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1993

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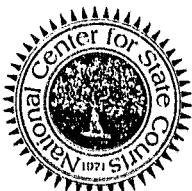


# State Court Organization 1993

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*A joint effort of  
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# INTRODUCTION

## *Purpose, Format, and Method of Compilation*

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

This volume, the third edition in a series, describes the highly diverse world of the state courts, while also providing some corresponding information on the federal courts. Information distributed across 47 tables details the main features of how courts operate, ranging from the names of the various courts established in each state to whether jury verdicts must be unanimous to convict in criminal cases or to decide on liability in civil matters. Such fundamental matters vary from state to state, and between the state courts and the federal system--there is no single, uniform court system in the United States.

One reason then for compiling the *State Court Organization* series (previous editions refer to court organization in 1980 and 1987) is to provide answers in a single volume to fundamental questions about what a state's court system looks like: How many appellate and trial courts have been established? What specific categories of cases does each court have the jurisdiction to decide? Most states have two appellate courts and at least two trial courts, but differ in such basics as where jurisdiction over juvenile cases is to be found and whether civil appeals are heard as a matter of right or at the discretion of the reviewing appellate court. The essential point is that these matters are not standardized across the United States. The federal system and individual states have evolved knocking against one another from time to time in ways that lead to some shared tendencies, but the glory of America's courts is their diversity. It is also the bane of anyone who wishes to generalize. There are trends and tendencies, but no uniformity.

A second purpose for compiling *State Court Organization* is to help identify the patterns in how courts are organized. State courts have changed and continue to change in response to problems and concerns that are often national. Information on how aspects of court administration and procedure are organized assists states in effecting change by identifying options and examples.

To a limited extent, the federal court system offers a form of organization that states can follow. The incorporation of aspects of state court organization can equally be found in the federal courts, however, and in many arenas, such as judicial discipline or the openness of the courtroom to television cameras, there is a divide between federal and state practice. This edition of *State Court Organization* encourages and facilitates examination of federal and state approaches to court administration, procedures, and rules.

Some of the fundamental aspects of court organization covered on a state by state basis and also for the federal courts include the appellate and trial court benches. The current edition of *State Court Organization* repeats the coverage of information on judicial selection and discipline, but offers more expansive coverage of provisions for judicial education and judicial performance evaluation. For example, whether judges are required to be "law trained" is stated and the number of law trained judges specified where relevant. The trend in recent decades has been toward professionalization of courts. But that trend meets with the current of another stream of dispute processing that seeks simplicity, speed, and low cost, and generally to make proceedings accessible to the lay person.

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

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

Another topic given emphasis is how the judicial branch is governed. Who is the head of the judicial branch? What official or institution formulates and submits the budget for operating the courts? What items of trial court expenditure are funded by the state and which are financed either by local government or from court fees? What is the rule-making authority of state courts of last resort? What use is made of judicial councils and conferences in

setting policy for the courts? At the level of individual trial courts, is the clerk of court an independently elected official or an appointee of the court (essentially of the bench)? What is the formal relationship between the clerk of court and the trial court administrator? The advent of professional trial court managers--administrators, clerks, and judges who view much of their role as managerial--is one of the more significant waves of change that buffeted the nation's courts in recent decades. It is far from a tidal wave, but the governance of the judicial branch is becoming a more substantial undertaking that merits close description.

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

Information on all of the above topics is available in the current edition. What is left out to be filled by future editions? In looking ahead, changes afoot in the court world suggest some important gaps. Certainly future editions will need to cover alternative dispute resolution, drug courts, the parameters that frame civil litigation in the states and in the federal system (caps on punitive damage awards, no-fault versus fault-based compensation), and procedures established to assist litigants who wish to appear in court *pro se*, that is, to represent themselves.

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

Tables are divided into seven parts according to broad topical areas:

- ① Courts and Judges (Tables 1-3)
- ② Judicial Selection and Terms (Tables 4-12)

- ③ The Judicial Branch: Governance, Funding, and Administration (Tables 13-20)
- ④ Appellate Courts: Jurisdiction, Staffing, and Procedures (Tables 21-28)
- ⑤ Trial Court Administration and Procedures (Tables 29-33)
- ⑥ The Jury (Tables 34-38)
- ⑦ The Sentencing Context (Tables 39-47)

An eighth part contains a one page court structure chart for each state, Puerto Rico, and the District of Columbia. Each part begins with a brief explanatory note. A bibliography is also offered of sources used in the data collection or that cover subject matter particularly relevant to the topic under consideration. One objective of the introductions is to indicate the rationale for why the information provided is important to understanding the nation's courts and how that information relates to the contents of other parts. Another objective is to highlight some of the factors that affect comparability across states, and between the state and federal systems, for the specific subject area being considered. A general cautionary statement is offered here. This volume covers an unusually diverse set of topics. There is no single state authority that maintains current and complete information on each topic. Therefore several sources were contacted in each state and extensive searches were undertaken of court rules and state statutes. The next section of this introductory essay describes the process by which information was obtained and verified.

Two kinds of tables are presented. One kind of table is formatted to describe what is found at the state level as in the juror source list, the definition of a felony offense, the functions of the administrative office of the courts, and other aspects of court organization that apply to all courts in a state.

The second kind of table reports on features that differ from court to court within a state, such as the number of judges, or procedures for selecting a presiding judge. The "court" in trial court generally applies to a statewide court system--for example, the Circuit Court of Virginia is divided into 31 circuits each serving a specific geographical area. Some trial courts, though, include an entire state within their geographic jurisdiction, as in the Tax Court of New Jersey. Appellate courts are more typically statewide in their jurisdiction, but intermediate appellate courts are established on a regional basis in Arizona, California, Florida, Illinois, Indiana, Louisiana, Missouri, New York, Ohio, Oklahoma, Tennessee, Texas, Washington, and Wisconsin. In those states, intermediate appellate courts may establish rules and procedures that vary between regions (usually called a district or division). A few states have multiple intermediate appellate courts (Alabama, New York, Pennsylvania, and Tennessee) and two states--

Oklahoma and Texas--have two courts of last resort. (See Table 1).

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

Charts portraying court structure complement the information in the tables. The charts depict for each state the essential structure of the court system in terms of subject matter jurisdiction and routes of appellate review.

This edition was prepared during a period of change in the state and federal courts. Deliberations by Futures Commissions and Task Forces on Racial and Ethnic Bias and on Gender Bias were underway in many states. Substantial restructuring of sentencing laws was also occurring. There was also a resurgence of interest, last felt powerfully in the 1970s, in the

consolidation of trial courts to achieve more effective and efficient court operations. It was further a period of sparse state budgets, a spur in many states to ingenuity in coping with rising case volumes with diminishing resources.<sup>1</sup>

Faced with this diversity in organizational features, is there no alternative to a state by state examination? It is possible to suggest some ways of categorizing states. One is in terms of the basic

structure of their appellate courts, as shown in Figure 1.

As recently as 1957, only 13 states had permanent intermediate appellate courts. Now, all but 12 states have such a court, and one (North Dakota) is operating one on a temporary basis to assist in handling the rising appellate caseload.

A second basis for categorizing court systems is according to the degree of trial court consolidation. Several indices are available. One based on consolidation of structure and jurisdictional simplicity rates each state on a scale in which four is

the most consolidated and 15 is the least consolidated, as shown in Figure 2.<sup>2</sup>

A third basis of classification is the extent of state funding, with a score of one indicating state funding for all court functions and five for a court system that is essentially funded by local government units (counties or municipalities for the most part).<sup>3</sup> Such a classification is shown in Figure 3. Tracing the flow of state funding and the levels of staffing, overall and by function

Figure 1: Organizing States by Appellate Court Structure

Court of Last Resort Only	Court of Last Resort and One Intermediate Appellate Court	One Court of Last Resort and Two Intermediate Appellate Courts	Two Courts of Last Resort and One Intermediate Appellate Court
Delaware	Alaska	Alabama	Oklahoma*
Maine	Arizona	New York	Texas
Mississippi	Arkansas	Pennsylvania	
Montana	California	Tennessee	
New Hampshire	Colorado		
Nevada	Connecticut		
Rhode Island	Florida		
South Dakota	Georgia		
Vermont	Hawaii*		
West Virginia	Idaho*		
Wyoming	Illinois		
	Indiana		
	Iowa*		
	Kansas		
	Kentucky		
	Louisiana		
	Maryland		
	Massachusetts		
	Michigan		
	Minnesota		
	Missouri		
	Nebraska		
	New Jersey		
	New Mexico		
	North Carolina		
	North Dakota*		
	Ohio		
	Oregon		
	South Carolina*		
	Utah		
	Virginia		
	Washington		
	Wisconsin		

\*Court of Last Resort assigns cases to intermediate appellate court

for trial courts, is one basis for characterizing a court system's essential organization.

Expectations that consolidation, centralization of administration, and state funding for trial courts would proceed in tandem have not been met. Consequently, a consolidated court system is not necessarily a state-funded system with significant centralized authority over the judicial branch.

**Figure 2: Categorizing States by Degree of Trial Court Consolidation**

Idaho	4	Florida	7	Nebraska	9	Louisiana	11	Montana	13
Illinois	4	Alaska	8	New Jersey	9	New Hampshire	12	Ohio	13
Iowa	4	Hawaii	8	Washington	9	New Mexico	12	Oregon	13
Massachusetts	4	Virginia	8	North Dakota	10	Rhode Island	12	Texas	13
Minnesota	4	California	8	Oklahoma	10	Colorado	12	Wyoming	13
South Dakota	4	Maine	8	Indiana	10	Georgia	12	Arkansas	14
Kansas	6	Vermont	8	Alabama	11	Pennsylvania	12	Mississippi	14
Missouri	6	Kentucky	9	Arizona	11	Utah	13	Tennessee	14
Wisconsin	6	North Carolina	9	Nevada	11	West Virginia	13	Delaware	15
Connecticut	7	Maryland	9	South Carolina	11	Michigan	13	New York	15

Region is yet a fourth basis for classifying court systems. Circumstances and the spread of innovations have often been regional to a significant but never complete degree.

The initial step in the data collection was a staff review of the contents of the previous editions. This was undertaken in consultation with the Federal Judicial Center, staff of the NCSC Information Service, contacts with the Utilization of Criminal

**Figure 3: Categorizing States by Extent of State Funding**

Alaska	1	Colorado	2	Kansas	3	Michigan	4	Indiana	5
Connecticut	1	Delaware	2	Missouri	3	New Jersey	4	Minnesota	5
Hawaii	1	Iowa	2	Nebraska	3	Ohio	4	Mississippi	5
Kentucky	1	Maryland	2	North Dakota	3	Pennsylvania	4	Montana	5
Maine	1	New Mexico	2	Oklahoma	3	Arizona	5	Nevada	5
Massachusetts	1	New York	2	Virginia	3	Arkansas	5	South Carolina	5
New Hampshire	1	North Carolina	2	West Virginia	3	California	5	Tennessee	5
Rhode Island	1	Oregon	2	Wyoming	3	Florida	5	Texas	5
Vermont	1	South Dakota	2	Illinois	4	Georgia	5	Washington	5
Alabama	2	Utah	2	Louisiana	4	Idaho	5	Wisconsin	5

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

**Perspective:** In mapping out the contents of what is the third volume in a series, consideration was given both to the virtues of continuity in the information that is included and to recognition that change in the shape and interests of the court community call for new data, while also diminishing the salience of some items of information. The underlying perspective, therefore, is that a core set of topics about courts exists for which comparative information is in demand. The likely information needs of managers and administrators within the judicial branch and of researchers were, also considered.

One major change that follows from such a perspective is the decision to include, where appropriate, information concerning the federal courts. A more general recognition of other court systems is made concrete in Table 33, which gives some rudimentary information on Native American tribal courts, both appellate and trial. The courts of Puerto Rico also reappear in this volume, having been included in the first, but not the second edition

**Process:** The basic strategy was to be consistent in collecting information and to use the administrative offices of the courts and appellate court clerks as either the primary source for information or for its verification.

Justice Statistics Project at the Hindelang Criminal Justice Research Center (SUNY at Albany), which is responsible for the annual *Sourcebook of Criminal Justice Statistics*; and staff from the Bureau of Justice Statistics. The ultimate review of the proposed contents was done by a specially established subcommittee of the Conference of State Court Administrator's Court Statistics Committee and BJS staff. The four members of the subcommittee are Robert Doss (Georgia), Aaron Ment (Connecticut), J. Denis Moran (Wisconsin), and Robert Barnoski (Washington).

This resulted in a lengthy wish list of variables, some 500 in all, that was winnowed gradually to fit with what could be realistically obtained from respondents and existing source material, and also with what experience suggested was reliably reported from the states and other units. The 1993 edition contains 344 items of information spread across 47 tables.

Specific items of information were divided among four methods of data collection based on the most reliable and cost effective source. Those methods are:

- A mail survey designed to collect information on aspects of court organization that are primarily administrative in nature. John Goerdт of the NCSC Research Division took primary responsibility for compiling the survey form.

- A second survey form was developed for information that was being retained from the previous edition and was deemed unlikely to have changed significantly over the short term. Respondents were presented with the question at issue, the response from the 1987 edition, and asked to update the information if necessary.

- A separate survey was sent to the clerks of each appellate court inquiring about subject matter jurisdiction, expedited and special procedures in use, requirements for preparation and publication of a full opinion for an appeal, and the number of support staff. In some states, the surveys were completed by the administrative office of the courts. Steve Hairston helped to collate responses and organize them in a consistent manner.

- Protocols were developed for use in searches of state and federal statutes and court rules in order to complete tables describing such matters as jury size and verdict rules, the availability of various forms of intermediate sanctions, "RICO" (Racketeering Influenced and Corrupt Organization) laws, and the collateral consequences of a felony conviction. Existing compilations of information on these topics in law review articles and other publications were generally used as the starting point for the data collection and are cited in "select" bibliographies associated with the various parts. Statute and rule searches were conducted by third year students in the Marshall-Wythe Law School, College of William and Mary: Nick Murphy, Lisa Nicholson, primarily, along with Joan Kane and Amy Clarke.

The design and wording of the three survey instruments were crafted at a meeting of the Conference of State Court Administrator (COSCA) subcommittee in January 1993. The surveys, as modified, were mailed to respondents in March 1993 with a cover letter from J. Denis Moran, the Chair of the COSCA Court Statistics Committee, requesting cooperation.

Surveys were reviewed for completeness on return and the responses were keyed into EXCEL spreadsheets as a database. Tables that were compiled originally through searches of existing material were also examined for consistency and completeness. Project staff undertook a substantial amount of editing to make responses consistent and also to fit a common format. All tables were then translated into "Word for Windows" documents for ease in generating camera ready copy.

The main verification effort was undertaken by mailing all completed tables of information to state administrative offices of the court. Two parcels were assembled and mailed separately. The first and largest was mailed in December 1993 and the second

in February 1994. The smaller parcel contained tables that appeared to be based on survey questions that were ambiguous or in which the responses revealed facets that made the information collected not fully consistent across states. Some tables were simplified by project staff prior to the request for verification. Figure 4 on page 6 associates each of the 47 tables with the primary method of data collection used for its compilation. Room for ambiguity remains even after several iterations of verification. This is inevitable in any best faith effort to collect comparable information on multiple topics for which no individual or office can claim to be a definitive authority. Some leading authorities on specific topics were consulted, notably Tom Munsterman on juries and Roger Hanson and Teb Marvel on appellate courts, as an additional check on the accuracy and comparability of information.

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

Finally, *State Court Organization* is a companion series to the series of annual State Court Caseload Statistics reports, prepared by the Court Statistics Project of the National Center for State Courts. Please bring suggestions for information that should be included in future editions to the attention of the Director of the Court Statistics Project, National Center for State Courts, 300 Newport Avenue, Williamsburg, Virginia 23187-8798.

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<sup>1</sup> Robert W. Tobin and Kenneth G. Pankey, *Managing Budget Cutbacks*, Williamsburg, VA: National Center for State Courts, 1994.

<sup>ii</sup> Victor E. Flango and David B. Rottman, "Measuring Trial Court Consolidation", *Justice System Journal* Vol. 16, No. 1, 1992.

<sup>iii</sup> Robert W. Tobin, *Status of State Financing of Courts--1988*. Williamsburg, VA: National Center for State Courts.

**Figure 4: Primary Source of Data Collection**

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

\*AOC=Administrative Office of the Courts

# **PART I**

*Courts and Judges*

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(Tables 1-3)

## Courts and Judges

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

How many appellate courts have been established in the United States? Table 1 provides the answer. There are two basic kinds of appellate courts. Courts of last resort (COLR) have final jurisdiction over appeals. Each state has a COLR. Oklahoma and Texas split final appellate review between separate civil and criminal COLRs. Intermediate appellate courts (IAC) hear initial appeals, the outcome of which is usually subject to further review by the state's COLR. Courts of last resort typically were established in the state's constitution and sit in one location, the state capital. Intermediate appellate courts, a more contemporary institution, have multiple locations in 11 states. Each location serves a region within the state, usually with its own chief judge and permanently assigned complement of judges. (Table 1) How many judges are authorized to serve and were actually serving, as of January 1, 1993, on each court? The number of appellate judgeships, authorized and serving, for the state and federal courts is shown in Table 2. The combined full-time federal and state appellate bench has 1,325 members. Most appellate judges serve on intermediate appellate courts (975).

The allocation of judgeships to appellate courts illustrates the divergence between the federal and state courts, as well as state court diversity. All COLRs are established with an odd number of justices, in contrast to the structure of the jury as a decision-making institution, which usually entails an even number of jurors. The most common arrangement is a seven judge COLR, found in 26 states. Five justices serve on COLRs in 18 states, while six states follow the federal nine-justice model (as does the District of Columbia). Both Texas COLRs have nine justices. Oklahoma has a nine-member Supreme Court and a five member Court of Criminal Appeals.

Intermediate appellate courts often undertake review through panels of three or more judges rather than by the full court sitting "en banc" (see Table 25). California has the largest state IAC, with 88 authorized judgeships. This court is divided into nine divisions. (Table 1) There are 179 authorized judgeships for the 13 circuits of the U.S. Circuit

Courts of Appeal. Three judge IACs are found in Alabama (Court of Civil Appeals), Alaska, Hawaii, and Idaho.

Trial courts are listed state by state in Table 3, distinguishing between courts of general jurisdiction (GJ) and courts of limited (or special) jurisdiction (LJ). General jurisdiction trial courts are always the highest trial court in a state where felony criminal cases and high stakes civil suits are adjudicated. They often exercise some form of appellate review over outcomes in limited jurisdiction courts or decisions by administrative agencies, exercising what is termed incidental appellate jurisdiction (Table 24).

A limited jurisdiction trial court, one or more of which is to be found in all but six states, typically holds preliminary hearings in felony cases and typically has jurisdiction over misdemeanor and ordinance violation cases (Table 40 details the jurisdiction over felony cases by courts of limited jurisdiction). Civil jurisdiction is restricted to a fixed maximum amount, and typically includes a separate category of small claims cases for which simplified procedures are established. Juvenile and domestic relations cases are typically heard in a court of general jurisdiction, but not invariably; in some states, a special court may exist for such "family law" cases.

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

The information contained in this section is basic because there is no generic court system in the United States. Even the nomenclature varies. Supreme Courts are usually courts of last resort, but

in New York the designation "supreme" is assigned to the main trial court, while The Court of Appeals is the state's court of last resort. Justices and a Chief Justice usually serve on courts of last resort, but a number of COLRs have judges and a chief judge. Judge is the standard title for those serving on intermediate appellate courts.

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

#### Select Bibliography:

##### **General:**

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

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

Marie T. Finn (Ed.) *The American Bench: Judges of the Nation, Seventh Edition 1993/94*, Sacramento: Forster-Long, 1993 [includes maps of federal and state judicial boundaries].

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

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

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

States/Courts:	Court type	No	Does the court sit in cities other than the state capital?		Separate Administrative Rules	Number of court locations that have:	
			Yes, Required by Law	Yes, at Court's Discretion		Chief Justice/Judge	Justices/Judges Permanently Assigned to that Location
Alabama							
Supreme Court	COLR			X	1	1	1
Court of Criminal Appeals	IAC			X	1	1	1
Court of Civil Appeals	IAC			X	1	1	1
Alaska							
Supreme Court	COLR			X	1	1	2
Court of Appeals	IAC			X	1	1	1
Arizona							
Supreme Court	COLR			X	1	1	2
Court of Appeals	IAC		X(a)		2	2	2
Arkansas							
Supreme Court	COLR	X			1	1	1
Court of Appeals	IAC			X	0	1	1
California							
Supreme Court	COLR			X	~	1	1
Courts of Appeal	IAC		X		~	9(a)	9(b)
Colorado							
Supreme Court	COLR			X	1	1	1
Court of Appeals	IAC			X	1	1	1
Connecticut							
Supreme Court	COLR			X	1	1	1
Appellate Court	IAC	X			1	1	1
Delaware							
Supreme Court	COLR	X			0	1	0
District of Columbia							
Court of Appeals	COLR	~	~	~	1	1	1
Florida							
Supreme Court	COLR	X			1	1	7(a)
District Courts of Appeal	IAC		X		0	5(b)	5(b)
Georgia							
Supreme Court	COLR			X	1	1	1
Court of Appeals	IAC			X	1	1	1
Hawaii							
Supreme Court	COLR	X			1	1	1
Intermediate Court of Appeals	IAC	X			1	1	1
Idaho							
Supreme Court	COLR		X		1	1	1
Court of Appeals	IAC		X		1	1	1

Legend: COLR=Court of Last Resort; IAC=Intermediate Appellate Court; ~=Not applicable

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

States/Courts:	Court type	Does the court sit in cities other than the state capital?			Number of court locations that have:		
		No	Yes, Required by Law	Yes, at Court's Discretion	Separate Administrative Rules	Chief Justice/Judge	Justices/Judges Permanently Assigned to that Location
<b>Illinois</b>							
Supreme Court	COLR			X	1	1	1
Appellate Court	IAC		X		5	5	5
<b>Indiana</b>							
Supreme Court	COLR			X	1	1	1
Court of Appeals	IAC			X	1	1	1
Tax Court	IAC		X		(a)	(a)	(a)
<b>Iowa</b>							
Supreme Court	COLR	X			1	1	1
Court of Appeals	IAC	X			1	1	1
<b>Kansas</b>							
Supreme Court	COLR	X			1(a)	1	1
Court of Appeals	IAC			X	1(a)	1	1
<b>Kentucky</b>							
Supreme Court	COLR	X		X (rare)	1	1	1
Court of Appeals	IAC		X	X	1	1	1
<b>Louisiana</b>							
Supreme Courts	COLR			X	1	1	1
Courts of Appeal	IAC		X		5	5	5
<b>Maine</b>							
Supreme Judicial Court	COLR			X	1	1	(a)
<b>Maryland</b>							
Court of Appeals	COLR	X			1	1	1
Court of Special Appeals	IAC	X			1	1	1
<b>Massachusetts</b>							
Supreme Judicial Court	COLR			X	1	1	1
Appeals Court	IAC			X	1	1	1
<b>Michigan</b>							
Supreme Court	COLR	X			1	1	1
Court of Appeals	IAC		X		1	1(a)	(b)
<b>Minnesota</b>							
Supreme Court	COLR	X			1	1	1
Court of Appeals	IAC		X		1	1	1
<b>Mississippi</b>							
Supreme Court	COLR			X	1	1	1
<b>Missouri</b>							
Supreme Court	COLR	X			1	1	1
Court of Appeals	IAC		X	X	3	3	3
<b>Montana</b>							
Supreme Court	COLR			X	1	1	1

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

States/Courts:	Court type	No	Does the court sit in cities other than the state capital?		Number of court locations that have:		
			Yes, Required by Law	Yes, at Court's Discretion	Separate Administrative Rules	Chief Justice/Judge	Justices/Judges Permanently Assigned to that Location
Nebraska				X	1	1	1
Supreme Court	COLR			X	1	1	1
Court of Appeals	IAC			X	1	1	1
Nevada							
Supreme Court	COLR			X	1	1	1
New Hampshire							
Supreme Court	COLR	X			1	1	1
New Jersey							
Supreme Court	COLR	X			1	1	1
Appellate Division of Superior Court	IAC			X	1	1	1(a)
New Mexico							
Supreme Court	COLR	X			1	1	1
Court of Appeals	IAC			X	1	1	1
New York							
Court of Appeals	COLR	X			1	1	1
Appellate Divisions of Supreme Court	IAC			X	4	4	4
Appellate Terms of Supreme Court	IAC			X	8	8	8
North Carolina							
Supreme Court	COLR	X			1	1	1
Court of Appeals	IAC			X	1	1	1
North Dakota							
Supreme Court	COLR			X	1	1	1
Ohio							
Supreme Court	COLR			X	1	1	1
Court of Appeals	IAC		X		12	12	12
Oklahoma							
Supreme Court	COLR	X			1	1	1
Court of Criminal Appeals	COLR	X			1	1	1
Court of Appeals	IAC		X		1	1	2(a)
Oregon							
Supreme Court	COLR			X	1	1	1
Court of Appeals	IAC			X	1	1	1
Pennsylvania							
Supreme Court	COLR			X	1	1	1
Superior Court	IAC			X	1	1	1
Commonwealth Court	IAC			X	1	1	1
Rhode Island							
Supreme Court	COLR	X			1	1	1

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

States/Courts:	Court type	No	Does the court sit in cities other than the state capital?		Number of court locations that have:		
			Yes, Required by Law	Yes, at Court's Discretion	Separate Administrative Rules	Chief Justice/Judge	Justices/Judges Permanently Assigned to that Location
South Carolina							
Supreme Court	COLR	X			1	1	1
Court of Appeals	IAC			X	1	1	1
South Dakota							
Supreme Court	COLR			X	1	1	1
Tennessee							
Supreme Court	COLR		X		1	1	1(a)
Court of Appeals	IAC		X		1	1	4(a)
Court of Criminal Appeals	IAC		X		1	1	3(a)
Texas							
Supreme Court	COLR	X			1	1	1
Court of Criminal Appeals	COLR	X			1	1	1
Courts of Appeals	IAC		X		14	14	14
Utah							
Supreme Court	COLR			X	1	1	1
Court of Appeals	IAC			X	1	1	1
Vermont							
Supreme Court	COLR			(a)	1	1	1
Virginia							
Supreme Court	COLR	X			1	1	1
Court of Appeals	IAC		X		1	1	4
Washington							
Supreme Court	COLR			X	1	1	1
Court of Appeals	IAC		X		3(a)	3(a)	3
West Virginia							
Supreme Court of Appeals	COLR			(a)	1	1	1
Wisconsin							
Supreme Court	COLR	X		(a)	1	1	1
Court of Appeals	IAC		X		1	1	1
Wyoming							
Supreme Court	COLR			X	1	1	1
Puerto Rico							
Supreme Court	COLR	X			1	1	1

## Table 1 -- Appellate Courts in the United States

### FOOTNOTES:

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**Arizona:**

(a)Division I sits in Phoenix; Division II sits in Tucson.

**California:**

(a)There is an administrative presiding judge in each of the three multi-division districts, and the presiding judges serve this function in the other three districts.

(b)There are 88 authorized judgeships. Currently 78 are filled.

**Florida:**

(a)The Supreme Court facility for all seven justices is located in the state capital.

(b)There are five district courts of appeal that are located in five different judicial districts throughout the state. The First District has fifteen judges. The Second has fourteen, the Third District has eleven, the Fourth has twelve, and the Fifth District has nine judges. The chief judge for each DCA is chosen by a majority of the court and, if there is no majority, by the chief justice.

**Indiana:**

(a)Tax court does not have a chief judge; it has separate administrative rules and one judge permanently assigned.

**Kansas:**

(a)Both the COLR and IAC operate under the same administrative rules.

**Maine:**

(a)The justices have permanent chambers in the superior courthouse near their residence. There is no actual Supreme Judicial Court facility.

**Michigan:**

(a)There is one chief judge elected by the entire IAC and four presiding judges, rotating on a monthly basis.

(b)All IAC judges rotate throughout numerous court locations in the state, although there are four designated districts (1st, 2nd, 3rd, and 4th).

**New Jersey:**

(a)Judges are not assigned permanently to any particular location.

**Oklahoma:**

(a)Six judges sit in Tulsa and six sit in Oklahoma City.

**Tennessee:**

(a)This court may at its discretion, sit in other than the three required locations.

**Vermont:**

(a)Also sits in north and south parts of the state, each year.

**Washington:**

(a)There is one presiding judge over all divisions, as well as a chief judge in each of the three divisions. All have local administrative rules in addition to general administrative rules.

**West Virginia:**

(a)Sits once annually at a law school.

**Wisconsin:**

(a)Although it is not customary, in October of 1993 the Court sat in Green Bay as part of a more general public information/education program. It is expected that the Court will continue this practice, periodically traveling to selected sites in Wisconsin in coming years.

**Table 2 -- Appellate Court Judges**

States:	Number of Court of Last Resort judges (COLR)		Number of judges in states with two COLRs		Number of Intermediate Appellate Court judges (IAC)		Number of judges in states with two IACs	
	Authorized	Serving	Authorized	Serving	Authorized	Serving	Authorized	Serving
Alabama	9	9	~	~	3	3	5(a)	5(a)
Alaska	5	5	~	~	3	3	~	~
Arizona	5	5	~	~	21	21	~	~
Arkansas	7	7	~	~	6	6	~	~
California	7	7	~	~	88	78	~	~
Colorado	7	7	~	~	16	16	~	~
Connecticut	7	7	~	~	9	9	~	~
Delaware	5	5	~	~	~	~	~	~
District of Columbia	9	9	~	~	~	~	~	~
Florida	7	7	~	~	57	56	~	~
Georgia	7	7	~	~	9	9	~	~
Hawaii	5	4	~	~	3	3	~	~
Idaho	5	5	~	~	3	3	~	~
Illinois	7	7	~	~	42	42	~	~
Indiana	5	5	~	~	5	5	1	1
Iowa	9	9	~	~	6	6	~	~
Kansas	7	7	~	~	10	10	~	~
Kentucky	7	7	~	~	14	14	~	~
Louisiana	7	8(a)	~	~	55	54(a)	~	~
Maine	7	7	~	~	~	~	~	~
Maryland	7	7	~	~	18	18	~	~
Massachusetts	7	7	~	~	14	14	~	~
Michigan	7	7	~	~	24	24	~	~
Minnesota	7	7	~	~	16	16	~	~
Mississippi	9	9	~	~	~	~	~	~
Missouri	7	7	~	~	32	32	~	~
Montana	7	7	~	~	~	~	~	~
Nebraska	7	7	~	~	6	6	~	~
Nevada	5(a)	5	~	~	~	~	~	~
New Hampshire	5	5	~	~	~	~	~	~
New Jersey	7	7	~	~	28	28	~	~
New Mexico	5	5	~	~	10	10	~	~
New York	7	6	~	~	48	48	15(a)	15(a)
North Carolina	7	7	~	~	12	12	~	~
North Dakota	5	5	~	~	3	3	~	~
Ohio	7	7	~	~	65	65	~	~
Oklahoma	9	9	5	5	12	12	~	~
Oregon	7	7	~	~	10	10	~	~
Pennsylvania	7	7	~	~	15	14	9(a)	9(a)
Rhode Island	5	5	~	~	~	~	~	~
South Carolina	5	5	~	~	6	6	~	~
South Dakota	5	5	~	~	~	~	~	~
Tennessee	5	5	~	~	12	12	9(a)	9(a)
Texas	9	9	9	9	80	80	~	~
Utah	5	5	~	~	7	7	~	~
Vermont	5	5	~	~	~	~	~	~
Virginia	7	7	~	~	10	~	~	~
Washington	9	9	~	~	23	17	~	~
West Virginia	5	5	~	~	~	~	~	~
Wisconsin	7	7	~	~	15	15	~	~
Wyoming	5	5	~	~	~	~	~	~
Puerto Rico	7	7	~	~	(a)	(a)	~	~
Federal:								
US Supreme Court	9	9	~	~	~	~	~	~
US Courts of Appeals	~	~	~	~	179	160(a)	~	~

## Table 2 -- Appellate Court Judges

### FOOTNOTES:

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**Alabama:**

(a)Five judges on Court of Criminal Appeals; 3 judges on Court of Civil Appeals.

**Louisiana:**

(a)One judge elected to a temporary judgeship on the courts of appeal was assigned, effective 1/1/93 to sit on the supreme court.

**New Jersey:**

(a)Forty-eight justices on Appellate Divisions of Supreme Court and 15 on Appellate Terms of Supreme Court.

**Nevada:**

(a)Seven authorized by constitution; 5 authorized by statute.

**Pennsylvania:**

(a)Fifteen authorized judges on Superior Court and 9 on commonwealth court.

**Tennessee:**

(a)Nine judges on the Court of Appeals; 12 judges on the Court of Criminal Appeals.

**Puerto Rico:**

(a)The Puerto Rican Court of Appeals was in function through November 1992 to August 1993 when it was abolished by law. The 15 appellate judges will continue working on other judicial matters until the termination of their tenure (16 years).

**Federal:**

(a)Includes the Court of Appeals for the Federal Circuit. Information is current as of June 1, 1993.

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

States/Courts:	Court type	Full-time Judges			FTE from Those Who Are Judges (Part-time or Senior)		Quasi-Judicial Staff	
		Authorized	Serving	Law Trained	Authorized	Serving	Authorized	Serving
Alabama								
Circuit Court	G	127	127	125	~	~	2	2
District Court	L	98	98	96	~	~	22	22
Municipal Court	L	222	222	222	~	~	~	~
Alaska								
Superior Court	G	31	31	31	8	0	12	11
District Court	L	17	17	17	~	~	~	~
Magistrates	~	59	42	UNK	~	~	~	~
Arizona								
Superior Court	G	126	125	125	0	0	55	55
Justice of the Peace Court	L	83	83	UNK	0	0	68	68
Municipal Court	L	77	77	UNK	8.3	8.3	71	71
Arkansas								
Circuit Court	G	34	34	34	0	0	0	0
Chancery and Probate Courts	G	33	33	33	0	0	0	0
Circuit/Chancery Courts(a)	G	33	33	33	0	0	0	0
Municipal Court	L	125	112	112	0	0	0	0
City Court	L	91	67	0	0	0	0	0
Police Court	L	5	5	0	0	0	0	0
Court of Common Pleas	L	4	4	0	0	0	0	0
California								
Superior Court	G	789	776	776	~	~	~	131
Municipal Court	L	619	574	574	~	~	~	156
Justice Court	L	~	~	~	51(a)	51(a)	~	~
Colorado								
District Court	G	115	115	115	~	~	0	0
Denver Probate Court	G	(a)	(a)	(a)	~	~	~	~
Denver Juvenile Court	G	(b)	(b)	(b)	~	~	~	~
Water Court	G	(c)	(c)	(c)	~	~	~	~
County Court	L	93	93	91	53	53	0	0
Municipal Court	L	-250	-250	~	~	~	~	~
Connecticut								
Superior Court	G	150	145	145	53(a)	28.6	733(b)	733
Probate Court	L	133	133	~	~	~	~	~
Delaware								
Court of Chancery	G	5	5	5	0	0	1	1
Superior Court	G	17	17	17	0	0	6	6
Justice of the Peace Court	L	54	51	6	0	0	0	0
Family Court	L	18	13	13	0	0	12	12
Court of Common Pleas	L	5	5	5	0	0	0	0
Alderman's Court	L	11	11	1	3	3	~	~
Municipal Court of Wilmington	L	3	3	3	0	0	5	5
District of Columbia								
Superior Court	G	59	58	58	14	9	16	16
Florida(a)								
Circuit Court	G	421	419	419	Varies	Varies	~	~
County Court	L	241	237	229	~	~	~	~
Georgia								
Superior Court	G	159	145	145	~	~	~	~
Juvenile Court	L	38	38(a)	38(a)	26(b)	26	~	~
Civil Court	L	2	2	2	0.5(b)	0.5	~	~
State Court	L	44	43	43	28(b)	29	~	~
Probate Court	L	159	159	14	~	~	~	~
Magistrate Court	L	197	197	15	44(b)	113	~	~
Municipal Court of Columbus	L	1	1	1	~	~	~	~
County Recorder's Court	L	8	8	8	~	~	~	~
Municipal/City Courts of Atlanta	L	5	5	5	173(b)	173	~	~
Hawaii								
Circuit Court & Family Court	G	39	35	35	8	8	~	~
District Court	L	22	20	20	7	7	~	~

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

States/Courts:	Court type	Full-time Judges			FTE from Those Who Are Judges (Part-time or Senior)		Quasi-Judicial Staff	
		Authorized	Serving	Law Trained	Authorized	Serving	Authorized	Serving
<b>Idaho</b>								
District Court	G	34	34	~	~	~	~	~
Magistrate Division	~	78	78	~	~	~	~	~
<b>Illinois</b>								
Circuit Court	G	829	826	~	~	~	~	~
<b>Indiana</b>								
Superior Court	G	138	138	~	1	1	~	51
Circuit Court	G	95	95	~	2	2	~	28
Probate Court	G	1	1	~	0	0	~	1
County Court	L	31	31	~	1	1	~	1
City Court	L	48	48	~	~	~	~	7
Town Court	L	25	25	~	~	~	~	~
Municipal Court of Marion	L	16	16	~	0	0	~	7
Smaller Claims of Marion	L	8	8	~	~	~	0	0
<b>Iowa</b>								
District Court	G	171	171	1	181	181	100	100
<b>Kansas</b>								
District Court	G	218	218	160	0	0	0	0
Municipal Court	L	223	223	188	0	0	0	0
<b>Kentucky</b>								
Circuit Court	G	93	93	93	~	~	~	~
District Court	L	125	125	125	~	~	69	69
<b>Louisiana</b>								
District Court	G	193	193	193	0	0	7	7
Justice of the Peace Court	L	384	UNK	UNK	0	0	0	0
Mayor's Court	L	250	UNK	UNK	0	0	0	0
City and Parish Courts	L	73	73	73	UNK	UNK	0	0
Juvenile & Family Courts	G	16	16	16	0	0	0	0
<b>Maine</b>								
Superior Court	G	16	16	16	(a)	(a)	0	0
District Court	L	25	25	25	(b)	(b)	0	0
Probate Court	L	~	~	~	16(c)	16(c)	~	~
Administrative Court	L	2	2	2	0	0	0	0
<b>Maryland</b>								
Circuit Court	G	123	119	119	~	~	31.7	31.7
District Court	L	97	93	93	~	~	150.6	26
Orphan's Court	L	66	66	~	~	~	~	~
<b>Massachusetts</b>								
Superior Court Dept.	G	76	76	76	0	0	~	~
District Court Dept.	L	168	158	158	0	0	~	~
Probate/Family Court Dept.	L	43	41	41	0	0	~	~
Juvenile Court Dept.	L	12(a)	12	12	0	0	~	~
Housing Court Dept.	L	6	6	6	0	0	~	~
Boston Municipal Court Dept.	L	11	11	11	0	0	~	~
Land Court Dept.	L	4	4	4	0	0	~	~
<b>Michigan</b>								
Circuit Court	G	179	179	179	~	~	~	~
Recorder's Court of Detroit	G	29	28	28	~	~	~	~
Court of Claims	G	(a)	~	~	~	~	~	~
District Court	L	259	255	255	~	~	~	~
Probate Court	L	93	93	93	7	7	~	~
Municipal Court	L	6	6	6	~	~	~	~
<b>Minnesota</b>								
District Court	G	242	242	242	~	~	25	25
<b>Mississippi</b>								
Circuit Court	G	40	40	40	0	0	1	1
Chancery Court	G	39	39	39	0	0	~	~
County Court	L	23	23	23	0	0	0	0
Family Court	L	1	1	1	0	0	~	~
Municipal Court	L	~	~	~	~	~	~	~
Justice Court	L	0	0	0	0	0	0	0

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

States/Courts:	Court type	Full-time Judges			FTE from Those Who Are Judges (Part-time or Senior)		Quasi-Judicial Staff	
		Authorized	Serving	Law Trained	Authorized	Serving	Authorized	Serving
Missouri								
Circuit Court	G	309	309	~	(a)	~	12	12
Municipal Court	L	439(b)	305(c)	203(c)	~	~	~	~
Montana								
District Court	G	87	87	37	37	37	~	~
Workers' Compensation Court	G	1	1	~	1	1	~	~
Water Court	G	1(a)	1(a)	1(a)	1	1	(a)	~
Justice of the Peace Court	L	Varies	78	Varies(b)	Varies	78	~	~
Municipal Court	L	Varies	1	(b)	Varies	1	~	~
City Court	L	Varies	46	(b)	Varies	46	~	~
Nebraska								
District Court	G	50	50	50	~	~	5	5
Separate Juvenile Court	S	5	5	5	~	~	0	0
County Court	L	57	57	57	~	~	0	0
Workers' Compensation Court	S	7	7	7	~	~	~	~
Nevada								
District Court	G	46	46	46	0	0	0	0
Justice Court	L	65	65	UNK	0	0	0	0
Municipal Court	L	18	18	UNK	0	0	0	0
New Hampshire								
Superior Court	G	29	29	29	0	0	11	11
District Court	L	15	15	15	19.4	19.4	0	0
Municipal Court	L	0	0	0	0.3	0.3	0	0
Probate Court	L	1	1	1	3.6	3.6	0	0
New Jersey								
Superior Court	G	404	365(a)	365	12.1	12.1	2	2
Tax Court	L	10	10	10	~	~	~	~
Municipal Court	L	(b)	355(b)	355(b)	~	~	~	~
New Mexico								
District Court	G	61	61	61	~	~	UNK	UNK
Magistrate Court	L	59	58	2	~	~	~	~
Metropolitan Court	L	15	15	15	~	~	~	~
Municipal Court	L	81	81	~	~	~	~	~
Probate Court	L	83	83	~	~	~	~	~
New York								
Supreme Court	G	287	280(a)	287	61(b)	~	12	12
County Court	G	124	118(a)	124	~	~	~	~
Court of Claims	L	64(d)	56	64	~	~	~	~
Surrogates' Court	L	31	30(a)	31	~	~	18	18
Family Court (outside NYC)	L	76	70(a)	76	~	~	60	60
Family Court (NYC)	L	47	46(a)	47	~	~	21	21
District Court	L	50	47(a)	50	0	0	~	~
City Court	L	51	50(a)	51	107	101(c)	~	~
NYC Civil Court	L	120	117(a)	120	~	~	~	~
NYC Criminal Court	L	107	106(a)	107	~	~	~	~
Town and Village Justice Court	L	2,242	~	~	~	~	~	~
North Carolina								
Superior Court	G	83	83	83	(a)	~	~	~
District Court	L	179	179	179	(a)	~	~	~
North Dakota								
District Court	G	25	24	24	6	0.20	10	10
County Court	L	26	26	26	0	0	2(a)	1(a)
Municipal Court	L	0	0	0	85	~	0	0
Ohio								
Court of Common Pleas	G	362	~	~	0	(c)	UNK	~
Municipal Court	L	179	~	~	11 PT	~	UNK	~
County Court	L	0	~	~	45 PT	~	UNK	~
Court of Claims	L	~	(a)	~	~	~	~	~
Mayors Court	L	~	(b)	~	~	~	~	~
Oklahoma								
District Court	G	211(a)	211(a)	211	16	16	0	0
Municipal Court Not of Record	L	350	350	~	~	~	~	~

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

States/Courts:	Court type	Full-time Judges			FTE from Those Who Are Judges (Part-time or Senior)		Quasi-Judicial Staff	
		Authorized	Serving	Law Trained	Authorized	Serving	Authorized	Serving
Oklahoma (con't)								
Municipal Criminal Court of Record	L	23	23	~	~	~	~	~
Worker's Compensation Court	L	9	9	9	0	0	0	0
Court of Tax Review	L	26	26(b)	~	~	~	~	~
Oregon								
Circuit Court	G	92	91	91	0	0	12	12
Tax Court	G	1	1	1	0	0	0	0
County Court	L	6	6	6	0	0	6	6
Justice Court	L	25	25	7	10	10	0	0
District Court	L	62	62	62	0	0	0	0
Municipal Court	L	2	2	2	115	110	0	0
Pennsylvania								
Court of Common Pleas	G	866	856	856	56	35	~	~
Philadelphia Municipal Court	L	22	21	21	4	4	~	~
District Justice Court	L	539	523	66	73	5(a)	~	~
Philadelphia Traffic Court	L	6	6	0	1	1	~	~
Pittsburgh City Magistrates	L	6	6	0	~	~	~	~
Rhode Island								
Superior Court	G	22	22	22	~	~	2	2
Workers' Compensation Court	G	10	9	9	~	~	0	0
District Court	L	13	12	12	~	~	1	1
Family Court	L	11	10	10	~	~	2	2
Probate Court	L	UNK	39	39	~	~	~	~
Municipal Court	L	UNK	17	17	~	~	2	2
South Carolina								
Circuit Court	G	40	40	40	~	4	~	19
Family Court	L	46	46	46	0	0	0	0
Magistrate Court	L	~	278	21	~	~	0	0
Probate Court	L	46	46	10	0	0	0	0
Municipal Court	L	~	315	81	~	~	0	0
Administrative Adjudication Court	L	UNK	7	7	~	~	~	~
South Dakota								
Circuit Court	G	36	36	7	8	~	~	~
Tennessee								
Circuit Court	G	76	76	76	0	0	0	0
Chancery Court	G	38	33	33	0	0	0	0
Criminal Court	G	29	29	29	0	0	0	0
Probate Court	G	3	3	3	0	0	0	0
Juvenile Court	L	104	104	104	0	0	0	0
Municipal Court	L	170	170	170	0	0	0	0
General Sessions Court	L	134	134	134	0	0	0	0
Texas								
District Courts	G	386	385	385	74(a)	74	48(b)	48
Constitutional County Court	L	254	254	37	~	~	0	0
County Courts at Law	L	162	162	162	~	~	0	0
Justice of the Peace Court	L	884	880	60	~	~	0	0
Municipal Court	L	1,214	1,208	377	~	~	0	0
Statutory Probate	L	18	18	18	~	~	0	0
Utah								
District Court	G	38	38	38	15	15	12	12
Circuit Court	L	22	22	22	22	22	~	~
Justice Court	L	12	12	12	126	126	~	~
Juvenile Court	L	14	14	14	14	14	~	~
Vermont								
Superior Court	G	12	11	11	1	~	~	~
District Court	G	18	17	17	1	~	~	~
Family Court	G	~(a)	~	5(b)	~	~	5(b)	5(b)
Probate Court	L	~	~	~	19	19(c)	~	~
Environmental Court	L	1	1	~	1	1	~	~
Virginia								
Circuit Court	G	135	135	135	~	~	~	~
District Court	L	194	193	193	~	~	~	~

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

States/Courts:	Court type	Full-time Judges			FTE from Those Who Are Judges (Part-time or Senior)		Quasi-Judicial Staff	
		Authorized	Serving	Law Trained	Authorized	Serving	Authorized	Serving
Washington								
Superior Court	G	169	157	157	~	~	~	37.4 (a)
District Court	L	82	82	82	~	14 (a)	14.2 (a)	14.2 (a)
Municipal Court	L	14	14	14	82	82(b)	~	8
West Virginia								
Circuit Court	G	62	62	62	~	3	22	22
Magistrate Court	L	154	154	1	0	0	0	0
Municipal Court	L	~	~	~	122	122	~	~
Wisconsin								
Circuit Court	G	223	223	223	(a)	12.3(a)	(b)	298
Municipal Court	L	4	4	4	(c)	(c)	(c)	(c)
Wyoming								
District Court	G	17	17	17	0	0	23	23
Justice of the Peace Court	L	14	14	8	0	0	0	0
Municipal Court	L	2	2	2	67	67	0	0
County Court	L	18	18	18	0	0	36	36
Puerto Rico								
Superior Court	G	111	110	110	10	10	~	~
District Court	L	96	95	95	~	~	~	~
Municipal Court	L	60	59	59	~	~	~	~
Federal(a)								
U.S. District Court	G	649	577	~	~	91(b)	~	~
U.S. Magistrate	G	881	363	~	102	110(c)	~	~
U.S. Bankruptcy	G	326	288	~	~	~	~	~

#### FOOTNOTES:

##### Arkansas:

(a)These 33 judges serve both circuit and chancery courts; 20 of them are primarily responsible for the juvenile division of chancery court.

##### California:

(a)Fifty-one are part time judges. (FTE not available.) All 51 are law trained.

##### Colorado:

(a)Denver Probate Court has 1 district court judge serving and 1 referee.  
(b)Denver Juvenile Court has 3 district court judges serving and 2 commissioners.  
(c)The water court is served by 7 judges from the district court.

##### Connecticut:

(a)Includes 42 state trial referees and 11 superior court senior judges.  
(b)There are 9 full-time family support magistrates, who are salaried employees. 724 are all adjuncts, consisting of 47 motor vehicle magistrates, 366 attorney trial referees, 238 fact finders/arbitrators and 73 small claims commissioners. Adjuncts may work as little as one day a year or as much as several days per week.

##### Florida:

(a)The court system uses approximately 50 retired judges on a part-time basis. County judges are assigned to serve on the circuit bench.

##### Georgia:

(a)Associate judges were formerly referees. There are 18 of these in juvenile court serving as full-time judges, and 18 who are part-time staff.  
(b)All part-time judges are assumed to be half-time.

##### Maine:

(a)Senior judges in active retired status served 452 days on supreme court.  
(b)Senior judges in active retired status served 485 days in district court.  
(c)All are part-time judges.

##### Massachusetts:

(a)Juvenile court has expanded its number of judges by 21, phased in over a 3 year period, to a total of 33 by 1995.

##### Michigan:

(a)Circuit court judges serve.

##### Missouri:

(a)All retired judges, not involved in the practice of law, may serve as senior judges.  
(b)This number represents the established municipal courts.  
(c)Includes full and part-time judges. There is no information available to determine whether a judge is full or part-time.

##### Montana:

(a)Also has 6 masters in water court. All 6 of these are law trained.  
(b)The 9 law trained judges are in the limited jurisdiction courts and cannot be separated.

### Table 3 -- Trial Courts and Trial Court Judges of the United States

#### New Jersey:

(a)Excludes appellate division judges.  
(b)Each municipality has authority to appoint a judge; some choose not to, or a judge can serve more than one court. All must be law trained. All part-time, except those in Jersey City (7) and Newark (7).

#### New York:

(a)Numbers include current vacancies.  
(b)These are full-time certificated retired justices of supreme court.  
(c)The chief clerks in New York City serve dual roles as administrators and chief operational officers.  
(d)Forty-six court of claims judges also sit on the supreme court.

#### North Carolina:

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

#### North Dakota:

(a)In the district court 2 of the quasi-judicial staff are part-time; 1 is full-time.

#### Ohio:

(a)In court of claims 2 judges sit on temporary assignment.  
(b)The mayors court has approximately 500 mayors.  
(c)Chief justice has authority to assign retired judges to active duty in trial and appellate courts.

#### Oklahoma:

(a)The district court has 71 district judges, 77 associate district judges, and 63 special judges.  
(b)Twenty-six district judges serve the tax review court.

#### Pennsylvania:

(a)The number of serving senior district justices is based on a computation adding the paid hours of these senior district justices and dividing by the regular hours of a full time judge; thus, this figure does not suggest 5 senior district justices who were serving during this particular pay period.

#### Texas:

(a)Texas does not maintain statistics which show the type of trial court to which a senior judge is assigned. Also, this number is the FTE number of assignments made in FY 1992.  
(b)Also has 34 (both authorized and serving) Title IV-D masters, who solely handle Title IV-D child support enforcement cases.

#### Vermont:

(a)District and superior court judges are assigned to preside in family court.  
(b)Magistrates  
(c)Nineteen part-time judges of which 11 are law-trained.

#### Washington:

(a)FTE=full time equivalent.  
(b)The number of judicial officers. The hours per month range from 1 to 120. Many judicial officers serve in multiple municipal courts.

#### Wisconsin:

(a)Reserve judges are retired judges who serve as needed and when available. FTE reserve judge service estimate includes case-specific assignments (calculated at an average of 2.5 days per assignment) and general assignments.  
(b)Chief judges and circuit judges control authorization, so AOC has no knowledge of total authorization.  
(c)Municipal courts are local option, and locally funded and administered. In the event of a municipal judicial vacancy, for whatever reason, the chief judge of the district must either assign another municipal judge or transfer pending municipal cases to circuit court. (SCR-70.24)

#### Federal:

(a)As of June 1, 1993.  
(b)The senior judge equivalents are an estimate, based on workload, of the number of district judges that would be needed if there were no senior judges.  
(c)These figures represent the actual number of part-time magistrate judges.

# **PART II**

*Judicial Selection and Service*

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(Tables 4-12)

## *Judicial Selection and Service*

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

Judicial selection occurs for three purposes in the state courts: to fill an unexpired term upon the retirement, resignation, or death of an incumbent judge; to select for a full term (often referred to as the initial selection); and at the end of a term. Table 4 describes the various ways in which appellate justices and judges are selected, while Table 6 describes procedures for selecting trial court judges.

One marker for examining the diverse selection methods adopted by the states is the "Missouri Plan." In 1940 the State of Missouri amended its constitution to establish a statewide nominating committee for appellate judgeships and circuit-level commissions for general jurisdiction trial court judgeships. A judge, representatives of the state bar association, and nonlawyers appointed by the governor make up the commissions. The governor must appoint one of a commission's three nominees to fill a vacancy. The new appointee then faces a retention election in one year's time, running against their own record, and then further retention elections at 12 year intervals. Thirty-four states use some form of judicial nominating commission in judicial selection, which became popular in the 1970s (Table 8), although only 14 combine such a commission with retention elections on the Missouri model.

All appellate courts and most trial courts have a chief judge. Table 4 explains how chief justices and chief judges of COLRs and IACs are selected in each state. The length of their term in office and whether they can succeed themselves can also be found in the table. How trial court chief judges (sometimes styled presiding judges) are selected is detailed in Table 6. The judges in a district or circuit typically select one of their peers to serve as the chief judge for a fixed number of years, but the appointment may be made at the state level by the governor, Chief Justice of the

COLR, or the COLR collectively. In some instances a specific individual is elected or appointed as the chief judge and holds that title throughout their tenure. In other trial courts, seniority establishes who is the chief judge.

Qualifications for service as a judge are stated in the constitutions and statutes of the various states. Tables 5 and 7 indicate the qualifications in terms of residency, age, and legal credentials that are mandated for, respectively, appellate and trial court judgeships. In addition to specifying the legal credentials, if any, necessary to qualify for judicial selection, many states require judges to participate in some form of legal education beyond the Continuing Legal Education expected of all members of the state bar. Mandatory judicial education is accomplished through a wide range of judicial branch and private entities (Table 9) and is paid for by a variety of funding sources (Table 10).

Twenty-one states, the District of Columbia, and the Navajo Nation make formal provision for an ongoing evaluation of judicial performance. States with retention elections for judges are the most likely to evaluate performance, but some with nonpartisan elections do so as well (Minnesota, North Dakota, and Ohio, and Washington), as do many with a system of judicial appointments (Connecticut, Delaware, Massachusetts, New Hampshire, Rhode Island, South Carolina, and Vermont). Table 11 indicates for these and other states with performance evaluation structures the implementing authority, the body responsible for operating the program, the evaluation's goals, the scope of judicial offices affected, and how the evaluation is undertaken.

Formal judicial discipline is accomplished through regional judicial councils in the federal system (under The Judicial Councils Reform and Judicial Conduct and Disability Act of 1980). The Councils investigate complaints of any "conduct prejudicial to the effective and expeditious administration of the business of the courts." However, the Councils' disciplinary powers stop short of removal from office. Removal is the sole prerogative of the U.S. Congress. A Council can certify a finding that impeachment is warranted to the U.S. House of Representatives.

Judicial conduct organizations are the main arbiters of what constitutes judicial misconduct and disability in the states. Conduct organizations investigate complaints against members of the judiciary, and typically include a mix of judges, lawyers, and ordinary citizens. The adjudicatory

function is usually exercised by the COLR, although sometimes the original conduct organization both investigates and adjudicates complaints. In such instances there is a right of appeal to the state's COLR. The name and composition of the state conduct organizations are shown in Table 12. The table also indicates which court or other entity adjudicates complaints, hears appeals, has final disciplinary authority, and at what point reprimands are made public.

#### Select Bibliography:

Philip J. Dubois, *From Ballot to Bench: Judicial Elections and the Quest for Accountability*. Austin, TX: University of Texas Press.

Doris Marie Provine, *Judging Credentials: Nonlawyer Judges and the Politics of Professionalism*, Chicago: University of Chicago Press, 1986.

Judith Rosenbaum, *Practices and Procedures of State Judicial Conduct Organizations*, Chicago: American Judicature Society, 1990.

Lyle Warrick, *Judicial Selection in the United States: A Compendium of Provisions, Second Edition*, Chicago: American Judicature Society, 1993.

Mary Volcansek, *Judicial Impeachment: None Called for Justice*, Urbana: University of Illinois Press, 1993 [offers a general historical account, but focuses on federal impeachment proceedings during the 1980s and its relationship to judicial discipline in the federal court system].

Table 11: Susan Keilitz and Judith White McBride, "Revised Chart for 'Judicial Performance Evaluation Comes of Age,'" *State Court Journal* Vol. 16, No. 3, Summer, 1992. [Supporting text can be found in the *State Court Journal*, Vol. 16, No. 1, Winter, 1992.]

**Table 4 -- Selection and Terms of Appellate Court Judges**

States/Courts:	Court type	Method of Selection for Unexpired Term	Method of Selection for Full Term	Method of Retention
Alabama Supreme Court	COLR	Gubernatorial appointment	Partisan election	Partisan election
Court of Criminal Appeals	IAC	Gubernatorial appointment	Partisan election	Partisan election
Court of Civil Appeals	IAC	Gubernatorial appointment	Partisan election	Partisan election
Alaska Supreme Court	COLR	Same as full term	Gubernatorial appointment from judicial nominating commission(a)	Retention election
Court of Appeals	IAC	Same as full term	Gubernatorial appointment from judicial nominating commission	Retention election
Arizona Supreme Court	COLR	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission	Retention election
Court of Appeals	IAC	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission	Retention election
Arkansas Supreme Court	COLR	Gubernatorial appointment	Partisan election	Partisan election
Court of Appeals	IAC	Gubernatorial appointment	Partisan election	Partisan election
California Supreme Court	COLR	Gubernatorial appointment	Unopposed retention election	Unopposed retention election
Courts of Appeal	IAC	Gubernatorial appointment	Unopposed retention election	Retention election
Colorado Supreme Court	COLR	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission	Retention election
Court of Appeals	IAC	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission	Retention election
Connecticut Supreme Court	COLR	Legislative appointment(a)	Legislative appointment(a)	Legislative reappointment(a)
Appellate Court	IAC	Legislative appointment(a)	Legislative appointment(a)	Legislative reappointment(a)
Delaware Supreme Court	COLR	Gubernatorial appointment from judicial nominating commission with consent of senate	Gubernatorial appointment from judicial nominating commission with consent of senate	Gubernatorial appointment from judicial nominating commission with consent of senate
District of Columbia Court of Appeals	COLR	Presidential appointment from judicial nominating commission with senate confirmation	Presidential appointment from judicial nominating commission with senate confirmation	Judicial nominating commission or Presidential appointment with senate confirmation
Florida Supreme Court	COLR	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission	Retention election

**Table 4 -- Selection and Terms of Appellate Court Judges**

<b>Geographic Basis for Selection</b>	<b>Length of Term (yrs)</b>	<b>How Is the Chief Justice/Presiding Judge Selected?</b>	<b>Term of Office for the Chief Justice/Presiding Judge?</b>	<b>Can Chief Judges Succeed Themselves?</b>	<b>States/Courts:</b>
Statewide	6 yrs	Popular election	6 yrs	Yes	Alabama Supreme Court
Statewide	6 yrs	Court selection	Indefinite	Yes	Court of Criminal Appeals
Statewide	6 yrs	Seniority	Indefinite	Yes	Court of Civil Appeals
Statewide	10 yrs	Court selection	3 yrs	No	Alaska Supreme Court
Statewide	8 yrs	Supreme court, Chief Justice appointment	2 yrs	Yes	Court of Appeals
Statewide	6 yrs	Court selection	5 yrs	Yes	Arizona Supreme Court
County/region within division	6 yrs	Court selection	1 to 2 yrs	Yes	Court of Appeals
Statewide	8 yrs	Popular election	8 yrs	Yes	Arkansas Supreme Court
District	8 yrs	Supreme court, Chief Justice appoints	4 yrs	Yes	Court of Appeals
Statewide	12 yrs	Gubernatorial appointment	12 yrs	Yes	California Supreme Court
District	12 yrs	Gubernatorial appointment	12 yrs	When reconfirmed	Courts of Appeal
Statewide	10 yrs	Court selection	Indefinite	~	Colorado Supreme Court
Statewide	8 yrs	Supreme court, Chief Justice appoints	At pleasure	~	Court of Appeals
Statewide	8 yrs	Legislative appointment	8 yrs	Yes	Connecticut Supreme Court
Statewide	8 yrs	Supreme court, Chief Justice appoints	Indefinite	~	Appellate Court
Statewide	12 yrs	Gubernatorial appointment	12 yrs	Yes	Delaware Supreme Court
District of Columbia	15 yrs	Judicial nominating commission appointment	4 yrs	Yes	District of Columbia Court of Appeals
Statewide	6 yrs	Court selection	2 yrs	~	Florida Supreme Court

**Table 4 -- Selection and Terms of Appellate Court Judges**

States/Courts:	Court type	Method of Selection for Unexpired Term	Method of Selection for Full Term	Method of Retention
Florida (con't)				
District Courts of Appeal	IAC	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission	Retention election
Georgia				
Supreme Court	COLR	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election
Court of Appeals	IAC	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election
Hawaii				
Supreme Court	COLR	Gubernatorial appointment from judicial nominating commission with consent of senate	Gubernatorial appointment from judicial nominating commission with consent of senate	Judicial nomination commission reappoints
Intermediate Court of Appeals	IAC	Gubernatorial appointment from judicial nominating commission with consent of senate	Gubernatorial appointment from judicial nominating commission with consent of senate	Judicial nomination commission reappoints
Idaho				
Supreme Court	COLR	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election
Court of Appeals	IAC	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election
Illinois				
Supreme Court	COLR	Court selection	Partisan election	Retention election
Appellate Court	IAC	COLR selection	Partisan election	Retention election
Indiana				
Supreme Court	COLR	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission	Retention election
Court of Appeals	IAC	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission	Retention election
Tax Court	IAC	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission	Retention election
Iowa				
Supreme Court	COLR	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission	Retention election
Court of Appeals	IAC	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission	Retention election
Kansas				
Supreme Court	COLR	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission	Retention election
Court of Appeals	IAC	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission	Retention election
Kentucky				
Supreme Court	COLR	Nonpartisan election	Nonpartisan election	Nonpartisan election
Court of Appeals	IAC	Nonpartisan election	Nonpartisan election	Nonpartisan election

**Table 4 -- Selection and Terms of Appellate Court Judges**

<b>Geographic Basis for Selection</b>	<b>Length of Term (yrs)</b>	<b>How Is the Chief Justice/Presiding Judge Selected?</b>	<b>Term of Office for the Chief Justice/Presiding Judge?</b>	<b>Can Chief Judges Succeed Themselves?</b>	<b>States/Courts:</b>
District	6 yrs	Court selection	2 yrs	~	Florida (con't) District Courts of Appeals
Statewide	6 yrs	Court selection	4 yrs	~	Georgia Supreme Court
Statewide	6 yrs	Rotate by seniority	2 yrs	Yes	Court of Appeals
Statewide	10 yrs	Judicial Selection Commission nominates, governor appoints with consent of senate	10 yrs	Yes	Hawaii Supreme Court
Statewide	10 yrs	Judicial Selection Commission nominates, governor appoints with consent of senate	10 yrs	Yes	Intermediate Court of Appeals
Statewide	6 yrs	Court selection	4 yrs	~	Idaho Supreme Court
Statewide	6 yrs	Supreme court, Chief Justice appointment	2 yrs	Yes	Court of Appeals
District	10 yrs	Court selection	3 yrs	~	Illinois Supreme Court
District	10 yrs	Court selection	1 yr	~	Appellate Court
Statewide	Initial=2; Retention=10	Judicial nominating commission appointment	5 yrs	~	Indiana Supreme Court
District	Initial=2; Retention=10	Chief judge by full court selection	5 yrs	~	Court of Appeals
Statewide	Initial=2; Retention=10	Chief judge by full court selection	5 yrs	~	Tax Court
Statewide	8 yrs	Court selection	8 yrs or duration of term	~	Iowa Supreme Court
Statewide	6 yrs	Court selection	2 yrs	Yes	Court of Appeals
Statewide	6 yrs	Rotation by seniority	Indefinite	~	Kansas Supreme Court
Statewide	4 yrs	Supreme court appointment	Indefinite	Yes	Court of Appeals
District	8 yrs	Court selection	4 yrs	Yes	Kentucky Supreme Court
District	8 yrs	Court selection	4 yrs	Yes	Court of Appeals

**Table 4 -- Selection and Terms of Appellate Court Judges**

States/Courts:	Court type	Method of Selection for Unexpired Term	Method of Selection for Full Term	Method of Retention
<b>Louisiana</b> Supreme Courts	COLR	Supreme Court selection(a)	Nonpartisan election	Nonpartisan election
Courts of Appeal	IAC	Supreme Court selection(a)	Nonpartisan election	Nonpartisan election
<b>Maine</b> Supreme Judicial Court	COLR	Gubernatorial appointment	Gubernatorial appointment	Gubernatorial reappointment
Court of Appeals	COLR	Gubernatorial appointment from judicial nominating commission with consent of senate	Gubernatorial appointment from judicial nominating commission with consent of senate	Retention election
Court of Special Appeals	IAC	Gubernatorial appointment from judicial nominating commission with consent of senate	Gubernatorial appointment from judicial nominating commission with consent of senate	Retention election
Massachusetts				
Supreme Judicial Court	COLR	Same as full term	Gubernatorial appointment from judicial nominating commission with approval by Governor's council(a)	Same as full term
Appeals Court	IAC	Same as full term	Gubernatorial appointment from judicial nominating commission with approval by Governor's council(a)	Same as full term
<b>Michigan</b> Supreme Court	COLR	Gubernatorial appointment	Nonpartisan election	Nonpartisan election
Court of Appeals	IAC	Gubernatorial appointment	Nonpartisan election	Nonpartisan election
<b>Minnesota</b> Supreme Court	COLR	Gubernatorial appointment	Nonpartisan election	Nonpartisan election
Court of Appeals	IAC	Gubernatorial appointment	Nonpartisan election	Nonpartisan election
<b>Mississippi</b> Supreme Court	COLR	Gubernatorial appointment from judicial nominating commission	Partisan election	Partisan election
Court of Appeals	IAC			
<b>Missouri</b> Supreme Court	COLR	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission	Retention election
Court of Appeals	IAC	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission	Retention election
<b>Montana</b> Supreme Court	COLR	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election (if unopposed, retention election)
Court of Appeals	IAC			
<b>Nebraska</b> Supreme Court	COLR	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission	Retention election
Court of Appeals	IAC	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission	Retention election

**Table 4 -- Selection and Terms of Appellate Court Judges**

<b>Geographic Basis for Selection</b>	<b>Length of Term (yrs)</b>	<b>How Is the Chief Justice/Presiding Judge Selected?</b>	<b>Term of Office for the Chief Justice/Presiding Judge?</b>	<b>Can Chief Judges Succeed Themselves?</b>	<b>States/Courts:</b>
District	10 yrs	Seniority	Duration of service	~	Louisiana Supreme Courts
District	10 yrs	Seniority	Duration of service	~	Courts of Appeal
Statewide	7 yrs	Gubernatorial appointment	7 yrs	Yes	Maine Supreme Judicial Court
Circuit	10 yrs	Gubernatorial appointment	Indefinite	~	Maryland Court of Appeals
Circuit	10 yrs	Gubernatorial appointment	Indefinite	~	Court of Special Appeals
Statewide	Age 70	Same as full term	Age 70	~	Massachusetts Supreme Judicial Court
Statewide	Age 70	Same as full term	Age 70	~	Appeals Court
Statewide	8 yrs	Court selection	2 yrs	~	Michigan Supreme Court
District	6 yrs	Court selection	2 yrs	Yes	Court of Appeals
Statewide	6 yrs	Popular election	6 yrs	Yes	Minnesota Supreme Court
Statewide	6 yrs	Gubernatorial appointment	3 yrs	Yes	Court of Appeals
District	8 yrs	Seniority	Duration of service	~	Mississippi Supreme Court
Statewide	12 yrs	Court selection	2 yrs	Yes(a)	Missouri Supreme Court
District	12 yrs	Court selection	2 yrs (b)	Yes	Court of Appeals
Statewide	8 yrs	Popular election	8 yrs	~	Montana Supreme Court
Statewide: Chief Justices; District: Associate Justices	More than 3 yrs for first election, every 6 yrs thereafter	Gubernatorial appointment from judicial nominating commission	Duration of service	~	Nebraska Supreme Court
All by District	More than 3 yrs for first election, every 6 yrs thereafter	Gubernatorial appointment from judicial nominating commission	1 year as presiding	Yes	Court of Appeals

**Table 4 -- Selection and Terms of Appellate Court Judges**

States/Courts:	Court type	Method of Selection for Unexpired Term	Method of Selection for Full Term	Method of Retention
Nevada Supreme Court	COLR	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election
New Hampshire Supreme Court	COLR	Same as full term	Gubernatorial appointment with approval of elected executive council	-
New Jersey Supreme Court	COLR	-	Gubernatorial appointment with consent of senate	Gubernatorial appointment with consent of senate
Appellate Division of Superior Court	IAC	-	Chief Justice appointment of Superior court judge	Gubernatorial appointment with consent of senate
New Mexico Supreme Court	COLR	Gubernatorial appointment(a)	Partisan election	Nonpartisan retention election
Court of Appeals	IAC	Gubernatorial appointment(a)	Partisan election	Nonpartisan retention election
New York Court of Appeals	COLR	Gubernatorial appointment	Gubernatorial appointment	Gubernatorial reappointment
Appellate Divisions of Supreme Court	IAC	Gubernatorial appointment	Gubernatorial appointment	Gubernatorial reappointment
Appellate Terms of Supreme Court	IAC	SCA appointment from lists of Supreme court justices	SCA appointment from lists of Supreme court justices	SCA reappointment
North Carolina Supreme Court	COLR	Gubernatorial appointment	Partisan election	Partisan election
Court of Appeals	IAC	Gubernatorial appointment	Partisan election	Partisan election
North Dakota Supreme Court	COLR	Gubernatorial appointment from judicial nominating commission or elections(a)	Nonpartisan election	Nonpartisan election
Ohio Supreme Court	COLR	Gubernatorial appointment	Nonpartisan election	Nonpartisan election
Court of Appeals	IAC	Gubernatorial appointment	Nonpartisan election	Nonpartisan election
Oklahoma Supreme Court	COLR	Gubernatorial appointment from judicial nominating commission	Retention election	See full term
Court of Criminal Appeals	COLR	Gubernatorial appointment from judicial nominating commission	Retention election	See full term
Court of Appeals	IAC	Gubernatorial appointment from judicial nominating commission	Retention election	See full term
Oregon Supreme Court	COLR	Gubernatorial appointment	Nonpartisan election	Nonpartisan election

**Table 4 -- Selection and Terms of Appellate Court Judges**

<b>Geographic Basis for Selection</b>	<b>Length of Term (yrs)</b>	<b>How Is the Chief Justice/Presiding Judge Selected?</b>	<b>Term of Office for the Chief Justice/Presiding Judge?</b>	<b>Can Chief Judges Succeed Themselves?</b>	<b>States/Courts:</b>
Statewide	6 yrs	Rotation	1-2 yrs	(a)	Nevada Supreme Court
Statewide	Age 70	Gubernatorial appointment with approval of elected executive council	Age 70	~	New Hampshire Supreme Court
Statewide	7, followed by tenure	Gubernatorial appointment with consent. of senate	Duration of service	~	New Jersey Supreme Court
Statewide	7, followed by tenure	Supreme court, Chief Justice appointment	At pleasure	~	Appellate Division of Superior Court
Statewide	8 yrs	Court selection	2 yrs	Yes	New Mexico Supreme Court
Statewide	8 yrs	Court selection	2 yrs	Yes	Court of Appeals
Statewide	14 yrs	Gubernatorial appointment from judicial nominating commission	14 yrs	~	New York Court of Appeals
Statewide	5 or duration	Gubernatorial appointment from judicial screening commission	Duration of service	Yes	Appellate Divisions of Supreme Court
Statewide	5 or duration	Gubernatorial appointment from judicial screening commission	Duration of service	Yes	Appellate Terms of Supreme Court
Statewide	8 yrs	Popular election	8 yrs	~	North Carolina Supreme Court
Statewide	8 yrs	Supreme court, chief justice appointment	At pleasure	~	Court of Appeals
Statewide	10 yrs	Selection by the judges of the Supreme and District Courts	5 yrs or until term expires, whichever occurs first	Yes	North Dakota Supreme Court
Statewide	6 yrs	Popular election	6 yrs	Yes	Ohio Supreme Court
District	6 yrs	Varies	Varies	Varies	Court of Appeals
District	6 yrs	Court selection	2 yrs	~	Oklahoma Supreme Court
District	6 yrs	Court selection	2 yrs	Yes	Criminal Appeals
District	6 yrs	Court selection	1 yr	Yes	Court of Appeals
Statewide	6 yrs	Court selection	6 yrs	Yes	Oregon Supreme Court

**Table 4 -- Selection and Terms of Appellate Court Judges**

States/Courts:	Court type	Method of Selection for Unexpired Term	Method of Selection for Full Term	Method of Retention
Oregon (con't) Court of Appeals	IAC	Gubernatorial appointment	Nonpartisan election	Nonpartisan election
Pennsylvania Supreme Court	COLR	Gubernatorial appointment from judicial nominating commission with consent of senate	Partisan election	Retention election
Superior Court	IAC	Gubernatorial appointment from judicial nominating commission with consent of senate	Partisan election	Retention election
Commonwealth Court	IAC	Gubernatorial appointment from judicial nominating commission with consent of senate	Partisan election	Retention election
Rhode Island Supreme Court	COLR	Legislative election	Legislative election	Legislative election
South Carolina Supreme Court	COLR	Legislative election	Legislative election	Legislative election
Court of Appeals	IAC	Legislative election	Legislative election	Legislative re-election
South Dakota Supreme Court	COLR	Gubernatorial appointment from judicial nominating commission	Retention election	Retention election
Tennessee Supreme Court	COLR	Gubernatorial appointment	Partisan election	Partisan election
Court of Appeals	IAC	Gubernatorial appointment from judicial nominating commission	Retention election	Nonpartisan election
Court of Criminal Appeals	IAC	Gubernatorial appointment from judicial nominating commission	Retention election	Nonpartisan election
Texas Supreme Court	COLR	Gubernatorial appointment	Partisan election	Partisan election
Court of Criminal Appeals	COLR	Gubernatorial appointment	Partisan election	Partisan election
Courts of Appeals	IAC	Gubernatorial appointment	Partisan election	Partisan election
Utah Supreme Court	COLR	Gubernatorial appointment from judicial nominating commission with consent of senate	Gubernatorial appointment from judicial nominating commission with consent of senate	Retention election
Court of Appeals	IAC	Gubernatorial appointment from judicial nominating commission with consent of senate	Gubernatorial appointment from judicial nominating commission with consent of senate	Retention election
Vermont Supreme Court	COLR	Gubernatorial appointment from judicial nominating commission with consent of senate	Gubernatorial appointment from judicial nominating commission with consent of senate	Legislative election

**Table 4 -- Selection and Terms of Appellate Court Judges**

<b>Geographic Basis for Selection</b>	<b>Length of Term (yrs)</b>	<b>How Is the Chief Justice/Presiding Judge Selected?</b>	<b>Term of Office for the Chief Justice/Presiding Judge?</b>	<b>Can Chief Judges Succeed Themselves?</b>	<b>States/Courts:</b>
Statewide	6 yrs	Supreme court, Chief Justice appointment	2 yrs	Yes	Oregon (cont'd) Court of Appeals
Statewide	10 yrs	Rotation by seniority	Duration of term	~	Pennsylvania Supreme Court
Statewide	10 yrs	Court selection	5 yrs	No	Superior Court
Statewide	10 yrs	Court selection	5 yrs	No	Commonwealth Court
Statewide	Life	Legislative election	Life	~	Rhode Island Supreme Court
Statewide	10 yrs	Legislative election	10 yrs	~	South Carolina Supreme Court
Statewide	6 yrs	Legislative election	6 yrs	Yes	Court of Appeals
Initial District Retention-Statewide	8 yrs	Court selection	4 yrs	~	South Dakota Supreme Court
Statewide	8 yrs	Court selection	Full term	~	Tennessee Supreme Court
Statewide	8 yrs	Court selection	1 yr	Yes	Courts of Appeal
Statewide	8 yrs	Court selection	1 yr	Yes	Court of Criminal Appeals
Statewide	6 yrs	Partisan election	6 yrs	Yes	Texas Supreme Court
Statewide	6 yrs	Partisan election	6 yrs	Yes	Court of Criminal Appeals
District	6 yrs	Partisan election	6 yrs	Yes	Court of Appeals
Statewide	Initial=3 yrs; Retention=10 yrs.	Court selection	4 yrs	Yes	Utah Supreme Court
Statewide	Initial=3 yrs; Retention=10 yrs	Court selection	2 yrs	Yes	Court of Appeals
Statewide	6 yrs	Gubernatorial appointment from judicial nominating commission with consent of senate	6 yrs	~	Vermont Supreme Court

**Table 4 -- Selection and Terms of Appellate Court Judges**

States/Courts:	Court type	Method of Selection for Unexpired Term	Method of Selection for Full Term	Method of Retention
<b>Virginia</b> Supreme Court	COLR	Legislative appointment	Legislative appointment	Legislative appointment
Court of Appeals	IAC	Legislative appointment	Legislative appointment	Legislative appointment
<b>Washington</b> Supreme Court	COLR	Gubernatorial appointment	Nonpartisan election	Nonpartisan election
Court of Appeals	IAC	Gubernatorial appointment	Nonpartisan election	Nonpartisan election
<b>West Virginia</b> Supreme Court of Appeals	COLR	Gubernatorial appointment	Partisan election	Partisan election
<b>Wisconsin</b> Supreme Court	COLR	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election
Court of Appeals	IAC	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election
<b>Wyoming</b> Supreme Court	COLR	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission	Retention election
<b>Puerto Rico</b> Supreme Court	COLR	No term	Gubernatorial appointment with senate confirmation	-
Court of Appeals	IAC	No term	Gubernatorial appointment with senate confirmation	-
<b>Federal</b> US Supreme Court	COLR	Same as full term	Nominated and appointed by the President with the advice and consent of the Senate	-
US Courts of Appeals	IAC	Same as full term	Presidential appointment subject to senate confirmation	-

**FOOTNOTES:**

**Alaska:**

(a) Judge must run for retention election at the next general election, immediately following the third year from the time of initial appointment.

**Connecticut:**

(a) Governor recommends from judicial nominating commission.

**Louisiana:**

(a) Person selected by the supreme court is prohibited for running for that judgeship; election held within 1 year to serve remainder of term.

**Massachusetts:**

(a) The Governor's Council is made up of nine people elected by geographical area and presided over by the Lieutenant Governor.

**Missouri:**

(a) Selection is typically rotated among the judges.  
(b) Western and Southern Districts are 2 years; 1 year in Eastern District.

**Nevada:**

(a) Not immediately, later, as part of rotation.

**New Mexico:**

(a) The Governor shall select a candidate from a list submitted by the appellate judges' nominating commission created by the constitution.

**North Dakota:**

(a) The Governor may appoint from a list of names or call a special election at his discretion.

**Table 4 -- Selection and Terms of Appellate Court Judges**

<b>Geographic Basis for Selection</b>	<b>Length of Term (yrs)</b>	<b>How Is the Chief Justice/Presiding Judge Selected?</b>	<b>Term of Office for the Chief Justice/Presiding Judge?</b>	<b>Can Chief Judges Succeed Themselves?</b>	<b>States/Courts:</b>
Statewide	12 yrs	Seniority	Indefinite	~	Virginia Supreme Court
Statewide	8 yrs	Court selection	4 yrs	Yes	Court of Appeals
Statewide	6 yrs	Justice with shortest term to serve	2 yrs	~	Washington Supreme Court
District	6 yrs	Court selection, however, position rotates among the 3 divisions	1 yr	~	Court of Appeals
District	12 years	Rotation by seniority	1 yr	~	West Virginia Supreme Court
Statewide	10 yrs	Seniority	Until declined	~	Wisconsin Supreme Court
District	6 yrs	Supreme court appointment	3 yrs	Yes	Court of Appeals
Statewide	8 yrs	Court selection	2 yrs	~	Wyoming Supreme Court
Statewide	Age 70	Gubernatorial appointment with senate confirmation	Age 70	~	Puerto Rico Supreme Court
Statewide	16 yrs	Chief Justice appointment	Indefinite	~	Court of Appeals
United States	Life	Seniority	Life	~	Federal US Supreme Court
Circuit	Life	Seniority(a)	7 yrs or until age 70	No	US Courts of Appeals

**Federal:**

(a)The chief judge is the active circuit judge who is senior of those judges who: (1) are 64 years or under, (2) have served for one or more years as a circuit judge, and (3) have not served previously as chief judge.

**Table 5 -- Qualifications to Serve as an Appellate Court Judge**

States/Courts:	Court type	Local Residency	State Residency	Minimum Age	Maximum Age	Legal Credentials
<b>Alabama</b>						
Supreme Court	COLR	N/S	N/S	N/S	70	Licensed Attorney
Court of Criminal Appeals	IAC	N/S	N/S	N/S	70	Licensed Attorney
Court of Civil Appeals	IAC	N/S	N/S	N/S	70	Licensed Attorney
<b>Alaska</b>						
Supreme Court	COLR	N/S	5 yrs	N/S	70	8 yrs practice
Court of Appeals	IAC	N/S	5 yrs	N/S	70	8 yrs practice
<b>Arizona</b>						
Supreme Court	COLR	N/S	10 yrs	30	70	10 yrs state bar
Court of Appeals	IAC	Yes	5 yrs	30	70	5 yrs state bar
<b>Arkansas</b>						
Supreme Court	COLR	N/S	2 yrs	30	N/S	8 yrs practice
Court of Appeals	IAC	Yes	2 yrs	30	N/S	8 yrs practice
<b>California</b>						
Supreme Court	COLR	N/S	N/S	N/S	N/S	10 yrs state bar
Courts of Appeal	IAC	N/S	N/S	N/S	N/S	10 yrs state bar
<b>Colorado</b>						
Supreme Court	COLR	N/S	Yes	N/S	N/S	5 yrs state bar
Court of Appeals	IAC	N/S	Yes	N/S	N/S	5 yrs state bar
<b>Connecticut</b>						
Supreme Court	COLR	No	Yes	18	70	10 yrs state bar
Appellate Court	IAC	No	Yes	18	70	10 yrs state bar
<b>Delaware</b>						
Supreme Court	COLR	No	Yes	N/S	N/S	"Learned in the Law"
<b>District of Columbia</b>						
Court of Appeals	COLR	90 days	District	N/S	74	5 yrs state bar
<b>Florida</b>						
Supreme Court	COLR	(a)	Yes	N/S	70	10 yrs state bar
District Courts of Appeal	IAC	(b)	Yes (c)	N/S	70	10 yrs state bar
<b>Georgia</b>						
Supreme Court	COLR	N/S	Yes	N/S	N/S(a)	7 yrs state bar
Court of Appeals	IAC	N/S	Yes	N/S	N/S(a)	7 yrs state bar
<b>Hawaii</b>						
Supreme Court	COLR	N/S	Yes	N/S	70	10 yrs state bar
Intermediate Court of Appeals	IAC	N/S	Yes	N/S	70	10 yrs state bar
<b>Idaho</b>						
Supreme Court	COLR	N/S	2 yrs	30	N/S	10 yrs state bar
Court of Appeals	IAC	N/S	2 yrs	30	N/S	10 yrs state bar
<b>Illinois</b>						
Supreme Court	COLR	Yes	Yes	N/S	75	Licensed Attorney
Appellate Court	IAC	Yes	Yes	N/S	75	Licensed Attorney
<b>Indiana</b>						
Supreme Court	COLR	N/S	N/S	N/S	75	10 yrs state bar (a)
Court of Appeals	IAC	Yes	N/S	N/S	75	10 yrs state bar (a)
Tax Court	IAC	N/S	N/S	N/S	N/S	5 yrs state bar
<b>Iowa</b>						
Supreme Court	COLR	N/S	N/S	N/S	72	State bar member
Court of Appeals	IAC	N/S	N/S	N/S	72	State bar member

**Table 5 -- Qualifications to Serve as an Appellate Court Judge**

States/Courts:	Court type	Local Residency	State Residency	Minimum Age	Maximum Age	Legal Credentials
<b>Kansas</b>						
Supreme Court	COLR	N/S	N/S	30	70(a)	10 yrs state bar(b)
Court of Appeals	IAC	N/S	N/S	30	70(a)	10 yrs state bar(b)
<b>Kentucky</b>						
Supreme Court	COLR	2 yrs	2 yrs	N/S	N/S	8 yrs state bar/licensed attorney
Court of Appeals	IAC	2 yrs	2 yrs	N/S	N/S	8 yrs state bar/licensed attorney
<b>Louisiana</b>						
Supreme Courts	COLR	2 yrs	2 yrs	N/S	70	5 yrs state bar
Courts of Appeal	IAC	2 yrs	2 yrs	N/S	70	5 yrs state bar
<b>Maine</b>						
Supreme Judicial Court	COLR	N/S	N/S	N/S	N/S	"Learned in Law"
<b>Maryland</b>						
Court of Appeals	COLR	6 months	5 yrs	30	70	State bar member
Court of Special Appeals	IAC	6 months	5 yrs	30	70	State bar member
<b>Massachusetts</b>						
Supreme Judicial Court	COLR	N/S	N/S	N/S	70	N/S
Appeals Court	IAC	N/S	N/S	N/S	70	N/S
<b>Michigan</b>						
Supreme Court	COLR	N/S	N/S	N/S	70	State bar member
Court of Appeals	IAC	N/S	N/S	N/S	70	State bar member
<b>Minnesota</b>						
Supreme Court	COLR	N/S	N/S	N/S	70	State bar member
Court of Appeals	IAC	Varies	N/S	N/S	70	State bar member
<b>Mississippi</b>						
Supreme Court	COLR	N/S	5 yrs	30	N/S	5 yrs state bar
<b>Missouri</b>						
Supreme Court	COLR	N/S	State voter for 9 yrs	30	70	State bar member
Court of Appeals	IAC	Yes	State voter for 9 yrs	30	70	State bar member
<b>Montana</b>						
Supreme Court	COLR	N/S	2 yrs	N/S	N/S	5 yrs state bar
<b>Nebraska</b>						
Supreme Court	COLR	Yes	N/S	30	N/S	5 yrs practice
Court of Appeals	IAC	Yes	N/S	30	N/S	5 yrs practice
<b>Nevada</b>						
Supreme Court	COLR	N/S	2 yrs	25	N/S	State bar member
<b>New Hampshire</b>						
Supreme Court	COLR	N/S	N/S	N/S	70	N/S
<b>New Jersey</b>						
Supreme Court	COLR	N/S	N/S	N/S	70	10 yrs state bar
Appellate Division of Superior Court	IAC	N/S	N/S	N/S	70	10 yrs state bar
<b>New Mexico</b>						
Supreme Court	COLR	N/S	3 yrs	35	N/S	10 years active practice and/or judgeship in any court of the state
Court of Appeals	IAC	N/S	3 yrs	35	N/S	10 years active practice and/or judgeship in any court of the state

**Table 5 -- Qualifications to Serve as an Appellate Court Judge**

States/Courts:	Court type	Local Residency	State Residency	Minimum Age	Maximum Age	Legal Credentials
<b>New York</b>						
Court of Appeals	COLR	N/S	Yes	18	70 (a)	10 yrs state bar
Appellate Divisions of Supreme Court	IAC	Yes, for presiding judge	Yes	18	70 (a)	10 yrs state bar
Appellate Terms of Supreme Court	IAC	N/S	Yes	18	70 (a)	10 yrs state bar
<b>North Carolina</b>						
Supreme Court	COLR	N/S	N/S	N/S	72	State bar member
Court of Appeals	IAC	N/S	N/S	N/S	72	State bar member
<b>North Dakota</b>						
Supreme Court	COLR	N/S	Yes	N/S	N/S	State bar member
Court of Appeals	IAC	N/S	N/S	N/S	N/S	N/S
<b>Ohio</b>						
Supreme Court	COLR	No	Yes	N/S	70	6 yrs practice
Court of Appeals	IAC	District	N/S	N/S	70	6 yrs practice
<b>Oklahoma</b>						
Supreme Court	COLR	1 yr	N/S	80	N/S	5 yrs state bar
Court of Criminal Appeals	COLR	1 yr	N/S	30	N/S	5 yrs state bar
Court of Appeals	IAC	(a)	N/S	N/S	N/S	(b)
<b>Oregon</b>						
Supreme Court	COLR	N/S	3 yrs	N/S	75	State bar member
Court of Appeals	IAC	N/S	3 yrs	N/S	75	State bar member
<b>Pennsylvania</b>						
Supreme Court	COLR	No	1 yr	N/S	70	State bar member
Superior Court	IAC	No	1 yr	N/S	70	State bar member
Commonwealth Court	IAC	No	1 yr	N/S	70	State bar member
<b>Rhode Island</b>						
Supreme Court	COLR	N/S	N/S	21	N/S	N/S
<b>South Carolina</b>						
Supreme Court	COLR	N/S	5 yrs	26	72	5 yrs state bar
Court of Appeals	IAC	N/S	5 yrs	26	72	5 yrs state bar
<b>South Dakota</b>						
Supreme Court	COLR	Yes	Yes	N/S	70	State bar member
<b>Tennessee</b>						
Supreme Court	COLR	(a)	5 yrs	35	N/S	Qualified to practice law
Court of Appeals	IAC	(b)	5 yrs	30	N/S	Qualified to practice law
Court of Criminal Appeals	IAC	(b)	5 yrs	30	N/S	Qualified to practice law
<b>Texas</b>						
Supreme Court	COLR	N/S	N/S	35	75	(a)
Court of Criminal Appeals	COLR	N/S	N/S	35	75	(a)
Courts of Appeals	IAC	N/S	N/S	35	75	(a)
<b>Utah</b>						
Supreme Court	COLR	N/S	5 yrs	30	N/S	State bar member
Court of Appeals	IAC	N/S	3 yrs	25	N/S	State bar member
<b>Vermont</b>						
Supreme Court	COLR	N/S	5 yrs	N/S	70	5 yrs state bar

**Table 5 -- Qualifications to Serve as an Appellate Court Judge**

<b>States/Courts:</b>	<b>Court type</b>	<b>Local Residency</b>	<b>State Residency</b>	<b>Minimum Age</b>	<b>Maximum Age</b>	<b>Legal Credentials</b>
<b>Virginia</b>						
Supreme Court	COLR	N/S	N/S	N/S	N/S	5 yrs state bar
Court of Appeals	IAC	N/S	N/S	N/S	N/S	5 yrs state bar
<b>Washington</b>						
Supreme Court	COLR	1 yr	1 yr	N/S	75	5 yrs state bar
Court of Appeals	IAC	1 yr	1 yr	N/S	75	5 yrs state bar
<b>West Virginia</b>						
Supreme Court	COLR	N/S	5 yrs	30	N/S	10 yrs state bar
<b>Wisconsin</b>						
Supreme Court	COLR	10 days	10 days	N/S	N/S	5 yrs state bar
Court of Appeals	IAC	10 days	10 days	N/S	N/S	5 yrs state bar
<b>Wyoming</b>						
Supreme Court	COLR	N/S	3 yrs	30	70	9 yrs state bar
<b>Puerto Rico</b>						
Supreme Court	COLR	N/S	5 yrs	N/S	70	10 yrs state bar
<b>Federal</b>						
US Supreme Court	COLR	N/S	N/S	N/S	N/S	N/S
US Courts of Appeals	IAC	(a)	N/S	N/S	N/S	N/S

**FOOTNOTES:**

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**Florida:**

- (a)With the possibility of 2 or 3 year extensions.
- (b)Initial appointment: must be resident of district at the time of original appointment.
- (c)Must reside within the territorial jurisdiction of the court.

**Georgia:**

- (a)There is a maximum retirement age in order to be eligible for certain benefits.

**Indiana:**

- (a)In the supreme court and court of appeals, 5 years service as a general jurisdiction judge may be substituted.

**Kansas:**

- (a)May complete term in which age 70 is attained.
- (b)Relevant legal experience, such as being of member of a law faculty, may substitute for state bar requirements.

**New York:**

- (a)In appellate courts, the maximum age may be extended by up to 2 extensions of 3 years each.

**Oklahoma:**

- (a)Must be a qualified elector in district.
- (b)Court of Appeals: appellate judges must be member of the state bar and have at least 4 years experience as a practicing attorney or as judge of a court of record.

**Tennessee:**

- (a) Not more than 2 from a single grand division.
- (b) Must reside in the grand division served.

**Texas:**

- (a)Ten years as a lawyer or judge of a court of record may substitute for practice.

**Federal:**

- (a)Circuit residency is required, except in DC. The Federal Judicial Circuit judges must reside within 50 miles of DC.

**Table 6 -- Selection and Terms of Trial Court Judges**

States/Courts:	Court type	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention
<b>Alabama</b>				
Circuit Court	G	Gubernatorial appointment(a)	Partisan election	Partisan election
District Court	L	Gubernatorial appointment(b)	Partisan election	Partisan election
Municipal Court	L	Governing municipal body appointment	Governing municipal body appointment	Reappointment
Probate Court	L	Gubernatorial appointment	Partisan election	Partisan election
<b>Alaska</b>				
Superior Court	G	Same as full term	Gubernatorial appointment from judicial nominating commission(a)	Retention election
District Court	L	Same as full term	Gubernatorial appointment from judicial nominating commission(b)	Retention election
Magistrates		Same as full term	Presiding judge appoints in each judicial district	Same as full term
<b>Arizona</b>				
Superior Court	G	Same as full term	Gubernatorial appointment(a)	(b)
Justice of the Peace	L	County board appointment	Partisan election	Partisan election
Municipal Court	L	Varies	Varies	Varies
<b>Arkansas</b>				
Circuit Court	G	Gubernatorial appointment(a)	Partisan election	Partisan election
Chancery/Probate Court	G	Gubernatorial appointment(a)	Partisan election	Partisan election
Municipal Court	L	Gubernatorial appointment	Nonpartisan election	Nonpartisan
County Court	L	Gubernatorial appointment	Partisan election	Partisan election
Police Court	L	City council	Nonpartisan election	Nonpartisan
Court of Common Pleas	L	Gubernatorial appointment	Partisan election	Partisan election
City Court	L	Locally determined	Locally determined	Locally determined
<b>California</b>				
Superior Court	G	Gubernatorial appointment	Nonpartisan election(a)	Nonpartisan election(b)
Municipal Court	L	Gubernatorial appointment	Nonpartisan election	Nonpartisan election(b)
Justice Court	L	County board of supervisors appointment	County board or special election	Nonpartisan election
<b>Colorado</b>				
District Court	G	Same as full term	Gubernatorial appointment from judicial nominating commission	Retention election
Denver Probate Court	G	Same as full term	Gubernatorial appointment from judicial nominating commission	Retention election
Denver Juvenile Court	G	Same as full term	Gubernatorial appointment from judicial nominating commission	Retention election
Water Court	G	Same as full term	Same as full term	Same as full term
County Court	L	Same as full term	Gubernatorial appointment from judicial nominating commission(a)	Retention election

**Table 6 -- Selection and Terms of Trial Court Judges**

<b>Geographic Basis for Selection</b>	<b>Length of Term</b>	<b>Method of Selection for Presiding Judge</b>	<b>Term of Office for Presiding Judge</b>	<b>Can Presiding Judges Succeed Themselves?</b>	<b>States/Courts:</b>
Circuit	6 yrs	Court selection(b)	3 yrs	Yes	Alabama Circuit Court
County	6 yrs	Presiding circuit judge	1 yr	Yes	District Court
Municipality	4 yrs(c)	Mayor	At pleasure	Yes	Municipal Court
County	6 yrs	-	-	Yes	Probate Court
District(d)	6 yrs	Chief Justice appointment	1 yr	Yes	Alaska Superior Court
District(d)	4 yrs	No presiding judge	-	-	District Court
District	At pleasure	No presiding judge	-	-	Magistrates
County	4 yrs	Supreme court appointment	5 yrs	Yes	Arizona Superior Court
Precinct	4 yrs	Court selection with advice and consent of county presiding judge	2 yrs	Yes	Justice of the Peace
Municipality	Varies	Court selection	Locally determined(c)	Locally determined	Municipal Court
District	4 yrs	No presiding judge	-	-	Arkansas Circuit Court
District	6 yrs	No presiding judge	-	-	Chancery/Probate Court
County	4 yrs	No presiding judge	-	-	Municipal Court
County	2 yrs	No presiding judge	-	-	County Court
City	4 yrs	No presiding judge	-	-	Police Court
County	2 yrs	No presiding judge	-	-	Court of Common Pleas
City	2 yrs	No presiding judge	-	-	City Court
County	6 yrs	Court selection	1-2 yrs	Yes	California Superior Court
District	6 yrs	Court selection	Generally 1-2 yrs	Yes	Municipal
District	6 yrs	Court selection	-	-	Justice Court
County	6 yrs	Court selection	Generally 1 yr	Varies	Colorado District Court
District	6 yrs	Supreme court, Chief Justice appointment	At pleasure	Yes	Denver Probate Court
District	6 yrs	Supreme court, Chief Justice appointment	At pleasure	Yes	Denver Juvenile Court
District	6 yrs	Supreme court, Chief Justice appointment	At pleasure	Yes	Water Court
County	4 yrs	District court judges appointment	At pleasure	Yes	County Court

**Table 6 -- Selection and Terms of Trial Court Judges**

States/Courts:	Court type	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention
<b>Colorado (con't)</b>				
Municipal Court	L	Same as full term	Governing municipal body appointment	Reappointment
<b>Connecticut</b>				
Superior Court	G	Legislative appointment(a)	Legislative appointment(a)	Legislative appointment(a)
Probate Court	L	Partisan election	Partisan election	Partisan election
<b>Delaware</b>				
Court of Chancery	G	Same as full term	Gubernatorial appointment from judicial nominating commission with consent of senate	Gubernatorial reappointment from judicial nominating commission with consent of senate
Superior Court	G	Same as court of chancery	Same as court of chancery	Same as court of chancery
Justice of the Peace Court	L	Same as full term	Gubernatorial appointment from Magistrate Screening Commission with consent of senate	Gubernatorial reappointment
Family Court	L	Gubernatorial appointment from judicial nominating commission with consent of senate	Gubernatorial appointment from judicial nominating commission with consent of senate	Same as superior court
Court of Common Pleas	L	Gubernatorial appointment from judicial nominating commission with consent of senate	Gubernatorial appointment from judicial nominating commission with consent of senate	Same as superior court
Alderman's Court	L	Varies	Town council selection	Varies
Municipal Court of Wilmington	L	Gubernatorial appointment from judicial nominating commission with consent of senate	Gubernatorial appointment from judicial nominating commission with consent of senate	Same as superior court
<b>District of Columbia</b>				
Superior Court	G	Same as full term	Presidential appointment from judicial nominating commission with consent of senate	(a)
<b>Florida</b>				
Circuit Court	G	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election
County Court	L	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election
<b>Georgia</b>				
Superior Court	G	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election
Juvenile Court	L	Superior court judge appointment(a)	Superior court judge appointment(a)	Superior court judge appointment(a)
Civil Court	L	Gubernatorial appointment	Partisan election	Partisan election
State Court	L	Gubernatorial appointment	Nonpartisan election	Nonpartisan election
Probate Court	L	Gubernatorial appointment	Partisan election	Partisan election
Magistrate Court	L	Varies	Varies	Varies
Municipal Court of Columbus	L	Unknown	Elected	Elected

**Table 6 -- Selection and Terms of Trial Court Judges**

<b>Geographic Basis for Selection</b>	<b>Length of Term</b>	<b>Method of Selection for Presiding Judge</b>	<b>Term of Office for Presiding Judge</b>	<b>Can Presiding Judges Succeed Themselves?</b>	<b>States/Courts:</b>
Municipality	Varies	No presiding judge	~	~	Colorado (con't) Municipal Court
State	8 yrs	Chief court administrative appointment	At pleasure	Yes	Connecticut Superior Court
District	4 yrs	No presiding judge	~	~	Probate Court
State	12 yrs	Gubernatorial appointment	12 yrs	Yes	Delaware Court of Chancery
Resident: County; Other: State	12 yrs	Gubernatorial appointment	12 yrs	Yes	Superior Court
County	4 yrs	Gubernatorial appointment	4 yrs	Yes	Justice of the Peace Court
County (Chief Judge statewide)	12 yrs	Gubernatorial appointment	12 yrs	Yes	Family Court
County	12 yrs	Seniority	12 yrs	Yes	Court of Common Pleas
Town	Varies	"	~	~	Alderman's Court
City	12 yrs	Gubernatorial appointment	12 yrs	Yes	Municipal Court of Wilmington
District of Columbia	15 yrs	Chief judge appointment	4 yrs	Yes	District of Columbia Superior Court
Circuit	6 yrs	Circuit and county court selection	2 yrs	Yes	Florida Circuit Court
County	4 yrs	No presiding judge	~	~	County Court
Circuit	4 yrs	Court selection	Varies	Varies	Georgia Superior Court
County/circuit	4 yrs	Varies	Varies	Varies	Juvenile Court
County	4 yrs	Seniority	Varies	Varies	Civil Court
County	4 yrs	Seniority	Varies	Yes	State Court
County	4 yrs	No presiding judge	~	~	Probate Court
County	4 yrs	Most are elected	4 yrs	Yes	Magistrate Court
Municipality	4 yrs	No presiding judge	~	~	Municipal Court of Columbus

**Table 6 -- Selection and Terms of Trial Court Judges**

States/Courts:	Court type	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention
<b>Georgia (con't)</b>				
County Recorder's Court	L	Varies	Varies	Varies
Municipal Courts and City Court of Atlanta	L	Appointed by municipal authority	Appointed by municipal authority	Appointed by municipal authority
<b>Hawaii</b>				
Circuit Court and Family Court	G	Same as full term	Gubernatorial appointment from judicial nominating commission with consent of senate	Judicial nominating commission reappointment
District Court	L	Same as full term	Appointment by chief Justice from judicial nominating commission	Judicial nominating commission reappointment
<b>Idaho</b>				
District Court	G	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election
Magistrate Division		Magistrate Commission appointment(b)	Magistrate Commission appointment(b)	Retention election
<b>Illinois</b>				
Circuit Court	G	Court selection	Partisan election	Retention election
<b>Indiana</b>				
Superior Court	G	Supreme court appointment(a)	Partisan election(b)	Retention election
Circuit Court	G	Supreme court appointment(a)	Partisan election(b)	Partisan election
Probate Court	G	Supreme court appointment(a)	Partisan election	Partisan election
County Court	L	Supreme court appointment(a)	Partisan election	Partisan election
City Court	L	Supreme court appointment(a)	Partisan election	Partisan election
Town Court	L	Supreme court appointment(a)	Partisan election	Partisan election
Municipal Court of Marion County	L	Supreme court appointment(a)	City commission appointment	City commission appointment
Smaller Claims Court of Marion County	L	Supreme court appointment(a)	Partisan election	Partisan election
<b>Iowa</b>				
District Court	G	Same as full term	Gubernatorial appointment from judicial nominating commission	Retention election
District Associate Magistrates	L	Same as full term	District judge appointment(b)	Retention election
	L	Same as full term	County judicial magistrate appointment commission appointment(b)	Reappointed by county
<b>Kansas</b>				
District Court	G	Gubernatorial appointment from judicial nominating commission in 17 districts; Gubernatorial appointment in 14 districts	Gubernatorial appointment from judicial nominating commission in 17 districts; partisan election in 14 districts	Retention election in 17 districts; partisan election in 14 districts
Municipal Court	L	Local governing body appointment(a)	Local governing body appointment(a)	Local governing body reappointment(a)

**Table 6 -- Selection and Terms of Trial Court Judges**

<b>Geographic Basis for Selection</b>	<b>Length of Term</b>	<b>Method of Selection for Presiding Judge</b>	<b>Term of Office for Presiding Judge</b>	<b>Can Presiding Judges Succeed Themselves?</b>	<b>States/Courts:</b>
County	Varies	Seniority	Seniority	Yes	Georgia (con't)
Municipality	At pleasure	Generally no presiding judge	~	~	County Recorder's Court Municipal Courts and City Court of Atlanta
Circuit	10 yrs	Chief Justice appointment	At pleasure	Yes	Hawaii
Circuit	6 yrs	Chief Justice appointment	At pleasure	Yes	District Court
District	4 yrs	Majority of other district judges within the district judges or majority of supreme court justices	Varies (a)	Yes	Idaho
District	4 yrs	No presiding judge	~	~	Magistrate Division
Circuit/County (a)	6 years (associate judges 4 yrs)	Court selection	Varies	Yes	Illinois
County	6 yrs	Varies	Varies	Varies	Superior Court
County	6 yrs	Varies	Varies	Varies	Circuit Court
County	6 yrs	~	~	~	Probate Court
County	6 yrs	Varies	Varies	Varies	County Court
Municipality	4 yrs	Varies	Varies	Varies	City Court
Municipality	Varies	~	~	~	Town Court
Municipality	4 Years	Varies	Varies	Varies	Municipal Court of Marion County
Township	4 Years	Varies	Varies	Varies	Smaller Claims Court of Marion County
District	6 yrs	Chief Justice appointment with supreme court approval(a)	2 yrs	Yes	Iowa
District	4 yrs	~	~	~	District Associate
County	2 yrs	~	~	~	Magistrates
District	4 yrs	Supreme court appointment	2 yrs	Yes	Kansas
City	Varies	Local governing body appointment	At pleasure	Yes	District Court Municipal Court

**Table 6 -- Selection and Terms of Trial Court Judges**

States/Courts:	Court type	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention
Kentucky				
Circuit Court	G	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election
District Court	L	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election
Louisiana				
District Court	G	Supreme court selection(a)	Nonpartisan election	Nonpartisan election
Justice of the Peace	L	Supreme court selection(a)	Nonpartisan election	Nonpartisan election
Mayor's Court	L	(Mayor or mayor pro temp)	Nonpartisan election	(Mayor serves as judge)
City and Parish Courts	L	Supreme court selection(a)	Nonpartisan election	Nonpartisan election
Maine				
Superior Court	G	Gubernatorial appointment with consent of senate	Gubernatorial appointment with consent of senate	Gubernatorial reappointment with consent of senate
District Court	L	Gubernatorial appointment	Gubernatorial appointment	Gubernatorial reappointment
Probate Court	L	Gubernatorial appointment	Partisan election	Partisan election
Administrative Court	L	Gubernatorial appointment	Gubernatorial appointment	Gubernatorial reappointment
Maryland				
Circuit Court	G	Same as full term	Gubernatorial appointment from judicial nominating commission with consent of senate	Gubernatorial reappointment with consent of senate
District Court	L	Same as full term	Gubernatorial appointment from judicial nominating commission with consent of senate	Gubernatorial reappointment with consent of senate
Orphan's Court	L	Gubernatorial appointment	Partisan election	Partisan election
Massachusetts				
Trial Court of the Commonwealth	G	Same as full term	Gubernatorial appointment from judicial nominating commission approved by Governor's Council	Same as full term
Michigan				
Circuit Court (includes Court of Claims)	G	Gubernatorial appointment	Nonpartisan election	Nonpartisan election
Recorder's Court of Detroit	G	Gubernatorial appointment	Nonpartisan election	Nonpartisan election
District Court	L	Gubernatorial appointment	Nonpartisan election	Nonpartisan election
Probate Court	L	Gubernatorial appointment	Nonpartisan election	Nonpartisan election
Municipal Court	L	Gubernatorial appointment	Nonpartisan election	Nonpartisan election
Minnesota				
District Court	G	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election
Mississippi				
Circuit Court	G	Gubernatorial appointment from judicial nominating commission	Partisan election	Partisan election
Chancery Court	G	Gubernatorial appointment from judicial nominating commission	Partisan election	Partisan election

**Table 6 -- Selection and Terms of Trial Court Judges**

<b>Geographic Basis for Selection</b>	<b>Length of Term</b>	<b>Method of Selection for Presiding Judge</b>	<b>Term of Office for Presiding Judge</b>	<b>Can Presiding Judges Succeed Themselves?</b>	<b>States/Courts:</b>
Circuit	8 yrs	Circuit Court selection(a)	Generally 2 yrs	Yes	Kentucky Circuit Court
District	4 yrs	District Court selection(a)	Generally 2 yrs	Yes	
District Wards City City or parish	6 yrs	Varies	Varies	Varies	Louisiana District Court Justice of the Peace Mayor's Court City and Parish Courts
	6 yrs	No presiding judge	~	~	
	4 yrs	No presiding judge	~	~	
	6 yrs	Varies	Varies	Varies	
Statewide State & District(a) County State	7 yrs	Supreme Court, Chief Justice appointment	At pleasure of Chief Justice	Yes	Maine Superior Court District Court Probate Court Administrative Court
	7 yrs	Supreme Court, Chief Justice appointment	At pleasure of Chief Justice	Yes	
	7 yrs	~	~	~	
	7 yrs	Gubernatorial appointment with consent of senate	7 yrs	~	
District District County	15 yrs	Chief Judge appointment by supreme court judge	At pleasure	~	Maryland Circuit Court District Court Orphan's Court
	10 yrs	Chief Judge appointment by supreme court Chief Justice(a)	Remainder of term	~	
	4 yrs	Unknown	Unknown	Unknown	
State	Age 70	Appointed by Supreme Judicial Court(c)	5 yrs	Yes	Massachusetts Trial Court of the Commonwealth
District City District District District	6 yrs	Court selection	2 yrs	Yes	Michigan Circuit Court (includes Court of Claims) Recorder's Court of Detroit District Court Probate Court Municipal Court
	6 yrs	Court selection	2 yrs	Yes	
	6 yrs	Court selection	2 yrs	Yes	
	6 yrs	Court selection	2 yrs	Yes	
	4 yrs	Court selection	2 yrs	Yes	
District	6 yrs	Court selection	2 yrs	Yes	Minnesota District Court
District District	4 yrs	Seniority	Duration of service	~	Mississippi Circuit Court
	4 yrs	Seniority	Duration of service	~	
					Chancery Court

**Table 6 -- Selection and Terms of Trial Court Judges**

States/Courts:	Court type	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention
<b>Mississippi (con't)</b>				
County Court	L	Gubernatorial appointment from judicial nominating commission	Partisan election	Partisan election
Family Court	L	Gubernatorial appointment from judicial nominating commission	Partisan election	Partisan election
Municipal Court	L	Locally determined	Locally determined	Locally determined
Justice Court	L	Locally determined	Partisan election	Partisan election
Mayor's Court	L	Locally determined	Partisan election	Partisan election
<b>Missouri</b>				
Circuit Court	G	Gubernatorial appointment in partisan circuits (40) Gubernatorial appointment from judicial nominating commission in nonpartisan circuits (5)	Gubernatorial appointment from judicial nominating commission in counties with nonpartisan election (5 metropolitan circuits) Partisan election in 40 circuits	Retention election for 5 metropolitan circuits, partisan election in 40 circuits
Associate Circuit Court		Gubernatorial appointment in partisan circuits (40) Gubernatorial appointment from judicial nominating commission in nonpartisan circuits (5)	Gubernatorial appointment from judicial nominating commission in counties with nonpartisan election (5 metropolitan circuits) Partisan election in 40 circuits	Retention election for 5 metropolitan circuits, partisan election in 40 circuits
Municipal Court	L	Locally determined	Locally determined	Locally determined
<b>Montana</b>				
District Court	G	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election
Workers' Comp. Court	G	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission
Water Court	G	Chief Justice appointment from judicial nominating commission	Chief Justice appointment from judicial nominating commission	Chief Justice reappointment from judicial nominating commission
Justice of the Peace Court	L	County commission appointment	Nonpartisan election	Nonpartisan election
Municipal Court	L	Local governing body appointment	Nonpartisan election	Nonpartisan election
City Court	L	City commission appointment	Nonpartisan election	Nonpartisan election
<b>Nebraska</b>				
District Court	G	Same as full term	Gubernatorial appointment from judicial nominating commission	Retention election
Separate Juvenile Court	L	Same as full term	Gubernatorial appointment from judicial nominating commission	Retention election
Worker's Compensation	L	Same as full term	Gubernatorial appointment from judicial nominating commission	Retention election
County Court	L	Same as full term	Gubernatorial appointment from judicial nominating commission	Retention election

**Table 6 -- Selection and Terms of Trial Court Judges**

<b>Geographic Basis for Selection</b>	<b>Length of Term</b>	<b>Method of Selection for Presiding Judge</b>	<b>Term of Office for Presiding Judge</b>	<b>Can Presiding Judges Succeed Themselves?</b>	<b>States/Courts:</b>
County	4 yrs	No presiding judge	~	~	Mississippi (con't) County Court
County	4 yrs	No presiding judge	~	~	Family Court
Municipality	Locally determined	No presiding judge	~	~	Municipal Court
District in county	4 yrs	No presiding judge	~	~	Justice Court
City	4 yrs	No presiding judge	~	~	Mayor's Court
Circuit	6 yrs	Court selection	2 yrs	Yes	Missouri Circuit Court
County	4 yrs	No presiding judge	~	~	Associate Circuit Court
City	Varies	No presiding judge	~	~	Municipal Court
District	6 yrs	Varies	Varies	Varies	Montana District Court
State	6 yrs	No presiding judge	~	~	Workers' Comp. Court
State	4 yrs	Chief Justice appointment from judicial nominating commission	4 yrs	Yes	Water Court
County	4 yrs	No presiding judge	~	~	Justice of the Peace Court
City	4 yrs	No presiding judge	~	~	Municipal Court
City	4 yrs	No presiding judge	~	~	City Court
District	6 yrs (a)	Court selection	1 yr	Yes	Nebraska District Court
District	6 yrs (a)	Court selection	1 yr	Yes	Separate Juvenile Court
District	6 yrs (a)	Court selection	1 yr	Yes	Worker's Compensation
District	6 yrs (a)	Court selection	1 yr	Yes	County Court

**Table 6 -- Selection and Terms of Trial Court Judges**

States/Courts:	Court type	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention
<b>Nevada</b>				
District Court	G	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election
Justice Court	L	County commission appointment	Nonpartisan election	Nonpartisan election
Municipal Court	L	City council appointment	Nonpartisan election or appointment	Nonpartisan election
<b>New Hampshire</b>				
Superior Court	G	Same as full term	Gubernatorial appointment subject to approval by executive council	~
District Court	L	Same as full term	Gubernatorial appointment subject to approval by executive council	~
Municipal Court	L	Same as full term	Gubernatorial appointment subject to approval by executive council	~
Probate Court	L	Same as full term	Gubernatorial appointment subject to approval by executive council	~
<b>New Jersey</b>				
Superior Court	G	Same as full term	Gubernatorial appointment with consent of senate	Gubernatorial appointment with consent of senate
Tax Court	L	Same as full term	Gubernatorial appointment with consent of senate	Gubernatorial reappointment with consent of senate
Municipal Court	L	Same as full term	Appointment by mayor or governing body of municipality (a)	Reappointment by mayor or governing body of municipality(b)
<b>New Mexico</b>				
District Court	G	Gubernatorial appointment(a)	Partisan election	Nonpartisan retention election
Magistrate Court	L	Gubernatorial appointment	Partisan election	Partisan election
Bernalillo County	L	Gubernatorial appointment(a)	Partisan election	Nonpartisan retention election
Municipal Court	L	Appointment by governing body	Partisan election	Partisan election
Probate Court	L	County commission appointment	Partisan election	Partisan election
<b>New York</b>				
Supreme Court	G	Gubernatorial appointment with consent of senate	Partisan election	Partisan election
County Court	G	Gubernatorial appointment with consent of senate	Partisan election	Partisan election
District Court	L	Gubernatorial appointment(a)	Partisan election	Partisan election
City Court	L	Varies--most elected	Varies--most elected	Locally determined
Criminal Court of NYC	L	Mayoral appointment	Mayoral appointment	Mayoral appointment
Civil Court of NYC	L	Mayoral appointment	Mayoral appointment	
Town and Village	L	Mayoral appointment	Partisan election	Partisan election

**Table 6 -- Selection and Terms of Trial Court Judges**

<b>Geographic Basis for Selection</b>	<b>Length of Term</b>	<b>Method of Selection for Presiding Judge</b>	<b>Term of Office for Presiding Judge</b>	<b>Can Presiding Judges Succeed Themselves?</b>	<b>States/Courts:</b>
District	6 yrs	Varies	Varies	Varies	Nevada District Court
Township	6 yrs	Varies	Varies	Yes	Justice Court
City	Varies	Varies	Varies	Yes	Municipal Court
State	Until age 70	Gubernatorial appointment subject to approval by executive council	Age 70	~	New Hampshire Superior Court
District	Until age 70	Gubernatorial appointment subject to approval by executive council	Age 70	~	District Court
District/Municipality	Until age 70	~	Age 70	~	Municipal Court
County	Until age 70	~	Age 70	~	Probate Court
Municipality/Multi-municipality	7(c)	Governing body (b)	3 yrs	Yes	New Jersey Superior Court
State	7(c)	Chief Justice appointment	At pleasure	~	Tax Court
State	7(c)	No presiding judge	~	~	Municipal Court
District	6 yrs	Election by district judges	3 yrs	Yes	New Mexico District Court
County	4 yrs	Director of AOC appointment	Varies	Yes	Magistrate Court
County	4 yrs	Election by metropolitan judges	3 yrs	Yes	Bernalillo County
City	4 yrs	No presiding judge	~	~	Municipal Court
County	4 yrs	No presiding judge	~	~	Probate Court
District	14 yrs	No presiding judge	~	~	New York Supreme Court
County	10 yrs	No presiding judge	~	~	County Court
District	6 yrs	Partisan election	6 yrs	Yes	District Court
City (with some exceptions)	10 yrs	No presiding judge	~	~	City Court
City	10 yrs	No presiding judge	~	~	Criminal Court of NYC
City	10 yrs(b)	No presiding judge	~	~	Civil Court of NYC
City	4 yrs	~	~	~	Town and Village

**Table 6 -- Selection and Terms of Trial Court Judges**

States/Courts:	Court type	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention
New York (con't)				
Court of Claims	L	Gubernatorial appointment with consent of senate	Gubernatorial appointment from judicial nominating commission with consent of senate	Gubernatorial reappointment
Surrogates' Court	L	Gubernatorial appointment from judicial nominating commission with consent of senate	Partisan election	Partisan election
Family Court	L	Gubernatorial appointment from judicial nominating commission with consent of senate(b)	Partisan election and appointment by mayor	Partisan election and reappointment by mayor
North Carolina				
Superior Court	G	Gubernatorial appointment	(a)	Partisan election
District Court	L	Gubernatorial appointment	Partisan election	Partisan election
North Dakota				
District Court	G	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election
County Court	L	County commission appointment	Nonpartisan election	Nonpartisan election
Municipal Court:	L	Mayoral appointment	Nonpartisan election	Nonpartisan election
Ohio				
Court of Common Pleas	G	Gubernatorial appointment	Nonpartisan election	Nonpartisan election
Municipal Court	L	Gubernatorial appointment	Nonpartisan election	Nonpartisan election
County Court	L	Gubernatorial appointment	Nonpartisan election	Nonpartisan election
Court of Claims	L	Chief Justice assignment	Nonpartisan election	Chief Justice appointment
Mayors Court	L	Varies; usually elected	Partisan election	Partisan election
Oklahoma				
District Court	G	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election
Associate		Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election
Special		Selection by district court judge in each judicial nominating commission	Same as unexpired term	Same as unexpired term
Municipal Court Not of Record	L	City governing body appointment	City governing body appointment	City governing body appointment
Municipal Criminal Court of Record	L	City governing body appointment	City governing body appointment	City governing body appointment
Workers' Compensation Court	L	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission	Gubernatorial reappointment from judicial nominating commission

**Table 6 -- Selection and Terms of Trial Court Judges**

<b>Geographic Basis for Selection</b>	<b>Length of Term</b>	<b>Method of Selection for Presiding Judge</b>	<b>Term of Office for Presiding Judge</b>	<b>Can Presiding Judges Succeed Themselves?</b>	<b>States/Courts:</b>
State	9 yrs	Gubernatorial appointment	Balance of term	Yes	New York (con't)
	10 yrs (except NYC is 14)	No presiding judge	~	~	Court of Claims
		No presiding judge	~	~	Surrogates' Court
District (County outside NYC)	10 yrs				Family Court
State	8 (resident), 4 (special)	Seniority of service within district	8 yrs	Yes	North Carolina
	4 yrs	Chief Justice appointment	At pleasure	~	Superior Court
District	6 yrs	Elected by district and county judges	3 yrs	Yes	District Court
	4 yrs	No presiding judge	~	~	North Dakota
County/multi-county		No presiding judge	~	~	County Court
City		No presiding judge	~	~	Municipal Court:
County	6 yrs	Varies	Varies	Varies	Ohio
County/city/partisan of county	6 yrs	~	~	~	Court of Common Pleas
County/partisan of county	6 yrs	~	~	~	Municipal Court
~	(a)	~	~	~	County Court
City/Village	4 yrs	~	~	~	Court of Claims
					Mayors Court
Oklahoma	4 yrs	Selected by district and associate district judges within each judicial administrative district	Varies	Yes	District Court
	4 yrs	No presiding judge	~	~	Associate
	At pleasure	No presiding judge	~	~	Special
Municipality	2 yrs	No presiding judge			Municipal Court Not of Record
Municipality	2 yrs	City governing body appointment	Varies	Unknown	Municipal Criminal Court of Record
State	6 yrs	Gubernatorial appointment	2 yrs	Yes	Workers' Compensation Court

**Table 6 -- Selection and Terms of Trial Court Judges**

States/Courts:	Court type	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention
Oklahoma (con't) Court of Tax Review	L	Supreme Court appointment	Supreme Court appointment	Supreme Court appointment
Oregon Circuit Court Tax Court County Court District Court Justice Court Municipal Court	G S L L L L	Gubernatorial appointment Gubernatorial appointment County commission appointment Gubernatorial appointment Gubernatorial appointment City council appointment	Nonpartisan election Nonpartisan election Nonpartisan election Nonpartisan election Nonpartisan election City council appointment	Nonpartisan election Nonpartisan election Nonpartisan election Nonpartisan election Nonpartisan election City council reappointment
Pennsylvania Court of Common Pleas Philadelphia Municipal District Justice Court Philadelphia Traffic Pittsburgh City Magistrates	G L L L L	Gubernatorial appointment from judicial nominating commission with consent of senate Gubernatorial appointment from judicial nominating commission with consent of senate Gubernatorial appointment from judicial nominating commission with consent of senate Gubernatorial appointment from judicial nominating commission with consent of senate Mayoral appointment with city council's consent	Partisan election Partisan election Partisan election Partisan election Mayoral appointment	Retention election Retention election Partisan election Partisan election Mayoral appointment
Rhode Island Superior Court District Court Family Court Probate Court Municipal Court Administrative Adjudication Court	G L L L L	Gubernatorial appointment with consent of senate Gubernatorial appointment with consent of senate Gubernatorial appointment with consent of senate Town Council Appointed City council appointed Gubernatorial appointment with consent of senate	Gubernatorial appointment with consent of senate Gubernatorial appointment with consent of senate Gubernatorial appointment with consent of senate Town council reappointed Locally determined Gubernatorial appointment with consent of senate	~ ~ ~ Town Council Reappointed Locally determined ~
South Carolina Circuit Court Family Court Magistrate Court	G L L	Legislative election Gubernatorial appointment with advice of Chief Justice Gubernatorial appointment with consent of senate	Legislative election Legislative election Gubernatorial appointment with consent of senate	Legislative election Legislative election Gubernatorial appointment with consent of senate

**Table 6 -- Selection and Terms of Trial Court Judges**

<b>Geographic Basis for Selection</b>	<b>Length of Term</b>	<b>Method of Selection for Presiding Judge</b>	<b>Term of Office for Presiding Judge</b>	<b>Can Presiding Judges Succeed Themselves?</b>	<b>States/Courts:</b>
Judicial District	Term is for remainder of service as district court judge	No presiding judge	~	~	Oklahoma (con't) Court of Tax Review
Circuit	6 yrs	Chief Justice appointment	2 yrs	Yes	Oregon Circuit Court
State	6 yrs	No presiding judge	~	~	Tax Court
County	4 yrs	No presiding judge	~	~	County Court
County	6 yrs	(same as Circuit)	2 yrs	Yes	District Court
County	6 yrs	No presiding judge	~	~	Justice Court
Municipality	Varies	No presiding judge	~	~	Municipal Court
County	10 years	Seniority (if 8 or more judges, court selection)	5 yrs	No	Pennsylvania Court of Common Pleas
County	10 years	Seniority (if 8 or more judges, court selection)	5 yrs	No	Philadelphia Municipal
Magisterial District	6 yrs	No presiding judge	No presiding judge	~	District Justice Court
County	6 yrs	Gubernatorial appointment	5 yrs	Yes	Philadelphia Traffic
City of Pittsburgh	4 yrs	Mayoral appointment	1 yr	Yes	Pittsburgh City Magistrates
State	Life	Gubernatorial appointment	Life	~	Rhode Island Superior Court
State	Life	Gubernatorial appointment	Life	~	District Court
State	Life	Gubernatorial appointment	Life	~	Family Court
Town	Varies	No presiding judge	~	~	Probate Court
Town	2 yrs	No presiding judge	~	~	Municipal Court
State	Varies	No presiding judge	~	~	Administrative Adjudication Court
Circuit	6 yrs	Chief Justice appointment	6 months	Yes	South Carolina Circuit Court
Circuit	6 yrs	Chief Justice appointment	6 months	Yes	Family Court
County	4 yrs	Chief Justice appointment	6 months	Yes	Magistrate Court

**Table 6 -- Selection and Terms of Trial Court Judges**

States/Courts:	Court type	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention
<b>South Carolina (con't)</b>				
Probate Court	L	Gubernatorial appointment	Partisan election	Partisan election
Municipal Court	L	Council appointment	Council appointment	Council appointment
<b>South Dakota</b>				
Circuit Court	G	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election
Law Magistrates		Same as full term	Appointment by Circuit Court presiding judge with approval of Supreme court	Reappointment by Circuit Court presiding judge with approval of Supreme Court
Lay Magistrates		Division of Circuit	~	~
Clerk/Magistrates		Division of Circuit	~	~
<b>Tennessee</b>				
Circuit Court	G	Gubernatorial appointment	Partisan election	Partisan election
Chancery Court	G	Gubernatorial appointment	Partisan election	Partisan election
Criminal Court	G	Gubernatorial appointment	Partisan election	Partisan election
Probate Court	G	Established by special legislative act	Partisan election	Partisan election
Juvenile Court	L	Established by special legislative act	Partisan election	Partisan election
Municipal Court	L	Locally determined	Established by ordinance	Established by ordinance
General Sessions Court	L	Local legislative body appointment	Partisan election	Partisan election
<b>Texas</b>				
District Courts	G	Gubernatorial appointment with consent of senate	Partisan election	Partisan election
Constitutional County Court and County Courts at Law	L	Appointment by county commissioners	Partisan election	Partisan election
Justice of the Peace Court	L	Appointment by county commissioners	Partisan election	Partisan election
Municipal Court	L	Appointment by city council	Varies	Varies
<b>Utah</b>				
District Court	G	Same as full term	Gubernatorial appointment from judicial nominating commission with consent of senate	Retention election
Circuit Court	L	Same as full term	Gubernatorial appointment from judicial nominating commission with consent of senate(a)	Retention election
Justice Court	L	County: Nonpartisan election Municipal: City Commissioner appointment	County: Partisan election Municipal: City Commissioner appointment	County: Nonpartisan election Municipal: City Commissioner appointment
Juvenile Court	L	Same as full term	Gubernatorial appointment from judicial nominating commission with consent of senate(a)	Retention election
<b>Vermont</b>				
Superior Court	G	Same as full term	Gubernatorial appointment from judicial nominating commission with consent of senate	Legislative election

**Table 6 -- Selection and Terms of Trial Court Judges**

<b>Geographic Basis for Selection</b>	<b>Length of Term</b>	<b>Method of Selection for Presiding Judge</b>	<b>Term of Office for Presiding Judge</b>	<b>Can Presiding Judges Succeed Themselves?</b>	<b>States/Courts:</b>
County	4 yrs	No presiding judge	~	~	South Carolina (con't)
District	2-4 yrs	No presiding judge	~	~	Probate Court Municipal Court
Circuit	8 yrs	Chief Justice appointment(a)	At pleasure	~	South Dakota Circuit Court
Circuit	4 yrs	~	~	~	Law Magistrates
Circuit	~	~	~	~	Lay Magistrates
Circuit	~	~	~	~	Clerk/Magistrates
District	8 yrs	Court selection	1 yr	Yes	Tennessee Circuit Court
District	8 yrs	Court selection	1 yr	Yes	Chancery Court
District	8 yrs	Court selection	1 yr	Yes	Criminal Court
Varies	Locally determined	No presiding judge	~	~	Probate Court
County	8 yrs	No presiding judge	~	~	Juvenile Court
Municipality	8 yrs	No presiding judge	~	~	Municipal Court
County	8 yrs	Varies	Varies	Varies	General Sessions Court
District	4 yrs	Varies	2 yrs	Yes	Texas District Courts
District	4 yrs	Varies	2 yrs	Yes	Constitutional County Court and County Courts at Law
Precinct	4 yrs	No presiding judge	~	~	Justice of the Peace Court
None	Varies	Varies	Varies	Yes	Municipal Court
District	6 yrs	Court selection	2 yrs	Yes	Utah District Court
District	6 yrs	Court selection	2 yrs	Yes	Circuit Court
District/ Municipality	At pleasure	~	~	~	Justice Court
District	6 yrs	Court selection	2 yrs	Yes	Juvenile Court
State	6 yrs	Supreme court appointment(a)	At pleasure	~	Vermont Superior Court

**Table 6 -- Selection and Terms of Trial Court Judges**

States/Courts:	Court type	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention
<b>Vermont (con't)</b>				
District Court	G	Same as full term	Gubernatorial appointment from judicial nominating commission with consent of senate	Legislative election
Family Court	G	Superior/district judges	Serve as family court judges	~
Probate Court	L	Gubernatorial appointment	Partisan election	Partisan election
<b>Virginia</b>				
Circuit Court	G	Legislative appointment	Legislative appointment	Legislative appointment
District Court	L	Legislative appointment	Legislative appointment	Legislative appointment
<b>Washington</b>				
Superior Court	G	Gubernatorial appointment	Nonpartisan election	Nonpartisan election
District Court	L	County appointment	Nonpartisan election	Nonpartisan election
Municipal Court	L	City appointment	Mayoral/city council appointed	Mayoral/city council appointed
<b>West Virginia</b>				
Circuit Court	G	Gubernatorial appointment	Partisan Election	~
Magistrate Court	L	Supervising judge appointment	Partisan election	~
Municipal Court	L	Locally determined	Locally determined	Locally determined
<b>Wisconsin</b>				
Circuit Court	G	Gubernatorial appointment	Nonpartisan election	Nonpartisan election
Municipal Court	L	Nonpartisan election	Nonpartisan election	Nonpartisan election
<b>Wyoming</b>				
District Court	G	Gubernatorial appointment	Gubernatorial appointment from judicial nominating commission	Retention election
Justice of the Peace Court	L	Nonpartisan election	Nonpartisan election	Nonpartisan election
Municipal Court	L	Mayoral appointment	Mayoral appointment	Locally determined
County Court	L	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission	Retention election
<b>Puerto Rico</b>				
Superior Court	G	Gubernatorial appointment w/senate confirmation	Gubernatorial appointment w/senate confirmation	Gubernatorial reappointment w/senate confirmation
District Court	L	Gubernatorial appointment w/senate confirmation	Gubernatorial appointment w/senate confirmation	Gubernatorial reappointment w/senate confirmation
Municipal Court	L	Gubernatorial appointment w/senate confirmation	Gubernatorial appointment w/senate confirmation	Gubernatorial reappointment w/senate confirmation
<b>Federal</b>				
US District Court		Same as full term	Presidential appointment subject to Senate confirmation	~
US Magistrate		Same as full term	Appointed by US District Court Panels	Circuit Judicial Council recall(a)
US Bankruptcy		Same as full term	Appointed by US Appellate Court Panels	Ad hoc recall(b)

**Table 6 -- Selection and Terms of Trial Court Judges**

<b>Geographic Basis for Selection</b>	<b>Length of Term</b>	<b>Method of Selection for Presiding Judge</b>	<b>Term of Office for Presiding Judge</b>	<b>Can Presiding Judges Succeed Themselves?</b>	<b>States/Courts:</b>
State	6 yrs	Supreme court appointment(a)	At pleasure	~	Vermont (con't) District Court
~	~	~	~	~	Family Court
District	4 yrs	No presiding judge	~	~	Probate Court
Circuit	8 yrs	Court selection	2 yrs	Yes	Virginia Circuit Court
District	6 yrs	Court selection	2 yrs	Yes	District Court
District	4 yrs	Varies	Varies	Varies	Washington Superior Court
District	4 yrs	Court selection	Maximum 1 yr	Yes	District Court
Municipality	4, unless mayor changes	Court selection	Maximum 1 yr	Yes	Municipal Court
District	8 yrs	Court selection	At pleasure	Yes	West Virginia Circuit Court
County	4 yrs	Supervising judge appointment	At pleasure	Yes	Magistrate Court
Municipality	Locally determined	No presiding judge	~	~	Municipal Court
County	6 yrs	COLR appointment(a)	2 yrs	Yes(b)	Wisconsin Circuit Court
Municipality	Varies but not less than 2 or more than 4 years	Locally determined (c)	Locally determined	Locally determined	Municipal Court
District	6 yrs	No presiding judge	~	~	Wyoming District Court
County	4 yrs	No presiding judge	~	~	Justice of the Peace Court
Municipality	Varies	No presiding judge	~	~	Municipal Court
County	4 yrs	No presiding judge	~	~	County Court
Statewide	12 yrs	No presiding judge	Age 70	~	Puerto Rico Superior Court
Statewide	8 yrs	No presiding judge	Age 70	~	District Court
Statewide	5 yrs	No presiding judge	Age 70	~	Municipal Court
District	Life	Seniority(c)	7 yrs	No	Federal US District Court
District	8 yrs full-time, 4 yrs part-time	(d)	~	~	US Magistrate
	14 yrs	Designated by a majority of the district judges of the courts	N/S	N/S	US Bankruptcy

## Table 6 -- Selection and Terms of Trial Court Judges

### FOOTNOTES:

#### Alabama:

- (a) The counties of Jefferson, Madison, Mobile and Tuscaloosa Circuit Court use gubernatorial appointment from the judicial nominating commission.
- (b) If court cannot agree, Supreme Court decides.
- (c) Length of term is 2 years, if position is part-time.

#### Alaska:

- (a) Judge must run for retention at next general election immediately following the third year from time of initial appointment.
- (b) Judges must run for retention at first general election held more than one year after appointment.
- (c) Judges selected on a statewide basis but run for retention on a district-wide basis.
- (d) Gubernatorial appointment from judicial nominating commission. The judge must run for retention at first general election held more than one year after appointment.

#### Arizona:

- (a) From judicial nominating commission nominations in 2 counties; partisan election in others.
- (b) Pima and Maricopa have retention elections, partisan election in others.
- (c) Municipal Court has a minimum term of 2 years.

#### Arkansas:

- (a) In circuit and chancery courts the office can be held till December 31 following the next general election, and then partisan election to fill remainder of term.

#### California:

- (a) Unless county electors opt for commission appointment.
- (b) If unopposed for reelection, incumbents' names do not appear on ballot.

#### Colorado:

- (a) The mayor appoints Denver county judges.

#### Connecticut:

- (a) Governor recommends from judicial nominating commission.

#### District of Columbia:

- (a) Judicial nominating commission nominee for presidential appointment. If the commission evaluates a sitting judge as "well qualified" the judge is automatically reappointed for a new term of 15 years. If the commission evaluates the judge as "qualified" the President may renominate him/her subject to Senate confirmation; if the commission evaluates the judge unqualified the judge is ineligible for reappointment.

#### Georgia:

- (a) In one county election associate judges (formerly referees) must be a member of the state bar or a law school graduate. They serve at the pleasure of the judge(s).

#### Idaho:

- (a) The Supreme Court appoints the administrative judge for up to two years if district court judges unable to elect.
- (b) The Magistrate Commission consists of the administrative judge, 3 mayors and 2 electors appointed by the Governor; and 2 attorneys, nominated by the District Bar and appointed by the State Bar. There is one commission in each district.

#### Illinois:

- (a) Unit less than county in Cook County.

#### Indiana:

- (a) Until gubernatorial appointment or next general election.
- (b) Nominating commissions are used in superior courts in Allen and St. Joseph counties.

#### Iowa:

- (a) The district court chief judge serves the entire court, including the district associate judges and the judicial magistrates.
- (b) The county judicial magistrate appointing commission consists of 3 members appointed by county board and 2 elected by county bar, presided over by a district court judge.

#### Kansas:

- (a) In two counties the municipal court judges are selected and appointed by the district court judges.

#### Kentucky:

- (a) In addition, there are 16 chief regional judges (8 circuit, 8 district), selected by the chief justice of the supreme court for regional administration of cases.

#### Louisiana:

- (a) Depending upon the amount of time remaining, selection may be by nonpartisan election following supreme court appointment.

#### Maine:

- (a) Of the 25 district court judges, 16 are selected by district; the remaining 9 are selected on a statewide basis.

#### Maryland:

- (a) Administrative judges are appointed by the chief judge of district court with the approval of the chief judge of court of appeals.

#### Massachusetts:

- (a) The administrative head of the trial court is called the "Chief Justice for Administration and Management." Each department has a chief justice appointed by the "CJAM" to a 5 year term.

#### Nebraska:

- (a) The initial term is for at least 3 but not more than 5 years.

#### New Jersey:

- (a) In multimunicipality selection is by governor with senate's consent.
- (b) In municipalities with more than 1 judge, the governing body may appoint a "chief" judge. Regional presiding judges are selected by the Chief Justice to assist in the administrative operations of the municipal court.
- (c) On reappointment till age 70.

#### New Mexico:

- (a) The Governor must select a candidate from a list submitted by the district or metropolitan judges committee created by the constitution.

#### New York:

- (a) Appointment by chief executive officer of county with confirmation by board of supervisors of district.
- (b) Housing part judges are appointed for five year terms by the administrative judge of the civil court.

**Table 6 -- Selection and Terms of Trial Court Judges**

**North Carolina:**

(a) Partisan election (resident judges), gubernatorial appointment (special judges).

**Ohio:**

(a) Temporary assignment by chief justice of supreme court.

**South Dakota:**

(a) The circuit court presiding judge serves the entire court, including the law magistrates division.

**Utah:**

(a) Initial term of appointment is until the next general election, immediately following the third year from the time of initial appointment.

**Vermont:**

(a) Administrative judge for trial courts.

**Wisconsin:**

(a) The chief judge of a district can appoint a presiding judge in each multi-judge circuit.

(b) Restricted to three successive terms.

(c) There is only 1 multi-judge municipal court.

**Federal:**

(a) May be recalled by the Circuit Judicial Council with consent of the chief justice for a maximum of up to one year.

(b) Ad hoc recall may be for a fixed (renewable) period of three years.

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

(d) A "chief" or "administrative" magistrate judge position has not been formally established by statute or regulation.

**Table 7 -- Qualifications to Serve as a Trial Court Judge**

States/Courts:	Court type	Local Residency	State Residency	Minimum Age	Maximum Age	Law Degree	Other Legal Qualifications
<b>Alabama</b>							
Circuit Court	G	1 yr	5 yrs	25	70	Yes	N/S
District Court	L	1 yr	5 yrs	25	70	Yes	N/S
Municipal Court	L	Yes	N/S	18	70	Yes	Licensed attorney
Probate Court	L	1 yr	N/S	N/S	70	No(a)	N/S
<b>Alaska</b>							
Superior Court	G	N/S	5 yrs	N/S	70	Yes	5 yrs practice
District Court	L	N/S	5 yrs	21	70	Yes	(a)
Magistrates(b)		N/S	6 mos	21	N/S	No	N/S
<b>Arizona</b>							
Superior Court	G	1 yr	5 yrs	30	70	Yes	5 yrs practice
Tax Court	G	1 yr	5 yrs	30	70	Yes	N/S
Justice of the Peace Court	L	Yes	Yes	18	70	No	N/S
Municipal Court	L	Varies	Varies	Varies	Varies	Varies	Varies
<b>Arkansas</b>							
Circuit Court	G	N/S	2 yrs	28	N/S	Yes	6 yrs practice/bench
Chancery/Probate Court	G	N/S	2 yrs	28	N/S	Yes	6 yrs practice/bench
Municipal Court	L	Yes	2 yrs	25	N/S	Yes	3 yrs practice/bench
County Court	L	Yes	N/S	25	N/S	No	N/S
Police Court	L	N/S	N/S	N/S	N/S	Yes	N/S
Court of Common Pleas	L	Yes	N/S	25	N/S	No	N/S
City Court	L	N/S	N/S	N/S	N/S	No	N/S
Justice of the Peace Court	L	N/S	N/S	N/S	N/S	No	N/S
<b>California</b>							
Superior Court	G	N/S	N/S	N/S	N/S	Yes	10 yrs state bar
Municipal	L	54 days	Yes	N/S	N/S	Yes	5 yrs state bar
<b>Colorado</b>							
District Court	G	Yes	Yes	N/S	72	Yes	5 yrs state bar
Denver Probate Court	G	Yes	N/S	N/S	72	Yes	5 yrs state bar
Denver Juvenile Court	G	Yes	N/S	N/S	72	Yes	5 yrs state bar
Water Court	G	Yes	N/S	N/S	N/S	N/S	N/S
County Court	L	Yes	N/S	N/S	72	No(a)	N/S
Municipal Court	L	N/S	N/S	N/S	72	No	N/S
<b>Connecticut</b>							
Superior Court	G	No	Yes	18	70	Yes	10 yrs state bar
Probate Court	L	Yes(a)	Yes	18	70	No	No
<b>Delaware</b>							
Court of Chancery	G	No	Yes	N/S	N/S	No	"Learned in Law"
Superior Court	G	Yes	Yes	N/S	N/S	No	"Learned in Law"
Justice of the Peace Court	L	Yes	Yes	N/S	N/S	No	N/S
Family Court	L	Yes(a)	5 yrs	N/S	N/S	No	5 yrs state bar
Court of Common Pleas	L	Yes	Yes	N/S	N/S	Yes	5 yrs state bar
Alderman's Court	L	N/S	N/S	N/S	N/S	No(b)	No

**Table 7 -- Qualifications to Serve as a Trial Court Judge**

<b>States/Courts:</b>	<b>Court type</b>	<b>Local Residency</b>	<b>State Residency</b>	<b>Minimum Age</b>	<b>Maximum Age</b>	<b>Law Degree</b>	<b>Other Legal Qualifications</b>
<b>Delaware (con't)</b>							
Municipal Court of Wilmington	L	N/S	N/S	N/S	N/S	Yes	5 yrs state bar
<b>District of Columbia</b>							
Superior Court	G	90 days	District residency	N/S	74	Yes	5 yrs state bar(a)
<b>Florida</b>							
Circuit Court	G	Yes(a)	Yes	N/S	70	Yes	5 yrs state bar
County Court	L	Yes(b)	Yes	N/S	70	Yes	5 yrs state bar
<b>Georgia</b>							
Superior Court	G	N/S	8 yr	80	N/S(a)	Yes	7 yrs state bar
Juvenile Court	L	N/S	8 yr	30	N/S	Yes	5 yrs state bar
Civil Court	L	Varies	Varies	25	N/S	Yes	Varies
State Court	L	Yes	8 yr	25	N/S(b)	Yes	5 yrs state bar
Probate Court	L	2 yrs	N/S	25(c)	N/S	Varies	Not required of all(d)
Magistrate Court	L	1 yr	N/S	25	N/S	No	N/S(e)
Municipal Court	L	Yes	N/S	25	N/S	Yes	5 yrs state bar
County Recorder's Court	L	Varies	Varies	Varies	N/S	Yes, in 3 of 4 courts	Varies
Municipal/City Courts of Atlanta	L	Varies	N/S	Varies	Varies	Varies	Varies
<b>Hawaii</b>							
Circuit Court	G	N/S	Yes	N/S	70	Yes	10 yrs state bar
District Court	L	N/S	Yes	N/S	70	Yes	5 yrs state bar
<b>Idaho</b>							
District Court	G	N/S	1 yr	N/S	N/S	Yes	10 yrs state bar
Magistrates Division		N/S	1 yr	80	70	Yes	5 yrs state bar
<b>Illinois</b>							
Circuit Court	G	Yes	Yes	N/S	75	Yes	N/S
<b>Indiana</b>							
Superior Court	G	N/S	1 yr	N/S	N/S	Yes	N/S
Circuit Court	G	N/S	1 yr	N/S	N/S	Yes	N/S
Probate Court	G	N/S	1 yr	N/S	N/S	Yes	N/S
County Court	L	N/S	1 yr	N/S	N/S	Yes	N/S
City Court	L	N/S	N/S	N/S	N/S	No	N/S
Town Court	L	N/S	N/S	N/S	N/S	No	N/S
Municipal Court of Marion County	L	N/S	N/S	N/S	N/S	Yes	N/S
Small Claims Court of Marion County	L	N/S	N/S	N/S	N/S	Yes(a)	N/S
<b>Iowa</b>							
District Court	G	Yes	N/S	N/S	72	Yes	N/S
Magistrates		Yes	N/S	18	72	No	N/S
<b>Kansas</b>							
District Court	G	Yes	N/S	N/S	70(a)	Yes(b)	5 yrs state bar
Municipal Court	L	N/S	N/S	18	N/S	Varies(c)	N/S

**Table 7 -- Qualifications to Serve as a Trial Court Judge**

States/Courts:	Court type	Local Residency	State Residency	Minimum Age	Maximum Age	Law Degree	Other Legal Qualifications
<b>Kentucky</b>							
Circuit Court	G	2 yrs	2 yrs	N/S	N/S	Yes	8 yrs state bar
District Court	L	2 yrs	2 yrs	N/S	N/S	Yes	2 yrs state bar
<b>Louisiana</b>							
District Court	G	2 yrs	2 yrs	N/S	70	Yes	5 yrs state bar
Family and Juvenile Court	G	2 yrs	2 yrs	N/S	70	Yes	5 yrs state bar
Justice of the Peace Court	L	2 yrs	2 yrs	N/S	70	No	None
Mayor's Court	L	UNK	UNK	N/S	N/S	No	N/S
City and Parish Courts	L	2 yrs	2 yrs	N/S	70	Yes	5 yrs state bar
<b>Maine</b>							
Superior Court	G	N/S	N/S	N/S	N/S	No	"Learned in the Law"
District Court	L	N/S	Yes(a)	N/S	N/S	Yes	State bar member
Probate Court	L	N/S	Yes	N/S	N/S	Yes	State bar member
Administrative Court	L	N/S	Yes	N/S	N/S	Yes	State bar member
<b>Maryland</b>							
Circuit Court	G	6 mos	5 yrs	30	70	Yes	State bar member
District Court	L	6 mos	5 yrs	30	70	Yes	State bar member
Orphan's Court	L	1 yr	N/S	N/S	N/S	No	State bar member
<b>Massachusetts</b>							
Trial Court of the Commonwealth	G	N/S	N/S	N/S	70	No	N/S
<b>Michigan</b>							
Circuit Court	G	N/S	N/S	N/S	70	Yes	State bar member
Recorder's Court of Detroit	G	N/S	N/S	N/S	70	Yes	State bar member
Court of Claims	G	N/S	N/S	N/S	70	Yes	State bar member
District Court	L	N/S	N/S	N/S	70	Yes	State bar member
Probate Court	L	N/S	N/S	N/S	70	Yes	State bar member
Municipal Court	L	N/S	N/S	N/S	70	N/S	N/S
<b>Minnesota</b>							
District Court	G	N/S	N/S	N/S	70	Yes	State bar member
<b>Mississippi</b>							
Circuit Court	G	N/S	5 yrs	26	N/S	Yes	5 yrs practice
Chancery Court	G	N/S	5 yrs	26	N/S	Yes	5 yrs practice
County Court	L	Yes	Yes	26	N/S	Yes	5 yrs practice
Family Court	L	N/S	N/S	N/S	N/S	Yes	N/S
Municipal Court	L	N/S	N/S	N/S	N/S	No	N/S
Justice Court	L	N/S	N/S	N/S	N/S	No	N/S
<b>Missouri</b>							
Circuit Court	G	Circuit	State votes for 3 yrs	30	70	Yes	State bar member
Associates		County	Yes	25	70	Yes	State bar member
Municipal Court	L	Determined by municipality	Yes	21	75(a)	Varies	State bar member if population 7,500 or more(b)

**Table 7 -- Qualifications to Serve as a Trial Court Judge**

<b>States/Courts:</b>	<b>Court type</b>	<b>Local Residency</b>	<b>State Residency</b>	<b>Minimum Age</b>	<b>Maximum Age</b>	<b>Law Degree</b>	<b>Other Legal Qualifications</b>
<b>Montana</b>							
District Court	G	N/S	2 yrs	N/S	N/S	Yes	5 yrs state bar
Workers' Compensation Court	G	N/S	N/S	N/S	N/S	Yes	N/S
Water Court	G	N/S	2 yrs	N/S	N/S	Yes	5 yrs state bar
Justice of the Peace Court	L	1 yr	N/S	N/S	N/S	No(a)	N/S
Municipal Court	L	Yes	N/S	N/S	N/S	Yes	2 yrs state bar
City Court	L	County	N/S	N/S	N/S	No	N/S
<b>Nebraska</b>							
District Court	G	Yes	N/S	30	N/S	Yes	5 yrs practice
Separate Juvenile Court	L	Yes	N/S	30	N/S	Yes	5 yrs practice
Worker's Compensation Court	L	Yes	N/S	30	N/S	Yes	5 yrs practice
County Court	L	Yes	N/S	30	N/S	Yes	5 yrs practice
<b>Nevada</b>							
District Court	G	N/S	2 yrs	25	N/S	Yes	N/S
Justice Court	L	30 days	30 days	N/S	N/S	Varies	Varies
Municipal Court	L	30 days	30 days	N/S	N/S	Varies	Varies
<b>New Hampshire</b>							
Superior Court	G	N/S	N/S	N/S	70	N/S	N/S
District Court	L	N/S	N/S	N/S	70	Yes	State bar member
Municipal Court	L	N/S	N/S	N/S	70	Yes	State bar member
Probate Court	L	N/S	N/S	N/S	70	N/S	N/S
<b>New Jersey</b>							
Superior Court	G	(a)	(a)	N/S	70	Yes	10 yrs state bar
Tax Court	L	N/S	N/S	N/S	70	Yes	10 yrs state bar
Municipal Court	L	N/S	N/S	N/S	N/S	Yes	N/S(b)
<b>New Mexico</b>							
District Court	G	Yes	3 yrs	35	N/S	Yes	6 yrs active practice
Magistrate Court	L	Yes	Yes	18	N/S	No	None required
Bernalillo County Metropolitan	L	Yes	3 yrs	N/S	N/S	Yes	3 yrs active practice and state bar member
Municipal Court	L	Yes	Yes	18	N/S	No	N/S
Probate Court	L	Yes	Yes	18	N/S	No	N/S
<b>New York</b>							
Supreme Court	G	N/S	Yes	18	70(a)	Yes	10 yrs state bar
County Court	G	County	Yes	18	70	Yes	5 yrs state bar
District Court	L	Yes	Yes	18	70	No	5 yrs state bar
City Court	L	Yes	Yes	18	70	Yes	5 yrs state bar
Criminal Court of NYC	L	Yes	Yes	18	70	Yes	10 yrs state bar
Town and Village	L	Yes	Yes	18	N/S	No	N/S
Court of Claims	L	N/S	Yes	18	70	Yes	10 yrs state bar
Surrogates' Court	L	City	Yes	18	70	Yes	10 yrs state bar
Family Court	L	Yes	Yes	18	70	Yes	10 yrs state bar

**Table 7 -- Qualifications to Serve as a Trial Court Judge**

States/Courts:	Court type	Local Residency	State Residency	Minimum Age	Maximum Age	Law Degree	Other Legal Qualifications
North Carolina							
Superior Court	G	Yes/No(a)	N/S	N/S	72	(b)	State bar member
District Court	L	Yes	N/S	N/S	72	(b)	State bar member
North Dakota							
District Court	G	Yes	N/S	N/S	N/S	Yes	State bar member
County Court	L	Yes	N/S	N/S	N/S	Yes	State bar member
Municipal Court	L	Yes	N/S	N/S	N/S	N/S(a)	N/S(a)
Ohio							
Court of Common Pleas	G	County	Yes	N/S	70	Yes	6 yrs practice
Municipal Court	L	Territorial	Yes	N/S	70	Yes	6 yrs practice
County Court	L	Territorial	Yes	N/S	70	Yes	2 yrs practice
Court of Claims	L	N/S	Yes	N/S	No	Yes	(a)
Mayors Court	L	N/S	Yes	N/S	No	No	N/S
Oklahoma							
District Court	G	District	6 mos if elected	N/S	N/S	Yes	(a)
Associate		County	6 mos if elected	N/S	N/S	Yes	(b)
Special		N/S	Yes	N/S	N/S	No	N/S
Municipal Criminal Court	L	N/S	Yes	N/S	N/S	No	(b)
Municipal Court Not of Record	L	N/S	Yes	N/S	N/S	Yes	N/S
Workers' Compensation Court	L	N/S	N/S	N/S	N/S	Yes	N/S
Court of Tax Review	L	N/S	N/S	N/S	N/S	Yes	N/S
Oregon							
Circuit Court	G	1 yr	3 yrs	N/S	75	Yes	State bar member
Tax Court	G	N/S	3 yrs	N/S	75	Yes	3 yrs state bar
County Court	L	Unknown	Unknown	Unknown	75	No	N/S
District Court	L	1 yr	3 yrs	18 yrs	75	Yes	State bar member
Justice Court	L	1 yr	3 yrs	Unknown	75	No	N/S
Municipal Court	L	Unknown	Unknown	Unknown	75	No	N/S
Pennsylvania							
Court of Common Pleas	G	Yes	1 yr	N/S	70	Yes	State bar member
Philadelphia Municipal Court	L	Yes	1 yr	N/S	70	Yes	State bar member
District Justice Court	L	Yes	1 yr	N/S	70	No	Not required
Philadelphia Traffic Court	L	Yes	1 yr	N/S	70	No	Not required
Pittsburgh City Magistrates	L	Yes	Yes	N/S	70	No	No
Rhode Island							
Superior Court	G	N/S	N/S	N/S	N/S	Yes	State bar member
District Court	L	N/S	N/S	N/S	N/S	Yes	State bar member
Family Court	L	N/S	N/S	N/S	N/S	Yes	State bar member
Probate Court	L	N/S	N/S	N/S	N/S	Yes	State bar member
Municipal Court	L	N/S	N/S	N/S	N/S	Varies	State bar member
Workers' Compensation Court	L	N/S	N/S	N/S	N/S	N/S	State bar member
Administrative Adjudication Court	L	N/S	N/S	N/S	N/S	N/S	State bar member

**Table 7 -- Qualifications to Serve as a Trial Court Judge**

<b>States/Courts:</b>	<b>Court type</b>	<b>Local Residency</b>	<b>State Residency</b>	<b>Minimum Age</b>	<b>Maximum Age</b>	<b>Law Degree</b>	<b>Other Legal Qualifications</b>
<b>South Carolina</b>							
Circuit Court	G	N/S	5 yrs	26	72	Yes	5 yrs state bar
Family Court	L	N/S	5 yrs	26	72	Yes	5 yrs state bar
Magistrate Court	L	N/S	5 yrs	21	72	No	No
Probate Court	L	County elector	Citizen	21	N/S	No	No
Municipal Court	L	N/S	N/S	N/S	N/S	No	No
<b>South Dakota</b>							
Circuit Court	G	Yes	N/S	N/S	70	Yes	State bar member
Law Magistrates		Yes	N/S	N/S	N/S	Yes	State bar member
Lay Magistrates		Yes	N/S	N/S	N/S	No	H.S. graduate or GED
Clerk/Magistrates		Yes	N/S	N/S	N/S	No	H.S. graduate or GED
<b>Tennessee</b>							
Circuit Court	G	1 yr	5 yrs	30	N/S	Yes	Qualified to practice law
Chancery Court	G	1 yr	5 yrs	30	N/S	Yes	Qualified to practice law
Criminal Court	G	1 yr	5 yrs	30	N/S	Yes	Qualified to practice law
Probate Court	G	1 yr	5 yrs	30	N/S	Yes	Qualified to practice law
Juvenile Court	L	1 yr	5 yrs	30	N/S	Yes	Qualified to practice law
Municipal Court	L	1 yr	5 yrs	30	N/S	Yes	N/S
General Sessions Court	L	1 yr	5 yrs	30	N/S	Yes	N/S
<b>Texas</b>							
District Courts	G	2 yrs	N/S	N/S	75	Yes	Yes(a)
Constitutional County Court	L	N/S	N/S	N/S	N/S	No	No
County Courts at Law	L	2 yrs	N/S	25	N/S	Yes	Yes(b)
Justice of the Peace Court	L	N/S	N/S	N/S	N/S	No	No
Municipal Court	L	Varies	N/S	Varies	Varies	Varies	Varies
<b>Utah</b>							
District Court	G	Yes	3 yrs	25	N/S	Yes	State bar member
Circuit Court	L	Yes	3 yrs	25	N/S	Yes	State bar member
Justice Court	L	6 mos	3 yrs	25	70	No	N/S
Juvenile Court	L	Yes	3 yrs	25	N/S	Yes	State bar member
<b>Vermont</b>							
Superior Court	G	N/S	5 yrs	N/S	70	Yes(a)	5 yrs state bar
District Court	G	(b)	5 yrs	N/S	70	Yes	5 yrs state bar
Family Court	G	(c)	~	~	~	~	~
Probate Court	L	N/S	1 yr	N/S	70	No	N/S
Environmental Court	L	N/S	5 yrs	N/S	70	Yes	5 yrs state bar
<b>Virginia</b>							
Circuit Court	G	Yes	Yes	N/S	N/S	Yes(a)	5 yrs state bar
District Court	L	Yes	Yes	N/S	N/S	Yes(a)	5 yrs state bar
<b>Washington</b>							
Superior Court	G	1 yr	1 yr	N/S	75	Yes	State bar member
District Court	L	1 yr	1 yr	N/S	75	No	N/S

**Table 7 -- Qualifications to Serve as a Trial Court Judge**

States/Courts:	Court type	Local Residency	State Residency	Minimum Age	Maximum Age	Law Degree	Other Legal Qualifications
<b>Washington (con't)</b>							
Municipal Court	L	N/S	N/S	N/S	N/S	No	N/S
<b>West Virginia</b>							
Circuit Court	G	Yes	Yes	80	N/S	Yes	5 yrs state bar
Magistrate Court	L	Yes	Yes	21	N/S	(a)	N/S
Municipal Court	L	No	Yes	N/S	N/S	No	N/S
<b>Wisconsin</b>							
Circuit Court	G	10 days	10 days	N/S	N/S	NS	5 yrs state bar
Municipal Court	L	10 days	10 days	N/S	N/S	No	
<b>Wyoming</b>							
District Court	G	N/S	2 yrs	28	70	Yes	N/S
Justice of the Peace Court	L	N/S	Yes	N/S	N/S	No	N/S
Municipal Court	L	N/S	N/S	N/S	N/S	No	N/S
County Court	L	N/S	N/S	N/S	N/S	Yes	N/S
<b>Puerto Rico</b>							
Superior Court	G	N/S	N/S	25	70	Yes	5 yrs state bar
District Court	L	N/S	N/S	21	70	Yes	3 yrs state bar
Municipal Court	L	N/S	N/S	21	70	Yes	State bar member
<b>Federal</b>							
US District Court Judges	G	Yes(c)	~	N/S	N/S	N/S	N/S
US Magistrate Judges	G	~	~	N/S	70(a)	N/S	5 yrs state bar(b) and 5 yrs practice
US Bankruptcy Judges	G	Yes(c)	~	N/S	N/S	N/S	N/S

#### FOOTNOTES:

##### Alabama:

(a) Probate Court: a law degree is required in Jefferson County.

##### Alaska:

(a) District Court: trial judge must have three years practice or have served as a magistrate for seven years.

(b) Magistrates serve in district court.

##### Colorado:

(a) County Court: a law degree is required in metropolitan areas.

##### Connecticut:

(a) Probate Court: must be an elector of a town within the district.

##### Delaware:

(a) There are local residency requirements for the Chief Judge of family court.

(b) Alderman's Court: in the city of Newark, a law degree is required.

##### District of Columbia:

(a) Superior Court: judges must also have 5 years of legal government practice or service as law school faculty.

##### Florida:

(a) Circuit Court: must reside within the territorial jurisdiction of the court.

(b) County Court: judges must reside within the territorial jurisdiction of the court.

##### Georgia:

(a) Superior Court: there is no maximum age stated; however, judges who are members of the 1976 retirement plan and serve beyond age 75 may not be eligible for retirement benefits.

(b) State Court: no maximum age stated; however, if a member of the Trial Judges Retirement Plan after 1/1/80 and serves beyond age 70, benefits are forfeited.

(c) The minimum age requirement for probate judges is 25. If a law practice is required, the minimum age is 30.

(d) Where the population exceeds 100,000, the probate judge must have practiced law for three years or served five years as a clerk. If the population exceeds 150,000, seven years of law practice is required.

(e) Magistrate Court: the laws of local application may provide for additional legal qualifications.

**Table 7 -- Qualifications to Serve as a Trial Court Judge**

<b>Indiana:</b> (a) Small Claims Court of Marion County: a law degree is required unless a non-attorney judge has been grandfathered in.	<b>North Dakota:</b> (a) Municipal Court: a law degree and state bar membership is required in cities with over 8,000 population.
<b>Kansas:</b> (a) Judge may complete term in which he/she attains age 70. (b) District Court: a law degree is required for 149 of 218 judgeships. The remaining 69 judgeships are district magistrate judges, not required to have a law degree, but must be certified by the supreme court if not an attorney. (c) Municipal courts require admission to practice law in Kansas in first class cities (24); other municipal judges and district magistrate judges are required to be certified as qualified to serve by the supreme court, if not admitted to practice law in Kansas.	<b>Ohio:</b> (a) Must be incumbent or retired judges, justices of supreme court; court of appeals; or court of common pleas.
<b>Maine:</b> (a) Of the 25 district court judges, 16 must be residents of the districts to which they are appointed. The remaining sit as judges-at-large throughout the state.	<b>Oklahoma:</b> (a) District Court: judges must be a state bar member for 4 years or a judge of court of record. (b) Associate Judges and Municipal Court of Records: judges must be a state bar member for 2 years or a judge of court record.
<b>Missouri:</b> (a) Maximum age reduced to 70 effective 8/28/93. (b) If not an attorney, must complete course prescribed by supreme court.	<b>Texas:</b> (a) District Court: judges must have been a practicing lawyer or a judge of a court in this state, or both combined, for four years. (b) County Court at Law: judges must be a licensed attorney in this state who has practiced law or served as a judge at a court in this state, or both combined, for at least four years, unless otherwise provided for by law.
<b>Montana:</b> (a) Justice of the Peace Court: although a law degree is not required, the judges may be attorneys, must have served in judicial capacity for at least 5 years; and passed the certification exam (the requirement of passing the certification exam may be waived by the supreme court).	<b>Vermont:</b> (a) Required only for superior court judges; not for assistant judges. (b) Must reside in geographic unit. (c) Superior or district court judges are assigned to serve as family court judges; qualifications are the same.
<b>New Jersey:</b> (a) Superior Court: there are 260 restricted superior court judgeships that require residence within the county at time of appointment and reappointment; there are 144 unrestricted judgeships for which assignment of county is made by the Chief Justice. (b) Municipal Court: legislation is pending that will establish a requirement of 5 years of legal practice.	<b>Virginia:</b> (a) Circuit/District Courts. judges must have a law degree or have completed an approved 3-year course of study under the supervision of a practicing attorney.
<b>New York:</b> (a) Supreme Court: the maximum age of 70 may be extended up to 3 intervals of 2 years each.	<b>West Virginia:</b> (a) Magistrate Court: all magistrates must take a course in rudimentary principles of law before assuming duties.
<b>North Carolina:</b> (a) Yes, resident judges. No, special judges. (b) Law degree not required if elected prior to January 1, 1981.	<b>Federal:</b> (a) For initial appointment, must not be 70 years or older. However, a magistrate judge may continue to serve and be reappointed after age 70 upon a majority vote of the active district judges of the court, which is taken when the judge reaches age 70 and upon each anniversary thereafter. (b) The bar requirement may be waived for a part-time magistrate judge if the appointing court and the Judicial Conference of the US determine that no qualified individual who is a member of the bar is available to serve at a specific location. (c) District residency is required, except in the District of Columbia.

**Table 8 -- Judicial Nominating Commissions**

States:	Name of Judicial Nominating Commission	Judicial Offices Encompassed	Authorization for Commission
Alabama	Judicial Commission	Jefferson County Circuit Court, Madison County Circuit and District Court, Tuscaloosa County Circuit and District Court, Mobile County Circuit and District Court	Jefferson County Authorization: Constitutional; Madison County Authorization: Constitutional and Local; Mobile County Authorization: Constitutional; Tuscaloosa County Authorization: Local Act
Alaska	Judicial Council	Supreme Court, Court of Appeals, Superior Court, and District Court	Constitutional and Statutory
Arizona	Appellate Court Nominating Committee; Pima County Nominating Committee; Maricopa County Nominating Committee	Appellate: Supreme Court and Court of Appeals; Pima County: Superior Court; Maricopa County: Superior Court	Constitutional
Arkansas	None	~	~
California	None	~	~
Colorado	Appellate Court Nominating Commission, Judicial District Nominating Commission	Appellate Court Nominating Committee: Supreme Court and Court of Appeals; Judicial District Nominating Committee: District and County Courts (except Denver County Court)	Constitutional
Connecticut	Judicial Selection Commission	Supreme, Appellate, and Superior Courts	Constitutional
Delaware	Judicial Nominating Committee Magistrates Screening Committee	Judicial Nominating Committee: All, including Chief Magistrate (not JOP); Magistrate Screening Committee: Justices of the Peace (except Chief Magistrate)	Executive order
District of Columbia	Judicial Nominating Committee	Court of Appeals and Superior Court	Statutory
Florida	Supreme Court Nominating Committee; District Courts of Appeal Nominating Committee; Circuit Judicial Nominating Committee	Appellate Court Nominating Committee, Supreme Court and District Court of Appeal Circuit, County Court Nominating Committee Circuit Judicial	Appellate: Constitutional; Circuit Constitutional
Georgia	Judicial Nominating Commission	Supreme Court, Court of Appeals, Superior, State Court: All where Governor appoints or fills vacancies	Executive Order
Hawaii	Judicial Selection Commission	Supreme Court, Intermediate Court of Appeals, Circuit Court, Family Court, District Court	Constitutional
Idaho	Judicial Council	Supreme Court, Court of Appeals, and District Court	Statutory
Illinois	None	~	~
Indiana	Appellate Court Nominating Committee	Supreme Court, Court of Appeals, and Tax Court	Constitutional
Iowa	Judicial Nominating Commission and District Judicial Nominating Commission	JNC: Supreme Court and Court of Appeals DJNC: District Court	JNC: Constitutional, DJNC: Constitutional and statutory

**Table 8 -- Judicial Nominating Commissions**

<b>Year Commission Established</b>	<b>Interim</b>	<b>Full</b>	<b>Retention</b>	<b>States:</b>
Jefferson County, 1950; Madison County, 1973; Mobile County, 1982; Tuscaloosa County, 1990	Yes	No	No	Alabama
1959	~	Yes	No	Alaska
1974	Yes	Yes	No	Arizona
~	~	~	~	Arkansas
~	~	~	~	California
1966	~	Yes	No	Colorado
1986	Yes	Yes	Yes	Connecticut
1979	Yes	Yes	Yes	Delaware
1973 Appellate: 1973; Circuit: 1973	~ Appellate: Yes; Circuit: Yes	Yes Appellate: Yes; Circuit: No	Yes Appellate: No; Circuit: No	District of Columbia Florida
1973	Yes	No(a)	No	Georgia
1978	~	Yes	Yes	Hawaii
1967	Yes	No(a)	No	Idaho
~	~	~	~	Illinois
1970	~	Yes	No	Indiana
1962	Yes	Yes	No	Iowa

Legend: ~=Not applicable

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**Table 8 -- Judicial Nominating Commissions**

States:	Name of Judicial Nominating Commission	Judicial Offices Encompassed	Authorization for Commission
Kansas	Appellate: Supreme Court and Court of Appeals Nominating Commissions; Trial Court; District Judicial Nominating Commission	Appellate: Supreme Court and Court of Appeals; DJNC: District Court	Both: Constitutional and Statutory, Statutory (IAC) and Trial Courts
Kentucky	Judicial Nominating Commission	Supreme Court, Court of Appeals, Circuit Court, and District Court	Constitutional
Louisiana	None	~	~
Maine	None	~	~
Maryland	Appellate Judicial Nominating Commission and Trial Courts Judicial Nominating Commission	Appellate Court Nominating Commission; Judges of the Court of Appeals and Court of Special Appeals; Trial Courts Judicial Nominating Commission; Judges of the Circuit Courts and the District Court	Executive order
Massachusetts	Judicial Nominating Council	Supreme Judicial Court, Appeals Court, and Trial Court of the Commonwealth	Executive order
Michigan	None	~	~
Minnesota	Judicial Nominating Committee	District Court	Statutory
Mississippi	Judicial Nominating Committee	Supreme, Circuit, Chancery, County, and Family Courts(a)	Executive order
Missouri	Appellate Judicial Commission; and Circuit Judicial Commission	Appellate: Supreme Court and Court of Appeals; Circuit: Circuit Court	Constitutional
Montana	Judicial Nominating Committee	Supreme Court, District Court, Workers' Compensation Court, and Water Court	Constitutional
Nebraska	Judicial Nominating Commission	All Nebraska courts	Constitutional
Nevada	Commission on Judicial Selection	Supreme Court and District Court	Constitutional
New Hampshire	None	~	~
New Jersey	None	~	~
New Mexico	Appellate Judges Nominating Commission; District Judges Nominating Committee; Metropolitan Court Judges Nominating Committee	Supreme Court, Court of Appeals, District Courts, and Metropolitan Court	Constitutional
New York	Court of Appeals Nominating Commission	Court of Appeals	Constitutional and Statutory
	State Judicial Screening Committee	Court of Claims	Executive Order
	Departmental Judicial Screening Committee	Appellate Divisions of Supreme Court and Supreme Court	Executive Order

**Table 8 -- Judicial Nominating Commissions**

<b>Year Commission Established</b>	<b>Interim</b>	<b>Full</b>	<b>Retention</b>	<b>States:</b>
Appellate: 1959 (Supreme Ct), 1976 (Court of Appeals); Trial Court: 1975	Appellate: Yes; Trial Court: Yes	Appellate: Yes; Trial Court: Yes	Both: No	Kansas
Ratified: Nov. 1975 Effective: Jan. 1976	Yes	No	No	Kentucky
~	~	~	~	Louisiana
~	~	~	~	Maine
1973(a)	Yes	Appellate: Yes; Trial: Yes	Appellate: No; Trial: No	Maryland
~	~	Yes	~	Massachusetts
~	~	~	~	Michigan
~	Yes	No(a)	No	Minnesota
1980	Yes	No	No	Mississippi
Appellate: 1940; Circuit: varies	~	Yes	No	Missouri
1973	Yes	Yes, Workers' Compensation Court and Water Court only	Yes, Workers' Compensation Court and Water Court only	Montana
1962	~	Yes	No	Nebraska
1976	Yes	No	No	Nevada
~	~	~	~	New Hampshire
~	~	~	~	New Jersey
1988	Yes	Yes	No	New Mexico
1978	No	Yes	No	New York
1983	~	~	Yes	
1983	Supreme Court only	Appellate Division only	Yes	

Legend: ~=Not applicable

**Table 8 -- Judicial Nominating Commissions**

States:	Name of Judicial Nominating Commission	Judicial Offices Encompassed	Authorization for Commission
New York (con't)	County Judicial Screening Committee	County, Surrogates', and Family (outside NYC) Courts	Executive Order
	Mayor's Committee on the Judiciary	Criminal, Civil, and Family Courts	Executive Order (mayor)
North Carolina	None	-	-
North Dakota	Judicial Nominating Committee	Supreme, District, and County Courts	Constitutional; Supreme Court and District Courts; Statutory: County Courts
Ohio	None	-	-
Oklahoma	Judicial Nominating Committee	Supreme Court, Court of Appeals, Court of Criminal Appeals, District Court, and Workers' Compensation Court	Constitutional; Supreme Court and Court of Criminal Appeals; Statutory: Court of Appeals, District Court, and Workers' Compensation Court
Oregon	None	-	-
Pennsylvania	Appellate Court Nominating Committee, Superior, Trial Court Nominating Committee	Appellate: Supreme, Commonwealth and Superior Courts; Trial: Courts of Common Pleas	Executive Order
Rhode Island	None	-	-
South Carolina	None	-	-
South Dakota	Judicial Qualifications Committee	Supreme and Circuit Courts	Constitutional
Tennessee	Appellate Court Nominating Commission	Court of Appeals, Court of Criminal Appeals	Statutory
Texas	None	-	-
Utah	Appellate Court Nominating Committee, Trial Court Nominating Committee	Supreme Court, Court of Appeals, District Court, Circuit Court, and Juvenile Court	Constitutional (statutory for composition)
Vermont	Judicial Nominating Commission	Supreme, Superior, District, and Environmental Courts	Constitutional
Virginia	None	-	-
Washington	None	-	-
West Virginia	None	-	-
Wisconsin	Governor's Advisory Committee on Judicial Selection	Supreme Court, Court of Appeals, and Circuit Court	Executive Order
Wyoming	Judicial Nominating Committee	Supreme, District, and County Court	Constitutional
Puerto Rico	None	-	-
Federal	None	-	-

**Table 8 -- Judicial Nominating Commissions**

<b>Year Commission Established</b>	<b>Interim</b>	<b>Full</b>	<b>Retention</b>	<b>States:</b>
1983	County, Surrogates', Family (outside NYC)	No	Yes	New York (con't)
	Yes	Yes (Criminal, Family only)	No	
~  1981, 1983 for County courts	~	~	~	North Carolina
	Yes	No	No	North Dakota
	~	~	~	Ohio
1967	Yes	No	No	Oklahoma
~  When need arises	~	~	~	Oregon
	Yes	No	No	Pennsylvania
	~	~	~	Rhode Island
	~	~	~	South Carolina
1980	Yes	No	No	South Dakota
1971	Yes	No	No	Tennessee
~	~	~	~	Texas
1984	Yes	Yes	No	Utah
1967	Yes	Yes	No	Vermont
	~	~	~	Virginia
	~	~	~	Washington
	~	~	~	West Virginia
~  1972	Yes	No	No	Wisconsin
	Yes	Yes	No	Wyoming
	~	~	~	Puerto Rico
	~	~	~	Federal

Legend: ~=Not applicable

## **Table 3 -- Judicial Nominating Commissions**

### **FOOTNOTES:**

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**Georgia:**

(a) Frequently the governor makes an initial appointment for a new judgeship, dependent upon the legislation.

**Idaho:**

If a new position is created, applicants are screened by the judicial council.

**Maryland:**

(a) The first nominating commissions were established in 1970; however, additional commissions have been instituted since that time and the commissions restructured.

**Minnesota:**

(a) If a new position is created, applicants are screened by the judicial council.

**Mississippi:**

(a) For vacancies, a subcommittee representing that particular Supreme Court district is used.

**Table 9 -- Provisions for Mandatory Judicial Education**

States:	Initial/Pre-Bench Education for General Jurisdiction Judges	Continued Education for General Jurisdiction Judges	Initial/Pre-Bench Education for Limited Jurisdiction Judges
Alabama	None	None	None
Alaska	None	AOC (a)	AOC (b)
Arizona	Judicial College of Arizona (JCA); AOC's Education Services Division (ESD) (a)	JCA and ESD(b)	JCA and ESD(b)
Arkansas	AOC	AOC	AOC
California	None	California Center for Judicial Education & Research (CJER)(a)	None
Colorado	SCA (a)	SCA (b)	SCA (a)
Connecticut	Office of Continuing Education (OCE) within the Office of the Chief Court Administrator(a)	OCE(a)	None(b)
Delaware(a)	None	Delaware Judicial Education Committee Delaware Judicial Conference	None
District of Columbia	Judicial Training Committee	Judicial Training Committee	None
Florida	Florida Judicial College	Florida Conference of Circuit Judges Florida College of Advanced Judicial Studies	Florida Judicial College
Georgia	Council of Superior Court Judges(a)	(b)	Council of State Court Judges with ICJE(c)
Hawaii	Judicial Training Committee (a)	Judicial Training Committee (a)	Judicial Training Committee (a)
Idaho	AOC	AOC	AOC
Illinois	None	AOC	None
Indiana	Indiana Judicial Conference	Indiana Judicial Conference	Indiana Judicial Conference
Iowa	State Judicial Educator	State Judicial Educator	State Judicial Educator
Kansas	AOC	AOC	AOC
Kentucky	AOC	AOC	AOC
Louisiana	None (a)	None	None (a)
Maine	Superior Court Chief Justice	Judicial Education Committee	District Court Chief Judge
Maryland	None(a)	None(a)	None(a)
Massachusetts	Judicial Institute(a)	Judicial Institute	Judicial Institute(a)
Michigan	Michigan Judicial Institute	None	Michigan Judicial Institute
Minnesota	AOC and local courts	AOC	None
Mississippi	Mississippi Judicial College	Mississippi Judicial College (a)	Supreme Court
Missouri	AOC with Supreme Court Judicial Education Committee (a)	AOC with the Supreme Court Judicial Education Committee, out- of-state programs and the Missouri Bar (a)	Non-lawyer municipal judges must complete certification courses within 6 months after selection,
Montana	AOC	AOC	AOC

**Table 9 -- Provisions for Mandatory Judicial Education**

Continued Education for Limited Jurisdiction Judges	Initial/Pre-Bench Education for Appellate Jurisdiction Judges	Continued Education for Appellate Jurisdiction Judges	States:
None	None	None	Alabama
AOC (c)	None	AOC (a)	Alaska
JCA and ESD(b)	Individual courts(c)	JCA and ESD(d)	Arizona
AOC	None	AOC	Arkansas
None	None	None	California
SCA (b)	None	SCA (b)	Colorado
SCA (c) Probate Court Administrator	Supreme Court and Intermediate Appellate Court Judiciary and Staff	Supreme Court and Intermediate Appellate Court Judiciary and staff	Connecticut
Delaware Judicial Education Committee Delaware Judicial Conference	None	Delaware Judicial Education Committee Delaware Judicial Conference	Delaware
None	None	None	District of Columbia
Florida Conference of Circuit Judges Florida College of Advanced Judicial Studies	Florida College of Advanced Judicial Studies	Florida College of Advanced Judicial Studies Florida Appellate Judges Conference	Florida
MCLE, ICJE or national programs(d)	None	(b)	Georgia
Judicial Training Committee (a)	Judicial Training Committee (a)	Judicial Training Committee (a)	Hawaii
AOC	AOC	AOC	Idaho
None	None	AOC	Illinois
Indiana Judicial Conference	Indiana Judicial Conference	Indiana Judicial Conference	Indiana
State Judicial Educator	None	(a)	Iowa
AOC	AOC	AOC	Kansas
AOC	AOC	AOC	Kentucky
None	None (a)	None	Louisiana
Judicial Education Committee	Chief Justice of Supreme Judicial Court	Judicial Education Committee	Maine
None(a)	None(a)	None(a)	Maryland
Judicial Institute	None	Judicial Institute (a)	Massachusetts
None	None	None	Michigan
None	AOC	AOC	Minnesota
Mississippi Judicial College (a) Non-lawyer municipal judges must complete 15 hours of continuing judicial education each year. Lawyer municipal judges must complete 15 hours of judicial education each year.	Supreme Court None	Mississippi Judicial College (a) AOC with Supreme Court Judicial Education Committee, out-of-state programs and the Missouri Bar (a)	Mississippi Missouri
AOC	AOC	AOC	Montana

**Table 9 -- Provisions for Mandatory Judicial Education**

States:	Initial/Pre-Bench Education for General Jurisdiction Judges	Continued Education for General Jurisdiction Judges	Initial/Pre-Bench Education for Limited Jurisdiction Judges
Nebraska	None	None	None
Nevada	National Judicial College	AOC	National Judicial College
New Hampshire	National Judicial College	NH Judicial Branch(a)	National Judicial College(b)
New Jersey	AOC(a)	AOC--Judicial College out-of-state programs(a)	AOC(a)
New Mexico	None	Judicial Education Center at UNM Law School(a)	None
New York	None	None	Town and Village Courts Office of Court Administration
North Carolina	AOC	AOC	AOC/Institute of Government
North Dakota	None(a)	None(a)	None(a)
Ohio	Supreme Court Judicial College	Supreme Court Judicial College	Supreme Court Judicial College
Oklahoma	None(a)	None(a)	None(a)
Oregon	None(a)	None(a)	None(a)
Pennsylvania	Pennsylvania Conference of State Trial Judges Education Committee; AOC's Education Department	None	Minor Judiciary Education Board/AOC
Rhode Island	Supreme Court	Supreme Court	Supreme Court
South Carolina	AOC	AOC/South Carolina Bar	AOC
South Dakota	SCA	SCA	SCA
Tennessee	AOC w/Judicial Conference	AOC(a)	AOC(b)
Texas	Texas Center for the Judiciary	Texas Center for the Judiciary	Texas Municipal Courts Training Center(a)
Utah	Court Administrator	Court Administrator	Court Administrator
Vermont	Administrative Judge for Trial courts	Administrative Judge for Trial courts	Administrative Judge for Trial courts
Virginia	AOC	AOC	AOC
Washington	OAC, Board for Trial Court Education (BTCE), and Superior Court Judges' Association's Education Committee(SCJA)	Same(a)	OAC, BTCE, and District and Municipal Court Judges Association (DMCJA) Education Committee
West Virginia	AOC with Judicial Association Education Committee	AOC with Judicial Association Education Committee	AOC
Wisconsin	Office of Judicial Education	Office of Judicial Education	Office of Judicial Education
Wyoming	National Judicial College	Wyoming Judicial Council	None
Puerto Rico	AOC	AOC	AOC
Federal	None	None	None

**Table 9 -- Provisions for Mandatory Judicial Education**

<b>Continued Education for Limited Jurisdiction Judges</b>	<b>Initial/Pre-Bench Education for Appellate Jurisdiction Judges</b>	<b>Continued Education for Appellate Jurisdiction Judges</b>	<b>States:</b>
None	None	None	Nebraska
AOC	None	None	Nevada
NH Judicial Branch(a)	None	Outside provider programs	New Hampshire
AOC--Annual conference(a)	None	Judicial College out-of-state programs	New Jersey
Judicial Education Center at UNM Law School(b)	None	Judicial Education Center at UNM Law School(b)	New Mexico
None	None	None	New York
AOC/Institute of Government	None	AOC/Institute of Government	North Carolina
None(a)	None(a)	None(a)	North Dakota
Supreme Court Judicial College	Supreme Court Judicial College	Supreme Court Judicial College	Ohio
None(a)	None(a)	None(a)	Oklahoma
None(a)	None(a)	None(a)	Oregon
Minor Judiciary Education Board/AOC	None	None	Pennsylvania
Supreme Court	Supreme Court	Supreme Court	Rhode Island
AOC/SC Criminal Justice Academy	None	AOC/South Carolina Bar	South Carolina
SCA	SCA	SCA	South Dakota
AOC	AOC	AOC	Tennessee
Texas Municipal Courts Training Center(a)	Texas Center for the Judiciary	Texas Center for the Judiciary	Texas
Court Administrator	Court Administrator	Court Administrator	Utah
Administrative Judge for Trial courts	Chief Justice	Chief Justice	Vermont
AOC	None	None	Virginia
None	None	None	Washington
AOC	None	None	West Virginia
Office of Judicial Education	Office of Judicial Education	Office of Judicial Education	Wisconsin
Wyoming Judicial Council	None	Wyoming Judicial Council	Wyoming
AOC	AOC	AOC	Puerto Rico
None	None	None	Federal

## Table 9 -- Provisions for Mandatory Judicial Education

### FOOTNOTES:

#### Alaska:

- (a)Mandatory 3-day annual conference.
- (b)New magistrate program.
- (c)One statewide and regional conference every other year.

#### Arizona:

- (a)Orientation for new general jurisdiction judges.
- (b)Annual judicial conference.
- (c)Orientation to the Appellate Court or to the Supreme Court.
- (d)Annual judicial conference.

#### California:

- (a)California Rules of Court 1200 for judges newly assigned to family law.

#### Colorado:

- (a)General/Limited Jurisdiction--2 to 3 day program.
- (b)General/Limited Jurisdiction--Annual Judicial Conference.

#### Connecticut:

- (a)Attendance at judicial education programs is not directly mandated by statute or rule; however, tradition and practice is that all judges for whom the program is conducted are expected to attend, unless otherwise excused.
- (b)For new probate court judges elected on or after October 1, 1993, there is a mandatory pre-bench education program.
- (c)There is a requirement of attendance at a minimum number of educational hours or programs, however, no specific program must be attended.

#### Delaware:

- (a)All judicial education funds are administered by the Supreme Court through the Delaware Judicial Education Committee.

#### Georgia:

- (a)Court Rule--Judges attend the Institute of Continuing Judicial Education (ICJE) of Georgia. New judges have orientation or local program.
- (b)Court Rule--12-hour judicial continuing education annually, including 2 hours on judicial ethics. May attend Georgia ICJE or MCLE or nationally based continuing judicial education courses, law school programs, etc.
- (c)State Court--ICJE new judges' course or local program by court rule. Magistrate Court: 40 hour certification course by statute. Probate Court: 20 hour certification course by statute.
- (d)State Court Rule: 24 hours every 2 years with 2 hours on ethics. Probate Court Statute: re-certification course 12 hours annually. Magistrate Court Statute: recertification course 20 hours annually.

#### Hawaii:

- (a)Out-service training/in-staff training.

#### Iowa:

- (a)Appellate judges attend in-state judges conferences and ABA appellate seminars.

#### Louisiana:

- (a)Strongly encouraged, but not mandatory.

#### Maryland:

- (a)Judicial education courses are not mandatory, however, New Trial Judicial Orientation and continuing judicial education are required by Administrative Order by Chief Judge Robert C. Murphy. Courses are funded by the state appropriations and external sources for specific specialty programs.

#### Massachusetts:

- (a)Trial court and appellate judges also receive training and attend workshops provided by the Flaschner Institute, a private, non-profit agency.

#### Mississippi:

- (a)The Supreme Court has established the criteria for these programs; and the Mississippi Judicial College furnishes routine annual instructions afterwards.

#### Missouri:

- (a)While attendance at the biennial judicial colleges is not mandatory, the courses qualify for Continuing Legal Education credit and therefore, can be used to satisfy the 15 hour mandatory Continuing Legal Education requirement per year.

#### New Hampshire:

- (a)Also selected outside provider programs.
- (b)Full-time limited jurisdiction judges only.

#### New Jersey:

- (a)Programs are mandated by Supreme Court policy, not statute or court rule. There is no system of credits.

#### New Mexico:

- (a)15 hours mandatory.
- (b)15 hours CLE mandatory.

#### North Dakota:

- (a)No mandatory training for judges. Nevertheless, the AOC offers education courses for judges at an annual judicial institute and twice a year at judicial conferences. Both are well attended by appellate, general and limited jurisdiction judges (90% or better at the judicial conferences and about 60% at the institute.)

#### Oklahoma:

- (a)A part from Continuing Legal Education.

#### Oregon:

- (a)There are no mandatory education programs for judges. State judges must be members of the Oregon State Bar. Maintenance of this membership requires 45 hours of continuing legal education (CLE) every three years.

#### Tennessee:

- (a)One annual seminar.
- (b)Orientation program every other year.

#### Texas:

- (a)Justices of the Peace: Texas Justice Court Training Center. Municipal Court Judges: Texas Municipal Courts Training Center.

#### Washington:

- (a)45 hours per 3 years by recently enacted SCJA by law. No sanctions for non-compliance.

**Table 10 -- Funding Sources for Mandatory Judicial Education**

States:	Initial/Pre-Bench Education for General Jurisdiction Judges	Continued Education for General Jurisdiction Judges	Initial/Pre-Bench Education for Limited Jurisdiction Judges
Alabama	-	-	-
Alaska	-	S	S
Arizona	S	S	S
Arkansas	S	S	S
California	-	S/L	-
Colorado	S	S	S
Connecticut	S	S	S(a)
Delaware	-	S/T(a)	-
District of Columbia	S	S	-
Florida	F	F	F
Georgia	S	S	L/S
Hawaii	S	S	S
Idaho	S	S	S
Illinois	-	S	-
Indiana	S	S	S
Iowa	S (a)	S (a)	S (a)
Kansas	L/F	L/F	L/F
Kentucky	S	S	S
Louisiana	(a)	-	(a)
Maine	S	S(a)	S
Maryland	-	-	-
Massachusetts	S	S	S
Michigan	-	-	S
Minnesota	S	S	-
Mississippi	S	S	S
Missouri	L/S(a)	L/S/T(a)	L/S
Montana	S	S	T
Nebraska	-	-	-
Nevada	S	S	S
New Hampshire	S(a)	S(a)	S(a)
New Jersey	S	S	S
New Mexico	-	S	S
New York	-	-	-
North Carolina	-	S	S
North Dakota	-	-	-
Ohio	L/T	L/T	L/T
Oklahoma	-	-	-
Oregon	-	-	-
Pennsylvania	S	S	S
Rhode Island	S	S	S
South Carolina	S	S/T	S
South Dakota	S	S	S
Tennessee	S	S	F
Texas	S	S	S
Utah	S	S	S
Vermont	S	S	S
Virginia	-	-	-
Washington	F	F	F
West Virginia	S	S	S
Wisconsin	S	S	L
Wyoming	S	S	-
Puerto Rico	S	S	S

**Table 10 -- Funding Sources for Mandatory Judicial Education**

Continued Education for Limited Jurisdiction Judges	Initial/Pre-Bench Education for Appellate Jurisdiction Judges	Continued Education for Appellate Jurisdiction Judges	States:
~	~	~	Alabama
S	S	S	Alaska
S	S	S	Arizona
S	~	S	Arkansas
~	~	~	California
S	S	~	Colorado
S(b)	S	S	Connecticut
S/T(a)	~	S/T(a)	Delaware
~	~	~	District of Columbia
F/L	F	F	Florida
L/S	~	S	Georgia
S	S	S	Hawaii
S	S	S	Idaho
S	S	S	Illinois
Iowa			Indiana
S (a)	~	S (a)	Iowa
L/F	~	F	Kansas
S	S	S	Kentucky
~	(a)	~	Louisiana
S(a)	S	S(a)	Maine
~	~	~	Maryland
S	S	S	Massachusetts
~	S	~	Michigan
~	S	S	Minnesota
S	S	S	Mississippi
L/S	~	S/T(a)	Missouri
T	S	S	Montana
~	~	~	Nebraska
S	~	~	Nevada
S(a)	~	S(a)	New Hampshire
S	~	S	New Jersey
S	~	S	New Mexico
~	~	~	New York
S	~	S	North Carolina
~	~	~	North Dakota
L/T	L/S/T	L/S/T	Ohio
~	~	~	Oklahoma
~	~	~	Oregon
S	~	~	Pennsylvania
S	S	S	Rhode Island
S/T	~	S/T	South Carolina
S	S	S	South Dakota
F	S	S	Tennessee
S	S	S	Texas
S	S	S	Utah
S	S	S	Vermont
~	~	~	Virginia
~	~	~	Washington
S	~	~	West Virginia
L	S	S	Wisconsin
L	~	~	Wyoming
S	S	S	Puerto Rico

## Table 10 -- Funding Sources for Mandatory Judicial Education

### FOOTNOTES:

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**Connecticut:**

- (a) Effective for new judges elected on or after October 1, 1993, funding will be from the Probate Court Administrator's fund, which is based on a tax on fees paid to the probate courts.
- (b) Courses are offered free of charge, but the judge has the option to attend alternative courses at the judge's expense. The "free courses" are paid for from the Probate Court Administrator's fund, which consists of a tax on fees paid to individual probate courts.

**Delaware:**

- (a) All judicial education funds are administered by the Supreme Court through the Judicial Education Committee.

**Iowa:**

- (a) Also funded by grants.

**Louisiana:**

- (a) Judicial education is strongly encouraged, but not mandatory.

**Maine:**

- (a) Use of grants whenever possible.

**Missouri:**

- (a) Judges who attend the AOC judicial colleges provide approximately 50% of their own expenses.

**New Hampshire:**

- (a) Scholarships and grants are used when applicable.

**Table 11 -- Judicial Performance Evaluation**

States:	Status of Judicial Retention	Authorization	Governing Entity/Program Operation
Alabama	~	None established	~
Alaska	Retention election	Alaska Statute §15.58.020(2), 15.58.050, 15.58.060(c), 22.05.100, 22.07.060, 22.10.150, and 22.15.195.	Alaska Judicial Council
Arizona	Retention election for appellate court justices and superior court judges in Maricopa and Pima counties; partisan election in other counties and at other court levels.	Arizona constitution Article 6, Section 42; Supreme Court Rule No. R-92-0031.	Supreme Court Commiesion on Performance Review sets statewide policy; 2 County Committees on Judicial Performance Review conduct evaluations of trial judges at the county level; administrative office of the courts staff administer the program.
Arkansas	~	None established	~
California	Retention election for appellate judges only.	Conat. Art. VI, Section 16.	No opposing candidate allowed and no official evaluation.
Colorado	Retention election	Section 13-5.5-101 et seq., CRS GA (1988).	State Commission on Judicial Performance Evaluation sets statewide policies and procedures and evaluate appellate judges; 22 district commissions conduct evaluation of trial judges; Colorado Judicial Department provides staff assistance.
Connecticut	Reappointment by the full legislature after a review by a legislative joint standing committee on the judiciary.	Supreme Court (1984).	Judicial Advisory Panel oversees program operation and development; judicial evaluation administrator oversees day to day operations.
Delaware	Gubernatorial reappointment from judicial nominating commission with consent of Senate.	Supreme court rule or administrative directive recommended to authorize program.	Supreme Court Special Committee on the Evaluation of Delaware Family Court Judges; administrative office of the courts conducts the program at the recommendation of the Committee.
District of Columbia	Judicial Nomination Commission, reappointment.	D.C. Code Title IV C Section 434	Judicial Nomination Commission
Florida	~	None established	~
Georgia	~	None established	~

**Table 11 -- Judicial Performance Evaluation**

<b>Goals</b>	<b>Participating Judges</b>	<b>Evaluation Methods</b>	<b>Status</b>	<b>States:</b>
To provide the public with useful information about the performance of individual judges standing for retention election; to provide feedback for improving judicial skills and performance.	All justices and judges standing for retention election; a few judges pro tempore.	Questionnaires ( given to attorneys, jurors, peace officers, and probation officers); self-assessment; courtroom observation; background investigation; public hearings; interviews with judicial council (optional); review of case management data.	Established	Alabama Alaska
To improve judicial skills; to provide the public with information about judges' performance, which can be used in retention elections; to promote efficient assignment of judges; to improve judicial education programs.	All justices and judges standing for retention election.	Trial judges: questionnaires (given to attorneys, litigants, court staff, jurors, colleagues, appellate judges who have reviewed the judge's cases on appeal); self-assessment. Appellate judges: questionnaires given to attorneys, litigants staff, trial judges.	Established	Arizona
~	~	~	~	Arkansas
~	Supreme Court and Courts of Appeal.  To provide voters with fair and comprehensive information on judges standing for retention election; to provide feedback to judges to improve their professional skills.	Questionnaires (given to attorneys), jurors, litigants, witnesses, probation officers, social service case workers); interviews by local district commissions; assessment of sentencing practices; caseload management analysis.	Established	California
~	All trial court judges, court of appeals judges, supreme court justices standing for retention election.	Questionnaires (given to attorneys), jurors, litigants, witnesses, probation officers, social service case workers); interviews by local district commissions; assessment of sentencing practices; caseload management analysis.	Established	Colorado
To improve judicial skills, to help the director of continuing education develop educational programs; to help the court administrator assign judges; to improve public confidence in the judiciary.  To improve performance of individual judges and the effectiveness of the family court; to provide information for use in case assignments; judicial education planning; and other administrative decisions.	All trial and appellate court judges, except supreme court justices.  All family court judges, approximately one-third each year.	Questionnaires (given to attorneys and jurors. Interviews with the evaluated judges conducted by the Deputy Chief Court Administrator/Chair of the Advisory Panel).  Questionnaires/evaluation forms (given to attorneys, litigants, appellate judges); self-assessment.	Established  Under consideration	Connecticut  Delaware
~	~	~	~	District of Columbia
~	~	~	~	Florida
~	~	~	~	Georgia

**Table 11 -- Judicial Performance Evaluation**

States:	Status of Judicial Retention	Authorization	Governing Entity/Program Operation
Hawaii	Judicial nominating commission, reappointment.	Supreme Court Rule 19 (1991), pilot program.  *Permanent status as of September 1993.	Supreme Court Special Committee on Judicial Performance; administrative director of the judiciary provides staff support.
Idaho	~	None established	~
Illinois	Retention election every 10 yrs for appellate court judges and every 6 yrs for circuit court judges. Judges must obtain a minimum of 60% approval to retain seat. Associate judges of circuit court reappointed every 4 yrs. by circuit judges within the circuit in which the associate judge serves.	Supreme Court Rule 58 (1989).	Supreme Court Committee on Judicial Performance has oversight; Loyola University is under contract to conduct the program.
Indiana	~	None established	~
Iowa	~	None established	~
Kansas	~	None established	~
Kentucky	~	None established	~
Louisiana	~	None established	~
Maine	~	None established	~
Maryland	Retention election for appellate court judges; partisan contested election for circuit court judges following initial appointment; reappointment after ten-year term for district court judges.	Project of state bar association judicial administration section, subcommittee on judicial evaluation (pilot, 1989).	State bar association judicial administration section's committee on judicial evaluation has oversight; staff assistance provided by bar association.
Massachusetts	Gubernatorial appointment from judicial nominating commission, approved by Governor's Council.	G.L.C.211, S. 26	Supreme Judicial Court and Chief Justice for Administration and Management.
Michigan	~	None established	~
Minnesota	Nonpartisan election	Supreme Court Rule C3-90-2360 (1990), pilot program.	Supreme Court Evaluation Committee for the pilot program on judicial evaluation.
Mississippi	~	None established	~
Missouri	Retention election for appellate court judges, retention election for circuit and associate circuit judges in 5 judicial circuits; partisan contested election for circuit and associate circuit judges in 40 judicial circuits.	Supreme Court Order	Supreme Court Committee appointed to study performance evaluation and other matters relating to judicial development.
Montana	~	None established	~
Nebraska(n)	~	None established	~
Nevada	~	None established	~

**Table 11 -- Judicial Performance Evaluation**

<b>Goals</b>	<b>Participating Judges</b>	<b>Evaluation Methods</b>	<b>Status</b>	<b>States:</b>
To improve individual judges' performance; to provide a potential source for retention decisions; to facilitate the effective assignment of judges; to improve judicial education programs; to help the chief justice with administrative responsibilities.	All full-time, part-time, and specially appointed judges.	Attorney questionnaires (proposed).	Established	Hawaii
~ To improve judicial skills and performance.	Judges up for retention election. Approximately 42 circuit court judges from 4 jurisdictions in Cook County since 1988; goal is to continue evaluation in Cook County and to expand program to other circuit courts.	Questionnaires (given to attorneys); self-assessment; juror questionnaires will be used when needed. Results are presented to judges through interviews with trained jurors acting as facilitators.	Established	Idaho Illinois
~ ~ ~ ~ ~ ~ ~	~ ~ ~ ~ ~ ~ ~	~ ~ ~ ~ ~ ~ ~	~ ~ ~ ~ ~ ~ ~	Indiana Iowa Kansas Kentucky Louisiana Maine
To improve judicial skills and performance, to improve bench-bar communications.	All courts of appeals and courts of special appeals judges, plus circuit court judges in 3 counties (volunteers).	Attorney questionnaires.	Established	Maryland
To improve performance of individual judges in the judiciary as a whole.	All trial judges with at least 2 yrs experience.	Attorney, party and juror questionnaires; video tape records, court records	Under development	Massachusetts
~ To improve individual judicial performance.	Randomly selected judges, 12 from the district court, 2 from the appellate courts.	Questionnaires (given to attorneys, jurors); self-assessment; courtroom observation by another judge and an evaluator of communication skills (experimental); summary conference.	Under development	Michigan Minnesota
~ Self-improvement of the judges.	~ All supreme court, court of appeals, and trial court judges.	Under development	Under development	Mississippi Missouri
~ ~ ~	~ ~ ~	~ ~ ~	~ ~ ~	Montana Nebraska Nevada

Legend: ~=Not applicable

**Table 11 -- Judicial Performance Evaluation**

States:	Status of Judicial Retention	Authorization	Governing Entity/Program Operation
New Hampshire	Gubernatorial appointment, subject to approval of elected executive council.	Supreme Court informal request	Administrative justice of the probate courts; chief justice of the superior court; administrative justice of the district courts
New Jersey	Gubernatorial reappointment and senate confirmation.	Supreme Court Rule 1:35A (1988), pilot program (1982), permanent program (1986).	Supreme Court Committee on Judicial Performance; administrative office of the courts staff conduct the program.
New Mexico	One partisan election after appointment, thereafter retention election.	Supreme Court (pilot, 1990)	Supreme Court Subcommittee on Judicial Evaluation; administrative office of the courts provides staff support.
New York	~	~	~
North Carolina	~	None established	~
North Dakota	Nonpartisan election.	North Dakota Administrative Rule 32 (3) (1990), pilot program.	Judicial Performance Evaluation Commission; University of North Dakota Law School provides staff support.
Ohio	Nonpartisan election.	Statute	State/local bar associations issue recommendations based on interviews and preference polls.
Oklahoma	~	None established	~
Oregon	~	None established	~
Rhode Island	None established Legislative election	Supreme Court Rule 4 (3/8/93)	Judicial Performance Evaluation Committee

**Table 11 -- Judicial Performance Evaluation**

<b>Goals</b>	<b>Participating Judges</b>	<b>Evaluation Methods</b>	<b>Status</b>	<b>States:</b>
Self-improvement of the judges; to give staff and attorneys opportunity to comment on the judge's performance. District court: to identify strengths and weaknesses in individual courts; to plan judicial education programs.	Probate court judges; superior court trial judges; district court judges.	Probate judges: attorney and self-assessment questionnaires; interviews with the administrative justice of the probate court. Superior court judges: attorney, staff and self-assessment questionnaires; interviews with chief justice. District court judges: attorney, litigant and self-assessment questionnaires.	Established	New Hampshire
To improve judicial skills and performance to enrich judicial education programs; to provide efficient assignment and use of judges within the judiciary; and to enhance the reappointment process.	All trial judges in successive and overlapping stages based on length of service.	Questionnaires (given to attorneys [high-volume and complex proceedings], appellate judges); videotaped review of court proceedings.	Established	New Jersey
To improve judicial skills and performance; to provide information to voters in retention elections.	Supreme court justices, judges of the court of appeals, district and metropolitan courts are evaluated for self-improvement and retention; judges of the magistrate courts are evaluated for self-improvement only.	Trial judges: questionnaires (given to attorneys, jurors, and civil and domestic relations litigants, court staff, law enforcement officers, probation officers, social service case workers, CASA volunteers, and other who provide information to court). Appellate judges: questionnaires (given to attorneys, trial judges whose cases have been on appeal, and law school faculty). (Proposed)	Under development	New Mexico
-	Appellate judges; questionnaires (given to attorneys, trial judges whose cases have been on appeal, law school faculty). (Proposed).	-	-	New York
-	-	-	-	North Carolina
To improve performance of individual judges and the judiciary; to improve the design and content of the continuing legal education program.	Supreme court justices, district court, and county court judges (any judge may choose not to participate in program).	Attorney questionnaires (proposed by the study committees that recommended the adoption of a pilot program).	Under development	North Dakota
-	-	-	-	Ohio
-	-	-	-	Oklahoma
-	-	-	-	Oregon
-	-	-	-	Pennsylvania
Judicial self-improvement; improvement of design and content.	All judges.	Attorney questionnaires, juror questionnaires (Superior Court), litigant/witness questionnaires (District Court), panel review.	Under development	Rhode Island

Legend: ~=Not applicable

**Table 11 -- Judicial Performance Evaluation**

States:	Status of Judicial Retention	Authorization	Governing Entity/Program Operation
South Carolina	Legislative election	South Carolina Bar Association	
South Dakota	~	None established	~
Tennessee	~	None established	~
Texas	~	None established	~
Utah	Retention election.	Title 78, Chapter 8, s21(4)(a,b)(1986);Code of Judicial Administration Rule 3-110 and Rule 3-111(1987).	Utah Judicial Council assisted by the Standing Oversight Committee on Judicial Performance.
Vermont	Gubernatorial appointment from judicial nominating commission with consent of senate.	Supreme Court charge and designation.	Judicial Performance Evaluation Committee.
Virginia	~	None established	~
Washington	Nonpartisan election for all judges except municipal court judges, who are reappointed by the mayor and the city council.	Supreme court (1988), pilot program.	Judicial Performance Evaluation Task Force; administrative office of the courts provides staff support.
West Virginia	~	None established	~
Wisconsin	~	None established	~
Wyoming	~	None established	~
Puerto Rico	Gubernatorial reappointment with consent of the senate	Law Num. 91 (Dec. 5, 1991) (4 P.R.L.A. § 71-74 supl.)	Supreme court; chief justice's office; Judicial Evaluation Commission (appointed March 1993).
Federal Courts	~	None established	~
Courts of the Navajo Nation	All judges subject to 2 year probationary period after initial appointment; the chief justice makes recommendation on permanent appointment to the Judiciary Committee of the Navajo Nation Council; the Navajo Nation Council confirms judges for permanent appointment.	7N.T.C. s371 & 7 N.T.C.s355(c).	Judicial branch in conjunction with Navajo Nation Bar Association.

**FOOTNOTES:**

**Nebraska:**

(a)The state bar runs a program, with Supreme Court approval, through which attorneys rate the performance of all judges with whom they have regular professional contacts. Ratings are undertaken every two years and are intended to assist judges and also to provide information to the public prior to retention elections.

**Table 11 -- Judicial Performance Evaluation**

<b>Goals</b>	<b>Participating Judges</b>	<b>Evaluation Methods</b>	<b>Status</b>	<b>States:</b>
To help improve judicial performance, to provide information to general assembly and public.	Supreme court, court of appeals, circuit court and family court judges. ~ ~ ~ ~	Attorney questionnaires ~ ~ ~	Under development ~ ~ ~	South Carolina  South Dakota  Tennessee  Texas
To improve individual judges and the judiciary as a whole; to certify judges before retention elections; to improve the design and content of judicial education programs; to increase public awareness of the work of the judiciary.	All judges and court commissioners.	Attorney questionnaires; case management analysis; self-certification regarding judicial disciplinary actions and health status; compliance with continuing judicial education requirements.	Established	Utah
To improve judicial performance	All judges.	Attorney questionnaires, litigant exit survey's, self-assessment, caseload management reports	Under development	Vermont
~ To improve individual judges' skills and the judiciary as a whole; to improve the design and content of continuing judicial education programs.	All trial court judges. ~ ~ ~	Attorney and self-evaluation questionnaires. ~ ~ ~	Under development ~ ~ ~	Virginia Washington
~ Judicial self-improvement; to assess judgeship needs; to provide information to governor and senate for reappointment and promotions; to develop judicial education programs.	Superior, district and municipal court judges. ~ ~ ~	Attorney, juror, witness, staff, administrative judge and self-evaluation questionnaires; caseload management analysis. ~ ~ ~	Under development ~ ~ ~	West Virginia Wisconsin Wyoming Puerto Rico
~ To provide a learning tool for recently appointed judges; to assess performance during probationary period.	All judges and justices of the Courts of the Navajo Nation. ~	Attorney questionnaires; chief justice's assessment of case management skills; judiciary committee of tribal council interviews of court staff, prosecutors, peace officers, and the judge being evaluated. ~	Established ~	Federal Courts Courts of the Navajo Nation

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

States:	Name of Investigating Body	Number of Judges	Number of Lawyers	Number of Lay Persons	Name of Adjudicating Body
Alabama	Judicial Inquiry Committee	3	2	2	Court of the Judiciary
Alaska	Committee on Judicial Conduct	3	3	3	Supreme Court
Arizona	Commission on Judicial Conduct	6	2	3	Commission on Judicial Conduct
Arkansas	Judicial Discipline and Disability Committees	9	3	3	Commission
California	Committee on Judicial Performance	6	2	2	Supreme Court
Colorado	Committee on Judicial Discipline	4	2	4	Commission on Judicial Discipline
Connecticut	Judicial Review Council	3	3	6	Judicial Review Council; Supreme Court
	Council on Probate Judicial Conduct	2	1	2	Council on Probate Judicial Conduct
Delaware	Preliminary Committee of the Court on the Judiciary	0	4	2	Court on the Judiciary
	Investigatory Committee of the Court on the Judiciary	7	0	0	
District of Columbia	Commission on Judicial Disabilities and Tenure	1(a)	4(a)	2(a)	Commission on Judicial Disabilities and Tenure
Florida	Judicial Qualifications Commission	6(a)	2	5	Judicial Qualifications Commission(b)
Georgia	Judicial Qualifications Commission	2	3	2	Supreme Court
Hawaii	Commission on Judicial Conduct	0	3	4	Supreme Court
Idaho	Judicial Council	2	2	3	Supreme Court
Illinois	Judicial Inquiry Board	2	3	4	Courts Commission
Indiana	Judicial Qualifications Committee	1	3	3	Supreme Court
Iowa	Commission on Judicial Qualifications	1	2	4	Supreme Court
Kansas	Commission on Judicial Qualifications	4	3	2	Supreme Court
Kentucky	Judicial Retirement and Removal Commission	3	1	2	Judicial Retirement and Removal Commission
Louisiana	Judiciary Commission	3	3	3	Supreme Court
Maine	Committee on Judicial Responsibility and Disability	2	2	3	Supreme Judicial Court
Maryland	Commission on Judicial Disabilities	4	2	1	Court of Appeals
Massachusetts	Commission on Judicial Conduct	3	3	3	Supreme Judicial Court
Michigan	Judicial Tenure Commission	5	2	2	Supreme Court

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

Appeals from Adjudication Are Filed with:	Name of Final Disciplining Body	Point at Which Reprimands Are Made Public	States:
Supreme Court ~ No appeal	Court of the Judiciary Supreme Court Supreme Court	Filing of complaint with Court of the Judiciary Filing of recommendation with Supreme Court Commission on Judicial Conduct determines if there is probable cause to bring formal charges.	Alabama Alaska Arizona
Supreme Court No appeal	Supreme Court Supreme Court	At disposition of case Upon filing of record by committee with Supreme Court	Arkansas California
No appeal	Supreme Court	Adjudication	Colorado
Supreme Court Supreme Court	Supreme Court Supreme Court	Public censure is issued at least 10 days after notice to the judge, provided that if the judge appeals, there is an automatic stay of disclosure.	Connecticut
No appeal	Court on the Judiciary	Upon issuance of opinion and imposition of sanction	Delaware
Federal judge panel 3 appointments by chief justice of Supreme Court	Committee on Judicial Disabilities and Tenure	Filing of order with D.C. Court of Appeals (b)	District of Columbia
No appeal ~ No appeal	Supreme Court(c) Supreme Court Supreme Court	Filing of formal charges by Committee with Supreme Court Clerk Formal Hearing Imposition of public discipline by Supreme Court	Florida Georgia Hawaii
No appeal No appeal	Supreme Court Courts Commission	Filing with Supreme Court Filing of complaint by Judicial Inquiry Board to Courts Commission	Idaho Illinois
~ ~ Supreme Court	Supreme Court Supreme Court Supreme Court	Institution of Formal Proceedings Application by the commission to the Supreme Court Reprimand is published by Supreme court if approved by Supreme Court.	Indiana Iowa Kansas
Supreme Court	Judicial Retirement and Removal Commission	Application of judge under investigation	Kentucky
No appeal	Supreme Court	After final disposition by Supreme Court	Louisiana
No appeal ~ ~ Supreme Court	Supreme Judicial Court Court of Appeals Supreme Judicial Court Supreme Court	Filing of report to Supreme Judicial Court Filing of record by Committee to Court of Appeals After final disposition of complaint Filing of formal complaint by commission with Supreme Court	Maine Maryland Massachusetts Michigan

Legend: ~=Not applicable

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

States:	Name of Investigating Body	Number of Judges	Number of Lawyers	Number of Lay Persons	Name of Adjudicating Body
Minnesota	Board of Judicial Standards	3	2	4	Supreme Court
Mississippi	Commission on Judicial Performance	4	1	2	Supreme Court
Missouri	Commission on Retirement, Removal and Discipline	2	2	2	Commission on Retirement, Removal and Discipline
Montana	Judicial Standards Commission	2	1	2	Supreme Court
Nebraska	Commission on Judicial Qualification	4	3	3	Supreme Court
Nevada	Commission on Judicial Discipline	2	2	3	Commission on Judicial Discipline
New Hampshire	Committee on Judicial Conduct	4	2	3	Supreme Court
New Jersey	Advisory Committee on Judicial Conduct	2 (retired)	3 (min)	4 (max)	Supreme Court
New Mexico	Judicial Standards Commission	2	2	5	Supreme Court
New York	Commission on Judicial Conduct	4	1	2	Commission on Judicial Conduct
North Carolina	Judicial Standards Commission	3	2	2	Supreme Court
North Dakota	Commission on Judicial Conduct	2	1	4	Supreme Court
Ohio	Board of Commissioners on Grievance and Discipline (a)	7	17	4	Board of Commissioners on Grievance and Discipline
Oklahoma	Court on the Judiciary Trial Division Council	8	1	0	Court on the Judiciary Trial Division; Council on Judicial Complaints
	Council on Judicial Complaints	0	2	1	
Oregon	Commission of Judicial Fitness and Disability	3	3	3	Commission on Judicial Fitness and Disability
Pennsylvania	Judicial Inquiry and Review Board	3	1	1	Judicial Inquiry and Review Board
Rhode Island	Commission on Judicial Tenure and Discipline	4 (+3 from General Assembly)	3	3	Supreme Court
South Carolina	Board of Commissioners on Judicial Standards	8	2	2	Supreme Court
South Dakota	Judicial Qualifications Commission	2	3	2	Supreme Court
Tennessee	Court of the Judiciary	9	3	2	Court of the Judiciary

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

Appeals from Adjudication Are Filed with:	Name of Final Disciplining Body	Point at Which Reprimands Are Made Public	States:
No appeal	Supreme Court	Filing of formal charges by Committee with Supreme Court	Minnesota
-	Supreme Court	Recommendation of Commission to Supreme Court	Mississippi
Supreme Court	Supreme Court	Filing of recommendation by Committee to Supreme Court	Missouri
No appeal	Supreme Court	Filing of record by Committee with Supreme Court	Montana
No appeals	Supreme Court	Filing of complaint instigating formal hearing	Nebraska
Supreme Court	Commission on Judicial Discipline	Upon filing of report by Committee and service upon judge	Nevada
-	Supreme Court	Final written opinion and judgment ordering disciplinary action or if subject of the complaint has received a total of three or more private reprimands or other informal adjustments during the four years preceding the filing of the most recent complaint	New Hampshire
-	Supreme Court	Filing of presentment by Committee w/Supreme Court	New Jersey
-	Supreme Court	Filing of record by Commission w/Supreme Court	New Mexico
Court of Appeals	Commission on Judicial Conduct and Court of Appeals	Completion of service of record on respondent	New York
No appeals	Supreme Court	Upon recommendation of Commission to Supreme Court	North Carolina
-	Supreme Court	At formal hearing	North Dakota
Supreme Court	Supreme Court	Adjudication	Ohio
Court on the Judiciary Division; no appeal from Council on Judicial Complaints	Court on the Judiciary Appellate Division	Filing w/clerk of the Appellate Court	Oklahoma
Supreme Court	Commission on Judicial Fitness and Disability w/Supreme Court	Recommendation by commission to Supreme Court	Oregon
Supreme Court	Supreme Court	Recommendation by Judicial Inquiry and Review Board	Pennsylvania
No appeals	Supreme Court	When Supreme Court affirms a recommendation for reprimand or removal	Rhode Island
-	Supreme Court	Adjudication	South Carolina
No appeals	Supreme Court	Filing with the Supreme Court	South Dakota
Supreme Court, then General Assembly	Court of the Judiciary	Filing of complaint in Appellate Court Clerk's office	Tennessee

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

States:	Name of Investigating Body	Number of Judges	Number of Lawyers	Number of Lay Persons	Name of Adjudicating Body
Texas	State Commission on Judicial Conduct	5	2	4	Supreme Court, Commission on Judicial Conduct, or review tribunal consisting of Justices of Courts of Appeals
Utah	Judicial Conduct Commission	1	3	2(a)	Supreme Court
Vermont	Judicial Conduct Board	2	2	3	Supreme Court
Virginia	Judicial Inquiry and Review Commission	3	2	2	Supreme Court
Washington	Commission on Judicial Conduct	3	2	6	Supreme Court
West Virginia	Judicial Investigation Committee and Judicial Hearing Board	2 + one magistrate + one family law master	2	3	Judicial Hearing Board (JHB)
Wisconsin	Judicial Commission	2	2	5	Supreme Court(a)
Wyoming	Judicial Supervisory Commission	2	2	3	Supreme Court
Puerto Rico	Disciplinary and Service Commission	~	5	1	Supreme Court

#### FOOTNOTES

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**District of Columbia:**

- (a)Plus 3 alternates, 1 from each category.
- (b)Only in cases involving removal or suspension wherein the Chief Justice appoints a 3 member federal judge panel to review commission's recommendations.

**Florida:**

- (a)Two judges of each of the DCA, circuit, and county courts.
- (b)The JQC investigates and recommends to the Supreme Court for discipline or removal.
- (c)The Supreme Court power of removal is alternative and cumulative to the power of impeachment and suspension by the Governor and senate.

**Ohio:**

- (a)Initial review by panel of 3 commissioners.

**Utah:**

- (a) Supreme Court, at its discretion, may include 2 members of House, and 3 Special Members.

**West Virginia:**

- (a)Same for both the Commission and Judicial Hearing Board.

**Wisconsin:**

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

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

Appeals from Adjudication Are Filed with:	Name of Final Disciplining Body	Point at Which Reprimands Are Made Public	States:
Supreme Court	Supreme Court, Committee on Judicial Conduct, or review tribunal consisting of Justices of the Courts of Appeals	Convening of formal hearing by the Commission on Judicial Conduct	Texas
No appeal	Supreme Court	After final disposition	Utah
Supreme Court	Supreme Court	Filing of formal charges by Board with Supreme Court	Vermont
Supreme Court	Supreme Court	Filing of formal complaint by Committee with Supreme Court	Virginia
No appeal	Committee on Judicial Conduct or Supreme Court	Beginning of fact finding hearing by Committee	Washington
JHB recommends to SCA(a)	Supreme Court of Appeals(a)	Upon decision by Supreme Court of Appeals	West Virginia
No appeal	Supreme Court	Filing of petitioner formal complaint by Judicial Commission w/Supreme Court	Wisconsin
~	Supreme Court	Filing with Supreme Court	Wyoming
~	Supreme Court	Filing of formal complaint by Attorney General with Discipline Commission	Puerto Rico

# **PART III**

*The Judicial Branch: Governance, Funding & Administration*

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*(Tables 13-20)*

## *The Judicial Branch: Governance, Funding, and Administration*

Each state, like the federal government, has an independent judicial branch. Generally, either the Court of Last Resort (six states) or the Chief Justice of the Court of Last Resort (43 states) is the designated head of the judicial branch. In one state, Utah, the Judicial Council is the designated head (Table 13).

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

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

Preparation of the judicial branch budget is explained in Table 16. In most states the budget process is initiated by individual trial courts (33 states), generally followed by a central review of budget submissions by the state's administrative office of the courts (although not in Georgia, Indiana, and New Mexico). The situation in many states is complex, and this is reflected in the number of footnotes appended to the table. Table 16 focuses on the role of the executive branch in submitting and possibly amending the judicial branch budget. It is rare for the judicial branch budget to be filed as a separate appropriation bill. In most states it is either included in a general appropriation bill or included in one of several bills. Finally, the table provides an estimate of the percentage of the total state budget accounted for by the judicial branch in each state.

The coverage of state funding varies substantially among states, especially in reference to trial court expenditures. Table 17 lists 13 expenditure areas for each trial court system in a state, and also explains whether the source of funding is state, county, other local government, or fees. Each court system is identified as being either a court of general jurisdiction or a court of limited jurisdiction. Some types of expenditures are funded through several sources. Where state funding is applicable, the table shows the percentage that is provided from that source. The last column of the table indicates the total amount of state funding provided for each trial court and the percentage of total expenditure that is provided by the state. In using this table it should be noted that it refers only to the funding of trial courts, and is therefore not directly comparable to Table 16, which describes the entire judicial branch budget. Table 17 does highlight some important differences in the scope of state judicial branches, specifically whether they encompass functions such as child support enforcement, juvenile probation and detention, or indigent defense. Such differences in scope, along with differences in which expenditures are state funded and which are locally funded or fee supported, explain to a substantial extent differences in the magnitude of the judicial branch budget.

Every state has a central office that has day to day administrative responsibilities for the state courts. The head of that office, the state court administrator, is usually an appointee of the state judiciary, with the chief justice or the COLR exercising the appointment authority. The administrative office's role in the budget process was described in Table 16. A more comprehensive description of what administrative offices do is provided in Table 18, which indicates the nature of the responsibility of the administrative office for 22 functional areas relating to a state's trial court. Where the administrative office has total or partial responsibility for a functional area, the number of full-time equivalent staff assigned to that function is given. The last column of the table reports the number of authorized and funded staff in the administrative office, expressed as full-time equivalent positions. The size of the administrative office staff reflects both the degree to which there is centralized coordination of key functions and the allocation of some substantial responsibilities, such as juvenile probation, to the administrative office of the courts. Note that the last, shaded, column in Table 18 refers to all administrative office personnel, including those for appellate courts. Consequently, the totals

shown in the shaded column are *not* the sum of full-time equivalent staff for the various functions.

Two final aspects of the judicial branch are covered in this section. Twenty-seven states have established state-federal judicial councils to address issues of jurisdictional overlap and other matters of common concern. Table 19 indicates which states have such a council, when the council was established, and the date of its most recent meeting. Table 20 describes the frequency with which the administrative office of the courts collects aggregate statistical information on caseloads from general jurisdiction trial courts. Caseload reporting practices are distinguished by type of case (civil, criminal, domestic relations, and juvenile) and by type of information (filings, dispositions, and pending caseload).

#### Select Bibliography:

American Bar Association (Judicial Administration Division), *Standards Relating to Court Organization: 1990 Edition*, Chicago: The ABA Press, 1990.

Larry Berkson and Susan Carbon, *Court Unification: History, Politics and Implementation*, Washington D.C.: National Institute of Law Enforcement and Criminal Justice, 1978.

Thomas Henderson, et al., *The Significance of Judicial Structure: The Effect of Unification on Trial Court Operations*, Washington D.C.: National Institute of Justice, 1984.

Robert G. Nieland, Rachel N. Doan (revised by Mayo H. Stiegler), *State Court Administrative Offices: Second Edition*, Chicago: American Judicature Society, 1982.

*State-Federal Judicial Observer*, published quarterly by the Federal Judicial Center and the National Center for State Courts [Reports on the proceedings of State-Federal Judicial Council meetings.]

Felix F. Stumpf, *Inherent Powers of the Courts*, Reno, NV: National Judicial College, 1994.

#### Table 14:

Donald Pugh, Chris A. Korbakes, James J. Alfini, Charles W. Grau, *Judicial Rulemaking: A Compendium*. Chicago: American Judicature Society, 1984.

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

States:	Who is the head of the judicial branch?	What authority establishes the head of the judicial branch?	Cite Source of Authority:
Alabama	Chief Justice of highest appeals court	State Constitution	Title 12 - Code of AL,1975, Article VI, Section. 10
Alaska	Chief Justice of highest appeals court	State Constitution	Article IV Section. 2, Constitution of AK
Arizona	Chief Justice of highest appeals court	State Constitution	Article VI, Paragraph III
Arkansas	Chief Justice of highest appeals court	Statute	A.C.A. 16-10-101
California	Chief Justice of highest appeals court	State Constitution	Article VI, Section. 6, State Constitution
Colorado	Chief Justice of highest appeals court	State Constitution	Article VI, State Constitution
Connecticut	Chief Justice of highest appeals court	Statute	Connecticut General Statues 51-1b(a)
Delaware	Chief Justice of highest appeals court	State Constitution	Article IV, 18
District of Columbia	Chief Justice of highest appeals court	Statute	Section 11-1701 D.C. code
Florida	Chief Justice of highest appeals court	State Constitution	Article V, Section 2
Georgia	Chief Justice of highest appeals court	State Constitution	Article 6, Section 9, Para. 1
Hawaii	Chief Justice of highest appeals court	State Constitution	Article VI, Sections 1 and 2
Idaho	Chief Justice of highest appeals court	State Constitution	Article 5, Section 6
Illinois	Chief Justice of highest appeals court	State Constitution	IL Con. 1970, Article 6, Section 16
Indiana	Chief Justice of highest appeals court	Statute	IC 33-13-14-2
Iowa	State's highest appeals court	Statute	Iowa Code, Section 602.1102
Kansas	Chief Justice of highest appeals court	State Constitution	KS Constitution, Article 3, Sections 1 and 2, KS Statute 20-101
Kentucky	Chief Justice of highest appeals court	State Constitution	Section 110(5)(b)
Louisiana	Chief Justice of highest appeals court	State Constitution	LA Constitution of 1974, Article V, Section 6.
Maine	Chief Justice of highest appeals court	Statute	4 M.R.S.A. Section 1
Maryland	Chief Justice of highest appeals court	State Constitution	MD Constitution, Article IV, Section 18(B)
Massachusetts	The state's highest appeals court	State Constitution	MGL C.211 S3 General superintendence
Michigan	Chief Justice of highest appeals court	State Constitution	Article VI, Section 3
Minnesota	Chief Justice of highest appeals court	Statute	MS 2.724
Mississippi	Chief Justice of highest appeals court	Statute	Sect. 9-8-11, MS Code 1972
Missouri	The state's highest appeals court(a)	State Constitution	Article V, Section 4
Montana	Chief Justice of highest appeals court	State Constitution	Article VII, Section 2
Nebraska	Chief Justice of highest appeals court	State Constitution	Article V, Section 2
Nevada	Chief Justice of highest appeals court	State Constitution	Article VI, Section 19
New Hampshire	Chief Justice of highest appeals court	State Constitution	Part 2, Article 78-A
New Jersey	Chief Justice of highest appeals court	State Constitution	Article 6, Section 7, Part 1
New Mexico	Chief Justice of highest appeals court	State Constitution	Article 6 Section 3
New York	Chief Justice of highest appeals court	State Constitution	Article VI
North Carolina	Chief Justice of highest appeals court	State Constitution and Statute	Article IV, Sections 6 and 11; NC GS, Chapter 7A
North Dakota	Chief Justice of highest appeals court	Statute	NDCC 27-02-01
Ohio	Chief Justice of highest appeals court	State Constitution and Statute	Article IV of Ohio Constitution
Oklahoma	Chief Justice of highest appeals court	State Constitution	Article 7 Sections 2 and 6
Oregon	Chief Justice of highest appeals court	Statute	ORS 1.002 (1)
Pennsylvania	The state's highest appeals court	State Constitution	Article V, Sections 2 and 10

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

States:	Who is the head of the judicial branch?	What authority establishes the head of the judicial branch?	Cite Source of Authority:
Rhode Island	Chief Justice of highest appeals court	State Constitution and Statute	Article 10, S. 1 RI GL 8-15-2
South Carolina	Chief Justice of highest appeals court	State Constitution	Article V
South Dakota	Chief Justice of highest appeals court	State Constitution	Article 5
Tennessee	Chief Justice of highest appeals court	Judicial Branch Rule Statute	Rule 11, Rules of the Supreme Court of TN
Texas	The state's highest appeals court	State Constitution and Statute	Article 5, Section 31, TX Constitution and Section 74.021, TX Government Code
Utah	State Judicial Council(a)	State Constitution and Statute	Article 8, UT Constitution, 78-3-1 ET, Seg, State Statute
Vermont	Highest appeals court	State Constitution	Chapter II, Section 30
Virginia	Chief Justice of highest appeals court	State Constitution	Article VI - Section 4
Washington	The state's highest appeals court		
West Virginia	Chief Justice of highest appeals court	State Constitution	Article 8, Sect. 3
Wisconsin	Chief justice of highest appeals court	State Constitution	Article 7, Section 4, WI Constitution
Wyoming	Chief justice of highest appeals court	State Constitution and Statute	Article 5 Section 2 - WY Constitution, W.S. 5-2-102
Puerto Rico	Chief justice of highest appeals court	State Constitution	Article 5, Section 7, PR Constitution, 4 L.P.R.A.
Federal	Supreme Court	US Constitution	Article III, US Constitution

**FOOTNOTES:**

**Missouri:**

(a)The Chief Justice serves as the chief administrative officer.

**North Carolina:**

(a)Article IV of the NC Constitution, see Sections 6 and 11; NC GS Chapter 7A, see Section 7A-10; the Chief Justice has extensive appointment and other authorities, including appointment of the Director of the AOC. Numerous authorities are also vested in the Supreme Court as a whole.

**Utah:**

(a) Judges from each level of court, and designee of Utah Bar Association.

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

States:	Appellate Procedure	Civil Procedure	Criminal Procedure	Attorney Discipline	Court Costs	Courtroom Security
Alabama	C	C	C	I	C	None
Alaska	C	C	C	I	C	None
Arizona	C	C	C	I	C	None
Arkansas	I	S	S	C/S	L	None
California	S	L	L	I/S	I	None
Colorado	C	C	C	S	C	None
Connecticut	I	I	I	I	I	I
Delaware	C	C	C	I	C/S	None
District of Columbia	S	S	S	S	S	I
Florida	C	C	C	C	C	None
Georgia(a)	S/C	C/I	C/I	I/S	C	None
Hawaii	C	C	C	C/S	S	None
Idaho	I	I	I	I	I	None
Illinois	C	I/S	I/S	I	I/S	None
Indiana	I	I	I	C/I	I	None
Iowa	S	S	S	S/I	S	None
Kansas(a)	S	S	S	I	None	None
Kentucky	C	C	C	C	None	None
Louisiana	C/I	C/S/I	C/S/I	C/I	C/I	I
Maine	S	S	S	I	S	None
Maryland	C	C	C	C/I	C	I
Massachusetts	S	S	S	I	S	None
Michigan	C	C	C	I	C	None
Minnesota	S	S	S	I	S	S
Mississippi	S	S	S	None	S	I
Missouri	C	C	C	I	L	None
Montana	I	S	S	I	S	None
Nebraska	C	None	None	I	None	None
Nevada	S/I	S/I	None	S/I	S/I	None
New Hampshire	C/S	C/S	C/S	I/S	C/S	I
New Jersey	C	C	C	C	C	None
New Mexico	I	I	I	I	S	I
New York	C/S	C/S	C/S	I/S	None	None
North Carolina(a)	C	S/C	S/C	I	None	None
North Dakota	C	C	C	C/S	C	None
Ohio	C	C	C	C	L	(a)
Oklahoma	S	S	S	S	S	None
Oregon	S	S	S	S	S	None
Pennsylvania	C	C	C	C	C	None
Rhode Island	S	S	S	I	S	None
South Carolina	C	C	C	C	C	None
South Dakota	C	C	C	S	None	None
Tennessee	S	S	S	I	S	None
Texas	S	S	S	S	None(a)	None
Utah	C	C	C	C	S	None
Vermont	C	C	C	C	None	S
Virginia(a)	C/S	C/S	C/S	C/S	C	None
Washington	S/I	S/I	S/I	I	S/I	None
West Virginia	C	C	C	S/I	None	None
Wisconsin	S	S	S	I	S	None
Wyoming	S	S	S	S/I	S	None
Puerto Rico	S	C(a)	C(a)	S	None	None

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

**FOOTNOTES:**

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**Georgia:**

(a)1982 constitution was effective July 1, 1983.

**Kansas:**

(a)Judicial rulemaking is joint with legislature.

**North Carolina:**

(a)Authority to make rules of procedure and practice for the trial courts is constitutionally placed with the general assembly, which has delegated this authority to the Supreme Court; the Supreme Court has exclusive rulemaking authority for the appellate courts.

**Ohio:**

(a)Supreme Court has established guidelines for courts.

**Texas:**

(a)Repealed.

**Virginia:**

(a)Legislature may supersede all court rules.

**Puerto Rico:**

(a)Judicial rulemaking is joint with legislature.

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

States:	Name	Authority	Purpose
Alabama	Judicial System Study Commission	Statute	Study judicial systems; make recommendations for improvement of administration of justice to legislature.
	Juvenile Coordinating Committee	Statute	Improve interagency coordination of services to children; make recommendations to the Governor and Legislature for improvements to the juvenile justice system.
Alaska	Judicial Council	Constitution	Study judicial system for improvements in administration; nominate candidates for judgeships.
Arizona	Arizona Judicial Council	Supreme Court Rule	Assist the Supreme court and the Chief Justice in the development and implementation of policies designed to provide central direction for administrative of all courts, uniformity in court operations, and coordination of court services.
Arkansas	Judicial Council	Statute	Directs and develops criteria for new judgeships and types of judges. Adopts legislative agenda.
California	Judicial Council	Constitution	Chief administrative body of court system. The administrative director of the court reports to the council.
Connecticut	Meetings of Supreme Court Justices	Statute	Establish personnel policy
Colorado	Judicial Advisory Council	Supreme Court Rule	Study the needs of the judicial system; to develop an intermediate and long-range plan for the judicial system; to identify particular problems and recommend solutions; to recommend ways of improving the judicial system and to suggest appropriate measures to achieve the recommended improvements; to provide policy guidance to the Chief Justice, to coordinate planning efforts among groups, association, and governmental bodies concerned with improving the judicial system.
Delaware	Judicial Conference	Supreme Court Rule	Studies courts to improve the administration of justice.
	Meetings of Superior Court Judges	Statute	Discuss operations of the court.
District of Columbia	Joint Committee on Judicial Administration	Statute	Establish administrative policy of court system.
	Judicial Conference	Statute	Annual meeting to make recommendations for improvement of system court.
	Board of Judges	Statute	Determine internal operating policy of court.
Florida	Judicial Rules Administration Commission	Statute	Recommend changes in the procedural rules of the court.
	Judicial Council	Statute	Study organization, procedure, practice, and rules of all courts in the state.
Georgia	Judicial Council	Statute	Study court organization and rules of practice and procedures.
Hawaii	Judicial Council	Statute	Study administration of justice and report to the Supreme Court (advisory only).

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

<b>Composition</b>	<b>Frequency</b>	<b>Tenure</b>	<b>States:</b>
6 from Alabama House; 6 from Alabama Senate; Judicial Conference Legal Advisory to Governor; Lt. Governor; Speaker of House; 1 member attorney general's staff.	Reports as Commission deems necessary	Term of office. Attorney General may replace his staff member at any time	Alabama
Chief Justice; legal advisor to the Governor; Lieutenant Governor; Speaker of the House; Attorney General; Representatives of juvenile agencies; three appointees from business and industry by the Governor; and 5 persons to be appointed by the Council	At least annually	Council and Governor's appointees serve for 2 years; other members serve for term of office	
3 attorneys; 3 non-attorneys, chief justice	At least one biennial meeting	6 year terms	Alaska
Chief Justice; 2 Court of Appeals chief judges; 2 presiding judges of Urban Court; presiding judges of Rural Court; 1 magistrate; 1 justice of the peace; AOC state bar representative; 2 public members, other members as designated by the Chief Justice	Quarterly	Some have 3 years; some by virtue of position	Arizona
Consists of all judges of circuits and chancery courts, courts of appeals, justices of the superior court,	October and April of each year	Term in office	Arkansas
Chief Justice and 1 associate justice; 3 judges of Court of Appeals; 5 Superior Court judges; 3 Municipal Court judges; 2 Justice Court judges; 4 state bar members; 1 senate member; and 1 assembly member	Time to time	2 years, so long as the person retains their status	California
Chief Justices and Associate Justices of the Supreme Court	As needed		Connecticut
1 Supreme Court Justice; 1 Court of Appeals judge; 3 District Court judges; 1 Juvenile Court judge; 2 county judges; 1 member of SCAO; 1 probation officer; 1 district administrator; 1 clerk of county/district court; 1 member from Co. public defenders office; 1 district attorney; 6-10 members appointed from public at large.	Quarterly	3 years	Colorado
Members of the: Supreme Court; Court of Chancery; Superior Court; Family Court, Court of Common Pleas; Municipal Court; City of Wilmington, and the Chief Magistrate of the Justice of the Peace System	Biennial	Term of office	Delaware
The 11 Superior Court judges	Monthly	Term in office	
Chief judge of District of Columbia Court of Appeals, Court of Appeals associate judge; chief judge of superior court; 2 elected superior court judges	Annual Report	Term of office	District of Columbia
Active Judges of District of Columbia, Court of Appeals and Superior Court	Annual	Term of office	
Judges of Superior Court of District of Columbia	Annual	Term of office	
Attorneys and Judges appointed by the Florida Bar(a)	Propose changes by June 30 of every 4th year	3 year terms (staggered)	Florida
Judicial and Legislative representatives	At least quarterly	Differing terms	
As provided by Supreme Court	Semi-annually		Georgia
Chief Justice and not more than 15 other members to include laymen, judges, and lawyers, as provided by the Supreme Court.	Biennial report	3 years	Hawaii

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

States:	Name	Authority	Purpose
Idaho	Judicial Council	Statute	Conduct studies to improve court system; report to the Supreme Court and legislature submit nominations for judgeships; recommend removal or discipline of judicial officer.
Illinois	Judicial Conference	Constitution and Statute	Study business of court system.
Indiana	Judicial Conference	Statute	Discuss operations of courts and promote continuing education of judges.
Iowa	Judicial Conference	Rule pursuant statute	Consider administrative rules, directives, and regulations; recommend to Supreme Court for adoption.
Kansas	Judicial Council	Statute	Recommend probate, civil, criminal, and juvenile code; conduct research for court system. Annual meeting of judiciary to discuss judicial business, to make justice more efficient.
	Judicial Conference		
Kentucky	Judicial Council	Statute	Study ways to improve administration of justice; recommend changes in rules and procedure (advisory only).
	Judicial Conference	Repealed	Study court system; receive reports and recommendations from Judicial Council.
Louisiana	Judicial Council	Supreme Court Rule	Study court organization, rules, and procedure, recommend improvements.
Maine	Judicial Council	Statute	Study organization, rules, and methods of practice and procedure.
	Judicial Conference	Statute	Advise and consult the Supreme Court in matters of judicial administration.
Maryland	Executive Committee of Judicial Council	Rule 1226d	Between plenary sessions: "to consider the status of judicial business..., to devise means of relieving congestion of dockets..., to consider improvements of practice and procedures..., to consider and recommend legislation, and to exchange ideas with respect to the improvement of the administration of justice...and the judicial system in Maryland", [s]ubmit recommendations for the improvement of the administration of justice..., [e]stablish committees.,..and approve and coordinate the[ir] work..., [p]lan sessions of the conference in conjunction with the Conference Chairman".
	Conference of Circuit Judges	Rule 1207	"...for the purpose of exchanging ideas and views with respect to the circuit courts and the improvement of the administration of justice and making recommendations with respect thereto; to initiate complaints to disabilities concerning alleged judicial misconduct or disability".
Massachusetts	Judicial Council	Statute and Court Rule	Study organization, rules, and methods of practice and procedures.
	Judicial Conference	Statute	Consider matters relating to judicial administration and improvement.
Michigan	State Judicial Council	Statute	Employer of state-funded trial court employees. Establishes personnel policy and procedures, negotiate labor contracts.
Minnesota	Annual Conference of Judges	Statute	Consider improvements in administration of justice.
Mississippi	Commission on Judicial Performance	Statute	Recommend to Supreme Court practice and procedures regarding complaints and inquires about judicial performance.

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

Composition	Frequency	Tenure	States:
Permanent: 3 attorneys (1 is a district judge) appointed by state bar; 3 non-attorneys appointed by governor; chief justice as chair. Chair who appoints adjunct, a magistrate judge, when the removal or discipline of a magistrate judge is before the council.	Reports at least every 2 years	6 years	Idaho
Judges of Supreme Court; the judges of the Appellate Court, and the judges of the Circuit Courts	Annual	Term of office	Illinois
State judges (a)	Annual	Term of office	Indiana
Chief judges of judicial districts, Court of Appeal chief judge, Supreme Court chief justice	Chief judge's discretion	2 years	Iowa
Supreme Court justice, Court of Appeals judge, 2 District Court judges, 4 resident lawyers, chairs of House and Senate judiciary committees	Monthly Annual	4 years, except Senate and House members, who serve their term of office	Kansas
State judges (a)	Twice per year	Appointed to serve for less than 4 years	Kentucky
~	~	~	
Seventeen voting member maximum (a)	Semiannual	3 year terms, no more than 2 successive terms	Louisiana
(a) Chief Justice, Attorney General; the Chief Justice of Superior Court, the Chief Judge of District Court, and the Dean of the University of Maine System of Law, ex officio, and an active or retired justice of Supreme Judicial Court, a justice of the Superior Court, one judge of the District Court, one judge of a Probate Court, one clerk of the judicial courts, 2 members of the bar and 6 laypersons	Biennially	Appointed-no longer than 4 years	Maine
Judges and Justices	Annually	Term of office	
17 elected members and 1 ex-officio (Chief Judge)	Monthly	2 years	Maryland
Circuit administrative judges, 1 elected judge from each circuit	Term of office	~	
Chief justice of the Supreme Judicial Court, chief justice of Appeals Court, chief justice of each department of the Trial Court, and 4 bar members	Court's discretion	Bar members appointed-no longer than 4 years; justices serve term of office	Massachusetts
Supreme court determines which judges shall comprise the conferences	Court's discretion	Term of Office	
State court administrator, director of DMB, 2 Circuit; District; and Probate judges	Monthly	Judges serve 4 year terms	Michigan
All judges	Annually-called by chief justice	Term of Office	Minnesota
Circuit Court judge, chancellor, City Court judge, Justice Court judge, attorney, 2 lay people	As needed	6 year terms, cannot succeed a full term	Mississippi

Legend: ~=Not applicable

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

States:	Name	Authority	Purpose
Missouri	Judicial Conference	Statute	Study organization, rules and methods of practice procedure.
Nevada	Regional Judicial Council	Statute	Assist in improvement of the court system within their region.
	Judicial Council of State of Nevada	Statute	Improve courts by implementing policies and procedures.
New Hampshire	Judicial Council	Statute	Study administration of justice; devise ways to improve procedure; collect; analyze, and publish statistics.
New Jersey	Judicial Conference	Supreme Court Rule	Assist Supreme Court in consideration and improvements in practice and procedure and in administration and organization.
	Conference of Judges	Supreme Court Rule	Hold conferences to make more uniform the operation of courts in the state.
New York	Judicial Conference	Statute	Advise the Chief Judge; recommend to the Governor and legislature changes in statutes rules and practices.
	Administrative Board of the Judicial Conference	Constitution	Assist the Chief Judge in administration of the State Court system.
North Carolina	North Carolina Courts Commission	Statute	Study structure organization, jurisdiction, procedures, and personnel of court system; make recommendations for change to the legislature.
North Dakota	Judicial Council	Statute	Study operation of courts in state to see that procedures are simplified and business expedited.
Ohio	Judicial Conference	Statute	Consider problems in administration of justice and make recommendations for improvement to legislature and courts.
Oregon	Judicial Conference	Statute	Study organization, jurisdiction, procedures, and practices of courts in each state; hold an annual education session and business meeting.
Pennsylvania	Pennsylvania Judicial Council	Supreme Court	Study administration of justice; make recommendations to Supreme Court on matters referred by court or raised by Council <i>sua sponte</i> .
Rhode Island	Judicial Council	Statute	Study organization of judicial system; make recommendations to courts.
	Judicial Conference	Statute	Consider matters relating to judicial business and administration.
South Carolina	Judicial Council	Statute	Study organization of justice; collect and publish statistics.
South Dakota	Judicial Conference	Statute	Study organization, rules, methods, and practices of all courts; make recommendations to the Supreme Court.

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

Composition	Frequency	Tenure	States:
Supreme Court and Court of Appeals judges and commissioners, Circuit Court judges and associate judges, all retired judges	Once a year	Term of office or retirement	Missouri
District Court judge, Justice of the Peace and municipal judge of region	Bimonthly	3 year terms, except: Chief Judges of 2nd and 8th Judicial Districts	Nevada
Members of each regional council, the Chief Justice and an associate justice, plus ex officio members--Presidents of Nevada Judges Association, Nevada District Judges Association, Nevada Association of Court Clerks and Administrators	8 times a year	3 year terms, except: term of office for chief judge and terms as chief judge for judges of 2nd and 8th Judicial Districts	
Judicial Branch administrative council (5), attorney general, state court clerk, legislative representatives (2), appointees of governor and council (8), appointees of Supreme Court (5)	Biennial Reports	3 years, except attorney general, administrative council, chairpersons of senate and house of judiciary, president of bar serve terms of office	New Hampshire
Judicial and legislative representatives(a)	Annually	One year	New Jersey
All justices and judges except municipal court	Annually	Term of Office	
State judges (a)	Annually (or as needed)	2 years except judges term of office	New York
Chief Judge of Court of Appeals, presiding Justice of the appellate division of the Supreme Court of each judicial department	Meet as needed	Term of Office	
24 voting members, including: representatives from the Judicial Branch, the Legislative Branch and practicing attorneys, 3 non-voting, ex officio members	At discretion of the chair	4 years	North Carolina
All judges Supreme, District and County Courts, attorney general, dean North Dakota School of law, five member of bar engaged in all Surrogate judges, two municipal judges, clerk of Supreme Court	Twice per year	Throughout term of office, and bar members five years	North Dakota
Judges of Supreme Court, Court of Appeals, Common Pleas Court, Probate Courts, Municipal and County Courts	Biennial reports to legislature. Report as needed to courts and legislature	Term of office	Ohio
Judges of Supreme Court, Court of Appeals, Tax Court, Circuit Courts and District Courts and senior judges of these courts	At least once annually	Term of office	Oregon
22 members (a)	As called by Chief Justice	3 years for office holder for term appointed	Pennsylvania
6 members of Rhode Island Bar	Report Annually	3 years	Rhode Island
All justices Supreme, Superior, District Courts and Family Courts	Annually	Term of office	
Judicial and Legislative representatives(a)	Report as needed	Attorney General, dean, circuit and judges, probate and family court judges and magistrates, and appointees 4 years, all others term of their office	South Carolina
Justices and judges of supreme Court and Circuit Court as members	Annual	Term of office	South Dakota

Legend: ~=Not applicable

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

States:	Name	Authority	Purpose
Tennessee	Judicial Council	Statute	Study operation of judicial department; consider recommendations for improvement.
	Judicial Conferences	Statute	Consider rules and laws to improve administration of justice; draft suitable legislation for General Assembly.
Texas	Judicial Council	Statute	Study organization, rules, practices, and procedures for civil jurisdiction courts.
Utah	Judicial Council	Statute	Develop uniform administrative policies for the courts of Utah.
		State Constitution	Adopt rules for the administration of all courts.
Vermont	Judicial Council(a)	Statute	
Virginia	Judicial Conference	Statute	Discuss matters to improve administration of justice.
	Judicial Conference for District Courts	Statute	Discuss matters to improve administration of justice.
	Judicial C <sup>c</sup> ncil	Statute	Study organization, rules, procedure, and practices of the judicial system.
	Committee on District Courts	Statute	Study organization, rules, procedure, and practices of the District Courts and clerks' offices; determine number of District Court judges, substitute judges, clerks' offices and court personnel; establishes practices and procedures for District Courts.
Washington	Judicial Conference	Statute	Consider matters relating to administration of justice.
	Judicial Council	Statute	Study operation of judicial departments; make recommendations to Governor and legislature.
	Court Planning Council	Supreme Court Rule	Establish priorities for court improvements plans, review and approve federal funding projects, coordinate and prepare an annual judicial system plan.
West Virginia	Judicial Council	Statute	Study organization, rules, and methods of practice and procedure; collect statistics.
Wisconsin	Planning and Policy Advisory Committee	Supreme Court Rule	The purpose of the Planning and Policy Advisory Committee is to advise the Supreme Court and the director of state courts in the director's capacity as planner and policy advisor for the judicial system. The Committee shall meet at the call of its chairperson, but shall meet at least quarterly.
	Judicial Conference	Statute	Study problems in administration of justice; make recommendations for improvement, conduct instructive programs and seminars.
	Judicial Council	Statute	Study pleading, practice, and procedure; make recommendations to Supreme Court and legislature.

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

Composition	Frequency	Tenure	States:
Legislative and judicial representatives--6 at large members may be selected(a)	Biennial	All judges and appointees 4 year terms	Tennessee
All judges of courts or records whose salary is paid in whole or part by state, including retired judges and probate courts. Courts where county population is less than 300,000.	Annually	Term of office or retirement	
Chief Justice Supreme Court; presiding judge Court of Criminal Appeals, chair and immediately past chair of Senate Jurisprudence and House Judiciary Committees; 2 presiding judges, administrative regions, 9 appointed citizens (one journalist.)	Annual meeting	Citizens serve staggered 6 year terms appoint 3 biennially	Texas
Chief Justice and one associate justice Supreme Court, one judge Court of Appeals; 3 District, 2 Circuit, 2 District and 2 Juvenile Court judges, two justice court judges, president of Utah Bar. All judges elected, except chief justice.	Annual	3 year terms	Utah
~	~	~	Vermont
Justices of Supreme Court, judges of Court of Appeals; Circuit Courts, and all retired justices and judges	Report as needed Special traffic	Term of office	Virginia
Judges of every general District Court, and Juvenile and Domestic Relations Courts	Annual meeting, special trial, laws session	Term of office	
One Judge from Court of Appeals, 6 Circuit Court judges, one General Circuit judge, one Juvenile and Domestic Relations judge, 2 attorneys, and chairman of Committees for Courts of Justice of Senate and House	Annually	4 year terms, maximum of 2 consecutive terms	
Speaker of House, chairman of House and Senate Judiciary Committees, 2 members of each Committees for Justice, one judge of Circuit Court, one Juvenile Domestic Relations District Court judge	Annual Report	Term of office	
All judges of courts of record and courts of limited jurisdiction	Annual meeting	Term of office	Washington
Chief Justice of Supreme Court, one judge of Court of Appeals, Superior Court and limited jurisdiction courts, 2 members of senate and house (different parties), 4 members of bar, the Attorney General	As needed	Appointed 2 years	
~	~	~	
~	~	~	West Virginia
Chief Justice of Supreme Court, one judge of the Court of Appeals, thirteen circuit judges, with one judge elected by the judges of each of judicial administrative districts, one municipal judge, two persons selected by the board of governors of the state bar, three non-lawyers, a public defender, a court administrator, a prosecutor, a clerk of court	At least quarterly; currently meeting monthly	Judges elected by Administrative District for 3 year terms, other members appointed for 3 year terms.	Wisconsin
Justices of Supreme Court, Court of Appeals, Circuit Court and reserve judges (a)	Annual meeting	Term of office	
20 members (b)	At least every 3 months	Appointed for 3 years, all others term of office	

Legend: ~=Not applicable

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

States:	Name	Authority	Purpose
Wyoming	Judicial Conference	Mutual agreement	Study matters relating to administration of justice.
	Judicial Council	Statute	Hold hearing on proposed rules and advise Supreme Court.
Puerto Rico	Judicial Conference	Supreme Court	Review the state of the administration of justice; promote the study of rules and procedures and make recommendations for improvement of the judicial system.
Federal Courts	Judicial Conference of the United States	28 USC @ 331	Survey condition of business in the courts and prepare plans for the assignment of judges. Promote uniformity of management procedures and expeditious conduct of the courts.
	Federal Courts Study Committee	102 Stat. 4644	Part of the Conference, to study the future of the Federal Judiciary.
	Judicial Councils of Circuits	28 USC @ 332	Ensure effective and expeditious administration of justice.

#### **FOOTNOTES:**

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

##### **Florida:**

(a)Chief Justice of Supreme Court, 8 District Court of Appeal judges, 8 Circuit Court judges, 3 County Court judges, one state attorney, one public defender, one clerk of the court, 4 members of Florida Bar, including the president of the Florida Bar, President of the Senate and Speaker of the House, General Council of the Governor, Attorney General, 6 members of the public, and 1 member of the Florida Conference of District Court of Appeals Judges.

##### **Indiana:**

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

##### **Kentucky:**

(a)Chief Justice of the Supreme Court; chief judge of the Court of Appeals; 4 circuit judges, and four district judges; president of the Kentucky Association of Circuit Court Clerks; 3 members of the State Bar of Kentucky, and the Chairman of the House and Senate Judiciary Committees.

##### **Louisiana:**

(a)Chief Justice of the Supreme Court, one associate justice, 2 Court of Appeal judges, 2 District Court judges, 1 member of the Louisiana City Judges Association, 1 member of the Juvenile and Family Court Judges Association, 2 members of Louisiana State Bar Association, a member of the Young Lawyers Section, 1 member of the Louisiana State Law Institute, 1 member of the House, one member of the Senate, a member of the Louisiana District Attorneys Association, 1 member of the Louisiana Clerk of Court Association, 1 non-attorney, and a non-voting secretary.

##### **New Jersey:**

(a)Supreme Court justices, presiding judges of Appellate Division of the Superior Court, assignment judges, the Presiding Judge of Tax Court and Chief Judge of the United States District Court for the District of New Jersey. Not more than 50 judges of the Superior Court, Tax Court, and Municipal Courts; President of the Senate, Speaker of the General Assembly, majority and minority leaders

and assistant leaders and chairmen of judiciary committees of the Senate and General Assembly; Attorney General Public Advocate, Administrative Director of the Courts, clerks of Supreme, Superior, and Tax Courts, chair of Board of Bar Examiners, chair of Committee on Character, Professional Ethics, Unauthorized Practice of Law, chair of trustees for the New Jersey Lawyer's Fund for Client Protection, the chair of the Ethics Financial Committee, 3 trial court administrators, the deans of all accredited law schools in New Jersey, 3 county prosecutors, 3 surrogates, 3 county clerks, 3 probation officers, 3 representatives of agencies of legal aid offices, officers of State Bar Association, and president of each county bar association and one other representative, and no more than 15 members of the general public.

##### **New York:**

(a)Chief Judge of Court of Appeals, presiding justice of appellate division of each judicial department, one trial justice of the Supreme Court for each court for each judicial department, one judge each: Court of Claims, County Court, Surrogate's Court, Family Court, Civil Court of New York City, the Criminal Court of New York City, one judge of a city outside NYC, one judge of a District Court, one justice of a Town or Village Court, and from each judicial department, one member of the bar of this state. Chairmen and ranking minority members of each of the committees on judiciary and on codes of the senate and assembly are ex officio members.

##### **Pennsylvania:**

(a)Chief Justice of Pennsylvania, 2 Justices of Supreme Court, Court Administrator, President Judge of Superior Court, President Judge of Commonwealth Court, President Judge of the Court of Common Pleas of Philadelphia and Allegheny counties, President of the Pennsylvania Conference of State Trial Judges, 3 judges of Court of Common Pleas, 1 judge not from Appellate or Court of Common Pleas, 3 non-judge members of the bar of the Supreme Court, 1 non-judge member of the bar of the Supreme court, 3 non-lawyers electors, 1 member of each the Senate and the House.

##### **South Carolina:**

(a)Chief Justice of the Supreme Court, two Circuit Court judges; 2 Family Court judges; 2 probate judges; Attorney General, dean or faculty member of Law School of University of South Carolina; president South Carolina Bar; Lieutenant Governor; Speaker of the House of Representatives; chairman of the Senate Finance Committee; chair of House Ways and Means Committee; chairmen of House and Senate Judiciary Committees, director of the

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

Composition	Frequency	Tenure	States: Wyoming
~ ~	~ ~	~ ~	
Justices and Former Justices of the Supreme court, Trial Court judges, secretary of justice and the attorney	Annual meeting	Term of office	Puerto Rico
The Chief Justice, the Chief Judge of each circuit, the chief judge of the Court of International Trade, and a district judge from each circuit	As needed	At the pleasure of the Chief Justice	Federal
Selected to represent varies interests	At the pleasure of the Chief Justice	~	
Chief judge of the circuit, equal number of circuit and district judges from each circuit	Biennial	Terms established by the circuit	

Legislative Council; 6 others, at least 4 of whom are members of the bar; two judges of Magistrate Courts and two masters-in-equity.

**Tennessee:**

(a)One judge from the: Supreme Court, Court of Appeals, Court of Criminal Appeals, Circuit Court judge, Criminal Court judge, General Sessions Court judge; one chancellor, the speaker of the Senate, chairman of House Judiciary Committee, Attorney General, Executive Secretary to Supreme Court, 2 layman, 2 members of bar of Tennessee who practiced law at least 3 years.

**Vermont:**

(a)Although authorized by statute the Council has not been called together for 20 years and has no function.

**Wisconsin:**

(a)One Supreme Court Justice, a Court of Appeals judge, Director of State Courts, 4 Circuit judges, chairpersons of the Senate and the Assembly Committees dealing with judicial affairs, Attorney General, revisor of statutes, deans of the law schools of the University of Wisconsin and Marquette University, the State Public Defender, president-elect of the state bar and 3 appointed bar members, 2 citizens at-large.

(b)Non-government employees receive \$200 per diem plus expenses,

**Table 16 -- Preparation and Submission of the Judicial Branch Budget**

States:	Who prepares initial budget submissions?	Is there a central judicial branch review of submissions?	To whom does preparer submit the judicial branch's budget?
Alabama	AOC(a)	~	Executive(a)
Alaska	Individual courts	AOC	Legislature
Arizona	Individual courts	AOC	Executive (a)
Arkansas	Individual courts	AOC	Legislature
California	AOC	~	Executive
Colorado	AOC(a)	~	Legislature
Connecticut	AOC	~	Executive(a)
Delaware	Individual courts and agencies(a)	Chief Justice via AOC	Legislature and Executive
District of Columbia	AOC	~	Executive(a)
Florida	Individual courts	AOC	Legislature and Executive(a)
Georgia	Individual courts and agencies	No	Executive(a)
Hawaii	Individual courts	AOC	Legislature
Idaho	Individual courts	Chief Justice	Legislature
Illinois	Supreme court with AOC assistance	~	Legislature
Indiana	Individual courts	No(a)	Legislature
Iowa	Individual courts	AOC	Legislature and Executive
Kansas	AOC	~	Executive
Kentucky	AOC under direction of Chief Justice	~	Legislature
Louisiana	Individual courts	AOC(a)	Legislature
Maine	AOC(a)	~	Legislature and Executive
Maryland	Individual courts	AOC	Executive(a)
Massachusetts	Individual courts	AOC submission to Supreme Judicial Court	Legislature(a)
Michigan	Individual courts and agencies	Chief Justice to executive for submission	Legislature
Minnesota	Individual courts	AOC	Executive
Mississippi	Supreme Court	Supreme Court	Legislature and Executive
Missouri	Individual courts and AOC(a)	Supreme Court	Executive(b)
Montana	AOC	No	Legislature
Nebraska	AOC	Supreme Court	Legislature
Nevada	AOC	~	Legislature
New Hampshire	Individual courts	AOC	Executive
New Jersey	Individual courts	AOC	Executive
New Mexico	Individual courts	No	Legislature and Executive
New York	Individual courts	AOC	Legislature and Executive
North Carolina	AOC(a)	~	Legislature and Executive(b)
North Dakota	Individual courts	AOC	Legislature
Ohio	Individual courts(a)	AOC	Legislature(b)
Oklahoma	Individual courts	AOC	Legislature
Oregon	Individual courts	AOC	Executive
Pennsylvania	Individual courts	AOC	Legislature and Executive(a)
Rhode Island	Individual courts	AOC	Executive

**Table 16 -- Preparation and Submission of the Judicial Branch Budget**

Can executive branch amend the judicial branch's budget request?	If yes, is the legislature aware of original court budget?	Is the judicial appropriation bill filed separately from the general appropriation bill?	What is the state's judicial budget period?	The state-funded portion of judicial budget is what % of total state budget?	States:
Yes (b)	Yes (c)	No	Annual, Oct-Sep	2.5 (d)	Alabama
No	~	No	Annual, Jul-Jun	1.2	Alaska
No (b)	~	No	Annual, Jul-Jun	2.2	Arizona
No	~	No	Annual, Jul-Jun	0.25	Arkansas
Yes(a)	Yes (b)	No	Annual, Jul-Jun	2.2 (c)	California
No	~	No	Annual, Jul-Jun	2	Colorado
Yes	Yes	No	Biennial, Jul-Jun	2	Connecticut
Yes (b)	Yes (c)	No	Annual, Jul-Jun(d)	2.9	Delaware
No (b)	~	No	Annual, Oct-Sep	2.6	District of Columbia
Yes(b)	Yes	No	Annual, Jul-Jun	0.5	Florida
No	~	No	Annual, Jul-Jun	0.72	Georgia
No	~	Yes	Biennial, Jul-Jun	8	Hawaii
No	~	Yes	Annual, Jul-Jun	1.58	Idaho
No	~	Yes	Annual, Jul-Jun	~	Illinois
No	~	Yes	Annual, Jul-Jun	(b)	Indiana
No(a)	~	Yes(b)	Annual, Jul-Jun	2.4	Iowa
Yes(a)	Yes	Yes	Annual, Jul-Jun	1	Kansas
No	~	Yes	Annual, Jul-Jun	2.1	Kentucky
No	~	Yes	Annual, Jul-Jun	0.4	Louisiana
No	Yes	~	Biennial	2	Maine
No	~	No	Annual, Jul-Jun	1.2	Maryland
No	~	No	Annual, Jul-Jun	2	Massachusetts
No	(a)	Yes(b)	Annual, Oct-Sep(c)	1.5(d)	Michigan
No(a)	Yes	No	Biennial Jul-Jun	0.75	Minnesota
No	~	Yes	Annual, Jul-Jun	1.05	Mississippi
Yes(c)	Yes	No(d)	Annual, Jul-Jun	1.59(e)	Missouri
No(a)	~	No	Biennial, Jul-Jun	1.57	Montana
Yes(a)	Yes	No	Biennial, Jul-Jun	2	Nebraska
No	~	No	Biennial, Jul-Jun	0.45	Nevada
No	~	No	Annual, Jul-Jun	1.6	New Hampshire
Yes(a)	Yes	No	Annual, Jul-Jun	0.69(b)	New Jersey
No	~	No	Annual, Jul-Jun	2.1	New Mexico
No	~	Yes	Annual, Mar-Apr	1	New York
Yes(c)	Yes	No(d)	Biennial(e)	2.96(f)	North Carolina
No	~	Yes	Biennial, Jul-Jun	1	North Dakota
No	~	No	Biennial, Jul-Jun	0.5	Ohio
No	~	Varies	Annual, Jul-Jun	0.94	Oklahoma
No	~	Yes	Biennial	2	Oregon
Yes (b)	Yes (c)	No	Annual, Jul-Jun	0.45	Pennsylvania
Yes	Yes	No	Annual, Jul-Jun	1.88	Rhode Island

Legend: ~=Not applicable

**Table 16 -- Preparation and Submission of the Judicial Branch Budget**

States:	Who prepares initial budget submissions?	Is there a central judicial branch review of submissions?	To whom does preparer submit the judicial branch's budget?
South Carolina	Individual courts	AOC(a)	Legislature
South Dakota	Individual courts	AOC	Executive(a)
Tennessee	AOC	Supreme Court(a)	Executive
Texas	Individual courts	AOC(a)	Legislature
Utah	Individual courts	Judicial Council	Legislature and Executive
Vermont	Individual courts	AOC(a)	Legislature and Executive
Virginia	Individual courts	(a)	Executive
Washington	AOC(a)	~	Executive
West Virginia	AOC	~	Executive(a)
Wisconsin	AOC(a)	Yes	Executive(b)
Wyoming	Individual courts with Fiscal Control Office of Supreme Court(a)	~	Legislature
Puerto Rico	AOC	~	Legislature

#### **FOOTNOTES:**

##### **Alabama:**

- (a)The AOC submits the budget to the executive branch for recommendation to the legislative branch.
- (b)The judicial budget is written into the general fund appropriation bill as recommended by the executive budget office.
- (c)The original judicial budget request is presented to the legislature during annual budget hearings.
- (d)The state operates on two budgets: The general fund (\$800 million) and the Alabama Special Education Trust Fund (\$3.5 billion). The ASETF is for education and the general fund is for all other state agencies.

##### **Arizona:**

- (a)A.R.S. 35-116.B states: "The judiciary and the legislature shall not be subject to the control of the governor in the preparing and submission of budgets, but such organizations shall submit the requests for appropriations for the ensuing fiscal year to the governor for review by the legislature."
- (b)While not formally making a recommendation, the governor, in order to propose a balanced budget, has included a target number for the judiciary which often is a continuation of the current year's appropriation.

##### **California:**

- (a)Can decide not to include specific items.
- (b)Packets are sent concurrently to executive and legislative branches.
- (c)Appellate courts and the AOC represent \$142 million of the \$49.7 billion and special fund budget, and \$756 million are net block grants.

##### **Colorado:**

- (a)Most of budgets are done by staffing models/patterns and formulas. Judicial district input has very limited impact. Budget is wholly prepared by AOC.

##### **Connecticut:**

- (a)AOC submits to executive, who submits to the legislature.

##### **Delaware:**

- (a)Each court and judicial agency submits a draft budget request to the Chief Justice through the AOC. The Chief Justice conducts internal hearings on each requested budget. Base budget items are generally continued from year to year. Major adjustments, enhancements, and new initiatives are prioritized by the Chief Justice for the entire court system after considering AOC recommendations. Requests not shown on the Chief Justice's prioritized listing must be struck by the court or office making the request. The adjusted budget requests are then filed electronically by each area.
- (b)The governor recommends all appropriations to the General Assembly.
- (c)The courts' budget requests are available to the General Assembly in that they receive copies of it. But it is the Governor's recommended budget that the General Assembly reviews together with the Judiciary's budget requests presented by the Chief Justice.
- (d)By law, the period is biennial, by practice it is annual.

##### **District of Columbia:**

- (a)Budget is submitted to the executive branch and U.S. Congress.
- (b)The mayor and council are authorized to provide comments and recommendations to the U.S. Congress.

##### **Florida:**

- (a)The Governor's office (executive) is provided with a copy of the budget(s) submitted to the legislature.
- (b)The Governor can amend the budget for technical changes to conform to preparation instructions. The Governor also makes independent recommendations to the legislature on the substance of the budget, but does not amend the original judicial branch budget.

##### **Georgia:**

- (a)State judicial agencies submit budgets to executive branch for inclusion in estimated financial needs of state. No amendments or comments are made before submission to the legislature.

**Table 16 -- Preparation and Submission of the Judicial Branch Budget**

Can executive branch amend the judicial branch's budget request?	If yes, is the legislature aware of original court budget?	Is the judicial appropriation bill filed separately from the general appropriation bill?	What is the state's judicial budget period?	The state-funded portion of judicial budget is what % of total state budget?	States:
No	~	No	Annual, Jul-Jun	0.0075	South Carolina
No(b)	~	No	Annual, Jul-Jun	1.3	South Dakota
Yes(b)	Yes	No	Annual, Jul-Jun	0.35	Tennessee
No	~	No	Biennial, Sep-Aug	0.32	Texas
No(a)	~	No	Annual, Jul-Jun	2.5	Utah
Yes(b)	Yes	No	Annual, Jul-Jun	2.2	Vermont
Yes(b)	Yes(c)	No(d)	Biennial, Jul-Jun	1.0	Virginia
No	~	No	Biennial, Jul-Jun	0.5	Washington
No	~	No(b)	Annual, Jul-Jun	1.7	West Virginia
Yes	No	No	Biennial, Jul-Jun	.7 (c)	Wisconsin
No	~	No(b)	Biennial, Jul-Jun	2	Wyoming
No	~	No	Annual, Jul-Jun	3.5	Puerto Rico

**Indiana:**

(a) Individual courts submit budgets to county commissioners. Only appellate level courts are wholly funded by the state. The state supreme court submits its budget directly to legislature.  
 (b) Information is insufficient to make an estimate.

**Iowa:**

(a) The executive branch cannot amend the judicial branch before it goes to the legislature.  
 (b) It is part of justice system appropriations bill which includes the Attorney General's office and corrections.

**Kansas:**

(a) The executive branch submits the budget along with its comments and recommendations.

**Louisiana:**

(a) Prior to each session of the legislature, the Judicial Budgetary Control Board submits a proposed budget for the judicial branch to the Supreme Court for its approval.

**Maine:**

(a) With input from individual courts.

**Maryland:**

(a) Certified to governor for submission, without change to Legislature.

**Massachusetts:**

(a) Supreme Judicial Court submits to legislature.

**Michigan:**

(a) The executive makes its own recommendation regarding the judicial budget as part of the total recommendation for all state government.  
 (b) There are approximately 17 separate bills used to enact a complete annual budget. The budget of the judiciary is included in one bill along with 7 other state agencies, the governor's office and the legislature.

(c) To date it has been an annual budget, however the executive has recommended going to a biennial budget beginning 10/1/94.

(d) This is the state general fund share.

**Minnesota:**

(a) The governor submits proposed budget which may not recommend funding of judicial branch budget initiatives.

**Missouri:**

(a) Individual trial courts submit budget requests for additional FTE judges to the AOC, which makes a recommendation to the Circuit Court Budget Committee, a committee of the supreme court, as to whether the request should be approved. Appellate courts, with the AOC, prepare their budget requests. The remainder of the budget requests is then prepared by the AOC, and submitted by the supreme court to the Governor's office and the legislature.  
 (b) The supreme court submits budget request for the judiciary to the Governor and legislature.  
 (c) The budget documents show the courts, requests, and the Governor's recommendations.  
 (d) There is no general appropriation bill. There are several bills; the judiciary's appropriation is included in one of them.  
 (e) This figure is from general revenue. If all funding sources are included, the percentage drops to .68%.

**Montana:**

(a) Trial courts are locally funded; supreme court is state-funded; and salaries of general jurisdiction courts are paid by the state.

**Nebraska:**

(a) In practice this is possible, although technically it is not.

**New Jersey:**

(a) Governor recommends a specific amount, including, excluding, or revising certain elements of the judiciary's request, but the entire judicial request is submitted to the legislature.  
 (b) This will change in 1994 with the implementation of state funding of the trial courts.

**Table 16 -- Preparation and Submission of the Judicial Branch Budget**

**North Carolina:**

- (a) AOC seeks advice and input from all components of the judicial department and prepares the budget. The budget is submitted to the executive and then to the legislature in accordance with the Executive Budget Act.
- (b) It is submitted to the legislature as a practice, and then formally to the executive branch.
- (c) As a matter of practice the executive branch can amend; however, the judicial branch presents its budget directly to the legislature.
- (d) In general this is no, for the continuation budget. As to the expansion budget, judicial branch appropriations may be placed, in whole or part, in a separated "omnibus courts" bill.
- (e) Biennial budgets are prepared for each "long session" of the General Assembly (odd numbered years), subject to revision in "short sessions" (even years); a separate budget is prepared for each year.
- (f) In 1991-1992, the General Fund appropriation for the operating expenses of the judicial branch was \$214,113,968; the total General Fund appropriation for the operating expenses of all departments and agencies of state government was \$7,268,823,057. (Appropriations from the "highway fund" for capital improvements and debt servicing are not included in the latter total).

**Ohio:**

- (a) The 12 district courts of appeals submit budgets for projected payroll expenses for staff paid by the state. The appellate budget is combined with the projection for the supreme court and submitted to the general assembly.
- (b) The judicial budget becomes a part of the Governor's executive budget that is submitted to the legislature, but this is a direct "pass through," no changes are made.

**Pennsylvania:**

- (a) The judiciary typically presents its budget to the legislature. In the past, it has also been submitted to the Governor (executive branch) who reviews and makes a funding recommendation to the legislature.
- (b) In a sense, the executive branch includes an amount in the commonwealth budget when it is presented to the legislature. The budget that is submitted to the legislature must be balanced. The judiciary still presents its own budget to the legislature.
- (c) The judiciary prepares its own budget document for submission to the legislature.

**South Carolina:**

- (a) The Chief Justice submits the budget to the legislature.

**South Dakota:**

- (a) Individual circuits (8 circuits in state) submit budgets to AOC, which in turn gives it to the supreme court which gives final approval of its budget. This budget is routed through the executive branch Bureau of Finance and Management for incorporation into total state budget, which goes to the legislature for enactment.
- (b) They can make recommendations, but hold no final authority over request.

**Tennessee:**

- (a) Prepared by the AOC, approved by the Supreme Court, submitted to the executive, and approved by the legislature and subject to amendment.
- (b) Executive may recommend amendments to courts' budgets.

**Texas:**

- (a) State Judicial Department's Comptroller of Public Accounts submits state-funded portion of the budgets for courts, other than the appellate courts, to the legislature.

**Utah:**

- (a) Governor may comment on requests and make recommendations, but may not change.

**Vermont:**

- (a) The governor submits a budget simultaneously.
- (b) The Chief Justice presents the judiciary's version.

**Virginia:**

- (a) Requests for personnel from individual courts (district) are reviewed by Committee on District Courts and approvals are submitted to executive branch for inclusion in governor's executive budget. Judgeships are reviewed by Committee on District Courts/Judicial Council and requested through legislative bills during sessions of the General Assembly. Other budget requests are approved by the committee on District Courts/Judicial Council and submitted to the executive branch for inclusion in the governor's executive budget. The state legislature approves judicial system's budget request as part of governor's executive budget. Requests to the executive branch which are not included in the governor's submission to the legislature are requested through legislative bills directly to the legislature.
- (b) The base budget and addendum requests are reviewed by the executive branch and recommendations for approvals/disapprovals/amendments are made.
- (c) Copies of original requests are submitted to finance committees in both houses.
- (d) This occurs only if items are excluded from executive budget.

**Washington:**

- (a) Superior court judges' salaries are submitted to the OAC budget and are based on the salaries set by the Commission on Salary for elected officials. The automation budget is prepared by the OAC and endorsed by the Judicial Information Systems Committee.

**West Virginia:**

- (a) AOC prepares budget and submits to state auditor.
- (b) Neither the governor nor the legislature can alter the judicial budget.

**Wisconsin:**

- (a) The state judicial budget includes the supreme court and court of appeals, as well as circuit judges' and court reporters' compensation.
- (b) The executive branch reviews and submits what they recommend.
- (c) .7% of the general fund; the judicial budget (all funds) is 0.85% of total state funds.

**Wyoming:**

- (a) Supreme Court's budget includes county court budgets and is prepared by the fiscal control office of supreme court, and submitted to the legislature without review by the AOC. District court's budgets are presented separately to legislature without review by the AOC.
- (b) The proposed judicial appropriation is usually included in one of 4 or 5 general appropriation bills.

**Table 17 -- Source of Trial Court Funding by Selected Expenditure Items**

States/Courts:	Court type	Trial Court Judge's Salary		Trial Court Administrator's Salary		Court Reporter's Salary		Other
		Source	State %	Source	State %	Source	State %	
Alabama								
Circuit Court	G	S/C(a)	100	S	100	S/C(a)	100	S
District Court	L	S/C(a)	100	S	100	S/C(a)	100	S
Municipal Court	L	M	0	M	0	M	0	~
Probate Court	L	M	0	M	0	M	0	~
Alaska								
Superior Court	G	S	100	S	100	~	~	S
District Court	L	S	100	S	100	~	~	S
Arizona								
Superior Court	G	S/C	50	C	0	C	0	C
Tax Court	G	S/C	50	C	0	C	0	C
Justice of the Peace	L	S/C	40	C	0	C	0	C
Municipal Court	L	M	0	M	0	M	0	M
Arkansas								
Circuit Court	G	S	100	C	0	S	100	C
Chancery & Probate Court	G	S	100	C	0	S	100	C
Municipal Court	L	C/M	0	C/M	0	C/M	0	C/M
City Court	L	M	0	~	~	~	~	M
Police Court	L	M	0	~	~	~	~	M
Court of Common Pleas	L	C	0	~	~	~	~	C
County Court	L	C	0	~	~	~	~	~
Justice of the Peace	L	C	0	~	~	~	~	~
California								
Superior Court	G	S	95	C	0	C	0	C
Municipal Court	L	S	95	C	0	C	0	C
Justice Court	L	S	95	C	0	C	0	C
Colorado(a)								
District Court	G	S	100	S	100	S	100	S
Denver Probate Court	G	S	100	S	100	S	100	S
Denver Juvenile Court	G	S	100	S	100	S	100	S
Water Court	G	S	100	S	100	S	100	S
County Court	L	S	100	S	100	S	100	S
Municipal Court	L	M	0	M	0	M	0	M
Connecticut								
Superior Court	G	S	100	S	100	S	100	S
Probate Court	L	F	0	S(b)	100(b)	F	0	~
Delaware(a)								
Court of Chancery	G	S	100	S	100	S	100	C/S
Superior Court	G	S	100	S	100	S	100	S
Justice of the Peace Court	L	S	100	S	100	~	~	S
Family Court	L	S	100	S	100	~	~	S

**Table 17 -- Source of Trial Court Funding by Selected Expenditure Items**

Salary	Clerk of Court Salary		Automation Equipment		Other Equipment		States/Courts:
	State %	Source	State %	Source	State %	Source	
100	S/C(a)	100	S	100	S	100	Alabama
100	S/C(a)	100	S	100	S	100	
~	M	0	M	0	M	0	
~	M	0	M	0	M	0	
100	S	100	S	100	S	100	Alaska
100	S	100	S	100	S	100	
0	C	0	S/C(a)	Varies	C	0	Arizona
0	C	0	S/C	Varies	C	0	
0	C	0	S/C(a)	Varies	C	0	
0	M	0	S/M(a)	Varies	M	0	
0	C	0	C	0	C	0	Arkansas
0	C	0	C	0	C	0	
0	C/M	0	C/M	0	C/M	0	
0	M	0	M	0	M	0	
0	M	0	M	0	M	0	Arkansas
0	C	0	C	0	C	0	
0	C	0	C	0	C	0	
0	C	0	C	0	C	0	
0	C	0	C	0	C	0	California
0	C	0	C	0	C	0	
0	C	0	C	0	C	0	
0	C	0	C	0	C	0	
100	S(b)	100	S	100	S	100	Colorado(a)
100	S(b)	100	S	100	S	100	
100	S(b)	100	S	100	S	100	
100	S(b)	100	S	100	S	100	
100	S(b)	100	S	100	S	100	
0	M	0	M	0	M	0	
100	S	100	S	100	S	100	Connecticut
0	F	0	F	0	F	0	
59	C(b)	0	S(b)(c)	100	S	100	Delaware
100	S(b)	100	S(b)(c)	100	S	100	
100	S(b)	100	S(b)(c)	100	S	100	
100	S(b)	100	S(b)(c)	100	S	100	

**Table 17 -- Source of Trial Court Funding by Selected Expenditure Items**

States/Courts:	Court type	Buildings		Travel Costs		General Operating Expenses		Indigent
		Source	State %	Source	State %	Source	State %	
Alabama								
Circuit Court	G	C	0	S	100	S(b)	100	S
District Court	L	C	0	S	100	S(b)	100	S
Municipal Court	L	M	0	M	0	M	0	~
Probate Court	L	M	0	M	0	M	0	~
Alaska								
Superior Court	G	S	100	S	100	S	100	~
District Court	L	S	100	S	100	S	100	~
Arizona								
Superior Court	G	C	0	C	0	C	0	C
Tax Court	G	C	0	C	0	C	0	C
Justice of the Peace Court	L	C	0	C	0	C	0	C
Municipal Court	L	M	0	M	0	M	0	M
Arkansas								
Circuit Court	G	C	0	S(a)	100	C	0	C
Chancery & Probate	G	C	0	S(a)	100	C	0	C
Municipal Court	L	M	0	~	~	M	0	C/M
City Court	L	M	0	~	~	M	0	M
Police Court	L	M	0	~	~	M	0	M
Court of Common Pleas	L	C	0	~	~	C	0	~
County Court	L	C	0	~	~	C	0	~
Justice of the Peace	L	C	0	~	~	C	0	~
California								
Superior Court	G	C	0	C	0	C	0	C
Municipal Court	L	C	0	C	0	C	0	C
Justice of the Peace Court	L	C	0	C	0	C	0	C
Colorado(a)								
District Court	G	C	0	S	100	S	100	S
Denver Probate Court	G	C	0	S	100	S	100	S
Denver Juvenile Court	G	C	0	S	100	S	100	S
Water Court	G	C	0	S	100	S	100	S
County Court	L	C	0	S	100	S	100	S
Municipal Court	L	M	0	M	0	M	0	M
Connecticut								
Superior Court	G	S	100	S	100	S	100	(a)
Probate Court	L	M	0	F	0	F	0	~
Delaware								
Court of Chancery	G	S	100	S	100	C/S	27	~
Superior Court	G	S	100	S	100	S	100	S(d)
Justice of the Peace Court	L	S	100	S	100	S	100	S(d)
Family Court	L	S	100	S	100	S	100	S(d)

**Table 17 -- Source of Trial Court Funding by Selected Expenditure Items**

Defense	Child Support Enforcement		Juvenile Probation/ Detention		Amount of State Funding		States/Courts:
	State %	Source	State %	Source	State %	\$	
Alabama	100	C	100	C	(c)	\$70,918,239	99
	100	C	100	C	(c)	(c)	(c)
	~	~	~	~	~	0	~
	~	~	~	~	~	0	0
Alaska	~	~	~	~	~	\$34,798,700 (a)	100
	~	~	~	~	~	(a)	100
Arizona	0	C(b)	0	C(c)	0	\$57,918,992(d)	29.8(e)
	0	~	~	~	~	\$0	0
	0	~	~	~	~	\$2,329,862	10.8
	0	~	~	~	~	\$241,477	0.06
Arkansas	0	C	0	C	0	\$6,299,886	UNK
	0	C	0	C	0	\$6,233,435	UNK
	0	~	~	~	~	UNK	UNK
	0	~	~	~	~	UNK	UNK
	0	~	~	~	~	UNK	UNK
	~	~	~	~	~	UNK	UNK
	~	~	~	~	~	UNK	UNK
	~	~	~	~	~	UNK	UNK
California	0	C	0	C	0	\$756,700,000 (a)	50.6
	0	C	0	C	0	(a)	(a)
	0	C	0	C	0	(a)	(a)
Colorado(a)	100	~	~	S	100	\$81,000,000(c)	100(d)
	100	~	~	S	100	(c)	100(d)
	100	~	~	S	100	(c)	100(d)
	100	~	~	S	100	(c)	100(d)
	100	~	~	S	100	(c)	100(d)
	0	~	~	M	0	\$0	0
Connecticut	(a)	S	100	S	100	\$68,850,000	100
	~	~	~	F	0	\$0	0
Delaware	~	~	~	~	~	\$1,543,700(c)	77.5(f)
	100	~	~	~	~	\$8,963,500(e)	98.8(f)
	100	~	~	~	~	\$7,522,300(e)	99.6(f)
	100	Fed	0	~	~	\$8,928,000(e)	81.8(f)

**Table 17 -- Source of Trial Court Funding by Selected Expenditure Items**

States/Courts:	Court type	Trial Court Judge's Salary		Trial Court Administrator's Salary		Court Reporter's Salary		Other
		Source	State %	Source	State %	Source	State %	
<b>Delaware (con't)</b>								
Court of Common Pleas	L	S (b)	100	S (b)	100	S(b)	100	S(b)
Alderman's Court	L	M	0	M	0	-	-	M
Municipal Court of Wilmington	L	M	0	M	0	-	-	M
<b>District of Columbia</b>	G	S	100	S	100	S	100	S
Superior Court	G	S	100	S	100	S	100	S
<b>Florida</b>								
Circuit Court	G	S	100	S/C	95	S/C	UNK	S/C
County Court	L	S	100	-	-	S/C	UNK	-
<b>Georgia</b>								
Superior Court	G	S/C	70-100	C	0	C(a)	2-3	C/S(b)
Juvenile Court	L	C	0	C	0	C	0	C
Civil Court	L	C	0	C	0	C	0	C
State Court	L	C	0	C	0	C	0	C
Probate Court	L	C	0	C	0	C	0	C
Magistrate Court	L	C	0	C	0	C	0	C
Municipal Court	L	M	0	M	0	M	0	M
County Recorder's Court	L	C	0	C	0	C	0	C
Municipal/City Court of Atlanta	L	M	0	M	0	M	0	M
<b>Hawaii</b>								
Circuit Court & Family Court	G	S	100	S	100	S	100	S
District Court	L	S	100	S	100	S	100	S
<b>Idaho</b>								
District Court	G	S	100	S	100	S	100	C
Magistrate Division	L	S	100	S	100	-	-	C
<b>Illinois</b>								
Circuit Court	G	S	100	S	100	S	100	S/C
<b>Indiana</b>								
Superior Court	G	S/C(a)	83-92	C(b)	0	C	0	S/C
Circuit Court	G	S/C(a)	83-92	C(b)	0	C	0	S/C
Probate Court	G	(a)	(a)	(b)	0	C	0	S/C
County Court	L	(a)	(a)	(b)	0	C	0	S/C
City Court	L	C	0	C	0	C	0	C
Town Court	L	C	0	C	0	C	0	C
Municipal Court of Marion	L	M	0	-	-	-	-	-
Small Claims Court of Marion	L	C	0	C	0	-	-	-
<b>Iowa</b>								
District Court	G	S	100	S	100	S	100	S
<b>Kansas</b>								
District Court	G	S	100	S	100	S	100	S
Municipal Court	L	M	0	M	0	M	0	M

**Table 17 -- Source of Trial Court Funding by Selected Expenditure Items**

Salary	Clerk of Court Salary		Automation Equipment		Other Equipment		States/Courts:
State %	Source	State %	Source	State %	Source	State %	
100	S(b)	100	S(c)	100	S	100	Delaware (con't)
0	M	0	M	0	M	0	
0	M	0	S/M	80	M	0	
100	S	100	S	100	S	100	District of Columbia
UNK	~	~	S/C	UNK	S/C	UNK	
~	C/F	0	S/C	UNK	S/C	UNK	
0-100	C	0	S/C	0-90	C	0	Georgia
0	C	0	C	0	C	0	
0	C	0	C	0	C	0	
0	C	0	C	0	C	0	
0	C	0	C	0	C	0	
0	C	0	C	0	C	0	
0	M	0	M	0	M	0	
0	C	0	C	0	C	0	
0	M	0	M	0	M	0	
100	S	100	S	100	S	100	Hawaii
100	S	100	S	100	S	100	
0	C	0	S(a)	100	C	0	Idaho
0	C	0	S	100	C	0	
25	S/C	10.5(a)	S/C	20	C	0	Illinois
3	C	0	S(c)	100	S/M(d)	10	
3	C	0	S(c)	100	S/M(d)	10	Indiana
0	C	0	S(c)	100	S/M(d)	10	
3	C	0	S(c)	100	S/M(d)	10	
0	C	0	~	~	~	~	
~	~	~	~	~	~	~	
~	~	~	~	~	~	~	
~	~	~	~	~	~	~	
100	S	100	S	100	S	100	Iowa
100	S	100	S/C	25/75	C	100	
0	M	0	M	0	M	0	Kansas

**Table 17 -- Source of Trial Court Funding by Selected Expenditure Items**

States/Courts:	Court type	Buildings		Travel Costs		General Operating Expenses		Indigent Source
		Source	State %	Source	State %	Source	State %	
<b>Delaware (con't)</b>								
Court of Common Pleas	L	S	100	S	100	S	100	S(d)
Alderman's Court	L	M	0	M	0	M	0	~
Municipal Court of Wilmington	L	M	0	M	0	M	0	S(h)
<b>District of Columbia</b>								
Superior Court	G	S	100	S	100	S	100	S
<b>Florida</b>								
Circuit Court	G	C	0	S/C	UNK	C	0	S/C
County Court	L	C	0	S/C	UNK	C	0	S/C
<b>Georgia</b>								
Superior Court	G	C	0	S/C	0-100	C	0	S/C(d)
Juvenile Court	L	C	0	S/C	(c)	C	0	C
Civil Court	L	C	0	S/C	(c)	C	0	C
State Court	L	C	0	S/C	(c)	C	0	C
Probate Court	L	C	0	S/C	(c)	C	0	C
Magistrate Court	L	C	0	S/C	(c)	C	0	C
Municipal Court	L	M	0	M	0	M	0	M
County Recorder's Court	L	C	0	C	0	C	0	C
Municipal/City Court of Atlanta	L	M	0	M	0	M	0	M
<b>Hawaii</b>								
Circuit Court & Family Court	G	S	100	S	100	S	100	S
District Court	L	S	100	S	100	S	100	S
<b>Idaho</b>								
District Court	G	C	0	S	100	C	0	C
Magistrate Division	L	C	0	S	100	C	0	C
<b>Illinois</b>								
Circuit Court	G	C	0	S	100	C	0	C
<b>Indiana</b>								
Superior Court	G	~	~	S	100	M	0	C
Circuit Court	G	~	~	S	100	M	0	C
Probate Court	G	~	~	S	100	C	0	~
County Court	L	~	~	S	100	C	0	~
City Court	L	C	0	C	0	C	0	~
Town Court	L	C	0	C	0	C	0	~
Municipal Court of Marion	L	M	0	M	0	M	0	~
Smaller Claims Court of Marion	L	M	0	M	0	M	0	~
<b>Iowa</b>								
District Court	G	S	100	S	100	S	100	~
<b>Kansas</b>								
District Court	G	C	100	S/C	85	C	100	S/C
Municipal Court	L	L	100	S/M	50	M	0	~

**Table 17 -- Source of Trial Court Funding by Selected Expenditure Items**

Defense	Child Support Enforcement		Juvenile Probation/ Detention		Amount of State Funding		States/Courts:
State %	Source	State %	Source	State %	\$	%	
100	0	~	0	~	\$2,756,100(f)	100(g)	Delaware (con't) Court of Common Pleas Alderman's Court Municipal Court of Wilmington
~	~	~	~	~	~	~	
100	~	~	~	~	UNK	UNK	
100	S	100	S	100	\$87,825,007	100	District of Columbia Superior Court
UNK	S/C	UNK	S/C	UNK	\$78,964,681 (e)	UNK(b)	Florida Circuit Court
UNK	S/C	UNK	S/C	UNK	\$34,067,256	UNK	
10	S/C(e)	~	(f)	~	(g)	~	Georgia Superior Court Juvenile Court Civil Court State Court Probate Court Magistrate Court Municipal Court County Recorder's Court Municipal/City Court of Atlanta
0	~	~	S/C	~	(g)	~	
0	~	~	~	~	(g)	~	
0	~	~	~	~	(g)	~	
0	~	~	~	~	(g)	~	
0	~	~	~	~	(g)	~	
0	~	~	~	~	(g)	~	
0	~	~	~	~	(g)	~	
0	~	~	~	~	(g)	~	
100	S	100	S	100	\$47,930,639	100	Hawaii Circuit Court & Family Court
100	S	100	S	100	\$16,381,316	100	
0	C	0	C	0	\$5,949,400	75.1	Idaho District Court
0	C	0	C	0	\$5,999,700	75.1	
0	S	25	S/C	25	UNK	UNK	Illinois Circuit Court
0	~	~	~	~	(e)	28(e)	Indiana Superior Court Circuit Court Probate Court County Court City Court Town Court Municipal Court of Marion Small Claims Court of Marion
0	~	~	~	~	\$34,797,471(e)	(e)	
~	~	~	~	~	(e)	(e)	
~	~	~	~	~	(e)	(e)	
~	~	~	~	~	\$0	0	
~	~	~	~	~	\$0	0	
~	~	~	~	~	\$0	0	
~	~	~	~	~	\$0	0	
~	~	~	S/C	75	\$69,500,000	100	Iowa District Court
65	S/C/F	UNK	S/C	90	\$72,800,000 (e)	80(b)	
~	~	~	~	~	\$0	0	

**Table 17 -- Source of Trial Court Funding by Selected Expenditure Items**

States/Courts:	Court type	Trial Court Judge's Salary		Trial Court Administrator's Salary		Court Reporter's Salary		Other
		Source	State %	Source	State %	Source	State %	
Kentucky								
Circuit Court	G	S	100	S	100	S	100	S
District Court	L	S	100	S	100	-	-	S
Louisiana(a)								
District Court	G	S	100	F	0	C	0	C
Juvenile & Family Courts	G	S	100	F	0	C	0	C
Justice of the Peace Court	L	M/F	0	-	-	-	-	F
Mayor's Court	L	M/F	0	-	-	-	-	F
City and Parish Courts	L	C/S/M	Varies	C/M	0	C/M	0	C/M/F
Maine								
Superior Court	G	S	100	S	100	S	100	S
District Court	L	S	100	S	100	-	-	S
Administrative Court	L	S	100	-	-	-	-	S
Probate Court	L	C	0	-	-	-	-	C
Maryland								
Circuit Court	G	S	100	S/C	11	S/C	1	S/C
District Court	L	S	100	S	100	S	100	S
Orphan's Court	L	C	0	-	-	C	0	C
Massachusetts								
Superior Court Dept.	G	S	100	S	100	S	100	S
District Court Dept.	G	S	100	S	100	S	100	S
Probate/Family Court Dept.	G	S	100	S	100	S	100	S
Juvenile Court Dept.	G	S	100	S	100	S	100	S
Housing Court Dept.	G	S	100	S	100	S	100	S
Boston Municipal Court Dept.	G	S	100	S	100	S	100	S
Land Court Dept.	G	S	100	S	100	S	100	S
Michigan								
Circuit Court	G	S/M	95	C	0	C	0	C
Recorder's Court of Detroit	G	S	100	S	100	S	100	S
Court of Claims	G	S	100	-	-	-	-	S
District Court	L	S/M	95	M/C	0	M/C	0	M/C
Probate Court	L	S/M	95	C	0	C	0	C
Municipal Court	L	S/M	95	M/C	0	M/C	0	M/C
Minnesota								
District Court	G	S	100	S	100	S	100	S
Mississippi								
Circuit Court	G	S(a)	100	C	0	C	0	C
Chancery Court	G	S	100	C	0	C	0	C
County Court	L	C	0	C	0	C	0	C
Family Court	L	C	0	C	0	C	0	C
Municipal Court	L	M	0	-	-	M	0	M

**Table 17 -- Source of Trial Court Funding by Selected Expenditure Items**

Salary	Clerk of Court Salary		Automation Equipment		Other Equipment		States/Courts:
			Source	State %	Source	State %	
State %	Source	State %	Source	State %	Source	State %	States/Courts:
100	S	100	S	100	S	100	Kentucky
100	S	100	S	100	S	100	Circuit Court
							District Court
0	F/C	0	F/C	0	F/C	0	Louisiana
0	C	0	F/C	0	F/C	0	District Court
0	~	0	M/F	0	M/F	0	Juvenile & Family Courts
0	~	~	M/F	0	M/F	0	Justice of the Peace Court
0	C/M	0	F/C/M	0	F/C/M	0	Mayor's Court
							City and Parish Courts
100	S	100	S	100	S	100	Maine
100	S	100	S	100	S	100	Superior Court
100	S	100	S	100	S	100	District Court
0	~	~	~	~	C	0	Administrative Court
							Probate Court
63.8	S	100	S/C	~	S/C	~	Maryland
100	S	100	S	100	S	100	Circuit Court
0	C	0	C	0	C	0	District Court
							Orphan's Court
100	S	100	S	100	S	100	Massachusetts
100	S	100	S	100	S	100	Superior Court Dept.
100	S	100	S	100	S	100	District Court Dept.
100	S	100	S	100	S	100	Probate/Family Court Dept.
100	S	100	S	100	S	100	Juvenile Court Dept.
100	S	100	S	100	S	100	Housing Court Dept.
100	S	100	S	100	S	100	Boston Municipal Court Dept.
100	S	100	S	100	S	100	Mand Court Dept.
0	C	0	C	0	C	0	Michigan
100	C	0	S/C	50	S	100	Circuit Court
100	~	~	C	0	C	0	Recorder's Court of Detroit
0	M/C	0	M/C	0	M/C	0	Court of Claims
0	C	0	C	0	C	0	District Court
0	M/C	0	M/C	0	M/C	0	Probate Court
							Municipal Court
100	C	0	S	90	S/C	80	Minnesota
							District Court
0	C	0	C	0	C	0	Mississippi
0	C	0	C	0	C	0	Circuit Court
0	C	0	C	0	C	0	Chancery Court
0	C	0	C	0	C	0	County Court
0	C	0	C	0	C	0	Family Court
0	M	0	M	0	M	0	Municipal Court

**Table 17 -- Source of Trial Court Funding by Selected Expenditure Items**

States/Courts:	Court type	Buildings		Travel Costs		General Operating Expenses		Indigent
		Source	State %	Source	State %	Source	State %	
Kentucky								
Circuit Court	G	S	100	S	100	S	100	~
District Court	L	S	100	S	100	S	100	~
Louisiana								
District Court	G	C	0	S/F	0	C	0	F
Juvenile & Family Courts	G	C	0	S/F	0	C	0	F
Justice of the Peace Court	L	C/M	0	M/F	0	M/F	0	M/F
Mayor's Court	L	M	0	M/F	0	M/F	0	M/F
City and Parish Courts	L	C/M	0	C/M/F	0	C/M	0	C/M/F
Maine								
Superior Court	G	S/C	(a)	S	100	S	100	S
District Court	L	S	100	S	100	S	100	S
Administrative Court	L	S	100	S	100	S	100	~
Probate Court	L	C	0	C	0	C	0	~
Maryland								
Circuit Court	G	M	~	S/M	75	S/M	2-4	S
District Court	L	S	100	S	100	S	100	S
Orphan's Court	L	M	~	M	~	M	~	~
Massachusetts								
Superior Court Dept.	G	S	100	S	100	S	100	S
District Court Dept.	G	S	100	S	100	S	100	S
Probate/Family Court Dept.	G	S	100	S	100	S	100	~
Juvenile Court Dept.	G	S	100	S	100	S	100	S
Housing Court Dept.	G	S	100	S	100	S	100	S
Boston Municipal Court Dept.	G	S	100	S	100	S	100	S
Land Court Dept.	G	S	100	S	100	S	100	~
Michigan								
Circuit Court	G	C	0	S/C	10	C	0	S/C
Recorder's Court of Detroit	G	C	0	S	100	S	100	C
Court of Claims	G	C	0	S	100	S	100	~
District Court	L	M/C	0	M/C/S	10	C	0	M/C
Probate Court	L	C	0	S/C	10	C	0	S/C
Municipal Court	L	M/C	0	M/C/S	10	C	0	M/C
Minnesota								
District Court	G	C	0	S(a)	100	C	0	S/C
Mississippi								
Circuit Court	G	C	0	S	100	C	0	C
Chancery Court	G	C	0	S	100	C	0	~
County Court	L	C	0	C	0	C	0	C
Family Court	L	C	0	C	0	C	0	C
Municipal Court	L	M	0	M	0	M	0	M

**Table 17 -- Source of Trial Court Funding by Selected Expenditure Items**

Defense	Child Support Enforcement		Juvenile Probation/ Detention		Amount of State Funding		States/Courts:
State %	Source	State %	Source	State %	\$	%	
~	~	~	~	~	\$12,940,000	100	Kentucky
~	~	~	~	~	\$10,810,400	100	
0	C	0	C	0	\$21,007,000(b)	Varies	Louisiana
0	C	0	C	0	\$1,457,000	Varies	
0	M/F	0	M/F	0	\$0	0	
0	M/F	0	M/F	0	\$0	0	
0	C/M	0	C/M	0	\$1,919,000	Varies	
100	~	~	~	~	\$11,740,000	100	
100	~	~	~	~	\$16,815,000	100	Maine
~	~	~	~	~	\$465,000	100	
~	~	~	~	~	UNK	0	
100	S/Fed	34	S	100	62,898,278	61.6(a)	Maryland
100	~	~	S	100	61,902,784	100(n)	
~	~	~	~	~	\$0	0	
100	S	100	S	100	\$29,042,871(a)	100(l)	
100	S	100	S	100	\$77,311,78	100	Massachusetts
~	S	100	S	100	\$16,279,804	100	
100	S	100	S	100	\$6,570,770	100	
100	S	100	S	100	\$1,947,197	100	
100	S	100	S	100	\$5,097,632	100	
~	~	~	~	~	\$2,001,444	100	
25	S/M	100	~	~	\$84,500,000(n)	(c)	Michigan
0	S	100	~	~	\$9,830,000	100	
0	~	~	~	~	\$440,600	(c)	
0	~	~	~	~	\$37,777,000(b)	(c)	
0	~	~	S/C	90	\$26,000,000	(c)	
0	~	~	~	~	(b)	(c)	
75	C	0	C	0	\$60,000,000	52	Minnesota
0	S/C	80	C	0	\$7,000,000(b)	70	
~	S/C	80	C	0	(b)	70	
0	C	0	C	0	\$0	0	
0	C	0	C	0	\$0	0	
0	~	~	~	~	\$0	0	
0	~	~	~	~	Mississippi		Mississippi
0	~	~	~	~	Circuit Court		
~	~	~	~	~	Chancery Court		
0	~	~	~	~	County Court		
0	~	~	~	~	Family Court		
0	~	~	~	~	Municipal Court		

**Table 17 -- Source of Trial Court Funding by Selected Expenditure Items**

States/Courts:	Court type	Trial Court Judge's Salary		Trial Court Administrator's Salary		Court Reporter's Salary		Other
		Source	State %	Source	State %	Source	State %	
Mississippi (con't)								
Justice Court	L	C/F	0	C/F	0	C/F	0	C/F
Missouri								
Circuit Court	G	S	100	C	0	S	100	S/C(a)
Municipal Court	L	M	0	~	~	~	~	M
Montana								
District Court	G	S	100	C	0	S/C	Varies	C
Workers' Compensation Court	G	S	100	S	100	C	0	S
Water Court	G	S	100	~	~	C	0	S
Justice of the Peace Court	L	C	0	C	0	C	0	C
Municipal Court	L	C	0	C	0	C	0	C
City Court	L	C	0	C	0	C	0	C
Nebraska								
District Court	G	S	100	C	0	S	100	C
Separate Juvenile Court	L	S	100	C	0	S	100	C
Worker's Compensation Court	L	S	100	S	100	S	100	S
County Court	L	S	100	S	100	S	100	S
Nevada								
District Court	G	S	100	C	0	C	0	C
Justice Court	L	C	0	C	0	C	0	C
Municipal Court	L	M	0	M	0	M	0	M
New Hampshire								
Superior Court	G	S	100	~	~	S	100	S
District Court	L	S	100	~	~	S	100	S
Municipal Court (a)	L	S	100	~	~	S	100	S
Probate Court	L	S	100	~	~	S	100	S
New Jersey								
Superior Court	G	S	100	S	100	S	100	S/C
Tax Court	L	S	100	S	100	~	~	S
Municipal Court	L	M	0	~	~	~	~	M
New Mexico								
District Court	G	S	100	S	100	S	100	S
Magistrate Court	L	S	100	S	100	S	100	S
Metropolitan Court-Bernalillo	L	S	100	S	100	S	100	S
Municipal Court	L	M	0	~	~	~	~	M
Probate Court	L	C	0	~	~	~	~	M
New York								
Supreme Court	G	S	100	S	100	S	100	S
County Court	G	S	100	S	100	S	100	S
Court of Claims	L	S	100	S	100	S	100	S
Surrogates' Court	L	S	100	S	100	S	100	S

**Table 17 -- Source of Trial Court Funding by Selected Expenditure Items**

Salary	Clerk of Court Salary		Automation Equipment		Other Equipment		States/Courts:
	State %	Source	State %	Source	State %	Source	State %
0	C/F	0	C/F	0	C/F	0	Mississippi (con't)
							Justice Court
99	S(b)	100	S/C	UNK	C	0	Missouri
0	M	0	M	0	M	0	Circuit Court
							Municipal Court
0	C	0	C	0	C	0	Montana
100	S	100	S	100	S	100	District Court
100	S	100	S	100	S	100	Workers' Compensation Court
0	C	0	C	0	C	0	Water Court
0	C	0	C	0	C	0	Justice of the Peace Court
0	C	0	C	0	C	0	Municipal Court
							City Court
0	C	0	C	0	C	0	Nebraska
0	C	0	C	0	C	0	District Court
100	S	100	S	100	S	100	Separate Juvenile Court
100	S	100	S	100	C	0	Worker's Compensation Court
							County Court
0	C	0	S	<10	C	0	Nevada
0	C	0	C	UNK	C	UNK	District Court
0	M	0	M	UNK	M	UNK	Justice Court
							Municipal Court
100	S	100	S	100	S	100	New Hampshire
100	S	100	S	100	S	100	Superior Court
100	S	100	S	100	S	100	District Court
100	S	100	S	100	S	100	Municipal Court
100	S	100	S	100	S	100	Probate Court
5	(a)	0	S/C	90	C	0	New Jersey
100	S	100	S	100	S	100	Superior Court
0	M	0	M	0	M	0	Tax Court
							Municipal Court
100	S	100	S	100	S	100	New Mexico
100	S	100	S	100	S	100	District Court
100	S	100	S	100	S	100	Magistrate Court
0	M	0	M	0	M	0	Metropolitan Court-Bernalillo
0	C	0	~	~	C	0	Municipal Court
							Probate Court
100	S	100	S	100	S	100	New York
100	S	100	S	100	S	100	Supreme Court
100	S	100	S	100	S	100	County Court
100	S	100	S	100	S	100	Court of Claims
100	S	100	S	100	S	100	Surrogates' Court

**Table 17 -- Source of Trial Court Funding by Selected Expenditure Items**

States/Courts:	Court type	Buildings		Travel Costs		General Operating Expenses		Indigent
		Source	State %	Source	State %	Source	State %	
Mississippi (con't)								
Justice Court	L	C/F	0	C/F	0	C/F	0	C/F
Missouri								
Circuit Court	G	C	0	S/C	(c)	C	0	S
Municipal Court	L	M	0	M	0	M	0	~
Montana								
District Court	G	C	0	S	100	C	0	S/C
Workers' Compensation Court	G	S	100	S	100	S	100	S/C
Water Court	G	S	100	S	100	S	100	~
Justice of the Peace Court	L	C	0	C	0	C	0	C
Municipal Court	L	C	0	C	0	C	0	C
City Court	L	C	0	C	0	C	0	C
Nebraska								
District Court	G	C	0	S	100	C	0	C
Separate Juvenile Court	L	C	0	S	100	C	0	C
Worker's Compensation Court	L	S/C	75	S	100	S	100	~
County Court	L	C	0	S	100	C	0	C
Nevada								
District Court	G	C	0	S	100	C	0	(a)
Justice Court	L	C	0	C	0	C	0	(a)
Municipal Court	L	M	0	M	0	M	0	(a)
New Hampshire								
Superior Court	G	S	100	S	100	S	100	~
District Court	L	S	100	S	100	S	100	~
Municipal Court	L	S	100	S	100	S	100	~
Probate Court	L	S	100	S	100	S	100	~
New Jersey								
Superior Court	G	C/S(b)	2	S/C	50	S/C	2,4	S(c)
Tax Court	L	S	100	S	100	S	100	~
Municipal Court	L	M	0	M	0	M	0	~
New Mexico								
District Court	G	C	0	S	100	S	100	S
Magistrate Court	L	S	100	S	100	S	100	S
Metropolitan Court-Bernalillo	L	S	100	S	100	S	100	S
Municipal Court	L	M	0	M	0	M	0	~
Probate Court	L	C	0	C	0	C	0	~
New York								
Supreme Court	G	S	100	S	100	S	100	S
County Court	G	S	100	S	100	S	100	S
Court of Claims	L	S	100	S	100	S	100	S
Surrogates' Court	L	S	100	S	100	S	100	S

**Table 17 -- Source of Trial Court Funding by Selected Expenditure Items**

Defense	Child Support Enforcement		Juvenile Probation/ Detention		Amount of State Funding		States/Courts:	
	State %	Source	State %	Source	State %	\$	%	
0	C/F	0	C/F	0		\$0	0	Mississippi (con't)
								Justice Court
100	S/C	95	S/C	UNK	\$61,114,207	60		Missouri
~	~	~	~	~	\$0	0		Circuit Court
								Municipal Court
Varies	S	100	C/S	Varies	\$2,400,000	100		Montana
Varies	S	100	C/S	Varies	Varies	100		District Court
~	~	~	~	~	530,000	100		Workers' Compensation Court
0	C	0	C	0	\$0	0		Water Court
0	C	0	C	0	\$0	0		Justice of the Peace Court
0	C	0	C	0	\$0	0		Municipal Court
								City Court
0	S/C	10	~	~	\$7,145,401 (a)	40		Nebraska
0	~	~	S	100	(a)	40		District Court
~	~	~	~	~	UNK	UNK		Separate Juvenile Court
0	~	~	S	100	\$9,159,167	80		Worker's Compensation Court
								County Court
UNK	(a)	UNK	(a)	UNK	\$4,840,000	<9.0		Nevada
UNK	(a)	UNK	(a)	UNK	UNK	UNK		District Court
UNK	(a)	UNK	(a)	UNK	UNK	UNK		Justice Court
								Municipal Court
~	~	~	~	~	\$15,894,000	100		New Hampshire
~	~	~	~	~	\$11,898,000	100		Superior Court
~	~	~	~	~	\$11,898,000	100		District Court
~	~	~	~	~	\$2,796,000	100		Municipal Court
								Probate Court
100	C/S	5.6	(d)	~	\$48,288,822	19.5		New Jersey
~	~	~	~	~	\$1,807,301	100		Superior Court
~	~	~	~	~	\$0	0		Tax Court
								Municipal Court
100	S	100	S	100	\$20,756,800	100		New Mexico
100	S	100	S	100	\$8,008,700	100		District Court
100	S	100	S	100	\$7,389,800	100		Magistrate Court
~	~	~	~	~	\$0	0		Metropolitan Court-Bernalillo
~	~	~	~	~	\$0	0		Municipal Court
								Probate Court
100	S	100	S	100	\$297,891,688(a)	100		New York
100	S	100	S	100	(a)	100		Supreme Court
100	S	100	S	100	\$7,760,901	100		County Court
100	S	100	S	100	\$24,916,398	100		Court of Claims
								Surrogates' Court

**Table 17 -- Source of Trial Court Funding by Selected Expenditure Items**

States/Courts:	Court type	Trial Court Judge's Salary		Trial Court Administrator's Salary		Court Reporter's Salary		Other
		Source	State %	Source	State %	Source	State %	
New York (con't)								
Family Court (NYC)	L	S	100	S	100	S	100	S
District Court	L	S	100	S	100	S	100	S
City Court	L	S	100	S	100	S	100	S
NYC Civil Court	L	S	100	S	100	S	100	S
NYC Criminal Court	L	S	100	S	100	S	100	S
Family Court (outside NYC)	L	S	100	S	100	S	100	S
Town and Village Justice Court	L	M	0	~	~	~	~	M
North Carolina								
Superior Court	G	S	100	S	100	S	100	S
District Court	L	S	100	S	100	S	100	S
North Dakota								
District Court	G	S	100	S	100	S	100	S
County Court	L	C	0	~	~	C	0	C
Municipal Court	L	M	0	~	~	~	~	M
Ohio (a)								
Court of Common Pleas	G	S/C(a)	90-95	C	0	C	0	C
Municipal Court	L	S/C/M	Varies	(a)	~	(a)	~	(a)
County Court	L	C	0	C	0	C	0	C
Court of Claims	L	S/C	Varies	(a)	~	(a)	~	(a)
Mayors Court	L	M	0	M	0	M	0	M
Oklahoma								
District Court	G	S	100	S	100	S	100	S
Municipal Court	L	M	0	~	~	M	0	UNK
Municipal Criminal Court	L	M	0	~	~	M	0	UNK
Worker's Compensation Court	L	S	100	S	100	S	100	S
Court of Tax Review	L	S	100	~	~	~	~	~
Oregon								
Circuit Court	G	S	100	S	100	S	100	S
Tax Court	G	S	100	~	~	S	100	S
County Court	L	C	0	C	0	C	0	C
Justice Court	L	C	0	C	0	C	0	C
District Court	L	S	100	(a)	(a)	(a)	(a)	(a)
Municipal Court	L	M	0	M	0	M	0	M
Pennsylvania								
Court of Common Pleas	G	S	100	(a)	~	(a)	~	(a)
District Justice Court	L	S	100	(a)	~	(a)	~	(a)
Philadelphia Municipal Court	L	S	100	(a)	~	(a)	~	(a)
Philadelphia Traffic Court	L	S	100	(a)	~	(a)	~	(a)
Pittsburgh City Magistrates	L	M	0	~	~	~	~	~

**Table 17 -- Source of Trial Court Funding by Selected Expenditure Items**

Salary	Clerk of Court Salary		Automation Equipment		Other Equipment		States/Courts:
	State %	Source	State %	Source	State %	Source	
100	S	100	S	100	S	100	New York (con't)
100	S	100	S	100	S	100	
100	S	100	S	100	S	100	
100	S	100	S	100	S	100	
100	S	100	S	100	S	100	
100	S	100	S	100	S	100	
0	M	0	M	0	M	0	
100	S	100	S	100	S	100	North Carolina
100	S	100	S	100	S	100	
0	C	0	S	100	S	100	
0	C	0	C/S	50	C	0	North Dakota
0	M	0	M	0	M	0	
0	M	0	M	0	M	0	
0	C	0	C	0	C	0	Ohio
~	(a)	~	(a)	~	(a)	~	
0	C	0	C	0	C	0	
~	(a)	~	(a)	~	(a)	~	
0	M	0	M	0	M	0	
100	C	0	F	0	F	0	Oklahoma
~	UNK	~	UNK	~	UNK	~	
~	UNK	~	UNK	~	UNK	~	
100	UNK	~	UNK	~	UNK	~	
~	~	~	~	~	~	~	
100	S	100	S	100	S	100	Oregon
100	~	~	S	100	S	100	
0	C	0	C	0	C	0	
0	C	0	C	0	C	0	
(a)	(a)	(a)	(a)	(a)	(a)	(a)	
0	M	0	M	0	M	0	
~	(a)	~	(a)	~	(a)	~	Pennsylvania
~	(a)	~	(a)	~	(a)	~	
~	(a)	~	(a)	~	(a)	~	
~	(a)	~	(a)	~	(a)	~	
~	~	~	~	~	~	~	
~	~	~	~	~	~	~	

**Table 17 -- Source of Trial Court Funding by Selected Expenditure Items**

States/Courts:	Court type	Buildings		Travel Costs		General Operating Expenses		Indigent
		Source	State %	Source	State %	Source	State %	
New York (con't)								
Family Court (NYC)	L	S	100	S	100	S	100	S
District Court	L	S	100	S	100	S	100	S
City Court	L	S	100	S	100	S	100	S
NYC Civil Court	L	S	100	S	100	S	100	S
NYC Criminal Court	L	S	100	S	100	S	100	S
Family Court (outside NYC)	L	S	100	S	100	S	100	S
Town and Village Justice Court	L	M	0	M	0	M	0	M
North Carolina								
Superior Court	G	C/M/F	(a)	S	100	S	100	S
District Court	L	M/F	(a)	S	100	S	100	S
North Dakota								
District Court	G	C	0	S	100	S	100	S
County Court	L	C	0	C/S	10	C	0	C
Municipal Court	L	M	0	-	-	M	0	M
Ohio								
Court of Common Pleas	G	C	0	C	0	C	0	-
Municipal Court	L	(a)	-	(a)	-	(a)	-	-
County Court	L	C	0	C	0	C	0	-
Court of Claims	L	(a)	-	(a)	-	(a)	-	-
Mayors Court	L	M	0	M	0	M	0	-
Oklahoma								
District Court	G	C	0	S	100	F	0	S/F
Municipal Court	L	UNK	-	UNK	-	UNK	-	UNK
Municipal Criminal Court	L	UNK	-	UNK	-	UNK	-	UNK
Worker's Compensation Court	L	UNK	-	UNK	-	UNK	-	-
Court of Tax Review	L	-	-	-	-	-	-	-
Oregon								
Circuit Court	G	C	0	S	100	S	100	S
Tax Court	G	C	0	S	100	S	100	-
County Court	L	C	0	C	0	C	0	C
Justice Court	L	C	0	C	0	C	0	C
District Court	L	(a)	(a)	(a)	(a)	(a)	(a)	(a)
Municipal Court	L	M	0	M	0	M	0	M
Pennsylvania								
Court of Common Pleas	G	(a)	-	(a)	-	(a)	-	-
District Justice Court	L	(a)	-	(a)	-	(a)	-	-
Philadelphia Municipal Court	L	(a)	-	(a)	-	(a)	-	-
Philadelphia Traffic Court	L	(a)	-	(a)	-	(a)	-	-
Pittsburgh City Magistrates	L	-	-	-	-	-	-	-

**Table 17 -- Source of Trial Court Funding by Selected Expenditure Items**

Defense	Child Support Enforcement		Juvenile Probation/ Detention		Amount of State Funding		States/Courts:	
State %	Source	State %	Source	State %	\$	%		
100	S	100	S	100	\$35,046,812	100	New York (con't)	
100	S	100	S	100	\$26,099,645	100		
100	S	100	S	100	\$16,181,722	100		
100	S	100	S	100	\$49,419,348(b)	100		
100	S	100	S	100	\$65,802,667	100		
100	S	100	S	100	\$82,691,309	100		
0	M	0	M	0	\$21,159,187	0		
Family Court (NYC)								
District Court								
City Court								
NYC Civil Court								
NYC Criminal Court								
Family Court (outside NYC)								
Town and Village Justice Court								
North Carolina								
100	(b)	~	S	(c)	\$20,272,639(d)	100	Superior Court	
100	(b)	~	S	(c)	\$98,576,178(d)	100		
District Court								
100	S/C	60	S	100	\$8,000,000	90	North Dakota	
0	C	0	~	~	\$3,500,000	5		
0	~	~	~	~	\$0	0		
Municipal Court								
Ohio								
~	~	~	~	~	\$30,000,000	UNK	Court of Common Pleas	
~	~	~	~	~	\$4,100,000	UNK		
~	~	~	~	~	\$0	~		
~	~	~	~	~	UNK	UNK		
~	~	~	~	~	0	~		
Municipal Court								
County Court								
Court of Claims								
Mayors Court								
Oklahoma								
33	S	100	S	100	\$14,143,609	59	District Court	
~	UNK	~	UNK	~	\$0	0		
~	UNK	~	UNK	~	\$0	0		
~	~	~	~	~	UNK	~		
~	~	~	~	~	UNK	~		
Municipal Court								
Municipal Criminal Court								
Worker's Compensation Court								
Court of Tax Review								
Oregon								
100	~	~	~	~	\$130,512,217	100	Circuit Court	
~	~	~	~	~	\$614,906	100		
0	~	~	~	~	\$0	0		
0	~	~	~	~	\$0	0		
(a)	(a)	(a)	(a)	(a)	(a,b)	100		
0	~	~	~	~	\$0	0		
County Court								
Justice Court								
District Court								
Municipal Court								
Pennsylvania								
~	~	~	~	~	\$42,665,149(b)	UNK	Court of Common Pleas	
~	~	~	~	~	\$32,381,509(d)	UNK		
~	~	~	~	~	\$3,044,000(e)	UNK		
~	~	~	~	~	\$400,431(e)	UNK		
~	~	~	~	~	UNK	UNK		
District Justice Court								
Philadelphia Municipal Court								
Philadelphia Traffic Court								
Pittsburgh City Magistrates								

**Table 17 -- Source of Trial Court Funding by Selected Expenditure Items**

States/Courts:	Court type	Trial Court Judge's Salary		Trial Court Administrator's Salary		Court Reporter's Salary		Other
		Source	State %	Source	State %	Source	State %	
Rhode Island								
Superior Court	G	S	100	S	100	S	100	S
Workers' Compensation Court	G	S	100	S	100	S	100	S
District Court(a)	L	S	100	S	100	S	100	S
Family Court	L	S	100	S	100	S	100	S
Probate Court	L	M	0	-	-	-	-	M
Municipal Court	L	M	0	-	-	-	-	M
South Carolina								
Circuit Court	G	S	100	-	-	S	100	C
Family Court	L	S	100	-	-	S	100	C
Magistrate Court	L	C	0	-	-	C	0	C
Probate Court	L	C	0	-	-	C	0	C
Municipal Court	L	M	0	-	-	M	0	M
South Dakota								
Circuit Court	G	S(a)	100	S(a)	100	S(a)	100	S(a)
Tennessee								
Circuit Court	G	S	100(a)	S	100	S	100	S/M
Chancery Court	G	S	100	S	100	-	-	S/M
Probate Court	G	S	100	S	100	-	-	S/M
Criminal Court	G	S	100	S	100	S	100	S/M
Juvenile Court	L	M	0	M	0	-	-	M
Municipal Court	L	M	0	-	-	-	-	M
General Sessions Court	L	M	0	M	0	-	-	M
Texas								
District Courts	G	S/C	92	C	0	C	0	C
Constitutional County Court	L	C	0	C	0	C	0	C
County Courts at Law	L	C	0	C	0	C	0	C
Justice of the Peace Court	L	C	0	C	0	C	0	C
Municipal Court	L	M	0	M	0	M	0	M
Statutory Probate Court	L	C	0	C	0	C	0	C
Utah								
District Court	G	S	100	S	100	S	100	S
Circuit Court	L	S	100	S	100	-	-	-
Justice Court	L	C/M	-	-	-	-	-	-
Juvenile Court	L	S	100	S	100	-	-	-
Vermont								
Superior Court	G	S	100	-	-	S	100	M
District Court	G	S	100	-	-	S	100	S
Family Court	G	S(a)	100	-	-	S	100	S
Probate Court	L	S	100	-	-	S	100	S
Environmental Court	L	S	100	-	-	S	100	-

**Table 17 -- Source of Trial Court Funding by Selected Expenditure Items**

Salary	Clerk of Court Salary		Automation Equipment		Other Equipment		States/Courts:
	State %	Source	State %	Source	State %	Source	
100	S	100	S	100	S	100	Rhode Island
100	S	100	S	100	S	100	
100	S	100	S	100	S	100	
100	S	100	S	100	S	100	
0	M	0	M	0	M	0	
0	M	0	M	0	M	0	
0	C	0	S/C	50	C	0	South Carolina
0	C	0	S/C	50	C	0	
0	-	-	C	0	C	0	
0	C	0	S/C	50	C	0	
0	M	0	M	0	M	0	
100	S(a)	100	S	100	S	100	South Dakota
97	M	0	S/M	85	S/M	85	
97	M	0	S/M	85	S/M	85	
97	M	0	S/M	85	M	85	
97	M	0	S/M	85	S/M	85	
0	M	0	M	0	M	0	
0	M	0	M	0	M	0	Tennessee
0	M	0	M	0	M	0	
0	C	0	C	0	C	0	Texas
0	C	0	C	0	C	0	
0	C	0	C	0	C	0	
0	C	0	C	0	C	0	
0	M	0	M	0	M	0	
0	C	0	C	0	C	0	
100	S	100	S	100	S	100	Utah
-	-	-	-	-	-	-	
-	-	-	-	-	-	-	
-	-	-	-	-	-	-	
0	S	100	M	0	M	0	Vermont
100	S	100	S	100	S	100	
100	S	100	S	100	S	100	
100	S	100	M	0	M	0	
-	S	100	S	100	S	100	

**Table 17 -- Source of Trial Court Funding by Selected Expenditure Items**

States/Courts:	Court type	Buildings		Travel Costs		General Operating Expenses		Indigent
		Source	State %	Source	State %	Source	State %	
Rhode Island								
Superior Court	G	S	100	S	100	S	100	S
Workers' Compensation Court	G	S	100	S	100	S	100	S
District Court	L	S	100	S	100	S	100	S
Family Court	L	S	100	S	100	S	100	S
Probate Court	L	M	0	M	0	M	0	-
Municipal Court	L	M	0	M	0	M	0	-
South Carolina								
Circuit Court	G	C	0	S	100	C	0	S/C
Family Court	L	C	0	S	100	C	0	S/C
Magistrate Court	L	C	0	C	0	C	0	S/C
Probate Court	L	C	0	C	0	C	0	S/C
Municipal Court	L	M	0	M	0	M	0	S/C/M
South Dakota								
Circuit Court	G	C	-	S	100	S	100	C(b)
Tennessee								
Circuit Court	G	M	0	S	100	S/M	95	S/M
Chancery Court	G	M	0	S	100	S/M	95	S/M
Probate Court	G	M	0	S	100	S/M	95	S/M
Criminal Court	G	M	0	S	100	S/M	95	S/M
Juvenile Court	L	M	0	M	0	M	0	-
Municipal Court	L	M	0	M	0	M	0	-
General Sessions Court	L	M	0	M	0	M	0	-
Texas								
District Courts	G	C	0	C	0	C	0	C
Constitutional County Court	L	C	0	C	0	C	0	C
County Courts at Law	L	C	0	C	0	C	0	C
Justice of the Peace Court	L	C	0	C	0	C	0	C
Municipal Court	L	M	0	M	0	M	0	M
Statutory Probate	L	C	0	C	0	C	0	C
Utah								
District Court	G	S	100	S	100	S	100	C
Circuit Court	L	S	100	S	100	S	100	-
Justice Court	L	C/M	0	C/M	0	C/M	0	-
Juvenile Court	L	S	100	S	100	S	100	-
Vermont								
Superior Court	G	M	0	S	100	S	100	-
District Court	G	S	100	S	100	S	100	-
Family Court	G	S	100	S	100	S	100	-
Probate Court	L	M	0	S	100	S	100	-
Environmental Court	L	S	100	S	100	S	100	-

**Table 17 -- Source of Trial Court Funding by Selected Expenditure Items**

Defense	Child Support Enforcement		Juvenile Probation/ Detention		Amount of State Funding		States/Courts:
	State %	Source	State %	Source	State %	\$	
Rhode Island	100	S	100	S	100	\$9,476,597	100
	100	S	100	S	100	\$8,291,228	100
	100	S	100	S	100	\$4,193,904	100
	100	S	100	S	100	\$3,467,197	100
	~	~	~	~	~	\$0	0
	~	~	~	~	~	\$0	0
South Carolina							Rhode Island
							Superior Court
							Workers' Compensation Court
							District Court
							Family Court
							Probate Court
South Dakota							Municipal Court
							South Carolina
							Circuit Court
							Family Court
							Magistrate Court
							Probate Court
Tennessee							Municipal Court
							South Dakota
							Circuit Court
							Chancery Court
							Probate Court
							Criminal Court
Texas							Juvenile Court
							Municipal Court
							General Sessions Court
							Tennessee
							District Courts
							Constitutional County Court
Utah							County Courts at Law
							Justice of the Peace Court
							Municipal Court
							Statutory Probate
							Superior Court
							District Court
Vermont							Circuit Court
							Justice Court
							Juvenile Court
							Superior Court
							District Court
							Family Court
Environmental Court							Probate Court
							Probate Court
							Environmental Court
							Environmental Court
							Environmental Court
							Environmental Court

**Table 17 -- Source of Trial Court Funding by Selected Expenditure Items**

States/Courts:	Court type	Trial Court Judge's Salary		Trial Court Administrator's Salary		Court Reporter's Salary		Other Source
		Source	State %	Source	State %	Source	State %	
<b>Virginia</b>								
Circuit Court	G	S	100	C	0	~	~	C/M/S
District Court	L	S	100	~	~	~	~	S
<b>Washington</b>								
Superior Court	G	S/C(a)	50	C	0	C	0	C
District Court	L	C	0	C	0	~	~	C
Municipal Court	L	M	0	M	0	~	~	M
<b>West Virginia(a)</b>								
Circuit Court	G	S	100	S	100	S	100	S
Magistrate Court	L	S	100	~	~	~	~	S
Municipal Court	L	M	0	~	~	~	~	M
<b>Wisconsin</b>								
Circuit Court	G	S	100	S	100	S	100	C
Municipal Court	L	M	0	~	~	~	~	M
<b>Wyoming</b>								
District Court	G	S	100	~	~	S	100	S
Justice of the Peace Court	L	C	0	~	~	~	~	C
Municipal Court	L	M	0	~	~	~	~	M
County Court	L	S	100	~	~	~	~	S
<b>Puerto Rico</b>								
Superior Court	G	S	100	S	100	S	100	S
District Court	L	S	100	S	100	S	100	S
Municipal Court	L	S	100	S	100	S	100	S

#### FOOTNOTES:

##### Alabama:

- (a)Some counties provide supplemental salaries.
- (b)County provides local telephone lines and charges.
- (c)Circuit and district courts are combined, and unable to separate costs.

##### Alaska:

- (a)Trial courts are comprised of the superior and district courts. Budget information is not accumulated at the superior court or district court level, therefore it is not possible to separate costs.

##### Arizona:

- (a)This is statewide assistance for automation in progress; percent varies.
- (b)Federal funds are available for child support as well.
- (c)Some state funds go for juvenile treatment, including probation and detention.
- (d)This includes all state funds and grants.
- (e)Superior court percentage does not include \$1,537,036 in federal funds.

##### Arkansas:

- (a)Travel expenses include court reporters.

##### California:

- (a)Unable to separate costs for the superior, municipal and justice courts.

##### Colorado:

- (a)Cannot separate district and county court costs and some have combined clerks of court offices. Districts and therefore district administrators have 1-7 counties in their districts.
- (b)Clerks of court salaries are included in other trial courts' personnel salaries.
- (c)Cannot separate costs. The amount shown does not include \$27,256,642 state expenditure on juvenile and adult probation.
- (d)With exception of building costs.

##### Connecticut:

- (a)Indigent defense is not paid by judicial branch, and public defenders are an agency.
- (b)Salary and benefits are paid by judicial branch but these sums are reimbursed from fees collected.

##### Delaware:

- (a)All court facilities are state owned, none are court owned.
- (b)Salaries shown do not include employment costs.
- (c)Most court automation purchases are made from appropriations to the AOC's office for specific projects.

**Table 17 -- Sources of Trial Court Funding by Selected Expenditure Items**

Salary	Clerk of Court Salary		Automation Equipment		Other Equipment		States/Courts:
	State %	Source	State %	Source	State %	Source	State %
80	S	100	C/M/S	90	C/M	0	Virginia
	S	100	S	100	C/M	0	
100	C	0	S/C	50	C	0	Washington
	C	0	S/C	50	C	0	
	M	0	S/M	50	M	0	
0	C	0	S/C	20	S/C	40	West Virginia
	S	100	S	100	S	100	
	M	0	M	0	M	0	
100	C	0	F	0	C	0	Wisconsin
	S	100	M	0	M	0	
	M	0					
0	C	0	C	0	C	0	Wyoming
	C	0	S	100	C	0	
	M	0	M	0	M	0	
100	S	100	S	100	S	100	District Court
0	C	0					Justice of the Peace Court
	S	100					
	M	0					
100	S	100	S	100	S	100	Municipal Court
100	S	100	S	100	S	100	County Court
100	S	100	S	100	S	100	Puerto Rico
100	S	100	S	100	S	100	Superior Court
100	S	100	S	100	S	100	District Court
100	S	100	S	100	S	100	Municipal Court

(d)The Public Defenders' Office is responsible for indigent defense except when there is a conflict in that office. Conflict indigent defense money is appropriated to the AOC's and those billings are paid by the AOC. The amounts in each court are representative of the costs incurred for that jurisdiction in an average fiscal year.  
 (e)This includes personnel costs, funds are received as reimbursement for expenses incurred.  
 (f)The estimated total expenses include employment costs and are for the fiscal year 1992.  
 (g)In general, fees and costs collected by Delaware courts go into the state's general fund. In addition to the state general fund appropriations, most Delaware courts have federal funding for certain functions or projects.  
 (h)Indigent defense in the city of Wilmington Municipal Court is provided by the State Public Defender's Office.

**Florida:**

(a)This amount is the general appropriations (1992-93) authorized by the 1992 legislature.  
 (b)Percent cannot be determined since 67 counties do not have adequate data.

**Georgia:**

(a)State provides only a contingent expense allowance.  
 (b)Most personnel are 100% county paid.

(c)Educational travel expenses are paid by the state; other travel is paid by the county.

(d)State appropriated funds and interest on lawyer trust account funds are state funds.

(e)Child support enforcement are state funds to DHR administrative enforcement, special attorney general, and county funds for DA child support and staff and receiver.

(f)Juvenile probation: state funds for Human Resources, Department of Children and Youth; county funds for some staff.

(g)State is not able to estimate total expenses.

**Idaho:**

(a)Automation: state has fully automated 37 of 44 courts statewide. The remaining 7 counties are partially automated, two paid for by county. (The entire state should be automated in 2 years.)

**Illinois:**

(a)The state pays a stipend of \$3,500 per year to the clerks of the court, whole overall salary is set by their county board.

**Indiana:**

(a)Judges' salaries: state funded amount of trial judges salaries is \$18,339,162 (no breakdown between courts). County funded amount is \$4,007,398 (this is only for courts of record i.e., circuit, superior, probate, county municipal). Local funded amount is \$0.

**Table 17 -- Sources of Trial Court Funding by Selected Expenditure Items**

States/Courts:	Court type	Buildings		Travel Costs		General Operating Expenses		Indigent
		Source	State %	Source	State %	Source	State %	
<b>Virginia</b>								
Circuit Court	G	C/M	-	S	100	S/C/M(a)	80	S
District Court	L	C/M	-	S	100	S(a)	100	S
<b>Washington</b>								
Superior Court	G	C	0	C	0	S	1-2	C
District Court	L	C	0	C	0	C	0	C
Municipal Court	L	M	0	M	0	M	0	M
<b>West Virginia</b>								
Circuit Court	G	C	0	S	100	S/C	90	S
Magistrate Court	L	C	0	S	100	S	95	S
Municipal Court	L	M	0	M	0	M	0	M
<b>Wisconsin</b>								
Circuit Court	G	C	0	S	100	C	0	S/C
Municipal Court	L	M	0	M	0	M	0	M
<b>Wyoming</b>								
District Court	G	C	0	S	100	C	0	S
Justice of the Peace Court	L	C	0	C	0	C	0	C
Municipal Court	L	M	0	M	0	M	0	M
County Court	L	C	0	S	100	S	100	S
<b>Puerto Rico</b>								
Superior Court	G	S	100	S	100	S	100	-
District Court	L	S	100	S	100	S	100	-
Municipal Court	L	S	100	S	100	S	100	-

**FOOTNOTES:**

**Indiana (con't)**

(b)Other trial court personnel: include commissioners/referees, reporters, bailiffs, probation officers, jury commissioners, secretaries, law clerks and interns.  
 (c)This pertains to "equipment" only--no distinction "automation" or otherwise.  
 (d)No breakdown between state and county available. This figure was obtained from the annual report of the state auditor for fiscal year 1991-92. However, this figure includes expenditures by the state for appellate courts. The state spent the following amounts on state trial courts in fiscal 1991-92. Trial judges' salaries--\$18,854,561. Special judges--\$676,357, and Judges' Pension Fund--\$3,000,000 (represents an appropriation by the General Assembly).  
 (e)Calculates expenditures on a state-wide judicial system basis. State trial courts are not analyzed separately. Thus, the figures given here and in response to total expenses include state trial court expenditures, appellate court expenditures, and other allocations for pension plans, and guardian ad litem programs.

**Kansas:**

(a)The state pays salaries for all but court trustees (child support enforcement) and juvenile detention employees.  
 (b)100% of county expenditures are for operating and facility expenses; 97% of state expenditures are for salaries.

**Louisiana:**

(a)State does not have counties. Rather, it is divided into parishes. A "C" indicates parish funding.  
 (b)Because the local funding and funding derived from fees varies from year to year, the percentage of the total trial budget paid by the state varies from year to year.

**Maine:**

(a)Building expenses are shared between the state and counties.

**Maryland:**

(a)The figure given for the circuit courts for total expenses includes the clerks' portion of the budget as well as the AOC's portion. Both budgets are funded by the state. Neither the circuit court nor district court has state-funded expenses monies that are not a direct judiciary budget item. For example, indigent defense and juvenile probation (detention is funded by the state), are not included in the judiciary's budget.

**Massachusetts:**

(a)The total trial court budget for fiscal year 1993 is approximately \$240.7 million.  
 (b)Since the Court Reorganization Act of 1978, all funding for the trial court is assumed by the Commonwealth.

**Table 17 -- Sources of Trial Court Funding by Selected Expenditure Items**

Defense	Child Support Enforcement		Juvenile Probation Detention		Amount of State Funding		States/Courts:
	State %	Source	State %	Source	State %	\$	
100	~	~	~	~	~	\$69,489,260	Virginia Circuit Court District Court
100	~	~	~	~	~	\$82,953,508	
0	~	~	C	0	\$17,400,000(b)	(e)	Washington Superior Court District Court Municipal Court
0	~	~	~	~	(b)	(c)	
0	~	~	~	~	(b)	(c)	
100	S	100	S	100	(b)	90	
100	~	~	~	~	(b)	95	West Virginia Magistrate Court Municipal Court
0	M	0	M	0	\$0	0	
75	~	~	C	0	\$36,788,000	32(a)	Wisconsin Circuit Court Municipal Court
0	~	~	~	~	\$0	0	
100	C	0	C	0	\$925,000(a)	100	Wyoming District Court Justice of the Peace Court Municipal Court County Court
0	~	0	~	0	\$420,000	30	
0	~	0	~	0	\$0	0	
100	~	~	~	~	\$3,496,800	100	
~	S	34	S	~	\$61,927,392	100	Puerto Rico Superior Court District Court Municipal Court
~	S	~	S	~	\$20,740,869	100	
~	S	~	S	100	\$4,695,889	100	

**Michigan:**

- (a) Michigan has 3 courts 100 percent state funded. There are the 3rd Circuit Court \$27,500,000; the District Recorder's Court \$9,800,000; and the 36 District Court \$23,700,000.
- (b) District and municipal budgets combined are \$37,777,000. The 36 district court's budget at 23,777,000 is 100 percent state funded.
- (c) Ninety-five percent of trial court judges salaries are paid by the state. Most other budget items are paid by the counties.

**Minnesota:**

- (a) The state pays 100% travel costs of state funded employees (e.g., trial court judges, trial court administrators, law clerks, and court reporters). The county pays 100% travel costs for county funded employees (e.g., clerks of court).

**Mississippi:**

- (a) The state pays all trial judges salaries, travel expenses, and either \$400/month or \$800/month for judges' office expenses. If the judge owns or rents his/her own office, the state pays an additional \$400/month. The county pays all other expenses associated with court operations.
- (b) \$7,000,000 is for both circuit and chancery courts.

**Missouri:**

- (a) Some counties pay part of court clerk's salary. For example, an employee may be paid by the state for 20 hours a week (.5 FTE state-paid), and be paid for 20 hours a week by the county. The number of employees who fall into this category is quite small when compared to the total.
- (b) The clerk in St. Louis County receives an additional amount from the county.
- (c) States pay for all cases related to travel and some meeting and education related travel. Counties may pay for some administrative and meeting related travel.

**Nebraska:**

- (a) Juvenile court and district court amounts are combined.

**Nevada:**

- (a) This is not a function of a court administrator, and may be paid for from other state sources, i.e., public defense, welfare, etc.

**New Hampshire:**

- (a) The municipal court is being phased out.

## Table 17 -- Sources of Trial Court Funding by Selected Expenditure Items

### FOOTNOTES:

#### New Jersey:

- (a)There is one statewide clerk of the superior court, appointed by the chief judge, and paid by state funds. See Table 6.
- (b)The state bases space for chambers and courtrooms for only one category of trial judges; the counties pay the vast majority of expenses.
- (c)This represents the costs of the state office of the public defender (an executive branch agency), and the amount is not included in the shaded columns.
- (d)All probation expenses (adult and juvenile) are included in general and personnel expenses.

#### New York:

- (a)New York also has some multi-bench courts located outside of New York City. These are state funded and for 1992 the amount was \$21,159,137.
- (b)Estimated total expenses shown are 92-93 allocations. The NYC civil court amount includes housing court allocations. Supreme and county courts are combined. Allocations for jury operations; law librarians; COJ administration; NYC county clerks, and court support services are not included.

#### North Carolina:

- (a)Court facilities are provided by counties, or municipalities as to additional seats of district court. A part of court costs (state funds), called "facilities fees," are paid to counties and municipalities; as a very rough estimate, these probably amount to about 5% of total requirements.
- (b) County funded Division of Social Services agencies have substantial IV-D child support responsibilities. The state funds 100% enforcement in the other cases, which are administered primarily by clerks of court.
- (c)Juvenile probation is paid entirely by state funds, administered within the judicial branch. Juvenile detention facilities are paid by state funds, administered by the Department of Human Resources, although some dispositional programs can be administered by programs receiving local or other support.
- (d)Total expenditures in 1991-1992 were \$221,095,228. Totals for superior and district court respectively, are limited substantially to judicial salaries and judicial support staff and expense, which were \$20,272,639 for superior court and \$38,576,178 for district court; \$64,191,989 for clerk's operations, \$33,683,598 for indigent defense, \$25,095,431 for district attorney offices, \$12,743,302 for Administrative Office of the Courts, and other amounts for additional programs. The percentages do not include facilities. North Carolina has no data on total spending by counties and municipalities on court facilities.

#### Ohio:

- (a)The state is not a unified court system; the state funds a portion of salaries for judges only.

#### Oregon:

- (a)Circuit and district courts are combined for administrative purposes. Salaries and expenses for both court levels come from the same budget.
- (b)For circuit, district and tax courts, the dollar figure is for the 7/1/93-6/30/95 biennium. It does not include indigent defense (\$80,965,342/biennium) or mandated payments, i.e., jury fees (\$5,914,176). These two items are not included in the individual courts' budgets but are a part of the entire judicial department's budget.
- (c)The justice, county and municipal courts are independent, receiving all funding locally. There is no centralized administrative agency from which to obtain budget data.

#### Pennsylvania:

- (a)Since the counties' individual funding percentages may not be consistent statewide, it is difficult to determine the trial court funding for each individual budget item listed. For general operating expenses, the state provided a grant to the counties to defray the personnel and operating costs associated with the administration of the courts of common pleas and the district justices. In fiscal year 92-93, \$25,029,284 was provided (\$63,000 per authorized position) for common pleas operations \$0 was provided for district justice courts. The counties also recorded \$1,455,351 in juror cost reimbursement.
- (b)This is based on fiscal year 92-93, 7/1/92-6/30/93 appropriations. Includes salary and benefit costs for active judges, liability insurance, medical benefits for active and annuitant judges, funding for senior judge per diems (plus social security), educational conferences and seminars for common pleas judges.
- (c)Includes salary and benefit costs for active district justices, per diems for senior judges assigned to hear cases, medical benefits for active and annuitant district justices, printing "District Justice Journal," liability insurance, and educational conferences and seminars.
- (d)Includes salaries and benefits for judges and bail commissioners, medical benefits for active and annuitant judges, senior judge per diems, liability insurance, law clerks (grant-\$39,000), domestic violence program (grant-\$119,000), and judicial education.
- (e)Salaries and benefits for active judges, per diems for senior judges, medical benefits for active and annuitant judges, and liability insurance.

#### Rhode Island:

- (a) Paid \$1,845,916 in traffic adjudication that was 100% funded by state.

#### South Carolina:

- (a)Probate figure is unavailable.
- (b)Do not have access to individual trial courts' budget figures.

#### South Dakota:

- (a)Includes salary and fringe benefits expenses.
- (b)Data are not available through the Unified Judicial System.
- (c)This is only for cost of placement in group or foster homes. It does not include expenses for personnel services or operating expenses.

#### Tennessee:

- (a)Local governments provide limited support to state trial courts for secretarial, office equipment, furnishings and office space. Local governments function independently in this regard, therefore the AOC cannot determine the amount of local support to state trial courts.

#### Vermont:

- (a)Superior court and district court judges also serve as family court judges.

#### Virginia:

- (a)This is for supplies only.
- (b)State funds pay judges' salaries/fringe benefits, staff salaries and fringe benefits, travel, supplies forms, postage, subscriptions, insurance, computer equipment, indigent defense and involuntary mental commitment in district courts.

#### Washington:

- (a)The state pays one-half of all superior court judges' salaries. This is included in the OAC's budget. The OAC also maintains statewide computer systems for appellate (ACCORDS), superior (SCOMIS),

**Table 17 -- Sources of Trial Court Funding by Selected Expenditure Items**

district and municipal (DISCIS), and juvenile (JUVIS) courts. The OAC pays approximately one-half of the costs for these systems.  
(b)The OAC budgets approximately \$10.4 million per fiscal year for superior court judges' salaries. Approximately \$7 million has been budgeted for Judicial Information Systems over the next fiscal year. This covers all four systems and is difficult to break down by court level because many of the courts associated with system maintenance and development cross-over between jurisdictional court levels.  
(c)The total statewide amount of funds expended at the county and local levels for the superior, district, and municipal courts is unknown and therefore the percent paid by the state cannot be calculated.

**West Virginia:**

(a)The only responsibility of the counties is to provide facilities. The magistrate court is a small claims court with a judicial officer--not a court of record.  
(b)State did not provide this information.

**Wisconsin:**

(a)This does not include facilities, which are generally absorbed in individual county budgets. (The percentage estimate is based on 1989 reported expenses.)

**Wyoming:**

(a)The total expenses of \$925,000 paid annually by the state for the district court includes only the salaries and paid benefits of the 17 district judges, 17 court reporters and 17 secretaries. The expenses for the 23 district court clerks are funded by each of the 23 counties in the state.

Table 18 -- Administrative Office of the Courts: Trial Court Responsibilities and Staffing by Function

States:	Accounting		ADR Programs		Alternative Sanction Programs		Assignment-sitting judges	
	Responsibility	FTE Staff	Responsibility	FTE Staff	Responsibility	FTE Staff	Responsibility	FTE Staff
Alabama	T	11	N	~	N	~	T	1
Alaska	T	6.5	N	~	N	~	P	*
Arizona	N	~	P	1.5	N	~	N	~
Arkansas	P	1	N	~	N	~	T	2
California	N	~	N	~	N	~	T	5
Colorado	P	5	T	4.3	N	~	N	~
Connecticut	T	9	T	2	T	18	T	*
Delaware	P	3	N	~	N	~	N	~
District of Columbia	T	14	N	~	N	~	N	~
Florida	P	~	P	5	N	~	N	~
Georgia	P	*	N	~	N	~	P	*
Hawaii(a)	T	16	T	4	N	~	N	~
Idaho	P	3	P	1	N	~	N	~
Illinois	P	*	P	5	N	~	N	~
Indiana	N	~	P	*	N	~	T	*
Iowa	P	2	N	~	N	~	P	1
Kansas	P	5.5	N	~	N	~	P	.25
Kentucky	T	5	N	~	N	~	N	~
Louisiana	P	3	P	1	N	~	T	.75
Maine(a)	T	6	P	*	N	~	T	0
Maryland(a)	P	2	N	~	N	~	P	0.1
Massachusetts	T	*	P	1	N	~	N	~
Michigan	P	*	T	2	P	0.125	T	5
Minnesota	P	3	N	~	N	~	N	~
Mississippi	N	(a)	N	~	N	~	N	~
Missouri	P	5	N	~	N	~	T	0.5
Montana	N	~	N	~	N	~	N	~
Nebraska	T	3	T	1	P	1	P	0.25
Nevada	N	~	N	~	N	~	N	~
New Hampshire	P	6	P	0.2	P	0.2	N	~
New Jersey	T	11	P	2.5	P	16(a)	P	0.1
New Mexico	P	8	N	~	N	~	N	~
New York	T	45(a)	P	4	N	~	N	~
North Carolina	T	35	T	9	P	3	T	2
North Dakota	T	3	N	~	N	~	N	~
Ohio	T	*	P	1	P	*	T	0.75
Oklahoma	P	3	T	3	N	~	T	1
Oregon	P	10	N	~	N	~	P	0.25
Pennsylvania	P	2.5	N	~	N	~	T	.5
Rhode Island	T	4	P	3	N	~	N	~
South Carolina	N	~	N	~	N	*	T	1.9
South Dakota	T	4.5(a)	N	~	N	~	N	~
Tennessee	T	8	P	1	N	~	P	1
Texas	P	0.01	N	~	N	~	N	~
Utah	T	3	P	1	P	1	P	1
Vermont	T	2	P	0.25	N	~	P	0.5
Virginia	T	20	T	4	T	1	T	(a)
Washington	P	*	N	~	N	~	P	0.05
West Virginia	T	*	P	*	N	~	T	*
Wisconsin	P	1	P	4	N	~	T	5.5
Wyoming	N	~	P	*	N	~	N	~
Puerto Rico	T	42	T	6	N	~	T	2

**Table 18 -- Administrative Office of the Courts: Trial Court Responsibilities and Staffing by Function**

Assignment-supplementary judges		Budget Preparation		Data Processing		Facility Management		States:
Responsibility	FTE Staff	Responsibility	FTE Staff	Responsibility	FTE Staff	Responsibility	FTE Staff	
T	1	T	1	T	14	T	2	Alabama Alaska Arizona Arkansas California
T	.2(a)	T	0.5	T	10	T	1	
N	~	P	1.5	P	9	N	~	
N	~	T	0.5	T	8	N	~	
T	(a)	N	(b)	N	~	N	~	
T	0.25	P	2	T	18	T	3	Colorado Connecticut Delaware District of Columbia Florida
T	*	T	2	T	39	T	12	
N	~	P	1	P	18	P	1	
N	~	T	6	T	29	T	4	
N	~	P	~	P	~	N	~	
N	~	P	*	P	*	N	~	Georgia Hawaii(a) Idaho Illinois Indiana
N	~	T	7	T	55.5	T	58	
N	~	P	0.5	P	4	N	~	
N	~	P	6	P	8	P	*	
P	*	N	~	P	*	P	*	
P	1	P	2	T	21	T	*	Iowa Kansas Kentucky Louisiana Maine(a)
P	.25	P	1.5	P	4	N	~	
N	~	T	4	T	45	T	5	
T	.75	P	*	P	*	N	~	
T	*	T	1	T	5	T	0	
P	(b)	P	0.8	P(c)	111	N	~	Maryland(a) Massachusetts Michigan Minnesota Mississippi
N	~	T	*	T	11	T	5	
T	5	P	4	P	70	P	5	
T	0.1	P	0.5	P	62	N	~	
P	1	N	(b)	N	(b)	N	(c)	
T	0.5	T	2	P	26	P	(a)	Missouri Montana Nebraska Nevada New Hampshire
N	~	N	~	N	~	N	~	
P	0.1	T	1.5	P	5	N	~	
P	*	N	~	N	~	N	~	
N	~	T	1	T	9	P	0.2	
P	0.1	T	2.5	T	142	P	6	New Jersey New Mexico New York North Carolina North Dakota
P	*	P	1	P	*	P	1	
P	*	T	17	P	22	P	10	
T	2(a)	T	2	T	62	N	~	
N	~	T	1	T	2	N	~	
T	(a)	N	~	N	~	N	~	Ohio Oklahoma Oregon Pennsylvania Rhode Island
T	1	T	2	T	12	P	2	
P	0.33	P	1	P	20	P	1	
T	.5	P	2.5	P	42	N	~	
T	1	T	4	T	12	T	2	
T	.1	N	~	P	8	N	~	South Carolina South Dakota Tennessee Texas Utah
N	~	T	1	T	9	N	~	
T	1	T	2	T	13	T	1	
N	~	N	~	P	1.5	N	~	
T	1	T	1	T	20	T	3	
P	0.5	T	2	T	5	P	0.3	Vermont Virginia Washington West Virginia Wisconsin
T	2	T	1	T	52	N	~	
P	0.05	N	~	P	60	N	~	
T	*	T	*	T	*	P	*	
T	1.5	P	2	P	40	N	~	
N	~	N	~	P	*	N	~	Wyoming Puerto Rico
T	2	T	7	T	45	P	8	

Legend: T=Total, P=Partial, N=No Responsibility,  
~=Not applicable, \*=Cannot determine FTE staffing

**Table 18 -- Administrative Office of the Courts: Trial Court Responsibilities and Staffing by Function**

States:	Foster Care Review		Judicial Education		Law Libraries		Legal Research	
	Responsibility	FTE Staff	Responsibility	FTE Staff	Responsibility	FTE Staff	Responsibility	FTE Staff
Alabama	N	~	T	4	N	~	P	4
Alaska	N	~	T	0.5	T	8	N	~
Arizona	T	25	P	8.5	N	~	N	~
Arkansas	N	~	T	1.5	N	~	P	1
California	N	~	P	25	N	~	N	~
Colorado	N	~	T	1	P	0.1	N	~
Connecticut	N	~	T	5	T	11	T	34
Delaware	P	6	P	1	P	4.5	N	~
District of Columbia	N	~	P	2	N	~	N	~
Florida	N	~	T	5	N	~	N	~
Georgia	N	~	P	*	N	~	N	~
Hawaii	(a)	~	T	3	T	9	N	~
Idaho	N	~	T	1	N	~	N	~
Illinois	N	~	P	5	N	~	N	~
Indiana	N	~	N	~	N	~	N	~
Iowa	N	~	T	1	P	*	T	8(a)
Kansas	P	0.5	T	2	N	~	P	.75
Kentucky	T	4.5	T	3	T	8.5	N	~
Louisiana	N	~	N	~	N	~	N	~
Maine(a)	N	~	T	0	T	1	N	~
Maryland	N	~	P	5	N	~	N	~
Massachusetts	N	~	T	5	T	3	N	~
Michigan	P	6	T	19	N	~	N	~
Minnesota	N	~	P	3	P	14	P	2
Mississippi	N	~	N	(d)	N	(b)	N	(b)
Missouri	N	~	T	1	N	~	N	~
Montana	Pilot	*	P	*	N	~	N	~
Nebraska	N	~	P	0.75	N	~	N	~
Nevada	N	~	P	2	N	~	N	~
New Hampshire	N	~	T	2.5	T	3.4	P	0.8
New Jersey	P	1	T	7	P	2	P	2
New Mexico	N	~	P	*	N	~	N	~
New York	N	~	T	4	T	3	N	~
North Carolina	N	~	P	2	N	~	T	1
North Dakota	N	~	P	1	N	~	N	~
Ohio	N	~	T	5	N	~	N	~
Oklahoma	N	~	T	3	T	2	N	~
Oregon	P	17.33	T	0.8	N	~	N	~
Pennsylvania	N	~	P	3	N	~	N	~
Rhode Island	N	~	T	1	T	5	T	23
South Carolina	N	~	P	1	N	~	N	~
South Dakota	P	0.5	T	0.5	N	~	N	~
Tennessee	N	~	T	3	T	1	P	1
Texas	N	~	P	1	N	~	N	~
Utah	N	~	T	3	P	4	T	5
Vermont	N	~	T	0.5	P	0.2	N	~
Virginia	N	~	T	2	T	3	P	4
Washington	P	0.5	T	4	N	~	N	~
West Virginia	N	~	T	*	T	*	T	*
Wisconsin	N	~	T	3	N	~	N	~
Wyoming	N	~	P	*	P	*	P	*
Puerto Rico	N	~	T	5	P	9	T	2

**Table 18 -- Administrative Office of the Courts: Trial Court Responsibilities and Staffing by Function**

Legal Services		Liaison with Legislature		Adult Probation		Juvenile Probation		States:
Responsibility	FTE Staff	Responsibility	FTE Staff	Responsibility	FTE Staff	Responsibility	FTE Staff	
P	8	T	2	N	~	N	~	Alabama
P	1.5	T	1	N	~	N	~	Alaska
N	~	T	1.5	P	12.5	P	20.5	Arizona
N	~	T	1	N	~	N	~	Arkansas
N	~	P	8	N	~	P	0.5	California
T	1.5	T	0.5	P	8	P	(a)	Colorado
T	7	T	3	N	~	N	~	Connecticut
N	~	P	1	N	~	N	~	Delaware
N	~	T	1	T	228	T	114	District of Columbia
F	~	P	3	N	~	N	~	Florida
N	~	P	~	N	~	N	~	Georgia
T	4	T	3	(a)	~	(a)	~	Hawaii
P	1	T	0.5	N	~	N	~	Idaho
P	4	P	3	P	22	P	1	Illinois
N	~	P	~	P	*	P	*	Indiana
N	7	T	1	N	~	N	~	Iowa
P	(a)	P	1.75	P	~	P	~	Kansas
T	2	N	~	N	~	N	~	Kentucky
P	1	P	1	N	~	N	~	Louisiana
N	~	T	.66	N	~	N	~	Maine(a)
N	~	P	1	N	~	N	~	Maryland
P	*	T	1	N	~	N	~	Massachusetts
N	~	P	1	N	~	N	~	Michigan
P	*	P	1	N	~	N	~	Minnesota
N	~	N	(b)	N	~	N	~	Mississippi
N	~	N(b)	~	N	~	N	~	Missouri
N	~		*	N	~	N	~	Montana
N	~		0.5	T	2	T	0.5	Nebraska
N	~		*	N	~	N	~	Nevada
P	1		0.8	N	~	N	~	New Hampshire
P	2	T	2	P	8	P	8	New Jersey
P	1	P	*	N	~	N	~	New Mexico
P	21	T	4	N	~	N	~	New York
T	3	T	1	N	~	T	400.5	North Carolina
N	~	T	*	N	~	P	0.5	North Dakota
N	~	P	0.25	N	~	N	~	Ohio
P	1	T	2	N	~	N	~	Oklahoma
T	3	T	4	N	~	N	~	Oregon
T	10	P	.75	N	~	N	~	Pennsylvania
T	2	T	1	N	~	N	~	Rhode Island
N	~	P	.25	N	~	N	~	South Carolina
N	~	T	1	P	1	P	1	South Dakota
N	~	T	2	N	~	N	~	Tennessee
P	0.5	P	0.5	N	~	N	~	Texas
N	~	T	5	N	~	T	2	Utah
N	~	T	0.5	N	~	N	~	Vermont
N	~	T	2	N	~	N	~	Virginia
N	~	P	3	N	~	N	~	Washington
T	*	T	~	T	*	T	*	West Virginia
P	1	P	0.66	N	~	N	~	Wisconsin
N	~	P	2	N	~	N	~	Wyoming
T	7	N	~	N	~	T	61	Puerto Rico

Legend: T=Total, P=Partial, N=No Responsibility,  
~=Not applicable, \*=Cannot determine FTE staffing

Table 18 -- Administrative Office of the Courts: Trial Court Responsibilities and Staffing by Function

States:	Public Information		Purchasing		Research		Technical Assistance to Courts	
	Responsibility	FTE Staff	Responsibility	FTE Staff	Responsibility	FTE Staff	Responsibility	FTE Staff
Alabama	T	4	T	3	T	3	T	24
Alaska	T	0.75	T	2	T	1	T	2
Arizona	N	~	N	~	P	1	P	19
Arkansas	T	1	N	~	N	~	T	3
California	P	4	N	~	P	10	P	11
Colorado	T	1	P	0.8	T	5	T	9
Connecticut	T	2	T	14	N	~	N	~
Delaware	P	1	P	1	P	2	P	*
District of Columbia	T	12	T	10	T	14	T	6
Florida	P	2	P	2	P	4	P	5
Georgia	P	*	P	*	P	*	P	*
Hawaii	T	6	T	3	T	5	N	~
Idaho	P	0.5	P	0.5	P	1	T	1
Illinois	P	1	N	~	N	~	P	26
Indiana	T	*	N	~	N	~	P	*
Iowa	T	1	P	2	T	~	T	12
Kansas	P	1	N	~	P	0.5	T	4.25
Kentucky	T	2	T	1.5	N	~	T	17
Louisiana	P	1	P	1	P	1	P	1
Maine(a)	T	0.33	T	1	T	2	T	0
Maryland	N	~	P	2	N	~	T	111
Massachusetts	T	1	T	*	T	3	T	*
Michigan	P	2	N	~	P	2	T	20
Minnesota	P	2	P	*	P	5	P	*
Mississippi	N	~	N	(b)	N	~	N	(b)
Missouri	N	~	N	~	P	(a)	T	(c)
Montana	N	~	N	~	N	~	P	*
Nebraska	T	0.5	P	0.25	P	0.5	P	1
Nevada	N	~	N	~	N	~	P	*
New Hampshire	P	0.3	T	0.4	T	0.3	T	6.4
New Jersey	P	.25	P	10	T	16	T	88
New Mexico	P	*	P	1	P	*	P	3
New York	P	3	T	8	P	*	P	38
North Carolina	P	0	T	24	T	5	T	15
North Dakota	N	*	T	0.5	T	1	T	*
Ohio	N	~	N	~	N	~	P	3.5
Oklahoma	T	1	T	1	T	1	T	2
Oregon	P	~	P	2.5	P	(a)	T	7(a)
Pennsylvania	P	1	P	1.5	P	3	P	~
Rhode Island	T	2	T	3	T	3	T	1
South Carolina	P	.25	N	~	N	~	P	6
South Dakota	P	0.5	P	1	P	0.5	P	0.5
Tennessee	T	1	T	1.5	T	3	T	2
Texas	P	0.25	N	~	P	0.25	P	0.25
Utah	T	2	T	1	T	3	T	3
Vermont	T	0.3	T	1	T	0.5	T	2
Virginia	N	~	T	5	T	5	T	11
Washington	P	20	P	*	P	6	P	0.5
West Virginia	P	*	T	~	T	*	T	*
Wisconsin	P	1	N	~	P	3	T	12
Wyoming	P	*	N	~	N	~	P	2
Puerto Rico	T	5	T	9	T	11	T	52

Table 18 -- Administrative Office of the Courts: Trial Court Responsibilities and Staffing by Function

Human Resources		Other		Total # FTE AOC Staff		States:
Responsibility	FTE Staff	Responsibility	FTE Staff	Authorized	Funded	
T N N	7 ~ ~	T N N N N	13 ~ ~ ~ ~	89 73 173.8 24 76.3	89 73 173.8(a) 23 63	Alabama Alaska Arizona Arkansas California
	P	T	9.5	64	64	
	T	T	20	186	186	
	P	P	7	31	31	
	P	T(a) P(a)	67 3	507	507	
N T ~	~	N	~	18	18(a)	Colorado Connecticut Delaware District of Columbia Florida
	27	T(b)	35	262.5	262.5	
		T	7	24	24	
		N	~	82	75	
		N	~	17	17	
P P P P T	2.75 2 1 0.5 1	N P N P T	~ 5 ~ 1 9(b)	44 37 138 27 26	44 37 138 27 26	Iowa Kansas Kentucky Louisiana Maine(a)
	P	N	~	126.9	126.9	
	T(a)	N	~	~	120	
	P	N	~	173	125	
	P	N	~	92.4	92.4	
P N P N	5 ~ 6 3.5	N N N N	~ ~ ~ ~	126.9 ~ 173 1	126.9 120 125 1	Maryland Massachusetts Michigan Minnesota Mississippi
	P	T(d)	~	62.5	62.5	
	N	N	~	12	12(a)	
	P	P	7	25	25	
	N	N	~	18	18	
P P P P	8 14.25 5 19	T P N T	~ 11.5(b) ~ 83(b)	62.5 352.2 26 289	62.5 352.2 26 250(c)	Missouri Montana Nebraska Nevada New Hampshire
	P	N	~	12	12	
	P	P	91(b)	647.5	647.5	
	P	T	83(b)	647.5	647.5	
	P	N	0	12	12	
N T P P	~ 8.5 4 4	N P N N	~ 6 ~ ~	9.5 121.7 113.3 49	9.5 121.7 100.3 49	Ohio Oklahoma Oregon Pennsylvania Rhode Island
	N	N	~	24	22	
	T	P	6	121.7	121.7	
	P	N	~	113.3	100.3	
	P	N	~	49	49	
P T	2.5 4	N T N N	~ 1.5(b) ~ ~	34 22.5 42 4	34 22.5 42 4	South Carolina South Dakota Tennessee Texas Utah
	T	N	~	27	27	
	1	N	~	16.3	15.3	
	P	T	10(b)	119	119	
	N	T(a)	1.5	75.5(b)	75.5	
N P	~ 55	N N	~ 1	** 337	** 344	Vermont Virginia Washington West Virginia Wisconsin Wyoming Puerto Rico
	N	N	~	64.2	64.2	
	P	N	1	5	5	

Legend: T=Total, P=Partial, N=No Responsibility,  
~=Not applicable, \*=Cannot determine FTE staffing

**Table 18 -- Administrative Office of the Courts: Trial Court Responsibilities and Staffing by Function**  
**FOOTNOTES:**

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**Alaska:**

(a)Supplemental judge assignments are administered by AOC under the direction of the Supreme Court.

**Arizona:**

(a)Does not include security, building and maintenance (134) staff.  
 (b)One-half salary and benefits for judges only.

**California:**

(a)Same personnel as for assignment of sitting judges.  
 (b)In transition.

**Colorado:**

(a)These are part of FTE staff for adult probation.

**District of Columbia:**

(a)Courts reporting have 65 and Equal Employment Opportunity Departments have 2.

**Florida:**

(a)Jury management department.

**Georgia:**

(a)The 18 funded positions are not broken down into specific categories.

**Hawaii:**

(a)Those with an "N" fall under the responsibility of the Chief Justice of the Courts, which is separate from the AOC. Both fall, however, within the overall Hawaii State Judiciary.

(b)Personnel has 26 and the planning department has 9.

**Iowa:**

(a)Central screening staff does not include the 15 law clerks working for appellate judges.

**Kansas:**

(a)Board of indigent services provides counsel for indigent persons charged with felonies.

**Maine:**

(a)For the purpose of this table, we are not considering the probate courts.

(b)Employee relations has 1; SCA has 1; secretarial has 2; security services has 1; RCA's has 3; TQM manager has 1.

**Maryland:**

(a)This information is applicable to the circuit courts. The district court functions are handled by employees in that court. However, the AOC provides technical assistance to both court systems.

(b)This is part of FTE staff for assignment of sitting judges.

(c)These are included in the 111 FTE staff for technical assistance to the courts.

**Massachusetts:**

(a)The HR department is a central office through which all HR transactions are processed and approved. However, each court location is responsible for interviewing job applicants for positions in their locations. The HR department then secures the necessary approval from the Chief Justice for Administration and Management (if all HR policies and procedures are complied with).  
 (b)Since 1/1/94, the Administrative Office has added 5 new positions to its HR staff.

**Mississippi:**

(a)The States: Department of Public Audit handles this function.  
 (b)The Supreme Court is responsible for these functions.  
 (c)The Bureau of Capital Facilities handles this function.  
 (d)The Judicial College is responsible for this function.

**Missouri:**

(a)Ten FTE positions from Court Services division perform these services. It is not possible to accurately identify the amount of time dedicated to each service.  
 (b)The AOC provides information relating to the cost and workload impact of proposed legislation as well as information on the budget.  
 (c)This number includes 10 FTE from Court Services Division (as noted at footnote "a") and 15 FTE from the Data Processing Division.  
 (d)These include: bench books and clerk procedure handbooks; delinquent bail bondsmen list; staff allocation; model recordkeeping procedures; records management; forms design; implementing new legislation (clerk duties) newsletters, temporary assistance grant programs; desk audits; personnel management, handbook and legislative information.

**Montana:**

(a)There are an additional 5 temporary employees involved in court automation.

**New Jersey:**

(a)In addition to ten AOC staff, 77 employees are deployed in regional sites for direct service delivery of Intensive Supervision Probation (ISP). In addition to six AOC staff, 32 employees are deployed in regional sites for direct service delivery of Juvenile ISP.  
 (b)In addition to 11.5 AOC staff performing management, training, computer tasks, child support program operations, and collections, 41.5 employees are deployed in the vicinages (judicial districts) for direct service deliver.

**New York:**

(a)Accounting is broken down into: Audit services (18); TSU (7); COS (15); and IG (5).  
 (b)Other includes: Human Resources (59); executive (8); DCAJ NYC (13); DCA JONYC (6); and security (6).  
 (c)This includes court facilities positions.

**North Carolina:**

(a)Same staff are responsible for assignment of sitting judges.  
 (b)Guardian ad litem services.

**Ohio:**

(a)Same staff are responsible for assignment of sitting judges.

**South Dakota:**

(a)These are authorized FTE--not funded.  
 (b)This includes personnel and training.

**Virginia:**

(a)Included in assignment sitting of supplementary judges.  
 (b)Planning has 4; personnel has 5; and office services has 1.

**Washington:**

(a)Other includes the court interpreter qualification.  
 (b)The OAC has 143 FTE.

**Table 19 -- State/Federal Judicial Councils**

States:	State has a State-Federal Judicial Council	Year Established	Last Meeting Date
Alabama	Yes	Jul-91	Jul-92
Alaska	Yes	Jan-59	6-Dec-92
Arizona	Yes	Oct-93	~
Arkansas	Yes	Sep-71	UNK
California	Yes	1988 (a)	Oct-93
Colorado	No	~	~
Connecticut	Yes	Nov-81	19-Nov-92(a)
Delaware	Yes	Feb-71	Sep-93
District of Columbia	No	~	~
Florida	Yes	Nov-70	Jun-92
Georgia	Yes	Jun-82	Jan-94
Hawaii	Yes(a)	1959(b)	UNK
Idaho	No	~	~
Illinois	No	~	~
Indiana	Yes	9-Mar-67	1-Sep-92
Iowa	Yes	1991	17-Dec-92
Kansas	No	~	~
Kentucky	No	~	~
Louisiana	Yes	15-May-84	7-Jun-93
Maine	No	~	~
Maryland	No	~	~
Massachusetts	No	~	~
Michigan	No	~	~
Minnesota	Yes	UNK	7-93
Mississippi	No	~	~
Missouri	Yes	1991	10-Oct-93
Montana	Yes	~	25-Jun-93
Nebraska	No	~	~
Nevada	Yes	~	4-Dec-92
New Hampshire	Yes	1945	17-Dec-92
New Jersey	No	~	~
New Mexico	No	~	~
New York	Yes	UNK	UNK
North Carolina	Yes	Nov-84	May-90
North Dakota	No	~	~
Ohio	No	(a)	~
Oklahoma	Yes	1993	2-Nov-93
Oregon	Yes	1992	1-Oct-93
Pennsylvania	No	~	~
Rhode Island	No	~	~
South Carolina	No	~	~
South Dakota	No	~	~
Tennessee	Yes	Spring, 1993	Jun-93
Texas	Yes	13-14-May-93(a)	13-14-May-93
Utah	No	~	~
Vermont	No	~	~
Virginia	Yes	1973	Fall, 1992
Washington	No	~	~
West Virginia	Yes	1992	Pending
Wisconsin	Yes	1951(a)	17-Dec-93
Wyoming	No	~	~
Puerto Rico	No	~	~

Legend: ~=Not applicable, UNK=Unknown

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## **Table 19 -- State/Federal Judicial Councils**

### **FOOTNOTES:**

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**California:**

(a)An earlier state-federal judicial council had fallen into disuse. No details are available.

**Connecticut:**

(a)This council meets quarterly.

**Hawaii:**

(a)Hawaii has a state judicial council which serves in an advisory capacity to the chief justice.

(b)Legislatively created in 1959 but did not function until 1966.

**Ohio:**

(a)The state and federal benches meet annually and intend to form a council. This group last met December 2, 1992.

**Texas:**

(a)Council was functional in 1970's. Reorganized at meeting on May 18-14, 1993.

**Wisconsin:**

(a)This replaced the 1929 Advisory Committee.

**Table 20 -- Statistical Reporting Requirements**

States:	Frequency of Collecting Aggregate Data for CIVIL Cases:			Frequency of Collecting Aggregate Data for CRIMINAL Cases:			Frequency of Collecting Aggregate Data for DOMESTIC Cases:		
	Filings	Dispos.	Pend.	Filings	Dispos.	Pend.	Filings	Dispos.	Pend.
Alabama	M	M	M	M	M	M	M	M	M
Alaska	Q	Q	Q	Q	Q	Q	Q	Q	Q
Arizona	M	M	M	M	M	M	M	M	M
Arkansas	M	M	M	M	M	M	M	M	M
California	M	M	M	M	M	M	M	M	M
Colorado	NC	NC	NC	NC	NC	NC	NC	NC	NC
Connecticut	M	M	M	M	M	M	M	M	M
Delaware	M/Q	M/Q	M/Q	M	M	M	Q	Q	Q
District of Columbia	M	M	M	M	M	M	M	M	M
Florida	M	M	Q	M	M	Q	M	M	Q
Georgia	A	A	A	A	A	A	A	A	A
Hawaii	M	M	M	M	M	M	M	M	M
Idaho	W	W	W	W	W	W	W	W	W
Illinois	M	M	M	M	M	M	M	M	M
Indiana	Q	Q	Q	Q	Q	Q	Q	Q	Q
Iowa	M	M	M	M	M	M	M	M	M
Kansas	W	W	~	W	W	~	W	W	~
Kentucky	W	W	NC	W	W	NC	W	W	NC
Louisiana	A	NC	NC	A	NC	NC	A	NC	NC
Maine	M	M	M	M	M	M	M	M	M
Maryland	W	W	W	W	W	W	W	W	W
Massachusetts	M	M	M	M	M	M	M	M	M
Michigan	Q	Q	Q	Q	Q	Q	Q	Q	Q
Minnesota	M	M	M	M	M	M	M	~	~
Mississippi	W	W	W	W	W	W	W	W	W
Missouri	M	M	(a)	M	M	(a)	M	M	(a)
Montana	M	M	M	M	M	M	M	M	M
Nebraska	M	M	M	M	M	M	M	M	M
Nevada	M	NC	NC	NC	NC	NC	M	NC	NC
New Hampshire	Q	Q	Q	Q	Q	Q	Q	Q	Q
New Jersey	M	M	M	M	M	M	M	M	M
New Mexico	A	A	A	A	A	A	A	A	A
New York	M	M	M	M	M	M	M	M	M
North Carolina	W	W	W	W	W	W	~	~	~
North Dakota	Q	Q	Q	Q	Q	Q	Q	Q	Q
Ohio	M	M	M	M	M	M	M	M	M
Oklahoma	Q	Q	Q	Q	Q	Q	Q	Q	Q
Oregon	M/S	M/S	M/S	M/S	M/S	M/S	M/S	M/S	M/S
Pennsylvania	M	M	M	M	M	M	M	M	M
Rhode Island	Q	Q	Q	Q	Q	Q	Q	Q	Q
South Carolina	W	W	W	W	W	W	W	W	W
South Dakota	M	M	M	(a)	(a)	(a)	M	M	M
Tennessee	A	A	A	A	A	A	A	A	A
Texas	M	M	M	M	M	M	M	M	M
Utah	~	~	M	~	~	M	~	~	M
Vermont	M	M	M	M	M	M	M	M	M
Virginia	M	M	M	M	M	M	M	M	M
Washington	M	M	NC	M	M	NC	M	M	NC
West Virginia	M	M	M	M	M	M	M	M	M
Wisconsin	M	M	M	M	M	M	M	M	M
Wyoming	Q	Q	Q	Q	Q	Q	Q	Q	Q
Puerto Rico	(a)	(a)	~	(a)	(a)	~	(a)	~	~
Federal	M	M	M	M	M	M	~	~	~

**Table 20 -- Statistical Reporting Requirements**

Frequency of Collecting Aggregate Data for JUVENILE Cases:			Frequency of Collecting Aggregate Data for OTHER Cases:			States:
Filings	Dispos.	Pend.	Filings	Dispos.	Pend.	
a	M	M	~	~	~	Alabama
Q	Q	Q	(a)	NC	NC	Alaska
M	M	M	M(a)	M(a)	M(a)	Arizona
M	M	M	~	~	~	Arkansas
M	M	M	M	M	M	California
NC	NC	NC	NC	NC	NC	Colorado
M	M	M	~	~	~	Connecticut
Q	Q	Q	~	~	~	Delaware
M	M	M	~	~	~	District of Columbia
M	M	Q	S(a)	S	NC	Florida
A	A	A	~	~	~	Georgia
M	M	M	~	~	~	Hawaii
W	W	W	W	W	W	Idaho
M	M	M	~	~	~	Illinois
Q	Q	Q	~	~	~	Indiana
M	M	M	M	M	M	Iowa
W	W	~	W	W	~	Kansas
W	W	NC	W(a)	W(a)	NC	Kentucky
A	NC	NC	~	~	~	Louisiana
M	M	M	M	M	M	Maine
W	W	W	~	~	~	Maryland
Q	Q	Q	~	~	~	Massachusetts
M	M	M	~	~	~	Michigan
M	M	M	M	M	M	Minnesota
~	~	~	W	W	W	Mississippi
M	M	M	M	M	M	Missouri
M	M	M	M	M	M	Montana
~	~	~	M	M	~	Nebraska
NC	NC	NC	NC	NC	NC	Nevada
Q	Q	Q	~	~	~	New Hampshire
M	M	M	~	~	~	New Jersey
A	A	A	~	~	~	New Mexico
M	M	M	M	M	M	New York
~	~	~	W	W	W	North Carolina
~	~	~	~	~	~	North Dakota
M	M	M	M	M	M	Ohio
Q	Q	Q	Q	Q	Q	Oklahoma
M/S	~	~	~	~	~	Oregon
M	M	M	~	~	~	Pennsylvania
Q	Q	Q	~	~	~	Rhode Island
W	W	W	~	~	~	South Carolina
M	M	~	M/Q/A	M/Q/A	~	South Dakota
A	A	A	~	~	~	Tennessee
M	M	M	M	M	M	Texas
~	~	M	~	~	~	Utah
M	M	M	M	M	M	Vermont
M	M	M	~	~	~	Virginia
M	M	NC	~	~	~	Washington
M	M	M	M	M	M	West Virginia
M	M	M	M	M	M	Wisconsin
Q	Q	Q	~	~	~	Wyoming
(a)	(a)	(a)	~	~	~	Puerto Rico
~	~	~	~	~	~	Federal

Legend: W=weekly, M=monthly, Q=quarterly, S=semiannually, A=annually,  
 NC=not collected, ~=not applicable, Dispos.=dispositions, Pend.=pending

## **Table 20 -- Statistical Reporting Requirements**

### **FOOTNOTES:**

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**Alaska:**

(a)Other includes: probate and traffic.

**Arizona:**

(a)Other includes: probate and mental health.

**Florida:**

(a)Other includes: traffic

**Kentucky:**

(a)Other includes: probate, health, and small claims.

**Missouri:**

(a)In Missouri pending cases are filings for which no disposition has been reported. These are determined by AOC, not by specific reports of cases pending from the trial courts. Additional note: Information on civil, criminal and domestic cases is reported monthly on a detailed case basis. Summary reports of cases filed, disposed and pending are generated by the AOC. These reports are produced semiannually to reflect calendar year and fiscal year data, or as needed. Aggregate data is reported monthly for juvenile, probate, state traffic, and some ordinance violation cases.

**South Dakota:**

(a)Criminal cases are entered/updated to an on-line criminal justice information system by the clerk of court. Information is retrieved from the system on an as needed basis.

**Puerto Rico:**

(a)Data is collected continuously through an on-line system.

# **PART IV**

*Appellate Courts: Jurisdiction, Staffing, and Procedures*

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*(Tables 21-28)*

## *Appellate Courts: Jurisdiction, Staffing, and Procedures*

The most fundamental characteristic of any appellate system is the division of jurisdiction by subject matter and between mandatory appeals of right and discretionary review via a petition. The third table of the section, Table 23, describes the allocation of mandatory and discretionary jurisdiction for eight types of appeal. In 11 states, there is a single appellate court. That court has completely discretionary jurisdiction in New Hampshire and West Virginia, and entirely mandatory jurisdiction in Nevada. Generally, a court of last resort in a state with no other appellate court has mandatory jurisdiction for most categories of appeal.

Courts of last resort were generally established early in each state's history while intermediate appellate courts are a more contemporary development. In 1957, only 13 states had a permanent intermediate appellate court (some states, however, had previously established and then disbanded such a court). In the 39 states with both types of appellate courts, parties wishing to challenge a trial court decision typically bring their appeal first to the intermediate appellate court. For most criminal appeals, the intermediate appellate court must accept the case because the court's jurisdiction is mandatory. This may be restricted to trial convictions; appellate review of sentences and guilty plea convictions are less typically mandatory. Because intermediate appellate courts tend to have at least some discretion to decide which civil appeals they will hear, all civil cases are not necessarily accepted. Once the intermediate appellate court hears a case and reaches a decision, a dissatisfied party may petition the court of last resort for further review. The court of last resort, which generally has broad discretionary jurisdiction in both civil and criminal appeals, must first decide whether to accept the case for review. If the petition is granted, the court of last resort hears the case and renders a decision. However, if the petition is denied, the litigation is terminated and the ruling of the intermediate appellate court stands. The major exception to this scenario is death-penalty cases. In those states with capital punishment, death-penalty appeals are invariably filed directly in the court of last resort as a mandatory appeal.

Appellate courts often review the decisions of administrative agencies. Table 24 describes which courts have jurisdiction to review administrative agency decisions in each state. That review is sometimes undertaken by trial courts exercising what is called their incidental appellate jurisdiction.

The remaining tables in this section describe the staff available to each appellate court, procedures by which discretionary petitions are reviewed, and various methods by which appellate courts streamline the appellate process through expedited procedures and special calendars.

Appellate courts with discretionary jurisdiction require procedures for selecting cases that will be reviewed. In the U.S. Supreme Court, four justices must agree to accept a case for review. Table 25 indicates for each appellate court with discretionary jurisdiction who makes the decision to grant a petition: the court en banc, a panel, a commissioner, or a single justice. The decision-ratio used for granting review is further indicated where the decision is made by the court en banc or a panel of justices/judges. Finally, the structure of the panel is described.

In all but four states, the court of last resort reviews petitions en banc (the four exceptions are Iowa, New Mexico, Virginia, and Washington). A majority of the court or panel must agree to accept the case in most courts of last resort. In 15 states, a minority--in a few courts, a single member--of the full court or panel can grant review. The decision rule may, however, vary by the type of case under consideration. The decision to grant review is less pertinent to the work of intermediate appellate courts because they have less discretionary jurisdiction. On the other hand, intermediate appellate courts typically conduct their business in panels rather than en banc. The information on panel structure contained in Table 25 is therefore basic to understanding intermediate appellate courts.

Appellate courts have a designated clerk, who is with rare exception appointed by the members of the court and serving at the pleasure of the court. (The clerk of the Supreme court in Indiana is an elected official, as are the clerks of the 12 regional intermediate appellate courts in Ohio). In 14 states, the clerk of the court of last resort also serves as clerk of the state's other appellate court. Details are provided in Table 21. Law clerks provide direct support to appellate court justices and judges, or to the court in general through a central staff. The number of law clerks allocated to the chief justice or judge and to the associate justices or judges of each appellate court can be found in Table 22. The number of central law staff is also indicated.

A central staff of lawyers on a career track within the court, as opposed to a one or two year clerkship with a specific judge or justice, is one mechanism used by appellate courts to cope with rising caseload volume. Tables 26-28 describe procedures and practices that allow appellate courts to differentiate and expedite processing of appeals. Each table reports on the response to a survey completed by the clerk of the specific appellate court. In some states, the survey was completed by staff in the state court administrative office. Table 26 describes expedited procedures. The question asked was: Does the court make use of any special procedures for handling routine appeals (that is, other than juvenile, child custody, tax appeals, or complex appeals)? Five choices were offered, with separate provision for civil and criminal appeals.

A separate question was asked about special calendars: Have any special calendars been established by the court for appeals that deal with particular subject matter? That question was asked specifically about appeals involving tax, administrative agency, a juvenile in detention, other juvenile matters, and child custody. Several "other" categories were provided. The responses are summarized in Table 27 in terms of whether any special calendars exist and the types of cases involved.

Appellate courts may restrict oral argument for routine cases. Appellate clerks were asked: If the use of oral argument is restricted for routine cases, who decides on the appeals to which the restriction applies? The question was asked separately for civil and criminal appeals, and the restrictions are shown for each court in Table 28. Finally, Table 28 reports on whether the justices or judges of an appellate court are required to issue a "reasoned opinion" in each appeal decided on the merits. The specific question asked was: Does your state's constitution or statutes require that the justices on your court write an opinion (published or unpublished) explaining the reasoning for the decision in every case that the court decides on the merits?

Tables 26-28 were compiled in response to questions that may have been interpreted differently according to the rules and procedures of each court. More generally, appellate practice is a complex area, and the information compiled here is offered as a guide to more detailed examinations of procedural innovations focused in appellate courts.

#### Select Bibliography:

- Joy Chapper and Roger Hanson, *Intermediate Appellate Courts: Improving Case Processing*, Williamsburg, VA: National Center for State Courts, 1990.
- Frank M. Coffin, *On Appeal: Courts, Lawyering, and Judging*. New York: W.W. Norton, 1994.
- Council of Chief Judges of Courts of Appeal, *Chief Judges as Administrators: A Survey*, Chicago: Council of Chief Judges of Courts of Appeal, 1984.
- Victor E. Flango, "Case Selection in the Georgia and Illinois Supreme Courts," *Justice System Journal*, 12, Number 3, 1987.
- Mary Cornelia Porter and G. Alan Tarr (Eds.), *State Supreme Courts: Policymakers in the Federal System*, Westport, CT: Greenwood Press, 1982.
- Robert L. Stern, *Appellate Practice in the United States: Second Edition*, Washington D.C.: The Bureau of National Affairs.

**Table 21 -- Clerks of Appellate Courts: Numbers and Method of Selection**

States/Courts:	Court type	Number of Clerks	Method of Selection	Term of Office	Minimum Qualifications
Alabama					
Supreme Court	COLR	1	COLR appointment	At pleasure	N/S
Court of Criminal Appeals	IAC	1	IAC appointment	At pleasure	N/S
Court of Civil Appeals	IAC	1	IAC appointment	At pleasure	N/S
Alaska					
Supreme Court	COLR	1	COLR appointment	At pleasure	Law degree, admittance to bar
Court of Appeals	IAC	(same as COLR)			
Arizona					
Supreme Court	COLR	1	COLR appointment	At pleasure	Law degree
Court of Appeals	IAC	2	IAC appointment	At pleasure	N/S
Arkansas					
Supreme Court	COLR	1	COLR appointment	6 yrs	N/S
Court of Appeals	IAC	(same as COLR)			
California					
Supreme Court	COLR	1	COLR appointment	At pleasure	N/S
Courts of Appeal	IAC	6	IAC appointment	At pleasure	N/S
Colorado					
Supreme Court	COLR	1	COLR appointment	At pleasure	Judicial administration; 6 yrs court administration experience; 2 yrs at supervisory level. (Law degree desirable)
Court of Appeals	IAC	1	IAC appointment	At pleasure	Degree in business, public or judicial administration; 6 yrs court administration experience; 2 yrs at supervisory level
Connecticut					
Supreme Court	COLR	1	COLR appointment	1 yr	Law degree
Appellate Court	IAC	(same as COLR)			
Delaware					
Supreme Court	COLR	1	COLR appointment	At pleasure	N/S
District of Columbia					
Court of Appeals	COLR	1	Executive officer appointment subject to chief judge's approval	At pleasure	N/S
Florida					
Supreme Court	COLR	1	COLR appointment	At pleasure	N/S
District Courts of Appeal	IAC	5	IAC appointment	At pleasure	N/S
Georgia					
Supreme Court	COLR	1	COLR appointment	6 yrs, at pleasure	Court's practice is to appoint attorney
Court of Appeals	IAC	1	IAC appointment	6 yrs, at pleasure	Admittance to bar
Hawaii					
Supreme Court	COLR	1	COLR appointment	Civil Service	High School
Intermediate Court of Appeals	IAC	(same as COLR)			
Idaho					
Supreme Court	COLR	1	COLR appointment	At pleasure	N/S
Court of Appeals	IAC	(same as COLR)			
Illinois					
Supreme Court	COLR	1	COLR appointment	At pleasure	N/S
Appellate Court	IAC	5	IAC appointment	At pleasure	N/S
Indiana					
Supreme Court	COLR	1	Popular election	4 yrs	N/S

Legend: COLR=Court of Last Resort; IAC=Intermediate Appellate Court;  
SCA=State Court Administrator; N/S=None stated

**Table 21 -- Clerks of Appellate Courts: Numbers and Method of Selection**

States/Courts:	Court type	Number of Clerks	Method of Selection	Term of Office	Minimum Qualifications
Indiana (con't)					
Court of Appeals	IAC	(same as COLR)			
Tax Court	IAC	(same as COLR)			
Iowa					
Supreme Court	COLR	1	COLR appointment	At pleasure	N/S
Court of Appeals	IAC	(same as COLR)			
Kansas					
Supreme Court	COLR	1	COLR appointment	2 yrs	N/S
Court of Appeals	IAC	(same as COLR)			
Kentucky					
Supreme Court	COLR	1(a)	COLR appointment	At pleasure	N/S
Court of Appeals	IAC	1(a)	IAC appointment	At pleasure	N/S
Louisiana					
Supreme Courts	COLR	1	COLR appointment	At pleasure	N/S
Courts of Appeal	IAC	5	IAC appointment	At pleasure	N/S
Maine					
Supreme Judicial Court	COLR	1	Tenure after 6 months	(a)	Admittance to bar
Maryland					
Court of Appeals	COLR	1	COLR appointment	At pleasure	Admittance to bar
Court of Special Appeals	IAC	1	IAC appointment	At pleasure	Admittance to bar
Massachusetts					
Supreme Judicial Court	COLR	2(a)	COLR appointment	5 yrs	N/S
Appeals Court	IAC	1	IAC appointment	5 yrs	N/S
Michigan					
Supreme Court	COLR	1	COLR appointment	At pleasure	Law degree, admittance to bar
Court of Appeals	IAC	1	IAC appointment	At pleasure	N/S
Minnesota					
Supreme Court	COLR	1	COLR, IAC appointment	At pleasure	N/S
Court of Appeals	IAC	(same as COLR)			
Mississippi					
Supreme Court	COLR	1	COLR appointment	At pleasure	N/S
Missouri					
Supreme Court	COLR	1	COLR appointment	At pleasure	No(a)
Court of Appeals	IAC	3	IAC appointment	At pleasure	No(a)
Montana					
Supreme Court	COLR	1	Popular election	6 yrs	N/S
Nebraska					
Supreme Court	COLR	1	COLR appointment	At pleasure	N/S
Court of Appeals	IAC	(same as COLR)			
Nevada					
Supreme Court	COLR	1	COLR appointment	At pleasure	N/S
New Hampshire					
Supreme Court	COLR	1	COLR appointment	At pleasure	Law degree, admittance to bar
New Jersey					
Supreme Court	COLR	1	COLR appointment	At pleasure	N/S
Appellate Division of Superior Court	IAC	1	COLR appointment	At pleasure	N/S

**Table 21 -- Clerks of Appellate Courts: Numbers and Method of Selection**

States/Courts:	Court type	Number of Clerks	Method of Selection	Term of Office	Minimum Qualifications
New Mexico Supreme Court Court of Appeals	COLR IAC	1 1	COLR appointment IAC appointment	At pleasure At pleasure	Law degree, admittance to bar Law degree, admittance to bar
New York Court of Appeals Appellate Divisions of Supreme Court Appellate Terms of Supreme Court	COLR IAC IAC	1 4 2	COLR appointment IAC appointment IAC appointment	At pleasure At pleasure At pleasure	Law degree, 10 yrs state bar Law degree, 10 yrs state bar Law degree, 10 yrs state bar
North Carolina Supreme Court Court of Appeals	COLR IAC	1 1	COLR appointment IAC appointment	At pleasure At pleasure	N/S N/S
North Dakota Supreme Court	COLR	1	COLR appointment	At pleasure	N/S
Ohio Supreme Court Court of Appeals	COLR IAC	1 12(a)	COLR appointment Popular election	At pleasure 4 yrs	N/S N/S
Oklahoma Supreme Court Court of Criminal Appeals Court of Appeals	COLR COLR IAC	1 (same as COLR) (same as COLR)	COLR/IAC appointment	At pleasure	Admittance to bar
Oregon Supreme Court Court of Appeals	COLR IAC	1 (same as IAC and SCA) (same as COLR)	Chief Justice appointment	At pleasure	College
Pennsylvania Supreme Court Superior Court Commonwealth Court	COLR IAC IAC	1 1 1	COLR appointment President Judge appointment President Judge appointment	At pleasure At pleasure At pleasure	Lawyer N/S N/S
Rhode Island Supreme Court	COLR	1 (same as SCA)	Gubernatorial appointment	5 yrs	N/S
South Carolina Supreme Court Court of Appeals	COLR IAC	1 1	COLR appointment IAC appointment	4 yrs 4 yrs	N/S N/S
South Dakota Supreme Court	COLR	1	COLR appointment	At pleasure	N/S
Tennessee Supreme Court Court of Appeals Court of Criminal Appeals	COLR IAC IAC	1(a) 1(b) 1(b)	COLR appointment	6 yrs	N/S
Texas Supreme Court Court of Criminal Appeals Courts of Appeals	COLR COLR IAC	1 1 14	COLR appointment COLR appointment IAC appointment	4 yrs 4 yrs 4 yrs	N/S N/S N/S
Utah Supreme Court	COLR	1	SCA, Chief Justice appointment	At pleasure	Law degree, admittance to bar

Legend: COLR=Court of Last Resort; IAC=Intermediate Appellate Court;  
SCA=State Court Administrator; N/S=None stated

**Table 21 -- Clerks of Appellate Courts: Numbers and Method of Selection**

States/Courts:	Court type	Number of Clerks	Method of Selection	Term of Office	Minimum Qualifications
Utah (con't) Court of Appeals	IAC	1	State appellate court administrator with concurrence of Chief Justice	At pleasure	Law degree, admittance to bar
Vermont Supreme Court	COLR	1(same as SCA)	COLR appointment	At pleasure	Law degree
Virginia Supreme Court Court of Appeals	COLR IAC	1 1	COLR appointment, IAC appointment	At pleasure At pleasure	N/S N/S
Washington Supreme Court Court of Appeals	COLR IAC	1 3	COLR appointment IAC appointment	At pleasure At pleasure	Admittance to bar N/S
West Virginia Supreme Court of Appeals	COLR	1	COLR appointment	At pleasure	N/S
Wisconsin Supreme Court Court of Appeals	COLR IAC	1 (same as COLR)	COLR appointment	At pleasure	College, 2 yrs related experience
Wyoming Supreme Court	COLR	1	COLR	At pleasure	N/S
Puerto Rico Supreme Court Court of Appeals(a)	COLR IAC	1 2	COLR IAC	At pleasure At pleasure	Admittance to bar Admittance to bar
Federal US Supreme Court US Courts of Appeals	COLR IAC	1 1 each	COLR appointment IAC appointment	At pleasure At pleasure	Law degree Law degree

**FOOTNOTES:**

**Kentucky:**

(a)Presently both positions are filled by the same person.

**Maine:**

(a)Subject to collective bargaining contract.

**Massachusetts:**

(a)There is a clerk of the Supreme Judicial Court (SJC) for the Commonwealth and a clerk of the SJC for Suffolk County.

**Missouri:**

(a)The court's practice has been to appoint an attorney.

**Ohio:**

(a)Common Pleas Court clerk is also clerk of the Court of Appeals.

**Tennessee:**

(a)COLR appoints one chief clerk and three chief deputy clerks.  
(b)COLR appoints three chief deputy clerks, one each in Knoxville, Nashville and Jackson, serving the COLR and IAC in that region.

**Puerto Rico:**

(a)The Puerto Rican Court of Appeals was in function through November 1992 to August 1993 when it was abolished by law. The 15 appellate judges will continue working on other judicial matters until the termination of their tenure (16 years).

**Table 22 -- Direct Support Staff to Appellate Court Judges**

States/Courts:	Court type	Number of clerks for chief justices/judges	Number of clerks for each associate justice/judge	Number of central law staff
<b>Alabama</b>				
Supreme Court	COLR	3(a)	3(a)	4
Court of Criminal Appeals	IAC	3	3	0
Court of Civil Appeals	IAC	3	3	0
<b>Alaska</b>				
Supreme Court	COLR	2	2	11
Court of Appeals	IAC	2	2	8
<b>Arizona</b>				
Supreme Court	COLR	2	2	8 FTE
Court of Appeals	IAC	2	2	18
<b>Arkansas</b>				
Supreme Court	COLR	2	2	0
Court of Appeals	IAC	2	2	5
<b>California</b>				
Supreme Court	COLR	8	5	29
Court of Appeals	IAC	2	2	58
<b>Colorado</b>				
Supreme Court	COLR	2	2	1
Court of Appeals	IAC	1	1	16
<b>Connecticut</b>				
Supreme Court	COLR	2	1.5	44(a)
Appellate Court	IAC	2	1	44(a)
<b>Delaware</b>				
Supreme Court	COLR	1.5	1.5	0
<b>District of Columbia</b>				
Court of Appeals	COLR	3	2	8
<b>Florida</b>				
Supreme Court	COLR	3	2	1
District Courts of Appeal	IAC	2	2	19
<b>Georgia</b>				
Supreme Court	COLR	3	2	3
Court of Appeals	IAC	3	3	1
<b>Hawaii</b>				
Supreme Court	COLR	3	2	4
Intermediate Court of Appeals	IAC	2	2	0
<b>Idaho</b>				
Supreme Court	COLR	2	2	1
Court of Appeals	IAC	2	2	1
<b>Illinois</b>				
Supreme Court	COLR	3	3	24
Appellate Court	IAC	2	2	88
<b>Indiana</b>				
Supreme Court	COLR	2	2	11
Court of Appeals	IAC	3(a)	3(a)	6
Tax Court	IAC	3	3	2
<b>Iowa</b>				
Supreme Court	COLR	1	1	8
Court of Appeals	IAC	1	1	1

Legend: COLR=Court of Last Resort; IAC=Intermediate Appellate Court

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**Table 22 -- Direct Support Staff to Appellate Court Judges**

States/Courts:	Court type	Number of clerks for chief justices/judges	Number of clerks for each associate justice/judge	Number of central law staff
<b>Kansas</b>				
Supreme Court	COLR	1	1	1
Court of Appeals	IAC	1	1	14
<b>Kentucky</b>				
Supreme Court	COLR	1	1	6(a)
Court of Appeals	IAC	2	2(b)	8
<b>Louisiana</b>				
Supreme Court	COLR	3	3	8
Courts of Appeal	IAC	2	2	46
<b>Maine</b>				
Supreme Judicial Court	COLR	2	1.5	1
<b>Maryland</b>				
Court of Appeals	COLR	2	2	0
Court of Special Appeals	IAC	2	2	6
<b>Massachusetts</b>				
Supreme Judicial Court	COLR	2	2	20
Appeals Court	IAC	2	1	31
<b>Michigan</b>				
Supreme Court	COLR	3	3	16
Court of Appeals	IAC	1	1	70
<b>Minnesota</b>				
Supreme Court	COLR	1	1.5	0
Court of Appeals	IAC	2	2	15
<b>Mississippi</b>				
Supreme Court	COLR	2	2	8
<b>Missouri</b>				
Supreme Court	COLR	2	2	0
Court of Appeals	IAC	1-2	1-2	1-4
<b>Montana</b>				
Supreme Court	COLR	2	2	18
<b>Nebraska</b>				
Supreme Court	COLR	2	2	1
Court of Appeals	IAC	1	1	1
<b>Nevada</b>				
Supreme Court	COLR	2	2	11
<b>New Hampshire</b>				
Supreme Court	COLR	2.6	2	2
<b>New Jersey</b>				
Supreme Court	COLR	3	2-3	2
Appellate Division of Superior Court	IAC	2	1	25
<b>New Mexico</b>				
Supreme Court	COLR	2	2	0
Court of Appeals	IAC	1	1	14
<b>New York</b>				
Court of Appeals	COLR	3	2	12
Appellate Divisions of Supreme Court	IAC	3	2	70
Appellate Terms of Supreme Court	IAC	1	1	10

**Table 22 -- Direct Support Staff to Appellate Court Judges**

States/Courts:	Court type	Number of clerks for chief justices/judges	Number of clerks for each associate justice/judge	Number of central law staff
North Carolina Supreme Court Court of Appeals	COLR IAC	2 2	2 2	0 4
North Dakota Supreme Court	COLR	1	1	6
Ohio Supreme Court Court of Appeals	COLR IAC	1 2	2 2	20 Varies
Oklahoma Supreme Court Court of Criminal Appeals Court of Appeals	COLR COLR IAC	2 2 2	2 2 2	7 4 0
Oregon Supreme Court Court of Appeals	COLR IAC	1 1	1 (a)	2 6.6
Pennsylvania Supreme Court Superior Court Commonwealth Court	COLR IAC IAC	Varies 5 4	Varies Varies 4	Varies Varies 58
Rhode Island Supreme Court	COLR	3	2	6
South Carolina Supreme Court Court of Appeals	COLR IAC	2 1	2 1	11 5
South Dakota Supreme Court	COLR	1	1	3
Tennessee Supreme Court Court of Appeals Court of Criminal Appeals	COLR IAC IAC	1 1 1	1 1 1	7 4 3
Texas Supreme Court Court of Criminal Appeals Courts of Appeals	COLR COLR IAC	3(a) 2 14(b)	3(a) 2 14(b)	0 12 9(c)
Utah Supreme Court Court of Appeals	COLR IAC	2 2	2 2	2 3
Vermont Supreme Court	COLR	2	1	2
Virginia Supreme Court Court of Appeals	COLR IAC	1 1	1 1	8 5(a)
Washington Supreme Court Court of Appeals	COLR IAC	2 2	2 2	8 43
West Virginia Supreme Court of Appeals	COLR	4	4	1

Legend: COLR=Court of Last Resort; IAC=Intermediate Appellate Court

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**Table 22 -- Direct Support Staff to Appellate Court Judges**

States/Courts:	Court type	Number of clerks for chief justices/judges	Number of clerks for each associate justice/judge	Number of central law staff
<b>Wisconsin</b>				
Supreme Court	COLR	1	1	4
Court of Appeals	IAC	1	1	13
<b>Wyoming</b>				
Supreme Court	COLR	1	1	12
<b>Puerto Rico</b>				
Supreme Court	COLR	3	2	10
<b>Federal</b>				
US Supreme Court	COLR	4	4	2(b)
US Courts of Appeals(a)	IAC	3	2-3	Varies

**FOOTNOTES:**

**Alabama:**

(a) Judge and justices may have 3 positions. No more than 2 can be staff attorneys. The remainder may be law clerks.

**Connecticut:**

(a) Includes 24 attorneys, 1 executive assistant (IAC), 1 Chief Administrative Officer (COLR & IAC) and 18 paralegals. Staff is shared by COLR and IAC except executive assistant for IAC.

**Indiana:**

(a) Judges may at their own discretion have more than 3 clerks.

**Kentucky:**

(a) One attorney serves as Supreme Court Administrator and General Counsel.

(b) Six justices use only one clerk.

**Oregon:**

(a) Sixteen total: seven justices have two clerks; two justices have one clerk.

**Texas:**

(a) Includes one staff attorney.

(b) One law clerk is assigned to the chief justice of each court of appeals, and one law clerk is assigned to each justice of each court of appeals.

(c) This is the total number of central law staff for all 14 courts of appeals. The number of central law staff varies from court to court.

**Virginia:**

(a) Two are part-time employees.

**Federal:**

(a) Information provided is based on the Fourth Circuit. Information for the other circuits may vary.

(b) Not including law-trained research librarians.

**Table 23 -- Mandatory and Discretionary Jurisdiction of Appellate Courts**

States/Courts:	Court type	Civil Appeals	Criminal Appeals	Administrative Agency Appeals	Extraordinary Writs	Guilty Pleas	Post Conviction Relief	Death Penalty Cases	Sentencing Issues
Alabama									
Supreme Court	COLR	M	NJ	M	M	NJ	NJ	NJ	NJ
Court of Civil Appeals	IAC	M	NJ	M	M	NJ	M	NJ	NJ
Court of Criminal Appeals	IAC	NJ	M	NJ	M	NJ	M	M	NJ
Alaska									
Supreme Court	COLR	M	D	M	Both	NJ	M	NJ	D
Court of Appeals	IAC	NJ	Both	NJ	Both	NJ	M	NJ	M
Arizona									
Supreme Court	COLR	Both	Both	D	D	D	D	M	(a)
Court of Appeals	IAC	M	M	M(b)	M	NJ	M	NJ	M
Arkansas									
Supreme Court	COLR	M	M	M	M	M	M	M	M
Court of Appeals	IAC	M	M	M	NJ	M	NJ	NJ	M
California									
Supreme Court	COLR	D(a)	D(a)	D(a)	D(a)	D(a)	D(a)	M	D(a)
Court of Appeals	IAC	M	M	D	D	M	D	NJ	M
Colorado									
Supreme Court	COLR	D	D	D	M	D	D	M	D
Court of Appeals	IAC	M	M	M	M	M	M	NJ	M
Connecticut									
Supreme Court	COLR	D	D(a)	D	M	D(a)	D	M	M
Appellate Court	IAC	M	M	M	M	M	M	NJ	NJ
Delaware									
Supreme Court	COLR	M	M	M	M	M	M	M	M
District of Columbia									
Court of Appeals	COLR	M	M	M	M	(a)	M	NJ	M
Florida									
Supreme Court	COLR	D	D/M(a)	D/M(b)	D	NJ	D	M	D
District Courts of Appeal	IAC	M	M	M	D	NJ	M	NJ	M
Georgia									
Supreme Court	COLR	M	NJ	NJ	M	M	D	M	M
Court of Appeals	IAC	Both	Both	D	NJ	M	NJ	NJ	M
Hawaii									
Supreme Court	COLR	M	M	M	D	M	M	NJ	M
Intermediate Court of Appeals	IAC	M	M	M	D	M	M	NJ	M
Idaho									
Supreme Court	COLR	M	M	M	M	M	M	M	M
Court of Appeals	IAC	M	M	M	M	M	M	NJ	M
Illinois									
Supreme Court	COLR	D	D	D	D	D	D	M	D
Appellate Court	IAC	M	M	M	NJ	D	M	NJ	M

Legend: D=Discretionary, M=Mandatory, NJ=No Jurisdiction,  
 COLR=Court of Last Resort, IAC=Intermediate Appellate Court

**Table 23 -- Mandatory and Discretionary Jurisdiction of Appellate Courts**

States/Courts:	Court type	Civil Appeals	Criminal Appeals	Administrative Agency Appeals	Extraordinary Writs	Guilty Pleas	Post Conviction Relief	Death Penalty Cases	Sentencing Issues
<b>Indiana</b>									
Supreme Court	COLR	D	M	D	M	M	M	M	M
Court of Appeals	IAC	M	M	M	M	M	M	NJ	M
Tax Court	IAC	NJ	NJ	M	NJ	NJ	NJ	NJ	NJ
<b>Iowa</b>									
Supreme Court	COLR	Both	Both	M	Both	M	Both	NJ	Both
Court of Appeals	IAC	Both	Both	M	Both	M	Both	NJ	Both
<b>Kansas</b>									
Supreme Court	COLR	D	D	D	M	Both	D	NJ	Both
Court of Appeals	IAC	M	M	M	M	M	M	NJ	M
<b>Kentucky</b>									
Supreme Court	COLR	D	Both(a)	M	M	D	D	M	D(b)
Court of Appeals	IAC	M	M	M	M	M	M	NJ	M
<b>Louisiana</b>									
Supreme Court	COLR	Both	Both	Both	D	Both	D	M	D
Courts of Appeal	IAC	M	M	M	D	Both	D	NJ	D
<b>Maine</b>									
Supreme Judicial Court	COLR	M	M(a)	M(b)	NJ	M	D	NJ	Both (c)
<b>Maryland</b>									
Court of Appeals	COLR	D	D	D	D	D	D	M	D
Court of Special Appeals	IAC	M	M	M	M	NJ	D	NJ	NJ
<b>Massachusetts</b>									
Supreme Judicial Court	COLR	Both	Both	Both	D	NJ	D	NJ	NJ
Appeals Court	IAC	M	M	M	D	NJ	D	NJ	NJ
<b>Michigan</b>									
Supreme Court(a)	COLR	D	D	D	Both	D	D	NJ	D
Court of Appeals	IAC	M	M	M	D	M	M	NJ	M
<b>Minnesota</b>									
Supreme Court	COLR	Both	Both	D	D	D	D	NJ	D
Court of Appeals	IAC	M	M	M	M	M	M	NJ	M
<b>Mississippi</b>									
Supreme Court	COLR	M	M	M	M	NJ	M	M	NJ
<b>Missouri</b>									
Supreme Court	COLR	Both	D	D	D	D	D	M	D
Court of Appeals	IAC	M	M	M	M	M	M	NJ	M
<b>Montana</b>									
Supreme Court	COLR	M	M	D	D	M	M	M	(a)
<b>Nebraska</b>									
Supreme Court	COLR	D	D	D	M	D	D	M	D
Court of Appeals	IAC	M	M	M	M	M	M	NJ	M
<b>Nevada</b>									
Supreme Court	COLR	M	M	M	M	M	M	M	M

**Table 23 -- Mandatory and Discretionary Jurisdiction of Appellate Courts**

States/Courts:	Court type	Civil Appeals	Criminal Appeals	Administrative Agency Appeals	Extraordinary Writs	Guilty Pleas	Post Conviction Relief	Death Penalty Cases	Sentencing Issues
New Hampshire									
Supreme Court	COLR	D	D	D	D	D	D	D	D
New Jersey									
Supreme Court(a)	COLR	Both	Both	Both	Both	Both	Both	M	Both
Appellate Division of Superior Court	IAC	M	M	M	M	M	M	NJ	M
New Mexico									
Supreme Court	COLR	M(a)	NJ	NJ	D	NJ	D	M	NJ
Court of Appeals	IAC	M	M	M	NJ	M	NJ	NJ	M
New York									
Court of Appeals	COLR	M	M	M	M	D	D	M	D
Appellate Division of Superior Court	IAC	M	M	M	M	M	D	NJ	M
Appellate Terms of Superior Court	IAC	M	M	NJ	NJ	M	M	NJ	NJ
North Carolina									
Supreme Court	COLR	D	D	Both	D	D	D	M	Both
Court of Appeals	IAC	M	M	M	Both	M	Both	NJ	M
North Dakota									
Supreme Court	COLR	M	M	M	D	M	M	NJ	M
Court of Appeals	IAC	M	M	M	D	M	M	NJ	M
Ohio									
Supreme Court	COLR	D	D	D	M	D	D	M	D
Court of Appeals	IAC	M	M	M	M	M	M	M	M
Oklahoma									
Supreme Court	COLR	M	NJ	M	D	NJ	NJ	NJ	NJ
Court of Criminal Appeals	COLR	NJ	M	NJ	D	M	M	M	M
Court of Appeals	IAC	M(a)	NJ	M	D	NJ	NJ	NJ	NJ
Oregon									
Supreme Court	COLR	Both	Both	M	D	NJ	NJ	M	D
Court of Appeals	IAC	M	M	M	M	M	M	NJ	M
Pennsylvania									
Supreme Court	COLR	Both	Both	Both	Both	NJ	Both	M	NJ
Superior Court	IAC	Both	M	Both	Both	NJ	M	NJ	NJ
Commonwealth Court	IAC	M	M	Both	Both	NJ	Both	NJ	NJ
Rhode Island									
Supreme Court	COLR	M	M	D	D	NJ	M	NJ	M
South Carolina									
Supreme Court	COLR	M	M	M	D	M	D	M	M
Court of Appeals	IAC	M	M	M	M	NJ	NJ	NJ	NJ
South Dakota									
Supreme Court	COLR	M	M	M	D	M	M	M	M

**Table 23 -- Mandatory and Discretionary Jurisdiction of Appellate Courts**

States/Courts:	Court type	Civil Appeals	Criminal Appeals	Administrative Agency Appeals	Extraordinary Writs	Guilty Pleas	Post Conviction Relief	Death Penalty Cases	Sentencing Issues
Tennessee									
Supreme Court	COLR	D	D	D	D	D	D	M	D
Court of Appeals	IAC	M	NJ	M	D	NJ	NJ	NJ	NJ
Tennessee (con't)									
Court of Criminal Appeals	IAC	NJ	M	NJ	D	M	M	M	M
Texas									
Supreme Court	COLR	D	NJ	D	M	NJ	NJ	NJ	NJ
Court of Criminal Appeals	COLR	NJ	D	NJ	M	D	D	M	Both
Courts of Appeal	IAC	M	M	M	M	M	M	NJ	M
Utah									
Supreme Court	COLR	M	NJ	M	M	M	M	M	D
Court of Appeals	IAC	M	M	M	Both	M	M	NJ	D
Vermont									
Supreme Court	COLR	M	M	M	M	M	M	NJ	D
Virginia									
Supreme Court	COLR	D	NJ	Both	D	NJ	D	M	D
Court of Appeals	IAC	NJ	D	M	D	D	D	NJ	D
Washington									
Supreme Court	COLR	D	D	D	D	D	D	M	D
Court of Appeals	IAC	M	M	M	NJ	M	M	NJ	M
West Virginia									
Supreme Court of Appeals	COLR	D	D	D	D	D	D	NJ	D
Wisconsin									
Supreme Court	COLR	NJ	NJ	NJ	NJ	NJ	NJ	NJ	NJ
Court of Appeals	IAC	M	M	M	M	M	M	NJ	M
Wyoming									
Supreme Court	COLR	M	M	M	M	M	D	M	M
Puerto Rico									
Supreme Court	COLR	D	M	D	D	D	D	NJ	M

#### FOOTNOTES:

**Arizona:**

- (a) Sentencing issues might be raised in any case.
- (b) Division I has discretion in unemployment appeals.

**Florida:**

- (a) Death penalty.
- (b) Public Service Commission.

**California:**

- (a) Review of IAC decision.

**Connecticut:**

- (a) Mandatory if maximum sentence which could be imposed for felony offense exceeds 20 years.

**District of Columbia:**

- (a) There is no direct appeal of a guilty plea.

**Kentucky:**

- (a) Mandatory jurisdiction if sentence is more than 20 years, life or death.
- (b) Mandatory jurisdiction in capital cases.

**Maine:**

- (a) Except extradition cases, which are discretionary.
- (b) Except workers' compensation appeals, which are discretionary.
- (c) Mandatory if error is clear on the record in a direct appeal.

**Table 23 -- Mandatory and Discretionary Jurisdiction of Appellate Courts**

**Michigan:**

(a) This court has mandatory jurisdiction over judicial tenure commission matters where the commission has entered a disciplinary order.

**Montana:**

(a) Handled by a sentence review division.

**New Jersey:**

(a) Mandatory when there is a dissent in the Appellate Division or when substantial constitutional question of first impression is presented.

**New Mexico:**

(a) Only contract cases are heard in the Supreme Court.

**Oklahoma:**

(a) Includes cases assigned by the Supreme Court.

**Table 24 -- Type of Court Hearing Administrative Agency Appeals**

States:	Administrative Agency								Other Agencies
	Medical Malpractice	Worker's Compensation	Public Service	Unemployment Insurance	Public Welfare	Insurance	Tax Review		
Alabama	~	~	G	G	~	G	G	G	G
Alaska	~	G	G	G	G	G	G	G	G
Arizona	~	G/IAC/COLR(a)	G	IAC	G	G	G	G	G
Arkansas	~	IAC	IAC	IAC	~	~	~	G	G
California	~	IAC	COLR	G	G	G	G	G	G
Colorado	~	IAC	COLR	IAC	IAC	G	IAC	~	
Connecticut	~	IAC	G	G	G	G	G	~	
Delaware	G	G	G	G	G	G	G	G	
District of Columbia	COLR	COLR	COLR	COLR	COLR	G	G	COLR(a), G	
Florida	(a)	IAC	COLR	IAC	IAC(b)	IAC	IAC	IAC	
Georgia	G(a)	G	G	G	G	G	G	G	
Hawaii	~	COLR(a)	COLR(a)	COLR(a)/G	G	G	(b)	COLR(a)	
Idaho	(a)	COLR	COLR	COLR	G	G	G	G	
Illinois	~	IAC	IAC	G	G	G	G	IAC	
Indiana	G	IAC	IAC	IAC	~	~	IAC(a)	G	
Iowa	~	G	G	G	G	G	G	G	
Kansas	G	IAC	G(a)	G	G	G	G/IAC	G/COLR	
Kentucky	~	IAC	G	G	G	G	G	G	
Louisiana	G	IAC	G, then COLR	G	~	G	G	G, then IAC	
Maine	~	COLR	COLR	G	G	G	G	G	
Maryland	G	G	G	G	G	G	G	G	
Massachusetts	~	IAC, then COLR	G	G	G	G	G	G	
Michigan	~	G	G	G	G	G	G	G	
Minnesota	~	COLR	IAC	IAC	~	~	COLR	~	
Mississippi	~	G	COLR	G	~	G	~	~	
Missouri	(a)	G	G	IAC	G	G	G	G	
Montana	G	G	G	~	~	~	G	G	
Nebraska	~	(a)	G	G	G	G	G	G	
Nevada	~	G	G	G	G	G	G	G	
New Hampshire	~	COLR	COLR	COLR	(a)	COLR	COLR	COLR	
New Jersey	~	IAC(a)	IAC(a)	IAC(a)	IAC(a)	IAC(a)	L(a, b)	IAC(a)	
New Mexico	~	IAC	COLR	IAC	IAC	COLR(a)	IAC	IAC	
New York(a)	~	IAC	IAC	IAC	G	G	G	G/IAC	
North Carolina	~	IAC	IAC	G	IAC	IAC	IAC	(a)	
North Dakota	~	G	G	G	~	G	~	~	
Ohio	~	COLR/IAC	COLR/IAC	G	~	~	COLR or IAC	~	
Oklahoma	~	(a)	G or COLR/IAC	G or COLR/IAC	~	G or COLR	COLR or IAC	~	
Oregon	~	IAC	IAC	IAC	IAC	IAC	COLR	IAC	
Pennsylvania	G	IAC(a)	G	G	G	G	G	G	
Rhode Island	~	COLR	COLR	L	~	G	L	G	
South Carolina	~	G	G	G	G	G	G	G	
South Dakota	~	G	G	G	G	G	G	G	
Tennessee	(a)	G	IAC	G	G	G	G	G	
Texas	G	G or L	G	G or L	~	G	G	G	
Utah	G	IAC	COLR	IAC	G	G	COLR/G	COLR/IAC/G	
Vermont	G	COLR	COLR	COLR	G	G	COLR	COLR	
Virginia	G	IAC	G	G	G	COLR	G	G or L	
Washington	~	(a)	(a)	G	G	G	(a)	(a)	
West Virginia	~	COLR	G	G	~	~	G	G	
Wisconsin	(a)	G	G	G	G	G	G	~	
Wyoming	(a)	G	COLR	G	~	COLR	G	~	
Puerto Rico	G	G	G	G	G	G	G	G	

**Table 24 -- Type of Court Hearing Administrative Agency Appeals**

**FOOTNOTES:**

**Arizona:**

(a) On appeal

**District of Columbia:**

(a) COLR if agency provided trial-type hearing in a contested case, otherwise it is general jurisdiction.

**Florida:**

(a) Supreme Court has discretion to hear decisions of great public importance that affect proper administration of justice. Action concerning medical licensing disciplinary proceedings by the Department of Professional Regulation are appealed to IAC.  
 (b) Final agency action regarding recovery of overpayments of welfare fraud appeals heard by IAC.

**Georgia:**

(a) Tried in general jurisdiction court or as an alternative process with appeal in general jurisdiction.

**Hawaii:**

(a) The COLR may transfer a case to the IAC.  
 (b) Tax Appeal Court (specialized court) presided over by circuit court judge.

**Idaho:**

(a) Cases are initially brought to a medical malpractice hearing panel (conclusions are not binding); case may be filed in the district court (G).

**Indiana:**

(a) Tax Court (IAC)

**Kansas:**

(a) Rate cases to IAC

**Missouri:**

(a) No tribunals exist. Declared unconstitutional.

**Nebraska:**

(a) Court of Appeals hears appeals from worker's compensation court (LJ).

**New Hampshire:**

(a) By petition for writ of certiorari to superior or supreme court (concurrent jurisdiction).

**New Jersey:**

(a) The COLR may, on its own motion certify any action or class of actions for appeal, or the litigant may move for certification of an appeal pending in the appellate division.  
 (b) Appeals from county boards of taxation are heard by the tax court which is a limited jurisdiction court.

**New Mexico:**

(a) If breach of contract action.

**New York:**

(a) Appeals from final decisions of all administrative agencies go to the Supreme Court in Article 78 proceedings.

**North Carolina:**

(a) Superior court; some to IAC; COLR hears general rate cases from utilities commission.

**Oklahoma:**

(a) Worker's Compensation Court (L)

**Pennsylvania:**

(a) Commonwealth Court (Intermediate Appellate Court)

**Tennessee:**

(a) Chancery Court of Davidson County (G)

**Washington:**

(a) Generally administrative agency cases enter the state court system through the superior court (G), although they may first be heard by the district and municipal courts (L) when it falls within the subject matter/geographical jurisdiction of the court. Appeals may be taken to the superior court (G) as an appeal on the record.

**Wisconsin:**

(a) Cases are taken to the circuit court (G) and are required to go through a medical mediation panel, organized through the AOC.

**Wyoming:**

(a) Medical malpractice tribunals have been eliminated.

**Table 25 -- Case Selection and Panel Structure in Appellate Courts**

States/Courts:	Court type	Who Makes Decision on Granting Petitions?				Number Necessary to Grant Review
		En banc	Panel	Commissioner	Single Justice	
Alabama						
Supreme Court	COLR	Yes	No	~	No	5
Court of Criminal Appeals	IAC	No discretionary jurisdiction	~	~	~	~
Court of Civil Appeals	IAC	No discretionary jurisdiction	~	~	~	~
Alaska						
Supreme Court	COLR	Yes	~	~	No(a)	3
Court of Appeals	IAC	Yes	~	~	No(a)	2
Arizona						
Supreme Court	COLR	Yes	~	No	No	3
Court of Appeals	IAC	No	Yes	~	No	2
Arkansas						
Supreme Court	COLR	No discretionary jurisdiction	~	~	~	~
Court of Appeals	IAC	No discretionary jurisdiction	~	~	~	~
California						
Supreme Court	COLR	Yes	~	No	No(a)	4
Courts of Appeal	IAC	No	Yes	No	No(a)	2
Colorado						
Supreme Court	COLR	Yes	~	~	No	3
Court of Appeals	IAC	No discretionary jurisdiction	~	~	~	~
Connecticut						
Supreme Court	COLR	Yes	No	~	No	2
Appellate Court	IAC	Yes	No	~	No	2
Delaware						
Supreme Court	COLR	Yes	Yes	~	No	3
District of Columbia						
Court of Appeals	COLR	No	Yes	~	No	1 or 2(a)
Florida						
Supreme Court	COLR	Yes	No	~	No	4
District Courts of Appeal	IAC	No	Yes	~	No	2
Georgia						
Supreme Court	COLR	Yes	~	~	No	4
Court of Appeals	IAC	No	Yes	~	No	3-5(a)
Hawaii						
Supreme Court	COLR	Yes	~	~	No	3
Intermediate Court of Appeals	IAC	No(a)	3	~	No	2
Idaho						
Supreme Court	COLR	Yes	~	~	No	3
Court of Appeals	IAC	No discretionary jurisdiction(a)	~	~	~	~
Illinois						
Supreme Court	COLR	Yes	~	~	No	4
Appellate Court	IAC	No	Yes	~	No	2

**Table 25 -- Case Selection and Panel Structure in Appellate Courts**

Structure of Panels					States/Courts:
Number Deciding Whether to Grant Review	Number of Panels	Size of Panels	Permanent or Rotating Membership	Frequency of Membership Rotation	
9	2	5	Permanent	~	Alabama
~	Court does not sit in panels	~	~	~	
~	Court does not sit in panels	~	~	~	
5	Court does not sit in panels	~	~	~	Alaska
3	Court does not sit in panels	~	~	~	
5	Court does not sit in panels	~	~	~	Arizona
3	7(a)	3	Rotating	3 times/yr	
~	Court does not sit in panels	~	~	~	Arkansas
~	2	3	Rotating	(a)	
7	Court does not sit in panels	~	~	~	California
3	18	3	(b)	Case/calendar	
3	Court does not sit in panels	~	~	~	Colorado
~	3(a)	3	Rotating	3 times/yr	
7	1	5	Rotating	Daily	Connecticut
9	3	3(a)	Rotating	Daily	
3	10	3	Rotating	By case	Delaware
~	Varies	3	Rotating	Half-day	
3	Varies	3	Rotating	Varies	District of Columbia
~	Court does not sit in panels	~	~	~	
5	Varies	3	Rotating	Varies	Florida
3	Court does not sit in panels	~	~	~	
7	Court does not sit in panels	~	~	~	Georgia
3-5(a)	3	3	Rotating	Yearly	
5	Court does not sit in panels	~	~	~	Hawaii
3	Varies	3	Rotating	Varies	
5	Court does not sit in panels	~	~	~	Idaho
~	Varies	3	Rotating	Varies	
7	Court does not sit in panels	~	~	~	Illinois
3	Varies	3(a)	Rotating	By case (b)	

Legend: COLR=Court of Last Resort, IAC=Intermediate Appellate Court, ~=Not applicable

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**Table 25 -- Case Selection and Panel Structure in Appellate Courts**

States/Courts:	Court type	Who Makes Decision on Granting Petitions?				Number Necessary to Grant Review
		En banc	Panel	Commissioner	Single Justice	
<b>Indiana</b>						
Supreme Court	COLR	Yes	~	No	No	3
Court of Appeals	IAC	No	Yes	No	No	2
Tax Court	IAC	No discretionary jurisdiction	~	~	~	~
<b>Iowa</b>						
Supreme Court	COLR	No	Yes	~	No	2
Court of Appeals	IAC	No discretionary jurisdiction(b)	~	~	~	~
<b>Kansas</b>						
Supreme Court	COLR	Yes	~	~	No	3
Court of Appeals	IAC	No	Yes	~	No	3
<b>Kentucky</b>						
Supreme Court	COLR	Yes	~	~	No	4
Court of Appeals	IAC	No	Yes	~	No	2
<b>Louisiana</b>						
Supreme Court	COLR	Yes	~	~	No	4
Courts of Appeal	IAC	No	Yes	~	No	2
<b>Maine</b>						
Supreme Judicial Court	COLR	Yes	Yes(a)	~	No	Varies
<b>Maryland</b>						
Court of Appeals	COLR	Yes	~	~	No	8
Court of Special Appeals	IAC	No	Yes	~	Yes	Varies
<b>Massachusetts</b>						
Supreme Judicial Court	COLR	Yes	~	~	No	2 or 3(a)
Appeals Court	IAC	No	No	~	Yes	1
<b>Michigan</b>						
Supreme Court	COLR	Yes	~	No	No	4
Court of Appeals	IAC	No	Yes	No	No	2
<b>Minnesota</b>						
Supreme Court	COLR	Yes	No	No	No	3
Court of Appeals	IAC	No	Yes	~	No	2
<b>Mississippi</b>						
Supreme Court	COLR	Yes	Yes(a)	~	Yes(a)	Varies
<b>Missouri</b>						
Supreme Court	COLR	Yes	~	~	No	4
Court of Appeals	IAC	No discretionary jurisdiction	~	~	~	~
<b>Montana</b>						
Supreme Court	COLR	Yes	~	~	No	4
<b>Nebraska</b>						
Supreme Court	COLR	Yes	No(a)	~	No	4
Court of Appeals	IAC	No	Yes	~	No	~

**Table 25 -- Case Selection and Panel Structure in Appellate Courts**

Number Deciding Whether to Grant Review	Structure of Panels				States/Courts:
	Number of Panels	Size of Panels	Permanent or Rotating Membership	Frequency of Membership Rotation	
5	Court does not sit in panels	~	~	~	<b>Indiana</b> Supreme Court Court of Appeals Tax Court
8	5	3	Permanent	~	
~	Court does not sit in panels	~	~	~	
3	2	5(a)	Rotating	Monthly	<b>Iowa</b> Supreme Court Court of Appeals
~	2	3	Rotating	Monthly	
7	Court does not sit in panels	~	~	~	<b>Kansas</b> Supreme Court Court of Appeals
3	3 or 4(a)	3	Rotating	(b)	
4	Court does not sit in panels	~	~	~	<b>Kentucky</b> Supreme Court Court of Appeals
3	4	3	Rotating	Monthly	
7	Varies	7	Rotating	6-7 weeks	<b>Louisiana</b> Supreme Court Courts of Appeal
3	Varies	3 or 5	Rotating	Monthly	
Varies	Court does not sit in panels	~	~	~	<b>Maine</b> Supreme Judicial Court
7	Court does not sit in panels	~	~	~	<b>Maryland</b> Court of Appeals Court of Special Appeals
Varies	Varies	3	Rotating	Varies	
7	1	5	Rotating	Monthly	<b>Massachusetts</b> Supreme Judicial Court Appeals Court
1	4	3	Rotating	Daily	
7	Court does not sit in panels	~	~	~	<b>Michigan</b> Supreme Court Court of Appeals
3	8	3	Rotating	Monthly	
7	Varies	3	Rotating	Monthly	<b>Minnesota</b> Supreme Court Court of Appeals
3	4	3	Rotating	Monthly	
Varies	3	3	Rotating	Every 9 weeks	<b>Mississippi</b> Supreme Court
7	Court does not sit in panels	~	~	~	<b>Missouri</b> Supreme Court Court of Appeals
~	(a)	(b)	Rotating	(c)	
7	2	5	Rotating	By case	<b>Montana</b> Supreme Court
7	Court does not sit in panels	~	~	~	<b>Nebraska</b> Supreme Court Court of Appeals
3	2	3	Rotating	3 Months	

**Table 25 -- Case Selection and Panel Structure in Appellate Courts**

States/Courts:	Court type	Who Makes Decision on Granting Petitions?				Number Necessary to Grant Review
		En banc	Panel	Commissioner	Single Justice	
Nevada						
Supreme Court	COLR	No discretionary jurisdiction	~	~	~	~
New Hampshire						
Supreme Court	COLR	Yes	~	~	No	1
New Jersey						
Supreme Court	COLR	Yes	~	~	No	3
Court of Appeals	IAC	No	Yes (a)	No	No	2(a)
New Mexico						
Supreme Court	COLR	No	Yes	~	No	3
Court of Appeals	IAC	No	No	No	Yes(a)	1(a)
New York						
Court of Appeals	COLR	Yes	~	~	Yes(a)	2 (civil)
Appellate Divisions of Supreme Court	IAC	No	Yes	~	No	3
Appellate Terms of Supreme Court	IAC	No	Yes	~	No	1
North Carolina						
Supreme Court	COLR	Yes	~	~	No	3
Court of Appeals	IAC	No	Yes	~	No	2
North Dakota						
Supreme Court	COLR	No discretionary jurisdiction	~	~	~	~
Court of Appeals	IAC	No discretionary jurisdiction	~	~	~	~
Ohio						
Supreme Court	COLR	Yes	~	~	No	4
Court of Appeals	IAC	No discretionary jurisdiction	~	~	~	~
Oklahoma						
Supreme Court	COLR	Yes	~	~	~	5
Court of Criminal Appeals	COLR	Yes	~	~	~	3
Court of Appeals	IAC	No discretionary jurisdiction	~	~	~	~
Oregon						
Supreme Court	COLR	Yes	~	~	No	3
Court of Appeals	IAC	~	~	~	~	~
Pennsylvania						
Supreme Court	COLR	Yes	~	~	No	3
Superior Court	IAC	Yes	Yes	~	No	No
Commonwealth Court	IAC	Yes	Yes	~	Yes	No
Rhode Island						
Supreme Court	COLR	Yes	No	~	No	1
South Carolina						
Supreme Court	COLR	Yes	~	~	No	2
Court of Appeals	IAC	No discretionary jurisdiction	~	~	~	~
South Dakota						
Supreme Court	COLR	Yes	~	~	No	3

**Table 25 -- Case Selection and Panel Structure in Appellate Courts**

Number Deciding Whether to Grant Review	Structure of Panels				States/Courts:
	Number of Panels	Size of Panels	Permanent or Rotating Membership	Frequency of Membership Rotation	
~	Court does not sit in panels	~	~	~	Nevada Supreme Court
5	Court does not sit in panels	~	~	~	New Hampshire Supreme Court
5	Court does not sit in panels	~	~	~	New Jersey Supreme Court
2(a)	7 parts of 4 judges	2 to 3	Rotating	(b)	Court of Appeals
3	1 per case	3-5	Rotating	Monthly	New Mexico Supreme Court
1(a)	Varies	8	Rotating	By case	Court of Appeals
7 (civil) 4 or 5(b) 3	Court does not sit in panels Varies 1	~ (c) 3	~ Rotating Rotating	~ Daily Daily	New York Court of Appeals Appellate Divisions of Supreme Court Appellate Terms of Supreme Court
7 3	Court does not sit in panels 4	~ 3	~ Rotating	~ Every 3rd week	North Carolina Supreme Court Court of Appeals
~ ~	Court does not sit in panels Court does not sit in panels	~ ~	~ ~	~ ~	North Dakota Supreme Court Court of Appeals
7 ~	Court does not sit in panels Varies	~ 3	~ Rotating	~ Weekly	Ohio Supreme Court Court of Appeals
9 5 ~	Court does not sit in panels Court does not sit in panels 4	~ ~ 3	~ ~ Rotating	~ ~ Annually	Oklahoma Supreme Court Criminal Appeals Court of Appeals
7 ~	Court does not sit in panels 3	~ 3	~ Permanent	~ (a)	Oregon Supreme Court Court of Appeals
3 No No	Court does not sit in panels Varies Varies	~ 3 3	~ (a) Rotating	~ Discretionary Discretionary	Pennsylvania Supreme Court Superior Court Commonwealth Court
5	1	3	Rotating	Monthly	Rhode Island Supreme Court
5 ~	Court does not sit in panels 2	~ 3	~ Rotating	~ (a)	South Carolina Supreme Court Court of Appeals
5	Court does not sit in panels	~	~	~	South Dakota Supreme Court

**Table 25 -- Case Selection and Panel Structure in Appellate Courts**

States/Courts:	Court type	Who Makes Decision on Granting Petitions?				Number Necessary to Grant Review
		En banc	Panel	Commissioner	Single Justice	
Tennessee						
Supreme Court	COLR	Yes	~	~	No	2
Court of Appeals	IAC	No	Yes	~	No	2
Court of Criminal Appeals	IAC	No	Yes	~	No	2
Texas						
Supreme Court	COLR	Yes	~	~	No	4
Court of Criminal Appeals	COLR	Yes	~	~	No	4
Courts of Appeals	IAC	No discretionary jurisdiction		~	~	~
Utah						
Supreme Court	COLR	Yes	~	~	No	3
Court of Appeals	IAC	No	Yes	~	No	2
Vermont						
Supreme Court	COLR	Yes	~	~	No	3
Virginia						
Supreme Court	COLR	No	Yes	~	Yes	1
Court of Appeals	IAC	No	Yes	~	Yes	1
Washington						
Supreme Court	COLR	No	Yes (a)	Yes (b)	No	5
Court of Appeals	IAC	No	No	Yes	No	1
West Virginia						
Supreme Court of Appeals	COLR	Yes	~	~	No	3
Wisconsin						
Supreme Court	COLR	Yes	~	No	No	3-4 (a)
Court of Appeals	IAC	No	Yes (b)	~	Yes (b)	2
Wyoming						
Supreme Court	COLR	Yes	~	~	No	3
Puerto Rico						
Supreme Court	CQLR	Yes	No	~	No	4
Federal						
U.S. Supreme Court	COLR	Yes	~	~	No	4
U.S. Courts of Appeals	IAC	Yes	Yes	~	No	2

**Table 25 -- Case Selection and Panel Structure in Appellate Courts**

Number Deciding Whether to Grant Review	Structure of Panels				States/Courts:
	Number of Panels	Size of Panels	Permanent or Rotating Membership	Frequency of Membership Rotation	
5	Court does not sit in panels	~	~	~	Tennessee
	3	3	Permanent	~	
	3	3	Permanent	~	
9	Court does not sit in panels	~	~	~	Texas
	Court does not sit in panels	~	~	~	
	Varies	3	Rotating (a)	Varies	
5	Court does not sit in panels	~	~	~	Utah
	Varies	3	Rotating	Quarterly	
	(a)	3	Rotating	Monthly	
5	3	3	Permanent	~	Vermont
	4	3	Rotating	By session	
	Varies	3	Rotating	Varies by division	
5	Court does not sit in panels	~	~	~	Washington
	Varies	3	Rotating	Supreme Court	
	(a)	3	~	~	
3	Court does not sit in panels	~	~	~	West Virginia
	4	3	(c)	By case	
	Varies	3	~	~	
5	Court does not sit in panels	~	~	~	Wisconsin
	Varies	3	~	~	
	(a)	3	~	~	
4	Court does not sit in panels	~	~	~	Wyoming
	Varies	3	~	~	
	(a)	3	~	~	
9	Court does not sit in panels	~	~	~	Puerto Rico
	Varies	3	Rotating	~	
	(a)	3	~	~	
8	Court does not sit in panels	~	~	~	Federal
	Varies	3	~	~	
	(a)	3	~	~	

## Table 25 -- Case Selection and Panel Structure in Appellate Courts

### FOOTNOTES:

#### **Alaska:**

(a) Single justice or court of appeals judge makes recommendation to full court, which then votes en banc.

#### **Arizona:**

(a) Court of Appeals: 5 in Division 1; 2 in Division 2.

#### **Arkansas:**

(a) Every 4 weeks during submissions.

#### **California:**

(a) Theoretically possible in habeas cases, but not done by single justice.  
 (b) Court of Appeals: Divisions of 3 judges are permanent; divisions of 4 or more rotate within division.

#### **Colorado:**

(a) Court of Appeals: The panels draft all opinions; then submit drafts to full court for final approval.

#### **Connecticut:**

(a) Appellate Court: 5 for motions, 9 for en banc.

#### **District of Columbia:**

(a) Usually one, two are necessary for interlocutory appeals only.

#### **Georgia:**

(a) Court of Appeals: If one judge on a panel dissents; 5 judges are required to grant review.

#### **Hawaii:**

(a) Discretionary jurisdiction only if assigned by Supreme Court.

#### **Idaho:**

(a) Court of Appeals: All cases are assigned to the court of appeals by the Supreme Court.

#### **Illinois:**

(a) Except for Industrial Division of IAC which is a panel of five.  
 (b) In Cook County there are five divisions of 4 judges each. They sit in rotating panels of three but division membership is static.

#### **Iowa:**

(a) Supreme Court: Three member panels screen cases and handle non-oral fast track cases.  
 (b) Court of Appeals: The Supreme Court reviews all appellate cases ready for transmission; may transfer cases to the Court of Appeals.

#### **Kansas:**

(a) Court of Appeals: Panels may be supplemented by other judges from time to time, and the composition of a panel may vary from case to case.  
 (b) Chief judge designates as necessary; once per month

#### **Maine:**

(a) Court sits in panel during sentence review cases only.

#### **Massachusetts:**

(a) Direct appellate review may be granted by two justices of the supreme judicial court or by a majority of justices of the appellate court. M.R.A.P. III. Further appellate review may be granted by three justices of the supreme judicial court or by a majority of the justices of the appeals court or by a majority of the justices of the appeals court deciding the case. M.R.A.P 27.1.

#### **Mississippi:**

(a) Depending upon emergency nature of situation.

#### **Missouri:**

(a) Western district is 3, eastern district is 5, and southern district is 2.  
 (b) Western and southern district is 8, southern district has one 3 and one 4.  
 (c) Eastern and southern districts is yearly, and western district is quarterly.

#### **New Jersey:**

(a) Court of Appeals: Interlocutory appeals only. The presiding judge of a panel makes the final determination as to whether a matter will be decided by 2 or 3 judges.  
 (b) Yearly, for parts; panels rotate by case.

#### **New Mexico:**

(a) Court of Appeals: for interlocutory appeals, one calendaring judge may grant review, to deny review one judge must concur.

#### **New York:**

(a) Court of Appeals: a single justice can make decision to grant review for criminal cases.  
 (b) Appellate Divisions of Supreme Court: varies by department.  
 (c) Appellate Divisions of Supreme Court: 4 in first and second divisions; 5 in third and fourth divisions.

#### **Oregon:**

(a) At the discretion of the chief judge.

#### **Pennsylvania:**

(a) Appointed by the president judge.

#### **South Carolina:**

(a) At the discretion of the chief judge

#### **Vermont:**

(a) On "fast track" cases.

#### **Washington:**

(a) Reviews from trial courts  
 (b) Reviews from IAC

#### **Wisconsin:**

(a) A commissioner makes a recommendation on review. If there is no objection during conference, the recommendation is accepted. If there is an objection to a petition for review, the court votes and three of the seven members must agree to grant review. If a justice who initially voted to grant review makes a motion to dismiss as improvidently granted, it is dismissed when at least four members agree to do so. Petitions to bypass and certification are granted by a vote of four.  
 (b) Either a panel of 3 or 1 judge may make the decision to grant or deny discretionary petitions for leave to leave appeal, determined by case type and interpreted through statute.  
 (c) Permanent in District 3. Judges in Districts 1, 2, and 4 rotate.

#### **Puerto Rico:**

(a) Panels are permitted by law, but are not in use.

**Table 26 -- Expediting Procedures in Appellate Courts**

States/Courts:	Court type	Use of Preargument Settlement Conference	Advance Queue (fast tracking)	Expedited Briefing Procedures	Use of Oral Argument in Lieu of Full Written Briefs	Submission on Briefs Alone
<b>Alabama</b>						
Supreme Court	COLR	No	Yes	Yes	Yes	No
Court of Criminal Appeals	IAC	No	Yes	No	No	No
Court of Civil Appeals	IAC	No	No	No	No	Yes
<b>Alaska</b>						
Supreme Court	COLR	No	Yes	Yes	No	No
Court of Appeals	IAC	No	Yes	No	No	No
<b>Arizona</b>						
Supreme Court	COLR	No	No	No	No	(a)
Court of Appeals	IAC	No	Civil/criminal	Civil	Civil	Civil/criminal
<b>Arkansas</b>						
Supreme Court	COLR	No	No	No	No	Yes
Court of Appeals	IAC	No	No	No	No	Yes
<b>California</b>						
Supreme Court	COLR	No	No	No	No	No
Courts of Appeal	IAC	Civil(a)	No	Civil/criminal(b)	No	Civil/criminal(c)
<b>Colorado</b>						
Supreme Court	COLR	No	No	No	No	No
Court of Appeals	IAC	No	Upon request	Upon request(a)	No	No
<b>Connecticut</b>						
Supreme Court	COLR	Civil/criminal	Civil/criminal scheduling conference	Civil/criminal	No	No
Appellate Court	IAC	Civil	No	Criminal	No	Civil at court's discretion
<b>Delaware</b>						
Supreme Court	COLR	No	No	No	No	Yes
<b>District of Columbia</b>						
Court of Appeals	COLR	No(a)	No	No	No	No
<b>Florida</b>						
Supreme Court	COLR	No	Yes	Yes	No	Yes
District Courts of Appeal	IAC	No	Yes	Yes	No	Yes
<b>Georgia</b>						
Supreme Court	COLR	No	No	No	No	No
Court of Appeals	IAC	Civil	No	No	No	No
<b>Hawaii</b>						
Supreme Court	COLR	No	No	No	No	Yes
Intermediate Court of Appeals	IAC	No	No	No	No	Yes
<b>Idaho</b>						
Supreme Court	COLR	Civil	No	Death penalty	No	Civil/criminal
Court of Appeals	IAC	No	No	No	No	Civil/criminal

Legend: COLR=Court of Last Resort, IAC=Intermediate Appellate Court

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**Table 26 -- Expediting Procedures in Appellate Courts**

States/Courts:	Court type	Use of Preargument Settlement Conference	Advance Queue (fast tracking)	Expedited Briefing Procedures	Use of Oral Argument in Lieu of Full Written Briefs	Submission on Briefs Alone
Illinois						
Supreme Court	COLR	No	Yes	Yes	No	Yes
Appellate Court	IAC	No	Yes	Yes	No	Yes
Indiana						
Supreme Court	COLR	No	No	No	No	No
Court of Appeals	IAC	No	No	No	No	No
Tax Court	IAC	No	No	No	No	No
Iowa						
Supreme Court	COLR	No	Civil/criminal	No	No	No
Court of Appeals	IAC	No	No	No	No	No
Kansas						
Supreme Court	COLR	No	No	No	No	No
Court of Appeals	IAC	No	No	No	No	Civil/criminal(a)
Kentucky						
Supreme Court	COLR	No	No	No	No	No
Court of Appeals	IAC	Civil	Civil(a)	No	No	No
Louisiana						
Supreme Court	COLR	No	Civil/criminal(a)	Civil/criminal	No	No(b)
Courts of Appeal	IAC	No	Civil/criminal	Civil/criminal	No	Yes
Maine						
Supreme Judicial Court	COLR	No	No	Ad hoc basis	No	Civil/criminal
Maryland						
Court of Appeals	COLR	No	No	No	No	No
Court of Special Appeals	IAC	Civil	Civil/criminal	Civil/criminal	No	Civil/criminal
Massachusetts						
Supreme Judicial Court	COLR	No	No	No	No	No
Appeals Court	IAC	Yes	No	No	No	No
Michigan						
Supreme Court	COLR	No(a)	No	No	No	No
Court of Appeals	IAC	No	No	No	No	No
Minnesota						
Supreme Court	COLR	No	No	No	No	No
Court of Appeals	IAC	No	No	No	No	No
Mississippi						
Supreme Court	COLR	Limited	Yes	Limited	No	Yes
Missouri						
Supreme Court	COLR	No	(a)	(b)	No	If requested
Court of Appeals	IAC	Civil	Civil/criminal	No	No	Civil/criminal
Montana						
Supreme Court	COLR	No	No	No	No	No

**Table 26 -- Expediting Procedures in Appellate Courts**

States/Courts:	Court type	Use of Preargument Settlement Conference	Advance Queue (fast tracking)	Expedited Briefing Procedures	Use of Oral Argument in Lieu of Full Written Briefs	Submission on Briefs Alone
<b>Nebraska</b>						
Supreme Court	COLR	No	No	No	No	Criminal(a)
Court of Appeals	IAC	No	No	No	No	Criminal(a)
<b>Nevada</b>						
Supreme Court	COLR	Civil	No	Criminal	No	Civil/criminal
<b>New Hampshire</b>						
Supreme Court	COLR	Civil	No	Civil	No	Civil/criminal
<b>New Jersey</b>						
Supreme Court	COLR	No	Yes	No	No	No
Appellate Division of Superior Court	IAC	Yes	Yes	Yes	Yes	Yes
<b>New Mexico</b>						
Supreme Court	COLR	No	No	No	No	Yes(a)
Court of Appeals	IAC	Civil	Civil/criminal(b)	No	No	Yes
<b>New York</b>						
Court of Appeals	COLR	No	Civil/criminal	Civil/criminal	No	Civil/criminal
Appellate Divisions of Supreme Court	IAC	No	No	Criminal(a)	No	No
Appellate Terms of Supreme Court	IAC	Civil	No	Civil	No	Civil/criminal
<b>North Carolina</b>						
Supreme Court	COLR	No	No	No	No	Civil/criminal(a)
Court of Appeals	IAC	Civil	Civil/criminal	No	No	Civil/criminal
<b>North Dakota</b>						
Supreme Court	COLR	No	No	No	No	No
Court of Appeals	IAC	No	No	No	No	No
<b>Ohio</b>						
Supreme Court	COLR	No	No	No	No	Civil/criminal
Court of Appeals	IAC	Civil/criminal	Yes	Civil/criminal	No	Civil/criminal
<b>Oklahoma</b>						
Supreme Court	COLR	Yes	Yes	No	No	Yes
Court of Criminal Appeals	COLR	No	Yes	No	Yes	No
Court of Appeals	IAC	No	Yes	No	No	Yes
<b>Oregon</b>						
Supreme Court	COLR	No	No	Civil	Civil	Civil
Court of Appeals	IAC	No	No	Limited Civil	No	Civil
<b>Pennsylvania</b>						
Supreme Court	COLR	No	No	No	No	No
Superior Court	IAC	No	Yes	No	No	No
Commonwealth Court	IAC	No	Yes	No	No	No
<b>Rhode Island</b>						
Supreme Court	COLR	Civil	Criminal	Civil/criminal	No	Civil/criminal

**Table 26 -- Expediting Procedures in Appellate Courts**

States/Courts:	Court type	Use of Preargument Settlement Conference	Advance Queue (fast tracking)	Expedited Briefing Procedures	Use of Oral Argument in Lieu of Full Written Briefs	Submission on Briefs Alone
South Carolina						
Supreme Court	COLR	No	No	No	No	Civil
Court of Appeals	IAC	No	No	No	No	Civil
South Dakota						
Supreme Court	COLR	Civil	No	No	No	No
Tennessee						
Supreme Court	COLR	No	No	No	No	No
Court of Appeals	IAC	No	Civil	Civil	No	No
Court of Criminal Appeals	IAC	No	No	No	No	No
Texas						
Supreme Court	COLR	No	No	No	No	Civil
Court of Criminal Appeals	COLR	No	No	No	No	Criminal
Courts of Appeals	IAC	No	No	No	No	Civil/criminal
Utah						
Supreme Court	COLR	No	No	No	No	Civil/criminal
Court of Appeals	IAC	No	No	No	No	Civil/criminal
Vermont						
Supreme Court	COLR	Yes	Yes	Yes	Yes	Civil/criminal
Virginia						
Supreme Court	COLR	No	No	No	No	No
Court of Appeals	IAC	No	Civil(a)	No	No	No
Washington						
Supreme Court	COLR	No	No	No	No	No
Court of Appeals	IAC	No	Yes(a)	No	No	Yes
West Virginia						
Supreme Court of Appeals	COLR	No	Civil	Civil(a)	No	No
Wisconsin						
Supreme Court	COLR	No	No	No	No	No
Court of Appeals	IAC	No	Civil/criminal(a)	Civil/criminal (a)	No	Civil/criminal
Wyoming						
Supreme Court	COLR	No	No	Yes	No	No
Puerto Rico						
Supreme Court	COLR	No	No	Yes	No	Yes

#### FOOTNOTES

**Arizona:**

(a)The Supreme Court may permit submission on briefs alone.

**Colorado:**

(a)Upon request per rules in right to die cases

**California:**

(a)Not usually used

(b)Varies from district to district, responses represent 4th district;

San Diego

(c)Encouraged

**District of Columbia:**

(a)Rarely invoked on request

**Kansas:**

(a)Cases may be assigned to a summary calendar.

**Table 26 -- Expediting Procedures in Appellate Courts**

**Kentucky:**

(a) Special appeals project

**Louisiana:**

(a) Special assignment for argument in cases where the state or a subdivision is a party, where ends of justice require or cases impressed with the public interest

(b) Upon joint motion of all parties, a case may be submitted without oral argument.

**Michigan:**

(a) The court can curtail briefing schedules, or make other adjustments but do so as a routine matter.

**Missouri:**

(a) The court uses an advance queue if requested by the parties or on court's own motion.

(b) The court uses expedited briefing procedures if request is by the parties or on court's own motion.

**Nebraska:**

(a) Where accused entered plea of guilty or no contest or where sole allegation of error is an excessive or excessively lenient sentence.

**New Mexico:**

(a) Oral argument in civil and criminal only upon request of party and permission of court

(b) Now in preliminary experimental stage

**New York:**

(a) An incarcerated appellant may bring an appeal on calendar on 10 days notice after filing record.

**North Carolina:**

(a) Occurs very rarely, and is at the discretion of the court.

**Virginia:**

(a) Workers' compensation cases only

**Washington:**

(a) Exceptional sentences and motions on the merits. These are both initially decided by court commissioners; motions on the merits affirm a trial court decision if the appeal is determined to be clearly without merit

**West Virginia:**

(a) Workers' compensation cases only

**Wisconsin:**

(a) Eliminated in criminal (only) as of 1/1/94

**Table 27 -- Special Calendars in Appellate Courts**

States/Courts:	Court type	Special Calendars	Types of Appeals on Calendars
Alabama Supreme Court Court of Criminal Appeals Court of Civil Appeals	COLR IAC IAC	Yes No No	Extraordinary Writs ~ ~
Alaska Supreme Court Court of Appeals	COLR IAC	~ ~	~ ~
Arizona Supreme Court Court of Appeals	COLR IAC	No Yes	~ Workers' Compensation Appeals (clustered)
Arkansas Supreme Court Court of Appeals	COLR IAC	No No	~ ~
California Supreme Court Courts of Appeal	COLR IAC	No Yes	~ Juvenile Dependency Appeals (streamlined track)
Colorado Supreme Court Court of Appeals	COLR IAC	No No	~ ~
Connecticut Supreme Court Appellate Court	COLR IAC	Yes Yes	Oral argument Oral argument
Delaware Supreme Court	COLR	No	~
District of Columbia Court of Appeals	COLR	No	~
Florida Supreme Court District Courts of Appeal	COLR IAC	No Yes	~ Original Writs
Georgia Supreme Court Court of Appeals	COLR IAC	No No	~ ~
Hawaii Supreme Court Intermediate Court of Appeals	COLR IAC	No No	~ ~
Idaho Supreme Court Court of Appeals	COLR IAC	Yes Yes	Adoption, Parent-Child Termination, Child Custody Parent-Child Termination, Child Custody
Illinois Supreme Court Appellate Court	COLR IAC	Yes Yes	Accelerated docket Accelerated docket
Indiana Supreme Court Court of Appeals Tax Court	COLR IAC IAC	Yes No ~	Public Service Commission Appeals, Industrial Board of Indiana Appeals ~ ~
Iowa Supreme Court Court of Appeals	COLR IAC	Yes Yes	Attorney Discipline, Adoption, Child Placement, Child Custody, Parent-Child Termination, Review of Court of Appeal's Opinions Attorney Discipline, Adoption, Child Placement, Child Custody, Parent-Child Termination
Kansas Supreme Court Court of Appeals	COLR IAC	No No	~ ~
Kentucky Supreme Court Court of Appeals	COLR IAC	No No	~ ~
Louisiana Supreme Court Courts of Appeal	COLR IAC	Yes Yes	Attorney Discipline, Appeals in which State is a Party Appeals in which State is a Party, Post-Conviction Proceedings
Maine Supreme Judicial Court	COLR	No	~
Maryland Court of Appeals Court of Special Appeals	COLR IAC	No No	~ ~

**Table 27 -- Special Calendars in Appellate Courts**

<b>States/Courts:</b>	<b>Court type</b>	<b>Special Calendars</b>	<b>Types of Appeals on Calendars</b>
Massachusetts Supreme Judicial Court Appeals Court	COLR IAC	No No	~ ~
Michigan Supreme Court Court of Appeals	COLR IAC	No No	~ ~
Minnesota Supreme Court Court of Appeals	COLR IAC	No No	~ ~
Mississippi Supreme Court	COLR	~	~
Missouri Supreme Court Court of Appeals	COLR IAC	No No	~ ~
Montana Supreme Court	COLR	No	~
Nebraska Supreme Court Court of Appeals	COLR IAC	No No	~ ~
Nevada Supreme Court	COLR	Yes	Child Custody, Capital Criminal Appeals
New Hampshire Supreme Court	COLR	No	~
New Jersey Supreme Court Appellate Division of Superior Court	COLR IAC	No Yes	Defined Sentencing Issues Appeals (oral argument calendars, considered without briefs but with transcript and court record)
New Mexico Supreme Court Court of Appeals	COLR IAC	No No	~ ~
New York Court of Appeals Appellate Divisions of Supreme Court Appellate Terms of Supreme Court	COLR IAC IAC	Yes Yes Yes	Election Matters (Motions and Appeals Calendar) Sentencing Appeals, Election Laws Incarcerated Appellants
North Carolina Supreme Court Court of Appeals	COLR IAC	No No	~ ~
North Dakota Supreme Court Court of Appeals	COLR IAC	No No	~ ~
Ohio Supreme Court Court of Appeals	COLR IAC	No Yes	~ Accelerated Calendar (no case type specific)
Oklahoma Supreme Court Court of Criminal Appeals Court of Appeals	COLR COLR IAC	No No No	~ ~ ~
Oregon Supreme Court Court of Appeals	COLR IAC	No Yes	~ Land Use Board of Appeal, Termination of Parental Rights
Pennsylvania Supreme Court Superior Court Commonwealth Court	COLR IAC IAC	No No No	~ ~ ~
Rhode Island Supreme Court	COLR	No	~
South Carolina Supreme Court Court of Appeals	COLR IAC	No No	~ ~
South Dakota Supreme Court	COLR	No	~
Tennessee Supreme Court	COLR	Yes	Workers' Compensation Appeals (heard by a three-judge panel of senior judges)

**Table 27 -- Special Calendars in Appellate Courts**

States/Courts:	Court type	Special Calendars	Types of Appeals on Calendars
Tennessee (con't)			
Court of Appeals	IAC	No	~
Court of Criminal Appeals	IAC	No	~
Texas			
Supreme Court	COLR	No	~
Court of Criminal Appeals	COLR	No	~
Courts of Appeals	IAC	No	~
Utah			
Supreme Court	COLR	No	~
Court of Appeals	IAC	No	~
Vermont			
Supreme Court	COLR	No	~
Virginia			
Supreme Court	COLR	No	~
Court of Appeals	IAC	No	~
Washington			
Supreme Court	COLR	No	~
Court of Appeals	IAC	No	~
West Virginia			
Supreme Court of Appeals	COLR	Yes	Workers' Compensation
Wisconsin			
Supreme Court	COLR	No	~
Court of Appeals	IAC	No	~
Wyoming			
Supreme Court	COLR	No	~
Puerto Rico			
Supreme Court	COLR	No	~

**Table 28 -- Limitations on Oral Argument in Appellate Courts**

States/Courts:	Court type	Limitations on Oral Arguments in Civil Cases?	Limitations on Oral Arguments in Criminal Cases?	Reasoned Opinions Required in Appellate Court Decisions?
Alabama				
Supreme Court	COLR	Yes	Yes	Yes
Court of Criminal Appeals	IAC	NJ	Yes	Yes
Court of Civil Appeals	IAC	Yes	NJ	Yes
Alaska				
Supreme Court	COLR	Yes(a)	Yes	Yes
Court of Appeals	IAC	Yes	Yes	~
Arizona				
Supreme Court	COLR	Yes	Yes	Yes
Court of Appeals	IAC	Yes	Yes	Yes
Arkansas				
Supreme Court	COLR	No	No	No
Court of Appeals	IAC	No	No	No
California				
Supreme Court	COLR	No	No	Yes
Courts of Appeal	IAC	Varies	Varies	Yes
Colorado				
Supreme Court	COLR	Yes	Yes	No
Court of Appeals	IAC	Yes	Yes	No
Connecticut				
Supreme Court	COLR	No	No	No
Appellate Court	IAC	Yes	Yes	No
Delaware				
Supreme Court	COLR	Yes	Yes	No
District of Columbia				
Court of Appeals	COLR	Yes	Yes	No
Florida				
Supreme Court	COLR	Yes	Yes	No
District Courts of Appeal	IAC	Yes	Yes	No
Georgia				
Supreme Court	COLR	Yes(a)	Yes	No
Court of Appeals	IAC	Yes	Yes	No
Hawaii				
Supreme Court	COLR	No	No	No
Intermediate Court of Appeals	IAC	No	No	Yes
Idaho				
Supreme Court	COLR	Yes	Yes	Yes
Court of Appeals	IAC	Yes	Yes	Yes
Illinois				
Supreme Court	COLR	Yes	Yes	Yes
Appellate Court	IAC	Yes	Yes	Yes

Legend: COLR=Court of Last Resort, IAC=Intermediate Appellate Court, NJ=No jurisdiction, ~=Not applicable

**Table 28 -- Limitations on Oral Argument in Appellate Courts**

States/Courts:	Court type	Limitations on Oral Arguments in Civil Cases?	Limitations on Oral Arguments in Criminal Cases?	Reasoned Opinions Required in Appellate Court Decisions?
<b>Indiana</b>				
Supreme Court	COLR	Yes	Yes	No
Court of Appeals	IAC	Yes	Yes	No
Tax Court	IAC	~	~	~
<b>Iowa</b>				
Supreme Court	COLR	Yes	Yes	Yes(a)
Court of Appeals	IAC	Yes	Yes	Yes(a)
<b>Kansas</b>				
Supreme Court	COLR	No	No	No
Court of Appeals	IAC	No	No	No
<b>Kentucky</b>				
Supreme Court	COLR	No	No	No
Court of Appeals	IAC	No	No	No
<b>Louisiana</b>				
Supreme Court	COLR	No	No	No(a)
Courts of Appeal	IAC	Yes	Yes	No(a)
<b>Maine</b>				
Supreme Judicial Court	COLR	Yes	Yes	No
<b>Maryland</b>				
Court of Appeals	COLR	No	No	Yes
Court of Special Appeals	IAC	No	No	Yes
<b>Massachusetts</b>				
Supreme Judicial Court	COLR	No	No	Yes
Appeals Court	IAC	No	No	Yes
<b>Michigan</b>				
Supreme Court	COLR	Yes	Yes	Yes
Court of Appeals	IAC	No	Yes(a)	Yes
<b>Minnesota</b>				
Supreme Court	COLR	Yes	Yes	No
Court of Appeals	IAC	Yes	Yes	Yes
<b>Mississippi</b>				
Supreme Court	COLR	No	No	No
<b>Missouri</b>				
Supreme Court	COLR	No	No	No
Court of Appeals	IAC	Yes(a)	Yes(a)	No
<b>Montana</b>				
Supreme Court	COLR	Yes	Yes	No
<b>Nebraska</b>				
Supreme Court	COLR	No	No	No
Court of Appeals	IAC	No	No	No
<b>Nevada</b>				
Supreme Court	COLR	Yes(a)	Yes(a)	No

**Table 28 -- Limitations on Oral Argument in Appellate Courts**

States/Courts:	Court type	Limitations on Oral Arguments in Civil Cases?	Limitations on Oral Arguments in Criminal Cases?	Reasoned Opinions Required in Appellate Court Decisions?
New Hampshire				
Supreme Court	COLR	No	No	No
New Jersey				
Supreme Court	COLR	No	No	No
Appellate Division of Superior Court	IAC	Yes	Yes	No(a)
New Mexico				
Supreme Court	COLR	Yes	Yes	No
Court of Appeals	IAC	Yes	Yes	No
New York				
Court of Appeals	COLR	No	No	Yes(a)
Appellate Divisions of Supreme Court	IAC	Yes	Yes	No
Appellate Terms of Supreme Court	IAC	No	No	No
North Carolina				
Supreme Court	COLR	Yes	Yes	No
Court of Appeals	IAC	Yes	Yes	No
North Dakota				
Supreme Court	COLR	No	No	Yes
Court of Appeals	IAC	No	No	Yes
Ohio				
Supreme Court	COLR	No	No	Yes
Court of Appeals	IAC	No	No(a)	Yes
Oklahoma				
Supreme Court	COLR	Yes	~	No
Court of Criminal Appeals	COLR	~	Yes	No
Court of Appeals	IAC	Yes	~	No
Oregon				
Supreme Court	COLR	No	No	No
Court of Appeals	IAC	Yes	Yes	No
Pennsylvania				
Supreme Court	COLR	No	No	No
Superior Court	IAC	No	Yes	No
Commonwealth Court	IAC	No	No	No
Rhode Island				
Supreme Court	COLR	No	No	Yes
South Carolina				
Supreme Court	COLR	No	No	Yes
Court of Appeals	IAC	Yes	Yes	Yes
South Dakota				
Supreme Court	COLR	Yes	Yes	No
Tennessee				
Supreme Court	COLR	No	No	Yes
Court of Appeals	IAC	No	No	No

**Table 28 -- Limitations on Oral Argument in Appellate Courts**

States/Courts:	Court type	Limitations on Oral Arguments in Civil Cases?	Limitations on Oral Arguments in Criminal Cases?	Reasoned Opinions Required in Appellate Court Decisions?
Tennessee (con't)				
Court of Criminal Appeals	IAC	No	No	No
Texas				
Supreme Court	COLR	Yes	~	No
Court of Criminal Appeal	COLR	~	Yes	Yes
Courts of Appeals	IAC	Yes	Yes	Yes
Utah				
Supreme Court	COLR	No	No	No
Court of Appeals	IAC	No	No	No
Vermont				
Supreme Court	COLR	Yes	Yes	No
Virginia				
Supreme Court	COLR	No	No	No
Court of Appeals	IAC	No	No	No
Washington				
Supreme Court	COLR	No	No	Yes
Court of Appeals	IAC	No	No	Yes
West Virginia				
Supreme Court of Appeals	COLR	No	No	No
Wisconsin				
Supreme Court	COLR	No	No	Yes
Court of Appeals	IAC	Yes	Yes	Yes
Wyoming				
Supreme Court	COLR	Yes	Yes	Yes
Puerto Rico				
Supreme Court	COLR	Yes	Yes	No

#### FOOTNOTES:

**Alaska:**

(a)Request must be made within ten days. Rule 218.

**Georgia:**

(a)However, oral arguments are mandatory in death penalty appeals.

**Iowa:**

(a)Required by court rule

**Louisiana:**

(a)No express requirement, but implicit (LSA-C.C.P. Art. 2167).

**Michigan:**

(a)Oral arguments are not held unless requested by attorneys in a guilty plea case.

**Missouri:**

(a)Varies by district.

**Nevada:**

(a)The court decides which case will be heard.

**New Jersey:**

(a)Court rules require written opinion in sentencing, oral argument appeals, and appeals without merit.

**New York:**

(a)A statute requires some statement of reason if the court reverses or modifies without opinion. The court's policy is to give some statement of reason in all cases.

**Ohio:**

(a)For prison appeals, oral argument is not held unless attorneys request and obtain the court's approval.

# **PART V**

*Trial Court Administration and Procedures*

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(Tables 29-33)

## *Trial Court Administration and Procedures*

Perhaps the most basic feature of state trial court systems is the distribution of subject matter jurisdiction. The pattern followed in a state and the differences among states are most readily considered through use of the court structure charts found in Part 8.

Trial court administration generally involves judges with managerial responsibility (presiding, chief, or administrative judges of the court or of divisions within the court), clerks of court, and trial court administrators. The method of selection and terms of office for chief and presiding judges were described in Table 3. The information on the selection and responsibilities of clerks of court can be found in Table 29 and for trial court administrators in Table 30. In some trial court systems, the same official is both the administrator and the clerk.

A clerk of court typically has responsibility for docketing cases, collecting court fees, overseeing jury selection, and maintaining all court records. In whole or in part, these vital administrative tasks are the responsibility of an elected, autonomous official in most states. Partisan elections are used to select clerks of general jurisdiction courts in 26 states and non-partisan elections in a further four states. Clerks of court are appointed in 16 states, usually by the chief judge or the bench. The method of selection varies within two states (California and Washington) and between the several general jurisdiction courts in another two states (Delaware and Tennessee). Table 29 also reports the number of clerks serving each court system in a state, the length of their terms of office, and whether their salary is paid from state or local funds.

Clerks of court are traditional posts in most state court systems. Trial court administrators are more recent participants in the management of court operations. Table 30 lists the number of authorized and serving trial court administrators, differentiating between regional and local officials. The administrator of the general jurisdiction court sometimes also serves in that capacity for the courts of limited jurisdiction in a particular district or region. The source of court administrators' salaries can be identified by reference to Table 17.

The methods used in each state to make the trial record can be found in Table 31. Four specific methods for making the trial record are considered, with provision for states to fill in any other methods that are being used. The table indicates the current status of each method, whether it is required, allowed

but not required, being used on an experimental basis, or is specifically prohibited. Sixteen states authorize the use of video tape as the trial record, and a further 10 states and the federal courts are using video tape on an experimental basis. Video taping is prohibited in six states. Where video or audio tape serve as the record of court proceedings, the table also explains whether the tape itself can stand as the record for purposes of appellate review or must be transcribed.

The status of cameras in trial and appellate courts is described on a state by state basis in Table 32. Television cameras may be allowed in some courts and not others, and for some types of proceedings and not others. Whether camera coverage is carried out on an experimental basis or has permanent status is indicated, as is whether the consent of the parties is required.

Finally, Table 33 recognizes the significant role that Native American tribal courts have in many states by indicating the number and types of tribal courts that are established and the number of judges serving on those courts. Public Law 280 (1953) extended state jurisdiction over civil and criminal cases to Native American lands. Table 33 indicates whether a state has assumed that jurisdiction.

Table 33 is not a comprehensive guide to the presence of tribal courts. The table is compiled from several sources, listed below, and cannot be regarded as definitive. The territory of tribal lands is not necessarily bounded within a state, making the presentation of accurate descriptive information on tribal courts awkward for this volume's format. Moreover, there is a complex division of jurisdiction over civil disputes and criminal offenses between federal, state, and tribal courts. Additional and current information can be obtained by contacting the organizations responsible for the volumes used as sources or the individual courts. There are Tribal Court-State Court Forums in a number of states, fostered by the Tribal Courts and State Courts: The Prevention and Resolution of Jurisdictional Disputes Project, which was established in 1989.

A truly comprehensive volume on the nation's courts would include the military criminal justice system because U.S. military personnel worldwide are subject to the Uniform Code of Military Justice. Appellate courts have narrowed the jurisdiction of military courts to "service-connected" offenses, but some potential for overlap with the state and federal courts remains. Individual commands operate their

own trial courts, convened as needed. The Court of Military Appeals in Washington D.C. is the one standing court. The U.S. Congress provided, in 1984, for appeals from the Court of Military Appeals to the U.S. Supreme Court via a writ of certiorari (R.C.M. 1205).

**Select General Bibliography:**

Federal Courts Study Committee, *Report*, Washington D.C.: Judicial Conference of the United States, 1990.

Steven W. Hays and Cole Blease Graham, Jr., *Handbook of Court Administration and Management*, New York: Marcel Dekker, 1993.

William E. Hewitt, Geoff Gallas, and Barry Mahoney, *Courts That Succeed: Six Profiles of Successful Courts*, Williamsburg, VA: National Center for State Courts, 1990.

"Symposium on Judicial Administration Research," *The Justice System Journal*, Volume 12, Number 1, 1987.

**Table 32:**

Radio-Television News Directors Association, "Cameras in the Courts," *The News Media & The Law*, Spring, 1993.

**Table 33:**

**Sources:**

National Indian Court Justices Association, *Indian Court Judges Directory: Third Edition*, Washington D.C., 1991.

Mark J. A. Yannone, *National Directory of Courts of Law*, Arlington, VA: Information Resources Press, 1991.

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

**General:**

William C. Canby, Jr., *American Indian Law in a Nutshell: Second Edition*, St. Paul, MN: West Publishing, 1993.

H. Clifton Grandy and Ted Rubin, *Trial Court--State Court Forums*, Williamsburg, Virginia: National Center for State Courts, 1993.

H. Barry Holt and Gary Forrester, *Digest of American Indian Law*, Littleton, CO: Fred B. Rothman, 1990.

Jesse C. Trentadue, "Tribal Court Jurisdiction over Collection Suits by Local Merchants and Lenders," *American Indian Law Review*, 13 , No. 1, 1988.

**Military Courts:**

David A. Schlueter, *Military Criminal Justice: Practice and Procedure, Third Edition*, Charlottesville, VA: Michie, 1992.

Edward F. Sherman, "Military Law," *Encyclopedia of the American Judicial System*, Vol. I, R. Janosik (Ed.). New York: Charles Scribner's, 1987.

**Table 29 -- Clerks of Court: Selection, Numbers, Terms of Office, and Funding**

States/Courts:	Court type	Method of Selection	Selector	Number of Court Clerks	Term of Office	Source of Salary Funding
<b>Alabama</b>						
Circuit Court	G	Partisan election	~	68	6 yrs	100% state(b)
District Court	L	(a)	~	4	At pleasure	100% state
Municipal Court	L	Appointed	Local governing body	268	At pleasure	100% local
Probate Court	L	Appointed	Probate judge	68	6 yrs	100% local
<b>Alaska</b>						
Superior Court	G	(a)	~	15	(b)	100% state
District Court	L	(a)	~	13	(b)	100% state
<b>Arizona</b>						
Superior Court	G	Partisan election	~	15	4 yrs	100% state
Tax Court	G	~				
Justice of the Peace Court	L	Appointed	Judges	79	Varies	100% local
Municipal Court	L	Appointed	Varies	86	Varies	100% local
<b>Arkansas</b>						
Circuit Court	G	Partisan election	~	76	2 yrs	100% local
Chancery/Probate Court	G	Partisan election	~	1(a)	2 yrs	100% local
Municipal Court	L	Nonpartisan election	~	126	4 yrs	100% local
County Court	L	Partisan election	~	75	2 yrs	100% local
Police Court	L	Nonpartisan election	~	6	2 yrs	100% local
Court of Common Pleas	L	(same as county court clerk)	~		County Court Clerks serve	100% local
City Court	L	Nonpartisan election	~	97	4 yrs	100% local
Justice of the Peace Court	L					
<b>California</b>						
Superior Court	G	Varies	~	58(a)	Varies	100% local
Municipal	L	Appointed	Judges	88(a)	At pleasure	100% local
Justice Court	L	Appointed	Judges	38	At pleasure	100% local
<b>Colorado</b>						
District Court	G	Appointed	District court judges with approval of chief judge	59	At pleasure	100% state
Denver Probate Court	G					
Denver Juvenile Court	G					
Water Court	G	Appointed	Court	7	At pleasure	100% state
County Court	L	Appointed	Court	36	At pleasure	100% state
Municipal Court	L	UNK	UNK	UNK	UNK	100% local
<b>Connecticut</b>						
Superior Court	G	Appointed	Superior court judges	15	1 yr	100% state
Probate Court	L	Appointed	Probate court judges	133	At pleasure	100% local (e)
<b>Delaware</b>						
Court of Chancery	G	Partisan election	Electorate	3	4 yrs	100% local
Superior Court	G	Appointed	Superior court	3	At pleasure	100% state
Justice of the Peace Court	L	Appointed	Chief magistrate	19	At pleasure	100% local
Family Court	L	Appointed	Chief judge	3	At pleasure	100% state

Legend: N/S=None stated, UNK=Unknown, ~=Not applicable,  
G=General Jurisdiction, L=Limited Jurisdiction, SCA=State Court Administrator

**Table 29 -- Clerks of Court: Selection, Numbers, Terms of Office, and Funding**

States/Courts:	Court type	Method of Selection	Selector	Number of Court Clerks	Term of Office	Source of Salary Funding
<b>Delaware (con't)</b>						
Court of Common Pleas	L	Appointed	Chief judge	3	At pleasure	100% state
Alderman's Court	L	Appointed	Town official	11	At pleasure	100% local
Municipal Court of Wilmington	L	Appointed	Chief judge	1	At pleasure	100% local
<b>District of Columbia</b>	G	Appointed	Executive officer subject to approval by chief judge	1	At pleasure	100% D.C.
<b>Florida</b>						
Circuit Court	G	Non-partisan election	~	67	4 yrs	100% local
County Court	L	Served by circuit court clerk	~	Served by circuit court clerk	~	~
<b>Georgia</b>						
Superior Court	G	Partisan election	~	159	4 yrs	100% local
Juvenile Court	L	Appointed	~	31(a)	At pleasure	100% local
Civil Court	L	Varies	~	2	Varies	100% local
State Court	L	Appointed (b)	~	7	At pleasure	100% local
Probate Court	L	Appointed	Court	88(c)	At pleasure	100% local
Magistrate Court	L	Appointed	Chief magistrate	58(d)	At pleasure	100% local
Municipal Court of Columbus	L	Elected	~	1	4 yrs	100% local
County Recorder's Court	L	Appointed	County Board	UNK	At pleasure	100% local
Municipal Courts and City Court of Atlanta	L	Appointed	Chief Judge	UNK	At pleasure	100% local
<b>Hawaii</b>						
Circuit and Family Court	G	Appointed (a)	~	4(b)	Civil Service tenure	100% state
District Court	L	Appointed (a)	~	4	Civil Service tenure	100% state
<b>Idaho</b>						
District Court	G	Partisan election	~	44	4 yrs	100% local
<b>Illinois</b>						
Circuit Court	G	Partisan election	~	102	4 yrs	State/local
<b>Indiana</b>						
Superior Court	G	~	~	~	~	~
Circuit Court	G	Partisan election	~	92	4 yrs	100% local
County Court	L	~	~	~	~	~
Probate Court	G	~	~	~	~	~
City Court	L	Appointed	Judge	UNK	4 yrs	100% local
Town Court	L	Appointed	Judge	UNK	4 yrs	100% local
Municipal Court of Marion County	L	Elected	~	1	4 yrs	100% local
Smaller Claims Court of Marion County	L	Partisan election	~	UNK	4 yrs	100% local

**Table 29 -- Clerks of Court: Selection, Numbers, Terms of Office, and Funding**

States/Courts:	Court type	Method of Selection	Selector	Number of Court Clerks	Term of Office	Source of Salary Funding
Iowa						
District Court	G	Appointed	District judges	99	At pleasure	100% state
Kansas						
District Court	G	Appointed	Administrative Judge	105	At pleasure	100% state
Municipal Court	L	Appointed	Judges	UNK	At pleasure	100% local
Kentucky						
Circuit Court	G	Partisan election	~	120	6 yrs	100% state
District Court	L	(same as circuit clerk)	~	Same as circuit court	6 yrs	100% state
Louisiana						
District Court	G	Nonpartisan election	~	67	4 yrs	100% local
Juvenile and Family	G	Varies	Varies(a)			100% local
Justice of the Peace Court	L	~	~	~	~	~
Mayor's Court	L	~	~	~	~	~
City and Parish Courts	L	Appointed (generally)	Court(b)	53	At pleasure	100% local
Maine						
Superior Court	G	Appointed	Chief justice of superior court	15	(a)	100% state
District Court	L	Appointed	Chief judge of district court	33	At pleasure	100% state
Probate Court	L	Partisan election	~	16	4 yrs	100% local
Administrative Court	L	Appointed	Administrative Court Judge	1	At pleasure	100% state
Maryland						
Circuit Court	G	Partisan election	~	24	4 yrs	100% state
District Court	L	Appointed	Chief judge	13	At pleasure	100% state
Orphan's Court	L	Partisan election	~	24	4 yrs	100% state
Massachusetts						
Superior Court Department	G	Partisan election	~	15	6 yrs	100% state
District Court Department	L	Appointed	Governor(a)	68	No mandatory retirement	100% state
Boston Municipal Court	L	Appointed	Governor(a)	2	No mandatory retirement	100% state
Juvenile Court Department	L	Appointed	Governor(a)	4	No mandatory retirement	100% state
Housing Court Department	L	Appointed	Governor(a)	5	No mandatory retirement	100% state
Probate & Family Court	L	Partisan election	~	14	6 yrs	100% state
Land Court Department	L	Appointed	Governor(a)	1	No mandatory retirement	100% state
Michigan						
Circuit Court	G	Partisan election	~	83(a)	4 yrs	100% local
Recorder's Court of Detroit	G	Appointed	Chief judge	1	At pleasure	100% state
Court of Claims	G	Appointed	Chief judge	1	At pleasure	~
District Court	L	Appointed	Chief judge	147	At pleasure	100% local

**Table 29 -- Clerks of Court: Selection, Numbers, Terms of Office, and Funding**

States/Courts:	Court type	Method of Selection	Selector	Number of Court Clerks	Term of Office	Source of Salary Funding
<b>Michigan (con't)</b>						
Probate Court	L	Appointed	Chief judge	88	At pleasure	100% local
Municipal Court	L	Appointed	Chief judge	6	Varies	100% local
<b>Minnesota</b>						
District Court	G	Appointed	District court judges	85(a)	At pleasure	100% local(b)
<b>Mississippi</b>						
Circuit Court	G	Partisan election	~	82	4 yrs	100% local
Chancery Court	G	Partisan election	~	82	4 yrs	100% local
County Court	L	Usually served by circuit court clerk	~	~	~	~
Family Court	L	Usually served by chancery court clerk	~	~	~	~
Municipal Court	L	Appointed(a)	Mayer/Board	200	Varies	100% local
Justice Court	L	Appointed	Board	82	Varies	100% local
Mayor's Court	L	UNK				
<b>Missouri</b>						
Circuit Court (a)	G	Partisan election	~	114	4 yrs	100% state
		Appointed	Court	2	At pleasure	100% state(a)
Municipal Court	L	Appointed	Judge and/or city administrator	UNK	At pleasure	100% local
<b>Montana</b>						
District Court	G	Non-partisan election	~	1	4 yrs	100% local
Workers' Comp. Court	G	Appointed	Judge	1	At pleasure	100% state
Water Court	G	Appointed	Judge	1	At pleasure	100% state
Justice of the Peace Court	L	Appointed	County commission	55	At pleasure	100% local
Municipal Court	L	Appointed	Judge	1	At pleasure	100% local
City Court	L	~	~	~	~	~
<b>Nebraska</b>						
District Court	G	Partisan election	~	93	4 yrs	100% local
Separate Juvenile Court	L	~	~	Served by district court clerk	~	~
Worker's Compensation	L	Appointed	Court	1	At pleasure	100% state
County Court	L	Appointed	Court	93	At pleasure	100% state
<b>Nevada</b>						
District Court	G	Partisan election	~	17	Varies	100% local
Justice Court	L	Appointed	Judge	UNK	At pleasure	100% local
Municipal Court	L	Appointed	Judge	UNK	At pleasure	100% local
<b>New Hampshire</b>						
Superior Court	G	Appointed	Justices of the superior court	11	At pleasure	100% state
District Court	L	Appointed	By the justice of each district court	41	At pleasure	100% state

**Table 29 -- Clerks of Court: Selection, Numbers, Terms of Office, and Funding**

States/Courts:	Court type	Method of Selection	Selector	Number of Court Clerks	Term of Office	Source of Salary Funding
New Hampshire (con't)						
Municipal Court	L	Appointed	By the justice of each municipal court	9	At pleasure	100% state
Probate Court	L	Partisan election	~	10	2 yrs	100% state
New Jersey						
Superior Court	G	Partisan election(a)	~	22(a)	5 yrs	100% county
Tax Court	L	Appointed	Supreme court	1	At pleasure	100% state
Municipal Court	L	Appointed	Mayor(b)	586	3 yrs	100% local
New Mexico						
District Court	G	Appointed	Presiding judge	13	Classified employee	100% state
Magistrate Court	L	Appointed	Local judge & AOC	45	Classified employee	100% state
Bernalillo County Metropolitan Court	L	Appointed	Chief Judge	1	At pleasure	100% state
Municipal Court	L	Appointed	Local governing body	UNK	At pleasure	100% local
Probate Court	L	Partisan election	~	33	4 yrs	100% local
New York						
Supreme Court	G	Appointed	District administrative judge	35	At pleasure	100% state
County Court	G	Appointed	District administrative judge	23	At pleasure	100% state
District Court	L	Appointed	District administrative judge	2	At pleasure	100% state
City Court	L	Appointed	District administrative judge	66	At pleasure	100% state
Criminal Court of NYC	L	Appointed	Administrative Judge	1	At pleasure	100% state
Town and Village	L	Appointed	Town or village board	UNK	At pleasure	100% local
Court of Claims	L	Appointed	Chief judge	1	At pleasure	100% state
Surrogates' Court	L	Appointed	District administrative Judge	63	At pleasure	100% state
Family Court	L	Appointed	District administrative judge	54	At pleasure	100% state
Civil Court of NYC	L	Appointed	Administrative Judge	1	At pleasure	100% state
North Carolina						
Superior Court	G	Partisan election	~	100	4 yrs	100% state
District Court	L	(a)	~	(a)	4 yrs	100% state
North Dakota						
District Court	G	Nonpartisan election	~	53	4 yrs	100% local
County Court	L	Appointed	County Court Judge	53	At pleasure	100% local
Municipal Court	L	Appointed	Municipal Court Judge	UNK	At pleasure	100% local
Ohio						
Court of Common Pleas	G	Partisan election	~	88	4 yrs	100% local(a)
Municipal Court	L	Appointed(b)	Court	118	At pleasure	100% local

**Table 29 -- Clerks of Court: Selection, Numbers, Terms of Office, and Funding**

States/Courts:	Court type	Method of Selection	Selector	Number of Court Clerks	Term of Office	Source of Salary Funding
<b>Ohio (con't)</b>						
County Court	L	(c)	Board of County Commissioners	UNK	At pleasure	100% local
Court of Claims	L	Appointed	Supreme court/chief justice	1	At pleasure	100% state
Mayors Court	L	Appointed	(d)	1	~	100% local
<b>Oklahoma</b>						
District Court	G	Partisan election	~	77	4 yrs	100% local
Municipal Court Not of Record	L	Appointed	Municipal court clerk serves ex-officio	340	4 yrs	100% local
Municipal Criminal Court of Record	L	Appointed	City governing body	2	At pleasure	100% local
Workers' Compensation Court	L	Appointed	Administrative, presiding judge	1	At pleasure	100% state
Court of Tax Review	L	Statutory	~	(a)	~	100% state
<b>Oregon</b>						
Circuit Court	G	Appointed	Presiding judge	28	At pleasure	100% state
Tax Court	L	Appointed	COLR Chief Justice	1 (same as SCA)	At pleasure	100% state
County Court	L	~	~	~	~	~
District Court	L	Appointed(a)	Presiding judge	(a)	At pleasure	100% state
Justice Court	L	~	~	~	~	~
Municipal Court	L	~	~	~	~	~
<b>Pennsylvania</b>						
Court of Common Pleas	G	Partisan election	~	67	4 yrs	100% local
Philadelphia Municipal	L	Partisan election	~	1	4 yrs	100% local
District Justice Court	L	Partisan election	~	~	~	~
Philadelphia Traffic Court	L	Partisan election	~	1	6 yrs	100% local
Pittsburgh City Magistrates	L	Appointed	Mayor	5	4 yrs	100% local
<b>Rhode Island</b>						
Superior Court	G	Appointed	Governor, senate confirmation	1	5 yrs	100% state
Worker's Compensation	G					
District Court	L	Appointed	Governor, senate confirmation	1	5 yrs	100% state
Family Court	L	Appointed	Chief judge	1	At pleasure	100% state
Probate Court	L	Same as city/town clerk	Varies	~	~	100% local
Municipal Court	L	Appointed	Chief judge	7	At pleasure	100% local
<b>South Carolina</b>						
Circuit Court	G	Partisan election	~	46	4 yrs	100% local
Family Court	L	Circuit court clerk	~	~	~	~
Magistrate Court	L	~	~	~	~	~
Probate Court	L	Appointed	Judge	46	At pleasure	100% local
Municipal Court	L	Appointed	Local governing body	UNK	At pleasure	100% local

**Table 29 -- Clerks of Court: Selection, Numbers, Terms of Office, and Funding**

States/Courts:	Court type	Method of Selection	Selector	Number of Court Clerks	Term of Office	Source of Salary Funding
<b>South Dakota</b>						
Circuit Court	G	Appointed	Presiding circuit judge	63	At pleasure	100% state
<b>Tennessee</b>						
Circuit Court	G	Partisan election	~	95	4 yrs	State, local
Chancery Court	G	Appointed	Chancellor	99	6 yrs	State, local
Criminal Court	G	Partisan election	~	4	4 yrs	State, local
Probate Court	G	N/S	N/S	N/S	N/S	N/S
Juvenile Court	L	N/S	N/S	N/S	N/S	N/S
Municipal Court	L	N/S	N/S	N/S	N/S	N/S
General Sessions Court	L	N/S	N/S	N/S	N/S	N/S
<b>Texas</b>						
District Courts	G	Partisan election	~	254(a)	4 yrs	100% local
Constitutional County Court	L	Partisan election		(a)		
County Courts at Law	L	Partisan election	~	(a)	4 yrs	100% local
Probate Court	L			(a)		
Justice of the Peace Court	L	Varies	Varies	UNK	At pleasure	100% local
Municipal Court	L	Varies	Varies	UNK	At pleasure	100% local
<b>Utah</b>						
District Court	G	Appointed	Trial Court Administrator	37	At pleasure	100% state
Circuit Court	L	Appointed	Trial Court Administrator	22	At pleasure	100% state
Justice Court	L	Appointed	Judge	N/S	N/S	100% local
Juvenile Court	L	Appointed	Trial Court Administrator	14	At pleasure	100% state
<b>Vermont</b>						
Superior Court	G	Appointed	Assistant judges	14	At pleasure	100% state
District Court	G	Appointed	SCA	14	Indefinite	100% state
Family Court	G	Appointed	SCA	14	Indefinite	100% state
Probate Court	L	Appointed	Probate judge	19	At pleasure	100% state
Environmental Court	L	Appointed	SCA	1	Indefinite	100% state
<b>Virginia</b>						
Circuit Court	G	Partisan election	~	122	8 yrs	State, local
District Court	L	Appointed	Chief judge	134	At pleasure	100% state
<b>Washington</b>						
Superior Court	G	Varies	~	39	4 yrs	100% local
District Court	L	Appointed	Presiding judge	63	At pleasure	100% local
Municipal Court	L	Appointed	Presiding judge	127	At pleasure	100% local
<b>West Virginia</b>						
Circuit Court	G	Partisan election	~	55	6 yrs	100% local
Magistrate Court	L	Appointed	Chief judge	55	At pleasure	100% state
Municipal Court	L	~	~	~	~	~
<b>Wisconsin</b>						
Circuit Court	G	Partisan election	~	72	2 yrs	100% local
Municipal Court	L	Appointed	Municipal judge	175	At pleasure	100% local

**Table 29 -- Clerks of Court: Selection, Numbers, Terms of Office, and Funding**

States/Courts:	Court type	Method of Selection	Selector	Number of Court Clerks	Term of Office	Source of Salary Funding
<b>Wyoming</b>						
District Court	G	Partisan election	~	23	4 yrs	100% local
Justice of the Peace Court	L	Appointed	Court	14	At pleasure	100% local
Municipal Court	L	Appointed	Court	73	At pleasure	100% local
County Court	L	Appointed	Court	14	At pleasure	100% state
<b>Puerto Rico</b>						
Superior Court	G	Appointed	Regional Court Administrator	12	At pleasure	100% state
District Court	L	Appointed	Regional Court Administrator	38	At pleasure	100% state
Municipal Court	L	(a)	(a)	(a)	(a)	(a)

#### **FOOTNOTES:**

##### **Alabama:**

- (a)By state court administrator with advice and consent of presiding court judges and a majority of the district court judges.
- (b)Some clerks receive a county supplement or expense allowance.

R.S. 13:1598. However, the juvenile court of New Orleans has its own clerk. See, R.S. 13:1587.1.

##### **Alaska:**

- (a)Superior and district court appointment by trial court administrator with assistance of presiding judge of the judicial district or local judicial officer.
- (b)State employees (under state personnel rules).

##### **Maine:**

- (a)Subject to collective bargaining contract.

##### **Arkansas:**

- (a)Chancery/Probate Courts: only Pulaski County has a separate clerk.

##### **Massachusetts:**

- (a)Gubernatorial appointment from nominating commission with approval of governor's council.

##### **California:**

- (a)There are 7 jurisdictions with a consolidated administration for superior and municipal courts, and one executive office for both courts. This is changing rapidly, as coordination/consolidation grows.

##### **Michigan:**

- (a)The number includes circuit court judges serving the court of claims.

##### **Connecticut:**

- (a)Generated by fees paid to court.

##### **Minnesota:**

- (a)Called court administrators.
- (b)A pilot project in one judicial district provides for state funding of the trial court. There are 13 counties in the judicial district. All other offices are funded by the county government.

##### **Georgia:**

- (a)Juvenile Court: in 30 counties a separate juvenile court clerk serves; in all other counties except the six counties of the southwestern circuit, superior court clerks serve. In the southwestern circuit counties, a court services worker serves as the clerk.
- (b)State Court: 7 counties have a separate court clerk; all other state courts are served by the superior court clerk.
- (c)Probate Court: number is approximate.
- (d)Magistrate Court: number is approximate.

##### **Mississippi:**

- (a)Municipal Court: some positions may be filled by election.

##### **Hawaii:**

- (a)Civil Service
- (b)Circuit/family courts: referred to as court administrators.

##### **Missouri:**

- (a)Appointed clerks are paid by the county, but the state pays the county a sum equivalent to the salary that would be paid for an elected circuit clerk.

##### **Louisiana:**

- (a)In parish courts, the district court clerks are ex-officio clerks of the Parish Courts. See R.S. 13:2561.12; 2562.12; 2563.4.
- (b)In some parishes, such as Jefferson, the clerk of the 29th Judicial District Court serves as ex-officio clerk of the juvenile court. See,

##### **New Jersey:**

- (a)The 21 county clerks are deputy clerks of superior court. There is also 1 statewide clerk of the superior court appointed by the chief judge; paid by the state.
- (b)Selected by mayor with approval of council, but a gubernatorial appointment for courts serving more than one municipality.

##### **North Carolina:**

- (a)Served by superior court clerk.

##### **Ohio:**

- (a)Local, but extra paid by state funds for acting as clerk for court of appeals.
- (b)Twenty-two municipal court clerks are elected on a partisan ballot for a 6 year term (area with 100,000 population).
- (c)Appointed or existing court of common pleas clerk.

**Table 29 -- Clerks of Court: Selection, Numbers, Terms of Office, and Funding**

**Ohio (con't):**

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

**Oklahoma:**

(a)Appellate court clerk serves as clerk for the Court of Tax Review.

**Oregon:**

(a)Twenty-two of 28 circuit court clerks who are also over district courts.

**Texas:**

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

**Puerto Rico:**

(a)The clerk of the district court simultaneously serves as court clerk for the municipal court.

**Table 30 -- The Number of Trial Court Administrators**

States/Courts:	Court type	Administrators of Trial Courts		Regional Trial Court Administrators	
		Authorized	Serving	Authorized	Serving
<b>Alabama</b>					
Circuit	G	6	6	~	~
District	L	0	0	~	~
Municipal	L	0	0	~	~
Probate	L	0	0	~	~
<b>Alaska</b>					
Superior	G	0	0	4	4
District	L	~	~	~	~
Magistrates	L	~	~	~	~
<b>Arizona</b>					
Superior	G	11	11	0	0
Justice of the Peace	L	5	5	0	0
Municipal	L	15	15	0	0
<b>Arkansas</b>		38	38		
Circuit	G	37	37	0	0
Chancery/Probate	G	0	0	0	0
Circuit/Chancery	L	0	0	0	0
Municipal	L	0	0	0	0
City	L	0	0	0	0
Police	L	0	0	0	0
Court of Common Pleas	L	0	0	0	0
<b>California</b>					
Superior	G	58	47	0	0
Municipal	L	91	91	0	0
Justice	L	~	~	0	0
<b>Colorado</b>					
District Court	G	22	22	2(a)	~
Denver Probate Court	G	~	~	~	~
Denver Juvenile Court	G	~	1	~	~
Water Court	G	~	~	~	~
County Court	L	~	~	~	~
Municipal Court	L	~	~	~	~
<b>Connecticut</b>					
Superior Court	G	14	14	0	0
Probate Court	L	~	~	~	~
<b>Delaware</b>					
Court of Chancery	G	1	1	0	0
Superior Court	G	1	1	0	0
Justice of the Peace Court	L	1	1	0	0
Family Court	L	1	1	0	0
Court of Common Pleas	L	1	1	0	0
Alderman's Court	L	0	0	0	0

**Table 30 -- The Number of Trial Court Administrators**

States/Courts:	Court type	Administrators of Trial Courts		Regional Trial Court Administrators	
		Authorized	Serving	Authorized	Serving
<b>Delaware (con't)</b>					
Municipal Court of Wilmington	L	1	1	0	0
<b>District of Columbia</b>					
Superior Court	G	1	1	~	~
<b>Florida</b>					
Circuit Court	G	20	20	~	~
County Court	L	(a)	(a)	~	~
<b>Georgia</b>					
Superior Court	G	11	11	10	10
Juvenile Court	L	10	10	~	~
Civil Court	L	~	~	~	~
State Court	L	4	4	~	~
Probate Court	L	~	~	~	~
Magistrate Court	L	~	~	~	~
Municipal Court of Columbus	L	~	~	~	~
County Recorder's Court	L	~	~	~	~
Municipal/City Courts of Atlanta	L	UNK	UNK	~	~
<b>Hawaii</b>					
Circuit Court & Family Court	G	4	4	8	8
District Court	L	10	10	4	4
<b>Idaho</b>					
District Court	G	~	~	7	7
Magistrate Division		~	~	~	~
<b>Illinois</b>					
Circuit Court	G	~	~	9	8
<b>Indiana</b>					
Superior Court	G	38	38	0	0
Circuit Court	G	20	20	0	0
Probate Court	G	~	0	0	0
County Court	L	2	2	0	0
City Court	L	12	12	0	0
Town Court	L	~	~	~	~
Municipal Court of Marion	L	21	21	0	0
Smaller Claims of Marion	L	2	2	0	0
<b>Iowa</b>					
District Court	G	0	0	8(a)	8
<b>Kansas</b>					
District Court	G	13	12	0	0
Municipal Court	L	UNK	UNK	~	~
<b>Kentucky</b>					
Circuit Court	G	8	8	3	3
District Court	L	2	2	0	0

**Table 30 -- The Number of Trial Court Administrators**

States/Courts:	Court type	Administrators of Trial Courts		Regional Trial Court Administrators	
		Authorized	Serving	Authorized	Serving
<b>Louisiana</b>					
District Court	G	18	18	0	0
Justice of the Peace Court	L	0	0	0	0
Mayor's Court	L	0	0	0	0
City and Parish Courts	L	15	15	0	0
Juvenile & Family Courts	L	4	4	0	0
<b>Maine</b>					
Superior Court	G	0	0	4(a)	4(a)
District Court	L	0	0	(a)	(a)
Probate Court	L	~	~	~	~
Administrative Court	L	0	0	(a)	(a)
<b>Maryland</b>					
Circuit Court	G	6	6	2	2
District Court	L	~	~	~	~
Orphan's Court	L	~	~	~	~
<b>Massachusetts</b>					
Superior Court Dept.	G	1	1	10	10
District Court Dept.	L	1	1	5	5
Probate/Family Court Dept.	L	1	1	~	~
Juvenile Court Dept.	L	1	1	~	~
Housing Court Dept.	L	1	1	~	~
Boston Municipal Court Dept.	L	1	1	~	~
Land Court Dept.	L	1	1	~	~
<b>Michigan</b>					
Circuit Court	G	~	40	~	~
Recorder's Court of Detroit	G	~	1	~	~
Court of Claims	G	~	~	~	~
District Court	L	~	147	~	~
Probate Court	L	~	32	~	~
Municipal Court	L	~	6	~	~
<b>Minnesota</b>					
District Court	G	84	84	10	10
<b>Mississippi</b>					
Circuit Court	G	28	28	0	0
Chancery Court	G	21	21	0	0
County Court	L	11	11	0	0
Family Court	L	1	1	0	0
Municipal Court	L	~	~	~	~
Justice Court	L	0	0	0	0
<b>Missouri</b>					
Circuit Court	G	5	5	0	0
Municipal Court	L	~	~	~	~

**Table 30 -- The Number of Trial Court Administrators**

States/Courts:	Court type	Administrators of Trial Courts		Regional Trial Court Administrators	
		Authorized	Serving	Authorized	Serving
<b>Montana</b>					
District Court	G	0	0	~	~
Workers' Compensation Court	G	0	0	~	~
Water Court	G	0	0	~	~
Justice of the Peace Court	L	0	0	~	~
Municipal Court	L	0	0	~	~
City Court	L	0	0	~	~
<b>Nebraska</b>					
District Court	G	3	3	2	2
Separate Juvenile Court	L	1	1	0	0
County Court	L	2	2	2	2
Workers' Compensation Court	L	0	0	0	0
<b>Nevada</b>					
District Court	G	2	2	0	0
Justice Court	L	4	4	1	1
Municipal Court	L	6	6	0	0
<b>New Hampshire(a)</b>					
Superior Court	G	0	0	0	0
District Court	L	0	0	0	0
Municipal Court	L	0	0	0	0
Probate Court	L	0	0	0	0
<b>New Jersey</b>					
Superior Court	G	~	~	15	15
Tax Court	L	1	1	~	~
Municipal Court	L	(a)	545(a)	~	~
<b>New Mexico</b>					
District Court	G	13	13	0	0
Magistrate Court	L	0	0	~	~
Metropolitan Court	L	1	1	~	~
Municipal Court	L	~	~	~	~
Probate Court	L	~	~	~	~
<b>New York</b>					
Supreme Court	G	5(a)	5	11	11
County Court	G	0	0	~	~
Court of Claims	L	1	1	0	0
Surrogates' Court	L	5	5	~	~
Family Court (outside NYC)	L	0	0	~	~
Family Court (NYC)	L	1	1	~	~
District Court	L	0	0	~	~
City Court	L	0	0	~	~
NYC Civil Court	L	0	0	~	~
NYC Criminal Court	L	1	1	~	~

**Table 30 -- The Number of Trial Court Administrators**

States/Courts:	Court type	Administrators of Trial Courts		Regional Trial Court Administrators	
		Authorized	Serving	Authorized	Serving
New York (con't)					
Town and Village	L				
North Carolina					
Superior Court	G	~	~	12(a)	12(a)
District Court	L	~	~	~	~
North Dakota					
District Court	G	0	0	7	7
County Court	L	0	0	0	0
Municipal Court	L	0	0	0	0
Ohio					
Court of Common Pleas	G	UNK	~	0	~
Municipal Court	L	0	0	0	0
County Court	L	0	0	0	0
Court of Claims	L	0	0	0	0
Mayors Court	L	0	0	0	0
Oklahoma					
District Court	G	2	2	0	0
Municipal Court Not of Record	L	0	0	~	~
Municipal Criminal Court of Record	L	0	0	~	~
Worker's Compensation Court	L	1	1	0	0
Court of Tax Review	L	0	0	~	~
Oregon					
Circuit Court	G	22	22	6	6
Tax Court	S	0	0	0	0
County Court	L	0	0	0	0
Justice Court	L	0	0	0	0
District Court	L	(a)		(a)	
Municipal Court	L	0	0	0	0
Pennsylvania					
Court of Common Pleas	G	60	59	5(a)	5
Philadelphia Municipal Court	L	1	1	~	~
District Justice Court	L	60	60	~	~
Philadelphia Traffic Court	L	1	1	~	~
Pittsburgh City Magistrates	L	0	0	~	~
Rhode Island					
Superior Court	G	1	1	~	~
Workers' Compensation Court	L	1	1	~	~
District Court	L	1	1	~	~
Family Court	L	1	1	~	~
Probate Court	L	0	0	~	~
Municipal Court	L	0	0	~	~

**Table 30 -- The Number of Trial Court Administrators**

States/Courts:	Court type	Administrators of Trial Courts		Regional Trial Court Administrators	
		Authorized	Serving	Authorized	Serving
<b>South Carolina</b>					
Circuit Court	G	0	0	~	~
Family Court	L	0	0	~	~
Magistrate Court	L	0	0	~	~
Probate Court	L	0	0	~	~
Municipal Court	L	UNK	UNK	~	~
<b>South Dakota</b>					
Circuit Court	G	8	8	~	~
<b>Tennessee</b>					
Circuit Court	G	(a)	(a)	0	0
Chancery Court	G	(a)	(a)	0	0
Criminal Court	G	(a)	(a)	0	0
Probate Court	G	0	0	0	0
Juvenile Court	L	0	0	0	0
Municipal Court	L	0	0	0	0
General Sessions Court	L	0	0	0	0
<b>Texas</b>					
District Courts	G	UNK	~	0	0
Constitutional County Court	L	UNK	~	0	0
County Courts at Law	L	UNK	~	0	0
Justice of the Peace Court	L	UNK	~	0	0
Municipal Court	L	UNK	~	0	0
Statutory Probate	L	UNK	~	0	0
<b>Utah</b>					
District Court	G	1	1	8	8
Circuit Court	L	1	1	~	~
Justice Court	L	~	~	1	1
Juvenile Court	L	1	1	2	2
<b>Vermont</b>					
Superior Court	G	0	0	~	~
District Court	G	0	0	~	~
Family Court	L	0	0	~	~
Probate Court	L	0	0	~	~
Environmental Court	L	0	0	~	~
<b>Virginia</b>					
Circuit Court	G	2	2	~	~
District Court	L	0	0	~	~
<b>Washington</b>					
Superior Court	G	~	22	~	~
District Court	L	50	50	~	~
Municipal Court	L	131	131	~	~

**Table 30 -- The Number of Trial Court Administrators**

States/Courts:	Court type	Administrators of Trial Courts		Regional Trial Court Administrators	
		Authorized	Serving	Authorized	Serving
West Virginia					
Circuit Court	G	2	2	0	0
Magistrate Court	L	0	0	0	0
Municipal Court	L	0	0	-	-
Wisconsin					
Circuit Court	G	72(a)	72	10	10
Municipal Court	L	0	0	-	-
Wyoming					
District Court	G	0	0	0	0
Justice of the Peace Court	L	0	0	0	0
Municipal Court	L	0	0	0	0
County Court	L	0	0	0	0
Puerto Rico					
Superior Court	G	0	0	(a)	(a)
District Court	L	0	0	(a)	(a)
Municipal Court	L	0	0	(a)	(a)

#### FOOTNOTES:

**Colorado:**

(a)Each have two districts on a "regionalized" basis.

**Florida:**

(a)Trial court administrator's serve both circuit and county courts.

**Iowa:**

(a)One for each of the 8 judicial districts; some have assistants.

**Maine:**

(a)Four regional trial court administrators cover the Superior court, District court and Administrative court.

**New Hampshire:**

(a)Has no trial court administrators in their court system.

**New Jersey:**

(a)There are 516 Municipal Court Administrators and, 29 Municipal Court Directors. Some municipalities share a court administrator; others have more than one.

**New York:**

(a)The chief clerks in New York City serve dual roles as administrators and chief operational officers.

**North Carolina:**

(a)They serve fourteen superior court districts, encompassing twenty-five counties.

**Oregon:**

(a)Trial court administrators serve both the circuit and district court.

**Pennsylvania:**

(a)Court of Common Pleas has 5 established regional units which are comprised of varying number of judicial districts. Not all judicial districts participate. Regional units, approved by supreme court, were established for administrative purposes.

**Tennessee:**

(a)There is one administrator for all state courts

**Wisconsin:**

(a)Clerks of circuit court are elected county officials and serve as local court managers.

**Puerto Rico:**

(a)There are 12 regional trial court administrators serving all three types of trial courts.

**Table 31 -- Making the Trial Record: Electronic Recording of Trial Proceedings**

States:	Short-Hand Machine (including CAT)	Steno Mask	Audio Tape	Video Tape	Other	Do appellate courts accept the tape as the record for purposes of review
Alabama	A	A	A	A	~	Sometimes(a)
Alaska	~	~	R	~	~	Yes
Arizona	A	~	A	~	~	No
Arkansas	A	A	P	E	~	No
California	R	~	E	E	~	Sometimes(a)
Colorado	R	P	A	~	~	No
Connecticut	A	P	A	P	~	No
Delaware	A	~	A	~	~	No
District of Columbia	A	~	A	~	~	No
Florida	A	A	A	A	~	No
Georgia	A	A	P	~	~	No
Hawaii	R	~	A	A	~	No(a)
Idaho	A	~	A(a)	~	~	No
Illinois	R	A	A	A	A(a)	Yes
Indiana	R	A	A	~	~	Sometimes(a)
Iowa	A	~	A(a)	~	~	No
Kansas	A	~	A	~	~	No
Kentucky	A	A	A	A	~	Yes(a)
Louisiana	A	A	A	E	~	No(a)
Maine	A	~	A	~	~	No
Maryland	A	~	A	A	~	Sometimes(a)
Massachusetts	A	A	A	~	~	No
Michigan	A	A	A	A	~	Yes
Minnesota	R	A	A	A	~	No
Mississippi	A	A	A	P	~	No
Missouri	A	A	A	P	~	No
Montana	A	~	A	~	~	No
Nebraska	A	A	A	~	A	No
Nevada	A	~	A	E	~	No
New Hampshire	A	A	A	E	~	No
New Jersey	A	A	A	E	(a)	Yes(b)
New Mexico	A/R	A	A/R	~	~	Yes
New York	A	~	E	P	~	No
North Carolina	A	A	A	A	~	No(a)
North Dakota	A	~	A	A	~	No
Ohio	A	A	A	A	~	Sometimes(a)
Oklahoma	R	P	A	P	~	No
Oregon	A	~	A	E	E(a)	Yes
Pennsylvania	A	A	A(a)	A(a)	~	No
Rhode Island	R	~	A	~	~	No
South Carolina	A	A	P	P	~	~
South Dakota	A	A	A	A	~	Yes
Tennessee	R	A	R	E	~	No
Texas	A	A	A	P	~	No
Utah	R	~	A	A	~	No
Vermont	A	A	A	E	~	Sometimes(a)
Virginia	A	A	A	E	~	No
Washington	A	~	A	A	~	No
West Virginia	A	A	A	~	~	No
Wisconsin	A	~	A	A	~	No
Wyoming	A	P	A	A	~	Yes
Puerto Rico	A	~	A	~	~	No
Federal	A	A	A	E	~	

Legend: R=Required for some or all case types, A=Allowed for some or all case types,  
E=Experimental for some or all case types, P=Prohibited for some or all case types, ~=Not used

## Table 31 -- Making the Trial Record: Electronic Recording of Trial Proceedings

### FOOTNOTES:

#### Alabama:

(a) Videotape recordings only (Rule 14, ARAP). Audio tapes are required to be transcribed.

#### California:

(a) Under Rule 980.5, California Rules of Court, the untranscribed tape can be used only by stipulation approved by the reviewing court.

#### Colorado:

(a) Audio tape recorders are used in courts of limited jurisdiction (i.e., county courts).

#### Delaware:

(a) Court reporter stenographic is the official record in superior, courts of chancery and common pleas. In family court, audio tapes are official record.

#### Hawaii:

(a) Tapes are not accepted for purposes of appellate review. The court will use tapes where it has been determined--for motions only--that the defendant cannot afford the transcription fee.

#### Idaho:

(a) Used only in magistrate's division.

#### Illinois:

(a) Real-time translation and penwriter shorthand.  
(b) Any of the recording techniques allowed can be the official record of trial court proceedings.

#### Indiana:

(a) Expedited appeals in mandate of funds and waiver of parental consent for abortions.

#### Iowa:

(a) In small claims cases conducted by a magistrate.

#### Kentucky:

(a) Audio tape is the official record of district court proceedings. The court reporter's transcript is the official record of the circuit court proceedings. If the proceeding is videotaped, the official record are two videotaped recordings.

#### Louisiana:

(a) An experimental program using video tapes is planned for Baton Rouge City Court. Appeals from that court are heard by the 19th Judicial District Court. If the 19th Judicial Court requests it, the record will be transcribed. Otherwise the record consists of the video tape.

#### Maryland:

(a) At discretion of judges.

#### Nebraska:

(a) Shorthand, audio tape, CAT, and handwritten transcripts are used.

#### New Jersey:

(a) In court real-time transcription.  
(b) Depending on method of recordation used, the official record is: shorthand notes, if transcribed by an official court reporter; audio cassette, if electronically recorded; videotape, if videotape recorded; paper notes from shorthand reporter's use of computer aided in-court transcription.

#### North Carolina:

(a) By statute, the Administrative Office of the Courts is authorized to use electronic means for court reporting. Currently, video tape recording of civil trials is being tested and evaluated in one courtroom. The rules governing this test/evaluation specify that the appellate courts may accept a certified copy of the video tape accompanied by detailed logs as the record of the proceeding.

#### Ohio:

(a) Varies by district.

#### Oregon:

(a) Audio tape is used in both circuit and district courts, however, the circuit court may also use electronic typing device or video tape.

#### Tennessee:

(a) Manual or shorthand machine serves as backup to audio tape. Transcript then required. Pilot project in one county using video-appellate rule states transcripts may be ordered by judges or video tape can be used if judge wishes.

#### Vermont:

(a) Court reporter transcript; court reporter transcript from official 4 track audio tape; and official video tape (up to 12 hours, after which tape must be transcribed).

**Table 32 -- The Use of Cameras in Trial and Appellate Courts**

States:	Court type	Division	Effective Date: Experimental	Effective Date: Permanent	Is Consent Required?
<b>Alabama</b>					
Supreme Court	COLR	Appellate		2/1/76	Yes
Court of Criminal Appeals	IAC	Appellate		2/1/76	
Court of Civil Appeals	IAC	Appellate		2/1/76	
Circuit Court	G	Civil and criminal		2/1/76	
District Court	L	Civil and criminal		2/1/76	
Municipal Court	L	Criminal		2/1/76	
Probate Court	L	Civil		2/1/76	
<b>Alaska</b>					
Supreme Court	COLR	Appellate	8/24/78	1/15/90	Yes
Court of Appeals	IAC	Appellate	8/24/78	1/15/90	
Superior Court	G	Civil and criminal	8/24/78	1/15/90	
District Court	L	Civil and criminal	8/24/78	1/15/90	
<b>Arizona</b>					No
Supreme Court	COLR	Appellate	5/31/79	7/1/83	
Court of Appeals	IAC	Appellate	5/31/79	7/1/83	
Superior Court	G	Civil and criminal	5/31/79	7/1/83	
Tax Court	G	Civil	5/31/79	7/1/83	
Justice of the Peace Court	L	Civil and criminal	5/31/79	7/1/83	
Municipal Court	L	Civil and criminal	5/31/79	7/1/83	
<b>Arkansas</b>					Yes
Supreme Court	COLR	Appellate	1/1/81	3/8/82	
Court of Appeals	IAC	Appellate	1/1/81	3/8/82	
Circuit Court	G	Civil and criminal	1/1/81	3/8/82	
Chancery/Probate Court	G	Civil	1/1/81	3/8/82	
Municipal Court	L	~	~	~	
County Court	L	~	~	~	
Police Court	L	~	~	~	
Court of Common Pleas	L	~	~	~	
City Court	L	~	~	~	
Justice of Peace	L	~	~	~	
<b>California</b>					No
Supreme Court	COLR	~	6/1/80	7/1/84	
Courts of Appeal	IAC	~	6/1/80	7/1/84	
Superior Court	G	Civil and criminal	6/1/80	7/1/84	
Municipal	L	All	6/1/80	7/1/84	
Justice Court	L	All	6/1/80	7/1/84	
<b>Colorado</b>					No
Supreme Court	COLR	Appellate		2/27/56	
Court of Appeals	IAC	Appellate		2/27/56	
District Court	G	Civil and criminal		2/27/56	
Denver Probate Court	G	Civil		2/27/56	
Denver Juvenile Court	G	Juvenile		2/27/56	
Water Court	G	Civil		2/27/56	
County Court	L	~	~	~	
Municipal Court	L	~	~	~	

Legend: COLR=Court of Last Resort, IAC=Intermediate Appellate Court  
G=General Jurisdiction, L=Limited Jurisdiction, ~=Not applicable

**Table 32 - The Use of Cameras in Trial and Appellate Courts**

States:	Court type	Division	Effective Date: Experimental	Effective Date: Permanent	Is Consent Required?
<b>Connecticut</b>					
Supreme Court	COLR	Appellate	1982	10/1/84	
Appellate Court	IAC	Appellate	1983	10/1/84	
Superior Court	G	Civil and criminal	1982	10/1/84	
Probate Court	L	Civil	-	11/29/84	
<b>Delaware</b>					
Supreme Court	COLR	Civil	5/1/82		
Court of Chancery	G	-	-		
Superior Court	G	-	-		
Justice of the Peace Court	L	-	-		
Family Court	L	-	-		
Court of Common Pleas	L	-	-		
Alderman's Court	L	-	-		
Municipal Court of Wilmington	L	-	-		
<b>District of Columbia</b>					
Court of Appeals	COLR	No camera coverage			
Superior Court	G	No camera coverage			
<b>Florida</b>					
Supreme Court	COLR	Appellate	7/5/77	5/1/79	
District Courts of Appeal	IAC	Appellate	7/5/77	5/1/79	
Circuit Court	G	Civil and criminal	7/5/77	5/1/79	
County Court	L	Civil and criminal	7/5/77	5/1/79	
<b>Georgia</b>					
Supreme Court	COLR	Appellate		5/12/77	
Court of Appeals	IAC	Appellate		5/12/77	
Superior Court	G	Civil and criminal		5/12/77	
Juvenile Court	L	-			
Civil Court	L	-			
State Court	L	Civil and criminal		5/12/77	
Probate Court	L	-		7/1/85	
Magistrate Court	L	-		7/1/85	
Municipal Court	L	-			
County Recorder's Court	L	-			
Municipal Courts and City Court of Atlanta	L	-			
<b>Hawaii</b>					
Supreme Court	COLR	Appellate	1/1/84	12/7/87	
Intermediate Court of Appeals	IAC	Appellate	1/1/84	12/7/87	
Circuit and Family Court	G	Civil and criminal	1/1/84	12/7/87	Yes
District Court	L	Civil and criminal	1/1/84	12/7/87	Yes
<b>Idaho</b>					
Supreme Court	COLR	Appellate	(a)	(b)	
Court of Appeals	IAC	Appellate	(a)	(b)	
District Court	G	-	-	-	
<b>Illinois</b>					
Supreme Court	COLR	Appellate	1/1/84	1/2/85	No

**Table 32 -- The Use of Cameras in Trial and Appellate Courts**

States:	Court type	Division	Effective Date: Experimental	Effective Date: Permanent	Is Consent Required?
<b>Illinois (con't)</b>					
Appellate Court	IAC	Appellate	1/1/84	1/2/85	
Circuit Court	G	~	~	~	
<b>Indiana</b>					
Supreme Court	COLR	No camera coverage			
Court of Appeals	IAC	No camera coverage			
Tax Court	IAC	No camera coverage			
Superior Court	G	No camera coverage			
Circuit Court	G	No camera coverage			
Probate Court	G	No camera coverage			
County Court	L	No camera coverage			
City Court	L	No camera coverage			
Town Court	L	No camera coverage			
Municipal Court of Marion County	L	No camera coverage			
Smaller Claims Court of Marion County	L	No camera coverage			
<b>Iowa</b>					
Supreme Court	COLR	Appellate	1/1/80	1/1/82	Yes
Court of Appeals	IAC	Appellate	1/1/80	1/1/82	
District Court	G	Civil and criminal	1/1/80	1/1/82	
<b>Kansas</b>					
Supreme Court	COLR	Appellate	9/14/81	9/1/88	Yes
Court of Appeals	IAC	Appellate	9/14/81	9/1/88	
District Court	G	Civil and criminal	1/30/87	9/1/88	
Municipal Court	L	~	~	~	
<b>Kentucky</b>					
Supreme Court	COLR	Appellate		7/1/81	Yes(a)
Court of Appeals	IAC	Appellate		7/1/81	
Circuit Court	G	Civil and criminal		7/1/81	
District Court	L	Civil and criminal		7/1/81	
<b>Louisiana</b>					
Supreme Courts(a)	COLR	Appellate	7/13/79	4/30/85	No
Courts of Appeal(a)	IAC	Appellate	7/13/79	4/30/85	
District Court	G	~	~	~	
Juvenile Court	G	~	~	~	
Family Court	G	~	~	~	
Justice of the Peace Court	L	~	~	~	
Mayor's Court	L	~	~	~	
City and Parish Courts	L	~	~	~	
<b>Maine</b>					
Supreme Judicial Court	COLR	Appellate	4/2/82	3/13/84	No
Superior Court	G	Civil and criminal	9/1/81	Under review	
District Court	L	Civil and criminal	9/1/81	Under review	
Probate Court	L	~	~	~	
Administrative Court	L	~	~	~	

**Table 32 - The Use of Cameras in Trial and Appellate Courts**

States:	Court type	Division	Effective Date: Experimental	Effective Date: Permanent	Is Consent Required?
<b>Maryland</b>					
Court of Appeals	COLR	Appellate	1/1/81	7/1/82	Yes(a)
Court of Special Appeals	IAC	Appellate	1/1/81	7/1/82	
Circuit Court	G	Civil	1/1/81	7/1/84	
District Court	L	Civil	1/1/81	7/1/84	
Orphan's Court	L	Civil	1/1/81	7/1/84	
<b>Massachusetts</b>					Yes
Supreme Judicial Court	COLR	Appellate	4/1/80	1/1/83	
Appeals Court	IAC	Appellate	4/1/80	1/1/83	
Trial Court of the Commonwealth	G	Civil and criminal	6/1/80	1/1/83	
<b>Michigan</b>					No
Supreme Court	COLR	~	~	~	
Court of Appeals	IAC	~	~	~	
Circuit Court	G	Civil and criminal	1/1/88	1/1/89	
Recorder's Court of Detroit	G	Criminal	~	~	
Court of Claims	G	Civil	1/1/88	1/1/89	
District Court	L	~	~	~	
Probate Court	L	~	~	~	
Municipal Court	L	~	~	~	
<b>Minnesota</b>					Yes
Supreme Court	COLR	Appellate	1/27/78	4/20/83	
Court of Appeals	IAC	Appellate	1/27/78	4/20/83	
District Court	G	Civil and criminal	4/18/83		
<b>Mississippi</b>					
Supreme Court	COLR	No camera coverage			
Circuit Court	G	No camera coverage			
Chancery Court	G	No camera coverage			
County Court	L	No camera coverage			
Family Court	L	No camera coverage			
Municipal Court	L	No camera coverage			
Justice Court	L	No camera coverage			
<b>Missouri</b>					Yes(a)
Supreme Court	COLR	Appellate	10/1/92		
Court of Appeals	IAC	Appellate	10/1/92		
Circuit Court	G	Civil and criminal	1/1/93		
Municipal Court	L	~	~		
<b>Montana</b>					No
Supreme Court	COLR	Appellate	4/1/78	4/18/80	
District Court	G	Civil and criminal	4/1/78	4/18/80	
Workers' Comp. Court	G	~	~	~	
Water Court	G	~	~	~	
Justice of the Peace Court	L	~	~	~	
Municipal Court	L	~	~	~	
City Court	L	~	~	~	

**Table 32 -- The Use of Cameras in Trial and Appellate Courts**

<b>States:</b>	<b>Court type</b>	<b>Division</b>	<b>Effective Date: Experimental</b>	<b>Effective Date: Permanent</b>	<b>Is Consent Required?</b>
<b>Nebraska</b>					No
Supreme Court	COLR	Appellate	10/1/82	10/1/83	
Court of Appeals	IAC	Appellate	1/1/92	1/1/92	
District Court	G	~	~	~	
Separate Juvenile Court	L	~	~	~	
Workers' Compensation Court	L	~	~	~	
County Court	L	~	~	~	
<b>Nevada</b>					Yes
Supreme Court	COLR	Appellate	4/1/80	5/30/88	
District Court	G	Civil and criminal	4/1/80	5/30/88	
Justice Court	L	Civil and criminal	4/1/80	5/30/88	
Municipal Court	L	Civil and criminal	4/1/80	5/30/88	
<b>New Hampshire</b>					
Supreme Court	COLR	~	~	~	~
Superior Court	G	Civil and criminal	6/1/94	~	No
District Court	L	~	~	~	~
Municipal Court	L	~	~	~	~
Probate Court	L	~	~	~	~
<b>New Jersey</b>					No
Supreme Court	COLR	Appellate	5/1/79	10/8/80	
Appellate Division of Superior Court	IAC	Appellate	5/1/79	10/8/80	
Superior Court	G	Civil and criminal	5/1/79	6/9/81	
Tax Court	L	Civil	5/1/79	6/9/81	
Municipal Court	L	Criminal	1/1/84	9/1/86	
<b>New Mexico</b>					No(n)
Supreme Court	COLR	Appellate	7/1/80	1/1/83	
Court of Appeals	IAC	Appellate	7/1/80	1/1/83	
District Court	G	Civil and criminal	7/1/80	1/1/83	
Magistrate Court	L	Civil and criminal		3/1/87	
Bernalillo County Metropolitan Court	L	Civil and criminal		3/1/87	
Municipal Court	L	~	~	~	
Probate Court	L	~	~	~	
<b>New York</b>					Yes
Court of Appeals	COLR	Appellate		1/1/81	
Appellate Divisions of Supreme Court	IAC	Appellate		1/1/81	
Appellate Terms of Supreme Court	IAC	Appellate		1/1/81	
Supreme Court	G	Civil and criminal	6/23/92	~	
County Court	G	Civil and criminal	6/23/92	~	
Court of Claims	L	~	~	~	
Surrogates' Court	L	~	~	~	
Family Court	L	~	~	~	
District Court	L	~	~	~	
City Court	L	~	~	~	
Civil Court of City of New York	L	~	~	~	
Criminal Court of City of New York	L	~	~	~	
Town and Village Justice Court	L	~	~	~	

**Table 32 - The Use of Cameras in Trial and Appellate Courts**

States:	Court type	Division	Effective Date: Experimental	Effective Date: Permanent	Is Consent Required?
<b>North Carolina</b>					
Supreme Court	COLR	Appellate	10/18/82	6/13/90	No
Court of Appeals	IAC	Appellate	10/18/82	6/13/90	
Superior Court	G	Civil and criminal	10/18/82	6/13/90	
District Court	L	Civil and criminal	10/18/82	6/13/90	
<b>North Dakota</b>					Yes
Supreme Court	COLR	Supreme Court	2/1/79	7/1/80	
Court of Appeals	IAC	~	~	~	
District Court	G	Civil and criminal	9/1/88	~	
County Court	L	~	~	~	
Municipal Court	L	~	~	~	
<b>Ohio</b>					Yes
Supreme Court	COLR	Appellate	6/1/79	1/1/82	
Court of Appeals	IAC	Appellate	6/1/79	1/1/82	
Court of Common Pleas	G	Civil and criminal	6/1/79	1/1/82	
Municipal Court	L	~	~	~	
County Court	L	~	~	~	
Court of Claims	L	~	~	~	
Mayors Court	L	~	~	~	
<b>Oklahoma</b>					Yes(a)
Supreme Court	COLR	Appellate	1/1/79	2/22/82	
Court of Criminal Appeals	COLR	Appellate	1/1/79	2/22/82	
Court of Appeals	IAC	Appellate	1/1/79	2/22/82	
District Court	G	Civil and criminal(a)	1/1/79	2/22/82	
Municipal Court Not of Record	L	~	~	~	
Municipal Criminal Court of Record	L	~	~	~	
Workers' Compensation Court	L	~	~	~	
Court of Tax Review	L	~	~	~	
<b>Oregon</b>					
Supreme Court	COLR	Civil and criminal	6/1/83	8/1/92	Yes
Court of Appeals	IAC	Civil and criminal	6/1/83	8/1/92	Yes
Circuit Court	G	~	~	8/1/90	No
Tax Court	G	~	~	~	
County Court	L	~	~	~	
Justice Court	L	~	~	~	
District Court	L	~	~	8/1/90	No
Municipal Court	L	~	~	~	
<b>Pennsylvania</b>					Yes
Supreme Court	COLR	~	~	~	
Superior Court	IAC	Civil	10/1/79	~	
Commonwealth Court	IAC	~	~	~	
Court of Common Pleas	G	~	~	~	
Philadelphia Municipal	L	~	~	~	
District Justice Court	L	~	~	~	
Philadelphia Traffic Court	L	~	~	~	
Pittsburgh City Magistrates	L	~	~	~	

**Table 32 -- The Use of Cameras in Trial and Appellate Courts**

<b>States:</b>	<b>Court type</b>	<b>Division</b>	<b>Effective Date: Experimental</b>	<b>Effective Date: Permanent</b>	<b>Is Consent Required?</b>
<b>Rhode Island</b>					
Supreme Court	COLR	Appellate	10/1/81	3/8/93	
Superior Court	G	Civil and criminal	10/1/81	3/8/93	
Workers' Compensation	G	Civil and criminal	10/1/81	3/8/93	
District Court	L	Civil and criminal	10/1/81	3/8/93	
Family Court	L	Civil and criminal	10/1/81	3/8/93	
Probate Court	L	~	~	~	
Municipal Court	L	~	~	~	
<b>South Carolina</b>					Yes
Supreme Court	COLR	Appellate	~	10/1/93	
Court of Appeals	IAC	Appellate	~	10/1/93	
Circuit Court	G	Civil and criminal	~	10/1/93	
Family Court	L	Domestic and criminal	~	10/1/93	
Magistrate Court	L	Civil and criminal	~	10/1/93	
Probate Court	L	Probate	~	10/1/93	
Municipal Court	L	Criminal	~	10/1/93	
<b>South Dakota</b>					
Supreme Court	COLR	No camera coverage			
Circuit Court	G				
<b>Tennessee</b>					Yes
Supreme Court	COLR	Appellate		2/27/79	
Court of Appeals	IAC	Appellate		2/27/79	
Court of Criminal Appeals	IAC	Criminal		2/27/79	
Circuit Court	G	Civil and criminal		2/27/79	
Chancery Court	G	Civil		2/27/79	
Criminal Court	G	Criminal		2/27/79	
Probate Court	G	~	~	~	
Juvenile Court	L	~	~	~	
Municipal Court	L	~	~	~	
General Sessions Court	L	~	~	~	
<b>Texas</b>					Yes
Supreme Court	COLR	Civil	~	1/1/90	
Court of Criminal Appeals	COLR	~	~	1/1/90	
Courts of Appeals	IAC	Civil and criminal	~	1/1/90	
District Courts	G	Civil and criminal	~	1/1/90	
Constitutional County	L	Civil and criminal	~	1/1/90	
County Courts at Law	L	Civil and criminal	~	1/1/90	
Justice of the Peace Court	L	Civil and criminal	~	1/1/90	
Municipal Court	L	(a)	~	~	
<b>Utah(a)</b>					No
Supreme Court	COLR	Supreme Court	1/1/88	8/30/91	
Court of Appeals	IAC	~	~	~	
District Court	G	~	~	~	
Circuit Court	L	~	~	~	
Justice of the Peace Court	L	~	~	~	
Juvenile Court	L	~	~	~	

**Table 32 - The Use of Cameras in Trial and Appellate Courts**

States:	Court type	Division	Effective Date: Experimental	Effective Date: Permanent	Is Consent Required?
<b>Vermont</b>					No
Supreme Court	COLR	Supreme Court	7/1/84	3/12/92	
Superior Court	G	Civil and criminal	1/2/89	3/12/92	
District Court	G	Civil and criminal	1/2/89	3/12/92	
Family Court	G	~	~	~	
Probate Court	L	~	~	~	
Environmental Court	L	~	~	~	
<b>Virginia</b>					No
Supreme Court	COLR	Appellate	7/1/87	7/1/92	
Court of Appeals	IAC	Appellate	7/1/87	7/1/92	
Circuit Court	G	Civil and criminal	7/1/87	7/1/92	
District Court	L	Civil and criminal	7/1/87	7/1/92	
<b>Washington</b>					No
Supreme Court	COLR	Appellate		9/20/76	
Court of Appeals	IAC	Appellate		9/20/76	
Superior Court	G	Civil and criminal		9/20/76	
District Court	L	Civil and criminal		9/20/76	
Municipal Court	L	Civil and criminal		9/20/76	
<b>West Virginia</b>					No
Supreme Court of Appeals	COLR	Appellate		5/28/81	
Circuit Court	G	Appellate		5/28/81	
Magistrate Court	L	~	~	~	
Municipal Court	L	~	~	~	
<b>Wisconsin</b>					No
Supreme Court	COLR	Appellate	4/1/78	7/179	
Court of Appeals	IAC	Appellate	4/1/78	7/179	
Circuit Court	G	Civil and criminal	4/1/78	7/179	
Municipal Court	L	Ordinance	4/1/78	7/1/79	
<b>Wyoming(a)</b>					No
Supreme Court	COLR	Supreme Court		9/2/82	
District Court	G	Criminal only		12/27/91	
Justice of the Peace Court	L	~	~	~	
Municipal Court	L	~	~	~	
County Court	L	~	~	~	
<b>Puerto Rico</b>	~	~	~	~	~
<b>Federal Courts(a)</b>	~	~	~	~	~

## **Table 32 -- The Use of Cameras in Trial and Appellate Courts**

### **FOOTNOTES:**

#### **Idaho:**

- (a) Supreme Court in Boise (experimental-12/4/78, permanent-8/27/79)
- (b) Supreme Court on circuit (experimental-10/9/79, permanent-10/1/80)

#### **Kentucky:**

- (a) Requests must be made to presiding judge.

#### **Louisiana:**

- (a) Subject to approval of individual court.

#### **Maryland:**

- (a) Permission of parties not required in appellate courts.

#### **Missouri**

- (a) Recording and photographing are prohibited if participant so requests and is: a victim of a crime, a police informant, an undercover agent, a relocated witness, or a juvenile. For good cause, judge may prohibit recording or photographing of other participants or testimony.

#### **New Mexico:**

- (a) Consent is required in the magistrate and municipal courts.

#### **Oklahoma:**

- (a) Consent of accused required in criminal trials.

#### **Texas:**

- (a) Municipal Courts: whether coverage is permitted, varies.

#### **Utah:**

- (a) Only still photography allowed in trial courts.

#### **Wyoming:**

- (a) Subject to approval of individual court.

#### **Federal Courts:**

- (a) On September 18, 1990, the Federal Judicial Conference approved a three year experiment allowing cameras in two appellate courts and six district courts, beginning on July 1, 1991. The experiment is limited to civil cases and gives judges total discretion to refuse, limit, or stop camera coverage.

**Table 33 -- Tribal Courts**

States:	Number of "Tribally Created Courts"(a)	Number of Courts of Indian Offenses(b)	Number of Other Courts(c)	Number of Trial Judges	Number of Appellate Judges	Has the state assumed jurisdiction under Public Law 280?(d)
Alaska	1	None	1 Appellate	4	N/S	Yes (except Annette Island Metlakatla)
Arizona	19	None	19 Appellate; an unknown number of juvenile courts exist	47 including 12 Navajo and 5 Navajo "family" judges	3	No
California	2	1	None	3	N/S	Yes
Colorado	2	None	None	3	N/S	No
Florida	1	None	None	1	N/S	No
Idaho	4	1	None	16	1	Yes
Illinois	1	None	None	5	N/S	No
Louisiana	1	1	None	1	N/S(e)	No
Maine	2	None	1 Appellate	2	7	No
Michigan	7	None	1 Conservation	14	N/S	No
Minnesota	1	1	1 Appellate, 2 Juvenile	9	N/S	Yes (Except Red Lake Reservation)
Mississippi	None	1	None	2	N/S	No
Montana	7	None	34 Appellate, 2 Juvenile	18	N/S	No
Nebraska	1	None	1 Juvenile	2	N/S	Yes
Nevada	12	5	3 Appellate	13	7	Yes, but retroceded jurisdiction in the 1970s
New Mexico	22	None	22 Appellate, a few Juvenile and 4 Family	30, of whom 5 are Navajo, 2 are Navajo "Family" judges and 11 are Pueblo	1 Southwest Intertribal Court of Appeals	No
New York	1	None	None	2	N/S	No
North Carolina	None	1	None	1	N/S	No
North Dakota	4	None	2 Appellate, 2 Juvenile	9	N/S	No
Oklahoma	12	23	33 Appellate, 1 Juvenile	53 including 8 CFR magistrates and 2 Juvenile	35	No
Oregon	3	None	1 Appellate, 1 Juvenile	6	N/S	Yes (except Warm Springs Reservation)
South Carolina	1	None	None	1	N/S	No

**Table 33 -- Tribal Courts**

States:	Number of "Tribally Created Courts"(a)	Number of Courts of Indian Offenses(b)	Number of Other Courts(c)	Number of Trial Judges	Number of Appellate Judges	Has the state assumed jurisdiction under Public Law 280?(d)
South Dakota	10	2	4 Appellate, 3 Juvenile	12 of whom are Northwest Intertribal Court System	10	No
Utah	4	None	1 Appellate, 1 Juvenile	4	N/S	No
Washington	26	1	1 Appellate	12 of whom 4 and 1 judicial officer are Northwest Intertribal Court System	4 of whom 3 are Northwest Intertribal Court System	No
Wisconsin	9	None	None	16	N/S	Yes(e)
Wyoming	1	1	1 Appellate, 1 Juvenile	1	N/S	No
Total	146	25	77	271	39	6

**FOOTNOTES:**

(a)The Indian Reorganization Act (1934) encouraged self governance through tribal constitutions, organized government, and these tribally created courts.

(b)Also known as "CFR Courts," established by the Department of the Interior in 1884. These courts are held to be instrumentalities of the federal government.

(c)Not included are a few "Traditional Courts" maintained by some Pueblo tribes which are based on oral custom. The Indian Child Welfare Act (1978) gives tribal courts extensive jurisdiction under federal law to provide for removal, adoption and placement of Indian children. Conservation courts are concerned primarily with hunting and fishing rights on Indian lands.

(d)Public Law 280 (1953) extended state civil and criminal jurisdiction to Indian country. The Indian Civil Rights Act (1968), among other objectives, allows for retrocession of Public Law 280's state jurisdiction.

**Louisiana:**

(e)When necessary, the Chitimacha tribe appoints, ad hoc, 3 judge appellate panels consisting of a Chief Judge and 2 Associate Judges.

**Wisconsin:**

(e)Menominee, alone among Wisconsin's nine Tribal Courts, petitioned for and was granted retrocession of PL 280's state jurisdiction.

# **PART VI**

*The Jury*

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(Tables 34-38)

## The Jury

A 12-person jury that must reach a unanimous verdict is not standard in the state courts. This section uses four tables to describe jury selection and jury verdict rules in the state and federal courts. A fifth table describes the composition and function of the grand jury.

Table 34 indicates the basis for the master list from which the jury pool is drawn and cites the relevant state statute. Qualifications for jury service in terms of age, time elapsed since a prior jury service, residency, and literacy are specified. Most states use a variety of sources to compile a master list. Sources followed by an asterisk must be used; others are generally used at the discretion of local jury commissioners. The table indicates which states have adopted the provisions of the Uniform Jury Selection and Service Act, which was drafted in 1970 by the National Conference of Commissions on Uniform State Laws.

Table 35 explains the factors that make a person exempt from jury duty, as well as factors that represent a valid basis for excusal from jury service. Exemptions are generally based on age or occupation. Twenty-two states and the District and Columbia do not grant automatic occupational exemptions; several other states limit exemptions to those on active military service. Excusals from jury service follow from claims of undue hardship, extreme inconvenience, public necessity, or mental disability. Table 35 also details the obligations that employers bear in each state toward maintaining the salaries of employees while on jury service. The daily fee, if any, paid to serving jurors is also indicated.

The formal process of jury selection is described in Table 36. The first piece of information is who conducts voir dire: the judge, the attorneys, or both judge and attorneys. Generally the provisions are the same for all courts holding jury trials, but there are a few states in which conduct of voir dire is different in general and limited jurisdiction courts. The second piece of information is the number of peremptory challenges available to the parties to a dispute. This generally differs between civil and criminal cases, and, for criminal cases, between capital felony, other felony, and misdemeanor cases. In criminal cases, the number of peremptory challenges may be different for the state and the defense.

Since 1970, U.S. Supreme Court decisions have allowed states to move away from the traditional federal jury standard of 12 members who must reach a unanimous verdict. Specifically, six-member juries

were found to be constitutional in *Williams v. Florida*, 399 U.S. 78 (1970) and non-unanimous verdicts in *Apodaca v. Oregon*, 406 U.S. 404 (1972). The relaxation of traditional size and verdict requirements is most prevalent for misdemeanor criminal cases. Four states use eight- (Arizona and Utah) or six-member juries (Connecticut and Florida) for non-capital felonies, and two states (Louisiana and Oregon) do not require a unanimous verdict in such cases. States that continue to use a 12-member, unanimous verdict jury typically allow the parties to stipulate to a smaller, non-unanimous jury.

"No person shall be held to answer for a capital, or other infamous crime, unless on a presentment or indictment at a grand jury." That clause from the Fifth Amendment to the U.S. Constitution applies to all felony prosecutions in the federal courts. The information in Table 38 shows that while most states retain the option of a grand jury indictment, few require it to begin felony proceedings. A diminished role for the state grand jury in processing felony cases can be seen early in this century. Grand jury indictments were largely replaced by the practice of prosecutors filing a document called a criminal information, a practice ultimately upheld by the U.S. Supreme Court (*In re McNaught*, 1909; *Palko v. Connecticut*, 1937). Table 38 indicates whether a grand jury indictment is required for all felony prosecutions, the size of the grand jury, the number needed to indict, the statutory term of grand jury sittings, and the scope of the grand jury's purview.

### Select Bibliography:

#### General:

Jeffrey Abramson, *We, The Jury: The Jury System and the Ideal of Democracy*, New York: Basic Books, 1994.

Gebert L. Litan (Ed.), *Verdict: Assessing the Civil Jury System*, Washington D.C., 1993.

"Symposium Issue on the Selection and Function of the Modern Jury," *The American University Law Review*, Vol. 40, Number 2, Winter, 1991

#### Specific References:

##### Grand Jury:

Loren P. Beth, "The Fuller Court and Era," *Encyclopedia of the American Judicial System*, Vol. I, R. Janosik (Ed.). New York: Charles Scribner's, 1987, p. 112.

**Table 34 -- Trial Juries: Qualifications and Source Lists for Juror Service**

States:	Juries: Statutory Authority	Jurors: Sources of Master List	Jurors: Minimum Age (yrs)	Jurors: Time since Prior Jury Service	Jurors: Are Convicted Felons Disqualified?
Alabama	12.16.60	May include VR, DL, and other lists such as UC, TR.(a)	19	N/S	Yes, If lost the right to vote for any crime involving moral turpitude
Alaska	09.20.050	All applicants for permanent fund income.*	18	1 year or no more than 3 months in a 2 year period	Yes
Arizona	21-101-428	VR, DL and persons from other lists as determined by the Supreme Court.*	18	Varies	Yes, unless civil rights restored
Arkansas	16-31-101	VR*	18	2 years	Yes
California	CCP 190	May include, in addition to other lists, customer mailing lists, TD, UC, VR, DL.(a)	18	1 year	Yes, also "malfeasance in office"
Colorado	18-71-101	VR supplemented with DL and CD.*	18	1 year	Yes
Connecticut	51-217	VR, DL.* Discretion exercised by town civil servants.	18	2 years (Juror must request to be excused because of prior jury service within the two prior jury service years.)	Yes, for 7 years following conviction
Delaware	10-45	VR*; may be supplemented with other sources.	18	2 years	Yes, unless civil rights restored
District of Columbia	11-1906	VR* and names from other sources or lists as may be provided in the jury system plan.	18	2 years	Yes, for 1 year after sentence completion, or if pending felony or misdemeanor charge--10 years since probation or parole is completed.
Florida	40.013	DL and volunteers who execute an affidavit at the office of the clerk, even if not on the DL list.*	18	1 year	Yes, includes bribery, forgery, perjury, larceny
Georgia	15-12-60	VR, supplemented with other sources if necessary to assure a fairly representative cross section.* Discretion exercised by the board of jury commissioners.	18	No more than 4 weeks in 1 year	No. Except to the extent that they are not "upright and intelligent" citizens
Hawaii (a)	612-1	VR, supplemented with other lists such as TR, DL.	18	1 year	Yes

**Table 34 -- Trial Juries: Qualifications and Source Lists for Juror Service**

Jurors: Residency Requirement	Jurors: Literacy & Language Qualifications	Jurors: Disabilities, Other Provisions	States:
1 year county resident	Must be able to read, speak, understand and follow any instructions given by the judge in English.	N/S	Alabama
District resident	Able to read or speak English.	Court shall provide, and pay the cost of, an interpreter or reader, in the case of hearing or sight impaired juror	Alaska
Resident of jurisdiction	N/S	Adjudicated mentally incompetent or insane	Arizona
County resident, registered voter	Able to read or write English, except that judge may waive this requirement for persons found otherwise capable.	Persons whose senses of hearing or seeing are substantially impaired. Persons who are not of good character or approved integrity, are lacking in sound judgment or reasonable information, are intemperate, or are not of good behavior.	Arkansas
County resident	Possessed of sufficient knowledge of English.	No person shall be deemed incompetent solely because of the loss of sight or hearing ... or any other disability.	California
County resident--more than 50% of time	Able to read, speak and understand English.	Physically impaired persons shall serve, except where the court finds that such service is not feasible.	Colorado
Electors and state residents	Able to speak and understand English.	No person shall be disqualified on the basis of deafness or hearing impairment	Connecticut
County resident	Able to read, speak and understand English.	Incapable, by reason of physical or mental disability of rendering satisfactory jury service	Delaware
6 months	Able to read, speak and understand English.	No person shall be deemed incompetent solely because of the loss of sight or hearing ... or any other disability.	District of Columbia
County resident	N/S	Adjudicated mentally incompetent	Florida
County resident 6 months	N/S	Jury commission uses lists that will yield a fairly representative cross section of the intelligent and upright citizens of the county	Georgia
Resident of circuit	Able to read, speak and understand English	Physical or mental disability (with physician's certificate)	Hawaii (a)

**Table 34 -- Trial Juries: Qualifications and Source Lists for Juror Service**

States:	Juries: Statutory Authority	Jurors: Sources of Master List	Jurors: Minimum Age (yrs)	Jurors: Time since Prior Jury Service	Jurors: Are Convicted Felons Disqualified?
Idaho (a)	2-201	VR, supplemented with names from other lists, such as UC, TR, DL MVR, "which the Supreme Court from time to time designates,"*	18	No more than 10 days in 2 years.	Yes, if lost the right to vote
Illinois	705 ILCS 805	VR, DL, Illinois Disabled Person identification card.*	18	1 year	Yes, Free from all legal exception
Indiana (a)	33-4-5-7	VR, supplemented with other lists such as UC, TR, CD, DL, TD, MVR.*(b)	18	3 years/ 1 year for Lake County	Yes, any person under a sentence. In Lake County, Felony conviction only.
Iowa	607A.2	VR, DL*. May use other lists, including but not limited to UC, which the jury commission or jury manager determines suitable.	18	N/S	N/S
Kansas	48-155	VR, DL.* Lists of state-issued nondrivers' identification cards may be used.	18	1 year	Yes, within 10 years of conviction, guilty plea, or nolo contendere to felony charge
Kentucky	29A.80 Adm. Proc. Part II S III	VR, DL*	18	1 year	Yes, or presently under indictment
Louisiana	S.Ct.R. 25	Discretion exercised by 5 member court-appointed jury commission.	18	2 Years. District courts may change this to 4.	Yes, or presently under indictment
Maine (a)	S. 1201-A	DL, Volunteers.* These lists may be supplemented with names from other lists specified by the Supreme Judicial Circuit.	18	No more than 15 days in 5 years	N/S
Maryland	8-207	VR and from such additional sources permitted by juror selection plan.* Volunteers and recommendations not accepted.	18	3 years	Yes, or a charge pending for crime exceeding \$500 or 6 months punishment
Massachusetts	234A	Numbered resident files.*	18	3 years	Convicted of felony within past 7 years, or defendant in felony case, or is in custody of correctional institution.
Michigan	600.1307a	VR, DL, personal identification cardholder lists.*	18	1 year	Must not be under sentence for felony at time of selection.
Minnesota	593 App.	VR, DL*, CD, TR, welfare recipients(a)	18	4 years	Yes, unless civil rights restored
Mississippi (a)	13-5-1	VR*	21	2 years	Convicted of an infamous crime, bootleggers, habitual drunkards, common gamblers

**Table 34 -- Trial Juries: Qualifications and Source Lists for Juror Service**

Jurors: Residency Requirement	Jurors: Literacy & Language Qualifications	Jurors: Disabilities, Other Provisions	States:
County resident	Able to read, speak and understand English	Physical or mental disability (with physician's certificate). Over 70 if requested.	Idaho (a)
County resident	Able to understand English	Of fair character, of approved integrity, of sound judgment, well informed.	Illinois
County resident	Able to read, speak and understand English with sufficient proficiency to fill out qualification form	Physical or mental disability (with physician's certificate)	Indiana (a)
N/S	Able to understand English in a written, spoken or manually signed mode	Be able to receive and evaluate information. Will be disqualified if person requests to be put on juror list.	Iowa
County resident, qualifications of elector	Able to read, speak and understand English with sufficient proficiency to fill out qualification form.	Persons under adjudication of incompetency	Kansas
County resident	Able to read, speak and understand English	Incapable, by reason of physical or mental disability of rendering satisfactory jury service	Kentucky
1 year parish resident	Able to read, speak and understand English and be possessed of sufficient knowledge of English	Mental or physical infirmity provided that no person deemed incompetent solely because of loss of hearing in any degree	Louisiana
County resident	Able to read, speak and understand English	N/S	Maine (a)
Qualified to vote in county	Able to read, speak and understand English with sufficient proficiency to fill out qualification form.	Is a party to a civil suit pending in court called to serve. Physical or mental infirmity (physician's certificate).	Maryland
Lives within district more than 50% of time, whether or not registered to vote.	Able to speak and understand English	Physically handicapped persons shall serve except where the court find service is not feasible.	Massachusetts
County resident	Conversant with the English language.	N/S	Michigan
County resident	Able to communicate in English	Physical or mental disability (with physician's certificate)	Minnesota
Qualified elector or 1 year as resident freeholder	Able to read and write	No person who within past 12 months the overseer of a public road or road contractor or if case of one's own is pending before the court.	Mississippi (a)

**Table 34 -- Trial Juries: Qualifications and Source Lists for Juror Service**

States:	Juries: Statutory Authority	Jurors: Sources of Master List	Jurors: Minimum Age (yrs)	Jurors: Time since Prior Jury Service	Jurors: Are Convicted Felons Disqualified?
Missouri	494.4	"One or more public records."*	21	1 year(a)	Yes, unless civil rights restored
Montana	8-15-808	VR*	18	1 year	Malfeasance in office or any felony or high crime
Nebraska	25-1601	VR, DL*	19	Not more than 4 weeks in any 5 year period	Yes, and all other legal exceptions
Nevada	6.01	VR*, Other lists. Discretion exercised by county jury commissioners.	18	1 year	Yes, if convicted of treason, felony, or other infamous crime
New Hampshire	500A	"Town list". Discretion exercised by town selectman.	18	3 years	No
New Jersey	2A:69-1	DL, VR*	18	1 year	Yes
New Mexico	38-5-1	VR, DL*	18	3 years	Yes
New York	16-510	VR "and such other available lists of the residents of the county, such as" UC, DL, MVR, TR, and volunteers.	18	2 years	Yes
North Carolina	9.3	VR, DL.* May use other sources deemed to be reliable.	18	2 years	Yes, or pleaded nolo contendere to indictment charging a felony
North Dakota (a)	27.091-08	Actual voters, supplemented with other lists such as UC, TR, DL, MVR which the Supreme Court designates.	18	2 years	Lost right to vote
Ohio	1901.25, 1907.28	VR, DL*(a)	18, eligible if driver	1 year	Yes
Oklahoma	38s28	DL, Volunteers*(a)	18	N/S	Yes, unless civil rights restored
Oregon	ORS Ch. 10	VR, DL, "and any other sources approved by the Chief Justice of the Supreme Court that will furnish a fair cross section."*	18	2 years	Yes, during term of imprisonment. No, once civil rights and privileges restored.
Pennsylvania	4502	VR.* May supplement with lists such as TD, CD, TR, persons participating in any state, local or federal program, school census list, volunteers.	18	3 years if service more than 3 days, 1 year otherwise	Yes
Rhode Island	9-9-1.1	VR*, random selection.	18	2 years	Yes, until sentence completion

**Table 34 -- Trial Juries: Qualifications and Source Lists for Juror Service**

Jurors: Residency Requirement	Jurors: Literacy & Language Qualifications	Jurors: Disabilities, Other Provisions	States:
County resident	Able to read, speak and understand English	Incapable, by reason of physical or mental disability of rendering satisfactory jury service	Missouri
Registered elector	N/S	N/S	Montana
County resident	Able to read, speak and understand English	Physical or mental disability (with physician's certificate). Husband and wife may not serve together. Persons party to pending suit.	Nebraska
30 days county resident or qualified elector	Sufficient knowledge of English.	Incapable, by reason of physical or mental disability of rendering satisfactory jury service	Nevada
(a)	By statute, prospective juror must state on juror qualification form whether able to read, speak and understand the English language.	Unfit, by reason of physical or mental disability to act as a juror	New Hampshire
State citizen 2 years, county resident.	Able to read, write and understand English.	Incapable, by reason of physical or mental disability of rendering satisfactory jury service	New Jersey
County resident	N/S	Incapable, by reason of physical or mental disability of rendering satisfactory jury service	New Mexico
County resident	Able to read, speak and understand English with sufficient proficiency to fill out qualification form, able to speak English in an understandable manner,	Intelligent, of good character.	New York
State citizen, County resident	Able to hear and understand English	Physically and mentally competent, not adjudged non compos mentis.	North Carolina
County resident	Able with reasonable accommodation to communicate and understand English	Physical or mental disability (with physician's certificate)	North Dakota (a)
County or municipality's territory	N/S	N/S	Ohio
County residents and qualified electors	N/S	Of sound mind and of good moral character; over 70 years of age shall not be required to serve.	Oklahoma
County resident and US citizen	N/S	Blind, hearing or speech impaired, or physically handicapped not ineligible based solely on handicap.	Oregon
Commonwealth citizen, county resident.	Able to read, write, speak and understand English.	Incapable, by reason of physical or mental disability of rendering satisfactory jury service	Pennsylvania
Resident voter (30 days)	Able to understand and participate in court proceedings	Physically and mentally competent, not adjudged non compos mentis. Handicapped person not ineligible solely on basis of handicap.	Rhode Island

**Table 34 -- Trial Juries: Qualifications and Source Lists for Juror Service**

States:	Juries: Statutory Authority	Jurors: Sources of Master List	Jurors: Minimum Age (yrs)	Jurors: Time since Prior Jury Service	Jurors: Are Convicted Felons Disqualified?
South Carolina	14-7-810	DL, VR.* Discretion exercised by a jury commission composed of civil servants.	18	1 year	Yes
South Dakota	16-18-10	VR, supplemented with DL.*	18	4 years, 2 in small communities	Yes
Tennessee	22-1-101	TR, DL, VR, or other available and reliable sources, "but shall not include the VR as the sole or primary source." Discretion exercised by a jury commission composed of civil servants.	18	1 year	Yes, if convicted of infamous offenses, theft, perjury.
Texas	62-102 Gov't Code	VR, DL.*	18	2 years	Yes, and if under indictment or other legal accusation of misdemeanor or felony
Utah	78-46-7	DL*, VR(a)	18	2 years	Yes
Vermont	Jurors R.25	VR, DL, TD, census, listers' records, and "any other general source of names."	18	2 years	Yes
Virginia	8.01-337	VR, and, where feasible, DL CD, TD, TR, and "other such lists as approved by the chief judge of the Circuit."*	18	2 years	Yes, and treason.
Washington	2.36.070	VR*(a)	18	1 year	Yes, unless civil rights restored
West Virginia	52-1-8	Not less than two of the following: TR, VR, DL or chauffeurs license.* Discretion exercised by 2 member citizen jury commission representing both major parties.	18	2 years	Yes, and perjury, false swearing or other infamous crime
Wisconsin	756.01	DL*, may be supplemented with other lists, including but not limited to VR, TD, UC, TR, high school graduates, welfare lists.(a)	18	4 years, 2 years in communities with less than 325,000	No, if they can vote
Wyoming	1-11-101	VR*	18	6 months	Yes
Puerto Rico	2s11	List of actual voters.	18	1 year	Yes
Federal	28-1865	Plan for random selection developed by each district. Several use VR and DL.	18	N/S	Yes, unless civil rights restored

**Table 34 -- Trial Juries: Qualifications and Source Lists for Juror Service**

Jurors: Residency Requirement	Jurors: Literacy & Language Qualifications	Jurors: Disabilities, Other Provisions	States:
County resident	Able to read, write, speak or understand English.	Must have at least a sixth grade education or its equivalent. Legal blindness does not disqualify an otherwise qualified juror.	South Carolina
State citizen, county resident	Able to read, write and understand English	Of sound mind. Potential jurors may not be excluded on the basis of a visual or hearing impairment.	South Dakota
County resident for 12 months	N/S	Unsound mind and habitual drunkards. Persons not in full possession of the senses of hearing or seeing if the court determines that such person cannot provide adequate service.	Tennessee
State citizen, county resident and qualified elector	Able to read and write	Of sound mind and good moral character. Blind and deaf not disqualified based solely on handicap. If related by consanguinity or affinity within the third degree.	Texas
County resident	Able to read, speak and understand English.	Judicial discretion	Utah
Resident of court's geographical jurisdiction.	Able to read, write and understand English	Incapable, by reason of physical or mental disability of rendering satisfactory jury service	Vermont
1 year common- wealth resident, 6 months local. Excludes military stationed here.	N/S	No person deemed incompetent by reason of blindness. Persons under a disability. Persons adjudicated mentally incompetent. Persons who seek to serve as jurors	Virginia
County resident	Able to communicate in English	N/S	Washington
County resident	Able to read, speak and understand English, or ability to communicate in American sign language.	Persons physically disabled can render competent service with reasonable accommodation, persons claiming disqualification based on substantial physical or mental disability may be required to submit physician's certificate.	West Virginia
State electors	Able to read and understand the English language.	Possessed of natural facilities and not infirm	Wisconsin
County resident 90 days	Possessed of sufficient knowledge of English	In possession of natural facilities, of ordinary intelligence and without mental or physical infirmity	Wyoming
Resident 1 year and 90 days within judicial district	Able to read and write Spanish	Bad health, female with small children, local officials, and many occupational exemptions.	Puerto Rico
Resident 1 year within judicial district	Able to read, speak and understand English with sufficient proficiency to fill out qualification form.	Incapable, by reason of physical or mental disability of rendering satisfactory jury service	Federal

## Table 34 -- Trial Juries: Qualifications and Source Lists for Juror Service

### FOOTNOTES:

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All states require their jurors to be U.S. citizens. UJSSA = The Uniform Jury Selection and Service Act, drafted in 1970 by the National Conference of Commissioners on Uniform State Laws.

#### Alabama:

(a) All counties use automated one-step juror summoning and qualification program which uses the state's driver's license list, except for Montgomery County which uses the voter's registration list.

#### California:

(a) The VR and DL lists alone, if purged of duplicate names, shall be considered a representative cross section.

#### Hawaii:

(a) Hawaii has adopted the UJSSA.

#### Idaho:

(a) Idaho has adopted the UJSSA.

#### Indiana:

(a) Indiana has adopted the UJSSA.  
(b) Discretion exercised by court-appointed commissioners.

#### Maine:

(a) Maine has adopted the UJSSA.

#### Minnesota:

(a) May be supplemented by other lists. Discretion by jury commissioner, however no counties currently supplement.

#### Mississippi:

(a) Mississippi has adopted the UJSSA.

#### Missouri:

(a) Any person who has served on a state or federal petit or grand jury within the preceding year shall be excused upon timely application to the court.

#### New Hampshire:

(a) By statute, prospective juror must state on juror qualification form whether a citizen United States and resident of county. Constitution requires trial for crime in county or judicial district commitment.

#### North Dakota:

(a) North Dakota has adopted the UJSSA.

#### Ohio:

(a) Random selection followed by personal interview with 2-member citizen jury commission.

#### Oklahoma:

(a) Discretion exercised by jury commission except in Oklahoma and Tulsa counties.

#### Utah:

(a) Judicial Council shall designate one or more regularly maintained lists of persons as the source for the master lists.

#### Washington:

(a) Effective 9/01/94: VR and DL--mandatory language used.

#### Wisconsin:

(a) Each year the Department of Transportation prepares and transmits by county a master list of all persons licensed or holding DOT identification cards in that county. Each county has the option of using the master list only, or in combination with any other comparable list, from which to randomly select potential jurors. At the option of the county board, either the Clerk of Circuit Court or a panel of 3 jury commissioners screen responses to juror questionnaires to determine eligibility for service.

**Table 35 -- Trial Juries: Exemptions, Excusals and Fees**

States:	Age at which may be exempt	Exemptions: Judicial Officers (JO), Public Officials (PO), Elected Legislators (EL), Physicians (DR), Attorneys (AT)	Excusals: Undue Hardship (UH), Extreme Inconvenience (EI), Public Necessity (PN), Physical or Mental Disability (PMD)	Employer Pays?	Jury fees (Per day)
Alabama	N/S	No exemptions	UH, EI, PN	Yes	\$10
Alaska	70 and request in writing	Health exemption if expected to last more than 2 years	UH, EI, PN, all excusals for current year only unless for disability or old age	No	\$25
Arizona	N/S	No exemptions	UH, PN, and where absence from employment would tend materially and adversely to affect the public safety, health, welfare and interest	No	\$12
Arkansas	N/S	No exemptions	Excusals where state of health or that of family reasonably requires absence, or where personal and public interests materially injured by attendance	No	\$20
California	N/S	No exemptions	Excused only for undue hardship upon themselves or the public as defined by the Judicial Council	No	\$5 minimum, varies among counties
Colorado	N/S	No exemptions	UH, EI, PN	Yes	\$0 for 3 days, then \$50(a)
Connecticut	70	No exemptions except JO, PO, and EL disqualified while General Assembly in session	PMD requires physician's letter. A person shall be capable if able to perform a sedentary job requiring close attention for six hours per day, with short breaks, for at least 3 consecutive business days	Yes	\$0 for 5 days, then \$50(a)
Delaware	N/S	No exemptions	UH, EI, PN	No	\$15
District of Columbia	N/S	No exemptions	UH, EI, PN, PMD	No	\$30(a)
Florida	70	JO, PO, DR, AT, Police	UH, EI, PN, PMD, expectant mothers and persons responsible for care of disabled person	No	\$10
Georgia	70	Permanently mentally or physically disabled(a)	Work necessary for the public health, safety, or good order, or other good cause(b)	Yes	\$5-\$35
Hawaii	N/S	JO, PO, EL, DR, AT, police, active military, clergy, dentists, fire fighters, any person who has served as juror in Hawaii within one year preceding the time of filling out the juror qualification form.	No excuse for slight or trivial cause, serious personal hardship or other good cause	No	\$30
Idaho	70 and request in writing	No exemptions	UH, EI, PN	No	\$10 for half day
Illinois	N/S	No exemptions	UH on occupation, health, family situation, active duty in military, or other personal affairs	No	\$4 - \$15, varies among counties
Indiana	65	JO, PO, EL and active military, dentists	UH, EI, PN	No	\$7.50 if not selected - \$17.50 if selected
Iowa	N/S	No exemptions	Automatic excuse for care of disabled person. Discretionary for UH, EI, PN or if would threaten economic, physical or emotional well being	No	\$10
Kansas	N/S	No exemptions	PMD, UH, PN	No	\$10

Legend: N/S=None stated, ~=Not applicable

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**Table 35 --Trial Juries: Exemptions, Excusals and Fees**

States:	Age at which may be exempt	Exemptions: Judicial Officers (JO), Public Officials (PO), Elected Legislators (EL), Physicians (DR), Attorneys (AT)	Excusals: Undue Hardship (UH), Extreme Inconvenience (EI), Public Necessity (PN), Physical or Mental Disability (PMD)	Employer Pays?	Jury fees (Per day)
Kentucky	N/S	No exemptions	UH, EI, PN	No	\$12.50
Louisiana	70	No exemptions(a)	UH or EI	No	(a)
Maine	N/S	Governor, JO, AT, physicians and dentists providing active patient care, sheriffs, active military	UH, EI, PN, PMD	No	\$10
Maryland	70 and request in writing	No exemptions except military	UH, EI, PN. A person may not be excused by reason of belief against capital punishment	No	\$15 varies among counties
Massachusetts	70	No exemptions	PMD or care of permanently disabled person requires physician's letter. A person shall be capable if able to perform a sedentary job requiring close attention for six hours per day, with short breaks, for at least 3 consecutive business days	Yes	Employer pays 1st 3 days, then \$50/day(a)
Michigan	70	No exemptions	Material injury to public or individual interests, health of family member, full time high school student	No	\$15
Minnesota	70	JO	Continuing hardship to them or members of the public, must be in writing	No	\$15
Mississippi	65	No exemptions	Illness, serious financial loss, emergency. Illness requires a physician's statement	No	\$15
Missouri	N/S	JO, AT, active military	Absence from work would affect public health, safety, interest or welfare, extreme hardship, has served within preceding year, practicing dentist, pharmacist, physician, performing clergy.	No	\$6
Montana	N/S	No exemptions	UH for person or public served, must be by affidavit	No	\$25
Nebraska	65	JO, court clerks, jailers, sheriffs, husband and wife not allowed on same panel, national guard, volunteer firefighters	PMD, requires physician's certificate	Yes	\$20
Nevada	65	JO, PO, county clerk, recorder, assessor, sheriff, police, locomotive operator, correctional officer, state-licensed driver, optometrist or dentist, at, legislators and legislative employee during session	PMD, illness or death of immediate family member, UH, EI, PN. PMD requires physician's certificate	No	\$15 for first 5 days, then \$30

**Table 35 --Trial Juries: Exemptions, Excusals and Fees**

<b>States:</b>	<b>Age at which may be exempt</b>	<b>Exemptions: Judicial Officers (JO), Public Officials (PO), Elected Legislators (EL), Physicians (DR), Attorneys (AT)</b>	<b>Excusals: Undue Hardship (UH), Extreme Inconvenience (EI), Public Necessity (PN), Physical or Mental Disability (PMD)</b>	<b>Employer Pays?</b>	<b>Jury fees (Per day)</b>
New Hampshire	70	JO, PO, EL while in session, AT, DR, firemen and police	UH, EI, PN, PMD if unfit to act as juror	No	\$10 for half day
New Jersey	75 must	Active military, school teachers (full-time while school is in session), correctional employees, hospital employees, caretakers of children (where jury services would interfere) fish and game wardens, telegraph and telephone operators, firemen, first aid, police, DR and dentists licensed and practicing in NJ, JO disqualified	PMD	(a)	\$5
New Mexico	N/S	No exemptions	May be excused at the discretion of judge upon satisfactory evidence	No	\$4.25 hour
New York	70 may (76 must)	EL, PO, JO, active military, AT, DR, clergy, prosthetist or orthodontist, physical therapist, sole proprietor or principal manager of small business, police	UH, EI to applicant or person under care or supervision, or the public	Yes(a)	\$15
North Carolina	65	No exemptions	Compelling personal hardship, contrary to public health, safety and welfare	No	\$12 for first 5 days, then \$30
North Dakota	N/S	No exemptions	UH, EI, PN	No	\$25
Ohio	N/S	Firemen, national guard	Necessarily absent from county, material injury to interest of public or juror, physical inability, spouse or near relative ill or recently deceased	No	Varies among counties
Oklahoma	70	JO, sheriffs, jailers, police, AT, EL	Substantial hardship	No	\$12.50
Oregon	N/S	No exemptions	UH, EI to person, person's family, employer or public served	No	\$10
Pennsylvania	N/S	No exemptions except active military	UH, EI	No	\$9 first 3 days, then \$25
Rhode Island	N/S	EL, JO, AT, sheriffs, marshals, police, firemen, active military	PMD	No	\$15
South Carolina	65	"Any person employed within the walls of any courthouse"	Good and sufficient cause, students, woman with children under 7	No	\$10
South Dakota	N/S	JO, AT, clergy if conflicts with religious beliefs	N/S	No	\$40
Tennessee	65 must	EL, AT, teachers, firemen, national guard, pharmacists	Material injury to person's health, family, public, UH, care for children, grandchildren, or wards	No	\$10
Texas	65	Officer or an employee of the senate, house of representatives, or any department commission, board(a)	PMD with physician's affidavit, consanguinity or affinity within third degree, student, persons caring for children under 10, primary caretaker of invalid	No	\$6 - \$30, varies among counties
Utah	N/S	No exemptions	PMD, UH, EI, PN	No	\$17

**Table 35 --Trial Juries: Exemptions, Excusals and Fees**

States:	Age at which may be exempt	Exemptions: Judicial Officers (JO), Public Officials (PO), Elected Legislators (EL), Physicians (DR), Attorneys (AT)	Excusals: Undue Hardship (UH), Extreme Inconvenience (EI), Public Necessity (PN), Physical or Mental Disability (PMD)	Employer Pays?	Jury fees (Per day)
Vermont	70	PO, AT and spouses of AT, EL while in session, DR, teachers, nurses, police, firemen, clergy	UH on prospective juror or his employer	No	\$30
Virginia	70	President and Vice President of U.S., EL, PO, AT, sheriffs, police, correctional employees, citizens of Tangier Island, mariners	Person whose spouse is summoned to serve on same jury; persons caring for children under 16 or invalids	No	\$30
Washington	N/S	No exemptions	UH, EI, PN	No	\$10 - \$25, varies among counties
West Virginia	65	No exemptions	UH, EI, PN	No	\$15
Wisconsin	N/S	State legislators and full-time elected officials may claim exemption.	UH, EI or serious obstruction or delay in the fair and impartial administration of justice,	No	\$16 minimum per day
Wyoming	72	EL, elected PO, police, firemen	Material injury or destruction to property threatened, health or family sickness, care of young children	No	\$30 for first 4 days, then \$50
Puerto Rico	N/S	PO, JO, EL, DR, AT	UH, EI, PMD, PN	No	\$8-\$10
Federal Courts	N/S	Active military, firemen, police, PO, JO, EL	Varies, District Court may formulate a plan	No	\$40

**FOOTNOTES:**

**Colorado:**

(a) Fees include expenses to unemployed jurors.

**Connecticut:**

(a) Employer pays full-time employed jurors regular wages for first five days. Part-time employed jurors and unemployed jurors are reimbursed for out-of-pocket expenses of not less than \$20, but not more than \$50 per day for the first five days.

**District of Columbia:**

(a) For second day and thereafter.

**Georgia:**

(a) A person 70 years or older can request to have name removed from jury list.

(b) If state legislator during term of General Assembly

**Louisiana:**

(a) All exemptions were eliminated - 1994.

(b) \$12 for civil cases, criminal cases not less than \$12, nor more than \$25, for each day of attendance in court. Orleans parish civil cases are \$16.

**Massachusetts:**

(a) Fees include expenses to unemployed jurors.

**New Jersey:**

(a) Full-time employees of the state, county, municipality and mass transportation facilities.

**New York:**

(a) An employer of over 10 employees must pay \$15 per day for 1st 3 days of jury duty (\$45).

**Texas:**

(a) Office, or other agency in the legislative branch of state government.

**Table 36 -- Trial Juries: Who Conducts Voir Dire and the Allocation of Peremptory Challenges**

**NUMBER OF PEREMPTORY CHALLENGES**

States:	Court type	Who conducts voir dire?	CRIMINAL						CIVIL
			Capital: State	Capital: Defense	Felony: State	Felony: Defense	Misdemeanor: State	Misdemeanor: Defense	Civil Cases
Alabama									
Circuit	G	Attorneys and Judge	12	12	6	6	3	3	6
Alaska									
Superior	G	Attorneys and/or Judge	-	-	6	10	3	3	3
District	L	Attorneys and/or Judge	-	-	-	-	3	3	3
Arizona									
Superior	G	Judge	10	10	6	6	6	6	4
Justice of the Peace	L	Judge	-	-	-	-	2	2	3
Municipal	L	Judge	-	-	-	-	2	2	-
Arkansas									
Circuit	G	Attorneys and Judge	10	12	6	8	3	3	3
Chancery & Probate	G	Attorneys and Judge	-	-	-	-	-	-	3
California									
Superior	G	Attorneys and Judge(a)	20(b)	20(b)	10	10	10/6(c)	10/6(c)	6
Municipal	L	Attorneys and Judge(a)	-	-	-	-	10/6(c)	10/6(c)	-
Justice	L	Attorneys and Judge(a)	-	-	-	-	10/6(c)	10/6(c)	-
Colorado									
District	G	Attorneys and Judge	10	10	5	5	3	3	4
County	L	Attorneys and Judge	-	-	-	-	3	3	4
Probate	G	Attorneys and Judge	-	-	-	-	-	-	4
Water	G	Attorneys and Judge	-	-	-	-	-	-	4
Connecticut									
Superior	G	Attorneys	25/15(a)	25/15(a)	6	6	3	3	3
Delaware									
Superior	G	Judges	20	20	6	6	6	6	3
Common Pleas	L	Judges	-	-	-	-	6	6	3
Justice of the Peace	L	Magistrates	-	-	-	-	6	6	3
District of Columbia									
Superior	G	Judges	-	-	10	10	3	3	3
Florida									
Circuit	G	Attorneys and Judge	10	10	6	6	3	3	3
County	L	Attorneys and Judge	-	-	-	-	3	3	3
Georgia									
Superior	G	Attorneys and Judge	10	20	6	12	2	4	6
State	L	Attorneys and Judge	-	-	-	-	2	4	3/6
Civil	L	Attorneys and Judge	-	-	-	-	-	-	3
Municipal	L	No juries	-	-	-	-	-	-	3
Hawaii									
Circuit	G	Attorneys and Judge	12	12	3	3	3	3	3
Idaho									
District	G	Attorneys and Judge	10	10	6	6	6	6	4

Legend: G=General Jurisdiction, L=Limited Jurisdiction, ~=Not applicable

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**Table 36 -- Trial Juries: Who Conducts Voir Dire and the Allocation of Peremptory Challenges**

**NUMBER OF PEREMPTORY CHALLENGES**

States:	Court type	Who conducts voir dire?	CRIMINAL						CIVIL
			Capital: State	Capital: Defense	Felony: State	Felony: Defense	Misdemeanor: State	Misdemeanor: Defense	Civil Cases
Illinois									
Circuit	G	Judge(a)	20	20	10	10	5	5	5
Indiana									
Superior	G	Attorneys and Judge	20	20	10	10	5	5	3
Circuit	G	Attorneys and Judge	20	20	10	10	5	5	3
County	L	Attorneys and Judge	~	~	10	10	5	5	3
Municipal	L	Attorneys and Judge	~	~	10	10	5	5	3
Iowa									
District	G	Attorneys and Judge	8	8	6	6	4	4	4
Kansas									
District	G	Attorneys and Judge	~	~	12/8/6(a, b)	12/8/6(a, b)	3	3	3
Kentucky									
Circuit	G	Attorneys and Judge	5	8	5	8	~	~	3
District	L	Attorneys and Judge	~	~	~	~	3	3	3
Louisiana									
District	G	Attorneys and Judge	12	12	12/6	12/6	6	6	6(a)
Maine									
Superior	G	Judge(a)	10	10	8	8	4	4	3
Maryland									
Circuit	G	Attorneys and Judge	10	20	5	10	4	4	4
Massachusetts									
Superior	G	Judge(a)	12	12	4	4	4	4	4
District	L	Judge(a)	~	~	2	2	2	2	~
Boston Municipal	L	Judge(a)	~	~	2	2	2	2	~
Michigan									
Circuit	G	Attorneys and Judge	15	20	5	5	~	~	3
District	L	Attorneys and Judge	~	~	~	~	3	3	3
Municipal	L	Attorneys and Judge	~	~	~	~	3	3	3
Probate	L	Attorneys and Judge	~	~	5	5	5	5	~
Minnesota									
District	G	Attorneys and Judge	9	15	9/3(a)	15/5(a)	3	5	2
Mississippi									
Circuit	G	Attorneys and Judge	12	12	6	6	6	6	4
Chancery	G	Attorneys and Judge	~	~	~	~	~	~	4
County	L	Attorneys and Judge	~	~	~	~	4/2(a)	4/2(a)	4/2(a)
Justice	L	Judge	~	~	~	~	2	2	2
Missouri									
Circuit	G	Attorneys and Judge	9	9	6	6	2	2	3
Montana									
District	G	Attorneys and Judge	8	8	6/3(a)	6/3(a)	6/3(a)	6/3(a)	4

**Table 36 -- Trial Juries: Who Conducts Voir Dire and the Allocation of Peremptory Challenges**

States:	Court type	Who conducts voir dire?	NUMBER OF PEREMPTORY CHALLENGES						
			CRIMINAL						CIVIL
			Capital: State	Capital: Defense	Felony: State	Felony: Defense	Misdemeanor: State	Misdemeanor: Defense	Civil Cases
Montana (con't)									
Justice of the Peace	L	Attorneys and Judge	~	~	~	~	3	3	4/2(b)
Municipal	L	Attorneys and Judge	~	~	~	~	3	3	4/2(b)
City	L	Attorneys and Judge	~	~	~	~	3	3	4/2(b)
Nebraska	G	Attorneys and Judge	12	12	6	6	3	3	3
District	G	Attorneys and Judge	~	~	~	~	3	3	3
County	L	Attorneys and Judge	~	~	~	~	3	3	3
Nevada	G	Attorneys and Judge	8	8	4	4	4	4	4
District	G	Attorneys and Judge	~	~	4	4	4	4	4
Justice	L	Attorneys and Judge	~	~	~	~	4	4	4
New Hampshire	G	Judge (a)	10	20	15/3(b)	15/3(b)	3	3	3
Superior	G	Judge (a)	12(b)	20(b)	12	20	10	10	6
New Jersey	G	Judge (a)							
Superior	G	Judge (a)	12(b)	20(b)	12	20	10	10	6
New Mexico	G	Attorneys and Judge	8	12	3	5	3	5	5/3(b)
District	G	Attorneys and Judge	~	~	~	~	2/1(a)	2/1(a)	1
Magistrate	L	Attorneys and Judge	~	~	~	~	2/1(a)	2/1(a)	1
Bernalillo City Metropolitan	L	Attorneys and Judge	~	~	~	~	2/1(a)	2/1(a)	1
New York	G	Criminal: Attorneys and Judge Civil: Attorneys	~	~	15(a)	15(a)	3	3	3
Supreme	G	Criminal: Attorneys and Judge Civil: Attorneys	~	~	15(a)	15(a)	3	3	3
County	G	Criminal: Attorneys and Judge Civil: Attorneys	~	~	~	~	3	3	3
District	L	Criminal: Attorneys and Judge Civil: Attorneys	~	~	~	~	3	3	3
City	L	Criminal: Attorneys and Judge Civil: Attorneys	~	~	~	~	3	3	3
N.Y.C. Civil	L	Attorneys and Judge	~	~	~	~	~	~	3
N.Y.C. Criminal	L	Attorneys and Judge	~	~	15	15	3	3	~
Town and Village	L	Criminal: Attorneys and Judge Civil: Attorneys	~	~	~	~	3	3	3
North Carolina	G	Attorneys	14	14	6	6	6	6	8
Superior	G	Attorneys	~	~	~	~	~	~	~
District	L	Attorneys	~	~	~	~	~	~	~
North Dakota	G	Attorneys and Judge	15	15	10	10	6/3(a)	6/3(a)	4/3(b)
District	G	Attorneys and Judge	~	~	~	~	6/3(a)	6/3(a)	4/3(b)
County	L	Attorneys and Judge	~	~	~	~	6/3(a)	6/3(a)	4/3(b)
Ohio	G	Attorneys and Judge	6	6	4	4	3	3	3
Common Pleas	G	Attorneys and Judge	~	~	~	~	3	3	3
Municipal	L	Attorneys and Judge	~	~	~	~	3	3	3
County	L	Attorneys and Judge	~	~	~	~	3	3	3

**Table 36 -- Trial Juries: Who Conducts Voir Dire and the Allocation of Peremptory Challenges**

**NUMBER OF PEREMPTORY CHALLENGES**

States:	Court type	Who conducts voir dire?	CRIMINAL						CIVIL
			Capital: State	Capital: Defense	Felony: State	Felony: Defense	Misdemeanor: State	Misdemeanor: Defense	Civil Cases
Ohio (con't)									
Claims	L	Attorneys and Judge	~	~	~	~	~	~	8
Oklahoma									
District	G	Attorneys and Judge	9	9	5	5	3	3	8
Oregon									
Circuit	G	Attorneys and Judge	12	12	6	6	6	6	8
District	L	Attorneys and Judge	~	~	~	~	6	6	2
Justice	L	Attorneys and Judge	~	~	~	~	6	6	3
Municipal	L	Attorneys and Judge	~	~	~	~	6	6	3
Pennsylvania									
Common Pleas	G	Judge	20	20	7	7	5	5	4
Rhode Island									
Superior	G	Attorneys	~	~	6	6	8	3	2
Family	L	Attorneys	~	~	6	6	~	~	2
South Carolina									
Circuit	G	Attorneys and Judge	5	10	5	10	5	5	4
Magistrate	L	Attorneys and Judge	~	~	~	~	6	6	6
Municipal	L	Attorneys and Judge	~	~	~	~	6	6	~
South Dakota									
Circuit	G	Attorneys and Judge	20	20	10	10	8	3	3
Tennessee									
Circuit	G	Attorneys and Judge	8	15	4	8	3	3	4
Criminal	G	Attorneys and Judge	8	15	4	8	3	3	~
Chancery	G	Attorneys and Judge	~	~	~	~	~	~	4
Texas									
District	G	Attorneys	15	15	10	10	5	5	6
County	L	Attorneys	~	~	~	~	3	3	3
Justice of the Peace	L	Attorneys	~	~	~	~	3	3	3
Municipal	L	Attorneys	~	~	~	~	3	3	3
Utah									
District	G	Attorneys and Judge	10	10	4	4	3	3	3
Circuit	L	Attorneys and Judge	~	~	~	~	3	3	3
Justice	L	Attorneys and Judge	~	~	~	~	3	3	3
Juvenile	L	Attorneys and Judge	~	~	4	4	3	3	~
Vermont									
Superior	G	Attorneys and Judge	~	~	6	6	6	6	6
District	G	Attorneys and Judge	~	~	6	6	6	6	6
Virginia									
Circuit	G	Attorneys and Judge	4	4	4	4	3	3	3
Washington									
Superior	G	Attorneys and Judge	12	12	6	6	3	3	3

**Table 36 -- Trial Juries: Who Conducts Voir Dire and the Allocation of Peremptory Challenges**

States:	Court type	Who conducts voir dire?	NUMBER OF PEREMPTORY CHALLENGES						
			CRIMINAL						CIVIL
			Capital: State	Capital: Defense	Felony: State	Felony: Defense	Misdemeanor: State	Misdemeanor: Defense	
Washington (con't)									
District	L	Attorneys and Judge	~	~	~	~	3	3	3
Municipal	L	Attorneys and Judge	~	~	~	~	3	3	3
West Virginia									
Circuit	G	Attorneys and Judge	~	~	2	6	4	4	4
Magistrate	L	Attorneys and Judge	~	~	~	~	4	4	4
Wisconsin									
Circuit	G	Attorneys and Judge	~	~	6/4(a)	6/4(a)	4	4	3
Wyoming									
District	G	Attorneys	12	12	8	8	4	4	3
Municipal	L	Attorneys	~	~	~	~	4	4	~
County	L	Attorneys	~	~	~	~	4	4	3
Justice of the Peace	L	Attorneys	~	~	~	~	4	4	3
Puerto Rico									
Superior	G	Attorneys and Judge	~	~	10	10	5	5	No jury
Federal									
District	G	Attorneys and Judge	20	20	6	10	3	3	3

#### FOOTNOTES:

**NOTE: States with no death penalty statute:**

AK, D.C., HI, IA, KS, ME, MA, MI, MN, NY, ND, RI, VT, WI, WV

**California:**

- (a) In criminal, judge alone, with discretionary supplementing by attorneys (Initiative Measure of 1990; Code Cv. Pro. §223).
- (b) Twenty challenges for either capital or life punishments
- (c) Six for a penalty of 90 days or less, 10 for other misdemeanors

**Connecticut:**

- (a) Twenty-five peremptory challenges if offense is punishable by death, 15 if for life

**Illinois:**

- (a) May permit attorneys to participate

**Kansas:**

- (a) Twelve for class A felony, 8 for B felony, 6 for C, D, E.
- (b) After July 1, 1993 12 for off-grid or any severity level 1, 8 for severity level 2-6 person felonies, or greater non-person felony or severity level 2 or 3 drug felony, 6 for any other felony

**Louisiana:**

- (a) If trial is by 12 person civil jury, each side is allowed 6 peremptory challenges. If trial is by a 6 person civil jury, each side is allowed 3 peremptory challenges

**Maine:**

- (a) May permit attorneys to participate

**Massachusetts:**

- (a) May permit attorneys to participate

**Minnesota:**

- (a) Nine for state, 15 for defense if life imprisonment possible

**Mississippi:**

- (a) Four for 12-person jury, 2 for 6-person

**Montana:**

- (a) Six challenges for 12-person jury, 3 for 6-person jury
- (b) Two for 6-person jury, not to exceed total of 4 challenges if jury less than 12 person

**New Hampshire:**

- (a) Counsel is allowed to propose voir dire questions, especially in murder cases
- (b) If offense is first degree murder, then 15 per side.

**New Jersey:**

- (a) May permit attorneys to participate
- (b) May be increased by trial judge

**New Mexico:**

- (a) One for petty misdemeanors, 2 for others
- (b) Five for 12-person jury, 3 for 6-person

**New York:**

- (a) Twenty where life imprisonment is a potential penalty

**North Dakota:**

- (a) Four challenges for 9-person jury, 3 for 6-person jury
- (b) Six challenges for 12-person jury, 3 for 6-person jury

**Wisconsin:**

- (a) Six per side for life sentence, otherwise 4

**Table 37 -- Trial Juries: Size and Verdict Rules**

States/Courts:	Court type	Criminal Trials				Civil Trials	
		Felonies: Size	Felonies: Decision-Rule	Misdemeanors: Size	Misdemeanors: Decision-Rule	Civil: Size	Civil: Decision Rule
Alabama							
Circuit	G	12	Unanimous	12	Unanimous	12	Unanimous
Alaska							
Superior	G	12	Unanimous	6	Unanimous	12	5/6-rule
District	L	~	~	6	Unanimous	6	5/6-rule
Arizona							
Superior	G	8(a)	Unanimous	6	Unanimous	8	8/4-rule
Justice of the Peace	L	~	~	6	Unanimous	6	5/6-rule
Municipal	L	~	~	6	Unanimous	~	~
Arkansas							
Circuit	G	12	Unanimous	12(a)	Unanimous	12	3/4 rule
Common Pleas	G	~	~	~	~	12	3/4 rule
California							
Superior	G	12	Unanimous	12(a)	Unanimous	12(a)	3/4 rule
Municipal	L	~	~	12(a)	Unanimous	12(a)	3/4 rule
Justice	L	~	~	12(a)	Unanimous	12(a)	3/4 rule
Colorado							
District	G	12	Unanimous	6	Unanimous	6	Unanimous
County	L	~	~	6	Unanimous	6	Unanimous
Probate	G	~	~	~	~	6	Unanimous
Water	G	~	~	~	~	6	Unanimous
Connecticut							
Superior	G	6(a)	Unanimous	6	Unanimous	6	Unanimous
Delaware							
Superior	G	12	Unanimous	12	Unanimous	12	Unanimous
Common Pleas	L	~	~	12	Unanimous	6	Unanimous
Justice of the Peace	L	~	~	12	Unanimous	6	Unanimous
District of Columbia							
Superior	G	12	Unanimous	12	Unanimous	6(a)	Unanimous
Florida							
Circuit	G	6(a)	Unanimous	6	Unanimous	6(a)	Unanimous
County	L	~	~	6	Unanimous	6	Unanimous
Georgia							
Superior	G	12	Unanimous	6	Unanimous	12	Unanimous
State	L	~	~	6	Unanimous	6(a)	Unanimous
Civil	L	~	~	~	~	6	Unanimous
Hawaii							
Circuit	G	12	Unanimous	12	Unanimous	12(a)	5/6-rule(b)
Idaho							
District	G	12	Unanimous	6	Unanimous	12	3/4-rule
Illinois							
Circuit	G	12	Unanimous	12	Unanimous	6(a)	Unanimous

**Table 37 -- Trial Juries: Size and Verdict Rules**

States/Courts:	Court type	Felonies: Size	Felonies: Decision-Rule	Criminal Trials			Civil Trials	
				Misdemeanors: Size	Misdemeanors: Decision-Rule	Civil: Size	Civil: Decision Rule	
Indiana								
Superior	G	12	Unanimous	6	Unanimous	6	Unanimous	
Circuit	G	12	Unanimous	6	Unanimous	6	Unanimous	
County	L	6	Unanimous	6	Unanimous	6	Unanimous	
Municipal	L	6	Unanimous	6	Unanimous	6	Unanimous	
Iowa								
District	G	12	Unanimous	6(a)	Unanimous	8	7/8-rule or Unanimous(a)	
Kansas								
District	G	12(a)	Unanimous	6	Unanimous	6/12(b)	5/6-rule or Unanimous(c)	
Kentucky								
Circuit	G	12	Unanimous	12	Unanimous	12	3/4-rule	
District	L	6	Unanimous	6	Unanimous	6	5/6-rule	
Louisiana								
District	G	12(a)	Unanimous(b)	6	Unanimous	12(c)	5/6-rule, 9/12-rule	
Maine								
Superior	G	12	Unanimous	12	Unanimous	8	3/4-rule	
Maryland								
Circuit	G	12	Unanimous	12	Unanimous	12	Unanimous	
Massachusetts								
Superior	G	12	Unanimous	12	Unanimous	12	5/6-rule	
District	L	6	Unanimous	6	Unanimous	~	~	
Boston Municipal	L	6	Unanimous	6	Unanimous	~	~	
Michigan								
Circuit	G	12	Unanimous	12	Unanimous	6	5/6-rule	
District	L	~	~	6	Unanimous	6	5/6-rule	
Municipal	L	~	~	6	Unanimous	6	5/6-rule	
Minnesota								
District	G	12	Unanimous	6	Unanimous	6	5/6 -rule or Unanimous	
Mississippi								
Circuit	G	12	Unanimous	6	Unanimous	12	3/4-rule	
Chancery	G	~	~	~	~	12	3/4-rule	
County	L	~	~	6	Unanimous	6	5/6-rule	
Justice	L	~	~	6	Unanimous	6	Unanimous	
Missouri								
Circuit	G	12	Unanimous	12	Unanimous	12	3/4-rule	
Montana								
District	G	12	Unanimous	12(a)	Unanimous	12(a)	2/3-rule	
Justice of the Peace	L	~	~	6(a)	Unanimous	6(a)	Unanimous	
Municipal	L	~	~	6(a)	Unanimous	6(a)	Unanimous	

**Table 37 -- Trial Juries: Size and Verdict Rules**

States/Courts:	Court type	Criminal Trials				Civil Trials	
		Felonies: Size	Felonies: Decision-Rule	Misdemeanors: Size	Misdemeanors: Decision-Rule	Civil: Size	Civil: Decision Rule
<b>Montana (con't)</b>							
City	L	~	~	6(a)	Unanimous	6(a)	Unanimous
<b>Nebraska</b>							
District	G	12	Unanimous	12	Unanimous	12	5/6-rule or Unanimous(a)
County	L	~	~	6	Unanimous	6	5/6-rule or Unanimous(a)
<b>Nevada</b>							
District	G	12	Unanimous	12	Unanimous	12(a)	3/4 rule
Justice	L	~	~	6	Unanimous	8(b)	3/4-rule
<b>New Hampshire</b>							
Superior	G	12	Unanimous	12	Unanimous	12	Unanimous
<b>New Jersey</b>							
Superior	G	12	Unanimous	12	Unanimous	6/12	5/6-rule
<b>New Mexico</b>							
District	G	12	Unanimous	12	Unanimous	12	5/6-rule
Magistrate	L	~	~	6	Unanimous	6	5/6-rule
Bernalillo County Metro.	L	~	~	6	Unanimous	6	5/6-rule
<b>New York</b>							
Supreme	G	12	Unanimous	6	Unanimous	6	5/6-rule
County	G	12	Unanimous	6	Unanimous	6	5/6-rule
District	L	~	~	6	Unanimous	6	5/6-rule
City	L	~	~	6	Unanimous	6	5/6-rule
N.Y.C. Civil	L	~	~	~	~	6	5/6-rule
N.Y.C. Criminal	L	~	~	6	Unanimous	~	~
Town and Village	L	~	~	6	Unanimous	6	5/6-rule
<b>North Carolina</b>							
Superior	G	12	Unanimous	12	Unanimous	12(a)	Unanimous(a)
District	L	~	~	~	~	12(a)	Unanimous(a)
<b>North Dakota</b>							
District	G	12	Unanimous	12/6	Unanimous	12/6	Unanimous
County	L	~	~	6	Unanimous	12/6	Unanimous
<b>Ohio</b>							
Common Pleas	G	12	Unanimous	8	Unanimous	12/8	3/4-rule
Municipal	L	~	~	8	Unanimous	8	3/4-rule
County	L	~	~	8	Unanimous	8	3/4-rule
Claims	L	~	~	~	~	8	3/4-rule
<b>Oklahoma</b>							
District	G	12	Unanimous	6	3/4-rule(a)	6/12(b)	3/4-rule
<b>Oregon</b>							
Circuit	G	12	5/6 (of 12) rule unless murder(a)	6	5/6-rule	12	3/4-rule

**Table 37 -- Trial Juries: Size and Verdict Rules**

States/Courts:	Court type	Criminal Trials				Civil Trials	
		Felonies: Size	Felonies; Decision-Rule	Misdemeanors: Size	Misdemeanors: Decision-Rule	Civil: Size	Civil: Decision Rule
Oregon (con't)							
District	L	~	~	6	5/6-rule	6	5/6-rule
Justice	L	~	~	6	5/6-rule	6	5/6-rule
Municipal	L	~	~	6	5/6-rule	6	5/6-rule
Pennsylvania							
Common Pleas	G	12	Unanimous	12	Unanimous	12	5/6-rule
Rhode Island							
Superior	G	12	Unanimous	12	Unanimous	12	5/6-rule
Family	L	~	~	~	~	6	Unanimous
South Carolina							
Circuit	G	12	Unanimous	12	Unanimous	12	Unanimous
Magistrate	L	~	~	6	Unanimous	6	Unanimous
Municipal	L	~	~	6	Unanimous	~	~
South Dakota							
Circuit	G	12	Unanimous	12	Unanimous	12	5/6-rule
Tennessee							
Circuit	G	12	Unanimous	12	Unanimous	12	Unanimous
Criminal	G	12	Unanimous	12	Unanimous	~	~
Chancery	G	~	~	~	~	12	Unanimous
Texas							
District	G	12	Unanimous	12	Unanimous	12	5/6-rule
County	L	~	~	6	Unanimous	6	5/6-rule
Justice of the Peace	L	~	~	6	Unanimous	6	5/6-rule
Municipal	L	~	~	6	Unanimous	6	5/6-rule
Utah							
District	G	8	Unanimous	8	Unanimous	8	3/4-rule or Majority
Circuit	L	~	~	4/6(a)	Unanimous	8	3/4-rule or Majority
Justice	L	~	~	4/6(a)	Unanimous	4	3/4-rule or Majority
Juvenile	L	~	~	4	Unanimous	~	~
Vermont							
Superior	G	12	Unanimous	12	Unanimous	12	Unanimous
District	G	12	Unanimous	12	Unanimous	12	Unanimous
Virginia							
Circuit	G	12	Unanimous	7	Unanimous	5/7(a)	Unanimous
Washington							
Superior	G	12(a)	Unanimous	12	Unanimous	6(b)	5/6-rule
District	L	~	~	6	Unanimous	6	5/6-rule
Municipal	L	~	~	6	Unanimous	6	5/6-rule

**Table 37 -- Trial Juries: Size and Verdict Rules**

States/Courts:	Court type	Criminal Trials				Civil Trials	
		Felonies: Size	Felonies: Decision-Rule	Misdemeanors: Size	Misdemeanors: Decision-Rule	Civil: Size	Civil: Decision Rule
West Virginia							
Circuit	G	12	Unanimous	12	Unanimous	6	Unanimous
Municipal	L	~	~	12	Unanimous	~	~
Magistrate	L	~	~	6	Unanimous	6	Unanimous
Wisconsin							
Circuit	G	12(a)	Unanimous	12(a)	Unanimous	6(b)	5/6-rule
Wyoming							
District	G	12	Unanimous	12	Unanimous	6(a)	5/6-rule
Municipal	L	~	~	6	Unanimous	~	~
County	L	~	~	6	Unanimous	6(a)	5/6-rule
Justice of the Peace	L	~	~	6	Unanimous	6(a)	5/6-rule
Puerto Rico							
Superior	G	12	9	12	No jury	No jury	No jury
Federal							
District	G	12	Unanimous	12	Unanimous	6(a)	Unanimous

#### FOOTNOTES:

##### Arizona:

(a)12-member jury if death penalty or sentence of 30 years or more

##### Arkansas:

(a)May be 6 - judge's discretion.

##### California:

(a)Or fewer by agreement of parties

##### Connecticut:

(a)12-member jury in capital cases, defendant may elect otherwise

##### District of Columbia

(a)In civil trials, 6-member jury unless a jury of 12 is demanded.

##### Florida:

(a)Capital and eminent domain cases require a 12-member jury (Unanimous verdict).

##### Georgia:

(a)In civil trials, 12-member jury if damages are greater than \$10,000, otherwise 6.

##### Hawaii:

(a)May stipulate that the jury consist of any number less than 12 or that a verdict on finding of a stated majority of jurors is taken as the verdict or finding of the jury.  
(b)Can stipulate to 6-member with 5/6-rule.

##### Illinois:

(a)In civil trials, 6-member jury unless 12 are requested.

##### Iowa:

(a)In misdemeanor trials, 12-member jury if "serious" or "aggravated," 6 if "simple." In civil trials, 7/8-rule applies after 6 hours of deliberation.

##### Kansas:

(a)In felony trial, must start with 12 members.  
(b)In civil trials, 12 member jury if damages are greater than \$5,000, otherwise 6.  
(c)In civil trials, 5/6-rule applies with 12 jurors, otherwise must be unanimous.

##### Louisiana:

(a)Capital cases and cases where punishment necessarily is confinement at hard labor=12 jurors. Cases where punishment may be confinement at hard labor=6 jurors.  
(b)Capital cases=unanimous; cases where punishment necessary is confinement at hard labor=10/12; cases where punishment may be confinement at hard labor=unanimous.  
(c)Parties may stipulate to a 6 person jury.

##### Montana:

(a)In misdemeanor and civil trials, 4-member jury if both parties agree.

##### Nebraska:

(a)In civil trials, 5/6-rule after 6 hours deliberation.

##### Nevada:

(a)Parties may stipulate to 4-8 jurors rather than 12.  
(b)Not more than 8 nor less than 4

##### North Carolina:

(a)Except in actions in which a jury is required by statute, the parties may stipulate that the jury shall consist of any number less than 12 or that a verdict or a finding of a stated majority of the jurors shall be taken as the verdict or finding of the jury.

##### Oklahoma:

(a)In cases where imprisonment is authorized for more than six months, all jurors must concur in the verdict.  
(b)In civil trials, 12-member jury if damages are greater than \$2,500, otherwise 6.

**Table 37 -- Trial Juries: Size and Verdict Rules**

**Oregon:**

(a) In murder trials, verdict must be unanimous.

**Utah:**

(a) In class A misdemeanor trials, a 6-member jury is required.

**Virginia:**

(a) In civil trials, a 12-member jury may be allowed by judge.

**Washington:**

(a) In non-capital cases, defendant may elect trial before a 6-member jury.

(b) In a civil trial, may demand a 12-member jury.

**Wisconsin:**

(a) Both parties may agree, in writing or on the record, to any number less than 12.

(b) In civil or traffic cases, a party may request, or the court on its own motion may require a greater number, not to exceed 12.

**Wyoming:**

(a) In civil trials, 6-member jury unless demand made for 12.

**Federal:**

(a) In civil trials, 6-member jury unless a jury of 12 is demanded (local rules). Even absent stipulation, if the court finds it necessary to excuse a juror, a valid verdict may be returned by the remaining 11.

**Table 38 -- Grand Juries: Composition and Functions**

States:	Is a grand jury indictment required for all felony prosecutions?*	Size of Grand Jury	Number Needed to Indict	Statutory Term of Grand Jury	Scope of Activities:
Alabama	Yes	18	12	Less than 50,000 population, not less than 2 per year; over 50,000, minimum of 4	Criminal investigations, indictments, inspect jail, examines county bookkeeping records
Alaska	Yes	12 to 18	Majority	4 months maximum	Criminal investigations, indictments, investigates and makes recommendations concerning public safety or welfare
Arizona	No	12 to 16	9	County grand jury, up to 120 days; statewide grand jury, 6 months	Criminal indictments
Arkansas	No	16 plus reasonable number of alternates	12	1 year maximum	Criminal investigations, indictments, inspects jails, public corruption investigations
California	No	19 (23 in Los Angeles County)	12 (14 in Los Angeles County)	1 year	Criminal investigations, indictments, operation of local government
Colorado	No	12	9	12 months, may be extended for another 6	Criminal investigations, indictments
Connecticut	Grand jury required only in capital or life imprisonment cases	18	12	Varies	Criminal investigations, indictments
Delaware	Yes	15 (New Castle), 10 (Kent and Sussex)	9 (New Castle), 7 (Kent and Sussex)	Serves until discharged by court, usually 1 year	Criminal investigations, indictments
District of Columbia	Yes	16 to 23	12	25 working days	Criminal investigations, indictments
Florida	Capital cases only, a separate state-wide jury is available in special cases	15 to 18	12	No set term, the state-wide grand jury is 12 months and may be extended for another 6	Criminal investigations, indictments, political corruption investigations
Georgia	Yes	16 to 23	12	Varies	Criminal investigations, indictments, inspects jails and public buildings, inspects books of Superior and Probate courts, District Attorney, County Treasurer, County School Superintendent, appoints committee to inspect offices of county commissioners
Hawaii	Yes	16, 8 is a quorum	3/4, but not less than 8 of the jurors present	1 year	Criminal investigations, indictments
Idaho	No	16, 12 is a quorum	12	6 months	Criminal investigations, indictments
Illinois	No	16, 12 is a quorum	9	18 months maximum	Criminal investigations, indictments, inspection of jails

**Table 38 -- Grand Juries: Composition and Functions**

<b>States:</b>	<b>Is a grand jury indictment required for all felony prosecutions?*</b>	<b>Size of Grand Jury</b>	<b>Number Needed to Indict</b>	<b>Statutory Term of Grand Jury</b>	<b>Scope of Activities:</b>
Indiana	No	6	5	6 months, may be extended to 2 years	Criminal investigations, indictments, status report on county homes and correctional facilities
Iowa	No	7	5	1 year, may be extended	Criminal investigations, indictments
Kansas	No	15, 12 is a quorum	12	3 months, may be extended to 6	Criminal investigations, indictments
Kentucky	No	12	9	20 court days, special grand jury 90 days	Criminal investigations, indictments, public corruption investigations
Louisiana	No	12	9	4 to 8 months except up to 1 year in Cameron county	Criminal investigations, indictments, inspects public facilities
Maine	Yes	13 to 23	12	No set term, not to exceed 1 year	Criminal indictments
Maryland	No	23	12	Varies	Criminal investigations, indictments, investigates local jail conditions
Massachusetts	No	23	12	Until the 1st sitting of the next authorized grand jury	Criminal investigations, indictments
Michigan	No	13 to 17	9	6 months	Criminal investigations, indictments
Minnesota	No	16 to 23	16	Not to exceed 1 year	Criminal investigations, indictments, investigates public corruption, inspects prison management
Mississippi	Yes	15 to 20	12	6 months	Criminal indictments, inspects county owned facilities
Missouri	No	12	9	Not to exceed 6 months; extension up to 60 days to complete work	Criminal investigations, indictments, examines public buildings
Montana	No	11	8	Varies	Criminal indictments, investigates public corruption, inspects prisons
Nebraska	No	18	12	Varies	Criminal investigations, indictments, inspects county jails
Nevada(a)	Indictment or presentment	17	12	1 year	Criminal investigations, indictments, inspects prisons and public records
New Hampshire	Yes	13 to 23	12	30 days maximum	Criminal indictments and investigates
New Jersey	No	23	12	16-20 weeks; can be extended	Criminal investigations, indictments, investigation of public affairs or conditions
New Mexico	No	12	8	3 months	Criminal investigations or as charged by district judge
New York	No	16 to 23	12	Varies	Criminal investigations, investigates public corruption
North Carolina	Yes	12 to 18	12	1 year (Judicial discretion to fix term at 6 months if judge finds jury service to be disproportionate burden on jurors and their employers.)	Criminal investigations, indictments, inspects jails and other county offices, reports to the court

**Table 38 -- Grand Juries: Composition and Functions**

States:	Is a grand jury indictment required for all felony prosecutions?*	Size of Grand Jury	Number Needed to Indict	Statutory Term of Grand Jury	Scope of Activities:
North Dakota	No	8 to 11	6	10 days	Criminal investigations, indictments, investigates public corruption, inspects prisons
Ohio	Yes	9	7	Up to 4 months, extendible to 9 months	Criminal investigations, indictments, inspects correctional houses
Oklahoma	No; multi-county limited grand jury available in special cases	12	9	18 months	Criminal indictments, examines public officer conduct, investigates prison management
Oregon	No	7	7	Varies by county (depends on juror, term) service	Criminal investigations, indictments, investigates public corruption and deaths of law enforcement officers, inspects jails
Pennsylvania	No, many counties have abolished the grand jury system	15 to 23	12	Varies (tied to term of court)	Criminal investigations, indictments
Rhode Island	Capital or life imprisonment cases only	13 to 23	12	Varies	Criminal investigations, indictments
South Carolina	Yes	18	12	2 year maximum	Criminal investigations, indictments, investigates public officials
South Dakota	No	6 to 8	6	18 months	Criminal investigations, indictments, examines public records and prisons
Tennessee	No	13	12	4 months except foreman who serves for 2 years	Criminal investigations, indictments, inspects conditions and management of prisons and other county buildings
Texas	No	12, 9 is a quorum	9	Varies	Criminal investigations, indictments
Utah	No	9 to 15	3/4 of jury	1 year maximum	Criminal investigations, investigates public corruption and inspects jails
Vermont	No	12	12	2 years	Criminal investigations, indictments
Virginia	Yes	5 to 7	4	1 year	Criminal investigations, indictments
Washington	No	12	3/4 of jury	60 days	Criminal investigations, indictments, investigates public corruption
West Virginia	Yes	16, 15 is a quorum	12	1 term (4 months), may be extended	Criminal indictments
Wisconsin	No	17	12	6 months, extendible to 1 year	Criminal investigations, indictments
Wyoming	No	12, 9 is a quorum	9	Up to 1 year	Criminal indictments, inspects jails
Puerto Rico	~	~	~	~	~
Federal Courts	Yes	16 to 23	12	18 months, may be extended another 6 months	Criminal investigations, indictments

**FOOTNOTES:**

\*Unless waived by the accused, "No" = not required but available.

Nevada:

(a) Every public offense must be prosecuted by indictment or information, except removal of civil officer, offenses arising in militia and offenses tried in municipal or justice court.

# **PART VII**

*The Sentencing Context*

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(Tables 39-47)

## *The Sentencing Context*

The nine tables in this section all describe a facet of the sentencing process. Some provide basic definitions from the applicable statute law in a state or in the federal system. Other tables describe the sentencing options available to the court or jury when imposing sentence. Still other tables describe the consequences of conviction, including the proportion of a sentence to incarceration that will be served.

The fundamental statutory framework for felony sentencing is outlined in Tables 39 and 40. In Table 39, definitions are given for a felony and a misdemeanor in terms of sentence lengths. Mandatory minimum sentences facing those convicted of a felony involving a firearm or deadly weapon are then described. The definition, if any, of an habitual offender is also given and the attendant penalties stated. Finally, the table indicates what is the most severe sentence other than the death penalty in a state. For those states with capital punishment, the specific sentence is often the default if the jury cannot agree on the appropriate sentence. Provisions exist for a sentence of "life without the possibility of parole" in many states.

Courts of general jurisdiction have unlimited authority to hear and dispose of felony cases. However, courts of limited jurisdiction in most states conduct preliminary hearings and bind over felony defendants for trial, and in the course of doing so may have the jurisdiction to accept a guilty plea to a misdemeanor and then impose sentence. In some states, this extends to accepting a guilty plea to a felony charge and, rarely, to imposing sentence. Table 40 describes how jurisdiction over felony cases is distributed within each state's court system. The authority of a trial court judge to alter a sentence once it has been implemented is indicated. Whether an appellate justice or court can alter a sentence is also specified.

Sentencing responsibilities of judges and juries are described in Table 41 for non-capital felony cases. Juries set the sentence in five states (but the trial judge can alter that sentence in four of those states). In another four states, the jury makes a recommendation. Table 41 also explains if there is a separate sentencing hearing and if felony sentencing guidelines exist. Table 42 focuses on sentencing in death penalty cases, indicating who sets the original sentence, whether it must be unanimous, if there is an automatic default to life without parole if the jury fails to agree, and whether the judge can alter the jury's sentence.

Sentencing options in the form of intermediate sanctions, those less severe than imprisonment but more intrusive than ordinary probation, are described in Table 43. Specific reference is made to intensive probation, work release, house arrest, electronic monitoring, and "shock incarceration."

Table 44 offers a look at sentencing commissions. Topics covered include when the commission was established, the nature of its authorization, membership composition, responsibilities, and whether its jurisdiction is to advise or review sentences. Whether guidelines developed by the commission are voluntary or mandatory is also indicated.

Conviction for a felony offense can bring certain "civil disabilities" in the form of collateral consequences. These typically extend beyond the point at which a person leaves prison or is released from probation or parole supervision. However, states differ in whether collateral consequences apply to all convicted felons or only to those incarcerated. Table 45 considers the impact that a felony conviction has on voting rights, parental rights, eligibility for public employment, jury service, and firearm ownership. Whether there is a registration requirement for convicted felons is also indicated. Information is provided on the duration of the disability.

The Federal Racketeering Influenced and Corrupt Organization (RICO) statute was enacted in 1970 to provide prosecutors with a tool that cuts into the economic base of organized crime. The statute imposes severe criminal penalties and provides the government with significant civil enforcement powers when offenses are committed by infiltrating and controlling enterprises. There is also a civil cause of action available to victims of racketeering in the form of recovery of treble damages and attorney fees. Twenty-eight states have passed what are termed "Little RICO" statutes. These generally follow the federal model, but often are more expansive in the scope of some key definitions. Table 46 begins with the main provisions of the federal RICO law and then indicates how each state statute compares. Provisions include key definitions, such as what represents a "pattern of racketeering," and specifies the prohibited activities and the maximum civil and criminal penalties provided under the statute.

Finally, Table 47 describes some important aspects of "back end discretion" in the sentencing context,

specifically institutions and mechanisms by which the actual length of a sentence served is determined by a parole board. Sentence length is also affected, though to a degree essentially known at the point of sentencing, by the accumulation of good time. The availability of "good time" and the rate at which it accrues are detailed in Table 47, as is the existence of a parole board with discretionary release authority.

#### Selected Bibliography:

##### General:

"A Symposium on Sentencing Reform in the States," *University of Colorado Law Review*, 64, No. 3, 1993. Kathleen Maguire and Ann L. Pastore (Eds.) *Sourcebook of Criminal Justice Statistics, 1993*, Washington D.C.: U.S. Department of Justice, Bureau of Justice Statistics, USGPO, 1994. Sandra Shane-DuBow, Alice Brown, and Erik Olsen, *Sentencing Reform in the United States: History, Content, and Effect*. Washington D.C.: U.S. Government Printing Office, 1985. "Symposium on Federal Sentencing," *Southern California Law Review*, 99, 1992.

#### Table 39

##### Life Without the Possibility of Parole:

Julian H. Wright, "Life-Without-Parole: An Alternative to Death or Not Much of a Life at All?", *Vanderbilt Law Review*, Volume 43, 1990. Derral Cheatwood, "The Life-Without-Parole Sanction: Its Current Status and a Research Agenda", *Crime and Delinquency*, Volume 34, Number 1, January 1988. J. Mark Lane, "Is There Life Without Parole?: A Capital Defendant's Right to a Meaningful Alternative Sentence," *Loyola of Los Angeles Law Review*, Volume 26, January 1993.

##### Felony Laws:

Wayne Logan, Lindsay Stellwagen, and Patrick Langan, *Felony Laws of the 50 States and the District of Columbia, 1986*, U.S. Department of Justice, Bureau of Justice Statistics, Washington D.C.: U.S. Government Printing Office.

##### Habitual Offender Statutes:

William McDonald, *Repeat Offender Law in the United States: Their Form, Use, and Perceived Value*. Washington D.C.: National Institute of Justice, 1986

##### Mandatory Minimums

Kent H. Ronhovde and Gloria P. Sugars, "Survey of Select State Firearm Control Laws," *Federal Regulation of Firearms*, Washington, D.C.: U.S. Government Printing Office (prepared for the U.S. Senate Judiciary Committee), 1982.

Barbara S. Vincent and Paul J. Hofer, *The Consequences of Mandatory Minimum Prison Terms: A Summary of Recent Findings*, Washington D.C.: Federal Judicial Center, 1994.

#### Table 42:

NAACP Legal Defense and Education Fund, *Death Row U.S.A.* (a periodical). Patrick E. Higginbotham, "Juries and the Death Penalty," *Case Western Reserve Law Review*, Volume 41, Number 4, 1991. "Black Box Decisions' on Life or Death--If They're Arbitrary, Don't Blame the Jury: A Reply to Judge Patrick Higginbotham," *Case Western Reserve Law Review*, Volume 41, Number 4, 1991.

#### Table 43:

James M. Byrne, Arthur J. Lurigio, Joan Petersilia, *Smart Sentencing: The Emergence of Intermediate Sanctions*, Newbury Park: Sage, 1992. Richard Koehler and Charles Lindner, "Alternative Incarceration: An Inevitable Response to Institutional Overcrowding," *Federal Probation*, September 1992. Patrick A. Langan, "Between Prison and Probation: Intermediate Sanctions," *Science*, Vol. 264, May 1994 Ruthanne De Wolfe, "Prison Law Developments: Alternatives to Incarceration," *Clearinghouse Review*, January 1991.

#### Table 45:

##### General:

Richard G. Singer, "Conviction: Civil Disabilities," *Encyclopedia of Crime and Justice*, Vol. I, S. Kadish (Ed.), New York: The Free Press, 1983.

##### Sources:

Walter Matthews Grant, John LeCornu, John Andrew Pickens, Dean Hill Rivkins, and C. Roger Vinson, "The Collateral Consequences of a Felony Conviction," *Vanderbilt Law Review*, Volume 23 Number 5, October 1970. Velmer S. Burton, Jr., Francis T. Cullen, and Lawrence F. Travis III, "The Collateral Consequences of a Felony Conviction: A National Study of State Statutes," *Federal Probation*, September 1987.

#### Table 46:

Lisa Barsoomian, "RICO 'Pattern' Before and After H.J. Inc.: A Proposed Definition". *The American University Law Review*, Volume 40, Number 2, Winter 1991.

**Table 39 -- Sentencing Statutes: Key Definitions and Provisions for Sentence Enhancement**

States:	Minimum/ Maximum Felony Sentence	Maximum Misdemeanor Sentence	Minimum/ Maximum Felony Fine Amounts	Mandatory Minimum if Firearm or Deadly Weapon Used	What Defines a Habitual Offender?	What is the Most Serious Non-Capital Sentence?
Alabama	More than 1 year/ Death	1 Year	\$0 - 20,000 or twice the pecuniary gain	Not less than 20 years for class A, 10 for class B felony	Punished under next class of felony for each prior conviction. On conviction of a class A felony after 3 priors, MM = LWOP	LWOP. Governor may not commute sentence.
Alaska	More than 1 year/ 99 years	1 Year	\$0 - 75,000 (\$500,000 for organizations)	MM 7 years for class A felony	MM for a class A 2nd felony, 15 years, 3rd felony, 25 years	20 - 99 years, prescribed minimum may not be reduced.
Arizona(a)	9 months/ Death	6 months if first offense, up to 22 for 2nd	\$0 - 150,000	For serious felony, 2nd offense, not less than the sentence imposed up to 3 times the sentence authorized, no parole until 2/3 served, up to 5 times sentence for habitual offenders	MMs; 2nd serious felony offense, not less than the sentence imposed up to 3 times sentence authorized, 3rd or subsequent offense, twice sentence imposed up to 4 times maximum No parole until 2/3 served.	Life = 25-35 years depending upon age of victim
Arkansas	No minimum/ Death	1 year	\$0 - 15,000	Maximum sentenced may be extended by 15 years	Sentence may be enhanced after 2nd offense. 5th felony, 7 years more than the minimum up to life	LWOP
California	18 months/ Death(a)	1 year	No minimum, maximum varies according to crime(b)	Additional term of 3, 4 or 5 years depending upon aggravating or mitigating factors	5 year enhancement for each prior serious felony conviction. 3rd violent felony, MM = LWOP	Life = 7 years before parole. LWOP Also murder-1st = 25-to-life Murder-2 = 15-to-life Several variants.
Colorado	1 year/ Death	2 years	\$0 - 1 million	~	3rd offense within past 10 years; 25 years min, 50 years maximum 4th or subsequent, MM = LWOP.	LWOP
Connecticut	More than 1 year/ Death	1 year	\$0 - 20,000(a)	MM = 5 years, however, may not be convicted of both criminal use of firearm and underlying felony	(b)	LWOP
Delaware	No minimum/ Death	1 year	No min/max, for corps, 2.3 times amount of gain or \$11,500	~	4th or subsequent, up to LWOP, 3rd conviction of serious felony (22 listed), then MM =LWOP	LWOP

Legend: ~=None stated, MM=Mandatory Minimum, LWOP=Life without possibility parole

**Table 39 -- Sentencing Statutes: Key Definitions and Provisions for Sentence Enhancement**

States:	Minimum/ Maximum Felony Sentence	Maximum Misdemeanor Sentence	Minimum/ Maximum Felony Fine Amounts	Mandatory Minimum if Firearm or Deadly Weapon Used	What Defines a Habitual Offender?	What is the Most Serious Non-Capital Sentence?
District of Columbia	More than 1 year/Life	1 year	\$0 minimum, maximum varies according to crime	Additional imprisonment up to life. Minimum not less than 5 years for first offense; 3 times minimum (not less than 5 years) for second or subsequent offense.	2nd felony, up to 1 1/2 maximum sentence, 3rd or more conviction, up to 3 times maximum or Life	Life = 20 years no parole
Florida	More than 1 year/ Death	1 year	\$0-15,000	MM 3 or 8 years additional sentence for any of 12 specified felonies. Firearm use = aggravated battery, felony reclassified to more serious grade.	For "Habitual Violent Offender;" 5, 10 or 15 year MM up to life if 2nd within 5 years of conviction or release,	Life = 25 years no parole
Georgia	More than 1 year/ Death	1 Year	\$0-100,000 or max in any statute. Max in penalties related to water resources and endangering life; if by organization, fine up to \$1 million.	First offense, 5 years additional, 2nd or subsequent, 10 years additional not suspendable by the court.	2nd felony, sentenced to longest period for that offense, may be suspended . 4th felony, MM = max sentence w/o parole.	Death Penalty: life w/o parole Murder: 25 years w/o parole for 2nd life sentence, 30 years max for consecutive life sentences.
Hawaii	No minimum(a)/ LWOP-20	1 year	No minimum, maximum varies according to crime	Murder and attempted murder in the 2nd degree, 15 years; class A felony, 10 years; class B felony, 5 years; class C felony, 3 years. Semiautomatic or automatic firearm: murder and attempted murder in the 2nd degree 20 years; class A felony, 15 years; class B felony, 10 years; class C felony, 5 years.	2nd Offense: murder and attempted murder in the 2nd degree, 20 years; class A felony, 13 years, 4 months; class B felony, 6 years, 8 months, class C felony, 3 years, 4 months.	20 years without possibility of parole in 4 enumerated cases.
Idaho	No minimum/ Death	6 months	\$0 - 5,000	Use in serious felony, 15 years added to maximum, applies even where firearm is an element of the offense.	3rd felony, MM = 5 years extendible to Life	Life = 10 years w/o possibility of parole, LWOP is possible under parole statute
Illinois	1 year/ Death	Less than 1 year	\$0 - 10,000	Use of a weapon reclassifies offense to next most serious grade.	MM, 3rd offense within 20 years, = Life.	Minimum of 20 , max of 60 if brutal or heinous. LWOP for 2nd homicide.

**Table 39 -- Sentencing Statutes: Key Definitions and Provisions for Sentence Enhancement**

States:	Minimum/ Maximum Felony Sentence	Maximum Misdemeanor Sentence	Minimum/ Maximum Felony Fine Amounts	Mandatory Minimum if Firearm or Deadly Weapon Used	What Defines a Habitual Offender?	What is the Most Serious Non-Capital Sentence?
Indiana	1 year/ Death	1 year	\$0 - 10,000	~	3rd or subsequent felony, 5 to 30 years additional.	Life = 40 years, up to 20 added for aggravating circumstances, 10 subtracted for mitigating.
Iowa	No minimum(a)/ Life w/o parole	2 years	\$0 - 10,000 + surcharge of 30% for criminal justice programs	MM = 5 years	MM for 3rd offense, not eligible for parole until served at least 3 years.	Class A felon, LWOP
Kansas	1 year/ Life	1 year	\$0 - 15,000. For "controlled substance," \$500,000 maximum	Part of severity level of crime.	Criminal history used in every sentencing decision.	100 year sentence, eligible for parole in 50
Kentucky	1 year/ Death	1 year	No minimum, maximum varies according to crime	~	MM 2nd felony, sentenced for the next highest degree, no probation or conditional discharge. 3rd or more, not less than 20 nor more than Life, 10 years served w/o parole.	Life without parole for 25 years, life, or a term of years not less than 20.
Louisiana	No minimum/ Death	1 year(a)	No minimum, maximum varies according to crime	MM 5 years or maximum sentence for crime where used, 5 years no parole	2nd felony, not less than 1/2 max term. 3rd not less than 2/3 maximum 3rd serious felony or 4th or subsequent, MM = LWOP	LWOP (only for Habitual Offenders)
Maine	No minimum/ Life(a)	1 year	\$0 - 50,000 or twice pecuniary gain. (100,000 for organizations)	MM 1 - 4 years depending on crime. Sentencing class for crime one class higher than what otherwise would be.	~	LWOP or any term of years not less than 25
Maryland	18 months/ Death	3 years	\$500 minimum, maximum varies according to crime	MM 5 years, not eligible for parole.	MM for 4th crime of violence, life no parole. MM for 3rd offense, 25 years w/o parole.	LWOP, or Life. Life = 25 years.
Massachusetts	No minimum/Life	30 months	No minimum, maximum varies according to crime	May be sentenced up to 20 years. MM 2 years for 2nd armed assault upon person 65 or older.	3rd felony punished by maximum term provided by law for the felony for which he is to be sentenced.	Life = 15 years. Murder in 1st degree, LWOP.
Michigan	More than 1 year/ Life	Less than 1 year	\$0 - 10,000 for any indictable common law offense	MMs: 1st Offense, 2 years; 2nd offense, 5 years; 3rd or more, 10 years.	Sex offenders, 5 year MM.	Life = 15 years no eligibility for parole. (LWOP possible under parole statutes)

**Table 39 -- Sentencing Statutes: Key Definitions and Provisions for Sentence Enhancement**

States:	Minimum/ Maximum Felony Sentence	Maximum Misdemeanor Sentence	Minimum/ Maximum Felony Fine Amounts	Mandatory Minimum if Firearm or Deadly Weapon Used	What Defines a Habitual Offender?	What is the Most Serious Non-Capital Sentence?
Minnesota	More than 1 year/ Life	Less than 90 days	\$0 - 50,000 + 10% surcharge for crime victim account and \$25 fee.	MM: 3 years, 5 years for 2nd or subsequent	~	Life = 20 years no eligibility for parole, 25 for subsequent felony.
Mississippi	More than 1 year/ Death	1 year	No minimum, maximum varies according to crime	Robbery, MM = 3 years	MM for 2nd or subsequent violent offense = LWOP	LWOP (only for Habitual Offenders)
Missouri	More than 1 year/ Death	1 year	\$0 - 5,000 (10,000 for corps.) or twice gain but not more than \$20,000	MMs: additional sentence 1st offense, 3 years; 2nd offense, 5 years; 3rd or more, 10 years.	Up to 30 years or life. Extended terms of imprisonment may be ordered for persistent offenders convicted of two or more felonies committed at different times.	LWOP
Montana	More than 1 year/ Death	1 year	\$0 - 50,000	MMs: Additional sentence 1st offense, 2 years; 2nd offense, 4 years.	If 21 or older, MM 5 years for 2nd or subsequent offense, 10 years if prior was within past 5 years.	LWOP(a), Life or a term of years not less than 10 nor more than 100. Life = 30 years
Nebraska	No minimum/ Death	1 year	\$0 - 25,000	~	MM for 3rd offense = 10 years	Life, indeterminate sentencing.
Nevada	1 year/Death	6 months, "Gross" Misdemeanor, 1 year	\$0 - 5,000	Use of firearm doubles the sentence of underlying crime, not suspendable for 4 serious felonies.	MM 10 years for 3rd offense.	LWOP or Life without parole for 20 years
New Hampshire	More than 1 year/ Death(a)	1 year	\$0 - 4,000 (100,000 for corps.)	MMs: 1st offense, 3 years; 2nd offense, 6 years.	~	Life without eligibility for parole
New Jersey(a)	3 years/ Death--4th degree crime not to exceed 18 months	6 months	No minimum, maximum varies according to crime.	MM = 1/3 or 1/2 of sentence or 3 years, whichever is greater.	May be sentenced to extended term of imprisonment.	30 years to life, no parole for 30 years
New Mexico	18 months/ Death	364 days	\$15,000/ \$13,000	MM: additional year for 1st offense, 3 years additional for 2nd or subsequent.	MM = additional year for 2nd offense, 4 years additional for 3rd, 8 years for 3rd or subsequent.	No parole for 30 years
New York	More than 1 year/ Life	1 year	\$0 - 5,000 (10,000 for corps.) or twice gain, + \$155 surcharge(a)	~	MM = 3- 9 years for 2nd felony offender, 4 - 12 years for 2nd violent felony offender. May be sentenced to lifetime probation.	Life imprisonment, indefinite sentencing
North Carolina	No minimum/ Death	2 years	No minimum, maximum varies according to crime	MM: 14 year sentence (entitled to credit for good behavior; must serve not less than 7 years, excluding gain time) for 2nd or subsequent felony.	MM = 14 year sentence (entitled to credit for good behavior; must serve not less than 7 years, excluding gain time) if 3 prior convictions	Life = eligible for parole after 20 years

**Table 39 -- Sentencing Statutes: Key Definitions and Provisions for Sentence Enhancement**

States:	Minimum/ Maximum Felony Sentence	Maximum Misdemeanor Sentence	Minimum/ Maximum Felony Fine Amounts	Mandatory Minimum if Firearm or Deadly Weapon Used	What Defines a Habitual Offender?	What is the Most Serious Non-Capital Sentence?
North Dakota	No minimum/ Life	1 year	\$0-10,000 (\$50,000 for orgs.) + crimestoppers reward(a)	MM: 4 years for class A or B felony, 2 years for class c.	"Dangerous special offenders" may be given extended sentences	Life = 30 years less good conduct
Ohio	1 year/ Death	Less than 1 year	\$0 - 10,000. Drug cases mandatory fines start at \$1,500(a)	MM: 3 years	Prior felonies affect type of sentence given, e.g., for a second aggravated felony of the first degree a minimum term of 10 - 15 years actual incarceration must be imposed.	Life without eligibility for parole in 20 or 30 years
Oklahoma	More than 1 year/ Death	1 year	\$501 - 1,000	Use of dangerous weapon is separate additional offense, 2 years minimum for 1st offense, 10 years for 2nd or subsequent.	10 year minimum for serious 2nd felony, 20 year minimum for 3rd or subsequent offense within 10 year period. On second conviction, dependent upon sentence range for felony conviction.	LWOP or Life (for parole consideration purposes only, life is considered to be 45 years.
Oregon	More than 1 year/ Death	1 year	\$0 - 300,000 or double the amount of gain. (\$50,000 for corps).	MMs: 5 years for 1st, 10 years for 2nd, 30 years for 3rd offense. Greater sentence for machine gun, use of silencer, shotgun(a)	The maximum indeterminate sentence of imprisonment for a "Dangerous Offender" is 30 years.	LWOP or Life. Life = 30 years.
Pennsylvania	No minimum/ Death	5 years	No minimum, maximum varies according to crime.	MM 5 years for 7 specified violent crimes if committed within past 7 years.	2nd or subsequent offense, MM 5 years for 7 enumerated violent crimes. MM of life for 2nd murder or voluntary manslaughter.	LWOP (contained in parole section)
Rhode Island	More than 1 year/ Life	1 year	\$500 - 50,000(a)	MMs: 2 years for 1st, 5 years for 2nd, 20 years for 3rd offense. Includes explosive substance, noxious liquid or acid.	3rd or subsequent offense may be sentenced to additional term not exceeding 25 years.	Life = 10 years before eligible for parole, 15 year MM for 1st degree murder(b)
South Carolina	4 years/ Death	3 years	No minimum, maximum varies according to crime.	MM 5 years if used in a violent crime.	MM for 3rd or subsequent violent offense = LWOP(a).	Life no parole in 20 (or 30 years if aggravating factors). LWOP possible under parole statute
South Dakota	No minimum/ Death	1 year	\$0 - 25,000	MMs: 5 years for 1st, 10 years for 2nd or subsequent.	2nd or subsequent felony, sentence enhanced by changing class to next most severe.	LWOP (person under life sentence not eligible for parole)
Tennessee	1 year/ Death	Less than 1 year	\$ 50 - 50,000 (\$350,000 for corps)(a)	MM: 5 years	Multiple and child rapists must serve entire sentence, no parole(b).	LWOP (no less than 25 full calendar years)

**Table 39 -- Sentencing Statutes: Key Definitions and Provisions for Sentence Enhancement**

States:	Minimum/ Maximum Felony Sentence	Maximum Misdemeanor Sentence	Minimum/ Maximum Felony Fine Amounts	Mandatory Minimum if Firearm or Deadly Weapon Used	What Defines a Habitual Offender?	What is the Most Serious Non-Capital Sentence?
Texas	2 years/ Death	1 year	\$0 - 10,000 (20,000 for Corps; 50,000 for Corps if results in death),	~	2nd felony, 15 to 99 years, 3rd felony and 2nd felony occurred(a).	Life, no parole for 35 years
Utah	No minimum/ Death	1 year	\$0 - 10,000 (20,000 for Corps) or twice damages.	Indeterminate term, not less than 5 years for 1st degree felony.	Additional 3 year term for each prior felony sexual offense, LWOP for 3rd conviction.	LWOP
Vermont	More than 2 years/ Life	2 years	\$0 - 10,000	Felon shall be imprisoned not more than 5 years.	4th felony may be sentenced to Life or LWOP(a).	LWOP (for H.O. only) or Life, Life = minimum of 35 years. Governor may not commute LWOP
Virginia	1 year/ Death	1 year	\$0 - 100,000	Separate crime if used during 10 specified serious felonies. MM of 2 years for 1st offense, 4 years for 2nd or subsequent.	3rd petit larceny conviction is a felony (1 year minimum).	Life no parole for 15 years, 25 for murder of child. Escapees not eligible
Washington	More than 1 year/ Death	1 year	No minimum, maximum varies according to crime	~	3rd felony conviction results in life sentence effective.	LWOP
West Virginia	1 year/ Life	1 year	No minimum, maximum varies according to crime	Armed felon not eligible for probation.	2nd felony, maximum increased by 5 years. 3rd or subsequent, must be sentenced to Life, 2nd conviction for petit larceny a felony (1 year).	Life, indeterminate sentencing
Wisconsin	No minimum/ Life	9 months	\$0 - 10,000	Presumptive minimum is 3 years for 1st offense, 5 for 2nd. Maximum may be increased by up to 5 years.	Maximum may be increased 2, 3, 6 or 10 years.	Life without eligibility for parole in 20 years.
Wyoming	1 year/ Death	1 year	\$500 minimum, maximum varies	Sentence enhanced by not more than 10 years for 1st offense, 20 years for 2nd.	If convicted of violent felony, MM 10 years for 3rd offense, Life for 3rd or subsequent.	Life = 20 years. LWOP is possible under parole rules
Puerto Rico	6 months/1 day through 99 years	6 months or \$500 or both	~	Is an aggravating circumstance for any offense and bear the maximum penalty for the particular crime. Carrying firearm: 1 year minimum-5 years maximum.	Permanent separation from society without eligibility for parole in 30 natural years.	99 years without eligibility for parole in 25 years
Federal Courts	More than 1 year/ Death	1 year	\$0 - 250,000 (For organizations, \$500,000)	Under the sentencing guidelines, "Armed Career Criminals" receive an enhanced sentence	Under sentencing guidelines, "Career Offenders" having at least 2 prior felonies, receive sentence at or near maximum term authorized.	Under sentencing guidelines varies. LWOP is possible for major drug traffickers.(a)

## Table 39 -- Sentencing Statutes: Key Definitions and Provisions for Sentence Enhancement

### DEFINITIONS:

**Habitual Offender:** Where Habitual Offender statutes are especially complex, only the minimum sentence for the maximum class of offense is stated.

**Life:** Listed here for capital offenses is the "minimum maximum" (short of death); usually "Life" does not mean that the inmate will die incarcerated and often "life without parole" does not mean the same as "life without possibility of parole".

### FOOTNOTES:

#### Alabama:

(a) Governor does not have the power to commute a LWOP sentence to a term of years.

#### Arizona:

(a) Several changes in the Arizona Revised Criminal Code will be adopted effective January 1, 1994.

#### California:

(a) Felony minimums; State does not divide felonies into classes and some crimes may be either felonies or misdemeanors with prison or less than 1 year in county jail as options.

(b) Fines: For example, a 2nd or subsequent money laundering offense carries a maximum fine of \$500,000 or 5 times amount gained.

#### Connecticut:

(a) The court can impose an alternative fine, where the defendant has gained money or property through the commission of any felony, misdemeanor or violation, up to an amount fixed by the court which cannot exceed double the amount of the defendant's gain.

(b) Persistent dangerous felony offender - court may, in discretion, impose sentence for class A felony (not less than 10 years or more than 25 years) instead of sentence for underlying crime convicted of.

#### Hawaii:

(a) Indeterminate sentencing is used; no definite sentence distinction between felony and misdemeanor. Minimum sentence, even in "life w/o parole," is determined by paroling authority.

#### Iowa:

(a) First felony offense, court may sentence less than mandatory minimum if mitigating circumstances exist.

#### Louisiana:

(a) In Louisiana, the distinction between a felony and a misdemeanor is not based on the length of the sentence. Felonies are defined as any crime which is punishable by death or imprisonment at hard labor. Misdemeanors are any other crimes.

#### Maine:

(a) Criminal code does not use felony, misdemeanor terminology. Crimes are classed as murder or A - E crimes.

#### Montana:

(a) Court may impose restriction that defendant be ineligible for parole. The court must state the reasons for this in writing as part of the judgment. LWOP may be applied to any felony, not just Habitual Offenders or 1st Degree Murder.

#### New Hampshire:

(a) 150 days are added to each to each year of a sentence; these days may be subtracted for good behavior at rates of 12 1/2 days for each month of good behavior.

#### New Jersey:

(a) New Jersey: Criminal code does not use felony, misdemeanor terminology. Crimes are classed by degree of severity with anything "so designated in the statute" a "disorderly persons offense."

#### New York:

(a) Fine amounts include \$155 mandatory surcharge of which \$5 is for victim assistance. Maximum may be up to \$100,000 if for drug trafficking crimes.

#### North Dakota:

(a) Convicted felons must also repay awards paid by "crimestoppers" program. Reparations may also include treatment costs for sex offender victims.

#### Ohio:

(a) In drug cases maximum fine may be \$25,000. Certain crimes require convicted felon to reimburse agencies for their investigation and prosecution costs.

#### Oregon:

(a) Enhanced penalty for use of firearm doubles to 10 and 20 years respectively if the firearm is a machine gun, short barreled rifle or shotgun, or has a silencer.

#### Rhode Island:

(a) Fines vary, e.g. money laundering is \$500,000 or 2 times value, in bribery, fine is up to three times gift amount.

(b) Life sentence, minimum of 25 years if felon has attempted escape.

#### South Carolina:

(a) Governor has the power to commute a LWOP sentence to a term of years.

#### Tennessee:

(a) In drug cases, mandatory minimum felony fine is \$2,000 up to a maximum of \$500,000.

(b) Habitual Offender statute used to provide for LWOP (was repealed in 1989), however, due to overcrowding, a federal court order mandated that all Tennessee inmates be eligible for parole regardless of their sentence.

#### Texas:

(a) Subsequent to 1st felony conviction becoming final, 25-99 years

#### Vermont:

(a) Governor has the power to commute a LWOP sentence to a term of years.

#### Federal:

(a) Prior to 1984 Life = 10 years before eligible for parole. Under sentencing reform, parole was abolished in favor of sentencing guidelines. Major drug traffickers face LWOP under 21 USC 848.

**Table 40 -- Jurisdiction for Adjudication and Sentencing of Felony Cases**

States/Courts:	Court type	Are felonies initially filed in this court?	Can this court dismiss a felony?	Can this court accept a guilty plea to charges reduced to a misdemeanor?	Can this court accept a guilty plea to a felony?
<b>Alabama</b>					
Circuit Court	G	Yes	Yes	Yes	Yes
District Court	L	Yes	Yes	Yes	Yes
Municipal Court	L	No felony jurisdiction	~	~	~
Probate Court	L	No felony jurisdiction	~	~	~
<b>Alaska</b>					
Superior Court	G	Yes	Yes	Yes	Yes
District Court	L	Yes	No	Yes	No
<b>Arizona</b>					
Superior Court	G	Yes	Yes	Yes	Yes
Justice of the Peace Court	L	Yes	Yes	Yes	No
Municipal Court	L	No felony jurisdiction	~	~	~
<b>Arkansas</b>					
Circuit Court	G	Yes	Yes	Yes	Yes
Chancery/Probate Court	G	No felony jurisdiction	~	~	~
Municipal Court	L	Yes	Yes	Yes	No
County Court	L	No felony jurisdiction	~	~	~
Police Court	L	No	No	No	No
Court of Common Pleas	L	No felony jurisdiction	~	~	~
City Court	L	No	No	No	No
<b>California</b>					
Superior Court	G	No(a)	Yes	Yes	Yes
Municipal	L	Yes	Yes	Yes	Yes
Justice Court	L	Yes	Yes	Yes	Yes
<b>Colorado</b>					
District Court	G	Yes	Yes	Yes	Yes
Denver Probate Court	G	~	~	~	~
Denver Juvenile Court	G	~	~	~	~
Water Court	G	No felony jurisdiction	~	~	~
County Court	L	Yes	Yes	Yes	No
Probate Court	L	No felony jurisdiction	~	~	~
Municipal Court	L	No felony jurisdiction	~	~	~
<b>Connecticut</b>					
Superior Court	G	Yes	Yes	Yes	Yes
Probate Court	L	No felony jurisdiction	~	~	~
<b>Delaware</b>					
Court of Chancery	G	No felony jurisdiction	~	~	~
Superior Court	G	Yes	Yes	Yes	Yes
Justice of the Peace Court	L	Yes	No	Yes	No
Family Court	L	Yes	Yes	Yes	No
Court of Common Pleas	L	Yes	Yes	Yes	No

**Table 40 -- Jurisdiction for Adjudication and Sentencing of Felony Cases**

Can this court sentence on a felony conviction?	Can a trial judge alter a sentence after the sentence begins?	Can appellate court/justice alter sentence once it has begun?	State/Court:
Yes	No	No	Alabama
	No	No	Circuit Court
	~	~	District Court
	~	~	Municipal Court
	~	~	Probate Court
Yes	Yes	Yes	Alaska
	~	~	Superior Court
	~	~	District Court
Yes	No	No	Arizona
	~	~	Superior Court
	~	~	Justice of the Peace Court
No	~	~	Municipal Court
	(a)	Yes	Arkansas
	~	~	Circuit Court
	~	~	Chancery/Probate Court
	~	~	Municipal Court
	~	~	County Court
	~	~	Police Court
No	~	~	Court of Common Pleas
	~	~	City Court
	~	~	California
Yes(b)	Yes(c)	Yes(d)	Superior Court
Yes(b)	Yes(c)	Yes(d)	Municipal
Yes(b)	Yes(c)	Yes(d)	Justice Court
Yes	Yes	No	Colorado
	~	~	District Court
	~	~	Denver Probate Court
	~	~	Denver Juvenile Court
	~	~	Water Court
	~	~	County Court
	~	~	Probate Court
	~	~	Municipal Court
Yes	Yes (within 3 years)	No	Connecticut
	~	~	Superior Court
	~	~	Probate Court
~	~	~	Delaware
	~	~	Court of Chancery
	Yes	No	Superior Court
	~	~	Justice of the Peace Court
	~	~	Family Court
	~	~	Court of Common Pleas

**Table 40 -- Jurisdiction for Adjudication and Sentencing of Felony Cases**

State/Court:	Court type	Are felonies initially filed in this court?	Can this court dismiss a felony?	Can this court accept a guilty plea to charges reduced to a misdemeanor?	Can this court accept a guilty plea to a felony?
<b>Delaware (con't)</b>					
Alderman's Court	L	No	No	Yes	No
Municipal Court of Wilmington	L	Yes	No	Yes	No
<b>District of Columbia</b>					
Superior Court	G	Yes	Yes	Yes	Yes
<b>Florida</b>					
Circuit Court	G	Yes	Yes	Yes	Yes
County Court	L	No	No	Yes	No
<b>Georgia</b>					
Superior Court	G	Yes	Yes	Yes	Yes
Juvenile Court	L	~	~	~	~
Civil Court	L	No	Yes (a)	No	No
State Court	L	No	Yes (a)	No	No
Probate Court	L	No felony jurisdiction	~	~	~
Magistrate Court	L	No	Yes (a)	No	No
Municipal Court	L	No	Yes (a)	No	No
County Recorder's Court	L	No	Yes (a)	No	No
Municipal Courts and City Court of Atlanta	L	No felony jurisdiction	~	~	~
<b>Hawaii</b>					
Circuit and Family Court	G	Yes	Yes	Yes	Yes
District Court	L	No	No	No	No
<b>Idaho</b>					
District Court	G	(a)	Yes	Yes	Yes
Magistrates		Yes	Yes	Yes	No
<b>Illinois</b>					
Circuit Court	G	Yes	Yes	Yes	Yes
<b>Indiana</b>					
Superior Court	G	Yes	Yes	Yes	Yes
Circuit Court	G	Yes	Yes	Yes	Yes
Probate Court	G	No felony jurisdiction	~	~	~
County Court	L	Yes	Yes	Yes	Yes
City Court	L	No felony jurisdiction	~	~	~
Town Court	L	No felony jurisdiction	~	~	~
Municipal Court of Marion County	L	Yes	Yes	Yes	Yes
Small Claims Court of Marion County	L	No felony jurisdiction	~	~	~
<b>Iowa</b>					
District Court	G	Yes	Yes	Yes	Yes
<b>Kansas</b>					
District Court	G	Yes	Yes	Yes	Yes
Municipal Court	L	No felony jurisdiction	~	~	~

**Table 40 -- Jurisdiction for Adjudication and Sentencing of Felony Cases**

Can this court sentence on a felony conviction?	Can a trial judge alter a sentence after the sentence begins?	Can appellate court/justice alter sentence once it has begun?	State/Court:
No	~	~	<b>Delaware (con't)</b>
	~	~	Alderman's Court
	~	~	Municipal Court of Wilmington
Yes	Yes	Yes	<b>District of Columbia</b>
			Superior Court
Yes	Yes	No	<b>Florida</b>
			Circuit Court
No			County Court
Yes	~	~	<b>Georgia</b>
	~	~	Superior Court
	~	~	Juvenile Court
	~	~	Civil Court
	~	~	State Court
	~	~	Probate Court
	~	~	Magistrate Court
	~	~	Municipal Court
	Yes (if in term)	No	County Recorder's Court
~			Municipal Courts and City Court of Atlanta
Yes	Yes, 90 days	Yes	<b>Hawaii</b>
			Circuit and Family Court
No			District Court
Yes	(b)	No	<b>Idaho</b>
	~	~	District Court
No			Magistrates
Yes	No	Yes	<b>Illinois</b>
			Circuit Court
Yes	Yes	Yes	<b>Indiana</b>
	Yes		Superior Court
	~	~	Circuit Court
	~	~	Probate Court
	Yes		County Court
	~	~	City Court
	~	~	Town Court
	Yes		Municipal Court of Marion County
	~	~	Small Claims Court of Marion County
Yes	Yes	No	<b>Iowa</b>
			District Court
Yes	Yes(a)	Yes	<b>Kansas</b>
	~	~	District Court
~			Municipal Court

**Table 40 -- Jurisdiction for Adjudication and Sentencing of Felony Cases**

State/Court:	Court type	Are felonies initially filed in this court?	Can this court dismiss a felony?	Can this court accept a guilty plea to charges reduced to a misdemeanor?	Can this court accept a guilty plea to a felony?
<b>Kentucky</b>					
Circuit Court	G	Yes	Yes	Yes	Yes
District Court	L	Yes	Yes	Yes	No
<b>Louisiana</b>					
District Court	G	Yes	Yes	Yes	Yes
Justice of the Peace Court	L	No felony jurisdiction	~	~	~
Mayor's Court	L	No felony jurisdiction	~	~	~
City and Parish Courts	L	No felony jurisdiction	~	~	~
<b>Maine</b>					
Superior Court	G	Yes	Yes	Yes	Yes
District Court	L	Yes	Yes	Yes	Yes
Probate Court	L	No felony jurisdiction	~	~	~
Administrative Court	L	No felony jurisdiction	~	~	~
<b>Maryland</b>					
Circuit Court	G	Yes	Yes	Yes	Yes
District Court	L	Yes	Yes	Yes	Yes
Orphan's Court	L	No felony jurisdiction	~	~	~
<b>Massachusetts</b>					
Superior Court Department	G	Yes	Yes	Yes	Yes
District Court Department	L	Yes	Yes	Yes	Yes
Boston Municipal Court	L	Yes	Yes	Yes	Yes
Juvenile Court Department	L	No felony jurisdiction	~	~	~
Housing Court Department	L	No felony jurisdiction	~	~	~
Probate & Family Court	L	No felony jurisdiction	~	~	~
Land Court Department	L	No felony jurisdiction	~	~	~
<b>Michigan</b>					
Circuit Court	G	No	Yes	Yes	Yes
Recorder's Court of Detroit	G	No	Yes	Yes	Yes
Court of Claims	G	No felony jurisdiction	~	~	~
District Court	L	Yes	Yes	Yes	No
Probate Court	L	No felony jurisdiction	~		
Municipal Court	L	Yes	Yes	Yes	No
<b>Minnesota</b>					
District Court	G	Yes	Yes	Yes	Yes
<b>Mississippi</b>					
Circuit Court	G	Yes	Yes	Yes	Yes
Chancery Court	G	~	~	~	~
County Court	L	Yes	Yes	Yes	Yes
Family Court	L	No felony jurisdiction	~	~	~
Municipal Court	L	Yes	Yes	Yes	Yes
Justice Court	L	Yes	Yes	Yes	Yes

**Table 40 -- Jurisdiction for Adjudication and Sentencing of Felony Cases**

Can this court sentence on a felony conviction?	Can a trial judge alter a sentence after the sentence begins?	Can appellate court/justice alter sentence once it has begun?	State/Court:
Yes	Yes	Yes	<b>Kentucky</b>
No	Yes	No	
Yes	Yes	Yes	<b>Louisiana</b>
~	~	~	
~	~	~	
~	~	~	
Yes	Yes, within 1 yr	No	<b>Maine</b>
Yes	Yes, within 1 yr		
~	~	~	
~	~	~	
Yes	Yes	No	<b>Maryland</b>
Yes	Yes	No	
~	~	~	
~	~	~	
Yes	Yes	Yes, may reduce	<b>Massachusetts</b>
Yes	Yes	Yes	
Yes	Yes	Yes	
~	~	~	
~	~	~	
~	~	~	
~	~	~	
Yes	Yes	No	<b>Michigan</b>
Yes	Yes	No	
Yes	Yes	No	
~	~	~	
No	~	~	
~	~	~	
No	~	~	
Yes	Yes	No	<b>Minnesota</b>
No	~	~	
Yes	No	Yes	<b>Mississippi</b>
~	~	~	
Yes	No	~	
~	~	~	
Yes	No	~	
Yes	No	~	
Yes	No	~	

**Table 40 -- Jurisdiction for Adjudication and Sentencing of Felony Cases**

State/Court:	Court type	Are felonies initially filed in this court?	Can this court dismiss a felony?	Can this court accept a guilty plea to charges reduced to a misdemeanor?	Can this court accept a guilty plea to a felony?
Mississippi (con't)					
Mayor's Court	L	No felony jurisdiction	~	~	~
Missouri					
Circuit Court	G	Yes	Yes	Yes	Yes
Associate Circuit Court	G	Yes	Yes	Yes	No
Municipal Court	L	No felony jurisdiction	~	~	~
Montana					
District Court	G	Yes	Yes	Yes	Yes
Workers' Comp. Court	G	No felony jurisdiction	~	~	~
Water Court	G	No felony jurisdiction	~	~	~
Justice of the Peace Court	L	No felony jurisdiction	~	~	~
Municipal Court	L	No felony jurisdiction	~	~	~
City Court	L	No felony jurisdiction	~	~	~
Nebraska					
District Court	G	Yes	Yes	Yes	Yes
Separate Juvenile Court	L	No felony jurisdiction	~	~	~
Worker's Compensation	L	No felony jurisdiction	~	~	~
County Court	L	Yes	Yes	Yes	No
Nevada					
District Court	G	No	Yes	Yes	Yes
Justice Court	L	Yes	Yes	Yes	Yes
Municipal Court	L	No felony jurisdiction	~	~	~
New Hampshire					
Superior Court	G	Yes(a)	Yes	Yes	Yes
District Court	L	Yes	Yes	No	No
Municipal Court	L	Yes	Yes	No	No
Probate Court	L	No felony jurisdiction	~	~	~
New Jersey					
Superior Court	G	Yes	Yes	Yes	Yes
Tax Court	L	No felony jurisdiction	~	~	~
Municipal Court	L	Yes	No	Yes	No
New Mexico					
District Court	G	Yes	Yes	Yes	Yes
Magistrate Court	L	Yes	Yes	Yes	No
Bernalillo County Municipal Court	L	Yes	Yes	Yes	No
Municipal Court	L	No felony jurisdiction	~	~	~
Probate Court	L	No felony jurisdiction	~	~	~
New York					
Supreme Court	G	Yes	Yes	Yes	Yes
County Court	G	Yes	Yes	Yes	Yes
District Court	L	Yes	Yes	Yes	No

**Table 40 -- Jurisdiction for Adjudication and Sentencing of Felony Cases**

Can this court sentence on a felony conviction?	Can a trial judge alter a sentence after the sentence begins?	Can appellate court/justice alter sentence once it has begun?	State/Court:
~	~	~	Mississippi (con't)
Yes	Yes	No	Mayor's Court
No	~	~	Missouri
~	~	~	Circuit Court
Yes	No	No	Associate Circuit Court
~	~	~	Municipal Court
Yes	Yes(a)	Yes	Montana
~	~	~	District Court
~	~	~	Workers' Comp. Court
~	~	~	Water Court
~	~	~	Justice of the Peace Court
~	~	~	Municipal Court
~	~	~	City Court
Yes	No	No	Nebraska
~	~	~	District Court
~	~	~	Separate Juvenile Court
No	~	~	Worker's Compensation
~	~	~	County Court
Yes	No	No	Nevada
No	~	~	District Court
~	~	~	Justice Court
Yes	Yes	Yes	New Hampshire
No	~	~	District Court
No	~	~	Municipal Court
~	~	~	Probate Court
Yes	Yes	Yes	New Jersey
~	~	~	Superior Court
No	~	~	Tax Court
~	~	~	Municipal Court
Yes	Yes (a)	No	New Mexico
No	~	~	District Court
No	~	~	Magistrate Court
~	~	~	Bernalillo County Municipal Court
~	~	~	Municipal Court
Yes	Yes	Yes	New York
Yes	~	~	Supreme Court
No	~	~	County Court
~	~	~	District Court

**Table 40 -- Jurisdiction for Adjudication and Sentencing of Felony Cases**

State/Court:	Court type	Are felonies initially filed in this court?	Can this court dismiss a felony?	Can this court accept a guilty plea to charges reduced to a misdemeanor?	Can this court accept a guilty plea to a felony?
<b>New York (con't)</b>					
City Court	L	Yes	Yes	Yes	No
Criminal Court of NYC	L	Yes	Yes	Yes	No
Town and Village	L	Yes	Yes	Yes	No
Court of Claims	L	~	~	~	~
Surrogates' Court	L	~	~	~	~
Family Court	L	~	~	~	~
<b>North Carolina</b>					
Superior Court	G	Yes	Yes	Yes	Yes
District Court	L	Yes	Yes	No	No
<b>North Dakota</b>					
District Court	G	Yes	Yes	Yes	Yes
County Court	L	Yes	Yes	No	No
Municipal Court	L	No felony jurisdiction		~	~
<b>Ohio</b>					
Court of Common Pleas	G	No	Yes	Yes	Yes
Municipal Court	L	Yes	No	Yes	No
County Court	L	Yes	No	Yes	No
<b>Oklahoma</b>					
District Court	G	Yes	Yes	Yes	Yes
Municipal Court Not of Record	L	No felony jurisdiction		~	~
Municipal Criminal Court of Record	L	No felony jurisdiction		~	~
Workers' Comp. Court	L	No felony jurisdiction		~	~
Court of Tax Review	L	No felony jurisdiction		~	~
<b>Oregon</b>					
Circuit Court	G	Yes	Yes	Yes	Yes
Tax Court	S	~	~	~	~
County Court	L	~	~	~	~
District Court	L	Yes	Yes	Yes	No
Justice Court	L	Yes	Yes	Yes	No
Municipal Court	L	No	No	No	No
<b>Pennsylvania</b>					
Court of Common Pleas	G	Yes	Yes	Yes	Yes
Philadelphia Municipal Court	L	Yes	Yes	Yes	No
District Justice Court	L	Yes	Yes	Yes	No
Philadelphia Traffic Court	L	No felony jurisdiction		~	~
Pittsburgh City Magistrates	L	Yes	Yes	Yes	No
<b>Rhode Island</b>					
Superior Court	G	Yes	Yes	Yes	Yes
District Court	L	Yes	Yes	Yes	No
Family Court	L	Yes	Yes	Yes	Yes

**Table 40 -- Jurisdiction for Adjudication and Sentencing of Felony Cases**

Can this court sentence on a felony conviction?	Can a trial judge alter a sentence after the sentence begins?	Can appellate court/justice alter sentence once it has begun?	State/Court:
No	~	~	New York (con't)
			City Court
			Criminal Court of NYC
			Town and Village
			Court of Claims
			Surrogates' Court
			Family Court
Yes	Yes	No	North Carolina
			Superior Court
			District Court
No	~	~	North Dakota
			District Court
			County Court
			Municipal Court
Yes	No	No	Ohio
			Court of Common Pleas
			Municipal Court
			County Court
~	~	~	Oklahoma
			District Court
			Municipal Court Not of Record
			Municipal Criminal Court of Record
			Workers' Comp. Court
			Court of Tax Review
Yes	Yes	Yes	Oregon
			Circuit Court
			Tax Court
			County Court
			District Court
			Justice Court
			Municipal Court
No	~	~	Pennsylvania
			Court of Common Pleas
			Philadelphia Municipal Court
			District Justice Court
			Philadelphia Traffic Court
			Pittsburgh City Magistrates
No	~	~	Rhode Island
			Superior Court
			District Court
			Family Court
Yes	Yes	No	

**Table 40 -- Jurisdiction for Adjudication and Sentencing of Felony Cases**

State/Court:	Court type	Are felonies initially filed in this court?	Can this court dismiss a felony?	Can this court accept a guilty plea to charges reduced to a misdemeanor?	Can this court accept a guilty plea to a felony?
<b>Rhode Island (con't)</b>					
Probate Court	L	~	~	~	~
Municipal Court	L	~	~	~	~
<b>South Carolina</b>					
Circuit Court	G	Yes	Yes	Yes	Yes
Family Court	L	Yes	Yes	Yes	Yes
Magistrate Court	L	Yes	Yes	Yes	No
Probate Court	L	No felony jurisdiction		~	~
Municipal Court	L	Yes	Yes	Yes	No
<b>South Dakota</b>					
Circuit Court	G	Yes	Yes	Yes	Yes
<b>Tennessee</b>					
Circuit Court	G	Yes	Yes	Yes	Yes
Chancery Court	G	No (b)	~	~	~
Criminal Court	G	Yes	Yes	Yes	Yes
Probate Court	G	No felony jurisdiction		~	~
Juvenile Court	L	No felony jurisdiction		~	~
Municipal Court	L	No felony jurisdiction		~	~
General Sessions Court	L	No felony jurisdiction		~	~
<b>Texas</b>					
District Courts	G	Yes	Yes	Yes	Yes
Constitutional County Court	L	No	No	No	No
County Courts at Law	L	Some	Some	Some	Some
Justice of the Peace Court	L	No	No	No	No
Municipal Court	L	No	No	No	No
<b>Utah</b>					
District Court	G	No	Yes	Yes	Yes
Circuit Court	L	Yes	Yes	Yes	No
Justice Court	L	Yes	Yes	No	No
Juvenile Court	L	Yes	Yes	Yes	Yes
<b>Vermont</b>					
Superior Court	G	No	Yes	Yes	Yes
District Court	G	Yes	Yes	Yes	Yes
Environmental Court	L	No felony jurisdiction		~	~
<b>Virginia</b>					
Circuit Court	G	Yes	Yes	Yes	Yes
District Court	L	Yes	Yes	Yes	No
<b>Washington</b>					
Superior Court	G	Yes	Yes	Yes	Yes
District Court	L	Yes	No	Yes	No
Municipal Court	L	No felony jurisdiction		~	~

**Table 40 -- Jurisdiction for Adjudication and Sentencing of Felony Cases**

Can this court sentence on a felony conviction?	Can a trial judge alter a sentence after the sentence begins?	Can appellate court/justice alter sentence once it has begun?	State/Court:
~	~	~	Rhode Island (con't)
			Probate Court
			Municipal Court
Yes	No	No	South Carolina
	~	~	Circuit Court
	~	~	Family Court
	~	~	Magistrate Court
	~	~	Probate Court
	~	~	Municipal Court
Yes	Yes	No	South Dakota
	~	~	Circuit Court
	~	~	Tennessee
	Yes	Yes	Circuit Court
	~	~	Chancery Court
	~	~	Criminal Court
	~	~	Probate Court
	~	~	Juvenile Court
Some	~	~	Municipal Court
	~	~	General Sessions Court
	~	~	Texas
	No	No	District Courts
	~	~	Constitutional County Court
	~	~	County Courts at Law
No	~	~	Justice of the Peace Court
	~	~	Municipal Court
	~	~	Utah
	~	~	District Court
No	Yes	No	Circuit Court
	~	~	Justice Court
	~	~	Juvenile Court
	~	~	Vermont
Yes	Yes	No	Superior Court
	~	~	District Court
	~	~	Environmental Court
Yes	Yes, within 21 days		Virginia
	Yes, within 21 days		Circuit Court
	Yes, within 21 days		District Court
Yes	Yes	No	Washington
	~	~	Superior Court
	~	~	District Court
	~	~	Municipal Court

**Table 40 -- Jurisdiction for Adjudication and Sentencing of Felony Cases**

State/Court:	Court type	Are felonies initially filed in this court?	Can this court dismiss a felony?	Can this court accept a guilty plea to charges reduced to a misdemeanor?	Can this court accept a guilty plea to a felony?
West Virginia					
Circuit Court	G	Yes	Yes	No	Yes
Magistrate Court	L	Yes	Yes	(b)	No
Municipal Court	L	~	~	~	~
Wisconsin					
Circuit Court	G	Yes	Yes	Yes	Yes
Municipal Court	L	~	~	~	~
Wyoming					
District Court	G	Yes	Yes	Yes	Yes
Justice of the Peace Court	L	Yes	Yes	No	No
Municipal Court	L	No felony jurisdiction	~	~	~
County Court	L	Yes	Yes	No	No
Puerto Rico					
Superior Court	G	Yes	Yes	Yes	Yes
District Court	L	No felony jurisdiction	~	~	~
Municipal Court	L	No felony jurisdiction	~	~	~
Federal					
U.S. District Courts	G	Yes	Yes	Yes	Yes

**FOOTNOTES:**

**California:**

- (a) May be if indictment infrequent.
- (b) Only on guilty plea, and not in capital case
- (c) For a limited time
- (d) On appeal

**Georgia:**

- (a) Yes, only as courts acting as committal court

**Idaho:**

- (a) Grand jury indictment only
- (b) Within 120 days of sentence

**Kansas:**

- (a) A statutory procedure is provided in lieu of habeas corpus which begins in the trial court that imposed the sentence.

**Nebraska:**

- (a) Within 10 days of sentence being imposed.

**New Hampshire:**

- (a) Only if a grand jury indictment supersedes probable cause hearing, or if defendant waives presentation to grand jury.

**New Mexico:**

- (a) Yes, within 30 days in district court

**West Virginia:**

- (a) Yes, within bounds of minimums/maximums
- (b) Yes, if not bound over to circuit court.

**Federal:**

- (a) The court may reduce a sentence for changed circumstances within 1 year of imposition of the sentence. The court may correct a sentence within 7 days after imposition of sentence.

**Table 40 -- Jurisdiction for Adjudication and Sentencing of Felony Cases**

Can this court sentence on a felony conviction?	Can a trial judge alter a sentence after the sentence begins?	Can appellate court/justice alter sentence once it has begun?	State/Court:
No	Yes	(a)	West Virginia Circuit Court Magistrate Court Municipal Court
No	~	~	
~	~	~	
Yes	Yes	No	Wisconsin Circuit Court Municipal Court
~	~	~	
Yes	Yes	No	Wyoming District Court Justice of the Peace Court Municipal Court County Court
No	~	~	
~	~	~	
No	~	~	
Yes	Yes	Yes	Puerto Rico Superior Court District Court Municipal Court
~	~	~	
~	~	~	
Yes	Yes(a)	Yes	Federal U.S. District Courts

**Table 41 -- Sentencing Procedures and Guidelines in Non-Capital Felony Cases**

States:	Who sets the original sentence?					Felony sentencing guidelines:	
	Trial judge without jury input	Verdict jury	Trial judge with jury recommendation	Can the trial judge alter jury's sentence?	Is there a separate sentencing hearing?	Are there any sentencing guidelines?	Date initially enacted
Alabama	Yes	No	No	~	Yes	No	~
Alaska	Yes	No	No	~	Yes	Yes	1980
Arizona	No	No	Yes	~	Yes	No	~
Arkansas	No	Yes	No	Yes	Yes(a)	Yes	1994(a)
California	Yes	No	No	~	Yes	No	~
Colorado	Yes	No	No	~	Yes	No	~
Connecticut	Yes	No	No	~	Yes	No	~
Delaware	Yes	No	No	~	Yes	Yes	1987
District of Columbia	Yes	No	No	~	Yes(a)	No	~
Florida	Yes	No	No	~	Yes	Yes	1979
Georgia	Yes	No	No	~	Yes(a)	No	~
Hawaii	Yes	No	No	~	Yes	No	~
Idaho	Yes	No	No	~	Yes	No	~
Illinois	Yes	No	No	~	Yes	No	~
Indiana	No	No	Yes	~	Yes	No	~
Iowa	Yes	No	No	~	Yes	No	~
Kansas	Yes	No	No	~	Yes(a)	Yes	1993
Kentucky	No	No	Yes	Yes	Yes	No	~
Louisiana	Yes	No	No	~	No	Yes	1992
Maine	Yes	No	No	~	Yes(a)	No	~
Maryland:	Yes	No	No	~	Yes(a)	Yes(b)	1983
Massachusetts	Yes	No	No	~	Yes	No	~
Michigan	Yes	No	No	~	Yes	Yes	1984
Minnesota	Yes	No	No	~	Yes	Yes	1978
Mississippi	Yes	No	No	~	Yes(a)	No	~
Missouri	Yes	Yes	Yes	Yes	Yes	No	~
Montana	Yes	No	No	~	Yes	No	~
Nebraska	Yes	No	No	~	Yes	No	~
Nevada	Yes	No	No	~	Yes	No	~
New Hampshire	Yes	No	No	~	Yes(a)	No	~
New Jersey	Yes	No	No	~	Yes	Yes	1978
New Mexico	Yes	No	No	~	Yes(a)	No	(b)
New York	Yes	No	No	~	Yes	No	~
North Carolina	Yes	No	No	~	Yes(a)	No(b)	(b)
North Dakota	Yes	No	No	~	Yes	No	~
Ohio	Yes	No	No	~	Yes(a)	No	~
Oklahoma	No	Yes	No	Yes	Yes(a)	No	~
Oregon	Yes	No	No	~	Yes(a)	Yes	1989
Pennsylvania	Yes	No	No	~	Yes	Yes	1988
Rhode Island	Yes	No	No	~	Yes	Yes	1981
South Carolina	Yes	No	No	~	No	No	~
South Dakota	Yes	No	No	~	Yes	No	~
Tennessee	Yes	No	No	~	Yes	Yes	1989
Texas	No	Yes	No	No	Yes	No	~
Utah	Yes	No	No	~	Yes	Yes	1979
Vermont	Yes	No	No	~	Yes	No	~
Virginia	No	Yes	No	Yes	No	Yes	1990
Washington	Yes	No	No	~	Yes	Yes	1984
West Virginia	No	No	Yes	~	Yes	No	~
Wisconsin	Yes	No	No	~	Yes	Yes	1985
Wyoming	Yes	No	No	~	Yes	No	~
Puerto Rico	Yes	No	No	Yes	Yes	No	~

**Table 41 -- Sentencing Procedures and Guidelines in Non-Capital Felony Cases**

**FOOTNOTES:**

**Arkansas:**

(a) Applies to felonies committed on or after January 1, 1994. Prior to that time, Arkansas' indeterminate sentencing system was used without sentencing guidelines.

**District of Columbia:**

(a) The judge has the discretion to sentence at the time of the verdict.

**Georgia:**

(a) The judge has the discretion to sentence at the time of the verdict.

**Kansas:**

(a) For "no parole" cases only.

**Maine:**

(a) The judge has the discretion to sentence at the time of the verdict.

**Maryland:**

(a) The judge has the discretion to sentence at the time of the verdict.

(b) Maryland's district court does not have sentencing guidelines.

**Mississippi:**

(a) The judge has the discretion to sentence at the time of the verdict.

**New Hampshire:**

(a) The judge has the discretion to sentence at the time of the verdict.

**New Mexico:**

(a) The judge has the discretion to sentence at the time of the verdict.

(b) The Sentencing Guidelines Commission was established in 1988 to develop and adopt guidelines, but these guidelines shall have no force or effect until enacted into law by the legislature. No guidelines have yet been enacted. The commission was repealed and reinstated as Criminal and Juvenile Justice Coordinating Council by the 1994 Legislative Session, 41st legislative, second session.

**North Carolina:**

(a) Unless defendant waives the hearing.

(b) The Sentencing and Policy Advisory Committee was established in 1990, structured sentencing legislation was enacted on July 1, 1993, and became effective on October 1, 1994.

**Ohio:**

(a) The judge has the discretion to sentence at the time of the verdict.

**Oklahoma:**

(a) A separate sentencing hearing is only conducted if the defendant is a repeat offender; prior convictions are then taken into account.

**Oregon:**

(a) The judge has the discretion to sentence at the time of the verdict.

**Table 42 -- Sentencing Procedures in Death Penalty (Capital) Cases**

States:	Who sets the original sentence?	Must the jury be unanimous?	If jury fails to agree, is life without parole automatic?	Can the judge alter jury's sentence?
Alabama	Judge with jury recommendation	Yes(a)	No(a)	Yes
Alaska	No death penalty	~	~	~
Arizona	Judge with jury recommendation	Yes	N/S	~
Arkansas(a)	Verdict jury	Yes	Yes	No
California	Verdict jury(a)	Yes	No (new jury) (a)	Yes(b)
Colorado	Verdict jury	Yes	N/S	Yes(a)
Connecticut	Verdict jury(a)	Yes	~	No
Delaware	Judge with jury recommendation	No	N/S	Yes
District of Columbia	No death penalty	~	~	~
Florida	Judge with jury recommendation	No, majority	N/S	Yes
Georgia	Judge with jury recommendation(a)	Yes	N/S	No(a)
Hawaii	No death penalty	~	~	~
Idaho	Trial judge without jury input	~	~	~
Illinois(a)	Verdict jury	Yes	N/S	No
Indiana	Judge with jury recommendation	Yes	N/S	~
Iowa	No death penalty	~	~	~
Kansas	No death penalty(a)	~	~	~
Kentucky	Judge with jury recommendation	Yes	N/S	~
Louisiana	Verdict jury	Yes	Yes	No
Maine	No death penalty	~	~	~
Maryland	Verdict jury	Yes	N/S	No
Massachusetts	No death penalty	~	~	~
Michigan	No death penalty	~	~	~
Minnesota	No death penalty	~	~	~
Mississippi	Verdict jury	Yes	N/S	No
Missouri	Verdict jury or judge(a)	Yes	Yes	No
Montana	Trial judge without jury input	~	N/S	~
Nebraska	Trial judge without jury input(a)	~	N/S	~
Nevada	Verdict jury	Yes	N/S	Yes
New Hampshire	Trial judge without jury input	Yes(a)	~	~
New Jersey	Verdict jury	Yes	Yes	No(a)
New Mexico	Verdict jury or trial judge(a)	Yes	(b)	No
New York	No death penalty	~	~	~
North Carolina(a)	Verdict jury(b)	Yes	No(c)	No
North Dakota	No death penalty	~	~	~
Ohio	Judge without jury input(a)	~	N/S	~
Oklahoma	Verdict jury	Yes	No(a)	Yes
Oregon	Verdict jury	Yes	Yes	No
Pennsylvania	Verdict jury	Yes	N/S	No(a)
Rhode Island	No death penalty	~	~	~
South Carolina	Verdict jury	Yes	Yes	Yes
South Dakota	Verdict jury	Yes	N/S	No
Tennessee	Verdict jury	Yes	Yes	No
Texas	Verdict jury	Yes(a)	N/S	No
Utah	Verdict jury	Yes(a)	No(a)	~
Vermont	No death penalty	~	~	~
Virginia	Verdict jury	Yes	N/S	Yes
Washington	Verdict jury	Yes	N/S	No
West Virginia	No death penalty	~	~	~
Wisconsin	No death penalty	~	~	~
Wyoming	Verdict jury	Yes	Yes	No
Puerto Rico	No death penalty	~	~	~
Federal Courts(a)	Verdict jury	Yes	N/S	No

**Table 42 -- Sentencing Procedures in Death Penalty (Capital) Cases**

**FOOTNOTES:**

**Alabama:**

(a) Unanimous on conviction but not necessary on recommended sentence. Alabama has a bifurcated death penalty process. Jury must be unanimous in guilt phase but unanimity not required in sentencing recommendation phase.

**Arkansas:**

(a) Jury verdict must contain written findings of certain enumerated aggravating circumstances.

**California:**

(a) If the jury cannot agree unanimously that one or more special circumstances are true, the court shall dismiss the jury and order a new jury impaneled.

(b) Down, not up

**Colorado:**

(a) Jury's verdict is binding upon the court unless "clearly erroneous and contrary to the weight of the evidence," in which case the court shall sentence the defendant to life imprisonment.

**Connecticut:**

(a) Can be the court if the defendant moves for the court to hear the death penalty phase of the case and the court approves, and the prosecution consents.

**Georgia:**

(a) Where there is a trial by jury, the judge may not impose the death sentence unless the verdict contains at least one statutory aggravating circumstance and a recommendation that such a sentence be imposed.

**Illinois:**

(a) Sentencing phase is bifurcated into a phase to the existence of statutory aggravating factors justifying eligibility for the death penalty followed by a separate phase to determine whether the penalty will actually be imposed.

**Kansas:**

(a) 1994 legislation; created the crime of capital murder and provided for a sentence of death under certain circumstances: 1994 Kan. Sess. Laws 252.

**Missouri:**

(a) Defendant may waive trial by jury. Judge may accept guilty plea or find the defendant guilty and assess the death penalty.

**Nebraska:**

(a) Chief Justice may be requested by the trial judge to appoint two other trial judges to create sentencing panel of three.

**New Hampshire:**

(a) Determination of guilt only.

**New Jersey:**

(a) Verdict must be a sentence of death if the jury finds at least one aggravating circumstance and no mitigating circumstance, or, aggravating circumstances which outweigh mitigating circumstances.

**New Mexico:**

(a) Upon finding of beyond a reasonable doubt and specification of at least one aggravating circumstance.  
 (b) Life=at least 30 years without parole.

**North Carolina:**

(a) Jury considers evidence of aggravating and mitigating circumstance(s). When jury recommends death, it must make written findings showing that the statutory aggravating circumstance(s) were found beyond a reasonable doubt, are sufficiently substantial to call for the death penalty, and that any mitigating circumstance(s) do not outweigh the aggravating circumstance(s).

(b) Jury renders a sentence recommendation, and the judge imposes such sentence.

(c) Judge shall impose sentence of life imprisonment (which carries possibility of parole after 20 years).

**Ohio:**

(a) Court or three-judge panel makes final determination. Defendant may elect to have the panel of three judges if he waives trial by jury, or trial judge, if he is tried by jury, determine the existence of aggravating circumstances.

**Oklahoma:**

(a) Life or life without parole as determined by the judge

**Pennsylvania:**

(a) Verdict must be a sentence of death if the jury finds at least one aggravating circumstance and no mitigating circumstance, or, aggravating circumstances which outweigh mitigating circumstances.

**Texas:**

(a) Requires a jury determination even when defendant pleads guilty.

**Utah:**

(a) If the jury is unable to impose the death sentence, the court shall instruct the jury to determine by unanimous vote whether the penalty of life imprisonment without parole should be imposed. If the jury is unable to agree, the court will sentence to life imprisonment.

**Federal Courts:**

(a) Includes U.S. Military.

**Legend:**

~ = Not applicable: Generally, during the "aggravation and penalty" phase the defendant may elect sentencing by the judge, sentencing jury, or a new jury if "good cause" is shown.

N/S = None stated: All states have bifurcated trials in cases where the death penalty may be imposed; the sentencing phase is distinct from the guilt phase, and this more resembles a second trial with special burden of proof and evidentiary rules.

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**Table 43 -- The Availability of Intermediate Sanctions**

States:	Intensive Probation Supervision (IPS)	Work Release	House Arrest	Electronic Monitoring Program (EMP)	Shock Incarceration	Other
Alabama	Yes	Yes	Yes	Yes	Yes	Supervised Intensive Restitution
Alaska	Yes	No	No	Yes	No	None
Arizona	Yes	Yes; local option	No	Yes; local option	Yes	Day Reporting Center, Day Fines (Phoenix), Community Service Program (Local option)
Arkansas	Yes	Yes	Yes	Yes	Yes	Community Punishment Programs
California	Yes	Yes	Yes (as condition of probation)	Yes (as condition of probation)	No	Weekend Sentencing
Colorado	Yes	Yes	Yes	Yes	No	None
Connecticut	Yes	Yes	Yes	Yes	Yes	Community Service Program, Day Reporting Center, Day Fines
Delaware	Yes	Yes	Yes	Yes	No	None
District of Columbia	Yes	Yes, except convicted felons not eligible	Yes	Yes	Yes	Community Service Program, Weekend Sentence
Florida	Yes	Yes	Yes	Yes	Yes	Nonsecure, residential and secure drug treatment; workcamps, probation and restitution centers
Georgia	Yes	Yes	Yes	Yes	Yes	Restitution, Community Service, Weekend Sentences
Hawaii	Yes	Yes, 3rd Circuit only	Yes	Yes	No	None
Idaho	Yes	No	Yes	No	No	None
Illinois	Yes	Yes	Yes	No	No	Community Service Program, Diversionary Treatment Program for Substance Abuse.
Indiana	No	Yes	Yes	Yes	No	None
Iowa	Yes	Yes	No	Yes	No	None
Kansas	Yes	No	Yes	Yes	Yes	Residential Community Corrections
Kentucky	Yes	Yes	Yes	Yes	Yes	None
Louisiana	Yes	Yes	Yes	No(a)	Yes	Community Rehabilitation Center; Community Service Program
Maine	Yes	Yes	No	No	No	None
Maryland	Yes	Yes	Yes	Yes	Yes, Split Sentencing	None
Massachusetts	No	Yes	No	Yes	No	Day Reporting Center; Community Service Program
Michigan	No	Yes	Yes	Yes	No	None
Minnesota	Yes	Yes	Yes	Yes	No	Day Reporting Center, Diversionary Treatment Program operated privately by court referral
Mississippi	Yes	No	Yes	No	Yes	None
Missouri	Yes	Yes	Yes	Yes	Yes	None
Montana	Yes	No	Yes	Yes	No	None

**Table 43 -- The Availability of Intermediate Sanctions**

States:	Intensive Probation Supervision (IPS)	Work Release	House Arrest	Electronic Monitoring Program (EMP)	Shock Incarceration	Other
Nebraska	Yes	Yes	No	Yes	Yes	None
Nevada	No	Yes	Yes	Yes	Yes	Community Service, Residential Centers
New Hampshire	Yes	Yes	Yes(a)	Yes(b)	Yes	None
New Jersey	Yes	No	Yes	Yes	Yes, as part of ISP	Diversionary Treatment Programs, Supervised Community Service Programs, Juvenile Residential Center (County), SLAP
New Mexico	Yes	Yes	Yes	Yes	No	None
New York	Yes	Yes	No	No	Yes	New York City and Richmond County have instituted day fine programs.
North Carolina	Yes	Yes	Yes	Yes	Yes	Community Service, Diversionary Treatment, Residential Community Corrections, Weekend Sentencing
North Dakota	No	No	No	No	No	None
Ohio	Yes	Yes	Yes	Yes	Yes	Community-based Corrections', Community Service, Goodtime, Treatment
Oklahoma	Yes	Yes	Yes	Yes	Yes	Community Service; Treatment Programs; Residential Community Corrections; Weekend Sentencing
Oregon	Yes	Yes	Yes	Yes	Yes	Day Fines (Portland)
Pennsylvania	No	No	No	No	No	None
Rhode Island	Yes (1994)	Yes	Yes	Yes (within house arrest)	No	None
South Carolina	Yes	Yes	Yes	Yes	Yes	None
South Dakota	Yes	Yes	Yes	No	No	None
Tennessee	Yes	Yes	No	No	No	Community Service Program
Texas	Yes	Yes	Yes	Yes	Yes	Residential Community Corrections (used to relieve overcrowding)
Utah	Yes	Yes	Yes	Yes	No	None
Vermont	Yes	Yes	Yes	Yes	No	None
Virginia	Yes	Yes, except convicted felons not eligible	No	No	No	None
Washington	Yes	No	No	No	No	Diversionary treatment program for nonviolent sex offenders.
West Virginia	Yes	Yes, only if authorized sentence is 1 year or less	Yes	Yes	No	None
Wisconsin	Yes	Yes	Yes	Yes	Yes(a)	(b)
Wyoming	Yes	No	Yes	Yes	Yes	None
Puerto Rico	Yes	No	Yes	No	No	Restitution fine
Federal(n)	Yes	Yes	Yes, "Curfew Parole"	Yes	No	Drug Treatment Program, Community Service Program(b), Restitution(c)

## Table 43 -- The Availability of Intermediate Sanctions

### FOOTNOTES:

#### Louisiana:

(a)R.S. 15:571.32, providing for pilot programs for alternatives to imprisonment, including the use of electronic monitoring devices.

#### New Hampshire:

(a)In conjunction with electronic monitoring.  
(b)In conjunction with house arrest.

#### Wisconsin:

(a)Wisconsin has one "boot camp" environment for non-violent, alcohol and other drug abuse offenders who are not dealers, operated by the Department of Corrections. Another camp, for juvenile first-time offenders, is being developed by the Department of Health and Social Services.  
(b)Other options include: AODA treatment, mental health treatment, community service, restitution, and other programs as prescribed by the Department of Corrections.

#### Federal:

(a)There are two federal systems since the Sentencing Commission Guidelines became effective in 1987. Prisoners sentenced under the Guidelines may not be eligible for the same alternatives as those sentenced under Parole Commission authority.  
(b) Federal Community Service Program: Subject to budgetary constraints. Parole date advanced by 60 days for 400 hours of community service.  
(c) Restitution: Federal law presumes the appropriateness of restitution orders, judges must provide reasons when not doing so. The first \$100,000,000 in federal fines collected each year is paid to Victims Compensation Fund.

### DEFINITIONS:

#### Community Service Program:

An exception to unconstitutional servitude, requires offenders to pay for their crimes while helping others by working "pro bono" for nonprofit or tax-supported agencies.

#### Day Fines:

Court determine the monetary penalties under a formula that multiples a set number of days by an amount of money determined on the basis of an offender's ability to pay. Unlike restitution, fines do not compensate the victim, but are paid to treasury.

#### Day Reporting Centers:

Offender resides in community but there continues to be a high degree of control through daily reporting, intensive surveillance, and strict enforcement of program conditions.

#### Diversionary Treatment Programs:

Programs respond to need for treatment of drug and alcohol abuse, and sex offenders. Mostly limited to non-violent crimes, includes group therapy, probation, and supervised professional treatment.

#### Electronic Monitoring Program (EMP):

Requires offender to wear an electronic bracelet around wrist or ankle, location is verified either by telephone or by continuous radio signal.

#### Good Time Credit:

Except for Georgia, Hawaii, Idaho, Pennsylvania, Utah and Wisconsin, all states and federal government award good time credit to prisoners. Varies from 4.5 days per month (Federal) to 75 days per month served (Alabama).

#### House Arrest:

Offenders legally ordered to remain in their residences for the duration of their sentences. Usually, they may leave for medical reasons, employment or approved treatment.

#### Intensive Probation Supervision (IPS):

Offenders are closely supervised on small caseloads; in most programs they must pay victims restitution and perform community service, hold a job, submit to random urine and alcohol testing, and pay a probation supervision fee.

#### Residential Community Corrections:

Also known as "halfway houses," prerelease programs that serve to facilitate prisoners' successful reintegration into communities. Many include job counseling. Many states use to relieve overcrowding.

#### Shock Incarceration:

Young, first offenders sentenced to "boot camp" correctional facilities where they are confined for short periods under rigid standards and strict military discipline.

#### Weekend Sentencing:

A type of "intermittent incarceration," judge orders an offender to serve an incarceration term inside the institution on certain days of the week, generally weekends.

#### Work Release:

Also known as "intermittent incarceration," offenders leave institution in morning, work, and return in evening for counseling, social activities, and sleep. Usually not imposed in violent, sex or drug offenses.

**Table 44 -- Sentencing Commissions and Sentencing Guidelines**

States:	Commission: Name	Commission: Date Established	Commission: Authorization	Commission: Membership
Alabama	No state sentencing commission	~	~	~
Alaska	Sentencing Commission	1990-6/30/93(a)	Statutory	14 including Attorney General, Public Defender, Chief Justice, legislative leaders, and representatives of law enforcement, victim's rights, Alaska natives, corrections, and academia, 3 year terms.
Arizona	No state sentencing commission	~	~	~
Arkansas	Sentencing Commission	1993	Statutory	9 voting members composed of judges, prosecuting attorneys, public defenders and private citizens appointed by the Governor to 5 year terms
California(a)	No state sentencing commission	~	~	~
Colorado	No state sentencing commission	~	~	~
Connecticut	Sentence Review Division	1957	Statutory	3 Superior court judges appointed by Chief Justice
Delaware	Sentencing Accountability Commission	1983	Executive Order	Varies
District of Columbia	No state sentencing commission(a)	~	~	~
Florida	Sentencing Guidelines Commission	1982	Statutory	17 members appointed by Chief Justice, legislative leadership and Governor
Georgia	Superior Court Sentence Review Panel	1977	Statutory	2 panels of 3 judges appointed by President of Council of Superior Court judges, 3 month terms
Hawaii	No state sentencing commission	~	~	~
Idaho	No state sentencing commission	~	~	~
Illinois	No state sentencing commission	~	~	~
Indiana	No state sentencing commission	~	~	~
Iowa	No state sentencing commission	~	~	~
Kansas	Kansas Sentencing Commission	1989	Statutory	16 members including representatives from judicial and executive branches, corrections, the bar and 2 members of the public appointed by the Governor

**Table 44 -- Sentencing Commissions and Sentencing Guidelines**

<b>Commission: Responsibilities</b>	<b>Commission: Jurisdiction (Advise or Review)</b>	<b>Guidelines? (Date Established)</b>	<b>Guidelines: Mandatory or Voluntary?</b>	<b>States:</b>
~	~	None	~	Alabama
Evaluate effect of sentencing laws and make recommendations for improvement, submit yearly reports	Advisory	Yes (for some offenses)	May deviate according to enumerated aggravating, mitigating factors.	Alaska
~		None	~	Arizona
Evaluate effect of sentencing laws and make revisions to sentencing standards	Review	Yes (1994)	May deviate	Arkansas
~	~	None	~	California
~		None	~	Colorado
Review sentences	Review felonies with sentences greater than 3 years. No appeals. Decisions are binding on lower courts.	None	~	Connecticut
Review sentencing procedures, prepare alternatives	Advisory, statewide with focus on Superior court felonies	Yes	May deviate	Delaware
~	~	~	~	District of Columbia
Construct, promulgate and review sentencing guidelines, recommend revisions	Advisory, noncapital felonies	Yes (1979)	Mandatory, either party may appeal a sentence that departs from the statutorily presumed one.	Florida
Review sentences	Review sentences of 12 or more years had without a jury. No appeals. Decisions are binding on lower courts.	None	~	Georgia
~	~	Yes(a)	Voluntary	Hawaii
~	~	None	~	Idaho
~	~	Guidelines for "class X" felonies	May deviate	Illinois
~	~	None	~	Indiana
~	~	None	~	Iowa
Implement and enforce Kansas Sentencing Guidelines	Review and Advisory	Effective 7/1/93	Presumptive; however, may deviate with sufficient justification.	Kansas

Legend: ~=Not applicable

**Table 44 -- Sentencing Commissions and Sentencing Guidelines**

State	Commission: Name	Commission: Date Established	Commission: Authorization	Commission: Membership
Kentucky	No state sentencing commission	~	~	~
Louisiana	Sentencing Commission	1987	Statutory	22 members including 4 legislature members, 14 appointed by the governor to include members of the judiciary and 4 nonvoting members from the criminal justice field
Maine	No state sentencing commission	~	~	~
Maryland	Sentencing Guideline Board	1983	Judicial Conference	States' attorney, public defender, legislative leaders, parole board and others appointed by Chief Judge of the Court of Appeals Representatives from Circuit court, public defender, states' attorney
Massachusetts	No state sentencing commission	~	~	~
Michigan	State Guidelines Advisory Committee	1979	COLR Administrative Order	5 circuit judges, 1 supervising justice
Minnesota	Sentencing Guidelines Commission	1978	Statutory	Chief justice, Court of Appeals judge, 2 District court judges appointed by CJ, public defender, county attorney, representatives from law enforcement and corrections, and 2 members of the public chosen by the Governor. 4 year terms,
Mississippi	No state sentencing commission	~	~	~
Missouri	Sentencing Commission	1990	Statutory	1 appointment by speaker of house, one by president pro tem of senate, five by governor from following: public defender commission; citizens' organizations; board of probation and parole; and prosecutors. Two members are appointed by Supreme Court.
Montana	Sentence Review Division	1967	Statutory	3 District Court judges appointed by Chief Justice for 3 year terms
Nebraska	No state sentencing commission	~	~	~
Nevada	No state sentencing commission	~	~	~
New Hampshire	Sentence Review Division	1975	Statutory	Chief justice of the superior court appoints 3 superior court justices, senior justices, or retired justices for 3 year terms
New Jersey	No state sentencing commission	~	~	~

**Table 44 -- Sentencing Commissions and Sentencing Guidelines**

<b>Commission: Responsibilities</b>	<b>Commission: Jurisdiction (Advise or Review)</b>	<b>Guidelines? (Date Established)</b>	<b>Guidelines: Mandatory or Voluntary?</b>	<b>State</b>
~	~	None	~	Kentucky
Classify all offense punishable by more than 6 months, adopt advisory guidelines and revise them periodically	Advisory, All offenses greater than 6 months	January 31, 1992	Advisory	Louisiana
~	~	None	~	Maine
Review guidelines	Advisory, all circuit court cases	Yes (1983)	Voluntary	Maryland
~	~	None	~	Massachusetts
Review, revise and recommend guidelines to Supreme Court	Advisory, felonies--decisions are binding on lower courts.	Yes (1984)	Mandatory use--may depart with reason	Michigan
Establish guidelines and modify as necessary	Advisory, felonies	Yes (1978)	May depart from guidelines only with written justification, 10 offense categories	Minnesota
~	~	None	~	Mississippi
Commission is to determine whether and to what extent sentencing disparities exist among circuit courts. An annual report is made to the governor, speaker of house and president pro tem of the Senate through 1995.	Review	None	~	Missouri
Review specific sentences, can increase, decrease or affirm.	Review felonies, no appeals. Decisions are binding on lower courts.	None	~	Montana
~	~	None	~	Nebraska
~	~	None	~	Nevada
Sentence review	(a)	None	~	New Hampshire
~	~	No (Has presumptive terms)	~	New Jersey

Legend: ~=Not applicable

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**Table 44 -- Sentencing Commissions and Sentencing Guidelines**

State	Commission: Name	Commission: Date Established	Commission: Authorization	Commission: Membership
New Mexico	Sentencing Guidelines Commission	1988	Statutory	~
New York	No state sentencing commission	~	~	~
North Carolina	Sentencing and Policy Advisory Commission	1990	Statutory	(a)
North Dakota	No state sentencing commission	~	~	~
Ohio	State Sentencing Commission	~	~	Chief Justice chairs, appoints judges. Governor and legislative leaders appoint other members specified by statute.(a)
Oklahoma	No state sentencing commission	~	~	~
Oregon	Advisory Commission on Prison Terms and Parole Standards  State Sentencing Guidelines Board (for offense on or after 11/1/89)	1977  1987	Statutory  Statutory	Equal numbers of Board of Parole members and circuit judges appointed by Chief Justice and the legal counsel to the governor who may only vote to break a tie.  15 members, 5 by virtue of office, 9 appointed by governor (including 5 public members).
Pennsylvania	Commission on Sentencing	1981	Statutory	2 members of House and 2 from the Senate, 4 judges of record chosen by the Chief Justice, a district attorney, a defense attorney, and a professor of law or criminologist chosen by the Governor. 2 year terms.
Rhode Island	Sentence Guidelines Committee	1981	Court Order	1 justice, 1 superior court, 1 family court and 1 district court judge, public defender, attorney general, state court administrator and 1 academic.
South Carolina	Sentencing Guidelines Commission	1989	Statutory	One justice and 2 circuit court judges, 3 members of the senate, 3 members of the House, a criminal attorney, dean of law school, attorney general, a solicitor and 4 nonvoting law enforcement and corrections representatives. 4 year term.
South Dakota	No state sentencing commission	~	~	~

**Table 44 -- Sentencing Commissions and Sentencing Guidelines**

<b>Commission: Responsibilities</b>	<b>Commission: Jurisdiction (Advise or Review)</b>	<b>Guidelines? (Date Established)</b>	<b>Guidelines: Mandatory or Voluntary?</b>	<b>State</b>
Studies criminal law and sentencing and sets policy	Advisory-has not been funded for several years and is defunct although statute has not been repealed.	None	~	New Mexico
~	~	None	~	New York
(b)	Advisory, felonies and misdemeanors	Yes (adopted 7/1/93; effective 1/1/95)	Mandatory	North Carolina
~	~	~	~	~
Conduct review of sentencing recommend revisions; conduct ongoing review of sentencing issues.	Advise and review	None	~	Ohio
~	~	None	~	Oklahoma
Creation of rules establishing ranges of sentences to be served prior to parole release for offenses before 11/1/89.  Adopts guidelines to control sentencing for all felonies committed on or after 11/1/89.	Advisory, felonies  ~	Yes  Yes, 11/1/89	May deviate  Mandatory-May deviate for substantial and compelling reasons	Oregon
Adopts guidelines for sentencing, systematically monitors compliance with guidelines and mandatory sentencing laws.	Advisory, all criminal except homicide	Yes, 1982	Either prosecution or defense can appeal sentence that is not the statutorily presumed one.	Pennsylvania
Develop and review benchmark sentences	Advisory, felonies	Yes (1981) "Benchmark sentences"	May deviate	Rhode Island
Prescribe advisory sentencing guidelines and recommend changes in the classification system.	Statewide for all felonies	Yes, 1/1/94	May deviate	South Carolina
~	~	None	~	South Dakota

**Table 44 -- Sentencing Commissions and Sentencing Guidelines**

State	Commission: Name	Commission: Date Established	Commission: Authorization	Commission: Membership
Tennessee	Sentencing Commission	1986	Statutory	15 members include 4 judges, attorney general, a lawyer, a law enforcement officer, a citizen appointed by the Governor, House and Senate speakers, House and Senate Judiciary chairmen, and Chairman of Parole Board.
Texas	No state sentencing commission	~	~	~
Utah	Sentencing Commission	1983	Statutory	19 members: 2 members of House and Senate, representatives from Corrections, Board of Pardons, legal defender, attorney general, sheriff's association, police, a rehabilitation professional, 2 victim's rights members, a citizen, 3 judges, one appellate.
Vermont	No state sentencing commission	~	~	~
Virginia	No state sentencing commission	~	~	~
Washington	Sentencing Guidelines Commission	1981	Statutory	15 members include Directors of Corrections and Financial Management, Chairman of Indeterminate Sentence Board, 2 prosecuting attorneys, 2 defense attorneys, 4 superior court judges, 3 lay persons, one chief law enforcement officer.
West Virginia	No state sentencing commission	~	~	~
Wisconsin	Sentencing Guidelines Commission	1984	Statutory	17 members include 4 circuit judges appointed by Chief Justice, Secretary of the Department of Corrections, Parole Commission Chair, attorney general, public defender, a district attorney, a defense attorney,
Wyoming	No state sentencing commission	~	~	~
Puerto Rico	No state sentencing commission	~	~	~
Federal Courts	Sentencing Commission(a)	1984	Statutory, creates an independent agency in judicial branch.	7 voting, 2 non-voting ex officio members: President chooses with advice and consent of Senate. Voting members to include at least 3 federal judges. Attorney General is ex officio member. 6 year staggered terms.

**Table 44 -- Sentencing Commissions and Sentencing Guidelines**

<b>Commission: Responsibilities</b>	<b>Commission: Jurisdiction (Advise or Review)</b>	<b>Guidelines? (Date Established)</b>	<b>Guidelines: Mandatory or Voluntary?</b>	<b>State</b>
Classify criminal offenses, revise criminal code, develop sentencing guidelines; collect/develop/maintain statistical information relating to sentencing; monitor/review the criminal justice system and conduct studies regarding to "truth in sentencing."	Statewide for all criminal offenses	11/1/89	Mandatory	Tennessee
~	~	None	~	Texas
Respond to public comment, enhance discretion of sentencing judges while preserving role of Board of Pardons	Advisory, all criminal offenses	Yes, 7/1/85	May deviate	Utah
~	~	Yes	May deviate	Vermont
~	~	None	~	Virginia
~	~	Yes (1984)	Mandatory. 15 offense categories. Must impose within range unless finds a substantial and compelling reason to justify departure.	Washington
~	~	Yes (court established, legislature)	May deviate	West Virginia
Advisory body for sentencing guidelines development	Advisory, certain felonies	Yes (1985)	Voluntary	Wisconsin
~	~	None	~	Wyoming
~	~	~	~	Puerto Rico
Establish sentencing policies and practices. Authority to submit guideline amendments each year.	Advisory, federal criminal system. Decisions are binding on lower courts.	Yes (effective 1987) (a)	Mandatory. 43 offense categories. For atypical cases, may depart but must specify reasons. Subject to appellate review.	Federal Courts

Legend: ~=Not applicable

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## Table 44 -- Sentencing Commissions and Sentencing Guidelines

### FOOTNOTES:

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**Alaska:**

(a)The act creating the Sentencing Commission is repealed by its own terms on June 30, 1993.

**California:**

(a)Sentence review for disparity abolished.

**District of Columbia:**

(a)Sentencing Guidelines Commission established in 1984 and discharged as a formal entity in January 1992.

**Hawaii:**

(a)Use of special division's voluntary guidelines held to constitute unlawful substitute for legislatively required exercise of individual judicial discretion. *State v. Nunes* 824 P2d 837(1992).

**New Hampshire:**

(a)Upon appeal, reviews felony sentences with or without a hearing; review judgment as relates to sentence; review conjunctive sentences, amend judgment as relates to sentence, take any other action authorized at time judgment sentence was imposed.

**North Carolina:**

(a)1 Chief Justice Appointee (Chair); 1 judge each: Court of Appeals, Superior Court, District Court; 3 each: House and Senate; attorney general; 1 each: district attorney, defense attorney, sheriff, police chief, county commissioner; 1 representative each: academic community, Bar Association, business community, Community Sentencing, Corrections Department, Crime Control and Public Safety Department, Justice Fellowship Task Force, Parole Commission, public at large, Victim Assistance Network; 1 appointee each: lieutenant Governor, Commission Chair  
(b)Revamp current sentencing laws by recommending structured sentencing policies for felons and misdemeanants; develop comprehensive community corrections strategy; outline correctional costs of new sentencing policy; and study restitution policy as part of criminal justice system.

**Ohio:**

(a)Twenty members serve 4 year terms: 1 executive branch, a judicial branch, 4 legislative branch, 4 local government, and 2 members of the public.

**Federal:**

(a)Commission created pursuant to the Sentencing Reform Act of 1984 (P.L. 98-473), Guidelines effective 1987 (28 U.S.C. 991 et seq.). Parole abolished.

**Definition of Commission:**

Commissions may either be a body that reviews actual individual sentences (review) or a policy-making body that develops and maintains guidelines for future use (advisory).

**Table 45 -- Collateral Consequences of a Felony Conviction**

States:	Voting Rights	Parental Rights	Criminal Registration	Public Employment	Jury Duty Service	Firearm Ownership
Alabama	Forfeit	Conviction a factor to be considered	Yes, for habitual offenders (3 or more)	Barred	Forfeit, if the crime involved moral turpitude	Forfeit
Alaska	Restorable, at final discharge	Terminated, for sexual or child abuse	No	Restorable	Forfeit	Forfeit
Arizona	Restorable, at final discharge	Conviction a factor to be considered	Yes	Restorable	Restorable	Forfeit, for violent felony
Arkansas	Forfeit	Terminated, for abandonment, neglect or unfitness	No	Barred	Forfeit	Forfeit
California	Restorable, at final discharge	Conviction a factor to be considered to show unfit	Yes, for sex offenders	Restorable	Forfeit	Forfeit
Colorado	Restored, at end of incarceration	Terminated, where unfit, long term confinement (6+ yrs.)	No	Restorable	Forfeit	Forfeit, for violent felony within past 10 years
Connecticut(a)	Restorable, at final discharge	Terminated, for abandonment or neglect	No	May not be a candidate or hold public office until regain status as an elector	Forfeit, for 7 years	Forfeit
Delaware	Restorable, at final discharge	Terminated, if involved or harmed child	No	Barred	Forfeit	Forfeit
District of Columbia	Restored, at end of incarceration	Terminated, for abandonment	No	Restorable	Forfeit, for 10 years after probation/ parole ended	Forfeit, for violent felony
Florida	Forfeit	Terminated, for abandonment	Yes, sex offenders also under separate statute	Restorable	Forfeit	Restorable
Georgia	Restorable, at final discharge	Conviction a factor to be considered	No	Barred for at least 10 years if felony involved moral turpitude. Restorable, thereafter election or appointment to office of honor or trust.	Forfeit, to the extent no longer "upright citizen", Grand Jury forfeit if no pardon or restoration of rights.	Forfeit

**Table 45 -- Collateral Consequences of a Felony Conviction**

States:	Voting Rights	Parental Rights	Criminal Registration	Public Employment	Jury Duty Service	Firearm Ownership
Hawaii	Restored, at end of incarceration	Terminated, for abandonment or neglect	No	Restorable	Forfeit	Forfeit
Idaho(a)	Restored, at end of incarceration	Terminated, for abandonment, neglect or abuse	Yes, for certain sex crimes	Restorable	Forfeit, if lost the right to vote	Forfeit
Illinois	Restorable, at final discharge	Conviction a factor to be considered	No	Restorable, after 5 years for perjury	Must be "free of legal exception"	Forfeit
Indiana	Restored, at end of incarceration	Terminated, if in best interest of the child	No	Restorable	Forfeit, while serving time	Forfeit
Iowa	Forfeit	Terminated, for abandonment	No	Barred	No effect	Forfeit
Kansas	Restorable, at final discharge	Conviction a factor to be considered to show unfit	Yes, for habitual sex offenders	Restorable	Forfeit, if convicted within past 10 years	Forfeit, if convicted within past 5 years
Kentucky	Forfeit	Terminated, for abandonment, neglect or abuse	No	Restorable, barred if bribery	Forfeit, if indicted or convicted	Forfeit
Louisiana	Restorable, at final discharge	Conviction a factor to be considered	No(a)	Restorable, however see R.S. 42:1411-42:1414	Forfeit, if indicted or convicted	Forfeit
Maine	No	Terminated, for abandonment or neglect	No	Restorable	No effect	Forfeit, for concealed firearms. May apply for hunting license 5 years after discharge
Maryland	Restorable, at final discharge	Terminated, if in best interest of the child or abandoned	No	Restorable	Forfeit, if fined over \$500 or sentenced to 6+ months	Forfeit
Massachusetts	Forfeit only for corrupt election practices	Terminated, if in best interest of the child	No	Restorable	Forfeit, for 7 years	Forfeit
Michigan	Restored at end of incarceration	Terminated, if in best interest of the child	No	Restorable	Forfeit, while serving sentence	Forfeit

**Table 45 -- Collateral Consequences of Felony Conviction**

<b>States:</b>	<b>Voting Rights</b>	<b>Parental Rights</b>	<b>Criminal Registration</b>	<b>Public Employment</b>	<b>Jury Duty Service</b>	<b>Firearm Ownership</b>
Minnesota	Restorable at final discharge	Terminated, for abandonment	No	Restorable	Restored, when civil rights restored	Forfeit, for 10 years after imprisonment
Mississippi	Forfeit	Conviction a factor to be considered	No	Barred	Forfeit, if convicted of "infamous" crime or sale of alcohol	Forfeit
Missouri	Restored at end of incarceration except for felony connected with right of suffrage	Conviction a factor to be considered	No	Restorable except for felony connected with right of suffrage	Forfeit	Forfeit for violent felony
Montana	Restored at end of incarceration	Terminated, for abandonment, neglect or abuse	Yes, for sex offenders	Restorable	Forfeit	Forfeit
Nebraska	Restorable, at final discharge	Terminated, for abandonment or neglect	No	Restorable	Forfeit	Forfeit
Nevada	Forfeit, but restorable	Conviction a factor to be considered	Yes	Restorable	Forfeit, but restorable	Forfeit
New Hampshire	Restorable, at final discharge(a)	Conviction a factor to be considered for instability	Yes(b)	Restorable(c)	No effect	Forfeit
New Jersey	Restorable, at final discharge	Terminated, for abandonment, neglect or abuse	No	Restorable	Restorable	Forfeit
New Mexico	Forfeit	Terminated, for abandonment, neglect or abuse only if incarcerated and primary custodian of child	No	Barred from elected office	Forfeit, if lost right to vote	Forfeit
New York(a)	Restorable, at final discharge	Terminated, for abandonment	No	Restorable	Forfeit	Forfeit

**Table 45 -- Collateral Consequences of a Felony Conviction**

States:	Voting Rights	Parental Rights	Criminal Registration	Public Employment	Jury Duty Service	Firearm Ownership
North Carolina	Restorable, at final discharge	Subject to termination for abandonment	No	Restorable	Not "qualified" and subject to challenge for cause	Forfeit, for violent felony for 5 years, except that firearms may be possessed within own home or lawful place of business.(a)
North Dakota	Restored at end of incarceration	Terminated, for abandonment or neglect	No	Restorable	Forfeit	Forfeited
Ohio	Restored at end of incarceration	Terminated, for abandonment	No	Barred	Forfeit	Forfeited, for violent felony
Oklahoma	Restorable, at final discharge	Conviction a factor to be considered	Yes, for sex offenders	Restorable	Restorable	Forfeited
Oregon	Restored at end of incarceration	Terminated, if incarcerated 3+ years and in best interest of child	Yes, for sex offenders	Restorable	Restorable	Forfeited
Pennsylvania	Restored at end of incarceration	Terminated, for abandonment or neglect	No	Restorable	Forfeit	Forfeited
Rhode Island(a)	Forfeited	Terminated, for unfit, abusive or abandonment	Yes, for sex offenders	Barred	Restorable	Forfeited
South Carolina	Restorable, at final discharge	Terminated, for abandonment, neglect or abuse	No	Barred	Forfeit	Forfeited, for violent felony
South Dakota	Forfeited	Terminated, for incarceration deprives child of companionship during critical years	No	Restorable	Restorable	Forfeited, for violent felony within past 15 years
Tennessee	Forfeited if convicted of an infamous crime	Terminated, for abandonment, neglect or abuse	Yes	Restorable	Forfeited	Forfeited, for violent or drug felony
Texas	Restorable, at final discharge	Terminated, if abandonment or neglect	Yes, for sex offenders	Restorable	Forfeited	Forfeited, for violent felony or threat thereof

**Table 45 -- Collateral Consequences of Felony Conviction**

<b>States:</b>	<b>Voting Rights</b>	<b>Parental Rights</b>	<b>Criminal Registration</b>	<b>Public Employment</b>	<b>Jury Duty Service</b>	<b>Firearm Ownership</b>
Utah	Forfeit if convicted of treason, bribery, election fraud	Conviction a factor to be considered	Yes	Restorable	Forfeit	Forfeit, for violent felony
Vermont	No effect	Terminated, for abandonment	No	Restorable	Forfeit	Forfeit, for violent felony
Virginia	Forfeit	Terminated, if abandonment or neglect	No	Restorable	Forfeit	Forfeit, for violent felony
Washington	Restorable, at final discharge	Terminated, if in best interest of the child	Yes, for sex offenders	Restorable	Restorable	Forfeit, for violent felony
West Virginia	Restorable, at final discharge	Conviction a factor to be considered	No	Restorable	Forfeit, if convicted of perjury or "infamous" crime	Forfeit
Wisconsin	Restorable, at final discharge	(a)	No	Restorable	Restorable	Forfeit, for violent felony or attempt
Wyoming	Restorable, at final discharge	Conviction a factor to be considered	No	Restorable	Forfeit	Forfeit
Puerto Rico	No	Conviction a factor to be considered	No	Restorable	Forfeit	Forfeit
Federal Courts	Dependent on state law	Dependent on state law	No	Restorable, unless there is a clear nexus with official duties	Forfeit, unless state has substantially restored civil rights	Forfeit, unless state has substantially restored civil rights

## **Table 45 -- Collateral Consequences of a Felony Conviction**

### **FOOTNOTES:**

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**Connecticut:**

(a)Exception, civil rights are not impaired for failure to pay support (a felony).

**Idaho:**

(a)Still has "civil death" statutes for felons sentenced to life imprisonment. However, these laws have been partially abrogated by holdings of appellate courts that denial of access to courts is a violation of equal protection.

**Louisiana:**

(a)See, R.S. 15:542 et. seq., regarding registration of sex offenders.

**New Hampshire:**

(a)Except bribery, treason, or willful violation of election laws which require restoration by Supreme Court.

(b)Aggravated felonious and felonious sexual assault only.

(c)Barred from elected office, restorable at final discharge.

**New York:**

(a)Still has "civil death" statutes for felons sentenced to life imprisonment. However, these laws have been partially abrogated by holdings of appellate courts that denial of access to courts is a violation of equal protection.

**North Carolina:**

(a)5 years from the last of these events: conviction of that felony; unconditional discharge from prison; or termination of suspended sentence, probation, or parole. Applies to handguns, certain firearms (e.g., excludes most long rifles and long shotguns), and any weapons of mass destruction.

**Rhode Island:**

(a)Still have "civil death" statutes for felons sentenced to life imprisonment. However, these laws have been partially abrogated by holdings of appellate courts that denial of access to courts is a violation of equal protection.

**Wisconsin:**

(a)May terminate if parent has caused death/injury to a child/children resulting in a felony conviction.

**Table 46 -- Characteristics of "RICO" Statutes**

States:	Name of Act (Year Adopted)	Definition of "Enterprise"	Definition of "Pattern of Racketeering"	"Racketeering Activity"
Federal	Federal Racketeer Influenced and Corrupt Organization Act (18 U.S.C. 1961 - 1968) (1970)	Includes any individual, partnership, corporation, association, or other legal entity, and any union or group of individuals associated in fact although not a legal entity.	Requires at least 2 acts of racketeering activity, one of which occurred after the effective date of this chapter and the last of which occurred within 10 years after the commission of the prior act of racketeering activity.	Any act or threat which is chargeable under state law and which is punishable by imprisonment for more than 1 year, any act indictable under Titles 18, 29, the Currency and Foreign Transaction Reporting Act, or Title 11 if offense involves fraud.
Arizona(a)	Arizona Anti-Racketeering Act (1978)	Same as Federal	No pattern requirement	Only refers to state felony crimes
California(a)	California Control of Profits of Organized Crime Act (1982)	No enterprise requirement	At least 2 incidents of racketeering activity embrace the same or similar purposes, results, participants, victims or methods of commission, and are not isolated incidents.	Only refers to state felony crimes
Colorado	Colorado Organized Crime Control Act (1981)	Includes licit as well as illicit enterprises (and governmental as well as other entities).	Similar to Federal except, acts must be related to the enterprise, but not close enough to constitute a single event.	Similar to Federal except state does not require state felony predicate acts
Connecticut	Similar to Federal	20 years/\$25,000 plus forfeiture of property.	At least 2 incidents of racketeering activity embrace the same or similar purposes, results, participants, victims or methods of commission, and are not isolated incidents.	Only refers to state felony crimes
Delaware	Delaware Racketeer Influenced and Corrupt Organizations Act (1986)	Includes licit as well as illicit enterprises (and governmental as well as other entities).	Similar to Federal Except, acts must be related to the enterprise, but not close enough to constitute a single event	Similar to Federal except state does not require state felony predicate acts
Florida	Florida Racketeer Influenced and Corrupt Organizations Act (1979)	Includes licit as well as illicit enterprises (and governmental as well as other entities).	The individual acts of racketeering conduct embrace identical or similar intents, results, accomplices, victims or methods of commission, and are not isolated incidents.	Similar to Federal except state does not require state felony predicate acts
Georgia	Georgia Racketeer Influenced and Corrupt Organizations Act (1980)	Includes licit as well as illicit enterprises (and governmental as well as other entities).	The individual acts of racketeering conduct embrace identical or similar intents, results, accomplices, victims or methods of commission, and are not isolated incidents.	Same as Federal except for Currency and Foreign Transaction Reporting Act provision

**Table 46 -- Characteristics of "RICO" Statutes**

Time Between Incidents	Prohibited Activities:	Criminal Penalties: Maximum Sentence/Fines	Government Civil Remedies?	Private Right of Action?	States:
10 years	(a) investing in an enterprise; (b) acquiring an interest in or maintaining control over an enterprise; (c) participating in the affairs of an enterprise through a pattern of racketeering activity/unlawful debt collection; (d) conspiring to (a)-(c).	20 years (and/or life if violation is based on a racketeering activity for which the maximum is life) and 2x profits or proceeds, forfeiture, and attorney fees.	Includes prohibition and restraint orders, reasonable restrictions on future activities, and judicial dissolution or reorganization of any enterprise.	Treble Damages	Federal
10 years	Similar to Federal except deletes "collection of unlawful debt" element. No "conspiracy" element	5 years/\$150,000	Yes, same as Federal	Treble Damages	Arizona(a)
10 years	Requires a conviction for engaging in a pattern of criminal profiteering activity, which will lead to forfeiture penalties.	No separate punishment except forfeiture	No	None	California(a)
10 years	Alternative to proving "enterprise" element is by showing that the proceeds from the pattern of racketeering activity were used to acquire real or personal property.	50 years/\$25,000	Yes, same as Federal	Treble Damages	Colorado
5 years	Alternative to proving "enterprise" element is by showing that the proceeds from the pattern of racketeering activity were used to acquire real or personal property. No conspiracy element.	25 years/\$150,000	Yes, same as Federal	None	Connecticut
10 years	Alternative to proving "collection of unlawful debt" element is by showing that the proceeds from the pattern of racketeering activity were used to acquire an interest in, maintain control of, or invest in an enterprise or real or personal property.	20 years/\$25,000	Yes, same as Federal	Treble and Punitive	Delaware
5 years	Alternative to proving "enterprise" element is by showing that the proceeds from the pattern of racketeering activity were used to acquire real or personal property.	30 years/\$10,000 In lieu of a fine, 3 times the gross value gained or 3 times the gross value lost	Yes, same as Federal	Injunctions Only	Florida
4 years	Similar to Federal except deletes "collection of unlawful debt" element	20 years/\$25,000 or 3 times amount of pecuniary value gained	Yes, same as Federal	Treble and Punitive	Georgia

Legend: N/R=No requirement

**Table 46 -- Characteristics of "RICO" Statutes**

States:	Name of Act (Year Adopted)	Definition of "Enterprise"	Definition of "Pattern of Racketeering"	"Racketeering Activity"
Hawaii	Hawaii Racketeer Influenced and Corrupt Organizations Act (1972)	Same as Federal	No pattern requirement	Only refers to state felony crimes
Idaho	Idaho Racketeering Act (1981)	Includes licit as well as illicit enterprises (and governmental as well as other entities).	The individual acts of racketeering conduct embrace identical or similar intents, results, accomplices, victims or methods of commission, and are not isolated incidents.	State only requires state violations, but does not require felony predicate acts
Illinois	Narcotics Profit Forfeiture Act (1982)	Same as Federal	Similar to Federal except that state refers to pattern of "narcotics" activity.	State only includes felony criminal offenses involving controlled substances
Indiana	Indiana Racketeer Influenced and Corrupt Organizations Act (1980)	Same as Federal	The individual acts of racketeering conduct embrace identical or similar intents, results, accomplices, victims or methods of commission, and are not isolated incidents.	State only requires state violations, but does not require felony predicate acts
Louisiana	Louisiana Racketeering Act (1983), amended in 1992	Includes licit as well as illicit enterprises (and governmental as well as other entities).	At least 2 incidents of racketeering activity embracing the same or similar purposes, results, participants, victims or methods of commission, and are not isolated incidents.	State includes criminal offenses involving controlled substances, 1st and 2nd degree murder, aggravated kidnapping.
Mississippi	Mississippi Racketeer Influenced and Corrupt Organizations Act (1986)	Includes licit as well as illicit enterprises (and governmental as well as other entities).	The individual acts of racketeering conduct embrace identical or similar intents, results, accomplices, victims or methods of commission, and are not isolated incidents.	State only requires state violations, but does not require felony predicate acts
Nevada	Nevada Racketeer Influenced and Corrupt Organizations Act (1983)	Includes licit as well as illicit enterprises (and governmental as well as other entities).	The individual acts of racketeering conduct embrace identical or similar patterns, intents, results, accomplices, victims or methods of commission, and are not isolated incidents.	Only refers to state felony crimes
New Jersey	New Jersey Racketeer Influenced and Corrupt Organizations Act (1981)	Includes licit as well as illicit enterprises (and governmental as well as other entities).	At least 2 incidents of racketeering activity embrace the same or similar purposes, results, participants, victims or methods of commission, and are not isolated incidents.	Similar to Federal except state does not require state felony predicate acts
New Mexico	New Mexico Racketeering Act (1978)	Includes licit as well as illicit enterprises (and governmental as well as other entities).	Similar to Federal except that state requires an intent to accomplish any of the prohibited acts.	Only refers to state felony crimes

**Table 46 -- Characteristics of "RICO" Statutes**

<b>Time Between Incidents</b>	<b>Prohibited Activities:</b>	<b>Criminal Penalties: Maximum Sentence/Fines</b>	<b>Government Civil Remedies?</b>	<b>Private Right of Action?</b>	<b>States:</b>
10 years	Similar to Federal except no "conspiracy" element	10 years/\$10,000	Yes, same as Federal	Damages and Reasonable Fees	Hawaii
5 years	Similar to Federal except deletes "collection of unlawful debt" element	14 years/\$25,000	In addition, allows for the forfeiture of corporate charters and the cancellation of registrations and licenses.	Treble Damages	Idaho
5 years	Similar to Federal except deletes "collection of unlawful debt" element. Statute relates solely to narcotics racketeering	15 years/\$250,000	Yes, same as Federal	Treble Damages	Illinois
5 years	Similar to Federal except deletes "collection of unlawful debt" element, No "conspiracy" element.	5 years/\$10,000	No	None	Indiana
5 years	(a)	50 years/\$1,000,000	Yes, same as Federal	Treble and Punitive	Louisiana
5 years	Actor must have the "intent" to do the prohibited activities. Alternative to proving "enterprise" element is by showing that the proceeds from the pattern of racketeering activity were used to acquire real or personal property.	20 years/\$25,000	Yes, same as Federal	Treble Damages	Mississippi
5 years	Similar to Federal except deletes "collection of unlawful debt" element	20 years/\$25,000	Yes, same as Federal	Treble Damages	Nevada
10 years	Same as Federal	20 years/\$10,000	Yes, same as Federal	Treble Damages	New Jersey
5 years	~	9 years/\$10,000	Yes, same as Federal	Treble Damages	New Mexico

**Table 46 -- Characteristics of "RICO" Statutes**

States:	Name of Act (Year Adopted)	Definition of "Enterprise"	Definition of "Pattern of Racketeering"	"Racketeering Activity"
New York	Organized Crime Control Act (1986)	Same as Federal	Similar to Federal, except acts (at least 3) must be related to the enterprise, but not close enough to constitute a single event.	Only refers to state felony crimes
North Carolina	North Carolina Racketeer Influenced and Corrupt Organizations Act (1986)	Includes licit as well as illicit enterprises (and governmental as well as other entities).	At least 2 incidents of racketeering activity embrace the same or similar purposes, results, participants, victims or methods of commission, and are not isolated incidents.	Same as Federal except for Currency and Foreign Transaction Reporting Act provision
North Dakota	North Dakota Racketeer Influenced and Corrupt Organizations Act (1987)	Same as Federal	Similar to Federal	Only refers to state felony crimes
Ohio	Ohio Corrupt Activity Act (1986)	Includes licit as well as illicit enterprises (and governmental as well as other entities).	Similar to Federal except, acts must be related to the enterprise, but not close enough to constitute a single event.	Same as Federal except for Currency and Foreign Transaction Reporting Act provision
Oklahoma	Oklahoma Corrupt Organizations Prevention Act (1988)	Includes licit as well as illicit enterprises (and governmental as well as other entities).	Similar to Federal except, acts must be related to the enterprise, but not close enough to constitute a single event.	State only requires state violations, but does not require felony predicate acts
Oregon	Oregon Racketeer Influenced and Corrupt Organizations Act (1981)	Includes licit as well as illicit enterprises (and governmental as well as other entities).	The individual acts of racketeering conduct embrace identical or similar patterns, intents, results, accomplices, victims or methods of commission, and are not isolated incidents.	Similar to Federal except state does not require state felony predicate acts
Pennsylvania	Pennsylvania Racketeer Influenced and Corrupt Organizations Act (1973)	Same as Federal	Similar to Federal	State only requires state violations, but does not require felony predicate acts
Rhode Island	Rhode Island Racketeer Influenced and Corrupt Organizations Act (1979)	Same as Federal	No pattern requirement	Only refers to state felony crimes
Tennessee	Tennessee Racketeer Influenced and Corrupt Organizations Act (1989)	Includes licit as well as illicit enterprises (and governmental as well as other entities).	The individual acts of racketeering conduct embrace identical or similar patterns, intents, results, accomplices, victims or methods of commission, and are not isolated incidents.	State only includes criminal offenses involving controlled substances

**Table 46 -- Characteristics of "RICO" Statutes**

<b>Time Between Incident</b>	<b>Prohibited Activities:</b>	<b>Criminal Penalties; Maximum Sentence/Fines</b>	<b>Government Civil Remedies?</b>	<b>Private Right of Action?</b>	<b>States:</b>
10 years	Crime of "enterprise corruption" includes use or investment of illicit racketeering/debt collection income in the acquisition of any interest in any enterprise or to acquire or maintain any interest in or control of any enterprise.	25 years/\$30,000	Yes, same as Federal	Treble Damages	New York
4 years	Similar to Federal except deletes "collection of unlawful debt" element	No separate penalty except forfeiture.	Yes, same as Federal	Treble Damages	North Carolina
10 years	Similar to Federal except no "conspiracy" element	10 years/\$10,000	Yes, same as Federal	Treble Damages	North Dakota
6 years	Similar to Federal except no "conspiracy" element	25 years/\$10,000	Yes, same as Federal	Treble Damages	Ohio
3 years	Alternative to proving "enterprise" element is by showing that the proceeds from the pattern of racketeering activity were used to acquire real or personal property.	10 years/3x value	Yes, same as Federal	None	Oklahoma
5 years	Alternative to proving "enterprise" element is by showing that the proceeds from the pattern of racketeering activity were used to acquire real or personal property.	20 years/\$100,000	Yes, same as Federal	Treble Damages	Oregon
N/R	Similar to Federal except deletes "collection of unlawful debt" element	20 years/\$25,000	Only forfeiture, dissolution of the enterprise and suspension or revocation of charters.	None	Pennsylvania
10 years	Similar to Federal except no "conspiracy" element	10 years/\$10,000	Yes, same as Federal	Treble Damages	Rhode Island
2 years	Alternative to proving "enterprise" element is by showing that the proceeds from the pattern of racketeering activity were used to acquire real or personal property.	25 years/\$250,000	Yes, same as Federal	None	Tennessee

Legend: N/R=No requirement

**Table 46 -- Characteristics of "RICO" Statutes**

States:	Name of Act (Year Adopted)	Definition of "Enterprise"	Definition of "Pattern of Racketeering"	"Racketeering Activity"
Utah	Idaho Pattern of Unlawful Activity Act (1981)	Includes licit as well as illicit enterprises (and governmental as well as other entities).	At least 3 incidents of racketeering activity embrace the same or similar purposes, results, participants, victims or methods of commission, and are not isolated incidents.	Same as Federal except for Currency and Foreign Transaction Reporting Act provision
Washington	Washington Criminal Profiteering Act (1985)	Includes licit as well as illicit enterprises (and governmental as well as other entities).	The individual acts of racketeering conduct embrace identical or similar patterns, intents, results, accomplices, victims or methods of commission, and are not isolated incidents.	Only refers to state felony crimes
Wisconsin	Wisconsin Organized Crime Control Act (1982)	Includes licit as well as illicit enterprises (and governmental as well as other entities).	At least 3 individual acts of racketeering conduct embrace identical or similar patterns, intents, results, accomplices, victims or methods of commission, and are not isolated incidents.	Same as Federal except for Currency and Foreign Transaction Reporting Act provision

**FOOTNOTES:**

Note: The following do not have a RICO statute: Alabama, Alaska, Arkansas, District of Columbia, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, New Hampshire, South Carolina, South Dakota, Texas, Vermont, Virginia, West Virginia, and Wyoming.

**Arizona:**

(a) Funds received from fines, forfeitures, etc. are placed in an "anti-racketeering revolving fund" which is used to fund gang prevention, drug prevention and educational programs.

**California:**

(a) Funds received from forfeiture or sale proceeds are deposited in a children's trust fund.

**Louisiana:**

(a) The law attempts to prohibit racketeering activity; to prohibit the use or investment of proceeds knowingly received from a pattern of racketeering activity, or the proceeds derived therefrom, in the acquisition of immovable property or in the establishment or operation of an enterprise; to prohibit the acquisition or maintenance of an interest in or control of an enterprise or immovable property through a pattern of racketeering activity; to prohibit participation in an enterprise through a pattern of racketeering activity by persons employed by or associated with an enterprise, to prohibit conspiring to commit such violations.

**Table 46 -- Characteristics of "RICO" Statutes**

Time Between Incidents	Prohibited Activities:	Criminal Penalties: Maximum Sentence/Fines	Government Civil Remedies?	Private Right of Action?	States:
5 years	Similar to Federal except deletes "collection of unlawful debt" element	15 years/\$10,000	Yes, same as Federal	Double Damages	Utah
5 years	Illicit activities include the extortioate extension or collection of credit, collection of unlawful debt, trafficking in stolen property, leading organized crime and influencing the outcome of sporting events.	Varies	Yes, same as Federal	Treble Damages	Washington
7 years	Similar to Federal except deletes "collection of unlawful debt" element. No "conspiracy" element.	20 years/\$10,000	Yes, same as Federal	Double and Punitive	Wisconsin

**Table 47 -- Good Time Accumulation and Parole**

States:	Do incarcerated felons accumulate "good time"?	If yes, at what rate does "good time" accrue?	Is there a parole board with discretionary release authority?
Alabama(a)	Yes	Day for day	Yes
Alaska	Yes	1 day for 3 days served	Yes
Arizona(a)	Yes	Varies	No
Arkansas	Yes	Day for day	Yes
California	Yes	(a)	Yes(b)
Colorado	Yes	Day for day	Yes
Connecticut	Yes	(a)	Yes
Delaware	Yes	25% maximum of sentence	Limited (advisory)
District of Columbia	Yes	(a)	Yes
Florida	Yes	(a)	Yes
Georgia	No	~	Yes
Hawaii	Yes	(a)	Yes
Idaho	Yes	~	Yes
Illinois	Yes	(a)	(b)
Indiana	Yes	Day for day	Yes
Iowa	Yes	Day for day	Yes
Kansas	No(a)	~	No(b)
Kentucky	Yes	Varies	Yes
Louisiana	Yes	(a)	Yes
Maine	Yes	Varies	(a)
Maryland	Yes	(a)	Yes
Massachusetts	Yes	(a)	Yes
Michigan	Yes	Up to 7 days/month	Yes
Minnesota	No	~	Yes
Mississippi	Yes	Day for day	Yes
Missouri	Yes	(a)	Yes
Montana	Yes	(a)	Yes
Nebraska	Yes	Day for day	Yes
Nevada	Yes	(a)	Yes
New Hampshire	Yes	(a)	Yes
New Jersey	Yes	1 day for 2 days served	Yes
New Mexico	Yes	Varies	Yes
New York	Yes	1 day for 2 days served	Yes
North Carolina	Yes	Day for day	Yes
North Dakota	Yes	Day for day	Yes
Ohio	Yes	(a)	Yes
Oklahoma	Yes	Varies	Yes
Oregon	No	~	(a)
Pennsylvania	No	~	Yes
Rhode Island(a)	Yes	Varies(b)	Yes
South Carolina(a)	Yes	(b)	Yes
South Dakota	Yes	(a)	Yes
Tennessee	Yes	(a)	Yes
Texas	Yes	Varies(a)	Yes
Utah	Yes	(a)	Yes
Vermont(a)	Yes	Day for day	Yes
Virginia	Yes	(a)	Yes
Washington	Yes	1 day for 3 days served	No
West Virginia	Yes	Varies	Yes
Wisconsin	Yes	(a)	Yes
Wyoming	Yes	Day for day	Yes
Puerto Rico	Yes	(a)	Yes
Federal Courts	No	~	Yes

**Table 47 -- Good Time Accumulation and Parole**

**FOOTNOTES:**

**Alabama:**

(a) Governor does have power to commute a LWOP sentence to a term of years.

**Arizona:**

(a) Governor does not have power to commute a LWOP sentence to a term of years.

**California:**

(a) Under "work credit" up to day for day, for certain crimes, maximum credits of up to one day for two days service.

(b) For "life" sentences only.

**Connecticut:**

(a) For offenses committed after 7/1/83, 10 days/month for first 5 years, and 12 days/month for each month thereafter.

**District of Columbia:**

(a) Institutional depending on sentence length from 5-10 days per month, educated 3-5 days per month, meritorious 3 days per month.

**Florida:**

(a) Basic good time accrued 10 days/month at up to 20 days/month, administered at varying levels of up to 60 days.

**Hawaii:**

(a) Varies by paroling authority.

**Illinois:**

(a) Illinois now has three ways "good time" can be accrued: 1) Day for Day Good Time; 2) Meritorious Good Time (up to a maximum of 180 days); 3) Earned Time ( $\frac{1}{4}$  day earned for each day of attendance in an education program, a substance abuse program or a correctional industries program) however, the time is earned only if the offender successfully completes the program.

(b) For inmates sentenced under prior, indeterminate sentence is law.

**Kansas:**

(a) Up to 20 percent of incarceration time may be applied to post-release supervision time.

(b) There is a parole board, but it has no discretion in the release of prisoners, just in the supervision of them.

**Louisiana:**

(a) One day accrued for each 2 days of good time, if wages forfeited day for day.

**Maine:**

(a) Parole was abolished in 1976, but the Parole Board still exists for pre-1976 cases.

**Maryland:**

(a) Five days good time, plus 5 days work good time, plus 5 days education good time accrual possible in one month.

**Massachusetts:**

(a) Differs for length of sentence:  $2\frac{1}{4}$  days accrued per month for 4-12 month sentence, up to  $12\frac{1}{4}$  days accrual per month for 4+ years sentence.

**Montana:**

(a) Minimum of 10 years.

**Ohio:**

(a) In reformatory 30 days served, accrue 12 days good time, in penitentiary 30 days accrue 8 days (no accrual in some instances, however, changes have been proposed).

**Oregon:**

(a) Yes/no (presentence guidelines yes; post-sentence guidelines no).

**Rhode Island:**

(a) Governor does not have power to commute a LWOP sentence to a term of years.

(b) The Corrections Administration Department decides.

**South Carolina:**

(a) Governor does not have power to commute a LWOP sentence to a term of years.

(b) Twenty days for 30 days served, in addition: 1 day for 2 days work credits; 1 day for 2 days education credit.

**South Dakota:**

(a) Has a graduated scale of reductions from sentence for good conduct.

**Tennessee:**

(a) Not more than 8 days per month for good behavior, and not more than 8 days per month for program performance.

**Texas:**

(a) Varies, up to Institutional Divisional of Texas Department of Criminal Justice.

**Utah:**

(a) Five days for 30 days served; if less than 30 days, 2 days for every 10 days served.

**Virginia:**

(a) For crimes committed after July 1981; Level I: day for day; Level II: 20 days good time/30 days served; Level III: 20 days good time/30 days served; Level IV: no good time. Extraordinary good time may also be available up to 5 days/month.

**Vermont:**

(a) Governor does not have power to commute a LWOP sentence to a term of years.

**Wisconsin:**

(a) This credit can be reduced by a specific number of penalty days for each infraction: 10 days for 1st offense; 20 days for 2nd offense, 40 days for 3rd and subsequent offenses.

**Puerto Rico:**

(a) For good behavior (1) for a sentence not in excess of 15 years, 12 days per month; (2) for a sentence of 15 years or more, 13 days per month.

# **PART VIII**

*1993 Court Structure Charts*

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## *Understanding the Court Structure Charts*

The court structure charts summarize in a one-page diagram the key features of each state's court organization. The format meets two objectives: (1) it is comprehensive, indicating all court systems in the state and their interrelationships, and (2) it describes the jurisdiction of the court systems, using a standard set of terminology and symbols. The court structure charts employ the common terminology developed by the National Center for State Court's Court Statistics Project for reporting caseload statistics.

The first chart is a prototype. It represents a state court organization in which there is one of each of the four court system levels recognized by the Court Statistics Project: courts of last resort, intermediate appellate courts, general jurisdiction trial courts, and limited jurisdiction trial courts. Routes of appeal from one court to another are indicated by lines, with an arrow showing which court receives the appeal or petition.

The charts also provide basic descriptive information, such as the number of authorized justices, judges, and magistrates (or other judicial officers). Each court system's subject matter jurisdiction is indicated using the Court Statistics Project case types. Information is also provided on the use of districts, circuits, or divisions in organizing the courts within the system and the number of courts.

The case types, which define a court system's subject matter jurisdiction, require the most explanation.

### ***Appellate Courts***

The rectangle representing each appellate court contains information on the number of authorized justices; the number of geographic divisions, if any; whether court decisions are made en banc, in panels, or both; and the Court Statistics Project case types that are heard by the court. The case types are shown separately for mandatory and discretionary cases. The case types themselves are defined in other Court Statistics Project publications, especially *1984 State Appellate Court Jurisdiction Guide for Statistical Reporting* and *State Court Model Statistical Dictionary: 1989 Edition*.

An appellate court can have both mandatory and discretionary jurisdiction over the same Court Statistics Project case type. This arises, in part, because the Court Statistics Project case types are defined broadly in order to be applicable to every state's courts. There are, for example, only two appellate Court Statistics Project case types for criminal appeals: capital and noncapital. A court may have mandatory jurisdiction over felony cases, but discretionary jurisdiction over misdemeanors. The list of case types would include "criminal" for both mandatory and discretionary jurisdiction. The duplication of a case type under both headings can also occur if appeals from one lower court for that case type are mandatory, while appeals from another lower court are discretionary. Also, statutory provisions or court rules in some states automatically convert a mandatory appeal into a discretionary petition—for example, when an appeal is not filed within a specified time limit. A more comprehensive description of each appellate court's subject matter jurisdiction can be found in the *1984 State Appellate Court Jurisdiction Guide for Statistical Reporting*.

### ***Trial Courts***

The rectangle representing each trial court also lists the applicable Court Statistics Project case types. These include civil, criminal, traffic/other violation, and juvenile. Where a case type is simply listed, it means that the court system shares jurisdiction over it with other courts. The presence of exclusive jurisdiction is always explicitly stated.

The absence of a case type from a list means that the court does not have that subject matter jurisdiction. The dollar amount jurisdiction is shown where there is an upper or a lower limit to the cases that can be filed in a court. A dollar limit is not listed if a court does not have a minimum or maximum dollar amount jurisdiction for general civil cases. In criminal cases, jurisdiction is distinguished between "felony," where the court can try a felony case to verdict and sentencing, and "preliminary hearings," which applies to those limited jurisdiction courts that can conduct preliminary hearings that bind a defendant over for trial in a higher court.

Trial courts can have what is termed incidental appellate jurisdiction. The presence of such jurisdiction over the decisions of other courts is noted in the list of case types as either "civil appeals," "criminal appeals," or "administrative agency appeals." A trial court that hears appeals directly from an administrative agency has an "A" in the upper right corner of the rectangle.

For each trial court, the chart states the authorized number of judges and whether the court can impanel a jury. The rectangle representing the court also indicates the number of districts, divisions, or circuits into which the court system is divided. These subdivisions are stated using the court system's own terminology. The descriptions, therefore, are not standardized across states or court systems.

Some trial courts are totally funded from local sources and some receive some form of state funds. Locally funded court systems are drawn with broken lines. A solid line indicates some or all of the funding is derived from state funds.

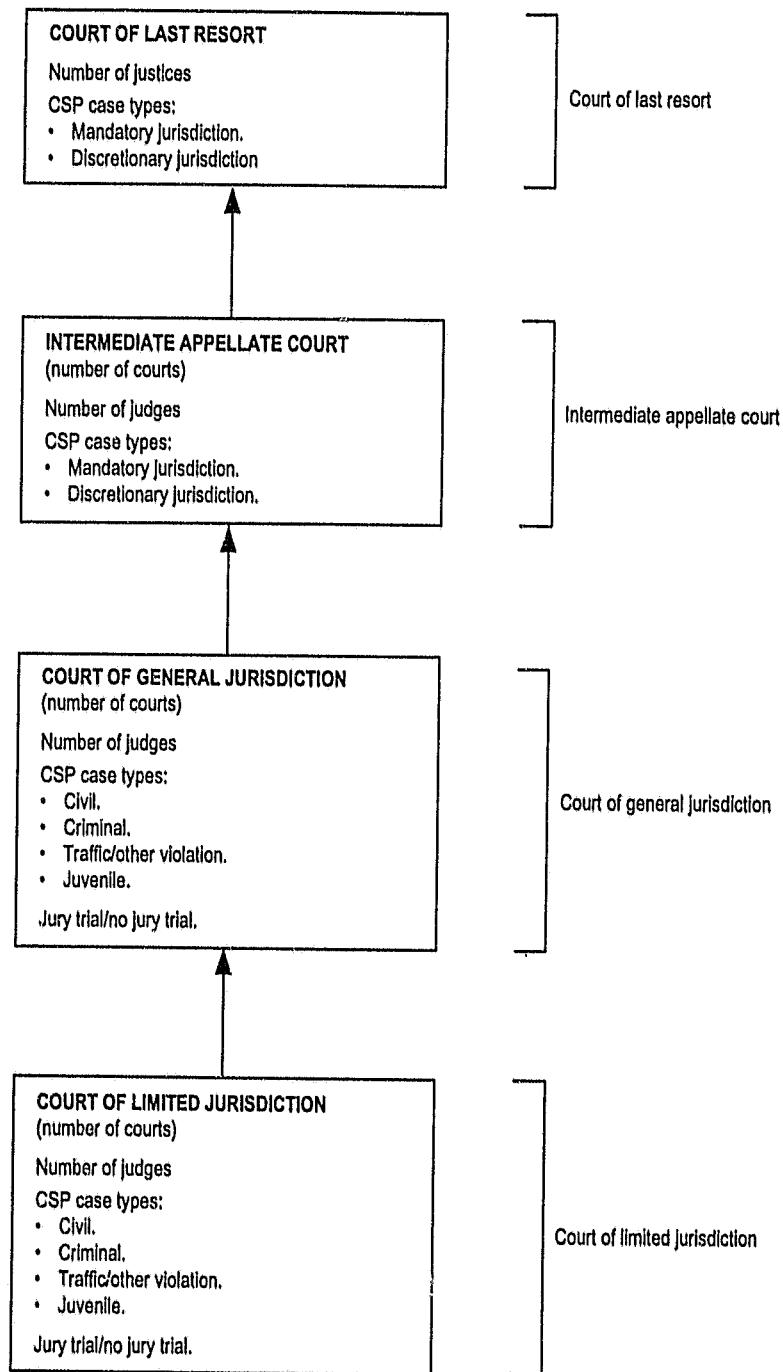
#### *Symbols and Abbreviations*

An "A" in the upper right corner of a rectangle, representing either an appellate or a trial court, indicates that the court receives appeals directly from the decisions of an administrative agency. Where "administrative agency appeals" is listed as a case type, it indicates that the court hears appeals from decisions of another court on an administrative agency's actions. It is possible for a court to have both an "A" designation and to have "administrative agency appeals" listed as a case type. Such a court hears appeals directly from an administrative agency ("A") and has appellate jurisdiction over the decisions of a lower court that has already reviewed the decision of the administrative agency.

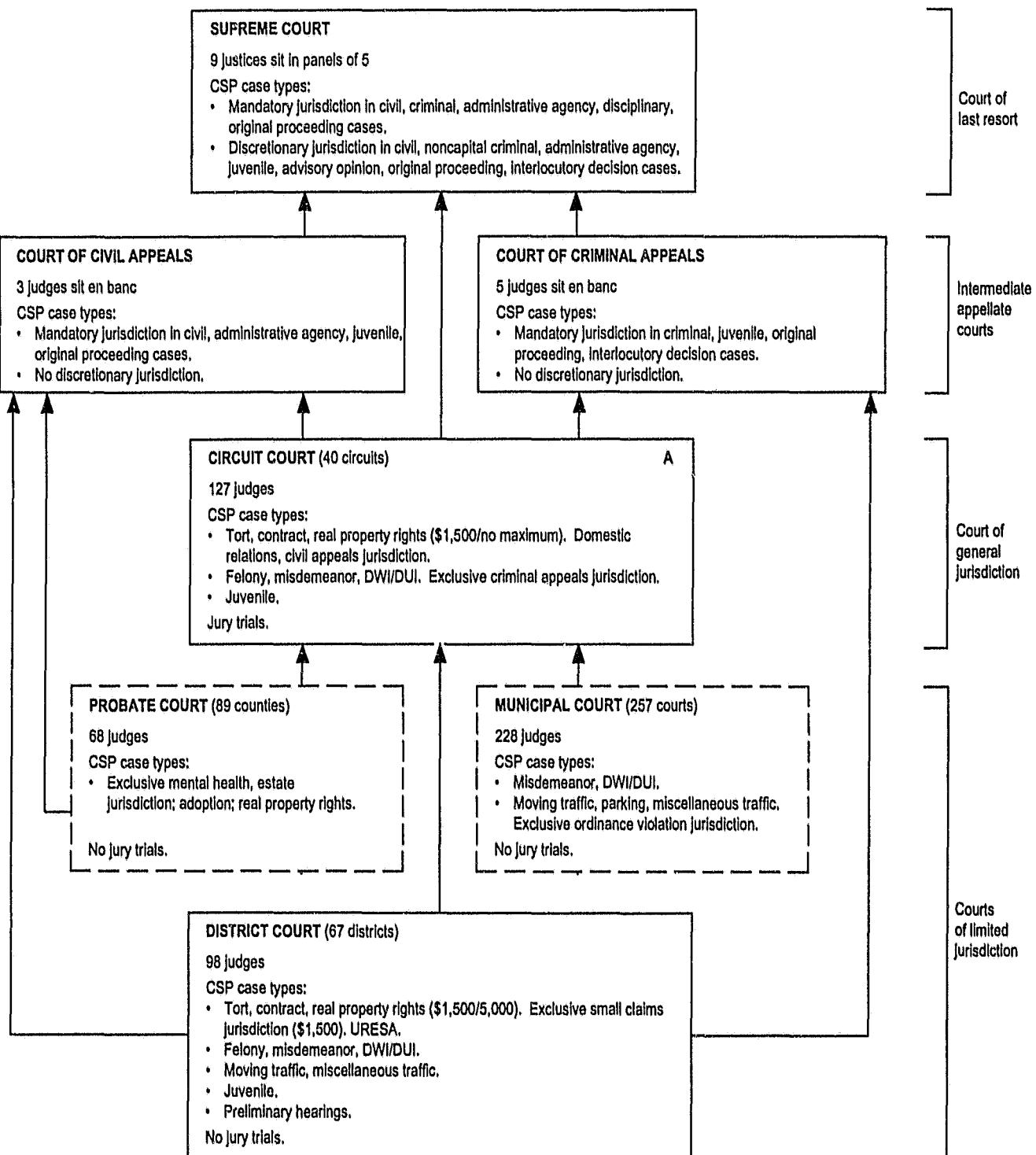
The number of justices or judges is sometimes stated as "FTE." This represents "full-time equivalent" authorized judicial positions. "DWI/DUI" stands for "driving while intoxicated/driving under the influence." The "SC" abbreviation stands for "small claims." The dollar amount jurisdiction for civil cases is indicated in parentheses with a dollar sign. Where the small claims dollar amount jurisdiction is different, it is noted.

The court structure charts are convenient summaries. They do not substitute for the detailed descriptive material contained in the 47 tables of State Court Organization, 1993. Moreover, they are based on the Court Statistics Project's terminology and categories. This means that a state may have established courts that are not included in these charts. Some states have courts of special jurisdiction to receive complaints on matters that are more typically directed to administrative boards and agencies. Since these courts adjudicate matters that do not fall within the Court Statistics Project case types, they are not included in the charts. The existence of such courts, however, is recognized in a footnote to the state's court structure chart.

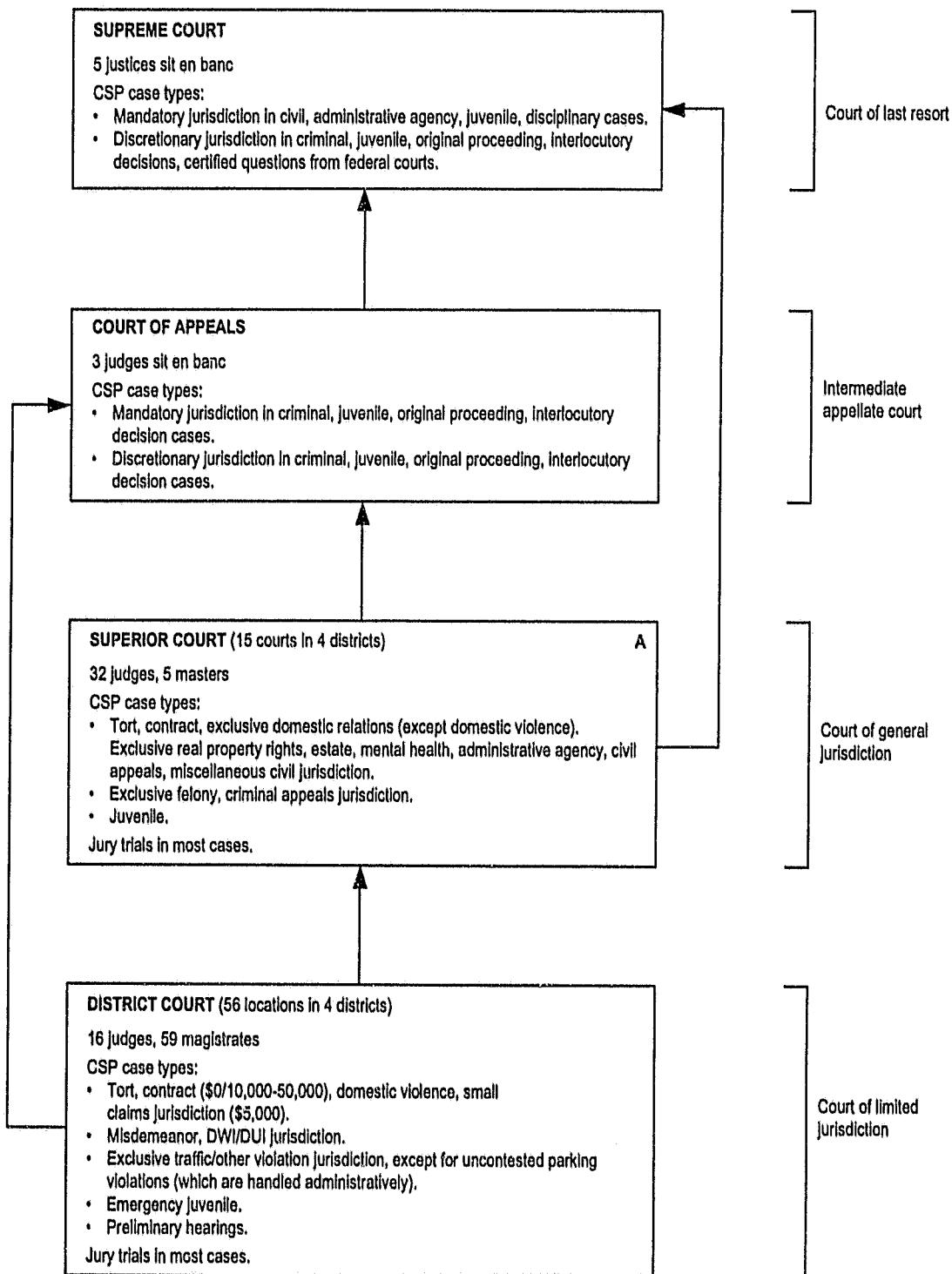
## STATE COURT STRUCTURE PROTOTYPE, 1993



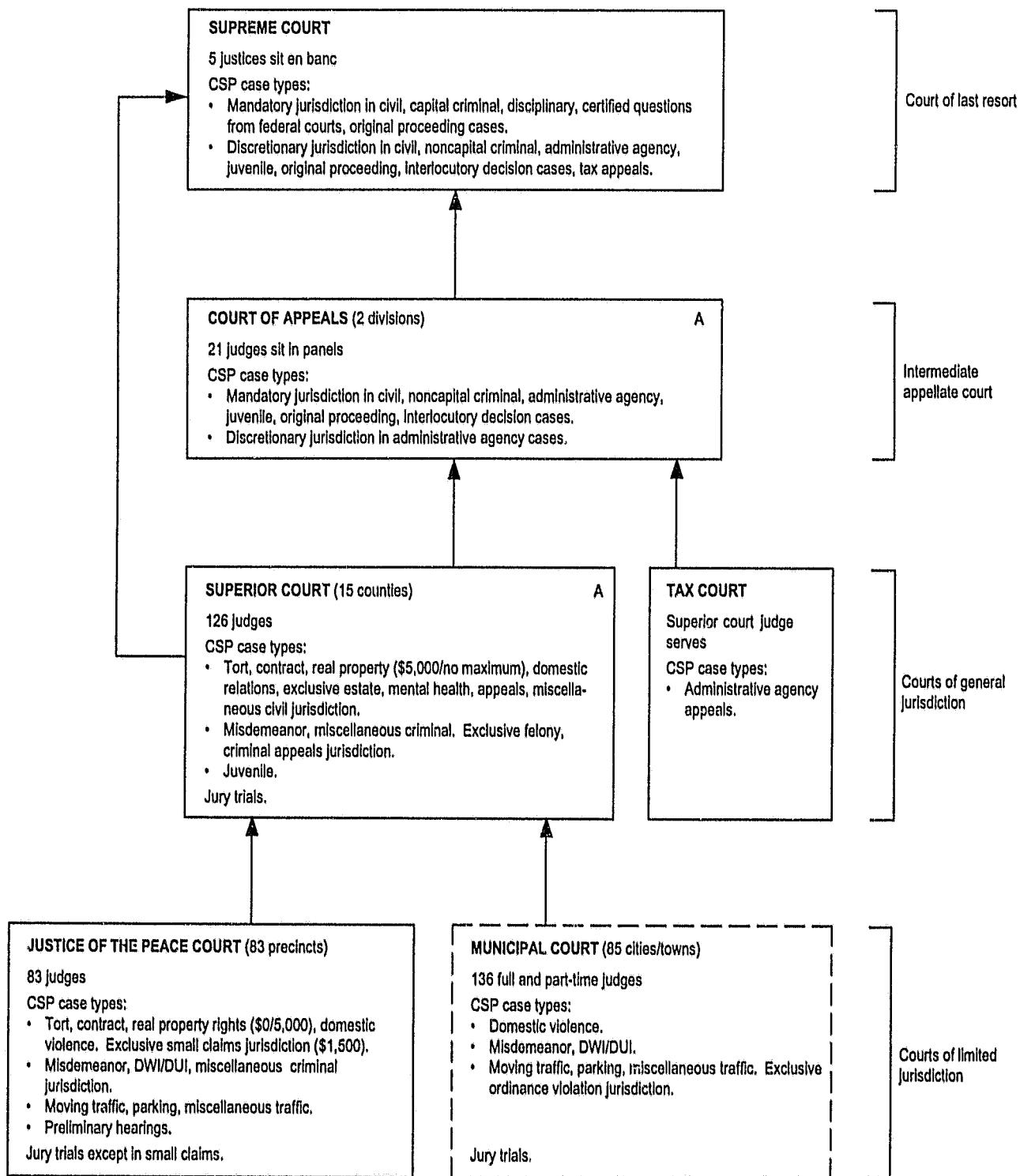
## ALABAMA COURT STRUCTURE, 1993



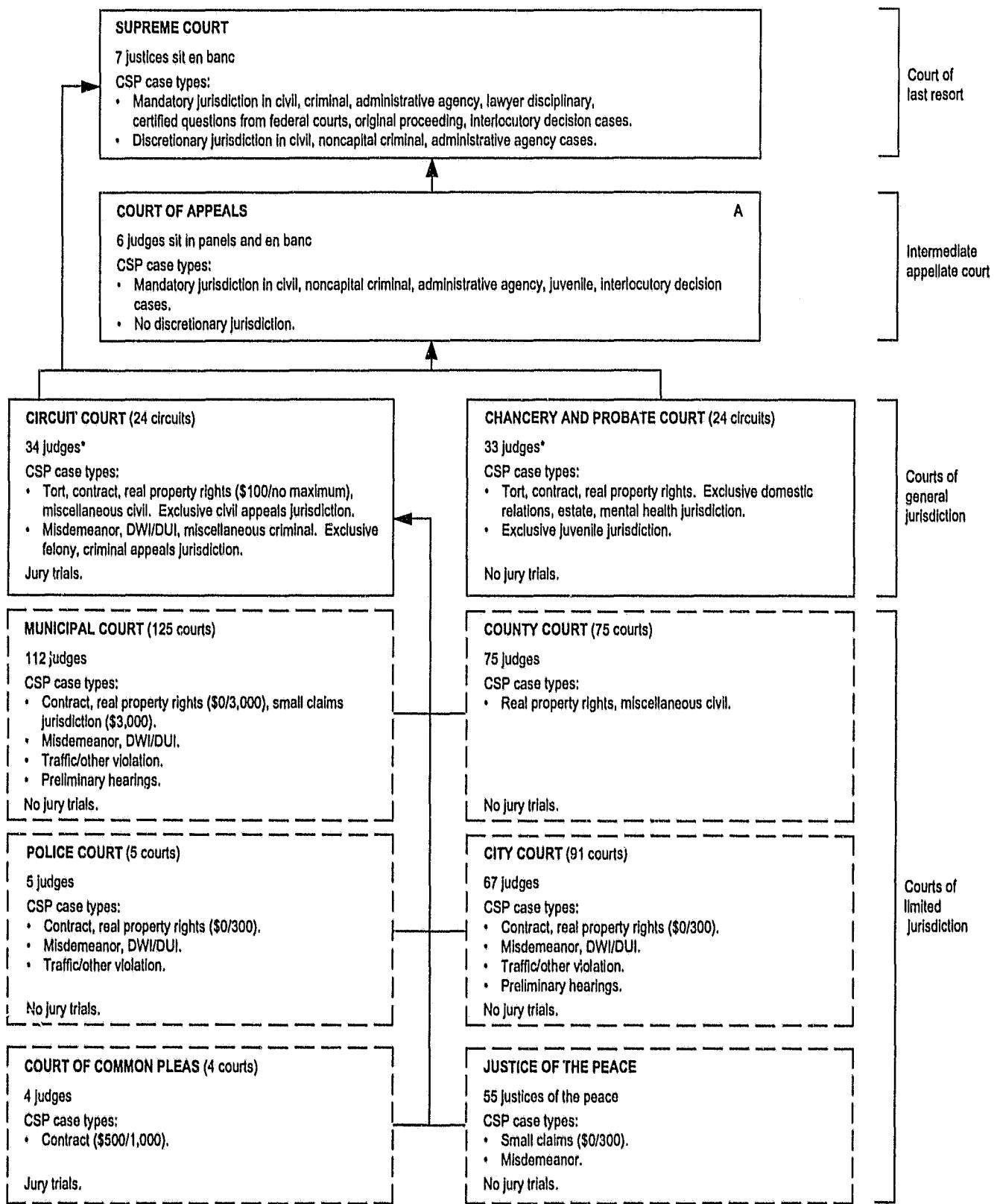
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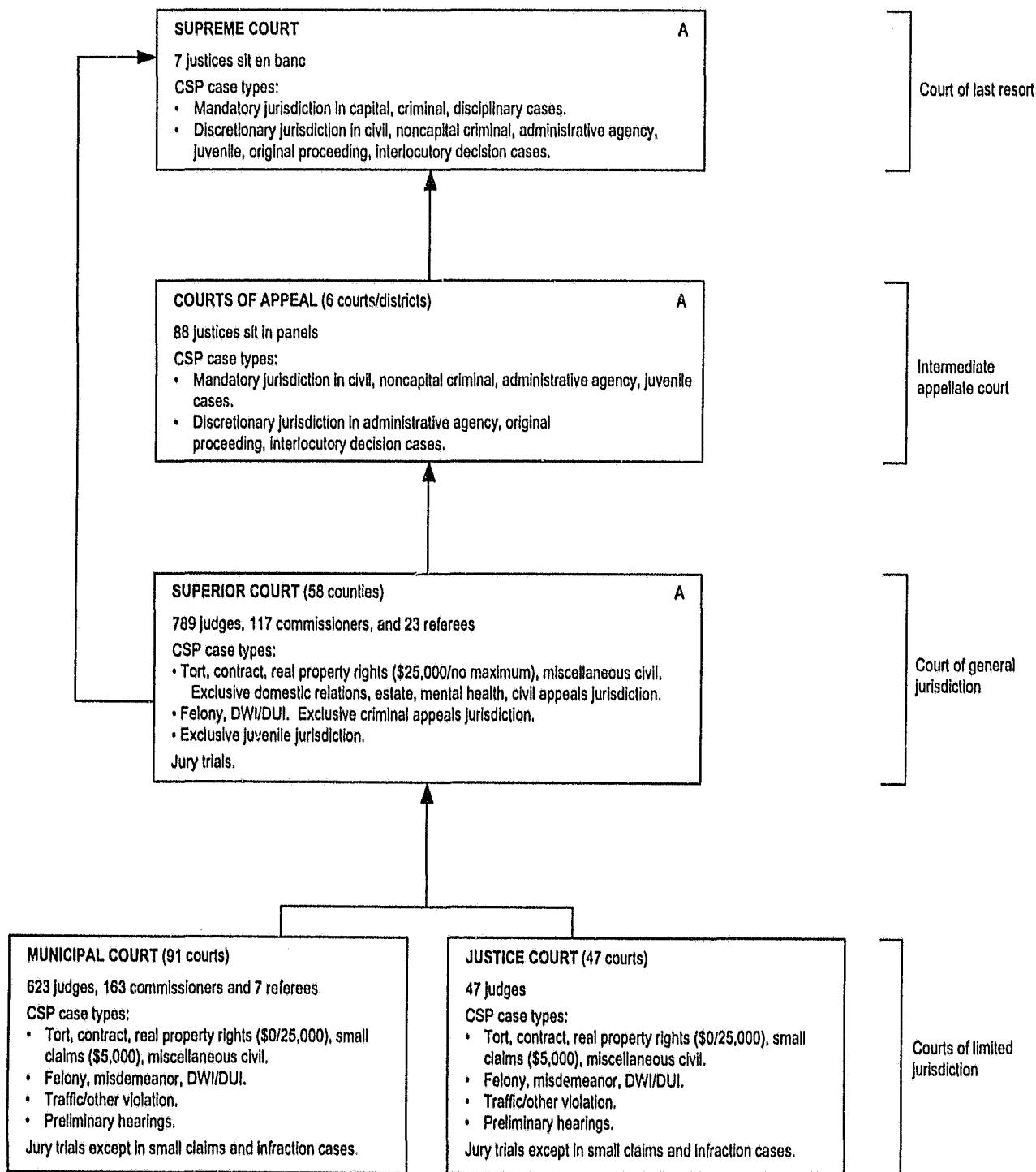
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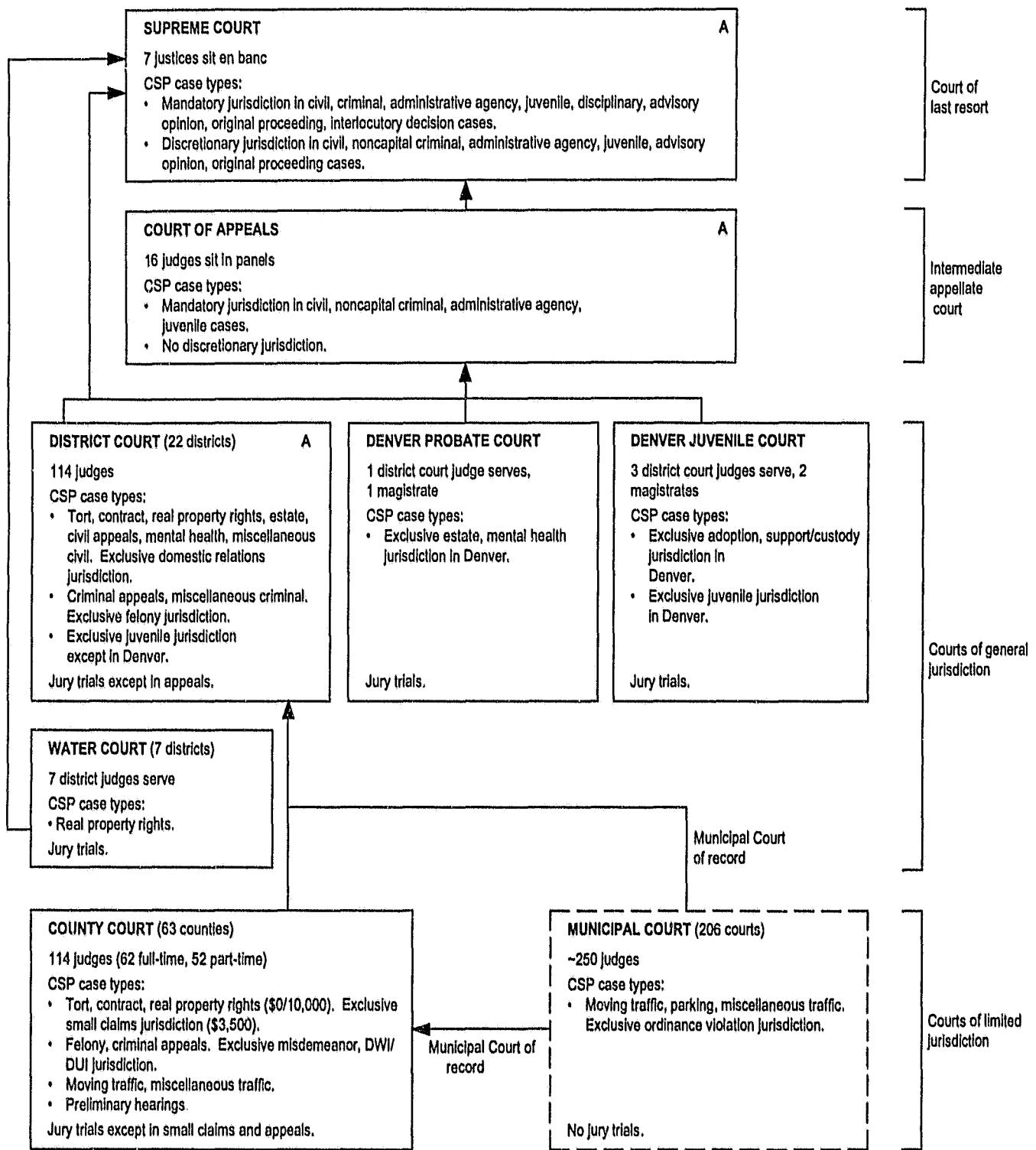
## ARKANSAS COURT STRUCTURE, 1993



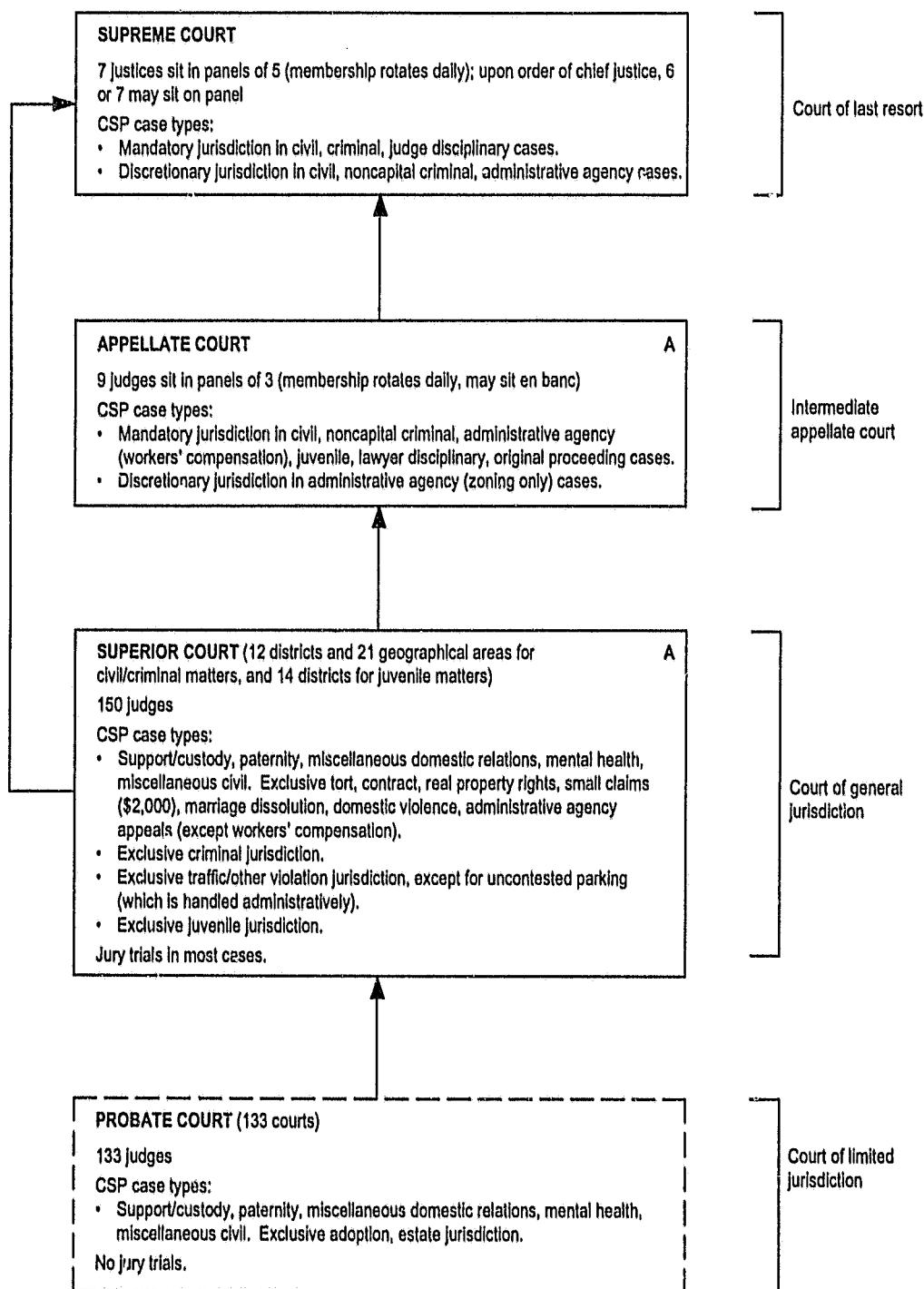
## CALIFORNIA COURT STRUCTURE, 1993



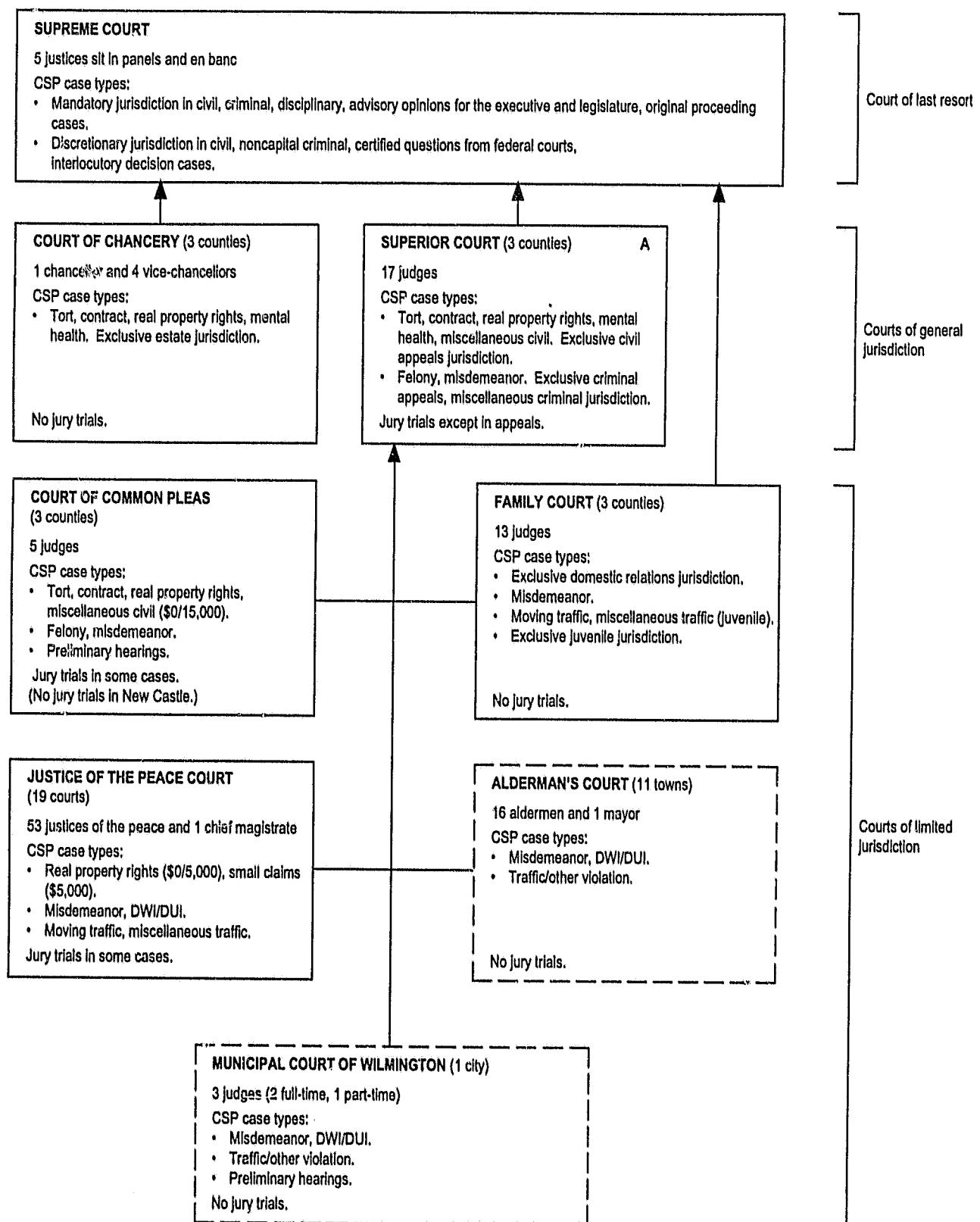
## COLORADO COURT STRUCTURE, 1993



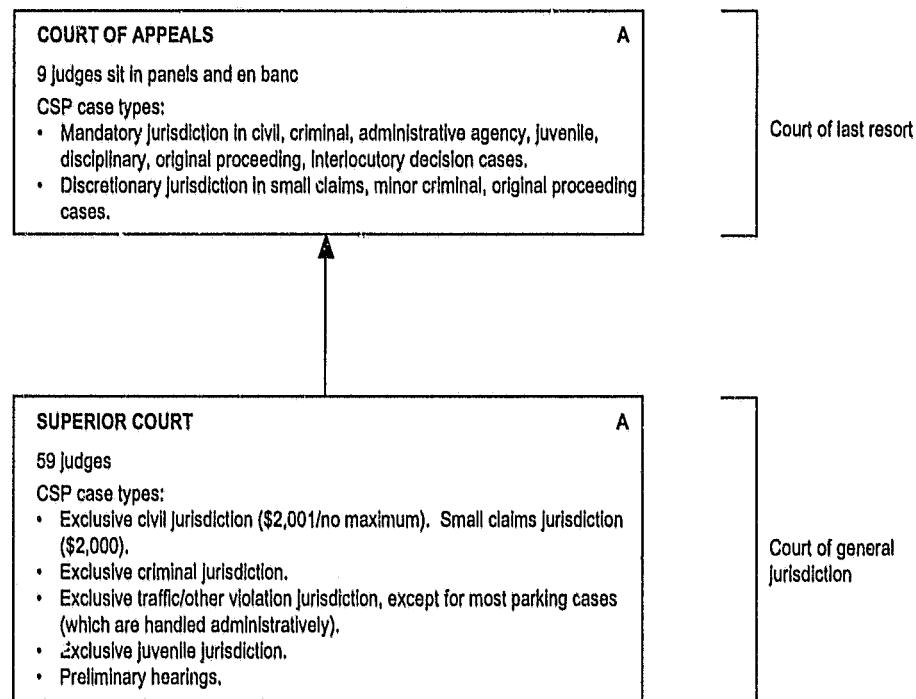
## CONNECTICUT COURT STRUCTURE, 1993



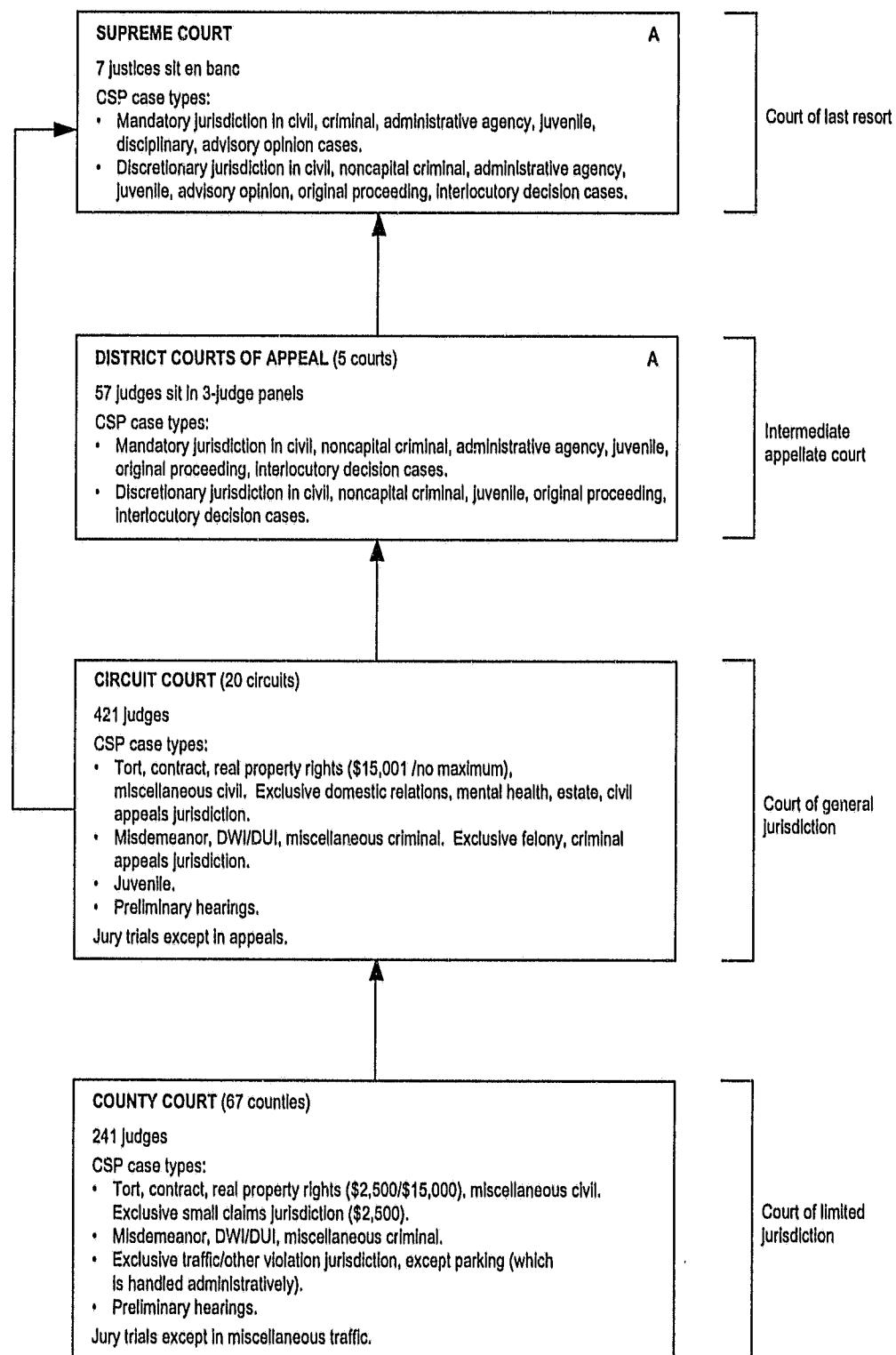
## DELAWARE COURT STRUCTURE, 1993



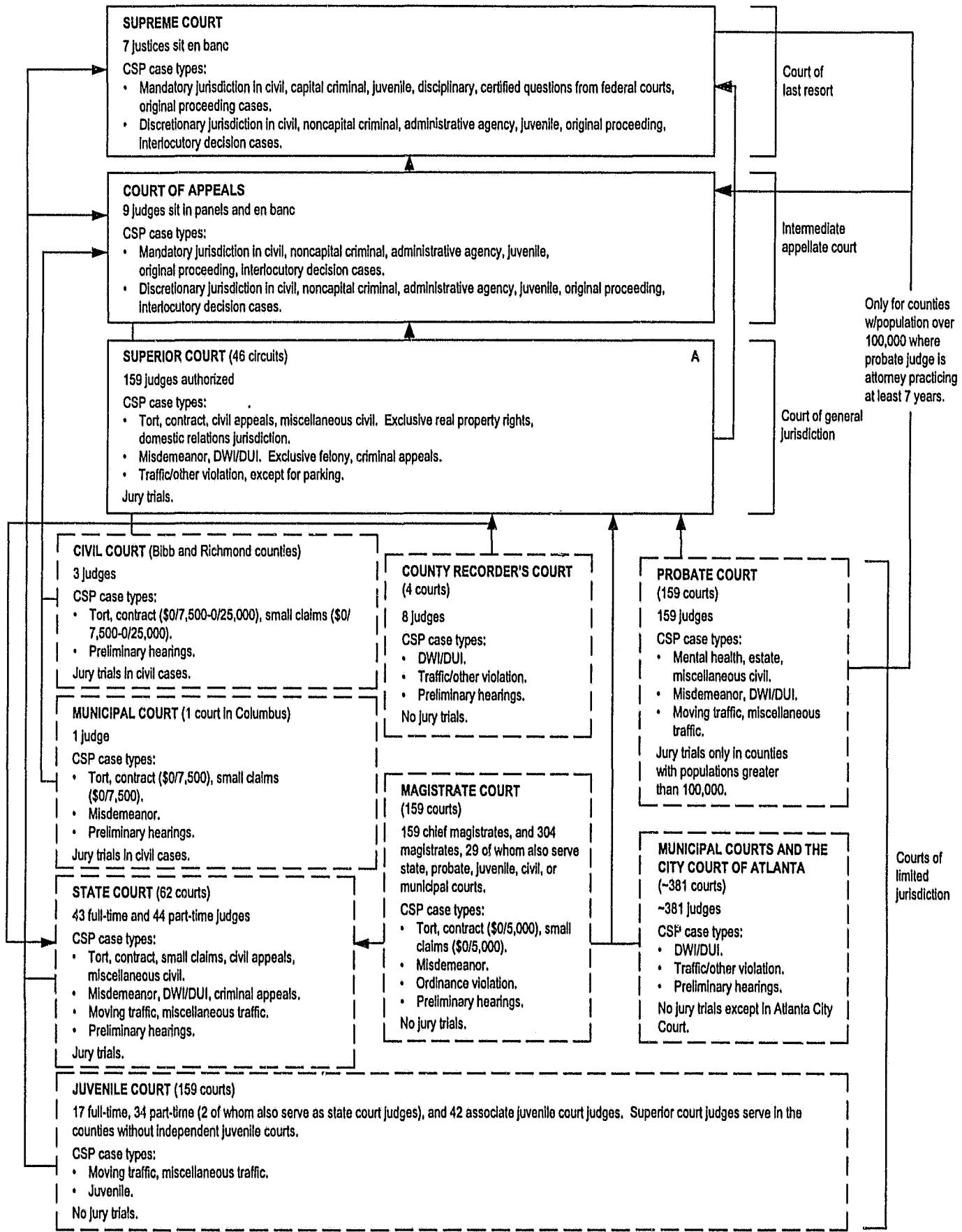
## DISTRICT OF COLUMBIA COURT STRUCTURE, 1993



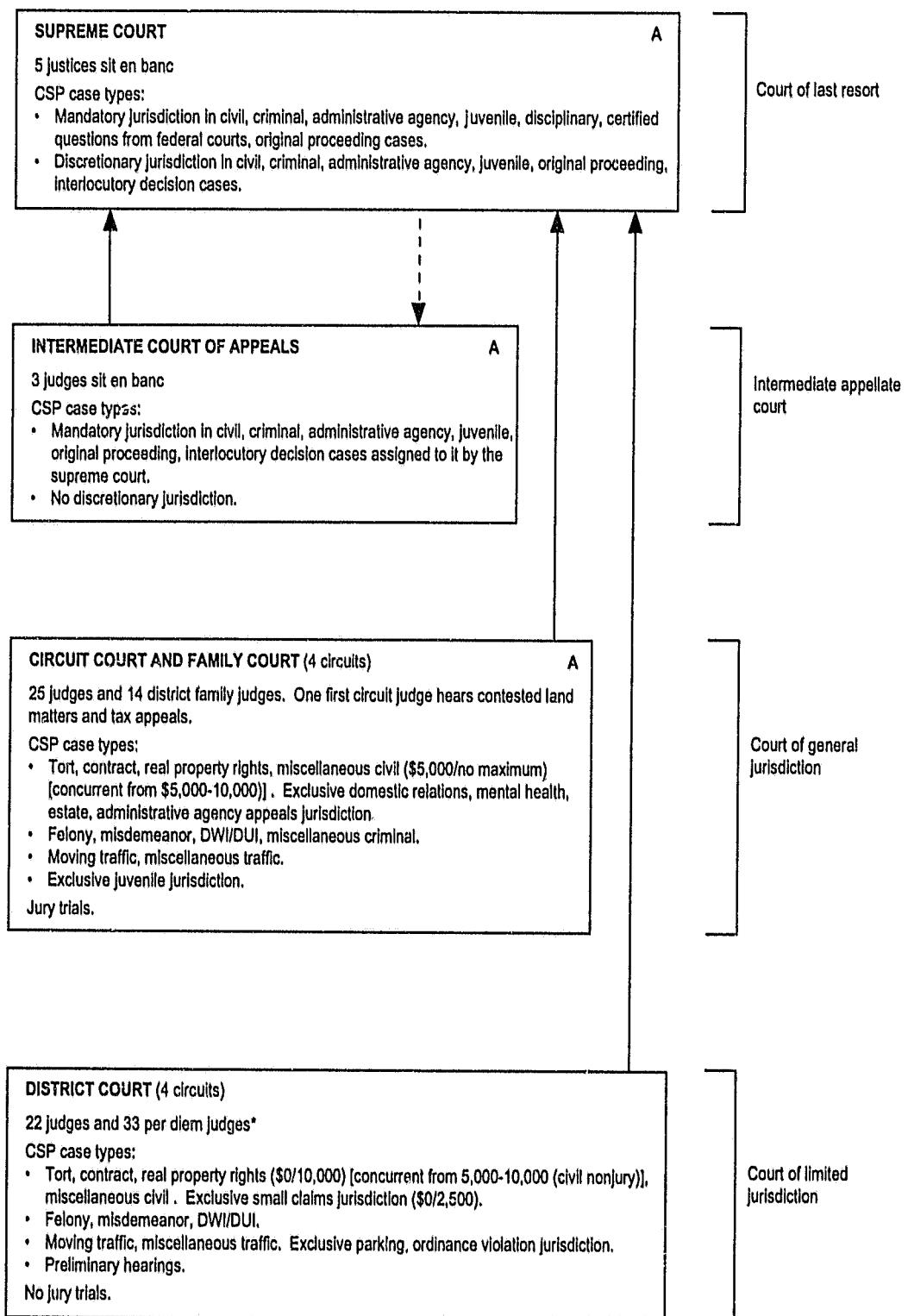
## FLORIDA COURT STRUCTURE, 1993



## GEORGIA COURT STRUCTURE, 1993



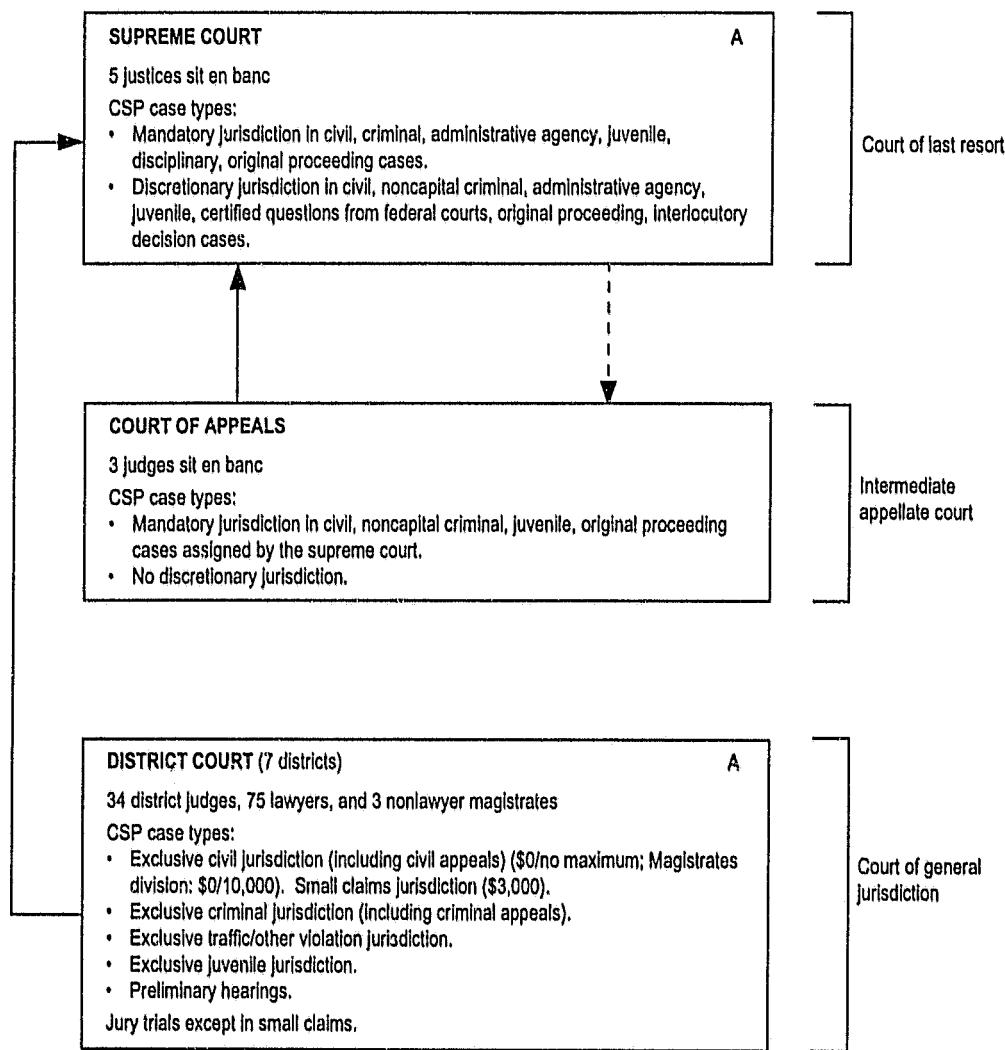
## HAWAII COURT STRUCTURE, 1993



-- Indicates assignment of cases.

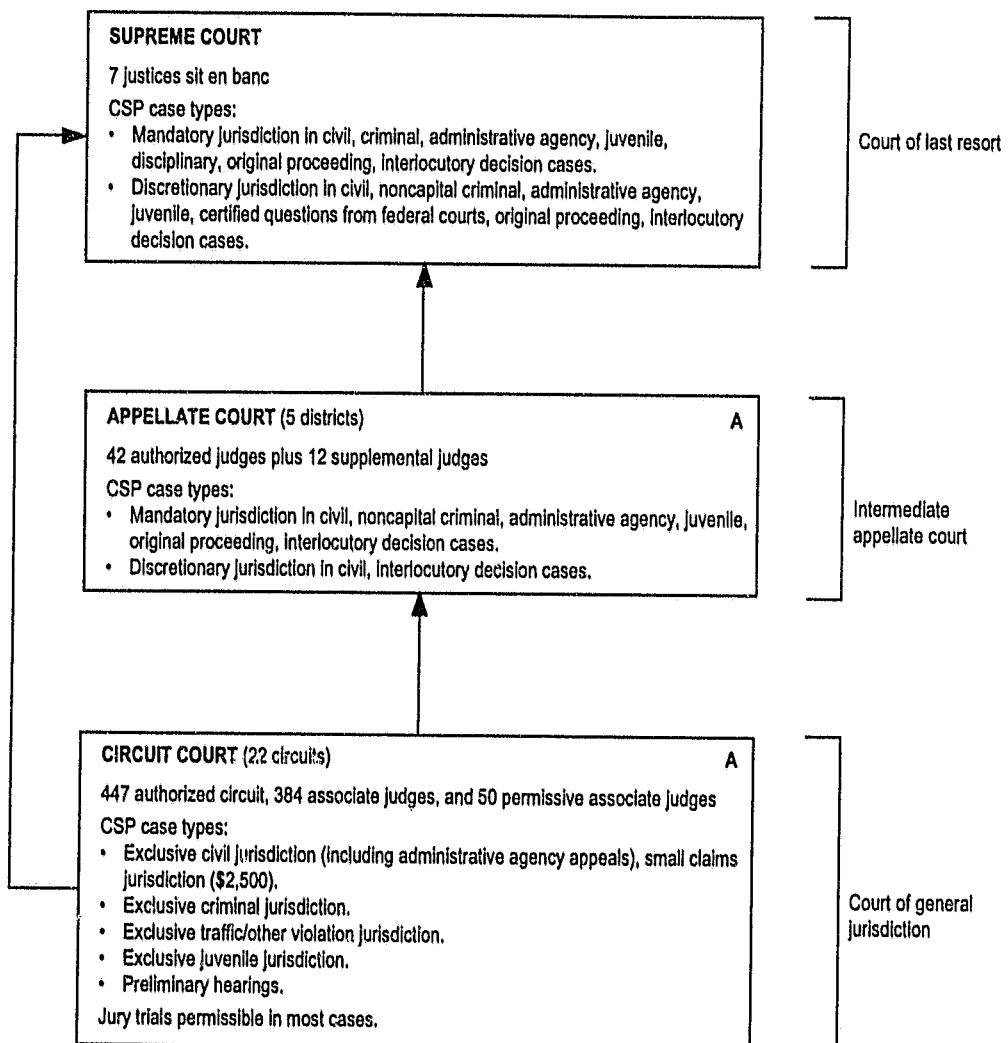
\* Some per diem judges are assigned to serve as per diem district and family court judges in the first circuit.

## IDaho Court Structure, 1993

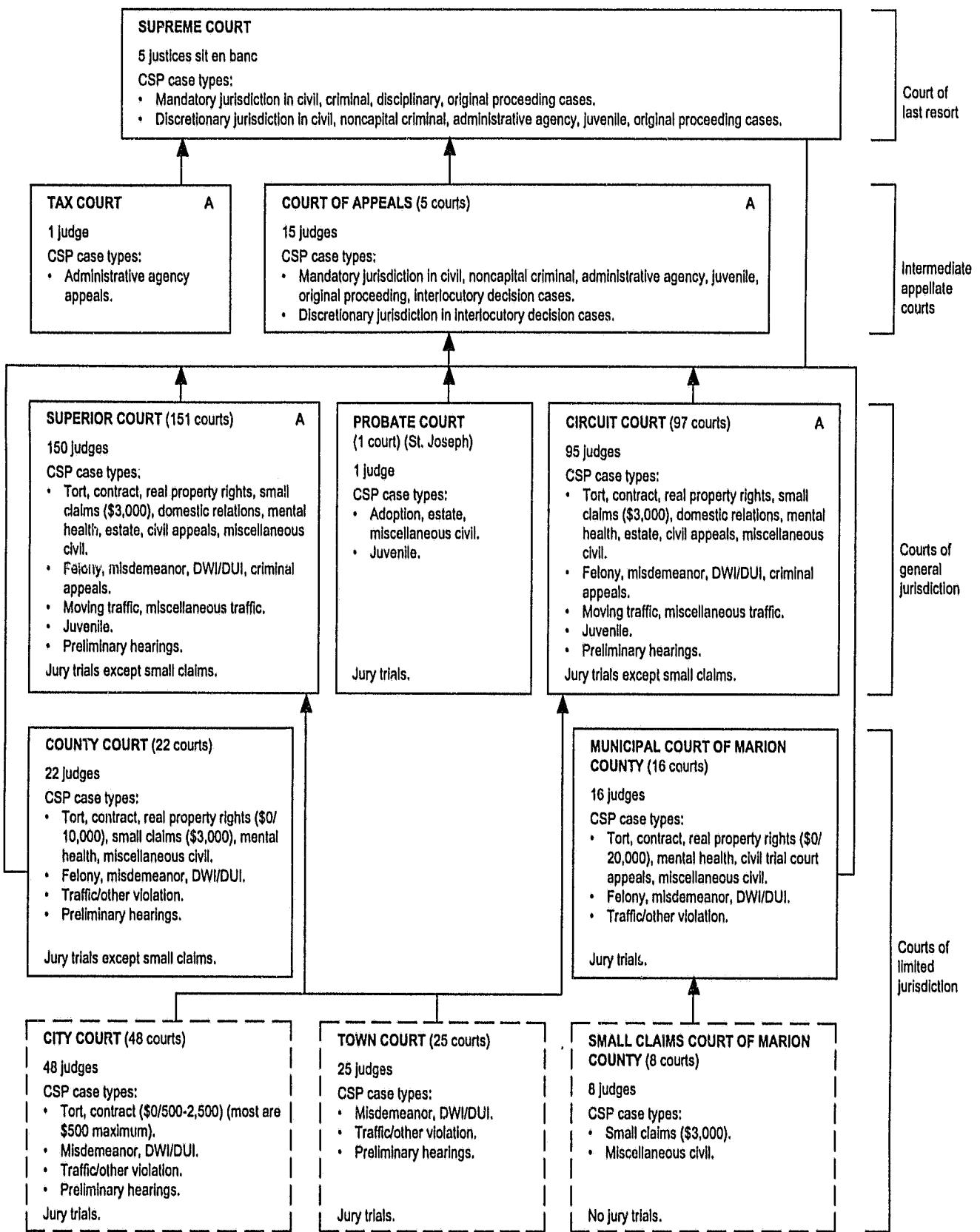


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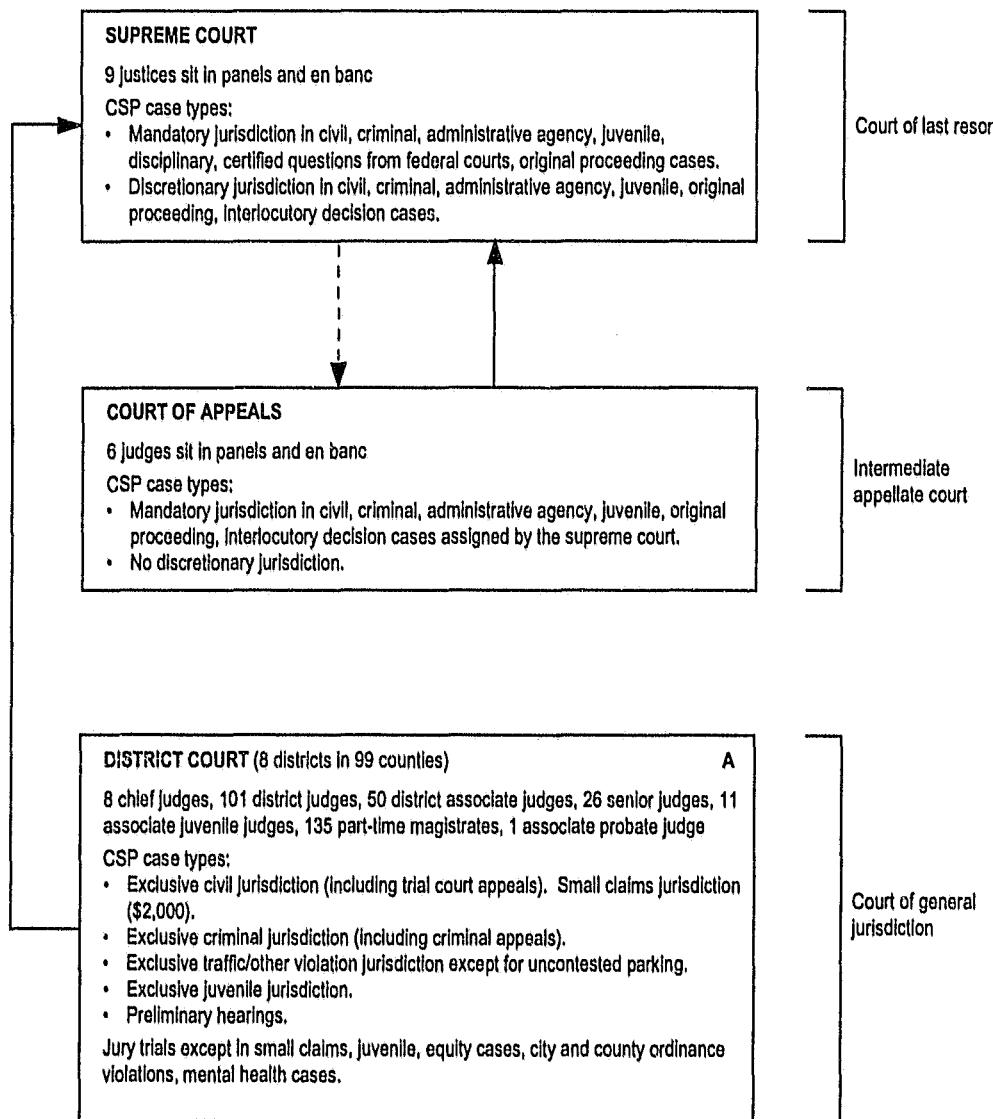
## ILLINOIS COURT STRUCTURE, 1993



## INDIANA COURT STRUCTURE, 1993

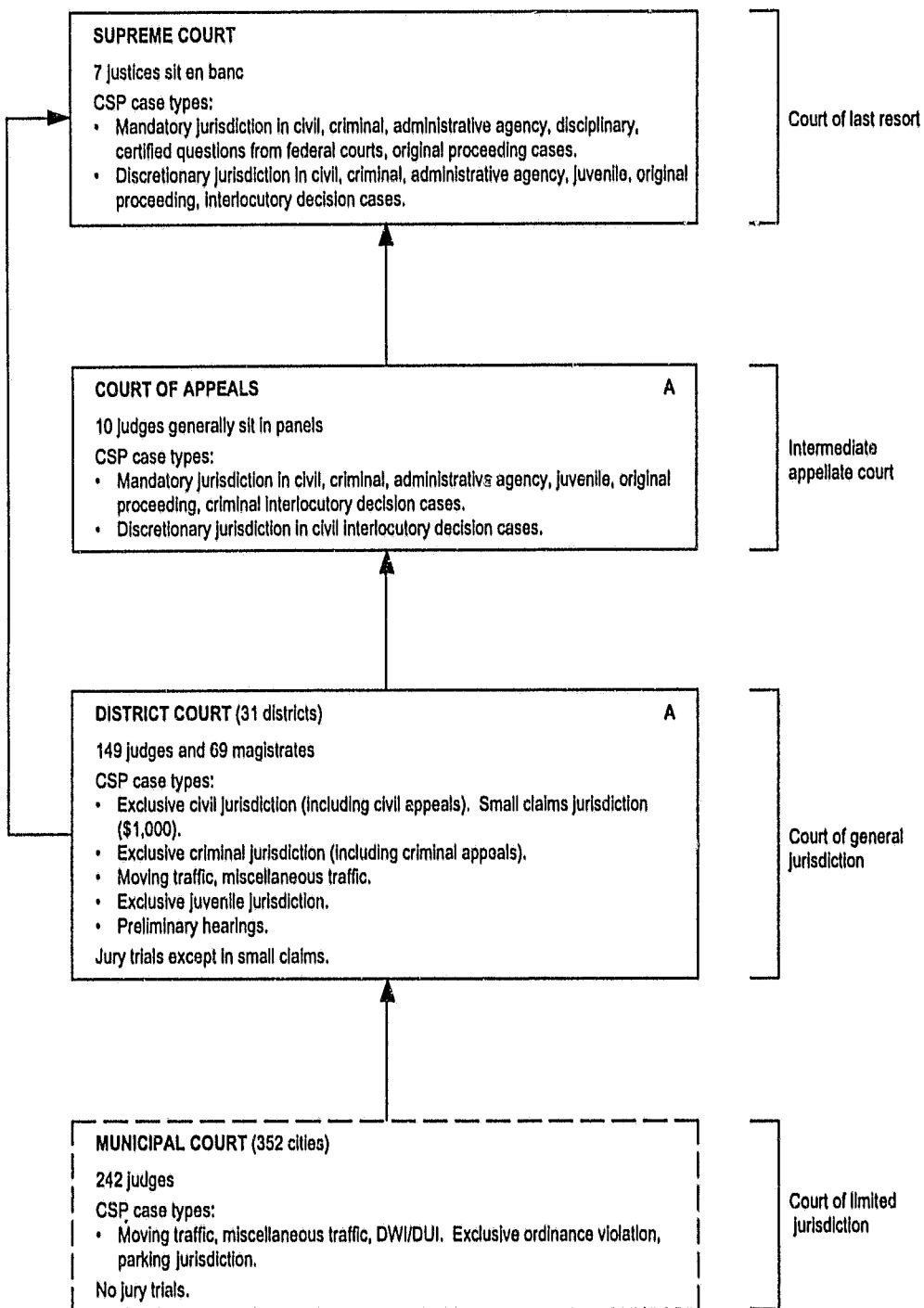


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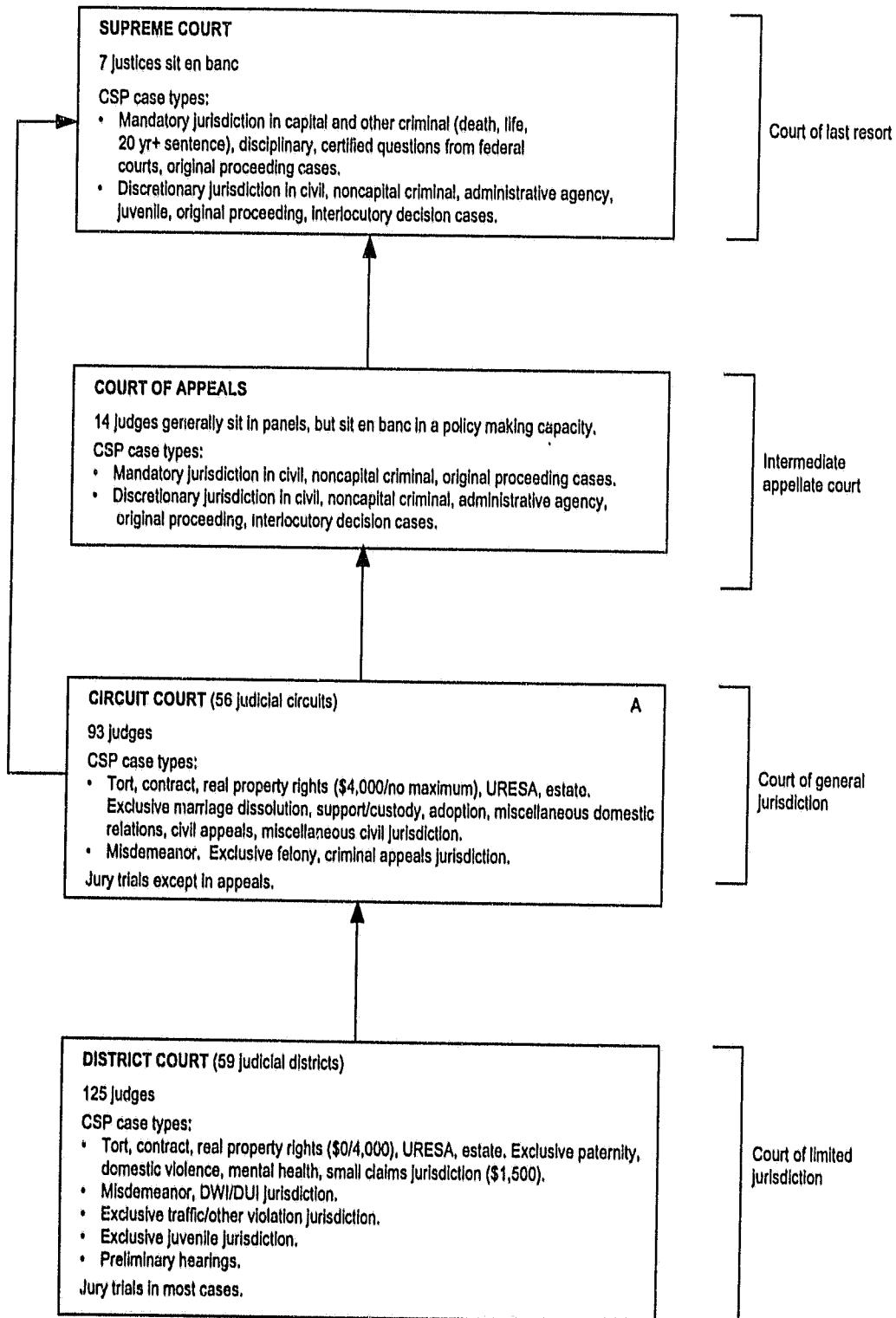


-- Indicates assignment of cases.

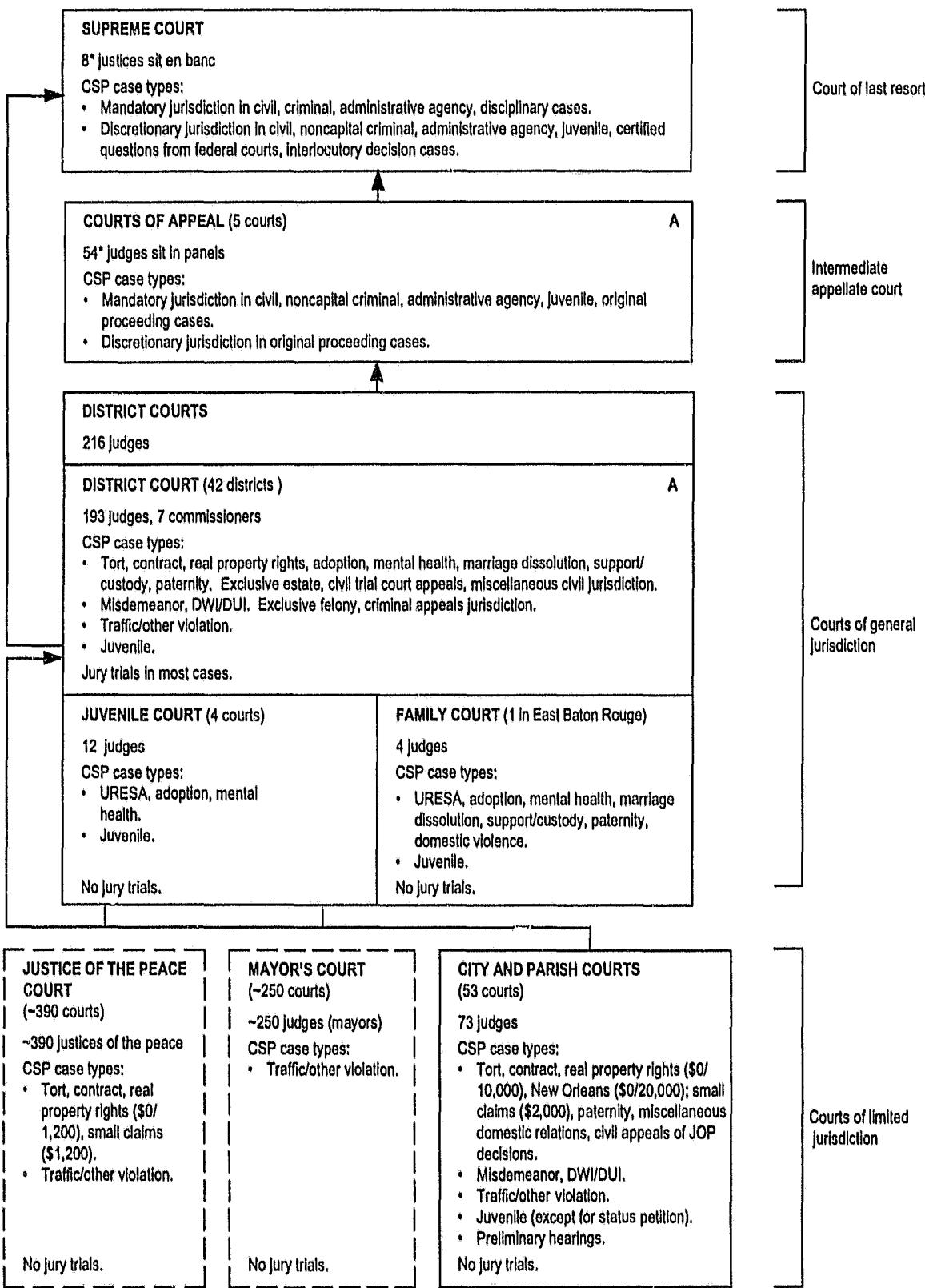
## KANSAS COURT STRUCTURE, 1993



## KENTUCKY COURT STRUCTURE, 1993

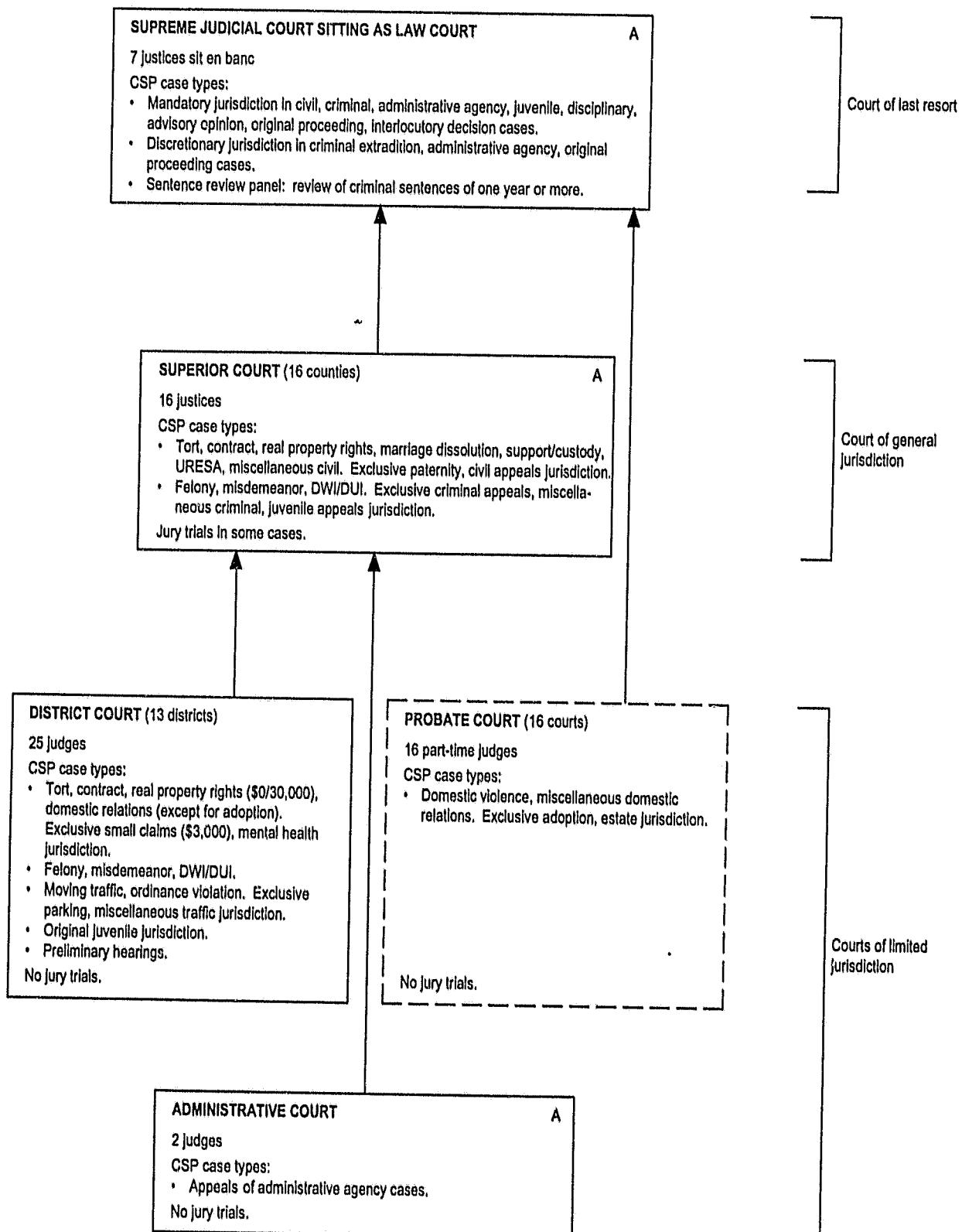


## LOUISIANA COURT STRUCTURE, 1993

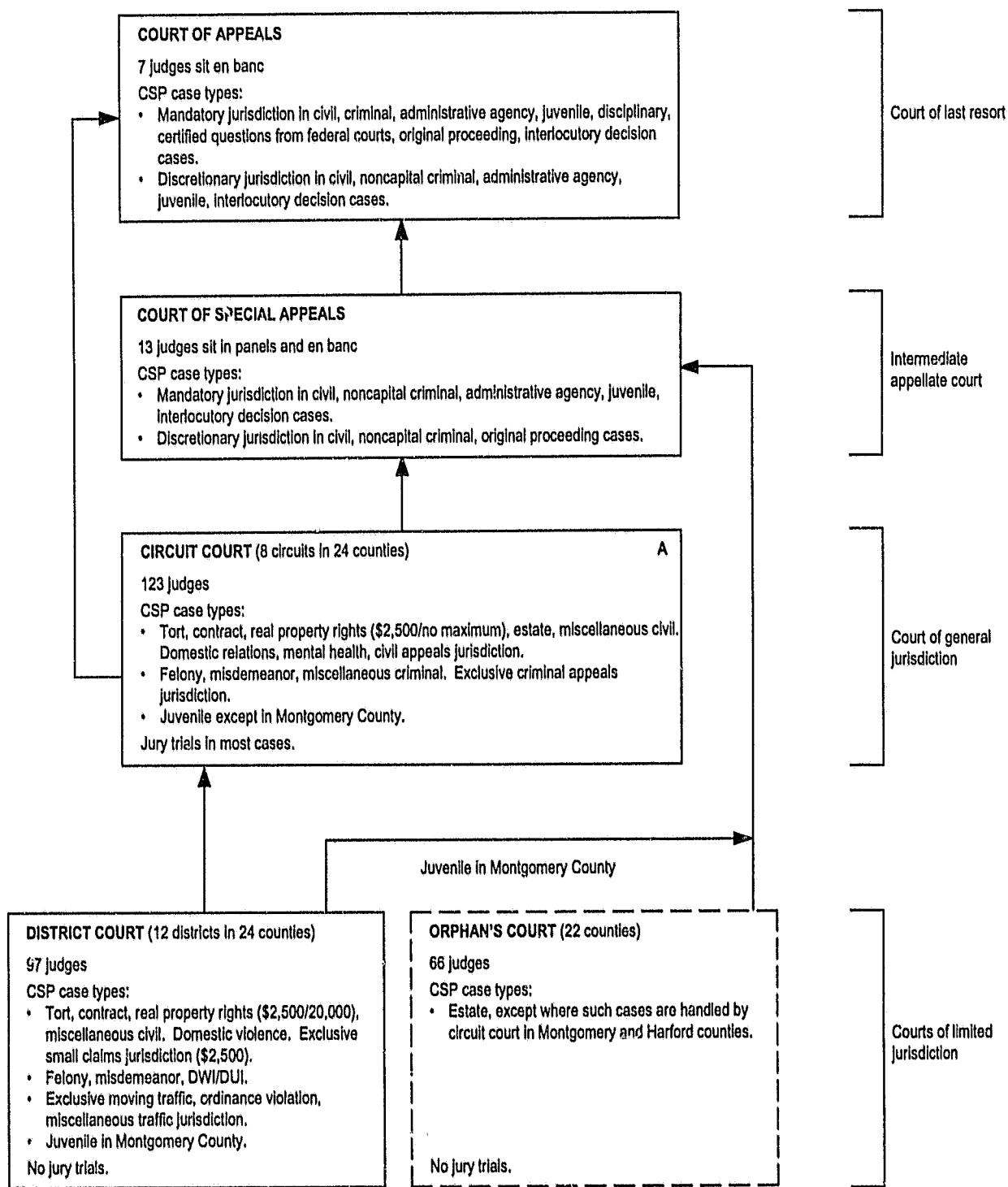


\* The supreme court has 7 elected justices and 1 justice assigned from the courts of appeal. The assigned justice would bring the number of courts of appeal judges to 55. (This assignment is by state statute.)

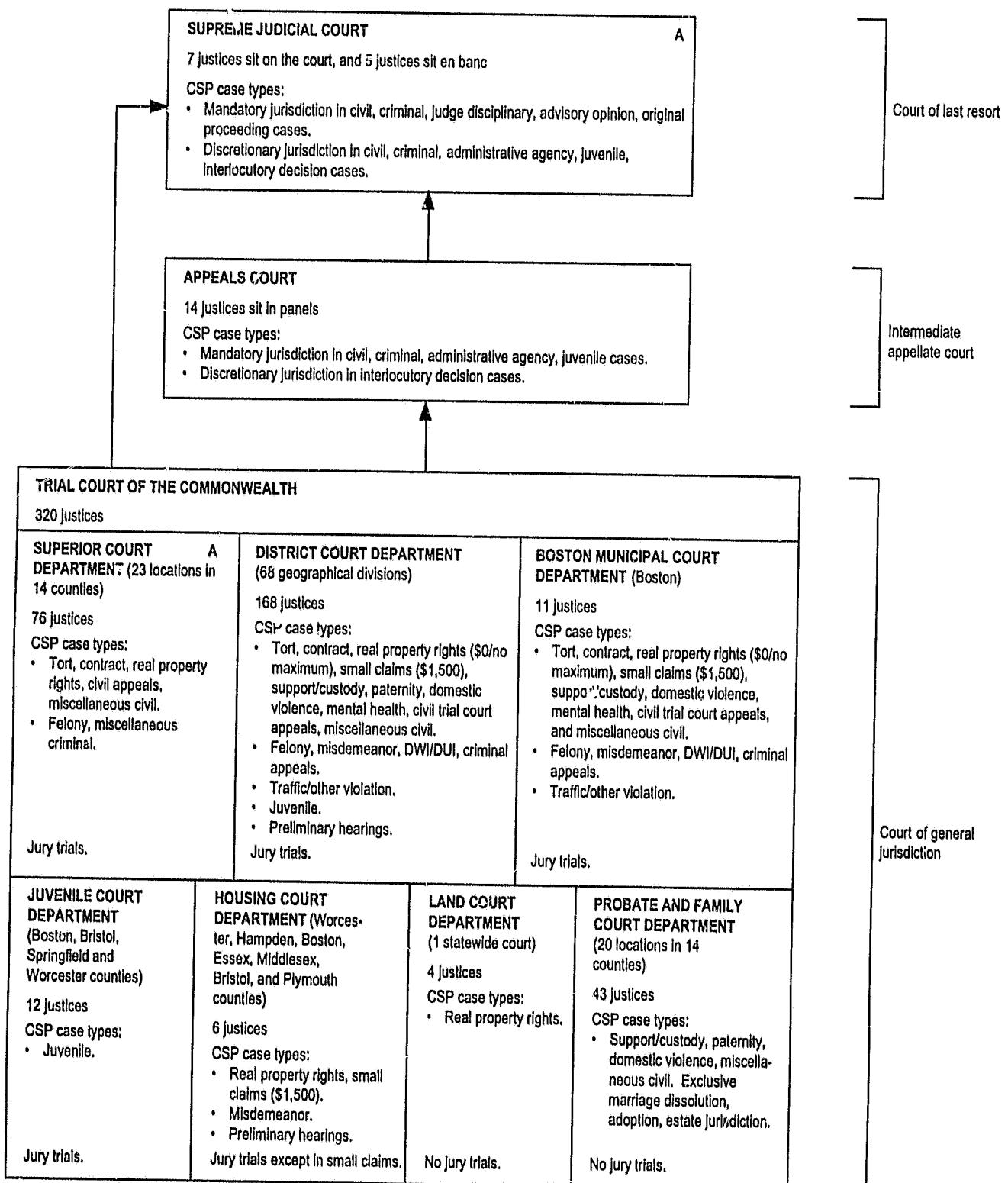
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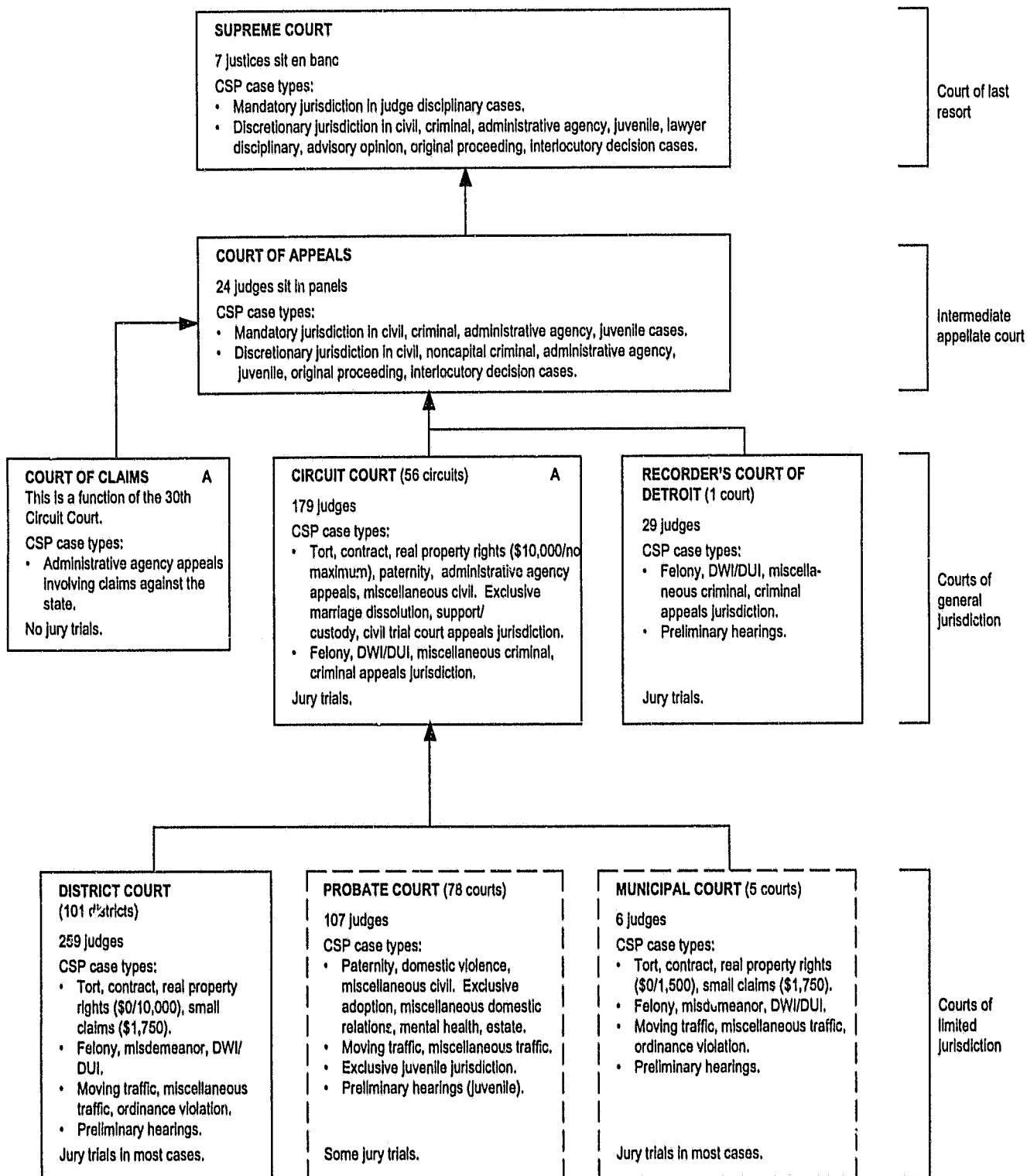
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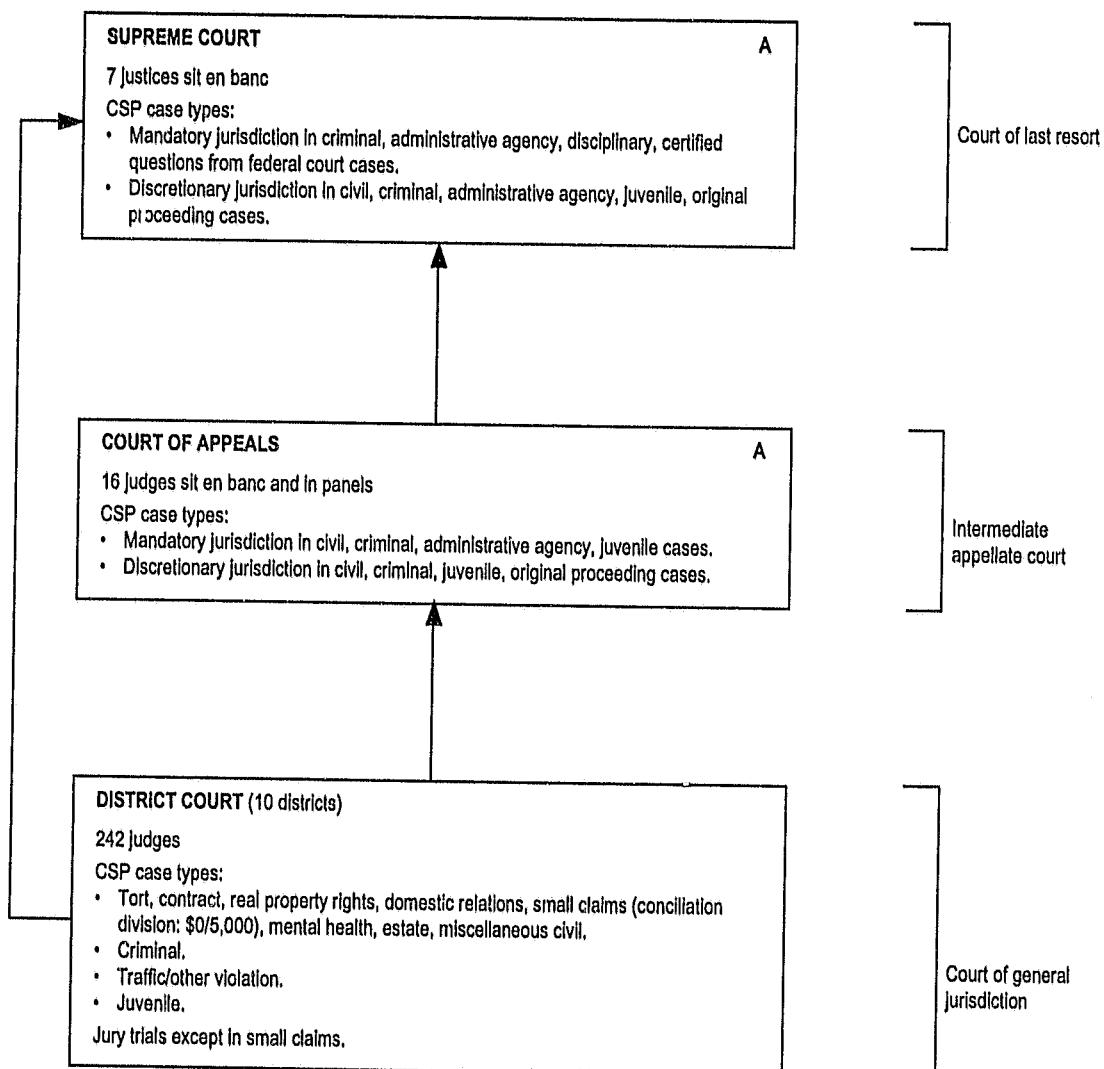
## MASSACHUSETTS COURT STRUCTURE, 1993



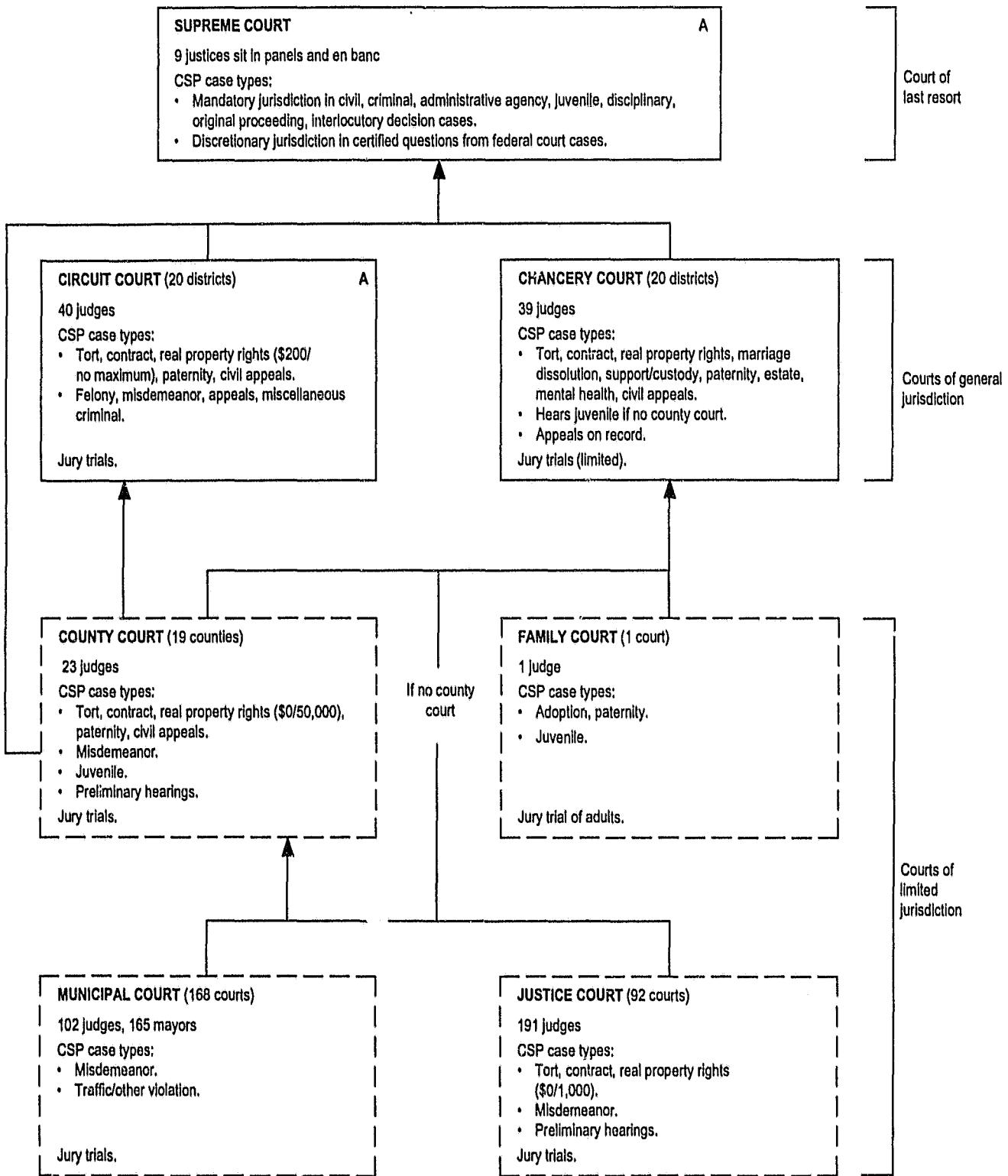
## MICHIGAN COURT STRUCTURE, 1993



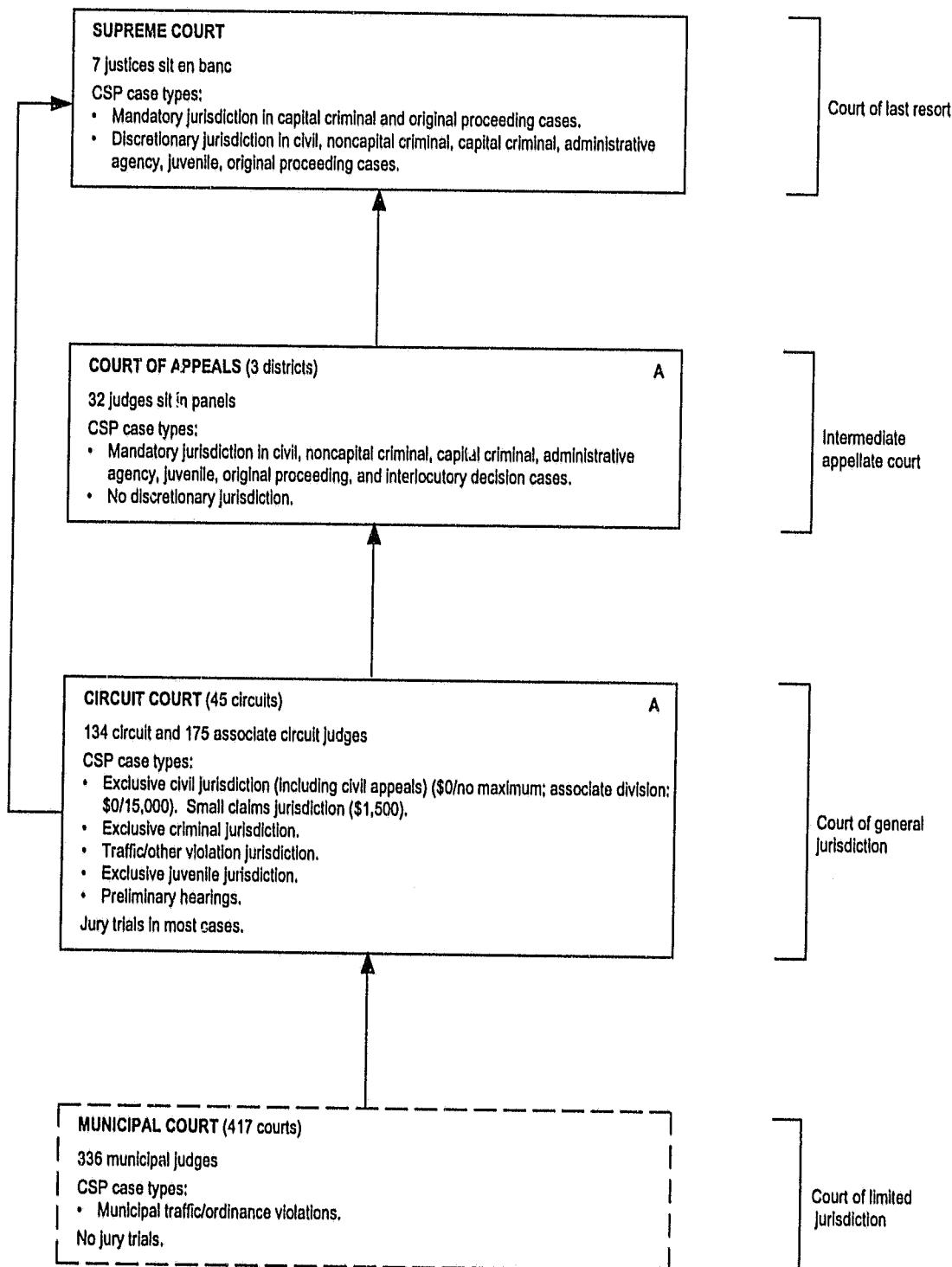
## MINNESOTA COURT STRUCTURE, 1993



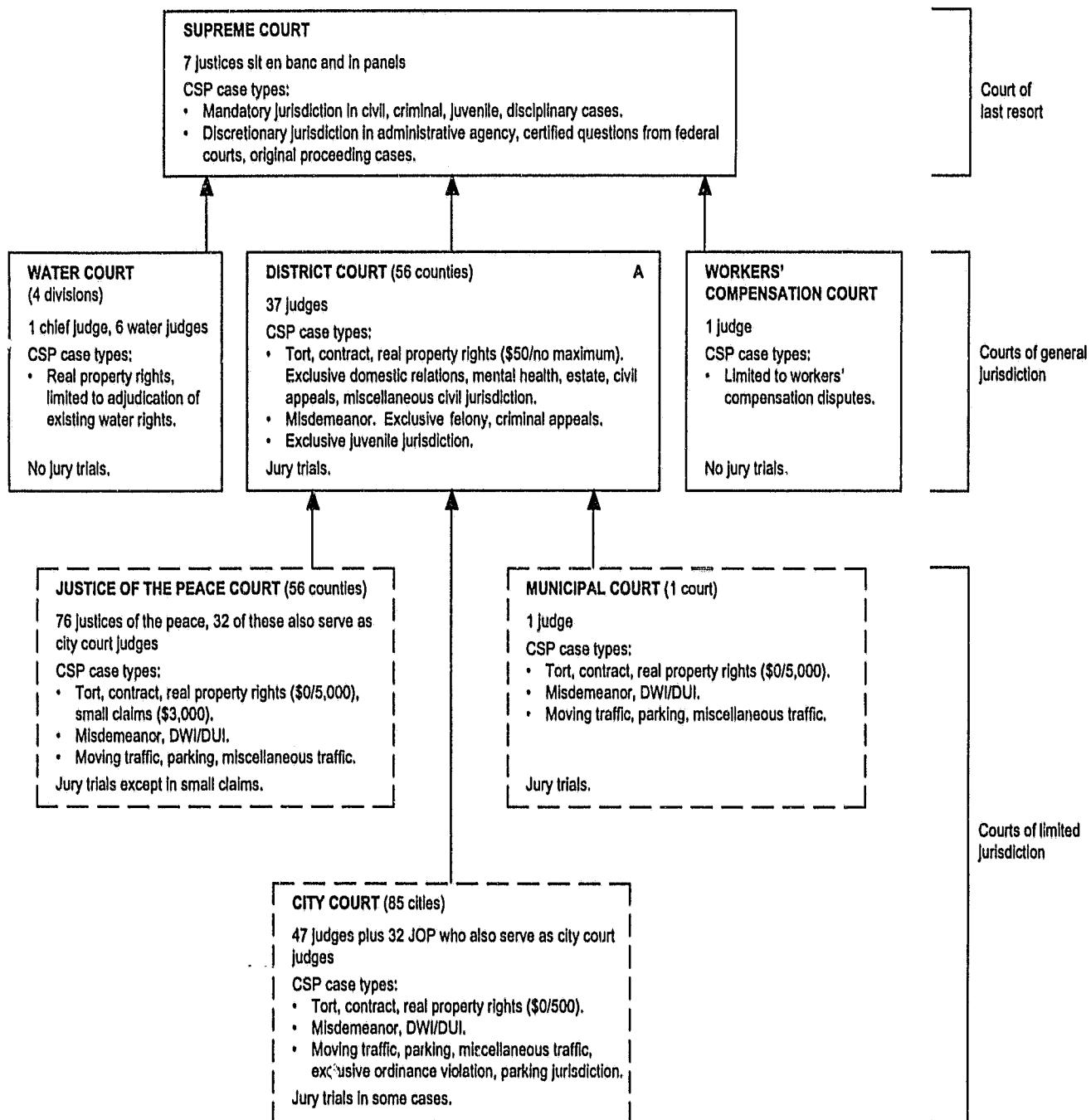
## MISSISSIPPI COURT STRUCTURE, 1993



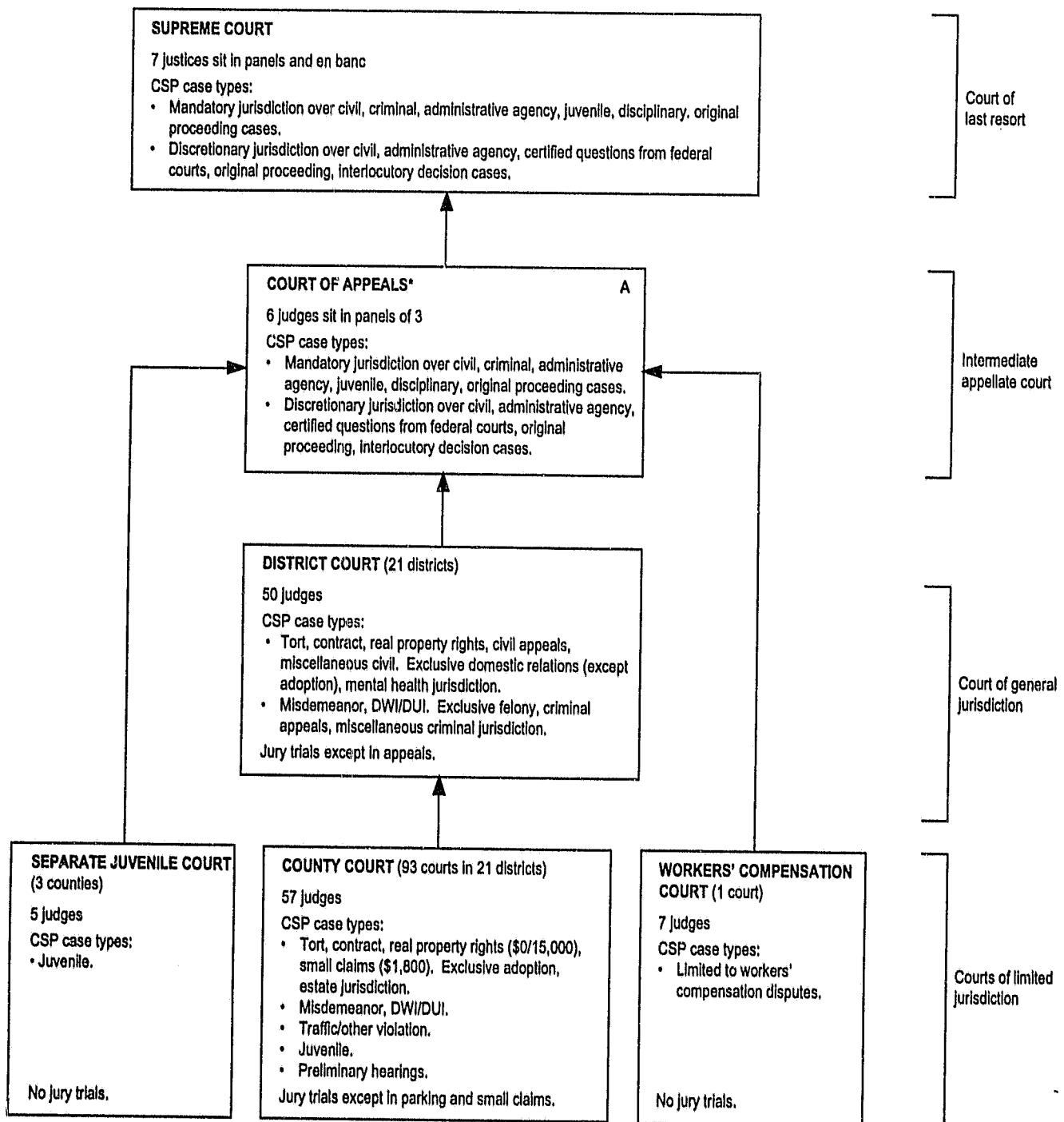
## MISSOURI COURT STRUCTURE, 1993



## MONTANA COURT STRUCTURE, 1993

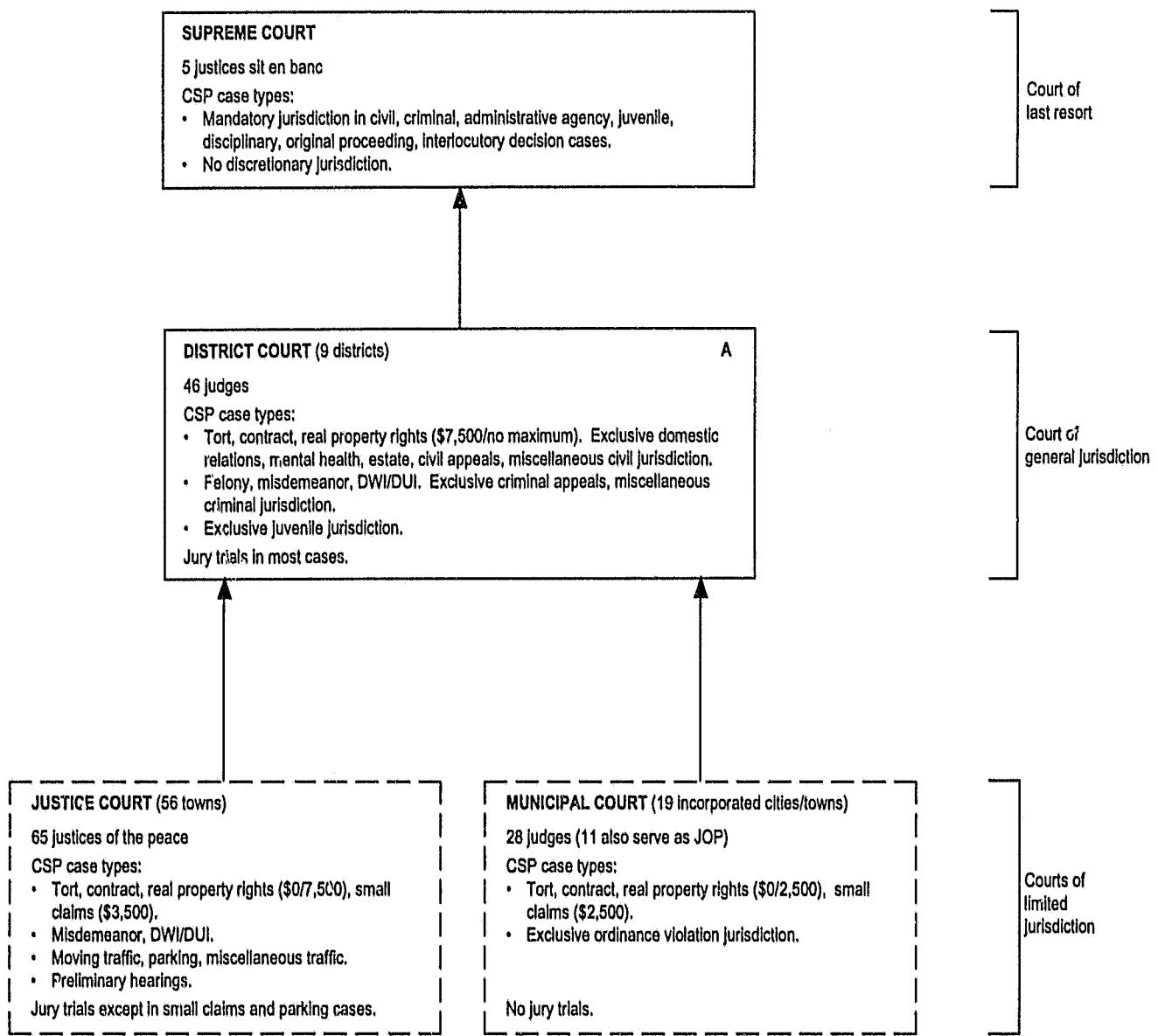


## NEBRASKA COURT STRUCTURE, 1993

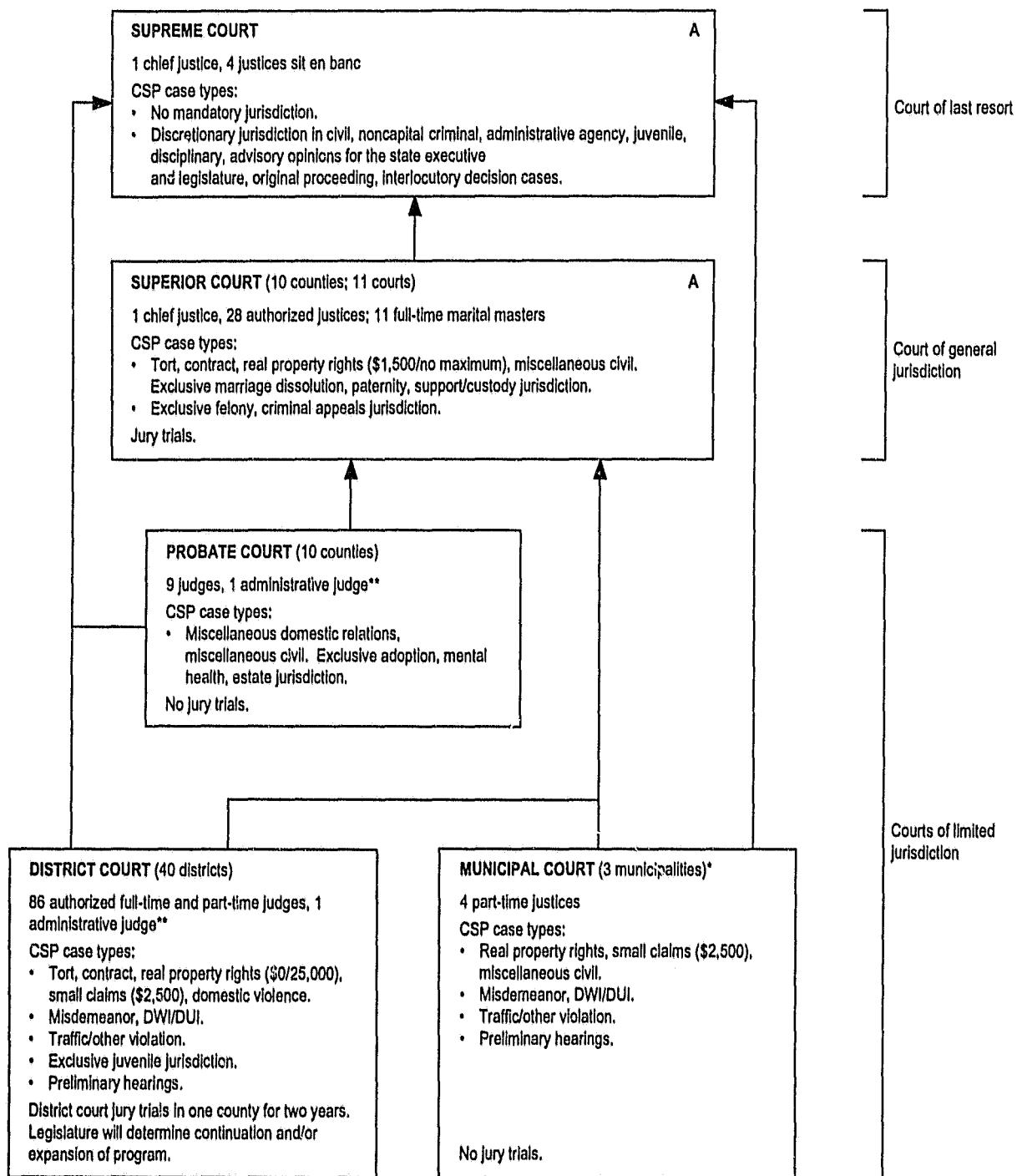


\* The Nebraska Court of Appeals was established September 6, 1991.

## NEVADA COURT STRUCTURE, 1993



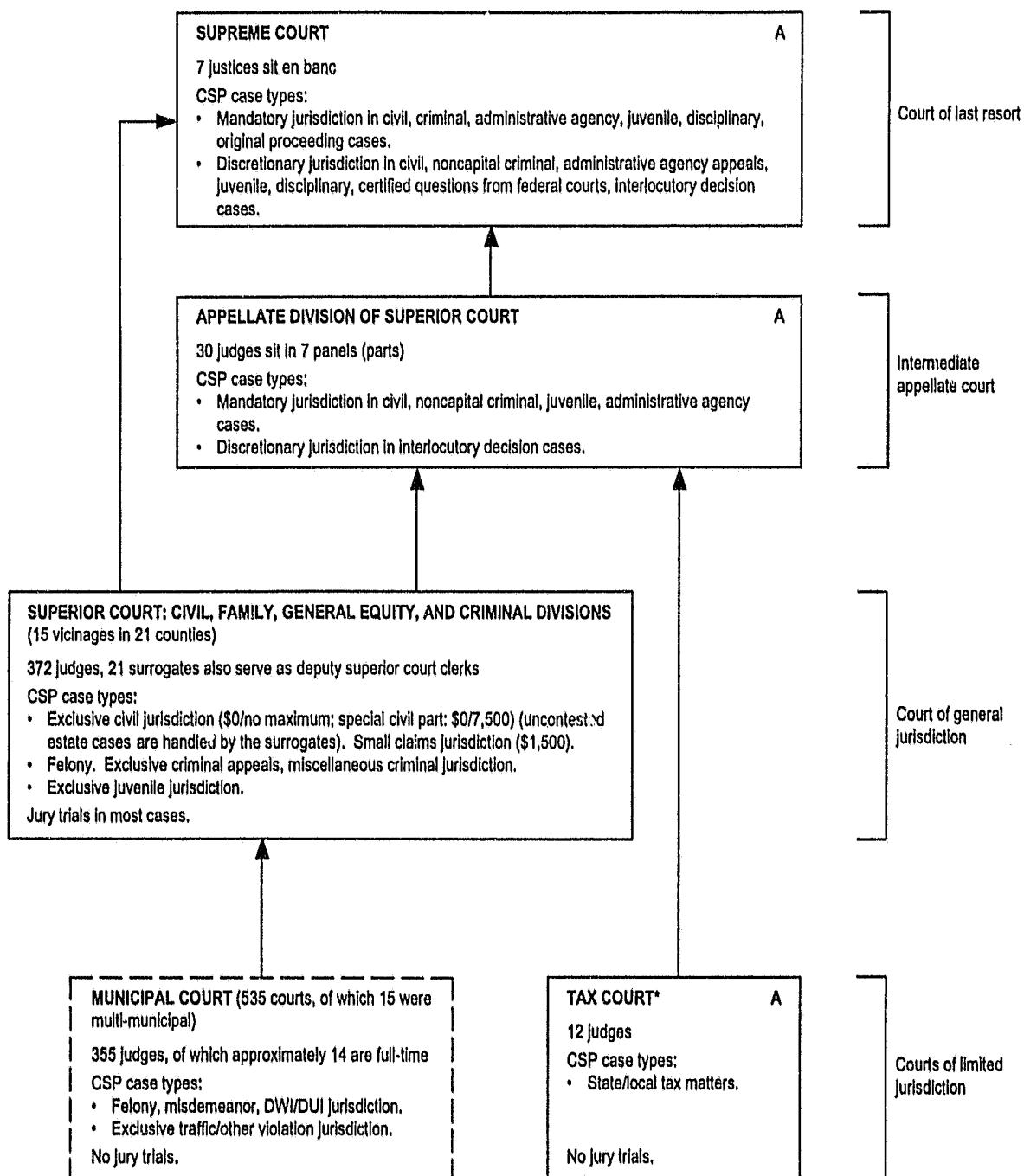
## NEW HAMPSHIRE COURT STRUCTURE, 1993



\* The municipal court is being phased out (by statute) upon retirement and/or resignation of sitting justices.

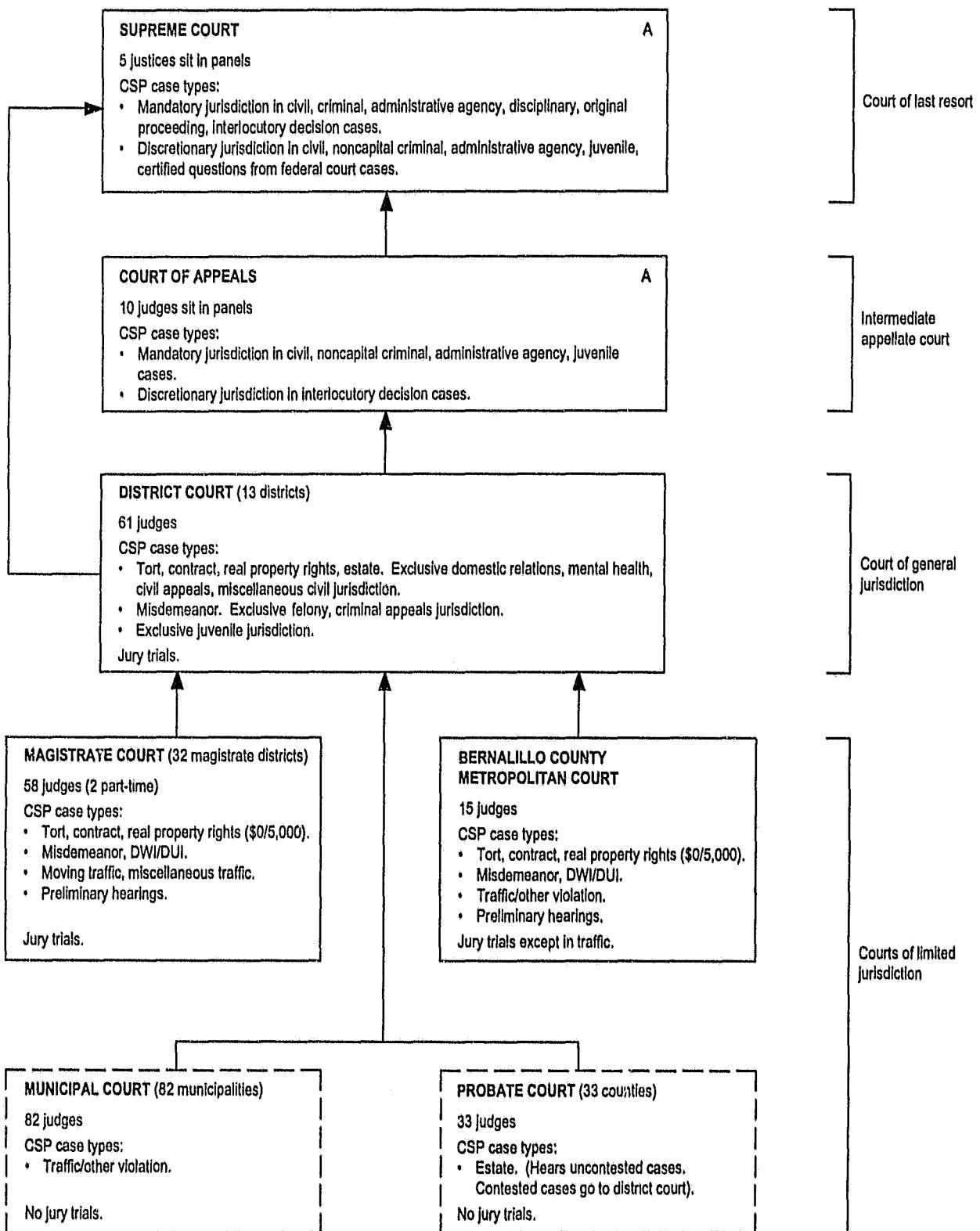
\*\* Administrative judges also sit on the bench.

## NEW JERSEY COURT STRUCTURE, 1993

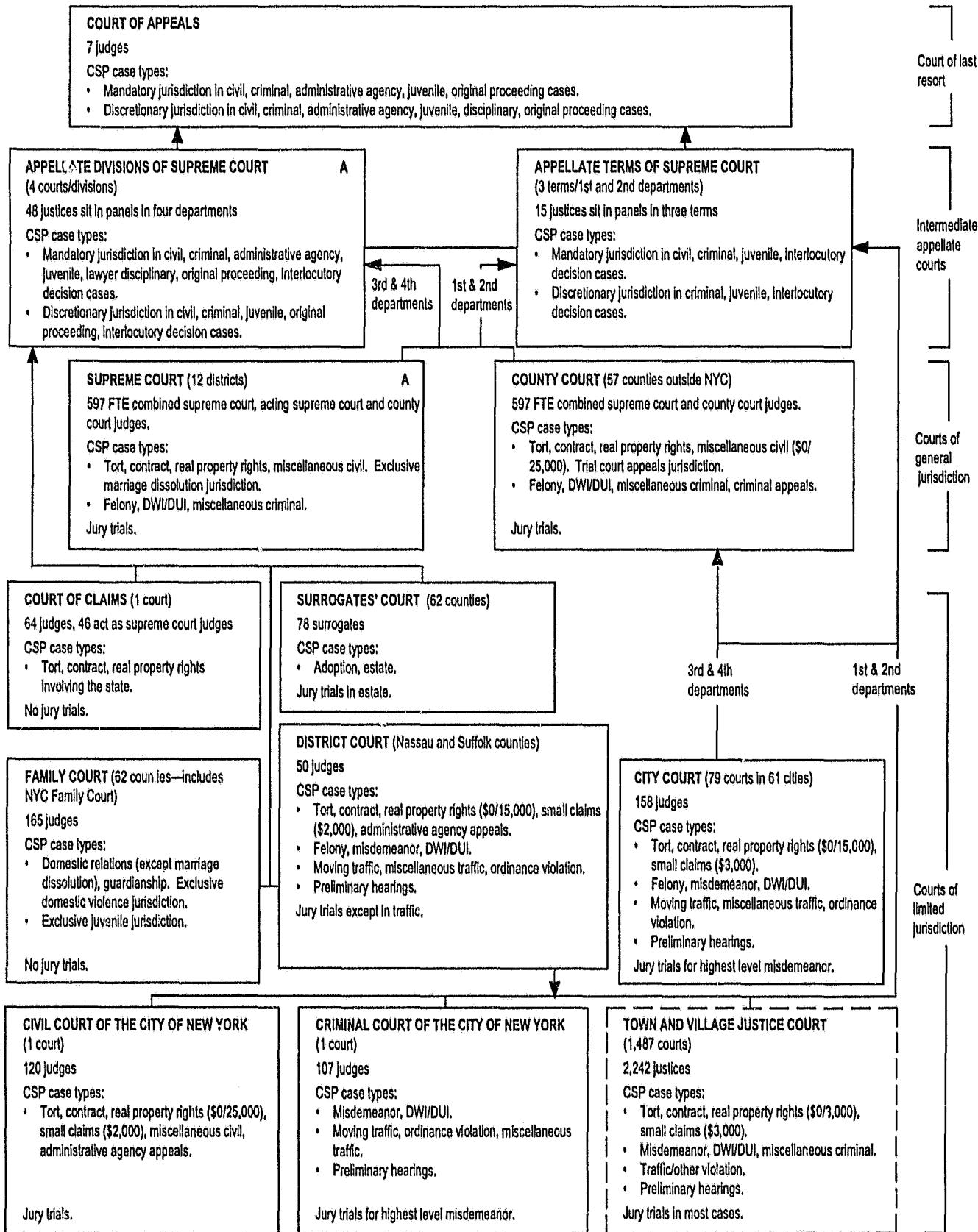


\* Tax court is considered a limited jurisdiction court because of its specialized subject matter. Nevertheless, it receives appeals from administrative bodies and its cases are appealed to the intermediate appellate court. Tax court judges have the same general qualifications and terms of service as superior court judges and can be cross assigned.

## NEW MEXICO COURT STRUCTURE, 1993

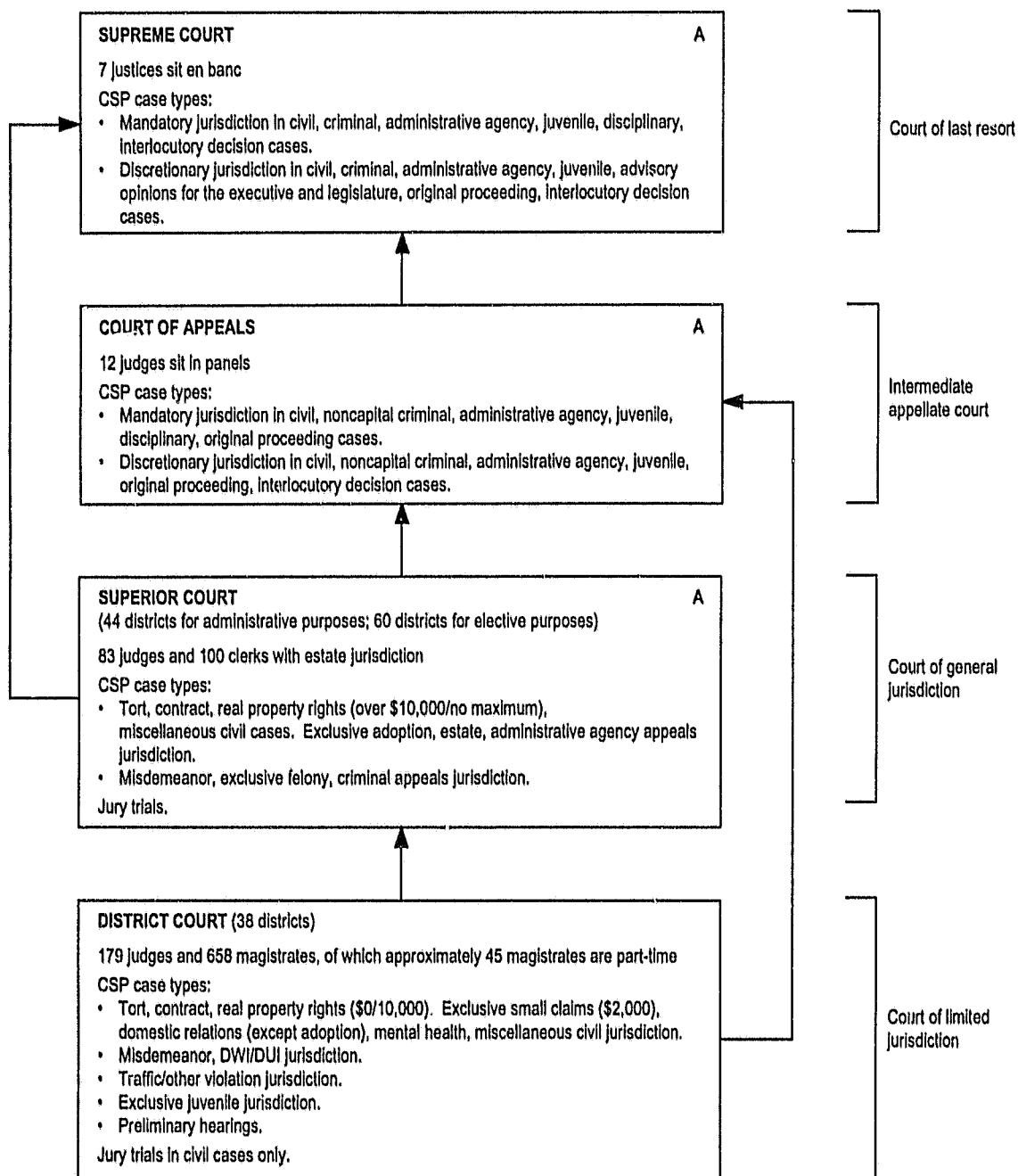


## NEW YORK COURT STRUCTURE, 1993\*

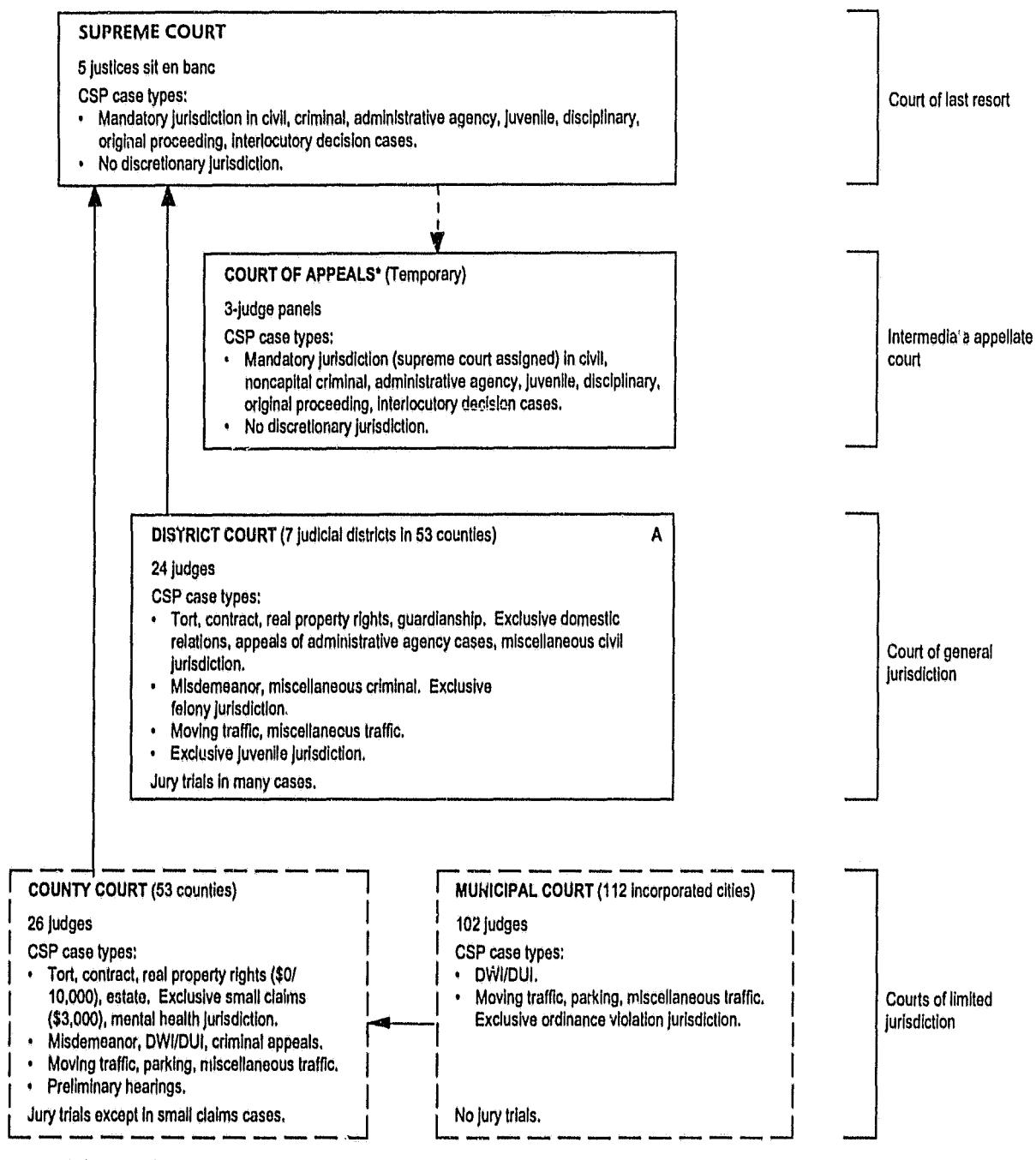


\* Unless otherwise noted numbers reflect statutory authorization. Many judges sit in more than one court so the number of judgeships indicated in this chart does not reflect the actual number of judges in the system.

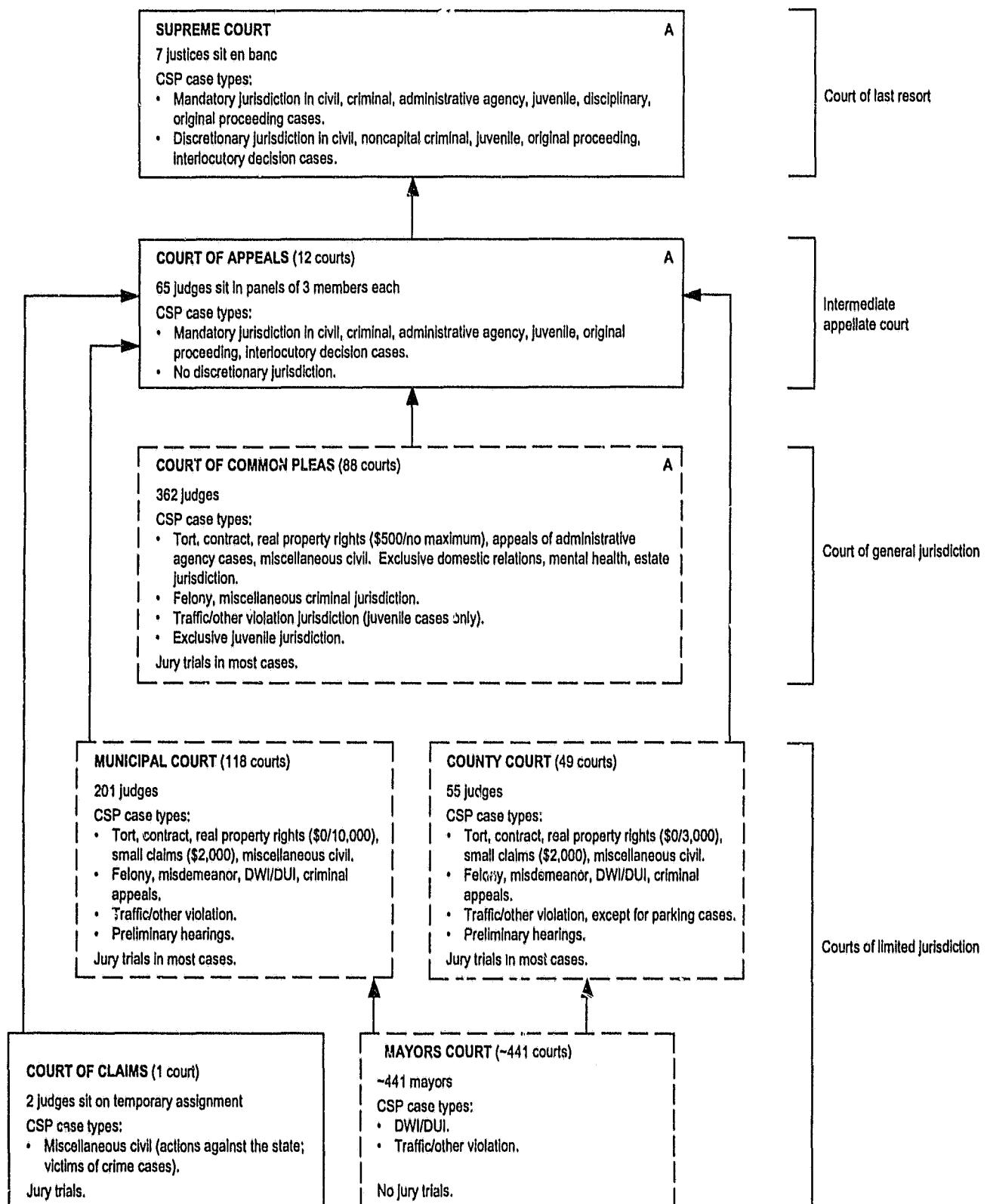
## NORTH CAROLINA COURT STRUCTURE, 1993



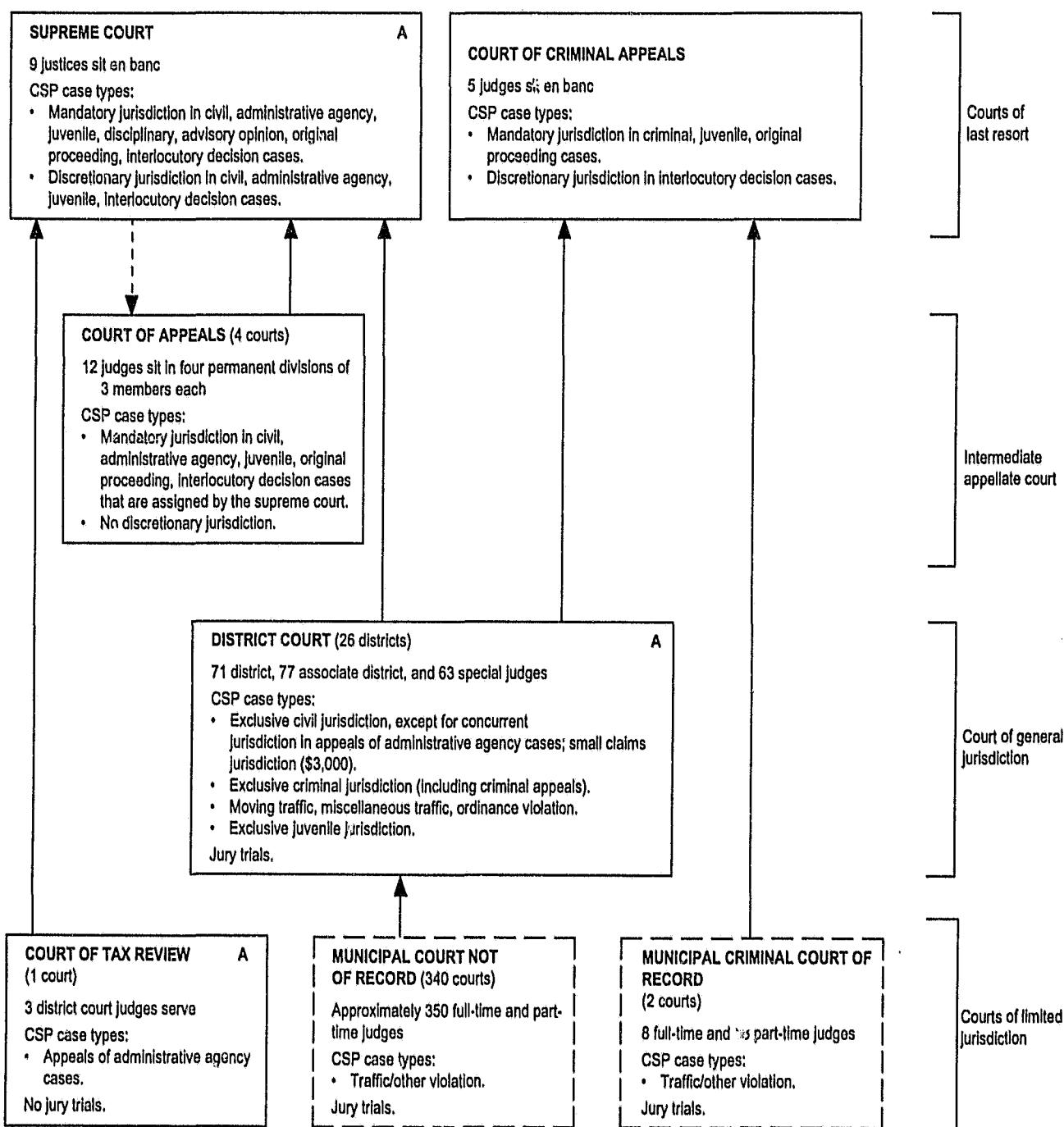
## NORTH DAKOTA COURT STRUCTURE, 1993



## OHIO COURT STRUCTURE, 1993



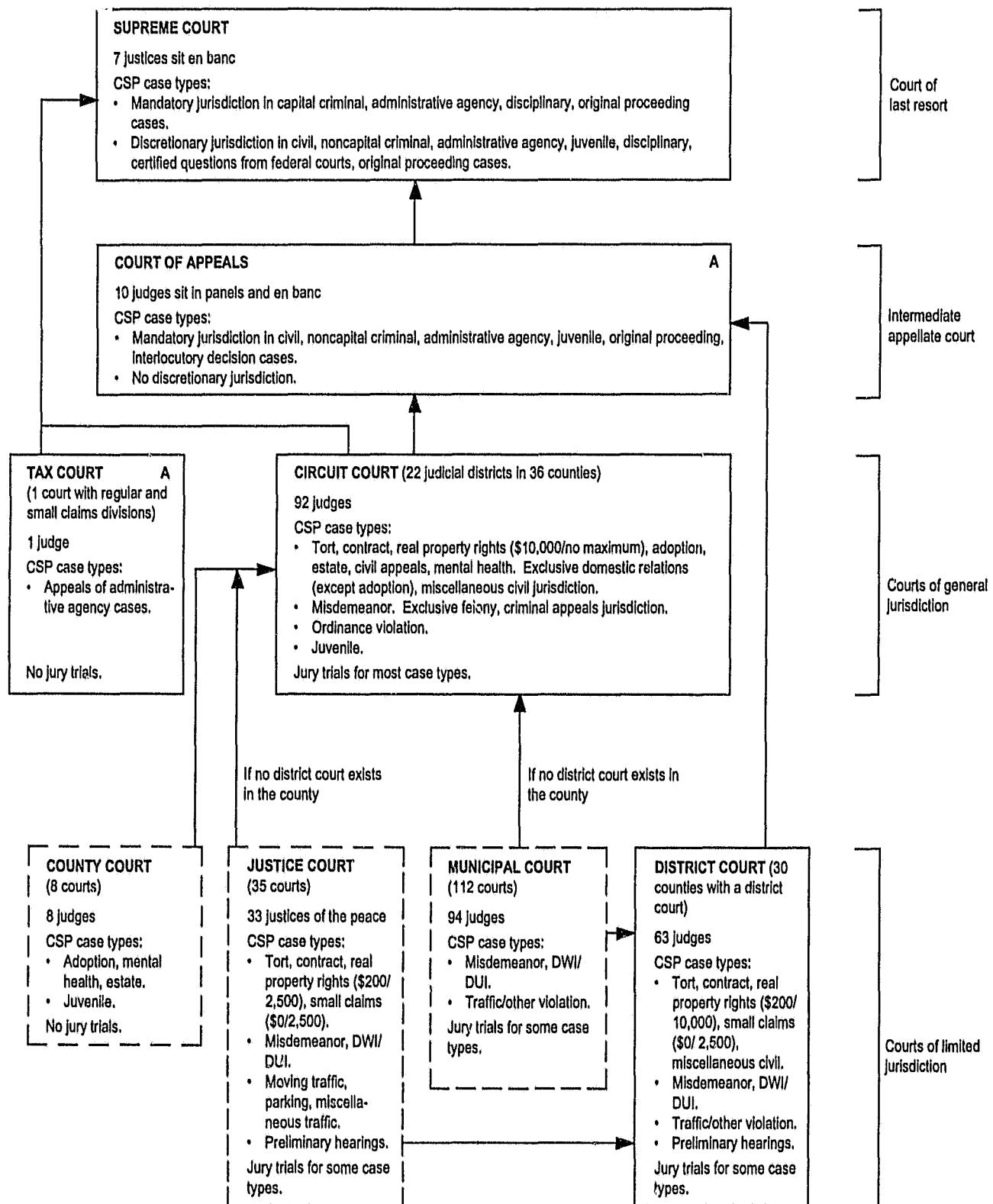
## OKLAHOMA COURT STRUCTURE, 1993



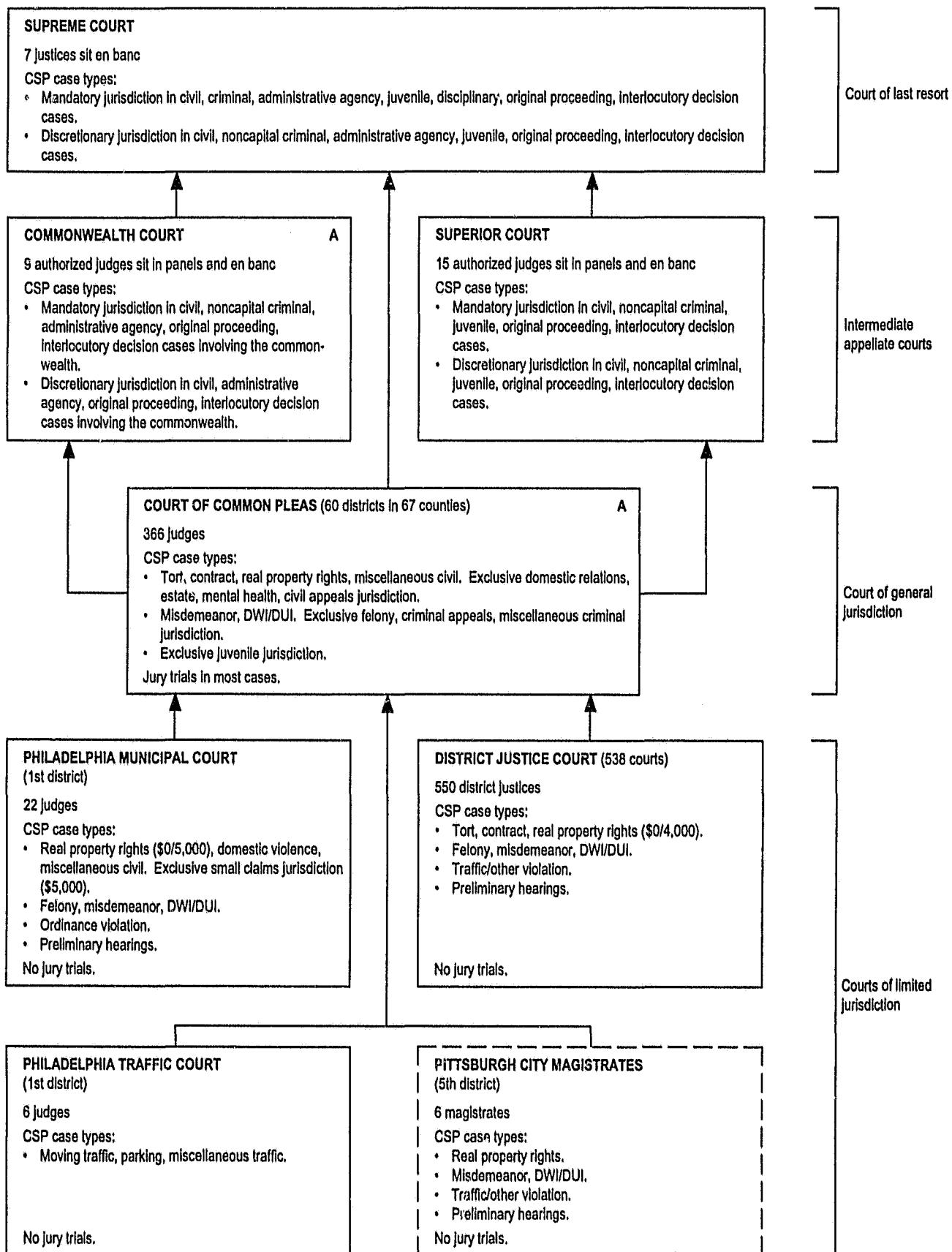
— Indicates assignment of cases.

Oklahoma has a workers' compensation court, which hears complaints that are handled exclusively by administrative agencies in other states.

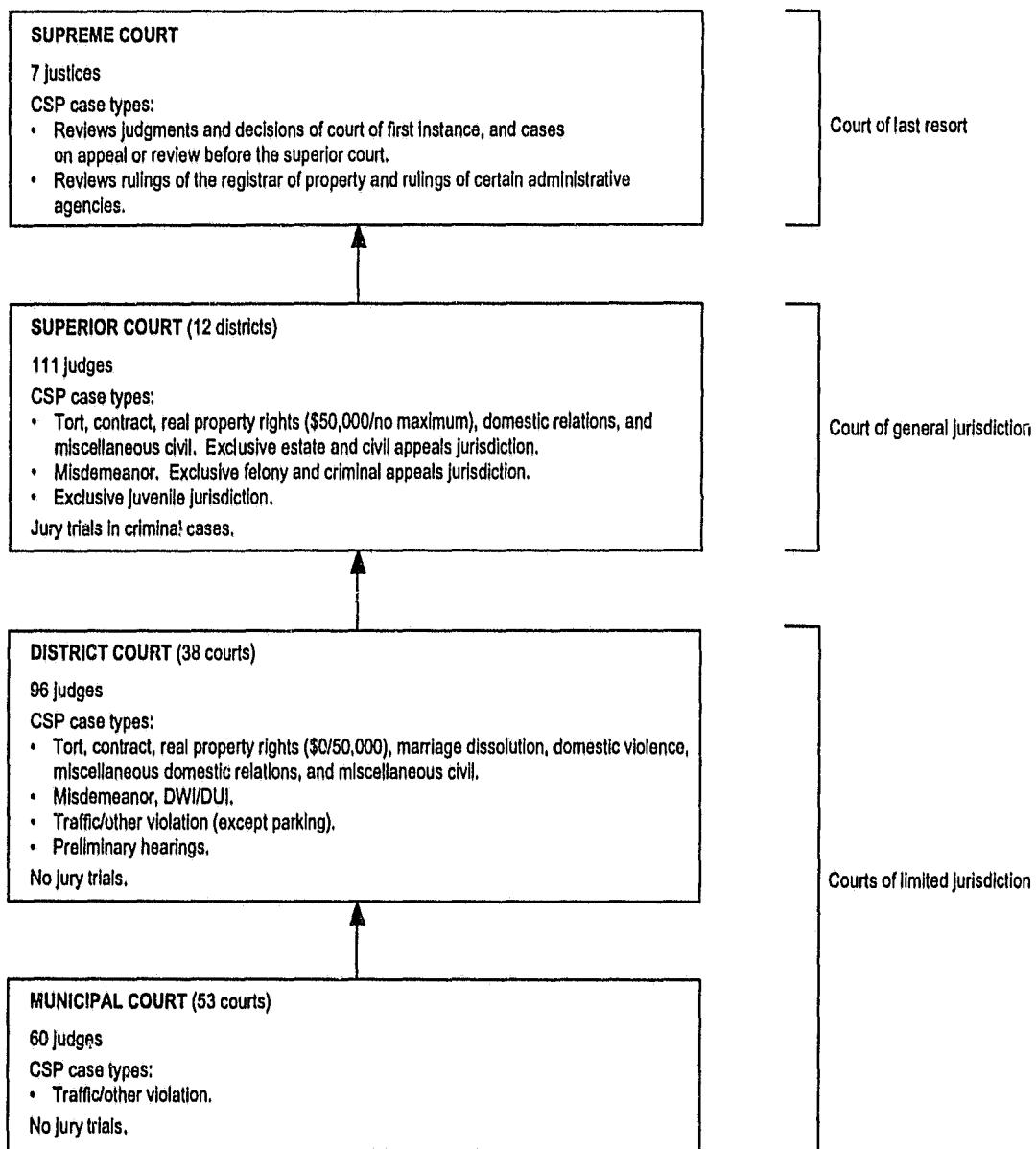
## OREGON COURT STRUCTURE, 1993



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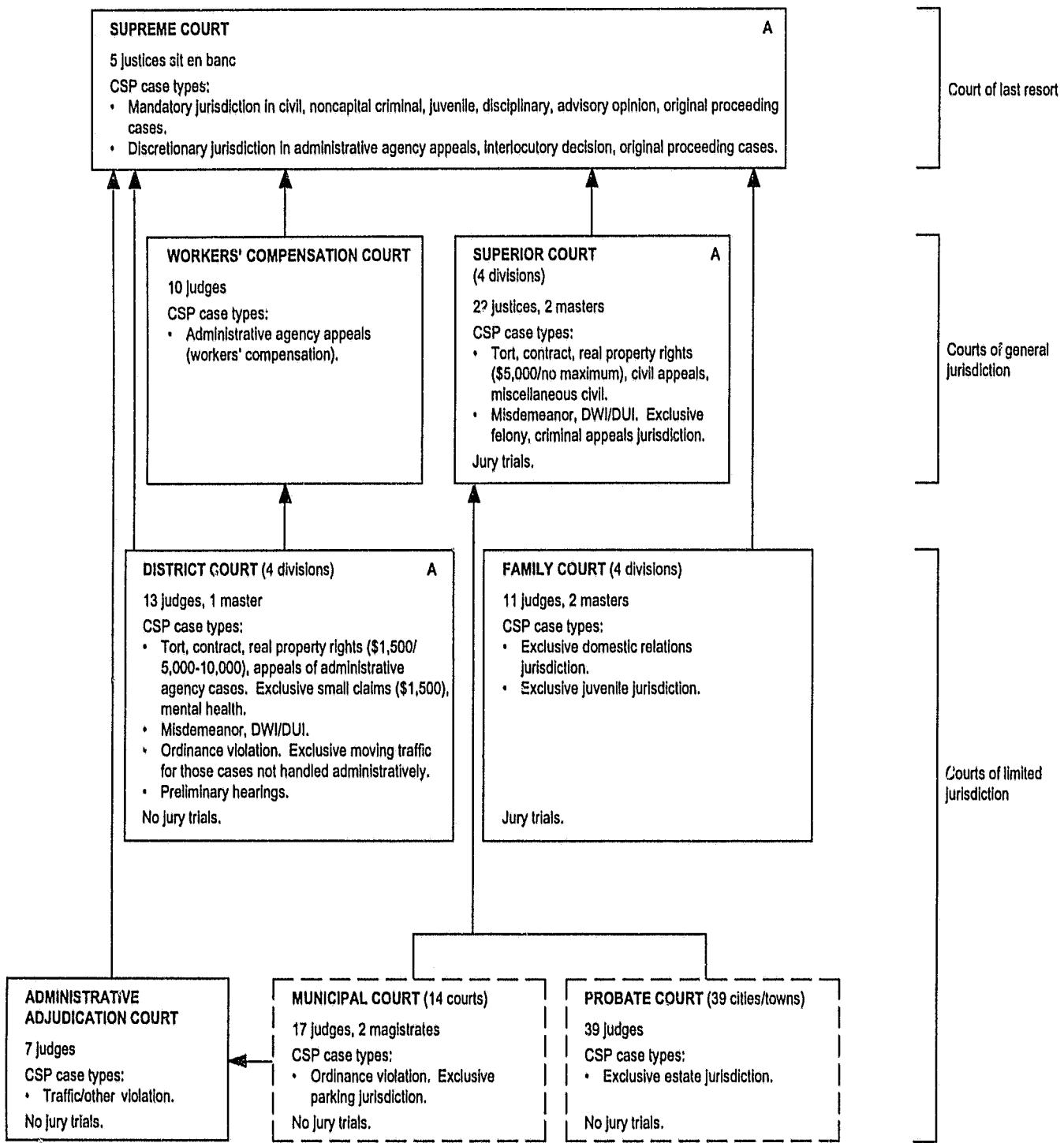


## PUERTO RICO COURT STRUCTURE, 1993

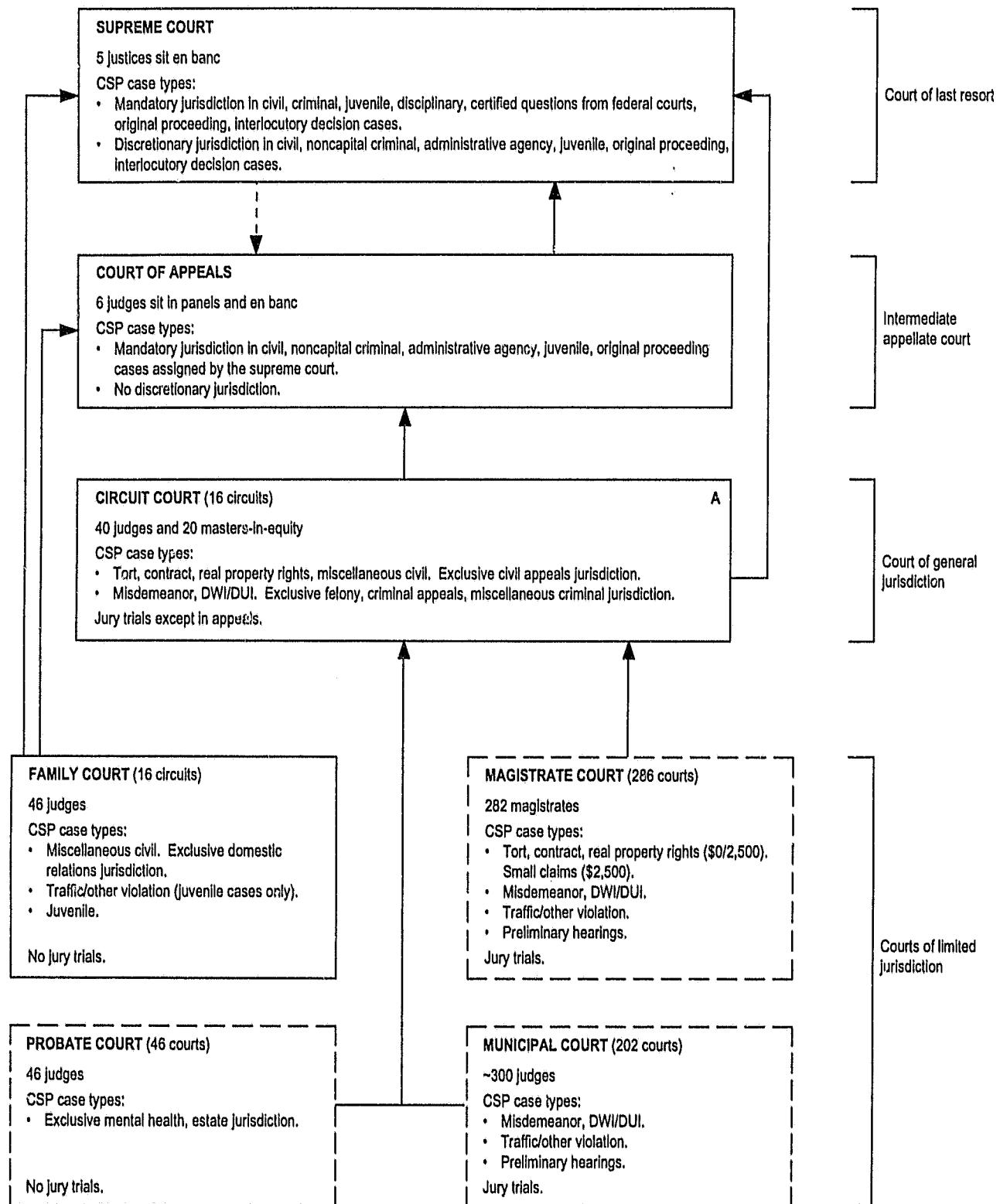


Note: Since June 30, 1991, the justice of the peace court was eliminated according to Law #17 of July 21, 1990. This jurisdiction is now with the municipal court.

## RHODE ISLAND COURT STRUCTURE, 1993

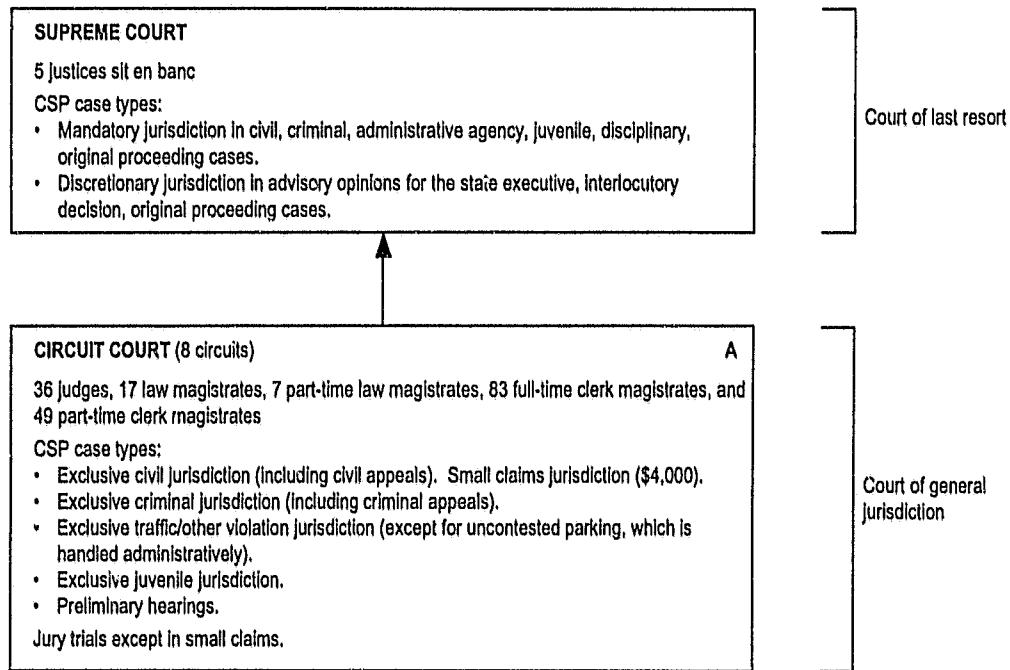


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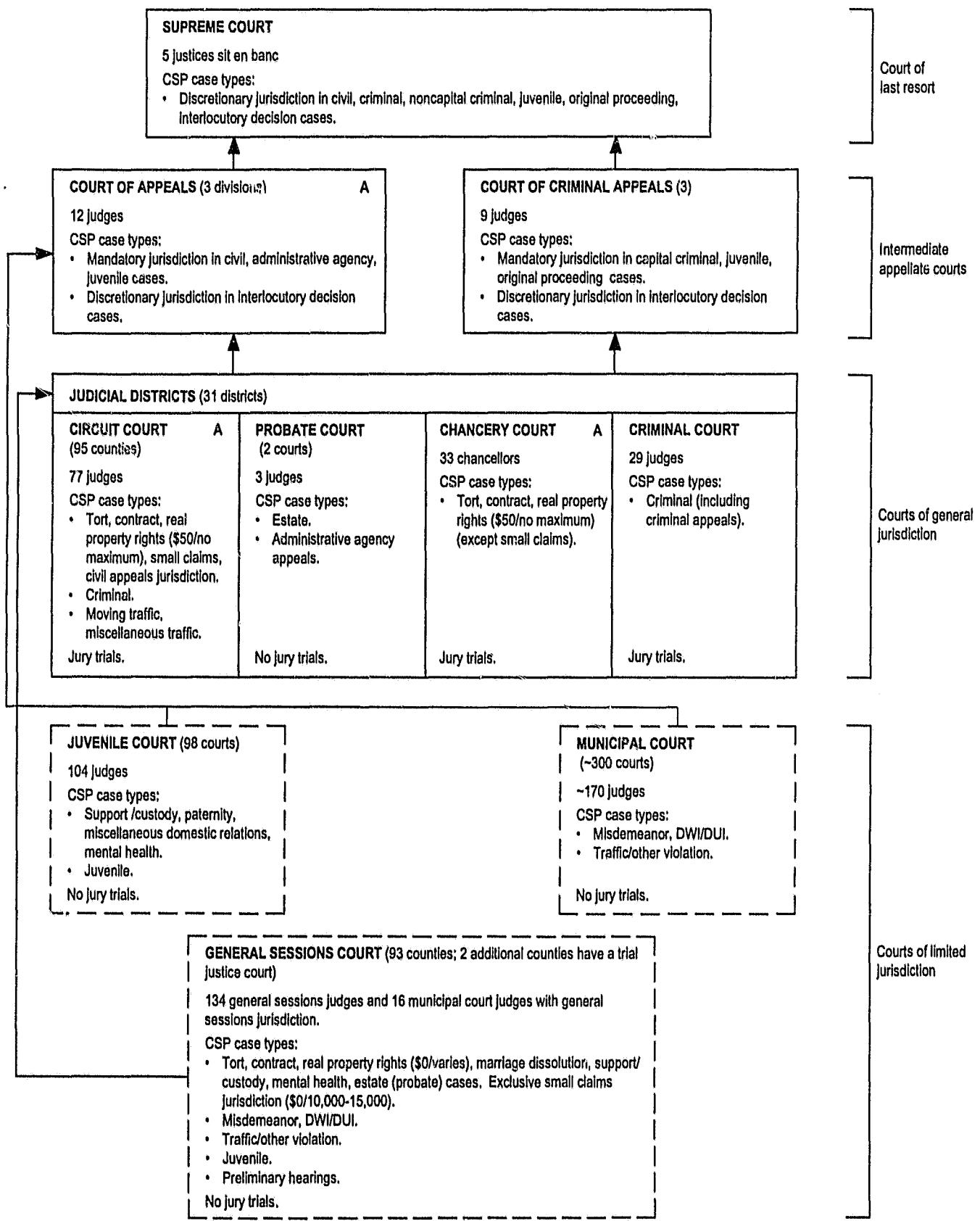


-- -- Indicates assignment of cases.

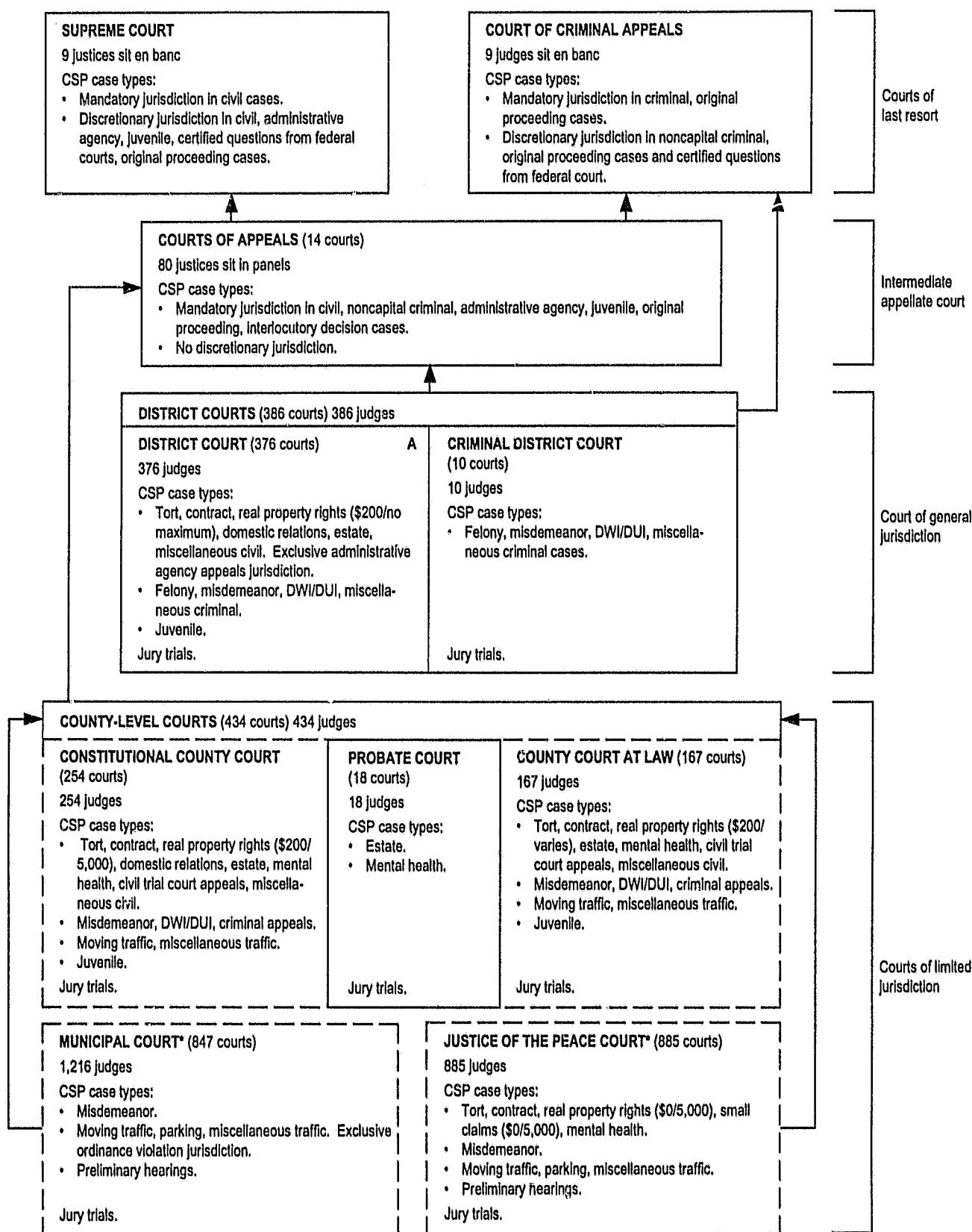
## SOUTH DAKOTA COURT STRUCTURE, 1993



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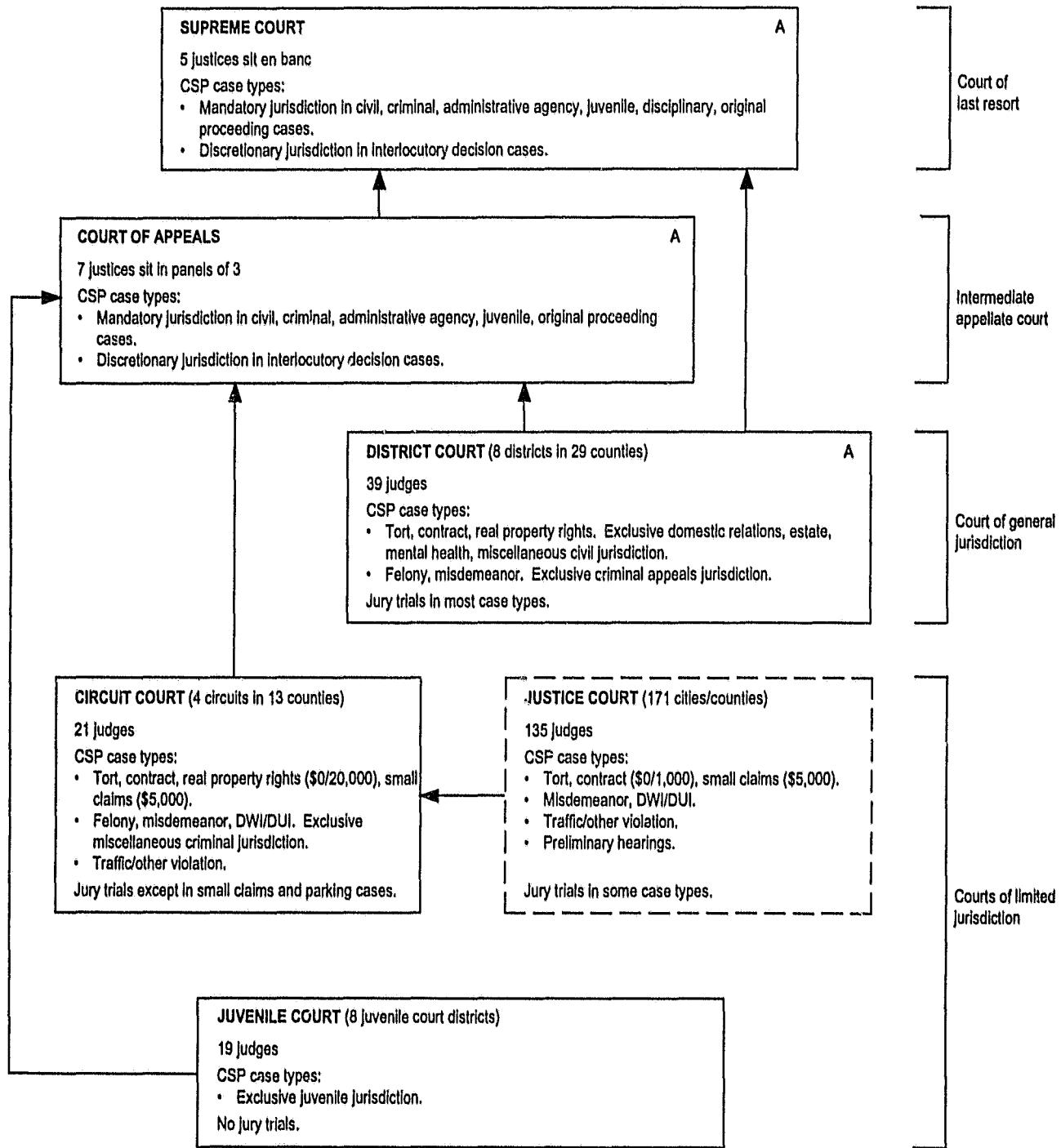


## TEXAS COURT STRUCTURE, 1993

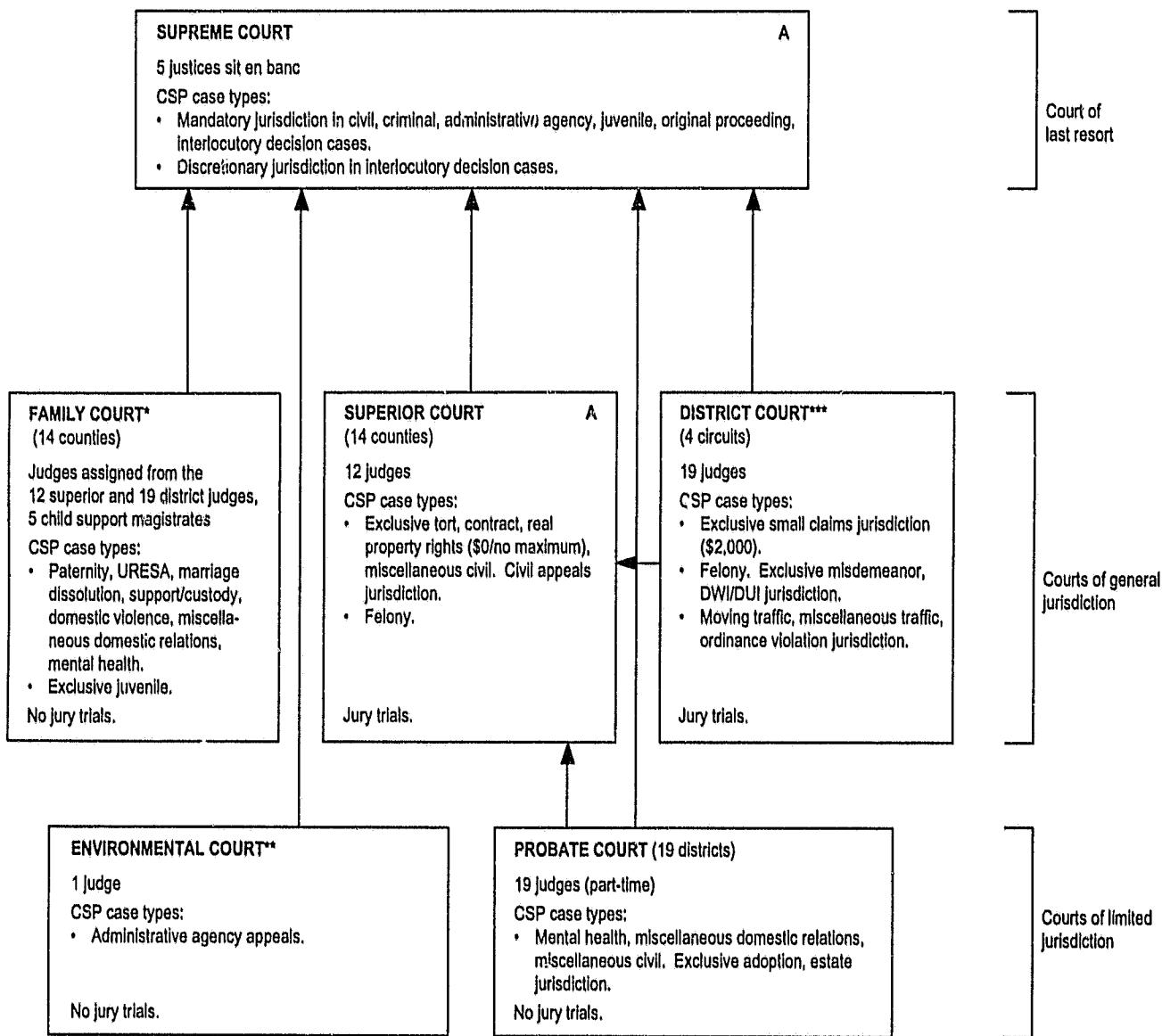


\* Some municipal and justice of the peace courts may appeal to the district court.

## UTAH COURT STRUCTURE, 1993



## VERMONT COURT STRUCTURE, 1993

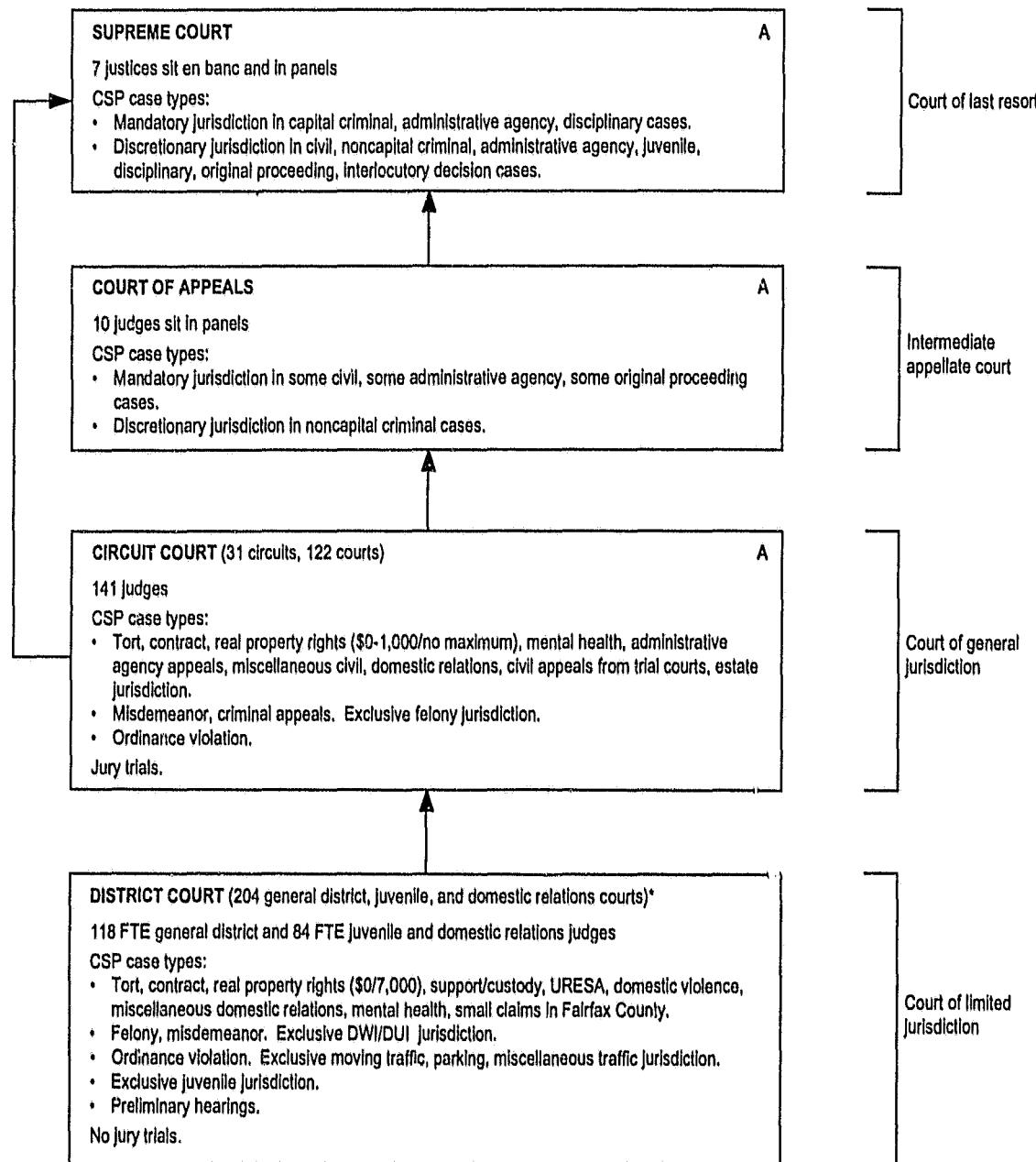


\* Vermont established a family court in 1990.

\*\* Vermont established an environmental court in 1990.

\*\*\* The district court, although created as a court of limited jurisdiction, has steadily increased its scope to include almost all criminal matters. In 1983, the district court was granted jurisdiction over all criminal cases, and has become the court of general jurisdiction for most criminal matters. A small number of appeals go to the superior court. Effective July 1, 1990, most traffic offenses became civil violations and were placed in the jurisdiction of the Vermont Traffic Bureau.

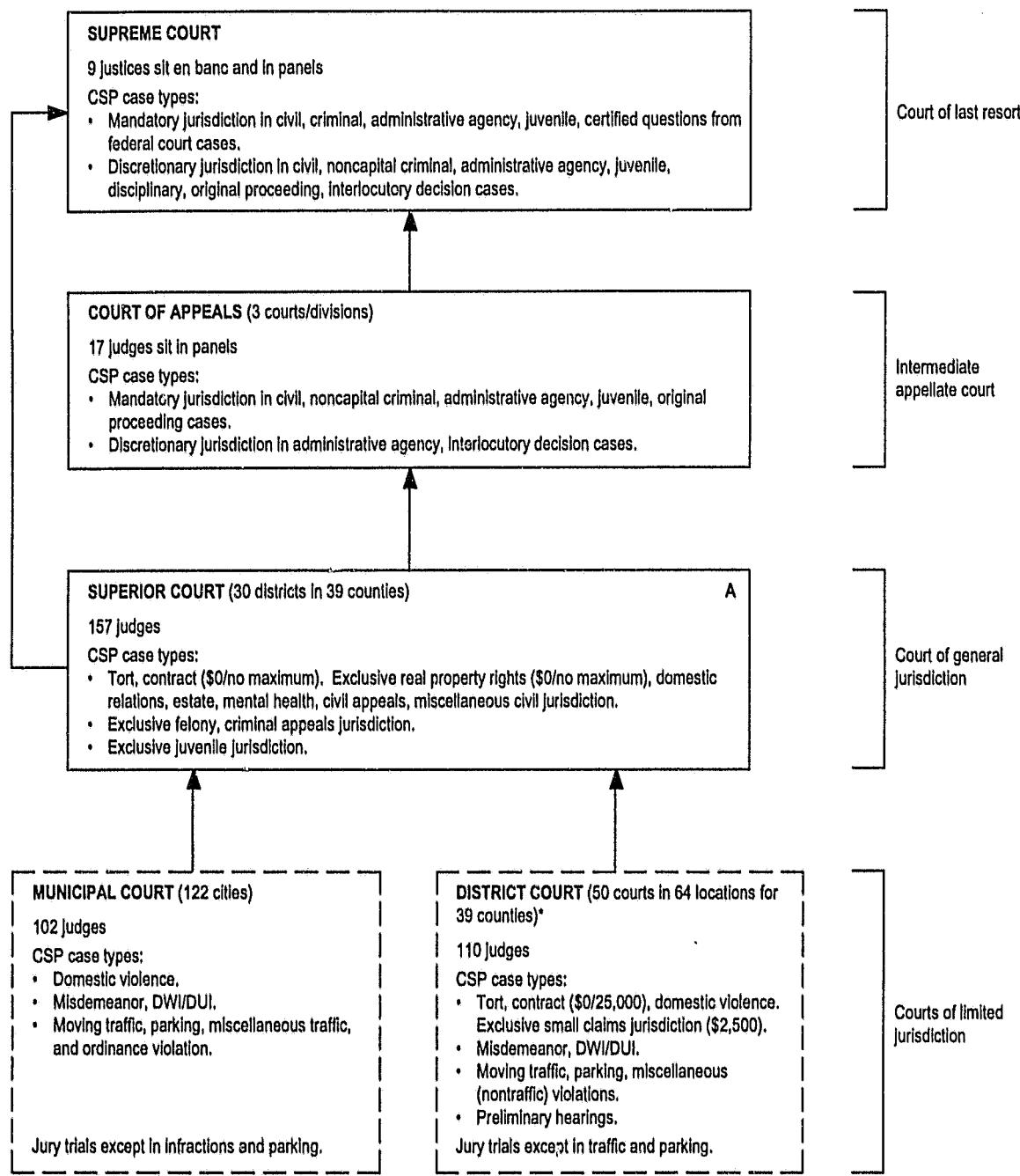
## VIRGINIA COURT STRUCTURE, 1993



\* The district court is referred to as the juvenile and domestic relations court when hearing juvenile and domestic relations cases, and as the general district court for the balance of the cases.

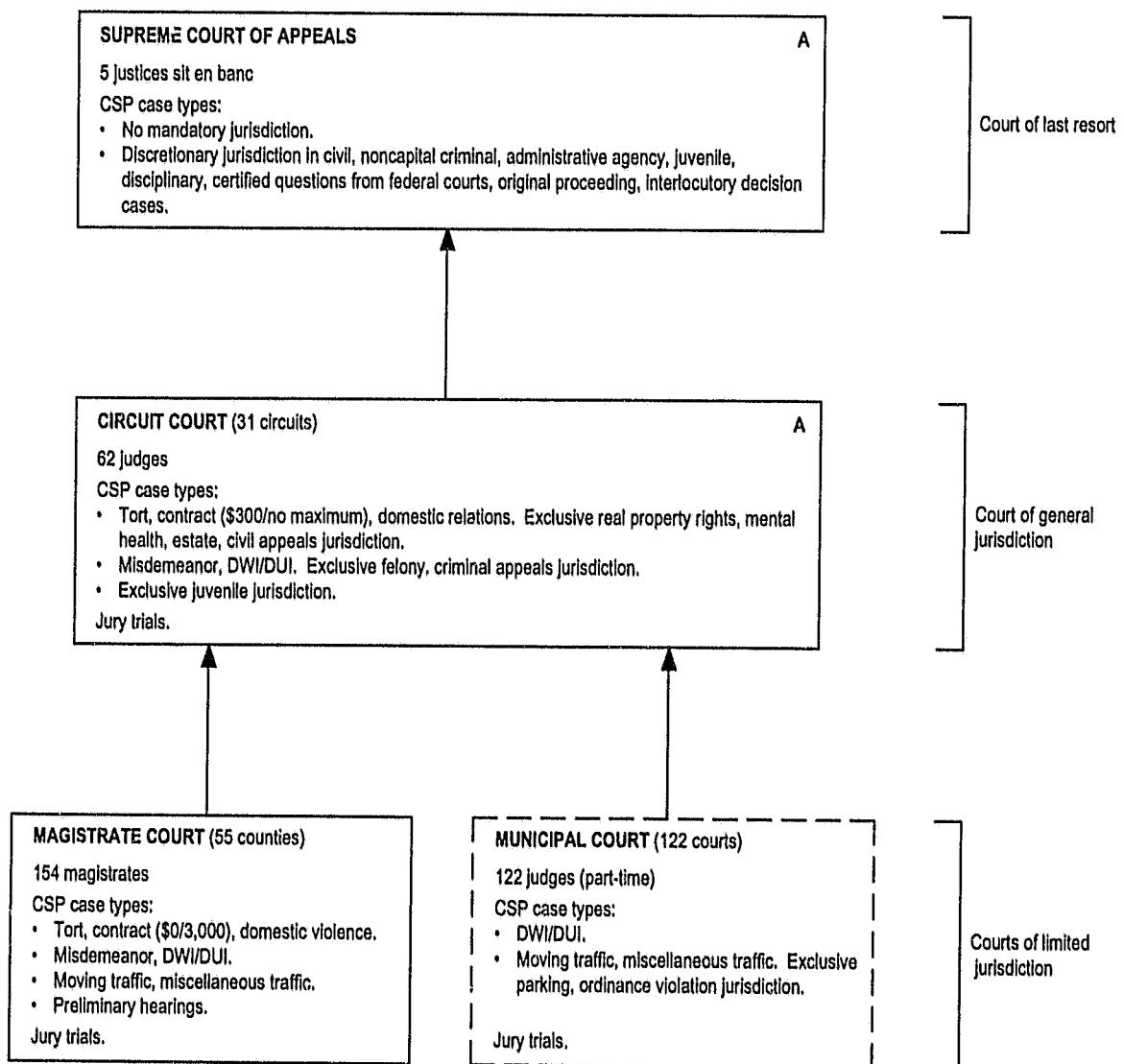
NOTE: A family court pilot project authorized by legislation passed in the 1989 session of the general assembly became operational on January 2, 1990, and concluded its two-year pilot operation on December 31, 1991.

## WASHINGTON COURT STRUCTURE, 1993

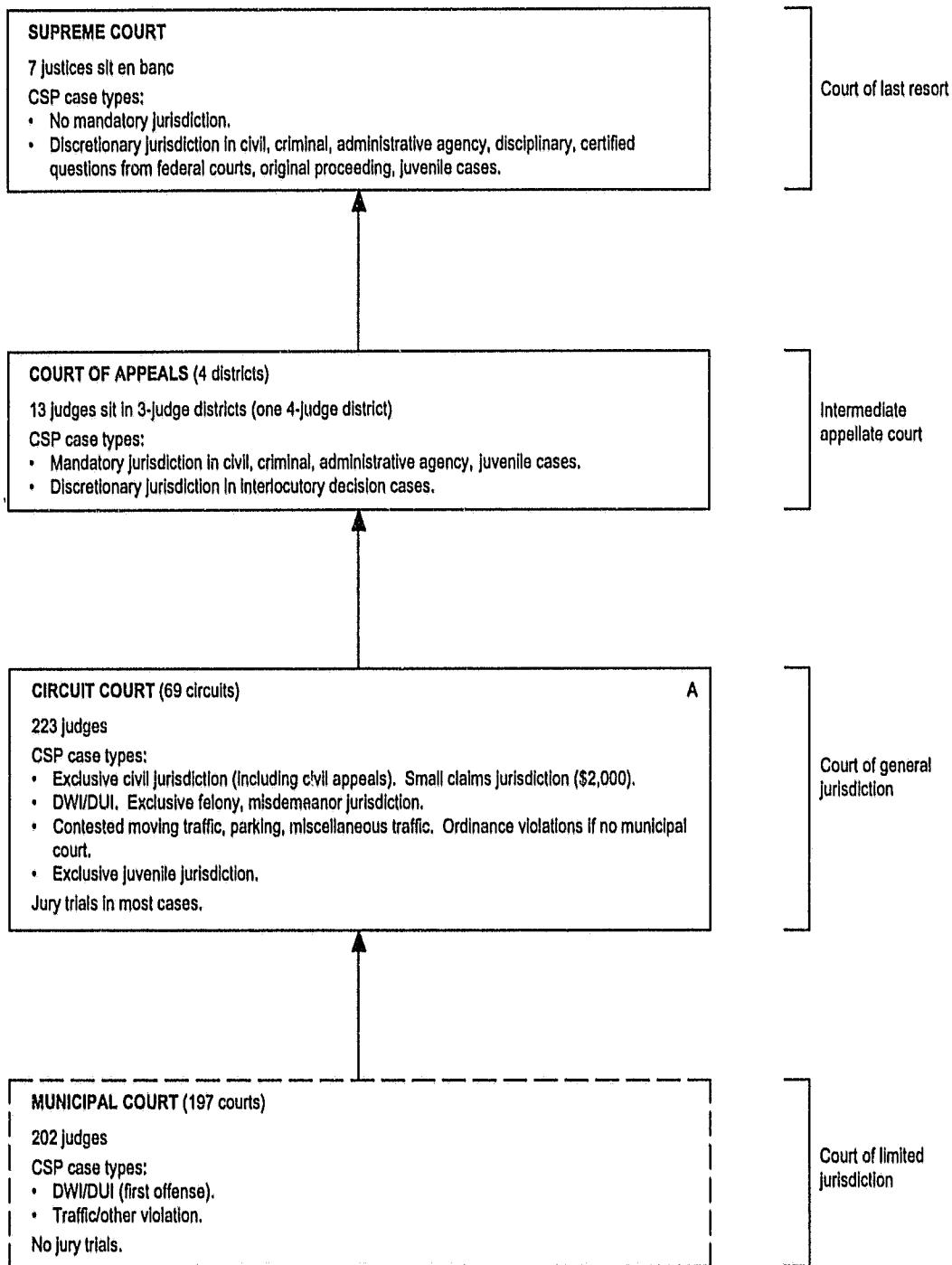


\* District court provides services to municipalities that do not have a municipal court.

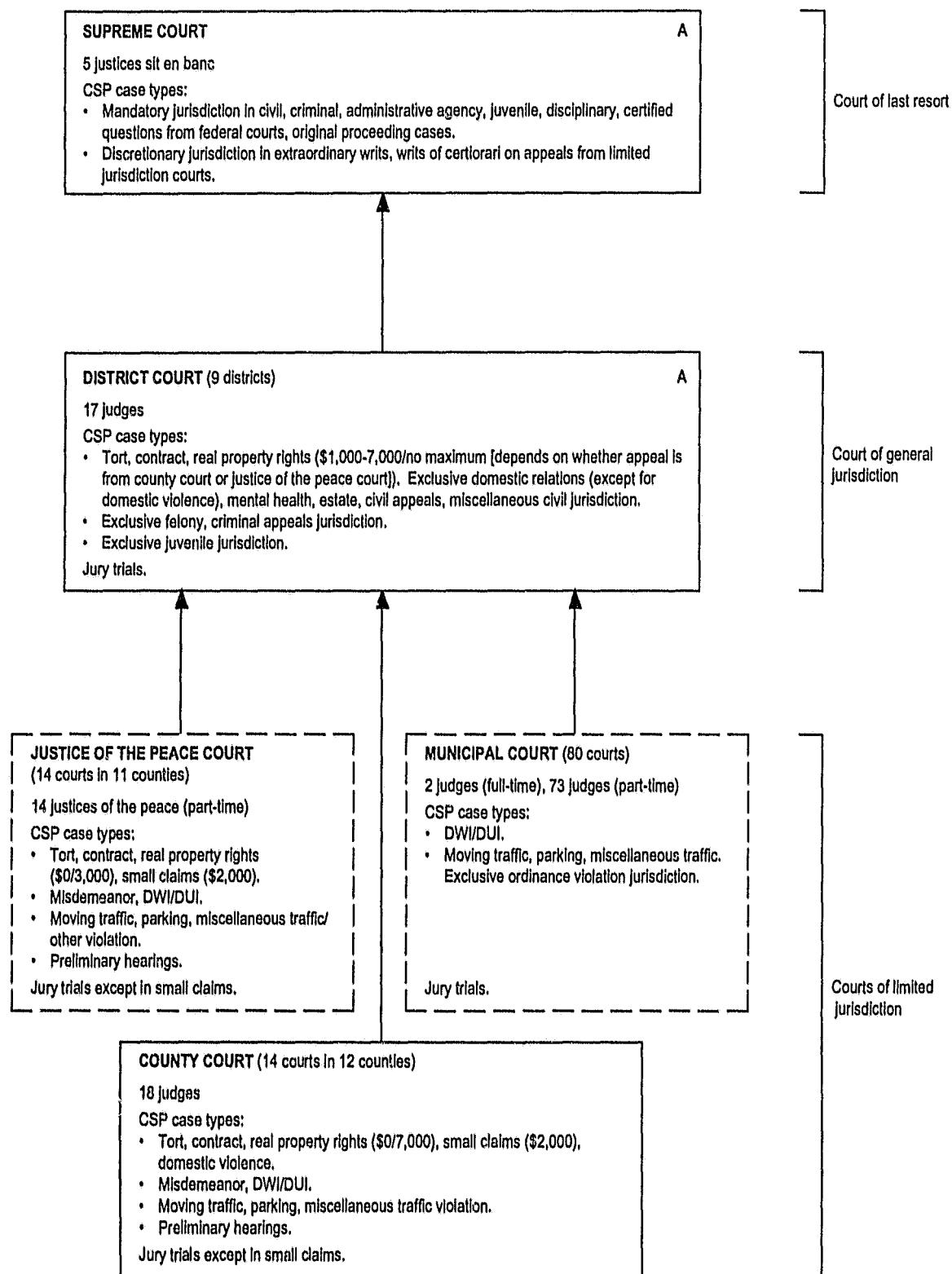
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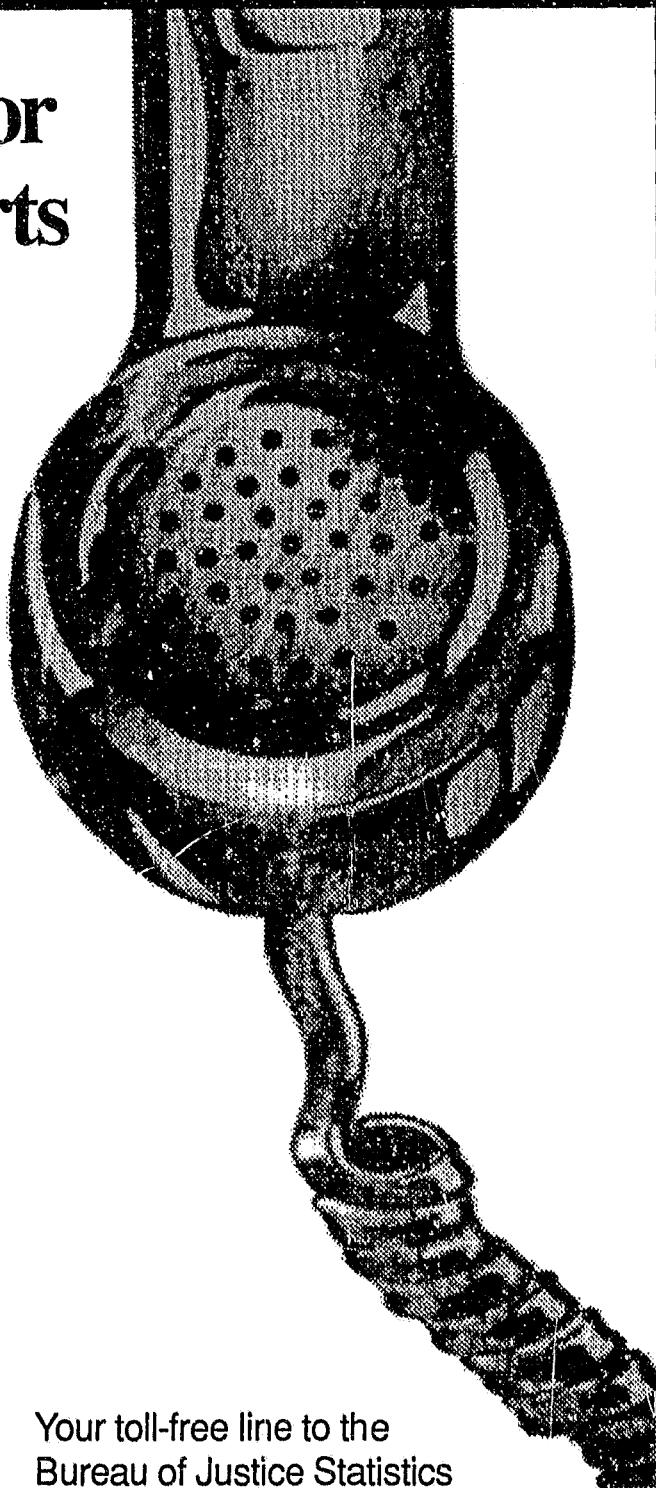
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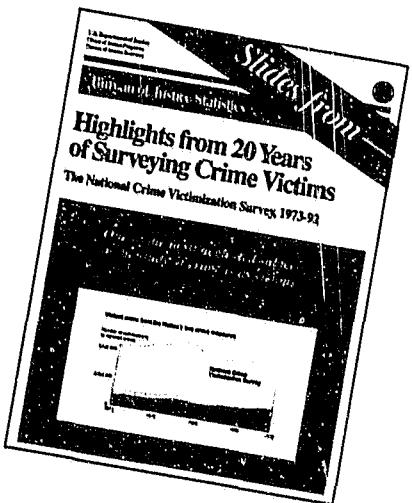
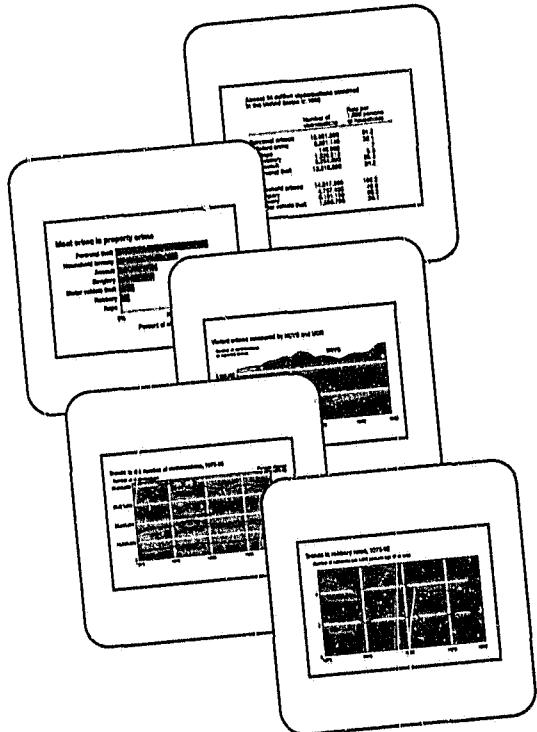


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Summary and methodology, vol. I, NCJ-127892, 3/91

Data for individual jails in the Northeast, Midwest, South, West, vol. II-V, NCJ-130759-130762, 9/91

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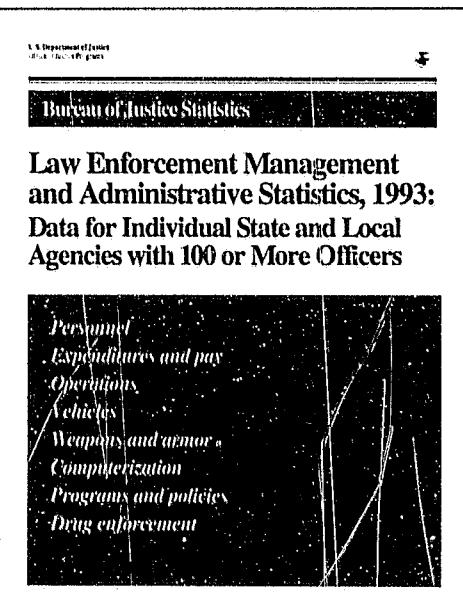
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