

**REPORT OF THE
TENNESSEE TRIAL JUDGE
ASSOCIATION'S
JUDICIAL RESOURCE STUDY
COMMITTEE**

(Amended Report - Accepted October 24, 2017)

SUMMARY OF THE COMMITTEE'S CONCLUSIONS

A. WEST TENNESSEE:

Areas identified where change could be needed in Judicial Districts 24, 25, 27, and 29.

Proposed solutions:

- a. (Deleted).
- b. Lauderdale County be moved from the 25th Judicial District. The 25th Judicial District be the counties of McNairy, Hardeman, Fayette, and Tipton. The current allocation of Judicial Resources to this district remain the same.
- c. (Delete).
- d. The 29th Judicial District be the counties of Lake, Dyer, and Lauderdale. The current allocation of Judicial Resources to this district remain the same.

B. MIDDLE TENNESSEE:

Areas identified where change could be needed in Judicial Districts 14, 16, 19, 21 and 31.

Proposed Solution:

- a. Possibilities for the 14th and 31st Judicial Districts are: no change; (delete).
- b. Create a new trial judge position for the 16th Judicial District.
- c. Create a new trial judge position for the 19th Judicial District.
- d. Hickman, Lewis, and Perry counties be moved from the 21st Judicial District. The 21st Judicial District be Williamson County. The current allocation of Judicial Resources to this district remain the same.
- e. The counties of Lewis and Perry be added to the 22nd Judicial District. Create a new trial judge position for the district.
- f. The county of Hickman be added to the 23rd Judicial District. Create a new trial judge position for this district.

C. EAST TENNESSEE:

No areas identified where change could be needed.

D. TRANSITION:

A transition period is suggested in any district being modified.

INTRODUCTION

In response to inquiries made by members of the General Assembly beginning in March of 2017, the Tennessee Trial Judges Association (“TTJA”) formed a committee to study the issues raised by the members concerning allocation of judicial resources. The factors discussed included present configuration of judicial districts, any potential change to the configuration of judicial districts, weighted caseload and its applicability, population, and geography. The members, who were named bill sponsors, indicated a desire to have a solution to deal with judicial reallocation that was not primarily political in nature.

The response led the TTJA to form a committee which was tasked with studying the issue and reporting on the issue to the executive committee and the TTJA.

Pursuant to the directive of the TTJA, the committee considered the following factors: (1) Weighted Case Load Reports; (2) Population; (3) Geography; (4) Current Sitting Judge Positions and (5) any other factors determined to be relevant to perform its duties.

TTJA President Roy Morgan formed the committee and named the following judges to serve: West Tennessee Grand Division: Weber McCraw, Tony Childress, and Carma McGee; Middle Tennessee Grand Division: Larry Wallace, J. B. Cox, and Deanna Johnson; East Tennessee Grand Division: Tom Wright, Telford Forgety, and David Duggan.

CONCLUSION

There is a difference of opinion among Tennessee Trial Judges about whether any changes to the number and location of judges are needed at all. After considering the relevant criteria, the committee reached the conclusions stated in the foregoing summary page. For further detailed explanations, see Appendices A-C.

APPENDIX A

REPORT OF WEST TENNESSEE

INTRODUCTION

The 10,600 plus square miles of West Tennessee are divided into twenty-one (21) counties that are as diverse as the estimated 1.5 million Tennesseans who live in this Grand Division. These twenty-one (21) counties are divided into seven (7) judicial districts that are served by thirty-nine (39) trial judges. Twenty-two of those trial judges serve the citizens of Shelby County with the remaining seventeen serving the citizens of twenty (20) counties. (In this report the twenty (20) counties that make up districts 24-29 will be referred to as the “Rural Areas.” Shelby County is the 30th Judicial District, and in this report Shelby County will be referred to as Shelby County.)

The committee opposed any change of the current structure of and allocation of resources to the trial level judiciary in West Tennessee unless: (1) a need for change is identified, (2) the proposed change is studied, (3) the change can be justified, (4) the change will not disrupt services, and (5) the change will result in a more efficient and effective use of limited judicial resources.

After thorough consideration of all available data and relevant factors, which will be discussed in detail below, the committee identified areas where change to the current structure may be considered. Solutions were purposed and input from stakeholders was sought. The possible changes discussed below objectively addresses the legislature’s concerns.

I. FACTORS CONSIDERED IN ADDRESSING JUDICIAL RESOURCE NEED OF WEST TENNESSEE

A. Geography

The Committee considered the size and makeup of the existing districts and judges' travel times.

B. Population

The Committee studied 2010 population as well as estimates for the years 2020 and 2030. The projected population figures for 2020 and 2030 were obtained from a compilation prepared by the Administrative Office of the Courts and a document prepared by the University of Tennessee Knoxville, Boyd Center for Business and Economics, Haslam College of Business's "Annual Projections: Total Population for Tennessee Counties: 2011-2064."

C. Weighted caseload report

With the enactment of Tennessee Code Annotated § 16-2-513 in the late 1990's, Tennessee adopted the weighted caseload model to gauge judicial resource need. The weighted caseload study was updated in 2007 and again in 2013. Since 1999, weighted caseload report updates have been issued annually by the comptroller, and the comptroller has consistently concluded the judicial weighted caseload study to be accurate.

D. Population based judicial need model

A population based judicial need model gauges need for judicial resources based on a set number of judges needed to serve a certain number of people. Recognizing the usefulness such a model could provide in the study of future judicial resource need, the committee constructed a population based need model using the following criteria.

The 1984 legislation that created the current structure of the trial level judiciary created 131 trial judge positions to serve the citizens of Tennessee. Using 1980 Census data, this resulted in approximately one trial judge for every 35,046 residents of this State. That is a ratio of 1/35,046. Using 1990 Census data, this resulted in approximately one trial judge for every 37,230 residents of this State. This is a ratio of 1/37,230. In Tennessee, a county's General Sessions judge is considered to be a full-time judge when the population of that county reaches 30,000. (See Tenn. Code Ann. § 16-15-5001(a)(3) & Tenn. Code Ann. § 16-15-5002(a)). Finally, in a report filed September 25, 2012, and titled "TWO-TIERED SYSTEMS HAVE THREE GENERAL JURISDICTION JUDGES PER 100K POPULATION," the National Center of State Courts reported that the median in forty-four (44) states that have a trial level judicial structure like Tennessee is 2.8 general jurisdiction judges per 100K in population. That is a ratio of 1/35,714. The committee carefully considered these four guideposts regarding a judge/population ratio when constructing a population based judicial need model to use. In an effort to construct a population

need based model in as conservative a manner as possible, the committee concluded a ratio of 1/38,000 should be used to measure judicial need when need is based on a population.

E. Hybrid Model

Recognizing that both the weighted caseload and population based judicial need models have strengths and weaknesses, the committee also used a hybrid type approach to gauge future need. This hybrid approach focused primarily on the 2015/16 weighted caseload report and county population projections for 2020. The 2015/16 weighted caseload need for each county was determined, as was the population projections for each of these counties. In order to determine need and resource allocation, the committee then used the following formula:

$$\begin{aligned} 2020 \text{ county population projections} / 38,000 &= x \\ x + \text{county 2015/16 weighted caseload need} &= y \\ y/2 &= \text{need using the two need based models} \end{aligned}$$

II. A SHORT HISTORY OF THE TRIAL LEVEL JUDICIARY OF WEST TENNESSEE PRIOR TO AND ON SEPTEMBER 1, 1984

Prior to September 1, 1984, the counties of West Tennessee were divided into seven (7) Judicial Circuits, five (5) Chancery Divisions and two (2) special courts in the counties of Dyer and Gibson that handled both Circuit and Chancery cases.^{1 2} On September 1, 1984, Tennessee Code Annotated §16-2-506 abolished the distinctions and overlapping of counties in West Tennessee that existed under these three (3) trial level structures and created the Judicial District structure we know today. Essentially, the chancery divisions and special court structures were absorbed into what was the old judicial circuit structure. For the first time, the Chancery and Circuit courts that served West Tennessee were unified in the same configuration of counties in seven (7) Judicial Districts. The seven combinations of counties in West Tennessee that made up these judicial districts are mostly identical to the combination of counties that made up the judicial circuits that existed prior to September 1, 1984. In fact, the only county that moved from one combination of counties that made up a judicial circuit to another combination of counties that became a judicial district was Henry County.³

¹ Tenn. Code Ann. §16-2-201 to 231 (1980 replacement).

² Tenn. Code Ann. §16-2-301-317 (1980 replacement).

³ Prior to September 1, 1984, the configuration of the counties of the seven Judicial Circuits of West Tennessee was as follows:

12 th : Chester, Henderson, Madison	13 th : Gibson, Crockett, Haywood, Henry
14 th : Weakley, Obion	15 th : Shelby
16 th : McNairy, Hardeman, Fayette, Tipton, Lauderdale	22 nd : Carroll, Benton, Decatur, Hardin
31 st : Dyer, Lake	

See Tenn. Code Ann. §16-2-201 to 231. (1980 replacement).

III. THE TRIAL LEVEL JUDICIARY OF WEST TENNESSEE TODAY

West Tennessee is made up of twenty-one (21) counties.⁴ Those counties are divided into seven Judicial Districts. Today, 153 state trial judges serve the citizens of this State.⁵ Thirty-nine (39) of those positions are allocated to serve the citizens in West Tennessee. Those positions are allocated among West Tennessee's seven Judicial Districts as follows.⁶

District Number	Counties	Number of Trial Judges
24	Henry, Carroll, Benton, Decatur, Hardin	3
25	McNairy, Hardeman, Fayette, Tipton, Lauderdale	4
26	Chester, Henderson, Madison	4
27	Weakley, Obion	2
28	Gibson, Crockett, Haywood	2
29	Dyer, Lake	2
30	Shelby	22

IV. WEST TENNESSEE'S JUDICIAL DISTRICTS BY THE NUMBERS

A. Geography.

(1) The Rural Areas.

The trial judges who serve the Rural Areas cover a geographical area that is approximately 9,894 square miles in size.⁷ These judges travel from county to county and to over twenty (20) courthouses to address the legal needs of the people who reside in the Rural Areas. These judges travel an average of 46.6 minutes per day.⁸

(2) Shelby County.

Shelby County covers a geographical area that is approximately 755 square miles.⁹ The trial judges who serve Shelby County do not have to travel outside of Shelby County to address

⁴ Tenn. Code Ann. §4-1-204.

⁵ Tenn. Code Ann. §16-2-506(Supp. 2016)

⁶ Tenn. Code Ann. §16-2-506(24) - (30) (Supp. 2016)

⁷ 2015-2016 Tennessee Blue Book (pgs. 754-755)

⁸ 2013 Tennessee Trial Courts Judicial Weighted Caseload Study (p. 22). Final Report October, 2013

⁹ 2015-2016 Tennessee Blue Book (pgs. 754-755)

the legal needs of the people who reside in that county. The judges who serve Shelby County travel an average of 1.4 minutes per day.¹⁰

B. Population.

(1) 1984

In 1980, approximately 1,290,382 Tennesseans resided in West Tennessee, which was approximately 28% of the State's population.¹¹ The 1984 legislation that created the judicial district structure allocated thirty-six (36) trial judge positions to serve the citizens of West Tennessee. This allocation was approximately 27% of 131 trial judge positions created by the 1984 legislation.

(2) 2010

In 2010, approximately 1,562,650 Tennesseans resided in West Tennessee, which was approximately 25% of the State's population.¹² Today 153 state trial judges serve the citizens of this State. Thirty-nine (39) of those positions are allocated to serve the citizens of West Tennessee.¹³ This allocation is 25% of the 153 current trial judge positions.

(3) 2020 and 2030

It is projected that in 2020 the population of West Tennessee will be 1,661,034. Approximately 680,012 of this total will reside in the Rural Areas and 981,022 will reside in Shelby County.¹⁴ In 2030, it is projected that the population will be 1,740,174. Of that total 714,344 will reside in the Rural Areas and 1,025,830 will reside in Shelby County.

C. Weighted Caseload.

The Tennessee Judicial Weighted Caseload Study Update for FY 2015/16 indicated that the twenty-one counties of West Tennessee accounted for approximately 23% of the total statewide judicial need.¹⁵ Additionally, a review of the last ten annual Tennessee Judicial

¹⁰ Page. 22: Tennessee Trial Courts Judicial Weighted Caseload Study, 2013. Final Report October 2013

¹¹ 1980 U.S. Census

¹² 2015-2016 Tennessee Blue Book pg-754-755

¹³ Tenn. Code Ann. § 16-2-506(Supp. 2016)

¹⁴ *Population Projections* - University of Tennessee, Knoxville. Boyd Center for Business and Economics. Haslam College of Business. "Annual Projections: Total Population for Tennessee Counties: 2011 to 2064"

¹⁵ FY 2015/16 Tennessee Judicial Weighted Caseload Study Update

Weighted Caseload Study Updates indicates that over the last decade the counties of West Tennessee have accounted for approximately 23% of the total statewide judicial need.

(1) The Rural Areas

There are seventeen (17) trial judges who serve the Rural Areas. This is approximately eleven percent (11%) of the state's current 153 trial judge positions. A review of the annual Tennessee Judicial Weighted Caseload Study Updates indicates that the Rural Areas have accounted for approximately ten percent (10%) of the total statewide judicial need.¹⁶

(2) Shelby County

Shelby County is served by twenty-two (22) trial judges. This is approximately fourteen percent (14%) of the state's 153 trial judge positions. A review of the annual Tennessee Judicial Weighted Caseload Study Updates indicates that Shelby County has accounted for approximately thirteen percent (13%) of the total statewide judicial need.¹⁷

V. JUDICIAL RESOURCE NEED OF WEST TENNESSEE

A. Need based on a population model.

(1) The Rural Areas.

In 2010, the Rural Areas had an approximate population of 635,006.¹⁸ Using a ratio of 1/38,000, the population need based model shows there would need to be 16.71 trial judges to serve the judicial needs of the Rural Areas in 2010.

It is projected that in 2020 the Rural Areas will have a total population of 680,012.¹⁹ Using a ratio of 1/38,000, the population need based model shows that there would need to be 17.89 trial judges to serve the judicial needs of the Rural Areas in 2020.

It is projected that in 2030 the Rural Areas will have a total population of 714,344.²⁰ Using a ratio of 1/38,000, the population need based model shows that there would need to be 18.79 trial judges to serve the judicial needs of the Rural Areas in 2030.

¹⁶ Tennessee Judicial Weighted Caseload Study Updates 1999 - 2015/16

¹⁷ Id.

¹⁸ 2015-2016 Tennessee Blue Book pg-754-755

¹⁹ *Population Projections* - University of Tennessee, Knoxville. Boyd Center for Business and Economics. Haslam College of Business. "Annual Projections: Total Population for Tennessee Counties: 2011 to 2064"

²⁰ Id.

(2) Shelby County.

In 2010, Shelby County had a population of 927,644.²¹ Using a ratio of 1/38,000, the population need based model indicates there would need to be 24.41 trial judges to serve the judicial needs of this county in 2010.

It is projected that Shelby County will have a population of 981,022 in 2020.²² Using a ratio of 1/38,000, the population need based model indicates there would need to be 25.81 trial judges to serve the judicial needs of this county in 2020.

It is projected that Shelby County will have a population of 1,025,830 in 2030.²³ Using a ratio of 1/38,000, the population need based model indicates there would need to be 26.99 trial judges to serve the judicial needs of this county in 2030.

B. Need based on the weighted caseload.

(1) Rural Areas

A review of all annual Tennessee Judicial Weighted Caseload Study Updates indicates the Rural Areas have a mean weighted caseload need of 15.39.²⁴ There has not been a new trial judge position created to serve the citizens of the Rural Areas since September 1, 1998.²⁵

(2) Shelby County

A review of the annual Tennessee Judicial Weighted Caseload Study Updates indicates Shelby County has a mean weighted caseload need of 20.36.²⁶ There has not been a new trial judge position created to serve the citizens of Shelby County since June 6, 1995.²⁷

²¹ 2015-2016 Tennessee Blue Book pg-754-755

²² *Population Projections* - University of Tennessee, Knoxville. Boyd Center for Business and Economics. Haslam College of Business. "Annual Projections: Total Population for Tennessee Counties: 2011 to 2064"

²³ *Id.*

²⁴ Tennessee Judicial Weighted Caseload Study Updates 1999 - 2015/16

²⁵ Tenn. Code Ann. § 16-2-506(24) - (29) (Supp. 2016)

²⁶ Tennessee Judicial Weighted Caseload Study Updates 1999 - 2015/16.

²⁷ Tenn. Code Ann. § 16-2-506(30) (Supp. 2016)

VI. COMMITTEE CONCLUSIONS: WEST TENNESSEE

(A). The Rural Areas.

Should the General Assembly deem change to the trial level judicial structure in the Rural Areas is needed, the committee concludes that for the foreseeable future a minimum of sixteen (16) trial judges will be needed to properly serve the legal needs of the citizens of these areas. This conclusion was arrived at after an evaluation and study of all factors including geography, 2020 population projections for each county and weighted caseload data including data from the FY 2015/16 weighted caseload study broken down for each individual county. After considering the above plus economic, geographical, cultural and other ties and relationships counties share with adjoining counties, the committee concludes that, should change occur, the following is the best course of action to take in the Rural Areas.²⁸

1. (Deleted).
2. The 25th Judicial District should consist of McNairy, Hardeman, Fayette, and Tipton. The current allocation of Judicial Resources to this district should remain the same.
3. The 26th Judicial District remain the same.
4. (Deleted).
5. The 28th Judicial District remain the same.
6. The 29th Judicial District should consist of the counties of Lake, Dyer, and Lauderdale. The current allocation of Judicial Resources to this district should remain the same.
7. Implementation: August, 2022 statewide election.
8. To avoid disruption of services, a transition period of a minimum of twenty-four months prior to implementation may be needed so that court dockets in counties that are moving from one district to another can be timely integrated with court dockets of the other counties. (Attached to this report as exhibit 2 is suggested language that will accomplish item 8.)

²⁸ Total judicial resource need for items one-six (1-6) was arrived at by averaging the population need and weighted caseload need for each county, and the data regarding these is attached to this report as “Exhibit 1.”

(B) Shelby County.

The committee concluded that the weighted caseload data regarding the allocation of resources to Shelby County is easily accessible to all and largely beyond refute. Also, it is projected that 981,022 Tennesseans will be residing in Shelby County in 2020, and it would be nonsensical for Shelby County to be anything other than the single county Judicial District that it currently is. Thus, after considering the scope of authority granted to it by the Trial Judges Association and the factors the committee was required to consider, no proposals are made regarding the allocation of judicial resources to Shelby County.

VII. CLOSING

Should the General Assembly deem change is needed, the above will result in West Tennessee containing a total of seven Judicial Districts with a net loss of one trial judge in the Rural Areas. Overall, districts 24 and 25 will consist of smaller geographical areas that will promote efficiency in a number of ways, including a reduction in travel time. The committee is confident the conclusions reached are based on an objective analysis of the issues raised.

EXHIBIT 1

24th Judicial District Benton, Carroll, Decatur, Hardin

Geographical area	1,904 Sq. Miles
Projected population in 2020	84,383 ²⁹
Judges needed based in 2020 based on population model	2.22
Judges needed based on 2015/16 weighted caseload model	1.53
Projected judges needed based on avg. of both need models	1.875
Total judges/chancellors needed	2
Judge/Population ratio in 2020	1/42,191

25th Judicial District Fayette, Hardeman, McNairy, Tipton

Geographical area	2,392 Sq. Miles
Projected population in 2020	174,744 ³⁰
Judges needed based in 2020 based on population model	4.6
Judges needed based on 2015/16 weighted caseload model	3.02
Projected judges needed based on avg. of both need models	3.81
Total judges/chancellors needed	4
Judge/Population ratio in 2020	1/43,686

26th Judicial District Chester, Henderson, Madison

Geographical area	1,366 Sq. Miles
Projected population in 2020	155,628 ³¹
Judges needed based in 2020 based on population model	4.1
Judges needed based on 2015/16 weighted caseload model	3.48
Projected judges needed based on avg. of both need models	3.79
Total judges/chancellors needed	4
Judge/Population ratio in 2020	1/38,907

²⁹ *Population Projections* - University of Tennessee, Knoxville. Boyd Center for Business and Economics. Haslam College of Business. "Annual Projections: Total Population for Tennessee Counties: 2011 to 2064"

³⁰ Id.

³¹ Id.

EXHIBIT 1
(Continued)

27th Judicial District
Henry, Obion, Weakley

Geographical area	1,687 Sq. Miles
Projected population in 2020	101,924 ³²
Judges needed based in 2020 based on population model	2.68
Judges needed based on 2015/16 weighted caseload model	2.22
Projected judges needed based on avg. of both need models	2.45
Total judges/chancellors needed	2
Judge/Population ratio in 2020	1/50,704

28th Judicial District
Crockett, Gibson, Haywood

Geographical area	1,401 Sq. Miles
Projected population in 2020	85,646 ³³
Judges needed based in 2020 based on population model	2.25
Judges needed based on 2015/16 weighted caseload model	1.42
Projected judges needed based on avg. of both need models	1.835
Total judges/chancellors needed	2
Judge/Population ratio in 2020	1/42,823

29th Judicial District
Dyer, Lake, Lauderdale

Geographical area	1,144 Sq. Miles
Projected population in 2020	77,637 ³⁴
Judges needed based in 2020 based on population model	2.04
Judges needed based on 2015/16 weighted caseload model	2.42
Projected judges needed based on avg. of both need models	2.23
Total judges/chancellors needed	2
Judge/Population ratio in 2020	1/38,818

³² Id.

³³ Id.

³⁴ Id.

EXHIBIT 2

SUGGESTED LANGUAGE TO IMPLEMENT TRANSITION PERIOD

I. From September 1, 2020 to August 31, 2022, the judge and chancellor of the twenty-seventh judicial district are authorized to sit by interchange in Henry County when they request to do so. During such two-year period, nothing other than the agreement of the judges or chancellors involved is necessary to effectuate such an interchange.

II: From September 1, 2020 to August 31, 2022, the judge and chancellor of the twenty-ninth judicial district are authorized to sit by interchange in Lauderdale County when they request to do so. During such two-year period, nothing other than the agreement of the judges or chancellors involved is necessary to effectuate such an interchange.

APPENDIX B
REPORT OF MIDDLE TENNESSEE

REPORT OF THE MIDDLE TENNESSEE GRAND DIVISION
JUDICIAL RESOURCE STUDY COMMITTEE

AUGUST 12, 2017

INTRODUCTION

In response to inquiries made by members of the General Assembly beginning in March of 2017, the Tennessee Trial Judges Association (“TTJA”) formed a committee to study the issues raised by the members concerning allocation of judicial resources. The factors discussed included present configuration of judicial districts, any potential change to the configuration of judicial districts, weighted caseload and its applicability, population, and geography. The members, who were named bill sponsors, indicated a desire to have a solution to deal with judicial reallocation that was not primarily political in nature.

The response led the TTJA to form a committee based on the following language which was tasked with studying the issue and reporting on the issue to the executive committee and the TTJA.

The language of the motion that has driven the study is as follows:

In response to recent legislative efforts regarding the study of efficient and effective use of judicial resources (resource allocation/redistricting) the President of the Tennessee Trial Judge Association (TTJA) shall appoint a Committee of Trial Judges (Committee) to identify and study areas of concern relating to the efficient and effective use of judicial resources within the State and each judicial district. The Committee shall consist of no more than nine (9) Trial Judges, plus the President of the TTJA. The Committee shall complete its duties by no later than October 1, 2017, and report its findings and recommendations, if any, to the Executive Committee of the TTJA by no later than October 1, 2017. The Executive Committee of the TTJA shall promptly consider any recommendations made, and if approved by the Executive Committee of the TTJA these recommendations shall be submitted for consideration by the membership of the TTJA by no later than the October 2017 Conference. In performing its duties, the Committee shall consider: (1) Weighted Case Load Reports; (2) Population; (3) Geography; (4) Current Sitting Judge Positions and (5) any other factors determined to be relevant to perform its duties.

From that beginning, a committee was formed as is outlined elsewhere in this document.

TTJA President Roy Morgan formed the committee and named the following judges to serve for the Middle Tennessee Grand Division: Judge Deanna Bell Johnson, Judge Larry Wallace, and Chancellor J.B. Cox.

The committee began its work and worked diligently to look at all the factors outlined by the motion.

THE MIDDLE GRAND DIVISION

Our view of the Middle Grand Division of Tennessee (also referred to as Middle Tennessee) is that it consists of Judicial Districts 13-23¹ and the 31st Judicial District. We concentrated our work on this area of the state.

As is true in most areas of the state, the Middle Grand Division has had a strong and stable judiciary. This is true even in the face of political change and significant population growth. The last major change to the judicial landscape in the Middle Grand Division came in 1984 when Chancery and Circuit districts were combined and judges were added to address the need at that time. Changes that have been necessary since that time have been accomplished by the addition of judges when it was appropriate and when there was political will to accomplish the change. Even recently, the 19th Judicial District has added a judge when the need was shown to be great enough.

I. A SHORT HISTORY OF THE TRIAL LEVEL JUDICIARY OF MIDDLE TENNESSEE PRIOR TO AND ON SEPTEMBER 1, 1984

Prior to September 1, 1984, the counties of Middle Tennessee were divided into Judicial Circuits and Chancery Divisions. The current configuration of the trial level judiciary of Middle Tennessee became a reality on September 1, 1984, when the provisions of *Tennessee Code Annotated* § 16-2-506 went into effect.

Tennessee Code Annotated § 16-2-506 abolished the distinctions and overlapping of counties in Middle Tennessee that existed and created the Judicial District structure we know today. Essentially, the chancery divisions and special court structures were absorbed into what was the old judicial circuit structure, and for the first time the Chancery and Circuit Courts that served Middle Tennessee were unified in the same configuration of counties in 12 Judicial Districts.

These twelve combinations of counties in Middle Tennessee that made up these judicial districts are almost identical to the combination of counties that made up the old judicial circuits that existed prior to September 1, 1984.

II. THE TRIAL LEVEL JUDICIARY OF MIDDLE TENNESSEE TODAY

Middle Tennessee has 38 counties that comprise 12 Judicial Districts. The current configuration of those counties and the district numbers associated with these districts are as follows:

- 13th Clay, Cumberland, DeKalb, Overton, Pickett, Putnam, White
- 14th Coffee
- 15th Jackson, Macon, Smith, Trousdale, Wilson
- 16th Rutherford, Cannon
- 17th Bedford, Lincoln, Marshall, Moore
- 18th Sumner
- 19th Montgomery, Robertson
- 20th Davidson
- 21st Hickman, Lewis, Perry, Williamson
- 22nd Giles, Lawrence, Maury, Wayne
- 23rd Cheatham, Dickson, Houston, Humphreys, Stewart
- 31st Warren, Van Buren

A. Judges September 1, 1984.

The 1984 legislation that created the current Judicial District structure created a total of 131 trial judge positions to serve the citizens of this State.²⁷ The configuration for judges in Middle Tennessee was as follows:

- 13th 4 Judges
- 14th 2 Judges
- 15th 3 Judges
- 16th 2 Judges
- 17th 2 Judges
- 18th 3 Judges
- 19th 3 Judges
- 20th 13 Judges
- 21st 3 Judges
- 22nd 3 Judges
- 23rd 3 Judges
- 31st 1 Judge

Total of 42 Judges

²⁷ Tenn. Code Ann. § 16-2-506 (Supp. 1984)

B. Today.

Today, 153 state trial judge positions have been created to serve the citizens of this State.²⁸

For Middle Tennessee, the present allocation for judges is as follows:

13th	5 Judges
14th	2 Judges
15th	4 Judges
16th	5 Judges
16th	5 Judges
17th	3 Judges
18th	3 Judges
19th	5 Judges
20 th	18 Judges
21st	4 Judges
22nd	4 Judges
23rd	3 Judges
31st	1 Judge

Total of 58 Judges

III. COMMITTEE CONCLUSIONS: MIDDLE TENNESSEE

Operating under the authority granted to it by the Trial Judges Association in March of 2017, the full committee met regularly over the last six months. Additionally, the judges in each grand division were divided into sub-committees that focused on the grand division where these judges reside, and those sub-committees met numerous times as well. The full committee and the sub-committees reviewed data that was nearly two decades old up to the data that was just weeks old. After thorough consideration, the committee identified areas in the trial level judicial structure in Middle Tennessee where change may be needed. Suggestions were proposed, and these proposals were studied and found to be worthy of further consideration. Input from stakeholders was sought and considered, and the committee ultimately concluded these proposals would solidify our attempt to objectively address the legislature's concerns, and would result in a more efficient use of the limited judicial resources of this State, while fully serving the legal needs of the citizens in Middle Tennessee.

The committee identifies the following Judicial Districts where areas of concern have been identified:

The 14th Judicial District has been identified as an area of concern by members of the legislature. It is the smallest single county Judicial District in Tennessee.

A thorough review weighted caseload data, as well as the population data, reveals that the Judicial District is not over judged. Clearly, any excess judicial resource that has been

²⁸ Tenn. Code Ann. § 16-2-506 (Supp. 2016)

present is shrinking based on weighted caseload numbers and population. The 14th Judicial District is home to Arnold Air Force Base Engineering and Development Center, which is a major military and contracting employer, as well as home to Bonnaroo. Further, pursuant to the 1984 act, the Judges of the 14th Judicial District are obligated to interchange with the 31st Judicial District, and conversations with stakeholders reveal that they are in fact doing just that and assisting the 31st with its overflow and conflicts.

Also, further conversation with stakeholders reveals that there is no local belief that a change is necessary or would be beneficial. Therefore, the committee offers no proposal as it relates to the 14th Judicial District.

The committee has identified the 16th Judicial District as an area of concern. The 16th Judicial District has a significant need for additional judges. It also has enjoyed a significant population increase that is projected to continue. Population would indicate that it should become a single county judicial district. However, divesting the 16th of Cannon County will have no significant impact on reducing the number of judges needed for the district. Also, retaining Cannon County, in and of itself, will not add an additional judge. Conversations with stakeholders indicate that there is no desire on the part of Rutherford County to become a single county Judicial District, and there are no perceived problems in Cannon County. Therefore, due to the identified needs via the weighted caseload data and the population data, the committee proposes as a solution to the judicial need the addition of an additional trial judge for the 16th Judicial District.

The committee has identified as an area of concern the 19th Judicial District. This District has a significant need for additional judicial resources based on weighted caseload data and projected population growth data. Therefore, the committee proposes as a solution to the identified area of concern the addition of an additional trial judge for the 19th Judicial District. Conversations with stakeholders indicate that there is no desire on the part of Montgomery County to become a single county Judicial District, and there are no perceived problems in Robertson County. Therefore, due to the identified needs via the weighted caseload data and the population data, the committee proposes as a solution to the judicial need the addition of an additional trial judge for the 19th Judicial District.

The 20th Judicial District is comprised of Davidson County. As a result of conversations with the legislators as well as the weighted caseload data, the committee identified the 20th Judicial District as an area of concern. The committee looked into the allocation of judicial resources to Davidson County. The committee concluded that the weighted caseload data regarding the allocation of resources to that district is: (1) easily accessible to all and (2) largely beyond refute. The committee also concluded that it would be nonsensical for Davidson County to be anything other than the single county Judicial District that it currently is. Further, anticipated population growth also argues for an increased need for judges over time. Thus, after considering the scope of authority granted to it by the Trial Judges Association and the factors the committee was required to consider, no proposals were made to the committee regarding the allocation of judicial resources to Davidson County.

The 21st Judicial District has been identified as an area of concern by the committee. This area of concern was initially voiced by the legislators, but conversations with stakeholders reveal that Williamson County desires to become a single county judicial district.

Additionally, based on projected population growth and the weighted caseload data, this desire should be supported. The present weighted caseload data, coupled with a fast growing population as supported by the projected data, support this desire. Therefore, the committee proposes as a solution to the identified area of concern that Williamson County become a single county judicial district. It is further the proposed solution that Williamson County retain all of the presently existing judge's seats.

This change will directly impact other judicial districts. In order to make this change effective, it will be necessary not only to realign the remaining counties in the 21st Judicial District, but also to add additional judicial resources in the other affected judicial districts.

Due to the above change, the committee identifies the 22nd Judicial District as an area of concern. The 22nd Judicial District already was in some need of judicial resources. In order to appropriately allocate judicial resources in the newly formed district, the committee proposes that Perry and Lewis counties be added to the 22nd Judicial District. In order to accommodate the weighted caseload and population needs of the additional counties along with the existing need that is present, it is essential that the 22nd Judicial District obtain an additional judge. The committee proposes this realignment along with the addition of a new trial judge position.

Due to the above change in the 21st Judicial District as well as a judicial need that has been identified in the weighted caseload study, the committee proposes that Hickman County be added to the 23rd Judicial District with the addition of another trial judge position. The 23rd Judicial District already had demonstrated need of judicial resources of greater than one additional judge.

The addition of trial judges in the 22nd and 23rd Judicial Districts is absolutely necessary. Without the addition of these trial judge positions, this proposed solution has no opportunity to succeed.

Lastly, the committee has identified the 31st Judicial District as an area of concern. The same conversations with the legislators that identified the 14th as an area of concern also identified the 31st as an area of concern. It is presently the only Judicial District in the state that is presided over by only one trial judge. Weighted caseload data identifies a need of a little over one half of one judge. Pursuant to the weighted caseload parameters, this is not enough of a need to trigger a proposal to add a judge to this judicial district. Projected population increase is not significant. Judges from the 14th are assisting the judge from the 31st in overflow and conflict cases. Essentially, the 31st and the 14th are operating as a combined judicial district. They are in fact following the pattern laid out for them by the 1984 act. There are no reports from stakeholders that there are issues in the district.

If and only if the legislature desires to deal with the issue of having a judicial district presided over by only one judge, or if the legislature feels that a neighboring judicial district is too small to be a single county judicial district even though the weighted caseload and population data indicates that it has the right number of judges, the committee proposes that the 31st Judicial District be combined with the 14th Judicial District. The combination of these two districts would alleviate the present need in the 31st without the necessity of adding another judge.

This proposal is most difficult in light of the parameters given for the committee to review and the political tenor of the identification of the 31st as an area of concern. It also deals only in judicial resources. The committee realizes that if the legislature used this proposal, it would of necessity eliminate a District Attorney General's and a Public Defender position.

BY THE NUMBERS

The Middle Tennessee subcommittee looked at the weighted caseload study, population, and geography along with conversations with stakeholders in reaching its conclusions. Given the conclusions reached, it is important to communicate to the reader the numeric reason for the conclusion. We relied upon the statistics compiled by the AOC for weighted caseload study and population figures. Population figures for need are based upon the need for a judge for every 38000 people within the population.

The first table demonstrates the need/excess in the current configuration in the potentially affected districts.

Weighted Caseload Judicial Need or Excess

<u>Judicial District</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>
13 th	.5 need	.4 need	1.63 need
14 th	.8 excess	.7 excess	.43 excess
16 th	1.2 need	1.1 need	1.42 need
19 th	2.8 need	2.7 need	1.89 need*
20 th	.8 excess	1.0 excess	1.11 excess
21 st	.4 need	.2 need	.58 need
22 nd	1.0 need	.7 need	.42 need
23 rd	.7 need	.7 need	1.2 need
31 st	.25 need	.35 need	.52 need

* This reduction in need was accomplished by the addition of a judge in this district by recent action of the legislature.

Population Based Judicial Need

<u>Judicial District</u>	Population	Currently	Projected Need		
	<u>2020</u>	<u>2030</u>	<u>2017</u>	<u>2020</u>	<u>2030</u>
13 th	235,839	256,777	5	6.21	6.76
14 th	57,865	62,383	2	1.52	1.64
16 th	365,326	459,416	5	9.61	12.09
19 th	300,279	355,336	5	7.90	9.35
20 th	714,756	789,590	18	18.81	20.78
21 st	290,498	375,415	4	7.65	9.88
22 nd	185,126	199,676	4	4.87	5.23
23 rd	140,646	152,948	3	3.70	4.03
31 st	47,132	49,059	1	1.24	1.29

APPENDIX C
REPORT OF EAST TENNESSEE

East Tennessee

I. THE FACTORS TO BE CONSIDERED

(A.)

Geography

The Committee considered the size and makeup of the existing districts, judges' travel times, and whether there were indications of a need based on geography to change a district or districts.

(B.)

Population

The Committee studied population within each of the State's judicial districts as of 2010, as well as estimates for the years 2020 and 2030. The population figures for 2020 and 2030 are estimates, as the last official census was in 2010. The figures were obtained from a compilation prepared by the Administrative Office of the Courts and a document prepared by the University of Tennessee Knoxville, Boyd Center for Business and Economics, Haslam College of Business's "Annual Projections: Total Population for Tennessee Counties: 2011-2064".

The Committee also considered the fact that the last comprehensive judicial redistricting in Tennessee occurred in 1984. *See* Tenn. Code Ann. §16-2-506 (Supp. 1984). It has been reported that one of the criteria used for determining the need for judges within districts at that time was the application of a ratio of approximately one judge per 40,000 in population. (This was reported by judges who held office in 1984 or who were aware of the process at that time—e.g., Criminal Judge Eddie Beckner, 3rd District, retired, Chancellor Jeff Stewart, 12th District, Chancellor Telford Forgety, 4th District.). In any event, that redistricting actually resulted in an average ratio of somewhere between 1/35,046 and 1/37,230, depending on whether the 1980 or the 1990 census was used. [The 1984 act created certain new judges to be effective in the years 1984, 1986, 1988, and 1990. *See* Tenn. Code Ann. §16-2-506 (Supp. 1984)]. Taking a conservative approach, the Committee concluded that a ratio of one judge per 38,000 in population should be used to measure judicial need when need is based on a population-need model. The Committee also considered a report dated September 25, 2012 by the National Center for State Courts entitled "Two Tiered Systems Have Three General-Jurisdiction Judges per 100K Population". (A copy is attached as Exhibit 1). The report noted that in forty-four states that have a trial level structure like Tennessee, the median ratio was 2.8 judges per 100,000—which is 1/35,714).

(C.)

The Weighted Caseload Study

In 1997 the legislature required the State Comptroller to perform a “weighted caseload” study to provide an objective standard for determining the need for judges. *See, FY 2015-16 Tennessee Judicial Weighted Caseload Study Update*, p. 2 (April, 2017), citing 2014 Tenn. Pub. Acts, Ch. 552, section 12, item 35. *See also* Tenn. Code Ann. §16-2-513(a) which provides: “The Comptroller of the Treasury shall devise and maintain a weighted caseload formula for the purposes of determining the need for creation or allocation of judicial positions . . . “. The Weighted Caseload Study was in effect a “time and motion” study done in judicial districts across the state in order to determine the workload in each district. The need for judges was then calculated by dividing the workload by the judges’ annual availability for case-specific work. *See, FY 2015-16 Tennessee Judicial Weighted Caseload Study Update*, p. 1, 2 (April, 2017).

II. DISCUSSION

(A.) The Trial Level Judiciary of East Tennessee Today

The Eastern Grand Division of Tennessee is comprised of thirty-three (33) counties. *See*, Tenn. Code Ann. §4-1-204. Judicial Districts One through Eleven (1-11) lie completely within the Eastern Division, while District Twelve (12) has three counties which lie in the Eastern Division (Bledsoe, Rhea, and Marion), and three which lie in the Middle Division (Franklin, Grundy, and Sequatchie). District Thirteen (13) has one county which lies in the Eastern Division (Cumberland), and five which lie in the Middle Division (Clay, DeKalb, Overton, Pickett, and Putnam). For purposes of this report, the Committee has considered the East Tennessee Judicial Districts to be comprised of Districts One through Twelve.

The following table details the Districts by number, county makeup, and the number and names of the presently serving judges:

District	No. of Judges	Counties	Judges
1	5	Carter, Johnson, Unicoi, Washington	S. Street, E. Lauderback, J. Rambo, L. Rice, J. Stanley
2	4	Sullivan	J. McLellan, J. Beck, J. Goodwin, E. G. Moody
3	5	Greene, Hamblen, Hancock, Hawkins	B. Boniface, J. Dugger, D. Jenkins, A. Pearson, T. Wright
4	5	Cocke, Grainger, Jefferson, Sevier	T. Forgety, B. Hooper, R. H. Ogle, D. Slone, R. Vance
5	2	Blount	T. Harrington, D. Duggan
6	10	Knox	D. Stevens, B. Ailor, K. Davis, S. Green, B. McGee, G. McMillan, M. Moyers, E. Pridemore, S. Sword, J. Weaver
7	2	Anderson	N. Cantrell, D. Elledge
8	3	Campbell, Claiborne, Fentress, Scott, Union	E. Asbury, J. McAfee, S. Sexton
9	3	Loudon, Meigs, Morgan, Roane	J. Wicks, M. Pemberton, F. Williams
10	5	Bradley, McMinn, Monroe, Polk	M. Sharp, J. Bryant, S. Donaghy, A. M. Freiberg, L. Puckett
11	9	Hamilton	P. Fleenor, J. Atherton, J. B. Bennett, T. Greenholtz, J. Hollingsworth, D. Poole, B. Steelman, N. Thomas, M. Williams
12	4	Bledsoe, Franklin, Grundy, Marion, Rhea, Sequatchie	R. Graham, J. Angel, C. Smith, J. Stewart

(B.) East Tennessee’s Judicial Districts

(1.) Geography

(a.) The Rural Areas

There are seven (7) multi-county Districts within East Tennessee (Districts One, Three, Four, Eight, Nine, Ten and Twelve), See table on the preceding page). All of the Districts contain four counties except District Eight which contains five, and District Twelve, which contains six. They are generally much larger in total area, and more rural than the single county Districts. The judges in these Districts travel between counties and serve in some thirty-one (31) total different courthouses. They travel an average of 46.28 minutes per day. See attached Exhibit 2, Appendix “D” to 2013 Weighted Caseload Study. Overall, it appears that the makeup of these Districts remains reasonably efficient. In short, geography does not appear to indicate a need for change here.

(b.) The Single County Districts

There are five (5) single county Districts within East Tennessee (2nd, Sullivan County; 5th, Blount County; 6th, Knox County; 7th, Anderson County; 11th, Hamilton County). These Districts are generally smaller in total area and more urban than the multi-county Districts. Judges who serve in these Districts travel an average of 5.64 minutes per day. Again, geography does not appear to indicate a need for change.

(2.) Population

The populations of the East Tennessee Judicial Districts in 2010, 2020 and 2030 (est.) and their estimated growth are as shown in the following table:

District	Population 2010/2020/2030 (est.)	% Change 2010-2020 / 2010-2030
1	216,960 - 239,900 – 258,115	+11% / +19%
2	156,823 - 159,749 – 162,701	+2% / +4%
3	195,027 - 208,475 – 223,014	+7% / +14%
4	199,615 - 229,080 – 257,636	+15% / +29%
5	123,010 - 139,725 – 154,987	+14% / +26%
6	432,226 - 488,993 – 538,071	+13% / +24%
7	75,129 - 79,061 – 82,202	+5% / +9%
8	132,225 - 139,353 – 147,251	+5% / +11%
9	136,477 – 150,974 – 164,983	+11% / +21%
10	212,573 - 233,304 – 251,862	+10% / +18%
11	336,463 - 368,666 – 398,076	+10% / +18%
12	141,789 - 152,538 – 163,147	+8% / +15%

The following table shows the ratio of judges to population in each of the East Tennessee Districts in 2020, assuming no change in the number of judges:

District	Judges per population, 2020
1	1/47,980
2	1/39,937
3	1/41,695
4	1/45,816
5	1/69,863
6	1/48,899
7	1/39,531
8	1/46,851
9	1/50,325
10	1/46,661
11	1/40,963
12	1/38,135

Note: No calculation was made based on 2030 population because it would appear to be too remote for this purpose.

As the table indicates, the East Tennessee Districts currently meet or exceed the population standard used in the 1984 re-districting. In any event, the Committee concluded that population factors – like geography – did not seem to indicate a need for change.

(3.) The Weighted Caseload Standard

There is no District in East Tennessee that has a current excess or deficit in judge need that equals or exceeds one full-time judge. See following table; *FY 2015-16 Tennessee Judicial Weighted Caseload Study Update*, p. 9, 10 (April, 2017). So again, there appears to be no need for change.

(4.) Comparison of Judge Need as Indicated by Method of Calculation

The following table shows judge need as calculated by population (1/38,000) based on 2020 population; the weighted caseload study; the average of the two methods; and the number of existing judges.

District	1/38,000 Population	Weighted Caseload	Average	Existing Judges
1	6.30	4.81	5.56	5
2	4.20	3.84	4.02	4
3	5.50	5.06	5.28	5
4	6.0	5.83	5.92	5
5	3.68	2.10	2.89	2
6	12.87	10.27	11.57	10
7	2.08	1.78	1.93	2
8	3.67	3.44	3.56	3
9	3.97	2.20	3.09	3
10	6.14	5.12	5.63	5
11	9.70	8.77	9.24	9
12	4.01	4.44	4.23	4

While the population method and the average of the population and weighted caseload methods could indicate a need for more judges, the Weighted Caseload Study does not—at least at present. Thus, the Committee recommends no change for now. But, there could be additional needs by 2022, so population growth and the other factors should be closely followed.

Conclusions

As stated above, there appears to be no reason based upon geography, population, or the weighted caseload study for any changes to the East Tennessee Districts, or the allocation of judges to them.

Exhibit 1, p. 1

National Center for State Courts
 Data Source: Court Statistics Project
 Publication: Examining the Work of State Courts: An Analysis of 2010 State Court Caseloads
 Filename: Overview Graphics 4.xlsx
 Date of file: 9/25/12
 Refer questions to: Kathryn Holt, NCSC

Full-time Judges in Single-tiered and General Jurisdiction Courts, 2010

State	Full-time Judges		Incoming Non-traffic Cases	
	Total	Per 100,000 Population	Total	per Judge
<i>Single-tiered Courts</i>				
California	1,846	4.4	3,652,298	2,219
District of Columbia	62	10.3	107,985	1,742
Iowa	198	6.5	310,647	1,569
Minnesota	289	5.4	423,839	1,467
Illinois	906	7.1	1,280,498	1,413
Puerto Rico	338	9.1	288,007	852
Median		6.8		1,518
<i>General Jurisdiction Courts</i>				
South Carolina ¹	46	1.0	232,741	5,060
New Jersey	412	4.7	1,404,837	3,410
Florida	599	3.2	1,856,917	3,100
South Dakota	41	5.0	112,369	2,741
Utah ²	71	2.6	187,690	2,644
Indiana	315	4.9	830,978	2,638
Maine	53	2.0	135,428	2,555
North Carolina ¹	111	1.2	245,712	2,214
North Dakota	44	6.5	96,439	2,192
Georgia	205	2.1	442,176	2,157
Maryland	157	2.7	324,657	2,088
Vermont	30	1.6	61,324	2,044
Tennessee ²	154	2.4	310,669	2,017
Oregon	174	2.3	344,850	1,982
Texas	454	1.8	897,309	1,976
Connecticut	201	5.6	393,882	1,960
Wisconsin	248	4.4	485,053	1,956
Ohio	394	3.4	748,505	1,900
Missouri	334	5.8	633,980	1,898
Arkansas	120	4.1	223,594	1,863
Virginia ²	157	2.0	289,378	1,843
Nevada	72	2.7	131,469	1,826
Kansas	167	5.8	287,667	1,782
Arizona	174	1.4	309,391	1,778
Delaware ¹	19	1.1	32,831	1,728
Pennsylvania	450	3.5	776,192	1,725
Louisiana	236	5.2	393,098	1,623
New Mexico	88	4.3	138,062	1,569
Alabama	144	3.0	225,608	1,567
Oklahoma	241	6.4	359,100	1,490
Colorado	184	1.6	233,683	1,425
Michigan	228	1.2	306,413	1,344
Kentucky	146	1.7	195,643	1,340
Washington	188	2.8	249,913	1,329

Exhibit 1, p. 2

New York ²	455	2.3	560,101	1,231
Montana	44	4.4	45,849	1,042
Hawai'i	48	3.5	49,113	1,023
Nebraska	55	3.0	55,083	1,002
New Hampshire	21	1.6	21,024	1,001
Wyoming	22	3.9	19,042	866
Rhode Island ¹	22	2.1	17,080	776
West Virginia	70	3.8	48,404	691
Mississippi ¹	51	1.7	27,611	541
Alaska	40	5.6	21,487	537
Idaho	43	2.7	22,189	516
Massachusetts ¹	82	1.3	31,102	379
Median		2.8		1,780

¹ These states do not have domestic relations or juvenile jurisdiction in their general jurisdiction courts.

² These states do not have juvenile jurisdiction in their general jurisdiction courts.

Appendix D: Travel Requirements by Judicial District

	AVERAGE Daily Travel Time per Judge by District 2013
District 1	23.0
District 2	16.5
District 3	56.7
District 4	29.1
District 5	0.2
District 6	11.3
District 7	0.0
District 8	73.3
District 9	60.9
District 10	38.8
District 11	0.2
District 12	88.4
District 13	79.8
District 14	4.7
District 15	43.0
District 16	3.0
District 17	57.1
District 18	2.2
District 19	46.4
District 20	5.8
District 21	27.7
District 22	33.3
District 23	84.6
District 24	51.1
District 25	67.7
District 26	15.9
District 27	64.5
District 28	40.6
District 29	39.8
District 30	1.4
District 31	3.2
State Average	25.6



FY 2015-16 Tennessee Judicial Weighted Caseload Study Update

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April 2017

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Key Points

State law requires the Comptroller of the Treasury to update the judicial weighted caseload study annually to compare the state’s judicial resources with an estimate of the judicial resources needed. This update provides estimates based on cases filed in FY 2016.

The state has an estimated net deficit of 4.22 judges for FY 2016. The weighted caseload update for FY 2015 showed an estimated net *excess* of 0.78 full-time equivalent (FTE) judges and an estimated net *deficit* of 2.73 judges for FY 2014. Overall, FY 2016 filings increased from FY 2015 by 2,449 cases (1.2 percent).

Yearly Trend in Number of Judicial Resources (Full-Time Equivalent Judges)

	2007 Model			2013 Model			
State Net FTE Judges	FY10	FY11	FY12	FY13	FY14	FY15	FY16
Total Judicial Resources	152	152	152	152	152	152	153
Estimated Judicial Resources Needed	150.94	148.55	145.35	157.13	154.73	151.22	157.22
Net excess of deficit in Judicial Resources	1.06	3.45	6.65	-5.13	-2.73	0.78	-4.22

Note: (a) Workers’ compensation cases were excluded from the estimated judge need beginning in FY2013.
 Source: Calculations by Office of Research and Education Accountability based on data provided by the Administrative Office of the Courts (AOC).

The 2016 update also includes yearly trend data for each of the state’s judicial districts. (See Exhibit 4 and Appendix C.)

The estimated number of FTE judges that courts need is calculated by multiplying the total number of case filings by case weights (average minutes per case for each type of case) and dividing that number by the judges’ annual availability for case-specific work. The quantitative weighted caseload model can approximate judicial workload and the need for judicial resources, but it has limitations. Other factors, such as availability of judicial support staff and local legal practices, also affect judicial resources.

Introduction and Background

The 1997 appropriations bill passed by the General Assembly required the Comptroller’s Office to conduct a judicial weighted caseload study to provide policymakers an objective means to determine the need for judicial resources.¹ The Comptroller’s Office contracted with the National Center for State Courts (NCSC) in 1998 to conduct a time-series study to determine the case weights that are used to calculate workload and full-time equivalent judges (FTE judges) needed by each judicial district. To account for changing laws and practices, the Comptroller’s Office contracted with the National Center for State Courts in 2007 and 2013 to develop a revised weighted caseload model for Tennessee’s general jurisdiction trial judges based on a new time study and case filings.^{2,3} Regular updates are designed to produce a more current and accurate gauge of the need for judicial resources throughout the state.⁴

Tennessee Code Annotated (TCA) 16-2-513 requires the Comptroller of the Treasury to update the judicial weighted caseload study annually to assess the workload and need for judicial resources, or FTE judges. This update provides estimates of judicial demand based on cases filed in fiscal year (FY) 2016 using the revised 2013 model.

The estimated number of FTE judges that courts need is calculated by multiplying the total number of case filings by case weights (average minutes per case for each type of case) and dividing that number by the judges’ annual availability for case-specific work.⁵

The quantitative weighted caseload model can approximate judicial workload and the need for judicial resources, but it has limitations. Other factors, such as availability of judicial support staff and local legal practices, also affect judicial resources.

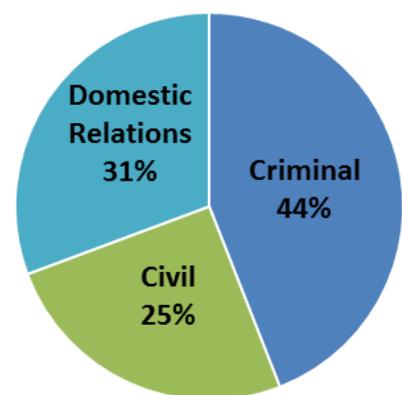
Analysis and Conclusions

Case Filings

In FY 2016, 204,507 cases were filed in Tennessee’s state courts. Criminal cases accounted for 44 percent of cases, followed by domestic relations cases at 31 percent and civil cases at 25 percent. (See [Exhibit 1](#).)

Overall, filings increased from FY 2015 by 2,449 cases (1.2 percent). Criminal cases increased about 5 percent, civil cases decreased by about 3 percent, and domestic relations cases stayed roughly the same. The largest changes (a total change of over 1,000 cases from FY 2015) included decreases in the number of workers’ compensation (3,462)

Exhibit 1: Filings by Case Type, FY 2016



Note: Workers’ compensation cases will not be filed in state trial courts for injuries incurred on or after July 1, 2014. Workers’ compensation cases are included in the number of cases filed, but these cases were excluded from the estimated judge need beginning in FY 2013. Source: Chart produced by Office of Research and Education Accountability staff with data provided by the Tennessee Administrative Office of the Courts (AOC).

Exhibit 2: Changes in Trial Court Cases Filings by Case Type, FY 2013 to FY 2016

Case Type	FY 13	FY 14	FY 15	FY 16	Change from FY 15	Percent Change from FY15
Criminal	89,677	90,096	85,847	90,121	4,274	4.98%
First Degree Murder	540	606	675	662	-13	-1.93%
Post Conviction Relief	561	482	486	481	-5	-1.03%
Felony A&B	6,931	7,058	6,913	7,470	557	8.06%
Felony (C,D,E)	33,680	32,432	31,063	32,509	1,446	4.66%
DUI	3,661	3,301	3,321	3,483	162	4.88%
Recovery (Drug) Court (a)	1,012	1,012	1,103	1,275	172	15.59%
Criminal Appeals (including juvenile delinquency)	376	404	297	392	95	31.99%
Misdemeanor	9,252	10,062	9,367	9,939	572	6.11%
Other Petitions, Motions, Writs	1,998	2,076	1,806	2,236	430	23.81%
Other Petitions, Motions, Writs-Prison Districts	3,065	2,963	2,804	2,771	-33	-1.18%
Probation Violation	28,601	29,700	28,012	28,903	891	3.18%
Civil	54,474	54,806	53,271	51,641	-1,630	-3.06%
Administrative Hearings (b)	404	382	420	373	-47	-11.19%
Contract/Debt/Specific Performance	5,917	6,084	5,413	5,527	114	2.11%
Damages/Tort	9,876	9,856	9,777	10,342	565	5.78%
Guardianship/Conservatorship	2,225	2,239	2,263	2,500	237	10.47%
Judicial Hospitalization	641	643	659	717	58	8.80%
Juvenile Court Appeal (Civil)	193	223	195	239	44	22.56%
Medical Malpractice	385	376	356	391	35	9.83%
Probate/Trust	13,168	13,426	13,820	14,250	430	3.11%
Other General Civil	12,396	12,228	12,307	12,556	249	2.02%
Real Estate	1,662	1,479	1,487	1,634	147	9.89%
Workers Compensation (c)	7,607	7,870	6,574	3,112	-3,462	-52.66%
Domestic Relations	67,510	65,508	62,940	62,745	-195	-0.31%
Child Support	12,704	12,758	11,409	11,070	-339	-2.97%
Divorce with Children	12,871	12,014	11,997	12,160	163	1.36%
Divorce without Children	16,905	16,172	16,118	16,285	167	1.04%
Residential Parenting	2,228	2,276	2,046	2,123	77	3.76%
Protection of Children	3,900	4,010	3,923	4,020	97	2.47%
Orders of Protection	8,042	8,128	8,105	8,356	251	3.10%
Contempt	8,483	8,141	7,786	7,409	-377	-4.84%
Other Domestic Relations	2,377	2,009	1,556	1,322	-234	-15.04%
Total Filings	211,661	210,410	202,058	204,507	2,449	1.21%

Notes: (a) Workload is based on the FY 2016 capacity or average daily population of the Recovery (Drug) Courts.

(b) A separate weight for Administrative Appeals was developed for District 20 (Davidson County) in the 2013 time study to reflect additional time required for complex appeals from administrative hearings handled in District 20. Administrative Appeals in other counties are based on the total time reported for those cases in the 2013 time study.

(c) Workers' compensation cases will not be filed in state trial courts for injuries incurred on or after July 1, 2014. Workers' compensation cases are included in the number of cases filed, but these cases were excluded from the estimated judge need beginning in FY 2013.

Source: Calculations by Office of Research and Education Accountability staff based on data provided by the AOC.

and increases in C, D, and E felony cases (1,446) filed from FY 2015. The number of A and B felony cases, probation violation cases and misdemeanor cases increased (over 500 cases each from FY 2015) while the number of other petitions, motions, and writs, and the number of probate/trust cases also increased (over 400 cases each from FY 2015). Meanwhile, the number of child support and contempt cases decreased by over 300 cases each from FY 2015.

Full Time Equivalent Judges

Based on FY 2016 case filing data and workload, the state has an estimated *net deficit of 4.22 FTE judges*. (See [Exhibit 3](#).) The weighted caseload update for FY 2015 showed an estimated net excess of 0.78 FTE judges and net deficit of 2.73 FTE judges in FY 2014.

[Exhibit 4](#) shows the estimated deficit or excess of FTE judges by district over time.^{6, 7} According to the weighted caseload model, four districts show an estimated need of one⁸ or more FTE judge(s) in FY 2016:

- District 13 (Clay, Cumberland, DeKalb, Overton, Pickett, Putnam, and White counties) shows a net deficit of 1.63 judges in FY 2016. Prior to FY 2016, District 13 showed a net deficit of 0.55 in FY 2015 and a net deficit of 0.58 in FY 2014. District 13 saw a 1.08 change in judicial demand from FY 2015 to FY 2016. The district saw an increase of over 700 total cases filed from FY 2015, including 90 additional felony A and B cases, 185 felony C, D, and E cases, as well as 101 more DUI cases from FY 2015.
- District 16 (Cannon and Rutherford counties) shows a need for 1.42 judges in FY 2016, an increase of 0.25 FTE judges from FY 2015. District 16 showed an increase of only 55 total filings from FY 2015, but saw an increase in felony C, D, and E cases of 157 from FY 2015. Historically, District 16 has shown a judicial need of over one FTE judge since the model was adjusted in FY 2013.

Exhibit 3: Yearly Trend in Number of Judicial Resources (FTE Judges)

	2007 Model			2013 Model			
State Net FTE Judges	FY 10	FY 11	FY 12	FY 13	FY 14	FY 15	FY 16
Total Judicial Resources	152	152	152	152	152	152	153
Estimated Judicial Resources Needed	150.94	148.55	145.35	157.13	154.73	151.22	157.22
Net excess or deficit in Judicial Resources^(a)	1.06	3.45	6.65	-5.13	-2.73	0.78	-4.22

Note: (a) Workers' compensation cases will not be filed in state trial courts for injuries incurred on or after July 1, 2014. Workers' compensation cases are included in the number of cases filed, but these cases were excluded from the estimated judge need beginning in FY 2013. The state net FTE judges associated with workers' compensation cases was estimated as 3.95 in FY 13, 4.08 in FY 14, and 3.41 in FY 15. (See [Appendix C](#).)

(b) See [Appendix A](#) for changes in design and assumptions from 2007 to 2013 Tennessee Trial Courts Judicial Weighted Caseload Models.

Source: Calculations by Office of Research and Education Accountability based on data provided by the AOC.

- District 19 (Montgomery and Robertson counties) shows a need for 1.89 judges in FY 2016. In FY 2015, the district showed a need for 2.77 FTE judges and 2.89 judges in FY 2014. Prior to the FY 2013 revised model, District 19 showed a need for more than one judge for seven years. However, in FY 2015 the General Assembly created a new circuit court judgeship for Judicial District 19.⁹ The judge was sworn in October 30, 2015.¹⁰
- District 23 (Cheatham, Dickson, Houston, Humphreys, and Stewart counties) shows a net deficit of 1.18 FTE judges in FY 2016. The district showed a net deficit of 0.64 FTE judges in FY 2015, a net deficit of 0.71 FTE judges in FY 2014, and a net deficit of 1.01 FTE judges in FY 2013. District 23 has seen an increase of 547 total cases filed from FY 2015, including an increase in felony A and B cases by 131 and felony C, D, and E cases by 102 cases from FY 2015.

According to the weighted caseload model, one district shows an estimated excess of one or more FTE judges in FY 2016:

- District 20 (Davidson County) shows an excess of 1.11 judges in FY 2016 while total case filings decreased from FY 2015 by 2,697. Davidson County has historically shown an excess of 1.07 judges in FY 2015 and an excess of 0.79 judges in FY 2014. Davidson County's judicial need estimate does not include the 0.64 FTE judicial workload associated with workers' compensation cases in FY 2016 since workers' compensation cases were excluded from the estimated judge need beginning in FY 2013. (See [Appendix C](#).)

Another notable change in judge need in FY 2016 was:

- District 30 (Shelby County) showed a net deficit of 0.21 FTE judges in FY 2016, a shift of 1.58 FTE judges from FY 2015, which showed a net excess of 1.37 FTE judges. Shelby County also showed a net excess of judges in FY 2014 (1.25) and FY 2013 (2.76). Overall, filings in Shelby County increased by 1,239 from FY 2015. Shelby County saw increases in first degree murder by 19 total cases, felony A and B cases by 123 total cases and medical malpractice by 18 cases, all carrying high case weights.

Exhibit 4: Difference between Actual Number of Full Time Equivalent (FTE) Judges and Need for FTE Judges by District, FY 2012 – FY 2016

Judicial District (Counties)	2007 Model	2013 Model			
	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
District 1 (Carter, Johnson, Unicoi, and Washington)	0.54	0.27	-0.32	0.23	0.19
District 2 (Sullivan)	0.64	0.10	0.37	0.31	0.16
District 3 (Greene, Hamblen, Hancock, and Hawkins)	0.86	0.44	0.28	0.25	-0.06
District 4 (Cocke, Grainger, Jefferson, and Sevier)	-0.26	-1.01	-0.89	-0.54	-0.83
District 5 (Blount)	0.04	-0.26	0.01	0.06	-0.10
District 6 (Knox)	0.36	-0.42	0.11	0.43	-0.27
District 7 (Anderson)	-0.04	-0.11	-0.18	0.23	0.22
District 8 (Campbell, Claiborne, Fentress, Scott, and Union)	-0.26	-0.34	-0.08	-0.11	-0.44
District 9 (Loudon, Meigs, Morgan, and Roane)	0.80	0.64	0.80	0.85	0.80
District 10 (Bradley, McMinn, Monroe, and Polk)	-0.28	-0.29	-0.42	-0.13	-0.12
District 11 (Hamilton)	1.07	-0.47	0.32	0.08	0.23
District 12 (Bledsoe, Franklin, Grundy, Marion, Rhea, and Sequatchie)	-0.39	-0.96	-0.73	-0.47	-0.44
District 13 (Clay, Cumberland, DeKalb, Overton, Pickett, Putnam, and White)	-0.09	-0.61	-0.58	-0.55	-1.63
District 14 (Coffee)	0.60	0.61	0.82	0.77	0.43
District 15 (Jackson, Macon, Smith, Trousdale, and Wilson)	0.27	0.18	0.10	0.37	0.04
District 16 (Cannon and Rutherford)	-0.45	-1.28	-1.17	-1.17	-1.42
District 17 (Bedford, Lincoln, Marshall, and Moore)	1.06	0.52	0.52	0.43	0.22
District 18 (Sumner)	-0.29	-0.59	-0.46	-0.63	-0.45
District 19 (Montgomery and Robertson)	-2.04	-2.75	-2.89	-2.77	-1.89
District 20 (Davidson)	-0.94	0.06	0.79	1.07	1.11
District 21 (Hickman, Lewis, Perry, and Williamson)	-0.62	-0.54	-0.41	-0.24	-0.58
District 22 (Giles, Lawrence, Maury, and Wayne)	-0.53	-1.26	-1.05	-0.76	-0.42
District 23 (Cheatham, Dickson, Houston, Humphreys, and Stewart)	-0.28	-1.01	-0.71	-0.64	-1.18
District 24 (Benton, Carroll, Decatur, Hardin, and Henry)	0.85	0.81	0.92	0.95	0.87
District 25 (Fayette, Hardeman, Lauderdale, McNairy, and Tipton)	0.34	-0.19	-0.08	0.18	0.38
District 26 (Chester, Henderson, and Madison)	0.40	-0.08	-0.01	0.14	0.52
District 27 (Obion and Weakley)	0.36	0.26	0.45	0.59	0.42
District 28 (Crockett, Gibson, and Haywood)	0.54	0.37	0.44	0.57	0.58
District 29 (Dyer and Lake)	0.59	0.31	0.36	0.24	0.18
District 30 (Shelby)	4.03	2.76	1.25	1.37	-0.21
District 31 (Van Buren and Warren)	-0.24	-0.31	-0.27	-0.32	-0.52
Statewide Excess or Deficit FTE Judges	6.65	-5.13	-2.73	0.78	-4.22

Source: Calculations by Office of Research and Accountability staff based on data provided by the Administrative Office of the Courts (AOC).

Appendix A: Changes in Design and Assumptions from 2007 to 2013 Tennessee Trial Courts Judicial Weighted Caseload Models

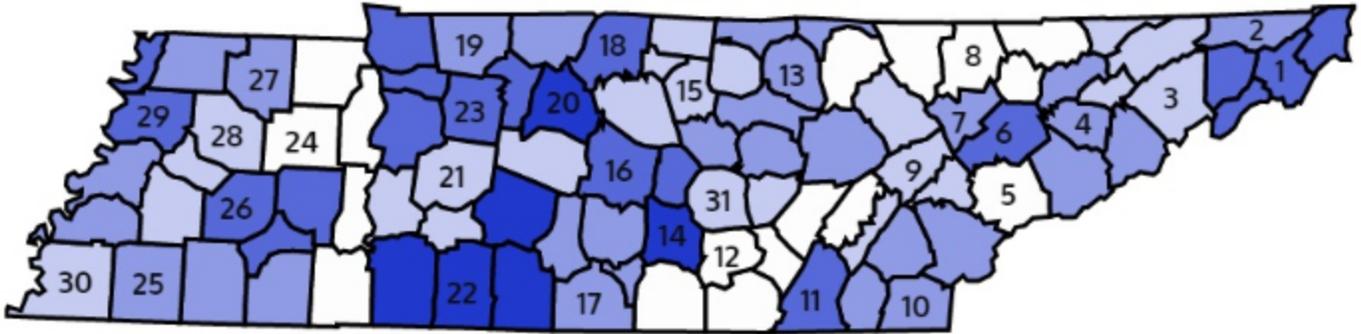
In 2013, the National Center for State Courts worked with selected Tennessee trial court judges and staff with the Administrative Office of the Courts and the Comptroller's Office to develop a revised model to estimate the total judicial officer demand based on cases filed. Tennessee judges reported their time for six weeks out of an 11-week period in the summer of 2013, which was used to determine the average time spent on case-related and non-case-related activities statewide. Based on the 2013 time study, new case weights were assigned to each case type in order to more accurately estimate judicial need throughout the state.^A

Changes made to the model in 2013 include:

- The case type First Degree Murder was separated from the Major Felony case type to account for the greater average judge time required for First Degree Murder cases.
- Separate case types and average times required were added for post-conviction relief, residential parenting, and domestic relations contempt cases to better reflect the judge time required for these cases.
- A separate case weight was added for Other Petitions, Motions, and Writs cases for districts with a state prison to reflect the additional time required for post-conviction relief cases including habeas corpus petitions from state prisoners.
- A separate weight for Administrative Appeals was developed for District 20 (Davidson County) to reflect the additional time required for complex appeals from administrative hearings handled in District 20. Administrative Appeals in other counties are based on the total time reported for those cases.
- Judge availability is based on an eight-hour day; earlier models were based on a 7.5 hour day.
- Due to changes in state law, workers' compensation cases will no longer be filed in state courts for injuries incurred on or after July 1, 2014. Workers' compensation cases are included in the number of cases filed, but these cases were excluded from the estimated judge need beginning in FY 2013.

^A A complete report describing the process and the 2013 revised model is available at <http://www.comptroller.tn.gov/Repository/RE/NCSC%20Judicial%202013.pdf>.

Appendix B: Tennessee Judicial Districts



- District 1 – Carter, Johnson, Unicoi, and Washington Counties
- District 2 – Sullivan County
- District 3 – Greene, Hamblen, Hancock, and Hawkins Counties
- District 4 – Cocke, Grainger, Jefferson, and Sevier Counties
- District 5 – Blount County
- District 6 – Knox County
- District 7 – Anderson County
- District 8 – Campbell, Claiborne, Fentress, Scott, and Union Counties
- District 9 – Loudon, Meigs, Morgan, and Roane Counties
- District 10 – Bradley, McMinn, Monroe, and Polk Counties
- District 11 – Hamilton County
- District 12 – Bledsoe, Franklin, Grundy, Marion, Rhea, and Sequatchie Counties
- District 13 – Clay, Cumberland, DeKalb, Overton, Pickett, Putnam, and White Counties
- District 14 – Coffee County
- District 15 – Jackson, Macon, Smith, Trousdale, and Wilson Counties
- District 16 – Cannon and Rutherford Counties
- District 17 – Bedford, Lincoln, Marshall, and Moore Counties
- District 18 – Sumner County
- District 19 – Montgomery and Robertson Counties
- District 20 – Davidson County
- District 21 – Hickman, Lewis, Perry, and Williamson Counties
- District 22 – Giles, Lawrence, Maury, and Wayne Counties
- District 23 – Cheatham, Dickson, Houston, Humphreys, and Stewart Counties
- District 24 – Benton, Carroll, Decatur, Hardin, and Henry Counties
- District 25 – Fayette, Hardeman, Lauderdale, McNairy, and Tipton Counties
- District 26 – Chester, Henderson, and Madison Counties
- District 27 – Obion and Weakley Counties
- District 28 – Crockett, Gibson, and Haywood Counties
- District 29 – Dyer and Lake Counties
- District 30 – Shelby County
- District 31 – Van Buren and Warren Counties

Source: Administrative Office of the Courts, 2006.

Appendix C: Tennessee Judicial Weighted Caseload Update, FY 2015, Case Filings per Judicial District

		Case Filings per Judicial District										
	Case Type	Case Weight	1	2	3	4	5	6	7	8	9	10
Criminal	First Degree Murder	776	9	4	10	13	0	26	4	4	3	17
	Post Conviction Relief	381	2	17	11	19	16	11	5	4	1	7
	Felony A&B	157	133	127	204	219	52	252	37	95	84	216
	Felony (C, D, E)	45	1,104	999	958	1,401	484	1,772	315	807	567	1,053
	DUI	89	63	45	93	205	37	175	49	86	79	57
	Recovery (Drug) Court **	167		25		50	69		30	40		40
	Criminal Appeals (incl. juvenile delinquency)	11	17	95	1	3	6	3	1	5	1	0
	Misdemeanor	29	269	191	268	476	128	218	106	134	122	151
	Other Petitions, Motions, Writs	28		135	77	133	27	187	17	47		48
	Other Petitions, Motions, Writs-Prison Districts	57	33								14	
Probation Violation	18	1,345	1,235	764	1,831	804	1,199	442	924	416	1,053	
General Civil/Other	Administrative Hearings *	204	9	10	14	3	1	5	8	14	5	14
	Contract/Debt/Specific Performance	104	588	219	188	275	102	493	35	129	89	131
	Damages/Tort	135	198	171	208	352	119	947	130	176	158	293
	Guardianship/Conservatorship	70	75	53	75	28	19	464	15	37	31	83
	Judicial Hospitalization	19	3	19	4	0	13	0	1	0	0	1
	Juvenile Court Appeal (Civil)	287	2	5	7	3	8	38	4	42	10	7
	Medical Malpractice	1320	5	18	6	0	2	37	0	5	0	4
	Probate/Trust	24	697	680	681	190	3	1,408	282	386	241	445
	Other General Civil	58	311	336	324	453	194	804	169	103	121	483
	Real Estate	259	49	34	48	56	31	133	41	46	65	37
	Workers Compensation	0	24	24	53	36	14	366	51	63	39	45
Domestic Relations	Child Support	20	316	175	1,010	874	464	569	234	306	356	482
	Divorce with Children	106	433	284	464	488	208	808	150	284	70	508
	Divorce without Children	40	691	436	622	719	219	1,099	167	292	115	660
	Residential Parenting	108	70	55	82	45	27	158	60	12	10	73
	Protection of Children (paternity, adoption, legitimation, surrender, TPR)	65	180	95	171	151	150	357	104	89	69	207
	Orders of Protection	32	78	207	376	581	0	2,299	85	2	55	643
	Contempt	14	259	291	264	394	68	290	407	8	193	472
	Other Domestic Relations	73	139	4	58	38	11	59	41	28	24	15
	Total Filings		7,102	5,989	7,041	9,036	3,276	14,177	2,990	4,168	2,938	7,245
Workload (Weights x Filings)		383,036	311,179	366,565	456,285	177,114	842,845	150,020	237,714	157,480	390,522	
Judge Year (210 days per year, 8 hrs per day)		100,800	100,800	100,800	100,800	100,800	100,800	100,800	100,800	100,800	100,800	
Average District Travel per year		4,830	3,465	11,907	6,111	42	2,373	0	15,393	12,789	8,148	
Non-case related Time (78 minutes/day)		16,380	16,380	16,380	16,380	16,380	16,380	16,380	16,380	16,380	16,380	
Availability for Case-Specific Work		79,590	80,955	72,513	78,309	84,378	82,047	84,420	69,027	71,631	76,272	
# Judges		5	4	5	5	2	10	2	3	3	5	
Total Judicial Officer Demand		4.81	3.84	5.06	5.83	2.10	10.27	1.78	3.44	2.20	5.12	
FTE Deficit or Excess		0.19	0.16	-0.06	-0.83	-0.10	-0.27	0.22	-0.44	0.80	-0.12	
Criminal Judges Needed		1.48	1.42	1.64	2.45	0.83	2.35	0.54	1.33	0.84	1.75	
Civil Judges Needed		1.88	1.50	1.56	1.59	0.63	4.72	0.62	1.28	0.93	1.54	
Domestic Relations Judges Needed		1.45	0.92	1.85	1.78	0.65	3.21	0.61	0.83	0.43	1.83	
Child Support Referee		No	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	

Source: National Center for State Courts, 2013. Data on Filings provided by the Tennessee Administrative Office of the Courts.

* The 20th Judicial district is statutorily mandated jurisdiction in UAPA Administrative Hearing cases. A case weight of 496 minutes is used in this district.

** Workload is based on the FY2015 capacity or average daily population reported by state-level Recovery Drug Court administrators.

Workers Compensation	41	24	24	53	36	14	366	51	63	39	45
Judicial workload associated with Workers Comp. cases (minutes)		984	984	2,173	1,476	574	15,006	2,091	2,583	1,599	1,845
Judicial FTE associated with Workers Comp. cases		0.01	0.01	0.03	0.02	0.01	0.18	0.02	0.04	0.02	0.02

Note: Workers' compensation cases will not be filed in state trial courts for injuries incurred on or after July 1, 2014. Workers' compensation cases are excluded from the estimated judge need beginning in FY 2013.

Case Filings per Judicial District

	11	12	13	14	15	16	17	18	19	20	21
Case Type											
Criminal											
First Degree Murder	51	3	6	1	6	26	3	4	31	134	6
Post Conviction Relief	12	5	7	1	5	6	36	5	36	27	14
Felony A&B	396	202	296	150	150	326	137	139	286	827	161
Felony (C, D, E)	1740	867	1265	480	976	1298	352	686	1113	2418	806
DUI	239	65	379	24	167	141	4	61	150	213	89
Recovery (Drug) Court **	71	80	40	46	25	100		50		240	54
Criminal Appeals (incl. juvenile delinquency)	62	0	14	1	14	10	1	19	27	53	12
Misdemeanor	789	206	1055	152	889	462	17	97	731	536	258
Other Petitions, Motions, Writs	27		92	78	74	43	368	13	186		
Other Petitions, Motions, Writs-Prison Districts		39								430	129
Probation Violation	1301	870	1558	313	759	995	143	669	901	3022	791
General Civil/Other											
Administrative Hearings *	11	5	6	1	4	1	1	0	11	131	28
Contract/Debt/Specific Performance	239	76	115	38	96	173	40	130	122	834	234
Damages/Tort	718	192	266	106	237	496	103	222	383	1634	276
Guardianship/Conservatorship	342	51	96	13	74	56	48	88	90	265	114
Judicial Hospitalization	274	2	1	0	4	14	1	0	0	305	1
Juvenile Court Appeal (Civil)	3	17	10	0	3	6	1	2	2	16	16
Medical Malpractice	37	1	10	0	1	17	4	9	5	66	5
Probate/Trust	914	494	481	179	610	52	450	703	523	1748	662
Other General Civil	738	226	228	126	218	669	294	264	441	1623	394
Real Estate	86	46	204	15	57	58	21	34	62	129	54
Workers Compensation	191	32	52	20	40	86	33	27	25	1301	18
Domestic Relations											
Child Support	221	649	318	147	152	391	606	286	879	601	314
Divorce with Children	573	290	386	128	290	661	282	415	892	845	510
Divorce without Children	896	381	423	155	450	820	322	443	1038	1454	443
Residential Parenting	114	44	73	3	72	213	66	124	174	92	76
Protection of Children (paternity, adoption, legitimation, surrender, TPR)	281	99	192	30	120	245	74	133	182	129	133
Orders of Protection	908	145	3	2	48	575	57	178	11	1379	10
Contempt	516	393	61	116	45	293	316	146	280	340	411
Other Domestic Relations	224	175	13	11	29	51	11	28	39	190	27
Total Filings	11,974	5,655	7,650	2,336	5,615	8,284	3,791	4,975	8,620	20,982	6,046
Workload (Weights x Filings)	739,583	292,557	448,466	130,700	298,656	538,341	201,518	289,254	514,723	1,405,675	359,864
Judge Year (210 days per year, 8 hrs per day)	100,800	100,800	100,800	100,800	100,800	100,800	100,800	100,800	100,800	100,800	100,800
Average District Travel per year	42	18,564	16,758	987	9,030	630	11,991	462	9,744	1,218	5,817
Non-case related Time (78 minutes/day)	16,380	16,380	16,380	16,380	16,380	16,380	16,380	16,380	16,380	16,380	16,380
Availability for Case-Specific Work	84,378	65,856	67,662	83,433	75,390	83,790	72,429	83,958	74,676	83,202	78,603
# Judges	9	4	5	2	4	5	3	3	5	18	4
Total Judicial Officer Demand	8.77	4.44	6.63	1.57	3.96	6.42	2.78	3.45	6.89	16.89	4.58
FTE Deficit or Excess	0.23	-0.44	-1.63	0.43	0.04	-1.42	0.22	-0.45	-1.89	1.11	-0.58
Criminal Judges Needed	3.15	1.79	3.14	0.82	1.79	2.31	0.93	1.04	2.53	6.09	1.50
Civil Judges Needed	3.44	1.24	2.21	0.42	1.22	2.01	0.84	1.23	1.80	7.91	1.77
Domestic Relations Judges Needed	2.18	1.41	1.28	0.33	0.95	2.10	1.02	1.18	2.56	2.89	1.31
Child Support Referee	No	Yes	No	No	No	Yes	No	No	Yes	No	No

Source: National Center for State Courts, 2013. Data on Filings provided by the Tennessee Administrative Office of the Courts.

* The 20th Judicial district is statutorily mandated jurisdiction in UAPA Administrative Hearing cases. A case weight of 496 minutes is used in this district.

** Workload is based on the FY2015 capacity or average daily population reported by state-level Recovery Drug Court administrators.

Workers Compensation	191	32	52	20	40	86	33	27	25	1301	18
Judicial workload associated with Workers Comp. cases (minutes)	7,831	1,312	2,132	820	1,640	3,526	1,353	1,107	1,025	53,341	738
Judicial FTE associated with Workers Comp. cases	0.09	0.02	0.03	0.01	0.02	0.04	0.02	0.01	0.01	0.64	0.01

Note: Workers' compensation cases will not be filed in state trial courts for injuries incurred on or after July 1, 2014. Workers' compensation cases are excluded from the estimated judge need beginning in FY 2013.

Case Filings per Judicial District

	22	23	24	25	26	27	28	29	30	31	Totals
Case Type											
Criminal											
First Degree Murder	18	12	9	17	18	0	4	8	205	10	662
Post Conviction Relief	21	8	4	1	33	2	5	4	150	6	481
Felony A&B	258	269	132	135	181	142	55	75	1667	67	7,470
Felony (C, D, E)	876	802	375	753	534	244	262	431	6557	214	32,509
DUI	248	126	27	90	49	4	15	9	452	42	3,483
Recovery (Drug) Court **		50		30	35	50		20		130	1,275
Criminal Appeals (incl. juvenile delinquency)	11	5	4	3	0	0	6	2	13	3	392
Misdemeanor	490	306	47	149	139	36	41	42	1194	240	9,939
Other Petitions, Motions, Writs		425	29		82	6	119			23	2,236
Other Petitions, Motions, Writs-Prison Districts				30				29	2045		2,771
Probation Violation	22										2,771
	1185	879	514	1234	621	256	118	291	2078	392	28,903
General Civil/Other											
Administrative Hearings *	3	4	2	7	7	2	4	4	56	2	373
Contract/Debt/Specific Performance	74	51	51	101	48	29	49	14	730	34	5,527
Damages/Tort	207	61	122	149	234	49	81	56	1936	62	10,342
Guardianship/Conservatorship	63	41	33	72	14	30	33	80	2	15	2,500
Judicial Hospitalization	0	0	1	69	3	0	1	0	0	0	717
Juvenile Court Appeal (Civil)	11	3	0	1	1	0	1	1	18	1	239
Medical Malpractice	6	2	5	1	7	3	3	2	129	1	391
Probate/Trust	549	213	376	342	120	211	300	120	1	189	14,250
Other General Civil	287	258	174	256	276	127	141	672	1702	144	12,556
Real Estate	44	35	28	30	25	11	13	12	117	13	1,634
Workers Compensation	50	13	30	24	42	264	24	14	98	13	3,112
Domestic Relations											
Child Support	407	338	63	98	123	134	255	75	111	116	11,070
Divorce with Children	365	303	176	287	438	117	145	99	1192	69	12,160
Divorce without Children	439	389	178	718	741	154	157	134	1465	65	16,285
Residential Parenting	57	52	64	29	129	26	25	28	65	5	2,123
Protection of Children (paternity, adoption, legitimation, surrender, TPR)	108	151	57	72	91	33	21	15	235	46	4,020
Orders of Protection	204	73	0	39	19	1	0	88	0	290	8,356
Contempt	162	645	132	186	127	320	72	5	169	28	7,409
Other Domestic Relations	31	11	4	5	7	19	5	0	23	2	1,322
Total Filings	6,196	5,525	2,637	4,928	4,144	2,270	1,955	2,330	22,410	2,222	204,507
Workload (Weights x Filings)	342,465	278,803	157,253	253,911	281,908	112,034	107,836	138,736	1,868,825	127,144	12,361,012
Judge Year (210 days per year, 8 hrs per day)	100,800	100,800	100,800	100,800	100,800	100,800	100,800	100,800	100,800	100,800	100,800
Average District Travel per year	6,993	17,766	10,731	14,217	3,339	13,545	8,526	8,358	294	672	5,376
Non-case related Time (78 minutes/day)	16,380	16,380	16,380	16,380	16,380	16,380	16,380	16,380	16,380	16,380	16,380
Availability for Case-Specific Work	77,427	66,654	73,689	70,203	81,081	70,875	75,894	76,062	84,126	83,748	79,044
# Judges	4	3	3	4	4	2	2	2	22	1	153
Total Judicial Officer Demand	4.42	4.18	2.13	3.62	3.48	1.58	1.42	1.82	22.21	1.52	157.22
FTE Deficit or Excess	-0.42	-1.18	0.87	0.38	0.52	0.42	0.58	0.18	-0.21	-0.52	-4.22
Criminal Judges Needed	2.08	2.20	0.81	1.57	1.32	0.69	0.44	0.67	11.91	0.84	62.25
Civil Judges Needed	1.20	0.75	0.78	1.01	0.91	0.44	0.56	0.83	7.77	0.37	54.95
Domestic Relations Judges Needed	1.14	1.23	0.54	1.04	1.25	0.45	0.42	0.32	2.54	0.31	40.02
Child Support Referee	No	Yes	No	No							

Source: National Center for State Courts, 2013. Data on Filings provided by the Tennessee Administrative Office of the Courts.

* The 20th Judicial district is statutorily mandated jurisdiction in UAPA Administrative Hearing cases. A case weight of 496 minutes is used in this district.

** Workload is based on the FY2015 capacity or average daily population reported by state-level Recovery Drug Court administrators.

Workers Compensation	50	13	30	24	42	264	24	14	98	13	3,112
Judicial workload associated with Workers Comp. cases (minutes)	2,050	533	1,230	984	1,722	10,824	984	574	4,018	533	127,592
Judicial FTE associated with Workers Comp. cases	0.03	0.01	0.02	0.01	0.02	0.15	0.01	0.01	0.05	0.01	1.61

Note: Workers' compensation cases will not be filed in state trial courts for injuries incurred on or after July 1, 2014. Workers' compensation cases are excluded from the estimated judge need beginning in FY 2013.

Endnotes

- ¹ Public Acts, 2014, Chapter No. 552, Section 12, Item 35.
- ² National Center for State Courts, *Tennessee Trial Courts, Judicial Weighted Caseload Study*, 2007, <http://www.comptroller.tn.gov/>. See study for a complete explanation of methodology and qualitative issues to consider.
- ³ National Center for State Courts, *Tennessee Trial Courts, Judicial Weighted Caseload Study*, 2013, <http://www.comptroller.tn.gov/>. See study for a complete explanation of methodology and qualitative issues to consider.
- ⁴ See **Appendix A** for a description of changes in design and assumptions from the 2007 to the 2013 Tennessee Trial Courts Judicial Weighted Caseload Model.
- ⁵ National Center for State Courts, Tennessee Trial Courts, *Judicial Weighted Caseload Study*, 2013, <http://www.comptroller.tn.gov/>. See the Preliminary Case Weights section on pages 5-6 of the study for a complete explanation for creating the measure.
- ⁶ See **Appendix B** for a map of Tennessee Judicial Districts.
- ⁷ See **Appendix C** for the detailed calculations of judicial resource need statewide and by judicial district.
- ⁸ In previous years, OREA used 0.8 FTE judges as the threshold for change when providing an explanation for the shift in judicial demand. For FY 2016, OREA simplified the threshold to one FTE judge. The higher threshold excluded District 4 (-.83) from the net deficit list and Districts 9 (.80) and District 24 (.87) from the excess list. None of these districts have had an excess or deficit of over one judge in the last three years.
- ⁹ Public Acts, 2015, Chapter No. 437.
- ¹⁰ Office of the Governor, News release, *Haslam Appoints Ayers Circuit Court Judge for 19th Judicial District*, Oct. 21, 2015, <https://www.tn.gov/> (accessed March 13, 2017).



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