, 8 yrs. for 3rd or subsequent.	No parole for 30 yrs. = Life.
New York	More than 1 yr./Life	1 yr.	\$0 - 5,000 (10,000 for corporations) or twice gain, + \$155 surcharge. <sup>12</sup>	N/S	3 <sup>rd</sup> violent felony = 20, 16, or 12 yr. minimums; 3 <sup>rd</sup> felony may be sentenced as a higher severity.	LWOP
North Carolina	11 months/ Death	150 days	Fine set at the discretion of the court unless the statute specifies.	60 months	Habitual offender = 3 prior felony convictions. Increase in sentence to that of a Class C felony unless convicted of A-B felony. Violent habitual felony = 2 prior violent felonies mandatory LWOP.	LWOP
North Dakota	No minimum/ LWOP	1 yr.	\$0-10,000 (\$50,000 for organizations) + crime stoppers reward. <sup>13</sup>	MM: 4 yrs. for Class A or B felony, 2 yrs. for Class C + no parole.	"Dangerous special offenders" may be given extended sentences = LWOP for Class A, 20 yrs. for B, 10 yrs. for C. Habitual offenders = 2 previous felony convictions.	LWOP

Legend: N/S=None Stated, MM=Mandatory Minimum  
LWOP=Life Without Parole



**Table 44. Sentencing Statutes: Key Definitions and Provisions for Sentence Enhancement**

	Felony Sentence Range	Misdemeanor Maximum Sentence	Felony Fine Range	Deadly Weapon Use—Mandatory Minimum (MM)	Habitual Offender Definition*	Most Serious Non-Capital Sentence
Ohio	1 yr./ Death	1 yr.	Drug cases mandatory fines start at \$1,500 <sup>14</sup> \$0-25,000.	MM: 3 yr. or 6 yr. additional term.	Prior felonies affect type of sentence given, e.g., for a second aggravated felony of the first degree a minimum term of 10 - 15 yrs. actual incarceration must be imposed. Add 10 yrs. to maximum sentence for 1 <sup>st</sup> and 2 <sup>nd</sup> degree felony. If longest sentence inadequate, add up to 5 yrs.	LWOP
Oklahoma	More than 1 yr./ Death	1 yr.	\$0-10,000	Increase by 2 sentencing levels on sentencing matrices.	If subsequent felony occurs within 10 yrs. of last, increase 1-6 levels on sentencing matrices for each prior depending on type of offense.	LWOP or Life (for parole consideration purposes only, life is considered 45 yrs.).
Oregon	More than 1 yr./ Death	1 yr.	\$0 - 300,000 or double the amount of gain. (\$50,000 for corps).	MMs: 5 yrs. for 1st, 10 yrs. for 2nd, 30 yrs. for 3rd offense. Greater sentence for machine gun, use of silencer, shotgun. <sup>15</sup>	The maximum indeterminate sentence of imprisonment for a "Dangerous Offender" is 30 yrs.	LWOP or Life. Life = 30 yrs.
Pennsylvania	No minimum/ Death	5 yrs.	No minimum, maximum varies according to crime. \$0-50,000.	MM 5 yrs.	10 yrs. for 2 <sup>nd</sup> offense, 25 yrs. for 3 <sup>rd</sup> violent offense.	LWOP (contained in parole section).
Puerto Rico	6 months/1 day through 99 yrs.	6 months or \$500 or both	\$0-5,000	Is an aggravating circumstance for any offense and bears the maximum penalty for the particular crime. Carrying firearm: 1 yr. minimum-5 yrs. maximum.	2 <sup>nd</sup> conviction = penalty increased again by half; aggravated recidivism = MM of 20 yrs. Permanent separation from society without eligibility for parole in 30 natural yrs.	99 yrs. without eligibility for parole in 25 yrs.
Rhode Island	More than 1 yr./ LWOP	1 yr.	\$1,000-50,000 <sup>16</sup>	MMs: 3 yrs. for 1st, 10 yrs. for 2nd, 15 yrs. for 3rd offense. Includes explosive substance, noxious liquid or acid.	3rd or subsequent offense may be sentenced to additional term not exceeding 25 yrs.	LWOP
South Carolina	3 month minimum/ Death	3 yrs.	No minimum, maximum varies according to crime.	MM 5 yrs. if used in a violent crime.	Add 1-5 yrs. for any subsequent conviction depending on length of time since last conviction. LWOP for 2 <sup>nd</sup> conviction (if previous conviction was "most serious") or for 3 <sup>rd</sup> conviction (if previous convictions were "serious" offenses).	LWOP <sup>17</sup>
South Dakota	No minimum/ Death	1 yr.	\$0 - 25,000	MMs: 5 yrs. for 1st, 10 yrs. for 2nd or subsequent offenses.	2nd or subsequent felony, sentence enhanced by changing class to next most severe.	LWOP (person under life sentence not eligible for parole).
Tennessee	1 yr./ Death	11 months 29 days	\$ 0 - 50,000 (\$350, 000 for corporations) <sup>18</sup> \$0 minimum.	Enhancement factor	Repeat violent offenders (2 prior violent offense convictions) = LWOP; multiple offenders = increase in sentencing range; career offenders = maximum sentence.	LWOP (no less than 25 full calendar yrs.).
Texas	180 days/ Death	1 yr.	\$0 - 10,000 (20,000 for corporations; 50,000 for corporations if death).	N/S	2nd felony, 15 to 99 yrs., if 1 <sup>st</sup> degree felony; for 2 <sup>nd</sup> or 3 <sup>rd</sup> degree felony, increase sentence to next degree. Life if 2 <sup>nd</sup> sexual offense conviction.	Life, no parole for 35 yrs.

Legend: N/S=None Stated, MM=Mandatory Minimum, LWOP=Life Without Parole

**Table 44. Sentencing Statutes: Key Definitions and Provisions for Sentence Enhancement**

	Felony Sentence Range	Misdemeanor Maximum Sentence	Felony Fine Range	Deadly Weapon Use—Mandatory Minimum (MM)	Habitual Offender Definition*	Most Serious Non-Capital Sentence
Utah	No minimum/ Death	1 yr.	\$0 - 10,000 (20,000 for corporations) or twice damages.	Indeterminate term, not less than 5 yrs.	Additional 3 yr. term for each prior felony sexual offense, LWOP for 3rd conviction. Violent habitual offender = 2 previous convictions of a violent felony. Increases sentence to that of 1 <sup>st</sup> degree felony for 2 <sup>nd</sup> or 3 <sup>rd</sup> degree felony; for first degree felony, penalty the same but no chance for parole.	LWOP
Vermont	More than 2 yrs./ Life	2 yrs.	\$0 - 10,000	Felon shall be imprisoned not more than 5 yrs.	4th felony may be sentenced to Life or LWOP <sup>19</sup> or 3 <sup>rd</sup> felony for crimes of violence.	LWOP
Virginia	1 yr./ Death	1 yr.	\$0 - 100,000	Separate crime if used during 10 specified serious felonies. MM of 3 yrs. for 1st offense, 5 yrs. for 2nd or subsequent.	2 previous convictions for acts of violence = LWOP.	Life
Washington	More than 1 yr./ Death	1 yr. for Gross Misdemeanor; 90 days for Misdemeanor.	\$0 – 50,000	Firearm enhanced add 5 yrs., 3 yrs. or 18 months to sentence. Other deadly weapon, add 2 yrs., 1 yr., or 6 months to sentence (for A, B, C felonies).	3rd felony conviction results in LWOP.	LWOP
West Virginia	1 yr./ LWOP	1 yr.	No minimum, maximum varies according to crime.	Armed felon not eligible for probation.	2nd felony, maximum increased by 5 yrs. 3rd or subsequent, must be sentenced to Life. 2nd conviction for petit larceny a felony (1 yr.).	Life, indeterminate sentencing (with eligibility for parole).
Wisconsin	No minimum/ Life	9 months	\$0 -10,000	Presumptive minimum is 3 yrs. for 1st offense, 5 for 2nd. Maximum may be increased by up to 5 yrs.	Maximum may be increased 2, 6 or 10 yrs. "Repeater if actor was convicted of a felony during 5 yr. period immediately preceding the crime or for 2 felonies at any preceding term."	Life
Wyoming	1 yr./ Death	1 yr.	\$500 minimum, maximum varies.	Sentence enhanced by not more than 10 yrs. for 1st offense, 20 yrs. 2nd.	If convicted of violent felony, MM 10 yrs. for 3rd offense, Life for 3rd or subsequent.	LWOP
Federal Courts	More than 1 yr./ Death	1 yr.	\$100 - 250,000 (For organizations, \$500,000).	Under the sentencing guidelines, "Armed Career Criminals" receive an enhanced sentence.	Under sentencing guidelines, "Career Offenders" having at least 2 prior felonies, receive sentence at or near maximum term authorized (felonies of violence or controlled substance offense).	Under sentencing guidelines varies. LWOP is possible for major drug traffickers. <sup>20</sup>

**DEFINITIONS:**

\***Habitual Offender:** Where Habitual Offender statutes are especially complex, only the minimum sentence for the maximum class of offense is stated.

**Life:** Listed here for capital offenses is the "minimum maximum" (short of death); usually "Life" does not mean that the inmate will die incarcerated and often "life without parole" does not mean the same as "life without possibility of parole".

**FOOTNOTES:**

**California:**

<sup>1</sup>Felony minimums; state does not divide felonies into classes and some crimes may be either felonies or misdemeanors with prison or less than 1 yr. in county jail as options.

<sup>2</sup>Fines: for example, a 2nd or subsequent money laundering offense carries a maximum fine of \$500,000 or 5 times amount gained.

**Connecticut:**

<sup>3</sup>The court can impose an alternative fine, where the defendant has gained money or property through the commission of any felony, misdemeanor or violation, up to an amount fixed by the court which cannot exceed double the amount of the defendant's gain.

**Hawaii:**

<sup>4</sup>Indeterminate sentencing is used; no definite sentence distinction between felony and misdemeanor. Minimum sentence, even in "life w/o parole," is determined by paroling authority.

**Iowa:**

<sup>5</sup>First felony offense, court may sentence less than mandatory minimum if mitigating circumstances exist.

**Louisiana:**

<sup>6</sup>In Louisiana, the distinction between a felony and a misdemeanor is not based on the length of the sentence. Felonies are defined as any crime which is punishable by death or imprisonment at hard labor. Misdemeanors are any other crimes.

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## Table 44. Sentencing Statutes: Key Definitions and Provisions for Sentence Enhancement

### Maine:

<sup>7</sup>Criminal code does not use felony, misdemeanor terminology. Crimes are classed as murder or A - E crimes.

### Montana:

<sup>8</sup>Court may impose restriction that defendant be ineligible for parole. The court must state the reasons for this in writing as part of the judgment. LWOP may be applied to any felony, not just Habitual Offenders or 1st Degree Murder.

### New Hampshire:

<sup>9</sup>150 days are added to each to each yr. of a sentence; these days may be subtracted for good behavior at rates of 12 1/2 days for each month of good behavior.

### New Jersey:

<sup>10</sup>Crimes are classified as "crimes" (1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> & 4<sup>th</sup> degree) and "offenses" (lesser degree of severity).

<sup>11</sup>3<sup>rd</sup> degree "crimes" include "high misdemeanors"; 4<sup>th</sup> degree crimes include "misdemeanors."

### New York:

<sup>12</sup>Fine amounts include \$155 mandatory surcharge of which \$5 is for victim assistance. Maximum may be up to \$100,000 if for drug trafficking crimes.

### North Dakota:

<sup>13</sup>Convicted felons must also repay awards paid by "crimestoppers" program. Reparations may also include treatment costs for sex offender victims.

### Ohio:

<sup>14</sup>In drug cases maximum fine may be \$25,000. Certain crimes require convicted felon to reimburse agencies for their investigation and prosecution costs.

### Oregon:

<sup>15</sup>Enhanced penalty for use of firearm doubles to 10 and 20 yrs. respectively if the firearm is a machine gun, short barreled rifle or shotgun, or has a silencer.

### Rhode Island:

<sup>16</sup>Fines vary, e.g., money laundering is \$500,000 or 2 times value, in bribery, fine is up to three times gift amount.

### South Carolina:

<sup>17</sup>Governor has the power to commute a LWOP sentence to a term of yrs.

### Tennessee:

<sup>18</sup>In drug cases, mandatory minimum felony fine is \$1,000 up to a maximum of \$500,000.

### Vermont:

<sup>19</sup>Governor has the power to commute a LWOP sentence to a term of yrs.

### Federal:

<sup>20</sup>Prior to 1984 Life = 10 yrs. before eligible for parole. Under sentencing reform, parole was abolished in favor of sentencing guidelines. Major drug traffickers face LWOP under 21 USC 848.

**Table 45. Jurisdiction for Adjudication and Sentencing of Felony Cases**

	Preliminary Hearing Jurisdiction		Guilty Plea Jurisdiction		Can felonies in this court be:			Can Judge alter a sentence after it begins?	
	Available	Prohibited	Felony reduced to misdemeanor	Felony cases	Filed	Dismissed	Sentenced	Trial judge	Appellate Court/Justice
<b>Alabama</b>									
G Circuit Court		1	■	■	■ After indictment	■	■	■ <sup>2</sup>	■
L District Court	■		■	■	■ <sup>1</sup>	■	■	■ <sup>2</sup>	■
<b>Alaska</b>									
G Superior Court			■	■	■	■	■	■	■
L District Court	■		■		■			N/S	N/S
<b>Arizona</b>									
G Superior Court	■		■	■	■	■	■	■ In limited circumstances	■
L Justice of the Peace Court	■		■		■ Preliminary hearings	■ Preliminary hearings		N/S	N/S
<b>Arkansas</b>									
G Circuit Court	N/S	N/S	■	■	■	■	■	■	■
L Municipal Court	N/S	N/S	■		■			N/S	N/S
<b>California</b>									
G Superior Court	■ <sup>3</sup>	4	■	■	■ <sup>5</sup>	■	■	■ <sup>6</sup>	■ <sup>7</sup>
L Municipal	■		■	■	■	■	■ <sup>8</sup>	■ <sup>6</sup>	■ <sup>7</sup>
<b>Colorado</b>									
G District Court	■		■	■	■	■	■	■	■
G Denver Juvenile Court	N/S	N/S	■	■		■	■	■	■
L County Court	■		■		■	■		N/S	N/S
<b>Connecticut</b>									
G Superior Court	Subseq. to arraignment		■	■	■	■	■	■	
<b>Delaware</b>									
G Superior Court	N/S	N/S	■	■	■	■	■	■	
L Just. of the Peace Ct.	N/S	N/S	■		■			N/S	N/S
L Family Court	N/S	N/S	■		■	■		N/S	N/S
L Ct. of Common Pleas	N/S	N/S	■		■	■		N/S	N/S
L Alderman's Court	N/S	N/S	■					N/S	N/S
<b>District of Columbia</b>									
G Superior Court	■		■	■	■	■	■	■	■
<b>Florida</b>									
G Circuit Court	■		■	■	■	■	■	■	
L County Court	N/S	N/S	■					N/S	N/S
<b>Georgia</b>									
G Superior Court	■		■	■	■	■	■	■	
L Civil Court		N/S				■ <sup>9</sup>		N/S	N/S
L State Court	■					■ <sup>9</sup>		N/S	N/S
L Magistrate Court	■					■ <sup>9</sup>		N/S	N/S
L Columbus/Muscogee County	■					■ <sup>9</sup>		N/S	N/S
L County Recorder Courts	■					■ <sup>9</sup>		N/S	N/S
<b>Hawaii</b>									
G Circuit and Family Court	■		■	■	■ <sup>10</sup>	■ <sup>11</sup>	■	■	■
L District Court	■				■ <sup>10</sup>	■ <sup>11</sup>		N/S	N/S
<b>Idaho</b>									
G District Court	N/S	N/S	■	■	■	■	■	■	■
L Magistrates	N/S	N/S	■		■	■		N/S	N/S
<b>Illinois</b>									
G Circuit Court	■		■	■	■	■	■		■

Legend: N/S = Not stated, ■ = Yes

**Table 45. Jurisdiction for Adjudication and Sentencing of Felony Cases**

	Preliminary Hearing Jurisdiction		Guilty Plea Jurisdiction		Can felonies in this court be:			Can Judge alter a sentence after it begins?	
	Available	Prohibited	Felony reduced to misdemeanor	Felony cases	Filed	Dismissed	Sentenced	Trial judge	Appellate Court/Justice
<b>Indiana</b>									
G Superior Court	■		■	■	■	■	■	■	■
G Circuit Court	■		■	■	■	■	■	■	■
L County Court	■		■	■	■	■	■	■	■
<b>Iowa</b>									
G District Court	■		■	■	■	■	■	■	
<b>Kansas</b>									
G District Court	■		■	■	■	■	■	■ <sup>12</sup>	■
<b>Kentucky</b>									
G Circuit Court	■		■	■	■	■	■	■	■
L District Court	■		■		■	■		N/S	N/S
<b>Louisiana</b>									
G District Court	■		■	■	■	■	■	■	■
<b>Maine</b>									
G Superior Court		■	■	■	■	■	■	■	■
L District Court	■		■	■	■	■	■	■	■
								Within 1 yr	Within 1 yr
<b>Maryland</b>									
G Circuit Court	■		■	■	■	■	■	■	
L District Court	■		■	■	■	■	■	■	
<b>Massachusetts<sup>13</sup></b>									
G Superior Court	■		■	■	■	■	■	■	■
L District Court	■		■	■	■	■	■	■	■
L Boston Mun. Court	■		■	■	■	■	■	■	■
L Juvenile Court	■		■	■	■	■	■	■	■
L Housing Court	■		■	■	■	■	■	■	■
<b>Michigan</b>									
G Circuit Court		■	■	■		■	■	■	
L District Court	■		■		■	■		N/S	N/S
L Municipal Court	■		■		■	■		N/S	N/S
<b>Minnesota</b>									
G District Court	■		■	■	■	■	■	■	
<b>Mississippi</b>									
G Circuit Court	■		■	■	■	■	■		■
L County Court	■		■	■	■	■	■	N/S	N/S
L Municipal Court	■				■	■		N/S	N/S
<b>Missouri</b>									
G Circuit Court	■		■	■	■	■	■	■	■
<b>Montana</b>									
G District Court	■		■	■	■	■		N/S	
L Just. of the Peace Ct.	N/S	N/S	■			■		N/S	N/S
<b>Nebraska</b>									
G District Court	■		■	■	■	■	■	■ <sup>14</sup>	■
L County Court	■		■		■	■		N/S	N/S
<b>Nevada</b>									
G District Court			■	■		■	■	■ <sup>15</sup>	
L Justice Court	■		■		■ <sup>16</sup>	■		N/S	N/S
<b>New Hampshire</b>									
G Superior Court			■	■	■ <sup>17</sup>	■	■	■ <sup>17</sup>	■
L District Court	N/S	N/S			■	■		N/S	N/S
L Municipal Court	N/S	N/S			■	■		N/S	N/S

**Table 45. Jurisdiction for Adjudication and Sentencing of Felony Cases**

	Preliminary Hearing Jurisdiction		Guilty Plea Jurisdiction		Can felonies in this court be:			Can Judge alter a sentence after it begins?	
	Available	Prohibited	Felony reduced to misdemeanor	Felony cases	Filed	Dismissed	Sentenced	Trial judge	Appellate Court/Justice
<b>New Jersey</b>									
G Superior Court	May occur but rare		■	■	■	■	■	■ Within 75 days of conviction	■ N/S
L Municipal Court	■		■		■				N/S
<b>New Mexico</b>									
G District Court	■		■	■	■	■	■	■ Within 90 days, or anytime for illegal sentence	
L Magistrate Court	■		■		■	■		N/S	N/S
L Bernalillo Metro Ct.	■		■		■	■		N/S	N/S
<b>New York</b>									
G Supreme Court	N/S	N/S	■	■	■	■	■		Remands to trial court
G County Court	N/S	N/S	■	■	■	■	■	Unless illegal, unauthorized, or invalid	Remands to trial court
L District Court	N/S	N/S	■		■	■		N/S	N/S
L City Court	N/S	N/S	■		■	■		N/S	N/S
L Criminal Ct. of NYC	N/S	N/S	■		■	■		N/S	N/S
L Town and Village	N/S	N/S	■		■	■		N/S	N/S
<b>North Carolina</b>									
G Superior Court	■		■	■ <sup>18</sup>	■	■	■	■	
L District Court	■		■		■	■		N/S	N/S
<b>North Dakota</b>									
G District Court	■		■	■	■	■	■	■ Within 120 days or any-time if illegal	
<b>Ohio</b>									
G Ct. of Common Pleas	N/S		■	■	■	■	■	■	■
L Municipal Court	N/S		■		■	■		N/S	N/S
L County Court	N/S	N/S	■		■	■		N/S	N/S
<b>Oklahoma</b>									
G District Court	N/S	N/S	■	■	■	■	■	■ Within 12 months	
<b>Oregon</b>									
G Circuit Court	■		■	■	■	■	■	■	
L Justice Court	–	–	■		■	■		N/S	N/S
<b>Pennsylvania</b>									
G Ct. of Common Pleas	■		■	■	■	■	■	■	
L Phil. Municipal Court	■		■		■	■		N/S	N/S
L District Justice Court	■		With limited exceptions		■	■		N/S	N/S
L Pitts. City Magistrates	■		■		■	■		N/S	N/S
<b>Puerto Rico</b>									
G Superior Court	N/S	N/S	■	■	■	■	■	■	■
<b>Rhode Island</b>									
G Superior Court	■		■	■	■	■	■		
L District Court	N/S	N/S	■		■	■		N/S	N/S
<b>South Carolina</b>									
G Circuit Court	■	N/S	■	■	■	■	■		
L Family Court	N/S	N/S	■	■	■	■	■	N/S	N/S

**Table 45. Jurisdiction for Adjudication and Sentencing of Felony Cases**

	Preliminary Hearing Jurisdiction		Guilty Plea Jurisdiction		Can felonies in this court be:			Can Judge alter a sentence after it begins?	
	Available	Prohibited	Felony reduced to misdemeanor	Felony cases	Filed	Dismissed	Sentenced	Trial judge	Appellate Court/Justice
<b>South Dakota</b>									
G Circuit Court	N/S	N/S	■	■	■	■	■	■ within 1 year	■
<b>Tennessee</b>									
G Circuit Court	N/S		■	■		■	■	■	■
G Criminal Court	N/S		■	■		■	■	■	N/S
<b>Texas</b>									
G District Courts	■		■	■	■	■	■	N/S	
L County Courts at Law	■		Some	Some	Some	Some	Some		
<b>Utah</b>									
G District Court	■	N/S	■	■	■	■	■	■	
L Justice Court	N/S	N/S	■					N/S	N/S
L Juvenile Court	■	N/S	■	■	■	■		N/S	N/S
<b>Vermont</b>									
G Superior Court	N/S	N/S	■	■	Authorized but rare	■	■	■	
G District Court	N/S	N/S	■	■	■	■	■	N/S	N/S
<b>Virginia</b>									
G Circuit Court		■	■	■	■	■	■	■	<sup>19</sup>
L District Court			■	■	■	■	■	N/S	N/S
L Juvenile Court	■	<sup>20</sup>	■	■	■	■	■	N/S	N/S
<b>Washington</b>									
G Superior Court	■		■	■	■	■	■	■	
L District Court	■		■	<sup>21</sup>	■	<sup>21</sup>	<sup>21</sup>	N/S	N/S
<b>West Virginia</b>									
G Circuit Court	N/S	N/S	■	■	■	■	■	■	■
L Magistrate Court	■		<sup>22</sup>		■	■			■
<b>Wisconsin</b>									
G Circuit Court	■		■	■	■	■	■	■	
<b>Wyoming</b>									
G District Court	■		■	■	■	■	■	■	
L Just. of the Peace Ct.					■	■		■	N/S
L County Court	■				■	■		■	N/S
<b>Federal</b>									
G U.S. District Courts	N/S	N/S	■	■	■	■	■	■ <sup>23</sup>	Remands to District Court for further sentencing proceedings

Note: Courts without felony jurisdiction do not appear on this table.

**FOOTNOTES:**

**Alabama:**

<sup>1</sup>Exclusive original jurisdiction to hold preliminary hearings and concurrent jurisdiction with circuit court to receive felony guilty pleas.

<sup>2</sup>If sentenced pursuant to Alabama's split sentence law.

**California:**

<sup>3</sup>If unified superior court.

<sup>4</sup>Yes, if non-unified superior court.

<sup>5</sup>If the Superior Court is a unified court; otherwise, only indictments may be filed in a superior court. A unified Superior Court is one created by the voluntary unification of the Superior and Municipal Courts under Proposition 220, approved by voters on June 2, 1998.

<sup>6</sup>For a limited time.

<sup>7</sup>If sentence is found unlawful on appeal.

<sup>8</sup>Only on guilty plea, and not in capital case.

**Georgia:**

<sup>9</sup>Only as courts acting as committal court.

**Hawaii:**

<sup>10</sup>For preliminary hearing.

<sup>11</sup>If they can find no probable cause.

**Kansas:**

<sup>12</sup>A statutory procedure is provided in lieu of habeas corpus which begins in the trial court that imposed the sentence.

**Massachusetts:**

<sup>13</sup>A misdemeanor is a crime punishable by up to 2 ½ years in jail, a felony by 2 ½+ in prison. Some courts, District Court and Boston Municipal Court, can try felonies punishable by up to 5 years in prison, but can only sentence to 2 ½ years in jail. Most major felonies are tried in the Superior Court but it is possible to try limited classes of felonies in the Juvenile Courts or Housing Courts.

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## Table 45. Jurisdiction for Adjudication and Sentencing of Felony Cases

### Nebraska:

<sup>14</sup>Within 10 days of sentence being imposed.

### Nevada:

<sup>15</sup>Upon petition by the parole board.

<sup>16</sup>Preliminary hearings only are conducted in justice court.

### New Hampshire:

<sup>17</sup>Review board may alter the sentence. Trial judge may not.

### North Carolina:

<sup>18</sup>Under G.S. 7A-272 of the N.C. General Statutes: With the consent of the presiding District Court judge, the prosecutor, and the defendant, the District Court has jurisdiction to accept a defendant's plea of guilty or no contest to a Class H or I felony if: (1) the defendant is charged with a felony in an information filed pursuant to G.S. ISA-6441, the felony is pending in District Court, and the defendant has not been indicted for the offense; or (2) the defendant has been indicated for a criminal offense but the defendant's case is transferred from Superior Court to District Court pursuant to G.S. ISA-1029.

### Virginia:

<sup>19</sup>May convert death penalty to life imprisonment.

<sup>20</sup>When treated as adults, no preliminary hearing available.

### Washington:

<sup>21</sup>Except for Title 75.

### West Virginia:

<sup>22</sup>If not bound over to circuit court.

### Federal:

<sup>23</sup>The court may reduce a sentence for changed circumstances within 1 year of imposition of the sentence. The court may correct a sentence within 7 days after imposition of sentence if sentence was imposed as a result of arithmetical, technical, or clerical error or anytime for extraordinary and compelling reasons or for the age of the defendant. May also correct if determined on appeal under 18§3742 to have been imposed in violation of the law.



**Table 46. Sentencing Procedures in Capital and Non-Capital Felony Cases**

	Capital Felony Cases				Non-Capital Felony Cases		
	Original sentence set by	Unanimous jury required	Life without parole if no jury agreement	Judge can alter jury sentence	Original sentence set by	Judge can alter jury sentence	Separate sentencing hearing
Alabama	Judge w/jury recommendation	■ <sup>1</sup>		■	Judge		■
Alaska	<i>No death penalty</i>				Judge		■
Arizona	Judge				Judge		■
Arkansas <sup>2</sup>	Jury	■	■	■	Jury	■	■
California	Jury <sup>3</sup>	■		■ <sup>4</sup>	Judge		■
Colorado	3 judge panel				Judge		■
Connecticut	Jury <sup>5</sup>	■	■		Judge		■
Delaware	Judge w/jury recommendation			■	Judge		■
District of Columbia	<i>No death penalty</i>				Judge		■ <sup>6</sup>
Florida	Judge w/jury recommendation			■	Judge		■
Georgia	Judge w/jury recommendation <sup>7</sup>	■		■ <sup>7</sup>	Judge		■ <sup>8</sup>
Hawaii	<i>No death penalty</i>				Judge		■
Idaho	Trial judge w/out jury input				Judge		■
Illinois <sup>9</sup>	Jury	■			Judge		■
Indiana	Judge w/jury recommendation	■		■	Judge w/jury recommendation	■	■
Iowa	<i>No death penalty</i>				Judge		■
Kansas	Jury	■		■	Judge		■
Kentucky	Judge w/jury recommendation	■		■	Judge w/jury recommendation	■	■
Louisiana	Jury	■	■		Judge		
Maine	<i>No death penalty</i>				Judge		■ <sup>10</sup>
Maryland	Jury	■			Judge		■ <sup>11</sup>
Massachusetts	<i>No death penalty</i>				Judge		■
Michigan	<i>No death penalty</i>				Judge		■
Minnesota	<i>No death penalty</i>				Judge		■
Mississippi	Jury	■			Judge		■ <sup>12</sup>
Missouri	Jury or judge <sup>13</sup>	■	■		Jury	■	■
Montana	Trial judge w/out jury input				Judge		■
Nebraska	Trial judge w/out jury input <sup>14</sup>				Judge		■
Nevada	Jury <sup>15</sup>	■			Judge		■
New Hampshire	Jury	■	■		Judge		■ <sup>16</sup>
New Jersey	Jury	■	■ <sup>17</sup>		Judge		■
New Mexico	Jury or trial judge <sup>18</sup>	■			Judge		■ <sup>19</sup>
New York	Jury	■			Judge		■
North Carolina <sup>20</sup>	Jury <sup>21</sup>	■	■		Judge		■
North Dakota	<i>No death penalty</i>				Judge		■
Ohio	Judge w/out jury input <sup>22</sup>				Judge		■
Oklahoma	Jury	■		■	Judge		■ <sup>23</sup>
Oregon	Jury	■			Judge		■ <sup>24</sup>
Pennsylvania	Jury	■			Judge		■
Puerto Rico	<i>No death penalty</i>				Judge		■
Rhode Island	<i>No death penalty</i>				Judge		■

**Table 46. Sentencing Procedures in Capital and Non-Capital Felony Cases**

	Capital Felony Cases				Non-Capital Felony Cases		
	Original sentence set by	Unanimous jury required	Life without parole if no jury agreement	Judge can alter jury sentence	Original sentence set by	Judge can alter jury sentence	Separate sentencing hearing
South Carolina	Jury	■	■	■	Judge		
South Dakota	Jury	■	■		Judge		■ <sup>25</sup>
Tennessee	Jury	■ <sup>26</sup>			Judge		■
Texas	Jury	■ <sup>26</sup>	■ <sup>28</sup>		Jury		■
Utah	Jury	■ <sup>27</sup>	■ <sup>28</sup>		Judge		■
Vermont	<i>No death penalty</i>				Judge		■
Virginia	Jury	■		■	Jury	■	■
Washington	Jury	■	■		Judge		■
West Virginia	<i>No death penalty</i>				Judge <sup>29</sup>		■
Wisconsin	<i>No death penalty</i>				Judge		■
Wyoming	Jury	■	■		Judge		■
Federal Courts <sup>30</sup>	Jury	■			Judge		■

**Note:** Generally, during the "aggravation and penalty" phase the defendant may elect sentencing by the judge, sentencing jury, or a new jury if "good cause" is shown.

**FOOTNOTES:**

**Alabama:**

<sup>1</sup>Unanimous on conviction but not necessary on recommended sentence. Alabama has a bifurcated death penalty process. Jury must be unanimous in guilt phase but unanimity not required in sentencing recommend phase.

**Arkansas:**

<sup>2</sup>Jury verdict must contain written findings of certain enumerated aggravating circumstances.

**California:**

<sup>3</sup>If the jury cannot agree unanimously that one or more special circumstances are true, the court shall dismiss the jury and order a new jury impaneled.

<sup>4</sup>Down, not up.

**Connecticut:**

<sup>5</sup>Can be the court if the defendant moves for the court to hear the death penalty phase of the case and the court approves, and the prosecution consents.

**District of Columbia**

<sup>6</sup>The judge has the discretion to sentence at the time of the verdict.

**Georgia:**

<sup>7</sup>Where there is a trial by jury, the judge may not impose the death sentence unless the verdict contains at least one statutory aggravating circumstance and a recommend that such a sentence be imposed.

<sup>8</sup>The judge has the discretion to sentence at the time of the verdict.

**Illinois:**

<sup>9</sup>Sentencing phase is bifurcated into a phase to the existence of statutory aggravating factors justifying eligibility for the death penalty followed by a separate phase to determine whether the penalty will actually be imposed.

**Maine:**

<sup>10</sup>The judge has the discretion to sentence w/out a hearing for Class D and E felonies.

**Maryland:**

<sup>11</sup>The judge has the discretion to sentence at the time of the verdict.

**Mississippi:**

<sup>12</sup>The judge has the discretion to sentence at the time of the verdict.

**Missouri:**

<sup>13</sup>Defendant may waive trial by jury. Judge may accept guilty plea or find the defendant guilty and assess the death penalty.

**Nebraska:**

<sup>14</sup>Chief Justice may be requested by the trial judge to appoint two other trial judges to create sentencing panel of three.

**Nevada:**

<sup>15</sup>Jury decides punishment only for first degree murder whether or not death penalty is sought.

**New Hampshire:**

<sup>16</sup>The judge has the discretion to sentence at the time of the verdict.

**New Jersey:**

<sup>17</sup>LWOP is automatic when jury fails to agree for criminal sexual contact; sexual assault; and the murder of a law enforcement officer or someone less than fourteen years old.

**New Mexico:**

<sup>18</sup>Upon finding of beyond a reasonable doubt and specification of at least one aggravating circumstance.

<sup>19</sup>The judge has the discretion to sentence at the time of the verdict.

**North Carolina:**

<sup>20</sup>Jury considers evidence of aggravating and mitigating circumstance(s). When jury recommends death, it must make written findings showing that the statutory aggravating circumstance(s) were found beyond a reasonable doubt, are sufficiently substantial to call for the death penalty, and that any mitigating circumstance(s) do not outweigh the aggravating circumstance(s).

<sup>21</sup>Jury renders a sentence recommendation, and the judge imposes such sentence.

**Ohio:**

<sup>22</sup>Court or three-judge panel makes final determination. Defendant may elect to have the panel of three judges if he waives trial by jury, or trial judge, if he is tried by jury, determine the existence of aggravating circumstances.

**Oklahoma:**

<sup>23</sup>A separate sentencing hearing is only conducted if the defendant is a repeat offender; prior convictions are then taken into account.

**Oregon:**

<sup>24</sup>The judge has the discretion to sentence at the time of the verdict.

**South Dakota:**

<sup>25</sup>Court may order a separate sentencing hearing, but not mandatory.

**Texas:**

<sup>26</sup>Requires a jury determination even when defendant pleads guilty.

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## Table 46. Sentencing Procedures in Capital and Non-Capital Felony Cases

### Utah:

<sup>27</sup>If jury fails to agree as to death, then consider LWOP. Only ten jurors must agree as to LWOP. If not = life.

<sup>28</sup>If the jury is unable to impose the death sentence, the court shall instruct the jury to determine by a ten to two vote whether the penalty of life imprisonment w/out parole should be imposed. If the jury is unable to agree, the court will sentence to life imprisonment.

### West Virginia:

<sup>29</sup>Though the state does not have death penalty, certain offenses are considered capital felonies and carry penalty of life with or life without mercy (eligibility for parole). In these cases, the jury determines the sentence, which the judge may not alter.

### Federal Courts:

<sup>30</sup>Includes U.S. Military Court

**Table 47. The Availability of Intermediate Sanctions**

	Intensive Probation	Work Release	House Arrest	Electronic Monitoring Program	Shock Incarceration*	Other
Alabama	■	■	■	■	■	Supervised Intensive Restitution
Alaska	■	■	■	■	■	Community service, day fine, periodic imprisonment
Arizona	■	■ local option	■ local option	■ local option	■	Day Reporting Center, Day Fines (Phoenix), Community Service Program (Local option), weekend sentencing and diversionary treatment
Arkansas	■	■	■	■	■	Community Punishment Programs
California	■	■	■ prob. condition	■ prob. condition	■	Weekend Sentencing, day reporting, community service, diversion treatment for specific first offenders
Colorado	■	■	■	■	■	Day reporting, community corrections, specialized restitution
Connecticut	■	■	■	■	■	Community Service, Day Reporting Center, Day Fines
Delaware	■	■	■	■	■	Community Service
Dist. Of Columbia	■	■	■	■	■	Community Service, Community Management Resource Program for youthful offenders ages 18-26
Florida	■	■	■	■	■	Nonsecure, residential and secure drug treatment; workcamps, probation and restitution centers
Georgia	■	■	■	■	■	Restitution, Community Service, Weekend Sentences
Hawaii	■	■	■	■	■	Restitution
Idaho	N/S	■	N/S	■	■	None
Illinois	■	■	■	■	■	Community Service, periodic imprisonment
Indiana	■	■	■	■	■	Community Corrections Programs, day reporting
Iowa	■	■	■	■	■	Residential Community Corrections
Kansas	■	■	■	■	■	Residential Community Corrections
Kentucky	■	■	■	■	■	Community Correction Program
Louisiana	■	■	■	■ <sup>1</sup>	■	Community Rehabilitation Center; Community Service
Maine	■	■	■	■	■	Community Service, Residential Community Correction
Maryland	■	■	■	■	■	Weekend Sentencing, Community Service Program, Community Rehabilitation Center
Massachusetts	■	■	■	N/S	■	Day Reporting Center; Community Service
Michigan	■	■	■	■	■	Community Service, Community Corrections
Minnesota	■	■	■	■	■	Day Reporting Center, Diversionary Treatment Program operated privately by court referral
Mississippi	■ <sup>2</sup>	■	■ <sup>2</sup>	■ <sup>2</sup>	■	None
Missouri	■	■	■	■	■	Day Reporting Centers, Diversionary Treatment Programs, Community Service, Residential Community Corrections
Montana	■	■	■	■	■	Residential community Corrections
Nebraska	■	■	■	■	■	Residential Community Corrections, Community Service
Nevada	■	■	■	■	■	Community Service, Residential Centers, Restitution
New Hampshire	■	■	■	■	■	Community Service, Restitution, Weekend Sentencing
New Jersey	■	■	■ (in one county only)	■	■	Diversionary Treatment, Super. Community Service, Juvenile Residential Center (County), SLAP, Restitution, Weekend Sentencing
New Mexico	■	■	■	■	■	Restitution, Community Service
New York	■	■	■	■	■	Restitution, Ignition Interlock, alcohol and substance abuse treatments, community service, day reporting
North Carolina	■	■	■	■	■	Community Service, Diversionary Treatment, Residential Community Corrections, Weekend Sentencing, Curfew
North Dakota	■	■	■	■	■	Restitution, Treatment Programs, Residential Community Corrections, Curfew
Ohio	■	■	■	■	■	Community-based Corrections, Community Service Treat., Restitution, Curfew, VictOff Mediations, Ignition Interlock
Oklahoma	■	■	■	■	■	Treat. Programs; Residential Community Corrections; Weekend Sent, Restitution, Vic. Imp. Panels, Ignition Interlock
Oregon	■	■	■	N/S	■	Day Fines (Portland), Community Service
Pennsylvania	■	■	■	■	■	Community Service
Puerto Rico	■	■	N/S	■	■	Restitution fine, Residential Community Corrections
Rhode Island	■	■	■	■	■	Community Confinement
South Carolina	■	■	■	■	■	Community Control Centers
South Dakota	■	■	N/S	■	■	Community Service, Community Corrections

Legend: \* = Shock Incarceration (applicable to adult only)  
 NS = Not Stated, ■ = Yes

**Table 47. The Availability of Intermediate Sanctions**

	Intensive Probation	Work Release	House Arrest	Electronic Monitoring Program	Shock Incarceration*	Other
Tennessee	■	■	■	■	■	Community Service
Texas	■	■	■	■	■	Residential Community Corrections, Community Service
Utah	■	■	■	■	N/S	Community Service
Vermont	■	■	N/S	N/S		Supervised Community Sentencing
Virginia	■	■	■	■	■	Community-based corrections systems, Diversion Centers
Washington		■		■		Community service, diversionary treatment, restitution, work ethic camp
West Virginia		■ if 1 yr. or less	■	■	■	Weekend jail, Community Service Work Programs
Wisconsin	■	■	■	■	■ <sup>3</sup>	Alcohol/drug abuse/mental health treatment community service, restitution, residential community corrections.
Wyoming	■	■	■	■	■	Community Corrections
Federal <sup>4</sup>	■	■	■ Curfew Parole	■		Drug Treatment Program, Community Service Program <sup>5</sup> Restitution <sup>6</sup>

**DEFINITIONS:**

**Community Service Program:**

An exception to unconstitutional servitude, requires offenders to pay for their crimes while helping others by working "pro bono" for nonprofit or tax-supported agencies.

**Day Fines:**

Court determines the monetary penalties under a formula that multiplies a set number of days by an amount of money determined on the basis of an offender's ability to pay. Unlike restitution, fines do not compensate the victim, but are paid to treasury.

**Day Reporting Centers:**

Offender resides in community but there continues to be a high degree of control through daily reporting, intensive surveillance, and strict enforcement of program conditions.

**Diversionary Treatment Programs:**

Programs respond to need for treatment of drug and alcohol abuse, and sex offenders. Mostly limited to non-violent crimes, includes group therapy, probation, and supervised professional treatment.

**Electronic Monitoring Program (EMP):**

Requires offender to wear an electronic bracelet around wrist or ankle, location is verified either by telephone or by continuous radio signal.

**House Arrest:**

Offenders legally ordered to remain in their residences for the duration of their sentences. Usually, they may leave for medical reasons, employment or approved treatment.

**Intensive Probation Supervision (IPS):**

Offenders are closely supervised on small caseloads; in most programs they must pay victims restitution and perform community service, hold a job, submit to random urine and alcohol testing, and pay a probation supervision fee.

**Residential Community Corrections:**

Also known as "halfway houses," prerelease programs that serve to facilitate prisoners' successful reintegration into communities. Many include job counseling. Many states use to relieve overcrowding.

**Shock Incarceration:**

Young, first offenders sentenced to "boot camp" correctional facilities where they are confined for short periods under rigid standards and strict military discipline.

**Weekend Sentencing:**

A type of "intermittent incarceration," judge orders an offender to serve an incarceration term inside the institution on certain days of the week, generally weekends.

**Work Release:**

Also known as "intermittent incarceration," offenders leave institution in morning, work, and return in evening for counseling, social activities, and sleep. Usually not imposed in violent, sex or drug offenses.

**FOOTNOTES:**

**Louisiana:**

<sup>1</sup>R.S. 15:571.32, provides for pilot programs for alternatives to imprisonment, including the use of electronic monitoring devices.

**Mississippi:**

<sup>2</sup>§47-5-1001 through §47-5-1015 of Mississippi code authorizing these sanctions expires June 30, 1999.

**Wisconsin:**

<sup>3</sup>Wisconsin has one "boot camp" environment for non-violent, alcohol and other drug abuse offenders who are not dealers, operated by the Department of Corrections.

**Federal:**

<sup>4</sup>There are two federal systems since the Sentencing Commission Guidelines became effective in 1987. Prisoners sentenced under the Guidelines may not be eligible for the same alternatives as those sentenced under Parole Commission authority.

<sup>5</sup>Federal Community Service Program: Subject to budgetary constraints. Parole date advanced by 60 days for 400 hours of community service.

<sup>6</sup>Restitution: Federal law presumes the appropriateness of restitution orders, judges must provide reasons when not doing so. The first \$100,000,000 in federal fines collected each year is paid to Victims Compensation Fund.

**Table 48. Active Sentencing Commissions/Sentencing Guideline Systems**

	Sentencing Commission Characteristics			Sentencing Guidelines		
	Established	Membership	Responsibilities	Advise Review	Date Established	Mandatory or Voluntary
<b>Arkansas</b> Sentencing Commission	1993	9 voting members composed of 3 judges, 2 prosecuting attorneys, 2 public defenders and 2 private citizens appointed by the Governor to 5 year terms	Evaluate effect of sentencing laws and make revisions to sentencing standards	Review	Yes (1994)	May deviate.
<b>Delaware</b> Sentencing Accountability Commission	1983	4 members of judiciary; Attorney General appointee; Public Defender appointee; corrections appointee; and 4 at large	Review sentencing procedures, prepare alternatives	Advisory, statewide with focus on Superior court felonies	Yes (1987)	May deviate.
<b>Kansas</b> Sentencing Commission	1989	16 members including representatives from 3 main branches, corrections, the bar and 2 members of the public appointed by the Governor	Implement and enforce Kansas Sentencing Guidelines	Review and Advisory	Effective 7/1/93	Presumptive; however, may deviate with sufficient justification.
<b>Maryland</b> Commission on Criminal Sentencing Policy	1996	19 members including judicial representatives, public and private attorneys, legislators, law enforcement & corrections personnel, and private citizens	Descriptive review of sentencing guidelines	Advise	Yes (1983)	Voluntary.
<b>Massachusetts</b> Sentencing Commission	1996	9 voting members and 6 nonvoting members including judicial representatives, attorneys, & law enforcement officers	Recommend Guideline system to legislature and other provide evaluations of sentencing efficiency	Advise	None	~
<b>Michigan</b> State Guidelines Advisory Committee	1995	19 members including legislators, judges, law enforcement and corrections officers, and private citizens	Review, revise and recommend guidelines to legislature	Advisory, felonies	Yes (1998)	Mandatory use-may depart with reason.
<b>Minnesota</b> Sentencing Guidelines Commission	1978	Chief justice, Court of Appeals judge, 2 District court judges appointed by CJ, public defender, county attorney, representatives from law enforcement and corrections, and 2 members of the public chosen by the Governor. 4 year terms.	Establish guidelines and modify as necessary.	Advisory, felonies	Yes (1978)	May depart from guidelines only with written justification. Ten offense categories.
<b>Missouri</b> Sentencing Advisory Commission	1990	11 including 1 appointment by speaker of house, one by president pro tem of senate, six by governor from following: public defender commission; citizens' organizations; board of probation and parole; prosecutors, and members of state Bar. 2 members appointed by Supreme Court.	Establish system of recommended sentences and study its implementation.	Review and advise	Yes (1995)	Voluntary
<b>North Carolina</b> Sentencing and Policy Advisory Commission	1990	Chief Justice Appointee (Chair); 1 judge each: Court of Appeals, Superior Court, District Court; 3 each: House and Senate; attorney general; 1 each: district attorney, defense attorney, sheriff, police chief, county commissioner; 1 representative each: academic, Bar, business, Community Sentencing, Corrections, Crime Control and Public Safety Department, Justice Fellowship Task Force, Parole Commission, public, Victim Assistance Network; 1 appointee each: lieutenant Governor, Commission Chair.	Revamp sentencing laws by recommending structured sentencing policies; develop comprehensive community corrections strategy; outline correctional costs; study restitution policies, evaluate sentencing laws and policies, and availability of sentencing options; develop corrections simulation model; gather/maintain statistical data; report on recidivism.	Advisory, felonies and misdemeanors	Yes (adopted 7/1/93; effective 1/1/95)	Mandatory

**Table 48. Active Sentencing Commissions/Sentencing Guideline Systems**

	Sentencing Commission Characteristics			Sentencing Guidelines		
	Established	Membership	Responsibilities	Advise Review	Date Established	Mandatory or Voluntary
<b>Ohio</b> Criminal Sentencing Commission	1993	24 members: Chief Justice of Supreme Court; 7 judges; superintendent of State highway patrol; state public defender; Director of rehabilitation and corrections; sheriff; 1 prosecuting attorney; 1 peace officer of a municipality; 1 crime victim; 1 defense attorney; 1 state bar member; 1 city prosecutor; 1 county commissioner; 1 mayor; 2 senators; 2 representatives	Recommends/Implements sentencing structure; study criminal statutes, sentencing patterns, and correctional study impact of sentencing structure; review and advise General Assembly in implementation/revision of laws.	Advise and review	Yes, 1997	Voluntary
<b>Oklahoma</b> Sentencing Commission	1994	11 members, staggered 5 year terms: 1 Supreme Court Justice; 1 indigent defender; 2 state representatives (1 Rep & 1 Dem); 2 state senators (1 Rep & 1 Dem); 1 DA; AG; Director of State Finance; 1 defense attorney is gubernatorial appointee	Establish sentencing criteria; classify criminal offenses; promulgate matrices; long-range planning/recommendations; monitor and review criminal justice and corrections system; review proposed legislation; collect and maintain statistical data	Advise and review	Yes, 1998	Mandatory
<b>Oregon</b> Criminal Justice Commission	1995	7 members: 4-year term. No more than 4 members from either political party or geographic region.	Amends sentencing guidelines, develops and maintains state criminal justice policy	Advise and review	Yes, 11/1/89	Mandatory- May deviate for substantial and compelling reasons.
<b>Pennsylvania</b> Commission on Sentencing	1978	11 members: 2 members of House and 2 from the Senate, 4 judges of record chosen by the Chief Justice, a district attorney, a defense attorney, and a professor of law or criminologist chosen by the Governor. 2 year terms.	Adopts guidelines for sentencing, systematically monitors compliance with guidelines and mandatory sentencing laws.	All felonies (including murder 3 and lesser homicides) and misdemeanors. Does not include summaries, murder 1 and 2.	Readopted 1988	Mandatory, but either prosecution or defense can appeal sentence not statutorily presumed.
<b>South Carolina</b> Sentencing Guidelines Commission	1989	13 voting members: 1 Supreme Court justice and 2 Circuit Court judges, 3 members of the senate, 3 members of the House, a criminal attorney, dean of law school, attorney general, a solicitor and 4 nonvoting law enforcement and corrections representatives. 4 year term.	Prescribe advisory sentencing guidelines and recommend changes in the classification system; develop and recommend policies and present 1, 5, and 10 year plans to relieve jail crowding; study impact of statutes; research and gather data; clearinghouse and information center.	Statewide for all felonies. Advise.		Statutory guidelines have not been adopted by legislature.
<b>Utah</b> Sentencing Commission	1983	27 members: 2 members of House and Senate, representatives from Corrections, Board of Pardons, legal defender, attorney general, sheriff's association, police, a rehabilitation professional, 2 victim's rights members, a citizen, 3 judges, one appellate, the director of youth corrections, chair of Youth Parole Authority, 2 juvenile judges, a juvenile prosecutor, and juvenile rehabilitation professional.	Develop guidelines and propose recommendations to Legislature, Governor, and Judicial Council about sentencing and release policies for juveniles and adults; enhance discretion of judges while preserving role of Board of Pardons.	Advisory, all criminal offenses	Yes, 7/1/85; revised 1998	May deviate

**Table 48. Active Sentencing Commissions/Sentencing Guideline Systems**

	Sentencing Commission Characteristics			Sentencing Guidelines		
	Established	Membership	Responsibilities	Advise Review	Date Established	Mandatory or Voluntary
<b>Virginia</b> Criminal Sentencing Commission	1994	17 members: 6 judges/justices, Attorney General, 1 person appointed by Chief Justice as Chairperson, 3 people appointed by the Speaker of the House of Delegates, 2 people appointed by the Senate Committee on Privileges and Elections, and 4 people appointed by the Governor.	Develop statewide guidelines; prepare worksheets to record reasons for departure; prepare guidelines for determining appropriate candidates for alternative sanctions; develop risk assessment instrument; forecasts, study felony statutes for judge and jury sentencing; report on work annually to the General Assembly, Governor, and Chief Justice.	Advise and review	1995	Voluntary
<b>Washington</b> Sentencing Guidelines Commission	1981	20 members include Directors of Corrections and Financial Management, Chairman of Indeterminate Sentence Board, 2 prosecuting attorneys, 2 defense attorneys, 4 Superior Court judges, 4 lay persons, one chief law enforcement officer, 1 county elected government official, 1 city elected government official, 1 administrator of juvenile court services.	Evaluate state sentencing policy; recommend changes in sentencing ranges to state legislature; study criminal code and propose changes; serve as information center for sentencing practices; assume powers/duties of juvenile dispositions standards commission; evaluate disposition standards; solicit comments and make recommendations; report to governor and legislature on 1) racial disproportionality in sentencing; 2) facility capacity; and 3) recidivism rates.	Advise and review	Yes (1984)	Mandatory. 15 offense categories. Must impose within range unless finds a substantial and compelling reason to justify departure.
<b>Federal</b> Sentencing Commission  <i>Commission created pursuant to the Sentencing Reform Act of 1984 (P.L. 98-473), Guidelines effective 1987 (28 U.S.C. 991 et seq.). Parole abolished.</i>	1984	7 voting, 2 non-voting ex officio members: President chooses with advice and consent of Senate. Voting members to include at least 3 federal judges. Attorney General is ex officio member. 6 year staggered terms.	Establish sentencing policies and practices. Authority to submit guideline amendments each year.	Advisory, federal criminal system. Decisions are binding on lower courts.	Yes (effective 1987)	Mandatory. 43 offense categories. For atypical cases, may depart but must specify reasons. Subject to appellate review.

**Definition of Commission:**

Commissions may either be a body that reviews actual individual sentences (review) or a policy-making body that develops and maintains guidelines for future use (advisory).



**Table 49. Collateral Consequences of a Felony Conviction**

	Voting Rights	Parental Rights Terminated	Criminal Registration	Public Employment	Jury Duty Service
Alabama	Forfeit	Conviction a factor considered	Habitual offenders (3 or more felonies) and criminal sex offenders	Barred	Forfeit, for crime of moral turpitude
Alaska	Restorable, at final discharge	Sexual or child abuse	Sex offenders	Restorable	Forfeit for crime of moral turpitude, until unconditional discharge
Arizona	Suspended, until civil rights restored	Crime shows unfitness or long sentence	Yes <sup>1</sup>	Public office is barred, but other public employment is permitted	Suspended until civil rights restored
Arkansas	Forfeit	Abandonment, neglect, unfitness	Sex offenders	Barred	Forfeit
California	Restorable, at final discharge	Crime shows unfitness	Sex offenders	Barred for designated crimes	Forfeit
Colorado	Restored, at end of incarceration and parole	Crime shows unfitness or long sentence (6+ yrs.)	Sex offenders	Unaffected	~
Connecticut <sup>2</sup>	Restorable, at final discharge	Abandonment or neglect	Sex offenders	Public office barred until rights regained. Public employ. permitted.	Forfeit, for 7 years
Delaware	Forfeit	Crime involved or harmed child	Sex offenders	Barred for conviction of an infamous crime	Forfeit
Dist. of Columbia	Restored, at end of incarceration	Conviction a factor considered	Sex offenders	Restorable	Forfeit, for > 1 year after probation/parole ended
Florida	Restorable by governor	Long sentence, nature of crime, harm to child	Yes (sex offenders under separate statute)	Barred only if directly related to position of employment	Restorable by governor
Georgia	Restorable, at final discharge	Conviction a factor considered	Sex offenders	Barred if felony involved moral turpitude	Forfeit, to the extent no longer "upright citizen". Grand Jury forfeit if no pardon or restoration of rights.
Hawaii	Restored, at end of incarceration	Abandonment or neglect	Sex offenders	Restored at final discharge	Forfeit
Idaho <sup>3</sup>	Restored, at end of incarceration	Abandonment, neglect or abuse	Yes, certain sex crimes only	Restorable, tied to voting rights	Forfeit, if lost the right to vote
Illinois	Restorable, at final discharge	Specified Crimes	Sex offenders and specified murderers	Restorable, after 5 years for perjury	Must be "free of legal exception"
Indiana	Restored, at end of incarceration	Specified Felonies	Sex offenders	Forfeit	Forfeit, while serving time
Iowa	Forfeit	Abandonment	Sex offenders	Barred	No effect
Kansas	Restorable, at final discharge	Conviction a factor considered	Sex offenders	Restorable, at final discharge	Forfeit, if convicted within past 10 years
Kentucky	Forfeit	Abandonment, neglect or abuse	Sex offenders	Restorable, barred if bribery	Forfeit, if indicted or convicted

**Table 49. Collateral Consequences of Felony Conviction**

	Voting Rights	Parental Rights Terminated	Criminal Registration	Public Employment	Jury Duty Service
Louisiana	Restorable, at final discharge	Specified Crimes	Sex offenders	Unaffected unless convicted while in State employment	Forfeit, if indicted or convicted
Maine	No effect	Specified Crimes	Sex offenders	~	No effect
Maryland	Restorable, at final discharge for 1 <sup>st</sup> conviction, pardon for subsequent conviction	If in best interest of the child, or abandoned	Sex offenders	~	Forfeit, if fined over \$500 or sentenced to 6+ months (Restored via pardon)
Massachusetts	Forfeit only for corrupt election practices	If in best interest of the child	Sex offenders	Restorable	Forfeit, for 7 years
Michigan	Restored at end of incarceration	If in best interest of the child	Sex offenders	Barred from working for Dept. of Corrections	Forfeit, while serving sentence
Minnesota	Restorable at final discharge	Abandonment	Sex offenders	Only barred where crime relates to position	Restored, when civil rights restored
Mississippi	Forfeit	Considered if prolonged imprisonment	Sex offenders	~	Forfeit, if convicted of "infamous" crime or sale of alcohol in last 5 years
Missouri	Restored at end of incarceration except for felony connected with right of suffrage	Conviction a factor considered	Sex offenders, offenses against minors	Restorable except for felony connected with right of suffrage	Forfeit
Montana	Restored at end of incarceration	If unfit and convicted of violent crime	Sex offenders	Restorable	Forfeit
Nebraska	Restored by pardon	Abandonment or neglect	Sex offenders	Restorable	Restored by pardon
Nevada	Forfeit, but restorable	Conviction a factor considered	Yes	Forfeit	Forfeit, but restorable
New Hampshire	Restorable, at final discharge <sup>4</sup>	Offense type & length of sentence	Sex offenders	Restored at final discharge	No effect
New Jersey	Restorable, at final discharge	Abandonment, neglect or abuse	Sex offenders	Restorable	Forfeit
New Mexico	Forfeit	Abandonment, neglect or abuse	Sex offenders	Barred from elected office or appointed office	Forfeit
New York <sup>5</sup>	Restorable, at final discharge	Permanent neglect	Sex offenders	Restorable except Public Officials	Forfeit
North Carolina	Restorable, at final discharge	Considered for abandonment, abuse, or neglect	Yes, sex offenders, certain crimes against children	Restorable except police or sheriffs	Not "qualified" and subject to challenge for cause
North Dakota	Restored at end of incarceration	Abandonment or neglect	Sex offenders, crimes against children	Restorable	Forfeit if lost right to vote
Ohio	Restored at end of incarceration	Abandonment	Sex offenders	Barred	Forfeit
Oklahoma	Restorable, at final discharge	Child abuse or death of a child	Sex offenders	Restorable, except Public Officials	Restorable

**Table 49. Collateral Consequences of a Felony Conviction**

	Voting Rights	Parental Rights Terminated	Criminal Registration	Public Employment	Jury Duty Service
Oregon	Restored at end of incarceration	Abuse, neglect, unfitness, extreme conduct, abandonment	Sex offenders	Restorable	Restorable
Pennsylvania	Restored 5 years after end of incarceration	Abandonment or neglect	Sex offenders, child kidnapping	Restorable unless subversive person	Forfeit
Puerto Rico	Forfeit if judicially declared unqualified	Misconduct – conviction a factor considered	No	Restorable	Forfeit
Rhode Island <sup>6</sup>	Restorable at final discharge	Unfitness, abusive or abandonment	Sex offenders, crimes against children	Barred for three years	Restorable
South Carolina	Restorable (at final discharge if election law violation); or restored at end of incarceration.	Abandonment, neglect or abuse	Sex offenders	Barred	Forfeit
South Dakota	Restorable at final discharge	Murder, sex offense, crimes against children	Sex offenders	Restorable	Forfeit
Tennessee	Forfeit if convicted of a felony.	Abandonment, neglect or abuse, incarcerated 10+ yrs. & child under 8	Sex offenders	Restorable	Forfeit if convicted of infamous, perjury or theft offenses
Texas	Restorable after sentence, parole, probation, etc. completed	Unable to care for child for at least 2 years because imprisoned	Sex offenders	~	Forfeit
Utah	Forfeit if convicted of treason, bribery, election fraud	Conviction a factor considered	Sex offenders	Restorable. May be removed from public office as part of sentence	Forfeit
Vermont	No effect	Unfitness	Sex offenders	Restorable	Forfeit
Virginia	Forfeit	Abandonment or neglect	Sex offender, crimes against minors	Restorable	Forfeit
Washington	Forfeit	Best interest of the child	Sex offenders	Restorable, except for public officials	Forfeit, unless civil rights restored
West Virginia	Restorable, at final discharge	Conviction a factor considered	Sex offenders	Restorable	Forfeit, if convicted of perjury or "infamous" crime
Wisconsin	Restorable, at final discharge	<sup>7</sup>	Sex offenders	Restorable	Restorable
Wyoming	Forfeit, unless civil rights restored	Unfitness	Sex offenders	Restorable	Forfeit, unless civil rights restored
Federal Courts	Dependent on state law	Dependent on state law	Sex offenders	Restorable, unless clear nexus with official duties	Forfeit, unless state has substantially restored civil rights

**FOOTNOTES:**

**Arizona:**  
<sup>1</sup>Judges may require registration at time of sentencing.

**Connecticut:**  
<sup>2</sup>Exception, civil rights are not impaired for failure to pay support (a felony).

**Idaho:**  
<sup>3</sup>Still has "civil death" statutes for felons sentenced to life imprisonment. However, these laws have been partially abrogated by holdings of appellate courts that denial of access to courts is a violation of equal protection.

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## Table 49. Collateral Consequences of Felony Conviction

### New Hampshire:

<sup>4</sup>Except bribery, treason, or willful violation of election laws which require restoration by Supreme Court.

### New York:

<sup>5</sup>Still has "civil death" statutes for felons sentenced to life imprisonment. However, these laws have been partially abrogated by holdings of appellate courts that denial of access to courts is a violation of equal protection.

### Rhode Island:

<sup>6</sup>Still have "civil death" statutes for felons sentenced to life imprisonment. However, these laws have been partially abrogated by holdings of appellate courts that denial of access to courts is a violation of equal protection.

### Wisconsin:

<sup>7</sup>May terminate if parent has caused death/injury to a child/children resulting in a felony conviction or if parent intentionally/recklessly killed other parent.

**Table 50. Good Time Accumulation and Parole**

	Is there a parole board with discretionary release authority?	Do incarcerated felons accumulate "good time"?	What rate does "good time" accrue?
Alabama <sup>1</sup>	■	■ <sup>2</sup>	Up to 75 days for 30 served
Alaska	■	■	1/3 of term reduced
Arizona <sup>3</sup>	■	■	Varies, usually 1 for 2 days served
Arkansas	■	■	Day for day
California	■ <sup>4</sup>	■	Varies from 15% to 50% <sup>5</sup>
Colorado	■	■	15 days per month <sup>6</sup>
Connecticut	■	■	~ <sup>7</sup>
Delaware	Limited (advisory)	■	90 day/year max
District of Columbia	■	■ <sup>8</sup>	~
Florida	■	■	~ <sup>9</sup>
Georgia	■	■	~
Hawaii	■	■	~ <sup>10</sup>
Idaho	■	■ <sup>11</sup>	~
Illinois	■	■	Depends on offense <sup>12</sup>
Indiana	■	■	Day for day/one for two <sup>13</sup>
Iowa	■	■	Day for day
Kansas	■	■	Max 15% of sentence
Kentucky	■	■	10 days/month
Louisiana	■	■	Day for day
Maine	~ <sup>14</sup>	■	Up to 10 days/month
Maryland	■	■	~ <sup>15</sup>
Massachusetts	■	■ <sup>15</sup>	2½ to 12½ days/month
Michigan	■	■ <sup>16</sup>	5 to 15 days/month <sup>16</sup>
Minnesota	■	■	1 day for 2 days served
Mississippi	■ <sup>17</sup>	■	4.5 days/month
Missouri	■	■	~ <sup>18</sup>
Montana	■	■	~
Nebraska	■	■	7 days for 14 days
Nevada	■	■	10 days/month <sup>19</sup>
New Hampshire	■	■	12.5 days/month
New Jersey	■	■	~ <sup>20</sup>
New Mexico	■	■	30 days/month
New York	■ <sup>21</sup>	■ <sup>22</sup>	1 for 3 days served indeterminate, 1 for 7 days determinate
North Carolina	■	■	~ <sup>23</sup>
North Dakota	■	■	5 days/month
Ohio	■	■	~
Oklahoma	■ <sup>24</sup>	■	~ <sup>25</sup>
Oregon	~ <sup>26</sup>	■ <sup>27</sup>	~ <sup>28</sup>
Pennsylvania	■	■	~
Puerto Rico	■	■	~ <sup>29</sup>
Rhode Island <sup>30</sup>	■	■	Varies <sup>31</sup>
South Carolina <sup>32</sup>	■	■	~ <sup>33</sup>
South Dakota	■	■	~ <sup>34</sup>
Tennessee	■	■	~ <sup>35</sup>
Texas	■	■	~ <sup>36</sup>
Utah	■	■ <sup>37</sup>	~ <sup>38</sup>
Vermont <sup>39</sup>	■	■	Day for day <sup>40</sup>
Virginia	■	■	~ <sup>41</sup>
Washington	■	■	1 day for 3 days served
West Virginia	■	■	Day for day
Wisconsin	■	■	¼ of term
Wyoming	■	■	Day for day
Federal Courts	■	■	~

**Table 50. Good Time Accumulation and Parole**

**FOOTNOTES:**

**Alabama:**

<sup>1</sup>Governor has power to commute a LWOP sentence to a term of years.  
<sup>2</sup>Not applicable to prisoners convicted of Class A felony, sentenced to life or death or who have received a sentence in excess of fifteen years. Defendant's convicted of drug trafficking are prohibited from earning good time.

**Arizona:**

<sup>3</sup>Governor does not have power to commute a LWOP sentence to a term of years.

**California:**

<sup>4</sup>For "life" sentences only.  
<sup>5</sup>"Good time" accrual depends upon factors such as offense and/or prior record.

**Colorado:**

<sup>6</sup>Earned time is also available up to 30 days every 6 months.

**Connecticut:**

<sup>7</sup>For offenses committed after 7/1/83, 10 days/month for first 5 years, and 12 days/month for each month thereafter.

**District of Columbia:**

<sup>8</sup>Before June 20, 1994, felon received good time based on sentence structure. After June 20, 1994 no good time.

**Florida:**

<sup>9</sup>Basic good time accrues 10 days/month. Meritorious good time can be awarded up to 60 days.

**Hawaii:**

<sup>10</sup>Varies by paroling authority.

**Idaho:**

<sup>11</sup>Meritorious time only, for prisoners sentenced after 1986.

**Illinois:**

<sup>12</sup>First degree murder—no good time credit; other serious offenses (e.g., attempt to commit first degree murder, aggravated kidnapping)—no more than 4-5 days per month; other offenses that resulted in great bodily harm to victim (e.g., aggravated vehicular hijacking)—no more than 4-5 days per month; remaining offenses—day for day.

**Indiana:**

<sup>13</sup>Various meritorious times for education.

**Maine:**

<sup>14</sup>Parole was abolished in 1976, but the Parole Board still exists for pre-1976 cases.

**Maryland:**

<sup>15</sup>Up to 10 days good time, plus 5 days work time, plus 5 days education good time accrual possible in one month.

**Michigan:**

<sup>16</sup>Unless the offense was committed prior to April of 1987, the concept of "good time" is irrelevant to prison sentences. Most prisoners sentenced for offenses committed between April 1987 and December 15, 1998, are eligible to earn "disciplinary credits" of up to 84 days per year. For certain enumerated offenses committed on or after December 15, 1998, prisoners who are convicted of these offenses cannot earn disciplinary credit, are subject to "disciplinary time," and will not be eligible for parole until service of the entire minimum sentence imposed by the court. Effective for all felony offenses committed on or after December 15, 2000, prisoners will not earn disciplinary credit, are subject to disciplinary time, and will not be eligible for parole until service of the entire minimum sentence imposed by the court is completed. This concept is also known as Truth in Sentencing.

**Mississippi:**

<sup>17</sup>On July 1, 2000 the Department of Corrections will assume all powers of the parole board (§47-7-53).

**Missouri:**

<sup>18</sup>Policy of good time credit determined by Department of Corrections.

**Nevada:**

<sup>19</sup>For terms over 270 days; slower accumulation rates for shorter sentences.

**New Jersey:**

<sup>20</sup>Custody credits are applied by a formula which takes into account the length of the original sentence, jail credits prior to sentence imposition, and work credits.

**New York:**

<sup>21</sup>Expires and repealed effective 9/1/99.

<sup>22</sup>Repealed effective 9/30/2005.

**North Carolina:**

<sup>23</sup>At discretion of Department of Corrections or Prison custodian, may reduce up to minimum term of imprisonment.

**Oklahoma:**

<sup>24</sup>Parole Board makes recommendation to Governor, who has discretionary release authority. Governor not bound by Board.  
<sup>25</sup>Scale depending on class of inmate: 4 classes. 1 credit = 1 day. Class 1: if crime committed before 7/1/98 = 0 credits; on/after 7/1/98 = 0 credits; Class 2: if crime committed before 7/1/98 = 22 credits/month; on/after 7/1/98 = 3 credits/month; Class 3: if crime committed before 7/1/98 = 33 credits/month; on/after 7/1/98 = 5 credits/month; Class 4: if crime committed before 7/1/98 = 44 credits/month; on/after 7/1/98 = 4 credits/month.

**Oregon:**

<sup>26</sup>Yes/no (pre-sentence guidelines yes; post-sentence guidelines no).

<sup>27</sup>If confined to county facility.

<sup>28</sup>Scale depending on length of sentence: 10-30 days = 1 day for 10 served; 30-90 days = 3 days for 30 served; 90-180 days = 4 days for 30 served; 180-270 days = 5 days for 30 served; 270 + days = 6 days for 30 served.

**Puerto Rico:**

<sup>29</sup>For good behavior (1) for a sentence not in excess of 15 years, 12 days per month; (2) for 15 years or more, 13 days per month.

**Rhode Island:**

<sup>30</sup>Governor does not have power to commute a LWOP sentence to a term of years.

<sup>31</sup>Number of days of good time earned each month is equal to the number of years of sentence. Can earn 2 additional days per month for participation in institutional industries program.

**South Carolina:**

<sup>32</sup>Governor does not have power to commute a LWOP sentence to a term of years.

<sup>33</sup>Twenty days for 30 days served, in addition: 1 day for 2 days work credits; 1 day for 2 days education credit.

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## Table 50. Good Time Accumulation and Parole

### South Dakota:

<sup>34</sup>Has a graduated scale of reductions from sentence for good conduct. 4 months per year served for years 1-10; 6 months per year after 10 years. Pro-rated.

### Tennessee:

<sup>35</sup>Not more than 8 days per month for good behavior, and not more than 8 days per month for program performance.

### Texas:

<sup>36</sup>Depends on inmate classification: 1) 20 days for 30 served with possibility of 10 more days if trusty; 2) 20 days for 30 served if Class I; 3) 10 days for 30 served if Class II; 4) none if Class IV. All earn 15 more days per month if participants diligently in programs.

### Utah:

<sup>37</sup>For misdemeanors only.

<sup>38</sup>Five days for 30 days served; if less than 30 days, 2 days for every 10 days served.

### Vermont:

<sup>39</sup>Governor does not have power to commute a LWOP sentence to a term of years.

<sup>40</sup>5 days/month; plus may earn 10 more days reduction if inmate participates in educational, vocational, or treatment programs. Serves to reduce number of days of minimum and maximum term.

### Virginia:

<sup>41</sup>For crimes committed after July 1981; Level I: day for day; Level II: 20 days good time/30 days served; Level III: 20 days good time/30 days served; Level IV: no good time.

## PART VIII: Court structure charts

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The court structure charts summarize in a one-page diagram the key features of each state's court organization. The format meets two objectives: (1) it is comprehensive, indicating all court systems in the state and their interrelationships, and (2) it describes the jurisdiction of the court systems, using a standard set of terminology and symbols. The court structure charts employ the common terminology developed by the National Center for State Court's Court Statistics Project for reporting caseload statistics.

The first chart is a prototype. It represents a state court organization in which there is one of each of the four court system levels recognized by the Court Statistics Project: courts of last resort, intermediate appellate courts, general jurisdiction trial courts, and limited jurisdiction trial courts. Routes of appeal from one court to another are indicated by lines, with an arrow showing which court receives the appeal or petition.

The charts also provide basic descriptive information, such as the number of authorized justices, judges, and magistrates (or other judicial officers). Each court system's subject matter jurisdiction is indicated using the Court Statistics Project case types. Information is also provided on the use of districts, circuits, or divisions in organizing the courts within the system and the number of courts.

The case types, which define a court system's subject matter jurisdiction, require the most explanation.

### ***Appellate Courts***

The rectangle representing each appellate court contains information on the number of authorized justices; the number of geographic divisions, if any; whether court decisions are made en banc, in panels, or both; and the Court Statistics Project case types that are heard by the court. The case types are shown separately for mandatory and discretionary cases. The case types themselves are defined in other Court Statistics Project publications, especially 1984 State Appellate Court Jurisdiction Guide for Statistical Reporting and State Court Model Statistical Dictionary: 1989 Edition.

An appellate court can have both mandatory and discretionary jurisdiction over the same Court Statistics Project case type. This arises, in part, because the Court Statistics Project case types are defined broadly in order to be applicable to every state's courts. There are, for example, only two appellate Court Statistics Project case types for criminal appeals: capital and noncapital. A court may have mandatory jurisdiction over felony cases, but discretionary jurisdiction over misdemeanors. The list of case types would include "criminal" for both mandatory and discretionary jurisdiction. The duplication

of a case type under both headings can also occur if appeals from one lower court for that case type are mandatory, while appeals from another lower court are discretionary. Also, statutory provisions or court rules in some states automatically convert a mandatory appeal into a discretionary petition—for example, when an appeal is not filed within a specified time limit. A more comprehensive description of each appellate court's subject matter jurisdiction can be found in the 1984 State Appellate Court Jurisdiction Guide for Statistical Reporting.

### ***Trial Courts***

The rectangle representing each trial court also lists the applicable Court Statistics Project case types. These include civil, criminal, traffic/other violation, and juvenile. Where a case type is simply listed, it means that the court system shares jurisdiction over it with other courts. The presence of exclusive jurisdiction is always explicitly stated.

The absence of a case type from a list means that the court does not have that subject matter jurisdiction. The dollar amount jurisdiction is shown where there is an upper or a lower limit to the cases that can be filed in a court. A dollar limit is not listed if a court does not have a minimum or maximum dollar amount jurisdiction for general civil cases. In criminal cases, jurisdiction is distinguished between "felony," where the court can try a felony case to verdict and sentencing, and "preliminary hearings," which applies to those limited jurisdiction courts that can conduct preliminary hearings that bind a defendant over for trial in a higher court.

Trial courts can have what is termed incidental appellate jurisdiction. The presence of such jurisdiction over the decisions of other courts is noted in the list of case types as either "civil appeals," "criminal appeals," or "administrative agency appeals." A trial court that hears appeals directly from an administrative agency has an "A" in the upper right corner of the rectangle.

For each trial court, the chart states the authorized number of judges and whether the court can impanel a jury. The rectangle representing the court also indicates the number of districts, divisions, or circuits into which the court system is divided. These subdivisions are stated using the court system's own terminology. The descriptions, therefore, are not standardized across states or court systems.

Some trial courts are totally funded from local sources and some receive some form of state funds. Locally funded court systems are drawn with broken lines. A solid line indicates some or all of the funding is derived from state funds.



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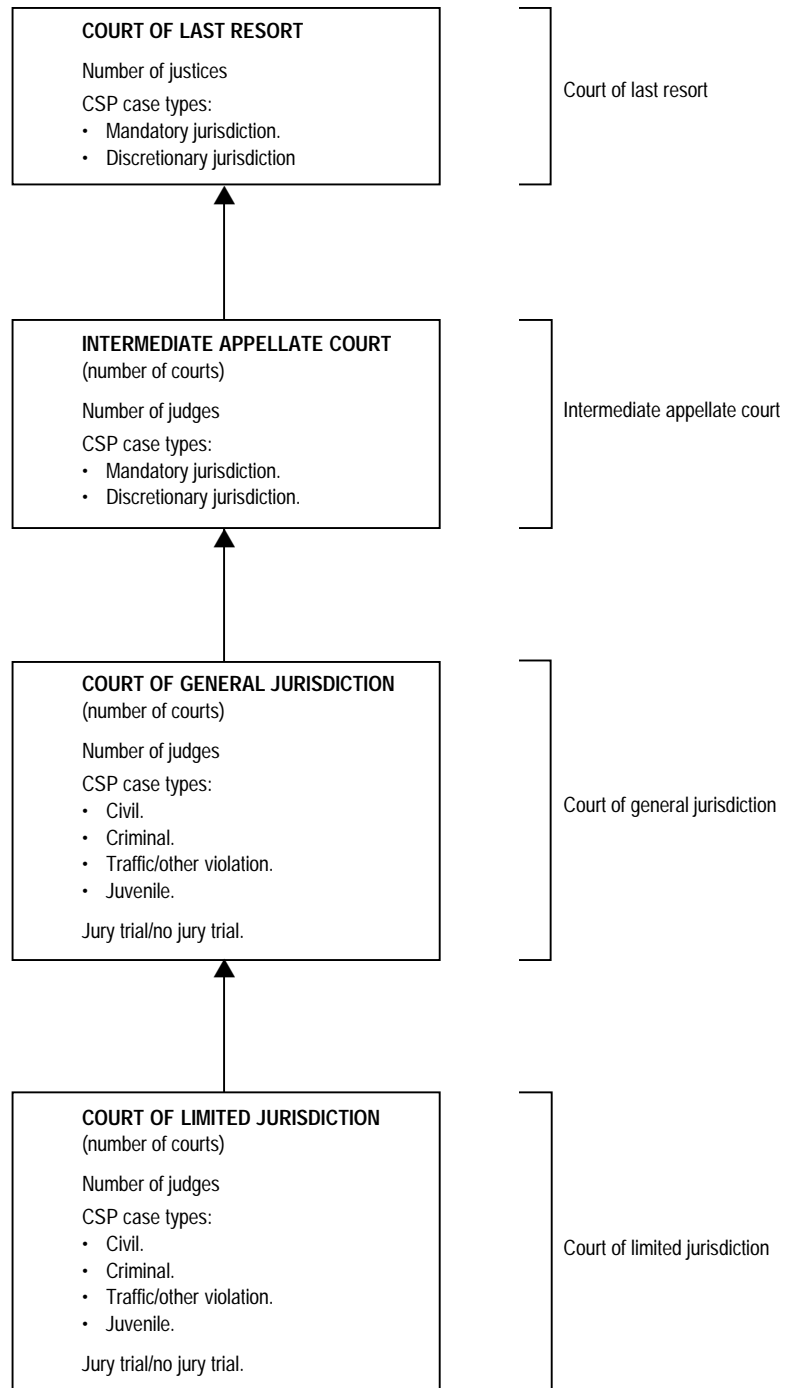
## ***Symbols and Abbreviations***

An “A” in the upper right corner of a rectangle, representing either an appellate or a trial court, indicates that the court receives appeals directly from the decisions of an administrative agency. Where “administrative agency appeals” is listed as a case type, it indicates that the court hears appeals from decisions of another court on an administrative agency’s actions. It is possible for a court to have both an “A” designation and to have “administrative agency appeals” listed as a case type. Such a court hears appeals directly from an administrative agency (“A”) and has appellate jurisdiction over the decisions of a lower court that has already reviewed the decision of the administrative agency.

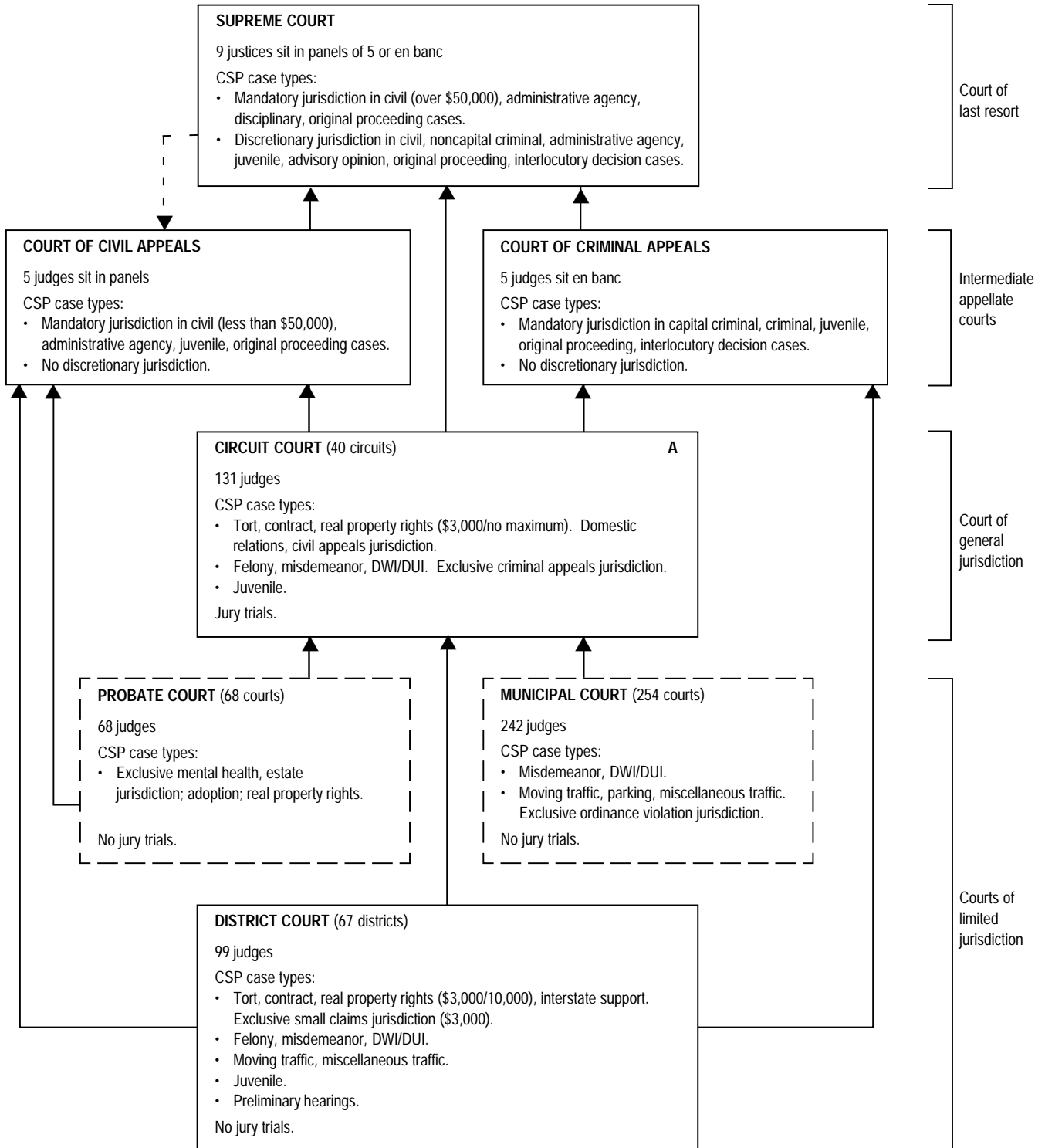
The number of justices or judges is sometimes stated as “FTE.” This represents “full-time equivalent” authorized judicial positions. “DWI/DUI” stands for “driving while intoxicated/driving under the influence.” The “SC” abbreviation stands for “small claims.” The dollar amount jurisdiction for civil cases is indicated in parentheses with a dollar sign. Where the small claims dollar amount jurisdiction is different, it is noted.

The court structure charts are convenient summaries. They do not substitute for the detailed descriptive material contained in the 50 tables of *State Court Organization, 1998*. Moreover, they are based on the Court Statistics Project’s terminology and categories. This means that a state may have established courts that are not included in these charts. Some states have courts of special jurisdiction to receive complaints on matters that are more typically directed to administrative boards and agencies. Since these courts adjudicate matters that do not fall within the Court Statistics Project case types, they are not included in the charts. The existence of such courts, however, is recognized in a footnote to the state’s court structure chart.

## STATE COURT STRUCTURE PROTOTYPE, 1998

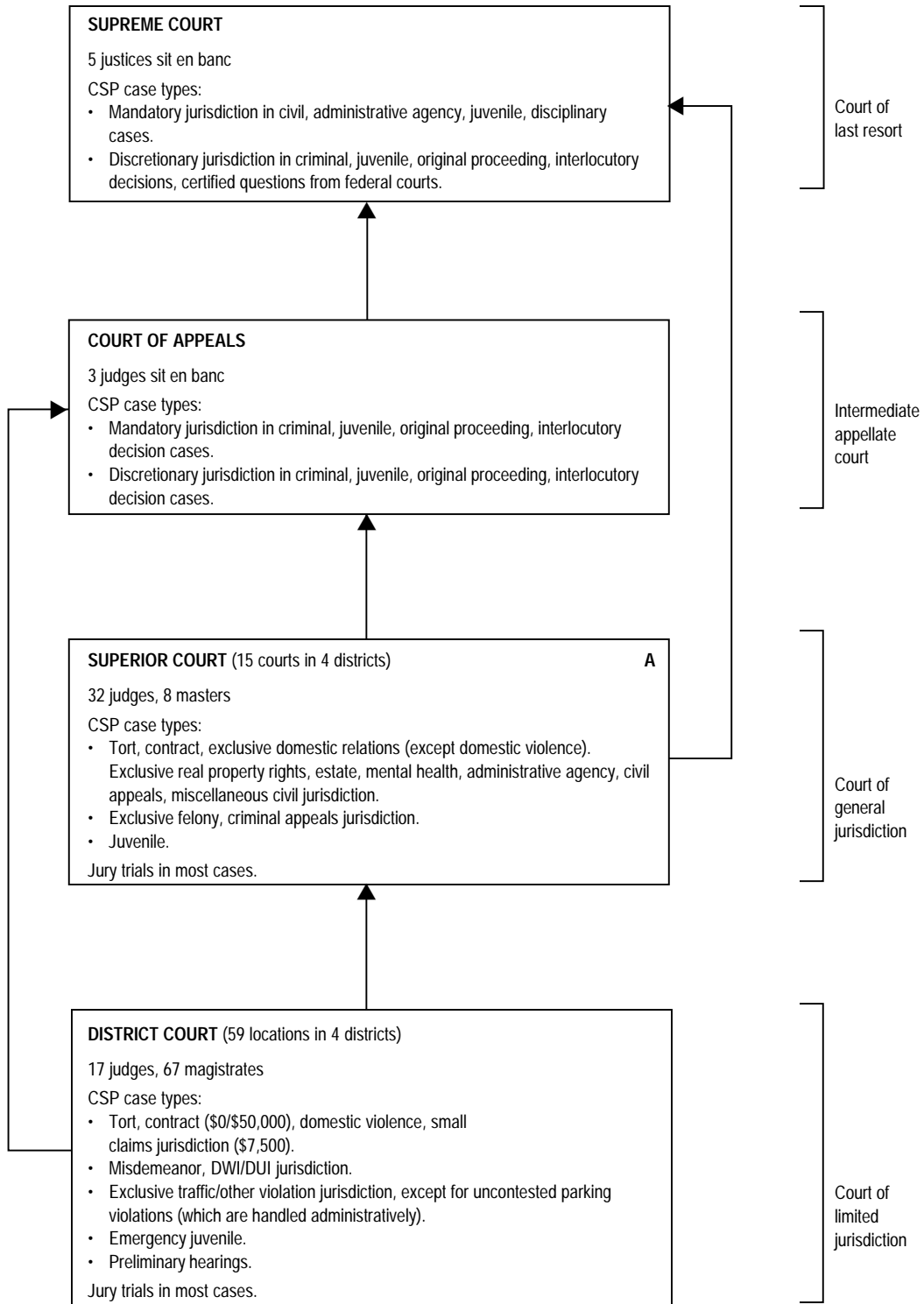


## ALABAMA COURT STRUCTURE, 1998

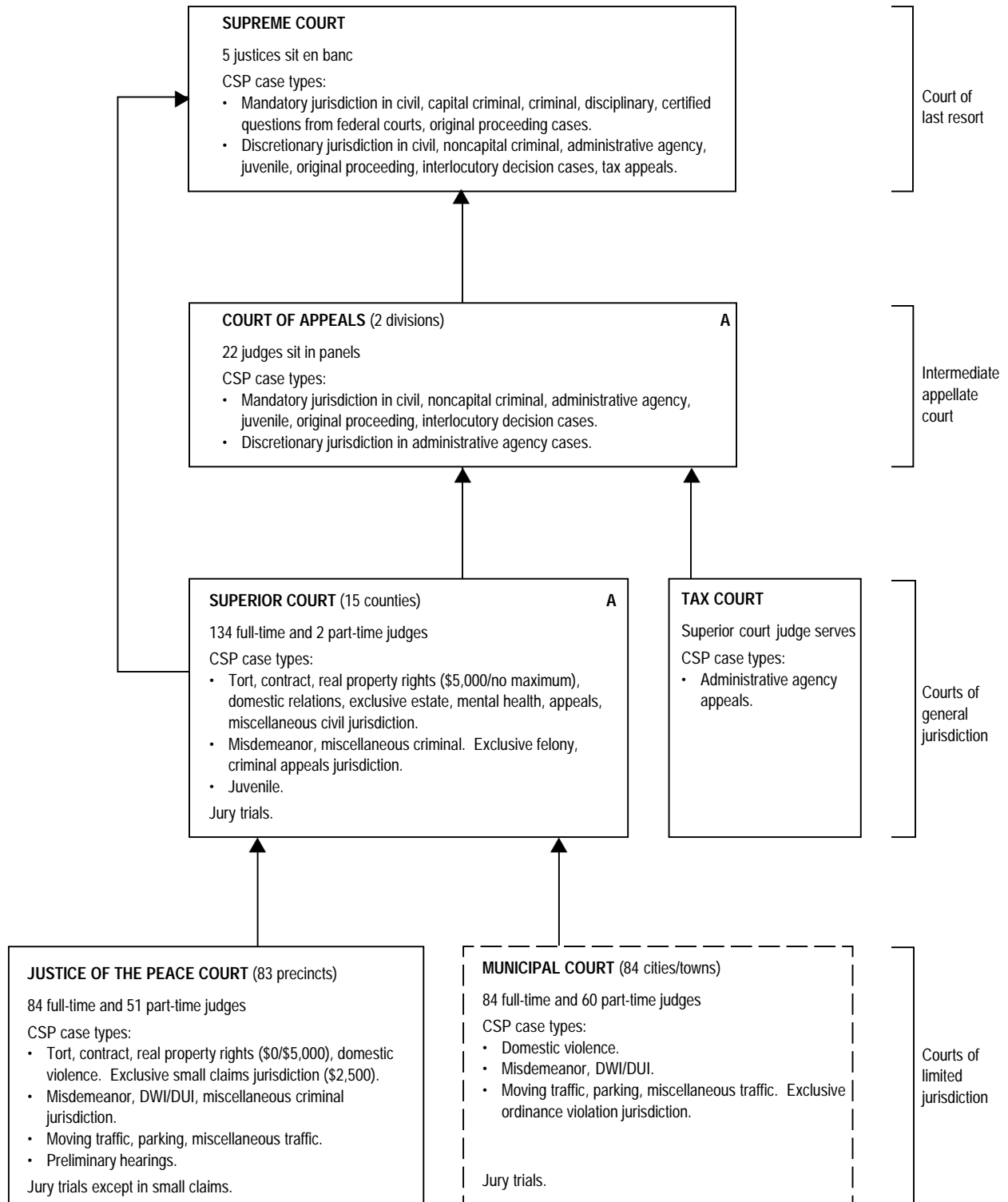


- - - Indicates assignment of cases.

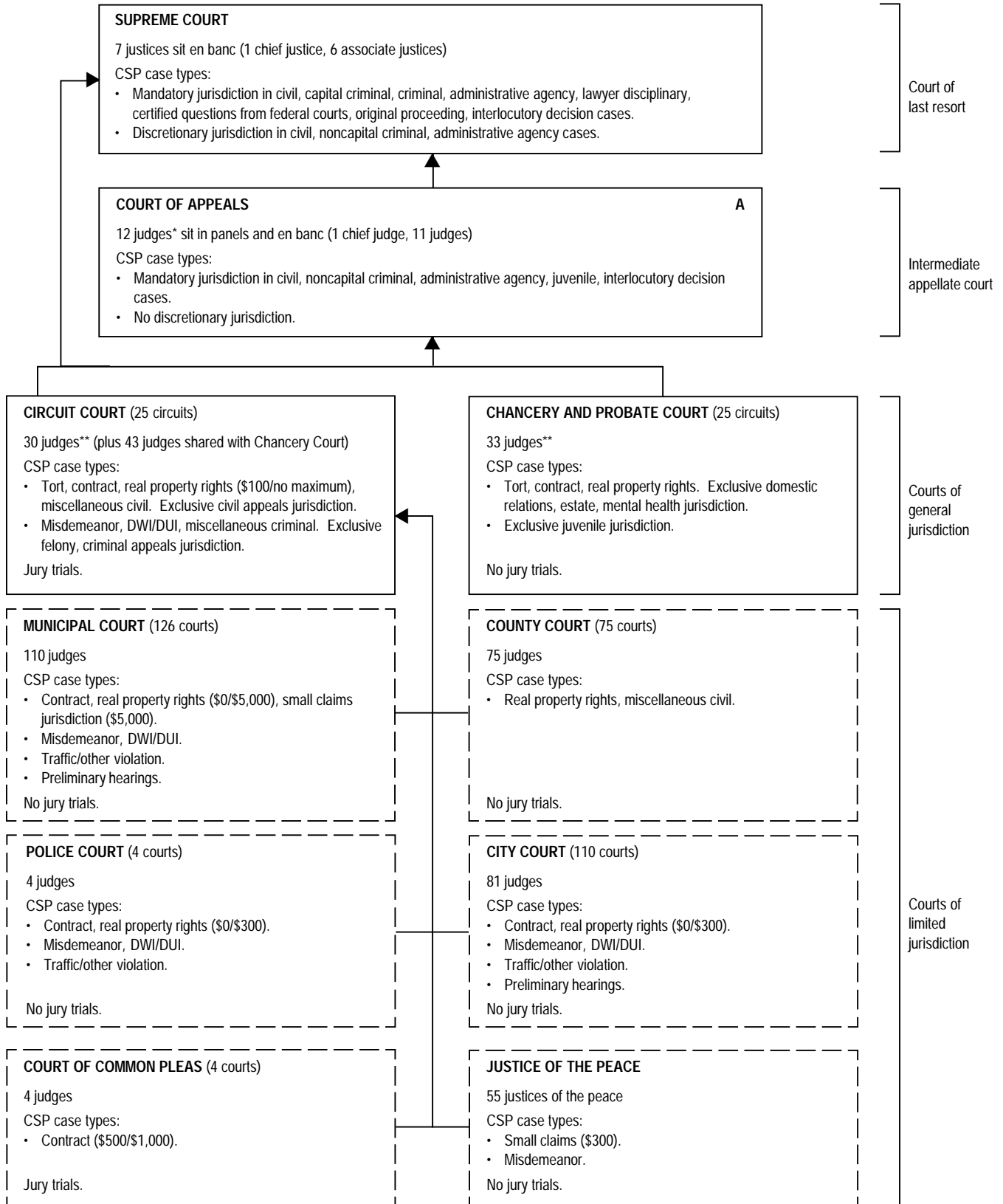
## ALASKA COURT STRUCTURE, 1998



## ARIZONA COURT STRUCTURE, 1998



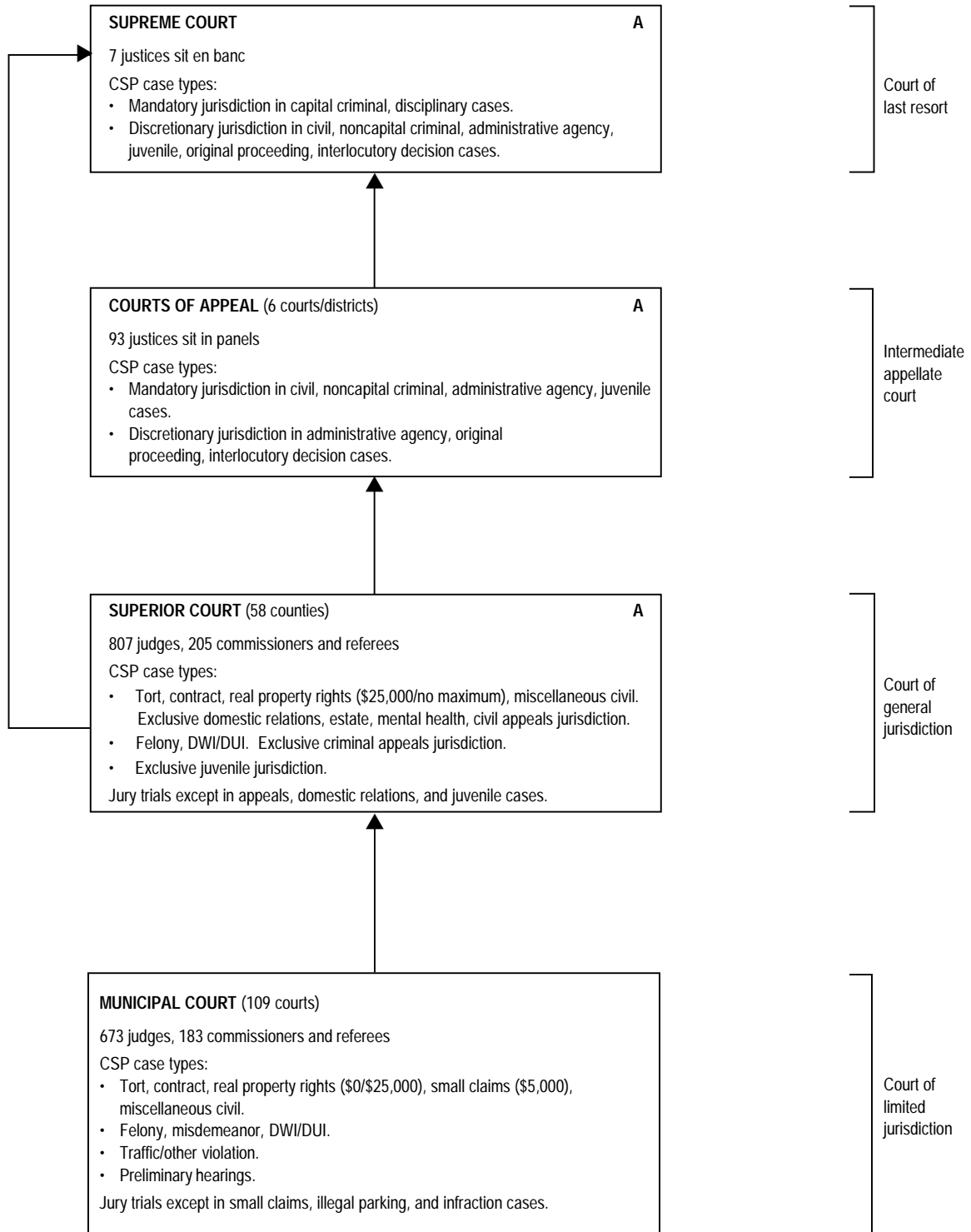
## ARKANSAS COURT STRUCTURE, 1998



\* Court of Appeals judges increased to 12 effective January 1, 1997.

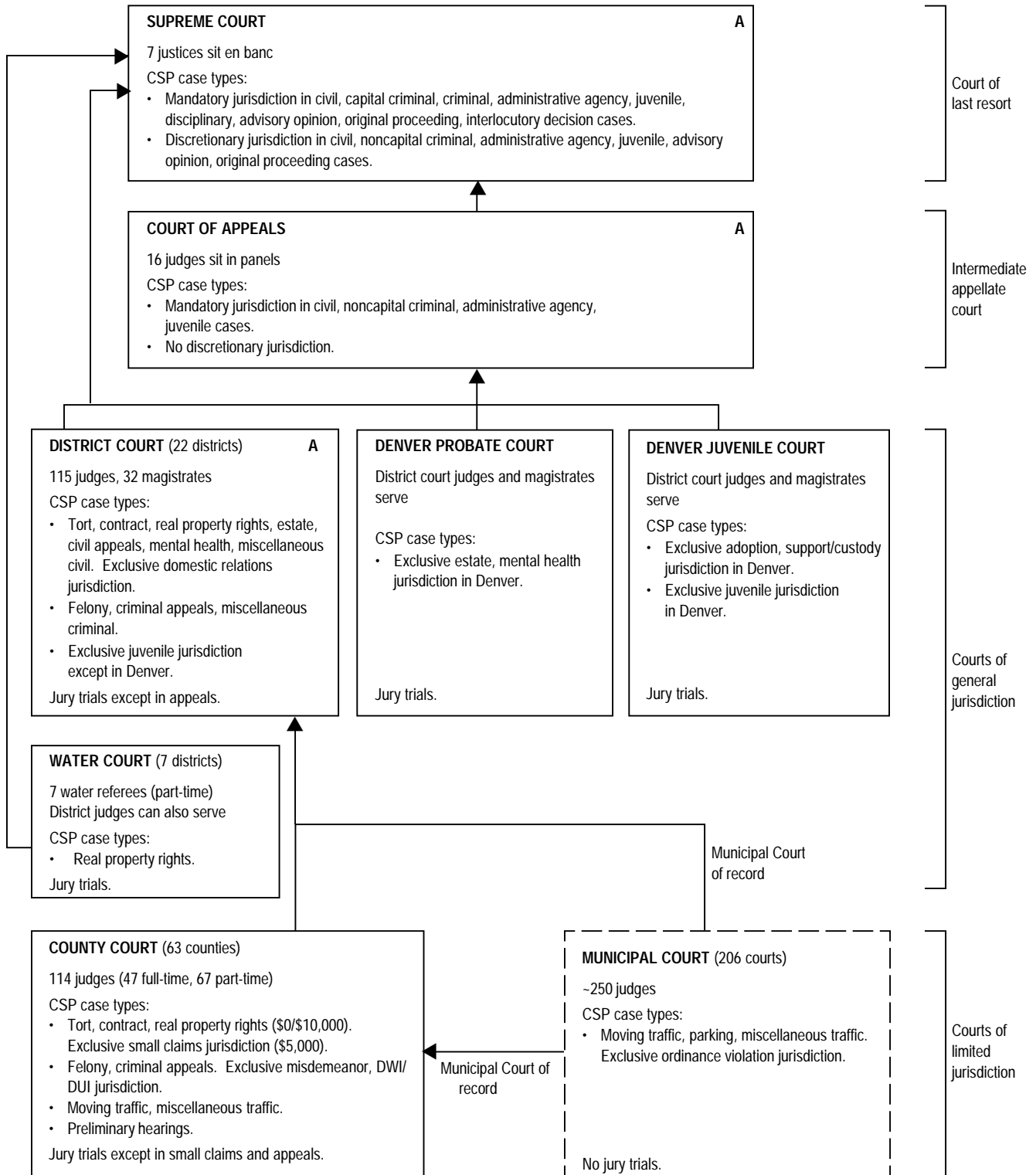
\*\* Forty-three additional judges serve both circuit and chancery courts.

## CALIFORNIA COURT STRUCTURE, 1998



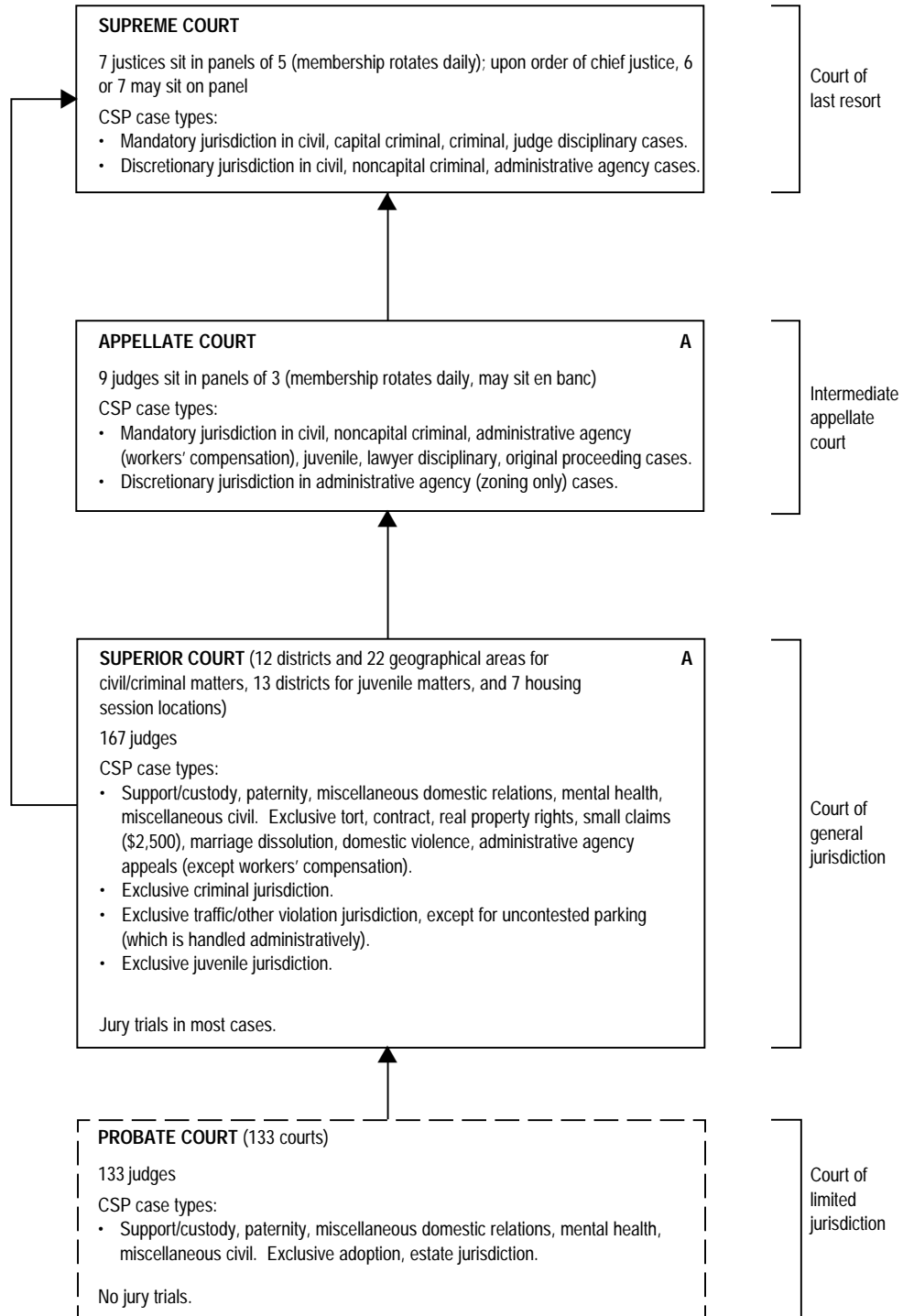
Note: In 1998 Proposition 220 amended the state Constitution by providing for the voluntary unification of the superior (courts of general jurisdiction) and municipal (courts of limited jurisdiction) courts of a county into one countywide superior court. Originating as Senate Constitutional Amendment 4, the measure was passed by the Legislature in June, 1996, appeared as Proposition 220 on a statewide ballot during a primary election on June 2, 1998, and was approved by 64% of the voters. Proposition 220 became effective June 3, 1998.

## COLORADO COURT STRUCTURE, 1998

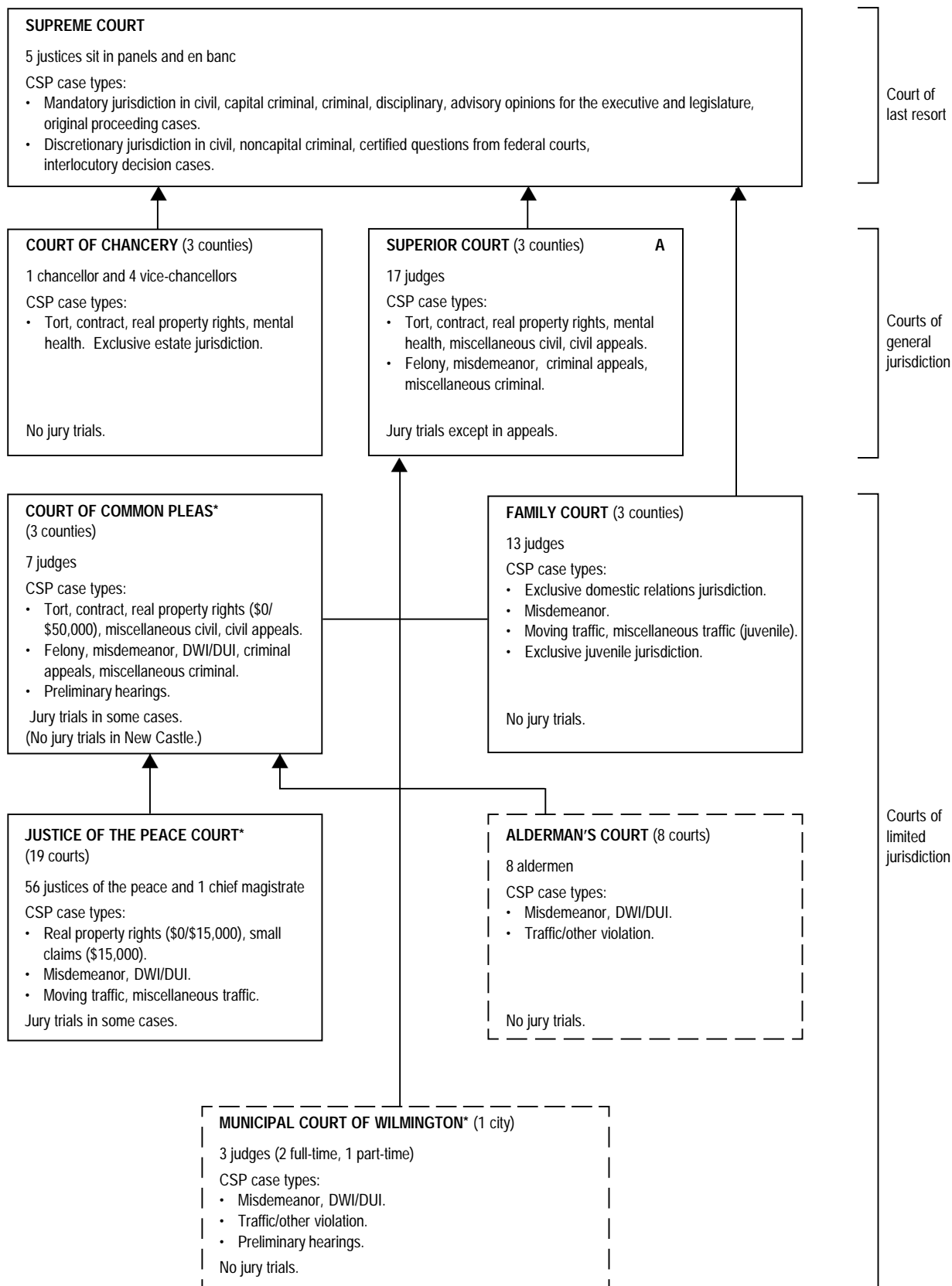




## CONNECTICUT COURT STRUCTURE, 1998

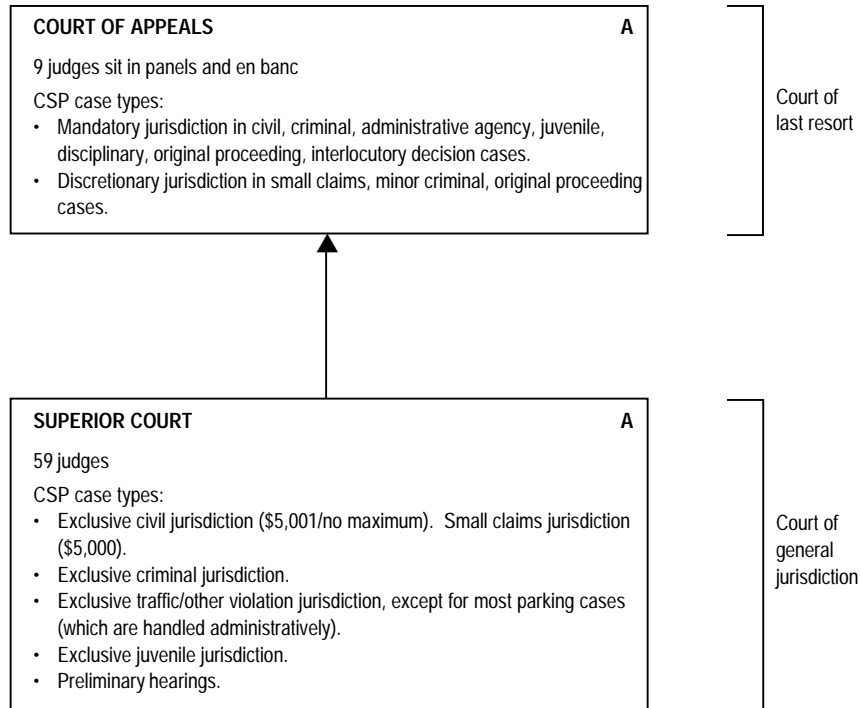


## DELAWARE COURT STRUCTURE, 1998

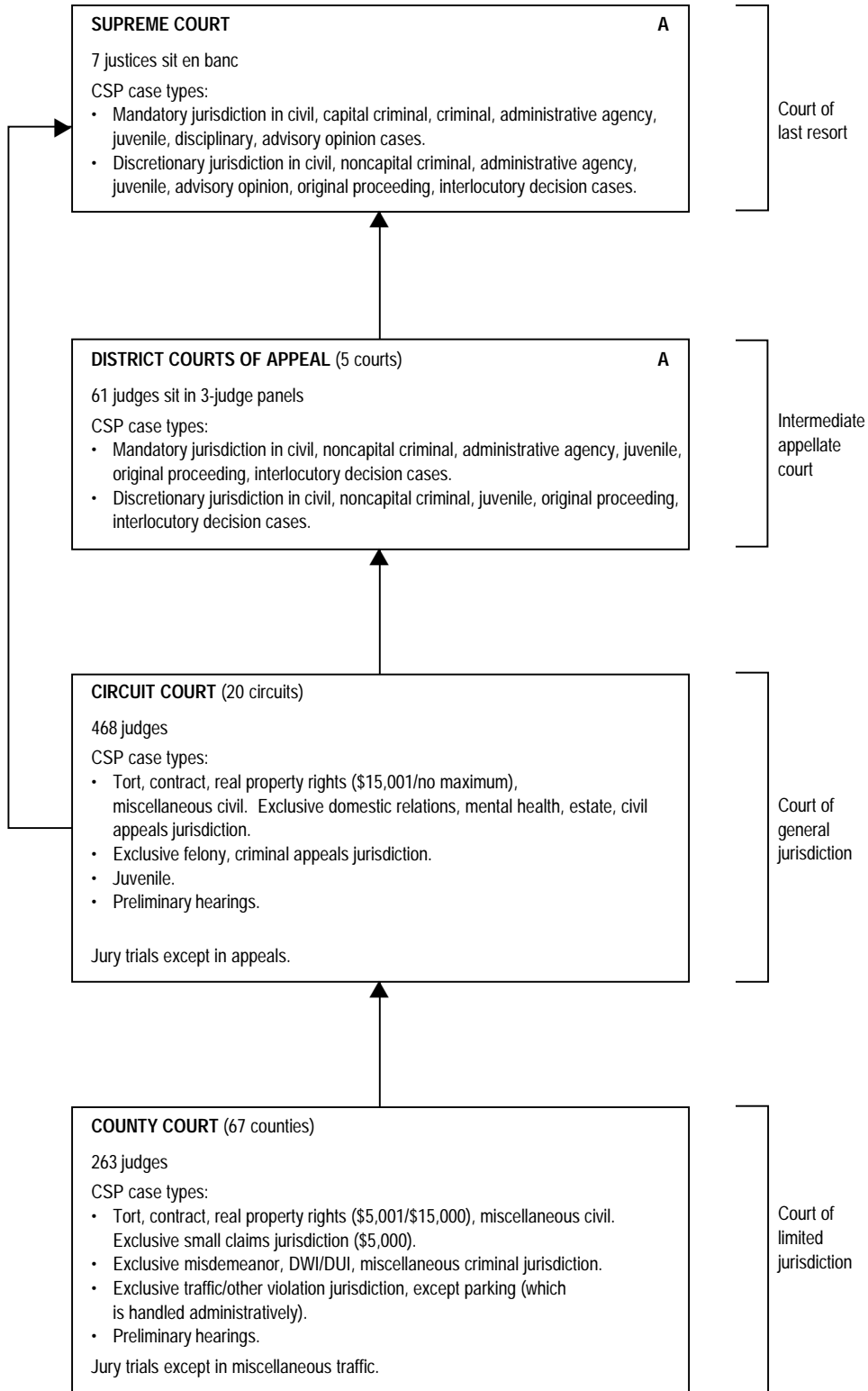


\* The Municipal Court of Wilmington was eliminated effective May 1, 1998, and most of its caseload was absorbed by the Court of Common Pleas and entry-level misdemeanor and simple traffic caseload absorbed by the Justice of the Peace Court. A new Justice of the Peace Court was created in Wilmington effective May 1, 1998.

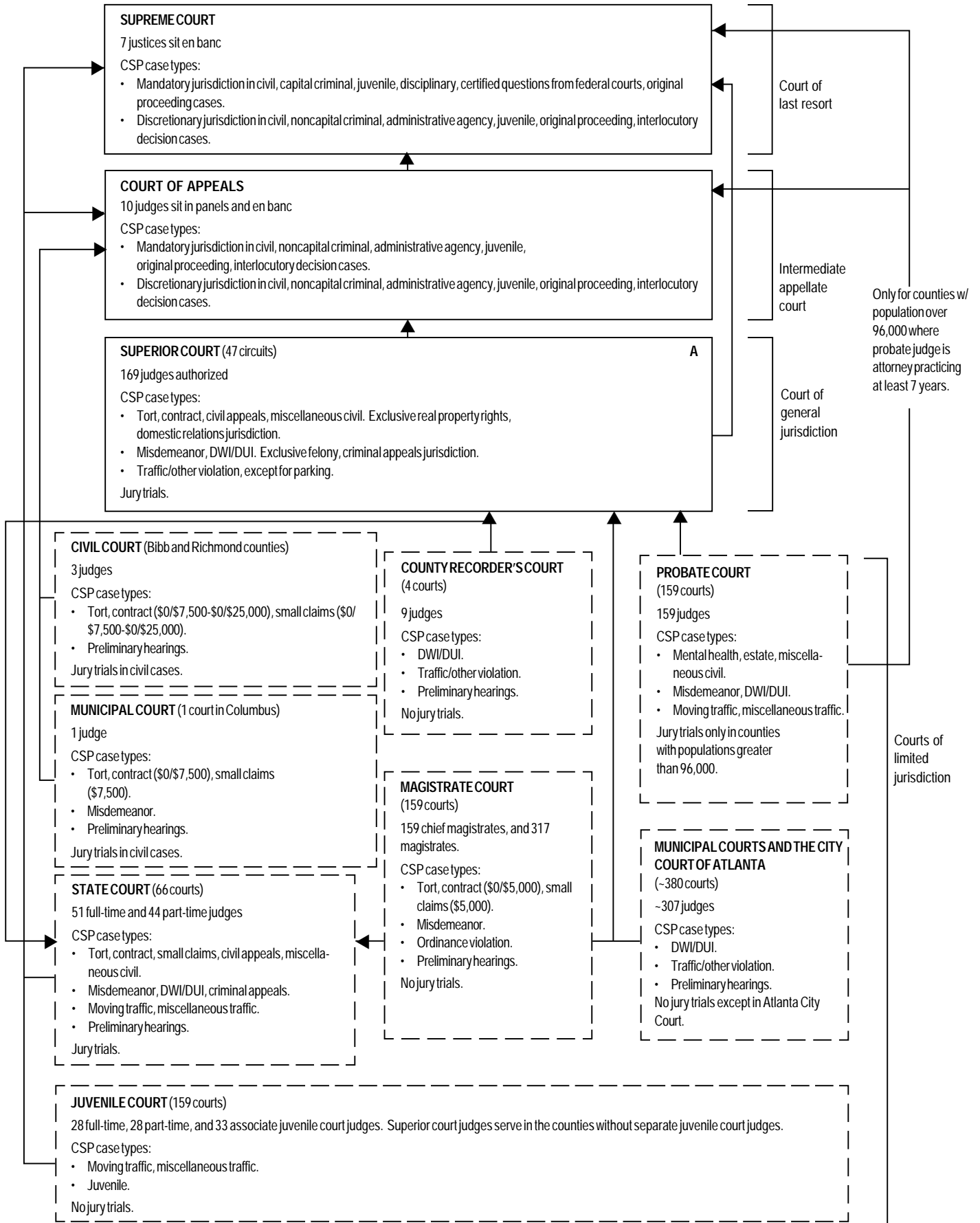
## DISTRICT OF COLUMBIA COURT STRUCTURE, 1998



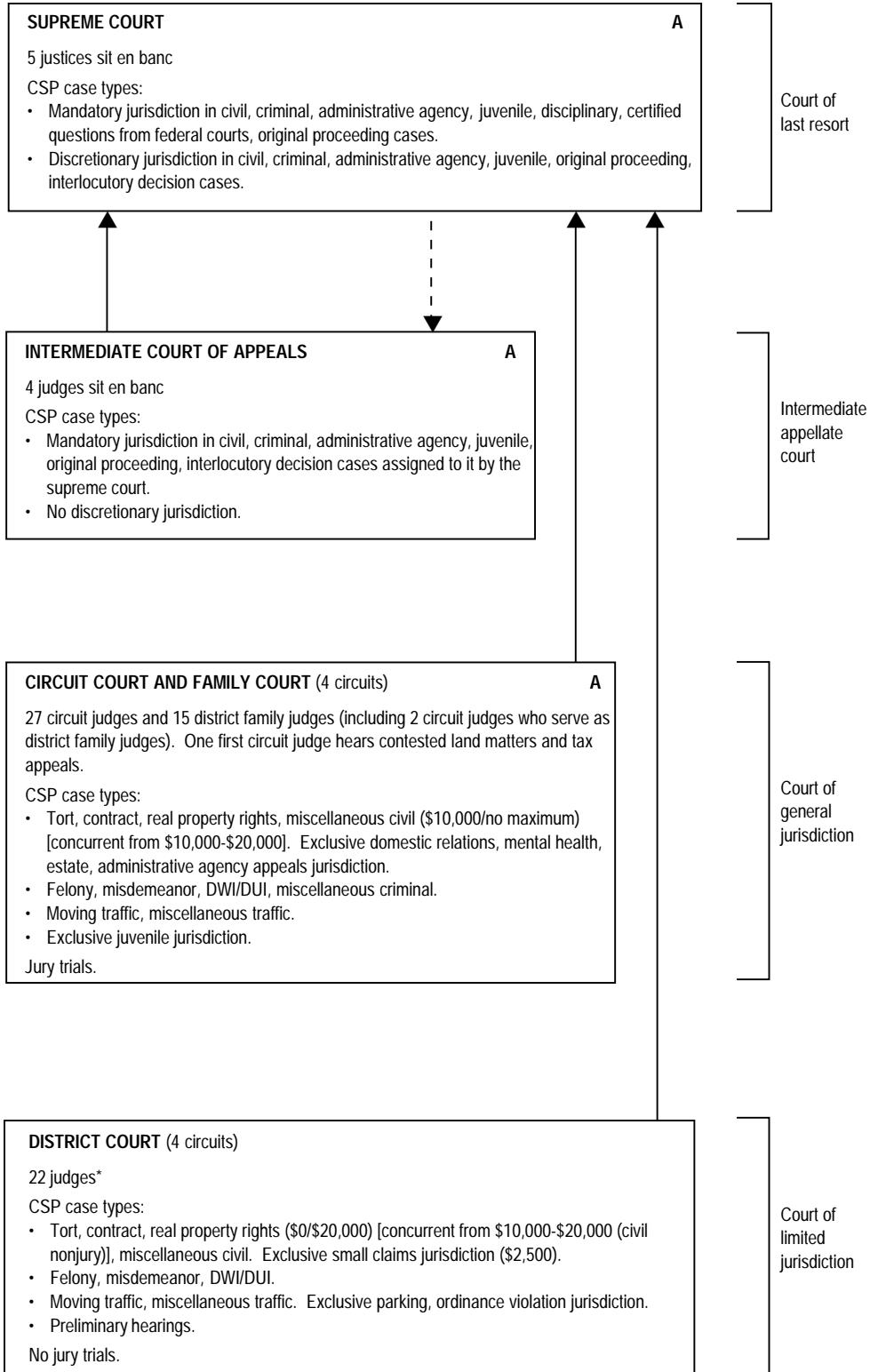
## FLORIDA COURT STRUCTURE, 1998



## GEORGIA COURT STRUCTURE, 1998



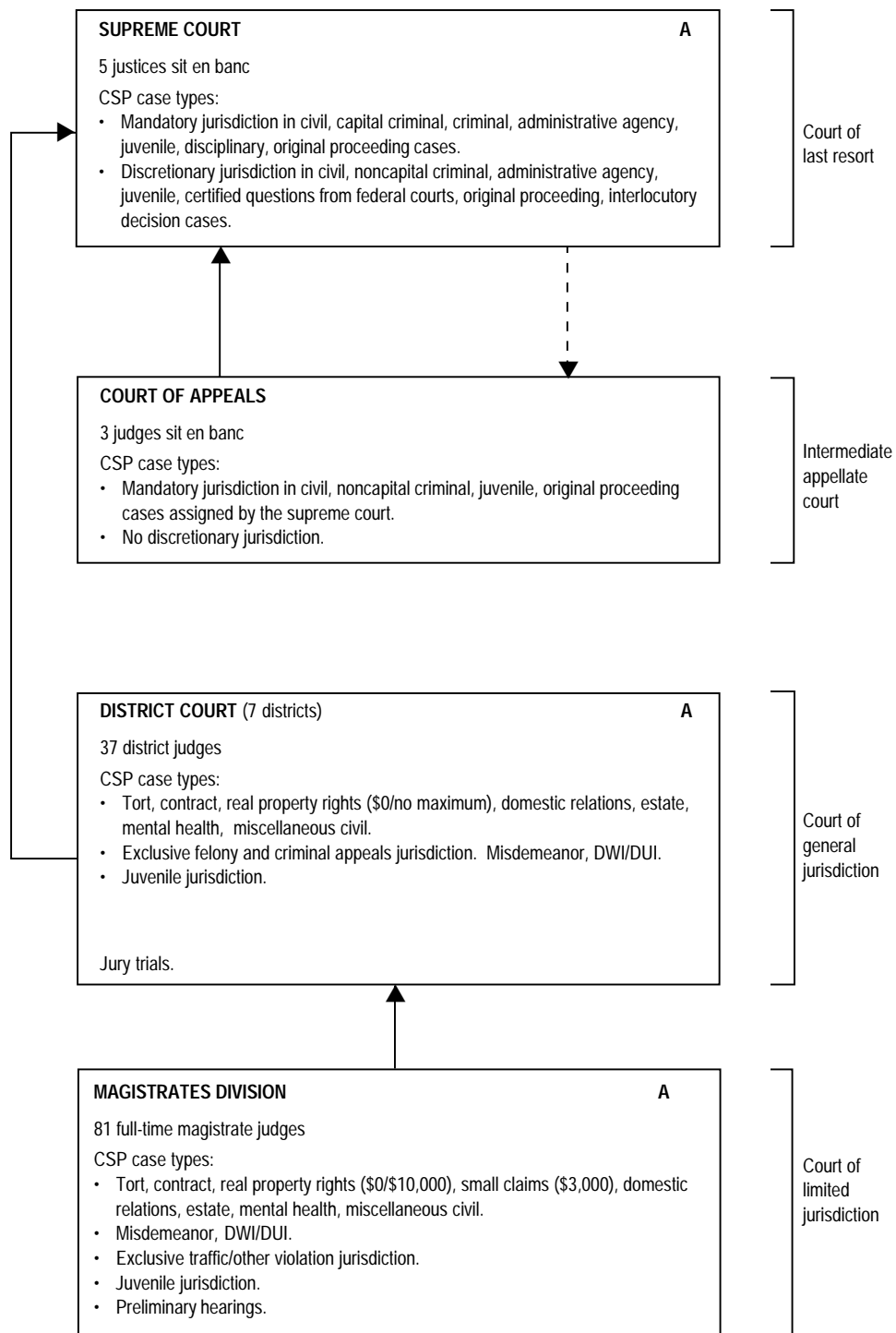
## HAWAII COURT STRUCTURE, 1998



\* Excludes per diem judges.

— — Indicates assignment of cases.

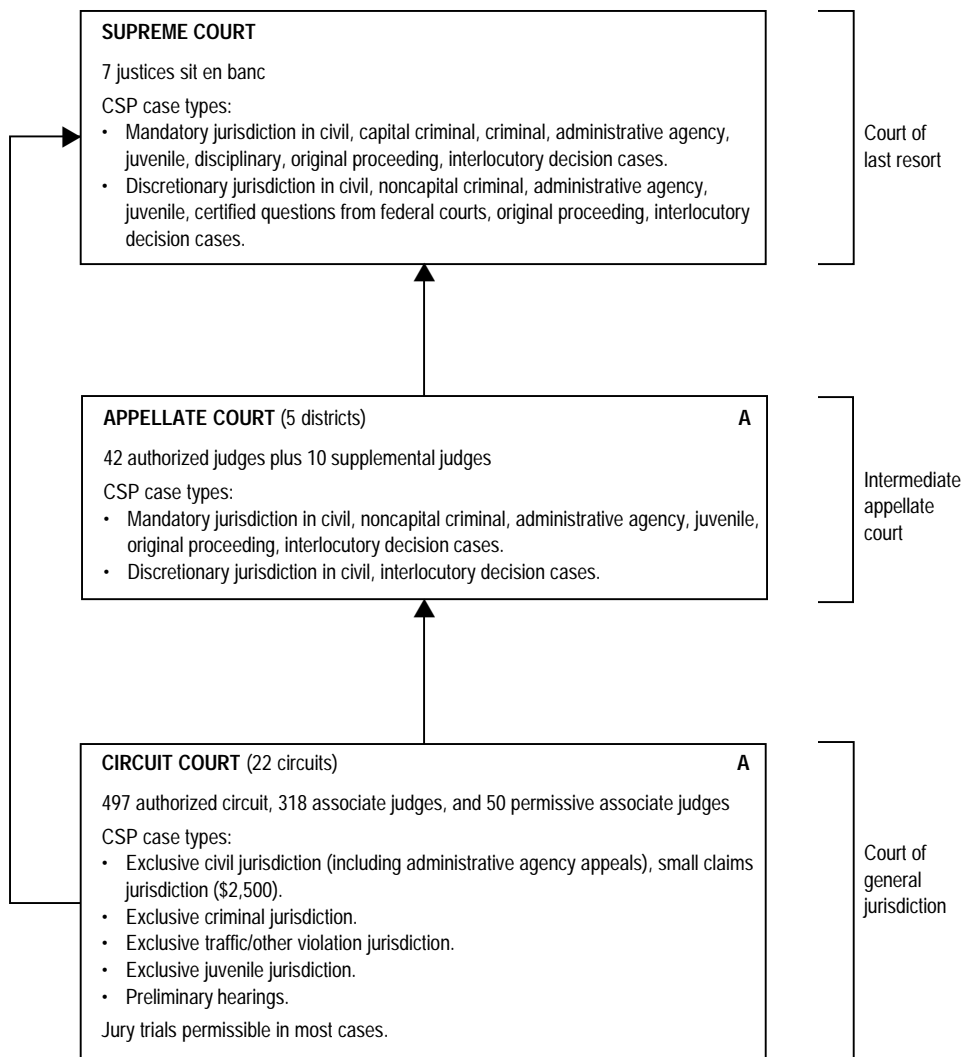
## IDAHO COURT STRUCTURE, 1998



— — Indicates assignment of cases.

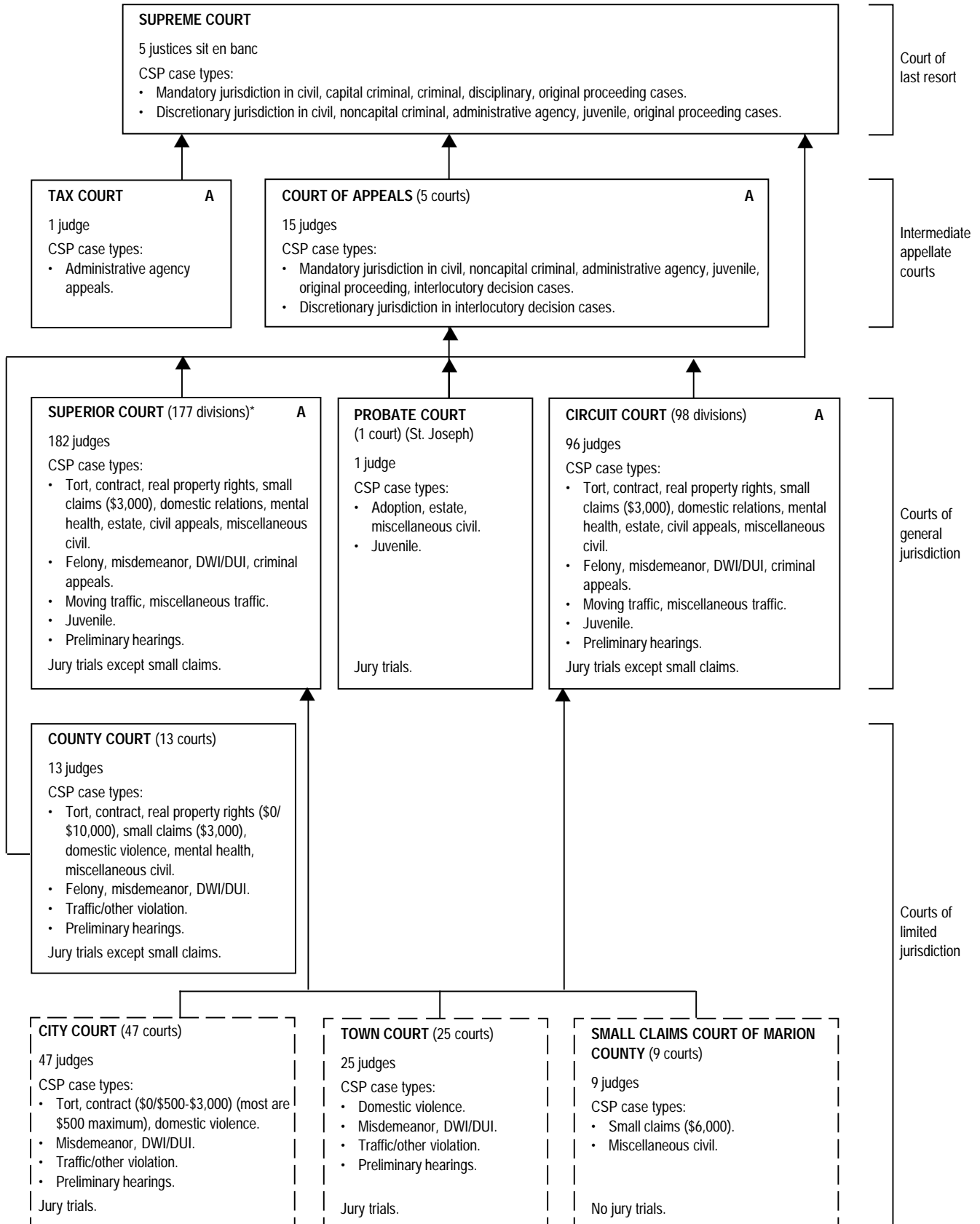
Note: The Magistrates Division of the District Court functions as a limited jurisdiction court.

## ILLINOIS COURT STRUCTURE, 1998



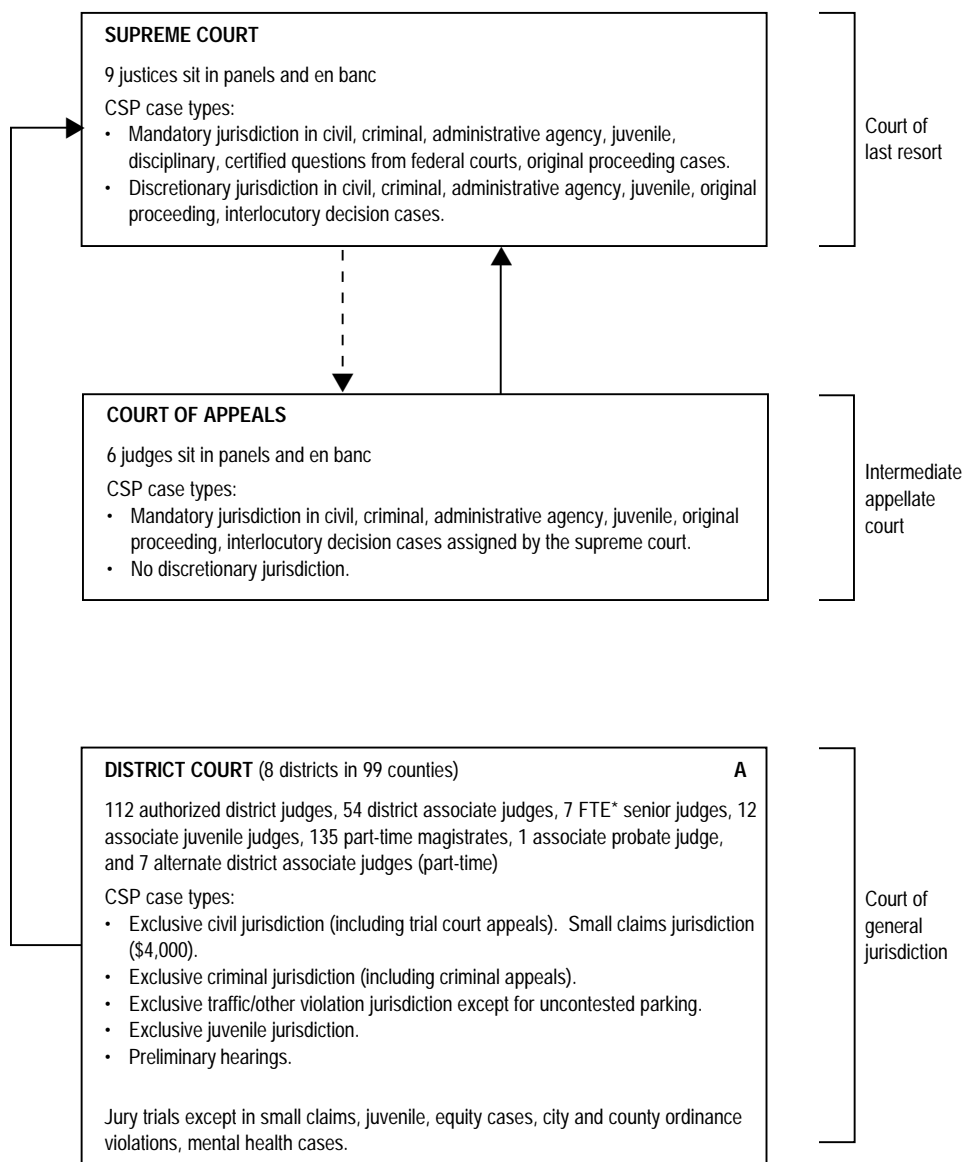


## INDIANA COURT STRUCTURE, 1998



\* Effective January 1, 1996, all Municipal Courts became Superior Courts.

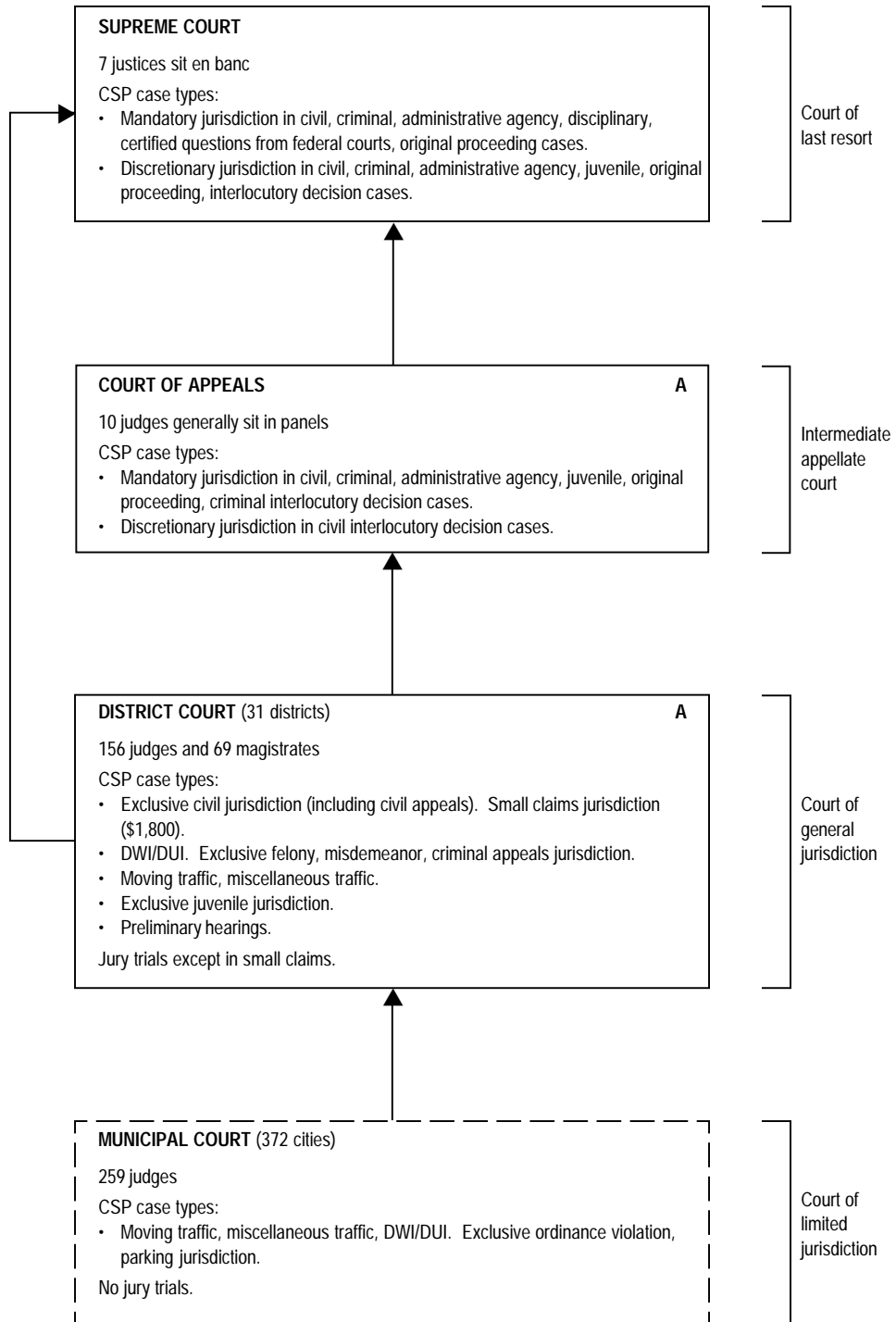
## IOWA COURT STRUCTURE, 1998



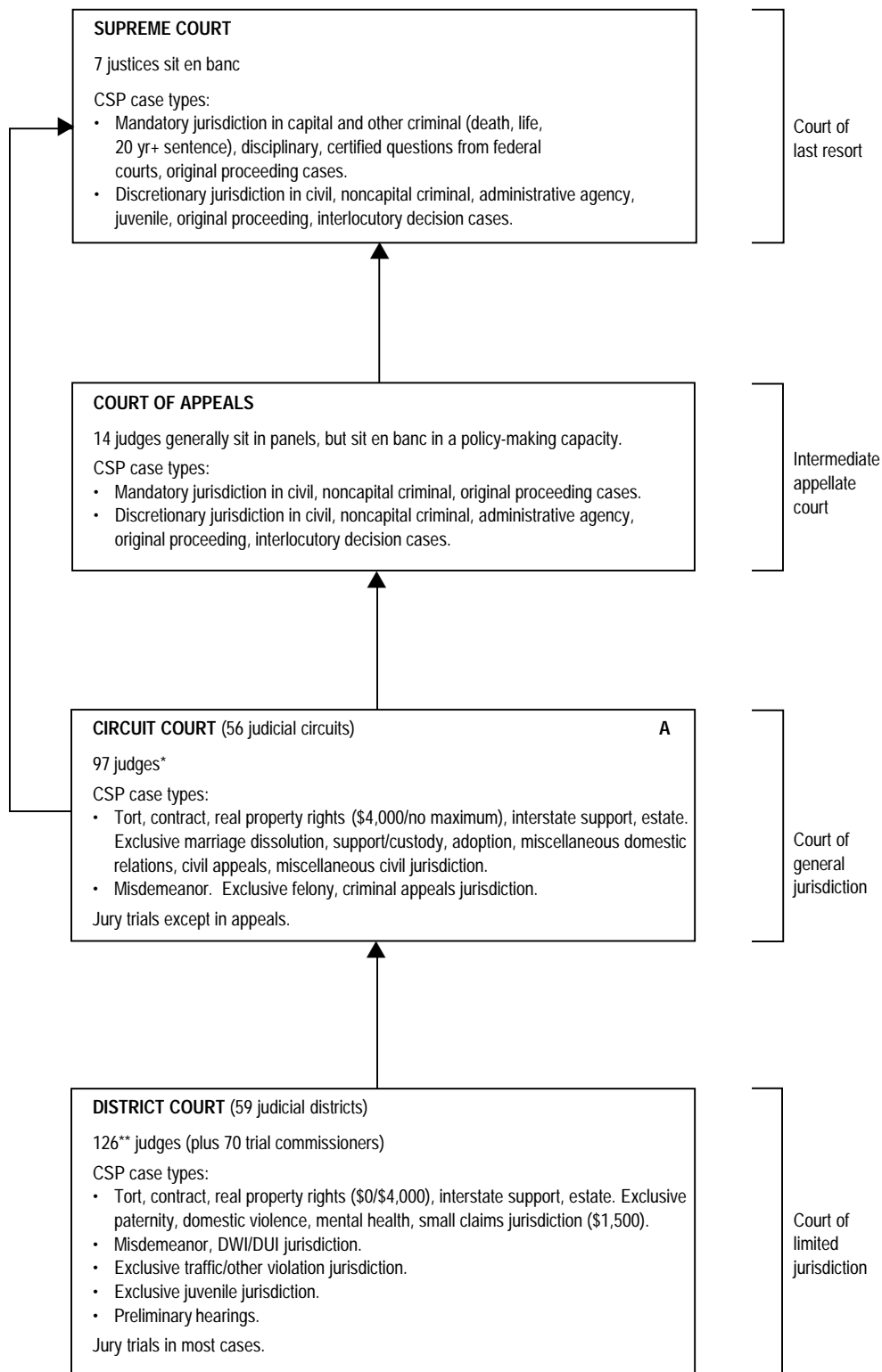
\* Includes 28 senior judges who work 1/4 time. (No more than 13 weeks/year)

— — Indicates assignment of cases.

## KANSAS COURT STRUCTURE, 1998



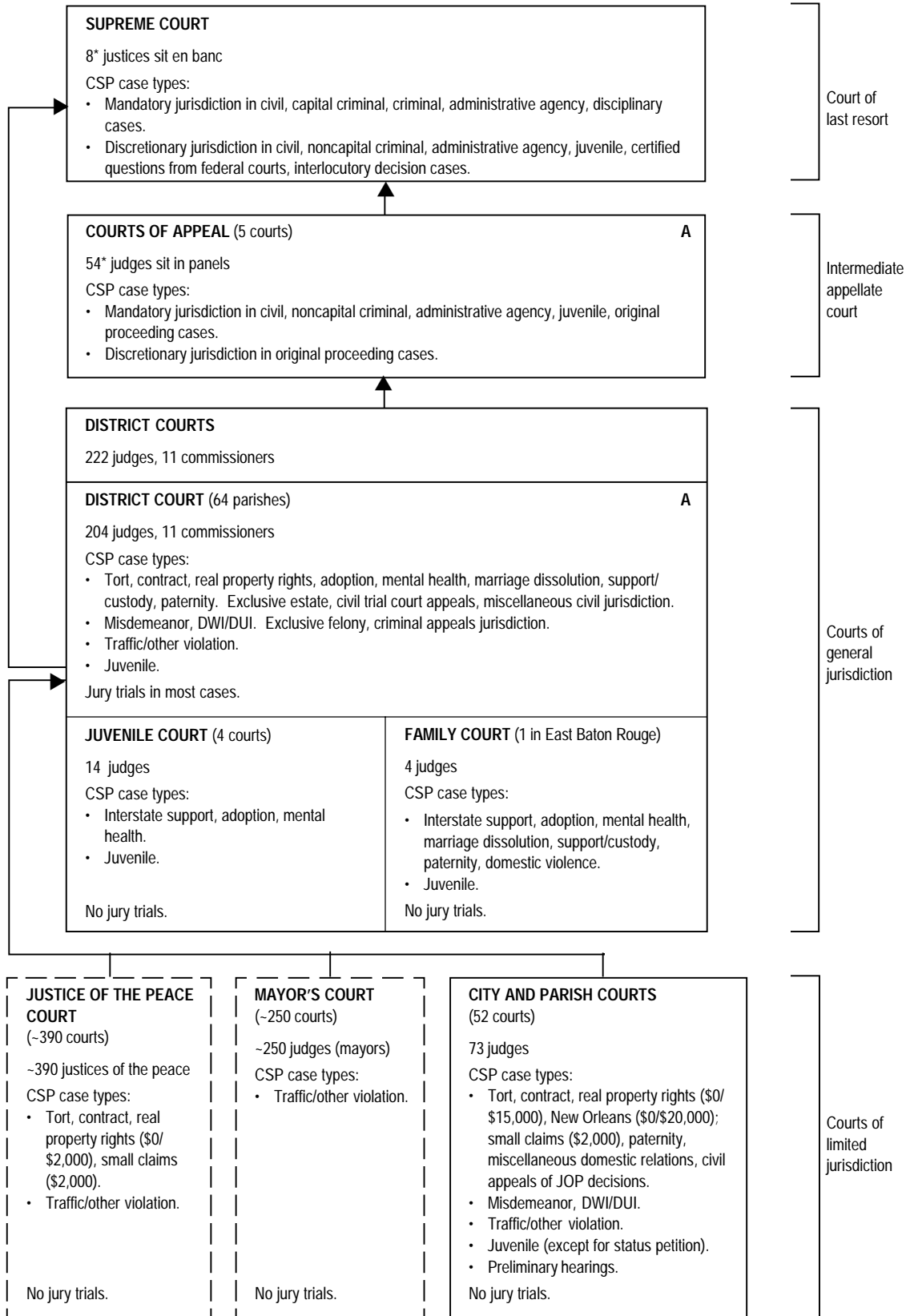
## KENTUCKY COURT STRUCTURE, 1998



\* Increased to 103 effective 7/1/98, 104 for FY 98/99, and 108 effective 9/1/99.

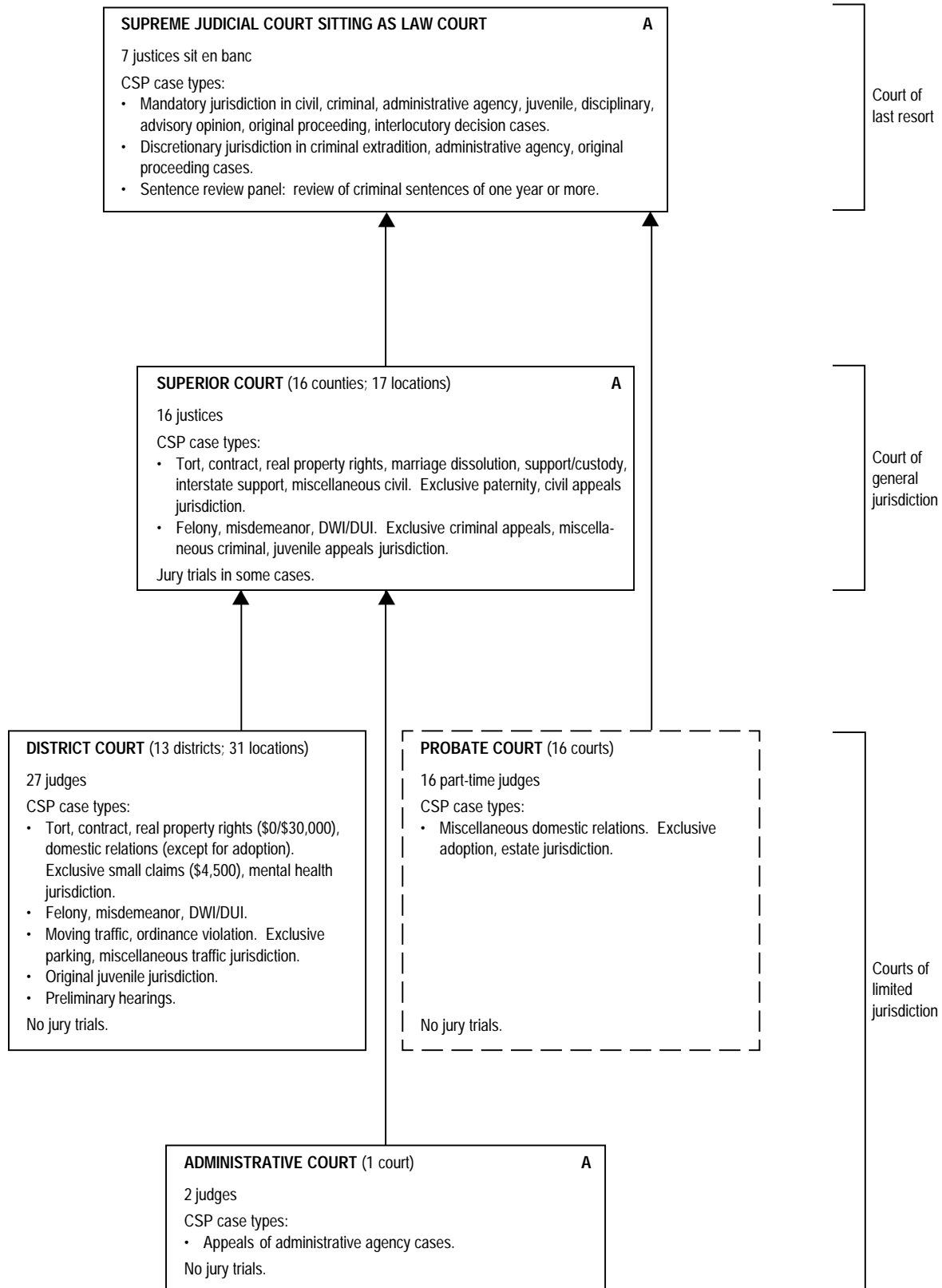
\*\* Increased to 127 effective 7/1/98 and 128 effective 9/1/99

## LOUISIANA COURT STRUCTURE, 1998

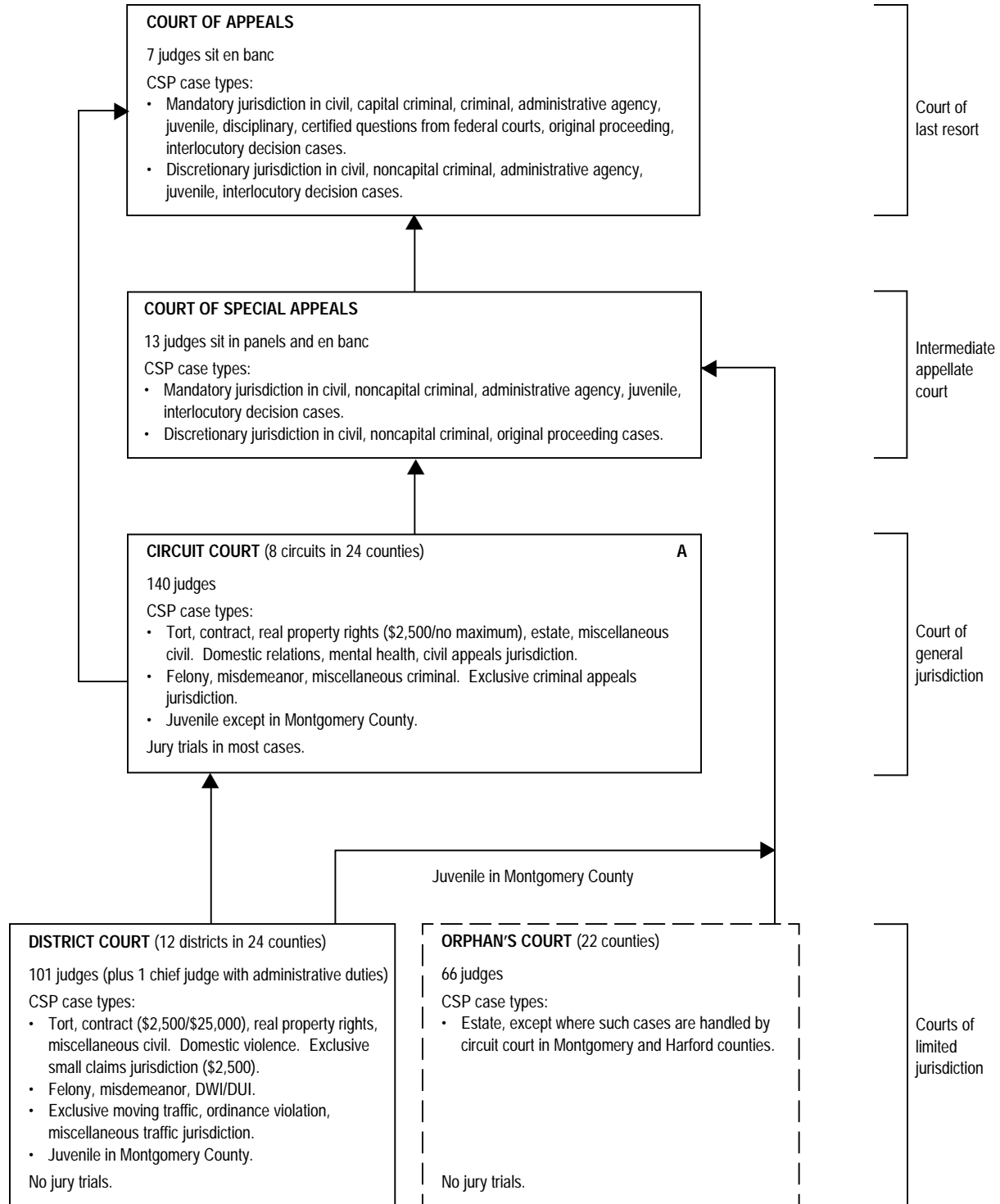


\* Supreme court has 7 elected justices and 1 justice assigned from the courts of appeal. The assigned judge would bring the number of courts of appeal judges to 55. (This assignment is by state statute.)

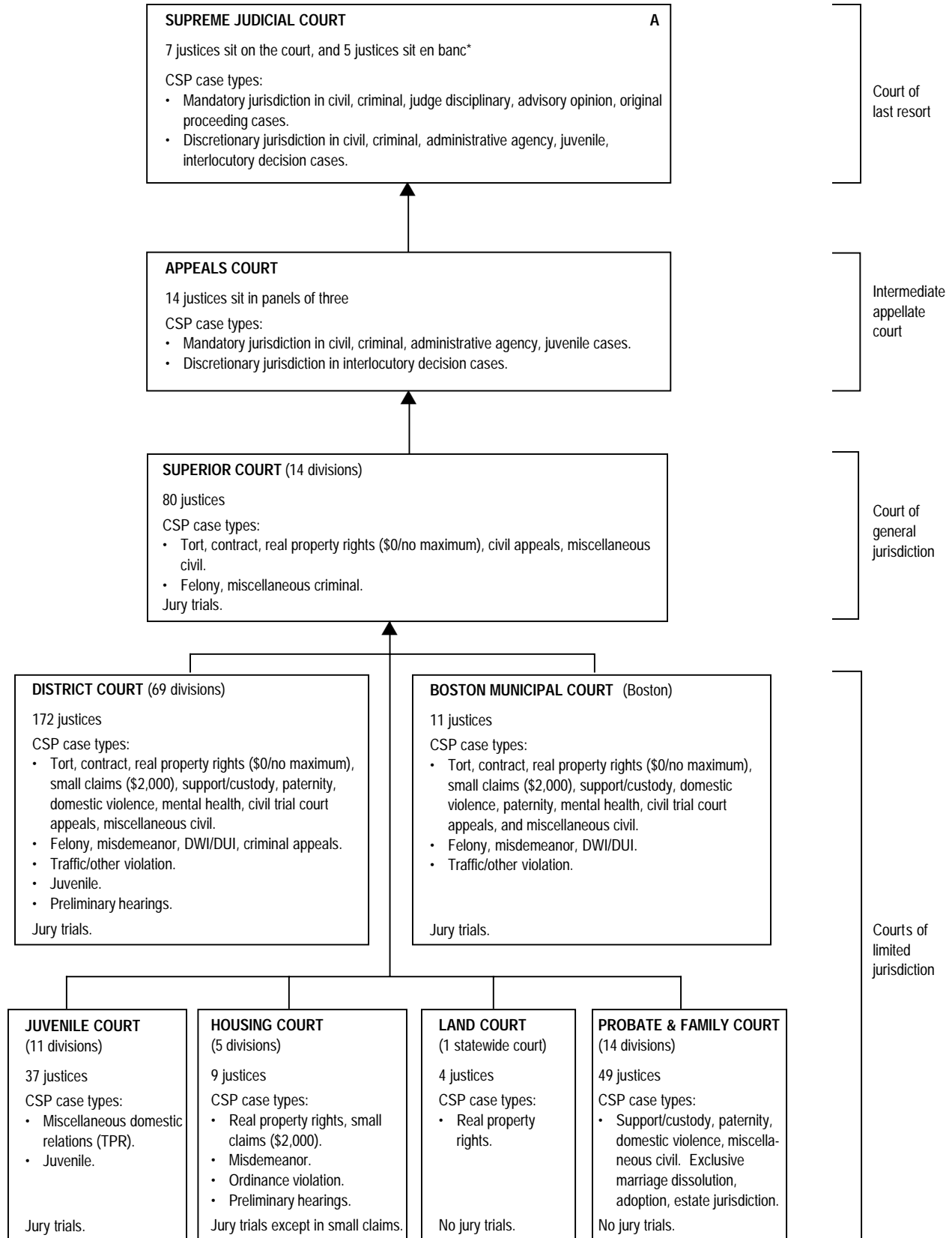
## MAINE COURT STRUCTURE, 1998



## MARYLAND COURT STRUCTURE, 1998



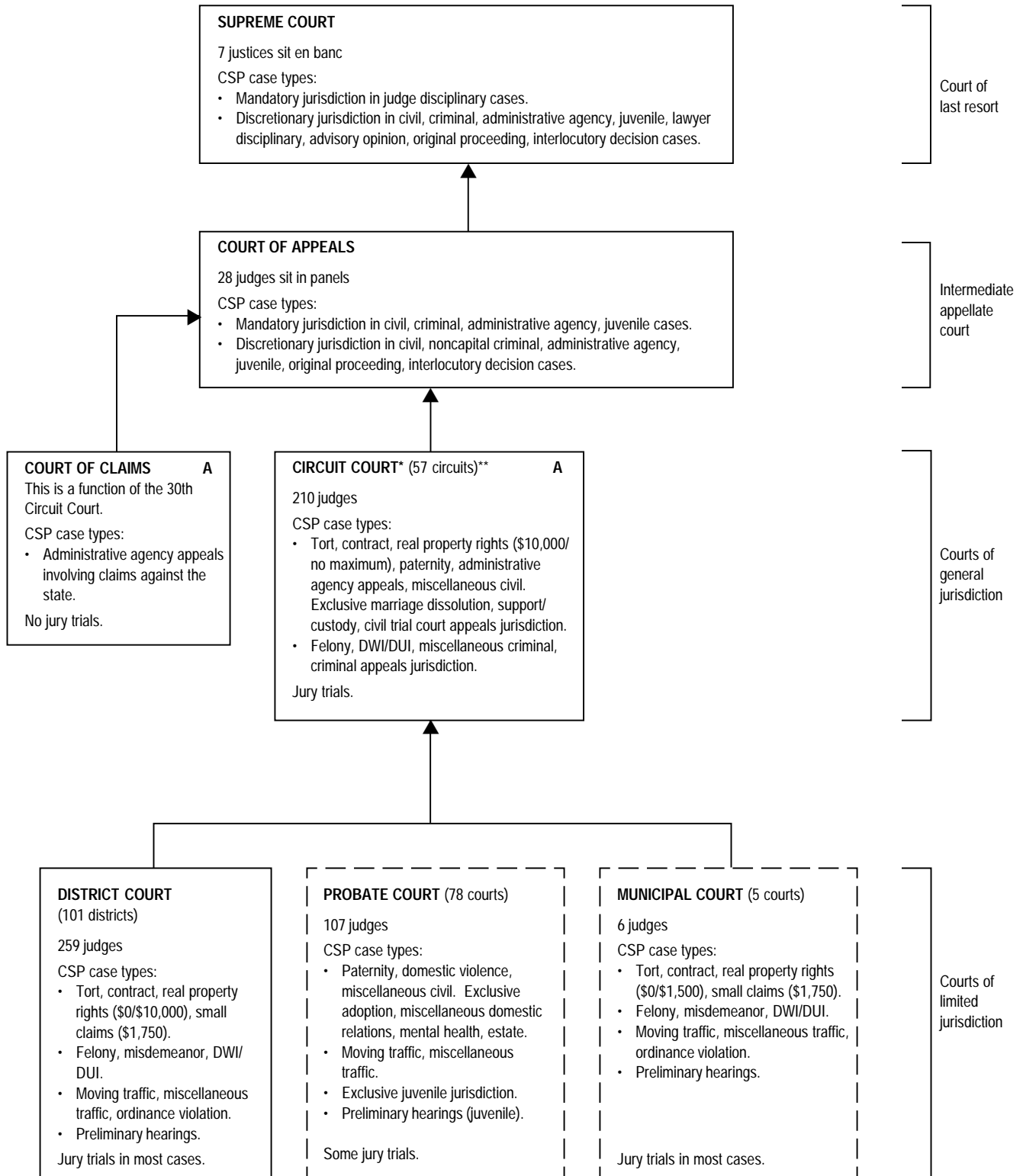
## MASSACHUSETTS COURT STRUCTURE, 1998



\* The justices also sit individually in the "single justice" side of the court, on a rotating basis.



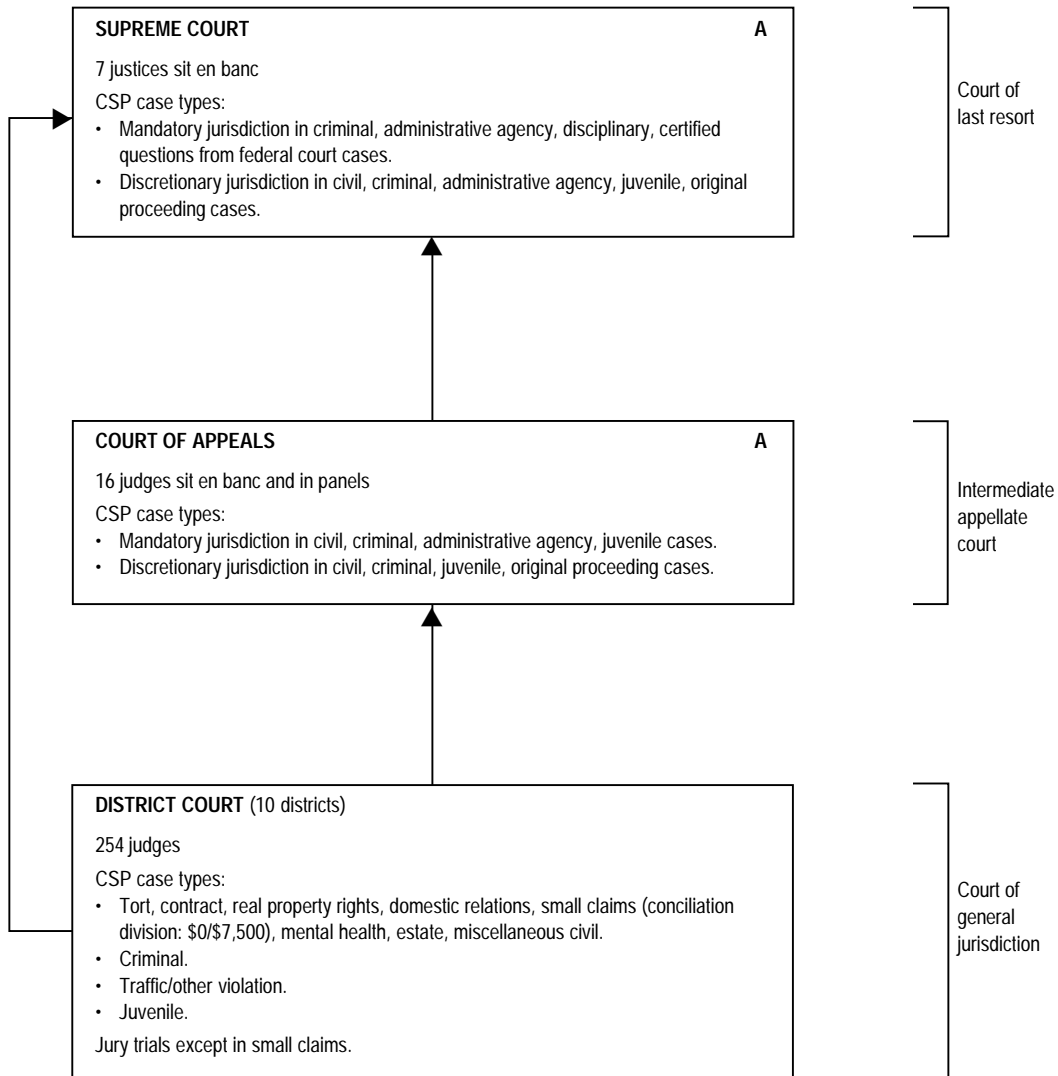
## MICHIGAN COURT STRUCTURE, 1998



\* The Recorder's Court of Detroit merged with the Circuit Court effective October 1, 1997.

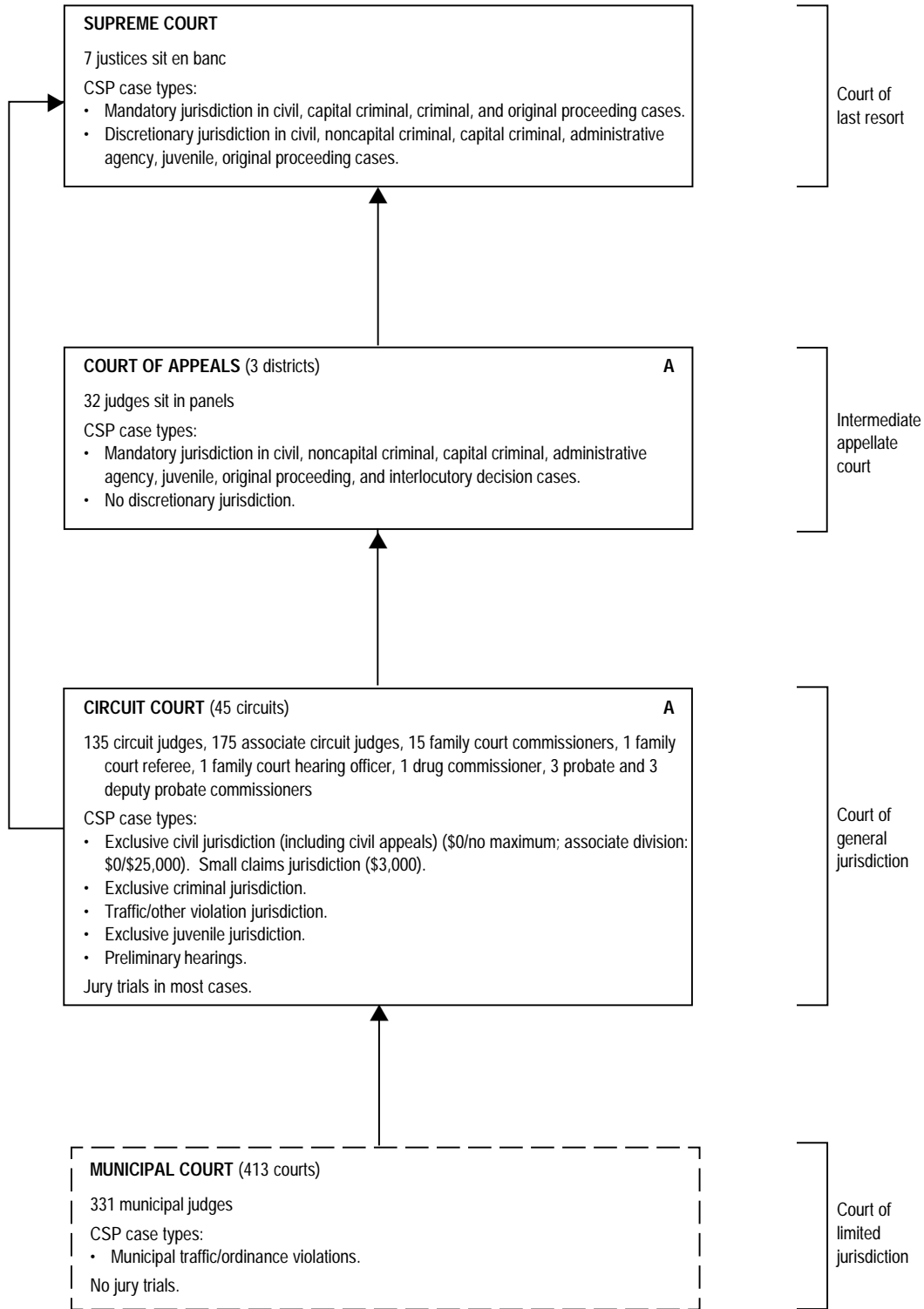
\*\* A Family Division of Circuit Court became operational on January 1, 1998.

# MINNESOTA COURT STRUCTURE, 1998

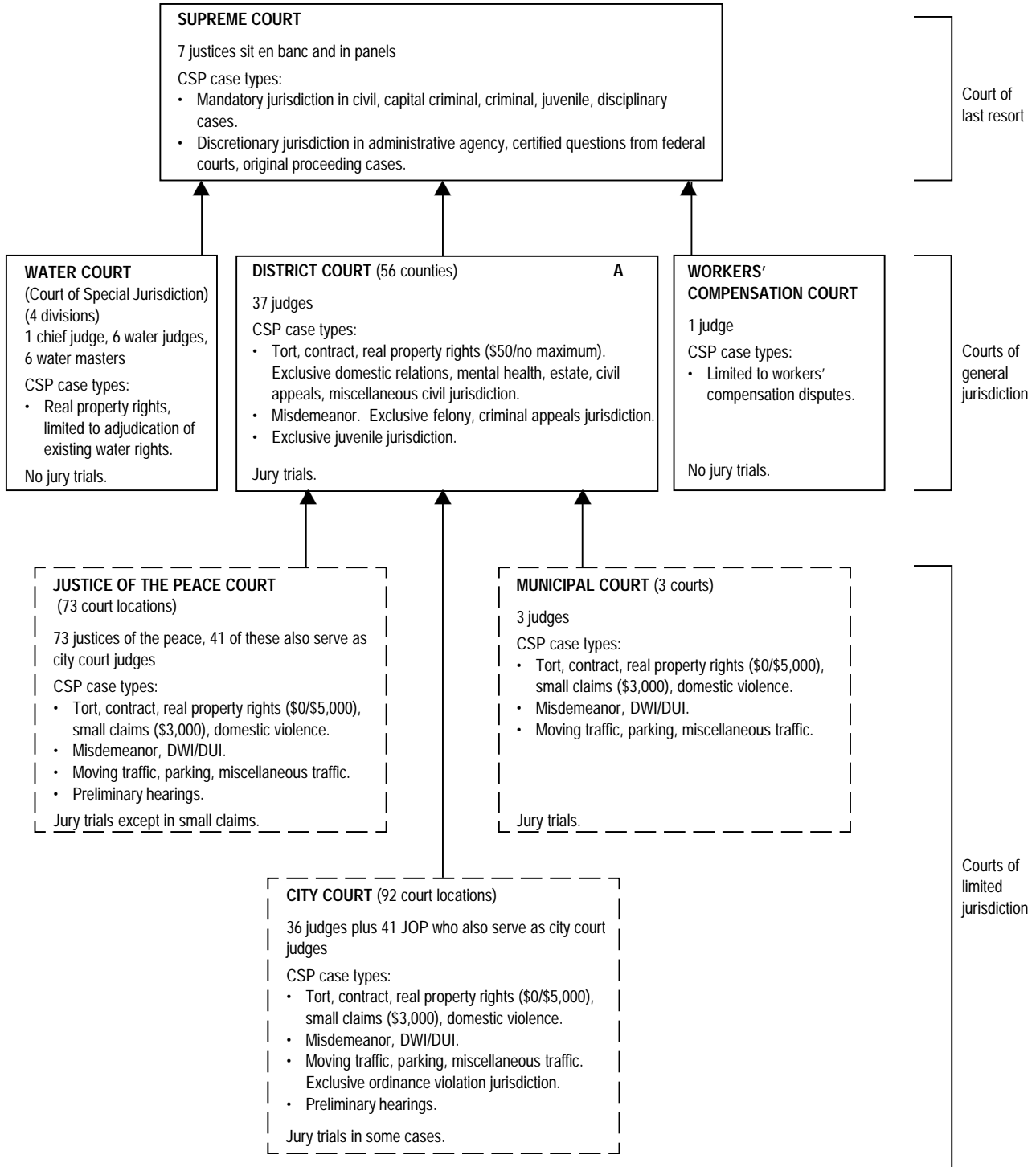




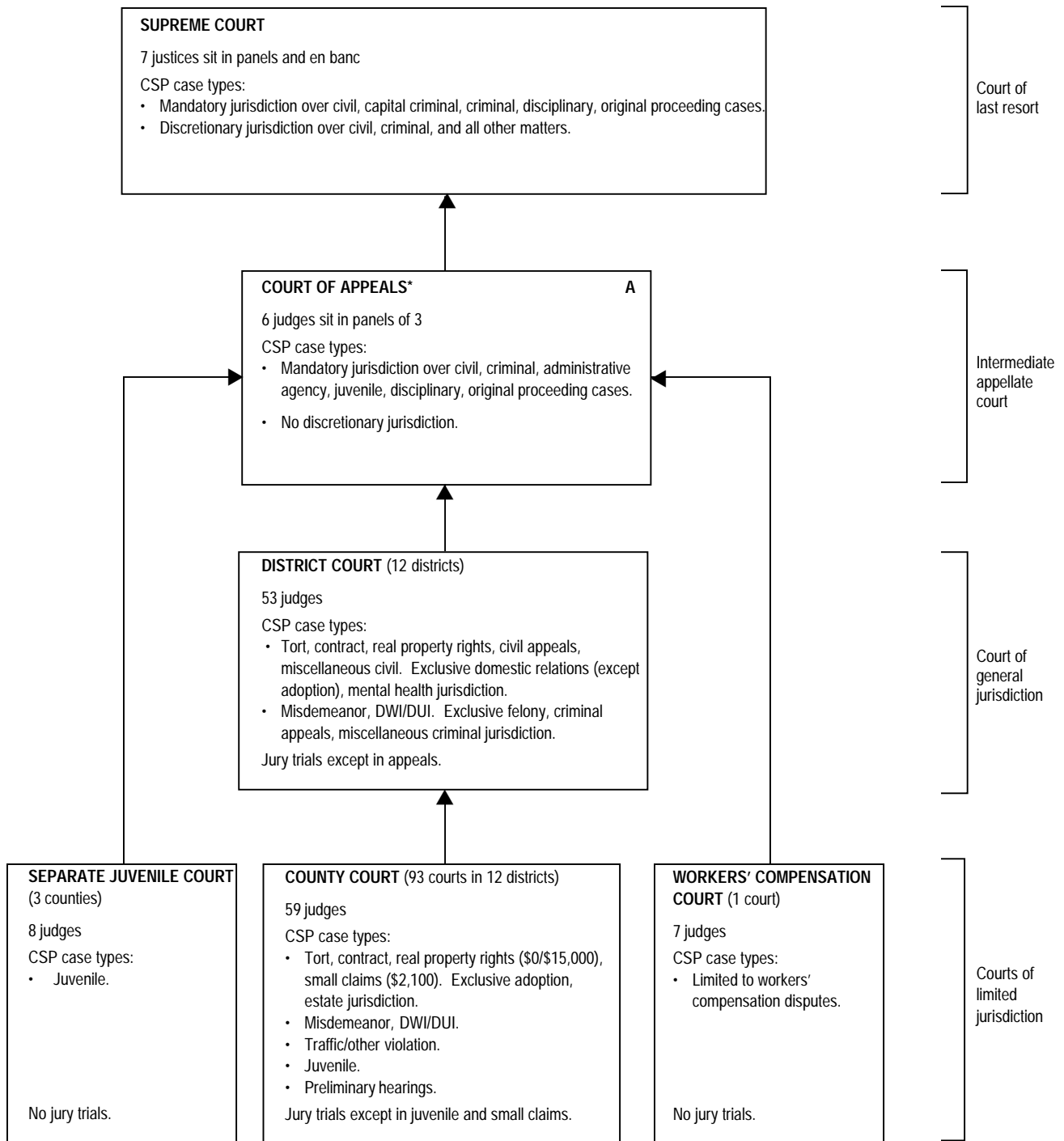
## MISSOURI COURT STRUCTURE, 1998



## MONTANA COURT STRUCTURE, 1998

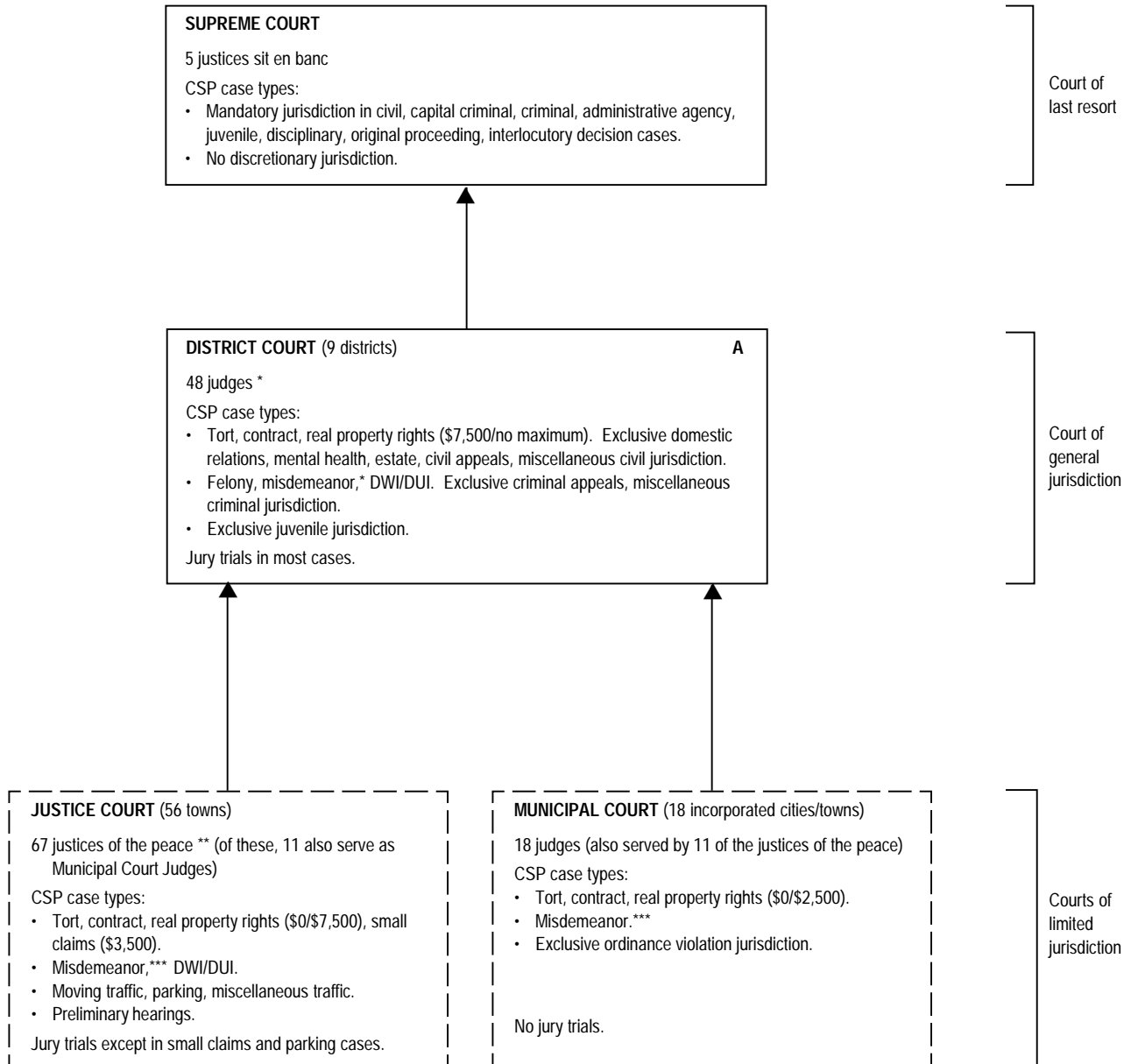


## NEBRASKA COURT STRUCTURE, 1998



\* The Nebraska Court of Appeals was established September 6, 1991.

## NEVADA COURT STRUCTURE, 1998

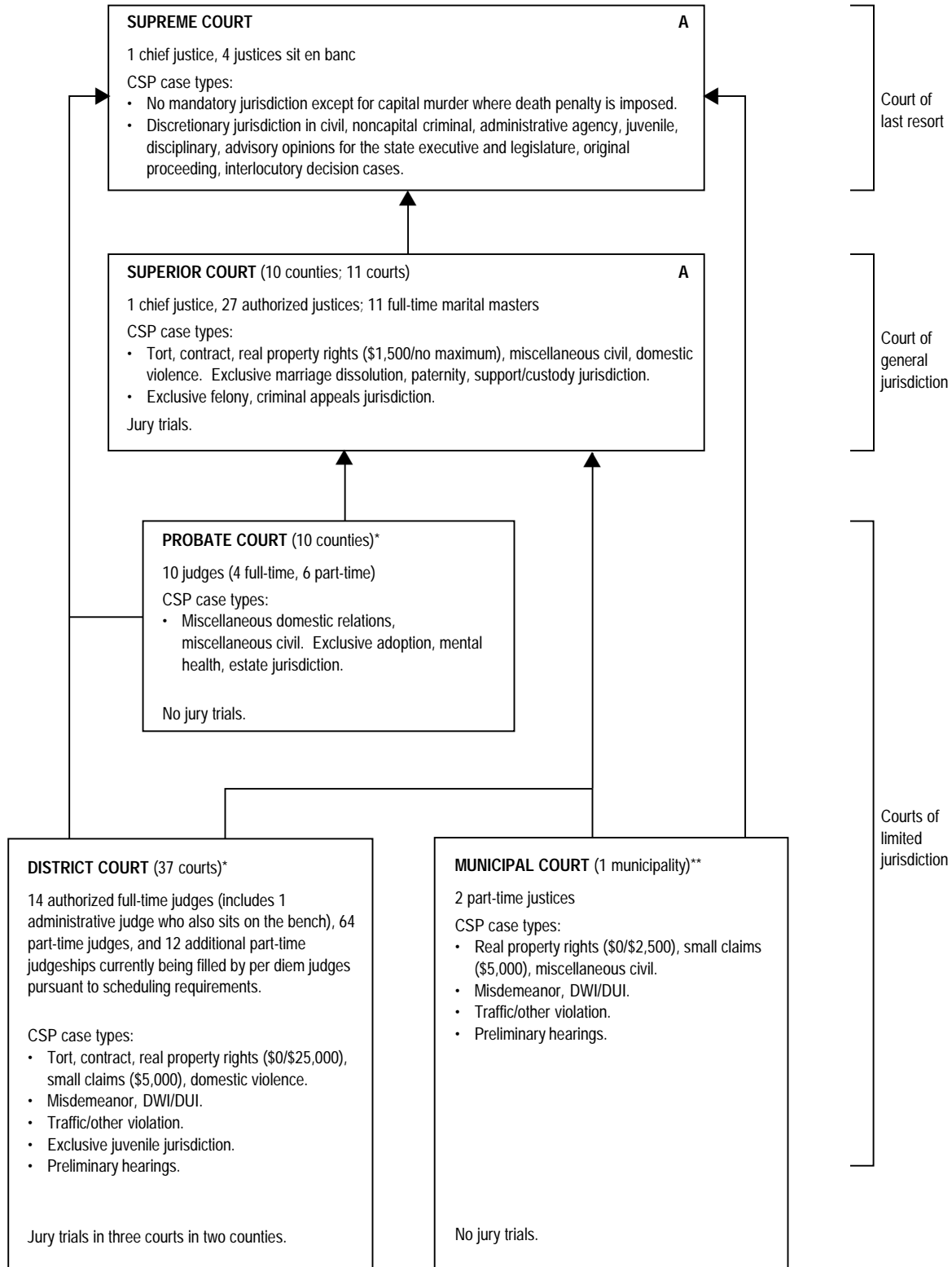


\* Increases to 51 as of 1/1/99.

\*\* Increases to 69 as of 1/1/99.

\*\*\* District Court hears gross misdemeanor cases; Justice & Municipal Courts hear misdemeanors with fines under \$1,000 and/or sentence of less than six months.

## NEW HAMPSHIRE COURT STRUCTURE, 1998

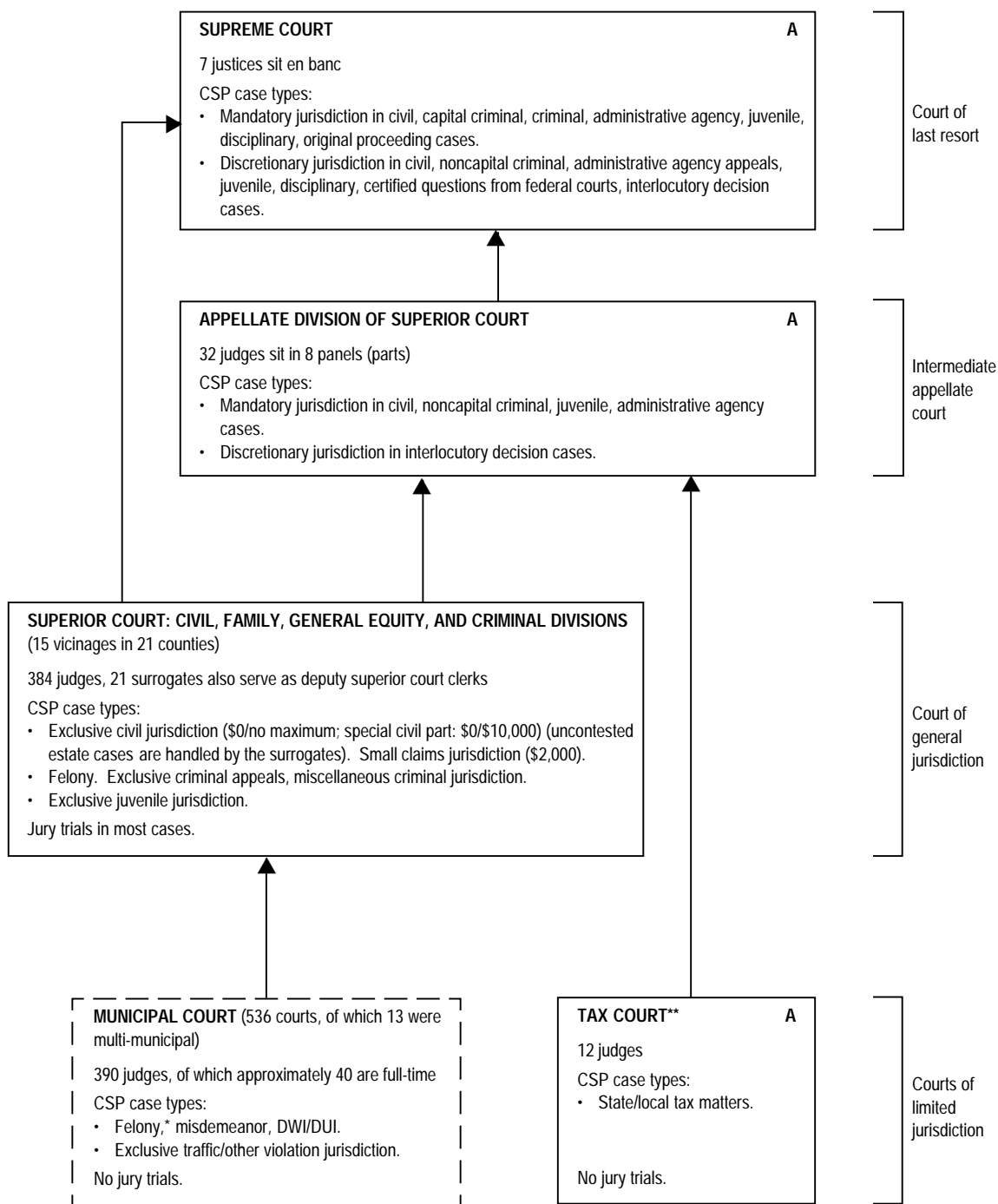


\* A Family Division Pilot Program was created by the Legislature in 1995 and operates in six district courts and two probate courts.

\*\* The municipal court is being phased out (by statute) upon retirement and/or resignation of sitting justices.



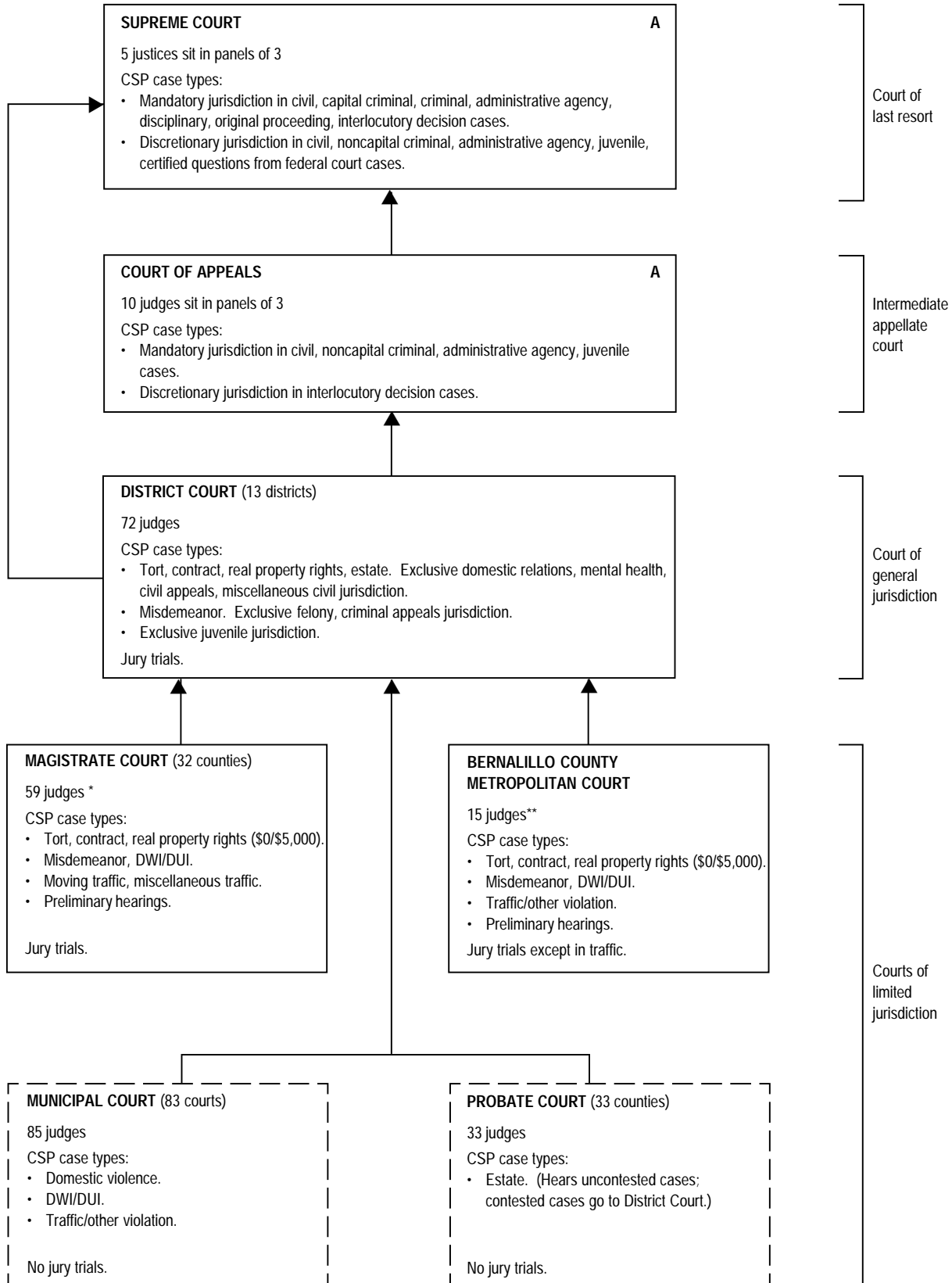
## NEW JERSEY COURT STRUCTURE, 1998



\* Felony cases are handled on first appearance in the Municipal Courts and then are transferred through the county Prosecutor's office to the Superior Court.

\*\* Tax court is considered a limited jurisdiction court because of its specialized subject matter. Nevertheless, it receives appeals from administrative bodies and its cases are appealed to the intermediate appellate court. Tax court judges have the same general qualifications and terms of service as superior court judges and can be cross assigned.

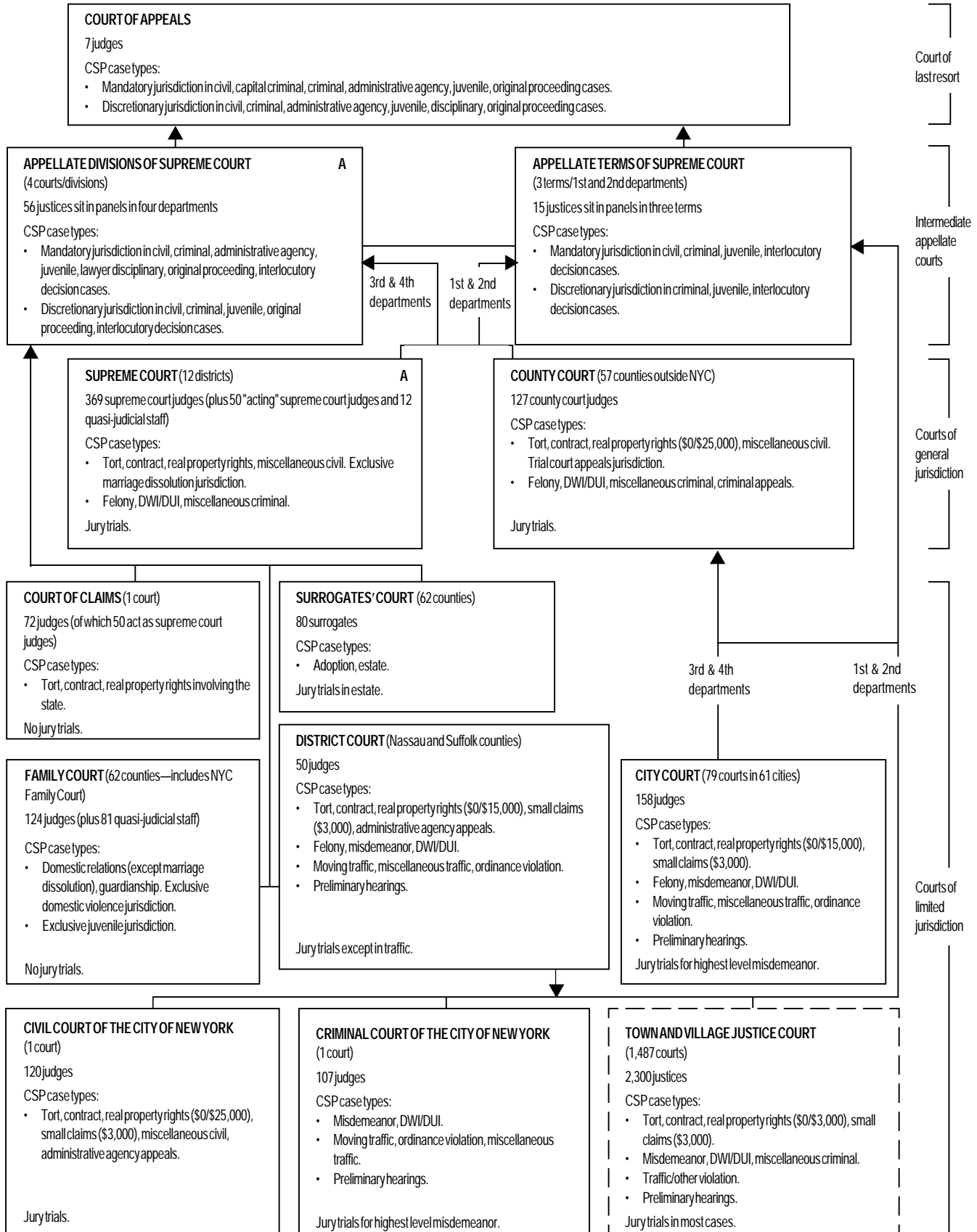
## NEW MEXICO COURT STRUCTURE, 1998



\* Increases to 61 judges as of 7/1/99.

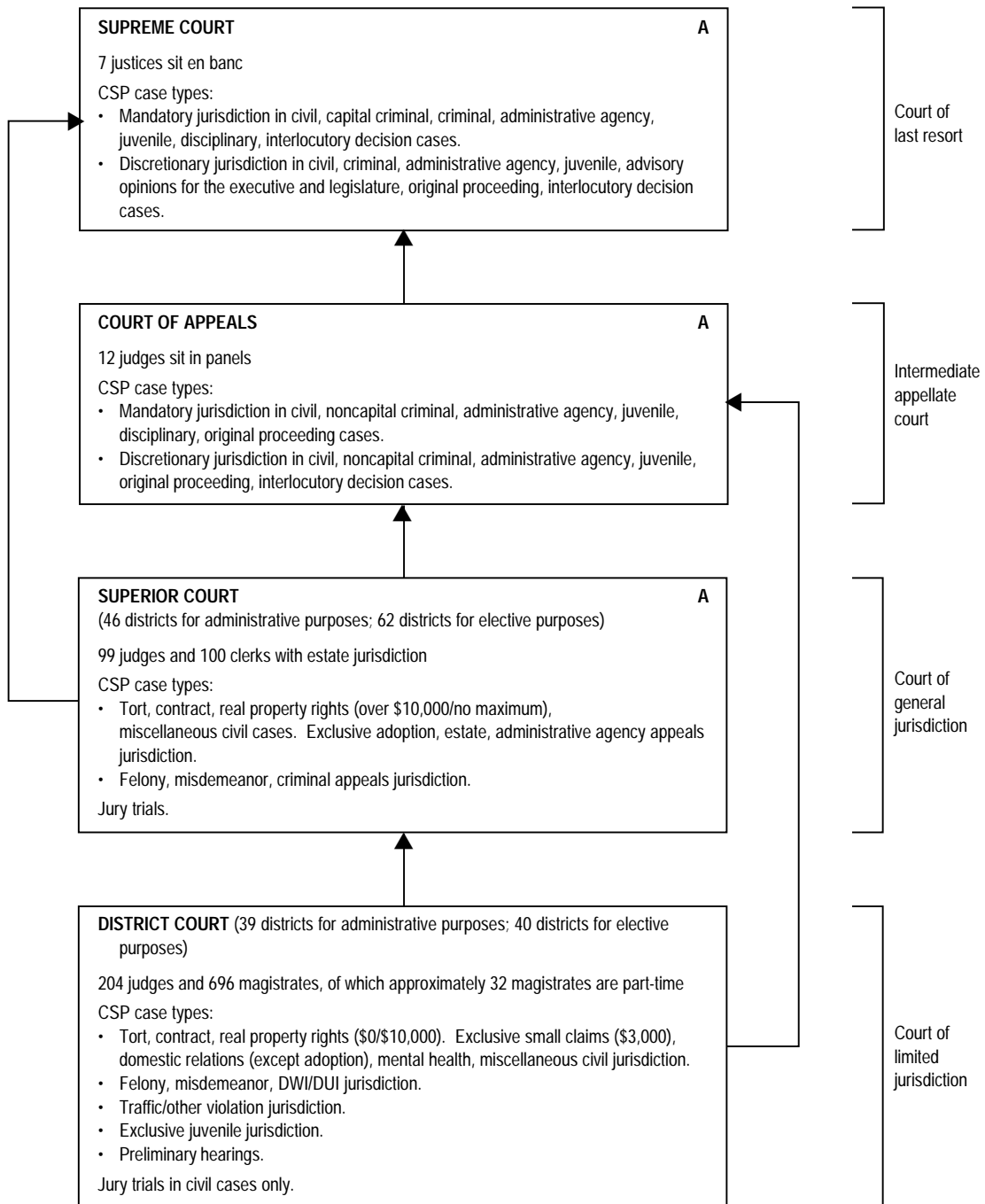
\*\* Increases to 16 judges as of 7/1/99.

## NEW YORK COURT STRUCTURE, 1998\*

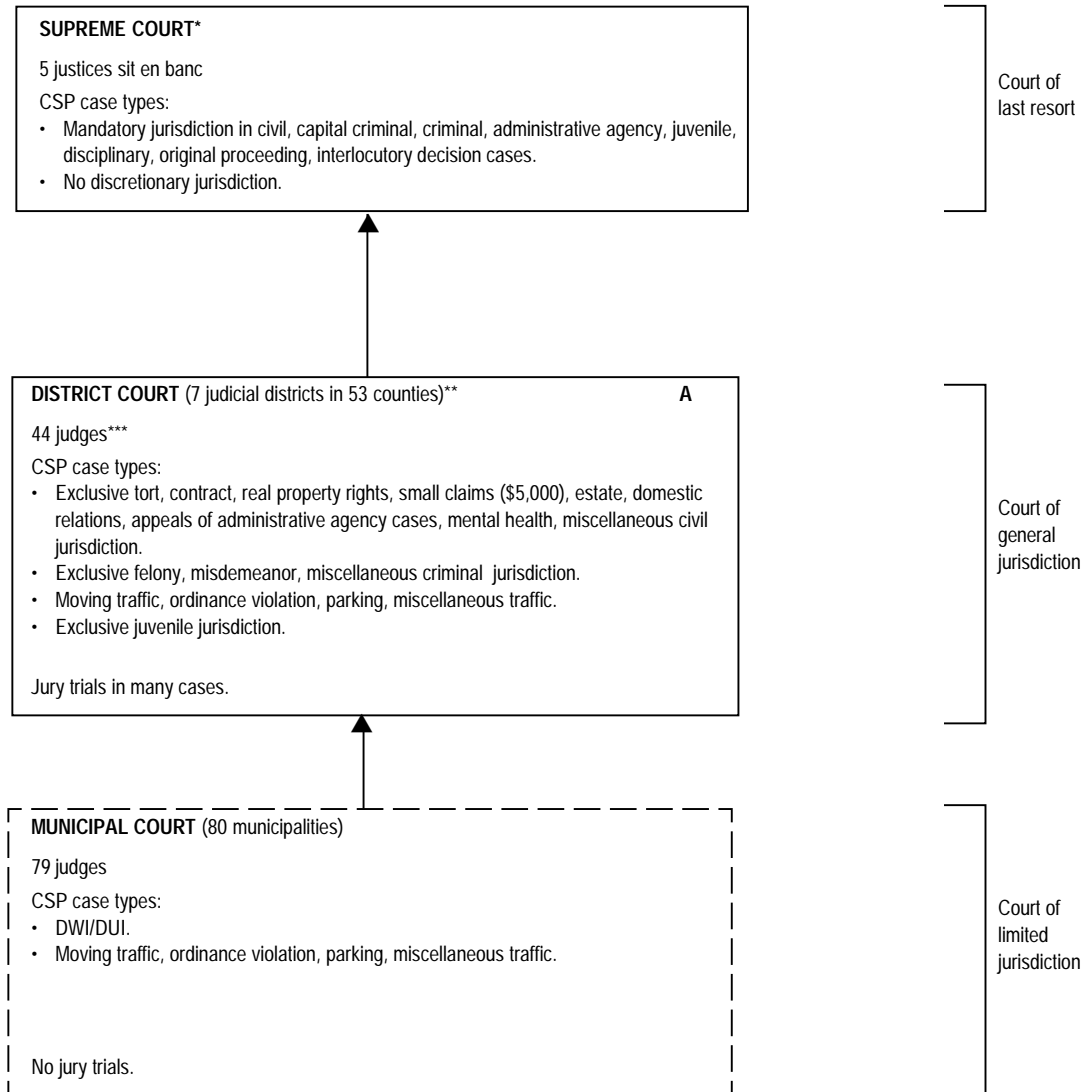


\* Unless otherwise noted, numbers reflect statutory authorization. Many judges sit in more than one court so the number of judgeships indicated in this chart does not reflect the actual number of judges in the system.

## NORTH CAROLINA COURT STRUCTURE, 1998



## NORTH DAKOTA COURT STRUCTURE, 1998

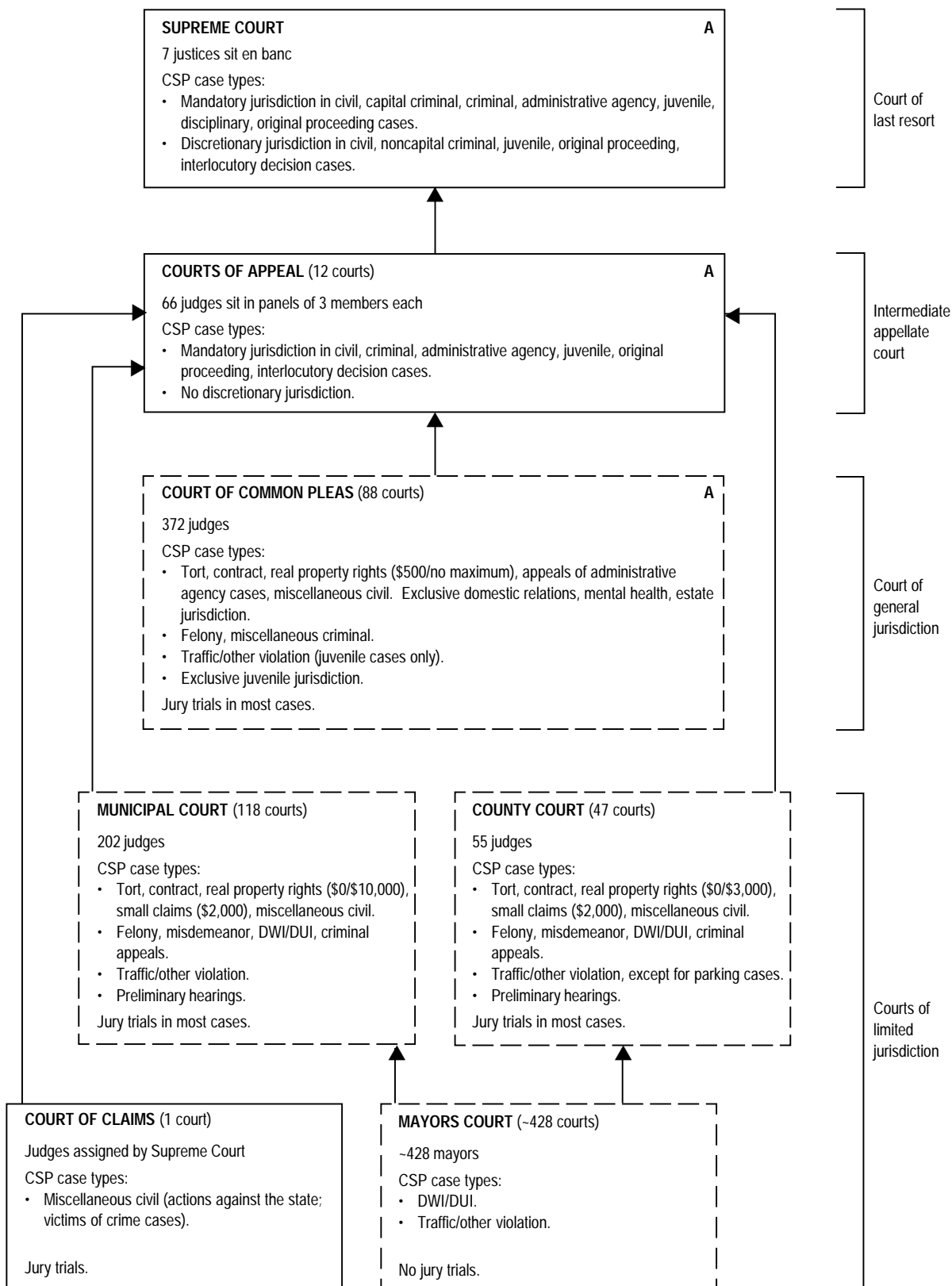


\* A temporary court of appeals was established July 1, 1987, to exercise appellate and original jurisdiction as delegated by the supreme court. This court does not sit, has no assigned judges, and has heard no appeals. It is currently unfunded.

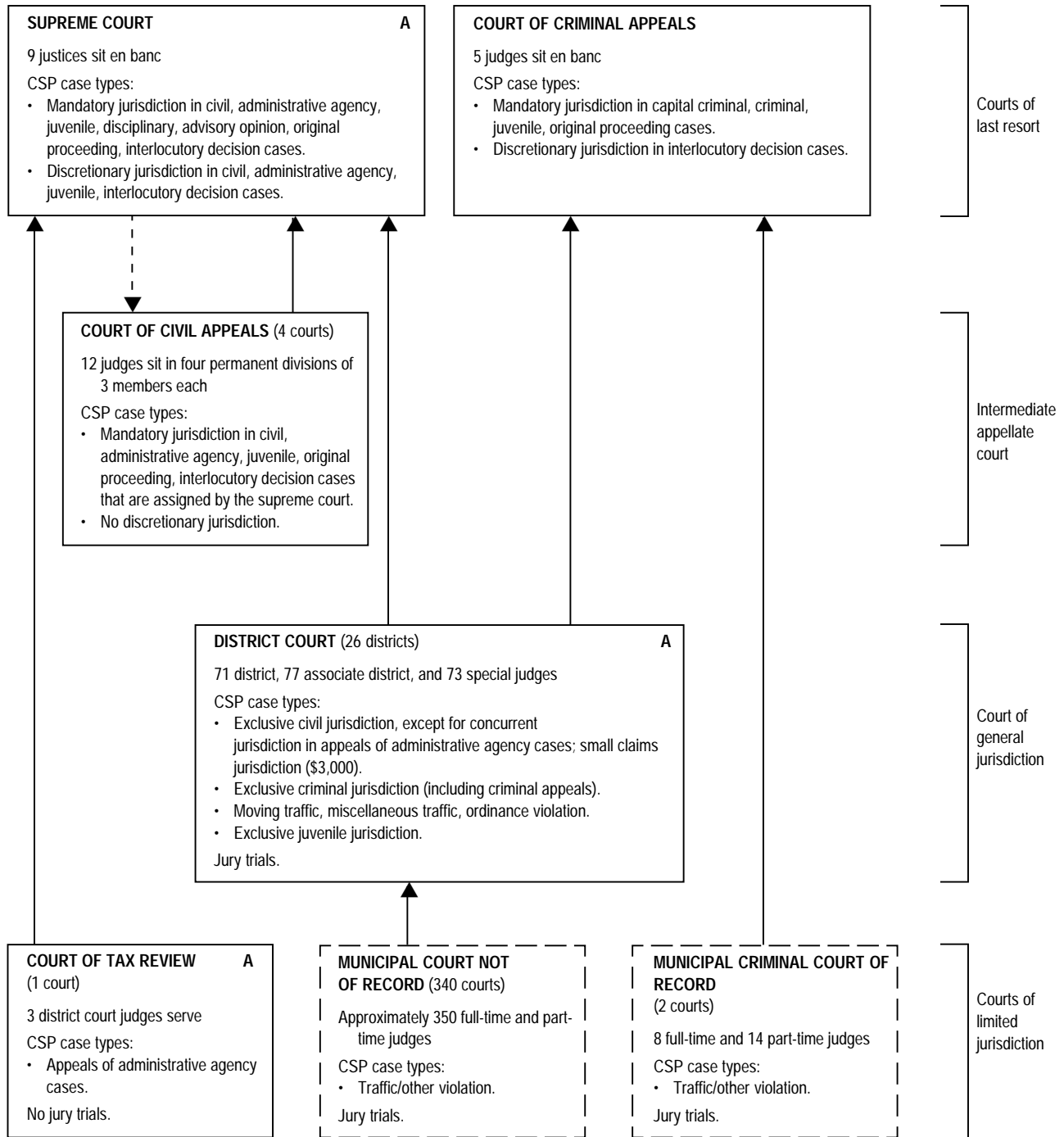
\*\* County Courts were abolished January 1, 1995, with the workload and positions absorbed into the District Court structure.

\*\*\* Number of authorized judges drops to 43 effective 1/1/99, and must be reduced to 42 by the year 2001.

## OHIO COURT STRUCTURE, 1998



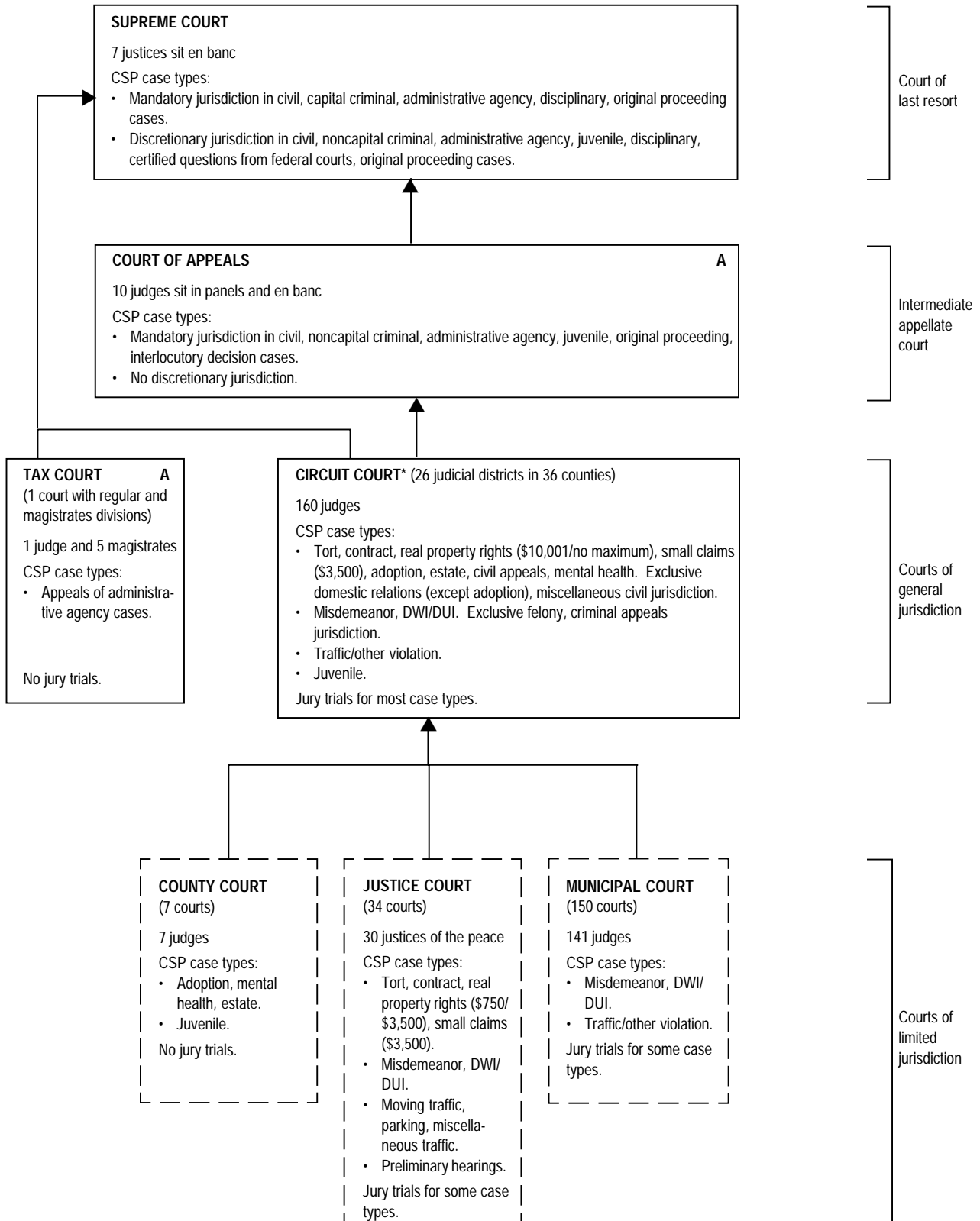
## OKLAHOMA COURT STRUCTURE, 1998



- - Indicates assignment of cases.

Note: Oklahoma has a workers' compensation court, which hears complaints that are handled exclusively by administrative agencies in other states.

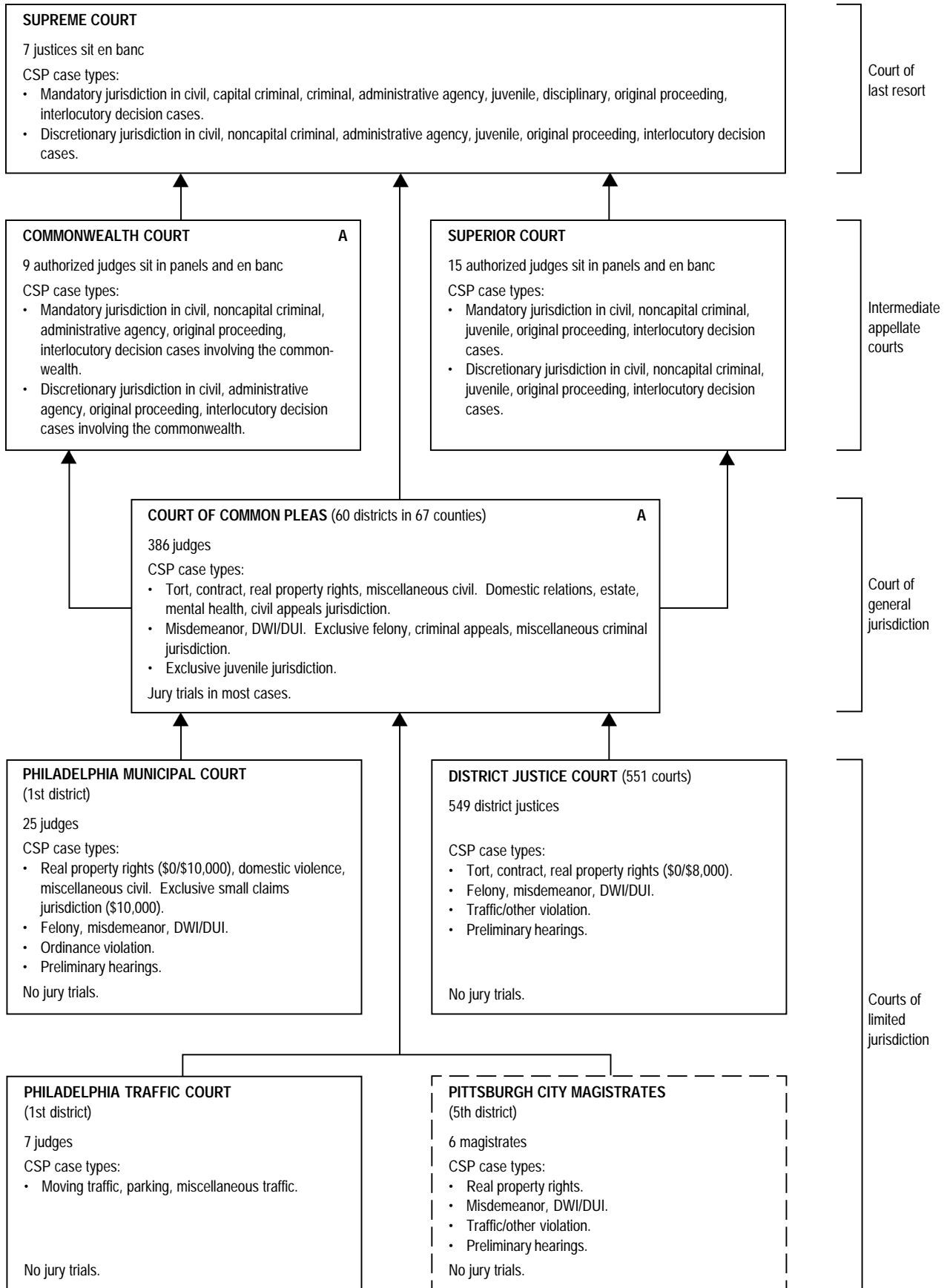
## OREGON COURT STRUCTURE, 1998



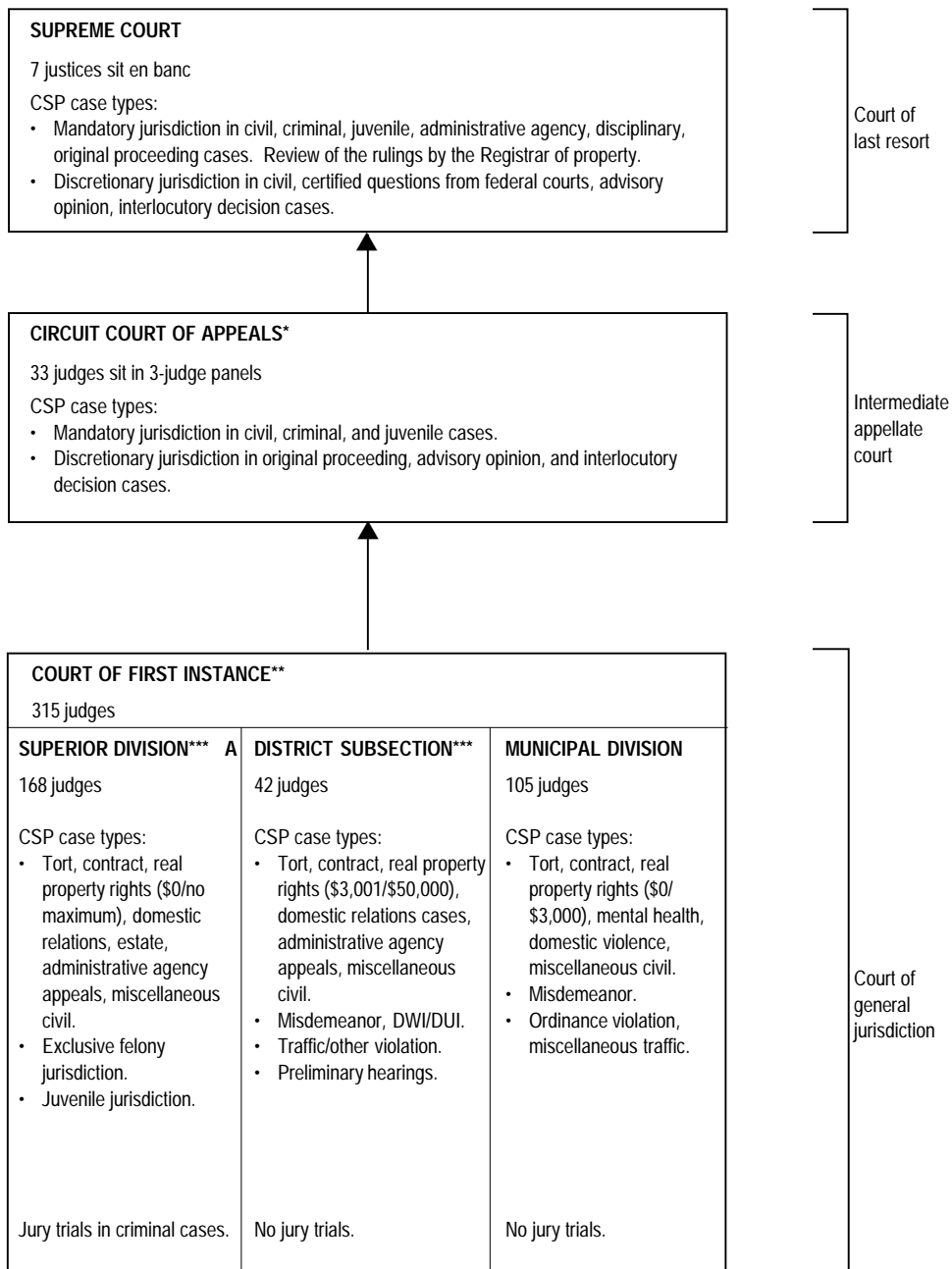
\* Effective January 15, 1998, all District Courts were eliminated and District judges became Circuit judges.



## PENNSYLVANIA COURT STRUCTURE, 1998



## PUERTO RICO COURT STRUCTURE, 1998

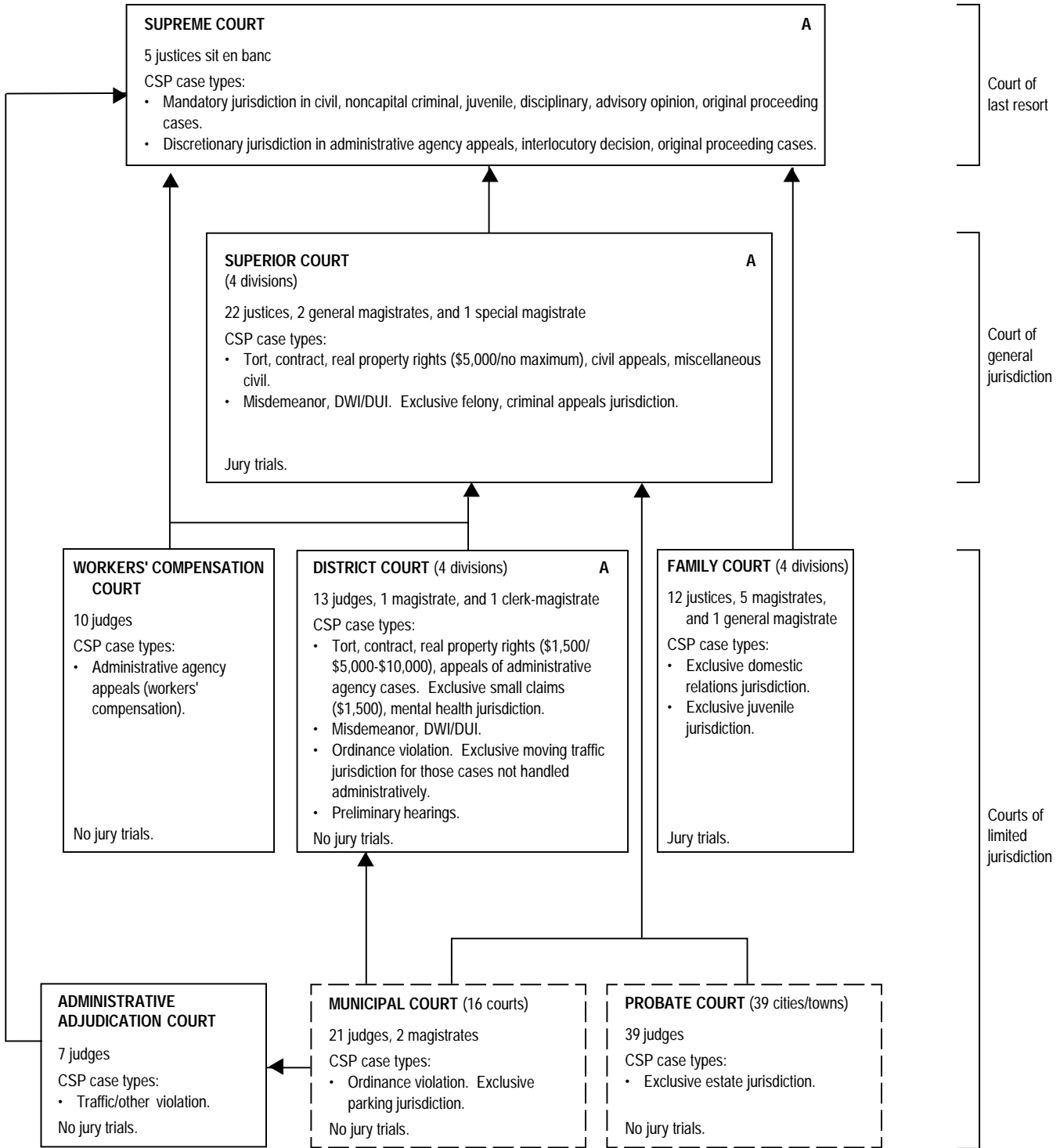


\*Created July 28, 1994; operational January 1, 1995.

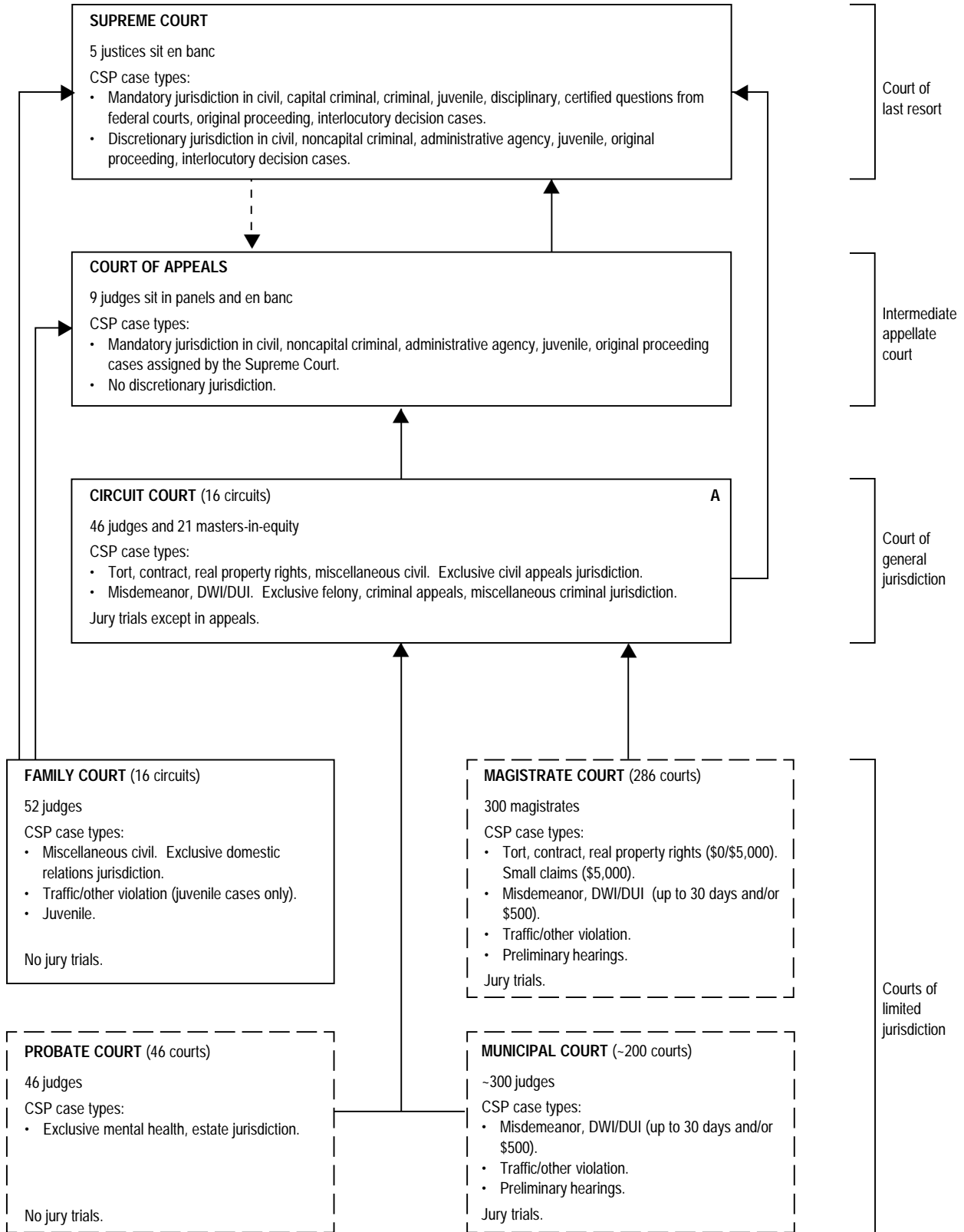
\*\*Created in 1994; operational in 1995.

\*\*\*The Judicial Reform Act of 1994 establishes the eventual abolition of the District Subsection. The Superior Division has concurrent jurisdiction with the District Subsection during the process of its abolition.

## RHODE ISLAND COURT STRUCTURE, 1998

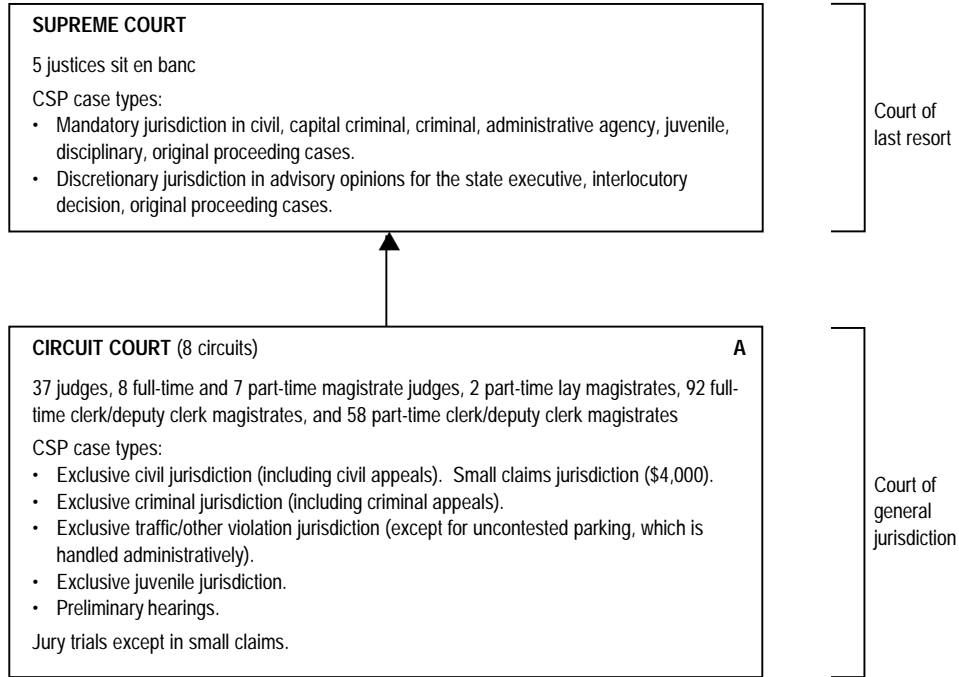


## SOUTH CAROLINA COURT STRUCTURE, 1998

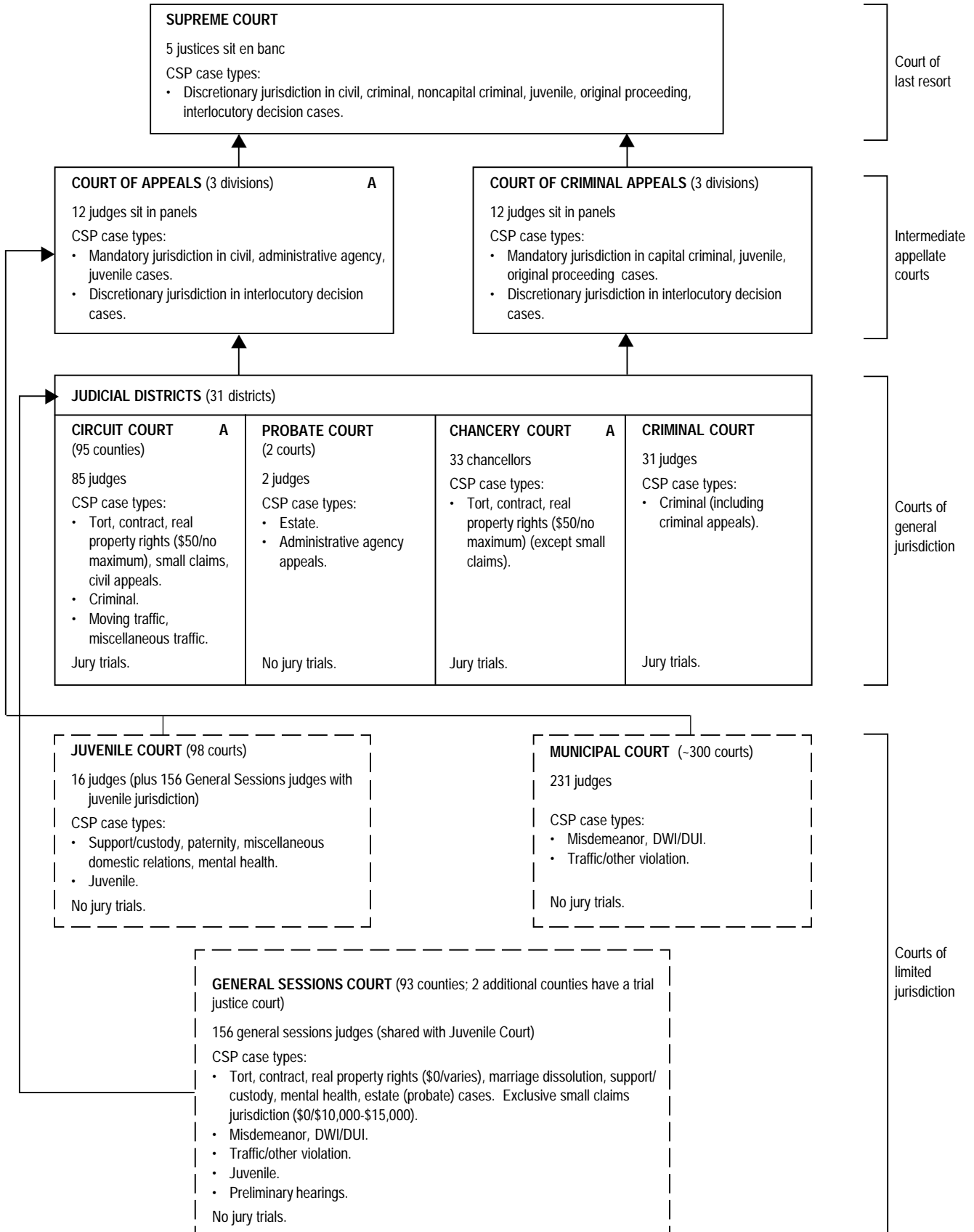


— — Indicates assignment of cases.

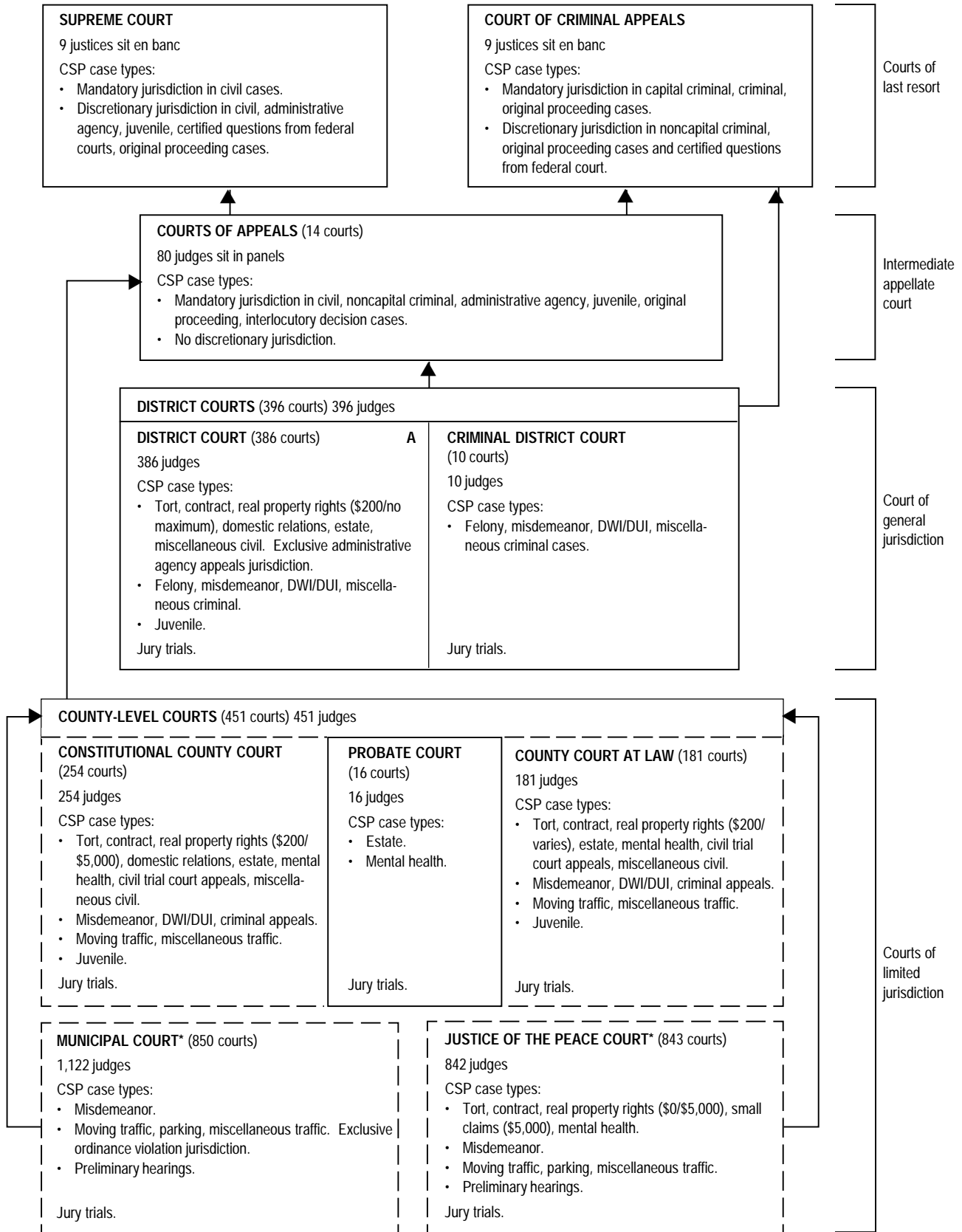
## SOUTH DAKOTA COURT STRUCTURE, 1998



## TENNESSEE COURT STRUCTURE, 1998

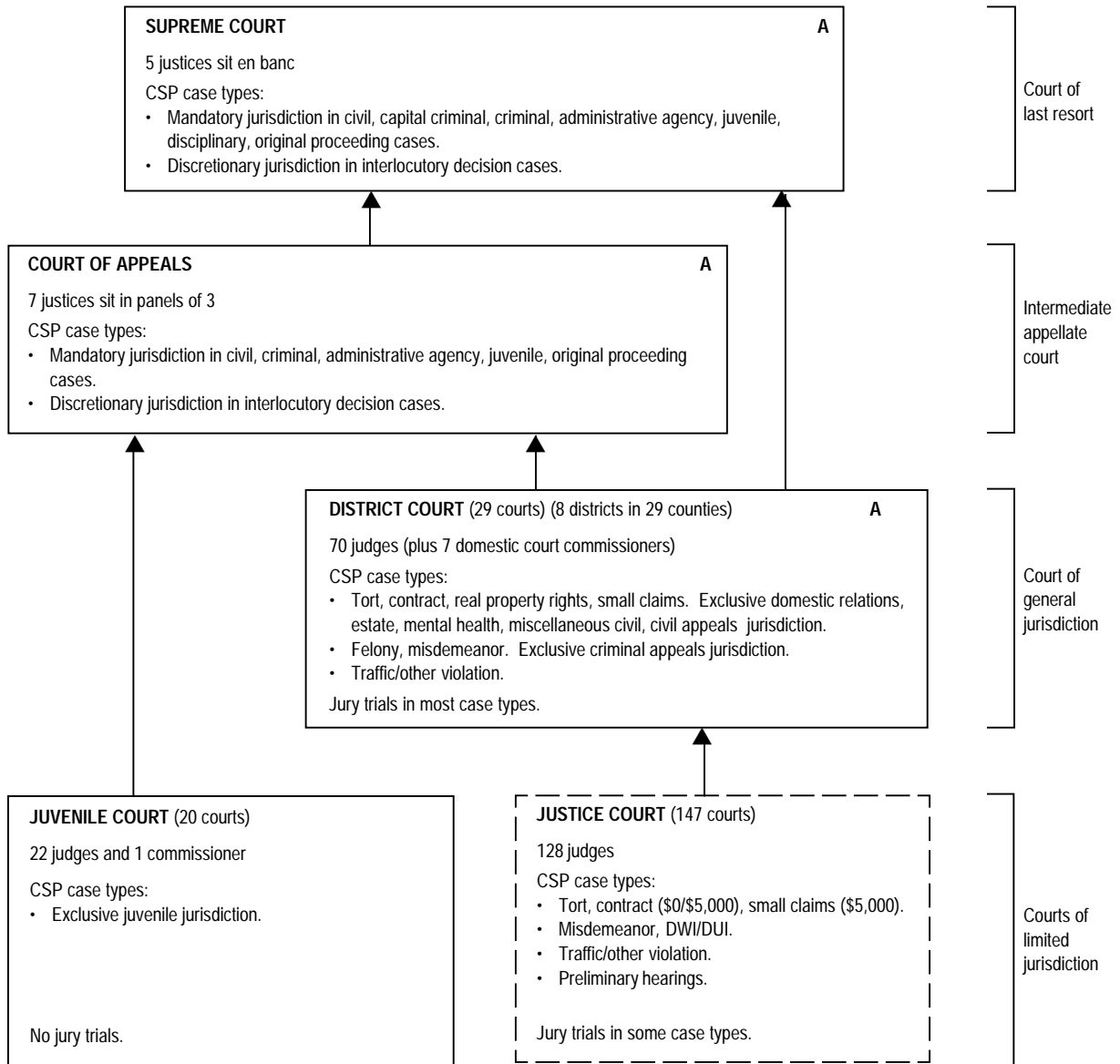


## TEXAS COURT STRUCTURE, 1998



\* Some municipal and justice of the peace courts may appeal to the district court.

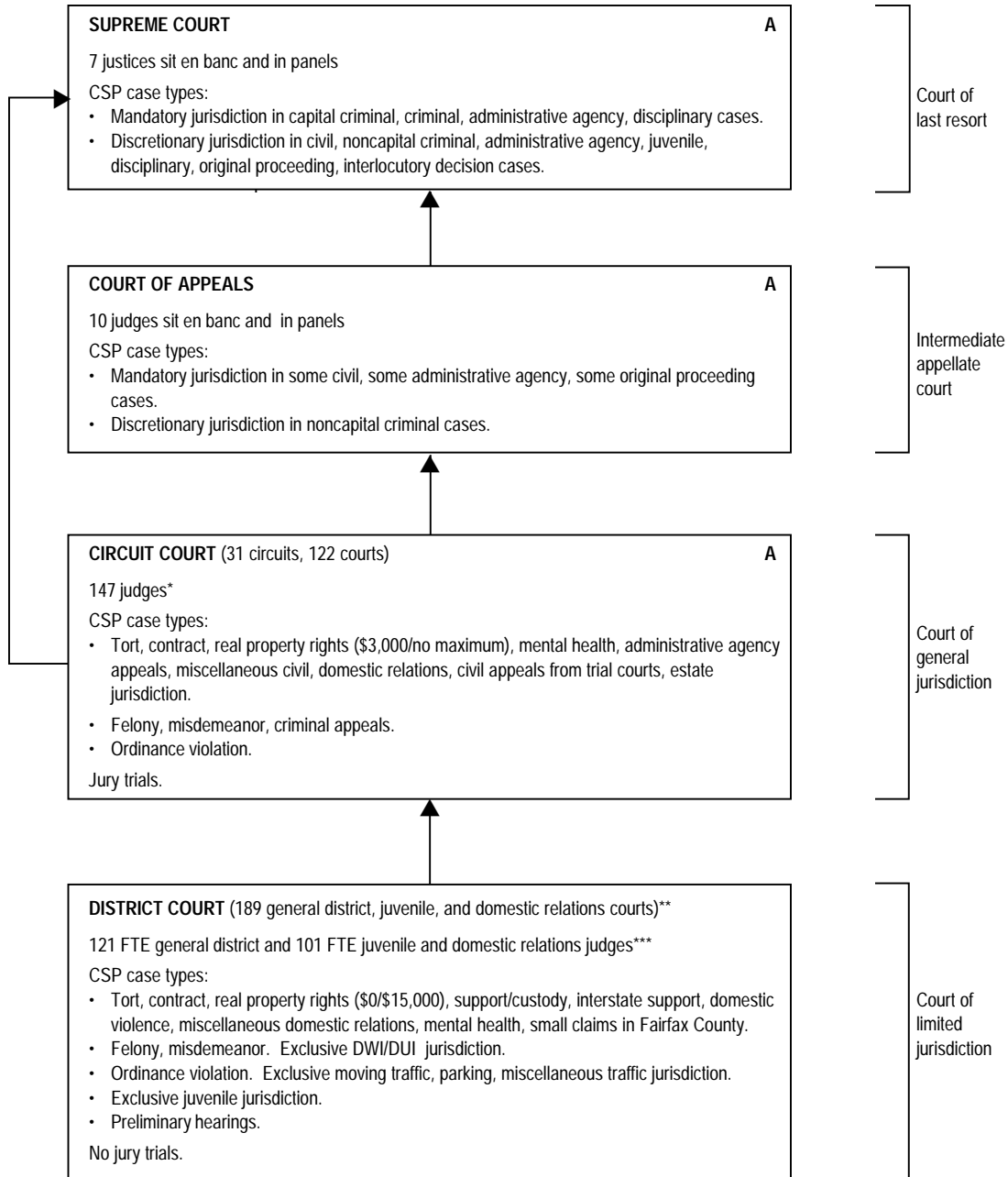
## UTAH COURT STRUCTURE, 1998







## VIRGINIA COURT STRUCTURE, 1998

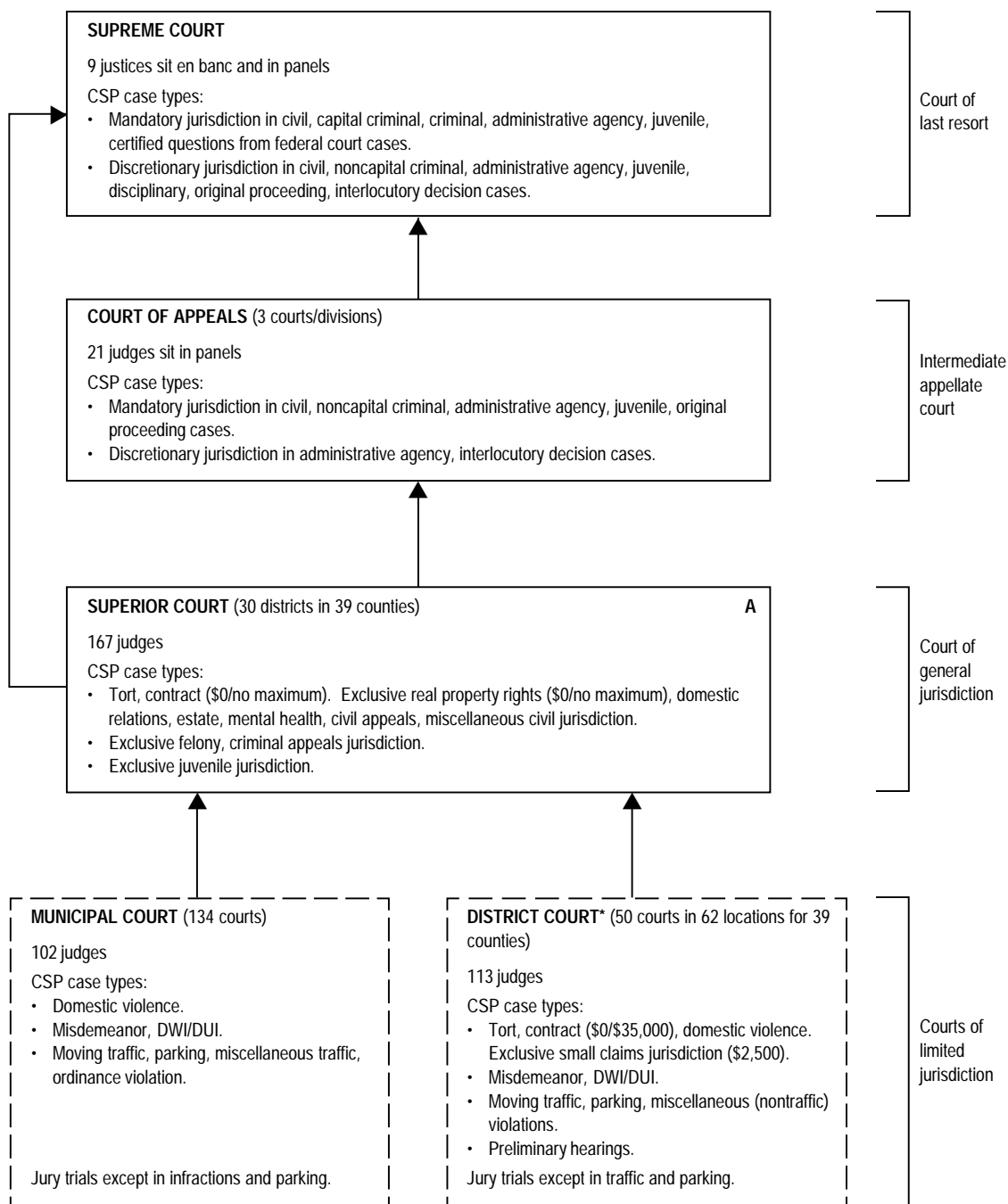


\* Increases to 148 effective July 1, 1999.

\*\* The district court is referred to as the juvenile and domestic relations court when hearing juvenile and domestic relations cases and as the general district court for the balance of the cases.

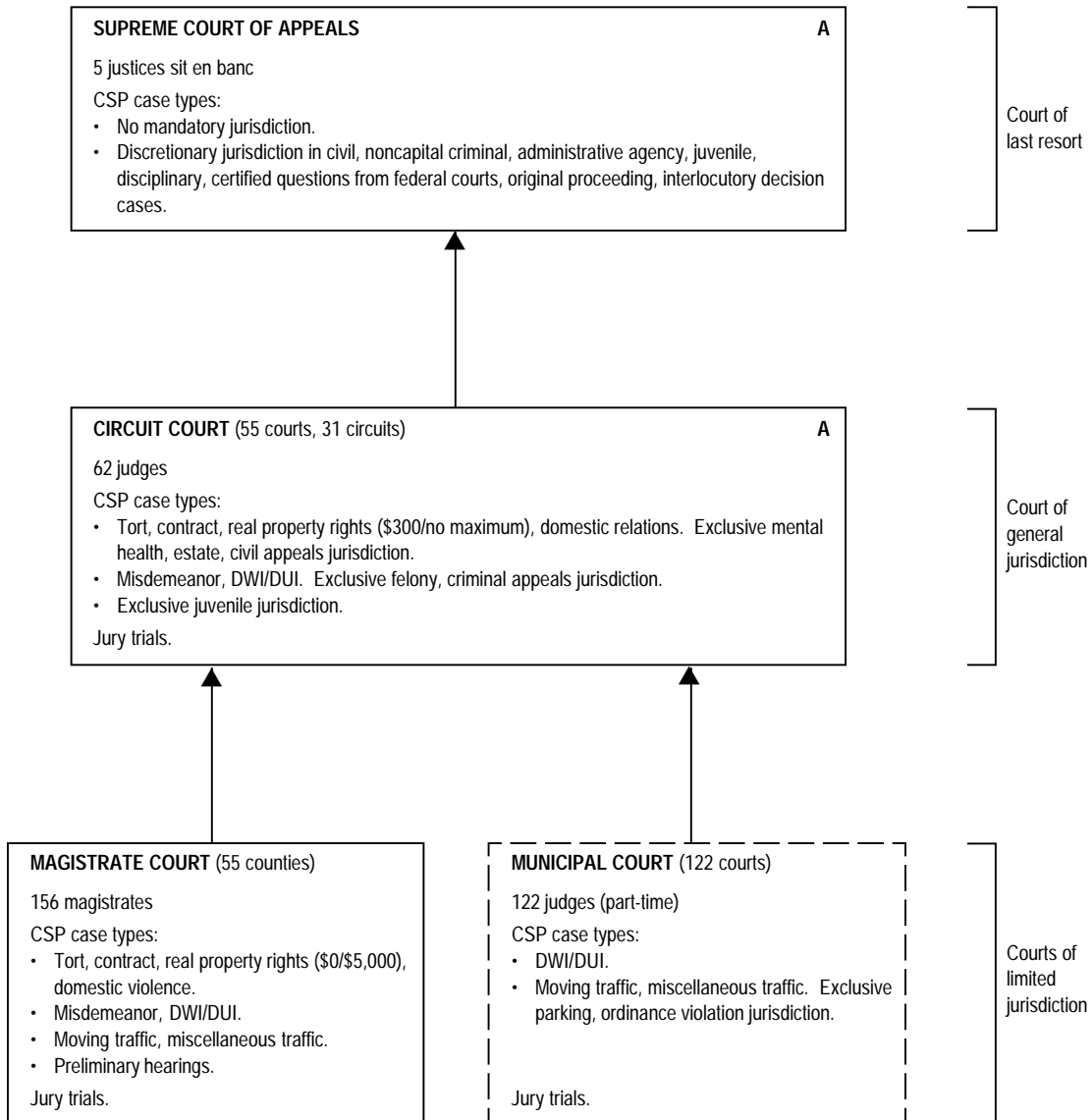
\*\*\* Increases to 122 general district and 107 juvenile and domestic relations judges effective July 1, 1999.

## WASHINGTON COURT STRUCTURE, 1998

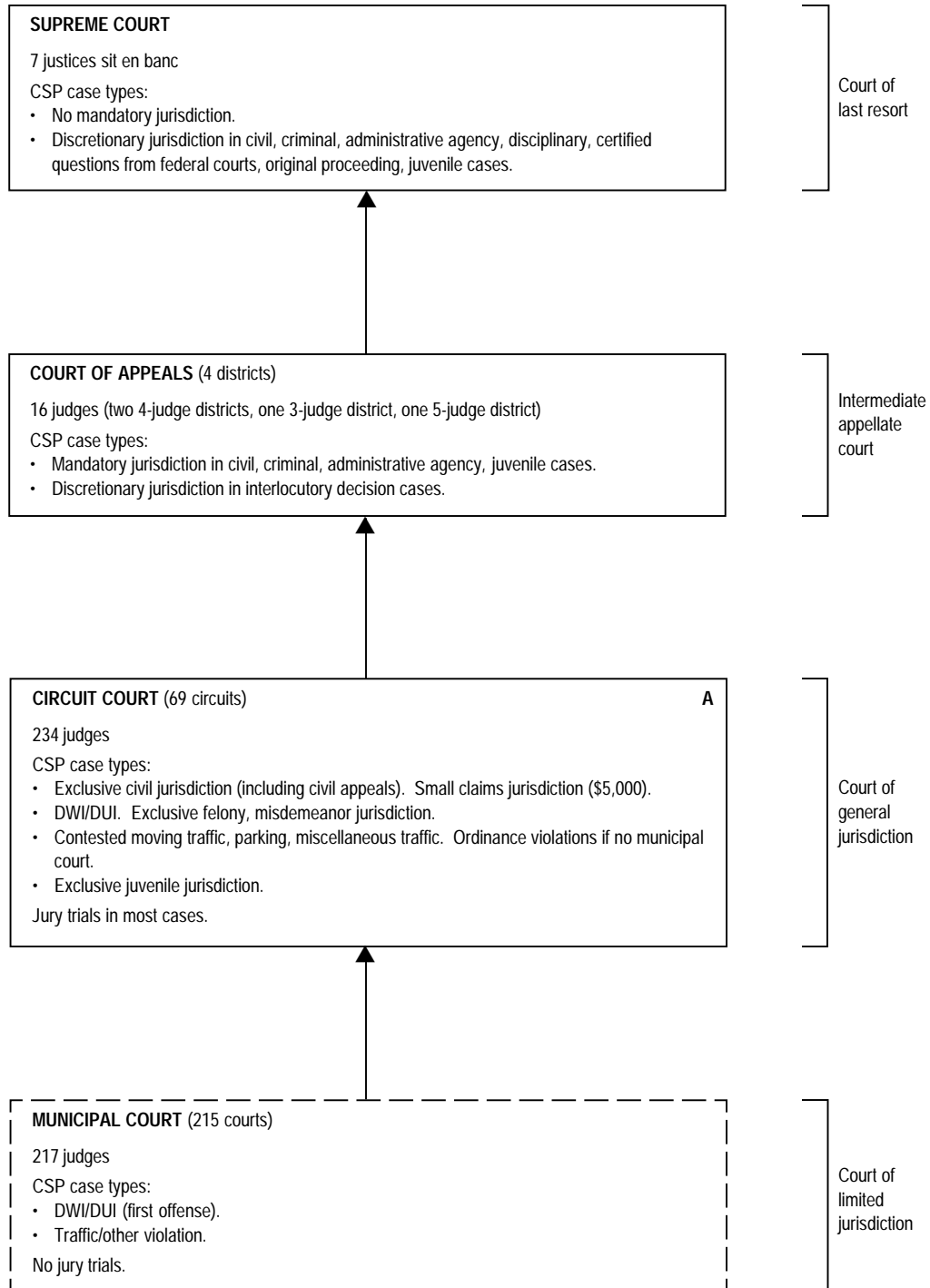


\* District court provides services to municipalities that do not have a municipal court.

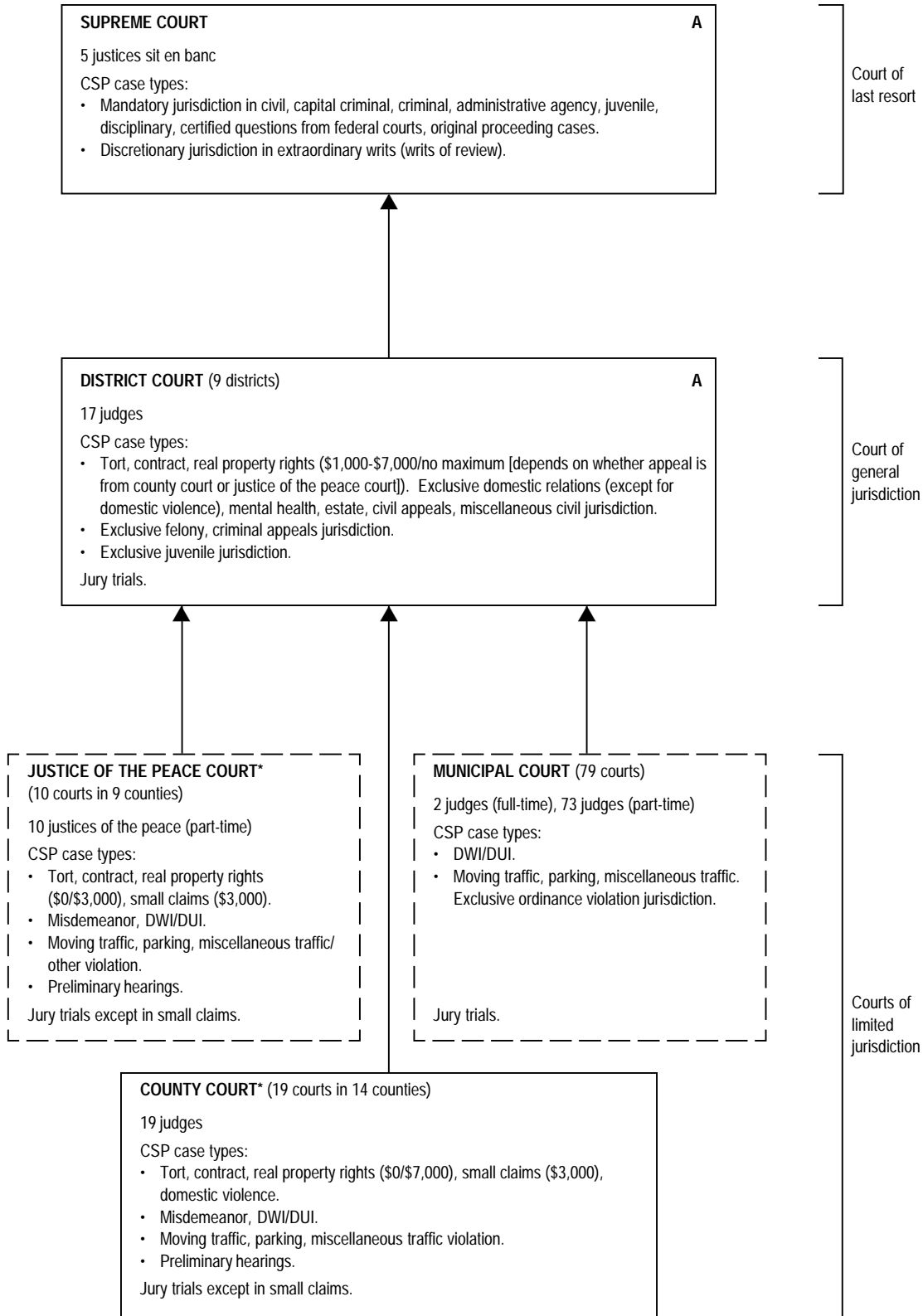
## WEST VIRGINIA COURT STRUCTURE, 1998



## WISCONSIN COURT STRUCTURE, 1998



## WYOMING COURT STRUCTURE, 1998



\* Effective 1/1/99, two of the Justice of the Peace Courts will become County Courts.