



NORTH CAROLINA  
ADMINISTRATIVE OFFICE  
*of the COURTS*

Office of the Director  
Judge John W. Smith  
Director

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March 8, 2012

To: Justice and Public Safety Oversight Committee  
From: North Carolina Administrative Office of the Courts  
Re: Summary of Superior Court Judges Time Tracking

**Background and Scope:** North Carolina has 112 superior court judges of which 97 are resident and 15 are special superior court judges. This report covers 108 of them. One judge is on active military duty and the 3 business court judges are not included. The 97 resident superior court judges and the 15 special superior court judges are assigned for weekly sessions by the assistant director of the NCAOC. Resident superior court judges rotate through the division in which they reside. The state has 8 divisions. Special superior court judges may be assigned anywhere in the state

**Time Tracking Reports:** As required by new legislation, the keeping of minutes by the courtroom clerk began July 1, 2011, and there are now 6 months of accumulated reports, which are attached. Courtroom clerks post minutes to an online spreadsheet which are downloaded and monthly reports are created by staff at the NCAOC. Each monthly report is about 25 pages long and details the actual hours and minutes per judge per day as reported by the courtroom clerk. The spreadsheet has few required fills, in but there is a maximum of 12 hours per day reportable but no minimum hours. Thus, error on over-reporting of time is not as likely as errors on under-reporting. Not all counties begin on July 1. Twelve counties did not report at all during the six-month time period, but all counties are now reporting.

**The Calendaring Factor:** Judges do not set their own case calendars. Civil case calendars are set by the senior resident superior court judge or by a member of the support staff, and judges rotate in to handle the calendars as set under local rules, which the visiting judge is required to follow. Criminal case calendars are set and generally administered by the district attorney.

**Summary of Time Data:** This summary report shows a statewide total of 6,167 hours and 25 minutes of in-court time for civil cases and 18,148 hours and 25 minutes of in-court time for criminal cases during the six-month timeframe. Each division summary shows the time spent in-court for civil cases and criminal cases and the amount of time spent by each judge who worked in that division during the time period. Division times are affected by geography and case volumes. In-court times are affected by the number of days of court during a particular month. Months with statewide training or state holidays affect the number of days of court.

**Relationship to Workload Formula:** Time in court is only one component of the time required of a judge to dispose of any case. The workload formula we use considers all factors relevant to case dispositions. It is meaningful to compare these time records with the time factor we use in our workload formula. Median in-court time reflected by these reports is around 45% of the total time expected for case dispositions under the workload formula, which was developed in coordination with the National Center for State Courts. The workload formula takes into account all factors of case-processing and includes:

1. *Initial appearances*
2. *Pretrial motions hearings*
3. Settlement conferences
4. Attorney status meetings
5. Search warrants
6. Temporary restraining orders
7. Preparation of findings and orders related to pretrial matters
8. *Entry of guilty pleas and sentencing*
9. *Motions to dismiss*
10. Motions for summary judgment (majority decided without significant court time)
11. Preparation of findings and orders related to non-trial dispositions
12. *Bench trials*
13. *Jury selection*
14. *Sentencing after conviction at trial*
15. Preparation of findings and orders related to bench and jury trials
16. *Post-trial motions*
17. *Probation violation hearings*
18. Motions for Appropriate Relief (review of motions)
19. Post-adjudication juvenile delinquency reviews
20. Responding to prisoner mail
21. Preparation of findings and orders related to post-adjudication matters

Only 9 of the 21 factors involved in overall case dispositions (red italics) occur in the courtroom (42%).

**Other Factors:** Case-related events comprise only one part of the judicial day: travel being a major factor since we are a state constitutionally requiring rotation. Judicial research does not normally occur in open court and is a large component of what a judge must do, since North Carolina has no provision for law clerks for superior court judges. I would remind you of the recent situation with Judge Hobgood in which it took him 45 minutes to read his detailed order which he prepared in a well-publicized hearing. That 45 minutes of court time took days of out-of-court preparation. This out-of court component is not included in this data.

**Disposition Rates:** Our annual statistical surveys clearly show our superior court judges are disposing of 100% or more of all filings in most areas over which they have jurisdiction. The backlogs that were building during the latter part of the last century have been or are being effectively addressed. This having been said, our local judges are constantly identifying case types and specific situations that need special attention,

and senior resident judges are often spending significant amounts of out-of-court time assuring this rate is maintained, and situations where there are delays are addressed. This out-of-court time is not reflected in the data.

**Raw data on an individual basis needs context:** For example, one of the judges who is shown to be working limited hours is quadriplegic and is hard-working by any measure; and one was hospitalized for at least two months during the data-gathering period. We are also concerned that the data gathering was implemented without any additional resources, and we are concerned that courtroom data may be incomplete since it depends on entries by the courtroom clerk in addition to attending to her other duties. We quickly developed a form, which is attached, in response to the legislation that required the clerk to enter the data that can then be compiled.

**Limitations:** This data needs to be used in conjunction with case dispositions, since a more efficient judge may consume less time disposing of the same number of cases than one with higher hours on the bench. While speed and efficiency is generally a virtue, some judges work at a more deliberate pace; and pace also depends on the nature of the matters being heard. The hourly reporting system makes no allowances or adjustments for any of these variables. Using time on the bench alone as a standard has the potential of punishing efficiency. The data could point to a problem if a particular district is not keeping up with the docket, and is useful to determine whether a problem may be developing if filings are outpacing dispositions. But, as the following shows, we believe the data supports the conclusion that our tax-payers are getting a significant bang for their buck.

**The Big Picture:** This data needs to be put into a larger perspective to avoid its misuse, misinterpretation, and incorrect inferences.

1. Our statistical data for superior court shows North Carolina has a disposition rate near 100%; that is, the disposition rate roughly equals the annual filing rate.
2. Data also shows that North Carolina ranks second from the top in efficiency using cases per judge once traffic cases are removed (almost all traffic cases are in district court, not superior). Only South Carolina has a higher case-to-judge ratio using 2009 figures. Every other state in the union has more judges per cases filed than North Carolina. (Data published by the Council of State Government, "Examining The Work Of State Courts, An Analysis of State Court Caseloads" p.5 attached. <http://www.courtstatistics.org/FlashMicrosites/CSP/images/CSP2009.pdf>)
3. To generalize: We dispose of 3 million cases every year, around a half million in superior court, with consistent disposition rates between 95% and 105%. Our disposition rate for Superior Court felonies since 2009 has consistently exceeded 100% of filings, so cases carried over from previous years and backlogs of pending cases are being reduced.
4. When considered overall, these time records seem to verify the validity of the workload formulas we have developed in consultation with the National Center of State Courts.

Thank you for this opportunity to present this report and provide some context for the raw data. We hope this information will be useful to the General Assembly.

## Superior Court Judge On-Bench Time for July through December 2011, As Reported by Clerks of Superior Court, Pursuant to §7A-109(a1)

Time is in hours:minutes

Judges are grouped by Division, sorted alphabetically

The potential for any missing data not noted in this report is unknown to the NCAOC

		Civil	Criminal	Total
<b>Statewide</b>	<b>Statewide Total</b>	<b>6167:25</b>	<b>18148:25</b>	<b>24315:50</b>

Division I	Division Total	Civil	Criminal	Total
		<b>202:35</b>	<b>1254:10</b>	<b>1456:45</b>
	Cole, James	5:25	57:20	62:45
	Duke, Wilton	5:55	189:55	195:50
	Everett, Clifton	33:50	108:25	142:15
	Fitch, Milton*	17:55	56:45	74:40
	Godwin, Walter	11:15	24:30	35:45
	Grant, Cy*	7:30	50:55	58:25
	Hinton, Alma	29:15	197:30	226:45
	Sermons, Wayland*	31:45	274:50	306:35
	Sumner, Quentin	53:15	204:10	257:25
	Tillett, Jerry*	6:30	65:45	72:15
	Emergency Judge(s)	0:00	24:05	24:05

**Division I includes the following counties:**

Beaufort	Hyde
Bertie	Martin
Camden	Nash
Chowan	Northampton
Currituck	Pasquotank
Dare	Perquimans
Edgecombe	Pitt
Gates	Tyrrell
Halifax	Washington
Hertford	Wilson

Division II	Division Total	Civil	Criminal	Total
		<b>465:40</b>	<b>1706:45</b>	<b>2172:25</b>
	Alford, Benjamin	36:20	80:05	116:25
	Cobb, W*	20:40	185:45	206:25
	Crow, Kenneth	65:35	204:45	270:20
	Gorham, Phyllis	14:50	267:35	282:25
	Henry, Charles*	58:30	242:50	301:20
	Hockenbury, Jay	101:05	172:05	273:10
	Jones, Arnold	29:45	238:10	267:55
	Jones, Paul	1:00	120:15	121:15
	Lanier, Russell	41:10	96:10	137:20
	Nobles, John*	96:45	78:45	175:30
	Emergency Judge(s)	0:00	20:20	20:20

**Division II includes the following counties:**

Carteret	New Hanover
Craven	Onslow
Duplin	Pamlico
Greene	Pender
Jones	Sampson
Lenoir	Wayne

		Civil	Criminal	Total
<b>Division III</b>	<b>Division Total</b>	<b>941:20</b>	<b>2782:40</b>	<b>3724:00</b>
	Abernathy, George	111:15	129:15	240:30
	Baddour, Richard	54:10	182:20	236:30
	Bushfan, Elaine	0:00	85:55	85:55
	Fox, Carl	96:00	142:25	238:25
	Gessner, Paul	43:50	112:30	156:20
	Hardin, James	35:35	313:55	349:30
	Hight, Henry	60:05	151:20	211:25
	Hobgood, Robert	78:35	172:00	250:35
	Hudson, Orlando	22:40	99:30	122:10
	Johnson, Robert	13:35	247:50	261:25
	Jones, Abraham*	44:10	144:40	188:50
	Manning, Howard	58:55	140:15	199:10
	Morgan, Michael	73:55	251:00	324:55
	O'Foghludha, Michael	16:15	188:30	204:45
	Ridgeway, Paul	183:15	119:25	302:40
	Smith, William	55:07	249:40	304:47
	Stephens, Donald	16:45	109:45	126:30
	Emergency Judge(s)	4:35	17:10	21:45

**Division III includes the following counties:**

Alamance	Granville
Caswell	Orange
Chatham	Person
Durham	Vance
Franklin	Wake
	Warren

		Civil	Criminal	Total
<b>Division IV</b>	<b>Division Total</b>	<b>505:40</b>	<b>2047:35</b>	<b>2553:15</b>
	Ammons, James	0:40	204:15	204:55
	Bell, James	40:40	288:45	329:25
	Brown, Richard	43:35	109:50	153:25
	Floyd, Robert	28:05	191:25	219:30
	Hill, Claire	80:20	209:20	289:40
	Lanier, Franklin	6:20	40:45	47:05
	Lewis, Ola*	19:15	85:10	104:25
	Lock, Thomas	188:40	160:45	349:25
	Sasser, Douglas	12:30	305:05	317:35
	Tally, Maryann	62:30	291:30	354:00
	Weeks, Gregory	0:10	124:50	125:00
	Emergency Judge(s)	22:55	35:55	58:50

**Division IV includes the following counties:**

Bladen	Hoke
Brunswick	Johnston
Columbus	Lee
Cumberland	Robeson
Harnett	Scotland

		Civil	Criminal	Total
<b>Division V</b>	<b>Division Total</b>	<b>918:55</b>	<b>2710:00</b>	<b>3628:55</b>
	Albright, Robert	63:55	213:20	277:15
	Burke, Logan	39:15	113:15	152:30
	Craig, John	50:25	183:15	233:40
	Cromer, Anderson	84:15	167:45	252:00
	Davis, Lindsay	56:40	179:25	236:05
	Deramus, Judson	116:45	103:20	220:05
	Gregory, Edgar	68:10	36:55	105:05
	Hinnant, Patrice	43:50	162:40	206:30
	Long, Vance	54:10	145:00	199:10
	Massey, Aaron	49:45	294:35	344:20
	Spivey, Ronald	107:55	236:40	344:35
	Stone, Richard	82:20	188:40	271:00
	Turner, Joseph	20:25	239:15	259:40
	Webb, James	19:15	256:25	275:40
	Wilson, Edwin ^	0:00	0:00	0:00
	Wood, William	34:05	166:00	200:05
	Emergency Judge(s)	27:45	28:15	56:00

**Division V includes the following counties:**

Alleghany	Randolph
Ashe	Rockingham
Forsyth	Stokes
Guilford	Surry
Montgomery	Wilkes
Moore	Yadkin

^ Judge Edwin Wilson (Division V) was on military leave for the reporting period.

		Civil	Criminal	Total
<b>Division VI</b>	<b>Division Total</b>	<b>522:35</b>	<b>1834:50</b>	<b>2357:25</b>
	Bragg, Christopher	106:40	186:20	293:00
	Bridges, Kevin	19:10	367:15	386:25
	Collier, Christopher	11:40	183:30	195:10
	Crosswhite, Joseph	161:00	120:15	281:15
	Klass, Mark*	106:45	62:55	169:40
	Lee, William	20:25	235:25	255:50
	Royster, Theodore	22:00	75:20	97:20
	Spainhour, William	10:55	344:40	355:35
	Wagoner, Anna	58:25	128:45	187:10
	Wallace, Tanya*	5:35	108:00	113:35
	Emergency Judge(s)	0:00	22:25	22:25

**Division VI includes the following counties:**

Alexander	Iredell
Anson	Richmond
Cabarrus	Rowan
Davidson	Stanly
Davie	Union

		Civil	Criminal	Total
<b>Division VII</b>	<b>Division Total</b>	<b>1125:20</b>	<b>3185:00</b>	<b>4310:20</b>
	Beal, Beverly	73:35	239:20	312:55
	Bell, William	21:30	165:30	187:00
	Boner, Richard	84:15	249:25	333:40
	Bridges, Forrest	95:55	166:30	262:25
	Caldwell, Jesse	147:40	107:15	254:55
	Constangy, Herbert	25:35	168:20	193:55
	Ervin, Robert	67:25	266:20	333:45
	Evans, Yvonne	50:25	329:35	380:00
	Foust, Linwood	111:05	216:45	327:50
	Kincaid, Timothy	29:15	189:50	219:05
	Levinson, Eric	172:05	167:05	339:10
	Lewis, Hugh	149:40	145:20	295:00
	Morgan, James	21:25	308:20	329:45
	Poovey, Nathaniel	37:15	224:10	261:25
	Sumner, Robert	38:15	176:35	214:50
	Emergency Judge(s)	0:00	64:40	64:40

**Division VII includes the following counties:**

Burke	Gaston
Caldwell	Lincoln
Catawba	Mecklenburg
Cleveland	

		Civil	Criminal	Total
<b>Division VIII</b>	<b>Division Total</b>	<b>483:45</b>	<b>1001:00</b>	<b>1484:45</b>
	Bridges, Laura*	26:25	141:45	168:10
	Downs, James	117:45	159:05	276:50
	Gavenus, Gary	27:45	104:40	132:25
	Ginn, Charles*	26:30	82:20	108:50
	Letts, Bradley	17:40	244:10	261:50
	Pope, Marvin	67:20	154:50	222:10
	Powell, Mark*	64:00	45:30	109:30
	Thornburg, Alan	98:20	66:10	164:30
	Emergency Judge(s)	38:00	2:30	40:30

**Division VIII includes the following counties:**

Avery	Madison
Buncombe	McDowell
Cherokee	Mitchell
Clay	Polk
Graham	Rutherford
Haywood	Swain
Henderson	Transylvania
Jackson	Watauga
Macon	Yancey

		Civil	Criminal	Total
<b>Special Judges</b>	<b>Total</b>	<b>921:10</b>	<b>1619:05</b>	<b>2540:15</b>
	Barrett, Sharon	57:25	104:25	161:50
	Croom, Craig	2:15	210:15	212:30
	Hooks, Dewey	70:20	212:10	282:30
	Jenkins, Jack	9:35	194:45	204:20
	Trawick, Gary	102:35	38:45	141:20
	Doughton, Richard	61:00	111:30	172:30
	Hassell, Andrew	47:55	189:10	237:05
	Pittman, William	47:05	116:25	163:30
	Inman, Lucy	83:10	64:35	147:45
	Joseph, Shannon	189:55	85:05	275:00
	Blount, Marvin	125:05	109:05	234:10
	Williamson, Frank	124:50	182:55	307:45

\* The following counties did not report on-bench time July through December.  
(All counties are reporting fully from January 2012.)

County	Division	Number of Sessions Assigned	Judges Assigned
Cherokee	8th	3	L.Bridges (3)
Dare	1st	7	Tillett (6), Fitch (1)
Davidson	6th	21	Klass (10), Wallace (11)
Graham	8th	3	L.Bridges (3)
Harnett	4th	4	O.Lewis (4)
Hertford	1st	5	Grant (5)
Madison	8th	6	Ginn (3), Powell (3)
Pender	2nd	5	Cobb (2), Henry (1), Nobles (2)
Polk	8th	4	TBA
Swain	8th	2	L.Bridges (2)
Tyrrell	1st	1	Sermons (1)
Yancey	8th	3	Ginn (2), Powell (1)



## NC Administrative Office of the Courts

### 15.6 (b) Reporting

**Note:** The collection of data only applies to in-court time, and does not record meetings with counsel in chambers, settlement conferences, supervision of staff, review of pleading, motions, and other documents, drafting of orders and judgments, legal research or other matters conducted during regular office hours.

[Click here](#) for a printable copy of this blank form.

**Note:** Only entries submitted through this web form will be counted.

First Name:	Required	<input style="width: 95%;" type="text"/>
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Last Name:	Required	<input style="width: 95%;" type="text"/>
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Title:	Required	<input style="width: 95%;" type="text" value="- Select One -"/>
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County:	Required	<input style="width: 95%;" type="text" value="- Select One -"/>
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Courtroom:	Required	<input style="width: 95%;" type="text"/>
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Session Date:	Required	<input style="width: 95%;" type="text"/>
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Court Session:	Required	<input style="width: 95%;" type="text" value="- Select One -"/>
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Judge:	Required / Optional	<input style="width: 95%;" type="text" value="- Select One -"/>
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If this is an emergency Judge and not in the list then enter it in the Emergency Judge field below

Emergency Judge:	Required / Optional	<input style="width: 95%;" type="text"/>
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Enter last name comma first name, for example; Doe, John

Time Period 1			Required
	Start Time:	<input style="width: 95%;" type="text" value="- Select One -"/>	
	End Time:	<input style="width: 95%;" type="text" value="- Select One -"/>	
Time Period 2			Optional
	Start Time:	<input style="width: 95%;" type="text" value="- Select One -"/>	
	End Time:	<input style="width: 95%;" type="text" value="- Select One -"/>	
			Optional

Time Period 3		
	Start Time:	- Select One -
	End Time:	- Select One -
Time Period 4 <span style="float: right;">Optional</span>		
	Start Time:	- Select One -
	End Time:	- Select One -
Time Period 5 <span style="float: right;">Optional</span>		
	Start Time:	- Select One -
	End Time:	- Select One -
Time Period 6 <span style="float: right;">Optional</span>		
	Start Time:	- Select One -
	End Time:	- Select One -
Time Period 7 <span style="float: right;">Optional</span>		
	Start Time:	- Select One -
	End Time:	- Select One -
Time Period 8 <span style="float: right;">Optional</span>		
	Start Time:	- Select One -
	End Time:	- Select One -
Time Period 9 <span style="float: right;">Optional</span>		
	Start Time:	- Select One -
	End Time:	- Select One -
Time Period 10 <span style="float: right;">Optional</span>		
	Start Time:	- Select One -
	End Time:	- Select One -

For help with this form, or to make revisions to a previously submitted entry, please contact Danielle J. Seale in the AOC Research and Planning Division, at (919) 890-1280 or [danielle.j.seale@nccourts.org](mailto:danielle.j.seale@nccourts.org)

If you would like to print this completed form to attach to minutes, do so now, **before you click the "Submit" button below.**

**You may only submit one entry per courtroom per day.**

**You must click the "Submit" button below for the day's entry to be counted.**

# ON AVERAGE, GENERAL JURISDICTION COURT JUDGES HANDLE 1,800 NEW CASES ANNUALLY

## Full-time Judges in Single-tiered and General Jurisdiction Courts, 2009

	Full-Time Judges		Incoming Non-traffic Cases		Population Rank
	Total	Per 100,000 Population	Total	Per Judge	
<b>Single-tiered Courts</b>					
California	1,614	4.4	3,569,283	2,211	1
District of Columbia	62	10.3	118,178	1,906	51
Iowa	196	6.5	329,288	1,680	31
Illinois	898	7.0	1,320,060	1,470	5
Minnesota	289	5.5	412,724	1,428	21
Puerto Rico	326	8.2	291,122	893	27
		<b>Median 6.7</b>		<b>Median 1,575</b>	

	Full-Time Judges		Incoming Non-traffic Cases		Population Rank
	Total	Per 100,000 Population	Total	Per Judge	
<b>General Jurisdiction Courts</b>					
South Carolina <sup>1</sup>	46	1.0	230,485	5,011	24
North Carolina <sup>1</sup>	109	1.2	370,879	3,403	10
New Jersey	411	4.7	1,326,541	3,228	11
Florida	599	3.2	1,788,571	2,986	4
South Dakota	39	4.8	116,429	2,985	47
Utah <sup>2</sup>	72	2.6	194,808	2,706	35
Indiana	315	4.9	831,141	2,639	16
Connecticut	179	5.1	421,327	2,354	30
North Dakota	44	6.8	100,676	2,288	49
Maine	53	4.0	119,211	2,249	42
Georgia <sup>3</sup>	205	2.1	455,415	2,222	9
Nevada	64	2.4	141,619	2,213	36
Vermont	31	5.0	64,619	2,084	50
Wisconsin	246	4.4	508,011	2,065	20
Maryland	153	2.7	314,884	2,058	19
Tennessee <sup>3</sup>	154	2.4	305,558	1,984	17
Missouri	334	5.6	660,268	1,977	18
Ohio	391	3.4	771,568	1,973	7
Texas	449	1.8	879,816	1,960	2
Arkansas	118	4.1	216,835	1,838	33
Virginia <sup>3</sup>	157	2.0	287,797	1,833	12
Arizona	174	2.6	312,261	1,795	14
Kansas	167	5.9	298,344	1,786	34
Louisiana	236	5.3	393,840	1,669	25
Washington	188	2.8	297,400	1,582	13
Alabama	143	3.0	226,159	1,582	23
Oklahoma	241	6.5	380,712	1,580	29
New Mexico	88	4.4	134,011	1,523	37
Pennsylvania	439	3.5	665,809	1,517	6
Michigan	221	2.2	318,105	1,439	8
Delaware <sup>1</sup>	19	2.1	27,157	1,429	46
New Hampshire	19	1.4	25,805	1,358	41
Kentucky	146	3.4	193,176	1,323	26
Colorado	153	3.0	189,936	1,241	22
New York <sup>3</sup>	455	2.3	547,297	1,203	3
Hawai'i	46	3.6	48,841	1,062	43
Montana	45	4.6	43,875	975	45
Wyoming	22	4.0	18,209	828	52
West Virginia	70	3.8	51,474	735	38
Rhode Island <sup>1</sup>	22	2.1	16,151	734	44
Nebraska	55	3.1	33,783	614	39
Alaska	40	5.7	20,303	508	48
Idaho	42	2.7	20,692	493	40
Massachusetts <sup>1</sup>	82	1.2	30,356	370	15
				<b>Per 100k population Median 3.1</b>	
				<b>Per Judge Median 1,791</b>	

Note: Mississippi and Oregon were unable to provide data for 2009.

<sup>1</sup> These states do not have domestic relations or juvenile jurisdiction in their general jurisdiction court(s).

<sup>2</sup> These states do not have domestic relations jurisdiction in their general jurisdiction court(s).

<sup>3</sup> These states do not have juvenile jurisdiction in their general jurisdiction court(s).