

Appendix E

Judge Advisory Group Meeting: Participant Information Packet

Included items:

1. Meeting Logistics Memorandum
2. Meeting Agenda (Participant List Removed)
3. Briefing Paper

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memorandum

DATE: April 7, 2003
TO: Participants attending the Judge Advisory Group Meeting
for the District Court Case Weighting Study
FROM: Patricia Lombard, Project Director
SUBJECT: Meeting Logistics

Thank you for accepting the invitation to attend the meeting of the Judge Advisory Group for the District Court Case Weighting Study.

The meeting will be held in Washington, D.C. on the afternoon of Wednesday, April 30, 2003 (1:30 p.m. - 5:00 p.m.) and the morning of Thursday, May 1, 2003 (8:30 a.m. - 12:30 p.m.) This schedule will permit many of the meeting's participants to arrive in Washington on Wednesday morning and travel home Thursday afternoon.

This memorandum provides information about the meeting's logistics. Attached to the memorandum is a TRAVEL AUTHORIZATION form. The packet of materials you have received with this memorandum includes a preliminary meeting agenda, a list of participants, and a briefing document.

MEETING LOCATION

We will meet in the FJC Conference Room on the sixth floor of the Thurgood Marshall Federal Judiciary Building (TMFJB). The building is located directly east of Union Station at One Columbus Circle, N.E. From the building's atrium, please proceed to the south lobby and present picture identification to the security personnel. You will find the conference room located next to the bank of elevators on the sixth floor.

ACCOMMODATIONS AND OTHER EXPENDITURES

The FJC has reserved a block of rooms for meeting attendees at the Hyatt Regency Washington, 400 New Jersey Ave., N.W., Washington, D.C. 20001 (202) 737-1234. The FJC will pay the single room rate of \$189.00 per night by purchase order for lodging on April 30, as well as lodging on April 29 for any traveler needing to arrive on Tuesday to make the 1:30 p.m. start time on Wednesday. Please telephone the hotel by **Wednesday, April 16th** to confirm your reservation. It is important that you indicate you are with the Federal Judicial Center's Judge Advisory Group when making these arrangements. The hotel has been given a preliminary list of meeting attendees, but you will need to verify the reservation and the number of nights you intend to lodge. If you have questions about lodging, the hotel sales manager, Ms. Gayla Behrens, would be happy to hear from you directly at (202) 383-1310.

The Hyatt is located less than 10 minutes walking distance from the TMFJB. If you need to take a taxi between the hotel and the TMFJB, please request a receipt and include it with your travel voucher when seeking reimbursement.

REIMBURSEMENT FOR EXPENDITURES

As noted, the Center will pay the hotel directly for your lodgings on April 29th and April 30th. If you itemize expenditures, you may claim daily reimbursement for meals and allowable incidental expenses of up to \$85 per day on April 29 - May 1. Alternatively, you may submit a per diem claim of \$46 per day. Ground transportation does not count toward the limit on allowable incidentals.

Upon completion of travel, please submit your voucher for reimbursement of expenses to the Clerk of Court for your district, with a copy of the Center's TA attached. A copy of your voucher should additionally be sent to our office so that we may monitor expenditures for the meeting (send to: Jeannette Summers, Federal Judicial Center, One Columbus Circle, N.E., Washington, DC 20002).

AIR AND GROUND TRANSPORTATION

We have enclosed a travel authorization for your use in arranging travel. Our travel authorization urges the use of economy fares for those who will fly. All participants are entitled to use government fares for this meeting; National Travel Service at 1-800-445-0668 can provide fare information and assistance with travel arrangements.

Taxi service is available from Reagan National Airport for about \$30.00 each way. Shuttle service is available from Dulles Airport for about \$20 each way (reserve by phone at 1-800-258-3826 or online at www.supershuttle.com). Rental car reimbursement is not authorized for this meeting beyond the ground transportation equivalent (\$60). First class travel is not authorized for this meeting.

AGENDA AND MEETING OBJECTIVES

The packet of materials included with this memorandum includes a preliminary agenda for the meeting, as well as a briefing document that provides background information about the proposed study, an overview of the study design, and information about the kinds of issues to be explored by the Advisory Group. We expect the meeting to focus on a determination of the case types and case events that the case weights will be predicated upon.

MEETING PARTICIPANTS

A preliminary list of the meeting participants is enclosed.

QUESTIONS

Please contact us if you have any questions about the meeting or general logistics. I can be reached at 202-502-4083 (plombard@fjc.gov). Another project member, Carol Krafka, can be reached by dialing 202-502-4068 (ckrafka@fjc.gov). We look forward to seeing you in Washington.

Enclosures

Federal Judicial Center
2003 - 2004 District Court Case Weighting Study

Judge Advisory Group Meeting

April 30 - May 1, 2003
FJC Conference Room, Sixth Floor
Thurgood Marshall Federal Judiciary Building
One Columbus Circle, NE, Washington, DC 20002-8003

Agenda

Wednesday, April 30, 2003

- 1:30 Welcome Honorable Marilyn L. Huff
Chair, Subcommittee on Judicial Statistics
- 1:45 Discussion of the Project Design
- Overview of case weighting issues
 - Features of the project design
 - Schedule
 - Advisory Group tasks
- 2:15 What We Learned from the Technical Advisory Group
- Docketing limitations
 - Data extraction issues
 - Docket sheet parsing option
- 3:00 *Break*
- 3:15 Discussion of JS-10 Analysis
- Trial and evidentiary hearings
 - Non-trial proceedings
- 3:45 Select Civil Events
- Discussion of event worksheet
 - Define events / tasks that will be included
- 5:00 *Adjourn for the day*

Federal Judicial Center
2003 - 2004 District Court Case Weighting Study
Judge Advisory Group Meeting

Thursday, May 1, 2003

8:30 Choose Civil Case Types

- Introduce worksheet with case characteristic options
- Discuss and select case types

9:30 Select Criminal Events

- Discussion of event worksheet
- Define events / tasks that will be included

10:30 *Break*

10:45 Choose Criminal Case Types

- Introduce worksheet with case characteristic options
- Discuss and select case types

11:15 Format for Facilitated Circuit Meetings

- Contact with circuit chief judges re: selecting participants
- Pre-meeting participant materials and instructions
- Default time values and exceptions
- Circuit-identified variations

12:15 Wrap-up Discussion

- What are the next steps?
- Future role for Judge Advisory Group members

12:30 *Adjourn*

Judge Advisory Group Meeting

April 30 – May 1, 2003

Briefing Paper

Background

The December 2002 meeting of the Statistics Subcommittee concluded with the Subcommittee requesting the FJC to update the case weights for the district courts using event-based methodology. Event-based methodology does not require district judges to record time or maintain diaries. This method for calculating weights instead relies on data already routinely collected for administrative and case management purposes by the courts, supplemented, for the 2003-2004 District Court Case Weighting Study, by judgment data about time expenditures that are to be provided by experienced district judges.

Three types of information are required to compute event-based case weights. They are:

- *case characteristics* (used to organize individual cases into case types);
- *event incidence* (used to profile the type and frequency of activities requiring judicial attention in each of the defined case types); and
- *judicial time* (measures of the average time required for judges to handle the events and activities leading to disposition of various case types).

Basic information on *case characteristics* is obtained from standard statistical reporting forms submitted by courts to the AO. Such information includes nature of suit, basis of federal jurisdiction, and indicted offense. In the past, the case characteristics found in these reports were the only available basis for defining the case type taxonomy of the case weighting system. It may be possible in the current project to make additional (or simply different) case type differentiations based on information extracted from docket sheets. Such information might include, for example, number of parties.

Information that leads to calculations of *event incidence* comes from records of docketed activity contained in the courts' administrative databases. *Events* might include, but are not limited to, such things as trials, conferences, motions, hearings, orders, document review, opinion writing, etc.

Measures of the *judicial time* needed to handle case events and activities will be drawn from several sources. JS-10 reports provide objective measures of judicial time spent in trial. The same JS-10 reports record data on nontrial proceedings; analyses are underway to determine whether estimates of nontrial proceedings time from this source are justified.

Perhaps the most significant source for judicial time measures will come from judgment-based estimates provided by district judges themselves. The design of the study calls for convening meetings of experienced district judges in every circuit to obtain systematic in-

formation about the average time judges typically spend on case events and activities. If analyses do not support the use of nontrial proceedings estimates from JS-10 data, district judges convened in these circuit-based meetings will estimate the time demands of nontrial proceedings. The judges will also be required to draw on their experience to estimate in-chambers task time.

The circuit-based meetings will be conducted in a manner designed to reduce errors in the judgment task. The most significant element in this effort will involve our providing judges, where possible, with empirical information about relevant time expenditures calculated from the 1993 Time Study and sources such as JS-10 data. Such estimates should provide a starting point, or anchor, for judgments that judges in the circuit-based meetings will be free to depart from, as appropriate. The judgment task will also be structured to minimize fatigue through the use of default time estimate values. The results of the circuit-based meetings will subsequently be put before representatives from each circuit who are convened as a national group to establish final consensus judgments about the time required to complete specific case events. The computation of the case weights will rely on the national group's consensus judgments.

Judge Advisory Group

An event-based case weighting method assumes that the amount of time a judge spends processing a case is directly related to the events and activities that occur in the case. This method assumes, additionally, that most events and activities are reflected in docket entries, and that if key events are not reflected in the docket, the expended time can nonetheless be accounted for by turning to other indicators of the activity.

One of the principal tasks of the Judge Advisory Group will be to determine which events and activities will define the structure of the case weights system. Examples of events and activities that are likely to be considered include, among others, trials, evidentiary proceedings, conferences, and hearings, as well as chambers time associated with activities such as reading briefs and deciding motions. In March, the FJC held a two-day meeting with a Technical Advisory Group that it established to help plan the process of data extraction from case management databases. The docket information that can be extracted will determine the array of events and activities that can be incorporated into the computations. The meeting confirmed some of our expectations about the docket information, but also altered us that the task of extracting and using database data will be more complex than first envisioned, calling for database extractions to be supplemented with additional information that the FJC will obtain from case docket sheets.

A second task of the group will be to examine the set of case characteristics that are routinely collected in standard statistical reports or are easily retrievable from court databases. Using that set of characteristics, the Advisory Group will determine the case types that will receive a distinct case weight. We have included in this packet of information a list of the current case weights and their associated case type categories for reference. The actual numbers on the list are not important; we have included the list simply to illustrate what case types have been distinguished in the past and how they have been weighted relative to each other.

A third task for the group will be to discuss the time estimates that can be derived from JS-10 and 1993 Time Study data. FJC staff will describe the limitations of these estimates, and will seek input from the Judge Advisory Group on how these estimates can be used. The discussion will cover the use of the estimates in the trial proceedings portions of the case weights computation, as well as use in the judgment task that judges will be asked to perform at circuit-based meetings.

The FJC will provide, at the meeting, structured information intended to inform your decisions. This information will include, for example, recommendations about both the types and the level of detail of events that we expect to be able to extract from most court databases. It will also include analyses of time expenditure data obtained from JS-10 forms, and the 1993 Time Study.