

Vermont Judiciary
Annual Statistical Report for FY 2014

Vermont Judicial Branch Annual Statistical Report

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Highlights from the Report:

Family

- The number of CHINS petitions on the grounds of abuse or neglect of child has increased by 62% since 2010. This represents the largest case filing increase in the Superior Court. For the first time in a decade or more, CHINS filings now outnumber delinquency petitions.
- In every year in the past five years, the Superior Court has disposed of fewer cases than the number of cases filed. The clearance rate in FY14 was 74.6%, which represents the lowest clearance rate for any case type in the Superior Court. The backlog of CHINS cases continues to grow with the steepest growth occurring in FY14.
- Delinquency petitions have steadily declined over the past five years. This trend mirrors the decline in misdemeanor criminal filings and is consistent with national trends.
- Termination of parental rights petitions in juvenile cases have increased by 21% in the last five years.
- There has been a 10% decline in divorce filings over the past five years, the first decline of any significance in decades.
- Petitions for protective orders for relief from abuse have also declined in the past five years by about 10%.
- The fastest growing case type in the Mental Health docket is involuntary medication applications. Filings doubled in FY14 over filings in FY13.

Criminal

- Felony filings were down slightly in FY14 as compared to FY13, but still 4% higher than they were in 2010. The major increases in felony filings over the past 5 years are in domestic violence felonies which are up 30% and felony drug filings which are up 25%.
- As a result of the decriminalization of marijuana in 2013, misdemeanor drug charges declined by 71% in FY14 as compared to the previous year.
- The number of criminal jury trials has decreased by 25% over the last five years.

Civil

- Filings in major civil cases declined by 11% in FY15 over FY14, primarily as a result of a decline in foreclosure filings. Foreclosure filings are beginning to recede back towards pre-recession levels, but are still high compared to FY05 and FY06.
- The decline in small claims cases which began in FY11 has continued and, although filings in FY14 were up slightly over FY13, they are still 30% below FY10.
- Final orders were granted in only 23% of the civil complaints that were filed seeking an order against stalking or sexual assault.

Environmental

- Cases in the environmental division declined by 25% between FY10 and FY13. FY14 brought a sharp increase in filings primarily as a result of the implementation of environmental enforcement tickets.

Introduction

The purpose of this report is to highlight trends in the five divisions of the Superior Court and in the Supreme Court with respect to the filing and disposition of cases. For many years, the Judiciary has posted annual data reports on our web site. We reported the data for each fiscal year, but without any context. There was no way to compare the data from one year to the year before or the year after without opening every report.

In addition to providing data on the number of cases added and disposed, this report also measures performance with respect to timeliness using the three performance measurements that are part of the National Center for State Courts' CourTools. The three measures are:

Clearance Rate

The clearance rate measures the number of disposed cases as a percentage of the number of incoming cases. The purpose is to measure whether the court is keeping up with its incoming caseload. If the Clearance rate is 100%, the court is basically staying even. A clearance rate above 100% indicates that the Court is disposing more cases than it is adding and should reflect a decrease in backlogged cases. A clearance rate below 100% indicates that the Court has added more cases than it has disposed which means that the backlog of cases is increasing.

Age of Active Pending Caseload

This is a point in time measurement usually done on the last day of the fiscal year. The age of the active pending cases is measured against the time standard or disposition goal for that particular case type set by the Supreme Court to determine how many of the active unresolved cases are within the goal and how many have exceeded the goal.

Time to Disposition

This measure looks at all of cases disposed during the fiscal year and measures the percentage that were resolved within the disposition time standard or goal for that case type and the percentage that exceeded the goal. It is important to note that it would be very rare indeed for every case to be decided within the disposition goal. (If that were the case, the goal is probably too high and should be lowered.) Typically, if the percentage decided within the disposition time standard is around 80% to 85%, it probably means that the court is doing fairly well provided that the cases that exceeded the goal did so within a reasonable margin.

Disposition Time Standards

The Vermont Supreme Court has adopted by Administrative Directive disposition time standards or goals for many, but not all, case types in the Superior Court. Where time standards have not yet been adopted, it is obviously difficult to use either the second or third NCSC measurement described above. We have noted in this report case types which do not yet have time standards. Where the Court has adopted time standards, it has recognized that in every case type, there are standard cases and then there are complex cases and the complex cases need longer time frames. The Court has therefore adopted a differentiated case management system which sets a time frame as a goal for standard cases and a somewhat longer goal for complex cases. Unfortunately, we lack the capacity in our current case management system to easily identify the complex cases. Therefore, for the most part, our measurement with respect to timely disposition are based on an assumption that all cases are standard, an assumption that we recognize is not accurate.

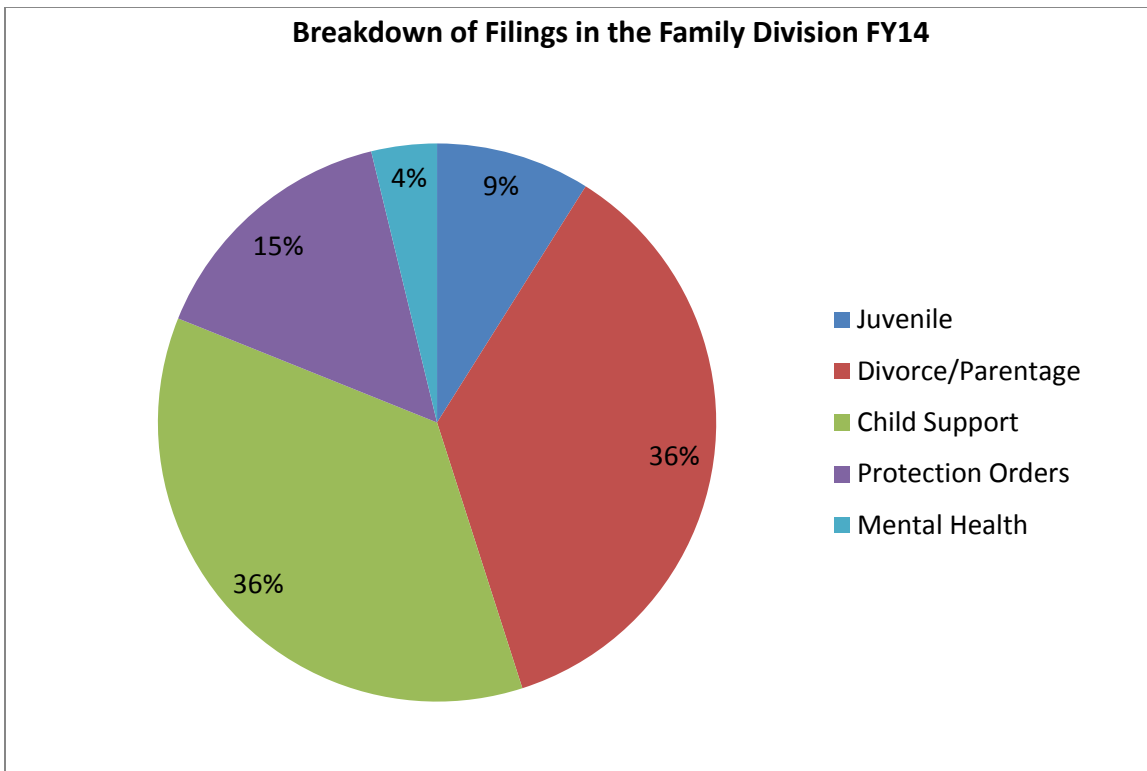
Family Division

Statewide Data

For statistical purposes Family Division cases are divided into three major categories: domestic, juvenile and mental health. Each of these categories is comprised of several different case types as shown below:

JUVENILE	Child in Need of Care and Supervision – abuse/neglect and beyond parental control
	Delinquency (including youthful offenders)
	Termination of Parental Rights
DOMESTIC	Divorce/Dissolution
	Parentage
	Post Judgment Motions for Enforcement or Modification of final orders
	Child Support Establishment and Motions for Enforcement or Modification of final orders
	Protection Orders for Relief From Abuse
MENTAL HEALTH	Application for Involuntary Treatment (Hospitalization)
	Application for Involuntary Medication

The chart below depicts the breakdown of the various case types in the family division based solely on numbers of cases filed. It is not reflective of the relative work load associated with these cases from the perspective of staff and judicial resources.



Family Division: Juvenile

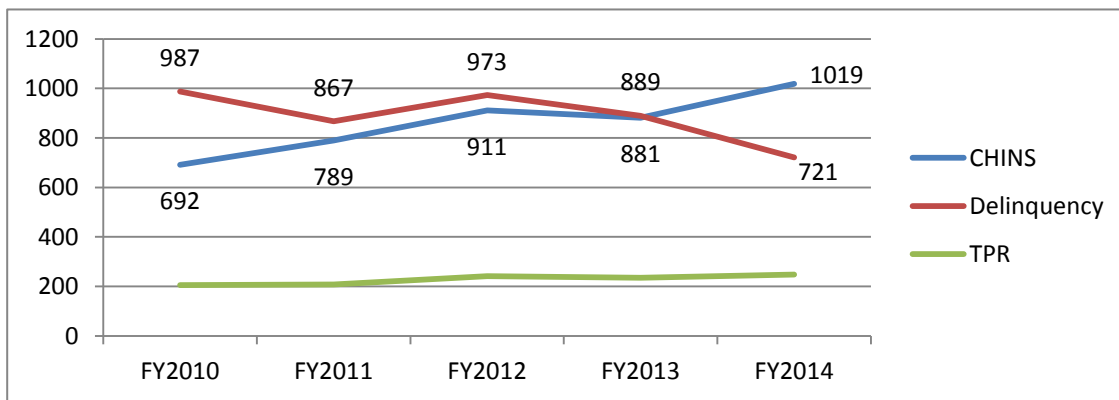
There are two major categories of juvenile cases:

1. Cases involving children who are in need of care and supervision known as CHINS cases and cases involving children who have committed a delinquent act known as delinquencies. CHINS cases are divided into two subtypes: children who have been abused or neglected and children who are truant or beyond parental control.¹
2. The delinquency docket includes both youth charged with a delinquent act and youth transferred from adult criminal court as youthful offenders. State custody (i.e. the removal of a child from the custody of the child's parents) is a potential outcome in all juvenile cases and court records in all juvenile cases are confidential.

Juvenile cases often involve significant post judgment activity. This is particularly true of CHINS cases. As long as a child who is the subject of a CHINS proceeding is in state custody, multiple review hearings will occur in the family division including a post disposition review and numerous permanency reviews. The purpose of these review hearings is to ensure that the child moves towards a permanent resolution – usually either reunification with a parent or adoption – with as little unwarranted delay as possible. If parents are unable to either reunify or make significant progress towards reunification with the child within a reasonable amount of time, the State will then petition the court to terminate parental rights so that the child can be adopted. Termination of parental rights petitions are resource intensive and for statistical purposes are therefore tracked as a separate case type.

Trends

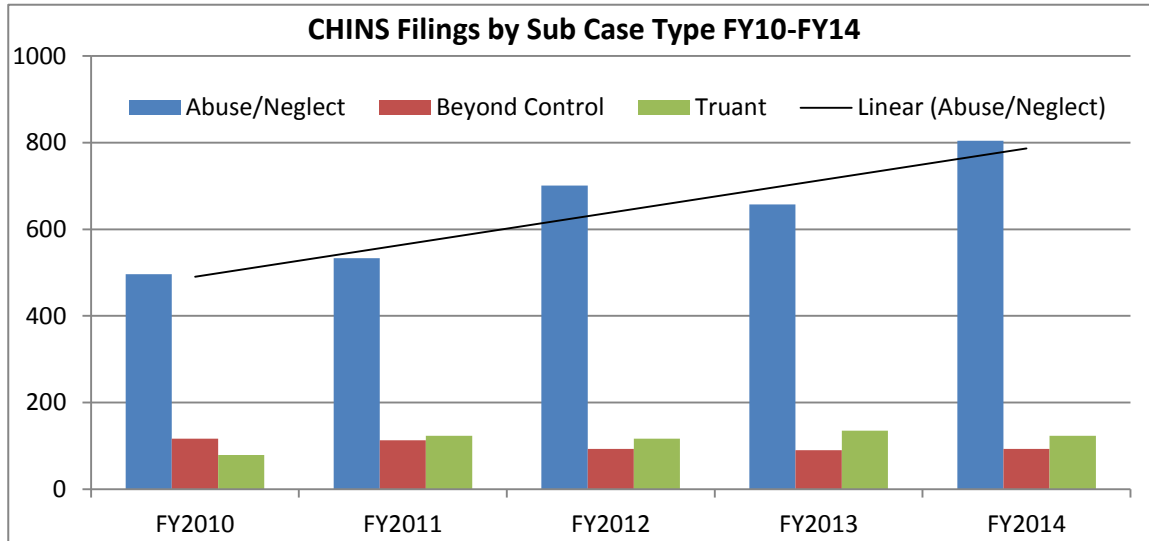
As indicated in the chart below, while the number of delinquency cases has declined over the past five years, the number of CHINS cases has significantly increased, especially in FY14. Whereas five years ago, there were more delinquencies filed than CHINS cases, now there are a greater number of CHINS cases. From a workload perspective, CHINS cases rank as one of the most labor intensive case types not only in the family division, but in any division of the Superior Court. The dramatic rise in CHINS cases over the past five years has put a significant strain on the resources of the trial courts. The increasing caseload in the CHINS docket also has resulted in an increase in the number of TPR petitions filed. Given the significant increase in CHINS cases in the past year, the increase in TPR filings is likely to continue for the next few years.



¹ Children beyond parental control are sometimes referred to as “unmanageable.” This category includes youth who have run away from home and youth who are chronically truant from school.

CHINS

Of the 1,019 CHINS cases filed in FY14, 804 were abuse/neglect cases, the remainder were beyond parental control or truant. The increase in CHINS filings over the past few years has been fueled primarily by a dramatic growth in abuse/neglect cases. The number of abuse neglect filings increased by 62% between FY10 and FY15. This represents the largest increase in any case type in any division of the superior court.



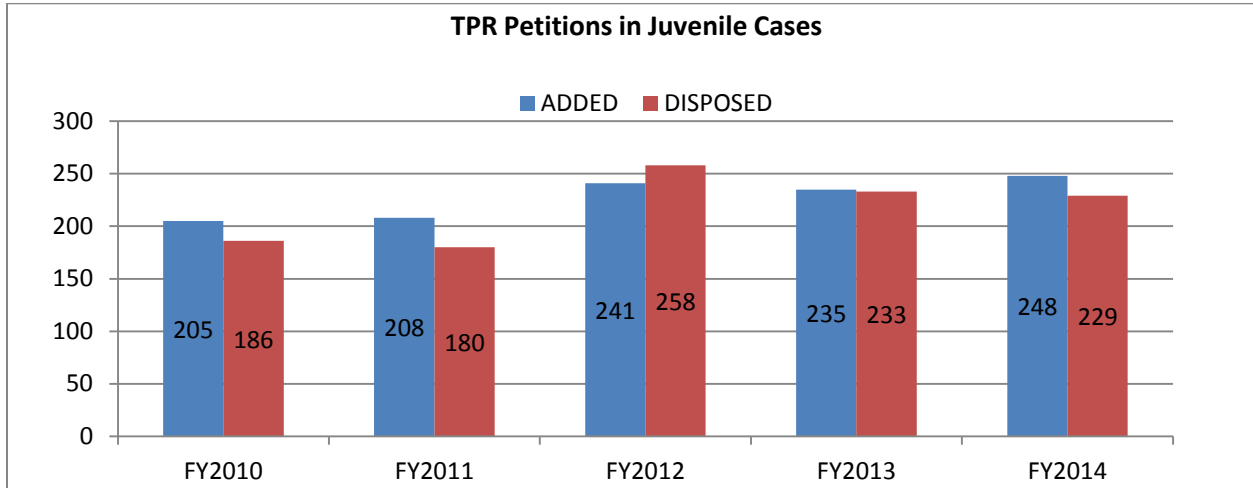
Delinquency

Almost every major category of delinquency cases saw a decline in filings in FY 14 as compared to prior years. The decline in delinquency filings parallels a similar decline in criminal filings. It is also consistent with a national trend.

ADDED	Fiscal Year				
	2010	2011	2012	2013	2014
NCSC Case Type					
Domestic Violence	69	80	93	67	60
Drug	67	68	71	99	44
Motor Vehicle - Other	25	40	35	35	27
Person	218	198	244	191	176
Property	198	160	174	145	106
Public Order	370	294	310	302	243

Termination of Parental Rights (TPR)

TPR petitions have increased by 21% since 2010 with the major increase occurring during the past three years. As indicated earlier, this is a trend that is likely to continue given recent increases in the number of CHINS filings.

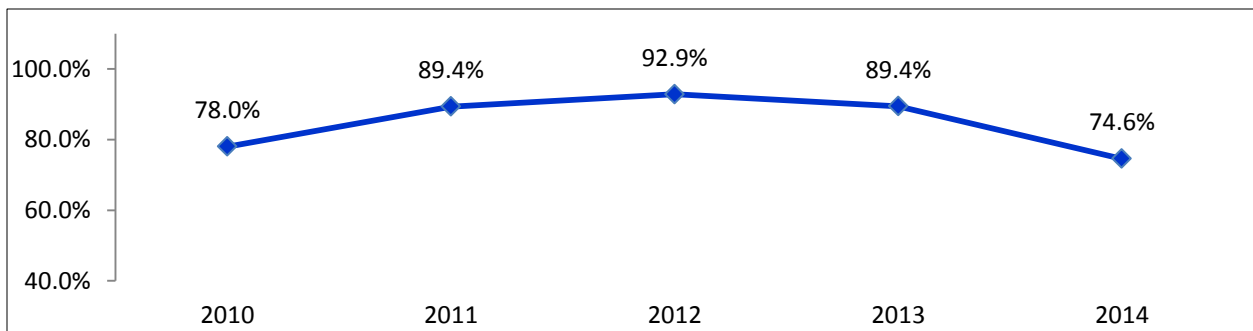


Clearance Rates

A clearance rate reflects the number of cases closed/disposed divided by the number of cases added/added. If the Clearance rate is 100%, the court is basically staying even. A clearance rate above 100% indicates that the Court is disposing more cases than it is adding and should reflect a decrease in backlogged cases. A clearance rate below 100% indicates that the Court has added more cases than it has disposed which means that the backlog of cases is increasing.

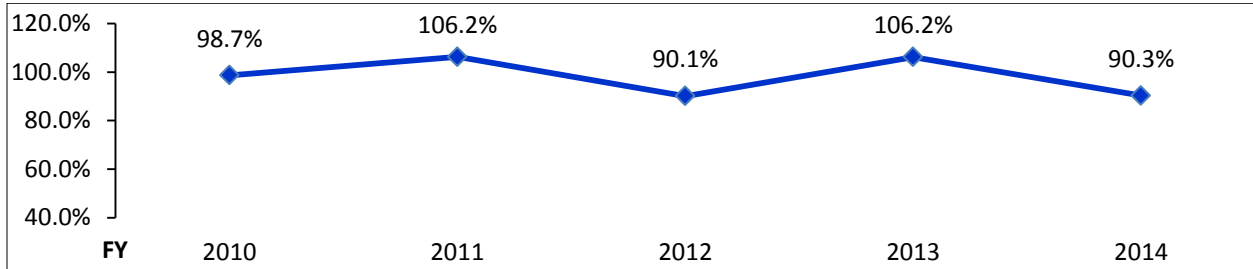
CHINS

Given the dramatic upsurge of abuse/neglect cases in FY14, the clearance rate for CHINS cases was one of the lowest of any group of cases in any division of the superior court. As pointed out in the introduction to this section, CHINS cases are labor intensive for judges and court staff. They require numerous hearings and the stakes for the litigants are high. Not only are many of the children involved in these cases removed from the custody of their parents, there is always the threat of termination of parental rights if parents are unable to regain custody within a reasonable amount of time. Five years of clearance rates below 100% is a source of significant concern. It means the development of a backlog of cases that will be difficult to overcome without a dramatic decline in the number of filings or an increase in resources.



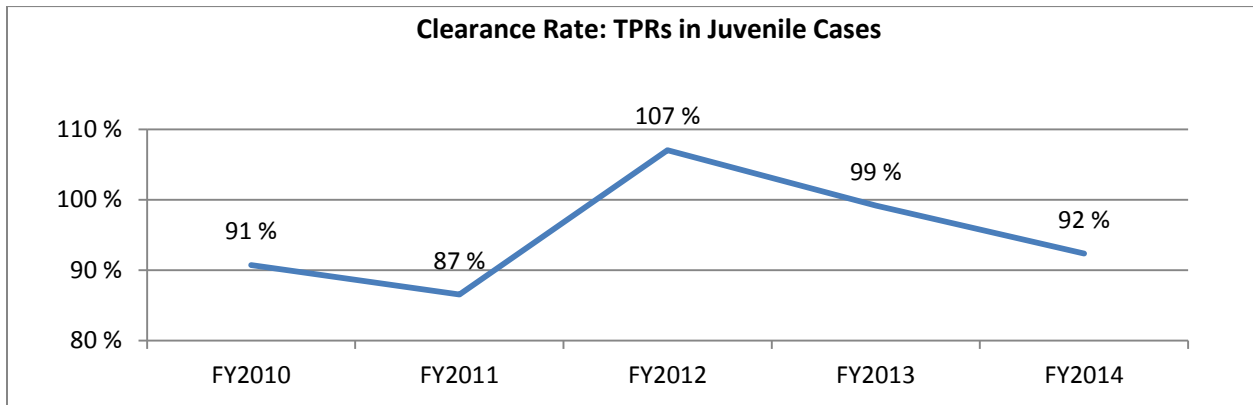
Delinquency

The clearance rate for delinquency cases also fell below 100% in FY14 in spite of the decrease in filings. The most logical explanation is that the strain of the burgeoning CHINS caseload resulted in a decrease in resources for delinquency cases.



Termination of Parental Rights

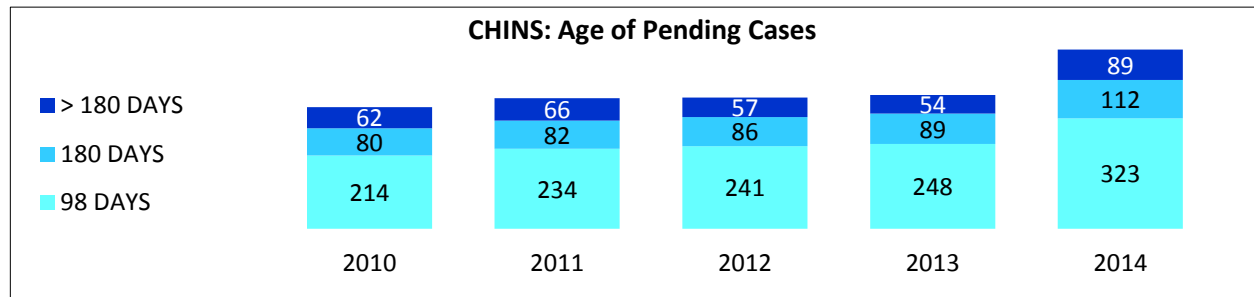
The clearance rate for termination of parental rights petitions also fell below 100% in FY14 – yet another indication of the degree of stress that increased filings has placed on the juvenile caseload.



Age of Pending Cases

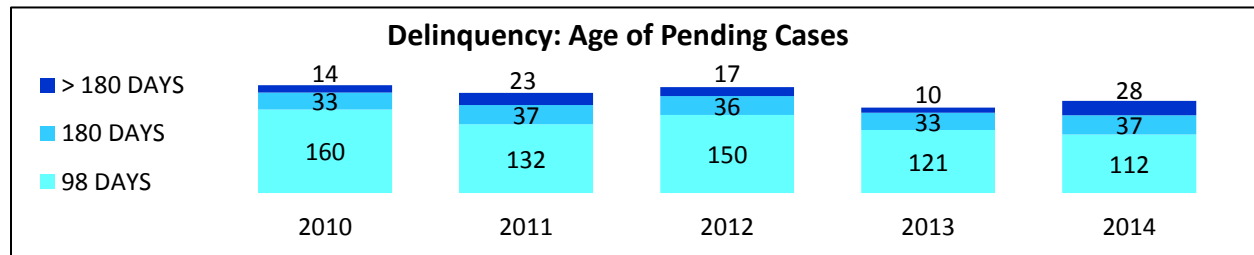
CHINS

The Supreme Court has established a disposition goal of 95 days for standard (i.e. non-complex) CHINS cases. The chart below shows the age of the cases pending on the last day of FY14. The chart indicates not only the growth in the total number of pending cases, but also that the pending cases older than the disposition goal has increased 42% when measured against FY10.



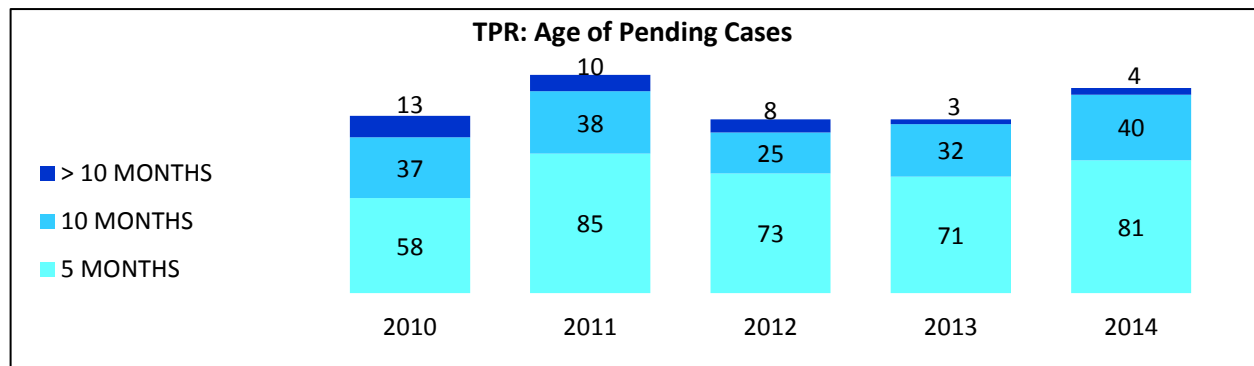
Delinquency

The disposition goal for delinquency cases is also 95 days. There has been some growth in the backlog of delinquency cases older than 98 days, but the numbers are considerably smaller and the backlog is thus less of a concern.



Termination of Parental Rights

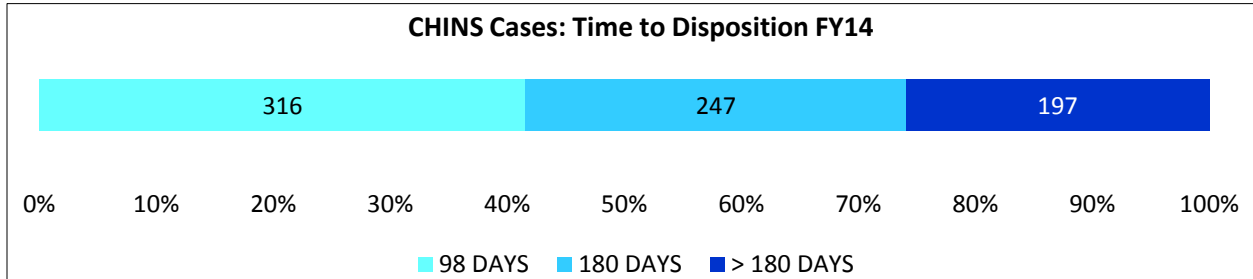
The disposition goal for a non-complex termination of parental rights case is five months. The chart below shows real progress in meeting the challenge of increasing TPR filings. While the number of pending cases has grown, the number of cases over goal in FY14 is actually slightly smaller than it was in FY10. There were only 4 cases in FY 14 that were over 10 months old.



Time to Disposition

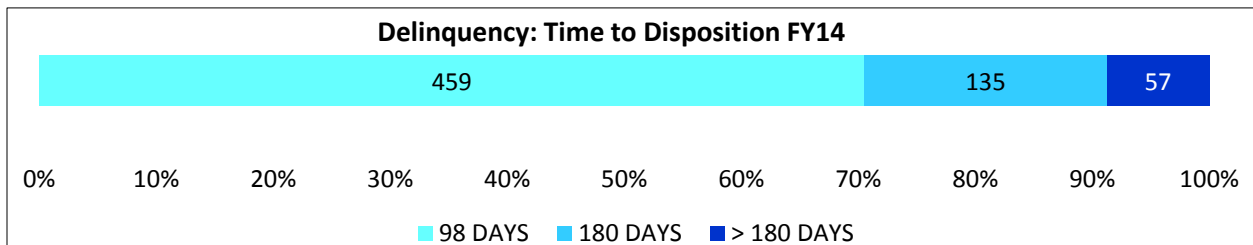
CHINS

Only about 42% of CHINS cases were disposed within the 95 day disposition goal set by the Supreme Court. 25% of the disposed cases took longer than six months.



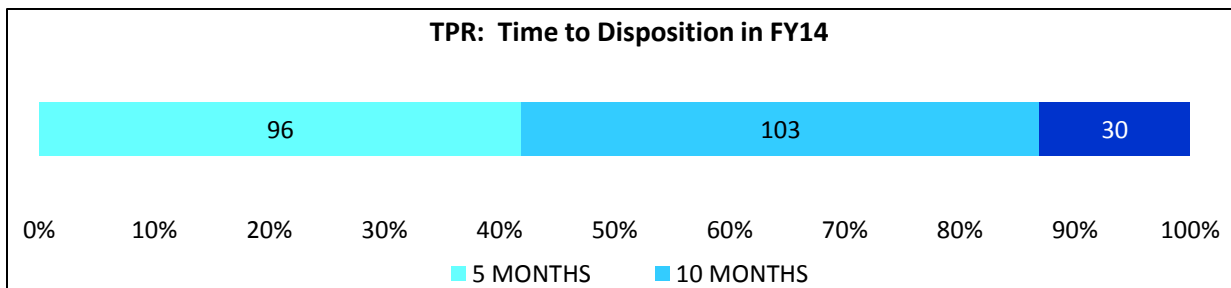
Delinquency

By contrast, over 70% of the delinquency cases were resolved within the disposition goal of 95 days and less than 10% exceeded six months.



Termination of Parental Rights

It continues to be difficult for the Superior Court to meet the time frame for TPRs set by the Supreme Court. Less than half of the TPR cases were resolved within the five month time frame for standard cases.



Method of Disposition

CHINS

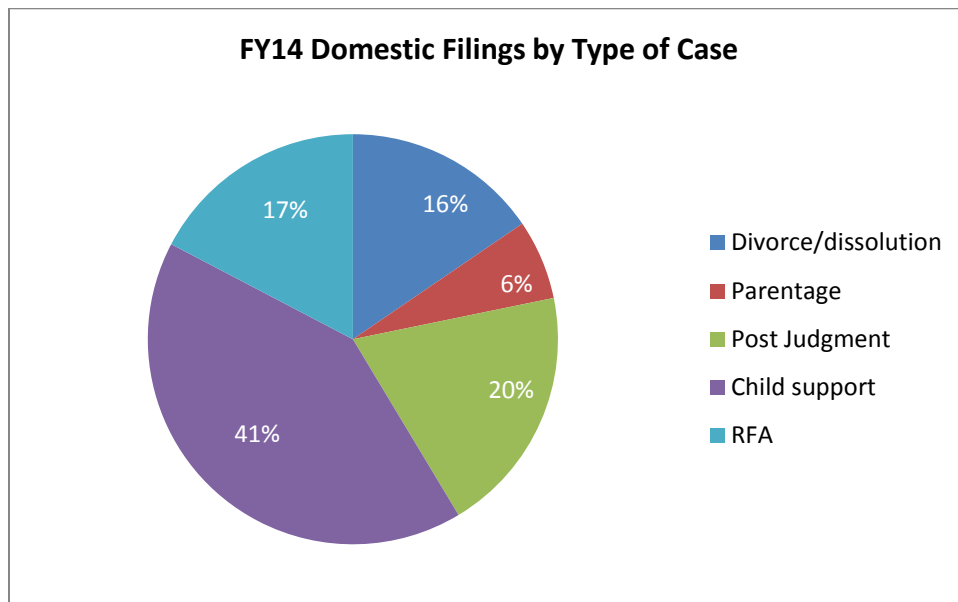
Out of the 833 CHINS cases disposed in FY14, 71% resulted in a finding that the child was a child in need of care and supervision. 25% were either dismissed by the Court or withdrawn prior to disposition.

Delinquency

Of the 655 delinquency cases disposed in FY14, 47% resulted in a finding of delinquency, 28% were dismissed or withdrawn and 24% completed diversion satisfactorily.

Family Division: Domestic

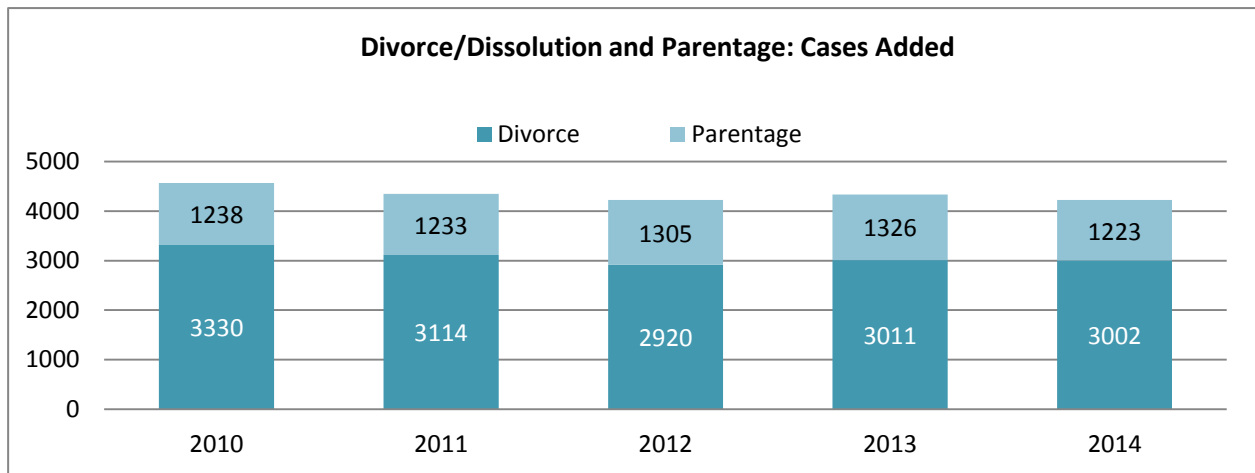
The domestic docket is made up of five different case groupings: initially filed divorce and civil union dissolution; initially filed parentage cases; cases re-opened because of a post judgment filing for enforcement or modification on an issue other than child support; child support cases including establishment, enforcement and modification of child support; and civil protection orders for relief from abuse by a household member. The distribution of the cases in FY14 based on filings is shown in the chart below:



Trends

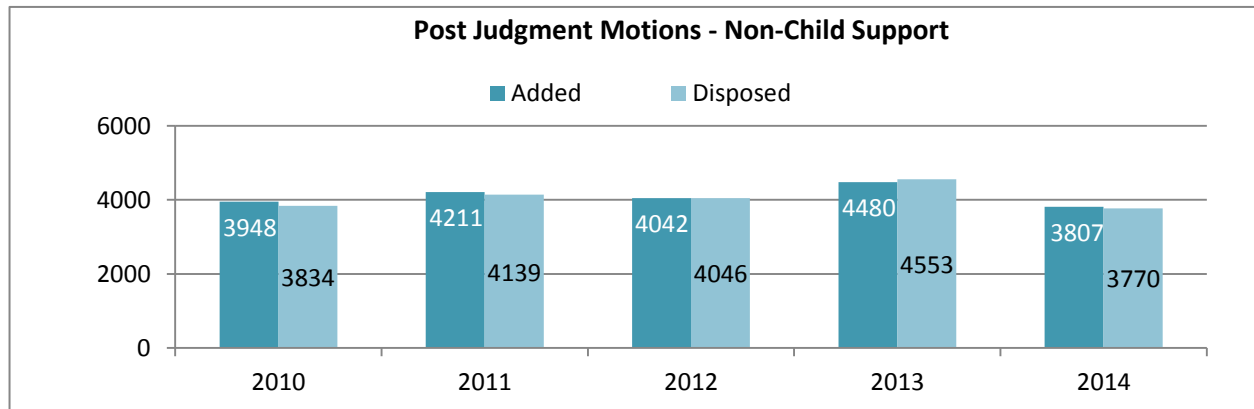
Divorce/Dissolution and Parentage

The Divorce/Dissolution docket includes newly filed divorce and civil union dissolution cases. Divorce/dissolution filings have declined by about 10% in the last five years while parentage filings have remained relatively stable. In a divorce or dissolution cases, there are often multiple issues that the parties or the court must resolve in addition to ending the divorce or civil union. Issues can include property division and spousal support, as well as issues of parental rights and responsibilities (custody), parent child contact (visitation) and child support if the case involves children. In 2014, about 43% of divorce/dissolution filings involved children under the age of 18. Parentage cases are cases where either a parent or the State is seeking to establish parentage for children whose parents were not married when the child was born. These cases also involve the resolution of issues related to parental rights and responsibilities, parent child contact and child support.



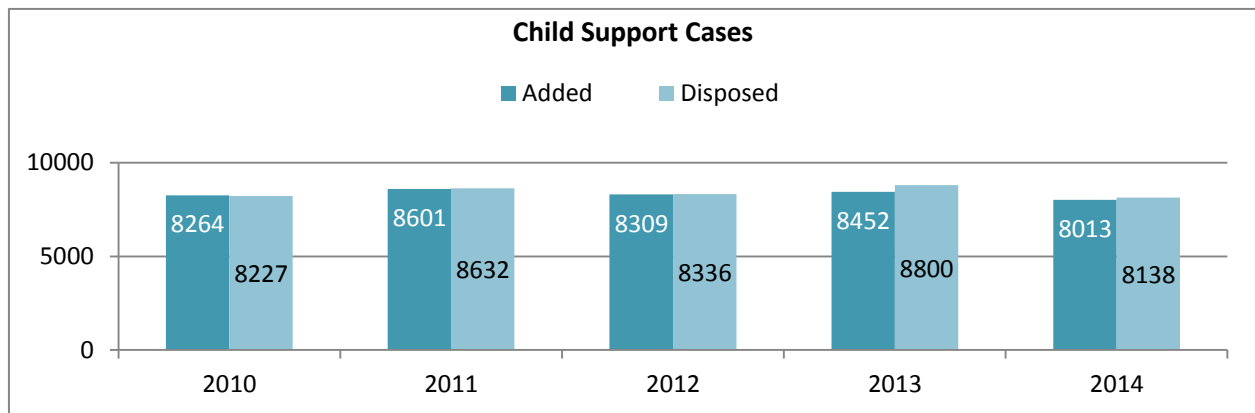
Post Judgment Motions for Enforcement and Modification (Non Child Support)

Once a divorce or civil union dissolution is finalized, either of the parties may file what is known as a “post judgment” motion to either enforce or modify a provision of the final order. Property division cannot be modified post judgment, but provisions related to parental rights and responsibilities, parent child contact, child support and spousal maintenance can be modified upon a showing of a substantial change in circumstance. The figures shown in the chart above include all post judgment motions except motions to modify or enforce child support. In FY2013, post judgment filings increased sharply by 13% over the number filed in 2010. FY14 saw filings recede back to more normal levels.



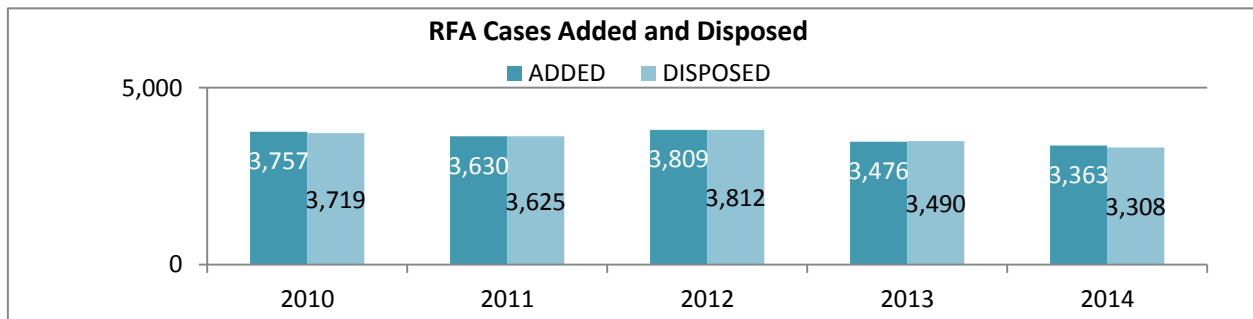
Child Support: Establishment, Enforcement and Modification

In Vermont, issues related to child support in divorce, dissolution or parentage cases are heard by magistrates as opposed to superior judges. Five magistrates cover the entire state. About 20% of child support cases involve the establishment of an initial amount of child support. 80% involve post judgment motions to modify or enforce existing child support orders. There is a significant overlap between the cases in the child support docket and the cases in the divorce, parentage and post judgment dockets discussed above. Child support is established in virtually every divorce and dissolution case involving children and every parentage case. Many of the post-judgment motions to modify parental rights and responsibilities and/or parent child contact, if granted, will involve modifications of child support. 77% of the child support cases in FY14 were IV–D cases involving assistance from the Office of Child Support.²



Protection Orders for Relief from Abuse

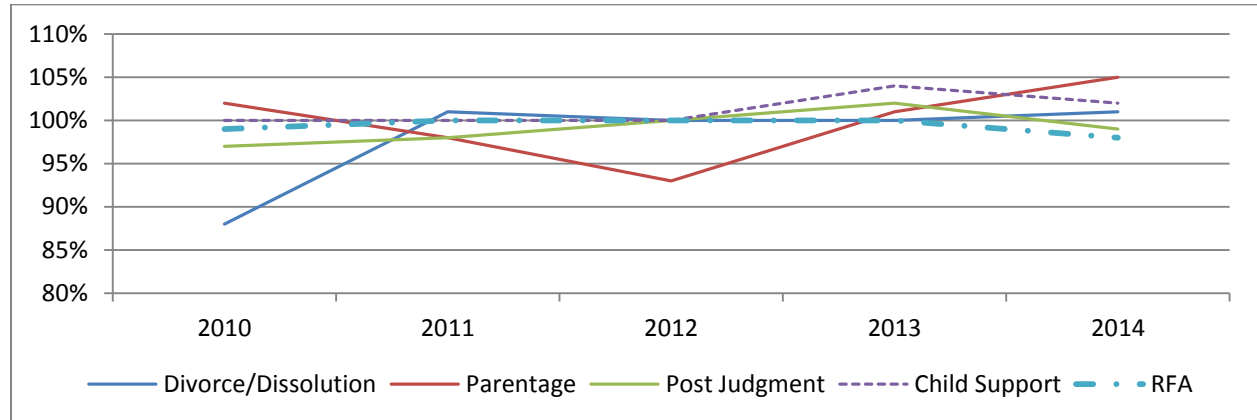
Civil protection orders that protect a household member from domestic violence, also known as orders for relief from abuse or RFA orders are an important part of the domestic docket. Typically these cases have a very short life span that usually begins with an emergency temporary order that is issued ex parte often after hours. At the time the temporary order is issued, a hearing is set within 10 days. At the hearing, the case is either dismissed or a final order is issued. With the exception of FY12, there has been a gradual decline in the number of filings over the past five years with about 10% fewer filings in 2014 than in 2010. About 42% of the RFAs filed in FY14 involved parents with children.



² OCS is the state agency responsible for establishing, collecting upon, enforcing, and modifying support orders for children who do not live with both parents. Services are available to both custodial and non-custodial parents.

Clearance Rates

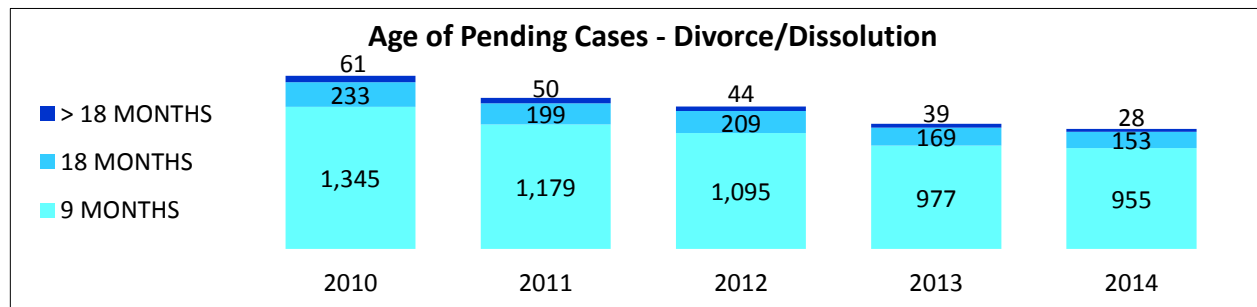
By in large the clearance rates for the various categories of cases have remained fairly steady over the past five years. There has been a noticeable improvement in the clearance rate for divorce and dissolution cases since FY2010. The clearance rate for parentage cases dropped in FY12 due to a sharp increase in filings, but stabilized the following year and, in FY14, the family division disposed more parentage cases than were filed. FY14 was generally a good year in the family division as measured by the clearance rates in the domestic docket with the number of disposed cases keeping even or even getting a little ahead of the number of cases filed.



Age of Pending Cases

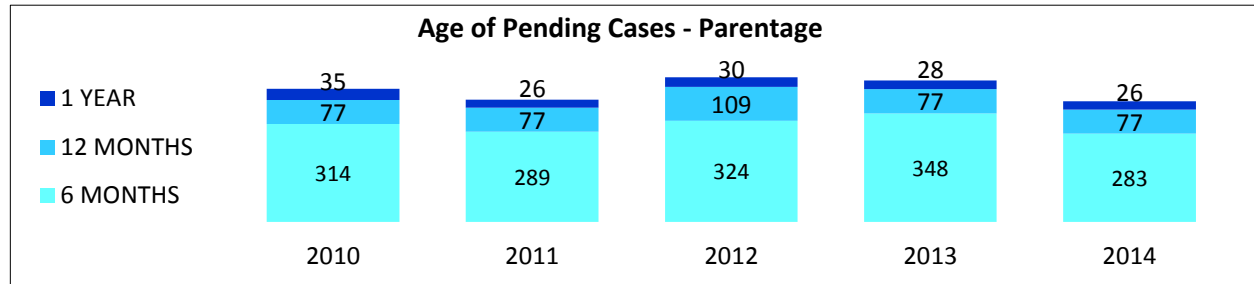
Divorce/Dissolution

The number of pending divorce and dissolution cases has decreased by 30% over the past five years. While this decline is attributable to some degree to a 10% decline in cases filed over the last five years, it has also been accompanied by a significant reduction in the number of older cases. Between FY10 and FY14, the number of pending cases over nine months decreased by 38%. The decline in pending cases is to some degree the result of the 10% decline in divorce/dissolution filings during past five years discussed above. The Supreme Court has set a disposition goal of nine months for a standard divorce/dissolution case. At the end of FY14, 84% of the pending cases were within the standard goal.



Parentage

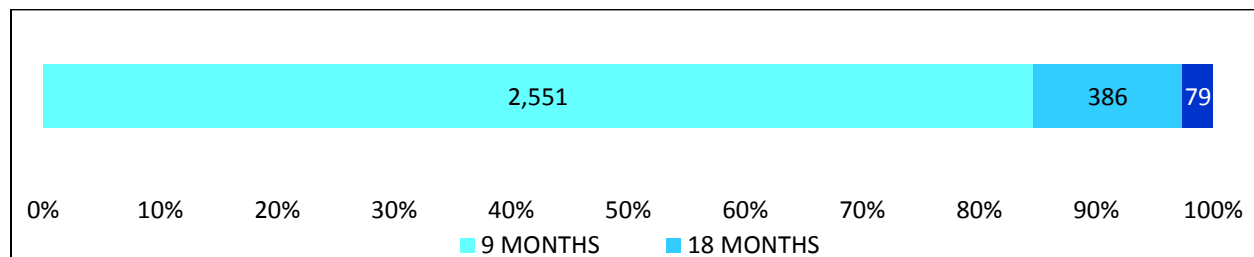
With the exception of FY12, the number of parentage cases pending over six months has remained relatively stable. The Supreme Court has set six months as the disposition goal for a standard (non-complex) parentage case. In FY14, 74% of the pending cases were within the disposition goal, i.e. less than six months old.



Time to Disposition³

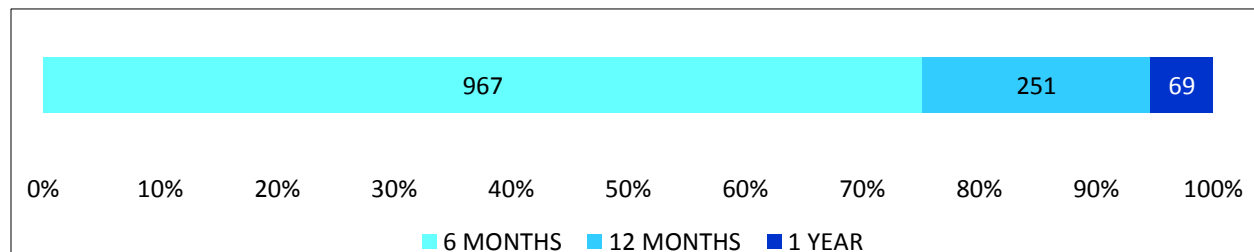
Divorce/Dissolution

As stated above, the disposition goal for a standard divorce case is 9 months. Of the 3,016 divorce and dissolution cases disposed in FY14, 84% were disposed within nine months from the date the opposing party was served and 96% were disposed within one year.



Parentage

The disposition goal for a standard parentage case is six months. Of the 1,287 cases disposed in FY14, 75% were disposed within six months and 95% were disposed within a year.



³ Time to disposition data and age of pending cases is not available for child support cases and non-child support post judgment cases.

Protection Orders for Relief from Abuse

The Supreme Court has not set a goal for disposition of protection orders in relief from abuse cases. In FY14, out of the 3,308 cases filed, only 10 cases took more than six months to resolve.

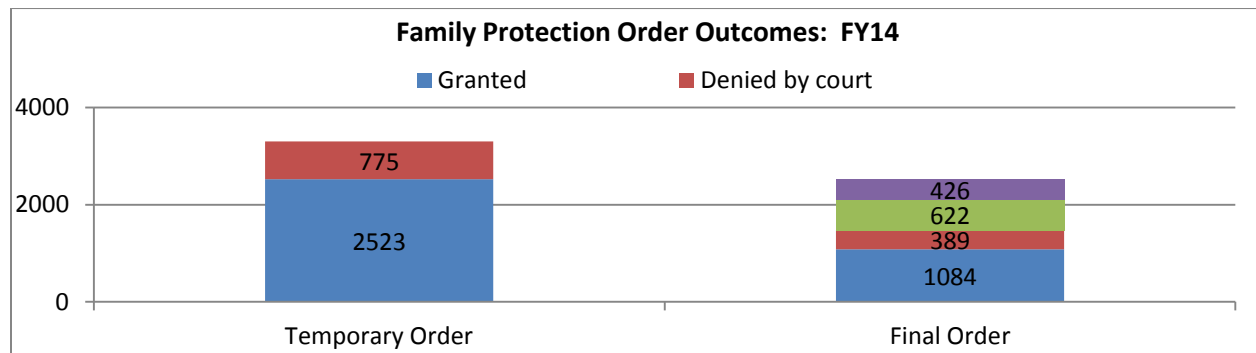
Method of Disposition

Divorce/parentage/post-judgment/child support

Around 70% of the cases disposed in the family division are resolved by agreement of the parties or result in a default judgment because one party does not participate. Contested cases that require a judgment by the court tend to be more frequent in post disposition matters (18%) and child support matters (15%) than in the disposition of initially filed parentage or divorce cases (7%).

Protection Orders for Relief from Abuse

A temporary order was granted in 77% of the cases filed. A final order was granted in 43% of the cases that were not dismissed prior to a final hearing. 73% of the cases where a final order was not granted were as a result of a default, i.e. the case was dismissed because the plaintiff failed to appear at the final hearing, or because the complaint was withdrawn.

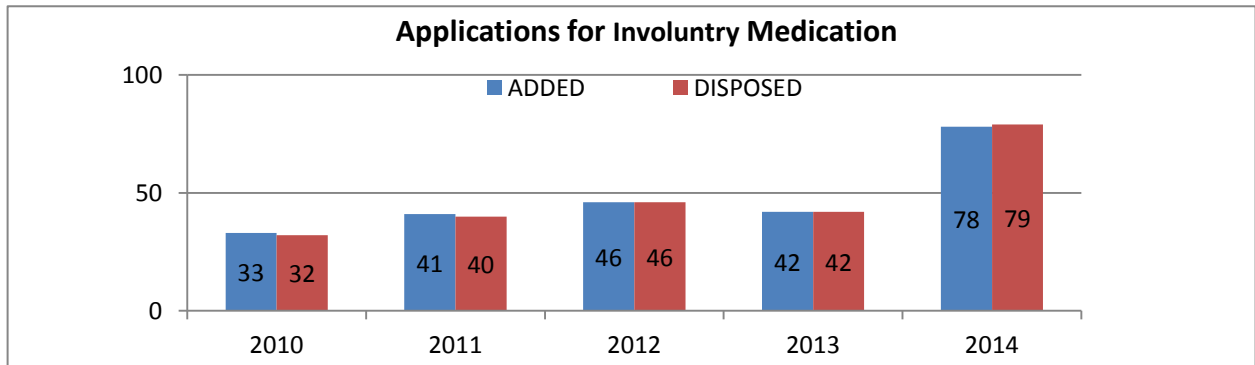


Family Division: Mental Health

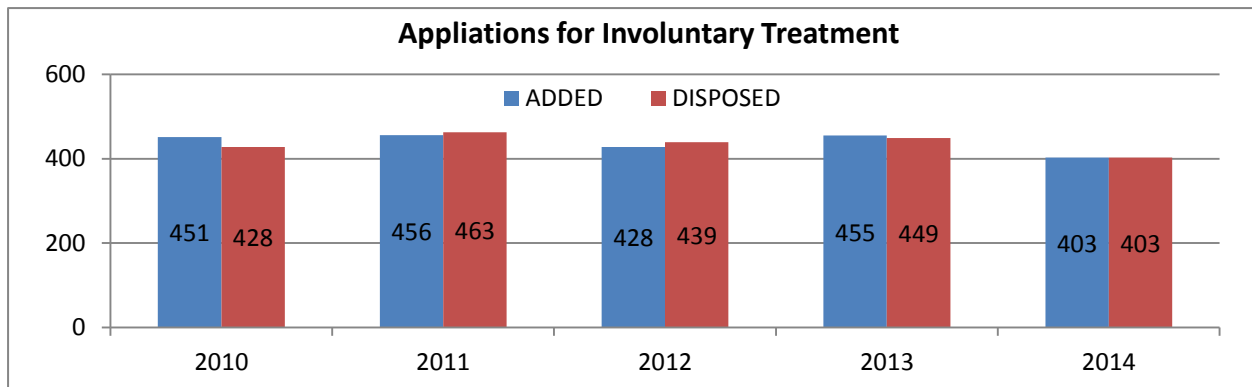
There are three types of Mental Health cases filed in the Family Division by the Department of Mental Health. The first is an application for involuntary treatment (sometimes referred to as an AIT), where the State is seeking a 90 day order from the Court that a person either be involuntarily placed in a designated psychiatric hospital or placed in the community on an order of non-hospitalization (often referred to as an ONH) because the person suffers from a mental illness and is a danger either to himself/herself or others. When involuntary hospitalization is requested, the applications are generally filed only in a county where there is a designated psychiatric hospital. If the Court issues an order for involuntary treatment, the State can seek to have the order extended for up to a year by filing the second type of Mental Health Case known as an application for continued treatment. The third case type in the mental health docket is an application for involuntary medication. In these cases the State is seeking to involuntarily medicate a person who is suffering from a mental illness. In almost all of such cases, the person is hospitalized at a designated psychiatric hospital under an order for involuntary treatment.

Trends

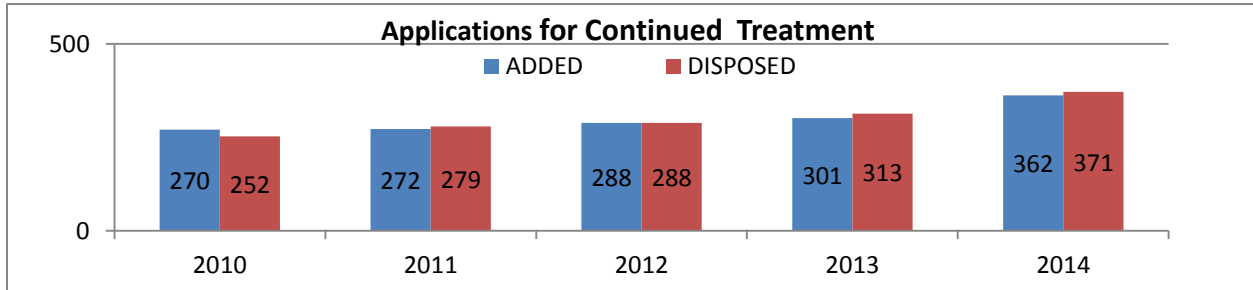
The fastest growing case type in the mental health docket is involuntary medication. While the numbers of cases still remain small in comparison to applications for involuntary treatment or continued treatment, they almost doubled in FY14 as compared to FY13. From a workload perspective medication cases require a significant amount of judge time since they are almost always contested. They also place a significant burden on the family division units where a designated hospital is located, currently Windham, Washington and Rutland.



There were 403 applications for involuntary treatment in FY14, about 10% fewer than the prior year. There were, however, almost double the number of contested hearings and fewer dismissals than in prior years.

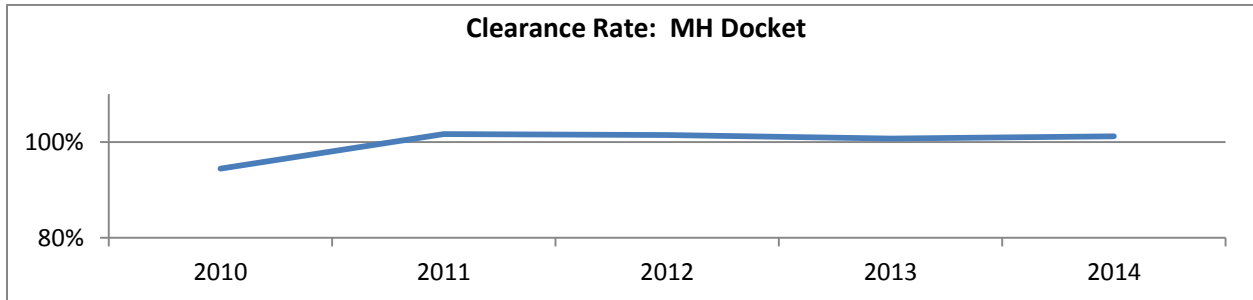


Finally, applications for continued treatment increased in FY14 by about 20%. There are relatively few contested hearings on these applications since the vast majority involve persons living in the community receiving services from a local community mental health agency. Most resolve by agreement with a consent judgment.



Clearance Rate

Mental Health cases, regardless of case type, are subject to tight statutory time frames. The overall clearance rate is consistently at or above 100%, in other words, the number of cases disposed is equal to or exceeds the number of pending cases.

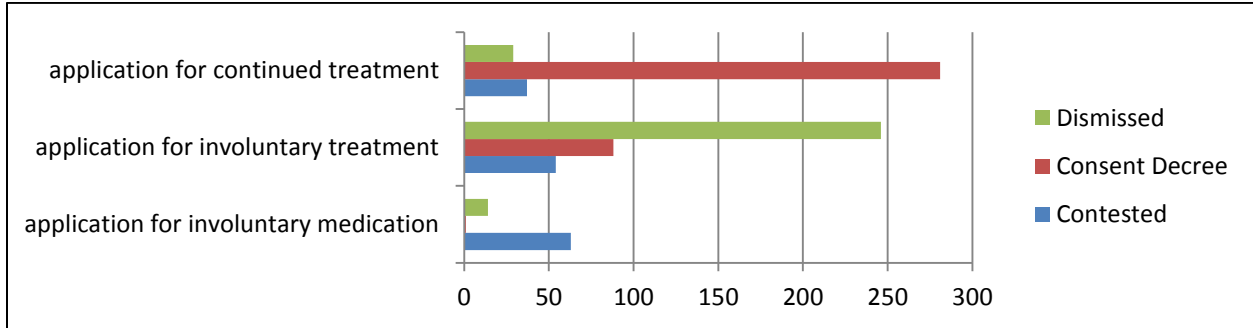


Age of Pending Caseload and Time to Disposition

We do not have this data for FY14. We hope to have it in FY15.

Method of Disposition

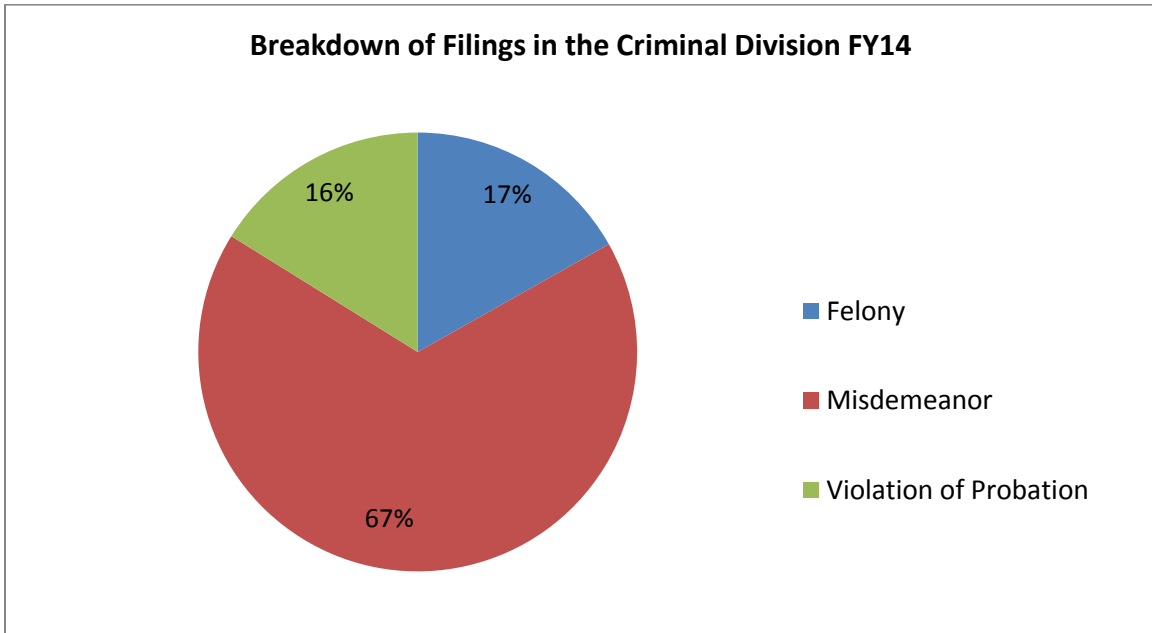
Although smaller in number in terms of cases filed, a high percentage (81%) of applications for involuntary medication require a contested hearing. By contrast, only 13% of applications for involuntary treatment are contested and 10% of applications for continued treatment. The majority of these latter cases are resolved by consent or dismissed by the State.



Criminal Division

Statewide Data

The criminal division of the Superior Court handled approximately 20,000 newly filed cases in FY14. The majority fall into three distinct case categories: felonies, misdemeanors and violations of probation. The chart below depicts the distribution based on the number of case filings during FY14.

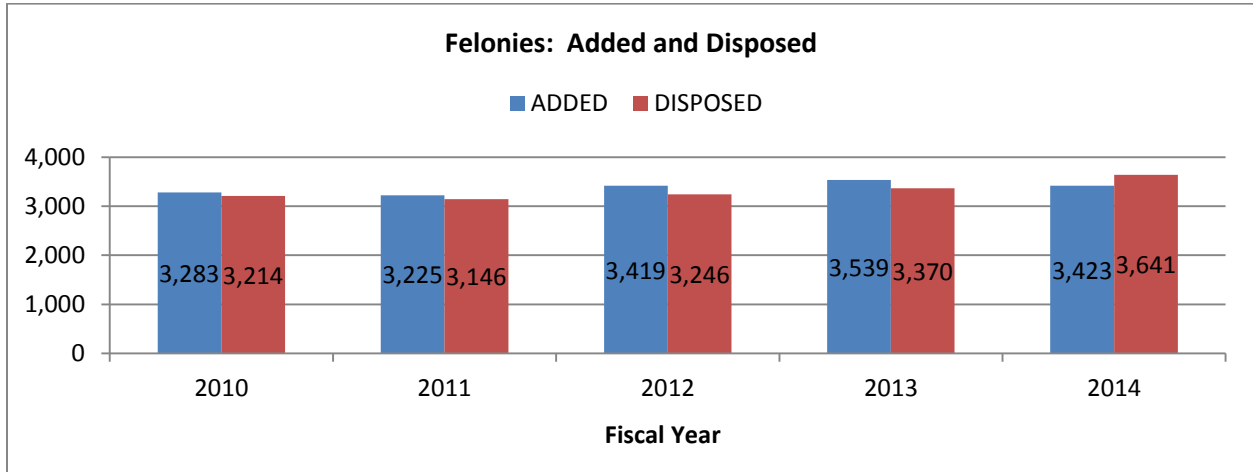


While misdemeanor offenses far outstrip the other two categories based on number of filings, the adjudication of felony offenses is the most labor intensive from a work load perspective. It should also be noted that the numbers reported here for cases added and cases disposed represent charges not people. If we counted cases added and disposed based on the number of defendants, the numbers of defendants would be much smaller.

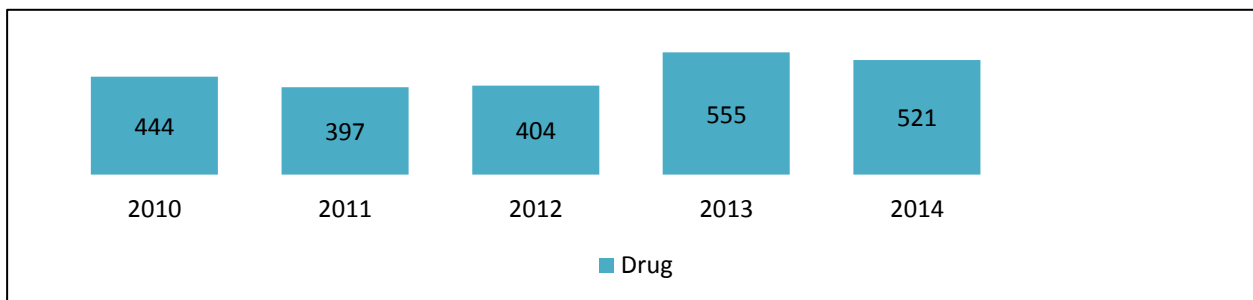
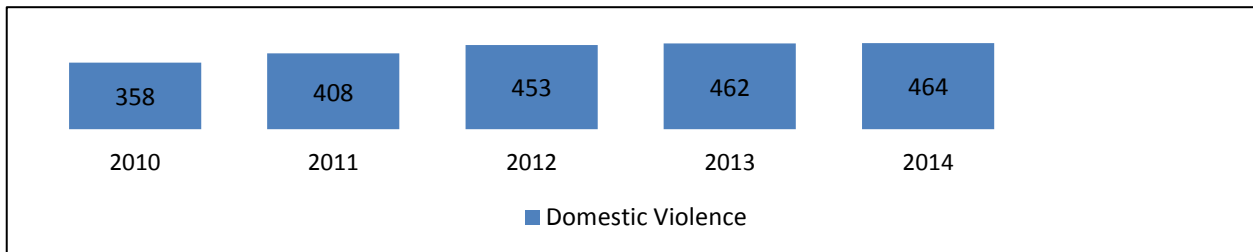
Trends

Felonies

A crime is considered a felony offense in Vermont if the maximum sentence that can be imposed is more than 2 years. The chart below indicates the trends over the past five years in cases added and disposed.



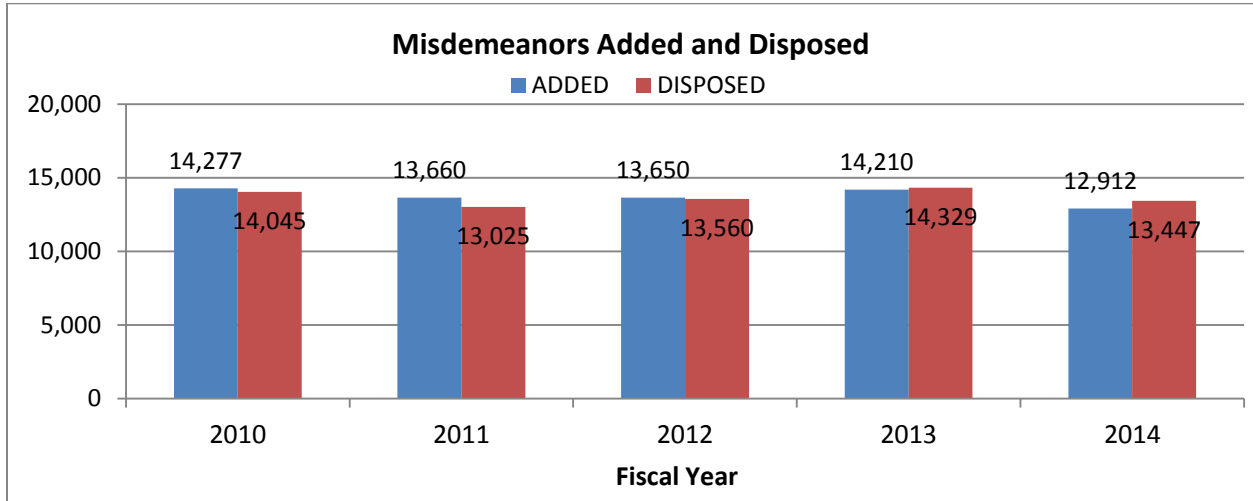
While felony filings were down somewhat in FY14, they were still 4% higher than five years ago in FY10. The decline in FY14 over FY13 is primarily due to a decline in “public order” felonies⁴. There was no decline in domestic violence felony filings which have risen by 30% over the five years. Felony drug filings in FY 14 declined slightly over FY13, but are still about 25% higher than they were in 2011.



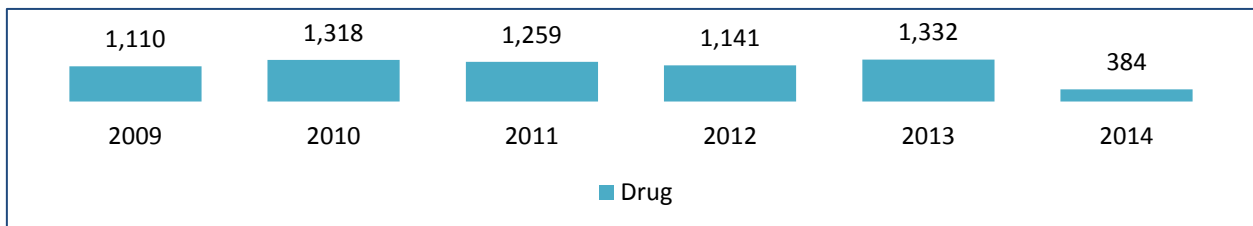
⁴ Examples of public order felonies: unlawful mischief with damage greater than \$1,000; unlawful trespass; perjury; obstruction of justice; escape from custody while on furlough.

Misdemeanors

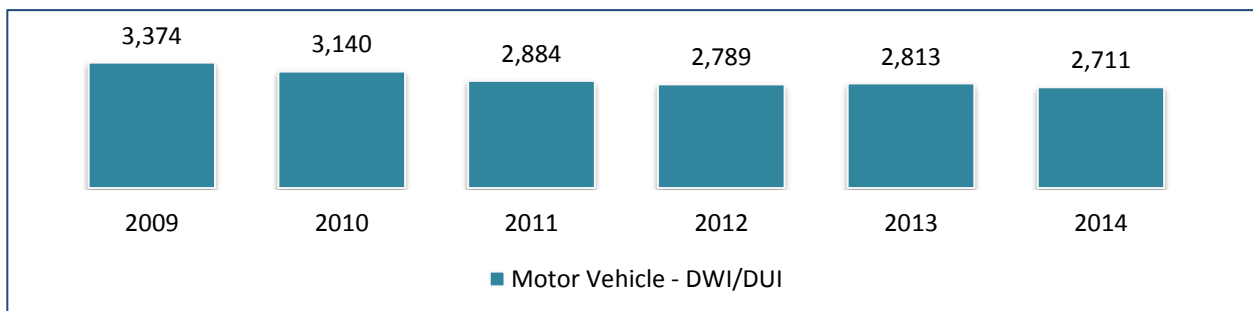
A crime is considered a misdemeanor in Vermont if the maximum sentence that can be imposed is 2 years or less. The chart below shows the number of charges added and disposed between FY10 and FY14.



The 9% decrease in misdemeanor filings between FY13 and FY14 was primarily due to a sharp decrease in misdemeanor drug filings as a result of the decriminalization of marijuana. Misdemeanor drug filings dropped by 71% in FY14 over FY13. The impact of this decrease on the courts was minimal since the majority of misdemeanor marijuana possession cases typically resolve at arraignment with a fine.

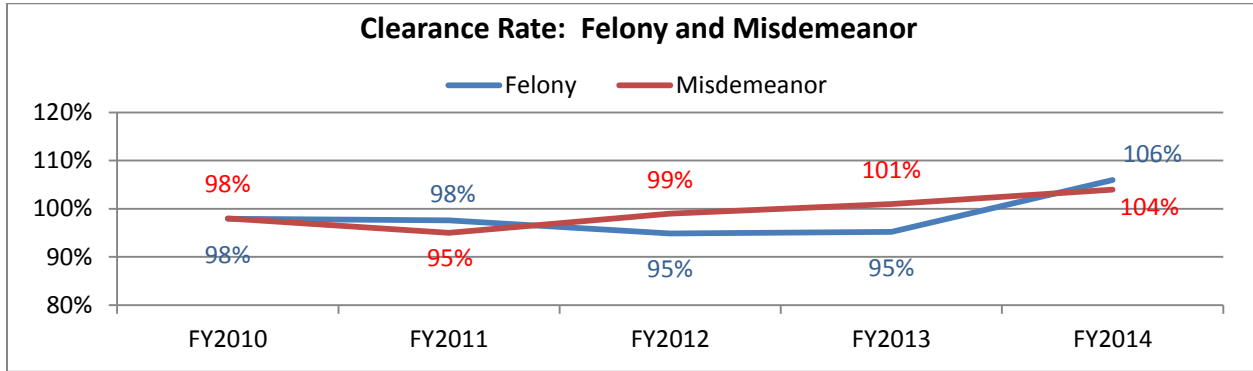


A significant downward trend (20%) in the number of DUI/DWI misdemeanor filings over the last six years is also worthy of note. Misdemeanor DUI/DWI offenses in Vermont include both first and second offenses.



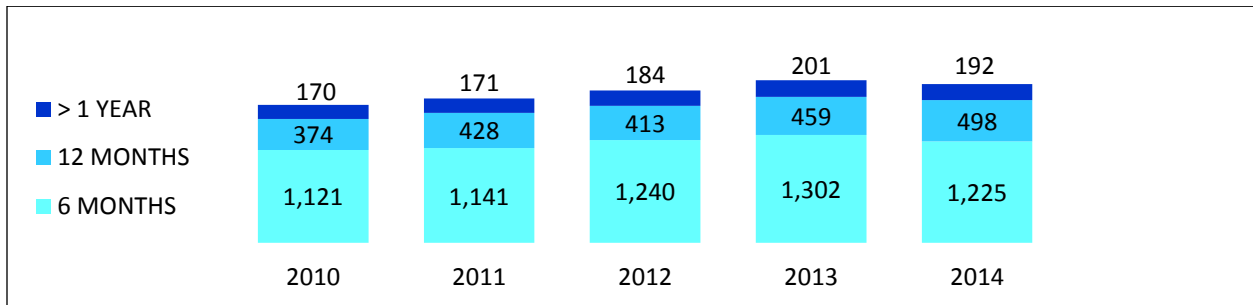
Clearance Rate (Cases Disposed / Cases Filed): Five Year Trend

The clearance rate for felony and misdemeanor cases in FY14 was 106% and 104% respectively. These excellent clearance rates helped to reduce the backlog of pending cases that had accumulated as a result of the increased filings in the two previous years.



Age of Pending Cases – All Criminal Cases

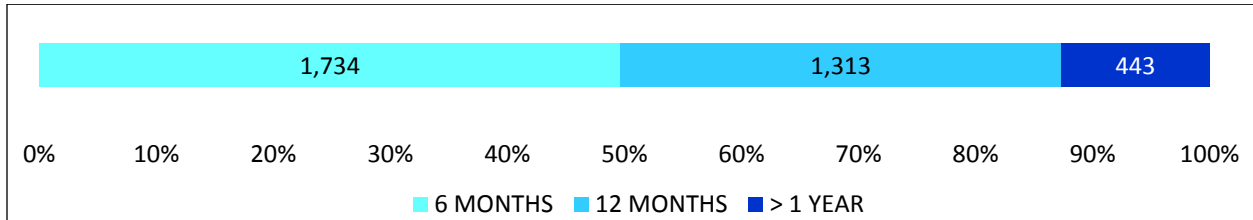
Another way to look at the data is to look at the number and age of the cases that are pending on the last day of the fiscal year. While the criminal division has managed to reduce the number of pending cases under six months, the number of cases over six months still remains high compared to FY10.



Time to Disposition in 2014

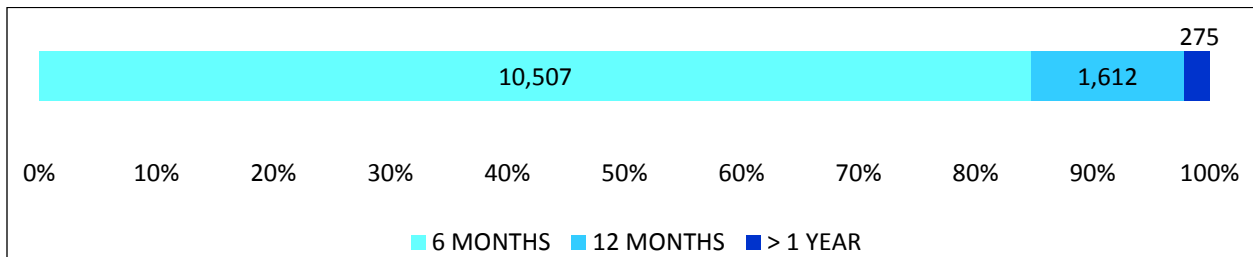
Felonies

The Supreme Court has set 6 months as the disposition time standard for a standard (non-complex) felony case. In FY14, over 50% of all felony cases were resolved within 6 months of filing. 87.4% were resolved within one year. 12.6 % took over a year to resolve.



Misdemeanors

The disposition time standard for a standard misdemeanor is four months. In FY14 85% of all misdemeanor cases were resolved within six months of filing. 98% were resolved within a year.⁵



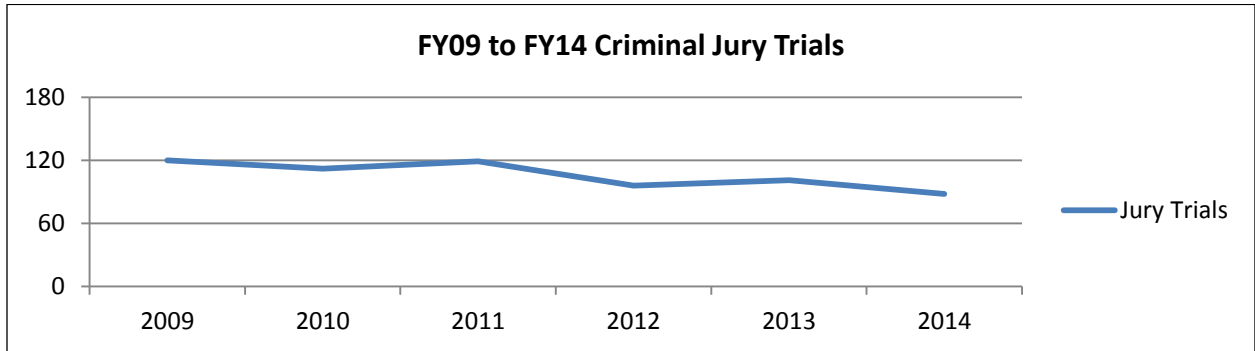
Method of Disposition – All Criminal Cases

The vast majority of criminal cases in Vermont resolve either by plea bargain or by dismissal. Less than one percent of the cases are disposed as a result of a trial by jury (.5%) or by court (.09%).

Fiscal Year	PLEA	COURT TRIAL	JURY TRIAL	DISMISS	TRANSFER
2014	11,190	16	88	5,662	132

⁵ Chart reflects misdemeanor cases resolved within 6 months of filing. It is not an indicator of cases meeting the time standard of four months

Over the past six years, the number of jury trials in criminal cases in Vermont has decreased by about 25%.

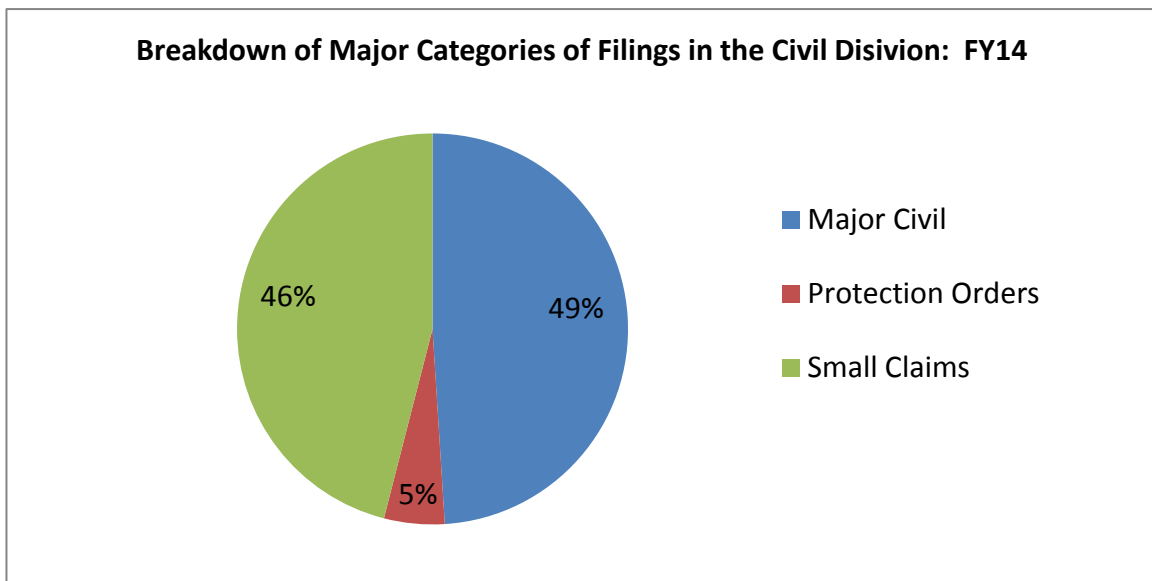


Civil Division

Statewide Data

For statistical purposes, civil case types are divided into three categories: Major Civil; Small Claims; and Civil Protection Orders against Stalking or Sexual Assault. Measured by the number of filings, major civil cases represent 49% of all cases filed, small claims represents about 46% and civil protection orders 5%. However, in terms of judicial and staff work load, the bulk of the work in the civil division involves the major civil cases.⁶

Filing trends over the last ten years indicate that the nature of the filings in the civil division is changing. While there has been significant growth in the number of foreclosure, collection and landlord-tenant cases filed over the past decade, the number of tort or personal injury cases and contract cases has declined. It is difficult to predict the degree to which these trends will continue in the future.

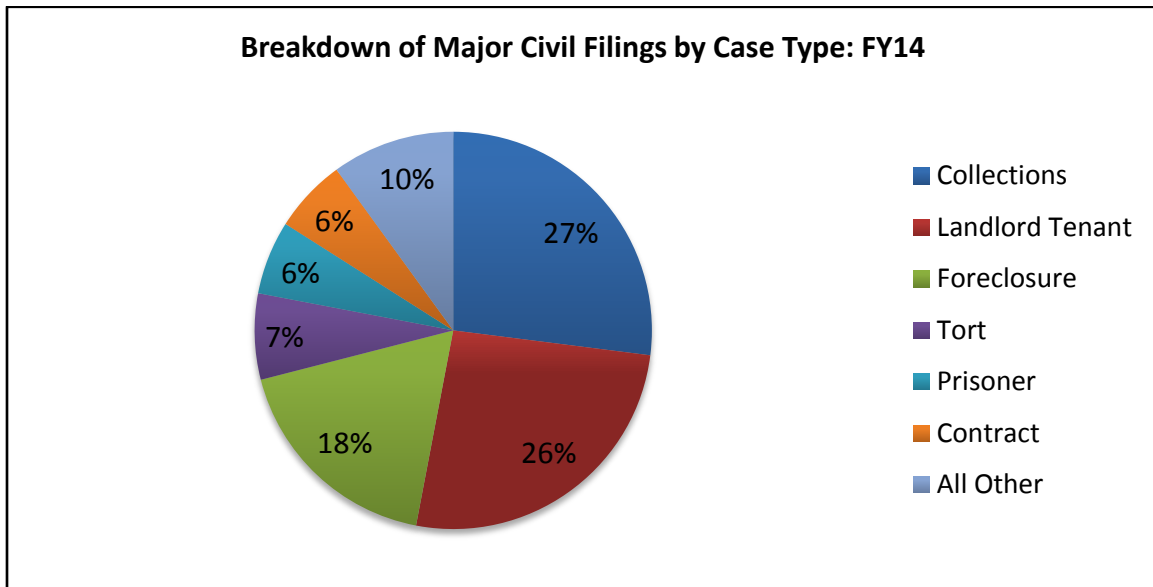


⁶ According to the 2009 Weighted Caseload Study by the National Center for State Courts of the work involved in civil cases, a major civil case on average requires approximately six times the amount of judicial resources and about 3 times the amount of staff work compared to the work load involved in disposing a small claims case.

Cases Added, Disposed and Pending at the End of the Fiscal Year: Trends

Major Civil Cases

Major civil includes all case types filed in the civil division with the exception of small claims and civil protection orders. Sub case types in this category include: collections, landlord tenant, foreclosure, tort, prisoner cases, contracts, claims against government, employment, declaratory relief, appeals and other miscellaneous civil case types.

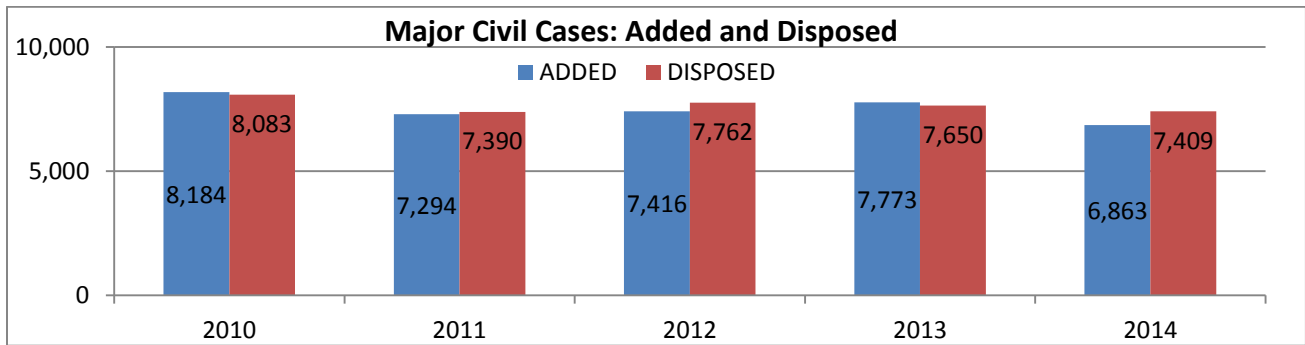


FY 2014 saw an 11% decline in major civil filings. The cause of the decline was a sharp decrease in foreclosure filings in FY14 as compared to filings in FY13. We estimate that the decrease in foreclosure filings between 2014 and 2013 was around 40%⁷. It is important to point out, however, that although foreclosure filings are beginning to recede, the level of filings is still well above the level prior to the recession⁸. The decrease in foreclosure filings was offset to some degree by a slight increase in collection cases.

⁷ Data prior to 2014 incorporates some aggregate data for Franklin and Chittenden.

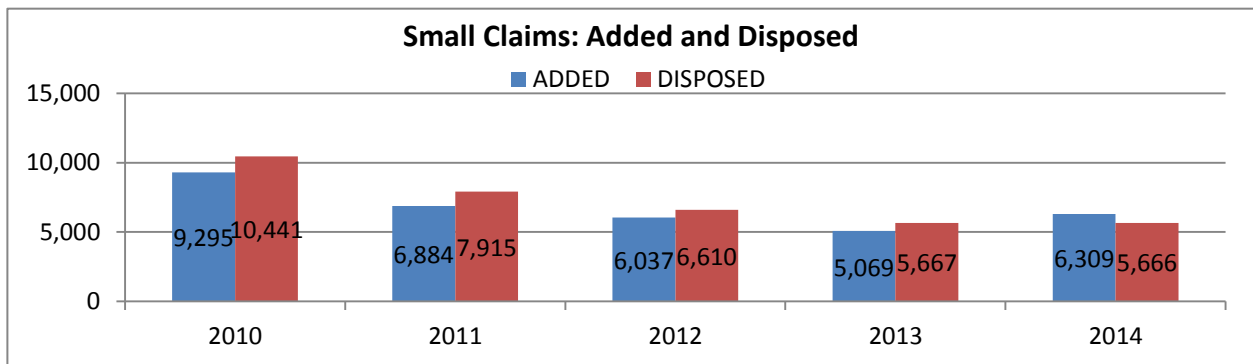
⁸ Foreclosure filings in 2014 were approximately 60% higher than they were in 2005 and 2006.

FY14 was a productive year in the civil division with the number of cases disposed significantly higher than the number of cases added.



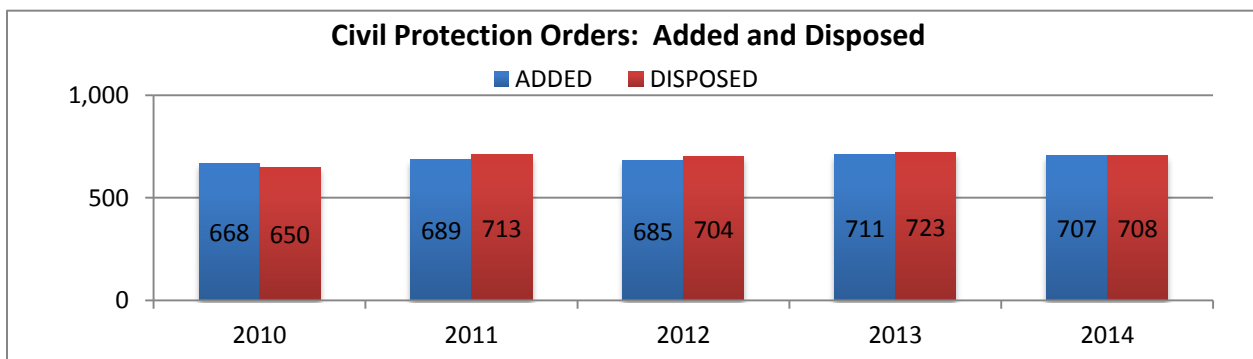
Small Claims

Small claims filings increased in FY14 by almost 24% as compared to FY13, but filings were still significantly lower than they were in FY10. As the chart above indicates, small claims filings declined sharply between FY10 and FY13. Whether the increase in FY14 represents a longer term trend of greater activity in small claims is hard to say at this point. Although the filings in FY14 represent a 14% increase over filings in FY13, they are still 30% below the filings in FY10.



Civil Protection Orders

In 2006, the Legislature added civil protection orders to protect individuals from stalking and sexual assault to the jurisdiction of the civil division of the Superior Court. Requests for civil protection orders increased annually from 2006 to 2011. Over the past four years, however, filings appear to have leveled off to around 700 per year.

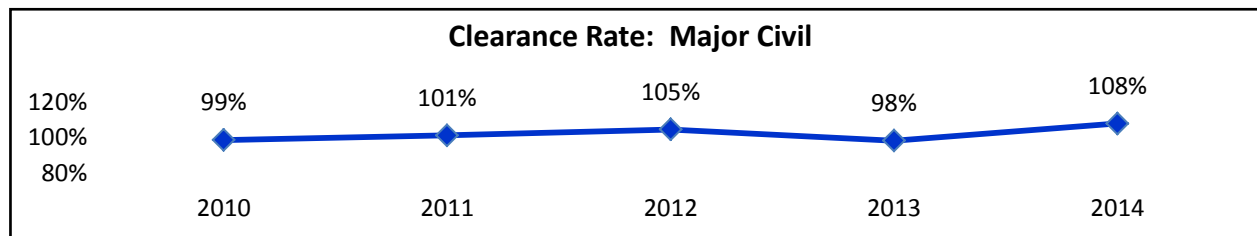


Clearance Rates

A clearance rate reflects the number of cases closed or disposed divided by the number of cases added or filed. If the clearance rate is 100%, the court is basically staying even. A clearance rate above 100% indicates that the Court is disposing more cases than it is adding and should reflect a decrease in backlogged cases. A clearance rate below 100% indicates that the Court has added more cases than it has disposed and will reflect an increase in backlogged cases.

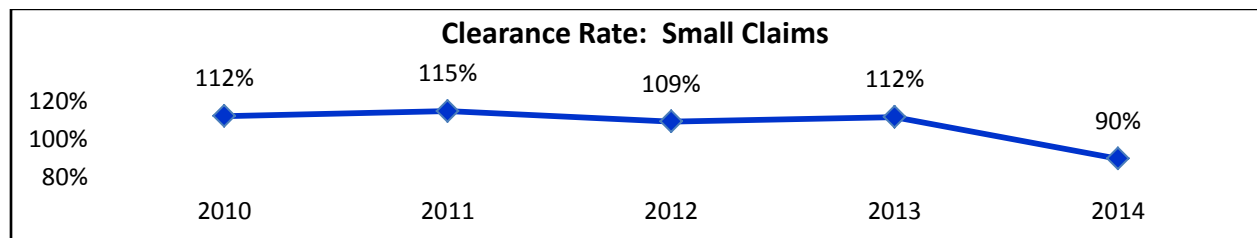
Major Civil Cases

The clearance rate in major civil cases was 108% in FY14, the highest it has been in five years.



Small Claims

By contrast, the clearance rate in small claims declined to 90%, the lowest it has been in the past five years.



While the decline in the clearance rate for small claims cases is of concern, it should not be viewed as a long-term trend at this point as it is most likely due to the sharp increase in filings. When there is a sharp unexpected increase, it often takes a year for scheduling and productivity to catch up.

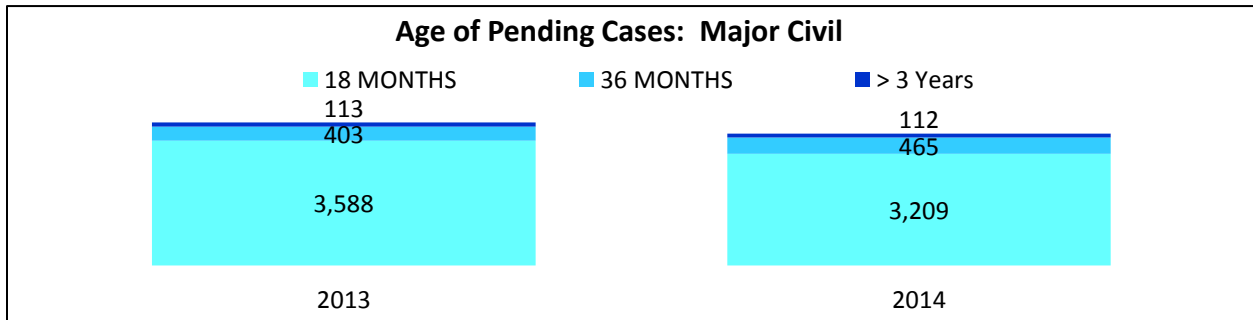
Civil Protection Orders

The clearance rate for civil protection orders for FY14 was 100.1%, in other words the number of cases disposed and the number of cases filed were approximately equal.

Age of Pending Cases

Major Civil Cases

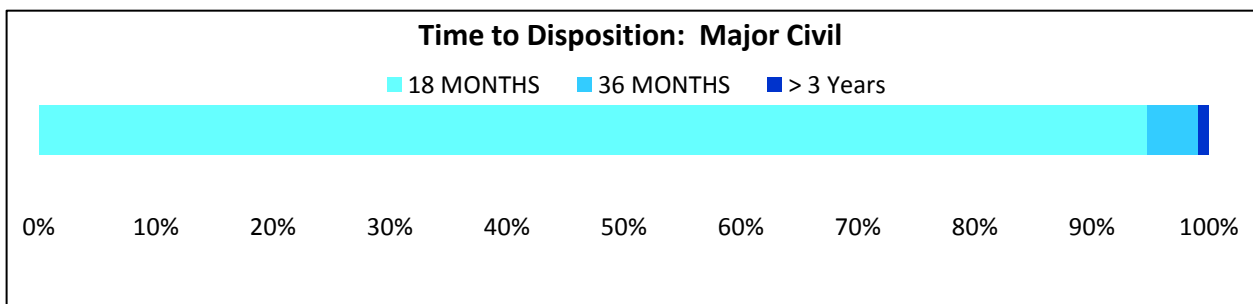
Accurate figures for the age of pending cases and time to disposition in the civil division are only available for FY 13 and FY14. Prior to the consolidation of the courts in 2010, two of the fourteen counties did not use the case management system (VTADS) for civil cases that was in use in all of the other counties. As a result, there is a lack historical data for the civil division. It is also difficult to measure performance based on the age of civil cases because there is so much variation in the average time to disposition from one case type to the next. Thus, for tort and employment cases, the disposition goal set by the Supreme Court for standard cases is 18 months for a standard case and 24 months for a complex case. At the shorter end, the goal for landlord tenant cases is three months for standard cases and six months for complex cases. It is only when data on the age of pending cases and time to disposition is broken down by case type and sub case type that accurate conclusions can be drawn with respect to court performance.



Time to Disposition

Major Civil Cases

In FY14 95% of major civil cases were disposed within 18 months of filing.



Method of Disposition

Major Civil Cases

Out of 7,177 cases disposed in FY14, only 715 or 10% required either a jury or a court trial. Another 8%, were resolved through summary judgment, a decision that usually requires a significant written decision by the trial court. Of the 1,855 cases (26%) that resulted in a default judgment because the defendant failed to appear, the vast majority were collections, landlord tenant or foreclosure cases.

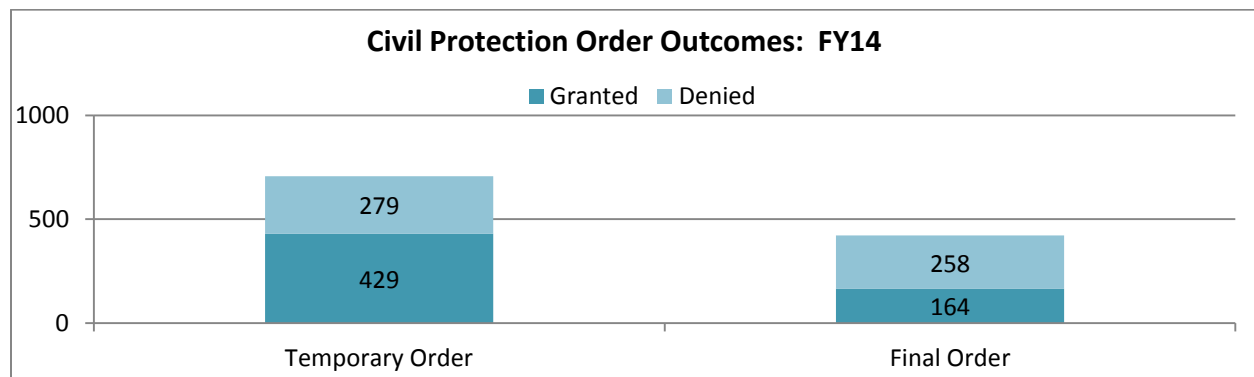
Fiscal Year	Jury Trial	Court Trial	Summary Judgment	Dismissed by Court	Default Judgment	Consent Judgment	Withdrawn
2014	31	684	590	1,455	1,855	643	1919

Small Claims

42% of small claims cases were resolved by agreement of the parties. Another 33% were dismissed by the court or withdrawn by the plaintiff. 13% required a contested hearing.

Civil Protection Orders

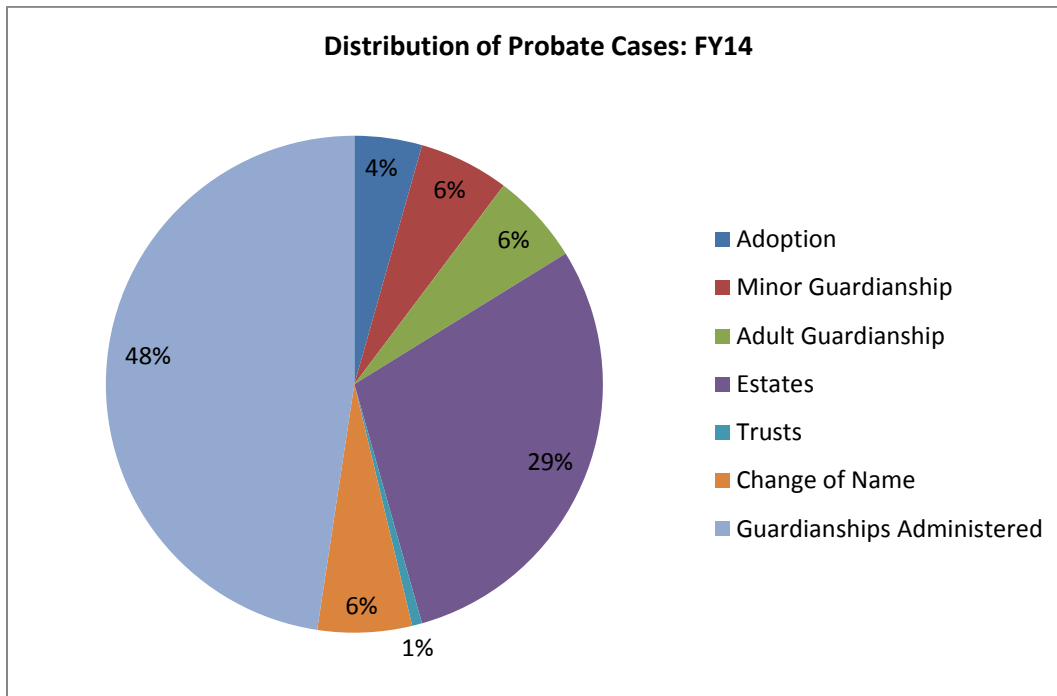
Of the 707 cases disposed in FY14, a temporary restraining order was granted in 61% of the cases, but a final order was granted in only 23% of the cases filed. Requests for civil protection orders to protect against sexual assault represent a very small minority of these cases and temporary and final orders are usually granted. The vast majority of the complaints in this area are based on a claim that the defendant is “stalking” the plaintiff. The explanation for the high percentage of denials of both temporary and final orders lies in all probability with confusion around the definition of “stalking”. Both staff and judges report that self-represented litigants have trouble understanding the statutory definition of “stalking” and, as a result, many claims are dismissed because the alleged facts do not meet the statutory requirement



Probate Division

Introduction

There are five major case types heard by the probate division. These include: adoptions, minor and adult guardianships, estates, and trusts. In addition, the probate division handles some smaller case types such as change of name, as well as a number of functions that are, for the most part, administrative such as changes to birth and death certificates, requests by an out of state minister to perform a marriage in Vermont, etc. The distribution of the major case types based on number of filings is shown in the chart below. The distribution in terms of number of filings does not reflect the relative workload for the judge and probate staff.



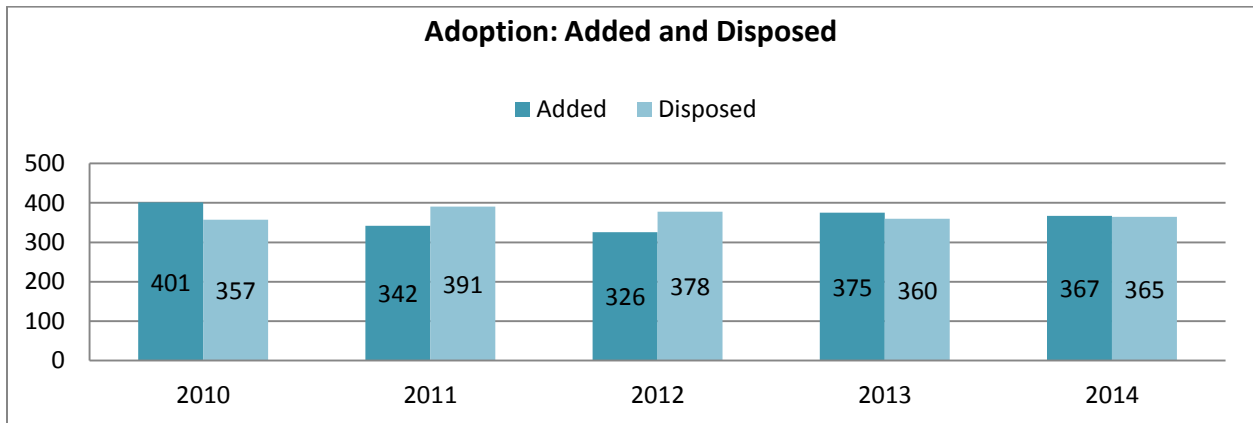
A Note about Probate Statistical Data

Prior to the 2009 consolidation of the superior court into divisions, probate cases were not on the court's case management system (VTADS). Records of filings and dispositions were maintained by hand or, in later years, electronically using a spread sheet. The process of loading all active probate cases into the court's case management system began in FY13 and is still ongoing. We hope to complete the process in FY14. Until all the open probate cases are in the case management system, we can only provide data on number of cases added and disposed. We can calculate a clearance rate for some case types, but not for guardianships and trusts. Data on other NCSC measurements such as age of pending cases and age of case at disposition will not be available until all cases are in the case management system. In addition, the Supreme Court needs to adopt disposition goals for each of the major probate case types in order to create a benchmark for gauging the timeliness of disposition.

Adoption

Trends

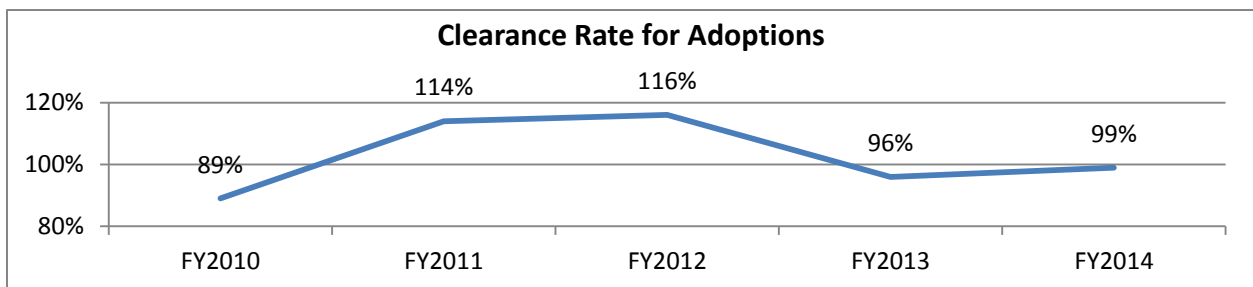
Adoption data includes cases involving the adoption of adults as well as the adoption of minors, although adoption of minors is by far the larger of the two categories. There were 8% fewer adoption petitions filed in FY14 as compared to the filings five years ago in 2010, but filing numbers have increased since FY12 when they hit a record low.⁹ 367 adoption petitions were filed in FY14 which is close to the average number filed annually over the course of the last 10 years.



As part of a step-parent adoption proceeding, a petition may be filed in the probate division requesting that the parental rights of a biological parent be terminated so that the step-parent can adopt the child. In FY14, 14 such petitions were filed in the probate division and 16 petitions were disposed. Only one petition was pending at the end of the fiscal year.

NCSC Measure #2: Clearance Rate

The clearance rate for adoptions in FY14 was 99%. Clearance rates over the past five years have fluctuated between a low of 89% in 2010 and a high of 116% in FY12.

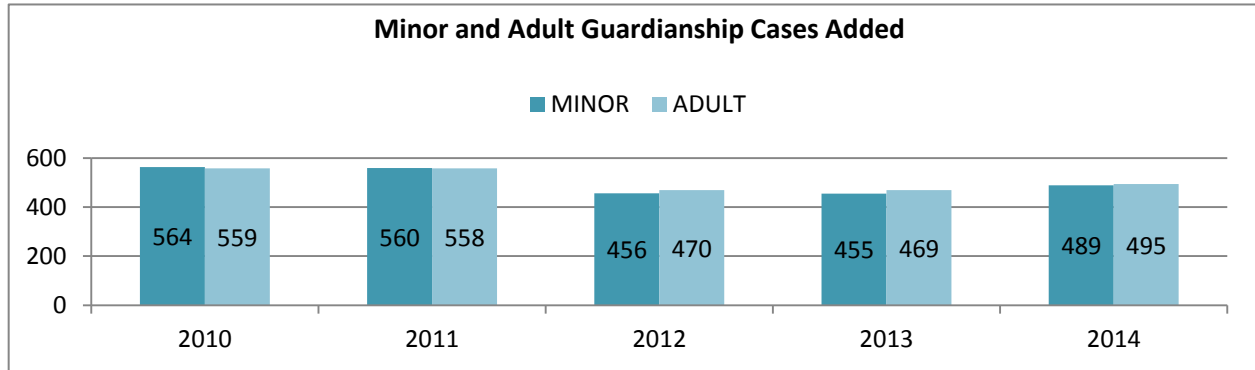


⁹ Only 326 adoption petitions were filed in 2012. This is the lowest annual number filed since 2001.

Minor and Adult Guardianships

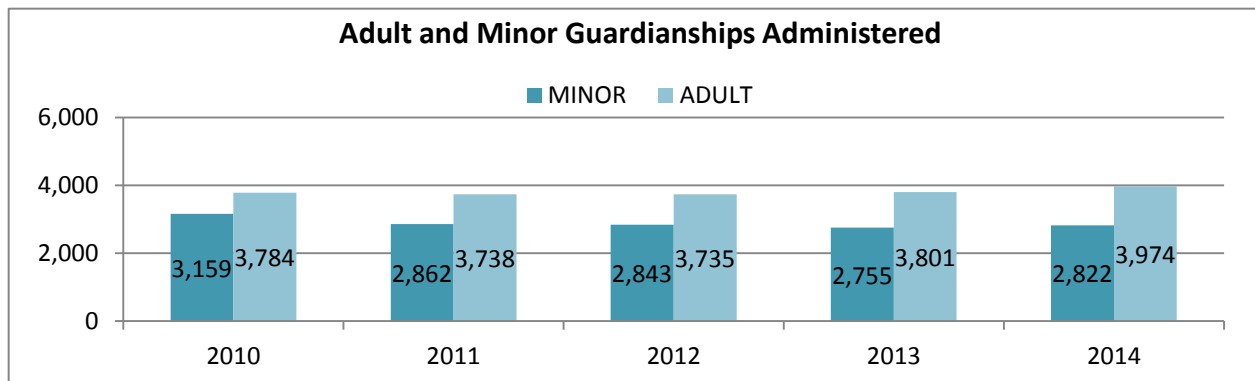
Trends

As was true of adoptions, the number of minor and adult guardianship petitions declined over the past five years hitting their lowest point in FY12. Since FY12, the numbers have increased, but are still 12 to 13% lower than they were in FY10. The adult guardianship figures in FY10 were the highest that they have been in the past decade. By contrast, minor guardianship filings even in 2010 were almost 20% lower than in 2002.



Guardianships Administered

In addition to deciding petitions to establish guardianships, the probate court also administers existing guardianships for as long as they continue to exist. The duration of a guardianship case is unpredictable. If a minor guardianship is not terminated earlier, it will terminate by law when the minor reaches 18 years of age. An adult guardianship can remain in effect for the life time of the adult under guardianship. At the end of FY14, there were close to 7,000 adult and minor guardianships administered by the probate division. The number of minor guardianship administered by the probate court has declined during the past five years while the number of adult guardianships has increased. Regardless of type, each year that the guardianship is in effect the probate court requires a report on the mental and physical well-being of the person under guardianship and, if the person under guardianship has assets and income, a financial report as well.

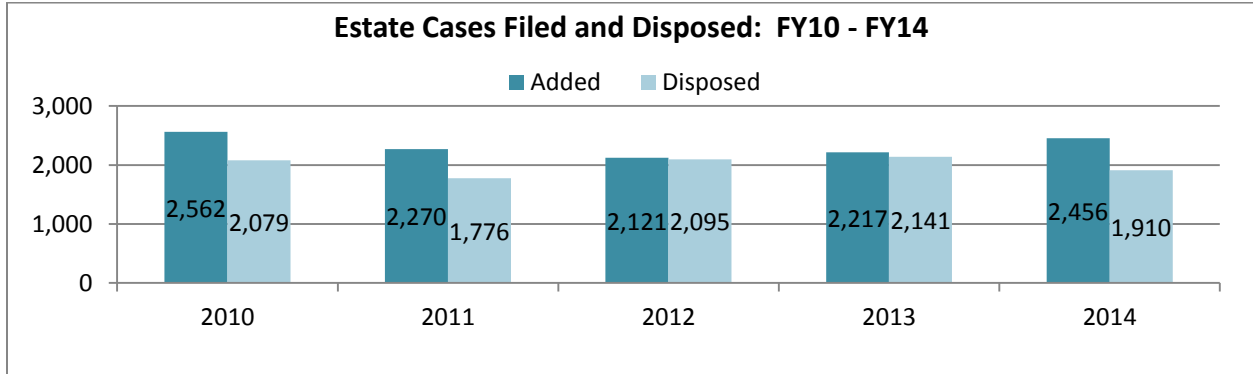


Estates

Trends

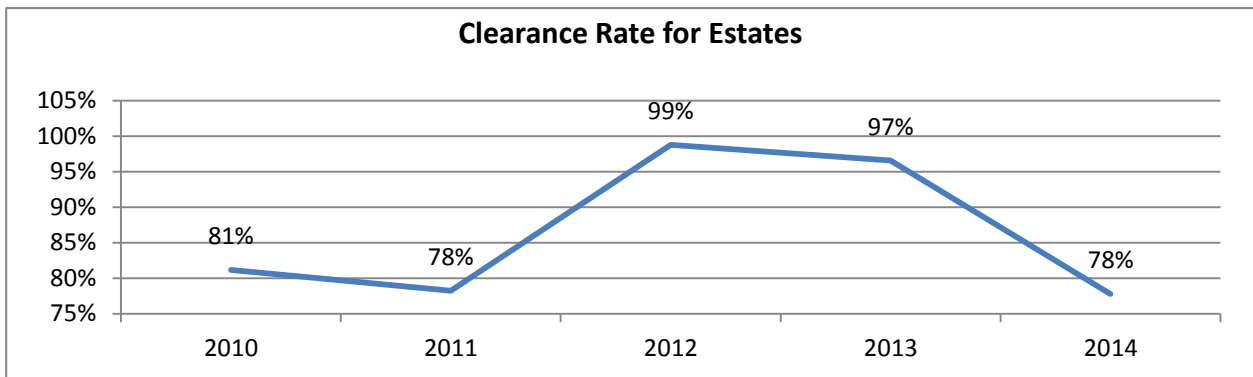
The number of estate cases filed in Vermont ranges between 2100 and 2500 per year.

Dispositions fell off slightly in FY14, but given the fact that estate cases often take more than a year to reach final resolution, this may be the result of a lower than average number of filings in 2012 and 2013.



NCSC Measure 2: Clearance Rate

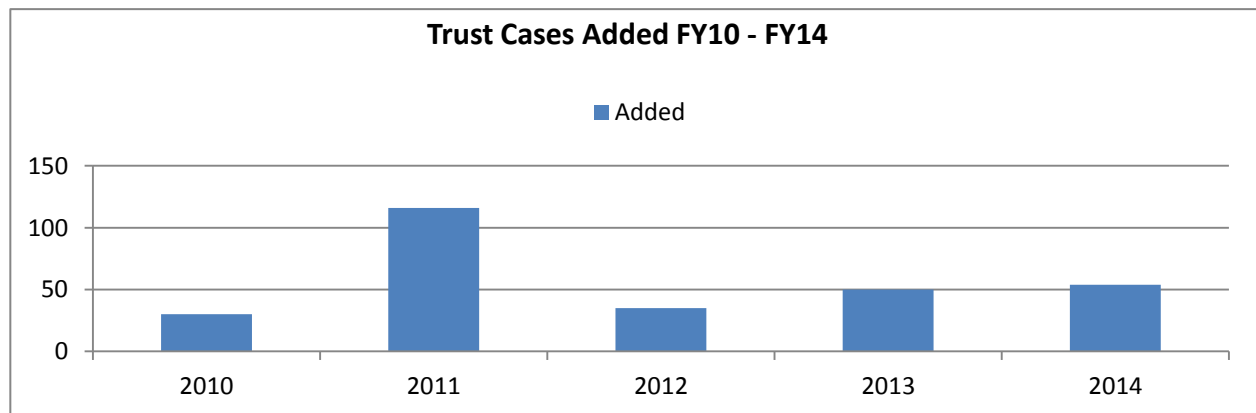
The clearance rate for estates has not been 100% or above for the past five years.



Trusts

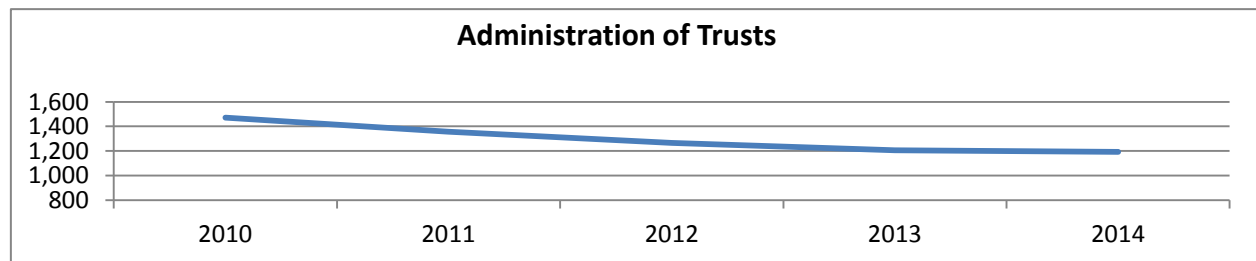
Trends

With the passage of the Uniform Trust Code (14A V.S.A. §101 et seq.), it was predicted that the number of trust filings in Vermont would grow. This has not turned out to be the case as indicated by the filing figures since that time. A surge in filings in 2011 has been followed by three years of filings that are well below the average number of annual filings prior to FY10. There has, however, been an increase in the percentage of hearings that are contested. In FY10, only 17% of the hearings on trust cases were contested. In FY14, almost 30% of the hearings were contested.



Trusts Administered

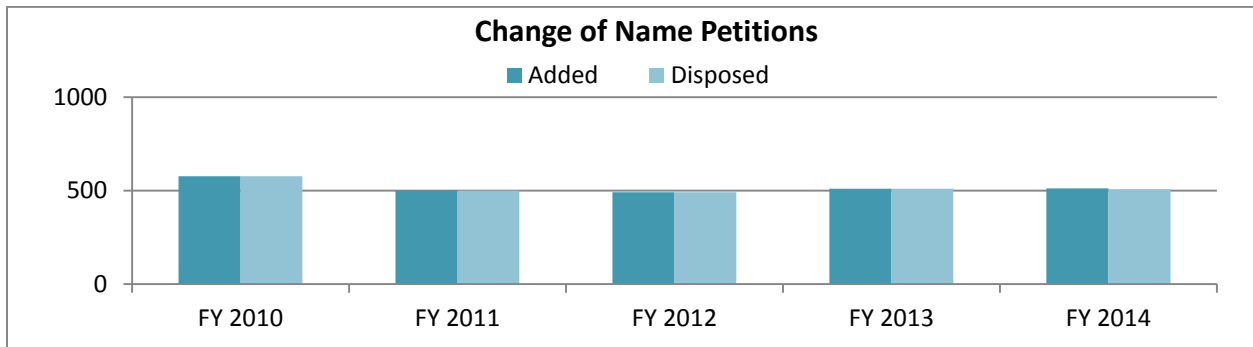
Prior to the passage of the Uniform Trust Act, probate division jurisdiction was limited to testamentary trusts. Once established, the probate court was required to monitor these trusts with annual accountings for the life of the trust. With the passage of the Uniform Trust Act, the probate division's jurisdiction expanded to include all trusts, but annual accountings can now be waived and often are. Most trusts established prior to the Act continue to be monitored, but the number of trusts that require monitoring has declined in the last five years by almost 20%.



Change of Name

Trends

In FY14, 512 petitions for a change of name were filed in the probate division.



Clearance Rate

While Change of Name petitions are occasionally contested, it is rare and the petition may not even require a hearing. The clearance rate for change of name petitions is consistently at or near 100%.

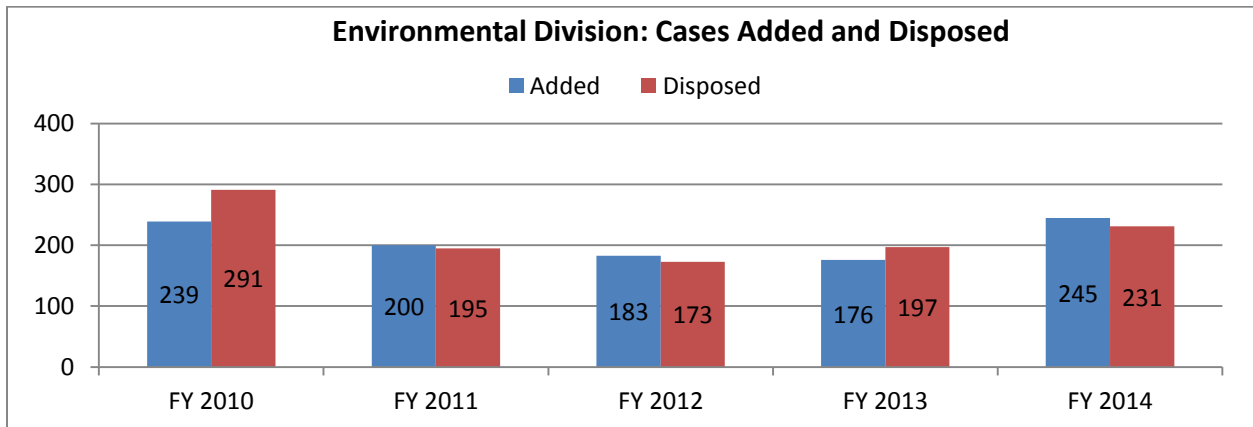
Environmental Division

The environmental division of the superior court is a statewide court responsible for hearing and deciding cases that fall into five general categories:

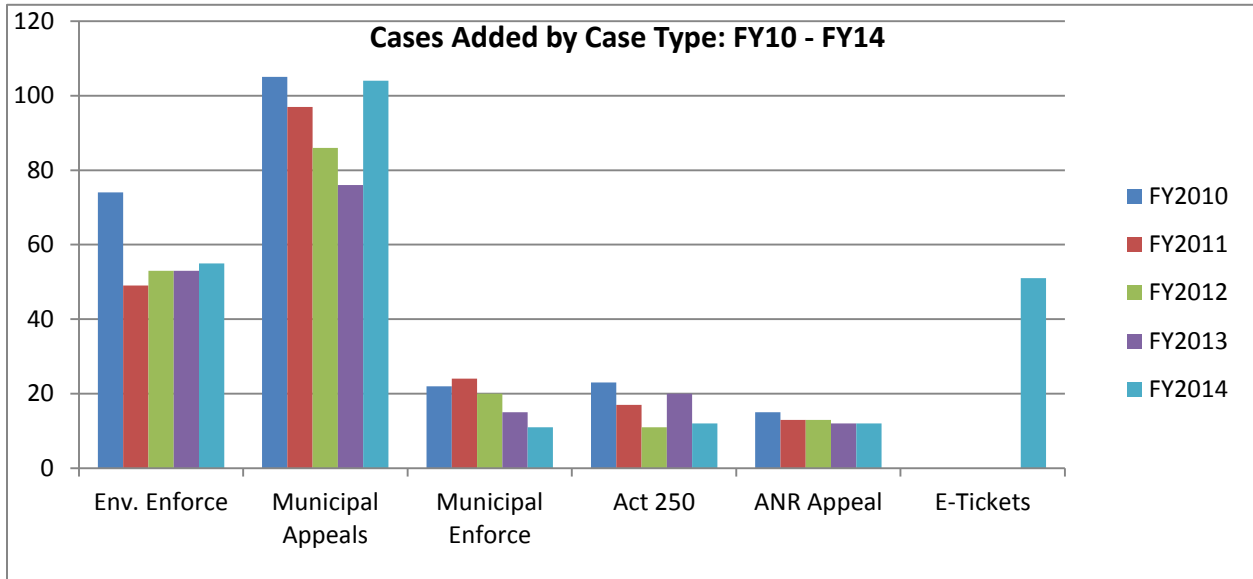
1. Requests to enforce administrative orders issued by various state land use and environmental enforcement agencies
2. Environmental enforcement proceedings from various municipalities
3. Appeals from municipal zoning boards, development review boards and planning commissions
4. Appeals from land use determinations made by the various Act 250 district commissions and jurisdictional determinations by the Act 250 district coordinators
5. Tickets for environmental violations such as unlawful burning, dumping in a stream or lake, or failing to abide by a permit condition or AMP (acceptable management practice).

Trends

As indicated by the chart below, filings in the environmental division in FY14 were slightly higher than they were five years ago and almost 20% higher than they were in FY13. The increase in FY14 is primarily the result of the addition of environmental civil complaints known as E-tickets for low level enforcement cases. While dispositions did not quite match the number of cases added, they were up 17% from the year before.

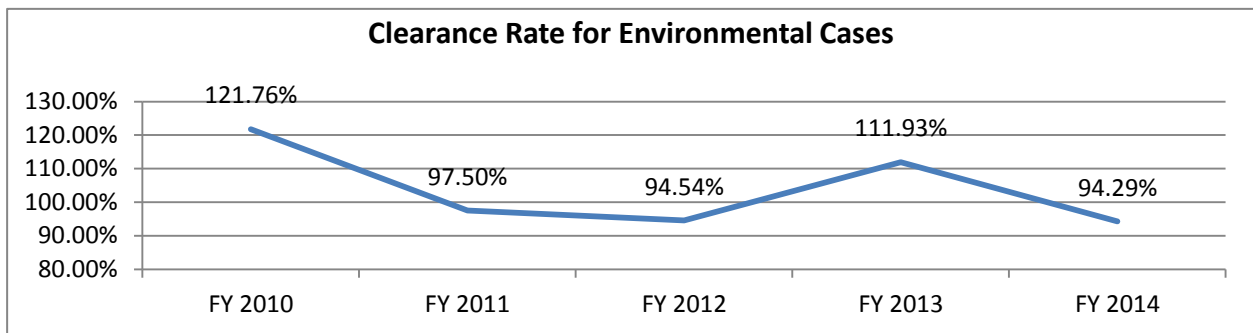


The chart below breaks down the cases added by filing type. Note the decline in the number of enforcement cases by the Agency of Natural Resource/Natural Resources Board (Env. Enforce) and the decline in municipal enforcement cases. While the number of Act 250 and Agency of Natural Resources (ANR) appeals is low compared to enforcement cases, these cases are the by far most time consuming from the perspective of judicial and staff work load.



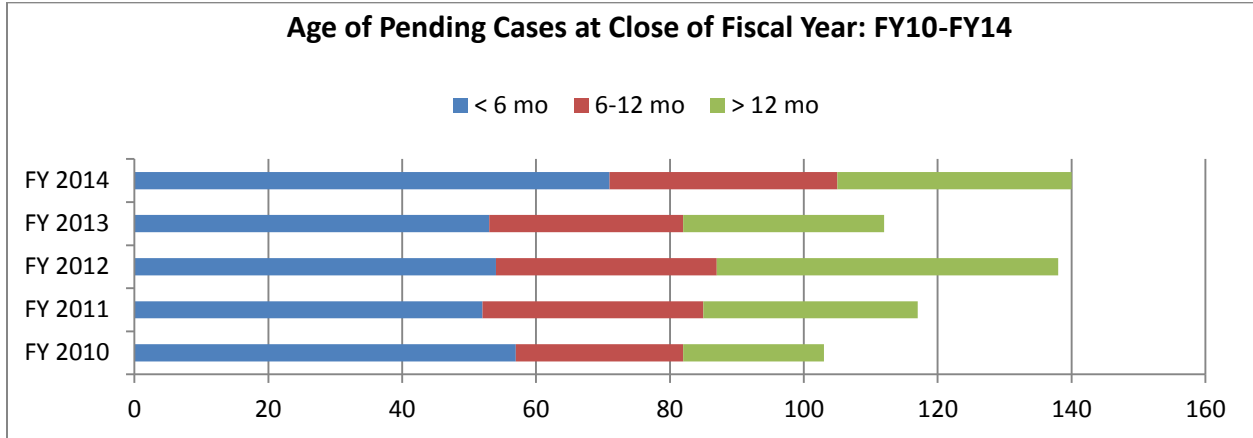
NCSC Measure No. 2: Clearance Rate

The chart below measures the clearance rate for all environmental division cases from 2010 through 2014. While the clearance rate in FY14 fell below 100%, this is attributable to a 40% increase in filings and should level out in FY15.



NCSC Measure No. 3: Age of Pending Cases

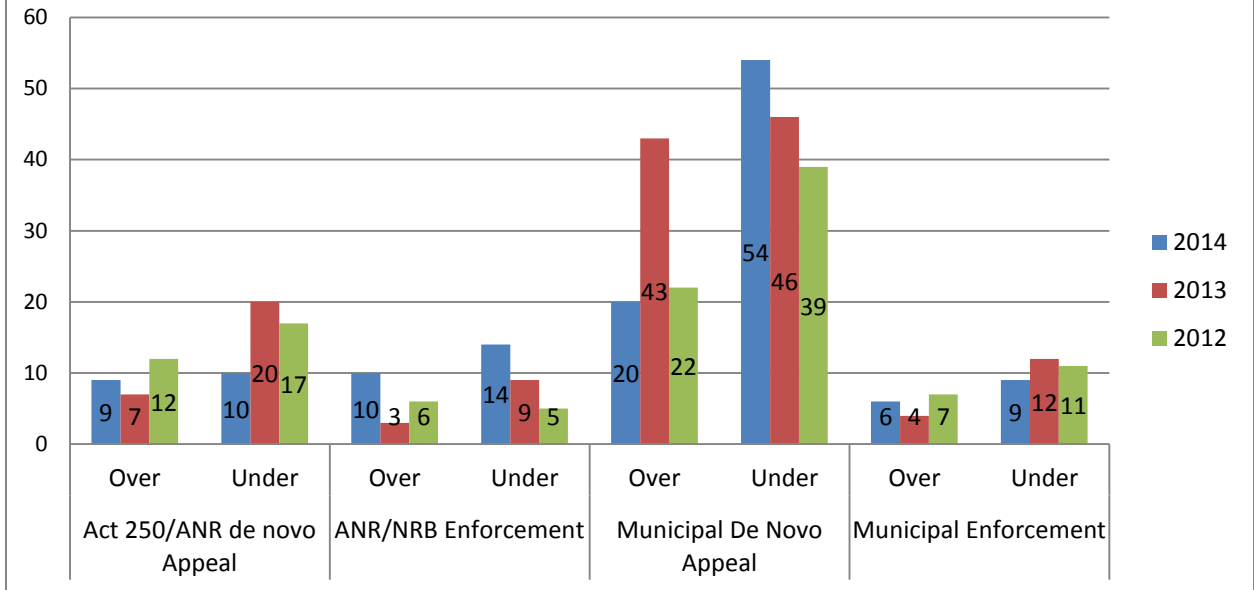
There has been significant growth in the number of pending cases at the end of the fiscal year, but the greatest growth has occurred in cases that are under six months old. The number of cases over a year old declined by 30% in FY14 as compared to FY12 when it reached its highest point.



Time to Disposition

In 2013 the Vermont Supreme Court adopted time standards for all environmental cases types with the exception of civil complaints – the newest case type added in FY14. The goals vary anywhere from 90 days for an uncontested ANR enforcement cases to 18 months for a complex Act 250 appeal or a de novo appeal of an ANR decision. The chart below shows the total number of cases disposed in each case category and then the number disposed under goal and over goal. There has been significant improvement in the percentage of cases disposed within the disposition goal set by the Supreme Court. In FY14 66% of the cases disposed were under goal at the time of disposition as compared to 61% in FY12.

Environmental Division - FY14 and FY13 Disposition Goal Comparison



Supreme Court

For many reasons, the caseload of the Supreme Court has fluctuated over the last ten years, hitting a high of almost 600 new filings in FY2006 and a near low of 452 new filings in FY2014. The filing rate is expected to rise in FY2015 with the large increase of juvenile cases in the system.

The greatest fluctuation is in civil cases, with more appeals occurring in better economic times. In FY2006 there were 195 civil appeals; in FY 2014 there were only 118 civil appeals. The second greatest fluctuation is in family cases, including juvenile. Many of these appeals are by self-represented litigants. Contrary to the trend for civil cases, the highest number of family case appeals appears to occur in worse economic times. Thus, the peak for family appeals was in FY 2013 and FY 2014 had the second highest number of appeals in this category.

Although the numbers are relatively small, there has been a steady increase in the number of appeals from the Environmental Division of the Superior Court over the last four years. Some appeals go directly from an administrative adjudicatory board – for example, the Public Service Board or the Human Services Board – to the Supreme Court. Overall, the number of these cases has remained fairly constant although percentage from particular sources has changed.

At the current filing levels, the annual clearance rate for the Supreme Court is essentially in equilibrium, in each year slightly above or below 100%. As a result, the number of cases pending at the end of each year fluctuates only to some degree. The number of cases pending at the end of FY 2014 is lower than for any other year in the last 12.

It is apparent from the trial court statistics that the challenge in FY 15 and 16 will be expeditious disposition of appeals in juvenile cases, particularly cases involving termination of parental rights. In response to federal case disposition requirements, as well as the Supreme Court's assessment of priority, the Court began expediting juvenile appeals in the late 1990s. Before this action, it was taking ten to thirty months—fourteen months on average—from notice of appeal to issuance of decision to resolve the appeals. The greatest challenge came in termination of parental rights (TPR) cases, the largest part of the Court's juvenile caseload. A very high percentage of decisions to terminate parental rights from the superior court are appealed because of the consequence to the parent(s). The trials typically involve multiple days of hearing, and therefore a lengthy transcript of the evidence must be prepared for appellate review. Limited lawyer time was available to write briefs for the parent(s) and the State. There was a significant delay between a case being ready and argument before the Court.

The Court set a goal of issuing 95% of all decisions in child protection appeals (CHINS and TPR) within six months of the filing of the notice of appeal and amended procedural rules and internal operating procedures in an effort to meet that goal. The most important change was the introduction of the three-justice express track for processing cases which are unlikely to involve new legal doctrine or a change in existing law. Most TPR and other juvenile cases fit well on the express track because the issue in these cases is generally whether the lower court has correctly applied the law to the facts and circumstances. Express-track decisions are generally issued on the next day after the argument to the Court.

The new procedures required faster production of transcripts, strict enforcement of time deadlines, only short time periods between completion of briefing and the date of argument (if any) and immediate issuance of decisions for the vast majority of cases that are on the express track. In effect, staff micromanage these cases throughout the appeals process.

As indicated by the attached statistics, the changes have greatly improved disposition times, although the goal has not been fully achieved in most years. The average time for issuing CHINS/TPR cases since 2006 is typically between four and five months—a two-thirds reduction from the previous fourteen-month average. In FY 2014, the average time was 5.3 months. This has occurred despite a steady increase in the number of CHINS/TPR appeals, not only because of the emphasis on permanency for neglected and abused children, but also because of an increased number of appeals of CHINS merits decisions before termination of parental rights. The Court is committed to keeping the average disposition time under 5 months in spite of the anticipated significant increase in the number of appeals.

Table 1 – Supreme Court Cases Added

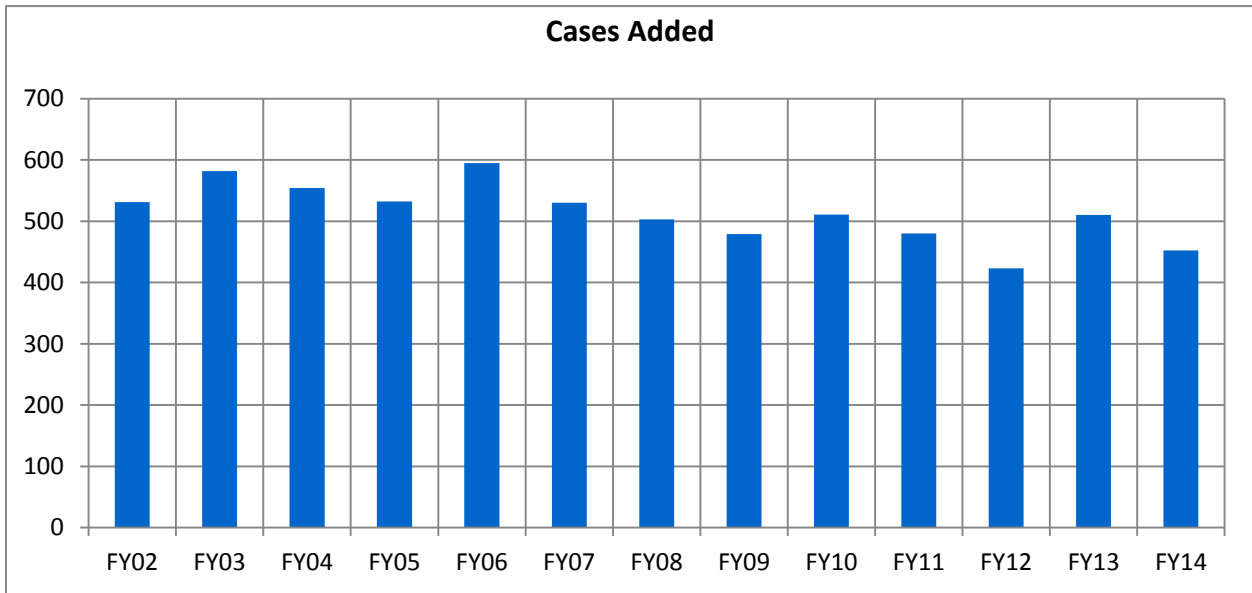


Table 2 - Supreme Court Clearance Rate

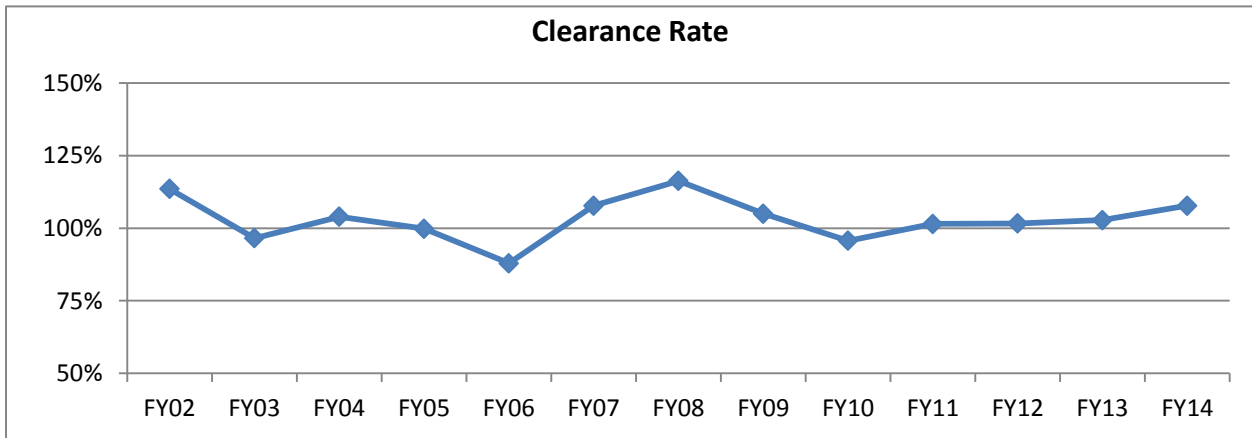


Table 3 - Supreme Court Cases Pending

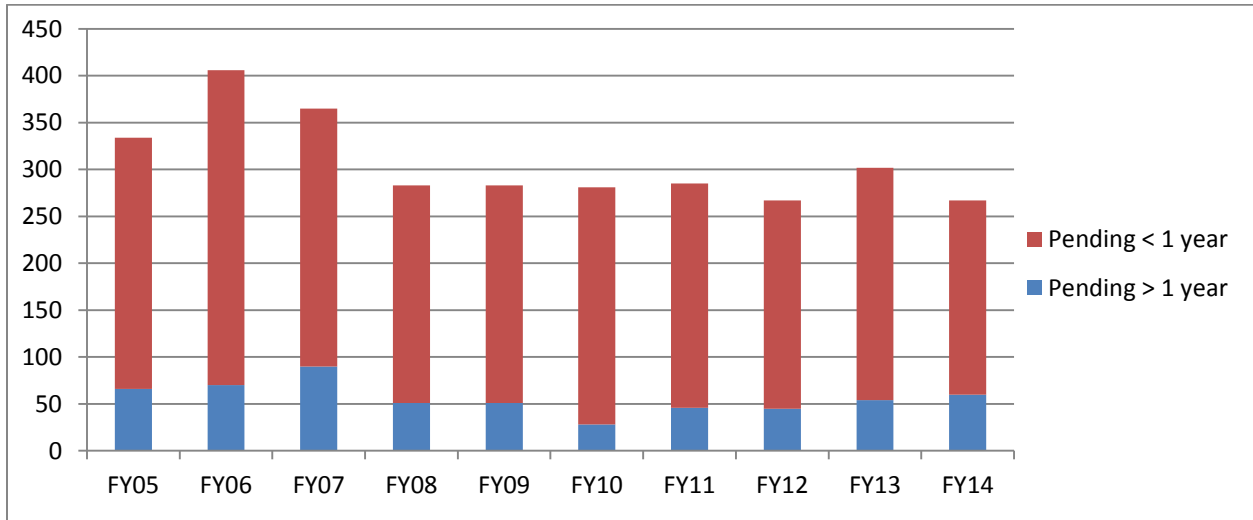


Table 4 – Supreme Court Category of Cases Added

	FY05	FY06	FY07	FY08	FY09	FY10	FY11	FY12	FY13	FY14
Civil	160	195	157	171	134	129	132	109	154	118
Criminal	140	140	138	130	131	158	121	102	103	106
Family	110	128	114	89	105	100	111	109	145	126
Boards	57	46	41	44	51	49	52	49	39	38
Environmental	19	20	23	17	16	15	10	11	18	22
Probate	3	0	1	0	0	3	4	1	3	0
*Original Jurisdiction	<u>43</u>	<u>66</u>	<u>56</u>	<u>52</u>	<u>42</u>	<u>57</u>	<u>50</u>	<u>42</u>	<u>48</u>	<u>42</u>
Totals	532	595	530	503	479	511	480	423	510	452

*Original Jurisdiction cases do not come from a trial court or administrative agency, such as lawyer or judicial discipline cases.

Table 5 – Supreme Court Category of Appeals Filed

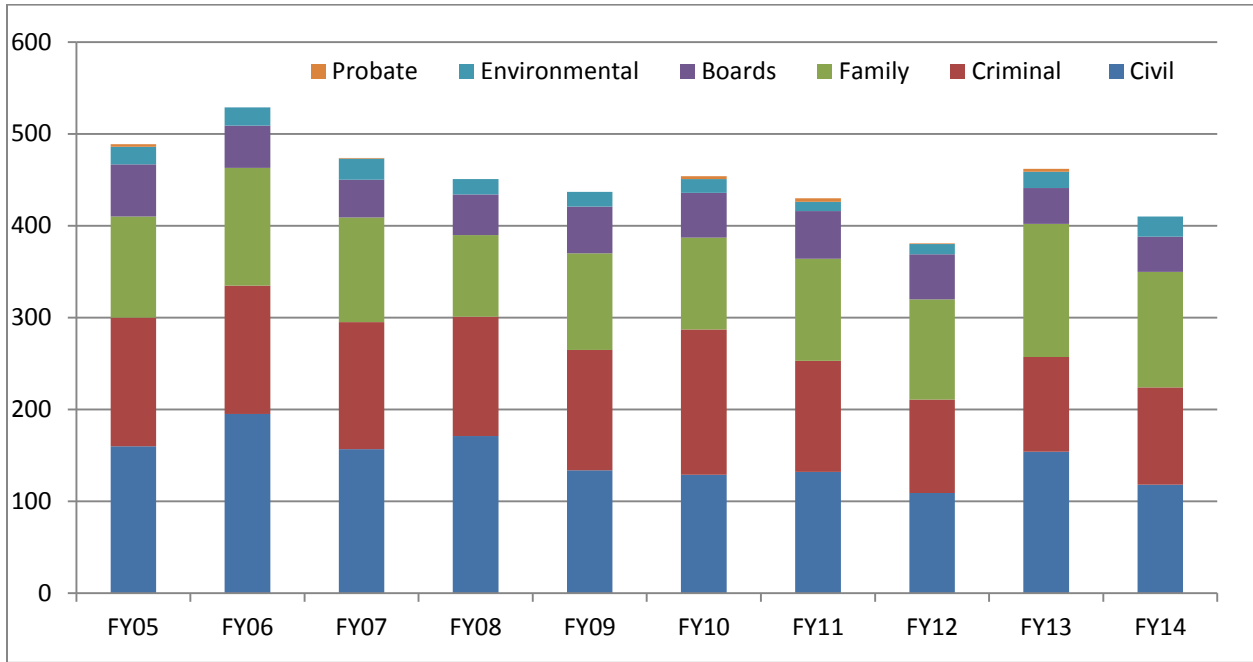


Table and Chart 6 – Supreme Court – Child Protection Cases by Time to Decision FY 2000 – FY 2014

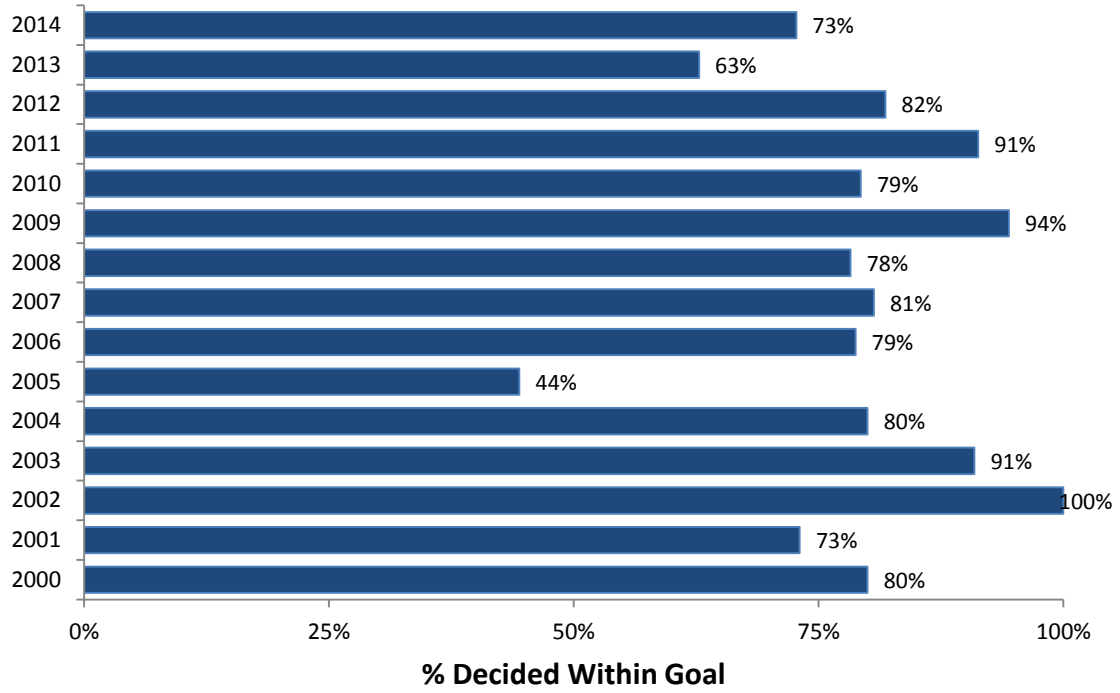
BY TIME TO DECISION FY2000 - FY2014

Appeal
Type (Multiple Items)

Decision FY	TC Notice to Decision Group		Values		Total Number of Cases	Total Percent of Cases
	< 180		> 180			
	Number of Cases	Percent of Cases	Number of Cases	Percent of Cases		
2000	16	80.0%	4	20.0%	20	100.0%
2001	19	73.1%	7	26.9%	26	100.0%
2002	27	100.0%	0	0.0%	27	100.0%
2003	20	90.9%	2	9.1%	22	100.0%
2004	20	80.0%	5	20.0%	25	100.0%
2005	8	44.4%	10	55.6%	18	100.0%
2006	26	78.8%	7	21.2%	33	100.0%
2007	25	80.6%	6	19.4%	31	100.0%
2008	18	78.3%	5	21.7%	23	100.0%
2009	34	94.4%	2	5.6%	36	100.0%
2010	23	79.3%	6	20.7%	29	100.0%
2011	21	91.3%	2	8.7%	23	100.0%
2012	18	81.8%	4	18.2%	22	100.0%
2013	27	62.8%	16	37.2%	43	100.0%
2014	32	72.7%	12	27.3%	44	100.0%
2015	13	86.7%	2	13.3%	15	100.0%
Grand Total	347	79.4%	90	20.6%	437	100.0%

CHILD PROTECTION CASES DECIDED WITHIN 180 DAYS

Decision FY	Total # Child Protection Cases Decided
2000	20
2001	26
2002	27
2003	22
2004	25
2005	18
2006	33
2007	31
2008	23
2009	36
2010	29
2011	23
2012	22
2013	43
2014	44



Family Division

Juvenile: Children in Need of Care and Supervision

CHINS: Five year trends in added, disposed, pending and clearance rates

Fiscal Year	ADDED	DISPOSED	CLEARANCE
2010	692	540	78.0%
2011	789	705	89.4%
2012	911	846	92.9%
2013	881	788	89.4%
2014	1,019	760	74.6%

CHINS: Filings by Case Type

Sum of Cases	FISCAL YEAR				
VTADS CASE SUB-TYPE	2010	2011	2012	2013	2014
CHINS-Abused and Neglected	499	554	701	657	808
CHINS-Truant	79	123	117	135	123
CHINS-Unmanageable	117	113	93	90	93

CHINS: Method of Disposition

Row Labels	NEEDS SUPERVISION	DISMISSED BY COURT	WITHDRAWN	CHANGE OF VENUE
2010	357	64	112	7
2011	469	54	170	11
2012	590	75	172	9
2013	570	48	160	10
2014	523	59	164	13

Juvenile: Delinquency

Delinquency: Five Year Trends in Added, Disposed, Pending and Clearance Rates

Fiscal Year	ADDED	DISPOSED	CLEARANCE
2010	987	974	98.7%
2011	867	921	106.2%
2012	973	877	90.1%
2013	889	944	106.2%
2014	721	651	90.3%

Delinquency: Filings by Case Type

Case Type	Fiscal Year				
	2010	2011	2012	2013	2014
Domestic Violence	69	80	93	67	60
Drug	67	68	71	99	44
Motor Vehicle - DWI/DUI	5	1	2	9	8
Motor Vehicle - Other	25	40	35	35	27
Other	20	14	33	21	44
Person	218	198	244	191	176
Property	198	160	174	145	106
Protection	5	0	2	8	3
Public Order	370	294	310	302	243
Other	10	12	9	12	10
Grand Total	987	867	973	889	721

Delinquency: Method of Disposition

Row Labels	DELINQUENT	NEEDS SUPERVISION	DISMISSED BY COURT	WITHDRAWN	DIVERSION COMPLETE	CHANGE OF VENUE
2010	401	0	55	212	282	24
2011	369	4	41	233	254	20
2012	389	1	63	229	175	20
2013	370	1	39	240	275	19
2014	300	5	20	161	156	9

Juvenile: Termination of Parental Rights

TPR: Five Year Trends in Added, Disposed, Pending and Clearance Rates

Fiscal Year	ADDED	DISPOSED	PENDING	CLEARANCE
2010	205	186	108	91 %
2011	208	180	133	87 %
2012	241	258	106	107 %
2013	235	233	106	99 %
2014	248	229	125	92 %

Domestic: Divorce/Parentage (initial filing)

Divorce/Parentage: Five Year Trends in Added, Disposed, Pending and Clearance Rates

Fiscal Year	ADDED	DISPOSED	PENDING	CLEARANCE
2010	4,568	4,193	2,065	91.8 %
2011	4,347	4,352	1,820	100.1 %
2012	4,225	4,145	1,811	98.1 %
2013	4,337	4,318	1,638	99.6 %
2014	4,225	4,302	1,523	101.8 %

Divorce/Parentage: Filings by Case Type

	2010	2011	2012	2013	2014
Dissolution/Divorce	3,330	3,114	2,920	3,011	3,002
Parentage	1,238	1,233	1,305	1,326	1,223

Divorce/Parentage: Method of Disposition

Fiscal Year	Contested Judgment	Consent Judgment	Default Judgment	Dismissed by Court	Withdrawn	Change of Venue
2010	333	2,585	306	543	387	39
2011	378	2,788	250	546	365	25
2012	272	2,611	293	538	405	26
2013	336	2,675	303	543	414	47
2014	316	2,741	315	523	373	34

Domestic: Child Support

Child Support: Five Year Trends in Added, Disposed, Pending and Clearance Rates

Fiscal Year	Total Filed	Disposed During Year	Pending End of Year	Clearance
2010	8,264	8,227	3,012	100%
2011	8,601	8,632	6,097	100%
2012	8,309	8,336	3,121	100%
2013	8,452	8,800	2,828	104%
2014	8,013	8,138	2,755	102%

Child Support: Filings by Case Type – see above

Fiscal Year	Establishment		Modification/ Enforcement	
	IV-D	Not IV-D	IV-D	Not IV-D
2010	1,530	1,722	4,302	710
2011	1,443	1,743	4,667	748
2012	1,393	1,651	4,529	736
2013	576	1,134	5,585	1,157
2014	576	1,134	5,585	1,157

Child Support: Method of Disposition

Fiscal Year	Uncontested	Contested	Dismissed	Other
2010	5,943	1,267	457	560
2011	6,196	1,278	476	682
2012	6,034	1,259	439	604
2013	6,281	466	1,309	744
2014	5,906	1,224	398	610

Domestic – Post Judgment –non child support

Post Judgment: Five Year Trends in Added, Disposed, Pending and Clearance Rates

Fiscal Year	Added During Year	Disposed During Year	Clearance
2010	3,948	3,834	97%
2011	4,211	4,139	98%
2012	4,042	4,046	100%
2013	4,480	4,553	102%
2014	3,807	3,770	99%

Post Judgment: Filings by Case Type: not available

Post Judgment: Method of Disposition

Method of Disposition			
Granted Uncontested	Dismissed	Granted Contested	Change of Venue / Other
2,770	136	646	282
2,754	143	695	297
2,913	92	726	315
2,810	205	885	653
2,759	86	688	237

Domestic – Protective Order for Relief from Abuse (RFA)

RFA: Five Year Trends in Added, Disposed, Pending and Clearance Rates

Fiscal Year	ADDED	DISPOSED	PENDING	CLEARANCE
2010	3,757	3,719	133	99.0 %
2011	3,630	3,626	120	99.9 %
2012	3,809	3,811	117	100.1 %
2013	3,476	3,490	122	100.4 %
2014	3,363	3,307	185	98.3%

RFA: Filings by Case Type N/A

RFA: Method of Disposition

Fiscal Year	Contested Judgment	Consent Judgment	Default Judgment	Dismissed by Court	Withdrawn	Denied	Change of Venue
2010	387	447	364	1,129	558	820	14
2011	426	443	346	1,139	477	782	13
2012	434	443	374	1,108	607	829	16
2013	339	408	364	1,093	504	770	12
2014	385	374	323	1,011	426	778	10

Mental Health

Mental Health: Five Year Trends in Added, Disposed, Pending and Clearance Rates

Fiscal Year	ADDED	DISPOSED	PENDING	CLEARANCE
2010	754	712	148	94%
2011	769	782	136	102%
2012	762	773	129	101%
2013	798	804	126	101%
2014	843	853	118	101%

Mental Health: Filings by Case Type

	FY10	FY11	FY12	FY13	FY14
Application for Involuntary Treatment	451	456	428	455	403
Application for Continued Treatment	259	265	280	294	355
Application for Involuntary Medication	33	41	46	42	78

Mental Health: Method of Disposition

Fiscal Year	Judgment On Merits	Consent Judgment	Dismissed By Court	Dismissed	Change of Venue
2010	62	270	14	334	32
2011	76	310	5	363	28
2012	82	288	7	378	18
2013	77	311	12	387	17
2014	148	371	10	293	31

Criminal Division

Felonies

Felonies: Five Year Trends in Added, Disposed, Pending and Clearance Rates

Fiscal Year	ADDED	DISPOSED	PENDING	CLEARANCE
2010	3,283	3,214	1,665	97.9%
2011	3,225	3,146	1,740	97.6%
2012	3,419	3,246	1,837	94.9%
2013	3,539	3,370	1,962	95.2%
2014	3,423	3,641	1,915	106.4%

Felonies: Filings by NCSC Case Type

NCSC Case Type	Fiscal Year				
	2010	2011	2012	2013	2014
Domestic Violence	358	408	453	462	464
Drug	444	397	404	555	521
Motor Vehicle - DWI/DUI	371	315	317	299	333
Motor Vehicle - Other	52	77	66	116	105
Person	593	652	619	617	607
Property	856	839	953	876	876
Protection	77	91	84	92	79
Public Order	531	446	521	522	438
Weapon	1	0	2	0	0
Grand Total	3,283	3,225	3,419	3,539	3,423

Felonies: Method of Disposition

Fiscal Year	PLEA	COURT TRIAL	JURY TRIAL	DISMISS	TRANSFER
2010	2,473	1	61	639	40
2011	2,418	6	57	631	34
2012	2,569	1	48	592	36
2013	2,582	3	51	687	47
2014	2,667	3	42	885	44

Misdemeanors

Misdemeanors: Five Year Trends in Added, Disposed, Pending and Clearance Rates

Fiscal Year	ADDED	DISPOSED	PENDING	CLEARANCE
2010	14,277	14,045	2,903	98.4%
2011	13,660	13,025	3,252	95.4%
2012	13,650	13,560	3,260	99.3%
2013	14,210	14,329	3,083	100.8%
2014	12,912	13,447	3,088	104.1%

Misdemeanors: Filings by NCSC Case Type

NCSC Case Type	Fiscal Year					
	2009	2010	2011	2012	2013	2014
Domestic Violence	789	811	874	866	809	781
Drug	1,110	1,318	1,259	1,141	1,332	384
Motor Vehicle - DWI/DUI	3,374	3,140	2,884	2,789	2,813	2,711
Motor Vehicle - Other	2,745	2,809	2,917	2,841	2,973	3,167
Person	963	1,019	961	1,034	978	953
Property	1,765	1,829	1,644	1,634	1,866	1,732
Protection	320	306	309	324	324	291
Public Order	3,439	3,043	2,812	3,017	3,113	2,892
Weapon	1	1	0	4	2	1
Grand Total	14,506	14,276	13,660	13,650	14,210	12,912

Misdemeanors: Method of Disposition

Fiscal Year	PLEA	COURT TRIAL	JURY TRIAL	DISMISS	TRANSFER
2009	9,914	14	62	4,393	89
2010	9,601	9	51	4,298	86
2011	8,848	7	62	4,013	95
2012	9,002	18	48	4,393	99
2013	9,473	20	50	4,699	87
2014	8,523	13	46	4,777	88

Civil Division

Major Civil

Major Civil: Five Year Trends in Added, Disposed, Pending and Clearance Rates

Fiscal Year	ADDED	DISPOSED	PENDING	CLEARANCE
2010	5,926	5,617	2,844	94.79 %
2011	5,277	5,004	3,063	94.83 %
2012	5,878	5,495	3,307	93.48 %
2013	7,457	6,464	4,069	86.68 %
2014	6,863	7,198	3,745	104.88 %

Major Civil by Case Type – Added

Case Type	Fiscal Year				
	2010	2011	2012	2013	2014
Appeal	231	172	189	186	135
Claim Against Government	5	10	15	24	35
Collections	1,707	1,571	1,604	1,638	1,870
Contract	260	241	219	272	256
Declaratory Relief	100	101	111	116	140
Employment	19	37	27	38	32
Foreclosure	1,576	1,087	1,341	2,023	1,235
Govt Enforcement	47	34	50	29	55
Landlord/Tenant	944	1,004	1,204	1,679	1,789
Miscellaneous	289	276	343	520	389
Prisoner Cases	250	265	293	353	412
Real Property	69	82	59	63	50
Tort	429	397	423	516	465

Major Civil: Method of Disposition

Fiscal Year	Jury Trial	Court Trial	Summary Judgment	Default Judgment	Consent Judgment	Dismiss by Court	Withdrawn	Change of Venue
2010	21	347	546	1,594	526	1,035	1,532	16
2011	18	316	451	1,123	480	989	1,607	20
2012	23	393	501	1,375	505	1,021	1,654	23
2013	17	532	545	1,699	529	1,232	1,874	36
2014	31	684	590	1,855	643	1,455	1,919	21

Small Claims

Small Claims: Five Year Trends in Added, Disposed, Pending and Clearance Rates

Fiscal Year	ADDED	DISPOSED	PENDING	CLEARANCE
2010	6,621	7,192	1,504	108.62 %
2011	4,953	5,374	1,143	108.50 %
2012	4,887	4,791	1,333	98.04 %
2013	5,069	5,402	1,093	106.57 %
2014	6,309	5,548	1,928	87.94 %

Small Claims by Case Type: N/A

Small Claims: Method of Disposition

Fiscal Year	Jury Trial	Court Trial	Default Judgment	Consent Judgment	Dismiss by Court	Withdrawn	Change of Venue
2010	2	864	917	2,669	1,621	1,096	23
2011	4	650	761	2,056	1,017	872	14
2012	0	646	641	1,826	927	736	15
2013	3	809	749	1,863	1,127	837	14
2014	3	743	626	2,334	1,103	730	9

Civil Protection against Stalking and Sexual Assault

Civil Protection: Five Year Trends in Added, Disposed, Pending and Clearance Rates

Fiscal Year	ADDED	DISPOSED	PENDING	CLEARANCE
2010	523	491	48	93.88 %
2011	512	528	33	103.13 %
2012	562	563	27	100.18 %
2013	684	673	35	98.39 %
2014	703	686	41	97.58 %

Civil Protection by Case Type

	FY10	FY11	FY12	FY13	FY14
Sexual Assault	44	36	41	44	35
Stalking	624	653	644	667	672

Civil Protection: Method of Disposition

Fiscal Year	Temporary Order Denied	Temporary Order Granted	Final Order Denied	Final Order Granted	Invalid or Missing Disposition
2010	184	466	296	161	9
2011	284	429	255	174	0
2012	243	461	273	185	3
2013	232	491	332	156	3
2014	279	429	258	164	7

Probate Division

Adoption

Adoption: Five Year Trends in Added, Disposed, Pending and Clearance Rates

Fiscal Year	Added	Disposed	Pending End of Year	Clearance
2010	401	357	158	89.03%
2011	342	391	121	114.33%
2012	326	378	119	115.95%
2013	375	360	124	96.00%
2014	367	365	109	99.46%
TOTAL	1811	1851	631	

Adoption: Method of Disposition

Fiscal Year	Hearings Held	
	Contested	Uncontested
2010	2	302
2011	19	298
2012	6	291
2013	7	282
2014	33	341
TOTAL	67	1514

Minor and Adult Guardianships

Guardianships: Five Year Trends in Added and Administered

Fiscal Year	Added During Year			Disposed During Year	Admin. At End of Year		
	MINOR	ADULT	TOTAL		MINOR	ADULT	TOTAL
2010	564	559	1,258	845	3,159	3,784	8,164
2011	560	558	1,118	907	2,862	3,738	6,600
2012	456	470	926	867	2,843	3,735	6,578
2013	455	469	924	948	2,755	3,801	6,556
2014	489	495	984	754	2,822	3,974	6,796

Estates

Estates: Five Year Trends in Added, Disposed, Pending and Clearance Rates

Year	Added	Disposed	Clearance Rate
2010	2,562	2,079	81%
2011	2,270	1,776	78%
2012	2,121	2,095	99%
2013	2,217	2,141	97%
2014	2,456	1,910	78%

Estates: Method of Disposition

Year	Contested	Uncontested
2010	276	757
2011	283	798
2012	302	942
2013	279	835
2014	320	783

Trusts

Trusts: Five Year Trends in Added, Disposed, Pending and Clearance Rates

Year	Added During Year	Disposed During Year	Trusts Admin. End Yr.
2010	30	83	1,470
2011	116	100	1,357
2012	35	94	1,266
2013	50	106	1,206
2014	54	70	1,193

Trusts: Method of Disposition

Year	Contested	Uncontested
2010	34	168
2011	24	194
2012	25	150
2013	27	115
2014	39	94

Change of Name

Change of Name: Five Year Trends in Added, Disposed, Pending and Clearance Rates

Fiscal Year	# Pending Beginning of Year	# Added During Year	# Disposed of During Year	Clearance
2010	0	578	578	100%
2011	0	501	501	100%
2012	0	492	492	100%
2013	0	511	511	100%
2014	0	512	507	101%

Change of Name: Method of Disposition

Fiscal Year	Contested Hearings	Uncontested Hearings
2010	0	0
2011	0	0
2012	0	0
2013	0	0
2014	4	88

Environmental Division

Environmental: Added, Disposed and Clearance

Fiscal Year	Added	Disposed	Clearance Rate
2010	239	291	121.76%
2011	200	195	97.50%
2012	183	173	94.54%
2013	176	197	111.93%
2014	245	231	94.29%

Environmental Cases Added by Case Type

Case Type	FY10	FY11	FY12	FY13	FY14
Env. Enforcement	74	49	53	53	55
Municipal Appeal	105	97	86	76	104
Municipal Enforcement	22	24	20	15	11
Act 250	23	17	11	20	12
ANR Appeal	15	13	13	12	12
E Ticket	0	0	0	0	51

Environmental: Method of Disposition

Fiscal Year	Settled By Consent Order of Assurance	Final Decision	Dismissed by Court	Withdrawn
2010	118	118	26	29
2011	103	65	14	13
2012	86	63	13	11
2013	80	86	21	10
2014	107	95	17	12