



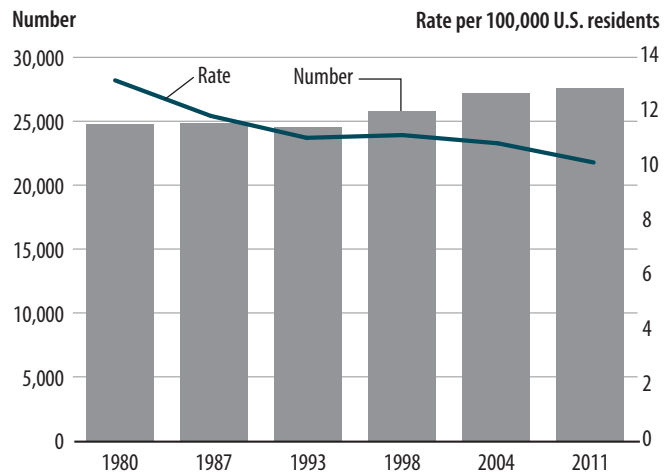
State Court Organization, 2011

Ron Malega, Ph.D., and Thomas H. Cohen, J.D., Ph.D., *former BJS Statisticians*

From 1980 to 2011, the number of state trial court judges increased 11%, from 24,784 to 27,570 (figure 1). During the same period, the U.S. population increased 37%, and arrests in the U.S. increased 19%. Because of these increases, the ratio of judges per 100,000 U.S. residents declined 23%, from 13.2 in 1980 to 10.2 in 2011. In this report, judge refers to any judicial officer granted authority to preside over court proceedings.

Data for this report were drawn from the Bureau of Justice Statistics' (BJS) State Court Organization (SCO) report series. The SCO reports provide state-level data on court types, jurisdictional levels of state courts, the number of judges and support staff, funding sources, judicial education standards, and procedures for selecting judges. BJS previously released four comprehensive reports on state court organization covering survey years 1980, 1987, 1993, 1998, and 2004. The most recent SCO data collection explored the organizational structure and operations of state courts in all 50 states and the District of Columbia during 2011.

FIGURE 1
Number of state trial court judges and rate per 100,000 U.S. residents, 1980–2011



Source: Bureau of Justice Statistics, State Court Organization Survey, 1980, 1987, 1993, 1998, 2004, and 2011.

HIGHLIGHTS

- The organizational structure of the nation's trial and appellate courts changed modestly from 1980 to 2011.
- Six states added intermediate appellate courts between 1980 and 1998: Minnesota, Mississippi, Nebraska, North Dakota, Utah, and Virginia.
- From 1980 to 2011, the number of states with more than three types of limited jurisdiction trial courts declined from 31 to 21.
- The number of states with one or no limited jurisdiction trial courts increased from 14 in 1980 to 21 in 2011.
- From 1980 to 2011, the number of state appellate court judges increased 69%, and the number of state trial judges increased 11%.
- All judges in general jurisdiction trial courts had some legal qualification in 2011, compared to 59% of judges in limited jurisdiction trial courts.
- In 2011, 52% of appellate court judges were appointed to their initial terms, while 75% of trial court judges were elected to their initial terms.
- In 2011, two-thirds of state administrative court offices had full responsibility for judicial education and court technical assistance.
- All general jurisdiction trial courts juries were required to reach unanimous verdicts for felony or misdemeanor cases in 2011, compared to 47% for civil cases.

Jurisdictional level of state courts

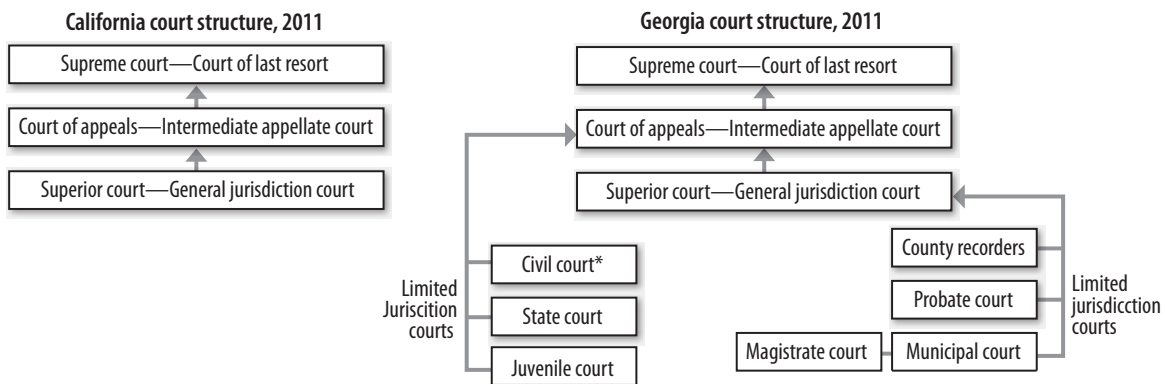
States organize their court systems differently (figure 2). In general, each state uses some or all of the following four jurisdictional levels to organize its court system:

- **Limited jurisdiction courts (LJCs)**—also called inferior courts or lower courts, have jurisdiction on a restricted range of cases, primarily lesser criminal and civil matters, including misdemeanors, small claims, traffic, parking, and civil infractions. They can also handle the preliminary stages of felony cases in some states.
- **General jurisdiction courts (GJCs)**—often called major trial courts, have primary jurisdiction on all issues not delegated to lower courts, most often hearing serious criminal or civil cases. Cases are also designated to GJCs based on the severity of the punishment or allegation or on the dollar value of the case.
- **Intermediate appellate courts (IACs)**—hear appeals on cases or matters decided in GJCs and LJCs. IACs may also hear appeals from administrative agencies. Depending on the state, IACs represent the first—and often only—appeal because they exercise both mandatory and discretionary review of the cases they hear.

- **Courts of last resort (COLRs)**—also called state supreme courts, have final authority over all appeals filed in state courts. Most states have one COLR, but Oklahoma and Texas both have separate courts for civil and criminal appeals. Depending on the state, a COLR may have either a mandatory or discretionary docket for cases it will hear.

California has a unified court system consisting of one type of GJC (i.e., superior court) and a two-tier system of appeals courts (i.e., court of appeals and supreme court). California's court system does not use LJCs. In comparison, Georgia has a more fragmented court structure consisting of seven different types of LJCs (i.e., civil, state, juvenile, county recorders, magistrate, probate, and municipal), one type of GJC (i.e., superior court), and a two-tier system of appeals courts (i.e., court of appeals and supreme court). Such variations in state court structure are often reflected in court funding sources. Many LJCs are funded and operated at the local level (e.g., county), while GJCs are likely to be managed and funded at the state level.

FIGURE 2
Different structures of trial and appellate state court organization in California and Georgia, 2011



*Civil court serves two counties in Georgia (Bibb and Richmond).
Source: Bureau of Justice Statistics, State Court Organization Survey, 2011.

State court organization changed gradually from 1980 to 2011

Six states—Minnesota, Mississippi, Nebraska, North Dakota, Utah, and Virginia—added intermediate appellate courts (IACs) between 1980 and 1998. No states established IACs after 1998. In 2011, forty states had two-tier systems of intermediate and final review consisting of IACs and courts of last resort (COLRs) (**table 1**). While most states used one COLR and one IAC, some states used multiple COLRs or IACs. For example, Oklahoma and Texas used two COLRs and one IAC. Alabama, Indiana, New York, Pennsylvania, and Tennessee used two IACs. Eleven states relied exclusively on COLRs for final review: Delaware,

the District of Columbia, Maine, Montana, Nevada, New Hampshire, Rhode Island, South Dakota, Vermont, West Virginia, and Wyoming.

In 2011, 46 states used general jurisdiction courts (GJCs) and limited jurisdiction courts (LJCs). Over the past three decades, states have decreased their use of LJCs. Thirty-one states had three types of LJCs in 1980, compared to 21 states in 2011. The number of states with one or no LJCs increased from 14 to 21 during the same period. California, Illinois, Iowa, Minnesota, and the District of Columbia operated without LJCs in 2011. See **map 1** and **map 2** for the appellate and trial court structures for 2011.

TABLE 1
Appellate and trial court structure for 50 states and the District of Columbia, 1980, 1987, 1993, 1998, 2004, and 2011

Appellate and trial court structure	Number of states					
	1980	1987	1993	1998	2004	2011
Appellate court structure^a						
1 COLR and 0 IACs	17	13	12	11	11	11
1 COLR and 1 IAC	28	31	32	33	33	33
1 COLR and multiple IACs	4	5	5	5	5	5
Multiple COLRs and 1 IAC	2	2	2	2	2	2
Trial court structure^b						
GJC and 0 LJCs	3	4	4	4	5	5
GJC and 1 LJC	11	13	12	14	14	16
GJC and 2 LJCs	6	9	9	8	10	9
GJC and 3 or more LJCs	31	25	26	25	22	21

Notes: Table includes 50 states and the District of Columbia. North Dakota established a temporary IAC in 1987, which will continue until 2016.

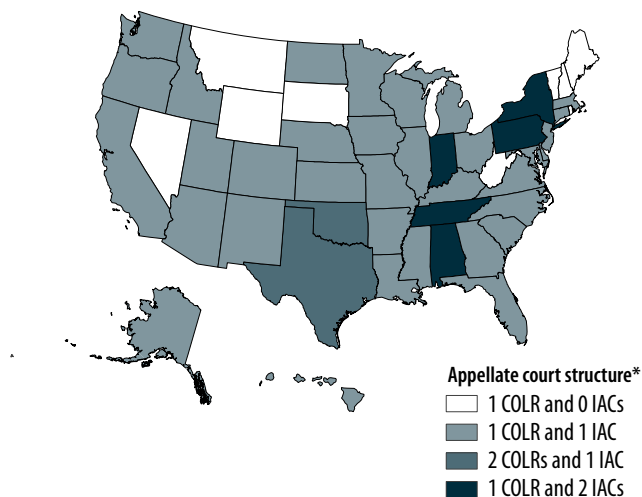
^aIncludes intermediate appellate courts (IACs) and courts of last resort (COLRs).

^bIncludes general jurisdiction courts (GJCs) and limited jurisdiction courts (LJCs). States can have more than one GJC type; however, this table only tracks the number of LJCs.

Source: Bureau of Justice Statistics, State Court Organization Survey, 1980, 1987, 1993, 1998, 2004, and 2011.

MAP 1

Structure of appellate courts for 50 states and the District of Columbia, 2011



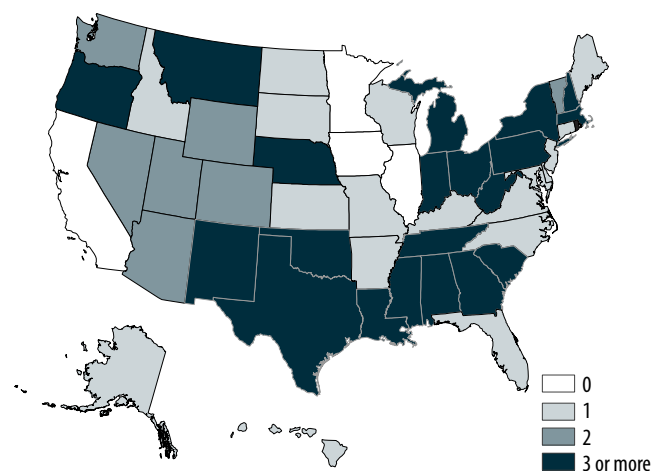
Note: Between 1987 and 2011, three states added an intermediate appellate court (IAC): Nebraska, Mississippi, and North Dakota. North Dakota established a temporary IAC in 1987, which will continue until 2016.

*Includes intermediate appellate courts (IACs) and courts of last resort (COLRs).

Source: Bureau of Justice Statistics, State Court Organization Survey, 2011.

MAP 2

Number of limited jurisdiction court types for 50 states and the District of Columbia, 2011



Source: Bureau of Justice Statistics, State Court Organization Survey, 2011.

The unification of trial courts in some states reduced the percentage of judges serving in LJs

The movement towards unification in some state courts has reduced the number of LJC judges. The percentage of trial court judges serving in LJs, compared to GJCs, declined by 12 percentage points from 1980 to 2011 (table 2). In addition, the number of GJC judges increased 57% from 1980 to 2011, while the number of LJC judges declined 6% (table 3). These trends were primarily a result of California's court unification during the 1990s, which eliminated all LJs and reclassified those judges to GJCs.

The distribution of appellate court judges between IACs and COLRs also changed from 1980 to 2011. During the past three decades, the number of IAC judges increased by about 400 judges, while the number of COLR judges remained stable. Much of growth in IAC judges can be attributed to the six states that established IACs between 1980 and 1998. The number of judges serving in state COLRs is often mandated by state constitutions; therefore, the number of COLR judges remained relatively stable during the same period, decreasing by two judges (1%).

TABLE 2
Jurisdictional levels of appellate and trial court judges for 50 states and the District of Columbia, 1980, 1987, 1993, 1998, 2004, and 2011

Year	Appellate court judges			Trial court judges		
	Number	Percent serving in—		Number	Percent serving in—	
		Courts of last resort	Intermediate appellate courts		General jurisdiction	Limited jurisdiction
1980	933	37%	63%	24,784	27%	73%
1987	1,119	31	69	24,830	32	68
1993	1,209	29	71	24,565	35	65
1998	1,274	27	73	25,758	36	64
2004	1,316	27	73	27,160	38	62
2011	1,336	26	74	27,570	39	61

Note: Includes trial and appellate courts located in all 50 states and the District of Columbia. Totals include South Dakota's general jurisdiction courts but exclude limited jurisdiction courts, which were missing data for 1980, 1987, 1993, and 1998.

Source: Bureau of Justice Statistics, State Court Organization Survey, 1980, 1987, 1993, 1998, 2004, and 2011.

TABLE 3
Number of state trial and appellate court judges in 50 states and the District of Columbia, by court type, 1980, 1987, 1993, 1998, 2004, and 2011

Court types	Number of judges						Percent change	
	1980	1987	1993	1998	2004	2011	1980–2011	2004–2011
Total courts of last resort (COLRs) judges	348	347	349	349	349	346	-1%	-1%
Total intermediate appellate courts (IACs) judges ^a	585	772	860	925	967	990	69%	2%
Total trial court judges ^b	24,784	24,830	24,565	25,758	27,160	27,570	11%	2%
General jurisdiction	6,788	7,859	8,580	9,189	10,370	10,650	57	3
Limited jurisdiction	17,996	16,971	15,985	16,569	16,790	16,920	-6	1
Average number of trial judges per 100,000 persons	13.2	11.9	11.1	11.2	10.9	10.2	-23	-6

Note: Judicial staffing figures include courts from all 50 states and the District of Columbia unless otherwise noted. Increase in the number of general jurisdiction judges partly reflects the unification of California's courts and the reclassification of their judges from limited to general jurisdiction in 1998. The number of states with IACs increased from 34 in 1980 to 40 in 2011.

^aSix states added IACs from 1980 to 2011.

^bIncludes South Dakota's general jurisdiction courts but excludes limited jurisdiction courts, which were missing judicial numbers for 1980, 1987, 1993, and 1998.

Source: Bureau of Justice Statistics, State Court Organization Survey, 1980, 1987, 1993, 1998, 2004, and 2011.

Three-quarters of all trial court judges needed some legal qualifications to serve as judge

The legal qualifications necessary to serve as a judge for a GJC compared to an LJC vary by state. In 2011, all GJC trial judges needed some type of legal qualification to serve as a judge (table 4). In comparison, 59% of LJC trial judges were required to obtain some type legal qualification to serve as a judge.¹ Possessing a law degree was the most commonly required legal qualification to serve as a judge. Sitting GJC judges were nearly 3 times more likely than LJC judges to need a law degree. GJC judges were about 2 times more likely than LJC judges to need state bar membership or have had an active legal practice.

Trial court judges were more likely than appellate court judges to be elected into the first term

In 2011, 52% of appellate court judges were appointed for their initial terms by judicial nominating committees, governors, legislators, or other methods (table 5). Of the appellate judges who were required to be elected to their

initial terms, 59% ran in partisan elections. Eighty-one percent of all appellate court judges were required to run in some type of election to retain their positions. The majority of appellate judges (52%) that ran for office did so in retention elections rather than partisan or nonpartisan elections.² Only 3% of appellate court judges served life terms in 2011.

Among trial court judges, 75% were required to be elected to their initial terms. Of those trial court judges who ran in an election, 45% ran in partisan elections. For subsequent terms, 90% of all trial court judges were required to run in an election to retain their positions. Among trial court judges required to run in an election for subsequent terms, 48% ran in nonpartisan elections. Only 1% of trial court judges served life terms in 2011.

¹Examples of legal qualifications less than a law degree include taking a judicial education course prior to office or passing a legal certification exam other than the state bar.

²In a retention election, a judge runs unopposed and is removed from office if a majority of votes are cast against retention. In a partisan election, a judge is listed with party affiliation, while in a nonpartisan election, the judge is listed on the ballot with no party affiliation.

TABLE 4
Legal qualifications to serve as trial court judge for 50 states and the District of Columbia, by trial courts of general and limited jurisdiction, 2011

Trial court judges	Number of judges	Any legal requirement	Law degree	State bar membership	Attorney license	Active legal practice	Prior service as state judge	Learned in law
All judges	27,544	75%	47%	38%	27%	12%	6%	2%
Judges serving in courts of—								
General jurisdiction	10,650	100%	79%	56%	33%	17%	15%	1%
Limited jurisdiction	16,894	59	27	26	23	9	--	2

Note: Detail may not sum to total because states could impose multiple requirements on trial court judges. Legal qualifications for appellate court judges are not shown. Data on legal qualifications to serve as trial court judges are available for 97% of all trial courts, 100% of general jurisdiction trial courts, and 95% of limited jurisdiction trial courts.

-- Less than 0.5%.

Source: Bureau of Justice Statistics, State Court Organization Survey, 2011.

TABLE 5
Selection of appellate and general jurisdiction trial court judges for initial and subsequent judicial terms for 50 states and the District of Columbia, 2011

	Number of judges	Appointment ^a	Methods of appellate court judicial selection and retention			Retention	Tenure to age 70 or older
			Judicial election				
			Any election	Partisan	Nonpartisan		
Initial terms							
Appellate	1,336	52%	48%	29%	20%	~	~
Trial ^b	10,650	25	75	34	42	~	~
Subsequent terms							
Appellate	1,336	15%	81%	20%	20%	42%	3%
Trial ^b	10,650	9	90	20	43	27	1

Note: Data for the selection of appellate and general jurisdiction trial court judges for initial and subsequent terms are available for 50 states and the District of Columbia. Data on the selection methods for limited jurisdiction court judges are not shown because these are often determined at the local level.

~Not applicable.

^aA variety of parties can exercise control over the judicial appointment process in state courts, including judicial nominating committees, governors, legislators, and the courts. The U.S. President appoints judges in the District of Columbia. All are included in the appointment category.

^bThe selection methods were not uniform within the jurisdictions of trial courts in Arizona, Kansas, Indiana, and Missouri. For these states, the data reflect the selection method used for judges presiding in courts in counties with the largest populations.

Source: Bureau of Justice Statistics, State Court Organization Survey, 2011.

Varied routes to judgeship

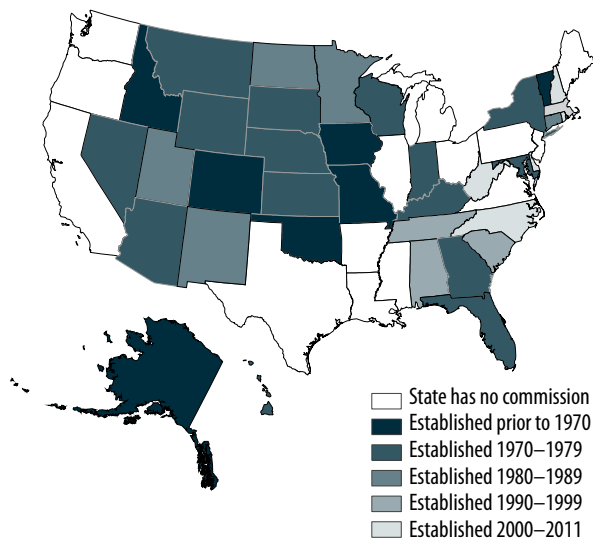
How judges come to the bench varies from state to state and may even vary within a state by type of court (e.g., trial compared to appellate court). States most often use one or more of the following methods to select judges:

- Appointment: Depending on the state, judges may be appointed by the governor, legislature, or a COLR chief justice. Some states use nominating committees, which provide the appointing body with a limited number of candidates from which to choose a judge (**map 3**).

- Partisan election: Judges may run in a contested election in which candidates must declare their political party affiliation (**map 4**).
- Nonpartisan election: Judges may run in a contested election but do not declare political party affiliation.
- Retention election: Sitting judges may retain their office through an uncontested retention election at the end of each term. Judges maintain their bench if the majority votes that they should be retained in office.

MAP 3

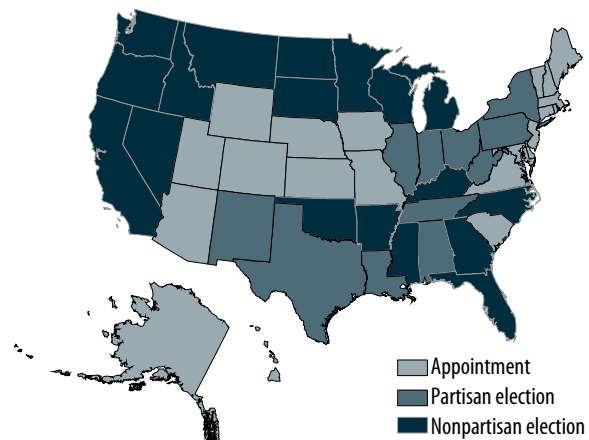
Establishment of judicial nominating commissions for 50 states and the District of Columbia, 1940–2011



Source: Bureau of Justice Statistics, State Court Organization Survey, 2011.

MAP 4

Method for selection of general jurisdiction judges for an initial term, 2011



Source: Bureau of Justice Statistics, State Court Organization Survey, 2011.

Fewer states used partisan elections to fill appellate and general jurisdiction trial court judgeships

Twelve states used partisan elections to fill appellate court judgeships for their initial terms in 1987, compared to 8 states in 2011 (table 6). Four states at the appellate court level moved away from using partisan elections. Tennessee changed from partisan election to appointment by the governor, while Arkansas, Mississippi, and North Carolina changed to nonpartisan elections.

Several states also moved away from using partisan elections to retain appellate court judges. In 1987, 10 states used partisan elections for the retention of appellate court judges, compared to 5 states in 2011. Arkansas, Mississippi, and North Carolina changed from partisan elections to nonpartisan elections for retention terms. New Mexico and Tennessee changed from partisan to uncontested retention elections.

Fourteen states used partisan elections to fill initial terms of GJC trial judges in 1987, compared to 11 states in 2011. Arkansas, North Carolina, and Mississippi all changed to nonpartisan elections to fill the initial terms of GJC judges.

The number of states using a partisan election for the retention of GJC judges declined by 4 states from 1987 to 2011. Arkansas, Mississippi, and North Carolina changed from partisan elections to nonpartisan elections for retention terms, while New Mexico changed from partisan to uncontested retention elections.

On average, judges serving in COLRs had the longest terms

The length of judicial term varies by state, type of court, and method of selection. Excluding states where judges served life terms, judges serving in COLRs had the longest average length of judicial term (8 years) (table 7). The average term for appellate and trial court judges was 7 years. Judges serving in COLRs had the largest range in judicial term (12 years), while judges serving in IACs had the least variation (9 years).

TABLE 6

Methods of judicial selection in state appellate and trial courts of general jurisdiction for 50 states and the District of Columbia, 1987 and 2011

Judicial selection methods	Number of state courts			
	Appellate		Trial ^a	
	1987	2011	1987	2011
Initial terms				
Appointment ^b	27	29	22	22
Partisan election	12	8	14	11
Nonpartisan election	12	14	15	18
Retention terms				
Appointment ^b	10	10	9	9
Partisan election	10	5	12	8
Nonpartisan election	12	14	16	19
Retention election	16	19	11	12
Tenure to age 70 or older	3	3	3	3

Note: Includes 50 states and the District of Columbia.

^aIncludes only trial courts of general jurisdiction, as the selection processes in limited jurisdiction courts are often locally determined.

^bA variety of parties can exercise control over the judicial appointment process in state courts, including judicial nominating committees, governors, legislators, and the courts. The U.S. President appoints judges in the District of Columbia. All are included in the appointment category.

Source: Bureau of Justice Statistics, State Court Organization Survey, 1987 and 2011.

TABLE 7

Length of judicial terms for 47 states and the District of Columbia in state appellate and trial courts of general jurisdiction, by retention methods, 2011

Court types and judicial retention method	Number of states	Length of judicial terms		
		Average	Shortest	Longest
Courts of last resort				
All states	48	8 yrs.	3 yrs.	15 yrs.
Appointment	10	10	6	15
Partisan election	5	8	6	12
Nonpartisan election	14	7	6	10
Retention election	19	8	3	12
Intermediate appellate courts*				
All states	39	7 yrs.	3 yrs.	12 yrs.
Appointment	6	7	5	10
Partisan election	4	7	6	10
Nonpartisan election	12	7	6	8
Retention election	17	8	3	12
General jurisdiction courts				
All states	48	7 yrs.	4 yrs.	15 yrs.
Appointment	9	9	6	15
Partisan election	8	7	4	11
Nonpartisan election	19	6	4	15
Retention election	12	6	4	10

Note: Excludes Massachusetts, New Hampshire, and Rhode Island, where judges serve life terms. Data on the judicial term lengths for limited jurisdiction courts are not shown because these are often determined at the local level.

*Excludes states that do not have intermediate appellate courts.

Source: Bureau of Justice Statistics, State Court Organization Survey, 2011.

Salaries for trial court judges were most often funded by the state

Funding sources for GJCs and LJs varied by type of expenditure. At least 50% of trial courts received their primary funding for the salaries of court administrators, research attorneys, court reporters, and judges from state funding sources (table 8). In comparison, expenditure

items that were funded mostly at the county level included court security (57%), building property expenses (64%), pretrial services (61%), and Americans with Disabilities Act compliance (56%). While the majority of court expenditures were funded through the state, county, or a combination, 12% of state courts' primary funding for court-ordered treatment expenditures came from other sources, such as federal funds or local fees.

TABLE 8
Trial court funding sources for selected expenditure items for 50 states and the District of Columbia, 2011

Expenditure item	Total	State ^a	County ^a	Both state and county ^a	Other ^b
Court record for appeal					
Criminal	100%	42%	50%	4%	4%
Civil	100%	37	54	1	8
Equipment expenditures					
Information technology equipment	100%	41%	30%	27%	2%
Other capital equipment	100%	33	53	12	2
Expenses					
Travel expenses	100%	50%	31%	17%	2%
General operating expenses	100%	41	47	10	2
Court security expenses	100%	27	57	15	2
Building property expenses	100%	26	64	9	1
Language interpreters					
Sign language interpreters	100%	45%	40%	13%	2%
Foreign language interpreters	100%	41	37	20	2
Other items/services					
Child support enforcement	100%	46%	24%	23%	7%
Court-appointed child advocates	100%	43	25	28	4
Guardianship	100%	40	43	11	6
Indigent defense	100%	39	40	20	2
Court-ordered treatment	100%	30	27	31	12
Pretrial services	100%	30	61	9	1
Americans with Disabilities Act compliance	100%	28	56	15	2
Salaries					
Judicial salaries	100%	58%	28%	13%	2%
Court reporter salaries	100%	57	31	6	6
Research attorney salaries	100%	56	35	6	2
Court administrator salaries	100%	50	40	8	2
Juvenile probation officer salaries	100%	41	26	31	1
Court clerk salaries	100%	41	51	5	3
Other court personnel salaries	100%	41	46	11	2
Adult probation officer salaries	100%	36	49	14	1

Note: Includes funding and expenditure items for general and limited jurisdiction trial courts combined. Funding source issues were unknown for 3% to 10% of the trial court types per expenditure item.

^aIncludes supplemental funding from federal sources or local fees.

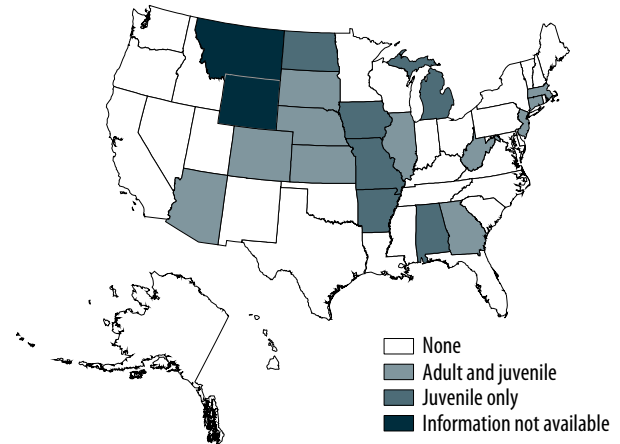
^bIncludes funding from only federal sources or local fees.

Source: Bureau of Justice Statistics, State Court Organization Survey, 2011.

Two-thirds of state administrative offices of the courts had full responsibility for providing technical assistance and judicial education

In every state, a central office is responsible for the administrative functions of the state’s trial court system. Administrative offices of the courts (AOCs) provide a wide range of services to support state courts. Of the 48 states and the District of Columbia reporting information, all state AOCs reported having at least some responsibility for providing research planning (table 9). Forty-eight state AOCs reported having at least some responsibility for providing information technology, state court statistics, serving as the liaison to legislature, and providing technical assistance. Thirty-three state AOCs had full responsibility for providing the courts with technical assistance and judicial education, and eleven state AOCs provided some type adult probation services to the courts (map 5).

MAP 5
Administrative offices of the courts (AOCs) with at least some responsibilities for juvenile and adult probation, 2011



Source: Bureau of Justice Statistics, State Court Organization Survey, 2011.

TABLE 9
Responsibilities and functions of administrative offices of the courts (AOCs) for 48 states and the District of Columbia, 2011

Responsibility	Number of state AOCs with responsibility			
	Any	Full	Partial	None
Research planning	49	27	22	0
Technical assistance	48	33	15	1
Liaison to legislature	48	27	21	1
State court statistics	48	25	23	1
Information technology	48	24	24	1
Public information	47	21	26	2
Budget preparation	46	20	26	3
Accounting	46	17	29	3
Judicial education	45	33	12	4
Human resources	45	15	30	4
Court records management	45	9	36	4
Court equipment purchases	44	15	29	5
Court records data processing	41	14	27	8
Court performance measurement	40	17	23	9
Financial audits	38	14	24	11
Emergency facility management	38	8	30	11
Security facilities management	38	7	31	11
Court facilities management	38	6	32	11
Legal representation/general counsel	31	16	15	18
Alternative dispute resolution	31	11	20	18
Legal research	29	8	21	20
Collecting financial legal obligations	29	5	24	20
Supplemental judge assignments	28	13	15	21
Law libraries	27	14	13	22
Sitting judge assignments	18	7	11	31
Foster care review	18	4	14	31
Juvenile probation	17	6	11	32
Judicial performance evaluation	16	8	8	33
Ombudsman	14	3	11	35
Adult probation	11	4	7	38

Note: Includes AOCs operating in 48 states and the District of Columbia. Montana and Wyoming did not provide information on AOC responsibilities and functions at the state level.

Source: Bureau of Justice Statistics, State Court Organization Survey, 2011.

Jury size and verdict requirements varied by court jurisdiction and case type

For GJCs, all states and the District of Columbia required a 12-person jury when trying felony cases (table 10). Fifteen states required such courts to have a 6-person jury when hearing misdemeanor cases. All states and the District of Columbia required juries in GJCs to reach a unanimous verdict for felony and misdemeanor trials.³ For civil cases, 23 states and the District of Columbia required juries in GJCs to reach a unanimous verdict.

³Kentucky's GJC does not have authority to adjudicate misdemeanor jury trials.

Twenty-five states allowed LJC to try misdemeanor cases. All 25 states except Delaware, Ohio, and Texas used 6-person juries. In Oklahoma, the LJC judge decided if the jury needed to reach a unanimous verdict in misdemeanor cases. Twenty-seven states allowed LJC to try civil cases. All 27 states, except Delaware, North Carolina, Ohio, and Texas, used 6-person juries. Eleven states required a unanimous verdict, while judges in Oklahoma decided if the jury needed to reach a unanimous verdict in civil cases.

TABLE 10
Jury size and unanimous verdict requirements for trial courts in 50 states and the District of Columbia, 2011

Court jurisdiction and case types	Number of states	Percent of states requiring jury sizes of—			Percent with unanimous verdict requirements
		12 persons ^a	6 persons ^b	Other ^c	
General jurisdiction					
Felonies	51	100%	0%	0%	100%
Misdemeanor ^d	50	64	30	6	100
Civil	51	65	26	10	47
Limited jurisdiction					
Misdemeanor	25	4%	88%	8%	96%
Civil	27	7	85	7	41

Note: Some general and limited jurisdiction courts do not have jurisdiction over jury trials involving certain case types. For these reasons, not all 50 states will report jury trial requirements for their limited jurisdiction courts. Only those courts of limited and general jurisdiction that have authority over civil and misdemeanor cases are shown.

^aIncludes states that allow parties, with court consent, to stipulate to jury sizes below the 12-person requirement.

^bIncludes states that allow parties, with court consent, to stipulate to jury sizes below the 6-person requirement.

^cIncludes other jury sizes, such as 4- or 8-person juries.

^dKentucky's court of general jurisdiction does not have authority to adjudicate misdemeanors using jury trials.

Source: Bureau of Justice Statistics, State Court Organization Survey, 2011.

Methodology

Data for the 1980, 1987, 1993, 1998, 2004, and 2011 State Court Organization (SCO) reports were collected by the National Center for State Courts (NCSC) with funding provided by the Bureau of Justice Statistics (BJS). Data collections prior to 2011 were mail surveys to state court administrators in all 50 states, the District of Columbia, Puerto Rico, and U.S. territories. The 2011 SCO collected information from this same set of state court administrators, but the 2011 collection was primarily web-based with paper surveys made available for respondents that preferred or needed a traditional response mode. All SCO data collections obtained court information at the state and jurisdictional levels, depending on the type of information collected. A survey aimed at state court administrators was designed to collect information on court organization, administration, and operation. Separate surveys designed to collect descriptive information (e.g., budget and staffing) were sent to appellate courts and trial courts. While respondents provided most of the information to complete the survey, staff at NCSC also compiled information on specific laws, legal procedures, and legal practices that applied statewide.

Data for this report were drawn from the five previously released SCO reports and the 2011 web-based interactive application tool. BJS summarized select data from the SCO 2011 Interactive Application (accessed in February 2012)

to produce the narrative, tables, maps, and figures found within the report. This report also used select standardized SCO data from 1980 to 2011, created by BJS staff, to analyze trends in state court organization over three decades. The topics presented in this report reflect many of the themes common to the SCO data collections and highlight some of the long-standing issues relevant to state court systems. This report presents information for all 50 states and the District of Columbia. It excludes information on Puerto Rico and the U.S. territories.

For more information, see *State Court Organization, 1980*, NCJ 76711, BJS website, May 1982; *State Court Organization, 1993*, NCJ 148346, BJS website, January 1995; *State Court Organization, 1998*, NCJ 178932, BJS website, June 2000; and *State Court Organization, 2004*, NCJ 212351, BJS website, August 2006. For analysis of trends, see *State Court Organization, 1987–2004*, NCJ 217996, BJS website, October 2007. Data for the individual 1998 and 2004 State Court Organization reports may be downloaded through the Inter-University Consortium for Political and Social Science Research (ICPSR) website at <http://www.icpsr.umich.edu/icpsrweb/landing.jsp>. The 2011 within-year data set and the standardized trend data sets for 1980 through 2011 used in this report are available for download through the ICPSR website.

APPENDIX TABLE 1**Number of appellate court judges in 50 states and the District of Columbia, 2011**

State	Appellate court name	Number of judges
Alabama		
SC	Supreme Court	9
IA	Court of Civil Appeals	5
IA	Court of Criminal Appeals	5
Alaska		
SC	Supreme Court	5
IA	Court of Appeals	3
Arizona		
SC	Supreme Court	5
IA	Court of Appeals	22
Arkansas		
SC	Supreme Court	7
IA	Court of Appeals	12
California		
SC	Supreme Court	7
IA	Courts of Appeal	104
Colorado		
SC	Supreme Court	7
IA	Court of Appeals	22
Connecticut		
SC	Supreme Court	7
IA	Appellate Court	9
Delaware		
SC	Supreme Court	5
District of Columbia		
SC	Court of Appeals	9
Florida		
SC	Supreme Court	7
IA	District Courts of Appeal	61
Georgia		
SC	Supreme Court	7
IA	Court of Appeals	12
Hawaii		
SC	Supreme Court	5
IA	Intermediate Court of Appeals	6
Idaho		
SC	Supreme Court	5
IA	Court of Appeals	4
Illinois		
SC	Supreme Court	7
IA	Appellate Court	54
Indiana		
SC	Supreme Court	5
IA	Court of Appeals	15
IA	Tax Court	1
Iowa		
SC	Supreme Court	7
IA	Court of Appeals	9
Kansas		
SC	Supreme Court	7
IA	Court of Appeals	13
Kentucky		
SC	Supreme Court	7
IA	Court of Appeals	14
Louisiana		
SC	Supreme Court	7
IA	Courts of Appeal	60

APPENDIX TABLE 1 (continued)**Number of appellate court judges in 50 states and the District of Columbia, 2011**

State	Appellate court name	Number of judges
Maine		
SC	Supreme Judicial Court	7
Maryland		
SC	Court of Appeals	7
IA	Court of Special Appeals ^a	12
Massachusetts		
SC	Supreme Judicial Court	7
IA	Appeals Court	28
Michigan		
SC	Supreme Court	7
IA	Court of Appeals	26
Minnesota		
SC	Supreme Court	7
IA	Court of Appeals	19
Mississippi		
SC	Supreme Court	9
IA	Court of Appeals	10
Missouri		
SC	Supreme Court	7
IA	Court of Appeals	32
Montana		
SC	Supreme Court	7
Nebraska		
SC	Supreme Court	7
IA	Court of Appeals	6
Nevada		
SC	Supreme Court	7
New Hampshire		
SC	Supreme Court	5
New Jersey		
SC	Supreme Court	6
IA	Appellate Division of Superior Court	34
New Mexico		
SC	Supreme Court	5
IA	Court of Appeals	10
New York		
SC	Court of Appeals	7
IA	Appellate Division of Supreme Court	58
IA	Appellate Terms of Supreme Court	15
North Carolina		
SC	Supreme Court	7
IA	Court of Appeals	15
North Dakota		
SC	Supreme Court	5
IA	Temporary Court of Appeals	3
Ohio		
SC	Supreme Court	7
IA	Courts of Appeals	70
Oklahoma		
SC	Supreme Court	9
SC	Court of Criminal Appeals	5
IA	Court of Civil Appeals	10

APPENDIX TABLE 1 (continued)**Number of appellate court judges in 50 states and the District of Columbia, 2011**

State	Appellate court name	Number of judges
Oregon		
SC	Supreme Court	7
IA	Court of Appeals	10
Pennsylvania		
SC	Supreme Court	7
IA	Superior Court ^b	23
IA	Commonwealth Court	9
Rhode Island		
SC	Supreme Court	5
South Carolina		
SC	Supreme Court	5
IA	Court of Appeals ^c	9
South Dakota		
SC	Supreme Court	5
Tennessee		
SC	Supreme Court	5
IA	Court of Appeals	12
IA	Court of Criminal Appeals	12
Texas		
SC	Supreme Court	9
SC	Court of Criminal Appeals	9
IA	Courts of Appeals	80
Utah		
SC	Supreme Court	5
IA	Court of Appeals	7
Vermont		
SC	Supreme Court	5
Virginia		
SC	Supreme Court ^d	5
IA	Court of Appeals	11
Washington		
SC	Supreme Court	9
IA	Court of Appeals	22
West Virginia		
SC	Supreme Court of Appeals	5
Wisconsin		
SC	Supreme Court	7
IA	Court of Appeals	16
Wyoming		
SC	Supreme Court	5

Note: Includes appellate court judges for all 50 states and the District of Columbia for 2011. SC is a state court of last resort, and IA is a state intermediate appellate court.

^aIn 2011, the Maryland court of special appeals had 13 authorized judicial positions and 1 vacancy.

^bThe Pennsylvania superior court had 15 authorized judicial positions and 8 additional senior judges appointed to assist.

^cThe South Carolina court of appeals had 9 authorized judicial positions and 1 retired judge appointed to assist.

^dIn 2011, the Virginia supreme court had 7 authorized judicial positions with 2 vacancies.

Source: Bureau of Justice Statistics, State Court Organization Survey, 2011.

APPENDIX TABLE 2**Number of trial court judges in 50 states and the District of Columbia, 2011**

State	Trial court name	Number of judges
Alabama		
GJ	Circuit	144
LJ ^b	District	106
LJ	Municipal	315
LJ	Probate	68
Alaska		
GJ	Superior	38
LJ	District	22
Arizona^c		
GJ	Superior	174
GJ	Tax ^a	1
LJ	Justice of the Peace	87
LJ	Municipal	154
Arkansas		
GJ	Circuit	121
LJ	District	115
LJ	City	70
California		
GJ	Superior	1,588
Colorado		
GJ	District	160
GJ	Denver Probate	1
GJ	Denver Juvenile	3
GJ	Water	0
LJ	County	103
LJ	Municipal	250
Connecticut		
GJ	Superior	180
LJ	Probate	54
Delaware		
GJ	Superior	19
GJ	Court of Chancery	5
LJ	Justice of the Peace	61
LJ	Family	15
LJ	Court of Common Pleas	9
LJ	Alderman's	6
District of Columbia		
GJ	Superior	62
Florida		
GJ	Circuit	599
LJ	County	322
Georgia		
GJ	Superior	205
LJ	Juvenile	125
LJ	Civil	5
LJ	State	122
LJ	Probate	174
LJ	Magistrate	488
LJ	County Recorder's	23
LJ	Municipal	350
Hawaii		
GJ	Circuit	33
LJ	District	36
Idaho		
GJ	District	42
LJ	Magistrate's Division	84

APPENDIX TABLE 2 (continued)**Number of trial court judges in 50 states and the District of Columbia, 2011**

State	Trial court name	Number of judges
Illinois		
GJ	Circuit	917
Indiana		
GJ	Superior	225
GJ	Circuit	91
GJ	Probate	1
LJ	City	48
LJ	Town	27
LJ	Small Claims of Marion County	9
Iowa		
GJ	District	335
Kansas		
GJ	District	234
LJ	Municipal	255
Kentucky		
GJ	Circuit	94
GJ	Family	51
LJ	District	116
Louisiana		
GJ	District	217
GJ	Juvenile & Family	18
LJ	Justice of the Peace	385
LJ	Mayor's	255
LJ	City & Parish	73
Maine		
GJ	Superior	17
GJ	District	36
LJ	Probate	16
Maryland		
GJ	Circuit	146
LJ	District	109
LJ	Orphan's	66
Massachusetts		
GJ	Superior Court Department	80
LJ	District Court Department	147
LJ	Probate & Family Court Department	48
LJ	Juvenile Court Department	36
LJ	Housing Court Department	9
LJ	Boston Municipal Court Department	30
LJ	Land Court Department	6
Michigan		
GJ	Circuit	219
GJ	Claims	7
LJ	District	258
LJ	Probate	103
LJ	Municipal	4
Minnesota		
GJ	District	280
Mississippi		
GJ	Circuit	53
LJ	Chancery	49
LJ	County	30
LJ	Municipal	226
LJ	Justice	197

APPENDIX TABLE 2 (continued)**Number of trial court judges in 50 states and the District of Columbia, 2011**

State	Trial court name	Number of judges
Missouri		
GJ	Circuit	331
LJ	Municipal	313
Montana		
GJ	District	46
GJ	Workers' Compensation	1
GJ	Water	5
LJ	Justice's Court	65
LJ	Municipal	9
LJ	City	88
Nebraska		
GJ	District	55
LJ	Separate Juvenile	11
LJ	County	58
LJ	Workers' Compensation	7
Nevada		
GJ	District	72
LJ	Justice	65
LJ	Municipal	22
New Hampshire^b		
GJ	Superior	22
LJ	District	59
LJ	Probate	10
LJ	Family Division	0
New Jersey		
GJ	Superior	368
LJ	Tax	6
LJ	Municipal	334
New Mexico		
GJ	District	75
LJ	Magistrate	62
LJ	Metropolitan Ct. of Bernalillo County	16
LJ	Municipal	85
LJ	Probate	33
New York		
GJ	Supreme	263
GJ	County	126
LJ	Court of Claims	85
LJ	Surrogates'	31
LJ	Family	126
LJ	District	47
LJ	City	163
LJ	Civil Court of the City of NY	120
LJ	Criminal Court of the City of NY	106
LJ	Town & Village Justice	2,200
North Carolina		
GJ	Superior	112
LJ	District	270
North Dakota		
GJ	District	44
LJ	Municipal	94
Ohio^e		
GJ	Court of Common Pleas	384
LJ	Municipal	200
LJ	County	46
LJ	Court of Claims	2
LJ	Mayor's	322 ^c

APPENDIX TABLE 2 (continued)**Number of trial court judges in 50 states and the District of Columbia, 2011**

State	Trial court name	Number of judges
Oklahoma		
GJ	District	241
LJ	Municipal Court Not of Record	352
LJ	Municipal Criminal Court of Record	2
LJ	Workers' Compensation	10
LJ	Tax Review	3
Oregon^d		
GJ	Circuit	173
GJ	Tax	1
LJ	County	7 ^d
LJ	Justice	30 ^d
LJ	Municipal	225 ^d
Pennsylvania		
GJ	Court of Common Pleas	449
LJ	Philadelphia Municipal	25
LJ	Magisterial District Judge	544
LJ	Philadelphia Traffic	7
Rhode Island^{e,f}		
GJ	Superior	26
LJ	Workers' Compensation	10 ^e
LJ	District	15
LJ	Family	18
LJ	Probate	39 ^f
LJ	Municipal	29 ^f
LJ	Traffic Tribunal	8
South Carolina		
GJ	Circuit	46
LJ	Family	52
LJ	Magistrate	310
LJ	Probate	46
LJ	Municipal	308
South Dakota		
GJ	Circuit	41
LJ	Magistrate	13
Tennessee		
GJ	Circuit	83
GJ	Chancery	34
GJ	Criminal	33
GJ	Probate	2
LJ	Juvenile	17
LJ	Municipal	170
LJ	General Sessions	154
Texas		
GJ	District	456
LJ	Constitutional County	254
LJ	County Courts at Law	233
LJ	Statutory Probate	18
LJ	Justice of the Peace	819
LJ	Municipal	1,531
Utah		
GJ	District	71
LJ	Justice	104
LJ	Juvenile	29

APPENDIX TABLE 2 (continued)**Number of trial court judges in 50 states and the District of Columbia, 2011**

State	Trial court name	Number of judges
Vermont		
GJ	Superior	32
LJ	Judicial Bureau	18
Virginia		
GJ	Circuit	142
LJ	District	230
Washington		
GJ	Superior	179
LJ	District	109
LJ	Municipal	98
West Virginia		
GJ	Circuit	70
LJ	Magistrate	158
LJ	Municipal	122
LJ	Family	45
Wisconsin		
GJ	Circuit	249
LJ	Municipal	254
Wyoming		
GJ	District	22
LJ	Circuit	24
LJ	Municipal	81

Note: Includes trial court judges for all 50 states and the District of Columbia for 2011. GJ is a state general jurisdiction court and LJ is a state limited jurisdiction court.

^aThe Arizona tax court was excluded from analysis.

^bThe New Hampshire circuit court was made up of the three listed divisions.

^cThe Ohio mayor's courts consisted of 322 mayors and magistrates who were excluded from analysis.

^dInformation obtained via http://www.courtstatistics.org/Other-Pages/State_Court_Structure_Charts/Oregon.aspx.

^eThe Rhode Island worker's compensation courts consisted of 10 judges who were excluded from analysis.

^fInformation obtained via http://www.courtstatistics.org/Other-Pages/State_Court_Structure_Charts/Rhode-Island.aspx.

Source: Bureau of Justice Statistics, State Court Organization Survey, 2011.



The Bureau of Justice Statistics, located in the Office of Justice Programs, U.S. Department of Justice, collects, analyses, and disseminates statistical information on crime, criminal offenders, victims of crime, and the operation of justice systems at all levels of government. William J. Sabol is acting director.

This report was written by Ron Malega, Ph.D., and Thomas H. Cohen, J.D., Ph.D., former BJS Statisticians. Tara Martin provided verification.

Vanessa Curto and Jill Thomas edited the report, and Tina Dorsey produced the report.

November 2013, NCJ 242850



Office of Justice Programs
Innovation • Partnerships • Safer Neighborhoods
www.ojp.usdoj.gov