

B. Collection of Information Employing Statistical Methods

1. Universe and Respondent Selection

The 2011 SCO project is a census of the organizational, operational, governance, staffing, and budgetary information for each of the nation's 56 court systems (those for the 50 states, the District of Columbia, Puerto Rico, and the U.S territories including American Samoa, Guam, Northern Mariana Islands, and the Virgin Islands). The units surveyed will depend upon the information being examined. Some of the units surveyed will be at the state level, while others will be at the trial or appellate jurisdictional levels. In instances where the unit examined is at the state level, there will be a total of 56 units surveyed. Where the units examined are at the appellate jurisdictional level, there will be a total of 58 courts of last resort and 92 intermediate appellate courts surveyed. If the units being surveyed are at the trial court level, then the units will include 77 general jurisdiction trial courts and 127 limited jurisdiction trial courts.

An example of budgetary and judicial staffing numbers for Arizona can be used to illustrate how the unit examined varies by the information surveyed. Information on the number of judges serving in Arizona's trial and appellate courts is collected at the jurisdictional rather than at the state level. Hence, information would be requested and presented on judicial staffing numbers for each of the following jurisdictional levels of Arizona's court system: (1) court of last resort (e.g., Arizona's Supreme Court), (2) intermediate appellate court (e.g., Arizona's Court of Appeals), (3) general jurisdiction trial court (e.g., Arizona's Superior Court), and (4) limited jurisdiction trial court (e.g., Arizona's Justice of the Peace Courts and Arizona's Municipal courts). Information about Arizona's judicial branch budget, in comparison, is collected at the state rather than at the court level. Thus, the judicial budget portion of the SCO survey would request judiciary budgetary information for the entire state of Arizona as opposed to the different jurisdictional levels of Arizona's trial and appellate courts.

As reiterated previously, the SCO project examines court systems at either the state or jurisdictional levels. SCO does not attempt to assess or measure the organizational characteristics of the nation's courthouses or facilities. At times, a courthouse and jurisdictional court level will coincide such as information requested for a state with only one court of last resort. For the most part, however, jurisdictional levels will not correspond with courthouse buildings or facilities. For example, nearly every state has multiple courthouses falling under the limited jurisdiction trial court. The SCO project will survey a state's limited jurisdiction court system and not the individual court buildings that fall under the limited jurisdiction court label.

Although the units examined vary by the types of information collected, it is important to note that the actual spreadsheets surveying the organizational structure of state courts will initially be sent to a single point of contact in each state. The initial point of contact is typically the administrative director for a state's trial and appellate court system. A list of state administrative court directors is maintained by NCSC and will serve as preliminary contacts to initiate the SCO data collection.¹ Once the administrative official offers approval, NCSC will be provided point of

¹ NCSC serves as a facilitator and meeting organizer for the Conference of State Court Administrators (COSCA). For more information about COSCA, see the following webpage: <http://cosca.ncsc.dni.us/>.

contact information for the person who provides direct assistance for this project. Typically, the point of contact delegates the survey spreadsheets to several staff persons with responsibility for completing this project. In smaller states, it may be that only one or two people will be involved in reviewing and completing the requested spreadsheets, while in larger states, it may be 15 people or more with responsibility over different portions of this project.

It is important to conduct a census of the organizational structure of state trial and appellate courts for the purposes of comparability. The SCO report is broken down at the state and trial/appellate court levels so that readers can examine their court systems across comparable states or in states located in similar geographic regions. A sample survey of organizational trial/appellate court data would not allow data to be presented at the state or jurisdictional court level. Being able to compare court systems is particularly important in light of the variability that exists among courts in terms of their organization, governance, staffing, and funding.

2. Procedures for Collection Information

The SCO project will primarily involve an online data collection effort. The data collection agent (NCSC) will provide each state with a unique login and password for all those who are assigned to review, update, or provide new information for the SCO spreadsheets. The vast majority of staff working on SCO will hail from a state's administrative court office or office of appellate court clerks. It is particularly important to note that each state will be provided with a unique identifier, not each respondent within that state. This will minimize the user support required for the login/password system, which could otherwise be overwhelmed given the number of people involved and the turnover/reassignment of those state court staff over the life of the project. Each state will be asked to provide NCSC with a single point of contact for the SCO data collection, and the NCSC will work directly with that person to monitor and provide support to them in their efforts.

As previously noted, some of the SCO tables received by the respondents will be pre-populated with data from prior SCO reports. Review of this pre-populated data will involve comparing prior results with any possible changes, making any changes to the pre-populated data, and then clicking a submit button to submit that data as they move through. For those tables that do not have pre-populated data, the respondents will complete the tables by providing information in either alpha or numeric formats. Some of the tables will contain drop down lists that respondents can use to pick the appropriate response. A footnote field will be available for respondents to suggest contextual information if for any reason they feel it is necessary to qualify their answer.

Use of the online data collection methodology will also permit real-time monitoring of data collection. Thus, project staff will be able to review overall progress, send reminders to all respondents, and tailor the follow up to each respondent based on updates (or the lack thereof) for specific tables. Online data collection and the population of tables electronically will also allow the data collection agent (NCSC) to automate the initial data quality review. Cells in the tables in which the information has been changed to any degree will be highlighted during the process of importing the data into the database. Cells in which it is possible to define the extent of change (e.g., a 15 percent change in the number of judicial officers in one state) will be highlighted further to call attention to the magnitude of change represented in the new data.

As previously noted, project staff will also be prepared to provide a print version of the online forms for any state trial or appellate courts unable to take advantage of online data submission. While the data collection agent will attempt to gather all the SCO data online, prior experience suggests that some courts will insist on a paper-based data collection. The data collection agent is prepared to offer a paper alternative of data collection for this project.

3. Methods to Maximize Response Rates

Historically, the State Court Organization project has been able to obtain participation from all the trial and appellate courts located in the nation's 50 states, the District of Columbia, Puerto Rico, and the U.S. territories. As in previous iterations of State Court Organization, BJS anticipates that all the nation's trial and appellate courts in the 50 states, the District of Columbia, Puerto Rico, and the U.S. territories will participate in this project. The response rate will be 100% because the data collection agent for this project – the National Center for State Courts (NCSC) – is closely tied to the state court community. The NCSC is the secretariat to eight national court organizations, including the Council of Chief Justices of State Courts of Appeal (CCJSCA), the National Conference of Appellate Court Clerks (NCACC), the Conference of Chief Justices (CCJ), the Conference of State Court Administrators (COSCA), the National Association for Court Management (NACM), the American Judges Association (AJA), and the National Conference of Metropolitan Courts (NCMC). The NCSC has also successfully managed all prior iterations of State Court Organization. In sum, the close ties with the state court community, combined with the experience fielding prior State Court Organization projects, should ensure a 100% response rate.

In order to prevent errors in the SCO data collection, the NCSC will review all data collection spreadsheets submitted and make several, on the order of 3 – 4 contacts, with the respondent to resolve any identified errors. Once the respondent has become familiar with the data collection procedures, fewer contacts should be required.

4. Testing of Procedures

The format for the online data collection instruments was developed with input from BJS and the SCO advisory committee representing key state court stakeholders. Special attention was paid to the views of COSCA, who were the primary providers of data for this project. Pilot tests of those instruments were carried out in six states. The pre-test allowed for the data collection agent (NCSC) to check the data collection spreadsheets and submission functionality of the online data collection forms. As a result of the pretests, several spreadsheets related to the utilization of information systems were modified to reflect the growing use of online access in state court systems.

5. Contacts for Statistical Aspects and Data Collection

The prosecution and adjudications staff at the Bureau of Justice Statistics, along with staff from the National Center for State Courts, take responsibility for the overall design and management of the SCO data collection, including the development of the questionnaire spreadsheets and the analysis and publication of the data.

a. BJS contacts include

Duren Banks, Chief
Prosecution and Adjudications Statistics Unit
Bureau of Justice Statistics
810 7th Street, NW
Washington, D.C. 20531
(202) 307 – 0765

Thomas H. Cohen, Statistician
Prosecution and Adjudications Statistics Unit
Bureau of Justice Statistics
810 7th Street, NW
Washington, D.C. 20531
(202) 514 – 8344

b. Persons consulted on data collection and analysis:

Richard Schauffler
Director, Research Services
National Center for State Courts
300 Newport Avenue
Williamsburg, VA 23185
757-259-1516

Shauna M. Strickland
Senior Court Research Analyst
National Center for State Courts
300 Newport Avenue,
Williamsburg, VA 23185
Phone: (757) 259-1511

c. Persons consulted on statistical methodology:

Mr. Donald Goodnow, Director
Administrative Office of the New Hampshire Courts
Two Noble Drive
Concord, NH 03301
(603) 271-2521

Mr. John T. Olivier, Chief Clerk
Louisiana Supreme Court
301 Loyola Avenue, Room 220
New Orleans, LA 70112-1814
(504) 310-2300

